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HIGHWAY COMMISSION MINUTES
VOLUME 22 PART II PAGE 7495
JULY 9, 1937

VOLUME 22

PART II

PART 2
OF
VOLUME XXII
MINUTES OF OREGON STATE HIGHWAY COMMISSION
COVERING PERIOD
FROM
JULY 9, 1937
THROUGH
NOV. 17, 1937

OREGON STATE HIGHWAY COMMISSION

Henry F. Cabell, Chairman
E. B. Aldrich, Commissioner
F. L. Tou Velle, Commissioner

R. H. Baldock, State Highway Engineer
H. B. Glaisyer, Secretary

HEADQUARTERS AND GENERAL OFFICE OF DEPARTMENT
LOCATED AT SALEM, OREGON

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7495	July 28	Douglas County. North Umpqua Road. Designation as Federal Aid Secondary Highway requested by delegation. Umpqua Highway. Acquisition of Murphy gravel pit for Paradise Creek-Wilson Ranch project. Columbia River Highway. Claim of Union Pacific Company for damage caused by derailment of train. Highway Department employees interviewed.
7496	July 29	Basis of settlement to be presented to railroad company. Acquisition of real property needed for various highway improvements. Resolution.
7501		Marion County. Silver Creek Falls State Park. Option from James C. Hamill covering 7 lots. Condemnation authorized on following properties: Vols, Fred, et al, Silver Creek Falls State Park; Crosby, A. E., Silver Falls City.
7502		Columbia River Highway. Eagle Creek-Cascade Locks Section J. B. Laber property to be condemned, if necessary. Condemnation authorized on following properties:
7503		The Preston Company, Short Sand Beach Creek Section.
7504		Title insurance. Present practice to be continued. Pacific Highway. Earl Harris Lumber Company operations north of Drain. Attorney to take legal steps. Albany. Options authorized for right of way for proposed rerouting of Pacific Highway through town. County Court of Linn County and City Council to refrain from disposing of any more property adjacent to highway. Mountain States Power Company requests State to assume portion of cost to reconstruct pipe line through town.
7505		Robinette-Homestead Secondary Highway. Application to Secretary of the Interior for acquisition of land needed for right of way. Pacific Highway. Claim of Jack Robertson for damage to property caused by Barron Creek-Siskiyou Summit construction. Halsey. Claim of Al Campbell in connection with removal of Frances Gray building from Pacific Highway right of way.
7506		Canyon City. Additional right of way for John Day-Burns Highway. City will deed ten-foot strip. State to grade area. Cottage Grove. Surveys ordered for revision of Pacific Highway. Options authorized. Right of way. Attorney suggests consideration of cost of properties required in adoption of highway locations. Oregon Coast Highway. Olive M. Lee property. Attorney estimates value of property required between \$4,000 and \$5,000.
7507		Wolf Creek Highway. Oregon American Lumber Corporation's settlement for right of way accepted. Roseburg. E. J. Rodgers' claim arising out of revision of highway in front of his campground. Regrading authorized.
7508		Pandleton. East Court Street closing. Aura Street closing suggested instead of East Court Street. Approved.

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7508	July 29	Columbia River Highway. Bridal Veil Timber Company operations at Corbett. Control of area between high- and low-water mark.
7509		Willamette Highway. Savings of Forest Highway Funds to be expended on Tunnel Section by Bureau of Public Roads. State to construct second section east of tunnel.
7510		Columbia River Highway. Eagle Creek Forest Highway project. W. H. Lynch inquires as to progress for acquisition of right of way.
		Weston-Elgin Highway. Construction of State's portion urged by W. H. Lynch. Application to be submitted for grant of P.W.A. funds.
		State to construct as Federal Aid Secondary Highway or State project, if necessary.
		Albany. Grade separation construction to be deferred unless State advances funds. Decision deferred until next meeting.
7511		Multnomah County. Advance of County's share of motor vehicle funds requested. Granted.
		Barbur Boulevard. Acquisition of county-owned lots. State to landscape if County will deed to State.
		Multnomah County. County-owned land along south side of railroad between Lombard Street and Sandy Boulevard. State to negotiate for acquisition.
		Astoria. Rerouting of highway along Astor Street. Engineer's report on acquisition of right of way.
7512		Columbia River Packers Association agrees to move buildings for \$4,289. Offer accepted.
		Date for public hearing scheduled for September 13.
		Survey authorized for definite location of new route. Estimate of cost ordered.
		Clatsop County. Cannon Beach. Dr. Charles E. Dodge, Portland, requests construction of approach road from Park Street to Oregon Coast Highway. Request denied.
		Klamath Falls. Traffic survey results. Installation of signals recommended on Main Street. State to install flashing beacon on South Sixth Street at railroad crossing.
7513		West Salem. Installation of traffic signals at intersection of Salem-Dallas Highway with city street and intersection of highway with Wallace Road approved.
		South Yamhill River Bridge. Settlement with insurance company for damage caused by J. C. Compton's equipment.
		P.W.A. Commission's application for funds partially approved.
		Central Oregon Highway. Oasis and patrol headquarters sites between Bend and Burns. Further investigation ordered.
7514		I.O.N. Highway. Comparison of distances and costs for route south of Rome; also connection with Central Oregon Highway.
		Route from Blue Mountain Pass to Folly Farm adopted.
7515		Amity-Hopewell Secondary Highway. Report on condition.
		Pacific Highway. Pringle Creek-Illaha School Section. Oil-ing of side road used by contractor requested by Mrs. Case.

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7515	July 29	Lincoln County. Siletz River Secondary Highway. Furnishing of powder and equipment on County's W.P.A. clearing project. Lane County. Settlement of County's indebtedness to State. Agreement signed providing for payment of \$200,000. Pacific Highway. W. W. Hileman, Cottage Grove, requests permit to haul overlength piling from Cottage Grove to Latham. Stereocomparagraph. Purchase authorized. Calculator. Purchase of electric machine authorized.
7516		Power hoists. Engineer authorized to equip six trucks with hoists for use of bridge repair crews. Federal Aid System. Revision of route descriptions and mileages suggested by Bureau of Public Roads. Bertha-Beaverton Highway. Extension from Bertha to connection with Southwest Barbur Boulevard approved. Multnomah County. County requests designation of Northeast Portland Secondary Highway No. 123. Resolution adopted.
7517		Old Oregon Trail. Stanfield-Pendleton Section. Old route to be retained as a secondary highway. Umatilla County. County Court to request designation of old route of Old Oregon Trail between Stanfield and Pendleton as a secondary state highway. Pacific Highway West. Abandonment and retention of certain portions of old highway. Resolution.
7522		The Dalles-California Highway. Abandonment of portion of Redmond-Bend Section, (old route). Resolution.
7524		American Association of State Highway Officials. State Highway Engineer, Assistant Engineer, and Commissioners to attend Annual Meeting in Boston, Sept. 27 to 30.
7525		Umatilla County. Hermiston Secondary Highway. Request of civic organizations of Hermiston and Pendleton for improvement of entire length of road rather than portion thereof. Currier's Village. Oregon Federation of Garden Clubs protest advertising signs. Horses. Riding on bathing beaches. State Sanitary Engineer objects to use of horses on beach area. Woodburn-Silverton Secondary Highway. Mt. Angel Business Men's Club request flattening of curves. Request denied. Center stripe repainting authorized.
7526		Peter Skene Ogden. Oregon City Territorial Days Committee requests permission to erect monument south of Oregon City. Baker-Homestead Highway. W. W. Evans, Halfway, Oregon, requests improvements. Clackamas County. Petition from taxpayers urging selection of Hereford Street, in Gladstone, as connecting road between 82nd Street and East Portland-Oregon City Highway. Portland. Social Assurance Association suggests naming Union Avenue viaduct in honor of L.M. Lepper. Oregon Coast Highway. Short Sand Beach Creek Bridge. "Samuel G. Reed Bridge" suggested as name. Shell Oil Company. Film depicting City of Tomorrow to be viewed by Commission.

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7526	July 29	Gold Hill. Request for sign across highway directing tourists over Sams Valley Secondary Highway denied.
7527		Nehalem. Repair and maintenance of steel bridge over Nehalem River to be assumed by State.
		Oregon Coast Highway. Mayor of Marshfield requests privilege of attending conference when permanent route between Marshfield and North Bend is adopted.
		Pacific Highway. Eugene Planning Commission requests early decision on route through or around Eugene.
7528		Kimberly-Monument Secondary Highway. Improvements requested.
		Columbia County. County Judge requests just allocation of 1938 federal funds for feeder roads for county.
		American Road Builders' Association. Assistance in securing affiliation of State Highway Contractors' Association.
		Wolf Creek Highway. Clatsop County Court and various organizations request oiling between Elsie and junction with Coast Highway.
		Scales. Purchase of traffic scales authorized for installation on Wilson River Highway east of Tillamook.
		Surveys. Location surveys ordered by Engineer confirmed.
7529		John Day Highway. John Day-Prairie City Section. Location as shown on survey adopted. Resolution.
		Oregon Coast Highway. Siletz River-Newport Section. Location survey adopted.
7530		Extensions of time, as follows:
		Parker-Schram Company, S. P. Undercrossing in Oregon City;
		Joplin & Eldon, Criterion-Cow Canyon Section;
7531		McNutt Bros., Ochoco Dam-Mill Creek Section;
		Hoffman Construction Co., Union Avenue Overcrossing.
7532		Contracts completed and accepted:
		S. P. undercrossing south of Ashland, Berke Bros.;
		Oregon City Undercrossing, Parker-Schram Company;
		Middle Unit, Emigrant Hill Section, Newport Construction Company and Kern & Kibbe;
		Wilcox-Shaniko Section, A. Milne;
7533		Stewart Bridge-Flat Creek Section, Chas. H. Leonard;
		Wiring Highway Department offices, Brownell Electric Co.;
		Fort Klamath Section, A. S. Wallace;
		Rainrock-Greenleaf Creek Section, Babler Bros.
		Agreements signed, as follows:
		Union Pacific Company and O.W.R. & N. Company, construction of electric power transmission line near Bonneville;
		Tillamook County, maintenance of Tillamook-Netarts County Road;
		Tillamook County, maintenance of Nehalem River county road;
		Tillamook County, construction of portions of Nehalem River county road and Tillamook-Netarts county road and Pacific City county road;
7534		Fred H. Peterson, damages in connection with East Portland-Oregon City Highway construction;

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7534	July 29	<p>Agreements (cont.):</p> <p>Yellow Fir Lumber Company, use of roadway in state park;</p> <p>Safeway Stores, Inc., improvements along Pacific Highway.</p>
7535	Aug. 11	<p>Bonds. Issuance and sale of \$1,000,000 Oregon State Highway bonds approved. Resolution authorizing advertisement.</p>
7539		<p>Union County. Weston-Elgin Secondary Highway. Completion northwesterly from Elgin to forest boundary requested.</p> <p>Wallowa Lake Highway. Sidewalk requested between La Grande and Island City.</p> <p>Minutes approved for March 24, 25 and 26, March 30, April 1 and 2, 1937.</p>
7540		<p>Wolf Creek Highway. Little Quartz Creek. Bridge construction authorized.</p> <p>Dayville. Repairs necessitated to highway right of way by construction of water system to be performed by city.</p> <p>Baker-Homestead Highway. Baker-Halfway Section. Report on cost to regrade, surface and oil.</p> <p>Baker-Keating Junction section improvement favored.</p> <p>Consolidated Highway Company, Inc. Contracts now underway to be completed before bids will be considered on future projects.</p> <p>Bradley Park. Renewal of present caretaker's contract approved.</p>
7541		<p>Employment of additional caretaker during summer considered.</p> <p>Emigrant Park. Request of Rev. L. H. Vichers, La Grande, for camping privileges denied.</p> <p>National Parks Service. Request that Highway Commission sponsor W.P.A. project for securing miscellaneous data denied.</p> <p>Lake County. Park area adjacent to Fremont Highway donated to State by S. B. Chandler. Obligation of State to construct fence.</p>
7542		<p>Purchase of wayside timber strip along Klamath Falls-Lakeview Highway, near Drews Valley, approved.</p> <p>Marion County. Park site adjacent to North Santiam Highway east of Mehama donated to State by County.</p> <p>B. L. Bradley, Salem, requests permission to operate telescope on beach. Request granted.</p>
7545		<p>Acquisition of real property. Resolution adopted.</p> <p>Bandon. Location survey ordered for relocation of highway. Options authorized for necessary right of way.</p> <p>Wolf Creek Highway. Brown and Brown, Inc., Forest Engineers, inquire regarding possibility of purchasing timber on property acquired by State from Detroit Trust Company.</p> <p>Oregon Coast Highway. Attorney authorized to bring suit to enjoin owners of "Zeller" buildings from maintaining them on highway right of way.</p>
7546		<p>State Land Board. Refusal to turn over deeds to property purchased by State until payment has been made.</p> <p>Lincoln County. Olive M. Lee property. Condemnation authorized to acquire property required for Oregon Coast Highway.</p>

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- 7546 Aug. 11 Marion County. Purchase of Hamill property adjacent to Silver Creek Falls approved.
Portland. Denver Avenue-Union Avenue intersection. Plans for traffic separation structure considered.
Peninsula Golf Club requests right of way designation for Denver Avenue-Union Avenue improvement to enable construction of new club building.
- 7547 Siletz Secondary Highway. Report of reconnaissance survey to reconstruct Toledo-Siletz Section.
Repairs to present road approved.
Coos County. County Court requests designation as secondary highway of county road which connects with Coos River Secondary Highway northeast of Allegany. Engineer's report.
Oregon City. Peter Skene Ogden memorial. Site for erection of marker by "Territorial Days, Inc." approved.
Columbia River Highway. Construction of retaining wall near Corbett approved in connection with erection of monument by Columbia Grange No. 267.
- 7548 Air compressor. Purchase of 2.5 cubic foot compressor authorized for Roseburg Division Office garage.
Redmond. Construction of addition to maintenance building approved to house Snogo and truck.
Scales. Purchase of five truck scales authorized for installation at heavy logging locations.
- Aug. 12 Bids, as follows, opened and read:
Overcrossing at Bunker Hill, Coos River Secondary Highway;
7549 Arch Cape-Beach Creek Section, clearing;
Lake County Line-Gap Ranch Section, regrading, surfacing;
Bloucher Section, surfacing and oiling;
Eagle Point-Baker Gulch Section, surfacing;
Siuslaw Junction-Awbrey Section, grading, topping, and timber pile trestle;
7550 Ontario Undercrossing, Old Oregon Trail;
Union Avenue Bridge, Portland, Remodeling;
Tillamook County oiling project on three county roads;
Structural steel for Whiteson undercrossing;
Sale of residence property at Enterprise.
Bids. Contractors to submit bids by hour specified in Notice to Contractors, otherwise, Commission will not consider.
- 7551 John Day Highway. Senator W. H. Steiwer, Fossil, requests oiling north of Spray rather than construction of bridge over the North Fork of the John Day River.
Washington County. Pacific Highway West. Widening for four lanes into Tigard requested by people of Tigard.
Portland. Construction of storage building authorized.
- 7552 Pacific Highway. Prosecution of Mr. McCutcheon considered for felling tree on highway right of way at Woodburn.
Bertha-Beaverton Highway. Extension from Bertha to connection with Barbur Boulevard, Portland. Resolution adopted.
- 7553 Interstate Bridge. Increase in salaries of gate tenders.

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7553 Aug. 12

Vale. Reconstruction of Central Oregon Highway within city limits requested by City Council and Chamber of Commerce.

7554

Lewis A. McArthur. Recommendation that bridges be dedicated to individuals rather than named in their honor.

Tillamook County. Park donated by Samuel G. Reed to be named in his honor rather than Short Sand Beach Creek Bridge.

Wheeler County. County Court requests State to take over County road extending from John Day Highway, near Fossil, to Kinsua.

Columbia County. County Judge requests allocation of future federal funds to Columbia County.

Dalles-Dufur Road. Wasco County Granges request oiling.

The Dalles-California Highway. Robert W. Sawyer suggests early acquisition of right of way for proposed revision in vicinity of Bureau of Reclamation irrigation project. Location survey ordered.

7555

Grant County. Kimberly-Monument Secondary Highway. County School Superintendent urges improvements.

Nehalem Secondary Highway. Regrading and repair between Mist and Jewell urged by various granges.

Extensions of time, as follows:

7556

Harold Blake, S. P. Overcrossing north of Eugene;
Colonial Construction Co., Pendleton Overcrossing;
Hoffman Construction Co., Union Avenue Overcrossing;
Schmeer, Williams & Gentemann, crushed rock for Condon-Fossil Section.

Joplin & Eldon. Per diem penalty imposed in connection with Eagle Creek Bridge superstructure contract withdrawn.

7557

Contracts accepted, as follows:

Eugene Overcrossing, Harold Blake;
Pendleton Overcrossing, Colonial Construction Co.;
Redmond-Bend Section, Babler Bros.;
Castle Rock-Umatilla County Line Section, Smith & Company;
Alsea-South Fork Section, Sig Ash;
Condon-Fossil Section, Schmeer, Williams and Gentemann;
Gales-Line Section, Babler Bros.;
Forest Grove-Hillsboro Section, Warren Northwest Inc.;
Klaskanine Summit-Jewell Section, Trebarn Junction-Buxton Section, and Davies-Banks Section, J. C. Compton.

7558

Columbia River Highway. Eagle Creek Section. Commission guarantees right of way to Bureau of Public Roads.

Forest Highway Funds. Joint letter to Washington, D. C. regarding allocation of accumulated forest funds to construction of tunnel section of Willamette Highway.

7559

Agreements, et cetera, signed:

Deed conveying to I. B. Lindeman and wife property in Rainier in exchange for land furnished State;
Lease agreement with Douglas County providing for use of Murphy Bar, west of Scottsburg;
Southern Pacific Company, Whiteson Undercrossing;

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7559	Aug. 12	Agreements (cont.) Southern Pacific Company, Bunker Hill viaduct; Columbia River Packers Assoc., removal of buildings from right of way along Astor Street in Astoria. Linn County. Corvallis-East Side Secondary Highway. Delegation from Albany and Corvallis request oiling of 5-mile section.
7560		Survey authorized for revision whenever funds available. Baker County. Baker-Homestead Highway. Improvements requested by delegation.
7561		Baker-Unity Highway improvements requested by delegation. Designation as secondary highway of county road extending northwesterly from Robinette to Baker-Homestead Highway requested.
7562		1938 Railroad Grade Separation Program. Revision authorized to provide funds for construction of Albany grade separation project. Albany. Grade separation project to be financed through revision of 1938 railroad grade separation program.
7563		Jackson County. Claim of Ralph J. Robertson arising out of slide due to highway construction in front of his property. Coos County. County Judge asks designation of county road extending southeasterly from Marshfield as secondary highway. Coos River Secondary Highway. County Judge asks extension to Allegany. County cooperation offered on bridge construction on county road.
7564		Lincoln County. Siletz River Secondary Highway. County Judge inquires regarding plans for improvement. Temporary improvements authorized. Otter Crest. Oiling of parking area adjacent to highway approved when oiling crew is available.
7565		Cape Arago Secondary Highway. Delegation requests oiling. Tillamook County. Oiling project on three county roads. County's share of cost to be paid in warrants to be held until completion of job. County to pay cost of construction engineering supervision and inspection. Award of contract to be withheld pending payment of County's warrants and execution of agreement. Dougherty Slough revetment. Investigation ordered to determine Commission's obligation.
7566		Award of contracts announced on following: Bunker Hill Overcrossing of S. P. tracks; Arch Cape-Beach Creek Section, 2.18 mi. clearing; Lake County Line-Gap Ranch Section, regrading, surfacing and furnishing of crushed rock; Bloucher Section, surfacing and oiling and crushed rock; Eagle Point-Baker Gulch Section, surfacing and crushed rock; Siuslaw Junction-Awbrey Section, grading and topping and timber pile trestle with concrete superstructure;
7567		

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7567	Aug. 12	Awards: (cont.) Union Pacific Undercrossing at Ontario; Union Avenue Bridge over Sullivan Gulch, Portland, widening and remodeling; Tillamook County Oiling Project on three county roads; Structural steel for S. P. undercrossing at Whiteson; Sale of residence property in Enterprise.
7568		Columbia River Highway. Hood River revision. Government's offer as settlement for damage resulting from Bonneville Dam construction. Curry County. Brookings delegation urge improvements to highway through town. County Court requests widening of highway through Brookings. Surveys authorized for reconstruction of highway.
7569		Portland. Claim of Frank F. Reiner arising out of Union Avenue project referred to Chairman Cabell. Deschutes County. County Court requests designation as a secondary highway of old highway between Redmond and Bend. Tumalo Falls Road. County requests designation as secondary highway. Assignment of portion of County's share of gasoline fund offered for improvements to road.
7570		Lincoln County. Siletz Secondary Highway. Lincoln County Logging Company requests permission to operate skyline logging cable over highway. Request granted. Hood River County. County Court inquires regarding award of Bloucher Section contract.
7571		Mt. Hood Highway. Removal of hump near junction with Whiskey Creek county road requested by County Court. Samuel A. Lancaster requests survey for bridge across Columbia River near Bonneville Dam. Request denied. Oregon Coast Highway. Delegation protests proposed reconstruction between Fogarty Creek and Boiler Bay. No action.
7572	Aug. 26	Union County. Hilgard-Starkey Secondary Highway improvements requested by Mt. Emily Lumber Company. Mt. Emily Lumber Company. Alleged deposit of snow on railroad by highway snow removal operations. Hilgard-Starkey Secondary Highway. Installation of culverts requested by Mt. Emily Lumber Company.
7573		Approach road and widening of highway at Ox Bow and construction of guard fence requested by Mt. Emily Lumber Co. Wolf Creek and Wilson River Highways. Additional \$62,000 State Funds authorized in connection with W.P.A. projects. Lincoln County. Siletz River Secondary Highway. Amount previously authorized for furnishing crushed rock increased to \$59,000.
7574		L. A. Hollinshead offers services in procurement of right of way for connection between Coast Highway and Wolf Creek Highway in vicinity of Cannon Beach. Shell Oil Company. Film predicting "The City of Tomorrow" to be viewed by Commission on September 14.

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7574 Aug. 26

Load limit. Confirmation of 8-ton load limit pending repair of falsework.

R. H. Baldock authorized to attend National Asphalt Conference in Memphis, Tennessee in December.

Bonds. Dr. E. B. McDaniel, Pres., Oregon State Motor Association, to attend meeting for discussion of bond sale.

Cape Arago Secondary Highway. Mrs. J. S. Evans, Marshfield, inquires regarding oiling of highway.

7575

Coos County. Designation as state highway of Coos Bay Wagon Road requested by Coos and Douglas County residents.

Coos River Secondary Highway extension requested by County Judge.

Designation of county road southeasterly from Marshfield as secondary highway requested by County Judge.

National Park Service. Cooperative study of recreational possibilities of State. Commission approves request.

Western Safety Conference. Donation of \$200 requested to defray expense of recent meeting in Portland. Request denied.

Clatsop County. Norman N. Rupp offers to sell timber tract adjacent to Nehalem Highway west of Jewell.

7576

E. B. McNaughton, Portland, objects to manner of removing quarry materials near Champoege by Marion County forces.

Columbia River Highway. John B. Yeon, Jr., Portland, regarding construction of parkway by National Parks Service.

Wallowa County. Enterprise-Flora Highway. Conference with Bureau of Public Roads and Regional Forester scheduled to consider extension of highway to Washington State Line.

Baker County. Baker-Homestead Highway. Rock crushing project approved between Love Bridge and Black Bridge.

Baker-Medical Springs Secondary Highway. Furnishing of crushed rock for 3-mile section approved.

7577

Baker-Unity Highway. Resurfacing of 4-mile section across Salisbury Flat approved.

Baker-Homestead Highway. Location survey authorized for Federal Aid secondary highway project between Baker and Upper Keating Junction. Reconnaissance survey between Upper Keating Junction and Powder River authorized.

Baker County. Robinette-Homestead Secondary Highway. Extension to connection with Baker-Homestead Highway approved.

Removal of northerly end of Robinette-Homestead Secondary Highway from Secondary Highway System approved.

Extensions of time, as follows:

7578

M. L. O'Neill & Son, Burns-Buchanan Section;

McNutt Bros., Pumping Plant Hill Section;

Fisher Bros., Unit No. 3, Chichester Gulch-Summit Section;

Homer G. Johnson, Myrtle Point-Mystic Creek Section.

7579

Contracts completed, as follows:

Azalea-Holf Creek Summit Section, J. C. Compton;

McKenzie Pass-Little Butte Section, J.W. and J.R. Hillstrom;

Ochoo Dam-Mill Creek Section, McNutt Bros.;

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7579	Aug. 26	Contracts completed, (cont.) Burns-Buchanan Section, M. L. O'Neil & Son; Shelton Ranch-Flora Junction Section, Colonial Construction Co.; Pumping Plant Hill Section, McNutt Bros.;
7580		Chaik Cliff-Paisley Section, E. H. Itschner & E. L. Rigdon; Oiling on secondary highways in Linn and Yamhill Counties, J. C. Compton.
	Aug. 31	Lakeview. Conference with Chamber of Commerce, et al. Lake County. County Judge requests designation as secondary highway of county road on west side of Goose Lake.
7581		Klamath Falls-Lakeview Highway. Oiling of unoiled section requested by delegation.
7582	Sept. 1	Klamath Falls. Conference with Klamath County Chamber of Commerce. Klamath County. Klamath Falls-Lakeview Highway. Oiling requested by Klamath County Chamber of Commerce. Federal Aid Secondary Highways. County Court submits resolution specifying choice of county roads. Secondary Highway No. 423 County Court's first choice for state secondary highway construction. County Court submits resolution relating to designation of county roads as Federal Aid Secondary Highways. Designation as secondary highways requested for Market Road No. 19, Sprague River County Road and Lake-of-The Woods Road.
7584	Sept. 1	P.W.A. Funds. Application resubmitted to C. C. Hockley. Projects listed in order of priority. Signals. Installation of signals at intersection of Pacific Highway West and McMinnville-Tillamook Highway approved. Trees. Destruction of trees on Pacific Highway right of way at Woodburn by Mr. McCutcheon. Suit authorized.
7585		Maintenance material. Advertisement for bids authorized for material for West Diamond Lake Secondary Highway and Crater Lake-North Secondary Highway. Advertisement for furnishing of material for projects in Division 5 authorized. Agreements, as follows, considered and signed: Kern & Kibbe, disposition of claim arising out of North Salem Undercrossing contract; Quitclaim deed conveying land adjacent to Wolf Creek Highway, in Washington County, to Lydia Meier.
7586	Sept. 13	Astoria. Public hearing in regard to rerouting the Columbia River Highway and Oregon Coast Highway within city.
7588	Sept. 13	Bond sale. Conference with Dr. E. B. McDaniel and Ray Conway in regard to bond sale on following day.
7589		Consolidated Highway Company. Conference with contractor and surety regarding completion of Rock Creek-Fallows project. Future bids on highway work not acceptable.
7590		Federal Aid. Revised 1938 Regular Federal Aid Program. Albany. Railroad grade separation project provided for by revision of 1938 Federal Aid Program.

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7592	Sept. 13	Albany. Plan for financing grade separation project tentatively approved. Grade Separation Program. Revised 1938-39 program tentatively approved. Minutes. Meetings held on April 12, April 26, 27 and 28; May 16, 17 and 18; and June 3 and 4, 1937, approved.
7593		Chandler Park. Abandonment of portion lying west of old highway considered. Negotiations with Mr. Chandler ordered. Depoe Bay. Acquisition of area at end of Depoe Bay Bridge. Commission rejects price asked by owner, Mr. Winchell. North Bend. Area at south end of Coos Bay Bridge to be deeded back to City. Clatsop County. Acquisition of right of way for road to Saddle Mountain State Park. Offers of Crown Willamette Company and Smith Waterhouse Company accepted subject to satisfactory negotiations with Grand Rapids Oregon Timber Company. Condemnation. Proceedings authorized to acquire right of way required from Grant Rapids Oregon Timber Company for road to Saddle Mountain State Park.
7594		Trees. Mutilation of trees on highway right of way at Woodburn. Investigation ordered. Acquisition of real property needed for highway improvements. Resolution.
7599		Resettlement Administration. Settlements set forth in right of way resolution approved subject to adjustment of water pipe installations.
	Sept. 14	Bids, as follows, opened and read: Storage building at south city limits of Portland; South Fork Quartz Creek, concrete bridge; Diamond Lake Rock Production Project; Forest Boundary-Long Creek Section, crushed rock; Bloucher Section, surfacing, oiling, crushed rock; Siletz Secondary Highway, surfacing and rock production; Timber bulkhead in Gresham; The Dalles Roadside Improvement Project; Sale of buildings at Marshfield.
7600		Willamette Highway. Application of Gilchrist & Company to maintain grade crossing pending completion of overcrossing.
7601		Deschutes County. Tumalo Falls Road. County requests State to keep road open with rotary plow. Request granted.
7602		Josephine County. Williams Secondary Highway. Delegation requests reconditioning and oiling of six-mile section.
7603		Klamath County. Designation as secondary highway of road from Klamath Lake Secondary Highway westerly to Lake-of-The-Woods requested by Paul Landry, Klamath Falls. Forest Highways. Forest Service representatives object to expenditure of funds on roads leading to Lake-of-The-Woods.
7604		Klamath Lake Secondary Highway. Improvements requested by Paul Landry of Klamath Falls. Bonds. Bids received for purchase of \$1,000,000 Highway Bonds.

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- 7605 Sept. 14 Wallowa County. Enterprise-Flora Highway. Extension to Washington State Line approved by Bureau of Public Roads. Mt. Hood. Forest Service requests Commission to maintain road from Mt. Hood Highway to new lodge at timber line.
- 7606 Award of contracts, building sales and bonds:
Construction of storage building in Portland;
Quarts Creek Bridge on Wolf Creek Highway;
- 7607 Diamond Lake Rock Production Project;
Forest Boundary-Long Creek Section of Pendleton-John Day Highway, crushed rock in stock pile;
Bloucher Section, surfacing and oiling and crushed rock;
Silets Highway surfacing and rock production project;
Bulkhead construction along Mt. Hood Highway in Gresham;
The Dalles Roadside Improvement Project;
- 7608 Sale of buildings in Marshfield;
- 7609 Sale of \$1,000,000 highway bonds.
Bonds. Sale of \$1,000,000 highway bonds to The First National Bank of Portland. Resolution.
- 7610 Tillamook County. State cooperation in construction of re-
vetment along Wilson River to protect Dougherty Slough.
County Court and Wilson River Drainage District, represent-
atives ask reconsideration of cooperation.
- 7611 Lincoln County. Gleneden Beach residents protest relocation
of Oregon Coast Highway bypassing town.
- 7612 Cottage Grove. U. G. Walker, Portland, offers to donate
property needed for revision of Pacific Highway on condi-
tion that State will purchase certain other property.
Portland. Powell Boulevard-Milwaukie Avenue intersection.
Traffic light installation approved.
Ross Island Bridge approaches. Safety islands to be con-
structed. Removal of monument in intersection at west end
of bridge ordered.
- 7613 Traffic signals. Installations approved at intersection of
17th & Schiller Streets and Union Avenue and Hawthorne
Avenue, Portland.
East Portland-Oregon City Highway. Ross Island-Schiller
Street Section. Claim of Joseph Teresi and Agostino Gallu-
zo denied.
Claim of G. H. Huthman denied.
Columbia River Highway. Acquisition of right of way needed
in vicinity of Bridal Veil. Attorney's report.
Minnie T. Reed, and others, occupying land between the
high-and low-water mark of the Columbia River to be ordered
to vacate premises.
Bridal Veil Timber Company property and Union Central Life
Insurance property to be acquired by condemnation.
George Joseph, Jr. submits three offers for acquisition of
right of way across his property.
- 7614 Condemnation approved on following properties:
Orient Section of Mount Hood Highway,
S. Takaki.

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7614 Sept. 14 **Condemnations: (cont.)**

Troutdale-Multnomah Falls Section,
 Union Central Life Insurance Co.,
 Bridal Veil Timber Co.,
 Minnie T. Reed;

7615

Marshfield Section,
 Mullen-Flanagan Estate,
 Mary Berg;
 Saddle Mountain Park Road,
 Grand Rapids-Oregon Timber Co.;

7616

Wall Creek-Siskiyou Section,
 Ralph I. Robertson and Hannah D. Robertson.
 Jackson County. Ralph I. Robertson's claim for damages due
 to slide caused by construction of Pacific Highway (new
 route) across his property. Claim denied. Condemnation
 authorized.
 Portland. East Lombard Street Extension. City Commissioner
 Bean inquires regarding acquisition of city-owned property.
 La Grande. Eastern Oregon Light & Power Company requests
 Commission to re-deed property heretofore donated for
 undercrossing project. Request granted.
 Oasis. Recommendation of Landscape Engineer on site at
 Brothers for proposed maintenance headquarters and oasis.
 Columbia River Highway. John B. Yeon, Jr., Portland, sug-
 gests parkway up Columbia River Gorge. Action deferred.
 Jackson County. Mr. Frank Forth, Ashland, requests permis-
 sion to construct trestle on highway right of way north
 of Siskiyou Station. Request denied.
 Pendleton. Claim of Northwest Cities Gas Company in con-
 nection with Overcrossing project approved.
 Portable air-blower. Purchase authorized for use of Radio
 Supervisor.

7617

7618

Maintenance material. Bids authorized for following:
 Alsea Highway, from summit east of Alsea to end of oil;
 Corvallis-Newport Highway; Eddyville-Blodgett Sec. Hwy.;
 Oregon Coast Highway, Hebo-Neskowin;
 McMinnville-Tillamook Highway, Hebo-Dolph;
 Columbia River Highway, M. P. 58.2 to 96.3;
 Mt. Hood Highway, M. P. 100.0 to M. P. 104.21;
 Columbia River Highway, M. P. 100 to 120;
 The Dalles-California Highway, M. P. 74.51 to 95.73;
 The Dalles-California Highway, M. P. 193.0 to 214;
 Mt. Hood Highway. Maintenance material for Rhododendron-
 Bennett Pass Section. Investigation ordered
 Wapinitia Highway. Mt. Hood-Bear Springs Section. Main-
 tenance material project to be investigated.
 Ferry service. Extension of contract with Julius Gunnell
 for service on Coos River Secondary Highway.
 Award confirmed on following:
 Tillamook County Ciling Project, J. C. Compton;
 Arch Cape-Beach Creek Section, Berke Bros., Inc.

7619

<u>Page</u>	<u>Date</u>	<u>Subject</u>
	1937	
7619	Sept. 14	Log hauling. Penalties to be imposed for violation of weight limits. Resolution.
7621		Letter to Supt., Dept. of State Police, requesting cooperation.
		Letter to Public Utilities Commissioner requesting cooperation.
7622		East Portland-Oregon City Highway. Estimates to illuminate Ross Island Bridge-Milwaukie Section.
		Salem. City Council refuses to cooperate in cost of lighting undercrossing at north city limits.
		N. M. Finkbinder authorized to attend meeting of Western Association of State Highway Officials in Salt Lake City.
		Portland. Neighborhood Community Club objects to highway construction across Duniway Park in South Portland.
		Wasco County. Roads Committee of Wasco County Granges submit circular letter regarding school bus and mail roads.
		Linn County. Shedd-Halsey Section of Pacific Highway. Damage to county roads by reason of contractor's operations to be assumed by State.
7623		Oregon Coast Highway Association. Commission and staff invited to annual banquet in Astoria on October 11.
		Tillamook County. County Court urges completion of Little Nestucca Secondary Highway.
		John Day Highway. John Day Lions Club urges early construction of John Day-Prairie City Section.
		Log hauling. District Attorney, Ben C. Flaxel, Coos County, writes regarding prosecution of R. J. Lewis.
		Woodburn. S. W. Maupin requests permission to erect sign over right of way advertising tourist camp. Denied.
		East Portland-Oregon City Highway. Safety island construction at Oak Grove Avenue intersection considered.
		Baker County. County Court requests extension of Robinette-Homestead Secondary Highway. Resolution adopted.
		Elimination from secondary highway system of portion of Robinette-Homestead Secondary Highway requested by County Court.
7624		Resolution extending Robinette-Homestead Secondary Highway.
7625		Resolution eliminating portion of Robinette-Homestead Secondary Highway from highway system.
7626		Surveys. Engineer authorized to make location surveys, et cetera, as submitted in list.
7627		Extensions of time:
		Fred H. Slate, Nehalem River-Rock Creek Section;
7628		McNutt Bros., Unit 3, McCallister Section;
		Schmeer, Williams & Gentemann, Haines-Baker Section;
		Tom Lillebo, Bridges over Rock Creek and Wallowa River;
7629		Dolan Construction Co., Bridge over North Fork Nehalem River;
		W. C. White, Sage Hen Creek-Burns and Poison Creek-Burns Sections;
7630		E. F. & W. F. Philpott, Bridge over Necarney Creek;

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7630	Sept. 14	Extensions of time: (cont.) H. L. Rice, Memaloose Park-Dillon and John Day River-Blalock Sections; Babler Bros., Valley Falls-Cinder Butte Section
7631		Averill and Corbin, West approach to Willamette River Bridge at Salem. Contracts completed and accepted, as follows: Nehalem River-Rock Creek Section, Fred H. Slate; Criterion-Cow Canyon Section, Joplin & Eldon; S. P. Overcrossing on Union Avenue, Portland, Hoffman Construction Company,
7632		Bridges over Rock Creek and Wallowa River, Tom Lillebo; Sage Hen Creek-Burns Section and Poison Creek-Burns Section, W. C. White; Fossil-Kinzua Junction Section, Fisher Bros.; Unit No. 3, Chichester Gulch-Summit Section, Fisher Bros.; Agreements, et cetera, signed: Oregon Portland Cement Company, occupancy of right of way of the Gales-Tunnel Section; T. R. Maxwell, sale of property in Zurcher's Amended Addition to Enterprise; Union Pacific Railroad Company, construction of power transmission line near Bonneville; Southern Pacific Company, lease of unloading site at Myrtle Point; Application for right of way across Indian land in Lincoln County necessitated by improvement of Siletz Secondary Hwy.; Application for right of way across Indian land for improvement of Salmon River Highway, Lincoln County.
7633	Oct. 21	Federated Garden Clubs. Conference in Benson Hotel in regard to highway beautification.
7635		Oregon Trail Association. Commission invited to Annual Meeting in Pendleton on October 28. Mrs. Virginia Hickey. Claim for damages to property at Brightwood. Pearl S. Koble. Claim for right of way across property south of Asnland. Basis of settlement.
7636		Acquisition of right of way. Resolution.
7641		Portland. Lombard Street Extension. Acquisition of properties from City and County deferred. Columbia River Highway. Acquisition of George Joseph property needed for Troutdale-Multnomah Falls revision. Oregon Coast Highway. Fogarty Creek revision. Acquisition of Nina I. Belt property deferred. Multnomah County. Upper Columbia River Highway. Acquisition of Minnie T. Reed property. Condemnation authorized.
7642		Gilliam County. Shuttler-Flat-Condon Rock Production project. Condemnation authorized for acquisition of quarry site. Columbia River Highway. Acquisition of land from Union Central Life Insurance Company. Condemnation authorized.

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7642	Oct. 21	Condemnation. Resolution authorizing acquisition of Union Central Life Insurance property between Troutdale and Multnomah Falls.
7645		Engineer instructed not to take possession of properties under condemnation until proceedings have been completed.
		Douglas County. Acquisition of Beckley property needed in connection with surfacing materials for Umpqua Highway.
		Offer of Mr. Beckley unsatisfactory.
		Shelton Park. Wheeler County Relief Committee request donation of 50 cords of wood. Request granted.
		Lincoln County. Acquisition of park site owned by Carl G. Washburne near Heceta Head considered.
7646		Grant County. Acquisition of James Moore property adjacent to John Day Highway. Commission to acquire 40-acre tract from State Land Board to exchange for Moore property.
		Tillamook County. Weyerhaeuser Timber Company to deed timber strips to County for transfer to State.
		Columbia County. Acquisition of park site adjacent to Nehalem Secondary Highway. Natal Grange urges Commission to purchase 5.64-acre tract from Clark Wilson Lumber Co.
7647	Oct. 22	Bids, as follows, opened and read:
		Middle Bridge-Black Bridge Section, crushed rock;
		North Powder-Muddy Creek Section, grading, surfacing, macadam, and crushed rock in stock pile;
7648		Lincoln County Line-Alsea Mountain Section, crushed rock;
		Wasco County Line-Madras Section, crushed rock;
		Eddyville Rock Production Project;
7649		Hebo Rock Production Project;
		Wallowa-Enterprise Section, crushed rock;
		The Dalles Roadside Improvement Project;
		Sale of factory buildings in Portland;
		Sale of residence buildings in Oregon City;
7650		Sale of residence buildings in Marshfield;
		Sale of used tires and tubes at Salem and La Grande.
		Gilliam County. Shuttler Flat-Condon Rock Production Project. Bids returned unopened. Project to be readvertised.
		Lincoln County. Acquisition of park site from Carl G. Washburne, near Heceta Head. Landscape Engineer to investigate.
		Coos County. Cape Arago Secondary Highway. Delegation requests surfacing and oiling at earliest possible time.
7652		Harney County. Central Oregon Highway. Oiling of gap in vicinity of Buchanan requested by County Judge.
		McKenzie Highway. Delegation from Eugene requests Commission to keep road open east of Belknap Springs to Frog Camp for benefit of winter sports enthusiasts.
7653		Expenditure of \$1,000 authorized for snow removal on section as trial proposition.
		Enterprise-Flora Highway. Joint letter with Bureau of Public Roads and Forest Service, recommending extension to Oregon-Washington State Line.

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7653	Oct. 22 1937	West Portland-Hubbard Highway. Letter to Bureau of Public Roads requesting designation as part of Federal Aid Highway System.
7654		Federal Aid Highway System. Resolution revising descriptions of highways included in Oregon Federal Aid Highway System.
7659		Oregon City. Jack Summerville, U. S. Marshal, requests revision of plans for highway along waterfront on behalf of residents of Oregon City. Request not approved.
7660		Milton. Mayor and City Manager request straightening of the Oregon-Washington Highway through their town.
		John Day Highway. Representative E. R. Fatland requests oiling between Branson Creek and Service Creek.
		Automobiles. Purchase of three new cars authorized for Division Engineers.
		Purchase of seven new cars of lightweight class authorized.
		Traffic lacquer. Purchase of 5,000 gallons authorized.
		Safe. Purchase of fireproof safe authorized for Secretary.
		Radio. Receiving sets for installation on trucks used in snow removal operations. Purchase authorized.
7661		Illumination meter. Purchase authorized for use in determining type and power of light globes.
		Stopwatch. Purchase authorized.
		Klamath County. Sand Creek section headquarters. Purchase authorized of privately-owned building on state property.
		Steam roller. Sale of old, 10-ton roller to City of Astoria.
		Douglas County. Umpqua Highway. Engineer authorized to advertise for maintenance material for Paradise Creek-Drain Section.
		Award of contract to Mountain States Construction Company for surfacing on Siletz Secondary Highway in Lincoln County.
		Sale of buildings at Marshfield confirmed.
7662		West Portland-Hubbard Highway. Sale of building on property acquired for Coos Overcrossing Section. Sold to Charles Loeschen for \$5.00.
		Deschutes County. Tumalo Falls County Road. County Court requests Commission to remove snow. Engineer's report.
		Otter Crest. Encroachment of building owned by Wilbur Badley on state park property.
7663		Commission approves leasing portion of park to Mr. Badley.
		Attorney instructed to return correction deed, unsigned.
		Willamette Highway. Gilchrist & Company, Ltd., abandon previous plan to construct temporary grade crossing.
		Little Nestucca Secondary Highway. Engineer's report on condition of easterly end of road. Load limit authorized.
		Load Limit. Resolution reducing loads allowed on Little Nestucca Secondary Highway.
7665		Tampico-Louisville Secondary Highway. Resolution reducing load 50 per cent.
7667		Planning Survey. Additional \$13,500 authorized to complete city street inventory.

Page	Date	Subject
7667	Oct. 22 1937	<p>Wallowa Lake Highway. Footpath construction requested between La Grande and Island City. Action deferred.</p> <p>Oregon Coast Highway. Cannon Beach. Repairs to sidewalk requested by Library and Woman's Club. Request granted. Estimate of cost to construct new sidewalk ordered.</p>
7668		<p>Tillamook County. Construction of revetment along Wilson River requested by County Court and Drainage District. Cooperation in cost of revetment construction, to the extent of \$1,000, authorized.</p> <p>Pacific Power and Light Company. Construction of power line along Pendleton-Gold Springs Highway. Permission to cross highway twice granted.</p> <p>Easement for telephone line construction to be granted.</p>
7669		<p>Enegren Ferry. 20-hour day service requested by City of Marshfield and Coos County residents. No action.</p> <p>Benton County. County Court and Corvallis Chamber of Commerce request construction of 5-mile extension of Territorial Secondary Highway.</p> <p>Territorial Secondary Highway. Extension from Lane-Douglas County Line to Anlauf requested by various organizations.</p>
7670		<p>Wilson River Highway. Delegation from Washington County, Tillamook County and Multnomah County, request State to assume cost of equipment repairs on this job.</p>
7671		<p>Surfacing from Jordan Creek to McNamar's Camp requested.</p>
7672		<p>Columbia River Highway. Right of way between Troutdale and Multnomah Falls. Conference with city officials and representative of Union Pacific Company.</p> <p>Simon Benson advises no objection to waiver of reversionary rights.</p> <p>Acquisition of right of way from Oregon-Washington Railroad and Navigation Company. Conference planned.</p>
7673		<p>Attorney to obtain quitclaim deed from Mr. Benson and railroad company in favor of City of Portland.</p> <p>Portland. North Lombard Street Extension. Acquisition of property in Irvington Park Addition for equipment storage.</p> <p>Malheur County. County Judge requests various highway improvements in Malheur County.</p> <p>Vale Chamber of Commerce urges highway improvements on Central Oregon and John Day Highways.</p>
7674		<p>Award of contracts, as follows:</p> <ul style="list-style-type: none"> Middle Bridge-Black Bridge Section, crushed rock; North Powder-Muddy Creek Section, grading, surfacing; Lincoln County Line-Alsea Mountain Section, cr. rock; Wasco County Line-Madras Section, crushed rock; Eddyville Rock Production Project; Hobo Rock Production Project; Wallowa-Enterprise Section, crushed rock;
7675		<ul style="list-style-type: none"> The Dalles Roadside Improvement Project; Sale of buildings in Oregon City; Sale of buildings at Marshfield;

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7675 Oct. 22

Award of contracts: (cont.)

Sale of factory buildings in Portland;
Sale of used tires and tubes at Salem and La Grande.

Mt. Hood Highway. Claim of Mrs. Virginia Hickey for damage to her property at Brightwood.

7676

Roadway construction from highway to property requested by Mrs. Hickey.

East Portland-Oregon City Highway. Claim of Joseph Terresi for damages to his property between Stephens and Harrison St. Previous action denying claim confirmed.

7677

Oregon City. Attorney authorized to take options for balance of right of way required for new highway along waterfront.

Landscaping. Blanket application to W.P.A. authorized.

Log hauling. Prosecution of violators in Coos County. Surrender of P.U.C. plates or revocation of permit to be penalty for violation of weight statutes.

Surveys. Engineer authorized to make surveys, as listed.

7679

Old Oregon Trail. Stanfield-Boardman revision. Location survey authorized.

Extensions of time:

7680

Hoffman Construction Company, Milwaukie Avenue Undercrossing;
McNutt Bros., Wall Creek-Siskiyou Section;

Medford Concrete Construction Co., Valley Falls-Cinder Butte Section;

7681

Jacobsen-Jensen Company, Shady Point-Kelly Corner Section;

Harold Blake, Willamina Rock Production Project;

R. I. Stuart & Sons, Beatty-Bly Section.

Contracts completed, as follows:

7682

Tunnel Section of Old Oregon Trail, Berke Bros., Inc.,

Crawfordsville-Holley Section, Roy L. Houck;

Baker-Haines Section, Schmeer, Williams & Gentemann;

North Fork Nehalem River Section, Dolan Construction Co.;

Eagle Point-Crater Lake Section, A. S. Wallace;

Nearney Creek Bridge, E. F. and W. F. Philpott;

Rex Hill-Newberg Section, Mountain States Construction Co.;

Shady Point-Kelly Corner Section, Jacobsen-Jensen Company;

Memaloose Park-Dillon Section, H. L. Rice;

Beatty-Bly Section, R. I. Stuart & Sons;

7683

West Approach to Willamette River Bridge, at Salem, Averill and Corbin;

Middleton-Votaw Section, Mountain States Construction Co..

Claim. Walter C. Miller, McMinnville, asks compensation for loss of hops due to dust caused by highway construction.

Agreements, et cetera, considered and signed:

James Moore, relinquishment of homestead filing in Grant County;

Lester J. Peters and Martin A. Peters, disposition of claim for damages arising from Union Avenue Undercrossing;

Julius Gunnell, extension of Enegren ferry service;

City of Portland, maintenance of streets in Portland which are highway routes;

Page	Date	Subject
7683	Oct. 22	<p>Agreements, et cetera, (cont.)</p> <p>Ernest F. Koble, settlement of claim in connection with highway construction in Jackson County;</p> <p>Bargain and Sale Deed conveying land in Yamhill County unto School District No. 12;</p> <p>Voucher covering payment to James T. Goodman Insurance Agency on premium in connection with snow removal operations in Columbia Gorge;</p> <p>United States Soil Conservation Service relative to erosion control along highways.</p> <p>Date for next regular meeting set for November 30. Special meeting scheduled for November 17.</p>
7684		
7685	Nov. 17	<p>Polk County. Settlement of County's debt for road construction. County Court confers relative thereto.</p> <p>Assignment of portion of County's share of Motor Vehicle Fund considered.</p> <p>Attorney to prepare statement for County Court.</p> <p>Baker County. Sumpter Valley Secondary Highway. Encroachment of highway on right of way of Sumpter Valley Railway Company.</p> <p>Damages amounting to \$2,500 asked by railway company.</p> <p>Acquisition of real property. Resolution authorizing purchase.</p>
7686		
7690		<p>Columbia River Highway. George W. Joseph property. Settlement on Alternate "C". Grazing rights retained by Mr. Joseph for 20 years.</p> <p>Acquisition of McGowan property. Purchase confined to land outside of beach area along Columbia River.</p> <p>Malheur County. Federal Aid Secondary Highway System. County Court requests consideration of Lytle Boulevard and Vale-Nyssa county roads.</p> <p>County Judge requests various improvements to Central Oregon Highway, John Day Highway, and Old Oregon Trail.</p> <p>C.C.C. camps. County Judge inquires regarding securing of labor from camps for county road work.</p>
7691		
7692		<p>Clatsop County. Four parcels of land conveyed to State for park and highway purposes exclusively.</p> <p>Multnomah County. Acquisition of county-owned property adjacent to Barbur Boulevard. County increases prices originally asked.</p> <p>Oregon Coast Highway. Acquisition of Nina J. Belt property.</p> <p>Columbia River Highway. Offer of C. Dethman, Hood River, to sell 50-acre tract at Lindsey Creek for park purposes.</p> <p>Options authorized for other property in vicinity.</p>
7693		<p>Oregon Coast Highway. George Stonefield property. Re-sale of portion of property to Mr. Stonefield approved.</p> <p>Clatsop County. Acquisition of right of way from Grand Rapids Timber Company for road to Saddle Mountain Park.</p> <p>Condemnation approved, if necessary.</p> <p>Right of entry to company's road for use of C.C.C. forces.</p> <p>Attorney to secure written agreement for use of road.</p>

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7693	Nov. 17	Yamhill County. Robert B. Porter, Amity, requests rental of state property at rate of \$5 per year, per acre. Approved. Pacific Highway. S. & S. Shingle Mill request use of pond north of Eugene in connection with mill operations.
7694		Portland. W. Saftenberg requests permission to purchase portion of state-owned property in Riverside Homestead Addition. Request denied.
		Oregon City. Offer of E. L. Taylor Company to purchase building on Brady property accepted.
		Port Orford. Claude C. Inman, Tuscon, Arizona, inquires regarding revision of Oregon Coast Highway at Port Orford and probability of State acquiring portion of his property.
		Bandon. City offers to deed park site at west end of town on condition State will construct road from highway to park.
		Forest Highway Funds. Columbia River Highway grading project recommended for construction with accumulated savings.
7695		Letter to Chief of Forest Service and Bureau of Public Roads. Conference scheduled for December 1 to program 1939 funds.
		Columbia River Highway. O.W.R. & N. Company demand insurance in connection with State's contract on Ruckel Slide Section. State to assume payment of premium.
		Medical Springs Secondary Highway. Mr. Kingsbury of Union requests payment of \$500 in lieu of reconstruction of pipe line on highway. Investigation ordered.
7696		Tillamook County. Dedication of Short Sand Beach Creek Bridge to Samuel G. Reed approved.
		Wallowa Lake Highway. Footpath between La Grande and Island City. Commission approves preparation of plans for W.P.A. project. Cooperation in cost of construction denied.
		Pacific Highway West. Footpath along highway from Corvallis to southern boundary of School District No. 38 requested.
		Marys River Bridge. Pedestrian walk on bridge requested.
7697		Monroe. Oiling of gravel strips adjacent to Pacific Highway through town requested by City Council. Engineer's report. Project to be considered in preparation of Minor Betterment Budget.
		Load limit. Order reducing load on McKenzie Highway between McKenzie Bridge and Springfield.
7698		Albany. Cost of revision of Mountain States Power Company's lines by reason of overcrossing project to be paid by State.
7699		Astoria. Permanent route of Oregon Coast Highway through City. Action deferred pending report on appraisals of property.
		Claim. Frank Triska demands reimbursement for loss of horse injured in crossing cattle guard on road maintained by State.
		Crater Lake Highway. County Judge of Jackson County requests cattle guard to prevent stock entering Rogue River National Forest. Request denied.
7700		Portland. Proposed office building to be constructed as W.P.A. Project instead of P.W.A. project as originally planned. Contractors. Prequalification reduced on 9 companies.

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7700 Nov. 17

Contractors. Andersen Construction Company and A. A. Hardesty denied privilege of bidding on future highway work. Salem. Rerouting of Pacific Highway to fit in with plans for new capitol building grounds. Hearing to be held. Markers. Henry Failing, Advertising Manager, Oregon Journal, suggests plan for marking historical locations. Travel and Information Department. Harold B. Say authorized to attend meeting of Evergreen Playground Association on November 27 and meeting of Pacific Northwest Tourist Association on November 18, 1937. Bonds. Blanket bonds to cover employees considered. Present policy to be continued.

Claims, as follows:

Mr. and Mrs. Jack Robertson, Ashland, regarding slide on their property south of Ashland;
Edgar R. Means, Redmond, damage to car caused by rock on McKenzie Highway;
James B. Adams, damage to car as result of collision with state oiling equipment;
W. H. Redberg, damage to car resulting from gravel thrown by highway employee on Oregon Coast Highway;
Mrs. Anna M. Ley, Portland, reimbursement for repairs to windshield broken by flying rock;
Dr. G. H. Huthman, damage by Union Avenue viaduct construction in Portland.
Mrs. Maud Campbell, damages due to Union Avenue viaduct construction in Portland.

7702

7703

Ontario. E. W. Williamson of Bend requests change in plans for Ontario grade separation project to afford him access to his service station from First Street.

Wolf Creek Highway. Request of Oregon American Lumber Corporation to log timber across highway by means of sky lines.

7704

Deschutes County. County Court requests designation as Secondary Highway of old The Dalles-California Highway between Redmond and Bend. Resolution designating abandoned section as Redmond-Bend Secondary Highway No. 375.

7705

Marion County. County Court requests designation as secondary Highway of abandoned section of Pacific Highway between Salem and Illabe School. No action.

Hood River County. County Court requests elimination of section of Interstate Bridge Secondary Highway No. 280 from state secondary highway system. Resolution adopted.

7707

Douglas County. Abandonment of portion of Shady Point-Kelly Corner Section of Pacific Highway. Resolution adopted.

7708

Goos County. Abandonment of portion of Cunningham Creek Bridge Section of Oregon Coast Highway, north of Coquille. Resolution adopted.

7710

Newport. Traffic stripes for four lanes of traffic approved. Hospital associations. Increase in rates for Highway Department employees.

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7711 Nov. 17

Portland. Purchase of flashing signals for installation on 82nd Avenue authorized.

Tualatin Valley Highway. Installation of flashing signal at Sylvan Road intersection.

Pacific Highway. Installation of flashing signal at intersection of Pacific Highway West and old Capitol Highway.

Flashing beacons. Purchase of six overhead beacons for installation as may be required authorized.

Baker County. Baker-Unity Highway. Highway work performed by U. S. Bureau of Reclamation accepted.

Salem. North Salem Undercrossing. City Council refuses to pay portion of cost of lighting.

7712

Oregon City. Parking of cars on Fifth Street. Commission requests City to adopt "no parking" ordinance.

Award of additional contracts to be deferred if City Council refuses to prohibit parking of cars.

C. T. Gates, Portland, requests conference in connection with his property on Fifth Street, Oregon City.

American Road Builders' Association. Engineer authorized to join association at state expense, as requested by San Francisco Convention and Tourist Bureau.

Advertising space offered for Oregon exhibit at 1938 Road Show in Cleveland, Ohio, during January.

7713

North Santiam Highway. Stayton Chamber of Commerce requests completion regardless of prospects of power dam construction.

Lane County. Oiling of secondary highway from Elmira west to Badger Mountain requested by F. W. Deedon, et al.

Nehalem Secondary Highway. Jewell Grange No. 876 requests oiling between Jewell and Mist.

Baker County. Sumpter Valley Secondary Highway. Granges request guard rail construction between McEwen and Salisbury.

Lane County. County Judge suggests construction of new route through Cottage Grove as unemployment relief project.

Traffic fines. State Treasurer offers cooperation in collecting traffic fines

Grant County. Improvements to road between John Day-Burns Highway and old highway south of Canyon City requested by County Court, et al.

7714

Toll bridges. Reimbursement by Government for non-collection of toll on publicly-owned toll bridges.

P.W.A. Program. C. C. Hockley, State Director, P.W.A., advises projects submitted in program have been approved.

Oregon Coast Highway. Sidewalk construction through Ocean Lake and Taft districts requested.

Woodburn. Rerouting of Hillsboro-Woodburn Secondary Highway along extension of Young Street requested.

Redwood Empire Association. Letter of appreciation for Commission's interest in development of Redwood Empire.

Molalla. Improvement of secondary highway through town requested by City Council.

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	1937	
7714	Nov. 17	Clatsop County. Sidewalk construction on Walluski River Bridge on the Nehalem Secondary Highway, near Jewell, requested by School District No. 26.
7715		Warm Springs Highway. Supt. of Warm Springs Indian Agency requests rock surfacing between Madras and Deschutes River Bridge.
		Jefferson County. County Judge advises that County Court prefers additional grading north of Warm Springs Agency.
		Hilledale. Community Club requests change in highway signs from "Bertha" to "Hilledale." Change ordered.
		Morrow County. County Judge alleges unfair allocation of funds for improvement of Morrow County roads.
		Baker County. Letter of appreciation from W. W. Evans for improvements to Baker-Halfway Road.
		Wheeler County. Fossil-Antelope Secondary Highway. Granges request rock surfacing on Chichester Grade. Report ordered.
		Jackson County. Sardine Creek Bridge. Commission approves request for donation of old bridge to County.
7716		McKenzie Highway. Letter from Obsidians of Eugene expressing appreciation of snow removal operations.
		Pacific Highway. Illinois Valley Grange urges straightening and widening between Grants Pass and Roseburg.
		Pacific Highway. City of Roseburg and Douglas County request removal of hump in old highway at north city limits.
		Plants. Rev. John W. Hoyt, Medford, requests permission to collect wild flowers from right of way.
		Curry County. Oregon Coast Highway. Owner of store at Smith River, California, requests suggestions in regard to erection of sign at north end of Winchuck River Bridge.
		North Bend. Chamber of Commerce and Coos Bay Times suggest improvement on Sherman Avenue to remedy slippery condition.
7717		Interstate Transit Lines, Omaha, Nebraska, express appreciation of courtesies extended by maintenance crews.
		Portland. Interstate Avenue. Damage to plate glass windows due to rocks being thrown by passing cars.
		Old Oregon Trail. Walter Meacham, Portland, inquires regarding designation on future highway maps.
		W.P.A. Commission approves following projects:
		Wolf Creek Highway, clearing and grubbing east from Sunset Camp to Buxton;
7718		Wilson River Highway. Beautification project;
		Upper Columbia River Highway. Tooth Rock roadside beautification project;
		Wilson River Highway, clearing and grubbing between Jordan Creek and Washington County Line.
		Wolf Creek Highway. W.P.A. clearing project from Sunset Camp to Buxton Road approved.
		Wilson River Highway. W.P.A. beautification project and clearing and grubbing W.P.A. project approved.
		Columbia River Highway. Tooth Rock roadside beautification project. Commission approves sponsoring as W.P.A. project.

<u>Page</u>	<u>Date</u>	<u>Subject</u>
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7718	Nov. 17	Federal Aid Funds. Partial program for 1939 funds selected.
7719		State Funds. Program for 1938 construction adopted.
7720		Surveys. List of surveys ordered since last meeting confirmed.
7721		Extensions of time, as follows: Consolidated Highway Company, Toledo-Simpson Creek Section; Orino, Birkemeier & Saremal, Bonneville-Eagle Creek Section; Averill & Corbin, S.P. undercrossing near Aurora; S. S. Montague, Mills Bridge-Jordan Creek Section;
7723		Parker-Schram Company, Ross Island Bridge-Schiller Street Section;
7724		Harold Blake, Pringle Creek-Illabe School Section; Consolidated Highway Co., Inc., Rock Creek-Wallowa Section; E. C. Hall, Tolman Creek-Siskiyou Section;
7725		E. G. Hall, Bend-Crescent Section; Jacobsen-Jensen Company, Turkey Hill-Chenoweth Park Sec. Edwin C. Gerber, McKenzie Pass-Little Butte Section
7726		Contracts completed, as follows: Toledo-Simpson Creek Section, Consolidated Highway Co.; Bonneville-Eagle Creek Section, Orino, Birkemeier & Saremal; Salt Creek-Gold Lake Trail Section, Parker-Schram Co.; S. P. Undercrossing north of Hubbard, Averill & Corbin; Mills Bridge-Jordan Creek Section, S. S. Montague; Pringle Creek-Illabe School Section, Harold Blake; Rock Creek-Wallowa Section, Consolidated Highway Co., Inc.; Tolman Creek-Siskiyou Section, E. C. Hall; 7727 Rocky Point Section, Oregon Contracting Co.; Turkey Hill-Chenoweth Park Section, Jacobsen-Jensen Co.; Bellevue-Pringle Corner Section, Harold Blake; McKenzie Pass-Little Butte Section, Edwin C. Gerber; McMinnville Section, Jacobsen-Jensen Company; North Roseburg Section, Edlefsen-Weygandt Co.; Lafayette Section, Mountain States Construction Co..
		Agreements, et cetera, as follows: Brookings Land and Townsite Company, construction of water pipe line across State Park at Brookings; Oregon American Lumber Corporation, disposition of claim for right of way for Wolf Creek Highway in Clatsop County; 7728 Bargain and Sale deed conveying to Wm. E. Cushman, 4.9 ac. in Jackson County; Quitclaim deed conveying to Jonas C. Rowan 0.08 acre in Curry County.

Portland, Oregon, July 28, 1937

The State Highway Commission met in special session at 9:30 o'clock p. m. in the Rose Room of the Benson Hotel for consideration and disposal of accumulated routine matters. Present were:

Henry F. Cabell, Chairman
E. B. Aldrich, Commissioner
F. L. Tou Velle, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

A delegation from Roseburg consisting of County Judge George K. Quine, A. C. Marsters, Senator C. W. Clark, and W. C. Harding, Secretary of the Roseburg Chamber of Commerce, was present in the interests of the North Umpqua road. They renewed their request for the designation of this road as a federal aid secondary state highway and reiterated arguments previously submitted in support thereof. They were informed that the Commission cannot do what they ask without deviating from its established policy in regard to such matters and without destroying the rights of the other counties and districts of the state to their just share of the state highway revenues; however, the Commission is willing to consider designating a portion of this road, from Roseburg to Glide, as a federal aid secondary highway when the selection of roads for such system is discussed later in the year.

Mr. Marsters then brought up for discussion the matter of the state obtaining a lease of the Murphy gravel pit which is owned by the county and which the state needs for a surfacing contract between Wilson Ranch and Paradise Creek on the Umpqua Highway in Douglas County, the contract for which has already been awarded. He said that the County Court is two to one against deeding or leasing this property to the state and, if the state has to have it, he would recommend that it be acquired by condemnation. Judge Quine concurred in the recommendation. The Commission's Attorney advised that the Commission has legal authority to condemn the property if it cares to. The Engineer advised that the gravel bar is badly needed for highway purposes and the right of way between the highway and the bar is also needed. Chairman Cabell expressed his reluctance to condemn county-owned property which, to him, would be working against the county court rather than in harmony with it. After discussion, the Commission deferred a decision in the matter until later.

The Commission discussed, with the following employees of the State Highway Department, matters pertaining to the derailment of the O.W.R. & N. Company's train near Multnomah Falls on the 21st day of February, 1936: J. N. Bishop, Maintenance Engineer; K. D. Lytle, Division Engineer; William E. Chandler, Division Engineer; W. S. Hodge, District Maintenance Superintendent; W. M. Strohmeyer, District Maintenance Superintendent; and C. Z. Carns, Foreman in charge of snow removal operations. Each of these employees was questioned in order to secure his version of the cause of the wreck and to place the responsibility for the same, with a view in mind of obtaining information with which to refute the claim of the O.W.R. & N. Company for damages,

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et cetera, which it alleges it suffered by reason of the said wreck, it being the contention of the railroad company that the wreck resulted from snow being thrown on its tracks by Highway Department forces in connection with snow removal operations on the Columbia River Highway nearby. The company submitted a claim in the amount of \$5,176.04 and advised that such claim would be supplemented by others as soon as they have been determined.

It was the consensus of opinion of the above employees that the State Highway Department is in no way responsible for the derailment of the train although some snow was thrown from the highway onto the railroad tracks, but that the wreck was caused by a faulty rail and negligence on the part of the railroad company's watchmen.

It was brought out in the discussion that the railroad company wishes to arbitrate this matter if the Commission is not disposed to settle. The Commission took the attitude that the Highway Department and the railroad company are both partially to blame, therefore, both should assume the payment of a portion of the expense involved. Chairman Cabell was authorized by the Commission to discuss the matter with Mr. A. C. Spencer, Counsel for the Union Pacific System, and to suggest settlement on the following basis in view of the contention of the Commission that both parties are more or less to blame for the accident: the state to reimburse the company for the cost of removing snow that was placed on the railroad company's tracks by Highway Department forces, the balance of the expense to be assumed by the railroad company and the state equally. In the event the railroad company will not settle on such basis, then the Commission will agree to submit the matter to arbitration if it has to but would prefer settlement otherwise.

The Commission adjourned at 10:45 o'clock p. m. to reconvene at 9:00 o'clock the following morning in the same room.

Portland, Oregon, July 29, 1937

The State Highway Commission reconvened at 9:00 o'clock a. m. in the Rose Room of the Benson Hotel with all members, the State Highway Engineer, the Attorney and the Secretary present.

The Engineer requested authority to acquire certain parcels of real property that are needed for various highway improvements throughout the state. He submitted a list of such properties together with prices that he recommended be paid for each. After careful consideration the Commission approved the request and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth, and

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WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon, and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Triangle Lake Section - Siuslaw Highway</u>				
M-190-U. S. Government	Park	120	\$55 for 1-yr. lease	Boardman
<u>Loon Lake Park - Umpqua Highway</u>				
M-191-U. S. Government	Park	51.51	\$6.44 for 1-yr. lease	"
<u>Camas Mountain Section - Coos Bay-Roseburg Highway</u>				
M-60- U. S. Government	Park	160	\$127.50 for 1-yr. lease	"
<u>Klamath County Section - Klamath Falls-Lakeview Highway</u>				
M-188-U. S. Government	Park	80	\$10.00 for 1-yr. lease	"
<u>Alsea-Deadwood Section - Alsea-South Fork Highway</u>				
4736-Pearson, M. B.	Easement	0.311	\$50 lump sum	Gardiner
<u>Bear Creek-Talent Section - Pacific Highway</u>				
4562-Phillips, Lena	R/W	0.14	at \$200 per acre	"
4550-Link, Stella	"	0.98	at \$200 per acre plus \$254	"
4557-Oregon State College	"	1360 sq.ft.	at \$0.015 sq.ft. plus \$169.50, plus moving lister pipes and drainage well	McCal-
4796-Jackson County (County Farm)	Haul Rd.	1.03	Hauling road easement over County Farm prop- erty - GRATIS	Gardiner
4552-Adams, Oscar Hugh	R/W	1.12	0.78 ac. at \$200 per ac. 0.34 ac. at \$100 per ac. plus \$160	Devers
<u>Rainier Section - Columbia River Highway</u>				
4024-Williams, Glen W.	Drainage Easement	440 sq. ft.	Gratis	Gardiner

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>McMinnville-Rickreall Section-Pacific Highway West</u>				
4863-Tresham, James S.	R/W	0.188	\$1.00 for land plus \$10	McChesney
4757-Madden, Lawrence W.	"	0.195	\$150 per ac. plus \$100.75	"
<u>Muddy Creek-Lakeview Section - Klamath Falls-Lakeview Highway</u>				
4175-Struck, Vern K.	R/W	0.03	\$100 per ac. plus \$12	"
4172-Tatro, Bert S.	"	2.60	\$75 per ac. plus \$160	"
4165-Home Supply Co.	"	0.18	\$1.00 lump sum plus \$80.00	"
4167-Home Supply Co.	"	0.03	Gratis - plus \$60	"
4163-Smith, Lillie W.	"	0.40	\$60 per ac. plus \$10 and fencing	"
4162-Bradley, H. R.	"	1.02	\$100 per ac. plus \$183	"
4164-Petteys, E. C.	"	0.45	\$50 per ac. plus \$60	"
4171-Roush, Melissa A.	"	1.35	\$20 per ac. plus fencing	"
4160-Smith, F. L.	"	0.71	\$40 per ac. plus \$208	"
4166-4169-Western Cities Co.	"	2.58	\$20 per ac. plus fencing	"
4170-Struck, Frank J.	"	1.34	\$75 per ac. plus fencing-\$60	"
4173-Lakeview Round-Up Assn.	"	0.31	\$322.60 per ac. plus fencing	"
4177-Doak, Dortis	"	3375 sq.ft.	\$50 lump sum plus \$100	"
4155-Bradley, L. F.	"	6.24	\$50 per ac. plus \$743	"
4161-Price, John R.	"	1.65	\$50 per ac. plus \$181 for fencing	"
4159-Severin, Robt. R.	"	0.06	\$5 lump sum	"
4151-Lantsberger, N. X.	"	7.70	\$50 per ac. plus \$1315	"
4154-Bond, E. E.	"	6.74	\$50 per ac. plus \$1019	"
4174-Davis, Mary K.	"	0.24	\$500 per ac. plus fencing and \$80	"
4178-Pappas, Amanda	"	1 lot	\$50 lump sum	"
<u>West Elgin Section - Weston-Elgin Highway</u>				
3933-Leonard, Clyde E.	R/W	0.56	\$10 lump sum	McChesney
<u>Horse Ridge-Brothers Section - Central Oregon Highway</u>				
4470-McConnell, G. A.	Gravel Pit	18.7	\$7.00 per ac.	"
<u>Douglas County Line-Trail Section - Tiller-Trail Highway</u>				
4858-Gavel, Lloyd E.	R/W	0.01	Gratis	Benson
4895-Flowers, A. F.	"	0.607	\$15 per ac.	"
4859-Millard, Vivian	"	1.15	\$15 per ac.	"
4896-Smith, S. B.	"	0.605	\$15 per ac.	"
4803-Sunner, Walter A.	"	2.73	\$15 per ac. less 1.61 acres to be deeded to grantors at \$10 per ac.	"
4897-Bullock, H. W.	"	0.605	\$15 per ac.	"

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
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Mile Post 35 - Coos Bay-Roseburg Highway

4483-Smith Wood Products Company	Stockpile	1.06	\$300 lump sum	Benson
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South Entrance to Marshfield - Oregon Coast Highway

4785-Fitch, A. L.	R/W	285 sq. ft.	at 10 cents per sq. ft.	Benson
4778-Jones, W. C.	"	1432 sq. ft.	at 10 cents per sq. ft. plus \$456.80	"
4765-Parker, W. M.	"	585 sq. ft.	at 10 cents per sq. ft.	"
4782-Burkhart, J. F.	"	1850 sq. ft.	\$3,000 lump sum	"
4781-Rouse, L. R.	"	4665 sq. ft.	at 10 cents per sq. ft. plus \$533.50	"
4784-Olsen, Arthur H.	"	255 sq. ft.	at 10 cents per sq. ft. plus moving bldgs.	"
4780-McLarrin, Jesse	"	6000 sq. ft.	\$2,000 lump sum	"
4779-McLarrin, W. D.	"	2422 sq. ft.	\$1,800 lump sum	"
4777-Kudrna, James	"	3795 sq. ft.	\$1,250 lump sum	"
4767-Estate Dominic D'Ambrosia-			Land gratis plus raising	
Slope easement			and re-establishing bldgs.	"

Eagle Point-Brownsboro Section - Little Butte Highway

4799-U. S. National Bank of Portland, Oregon	Gravel pit		2-yr. lease - 3 cents per cu. yd.	Benson
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Bunker Hill Grade Separation Section-Coos River Highway

4886-Christ, Anton J.	Slope easement	1800 sq. ft.	1 year gratis	"
4766-4764-Youngquist, F.A.	R/W	1196 sq. ft.	\$1500 lump sum plus moving 2 bldgs.	"
4889-Coos Bay Lumber Co.	Slope easement	10,350 sq. ft.	- Gratis	"
4763-Pendleton, F. R.	R/W	4800 sq. ft.	\$2500 lump sum	"

About 4 miles West of Drain - Umpqua Highway

4591-Hedrick, George	Stockpile	0.99	\$100 lump sum	"
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Siletz Bay-Newport Section - Oregon Coast Highway

4424-Alpha Corporation	R/W	517 sq. ft.	at 10 cents sq. ft.	McCallister
4440-Kurtshal, M. L.	R/W and slope easement	3000 sq. ft.	at 5 cents sq. ft. plus moving bldgs.	"
4438-Hull, H. L.	R/W	1080 sq. ft.	at 10 cents sq. ft.	"
4428-City of Newport	"	119 sq. ft.	Gratis	"
4381-Lincoln County	"	1223 sq. ft.	"	"
4924-Arcadia Development Co.	"	2.41 ac.	at \$500 per ac. plus \$1250	"
4449-Smith, Hannibal	R/W	1000 sq. ft.	at 5 cents sq. ft. plus grading lot	Dolan
4062-Eaton, Mrs. W.W.	Slope easement	0.025 ac.	at \$500 per ac., 10-ft. easement, \$5, plus moving \$17.00	Dolan

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Siletz Bay-Newport Section - Oregon Coast Highway (cont.)</u>				
4058-Reed, Vernie	Slope Easement	0.086	\$200 per ac., 10-ft. easement, \$6.00, plus \$19.15	Dolan
4443-Mackey, E. L.	Slope Easement-1080 sq. ft. at 5 cents sq. ft. plus moving bldgs.			"
4925-Betts, Geo. W.	"	0.33	\$100 per acre	"
<u>Valley Falls-Cinder Butte Section - Lakeview-Burns Highway</u>				
4792-State Land Board	Stockpile	1.71 acres	\$20 lump sum	McCallister
<u>West Portland-Cook Overcrossing - West Portland-Hubbard Highway</u>				
3900-Ehle, Glen S.	R/W	4.132	\$500 per ac.	Parker
3638-Sherrer, Eugene	"	68,600 sq. ft. at 18.3 cents sq. ft.		"
<u>Lombard Street Extension - Columbia Blvd. Extension Highway</u>				
4891-Ponderosa Moulding Co.	R/W	34,656 sq. ft. at 10 cents sq. ft. plus moving, \$11,285.93		"
<u>Burns-Buchanan Section-Central Oregon Highway</u>				
4874-Haines, Fred	Gravel Pit	4.01	\$100 lump sum	Williams
<u>Forest Boundary-Long Creek Section - Pendleton-John Day Highway</u>				
4857-Jones, Matt L.	Stockpile	0.34	\$20 lump sum plus moving fence	Wells
<u>Multnomah County Line-Middleton Section - Pacific Highway West</u>				
1538-Olds, Revil et al	R/W	1.78	\$300 per ac. plus \$1955.50, plus \$610.50-Devers	
<u>Shelton Ranch-Flora Junction Section - Lewiston-Enterprise Highway</u>				
3784-Stone, Emma D. et al	R/W	9.70	5.89 ac. at \$25 per ac. 3.81 ac. at \$10 " " plus \$227.65, plus \$387 fencing	DeSousa
<u>McMinnville-Rickreall Section - Pacific Highway West</u>				
4750-Tresham, J. S.	Borrow pit easement	2.004	\$125 per ac.	McChesney
4750-Tresham, J. S.	Borrow pit easement	0.857	\$100 per ac.	"
<u>Draws Valley Section - Klamath Falls-Lakeview Highway</u>				
4719-Hook, Gwendolyn S.	R/W	0.71	\$20 per ac. plus \$10.80 "	
<u>Myrtle Point Section - Coos Bay-Roseburg Highway</u>				
795-Dey, Ross	Stockpile	0.30	\$100 per ac. plus fencing-Benson	

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Gilliam County Section - Columbia River Highway</u>				
4662-Whitney, Jennie E.	Stockpile	0.7	\$30 lump sum plus fencing	Wells

The Attorney presented an option secured from James C. Hamill for the purchase, for the sum of \$1,000, of seven lots adjoining Silver Creek Falls State Park in Marion County. He explained that this is a 20-day option and must be completed within the next few days, otherwise it will lapse. The Commission preferred to discuss this matter with the Parks Superintendent before making its decision. Accordingly, the matter was referred to Chairman Cabell with power to act after securing the Parks Superintendent's ideas.

In this connection the Attorney advised that it is quite likely condemnation proceedings will have to be resorted to in order to acquire additional lots that are needed to fill out this park area, especially property owned by a Mr. Fred Volz. He requested authority to institute such proceedings if further negotiations reveal that to be necessary. The Commission approved the request and, by unanimous vote, adopted the following resolution in regard thereto:

WHEREAS, by the terms and provisions of Chapter 201, General Laws of Oregon, 1925, and other laws of the State of Oregon, the State Highway Commission is authorized and empowered to acquire land or ground necessary for the development, maintenance, and operation of parks, parking places, automobile camps, camp sites, public squares, recreation grounds or resorts and land for the preservation of trees or timber growing thereon; and

WHEREAS, in the judgment and opinion of the State Highway Commission it will be for the convenience of and is for the best interest of the general public that there be acquired for public purposes, to wit: for the purpose of developing and maintaining a park, parking place, automobile camp, recreation ground and/or resort, and for the purpose of making it possible for the Highway Commission to preserve the timber growing thereon, the following described parcels of land, to wit:

Fred Volz, Kittie Volz and Ruth Volz property:

Blocks 12, 13, 14, 15, 16, 17, 18, 19 and 20; Lots 1, 2, 3, 4, 5, 12, 13, 14, 15, and 16 of Block 21; all of Blocks 22 and 23; Lots 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15 of Block 24; all of Blocks 25, 26, 27, 28, 29, 30, 31, 32, and 33; and fractional Blocks 34, 35, 36, 37, 38, and the north 70 feet of Blocks 39, 40, 41, 42, 43 and 44 of Silver Falls City, located in Section 14, Township 8 South, Range 1 East, W. M., Marion County, Oregon.

A. E. Crosby property:

Lot 2, Block 26 of Silver Falls City, located in Section 14, Township 8 South, Range 1 East, W. M., Marion County, Oregon.

and

WHEREAS, in the opinion and judgment of the State Highway Commission it is necessary that title to the said parcels of land be procured for the purposes herein stated;

NOW, THEREFORE, BE IT RESOLVED that the said parcels or tracts of land be and the same hereby are declared by this resolution to be necessary for the purposes herein stated; and

BE IT FURTHER RESOLVED that title to the said parcels or tracts of land be acquired by the State of Oregon for the purposes herein stated.

BE IT FURTHER RESOLVED that the best interests and convenience of the general public require that title to the said tracts of land be acquired for the purpose of developing and maintaining the same for park, parking place, automobile camp, recreation grounds and resort purposes, and for the purpose of preserving the timber growing thereon and making the said parcels or tracts of land generally available for the use and enjoyment of the general public.

BE IT FURTHER RESOLVED that an effort be made to agree with the owner or owners of the said parcels or tracts of land upon the compensation to be paid for the taking of the same and the damage, if any there be, and in the event that no satisfactory agreement can be reached it is further resolved that the Attorney General of the State of Oregon and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission be and they are hereby requested to negotiate with the said owners for the purchase and acquisition of the said parcels or tracts of land, and in the event that they are unable to reach a satisfactory agreement with the owners of said parcels of land they are hereby requested and instructed to commence and prosecute to a final determination such actions, suits, or proceedings as may be necessary and appropriate to acquire title in and to the said parcels or tracts of land and all rights therein for the purposes herein stated.

The Attorney reported the results of negotiations with Mr. J. B. Laber for right of way needed for the Eagle Creek-Cascade Locks Section of the Columbia River Highway. He advised that Mr. Laber demands a lump sum of \$350 for 1.53 acres required which, in his estimation, is exorbitant. He recommended condemnation in the event that Mr. Laber will not reduce the price. The Commission approved the recommendation by unanimous vote.

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The Attorney requested authority to institute condemnation proceedings to acquire right of way needed for the Short Sand Beach Creek Section of the Oregon Coast Highway across property owned by The Preston Company, a Michigan corporation, negotiations with the company having proved unavailing. The Commission approved the request and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, the State Highway Commission is by law authorized and directed to lay out, locate, designate, construct, improve, and maintain a system of state highways in the State of Oregon, and to acquire rights of way and to declare the necessity and need for the acquisition thereof, and the advantages to be gained thereby;

NOT, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the State Highway Commission does hereby find and declare that it is necessary and will be of advantage to the State of Oregon and there is need that the State acquire for right of way purposes in connection with the permanent location, construction, improvement, and maintenance of the following section or sections of the state highway system of the State of Oregon, to-wit:

Short Sand Beach Creek Section of the Oregon Coast Highway
land and property owned by or in possession of the following parties and/or persons, to-wit:

The Preston Company, a Michigan corporation

as their respective interests may appear, and this Commission does hereby declare further that the said property or properties are necessary, are needful, and the acquisition thereof will be of advantage to the State of Oregon for right of way purposes in order to make it possible for the State Highway Commission to properly locate, construct, and maintain said portion or portions of the said state highway system in accordance with standards adopted by this Commission relative to curvature, grades, alignment, drainage and factors of safety.

2. That the State Highway Engineer be and he hereby is instructed and directed to properly survey the parcel or parcels of land required for such right of way purposes and prepare proper and adequate descriptions thereof, which descriptions shall be employed in the preparation of a deed or deeds or other instrument or instruments necessary to complete the acquisition of the said property or properties or which descriptions may be used in the preparation of a complaint in the event that condemnation proceedings are necessary.

3. That the boundaries of the said parcel or parcels of land, as defined and determined by the said survey made by the said Highway Engineer, along the route or location adopted by the Highway Commission, shall be and the same hereby are adopted and the lands defined therein are hereby declared to be and the same are included within the rights of way of the said portion or portions of the said state highway system and hereby are declared to be necessary for the proper location, improvement, construction, and maintenance of the said portion or portions of the state highway system.

4. That I. H. Van Winkle, Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they are hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby further resolved that the Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they hereby are requested to commence and prosecute to a final determination such suit or action, or suits or actions, as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

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The Commission had under consideration the matter of securing title insurance in connection with real property purchases and decided to continue the present practice in regard thereto.

Reconsideration was given by the Commission to the use of the Pacific Highway right of way, a short distance north of Drain, by the Earl Harris Lumber Company for the conduct of its lumber business. The Engineer advised that the company was ordered to discontinue its operations on the highway right of way but refused to do so. The Commission thereupon instructed the Attorney to take the necessary legal steps to force the company to discontinue its operations on this road.

The Attorney requested instructions in regard to the acquisition of right of way for the proposed rerouting of the Pacific Highway East through the town of Albany. The Commission authorized him to take options for such right of way at once and to ask the Linn County Court and the Albany City Council to refrain from disposing of any of their property across which the new highway is routed until it has been determined definitely whether or not the State needs it.

The Attorney reported receipt of a letter from Mr. A. K. McMahan, Attorney for the Mountain States Power Company, Albany, Oregon, with respect to the power company's franchise to occupy certain streets in Albany with its water mains. It appears that the power company has had a franchise for many years granting it the privilege of constructing and maintaining water pipes on city streets in Albany and that the company has a large main that will be affected by the proposed rerouting of the Pacific Highway through this town; further, that it will cost a considerable sum to reconstruct this pipe line to fit the highway improvement and that the company is of the belief that the state should assume this expense in view of its franchise but is willing to cooperate with the state in the reconstruction of its facilities. The Attorney suggested that, inasmuch as the company's right to maintain its pipe lines on the Albany city streets is of long standing, it would probably be advisable to enter into some sort of agreement with the company and the City of Albany with respect to the readjustment of the pipe line facilities. The Commission deferred action on this matter pending investigation and report by the Engineer.

The Commission considered and signed an application directed to the Secretary of the Interior with respect to the acquisition of government-owned land that is needed for right of way for the Robinette-Homestead Secondary Highway No. 412 in Baker County.

The Commission had under discussion the claim of Mr. Jack Robertson for damages to his property that he alleges resulted from the construction of the Barron Creek-Siskiyou Summit Section of the Pacific Highway in Jackson County. It appears that a deep cut was made through Mr. Robertson's property and, since the construction of the same, a slide has developed which endangers his house located at the top of the cut, in fact, conditions are such that it is no longer safe for Mr. Robertson to occupy the house and he is seeking damages from the state by reason thereof. The Attorney confirmed Mr. Robertson's statement that Division Engineer Lytle, who was present, stated that there is no question but that the highway improvement caused the slide and the unsafe condition of the house. He recommended that the Highway Commission buy Mr. Robertson's house and pay him a certain amount as damages. After discussion, the Commission by unanimous vote authorized the Attorney to negotiate a settlement with Mr. Robertson on the theory that the state is liable for the damage that has occurred.

The Commission also had under consideration the claim of Mr. Al Campbell for extra compensation for removing what is known as the Frances Gray building from the newly acquired right of way for the Pacific Highway at Halsey. It appears that Mr. Campbell offered to remove this house for the sum of \$310 and that the next low bid received was in the sum of \$420. Also, that it actually cost Mr. Campbell \$607.20 to move the building, and he will lose \$297.20 by reason of fulfilling his contract with the Commission unless the Commission will assume this extra expense. Mr. Campbell alleged that he did not know at the time that he submitted his offer the condition of the foundation of the building and that the sills of the same were in a bad condition of decay; further, that it was necessary for him to revise his plans for the removing of the building because of the fact that adjacent property,

across which he contemplated moving the building, was later rendered unavailable for his use. After considerable discussion of this matter and in view of the fact that there was an apparent error in the judgment of both Mr. Campbell and the representative of the State Highway Department, the Commission indicated that it would pay Mr. Campbell at least a portion of this extra expense provided it would not establish a precedent that would act to the State's detriment in disposing of similar claims that might arise in the future. The Commission thereupon referred the matter to the Engineer and the Attorney for further investigation and to work out a solution.

The Commission had under consideration a supplemental report from Division Engineer W. C. Williams in regard to the acquisition of right of way for the John Day-Burns Highway in the town of Canyon City. His original report was to the effect that additional right of way is not absolutely required but, since submitting the same, he has been in further consultation with the city officials who now desire to deed to the state for right of way purposes an additional ten-foot strip on the west side of the highway, which would provide for a 40-foot width on that side of the center line, if the State in return will fill in the area to a level with the highway. The city alleges that, if the State cannot cooperate in this matter, it cannot control encroachments beyond a distance of 30 feet from the highway center line. The Engineer estimated that the cost to fill the area in question, which is about two blocks long, would be approximately \$400. He also estimated the value of the right of way at \$350. He recommended acceptance of the city's offer. The Commission approved the Engineer's recommendation by unanimous vote and referred the matter to him and the Attorney to work out the details.

The Attorney reported that the people of Cottage Grove are extremely anxious for the Commission to proceed with the acquisition of right of way for the proposed revision of the Pacific Highway through that town so that contemplated improvements may go forward. The Commission authorized him to negotiate for such right of way and to take options for the same, at least to make a start. In the discussion of this matter it developed that the location survey has not yet been made for this proposed improvement. The Commission by unanimous vote authorized and instructed the Engineer to make such location survey at once and to furnish the Attorney with descriptions of the property that are needed for right of way.

The Commission had under discussion a letter from the Attorney suggesting, in view of the large amounts that the Commission is spending for right of way for highway improvements, that more study should be made of the cost of right of way in the adoption of highway locations. This matter was discussed at considerable length and, while no definite action was taken thereon, the Commission indicated that it was not in favor of sacrificing proper highway locations for right of way costs.

The Attorney submitted a supplemental report regarding the Olive M. Lee property, a portion of which is required for right of way for a proposed revision of the Oregon Coast Highway between Rocky Creek and Otter Crest in Lincoln County. He said that he originally estimated the value of this property at \$100 per acre but is convinced now, after further study, that the

right of way and the area between the old and new highway locations is worth about \$4,500 or \$5,000. He also said that such estimate is based on conferences that he held with former County Judge Ira Wade of Toledo and Mr. Paul Baird, real estate dealer of Depoe Bay, both of whom estimated the value of the property between \$4,500 and \$5,000. He also quoted from a letter received from Mr. Ed Miller, Manager of the Oregon Coast Highway Association who estimates the value of the right of way at \$6,000 and the value of the entire holdings of Mrs. Lee, aggregating some 50 acres, at \$15,000. The Commission deferred a decision in this matter pending the recommendation of the State Parks Superintendent on August 12. The Attorney was instructed to render a full and complete report on the subject at that time.

The Attorney reported results of negotiations with the Oregon American Lumber Corporation for the acquisition of right of way for the Wolf Creek Highway through the company's holdings. He said that the company accepts the offer of the State to pay \$12,724 for timber taken by the State, which is at the rate of \$3.50 per thousand feet, and accepts the offer of \$800 to cover added costs of logging the timber which has been isolated by the highway; also, it accepts the State's offer of \$162.13 as reimbursement for engineering expense paid by the corporation and \$667.10 for land deeded to the State at the rate of \$10 per acre; but the company will not accept the State's offer of \$1,000 to cover added cost for logging the company's timber that has been isolated to the south and west of the highway but demands instead the payment of \$4,500 for such item. He recalled that the Commission agreed at one time to allow the company to log across the highway and also agreed to restore the roadbed when the hauling was completed, which expense the Engineer estimated at the time would amount to about \$3,000. He gave as his thought that considering this feature it would be advisable to settle with the company for the full amount that it has agreed to accept, namely \$18,853.23. After discussion the Commission, by unanimous vote, authorized settlement on such basis.

The Attorney reported on his investigation of the E. J. Rodgers' matter, at Roseburg, as instructed by the Commission at the previous meeting. He said that he is convinced that Mr. Rodgers did not understand, when he donated the right of way for the Pacific Highway revision in front of his camp ground in Roseburg, that the grade of the new highway would be several feet lower than the present road in front of his premises and, in his estimation, the Commission is justified in reopening this case. He further stated that Division Engineer Lytle estimates that it will cost about \$1,079 to regrade Mr. Rodgers' property so that Mr. Rodgers' cabins will occupy the same relative position with respect to the new highway grade that they occupied with reference to the original street grade. He gave as his thought, under the circumstances, that the Commission is fully justified in helping Mr. Rodgers if it wants to so that he will not lose his investment and, accordingly, recommended that the Commission authorize the regrading of Mr. Rodgers' premises so that the buildings will occupy the same relative position that they occupied before with respect to the street. After discussion, in which it appeared to the Commission that Mr. Rodgers had an honest misunderstanding of the Commission's plans, the Commission approved by unanimous vote an expenditure of state funds for the readjustment of Mr. Rodgers' premises in accordance with the recommendations of the Attorney.

The Commission had under discussion a plan for the disposal of the East Court Street matter in Pendleton, which street was ordered closed by the Public Utilities Commissioner by order No. 3304, dated April 9, 1936, upon completion of the construction of an overhead viaduct over the main line tracks of the O. W. R. & N. Railroad Company at this place. The plan provides for the leaving of East Court Street open for traffic and for the closing of Aura Street which now crosses seven tracks of the railroad company near its depot in Pendleton. It appears that this plan originated with Mayor Lieuellen, Pendleton, and has been approved by the city council and likewise meets with the approval of the Union Pacific System officials. The Engineer advised that, if this plan is adopted, it will be necessary to construct an oil surface on four blocks of city streets adjacent to Aura Street which he estimated would cost about \$1,500, but it would eliminate the necessity for constructing a pedestrian grade separation on East Court Street and would make unnecessary the acquisition of right of way for the proposed connecting street through the Vey property between Benefit Street and Turk Street which involves condemnation. He gave as his thought that the plan is a satisfactory solution of the East Court Street problem and recommended adoption of the same. After considerable discussion the Commission approved the recommendation by unanimous vote upon motion of Commissioner Aldrich which was duly seconded by Commissioner Tou Velle. The Engineer was authorized and instructed to proceed with the carrying out of the provisions thereof at once.

The Attorney brought up for discussion and instructions the matter of the controversy between the Commission and the Bridal Veil Timber Company relative to the use and ownership of the real property lying between the high- and low-water mark along the Columbia River in the vicinity of Corbett. It appears that the Bridal Veil Timber Company secured a lease from the Corbett Investment Company for the use of certain land that it needed in connection with its logging operations and has also obtained a permit from the United States War Department authorizing, under certain conditions, the construction of a booming ground for a distance of about 2500 feet along the shore of the Columbia River at this location. Also, the company is now driving two rows of piling, 150 feet apart, on the property owned by the State Highway Commission for use in connection with such booming ground regardless of the rights of the State Highway Commission to control such property, and the company wants the State Highway Commission to pay the cost of moving the piling beyond the limits of the proposed new highway when it becomes necessary for the piling to be moved by reason of the construction of this highway.

The Engineer advised that the State Highway Commission holds a permit granted by the War Department, before the company secured its permit, by which permit the Commission is authorized to construct an embankment along the Columbia River at certain points and under which the Commission is authorized to use the same area for embankment slopes. He gave as his thought that the use of this area by the Bridal Veil Timber Company for its booming ground will interfere with highway construction and suggested that the company be not allowed to place its piling in this area.

After considerable discussion, in which the Commission indicated concurrence in the Engineer's suggestion, the Commission instructed the

Attorney to again contact the officials of the Bridal Veil Timber Company, by letter, and advise them that the State of Oregon, by and through its State Highway Commission, is the owner of the real property lying between high and low-water mark along the Columbia River between certain termini which definitely include the area on which the company proposes to construct its tramway, log dump and booming ground and, therefore, any use of or encroachment upon said property by the Bridal Veil Timber Company is unauthorized and done at the peril of the said company; also that any conferences and/or negotiations with respect to any use of or encroachment upon the state's property or with respect to the contemplated construction of tramway and log dump or booming ground at the site proposed must not be construed or in any way deemed consent to, on the part of the State Highway Commission, or approval of the company's contemplated plans and procedure. He was also instructed to suggest to the company officials the advisability of giving study to the placing of its facilities beyond the reach or effect of the proposed highway embankment so as to cause no interference with highway construction work when that is started.

The Commission adjourned at 12:00 o'clock noon to reconvene at 1:30 o'clock p. m. in the same room.

The State Highway Commission reconvened at 1:30 o'clock p. m. in the Rose Room of the Benson Hotel with all Commissioners, the State Highway Engineer, the Attorney and the Secretary present.

W. H. Lynch, District Engineer, H. D. Farmer, Senior Highway Engineer, and T. M. Davis, Highway Engineer, representing the Bureau of Public Roads, conferred with the Commission in regard to several mutual road problems. Mr. Lynch advised that on July 8 he reported to the Commission accumulated savings totaling about \$80,000 from forest highway projects recently contracted and since that time additional savings in the amount of approximately \$40,000 have accumulated, making a total of about \$120,000. He recalled that the Commission approved the expenditure of the \$80,000 for additional construction work on the Willamette Highway and that the construction program for this road was rearranged inasmuch as it was thought that, by so doing, the completion of this highway could be advanced about one year. He suggested, inasmuch as there are now \$40,000 additional forest highway funds available for programming, that the original program be restored and that the entire savings, amounting to \$120,000, together with \$20,000 of state money, be used by the Forest Service to finance the construction of the Willamette Highway tunnel, the estimated cost of which, exclusive of lining, is \$140,000. After a considerable discussion Mr. Lynch's suggestion was approved by the Commission subject to the condition that the State will not have to pay its \$20,000 before October 1, 1937. The following program for Willamette Highway construction was thereupon approved by the Commission by unanimous vote: The Bureau of Public Roads shall construct the tunnel section, estimated at \$140,000, and the short section immediately east thereof, estimated at \$100,000. The State Highway Commission shall construct, as a federal aid project, the second section east of the tunnel section which is estimated to cost \$130,000.

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Mr. Lynch inquired as to what progress is being made for the acquisition of right of way for the Eagle Creek Forest Highway project on the Columbia River Highway in Hood River and Multnomah Counties. He said that he is ready to advertise this project for bids but cannot do so until the right of way matters have been cleared up. He was informed that the right of way department is ready and anxious to complete the negotiations for such right of way but is precluded from doing so by reason of the fact that the plans for the project have not yet been approved by the O. W. R. & N. Company officials; however, it is thought that the approval of such officials will be received shortly.

The matter of the construction of the state's portion of the Weston-Elgin Highway, extending from Elgin northwesterly to the forest boundary in Union County was brought up for discussion by Mr. Lynch. He said the government work on this road is about completed and, in his estimation, the state should do something soon toward the completion of its section in accordance with previous agreement and understanding. He was informed that the Commission at one time included this project in its proposed P.W.A. program and filed an application with the Federal Government for P.W.A. funds to assist in financing the same but the application was not approved by the officials in Washington, D. C., although it passed the local officials. Further, that on account of a recent change in the rules and regulations governing the P.W.A. grant moneys, there is a possibility that this project along with the others in the program can be revised; hence, the Commission hesitates to allocate other funds for such purposes until it is known definitely whether or not it can secure the P.W.A. funds.

The State Highway Engineer gave as his thought that this information should be available shortly in view of the fact that Congress is contemplating adjournment about the middle of August and the matter should have been disposed of before that time. It was his suggestion that a definite decision in the matter of funds for the Weston-Elgin project should be deferred until it is known whether or not the State is going to secure the P.W.A. moneys. Chairman Cabell concurred. After further discussion Mr. Lynch was informed as follows: That it is the plan of the Commission to contract this work either this fall or in the early spring and to finance the same as a P.W.A. project if possible. In the event that P.W.A. funds cannot be secured, then the Commission will construct it, if possible, as a Federal Aid Secondary Highway or as a strictly State project. The Commission ordered that the Elgin Community Club and others who have made inquiry concerning this job be likewise informed of the Commission's decision.

Mr. Lynch brought up for discussion the matter of financing the proposed Albany grade separation project. He pointed out that there is only \$30,000 of federal grade separation funds unallocated and that the contracting of this project would have to be deferred until next year, when the fiscal year 1939 moneys are available, unless the Highway Commission will agree to advance State money to finance the work until the federal moneys are available. He said that, if the State would advance needed funds, the Government would reimburse the State next year. The Commission deferred a decision in this matter until its meeting on August 12.

Mr. Frank L. Shull, Chairman, Board of County Commissioners, Multnomah County, came before the Commission and requested an advance of a portion of Multnomah County's share of the gasoline and motor vehicle tax fund that is payable to the county in December, 1937. He explained that the county has a number of important road projects that it wishes to complete this year but does not have funds available to finance the same and they would appreciate it if the Commission would grant their request so the jobs can go forward to completion. He estimated that the county would need about \$27,000, of which \$10,000 should be turned over to the county during the month of August and the balance later. The Attorney advised that the Commission has legal authority to do this upon a satisfactory showing by the county that it has not sufficient funds with which to pay, when due, bonded indebtedness incurred for highway purposes. After discussion, and in view of the apparent urgency of the demand, the Commission approved the request by unanimous vote. The matter was referred to the Attorney to discuss the legal features with the District Attorney of Multnomah County and to prepare the necessary papers providing for the payment of \$10,000 to the county in the month of August and a sufficient additional amount after October 1 to meet the county's requirements.

The Commission also discussed with Mr. Shull the matter of preserving the vacant lots which are owned by the county and are situated adjacent to the Pacific Highway West (Barbur Boulevard). The Engineer advised that at a previous meeting the Commission authorized the landscaping of these lots, if the county would deed them to the state, so that the aesthetic features of this road may be preserved. Mr. Shull gave as his thought that the county would accept the state's offer but he requested an opportunity to discuss it with the other members of the Board before making a definite reply. Chairman Cabell advised that he believed the State Highway Commission would be willing to pay the county something for these lots, at least the amount that they have cost the county. Mr. Shull agreed to furnish the Commission with a list of the lots in question and to give the Commission a definite answer shortly.

A similar proposition was agreed to in regard to county-owned land lying along the south side of the O.W.R. & N. railroad between Lombard Street and Sandy Boulevard, the route of the proposed secondary state highway. The Commission referred this matter to the Assistant Attorney, J. W. De Souza, to work out the details with Mr. Shull.

The Engineer reported on the matter of rerouting the state highway along Astor Street in the city of Astoria as previously ordered by the Commission. He stated that the right of way for the westerly end of this project has been arranged for, that Block 55 is largely owned by the city or the county, and that the county owns some property along the suggested route between 15th and 16th Streets; further, that recently a filling station was constructed on the proposed route at the intersection of 15th and Commercial Streets which the state would have to purchase, and there is also a small brick building across the street at this intersection which would have to be purchased. He further advised that the city of Astoria has been attempting to secure the right of way by the exchange of municipal and county property and has done so, in so far as possible, but indications are that the city cannot secure all of the right of way by that means, therefore, if the project is to

proceed, the State Highway Commission would have to purchase the balance.

The Attorney advised that, in accordance with instructions from the Commission, he has investigated the cost to remove from this right of way the two buildings which the Commission agreed to move at state expense about a year ago, and he finds that the moving will now cost \$4,289, compared with the original estimate of \$3,600, due to the increased cost of labor. The Columbia River Packers Association, he said, has agreed to accept the sum of \$4,289 to move the warehouse and to construct an approach road at the new location, they to assume the responsibility for the moving and the construction of the approach. He further advised that the Association desires immediate action by the Commission in view of the fact that the building will be needed shortly after the first of August for the storing of canned salmon. After discussion, the Commission accepted the Association's offer by unanimous vote subject to the condition that payment of the agreed amount shall not be made until after the Commission conducts a public hearing in the city of Astoria relative to the rerouting of this highway as is required by law.

The Commission thereupon set 2:00 o'clock p. m., Monday, September 13, 1937, as the date and hour for such public hearing. The Secretary was instructed to send formal notice of such hearing to the governing body of the city as required by statute.

The Commission also set Tuesday, September 14, 1937, as the date for its regular meeting in September and instructed the Secretary to arrange to hold this meeting, as usual, in the Auditorium of the Public Service Building, Portland, if possible.

In the discussion of the matter of rerouting the highway in Astoria the Engineer advised that a definite location survey has not yet been made of the proposed new route. The Commission thereupon authorized him to make such location survey and to prepare an estimate of cost to construct the highway on the same. Full information in regard thereto is to be made available to the Commission for its information before the date of the public hearing.

The Engineer reported on the request of Dr. Charles E. Dodge, Portland, for the construction of an approach roadway from Park Street in Cannon Beach Park, Clatsop County, to the Oregon Coast Highway. He said that Park Street and Hug Point Avenue intersect very close to the highway right of way line at a point nearly opposite the place where a highway cut joins a highway fill so that it should not be difficult to make a connection between these streets and the highway. Also, that these streets are entirely unimproved, as are numerous other streets intersecting the highway in this locality, so it appears to him that the State Highway Department is under no obligation to construct the approach road. He recommended that the request be denied. The Commission approved the recommendation by unanimous vote and instructed the Secretary to so inform Dr. Dodge.

The Engineer reported briefly the results of the traffic survey recently conducted in the City of Klamath Falls. He said that the survey indicates that traffic density is not sufficient to warrant the installation of

control signals in this city except on Main Street at its intersection with Ninth, Eighth, Seventh and Sixth Streets and at the intersection of Klamath and Sixth Streets, with possibly another one at the intersection of Main and Fifth Streets; also, that a flashing beacon should be installed on South Sixth Street at the point where the street crosses over the railroad tracks inasmuch as a traffic hazard now exists at this location by reason of the fact that the bridge is only about half as wide as the street and is offset so that the west rail and felloe-guard are directly in the path of south-bound vehicles. He gave as his thought that the cost of the traffic control lighting should be borne exclusively by the City of Klamath Falls but that the state should pay for the flashing beacon at the railroad crossing which is estimated to cost \$100. After discussion the Commission approved the report and instructed the Engineer to send a copy of the same to the City of Klamath Falls. The Commission also approved the installation of a Red-Head flashing beacon at the railroad crossing on South Sixth Street, at state expense, it being understood that the City of Klamath Falls will furnish the electricity to operate the signal and will pay the cost of the lamp maintenance.

The Engineer reported receipt of a request from the City Council of West Salem for the installation of a traffic signal on the Salem-Dallas Highway at its intersection with the city street near the city hall at the west end of the town. He recommended the installation of a three-way, one-color, flashing signal at this intersection and a similar one at the intersection of the highway with the Salem-Dayton Secondary Highway (Wallace Road), at state expense. He advised that the cost would be about \$175. The Commission approved the recommendation by unanimous vote.

The Attorney reported the results of the conference with the insurance company which wrote the insurance on the equipment belonging to contractor J. C. Compton, which equipment was involved in the collapse of the South Yamhill River Bridge on the Pacific Highway West south of McMinnville. He said that the company is willing to pay the state the sum of \$4,750 as settlement in full which is \$250 less than the total amount of its liability. He recommended settlement on such basis because it would probably cost more than \$250 to try the case in court, and for the further reason that there is a possibility that a jury would return a verdict unfriendly to the state. The Engineer also recommended settlement at \$4,750. After discussion the Commission adopted the recommendation of the Attorney and the Engineer by unanimous vote and decided not to place a claim against Mr. Compton for the difference between such amount and the amount that it cost the state to restore traffic.

The Commission considered and ordered filed a letter from C. C. Hockley, State Director for the Federal Emergency Administration of Public Works, advising that the applications of the Commission for P.W.A. funds with which to finance certain state highway projects have been approved by the legal, financial and engineering divisions of their central office and are now in line for consideration and allotment under the terms of the Public Works Administration Act of 1937.

The Commission discussed reports from the Maintenance Engineer and the Landscape Engineer relative to the selection of a site for section

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patrol headquarters and oasis along the Central Oregon Highway between Bend and Burns. A decision in this matter was deferred by the Commission pending further investigation and report by the State Highway Engineer.

The Engineer reported the results of investigations recently conducted to determine the proper location for the I.O.N. Highway (McDermitt-North Secondary Highway) south of Rome in Malheur County, and for the proposed road connecting the I.O.N. Highway with the Central Oregon Highway passing through the place known as Folly Farm, in Harney County. He said that the surveyed route extends southwesterly from Rome a distance of about 12.79 miles to a point of connection with a proposed highway leading to Burns, which has also been surveyed; thence south through what is known as Blue Mountain Pass to a connection with the constructed section north of McDermitt, Nevada; also,, that several alternate routes have been investigated with a view of securing one that would provide the shortest possible distance between common points and would be the most economical to construct. He exhibited a map showing the several routes investigated and presented the following factual data relating to each for use in making comparisons of distances and costs:

	Approximate Length	Estimated Cost to Construct
<u>Rome to Blue Mountain Pass</u>		
Via present surveyed route through "Y" connection, 12.79 miles west of Rome	33.14 miles	\$238,000
Via most direct route	28.00 "	207,000
Via intermediate Route 1	29.43 "	228,000
Via intermediate Route 2	31.78 "	270,000
<u>Rome to Folly Farm</u>		
Via present surveyed route through "Y" connection, 12.79 miles west of Rome	32.92 miles	\$239,000
Via most direct route	26.83 "	261,000
<u>Blue Mountain Pass to Folly Farm</u>		
Via present surveyed route through "Y" connection, 12.79 miles west of Rome	40.48 miles	\$235,000
Via most direct route that passes through Rome	54.83 "	468,000

He pointed out that the shortest and least expensive line to construct between Rome and Blue Mountain Pass is the most direct route, it being 5.14 miles shorter than the surveyed route and about \$31,000 less costly. However, he gave as his thought that the Commission's decision with respect to the selection of a route for the I.O.N. Highway should not be based entirely on this feature because of the advantages that the State of Oregon would gain by having the shortest possible route from Nevada points to Portland. With this thought in mind he pointed out that the most direct route to Portland would be via the present surveyed route from Blue Mountain Pass northerly to the "Y" connection, thence to Folly Farm which route together with the connection from the "Y" to Rome would be about \$113,000 less costly to construct than a road along the most direct route from Blue Mountain Pass to Rome, thence to Folly Farm. Furthermore, the distance from Blue Mountain Pass to Folly Farm via the surveyed route is 14.35 miles shorter than the

shortest route that passes through Rome. After careful consideration of the facts the Commission decided in favor of the present surveyed route with a possible exception of adopting Intermediate Route 2 near the "Y" connection at some future date which would save some three or four miles in distance between Rome and Blue Mountain Pass.

The Commission had under discussion a report from Maintenance Engineer J. N. Bishop in regard to the condition of the Amity-Hopewell Secondary Highway concerning which a delegation from Yamhill County appeared before the Commission on July 8. A decision in this matter was deferred by the Commission pending further investigation and report by the State Highway Engineer.

The Commission considered a report from the Engineer on a request of Mrs. G. L. Case, Salem, for the oiling of a side road that is being used by the State's contractor in connection with the construction of the Pringle Creek Illahe School Section of the Pacific Highway south of Salem. Mrs. Case alleges that the dust created by the contractor's hauling is a nuisance and is very damaging to the crops growing adjacent to the road. The Engineer advised that the contractor uses this road over which to haul concrete aggregate to his job, which operation will not last very long, if it has not already been completed. He gave as his thought that the dust problem is not serious enough to warrant the expense of oiling, particularly since the road is not in condition to receive an oil treatment. He recommended that the request be denied. The Commission approved the recommendation by unanimous vote and instructed the Secretary to so inform Mrs. Case.

The Commission considered the matter of furnishing powder and equipment for use in connection with a W.P.A. clearing project which the Lincoln County Court proposes to undertake on the Siletz River Secondary Highway in Lincoln County, but deferred action thereon pending a report from the Engineer at the next meeting as to how much state money is involved.

The Commission considered and signed an agreement with Lane County providing for the payment of Lane County's indebtedness to the state for road construction purposes. By this agreement the Commission accepts, as payment in full of its account, the sum of \$200,000 payable on or before January 5, 1938. (For details see executed copy of agreement in agreement file - No. 98)

The Commission had under discussion the application of Mr. W. W. Hileman, Cottage Grove, for permission to transport piling, the length of which, including the hauling equipment, is 120 feet, over the Pacific Highway from the steel bridge south of Cottage Grove to Latham, in Lane County. The Engineer advised that there are no curves in the section of the highway over which this hauling is to be done and in his estimation no extreme traffic hazard will be created by such hauling. He recommended the granting of the permit. The Commission approved the recommendation by unanimous vote.

The Engineer requested authority to purchase the following equipment: (1) one stereoconparagraph complete with carrying case, cost \$262.50, for use in connection with drawing of contours on aerial survey maps; (2) one electric

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calculator, cost \$517.50, for use of computers working on plane coordinates of geodetic positions. The Commission approved the purchase of this equipment by unanimous vote.

The Engineer also requested authority to spend about \$1,950 for equipping six trucks, recently purchased, with power hoists. He explained that the trucks in question have been assigned to bridge repair crews and that the power hoists will increase the efficiency of the truck operation greatly. The Commission approved the expenditure by unanimous vote.

The Commission considered and referred to the Engineer to discuss with the Bureau of Public Roads a letter from W. H. Lynch, District Engineer, relative to revising route directions and mileage tabulations of the Oregon Federal Aid Highway System. A report on this matter is to be rendered at the August 12 meeting if possible.

The Commission considered and approved extending the Bertha-Beaverton Highway from its present terminus at the town of Bertha, along the Capitol Highway, Terwilliger Boulevard and Slavin Road to a connection with Southwest Barbur Boulevard (Pacific Highway West) in Portland. The Attorney was instructed to prepare an appropriate resolution covering the matter for adoption by the Commission at its meeting on August 12.

The Commission considered and approved a resolution from the Board of County Commissioners of Multnomah County requesting the selection and designation as the Northeast Portland Secondary Highway No. 123 of the following described county road, route or location: beginning at a point on Northeast Lombard Street near Northeast 10th Avenue; thence in a southeasterly direction to a point on Northeast Sandy Boulevard (Columbia River Highway) at or near Northeast 99th Avenue in Park Rose, being a distance of approximately four miles. The Commission thereupon by unanimous vote adopted the following resolution designating such road or route as a state secondary highway:

WHEREAS, under the provisions of Chapter 248, Laws of 1931, and Chapter 196, Laws of 1935, the State Highway Commission, by mutual agreement with the respective county courts of the several counties of the state, is authorized and empowered to select, locate, and designate a system of secondary state highways, which highways shall be selected from the market roads or other county roads, or available locations or routes of the several counties; and

WHEREAS, the State Highway Commission, by mutual agreement with the Board of County Commissioners of Multnomah County of the State of Oregon, has selected the road or highway hereinafter named, and it is the purpose of the Commission to officially and regularly designate and adopt said highway as a highway to constitute, together with other highways heretofore adopted and/or which may hereafter from time to time be added, the system of secondary state highways, under the provisions of said acts;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State

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Highway Commission, all members being present and affirmatively voting and participating, as follows:

1. That the following described market road, county road, highway, route, or location of a highway in Multnomah County be and the said market road, county road, highway, location, or route hereby is selected, designated, established, adopted and approved as a secondary state highway, and shall be and hereby is designated as a part of the secondary state highway system, to wit:

Northeast Portland Secondary Highway No. 123:

Beginning at a point on N. E. Lombard Street near N. E. 10th Ave.; thence in a southeasterly direction to a point on N. E. Sandy Blvd. (Columbia River Highway) at or near N. E. 99th Ave. in Park Rose, being a distance of approximately 4.0 miles.

2. That the said highway shall be and hereby is qualified for improvement under the provisions of said Chapter 248, Oregon Laws 1931, and amendments thereof.

The Commission also considered the advisability of retaining the Stanfield-Pendleton Section of the Old Oregon Trail (old route) on the state highway system upon completion and opening of the new route between these points. A question arose whether or not the old highway should be retained on the state highway system as a secondary highway or should be abandoned as a state highway and returned to Umatilla County to maintain as a county road. It was the Commission's decision that the road should be designated as a secondary state highway. The Attorney was instructed to prepare an appropriate resolution so designating this road for adoption by the Commission at its meeting on August 12 provided in the meantime the County Court of Umatilla County will by formal action request such designation.

The Commission considered and upon recommendation of the Engineer adopted resolutions as follows: abandoning and retaining portions of the Pacific Highway West near Rex Hill in Washington and Yamhill Counties which sections are no longer used by state highway traffic in view of the fact that the highway has been reconstructed on new alignment at such places:

WHEREAS, in order to afford a better alignment and a more satisfactory, safe and convenient highway for the traveling public the Highway Commission found it necessary to relocate portions of the Pacific Highway West near Rex Hill, Washington County; and

WHEREAS, by reason of said relocation and reconstruction of said section of highway there have been eliminated from the main traveled portion of said highway certain sections or fragments of land, which said sections or fragments of land are more specifically

defined and described hereinafter in this resolution and are reflected on a print or map, marked "Exhibit 'A'", a copy of which is attached hereto and made a part hereof; and

WHEREAS, while those sections hereinafter described as the parcels to be retained and shown in yellow on the attached print, are not required for use as a part of the main or travelled section of the highway, nevertheless the same are required, can be used, and are essential for other public uses in connection with said highway; and

WHEREAS, it is the judgment and opinion of the Commission that there should be recorded in the minutes and records of the Commission its purpose and plan to preserve for public use in connection with said highway the fragments or parcels of land hereinafter described as the parcels to be retained and shown in yellow on the attached print; and

WHEREAS, it is the judgment and opinion of the Commission that there should be recorded in the minutes and records of this Commission the purpose and plan of the Commission to abandon as a part of the state highway system a certain portion of the highway eliminated from the main travelled portion of said highway, which section is made unnecessary as a part of the completed highway and is shown in red on the attached print or map;

NOW, THEREFORE, the premises being in general as above stated, it hereby is resolved by this Commission, all members being present and affirmatively participating, as follows:

1. That the fragments or parcels of land which heretofore were within the right of way proper of the Pacific Highway West, but which by reason of a relocation or realignment of said highway are now without the area improved and used by the traveling public, but are adjacent to and abut upon the said right of way, which parcels are shown shaded in yellow on the attached print, shall be preserved by the Highway Commission for such other public use as said land may serve in connection with the construction, improvement, and maintenance of said highway or the use of the same, which said parcels or fragments of land are described as follows, to wit:

(Parcels to be retained - shown in yellow on attached print)

All that portion of the present 60 foot right of way on the southerly side of the new right of way between Stations 601+30 and 606+05 and between Stations 637+20 and 641+00, and on the northerly side of the new right of way between Stations 642+40 and 651+00.

2. That the fragment of land confined within the area hereinafter described and designated as the parcel of land to be abandoned,

which fragment was formerly within the limits of the right of way of the Pacific Highway West, be and said fragment of land is abandoned as a part of the right of way of said highway, and said fragment of right of way is, so far as control and supervision of this Commission are concerned, left to revert to the adjoining and abutting property owners or to the control and supervision of the County Court of Washington County. The fragment of land to be abandoned is described as follows:

(Parcel of land to be abandoned - shown in red on attached print)

All that portion of the present 60 foot right of way of the Pacific Highway West, lying north of the reconstructed highway between Stations 606+20 and 635+20.

3. In addition to the foregoing descriptions of said fragments or parcels of land there is attached hereto a print or map, marked "Exhibit 'A'", which by this reference is made a part thereof, and upon which map there are shown shaded in yellow the parcels of land formerly within the old right of way but which are now by this official act preserved for public purposes, and upon which map there is shown shaded in red the abandoned section of said right of way. Said exhibit or map for identification purposes bears the signatures of E. A. Collier, Division Engineer; H. G. Smith, Construction Engineer; and R. H. Baldock, State Highway Engineer, and bears date of May 20, 1937.*

4. The Engineer hereby is instructed to properly and completely mark on the ground the boundaries of the fragments of land to be retained by the Highway Commission by erecting and maintaining thereon proper monuments or posts upon which shall be inscribed the words "State Property".

5. In the event there remains any physical connection between any portions of said abandoned right of way and the present highway, and by reason of such physical connection traffic from the existing highway may enter or use the said abandoned portion of the old road to the possible damage or injury of such traffic by reason of any unsafe condition existing with respect to the said old or abandoned road, then the State Highway Engineer is hereby authorized and directed to erect such barricade or other safeguards as may be necessary to protect and safeguard traffic using and employing said newly located, constructed, and dedicated section of said state highway.

6. That this resolution be entered in the minutes and records of the Commission and a certified copy thereof promptly delivered to the County Court of Washington County, together with a

* Map filed in Right of Way Abandonment and Retention File - No. 43

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copy of said exhibit or map, for such action as said County Court may desire to take with respect to the fragment of land to be abandoned, and should said abandoned portion of the right of way of said Pacific Highway West be further employed for public or private highway purposes such use shall be entirely under the control and supervision of the County Court of Washington County and beyond any responsibility or supervision by the State Highway Commission.

WHEREAS, in order to afford a better alignment and a more satisfactory, safe and convenient highway for the traveling public the Highway Commission found it necessary to relocate portions of the Pacific Highway West near Fox Hill, Yamhill County; and

WHEREAS, by reason of said relocation and reconstruction of said section of said highway there have been eliminated from the main travelled portion of said highway certain sections or fragments of land, which said sections or fragments or land are more specifically defined and described hereinafter in this resolution and are reflected on a print or map, marked "Exhibit 'A'", a copy of which is attached hereto and made a part hereof; and

WHEREAS, while those sections hereinafter described as the parcels to be retained and shown in yellow on the attached print, are not required for use as a part of the main or travelled section of the highway, nevertheless the same are required, can be used, and are essential for other public uses in connection with said highway; and

WHEREAS, it is the judgment and opinion of the Commission that there should be recorded in the minutes and records of the Commission its purpose and plan to preserve for public use in connection with said highway the fragments or parcels of land hereinafter described as the parcels to be retained and shown in yellow on the attached print; and

WHEREAS, it is the judgment and opinion of the Commission that there should be recorded in the minutes and records of this Commission the purpose and plan of the Commission to abandon as a part of the state highway system a certain portion of the highway eliminated from the main travelled portion of said highway, which section is made unnecessary as a part of the completed highway and is shown in red on the attached print or map;

NOW, THEREFORE, the premises being in general as above stated, it hereby is resolved by this Commission, all members being present and affirmatively participating, as follows:

1. That the fragments or parcels of land which heretofore were within the right of way proper of the Pacific Highway West, but which by reason of a relocation or realignment of said highway are now without the area improved and used by the travelling public, but

are adjacent to and abut upon the said right of way, which parcels are shown shaded in yellow on the attached print, shall be preserved by the Highway Commission for such other public use as said land may serve in connection with the construction, improvement, and maintenance of said highway or the use of the same, which said parcels or fragments of land are described as follows, to wit:

(Parcels to be retained - shown in yellow on attached print)

All that portion of the present 60 foot right of way on the southerly side of the new right of way between Stations 668+50 and 678+50, and between Stations 681+00 and 685+10 and on the northerly side of the new right of way between Stations 670+00 and 674+25 and between Stations 705+50 and 715+00.

2. That the fragment of land confined within the area hereinafter described and designated as the parcel of land to be abandoned, which fragment was formerly within the limits of the right of way of the Pacific Highway West, be and said fragment of land is abandoned as a part of the right of way of said highway, and said fragment of right of way is, so far as control and supervision of this Commission are concerned, left to revert to the adjoining and abutting property owners or to the control and supervision of the County Court of Yamhill County. The fragment of land to be abandoned is described as follows:

(Parcel of land to be abandoned - shown in red on attached print)

All that portion of the present 60 foot right of way of the Pacific Highway West and the new county road approach, lying south of the reconstructed highway between Stations 684+80 and 699+30

3. In addition to the foregoing descriptions of said fragments or parcels of land there is attached hereto a print or map, marked "Exhibit 'A'", which by this reference is made a part hereof, and upon which map there are shown shaded in yellow the parcels of land formerly within the old right of way but which are now by this official act preserved for public purposes, and upon which map there is shown shaded in red the abandoned section of said right of way. Said exhibit or map for identification purposes bears the signatures of E. A. Collier, Division Engineer; H. G. Smith, Construction Engineer; and R. H. Baldock, State Highway Engineer, and bears date of May 20, 1937.*

4. The Engineer hereby is instructed to properly and completely mark on the ground the boundaries of the fragments of land to be retained by the Highway Commission by erecting and maintaining there-

* Map filed in Right of Way Abandonment and Retention File - No. 44

on proper monuments or posts upon which shall be inscribed the words "State Property".

5. In the event there remains any physical connection between any portions of said abandoned right of way and the present highway, and by reason of such physical connection traffic from the existing highway may enter or use the said abandoned portion of the old road to the possible damage or injury of such traffic by reason of any unsafe condition existing with respect to the said old or abandoned road, then the State Highway Engineer is hereby authorized and directed to erect such barricade or other safeguards as may be necessary to protect and safeguard traffic using and employing said newly located, constructed, and dedicated section of said state highway.

6. That this resolution be entered in the minutes and records of the Commission and a certified copy thereof promptly delivered to the County Court of Yamhill County, together with a copy of said exhibit or map, for such action as said County Court may desire to take with respect to the fragment of land to be abandoned, and should said abandoned portion of the right of way of said Pacific Highway West be further employed for public or private highway purposes such use shall be entirely under the control and supervision of the County Court of Yamhill County and beyond any responsibility or supervision by the State Highway Commission.

The Commission had under discussion the matter of abandoning as a state highway a portion of the Redmond-Bend Section of The Dalles-California Highway (old route), in Deschutes County, which is no longer used by primary highway traffic in view of the reconstruction of this highway on new alignment. The question arose whether or not this road should be abandoned by the state or should be retained on the state highway system as a secondary state highway. The Commission decided in favor of the abandonment of the same for the time being and by unanimous vote adopted the following resolution in regard thereto with the understanding that the road will be placed on the secondary highway system later in the event that the County Court of Deschutes County requests that be done:

WHEREAS, in order to afford a better alignment and a more satisfactory, safe and convenient highway for the traveling public, the Commission found it necessary to relocate a portion of the Redmond-Bend Section of The Dalles-California Highway in Deschutes County; and

WHEREAS, by reason of said relocation and the reconstruction of the said section of highway there was eliminated and made unnecessary as parts of the completed highway certain sections, which sections or parts are more specifically defined and described hereinafter in this resolution; and

WHEREAS, it is the judgment and opinion of the Commission that there should be reflected in the minutes and records of this Commission the purpose and plan of the Commission to abandon as parts of The Dalles-California Highway, and therefore as parts of the state highway system, the fragments or portions of right of way of the old alignment hereinafter defined and heretofore included within the area of the right of way of The Dalles-California Highway as formerly located between the said termini and as heretofore improved and used; and

WHEREAS, in connection with the relocation of said highway there was accomplished a change in the point of entrance of the highway into the City of Redmond from the south and there was likewise accomplished a rerouting of state highway traffic between "I" Street and the city limits of Redmond.

NOW, THEREFORE, the premises being in general as above stated, it hereby is resolved by this Commission, a majority of members being present and affirmatively participating, as follows:

1. That the fragments of land confined within the areas hereinafter described, portions of which fragments of land were formerly within the limits of the right of way of The Dalles-California Highway south of the City of Redmond, but which are now without the limits of said right of way as said highway has been relocated and constructed, be and said fragments of land are abandoned as parts of the right of way of said highway, and those parts of said right of way so abandoned and which are outside of the corporate limits of the City of Redmond are left to revert to the adjoining or abutting property owners or to the control or supervision of the County Court of Deschutes County for highway and/or other public purposes, and that portion of the highway between "I" Street and the city limits over which highway traffic was formerly routed before said highway was relocated is hereby abandoned as a route over which state highway traffic is directed by the State Highway Commission to move and said route hereby is relieved of any burden imposed thereon by the State Highway Commission and is left to revert to the exclusive control and jurisdiction of the municipal authorities of the City of Redmond.

2. The fragments of land or right of way hereby abandoned and eliminated from the state highway system and the streets over which state highway traffic formerly was routed are described as follows, to wit:

Beginning at the edge of the right of way fifty feet from the center line of the new location at the south line of "I" Street in the City of Redmond, Highway Engineer's Station 472+65, Mile Post 123.85; thence southwesterly along the old Dalles-California Highway a distance of 13.5 miles to the intersection of the McKenzie-Bend Highway at Highway Engineer's Station 155+59.7, which right of way is 60 feet wide and contains 98.18 acres, more or less.

Also:

Beginning at Highway Engineer's Station 19+50.2, said point being at the edge of and fifty feet distant from the new Dalles-California Highway; thence southeasterly a distance of 0.3 of a mile to intersection with the new Dalles-California Highway at Engineer's Station 4+60, which right of way is 60 feet wide and contains 2.21 acres, more or less.

In addition to the foregoing description of said abandoned right of way there is attached hereto a print or map, marked "Exhibit 'A'", and by this reference made a part hereof, upon which map there is shown shaded in red the abandoned sections of said highway, which exhibit for identification purposes bears the signatures of W. E. Chandler, Division Engineer; H. G. Smith, Construction Engineer; and R. H. Baldock, State Highway Engineer, and bears date of June 16, 1937.*

3. In the event there remains any physical connection between any portion of said abandoned right of way or highway and the present highway, and by reason of such physical connection traffic from the existing highway may enter or use the said abandoned portions of the old road to the possible damage or injury of such traffic by reason of any unsafe condition existing with respect to said old or abandoned sections, then the State Highway Engineer is hereby authorized and directed to erect such barricade or other safeguards as may be necessary to protect and safeguard traffic using and employing said newly located, constructed and dedicated section of said state highway.

4. This resolution shall be entered in the minutes and records of the Commission and a certified copy thereof promptly delivered to the County Court of Deschutes County, together with a copy of said exhibit, and a copy of said resolution, together with said exhibit, shall be delivered to the Mayor of the City of Redmond for such action as said County Court may desire to take with respect to said fragments of land and for such action as the City of Redmond may desire to take with respect to said city streets, and should said abandoned portions of the highway be further employed for public or private highway purposes such use shall be entirely under the control and supervision of the County Court of Deschutes County and/or the municipal authorities of the City of Redmond, and the same shall be beyond any responsibility or supervision by the State Highway Commission.

The Engineer requested definite information as to who should represent the state highway department at the annual meeting of the American Association of State Highway Officials in Boston, Massachusetts, on September 27 to 30 inclusive. It was decided that all three members of the Commission,

*Map filed in Right of Way Abandonment and Retention File - No. 45

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the State Highway Engineer and the Assistant State Highway Engineer should attend this meeting at state expense provided that meets with the approval of Governor Martin.

The Secretary presented a brief signed by the Hermiston Commercial Club, Umatilla Project Farm Bureau, Grange Cooperative, Eastern Oregon Turkey Growers' Association, Pendleton Chamber of Commerce, Umatilla County Court, Pendleton Chamber of Commerce Roads Committee, Pendleton Chamber of Commerce Regional Committee, Pendleton Chamber of Commerce Business Committee and the Hermiston Community Park requesting and urging that the improvement that the Commission proposes to undertake on the secondary highway between Hermiston and the Wallula Cut-off be extended to include the entire length of this road rather than a portion thereof as is now planned. The Engineer advised that the Commission has now set up in its budget \$15,000 for the oiling of a three-mile section of this road between Hermiston and Columbia School. The Commission indicated a favorable attitude toward this request but deferred a definite decision thereon pending receipt of information from the Bureau of Public Roads as to whether or not the Bureau would consent to such extension. Tom M. Davis, Highway Engineer, Bureau of Public Roads, who was present, agreed to give this matter study and advise the Commission at the earliest opportunity.

A letter was presented from Mrs. Ernest C. Dalton, St. Helens, President of the Oregon Federation of Garden Clubs, calling attention to signs that have been erected along the Oregon Coast Highway advertising "Currier's Village" in northern Coos County, and asking the Commission to take action as may be necessary to rid the highway of such signs. The Engineer advised that investigation reveals that the signs are located on private property beyond the jurisdiction of the Highway Commission, hence apparently meet the legal requirements. The Commission instructed the Engineer to contact Mr. Currier and endeavor to secure his consent to the removal of the signs so that the scenery along the highway may be preserved unblemished. The Secretary was instructed to inform Mrs. Dalton of the action taken and that unless Mr. Currier, the owner of the signs, is willing to cooperate the Commission is without authority to remove the signs.

A letter was presented from Carl E. Green, State Sanitary Engineer, in which the Commission was requested to make an order prohibiting the use of horses on bathing beaches. The Attorney advised that the Commission is without legal authority to prohibit the use of horses on the beach area. The Commission ordered that Mr. Green be so informed.

A letter was presented from Alois Keber, Secretary of the Highway Committee of the Business Men's Club of Mt. Angel, in which the Commission was requested to flatten some of the sharp curves on the Woodburn-Silverton Secondary Highway this year when the proposed nonskid surface is being applied to this road. The Commission denied the request on account of insufficiency of funds to finance the same, the amount budgeted for this highway being only sufficient to provide a nonskid, wearing surface. Mr. Keber also requested the repainting of the yellow stripe down the center line of this road. The Commission approved the repainting of the center line stripe as soon as the stripe painting crew is working in this vicinity.

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The Commission considered and referred to the Engineer for investigation and report a request from the Oregon City Territorial Days Committee for permission to erect a monument on the right of way of the Pacific Highway East at the top of the hill south of Oregon City, honoring Peter Skene Ogden who was at one time a chief factor of the Hudson Bay Company and who spent the last years of his life in Oregon City.

The Commission considered and ordered filed a letter from Mr. W. W. Evans, Halfway, Oregon, in regard to the Baker-Homestead Highway in Baker County.

A petition signed by 31 taxpayers of Clackamas County requesting that Hereford Street, Gladstone, be selected as a route for a connecting road between 82nd Street Highway and the East Portland-Oregon City Highway had the attention of the Commission. The Engineer advised that, while the surveys have been completed for a proposed connection between these two highways, he is not yet ready to make a recommendation in regard thereto; however, indications are that the Hereford Street route will not meet the requirements. The Secretary was instructed to so inform the petitioners.

A letter was presented from the Social Assurance Association of Oregon suggesting that the viaduct on Union Avenue, Portland, be named in honor of L. M. Lepper, Portland. The Commission deferred action on this request pending a recommendation from a committee of three public spirited citizens of which Mr. Lewis A. McArthur, Secretary of the Oregon Geographic Board, is to be asked to act as Chairman. Mr. McArthur is to select the other two members of the committee.

The Commission also had under consideration letters from the North Tillamook County Chamber of Commerce and from Mr. Hamilton F. Corbett, President of the Portland Chamber of Commerce, suggesting that the bridge that is now being constructed over Short Sand Beach Creek on the Oregon Coast Highway in northern Tillamook County be named "Samuel G. Reed" Bridge in honor of Mr. Reed who has spent freely of his time and money to secure the completion of the Neahkahnie Mountain road and who has also given several hundred acres of land to the state for park purposes. The Commission referred this matter also to Mr. McArthur and his committee for recommendation.

The Engineer reported receipt of information from the Oregon State Motor Association to the effect that the Shell Oil Company has a very fine film depicting in sound and film slide the "City of Tomorrow" and that the Shell Company would be glad to show these pictures to the Commission at some convenient time if that meets with the Commission's pleasure. He recommended acceptance of the offer. The Commission approved the recommendation and instructed the Engineer to make the arrangements for this showing.

A letter was presented from W. H. Ferguson, City Recorder of the town of Gold Hill, inquiring as to whether or not it would be possible to secure the Commission's consent to the maintenance of a sign over the state highway in Gold Hill directing tourists over Sams Valley Secondary Highway as a short cut to Crater Lake. The Commission ordered that Mr. Ferguson be

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informed that it is the policy of the Commission to prevent so far as possible the erection and maintenance of signs over and across highways, because the Commission believes that such signs create a traffic hazard and the erection of such is an unwise procedure. However, the Commission does not presume to interfere with the rights of cities and towns, and will not interfere with them in the matter of signs unless such signs contain information directing traffic which feature is, the Commission considers, strictly its function in so far as the signs pertain to state highways.

The Commission had under consideration the question of maintenance of a steel bridge over the Nehalem River at Nehalem in Tillamook County and a letter from E. H. Lindsey, County Commissioner of Tillamook County, in regard thereto. It is Mr. Lindsey's contention that the State Highway Commission agreed to maintain this structure and in support thereof refers to an agreement between the county and the Commission, dated November 8, 1935, which provides that the state shall maintain this county road, after construction, for such time as said road may be used under the direction of the Highway Commission for the accommodation of the traffic using the Oregon Coast Highway. The Engineer pointed out that the Commission and the county had a prior agreement, dated January 23, 1934, which provided that the State Highway Commission should repair this bridge at state expense but that the county should maintain it after such repair work had been completed until the road and the bridge were placed on the state highway system. He gave as his thought that the agreement of November 8, 1935, was not intended to relieve the county of the maintenance of this bridge structure and he requested instructions in regard thereto in connection with some repair work that is badly needed at the present time. After discussion the Commission voted unanimously to assume the maintenance of this bridge, in view of the fact that it is now being used as a state highway route, pending construction of the state highway on permanent alignment. The Engineer was thereupon authorized to proceed with the bridge repairs at state expense.

A letter was presented from Honorable Charles H. Huggins, Mayor of the City of Marshfield, requesting the privilege of being present when the Commission has under discussion the matter of adopting a permanent route for the Oregon Coast Highway between the cities of Marshfield and North Bend. The Secretary was instructed to inform Mr. Huggins that the Commission will be pleased to have him present and enter into a discussion of this matter, and that it hopes to be able to consider it at its meeting on August 12 provided the Engineer's report is ready at that time, and will let him know two or three days in advance so he can make his arrangements accordingly.

A letter was presented from Mr. S. M. Calkins, Secretary, Eugene Planning Commission, stating that the Planning Commission is very desirous that the State Highway Commission make a decision soon in the matter of the permanent location of the Pacific Highway through or around Eugene so as to facilitate the settling of business conditions. The Secretary was instructed to inform Mr. Calkins that the Commission is now studying this matter and hopes to make its decision in the near future.

A number of communications were presented from residents of the Town

of Monument, Oregon, in which the Commission was requested to improve the Kimberley-Monument Secondary State Highway, which they allege is narrow, crooked, in very bad condition and is a dangerous highway to travel. The Engineer advised that the riding surface of this road is untreated macadam and it is being maintained in as good condition as is possible under present conditions and with the limited amount of funds available. The Commission ordered that the petitioners be informed that funds available to the Commission for purposes of this kind are very low, hence it would not be possible to do any more to this road than is now being done. However, the maintenance of the road will be continued in the best possible manner permitted by the circumstances and the road will be considered for improvement as a federal aid secondary highway when that matter comes up for discussion later in the year.

A letter was presented from County Judge J. B. Wilkerson, Columbia County, requesting, when the Commission allocates the federal funds for feeder roads in the counties of the state, that Columbia County be given a just share of such funds in 1938. The Secretary was instructed to inform Judge Wilkerson that the Commission intends to give Columbia County just as much consideration in the allocation of these funds as it gives to the other thirty-five counties.

A letter was presented from the American Road Builders' Association requesting the assistance of the State Highway Engineer in securing the affiliation of the State Highway Contractors' Association with the American Road Builders' Association. It was the Engineer's thought that the two associations should be kept separate and he so recommended. The Commission concurred in this viewpoint and instructed the Engineer to so inform Mr. Charles Upham, Engineer-Director of the American Road Builders' Association.

The Commission had under consideration letters from the Clatsop County Court and the Astoria Chamber of Commerce, and a petition signed by 364 residents of Clatsop County requesting the oiling of the Wolf Creek Highway between Elsie and its junction with the Oregon Coast Highway. The Commission ordered that the communications be acknowledged and the petitioners informed that the Commission is now spending on the Wolf Creek Highway as much as it can spare to complete the seventeen-mile gap between Elsie and Sunset Camp and is not financially able to do any oiling work on this road this year; further, that such project will be considered when the program for next year's construction is arranged although no definite commitments or promises can be made at this time.

The Engineer requested authority to purchase a set of traffic scales for installation on the Wilson River Highway east of Tillamook where extensive logging operations are under way. The Commission approved the request by unanimous vote.

The Engineer reported that since the last meeting of the Commission he has ordered a number of location surveys. He submitted a list of the same together with estimates of cost to complete them and asked the Commission to confirm the orders. Motion was made by Commissioner Aldrich that the State Highway Engineer be authorized and instructed to make such location surveys on

various sections of the highways of this state, which said sections of highways, together with their identification survey numbers and the amounts authorized and allocated for survey expenditure, are as follows:

Location #10-2807 - Roseburg-Kelley Corner Section, Pacific Highway. 4th authorization \$700 - Total authorization \$5,200.00.

Location #208-2807- Squaw Creek Section, Bagnalls Ferry County Road in Curry County. 1st authorization \$750.00

Location #10-2817 - Oakland-Roseburg Section of the Pacific Highway in Douglas County. 1st authorization \$10,800.00

Location # 1-2805 - North Powder-Haines Section of the Old Oregon Trail in Baker County. 2nd authorization \$1,000. Total authorization \$2,300.00

Location #210-2815- Roseburg-Rock Creek Section of the North Umpqua Highway. 2nd authorization \$1,000. Total authorization \$13,000.00.

Rt. of Way # 26-2831- Orient Corner, Mt. Hood Highway in Clackamas County. 1st authorization \$100.00

The motion was duly seconded by Commissioner Tou Velle and was declared by Chairman Cabell to have carried by the unanimous vote of the Commission.

The Engineer reported that two location surveys had been completed since the last meeting, viz: John Day-Prairie City Section of the John Day Highway, in Grant County, and the Siletz-Newport Section of the Oregon Coast Highway, in Lincoln County. He submitted maps showing the proposed routing of these highways and explained the same in detail. He asked the Commission to approve the locations as shown thereon. After due consideration and discussion the following resolution approving such surveys was adopted by the Commission by unanimous vote upon motion of Commissioner Aldrich which was duly seconded by Commissioner Tou Velle:

WHEREAS, the State Highway Commission heretofore has authorized and instructed the State Highway Engineer to make surveys on sections or portions of the highways of the State of Oregon as follows, to-wit:

John Day-Prairie City Section of the John Day Highway, in Grant County;

Siletz River-Newport Section of the Oregon Coast Highway, in Lincoln County;

and

WHEREAS, pursuant to said authorization the State Highway Engineer

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has made and completed the said surveys and has filed the maps and plans of the said surveys in the files of the State Highway Commission in Salem, Oregon; and

WHEREAS, the maps and plans of the said surveys have been examined by the State Highway Commission and have been found suitable in all respects for approval and adoption by the State Highway Commission;

NOW, THEREFORE, BE IT RESOLVED that the surveys hereinafter designated and described, together with their identifying location map file numbers, as shown in the map filing records of the Highway Commission in the Salem office of the Commission, be and they hereby are adopted and approved as the location surveys of the various portions or sections of highway involved:

<u>File No.</u>	<u>Type of Survey</u>	<u>Highway and Section</u>
12-2805	Location	John Day-Prairie City Section of the John Day Highway in Grant County. Map File No. Part 1 of 2 parts - 5B11-10
21-2803	Location	Siletz River-Newport Section of the Oregon Coast Highway in Lincoln County. Map File Nos. 5B8-1, 5B8-2, 5B8-3, and 5B8-4

BE IT FURTHER RESOLVED that the State Highway Engineer be and he hereby is authorized to make such minor changes in the said location as may improve the standards of alignment and grades not inconsistent with the general location of the section of highway involved.

Consideration was given by the Commission to the following requests for extensions of time within which to complete highway construction projects:

Parker-Schram Company, Contract No. 1854, for the construction of an undercrossing under the Southern Pacific Company's tracks on the Pacific Highway in Oregon City, in Clackamas County, requested an additional extension of time of four days, from June 25 to June 29, 1937, within which to complete this project. The Engineer advised that on July 8 the Commission extended, without penalty, the time limit for the completion of this job to June 25, 1937, but the work was not actually completed until June 29, 1937, so it is necessary to extend the time an additional four days. He recommended that this be done without penalty. He presented a letter from the Bureau of Public Roads concurring therein. The Commission approved the recommendation by unanimous vote.

Joplin & Eldon, Contract No. 1874, for the construction of an oil mat surface treatment on the Criterion-Cow Canyon Section of The Dalles-California Highway, in Wasco County, requested an additional

extension of time of 30 days, from July 1 to July 31, 1937, within which to complete this job. They attributed their failure to complete the project by July 1 to necessity for doing certain betterment work on the project that was not contemplated in the original contract which betterment work had to be done before the road was oiled. Also, weather conditions interfered considerably with the oiling operations. The Engineer advised that it was originally contemplated that this job would be completed by November 30, 1936, which is the date of completion specified in the contract, but for various reasons heretofore explained the job overran this time limit and was extended to July 1, 1937, with the understanding that the contractor would be penalized for engineering expense incurred by the state subsequent to December 1, 1936. He further advised that the contractor has been required to do a considerable amount of force account work since that time which has increased the contract price about 18 per cent although the engineering supervision costs have been held below the customary six per cent. The traveling public, he said, has been inconvenienced only very little by the delay so, considering everything, it is now his recommendation that the extension requested at this time be granted by the Commission without penalty, and that the contractor be relieved of the payment of the penalty that was previously imposed. The Commission approved the recommendation by unanimous vote.

McNutt Bros., contract No. 1920, for grading and surfacing the Ochoco Dam-Mill Creek Section of the Ochoco Highway, in Crook County, requested an extension of time, from June 30 to July 30, 1937, within which to complete this job. No reasons were given by the contractors for failure to complete the work within the specified time limit. The Engineer advised that the contractor had plenty of time to complete this project by the specified completion date but they had several contracts under way at the same time and could not arrange to complete this one earlier, which is the main reason of overrun of the time limit. He further advised that the traveling public has not been unduly inconvenienced by the delay, that the highway has been kept in passable condition at all times and that the state has incurred very little extra expense for engineering work because the engineering party has spent only part time on this contract, the balance having been spent on location survey work. He recommended, in view of the fact that the overrun of time limit was strictly due to the contractors' own arrangements, that the extension requested be granted but that the contractor be required to reimburse the state in full for engineering expense incurred subsequent to the date of completion specified in the contract. He presented a letter from the Bureau of Public Roads concurring therein. The Commission approved the recommendation by unanimous vote.

The Engineer reported that Hoffman Construction Company has applied for an extension of time of 30 days in which to complete their contract for the Union Avenue Overcrossing in Portland, contract No. 1881, but the

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application is not accompanied by consent of the surety on their bond, as is customary. He explained that the contractor has only about \$50 worth of work left to complete on this job and if the matter of extension of time is taken up with the bonding company the contractor will be required to pay an additional bond premium amounting to over a thousand dollars. He suggested therefore that the Commission waive its requirement for consent of surety in this particular instance so as to relieve the contractor from the payment of this extra premium expense. The Attorney advised that the practice of securing consent of sureties in matters of extensions of time is not a legal requirement but is simply a procedure that has been prescribed by the State Highway Commission, so, if the Commission wants to diverge from the usual practice in this particular instance, it could do so without becoming involved in a legal way. After considerable discussion and in view of the Attorney's advice, the Commission voted unanimously to grant the Hoffman Construction Company the extension of time requested, notwithstanding the fact that the consent of surety has not been secured. However, the Commission wished it strictly understood that its decision should not be considered a precedent and that hereafter the consent of the surety on time extensions shall be secured as in the past.

The Engineer reported that contracts Numbers 1788, 1854, 1905, 1927, 1930, 1956, 1966, and 1976 for the construction of state highway projects have been completed according to the requirements of the contracts or modifications thereof and that said jobs are now ready for acceptance.

The following resolution accepting the above projects was offered and was adopted by the unanimous vote of the Commission:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts and that said jobs are now ready for acceptance:

Contract No. 1788 with Berke Bros. for grading and construction of an undercrossing under Southern Pacific Company tracks approximately 9 miles south of Ashland (Wall Creek) in Jackson County. Completed July 26, 1937.

Contract No. 1854 with Parker-Schram Company for the construction of the Oregon City Undercrossing (Bridge No. 2206) in Clackamas County. Completed June 29, 1937.

Contract No. 1905 with Newport Construction Company and Kern & Kibbe for regrading and surfacing the Middle Unit, Emigrant Hill Section of the Old Oregon Trail Highway in Umatilla County. Completed July 1, 1937.

Contract No. 1927 with A. Milne for placing rock base and oil mat surface on the Wilcox-Shaniko Section of the Sherman Highway in Sherman and Wasco Counties. Completed July 26, 1937.

Contract No. 1930 with Chas. H. Leonard for regrading, surfacing and oiling the Stewart Bridge-Flat Creek Section of the John Day Highway in Grant County. Completed July 10, 1937.

Contract No. 1956 with Brownell Electric Company for wiring the highway department offices, State Office Building, Salem. Completed June 11, 1937.

Contract No. 1966 with A. S. Wallace for producing crushed rock for maintenance and oiling purposes on the Fort Klamath Section of The Dalles-California and Chiloquin Highways in Klamath County. Completed July 2, 1937.

Contract No. 1976 with Babler Bros. for oiling the Rainrock-Greenleaf Creek Section of the Siuslaw Highway in Lane County. Completed July 8, 1937.

THEREFORE, BE IT RESOLVED that the work covered by said state highway contracts for the construction of said state highway projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

The Commission considered and signed agreements, et cetera as follows:

Agreement with the Union Pacific Company and the O.W.R. & N. Company covering the matter of construction, maintenance and operation of an electric power transmission line beneath and across the tracks and right of way of the railroad company near Bonneville.

Agreement with Tillamook County providing that the county shall maintain at county expense that portion of the Tillamook-Netarts County road lying between the Tillamook River and the summit between Netarts Bay and Tillamook Bay, 2.89 miles in length, when the same has been constructed by the state as a federal aid secondary highway project, being Project No. FAS 1-A

Agreement with Tillamook County providing for the maintenance by the county of the Nehalem River county road between the town of Nehalem and the North Fork Bridge, which section is to be constructed under state contract as a federal aid secondary highway, being known as Project No. FAS 2-A

Agreement with Tillamook County providing for the construction of portions of the Nehalem River county road and the Tillamook-Netarts county road as federal aid secondary highway projects and for the construction of an oil mat surface on the Nehalem River county road between North Fork-Camp Four Junction Section and the

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Pacific City county road between Woods and the Oregon Coast Highway. The county is to pay the total cost of the last two described projects. The first two mentioned projects, less cost of right of way, are to be paid with state and federal funds.

Agreement with Fred H. Peterson and Elsie Peterson, husband and wife, disposing of their claim for damages arising out of construction of the East Portland-Oregon City Highway in front of their premises in East Portland.

Agreement with Yellow Fir Lumber Company providing for the use of a roadway in the state park located in the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 7, T. 16 S., R. 6 W., W.M., for the purpose of hauling thereover timber and other forest products which the company owns adjacent to the park.

. Agreement with Safeway Stores, Inc., providing for certain improvements along the Pacific Highway West at its intersection with the Capitol Hill road as restitution for destruction of shrubbery along the highway right of way at this point.

There being no further business to come before the Commission at this time the meeting was adjourned at 5:00 o'clock p. m.

W. E. ...
State Highway Engineer

W. E. ...
Secretary

Henry F. Cabell
Chairman

E. B. ...
Commissioner

F. L. ...
Commissioner

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Portland, Oregon, August 11, 1937

A meeting of the State Highway Commission was held in Room 204, in the Benson Hotel, Portland, Oregon, at the hour of 7:30 o'clock p. m., on the eleventh day of August, 1937, at which meeting there were present:

Henry F. Cabell, Chairman,
E. B. Aldrich, Commissioner,
F. L. Tou Velle, Commissioner,

constituting the entire membership of said Commission, and

R. H. Baldock, State Highway Engineer,
H. B. Glaisyer, Secretary, and
J. M. Devers, Attorney.

The meeting was called for the purpose of transacting the regular business of the Commission and for approving and adopting the necessary proceedings for the issuance and sale of \$1,000,000 par value of Oregon State Highway bonds to make possible a more efficient and adequate promotion of highway construction, and to provide funds with which to match appropriations made by the Federal Government to the State of Oregon for highway purposes.

The meeting was called to order by Henry F. Cabell, Chairman of the Commission, after which Commissioner Aldrich moved the adoption of the following resolution, which motion was seconded by Commissioner Tou Velle and received the unanimous vote of the three commissioners, and was by the Chairman declared carried, to wit:

WHEREAS, \$1,000,000 par value Oregon State Highway bonds of the State of Oregon will mature on October 1, 1937, and the sum of \$476,408.40 in interest upon all of the outstanding Oregon State Highway bonds will likewise be due on said date; and

WHEREAS, there has been made available to the State of Oregon for highway construction during the years 1937 and 1938 the sum of \$5,000,000, which said Federal appropriation must, if obtained by the State of Oregon, be matched by \$3,300,000 of State money; and

WHEREAS, current revenues are and will be inadequate to provide for normal highway construction and maintenance during the period preceding October 1, 1937, and to provide at the same time sufficient funds to pay, when due, the said outstanding \$1,000,000 of highway bonds, together with interest which will mature on October 1, 1937, and provide funds with which to match Federal appropriations for highway construction in Oregon; and

WHEREAS, the issuance and sale of \$1,000,000 par value Oregon State Highway bonds at this time for the purposes herein stated is and will be for the good of the State and will more efficiently and adequately promote highway construction by providing funds with which

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to match funds made available by the Federal Government and to carry out the provisions of the laws of the State of Oregon with respect to state highway construction, thereby leaving available current highway funds for the payment of interest and principal maturing on outstanding bonded indebtedness;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission of the State of Oregon, all members being present and affirmatively voting, as follows:

1. That there be issued and sold for the purpose of providing funds with which to match appropriations made available to the State of Oregon by the Federal Government for highway construction and for the purpose of more efficiently and adequately promoting highway construction \$1,000,000 par value Oregon State Highway bonds to be dated October 1, 1937, and to mature April 1, 1938, but to be redeemable in numerical order at the pleasure of the State of Oregon upon payment of the par value of said bonds and accrued interest thereon on January 1, 1938, or at the option of the State of Oregon at any date subsequent thereto and prior to April 1, 1938, by giving thirty days' published notice of intended redemption as provided in Chapter 71, Oregon Laws, 1937; said bonds to be numbered consecutively beginning with the number 14,581 and ending with the number 14,590; to be in denominations of \$100,000 each and to bear interest payable January 1, 1938, and April 1, 1938, or at the date of redemption at a rate to be specified by the purchaser of said bonds, but not to exceed one per centum per annum, payable quarterly or upon the call date thereof if called for redemption before maturity; to be registered in the office of the State Treasurer at Salem, Oregon, by appropriate endorsement thereon signifying the ownership thereof; to be payable both as to principal of and interest upon said bonds to the purchaser thereof at said office of the State Treasurer; to be in typewritten form both as to the bonds and as to the interest coupons annexed thereto.

2. That the bonds hereby authorized and the interest coupons attached thereto shall be in substantially the following form, subject, however, to completion through execution of the bonds and of the coupons appertaining thereto by the Governor of the State of Oregon, the Secretary of State of the State of Oregon and the Treasurer of the State of Oregon by their signing the bonds and coupons in the spaces provided therein for their signatures and through the affixing to the said bonds by the Secretary of State of the seal of the State of Oregon, to wit:

	No. _____	
\$100,000	UNITED STATES OF AMERICA	\$100,000
	OREGON STATE HIGHWAY	
	SERIES THREE	
	____ Per Cent Bond	

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KNOW ALL MEN BY THESE PRESENTS: That the State of Oregon acknowledges itself to owe and for value received hereby promises to pay to bearer hereof the principal sum of

----- ONE HUNDRED THOUSAND DOLLARS -----

on the 1st day of April, 1938, together with interest on said sum from the date hereof until paid, at the rate of _____ per centum per annum payable January 1, 1938, and April 1, 1938, as evidenced by and upon the presentation and surrender of the interest coupons hereto attached as the said coupons become due; and both the principal hereof and the interest hereon are hereby made payable at the office of the Treasurer of the State of Oregon at Salem, Oregon, in any coin or currency which at the time of payment is legal tender for public and private debts within the United States. This bond has been registered in the office of the said State Treasurer and the interest on and principal thereof will be payable only to the owner thereof as shown by the record of registration thereof in said office.

The State of Oregon hereby expressly reserves the right to redeem this bond on January 1, 1938, or at a date subsequent thereto, pursuant to notice of intended redemption given at least thirty days prior to the said redemption date by publication of said notice in one issue of a newspaper or financial journal of general circulation printed and published within the city and state of New York and by publication of one such notice in a newspaper of general circulation printed and published in the City of Salem, County of Marion, State of Oregon; and upon the exercise of said option, interest hereon shall cease as of the redemption date specified in said notice.

This bond, together with the remaining bonds of this issue, aggregating \$1,000,000, is issued by the State of Oregon under and by virtue of, and in all respects in full and strict compliance with, the constitution and laws of the State of Oregon, and in particular Article XI, Section 7, of the said constitution and Chapter VIII, Title XLIV, Oregon Code 1930, as amended by Section 44-809, Oregon Code 1935 Supplement, and Chapter 71, Oregon Laws, 1937.

The faith and credit of the State of Oregon hereby are irrevocably pledged for the punctual payment of the interest on and redemption of the principal of this bond as the same become due and payable as aforesaid.

IN TESTIMONY WHEREOF, the State of Oregon has caused this bond to be signed by the Governor, the Secretary of State, and the State Treasurer, and sealed with the seal of the State of Oregon, and the attached interest coupons to be executed by its

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said officers all as of the 1st day of October, 1937.

Governor

Secretary of State

State Treasurer

COUPON

No. _____ \$ _____
On the 1st day of _____, 1938, the State of Oregon will pay to the bearer at the office of the Treasurer of the State of Oregon the sum of

in any coin or currency which at the time of payment is legal tender for public and private debts within the United States of America, in payment of three months' interest then due upon Oregon State Highway Bond, Series 3, No. _____, dated October 1, 1937; provided that, if said bond shall have been sooner called or redeemed, this coupon shall be void.

Governor

State Treasurer

Secretary of State

3. That the Secretary of the Commission cause the said bonds to be advertised for sale for a price not less than par value and accrued interest, in one issue of the Capital Journal, a daily newspaper printed and published in the City of Salem, County of Marion, State of Oregon, on the date of August 24, 1937, the said advertisement to provide that the sum of \$25,000 be deposited as a good faith deposit with each bid for said bonds.

4. That the Governor and the Secretary of State and the State Treasurer be and they hereby are authorized and requested to execute the said bonds by signing them under the seal of the State of Oregon and also to execute appropriate coupons attached thereto, and the State Treasurer be and he hereby is authorized and directed to register said bonds in his office and to make certificate to that effect upon the bonds, as provided in Section 44-804, Oregon Code 1930, and to deliver said bonds to the purchaser thereof after the date of sale and execution and sealing thereof upon payment of the principal thereof and the accrued interest thereon, if any.

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Mr. G. T. Cochran, Attorney, LaGrande, was present in behalf of the people of the Town of Elgin, Union County, with regard to the completion of the remaining section of the Weston-Elgin Secondary State Highway extending from the town of Elgin northwesterly to the forest boundary. He urged the Commission to award a contract at its September meeting for the grading of this section which involves a number of channel changes in Phillips Creek so that this part of the work can be done this year while there is very little water flowing in this stream; otherwise, he said, it would be necessary to defer such grading work until next year which would delay the completion of the project. He advised that they are very anxious for this job to be completed so traffic can reach and enjoy the rest of the road which is now being oiled by the Federal Government as a forest highway project and will be completed within the next 30 days. He presented a resolution adopted by the City of Elgin, and a petition bearing the names of 320 residents of Union County, urging the Commission to immediately let contracts for the grading, at least of this three-mile section, so that such portion of the work will be completed this fall. Chairman Cabell advised that the Commission is also anxious to complete this section, in fact made provisions for the same in its proposed P.W.A. program, and filed an application for P.W.A. funds to assist in financing the work, which application is now in the hands of the government officials for approval. He pointed out that, if the application is approved, it would be possible to secure government moneys to finance approximately 45 per cent of the cost which would release a like amount of state money for other purposes. He suggested in view of the circumstances that action on this project be deferred a couple of months to ascertain definitely whether or not the Commission is to secure the P.W.A. money. The suggestion was approved by Commissioners Aldrich and Tou Velle and was likewise approved by Mr. Cochran.

Mr. Cochran also brought up for discussion the matter of sidewalk construction along the Wallowa Lake Highway between LaGrande and Island City. He said that under present conditions many school children and other pedestrians are required to walk on the highway pavement which is very dangerous on account of the large volume of vehicular traffic, in fact numerous accidents have occurred along this section some of which have resulted fatally, hence their particular interest in securing a sidewalk so as to relieve this condition. He also said that, if the Highway Commission would designate a location on the highway right of way for a three-foot sidewalk, he would see that the walk is constructed at no cost to the state. The Engineer pointed out that the right of way is quite narrow along this section and there is a question whether or not there is room for a sidewalk. After discussion the Commission instructed the Engineer to investigate conditions and report his findings at the next meeting, including information relative to necessity for footbridges across waterways. He was authorized by the Commission to stake out a three-foot strip for the sidewalk in the event that he finds there is sufficient room on the right of way for the same.

The Commission by unanimous vote approved the minutes of the meetings held on March 24, 25 and 26 and March 30, April 1 and 2, 1937.

The Engineer requested authority to advertise for bids for the construction of a bridge over a small stream, known as Little Quartz Creek, located

on the Wolf Creek Highway about 600 feet east of Quartz Creek Bridge which is now under construction. He estimated that such bridge would cost about \$10,000. In view of the apparent need for the structure the Commission approved the request by unanimous vote and authorized the Engineer to advertise the project for bids to be received at the September meeting.

A letter was presented from Mr. Earl B. Moore, City Attorney, Dayville, advising that the city is now constructing a water system which involves trenching on the state highway right of way, and requesting the state highway department to pay the cost of repairing the highway, which he estimated at about \$400. The Attorney advised that according to the law, if a city opens up a city street that is a state highway route, it must also repair the same at its own cost and expense. The Commission indicated a desire to help the city as much as possible but decided in view of the law that it could not do so; furthermore, if the request in this instance were granted, it would establish a precedent that would be difficult to avoid in the future. After discussion the Commission instructed the Engineer to inform Mr. Moore that the Commission of necessity must deny the request, but, if the city so desires, the Commission will have the repair work done with state forces provided the city will pay the cost of the work.

The Engineer reported on the cost to surface and oil the Baker-Halfway Section of the Baker-Homestead Highway. He said that it would cost about \$1,143,000 to regrade, surface and oil the highway on permanent alignment but only about \$382,000 to resurface and oil the present road. He gave as his thought, in view of the cost of permanent construction, that it would be advisable to improve the present road and suggested as a first project the improvement of the section between Baker and Keating Junction, a distance of about seven miles. The Commission approved the suggestion subject to inspection of the road the next time it is in that vicinity.

The Engineer requested instructions whether or not to permit the Consolidated Highway Company, Inc., to bid on future highway construction projects in view of the trouble that the Commission has experienced with this company in the past. He recommended that the company be not permitted to submit bids until they have completed the projects that they now have under way. The Commission concurred in the Engineer's views and instructed him to so inform the company officers informally.

The State Parks Superintendent was present and reported on the following matters:

Sanitary conditions in Bradley Park: The Parks Superintendent advised that the present contract with Mr. Lindeman, who acts as caretaker and operates a concession in this park, expires in October of this year. He requested instructions whether or not to renew this contract in view of the criticism that has been received regarding the uncleanness of the rest rooms. He gave as his thought that such criticism is not to the state's best interests and suggested that it might be advisable for the state to hire a special man during the summer months to take care of the rest rooms and to see that the grounds, generally, are kept in good condition. After discussion the

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Commission indicated that it would approve the renewal of Mr. Lindeman's concession because the service rendered is a public convenience, provided he will perform his duties as caretaker satisfactorily. The entire matter was referred by the Commission to the State Parks Superintendent with authority to do whatever is necessary to maintain the park in first class condition at all times, it being understood that the Commission will back him up in anything that he may do in this regard.

Request of Reverend L. H. Vichers, LaGrande, for camping privileges in Emigrant Park: The Parks Superintendent advised that Rev. Vichers, who represents the American Sunday School Union, has asked that about 75 young people be allowed to camp in Emigrant Park for about a week. He pointed out that it is contrary to the policy of the Commission to permit overnight camping in state parks and recommended that the request be denied. The Commission approved the recommendation unanimously.

Request of National Parks Service that the Highway Commission sponsor a W.P.A. project for the securing of data relating to population, educational trends, recreational habits, et cetera: The Parks Superintendent advised that when this matter first came to his attention he was of the belief that most of the information could be obtained through the state-wide planning survey, but it now develops that only a small percentage of the information can be obtained from such source and, if the Commission still wants to assist in assembling the information, it will have to pay out a considerable sum of state highway money to help finance the work. He recommended that the request be denied. The Commission approved the recommendation by unanimous vote.

Wayside strip adjacent to Fremont Highway about fourteen miles north of Lakeview, in Lake County: The Parks Superintendent advised that a former Highway Commission, about twelve years ago, accepted as a gift from a Mr. S. B. Chandler, Lakeview, a park area adjacent to the present highway, and agreed at that time to fence the area at an estimated cost of \$700. He gave as his understanding that the present Commission has plans to straighten the highway at this location which requires right of way across Mr. Chandler's land only a short distance from the old route, and that Mr. Chandler will not agree to give up any of his land for the new highway unless the state will fence it and will also construct the fence that was provided for in the original agreement of twelve years ago. He said that recently he made an inspection of the park area and ascertained that it did not contain any timber that would be of value from the park standpoint; in fact, in his estimation the land is useless for park purposes in view of the contemplated revision of the highway. He gave as his thought that the cost of fence construction along the old route would be a waste of funds and suggested that the park be given back to Mr. Chandler. The Attorney advised that he has investigated thoroughly the conditions of the park donation and finds that the State Highway Commission is obligated to fence the property. After discussion and in view of the reports the Commission instructed the Parks Superintendent to discuss the matter further with Mr. Chandler and to inform him that the Commission recognizes its obligation to construct a fence along the present highway right of way in front of the park but considers it a waste of funds to do so in view of the fact that the old and the new highway locations are so close together, and to

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ask him to relieve the Commission from building more than one of the fences.

Wayside timber strip along the Klamath Falls-Lakeview Highway near Drews Valley: The Parks Superintendent advised that this strip contains a most beautiful stand of timber which, in his estimation, is well worth the sum of \$5.00 per thousand that the owners are asking for it. He recommended the purchase of the property at such rate which would total about \$5,340 according to cruise. The State Highway Engineer concurred in such recommendation. The Commission approved the recommendation by unanimous vote.

Park site adjacent to North Santiam Highway about three miles east of Mehama, in Marion County: The Parks Superintendent advised that Marion County owns 50 acres of fine timber land through which the highway will pass when constructed and wishes to present it to the state for park purposes if the state wants it. He said that the tract is admirably situated with relation to the North Santiam River commanding a fine view of the same, contains a fine stand of timber and will make an excellent addition to the state park system. He recommended acceptance of the offer. The Commission approved the recommendation by unanimous vote and ordered that an appropriate letter of thanks be directed to Marion County Court.

Request of B. L. Bradley, Salem, to operate a portable telescope on the ocean beach area. The Parks Superintendent stated that he has no particular objection to Mr. Bradley setting his telescope up on the beach area, even if he made a charge for the same, unless it would establish a precedent that might be difficult to avoid in passing on similar requests in the future. The Attorney advised that the Highway Commission does not have legal authority to prevent Mr. Bradley from operating his telescope on the beach. The Commission took no definite action on this matter but indicated that it would offer no objections to Mr. Bradley using the beach for the purpose desired.

The Engineer requested authority to acquire certain parcels of real property that are needed for various highway improvements throughout the state. He submitted a list of such properties together with prices that he recommended be paid for each. After careful consideration the Commission approved the Engineer's request and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth, and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon, and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be

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declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed;

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Newport-Siletz Bay Section, Oregon Coast Highway</u>				
4046-Kirkpatrick, George	Easement	5.40	\$37 per acre	DeSouza
	R/W			
<u>Siletz River-Newport Section, Oregon Coast Highway</u>				
4385-Bowers, George E	R/W	2360 sq.ft.	3¢ sq.ft. plus fencing, \$5.00	McCallister
4057-Crane, E. L.	"	1.00	\$100 per acre	Dolan
4445-Ormandy, W. S.	" &	7020 sq.ft.	3¢ sq.ft.	McCallister
	slope easm't			
4449-Chesnut, J. E.	"	2000 sq.ft.	4¢ sq.ft. plus \$20.	"
4431-Cure, Ben A.	"	2000 sq.ft.	5¢ sq.ft. plus \$25.	"
			(slope easm't-Gratis)	
4386-Abel, Irvin M.	R/W	556 sq.ft.	3¢ sq.ft.	"
4376-Gage, John Q.	"	1.15	\$200 lump sum	"
4060-Dunn, Helen W.	"	0.1685	\$100 per a. plus \$12.	Dolan
<u>Valley Falls-Cinder Butte Section, Lakeview-Burns Highway</u>				
4885-State Land Board	Stock pile	1.65	\$15 lump sum	McCallister
4793-Addington, Luther J.	" "	3.08	\$50 lump sum	Gardiner
<u>Muddy Creek-Lakeview Section, Klamath Falls-Lakeview Highway</u>				
4168-Lee, Minnie A.	R/W	1.35	\$20 per acre	McChesney
4156-Maddock, Mark E.	"	0.19	\$25 per a. plus \$628.50	"
4211-Lakeview Water Company	Quarry	6.44	"Free use Granted"	"
	site			
4152-Troy, Wm. J.	R/W	1.66	\$20 per a. plus \$12.	"
<u>Cook Overcrossing, West Portland-Hubbard Highway</u>				
4600-Dohs, Payson R.	R/W	5.0	\$171.50 per acre	Parker
	(Correction report)			
<u>Fossil-Kinzua Junction Section, John Day Highway</u>				
4738-Westfall, A. C.	R/W	0.15	\$100 per acre	Gardiner
<u>Hood River-Dee Section, Hood River Secondary Highway</u>				
4810-Dittbenner, A. L.	stock pile	1.11	\$100 lump sum	"

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>John Day-Prairie City Section, John Day Highway</u>				
4914-McHaley, Rodney T.	R/W	1.37	\$10 per a. plus moving fences	Wells
4917-McHaley, Rodney T.	"	0.15	\$10 per a. plus moving fences	"
4916-Galbraith, John W.	"	0.66	\$10 per a. plus moving fences	"
4915-Galbraith, John W.	"	1.83	\$10 per a. plus moving fences	"
4923-Smyth, Eloise B.	"	7.29	\$10 per a. plus \$45	"
4919-Hall, Geo. H.	"	1.90	\$10 per a. plus \$201.50	"
4918-Hall, Geo. H.	"	0.58	\$10 per a. plus \$13.50	"
4922-Buchanan, C. E.	"	11.69	\$300 per a. plus \$281.50	"
4921-Oliver, Herman and Frank	"	5.82	\$300 per a. plus \$167.25	"
4894-Oliver, Herman and Frank	R/W & Gravel Pit	4.22	\$300 per a.	"
4882-Oliver, Herman and Frank	R/W	22.05	9.24 a. at \$10 per a. 12.81 a. at \$300 per a. plus \$1824.92, and reinstallation of pipes	"
<u>Albee-Ukiah Section, Pendleton-John Day Highway</u>				
4619-Sturgis, Lina H.	R/W	0.07	\$15 lump sum, plus fencing	Wells
<u>Island City-Cove Section, Cove Secondary Highway #324</u>				
4693-Equitable Life Assurance Society of the U. S.	R/W	1.09	\$100 per a. plus \$142	Wells
4814-Noyes, Ben W. (Correction Report)	"	4.12	\$100 per a. plus \$348.10	"
<u>South Entrance to Marshfield Section, Oregon Coast Highway</u>				
4776-Berg, Mary & John E.	R/W	31 sq.ft.	\$10 lump sum	Benson
4775-Berg, Mary & John E.	"	6000 sq.ft. with 10 room house	\$4000 lump sum	"
4773-Schlag, Max and Charlotte and Henry Reese	R/W	6000 sq.ft. to be traded for that portion of Lots 8,9,10,11, Block 7, outside of R/W, plus \$100 and moving building		"
4774-Berg, Mary and John E.	R/W	6000 sq.ft. with 4-room house and garage-\$1600-lump sum		"
<u>Bunker Hill Overcrossing Section, Coos River Secondary Highway</u>				
4887-Christensen, Marie Erickson	Slope Easement	1800 sq.ft.	- lyr-Gratis	"
4764-4766-Youngquist, F. A.	R/W	4800 sq.ft.	- \$350 lump sum	"
<u>Bend-Crescent Section, The Dalles-California Highway</u>				
4985-Shewlin-Hixon Co.	Gravel Pit	90.0	20-yr lease, \$270 lump sum	Chandler

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Junction Miami River Section, Oregon Coast Highway</u>				
4947-Guenther, Katie	R/W	0.002	Gratis	Gardiner
<u>Bear Creek-Talent Section, Pacific Highway</u>				
4561-Pollard, Sam K.	R/W	Payment in lieu of construction of syphon, estimated cost of \$402.50 - \$200.00		McCallister
<u>Eagle Point-Baker Gulch Section, Little Butte Secondary Highway</u>				
4984-Bieberstedt, Donald	Gravel Pit	3.06	\$250 lump sum	"

The Engineer reported that the State Planning Commission has completed its plans for rebuilding the City of Bandon which was destroyed by forest fire in the fall of 1936, and has advised that it is ready for the State Highway Commission to relocate the highway through this town and to acquire right of way for the same. He exhibited sketches showing the proposed relocation of the highway and advised that the only change seems to be a divided route in front of the commercial center as shown on the sketches. After some discussion the Commission approved the proposed layout and authorized the Engineer to make a definite location survey of the same. The Attorney was authorized to proceed with the taking of options for the right of way along the adopted location upon receipt of descriptions which are to be furnished by the Engineer when the survey is completed.

The Commission had under consideration a letter from Eugene R. Walsh, President of Brown and Brown, Inc., Forest Engineers, Portland, inquiring whether or not the Commission desires to sell any of the timber located on property that the Commission acquired from the Detroit Trust Company in connection with the acquisition of right of way for the Wolf Creek Highway in Sections 2 and 11, T. 3 N., R. 6 W., W.M. The Engineer suggested that this matter be given very careful study by the Parks and Landscape Engineers before any of the timber is disposed of, as he recalled the timber is quite scattered on certain sections and there is only enough to give a pleasing appearance to the highway. The question arose whether or not Mr. Walsh has in mind to purchase the green timber or the dead timber that was killed by the forest fire of 1933. After discussion the Commission decided not to sell the green timber but indicated it would sell the dead timber if that is what Mr. Walsh wants. The Commission ordered that Mr. Walsh be so informed.

The Attorney requested instructions whether or not to institute legal proceedings to secure the removal of the "Zeller" buildings from the Oregon Coast Highway right of way just north of Tillamook. He advised that the owners of the buildings have indicated that they will not move the buildings unless they are forced to do so by law. He was instructed by the Commission to bring suit to enjoin the people from maintaining the buildings on the highway right of way.

The Attorney reported difficulties in securing deeds from the Clerk of the State Land Board for property that the Highway Commission has purchased

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from the Land Board before delivery of the purchase price has been made. He advised that in making purchases from private parties past practice has been to defer payment for land until deeds have been obtained. He requested instructions whether he should follow the procedure in dealing with the State Land Board or pay for the property before receiving a deed which would involve the issuance of checks on the revolving fund. The Commission decided to defer making an issue of this matter until the amount involved is a considerable sum.

Reconsideration was given by the Commission to the purchase of the Olive M. Lee property along the new location of the Oregon Coast Highway between Rocky Creek and Otter Crest in Lincoln County. The Attorney advised that apparently the owners of this property will not recede from their present demands of \$15,000 for the entire acreage which includes 20 acres that are needed for right of way and about 30 acres that could be used for park purposes, so it will be necessary to condemn the property. The Parks Superintendent advised that the 30 acres outside of the right of way would make a very fine addition to the state park at this location but he did not think the Commission would be justified in spending \$10,000 for the same in view of the limited amount of funds that are available for purchase of state parks and the fact that the state now owns a beautiful park at this point. He suggested that the money could be spent to better advantage in the purchase of desirable park areas in other locations. After discussion the Commission decided to limit its purchase to right of way only and thereupon authorized the Attorney to institute condemnation proceedings to acquire the same.

Commissioners Aldrich and Tou Velle confirmed Chairman Cabell's approval of the purchase of the Hamill property adjacent to Silver Creek Falls State Park in Marion County at \$1,000 for the seven lots involved, this matter having been referred to the Chairman at the meeting of the Commission on July 29, with full power to act.

The Commission had under consideration the selection of a type of traffic separation structure to be constructed on the Pacific Highway at the intersection of Denver Avenue and Union Avenue in Portland. The Engineer exhibited several models for such structure involving both circle and cloverleaf types of construction. These were discussed by the Commission but action thereon was deferred pending a full report by the Engineer as to the cost to construct each type. Such report is to be rendered by the Engineer at the next meeting of the Commission and each member of the Commission is to be supplied with full information prior to the meeting so they may be fully conversant with the facts when the matter comes up for discussion.

In this connection the Engineer advised that the management of the Peninsula Golf Club is anxious to know definitely the plans of the Commission in regard to this proposed improvement because they contemplate the construction of a building on their property soon and want to be certain that the building will be located in a place that will be entirely off the highway right of way. He was instructed by the Commission to show the golf club people a right of way line that will fit any of the proposed types of grade separation structures and to ask them to locate their building back of this line.

The Engineer reported the results of a reconnaissance survey to reconstruct the Silets Secondary Highway between the towns of Toledo and Silets in Lincoln County. (See report of J. F. Waller, Locating Engineer, dated July 1937.) He estimated that it would cost about \$350,000 to reconstruct this 7½ mile section to permanent standard. Due to the high cost of the work, the Commission decided not to undertake it at this time but to limit its expenditure to an amount sufficient to take care of necessary repairs, especially across a certain swampy section about 2½ miles north of Toledo, which section is practically impassable for traffic during the winter season. The Engineer was instructed to render an additional report at the next meeting of the Commission based on improving the present road so that travel can use it throughout the winter months without difficulty, such report to include information relative to available sources of surfacing materials.

The Engineer rendered a report on the condition of the county road that connects with the Coos River Secondary Highway in Coos County at a point five miles northeast of the town of Allegany, a three-mile section of which road the County Court of Coos County desires designated as a secondary state highway. He said that this road is only from six to twelve feet in width and is in a bad state of repair, that there are numerous buildings located adjacent to the travelled roadway which would have to be moved if the state assumed jurisdiction of the road, and that the road is used extensively by logging traffic and will be for the next thirty years. He estimated that it would cost at least \$20,000 to grade only this three-mile section and to surface the same would cost several thousand dollars additional. He advised that the county court has on hand \$2,500 which it is willing to contribute toward the improvement if the Commission will take the road over as a secondary highway, but recommended against such procedure because the county money is not sufficient even to make a good start and the state is not able to finance it because of prior obligations. After discussion the Commission decided unanimously to deny the request and to so inform Judge McLain when he appears before the Commission on the following day.

The Landscape Engineer reported the results of his investigation for the selection of a site for a marker stone which the "Territorial Days, Inc." of Oregon City wants to erect on the Pacific Highway right of way in Oregon City to point out the site of the home of Peter Skene Ogden, a pioneer who ended his days in this city. It appears that the actual site of Mr. Ogden's home is now occupied by the Oregon City Foundry Works so it would not be possible to erect a monument there, hence a site about 400 feet from the old Ogden home on the parking area overlooking Willamette Falls was selected. The Landscape Engineer recommended approval of this site which, he said, is satisfactory to the officers of the "Territorial Days, Inc." The Commission by unanimous vote approved the site recommended and ordered that the sponsors of the project be so informed.

The Landscape Engineer also reported on the cost to construct a retaining wall on the right of way of the Columbia River Highway near Corbett, Multnomah County, to prevent materials sliding onto the highway from the site upon which Columbia Grange No. 267 of East Multnomah County proposes to construct a monument honoring the pioneers of this state. He presented a plan

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for the project and estimated the cost thereof, including labor furnished by W.P.A. and materials and equipment furnished by the state highway department, at \$2,000, of which amount the state's share would be about \$350. In this connection there was brought to the Commission's attention a resolution from the Grange stating that the Grange would make no other requests of the Commission if it approved this one. After discussion the Commission approved the report and the plan and by unanimous vote authorized the Engineer to build the retaining wall at state expense.

The Engineer requested authority to purchase a 2.5 cubic foot air compressor for use in the division office garage at Roseburg in connection with the repairing of tires and the servicing of state-owned cars. He estimated that such compressor would cost about \$150. The Commission approved the purchase by unanimous vote.

The Engineer requested authority to construct an addition to the maintenance building at Redmond in which to house a snogo and a large truck equipped with V type snow plow attachment which are to be used in the Central Oregon Division this winter. He estimated that an addition 24 feet by 32 feet in dimension could be built for \$1,200 and recommended approval at once so as to insure completion of the building before winter. The Commission approved the request by unanimous vote.

The Engineer also requested authority to purchase five additional truck scales at an estimated total cost of \$6,500. He explained that these scales are needed at Newport and Toledo in Lincoln County, at Bly in Klamath County and at the junction of the Santiam and McKenzie Highways near Sisters in Deschutes County where concentrated logging operations are under way. The Commission approved the purchase by unanimous vote.

The Commission adjourned at 10:30 o'clock p. m. to reconvene the following morning in the Auditorium of the Public Service Building.

Portland, Oregon, August 12, 1937

The State Highway Commission reconvened at 9:00 o'clock a. m. in the Auditorium of the Public Service Building with all members of the Commission present and participating. Also present were the State Highway Engineer, the Attorney and the Secretary.

Bids as follows for highway construction projects and for the sale of residence property located in the town of Enterprise were opened and read in conformance with previously published notice:

COOS RIVER SECONDARY HIGHWAY
OVERCROSSING, SOUTHERN PACIFIC TRACKS
AT BUNKER HILL

Mountain States Construction Company	\$ 44,768.50
Coos Bay Dredging Company	51,869.20
Tom Lillebo	53,623.00
E. C. Hall Company	54,305.00

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OREGON COAST HIGHWAY
ARCH CAPE-BEACH CREEK SECTION
CLEARING

Berke Bros., Inc.	\$ 24,950.00
Roy L. Houck	29,600.00
Heller & Gillgannon	31,750.00

CENTRAL OREGON HIGHWAY
LAKE COUNTY LINE-GAP RANCH SECTION
REGRADING - SURFACING

Babler Bros.	\$ 68,157.00
A. Milne	68,830.00
McNutt Bros.	69,885.00
Warren Northwest, Inc.	71,933.00
Rogers Construction Company	73,374.00
Medford Concrete Construction Company	74,196.00

HOOD RIVER SECONDARY HIGHWAY
BLOUCHER SECTION
SURFACING - OILING

Parker-Schram Company	\$ 26,642.50
R. O. Dail & Warren Bros.	27,365.00
Babler Bros.	29,115.00
A. Milne	35,635.00

LITTLE BUTTE SECONDARY HIGHWAY
EAGLE POINT-BAKER GULCH SECTION - SURFACING

Saxton & Looney and J. S. Risley	\$ 17,017.50
Clifford A. Dunn	17,257.50
A. S. Wallace	17,307.50
E. C. Hall Company	18,200.00
River Bend Sand and Gravel Company	18,477.50
Medford Concrete Construction Company	20,897.50

PACIFIC HIGHWAY
SIUSLAW JUNCTION-AWBREY SECTION
GRADING AND TOPPING - TIMBER PILE TRESTLE

Edlefsen-Weygandt Company	\$ 65,858.00
M. L. O'Neil & Son	66,068.50
McNutt Bros.	66,216.00
E. L. Gates	68,670.50
E. H. Itschner	69,945.00
Roy L. Houck	70,608.00
Leonard & Slate	71,701.00
Parker-Schram Company	73,874.50

(continued on next page)

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(Siuslaw Junction-Awbrey Section, continued)

E. C. Hall Company	\$ 77,571.00
F. C. Humber Company	88,442.00
Joplin & Eldon	96,986.00

OLD OREGON TRAIL HIGHWAY
ONTARIO UNDERCROSSING

C. J. Montag & Son	\$190,187.50
Warren Northwest, Inc.	191,171.00
Morrison Knudsen Company, Inc.	206,783.50
Parker-Schram Company	209,499.00
L. H. Hoffman	214,335.00
McRae Bros.	219,670.50
J. A. Terteling & Son	222,098.30
Kern & Kibbe	245,145.50

PACIFIC HIGHWAY EAST
REMODELING AND WIDENING - UNION AVENUE BRIDGE

Averill & Corbin	\$ 65,960.00
Galpin Construction Company	75,780.00

TILLAMOOK COUNTY OILING PROJECT
THREE COUNTY ROADS

	<u>Using Oil</u>	<u>Using Tar</u>
J. C. Compton	\$ 38,316.00	
Warren Northwest, Inc.	41,917.00	
Babler Bros.	42,493.00	

PACIFIC HIGHWAY WEST
STRUCTURAL STEEL FOR UNDERCROSSING NEAR WHITESON

Minneapolis Moline Power Implement Company	\$ 4,696.00
Poole & McGonigle	4,960.00
Isaacson Iron Works	5,280.00
Clinton Bridge Works	5,384.00

SALE OF RESIDENCE PROPERTY
AT ENTERPRISE

T. R. Maxwell	\$ 1,800.00
Portia S. Thomas	1,000.00

Chairman Cabell announced that the award of contracts and the sale of property would be made at 3:00 o'clock p. m. in the same room. He also announced that hereafter bids that are received by the Commission after the hour stated in the Commission's "Notice to Contractors" will not be considered by the State

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Highway Commission so it behooves the contractors in the submitting of proposals for highway construction work to see that such proposals are presented to the Highway Commission before the designated hour.

Senator W. H. Steiwer, Fossil, Oregon, was present and asked the Commission to oil an additional section of the John Day Highway north of Spray rather than to construct the bridge over the North Fork of the John Day River near Kimberly which is now included in the Commission's construction program. He was informed by Chairman Cabell that the bridge is in bad condition and must be replaced so it would not be possible to make this transfer of projects; also that the Commission does not have funds available to undertake both projects now. Mr. Steiwer also asked for additional surfacing on this highway south of Fossil.

Mr. Tom Tongue, Attorney, Hillsboro, was present and requested, in behalf of the people of Tigard, the widening of the Pacific Highway West for four lanes of traffic from the point where the present four-lane highway ends, near Rock Creek Dairy, in Washington County, to a point near the Tualatin River crossing. He said that the present four-lane highway narrows down to a two-lane highway on a curve in a cut near the point where the new highway intersects the old highway, which still carries a lot of traffic, causing a condition that is extremely dangerous; in fact, numerous accidents have already occurred at this point. He gave as his thought that the widening of the pavement up to the Tualatin River Bridge, where the alignment of the highway is straight for a considerable distance, would correct the situation, and he urged that that be done. Mr. Tongue advised that property owners for the most part will donate needed right of way and that others will sell to the state at reasonable cost. In support of his oral arguments he filed with the Commission a petition signed by 80 residents and freeholders of Washington County requesting the improvement.

Chairman Cabell advised that the Commission realizes conditions at this point, and plans, as its next project on this road, to continue the four-lane pavement into Tigard, but definite plans in regard to the improvement have not yet been formulated, due to the fact that the project involves the crossing of the Southern Pacific railroad and a change in alignment in the highway through the town of Tigard. He also advised that it would be impossible to undertake the work this year even if the plans were ready, because the Commission does not have funds available to finance the work. The Commission has this project in mind, he said, and intends to give it due consideration in the formulation of its 1938 program, but is not in position to give more definite information at this time.

The Engineer reported the need for a storage building at the Portland maintenance headquarters to house snow-removal equipment that is to be stored at this location this winter, as well as equipment of one of the sign crews, of one of the patching crews, and of a bridge crew. He said that it is quite important that suitable storage facilities be provided for this equipment, and recommended immediate construction of a building 32 feet wide by 120 feet long, with 10 bays, which he estimated would cost about \$6,000.

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In view of the apparent necessity for this building, the Commission by unanimous vote approved the construction of the same at once, provided it will not affect or jeopardize the Commission's application for P.W.A. funds with which to finance its proposed office building at this location. The Engineer was instructed to contact Mr. C. C. Hockley, State Engineer, Public Works Administration, relative thereto.

The Attorney requested instructions whether or not to prosecute a man by the name of McCutcheon who recently installed a service station adjacent to the Pacific Highway at Woodburn and in connection therewith felled trees that were growing on the highway right of way. He said that apparently there is a difference of opinion among highway department employees as to whether or not the trees constituted a hazard, one of the engineers having stated to him that it was his judgment that the trees were a hazard and ultimately would be cut down. The Commission deferred action on this matter pending reports from Division Engineer Eason, Landscape Engineer Otten, and District Maintenance Superintendent DeFrance, which are to be rendered at the next meeting.

Reconsideration was given by the Commission to the matter of extending the Bertha-Beaverton Highway from its present terminus at Bertha, Multnomah County, to a connection with the Pacific Highway West (Barbur Boulevard) in Portland via Terwilliger Boulevard and Slavin Road. The Commission confirmed the action taken at the previous meeting approving such extension and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, the Commission is by law authorized and empowered to designate, define and adopt as state highways such road or roads as the Commission may deem of sufficient public importance and may improve, better, pave and maintain the same; and

WHEREAS, a highway known and designated as the Bertha-Beaverton Highway is now a state highway, the easterly terminus of which is at or near Bertha; and

WHEREAS, the Pacific Highway West connecting with and incorporating a part of Barbur Boulevard is a duly designated and adopted state highway; and

WHEREAS, the highway extending from the Bertha-Beaverton Highway at Bertha easterly to Slavin Road, thence over Slavin Road to a connection with the Pacific Highway West and Barbur Boulevard has not yet been designated as a state highway, but in the judgment and opinion of the Highway Commission should be constructed and maintained as a state highway;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED, all members being present and affirmatively voting, as follows:

1. That the route defined and described as follows, to wit:

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From the eastern terminus of the present Bertha-Beaverton Highway, which terminus is at the intersection of said highway with S. W. Capital Highway (formerly a part of the West Side Pacific Highway), which intersection is near the village of Bertha in Multnomah County; thence easterly to a point on S. W. Barbur Boulevard (Pacific Highway West) at or near the intersection of that boulevard with S. W. Slavin Road in the City of Portland; the distance from said eastern terminus of the present Bertha-Beaverton Highway to said point on S. W. Barbur Boulevard being 0.86 mile more or less,

be and the same hereby is designated, defined and adopted as the route of a state highway which shall be and become a part of the Bertha-Beaverton Highway.

2. That the survey, field notes, maps and other engineering data relative to the location and survey of said proposed highway be and the same hereby are approved and adopted and are ordered filed in the records and files of the Commission at Salem, Oregon, and said survey, route and location, subject to such modifications and changes as may be deemed necessary by the Highway Commission, shall be and are the survey, route and location of said road.

3. That said route hereby is qualified for the construction thereover of a state highway with state highway funds to the same extent and in the same manner as are other state highways.

4. Be it further resolved that the Secretary of the Commission be instructed to enter this resolution in the minutes of the Commission and transmit a certified copy thereof to the County Clerk of Multnomah County.

The Engineer reported the necessity to raise the salaries of six gate tenders on the Interstate Bridge from \$90 per month to \$100 per month to meet the wage requirements of the State of Washington, which is paying half of this expense. He pointed out that the 1937 legislature in the State of Washington set a minimum of \$100 per month for state employees, in view of which it would apparently be necessary to raise the pay of the bridge tenders on account of the joint nature of the project. He recommended the increase in wages. The Commission approved the recommendation by unanimous vote.

The Commission considered a resolution from the City Council of Vale, Oregon, and a letter from the Vale Chamber of Commerce, in which the Commission was requested to improve, and promptly undertake the reconstruction and betterment of the oiled surface on the Central Oregon Highway, curb to curb, within the corporate limits of the city of Vale. The Commission denied the request because of insufficiency of funds with which to finance the improvement at the present time.

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The Secretary presented a letter from Mr. Lewis A. McArthur, Secretary of the Oregon Geographic Board, in response to his request for recommendations regarding the naming of Short Sand Beach Creek bridge in Tillamook County and the Union Avenue viaduct in Portland in honor of certain individuals. Mr. McArthur gave as his opinion that it is unsatisfactory to name bridges for people, because, in his estimation, the general public will not refer to them by the names of the individuals for whom they are named but instead will refer to them by the names of the bodies of water which they span. He pointed out that there is considerable difference between naming a bridge for an individual and dedicating a bridge to that individual and gave as his thought that in the present instances it would be more satisfactory to dedicate the two structures to the two men who are to be honored than to name the structures for them, and suggested that the matter be disposed of in that manner. The Commission concurred in the viewpoint of Mr. McArthur but took no definite action thereon.

In the discussion that followed, the suggestion was made that Mr. Samuel G. Reed of Nehalem, for whom it is proposed to name the Short Sand Beach Creek bridge, would feel more pleased if the park that he donated to the state were named for him rather than the bridge, the park being located in this same vicinity. The Commission indicated a favorable attitude toward the suggestion but postponed a decision for future consideration.

A letter was presented from the County Court of Wheeler County requesting that the state take over and maintain the county road that extends from the John Day Highway near Fossil to the town of Kinsua, in Wheeler County. The Secretary was instructed to inform the County Court that the Commission cannot do what it requests now but will consider this project along with others in the formulation of the Federal Aid Secondary Highway program.

The Commission considered and ordered filed two letters from County Judge J. B. Wilkerson, Columbia County, both dated July 6, 1937, relative to the allocation of future federal funds to Columbia County.

The Commission also considered and ordered filed a letter from Wm. H. McNeal, Secretary of the Roads Committee of the Wasco County Granges, in regard to the oiling of the old Dalles-Dufur Road.

The Secretary presented a letter from Honorable Robert W. Sawyer, Bend, advising that there is every reason to believe that within the near future arrangements will be completed between the North Unit Irrigation District in Jefferson County and the United States Bureau of Reclamation, for the construction of irrigation works to serve 50,000 acres of the north unit, and giving as his thought that the State Highway Commission should take action as may be necessary, at once, to protect the state's interests in the matter of securing right of way for the proposed revision of The Dalles-California Highway at this location, in view of the fact that the lands to be served by the proposed irrigation system lie adjacent to the present highway and the proposed new highway location. The Commission instructed the Engineer to thank Mr. Sawyer for his timely suggestion, and to proceed immediately with the making of the location survey for the revision of the highway where it will be affected by the irrigation project.

A letter was presented from Estella Carter-Boyer, County School Superintendent, Grant County, urging improvements to the Kimberly-Monument Secondary highway in Grant County, to facilitate the transportation of school children and the consolidation of three small rural school districts. The Secretary was instructed to reply that the Commission does not have available sufficient funds to do any more for this road than it is now doing by way of maintenance but the project will be kept in mind for consideration when the program for the Federal Aid Secondary Highway funds is arranged.

Resolutions were presented from Natal Grange No. 302, Mist, Oregon, Winema Grange No. 652, Birkenfeld, Oregon, and Vernonia Grange No. 305, Vernonia, Oregon, urging relocation, regrading and repairing of the Nehalem Secondary Highway between Mist and Jewell, in order to expedite the oiling of this section. It was the Commission's decision that this project must wait its turn along with others in the same class. The Secretary was instructed to so inform the several granges.

Consideration was given by the Commission to the following requests for extensions of time within which to complete highway construction projects:

Harold Blake, contract No. 1789, for the construction of an overcrossing over the Southern Pacific Company's tracks on the Junction City-Eugene Secondary Highway, in Lane County, requested an additional extension of time of 16 days, from June 15 to July 1, 1937, within which to complete this project. He attributed his failure to complete the project by June 15 to heavy rains which interfered with the painting of the guard rail fence. The Engineer advised that the statement of the contractor that wet weather conditions delayed completion of the project is correct. He recommended, in view of the circumstances, that the extension requested be granted without penalty. He submitted a letter from the Bureau of Public Roads concurring therein. The Commission approved the recommendation by unanimous vote.

Colonial Construction Co., contract No. 1865, for construction of an overcrossing over the O.W.R. & N. Company tracks on the Old Oregon Trail, in Pendleton, Umatilla County, requested an additional extension of time of 14 days, from July 1 to July 14, 1937, within which to complete this project. They alleged that failure to complete the project by July 1 was caused by additional work required by the Engineer in connection with stairway construction. The Engineer advised that the contractor's statement as to failure to complete the project by July 1 is correct and recommended the granting of the extension now requested without penalty. He submitted a letter from the Bureau of Public Roads concurring in such recommendation. The Commission approved the recommendation by unanimous vote.

Hoffman Construction Company, contract No. 1881, for construction of the bridge over the Southern Pacific Company's tracks on the East Portland-Oregon City Highway in Portland (Union Avenue

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Overcrossing), Multnomah County, requested an extension of time of 51 days, from June 30 to July 31, 1937, within which to complete this project. They gave the following reasons for failure to complete this project within the specified time limit: (1) teamsters union strike during August and September, 1936, which held up delivery of sand and gravel; (2) change in plans, requiring additional work in construction of walls, sidewalks, stairways, et cetera; (3) change in plans for the electric wiring and lighting system, which required additional materials to be shipped from the East; (4) delays in commencement of project, due to right of way difficulties; and (5) adverse weather conditions which prevented pouring of concrete for about a month during the first part of the year. The Engineer advised that the reasons given by the contractor for failure to complete the project within the specified time limit are substantially correct. He recommended, due to the fact that the delay was occasioned by circumstances beyond the contractor's control, that the extension requested be granted without penalty, and submitted a letter from the Bureau of Public Roads concurring therein. The Commission approved the recommendation by unanimous vote.

Schmeer, Williams & Gentemann, contract No. 1939, for furnishing crushed rock in stock piles for the Condon-Fossil Section of the John Day Highway in Gilliam and Wheeler Counties, requested an additional extension of time, from June 30 to July 10, 1937, within which to complete this job. They attributed their failure to complete the project by June 30 to the fact that the material to be crushed came from a talus slide which, during the early spring, was very wet and did not permit proper screening of the materials, and, as a result, crushing operations had to be postponed until warm weather set in. The Engineer advised that the contractor furnished the materials in ample time for this season's work, so the state was not inconvenienced by the delay; also, that no additional expense for engineering supervision was incurred. He recommended that the extension requested be granted without penalty. The Commission approved the recommendation by unanimous vote.

The Engineer reported that on May 22, 1936, the Highway Commission granted to contractors Joplin and Eldon an extension of time up to June 30, 1936, within which to complete their contract for the construction of the Eagle Creek Bridge superstructure on the Upper Columbia River Highway, contract No. 1768, subject to the payment of extra engineering expense incurred by the Commission subsequent to the date of completion specified in the contract; and that the extension on such basis was approved by the local office of the Bureau of Public Roads, which later, by letter dated June 24, 1936, recalled its approval because, in its opinion, the assessment of engineering costs cannot be justified if the per diem penalty is waived. He gave as his thought that the contractors should not be required to pay the per diem penalty and recommended, therefore, that they be relieved of paying any penalty whatsoever, in order to expedite payment of the final estimate, which is long overdue. After discussion and in view of the circumstances, the Commission approved the Engineer's recommendation by unanimous vote.

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The Engineer reported that contracts Nos. 1789, 1865, 1908, 1924, 1932, 1939, 1948, 1971, and 1978, for the construction of state highway projects, have been completed according to the requirements of the contracts or modifications thereof and that said jobs are now ready for acceptance.

The following resolution accepting the above projects was offered and was adopted by the unanimous vote of the Commission:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts and that said jobs are now ready for acceptance:

Contract No. 1789, with Harold Blake, for the construction of the Eugene Overcrossing on the Junction City-Eugene Secondary Highway, in Lane County. Completed July 1, 1937;

Contract No. 1865, with Colonial Construction Company, for the construction of the East Pendleton Overcrossing on the Old Oregon Trail, in Umatilla County. Completed July 14, 1937.

Contract No. 1908, with Babler Bros., for surfacing, oiling and rock production on the Redmond-Bend Section of The Dalles-California Highway, in Deschutes County. Completed July 9, 1937.

Contract No. 1924, with Smith & Company, for furnishing crushed rock on the Castle Rock-Umatilla County Line Section of the Columbia River Highway, in Morrow County. Completed July 24, 1937.

Contract No. 1932, with Sig Ash, for construction of two bridges and 1.045 miles grading and surfacing on the Alsea-South Fork Section of the Alsea-Deadwood Highway, in Benton County. Completed August 5, 1937.

Contract No. 1939, with Schmeer, Williams and Gentemann, for furnishing crushed rock on the Condon-Fossil Section of the John Day Highway, in Gilliam and Wheeler Counties. Completed July 10, 1937.

Contract No. 1948, with Babler Bros., for oiling and furnishing crushed rock on the Gales-Line Section of the Old Oregon Trail Highway, in Baker County. Completed August 9, 1937.

Contract No. 1971, with Warren Northwest, Inc., for grade widening and paving on the Forest Grove-Hillsboro

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Section of the Tualatin Valley Highway, in Washington County. Completed August 6, 1937.

Contract No. 1978, with J. C. Compton, for oiling the Klaskanine Summit-Jewell Section, Treharne Junction-Burton Section and Davies-Banks Section of the Nehalem Secondary Highway, in Clatsop, Columbia and Washington Counties. Completed July 9, 1937.

THEREFORE, BE IT RESOLVED that the work covered by said state highway contracts for the construction of said state highway projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

W. H. Lynch, District Engineer, Bureau of Public Roads, was present and inquired as to the status of the acquisition of right of way for the Eagle Creek Section of the Upper Columbia River Highway. He said that the Bureau is ready and anxious to advertise this job for bids but cannot do so until the right of way matters have been clarified. The Attorney advised that the right of way has all been acquired except that across the property of the O.W.R. & N. Company, and that the plans for the project have been approved by the local railroad officials but apparently there is some delay in securing approval by the officials of the railroad company in Omaha. He predicted that the matter would be cleared up in about a week. The Engineer recommended that the Commission guarantee the right of way to the Bureau of Public Roads in the event that the railroad company's final approval is not secured within a week. After discussion and in view of the urgency of the matter, in order to expedite the construction of this project, the Commission approved the recommendation by unanimous vote.

The Commission considered and signed the following letter with W. H. Lynch, District Engineer, Bureau of Public Roads, and C. J. Buck, Regional Forester, United States Forest Service, directed to the Chief, Forest Service, and Chief, Bureau of Public Roads, Washington, D. C., which letter is dated August 3, 1937, and provides a program for forest highway fund savings that have developed from low bids recently received, amounting to approximately \$120,000.00:

Chief, Forest Service,
Chief, Bureau of Public Roads,
Washington, D. C.

Gentlemen:

By reason of savings which have developed from low bids recently received, there is now available in the Forest Highway Contingent Fund for the State of Oregon approximately \$120,000 which can be programmed to new work. It is our recommendation that this sum be allocated to the Willamette Forest Highway

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Project, together with \$20,000 of state cooperative funds which have been offered by the State of Oregon. The project to be financed is the construction of a tunnel approximately 1,000 feet in length, and a small amount of approach grading. The project will be designated Oregon Forest Highway Project 21-J2, K1.

It is our hope that the project can be let to contract this fall and construction carried on during the winter months, thus permitting the opening of the Willamette route a season earlier than could otherwise be effected if the construction of the tunnel is postponed until next year.

The Commission also considered and signed the following agreements, etc.:

Deed, conveying unto I. B. Lindeman and Minnie Lindeman certain property lying outside of the right of way of the Columbia River Highway in the town of Rainier, same being partial consideration for land acquired from the Lindemans for right of way purposes, and being in conformity with the provisions of an agreement between the Commission and the Lindemans dated March 10, 1937.

Lease agreement with Douglas County providing for the use of county-owned property, known as Murphy Bar, on the Umpqua Highway west of Scottsburg.

Agreement with the Southern Pacific Company relating to the Whiteson Undercrossing Project on the Pacific Highway West, in Yamhill County.

Agreement with the Southern Pacific Company covering the construction of an overhead viaduct in Bunker Hill Addition to the city of Marshfield, in Coos County.

Agreement with Columbia River Packers Association providing for the removal of two buildings from the proposed new location of the Oregon Coast Highway along Astor Street in Astoria.

A delegation from Albany and Corvallis, consisting of County Judge J. J. Barrett and County Commissioners H. A. Renninger and H. W. Cooley of Linn County; County Commissioner Wade Malone of Benton County; Mesdames Caldwell and Telford, and Messrs. Stuart, Bryant, French, and C. C. Cochran, came before the Commission and urged the oiling of the unoiled section of the Corvallis-East Side Secondary Highway No. 210 between Albany and Corvallis, about five miles in length. Judge Barrett of Linn County headed the group. He said that this road carries a large volume of traffic and under present conditions is dangerous to travel because of the dust hazard. Furthermore, the dust is causing serious damage to crops adjacent to the road. He gave as his thought that the alignment of the present road is very good and that the rock surfacing thereon is satisfactory to receive an oil treatment; also, that the small

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amount of extra right of way that may be needed will not be expensive. He pointed out that the road is now oiled at both ends, leaving only a five-mile section in between to be completed, and urged the improvement not only from the safety standpoint but also from the standpoint of economy, it being his thought that it would be much cheaper to maintain the oiled surface than the present graveled road. In support of his oral arguments, Judge Barrett presented petitions signed by 700 residents of the State of Oregon residing in and near the community and territory served by this road, urging the oiling of the same at the earliest possible time. He also presented results of a traffic count taken between eight and ten o'clock p. m. on Saturday, August 7, 1937, at the intersection of this road with the road leading to Peoria, which count showed 299 cars passing the intersection during such two-hour period. He also presented letters from the Albany Chamber of Commerce and from the committee representing inhabitants served by this secondary highway urging the improvement. Judge Barrett advised, in answer to an inquiry from Chairman Cabell, that the County Court considers this project to be the most important secondary highway project in Linn County. Mr. C. C. Cochran, Secretary of the Corvallis Chamber of Commerce, and County Commissioner Malone, of Benton County, also spoke in behalf of this project.

Chairman Cabell advised that it would be impossible for the Commission to undertake the oiling of this section this year for the reason that there are no funds available to finance the work and because the oiling equipment is now all engaged on other projects. He said that the Commission appreciates the necessity for the improvement and will give it consideration in next year's program.

The Engineer advised that there are two ways to finance the project, one with state funds and the other with Federal Aid Secondary Highway funds. He suggested the adoption of the second method and to do the work as a contract project, revising the alignment of the highway wherever necessary. He pointed out that a survey of the road would have to be made before the Commission could take any definite action as to construction and on account of the scarcity of funds it would not be possible to make such survey until next year. The Commission by unanimous vote authorized and instructed the Engineer to make a survey of this road when funds are available to finance it.

A delegation from Baker County, headed by Judge Chas. E. Baird and consisting of the following members representing the Baker Chamber of Commerce and residents of Eagle and Pine Valleys, came before the Commission in the interests of the Baker-Homestead Highway: County Commissioners R. M. Phipps and Claude Holman, Senator W. H. Strayer, L. L. Vermillion, Representative Al Grant, Henry McKinney, C. T. Gedwin, Jim Donald, Howard Bergman, Fred Makinson, W. W. Evans, Ed Carlinghouse, M. Cooper, Albert Melhorn, Ala Pearson, and S. Marker. They particularly requested improvements between Baker and Halfway. They also asked for improvements to the Baker-Unity Highway. Judge Baird stated that the people of Baker County are not satisfied with the treatment that they have received at the hands of the Highway Commission; that the Commission has spent considerable amounts in other counties for construction work but Baker County has received only a small amount of the highway revenues and has been going on from year to year with practically no

improvements, other than maintenance, on primary and secondary highways. He urged the Commission to outline at once a program for the improvement of Baker County roads and to start construction of some of the projects this year. He particularly mentioned the Baker-Halfway Section of the Baker-Homestead Highway and the Baker-Unity Highway as being badly in need of improvement. He also asked the Commission to designate as a secondary highway the county road which extends from the town of Robinette northwesterly to a junction with the Baker-Homestead Highway, a distance of about $3\frac{1}{2}$ miles, in order to provide a proper connection between the Baker-Homestead Highway and the Robinette-Homestead Secondary Highway.

Mr. Vermillion, President of the Baker Chamber of Commerce, endorsed Judge Baird's remarks and introduced other speakers as follows: Mr. Donald, who alleged that there are only two counties in the state that have contributed more county funds for state highway construction projects than has Baker County. He gave as his thought that from that standpoint Baker County is entitled to more consideration in the distribution of highway revenues than it has received in the past. He mentioned the Medical Springs and Baker-Unity Highways and declared that these roads have not been properly maintained and are badly in need of oiling. Baker County, he said, does not want to be unfair but feels that it is justified in requesting these improvements because it is not receiving now proper consideration in the distribution of highway funds. He also mentioned the Baker-Homestead Highway, which road, he said, people hate to use because it is in such a deplorable condition. He urged relief from the present conditions at the earliest possible time.

Henry McKinney, Chairman of the Roads Committee, Baker Chamber of Commerce, spoke for the improvement of the Baker-Homestead Highway from the commercial standpoint, particularly in the interests of the dairy industry in Eagle and Pine Valleys, which, he declared, is at the top of the list of all the dairy districts in the state, and in the interests of the mining industry in the Cornucopia district, which, he said, creates a large volume of traffic. He urged the Commission to make a definite commitment of funds now, to the end that the Baker-Homestead Highway will receive proper improvement at the earliest possible time.

Mr. W. W. Evans, Halfway, declared that the Baker-Homestead Highway is the life line of their district; that they have urged the improvement of this road for many years; but the only satisfaction that they have received is a statement that there are no funds available to finance the work but that their request will be taken under consideration. He urged the Commission to give the delegation some assurance to take home with them that the Baker-Homestead Highway will be improved soon.

Representative Al Grant endorsed the remarks of the other speakers and declared that all they want is the oiling of their roads and that the "ungodly" ruts be eliminated. Senator Strayer also spoke in behalf of the projects and particularly urged the oiling of the Baker-Halfway Section. He stated emphatically that they want this road oiled and they want it oiled now. He advised that they would be satisfied with the smoothing up of the present highway rather than reconstruction on new alignment but they want this smoothing work done at the earliest possible time and the road oiled to allay the dust.

Chairman Cabell advised that the Commission has under consideration the oiling of the Baker-Homestead Highway from Baker to Halfway and the oiling of the Baker-Unity Highway through the farming district south of Baker, but cannot make a definite commitment of funds today. He pointed out that it is strictly contrary to the established policy of the Commission to commit funds in advance and gave as his thought that the Commission should not deviate now from this policy, which is of long standing. He also pointed out that the oiling work could not possibly be done this summer even if money were available to finance the work because it is too late in the season to start oiling operations. He advised that the Commission contemplates an inspection trip to Eastern Oregon within the next few weeks and at that time will inspect Baker County roads and will see what can be done about letting a contract this winter for construction next year.

Judge Baird stated that he appreciates that the Commission cannot do the oiling work this year but suggested the early letting of a contract for the production of the rock that will be needed in connection with such operations so that a start will be made. He gave as his understanding that Baker County is entitled to an annual allotment of about \$40,000 of highway funds and, if that is true, and if the Commission will make a start this fall on the improvement of the Baker-Homestead Highway, the County Court will approve the spending of this money on this road. He asked that the contract be awarded not later than November or December.

Commissioner Aldrich suggested that it might be advisable to improve the section from Baker to a junction with the Keating road, a distance of about seven miles. Mr. Evans said that they did not care which section the Commission improved first but they want a start made at once. Judge Baird declared that the Baker-Flagstaff Section would be satisfactory. The Engineer presented estimates of cost to construct various units. After further discussion Chairman Cabell concluded the conference by stating that the Commission can make no definite commitment or promise in regard to this project today except that Baker County highway improvements will be given first consideration when the program for Federal Aid Secondary Highway funds is prepared.

The Commission adjourned at 12:20 o'clock p. m., to reconvene at 1:30 o'clock p. m. in the same room.

The State Highway Commission reconvened at 1:30 o'clock p. m. in the Auditorium of the Public Service Building, with all members, the State Highway Engineer, the Attorney and the Secretary present.

The Commission had under consideration the matter of revising the 1938 railroad grade separation and federal aid programs to provide for the financing of the Albany grade separation project and line revision, the estimated cost of which is considerably more than was originally anticipated. The Engineer suggested the elimination of the Hood River grade separation project from the program in view of the fact that it involves an expenditure of a much larger sum of money than can be spared at this time; also, that the proposed Siskiyou Mountain project on the Pacific Highway in Jackson County be

reduced to \$100,000, and the Albany project, for immediate construction, be reduced to \$150,000, the balance of such project to be financed with 1959 funds. After discussion the Commission tentatively approved the Engineer's suggestion and instructed him to prepare a revised program on such basis for consideration by the Commission at its next meeting.

The Attorney requested instructions in regard to the claim of Ralph J. Robertson, whose property adjacent to the Pacific Highway, in Jackson County, (new route) is endangered by a slide condition resulting from highway construction in front of his place. The Attorney advised that he conferred with Mr. Robertson and ascertained that he would not be satisfied unless the state would pay him \$5,000 in cash and would reconstruct the road leading to his place that was destroyed by the state's contractor and by the slide. The Commission deferred a decision in this matter, pending a personal inspection of the premises by Commissioner Tou Velle, and his recommendation.

County Judge Hugh McLain, Coos County, was present and asked the Commission to designate and improve as a secondary state highway the county road which extends southeasterly from Marshfield to the town of Sumner, a distance of about ten miles. He particularly asked the Commission to construct a bridge on this road replacing an unsafe one that the county had to demolish. He offered county funds in the amount of \$6,750 to help defray the cost of the bridge, plans for which, he said, have already been prepared, and also offered to turn over to the state a county-owned quarry located in this vicinity, which, he said, could be used as a source of supply for surfacing materials. Judge McLain also asked the Commission to extend the Coos River Secondary Highway a distance of about 2½ miles northeasterly from its present terminus near the town of Allegany, and to improve the same so that it can be used by traffic the year around with safety. He explained that the present road is only wide enough for one-way traffic and that it will have to be improved as an accommodation for the many logging trucks that are operating over it, and for the convenience and safety of school children who travel over the road daily during the school season in a school bus but who are confronted with extreme danger every time they travel over the road on account of present conditions. He offered \$2,500 of county funds toward the cost of improving this section if the Commission will designate it as a secondary state highway and undertake a sufficient amount of work thereon to make the road usable with safety through the year.

Miss Kay Greame, Principal of the Allegany School, who was present, also urged the Commission to improve this road in behalf of the school children. She advised that the road is a dangerous one to travel and that at certain times of the year it is impassable; in fact, it is necessary at times to close the school because the pupils are unable to attend on account of road conditions. She further advised that there are 90 children who have to be transported every day to and from school and she alleged that each time they pass over the road they are subjected to extreme hazard, which can be avoided only by reconstruction of the road.

The Engineer advised that it would cost about \$20,000 per mile to grade this section to an adequate standard to care for heavy trucks and other

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traffic and that the surfacing work would be extra. After considerable discussion, in which Judge McLain stated that they would be satisfied with the improvement of the Coos River Highway extension alone if the Commission could not see its way clear to undertake the bridge project, Chairman Cabell advised that the Commission would give the matter some thought but it would not be possible to make definite commitment of funds or any promises at this time. The Commission agreed to inform Judge McLain by letter as soon as a definite decision has been made and to send a copy of the same to Miss Greame.

County Commissioner Jay Dunn, Lincoln County, came before the Commission in the interests of the Siletz River Secondary Highway. He inquired as to the Commission's plans for the improvement of this road. He was informed by the Engineer that the Commission has considered making this road a federal aid secondary highway with a view of using federal aid secondary monies to finance its improvement; but the probabilities are that the program for such roads will not be arranged until it is too late to do any construction work this year; so the concern of the Commission at this time is, what can be done in the way of improvements to maintain travel during the winter season so there will not be a repetition of last winter's difficulties. The Engineer further advised that the Commission had this matter under discussion on the previous evening, at which time he was instructed to render a full report on the present condition of the road, the need for improving the same, and the cost involved, such report to include information on the source of supply of road-building materials. He gave as his thought that for an expenditure of approximately \$50,000.00 the road could be fixed up temporarily so that it would be passable the year around, and he recommended that that be done.

Mr. Dunn inquired what plans have been made for the improvement of the swamp section. He was informed by the Engineer that eventually the road will have to be relocated around the swamp, which project the Commission hopes to undertake when federal funds are available to assist in financing the work. In the meantime, he added, it will be necessary to place enough rock on this section to maintain travel through the winter. As a matter of information Mr. Dunn stated that there is a scarcity of good road rock in the Siletz district and that the best rock that could be obtained is located at Agate Beach, although there is a source of supply of gravel in the Siletz River near the town of Siletz which might prove satisfactory for filling-in purposes. After further discussion the Commission decided to proceed with the rocking of this road in conformance with the Engineer's suggestion, and authorized him to advertise the project for bids to be received at the next meeting, in September, the contract to be limited in amount to \$50,000.

Mr. Dunn then asked the Commission to apply an oil treatment to the parking area adjacent to the Oregon Coast Highway at Otter Crest for the benefit of the many sight-seers who stop at this place. The Commission approved the request and instructed the Engineer to see that such oiling work is done when an oiling crew is available.

A delegation from North Bend, headed by Mr. Edgar McDaniel and including Henry G. Kern and W. M. Miller, representing the towns of Empire,

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Barview, Charleston and way-points, came before the Commission and asked for improvement on the Cape Arago Secondary State Highway, particularly the oiling of the same in order to alleviate the dust nuisance. They alleged that Coos County does not have funds to pay for such work, so if they are to secure any relief it will have to come from the state. They declared that the road is not a very good advertisement for the state in its present condition, being rough and dusty and a very dangerous road to travel when a condition of combination dust and fog is encountered. Mr. Hiller presented two petitions, signed by 3,127 citizens of Coos County, some of whom reside along this road, the balance in other parts of western Coos County, all of whom are very anxious for the state to undertake this improvement. He also presented letters from the Oregon State Elks Association and the Post Office Department, Marshfield, endorsing the request. In support of his contention that traffic over this road is extremely heavy he presented results of a traffic count taken on Sunday, August 8, 1937, over this road, from 8:00 o'clock a. m. to 6:00 o'clock p. m., which indicated that 707 vehicles passed over the road enroute to beach points, and 670 vehicles returned. Mr. Kern stated that they would be satisfied with the oiling of this road as far as the town of Charleston if the Commission feels that it does not have sufficient funds to extend the work a greater distance. After discussion Chairman Cabell advised that the Commission is aware of the condition of this road and will consider its improvement, but there are many things around Coos Bay that the Commission has to do and there is a question which of the projects should be undertaken first.

County Commissioners E.H. Lindsey and E.G. Anderson of Tillamook County were present regarding the award of the contract for the Tillamook County oiling project on three county roads, for which bids were taken at the morning session. The Engineer advised that the low bid received for this job was that submitted by J.C. Compton, McMinnville, at \$38,316.00, based on the use of tar, and that there were two higher bids received. He estimated that Tillamook County's share of this cost would amount to about \$12,000. Mr. Lindsey stated that the county is ready and willing to pay such amount to the state in warrants if the Commission will agree not to cash the warrants until the project is done. He inquired whether or not the state would pay the engineering and inspection costs in connection with this work and gave as his understanding that the Commission agreed at one time to assume such expense. He was informed that the statements previously made by the Commission in that regard simply referred to engineering expense incurred prior to construction and it was not intended that the state would pay for construction engineering and inspection, because it has no legal authority to do so. The Attorney confirmed such statement. After discussion the Commission agreed to accept the county's warrants in payment of its share of this work and to hold such warrants until the job is completed. The County Commissioners agreed to pay the cost of construction engineering supervision and inspection. The Attorney was instructed to prepare a form of agreement covering the matter and it was mutually agreed that the award of the contract would be withheld pending execution of this agreement and delivery of the county's warrants to the Commission.

Mr. Lindsey brought up for discussion the matter of the State Highway Commission cooperating in the cost of the Dougherty Slough revetment project. He said that this improvement is now nearing completion and that the

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drainage district which is doing the work as a U.P.A. project under county sponsorship, and is paying for the same, believes that the state should pay a portion of the cost thereof because the revetment will act as a safeguard to the Oregon Coast Highway which is located nearby. The Attorney advised that about two years ago the Commission agreed to cooperate in this undertaking and instructed him to prepare a form of agreement covering the matter, which he did, but the agreement has not been signed by either party thereto. He read excerpts therefrom for the Commissioners' information. After discussion the Commission referred the matter to the Engineer for investigation and to work out the details in the event it appears that the Commission is obligated to contribute state funds for this improvement.

Chairman Cabell left the meeting at 5:00 o'clock p. m.

Also at 5:00 o'clock p. m. the State Highway Engineer announced the following awards of contracts for which bids were taken at the morning session, the awards having been previously approved by the Commission by unanimous vote:

"Overcrossing structure over the Southern Pacific Company's tracks on the Coos River Secondary Highway, at Bunker Hill, in Coos County, including 0.16 mile grading highway roadbed and 0.39 mile grading railroad roadbed. The low bid was that submitted by Mountain States Construction Company, Eugene, at \$44,768.50. The next low bid was that submitted by Coos Bay Dredging Company, Marshfield, at \$51,869.20. There were two higher bidders. The Commission has awarded this contract to the low bidder, Mountain States Construction Company at its bid price of \$44,768.50.

"Arch Cape-Beach Creek Section of the Oregon Coast Highway, in Clatsop and Tillamook Counties. 2.18 miles of highway right of way clearing work. The low bid was that submitted by Berke Bros., Inc., Portland, at \$24,950.00. The next low bid received was that submitted by Roy L. Houck, Salem, at \$29,600.00. The only other bid received was that of Heller & Gillgannon, Scappoose, at \$31,750.00. The Commission has deferred the award of this contract and has referred the bids to the Engineer with power to make the award to the low bidder when certain conditions have been satisfied.

"Lake County Line-Gap Ranch Section of the Central Oregon Highway, in Harney County. 2.12 miles regrading, 7.61 miles surfacing, and furnish 11,500 cubic yards crushed rock in stock piles. The Commission received six bids for this job, the low one being that of Babler Bros., Portland, at \$68,157.00. The second low bid was that of A. Milne, Portland, at \$68,850.00. The Commission has awarded this contract to the low bidder, Babler Bros., at its bid price of \$68,157.00.

"Bloucher Section of the Hood River Secondary Highway, in Hood River County. 1.6 miles surfacing and oiling and furnishing of 4,000 cubic yards crushed rock in stock piles. The low bid was that submitted by Parker-Schram Company, Portland, at \$26,642.50. R. O.

Dail and Warren Bros., Aberdeen, Washington, submitted the next low bid at \$27,365.00. There were two higher bidders. The Commission has rejected all of these bids and has ordered the project readvertised for bids to be received at the next meeting.

"Eagle Point-Baker Gulch Section of the Little Butte Secondary Highway, in Jackson County. 5.2 miles surfacing and furnishing 3,950 cubic yards crushed gravel in stock piles. The low bid was that submitted by Saxton & Looney and J. S. Risley, Portland, at \$17,017.50. The next low bid was that submitted by Clifford A. Dunn, Klamath Falls, at \$17,257.50. There were four higher bidders. The Commission has awarded the contract to the low bidders, Saxton & Looney and J. S. Risley, at their bid price of \$17,017.50.

"Siulaw Junction-Awbrey Section of the Pacific Highway, in Lane County. 4.52 miles grading and topping and construction of a timber pile trestle with concrete superstructure. The low bid was submitted by Edlefsen-Weygandt Company, Portland, at \$65,858.00. The next low bid was submitted by M. L. O'Neil & Son, Eugene, at \$66,068.50. There were nine higher bidders. The Commission has awarded the contract to the low bidder, Edlefsen-Weygandt Company, at its bid price of \$65,858.00.

"Concrete undercrossing structure, retaining walls, and highway roadbed at crossing with Union Pacific railway tracks on the Old Oregon Trail Highway at Ontario, in Malheur County. C. J. Montag & Sons, Portland, submitted the low bid for this project at \$190,187.50. The next low bid was submitted by Warren Northwest, Inc., Portland, at \$191,171.00. There were six higher bidders. The Commission has awarded the contract to the low bidders, C. J. Montag & Sons, at their bid price of \$190,187.50.

"Remodeling and widening Union Avenue Bridge over Sullivan Gulch on the Pacific Highway East, in Portland, Multnomah County. The Commission received two bids for this project, the low one being that of Averill & Corbin, Portland, at \$65,960.00. The other bid was that submitted by Gilpin Construction Company, Portland, at \$75,780.00. The Commission awarded the contract to the low bidders, Averill & Corbin, at their bid price of \$65,960.00.

"Tillamook County Oiling project on three county roads, in Tillamook County. 4.4 miles surfacing and 8.5 miles oiling. The low bid was submitted by J. C. Compton, McMinnville, at \$38,316.00 based on the use of tar. Warren Northwest, Inc., Portland, submitted the next low bid at \$41,917.00 based on the use of tar. The only other bid received was that of Babler Bros., Portland, at \$42,493.00 based on the use of tar. The Commission has deferred the award of this contract and has referred the bids received therefor to the Engineer with power to award the contract to the low bidder when an agreement has been signed with the county covering the matter of furnishing rock.

"Furnishing of structural steel for the undercrossing super-structure at the crossing of the Southern Pacific Company's tracks near Whiteson, on the Pacific Highway West, in Yamhill County. The low bid was submitted by Minneapolis Moline Power Implement Company, Los Angeles, at \$4,696.00. The next low bid was submitted by Poole & McGonigle, Portland, at \$4,980.00. There were two higher bidders. The Commission has awarded the contract to the low bidder, Minneapolis Moline Power Implement Company, at its bid price of \$4,696.00.

"Sale of residence property in the town of Enterprise, Wallowa County. The Commission received two bids for the purchase of this property, the high bid being that of T. R. Maxwell, at \$1,800, and the other being that of Portia S. Thomas at \$1,000. The Commission has accepted the bid of T. R. Maxwell and has sold the property to him at his bid price of \$1,800."

Major A. E. McKennett of the United States War Department was present in regard to the proposed Hood River project involving the rebuilding of the section of the Columbia River Highway and the Interstate Bridge Secondary Highway necessitated by the construction of the Bonneville Dam, and the Government's offer of \$75,000 as settlement in full for the damage resulting therefrom. The State Highway Engineer advised that he could not recommend to the Commission the acceptance of the Government's offer because it involves an expenditure of nearly \$400,000, toward which the Government would contribute only \$75,000, leaving the balance for the state. Furthermore, the acceptance of the offer would obligate the Highway Commission to spend approximately \$200,000 annually on the Hood River-Mosier Section realignment, which expense, he said, is far beyond the ability of the State Highway Commission to pay under present circumstances. Major McKennett made no statements whatsoever in regard to the project but expressed a desire to discuss the matter further with the State Highway Engineer on the following day in Salem, in an endeavor to work out an alternate proposition that would be satisfactory to the Commission. Such conference was thereupon arranged.

Mr. Elmer Bankus headed a delegation from the town of Brookings which asked for improvements to the Oregon Coast Highway through Brookings. Others in the delegation were Ed. W. Miller, Manager of the Oregon Coast Highway Association; Charles T. M. Echols, County Engineer of Curry County; James A. Harris; Tom B. Page; and W. S. Chadwick. Mr. Bankus stated that the people of Brookings are anxious to improve their properties along the highway through this town, which, he said, is the gateway of the State of Oregon and as such should be developed in order to create a good impression on tourists; but they cannot do so because of the proposed highway work which might require changes in their plans in the event the improvements did not fit in with the plans for the highway. He urged the Commission to make definite plans for the highway at this time so the people can proceed with their improvements without fear of alteration at some future date. Mr. Echols stated that for the most part right of way for the proposed improvement will be donated. He presented a resolution signed by 16 property owners who assert their willingness to give to the state free of cost extra right of way, ten feet wide, provided the state will bear the expense of moving and altering

the buildings located thereon, and will commence the widening and improvement of the highway in Brookings within six months. He also presented a resolution from the County Court of Curry County requesting the State Highway Commission to obtain additional right of way for the Oregon Coast Highway through Brookings and to widen said highway through this town, including reconstruction on permanent alignment northerly to the Chetco River bridge. Mr. Bankus presented a brief in support of oral arguments, containing recommendations of the Brookings Chamber of Commerce.

The State Highway Engineer advised that surveys for this proposed improvement have not yet been made, neither have estimates of cost been prepared. He said that he believed he could have a full report on this matter ready for the Commission's consideration about the first of January, 1938.

Mr. Miller stated that about all they are asking for at this time is that the Commission authorize such survey and the preparation of estimates.

Commissioner Aldrich advised that the condition of the Highway Commission's finances will not permit construction work this year, so the only thing the Commission can do now is to refer the matter to the Engineer for report. The Commission thereupon by unanimous vote authorized the Engineer to make such surveys as may be necessary to render a complete report on this project, such survey to be made before January 1, 1938, it being strictly understood that the Commission, by ordering such survey, is making absolutely no commitment as to allocation of funds for construction.

Mr. Otto J. Kraemer, Attorney, Portland, appeared before the Commission in behalf of Frank F. Reiner, who has a claim against the Commission for closing Stephens Street at its intersection with Union Avenue, in East Portland, in connection with the construction of the Union Avenue project. Mr. Kraemer alleged that Mr. Reiner has a just claim because the street was closed at the instance of the State Highway Commission in connection with the construction of the East Portland-Oregon City Highway, and Mr. Reiner's property, which is located at the southeast corner of this intersection, has now no outlet onto Union Avenue from Stephens Street. The Commission referred this matter to Chairman Cabell with power to act. The Commission's Attorney was instructed to arrange a conference between the Chairman and Mr. Kraemer for discussion of the matter.

The County Court of Deschutes County, represented by County Judge C. E. Lyon and County Commissioner Wm. Baer, accompanied by Mr. Don Peoples, Secretary of the Bend Chamber of Commerce, came before the Commission and asked for the following improvements: (1) designation as a state secondary highway of that portion of The Dalles-California Highway between Redmond and Bend that has been abandoned by reason of the reconstruction of the highway on new alignment; (2) designation as a state secondary highway of the county road which extends from Bend to Tumalo Falls.

The Commission agreed to placing the old highway between Redmond and Bend on the state secondary highway system provided the County Court will make formal request for such designation by appropriate resolution. The Attorney was instructed to prepare a form of resolution covering the matter.

Mr. Peoples explained that the Tumalo Falls road extends into the winter recreational area of the Central Oregon district, and that the United States Forest Service has spent upwards of \$50,000 for improving this winter playground, which is used by more than 700 members of their winter sports club. He gave as his understanding that Deschutes County has about \$10,000 credit with the state for secondary highway construction, and suggested that this money be used to finance improvements on this road, so the club members can have the benefit of them this winter. Judge Lyons pointed out that Deschutes County owes the state some \$5,000 for road improvements, and offered, if the Commission would spend this money on the Tumalo Falls road, to pay off the debt by assignment of a portion of Deschutes County's share of the state gasoline tax funds. The State Highway Engineer advised that it is contrary to the established policy of the Commission to add any more roads to the state secondary system until the state-wide planning survey, which is now under way, has been completed and the results thereof carefully studied. He further stated that Deschutes County will not lose its credit of state secondary highway moneys; but, on the other hand, the credit will accumulate and will be applied at the proper time for secondary highway construction work in Deschutes County. He further stated that an estimate of cost to construct and maintain this road has been prepared for the information of the Commission when the secondary highway matters are discussed.

Mr. A. A. Kerry, Manager of the Lincoln County Logging Company, Taft, Oregon, came before the Commission and asked permission to construct and operate a sky-line logging cable over the Siletz Secondary Highway, in Lincoln County, in connection with logging operations. He said that the operations would probably last only about 60 days and that, if the Commission granted him this privilege, he would construct over the highway and under the sky-line, a timber structure for the protection of traffic on the highway in the event that logs should get loose from the sky-line cable. The Engineer stated that he previously discussed this matter quite thoroughly with Mr. Kerry and is of the belief that the method proposed for transporting the logs over the highway and for the protection of traffic is satisfactory. He recommended, therefore, in view of the fact that the operations will last only a short time, the granting of the request subject to the condition that the timber structure shall be constructed to his satisfaction and that the Lincoln County Logging Company will furnish the state public liability insurance in the amount of \$50,000/\$100,000 and property damage in the amount of \$10,000, and will furnish a bond in the amount of \$1,000 for the protection of the highway and to insure the proper cleaning up of the premises when the operations are completed. The Commission indicated approval of the Engineer's recommendation and referred the matter to him with full power to act.

The County Court of Hood River County, represented by County Commissioners J. D. Smullin and R. W. Perry, appeared before the Commission in regard to the surfacing and oiling of the Bloucher Section of the Hood River Secondary Highway, for which bids were opened at this meeting. They were informed that the Commission considered that the bids received for this project were too high, hence rejected them and ordered the project readvertised for new bids. It was also explained that, if the Commission does not receive a



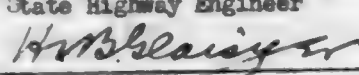

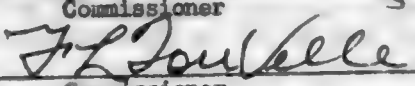
satisfactory bid next time, the work will be done with state forces. However, in no case can the work be done until next year because it is too late to do oiling work this year.

The County Commissioners then asked the Commission to remove a hump in the Mt. Hood Highway near its junction with the whiskey Creek county road. They alleged that this hump creates a very dangerous condition because it so happens that it is on a turn in the highway close to an intersection where the sight distance along the highway is very limited. The Commission referred this matter to the Engineer for investigation and report.

Mr. Samuel A. Lancaster, Civil Engineer, Portland, was present and asked the Commission to authorize a survey for a bridge across the Columbia River just above the site of the Bonneville Dam. He said that he intends to make an attempt to secure federal funds for the construction of a bridge at this point, but needs a certain amount of engineering data, including an estimate of cost, to submit with his application for such funds. It was explained to Mr. Lancaster that the Commission's attention is now being given to the reconstruction of the highway up the Columbia River Gorge; hence the Commission is not particularly interested in a bridge across the river at this time; therefore, it is necessary to deny his request.

Mr. David T. Mason, Portland; Mrs. W. C. Belt, Newport; and a Mrs. Rogers, representing a man by the name of J. D. Abbott, came before the Commission in regard to the proposed reconstruction of the Oregon Coast Highway between Fogarty Creek and Boiler Bay, in Lincoln County. They gave as their understanding that the highway is to be relocated nearer the ocean, and asked the Commission to reconsider its plans and place the highway farther away from the ocean so as to avoid cutting up their beach property and spoiling their beach. The Engineer advised that the Commission has already adopted the permanent alignment along this section. He pointed out that the permanent alignment in front of Mr. Mason's property coincides with the present road, so there will be no change whatsoever at this point except that the right of way will have to be widened. However, an entirely new right of way will have to be acquired across the property belonging to Mrs. Belt and Mr. Abbott in order to eliminate excessive curvature in the present road. Mrs. Belt said that she would rather give a 100-foot right of way across her property farther away from the ocean than sell any of her property for right of way between the present highway and the ocean. Commissioner Aldrich advised that the Commission is endeavoring to relocate highways for permanency and depends on the engineers to decide where the roads shall go, which procedure has been followed in this particular instance; also, that, while the Commission has no definite plans for the immediate reconstruction of the section of the Oregon Coast Highway under discussion, it is proceeding with the acquisition of right of way for the same so that everything will be in readiness to proceed when funds are available to finance construction work. The Commission indicated that it would not approve changing the adopted line for the permanent highway at this place.

There being no further business to come before the Commission at this time, the meeting was adjourned at 5:15 o'clock p. m.

 State Highway Engineer	 Chairman
 Secretary	 Commissioner
	 Commissioner

La Grande, Oregon, August 26, 1937.

The State Highway Commission met in special session at 9:00 o'clock p. m. in the Sacajawea Hotel following an inspection of state highways in Baker County with members of the Baker County Court, Baker Chamber of Commerce, and Mr. W. W. Evans, Halfway. Present were:

Henry F. Cabell, Chairman
 E. B. Aldrich, Commissioner
 R. H. Baldock, State Highway Engineer
 H. B. Glaisyer, Secretary

Commissioner F. L. Tou Velle was absent.

Mr. L. K. Kinzel, representing the Mt. Emily Lumber Company, was present and urged improvements to the Hilgard-Starkey Secondary Highway, in Union County. He said that this road closely parallels the company's railroad leading to Starkey in several places and that highway department forces, in maintaining the highway grade with grading equipment, frequently tear out railroad ties, causing the company unnecessary inconvenience and expense. He asked the Commission to correct this situation, which he thought could be done by constructing a drainage ditch between the highway and the railroad. He estimated that a satisfactory job could be done for \$3,000 or \$4,000 over and above the ordinary cost of maintenance.

Mr. Kinzel complained that the highway department forces, in connection with snow removal operations along the Old Oregon Trail, about 7 miles west of La Grande, frequently deposit snow from the highway upon their railroad, which not only constitutes a hazard to railroad traffic but is also an inconvenience and an expense to them. He also stated that along this section there is a tendency for the highway embankment to slough off onto the railroad. He suggested that this condition could be remedied by the construction of a retaining wall, and urged that that be done.

Mr. Kinzel also asked for the installation of culverts at five different locations on the Hilgard-Starkey Secondary Highway, to eliminate the necessity for traffic to ford streams at these points. He advised that

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supplies for their camps in the Starkey district have to be trucked over this highway, and, under present conditions, it is necessary to drive the trucks through streams at several places, which is very inconvenient, especially during the early part of the year when water often reaches a depth of more than two feet. He asked for a statistical report from the Commission on the number of secondary highways throughout the state where similar conditions exist.

Mr. Kinzel also asked for the construction of an approach road to this highway at a certain location. He alleged that at one time an approach road existed at this particular point but it was later destroyed by reason of highway department activities, and he asked that it be replaced. Mr. Kinzel also asked the Commission to widen the highway grade at a point known as Ox Bow, and the construction of guard fence along this section. He said that the highway is about 40 feet above the Grande Ronde River at this location, and, under present conditions, because of the narrowness of the highway grade, a serious traffic hazard exists, which should be remedied at the earliest possible time.

In the discussion of the snow-removal operation and the sloughing-off of the highway grade onto the railroad west of La Grande, the question arose whether or not the railroad had prior rights over the highway. Mr. Kinzel alleged that the railroad should be given first consideration because it had its right of way before the right of way was acquired for the highway. His assertions were questioned by the Highway Engineer, whereupon Mr. Kinzel agreed to furnish evidence to that effect. After further discussion, the Commission ordered an investigation of the complaints made by Mr. Kinzel, such investigation to be made by Division Engineer W. C. Williams, and a report rendered thereon. Mr. Williams is to contact Mr. Kinzel and make a joint inspection if necessary.

The Engineer reported that expenditures of state funds in connection with the Wolf Creek and Wilson River W.P.A. projects will, in the near future, overrun the amounts that to date have been authorized by the Highway Commission. He asked the Commission to authorize an additional \$62,000 in order to carry on operations to the end of the present year. The Commission approved the request by unanimous vote.

The Engineer brought up for discussion the matter of increasing the amount previously authorized by the Commission for furnishing rock for the Siletz River Secondary State Highway, in Lincoln County. He recalled that the Commission, at its meeting on August 12, authorized him to advertise for bids for a project costing not to exceed \$50,000, which amount, it now appears, will not be sufficient to finance a satisfactory project. He requested authority to increase the amount of this project to \$59,000, which would include surfacing an 8-mile section east from Kernville, furnishing maintenance rock in the vicinity of Siletz, and the surfacing of the road south of Siletz so as to keep the road open for traffic during the winter. The Commission approved the request by unanimous vote.

A letter was presented from L. A. Hollinshead offering his services in the procurement of right of way for a connection between the Oregon Coast

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Highway and the Wolf Creek Highway, in the vicinity of Cannon Beach. The Engineer advised that no surveys have as yet been made for this connection, hence it would not be possible to take advantage of Mr. Hollinshead's offer at this time. The Commission ordered that this matter be referred to Division Engineer F. D. Eason to so inform Mr. Hollinshead and to ascertain from him definitely just what he has in mind.

The Secretary reported that he has arranged with the Shell Oil Company for a showing of their film predicting "The City of Tomorrow" and that the company has indicated its willingness to show these pictures to the Commission on September 14, which is the date of the next regular meeting of the Commission in Portland. He inquired what time of the day the Commission would like to view these pictures. He was instructed to arrange for the showing at 1:30 o'clock p. m. in the Chamber of Commerce rooms in Portland, if possible.

The Engineer reported that the Nehalem River Bridge, near the Oregon-American Lumber Company's sawmill in Vernonia, being Bridge No. 102-60.2, was recently damaged by the passage thereover of a heavy load and that he has ordered the posting of this bridge for an 8-ton load limit, pending the placing of falsework under the structure so that it will be safe for legal loads. He asked the Commission to confirm the posting of this structure and the removal of the reduced load limit when the reinforcements have been completed. The Commission approved the request by unanimous vote.

The Engineer reported that he has been invited by the Board of Directors of "The Asphalt Institute" to prepare and personally deliver a paper covering "Penetration Macadam as Developed and Used in Oregon" at the Annual National Asphalt Conference which is scheduled to be held in Memphis, Tennessee, from December 6 to 10, 1937. He inquired whether or not he should accept this invitation. After discussion the Commission authorized the Engineer to attend this meeting at state expense in the event that it will not interfere with his other duties and that the trip is approved by Governor Martin.

The Secretary presented a letter from Dr. E. B. McDaniel, President, Oregon State Motor Association, in regard to the \$1,000,000 Oregon highway bonds that the Commission proposes to sell on September 14. The Commission instructed the Secretary to ask Dr. McDaniel to be present at a special meeting of the Commission on the evening of Wednesday, September 15, for a discussion of this matter.

A letter was presented from Mrs. J. S. Evans, Marshfield, inquiring as to what action the Commission has taken on the request of residents of Barview and Charleston districts, Coos County, for repairs and oiling on the Cape Arago Secondary State Highway. The Secretary was instructed to inform Mrs. Evans that the Commission is not in a position at the present time to render a decision but of necessity will have to wait until it has a better idea what funds will be available for construction purposes next year. Further, that the Commission contemplates holding a special meeting some time during the month of November for consideration of the 1938 budget and will give this

particular project serious consideration at that time. He was also instructed to convey similar information to Mr. W. M. Hiller, Empire, Oregon, who was one of the delegation that appeared before the Commission on August 12 in regard to this improvement.

The Commission had under consideration a petition signed by 220 residents of Douglas and Coos Counties residing along and adjacent to the old Coos Bay Wagon Road, requesting that such road be designated as a state highway and improved as such. The Secretary was instructed to inform the petitioners that the Commission is not in a position financially or otherwise to assume any more responsibilities in Coos County, particularly in view of the heavy expenditures that the Commission has made in this county in recent years for highway improvements.

Reconsideration was given by the Commission to the request of County Judge Hugh McLain, Coos County, for the extension of Coos River Secondary Highway from its present terminus, about 5 miles north of the town of Allegany, northerly a distance of about 3 miles; also, to Judge McLain's request for the designation as a secondary state highway of the county road which extends southeasterly from Marshfield to Sumner. The Secretary was instructed to inform Judge McLain that the Commission has found it necessary to decline his offers of county cooperation for the improvement of these two roads because it is not in a position to assume additional responsibilities or obligations in Coos County at this time.

A letter was presented from C. E. Greider, State Supervisor of Recreational Study for the Branch of Recreational Planning and State Cooperation of the National Park Service, requesting approval of a plan for the cooperative study of recreational possibilities in the State of Oregon, as authorized by Governor Martin on December 30, 1936. The Engineer advised that, according to this plan, the cooperation of the State Highway Department would be limited to consultation with the State Parks Superintendent, Mr. S. H. Boardman, and that the Highway Department would not be required to expend funds in connection therewith. He recommended affirmative action on Mr. Greider's request. After discussion, the Commission approved the recommendation by unanimous vote.

Chairman Oball reported receipt of a request from officials in charge of the Western Safety Conference, which was recently held in Portland, for a contribution of \$200 to assist in financing the same. In the discussion of this matter it was pointed out that it has been the established policy of the Commission for many years to refuse to contribute funds for such purposes. The Commission decided that it would be inadvisable to diverge from this policy, hence denied the request.

The Commission also had under consideration a letter from Mr. Norman N. Rupp, timber owner, Portland, offering for sale to the state, as a recreational area, a tract of timber land situate adjacent to the Nehalem Highway just west of the town of Jewell, in Clatsop County. The Commission referred this matter to the Secretary with instructions to ascertain from the State Parks Superintendent whether or not the tract is valuable for park

purposes and would fit in with the state's plans for park development; and, in the event that the Parks Superintendent's report is adverse, to inform Mr. Rupp that the State Highway Commission is not interested at the present time in this proposition.

The Commission discussed a complaint from Mr. E. B. McNaughton, Portland, that Marion County road forces are removing materials from a quarry located near Champeog State Park, at variance with the method previously agreed upon, and, if they are permitted to continue, the landscape will be left in an unsightly condition that will be an eyesore to people who have private residences along the Willamette River at this point. The Commission referred this matter to the Engineer for investigation and report.

The Commission had under discussion the proposition initiated by Mr. John B. Yeon, Jr., of Portland, for construction by the National Parks Service of a parkway up the Columbia River. It appears, according to the plan, that an attempt is to be made to secure federal funds for the construction of such parkway, the work to be undertaken under the supervision of the Bureau of Public Roads, and that the state's cooperation would consist of acquiring right of way only. It also appears that Mr. Yeon's committee is desirous of securing the approval of the State Highway Commission to such plan. The Commission deferred a decision in this matter pending consultation with federal authorities in Washington, D. C., when the Commission attends the annual meeting of the American Association of State Highway Officials in Boston; however, the Commission indicated that in any event it must have control of the design of this parkway and must have full jurisdiction over the same after it has been constructed, in view of the fact that it will be a major highway route.

The Commission discussed the matter of securing the approval of the Bureau of Public Roads and the United States Forest Service to the extension of the Flora-Enterprise Highway from its present terminus to the Washington State line, in order to facilitate the construction of this section with Forest Highway funds. The Engineer was instructed to arrange a conference with Mr. C. J. Buck, Regional Forester, and Mr. W. H. Lynch, District Engineer, Bureau of Public Roads, on September 14, the date of the next regular Commission meeting, for a discussion of this matter.

The Commission took the following action on proposed improvements to state highways in Baker County, as a result of inspection of such highways earlier in the day:

Baker-Homestead Highway - The Commission approved a rock-crushing project for this road between Love Bridge and Black Bridge, a distance of about 15 miles. The contract is to provide for the stockpiling of 500 cu. yds. of crushed rock per mile for use in connection with oiling operations which are proposed for this section next year;

Baker-Medical Springs Secondary Highway - The Commission approved the furnishing of crushed rock for a 3-mile section of this

road between Mile Posts 35.6 and 38.6; the contract to provide for 1,000 cubic yards materials per mile for resurfacing and 500 cubic yards of maintenance material per mile in stock piles;

Baker-Unity Highway: The Commission approved the resurfacing of a 4-mile section of this road between Stations Nos. 560 and 770, across what is known as Salisbury Flat. The contract is to provide for 1,000 cubic yards of materials per mile for resurfacing and 500 cubic yards of maintenance materials per mile in stock piles.

The Engineer was instructed to prepare plans for a federal aid secondary highway project on the Baker-Homestead Highway. He was authorized to make a location survey for such federal aid secondary highway project between Baker and a point known as Upper Keating Junction and to make a reconnaissance survey of such highway between Upper Keating Junction and Powder River. The Commission indicated that it would approve an oiling project on the Flagstaff Hill Section of this road in the event that the survey indicates that the alignment of the present highway will not be changed.

Consideration was given by the Commission to the matter of extending the Robinette-Homestead Secondary State Highway from its present terminus at Robinette northwesterly a distance of about 4 miles to a connection with the Baker-Homestead Highway. The Commission decided to so designate such road if the Baker County Court will make formal request for such designation. The Commission also considered the matter of removing from the Secondary State Highway System the northerly end of the Robinette-Homestead Secondary Highway between the mouth of Pine Creek and Homestead where this highway coincides with a section of the Baker-Homestead Primary State Highway, which was designated by the legislature. The Commission decided unanimously to make such change if it meets with the approval of the Baker County Court, so that the expense for maintenance and betterment along this section may be properly charged. The Commission ordered a resolution prepared covering the matter, for adoption by the Commission at its next meeting.

The Commission had under consideration the following requests for extensions of time in which to complete highway construction projects:

M. L. O'Neil & Son, contract No. 1926, for grading, and construction of two trestle bridges on the Burns-Buchanan Section of the Central Oregon Highway, in Harney County, requested an extension of time of 30 days, from July 31 to August 30, 1937, within which to complete this project. They gave bad weather conditions as their reason for failure to complete the project within the specified time limit. The Engineer advised that unfavorable weather prevented the contractor from working borrow pits through the Harney Valley, earlier in the spring, so the failure to complete the project within the time limit specified in the contract could not be avoided. He further advised that the engineering costs for supervision have not been increased

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and the traveling public has not been inconvenienced by the delay; neither has the surfacing contractor been held up in his work. He recommended that the extension requested be granted without penalty and submitted a letter from the Bureau of Public Roads concurring therein. The Commission approved the recommendation by unanimous vote.

McNutt Bros., contract No. 1938, for grading and surfacing the Pumping Plant Hill Section of the Old Oregon Trail, in Malheur County, requested an extension of time from May 31 to June 14, 1937, within which to complete this project. They gave no reason for failure to complete the project within the time limit specified in the contract. The Engineer advised that the contractors were somewhat late in starting operations on this project, as they were held up by bad weather conditions which delayed completion of their contract for the construction of the Gales-Tunnel Section of the same highway. He also said that the work on the Pumping Plant Hill Section had to be coordinated with operations of the United States Reclamation Service, which work was going on at the same time and affected the placing of concrete pipes under the highway. He pointed out that the overrun of time limit on this contract was only 14 days and advised that the engineering costs on the job have not been increased by the delay, neither has the traveling public been inconvenienced. He recommended, in view of the circumstances, that the extension of time requested be granted without penalty, and submitted a letter from the Bureau of Public Roads concurring therein. The Commission approved the recommendation by unanimous vote.

Fisher Bros., contract No. 1954, for grading and topping Unit No. 3, Chichester Gulch-Summit Section of the Shaniko-Fossil Secondary Highway, in Wheeler County, requested an extension of time of three months, from May 30 to August 31, 1937, within which to complete this project. They attributed their failure to complete the job within the time limit specified in the contract to inclement weather experienced in the spring. The Engineer advised that this project is located in mountainous country and the contractor was unable, as he states, to begin grading operations until a much later date than would be expected normally, due to bad weather conditions. He further advised that traffic has not been unduly inconvenienced by the delay in completion and there has been no increase in the cost of engineering supervision as there was no expenditure for such purpose prior to the actual commencement of operations. He said, further, that the contractor prosecuted the work with all possible speed as soon as weather conditions were favorable. He recommended, in view of the circumstances, that the extension requested be granted without penalty. The Commission approved the recommendation by unanimous vote.

Homer G. Johnson, contract No. 1964, for furnishing crushed rock in stock piles for the Myrtle Point-Mystic Creek Section of

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the Coos Bay-Roseburg Highway, in Coos and Douglas Counties, requested an extension of time of one month, from July 31 to August 31, 1957, within which to complete this job. He attributed his failure to complete the job within the specified time limit to unavoidable delays encountered with the handling of rock. The Engineer advised that, in his opinion, the real reason for the failure of the contractor to complete the project within the specified time limit was trouble that the contractor encountered at his plant, rather than with the rock. He recommended, however, that the extension requested be granted without penalty, in view of the fact that the traveling public has not been inconvenienced by the delay and the state has incurred very little extra expense for engineering supervision. The Commission approved the recommendation by unanimous vote.

The Engineer reported that contracts Nos. 1872, 1884, 1920, 1926, 1931, 1938, 1946 and 1980, for the construction of state highway projects, have been completed according to the requirements of the contracts or modifications thereof, and that said jobs are now ready for acceptance.

The following resolution accepting the above contracts was offered and was adopted by the unanimous vote of the Commission:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts and that said jobs are now ready for acceptance:

Contract No. 1872, with J. C. Compton, for pavement planing and resurfacing, and furnishing crushed material in stock piles on the Azalea-Wolf Creek Summit Section of the Pacific Highway, in Douglas and Josephine Counties. Completed August 8, 1957.

Contract No. 1884, with J. W. and J. R. Hillstrom, for resurfacing and furnishing crushed rock in stock piles, on the McKenzie Pass-Little Butte Section of the McKenzie Highway, in Deschutes County. Completed July 24, 1957.

Contract No. 1920, with McNutt Bros., for grading and surfacing the Ochoco Dam-Mill Creek Section of the Ochoco Highway, in Crook County. Completed July 22, 1957.

Contract No. 1926, with M. L. O'Neil & Son, for grading, and constructing two trestle bridges on the Burns-Buchanan Section of the Central Oregon Highway, in Harney County. Completed August 19, 1957.

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Contract No. 1931, with Colonial Construction Company, for grading the Shelton Ranch-Flora Junction Section of the Lewiston-Enterprise Highway, in Wallowa County. Completed July 31, 1937.

Contract No. 1938, with McMutt Bros., for grading and surfacing the Pumping Plant Hill Section of the Old Oregon Trail, in Malheur County. Completed June 14, 1937.

Contract No. 1946, with E. H. Itschner & E. L. Rigdon, for grading, surfacing, and oiling the Chalk Cliff-Paisley Section of the Fremont Highway, in Lake County. Completed August 19, 1937.


Contract No. 1980, with J. C. Compton, for oiling three sections of secondary highways in Linn and Yamhill Counties. Completed July 27, 1937.

THEREFORE, BE IT RESOLVED that the work covered by said state highway contracts for the construction of said state highway projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

There being no further business to come before the Commission at this time, the meeting was adjourned at 10:00 o'clock p. m.


State Highway Engineer


Secretary


Chairman


Commissioner

Lakeview, Oregon, August 31, 1937.

The State Highway Commission conferred informally with representatives of the Lakeview Chamber of Commerce at 9:00 o'clock p. m. in the Hot Springs Hotel, all Commissioners being present and participating. Also present were the State Highway Engineer and the Secretary.

Mr. Victor Johnson, County Agent, headed the local group and introduced the speakers. He called on County Judge John R. Heckman, who asked the Commission to designate as a secondary state highway the county road which extends along the west side of Goose Lake from the California state line to a connection with the Klamath Falls-Lakeview Highway, thence northerly and easterly to a connection with the Fremont Highway at its junction with the Lakeview-Adel Secondary Highway, a distance of about 25 miles. He said that this road passes through a very productive district which is now without good road facilities, and urged favorable consideration by the Commission as soon as possible.

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Mr. Johnson said that their most important project is the oiling of the unoled section of the Klamath Falls-Lakeview Highway. His arguments for such improvement were endorsed by Mr. Burt Snyder, President of the Shasta Wonderland Association, Mr. Forrest Cooper, Secretary of the Lakeview Chamber of Commerce, and Mr. W. O. Harriman, Forest Supervisor of the Fremont National Forest and Chairman of the Chamber of Commerce Forestry Committee. They asked for a dust palliative treatment similar to that which was applied to the Lakeview-Burns Highway last year in order to allay the dust nuisance, if the Commission cannot construct a more suitable oiled surface.

The Engineer explained that this road is not in suitable condition to receive an oil treatment at this time and the Commission does not have funds to spare to finance a proper improvement without sacrificing federal aid moneys.

Chairman Cabell advised that the Commission realizes the importance of this road and the need for improving it but is precluded from doing very much because of shortage of funds and the fact that the improvement would be very costly. He explained that the Klamath Falls-Lakeview Highway is not a Federal Aid Highway, hence is not eligible for federal aid moneys; and, if the Commission took state money to finance the improvement, it would lose an equal amount of federal aid money, which the Commission does not feel justified in doing because there are so many federal aid roads in the state on which the federal aid moneys could be spent to excellent advantage. He pointed out that there is a possibility of applying Federal Aid Secondary Highway moneys on this road if the Bureau of Public Roads will approve the same but there is a question whether or not such approval can be secured in view of the fact that the Klamath Falls-Lakeview Highway is of primary importance. He also pointed out the possibilities of applying federal public lands moneys for the improvement of the section within the Warm Springs Indian Reservation, and advised that the Commission is now considering such arrangement, which it hopes to be able to work out to a satisfactory conclusion.

There followed a general discussion of highway matters pertaining to Lake County.

The meeting was adjourned at 10:00 o'clock p. m.

James W. Johnson
State Highway Engineer
W. O. Harriman
Secretary

Henry F. Cabell
Chairman
E. H. Schrieber
Commissioner
F. L. Taulbee
Commissioner

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Klamath Falls, Oregon, September 1, 1937.

The State Highway Commission conferred with representatives of the Klamath County Chamber of Commerce in the Chamber of Commerce rooms at 1:00 o'clock p. m., all Commissioners being present and participating. Also present were the State Highway Engineer and the Secretary.

Representing the Chamber of Commerce were Mayor Clifton Richmond; Earl Reynolds, Secretary; Mr. T. B. Watters, Mr. Paul Landry; County Commissioners Roy Taber and Wm. F. B. Chase; and Mr. Frank Z. Howard, County Engineer. Mr. Watters headed the group. They requested particularly the oiling of the unrolled section of the Klamath Falls-Lakeview Highway.

Chairman Cabell outlined the plans of the Commission in regard to this road, which plans include the financing of a portion of the part within the Indian Reservation with federal public lands moneys if approval for the same can be secured from the Bureau of Public Roads. The delegation appeared to be satisfied with the explanation.

Mr. Howard brought up for discussion the matter of designating certain county roads as federal aid secondary highways. He presented a map on which were shown in colors the county roads eligible for federal secondary funds, state secondary highways eligible for federal secondary funds, proposed new secondary highways, and county roads eligible for forest funds. He advised that the County Court realizes that all of the county roads that are eligible for federal secondary funds cannot be included in the federal aid secondary highway system, but its first choice is the county road which extends from the California state line about three miles southwest of Malin, northerly through the town of Bonanza to a connection with the Klamath Falls-Lakeview Highway, in T. 38 S., R. 12 E., W. M., which is about 24 miles long; and its second choice is Market Road No. 12, which extends from The Dalles-California Highway about two miles east of Merrill, southerly by what is known as Stone Bridge to the California state line, a distance of about two miles. The County Court's first choice for state secondary highway construction, he said, is the secondary highway which extends westerly from The Dalles-California Highway at a point known as Mack's Store to a connection with the Klamath Falls-Weed Highway.

In this connection Mr. Howard filed with the Commission a copy of a resolution adopted by the Klamath County Court relating to the designation of certain county roads as being eligible for federal funds under the federal aid secondary highway program. Mr. Reynolds said that the program outlined in this resolution has the undivided approval of the Klamath County Chamber of Commerce.

Mr. Howard also filed with the Commission a map showing the existing and proposed state secondary highways of Klamath County, and a resolution adopted by the County Court requesting the designation of the following Klamath County roads as state secondary highways: (1) Market Road No. 19 extending from Keno, on the Green Springs Highway, to Worden, on the Klamath Falls-Weed Highway, a distance of about seven miles; (2) Sprague River County

Road extending from the town of Chiloquin via Sprague River to a connection with the Klamath Falls-Lakeview Highway near Beatty, a distance of about 55 miles; (5) the Lake-of-The-Woods county road extending from its junction with the state secondary highway on the west side of Upper Klamath Lake westerly via Lake-of-The-Woods to the Klamath-Jackson County line, a distance of 14 miles.

The Commission took no action on these matters but advised the delegation that the projects would be given careful consideration in the adoption of future state and federal secondary highway programs.

Mr. Landry particularly urged the Commission to designate the Lake-of-The Woods Road as a secondary state highway. He stated that he has been in consultation with officials of the United States Forest Service with a view in mind of securing the construction of this road as a forest development road, but he was informed that the State Highway Commission would have to designate it as a secondary state highway before the Forest Service could build it as a forest development project. It appeared to the Commission that Mr. Landry must have misunderstood the information given him by the Forest Service officials because it does not agree with the Commission's understanding or with past practice with respect to forest development projects. The Commission agreed to discuss the matter with Mr. C. J. Buck, Regional Forester, at the first opportunity.

The meeting was adjourned at 2:00 o'clock p. m., following which the Commission drove to Medford over the Klamath Lake Secondary Highway in Klamath County and the Little Butte Secondary Highway in Jackson County, and inspected the Lake-of-The-Woods road enroute.

R. H. Baldock
State Highway Engineer
H. B. Glaisyer
Secretary

Henry F. Cabell
Chairman
E. B. Aldrich
Commissioner
F. L. Tou Velle
Commissioner

Medford, Oregon, September 1, 1937.

The State Highway Commission met in special session at 8:30 o'clock p. m. in the Medford Hotel. Present were:

Henry F. Cabell, Chairman
E. B. Aldrich, Commissioner
F. L. Tou Velle, Commissioner
R. H. Baldock, State Highway Engineer
H. B. Glaisyer, Secretary

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The Engineer brought up for discussion matters pertaining to the Commission's application for P.W.A. funds for financing eighteen building, bridge and road projects, which application has been on file in the office of Mr. C. C. Hockley, State Director, Public Works Administration, for more than a year. The Engineer advised that a number of these projects are urgently needed and attention must be given to them in the very near future, because, if it develops that P.W.A. funds cannot be secured, other arrangements will have to be made to finance them. After discussion, the Commission instructed the Engineer to inform Mr. Hockley of the need for early action in connection with its application and to furnish him with a list of the projects arranged in order of priority, with a request that such schedule be given consideration in making allocations in the granting of P.W.A. funds. The Commission approved the following arrangement of such projects as to priority for submission to Mr. Hockley:

1. Coos River Secondary Highway	Docket Oregon 1172
2. Nehalem Secondary Highway	Docket Oregon 1195
3. Weston-Elgin Secondary Highway	Docket Oregon 1195
4. Portland Division Office	Docket Oregon 1176
5. Klamath Falls Building	Docket Oregon 1177
6. Nehalem Secondary Highway	Docket Oregon 1199
7. Klamath Falls-Lakeview Highway	Docket Oregon 1192
8. Hermiston Secondary Highway	Docket Oregon 1190
9. Salem-Dayton Secondary Highway	Docket Oregon 1185
10. Jordan Valley Secondary Highway	Docket Oregon 1196
11. Sunnyside-Umapine Secondary Hwy.	Docket Oregon 1198
12. Territorial Secondary Highway	Docket Oregon 1188
13. Williams Secondary Highway	Docket Oregon 1189
14. Lexington-Echo Secondary Highway	Docket Oregon 1197
15. Tigard-Aurora Secondary Highway	Docket Oregon 1200
16. Albany-Lyons Secondary Highway	Docket Oregon 1184
17. Wasco-Heppner Secondary Highway	Docket Oregon 1194
18. Little Butte Secondary Highway	Docket Oregon 1186

The Engineer reported the need to install traffic-actuated signals and overhead flashing signal at the intersection of the Pacific Highway West and the McMinnville-Tillamook Highway just south of the city of McMinnville, where a hazardous condition exists on account of traffic congestion. After considerable discussion, the Commission, by unanimous vote, approved the installation of the signals.

The Commission had under consideration a report from the Attorney on the complaint against a man by the name of McCutcheon, who destroyed a number of trees growing on the right of way of the Pacific Highway, at Woodburn, without first obtaining permission from the State Highway Department to do so. The Attorney advised that he has secured reports from the Landscape Engineer and the District Maintenance Superintendent in charge of this section of the highway, in an endeavor to secure the facts, conditions and results of the tree-cutting, and is now of the opinion, after studying these reports, that Mr. McCutcheon has violated the statute and that a complaint should be filed against him so as to find out whether or not, under all of

the circumstances, a jury will find him guilty. He gave as his belief that a property owner's right of access to a highway at convenient places does not mean that he can destroy state property or require the destruction of state property in order to permit him to conduct his private business; and, if the court holds that a contrary principle of law prevails, then the Highway Commission should know it. (See Mr. Devers' letter directed to the Oregon State Highway Commission, dated August 30, 1937). After discussion, the Commission ordered that suit be instituted against Mr. McCutcheon, as recommended by the Attorney.

The Engineer requested authority to advertise for bids to be received in September for the furnishing of 10,000 cubic yards of maintenance materials for the West Diamond Lake Secondary Highway and the Crater Lake-North Secondary Highway, at an estimated total cost of \$22,000. He advised that this material will be needed next year in connection with the construction of an O-50 oil surface on this road. The Commission approved the request by unanimous vote.

The Engineer also requested authority to advertise for bids to be received in October for the furnishing of maintenance materials for the following projects in Division 5:

<u>Section</u>	<u>Highway</u>	<u>Amount</u>
Shuttler Flat-Condon	John Day	\$ 13,000.00
Union County Line-LaGrande	Old Oregon Trail	12,500.00
Arlington-Castle Rock and Heppner Junction-Rhea	Columbia River and Oregon-Washington	13,000.00
Wallowa-Enterprise	Wallowa Lake	9,500.00
Forest Boundary-Long Creek	Pendleton-John Day	9,500.00
Weiser Junction-Ontario	Old Oregon Trail	9,500.00
Baker-Durkee	Old Oregon Trail	10,000.00
		<u>\$ 77,000.00</u>
TOTAL		

The Commission approved the request by unanimous vote.

The Commission considered and signed agreements, et cetera, as follows:

Agreement with contractors Kern & Kibbe, disposing of their claim for extra compensation arising out of their contract, No. 1812, with the State Highway Commission for the construction of a reinforced concrete undercrossing structure to carry traffic under the Southern Pacific Company's tracks at the north city limits of Salem.

Quitclaim deed conveying unto Lydia Meier 1.62 acres of land situate adjacent to the Wolf Creek Highway between Barnes Road and the Multnomah County line, in Washington County. This property is being deeded to Mrs. Meier in order to clarify a right of

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way situation. Mrs. Meier is to reconvey it to the state with additional land that is needed for embankment slope protection. The Commission ordered that its quitclaim deed be not delivered to Mrs. Meier until a new deed has been secured.

There being no further business to come before the Commission at this time, the meeting was adjourned at 10:30 o'clock p. m.

W. B. Eason
State Highway Engineer

H. B. Glaisyer
Secretary

Henry F. Cabell
Chairman

E. B. Aldrich
Commissioner

F. L. Tou Velle
Commissioner

Astoria, Oregon, September 13, 1937.

The State Highway Commission met at 2:00 o'clock p. m. in the City Council Chambers in the City Hall, in accordance with notice previously given to the City Council through its City Manager on August 6, 1937, to conduct a public hearing as required by law relative to the rerouting of the Columbia River Highway and the Oregon Coast Highway within the city of Astoria. Present were:

Henry F. Cabell, Chairman
E. B. Aldrich, Commissioner
F. L. Tou Velle, Commissioner
H. B. Glaisyer, Secretary
F. D. Eason, Division Engineer

Also present were 24 local citizens, including the Honorable J. C. TenBrook, Mayor; Councilmen Lloyd VanDusen, Anton Sorensen and William Mannila; James O. Conwill, City Manager; Guy Boyington, County Judge; William Larson, County Commissioner; Louis Franetivich, restaurant owner; and F. S. Elfving, owner of the Astoria ferry.

Chairman Cabell opened the meeting and explained its purpose and the law which requires the Commission to hold a public hearing in a city or town before it alters or changes the route of a state highway into or through such city or town. He called upon Division Engineer Eason to explain the plans of the Commission in regard to the contemplated change of the highway in Astoria.

Mr. Eason explained that the Highway Commission contemplates the rerouting of the highway so as to avoid the hill on the present route on Bond Avenue and to eliminate the right-angle turns at Eighth Street and Commercial Avenue and at Eighth Street and Bond Avenue. He exhibited a blueprint map

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showing in colors the present route and the proposed change, which is described as follows: Beginning at a point in the center of Commercial Street, the present route of the Columbia River Highway, near its intersection with Sixteenth Street; thence in a northwesterly direction approximately paralleling the S.P. & S. Railway to a point in the center of Bond Avenue, just north of its intersection with Fourteenth Street; thence following along Bond Avenue to a point somewhere between Eleventh Street and Eighth Street; thence northwesterly to a point in the center of Astor Avenue somewhere between Eighth Street and Sixth Street; thence westerly along Astor Avenue to the western terminus thereof and continuing in a westerly and then in a southwesterly direction to a connection with the present Oregon Coast Highway on Taylor Avenue, near its intersection with Bond Avenue. He called attention to the difficulties confronting the Commission in the selection of the route for the connection between Bond Avenue and Astor Avenue, where numerous buildings exist, and advised that the Commission is now considering three alternate routes for such connection, one of which crosses blocks 55 and 9; another crosses blocks 55, 9, and 10; and the third crosses blocks 9, 10, and 11, with a view to selecting the route that will be to the best interests of the general public.

Chairman Cabell then invited those present to express themselves either for or against the improvement. He advised that the proposed new location has been quite definitely decided, with the exception that there is still a question as to which one of the diagonals between Bond and Astor Avenues should be adopted. This feature, he said, will be given very careful study and consideration before selection is made, because of the Commission's desire to secure the cheapest and best line for such connection.

Mr. Franetivich offered objections to the change because it will affect his restaurant business, known as Liberty Grill, which is located on the present route on Commercial Street. He gave as his thought that the State Highway Commission should not change the route of an existing highway when it will affect business adversely, as this change will do.

County Commissioner Larson voiced his approval of the change. He suggested the adoption of the most westerly of the alternates for the diagonal between Bond and Astor Avenues.

Mr. Elfving also expressed his approval of the change, stating that in his estimation it will be a very fine improvement.

Chairman Cabell, in reply to the objections of Mr. Franetivich, stated that, in changing or altering any existing highway route, the State Highway Commission always has to face the problem of damage to business. The Commission does not like to hurt business interests, he said, unless it is forced to do so in the interests of the general public which would be greatly benefitted by the change. He gave as his belief that the damaging effect in changing a highway route is over-estimated, because it is his observation that, when a highway has been rerouted, business interests are more than pleased with the change, because customers are given a much better chance to carry on their shopping by reason of the elimination of traffic

congestion in the shopping district. He repeated his invitation to the local citizens to express themselves in regard to this proposed improvement. None wishing to be heard, he concluded the hearing at 2:40 o'clock p. m. with a statement that the Commission will consider the objections offered at this hearing in its future deliberations with respect to this proposed change, and, when a decision has been reached, appropriate notice thereof will be forwarded to the city officials.

H. B. Glaisyer
Secretary
J. A. Evans
Division Engineer

Henry F. Cabell
Chairman
E. B. Aldrich
Commissioner
F. L. Tou Velle
Commissioner

Portland, Oregon, September 13, 1937.

The State Highway Commission met in regular session at 8:00 o'clock p. m. in Room 204, Benson Hotel. Present were:

Henry F. Cabell, Chairman
E. B. Aldrich, Commissioner
F. L. Tou Velle, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

The Commission conferred with Dr. E. B. McDaniel, President, and Mr. Ray Conway, Manager, Oregon State Motor Association, in regard to the proposed sale on the following day of \$1,000,000 Oregon State Highway bonds. Chairman Cabell explained the need for securing a loan at this time, and the necessity to sell bonds in order to obtain the same legally. Mr. McDaniel and Mr. Conway both expressed their approval of the explanation and the sale but requested that the word "bond" be not used in connection therewith if possible to avoid it, in view of the fact that the State Highway Commission at one time agreed with the Oregon State Motor Association that it would incur no more bonded indebtedness as long as existing bond obligations cause such a drain on highway funds. In their estimation the sale of bonds at this time is not in conformity with such agreement and understanding. They suggested calling the issue a "six-month seasonal loan" in order to keep the word "bond" silent, at least in so far as newspaper publicity is concerned; otherwise, they said, it would establish a precedent in the sale of bonds which should be avoided for the benefit of future highway commissions. The Commission concurred in the viewpoint and so ordered.

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Mr. John Logan, representing the Consolidated Highway Company, Inc., and Messrs. A. W. Murray and John C. McCollister, representing the United States Fidelity & Guaranty Company, which wrote the bonds furnished by the Consolidated Highway Company, Inc., in connection with its state highway contracts, were present. The State Highway Engineer asked Mr. Logan what plans he has for the completion of the Rock Creek-Wallowa oiling project on the Wallowa Lake Highway, in Wallowa County, State Highway Contract No. 1929, the contract for which was awarded to the company on October 29, 1936, and should have been completed not later than August 31, 1937. The Engineer pointed out that the season is getting very late for oiling work and the State Highway Department will not permit oiling operations after September 15, which has been set as a dead line therefor; and, unless the company can give assurance that the job will be definitely completed before then, the Commission will order discontinuance of operations until next spring. Mr. Logan advised that the oil for this project has already been ordered and that he can complete the job within ten days if weather conditions are favorable. He attributed his delay to failure of the Washington Asphalt Company to enter into a subcontract to do the oiling work, so he had to make arrangements to do the work himself and has rented oiling equipment from Contractor F. J. Kernan. After further discussion the Engineer recommended that Mr. Logan be allowed to proceed with the oiling work notwithstanding the fact that it cannot be completed before September 15, inasmuch as he has already placed the order for the oil; provided, however, that such work shall be postponed until next spring if it cannot be done in strict conformity with the specifications concerning weather conditions and temperature, the placing of oil being strictly prohibited when weather conditions and temperature are unsuitable for such work. The Commission approved the recommendation by unanimous vote.

Mr. McCollister brought up for discussion the question whether or not the Commission intends to let the Consolidated Highway Company, Inc., submit bids on future Oregon highway work, the Commission having previously disqualified this company from bidding until the jobs that it now has under way are completed. Mr. McCollister stated that the United States Fidelity & Guaranty Company is satisfied with the way that the Consolidated Highway Company is financing its projects and is perfectly willing to write the bonds. In fact, it believes that Mr. Logan, of the Consolidated Highway Company, Inc., is entitled to a lot of credit for the way in which he has brought his company out of disrepute. He also said that Mr. Logan is very anxious to submit bids for certain projects on which the Commission will receive bids on the following day, and he urged the Commission to accept Mr. Logan's bids for such work.

Chairman Cabell stated that the Highway Commission has had extremely unsatisfactory relations with the Consolidated Highway Company, Inc., during the past two years, and is now in a position to judge future relations by the past, hence the Commission does not care to enter into any new contracts with the company, at least not until the ones now under way are completed. Mr. Logan inquired whether or not the Commission would permit him to bid on the rock production projects for which bids are being called on the following day, one of which projects is located on the Pendleton-John Day Highway, in Grant County, and the other on the Siletz Secondary Highway, in Lincoln County.

It was his thought that he is the logical contractor to secure such contracts, in view of the fact that he has construction equipment available in these localities. Chairman Cabell replied that the Commission will not permit Mr. Logan or the Consolidated Highway Company, Inc., to bid on any of the jobs for which bids are to be opened tomorrow; that such action is final and is based on the experience of the Commission with this company during the past two years. Commissioners Aldrich and Tou Velle concurred. This concluded the conference.

The Engineer brought up for discussion the matter of revising the 1938 Regular Federal Aid program, in order to provide funds with which to finance the Albany Railroad Grade Separation Project. He submitted the following revised program for such funds, which the Commission considered very carefully and approved by unanimous vote:

PROPOSED REVISION OF 1938 REGULAR FEDERAL AID PROGRAM

Highway	Project	Original Allocation	Revised Allocation
<u>DIVISIONS NO. 1 & 2</u>			
Pacific	Oregon City (11th to 5th & Main Sts.), Paving & Bridge	\$ 160,000	\$ 160,000
Columbia River	Scappoose-Columbia County Line, Grading & Paving	100,000	100,000
West Side Pac.	Middleton-Votaw, Grading & Paving	80,000	58,868c
West Side Pac.	Lafayette, Paving	50,000	26,158c
West Side. Pac.	South Yamhill River Section, Grading, Paving & Bridge	- - - -	166,629c
Oregon Coast	Astoria Line Change and Pavement, Grad. & Pave (2 Units)	50,000	50,000
Oregon Coast	Short Sand Beach Creek, Grad. & Bridge	100,000	117,810c
Oregon Coast	Arch Cape-Beach Creek, Clearing	- - - -	27,445c
Oregon Coast	Lake Lytle Bridge	10,000	10,000
Santian	Lamb Creek-Glissade Creek, Grading	115,000	106,540c
McMinn.-Till.	Bellevue-Pringle Corner, Grad. & Pav.	150,000	116,520c
Wolf Creek	Wolf Creek Bridges (3 small bridges)	50,000	50,000
Wolf Creek	Quarts Creek Bridge	170,000	175,157c
Wolf Creek	South Fork of Quarts Creek, Bridge	- - - -	10,000c
Pacific, West	*Interstate Avenue, Paving	245,000	245,000
Pacific	*Salem-South, Grading & Paving	150,000	100,000
Pacific	*Halsey-South, Grading & Paving	100,000	Eliminate
Columbia River	*Troutdale-Dodson, Dredge & Riprap	160,000	160,000
- - - - -	*Planning	25,000	25,000
- - - - -	*Roadside Improvement	17,000	17,000
Total, Divisions No. 1 & 2		\$1,692,000	\$1,721,107

Highway	Project	Original Allocation	Revised Allocation
<u>DIVISION NO. 3</u>			
Pacific	Siuslaw Junction-Awbrey, 4.57 Mi. Grad.	\$ 90,000	\$ 72,444c
Pacific	Ross Station-Arvard, 2.0 Mi. Paving	60,000	60,000
Pacific	Turkey Hill-Chenoweth Park, 1.15 Mi. Grading & Paving	65,000	56,444c
Pacific	Sardine Creek Bridge	15,000	15,000
Pacific	Phoenix-Bear Creek, Grading & Paving	145,000	176,018c
Pacific	South Unit, Siskiyou Summit-California Line (Bear Canyon-Cal. Line) 1.4 Mi. Grading	135,000	135,000
Pacific	*Hill Creek Bridge	20,000	20,000
Oregon Coast	*Marshfield-South, Grading & Paving	101,800	101,800
- - - -	*Planning	9,720	9,720
- - - -	*Roadside Improvement	6,480	6,480
Total, Division No. 3		\$648,000	\$652,906
<u>DIVISION NO. 4</u>			
Central Oregon	Horse Ridge-Brothers, Surface & Oil	\$100,000	\$102,211c
Fremont	Summer Lake-Chalk Cliff, 14.5 Mi. Surface & Oil	123,000	123,000
Ochoco	Mill Creek-Marks Creek, Grad. & Surf.	100,000	100,000
Sherman	Shaniko, Resurfacing & Oiling	55,000	51,659c
The Dalles-Cal.	*Modoc Point-North, Unit No. 2, Grading	130,950	130,950
- - - -	*Planning	7,850	7,850
- - - -	*Roadside Improvement	5,220	5,220
Total, Division No. 4		\$522,000	\$520,870
<u>DIVISION NO. 5</u>			
John Day	John Day-Oliver Ranch, Grad. & Surf.	\$100,000	\$ 92,000
John Day	North Fork of John Day River, Bridge & Approaches	65,000	65,000
John Day	Kinsua Junction-Butte Creek Ranch, Grad., Surf. & Oil Rock	35,000	50,000
Old Ore. Trail	Stanfield-Pendleton, Surfacing & Oiling	200,000	197,844c
Old Ore. Trail	North Powder-Haines, Grad., Surf. & Oil	171,940	163,000
Central Oregon	Burns-Buchanan, 22 Mi. Surf. & Oil	150,000	139,488c
- - - -	*Planning	8,680	8,680
- - - -	*Roadside Improvement	7,380	7,380
Total, Division No. 5		\$738,000	\$723,392

* Projects marked thus are not included in program previously approved by the U. S. Bureau of Public Roads.
c Projects marked thus are under contract or advertised for bids.

SUMMARY

<u>Division Number</u>	<u>Original Amount</u>	<u>Allocation Per Cent</u>	<u>Revised Amount</u>	<u>Allocation Per Cent</u>
1 & 2	\$1,692,000	47.0	\$1,721,107	47.6
3	648,000	18.0	652,906	18.0
4	522,000	14.5	520,870	14.4
5	<u>758,000</u>	<u>20.5</u>	<u>725,392</u>	<u>20.0</u>
TOTAL	\$3,600,000	100.0	\$3,618,275	100.0

SOURCE OF FUNDS

Federal Funds	\$2,092,568	\$2,092,568
State Match Funds	1,525,185	1,525,185
Other State Funds	<u>184,447</u>	<u>202,722</u>
TOTAL	\$3,600,000	\$3,618,275

The Engineer also submitted a plan for financing the Albany Grade Separation Project, which the Commission discussed and tentatively approved.

The Commission also considered and tentatively approved the proposed revision of the 1938-39 Railroad Grade Separation Program which the Engineer submitted.

The Commission by unanimous vote approved the minutes of the meetings held on April 12, April 26, 27 and 28, May 16, 17 and 18, and June 3 and 4, 1937.

The Parks Superintendent, Mr. S. H. Boardman, was present and reported on the following park matters:

Abandonment of portion of Chandler State Park adjacent to the Fremont Highway, in Lake County: The Parks Superintendent advised that the highway is being revised at this location to eliminate curvature in the existing road and that the new highway will be located only a short distance from the old highway, rendering valueless for state park purposes that portion of the present park which lies west of the present highway between Engineer's Stations 830 and 850 unless the Commission acquires the area between the present park and the new highway location, which he recommended against because the area is devoid of trees. He suggested, rather, that the present park between Engineer's Stations 830 and 850, west of the old highway, be deeded back to the donor, Mr. S. B. Chandler of Lakeview, such portion being narrow, devoid of trees, and of no value to the park. The Commission indicated a desire to retain the present park and to acquire the rest of the land between the park and the new highway if it can be purchased at reasonable cost. The Parks Superintendent was instructed to contact Mr.

Chandler relative thereto. In the event that Mr. Chandler will not sell the additional area at a fair price, then the Parks Superintendent is to ask Mr. Chandler to accept a deed from the state returning to him that portion of the park which lies west of the old highway between Engineer's Stations 830 and 850, which would eliminate the necessity of constructing more than one right of way fence.

Addition to the state park at Depoe Bay: The Parks Superintendent advised that Mr. Winchell, owner of this property, which is situated on the ocean side of the highway at the end of the Depoe Bay Bridge, is now asking \$5000 for this property, being \$3000 more than the price that he originally agreed to accept. He said that this is a key tract to the present park and that the state should own it, but he did not believe it is worth \$5000. The Commission concurred and instructed the Parks Superintendent to so inform Mr. Winchell.

State park at the south end of Coos Bay Bridge in North Bend: The Parks Superintendent recalled that the city of North Bend several years ago deeded to the state for park purposes an area at the south end of the Coos Bay Bridge, known as Simpson Park, and included in the deed, evidently by mistake, land lying outside of the 200-foot right of way limit and east of the road leading to the old ferry landing which is not particularly desirable from the park standpoint. He advised that the city has received an offer for this portion of the park but upon investigation finds that it cannot sell the same because title rests with the state; hence the City Council is now asking the Commission to deed the area back to the city, particularly in view of the fact that the city did not intend in the first instance to deed the area to the state. He stated that the area in question is not of any particular value to the park and recommended that the city's request be given favorable consideration. After discussion the Commission approved the recommendation by unanimous vote.

Road leading from the Wolf Creek Highway to Saddle Mountain State Park, in Clatsop County: The Parks Superintendent advised that the Grand Rapids Oregon Timber Company, which owns most of this road, is now demanding \$13,600 for the same, and that he has secured an option from the Crown Willamette Paper Company to purchase a portion of the road that crosses its property, at the rate of \$15 per acre, which option expired on September 3, 1937. Also, that the Smith Waterhouse Company is demanding \$50 per acre for that portion of the road which crosses its property. He recommended acceptance of the offers of the Crown Willamette Paper Company and the Smith Waterhouse Company at \$15 and \$50 per acre, respectively, and condemnation of that portion of the road which crosses the property of the Grand Rapids Oregon Timber Company if this company will not reduce its price for the 125 acres involved. The Commission approved the recommendation by unanimous vote but instructed the Parks Superintendent not to close the options with the Crown Willamette Company and the Smith Waterhouse Company until the case against the Grand Rapids Oregon Timber Company has been decided. He also was instructed to secure, if possible, an extension of time on the option secured from the Crown Willamette Paper Company. The Commission indicated that, if a jury does not set a satisfactory price on the Grand Rapids Oregon Timber

Company property, it would secure the right of way for a road in another location and would build its own road to the park.

The Engineer reported another case of tree mutilation on the Pacific Highway right of way at Woodburn. It appears that a new service station has been erected at this place and that during the construction of the same the owner thereof requested permission from the State Highway Department's Landscape Engineer to remove some trees that were growing on the highway right of way, because, he alleged, they interfered with the proper ingress to and egress from his premises, but the request was denied. It also appears that a few days later it was discovered that several of these trees had been girdled and portions of the tree trunks removed, which would eventually kill them, and the trees would then have to be cut down. The Engineer said that investigation does not reveal who perpetrated this deed. He recommended prosecution of the offender if he can be found, and that the matter be turned over to the Department of State Police to carry on further investigations. The Commission approved the recommendation by unanimous vote and referred the matter to the Attorney to handle.

The Engineer requested authority to acquire certain parcels of real property that are needed for various highway improvements throughout the state. He submitted a list of such properties together with prices that he recommended be paid for each. After careful study the Commission approved the request and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth; and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon; and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed;

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Union County Section, Old Oregon Trail</u>				
4951- Ricker, F. E.	Stock Pile	1.0	\$100.00 Lump Sum	Wells
<u>Mills Bridge-Deadman Creek Section - Wilson River Highway</u>				
5016-Mills, Chessel	2 Stock Piles	0.717	at \$10 - 3-yr Lease	J.H.Scott
5016-A		.45	at \$ 1.- 1-yr Lease	
<u>Bunker Hill Overcrossing Section - Coos River Highway</u>				
4764-Youngquist, F. A.	R/W		Allowance for plumbing (Additional allowance on option taken Aug.9,1937,for \$350)	Benson
<u>Coos Bay-Roseburg Section - Coos Bay-Roseburg Highway</u>				
4945-Coquille River Land Company		0.28	3-yr Lease - Gratis	Benson
	Stock Pile			
<u>Muddy Creek-Lakeview Section - Klamath Falls-Lakeview Highway</u>				
4158-Kase, Joseph	R/W	0.21	\$50 per a. plus fencing	McChesney
<u>McMinnville-Rickreall Section - Pacific Highway West</u>				
4986-Bennett, Roswell H.C.	R/W	0.004	\$150 per a. plus fencing \$2.40	McChesney
<u>Drewe Valley Section - Klamath Falls-Lakeview Highway</u>				
4718-Reh, Arthur	R/W	0.71	\$20 per a. plus \$10.80	McChesney
<u>Short Sand Beach Section - Oregon Coast Highway</u>				
4616-Preston Company	R/W	0.43	\$20 Lump Sum	McChesney
<u>West Portland-Cook Overcrossing - West Portland-Hubbard Highway</u>				
4643-Lesser, J.	R/W	3.00	\$350 per a.(with waiver of access)	McChesney
<u>John Day-Prairie City Section - John Day Highway</u>				
4931-Bogard, Susan D. Estate	R/W	0.45	\$300 per a. plus fencing \$16.50	Wells
4981-Smyth, Eloise Eunice	"	1.06	\$30 per a.	
		3.76	\$10 per a. plus fence moving	"
4884-Trowbridge, Charles A.	R/W	7.91	1.32 a. at \$100 per 1.11 a. at \$70 per 5.48 a. at \$10 per plus fencing \$286.65	"
4879-Allen, Bradley W.	"	1.61	\$25 per a. plus fencing \$65.50	"
4988-McHaley, Rodney	R/W	1.72	0.29 a. at \$300 per 1.43 a. at \$20 per	"
4920-Ross, James Walter	R/W	7.45	1.0 a. at \$100 per 1.95 a. at \$70 per 1.0 a. at \$50 per 5.50 a. at \$10 plus fencing \$451.75	"

(Continued on next page)

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>John Day-Prairie City Section - John Day Highway (continued)</u>				
4984-Muldrick, Mabel E.	R/W	2.60	\$500 per a. plus fencing (Mineral rights re- served)	Wells
4880-Campbell, Maud	"	0.46	\$25 per a. + fencing \$31	"
4915-McHaley, R. T.	"	0.18	at - Lump Sum - \$10 plus fencing \$6.50	"
4953-Cauble, Kristine	"	6464 sq.ft.	Lump Sum \$50, plus \$93	"
4950-Bruce, Belle	"	0.51	\$300 per a.	"
4912-Grant County Bank	"	0.63	Lump Sum \$25, plus fencing \$26	"
4929-Parsons, J.H.	"	0.15	Lump Sum \$50, plus \$46.50	"
4878-Ferguson, Blanche	"	1.15	\$200 per a. plus \$270 plus fencing, moving bldgs	"
4865-Hiatt Estate, Ruth	"	7.24	5 a. at \$300 per 2.24 a. at \$10 per plus fencing	"
4928-Cauble, J. A.	"	4 lots	5 lots at \$100 per lot 1 lot at \$50 per lot, plus \$95 plus moving bldgs	"
<u>Kamela-Hilgard Section - Old Oregon Trail</u>				
4952-Mt. Emily Lumber Co	Quarry	9.27	Lump Sum \$150	Wells
4949-Saling, Cynthia	Stock Pile	3.79	\$25 per a.	"
<u>Haines-Worth Powder Section - Old Oregon Trail Highway</u>				
5009-Hill, W.E.	R/W	0.54	\$100 per a. plus \$37.50	Wells
5006-Perkins, Armand W.	"	0.84	\$100 per a. plus moving fences	"
5007-Dalton, J. W.	"	1.20	\$100 per a. plus \$100 plus moving fence	"
5011-Perkins, Armand W.	Gravel Pit	2.67	\$38 per a. plus fencing	"
<u>Hooker Creek-Jordan Valley Section - Jordan Valley Highway #450</u>				
4202-Malheur County	R/W	4.81	Gratis	Wells
<u>East Unit, Jordan Creek Section - I.O.N. Highway</u>				
4516-Malheur County	R/W	55.54	Gratis	Wells
<u>Secondary #165 Section - Salem-Silver Falls Highway</u>				
4998-Graham, Thos.	Park	5000 sq.ft.	including bldgs. and well Lump Sum \$500	McCallister
<u>Siletz River-Newport Section - Oregon Coast Highway</u>				
4442-Lincoln County	R/W	2.83	Gratis	McCallister
4200-Lee, Olive G.	"	20.37	Lump Sum \$4500	"
4247-4150-5028-5932- Atlantic-Western Company	"	134.20	Lump Sum \$22,500	"

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Astoria-Seaside Section - Oregon Coast Highway</u>				
4522-Clatsop County	Stock Pile	1.93	Gratis	McCallister
<u>Alsea-South Fork Section - Alsea-Deadwood Highway</u>				
4653-Wyatt, M. A.	R/W	0.59	Gratis	McCallister
5029-Rycraft, Charles A.	Stock Pile	1.38	\$150 Lump Sum plus fencing	"
<u>Hamlet Junction-Tillamook County Line - Oregon Coast Highway</u>				
5019-Clatsop County	R/W	1.41	Gratis	McCallister
<u>Unit #3, McCallister Section - Little Butte Highway</u>				
4999-Nygren, Eric C.	R/W	4.02	\$50 per a.	McCallister
<u>Siletz River-Newport Section - Oregon Coast Highway</u>				
4061-Hansen, Bina	R/W	0.024	\$500 per a. plus moving shrubs, shed \$10.50	Dolan
4045-Sijota, John	"	0.08	Gratis	"
5026-Long, Harry E.	"	1.51	\$351.12+ per, plus 6" drain tile under roadway	"
4068-Lincoln County Logging Co.	"	0.34	Lump Sum \$25	"
<u>Sheridan-McMinnville Section - McMinnville-Tillamook Highway</u>				
4309-Buel, Lawrence	R/W	0.471	\$150 per a. plus fencing \$39.50	Collins
4514-Durest, John	"	1.94	\$150 per a. plus \$1568.50, plus moving service station bldgs, pumps and tanks	"
*4240-Resettlement Admin.	R/W	4.676	\$100 per a. plus fencing and severance damage \$567	Collins
<u>Arch Cape-Short Sand Beach Section - Oregon Coast Highway</u>				
4909-Huntley, George E.	R/W	2.09	\$30 per a.	Collins
4904-Arch Cape Land Company	"	1.85	Gratis	"
4905-Calder, W. C.	"	6.30	Gratis	"
4910-Kratz Estate, Susan	"	1.97	\$60 Lump Sum	"
<u>McMinnville-Newberg Section - Pacific West Highway</u>				
*4364-Resettlement Admin.	R/W	1.189	Lump Sum \$60	Collins
*4297-Resettlement Admin.	"	2.97	\$115 per a. plus fencing \$100	"
*4955-Resettlement Admin.	"	0.68	\$90 per a.	"
<u>Troutdale-Multnomah Falls Section - Columbia River Highway</u>				
1819-Corbett Investment Co.	R/W	1.78	\$50 per a. and waiver of access	Parker
<u>West Portland-Cook Overcrossing - West Portland-Hubbard Highway</u>				
5037-Paulson, John T.	R/W	0.703	\$500 per a. plus \$2148.50	Parker

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Tillamook-Hebo Section - Oregon Coast Highway</u>				
4759-School District #9	Stock Pile	0.62	5-yr Lease at \$5 per yr	Gardiner
<u>Murphy-Provolt Section - Williams Secondary Highway</u>				
3256-Willson, W. F.	R/W	3.69	Lump Sum \$2500	DeSouza
<u>Lombard Street-Sandy Boulevard</u>				
4861-Multnomah County	R/W	1 Blk (97)	\$125.81 for taxes and city liens plus interest	DeSouza
<u>Barbur Boulevard - Pacific Highway West</u>				
5038-Multnomah County	R/W	Part 4 lots	Lump Sum \$770.75	DeSouza
<u>Union Hill-Silver Falls Section - Silver Falls Highway</u>				
4648-Sander, Geo A. (Correc. Deed)	R/W		Gratis	Langille
<u>Sheridan-McMinnville Section - McMinnville-Tillamook Highway</u>				
4310-Moe, Nora M. B.	R/W	1.025	\$200 per a. plus fencing \$75.50	Collins
<u>John Day-Prairie City Section - John Day Highway</u>				
4927-Grant County Bank	R/W	0.06	Gratis, plus depositing 200 yds. dirt	Wells
<u>Wallowa-Enterprise Section - Wallowa Lake Highway</u>				
5015-Fitzpatrick, F. W.	Stock Pile	1.0	\$100 per a. plus fencing	Wells
<u>Cannon Beach Junction-Hamlet Junction Section - Oregon Coast Highway</u>				
5027-State Land Board	Maintenance Site		Lump Sum \$1,000	McCallister
		120.0		
<u>Prairie City-John Day Section - John Day Highway</u>				
4932-Johnson, R. B.	R/W	0.22	Lump Sum \$500 plus moving Bldgs plus lot to be deeded by state	Wells
(4932-Johnson, R. B.) 4932-A-L. E. LUCAS			Lot to be acquired for the purpose of moving the R. B. Johnson house thereon and deeded by state to Mr. Johnson	
<u>Clatsop County - Wolf Creek Highway</u>				
2071-Oregon-American Lumber Co.		86.71	Lump Sum \$19,461.85	Devere
	R/W and Quarry Site			
<u>Orient Corner Section - Mt. Hood Highway</u>				
5024-Proctor, W. A.	R/W	0.050	\$500 per a. plus \$185	McChesney
5047-Siefer, D. E.	"	0.055	\$500 per a. plus \$582.50 plus moving building	"

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Reed Creek-Bear Creek Section - Siletz Highway</u>				
5041-Smith, Seth J.	R/W	0.82	Lump Sum \$150	Benson
	and Quarry			

* The Commission approved settlements Nos. 4240, 4364, 4297 and 4955 with the Resettlement Administration, as set forth in the above resolution, in so far as price is concerned, but referred to the Engineer and the Attorney the matter of finding a way to adjust these settlements in view of the fact that they involve certain water pipe installation.

The Commission adjourned at 11:40 o'clock p. m., to reconvene at 9:00 o'clock the following morning in the Auditorium of the Public Service Building.

Portland, Oregon, September 14, 1937.

The State Highway Commission reconvened in regular session at 9:00 o'clock a. m. in the Auditorium of the Public Service Building. Present were:

Henry F. Cabell, Chairman
 E. B. Aldrich, Commissioner
 F. L. Tou Velle, Commissioner
 R. H. Baldock, State Highway Engineer
 J. M. Devers, Attorney
 H. B. Glaisyer, Secretary

Bids as follows for highway construction projects and for the sale of buildings at Marshfield were opened and read in conformance with previously published notice:

PACIFIC HIGHWAY EAST
 CONSTRUCTION OF FRAME STORAGE BUILDING
 NEAR SOUTH CITY LIMITS OF PORTLAND

Frank Watt Construction Co.	\$ 7,136.65
F. C. Himer Co.	7,685.00
E. F. and W. F. Philpott	8,201.50

WOLF CREEK HIGHWAY
 CONSTRUCTION OF CONCRETE BRIDGE
 SOUTH FORK OF QUARTZ CREEK

F. C. Himer Co.	\$ 8,910.00
Mountain States Construction Co.	9,340.00
E. F. and W. F. Philpott	9,975.00
Dolan Construction Co.	10,015.00
L. H. Hoffman	10,690.00

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WEST DIAMOND LAKE AND CRATER LAKE NORTH SECONDARY HIGHWAYS
DIAMOND LAKE ROCK PRODUCTION PROJECT

R. I. Stuart & Sons	\$19,850.00
A. S. Wallace	19,879.00
Saxton, Looney & Risley	19,915.00
Rogers Construction Company	21,115.00
Clifford A. Dunn	21,920.00
Medford Concrete Construction Company	21,995.00
H. L. Rice	22,551.00

PENDLETON-JOHN DAY HIGHWAY
FOREST BOUNDARY-LONG CREEK SECTION
FURNISHING CRUSHED ROCK IN STOCK PILES

Rogers Construction Company	\$ 7,820.00
Jones-Scott Company	9,168.00
Schmeer, Williams & Gentemann	11,380.00
A. S. Wallace	11,580.00
H. L. Rice	14,516.00
George Schmitt	15,650.00
Fisher Bros.	35,520.00

HOOD RIVER SECONDARY HIGHWAY
SURFACING, OILING, FURNISH CRUSHED ROCK IN STOCK PILES
BLOUCHER SECTION

Fisher Bros.	\$21,881.00
Rogers Construction Company	22,586.00
O. C. Yocom	24,684.00
H. L. Rice	25,500.00
Parker-Schram Company	25,950.00
Joplin & Eldon	27,887.00

SILETZ SECONDARY HIGHWAY
SURFACING AND ROCK PRODUCTION PROJECT

Mountain States Construction Company	\$39,655.00
R. O. Dail & Warren Bros., Inc.	42,525.00
Dolan Construction Company	44,755.00
Saxton, Looney & Risley	45,020.00
Joslin & McAllister	46,765.00
O. C. Yocom	48,850.00
Chas. H. Hoyt	55,080.00
E. C. Hall Company	55,100.00
Altree & Sanford	55,221.50
Homer G. Johnson	56,006.00
A. C. Greenwood Company, Inc.	57,075.00
Parker-Schram Company	61,915.00
Joplin & Eldon	71,215.00
Rogers Construction Company	76,750.00

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MT. HOOD HIGHWAY
TREATED TIMBER BULKHEAD IN TOWN OF GRESHAM

	Using <u>Pres.Oil</u>	Using <u>Wolman Salts</u>	Using Chemonite <u>Salts</u>
Frank Watt Construction Company	\$11,577.00	\$11,757.00	\$ - - - -
Mountain States Construction Company	13,275.00	- - - - -	- - - - -
Geo. Schmitt	13,586.75	- - - - -	- - - - -
Parker-Schram Company	15,500.00	16,400.00	16,100.00
Shattuck & Neland	17,202.50	17,802.50	17,702.50

COLUMBIA RIVER HIGHWAY
THE DALLES ROADSIDE IMPROVEMENT PROJECT

Geo. Schmitt	\$ 9,750.00
Fisher Bros.	10,500.00

SALE OF RESIDENCE BUILDINGS AT MARSHFIELD

BUILDING "A"

F. R. Pendleton	\$500.00
Chas. Forrest (second choice)	125.50

BUILDING "B"

Chas. Forrest (fifth choice)	\$ 25.50
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BUILDING "C"

Chas. Forrest (first choice)	\$125.75
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BUILDING "D"

Arthur L. Fitch (first choice)	\$102.00
Chas. Forrest (third choice)	35.00

BUILDING "E"

Arthur L. Fitch (second choice)	\$102.00
Asbjorn Moen	26.00
Charles Forrest (third choice)	75.00

BUILDING "F"

Chas. Forrest (fifth choice)	\$ 60.75
J. P. Burkhart	50.00

BUILDING "G"

Chas. Forrest (fourth choice)	\$ 50.50
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BUILDING "H"

Chas. Forrest (fourth choice)
Asbjorn Moen

\$ 25.50
10.00

BUILDING "I"

Chas. Forrest (fourth choice)

25.50

Chairman Cabell announced that the awards of contracts and sale of buildings would be made at 2:00 o'clock p. m. in the same room.

The Attorney brought up for discussion the matter of the application of Gilchrist & Company, Ltd., to the Public Utilities Commissioner, for a permit to construct and operate its railroad across the Willamette Highway in Klamath County, at grade, pending construction of an overcrossing for its facilities. He said that the company estimates that it will take eighteen months to build its overhead structure and has asked the privilege of maintaining the grade crossing during this period so it can operate this year; otherwise their operations would be delayed a year or more. The Engineer said that he is fundamentally opposed to letting the company maintain a grade crossing across this highway, but if it is absolutely unavoidable, then, in his estimation, it should not be allowed to maintain such grade crossing longer than twelve months, which should give the company ample time within which to complete the overhead structure. He also said that special provision for this structure should be contained in the Public Utilities Commissioner's order covering this matter. After considerable discussion the Commission decided unanimously to recommend to the Public Utilities Commissioner that the company be allowed to maintain a grade crossing over this highway for a period of twelve months on the condition that at the end of that period the company will remove the same and will restore the highway right of way to the satisfaction of the Engineer. The Commission also approved relieving the company from maintaining an automatic "wig-wag" signal at this crossing, on account of the temporary nature of the crossing.

County Commissioner William Baer, Deschutes County, was present in regard to the Tumalo Falls road which leads to Deschutes County's winter sports playground area. He said that the county is improving this road but is fearful that it will not be able to maintain travel over it this winter on account of snow conditions, hence is asking the State Highway Commission to authorize the Engineer to keep the road open with the state's rotary snow plow, which is to be stationed this winter at Redmond. He said that Deschutes County will pay the expense of the operations. After discussion, the Commission granted the request subject to the condition that the county will pay the estimated cost of the work by certified check or warrant in advance of operations and provided, further, that the grade of the road is such that the snow plow can be operated over it without damaging the equipment; and provided, further, that the snow plow is not needed elsewhere on state highways.

A delegation from Grants Pass and vicinity, consisting of Messrs. J. W. Pirmiger, Manager of the Oregon Lime Products Company; M. B. Winslow,

Superintendent of Schools; County Judge Grant Matthews; and County Commissioner H. S. Morgan, came before the Highway Commission and asked for the improvement of Williams Secondary State Highway between the towns of Provolt and Williams, particularly the reconditioning and oiling of this section, which is about six miles long. Mr. Firmiger headed the group. He stated that the present road is rough and dusty and is in very bad condition generally; that it carries a large volume of traffic, including the trucks of some thirty-nine concerns which operate in this vicinity, being the only road serving the Williams district. He presented a list of the concerns which operate trucks over this road, and advised that they will be satisfied with a good, year-round, travelable road.

Mr. Winslow spoke for the improvement from the standpoint of transportation of school children. He said that the condition of the road is such that school busses cannot be driven over it without serious damage, which might result in injuries to the children; in fact, officers of the Department of State Police have condemned their busses as being unsatisfactory for use in transporting school children. He advised that many students from the Williams and Provolt districts attend school in Grants Pass and have to be transported by bus to Grants Pass, a distance of about 25 miles, and it is important that they arrive on time, which is difficult of accomplishment under present road conditions. He urged the improvement of the road from this standpoint as well as from the standpoint of providing safety for the school children.

Chairman Cabell advised that the State Highway Commission appreciates the need for the improvement of this road but is confronted with the fact that there are many roads throughout the state in similar condition. He further advised that even if funds were available to improve the road this year, it could not be done because the season is too late for oiling work, so that about all the Commission can do is to maintain the road in the best possible condition this winter. He added that this road will be considered along with others for improvement in the 1938 construction program, but no promises or commitments can be made at this time.

Mr. Paul Landry, Klamath Falls, was present in the interests of a proposed highway extending from the Klamath Lake Secondary Highway westerly to the Lake-of-The-Woods. He urged the Commission to designate this road as a secondary state highway as far as the Jackson County line so that the United States Forest Service can proceed with the construction of the same as a forest development road. Present and entering into the discussion of this matter were Mr. C. J. Buck, Regional Forester, and Mr. James Frankland, Regional Engineer, United States Forestry Department.

Mr. Frankland advised, in reply to an inquiry of Chairman Cabell as to whether or not it is necessary to designate this road as a secondary highway before forest development funds can be expended thereon, that it is not necessary that the road be designated as a state secondary highway but it would have to be placed on the forest highway system before it would be eligible for forest highway funds. He gave as his thought that available forest highway funds should be used to finance additional construction on

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the Klamath Falls-Lakeview Highway rather than to start a new project, and that the forest development funds should be used for construction of roads within the Lake-of-The-Woods recreational district rather than for roads leading up to such district.

Mr. Buck advised that the Forest Service recognizes the recreational possibilities of the Lake-of-The-Woods district and is spending a lot of money there for development, including road construction; in fact, the district is more highly developed than the Diamond Lake recreational area. He agreed that there should be a good road leading into the district but gave as his thought, in view of the improvements that the Forest Service is making around the lake, that funds for the construction of roads leading into the area should come from some other source; otherwise, he said, the Government might as well cancel its appropriations for development roads if the money is to be expended for purposes other than intended.

Chairman Cabell advised that this is a costly project and that, because of limited funds available to the Commission, it does not appear possible to include this project in the construction program for a long time.

Mr. Landry then asked the Commission to construct a five-mile section of the Klamath Lake Secondary Highway immediately south of the national forest and advised that they would be satisfied with grading only, if the Commission could not finance surfacing.

Chairman Cabell pointed out that there are only two possibilities of financing such project, one being as a federal aid secondary highway, using federal moneys that must be spent for farm traffic roads and which the Commission will consider; the other being with state money, of which there is none available at the present time.

Mr. Landry then asked the Commission to oil another section of the Klamath Lake Secondary Highway along the section that has already been graded to state standards. He was informed by Chairman Cabell that the Commission has many obligations to meet, hence can make no promises at this time, although the project will be kept in mind for further consideration when future construction programs are formulated.

At 11:00 o'clock a. m. bids as follows for the purchase of \$1,000,000 Oregon State Highway bonds were opened and read in conformance with previously published notice:

Bid of STATE BOND COMMISSION:

"For all of the \$1,000,000 Oregon State Highway short-term bonds, or for any part thereof that the Oregon State Highway Commission shall allocate to us, to be dated October 1, 1937, to mature April 1, 1938, but to be subject to optional redemption on January 1, 1938, or upon any date thereafter on thirty days' published notice, to be in denominations of \$100,000 each, to bear interest payable upon maturity or upon redemption date

at the rate of one-half per cent ($\frac{1}{2}\%$) per annum, we offer \$100.001 for each \$100 par value of such bonds and accrued interest to date of delivery. "

Bid of THE FIRST NATIONAL BANK OF PORTLAND:

"For \$1,000,000 State of Oregon Highway bonds to be dated October 1, 1937, and to mature April 1, 1938, but subject to redemption on January 1, 1938, or on any date thereafter on thirty days' published notice, to be in denominations of \$100,000 each and to bear interest at the rate of forty-five hundredths of one per cent (.45%).

"We will pay \$100 for each \$100 par value thereof plus accrued interest from the date of the bonds to the date of delivery to us in Portland, Oregon. "

Chairman Cabell announced that the Commission would take these offers under advisement and would announce its decision relative thereto at 2:00 o'clock p. m. in the same room.

The Commission conferred with Mr. C. J. Buck, Regional Forester, and James Frankland, Regional Engineer, representing the United States Forest Service; W. H. Lynch, District Engineer, F. E. Andrews, Senior Highway Engineer, and T. M. Davis, Highway Engineer, representing the Bureau of Public Roads, relative to forest highway matters of mutual interest, as follows: Extension of the Flora-Enterprise Forest Highway in Wallowa County from its present northern terminus to the Washington state line. Mr. Buck pointed out that if this project is approved it would mean extending the forest highway about ten miles outside of the national forest boundary, which is a new departure for forest highway construction and there is a question whether or not the officials in Washington, D. C., will approve the same; nevertheless, Mr. Lynch and he are recommending the project, in view of the importance of the road and the fact that there appears little possibility of construction on any other basis, due to lack of available funds. He advised that the recommendation is based solely on the merits of the project and would not require that any portion of the present forest highway system be eliminated, although they want an understanding with the Commission that the forest highway funds that are being taken from some other forest highway project to finance this extension will be replaced by other funds. Mr. Lynch confirmed Mr. Buck's statements. The Highway Commission approved the arrangement and it was mutually agreed that the understanding should be covered by joint letter, which is to be prepared by Mr. Lynch.

Mr. Buck then brought up for discussion the matter of maintenance of the road which extends from the Mt. Hood Highway near Government Camp to the newly constructed lodge at the timber line on Mt. Hood. He said that the United States Forest Service has appropriated about as much money as it can spare for this project and it appears to him that travel over the road is going to increase to such an extent that eventually it will have to be designated as a state highway in order to insure that it will be properly maintained. He explained the need for surfacing of the road and for the removal

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of snow therefrom during the winter season. He also explained that, for the time being, during the winter season when cars cannot be driven over the road up to the Lodge, they propose to operate a motor-propelled snow-sled bus to take care of the transportation problem. He asked the Commission to take over this road, to surface the same, and to assume the responsibility for the snow-removal operations; otherwise, he added, it will be necessary for the Government to assume such responsibility and to charge a toll to pay the expense.

Chairman Cabell advised that he has given this matter considerable thought, and, while he appreciates there are objections to charging a toll for the use of the road, there are also two main objections to designating the road as a state highway and to maintaining it and keeping it open for travel during the snow period. The first of these objections, he said, is that the state would be maintaining a public road for the benefit of the private individual who operates the concession at the Lodge; and the other is, how could the Commission explain and justify the enormous expense of snow-removal operations for the benefit of winter sports enthusiasts in this area and continue to deny requests of winter sports enthusiasts in other parts of the state who are asking for similar consideration? The Commission took no definite action on this matter but after considerable discussion agreed to consider it seriously because it appears to be a problem that must be disposed of next year.

The Commission adjourned at 12:00 o'clock noon and reconvened at 2:00 o'clock p. m. in the same room, with all of the Commissioners, the State Highway Engineer, the Attorney and the Secretary present.

Chairman Cabell announced the following awards of contracts, sale of houses, and sale of highway bonds, for which bids were taken at the morning session, the awards and sales having been previously approved by the Commission by unanimous vote:

*Construction of a 52'x 48' frame storage building just south of the city limits of Portland, on the Pacific Highway East, in Clackamas County. The low bidder was Frank Watt Construction Company, Portland, at \$7,156.65. The next low bid was that of F. C. Himer Company, Eugene, at \$7,685.00. The only other bid received was that of E. F. and W. F. Philpott, Portland, at \$8,201.50. The Commission has awarded the contract to the low bidder, Frank Watt Construction Company, at its bid price of \$7,156.65.

*Construction of a bridge over the South Fork of Quartz Creek on the Wolf Creek Highway, about 5.5 miles east of Elsie, in Clatsop County. The low bid was submitted by F. C. Himer Company, Eugene, at \$8,910.00. The next low bid was that of Mountain States Construction Company, Eugene, at \$9,340.00. There were three higher bidders. The Commission has awarded the contract to the low bidder, F. C. Himer Company, at its bid price of \$8,910.00.

"Diamond Lake Rock Production Project on the West Diamond Lake and Crater Lake-North Secondary Highways, in Douglas and Jackson Counties. The Commission received seven bids for this job, the low one being that of R. I. Stuart & Sons, Medford, at \$19,850.00. The next low bid was that of A. S. Wallace, Roseburg, at \$19,879.00. The Commission has awarded the contract to the low bidder, R. I. Stuart & Sons, at their bid price of \$19,850.00.

"Furnish 5,200 cubic yards of crushed rock in stock pile for the Forest Boundary-Long Creek Section of the Pendleton-John Day Highway, in Grant County. Rogers Construction Company, Dayton, Washington, submitted the low bid for this job at \$7,820.00. The next low bid was submitted by Jones-Scott Company, Walla Walla, Washington, at \$9,168.00. There were five higher bidders. The Commission has awarded the contract to Rogers Construction Company, the low bidder, at its bid price of \$7,820.00.

"Bloucher Section of the Hood River Secondary Highway, in Hood River County. 1.6 miles surfacing and oiling and furnish 4000 cubic yards crushed rock in stock pile. The low bid was submitted by Fisher Bros., Oregon City, at \$21,881.00. The next low bid was submitted by Rogers Construction Company, Dayton, Washington, at \$22,386.00. There were four higher bidders. The Commission has awarded this contract to the low bidder, Fisher Bros., at their bid price of \$21,881.00.

"Siletz Highway Surfacing and Rock Production Project on the Siletz Secondary Highway, in Lincoln County. 16.7 miles surfacing and furnishing 5,400 cubic yards crushed material in stock piles. The low bidder was Mountain States Construction Company, Eugene, at \$39,635.00. The next low bidder was R. O. Dail and Warren Bros., Inc., Aberdeen, Washington, at \$42,525.00. There were 12 higher bidders. The Commission has deferred the award of this contract and has referred the bids received therefor to the Engineer with power to award the contract to the low bidder when certain conditions have been satisfied.

"Construction of approximately 234 lineal feet of treated timber bulkhead along the Mt. Hood Highway, in the town of Gresham, in Multnomah County. The low bid was submitted by Frank Watt Construction Company, Portland, at \$11,577.00, based on the use of preservative oil. This company bid \$11,757.00, based on the use of Wolman Salts, but submitted no bid based on the use of Chemonite Salts. The next low bid was that received from Mountain States Construction Company, Eugene, at \$13,275.00, based on the use of preservative oil. This company did not submit bids based on the use of Wolman Salts or Chemonite Salts. There were three higher bidders. The Commission has awarded the contract to the low bidder, Frank Watt Construction Company, at its bid of \$11,577.00, based on the use of preservative oil treatment.

"The Dalles Roadside Improvement Project on the Columbia River Highway, in Wasco County. The Commission received two bids for this project, the low one being that of George Schmitt, Portland, at \$9,750.00, and the other being that of Fisher Bros., Oregon City, at \$10,500.00. The Commission has rejected these bids and has ordered the project to be readvertised for bids to be received at the next meeting."

Sale of Residence Property at Marshfield:

"The Commission received two bids for the purchase of Building 'A', the high one being that of F. R. Pendleton, Everett, Washington, at \$500.00. The Commission has sold this building to Mr. Pendleton at his bid price.

"The Commission received one bid for the purchase of Building 'B', being that of Charles Forrest, Marshfield, at \$25.50. The Commission has rejected this bid.

"The Commission received one bid for the purchase of Building 'C', being that of Charles Forrest, Marshfield, at \$125.75. The bid is satisfactory to the Commission and the building has been sold to Mr. Forrest at his bid price.

"The Commission received two bids for the purchase of Building 'D', the high one being that of Arthur L. Fitch, Marshfield, at \$102.00. The other bid was that of Charles Forrest, at \$35.00. The Commission has sold the building to Mr. Fitch at his bid price of \$102.00.

"The Commission received three bids for the purchase of Building 'E', being those of Arthur L. Fitch, Marshfield, at \$102.00; Asbjorn Moen, Marshfield, at \$26.00; and Charles Forrest, Marshfield, at \$75.00. Mr. Fitch qualified his bid by stating that he would purchase only one building, and Mr. Forrest qualified his bid by stating that he would not accept Building 'E' unless he also received Building 'D', which disqualified both of these bids. The bid of Mr. Moen is too low. The Commission has rejected the bids.

"The Commission received two bids for Building 'F', being those of Charles Forrest, at \$60.75, and J. F. Burkhart, at \$50.00. Mr. Forrest qualified his bid by stating that he was not interested in the purchase of more than one building and he has already been sold Building 'C'. The Commission considers the bid of Mr. Burkhart too low, hence has rejected it.

"The only bid received for the purchase of Building 'G' is that of Charles Forrest, at \$50.50. It cannot be considered because Mr. Forrest qualified his bid by stating that he would not accept this building unless he was also given Buildings 'H' and 'I', bids for which have been rejected by the Commission.

"The Commission received two bids for the purchase of Building 'H', being those of Asbjorn Moen at \$10.00 and Charles Forrest at \$25.50. Mr. Forrest's bid cannot be considered for reasons previously stated, and the Commission considers Mr. Moen's bid too low, hence has rejected it.

"Only one bid was received for the purchase of Building 'I', being that of Charles Forrest at \$25.50. It cannot be considered for reasons previously stated."

Sale of \$1,000,000 Oregon Highway Bonds:

"The Commission received two bids for the purchase of these bonds, being that of the State Bond Commission at an interest rate of one-half of one per cent ($\frac{1}{2}\%$) per annum plus a premium of one mill (\$.001) for each \$100 par value of the bonds, and that of The First National Bank of Portland at par with an interest rate of forty-five hundredths of one per cent (.45%) per annum. The Commission considers the bid of The First National Bank of Portland to be the best and accordingly has sold the bonds to this bank."

The Commission thereupon by unanimous vote upon motion of Commissioner Aldrich which was duly seconded by Commissioner Tou Velle adopted the following resolution with respect to the sale of said \$1,000,000 Oregon Highway bonds:

WHEREAS, in response to a call for bids duly issued and published by the Highway Commission for the sale of \$1,000,000 par value Oregon State Highway bonds, there was received by the Commission the following bids, to wit:

Bid of STATE BOND COMMISSION:

For all of the \$1,000,000 Oregon State Highway short-term bonds, or for any part thereof that the Oregon State Highway Commission shall allocate to us, to be dated October 1, 1937, to mature April 1, 1938, but to be subject to optional redemption on January 1, 1938, or upon any date thereafter on thirty days' published notice, to be in denominations of \$100,000 each, to bear interest payable upon maturity or upon redemption date at the rate of one-half per cent ($\frac{1}{2}\%$) per annum, we offer \$100.001 for each \$100 par value of such bonds and accrued interest to date of delivery.

Bid of THE FIRST NATIONAL BANK OF PORTLAND:

For \$1,000,000.00 State of Oregon Highway Bonds to be dated October 1, 1937, and to mature April 1, 1938, but subject to redemption on January 1, 1938, or on any date there-

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after on thirty days' published notice, to be in denominations of \$100,000 each and to bear interest at the rate of forty-five hundredths of one per cent (.45%).

We will pay \$100.00 for each \$100.00 par value thereof plus accrued interest from the date of the bonds to the date of delivery to us in Portland, Oregon.

WHEREAS, in the judgment of the Commission the bid of The First National Bank of Portland is the best bid of all bids offered, and it is the further judgment of the Commission that the said bid should be accepted and the sale of the bonds made to The First National Bank of Portland.

NOW, THEREFORE, all members being present and affirmatively participating, it is hereby resolved as follows:

1. That the bid of The First National Bank of Portland be and the same hereby is accepted.
2. That the said bonds when prepared and when executed by the Governor, the Secretary of State and the State Treasurer be delivered to the said The First National Bank of Portland on or before the first day of October, 1937, on payment of the purchase price thereof.
3. That this resolution be entered in the minutes and records of the Highway Commission.

The County Court of Tillamook County, represented by Commissioners E. H. Lindsey and E. G. Anderson, accompanied by Mr. John Naegeli, President, and H. T. Botts, Attorney and Secretary, for the Wilson River Drainage District, came before the Commission in regard to securing state cooperation in connection with the construction and maintenance of a revetment along the Wilson River to prevent this stream from overflowing its banks into Dougherty Slough during periods of high water. Mr. Botts, as spokesman, stated that the drainage district constructed the revetment as a W.P.A. project at a cost of some \$5,000, upon receipt of information from the Tillamook County Court to the effect that the Highway Commission would pay one-half of the cost thereof up to a maximum of \$1,000, and they were very much surprised to learn a short time ago that the Highway Commission had rescinded its previous action and on February 17 decided not to cooperate in this undertaking. He urged the Commission to reconsider its action and to help the district out.

The Engineer advised that his recommendation to the Highway Commission that the Commission do not cooperate in this project was based on reports of Bridge Engineer G. S. Paxson and Maintenance Engineer J. N. Bishop, who made a thorough investigation of the project and convinced him that the revetment would be of no benefit to the state highway but on the other hand

might be the cause of damage suits against the Commission in view of the possibility that the revetment would divert the river to other channels and would damage valuable property.

After considerable discussion, Chairman Cabell stated that there is a question in his mind whether the revetment will be of sufficient value to the state highway to justify state expense in the cost thereof; and, from the discussion at this meeting is unable to determine if the Commission at one time agreed to cooperate and later retracted, so a decision cannot be rendered until the Commission has reviewed the record. He inquired if the district would be willing to assume full responsibility for any claims that might arise from the construction of the revetment in the event, upon examination of the records, the Commission decides that it is morally obligated to cooperate. Mr. Naegeli and Mr. Botts both replied that the district would assume all such responsibility and expense incident thereto. After further discussion the delegation was informed that the Commission will review the record of this matter and will decide at its next meeting definitely whether or not it will contribute to the cost of this project. The Secretary was instructed to assemble correspondence and excerpts from the minutes covering the matter and forward copies of the same to the individual members of the Commission prior to the next meeting.

Mr. John Beckman, Attorney, Portland, headed a delegation representing the owners of property along the Oregon Coast Highway at Gleneden Beach, Lincoln County, which asked the Commission to revise its plans for the improvement of the Oregon Coast Highway at this location so as to utilize the existing road rather than an entirely new location as is now planned. Others in the delegation were Mrs. Mary Boyle, Ed Hartman and W. F. Cary, all of Gleneden.

Mr. Beckman alleged that, if the Commission reconstructs the highway in accordance with present plans, it will react to the serious detriment of Mr. Cary, who owns some 400 acres of beach property which he is developing, and will put Mr. Hartman's service station out of business. He advised that Mr. Hartman is a world war veteran and has all of his assets invested in his service station, and that Mr. Cary made a huge investment in developing his property on the understanding that the highway was permanently located. It was his thought that the interests of these men and of other property owners should be given more consideration, and that the proposed revision is not justified, because, he alleged, a 60-mile per hour speed can now be maintained on the present road. He further stated that Mr. Cary is willing to donate sufficient land to widen the present highway across his holdings, if the Commission will not make the change.

The Engineer advised that the Highway Commission adopted the new location for the highway only after very careful study of three alternate routes, two of which are considerably farther away from Gleneden Beach than the one selected, which was considered the most conservative. He also advised that, even if the Commission had decided to retain the highway in its present location, property would be no better off than if the highway is constructed on the adopted location, because the present road would have to be

lowered in order to provide for construction on a permanent basis. It was his thought that, if the highway is to be rebuilt, the job should be done right and on a permanent basis; otherwise, it would have to be changed at some future date, which would be very costly from the standpoints of both construction and right of way.

Chairman Cabell advised that public opinion today demands that highways be located on better alignment than they have been in the past; and that the present Highway Commission, in an endeavor to satisfy these demands, is reconstructing them for permanency so as to eliminate necessity for rebuilding them later on. Surveys for the improvement of the Oregon Coast Highway between Siletz River and Newport, he said, were conducted in accordance with such policy, and the Commission, after careful study, adopted a location that it considered sound and best for through traffic. He favored the change as his duty to the general traveling public. Commissioner Aldrich stated that, in his opinion, if the highway is to be rebuilt, it should be placed where it belongs. Commissioner Tou Velle favored the change as recommended by the Engineer. This concluded the conference.

Mr. U. G. Walker, Portland, came before the Highway Commission in regard to a right of way matter at Cottage Grove. He gave as his understanding that the Commission has plans to reroute the Pacific Highway through Cottage Grove and in connection therewith needs a small portion of certain property that he owns near the corner of Ninth and Main Streets, and needs also all but a small portion of the adjoining lot at the southwest corner of this intersection, which is owned by another party. He expressed his fear that someone will erect a building on this small tract, which would hurt the business on his property; so, in order to avoid such condition, offered to donate to the state the fraction of his lot that the state needs for right of way if the state will purchase all of the adjoining lot rather than only a portion thereof, both tracts being triangular in shape and about the same size. The Engineer gave as his thought that the state should own the extra area in order to preserve unobstructed vision at this intersection. The Commission thereupon informed Mr. Walker that his proposition will be considered and that he will be advised later whether or not it is accepted. The matter was referred to the Attorney for investigation and report.

The Engineer brought up for discussion the matter of providing greater safety for traffic at the approaches to the Ross Island Bridge in Portland, particularly at the intersection of Powell Boulevard and Milwaukie Avenue on the east side of the bridge and at the intersection at the west end of the bridge. He presented a plan prepared by the State Traffic Engineer, John Beakey, and the City Traffic Engineer, F. T. Fowler, which provides for the installation of special traffic lights at the intersection of Milwaukie Avenue and Powell Boulevard, and the construction of strips for the division of traffic on both approaches to the bridge, and the removal of the monument now located in the intersection at the west end of the bridge. He estimated that the cost to install the traffic signals and construct the strips or safety islands would amount to about \$16,000, and recommended the expenditure. After careful study and considerable discussion, the Commission approved the project by unanimous vote, subject to the condition that the strips for the

guidance of traffic at the west end of the bridge shall not be constructed on permanent basis until they have been tried out with sand bags to determine whether or not the cost to construct permanent guide lines is justified.

The Engineer also recommended installation of traffic signals at the intersection of 17th and Schiller Streets and at the intersection of Union Avenue with Hawthorne Avenue, in Portland, where considerable traffic congestion occurs. He estimated the cost of installing such signals at \$4,000. The Commission approved the expenditure by unanimous vote.

The Commission considered and denied the claim of Joseph Teresi and Agostino Galluzzo, and the claim of Mr. and Mrs. G. H. Huthman, Portland, for damages arising out of the construction of the Ross Island-Schiller Street Section of the East Portland-Oregon City Highway, in East Portland.

The Attorney reported as follows on the status of acquisition of right of way needed for the new Columbia River Highway, in the vicinity of Bridal Veil. He said that he contacted the officers of the Bridal Veil Timber Company, the Union Central Life Insurance Company, and Minnie T. Reed, all of whom own property needed by the state for this improvement; that he offered the Bridal Veil Timber Company \$50 per acre for its land, or a total of \$900, but the company demands \$4,500 for the same and will absolutely not reduce its price. He recommended acquisition of this property by condemnation. He also said that the insurance company owns 192 acres, for which it demands the sum of \$20,000, whereas he values the property at \$8,500, and Mr. Parker, right of way buyer, estimates its value at \$5,600. He explained that the 192 acres is not all needed for right of way, but a considerable portion thereof is valuable for park purposes. He recommended, in view of the fact that the company will not settle on a reasonable basis, that its property be acquired by condemnation in two suits, one for the right of way and the other for park.

Relative to the Reed property, the Attorney advised that Mrs. Reed and several other property owners in this district are now occupying land that belongs to the State Highway Commission, being the land that the Commission acquired from the State Land Board, between the low- and high-water mark of the Columbia River. He inquired what procedure to take in connection with these people and was instructed by the Commission to notify all of them that they are occupying state land and to ask them to vacate the premises. The Commission also instructed and authorized the Attorney to condemn the properties of the Bridal Veil Timber Company and the Union Central Life Insurance Company, as he recommended.

The Attorney also reported on his contact with Mr. George Joseph, Jr., relative to acquiring right of way for this highway across the Joseph property at Latourell Falls, which property is located on an island in the Columbia River at this point. He said that Mr. Joseph owns 277 acres on this island and 110 acres additional on the mainland, on which a dairy ranch is being maintained, and, while Mr. Joseph appeared willing to sell the island property at a reasonable figure, he is fearful that the dairy business on the other tract will be handicapped because there is not sufficient feeding

ground on the 110-acre tract to maintain a dairy, hence it might be inadvisable to dispose of all of his acreage on the island. He advised that Mr. Joseph made three alternate offers for the sale of his holdings: (1) for right of way only, plus the land between the right of way and the river, totalling about 50 acres, for which Mr. Joseph asks \$425, which is at the rate of about \$15 per acre; (2) for the northerly 140 acres of island property Mr. Joseph asks the sum of \$3,000; whereas (3) Mr. Joseph wants \$11,000 for the 277 acres on the island. The Commission considered that Mr. Joseph's offers were reasonable but deferred definite action thereon pending personal inspection of the premises to determine which of the offers it would be advisable to accept.

The Attorney reported that there have been various properties ordered acquired on which he has been unable to reach agreements with the various property owners, and requested authority to institute condemnation proceedings in the event that further negotiations fail. The Commission approved the request and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, the State Highway Commission is by law authorized and directed to lay out, locate, designate, construct, improve and maintain a system of state highways in the State of Oregon, and to acquire rights of way and to declare the necessity and need for the acquisition thereof, and the advantages to be gained thereby;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the State Highway Commission does hereby find and declare that it is necessary and will be of advantage to the State of Oregon and there is need that the state acquire for right of way purposes in connection with the permanent location, construction, improvement, and maintenance of the following section or sections of the state highway system of the State of Oregon, to wit:

Troutdale-Multnomah Falls Section of the Columbia
River Highway
Marshfield Section of the Oregon Coast Highway
Saddle Mountain Park Road
Wall Creek-Siskiyou Section of the Pacific Highway
Orient Section of the Mount Hood Highway

land and property owned by or in possession of the following parties and/or persons, to wit:

Troutdale-Multnomah Falls Section of the Columbia
River Highway
Union Central Life Insurance Company
Bridal Veil Timber Company
Minnie T. Reed

(Continued on next page)

Marshfield Section of the Oregon Coast Highway
 Mullen-Flanagan Estate
 Mary Berg
 Saddle Mountain Park Road
 Grand Rapids-Oregon Timber Company
 Wall Creek-Siskiyou Section of the Pacific Highway
 Ralph I. Robertson and Hannah D. Robertson
 Orient Section of the Mount Hood Highway
 S. Takaki

as their respective interests may appear, and this Commission does hereby declare further that the said property or properties are necessary, are needful, and the acquisition thereof will be of advantage to the State of Oregon for right of way purposes in order to make it possible for the State Highway Commission to properly locate, construct, and maintain said portion or portions of the said state highway system in accordance with standards adopted by this Commission relative to curvature, grades, alignment, drainage, and factors of safety.

2. That the State Highway Engineer be and he hereby is instructed and directed to properly survey the parcel or parcels of land required for such right of way purposes and prepare proper and adequate descriptions thereof, which descriptions shall be employed in the preparation of a deed or deeds or other instrument or instruments necessary to complete the acquisition of the said property or properties or which descriptions may be used in the preparation of a complaint in the event that condemnation proceedings are necessary.

5. That the boundaries of the said parcel or parcels of land, as defined and determined by the said survey made by the said Highway Engineer, along the route or location adopted by the Highway Commission, shall be and the same hereby are adopted and the lands defined therein are hereby declared to be and the same are included within the rights of way of the said portion or portions of the said state highway system and hereby are declared to be necessary for the proper location, improvement, construction, and maintenance of the said portion or portions of the state highway system.

4. That I. H. Van Winkle, Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they are hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby further resolved that the Attorney General of the State of Oregon, and

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J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they hereby are requested to commence and prosecute to a final determination such suit or action, or suits or actions, as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

The Attorney also reported results of further negotiations with Mr. Ralph I. Robertson for the disposition of his claim for damages arising out of a slide that occurred by reason of the construction of the Pacific Highway (new route) across Mr. Robertson's property in the Siskiyou Mountains south of Ashland, Jackson County. He said that Mr. Robertson will not sell any more of his property but insists that his claim be settled by the payment of \$2,500 cash, and, if the state will settle on such basis, he will sign a statement relieving the State Highway Commission from further responsibility and liability in the event that the slide continues doing further damage to his land. The Commission refused to accept settlement on such basis and instructed the Attorney to institute condemnation proceedings to acquire a sufficient amount of Mr. Robertson's land to take in the slide area, which the Engineer estimates would be about 20 acres.

The Attorney presented a letter from City Commissioner Ormond R. Bean, Portland, relative to acquisition by the State Highway Department of various parcels of city-owned property on the proposed East Lombard Street extension. The Commission referred this matter to Chairman Cabell with power to act.

The Attorney reported receipt of a letter from the Eastern Oregon Light & Power Company, La Grande, requesting that the Commission deed back to the company certain land that was acquired from the company for right of way in connection with the construction of the La Grande Undercrossing Project. He explained that the Power Company deeded this property in the first instance without cost and that a portion of it is outside of the standard width highway right of way and is not needed by the state for highway purposes, but, according to the company, is valuable for their use. He recommended compliance with the request. The Engineer advised that the property in question is not needed for the highway and he concurred in the recommendation. The Commission thereupon by unanimous vote ordered that the excess property be deeded back to the Eastern Oregon Light & Power Company.

Landscape Engineer Otten was present and reported that on September third he and Division Engineer Chandler inspected the site of the proposed maintenance headquarters and oasis at a place known as Brothers, on the Central Oregon Highway, in Deschutes County, and it is their joint recommendation that the Commission acquire a site on the north side of the highway just east of the group of store buildings in Brothers and at the junction of the highway with a county road, because it is satisfactory from the oasis standpoint and apparently satisfies all maintenance requirements. After discussion, the

Commission approved in general the location of the site but referred to the Engineer the matter of designating the location for the maintenance buildings which are to be constructed thereon.

Mr. John B. Yeon, Jr., Portland, was present and discussed briefly with the Commission matters pertaining to a proposed parkway up the Columbia River Gorge between Troutdale and Multnomah Falls. He mentioned the possibility of securing federal funds for the construction of such parkway, the matter having been brought to his attention by a representative of the National Park Service in Washington, D. C. As a result of a short discussion of this matter, the Commission decided to contact the Chief of the National Park Service in Washington, D. C., during the week of the annual meeting of the American Association of State Highway Officials in Boston, which meeting the members of the Commission plan to attend.

The Engineer reported receipt of a complaint from Mr. Frank Forth, Ashland, resulting from the construction of the Pacific Highway (new route) over the Siskiyou Mountains, in Jackson County. It appears that Mr. Forth is grieved because he has not been given permission to construct a trestle from the new highway grade, a short distance north of Siskiyou Station, to a store and service station which he proposes to build on piling outside of the 100-foot highway right of way. The Engineer advised that the grade of the highway at the point where Mr. Forth proposes to construct his buildings is at least 30 feet higher than the property owned by Mr. Forth and it is totally incomprehensible to him how Mr. Forth expects to construct a store building at the roadway level outside of the highway right of way limits. He further advised that this is a mountain section where it will be necessary to use all of the highway right of way on which to deposit snow from snow-removal operations, so it would not be possible or practicable to permit the encroachment of buildings thereon and it is impracticable to construct buildings off the highway right of way to serve the traveling public. The Engineer advised that in his reply to this communication he informed Mr. Forth that the Commission regrets the circumstances but apparently there is nothing the Commission can do in the matter. He read aloud his letter which the Commission approved by unanimous vote.

The Commission considered and approved the claim of the Northwest Cities Gas Company for reimbursement in the amount of \$515.27 for expense incurred by the company in revising its facilities in the city of Pendleton to accommodate the construction of the East Pendleton Overcrossing Project.

The Engineer requested authority to purchase at a cost of about \$89.00, a portable air-blower for use in connection with the transmission of radio messages from the car of Mr. William R. Patton, Radio Supervisor. He explained that Mr. Patton has been experiencing considerable difficulty with at least two of the radio transmitters, because of accumulated dust in inaccessible places, which causes shortages in the current; and that the blower, which would be carried with him on his trips to the various stations, could be used to good advantage in cleaning out the transmitters and avoiding this nuisance. The Commission approved the purchase by unanimous vote.

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The Engineer requested authority to advertise for bids for the furnishing of crushed rock materials for the following maintenance projects:

1. Alsea Highway:
Between the summit east of Alsea and end of oil west of Alsea. 6000 Cu. Yds. at \$2.00 \$12,000
2. Corvallis-Newport Highway:
Between Eddyville-Burnt Woods 8000 Cu. Yds.
Eddyville-Blodgett Secondary Hwy. 2000 Cu. Yds.
near Eddyville 10000 Cu. Yds. at \$2.00 20,000
3. Oregon Coast Highway:
Between Hebo and Neskowin
McMinnville-Tillamook Highway
Between Hebo and Dolph 6000 Cu. Yds. at \$2.00 12,000
4. Columbia River Highway:
M.P. 58.2 to 76.3 5500 Cu. Yds.
Mt. Hood Loop Highway:
M.P. 100.0 to M.P. 104.21 1500 Cu. Yds.
7000 Cu. Yds. at \$2.00 14,000
5. Columbia River Highway:
M.P. 100.0 to 120.0 6000 Cu. Yds. at \$2.00 12,000
6. The Dalles-California Highway:
M.P. 74.51 & 95.75 6500 Cu. Yds. at \$1.60 10,400
7. The Dalles-California Highway:
M.P. 193.0 to 214.0 6000 Cu. Yds. at \$1.75 10,500
8. Mt. Hood Highway:
Between Rhododendron and Bennett Pass
Wapinitia Highway:
Between Mt. Hood and Bear Sprs. 14,000 Cu. Yds. 56,800

The Commission approved the first seven of these projects without alteration but ordered further investigation of project No. 8 for the furnishing of 14,000 cubic yards of materials for the Rhododendron-Bennett Pass Section of the Mt. Hood Highway and for the Mt. Hood-Bear Springs Section of the Wapinitia Highway, which is estimated to cost \$56,800.

The Commission had under consideration the matter of extending the contract with Mr. Julius Gunnell for furnishing ferry service across Coos River on the Coos River Secondary Highway, in Coos County, which contract is designated as state highway contract No. 1755, and expires on September 30, 1937. He explained that the present contract contains a provision for the extension of the existing contract for a period of two years or any portion thereof. He recommended, in view of the fact that funds are not available to finance a bridge at this point, that the Commission take advantage of this

clause and extend the contract for a period of one year if, after studying the contract, the Attorney is convinced that it can be extended for such a period; otherwise, that the contract be extended for a two-year period. The Commission approved the Engineer's recommendation by unanimous vote and referred the matter to the Attorney to handle.

The Engineer reported that on September 4, in accordance with authority previously granted him by the Commission, he awarded to J. C. Compton the contract for the Tillamook County Oiling Project, for which Mr. Compton submitted the low bid on August 12, 1937; and that on September 10 he awarded to Berke Bros., Inc., the contract for clearing on the Arch Cape-Beach Creek Section of the Oregon Coast Highway, in Clatsop and Tillamook Counties, for which project Berke Bros., Inc., submitted the low bid on August 12. The Commission by unanimous vote approved the award of the contracts as reported by the Engineer.

Consideration was given by the Commission to a letter, dated August 25, 1937, from Mr. Charles P. Pray, Superintendent of the Department of State Police, relative to the reclaiming of special carrier permit plates, issued by the Public Utilities Commissioner, of logging operators who have been arrested for transporting loads weighing in excess of the statutory load limits. The Commission approved the suggestion offered by Mr. Pray and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, before issuing a special carrier permit for the hauling of logs over a state highway the Highway Commission is called upon by the Commissioner of Public Utilities to submit in writing such recommendations or suggestions as in the opinion of the Commission should be imposed for the protection of the highway involved and as will be for the best interests of the general public; and

WHEREAS, by virtue of the provisions of Section 55-1353, Oregon Code 1930, as amended, the Public Utilities Commissioner is required to revoke, upon a recommendation of the Highway Commission with respect to a state highway, a special carrier permit when, in the judgment of the State Highway Commission, such revocation is required in order to preserve the highway or highways involved; and

WHEREAS, it appears that arrests and fines imposed after conviction in and of themselves do not result in adequate protection to the highway, nor do they in many instances effect a control and prohibition of overloading, and, therefore, as a result of a conference held in the office of the Public Utilities Commissioner and attended by members of the Highway Department, representatives of the log hauling industry, the Public Utilities Commissioner and members of his staff it was mutually agreed that the State Highway Commission, before recommending or requiring the cancellation of a permit of a special carrier arrested on a charge of having an overload of logs, should offer the arrested person an

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opportunity to surrender his P.U.C. plates and take out of service for a period to be fixed by the Commission the offending vehicle; and

WHEREAS, it is recognized that the Highway Commission is without authority to require the surrender of P.U.C. plates, but the Commission does have authority to require the revocation of a permit, which revocation would remove from service all of the vehicles operated by the said arrested permittee; and

WHEREAS, the voluntary surrender of the P.U.C. plates for a fixed period of time in lieu of the revocation of the permit was, in the opinion of those attending the said conference, equitable and in the interests of the highways involved and of the log-hauling industry as well; and

WHEREAS, to accomplish the results of said conference and provide a procedure it is recommended that, upon the arrest of a permittee or person charged with the offense of overloading, the arresting officer shall give to the arrested person an opportunity to surrender to the arresting officer his P.U.C. plates carried on the overloaded vehicle, such plates to be held for the period fixed by the Highway Commission.

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the Highway Commission, all members being present and affirmatively voting, as follows:

1. That Charles P. Pray, Superintendent of State Police, be and he hereby is respectfully requested to instruct the members of his department, upon arresting a log hauler for the offense of having an overload on his truck, trailer or other vehicle to take from and hold for the period fixed by the Commission and by this resolution the P.U.C. plates carried on the offending or overloaded vehicle at the time of the arrest; provided, however, that such plates shall be taken by the arresting officer from the arrested person only in the event the arrested party voluntarily surrenders the same. Should the arrested party refuse to surrender the P.U.C. plates such refusal shall be promptly reported to the Highway Commission by the arresting officer. Upon delivery of the P.U.C. plates to the arresting officer by the arrested person the arresting officer shall deliver such plates to the District Maintenance Supervisor in charge of the highway over which the overloaded vehicle was being moved at the time of the arrest.

2. That the period for which such P.U.C. plates shall be held shall be as follows:

- a. When the arrest is for the first offense of overloading the plates shall be held for ten days.

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b. When the arrest is for the second offense for overloading the plates shall be held for twenty days.

c. When the arrest is for the third offense for overloading the plates shall be held for thirty days.

3. At the expiration of the time for which the surrendered plates are to be held the District Maintenance Supervisor into whose custody the plates have been delivered by the arresting officer shall return said plates to the arrested person upon request or demand of such arrested person and said plates may be again attached to the vehicle involved and the vehicle may then be returned to service.

4. In the event an arrested party refuses to surrender the P.U.C. plates, then the Commission shall request the Public Utilities Commissioner to revoke the permit held by such arrested party.

5. In the event the amount of overload per axle is not in excess of 1500 pounds in excess of the limit prescribed or fixed by law, then the arrested party shall not be required or requested to surrender his P.U.C. plates; provided, however, that this tolerance provision shall not be construed to in any way relieve the arrested party from the penalty fixed by law in the event such arrested party pleads guilty to the charge, or upon trial is found guilty.

6. That this resolution be entered in the official minutes of the Commission and a duly certified copy thereof delivered to the Superintendent of State Police and a duly certified copy thereof delivered to the Public Utilities Commissioner.

The Commission thereupon signed a letter directed to Honorable Chas. P. Pray, Superintendent of the Department of State Police, transmitting a copy of said resolution and requesting his cooperation in carrying out the provisions thereof. The Secretary was instructed to forward a copy of said resolution and of said letter to Honorable N. G. Wallace, Public Utilities Commissioner, and to request Mr. Wallace to indicate either by endorsement on such letter or independently thereof his concurrence therein so that the same may be transmitted to the Superintendent of the Department of State Police for his information.

The Engineer reported that revised estimates indicate that it will cost about \$8000 per mile to install a lighting system along the East Portland-Oregon City Highway between the Ross Island Bridge in Portland and the town of Milwaukie, or about twice the amount of the original estimate of \$4000 per mile. He said that he was prepared to recommend the installation at the lower figure but not on the basis of the present estimate. After a brief

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discussion the Commission decided to defer action on this matter until it returns from the annual convention of the American Association of State Highway officials in Boston, Massachusetts, during the last week in September, it being the desire of the Commission to discuss highway lighting with other state highway officials at such meeting.

The Engineer reported receipt of information to the effect that the City Council of Salem has taken action which will not permit the city to co-operate in the cost of lighting the undercrossing recently constructed on the Pacific Highway at the north city limits of Salem. He pointed out that it is the established policy of the Commission to require cities to assume a portion of the cost of lighting such structures and gave as his thought that the city of Salem should not be relieved of such expense, in view of the fact that it would establish a precedent that would be difficult to avoid in disposing of similar problems throughout the state. The Commission concurred in the viewpoint of the Engineer.

The Engineer requested authority for Mr. N. M. Finkbiner, Materials Engineer, to attend a meeting of the Materials Engineers' Committee of the Western Association of State Highway Officials which is to be held in Salt Lake City on September 20 and 21, 1937, Mr. Finkbiner being a member of that committee. The Commission approved the request by unanimous vote, subject to confirmation by Governor Martin, the expense of the trip to be paid with state funds.

The Commission considered and ordered filed a letter from the Neighborhood Community Club, Portland, to the Portland City Commission, objecting to the construction of a highway across Duniway Park, in south Portland.

The Commission also considered and ordered filed a mimeographed letter prepared by the Road Committee of the Wasco County Granges and directed to all county courts of Oregon, all senators and legislative representatives, all granges and newspapers and farmers of Oregon, and all highway and school officials, relative to the subject of school bus and mail route roads.

A letter was presented from Mr. Walter W. Larsen, County Engineer of Linn County, stating that Warren Northwest, Inc., which has a contract with the State Highway Commission for the reconstruction of the Shedd-Halsey Section of the Pacific Highway, in Linn County, has done considerable damage to county roads by reason of heavy hauling over such roads in connection with the performance of their contract; and inquiring what procedure should be followed by the county to guarantee the repair of the roads and restoration of the same to their original condition. The Engineer gave as his thought that inasmuch as the damage occurred as a result of the operations of the state's contractor, the state should be responsible for repairing the roads, and he recommended that this be done at state expense. The Commission approved the recommendation by unanimous vote.

The Secretary presented a letter from Mr. Ed. W. Miller, Manager of the Oregon Coast Highway Association, inviting the members of the Commission and its staff to attend the annual banquet of the Association in Astoria on

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Monday, October 11, 1937. All members of the Commission indicated that they would be present at the meeting if at all possible. The Secretary was instructed to so inform Mr. Miller and to thank him for his kind invitation.

A letter was presented from Tillamook County Court, in which the Commission was urged to complete the unfinished portion of the Little Nes-tucca Secondary Highway, in Tillamook County, which would require approximately eight miles of construction work. The Commission ordered the communication filed and the County Court informed that the Commission will give this project consideration along with others in the formulation of its future construction programs.

A telegram was presented from the John Day Lions Club Road Committee, John Day, Oregon, urgently requesting the award of a contract, not later than October, 1937, for the construction of the John Day-Prairie City Section of the John Day Highway. The Secretary was instructed to inform the committee that the Commission has this project in mind and intends to award a contract for the same as soon as possible.

The Commission considered and ordered filed a letter from Ben C. Flaxel, District Attorney for Coos County, concerning the prosecution of Mr. R. J. Lewis, who was arrested for transporting over a state highway in Coos County a load of logs weighing in excess of the statutory weight limits, said letter being dated September 4, 1937.

A letter was presented from Mr. S. W. Maupin, Woodburn, requesting permission to erect a sign partially over the right of way of the Pacific Highway in front of his tourist camp at Woodburn. The Commission denied the request upon recommendation of the Engineer.

The Engineer brought up for discussion the advisability of constructing two safety islands at the Oak Grove Avenue intersection of the East Portland-Oregon City Highway, in Clackamas County for the added protection of pedestrians who are obliged to cross the highway at this point. He estimated that such islands would cost about \$5,000. The Commission deferred action on this matter pending its return from the annual meeting of the American Association of State Highway Officials in Boston, it being the Commission's desire to discuss safety matters of this kind with other highway officials at such meeting.

The Secretary presented resolutions from the County Court of Baker County, as follows: (1) resolution requesting that Robinette Secondary Highway No. 412 be extended northwesterly from its present terminus in the town of Robinette, a distance of 3.8 miles to a connection with the Baker-Homestead Primary State Highway; (2) resolution requesting the elimination and removal from the secondary state highway system of that portion of the Robinette-Homestead Secondary Highway which extends southerly from the town of Homestead a distance of approximately four miles to a point near the mouth of Pine Creek. The Engineer recommended approval of both of these resolutions. He explained that the second one is required simply to clarify a confusing situation, this particular section being also a unit of the Baker-

Homestead Primary Highway. It appearing to the Commission that the County Court's resolutions are in conformity with the Commission's previous agreement and understanding with the county, the Commission approved the request and by unanimous vote adopted the following resolutions in regard thereto upon motion of Commissioner Aldrich, which was duly seconded by Commissioner Tou Velle:

WHEREAS, under the provisions of Chapter 248, Laws of 1931, the State Highway Commission, by mutual agreement with the respective county courts of the several counties of the state, is authorized and empowered to select, locate and designate a system of secondary state highways, which highways shall be selected from the market roads or other county roads, or available locations or routes of the several counties; and

WHEREAS, the State Highway Commission, by mutual agreement with the County Court of Baker County, has selected the route hereinafter named, and it is the purpose of the Commission to officially and regularly designate and adopt said route as a highway to constitute, together with other highways which have heretofore been added and which may hereafter from time to time be added, a part of the system of secondary state highways of Baker County under the provisions of said act;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission, all members being present and affirmatively voting and participating, as follows:

That the following named route in Baker County be and the said route is hereby selected, designated, established, adopted, and approved as a secondary state highway and shall be and is hereby designated as a part of the secondary state highway system, to wit:

An Extension of Robinette-Homestead Secondary Highway No. 412:

Beginning at the junction of the Baker-Homestead Primary State Highway with Market Road No. 4 in Baker County; thence in an easterly direction along Powder River to the south end of the Robinette-Homestead Secondary Highway No. 412, a distance of approximately 3.8 miles.

That said route shall be, and is hereby qualified for improvement under the provisions of said Chapter 248, Oregon Laws 1931, and amendments thereof;

That the Engineer be, and he hereby is authorized to make proper surveys with respect to the physical location upon the ground of the said route and properly file in the records of the Commission all of said data;

That this resolution be entered in the minutes of the Commission and a duly certified copy thereof mailed to the County Court of Baker County.

WHEREAS, under the provisions of Chapter 248, Laws of 1931, and Chapter 196, Laws of 1935, the State Highway Commission by mutual agreement with the respective county courts of the several counties of the State, is authorized and empowered to select, locate and designate a system of secondary state highways, which highways shall be selected from the market roads or other county roads, or available locations or routes of the several counties; and

WHEREAS, the State Highway Commission, by mutual agreement with the Baker County Court of the State of Oregon, has heretofore selected and regularly adopted, as provided by law, the Robinette-Homestead Secondary Highway No. 412; and

WHEREAS, it is now the intention of the State Highway Commission, by mutual agreement with the Baker County Court of the State of Oregon, to eliminate from the system of secondary state highways, under the provisions of Chapter 196, Laws of 1935, the hereinafter described section of the Robinette-Homestead Secondary Highway No. 412; and

WHEREAS, it is mutually understood and agreed by the State Highway Commission and the Baker County Court of the State of Oregon, that from and after the adoption of this resolution by the State Highway Commission, the hereinafter described section of the Robinette-Homestead Secondary Highway No. 412 shall, under the provisions of Chapter 196, Laws of 1935, be eliminated and removed from the secondary highway system of Baker County;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission, all members being present and affirmatively voting and participating, as follows:

1. That the following described section of the Robinette-Homestead Secondary Highway No. 412 is hereby eliminated and removed from the secondary state highway system, to wit:

A section of the Robinette-Homestead Secondary Highway No. 412, described as follows:

A portion of the Robinette-Homestead Secondary Highway No. 412 beginning at a point near the mouth of Pine Creek; thence extending in a northerly direction to Homestead, a distance of approximately 4 miles.

2. That the said above described section shall be and is hereby declared to be eliminated and removed from the secondary system of highways, as provided in Chapter 196, Oregon Laws 1935.

3. BE IT FURTHER RESOLVED that from and after the adoption of this resolution the Robinette-Homestead Secondary Highway No. 412 shall be known as the Robinette-Copperfield Secondary Highway No. 412.

The Engineer reported that in conformance with authority previously granted him by the Commission he has ordered a number of surveys since the last meeting of the Commission. He presented the list of such surveys and asked the Commission to confirm the action. After due consideration Commissioner Aldrich moved that the State Highway Engineer be authorized and instructed to make such location surveys on various sections of the highways of this state, which said sections of highways, together with their identifying survey numbers and the amounts authorized and allocated for survey expenditures are as follows:

Location - 226-2830 - Lombard-Sandy Blvd., County Road - 5.0 miles -	
2nd Authorization - \$1,500.00 - Total - \$3,000.00	
3rd Authorization - \$1,000.00 - Total - \$4,000.00	
Location - 135-2807 - Shoofly Creek - Service Creek-Mitchell -	
1st Authorization - \$ 200.00 - Total - \$ 200.00	
Recon. - 18-2820 - Gilchrist Logging R.R. Crossing - Willamette Highway -	
1st Authorization - \$ 500.00 - Total - \$ 500.00	
Location - 121-2815 - Reed Creek-Bear Creek - Siletz Secondary Highway	
1st Authorization - \$ 250.00 - Total - \$ 250.00	
Location - 18-2815 - Crooked Creek-Modoc Point - The Dalles-Calif.- 14.55 mi.	
2nd Authorization - \$2,910.00 - Total - \$7,275.00	
Location - 18-2818 - Chiloquin Preliminaries - The Dalles-Calif. Hwy. 22.0 mi.	
2nd Authorization - \$2,200.00 - Total - \$7,400.00	
Location - 4-2803 - Commercial St.-Astor St.- Columbia River Hwy. - 0.5 mi.	
1st Authorization - \$ 475.00 - Total - \$ 475.00	
Location - 20-2818 - Cottage Grove - Pacific Highway - 1.7 miles -	
2nd Authorization - \$1,700.00 - Total - \$1,810.00	
Location - 10-2818 - "L" Street, Reedsport - Umpqua Highway	
1st Authorization - \$ 300.00 - Total - \$ 300.00	
Location - 6-2808 - Bandon Section - Oregon Coast Highway	
3rd Authorization - \$ 300.00 - Total - \$5,300.00	
Location - 26-2802 - Troutdale-Cascade Locks - Columbia River Hwy.-38.0 mi.	
3rd Authorization - \$1,000.00 - Total - \$56,000.00	

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Timber - 19-2204 - Quartz Mountain - Klamath Falls-Lakeview Highway -
 Preserve 1st Authorization - \$ 300.00 - Total - \$ 300.00

Crossing - 9-2814 - Redmond - Ochoco Highway
 Signals 1st Authorization - \$ 175.00 - Total - \$ 175.00

Quarry - 21-2816 - Eddyville-Burnt Woods-Nashville - Corvallis-Newport &
 Eddyville-Blodgett -
 1st Authorization - \$ 250.00 - Total - \$ 250.00

Crossing - 56-2814 - Two near Carlton and - Tualatin Valley and
 Signals One near Sheridan and McMinnville-Tillamook Hwys.-
 One near Willamina
 1st Authorization - \$ 300.00 - Total - \$ 300.00

Quarry & - 1-2809 - Love Bridge-Black Bridge - Baker-Homestead Highway -
 Stock Pile 1st Authorization - \$ 200.00 - Total - \$ 200.00

Quarry & - 101-2807 - East Unit, Missouri Flat - Medical Springs Secondary Hwy.
 Stock Pile 1st Authorization - \$ 100.00 - Total - \$ 100.00

Quarry & - 1-2808 - Gibbs Ranch-County Farm - Baker-Unity Highway -
 Stock Pile 1st Authorization - \$ 100.00 - Total - \$ 100.00

Crossing - 233-2811 - The Dalles, Tank Farm-Railroad Crossing - Tank Farm
 Signals County Road
 1st Authorization - \$ 175.00 - Total - \$ 175.00

Park - 6-2204 - Golden and Silver Falls - Coos River Secondary Highway -
 1st Authorization - \$ 550.00 - Total - \$ 550.00

The motion was duly seconded by Commissioner Tou Velle and was declared by Chairman Cabell to have carried by the unanimous vote of the Commission.

The Commission had under consideration the following requests for extensions of time within which to complete highway construction projects:

Fred H. Slate, Contract No. 1756, for grading the Nehalem River-Rock Creek Section of the Wolf Creek Highway, in Clatsop County, requested an extension of time from November 30, 1936, to August 19, 1937, within which to complete this project. He attributed his delay in completing the project within the specified time limit to the following reasons: extreme wetness of material to be handled; unstable condition of fill foundations and foundations for drainage structures, making much extra work and unavoidable delays; inability to make wet material stand up or hold its own weight in fills when handled rapidly; extra time required to remove slides; and extremely short working season in 1936. The Engineer advised that the reasons given by Mr. Slate for failure to complete the project within the

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specified time limit are correct. He recommended, in view of the circumstances, that the extension requested be granted without penalty and presented a letter from the Bureau of Public Roads concurring therein. The Commission approved the recommendation by unanimous vote.

McNutt Bros., Contract No. 1890, for grading Unit No. 3, McCallister Section of the Little Butte Secondary Highway, in Jackson County, requested an extension of time from May 31 to August 18, 1937, in which to complete this project. They attributed their delay to the fact that they were not permitted to burn debris during the fall of 1936 because of danger of forest fires and were delayed in commencing operations in the spring of 1937 because of the muddy condition of the ground. The Engineer advised that the reasons given by the contractor for failure to complete the project within the specified time limit are correct. He further advised that the traveling public has not been inconvenienced by the delay, neither has the state incurred any extra expense for engineering supervision. He recommended in view thereof that the extension requested be granted without penalty. The Commission approved the recommendation by unanimous vote.

Schmeer, Williams & Gentemann, Contract No. 1918, for furnishing crushed gravel in stock pile for the Haines-Baker Section of the Old Oregon Trail, in Baker County, requested an extension of time from May 31 to October 15, 1937, in which to complete this project. They attributed their delay to the following: severe weather, which made it impossible to do any work in their gravel pit until late in the spring; interference of operations in the gravel pit with irrigation water which slowed up the progress of the work in order to let material dry out sufficiently to be screened to meet the oil work specifications. The Engineer advised that the reasons given by the contractor for failure to complete the project within the specified time limit are correct. He further advised that the State Highway Department has not been inconvenienced by the delay because the contractor furnished sufficient materials for this season's use well enough in advance to cause no interference with the state's operations. He also stated that the state has incurred no extra expense for engineering supervision. He recommended that the extension requested be granted without penalty. The Commission approved the recommendation by unanimous vote.

Tom Lillebo, Contract No. 1928, for construction of bridges over Rock Creek and Wallowa River on the Wallowa Lake Highway, in Wallowa County, requested an extension of time of 30 days, from August 15 to September 15, 1937, in which to complete this project. He attributed his delay to failure of the state to furnish right of way for this project, which required postponement of the award of the contract. The Engineer advised that bids for this project were taken on October 1, 1936, but the contract was not awarded until October 29, 1936, which was undoubtedly the reason that the job

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was not completed within the specified time limit. He recommended, in view of the circumstances, that the extension requested be granted without penalty, and presented a letter from the Bureau of Public Roads concurring therein. The Commission approved the recommendation by unanimous vote.

Dolan Construction Company, Contract No. 1933, for construction of a bridge over the North Fork Nehalem River on the Oregon Coast Highway near Mohler, in Clatsop County, requested an extension of time of 30 days, from August 31 to September 30, 1937, within which to complete this project. They attributed their failure to complete the project within the specified time limit to the fact that they were required to place rip-rap that was not contemplated in the original contract. The Engineer advised that this job was completed within the specified time limit with the exception of the placing of the rip-rap mentioned by Mr. Dolan, rock for which had to be secured from a site that was available only after a certain logging road in the vicinity had been opened up for use. He further stated that this logging road will be available for use within the next few days and undoubtedly the rip-rap work will be finished by September 30. He recommended, in view of the circumstances, that the extension requested be granted without penalty, and submitted a letter from the Bureau of Public Roads concurring therein. The Commission approved the recommendation by unanimous vote.

W. C. White, Contract No. 1942, for furnishing crushed gravel in stock pile for the Sage Hen Creek-Burns and Poison Creek-Burns Sections of the Central Oregon and John Day-Burns Highways, in Harney County, requested an extension of time, from June 15 to August 15, 1937, within which to complete this project. He alleged that he was unable to start this job until he had completed his contract with the state for the construction of the Miles Bridge Section of the Medical Springs Secondary Highway, in Baker County, Contract No. 1940, because his foreman was taken sick and he (Mr. White) was forced to assume direct supervision of both jobs for a period of two months. He further stated that the Miles Bridge contract was slowed down because of strike conditions on the coast, which delayed furnishing of materials. He also said that he was delayed some two weeks by bad weather conditions, which forced him to close down his plant several times during the course of the work. The Engineer advised that Mr. White did not complete this project within the specified time limit solely for the reason that he was two months late in starting the work. He recommended, nevertheless, that the extension requested be granted without penalty, in view of the fact that sufficient materials were furnished the state well enough in advance for maintenance operations during the current year and because the state has incurred no extra expense for engineering supervision. The Commission approved the recommendation by unanimous vote.

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E. F. and W. F. Philpott, Contract No. 1944, for construction of a bridge over Necarney Creek on the Oregon Coast Highway, near Nehalem, in Tillamook County, requested an extension of time, from August 31 to September 30, 1937, within which to complete this project. They attributed their delay to failure of the steel company to deliver structural steel for a period of four weeks after the order was placed, the steel company being unable to furnish this material sooner on account of being required to fabricate steel in connection with the new Capitol Building in Salem. They also alleged that their work was held up for a week during the month of June because of inclement weather. The Engineer advised that there is no apparent reason for the contractor's failure to complete this project within the specified time limit, and that it is his recommendation that the extension of time requested be granted, subject to the condition that the contractor be required to reimburse the state for engineering expense incurred subsequent to the date of completion specified in the contract. He submitted a letter from the Bureau of Public Roads concurring in this recommendation. The Commission approved the recommendation by unanimous vote.

H. L. Rice, Contract No. 1965, for furnishing crushed rock in stock pile for the Memaloose Park-Dillon and John Day River-Blalock Sections of the Columbia River Highway, in Gilliam, Sherman and Wasco Counties, requested an extension of time from August 15 to September 15, 1937, in which to complete this job. He attributed his failure to complete the project within the specified time limit to bad weather conditions prevailing during the months of April and June. The Engineer advised that the reason given by the contractor for overrunning the specified time limit is correct. He further advised that the delay has caused no interference with traffic nor any loss to the state for engineering supervision or otherwise. He recommended that the extension requested be granted without penalty. The Commission approved the recommendation by unanimous vote.

Babler Bros., Contract No. 1973, for constructing an oil mat surface treatment on the Valley Falls-Cinder Butte Section of the Lakeview-Burns and Fremont Highways, in Harney and Lake Counties, requested an extension of time of one year, from August 31, 1937, to August 31, 1938, within which to complete this job. They stated that this request is made necessary by reason of the fact that there is not sufficient mineral aggregate available to complete the job this year. The Engineer advised that it is no fault of Babler Bros. that they will not be able to complete this project within the specified time limit, but the fault lies entirely with the Medford Concrete Construction Company which has the contract with the state for the furnishing of materials that are to be used by Babler Bros. in connection with their contract. He recommended, therefore, that the extension requested by Babler Bros. be granted without penalty. The Commission approved the recommendation by unanimous vote.

Averill & Corbin, Contract No. 1981, for the reconstruction of the west approach to the bridge over the Willamette River on the Salem-Dallas Highway, at Salem, in Polk and Marion Counties, requested an extension of time of 60 days, from August 31 to October 31, 1937, within which to complete this job. They gave the following reasons for such request: that at about the time they placed their order for treated timber that was to be used in connection with this job, a strike occurred in the logging camps, and the McCormick Lumber Company, with whom their order was placed, was unable to secure logs with which to fill the order; also, that after the job was started, it was necessary to add fire walls and strengthen the old bents, which work was not contemplated in the original contract and is now being accomplished on force account basis. The Engineer advised that this contract was awarded on April 28, 1937, and, due to labor troubles in the logging and sawmill industries, it was not until July 8, 1937, that delivery was completed on the treated timber. He further advised that the contractor has attempted in every way to expedite the work and has worked double shifts to use all daylight possible. He further advised that the state has incurred no additional expense for engineering supervision, and recommended, in view of the circumstances, that the extension requested be granted without penalty. The Commission approved the recommendation by unanimous vote.

The Engineer reported that contracts Nos. 1756, 1874, 1881, 1928, 1942, 1945, and 1954, for the construction of state highway projects, have been completed according to the requirements of the contracts or modifications thereof and that said jobs are now ready for acceptance.

The following resolution accepting the above contracts was offered and was adopted by the unanimous vote of the Commission:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts and that said jobs are now ready for acceptance:

Contract No. 1756, with Fred Slate, for grading and clearing the Nehalem River-Rock Creek Section on the Wolf Creek Highway, in Clatsop County. Completed August 18, 1937.

Contract No. 1874, with Joplin & Eldon, for furnishing crushed rock and oiling work on the Criterion-Cow Canyon Section of The Dalles-California Highway, in Wasco County. Completed July 31, 1937.

Contract No. 1881, with Hoffman Construction Company, for construction of an overcrossing over the Southern

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Pacific Company's tracks on Union Avenue, East Portland-Oregon City Highway, in Multnomah County. Completed July 30, 1937.

Contract No. 1928, with Tom Lillebo, for construction of bridges over Rock Creek and Wallowa River, near Wallowa, on the Wallowa Lake Highway, in Wallowa County. Completed August 20, 1937.

Contract No. 1942, with W. C. White, for producing crushed rock for the Sage Hen Creek-Burns Section of the Central Oregon Highway and the Poison Creek-Burns Section of the John Day-Burns Highway, in Harney County. Completed September 14, 1937.

Contract No. 1945, with Fisher Bros., for grading, surfacing and oiling the Fossil-Kinzua Junction Section of the John Day Highway, in Wheeler County. Completed August 31, 1937.

Contract No. 1954, with Fisher Bros., for grading and topping Unit No. 3, Chichester Gulch-Summit Section of the Shaniko-Fossil Secondary Highway, in Wheeler County. Completed August 31, 1937.

THEREFORE, BE IT RESOLVED that the work covered by said state highway contracts for the construction of said state highway projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

The Commission considered and signed agreements, et cetera, as follows:

Agreement with the Oregon Portland Cement Company covering occupancy by the company of a portion of the right of way of the Gales-Tunnel Section of the Old Oregon Trail.

Agreement with T. R. Maxwell relative to the sale of property consisting of a portion of Lots 1, 2 and 3 of Block 32, Zurcher's Amended Addition to the City of Enterprise, in Wallowa County.

Revised agreement with the Union Pacific Railroad Company covering the construction of an electric power transmission line on the company's property near Bonneville.

Agreement with the Southern Pacific Company covering the lease of a site for the unloading of asphalt at Myrtle Point, in Coos County.

Application for right of way needed for the improvement of the Siletz Secondary Highway across certain Indian land in Lincoln County.

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Application for right of way needed for the improvement of the Salmon River Highway across Indian land located in Section 33, T. 6 S., R. 10 W., W. M., in Lincoln County.

There being no further business to come before the Commission at this time, the meeting was adjourned at 5:45 o'clock p. m.

Prosser
State Highway Engineer

H. B. Glaisyer
Secretary

Henry F. Cabell
Chairman

E. B. Aldrich
Commissioner

F. L. Tou Velle
Commissioner

Portland, Oregon, October 21, 1937.

The State Highway Commission met at 8:00 o'clock p. m. in the Rose Room of the Benson Hotel. Present were:

Henry F. Cabell, Chairman
E. B. Aldrich, Commissioner
F. T. Tou Velle, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
James McFarland, Chief Clerk and Acting Secretary

H. B. Glaisyer, the Commission's Secretary, was absent on account of illness.

A delegation representing the Federated Garden Clubs of Oregon was present and conferred with the Commission on matters of highway beautification. The delegation was headed by Mrs. E. C. Dalton, of St. Helens, President, and included the following: Mrs. A. E. Rockey and Mrs. Jessie M. Honeyman, Portland, representing the Oregon Roadside Council; Mrs. E. M. Blanding, Portland, Secretary of the Federated Garden Clubs of Oregon; Mrs. J. L. Karnopp, Portland, State Chairman of the organization; and Mrs. H. J. Pearson, McMinnville, Chairman of the Roadside Development Committee.

Mrs. Dalton stated that their organization has always been interested in roadside beautification and the preservation of natural scenery and it is their desire to work in harmony with the State Highway Commission along those lines if the Commission will advise the garden clubs what activities they might engage in to that end. She introduced the other members of the delegation, all of whom spoke briefly on this subject.

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Chairman Cabell thanked the delegation for its offer of assistance and advised that the Commission will give it serious consideration, but he is not in a position at the present time to make any suggestions. He mentioned, however, the matter of providing freeways and advised that the Highway Commission is very anxious to secure authority from the legislature for such freeways but hesitates to take the initiative in the matter because it is of the belief that some other organization should sponsor it, in view of the fact that there are many people who think that the Highway Commission now has too much authority. He gave as his thought that the garden clubs of the state could assist greatly in securing proper legislation by educating the general public along these lines. He also mentioned the matter of billboard advertising along state highways and expressed the opinion that the garden clubs could do a lot of good in securing appropriate legislation that eventually would rid the highways of such means of advertising. He said he believed that moral persuasion by groups such as the garden clubs would be very effective in securing the needed legislation.

The State Highway Engineer mentioned the progress that is being made by the states of Texas and Massachusetts toward the elimination of billboard advertising and the preservation of roadside scenery. He concurred with Chairman Cabell in the matter of securing legislation for freeways and advised that such legislation would enable the Highway Commission to build beautiful roads that would stay beautiful and would insure the preservation of aesthetic features which, under present conditions, are constantly being marred by the construction of hot dog stands, service stations, et cetera. He gave as his thought that if the garden clubs would concentrate on freeways and billboards they would be doing a very commendable thing for the State of Oregon.

In the further discussion of this matter it appeared to be the opinion of all present that not much could be accomplished in the way of securing needed legislation until the general public has been educated up to the point where it realizes the importance and value thereof and will back the sponsors of such legislation to the fullest extent. Mrs. Dalton advised that their organization plans to conduct a series of conferences the following week and they want to be in a position to tell the various club members just what to do when the question of roadside beautification comes up for discussion. She inquired whether or not they should concentrate on the matter of freeways, elimination of billboard advertising and beautification of city entrances, or should they stress the matter of roadside planting.

Chairman Cabell again advised that the Commission is not in a position to state now just what features should be emphasized but will endeavor to work out something and will advise them later when a plan has been arranged. He suggested that the members of the garden clubs at the conferences next week be told that the Highway Commission is sympathetic with their ideas and intends to decide upon a plan of cooperation as soon as possible. This arrangement appeared to be satisfactory to the delegation. The conference was concluded after further brief discussion of a general nature.

Commissioner Aldrich reported receipt of an invitation for the members of the Commission to be present at the Annual Meeting of the Oregon Trail Association which is to be held in Pendleton on October 28. It was decided that Commissioner Aldrich, State Highway Engineer R. H. Baldock, and Division Engineers W. C. Williams and W. E. Chandler should attend this meeting as representatives of the State Highway Department.

The Commission discussed the claim of Mrs. Virginia Hickey for damages that she alleges occurred to her property at Brightwood by reason of reconstruction of the Mount Hood Highway at that place. Chairman Cabell stated that, in accordance with the decision reached by the Highway Commission some time ago, he offered to settle with Mrs. Hickey for the sum of \$175, and evidently she is unwilling to accept such amount and now desires to reopen the case and intends to come before the Commission on the following day relative thereto. After discussion, the Commission decided to inform Mrs. Hickey that the Commission's previous offer of \$175 is the maximum that it feels it can pay her and that such offer is final and conclusive.

Reconsideration was given by the Commission to the claim of Mrs. Pearl S. Koble arising out of a settlement for right of way needed for the Pacific Highway (new route) across her property in the Siskiyou Mountains south of Ashland. After discussion, the following arrangement for the settlement of this claim, constituting full and complete settlement, was approved by the Commission by unanimous vote.

(1) The state shall deed back to Mrs. Koble for a site for her garage a parcel of land 50' wide by 100' long, between Highway Engineer's Stations 470 and 471, on the west side of the highway. Said property shall not be used for parking of cars to be serviced at a service station or for other trade accommodations.

(2) The state shall excavate an area 50' x 20' as a site for Mrs. Koble's garage, said excavation to be taken down to a level with the grade of the highway at a point near the center of said 50' x 100' tract and shall be adjacent to and connect with said tract.

(3) The state shall fill in to a level with the highway and for a distance of 150' adjacent to the highway embankment a certain hole on the above-described 50' x 100' tract.

(4) The state shall lease to Mrs. Koble for a period of 10 years a strip of land lying adjacent to and along the west side of the highway, between Highway Engineer's Stations 462+50 and 464+00, which area Mrs. Koble desires to landscape. This property is to be leased to Mrs. Koble with the strict understanding that it is to be used for landscaping purposes only and that the lease will be terminated by the Highway Commission at any time that the area is required by the state for highway purposes, construction or maintenance, or if the area is being utilized for purposes that interfere with highway use.

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(5) The state shall construct a standard guard fence along the west side of the highway between Highway Engineer's Stations 462 and 464.

(6) The state shall pay to Mrs. Koble \$1,000 cash, in addition to the amount of \$1,200 previously paid.

(7) Mrs. Koble shall release the state from any claim for damages that may occur to her property by reason of Highway Department snow removal operations or any other maintenance operations on the highway, and shall deed to the state a right of way 200 feet wide across her property, less the 50' x 100' area described above, if investigation reveals that the description in the deed heretofore given the state is in error in that respect.

The Attorney was instructed to prepare a form of agreement covering the matter and to present the same to Mrs. Koble for acceptance.

The Engineer requested authority to acquire certain parcels of real property that are needed for various highway improvements throughout the state. He submitted a list of such properties, together with the prices that he recommended be paid for each. After careful consideration of each item, the Commission approved the request and by unanimous vote adopted the following resolution relative thereto:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth; and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon; and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is, instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>South Marshfield Section - Oregon Coast Highway</u>				
4871-Southern Pacific Co.	R/W	2.027	\$268 per a.	Benson

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Salmon River Highway - Boyer-Otis Section</u>				
4994-Miami Corporation	Drainage Easement	2 parcels, 360 ft. in length	Gratis	Benson
<u>Dolph-Castle Rock Section - McMinnville-Tillamook Highway</u>				
5169-Hornschuh, T. R.	Hauling Road Easement	0.50	\$100 Lump Sum plus cattle guard	Benson
<u>Pendleton Overcrossing Section - Old Oregon Trail Highway</u>				
5039-Pacific Power & Light Co. R/W		8 sq.ft.	\$100 Lump Sum	Benson
<u>East Pendleton Overcrossing Section - Old Oregon Trail Highway</u>				
2436-City of Pendleton	R/W	596 sq.ft.	Gratis	Benson
<u>Valley Junction-Tillamook Section - McMinnville-Tillamook Highway</u>				
518-Werth, Walter W.	Stock Pile	0.86	3 yr. lease. Gratis	Collins
<u>Lafayette-McMinnville Section - Pacific Highway West</u>				
5081-Clemmens, Esther	R/W	0.02	Gratis - state to spread 4 loads gravel around fruit stand and build road approach, in lieu of payment for land	Collins
<u>Sheridan-McMinnville Section - McMinnville-Tillamook Highway</u>				
4310-A - Moe, Nora May Branson R/W		0.104	\$50 Lump Sum	Collins
4321-Hunsaker, Jessie Reid	"	2.84	\$150 per a. plus fencing \$37	"
4295-Macy, Glen S.- S.E.Trent	"	0.51	\$150 per a.plus \$325	"
<u>Arch Cape-Short Sand Beach Creek Section - Oregon Coast Highway</u>				
4908-Fowler, Charles A.	R/W	5.38	\$200 Lump Sum	Collins
<u>Siletz River-Newport Section - Oregon Coast Highway</u>				
4464-Nelson, Earl	R/W	1270 sq.ft.	2¢ per sq. ft.	Dolan
4056-Stenzel, Frank	"	10.91+	\$100 per a. plus plotting and surveying Lot 4, \$500	"
4072-Mason, David T.	"	0.217	\$300 per a.	"
4071-Harbaugh, Hazel G.	"	0.25	\$300 per a.	"
4067-Wood, Erskine	"	0.24	Gratis	"
4053-International Wood & Sulphite Co.	"	0.02	Gratis	
<u>Wilcox-Shaniko Section - Sherman Highway</u>				
4791-Eastern Oregon Land Co.		4.69	\$10 per a.	Gardiner
	Stock Pile Site			

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Albany Overcrossing Section - Pacific Highway East</u>				
4966-Dodele, Martha E.	R/W	10800 sq.ft.	Exchange of property plus \$50 plus moving buildings	Gardiner
4969-Allphin, John A.	"	4840 sq.ft.	Including buildings-\$1500 Lump Sum	"
4964-Rohde, H. D.	"	5460 sq.ft.	Exchange of property plus moving buildings	"
4962-Childs, Chas. & Wm. Eagles	"	41516 sq.ft.	7¢ per sq. ft.	"
4961-Rohde, H. D.	"	2640 sq.ft.	7¢ per sq. ft.	"
4970-Morgan, Melvin C.	"	4884 sq.ft.	Lump Sum of \$1800, including buildings	"
<u>Bear Creek-Talent Section - Pacific Highway</u>				
4548-Jackson County (Correction Report)	R/W	0.69	Gratis, plus \$50 plus moving fences and rearranging lawn irrigation system and constructing concrete steps and new driveway -	Gardiner
<u>Odell Junction-Jericho Lane Section - Hood River Secondary Highway #281</u>				
4938-Hood River County	R/W	0.17	Gratis	Gardiner
4937-Hood River County	"	0.06	Gratis	"
<u>Albany Overcrossing Section - Pacific Highway East</u>				
4956-Vandran, C. A.	R/W	29040 sq.ft.	Including buildings, Lump Sum \$7,000	Gardiner
5178-Otto, Augusta	"	7260 sq.ft.	Including buildings, Lump Sum \$2,500	"
<u>Muddy Creek Section - Klamath Falls-Lakeview Highway</u>				
5140-Vernon, Hurley	"	1 lot	\$30 Lump Sum	McCheaney
<u>Tillamook County Line-Sunset Camp Section - Wolf Creek Highway</u>				
5031-Sunset Logging Co.	Quarry Site	58.37	\$32.578 per a.	McCheaney
5032-Sunset Logging Co.	Maintenance Site	12.70	\$30 per a. plus 100,000 ft. timber at \$3.50 per M	"
<u>Baker-Durkee Section - Old Oregon Trail Highway</u>				
5170-State Land Board	Stock Pile Site	1.84	\$25 Lump Sum	McCallister
<u>Olalla Creek-Toledo Section - Corvallis-Newport Highway</u>				
5045-Burgess, R. D.	R/W	4.82	\$100+ per a. Total \$500	McCallister
<u>Agate Beach-Newport Section - Oregon Coast Highway</u>				
4387-Andersen, Maurice	R/W	0.93	\$500 Lump Sum	McCallister
5152-Agate Beach Land Co.	"	5900 sq.ft.	2+¢ per sq. ft.	"

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Salem-Illabe Section - Pacific Highway</u>				
4903-Read Amelia C.	R/W	0.17	\$100 per a.	McCallister
3824-Greber, John	"	4792 sq.ft.	3¢ per sq. ft. plus \$56.24 and moving buildings	"
<u>Rock Creek-Butte Creek Section - Woodburn-Mt. Hood Secondary Highway</u>				
3434-Bremer, Arthur A.	R/W	0.22	\$150 per a. plus moving fence \$40	Parker
<u>Sixes River Section - Oregon Coast Highway</u>				
4351-Sweet, A. P.	Stock Pile Site	0.16	5-yr. lease \$35	Parker
<u>Middle Bridge-Black Bridge Section - Baker-Homestead Highway</u>				
5142-Colvard, W. B.	Stock Pile Site	1.0	\$10 per a. plus fencing \$22.60	Wells
5163-Clements, Harold C.	Quarry Site	10.0	\$15 per a.	"
5145-Love, Clarence E.	Stock Pile Site	0.96	\$50 Lump Sum	"
5143-Phillips, F. A.	Stock Pile Site	0.96	\$10 Lump Sum plus \$5	"
<u>Condon-Fossil Section - John Day Highway</u>				
4806-Busby, C. C.	Stock Pile Site	0.50	3-yr. lease - Lump Sum \$10	Wells
<u>Overhead Crossing-Turner Street - Old Oregon Trail Highway</u>				
2456-Pendleton, City of	R/W	1000 sq.ft.	7¢ per sq. ft.	Wells
<u>Haines-North Powder Section - Old Oregon Trail Highway</u>				
5008-White, Herman F.	Gravel Pile and Hauling Road	5.22	\$66.09+ per a. plus fencing \$155	Wells
5001-Hvidberg, Leila et al	R/W	0.48	\$50 per a. plus moving fence	"
5002-Bieber, Christine	"	0.97	\$50 per a. plus moving fence	"
<u>Neahkahnie Route-Arch Cape Tunnel - Oregon Coast Highway</u>				
5127-Clatsop County	Park and Stock Pile Site	84.2	Gratis	DeSouza
<u>Sisters-Suttle Lake Section - Santiam Highway</u>				
69-Gilchrist, Emily F.	Gravel Pit	5.0	\$137 Lump Sum	"
<u>Wasco County Line-Madras Section - The Dalles-California Highway</u>				
5154-Cram, Bidwell	Stock Pile Site	1.86	0.33 a. \$10 Lump Sum 1.53 a. \$40 " " plus \$5	Forrest Cooper
<u>Jefferson County Line-Madras Section - The Dalles-California Highway</u>				
5155-Stebbins, W. J.	Stock Pile Site	1.01	Lump Sum \$40 plus \$7.50 plus fencing	Cooper
<u>Dufur-Maupin "M.P. 37.3" Section - The Dalles-California Highway</u>				
5161-Fleming, Eva W.	Stock Pile Site	0.75	\$50 Lump Sum	J.E. Peck

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Forest Boundary-Long Creek Section - Pendleton-John Day Highway</u>				
4856-Powell, Ernest Glen Stock Pile Site		0.55	\$25 Lump Sum plus moving fence \$5	W.C.Williams
<u>Shoofly Bridge Section - Service Creek Secondary Highway</u>				
5187-Butler, Martina	R/W	0.47	Lump Sum \$125	W.E.Chandler
<u>Clackamas County-Mt. Hood Highway</u>				
U. S. Government	Park	120.00	Annual Rental \$75.60 as required by lease from Government	Boardman
<u>Lane County-Siuslaw Highway</u>				
U. S. Government	Park	206.00	Annual rental \$220.20 as required by lease from Government	"
<u>Douglas County-Umpqua Highway</u>				
U. S. Government	Park	200.00	Annual rental \$187.25 as required by lease from Government	"
<u>Marion County-Silver Creek Falls Park</u>				
U. S. Government	Park	200.00	Annual rental \$55 as required by lease from Government	"
<u>Jackson County-Grater Lake Highway</u>				
U. S. Government	Park	520.00	Annual rental \$166.98 as required by lease from Government	"
<u>Shuttler Flat-Condon Section - John Day Highway</u>				
5148-Pennington, Frank W. Stock Pile		1.58	\$50 Lump Sum plus State to fence	Wells
<u>Sixes Ranch Section - Oregon Coast Highway</u>				
4579-Rowan, Jonas C.	R/W	0.15	In exchange for 0.08 a.	K.D.Lytle
<u>Sheridan-McMinnville Section - McMinnville-Tillamook Highway</u>				
4311-Trustees of United Brethern in Christ Church	R/W	0.089	Gratis	Collins
<u>Eddyville-County Line Section - Corvallis-Newport Highway</u>				
5190-Lincoln County	Stock Pile	2.0	Gratis	F.D.Eason
<u>Siletz Secondary Section - Toledo-Siletz Highway</u>				
5193-Sylonia Burkhardt et al		0.50	\$100 per a. plus fencing	F.D.Eason
<u>Lower Siletz Road Section - Siletz Secondary Highway</u>				
5192-C.D.Johnson Lumber Co.		3.0	\$20 per a.	F.D.Eason
	Stock Pile			

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Lincoln County Line Section - Alsea Highway</u>				
5186-Nellie McKinney	Stock Pile	1.70	\$32 Lump Sum plus fencing	F.D.Eason
<u>Eddyville-County Line Section - Corvallis-Newport Highway</u>				
5189-Emma A. McBride, Admr		1.0	\$75 per a.	F.D.Eason
	Stock Pile			
<u>Eddyville-Nashville Section - Eddyville-Blodgett Secondary Highway</u>				
5191-Welton, Mrs. M. E.	Stock Pile	0.50	\$50 per a.	F.D.Eason
<u>Eddyville-Blodgett Section - Corvallis-Newport Highway</u>				
5185-Cutsforth, Clyde W.	Quarry and Hauling Road	5.0	\$70 per a. plus road easement	F.D.Eason
5186-Conklin, M. J.	Stock Pile and Hauling Road	1.50	\$150 per a. plus Hauling Road	"
<u>Milwaukie Section - East Portland-Oregon City Highway</u>				
1940-Counsell, Beatrice	R/W and Park and C.H.	0.252	\$3000 per a.	Parker

The Commission considered but deferred action on properties needed from the city of Portland and Multnomah County for the proposed Lombard Street extension in North Portland, being right of way file Nos. 4900 and 4861. The Commission also deferred action on the acquisition of the George Joseph property which is needed for park purposes and for right of way for the Troutdale-Multnomah Falls Section of the Columbia River Highway (new route), right of way settlement No. 1832. The Commission indicated that the price asked by Mr. Joseph is satisfactory for 73.2 acres but there is a question whether or not Mr. Joseph's entire acreage on the island of which this is a part should be acquired, hence a decision with respect to the acquisition of the 73.2 acres was deferred until the next meeting. The Attorney was instructed to secure options in the meantime from other owners in this vicinity, if possible, at the price quoted by Mr. Joseph, and to deliver the options to Chairman Cabell, who agreed to inspect the various properties before the next meeting.

The Commission also considered but deferred action on the acquisition of the Nina I. Belt property which is needed for right of way for a revision of the Oregon Coast Highway at Fogarty Creek between Siletz Bay and Newport, in Lincoln County. The Attorney was instructed to render an additional report on this matter at the next meeting.

The Attorney reported on the status of acquiring the Minnie T. Reed property along the Upper Columbia River Highway in Multnomah County, which property is needed as a quarry site and source of road-building material. He said that he offered the owner of this property \$4,000 for four acres but the owner advises that she has received an offer of \$15,000 from the Parker-Schram Company, Portland, which is ready and willing to buy the property at that figure. He requested instructions. The Commission considered that \$15,000 is too much to pay for this land and accordingly instructed the Attorney to proceed with condemnation in the event the owner will not accept a reasonable amount.

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The Commission also authorized the Attorney to institute condemnation proceedings, if necessary, to acquire a certain quarry site which is needed in connection with the Shuttler Flat-Condon Rock Production Project, in Gilliam County, for which bids are to be taken on the following day, it appearing that the owner of this property is unwilling to sell to the state because of a grievance of some kind against the Commission, arising out of the destruction of a well which he alleges was ruined when the highway was constructed across his premises.

Reconsideration was given by the Commission to the matter of acquiring land from the Union Central Life Insurance Company for right of way for the proposed highway up the Columbia River between Troutdale and Multnomah Falls, in Multnomah County. The Commission decided to extend this purchase to include additional land for state park purposes, and accordingly, by unanimous vote, adopted the following resolution authorizing the Attorney to include such park area in condemnation proceedings that were ordered on September 14, 1937:

WHEREAS, the State Highway Commission is by law authorized and directed to lay out, locate, designate, construct, improve and maintain a system of state highways in the State of Oregon, and to acquire rights of way and to declare the necessity and need for the acquisition thereof, and the advantages to be gained thereby; and

WHEREAS, said Highway Commission is likewise authorized and empowered to acquire by purchase, agreement, gift, or by the exercise of the power of eminent domain land and ground necessary for the development and maintenance of parks, parking places, auto camps, camp sites, public squares, recreational grounds or resorts, which in the opinion of the State Highway Commission are necessary for the convenience of the public and which are so situated as to be accessible to and conveniently reached by and from state highways; and

WHEREAS, in the opinion and judgment of the Highway Commission, certain property owned by and in the possession of The Union Central Life Insurance Company, which property is located in Multnomah County, Oregon, and generally described as follows, to wit:

A parcel of land lying in Government Lot 1 and the Northeast quarter of the Northeast quarter, and in the Southwest quarter of the Northeast quarter of Section 30, Township 1 North, Range 5 East, W. M., Multnomah County, Oregon, and being a portion of the following described property: that tract of land which was conveyed by that certain deed to The Union Central Life Insurance Company, recorded in book 1063, page 319, of Multnomah County Record of Deeds, the said parcel being described as follows:

Beginning at a point 400 feet south of the Northwest Corner of Lot 1 of Section 30; thence northeasterly to the Northeast Corner of Section 30; thence South 20 chains; thence West 20 chains; thence South to the O.W.R.R. & N.Co. right of way; thence West to the intersection of the center line of the said section; thence North to the point of beginning.

Also:

The northwest quarter of the northwest quarter of Section 29, Township 1 North, Range 5 East, W. M., Multnomah County, Oregon.

Also:

The south 660 feet of Government Lots 1, 2, and 3, Section 20, Township 1 North, Range 5 East, W. M., Multnomah County, Oregon.

The parcels of land to which this description applies contain 192 acres.

is necessary for right of way for the further improvement and permanent location of a portion of the Columbia River Highway in Multnomah County, and likewise is necessary for the convenience of the public, a portion of which said property is within the boundaries of the said highway as surveyed and located, and a portion is so situated as to be accessible to and conveniently reached by and from the said highway;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That this Commission does hereby find and declare that it is necessary and will be of advantage to the State of Oregon and there is need that the State acquire for right of way purposes in connection with the permanent location, construction, improvement and maintenance of the Tunnel Point-Bridal Veil Section of the Columbia River Highway in Multnomah County a portion of the property described above and owned by and in the possession of The Union Central Life Insurance Company and other persons claiming some interest in said property.

2. That this Commission does hereby find and declare that in its opinion and judgment a portion of said property is necessary for the convenience of the public in the use and enjoyment of the Columbia River Highway for parking places, recreational and other public uses specified in Section 44-3209, Oregon Code 1930, which said property is so situated as to be accessible to and conveniently reached by and from said highway.

3. This Commission does further find and declare that the acquisition of the property herein described is necessary and required

for right of way purposes and for the development of parks, parking places, recreational uses and other uses specified in Section 44-3209, Oregon Code 1930, and this Commission does hereby further declare and find that said property is necessary, is needful, and the acquisition thereof will be of advantage to the State of Oregon for right of way purposes and for the other purposes specified herein in order to make it possible for the State Highway Commission to properly locate, construct and maintain said portion of said Columbia River Highway in accordance with standards adopted by this Commission relative to curvature, grades, alignment, drainage, and factors of safety, and in order to contribute to the convenience and enjoyment of the public using and traveling upon said highway, and for the purpose of affording parks, parking places, recreational grounds and other uses and benefits specified in Section 44-3209, Oregon Code 1930.

4. That the State Highway Engineer be and he hereby is instructed and directed to properly survey the said parcel or parcels of land required for right of way purposes and the parcel or parcels of said land required and necessary for parks, parking places, recreational grounds or other uses enumerated in said statute, and prepare proper and adequate descriptions thereof, which descriptions shall be employed in the preparation of a deed or deeds or other instrument or instruments necessary to complete the acquisition of said property or properties or which descriptions may be used in the preparation of a complaint in the event condemnation proceedings are necessary.

5. That the boundaries of said parcel or parcels of land as defined and determined by the said survey made by said Engineer for right of way along the route and location adopted by the Highway Commission shall be and the same hereby are adopted and the lands therein defined are declared to be and the same are included within the right of way of the said portion or portions of the state highway system, and hereby are declared to be necessary for the proper location, improvement, construction and maintenance of said portion or portions of the state highway system, and it further is hereby declared and found that the portions of said property not required for right of way purposes or for use in the construction of said highway shall be and the same hereby are declared to be necessary for the convenience of the public using and traveling upon said highway.

6. That I. H. Van Winkle, Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they are hereby requested, authorized and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land with respect to the compensation to be paid for the taking of the same and the damage, if any there be, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby further resolved that the Attorney

General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they hereby are requested to commence and prosecute to a final determination such suit or action, or suits or actions, as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

7. That this resolution be entered in full in the minutes and records of this Commission.

In this connection the Engineer was instructed by the Commission not to take possession of any property that is being condemned until the condemnation proceedings have been completed. The Commission by unanimous vote adopted such procedure as the policy to be followed hereafter in all cases of condemnation.

The Attorney also reported the status of the acquisition of the Beckley property, which is needed as a source of materials for surfacing a section of the Umpqua Highway in Douglas County. He said that Mr. Beckley does not care to part with title to the property but is willing to lease it to the state for approximately 25 years for the sum of \$3,600. The Engineer advised that, based on the yardage of materials that it is contemplated will be taken from this gravel pit, it will take about 50 years to justify an expenditure of \$3,600 for a lease, which would bring the cost of the materials down to about 5 cents per cubic yard. He added that he could not recommend leasing the property on any other basis and not then if Mr. Beckley insists upon including in the lease agreement numerous conditions that would work to the disadvantage of the state. The Commission considered the offer of Mr. Beckley unsatisfactory and referred the matter to the Engineer and the Attorney to ascertain whether or not suitable materials can be obtained from some other source.

The State Parks Superintendent, Mr. S. H. Boardman, was present and reported on the following park matters:

(1) Disposal of cordwood in Shelton Park:- He said that the Wheeler County Relief Committee is desirous of securing for relief purposes some 50 cords of wood which are now stacked in Shelton State Park as a result of C.C.C. activities under his supervision. He recommended that the committee be allowed to have this wood free of cost, which is in accordance with the precedent established by the Commission in previous years. The Commission approved the recommendation by unanimous vote.

(2) Acquisition of property owned by Carl G. Washburne adjacent to the Oregon Coast Highway, in Lincoln County:- The Parks Superintendent advised that Mr. Washburne owns 250 acres of land near Heceta Head, which he once offered to sell to the state for \$25,000 but is now willing to let the state have for park purposes for the sum of \$10,000. He further stated that the property is valuable from the park standpoint and that Mr. J. C. Ainsworth and Mr. E. C. Sammons, Portland, have signified their willingness

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to contribute \$5,000 toward the purchase of the same if the state will pay the balance. He requested an expression from the Commission in regard to this offer. The Commission deferred action on this matter for the time being. (This was discussed further the next day.)

(5) Acquisition of James Moore property adjacent to John Day Highway at Mile Post No. 116 in Grant County:- The Parks Superintendent advised that Mr. Moore has a homestead filing on a 40-acre tract of government land, which is valuable for the fossil beds located thereon and that he has indicated a willingness to relinquish his rights in favor of the state if the Highway Commission will purchase for him a 40-acre tract belonging to the State Land Board, which is estimated to cost about \$4.00 per acre. He recommended acceptance of this offer in view of the desirability of acquiring the fossil beds. The Commission approved the recommendation by unanimous vote. (The Commission signed an agreement with Mr. Moore on the following day, covering the matter.)

(4) Timber strips along the Wilson River Highway:- The Parks Superintendent said that he has inspected the wayside strips that were to have been donated by the Weyerhaeuser Timber Company and also the strips that were recommended for purchase by the Tillamook County Court, and he is of the belief that the Highway Commission should not purchase the latter-mentioned strips because they are in the burned area and have no value from the scenic standpoint. As to the Weyerhaeuser Timber Company property, he said that present plans are for the company to deed this property to Tillamook County. The State Highway Engineer gave as his understanding that the Tillamook County Court was to secure these strips from the Weyerhaeuser Timber Company and then deed them to the state. The Commission took the attitude that the state should own these strips and accordingly instructed the Parks Superintendent to contact Mr. Wells Gilbert, Manager of the Weyerhaeuser Timber Company, relative thereto. Mr. Gilbert is to be informed that the Highway Commission understood that the property would be deeded to the state but if the company prefers to transfer title through the county, that will be satisfactory, provided the county will agree to make another transfer of title to the state.

(5) Park site adjacent to the Nehalem Secondary Highway, near Mist, in Columbia County:- The Parks Superintendent reported that Natal Grange, of Columbia County, has petitioned the State Highway Commission, through Governor Martin, to purchase for park purposes a tract of timber land containing 5.64 acres located in the S.E. $\frac{1}{4}$ of the N.E. $\frac{1}{4}$ of Section 29, Township 6 N., Range 4 E., W. M., from the Clark Wilson Lumber Company. He said that this tract contains a fine stand of fir timber and would make a valuable addition to the state park system. He recommended purchase of the same if the timber can be purchased at a reasonable rate from the lumber company. In this connection a letter was presented from Governor Charles H. Martin, in which the State Highway Commission was asked to give particular consideration to the petition signed by the citizens of Columbia County urging the Commission to acquire the 5.64 acres of land under discussion, for state park purposes. After discussion, the Commission approved Mr. Boardman's recommendation by unanimous vote, subject to the condition that the price demanded for the timber by the lumber company is in keeping with the proper value of the property.

The Commission adjourned at 11:30 o'clock p. m., to reconvene at 9:00 o'clock a. m. on the following day in the Auditorium of the Public Service Building.

Portland, Oregon, October 22, 1937.

The State Highway Commission reconvened at 9:00 o'clock a. m. in the Auditorium of the Public Service Building. Present were:

Henry F. Cabell, Chairman
 E. B. Aldrich, Commissioner
 F. L. Tou Velle, Commissioner
 R. H. Baldock, State Highway Engineer
 J. M. Devers, Attorney
 James McFarland, Chief Clerk and Acting Secretary

The Commission's Secretary, H. B. Glaisyer, was absent on account of illness.

Bids as follows for highway construction projects, sale of buildings, and sale of used tires and tubes, were opened and read in conformance with previously published notice:

BAKER-HOMESTEAD HIGHWAY
 MIDDLE BRIDGE-BLACK BRIDGE SECTION - CRUSHED ROCK IN STOCK PILES

E. H. Itschner	\$15,060.00
Smith & Company	15,350.00
O. C. Yocom	15,800.00
H. L. Rice	15,940.00
Leonard & Slate	16,250.00
Babler Bros.	16,440.00
Saxton, Looney & Risley	17,230.00
Hart Construction Company	17,394.00
Rogers Construction Company	19,042.50
Clifford A. Dunn	19,337.00
Homer G. Johnson	19,590.00
Max J. Kuney	21,840.00
George Schmitt	22,504.00
A. S. Wallace	23,700.00

OLD OREGON TRAIL
 NORTH POWDER-MUDDY CREEK SECTION
 GRADING, SURFACING, PENETRATION MACADAM, CRUSHED ROCK IN STOCK PILES

Roy L. Houck	\$132,183.00
Warren Northwest, Inc.	147,264.50
Fisher Bros.	148,968.00
Babler Bros.	149,406.00
Leonard & Slate	152,690.00
Harold Blake	153,342.00

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(North Powder-Muddy Creek Section, continued)

Homer G. Johnson	\$155,152.00
Clifford A. Dunn	155,177.00
Max J. Kuney	156,091.00
Edwin C. Gerber	158,546.00
Saxton, Looney & Risley	170,591.00
McNutt Bros.	175,822.50

ALSEA HIGHWAY
LINCOLN COUNTY LINE-ALSEA MOUNTAIN SECTION
CRUSHED ROCK OR CRUSHED GRAVEL IN STOCK PILES

R. O. Dail & Warren Bros., Inc.	\$11,100.00
Saxton, Looney & Risley	11,540.00
A. S. Wallace	11,880.00
Harold Blake	21,000.00

THE DALLES-CALIFORNIA HIGHWAY
WASCO COUNTY LINE-MADRAS SECTION - CRUSHED ROCK IN STOCK PILES

H. L. Rice	\$ 8,742.00
A. S. Wallace	9,672.00
O. C. Yocom	9,858.00
Fisher Bros.	9,920.00
Schmeer, Williams & Gentemann	9,922.40
Smith & Company	9,982.00
Rogers Construction Company	10,125.00
R. O. Dail & Warren Bros., Inc.	11,160.00
Chas. H. Hoyt	11,546.00
Joplin & Eldon	11,468.00
Clifford A. Dunn	12,089.00
Saxton, Looney & Risley	12,090.00
Edwin C. Gerber	12,555.00
George Schmitt	15,841.00
Homer G. Johnson	14,260.00
R. I. Stuart & Sons	15,592.00

CORVALLIS-NEWPORT AND EDDYVILLE-BLODGETT HIGHWAYS
EDDYVILLE ROCK PRODUCTION PROJECT

Roy L. Houck	\$17,480.00
O. C. Yocom	18,850.00
Parker-Schram Company	20,190.00
Saxton, Looney & Risley	20,572.00
Edlefsen-Weygandt Company	21,211.00
H. L. Rice	24,480.00
Joplin & Eldon	24,800.00
A. S. Wallace	25,505.00
Homer G. Johnson	26,550.00

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(Eddyville Rock Production Project, continued)

Harold Blake	\$30,405.00
R. O. Dail & Warren Bros.	51,155.00
A. Milne	55,770.00

OREGON COAST AND MCMINNVILLE-TILLAMOOK HIGHWAYS
HEBO ROCK PRODUCTION PROJECT

Sexton, Looney & Risley	\$14,180.00
Dolan Construction Company	15,400.00

WALLOWA LAKE HIGHWAY
WALLOWA-ENTERPRISE SECTION - CRUSHED ROCK IN STOCK PILES

O. G. Yocom	\$ 8,885.00
Rogers Construction Company	9,070.00
Jones-Scott Company	9,140.00
H. L. Rice	9,587.00
Hart Construction Company	9,560.00
Schmeer, Williams & Gentemann	9,948.00
Homer G. Johnson	14,785.00

COLUMBIA RIVER HIGHWAY
THE DALLES ROADSIDE IMPROVEMENT PROJECT

Van Cleave & Van Cleave	\$ 5,375.00
J. A. Torteling & Sons	7,750.00
Andersen Construction Company	8,000.00
M. L. O'Neil & Son	8,350.00
George Schmitt	8,582.00

SALE OF FACTORY BUILDINGS IN PORTLAND
SITUATED ON LOTS 7 and 8, BLOCK 99, IRVINGTON PARK ADDITION

McCullough & Sons	\$380.00
O. K. and Rose City Wrecking Company	151.00
Sullivan Wrecking Company	102.98

SALE OF RESIDENCE BUILDINGS IN OREGON CITY

GROUP "A"

D. Dodge	\$75.00
Sullivan Wrecking Company	60.73

GROUP "B"

Sullivan Wrecking Company	\$167.69
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SALE OF RESIDENCE BUILDINGS IN MARSHFIELD

BUILDING "A"

Asbjorn Moon

\$70.00

BUILDINGS "B", "C", "D", AND "E"

No bid

SALE OF USED TIRES AND TUBES STORED AT SALEM AND LA GRANDE

LOT NO. 1 AT SALEM

Cluster's Auto Wreckers

\$105.00

City Tire Company

85.00

LOT NO. 2 AT LA GRANDE

City Tire Company

\$45.00

Chairman Cabell made the following announcement in regard to the bids that were received for the Shuttler Flat-Condon Rock Production Project on the John Day Highway, in Gilliam County: "The Commission has decided not to open the bids on the Shuttler Flat-Condon Project for the reason that difficulties have arisen in acquiring quarry and stock pile sites. Bids received for such project have been ordered returned to the respective bidders, unopened. The project will be readvertised for bids to be received at some future date when the present difficulties have been cleared up."

Chairman Cabell also announced that the award of contracts on highway construction projects, sale of buildings and scrap materials would be made at 3:00 o'clock p. m. in the same room.

Landscape Engineer George Otten was present and discussed with the Commission matters pertaining to the property that the Commission is considering purchasing from Mr. Carl G. Washburne for a park site adjacent to the Oregon Coast Highway, near Heceta Head, in Lincoln County. He was authorized by the Commission to contact Mr. Washburne and ascertain what plans he has for the development of this property. The question arose whether or not it would be possible to finance the purchase of this tract with private funds. The Commission referred this matter to Chairman Cabell to determine the possibility of such method of financing. The Commission indicated that it would authorize the expenditure of state funds for the purpose in the event attempts to secure private funds prove successful, the state's contribution to be the amount required over and above the \$5,000 contribution that has been offered by Mr. J. C. Ainsworth and Mr. E. C. Sammons, Portland, as reported by the Parks Superintendent on the previous evening.

A delegation from Coos County, consisting of Mrs. Charles Magee, Marshfield, Chairman, representing the Berview and Charleston property holders'

group; Henry Kern, North Bend, representing Coos County Chamber of Commerce; L. S. Henrie, Marshfield, representing the Marshfield Chamber of Commerce; Harold J. Hickerson, North Bend, Secretary of the North Bend Chamber of Commerce; and W. M. Hillar, Empire, representing the Gateway Chamber of Commerce of Empire and Charleston, came before the Highway Commission in the interests of the Cape Arago Secondary State Highway.

Mrs. Magee read aloud a letter directed to the Commission and signed by her, as Chairman of the group she represented, extolling the attractive features of the Cape Arago road and urging the Commission to improve the condition of the road by surfacing and oiling at the earliest possible time so its use may be enjoyed to the utmost by pleasure-seekers as well as by those who use the road for commercial purposes. She asked the Commission particularly to make provision in its next budget for financing such improvement.

Mr. Kern declared that this road is practically impassable during the winter months. He urged improvement of the same by the construction of a permanent oil surface, especially on the 8-mile section between Tarheel Point, $2\frac{1}{2}$ miles west of Empire, and Cape Arago State Park, a distance of 8 miles. He presented a letter from the Coos County Chamber of Commerce in support thereof.

Mr. Henrie urged the improvement on behalf of the Marshfield Chamber of Commerce and presented a letter from the Highway Committee of the Chamber of Commerce in support of his oral arguments. Mr. Hickerson urged the improvement on behalf of the North Bend Chamber of Commerce.

Chairman Cabell explained briefly the difficulties confronting the Commission in financing new projects. He explained that the cost of maintaining highways has increased greatly and that the Commission is short of funds for even matching money provided by the Federal Government, which has made it necessary to postpone a number of projects on the Federal Aid Highway System. He advised that the Commission hoped at one time to secure federal P.W.A. funds to finance the Catching Slough Bridge in Coos County but the plan did not materialize and it is now necessary to secure funds from some other source in view of the fact that the bridge is in very poor condition and must be replaced; so the outlook for financing an oiling project on the Cape Arago road does not seem to be very promising. He inquired what section of the road it would be most desirable to improve in the event the Commission finds, after further study, that it has funds to finance a portion of it.

Mrs. Magee replied that they would prefer the oiling of the 2-mile section from Tarheel Point to and through Charleston, especially through the business district of Charleston. Mr. Kern gave as his thought that the worst section of the road is west of Charleston but they are not particular where the Commission spends its money, just so long as it provides a permanent improvement.

Chairman Cabell then advised that the Commission has not yet made its program for next year's oiling work and will consider the Cape Arago

project in the arrangement of such program, although no commitments or promises can be made at this time relative thereto. He also said that the Commission realizes that this road is very dusty and carries a considerable amount of traffic but the Commission is confronted with a similar condition in other parts of the state, which accounts for the fact that no definite statement can be made at this time. He concluded the conference by reiterating that the Commission will bear in mind the Cape Arago project in the formulation of its 1938 construction program and will advise the delegation of the action taken. The delegation requested that all correspondence in regard to this matter be directed to Mrs. J. S. Evans, Route 2, Marshfield.

County Judge Nelson B. Higgs, of Harney County, was present. He inquired whether or not the State Highway Commission plans to hold public hearings in connection with the programming of the 1938 highway funds. He was informed that the Commission does not propose to hold public hearings for this purpose but if the members of the Harney County Court have certain projects in mind, the Commission will be glad to have the Court present them for consideration in the formulation of the construction program.

Judge Higgs then asked for the oiling of a 3-mile or 4-mile gap on the Central Oregon Highway in the vicinity of Buchanan, which section, he alleged, is now in very bad condition. He was informed by the Engineer that it would not be possible to do the oiling work at this time because the Commission does not have on hand a supply of fine rock that is needed for such improvement. The Engineer also said that he would see to it that the road is smoothed out and maintained in the best possible manner pending construction of the oiled surface.

A delegation representing the Obsidians of Eugene and consisting of Paul R. Lafferty, President; George H. McMorran, and Robert Lemon, came before the Commission and urged that the McKenzie Highway be kept open during the winter season, east from Belknap Springs to a point known as Frog Camp, a distance of about 12 miles, for the benefit of winter sports enthusiasts who wish to make use of the winter sport facilities in the vicinity of Frog Camp. Mr. Lafferty alleged that this area is unequalled for winter sports in any locality and could be made a national attraction if the Highway Commission would assist by keeping the highway open up to this playground. He gave as his thought that the advertising value of such recreational area to the state would fully justify the expense of keeping the highway open and called attention to the things that are being done in other western states along that line, referring particularly to the Mt. Shasta winter playground in California, the Mt. Rainier winter playground in the State of Washington, and the Sun Valley resort in the State of Idaho. He presented letters from County Judge Fred Fisk of Lane County; W. M. Tugman, Editor, Eugene Register-Guard; C. Valentine Boyer, President, University of Oregon; Elisha Large, Mayor of Eugene; and J. E. Luckey, President, Eugene Chamber of Commerce, all of whom urged the Commission to give favorable consideration to this request.

Mr. McMorran endorsed the remarks made by Mr. Lafferty. He added that in his estimation the cost of keeping the road open to Frog Camp would be more than offset in the increased amount of revenue that the State Highway Department would receive from the gasoline tax paid by those who would use the road.

He predicted that if the road were kept open it would be used, not only by the people of Eugene, but also by the people in the surrounding territory as far west as the coast and into southern Oregon. Mr. Lemon also spoke in favor of this project.

Chairman Cabell advised that highway maintenance costs are mounting steadily and it is necessary that highway funds be conserved as much as possible. He gave as his thought that the cost of keeping the road open up to Frog Camp would amount to a considerable sum and more than the Commission can possibly pay. The Engineer estimated that it would cost about \$6,000 to keep the road open with push-plow equipment if it would be possible to do so with such equipment, which he doubted, in view of the snow conditions on this highway during the last two years. If the work could not be done with push-plows, he said, it would then be necessary to assign a rotary snowplow for the work, which would necessitate the purchase of new equipment costing about \$16,000.

The suggestion was offered that the Obsidians develop a winter playground adjacent to some road that is to be kept open during the winter season and in this connection the Engineer advised that the Commission plans to keep the Santiam Highway open through Hogg Pass and the Willamette Highway open for all-year traffic when it is completed. He offered the suggestion that a winter recreational area could be found adjacent to one of these roads, which would obviate the necessity of keeping an additional road open over the Cascade Range. Mr. Lafferty countered with a statement to the effect that it is only 70 miles from Eugene to Frog Camp, whereas it would be a much greater distance to any winter playground that might be selected on either of the other highways. He urged the Commission to conduct an experiment this winter on the McKenzie Highway to ascertain the cost and practicability of keeping this road open to Frog Camp.

After further discussion the conference was concluded by a statement from Chairman Cabell to the effect that the Commission would give this matter further study and let the delegation know the decision within the next two weeks. This matter was discussed further by the Commission after the departure of the delegation, at which time the Commission voted unanimously to expend a maximum amount of \$1,000 for snow removal on this section this winter as a trial proposition to ascertain the feasibility of keeping the road open to travel and to determine approximately the amount of revenue that will accrue to the State Highway Fund by reason of winter sport activities in this vicinity.

The Commission signed a joint letter with W. H. Lynch, District Engineer, Bureau of Public Roads, and C. J. Buck, Regional Forester, directed to the Chief of the Forest Service and Chief of the Bureau of Public Roads, Washington, D. C., recommending that Oregon Forest Highway, Class 2, Route No. 58 (Flora-Enterprise Highway), be extended northerly from its present terminus to the Oregon-Washington State Line, a distance of 9.56 miles.

The Commission also signed a letter directed to the U. S. Bureau of Public Roads, Portland, requesting that the West Portland-Hubbard Highway,

(Wilsonville Cutoff), be made a part of the Federal Aid Highway System at this time in order that a portion of the available 1939 Regular Federal Aid Funds may be utilized in the construction of the same, said road being 17.5 miles in length, no part of which is within the limits of any incorporated city or town, and described as follows:

Beginning at a point on Federal Aid Road No. 9, northeast of the town of Tigard, in Washington County, and extending southerly to a point on Federal Aid Road No. 3 northeast of the town of Hubbard, in Marion County.

The Commission also by unanimous vote adopted the following resolution revising the descriptions of the highways included in the Oregon Federal Aid Highway System, in accordance with a request from the U. S. Bureau of Public Roads:

WHEREAS, the State Highway Commission has heretofore, from time to time, duly and regularly adopted resolutions by which there were designated, defined and adopted the roads and highways in the State of Oregon which were made parts of and constituted the Oregon Federal Aid Highway System; and

WHEREAS, since the adoption of said resolutions numerous changes have been made in many of said highways and some of the said designated highways or parts thereof have been eliminated or removed from the Oregon Federal Aid Highway System; and

WHEREAS, it is now deemed advisable and appropriate that a resolution be adopted by the State Highway Commission by which there will be redesignated and readopted as modified or altered the roads and highways or parts thereof which by said former resolutions were declared to be the Oregon Federal Aid Highway System;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the Oregon State Highway Commission, all members being present and affirmatively voting, as follows:

1. That the following designated and defined highways with their respective numbers and their respective mileages as given herein shall be and said highways as defined and described herein and their respective numbers and mileages hereby are declared to be and are the Oregon Federal Aid Highway System:

Route No.	Route Description	Total Mileage of Route	Mileage in Cities of 2500 Population or More
1	From a connection with Federal Aid Road No. 2 in Astoria via Portland, The Dalles, Arlington, Pendleton, LaGrande, and Ontario, to the Oregon-Idaho State Line east of Ontario	518.90	31.89

Route No.	Route Description	Total Mileage of Route	Mileage in Cities of 2500 population or more
2	From the Oregon-California State Line southeast of Brookings via Port Orford, North Bend, Reedsport, Newport, and Tillamook, to a connection with Federal Aid Road No. 1 in Astoria.	394.02	10.24
3	From the Oregon-California State Line northeast of Hilt, California, via Ashland, Medford, Grants Pass, Roseburg, Eugene, Junction City, Albany, Oregon City and Oswego to a point on Federal Aid Road No. 24 in Portland	337.85	23.12
4	From a connection with Federal Aid Road No. 15 in Klamath Falls via Fort Klamath Junction, Crescent, Lapine, Bend, Redmond, and Maupin, to a point on Federal Aid Road No. 1 northeast of The Dalles.	285.11	4.73
5	From a point on Federal Aid Road No. 3 east of Eugene via McKenzie Bridge, Redmond, Prineville, Mitchell, John Day, and Vale to a point on Federal Aid Road No. 1 in Ontario.	385.00	
6	From a point on Federal Aid Road No. 1 at Arlington to a point on Federal Aid Road No. 5 northwest of Dayville.	123.63	
7	From a point on Federal Aid Road No. 1 in La Grande via Minam to Enterprise.	66.25	.46
8	Eliminated		
9	From a point on Federal Aid Road No. 3 near Junction City via Corvallis, McMinnville, and Fourth Avenue in Portland to a point on Federal Aid Road No. 1 at the intersection of Fourth Avenue and Burnside Street in Portland and from another point on Federal Aid Road No. 1 in Portland at the intersection of Burnside Street and Broadway via Broadway, Interstate Avenue and Denver Avenue to a point on Federal Aid Road No. 26 at the south end of the Interstate Bridge over the Columbia River.	116.04	13.34
10	From a point on Federal Aid Road No. 3 in Albany to a point on Federal Aid Road No. 9 in Corvallis.	10.50	.65

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Route No.	Route Description	Total Mileage of Route	Mileage in Cities of 2500 population or more
11	From a point on Federal Aid Road No. 9 southwest of McMinnville to a point on Federal Aid Road No. 2 at Hebo.	46.66	
12	From a point on Federal Aid Road No. 1 at Biggs via Moro to a point on Federal Aid Road No. 4 southwest of Shaniko.	69.00	
15	From a point on Federal Aid Road No. 4 at Fort Klamath Junction to the south boundary of Crater Lake National Park.	6.75	
14	From a point on Federal Aid Road No. 3 near Dillard to a point on Federal Aid Road No. 2 between Fort Orford and North Bend, near Coquille.	61.81	0.29
15	From a connection with Federal Aid Road No. 4 in Klamath Falls to a point on Federal Aid Road No. 3 southeast of Ashland.	56.34	0.98
16	From a point on Federal Aid Road No. 4 approximately 2 miles southwest of Lapine via Silver Lake and Lakeview to the Oregon-California State Line at New Pine Creek on route to Alturas, California.	158.23	
17	From a point on Federal Aid Road No. 8 at Grants Pass via Kerby to the Oregon-California State Line en route to Crescent City, California.	42.34	
18	From a point on Federal Aid Road No. 1 at Umatilla to the Oregon-Washington State Line south of Wallula, Washington.	19.71	
19	From a point on Federal Aid Road No. 1 at Pendleton to the Oregon-Washington State Line southwest of Walla Walla, Washington.	56.60	
20	From a point on Federal Aid Road No. 3 at Drain via Scottsburg to a point on Federal Aid Road No. 2 at Reedsport.	50.13	
21	From a point on Federal Aid Road No. 4 in Bend to a connection with Federal Aid Road No. 51 in Burns.	151.71	2.59

Route No.	Route Description	Total Mileage of Route	Mileage in Cities of 2500 population or more
22	From a point on Federal Aid Road No. 2 in Newport to a point on Federal Aid Road No. 9 in Corvallis.	56.91	.99
23	From a point on Federal Aid Road No. 2 near Otis to a point on Federal Aid Road No. 11 at Valley Junction.	21.92	
24	From a point on Federal Aid Road No. 1 in Portland via Sandy and Government Camp to a point on Federal Aid Road No. 4 west of Maupin	99.21	6.69
25	From a point on Federal Aid Road No. 2 at Florence to a point on Federal Aid Road No. 3 south of Junction City	67.32	
26	From a point on Federal Aid Road No. 3 in Oregon City via Milwaukie and Union Avenue in Portland to the Oregon-Washington State Line at the Interstate Bridge over the Columbia River south of Vancouver, Washington.	19.51	9.36
27	From a point on Federal Aid Road No. 9 in Portland via the Wolf Creek route to a point on Federal Aid Road No. 2 at Necanicum.	65.52	2.31
28	From a point on Federal Aid Road No. 2 near Wheeler via Cannon Beach to a point on Federal Aid Road No. 2 approximately 5 miles north of Cannon Beach.	20.96	
29	From a point on Federal Aid Road No. 3 at Goshen to a point on Federal Aid Road No. 4 south of Crescent.	87.17	
30	From a point on Federal Aid Road No. 1 in Pendleton via Nye to a point on Federal Aid Road No. 5 near John Day	122.15	1.73
31	From a connection with Federal Aid Road No. 21 in Burns to a point on Federal Aid Road No. 5 at Vale.	114.97	1.01
32	From a point on Federal Aid Road No. 27 west of Portland via Hillsboro and Forest Grove to a point on Federal Aid Road No. 9 northeast of McMinnville	42.36	1.82

Route No.	Route Description	Total Mileage of Route	Mileage in Cities of 2500 population or more
33	From a point on Federal Aid Road No. 15 south of Klamath Falls to the Oregon-California State Line south of Worden en route to Weed, California	14.30	
34	From a point on Federal Aid Road No. 11 near Dolph to a point on Federal Aid Road No. 23 west of Grand Ronde.	5.60	
35	From a point on Federal Aid Road No. 2 in Tillamook via Wilson River to a point on Federal Aid Road No. 27 near North Plains.	54.32	.48
36	From a point on Federal Aid Road No. 1 approximately 8 miles west of Pendleton to a point on Federal Aid Road No. 18 east of Umatilla	18.50	
37	From a point on Federal Aid Road No. 3 in Albany via Lebanon and Cascadia to a point on Federal Aid Road No. 5 at Sisters.	101.50	.48
38	Eliminated		
39	From a point on Federal Aid Road No. 1 at or near the Sandy River Bridge, via Base Line Road to a point on Federal Aid Road No. 1 at the intersection of Sandy Boulevard and East Burnside Street in Portland	15.40	4.58
40	From a point on Federal Aid Road No. 1 at the intersection of Sandy Boulevard and Columbia Boulevard northeast of Portland, via Columbia Boulevard, Lombard Street, and St. Johns Bridge to a point on Federal Aid Road No. 1 near the northwest limits of Portland.	10.90	7.90
41	From a point on Federal Aid Road No. 1 at the intersection of East 82nd Street and Sandy Boulevard, at the northeast limits of Portland, via East 82nd Street and Meridian Road to a point on Federal Aid Road No. 26 near Gladstone.	<u>13.50</u>	<u>5.78</u>
Total		3,868.22*	131.42

* Includes Reservation Mileage - 482.11 miles.

2. That the roads and highways or parts thereof heretofore designated and adopted by resolutions of this Commission as and constituting the Oregon Federal Aid Highway System shall be, as modified or altered herein, deemed to be readopted and redesignated by this resolution, and such highways or portions of highways included in said former resolution but eliminated by this resolution either in whole or in part by way of alteration or modification shall no longer be deemed to be a part of the said Oregon Federal Aid Highway System, subject, however, to such action or ruling as the Commission may hereafter make.

3. That this resolution be entered in the minutes and records of the Commission and a duly certified copy thereof delivered to the United States Bureau of Public Roads, and a copy to each of the counties in which any of said roads or highways are located.

Mr. Jack Summerville, United States Marshal, Portland, was present and asked the Commission to revise its plans for the construction of the new highway along the waterfront in Oregon City so as to eliminate the two curves in the proposed line south of the Abernethy Creek Bridge. He said that he is not personally interested in this matter but is simply appearing in behalf of numerous residents of Oregon City who believe that such change will be for the best interests of the highway and the traveling public. He exhibited a map showing the proposed change, which involves realignment to eliminate two curves south of Abernethy Creek Bridge.

The Engineer pointed out that the curves referred to by Mr. Summerville are not extreme, being 6-degree curves, and that it would be possible for traffic to negotiate them at a speed of 80 miles an hour with safety were it not for the fact that the curves are located within the corporate limits, where such speed is not permissible because of traffic congestion. He estimated that it would cost about \$100,000 to make the change proposed by Mr. Summerville, and recommended against the same. The Commission approved the recommendation by unanimous vote.

Dr. T. M. Birkbeck, Mayor, and Mr. George Hibbert, City Manager, of Milton, Oregon, came before the Commission and urged the straightening of the Oregon-Washington Highway through their city. They pointed out that the present highway contains numerous turns within their city limits, is narrow, and is not nearly capable of taking care of the traffic, and as a consequence there is considerable traffic congestion and accompanying hazard. They asked for the elimination of the turns and the widening of the pavement from curb to curb. The Engineer estimated that such project would cost about \$15,500 and would involve the removal of railroad tracks. After discussion, Chairman Cabell advised that the Commission will be pleased to consider this project in the formulation of its construction program next year but is not in a position at the present time to make any definite statements in regard thereto. He further stated that the Commission will inspect the situation next time it is in the vicinity of Milton.

Representative S. R. Fatland, Condon, conferred with the Commission in regard to the oiling of the unoled sections of the John Day Highway between Branson Creek and Service Creek, in Wheeler County. He said that if the Commission will allocate \$20,000 to their project, half of which could be federal funds, they will be satisfied and will not ask for anything else. The Engineer advised that there are 27 miles of unoled road between Branson Creek and Service Creek and that it would cost at least \$1,000 per mile to do what Mr. Fatland asks. Chairman Cabell explained the need for conserving state highway funds in order to provide funds with which to take up Federal Aid allotments. He pointed out that the cost of maintaining state highways is increasing, and, in order to provide proper maintenance and to construct the projects that have to be financed with state money, it has become necessary to defer a number of Federal Aid projects, so there is a question whether or not it will be possible for the Commission to undertake the John Day Highway project during the next construction season. He further stated that the members of the Commission are as anxious as others for the oiling of state highways but the shortage of funds makes it necessary to defer some projects; however, the Commission will be glad to consider this project along with others in the formulation of next year's construction program.

The Commission adjourned for luncheon at 12:30 o'clock p. m. and reconvened at 1:30 o'clock p. m. in the same room, the same persons being present and participating.

The Engineer requested authority to trade in three old Pontiac automobiles assigned to division engineers as part purchase price on three new automobiles of similar type, the old cars having outlived their usefulness for purposes for which they have been used. He also requested authority to trade in seven additional automobiles of the lightweight class as part purchase price on seven new cars of the same class, for similar reasons. He estimated the total cash outlay for the ten cars to be \$6,800. The Commission approved the request by unanimous vote and ordered that the transaction be consummated through the State Purchasing Agent in the usual manner.

The Engineer reported the need for 5,000 gallons of yellow traffic line lacquer in order to complete the season's program of stripe painting on highway pavements. He requested authority to purchase such material, which he estimated would cost \$1.13 per gallon, or a total of \$5,650. The Commission approved the purchase by unanimous vote.

The Commission also, by unanimous vote, approved the purchase of a fireproof safe, costing approximately \$600, for use in connection with the safe-keeping of valuable documents in the office of the Secretary of the Commission.

The Engineer requested authority to purchase five radio receiving sets for installation on the five large Oshkosh trucks that were recently purchased for use exclusively in snow-removal operations, same being equipped with snowplows. He estimated that such radio sets would cost about \$50 each, or a total of \$250. The Commission approved the purchase by unanimous vote.

The Engineer also requested authority to purchase one No. 603 illumination meter at a cost of \$75 for use in determining the type and power of light globes. He also requested authority to purchase one Pastor No. 1 stopwatch at an estimated cost of \$6, for use in connection with the timing of traffic signals and flashers. The Commission approved the purchases by unanimous vote.

The Commission had under consideration the matter of purchase of a privately-owned, one-story residence building with combination garage and woodshed, located on state property at the Sand Creek section headquarters on The Dalles-California Highway, in Klamath County. The Engineer advised that these buildings were constructed several years ago by one of the Highway Department employees, as there was no other place for him or his family to live in that vicinity. He gave as his thought that the state should own these buildings and he recommended their purchase for the sum of \$150, which is the price set on them by the owner, Mr. Harold Moon, inasmuch as they are located on state property and are needed as living quarters for Highway Department employees; also, that they should be rented to the employee occupying them for a small monthly charge. The Commission approved the Engineer's recommendation by unanimous vote.

The Engineer reported the sale of an old 10-ton steam roller, which has been in storage at Astoria for a number of years, to the city of Astoria for the sum of \$500. He explained that this roller is of an obsolete type and is of no value to the State Highway Department and that it has been offered for sale several times during the past five years but no satisfactory bid has been received for the same, and when the city of Astoria offered \$500 for it he thought it was a good idea to take advantage of the opportunity to get rid of it, and accordingly accepted the offer. The Commission by unanimous vote approved the sale of this roller to the city of Astoria at the price mentioned by the Engineer.

The Engineer requested authority to advertise for bids for the furnishing of 10,000 cubic yards of maintenance materials that are needed for the Paradise Creek-Drain Section of the Umpqua Highway, in Douglas County, which he estimated would cost about \$19,000. The Commission approved the request by unanimous vote.

The Commission also, by unanimous vote, confirmed the Engineer's award to Mountain States Construction Company, on September 18, of the contract for surfacing and rock production on the Siletz Secondary Highway, in Lincoln County, bids for which were received by the Commission on September 14, the conditions of the award having been satisfied.

The Commission also confirmed the Engineer's sale of the following buildings at Marshfield, bids for which were taken on September 14:

Building "F", sold on September 18 to J. F. Burkhart, Marshfield, for \$100.

Building "B", sold at private sale to Dave Adams, Marshfield, for \$40.

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The Commission had under consideration the sale of the building located on property purchased from Pearl M. Brown for the Cook Overcrossing section of the West Portland-Hubbard Highway, to Charles Loeschon for the sum of \$5.00. The Attorney advised that this building is simply a small shed of very little value and that it would be of no use to anyone unless he lived in the immediate vicinity, as does Mr. Loeschon. He recommended that the building be sold to Mr. Loeschon at the price offered. The Commission approved the recommendation by unanimous vote.

The Engineer reported on the cost to remove snow from the Tumalo Falls county road in Deschutes County, as requested previously by the County Court of that county through County Commissioner Baer. He stated that inspection of this road reveals that it is in such condition that it would be impracticable to undertake snow-removal operations, as it is a one-way mountain road and in some places only six feet wide and lined with boulders and brush and it is almost certain that snowplows could not operate thereover without serious damage to the equipment. He advised that Deschutes County Court made an attempt last winter to keep the road open for the benefit of winter sports enthusiasts, but had to discontinue operations because of the condition of the road. He recommended, in view of the circumstances, that the Commission deny the request of the County Court, at least until the grade of the road has been improved to such an extent that snow-removal equipment can be operated over it without being damaged. Even then, he added, it would cost approximately \$10,000 to keep the road open satisfactorily to traffic. The Commission approved the report and instructed the Engineer to convey the information contained therein to the Deschutes County Court with a request for an expression from the Court as to whether or not it will proceed with the grading work to permit the operation of snow-removal equipment over the road. Definite action as to whether or not the Commission would assume the responsibility of snow removal was deferred pending the County Court's reply.

The Commission reconsidered the matter of the encroachment of the building owned by Mr. Wilbur Badley on state park property at Otter Crest, adjacent to the Oregon Coast Highway, in Lincoln County. The Engineer reported that the property line between the state park and Mr. Badley's property has been rerun by Locating Engineer A. G. Johnson of the State Highway Department, and the new line practically coincides with the line previously run by Locating Engineer B. A. Martin, so there is little question that it is correct. It is apparent from these surveys, he said, that Mr. Badley's building has been constructed partly upon the state's property, and he believed that if the Commission wanted to go to court about the matter, the position that the building is on the state's property could be sustained. He read aloud the report of Construction Engineer H. G. Smith on this subject, dated October 15, 1937, which report was discussed by the Commission.

Chairman Cabell questioned the advisability of taking the matter into court because it appeared to him a situation exists that cannot be corrected without bringing upon the Commission adverse criticism from the general public which, according to information that he has received, is of the opinion that the building is located on Mr. Badley's property.

He suggested that the matter might be disposed of by granting to Mr. Badley a temporary lease or license to occupy a portion of the state park with his building, provided the business conducted therein is carried on properly and in a satisfactory manner, which would still give the Commission control over the situation. Commissioners Aldrich and Tou Velle approved the Chairman's suggestion and it was so ordered. The Attorney was instructed to prepare a form of agreement covering the matter and embodying the suggestions made at this meeting. Such agreement is to be presented to the Commission when signed by Mr. Badley, and, when approved by the Commission, shall be entered in the minutes of the Commission for the information of future State Highway Commissions.

In this connection the Attorney advised that when this matter first came up for discussion, Mr. Ralph Cake, attorney for Mr. Badley, presented a form of deed which was intended to correct an error that Mr. Badley alleges inadvertently crept into the description contained in the deed by which he conveyed the park property to the state. He gave as his thought that the Commission should not sign this deed, in view of the results of the surveys of the property line. The Commission concurred in the viewpoint of the Attorney and instructed him to return the deed to Mr. Cake and to explain to him the reason that the Commission did not feel disposed to sign it.

The Attorney reported briefly that he has received information to the effect that Gilchrist & Company, Ltd., has decided to abandon its plans to construct its railroad at grade across the Willamette Highway to facilitate its logging operations and has decided to proceed at once to construct an overhead structure, thus eliminating the necessity of securing an order from the Public Utilities Commissioner for the temporary grade crossing heretofore considered, and avoiding any further conflict with the State Highway Commission. The Commission took no action.

The Engineer reported the necessity to either place additional surfacing material on the easterly end of the Little Nestucca Secondary Highway, in Tillamook County or to prohibit the hauling of logs over this road. He said that log hauling is being carried on to quite a large extent over the $1\frac{1}{2}$ -mile section of this road just west of Dolph, which section was graded to state highway standards last year but on which no surface material was placed, and unless the road is surfaced or log hauling is prohibited, the road will be impassable this coming winter even for the few farmers who reside in the district. He estimated that it would cost at least \$1,500 to place a topping surface on this grade, and recommended against the project because of shortage of funds. He also recommended that a 10,000-lb. maximum load limit for this road during the winter season be established, which would prevent the hauling of logs thereover. The Commission approved the Engineer's recommendation and by unanimous vote adopted the following resolution relative thereto:

ORDER REDUCING MAXIMUM LOAD LIMIT ON LITTLE NESTUCCA SECONDARY HIGHWAY

WHEREAS, the following road or highway has been duly designated and declared to be and is a state highway, and has been improved

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and is being maintained by the State Highway Commission pursuant to the laws of the State of Oregon as a state highway, to wit:

LITTLE NESTUCCA SECONDARY HIGHWAY

AND WHEREAS, the said above-named state highway is in the judgment of the State Highway Commission being subjected to a kind and character of traffic which is damaging and injuring the said highway, and, in order to protect said highway against such damage and injury it is deemed and is the judgment of the Highway Commission and said Commission finds that it will be for the best interests of the said highway that the maximum weights permitted and authorized by law be reduced:

AND WHEREAS, the State Highway Commission has after due investigation determined and found, and it is the judgment of the Commission that the maximum weights which shall be permitted upon the said road shall be reduced and fixed as in this order provided:

NOW, THEREFORE, the premises being in part as above stated, and the State Highway Commission having as a result of due investigation found that the road above mentioned and hereinafter designated is being damaged and injured on account of the kind and character of traffic now being hauled over and upon said road, and by reason of the fact that vehicles carrying maximum loads moved at the maximum speeds specified by the provisions of the laws of the State of Oregon are breaking up, damaging and deteriorating the said road, and the Commission having found upon due investigation that it will be for the best interest of the said state highway that the maximum total weight of load and vehicle which shall be permitted upon said road shall be reduced so as to conform to the requirements fixed in this order;

IT IS HEREBY ORDERED, that the maximum weight of combined load and vehicle which shall be permitted upon the within-named road shall not exceed the weight herein fixed.

The maximum weights which shall apply to the following highway, to wit:

LITTLE NESTUCCA SECONDARY HIGHWAY between its junction with the McMinnville-Tillamook Highway at Dolph to a point two miles westerly thereof, in Tillamook County

shall be as follows: The combined weight in pounds on the surface of the highway at contact with the tread of the wheels of the front axle of a truck or truck-tractor shall not exceed the product of three hundred (300) multiplied by the sum in inches of the tire width of the wheels of such axle; and, the combined weight in pounds bearing on the surface of the highway at contact with the tread on the wheels of any axle of a vehicle or combination of vehicles, other

than the front axle of a truck or truck-tractor, shall not exceed the product of two hundred (200) multiplied by the sum in inches of the tire width of the wheels of such axle; but, in no event shall the combined weight in pounds bearing on the surface of the highway at contact with the tread of the wheels of any one axle of a vehicle exceed the maximum limit of 6,000 pounds.

IT IS FURTHER ORDERED, that these rules and regulations as made and found by the State Highway Commission under the provisions of Chapter 580 of the laws of Oregon for 1931, shall be in full force and effect from this date until modified, annulled or voided by the order of the State Highway Commission.

AND IT IS FURTHER ORDERED, that a notice be posted in a conspicuous manner and place at each end of the above-named highway and at important crossroads on said highway, so that said notice can be readily seen and read, which said notice shall state plainly the limitations and prohibitions of traffic hereby in this order determined and fixed.

AND BE IT FURTHER ORDERED, that a certified copy of this order be furnished to the county clerk of Tillamook County, and that a certified copy of this order be furnished to the Superintendent of the Department of State Police for his information.

The Engineer also reported the necessity to reduce the maximum load limit on the Tampico-Lewisville Secondary State Highway, in Benton County. He said that the road is now in very good condition but log hauling is being carried on quite extensively over the same, and unless some means of protection is provided, the road very likely will break up during the winter months and will cause great inconvenience to the people who reside adjacent thereto, this being the only road available to them. He recommended that the Commission make an order reducing the load limit to 50 per cent of the maximum specified by law. The Commission approved the recommendation and by unanimous vote adopted the following resolution in regard thereto:

ORDER REDUCING MAXIMUM LOAD LIMIT ON TAMPICO-LEWISVILLE SECONDARY HIGHWAY

WHEREAS, the following road or highway has been duly designated and declared to be and is a state highway, and has been improved and is being maintained by the State Highway Commission pursuant to the laws of the State of Oregon as a state highway, to wit:

TAMPICO-LEWISVILLE SECONDARY HIGHWAY

AND WHEREAS, the said above-named state highway is in the judgment of the State Highway Commission being subjected to a kind and character of traffic which is damaging and injuring the said highway, and, in order to protect said highway against such damage and injury, it is deemed and is the judgment of the Highway

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Commission, and said Commission finds that it will be for the best interests of the said highway that the maximum weights permitted and authorized by law be reduced:

AND WHEREAS, the State Highway Commission has after due investigation determined and found, and it is the judgment of the Commission that the maximum weights which shall be permitted upon the said road shall be reduced and fixed as in this order provided;

NOW, THEREFORE, the premises being in part as above stated and the State Highway Commission having as a result of due investigation found that the road above mentioned and hereinafter designated is being damaged and injured on account of the kind and character of traffic now being hauled over and upon said road, and by reason of the fact that vehicles carrying maximum loads moved at the maximum speeds specified by the provisions of the laws of the State of Oregon are breaking up, damaging and deteriorating the said road, and the Commission having found upon due investigation that it will be for the best interest of the said state highway that the maximum total weight of load and vehicle which shall be permitted upon said road shall be reduced so as to conform to the requirements fixed in this order;

IT IS HEREBY ORDERED, that the maximum weight of combined load and vehicle which shall be permitted upon the within-named road shall not exceed the weight herein fixed.

The maximum weights which shall apply to the following highway, to wit:

TAMPICO-LEWISVILLE SECONDARY HIGHWAY from its junction with the Pacific Highway West, north of Corvallis to the Benton-Polk County Line, in Benton County

shall be as follows: The combined weight in pounds bearing on the surface of the highway at contact with the tread of the wheels of the front axle of a truck or truck-tractor shall not exceed the product of four hundred (400) multiplied by the sum in inches of the tire width of the wheels of such axle; and, the combined weight in pounds bearing on the surface of the highway at contact with the tread on the wheels of any one axle of a vehicle or combination of vehicles, other than the front axle of a truck or truck-tractor, shall not exceed the product of three hundred (300) multiplied by the sum in inches of the tire width of the wheels of such axle; but, in no event shall the combined weight in pounds bearing on the surface of the highway at contact with the tread of the wheels of any one axle of a vehicle exceed the maximum limit set by law for any one axle.

IT IS FURTHER ORDERED, that these rules and regulations as made and found by the State Highway Commission under the

provisions of Chapter 360 of the laws of Oregon for 1951, shall be in full force and effect from this date until modified, annulled or voided by the order of the State Highway Commission.

AND IT IS FURTHER ORDERED, that a notice be posted in a conspicuous manner and place at each end of the above-named highway and at important crossroads on said highway, so that said notice can be readily seen and read, which said notice shall state plainly the limitations and prohibitions of traffic hereby in this order determined and fixed.

AND BE IT FURTHER ORDERED, that a certified copy of this order be furnished to the county clerk of Benton County, and that a certified copy of this order be furnished to the Superintendent of the Department of State Police for his information.

The Commission by unanimous vote approved the Engineer's request for an additional authorization of \$13,500 to complete the work on the city street inventory of the State-wide Planning Survey. The Engineer explained that the original authorization for this work was found to be insufficient, due partly to the fact that it was necessary to secure data that was not anticipated when the project was first discussed, and also to the fact that it was not possible to foresee the many complications that would arise from the survey of street intersections, which information has been requested by the Bureau of Public Roads.

Reconsideration was given by the Commission to the request of Mr. G. T. Cochran, attorney of La Grande, for the construction of a footpath along the Wallows Lake Highway between La Grande and Island City for the benefit of school children and other pedestrians. The Engineer advised that Mr. Cochran's first request was simply for a permit authorizing the construction of a footpath along this highway, same to be financed with W.P.A. funds or funds to be secured from some other source than the state; but it now appears that Mr. Cochran not only wants the state to furnish the right of way but he also wants it to cooperate in the cost of the improvement, which, the Engineer estimated, would amount to a considerable sum. The Commission discussed the matter but deferred action thereon pending a report from the Engineer at the next meeting, on how much money the improvement would embrace.

The Commission also had under consideration a letter from the Cannon Beach Library and Woman's Club requesting repairs to the sidewalk along the Oregon Coast Highway through that town. The Engineer advised that this is not an incorporated town but there is approximately one mile of wooden sidewalk along the west side of the highway, which is the main street of the town, and that this sidewalk is badly in need of repair. He further stated that the original sidewalk was constructed by the county but was turned over to the state at the time that the State Highway Commission designated the road as a state highway. He requested instructions from the Commission as to what to do about the matter. The Attorney advised that, inasmuch as the Highway Commission has taken over complete jurisdiction of this highway

within the right of way limits, it likewise has taken over the responsibility of the sidewalk and is under obligation to keep it in a safe condition. He suggested that the walk should either be repaired or taken up entirely; otherwise, the Commission might become involved in a damage suit. After discussion, the Commission decided to repair the existing sidewalk and instructed the Engineer to proceed with the work. The Engineer was also instructed by the Commission to render a report on the cost to construct an entirely new sidewalk of a type that would be permanent.

The Commission had under discussion the compilation of the records, including minute entries and correspondence, pertaining to the construction of a revetment along the Wilson River, in Tillamook County, to prevent flood waters of this river from flowing into Dougherty Slough and causing damage to adjacent private property and to the highway, this discussion being a continuation of the discussion presented at the meeting on September 14, when members of Tillamook County Court and the Wilson River Drainage District appeared before the Commission relative thereto. After a review of the record the Commission decided unanimously that it is morally obligated to cooperate in the cost of this improvement, and thereupon authorized an expenditure of \$1,000 for such purpose, subject to the condition that Tillamook County Court will assume all responsibility for damage that may occur to persons or property by reason of the construction of such revetment. The Attorney was instructed to prepare a form of agreement with Tillamook County and the Drainage District covering the matter.

Mr. R. L. Stout, Portland, appeared before the Commission on behalf of the Pacific Power and Light Company and requested authority to construct and maintain an electric distribution line along the Pendleton-Cold Springs Highway across Section 3, Township 3 North, Range 32 East, W. M., and across Section 34, Township 4 North, Range 32 East., W. M. He asked that a location on the easterly side of the highway be specified for this pole line and that the company be authorized to construct two crossings over the highway, one about $\frac{1}{4}$ mile south of the township line and the other about $\frac{1}{4}$ mile north of the township line, in order to avoid constructing their pole line along the highway curves between these two points. He said that the company has already constructed its pole line, having done so inadvertently before securing permission from the Highway Commission, and that all they are asking now is the Commission's approval of the constructed line.

The Engineer advised that he did not take very kindly to this request inasmuch as the company did not secure a permit before constructing its pole line; however, he would recommend approval of the request if the power company will provide an easement for telephone pole line construction between the two crossings if and when a telephone company desires to construct a telephone line along this section, so as to avoid the necessity for the telephone company's wires to cross beneath the wires of the power company.

Chairman Cabell stated that the Highway Commission demands that pole line companies comply with the rules and regulations of the Commission with respect to the construction of their facilities on state highway rights of way, including the rules governing crossings and the requirement that a

permit be secured before construction is commenced. He further stated that, inasmuch as the power company has already constructed its pole line along this highway in accordance with plans that it is now asking the Commission to approve, thus making it impossible for a telephone company to construct its facilities along the highway without interfering with the power company, the Pacific Power and Light Company should agree to provide a location off the highway right of way for the poles and facilities of the telephone company between the two points of crossing of the power wires over the highway. Mr. Stout indicated his company's acceptance of the condition and said the company would make such arrangement. The Commission thereupon authorized the granting of the permit to the Pacific Power and Light Company, subject to such condition.

Mr. Claude H. Giles, attorney, Marshfield, was present on behalf of property owners, residents, and logging operators residing and/or working on North Coos River, Coos County, who desire 24-hour-day ferry service on the Enegren Ferry, which operates across the Coos River on the Coos River Secondary State Highway. He said that a number of logging camps have opened up in this district during the last few years, employees of which must cross the Coos River about 5:00 o'clock in the morning in order to reach the logging camps on time, which they cannot do unless they pay for ferry service out of their own pockets, as the free ferry does not commence operating until 7:00 o'clock in the morning, or cross in boats, or, as some of the men do, on saw logs, which is very dangerous. He asked the Commission to authorize 20-hour-day service at least, if it could not comply with the 24-hour-day service requested, in order to eliminate the hazard and provide greater convenience for the people working in this district. He presented a brief in support of his oral arguments; also a letter from the Marshfield Chamber of Commerce requesting the extra service; and petitions signed by 701 Coos County residents who are obliged to use this ferry.

The Engineer advised that the present free ferry operates 16 hours a day, from 7:00 o'clock a. m. until 11:00 o'clock p. m., for which service the Commission is paying \$472.06 a month, or approximately 97½¢ an hour; also, that the owner of the ferry has the privilege of operating longer hours if he so desires, but must depend upon receiving his compensation for such extra service from the persons using the ferry outside of the regular hours. He further stated that the present ferry operator, Mr. Julius Gunnell, has been contacted relative to providing 24-hour service and asserted his unwillingness to do so unless he receives an additional \$472.06 a month for the same. He gave as his thought that this extra expense is not justified at this time.

After discussion of this matter, Chairman Cabell stated that, on account of shortage of highway funds, the Highway Commission is reluctant to take on any additional obligation; however, the matter will be given due consideration.

A delegation from Benton County, consisting of County Commissioners W. H. Malone and T. A. Logsdon; former County Judge Victor P. Moses; W. F. Groves, Secretary of the West Side Highway Association; and C. C. Cochran,

President of the Corvallis Chamber of Commerce, was present and urged the Commission to designate and construct as a secondary state highway a 5-mile extension of the Territorial Secondary Highway from the Lane-Douglas County line southerly to a connection with the Pacific Highway at Anlauf, in Douglas County. They pointed out that this is the only uncompleted section of the Territorial Highway and alleged that its construction will provide an excellent optional route between Southern Oregon points and the Willamette Valley. Mr. Malone presented a letter signed by the Benton County Court and the West Side Highway Association recommending this project, and a letter from County Judge George K. Quine, Douglas County, endorsing the project on behalf of the Douglas County Court.

Chairman Cabell advised that the Highway Commission is experiencing a shortage of funds and is endeavoring to curtail expenses as much as possible in order to have money available to match Federal Aid Funds, so it is necessary to postpone some of the purely state projects, in view of which it does not appear possible to give the delegation any encouragement at this time. He added that the Commission realizes the facts concerning this road and will be glad to consider it for improvement when funds become available but present indications are that the project cannot be undertaken during the 1938 season.

A delegation composed of citizens from Washington County, Tillamook County and Multnomah County, and the city of Portland, was present and conferred with the Commission relative to the completion of the Wilson River Highway. County Judge Donald T. Templeton, of Washington County, headed the group, which included the following: County Commissioner H. D. Kerkman of Washington County; County Judge H. H. Rosenberg and County Commissioners E. H. Lindsey and E. G. Anderson of Tillamook County; Frank Shull, Chairman, and Commissioners C. A. Bigelow and Erwin A. Taft, representing the Board of County Commissioners of Multnomah County; L. G. Apperson, City Engineer of Portland; G. H. Huthman, J. L. Peacock, L. M. Lepper, W. W. Tyler, and Norman Todd, all of Portland; Loyal M. Graham, J. A. Thornburgh, F. D. Gardner, and Hugh McGilvra, all of Forest Grove; E. A. Griffith and F. Briethauer, of Hillsboro; and John Aschim, Oscar Effenberger, Walter Nichols, and Clarence M. Coe, all of Tillamook.

Judge Templeton advised that the purpose of their appearance before the Commission is to ask the state to contribute funds to insure the continuance of construction work on the Wilson River Highway. He advised that, unless the state assists in this project, it will be necessary to close down the work because of the new rules of the W.P.A. which limit the things for which W.P.A. money may be expended. He pointed out that money heretofore contributed by the city of Portland for this work came from a special bond issue; that all of such money has been expended, and it would be illegal for the city to appropriate additional funds through its budget for work on a highway outside the city limits. He also said that the Washington County end of the work is practically completed and that the work remaining is nearly all in Tillamook County. Washington County, he said, feels that it has gone as far as it can in contributing funds to the project; in fact, is not financially able to continue putting up the sum of \$25,000 per year, as in

the past, and, under the circumstances, the persons interested in this road feel that they are compelled to appeal to the State Highway Commission to supply funds that are necessary to keep the work going. He read a letter, dated October 18, 1937, directed to the Oregon State Highway Commission and signed by County Judge H. H. Rosenberg of Tillamook County; County Judge Donald T. Templeton of Washington County; Frank Shull, Chairman, Multnomah Board of County Commissioners; and Ormond R. Bean, Commissioner of Public Works, Portland, urging the Highway Commission to authorize an expenditure to pay the cost of repairs and supplies necessary to maintain equipment that is now being operated in the construction of this road, which was estimated at \$25,000 annually, and to assume the payment of rental and the cost of miscellaneous supplies that will be required the next year, also estimated at \$25,000, such contributions to be in addition to those now being made by the Highway Commission; also, in which the Commission was asked to award a contract immediately for the surfacing of this road from the end of the present surfaced section, at Jordan Creek, to McNamar's Camp, a distance of approximately 10 miles, and to award additional contracts for surfacing and the construction of necessary small bridges in Washington County, from Glenwood westerly to the end of the graded section, a distance of approximately 4 miles. The letter also mentioned that the counties would be willing to let the Highway Commission use the county-owned equipment that is now being used on the job. Judge Templeton then called upon other members of the delegation for remarks.

Judge Rosenberg confirmed the statements made by Judge Templeton. He added that the three counties, together with the city of Portland, contributed a total of \$100,000 at the start of this work, and last year contributed an additional \$50,000, which is about as far as they can go because of shortage of funds for such purpose. He gave as his thought that the three counties had been more than generous in their contributions and probably have contributed more to this work than other counties throughout the state have contributed to similar work in their respective counties, which should be justification for additional expenditures by the state on the Wilson River road. He gave as his understanding that the project from Jordan Creek to the Washington County line will cost a little over \$100,000 and advised that the three counties are willing to contribute the sum of \$50,000 toward this expense, represented by rental of equipment. Judge Rosenberg also made an appeal from the standpoint of preservation of scenery on this section. He advised that the Weyerhaeuser Timber Company has offered to deed, either to the state or to Tillamook County, a strip of timber land about one-half mile wide on each side of the highway for park purposes across its holdings. He visualized, if the offer is accepted, an extremely fine park and recreational area adjacent to this highway throughout its entire length.

Mr. Shull declared that Multnomah County has reached the limit of its contribution to this project. He explained that Multnomah County joined in this work two years ago as an emergency relief proposition and for the same reason continued to support the project in 1937, but the county's finances at this time are such that it cannot contribute further. He expressed confidence in Mr. Apperson, City Engineer of Portland, under whose direction the work was carried on.

Mr. Apperson stated that the city of Portland is not in a position to contribute any more funds for this work. He declared that the paramount issue at the present time is to make provision for the repair of equipment, inasmuch as it is practically impossible to secure W.P.A. funds for such purpose; in fact, on account of the procedure that now has to be followed in securing such funds, the equipment would be tied up practically half of the time waiting for authority from Washington, D. C. He asserted that the main purpose of the appearance of the delegation before the Highway Commission today is to urge the Commission to authorize equipment repairs at state expense, which would make it possible for the construction work to proceed.

Others speaking in behalf of this project were Mr. L. M. Lepper and W. W. Tyler, representing the East Side Commercial Club; Erwin A. Taft and C. A. Bigelow; E. A. Griffith, representing the Hillsboro Chamber of Commerce; Walter Nichols, representing the North End Tillamook County Chamber of Commerce; John Thornburgh and Loyal M. Graham, representing the Forest Grove Chamber of Commerce; and Clarence M. Coe, representing the Tillamook Chamber of Commerce.

Judge Templeton concluded the presentation by urging the early completion of both the Wilson River Highway and the Wolf Creek Highway.

Chairman Cabell advised that the Commission has not yet prepared its 1938 budget, but present indications are that the Commission will not be able to increase its allocation to the Wilson River Highway although the matter will be given full consideration at the time the budget is discussed. He added that this will be done in the near future and the delegation will be advised of the action taken.

The following persons constituted a delegation which appeared before the Highway Commission in regard to right of way for the proposed highway up the Columbia River, between Troutdale and Multnomah Falls, and particularly concerning the right of way in the immediate vicinity of Multnomah Falls: Frank S. Grant, City Attorney, Portland; R. E. Riley, Portland City Commissioner; John F. Logan, attorney, Portland, representing the interests of former State Highway Commissioner Simon Benson; and Sam Murray, representing the Union Pacific Company.

Mr. Logan read a letter from Mr. Benson in which he advised that he would have no objection to the waiver of his reversionary rights on the property involved.

The matter was discussed at some length but definite action in regard thereto was deferred pending a conference with the Oregon-Washington Railroad and Navigation Company in regard to right of way involved, particularly the portion that Mr. Benson donated to the city of Portland for park purposes, known as Benson Park. Mr. Murray said that before the railroad company would consent to releasing any of its land that is needed for highway right of way, the company would have to have full and complete information with respect to all of the right of way that is needed for this improvement.

Mr. Riley and Mr. Grant stated their willingness to wait for a decision on the right of way matter until the railroad company has had an opportunity to review the entire right of way situation. The Attorney was authorized to get a quitclaim deed from Mr. Benson, in favor of the city, and also a quitclaim deed from the railroad company, in favor of the city, after which the city will deed to the state, but the deed from the railroad company cannot be obtained until the railroad company and the Highway Commission have reached an agreement with respect to other rights of way. Further discussion on this matter was deferred pending the perfection of the agreement with the railroad company.

The Commission discussed with the city officials acquisition of parts or all of Lots B, 1, 2 and 3 of Block 98, and Lots 3, 4, 5 and 6 of Block 99, Irvington Park Addition to the City of Portland, which property is needed for right of way for the North Lombard Street Extension (N.E. Portland Secondary Highway No. 123.) The Assistant Attorney advised the Commission that there is a question whether or not this property is needed as a site on which to store highway maintenance equipment and that he has asked advice from the Division Engineer in regard thereto. In view of this report, the Commission deferred a decision until such information is received.

County Judge David F. Graham, Malheur County, was present. He asked for the improvement of the Central Oregon Highway between Harper and Juntura and for the improvement of the John Day Highway between Jamieson and Brogan. He also asked the Commission to investigate a new route for the Old Oregon Trail across Malheur County, extending from Ontario to a point near the Baker County line, which, he said, would reduce by several miles the distance between these points. He also asked for the improvement of the road known as Graham Boulevard, being a secondary state highway extending westerly from the town of Vale, and that an investigation be made to determine the possibility of a bypass in Ontario. Judge Graham presented a letter requesting the above improvements and setting forth arguments in support of the same. He was informed by the Engineer that he could not recommend to the Commission the proposed shortcut route for the Old Oregon Trail north of Ontario. He was also informed that the Highway Commission is not in a position to make any definite statements regarding the projects mentioned at this time but will keep them in mind in the formulation of future highway programs.

In this connection there was presented to the Commission a letter from J. L. Taylor, Manager of the Vale Chamber of Commerce, requesting the following: (1) Completion of the Central Oregon Highway between Vale and Bend to permanent, all-weather standards; (2) Completion to modern standards of that portion of the John Day Highway between Lancaster and Brogan; and (3) A substantial and orderly schedule of betterment on secondary roads in Malheur County. There was also presented a petition signed by 123 residents along the Lancaster-Brogan Section of the John Day Highway requesting the early and substantial betterment of that section of this road. The Commission ordered the communications filed for future consideration.

At 4:00 o'clock p. m. Chairman Cabell announced the following awards of contracts, sale of buildings, and sale of old tires and tubes, bids for which were received at the morning session:

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"Furnish 9,000 cu. yds. of crushed rock in stock piles for the Middle Bridge-Black Bridge Section of the Baker-Homestead Highway, in Baker County. The low bid received for this project is that of E. H. Itschner, Molalla, at \$15,050.00. The next low bid is that of Smith & Company, Goldendale, Washington, at \$15,550.00. There were twelve higher bidders. The Commission has awarded this contract to the low bidder, E. H. Itschner, at his bid of \$15,050.00.

"North Powder-Muddy Creek Section of the Old Oregon Trail, in Baker County. 5.69 miles grading, surfacing and penetration type bituminous macadam; also furnish 3,000 cu. yds. crushed rock in stock piles. The low bid submitted for this project was that of Roy L. Houck, Salem, at \$132,185.00. The next low bid was that of Warren Northwest, Inc., Portland, at \$147,264.50. There were ten higher bidders. The Commission has awarded this job to Roy L. Houck, Salem, at his low bid of \$132,185.00.

"Furnish 6,000 cu. yds. crushed rock or gravel in stock piles on the Lincoln County Line-Alsea Mountain Section of the Alsea Highway, in Benton County. R. O. Dail & Warren Bros., Inc., Portland, submitted the low bid for this project at \$11,100.00. The next low bid was that of Saxton, Looney & Risley, Portland, at \$11,340.00. There were two higher bidders. The Commission awards this job to R. O. Dail & Warren Bros., Inc., the low bidders, at their bid of \$11,100.00.

"Furnish 6,200 cu. yds. crushed rock in stock piles on the Wasco County Line-Madras Section of The Dalles-California Highway, in Jefferson County. The low bid received was that of H. L. Rice, Portland, at \$8,742.00. The next low bid was that of A. S. Wallace, Roseburg, at \$9,672.00. There were 14 higher bidders. The Commission awards this contract to H. L. Rice at his low bid of \$8,742.00.

"Furnish 11,500 cu. yds. crushed rock in stock pile for the Eddyville Rock Production Project on the Corvallis-Newport and Eddyville-Blodgett Highways, in Lincoln County. The low bidder is Roy L. Houck, Salem, at \$17,480.00. The next low bidder is O. C. Yocom, Portland, at \$18,850.00. There are ten higher bidders. The Commission has awarded this contract to the low bidder, Roy L. Houck, at his bid of \$17,480.00.

"Hebo Rock Production Project on the Oregon Coast and McMinnville-Tillamook Highways, in Tillamook County. The Commission received only two bids for this project, the low one being that of Saxton, Looney & Risley, Portland, at \$14,180.00. The other bid was that of Dolan Construction Company, Tillamook, at \$15,400.00. The Commission has awarded this project to Saxton, Looney & Risley Portland, at their low bid of \$14,180.00.

"Furnish 5,100 cu. yds. crushed rock in stock piles for the Wallowa-Enterprise Section of the Wallowa Lake Highway, in Wallowa

County. The low bidder on this job was O. C. Yocom, Portland, at \$8,885.00. The next low bidder was Rogers Construction Company, Dayton, Washington, at \$9,070.00. There are five higher bidders. The Commission has awarded this contract to O. C. Yocom at his bid of \$8,885.00.

"The Dalles Roadside Improvement Project on the Columbia River Highway, in Wasco County. Van Cleave & Van Cleave, Hoever, Oregon, submitted the low bid on this project, in the amount of \$5,375.00. The next low bidders were J.A. Terteling & Sons, Boise, Idaho, with their bid of \$7,750.00. There are three higher bidders. The Commission awards this contract to the low bidders, Van Cleave & Van Cleave, at their bid of \$5,375.00.

"Sale of buildings in Oregon City. The Commission received two offers for the purchase of group "A", being those of E. Dodge, Oregon City, at \$75.00, and the Sullivan Wrecking Company, Portland, at \$60.75. Only one offer was received for group "B" buildings, being that of the Sullivan Wrecking Company, Portland, at \$167.69. The Commission has rejected all of these offers.

"Sale of residence buildings at Marshfield. The Commission received only one offer for the purchase of these buildings, being that of Asbjorn Moen, Bunker Hill, at \$70.00 for Building "A". The Commission considers Mr. Moen's offer satisfactory and has sold Building "A" to him at his bid price.

"Sale of factory buildings in Portland. The Commission received three offers for the purchase of these buildings, the high one being that of McCullough & Sons, Portland, at \$380.00, the others being those of the O. K. & Rose City Wrecking Company at \$151.00 and of the Sullivan Wrecking Company at \$102.98. The Commission has sold the buildings to the high bidder, McCullough & Sons, Portland, at their offer of \$380.00.

"Sale of used tires and tubes. The Commission received two bids for the purchase of Lot No. 1 located at Salem, being those of Cluster's Auto Wreckers, Eugene, at \$106.00, and the City Tire Company, Portland, at \$85.00. The Commission has accepted the high bid submitted by Cluster's Auto Wreckers and has sold the material to them at their bid of \$106.00. The Commission received only one bid for the purchase of Lot No. 2 at La Grande, being that of the City Tire Company, Portland, at \$45.00. The Commission considers this bid unsatisfactory and has rejected it."

Mrs. Virginia A. Hickey, Brightwood, Oregon, came before the Commission and asked reconsideration of her claim against the Commission arising out of the reconstruction of the Mt. Hood Highway in front of her premises at Brightwood. She asked particularly that some provision be made so that she would have access to her property from the highway, which facility, she alleged, she does not enjoy because of the removal of material from the front

of her property by reason of highway construction. She intimated that she was given to understand at one time that the Highway Commission would construct a roadway for her if she would let the state have some more of her land for highway right of way.

Chairman Cabell advised that the offer of settlement made to Mrs. Hickey some time ago by the Highway Commission was considered final and did not include the building of a roadway. He further stated that the Highway Commission discussed this matter on the previous evening and arrived at the conclusion that the previous offer of \$175 cash settlement is fair and is all that the Commission can pay, and if Mrs. Hickey is not satisfied with such settlement, then, of course, she has the alternative of securing the services of a lawyer and going to court about the matter.

Mrs. Hickey then inquired whether or not the Highway Commission would object to her building a road from the highway up to her property. The Engineer stated that he would offer no objections provided that when the road is completed the highway facilities will not be impaired by the filling up of the highway drainage ditches and the ravelling of slopes, etc. He said that he would have the highway right of way line staked out for Mrs. Hickey's guidance just as soon as she definitely decides where she wants her road. He also said that he would have the Division Engineer contact Mrs. Hickey during the following week.

Mr. Joseph Terresi, and his attorney, Mr. Smith, came before the Commission in regard to Mr. Terresi's claim for damages arising out of the construction of the East Portland-Oregon City Highway in East Portland. Mr. Smith was spokesman. He said that Mr. Terresi's property lies adjacent to Union Avenue, between Stephens and Harrison Streets, and is situate between the Peters and Morrison properties, which were also damaged by the highway construction and for which the Highway Commission recompensed the owners. He gave as his thought that Mr. Terresi is as much entitled to compensation for damages to his property as the Peterses and Morrisons, and accordingly urged the Commission to reverse its decision previously rendered denying the claim.

After considerable discussion, during which the facts in the case were reviewed and Chairman Cabell explained the law which authorizes the Highway Commission to make settlements for damages in certain instances where property has been affected by a change in the grade line of a city street necessitated by state highway construction, the Commission confirmed its previous decision, it being apparent that the property in question is just as valuable now as it was before the highway was built, and that the highway project was contracted and under way before the law authorizing the Highway Commission to pay damages in such cases was enacted. Chairman Cabell pointed out that, while the law authorizes the Commission to pay damages in cases of this kind, it is not retroactive, which can be considered fortunate from the state's standpoint because it relieves the state from liability for innumerable claims that might arise out of projects completed long ago. He added that, were it not for the non-retroactive feature of the law, highway construction work would be greatly affected; in fact, the Highway Commission

would not be in a position to carry on a definite highway construction program because of uncertainty of highway funds with which to finance the projects.

The Attorney requested instructions in regard to acquiring the balance of the right of way needed for the new highway along the waterfront in Oregon City. He was authorized and instructed by the Commission to proceed with the taking of options for such right of way so that no delays will be encountered from this standpoint when the project is ready to advertise for bids.

The Engineer presented a letter dated October 20, 1937, from the Landscape Engineer, recommending that the State Highway Commission make formal application to the Works Progress Administration for W.P.A. blanket project proposals covering approximately twenty-five counties throughout the state in order to expedite W.P.A. projects after they are approved for construction. He explained that the granting of the blanket proposal by the Works Progress Administration in Washington, D. C., will in no way obligate the State Highway Commission to undertake the projects listed therein and will not obligate the State Highway Commission to spend any money in connection with them unless it so desires, but it will expedite the undertaking of individual projects later on when the Commission is ready to proceed with them, by requiring, at that time, approval only by the Board of Review in Oregon. The Engineer gave as his thought that it would be advisable for the Commission to file an application for such blanket project proposal as outlined in the Landscape Engineer's letter and he so recommended. After discussion, the Commission approved the recommendation by unanimous vote and authorized the Engineer to proceed in accordance therewith.

The Commission discussed the situation presented by the District Attorney of Coos County in his letter to the Highway Department with respect to prosecutions for the violation of the law by log haulers with respect to overloading. The District Attorney's letter disclosed that juries in Coos County are friendly to log haulers and the logging industry to such an extent that it is almost impossible to get convictions for violations of the law by log haulers, notwithstanding the fact that the evidence of the State Police may be very definite and conclusive with respect to the violation charged.

The Commission, after discussion, concluded that when a log hauler is arrested by the State Police charged with overloading or other violation, he will be given an opportunity to voluntarily surrender his P.U.C. plates for the period heretofore fixed by the Commission, and, should he refuse to turn over his plates, the Commission will then recommend to the Public Utilities Commissioner that his special carrier permit be revoked.

The Engineer reported that, in accordance with authority previously granted him by the Commission, he has ordered a number of surveys since the last meeting of the Commission. He presented a list of such surveys and asked the Commission to confirm the action. After due consideration, Commissioner Tou Velle moved that the State Highway Engineer be authorized and instructed to make such location surveys on various sections of the highways

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of this state, which said sections of highways, together with their identifying survey numbers and the amounts authorized and allocated for such survey expenditures, are as follows:

Right of Way - - 20-1910 - Glenada-Douglas County Line, Oregon Coast Highway,
Lane County. 2nd authorization \$150.00
Total to date \$522.00.

Location - - - 150-2818 - Hermiston-Columbia River Highway, Umatilla County,
6.7 miles. 1st authorization \$700.00
Total \$700.00.

Location - - - 226-2850 - Lombard-Sandy, N.E. Portland Secondary Highway,
Multnomah County. 4th authorization \$500.00
Total to date \$4,500.00.

Location - - - 26-2802 - Troutdale-Cascade Locks, Columbia River Highway,
38 mi. Multnomah Co. 4th authorization \$2000.00
Total to date \$58,000.00.

Signal Device - 18-1821 - Olene Grade Crossing, Klamath Falls-Lakeview Hwy.,
Klamath County. 1st authorization \$100.00
Total \$100.00.

Quarry Stock - 14-2811 - Viento-Memaloose, Columbia River Highway,
File Hood River County. 1st authorization \$300.00
Total \$300.00.

Right of Way - 20-1009 - Lincoln County Line-Florence, Oregon Coast Highway,
Lane County. 2d authorization \$700.00
Total to date \$1,558.00.

Location - - - 15-2815 - Sardine Creek, Pacific Highway, Jackson County,
2nd authorization \$100.00
Total to date \$250.00.

Quarry - - - - 29-2821 - Hebo-Dolph Section, McMinnville-Tillamook Highway,
Tillamook County. 1st authorization \$200.00
Total \$200.00.

Location - - - 6-2809 - North Bend-Marshfield, Oregon Coast Highway,
Coos County, 3 miles. 3rd authorization \$250.00
Total to date \$4,750.00.

Location - - - 7-2803 - Mill Creek-Marks Creek, Ochoco Highway.
Crook County, 4.7 mi. 5th authorization \$600.00
Total to date \$6,650.00.

Location - - - 53-2812 - Dufur-Maupin and Wapinitia-Maupin, The Dalles-
California & Wapinitia Highways.
Wasco County, 36 mi. 1st authorization \$300.00
Total to date \$300.00.

Vicinity- - - - 20-2824 - Hill Creek Bridge, Pacific Highway,
Lane County, 0.5 mi. 1st authorization \$150.00
Total \$150.00.

Location- - - - 23-2811 - Nyssa Undercrossing, Old Oregon Trail,
Harney County, 2.0 mi. 1st authorization \$1200.00
Total \$1,200.00.

Location- - - - 22-2801 - Sheeps Ridge East, Santiam Highway,
Linn County, 5.11 mi. 2nd authorization \$1000.00
Total to date \$1,300.00.

Revised - - - - 123-2812 - Owyhee River-Blue Mountain Pass, I.O.N. Highway,
Location Malheur County, 40.15 mi. 1st authorization \$2000.00
Total \$2000.00.

Location- - - - - Boardman-Stanfield, Old Oregon Trail,
Umatilla Co., 25.5 mi. 1st authorization \$10,200.00

The motion was duly seconded and was declared by Chairman Cabell to have carried by the unanimous vote of the Commission.

The Engineer brought up for discussion the matter of conducting a location survey for a proposed revision of the Old Oregon Trail between Stanfield, in Umatilla County, and Boardman, in Morrow County. He said that the Commission has no plans for constructing this revision in the immediate future but he believed that it would be a good idea to have the location survey completed well in advance of construction so that no delays will be encountered on that account when the Commission is ready to proceed with construction. He requested authority to make such location survey this coming winter. The Commission approved the request by unanimous vote.

The Commission had under consideration the following requests for extensions of time within which to complete highway construction projects:

Hoffman Construction Company, Contract No. 1915, for the construction of the Milwaukie Avenue Undercrossing on the East Portland-Oregon City Highway, in Portland, requested an additional extension of time, from July 24 to August 28, 1937, in which to complete this project. They alleged that the extra time required to complete this job was needed to construct the hand rail on the northwest and southeast corners of the structure, which work could not be done until certain riprap work had been completed on the banks supporting the same, which riprap work was not contemplated in the original contract. The Engineer advised that the reason given by the contractor for failure to complete the job within the time specified is substantially correct. He recommended that the extension of time requested be granted without penalty and submitted a letter from the Bureau of Public Roads concurring therein. The Commission approved the recommendation by unanimous vote.

McNutt Bros., Contract No. 1917, for grading the Wall Creek-Siskiyou Section of the Pacific Highway, in Jackson County, requested an extension of time from May 31 to August 18, 1937, within which to complete this project. They alleged that their failure to complete the project within the specified time limit was occasioned by the fact that they were not permitted to burn slashings until December, 1936, and that during the months from January, 1937 to April, 1937 they were handicapped by an unusual fall of snow followed by heavy periodical rain, which made the handling of excavated material very difficult. The Engineer advised that the United States Forest officials would not permit McNutt Bros. to burn slashings until well along in the month of December, and as a result they were not able to do any of their grading work until spring of this year. He further advised that the contractor was required, in connection with this job, to remove a large quantity of slide materials on an adjoining section, which work was not contemplated in the original contract. He recommended, in view of the circumstances, that the extension requested be granted without penalty and submitted a letter from the Bureau of Public Roads concurring therein. The Commission approved the recommendation by unanimous vote.

Medford Concrete Construction Company, Contract No. 1945, for furnishing crushed material in stock pile for the Valley Falls-Cinder Butte Section of the Lakeview-Burns and Fremont Highways, in Lake and Harney Counties, requested an extension of time from May 31 to November 1, 1937, within which to complete this contract. They gave no reason for failure to complete the project within the specified time limit. The Engineer advised that, due to the failure of the contractor to complete this job within the specified time limit, it will not be possible for the ciling contractor to complete his contract this year, which will require additional maintenance during the coming winter, costing between \$1,000 and \$2,000. He recommended, in view of the circumstances, that the extension now requested by the Medford Concrete Construction Company be granted but that this contractor be charged for all engineering expense incurred by the state subsequent to the completion date specified in the contract. The Commission approved the recommendation by unanimous vote.

Jacobsen-Jensen Company, Contract No. 1955, for paving the Shady Point-Kelly Corner Section of the Pacific Highway, in Douglas County, requested an extension of time of 50 days, from August 31 to September 30, 1937, within which to complete this job. They alleged that their failure to complete the project within the specified time limit was due to unfavorable weather conditions and other conditions beyond their control. The Engineer advised that the contractor actually completed this project on September 10, requiring an extension of time of only 10 days rather than 50 days as he has requested; also, that the main reason that the contractor failed to complete this project within the specified time was the fact that their gravel plant was continuously broken down and they were unable to obtain the necessary rock. He

further advised that the contractor did everything possible to correct this situation and complete the project within the specified time limit but was unable to do so. He also stated that the traveling public has not been greatly inconvenienced by the delay because it has had the use of a paved detour at all times during construction; furthermore, the engineering costs of the project have not been greatly increased by the delay. He recommended, in view of the circumstances, that the Commission grant an extension of time of 10 days, up to September 10, 1937, rather than 30 days, without penalty, and in support thereof he submitted a letter from the Bureau of Public Roads concurring therein. The Commission approved the recommendation by unanimous vote.

Harold Blake, Contract No. 1970, for furnishing crushed materials in stock pile for the Willamina Rock Production Project on state highways in Polk and Yamhill Counties, requested an extension of time from July 31 to October 31, 1937, in which to complete this job. He alleged that his failure to complete the project within the time limit specified was due to the fact that he was required to furnish additional materials that were not contemplated in the original contract. The Engineer advised that the contractor actually furnished all of the materials called for in the contract by September 9, which is really the date of completion of the contract, but he was requested to furnish additional materials, which it is anticipated will be delivered by October 31. He recommended that the extension requested be granted without penalty. The Commission approved the recommendation by unanimous vote.

R. I. Stuart & Sons, Contract No. 1974, for furnishing crushed rock in stock piles for the Beatty-Bly Section of the Klamath Falls-Lakeview Highway, in Klamath County, requested an extension of time of one month, from July 31 to August 31, 1937, within which to complete this job. They gave no reason for failure to complete the project within the specified time limit. The Engineer advised that he knew of no reason why the contractor could not complete the job within the time limit specified in the contract. He recommended that the extension requested be granted subject to the condition that the contractor be required to reimburse the state for engineering and inspection costs incurred subsequent to July 31, 1937. The Commission approved the recommendation by unanimous vote.

The Engineer reported that contracts Nos. 1906, 1914, 1918, 1933, 1937, 1944, 1947, 1953, 1965, 1974, 1981, and 1982, for the construction of state highway projects have been completed according to the requirements of the contracts or modifications thereof and that said jobs are now ready for acceptance.

The following resolution accepting the above projects was offered and was adopted by the unanimous vote of the Commission:

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WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts and that said jobs are now ready for acceptance:

Contract No. 1906, with Berke Bros., Inc., for grading and bridge construction on the Tunnel Section of the Old Oregon Trail, in Baker County. Completed June 7, 1937.

Contract No. 1914, with Roy L. Houck, for grading, surfacing, and rock production on the Crawfordsville-Holley Section of the Halsey-Sweet Home Secondary Highway, in Linn County. Completed September 9, 1937.

Contract No. 1918, with Schmeer, Williams and Gentemann, for producing crushed rock for the Haines-Baker Section of the Old Oregon Trail Highway, in Baker County. Completed September 21, 1937.

Contract No. 1933, with Dolan Construction Company, for grading, surfacing, and construction of a bridge on the North Fork Nehalem River Section of the Oregon Coast Highway, in Clatsop County. Completed September 21, 1937.

Contract No. 1937, with A. S. Wallace, for producing crushed rock for the Eagle Point-Crater Lake Section of the Crater Lake Highway, in Jackson County. Completed August 28, 1937.

Contract No. 1944, with E. F. and W. F. Philpott, for the construction of a bridge over Necarney Creek on the Oregon Coast Highway, in Tillamook County. Completed September 30, 1937.

Contract No. 1947, with Mountain States Construction Company, for grading and paving the Rex Hill-Newberg Section of the Pacific Highway West, in Yamhill County. Completed October 14, 1937.

Contract No. 1953, with Jacobsen-Jensen Company, for grading and paving the Shady Point-Kelly Corner Section of the Pacific Highway, in Douglas County. Completed September 9, 1937.

Contract No. 1965, with H. L. Rice, for producing crushed rock for the Memaloose Park-Dillon Section and the John Day River-Blalock Section of the Columbia River Highway, in Gilliam, Sherman and Wasco Counties. Completed September 23, 1937.

Contract No. 1974, with R. I. Stuart & Sons, for producing crushed rock for the Beatty-Bly Section of the Klamath Falls-Lakeview Highway, in Klamath County. Completed August 27, 1937.

Contract No. 1981, with Averill & Corbin, for the construction of the west approach to the bridge over the Willamette River on the Salem-Dallas Highway, at Salem, in Polk County. Completed October 12, 1937.

Contract No. 1982, with Mountain States Construction Company, for grading and paving the Middleton-Votaw Section of the Pacific Highway West, in Washington County. Completed October 14, 1937.

THEREFORE, BE IT RESOLVED that the work covered by said state highway contracts for the construction of said state highway projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

The Commission had under consideration a claim made by Mr. Walter C. Miller, McMinnville, for damage to hops which he alleges were rendered unmarketable because of dust that was deposited on them as a result of state highway construction adjacent to his hop field. Mr. Miller states that he was forced to leave at least three thousand pounds of hops on the vines, representing a loss to him, at the present market value, of approximately \$500, and asks compensation from the State Highway Commission in that amount. The Commission refused to assume responsibility for this damage and thereupon denied the claim.

The Commission considered and signed the following agreements, et cetera:

Agreement with James Moore providing for relinquishment of a homestead filing on the Southeast quarter of the Northwest quarter of Section 7, Township 11 South, Range 26 East, W. M., Grant County, Oregon, and the acquisition of the same by the State Highway Commission;

Agreement with Lester J. Peters and Martin A. Peters disposing of their claim for damages arising out of the construction of the Union Avenue Undercrossing project on the East Portland-Oregon City Highway, in East Portland;

Supplemental agreement with Julius Gunnell extending his contract with the Commission for furnishing ferry service across Coos River at Enegren Ferry, in Coos County;

Agreement with the City of Portland covering the subject of maintenance of streets in the city of Portland over which state highway traffic is routed;

Agreement with Mr. and Mrs Ernest F. Koble disposing of claim arising out of construction of Pacific Highway (new route) across the Koble property, in Jackson County;

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Bargain and sale deed conveying unto School District No. 12, Yamhill County, 1.08 acres of land located in the Charles Johnson D.L.C. No. 62, in Section 10, Township 5 South, Range 4 West, W.M., Yamhill County, Oregon, being a part of the land acquired by the state from Sophia R. Houch et al for right of way;

Voucher covering payment to James T. Goodman Insurance Agency in the sum of \$3,313.15, representing premium for the first year on insurance policy No. 1528 issued by the underwriters of Lloyds, London, in connection with the Columbia Gorge snow-removal agreement between the State Highway Commission and the Union Pacific Railroad Company, the balance of the premium to be paid later, making a total of \$6,490.00;

Agreement with the United States Soil Conservation Service renewing a previous agreement relative to demonstrations of erosion control along highways.

The Commission had under consideration the setting of a date for its next regular meeting to receive bids for highway construction projects. Such meeting was scheduled for Tuesday, November 30, in Portland. The Secretary was instructed to arrange to hold this meeting in the Auditorium of the Public Service Building, Portland, as usual.

The Commission also set Wednesday, November 17, as the date for a special meeting to consider the adoption of a construction program for the 1938 season and to dispose of accumulated routine matters. The Secretary was instructed to arrange to hold this meeting in the Benson Hotel, Portland.

There being no further business to come before the Commission at this time, the meeting was adjourned at 5:30 o'clock p. m.

W. B. Blair
State Highway Engineer

W. B. Blair
Secretary

Henry F. Cabell
Chairman

E. B. Becking
Commissioner

F. L. Soule
Commissioner

Portland, Oregon, November 17, 1937

The State Highway Commission met in the Tyrolean Room of the Benson Hotel at 9:00 o'clock a. m. Present were:

Henry F. Cabell, Chairman
E. B. Aldrich, Commissioner
F. L. Tou Velle, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

The County Court of Polk County consisting of County Judge Herman Van Well and County Commissioners Fred Gibson and Harrison H. Brant came before the Commission in regard to Polk County's indebtedness to the state for state highway construction, which indebtedness amounts to \$106,278.85. Judge Van Well stated that the county court recognizes the state's claim and does not want to repudiate it but on the other hand desires to settle the account if satisfactory arrangements can be made with the Commission for disposing of it on a time basis. He pointed out that the county's budget contains an item of only \$90,000 for road purposes so they are not in a position to go very far in taking up this account at an early date.

The State Highway Engineer suggested that, if the county could see its way clear to pay this account, the Highway Commission might be willing to spend the money for construction of secondary highways in Polk County as the county court might desire. This suggestion appeared satisfactory to the county court and Judge Van Well proposed that consideration be given to a five-year program for such funds. He suggested, for improvement in such program, the Ballston Road and what is known as the Gibson Road which extends westerly from the town of Lincoln toward McCoy. He particularly requested that the Gibson Road be improved in the Federal Aid Secondary Highway Program. Commissioner Gibson suggested that the Kings Valley Road might be improved in such program inasmuch as it is badly in need of improvement.

Chairman Cabell explained that it is the desire of the Commission to close the accounts against the counties so as to avoid public criticism. He inquired what the Commission could expect from the Polk County Court in this regard.

Judge Van Well stated that the county could not pay anything at the present time and they would have to increase the amount of their budget in order to take care of the indebtedness but they are limited to approximately \$10,000 on account of the six per cent tax limitation.

Chairman Cabell then suggested that the county might give the Commission an order on the Secretary of State to pay to the state a portion of Polk County's share of the gasoline tax and motor vehicle license fee fund as has been done by other counties. He indicated that the Commission might reduce the principal amount of the indebtedness and spend the proceeds on projects approved by the county court if the county would provide for the orderly

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payment of its account. The county court agreed to take this proposition under advisement and let the Commission know its decision as soon as possible.

The Commission's Attorney was instructed to prepare a statement of facts in regard to the county's indebtedness and to send a copy of the same to the county court for its information and study in the preparation of a proposition to be submitted to the Commission.

The Attorney reported on a controversy with the Sumpter Valley Railway Company involving an encroachment of the Sumpter Valley Secondary Highway on the railway right of way in Baker County. It appears that the Baker County Court originally acquired the right of way for the highway and entered into an agreement with the railway company covering the matter of the highway's encroachment upon the railway company's property, the road being a market road at that time. It also appears that rocks have been deposited on the railroad tracks and that the railroad officials allege that these rocks have been placed there as a result of operations of the highway department maintenance forces and that the railway company has been damaged to the extent of some \$2,500, and, unless the company is reimbursed in such sum and is protected from further damages of this kind, they will cancel the agreement for the right of way, alleging violation of the provisions thereof, which would react seriously on the state because the road is now on the secondary system and no other right of way for the same is available. After discussion the Commission referred this matter to the Engineer for immediate investigation and report.

The Engineer requested authority to acquire certain parcels of real property that are needed for various improvements throughout the state and submitted a list of such properties together with prices that he recommended be paid for each. After careful consideration the Commission approved the request, and adopted the following resolution in regard thereto:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth; and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon; and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is, instructed to complete the

acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Island Section, Columbia River Highway</u>				
1832-Joseph, Geo. W.	R/W and Park Alternate "C"	277.0	\$27.07 per a. plus \$302.25	Parker
<u>West Portland-Cook Overcrossing Section, West Portland-Hubbard Highway</u>				
4589-Maycock, John G.	R/W	20400 sq.ft.	2¢ per sq.ft. plus \$842.00	Parker
<u>Tunnel Point-Bridal Veil Section, Columbia River Highway</u>				
1836-McGowen, P. J. & Sons	R/W	5.9	at \$15.00	Parker
<u>Northeast Portland Section, Lombard-Killingsworth Highway</u>				
5255-Schneller, Chas. L.	R/W	37926 sq.ft.	23825 sq.ft. at 5¢ per sq.ft., 14101 sq.ft. at 3¢ per sq.ft., plus \$3,301.00	Parker
5238-Moore, Robt. C. A.	"	13101 sq.ft.	3¢ per sq.ft. plus \$97, plus moving buildings	"
4900-Portland, City of	"	All of 2 lots at \$250 per lot Parts of 4 lots, 40,280 sq.ft. All of 4 lots, 72,900 sq.ft.	\$500.00 750.00 1500.00	"
<u>Albany Overcrossing Section, Pacific Highway</u>				
4957-Kinney, Barbara	R/W	14520 sq.ft.	Land \$2600, plus \$1500.00 (17.9+¢ per sq.ft.)	Gardiner
4965-Snider, J. G.	"	2845 sq.ft.	To be exchanged for other property, plus moving buildings	"
4976-Forney, C. F.	"	3063 sq.ft.	7¢ per sq.ft. plus \$221.54	"
4980-Smith, Leo C.	"	3630 sq.ft.	Lump sum, \$3500.00	"
4971-Forney, C. F.	"	4911.75 sq.ft.	Lump sum, \$2150.00	"
5137-Board of Trustees of Albany College	"	14,852 sq.ft.	at \$0.05 per sq.ft.	"
5138-Hodges, A. J. & Mary	"	4,877.54 sq.ft.	\$250 lump sum and to be deeded 9135.46 sq. ft. in Lots 1 and 2, Blk. 98, Albany, by State	"
<u>Amity-Grubb College Section, Dayton-Amity Highway</u>				
3263-Phillips, Homer C. (Correction)	R/W	1.44 a.	\$150 per a. plus \$335.60	"

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Orient Section, Mt. Hood Highway</u>				
1259-Takaki, Jewell I.	R/W	0.831	\$300 per a. plus \$1900.70	Gardner
<u>Mitchell-Fort Creek Section, Ochoco Highway</u>				
5183-Sigfrit, Estate J.L.	Snow fence lease	1.50	25-yr. lease, \$25 lump sum	Hodge
<u>Pistol River Section, Oregon Coast Highway</u>				
5296-Walker, William J.	Maintenance Hdqtrss	0.56	\$400 per a.	Lytle
<u>Marshfield Section, Oregon Coast Highway</u>				
4769-Rourke, Jennie	R/W	6000 sq.ft.	Lump sum, \$750, includes house	Benson
4768-Quick, G. R.	"	6000 sq.ft.	Lump sum, \$1200, includes house and garage	"
4771-Pruett, John	"	9000 sq.ft.	Lump sum, \$2000, includes house, garage, woodshed	"
5108-Dobbyn, F. F.	"	12,000 sq.ft.	Lump sum, \$1750, includes house and garage	"
5091-Marshfield, City of	"	638 sq.ft.	Lump sum, \$1.00	"
5118-Parr, C. C.	"	5125 sq.ft.	3 1/3¢ per sq.ft.	"
5115-Gilbertson, G. W.	"	2123 sq.ft.	5¢ per sq.ft.	"
5114-Hill, Oscar	"	4225 sq.ft.	5¢ per sq.ft. plus \$50, plus moving bldgs.	"
5111-Pruett, P. J.	"	807 sq.ft.	5¢ per sq.ft. plus \$40 plus moving bldgs.	"
5095-Porter, F. A.	"	6026 sq.ft.	Lump sum, \$5,000.00	"
5117-Rolandson, Kate	"	4940 sq.ft.	3 1/3¢ per sq.ft.	"
5085-Downer, Robert	"	3488 sq.ft.	At lump sum, \$2750.00	"
5084-Root, Dixie	"	1500 sq.ft.	Lump sum, \$3000.00	"
5105-Tilson, Ida B.	"	12,000 sq.ft.	Lump sum, \$3000.00	"
5103-Hoffman, M. C.	"	6000 sq.ft.	\$2500 lump sum	"
4786-Mullen, Mary F.	"			
Estate, et al	"	1.43 a.	\$300 per acre	"
4770-Saunders, Dell	"	6000 sq.ft.	\$1600 lump sum	"
5104-World War Veterans State Aid Commission	"	2750 sq.ft.	\$1475 lump sum	"
<u>Shaniko-The Dalles-California Section, Sherman Highway</u>				
3896-Hinton, J. E.	Quarry and snow fence site	46.49 a.	\$10 per a.	Benson
<u>Middle Bridge-Black Bridge Section, Baker-Homestead Highway</u>				
5144-Wilkins, Clyde	Stock pile	0.51	Lump sum, \$10, plus \$15.60	Wells
<u>Shuttler Flat-Condon Section, John Day Highway</u>				
5149-Huber, Edward D.	Stock pile	0.85	Lump sum, \$35, plus \$7.50, plus fencing	Wells

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Hooker Creek-Jordan Valley Section, Jordan Valley Highway</u>				
4201-Malheur County	R/W	19.67	Gratis	Wells
<u>Unity Section, John Day Highway</u>				
3057-Elms, Sidney	Snow Fence	2.12	1 year lease, \$10.00	"
<u>Weiser Bridge-Ontario Section, Old Oregon Trail Highway</u>				
5235-Cox, Mowatt	Stock Pile	0.98	\$75 lump sum	"
<u>Glenwood West Section, Wilson River Highway</u>				
5184-Consolidated Timber Co.	Quarry	4.22	Lump sum, \$160.00	Collins
<u>Jack Horner Creek-Mohler Section, Oregon Coast Highway</u>				
596-Lagler, Josef	Stock Pile	0.25	3-year lease, lump sum \$40.00	"
<u>Lafayette-McMinnville Section, Pacific Highway West</u>				
5082-Dennis, C. O.	R/W	0.037	Gratis	"
<u>Sheridan-McMinnville Section, McMinnville-Tillamook Highway</u>				
4314-Duerst, John (Correction)	R/W	1.94	\$150 per a., plus \$2108.50 plus cost of altering building	"
4312-Daniels, M. E.	"	0.168	\$150 per a., plus \$12.50	"
<u>Orient Section, Mt. Hood Highway</u>				
5025-Thorpe, Frank	R/W	0.033	\$300 per acre	McChesney
1261-Procter, W. A. Jr.	"	0.041	\$500 per a., plus \$342.50	"
5047-Siefer, D. E. (Correction)	"	0.035	\$500 per a., plus \$1952.50	"
<u>Deschutes County Section, Central Oregon Highway</u>				
5180-Settelmeyer, Jacob	Oasis & Maint. Site	26.42	\$4 per a.	McChesney
<u>Sherman County Section, Columbia River Highway</u>				
1933-McDonald, Mattie J.	Stock Pile	1.18	1-year lease, \$35 lump sum	"
<u>Wasco County Section, The Dalles-California Highway</u>				
5171-Artisans Life Association	Stock Pile	0.50	5-year lease, \$15.00 lump sum	"
<u>Hunter Hill-Currier Ranch Section, Fremont Highway</u>				
5273-Pollock, J. S.	R/W	6.59	5 a. at \$100 per a. 1.59 a. at \$10 per a. plus \$997.00	"

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Pacific Highway-Blue River Section, McKensie Highway</u>				
5165-Culver, Zora M.	Scale Site	0.16	\$50 lump sum, plus moving fence	McCallister
<u>Sardine Creek Section, Pacific Highway</u>				
5297-Miller, O. H. and Fabin, Delta	R/W	1.74	\$100 lump sum	"
5298-Christensen, Soren	"	0.17	\$60, lump sum, plus \$15.	"
<u>Eagle Point-Baker Gulch Section, Little Butte Highway</u>				
5295-Butler, W. E.	Stock Pile	0.87	5-year lease, \$25 lump sum	"
<u>Siletz River-Boiler Bay Section, Oregon Coast Highway</u>				
4068-Lincoln County Logging Company	R/W	4.24	\$100 per a.	"
<u>Newport Section, Oregon Coast Highway</u>				
5166-Priest, Frank	R/W	850 sq.ft.	10¢ per sq.ft., plus \$15.00	"
<u>Springfield Section, McKensie Highway</u>				
5224-Lane County	Stock Pile	5 lots	\$20 per lot	"
		Part of 4 lots	\$50 lump sum	"
<u>Roseburg Section, Pacific Highway</u>				
3455-Roseburg, City of R.H.C. Wood	R/W	1 lot	\$100 lump sum	DeSouza
<u>Corvallis-Monroe Section, Pacific Highway West</u>				
5334-Smith, John M.	R/W	1.24	\$100 per a. plus \$81.50 fencing, plus \$14.50	Benson
<u>Bear Creek-Talent Section, Pacific Highway</u>				
4550-Link, Stella	R/W	0.98	\$200 per a. plus \$269.	Gardiner
(Correction report)				
<u>Hebo-Weskowin Section, Oregon Coast Highway</u>				
5333-Bruijn, John	Stock Pile	1.0	\$150 per a.	Collins
<u>Dayville (10 miles North), John Day Highway</u>				
-U. S. Government	Park	200.0	20-year lease, \$4.00 per year	Boardman

In regard to right of way transaction No. 1832 with George W. Joseph, the Commission accepted Alternate "C" involving a cash payment of \$7,500 and the construction of fences by state forces at an estimated cost of \$302.25. This alternate involves the retention of grazing rights by Mr. Joseph for a period of 20 years with a right for the Commission to acquire such grazing rights at the rate of \$175 per annum for the unexpired portion of such period.

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With regard to the acquisition of the McGowan property, transaction No. 1836, the Commission decided to confine its purchase to land which is located outside of the beach area along the Columbia River, it being the thought of the Commission that such beach area is not desirable inasmuch as it lies over the ridge from the highway and for the further reason that the state owns other beach area in the same vicinity.

The County Court of Malheur County consisting of David F. Graham, County Judge, and Ora E. Clark and L. P. Peterson, County Commissioners, was present and inquired as to the plans of the Commission with respect to the Federal Aid Secondary Highway Program. Chairman Cabell explained that the program for the federal aid secondary highway funds cannot be arranged until the State-Wide Planning Survey, which is now under way, is completed because the Commission needs the information that is being gathered under such survey for the selection of projects. He asked the county court to which projects they desired preference given in the selection of Malheur County roads for such program. Commissioner Clark mentioned the county road between Vale and Adrian, known as Lytle Boulevard. Judge Graham stated that the road between Vale and Nyssa is one of the county's most important roads. Commissioner Peterson requested improvements on the Central Oregon and John Day Highways, particularly oiling work. Judge Graham also asked the Commission to investigate a proposed cutoff on the Old Oregon Trail between Ontario and Olds Ferry. He was informed by the Engineer that, in his estimation, if a cutoff at this location is considered at all, it should extend farther north than Olds Ferry so as to secure the benefits of the greatest reduction in mileage possible between Ontario and Huntington. Judge Graham agreed.

Judge Graham then brought up for discussion the matter of securing labor from CCC camps located in Malheur County for work on county roads. He said that there are five CCC camps in this county and, according to his understanding, it would be possible to secure the services of the men employed in these camps to do work on the county roads were it not for the fact that contractors object to such procedure because they allege it will interfere with the contracting business. He also said that it is a rule of the CCC officials that they will not let their men engage in any affair that will interfere with contractors' work. He asked the aid of the Commission in securing the waiver of this CCC ruling which, he said, means a lot to Malheur County because the county now has only \$10,000 of county money budgeted for road work and can use the services of the CCC men to good advantage. The Commission instructed the Engineer to investigate Judge Graham's allegations and ascertain the details.

The Secretary presented four deeds executed by the Clatsop County Court conveying unto the State of Oregon certain parcels of land, all of said parcels being located within Clatsop County and described as follows:

Parcel No. 4898 being 0.387 acre of land situate in the NE $\frac{1}{4}$ of Section 28, T. 6 N., R. 10 W., W.M.

Parcel No. 4906 being 7.52 acres of land situate in the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 31, T. 4 N., R. 10 W., W.M.

Parcel No. 4983 being 2.33 acres of land situate in Section 13, T. 8 N., R. 10 W., W.M.

Parcel No. 5019 being 4.46 acres of land situate in Government Lot 2 of Section 22 and in Government Lot 6 of Section 27, T. 4 N., R. 9 W., W.M.

It was explained that these properties are being conveyed unto the state without the payment of a monetary consideration but are conditioned upon being used exclusively for park and highway purposes, and are not to be sold to third parties; but, if alienated at all by the state, they are to revert to and become the property of Clatsop County. The Commission accepted the deeds with the reservations and instructed the Secretary to send an appropriate letter of thanks to the Clatsop County Court.

The Attorney reported on the status of acquisition of certain parcels of land owned by Multnomah County and situate adjacent to Barbur Boulevard. He said that five parcels of land, as follows, were being considered for purchase: part of Lot 9, Block 4, Alder Springs Addition, \$40.45; part of tract 18 Madison Villa, \$5.67; part of Lots 9 and 10 Werlock, \$476.61; tract lying between the highway and Boones Ferry Road at station 105, \$248.00; and tract lying between the highway and Boones Ferry Road at station 114, no charge. He advised that since inspection of the properties he has received a letter from Mr. Frank L. Shull, Chairman of the Board of County Commissioners advising that the county has received offers for some of the property and the Commissioners do not feel that they are justified in disposing of such parcels at the prices originally quoted the Highway Commission so they are now asking increased amounts for four of them, the first tract being now listed at \$50, the second at \$120, the third at \$2,000, and the fourth at \$1,000, which increases the total cost from \$770.73 to \$3,170. The Commission decided, after some discussion, to acquire parcels one, two and five at the prices quoted but to let the other two tracts remain in the possession of the county.

The Commission considered and re-referred to the Attorney for additional information the matter of acquiring property from Nina J. Belt for right of way for a revision of the Oregon Coast Highway at Fogarty Creek in Lincoln County.

The Commission had under consideration a letter from Mr. C. Dethman, Hood River, renewing his offer to sell to the Commission for park purposes a 50-acre tract of land situate adjacent to the Upper Columbia River Highway at Lindsey Creek. Mr. Dethman asks the sum of \$4,000 for his property but is willing to discount this figure \$800 in the event the Federal Government pays him such amount for a flowage easement over the land that will be flooded by reason of the Bonneville Dam construction. The Parks Superintendent, who was present, stated that the Dethman property has no value from the state park standpoint unless the state will also acquire several parcels of privately-owned property that are interspersed within the Dethman holdings and on which several buildings have been constructed. In view of this report the Commission decided to defer action on the matter pending the securing of options for the purchase of such other privately-owned property. The Parks Superintendent was instructed to secure such options at his convenience.

The Attorney brought up for discussion the controversy with Mr. George Stonefield of Yachats which pertains to property that Lane County acquired from Mr. Stonefield some years ago for right of way for the Oregon Coast Highway. Mr. Stonefield alleges that, when he deeded his property to the county, he purposely reserved for his own use as a building site a small area between the highway and the ocean, but it now seems that this area was included in the deed description which places him in an embarrassing position because he has sold the property to a third party who has constructed a residence building thereon so he now wants the state to reconvey this area to him so he can deed it to the parties that are building the house. The Attorney explained the situation in detail and inquired whether or not the Commission would care to waive its rights to this property in view of the circumstances. The State Parks Engineer stated that this property is of no value from the state park standpoint because the state does not own any other property between the highway and the ocean at this particular location. After discussion the Commission decided, if there are no legal barriers, to sell the building site back to Mr. Stonefield at a cost equal to the present reasonable cash market value of the property. The matter was referred to the Attorney to handle the details with Mr. Stonefield.

The Attorney reported on the progress that is being made to secure right of way from the Grand Rapids Oregon Timber Company for a road extending from the Wolf Creek Highway to Saddle Mountain State Park in Clatsop County. He read aloud a letter from the company stating that they demand an amount of \$13,692.50 for such right of way. The Commission considers this price too high and authorized the Attorney to condemn the right of way if the company will not sell its property at the rate of \$15 per acre which is the amount that the Commission is paying to the Crown Willamette Paper Company for right of way across its holdings.

In this connection the State Parks Engineer brought up the matter of securing a right of entry from the Grand Rapids Oregon Timber Company authorizing the use of its road pending completion of the right of way negotiations. He explained that the CCC forces need the use of this road constantly going to and from the park and up to the present time they have used it under oral permission from the company. He was fearful that the company would withdraw this authority if the Commission started condemnation proceedings to acquire the right of way. The Commission instructed the Attorney to contact the company relative thereto and secure a written agreement providing for right of entry on the road if possible.

The Commission had under consideration the offer of Robert B. Porter, Amity, to pay \$5 per year per acre for the use of certain state-owned property lying outside of the standard width highway right of way in Yamhill County. The Attorney advised that the Commission granted Mr. Porter this privilege last year at the same rate and he wants the lease renewed with the privilege of deferring payment of the rent until he harvests his crop next year. The Commission approved leasing the land to Mr. Porter provided he will pay the rental charge in advance and not otherwise.

The Commission had under consideration a request from Mr. J. E. Squier representing the S & S Shingle Mill, Sandy, Oregon, for the use of the

pond that was created by the excavation of a borrow pit adjacent to the railroad grade separation structure on the new Pacific Highway just north of Eugene, as a mill pond in connection with shingle mill operations which he proposes to conduct at this location. The Commission denied the request.

The Attorney presented a request from Mr. W. Saftenberg, Portland, for permission to purchase a portion of some state-owned property in Portland described as parts of Lots 4, 5 and 6 of Block 5 of the subdivision of Lot 2, Riverside Homestead Addition. He was instructed to inform Mr. Saftenberg that the Commission prefers not to sell this property at this time but, if the sale is contemplated in the future, such sale will be advertised and he will be given an opportunity to submit a bid along with others.

The Attorney also presented an offer from the E. L. Taylor Company, Oregon City, to purchase, for the sum of \$250, a certain building located on what is known as the Brady property in Oregon City which property was acquired by the Commission for right of way for the new highway at this place. He advised that this building was previously advertised for sale by the Commission but no satisfactory bid was received so the Commission authorized him to make a private sale if possible. The offer of the Taylor Company, he said, equals the amount that it was estimated the building should sell for and he recommended acceptance of the same. The Commission approved the recommendation by unanimous vote.

A letter was presented from Mr. Claude C. Inman, Tucson, Arizona, regarding some property that he owns at the town of Port Orford. Mr. Inman gave as his understanding that the Highway Commission contemplates revising the Oregon Coast Highway at this location and will probably need some of his property for right of way so, if the Commission is interested at this time, he would like to know because he has an offer from a certain mining company to purchase a portion of it but does not want to close the deal until he knows for certain that the state doesn't want the land. The Commission instructed the Attorney to ascertain how much Mr. Inman wants for his property.

The Commission had under consideration an offer from the City of Bandon to deed to the state for park purposes 26 acres of land overlooking the ocean at the west end of their town. The tract lies within the city limits and the consideration involved calls for the state to construct a road from the Oregon Coast Highway to this park. The Engineer estimated that it would cost about \$16,000 to construct a 30-foot roadbed with 20-foot oiled surface thereon. The Commission deferred action on this matter for the time being.

The Commission conferred with W. H. Lynch, District Engineer, Bureau of Public Roads, and James Frankland, Acting Regional Forester, in regard to programming forest highway funds that have accumulated as savings in the contracting of forest highway work. Mr. Lynch advised that they now have available in the forest highway contingent fund a sufficient amount to warrant an allocation of \$140,000 to some forest highway improvement. He suggested the grading of an additional 1.26 miles of the Columbia River Highway reconstruction project extending from the end of the project recently constructed to Cascade Locks, and the surfacing of this section and the section recently completed, totalling about 2.03 miles. He pointed out that the completion

of such a program will make usable the investments heretofore made on this road and will provide a highway constructed on modern standards from Bonneville to Cascade Locks. He also pointed out that this particular project is now included in the tentative program for construction next year but construction can be advanced if the Commission will join with them in recommending that the savings now available be allocated thereto. After discussion the Commission approved Mr. Lynch's suggestion by unanimous vote and thereupon signed a joint letter with him and Mr. Frankland directed to the Chief of the Forest Service and Chief of the Bureau of Public Roads recommending the same.

Mr. Lynch also suggested that a date should be set for a conference between the State Highway Commission, the Bureau of Public Roads and the United States Forest Service to arrange a program for the fiscal year 1939 forest highway funds. After discussion it was decided to hold such conference on Wednesday, December 1, 1937, in Portland. The Secretary was instructed to arrange for a room in the Benson Hotel in which to hold such meeting.

The Commission discussed the matter of paying the premium on insurance furnished for the protection of the O.W.R. & N. Railway Company in connection with operations of Contractor Earl L. McNutt for the construction of the Ruckel Slide Section of the Columbia River Highway in Hood River County. The Attorney advised that the railroad company demands insurance protection and to furnish the same would cost about \$500. He further advised that the State Highway Department had an understanding with the railroad company at one time that it would provide for such protection when the contract was awarded but for some reason this item was not included in the Bureau of Public Roads' contract and the government officials allege that the Government cannot now assume such expense so it appears necessary for the state to assume it if the insurance is to be provided. The Commission decided, in view of the fact that there was an understanding between officials of the railroad company and the highway department regarding the matter, to pay the premium with state funds and authorized the Engineer to honor an invoice for the same.

The Commission adjourned at 12:30 o'clock p. m. and reconvened at 1:30 o'clock p. m. in the same room, all Commissioners being present and participating. Also present were the State Highway Engineer, the Attorney and the Secretary.

The Engineer reported a request from a Mr. Kingsbury of Union, Oregon, for the reconstruction of his privately-owned pipe line on the Medical Springs Secondary Highway about six miles east of the town of Union. He said that Mr. Kingsbury alleges that the Commission is responsible for the repairs to the pipe line but is willing to forego same and to release the Highway Commission from such responsibility if the Commission will pay to him the sum of \$500 in lieu thereof. He further stated that the pipe line was installed by Mr. Kingsbury several years ago under authority from the Union County Court when the road was still a county market road and he questioned the obligation of the State Highway Department to maintain the same or to be responsible for it in any manner. He estimated that it would cost about \$1500 to make the repairs and requested instructions in regard thereto. In a discussion of this matter the question arose as to what rights Mr. Kingsbury has with respect to the maintenance of his pipe line on the highway. The Commission deferred its decision pending investigation and report by the Engineer in regard thereto.

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Reconsideration was given by the Commission to the matter of naming the Short Sand Beach Creek bridge on the Oregon Coast Highway in northern Tillamook County in honor of Mr. Samuel G. Reed, a prominent citizen of that county; and the naming of the state park located in this vicinity for Mr. Reed. The State Park Superintendent pointed out that the original park at this location now bears the name Short Sand Beach State Park and in his estimation the Commission is duty bound to retain such name on account of the manner in which it was acquired through the services of Mr. E. S. Collins, Portland. He gave as his thought that any additions to this park should bear the same name. The Secretary presented a letter from Mr. Lewis A. McArthur, Secretary of the Oregon Historical Society, suggesting, if the Commission wants to honor Mr. Reed in some manner, that it dedicate the bridge to him rather than name it for him because it is common practice for people, when referring to a bridge, to call it by the name of the body of water that it spans and it would be confusing to refer to it by the name of some individual. The Commission concurred in the viewpoint of the Park Superintendent and approved the suggestion offered by Mr. McArthur to dedicate the bridge to Mr. Reed. The Secretary was instructed to notify the North Tillamook County Chamber of Commerce of the action taken and to state that the State Highway Department will install appropriate dedicatory plates on the bridge if the Chamber of Commerce will furnish them.

The Engineer reported on the matter of footpath construction along the Willowa Lake Highway between La Grande and Island City. He recalled that, when the city's attorney, Mr. G. T. Cochran, conferred with the Commission on August 11, 1937, he said that, if the Commission would designate a location on the highway for a three-foot sidewalk, he would see to it that the sidewalk was constructed at no cost to the state, possibly as a W.P.A. project sponsored by the city or the county; however, Mr. Cochran is now hopeful of securing financial assistance from the state in addition to the furnishing of right of way and engineering supervision and is depending upon the state to oil the walk after it has been constructed. Furthermore, he wants the State Highway Department to prepare plans as may be necessary for the securing of a W.P.A. project. He estimated that the plans could be prepared at a cost of about \$250. The Commission after discussion ordered that Mr. Cochran be informed that the State Highway Department is willing to prepare plans as may be necessary for securing a W.P.A. project covering the grading and surfacing of the footpath but cannot contribute any state funds to pay for construction work or any part thereof due to the fact that highway funds are at a low ebb and must be conserved in every way possible to meet debt obligations and to satisfy the government requirements with respect to the matching and securing of federal aid moneys.

The Commission had under consideration a petition signed by 128 patrons of School District No. 38, Benton County, requesting a footbridge on the Marys River Bridge on the Pacific Highway West, south of Corvallis, and a footpath along this highway from Corvallis to the southern boundary of the school district for the safety and benefit of school children and other pedestrians. A letter was also presented from the Corvallis Chamber of Commerce asking for this improvement. The Engineer advised that to construct the footbridge and the pathway between the schoolhouse and Corvallis would cost about \$1500, but,

if the improvement were extended to the southern boundary of the school district as requested, it would involve a considerably larger sum. The Commission deferred a decision in this matter pending a full report on the cost involved.

The Engineer reported the cost to oil the gravelled strips on each side of the pavement along the Pacific Highway West through the town of Monroe, Benton County, which improvement has been requested by the Monroe City Council. He estimated that such project would cost about \$750. He was instructed by the Commission to bear this project in mind for consideration in the preparation of the minor betterment budget for 1938.

The Commission considered reducing the maximum load limit on the McKenzie Highway between McKenzie Bridge and Springfield, it having been reported by the Engineer that the pavement on this section is showing evidence of failure due to concentrated heavy logging traffic. The Engineer recommended that the maximum load limit be reduced 50 per cent along this section. The Commission approved the recommendation and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, the following road or highway has been duly designated and declared to be and is a state highway, and has been improved and is being maintained by the State Highway Commission pursuant to the laws of the State of Oregon as a state highway, to-wit:

MCKENZIE HIGHWAY

AND WHEREAS, the said above-named state highway is in the judgment of the State Highway Commission being subjected to a kind and character of traffic which is damaging and injuring the said highway, and in order to protect said highway against such damage and injury it is deemed and is the judgment of the Highway Commission, and said Commission finds that it will be for the best interests of the said highway that the maximum weights permitted and authorized by law be reduced;

AND WHEREAS, the State Highway Commission has after due investigation determined and found, and it is the judgment of the Commission, that the maximum weights which shall be permitted upon the said road shall be reduced and fixed as in this order provided.

NOW, THEREFORE, the premises being in part as above stated, and the State Highway Commission having as a result of due investigation found that the road above mentioned and hereinafter designated is being damaged and injured on account of the kind and character of traffic now being hauled over and upon said road, and by reason of the fact that vehicles carrying maximum loads moved at the maximum speeds specified by the provisions of the laws of the State of Oregon are breaking up, damaging and deteriorating the said road and the Commission having found upon due investigation that it will be for the best interest of the said state highway

that the maximum total weight of load and vehicle which shall be permitted upon said road shall be reduced so as to conform to the requirements fixed in this order,

IT IS HEREBY ORDERED, that the maximum weight of combined load and vehicle which shall be permitted upon the within-named road shall not exceed the weight herein fixed.

The maximum weights which shall apply to the following highway, to-wit:

McKENZIE HIGHWAY from the McKenzie Bridge to the east city limits of Springfield, in Lane County

shall be as follows: The combined weight in pounds bearing on the surface of the highway at contact with the tread on the wheels of the front axle of a truck or truck-tractor shall not exceed the product of four hundred (400) multiplied by the sum in inches of the tire width of the wheels of such axle; and, the combined weight in pounds bearing on the surface of the highway at contact with the tread on the wheels of any one axle of a vehicle or combination of vehicles, other than the front axle of a truck or truck-tractor, shall not exceed the product of three hundred (300) multiplied by the sum in inches of the tire width of the wheels of such axle; but, in no event shall the combined weight in pounds bearing on the surface of the highway at contact with the tread of the wheels of any one axle of a vehicle exceed the maximum limit set by law for any one axle.

IT IS FURTHER ORDERED, that these rules and regulations as made and found by the State Highway Commission under the provisions of Chapter 360 of the laws of Oregon for 1931, shall be in full force and effect from this date until modified, annulled or voided by the order of the State Highway Commission

AND IT IS FURTHER ORDERED, that a notice be posted in a conspicuous manner and place at each end of the above-named highway and at important crossroads on said highway, so that said notice can be readily seen and read, which said notice shall state plainly the limitations and prohibitions of traffic hereby in this order determined and fixed.

AND BE IT FURTHER ORDERED, that a certified copy of this order be furnished to the County Clerk of Lane County, and that a certified copy of this order be furnished to the Superintendent of the Department of State Police for his information.

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The Commission had under discussion matters pertaining to the revision of the Mountain States Power Company's water lines within the limits

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of the proposed Albany overcrossing project and particularly the letter of Bridge Engineer G. S. Paxson dated October 28, 1937, relative thereto in which he estimates that to revise the present large water main will cost approximately \$8,000; also in which he states that he believes the company will assume the expense of revising its service connections if the State Highway Commission will pay the cost of revising the large main. The Attorney advised that he has gone into this matter thoroughly from the legal standpoint and it is his opinion that, if the City of Albany, under the provisions of the company's franchise, refuses to be responsible for the cost of any change or alteration of the water mains or pipe lines, then the state, if it proceeds with the highway project, must assume and pay such expense. The Engineer recommended in view of this opinion that the State Highway Commission assume this cost in connection with the highway project. The Commission approved the recommendation by unanimous vote and referred the matter to the Attorney to work out as good a proposition as he can with the city and the power company.

The Commission had under consideration the matter of adopting a permanent route for the Oregon Coast Highway along Astor Street in the City of Astoria in connection with which matter the Commission held a public hearing in Astoria on September 13, 1937. Action on this matter was deferred pending a report on appraisals of the property involved in this revision. The Attorney was authorized and instructed to make appraisals of the property and render a report thereon at the earliest possible time.

The Commission considered the claim of one Frank Triska for reimbursement for the loss of a horse which he alleges was so badly injured when it attempted to cross a cattle guard constructed and maintained by the state on a road under state jurisdiction that he had to kill the animal. Mr. Triska values the horse at \$100 and demands reimbursement in such amount from the state. The Attorney advised that the state is responsible for this accident in the event that the Commission had jurisdiction over the road on which the cattle guard is installed and is maintaining this road. The Engineer advised that the road in question is not a state highway but is simply an old road that was furnished to one of the state's contractors in connection with the construction of a state highway project. He doubted the responsibility of the Commission for the damage inasmuch as Mr. Triska does not own the land on the opposite side of this old road and there is a question whether or not he had any authority to drive his horse across this cattle guard onto the other man's land. The Commission deferred action on this matter pending investigation as to whether or not Mr. Triska was within his rights in letting the horse go across this cattle guard onto property belonging to another.

In this connection the Attorney reported receipt of a letter from County Judge Earl B. Day of Jackson County in which the Highway Commission was requested to install a cattle guard on the Crater Lake Highway to keep cattle from going onto and along the highway, and from the highway into the Rogue River National Forest. He gave as his opinion that the Commission has a legal right to refuse permission to construct a cattle guard on any state highway, if it so desires, and cited as a legal reference Chapter 243, Laws of 1933, as amended by Chapter 18, Laws of 1935. It appeared to the Commission

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that the existence of a cattle guard on the Crater Lake Highway would not be for the best public interests and accordingly Judge Day's request for the same was denied. The Attorney was instructed to convey such information to Judge Day and to advise him why the Commission found it necessary to take such action.

The method of financing the construction of the division office building in Portland had the attention of the Commission. The Engineer recommended that the building be constructed as a W.P.A. project rather than as a P.W.A. project as was first intended. It was his thought that the Commission could secure a better building at less cost by so doing. The Commission approved the recommendation and so ordered.

The Engineer reported that certain contractors on Oregon highway work have demonstrated that they do not have adequate personnel and/or equipment to undertake jobs in an aggregate amount for which they have been pre-qualified. He gave as his thought that the prequalification of these contractors should be reduced so as to make certain that when they are awarded a contract it will be carried on to completion in a satisfactory manner. He presented a list of contractors in this category as follows and recommended that their prequalifications be reduced as shown:

Contractor	Present Pre-qualification	Recommended Pre-qualification
R. I. Stuart & Sons	\$ 150,000	\$50,000
Brookfield Company	150,000	50,000
Dolan Construction Company	100,000	75,000
Edwin C. Gerber	500,000	200,000
Joplin & Eldon	350,000	200,000
M. C. Leninger & Son	75,000	50,000
Medford Concrete Construction Co.	100,000	50,000
Schmeer, Williams & Gentemann	150,000	75,000
Umpqua River Navigation Company	200,000	100,000

The Commission approved the recommendation by unanimous vote and so ordered.

The Engineer also recommended that the following contractors, Andersen Construction Company, Consolidated Highway Company, Inc., and A. A. Hardesty, be refused the privilege of bidding on future highway construction work because they have demonstrated that they are not adequately financed and are constantly bringing trouble to the state highway department either by failure to pay claims incurred against their jobs or by overrunning the time limit specified for the completion of their work. The Commission after discussion approved disqualifying the Andersen Construction Company and A. A. Hardesty from bidding on future highway work but deferred its decision in regard to the Consolidated Highway Company pending completion of projects which this company now has under way for the state when a definite decision will be rendered. The Commission was guided in its decision in regard to these matters by the opinion of the Attorney who quoted the Oregon law on this subject, particularly Chapter 225, Laws of Oregon for 1931. The Secretary was instructed to notify the Andersen Construction Company and A. A.

Hardesty of their disqualification the next time they request plans for highway construction projects.

The Commission discussed briefly but took no action on the matter of rerouting the Pacific Highway along Summer Street in the city of Salem so as to fit in with the plans for the new state capitol grounds. The Commission indicated that it would hold a public hearing in Salem in regard to this matter as required by law at the proper time.

The Commission had under consideration the plan originated by Mr. Harry Failing, Advertising Manager of the Oregon Journal, for marking points of interest along Oregon highways. This plan calls for the erection of a colored marker at the roadside with an identifying number thereon, referring to a printed description of the spot in an official bulletin to be issued by the State Highway Commission, thus eliminating any attempt to describe the spot, view or historical location on the marker itself. The Commission indicated a favorable attitude toward the adoption of such method of indicating historical locations but deferred definite action thereon pending consultation with the advisory committee on publicity and travel information matters. It was proposed that this matter be discussed with such committee at a meeting on Monday evening, November 29, 1937.

The Engineer requested authority for Harold B. Say, Director of the Travel and Information Department, to attend at state expense the meeting of the Evergreen Playground Association in Vancouver, B.C., on November 27, 1937, and the annual meeting of the Pacific Northwest Tourist Association in Spokane, Washington, on November 18, 1937. The Commission approved the request by unanimous vote subject to the condition that it meets with the approval of Governor Martin.

The Secretary presented a number of propositions submitted by several bonding companies for the furnishing of blanket bonds to cover highway department employees who are engaged in activities that require them to be bonded. It appeared to the Commission that no particular advantage would be gained by securing a blanket bond to cover these employees so it was ordered that individual bonds be secured as in the past.

The Commission considered and ordered filed a copy of a letter from Mr. and Mrs. Jack Robertson, Ashland, Oregon, addressed to President Franklin Delano Roosevelt regarding the controversy existing between them and the State Highway Commission relative to a slide which occurred on their property as a result of highway construction on the Pacific Highway south of Ashland, and the reply thereto by L. E. Boykin, Acting Chief of the Bureau of Public Roads, which letters were brought to the attention of the Commission by W. H. Lynch, District Engineer, Bureau of Public Roads, Portland.

The Commission had under consideration the claim of Mr. Edgar R. Means, Principal of the Redmond High School, Redmond, Oregon, with respect to damage that occurred to his car by reason of coming in contact with a rock on the McKenzie Highway near the Lost Creek service station. The Attorney advised that there is some question as to the Commission's liability in view

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of the varied reports that have been received concerning this accident, and that he has written to Mr. Means about it but has not yet received a reply. The Commission decided, in view of the circumstances, to let the matter rest until the Attorney receives a reply from Mr. Means and has additional information to report.

The Commission also considered the claim of James B. Adams for damage that he alleges occurred to his car when it collided with some oiling equipment, owned by the state, on July 22, 1937, at mile post 42.5 on the Lower Columbia River Highway. It appeared to the Commission that, inasmuch as the state's equipment was covered by public liability and property damage insurance, this is a matter for the insurance company to adjust, hence denied the claim. (The Attorney reported later in the session receipt of information to the effect that the insurance company has settled this claim to the satisfaction of Mr. Adams.)

The Commission also considered the claim of a Mr. W. H. Redberg, in the amount of \$6.75, for damage that he alleges occurred to his car when a highway employee threw a shovelful of gravel on the same, damaging the paint, the accident having occurred on June 2, 1937, on the Oregon Coast Highway about one mile north of the town of Hebo. The Attorney advised that he has gone thoroughly into this matter and it is his opinion, under the circumstances as stated in the letters making up his file on the subject, that the Commission is not legally obligated to pay the claim because the evidence does not show that the employee failed to exercise due diligence and care in his work. The Commission thereupon denied the claim by unanimous vote.

The Commission considered the claim of Mrs. Anna M. Ley, Portland, for reimbursement for the cost of repairing the windshield of her car which she alleges was broken by a rock which was put in motion by a pick wielded by an employee of the State Highway Department. The Attorney advised that investigation of this claim reveals that there is a question whether or not the rock was actually dislodged by the highway workman, in fact it is the workers version of the matter that he did not dislodge the rock but that the rock was thrown against the windshield by a passing car. He gave as his opinion that the claim is one for which the state is not legally liable regardless of what caused the rock to be put in motion. It is one of those accidents, he added, for which no one in particular can be called upon to respond in damages, being an unavoidable accident. In view of the report the Commission refused to accept the responsibility for the accident and thereupon denied the claim.

The Commission reconsidered and again denied the claim of Dr. G. H. Huthman for damage to his property that he alleges was devaluated by reason of the construction of the Union Avenue viaduct on the East Portland-Oregon City Highway in Portland.

The Commission also reconsidered the claim of Mrs. Maud Campbell for damages to her property by reason of the said Union Avenue viaduct in Portland. The Commission refused to alter its previous decision denying Mrs. Campbell's claim, no new evidence in support thereof having been presented.

The Commission considered the claim of Mr. E. W. Williamson, Band, Oregon, for damages to his service station business in the town of Ontario which he alleges will be ruined by the construction of the Ontario railroad grade separation project unless the plans for this project are altered. The Engineer advised that Mr. Williamson's property is located at the southeast corner of Oregon Avenue and North First Street and at the present time Mr. Williamson has access to his property from both of these streets but the plan for the highway project contemplates blocking the North First Street entrance which unquestionably will decrease the value of the property as a service station site. He further advised that Mr. Williamson wants the Commission to alter the plans for the highway project so he can continue to have access to First Street but he (the Engineer) is opposed thereto because such access would create a serious traffic hazard in view of the fact that First Street is a primary highway route and will carry all of the traffic to and from Idaho points. It was his thought that the hazard created by such change in plans would be greater than the hazard that the Commission is endeavoring to eliminate by the construction of the railroad grade separation project. He requested the views of the Commission in regard to the settlement of this controversy. After considerable discussion the Commission indicated that it would not approve the alteration of the plans to allow Mr. Williamson ingress or egress to his property from North First Street because of the traffic hazard that would be created thereby. The suggestion was offered that the controversy might be settled by the state purchasing Mr. Williamson's holdings. The Commission indicated a favorable attitude to the suggestion and instructed the Attorney to ascertain how much Mr. Williamson wants for his property and report his findings at the next meeting.

The Engineer reported a request from the Oregon American Lumber Corporation, Vernonia, Oregon, for permission to log its timber across the Wolf Creek Highway at two locations in Sections 11 and 14, T. 4 N., R. 7 W., W.M., particularly at engineers' stations 813 and 845, by means of sky lines rather than to truck the logs out as was originally contemplated when the agreement between the company and the Commission covering right of way matters and timber purchase was executed. He advised that he could see no good reason for not granting the request in view of the fact that the highway at such points will not be available for general public use for some time and he recommended the granting of the request subject to the following conditions: (1) that yarders be placed on the south side of the highway at each location so that the haul across the highway will be limited to a narrow width of not more than 100 feet; (2) that the company will agree to reimburse the State Highway Commission for the expense of repairing all damage done to the highway grade by reason of the company's operations and will agree to the deduction of such amount from the amounts that the Commission may owe the company; (3) that the company will furnish the State Highway Commission a suitable bond for the protection of anyone injured by the company's operations as a result of inadvertently using the constructed highway grade or the highway right of way; (4) that the company will agree to the opening up of the highway for construction purposes upon ten days' notice. The Commission approved the Engineer's recommendation by unanimous vote and ordered that the matter be covered by appropriate agreement between the company and the state.

The Commission had under consideration a resolution adopted by the County Court of Deschutes County requesting that the old state highway between Redmond and Bend, which is no longer of value as a primary state highway since the construction of the new primary highway between these points, be designated as a state secondary highway. The Commission approved the request upon recommendation of the Engineer and by unanimous vote adopted the following resolution so designating this road:

WHEREAS, under the provisions of Chapter 248, Laws of 1931, the State Highway Commission, by mutual agreement with the respective county courts of the several counties of the state, is authorized and empowered to select, locate and designate a system of secondary state highways, which highways shall be selected from the market roads or other county roads, or available locations or routes of the several counties; and

WHEREAS, the State Highway Commission, by mutual agreement with the County Court of Deschutes County, has selected the route hereinafter named, and it is the purpose of the Commission to officially and regularly designate and adopt said route as a highway to constitute, together with other highways which have heretofore been added and which may hereafter from time to time be added, a part of the system of secondary state highways of Deschutes County under the provisions of said act;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission, all members being present and affirmatively voting and participating, as follows:

That the following named route in Deschutes County, be and the said route is hereby selected, designated, established, adopted, and approved as a secondary state highway and shall be and is hereby designated as a part of the secondary state highway system, to wit:

Redmond-Bend Secondary Highway No. 375

Beginning at the intersection of the old Dalles-California Highway with the new location of The Dalles-California Highway in the City of Redmond; thence in a southwesterly direction to the intersection of the old Dalles-California Highway with the McKenzie-Bend Highway, a distance of 13.5 miles.

That said route shall be, and is hereby qualified for improvement under the provisions of said Chapter 248, Oregon Laws 1931 and amendments thereof;

That the engineer be, and he hereby is authorized to make proper surveys with respect to the physical location upon the ground of the said route and properly file in the records of the Commission all of said data;

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That this resolution be entered in the minutes of the Commission and a duly certified copy thereof mailed to the County Court of Deschutes County.

The Commission also had under consideration a resolution adopted by the County Court of Marion County requesting the designation, as a secondary state highway, of the old Pacific Highway route between Salem and Illahe School which has been replaced by a new highway built to modern standards. The Engineer advised that, while the county court adopted this resolution for the Commission's consideration, it is not particular that the Commission act on it at this time because there are other county roads which the court may wish to have considered as secondary highway roads in the event that the Commission intends to limit the number of new secondary highways in this county. In view of the Engineer's report the Commission decided unanimously to defer action on the county court's resolution for the time being.

The Secretary presented a resolution from the County Court of Hood River County requesting that the Interstate Bridge Secondary State Highway No. 280, beginning at the east end of the Hood River Bridge and extending to the Hood River-White Salmon Interstate Bridge, be eliminated from the state secondary highway system. The Engineer recommended compliance with the request. The Commission approved the recommendation and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, the State Highway Commission, by mutual agreement with the County Court of Hood River County, has heretofore selected and regularly adopted, as provided by law, the Interstate Bridge Secondary State Highway No. 280, described as follows:

Bridge Market Road No. 7, beginning at the east end of the highway bridge across Hood River and extending to the Hood River-White Salmon Interstate Bridge, approximately 0.5 miles in length,

and,

WHEREAS, it now appears that the United States of America, in connection with the construction, operation and maintenance of Bonneville Dam, has found it necessary to flood certain areas traversed by the said Secondary Highway, and for that purpose, has requested Hood River County to enter into a flowage agreement with the United States of America, and

WHEREAS, it is the purpose and desire of Hood River County to cooperate with the Federal Government, insofar as is consistent with the best interests of Hood River County, and

WHEREAS, under the provisions of Chapter 196, Laws of Oregon, 1935, the State Highway Commission, by mutual agreement with the County Court, may eliminate and remove from the State Secondary

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Highway System, secondary highways which have heretofore been made a part of the Secondary Highway System, and

WHEREAS, the County Court of Hood River County has duly and regularly adopted a Resolution and has delivered to the Highway Commission, a duly executed copy of the same, in which Resolution, one of the "Whereas" clauses reads as follows, to-wit:

"WHEREAS, the County Court of Hood River County in view of all of the circumstances, and particularly of the fact that a portion of said area will be flooded in connection with the construction, maintenance and operation of Bonneville Dam, now believes that it is and will be for the best interests of the State of Oregon and Hood River County in particular that the secondary highway hereinabove described should be eliminated and removed from the secondary highway system and left to revert to and fall under the exclusive jurisdiction of Hood River County so that Hood River County may be at liberty to enter into a flowage agreement with the United States of America."

and

WHEREAS, it is the desire and purpose of the Highway Commission to cooperate with Hood River County and the Federal Government, insofar as the Highway Commission has authority to do, in the promotion of the said project and Federal Government activity, and therefore, the Commission deems it to be in the best interests of the State and general public that the Highway Commission join with Hood River County in removing from the Secondary Highway System, the secondary highway hereinbefore described.

NOW, THEREFORE, Be it and it hereby is Resolved, by the State Highway Commission, all members being present and affirmatively voting and participating as follows:

1. That the following described Secondary Highway shall be, and the same hereby is taken from the Secondary Highway System, and shall no longer be designated or known as, or improved or maintained as a secondary highway by the State Highway Commission, to-wit:

The Interstate Bridge Secondary State Highway No. 280, described as, "Bridge Market Road No. 7, beginning at the east end of the Highway Bridge across Hood River and extending to the Hood River-White Salmon Interstate Bridge, being approximately 0.5 mile in length."

2. That said Highway, if maintained as a public highway, shall be under the exclusive jurisdiction of the County Court of Hood River County.
3. That this Resolution be entered in full in the minutes and

records of the State Highway Commission, and a duly certified copy thereof, delivered to the County Court of Hood River County, and a copy to the United States Bureau of Public Roads, and a copy to the United States Army Engineers.

The Commission had under consideration the matter of abandoning a portion of the Shady Point-Kelly Corner Section of the Pacific Highway in Douglas County which has been rendered valueless as a state highway by reason of the reconstruction of the highway on new location. The Engineer advised that the old road at this place is of no use for state highway purposes and he recommended that it be abandoned and turned over to the Douglas County Court for maintenance or for disposal as it sees fit. The Commission approved the recommendation and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, in order to afford a better alignment and a more satisfactory, safe and convenient highway for the traveling public, the Commission found it necessary to relocate a portion of the Shady Point-Kelly Corner Section of the Pacific Highway in Douglas County; and

WHEREAS, by reason of said relocation and reconstruction of the said section of said highway there was eliminated and made unnecessary as a part of the permanent highway a certain section or part thereof, which section or part is more specifically defined and designated hereinafter in this resolution; and

WHEREAS, it is the judgment and opinion of the Commission that there should be recorded in the minutes and records of the Commission its purpose and plan to abandon as a part of the said state highway the fragment or portion of right of way hereinafter designated and heretofore included within the area of the right of way of the said state highway as formerly located, improved and used;

NOW, THEREFORE, the premises being in general as above stated, it hereby is resolved by this Commission, all members being present and affirmatively participating, as follows:

1. That the fragment of land confined within the area of land hereinafter designated, which fragment or parcel of land was formerly within the limits of the right of way of the Shady Point-Kelly Corner Section of the Pacific Highway in Douglas County, but is now without the limits of the right of way of said highway as said highway has been relocated and constructed, be and said fragment or parcel of land or portion of the old right of way is abandoned as a part of the right of way of said highway, and said fragment or parcel of land or old right of way is, so far as control and supervision by this Commission is concerned, eliminated and left to revert to the adjoining and abutting property owners or to

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the control and supervision of the County Court of Douglas County for highway or other public purposes as the Court may determine. The fragment or parcel of land affected by this resolution is defined and described as follows, to wit:

All that portion of the Shady Point-Kelly Corner Section of the old Pacific Highway lying westerly of the reconstructed Pacific Highway between Station 1401+00 and Station 1302+80, situated in Sections 2 and 11, Township 28 South, Range 6 West, W.M., Douglas County, Oregon.

The location of said abandoned right of way may be more definitely and particularly ascertained and determined by reference to a map or blueprint, marked "Exhibit 'A'", attached hereto and by this reference made a part hereof, which said exhibit for identification purposes bears the signatures of K. D. Lytle, Division Engineer, H. G. Smith, Construction Engineer, and R. H. Baldock, State Highway Engineer, and is dated October 4, 1937, upon which map or exhibit there is reflected the above described parcel of land by showing the same shaded in red.*

2. In the event there remains any physical connection between any portion of said abandoned right of way or highway and the present highway, and by reason of such physical connection traffic from the existing highway may enter or use the said abandoned portion of the said old road to the possible damage or injury of such traffic by reason of any unsafe condition existing with respect to said old or abandoned road, then the State Highway Engineer is hereby authorized and directed to erect such barricade or other safeguards as may be necessary to protect and safeguard traffic using and employing said newly located, constructed and dedicated section of said highway.

3. That this resolution be entered in the minutes and records of the Commission and a certified copy thereof promptly delivered to the County Court of Douglas County, together with a copy of said exhibit or map, for such action as said County Court may desire to take with respect to said fragment of land, and should said abandoned portion of the right of way of said highway be further employed for public or private highway purposes such use shall be entirely under the control and supervision of the County Court of Douglas County and beyond any responsibility or supervision by the State Highway Commission.

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The Commission also considered the abandonment of a portion of the Cunningham Creek Bridge Section of the Oregon Coast Highway in Coos County, a short distance north of the town of Coquille. The Engineer advised that the highway has been reconstructed at this location by elimination of a sharp

* Map filed in Right of Way Abandonment and Retention File - No. 46

curve at Cunningham Creek and that the old section is no longer of any value for state highway purposes. He recommended that the old section be abandoned in favor of Coos County for maintenance or for reversion to the adjoining property owners. The Commission approved the recommendation and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, in order to afford a better alignment and a more satisfactory, safe and convenient highway for the traveling public, the Commission found it necessary to relocate a portion of the Cunningham Creek Bridge Section of the Oregon Coast Highway in Coos County; and

WHEREAS, by reason of said relocation and the reconstruction of the said section of highway there was eliminated and made unnecessary as a part of the completed highway a certain section which is more specifically defined and described hereinafter in this resolution; and

WHEREAS, it is the judgment and opinion of the Commission that there should be reflected in the minutes and records of this Commission the purpose and plan of the Commission to abandon as a part of the Oregon Coast Highway, and therefore as a part of the state highway system, the fragment or portion of the right of way of the old alignment hereinafter defined and heretofore included within the area of the right of way of the Oregon Coast Highway as formerly located between the said termini and as heretofore improved and used; and

NOW, THEREFORE, the premises being in general as above stated, it hereby is resolved by this Commission, a majority of members being present and affirmatively participating, as follows:

1. That the fragment of land confined within the area hereinafter described, which said fragment of land was formerly within the limits of the right of way of the Oregon Coast Highway, but which is now without the limits of the right of way as said highway has been relocated be and said fragment of land is hereby abandoned as a part of the right of way of said highway and said fragment of land so abandoned is left to revert to the adjoining property owner or owners or to the control of the County Court of Coos County or the City of Coquille for highway, street or other public purposes.

2. The fragment of land or right of way hereby abandoned and eliminated from the state highway system is described as follows, to-wit:

All that portion of the Cunningham Creek Bridge Section of the Oregon Coast Highway, lying east of a line 35 feet distant from and parallel to the reconstructed center line between Engineer's Station 876+60 and Station 880+02; situated in the City of Coquille, Coos County, Oregon.

In addition to the foregoing description of said abandoned right of way there is attached hereto a print or map, marked "Exhibit 'A'", and by this reference made a part hereof upon which map there is shown shaded in red the abandoned section of said highway, which exhibit for identification purposes bears the signatures of K. D. Lytle, Division Engineer; H. G. Smith, Construction Engineer; and R. H. Baldock, State Highway Engineer; and bears date of November 1, 1937.*

3. In the event there remains any physical connection between any portion of said abandoned right of way or highway and the present highway, and by reason of such physical connection traffic from the existing highway may enter or use the said abandoned portion of the old road to the possible damage or injury of such traffic by reason of any unsafe condition existing with respect to said abandoned section, then the State Highway Engineer is hereby authorized and directed to erect such barricade or other safeguards as may be necessary to protect and safeguard traffic using and employing said newly located, constructed and dedicated section of said state highway.

4. This resolution shall be entered in the minutes and records of the Commission and a certified copy thereof promptly delivered to the County Court of Coos County, together with a copy of said exhibit, and a copy of said resolution and exhibit shall be delivered to the Mayor of the City of Coquille for such action as said County Court may desire to take and for such action as the City of Coquille may desire to take, and should said abandoned portion of the highway be further employed for public or private highway purposes such use shall be entirely under the control and supervision of the County Court of Coos County and/or the municipal authorities of the City of Coquille, and the same shall be beyond any responsibility or supervision by the State Highway Commission

The Engineer reported that it would be desirable to paint stripes on the pavement on the state highway route in the city of Newport for four lanes of traffic and requested authority from the Commission so to do. The Commission approved the request by unanimous vote.

The Attorney reported requests from the National Hospital Association, Portland, and the Physicians and Surgeons Hospital Association of Salem for authority to raise the rates for furnishing group insurance to highway department employees from \$1.75 per month to \$2.00 per month per person. He said that he has been informed that the associations have been losing money on their accounts with the state highway department employees and feel that they should be allowed to increase their rates, especially in view of the fact that costs of medical supplies are higher now than when the original agreement was executed. He was instructed to inform the associations that the members of the Highway Commission are neutral in this matter and consider

* Map filed in Right of Way Abandonment and Retention File - No. 47

that it is a question that should be decided by the highway department employees themselves.

The Engineer requested authority to purchase flashing signals to be installed at the following intersections on 82nd Avenue in the city of Portland:

- One at N. E. Sandy Boulevard (U.S.#30)
- One at N. E. Glisan Street
- One at S. E. Stark Street (U.S.#30 alternate)
- Two at S. E. Division Street
- One at S. E. Powell Boulevard
- One at S. E. Foster Road

He estimated that the cost of such signals installed would be \$550. He also requested authority to purchase two overhead flashing signals for installation at the following locations: one at the intersection of Oregon No. 8 (Tualatin Valley Highway) and Sylvan Road, and one at the intersection of U. S. No. 99 W. (Pacific Highway West) and the Old Capitol Highway. He estimated that such installations would cost about \$160. In addition to the above beacons the Engineer recommended the purchase and stocking of six additional overhead flashing beacons for installation on short notice as occasion may require. He estimated that these six beacons, not installed, would cost about \$360. After due consideration the Commission approved the Engineer's requests by unanimous vote.

The Commission had under consideration a letter from Division Engineer W. C. Williams advising that he has inspected the highway construction work performed by the United States Bureau of Reclamation around the Unity Dam site and that he finds that all of the grading and bridge work has been performed satisfactorily. He recommended acceptance of the same for future maintenance by state highway forces. The State Highway Engineer expressed his concurrence in the recommendation. The recommendation was approved by the Commission by unanimous vote. The Secretary was instructed to advise Mr. C. H. Spencer, Construction Engineer for the United States Bureau of Reclamation at Unity, of the Commission's action and to inform him that the Commission has authorized the taking over of this project for use and maintenance as a state highway.

The Engineer reported that the Salem City Council has gone on record as opposed to paying any portion of the cost of lighting the North Salem undercrossing. He recalled that it has been the practice of the Highway Commission for a long time to require cities to pay at least a portion of the cost of lighting such structures and gave as his thought that the City of Salem should not be relieved from such expense in the present instance unless the Highway Commission wanted to change its established policy in regard thereto. The Commission decided not to change its policy and instructed the Engineer to advise the Salem City Council that it will order discontinuance of the lighting of this structure unless the city will assume the payment of one-half the expense thereof.

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The Commission had under discussion the matter of creating a "no-parking" zone along Fifth Street (state highway route) in Oregon City between Main Street and Water Street on account of the narrowness of the pavement and the high cost of the property that would be needed for widening the highway to accommodate the parking of automobiles at this location. The Engineer advised that this street is plenty wide enough now for four lanes of traffic, if cars were prohibited from parking against the curb, but there is no way to prevent people from parking their cars next to the curb line unless the City Council will adopt an ordinance to that effect. He further advised that the property at the corner of Fifth and Main Streets is occupied by business houses which would have to be paid large damages in the event the Commission decided to acquire additional land to accommodate the parking of cars. It was his thought that such expense is unjustified in view of the fact that even then there would be room for the parking of only three or four cars on the north side of the street. He suggested that the Commission ask the city council to pass an ordinance prohibiting the parking of cars at this location and to issue instructions to its city police force to enforce the provisions of the same, and, if the city police will not act, then to ask the state police officers to do whatever is necessary to keep this space cleared. After considerable discussion of this matter the Commission approved the Engineer's suggestion by unanimous vote and instructed him to take the matter up with the city council. He was authorized to advise the council that, if the city will adopt an ordinance prohibiting the parking of cars in this block, the Highway Commission will mark off the "no parking" area, and, if the city will not adopt such ordinance, then the Commission will defer the awarding of additional contracts for the construction of this highway in Oregon City until it is assured of full cooperation from the city council.

In connection with this matter a letter was presented from C. T. Gates, Portland, who owns a 75-foot frontage on Fifth Street which will be affected by the Commission's decision in this matter. Mr. Gates expressed a desire to talk with the Engineer concerning his interests. The matter was referred to Traffic Engineer John Beakey to contact Mr. Gates.

The Secretary presented communications, petitions, et cetera, as follows for the attention of the Commission:

Letter from the San Francisco Convention and Tourist Bureau suggesting that the Oregon State Highway Engineer be authorized to take membership in the American Road Builders' Association as an aid in securing the 1939 convention of that association in San Francisco. The Engineer advised that there are advantages in belonging to this association but he did not feel disposed to take out membership on his own account. The Commission by unanimous vote authorized the Engineer to join the association at state expense.

Letter from the American Road Builders' Association offering free space for an Oregon exhibit at the association's 1938 Road Show which is to be held in Cleveland, Ohio, during the week of January 17, 1938. The Engineer recommended acceptance of this offer. The Commission approved the recommendation by unanimous vote subject to the condition that it will not take up

too much time of highway department employees and will not cost the state too great a sum.

Resolution from the Stayton Chamber of Commerce urging completion of the North Santiam Highway at the earliest possible time regardless of the prospects for the construction of the power dam in the North Santiam River in connection with the Willamette Valley flood control project. The Commission ordered the communication filed for future reference.

Letter from F. W. Deedon renewing the request of Lane County citizens for the oiling of the secondary highway from Elmira west to Badger Mountain in Lane County. The Commission denied the request because of lack of funds to finance such improvement.

Letter from Jewell Grange No. 876, Jewell, Oregon, urging the Commission to oil the Nehalem Secondary Highway between the towns of Jewell and Mist at the earliest possible time during the 1938 season. The Commission ordered that the grange be informed that the Commission has this project in mind and expects to consider it along with other projects for the 1938 program but no definite commitment of funds can be made to it at this time.

Resolution from the McEwen and Stewart Granges of Baker County urging construction of a guard rail at all narrow places and curves on the Sumpster Valley Secondary Highway between McEwen and Salisbury as a safeguard for traffic. The Engineer reported that he has recently built some guard fences along this road that should take care of the worst conditions. The Commission thereupon ordered the communication filed.

Letter from County Judge Fred Fisk, Lane County, suggesting that the Highway Commission undertake, this winter, the construction of the new route for the Pacific Highway through the town of Cottage Grove in order to assist in the relief of unemployment in that vicinity. The Secretary was instructed to inform Judge Fisk that the Commission is not in a position financially to undertake this job this year but will bear it in mind for consideration when some of the other jobs that are now under way in Lane County have been completed.

Letter from Honorable Rufus C. Holman, State Treasurer, offering the services of his field deputy to the State Highway Commission to assist in the collection of unremitted fines for traffic law violations, provided the Highway Commission will pay a portion of the expense thereof. The Commission decided to accept this offer and instructed the Engineer to contact Mr. Holman in regard thereto.

Joint petition signed by representatives of the County Court of Grant County, Grant County Union High School No. 3, and the Edward Hines Lumber Company urging improvements to the connecting road between the newly constructed portion of the John Day-Burns Highway and the old highway at the summit of the Pass south of Canyon City, where they allege a condition exists that is dangerous and unsafe for travel. The Secretary was instructed to inform the petitioners that the Commission has no funds with which to finance

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such project at the present time but has tentatively approved it for construction next year in the forest highway program.

Letter from W. H. Lynch, District Engineer, Bureau of Public Roads, transmitting a copy of the act approved by Congress on August 14, 1937 (Public 286, 75th Congress) covering reimbursement to State Highway Departments, under certain conditions, for making publicly-owned toll bridges on the Federal Aid Highway System free of toll. The Commission took no action on this matter.

Letter from C. C. Hockley, State Director, Federal Emergency Administration of Public Works, advising that all of the projects included in the Highway Commission's P.W.A. Program have qualified for construction under the Public Works Administration Act of 1937 but there is no present assurance of an allotment of funds for the same. The Commission ordered the communication filed.

Petition from residents of Ocean Lake and vicinity urging the construction of a sidewalk along the Oregon Coast Highway throughout the Ocean Lake and Taft districts for the benefit of pedestrians. The Commission referred this matter to the Engineer for consideration in the formulation of the Minor Betterment Program for next year.

Petition from citizens and taxpayers of Woodburn and the territory between Woodburn and Mt. Angel urging the Commission to reroute the Hillsboro-Woodburn Secondary Highway along the extension of Young Street, Woodburn, to a connection with the present highway about 550 feet east of the Pacific Highway so as to eliminate the right angle turn in the present route a short distance south of the intersection of Young Street with the Pacific Highway. The Commission referred this matter to the Engineer for investigation and report.

Letter from the Redwood Empire Association thanking the Commission for the interest shown in favor of the development of the Redwood Empire and its system of state highways. The Commission ordered the communication filed.

Letter from the City Council of the town of Molalla alleging that the State Highway Commission on November 1936 promised to budget funds for the improvement of the secondary highway through the town during the season of 1937 and inquiring when the Commission expects to undertake such project. The Engineer advised that the 1937 budget contained an item of \$11,000 for such improvement but the project was not undertaken because of a shortage of funds, there being other projects that were considered more important for the funds available. The Commission ordered that the city council be so informed.

Letter from School District No. 26, Clatsop County, requesting the construction of a sidewalk on the Walluski River Bridge on the Nehalem Secondary Highway, near Jewell, for the benefit of school children. The Engineer advised that the bridge referred to is an old structure, and it is planned to replace it with a new structure next year. He gave as his thought that, under the circumstances, it would be a waste of funds to construct a sidewalk on the existing structure which he estimated would cost between \$1,500 and

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\$2,000. The plans for the new structure, he said, include provision for a sidewalk. The Commission concurred in the viewpoint of the Engineer and thereupon denied the request. The Secretary was instructed to inform the Directors of the School District the necessity for such action.

Letter from J. W. Elliott, Superintendent of the Warm Springs Indian Agency, urging the Commission to construct a rock surface on the newly graded section of the Warm Springs Highway between the town of Madras and the Deschutes River Bridge crossing as an aid to travel and the elimination of a hazardous condition which he alleges exists on account of the slippery condition of the Deschutes River grade during wet weather. Also a letter from County Judge W. R. Cook of Jefferson County stating that the county court prefers that the Commission spend its money for additional grading work on this highway north of Warm Springs Agency rather than to surface the section already graded to state standards. It was the thought of the Commission that, from a general public standpoint, greater benefit would be received by continuing the grading work as suggested by Judge Cook than by surfacing the section previously graded and it was so decided. The Secretary was instructed to convey such information to Judge Cook and Mr. Elliott.

Letter from the Hillsdale Community Club requesting that highway road signs in the vicinity of Hillsdale (Bortha) be changed to read "Hillsdale" so as to conform with the name of their post office. The Engineer advised that investigation reveals that the post office at this place is now known as Hillsdale Post Office as is also the district in which the post office is located, and in his estimation it will be proper for the Commission to change the highway signs accordingly. He recommended approval of the request. The Commission approved the recommendation by unanimous vote.

Letter from County Judge Bert Johnson, Morrow County, complaining of the treatment that Morrow County has received from the hands of the State Highway Commission with respect to highway construction and requesting a greater allocation of funds for the improvement of Morrow County roads. The Commission ordered the communication filed.

Letter from W. W. Evans, Halfway, expressing appreciation for improvements ordered by the State Highway Commission for the Baker-Halfway road in Baker County. The letter was ordered filed.

Letter from Gilliam-Wheeler Pomona Grange, Condon, Oregon, in which the Commission is asked to authorize the placing of some fine surfacing rock on the one-mile section of the Fossil-Antelope Secondary Highway, in Wheeler County, commonly known as the Chichester Grade Section, which was recently graded to state standards, so that cars may be driven over this section with greater comfort and without fear of tires being cut with sharp rocks as occurs under present conditions. The Commission referred this matter to the Engineer for investigation and report on what it would cost to do this work.

Letter from County Judge Earl B. Day of Jackson County asking the State Highway Commission to give to Jackson County the old 90-foot steel bridge over Sardine Creek on the Pacific Highway near Gold Hill after it has

been replaced with a new structure. The Engineer advised that the Commission is taking bids on November 30 for the new bridge over Sardine Creek and when the new structure is open for general public use the state will have no further use for the old bridge, particularly in view of the fact that it is only 15 feet wide and is not suitable for use on any state highway. He recommended that the old bridge be given to Jackson County. The Commission approved the recommendation by unanimous vote subject to the condition that the county will haul the dismantled structure away at county expense and will clean up the premises to the satisfaction of the State Highway Engineer.

Letter from P. R. Lafferty, President of the Obsidians of Eugene, thanking the Highway Commission for its decision in authorizing snow removal operations on the McKenzie Highway between Belknap Springs and Frog Camp for the benefit of winter sports' enthusiasts. (The Commission previously authorized this work as an experiment to ascertain whether or not it would be possible to keep the road open by the use of pushplow equipment. The work will be closed down in the event that operations on that basis are unsuccessful.)

Letter from Illinois Valley Grange No. 370, Kerby, Oregon, urging the Commission to undertake, as one of its first major construction projects, the straightening and widening of the Pacific Highway between Grants Pass and Roseburg to remove existing driving hazards. The Commission ordered the communication filed.

Resolution from the City of Roseburg, bearing endorsement by the County Court of Douglas County, wherein the State Highway Commission is requested to remove a certain hump in the old Pacific Highway near its junction with the new Pacific Highway at the north city limits of Roseburg so as to provide a better grade for the connection of these two roads; also to remove any embankment adjoining such highway connection which might be unsightly or detrimental to the free flow of traffic. The Commission referred this matter to the Engineer for investigation and report.

Letter from Reverend John W. Hoyt, Medford, requesting permission to collect wild flowers for botanical purposes, study and pressing from state highway rights of way. The Commission referred this matter to Commissioner Tou Velle with full power to act, and instructed the Secretary to so inform Reverend Hoyt.

Letter from Vance Bolick, owner of the Smith River Cash Store, Smith River, California, advising that he proposes to place a sign on private property near the north end of the Winchuck River Bridge on the Oregon Coast Highway in Curry County, and inquiring as to the wishes and desires of the State Highway Commission in regard thereto. The Secretary was instructed to reply that the Commission has no jurisdiction over the property outside of the highway right of way but is extremely desirous of preserving the roadside beauty and scenery which cannot be done if advertising signs are maintained on such property, and to ask Mr. Bolick's cooperation.

Newspaper clipping from the Coos Bay Times, submitted by the North Bend Chamber of Commerce, calling attention to numerous accidents that have

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occurred on Sherman Avenue in North Bend by reason of the slippery condition of this street which is a state highway route. The Secretary was instructed to inform the Chamber of Commerce that the Commission has it in mind to construct a nonskid surface on this street and intends to give such project consideration in the formulation of next year's construction program but is not in a position at the present time to state definitely whether or not it will be included in such program.

Letter from Patrick F. Payne, Director of Safety for the Interstate Transit Lines, Omaha, Nebraska, expressing appreciation for courtesies extended to the drivers of Interstate Transit equipment (U. P. Stages) by Oregon Highway Department maintenance crews. The Commission ordered that an appropriate letter of thanks be sent to Mr. Payne.

Letter from R. F. Hanke of the Equitable Savings and Loan Association, Portland, Oregon, in regard to the condition of the unpaved portion of Interstate Avenue, Portland, and requesting repairs to the same so that traffic will not throw rocks through plate glass store windows nearby. The Commission ordered that Mr. Hanke be informed that the Commission now has under consideration the paving of the unpaved portion of this street and hopes to be able to advertise the project for construction during 1938 if there are funds available to finance the work, although no definite assurance can be given at this time that the work will proceed as contemplated.

Letter from Mr. Walter Meacham, Portland, regarding the placing of the name "Old Oregon Trail" on state highway maps and inquiring whether or not the Commission has as yet taken any definite action in regard to the request of a delegation that appeared before the Highway Commission on July 8, 1937, regarding such matter. After some discussion of this matter the Commission decided to place the name of the Old Oregon Trail in the legend in the lower right hand corner of the 1938 maps, the number 30 denoting this U. S. Highway route to be placed in the yellow colored shield on the same line with the name, and the number appearing in the shield on the 1937 map to be changed from 30 to 99. This decision was conditioned upon its being approved by the Advisory Committee on publicity matters. The Commission ordered that Mr. Meacham be advised of the Commission's action and that he be informed that the Commission did not previously decide this matter because it considered that there was plenty of time to give it full consideration before the 1938 maps were published, which is the thought that the Commission tried to convey to the delegation when the matter was first discussed.

The Commission had under consideration for approval W.P.A. projects as follows:

(1) Proposed clearing and grubbing project on the Wolf Creek Highway right of way extending east from Sunset Camp to Buxton Road. The Commission, as sponsor, approved an allocation of approximately \$30,000 of state funds for this project to pay the cost of equipment, equipment repairs, powder, and engineering, the balance of the funds, amounting to approximately \$178,000, are to be contributed by the W.P.A.

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(2) Beautification project on the Wilson River Highway in Tillamook County. This project is being sponsored by Tillamook County which is to pay all costs over and above those assumed by the W.P.A. The Highway Commission's approval is needed simply because the work is on a state highway right of way. The work consists of construction of drainage ditches, riprapping, retaining wall construction, beautifying slopes and fills, et cetera, for a distance of approximately five miles beginning at a point near the northwest corner of Section 10, T. 1 N., R. 7 W., W.M., and extending southwesterly to a point near the northeast corner of Section 25, T. 1 N., R. 8 W., W.M., Tillamook County.

(3) Tooth Rock roadside beautification project on the Upper Columbia River Highway. The Commission, as sponsor for this project, authorized a contribution thereto of approximately \$9,310 of state funds for rentals, supervision, et cetera, the balance of the funds, amounting to about \$16,656, is to be contributed by the W.P.A.

(4) Proposed clearing and grubbing project on the Wilson River Highway between Jordan Creek and the Washington County line in Tillamook County. This project is being sponsored jointly by Tillamook County, Washington County, Multnomah County, and the City of Portland and involves a contribution of approximately \$118,690 by the state for equipment rentals and repairs, purchase of powder and some supervision. It has been proposed that the equipment on this job be furnished by the counties at the customary rental rate but that the state pay the cost of equipment repairs and return the equipment to the counties when the work is done in as good condition as it was when it was placed on the job, less reasonable wear and tear. The Commission indicated that it would approve this project if a satisfactory working agreement can be effected with the counties in regard to the equipment and if the W.P.A. projects on the Wolf Creek and Wilson River Highways can be kept on a parity so far as state funds are concerned.

The Commission had under discussion the selection of projects to be financed with fiscal year 1939 federal aid funds and proposed for construction during the season of 1938. The Engineer submitted a list of projects from which the Commission selected the following as a partial program for such funds, being projects which the Commission considers should be given preference over others:

Oregon City, Abernethy Bridge to 11th Street	\$105,000
Nehalem River Bridge (Wolf Creek Hwy.)	120,000
Rock Creek Bridge (" " ")	17,000
Albany Project, Grading (39G.S.-\$115,000, 39F.A.-\$37,000)	152,000
Siuslaw Junction-Ross Station (Junction City-Eugene)	190,000
Brothers-Lake County Line (Central Oregon Hwy.)	164,431
Lake County Line-Gap Ranch	23,000
Muddy Creek-Haines (Old Oregon Trail)	120,000
Wolf Creek-Jimmy Creek (Old Oregon Trail)	30,000
Planning Survey	54,000
Catching Slough Bridge	75,000
	<u>\$1,050,431</u>

The Commission authorized the Engineer to proceed with the securing of options for the right of way needed in connection with each of these projects.

Consideration was given by the Commission to the budgeting of the state funds that it is expected will be available for expenditure during the calendar year 1938. Estimates presented by the Engineer indicate the probable income of state funds would be \$13,580,000. The requirements for fixed expenses of all kinds and for non-cooperative construction were estimated at \$12,765,000. The amount remaining (\$815,000), plus approximately \$3,950,000, which it is expected will be collected from the Federal Government, and approximately \$157,000 that it is expected will be collected from the several counties, is estimated as the amount that will be available for expenditure on the federal aid and other cooperative projects. After consideration of the estimates of income and requirements the Commission by unanimous vote budgeted the following amounts for the purposes indicated, it being understood that the individual projects making up the minor addition and betterment items and the special maintenance items will be selected at a later date:

WPA Projects on Wolf Creek and Wilson River Highways	\$280,000
WPA Projects on other State Highways	50,000
*State construction projects on Primary Highways	200,000
" " " " Secondary Highways	300,000
Minor additions and betterments on Primary Highways	175,000
" " " " Secondary Highways	125,000
*Special maintenance, Primary and Secondary Highways	450,000
General maintenance on Primary Highways	2,500,000
" " " Secondary Highways	650,000
Installation and maintenance of signs on county roads	25,000
Operation of drawbridges and ferries	40,000
State parks	125,000
Rights of way, patrol stations, et cetera	500,000
Principal and interest payments on bonds	3,680,000
Administration and general supervision	370,000
Surveys on Primary Highways	175,000
" " Secondary Highways	35,000
Traffic surveys	50,000
Miscellaneous general expense	50,000
Travel and Information Bureau	100,000
Contribution to State Police as required by law	348,000
" " Counties as required by law	2,137,000
Reserve for contingencies, Prim. & Sec., Hwy. Maint.	150,000
" " " " " Constr.	250,000
	<u>\$12,765,000</u>

* The amounts budgeted for the items "State construction projects on Primary Highways" and "Special maintenance, Primary and Secondary Highways" are understood to be in addition to the amounts required to complete payments on projects included in 1937 programs but not fully paid for in 1937, which amounts are expected to be approximately as follows:

State construction projects on Primary Highways	\$75,000
Special maintenance, Primary and Secondary Highways	25,000

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The Engineer reported that under authority previously granted him by the Commission he has ordered a number of surveys since the last meeting of the Commission. He presented a list of such surveys and asked the Commission to confirm his action. After due consideration Commissioner Tou Velle moved that the State Highway Engineer be authorized and instructed to make such location surveys on various sections of the highways of this state which said sections of highways, together with their identifying survey numbers and the amounts authorized and allocated for such survey expenditures, are as follows:

Prepare Plans	- 15-2815	Sardine Creek Section, Pacific Highway. Jackson County. 3rd authorization \$100 - Total to date \$350.00.
Bridge Location-	131-2812	Meadowbrook Bridge, Starkey Secondary Highway. Union County. 1st authorization \$350.00.
Location	- 31-2811	La Grande-Island City Section, Wallowa Lake Highway. Union County. 1st authorization \$250.00.
Location	- 233-2813	Forest Boundary-Hette Butte Section, Warm Springs Road. Wasco County. 1st authorization \$5,600.00.
Location	- 24-2801	Salem-Pringle Creek Section, Pacific Highway. Marion County. 2nd authorization \$1,200 - total to date \$2,800.00.
Right of Way	- 21-2818	Yaquina Bay Bridge Approach, Oregon Coast Highway. Lincoln County. 1st authorization \$450.00.
Right of Way	- 21-2817	Alsea Bay Bridge Approaches, Oregon Coast Highway. Lincoln County. 1st authorization \$350.00.
Location	- 6-2810	Marshfield-Coquille Section, Oregon Coast Highway. Coos County. 2nd authorization \$1,000. Total to date \$16,300.00.
Right of Way	- 20-1909	Lincoln County Line-Florence Section, Oregon Coast Highway. Lane County. 3rd authorization \$600. Total to date \$2,158.00.
Right of Way	- 29-2822	Hebo-Neskowin Section, Oregon Coast Highway. Tillamook County. 1st authorization \$50.00.
Reconnaissance	- 120-2805	Monroe-Anlauf Section, Territorial Secondary Highway. Lane County. 1st authorization \$1,440.00.
Location	- 26-2802	Fairview-Cascade Locks Section, Columbia River Highway. Multnomah County. 5th authorization \$4,000. Total to date \$62,000.00.
Right of Way	- 117-2807	Murphy-Provolt Section, Williams Secondary Highway. Josephine County. 1st authorization \$125.00.

- Gravel Pits - 115-2819 Provolt-Jacksonville Section, Medford-Provolt Secondary Highway. Jackson County. 1st authorization \$250.00.
- Location - 8-2808 Brookings Section, Oregon Coast Highway. Curry County. 1st authorization \$1,600.00.
- Location - 115-2818 Gold Hill-Dodge Bridge Section, Sams Valley Secondary Highway. Jackson County. 1st authorization \$250.00.
- Location - 14-2810 Hood River-Mosier Section, Columbia River Highway. Hood River County. 2nd authorization \$1,000. Total to date \$10,500.00.
- Stock Pile Sites- 2-2810 Lincoln County Line-Alsea Mountain Section, Alsea Highway. Benton County. 1st authorization \$150.00.
- Right of Way - 29-2823 Polk County Line-Lincoln County Line, Salmon River Highway. Tillamook County. 1st authorization \$1000.00.
- Reconnaissance - 1-2810 Baker-Middle Bridge Section, Baker-Homestead Highway. Baker County. 1st authorization \$1,000.00.
- Location - 20-2818 Cottage Grove Section, Pacific Highway. Lane County. 3rd authorization \$490.00. Total to date \$2,300.00.

The motion was duly seconded by Commissioner Aldrich and was declared by Chairman Cabell to have carried by the unanimous vote of the Commission.

Consideration was given by the Commission to the following requests for extensions of time within which to complete highway construction projects:

Consolidated Highway Company, Inc., contract No. 1851, for grading, surfacing and oiling the Toledo-Simpson Creek Section of the Corvallis-Newport Highway, in Lincoln County, requested an additional extension of time to October 1, 1937, within which to complete this project. They alleged that their failure to complete the project within the specified time limit was due to the reason that slide conditions increased the amount of work approximately forty per cent. The Engineer advised that the date of completion specified in the contract was September 30, 1936, but weather conditions were such that the oiling work could not be done during the 1936 season and accordingly the contractor was allowed to postpone such work until the 1937 season and he was granted an extension of time of 30 working days in 1937 to complete the job. During the winter season, he said, a large slide occurred which delayed the contractor's operations and it was not until August 3 that the road was in condition to receive the oil treatment although the contractor was busily engaged in removing the slide material from June 1, 1937, to July 26, 1937,

there being about 35,000 cubic yards of such materials to be moved. He further advised that the slide removal work interfered with the oiling work which was subcontracted to contractor E. C. Gerber whose equipment was tied up on other projects in eastern Oregon so, because of inability to secure another oiling outfit, it was not until the first of September that he was able to start the oiling on the Toledo-Simpson Creek job but he completed the work in 22 days. He recommended in view of the circumstances surrounding this job that the extension requested be granted without penalty, and submitted a letter from the Bureau of Public Roads concurring therein. The Commission approved the recommendation by unanimous vote.

Orion, Birkemeier & Saremal, contract No. 1868, for grading and construction of bituminous macadam surfacing on the Bonneville-Eagle Creek Section of the Columbia River Highway, in Multnomah County, requested an extension of time of 60 days, from July 31, 1937, to September 30, 1937, within which to complete this project. They alleged their failure to complete the project within the specified time limit was due to delays caused by the noncompletion of the Bureau of Public Roads Project 28A on the adjoining section, which project was supposed to have been completed early in the year but was actually not completed until August 20, 1937. The Engineer advised that the Bureau of Public Roads Contract 28A is the Tooth Rock Tunnel project and as stated by the contractor was not completed until considerably later in the year than was anticipated, resulting in unavoidable delays in the completion of the state project. He further advised that the traveling public has not been particularly discommoded by the delay inasmuch as the old paved road has been available for travel at all times. He recommended that the extension of time requested be granted without penalty notwithstanding that there has been some increase in cost to the state for engineering supervision, and submitted a letter from the Bureau of Public Roads concurring therein. The Commission approved the recommendation by unanimous vote.

Averill & Corbin, contract No. 1900, for the construction of an undercrossing project on the Butteville Road-Hubbard Highway under the Southern Pacific Company's tracks near Aurora, in Marion County, requested an extension of time, from January 31, 1937, to October 9, 1937, within which to complete this job. They alleged their failure to complete the project within the specified time limit was due to the marine strike which prevented the delivery of structural steel that was being shipped from the east by boat. The Engineer advised that the reasons given by the contractor for failure to complete the project within the specified time limit are substantially correct. He recommended in view of the circumstances that the extension requested be granted without penalty and submitted a letter from the Bureau of Public Roads concurring therein. The Commission approved the recommendation by unanimous vote.

S. S. Montague, contract No. 1904, for grading and surfacing the Mills Bridge-Jordan Creek Section of the Wilson River Highway in

Tillamook County, requested an additional extension of time, from August 31 to September 18, 1937, within which to complete this job. Mr. Montague alleged that the additional time required is solely for completing the delivery of crushed materials in stock piles for future use, the amounts of such materials having been increased above those contemplated in the original contract. The Engineer advised that the completion date specified in the contract was May 31, 1937, but this time was extended to August 31, 1937, because of enforced shutdowns due to the order of Governor Martin closing the area during the fire hazard season last fall. The work was also delayed, he said, because of bad weather conditions. He added that all of the road work that comprises the federal aid portion of the project was completed prior to August 31 and that the work undertaken subsequent to that time consisted of stockpiling maintenance rock, the quantity of which was increased over the contract amount because of the oiling work which was done on this road this summer. He recommended in view of the circumstances that the extension requested be granted without penalty and submitted a letter from the Bureau of Public Roads concurring therein. The Commission approved the recommendation by unanimous vote.

Parker-Schram Company, contract No. 1916, for grading, paving and construction of structures on the Ross Island Bridge-Schiller Street Section of the East Portland-Oregon City Highway, in Multnomah County, requested an extension of time of 30 days, from September 30, 1937, to October 30, 1937, within which to complete this project. They gave the following reasons for failure to complete the project within the specified time limit: (1) inability of the state to provide access to certain portions of the project for which right of way had not been acquired; (2) delays due to failure of the contractor on the Milwaukie Avenue Viaduct project to complete this structure within the anticipated time limit; (3) difficulties encountered by the state in securing right of way from the Southern Pacific Company for the ramp approach to Milwaukie Avenue at the Milwaukie Avenue viaduct; (4) delays due to interference resulting from operations of the Public Utilities affected by the improvement. The Engineer advised that the reasons given by the contractor for failure to complete the project within the specified time limit are correct. He particularly mentioned that right of way for the Milwaukie ramp was not secured until after the first of October and the construction of the ramp was extra work that was not contemplated at the time the original contract was awarded. It would not be possible, he said, to complete the grading and paving of this ramp before the end of the 30-day extension that is now requested by the contractor. He recommended, in view of the fact that the contractor's delay for failure to complete the job within the specified time limit resulted from things beyond their control, that the extension requested be granted without penalty, and submitted a letter from the Bureau of Public Roads concurring therein. The Commission approved the recommendation by unanimous vote.

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Harold Blake, contract No. 1925, for grading and paving the Pringle Creek-Illaha School Section of the Pacific Highway, in Marion County, requested an extension of time of 20 days, from September 30 to October 20, 1937, within which to complete this project. He attributed his failure to complete the project within the specified time limit to the fact that the curing period for the concrete pavement did not terminate in time so that the pavement could be used in completing the required shoulder work. The Engineer advised that the paving work was all completed by September 6 but that the contractor was not permitted to use the new pavement until the period of curing had expired so it was necessary to defer the shoulder work and some other details until the first of October, necessitating an overrun of time limit of 20 days. He recommended that the extension be granted but that the contractor be charged for the assessed engineering costs incurred by the state subsequent to the date of completion specified in the contract. He submitted a letter from the Bureau of Public Roads concurring therein. The Commission approved the recommendation by unanimous vote.

Consolidated Highway Company, Inc., contract No. 1929, for grading, surfacing and oiling the Rock Creek-Wallowa Section of the Wallowa Lake Highway, in Wallowa County, requested an extension of time, from August 31 to October 15, 1937, within which to complete this job. They attributed their failure to complete the project within the specified time limit to the fact that the contract was not awarded to them for 28 days after bids were received; also to the fact that the amount of work actually done exceeded the amount contemplated in the original contract. The Engineer advised that the contractor's statement as to the award of the contract is correct. He also advised that the amount of work performed exceeded the estimated amounts by approximately five per cent. He recommended that the extension requested be granted but that the contractor be penalized an amount equal to the engineering costs that the state has incurred on this job subsequent to September 29, due to the fact that the contractor did not prosecute the oiling work with reasonable promptness thereby increasing the cost of supervision and causing the traveling public considerable inconvenience. He presented a letter from the Bureau of Public Roads concurring therein. The Commission approved the recommendation by unanimous vote.

E. C. Hall, contract No. 1934, for surfacing and construction of bituminous macadam on the Tolman Creek-Siskiyou Section of the Pacific Highway, in Jackson County, requested an extension of time of 18 days, from August 31 to September 18, 1937, in which to complete this job. He gave no reasons for his failure to complete the job within the specified time limit. The Engineer advised that Mr. Hall could easily have finished this project within the specified time limit if the grading contractor on the adjoining section had finished his contract on time. The delay, he said, was due entirely to this cause and was absolutely no fault of Mr. Hall for which reason he recommended that the extension of time be granted without penalty.

He submitted a letter from the Bureau of Public Roads concurring therein. The Commission approved the recommendation by unanimous vote.

E. C. Hall, contract No. 1967, for furnishing crushed rock in stock pile for the Bend-Crescent Section of The Dalles-California Highway, in Deschutes and Klamath Counties, requested an extension of time, from May 31 to October 5, 1937, within which to complete this job. He gave no reason for failure to complete the work within the specified time limit. The Engineer advised that bids were taken for this work on November 5, 1936, but the contract was not awarded until April 10, 1937, hence the contractor is entitled to the extension of time requested without penalty, particularly so in view of the fact that the state has incurred no extra expense for engineering supervision and no interference has been caused to the normal flow of traffic on this road. The Commission approved the recommendation by unanimous vote.

Jacobsen-Jensen Company, contract No. 1968, for grading and paving the Turkey Hill-Chenoweth Park Section of the Pacific Highway, in Douglas County, requested an extension of time of 30 days, from September 30 to October 30, 1937, within which to complete this job. They alleged that their delay was caused by slow delivery of materials. The Engineer advised that the reason given by the contractor for failure to complete the project within the specified time limit is correct, that Jacobsen-Jensen Company had contracted with another party to furnish the materials, but, after the work was started, other projects came up and this party assumed more work than he could accomplish which resulted in the overrun of time limit specified in their state contract. He gave as his thought that the reasons given for the delay should not be considered ample to relieve the contractor of the payment of penalty and he recommended that the extension of time be granted subject to the condition that the contractor be charged the engineering costs incurred on this job subsequent to the date of completion specified in the contract. He submitted a letter from the Bureau of Public Roads concurring therein. The Commission approved the recommendation by unanimous vote.

Edwin C. Gerber, contract No. 1988, for oiling the McKenzie Pass-Little Butte Section of the McKenzie Highway, in Deschutes County, requested an extension of time of 28 days, from July 31 to August 28, 1937, within which to complete this project. He gave no reasons for his failure to complete the job within the time limit specified. The Engineer advised that there is no apparent reason why Mr. Gerber should not have completed this job within the time limit specified other than that he entered into other contracts that took him longer than he anticipated, such as subcontracting the road mix portion of the Itschner & Rigdon contract on the Fremont Highway north of Paisley. The state has incurred no loss for engineering supervision on account of the delay, he said, neither has the travelling public been inconvenienced any more than it would have been had the

contract been completed within the specified time. He recommended therefore that the extension requested be granted without penalty. The Commission approved the recommendation by unanimous vote.

The Engineer reported that contracts Nos. 1851, 1868, 1899, 1900, 1904, 1925, 1929, 1934, 1962, 1968, 1969, 1988, 1991, 1993 and 1995 for the construction of state highway projects have been completed according to the requirements of the contracts or modifications thereof and that said jobs are now ready for acceptance. The following resolution accepting the above projects was offered and was adopted by the unanimous vote of the Commission:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts and that said jobs are now ready for acceptance:

Contract No. 1851, with Consolidated Highway Company, Inc., for grading, surfacing and oiling the Toledo-Simpson Creek Section of the Corvallis-Newport Highway, in Lincoln County. Completed September 22, 1937.

Contract No. 1868, with Orino, Birkemeier & Sarnal, for grading, surfacing and bituminous macadam on the Bonneville-Eagle Creek Section of the Columbia River Highway, in Multnomah County. Completed September 29, 1937.

Contract No. 1899, with Parker-Schram Company, for grading the Salt Creek-Gold Lake Trail Section of the Willamette Highway, in Lane County. Completed October 14, 1937.

Contract No. 1900, with Averill & Corbin, for construction of an undercrossing to carry the S. P. tracks over the Butteville-Hubbard Secondary Highway, north of Hubbard, in Marion County. Completed October 9, 1937.

Contract No. 1904, with S. S. Montague, for grading and surfacing the Mills Bridge-Jordan Creek Section of the Wilson River Highway, in Tillamook County. Completed September 18, 1937.

Contract No. 1925, with Harold Blake, for grading and paving the Pringle Creek-Illahe School Section of the Pacific Highway East, in Marion County. Completed October 20, 1937.

Contract No. 1929, with Consolidated Highway Company, Inc., for grading, surfacing and oiling the Rock Creek-Wallowa Section of the Wallowa Lake Highway, in Wallowa County. Completed October 16, 1937.

Contract No. 1934, with E. C. Hall, for surfacing and constructing bituminous macadam on the Tolman Creek-Siskiyou Section

of the Pacific Highway, in Jackson County. Completed September 18, 1937.

Contract No. 1962, with Oregon Contracting Company, for grading and paving the Rocky Point Section of the Columbia River Highway, in Multnomah County. Completed October 31, 1937.

Contract No. 1968, with Jacobsen-Jensen Company for grading and paving the Turkey Hill-Chenoweth Park Section of the Pacific Highway, in Douglas County. Completed October 25, 1937.

Contract No. 1969, with Harold Blake, for grading and paving, also construction of trestle bridge, on the Bellevue-Pringle Corner Section of the McMinnville-Tillamook Highway, in Yamhill County. Completed October 30, 1937.

Contract No. 1988, with Edwin C. Gerber, for oiling the McKenzie Pass-Little Butte Section of the McKenzie Highway, in Deschutes County. Completed August 28, 1937.

Contract No. 1991, with Jacobsen-Jensen Company, for grading and paving the McMinnville Section of the Pacific Highway West in Yamhill County. Completed October 28, 1937.

Contract No. 1993, with Edlefsen-Weygandt Company, for paving the North Roseburg Section of the Pacific Highway, in Douglas County. Completed November 6, 1937.

Contract No. 1995, with Mountain States Construction Company, for paving the Lafayette Section of the Pacific Highway West, in Yamhill County. Completed October 9, 1937.

THEREFORE, BE IT RESOLVED that the work covered by said state highway contracts for the construction of said state highway projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

- - - -

The Commission considered and signed agreements, et cetera, as follows:

Agreement with the Brookings Land and Townsite Company authorizing construction and maintenance of water pipe lines across Azalea State Park at Brookings, in Curry County.

Agreement with the Oregon American Lumber Corporation disposing of its claim for right of way, et cetera, for the Wolf Creek Highway across the company's holdings, in Clatsop County.

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Bargain and sale deed conveying unto William E. Cushman 4.9 acres of land situate in the NE $\frac{1}{4}$ of Sec. 17, T. 33 S., R. 1 W., W.M., Jackson County, and lying outside of the standard width highway right of way of the Tiller Trail Highway.

Quitclaim deed conveying unto Jonas C. Rowan 0.08 acre of land lying outside of the standard width highway right of way in the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 9, T. 32 S., R. 15 W., W.M., in Curry County.

There being no further business to come before the Commission at this time the meeting was adjourned at 6:00 o'clock p. m.

[Signature]
State Highway Engineer

[Signature]
Secretary

Henry F. Cabell
Chairman

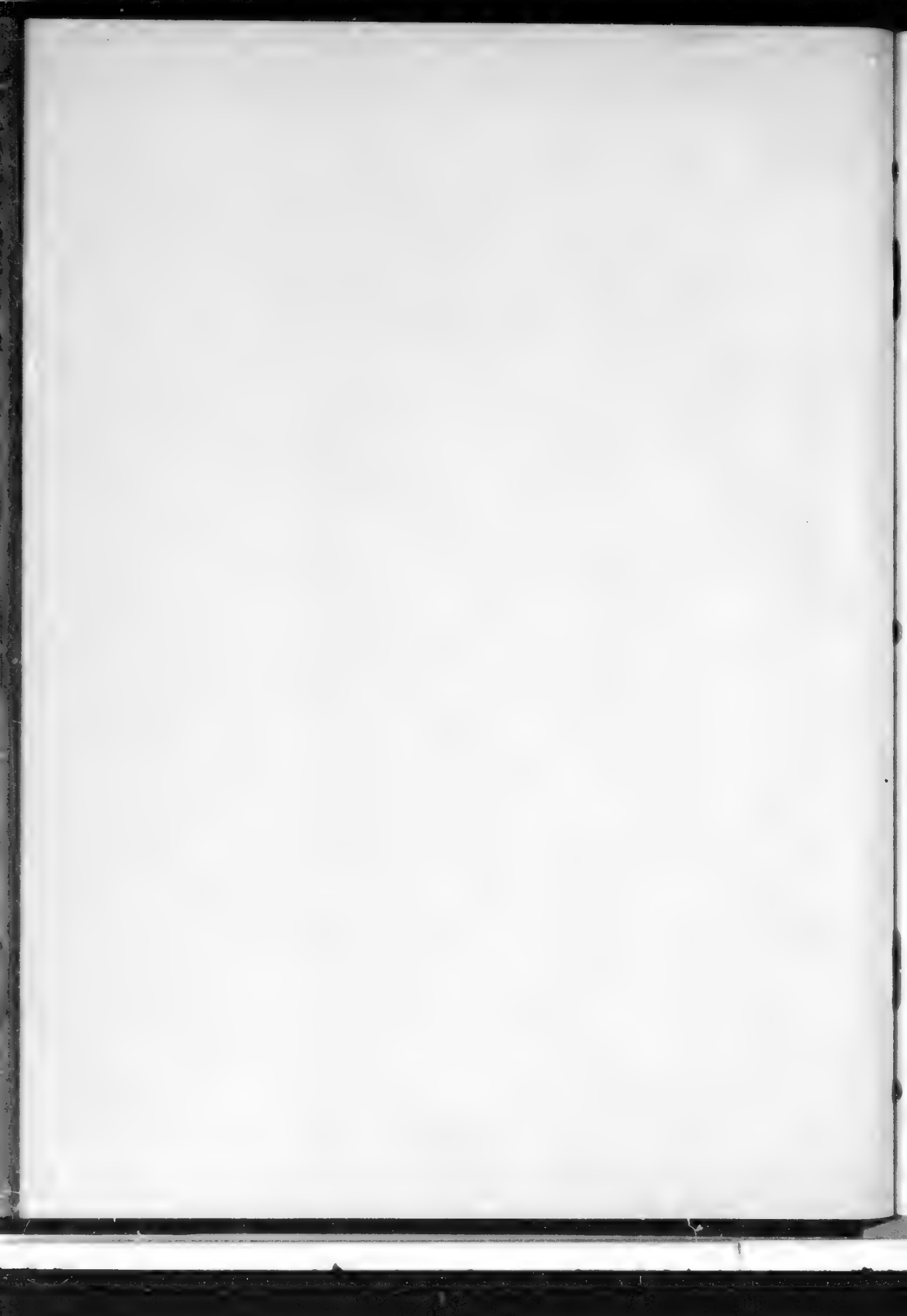
[Signature]
Commissioner

F. L. Touville
Commissioner

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VOLUME 22

PART III



PART 3
OF
VOLUME XXII
MINUTES OF OREGON STATE HIGHWAY COMMISSION
COVERING PERIOD
FROM
NOV. 18, 1937
THROUGH
MARCH 31, 1938

OREGON STATE HIGHWAY COMMISSION

Henry F. Cabell, Chairman
E. B. Aldrich, Commissioner
F. L. Tou Velle, Commissioner

R. H. Baldock, State Highway Engineer
H. B. Glaisyer, Secretary

HEADQUARTERS AND GENERAL OFFICE OF DEPARTMENT
LOCATED AT SALEM, OREGON

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7729	Nov. 29	Travel and Information Department. Conference with Advisory Committee. Oregon Coast Highway. Numerous improvements requested by Ed W. Miller and Merle Chessman on behalf of Oregon Coast Highway Association.
7731	Nov. 30	Bids, as follows, opened and read: Smith Point-Youngs Bay Bridge Section, grading and paving; 7732 Heppner Junction Rock Production Project; John Day-Oliver Ranch Section, grading and topping; 7733 Kimberly Bridge Section, grading, surfacing and bridge; Poison Creek Section, crushed rock in stock piles; Sardine Creek Bridge Section, viaduct, roadbed and roadway; Harris Creek-Chalk Cliff Section, grading, surfacing; 7734 Belknap Springs-McKenzie Summit Section, crushed rock; Snake River Slides-Ontario Section, crushed gravel; Kamela-La Grande Section, crushed rock in stock piles; Maupin Rock Production Project.
7735		Travel and Information Department. Advisory Committee submits report and recommendations for 1938 appropriation. Budget of \$101,160.00 approved for 1938. Appointment of committee to study Oregon conditions recommended by Advisory Committee.
7736		Old Oregon Trail. Various improvements requested by Charles Reynolds on behalf of Oregon Trail Association. Columbia River Highway. Improvements requested by Oregon Trail Association.
7737		Willamette Highway. Early completion urged by delegation from Eugene and Klamath Falls Chambers of Commerce. McKenzie Highway. Modification of load limit order requested by Booth-Kelly Lumber Company. Resolution modifying 50 per cent load limit to allow loads weighing up to 75 per cent of maximum specified by law.
7739		Douglas County. North Umpqua Road. Roseburg delegation request designation as secondary highway. Roseburg. Removal of rock ledge from old Pacific Highway at north city limits requested. Approved. Linn County. Santiam Highway. County's indebtedness discussed with County Court. Report to be made later. Tillamook County. Weyerhaeuser Timber Company to deed property to County for transfer to State later for park site. Agreement to be prepared embodying certain conditions.
7740		Wilson River Highway. Continuation of W.P.A. work urged by Tillamook County Court. Use of county-owned equipment to be investigated.
7741		Ontario. E. W. Williamson alleges service station will be devaluated by construction of grade separation project. Hood River County. County Court, et al, requests reconstruction of Hood River Secondary Highway south of Dec.

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	1937	
7741	Nov. 30	Mt. Hood Highway. County Court requests reconstruction at Minkkey Creek Junction and Fikes Corner.
7742		Hood River. Lighting of Hood River Bridge. City to furnish power, State to repair wiring and maintain lamps. Hood River County. Odell-Summit county road. County Court requests designation as secondary highway in lieu of Interstate Bridge Secondary Highway No. 280. Central Oregon Highway. Delegation from Harney and Deschutes Counties urge completion and oiling.
7743		The Dalles-California Highway. Deschutes County Commissioner urges adoption of revised line to aid in plans for Deschutes Irrigation project. Location survey south of Madras authorized.
7744		Warm Springs Highway. Don Peoples inquires regarding possibility of surfacing between Madras and Deschutes River. Molalla. City Council requests paving of strips on each side of Woodburn-Mt. Hood Loop Secondary Highway through town. Morrow County. Wasco-Heppner Secondary Highway. Reconstruction of Heppner-Rhea Creek Section requested by County Court. Heppner-Spray Secondary Highway. Elimination of curves on Hardman Hill requested by County Court. Federal Aid Secondary Highway System. Improvement of Heppner-Rhea Creek Section and Jarman-Pine City county road preferred by County Court. Oregon-Washington Highway. Oiling between Heppner and Nye Junction requested by County Court.
7745		Snow removal. Concentration of operations on Wasco-Heppner Secondary Highway near Eightmile requested by Court. Nehalem Secondary Highway. Vernonia delegation request improvements between Banks and Buxton. Various safety measures along highway just east of Vernonia requested by delegation. Sight posts to be installed.
7746		Astoria. Delegation from Clatsop County and city express preference for westerly or southerly route for connection between Bond and Astor Street. Clatsop County. Claim of Dr. Foster for property acquired for Coast Highway south of Arch Cape Tunnel approved. Designation as state highway of county road extending from Coast Highway to Fort Stephens requested by County Judge. Nehalem Secondary Highway. Oiling between Jewell and Mist requested by County Court. North Santiam Highway. Delegation from County Court and City of Salem request allocation of Forest Highway Funds for Gates-Niagara section. Surfacing and oiling between Detroit and junction with South Santiam Highway requested.
7747		Awards, as follows, announced: Smith Point-Young's Bay Bridge Section, grading and paving; Heppner Junction Rock Production Project;
7748		John Day-Oliver Ranch Section, grading and gravel topping;

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7748 Nov. 30

Awards: (continued)

Kimberly Bridge Section, grading and surfacing and bridge;
Poison Creek Section, resurfacing, crushed rock;
Sardine Creek Bridge Section, concrete viaduct, roadbed
and temporary roadway;

Harris Creek-Chalk Cliff Section, grading, surfacing and
oiling;

Belknap Springs-McKenzie Summit Section, crushed rock;

Snake River Slides-Ontario Section, crushed gravel;

Kamela-La Grande Section, crushed rock;

Maupin Rock Production Project.

7749

Otter Rock. Messrs. J. L. Groff and B. C. Shaver request per-
mission to connect pipe line to State's line in Devil's
Punch Bowl State Park. Referred to Parks Engineer.

Oregon City. City officials confer in regard to parking re-
strictions on Fifth Street.

7750

Lower Columbia River Highway. Additional improvements between
Scappoose and Astoria requested by Lower Columbia Highway
Association.

7751 Dec. 1

Jefferson County. Warm Springs Highway. Grading south of
Warm Springs Agency requested by County Court.

Forest Highway Funds. Allocation for construction of the
northerly end beginning at Bear Springs requested.

Deschutes County. Cascade Lakes Forest Highway. Allocation
of Forest Highway Funds for northern end of highway re-
quested by County Commissioner, et al.

South Santiam Highway. Deschutes County representatives
express preference for completion of grading work.

7752

Forest Highway Funds. Conference with representatives of
Bureau of Public Roads and Forest Service regarding 1939
funds.

Program for 1939 Forest Highway Funds adopted.

7753

Acquisition of real property. Resolution.

7756

Oregon Coast Highway. Offer of Mrs. Knapp to deed property
at Port Orford, free of cost, accepted. Attorney to secure
deed.

Portland. Foster & Kleiser, advertisers, request lease of
portion of Block F, Kerns Addition, on which to place sign.

Port Orford. Offer of Claude C. Inman of Tucson, Arizona,
for property required for revision of Oregon Coast High-
way rejected.

Oregon City. Acquisition of Security Investment Company
property for East Portland-Oregon City Highway. Attorney
authorized to offer as high as \$20,000.

Advertisement of project to be deferred pending settlement
of Security Investment Company controversy.

West Portland-Hubbard Highway. H. K. Noles, Tigard, inquires
regarding acquisition of his property for right of way.

7757

Columbia River Highway. West Extension Irrigation District
of Irrigon requests reconstruction of pipe line across road.

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	1937	
7757	Dec. 1	Union County. Request of Mr. Kingsbury for reconstruction of pipe line on Medical Springs Secondary Highway. Portland. Denver Avenue-Union Avenue intersection. Attorney authorized to take options for right of way required for proposed grade separation structure. Peninsula Public Golf Course. Use of right of way for golf club facilities considered. Metropolitan Association, Inc., requests relief from traffic congestion in west side business district.
7759		Projects approved for advertising in January and February.
7760		Minor Betterment Budget. Primary and secondary highway minor betterment budget for 1938 adopted.
7763		The Dalles-California Highway. Modoc Point-Chemult revision. Resolution adopting Route No. 1 which bypasses Chiloquin.
7765		Oregon City. Request of H. Douthit to maintain stairway from Water Street to boat moorage at foot of 11th Street. Multnomah Industrial Health Association. Increase in rates effective January 1, 1938, approved.
7766		Log hauling. Disposition of violations in Coos County for overloading to be handled in accordance with previous arrangement with State Police and P.U.C. Portland. Newberry Street Bridge and Vermont Street Bridge. Insurance previously carried by City of Portland to be dropped by Commission. Roadside Improvement Funds. Federal Aid allocation for 1938 budgeted to five divisions.
7767		East Portland-Oregon City Highway. Acquisition of additional right of way north of Abernethy Creek Bridge considered unnecessary. Pacific Highway. Resolution abandoning old route through McMinville which has been replaced by new alignment.
7769		McMinville-Tillamook Highway. Abandonment of portion of Muddy Creek-Pringle Corner Section. Resolution.
7771		Columbia River Highway. Resolution abandoning certain portions and retaining other portions of old highway in Multnomah Co.
7773		Tunnel lighting. Purchase of central callbox authorized. Portland. City Council and Portland Association of Building Owners and Managers urge relief from traffic congestion in west side district.
7774		Oregon Coast Highway. Port Orford Chamber of Commerce urges reconstruction of highway south of Coquille. Request for cattle pass construction by F. R. Beals, Warrenton, denied. Cape Arago Secondary Highway. Letters from C. R. Wilson and W. S. Park, Charleston, requesting oiling of highway. Albany. Payments for right of way, et cetera, in connection with grade separation project, to be withheld pending adoption of grade changes by City of Albany. Surveys. List ordered by Engineer since last meeting approved by Commission.

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	1937	
7775	Dec. 1	Extensions of time, as follows: Berke Bros., Tunnel Section; Coos Bay Construction Co., Elsie-Nehalem River Section; Washington Asphalt Company, Stanfield-Pendleton Section;
7776		Contracts completed and accepted:
7777		Stanfield-Pendleton Section, Washington Asphalt Co.; Myrtle Point-Mystic Creek Section, Homer G. Johnson; Salmon River, McMinnville-Tillamook and Dallas-Coast Highways, furnishing crushed rock, Harold Blake.
		Agreements, et cetera, signed:
		Multnomah County Drainage District, drainage across Columbia River Highway, near Portland;
		Virginia A. Hickey, disposition of claim in connection with reconstruction of Mt. Hood Highway at Brightwood;
7778		Frank Forth, permission to construct footbridge on Wall Creek-Siskiyou Section of Pacific Highway;
		City of North Bend, conveying to City 3.51 acres at south end of Coos Bay Bridge.
		Date for next regular meeting set for January 6 and 7, 1938.
7779	Dec. 21	Minutes of meetings held on June 17 and 18, July 6, July 28 and 29, 1937, approved.
		Acquisition of real property. Resolution adopted.
7781		Columbia River Highway. Acquisition of Rooster Rock. Offer of Columbia River Packers Association accepted.
7782		Acquisition of Reed property at Tunnel Point. Attorney to take option.
		Lake County. Fremont Highway revision north of Lakeview. New options authorized.
		Condemnation. Proceedings authorized on following:
7783		Eagle Creek-Cascade Locks Section, J.B. Laber P. J. McGowan & Sons West Portland-Cooke Crossing Section, W. F. Schamoni and Ben H. Jacques South Marshfield Section, H. W. Osborne et al Elmer Newton Albany Overcrossing Section, J. F. Howard
7784		Condemnation proceedings. Offers to be approved by Commission before being submitted to property owners hereafter.
		Clatsop County. Road to Saddle Mountain State Park. Payment of \$6,000 authorized to Grand Rapids Oregon Timber Company.
		Jackson County. Pacific Highway. Acquisition of Robertson property. Commission authorizes payment of \$3,000
7785		Western Association of State Highway Officials. Action regarding President's recommendation for reduction in Federal Aid reported by Chairman Cabell.
		National Asphalt Association. Engineer's report of Annual Meeting.

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7785 Dec. 21

Albany. Grade separation project. Decision regarding construction deferred until next meeting.

Hearing before Public Utilities Commissioner authorized.

Release of payments for right of way ordered.

Marshfield. Sale of building in Bunker Hill Addition, to Roy Enlund, approved.

West Portland-Hubbard Highway. Offer of V. Kalafate to purchase building on property owned by State rejected.

7786

Marshfield. Offer of Arthur L. Fitch to purchase building in Bunker Hill Addition accepted.

Tillamook County. Weyerhaeuser Timber Company approves conditions of conveyance of timber strips as outlined by Chairman.

Tax sales. Attorney requests permission to obtain newspapers advertising sales which may be needed for future right of way.

Pipelines. Responsibility of Commission for maintenance and replacement of pipe lines, ditch flumes, et cetera.

Union County. Claim of Mr. Kingsbury for damage to pipe line on Medical Springs Secondary Highway. Payment approved.

7787

Old Oregon Trail. Claim of West Extension Irrigation District for replacement of pipe line near Irrigon.

North Salem Undercrossing. Maintenance of lights by State. Decision deferred until next meeting.

Undercrossings. Estimate ordered on cost to light all underpasses within cities.

Astoria. Resolution adopting route of Columbia River Highway between 16th Street and 8th Street.

7789

Coalbank Slough. Engineer authorized to submit plans for proposed bridge to War Department and request hearing.

7790

Tillamook County. Little Nestucca River Bridge. Plans to be submitted to War Department for approval.

Mountain States Power Company. Revision of lines due to construction of Albany grade separation project. Basis of settlement agreed upon.

Federal Aid Funds. Report from American Association of State Highway Officials showing amounts of 1938 funds available.

Douglas County. North Umpqua Highway. Agreement with County and Umpqua Highway Improvement District providing for payment of cost of survey between Roseburg and Rock Creek.

7791

Umpqua Highway. Maintenance by State of old section between new connection with Coast Highway, in Reedsport, and Scholfield Bridge. Estimate of cost ordered, as requested by Russell Hubbard of Reedsport.

Bertha-Beaverton Highway. Resolution changing name to Beaverton-Hillsdale Highway to conform to change in name of Post Office.

7792

Travel and Information Department. Appointment of committee as recommended by Advisory Committee on Publicity Matters considered. No action.

Willamette Highway. Order of procedure for completion from Lowell Junction easterly during 1940.

Page Date

1937

7793 Dec. 21

Subject

Forgery. Investigation of defalcations of W. L. Moorman. Audit. Highway Commission's accounts to be audited by concern not connected with Secretary of State's office. Time statements. Change in procedure to be worked out by Engineer and Chairman.

Right of way. Chairman to inspect certain properties under consideration.

Wilson River Highway. Purchase of county equipment for use in connection with W.P.A. project considered.

State to sponsor project costing about \$182,000.

7794

Safe. Purchase of safe for Auditor authorized.

Federal Aid Secondary Highway Program. County Courts to be interviewed in regard to projects.

Marion County. Silverton Hills Cooperative Electric Company requests permission to overbuild telephone line. Granted.

Mountain States Power Company. Application to cross Salem-Dallas Highway with power line denied.

Cutting or trimming of trees to facilitate installation of power line prohibited.

Yaquina Bay Bridge. Release of deposit of Gilpin Construction Company and General Construction Company ordered.

7795

Union Pacific Company. Payment of one-half expense due to derailment of train at Oneonta in February, 1936, approved.

Clain. Damage to gate on Umpqua River Bridge. State alleges Harold T. Warren responsible for damage amounting to \$45.

Oregon Coast Highway. Short Sand Beach Creek Bridge. Dedication in honor of Samuel G. Reed. Matter referred to North Tillamook Chamber of Commerce.

Samuel G. Reed. North Tillamook County Chamber of Commerce requests dedication of bridge in Mr. Reed's honor.

7796

Pacific Highway. Resolution abandoning section of old route at north city limits of Roseburg.

7797

Resolution abandoning portion of old route near Green Creek, Josephine County.

7799

Resolution abandoning Green Springs Junction-Siskiyou Section, in Jackson County.

7800

Resolution designating old route between Ashland and Green Springs Junction as extension of Green Springs Highway.

Green Springs Highway. Old route of Pacific Highway between Ashland and Green Springs Junction designated as extension of Green Springs Highway.

7801

Oregon Coast Highway Association. Resolutions adopted at Annual Meeting in Astoria filed.

Coos County. Powers Secondary Highway. Petition requesting improvements from Hoffman Bridge to Powers. Request denied.

Salem-Dayton Secondary Highway. Salem Chamber of Commerce urges additional improvements in 1938.

7802

Portland. Multnomah Civic Club requests arterial highway improvements to relieve congestion in Westside District.

Enegren Ferry. Extension in hours of service not granted.

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	1937	
7802	Dec. 21	Otter Rock. Use of Highway Department's pipe line requested by Otter Rock Water District. Request denied.
		Pacific Highway. Elimination of curves between Roseburg and Grants Pass requested by Oregon State Hotel Association.
		Federal Aid System. U. S. Department of Agriculture approves revisions in route descriptions; also addition of Route 42.
7803		Federal Aid. Telegram from Senator McNary opposing President's recommendation for reduction in aid to states.
		Letter from Oregon Coast Highway Association opposing reduction in aid to states for highway purposes.
		Paisley. Construction of rock wall at approach to bridge on Fremont Highway in town requested by Common Council. Denied.
		Cape Arago Secondary Highway. L. J. Simpson inquires regarding plans for improvement in 1938.
		Oregon Coast Highway. First National Bank of Portland inquires regarding plans for relocation through Gold Beach.
		Wolf Creek Highway. Lester Sheeley, Vernonia, urges construction of section from Banks to connection with Nehalem Secondary Highway.
		Signs. Adrian Voisin, San Francisco, suggests erection of sign bearing pioneer design along state highways and offering to furnish such design for \$250.00.
		Illumination of highways. Report on cost to light section of East Portland-Oregon City Highway ordered.
7804		Load Limit. Crater Lake Highway. Resolution reducing load between junction with Pacific Highway and junction with West Diamond Lake Secondary Highway.
7805		Mosier Tunnel. Installation of "stop" and "go" signs to be held up pending decision in regard to protection from falling rocks.
		Shed construction over highway and railroad. Investigation authorized and cooperation of O. W. R. & N. Company sought.
7806		Wilson River Highway. Use of county-owned equipment on W.P.A. project discussed with L. G. Apperson, City Engineer, Portland. Report to be rendered at next meeting.
		Grant County. Acquisition of 200-acre tract in Turtle Cove Section of John Day Valley fossil area. Application to Federal Government for purchase under Recreational Act.
		Tillamook County. County Court asks loan of survey notes on road into Cape Lookout District. Request granted.
		Political activities. Participation of Highway Department employees in election campaigns prohibited.
7807		Planning Survey. Report on solvency of roads.
		Medford. Traffic signal installation by City. Commission withholds approval of signs ordered by City.
		Traffic signals. Installations on highway routes through cities and towns subject to approval by Highway Commission.
7808		Extensions of Time:
		Roy L. Houck, Butteville Road-White School Section;
		Berke Bros., Inc., Storm Creek-Lamb Creek Section;
		Roy L. Houck, Wilson Ranch-Paradise Creek Section.

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	1937	
7809	Dec. 21	Contracts completed, as follows: Butteville Road-White School Section, Roy L. Houck; Storm Creek-Lamb Creek Section, Berke Bros.; Ross Island Bridge-Schiller Street Section, Parker-Schram Company; Shedd-Halsey Section, Warren Northwest, Inc.; Eagle Point-Baker Gulch Section, Saxton, Looney & Risley; Forest Boundary-Long Creek Section, Rogers Construction Co.
7810		Storage building south of Portland, Frank Watt Construction Company. Agreements, et cetera, signed: Pacific Telephone and Telegraph Company, regarding North Powder-Muddy Creek Section of Old Oregon Trail; O.W.R. & H. Company, Union Pacific Company, and Baker County, encroachment of Old Oregon Trail at Haines; Oregon-American Lumber Corporation, transportation of logs across Wolf Creek Highway in Clatsop County; Weyerhaeuser Timber Company, extension of lease on stock-pile site in Klamath County; Bargain and Sale Deed conveying land adjacent to Columbia County Line-Linnton Section to Multnomah County.
	1938	
7811	Jan. 5	Minutes of August 11 & 12, and Sept. 13 & 14, approved Acquisition of real property. Resolution.
7813		Lake County. Acquisition of property owned by William Manley Currier which is needed for Fremont Highway revision. Condemnation. Proceedings authorized on following: Harris Creek-Chalk Cliff Section, Fremont Highway, William Manley Currier property;
7814		Troutdale-Multnomah Falls Section, Columbia River Highway, Frits and Vivian Luscher property.
7815		Fremont Highway. Harris Creek-Chalk Cliff Section. Settlement for acquisition of Ralph C. Foster and William H. Harvey property. Yamhill County. McMinnville-Tillamook Highway. Offer of Gail W. Buel for property needed for Sheridan-McMinnville Section rejected.
7816		Buildings. Estimate of cost to move buildings to be given in connection with property purchases hereafter. Portland. Claim of Mrs. Maude Hastings Campbell for damage resulting from Union Avenue viaduct denied. Oregon City. Acquisition of Security and Investment Company property needed for East Portland-Oregon City Highway on Water Street. Offer rejected. Oregon Coast Highway. Acquisition of J. A. and K. Sansbury property at Gleneden Beach deferred. Siletz-Newport Section. Negotiations for right of way to be discontinued except in unusually good deals. Neskowin. Acquisition of William S. Walton property deferred until next meeting. Columbia River Highway. Settlement with Rooster Rock owners.

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	1938	
7817	Jan. 5	Columbia River Highway. Acquisition of Elizabeth Griggs property at Corbett, Multnomah County. \$100 authorized. Albany. Negotiations with Southern Pacific Company in connection with grade separation project. Tillamook County. Weyerhaeuser Timber Company requests changes in deed to County covering timber strips adjacent to Wilson River Highway. Form of agreement covering transfer of Weyerhaeuser property by County to State approved.
7818		Marshfield. Sale of buildings on Lots 12 and 13, Bunker Hill Addition, approved. Walter Jepsen purchaser. Wayside strips. Report of C. J. Buck, Regional Forester, to State Planning Board. Recommendations to be made later.
	Jan. 6	Bids, as follows: Gibbs Ranch-Baker Section, gravel surfacing; North Unit, Missouri Flat Section, gravel surfacing; Mt. Hood Rock Production Project; Shuttler Flat-Condon Section, crushed rock; Ross Station-Arward Section, concrete pavement; Forest Boundary-Elgin Section, grading, surfacing, oiling; Butte Creek Section, grading, surfacing, oiling; Sale of buildings at West Portland Heights east of Tigard-(no bids received). Pilot cars. Responsibility of Commission for injuries resulting from service rendered during high water. Statement to be signed hereafter relieving Commission from responsibility.
7819		
7820		Building sale. Offer of V. Kalafate, Portland, to purchase buildings in West Portland Heights, accepted. Underpasses. Commission assumes cost to light all underpass structures in State.
7821		
7822		Reedsport. Maintenance of abandoned section of Coast Highway through town requested by Russell Hubbard. Request denied. Pacific Highway. Sidewalk construction on Winchester Bridge, north of Roseburg, requested by Roseburg Chamber of Commerce. Coos County. Coos River Secondary Highway. Construction of cattle pass requested by Mrs. Curtis-Piper. Denied. Pacific Highway. Sidewalk construction south of Corvallis.
7823		Log hauling. Report on arrests for overloading. Woodburn. Extension of Young Street as connection for Hillsboro-Woodburn Secondary Highway with Pacific Highway. Portland. Denver Avenue-Union Avenue intersection. Report on plans for separation of vehicular traffic. Commission adopts cloverleaf arrangement. Options authorized for required property. Peninsula Golf Club. Negotiations authorized for right of way required for traffic separation at Denver and Union Ave.
7824		Oregon Coast Highway. Acquisition of Nina I. Belt property, Lincoln County. New appraisals considered. The Dalles-California Highway. Delegation protests reconstruction south of Madras that would bypass Culver and Metolius.

<u>Page</u>	<u>Date</u>	<u>Subject</u>
7825	Jan. 6	<p>1938</p> <p>Union County. Weston-Elgin Secondary Highway. E. H. Itschner requests permission to withdraw his low bid submitted for Forest Boundary-Elgin Section. Request denied.</p> <p>Wilson River Highway. State to acquire county- and city-owned equipment for exclusive use on W.P.A. project.</p> <p>Tillamook County. Transfer of equipment formerly owned by Multnomah and Washington Counties to Tillamook County for re-transfer to State for use on Wilson River Highway.</p> <p>Wilson River Highway. W.P.A. project amounting to \$731,482 authorized- State's share \$200,000.</p> <p>Travel and Information Department. Appointment of committee, as recommended by Advisory Committee, deferred.</p> <p>Mosier Tunnel. State Industrial Accident Commission suggests action to remedy hazardous condition caused by falling rocks.</p> <p>Columbia River Highway. Claim of Union Pacific Railroad Company for damage allegedly caused by snow deposited on tracks through Columbia Gorge by Department forces.</p> <p>Purchases authorized, as follows:</p> <ul style="list-style-type: none"> 10 electric clocks for radio rooms; 3 radio receiving sets for maintenance stations; 1 paving plant complete; 2 6-ton paving plant rollers; 1 graphic planometer <p>Geophysical prospecting equipment;</p> <p>Traffic line lacquer - 42,000 gallons;</p> <p>Metal signs and reflector buttons.</p> <p>Lincoln County. Disposition of old timber bridges constructed by U. S. Spruce Production Corporation between Newport and Otter Rock. Engineer authorized to dispose of timber.</p> <p>Maintenance headquarters. Action deferred on buildings for Brothers, Deschutes County, and Okerman Ranch, Harney Co.</p> <p>Columbia River Highway. Encroachment of sign maintained by W. B. Herron on Sandy Boulevard. Removal of sign authorized.</p> <p>Benton County. Oiling of shoulders through Monroe not to be included in 1938 Minor Betterment Program.</p> <p>Mehalem Secondary Highway. Installation of fog posts in Vernonia authorized.</p> <p>Enegren Ferry. Julius Gunnell requests authority to assign ferry contract to Andrew Stambuck. Tentatively approved.</p> <p>Load limit. 25% reduction ordered on following sections:</p> <ul style="list-style-type: none"> Willamette Highway, Pacific Highway Junction to Oakridge; Siuslaw Highway, Pacific Highway junction to Florence; Siletz Secondary Highway, Oregon Coast Highway junction to Corvallis-Newport Highway junction, near Toledo. <p>50% reduction authorized on above sections, if necessary, in the Spring.</p> <p>Log hauling. Circular letter to be sent to operators warning them of contemplated reductions in weight limits.</p> <p>Schoolboy Patrols. \$2,500 expenditure authorized to provide signs, badges, and belts for patrol members. Engineer to confer with Superintendent of State Police.</p>
7826		
7827		
7828		
7830		

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	1938	
7831	Jan. 6	Klamath Falls. Southern Pacific undercrossing. State to assume payment of non-reimbursable engineering expense, if possible. Otherwise, City of Klamath Falls to assume. Award confirmed of following contract: Smith Point-Young's Bay Bridge Section, Mountain States Construction Company.
7832		Award of contracts: Gibbs Ranch-Baker Section, gravel surfacing; North Unit, Missouri Flat Section, gravel surfacing; Mt. Hood Rock Production Project; Shuttler Flat-Condon Section, crushed rock in stockpiles; Ross Station-Arvard Section, concrete pavement; Forest Boundary-Elgin Section, grading, surfacing and oil; Butte Creek Section, grading, surfacing and oiling.
7833		Jackson County. Pacific Highway. County Court requests that Green Springs Junction-Siskiyou Section (old route) be designated as secondary highway. Commission approves. Tiller-Trail Secondary Highway. Resolution abandoning old route between Douglas County Line and Trail Creek.
7835		Federal Aid Secondary Highway System. County Court expresses preference for Butte Falls Road improvement.
7836		Lincoln County. County Court suggests acquisition of 120 acre tract north of Nelscott as state park site. Clackamas County. Delegation from Sandy and Estacada request improvements to Woodburn-Mt. Hood Loop Secondary Highway.
7837		Sandy. Rearrangement of traffic signs requested. Woodburn-Mt. Hood Loop Secondary Highway. Improvement of drainage facilities at Goose Creek crossing requested. Sandy Boulevard. Parkrose Water District requests curb construction from 108th Ave. to 122nd Ave. District requests permission to connect drainage pipe with State's drain at 106th Avenue. Investigation ordered.
7838		Multnomah County. Federal Aid Secondary Highway System. County Commissioners submit preferences for program. Section Line-Hosner Road and Thompson Road. Estimates of cost ordered. Unemployed registrations in County between 30,000 and 40,000. Harney County. Federal Aid Secondary Highway Program. Oiling of Central Oregon Highway preferred. Crane-Buchanan Ranch County Road improvement desired. Santiam Highway. Delegation from Albany and Lebanon urges completion of highway during 1938.
7839		Linn County. Federal Aid Secondary Highway Program. County Court submits preference projects. Yamhill County. Federal Aid Secondary Highway Program. Salem-Dayton Secondary Highway improvement favored.
7840		Columbia County. Federal Aid Secondary Highway Program. County Court's preferences for improvement under new system. Clackamas County. Federal Aid Secondary Highway Program. State to furnish estimate of probable funds for expenditure in County. Preferences to be submitted to State later.

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1938

Subject

7841 Jan. 6

Clackamas County. Planning Board requests designation, as secondary highway, of county road westerly from Boring. East Portland-Oregon City Highway. Connection with 82nd Street Highway, through Gladstone, suggested by Planning Board.

Jan. 7

Bids, as follows, opened and read:

7842

Baker-Durkee Section, crushed rock in stockpiles;
Mile Bridge Section, grade, surface, oil, and bridge;
Bear Canyon Section, grading;

7843

Calapocya River Bridge at Brownsville;
Dillon-John Day River Section, crushed rock in stockpile;
Grande Ronde River-Noyes Ranch Section, grading, surfacing and oiling;
West Fork, Dairy Creek Section, grading and surfacing and composite pile trestle.

7844

Umatilla County. Hermiston-Columbia School Section. Bids returned, unopened. Project to be revised and extended. Newport. City Council opposes parallel parking on highway through town. Attorney to investigate Commission's authority.

Siletz Secondary Highway. Increase in quantity of rock specified in surfacing contract authorized.

Federal Aid. Letter from Secretary of U. S. Department of Agriculture requesting that submission of projects be deferred pending disposition of President's recommendation.

The Dalles-California Highway. Reduction in speed limit between Klamath Falls and Klamath Falls-Lakeview Highway Junction recommended by Coroner's jury.

Speed limit. Attorney to prepare bill for next Legislature clarifying Commission's authority in matter.

Baker County. Medical Springs Secondary Highway. Acquisition of quarry materials from Byron Vandecar for surfacing Missouri Flat Section, North Unit.

Central Oregon Highway. Vale Chamber of Commerce urges completion during 1938.

7845

Fort Harney. Archie McGowan suggests erection of marker designating site of old fort. Commission approves.

"Susan's Bridge" suggested as name for concrete bridge four miles east of Burns in honor of pioneer.

R.Y. Neeley expresses appreciation of Highway Department's activities.

Washington County. J. W. Raynard, Hillsboro, requests oiling of Hillsboro-Woodburn Secondary Highway.

Surveys. Commission confirms Engineer's action ordering numerous surveys. List presented.

7847

Extensions of time:

7848

McNutt Bros., Wall Creek-Siskiyou Section;
Warren Northwest, Inc., Gap Ranch-Silver Creek Section;
Corvallis Sand & Gravel Co., Port Orford-Euchre Creek and Cape Sebastian-Whaleshead Creek Sections;

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7848	Jan. 7	Extensions of time, (cont.) J. F. Johnston, Bridges over Jordan Creek on I.O.N. Highway; E. F. and W. F. Philpott, Short Sand Beach Creek Bridge. Jacobsen-Jensen Company. Turkey Hill-Chenoweth Park Contract. Reconsideration of extension of time. No penalty imposed for 10-day extension.
7849		
7850		Contracts completed and accepted: Unit No. 3, McCallister Section, McNutt Bros.; Wall Creek-Siskiyou Section, McNutt Bros.; Gap Ranch-Silver Creek Section, Warren Northwest, Inc.; Port Orford-Euchre Creek and Cape Sebastian-Whaleshead Creek Sections, Corvallis Sand & Gravel Co.; East Unit, Jordan Creek Section, J. F. Johnston; Short Sand Beach Creek Bridges, E. F. & W. F. Philpott; S. P. Undercrossing at Whiteson, Minneapolis Moline Power Company.
7851		Agreements, et cetera, as follows: W. G. Brown, snow removal on Klamath Lake Secondary Highway; Application to Department of the Interior for additional right of way for Columbia River Highway, Hood River County. Curry County. Line change through Brookings. East Portland-Oregon City Highway. Report on cost to illumi- nate between Portland and Milwaukie. Highway illumination. Lighting of 82nd Avenue suggested by Portland Traffic Engineer. Tualatin Valley Highway. City of Beaverton suggests installa- tion of sodium lights between Portland and Beaverton. In- vestigation ordered.
7852		Portland. Traffic light installation authorized at Barbur Boulevard-Sheridan Street intersection. Bids. List of projects selected for advertising next meeting. Wolf Creek Highway. Quartz Creek Bridge. Payment authorized to L. H. Hoffman for structural steel held in storage.
7853		Albany. Payment for right of way required for grade separa- tion structure to be withheld pending P.U.C. hearing. Medford. Traffic light installations on highway route through town. Referred to Traffic Engineer and Division Engineer. Travel and Information Dept. Suggestion of Portland City Com- missioner R. E. Riley regarding distribution of advertising material by Marvin K. Hedge, World's Champion Flycaster. Wolf Creek Highway. Vernonia Chamber of Commerce urge con- struction of Banks-Buxton Section. Baker County. Sumpter Valley Railroad Company's suit against County. Attorney authorized to assist County. Secondary Highways. Thorough investigation to determine ob- ligations hereafter before designating any county roads as secondary highways.
7854		Klamath County. Federal Aid Secondary Highway System. Court submits preferences for new system. Douglas County. Federal Aid Secondary Highway System. Im- provement of North Umpqua Highway preferred in new program.

<u>Page</u>	<u>Date</u>	<u>Subject</u>
7855	Jan. 7	<p>Awards announced on following:</p> <p>Baker-Durkee Section, crushed rock in stockpile;</p> <p>Wile Bridge Section, grading, surfacing, oiling and bridge;</p> <p>Bear Canyon Section, grading;</p> <p>Calapocoya River Bridge at Brownsville;</p> <p>Dillon-John Day River Section, crushed rock in stockpile;</p> <p>Grande Ronde River-Noyes Ranch Section, grading, surfacing, and oiling;</p>
7856		<p>West Fork, Dairy Creek Section, grading, surfacing, and trestle.</p> <p>Medical Springs Secondary Highway. North Unit, Missouri Flat Section. Contract awarded to O. C. Yocom.</p> <p>Wallowa County. Federal Aid Secondary Highway System. County Court submits preferences for improvement under new system.</p> <p>Umatilla County. Federal Aid Secondary Highway System. County Court prefers improvement of State secondary highways.</p>
7857		<p>Union County. Federal Aid Secondary Highway System. County Court submits preferences for improvement under new system.</p> <p>Wasco County. Federal Aid Secondary Highway System. County Court submits projects for improvement.</p> <p>Crook County. Improvement of Warm Springs Secondary Highway preferred under Federal Aid Secondary Highway Program.</p> <p>Coos County. Federal Aid Secondary Highway System. County Court presents preference projects.</p>
7858		<p>Catching Slough Bridge. Construction in Federal Secondary Program likely.</p> <p>Lane County. Federal Aid Secondary Highway System. County Court's preferences for improvement under new program.</p> <p>Maintenance material. Commission approves giving County rock stored in stock piles near Horton.</p> <p>Willamette Highway. Conference with Lane and Klamath County representatives regarding closing of highway to travel until surfacing has been completed.</p>
7859		<p>Lane County. County Judge expresses desire for early opening of Willamette Highway, regardless of condition.</p> <p>Klamath County. County Judge expresses desire of county residents for opening of Willamette Highway during 1938.</p>
7860		<p>Benton County. Federal Aid Secondary Highway System. Counties preferences for improvement in new program.</p>
7861		<p>Corvallis. County Judge asks Commission to maintain bridge over Willamette River.</p> <p>Marion County. Federal Aid Secondary Highway System. Improvement of Salem-Silverton Road and Salem-Independence Road preferred by County Court.</p> <p>Pacific Highway West. Tigard delegation confer in regard to widening for four lanes of traffic into Tigard.</p>
7862		<p>Washington County. Federal Aid Secondary Highway System. County Court submits projects preferred in new program.</p>
7863		<p>Associated General Contractors. Engineer authorized to attend convention in Seattle on January 28, 1938.</p>

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	1938	
7863	Jan. 7	C. B. McCullough authorized to inspect concrete pavements in State of Washington. H. G. Smith authorized to inspect Washington State pavement. Next meeting scheduled for February 17 and 18. Federal Aid Secondary Highway System. County Courts to submit preferred projects for new program at next meeting.
7864	Feb. 15	Madras. Hearing in regard to proposed rerouting of The Dalles-California Highway between Madras and Crooked River Bridge.
7866	Feb. 16	Minutes approved for meetings held on August 26, Aug. 31, Sept. 1, Oct. 21 and 22, and Nov. 17, 1937. Madras. Engineer's report on hearing conducted Feb. 15. The Dalles-California Highway. Survey authorized for rerouting between Madras and Crooked River Bridge. Chas. K. Spaulding. Resolution adopted as expression of sympathy for bereaved family.
7867		W. B. Barratt. Resolution adopted for transmittal to family extending sympathy in loss of husband and father.
7868		Battleship Oregon Fund. Chairman of committee in charge of State Unemployment Relief Fund suggests transfer of money to Battleship Oregon Fund. Commission disapproves. Contributions of employees. Circular letter authorized. Morrow County. Lexington-Sand Hollow Section of Lexington-Echo Secondary Highway. Report on cost of resurfacing and oiling by state forces as compared with contract cost.
7869		Clackamas County. Planning Board recommends LR-2 route for revision of 82nd Street Highway, (Cascade Highway). Pacific Highway. Route for permanent location at Oregon-California State Line recommended and approved by Commission. Agreement to be made with California officials guaranteeing construction of California portion on such alignment. Willamette Highway. Report on cost to widen and improve 16-mile detour. Advantages would not justify expenditure. Additional maintenance work authorized.
7870		North Bend. Estimate of cost to construct nonakid surface on Sherman Avenue. Enegren Ferry. Assignment of Julius Gunnell's contract for furnishing ferry service approved. Lincoln County. Removal of rocks and boulders from Roads End protested by Carle Abrams of Salem. Erection of signs ordered prohibiting removal of rock, etc. Portland. Engineer's report on illumination of state highways. Lighting of bridges and overpasses. Report on cost. Program to be limited to illumination of underpasses only.
7871		Claim. Frank Triska requests payment for horse fatally injured in crossing cattle guard. Payment approved. Award of following contracts approved: Mt. Hood Rock Production Project, Saxton, Looney & Risley; Dillon-John Day River Section, furnishing crushed rock, H. L. Rice. Concrete investigations. Additional \$5,000 authorized.

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	1938	
7871	Feb. 16	Freezing unit. Purchase authorized in connection with concrete investigations.
7872		Equipment. Purchase of following authorized: 6 truck scales, 20 light-weight trucks, 12 asphalt heaters, 15 mowing machines.
		Maryhill Ferry. Extension of Sherman Highway from Columbia River Highway to ferry landing. Investigation and inspection of road ordered.
		Laura Hotchkiss. Payment of half of cost incident to appeal of case of Bank of California versus Scott approved.
		Assignment of funds. Attorney authorized to attend trial involving State's authority to condition assignment of funds due a contractor.
7873		Load limit. Following sections to be posted for reduced loads: Sherman Highway from Columbia River Highway junction to The Dalles-California Highway; Mt. Hood Highway from Cooper's Spur to Columbia River Highway; Hood River Secondary Highway from junction with Mt. Hood Highway to Tucker's Bridge; McKenzie Highway from Sisters to Redmond; McKenzie-Bend Highway from Sisters to The Dalles-California Highway; Ochoco Highway from Redmond to east of Prineville; Fremont Highway from Silver Lake to Lakeview; Central Oregon Highway from Bend to Burns.
7875		The Dalles-California Highway from Maupin to Terrebonne, and from Bend to Klamath Falls; Klamath Falls-Lakeview Highway throughout; Pendleton-John Day Highway between Nye and Ukiah; John Day Highway between Prairie City and Unity;
7877		Oregon Coast Highway from Marshfield to Port Orford.
7878		Log hauling. Report on arrests for overloading in Coos County. Justice of Peace not cooperating.
7880		Pacific Highway. Resolution adopting permanent route between Ashland and California State Line
		Jackson County. Pacific Highway. County Court requests designation of old route as secondary highway between Green Springs Highway junction and Siskiyou Station. Resolution designating Siskiyou Secondary Highway.
7881		Pacific Highway. Resolution abandoning portion of Pringle Creek-Illahe School Section in Marion County.
7883		Dayton. City Council's mileage signs at each end of Amity-Dayton Secondary State Highway. Removal ordered.
		Newport. Painting of stripes authorized to designate parking strips on route of highway through town.

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	1938	
7884	Feb. 16	Log hauling. Salmon River Highway. Operators requested to remove mud from equipment. Circular letter.
7885		Forest Highway Funds. Program for construction for fiscal year 1939.
7886		Joint letter with Bureau of Public Roads to Chief, Forest Service, recommending additional allocation for maintenance.
		Portland. Disposal of structural steel salvaged from Sullivan's Gulch overcrossing project. Sale to be advertised.
		World's Fair Commission. Conference regarding allocation of funds for 1939 fairs in San Francisco and New York.
7888		Capitol Reconstruction Commission. Conference regarding landscaping of capitol grounds and improvement of street leading to Capitol.
		Acquisition of real property. Resolution.
7893		Portland. Interstate Avenue. Proposed project deferred pending adoption of ordinance, by City, providing for center parking strip.
		Albany. Attorney authorized to close right of way transactions in connection with overcrossing project.
		Lane County. Settlement approved with George Stonefield for tract adjacent to Oregon Coast Highway.
		Clatsop County. Acquisition of maintenance headquarters site.
		Attorney authorized to bid as high as \$1,200 at sale.
7894		Lincoln County. Addition to Depoe Bay State Park. Offer of Mr. Christenson rejected.
		Hood River County. Acquisition of maintenance headquarters site.
		Florence. Offer of Lee Ragan to purchase tract at end of new Siuslaw River Bridge rejected.
		Northeast Portland Secondary Highway. County to defer acquisition of right of way until State has completed acquisition of State's portion.
7895		Klamath Falls-Lakeview Highway. Acquisition of quarry site from Emil Enquist authorized.
		Condemnation. Proceedings authorized to acquire following properties, if necessary:
7896		Hermiston-Columbia School Section,
		Roy C. Rogers - Mrs. Mary Woodworth;
7897		Warren Creek Section of Columbia River Highway,
		Chris Dethman Estate;
		Lombard Street-Killingsworth Street Section,
		Joseph Teresi;
		Troutdale-Multnomah Falls Section,
		J. H. Gilbaugh;
		Marshfield-Bay Park Section, H. W. Osborne;
		Albany Overcrossing Section,
		Gladys V. Holloway,
		Charles Childs and William Eagles,
		Aroline O. Rankin.
7898		Perham Creek Section, W. D. Tenney;

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7899	Feb. 16	Condemnation (cont.) Viento-Memaloose Park Section, J. M. Culbertson; Drews Valley Section, Emil Enquist.
7900		Pacific Highway. Hill Creek Bridge Section. Acquisition of G. E. Everson property. Payment of \$100 approved.
	Feb. 17	Bids, as follows: Mystic Creek-Brockway Section, crushed gravel in stock pile; Service Creek-Branson Creek Section, light oil treatment; Lake County Line-Gap Ranch Section, oil mat treatment; Hood River Rock Production Project; Eagle Point-Baker Gulch Section, oil mat surface treatment; Gold Hill Rock Production Project; Hill Creek Bridge Section, grading, paving, frame trestle; Mohler-Kilchis River Section, crushed rock in stock piles; Lake Lytle Outlet Bridge Section, pile trestle.
7901		
7902		
		Sherman County. Federal Aid Secondary Highway Program. County Court submits preferences for improvement.
7903		Maryhill Ferry. Extension of Sherman Highway to ferry land- ing. Inspection of road promised.
		Jefferson County. Federal Aid Secondary Highway Program. County Court submits choice of projects.
		Deschutes County. Federal Aid Secondary Highway Program. County Court states preferences for improvement in new program.
7904		Powell Butte Secondary Highway. County Judge suggests re- vision south of junction with Butler Road.
		South Santiam Highway. Early completion urged by Deschutes County Court.
		Deschutes County. Cooperation of County in cost of comple- tion of Santiam Highway suggested. Report ordered.
		Polk County. Federal Aid Secondary Highway Program. Proj- ects suggested for improvement by County Court.
		County's indebtedness to State. Settlement discussed.
		Baker County. Federal Aid Secondary Highway Program. Pre- ferred projects to be undertaken in new program submitted.
7905		Curry County. Federal Aid Secondary Highway System. County Judge submits choice of projects to be undertaken.
		Gold Beach. Residents to be asked to furnish right of way required for revision of Oregon Coast Highway. State to assume cost of removal of buildings therefrom.
		Morrow County. Federal Aid Secondary Highway Program. Pre- ferred projects submitted by County Court.
		Lexington-Echo Secondary State Highway. Oiling to be done this year, if possible.
		Eugene. Cooperation of State in cost of installation of sig- nals requested by City. Decision deferred.
7906		Traffic signals. Survey authorized to ascertain cost to co- operate in installations in cities and towns throughout State.
		Lake County. Federal Aid Secondary System. Court's choices.

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	1938	
7906	Feb. 17	Malheur County. Federal Aid Secondary Highway Program. Projects for inclusion in new program presented by County Judge. Secondary highway designations requested by County Judge.
7907		Grant County. Federal Aid Secondary Highway Program. County Court submits list of projects for improvement. Secondary highway designation requested for Monument-Long Creek County Road. Investigation and report ordered. Kimberly-Monument Secondary State Highway. County Court and delegation request reconstruction to modern standards. Contribution of \$1,000 from County accepted on project.
7908		Wheeler County. Federal Aid Secondary Highway Program. Improvement of Kinsua Road desired in new program. Gilliam County. Federal Aid Secondary Highway Program. Construction of Rock Creek-Morrow County Line Section of Wasco-Hoppner Secondary Highway preferred in new program. Josephine County. Federal Aid Secondary Highway Program. County Court submits preferences for new program. Pacific Highway. Location survey authorized south of Grants Pass. Clatsop County. Federal Aid Secondary Highway Program. Projects preferred on new program submitted by County Court and delegation.
7909		Nehalem Secondary Highway. Use of county's quarry offered State in connection with Jewell-Mist project. Wolf Creek Highway. Oiling of west end this year. Astoria. Traffic Engineer authorized to assist city in formulation of traffic control regulations. Awards announced, on following: Mystic Creek-Brockway Section, crushed gravel in stock pile; Service Creek-Branson Creek Section, light oil treatment; Lake County Line-Gap Ranch Section, oil mat surface treatment;
7910		Hood River Rock Production Project; Eagle Point-Baker Gulch Section, oil mat treatment; Gold Hill Rock Production Project; Hill Creek Bridge Section, grading, paving and bridge; Mohler-Kilchis River Section, crushed rock in stock piles;
7911		Lake Lytle Outlet Bridge Section, pile trestle. Tillamook Drainage District. Reconstruction of Oregon Coast Highway on permanent alignment urged. Damage to District's drainage ditch due to rocks falling from highway to be investigated. Oregon Coast Highway. Survey authorized for permanent location south of Tillamook. Tillamook County. Federal Aid Secondary Highway Program. County Court submits county road projects to be undertaken. Secondary Highway designations requested for county roads. Weyerhaeuser Timber Company deed conveying timber strips adjacent to Wilson River Highway. Modifications in deed. Line change requested in road from Nehalem to Oregon Coast Highway. Investigation ordered.
7912		

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- 7912 Feb. 17 Hood River County. Federal Aid Secondary Highway Program. County Court submits suggestions for road improvements under new program. Designation, as secondary highway, requested for county road extending from Mt. Hood Highway to Hood River Secondary Highway.
- Oregon State Grange. Ray Gill, Master, requests allocation of Federal Aid Secondary Highway Funds for betterment of school bus and post roads. Chairman to address Grange.
- 7913 Feb. 18 Bids, as follows:
Baker-Durkee Section, crushed rock in stock piles;
Bandon-Port Orford Section, crushed rock in stock piles;
Drain Rock Production Project;
7914 Wilson Ranch-Scottsburg Section, light oil treatment;
West Forest Boundary-Horse Ranch Section, light oil;
Juntura-Harper Section, light oil treatment;
Hermiston-Cold Springs Section, oiling, surfacing, etc.;
Sale of buildings at Marshfield.
- 7917 Umatilla County. Federal Aid Secondary Highway Program. Improvement of Sunnyside-Umapine Secondary Highway preferred.
Harney County. County Judge and delegation request better maintenance of secondary highways in Harney County.
Oregon City. C. T. Gates protests Commission's plan to prohibit parking of cars on Fifth Street.
Portland. N. E. Schooling requests permit to move building across 82nd Street (Cascade Secondary Highway). Granted.
- 7918 Lower Columbia River Highway. Various improvements requested by Lower Columbia Highway Association.
Wasco County. Delegation requests extension of Sherars Bridge Secondary Highway through Wamit to Wapinitia Highway.
- 7919 Log hauling. C. W. White, Grand Ronde, asks reinstatement of permit revoked for overloading. Request granted.
- 7920 Pacific Highway West. Mrs. Ploeger inquires regarding relocation at Tigard.
Nehalem Highway. Delegation requests oiling between Mist and Jewell rather than improvement of Mist-Clatskanie Secondary Highway.
- 7921 Little Nestucca Highway. Charles Castner, Portland, urges improvement of 1½-mile section west of Dolph.
Salem-Dayton Secondary Highway. Dayton delegation inquires regarding plans for improvement.
McKenzie Highway. Logging operations of Fred Lengacher encroach upon right of way.
- 7922 Exchange of timber strip for logging privileges considered.
7923 Roadside timber preservation. Conference with representatives of State Planning Board and Regional Forester.
Port Orford. Chamber of Commerce requests permission to re-inter remains of Chief Tag-On-Ecia in Battle Rock Park.
Columbia River Highway. Acquisition of C. Dethman property not considered advisable. Offer rejected.

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7924	Feb. 18	Bradley Park. Request of Mr. Lindeman to operate concession in park denied. Oregon Coast Highway. Renewal of option from Messrs. Pratt and Williams for proposed park south of Cape Perpetua. Tillamook County. Nehalem Bay Sand Spit. Acquisition as park site considered. Marion County. Silver Creek Falls. Offer of Fred Volz to sell property adjacent to park area rejected.
7925		Weskowin. Offer of William S. Walton for right of way needed for proposed revision of Oregon Coast Highway rejected. Multnomah County. County requested to deed properties along Barbur Boulevard to State, without cost. Award of contracts, as follows: Baker-Durkee Section, crushed rock in stock piles; Bandon-Port Orford Section, crushed rock in stock piles; Drain Rock Production Project; Wilson Ranch-Scottsburg Section, light oil treatment; West Forest Boundary-Horse Ranch Section, light oil; Juntura-Harper Section, light oil; Hermiston-Cold Springs Section, surfacing and oiling and furnishing crushed rock in stock piles; Sale of buildings in Marshfield;
7926		
7929		Cottage Grove. Acquisition of right of way for proposed revision of Pacific Highway deferred. Hood River County. Purchase of maintenance storage site authorized in Sec. 18, T. 1 N. Wolf Creek Highway. Sunset Tunnel-Buxton Section. Offer of William H. Galvani for right of way required. Condemnation authorized, if necessary. Harney County. Claim of Ralph Chambers for damage to crop adjacent to Central Oregon Highway. Reimbursement authorized.
7930		Portland. Acquisition of right of way from City for new Columbia River Highway at Multnomah Falls. City offers State all of holdings at Crown Point and Latour-ell Falls. Yamhill County. Pacific Highway West. Settlement with Emma Kramien for right of way required.
	Feb. 19	Forgery bond. Increase in coverage approved. Report ordered. \$100,000 bond ordered pending decision on permanent bond.
7931		Audit. Engineer authorized to employ auditor to examine Department's system of accounting.
7932		Federal Aid. Various amounts available for 1938-1939 program. Program. List of projects for construction in 1938 & 1939 programs under following classifications: Regular Federal Aid
7933		Federal Secondary Projects on state highways
7934		Federal Secondary Projects on County Roads
7935		Grade Separation Program
7940		Federal Lands Highways
7941		State Projects on Primary Highways State Projects on Secondary Highways
7942		Allocation of Accumulated Balances

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7942	Feb. 19	Federal Aid Funds. Engineer authorized to submit programs to Bureau of Public Roads for approval. Surveys. Engineer authorized to make surveys for all projects included in programs. Loan. Six-month loan of \$750,000 authorized beginning about July 1, 1938.
7943		Oregon City. Acquisition of Security Investment Company property needed for East Portland-Oregon City Highway. Attorney authorized to secure declaratory judgment with respect to ownership of street ends. Advertising of project deferred pending settlement of right of way matters. Talbot State Park. Erection of monument honoring donors of park proposed by Portland businessmen. Clackamas County. Woodburn-Mt. Hood Loop Secondary Highway. Erection of marker denoting Currin-Wade donation land claims approved. East Portland-Oregon City Highway. Letter from Wm. A. Carter regarding claim of Joseph Terresi for damages resulting from construction of Union Avenue viaduct.
7944		Pacific Highway West. C. G. Gustafson, McMinnville, objects to proposed relocation north of McMinnville. Portland. Northeast Portland Secondary Highway. Acquisition of property from City for Lombard-Killingsworth Section. Payment of 5¢ per sq. ft. authorized. Lake County. Offer of William Manley Currier to sell property needed for Fremont Highway revision accepted. Use of old road granted Mr. Currier in exchange for site for storage of maintenance materials. Columbia River Highway. Acquisition of Elizabeth W. Griggs property. Settlement approved. Jackson County. Pacific Highway (new route). Settlement for Robertson property in Siskiyou Mountains.
7945		Eugene. Report on advisability of installing traffic signals. Cooperation of State in cost of installations. Decision deferred pending survey of all cities and towns. Traffic signals. Survey on cost of installations in all cities and towns ordered. The Dalles. Installation of flashing signals. Survey indicates traffic not sufficient to justify signals. Medford. Traffic signals installed by City not acceptable to Commission. Removal requested. Cooperation in cost of standard signals requested. Action deferred pending report to cooperate in other cities.
7946		Snow removal. North Santiam Highway. Advisability of continuing snow removal operations. Inspection to be made. Columbia River Highway. Combing of ledges above highway to dislodge loose rocks authorized. Mosier Tunnel. Removal of loose rocks above highway at portal authorized.

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7946	Feb. 19	<p>Rocks. Liability of Commission for accidents resulting from falling rocks from slopes above highways. Next meeting scheduled for March 24, 1938.</p> <p>Baker County. Baker-Homestead Highway. Rerouting suggested by residents of Lower Powder Section.</p> <p>Coos River Secondary Highway. Coos River Grange requests oiling of Eastside-Allegany Ferry Section.</p>
7947		<p>Lane County. County Court inquires as to plans for construction of Christner Gap-Veneta Section of Route "F".</p> <p>Federal Aid Secondary Highway Program. Construction of portion of Oak Hill-Veneta Section of Route "F" contemplated.</p> <p>Klamath Falls-Lakeview Highway. City Council of Lakeview requests traffic lights at railroad crossing at west city limits.</p> <p>Sherman County. Grange requests secondary highway designation of county road between More and Wasco-Heppner Highway.</p> <p>Construction of highway from Heppner, through Kamic, to connection with Mt. Hood Highway requested by Pomona Grange.</p> <p>Coos County. Powers Secondary Highway. Residents of Broad-bend-Powers districts request improvement.</p> <p>North Bend. Nonskid wearing surface on Sherman Avenue requested by Coos Bay Aerie No. 538, F.O.E. Request granted.</p>
7948		<p>Nehalem Secondary Highway. Oiling between Mist and Oregon Coast Highway junction requested by granges.</p> <p>Columbia Gorge. Mid-Columbia Chamber of Commerce urges construction of water-grade highway through gorge.</p> <p>Malheur County. Designation, as secondary highway, of Home-dale Junction-Walloy Ranch Section of Nyssa-Jordan Valley Road requested by Pomona Grange No. 33, Ontario.</p> <p>Columbia River Highway. Mrs. D. L. Stevens writes regarding reconstruction of highway between Goble and Rainier.</p> <p>Portland. Elimination of traffic hazard at junction of Columbia Boulevard with Sandy Boulevard requested by Mr. James Schivary, Portland.</p> <p>Linn County. Santiam Highway. Carl G. Washburne letter in regard to County's indebtedness for construction of highway.</p> <p>Pacific Highway. Grants Pass Chamber of Commerce urges special allocation from Congress to finance reconstruction.</p> <p>Columbia River Highway. O. Henry Oleson, State Representative, urges continuation of straightening and widening.</p> <p>Grant County. Reconstruction of Kimberly-Monument Highway urged by residents. County to cooperate in project.</p>
7949		<p>Jackson County. County Judge inquires regarding construction of cattle guard across Crater Lake Highway.</p> <p>Riverbanks Market Road. Edgar A. Ricker, Grants Pass, urges improvement west from Applegate Bridge.</p> <p>Signs. Women's Christian Temperance Union request permission to erect signs in regard to use of alcoholic beverages.</p> <p>Oregon Coast Highway. Coos County Planning Board urges reconstruction of Marshfield-Coquille Section.</p> <p>Curry County. County Court unable to furnish right of way for Squaw Creek Road improvement. Project abandoned.</p>

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7949	Feb. 19	Lane County. Junction City-Eugene Secondary Highway. Side-walk construction north and south of Santa Clara. State requested to assume maintenance. Request denied.
		Clatsop County. County Agent asks permission to maintain signs at County line. Request denied.
7950		Klamath Falls. City Council opposes reduction by Congress in 1939 Federal Aid Funds.
		Bend. Robert W. Sawyer inquires regarding Third Avenue railroad grade separation project.
		Wolf Creek Highway. Senator Franciscovich inquires in regard to oiling between Elsie and Necanicum.
		Pacific Highway West. Maintenance of sign north of Corvallis directing traffic to State Game Farm denied.
		Mail route. Commission's aid sought for continuation of Burns-Valley Falls mail route.
		Shelter Shed. Portland realtors request Commission to construct shed on Canyon Road Section of Tualatin Valley Highway. Request denied.
7951		Marshfield. Adoption of route of Oregon Coast Highway through town requested by Mayor. Selection of route deferred pending completion of Bunker Hill Section and Sherman Ave. project.
		Eddyville-Blodgett Secondary Highway. Improvement requested by Corvallis Chamber of Commerce.
		Hillsboro-Woodburn Secondary Highway. Oiling of Hillsboro-Newberg Section requested by J. W. Raynard.
		Nehalem Secondary Highway. Improvement between Mist and Coast Highway Junction requested by Granges.
		Crater Lake Highway. Erection of monument marking site of old Fort Klamath requested by D.A.R. Referred to Engineer.
		Oregon Coast Highway. Permit to transport donkey-engine sled, 78 feet overall length, denied A. C. Anderson, Salem.
7953		Surveys. List ordered since last meeting confirmed.
		Extension of time. Consolidated Highway Company granted extension on Pendleton-Mytinger Section.
7954		Contracts completed and accepted:
		Milwaukie Avenue Undercrossing, Hoffman Construction Co.;
		Pendleton-Mytinger Section, Consolidated Highway Co.;
		Bend-Crescent Section, E. C. Hall;
		Lake County Line-Gap Ranch Section, Babler Bros.;
		Timber bulkhead in Gresham, Frank Watt Construction Co..
7955		Agreements, et cetera, as follows:
		Tillamook County, purchase of county-owned equipment for use on Wilson River Highway;
		Erickson & Schmidt Logging Co., transportation of logs in Tillamook County across state property;
		L. H. Hoffman, payment for steel for use in construction of Quartz Creek Bridge;
		Department of Agriculture, vacation of rooms in Agricultural Building, Salem;

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7955 Feb. 19

Agreements, (continued):

Tillamook County Court, acquisition of timber strip from Weyerhaeuser Timber Company;
Shirley Kingsbury, payment in lieu of reconstruction of pipe line on Medical Springs Secondary Highway;
City of Hood River, lighting Hood River Bridge;
Schmeer, Williams & Gentemann, furnishing rock for Shuttler Flat-Condon Section of John Day Highway;
Columbia River Packers' Association, purchase of Rooster Rock, in Multnomah County;

7956

Oregon American Lumber Corporation, State to retain title to steel girders used in railroad over Wolf Creek Highway;
E. W. Williamson, et al, payment for damage in connection with Ontario Grade Separation Project;
City of Klamath Falls, reconstruction of Main Street;
Oregon-Washington Railway and Navigation Co., Union Pacific Company, Multnomah and Hood River Counties, reconstruction of Columbia River Highway between Eagle Creek and Cascade Locks;

Bargain and Sale Deed conveying to Julia and Bert O'Brien property in Lincoln County;
Bargain and Sale Deed conveying to George and Dorothy Campbell, property in Lincoln County;
Bargain and Sale Deed conveying to R. B. Johnson property in John Day;
Quitclaim deed conveying to Southern Pacific Company property on S. E. 13th Avenue, Portland;
Quitclaim deed conveying to Ernest Koble property in Jackson County, south of Ashland;
Quitclaim deed conveying to Southern Pacific Company property north of Coos Bay.

7957 March 23

Minutes. Commission approves meetings held on Nov. 29, 30, & Dec. 1 and December 21, 1937.

Linn County. County's indebtedness for construction of South Santiam Highway. No action.

Forgery bond. Commission approves purchase of \$100,000 bond. Fidelity bond. Bids to be taken at next meeting for blanket bond covering Highway Department employees.

7958

Acquisition of real property. Resolution adopted.

7963

Right of way. Adoption of policy in regard to acquiring property in advance of contracting deferred.

Condemnation. List of properties required.

7964

Resolution authorizing condemnation, if necessary.

7965

Albany. Resolution authorizing condemnation of properties required in connection with overcrossing project.

7968

Maintenance headquarters. Construction of buildings at Forest Grove, Sontex, Brothers and Medford approved.

7969

Albany. Damage to properties due to grade changes necessitated by overcrossing project. Attorney to contact owners.
Multnomah County. Upper Columbia River Highway. Acquisition of Minnie T. Reed property. \$12,000 authorized.

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7969	Mar. 23	Neskowin. Acquisition of William S. Walton property deferred.
		Portland. Acquisition of Multnomah Falls and Wahkeena Falls properties from City considered.
7970		Oregon Coast Highway. Purchase of Viola Lee Pratt property and Adelaide Williams property. Option authorized.
		Gearhart. Offer of James L. Conley, Portland, representing Gearhart Park Company, to sell beach frontage, rejected.
		David Douglas. Naming of state park suggested by Robert W. Sawyer.
		Clatsop County Court to erect monument in David Douglas Park adjacent to Wolf Creek Highway.
7971		Port Orford Chamber of Commerce. Re-interment of remains of Chief Tag-On-Ecia requested by Chamber. Request denied.
		State parks. Erection of crosses and benches requested by Reverend Wm. Wallace Youngson of Tillamook. Denied.
		Otter Crest. Construction of memorial building requested by Mrs. Helen M. Warren, through Governor Martin. Denied.
		Lane County. Offer of S. C. Armitage to donate park site adjacent to Coburg County Road. No action
7972		Lincoln County. Acquisition of 120 acres between Oregon Coast Highway and Pacific Ocean. Nelscott Land Company and E.W. Chandler, owners, ask \$21,000 for property.
		Flowage easements. U. S. Army Engineers request easements on four state parks and two units east of Bonneville Dam.
		Agreements, et cetera, signed:
		Deed conveying land in Douglas County to Sarah E. Mulkey;
		Deed conveying land in Lane County to Fred H. and Mary Brown;
		Deed conveying property in Lane County to George Stonefield;
		Deed conveying land in Jackson County to Walter A. Sumner;
		Agreement with Albany Seed Company covering settlement for right of way for Albany Overcrossing Project.
7973	Mar. 24	Bids, as follows:
		Middle Bridge-Black Bridge Section, oil mat surface;
		Bandon-Port Orford Section, crushed rock in stock piles;
		Little Nestucca River Bridge Section, pile trestle and steel I beam bridge;
7974		Albany buildings;
		Marshfield buildings;
7975		Orient buildings;
		West Portland buildings;
		Scrap bridge steel from Sullivan Gulch Overcrossing.
7976		Permit. Pratt Truck Service, Portland, request overheight permit from Portland to Wilsonville. Request granted.
		Overheight permits. Policy adopted with respect to future permits for transportation of overheight loads.
		Tigard. C. I. Scoffin inquired as to plans for revision of Pacific Highway West through town.
		Pendleton. Mayor and delegation request reopening of East Court Street. Commission approves statement, in writing, specifying neutral stand in matter.

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	1938	
7977	Mar. 24	Mt. Hood Highway. Delegation from Hood River requests early removal of snow. Snow removal operations authorized May 1.
7978		Douglas County. North Umpqua Highway. Delegation from Roseburg request construction this year. Pacific Highway. Elimination of railroad grade crossing south of Wilbur requested by Roseburg delegation.
7979		Rice Hill-Turkey Hill Section. Reconstruction urged. Deschutes County. Claim of North Canal Company for right of way acquired for revision of The Dalles-California Highway. Awards announced on following:
7980		Middle Bridge-Black Bridge Section, oil mat treatment; Bandon-Port Orford Section, furnishing crushed rock; Little Nestucca River Bridge Section, bridge construction;
7981		Buildings in Albany; Buildings in Marshfield; Building in Orient;
7982		Buildings in West Portland; Scrap bridge steal. Oregon Coast Highway. North Bend-Marshfield Section. Delegation requests designation of route. • Estimates and right of way costs to be prepared. Bunker Hill revision favored for first consideration.
7983		Polk and Benton Counties. Kings Valley Secondary State Highway. Delegation urges reconstruction.
7984		Albany. City requests purchase of state-owned property for swimming pool site. Commission approves sale. Clackamas County. Adoption of Arlington Street, Gladstone, as connecting link between East Portland-Oregon City Highway and 82nd Street. Estimate of cost ordered.
7985		Retention of 82nd Street Highway in present location urged by Clackamas Community Club. Lane County. Lee Iagan, Eugene, requests Commission to sell property at north end of Siuslaw River Bridge. Sale approved. Portland. St. Johns Businessmen's Association request elimination of turn at corner of Jersey and Philadelphia Streets.
7986		Lincoln County. Delegation protests removal of rock and sand from beach between Oceanlake and Roads End.
7987		County Court suggests modification of order prohibiting removal of sand and gravel from beach. Log hauling. Senator F. M. Franciscovich requests modification of rules governing violations of weight restrictions. Revised procedure adopted in handling arrests.
7988		Gleneden Beach. W. F. Cary urges retention of Oregon Coast Highway in present location,
7989		Oregon Coast Highway construction on new alignment urged. Coos County. Catching Inlet. Substitution of tidewater gate instead of bridge construction requested. Bridge contract to be deferred one month.
7990		Washington County. Claim of John Prickett due to faulty drainage adjacent to Nehalem Secondary Highway north of Banks.

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7990	Mar. 25	William Hanley. Resolution adopted expressing sympathy to bereaved family.
7991		Florence. Sale of property in Millers Addition, to Orville Cox, approved.
		Jackson County. Installation of traffic scale on Welch property, adjacent to Crater Lake Highway.
		Leased property. Policy adopted in connection with improvements to property under lease.
		Medford. Rental of S. H. Shaw property in Berryvale Addition. Lease agreement rejected.
		Harrisburg. Maintenance of trestle approach to Pacific Highway. Agreement with Morris Estate authorized.
7992		Silver Creek Falls. Condemnation of Volz property authorized for addition to State Park.
		Warm Springs Highway. Request of V. S. Howard for cattle pass denied.
		Tillamook County. Form of deed approved covering transfer of Weyerhaeuser Timber Company property to County.
		Lower Columbia River Highway. Improvement at Johnson's Landing authorized to remedy dangerous curves.
7993		Oregon-Washington Highway. Rerouting in Umatilla County.
		Washington Highway Director reports survey of Washington's section. Construction of Oregon section deferred.
		Upper Columbia River Highway. Reconstruction at Perham Creek and Warren Creek. Conference with Major McKennett representing War Department.
		Encroachment on O. W. R. & N. Company's property at Warren Creek. Referred to Chairman.
7994		The Dalles. Construction of fill with tide gates across Mill Creek as substitute for timber bridge. Commission opposed to participation in cost of construction.
		Oregon-Washington Highway. Report on reconnaissance survey between Pendleton and Washington State Line. Decision deferred pending conference with Public Utilities Commissioner.
7995		Tigard. Estimate of cost to construct revision of Pacific Highway West through town.
		Options for right of way on alternate routes authorized.
		Oregon Coast Highway. Report on reconnaissance survey for revision bypassing Coquille.
		Dike section. Estimate of cost to improve flood condition ordered including location survey.
		Wasco County. Construction of connecting road between The Dalles-California Highway and Wapinitia Highway, through Wamic, urged by L. M. Lepper, Portland, and others.
		Hood River County. Designation as secondary highway of road from the Mt. Hood Highway to connection with Hood River Secondary Highway. No action.
7996		Tillamook County. Nehalem-Manzanita County Road. County offers cooperation in rebuilding two bridges. State to furnish trucks from Wilson River job.

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7996	Mar. 25	East Portland-Oregon City Highway. Regrading in front of Dr. Huthman's property authorized.
		Prineville. Connection between Warm Springs Highway and Ochoco Highway. Acquisition of right of way deferred.
7997		Deschutes County. Substitution of Butler Market Road for present route of Powell Butte Secondary Highway into Bend.
		Umatilla County. Sunnyside-Umapine Secondary Highway. Improvement as Federal Aid Secondary approved.
		Federal Aid. Report of American Association of State Highway Officials on standing of states in programming 1938 funds.
		Falling rocks. Attorney's report on liability of Commission for injuries caused by rocks falling on highway.
		Columbia River Highway. Mosier Tunnel. Combining of slopes and increasing width and height authorized out of Emergency Fund.
		Reconnaissance survey report on proposed revision at Big Creek railroad crossing.
7998		Minor Betterment Budget. \$5,000 increase in budget for primary highways authorized to take care of surfacing Sherman Avenue in North Bend.
		Equipment. Purchase of following authorized:
		12 cars of Ford or Chevrolet type;
		8 trucks, pickup type;
		2 hoists for installation on two new trucks;
		2 traffic-actuated traffic signal controls complete;
		1 traffic-actuated signal;
		11 dictograph station boxes.
		Union Pacific Company. Compromise settlement for damages resulting from derailment of train at Oneonta in Feb., 1936.
7999		American Association of State Highway Officials. Payment of 1938 dues authorized.
		N. M. Finkbinder. Attendance at meeting in Seattle, Washington, authorized to view tests on wood stave culverts.
		S. H. Probert. Attendance at meeting of Committee on Uniform Accounting authorized. Meeting to be held in Chicago April 11.
		G. S. Paxson. Attendance at meeting of Bridge Committee of American Assoc. of State Hwy. Officials authorized.
		Lane County. Smithfield-Franklin controversy. Request of B. F. Howard that Smithfield be printed on maps denied.
		Log hauling. 10-day suspension of permit to be ordered against operators arrested four times or more for overloading.
		Disposition of logs left on highway by haulers.
8000		Load limits. Order lifting limits previously imposed on following sections:
		The Dalles-California Highway, Maupin to Terrebonne;
		McKenzie Highway, Sisters-Bend Section;
		Ochoco Highway, Redmond to point 6 miles east of Prineville;
		McKenzie-Bend Highway, Sisters to The Dalles-Calif. Hwy.;
		Central Oregon Highway, Bend to Burns;
		Oregon Coast Highway, Marshfield to Port Orford;
		Fremont Highway, Silver Lake to Lakeview;

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8001	Mar. 25	Oregon Coast Highway. Relocation south of Tillamook requested by Tillamook Drainage District. Request denied. Awards confirmed, as follows:
8002		Mystic Creek-Brockway Section, D. L. Ashton; Hood River Rock Production Project, Schmeer, Williams and Gentemann; Hill Creek Bridge Section, Edlefsen-Weygandt Co.; Gold Hill Rock Production Project, A. S. Wallace. Wolf Creek Highway. Grading from Sunset Camp to Sunset Tunnel approved as W.P.A. project. Forest Grove. Construction of maintenance patrol building approved as W.P.A. project. Enegren Ferry. Bridge construction over Coos River to replace ferry requested by Marshfield residents. Denied. Coos River Secondary Highway. Oiling as far as Enegren Ferry requested by Catching Inlet Grange. Denied. Philomath. City Council requests oiling or paving of strips between pavement and curb through town. Request denied.
8003		Dundee. Paving of Pacific Highway full width through town approved. Oregon Coast Highway. J. W. Ostrander requests aid in constructing fences in front of his property. Request denied. Boardman. Mayor requests use of gravel pit as garbage dump site. Request denied. Advertising signs. Waldport Chamber of Commerce requests support of Commission in removing signs from highways. Portland. Neighborhood Community Club opposes construction of Foothills Boulevard Project. Marion County. Road to Abiqua Falls requested by residents of Portland, Mt. Angel, Silverton, and vicinity. Columbia River Highway. Reconstruction through Troutdale on present alignment requested by Charles Bristol. Klamath County. Pomona Grange suggests legislation authorizing Highway Commission to police highways.
8004		Pacific Telephone & Telegraph Company. Building construction between Columbia River Highway and railroad, opposite Ainsworth State Park, requested. Request granted. Gearhart. City Council suggests acquisition of tidelands and beach by Highway Commission within city limits. Pacific Highway West. Oscar Furuset, Portland, suggests acquisition of Grove south of Monmouth as park site. Wild flower collection. William H. Baker, Grass Valley, requests permission to collect occasional specimen. Douglas County. Deed conveying 2.25 acres of land to Sarah E. Mulkey, signed. Surveys. List of surveys ordered since last meeting approved.
8007		Extensions of time, as follows:
8008		Orino, Birkemeier & Saremal, Arch Cape Tunnel Section; Roy L. Houck, Short Sand Beach Creek Section; Andersen Construction Co., Miller Flat-Agency Section;

<u>Page</u>	<u>Date</u>	<u>Subject</u>
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8008	Mar. 25	Extensions of time, cont.: Jacobsen-Jensen Co., Phoenix-Bear Creek Section; Averill & Corbin, Bridge over Sullivan Gulch, Portland.
8009		Contracts completed and accepted, as follows: Arch Cape Tunnel Section, Orino, Birkemeier & Sarnal; Short Sand Beach Creek Section, Roy L. Houck; Wilson Ranch-Paradise Creek Section, Roy L. Houck; Miller Flat-Agency Section, Andersen Construction Co.; Phoenix-Bear Creek Section, Jacobsen-Jensen Co.; Middle Bridge-Elack Bridge Section, E. H. Itschner; Wallowa-Enterprise Section, O. C. Yocom; Snake River Slides-Ontario Section, Rogers Construction Co.; Gibbs Ranch-Baker Section, O. C. Yocom.
8010		
8011		Oregon City. Security & Investment Company property. Conference with Jack Latourette, attorney. Chairman. Action of Commissioners Aldrich and Tou Velle approved by Chairman Cabell. Loan. \$750,000 loan approved to provide funds for 6-month period beginning July 1, 1938. Oregon City. Security & Investment Company property. New appraisals authorized. Condemnation favored, if necessary. Illumination. Commission approves trial lighting on Ross Island Bridge-17th Avenue Section, Portland.
8012		World's Fair. Participation in New York Fair to consist of distribution of Oregon literature only. \$20,000 budgeted for 1938 and like amount for 1939 participation in San Francisco Fair. Traffic signals. Cooperation on 50-50 basis for installations on highway routes within municipalities.
8013		Signs. Circular letter to maintenance superintendents approved regarding removal of signs and billboards. Payment for cost of removal of signs approved from state funds. Linn County. County's indebtedness to State for construction of South Santiam Highway. Settlement discussed. Jackson County. Pacific Highway. Resolution abandoning Bear Creek-Talent Section of old route of Pacific Highway.
8015		Old Oregon Trail. Resolution abandoning portion of Nelson-Malheur County Line Section which has been reconstructed, also, retaining certain portions of said section.
8018		Umatilla County. County Court requests that old route of Old Oregon Trail between Pendleton and Stanfield be designated a state secondary highway. Resolution adopted designating above section as a state secondary highway.
8019		Date for next regular meeting set for April 28 and 29, 1938

Portland, Oregon, November 29, 1937.

The State Highway Commission met informally with members of the Advisory Committee on publicity matters at 8:00 o'clock p. m. in the Rose Room of the Benson Hotel. Present were:

Henry F. Cabell, Chairman
E. B. Aldrich, Commissioner
R. H. Baldock, State Highway Engineer
H. B. Glaisyer, Secretary
J. M. Devers, Attorney

The following members of the Advisory Committee were present: Robert W. Sawyer, Bend; Merle Chessman, Astoria; Ed W. Miller, Marshfield; Ray Conway, Portland; John A. Laing, Portland; Frank Jenkins, Klamath Falls; Hugh Ball, Hood River; Charles Reynolds, LaGrande; R. R. Cronise, Albany. Mr. Harold B. Say, Director of the Travel and Information Department, was also present.

Matters of mutual concern and relating to the activities of the Travel and Information Department were discussed briefly. Among other things was the request of the delegation that came before the Highway Commission on July 8, 1937, and headed by Walter Meacham, Portland, requesting that the name "Old Oregon Trail" be printed on future state highway maps. It was explained to the committee members that the Commission told the delegation that it was opposed to printing the name "Old Oregon Trail" along the route of this highway because of the confusion that would result and particularly because the general traveling public finds it more convenient to follow a highway that is designated by number rather than by name, the numbers being shown on the map at numerous locations along the route; further, that while the Commission objects to placing the name of the highway along the route, it would consider printing the name "Old Oregon Trail" in the legend in one corner. The members of the Advisory Committee were asked to express their ideas on this subject. They indicated that they had no choice in the matter and would be satisfied with any decision that the State Highway Commission reached.

The matter of erecting markers along state highways at historical locations, as has been suggested by Mr. Harry Failing of the Oregon Journal, was brought up for discussion. The committee members indicated that they would be satisfied with any decision that the State Highway Commission might render with regard to this matter also.

After further informal discussion, it was arranged that the Advisory Committee should make its formal report to the Commission at 11:00 o'clock a. m. on the following day.

Following the meeting with the Advisory Committee, Mr. Miller and Mr. Chessman requested the State Highway Commission to make the following improvements to the Oregon Coast Highway, on behalf of the Coast Highway Association:

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(1) Grade the remaining two-mile section south of Arch Cape Tunnel. They declared that this project is of first importance and should be given priority over others.

(2) Construct a lining in the Arch Cape Tunnel.

(3) Widen the present road around Neahkahnie Mountain, which is narrow and will be dangerous to travel when this road is opened up for general public use.

They alleged that the entire coast district is particularly anxious for the construction of these projects at the earliest possible time and suggested that the Commission sell one-year, two-year, or three-year short-term bonds to secure funds with which to finance the work.

Chairman Cabell advised that the Commission realizes the condition of the road around Neahkahnie Mountain and knows that it should be widened, and hopes to make progress on this road as funds will permit.

Mr. Miller then asked for the following improvements to the Oregon Coast Highway in Coos County:

(1) Reconstruction of the highway between North Bend and Marshfield and improvements to the present highway between Marshfield and Coquille. In regard to the North Bend-Marshfield Section, Mr. Miller pointed out that the existing pavement on Sherman Avenue in North Bend becomes very slippery when wet and should have a nonskid wearing surface applied thereto in order to prevent accidents. He also suggested, in view of the high cost to reconstruct the entire highway between North Bend and Marshfield, that such work could be done by stage construction, as the urgency of traffic demands. He urged the Commission to let a contract as soon as possible for the reconstruction of the Bunker Hill Section just south of Marshfield.

(2) Improvements looking toward the elimination of flood conditions south of Coquille and between Coquille and Marshfield. Mr. Miller advised that the U. S. Army Engineers are just now completing a flood-control survey which involves the construction of a drainage canal across the summit between Coquille and Marshfield and which they believe will effectively control the flood situation in this district. He said that he believed the Southern Pacific Railroad Company would be willing to cooperate in the cost of construction and gave as his thought that the project could be brought to realization if the State Highway Commission would also cooperate. He suggested that the Commission contact the members of the Flood Control Board relative thereto. He further suggested, as an aid to flood control south of Coquille, that the dike section be raised.

Mr. Miller also asked the Commission to consider the improvement of the Coast Highway between Siletz River and Newport and urged the Commission to declare a permanent route for this section as soon as possible. He also asked for improvements south of Reedsport to eliminate curves where accidents frequently occur, and the elimination of two sharp curves a few miles south of

this point, where there have been a number of accidents. He mentioned the Newport-Reedsport Section as being satisfactory in its present location. The Hauser-Coos Bay Section, he said, is not in good condition, but he questioned the advisability of repairing the same because of the possibility of the highway being relocated in the near future.

The Pistol River Mountain Section, Mr. Miller said, is in need of improvement. He gave as his understanding that the Commission has it in mind to relocate this section at a lower elevation and cautioned against the same because of the sliding condition of the soil. He said that sentiment in this district favors improving the highway in its present location by elimination of curves and widening. As another project on the Oregon Coast Highway, Mr. Miller suggested a widening project just north of the California state line. He pointed out that the State of California has already widened its portion of this road, which creates a bottleneck at the Oregon line which is a hazard for the traveling public. He suggested that this section should be widened between the California line and the Winchuck River bridge, which would effectively eliminate the hazard.

Chairman Cabell advised that the Commission would bear in mind the projects mentioned by Mr. Miller and give them due consideration at the proper time.

The meeting was declared adjourned at 9:00 o'clock p. m.

W. B. Aldrich
State Highway Engineer

H. B. Glaisyer
Secretary

Henry F. Cabell
Chairman

E. B. Aldrich
Commissioner

Portland, Oregon, November 30, 1937.

The State Highway Commission met in regular session at 9:00 o'clock a. m. in the Auditorium of the Public Service Building. Present were:

Henry F. Cabell, Chairman
E. B. Aldrich, Commissioner
F. L. TouVelle, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

Bids as follows for highway construction projects were opened and read, in conformance with previously published notice:

OREGON COAST HIGHWAY
SMITH POINT-YOUNG'S BAY BRIDGE SECTION - GRADING AND PAVING

Mountain States Construction Company
Oregon Contracting Company

\$45,975.00
44,961.50

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(Smith Point-Young's Bay Bridge Section, continued:)

Parker-Schram Company	\$46,454.00
Edlefsen-Weygandt Company	47,203.40
Warren Northwest, Inc.	48,592.50
The United Contracting Company	50,348.00
Brookfield Company	51,195.75
Saxton, Looney & Risley	52,563.00
Dolan Construction Company	54,226.50

COLUMBIA RIVER AND OREGON-WASHINGTON HIGHWAYS
HEPPNER JUNCTION ROCK PRODUCTION PROJECT

R. O. Dail & Warren Bros., Inc.	\$ 8,600.00
Smith & Company	8,730.00
Rogers Construction Company	8,840.00
H. L. Rice	9,095.00
Schmeer, Williams & Gentemann	9,104.00
O. C. Yocom	9,140.00
A. S. Wallace	9,610.00
Jones-Scott Company	9,780.00
Fisher Bros.	9,800.00
Joslin & McAllister	10,100.00
E. H. Itschner	10,174.00
S. S. Montague	10,728.00
Homer G. Johnson	10,860.00
Parker-Schram Company	11,000.00
Saxton, Looney & Risley	11,600.00

JOHN DAY HIGHWAY
JOHN DAY-OLIVER RANCH SECTION - GRADING AND GRAVEL TOPPING

McNutt Bros	\$65,446.00
M. L. O'Neil & Son	64,075.10
Morrison-Knudsen Company	69,945.00
Leonard & Slate	70,389.00
J. A. Terteling & Son	70,781.50
Roy L. Houck	71,126.00
E. L. Rigdon	72,700.90
Max J. Kuney Company	74,322.00
E. H. Itschner	75,333.10
Colonial Construction Company	75,955.50
Fisher Bros.	76,462.90
Oregon Contracting Company	76,554.20
White's Trucking Company	77,419.50
Jacobsen-Jensen Company	77,646.50
Harold Blake	79,636.50
E. C. Hall Company	79,824.50
J. A. Lyons	83,272.50
Tony Marrasso	85,983.80
E. L. Gates	94,365.20

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(John Day-Oliver Ranch Section, continued:)

Kern & Kibbe	\$86,419.30
Geo. B. Henly	87,251.00
Parker-Schram Company	87,657.90
Triangle Construction Company	87,793.00
Clifford A. Dunn	89,067.00
Joplin & Eldon	89,853.00
S. S. Montague	91,708.44
Kuckenberg-Wittman Company	92,190.00

JOHN DAY HIGHWAY

KIMBERLY BRIDGE SECTION - GRADING, SURFACING, BRIDGE CONSTRUCTION

Leonard & Slate	\$54,535.00
Tom Lillebo	54,998.00
Mountain States Construction Company	55,431.00
Colonial Construction Company	57,595.00
Joplin & Eldon	58,219.00
Kuckenberg-Wittman Company	59,849.00
Parker-Schram Company	66,529.00

JOHN DAY-BURNS HIGHWAY

POISON CREEK SECTION - CRUSHED ROCK IN STOCK PILES

Babler Bros.	\$12,850.00
E. H. Itchner	14,550.00
Rogers Construction Company	15,550.00
Schmeer, Williams & Gentemann	16,300.00
O. C. Yocom	16,575.00
E. C. Hall Company	16,650.00
Saxton, Looney & Risley	17,200.00

PACIFIC HIGHWAY

SARDINE CREEK BRIDGE SECTION - VIADUCT, ROADBED, TEMPORARY ROADWAY

Mountain States Construction Company	\$14,328.00
Tom Lillebo	16,651.00
E. F. and W. F. Philpott	17,296.00
F. C. Humber Company	20,507.50

FREMONT HIGHWAY

HARRIS CREEK-CHALK CLIFF SECTION - GRADING, SURFACING, OILING

E. L. Rigdon	\$ 91,719.70
McNutt Bros.	98,890.00
E. C. Hall Company	99,401.25
Leonard & Slate	106,654.50
Jacobsen-Jensen Company	108,459.00
E. H. Itchner	112,640.55
Warren Northwest, Inc.	114,489.25

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(Harris Creek-Chalk Cliff Section, continued:)

Harold Blake	\$116,367.00
Fisher Bros.	119,411.00
J. A. Lyons	119,640.50
Clifford A. Dunn	119,737.50
S. S. Montague	150,071.50

McKENZIE HIGHWAY

BELKNAP SPRINGS-McKENZIE SUMMIT SECTION - CRUSHED ROCK IN STOCK PILES

A. S. Wallace	\$12,880.00
Rogers Construction Company	13,860.00
Saxton, Looney & Risley	15,060.00
Homer G. Johnson	17,150.00
E. C. Hall Company	20,500.00

OLD OREGON TRAIL

SNAKE RIVER SLIDES-ONTARIO SECTION - CRUSHED GRAVEL IN STOCK PILES

Rogers Construction Company	\$ 7,225.00
Chester T. Lackey	8,310.00
Schmeer, Williams & Gentemann	9,425.00
E. H. Itschner	10,320.00
Quinn-Robbins Company	10,470.00
O. C. Yocom	10,800.00
Triangle Construction Company	14,770.00

OLD OREGON TRAIL

KAMELA-LaGRANDE SECTION - CRUSHED ROCK IN STOCK PILES

Rogers Construction Company	\$ 9,720.00
Jones-Scott Company	10,260.00
O. C. Yocom	10,800.00
Hart Construction Company	11,100.00
E. H. Itschner	11,200.00
S. S. Montague	11,645.00
Homer G. Johnson	12,150.00
Saxton, Looney & Risley	15,290.00

THE DALLAS-CALIFORNIA AND WAPINITIA HIGHWAYS
MAUPIN ROCK PRODUCTION PROJECT

Smith & Company	\$19,440.00
Rogers Construction Company	20,132.50
Fisher Bros.	20,250.00
H. L. Rice	21,060.00
A. S. Wallace	21,330.00
O. C. Yocom	21,441.50
Schmeer, Williams & Gentemann	21,978.50

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(Maupin Rock Production Project, continued:)

Joslin & McAllister	\$22,815.00
Parker-Schram Company	23,261.00
Clifford A. Dunn	23,428.00
S. S. Montague	24,038.00
Oregon Contracting Company	24,107.00
E. H. Itschner	24,585.00
Dolan Construction Company	24,706.00
Warren Northwest, Inc.	24,975.00
Joplin & Eldon	25,039.20
E. C. Hall Company	25,415.00
Saxton, Looney & Risley	26,538.30
R. O. Dail & Warren Bros., Inc.	26,865.00
Homer G. Johnson	27,152.00
Leonard & Slate	28,107.50

Chairman Cabell announced that awards would be made at 4:00 o'clock p. m. in the same room.

Messrs. John Laing, Frank Jenkins, Charles Reynolds, and Ed W. Miller, representing the Advisory Committee of the Travel and Information Department, were present. Mr. Laing was spokesman for the group. He reported briefly on the action taken by the Advisory Committee on the report rendered by Mr. Harold B. Say, Director of the Travel and Information Department, covering activities of his department during the past year. He said that the Advisory Committee approved Mr. Say's report unanimously and, as a result of the showing made, adopted a resolution unanimously requesting the Highway Commission to appropriate and make available for the Travel and Information program during 1938 the sum of \$101,160.00, representing the total of a budget which was submitted and approved for distribution as follows: magazine advertising, \$52,700.00; newspaper advertising, \$18,000.00; production, including radio, \$4,000.00; bulletins and maps, \$10,650.00; photography, postage, special advertising, salaries, office costs, et cetera, \$15,810.00. He also said that the recommendation that such sum be appropriated was accompanied by a further recommendation that the amounts for the several items be not considered final and definite but that the Director of the Travel and Information Department be allowed to use his own judgment throughout the year in modifying any of the special allocations. He presented a copy of Mr. Say's report, which, he said, the committee has approved and is submitting to the Highway Commission as a supplement to its oral recommendations.

Mr. Laing also stated that the Advisory Committee adopted, in addition to its recommendation pertaining to the appropriation and manner of expenditure of the same, a second recommendation to the Highway Commission suggesting better camping conditions and general roadside beautification. He presented a copy of the recommendation, which reads in part as follows:

"Oregon State Highway Commission
Salem, Oregon

Gentlemen: Following discussion of the attractions Oregon offers

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to the world the Advisory Committee adopted the following motion made by Judge Robert W. Sawyer and seconded by Ray Conway:

"That it is the opinion of the Advisory Committee that a necessary concomitant of an efficient advertising undertaking is a study of the thing that is advertised for the purpose of bringing about such improvement as may tend to larger sales, and therefore the committee recommends to the Highway Commission the appointment of a committee to make a study of Oregon conditions tending to affect tourist travel, said committee to make recommendations for changes and betterments that will lead to a more efficient meeting of modern tourist advertising competition and tend to enlarge tourist business in the state."

Mr. Reynolds added that the members of the Advisory Committee are well pleased with the way the moneys budgeted to the Travel and Information Department have been spent.

Chairman Cabell thanked the members of the committee for their services and said that the Commission would take under advisement their recommendation for the appointment of a committee to study Oregon conditions tending to affect tourist travel. Motion was made by Commissioner Aldrich that the Commission adopt the budget of \$101,160.00 for the Travel and Information Department as recommended by the Advisory Committee. The motion was duly seconded by Commissioner Tou Velle and was declared by the Chairman to have passed by the unanimous vote of the Commission.

Mr. Reynolds then conferred with the Commission in behalf of the Oregon Trail Association. He asked the Commission for the following improvements on the Old Oregon Trail and Columbia River highways:

(1) Widening and resurfacing of the 6-mile section between Ontario and Payette Spur Junction;

(2) Widening the undercrossing at Durkee and flattening the curves approaching it;

(3) Reconstruct a 7-mile section through the John Troy property 3 miles east of Pleasant Valley;

(4) Complete the widening and resurfacing of the Muddy Creek-Baker Section and construct bituminous macadam surfacing thereon;

(5) Reconstruct the section between North Powder and Union, which is narrow, crooked and unstable;

(6) Reconstruct the section between Arlington and John Day River by straightening and widening;

(7) Reconstruct the section between The Dalles and Portland for the convenience and safety of modern traffic.

Mr. Reynolds was informed by Chairman Cabell that the Commission will give his projects due consideration in the formulation of future highway programs.

A delegation representing the Eugene and Klamath Falls Chambers of Commerce came before the Commission in regard to the Willamette Highway. Included in the delegation were County Judge Fred Fisk of Lane County; H. S. Merriam, Goshen; O. D. Upton and Ernest McCulloch, Springfield; and Charles G. Briggs, Eugene; also Mr. Frank Jenkins, Klamath Falls. Judge Fisk was spokesman for the group. He urged the Commission to complete this highway as soon as possible so as to make it available for through travel at the earliest possible date. He recalled that, in accordance with an agreement entered into heretofore by Lane County and the State Highway Commission, the County intends to pay off its indebtedness for state highway construction about the first of the year. He asked the Commission to spend at least a part of this money for surfacing the newly-graded portion of the Willamette Highway. The Commission took the matter under advisement.

Mr. Briggs, of the Booth-Kelly Lumber Company, asked the Commission to modify its recent order reducing the load limit on the McKenzie Highway between McKenzie Bridge and Springfield so as to permit loads weighing 75 per cent of the maximum specified by law. He said that under the present ruling, which was ordered by the Highway Commission at its meeting on November 17, and which prohibits loads weighing in excess of 50 per cent of the legal limit, log haulers cannot operate, and if this order is not changed to permit heavier loads, it will be necessary for the lumbering and logging operations affected to close down, putting several hundred men out of employment.

Chairman Cabell advised that the Commission found it necessary to order a reduced load on this road in order to keep it from going to pieces under continuous heavy traffic; also, that the cost of maintaining state highways has been increasing, especially on the roads that are being subjected to logging traffic, and the Commission is forced to do something to keep the maintenance costs to a minimum so that funds will be available to match the Federal Aid funds, and it appears that the only way to do that is to order a reduction in loads on certain highways, which was done in the case of the McKenzie Highway and several other highways. The Engineer advised that he did not recommend a reduction in loads on the McKenzie Highway until inspection revealed that to be absolutely necessary in order to preserve the present surfacing. If legal-limit loads were allowed to continue, he added, it would not be long before the road would go to pieces and the state would be put to heavy expense to repair the same.

Mr. Briggs suggested that 75 per cent loads be given a trial and advised that, if the road still showed signs of failure under such loading, they would not object to going back to 50 per cent weight loads. He also agreed to stop log hauling on this road during heavy rains. After further discussion the Commission consented to try out the proposition as suggested by Mr. Briggs and accordingly, by unanimous vote, adopted the following resolution in regard thereto, with the understanding that the trial period would run until about Christmas time, when the 50 per cent reduced load limit will be replaced if inspection by the Engineer reveals that to be necessary:

WHEREAS, on the seventeenth day of November, 1937, at a meeting of the Oregon State Highway Commission, all members being present and participating, the Commission passed and adopted a resolution reducing the maximum load limit on the following state highway:

McKENZIE HIGHWAY from the McKenzie Bridge to the east city limits of Springfield, in Lane County;

and

WHEREAS, the Commission is uncertain at this time as to whether or not existing conditions warrant the imposition and enforcement of the limitations fixed in the said resolution, which order and load limit, if enforced, will, the Commission is advised, necessitate the closing down of log hauling and logging operations to the extent served by said highway, and thereby cause approximately five hundred men to be out of employment; and

WHEREAS, because of said conditions and because of the desire of the Commission to impose only such order and restrictions as the interests of the general public require and as the safety and permanency of the roads demand, it is the judgment of the Commission at this time that said order be modified as a temporary expedient, and, if subsequent conditions disclose that the original order and limit should be reinstated, then the same will be reinstated by subsequent action of this Commission.

NOW, THEREFORE, BE IT RESOLVED that the resolution and order made and entered into by the Commission on the seventeenth day of November, 1937, with respect to the McKenzie Highway, be and the same is hereby modified to read as follows:

The maximum weight of combined load and vehicle which shall be permitted on the McKenzie Highway between McKenzie Bridge and the east city limits of Springfield shall be restricted to the following weights: the combined weight in pounds bearing on the surface of the highway at contact with the tread on the wheels of any one axle of a vehicle or combination of vehicles shall not exceed the product of four hundred fifty (450) multiplied by the sum in inches of the tire width of the wheels of such axle; but, in no event shall the combined weight in pounds bearing on the surface of the highway at contact with the tread of the wheels of any one axle of a vehicle exceed seventy-five (75) percent of the maximum limit set by law for any one axle.

BE IT FURTHER RESOLVED that, except as modified herein, the said resolution and order made and entered into by the Commission on November 17, 1937, shall remain in full force and effect except as heretofore modified or changed by the order of the Commission.

BE IT FURTHER RESOLVED that this resolution and order shall be in full force and effect until changed, modified, or rescinded by the Commission.

A delegation from Roseburg, consisting of Messrs. A. C. Marsters, W. C. Harding, Harris Ellsworth, and Senator C. W. Clark, came before the Commission and renewed their request that the North Umpqua Road be placed on the state secondary highway system. They alleged that this road is one of the most important roads in the county and is the County Court's first choice of a road to be improved in the Federal Aid secondary highway program. They urged the reconstruction of the Roseburg-Rock Creek Section as the first project.

Chairman Cabell advised that the Commission has this project in mind and has not forgotten the wishes of the delegation as heretofore expressed, but is not able to make any commitments or promises at the present time in regard thereto.

Mr. Harding then asked the Commission to remove a rock ledge from the old Pacific Highway near its junction with the new Pacific Highway at the north city limits of Roseburg, which, he said, constitutes a traffic hazard. He estimated that this could be done at a cost of about \$500 and urged the improvement as a safety measure. The Engineer recommended that the request be granted. The Commission approved the recommendation by unanimous vote.

The County Court of Linn County, consisting of County Judge J. J. Barrett and County Commissioners Harry W. Cooley and H. A. Renninger, came before the Commission in regard to the county's indebtedness to the state for construction on the Santiam Highway, amounting to approximately \$59,650.00. The Court gave as its understanding that the Highway Commission took action at one time relieving the county from contributing additional funds to this project when the road was placed on the Federal Aid System in 1932, in which case the county owes the state nothing. Judge Barrett presented a statement of the account as the County Court understood it, which statement the Commission referred to the Engineer to check against the Highway Department's figures, with instructions to render a report thereon at the next meeting. The Commission also ordered that a search be made to ascertain whether or not there is any record of action by the Commission relieving the county from further obligation on this road.

The County Court of Tillamook County, represented by County Judge H. H. Rosenberg and County Commissioners E. H. Lindsey and E. G. Anderson, came before the Commission in regard to the land which, according to previous agreement and understanding, the Weyerhaeuser Timber Company proposes to deed to the state for park and recreational purposes, adjacent to the Willson River Highway. Also present were Mr. Wells Gilbert, representing the Weyerhaeuser Timber Company, and County Judge Donald T. Templeton, of Washington County.

The question arose whether or not the company should deed this property direct to the state or to Tillamook County. Judge Rosenberg stated that the Tillamook County Court is not particular whether title is conveyed to the county or not, but it might be better to handle the matter that way because the county has quite a large park program under way and could improve the area in such program. He advised that the county has three parks laid out along the Wilson River Highway and proposes to improve them as W.P.A. projects, and the park now under discussion would fit in with their plans very nicely. Chairman Cabell gave as his thought that the state should own this property, especially since it lies adjacent to the highway. However, if the Commission could be assured that the county would deed the property over to the state after its W.P.A. work has been accomplished, then he would not object to the county taking title to it in the first instance.

The State Highway Engineer gave as his thought that it would be a good idea for the county to take title to the property at this time in order to facilitate needed cleaning-up work and development, provided the county will agree to deed it to the state later on. After further discussion, it was mutually agreed that the timber company should deed its property to Tillamook County in the first instance, subject to the following understanding:

(1) The county will immediately begin the development of the property for public park and recreational uses and will, with W.P.A. forces, clean up and burn debris and other objectionable materials so far as finances are available;

(2) The county, while it still has title to the property, will not sell or dispose of any part of it except to the state and will not lease any part of it or in any way alienate or encumber the property but will maintain the title free and clear of any encumbrances so that it subsequently may be deeded to the state;

(3) The deed from the company to the county shall contain provision that the property shall forever be maintained for public park or recreational purposes and that if the property or any part of it is abandoned for such use then such abandoned portion shall revert to the grantor;

(4) The county shall, within five years from the date of the conveyance by the company to the county, convey to the State of Oregon, by proper deed, title to the property, and thereafter the state shall maintain the property for public park or recreational uses.

The County Court and Mr. Gilbert expressed their acceptance of these conditions, whereupon the Commission instructed the Attorney to prepare a form of agreement covering the matter, it being understood that the timber company will not deliver its deed to the county until said agreement has been executed.

Judge Rosenberg then brought up for discussion the matter of continuing the W.P.A. work on the Wilson River Highway, particularly the proposition submitted by the counties involved relative to the furnishing of county

equipment for use in connection therewith. He said that if the Commission will approve this project the counties will turn their equipment over to the state with the understanding that it will be returned to the counties, when the work is done, in as good condition as it was when it was placed on the job, subject to reasonable depreciation. The Engineer estimated that it would cost about \$50,000 to put the equipment in good working condition and to keep it in good state of repair. The Commission deferred a decision in this matter pending a check of the budget. The delegation was informed that such check would be made shortly and a decision rendered before the first of the year. Later in the session the Commission instructed the Engineer to have an inspection made of the county equipment to ascertain its condition so that it can be determined whether or not there would be any advantage gained in using the county equipment on this job rather than state equipment.

The Commission adjourned at 1:00 o'clock p. m. and reconvened at 2:00 o'clock p. m. in the same room with all Commissioners, the State Highway Engineer, the Attorney, and the Secretary present.

Mr. E. W. Williamson, Bend, came before the Commission in regard to damages to his property located in Ontario, which, he declared, will be greatly devaluated by the construction of the railroad grade separation project in this town. Mr. Williamson's property consists of a service station at the southeast corner of Oregon Avenue and North First Street in Ontario. He was informed by Chairman Cabell that the Commission has heretofore considered his claim but has not yet arrived at a decision in regard thereto, so no information can be given today. The Attorney was instructed to inspect the property and advise the Commission what, in his estimation, the property is worth today and what it will be worth later on when the grade separation project has been completed, to enable the Commission to determine to what extent Mr. Williamson's property has been damaged, if at all.

A delegation from Hood River County, consisting of County Commissioners J. D. Smullin and R. W. Perry; County Engineer C. M. Hurlburt; E. O. Blanchard, R. S. Hazeltine, E. E. Lage, and A. W. Peters, all of Hood River; Lyle McIsaac and W. C. Smullin, of Parkdale, came before the Commission and asked for the reconstruction of the Hood River Secondary Highway from a point at the top of Severson Hill, about $1\frac{1}{2}$ miles south of Dee, southerly to Parkdale, a distance of 3 or 4 miles. County Commissioner Smullin said that this section is very weak and is practically impassable during the winter season; in fact, for a 3-weeks period last winter it was impossible to use the road. They urged the Commission to reconstruct this section this year, if possible; and, if not possible to do so, to at least put on a sufficient amount of rock so that the road can be kept open for travel throughout the winter. They declared that this project is the most important road project in Hood River County.

County Commissioner Perry urged the following improvements on the Mt. Hood Highway: (1) Eliminate a dangerous curve and widen the grade at a point known as Whiskey Creek Junction; (2) Reconstruct the highway at a point known as Fikes Corner, involving reconstruction of the highway on new alignment to eliminate curves. He said this is an important project because it

involves a connection with a county road on which there is a condemned county bridge, which bridge will either have to be repaired, or replaced by a new structure, and they would like to know as soon as possible just what plans the Highway Commission has for reconstructing the highway because the location of their bridge will depend largely on such plans. Mr. Perry also asked for the installation of road signs at the county road junction in the town of Odell and for the elimination of the curve and the widening of the highway embankment at the county road junction just south of the Parkdale Road.

Chairman Cabell advised that the Commission is not in a position to make any commitments now for the projects mentioned but will be pleased to consider them in the preparation of the program for next year's construction.

Mr. Hurlburt brought up for discussion the matter of maintaining lights on the Hood River Bridge on the Columbia River Highway at Hood River. He said that the wiring for the lights needs to be repaired and asked the Commission to assume such responsibility and to maintain the lamps at state expense. He further stated that if the Commission will do this the city of Hood River will furnish electricity for the lights notwithstanding the fact that the bridge is located outside the city limits. The Commission agreed to this proposition by unanimous vote, it being in conformance with its established policy with regard to such matters. The Attorney was instructed to prepare an appropriate form of agreement covering the matter and to forward it to the Hood River City Council for acceptance.

Mr. Hurlburt also brought up for discussion the matter of placing the Odell-Summit county road on the secondary highway system as a substitute for the Interstate Bridge Secondary Highway No. 280, which was recently eliminated from such system. He was informed that the Commission does not have sufficient funds available to assume this extra burden at this time without sacrificing the improvements on the Hood River Secondary Highway.

A delegation from Harney and Deschutes Counties, consisting of County Judge Nelson B. Higgs, of Harney County; Senator Robert M. Duncan, Burns; A. A. Bardwell, Mayor of Burns; County Commissioner William Baer, of Deschutes County; Don Peoples, Secretary of the Bend Chamber of Commerce; M. H. Kundert, Bend; M. O. Tims, President, Burns Chamber of Commerce; J. J. Donegan, C. R. Bennett, and James Mowrey, Burns, came before the Commission and urged additional improvements on the Central Oregon Highway. Judge Higgs headed the group. He read aloud a letter dated November 29, 1937, directed to the Oregon State Highway Commission, in which the Harney County Court asks the Commission to allocate to the Central Oregon Highway for the year 1938 the sum of \$300,000 or more. Also, in which were given numerous reasons in support of this request. He urged the entire completion of the road, including oiling, by 1939.

Mr. Tims spoke for such improvement from the commercial standpoint, pointing out the large tonnage of produce that has to be trucked over this highway annually. He also said that on account of the condition of the existing road, the freight rate for trucking over the same was increased 10 percent

in 1937. He predicted a large increase in production during 1938 on account of the completion of the Vale and Owyhee irrigation projects and gave as his thought that the people are entitled to better road conditions in order to place this produce on the market. He referred to the hotel service in the town of Burns and advised that their best hotel, which was burned last year, cannot be replaced until the Central Oregon Highway has been constructed to modern standards.

Mr. Tims also spoke for the improvement from the traffic standpoint, alleging that there was a considerable increase of traffic over the Central Oregon Highway during 1937 and predicting a corresponding increase each year hereafter. He urged improvements to this highway also from the standpoint of mail deliveries.

Mr. Donegan endorsed the remarks of the other speakers.

Senator Duncan referred to discussions in the legislature when the matter of appropriations for the Coast Bridge Construction Program was discussed. He said that the objections of the Eastern Oregon people to the bridge program were withdrawn upon assurance that the Central Oregon Highway and the Fremont Highway would be given first consideration after the bridges were completed. He gave as his thought that, if any cut is to be made in the allocation to any of the counties, such cut should be made in the amounts allocated to the coast counties in view of this understanding, and that the central and eastern Oregon counties should not be required to suffer thereby. He said that all that they are asking for is that the Central Oregon Highway be made a dustless road by 1939, it being very important that the producers on the Vale and Owyhee irrigation projects have a dustless outlet for their products.

Mr. Peoples stated that the people of Bend are more interested in seeing the Central Oregon Highway completed than any other highway.

The delegation was informed that their arguments on behalf of the Central Oregon Highway will be given due consideration in the allocation of future funds, but no commitments can be made today.

Mr. Peoples and Commissioner Baer then brought up for discussion matters pertaining to the Deschutes Irrigation project. Mr. Peoples advised that the outlook for the construction of this project in 1939 is now very favorable, the only thing remaining to be done being the appraisal of the surplus lands. He pointed out that this project involves the relocation of The Dalles-California Highway, and urged the Commission to adopt definite plans for the highway improvement, because, in his estimation, the cost of constructing the highway could be kept to a minimum if it were known where the highway is to be located and if the plans for the irrigation district could be made to conform with the plans for the proposed highway. The Engineer concurred in the viewpoint of Mr. Peoples and requested authority to make a location survey for the revision of this highway in Jefferson County south of Madras. The Commission approved the request by unanimous vote.

Mr. Peoples also inquired whether or not there were any funds available for surfacing the Warm Springs Highway between Madras and the Deschutes River, in addition to the funds which the Commission proposes to spend for additional grading work south of the Warm Springs Agency. He was informed that the Commission has no funds for such purpose at the present time.

A delegation representing the City Council of the town of Molalla was present in regard to the paving of the unpaved portions of the Woodburn-Mt. Hood Loop Secondary Highway, which passes through their town, particularly the strips on each side of the paved center portion. Included in the delegation were Dr. E. R. Todd, Mayor, and Fred Damm, City Recorder. Dr. Todd said that they understood the Highway Commission to say, when they asked for such improvement last year, that the work would be done during the 1937 season, so they spent about \$20,000 for a new water main in anticipation of the same, and they would like to know now what the Commission plans to do in regard thereto.

Chairman Cabell advised that the project was included at one time in the Commission's tentative program for this year, but it had to be deferred because of shortage of funds with which to finance it. He added that the Commission still has this project in mind and will do it next year if at all possible, although no definite commitment can be made to the project today.

The County Court of Morrow County, represented by County Judge Bert Johnson and County Commissioners Roy Neill and George N. Peck, was present. Mr. Peck was spokesman for the group, which also included County Engineer H. Tamblin and Mr. Burton. Mr. Peck stated that the County Court would like the Highway Commission to undertake as its first project in 1938, in Morrow County, the reconstruction of the Heppner-Rhea Creek Section of the Wasco-Heppner Secondary State Highway, and the elimination of the curves on the Hardman Hill Section of the Heppner-Spray Secondary Highway. He presented a statement showing amounts that have been expended by Morrow County for primary and secondary highway improvements and advised that the county still has outstanding bonded indebtedness amounting to \$415,000, and has spent a total of more than \$800,000 for primary and secondary highway improvements in addition to the amounts spent for maintenance of county roads.

Mr. Peck also asked the Commission to construct an oil surface on the Oregon-Washington Highway between Heppner and Nye Junction, if possible, but they will be satisfied with oiling from Heppner to Lena if the Commission cannot afford to extend the improvement to Nye Junction. He requested information in regard to the program for Federal Aid Secondary Highways. This was explained by Chairman Cabell, who particularly pointed out that the roads that go to make up the Federal Aid Secondary Highway System must be roads that are not on the Federal Aid Primary Highway System and that approximately half of them must be county roads. Mr. Peck reiterated that their preference project is the improvement of the Heppner-Rhea Creek Section but their first choice for a county road project is the improvement of the road extending south from a place known as Jarmans, on the Lexington-Echo Secondary Highway, at approximately the Morrow-Umatilla County line. He said that no road exists up Big Butter Creek from its junction with Little Butter Creek, but the county has

it in mind to construct a road into that district and they are particularly anxious for the state to improve the present road from Jarmans to Pine City, a distance of about 3 miles, where these two streams converge. He was informed that the Commission would bear this project in mind in the formulation of the Federal Aid Secondary Highway program.

The question of snow removal operations was then brought up for discussion. Judge Johnson said that the County Court is not particularly interested in snow removal operations over Franklin Hill on the Oregon-Washington Highway east of Vinson but would like very much to have the Commission concentrate such activities on the Wasco-Heppner Secondary Highway in the vicinity of Eightmile, which would provide an outlet for the people in this district to Heppner during the winter season. The Engineer was instructed by the Commission to bear this in mind in the program for snow removal in Morrow County.

A delegation from Vernonia, composed of Lester Sheeley, J. W. Nichols, Fred Zeiner, and Wm. L. Moore, conferred with the Commission. Mr. Sheeley was spokesman. They asked the Commission to improve the road between Banks and Buxton, a distance of 5 miles, which, they declared, is now in deplorable condition, being narrow, crooked, and very rough. They gave as their understanding that about 3 miles of this road is on the Wolf Creek Highway location and asked particularly that this section be constructed to proper standards in 1938.

Chairman Cabell advised that the Commission is aware of the condition of this section but wants to complete the section between Elsie and Sunset Camp before it starts the improvement further east, and the Commission cannot say definitely at this time whether or not it will have any money for expenditure on the 3-mile section under discussion during 1938, but will bear the project in mind and will do the best it can.

Mr. Nichols asked for improvements along the Nehalem Secondary Highway just east of Vernonia. He said that a very dangerous condition exists on this section between the office of the Oregon-American Lumber Corporation, which is about $\frac{3}{8}$ of a mile east of the city limits of Vernonia, and the Washington Grade School, which is within the city limits, the highway at this place being on a steep grade and containing a rather sharp curve, which makes it hazardous for school children and other pedestrians. He said the hazard is increased by reason of the fact that the sidewalk is very close to the highway at this point and suggested painting a stripe along the south edge of the highway next to the footpath so that motorists could at all times plainly distinguish the edge of the highway from the footpath; also, that lights be installed to enable motorists and pedestrians to see clearly in foggy weather. He suggested also that safety signs be installed along the south side of the sidewalk near the lumber company's property. Mr. Nichols read aloud a letter signed by the American Legion Commander, the Secretary of the Vernonia Chamber of Commerce, Director of their school district, and the Vice President of the Oregon-American Lumber Corporation, in support of his request.

The Engineer advised that the section referred to is about $\frac{1}{4}$ mile in length, half of which is within the city limits of Vernonia and half outside.

He further advised that it has been the long-established policy of the Highway Commission to refuse to construct and maintain footpaths within incorporated cities and he suggested that the situation might be satisfactorily disposed of by installing sight posts along that portion of the footpath outside the city limits and by installing additional safety signs, and he so recommended, as a trial proposition. The Commission approved the recommendation by unanimous vote.

A delegation from Clatsop County, consisting of the members of the County Court, County Judge Guy Boyington and Commissioners James Elliott and Wm. Larson, and City Manager James O. Conville of Astoria, was present. They inquired when the Commission contemplates adopting the permanent route for the Oregon Coast Highway in Astoria along Astor Street, which matter was the subject of a hearing in Astoria on September 15, at which time the Engineer reported three alternate routes for the proposed connection between Bond Street and Astor Street. They expressed a preference for the most westerly or southerly of these alternates. They were informed that the Commission is now having appraisals made of the property involved and expects to make its decision in the near future.

Judge Boyington brought up for discussion the matter of acquiring right of way for the Oregon Coast Highway across the property of a Dr. Foster just south of Arch Cape Tunnel. He said that when the county acquired right of way for this section, the giving of legal notice to Dr. Foster was overlooked and Dr. Foster now alleges trespass and is demanding payment of \$1500 for three acres of his land that have been taken. He said that Dr. Foster's contention is correct and that the County Court will pay him the \$1500 that he demands if the Commission will approve the same and will give the county credit for such expenditure in the amount that the county owes the state for road construction. The Commission by unanimous vote approved settlement with Dr. Foster on such basis.

Judge Boyington asked the Commission to consider placing on the state highway system the county road which extends from the Oregon Coast Highway, near Warrenton, to Fort Stephens. He said the road is paved and, in his estimation, should be under the control and jurisdiction of the state inasmuch as it leads to a governmental area. The Commission took the matter under advisement.

County Commissioner Elliott asked the Commission to oil the Nehalem Highway between Jewell and Mist. He said the county has a rock quarry adjacent to this section, which the state might use for this project if it so desired. He was informed that the Commission is considering this project for the 1938 program.

A delegation from Marion County, consisting of Harry Crain; County Engineer Nathan C. Hubbs; W. W. Chadwick, President, and C. E. Wilson, Manager, Salem Chamber of Commerce, came before the Commission in regard to the North Santiam Highway. Mr. Crain headed the group, which, he advised, is appearing on behalf of the Marion County Court. They asked the Commission to consider in its deliberations on the following day for the programming of

Forest Highway Funds, an allocation of such funds for the construction of the 4-mile section of this road between Gates and Niagara, where the location will not be affected by the proposed dam in the North Santiam River. They also asked for the surfacing and oiling of the section between Detroit and the junction with the South Santiam Highway, which has already been graded to state standards. The committee particularly requested that the amounts allocated for the North Santiam Highway and the South Santiam Highway be made on an equal basis as in previous years.

Chairman Cabell admitted that the State Highway Commission in previous years has allocated approximately equal amounts to these two highways but now the South Santiam Highway is approaching completion and the point where past investments can be realized; so, if the Commission should concentrate on the South Santiam Highway in programming the next Forest Highway Funds, there is a possibility that this highway can be completed and opened for traffic in 1939; but that cannot be done if available funds are divided between the two highways as in the past.

Mr. Crain pointed out that the North Santiam Highway, east of Detroit, is now graded to state standards and is carrying a large amount of summer traffic. He urged the Commission to do something to preserve this grade by placing surfacing thereon. Otherwise, he said, the road would soon become impassable. After further discussion, during which Chairman Cabell pointed out the uncertainty of federal funds, which might preclude the Commission from undertaking a considerable amount of work that is now contemplated, the delegation was informed that the Commission would give the North Santiam project due consideration in the formulation of the Forest Highway Program.

At 4:00 o'clock p. m. Chairman Cabell announced the following awards of contracts for which bids were taken at the morning session, the awards having been previously approved by the Commission by unanimous vote:

"Smith Point-Young's Bay Bridge Section of the Oregon Coast Highway, in Clatsop County. 0.77 mile grading and paving. The low bid received for this project was that of the Mountain States Construction Company, Eugene, at \$48,975.00. The next low bid was that of the Oregon Contracting Company, Portland, at \$44,961.50. There were seven higher bidders. The Commission has deferred the award of this contract and has referred the bids received therefor to the Engineer with power to award when certain conditions have been satisfied.

"Heppner Junction Rock Production Project on the Columbia River and Oregon-Washington Highways, in Gilliam and Morrow Counties. Furnish 6,000 cu. yds. crushed rock in stock piles. The low bidder on this job was R. O. Dail and Warren Bros., Inc., Portland, at \$8,600.00. The next low bidder was Smith & Company, Goldendale, Washington, at \$8,730.00. There were 15 higher bidders. The Commission has awarded this contract to the low bidder, R. O. Dail & Warren Bros., Inc., at their low bid of \$8,600.00.

John Day-Oliver Ranch Section of the John Day Highway, in Grant County. 4.48 miles grading and gravel topping. McNutt Bros., Eugene, submitted the low bid for this project with their bid of \$63,446.00. M. L. O'Neil & Son, Eugene, submitted the next low bid at \$64,075.10. There were 25 higher bidders on this job. The Commission awards this contract to the low bidder, McNutt Bros., at their bid of \$63,446.00.

"Kimberly Bridge Section of the John Day Highway, in Grant County. 0.57 mile grading and surfacing and 387 feet timber, steel and concrete bridge. The low bid received was that of Leonard & Slate, Multnomah, at \$54,535.00. The next low bid was that of Tom Lillebo, Reedsport, at \$54,998.00. There are five higher bidders. The Commission has awarded this contract to Leonard & Slate at their low bid of \$54,535.00.

"Poison Creek Section of the John Day-Burns Highway, in Harney County. 7.09 miles resurfacing; also furnish 2,500 cu. yds. crushed rock in stock piles. Babler Bros., Portland, were the low bidders with their bid of \$12,850.00. The next low bidder was E. H. Itschner, Molalla, at \$14,550.00. There were five higher bidders. The Commission awards this contract to the low bidders, Babler Bros., at their bid of \$12,850.00.

"Sardine Creek Bridge Section of the Pacific Highway, in Jackson County. 130 lineal feet concrete viaduct; 302 lineal feet highway roadbed, and 550 lineal feet temporary roadway. The low bid received for this project was that of the Mountain States Construction Company, Eugene, at \$14,328.00. The next low bid was that of Tom Lillebo, Reedsport, at \$16,651.00. There were two higher bidders. The Commission awards this contract to the low bidder, Mountain States Construction Company, at their bid of \$14,328.00.

"Harris Creek-Chalk Cliff Section of the Fremont Highway, in Lake County. 13.73 miles grading, surfacing, and ciling. The low bidder on this job was E. L. Rigdon, Barlow, with his bid of \$91,719.70. The next low bid was submitted by McNutt Bros., Eugene, at their bid price of \$98,890.00. There are ten higher bidders. The award of this contract is made to E. L. Rigdon at his low bid of \$91,719.70.

"Bellmap Springs-McKenzie Summit Section of the McKenzie Highway, in Lane County. Furnish 7,000 cu. yds. crushed rock in stock pile. A. S. Wallace, Roseburg, submitted the low bid for this project at \$12,880.00. Rogers Construction Company, Dayton, Washington, submitted the next low bid at \$13,860.00. There were three higher bidders. The Commission has awarded this contract to A. S. Wallace, the low bidder, at his bid of \$12,880.00.

"Snake River Slides-Ontario Section of the Old Oregon Trail, in Malheur County. Furnish 5,500 cu. yds. crushed gravel in stock piles.

Rogers Construction Company, Dayton, Washington, submitted the low bid for this job at \$7,225.00. Chester T. Lackey, Ontario, submitted the second low bid at \$8,510.00. There were five higher bidders. The Commission has awarded this contract to the low bidder, Rogers Construction Company, at their bid of \$7,225.00.

"Kamela-LaGrande Section of the Old Oregon Trail, in Union County. Furnish 6,000 cu. yds. crushed rock in stock piles. Rogers Construction Company, Dayton, Washington, submitted the low bid for this job with their bid of \$9,720.00. Jones-Scott Company, Walla Walla, Washington, submitted the next low bid at \$10,260.00. There were six higher bidders. The Commission awards this contract to the Rogers Construction Company, the low bidders, at their bid of \$9,720.00.

"Maupin Rock Production Project on The Dalles-California and Wapinitia Highways, in Wasco County. Furnish 15,500 cu. yds. crushed rock in stock piles. The low bid received for this project was that of Smith & Company, Goldendale, Washington, at \$19,440.00. The next low bid was that of Rogers Construction Company, Dayton, Washington, at \$20,152.50. There are nineteen higher bidders. This contract is awarded by the Commission to Smith & Company at their low bid of \$19,440.00."

A delegation from Otter Rock, consisting of J. L. Groff and B. C. Shaver, was present. They said that they are contemplating the construction of a water pipe line to serve the people in Otter Rock, but do not have sufficient funds to finance the same unless the State Highway Commission will permit them to connect their pipe line to the state's pipe line serving the Devil's Punch Bowl State Park, and they asked the Commission for such privilege.

Chairman Cabell pointed out that it is strictly contrary to the Commission's policy to allow private parties to use the state's facilities; furthermore, it would establish an undesirable precedent which would be difficult to avoid in passing on similar requests in the future; so, unless the State Parks Superintendent, who has supervision over the Devil's Punch Bowl State Park, recommends the granting of their request, the Commission will have to deny it. The delegation was referred to the State Parks Superintendent for further information.

A delegation from Oregon City, consisting of Mayor L. O. Harding; City Commissioners W. G. H. Krueger and G. F. Everhart; City Attorney Alden E. Miller; City Manager J. L. Franzen; and Jack Latourette, came before the Commission in regard to widening of Fifth Street (state highway route), between Main Street and Water Street, so as to provide space for four traffic lanes and for the parking of cars. The State Highway Engineer advised that Fifth Street is now wide enough for four lanes of traffic but it is not wide enough to permit the parking of automobiles in addition thereto. He said further that it would cost about \$15,000 to acquire sufficient additional right of way

to accommodate parked automobiles, which the Commission has considered too much to pay, especially since there would be space enough to permit the parking of only four automobiles on the north side of the street, and accordingly has ordered the pavement to be constructed within the present street limits and has asked the city to pass an ordinance prohibiting the parking of automobiles along this section.

Chairman Cabell advised that the Commission does not feel justified in spending so much money to provide parking space for only four cars when the same results could be obtained by prohibiting the parking of cars at this location. It was his thought that, if the city wants to provide such parking space, it should buy the property for the same at city expense. Mayor Harding stated that the City Council has considered this matter and is of the belief that it does not have legal authority to prohibit property owners from parking in front of their premises and they would have grounds for suit against the city if such privilege were taken away from them. He pointed out that the postoffice is located on the south side of the street and that the people who use the postoffice must have a place to park their cars for short periods of time. He also said that the City Council feels that it cannot accede to the wishes of the Highway Commission in this matter.

Commissioner Everhart inquired if the state would assume the payment of damages in the event a law suit was instituted against the city, if the City Council should adopt an ordinance prohibiting parking at this location. He was informed by Chairman Cabell that the Commission is not ready to answer that inquiry today but will take it under advisement. The State Highway Engineer pointed out that there is only one property owner involved in this matter and that the Commission has ordered that further construction on this unit of highway be deferred pending a satisfactory settlement of all right of way matters involved, including the one under discussion.

A delegation representing the Lower Columbia Highway Association came before the Commission and asked for additional improvements along the Lower Columbia River Highway between Scappoose and Astoria. The delegation consisted of the following: Tom Cunning, Secretary, and J. C. Perry, President; C. R. Evenson, Vice President; W. E. Proctor, representing the Rainier Commercial Club; Mr. Engle, representing the Central Labor Council, Rainier; L. C. Hall, representing the St. Helens Chamber of Commerce; J. J. Kocarnick, representing the South Scappoose District; E. F. Doyle, representing the St. Johns Businessmen's Club, Portland; George Rhodes, Scappoose; and the following from Clatskanie: H. B. Hager, E. L. Larson, Chas. H. Miller, and Aldon Bailey.

They were informed by Chairman Cabell that the Commission appreciates the need for improving the Lower Columbia River Highway but believes it inadvisable to proceed with the costly construction that would be necessary until the Wolf Creek Highway has been completed and it is known how much of the Lower Columbia River Highway traffic is going to be diverted to the other route. The Commission has it in mind, he said, to continue the present improvements as far as St. Helens, as funds become available, because traffic conditions are considerably different between Portland and St. Helens from

what they are between St. Helens and Astoria, but it does not believe that it is justified in continuing the improvements beyond that point until the Wolf Creek Highway is opened for travel. In reply to an inquiry as to how long it would take the Commission to arrive at a decision in this regard. Chairman Cabell said that he did not think the Commission would spend any substantial sum of money for reconstruction between Rainier and Astoria within the next couple of years. This concluded the conference.

The Commission adjourned at 5:30 o'clock p. m., to reconvene at 9:00 o'clock a. m. on the following day in the Benson Hotel.

Portland, Oregon, December 1, 1937.

The State Highway Commission reconvened at 9:00 o'clock a. m. in Room 204, Benson Hotel, with all Commissioners, the State Highway Engineer, the Attorney, and the Secretary present.

County Judge W. R. Cook and County Commissioners F. E. Stangland and T. A. Power, of Jefferson County, came before the Commission in regard to the Warm Springs Highway. They asked the Commission to spend its money for additional grading work on this road south of Warm Springs Agency rather than to surface the sections already graded to state standards, and they particularly requested the Commission to approve an allocation of Forest Highway Funds for the construction of the northerly end of this road beginning at Bear Springs on the Wapinitia Highway and extending southerly therefrom as far as funds will permit. They were informed that their request would be given consideration in the allocation of funds, but no definite promises or commitments could be made at this time.

Mr. Don Peoples, Secretary, Bend Chamber of Commerce; Mr. Allan Wilcoxon, owner of a resort at Elk Lake; and County Commissioner William Baer of Deschutes County, came before the Commission in regard to the Cascade Lakes Forest Highway. They asked particularly for an allocation of Forest Highway Funds for construction work on the northern end of this highway, beginning at the Deschutes National Forest Boundary at about the end of the state secondary highway known as Century Drive, and extending westerly to the resort at Elk Lake. They said that the survey for this road was made in 1934 by the Bureau of Public Roads so that construction could proceed without delay on that account. They urged this project on behalf of recreationists who visit the area, of whom, they said, more than 16,000 were counted during the past twelve months, in spite of the existing narrow, dusty, crooked road.

Chairman Cabell pointed out that there are only limited funds available for forest highway construction and the Commission is particularly desirous of putting as much of this money on the South Santiam Highway as is possible in order to open up this road and make it possible to realize a benefit from the investments heretofore made, and that the Commission prefers to complete going projects before it takes on new ones. This has been the policy of the Commissions in the past, he added, and the present Commission feels that it should be continued. He also pointed out that there is a possibility

of the South Santiam Highway being opened up for travel throughout its entire length within the next two years if Forest Highway Funds are concentrated on this road. He asked the delegation which project it would prefer on the Santiam Highway, the completion of the grading work which would open the highway, at least for summer travel, or the surfacing of the graded sections of this road. Mr. Peoples stated a preference for the grading work. He filed a brief with the Commission in support of the oral arguments presented on behalf of the Cascade Lakes Forest Highway improvement.

The Commission conferred with the following government officials with regard to the programming of the fiscal year 1939 Forest Highway Funds, Oregon's share of which will amount to \$1,254,044, if the present Congress does not reduce the amount of the appropriation therefor, as recommended by President Roosevelt: W. H. Lynch, District Engineer; F. E. Andrews, Senior Highway Engineer; Hal D. Farmer, Senior Highway Engineer; and Tom M. Davis, Highway Engineer, all representing the United States Bureau of Public Roads; James Frankland, Regional Engineer, and F. H. Brundage, Associate Regional Forester, representing the United States Forest Service.

After full discussion, the following program for such funds was mutually agreed upon, subject to alteration in the event Congress reduces the amount of the appropriations:

FUNDS AVAILABLE FOR FISCAL YEAR 1939 PROGRAM

Fiscal Year Authorization, 1939	\$1,254,044
Deduct:	
Admin. & Equipment - 10% (approx.)	<u>125,044</u>
Available for Program - - -	\$1,129,000

TENTATIVE PROGRAM ADOPTED ON OCTOBER 23, 1936, FOR FISCAL YEAR 1939, WITH REVISED ESTIMATES

Route	Project	Length	Original Revised		Remarks
			Estimate	Estimate	
16	Tiller-Trail	6.0	\$ 40,000	\$ 85,000	Surfacing and Oiling
21	Willamette	.8	180,000	150,000	Grading (Tunnel financed separately)
23	Santiam	2.0	100,000	175,000	Grading
24	North Santiam	2.0	100,000	100,000	Surfacing and Oiling
28	Columbia River Highway	1.0	150,000	—	Programmed from old funds
30	Klamath Falls-Lakeview	5.0	100,000	100,000	Grading, Surfacing & Bridge
31	Fremont (10.0)	9.0	100,000	120,000	Grad., Surf., & Bit. Surf.
33	Pendleton-John Day	7.1	35,000	—	Oiled under surf. contract.
34	Pendleton-John Day	7.0	75,000	75,000	Reconstr., Grad., & Surf.
35	John Day-Burns	1.6	100,000	125,000	Reconstr. Grad.
46	Cascade Lakes	4.0	35,000	55,000	Surf. & Bit. Treatment

(Continued on next page)

(Tentative Program for Fiscal Year 1939 Forest Highway Funds, continued:)

Route	Project	Length	Original Revised		Remarks
			Estimate	Estimate	
*29	Fremont (oiling)	16.0		55,000	Road-mix oiling
58	Flora-Enterprise	1.0		100,000	Grading
	Location Surveys		25,000	25,000	
	Maintenance		50,000	40,000	

*This project is to be financed with state funds if it cannot be financed with accumulated savings of Forest Highway Funds.

It was decided that, if Congress should reduce the appropriation, then another conference of the above officials is to be held to arrange a program for the reduced amount.

The Engineer requested authority to acquire certain parcels of real property that are needed for various highway improvements throughout the state. He submitted a list of such properties, together with prices that he recommended be paid for each. After careful consideration, the Commission approved the request and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth, and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission; outlining the bases of settlement which have been agreed upon, and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed;

NOW, THEREFORE, BE IT RESOLVED that the several offers or bases of settlement hereinafter enumerated be, and the same hereby are approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is, instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>North Fork of John Day River Section - John Day Highway</u>				
5279-Wingfield, D. M.	R/W	4.07	\$10 per a. plus \$99.60	Wells
5280-McKenna, Chas. A.	"	1.24	Land Gratis plus \$35	"
5277-McKenna, Chas. A.	Gravel Pit	2.82	\$25 per a. plus necessary fencing	"
<u>Bertha-Washington County Line Section - Bertha-Beaverton Highway</u>				
5300-Dimbat, Otto	R/W	399 sq.ft.	Lump Sum \$20	Collins
<u>Astoria-Seaside Section - Oregon Coast Highway</u>				
5379-Carnahan, Nell G. (Trustee)	R/W	1.36	Land Gratis plus \$176	Collins
<u>Sunset Camp-Sunset Tunnel Section - Wolf Creek Highway</u>				
5222-Wilkins, John	R/W	10.41	\$30 per a.	Collins
5221-Worthington, Ernest F.	"	0.22	Land \$6, plus \$14	"
<u>Albany Overcrossing Section - Pacific Highway East</u>				
5132-Childs, Chas. and Eagles, Wm.	R/W	1989 sq.ft.	5¢ per sq.ft. plus \$507.24	Gardiner
<u>Harris Creek-Chalk Cliff Section - Fremont Highway</u>				
5250-Lake County Loan and Savings Bank	R/W	0.58	\$20 per a. plus \$504	McChesney
5257- " " " "	"	1.28	\$100 per a. plus \$275	"
5251-Nelson, Ed R.	"	0.78	\$100 per a. plus \$79.50	"
5274- " " " "	Gravel Pit and Haul- ing road easement	8.54	\$100 per a.	"
	Easement	0.97	\$50 per a. plus \$442	
5276-Foster, John A.	R/W	8.72	4.72 a. at \$50 4.0 a. at \$10 plus \$1815	"
5252-Campbell, Chas. E.	"	2.51	1.51 at \$50 1.0 at \$10 plus \$495	"
5392-Summer Lake Grange	"	0.70	Lump Sum \$100 + \$112.50	"
5273-Pollock, J. S. (Correction)	"	6.59	5.0 a. at \$100 1.59 a. at \$10, plus \$295 plus fencing \$877.50	"
5253-Brattain, E. M., Estate	"	5.68	\$50 per a. plus fencing \$1827.50	"
<u>Muddy Creek-Lakeview Section - Klamath Falls-Lakeview Highway</u>				
4153-Stuhr, John	R/W	1.55	\$20 per a. plus \$12	McChesney
<u>Marshfield Section - Oregon Coast Highway</u>				
5090-Hirshman, John	R/W	85 sq.ft.	35¢ per sq.ft.	Benson
5112-Thomas, H. P.	"	10,300 sq.ft.	\$2250 Lump Sum	"
5089-LaChappelle, Nettie M.	"	29 sq.ft.	35¢ per sq.ft.	"
5082-Wall, James H.	"	147 sq.ft.	35¢ per sq.ft.	"
<u>Wilson Ranch-Scottsburg Section - Umpqua Highway</u>				
4646-State Board of Forestry	Stock Pile	6.14	\$5 per a.	Benson
	R/W			

Section, Hwy., & Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Siletz River-Newport Section - Oregon Coast Highway</u>				
4374-Rhoten, George and Fred Williams	R/W	13,385 sq.ft.	5¢ per sq.ft.	McCallister
4390-Campbell, George B.	"	0.44	To be exchanged for 0.9 a. acquired from Atlantic Western Co.	"
4389-Smith, Myrtle	"	0.12	Exchange for old rail- road R/W for property taken	"
4059-Schroeder, Edward	"	1080 sq.ft.	2¢ per sq.ft. plus mov- ing fence \$3.40	"
<u>Shelton Ranch-Flora Junction Section - Lewiston-Enterprise Highway</u>				
3782-Oregon Mortgage Com- pany of Spokane	R/W		Construction of fence, \$47.25	DeSouza
<u>Columbia County Line-Scappoose Section - Columbia River Highway</u>				
3317-Johnson & Hall (A.F.Tice)	R/W		Compromise Settlement for moving building, \$57.50	DeSouza
<u>Reed Creek-Bear Creek Section - Siletz Highway</u>				
5040-U.S.A. (Siletz Indian Reservation)	R/W and Quarry	4.4	\$62.82 per a. plus \$155	McCallister
<u>John Day-Prairie City Section - John Day Highway</u>				
4921-Oliver, Herman & Frank (Correction)	R/W and Gravel Pit	5.98	\$500 per a. plus \$167.25	Wells
<u>Dead Horse Creek Section - Tiller-Trail Highway</u>				
4683-Dwinnell, Stanley W.	R/W and Easement	2.02	Lump Sum \$100	DeSouza
<u>Kinzua Junction-Butte Creek Ranch Section - John Day Highway</u>				
5309-Butte Creek Land, Live- stock & Lumber Co.	R/W	7.87	2.25 a. at \$75 5.62 a. at \$2, plus fencing \$321.65 plus \$15	Wells
<u>Weiser Bridge-Ontario Section - Old Oregon Trail Highway</u>				
5237-Leedy, M. F.	Stock Pile	1.0	\$75 per a.	Wells
<u>West Portland-Cook Overcrossing - West Portland-Hubbard Highway</u>				
5046-Dervoe, Wm.	R/W	13,018 sq.ft.	2¢ per sq.ft. plus \$750 (freeway clause)	Parker
<u>Island Section - Columbia River Highway</u>				
1834-Dabney, Martha A.	R/W and Park	27	\$15 per a. plus \$5	Parker

The matter of acquisition of right of way for a revision of the Oregon Coast Highway across the Knapp property at Port Orford had the attention of the Commission. It appears that Mrs. Knapp is an elderly lady and that she is willing to deed to the state the needed right of way across her property, free of cost; also, that the suggestion has been made to the Commission that her offer be accepted as soon as possible. The Commission instructed the Attorney to contact Mrs. Knapp and secure a deed to this property, if possible.

There was presented to the Commission a letter from the Foster & Kleiser Company, Portland, requesting the privilege of leasing from the state a portion of lots 5 and 6 of Block F, Kerns Addition to Portland, at the northeast corner of the intersection of Grand Avenue and Clinton Streets, on which to erect and maintain an advertising sign. They agreed to pay \$80.00 per year for such privilege. The Commission denied the request by unanimous vote.

The Attorney reported receipt of a letter from Claude C. Inman of Tucson, Arizona, in reply to the Attorney's inquiry as to how much he wants for his property at Port Orford, in which Mr. Inman states that he wants \$5,000 for all of his land but will sell the portion that the state may need for right of way for the proposed revision of the Oregon Coast Highway at this point at the rate of \$100 per acre. The Commission considered the price exorbitant and instructed the Attorney to advise Mr. Inman that the Commission feels that it cannot afford to buy this right of way at the present time in view of the fact that the reconstruction of this section of the highway is not contemplated for the near future.

The Commission had under consideration the matter of acquiring right of way for the East Portland-Oregon City Highway across property owned by the Security Investment Company at Oregon City. The Attorney advised that the company is asking \$72,500 for its property, which amount he considers exorbitant, it being far greater than the value placed thereon by four different appraisers, viz.: B. H. Stewart, \$13,950; A. C. Howland, \$15,160; Harvey Starkweather, \$18,750; and C. W. Parker, Highway Department Right of Way Agent, \$17,470. He pointed out that there is a question whether or not the Security Investment Company owns certain areas that are included in the limits of certain streets that end at the river front. He requested instructions as to how much he should offer them for this property, and the Commission instructed him to go as high as \$20,000 to settle without condemnation; but, if condemnation had to be resorted to, then to restrict the state's offer to \$17,500. Before any money is paid for the property described as street ends, the Attorney was instructed to have a court determine title to the property. The Engineer was instructed to defer advertising the Oregon City project for bids until this right of way matter has been satisfactorily disposed of by either purchase or condemnation.

A letter was presented from H. K. and Stella Noles, Tigard, Oregon, in regard to right of way which the state will need across their property for the West Portland-Hubbard Highway, inquiring as to the status of this project so that they will know how to govern their actions in connection with their chicken business which they operate on the premises. The Attorney advised that the new highway will take practically all of the Noles property, which

he values at approximately \$10,000. The Engineer advised that this particular piece of property is beyond the limits of the section proposed for early construction and will not soon be needed for the new highway. The Commission thereupon decided not to purchase this property at the present time.

The Secretary presented a letter from the West Extension Irrigation District, Irrigon, Oregon, in which the Commission was requested to reconstruct their pipe line across the Columbia River Highway near Irrigon, in accordance with the provisions of Sec. 44-3103, Oregon Code 1930. The Commission deferred action on this matter pending the opinion of the Attorney with regard to the responsibility imposed upon the Commission by such law.

For similar reasons the Commission also deferred action on the request of a Mr. Kingsbury for the reconstruction of his privately-owned pipe line on the Medical Springs Secondary Highway in Union County, about 6 miles east of the town of Union. Mr. Kingsbury has asked the Commission to reconstruct this pipe line or to pay him \$500 cash in lieu thereof.

The Engineer presented several alternate plans for the proposed traffic grade separation structure on the Pacific Highway at the intersection of Denver and Union Avenues, Portland. The Commission, after careful study, tentatively adopted one of these plans and instructed the Attorney to proceed with the taking of options for the right of way that is needed for the same. In the discussion of this matter it was brought out that the Peninsula Public Golf Course proposes to construct a new clubhouse at this location and wants to be certain that the house is located so that it will not interfere with the highway improvement. Furthermore, the proposed highway improvement will require the rearrangement of a portion of the golf course. The Engineer pointed out that the traffic separation structure is not proposed for immediate construction and that the golf club facilities will not necessarily have to be rearranged at this time. He suggested that an agreement be entered into between the Commission and the golf club officials allowing them the use of the highway right of way until such time as the state needs the property, which would eliminate the necessity for the state to pay out any exorbitant sum for the rearrangement of such golf club facilities at the present time. The Commission indicated a favorable attitude toward the Engineer's suggestion but deferred action thereon pending the Attorney's report on the options.

The Commission adjourned at 12:00 o'clock noon and reconvened at 1:30 o'clock p. m. in the same room with all members present and participating. Also present were the State Highway Engineer, the Attorney, and the Secretary.

A delegation from Portland, representing the Metropolitan Association, Inc., appeared before the Commission in regard to the construction of highway arterials in Portland to relieve traffic congestion in the west side business district. The delegation was headed by the Hon. William F. Woodward, President, and consisted of about thirty members, among whom were the following: U. L. Upson, Executive Secretary; City Commissioner Ormond R. Bean; Henry A. Sargent; Dean Walker; Jack Bardee; J. H. Edwards; W. F. Pihl; George Lawrence; David Simpson; Packer Scott; Wilson Clark; Eric Stanford; Milton Marrowitz; Joseph Shemanski; Stephen Hull; and Messrs. Boyce, Friendly, Pearson,

Wade, Rickenback, Andrews, Dean, Davis, Sherrill, Steed, Beatty, and P. L. Jackson.

Mr. Simpson, representing the Building Owners and Managers, said that the Westside District of Portland represents the greatest amount of taxable wealth in the State of Oregon, yet they are not particular how the traffic problem is solved but are agreeable to leaving it in the hands of the State Highway Commission for study because they know that the Commission will give the westside property owners fair consideration.

Mr. Dean, representing the Portland Realty Board and the close-in residential property interests, not including the business property interests, pointed out that the Westside District is now building up rapidly and expanding, and the traffic problem must be taken care of. He also said that they are not particular how this matter is solved but will be satisfied with the most practical solution which will relieve traffic congestion. Mr. Rickenback, representing the Multnomah Civic Club, endorsed the remarks of the other speakers.

City Commissioner Bean stated that the Portland City Council is extremely anxious that something be done to relieve the traffic congestion in the Westside District; in fact, it is a vital matter and this district must be served with through arteries in order to relieve the present congestion. Mr. Bardee endorsed the remarks of the other speakers and added that he has a large investment in properties in the Westside District, which is of little value at the present time, but, in his estimation, the value will increase if the traffic congestion is relieved. He gave as his thought that anything that is done to help the Westside District will also help the Eastside District. He stated his willingness to leave the matter up to the State Highway Commission to solve as it considers best.

Mr. Lawrence, representing the George Lawrence Company, spoke on behalf of business interests. He said that his firm has been in business in its present location for eighty years and is of the opinion that the Westside District has not been given fair consideration in the matter of arterial highway improvements.

Mr. Shemanski endorsed the remarks of Mr. Simpson. Mr. Scott, representing the Packer Scott Company, alleged that traffic congestion in the Westside District is far worse now than it was before Barbur Boulevard was constructed. He said that something must be done immediately to remedy this situation while right of way can be obtained at reasonable cost. He also said that business men cannot proceed with the development of their properties until the highway situation has been disposed of. Mr. Pearson spoke for the improvement on behalf of westside property owners.

Mr. Stanford, representing Olds, Wortman & King, said that Portland's Westside District must have main arteries of travel to relieve congestion, and that Olds, Wortman & King have faith in the State Highway Commission to see that the problem is taken care of satisfactorily. Mr. Edwards stated that, from his observation, traffic congestion in Portland's westside

business district is worse than in any other city that he has ever visited, and under present conditions the city is practically upside down, and that something must be done soon to relieve the congestion and to provide an arterial route for through traffic.

Mr. Boice, representing the Portland Hotel, endorsed the remarks of Mr. Simpson. Mr. Sargent, representing the Simmonds Saw Company, spoke about traffic conditions on First Avenue. He suggested the diversion of traffic from that street so as to relieve congestion along the river front. Mr. Walker, of the Behnke-Walker Business College, alleged that there is practically no traffic congestion in Portland's eastside business district but that traffic on the west side of the river is steadily increasing. He gave as his thought that the westside interests are entitled to relief because they represent the state's heaviest taxpayers. He also mentioned that when the original state highway law was enacted it was intended that the highway revenues should be spent for the construction of state highways outside of Multnomah County and declared that times have changed since then and, in his estimation, Multnomah County and the city of Portland are entitled now to a much greater share of the revenues than they received in the past.

Mr. Markowitz, representing Bushong and Company, spoke for the improvement from the standpoint of safety. Mr. Davis declared that Portland's Westside District has been neglected and something must be done immediately to improve existing conditions. He also declared that it is far more important to build city streets than it is to build roads in outlying districts.

Mr. Sherrill, of Sherrill Company, jobbers; Mr. Steed; Stephen Hull, representing insurance companies; Wilson Clark; Mr. Pihl, representing transfer company interests; Mr. Beatty, representing property owners at Eleventh and Washington Streets; and Mr. Friendly, representing apartment house owners, also spoke for this improvement.

Dr. Wade reiterated the remarks expressed by him at a previous meeting of the Commission by stating that the Commission has "killed" Portland with kindness by constructing seven arteries of travel into Portland without making for this traffic after it gets there. Mr. P. L. Jackson, Editor of the Oregon Journal, gave as his thought that the present problem is one for the state and the city to solve jointly. Senator Woodward concluded the presentation by asking the Commission to give the problem serious consideration with a view to eliminating present conditions by appropriate construction in a series of years. He said that the Metropolitan Association is not asking the Highway Commission to spend its money on any particular project or any section thereof but that any and all moneys available for arterial improvement within the city of Portland be expended upon such artery or arteries as the Commission may deem most practicable to relieve congestion in and adjacent to the westside business district.

The Commission considered and approved the following projects for construction and authorized the Engineer to advertise the same for bids to be received at the regular meetings in January and February:

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January 6 and 7, 1938:

Ross Station-Arvard, Paving	38-FA	\$ 60,000
Siskiyou Mt. Project, Grading	38-FA	135,000
Kinzua Junction-Butte Creek, G., S. & O.	38-FA	51,000
Vernonia Bridge	35-NRS	50,000
Hermiston-Columbia School, Oiling	38-FAS	15,000
Forest Boundary-Elgin, G., S. & O.	State	59,000
Mt. Hood, Rock Production	"	36,000
Baker-Durkee, Rock Production	"	9,500
Paradise Creek-Drain, Rock Production	"	19,000
Dillon-John Day River, Rock Production	"	16,000
Hood River, Rock Production	"	18,000
Shutler Flat-Condon, Rock Production	"	13,000
Madras-Deschutes County Line, Rock Production	"	14,000
Missouri Flat (Medical Springs Hwy.), Surfacing	"	7,000
Gibbs Ranch-Cottage Farm (Salisbury), Surfacing	"	11,000
Dairy Creek Bridge	"	15,000

February 10, 1938:

Salem-South, Grading and Paving	38-FA	\$100,000
Lancaster-Jamieson, Grade and Oil	37-FA	70,000
Hill Creek Bridge	38-FA	20,000
Grande Ronde River-East, G., S. & Rock Prod.	38-FAS	25,000
Scappoose-Multnomah County Line, G. & P.	38-FA	100,000
Prairie City-East, Resurfacing	State	50,000
Madras-Deschutes County Line, Rock Production	"	14,000

The Commission considered the adoption of budgets for primary and secondary highway minor betterments for the year 1938. After full discussion, the Commission, by unanimous vote, adopted the following budgets for such projects:

PRIMARY MINOR BETTERMENT BUDGET
1938

Asphalt Pavement	\$ 280
Bituminous Macadam	1,500
Oiled Macadam	160
Untreated Macadam (Stabilization)	5,725
Base & Subbase (Stabilization)	1,000
Shoulders—Graveling and Oiling	4,895
Sidewalks & Foot Paths (Cannon Beach)	2,500
Ditches	2,735
Drains & Drainage Tunnels	7,115
Guard Fence, Sight Posts & Mail Box Posts	29,949
Pipe Culverts	15,992
Widening	5,105
Right of Way Fences	75

(Continued on next page)

Primary Minor Betterment Budget for 1938, continued:)

Seeding, Planting & Oiling for Slope Protection	\$ 1,100
Road Approaches	1,575
Slide Prevention	310
Snow Fence	6,550
Highway Beautification	200
Bridges	25,575
Traffic Signals	18,000
Highway Illumination	2,000
Contingencies	15,661
Supervision	6,000
	<u>\$150,000</u>

Construction Projects and Work ordered by the Commission, including the following:

Drainage Tunnel at M.P. 332.7 between Port Orford and Gold Beach	\$11,200	
Widen Intersection of Pacific and Crater Lake Highways in Medford	1,650	
Widen Pavement at south end of Boulevard in Ashland	325	
Construct Drainage Troughs at Honeyman Park	500	
Daylight Cut at Whiskey Creek on Mt. Hood		
Highway two miles from Hood River	250	
Oil 0.8 mile between Paisley & Lakeview to connect B.P.R. Grading and State Oiling	640	
Oil Foot Path, John Day to Canyon City	300	
	<u>\$14,865</u>	14,865
Reserved for Emergencies		<u>10,135</u>
TOTAL		<u>\$175,000</u>

In this connection the Engineer pointed out that he has set up a reserve in the primary minor betterment budget for emergencies, amounting to \$10,135.00. He was authorized by the Commission to select projects to take up the amount of the reserve provided the total amount of the budget is not exceeded.

MINOR BETTERMENT BUDGET FOR SECONDARY HIGHWAYS
1938

Oiled Macadam	\$ 500
Shoulders	1,000
Guard Fence, Sight Posts, & Mail Box Posts	2,955
Culverts	10,759
Drains	700
Roadbed Widening	1,175
Seeding & Planting for Slope Protection	300
Road Approaches	1,555
Snow Fences	250
Bridges	18,665
Traffic Signals	600
Supervision	4,000
	<u>\$42,259</u>

(Continued on next page)

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(Minor Betterment Budget for Secondary Highways. cont.)

(Carried forward from previous page) \$42,259

Construction Projects and Work
ordered by
the Commission, including the following:

Woodburn-Mt. Hood Highway	
Add surfacing material from Colton to Springwater and from Eagle Creek to Sandy	\$ 6,000
Hillsboro-Woodburn Highway	
10 miles of nonskid between Newberg and Woodburn	9,000
Add Shoulder Rock	1,000
Cascade Highway	
Nonskid slippery curves between Clackamas County Line and Silverton	1,800
Add Shoulder Rock	400
North Santiam Highway	
Nonskid slippery curves between Aumsville & Mehama	2,700
Add new Shoulder Rock	600
Silver Creek Falls Highway	
4 miles of nonskid from Salem to Cottage Farm	3,600
Add Shoulder Rock	500
Sams Valley Highway	
3.6 miles of Dust Palliative	2,160
Adrian-Parma Highway	
2.53 miles of SC-2	1,520
Add pitrun gravel to stabilize	750
Lexington-Echo Highway	
8 miles of O-30	5,600
Joseph-Wallowa Lake Highway	
5.7 miles of O-30	4,000
Shaniko-Fossil Highway	
Add fine surfacing material	870
Starkey Highway	
Reconstruction of 1.1 mi. line change to eliminate reconstruction of three bridges	5,000
	<u>\$45,500</u>
TOTAL	\$87,759

The Engineer reported the results of surveys of alternate routes for the proposed revision of The Dalles-California Highway between Modoc Point and Chemult, in Klamath County. He recommended the adoption of what is known as Route No. 1, which bypasses the town of Chiloquin, because it is about .65 mile shorter than the route through the town of Chiloquin and will cost about \$200,000 less to construct. After careful consideration, the Commission approved the Engineer's recommendation and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, for the purpose of making possible a better alignment, a more convenient and serviceable highway, and ultimately contributing to the convenience and safety of the traveling public, the Commission has found it necessary and desirable to relocate that portion of The Dalles-California Highway lying between what is known as Modoc Point on the south and a point on said highway approximately 15 miles south of Chemult; and

WHEREAS, for the purpose of ascertaining and determining the best and most available route, the Commission authorized the Engineer to make an extensive study of all available routes and do such survey work as the Engineer deemed necessary in order to furnish the Commission information and data for consideration in the selection of a route between said points; and

WHEREAS, said survey and study was made by the Engineer, and the records, data and information filed in the Salem office accompanied by the Engineer's recommendation as to choice of route; and

WHEREAS, after a special investigation and inspection on the ground of the several proposed routes by the Commission and after due consideration of all of the information and data submitted by the Engineer, the Commission has selected and designated the route hereinafter defined and described:

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the Commission, all members being present and affirmatively participating, as follows:

1. That the route and alignment of The Dalles-California Highway between Modoc Point and a point approximately 15 miles south of Chemult be and the same hereby is modified and changed and said section of said highway is relocated along and shall hereafter follow the following location and route, to wit:

Beginning at a point in the present The Dalles-California Highway which is located in the Southwest Corner of the Southeast Quarter of Section 15, Township 36 South, Range 7 East, W. M.; said point being what is locally known as Modoc Point; thence in a northerly direction, keeping to the easterly side of the S. P. Company's railroad right of way

to a point in the Northwest Quarter of the Southeast Quarter of Section 21, Township 35 South, Range 7 East, said point being near the place locally known as the Southern Pacific Company's railroad station "Lobert"; thence continuing northerly, crossing the Southern Pacific Company's main line railroad, near said "Lobert" railroad station, and crossing the Williamson River at a point located in the Southeast Quarter of the Northeast Quarter of said Section 21; thence continuing northerly to a point near the Southwest Corner of Section 34, Township 33 South, Range 7 East; thence in a northeasterly direction to a point near the Northeast Corner of said Section 34; thence northerly to a point near the West Quarter Corner of Section 1, Township 33 South, Range 7 East; thence northerly to a point in the present The Dalles-California Highway in the Southeast Quarter of the Southeast Quarter of Section 24, Township 29 South, Range 7 East, W.M., said point being approximately 13.0 miles south of Chemult.

2. That said above relocated line and location shall be and the same hereby is duly adopted and designated as the section of The Dalles-California Highway between said termini.

3. That the portion of said route located between Modoc Point and Williamson River Junction shall be and the same hereby is placed upon the program for immediate construction and the Engineer hereby is authorized to prepare the necessary plans and specifications for the Commission's approval and for the necessary procedure with respect to a call for bids.

4. That the Crater Lake Highway from its connection with The Dalles-California Highway on the existing route at or near Klamath Agency be and the same hereby is extended to connect with The Dalles-California Highway as now relocated, which connecting point shall be at or near the Williamson River Junction, and that said section of the said Crater Lake Highway be and the same hereby is placed upon the program for immediate construction, and the State Highway Engineer hereby is authorized to prepare the necessary plans and specifications for the improvement of said highway, and shall submit said plans and specifications to the Highway Commission for its approval and for the necessary procedure calling for bids for said improvement.

5. That the section of said new alignment lying between the said Williamson River Junction and the northerly terminus thereof, which is a point approximately 13 miles south of Chemult, shall not be improved at this time but shall be placed on the state highway program for construction in the future when funds are available therefor.

6. After the said relocated section of The Dalles-California Highway between Modoc Point and Williamson River Junction has been constructed and is thrown open for public use and after the said extension of the Crater Lake Highway between Williamson River

Junction and a point at or near Klamath Agency has been thrown open for public use, then the section of The Dalles-California Highway along the existing route and lying between Modoc Point and the Klamath Agency shall thereafter be dropped from the state highway system and shall no longer be considered a part of The Dalles-California Highway, but said highway shall be left to revert to the County Court and become a county highway or be abandoned altogether as a public highway, and should said highway be abandoned as a public highway, then the Engineer is authorized and directed to erect such barricades as may be necessary to protect the traveling public using the newly established highway from being diverted to the old or abandoned highway.

7. Until the entire newly located section of The Dalles-California Highway has been constructed and thrown open for travel the section of the existing The Dalles-California Highway between a point at or near Klamath Agency and the northerly terminus of the newly located highway shall remain as a part of The Dalles-California Highway and be maintained as such.

8. That this resolution be entered in the minutes and records of the Commission and a duly certified copy thereof delivered to the following parties: County Court of Klamath County and the United States Bureau of Public Roads.

The Commission discussed the letter of Mr. H. Douthit, Oregon City, in regard to construction and maintenance of a stairway leading from Water Street, in Oregon City, down to his boat moorage at the foot of Eleventh Street. Mr. Douthit advises that he has maintained the stairway at this location for a number of years for the accommodation of people who use his boat facilities, but the stairway was wrecked in connection with highway improvement at this point and the engineer in charge refuses to reconstruct the same because it will create a hazard to automobile traffic when the highway is completed.

Chairman Cabell stated that he made a personal inspection of the premises, and, in his estimation, it would be inadvisable to permit Mr. Douthit to maintain the stairway at this point because it would encourage pedestrians to cross the highway, which would, no doubt, result in fatalities when the highway is opened for public use. Furthermore, it would encourage the parking of automobiles at this location and thereby interfere with the free use of the highway by other traffic. He gave as his thought that Mr. Douthit's request should be denied. Commissioners Aldrich and Tou Velle concurred in the viewpoint of Chairman Cabell, and it was so ordered.

The Secretary presented a letter from the Multnomah Industrial Health Association advising that it will be necessary, beginning January 1, 1938, to increase the monthly contributions from \$1.75 per month to \$2.00 per month for the individuals employed by the State Highway Commission to receive the benefits of group insurance in that association. The Commission

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approved such increase on the same basis as that on which it approved similar increases by the National Hospital Association and the Physicians and Surgeons Hospital Association at the previous meeting.

The Commission discussed a letter, dated November 24, 1937, from the Attorney with respect to the disposition of cases in Coos County involving the overloading of equipment in log-hauling operations. The Commission decided to handle these cases in accordance with the arrangement effected with the Department of State Police and the Public Utilities Commissioner, and so ordered.

The Commission had under discussion a letter from Dooly & Company, Portland, agents for the General Insurance Company of America, which has been carrying the insurance for the city of Portland on the frame bridges known as the Newberry Street Bridge and the Vermont Street Bridge on Barbur Boulevard, Portland, inquiring, since these bridges have been taken over by the State Highway Department, whether or not the Highway Commission wishes to continue this insurance and will pay the premium therefor, which amounts to \$987.84 for the three-year period ending June 12, 1940. The Engineer suggested that the state assume the payment of this premium, if that can be done legally. The Attorney advised that the Commission does not have legal authority to spend state funds for such purpose. The Commission thereupon instructed the Secretary to inform Dooly & Company of the circumstances and to advise them that, in view of the Attorney's opinion, it will be necessary to let the insurance lapse.

The Commission considered and by unanimous vote approved the following allocations of Federal Aid Highway Roadside Improvement Funds for the fiscal year 1938:

Divisions I and II
Total Allocation - \$17,000

List of Proposed Projects:

Rex Hill-Newberg Section	Pacific Highway West	\$5,000
McMinnville Section	" " "	3,500
Pringle Creek-Illahe School	Pacific Highway East	6,500
Shedd-Halsey Section	" " "	<u>2,000</u>
	Total	\$17,000

Division III
Total Allocation - \$6,480

List of Proposed Projects:

Ashland Undercrossing Section	Pacific Highway	\$2,100
Junction City-Eugene	" "	<u>4,400</u>
	Total	\$6,500

Division IV
Total Allocation - \$5,220

List of Proposed Projects:

Oasis at Brothers	Bend-Burns Highway	
(Exclusive of well - needed for Maintenance Houses to be located here)	Total	\$ 5,200

Division V
Total Allocation - \$7,380

List of Proposed Projects:

Entrance to Pendleton	Oregon Trail Highway	\$ 6,380
(River Bottom Lands, inclusive of water mains)		
LaGrande Underpass		
LaGrande-Island City Section		<u>1,000</u>
	Total	\$ 7,380
	Grand Total	\$36,060

The Commission considered the matter of acquiring additional right of way for the East Portland-Oregon City Highway just north of the Abernethy Creek Bridge at Oregon City, as has been urged by certain interests of Oregon City. The Commission decided that the present right of way is sufficiently wide for highway purposes.

The Commission by unanimous vote adopted the following resolution abandoning as a state highway route the old route of the Pacific Highway West through the city of McMinnville, which has been replaced by reconstruction of the highway on new alignment:

WHEREAS, in order to afford a better alignment and a more satisfactory, safe and convenient highway for the traveling public the Commission found it necessary to relocate a portion of the Pacific Highway West in Yamhill County, Oregon; and

WHEREAS, by reason of said relocation and reconstruction of said section of highway there was eliminated and made unnecessary as part of the completed highway a certain section or part thereof, which section or part is more specifically defined and designated hereinafter in this resolution; and

WHEREAS, it is the judgment and opinion of the Commission that there should be recorded in the minutes and records of this Commission the purpose and plan of the Commission to abandon as a part of the state highway system the fragment or portion of right of way hereinafter designated and heretofore included within the

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area of the right of way of the highway as formerly located, improved and used; and

WHEREAS, in connection with the relocation of said highway there was accomplished a change in the point of entrance of the highway into the city of McMinnville from the north and there was likewise accomplished the rerouting of state highway traffic over other and different streets than those over which traffic using the old location was routed:

NOW, THEREFORE, the premises being in general as above stated, it hereby is resolved by this Commission, a majority of members being present and affirmatively participating, as follows:

1. That the fragment of land confined within the area hereinafter described, which fragment of land was formerly within the limits of the right of way of the Pacific Highway West immediately north of the city of McMinnville, but which is now without the limits of said right of way as said highway has been relocated and constructed, be and said fragment of land is abandoned as a part of the right of way of said highway, and that part of said right of way so abandoned and which is outside of the corporate limits of the city of McMinnville is left to revert to the adjoining or abutting property owners or to the control or supervision of the County Court of Yamhill County for highway and/or other public purposes, and those streets of the city of McMinnville over which highway traffic was formerly routed before said highway was relocated are hereby abandoned as streets over which state highway traffic is directed by the State Highway Commission to move and said streets hereby are relieved of any burden imposed thereon by the State Highway Commission and are left to revert to the exclusive control and jurisdiction of the municipal authorities of the city of McMinnville.

2. The fragment of land or right of way hereby abandoned and eliminated from the state highway system and the streets over which state highway traffic formerly was routed are described as follows, to wit:

All that portion of the existing highway right of way lying southerly of the reconstructed highway situated in Sections 15, 16 and 21, Township 4 South, Range 4 West.

Beginning at the intersection of Baker Street and Third Street in the city of McMinnville; thence East along Third Street to "J" Street; thence North along "J" Street to Lafayette Avenue; thence northeasterly along Lafayette Avenue to the north city limits of McMinnville; thence northeasterly to Engineer's Station 61+85.4 of the reconstructed center line of said highway.

In addition to the foregoing description of said abandoned right of way there is attached hereto a blueprint or map, marked "Exhibit 'A'", and by this reference made a part hereof, upon which map there is shown shaded in orange the abandoned section of said highway, which exhibit for identification purposes bears the signatures of F. D. Eason, Division Engineer, H. G. Smith, Construction Engineer, and R. H. Baldock, State Highway Engineer, and bears date of November 5, 1937. *

3. In the event there remains any physical connection between any portion of said abandoned right of way or highway and the present highway, and by reason of such physical connection traffic from the existing highway may enter or use the said abandoned portion of the old road to the possible damage or injury of such traffic by reason of any unsafe condition existing with respect to said old or abandoned road, then the State Highway Engineer is hereby authorized and directed to erect such barricade or other safeguards as may be necessary to protect and safeguard traffic using and employing said newly located, constructed and dedicated section of said state highway.

4. This resolution shall be entered in the minutes and records of the Commission and a certified copy thereof promptly delivered to the County Court of Yamhill County, together with a copy of said exhibit or map, and a copy of said resolution, together with said map, shall be delivered to the Mayor of the City of McMinnville, for such action as said County Court may desire to take with respect to said fragment of land and for such action as the city of McMinnville may desire to take with respect to said city streets, and should said abandoned portion of the highway be further employed for public or private highway purposes, such use shall be entirely under the control and supervision of the County Court of Yamhill County and/or the municipal authorities of the city of McMinnville, and the same shall be beyond any responsibility or supervision by the State Highway Commission.

The Commission also adopted the following resolution by unanimous vote, abandoning as a state highway a portion of the Muddy Creek-Pringle Corner Section of the McMinnville-Tillamook Highway, in Yamhill County, which section is no longer of value as a state highway, since the highway has been reconstructed on new alignment:

WHEREAS, in order to afford a better alignment and a more satisfactory, safe and convenient highway for the traveling public, the Commission found it necessary to relocate a portion of the Muddy Creek-Pringle Corner Section of the McMinnville-Tillamook Highway in Yamhill County; and

WHEREAS, by reason of said relocation and reconstruction of the said section of said highway there was eliminated and made

* Map filed in Right of Way Abandonment and Retention File - No. 48

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unnecessary as a part of the permanent highway a certain section or part thereof, which section or part is more specifically defined and designated hereinafter in this resolution; and

WHEREAS, it is the judgment and opinion of the Commission that there should be recorded in the minutes and records of the Commission its purpose and plan to abandon as a part of the said state highway the fragment or portion of right of way hereinafter designated and heretofore included within the area of the right of way of said highway as formerly located, improved and used;

NOW, THEREFORE, the premises being in general as above stated, it hereby is resolved by this Commission, all members being present and affirmatively participating, as follows:

1. That the fragment of land confined within the area hereinafter described, which fragment or parcel of land was formerly within the limits of the right of way of the Muddy Creek-Pringle Corner Section of the McMinnville-Tillamook Highway, in Yamhill County, but is now without the limits of the right of way of said highway as said highway has been relocated and constructed, be and said fragment or parcel of land or portion of the old right of way is abandoned as a part of the right of way of said highway, and said fragment or parcel of land or old right of way is, so far as control and supervision by this Commission is concerned, eliminated and left to revert to the adjoining and abutting property owners or to the control and supervision of the County Court of Yamhill County for highway or other public purposes as the Court may determine. The fragment or parcel of land affected by this resolution is defined and described as follows, to wit:

All of that portion of the old McMinnville-Tillamook Highway right of way lying on each side of the required right of way for the reconstructed highway between Engineer's center line Station 237+50 and Station 362+50.

The location of said abandoned right of way may be more definitely and particularly ascertained and determined by reference to a map or blueprint, marked "Exhibit 'A'", attached hereto and by this reference made a part hereof, which said exhibit for identification purposes bears the signatures of F. D. Eason, Division Engineer, H. G. Smith, Construction Engineer, and R. H. Baldock, State Highway Engineer, and is dated the 5th day of November, 1937, upon which map or exhibit there is reflected the above described parcel of land by showing the same shaded in red. *

2. In the event there remains any physical connection between any portion of said abandoned right of way or highway and the present highway, and by reason of such physical connection traffic from the existing highway may enter or use the said abandoned portion of the old road to the possible damage or injury of such traffic by

* Map filed in Right of Way Abandonment and Retention File - No. 40

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reason of any unsafe condition existing with respect to said old or abandoned road, then the State Highway Engineer is hereby authorized and directed to erect such barricade or other safeguards as may be necessary to protect and safeguard traffic using and employing said newly located, constructed and dedicated section of said highway.

3. That this resolution be entered in the minutes and records of the Commission and a certified copy thereof promptly delivered to the County Court of Yamhill County, together with a copy of said exhibit or map, for such action as said County Court may desire to take with respect to said fragment of land, and should said abandoned portion of the right of way of said highway be further employed for public or private highway purposes such use shall be entirely under the control and supervision of the County Court of Yamhill County and beyond any responsibility or supervision by the State Highway Commission.

The following resolution abandoning portions of the Columbia River Highway, in Multnomah County, and retaining other portions of said highway, which has been reconstructed on new alignment, was adopted by the Commission by unanimous vote:

WHEREAS, in order to afford a better alignment and a more satisfactory, safe and convenient highway for the traveling public, the Highway Commission found it necessary to relocate portions of the Lower Columbia River Highway in Multnomah County; and

WHEREAS, by reason of said relocation and reconstruction of said section of said highway there has been eliminated from the main traveled portion of said highway certain sections or fragments of land, which said sections or fragments of land are more specifically defined and described hereinafter in this resolution and are reflected on blueprints, marked "Exhibit 'A'" and "Exhibit 'B'", a copy of each of which is attached hereto and made a part hereof; and

WHEREAS, while certain portions of the section hereinafter described as the parcel to be retained and shown in orange on the attached prints are not required for use as a part of the main or traveled section of the highway, nevertheless the same are required, can be used, and are essential for other public uses in connection with said highway; and

WHEREAS, it is the judgment and opinion of the Commission that there should be recorded in the minutes and records of the Commission its purpose and plan to preserve for public use in connection with said highway the fragment or parcel of land hereinafter described as the parcel to be retained and shown in orange on the attached prints; and

WHEREAS, it is the judgment and opinion of the Commission that there should be recorded in the minutes and records of this Commission the purpose and plan of the Commission to abandon as parts of the state highway system certain portions of the highway eliminated from the main traveled portion of said highway, which sections are made unnecessary as a part of the completed highway and are shown in yellow on the attached prints;

NOW, THEREFORE, the premises being in general as above stated, it hereby is resolved by this Commission, all members being present and affirmatively participating, as follows:

1. That the fragment or parcel of land shown shaded in orange on the attached prints, portions of which heretofore were within the right of way proper of the Lower Columbia River Highway but which by reason of the relocation or realignment of said highway are now without the area improved and used by the traveling public but are adjacent to and abut upon the said right of way and are needed for public use, shall be preserved by the Highway Commission in connection with the construction, improvement and maintenance of said highway or the use of the same, which said parcel is described as follows:

All that portion of the Old Columbia River Highway right of way lying on both sides of the reconstructed center line of said highway from the west city limits of the city of Portland to the Columbia County line, except that portion of the old right of way lying on the southwesterly side of the required right of way for said reconstructed highway between Stations 54+50 and 59+50, Stations 210+00 and 219+50, and Stations 270+50 and 279+00.

2. That the fragments of land confined within the areas hereinafter described and designated as the parcels of land to be abandoned, which fragments were formerly within the limits of the right of way of the Lower Columbia River Highway, be and said fragments of land are abandoned as parts of the right of way of said highway and said fragments or right of way are, so far as control and supervision of this Commission are concerned, left to revert to the adjoining and abutting property owners or to the control and supervision of the County Court of Multnomah County. The fragments to be abandoned are described as follows:

All that portion of the Old Columbia River Highway right of way lying on the southwesterly side of the required right of way of the reconstructed highway lying between Engineer's center line Stations 54+50 and 59+50, Stations 210+00 and 219+50, and Stations 270+50 and 279+00.

3. In addition to the foregoing descriptions of said fragments or parcels of land there are attached hereto prints marked "Exhibit 'A'" and "Exhibit 'B'", which by this reference are made a part hereof, and upon which maps there is shown shaded in orange the parcel of land to be preserved for public purposes, and upon which maps there are shown shaded in yellow the abandoned sections of said right of way. Said exhibits for identification purposes bear the signatures of E. A. Collier, Division Engineer, H. G. Smith, Construction Engineer, and R. H. Baldock, State Highway Engineer, and bear date of November 15, 1937. *

4. In the event there remains any physical connection between any portions of said abandoned right of way and the present highway, and by reason of such physical connection traffic from the existing highway may enter or use the said abandoned portions of the old road to the possible damage or injury of such traffic by reason of any unsafe condition existing with respect to the said old or abandoned sections, then the State Highway Engineer is hereby authorized and directed to erect such barricade or other safeguards as may be necessary to protect and safeguard traffic using and employing said newly located, constructed, and dedicated section of said state highway.

5. That this resolution be entered in the minutes and records of the Commission and a certified copy thereof promptly delivered to the County Court of Multnomah County, together with a copy of said exhibits, for such action as said County Court may desire to take with respect to the fragments of land to be abandoned, and should said abandoned portions of the right of way of said Lower Columbia River Highway be further employed for public or private highway purposes such use shall be entirely under the control and supervision of the County Court of Multnomah County and beyond any responsibility or supervision by the State Highway Commission.

6. The Engineer hereby is instructed to properly and completely mark on the ground the boundaries of the fragment of land to be retained for right of way and other purposes by the Highway Commission by erecting and maintaining thereon proper monuments or posts upon which shall be inscribed the words "State Property".

The Engineer requested authority to purchase one central callbox at an estimated cost of \$60.00 for use in connection with tunnel lighting. The Commission approved the request by unanimous vote.

The Commission considered and ordered filed letters from the Portland City Council and the Portland Association of Building Owners and Managers, urging the expenditure of state highway funds for the purpose of relieving traffic congestion on the west side of the Willamette River, in Portland.

* Map filed in Right of Way Abandonment and Retention File No. 50.

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A letter from the Port Orford Chamber of Commerce, urging the Commission to build the most durable, economical, and practical road to eliminate high water conditions south of Coquille, had the attention of the Commission. The Commission ordered the communication filed for future reference.

The Commission considered and denied a request from F. R. Beals, Warrenton, Oregon, for cattle-pass construction under and across the Oregon Coast Highway at a point about eight miles north of the town of Seaside, there being no funds available to finance such construction and it being the thought of the Commission that the approval of such construction would establish a precedent that would be difficult to avoid in passing on similar requests in the future.

Letters were presented from C. R. Wilson and W. S. Park, Charleston, Oregon, in regard to the oiling of the Cape Arago Secondary Highway, in Coos County. The Secretary was instructed to reply that, due to uncertainty of funds, the Highway Commission has not yet been able to arrange a program for next year's construction, but the oiling of the Cape Arago Road will have the Commission's consideration in the formulation of such program; further, that even if the Commission finds that it can do some work on this road, it is not likely that the entire section can be oiled.

The Commission discussed matters pertaining to the proposed Albany railroad grade separation project. The Engineer advised that the city of Albany has not yet adopted ordinances with respect to the changes in the grade line of the city streets that will be affected by this improvement. The Commission thereupon ordered that no payments whatsoever for this improvement, including right of way, shall be made until such ordinances have been adopted by the City Council.

The Engineer reported that in conformance with authority previously granted him by the Commission, he has ordered a number of surveys since the last meeting of the Commission. He presented the list of such surveys and asked the Commission to confirm the action. After due consideration, Commissioner Aldrich moved that the State Highway Engineer be authorized and instructed to make such location surveys on various sections of the highways of this state, which said sections of highways, together with their identifying survey numbers and the amounts authorized and allocated for survey expenditures, are as follows:

Location - - - -	34-2818 - Multnomah County Line-South Section, Pacific Highway.	1st authorization - \$1,600.00
Location - - - -	34-2817 - Sunset Camp-Sunset Tunnel Section of the Wolf Creek Highway	1st authorization - \$ 300.00
Plans - - - - -	20-2826 - Siuslaw Junction-Ross Station Section, Pacific Highway.	1st authorization - \$ 200.00
Stock Pile - - -	6-2813 - Bandon-Port Orford Section, Oregon Coast Highway.	1st authorization - \$ 250.00

(Continued on next page)

(Authorization of location surveys, continued:)

Roadside) - - - 2-2811 - West Side Alsea Mountain, Alsea Highway.
 Fountain) 1st authorization - \$ 150.00

Location - - - 226-2830 - Lombard-Sandy Boulevard Section, N.E. Portland Sec-
 ondary Highway. 5th authorization - \$1,000.00

Right of Way - - 19-2812 - Antelope Canyon Section, Klamath Falls-Lakeview
 Highway. 1st authorization - \$ 150.00

Location - - - - 20-2824 - Hill Creek Bridge Section, Pacific Highway.
 2nd authorization - \$ 100.00

Location - - - - 26-2828 - Union Avenue-Denver Avenue Section, Pacific High-
 way. 3rd authorization - \$1,000.00

Location - - - - -12-2810 - Dad's Creek Bridge, John Day Highway in Grant
 County. 2nd authorization - \$ 100.00

Location - - - - 113-2805 - Narrows South Section, Frenchglen Secondary High-
 way. 2nd authorization - \$ 500.00

The motion was duly seconded by Commissioner Tou Velle and was de-
 clared by Chairman Cabell to have carried by the unanimous vote of the Commis-
 sion.

The Commission considered the following requests for extensions of
 time within which to complete highway construction projects:

Berke Bros., Contract No. 1906, for grading and constructing
 two bridges on the Tunnel Section of the Old Oregon Trail, in Ba-
 ker County, requested an extension of time from May 31 to July 7,
 1937, within which to complete this job. They alleged that inclem-
 ent weather caused them to overrun the time limit specified in the
 contract. The Engineer advised that the reason given by the con-
 tractor for failure to complete the project within the specified
 time limit is correct. He also said that the traveling public was
 not unduly inconvenienced by the delay. However, the state did in-
 cur some extra expense for engineering supervision, which, ordinar-
 ily, he would disregard, but in this particular instance the Bureau
 of Public Roads will not concur in his recommendation to that ef-
 fect, so he has no alternative but to recommend that the extension
 be granted with penalty, amounting to the engineering expense in-
 curred since the date of completion specified in the contract. The
 Commission approved the recommendation by unanimous vote.

Coos Bay Construction Company, Contract No. 1949, for grading
 the Elsie-Nehalem River Section of the Wolf Creek Highway, in

Clatsop County, requested an extension of time from December 15, 1937, to June 15, 1938, within which to complete this job. They alleged that their failure to complete the project within the specified time limit was due to unusually inclement weather encountered during the spring of 1937; also, that it is impracticable to move earth materials during the winter season, so they are asking that the contract completion date be extended to next spring, which will give them sufficient time to complete the job after weather conditions become normal. The Engineer advised that the contractor has encountered considerable difficulty during the last several months in handling the rock excavation in a certain big cut just west of the Nehalem River and he does not anticipate that the cut will be completely excavated until the latter part of February of next year, there being some 50,000 yards of materials yet to be moved. He pointed out that the finishing work cannot be done until next spring when weather conditions are favorable for suchwork; also, that recent rains have caused numerous slides which will have to be removed before the finishing work can be accomplished. He recommended, in view of the circumstances, that the extension requested be granted but that the contractor be required to pay the extra engineering expense that the state will incur by reason of the overrun of the time limit, over and above the cost of the engineering that would be required in connection with the supervision of the extra work involved. He presented a letter from the Bureau of Public Roads concurring therein. The Commission approved the recommendation by unanimous vote.

Washington Asphalt Company, Contract No. 1959, for surfacing and bituminous macadam construction on the Stanfield-Pendleton Section of the Old Oregon Trail, in Umatilla County, requested an extension of time from August 31 to September 15, 1937, within which to complete this contract. The Engineer advised that the contractor overran the time limit only 15 days and that he previously recommended to the Commission the granting of the extension of time without penalty. However, the Bureau of Public Roads will not concur in the recommendation and demands that a penalty be imposed, amounting to about \$275.00, which represents the expense that the state has incurred for engineering supervision subsequent to the expiration of the time limit specified in the contract. He also said that he is still of the opinion that the contractor should not be penalized, regardless of how the Bureau of Public Roads officials feel about it, and inquired whether or not the Commission would assume this extra engineering expense in the event that he is unable to get the Bureau of Public Roads to alter its decision. After some discussion, the Commission decided unanimously to pay the final estimate on this job without penalizing the contractor for overrunning the time limit and to assume the extra engineering expense in the event the Bureau of Public Roads will not reimburse the state for such amount. The extension of time requested was approved by the Commission unanimously on such basis.

The Engineer reported that contracts Nos. 1959, 1964, and 1970, for the construction of state highway projects, have been completed according to the requirements of the contracts or modifications thereof and that said jobs are now ready for acceptance.

The following resolution accepting the above projects was offered and was adopted by the unanimous vote of the Commission:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts and that said jobs are now ready for acceptance:

Contract No. 1959, with Washington Asphalt Company, for surfacing and oiling the Stanfield-Pendleton Section of the Old Oregon Trail, in Umatilla County. Completed September 11, 1937.

Contract No. 1964, with Homer G. Johnson, for furnishing crushed rock in stock pile on the Myrtle Point-Mystic Creek Section of the Coos Bay-Roseburg Highway, in Coos and Douglas Counties. Completed October 4, 1937.

Contract No. 1970, with Harold Blake, for furnishing crushed rock on the Salmon River, McMinnville-Tillamook, and Dallas-Coast Highways, in Polk and Yamhill Counties. Completed September 15, 1937.

THEREFORE, BE IT RESOLVED that the work covered by said state highway contracts for the construction of said state highway projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

The Commission considered and signed agreements, et cetera, as follows:

Agreement with Multnomah County Drainage District providing for the drainage of certain property adjacent to and south of the district by providing for the drainage water to be carried across the Columbia River Highway, near Portland. (Agreement dated November 30, 1937.)

Agreement with Virginia A. Hickey et vir disposing of their claim arising out of the reconstruction of the Mt. Hood Highway in front of their premises at Brightwood. (Agreement dated November 30, 1937.)

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Permit authorizing Frank Forth to construct a trestle foot-bridge at Station No. 522+00 on the Wall Creek-Siskiyou Section of the Pacific Highway, in Jackson County.

Bargain and sale deed conveying unto the city of North Bend 3.51 acres of land at the south end of the Coos Bay Bridge.

The Commission set Thursday and Friday, January 6 and 7, 1938, as the date for its next regular meeting for the receiving of bids. The Secretary was instructed to make the usual arrangements to hold this meeting in the Auditorium of the Public Service Building, Portland.

There being no further business to come before the Commission at this time, the meeting was adjourned at 4:00 o'clock p. m.

Henry F. Cabell
Chairman

E. B. Cochran
Commissioner

F. L. Douville
Commissioner

Norman
State Highway Engineer

H. B. Cleary
Secretary

Portland, Oregon, December 21, 1937.

The State Highway Commission met in regular session at 9:00 o'clock a. m. in Room 204, Benson Hotel. Present were:

Henry F. Cabell, Chairman
E. B. Aldrich, Commissioner
F. L. Tou Velle, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

The Commission by unanimous vote approved the minutes of the meetings held on June 17 and 18, July 8, July 28 and 29, 1937.

The Engineer requested authority to acquire certain parcels of real property that are needed for various highway improvements throughout the state. He submitted a list of such properties with prices that he recommended be paid for each. After careful consideration, the Commission approved the request and by unanimous vote adopted the following resolution relative thereto:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth; and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon; and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Shuttler Flat-Condon Section - John Day Highway</u>				
5588-California Lands, Inc.	Quarry	2.86	\$50 per a. plus moving fence	Wells

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Kinza Junction-Butte Creek Ranch Section - John Day Highway</u>				
5307-Loomis, Joseph M.	R/W	0.85	Lump Sum \$10 plus \$75.20	Wells
5311-Loomis, Joseph M.	Talus Pit	1.76	1.44 a. at \$40 per a. 0.32 a. at \$100 " "	"
5375-Butte Creek Land, Live-stock & Lumber Co.	Talus Pit and hauling road easement	2.75	Lump Sum \$75	"
5308-Federal Land Bank of Spokane (I.A. Johnson)	R/W	4.91	\$1.0 per a. plus \$1026.50	"
5308A-Federal Land Bank of Spokane (G.W. Griffith)	"	1.77	\$125 per a. plus \$678.75	"
5310-Johnson, I. A.	"	1.52	Lump Sum \$20 plus \$116.50	"
<u>Florence-Gardiner Section - Oregon Coast Highway</u>				
4580-Douglas National Bank	Stock Pile	0.51	1 1/2 yr. Lease at \$20 per year	Benson
<u>Siskiyou Summit-California State Line - Pacific Highway</u>				
5453-Long, James I.	R/W	0.7086	\$10 per a.	"
5454-Dieu, Emil Joseph	"	21.95	\$10 per a.	"
<u>Three Rivers-Habo Section - McMinnville-Tillamook Highway</u>				
5389-Lewallen, Ellen	Stock Pile	1.05	Lump Sum \$150	Collins
<u>Salem-Twelfth Street Junction - Pacific Highway East</u>				
5402-Baker, Frank A.	R/W	0.54	\$500 per a. plus \$117	McCallister
<u>Siletz River-Newport Section - Oregon Coast Highway</u>				
5481-Green, Clarice A. and Johnston, Howard T.	R/W	8750 sq.ft.	4¢ per sq.ft.	McCallister
4065-Berg, J. J.	"	3.333	\$500 per a.	"
<u>North Fork of John Day River Section - John Day Highway</u>				
5278-Grant County	R/W	0.38	Gratis	Wells
<u>Klamath County - Green Springs Highway</u>				
4505-Weyerhaeuser Timber Co.	Stock Pile	1.29	5 year Lease-Gratis	McChesney
<u>Astoria Section - Columbia River Highway</u>				
5395-Jorgusen, Lena L.	R/W	908 sq.ft.	Lump Sum \$50	Collins
<u>Banks-Forest Grove Section - Nehalem Highway</u>				
5499-Vandehey, George	R/W	0.52	\$150 per a.	McChesney
<u>Albany Section - Pacific Highway East</u>				
4967-Schlehuber-Eleonora	R/W	7657 sq.ft.	\$1200 Lump Sum	Gardiner
4977-Albany Door Company	"	58080 sq.ft.	5¢ per sq.ft.	"
4978-Duncan, Gertrude	"	4840 sq.ft.	7¢ per sq.ft. plus \$2161.20	"
4954-Miller, A. A.	"	4400 sq.ft.	\$500 plus \$2750	"

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Deschutes County - Central Oregon Highway</u>				
5179-Helfrich, John	Oasis and Maintenance Site	5.90	\$4 per a. plus \$35	McChesney
<u>Sunset Tunnel-Buxton Section - Wolf Creek Highway</u>				
5229-Reed, Edward C.	R/W	12.71	\$15 per a.	McChesney
5233-Nelson, Nels P.	"	1.90	\$15 per a.	"
5226-Murphy, Edw. I.	"	0.33	Lump Sum \$1	"
5252-Shute, John W. Estate	"	5.56	\$15 per a.	"
5234-Sullivan, F. J.	"	8.4	\$15 per a.	"
<u>Sunset Camp-Sunset Tunnel Section - Wolf Creek Highway</u>				
5220-Sunset Logging Company	R/W	19.38	\$20.00 per a.	Collins
<u>Medford-Central Point Section - Pacific Highway</u>				
458-Lewis, Edward L. Estate	R/W	1214 sq.ft.	Lump Sum \$40	DeSouza
<u>Shelton Ranch-Flora Junction - Lewiston-Enterprise Highway</u>				
3779-Ralls, R. M. (Correction)	R/W	9.15	3.0 a. at \$25 per a. 6.15 a. at \$10 per a. plus fencing \$400 plus \$400	McCallister
<u>Hill Creek Bridge Section - Pacific Highway</u>				
5508-Ziniker, Rosina	Gravel Pit and Haul Road		5 year Lease-3¢ per cu.yd. for material taken from old pit, and 5¢ per cu.yd. from new pit	Lytle

The Commission had under consideration the acquisition of a certain rock pinnacle, known as Rooster Rock, on the Upper Columbia River Highway, for park and right of way purposes. The Attorney advised that the Columbia River Packers Association, Inc., which owns this property, demands the sum of \$10,000 for the same because of its value as a source of rock supply for wing dam construction in the Columbia River and for jetty construction at the mouth of this river, there being a scarcity of suitable rock for such purposes, but they are willing to accept payment in three annual installments. He further stated that the Association is asking practically nothing for the right of way and that the \$10,000 offer might be considered as payment for the portion that is included in the park area, amounting to some 33 acres. He inquired whether the Commission is interested in the acquisition of this property in view of its value from the recreational and scenic standpoint. After considerable discussion and in view of the fact that this rock is very valuable as a scenic attraction for tourists and would undoubtedly be destroyed if not acquired by the state, because of the scarcity of suitable rock supplies for wing dam and jetty construction, the Commission voted unanimously to accept the offer with the understanding that the purchase price would be paid in three annual installments and that interest would not be paid on the deferred payments. The

Commission decided, in view of the fact that this area is being acquired primarily as an addition to the state park system, that three-fourths of the cost thereof, or \$7,500, should be charged to the Parks Department's budget and the balance should be charged to acquisition of right of way.

In the discussion of this matter it was brought out that the only other place in this vicinity where suitable rock could be obtained for wing dam and jetty construction is at a place known as Tunnel Point, where there are 3.85 acres of land owned by a Mrs. Reed across which the new highway has been projected. The Attorney estimated that this property would cost the state some \$15,000 because of its value as a rock quarry. After discussion, the Attorney was authorized by the Commission to take an option from Mrs. Reed for the purchase of the property at such figure if he is unable to secure it for a lesser amount.

The Attorney reported that new appraisals have been made of certain properties located in Lake County that are needed for right of way for a revision of the Fremont Highway north of Lakeview. He was instructed by the Commission to secure new options on these properties for consideration by the Commission at its next meeting.

The Attorney also reported the necessity to condemn certain parcels of property that are needed for various highway improvements and requested authority to start condemnation proceedings. The Commission granted the request and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, the State Highway Commission is by law authorized and directed to lay out, locate, designate, construct, improve and maintain a system of state highways in the State of Oregon and to acquire rights of way and to declare the necessity and need for the acquisition thereof, and the advantages to be gained thereby;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the State Highway Commission does hereby find and declare that it is necessary and will be of advantage to the State of Oregon and there is need that the state acquire for right of way purposes in connection with the permanent location, construction, improvement, and maintenance of the following section or sections of the state highway system of the State of Oregon, to wit:

Eagle Creek-Cascade Locks Section of Columbia River Highway
West Portland-Cooke Crossing Section of West Portland-Hubbard Highway
South Marshfield Section of Oregon Coast Highway
Albany Overcrossing Section of Pacific Highway East

land and property owned by or in possession of the following parties and/or persons, to wit:

Eagle Creek-Cascade Locks Section of Columbia River Highway

J. B. Labar

P. J. McGowan and Sons

West Portland-Cooke Crossing Section of West Portland-Hubbard Highway

W. F. Schamoni and Ben H. Jacques

South Marshfield Section of Oregon Coast Highway

H. W. Osborne et al

Elmer Newton

Albany Overcrossing Section of Pacific Highway East

J. F. Howard

as their respective interests may appear, and this Commission does hereby declare further that the said property or properties are necessary, are needful, and the acquisition thereof will be of advantage to the State of Oregon for right of way purposes in order to make it possible for the State Highway Commission to properly locate, construct, and maintain said portion or portions of the said state highway system in accordance with standards adopted by this Commission relative to curvature, grades, alignment, drainage, and factors of safety.

2. That the State Highway Engineer be and he hereby is instructed and directed to properly survey the parcel or parcels of land required for such right of way purposes and prepare proper and adequate descriptions thereof, which descriptions shall be employed in the preparation of a deed or deeds or other instrument or instruments necessary to complete the acquisition of the said property or properties or which descriptions may be used in the preparation of a complaint in the event that condemnation proceedings are necessary.

3. That the boundaries of the said parcel or parcels of land, as defined and determined by the said survey made by the said Highway Engineer, along the route or location adopted by the Highway Commission, shall be and the same hereby are adopted and the lands defined therein are hereby declared to be and the same are included within the rights of way of the said portion or portions of the said state highway system and hereby are declared to be necessary for the proper location, improvement, construction, and maintenance of the said portion or portions of the state highway system.

4. That I. H. Van Winkle, Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they are hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement

or agreements can be reached, then it is hereby further resolved that the Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they hereby are requested to commence and prosecute to a final determination such suit or action, or suits or actions, as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

The Commission adopted as its policy in regard to condemnation cases that hereafter, when requests are made to institute condemnation proceedings, the offers that are to be made to the various property owners involved shall first be approved by the Commission before they are presented to such property owners.

The Attorney brought up for discussion the matter of acquiring the existing logging road through the property of the Grand Rapids Oregon Timber Company, which is needed to provide ingress to Saddle Mountain State Park, in Clatsop County. He recalled that the Company's original demand for this road was approximately \$15,000, which the Commission rejected and ordered that the property be acquired by condemnation, if the company would not sell at the rate of \$15 per acre, which is the amount the Crown Willamette Company is asking for its portion of the road. He further advised that he had received information from a Mr. Dickinson, receiver for this company, to the effect that he did not believe the court which has jurisdiction in the receivership case would approve acceptance of the state's offer, but he believed that the court would approve a price of \$7,500. The Attorney asked the Commission for instructions in regard thereto. After considerable discussion, in which it was pointed out that if the existing road is not acquired it will be necessary to construct a new road about 6 miles long, at a cost probably in excess of \$7,500, the Commission authorized the Attorney to offer the company \$6,000 for its road.

Reconsideration was given by the Commission to the Robertson controversy involving acquisition of some of the Robertson property adjacent to the Pacific Highway (new route) in the Siskiyou Mountains, south of Ashland, Jackson County. The Attorney advised that indications are that it will be necessary to institute condemnation proceedings to acquire the portion of the Robertson land that is affected by the slide conditions caused by the construction of the new highway. He inquired what offer to make to the owners in order to avoid condemnation and advised that the Robertsons have stated that they will not sell their property but will lease it to the state for \$3,000. After considerable discussion the Commission authorized the Attorney to pay the Robertsons \$3,000, if necessary, in order to secure a deed, such amount being made up as follows: \$1,700 representing the value of the house on the property; \$300 representing the loss of the lumber on hand, which was to be used in completing the house; \$600 representing the cost of 12 acres of land at \$50 an acre; and \$400 representing miscellaneous damages.

Chairman Cabell reported on the action taken by the Western Association of State Highway Officials at its special meeting in San Francisco, on December 6, for consideration of the President's recommendation for a reduction in federal aid for road purposes.

The State Highway Engineer reported on matters discussed at the Annual Meeting of the National Asphalt Association during the week of December 6. According to these reports, it was the consensus of opinion of those attending the meetings that Congress would make no change in the setup for the fiscal year 1939 Federal Aid Funds, but that uncertainty would still exist until the apportionment of the funds is actually made, which would not be before the first of the year. In view of the reports, the Commission decided to defer until its January meeting a decision with respect to the immediate construction of the Albany railroad grade separation project. However, the Engineer was instructed to secure a hearing before the Public Utilities Commissioner on this subject as soon as possible, so that no delays on that account will be encountered when the project is ordered to proceed.

The matter of releasing payments to several property owners in Albany for right of way acquired for the Albany grade separation project had the attention of the Commission. The Engineer advised that the Albany City Council has adopted the ordinance approving the changes in the grades of the city streets that will be affected by this improvement, and an executed copy of the same is in the Commission's files. The Commission thereupon authorized the release of payments for the right of way for which options have been approved and deeds already delivered to the state, but ordered that payments for the balance of the right of way be held pending the Commission's decision in regard to this project at the January meeting.

The Attorney reported an offer from a Mr. Roy Enlund to purchase for the sum of \$30.00 a building located on Lot 13, Block 9, Bunker Hill Addition to Marshfield, which lot the Commission acquired from W. D. McLarin for right of way for the Oregon Coast Highway at this place. He said that this building was advertised for sale two different times, - on September 14 and October 22, but no bids were received for the same at either meeting. He estimated the value of the building at \$25.00 and recommended that the offer of Mr. Enlund be accepted. The Commission approved the recommendation by unanimous vote.

The Attorney also reported the offer of Mr. V. Kalafate, Portland, to purchase for the sum of \$25.00 the building located on property acquired from Bert I. Reynolds and Elizabeth Rose Reynolds, in Block 25, West Portland Heights, Washington County, for right of way for the West Portland-Hubbard Highway. He said that the Commission paid \$280 for this property, which is in an isolated section, and that recently the house has been entered and some of the accessories taken therefrom. He recommended, in view of the circumstances, the acceptance of Mr. Kalafate's offer so as to avoid further vandalism, notwithstanding the fact that this building has never been offered for sale in accordance with the usual practice. The Commission decided to adhere to the present practice and to advertise this building for sale. The Engineer was instructed to take bids for same at the next regular meeting.

The Commission had under consideration the offer of Mr. Arthur L. Fitch to purchase for the sum of \$60.00 the building located on the property acquired from Jessie McLarin in Bunker Hill Addition to Marshfield, more particularly on Lots 3 and 4 of Block 10 of such addition, which property the Commission acquired for right of way for the revision of the Oregon Coast Highway at this place. The Attorney advised that this building has been advertised for sale twice—the first time on September 14, 1937, when a bid of \$26.00 was received for the same; and on October 22, when no bid was submitted. He placed a value of \$100.00 on the building and recommended that the offer of Mr. Fitch be accepted. The Commission approved the recommendation by unanimous vote.

The Secretary presented a letter from the Weyerhaeuser Timber Company in regard to the timber strips adjacent to the Wilson River Highway, in Tillamook County, which the company proposes to donate to the general public for park and recreational purposes. The company advises that the conditions of the conveyance of their property to Tillamook County as set out in Chairman Cabell's letter directed to the company, under date of December 6, 1937, are satisfactory and that the company will prepare its conveyance in accordance therewith and will submit the same to the County Court of Tillamook County as soon as possible. The Commission ordered the communication filed in the department records.

The Attorney reported the desirability of securing copies of local newspapers throughout the state in which are advertised tax sales. He pointed out that frequently the county courts advertise certain properties for sale, some of which, no doubt, will be needed some time for highway right of way, and advised that he could watch these sales closely if he had copies of the newspapers in which they were advertised and could ascertain whether or not any of them should be acquired by the state before they pass into private ownership, which possibly might save the state considerable right of way expense. He suggested that requests be made of the county judges, county sheriffs, county clerks and the district attorneys to furnish copies of the local newspapers in which tax sales are being advertised. The Commission approved the suggestion and so ordered.

The Commission had under discussion the Attorney's opinion in regard to Section 44-3103, Oregon Code 1930, pertaining to the construction and maintenance of pipe lines, ditch flumes, et cetera, across public highways. It was the Attorney's opinion that, if this act, as it relates to the authority of the Highway Commission, were construed by the court, and the court were to take into consideration all of the circumstances attendant upon the passage of the several amendments and the purpose sought to be accomplished, the court would hold that the maintenance of structures built under the authority and purview of the act is an obligation of the State Highway Commission with respect to state highways. He also advised that, in his opinion, it is safe at least to say that the disbursement of state highway funds for the maintenance of a structure built under the authority of this act would be justified as legal and valid, if challenged. In view of this opinion, the Commission voted unanimously to pay Mr. Kingsbury as much as \$500, if necessary, in lieu of the replacement of his pipe line on the Medical

Springe Secondary Highway in Union County and authorized the Engineer to pay Mr. Kingsbury such amount upon obtainment from him of a release from present and future obligation with respect to such pipe line. The Attorney was instructed to carry on the negotiations with Mr. Kingsbury and secure settlement for less than \$500, if possible.

As a further result of the Attorney's opinion on this subject, the Commission authorized an expenditure of state funds for the replacement of the 30-inch wooden pipe line belonging to the West Extension Irrigation District, Irrigon, Oregon, which crosses the Old Oregon Trail at approximately Mile Post No. 182, near Irrigon, subject to the condition that the new pipe line shall be of the same kind and size as the existing one. If the district desires to install a pipe line of more permanent type of construction than that which now exists, then the Commission will pay its proportionate share of the cost of the same but will not assume payment of the entire cost of the better improvement. The settlement, in such case, is to be a matter of future adjustment and negotiation. The Secretary was instructed to convey this information to the irrigation district and to state, further, that the Commission is willing for the district to make this installation and will reimburse the district for the cost thereof, upon receipt of a bill for the same, in detail; or, if the district prefers, the Commission will have the work done by state forces.

Reconsideration was given by the Commission to the matter of maintaining lights on the North Salem undercrossing. The Engineer again reported that the city of Salem absolutely refuses to pay any of the cost of lighting this structure, and suggested that the lights be discontinued, as a matter of policy, unless the Commission desires to modify its policy in regard to such matters. After some discussion, the Commission ordered a report from the Engineer for consideration at the January meeting, as to the expense of lighting all of the underpass structures throughout the state that are located within cities.

The Engineer reported on investigations relative to the rerouting of the Columbia River Highway along Astor Street, in Astoria, particularly with respect to the connection between Bond Street and Astor Street. He said that four alternate lines were investigated for this connection, being designated as the "L" line, "L2" line, "L3" line, and "L4" line. The "L4" line, he said, is least desirable because it has more central angle and less curvature than the other lines, and all lines are equal as to grade and amount of grading, so the question of the selection of a route would depend mainly on the cost of the right of way, which the Right of Way Department has estimated as follows: "L" line, \$16,540; "L2" line, \$17,890; "L3" line, \$16,320; and "L4" line, \$18,550. He recommended the adoption of the "L" line, the center line of which leaves Bond Street at the intersection of Ninth Street, thence cuts diagonally across the center of Block 10 and through Lot 4 of Block 11, and enters Astor Street near the intersection of Sixth Street. After careful consideration of all the facts, the Commission approved the Engineer's recommendation and by unanimous vote adopted the following resolution in regard thereto, upon motion of Commissioner Aldrich, which was duly seconded by Commissioner Tou Velle:

WHEREAS, pursuant to notice given as required by Section 44-120, Oregon Code 1935 Supplement, the Highway Commission met in the City Council Chambers of the City Hall in the City of Astoria on the 13th day of September, 1937, for the purpose of conducting a hearing as provided for in said law with respect to the proposed change of a portion of the route of the Columbia River Highway and of the Oregon Coast Highway within the corporate limits of the City of Astoria; and

WHEREAS, said meeting was called to order by Henry F. Cabell, Chairman of the State Highway Commission, who explained to those assembled the purpose of the meeting and the proposed change in location, route and alignment of said highways within said City, and the Chairman then invited discussion with respect to said matters and extended to all persons present an opportunity to be heard for or against said proposed change; and

WHEREAS, after all who evidenced a desire to be heard had entered their names in the record and minutes of the meeting and had declared their approval or disapproval of said proposed change, the Chairman of the Commission advised that said matter would be taken under advisement by the said Commission and a decision announced at a later date; and

WHEREAS, after due and full consideration of said matters and the arguments and declarations made for and against the proposed change at said public hearing with respect to the change of the route in and through said City, and the Commission being fully advised with respect to all of said matters, it is the opinion and judgment of the Commission that the interests of the State at large will be best served by the adoption of said proposed change of route of said highways in and through said City, all of which will, in the judgment of the Commission, make possible a better alignment, a more serviceable and convenient thoroughfare into and through said City; and, therefore, in the opinion of the Commission the route and alignment of said highways should be altered and modified and should be determined and fixed as in this resolution declared, all of which is in conformance with the notice given and at said hearing heard and discussed.

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by this Commission, all members being present and affirmatively participating, as follows:

1. That the route and location of the Columbia River Highway from 16th Street to 8th Street shall be along the following defined and designated route, to wit:

Beginning in the center of Commercial Street at approximately 16th Street, thence turning to the right, in a northwesterly direction to approximately the center of 14th

and Bond Streets; thence along Bond Street to 9th Street; thence turning to the right crossing through the Southwest corner of Block 9 to the center of 8th Street.

2. That the route and location of the Oregon Coast Highway in the City of Astoria shall be along a route designated and defined as follows, to wit:

Beginning at a connection with the Columbia River Highway at 8th Street; thence in a Northwesterly direction crossing Blocks 10 and 11 to the center of Astor Street at approximately 8th Street; thence in a westerly direction along Astor Street, to the westerly terminus thereof, and continuing in a Westerly and then Southwesterly direction to a point in the center of Taylor Avenue at approximately Columbia Avenue, said point being also in the center of the present Oregon Coast Highway.

3. That said above described routes, locations and alignments of said highways and the said designated streets be and the same hereby are adopted as the routes and locations of said highways in the City of Astoria between the termini above designated.

4. That the portion of Commercial Street between 16th and 8th Streets and 8th Street to Columbia Avenue over which state highway traffic has heretofore been directed and routed shall hereafter be no longer considered as routes over which state highway traffic shall be directed by the State Highway Commission in the City of Astoria, but said sections of said streets shall be relieved of the burden of state highway traffic under the direction of the State Highway Commission.

5. That the Engineer be and he is hereby instructed to definitely locate and establish the said routes by proper monuments and markers and make proper record thereof in the records of the Highway Commission, and erect proper signs on the street or streets over which said highways are routed, and proceed with the permanent improvement and maintenance of said highways along the routes herein defined and in harmony with plans and specifications by this Commission approved.

6. That this resolution be entered in the records and minutes of the Highway Commission, and a duly certified copy thereof mailed to the Mayor of the City of Astoria and a like copy to the County Court of Clatsop County.

The Engineer reported the advisability of securing a hearing before the United States War Department in regard to the proposed bridge across Coalbank Slough on the Oregon Coast Highway just south of Marshfield, so as to

secure approval of the clearances of this structure before the contract for the grading of the adjacent sections is awarded. He requested authority from the Commission to present the plans of this structure to the War Department for such approval and to ask for a hearing on the subject at an early date. The Commission approved the request by unanimous vote.

The Engineer also reported the necessity to secure approval by the United States War Department of the plans for the proposed bridge over the Little Nestucca River on the Oregon Coast Highway, in Tillamook County, which project is now included in the Commission's bridge reconstruction program for contracting next year. He requested authority from the Commission to present the plans for this structure to the War Department for such approval and to ask for a hearing on the subject. The Commission approved the request by unanimous vote.

The Commission had under consideration the Engineer's report on a conference that was held with officials of the Mountain States Power Company, Albany, with reference to an agreement covering reimbursement to that company for the cost of revising its facilities that will be affected by the construction of the proposed Albany railroad grade separation project, said report being dated December 13, 1937, and signed by G. S. Paxson, Bridge Engineer. The report contained the following recommendations, which the Engineer advised were concurred in by the company officials: (1) That the state shall reimburse the company for the cost of removing and replacing such of its 10-inch and 12-inch water mains as will be covered by the highway embankment between Baker Street on the south and Lafayette Street on the north, where the grade is raised an appreciable amount above the present grade, which work is estimated to cost about \$7,850; (2) That the state shall reimburse the company for the cost of moving any fire hydrants that are interfered with by the highway project; (3) That the Mountain States Power Company shall assume and pay the cost of rearranging all of its service connections other than fire hydrants; (4) That the Mountain States Power Company shall assume and pay the cost of all revisions to its electric lines.

After full discussion of this report, the Commission by unanimous vote approved the same and the recommendations contained therein.

The Commission considered and ordered filed in the department records the report from the American Association of State Highway Officials showing the amounts of 1938 Federal Aid Funds available to the respective states for new projects, as of December 1, 1937. It was pointed out by the Engineer that Oregon stands ninth in the list of states, with 59.6% of the apportioned amount obligated.

The Commission considered and signed an agreement with Douglas County and the Umpqua Highway Improvement District providing for the payment of the cost of making a location survey of the North Umpqua Highway between Roseburg and Rock Creek. The Engineer was instructed by the Commission to bill the county and the district for the balances due according to the terms of this agreement.

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Mr. Russell Hubbard, Reedsport, came before the Commission at this time and asked the Commission to repair and maintain as a state highway route the old section of the Umpqua Highway between its new connection with the Oregon Coast Highway, in Reedsport, and the Scholfield bridge. He said that this section is very much in need of repair, due largely to the volume of Oregon Coast Highway traffic from the south that uses it enroute inland over the Umpqua Highway, it being shorter and more direct than the new connection between the two highways. It was his thought, in view of the circumstances, that the state should maintain the section notwithstanding that it is not now a unit of the state highway system. In the discussion of the matter it was pointed out that the Southern Pacific Railroad tracks cross this section at grade, and when the hearing was held before the Public Utilities Commissioner with respect to the construction of the new highway connection across the railroad company's tracks, the railroad officials demanded that the grade crossing on the old route be closed and did not consent to leave it open for traffic until certain concessions were made with respect to the other crossing, so there is a question as to whether or not the Commission could maintain this section without breaking faith with the railroad company. The Engineer was instructed to investigate and secure an estimate of cost to repair and maintain the old route and to secure from the railroad company an expression relative thereto.

Chairman Cabell advised Mr. Hubbard that if the Commission does finally decide to repair and maintain this section, it would be only as a temporary proposition and any order that the Commission might give to the Engineer with regard thereto would be cancellable at any time.

The Engineer brought up for discussion the matter of changing the name of State Highway No. 40, now known as Bertha-Beaverton Highway, to Beaverton-Hillsdale Highway, inasmuch as the Commission at its previous meeting authorized the changing of the road signs in this vicinity from "Bertha" to "Hillsdale" to conform to the name of the post office. He gave as his thought that it would be proper to change the name of the highway as well as the signs, and so recommended. The Commission concurred in the viewpoint of the Engineer and thereupon by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, a certain highway has heretofore been known as the Bertha-Beaverton Highway, which highway extends from an intersection with the Tualatin Valley Highway at or near Beaverton and runs thence in an easterly direction through or near the village of Hillsdale (formerly Bertha) to a point on Barbur Boulevard (Pacific Highway West) at or near the intersection of that boulevard with S. W. Slavin Road in the City of Portland, the distance between the beginning and ending points being 6.7 miles, more or less; and

WHEREAS, Because of a change in the name of the post-office, which instead of being Bertha now is Hillsdale, it is deemed advisable to change the name of said highway from Bertha-Beaverton Highway to Beaverton-Hillsdale Highway;

NOW, THEREFORE, BE IT RESOLVED by the Highway Commission, all members being present and affirmatively participating, as follows:

1. That the state highway heretofore known as Bertha-Beaverton Highway and otherwise designated as state highway No. 40 shall be and the same hereby is changed in name so that the same shall be known and designated as the Beaverton-Hillsdale Highway but shall still be known as state highway No. 40.
2. That a copy of this resolution be entered in the minutes and records of the Highway Commission and a duly certified copy thereof delivered to the County Commissioners of Multnomah County and a copy to the Mayor of each of the cities through which said highway may pass, and a copy to the American Automobile Association.
3. That the State Highway Engineer is hereby directed to erect and maintain appropriate road signs along said highway.

The Commission discussed briefly the matter of appointing a committee, as recommended by the Advisory Committee on Publicity Matters, to make a study of Oregon conditions tending to affect tourist travel, and a letter from Robert W. Sawyer, Bend, in regard thereto. Action on this matter was deferred for future consideration.

The Engineer brought up for discussion matters pertaining to the Willamette Highway and in connection therewith recommended the following order of procedure for the completion of this highway from Lowell Junction easterly, except for about ten miles of surfacing, during the summer of 1940:

State Portion

July 1938 - July 1939	Grading	\$135,000
March 1939 - December 1939	Surfacing 20 Miles	150,000
March 1939 - December 1939	Oiling 20 Miles	17,000
June 1940 - October 1940	Surfacing 10 Miles	80,000
June 1940 - October 1940	Oiling 10 Miles	8,000
Total		\$390,000

Bureau Portion

January 1938 - October 1938	Construct Tunnel	\$140,000
March 1938 - September 1938	20 Miles Surfacing and Oiling	100,000
October 1938 - June 1939	Tunnel Lining	80,000
June 1939 - December 1939	Grading	150,000
Total		\$470,000

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The Commission by unanimous vote tentatively approved the procedure recommended by the Engineer.

The Commission adjourned at 12:00 o'clock noon and reconvened at 2:00 o'clock p. m. in the same room, with all Commissioners, the State Highway Engineer, the Attorney, and the Secretary present.

The Commission had under discussion matters pertaining to forgeries committed by a former Highway Department employe, Wilbur L. Moorman. The Engineer was instructed to check the records and ascertain the exact amount of the defalcation and the exact amount recoverable under the Commission's bonds covering Mr. Moorman. He was also instructed to present the facts to the Secretary of State and to discuss with him the matter of securing an additional audit of the State Highway Commission's accounts by a reputable concern, said audit to be in addition to the one recently completed by the Secretary of State's forces.

The Engineer made certain suggestions in regard to the handling of time statements through which Mr. Moorman was able to hide his defalcations. After due consideration the matter was referred to Chairman Cabell and the State Highway Engineer to perfect a method of procedure to be followed hereafter, whereby defalcations such as were committed by Mr. Moorman could not be duplicated by any Highway Department employe.

The Commission also discussed matters pertaining to certain right of way transactions. This matter was referred to Chairman Cabell to inspect the properties in question.

The Commission discussed matters pertaining to the continuation of W.P.A. work on the Wilson River Highway and particularly the amount of the state's contribution for such work and the use of county-owned equipment. The Engineer pointed out that the counties which are sponsoring this work have signed up for a project estimated to cost \$318,000, of which amount the counties are supposed to put up \$200,000, and the state the balance, or \$118,000, but the counties want the state to assume the counties' share of the cost, or the entire \$318,000, although they have indicated a willingness to turn over to the state certain county-owned equipment for use on the job; however, they want it returned to them in as good condition as it was in when it was turned over to the state. He estimated the value of this equipment, new, at \$90,000, and its present value at about \$30,000, and pointed out that it is not in good condition at the present time and that it would cost about \$30,000 to make it usable. He suggested, if the Commission wants to consider acceptance of the proposition, that it would be advisable to purchase the equipment outright from the counties for a nominal sum rather than borrow it. He also suggested that the Commission sponsor a project costing about \$182,000 on this road, which would place it on a par with the Wolf Creek W.P.A. project as far as state funds are concerned. After full discussion of this matter, the Commission by unanimous vote tentatively approved the Engineer's suggestions and instructed him to work out the proposition on such basis with the counties, if possible. He was authorized to offer \$15,000 for the county equipment.

The Engineer requested authority to purchase a safe cabinet, costing approximately \$600, for use in the office of the Highway Commission's Auditor. The Commission approved the request by unanimous vote.

The Commission discussed briefly matters pertaining to the Federal Aid Secondary Highway Program, but deferred action thereon until its next regular meeting in January. The Secretary was instructed to invite the county ty courts of some of the counties in which Federal Aid Secondary Highway projects are contemplated, to be present at such meeting.

The Commission had under consideration the application of the Silverton Hills Cooperative Electric Company for permission to overbuild a short section of telephone line on the Silver Creek Falls Secondary Highway, in Marion County. The Engineer explained that a telephone line now exists on this road, a portion of it being on the north side of the highway and the balance on the south side. He said that the Electric Company has been assigned the south side of the highway for its pole line, with the understanding that it will arrange for the moving of the telephone poles on that side to the north side, so when the lines are completed there will be no crossing of the wires over the highway and there will be only a single pole line on each side of the highway, which is in line with the established policy of the Commission in such matters; however, the Electric Company alleges that it is not financially able to change over the telephone facilities at the present time and wants to defer such change at least until the telephone poles are in need of replacement, which, they anticipate, will be within the next five years. The Engineer advised that there are about twenty telephone poles involved. He suggested the granting of the company's request in view of the financial condition of the company and the fact that only a short section of highway will be affected. The Commission approved the suggestion by unanimous vote.

The Commission also considered the application of the Mountain States Power Company to construct its power line across the Salem-Dallas Highway at two points in the immediate vicinity of a place known as Brunk's Corner so as to avoid cutting down or trimming some fine oak trees at this location. It appears that the company now has a permit to construct its pole line along the south side of the highway at this point, which permit contains provision that no trees shall be cut or trimmed, also, that the power company has endeavored to obtain private right of way so as to avoid trimming the trees and the construction of its wires over the highway, but the owner of the property absolutely refuses to grant the company an easement over his land; so, unless the power company is permitted to trim the trees, it will be forced to construct its wires across the highway at two locations. The Commission denied the request as a matter of policy and ordered that the company be instructed to string its wires through the trees without trimming and to use specially insulated wires for such purpose.

The Engineer requested instructions whether or not to continue to hold the \$5,000 certified check that was deposited by the Gilpin Construction Company and the General Construction Company, pending the satisfaction of certain labor claims arising out of their contract with the Commission for the

construction of the Yaquina Bay Bridge. He advised that a letter has been received from Mr. C. C. Hockley, Regional Director of the P. W. A., stating that the Board of Labor Review of the P.W.A. has carefully considered the various reports regarding the labor claims and is of the opinion that the evidence does not substantiate them, so they are closing their files on this subject. He also advised that the Federal Government is still holding some \$25,000 of the grant moneys due the state in connection with the Coast Highway bridge jobs. He suggested, in view of the fact that the conditions requiring the \$5,000 deposit apparently are satisfied, that the Commission release to the contractor all but \$500, which, in his estimation, would be sufficient to cover any claims that might arise against this job. The Commission approved the Engineer's recommendation by unanimous vote and authorized the release of the \$5,000 certified check upon receipt from the contractor of another certified check in the amount of \$500.

A claim was presented from the Union Pacific Railroad Company covering one-half the expense incurred as a result of the derailment of the Union Pacific train at Oneonta on February 21, 1936. The Commission indicated that it would approve the payment of this claim, which is in accordance with previous oral understanding and agreement with the railroad company officials, but not on the basis that State Highway Department employees were responsible for the accident as was indicated in the body of the claim. The claim was re-referred to the Attorney with instructions to ask the railroad company to submit its claim in detail and to re-word it so that it would not appear that the Highway Department employees were responsible for the accident.

The Commission had under consideration its claim against Harold T. Warren for damaging the gate on the Umpqua River Bridge at Reedsport. The Engineer advised that Mr. Warren drove his car into the gate, necessitating repairs costing \$45.00, which Mr. Warren refuses to pay, and alleges that the state should reimburse him for the damages that he sustained, amounting to \$39.00 for hospital and doctor bills, and \$150.00 for the repair of his car, because, he alleges, the bridge gate was not properly lighted and the accident would not have occurred if the State Highway Department had maintained suitable lights and warning signs at this location. The Attorney gave as his opinion that the Commission would have difficulty in recovering from Mr. Warren in a lawsuit because juries are always more sympathetic with individuals than with public bodies in cases of this kind. After some discussion, the Commission instructed the Attorney to again present the Commission's bill to Mr. Warren and to request the payment of the same but not to go to the expense of a lawsuit to collect it.

Reconsideration was given by the Commission to the matter of dedicating Short Sand Beach Creek Bridge, on the Oregon Coast Highway in northern Tillamook County, to Samuel G. Reed. The Commission on November 17 approved dedicating this bridge to Mr. Reed at the request of the North Tillamook County Chamber of Commerce; but it now appears that the bridge which the Chamber of Commerce had in mind was the one over Necarney Creek which flows into the ocean at Short Sand Beach. The Commission expressed no preference in the matter and left it with the North Tillamook County Chamber of Commerce to decide which of these two bridges should be dedicated in honor of Mr. Reed.

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The Commission by unanimous vote adopted the following resolution abandoning as a part of the state highway system a short section of the Pacific Highway (old route) at the north city limits of Roseburg which no longer is of value as a state highway since the highway has been reconstructed on new alignment through the city of Roseburg:

WHEREAS, the Highway Commission by resolution duly and regularly adopted on the twenty-third day of April, 1936, selected the street and/or streets of the City of Roseburg and the route within said City over which to direct and route state highway traffic entering and leaving said City over the Pacific Highway, and said Commission has constructed and improved the said route and the same is now open to public travel; and

WHEREAS, by reason of the rerouting of traffic into and through the City of Roseburg and the selection and designation of other and different streets than those heretofore selected and designated over which to route state highway traffic there has been made unnecessary a short fragment of the Pacific Highway outside of the corporate limits of the City of Roseburg on the north; and

WHEREAS, it is the judgment of the Commission that said fragment or section of said highway which is no longer needed as a part of said highway should be abandoned;

NOW, THEREFORE, the premises being in general as above stated, it hereby is resolved by this Commission, all members being present and affirmatively participating, as follows:

1. That the following described section or fragment of the Pacific Highway in Douglas County, to wit:

Beginning in the center of the existing right of way at Engineer's Station 2524+50, M.P. 198.284, opposite and thirty feet distant from which point the northerly right of way line intersects the westerly line of Prospect Street, if extended; thence easterly along the center line of the old Pacific Highway a distance of 0.09 miles to Engineer's Station 2529+01, M.P. 198.373 opposite and thirty feet distant from which point the northerly right of way line intersects the north city limits of the City of Roseburg, which right of way is 60 feet wide and contains approximately 0.57 acre,

be and the same hereby is eliminated from the route of the Pacific Highway and is abandoned and left to revert to the adjacent or abutting property owners or to the County Court of Douglas County for such public use as the County Court may desire to make of the same.

2. That the route of the Pacific Highway as heretofore used entering Roseburg from the north and following along Winchester

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Street to a connection with Jackson Street; thence over Jackson Street to an intersection with Cass Street; thence over Cass Street to an intersection with Stephens Street, and the same hereby is abandoned as the route of the highway into and through said City of Roseburg and said streets or sections thereof over which the said highway has heretofore been routed shall no longer be deemed the route of the Pacific Highway into and through said City, but the route into and through said City shall be as selected and designated by the resolution of the Commission duly adopted on the 25th day of April, 1936

8. For a more specific description of the right of way of said highway hereby abandoned and for a more definite description of the streets or sections of streets of Roseburg over which has heretofore been routed the Pacific Highway, but which are now relieved of any such routing, there is attached hereto a map dated November 17, 1937, which for identification bears the signatures of K. D. Lytle, Division Engineer, H. G. Smith, Construction Engineer, and R. H. Baldock, State Highway Engineer, and which map by this reference is hereby made a part of this resolution. *

The Commission by unanimous vote adopted the following resolution abandoning as a part of the state highway system a portion of the Pacific Highway (old route) near Green Creek in Josephine County, which is no longer of value as a state highway, since the highway has been reconstructed on new alignment at this location:

WHEREAS, in order to afford a better alignment and a more satisfactory, safe and convenient highway for the traveling public, the Commission found it necessary to relocate a portion of the Pacific Highway near Green Creek in Josephine County; and

WHEREAS, by reason of said relocation and reconstruction of the said section of said highway there was eliminated and made unnecessary as a part of the permanent highway a certain section or part thereof, which section or part is more specifically defined and designated hereinafter in this resolution; and

WHEREAS, it is the judgment and opinion of the Commission that there should be recorded in the minutes and records of this Commission its purpose and plan to abandon as a part of the said state highway the fragment or portion of right of way hereinafter designated and heretofore included within the area of the right of way of the said state highway as formerly located, improved and used;

* Map filed in Right of Way Abandonment and Retention File - No. 51

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NOW, THEREFORE, the premises being in general as above stated, it hereby is resolved by this Commission, all members being present and affirmatively participating, as follows:

1. That the fragment of land confined within the area of land hereinafter designated, which fragment or parcel of land was formerly within the limits of the right of way of the Pacific Highway near Green Creek in Josephine County, but is now without the limits of the right of way of said highway as said highway has been relocated and constructed, be and said fragment or parcel of land or portion of the old right of way is abandoned as a part of the right of way of said highway, and said fragment or parcel of land or old right of way is, so far as control and supervision by this Commission is concerned, eliminated and left to revert to the adjoining and abutting property owners or to the control and supervision of the County Court of Josephine County for highway or other public purposes as the Court may determine. The fragment or parcel of land affected by this resolution is defined and described as follows, to wit:

All that portion of the old Pacific Highway right of way (which is 60 feet in width) between original Engineer's Station 210+10 and original Engineer's Station 314+17, save and excepting those portions lying within the right of way acquired on revised alignment constructed in 1952.

The location of said abandoned right of way may be more definitely and particularly ascertained and determined by reference to a map or blueprint, marked "Exhibit 'A'", attached hereto and by this reference made a part hereof, which said exhibit for identification purposes bears the signatures K. D. Lytle, Division Engineer, H.G. Smith, Construction Engineer, and R. H. Baldock, State Highway Engineer, and is dated the 17th day of November, 1957, upon which map or exhibit there is reflected the above described parcel of land by showing the same shaded in red. *

2. In the event there remains any physical connection between any portion of said abandoned right of way or highway and the present highway, and by reason of such physical connection traffic from the existing highway may enter or use the said abandoned portion of the old road to the possible damage or injury of such traffic by reason of any unsafe condition existing with respect to said old or abandoned road, then the State Highway Engineer is hereby authorized and directed to erect such barricade or other safeguards as may be necessary to protect and safeguard traffic using and employing said newly located, constructed and dedicated section of said highway.

3. That this resolution be entered in the minutes and records of the Commission and a certified copy thereof promptly delivered

* Map filed in Right of Way Abandonment and Retention File - No. 52

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to the County Court of Josephine County, together with a copy of said exhibit or map, for such action as said County Court may desire to take with respect to said fragment of land, and should said abandoned portion of the right of way of said highway be further employed for public or private highway purposes such use shall be entirely under the control and supervision of the County Court of Josephine County and beyond any responsibility or supervision by the State Highway Commission.

The Commission had under consideration the abandonment as a unit of the Pacific Highway of the Green Springs Junction-Siskiyou Section of the said highway (old route) in Jackson County, which section has been reconstructed on new alignment. The following resolution in regard thereto was adopted by the Commission by unanimous vote:

WHEREAS, in order to afford a better alignment and a more satisfactory, safe and convenient highway for the traveling public, the Commission found it necessary to relocate a portion of the Green Springs Junction-Siskiyou Section of the Pacific Highway, in Jackson County; and

WHEREAS, by reason of said relocation and reconstruction of the said section of said highway there was eliminated and made unnecessary as a part of the permanent highway a certain section or part thereof, which section or part is more specifically defined and designated hereinafter in this resolution; and

WHEREAS, it is the judgment and opinion of the Commission that there should be recorded in the minutes and records of the Commission its purpose and plan to abandon as a part of the said state highway the fragment or portion of right of way hereinafter designated and heretofore included within the area of the right of way of the said state highway as formerly located, improved and used;

NOW, THEREFORE, the premises being in general as above stated, it hereby is resolved by this Commission, all members being present and affirmatively participating, as follows:

1. That the fragment of land confined within the area hereinafter described, which fragment or parcel of land was formerly within the limits of the right of way of the Green Springs Junction-Siskiyou Section of the Pacific Highway in Jackson County, but is now without the limits of the right of way of said highway as said highway has been relocated and constructed, be and said fragment or parcel of land or portion of the old right of way is abandoned as a part of the right of way of said highway. The fragment or parcel of land affected by this resolution is defined and described as follows, to wit:

Beginning in the center of the old Pacific Highway at Engineer's Station 69+50, M.P. 330.640, thence Southerly along the old Pacific Highway a distance of 7.379 miles to Engineer's Station 406+10, which right of way is 60 feet wide and contains 55.67 acres.

The location of said abandoned right of way may be more definitely and particularly ascertained and determined by reference to a map or blueprint, marked "Exhibit 'A'", attached hereto and by this reference made a part hereof, which said exhibit for identification purposes bears the signatures of K. D. Lytle, Division Engineer, H. G. Smith, Construction Engineer, and R. H. Baldock, State Highway Engineer, and is dated November 15, 1937, upon which map or exhibit there is reflected the above described parcel of land by showing the same shaded in red. *

2. That this Commission recommend to the County Court of Jackson County that the section of highway by this resolution abandoned as a part of the Pacific Highway be designated and maintained as a secondary highway and that the County Court of Jackson County be requested to cooperate with the State Highway Commission to that end and for that purpose.

3. That this resolution be entered in the minutes and records of the Commission and a certified copy thereof promptly delivered to the County Court of Jackson County, together with a copy of said exhibit or map, and that a like copy be sent to the United States Bureau of Public Roads.

The following resolution designating the old Pacific Highway route between Ashland and Green Springs Junction as an extension of the Green Springs Highway, was adopted by the Commission by unanimous vote, upon motion of Commissioner Tou Velle, which was duly seconded by Commissioner Aldrich:

WHEREAS, the Highway Commission has relocated the Pacific Highway in Jackson County between Ashland and Siskiyou Station and has permanently constructed said highway over said route and the same is now open for public traffic; and

WHEREAS, by resolution duly and regularly adopted the Highway Commission has abandoned as a part of the state highway system the portion of the Pacific Highway lying between Green Springs Junction and Siskiyou Station; and

WHEREAS, the westerly terminus of the Green Springs Highway is now at a point known and designated as Green Springs Junction and from that point traffic using the said Green Springs Highway going north used the Pacific Highway; and

* Map filed in Right of Way Abandonment and Retention File, - No. 53

WHEREAS, by reason of the realignment and relocation of the Pacific Highway in Jackson County between Ashland and Siskiyou the section of said highway between Siskiyou Station and the point where the Green Springs Highway heretofore connected with the Pacific Highway will no longer be a part of the Pacific Highway but should become a part of the Green Springs Highway;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission, all members being present and affirmatively participating, as follows:

1. That the section of highway lying between Ashland and Green Springs Junction and heretofore being a part of the Pacific Highway shall be and the same hereby is designated as, and is hereby made a part of, the Green Springs Highway, thereby making the westerly terminus of the Green Springs Highway a junction with the Pacific Highway at Ashland.

2. That the said section of the Pacific Highway which by this resolution is made a part of the Green Springs Highway shall be deemed and considered a part of the state highway system and shall be constructed and maintained as such.

3. That this resolution be entered in the minutes and records of the Commission and a duly certified copy thereof delivered to the County Court of Jackson County.

4. The Engineer is instructed to erect and maintain appropriate road signs along said highway.

The Commission considered and ordered filed resolutions adopted by the Oregon Coast Highway Association at its annual meeting in Astoria on October 11, 1937.

Requests from the residents of Powers, Coos County, for improvements to Powers Secondary Highway from Hoffman Bridge to Powers, had the attention of the Commission. The Engineer advised that this is a major reconstruction project and that it would cost considerably more money than the Commission has available for the same at the present time, unless some other project of more importance is sacrificed. In view of the present financial stringency, the Commission voted unanimously to deny the requests and instructed the Secretary to so inform the petitioners and to advise them of the reason for such action.

The Commission considered and ordered filed a communication from the Salem Chamber of Commerce urging the Commission to include in its 1938 budget provision for additional improvements on the Salem-Dayton Secondary Highway.

The Commission also considered and ordered filed a letter from the Multnomah Civic Club, Portland, requesting that moneys available for arterial highway improvements within the city of Portland be expended in the most practical manner possible to relieve traffic congestion in the westside business district.

The Commission considered a letter from Giles and Dashney, lawyers, Marshfield, on behalf of Coos County residents who use the Enegren Ferry on the Coos River Secondary Highway, renewing their previous request for an extension in the hours of ferry service to include the hours from 5:00 o'clock a. m. to 1:00 o'clock a. m. the following day. The Commission confirmed its previous action on this matter, denying the request, no additional evidence having been presented that would justify the additional expense.

Reconsideration was given by the Commission to the request of the Otter Rock Water District for use of the Highway Department's pipe line at Otter Rock for a period of five years. The State Parks Superintendent, who was present, recommended the denial of this request because of the precedent that would be established and for the further reason that there is a question whether or not the Commission has legal authority to permit the use of this publicly-owned pipe line for private purposes. The Commission approved the recommendation by unanimous vote.

A letter from the Oregon State Hotel Association, urging the Commission to correct the defects in the Roseburg-Grants Pass Section of the Pacific Highway, by eliminating the curves and widening the present road, with the least possible delay, had the attention of the Commission and was ordered filed.

The Secretary presented a letter from the Acting Secretary of the United States Department of Agriculture, Washington, D. C., dated November 27, 1937, advising that the Department of Agriculture has previously approved the proposed system of federal aid highways selected and submitted by the State Highway Commission of Oregon pursuant to the provisions of Section 6 of the Federal Highway Act, and now approves certain revisions in the route descriptions for the entire 7 per cent system and the addition of one new route, being Route No. 42, described as follows: From a point on Federal Aid Road No. 3, northeast of Hubbard, to a point on Federal Aid Road No. 9, northeast of Tigard. Also, advising that with such approval the Federal Aid System for Oregon is 3,403.61 miles, exclusive of 482.11 miles within federal reservations; also, that the present permissible mileage of the system is 3,346.10 miles, consisting of the original 7 per cent of 2,927.80 miles and increments of 418.30 miles subsequently allowed, but exclusive of any mileage within federal reservations. The letter also stated that a total of 131.42 miles of unabsorbed city mileage will be a first charge against the state's next one per cent increment of permissible mileage allowable, upon submission of a showing of 90 per cent completion or provision for completion of the present permissible mileage. The Commission ordered the communication filed for future reference.

The Commission considered and ordered filed communications as follows with reference to the President's recommendation for a reduction in federal aid to the states for highway purposes: (1) Telegram from Senator Charles L. McNary stating his intention to oppose any reduction in federal aid for highway purposes; (2) Letter from Ed. W. Miller, Manager, Oregon Coast Highway Association, advising that the Oregon Coast Highway Association and the people of southwestern Oregon are not in favor of the President's recommendation for reduction in such funds.

The Commission considered and denied the request of the Paisley Common Council for the construction of a rock wall to protect the fill at the approach to the bridge on the Fremont Highway in their town which was damaged by recent high water.

A letter from Mr. L. J. Simpson, Empire, Oregon, requesting information as to the plans of the Commission for the improvement of the Cape Arago Secondary Highway in 1938, had the attention of the Commission. The State Highway Engineer was instructed to inform Mr. Simpson that the Commission has not yet adopted its program for 1938 and there is a question as to how much money, if any, can be allocated to the Cape Arago Road in view of the fact that the Commission must rebuild the Catching Slough Bridge, which will require about \$70,000 of the state's money, and there is a limit in the amount of money that the Commission can spend in this locality this year.

A letter was presented from the First National Bank of Portland inquiring as to the plans of the Commission for relocating the Oregon Coast Highway through the town of Gold Beach. The Commission approved the Engineer's letter replying to this communication. (See letter dated December 23, 1937, directed to Mr. W. F. Bushnell, Assistant Cashier, First National Bank, Portland.)

A letter was presented from Mr. Lester Sheeley, Attorney, Vernonia, thanking the Commission for the courteous treatment that was extended to the delegation from Vernonia at the last meeting of the Commission and urging the construction of that section of the Wolf Creek Highway which extends from the town of Banks to a connection with the Nehalem Secondary Highway. The Commission ordered the communication acknowledged with thanks.

A letter was presented from Adrian Voisin, San Francisco, suggesting a pioneer oxteam and wagon design for a sign to be erected along state highways as a reminder that travel was not always over the beautifully paved and maintained state highways of the present day, and offering to furnish such design, ready for bronze foundry use, for the sum of \$250.00. The Commission referred the letter to the Engineer for reply. He was instructed to inform Mr. Voisin that the Commission now has a similar sign for exclusive use along the Old Oregon Trail, but his suggestion will be taken under advisement for use on additional bridge structures.

The Commission discussed a letter from Mr. Ray Conway, Manager of the Oregon State Motor Association, with regard to the illumination of state

highways. The Commission instructed the Engineer to render a report at the next meeting of the Commission on the cost to illuminate the East Portland-Oregon City Highway between Portland and Milwaukie, the cost estimate to cover three sections,- one, from the Ross Island Bridge to 17th Street; one, from 17th Street to the Oregon Worsted Mill; and the third, from the Oregon Worsted Mill to the town of Milwaukie.

The Engineer reported that investigation reveals that the Crater Lake Highway from its junction with the Pacific Highway to the junction with the West Diamond Lake Secondary Highway, in Jackson County, is showing signs of distress due to heavy log truck traffic. He recommended that the maximum weight of loads that are hauled over this road be limited to 75 per cent of the weights authorized by statute. The Commission approved the recommendation and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, the following road or highway has been duly designated and declared to be and is a state highway, and has been improved and is being maintained by the State Highway Commission pursuant to the laws of the State of Oregon as a state highway, to wit:

CRATER LAKE HIGHWAY

AND WHEREAS, the said above-named state highway is, in the judgment of the State Highway Commission, being subjected to a kind and character of traffic which is damaging and injuring the said highway, and in order to protect said highway against such damage and injury it is deemed and is the judgment of the Highway Commission, and said Commission finds that it will be for the best interests of the said highway that the maximum weights permitted and authorized by law be reduced;

AND WHEREAS, the State Highway Commission has after due investigation determined and found, and it is the judgment of the Commission, that the maximum weights which shall be permitted upon the said road shall be reduced and fixed as in this order provided;

NOW, THEREFORE, the premises being in part as above stated, and the State Highway Commission having as a result of due investigation found that the road above mentioned and hereinafter designated is being damaged and injured on account of the kind and character of traffic now being hauled over and upon said road, and by reason of the fact that vehicles carrying maximum loads moved at the maximum speeds specified by the provisions of the laws of the State of Oregon are breaking up, damaging and deteriorating the said road; and the Commission having found upon due investigation that it will be for the best interest of the said state highway that the maximum total weight of load and vehicle which shall be permitted upon said road shall be reduced so as to conform to the requirements fixed in this order;

IT IS HEREBY ORDERED, that the maximum weight of combined load and vehicle which shall be permitted upon the within-named road shall not exceed the weight herein fixed.

The maximum weights which shall apply to the following highway, to wit:

CRATER LAKE HIGHWAY from its junction with the Pacific Highway to its junction with the West Diamond Lake Secondary Highway, in Jackson County

shall be as follows: The combined weight in pounds bearing on the surface of the highway at contact with the tread on the wheels of the front axle of a truck or truck-tractor shall not exceed the product of four hundred (400) multiplied by the sum in inches of the tire width of the wheels of such axle; and, the combined weight in pounds bearing on the surface of the highway at contact with the tread on the wheels of any one axle of a vehicle or combination of vehicles, other than the front axle of a truck or truck-tractor, shall not exceed the product of four hundred fifty (450) multiplied by the sum in inches of the tire width of the wheels of such axle; but, in no event shall the combined weight in pounds bearing on the surface of the highway at contact with the tread of the wheels of any one axle of a vehicle exceed seventy-five (75) per cent of the maximum limit set by law for any one axle.

IT IS FURTHER ORDERED, that these rules and regulations as made and found by the State Highway Commission under the provisions of Chapter 360 of the laws of Oregon for 1931, shall be in full force and effect from this date until modified, annulled or voided by the order of the State Highway Commission;

AND IT IS FURTHER ORDERED, that a notice be posted in a conspicuous manner and place at each end of the above-named highway and at important crossroads on said highway, so that said notice can be readily seen and read, which said notice shall state plainly the limitations and prohibitions of traffic hereby in this order determined and fixed.

AND BE IT FURTHER ORDERED, that a certified copy of this order be furnished to the County Clerk of Jackson County, and that a certified copy of this order be furnished to the Superintendent of the Department of State Police for his information.

The Engineer brought up for discussion the matter of installing "stop" and "go" signals at the Mosier Tunnel on the Upper Columbia River Highway, which were ordered by the Commission some time ago. He said that the west portal of this tunnel is directly under a cliff some 500 or 600 feet long, from which rocks are constantly falling, and if traffic is

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required to stop at this point it is certain that before long someone will be injured. He gave as his thought that the danger from the falling rocks is greater than the tunnel hazard and pointed out that the hazard might be eliminated or reduced by the construction of a shed over the highway this short distance were it not for the fact that the rocks would catapult onto the railroad tracks, which are directly beneath the highway at this point. He requested instructions. After discussion, the Commission ordered a thorough investigation of this matter and a report rendered thereon. The Engineer was also instructed to contact Mr. Sam Murray, Resident Engineer for the O.W.R. & N. Company, relative thereto, and ascertain from him whether or not the railroad company is sufficiently interested to join in the cost of constructing a suitable shed for the protection of both highway and railroad traffic. The work of installing the "stop" and "go" signals was ordered stopped pending disposal of this matter.

Mr. L. G. Apperson, City Engineer, Portland, conferred with the Commission in regard to the proposed Wilson River Highway W.P.A. project and particularly in regard to the county equipment that has been offered the state for use on this work. The State Highway Engineer advised Mr. Apperson that the Commission is considering the matter of the use of the county equipment, some of which, inspection reveals, is in good condition and some in very bad condition, and has instructed him to investigate the proposition of the state purchasing the equipment for a nominal sum. Mr. Apperson advised that, while the city of Portland owns some of this equipment, it cannot sell it without first advertising it for sale. He further advised that most of the equipment is owned jointly by the counties and the city, having been purchased by a pool of funds, and the owners are perfectly willing for the state to have the use of it on the Wilson River W.P.A. project without any thought as to what condition it may be in when it is returned.

The State Highway Engineer was instructed to contact the several county courts in regard thereto and report the results thereof at the next meeting of the Commission. Mr. Apperson was requested to again look into the possibilities of selling the equipment to the state at private sale.

The Commission considered and approved the filing of a petition with the Federal Government, under the provisions of the Recreational Act, for the purchase of 200 acres of land described as the S.E. $\frac{1}{4}$ of the S.W. $\frac{1}{4}$ and the S. $\frac{1}{2}$ of Section 20; also the N. $\frac{1}{2}$ of the N.E. $\frac{1}{4}$ of Section 29, Township 11 S., Range 26 E., W. M., at the rate of 50¢ per acre, said land being located in the famous Turtle Cove Section of the John Day Valley fossil area, and the purchase being recommended by the State Parks Superintendent.

The Commission approved loaning the notes of the survey for the road leading into the Cape Lookout District, Tillamook County, to the Tillamook County Court to enable the Court to conduct a W.P.A. clearing and grubbing project on proper alignment.

The Commission signed the following letter directed to all State Highway Department employees relative to contributing to the campaign fund

of any candidate for election to public office, and prohibiting the participation of employees in election campaigns:

Circular Letter No. 51.

TO ALL STATE HIGHWAY DEPARTMENT EMPLOYEES:

In view of the nonpartisan nature of the State Highway Department and the necessity of administering its functions on a strictly nonpolitical basis and in the interest of the state as a whole, the employees of the State Highway Department are again cautioned to refrain from all political activities.

No one is or will be authorized by the Oregon State Highway Commission to solicit contributions from state highway employees for the campaign fund of any candidate. No employee will be permitted to engage in such solicitation.

This is brought to your attention at this time in order that that there may be no misunderstanding as to the attitude of the Highway Commission in this matter, and with the view of preventing participation of employees in election campaigns.

By order of

THE OREGON STATE HIGHWAY COMMISSION

HENRY F. CABELL
As Chairman

E. B. ALDRICH
As Commissioner

F. L. TOU VELLE
As Commissioner

The Commission considered briefly the Engineer's report on the results of the State-Wide Planning Survey in so far as it pertains to the solvency of roads for construction, but deferred action on this matter until the next regular meeting.

A letter was presented from Frank H. Rogers, City Inspector, Medford, requesting the Commission's approval of two overhead flashing signals which the city desires to install at two street intersections on the route of the Pacific Highway in Medford, one being at the intersection of Main and Riverside Streets and the other at the intersection of Main and Central Streets. It appears that the signals have already been ordered by the city but they do not conform to the standard requirements of the State Highway Commission. In the discussion of this matter it was brought out that the Commission has previously refused to approve similar installations in other places because the lights to be installed did not meet with the state's

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requirements. In order to be consistent in the matter, the Commission decided not to give its approval in the present instance. The Engineer was instructed to inform Mr. Rogers of the action taken and of the state's requirements with respect to such matters. He was also instructed to prepare a form letter to be sent to all incorporated cities and towns advising them that the State Highway Commission has authority to specify the type of lights that shall be installed on highway routes through cities and towns, and asking them hereafter to secure the approval of the State Highway Commission as to the type of such installations before placing their orders for the lights.

The Commission had under consideration the following requests for extension of time within which to complete highway construction projects:

Roy L. Houck, Contract No. 1892, for grading the Butteville Road-White School Section of the Butteville Road-Hubbard Secondary Highway, in Marion County, requested an extension of time from May 31 to November 3, 1937, within which to complete this project. He alleged that his delay in completing the project within the specified time limit was due to the failure of the Southern Pacific Company to complete its portion of the work, involving the construction of a railroad structure over the highway. The Engineer advised that the reason given by the contractor for failure to complete the job within the specified time limit is correct; that the railroad company could not complete its portion of the job because strikes delayed the delivery of steel. He further advised that Mr. Houck could not do the excavating work south of the structure site until the railroad company had removed its shoofly track. In view of the circumstances and the fact that the highway contractor's delay was occasioned by no fault of his own, he recommended that the extension be granted without penalty. He submitted a letter from the Bureau of Public Roads concurring therein. The Commission approved the recommendation by unanimous vote.

Berke Bros., Inc., Contract No. 1909, for grading the Storm Creek-Lamb Creek Section of the Santiam Highway, in Linn County, requested an extension of time of two weeks, from October 31 to November 15, 1937, within which to complete this job. They alleged that their failure to complete the job within the specified time limit was due to bad weather conditions and to the fact that they were required to remove some slides on the adjoining section. The Engineer advised that the reasons given by the contractor for failure to complete the job within the specified time limit are substantially correct. He recommended, in view of the circumstances, that the extension requested be granted without penalty, and submitted a letter from the Bureau of Public Roads concurring therein. The Commission approved the recommendation by unanimous vote.

Roy L. Houck, Contract No. 1983, for resurfacing the Wilson Ranch-Paradise Creek Section of the Umpqua Highway, in Douglas County, requested an extension of time from November 30 to December 21,

1957, within which to complete this job. He attributed his failure to complete the job within the specified time limit to high water conditions in the Umpqua River, which conditions were beyond his control. The Engineer advised that the reason given by the contractor for failure to complete the job within the specified time is correct. He recommended, in view of the circumstances, that the extension requested be granted without penalty. The Commission approved the recommendation by unanimous vote.

The Engineer reported that contracts Nos. 1892, 1909, 1916, 1957, 1999, 2008, and 2011, for the construction of state highway projects, have been completed according to the requirements of the contracts or modifications thereof and that said jobs are now ready for acceptance.

The following resolution accepting the above projects was offered and was adopted by the unanimous vote of the Commission:

WHEREAS, the Engineer has reported that the following contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts and that said jobs are now ready for acceptance:

Contract No. 1892, with Roy L. Houck, for grading and bridge construction on the Butteville Road-White School Section of the West Portland-Hubbard Highway, in Marion County. Completed November 2, 1937.

Contract No. 1909, with Berke Bros., for grading the Storm Creek-Lamb Creek Section of the Santiam Highway, in Linn County. Completed November 7, 1937.

Contract No. 1916, with Parker-Schram Company, for grading, paving, and structural work on the Ross Island Bridge-Schiller Street Section of the East Portland-Oregon City Highway, in Multnomah County. Completed October 30, 1937.

Contract No. 1957, with Warren Northwest, Inc., for grading and paving the Shedd-Halsey Section of the Pacific Highway, in Linn County. Completed November 4, 1937.

Contract No. 1999, with Saxton, Looney & Risley, for regrading, surfacing, and furnishing crushed rock for the Eagle Point-Baker Gulch Section of the Little Butte Secondary Highway, in Jackson County. Completed December 11, 1937.

Contract No. 2008, with Rogers Construction Company, for furnishing crushed rock for the Forest Boundary-Long Creek Section of the Pendleton-John Day Highway, in Grant County. Completed November 27, 1937.

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Contract No. 2011, with Frank Watt Construction Company, for construction of a frame storage building near the south city limits of Portland, in Clackamas County. Completed November 30, 1937.

THEREFORE, BE IT RESOLVED that the work covered by said state highway contracts for the construction of said state highway projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

The Commission considered and signed agreements, et cetera, as follows:

Agreement with the Pacific Telephone and Telegraph Company with respect to the North Powder-Muddy Creek Section of the Old Oregon Trail;

Agreement with the O.W.R. & N. Company, Union Pacific Company, and Baker County, covering encroachment of the Old Oregon Trail on railroad property at Haines, Oregon;

Agreement with the Oregon-American Lumber Corporation, providing for the transportation of logs across the Wolf Creek Highway at two points in Sections 11 and 14, Township 4 North, Range 7 West, W. M., Clatsop County;

Agreement with Weyerhaeuser Timber Company extending the term of a ground lease covering a stockpile site located in the N.W. $\frac{1}{4}$ of the S.W. $\frac{1}{4}$ of Section 3, Township 40 S., Range 6 E., W.M., Klamath County;

Bargain and Sale Deed, conveying unto Multnomah County 0.01 acre of land situate in Sections 7 and 18, Township 2 N., Range 1 W., W.M., Multnomah County, and being adjacent to the Columbia County Line-Linton Section of the Columbia River Highway, said parcel having been acquired by the state to provide a connection between the highway and what is known as the Logie Trail Road.

There being no further business to come before the Commission at this time, the meeting was adjourned at 5:30 o'clock p. m.

H. V. Seaman
Secretary
W. B. Balch
State Highway Engineer

Henry T. Cabell
Chairman
E. B. Rodin
Commissioner
F. L. Souville
Commissioner

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Portland, Oregon, January 5, 1938

The State Highway Commission met in regular session at 8:00 o'clock p. m. in Room 204, Benson Hotel. Present were:

Henry F. Cabell, Chairman
E. B. Aldrich, Commissioner
F. L. Tou Velle, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

The Commission by unanimous vote approved the minutes of the meetings held on August 11 and 12 and September 13 and 14, 1937.

The Engineer requested authority to acquire certain parcels of real property that are needed for various highway improvements throughout the state and submitted a list of such properties together with prices that he recommended be paid for each. After careful consideration the Commission approved the recommendation and by unanimous vote adopted the following resolution relative thereto:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth; and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon; and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Klamath Falls-Lakeview Section - Klamath Falls-Lakeview Highway</u>				
4730-Stephenson, Dollie Wright R/W		0.59	\$20 per a. plus \$13.20	McChesney

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Sunset Tunnel-Duxton Section - Wolf Creek Highway</u>				
5225-Boos, E. J.	R/W	16.15	\$15 per a. plus \$257.75	McChesney
5231-Fowler, Quincy M.	"	9.72	Gratis	"
<u>Siskiyou Summit-California Line Section - Pacific Highway</u>				
5452-Keith Oil & Land Co.	R/W	39.779	\$10 per a.	Benson
<u>Mystic Creek Section - Coos Bay-Roseburg Highway</u>				
5528-Bushnell, Mary J.	Gravel Pit	40.0	5-yr. Lease, 3¢ per cu. yd.	Ford
5527-Bushnell, Mary J.	Stock Pile	.52	5-yr. Lease, \$5 per yr.	"
<u>South Marshfield Section - Oregon Coast Highway</u>				
5102-VanLydegraf, Florence M.	R/W	4500 sq. ft.	Property to be exchanged for 10,434 sq. ft. in Blk. 6 West Bunker Hill, valued at \$1043.40, plus moving buildings, estimated to cost \$456.60	Benson
5093-Moeninger, Anna	"	745 "	" Lump Sum \$500 plus re-modeling bldgs., estimated to cost \$500	"
5107-Weikel, H. Emelia	"	16,815 "	" Lump Sum \$7,431.50	"
5106-Weikel, H. Emelia	"	495 "	" 10¢ per sq. ft.	"
5116-Owen, Annie C.	"	8,295 "	" 4¢ per sq. ft. plus \$25	"
5397-Kamilo, Menelo, Borrow	Easement	5,500 "	" Gratis	"
5109-Kamilo, Menelo	R/W	2,500 "	" Lump Sum \$900	"
5100-Carlson, A. F. et al	"	4,500 "	" 10¢ per sq. ft.	"
5098-Ortman, W. H.	"	7 "	" 55¢ per sq. ft.	"
4783-McKeown, Ed. Heirs	"	1,024 "	" 10¢ per sq. ft. plus \$47.60 plus moving bldgs.	"
5101-Larson, Herman et al	"	15,000 "	" Lump Sum \$1500	"
4772-Johnson, Leonard A.	"	2,015 "	" Lump Sum \$1250 plus moving bldgs., estimated to cost \$800	"
<u>Tideways Island Section - Oregon Coast Highway</u>				
5387-Chamberlain, Wm. C.	R/W	0.76	\$100 per a. plus \$20	Benson
<u>Goshen-Lowell Section - Willamette Highway</u>				
5510-Copenhaver, Florence M.	Stock Pile	0.76	Lump Sum \$175	Lytle
<u>Newport-Siletz River Section - Oregon Coast Highway</u>				
3932 Atlantic Western Co.	R/W	1.74	Gratis	McCallister
4453-O'Brien, Julia S.	"	2.02	\$100 per a. plus 4,900 sq. ft. land outside right of way	"
4064-Godka, J. F.	"	0.67	\$200 per a. plus \$150	"
4185-Siletz Investment Co.	"	27,880 sq. ft.	4¢ per sq. ft.	"

Section, Hwy. and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Viento-Memaloose Section - Columbia River Highway</u>				
5335-Tazwell, Robert	Stock Pile	1.01	Lump Sum \$100	Collins
5331-Koons, Katie	Quarry	4.86	\$50+ per a.	McCallister
5287-Wineberg, Wm. J.	Stock Pile	0.80	\$100 per a.	Collins
5306-Reils, Frederick W.	Road Easement	---	Gratis	"
<u>Clatsop County Section - Oregon Coast Highway</u>				
5283-Anderson, Marie	Stock Pile	0.52	1-yr. Lease \$15 Lump Sum	Collins
<u>Harris Creek-Chalk Cliff Section - Fremont Highway</u>				
5272-Currier, Wm. Manley	R/W	14.92	8.0 a. at \$100 per a. 6.92 a. at \$10 " " plus \$1468.20	McCallister
5254-Currier, Wm. Manley	"	6.6	4.0 a. at \$100 per a. 2.6 a. at \$10 " " plus \$933.80	"
5271-Foster, Ralph C.	"	5.37	4.0 a. at \$100 per a. 1.37 a. at \$10 " " plus \$1890	McChesney
3911-A-Harvey, Wm. H.	"	11.48	6.0 a. at \$100 per a. 3.48 a. at \$50 " " 2.0 a. at \$10 " " plus \$2943.75	"
5497-Harvey, Wm. H.	Gravel Pit	5.21	\$100 per a.	McCallister
<u>Baker County Line-Weiser Section - Old Oregon Trail Highway</u>				
5236-Malheur County	Stock Pile	2.91	Gratis	Wells
<u>Gibbs Ranch-County Farm Section - Baker-Unity Highway</u>				
5332-Bowen, Edw. Clifford		1.88 a.	in Gravel Pit	
	Gravel Pit and Hauling Road	0.39 a.	in Hauling Road	
			Land \$300, plus \$40	Wells
<u>Island City-Cove Section - Cove Highway</u>				
2723-Wilson, Ed.	Gravel Pit	4.85	1.5 a. at \$100 per a. 3.35 a. at \$22.40 plus \$25	Wells
<u>Lombard Street-Killingsworth Section - Northeast Portland Highway</u>				
5427-Egger, Arnold	R/W	230,886 sq.ft.	at 2¢ per sq.ft.	Parker
5492-Zwahlen, Ernest	"	141,400 "	" \$0.01591 per sq.ft.	"

Special consideration was given by the Commission to the acquisition of right of way from William Manley Currier for a revision of the Fremont Highway between Harris Creek and Chalk Cliff, in Lake County, being right of way negotiation No. 3906. The Commission considered the price quoted by Mr. Currier too high and authorized the Attorney to offer him \$2750 for his property and to condemn the same if Mr. Currier will not accept such sum. The Commission approved payment to Mr. Currier of the amounts asked for two

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additional tracts needed for right of way, being right of way negotiations Nos. 5272 and 5254, but authorized the Attorney to acquire such parcels by condemnation if necessary. He was also authorized to condemn right of way needed for the Troutdale-Multnomah Falls Section of the Columbia River Highway across the land of Fritz and Vivian Luscher, in Multnomah County. The following resolution with respect thereto was adopted by the Commission by unanimous vote:

WHEREAS, the State Highway Commission is by law authorized and directed to lay out, locate, designate, construct, improve and maintain a system of state highways in the State of Oregon, and to acquire rights of way and to declare the necessity and need for the acquisition thereof, and the advantages to be gained thereby;

NOW THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the State Highway Commission does hereby find and declare that it is necessary and will be of advantage to the State of Oregon and there is need that the State acquire for right of way purposes in connection with the permanent location, construction, improvement, and maintenance of the following section or sections of the state highway system of the State of Oregon, to wit:

Foster Creek-Paisley Section of the Fremont Highway
Troutdale-Multnomah Falls Section of the Columbia River Highway

land and property owned by or in possession of the following parties and/or persons, to wit:

Foster Creek-Paisley Section of the Fremont Highway
William Manley Currier and Elsie M. Currier
Troutdale-Multnomah Falls Section of the Columbia River Highway
Fritz Luscher and Vivian Luscher

as their respective interests may appear, and this Commission does hereby declare further that the said property or properties are necessary, are needful, and the acquisition thereof will be of advantage to the State of Oregon for right of way purposes in order to make it possible for the State Highway Commission to properly locate, construct, and maintain said portion or portions of the said state highway system in accordance with standards adopted by this Commission relative to curvature, grades, alignment, drainage and factors of safety.

2. That the State Highway Engineer be and he hereby is instructed and directed to properly survey the parcel or parcels of land required for such right of way purposes and prepare proper and adequate descriptions thereof, which descriptions shall be employed in the preparation of a deed or deeds or other instrument

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or instruments necessary to complete the acquisition of the said property or properties or which descriptions may be used in the preparation of a complaint in the event that condemnation proceedings are necessary.

3. That the boundaries of the said parcel or parcels of land, as defined and determined by the said survey made by the said Highway Engineer, along the route or location adopted by the Highway Commission, shall be and the same hereby are adopted and the lands defined therein are hereby declared to be and the same are included within the rights of way of the said portion or portions of the said state highway system and hereby are declared to be necessary for the proper location, improvement, construction, and maintenance of the said portion or portions of the state highway system.

4. That I. H. Van Winkle, Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they are hereby requested, authorized and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby further resolved that the Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they hereby are requested to commence and prosecute to a final determination such suit or action, or suits or actions, as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

In regard to right of way negotiations 5271 and 3911A with Ralph C. Foster and William H. Harvey for right of way for the Harris Creek-Chalk Cliff Section of the Fremont Highway, the Commission approved the settlements effected by the right of way agent subject to the condition that the owners will construct seven-strand wire fences for which the state is paying as part consideration for such right of way.

The Commission considered and rejected the offer of Gail W. Buel to sell to the state, for the sum of \$2,011.65, 2.861 acres of land that are needed for right of way for the Sheridan-McMinnville Section of the McMinnville-Tillamook Highway, in Yamhill County, such price being considered exorbitant and the right of way being not needed at the present time.

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In the discussion of consideration to be paid property owners for right of way and for other purposes involving the moving of buildings, the Commission ordered that hereafter an estimate of cost to move the buildings shall be submitted to the Commission in each instance, for approval, along with the option to purchase the property, so that the Commission will have such information in passing on the matter.

Reconsideration was given by the Commission to the claim of Mrs. Maude Hastings Campbell for damage that she alleges occurred to her property by reason of the construction of the Union Avenue viaduct on the East Portland-Oregon City Highway, in Portland. The Attorney advised that Mrs. Campbell is demanding the sum of \$7,000 for the settlement of her claim. The Commission denied the claim by unanimous vote.

The Attorney reported results of a conference with attorneys of the Security Investment Company, Oregon City, for acquisition of right of way for the East Portland-Oregon City Highway across this company's property along the water front in Oregon City. He said that the company has now agreed to accept the sum of \$48,000 for its property, which amount is still far in excess of the value placed on the property by the state's appraisers. The Commission also considered the offer exorbitant and instructed the Attorney to so advise the owners.

Consideration was given by the Commission to the acquisition of right of way needed for a revision of the Oregon Coast Highway across property owned by J. A. and K. Sansbury, at Gleneden Beach, in Lincoln County. The Attorney reported that the Sansburys are demanding a sum of approximately \$4,000, but he does not believe the property is worth more than \$5,000 based on the following: two acres of land at \$500 per acre, \$1,000; severance damages, \$500; remodeling the house, \$1,500. The Engineer advised that the Commission does not have a project programmed for this section, so this right of way will not be needed in the near future. The Commission thereupon decided to defer the acquisition of this property and ordered the discontinuance of negotiations for right of way for the Siletz-Newport Section of the Oregon Coast Highway, except to close deals that appear to be exceptionally good.

The Commission discussed briefly the matter of acquiring right of way for a revision of the Oregon Coast Highway through the William S. Walton property at Neskowin, but deferred action thereon until its next meeting.

The Attorney reported results of a conference with Mr. Jay Bowerman, attorney for the owners of Rooster Rock on the Upper Columbia River Highway, which the Commission is purchasing for right of way and recreational purposes. He said that Mr. Bowerman is concerned about the state making payment for this property in three annual installments because of the possibility of a new highway commission being appointed in the interim which would not recognize any agreement made by the present Commission with respect to the deferred payments, and he has suggested that the state pay for the property in two annual installments of \$5,000 each, one such payment to be made immediately and the other in January of 1939. There is a question in the mind of Mr. Bowerman,

he said, as to the constitutionality of the law which makes it possible for the Highway Commission to be sued. After some discussion the Commission decided to pay for the property in two annual installments, as requested by Mr. Bowerman.

The Attorney also reported the results of a conference with Mrs. Elizabeth W. Griggs for the acquisition of 0.36 acre of her land that is needed for right of way for the Columbia River Highway across her property at Corbett, in Multnomah County. He said that he offered Mrs. Griggs \$50 for this area but she is demanding \$350 for the same. He was authorized by the Commission to raise his offer to \$100.

The Commission had under discussion the matter of securing the cooperation of the Southern Pacific Company with respect to the proposed Albany railroad grade separation project. It appears that the railroad company owns certain property that is needed for right of way for this project, but the railroad company has tenants who are railroad shippers and with whom it will be necessary to deal in connection with right of way matters. The Attorney reported that the engineering department of the Southern Pacific Company in Portland has expressed every willingness to cooperate with the state with respect to the right of way but that by reason of the exorbitant and unreasonable demands made by the tenants it was impossible to make proper settlements and suggested that the matter be taken up directly by the Commission with the Southern Pacific Company. He also reported that plans had been worked out and discussed with the Albany Seed Company and the McLaughlin Cold Pack Plant involving the providing of other sites and moving the existing buildings, but that these plans had been rejected and other settlements demanded which, in the case of the Albany Seed Company, would amount to an additional \$2,450.00 and in the case of the McLaughlin Cold Pack Plant to an additional \$6,350.00. After discussion it was decided that Chairman Cabell would take the matter up with the railroad company officials in San Francisco, explaining the situation in detail and asking their consideration and cooperation.

The Commission considered and approved the following changes suggested by the Tillamook County Court in the form of deed offered by the Weyerhaeuser Timber Company to convey unto Tillamook County certain timber strips adjacent to the Wilson River Highway, in Tillamook County.

Following the words "marketable timber", in the second paragraph, on page 1 of the deed, there were added the words "suitable for lumber"; and on page 2 of the deed, following the word "exclusively", there was taken out "and, if at any time, said lands, or any part thereof, should be abandoned for such use, or the maintenance thereof for such purpose be discontinued, the same, or the part thereof so abandoned for such use or discontinued to be maintained for such purpose, shall ipso facto revert to and be and remain the absolute property of the grantor, its successors or assigns".

In connection with this matter, the Attorney read aloud a form of agreement that he has prepared covering the deeding of this property by the company to the county in the first instance, and the transferring of title

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from the county to the state within a period of five years. The Commission approved the form of agreement by unanimous vote and instructed the Attorney to present it to the Tillamook County Court for acceptance.

The Commission had under consideration the following offers for the purchase of buildings located on property previously acquired for right of way for the proposed improvement of the Oregon Coast Highway through the Bunker Hill District south of Marshfield: (1) offer of Walter Jepson to purchase the building located on Lot 13, Block 9, Bunker Hill, for the sum of \$18, and the building located on Lot 12, Block 9, Bunker Hill, for the sum of \$32; (2) offer of George A. Blake to purchase the building located on Lot 13, Block 9, Bunker Hill, and the building located on Lot 12, Block 9, Bunker Hill, for the sum of \$15; (3) offer of Arthur L. Fitch to purchase for the sum of \$15 the building located on Lot 12, Block 9, Bunker Hill. The Attorney advised that these buildings have previously been advertised for sale but unsatisfactory bids were received. He recommended acceptance of the offer of Mr. Jepson for the purchase of the two buildings at \$50. The Commission approved the recommendation by unanimous vote.

The Engineer reported receipt of a copy of a report prepared by Mr. C. J. Buck, Regional Forester of the United States Forest Service, for submission to the State Planning Board, relative to wayside strips. He said that Mr. Buck would like to discuss this report with the Commission before he presents it to the Planning Board. He was instructed to invite Mr. Buck to be present at the February meeting of the Commission, and, in the meantime, to study the report with a view of making recommendations in regard thereto at such meeting.

The Commission adjourned at 10:30 o'clock p. m. to reconvene at 9:00 o'clock the following morning, in the Auditorium of the Public Service Building.

Portland, Oregon January 6, 1938.

The State Highway Commission reconvened in regular session at 9:00 o'clock a. m. in the Auditorium of the Public Service Building, with all members, the State Highway Engineer, the Attorney, and the Secretary present.

Bids as follows for highway construction projects were opened and read in conformance with previously published notice:

**BAKER-UNITY HIGHWAY
GIBBS RANCH-BAKER SECTION - GRAVEL SURFACING**

O. C. Yocom	\$ 5,520.00
Leonard & Slate	7,610.00
Van Cleave & Van Cleave	7,838.00
Roy L. Houck	8,530.00
Hart Construction Company	9,482.00
E. H. Itschner	9,770.00

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(Gibbs Ranch-Baker Section, Continued)

Quinn-Robbins, Inc.	\$10,042.00
Saxton, Looney & Risley	10,611.00
Harold Blake	10,675.00
Homer G. Johnson	10,980.00
Warren Northwest, Inc.	11,425.00
Coos Bay Dredging Company	11,908.00
Newport Construction Company	12,815.00

MEDICAL SPRINGS SECONDARY HIGHWAY
NORTH UNIT, MISSOURI FLAT SECTION - GRAVEL SURFACING

O. C. Yocom	\$ 3,750.00
Van Cleave & Van Cleave	4,450.00
Roy L. Houck	4,550.00
Leonard & Slate	5,250.00
Quinn-Robbins, Inc.	5,740.00
Saxton, Looney & Risley	5,935.00
Hart Construction Company	5,965.00
E. H. Itschner	6,790.00
Coos Bay Dredging Company	7,215.00
Harold Blake	7,400.00
Warren Northwest, Inc.	7,625.00
Homer G. Johnson	7,775.00
Newport Construction Company	8,700.00

MT. HOOD AND WAPINITIA HIGHWAYS
MT. HOOD ROCK PRODUCTION PROJECT

Saxton, Looney & Risley	\$21,060.00
A. S. Wallace	21,620.00
R. O. Dail & Warren Bros., Inc.	22,240.00
Joplin & Eldon	23,327.00
S. S. Montague	23,910.00
A. C. Greenwood, Inc.	25,740.00
E. H. Itschner	25,835.00
Fisher Bros.	26,580.00
Homer G. Johnson	27,540.00
Dolan Construction Company	27,680.00
H. L. Rice	29,578.00
E. C. Hall Company	29,950.00

JOHN DAY HIGHWAY
SHUTTLE FLAT-CONDON SECTION - CRUSHED ROCK IN STOCK PILES

Schmeer, Williams & Gentemann	8,710.00
Jones-Scott Company	9,650.00
Fisher Bros.	9,950.00
Saxton, Looney & Risley	9,960.00

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(Shuttler Flat-Condon Section, continued)

Rogers Construction Company	\$10,420.00
A. S. Wallace	10,450.00
H. L. Rice	10,665.00
Warren Northwest, Inc.	10,785.00
Joplin & Eldon	14,060.00

PACIFIC HIGHWAY

ROSS STATION-ARVARD SECTION - PORTLAND CEMENT CONCRETE PAVEMENT

Harold Blake	\$49,087.00
Jacobsen-Jensen Company	50,579.50
Edlfsen-Weygandt Company	51,418.50
Mountain States Construction Company	51,757.00
Warren Northwest, Inc.	55,115.00

WESTON-ELGIN SECONDARY HIGHWAY

FOREST BOUNDARY—ELGIN SECTION

GRADING, SURFACING, OILING; ALSO CRUSHED ROCK IN STOCK PILES

E. H. Itschner	\$45,408.00
Leonard & Slate	55,909.00
Newport Construction Company	57,006.00
Homer G. Johnson	67,072.00
Geo. F. Price	70,496.00

JOHN DAY HIGHWAY

BUTTE CREEK SECTION

GRADING, SURFACING, OILING; ALSO CRUSHED ROCK IN STOCK PILES

Leonard & Slate	\$59,094.50
Fisher Bros.	40,264.00
E. H. Itschner	41,067.50
Warren Northwest, Inc.	45,716.00
Harold Blake	46,896.50
McNutt Bros.	48,297.00
F. C. Dillard	52,545.50

No bids were received for the purchase of the house, barn and shed located at West Portland Heights about one mile east of Tigard, Washington County, which was previously advertised for sale at this meeting.

Chairman Cabell announced that the award of contracts would be made at 2:00 o'clock p. m. in the same room.

The Engineer requested instructions in regard to the furnishing of pilot-car service to guide traffic along inundated sections of highways during periods of high water. He said that such service has been rendered at times in the past but there is a question in his mind whether or not the

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practice should be continued in view of the fact that the Commission might be held responsible and liable in the event of accidents occurring. He gave as his thought that the accommodating of traffic in this way is desirable, if it can be done without the assumption of liability on the part of the Commission, and suggested that it might be satisfactory to require the parties desiring the service to sign a statement requesting it and relieving the Commission from liability. He submitted a form of statement as follows covering the matter, for the Commission's consideration:

I, _____, the undersigned, hereby request the State Highway Commission to assign and designate an employe of the Highway Department to pilot my car through the waters which overflow and submerge the _____ Highway at or near _____, which service is requested for my own personal advantage and with full knowledge of the hazard involved, and I therefore accept full responsibility for any accident which may happen and/or any injury or damage which I or my passengers may sustain while being piloted over the said water-submerged highway.

Dated this _____ day of _____, 193—.

Witnesses:

Applicant

After discussion and upon advice from the Attorney to the effect that the signing of such statement by the party or parties requesting the accommodation would relieve the Commission from liability for damage, the Commission approved the same and authorized the Engineer to continue to furnish pilot-car service when requested so to do in writing, using a copy of this form statement for the purpose, but not to furnish such accommodation to parties who will not sign the statement.

Mr. V. Kalafate, Portland, came before the Commission at this time with an offer to purchase for the sum of \$25 the house, barn and shed that were advertised by the Commission for bids to be received at this meeting. It was the opinion of the Commission that Mr. Kalafate's proposal was received too late to be considered as a bid submitted as a result of the Commission's published notice of sale. However, the offer being satisfactory, the Commission accepted the same by unanimous vote, as a private transaction, and instructed the Secretary to enter the transaction in the record as such.

The Engineer reported on the cost to light all underpass structures located on state highway routes within the corporate limits of cities and towns throughout the state, as ordered by the Commission at a previous meeting. He said that there are seven such structures now being lighted; viz, at Ontario, Bend, Oregon City, Salem, LaGrande, and two in Portland. He

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estimated the total annual cost of electricity for lighting these structures would amount to about \$2,700 and that it would cost an additional \$500 to maintain the lamps, or a total yearly cost of approximately \$3,000. After discussion of this report, the Commission voted unanimously to assume the entire cost of lighting such underpass structures, thus relieving the cities and towns from contributing to such expense.

The Engineer also reported on the cost to maintain the abandoned section of the Oregon Coast Highway through the city of Reedsport, as was requested by Mr. Russell Hubbard at the previous meeting. He said that this section is 0.8 mile in length and that it would cost about \$500 per year to maintain the same. He recommended that the request be denied because, in his estimation, if the Commission assumed this responsibility, it would not be keeping faith with the S. P. Railroad Company and the Public Utilities Commissioner with respect to the railroad grade crossing which is involved. The Commission approved the recommendation by unanimous vote.

The matter of constructing a wooden sidewalk on the Winchester Bridge over the Umpqua River on the Pacific Highway north of Roseburg, as has been requested by the Roseburg Chamber of Commerce, had the attention of the Commission. The Engineer estimated that it would cost about \$7,650 to construct a wooden sidewalk three feet six inches wide on each side of the bridge. The Commission decided that such expense is not justified at the present time and thereupon denied the request.

The Commission had under consideration the matter of constructing a cattle pass under and across the Coos River Secondary Highway, about five miles above Enegren Ferry, in Coos County, for the benefit of Mrs. Lillian M. Curtis-Piper. The Engineer advised that Coos County acquired the right of way for this highway, and as part payment for the same constructed numerous cattle passes for farmers who own property adjacent thereto; but, according to Mrs. Piper, no provision was made for a cattle pass for her, presumably because several members of the Piper family were quite ill when the negotiations were being carried on and very little attention was paid to the details and no thought was given to a cattle pass at that time. He further stated that, according to Mrs. Piper, the Piper family donated the right of way for the road across their property and in view thereof are of the belief that they are as much entitled to a cattle pass as are the other farmers in the district. He estimated that such cattle pass would cost about \$925 and that it would cost an additional \$75 to construct a certain approach road that Mrs. Piper also wants. He gave as his thought that the obligation, if one exists, to construct the cattle pass and the approach road is the county's, and recommended denial of the request. The Commission approved the recommendation by unanimous vote, and ordered that Mrs. Piper be referred to the county court for the settlement of her claim.

Reconsideration was given by the Commission to the matter of constructing a sidewalk along the Pacific Highway West for a distance of about two miles south of Corvallis. The Engineer submitted a cost report in connection therewith, action on which was deferred by the Commission until

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the next meeting pending the securing of additional information by the Engineer regarding an existing sidewalk.

The Secretary presented a report on arrests that have been made by officers of the State Police Department since July 1, 1937, of logging equipment that has been found to be loaded in excess of the weights allowed by law. The report indicates that there has been a decided decrease in the number of violations for overloading since the Commission adopted its new rules and regulations relative to penalties for infractions of the law in this respect. The Commission ordered the report filed.

The Commission had under consideration the Engineer's report on the matter of constructing a new connection of the Hillsboro-Woodburn Secondary Highway with the Pacific Highway at Woodburn, involving the extension of Young Street, Woodburn, easterly a distance of about 600 feet, and the elimination of two turns in the present route. The Engineer recommended that the change be not made, it being his thought that the hazard of a direct crossing of a main trunk highway is much greater than an indirect crossing, as now exists.. After discussion the Commission decided not to do anything with the matter at the present time because funds are lacking with which to finance construction of the same.

The Engineer presented two alternate plans for the separation of vehicular traffic at the intersection of Denver Avenue and Union Avenue (Pacific Highway) in Portland, one of which is described as a circle arrangement and the other as a clover leaf or oval arrangement of traffic lanes. He estimated that to construct the traffic circle lanes would cost about \$182,000, including right of way, and to construct the clover leaf plan would cost about \$172,000, including right of way. He recommended the adoption of the clover leaf or oval plan and requested authority to secure options from the various property owners for right of way needed for the same and to negotiate with the officials of the Peninsula Golf Club, which is involved, with respect to right of way and the rearrangement of the golf club facilities. After considerable discussion and careful study of the alternate plans, the Commission by unanimous vote tentatively adopted the plan recommended by the Engineer (clover leaf or oval plan) subject to approval by the Bureau of Public Roads. The Engineer was instructed to present the plans to the Bureau of Public Roads officials, together with the Commission's recommendation. The Engineer was authorized to secure options from the property owners for the needed right of way and to negotiate with the officials of the Peninsula Golf Club for right of way across the Golf Club property and for the rearrangement of the golfing facilities.

Mrs. Nina I. Belt, Newport, came before the Commission at this time in regard to her property at the mouth of Fogarty Creek on the Oregon Coast Highway, in Lincoln County, a portion of which property is needed by the state for right of way for a revision of the highway at this location. It appears that there are some twelve acres of land involved in this transaction, including right of way and property lying easterly thereof and extending up to the existing highway, which the Commission desires to purchase.

Mrs. Belt stated that she refused an offer of \$18,000 for her property two years ago and that the value of the same will be cut in half if the highway is constructed through it, as planned. She offered to sell the twelve acres needed by the state for the sum of \$9,000. Chairman Cabell gave as his opinion that a fair basis for a determination of the price to be paid to Mrs. Belt for the land to be taken from her by the state is the difference between the present-day value of her entire holdings and the value of the portion remaining after the 12-acre tract has been taken away for highway purposes. He advised that the Commission does not plan to reconstruct this highway in the near future because of shortage of funds to finance the work, so there is no particular hurry about closing the right of way deals now pending, including Mrs. Belt's, and there is a possibility that the Commission will order all such negotiations to be discontinued; however, if the Commission decides to complete the purchase of Mrs. Belt's property, then several new appraisals of the same will be made on which to base a reasonable offer. He agreed to let Mrs. Belt know within a reasonable time the decision of the Commission in regard thereto.

A delegation from the town of Culver and vicinity, Jefferson County, consisting of W. V. Merchant, George Rodman, W. C. Barber and E. C. Beckwith of Culver and S. E. Lochrie of Metolius came before the Commission and protested the reconstruction of The Dalles-California Highway on alignment south of Madras that would bypass the towns of Culver and Metolius. Mr. Merchant was spokesman for the group. They gave as their thought that the highway is satisfactorily located now and that the Commission should spend its funds to improve the present road rather than to construct an entirely new one. They alleged that great harm would come to the towns of Culver and Metolius and that it would result in serious detriment to those towns if the highway were taken away. The Engineer advised that he was ordered by the State Highway Commission to make a survey for a permanent location of the highway between Madras and Terrebonne to fit in with the irrigation project which is proposed for this district, it being the Commission's thought that if the plans for the irrigation district and the highway were correlated, the cost of constructing the highway would be kept to a minimum; whereas, if this were not done, it would undoubtedly cost the state a considerable sum later to make alterations in the irrigation facilities to fit the highway plans. He further stated that there are two or three alternate plans under consideration and that the location surveys are now under way to determine which route is the best from an engineering standpoint. Chairman Cabell advised that the Commission does not represent any particular group, and, in determining the proposed location for a highway, must consider the interests of the general public against local interests. The decision of the Commission, he said, rests upon such basis. If it appears that the interests of the general public are greater than the local interests, then the latter must be sacrificed; but, if the local interests appear to outweigh the interests of the general public, then it is the policy of the Commission to decide in favor of the local interests. He further stated that the Commission is not in a position to make any definite statements today in regard to this proposed change south of Madras and will not be in a position to do so until the surveys are completed and the results thereof studied. He assured the delegation that it would be given an opportunity to discuss the matter further with the Commission

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before the Commission takes definite action in regard to relocating this road. It was agreed that the Commission will notify the people of Culver and Madras through Mr. Merchant when the surveys are completed and the Commission is ready to confer with them, the place for the conference to be decided later.

Contractor E. H. Itschner came before the Commission at this time in regard to a bid that he submitted at the morning session for grading, surfacing and oiling, and furnishing crushed rock in stock piles on the Forest Boundary-Elgin Section of the Weston-Elgin Secondary Highway, in Union County. Mr. Itschner stated that he made an error of more than \$12,000 in his calculations with respect to the cost of doing the work and as a consequence he is the low bidder for this job. He asked the privilege of withdrawing his bid on account of such error. The Engineer advised that he has investigated Mr. Itschner's bid and is unable to find any particular item that can be called an error, but it is apparent that Mr. Itschner bid uniformly low on each item. He suggested, in view of the circumstances, that Mr. Itschner's request to withdraw his bid be denied. The Commission concurred in the viewpoint of the Engineer and so ordered.

The Engineer reported on the inspection of the county-owned equipment which the counties of Tillamook, Washington, Multnomah, and the city of Portland have offered to turn over to the state for use on the Wilson River Highway W.P.A. project; also, on the results of his contact with the several counties and the city of Portland relative to the purchase of such equipment by the state. He said that the counties and the city have agreed to accept a lump sum of \$15,000 for the following equipment:

- 15 light dump trucks, 1936 models
- 1 1½-yard P & H shovel
- 1 1½-yard Loraine shovel
- 1 3/8-yard Universal shovel
- 5 caterpillar tractors
- 3 bulldozers
- 2 logging drums
- 2 graders

The ownership of this equipment, he said, is rather involved, some of it being owned outright by the counties and some by all of them together, having been purchased by a pool of funds, so it has been arranged that the counties will transfer their interest in the equipment to Tillamook County, which in turn will transfer title to the state and give the state a bill of sale for the same. The \$15,000 payment by the state, he said, is to be made in two or three payments and it was understood and agreed that the equipment thus sold to the state would be retained on the Wilson River Highway W.P.A. project only and would be maintained by the state in excellent operating condition until the W.P.A. project is completed on this highway or until the equipment is worn out. The Engineer read aloud the report of Maintenance Engineer J. N. Bishop on this subject, same being dated January 5, 1938. After some discussion the Commission approved the purchase of the above list of

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equipment on the basis of the method outlined in Mr. Bishop's letter and as reported by the Engineer. The Attorney was instructed to prepare a form of agreement with Tillamook County covering the matter. The Commission thereupon by unanimous vote authorized the Engineer to sign up for a W.P.A. project, costing \$751,482.00, on the Wilson River Highway, when the agreement covering the matter of equipment has been fully executed. The state's share of this cost is estimated at \$200,000.00; the county's share at \$20,000; the balance to be paid with W.P.A. funds.

The Commission discussed briefly the matter of the appointment of a committee to study conditions affecting tourist travel in Oregon, as has been recommended by the Advisory Committee of the Travel and Information Department. Several names were considered but definite action thereon was deferred until a future date.

The Commission considered and referred to the Engineer for investigation and report, a letter from Mr. J. C. Joy, Chairman of the State Industrial Accident Commission, regarding a hazardous condition which he alleges exists at the west end of the Mosier Tunnel on the Upper Columbia River Highway, in Hood River County, caused by the continuous falling of rocks from the cliff on the upper side of this highway. The Engineer was also instructed to discuss this matter with Mr. Joy and to inform him of the Commission's plans with respect to the elimination of this hazard.

Reconsideration was given by the Commission to the approval of the claim of the Union Pacific Railroad Company for reimbursement by the state of one-half of the cost of damages that resulted from the derailment of one of its trains in the Columbia Gorge as a result of an accumulation of snow on the railroad tracks during February, 1936. The Commission indicated that it would approve the payment of this claim if the explanation on the bill is changed to show that the depositing of snow on the railroad company's tracks by state highway forces is an allegation on the part of the railroad company and not a fact of admission by the State Highway Commission. The Attorney was instructed to revise the bill accordingly and pass it for payment.

The Commission approved the purchase of the following equipment and supplies, upon request and recommendation of the Engineer:

- 10 electric clocks for use in radio rooms. Estimated total cost, \$80;
- 3 radio receiving sets for the maintenance stations at Corvallis and Redmond and for the Maintenance Engineer's office in Salem. Estimated total cost installed, \$406;
- 1 paving plant complete, consisting of 1 plant, 2 asphalt kettles, 1 6-ton roller and 6 trucks. Estimated total cost, \$12,000;
- 2 6-ton paving plant rollers and trade-in of 2 old rollers as part purchase price. Estimated net total cost, \$6,000;

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- 1 graphic planometer complete with trailer, for use in connection with concrete pavement construction. Estimated cost \$600;

Miscellaneous equipment for use in connection with geophysical prospecting. Estimated total cost \$110;

- 42,000 gallons of traffic line lacquer, estimated requirements for 1938 traffic line painting. Estimated cost \$50,400;

Metal signs and reflector buttons for 1938 requirements. Estimated cost \$20,000 and \$18,000, respectively.

The Commission had under consideration a letter from Chester Embree, Newport, inquiring whether or not the Commission wants to sell or dispose of some of the old timber trestle bridges constructed by the United States Spruce Production Corporation on its railroad between Newport and Otter Rock, in Lincoln County, the right of way for which the Commission recently acquired from the Atlantic Western Company. The Engineer advised that there are only three structures remaining on the right of way acquired from the Atlantic Western Company, the others having either been burned or removed for salvage purposes. He further advised that there are about 22,000 lineal feet of piling in the structures, 35 to 40 per cent of which is decayed and is of no value except for fuel; in fact, the decayed piling has no value for any purpose whatsoever; and 240 MFBM lumber and timber which is of value only as fuel. He recommended the sale of the timber and lumber at the rate of 50¢ per MFBM, or a total of \$120, provided that the purchaser will also dispose of all of the piling and will clean up the premises to the satisfaction of the Commission. After some discussion the Commission authorized the Engineer to dispose of this material in the best manner possible in accordance with his recommendation. He was instructed to use his own discretion in the matter of bringing the sale to the attention of prospective purchasers.

The Commission considered, but deferred until a future date, action on the matter of constructing maintenance headquarters buildings at a place known as Brothers on the Central Oregon Highway, Deschutes County, and at a place known as Okerman Ranch, near the intersection of the Central Oregon and Lakeview-Burns Highways, in Harney County, each of which headquarters buildings the Engineer estimated would cost about \$8,000.

The matter of encroachment of an advertising sign on the Columbia River Highway (Sandy Boulevard) just outside of the city limits of Portland, had the attention of the Commission. It appears that a man by the name of W. B. Herron has installed a large neon electric sign in front of his service station and garage on this highway and that the said sign illegally encroaches approximately eleven feet onto the highway right of way. Further, that Mr. Herron has been ordered to move his sign back onto private property but he absolutely refuses to do so and states that he will stand suit before removing it from its present location. The Attorney advised that the matter has been brought to the attention of the sheriff of Multnomah County but no

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satisfaction has been secured thereby. He requested instructions from the Commission as to what to do in view of the circumstances. He was instructed by the Commission to again order Mr. Herron to remove the sign, and if he persists in disregarding the orders, to have the sign removed by due process of law.

The Engineer requested instructions whether or not to include in the 1938 minor betterment program the oiling of the shoulders of the pavement through the town of Monroe, Benton County, estimated to cost \$750, and the installation of fog posts for the protection of pedestrian traffic along the Nehalem Secondary Highway in the town of Vernonia, Washington County, estimated to cost \$150. The Commission by unanimous vote authorized the installation of the fog posts at Vernonia but disapproved the oiling work in the town of Monroe. The Engineer was instructed to keep the Monroe oiling project in mind for future consideration.

The Engineer reported to the Commission that Julius Gunnell, to whom the Commission awarded the contract for providing ferry service across Coos River at a place known as Enegren Ferry, in Coos County, desires to assign his interests in this contract to a Mr. Andrew Stambuck, and to be relieved of further obligation in connection therewith. He requested instructions in regard thereto. The Attorney advised that there is no legal barrier to the Commission authorizing the assignment of this contract if it so desires. In view of the Attorney's advice, the Commission approved the assignment of this contract by Mr. Gunnell to Mr. Stambuck, subject to the condition that investigation reveals that Mr. Stambuck is reliable and responsible and will render the services called for in the contract in a satisfactory manner. The Commission referred the matter to the Engineer to make such investigation.

The Commission considered the matter of ordering a reduction in the maximum load limits on the Willamette Highway, the Siuslaw Highway, and the Siletz Secondary Highway, which roads the Engineer advised are showing signs of distress because of concentrated log hauling traffic. The Commission ordered a reduction in the maximum load limits to 75 per cent of those specified by statute. The following resolution in regard thereto was adopted by the Commission by unanimous vote:

WHEREAS, the following roads or highways have been duly designated and declared to be and are state highways, and have been improved and are being maintained by the State Highway Commission pursuant to the laws of the State of Oregon as state highways, to wit:

WILLAMETTE HIGHWAY
SIUSLAW HIGHWAY
SILETZ SECONDARY HIGHWAY

AND WHEREAS, the said above-named state highways are, in the judgment of the State Highway Commission, being subjected to a

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kind and character of traffic which is damaging and injuring the said highways, and in order to protect said highways against such damage and injury it is deemed and is the judgment of the Highway Commission, and said Commission finds that it will be for the best interests of the said highways that the maximum weights permitted and authorized by law be reduced;

AND WHEREAS, the State Highway Commission has after due investigation determined and found, and it is the judgment of the Commission that the maximum weights which shall be permitted upon the said roads shall be reduced and fixed as in this order provided;

NOW, THEREFORE, the premises being in part as above stated, and the State Highway Commission having as a result of due investigation found that the roads above mentioned and hereinafter designated are being damaged and injured on account of the kind and character of traffic now being hauled over and upon said roads, and by reason of the fact that vehicles carrying maximum loads moved at the maximum speeds specified by the provisions of the laws of the State of Oregon are breaking up, damaging and deteriorating the said roads and the Commission having found upon due investigation that it will be for the best interest of the said state highways that the maximum total weight of load and vehicle which shall be permitted upon said roads shall be reduced so as to conform to the requirements fixed in this order,

IT IS HEREBY ORDERED, that the maximum weight of combined load and vehicle which shall be permitted upon the within-named roads shall not exceed the weight herein fixed.

The maximum weights which shall apply to the following highways, to wit:

WILLAMETTE HIGHWAY from the junction with the Pacific Highway at Goshen to Oakridge, in Lane County;

STUSLAW HIGHWAY from the junction with the Pacific Highway near Junction City to Florence, in Lane County;

SILETZ SECONDARY HIGHWAY from the junction with the Oregon Coast Highway near Kernville to the junction with the Corvallis-Newport Highway near Toledo, in Lincoln County,

shall be restricted to the following weights: the combined weight in pounds bearing on the surface of the highway at contact with the tread on the wheels of any one axle of a vehicle or combination of vehicles shall not exceed the product of four hundred fifty (450) multiplied by the sum in inches of the tire width of the wheels of

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such axle; but in no event shall the combined weight in pounds bearing on the surface of the highway at contact with the tread of the wheels of any one axle of a vehicle exceed seventy-five (75) per cent of the maximum limit set by law for any one axle.

IT IS FURTHER ORDERED, that these rules and regulations as made and found by the State Highway Commission under the provisions of Chapter 360 of the laws of Oregon for 1931, shall be in full force and effect from this date until modified, annulled or voided by the order of the State Highway Commission.

AND IT IS FURTHER ORDERED, that a notice be posted in a conspicuous manner and place at each end of each of the above-named highways and at important crossroads on said highways, so that said notice can be readily seen and read, which said notice shall state plainly the limitations and prohibitions of traffic hereby in this order determined and fixed.

AND BE IT FURTHER ORDERED, that a certified copy of this order be furnished to the county clerk of each county in which any of said highways are located, and that a certified copy of this order be furnished to the Superintendent of the Department of State Police for his information.

In this connection the Commission instructed the Engineer to post these roads for loads weighing 50 per cent of the limit specified by law if he considers that advisable after giving the other a fair trial, and particularly when the frost commences to leave the ground in the spring of the year. He was further instructed to send a circular letter to the logging operators in the early summer, giving them notice of the roads on which the Commission will probably order reduced load limits so they can make provision to discontinue operations on such roads if they so desire during the period when the reduced load limits are in force.

The Commission had under discussion the matter of providing additional signs and other protective devices at points where school children are obliged to cross the highway daily in going to and from school. The Engineer advised that he is constantly receiving letters asking that something more be done to protect the school children at these crossings and he is now of the opinion that the matter is of sufficient importance to receive special attention by the Commission. He suggested the adoption of a standard sign about 2 feet by 4 feet in dimension, bearing the words "School Zone" and that the signs be distributed to the various schools free of cost, with the absolute understanding that they are to be used only during school hours in connection with the activities of the schoolboy patrols. He also suggested that it would be a good idea to encourage the organization of schoolboy patrols and to furnish the necessary equipment to be worn by the patrol members, such equipment to consist of a Sam Brown belt costing about \$1.00 each and a small metal badge costing about 50¢ each. It was his thought that the schoolboy patrol activities should be under the supervision of some state department

preferably the Department of State Police, which should have authority to organize and supervise them. He estimated that for an expenditure of about \$2,500 a very good start could be made in the organization of the schoolboy patrols in accordance with his ideas, including the purchase of signs, belts and badges. Traffic Engineer John Beakey, who was present, expressed himself as absolutely certain that the suggestions made by the State Highway Engineer would prove satisfactory in handling this matter. After some discussion the Commission by unanimous vote adopted as standard the sign recommended by the Engineer for use hereafter in connection with the activities of schoolboy patrols. The Commission also approved the furnishing of equipment for the use of schoolboy patrol members, at state expense, and authorized an immediate expenditure of \$2,500 for the purchase of signs, belts and badges. The Engineer was instructed to confer with Mr. Charles P. Pray, Superintendent of the Department of State Police, with respect to the matter of organizing and supervising the schoolboy patrols, and to report the results thereof at the next meeting of the Commission.

The Engineer reported that in connection with the Klamath Falls undercrossing project, involving the elimination of the grade crossing of the Southern Pacific Company's tracks on Main Street in Klamath Falls, there will be certain items of engineering expense, estimated at \$1,000, that the Bureau of Public Roads will probably rule non-reimbursable by the Government. He pointed out that this project is on a city street within the city limits of Klamath Falls and that the state is not particularly interested in the same except that it is being financed with federal funds that are required to be expended for the elimination of railroad grade crossings under the supervision of the State Highway Department. He inquired, in view of the circumstances, whether the Commission wished to assume this expense under the implied authority of the law which authorizes the Commission to provide engineering supervision in connection with county bridge construction, or to require that such expense be assumed by the city of Klamath Falls along with other non-reimbursable costs. After some discussion the Commission approved the payment of such non-reimbursable engineering items with state highway funds, if that can be done legally. If it is determined that the state cannot pay such costs, then provision shall be made in the agreement with the city of Klamath Falls covering this project for the city to pay such expense. The Commission authorized the Engineer to advance the payment of these costs with state funds, provided the city of Klamath Falls will deposit with the Commission, in advance, its certified check in the amount of the estimated total cost of the same.

The Engineer reported that, in accordance with authority previously granted him by the Commission, he awarded, on December 27, 1937, the contract for the construction of the Smith Point-Young's Bay Bridge Project in Astoria to the Mountain States Construction Company, Eugene, which submitted the low bid therefor in the amount of \$43,975.00 on November 30, 1937, the conditions of the award having been satisfied. The Commission by unanimous vote confirmed the award of the contract as made by the Engineer.

The Commission adjourned at 12:30 o'clock p. m. and reconvened at 2:00 o'clock p. m. in the same room with all members, the State Highway Engineer, the Attorney and the Secretary present.

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Chairman Cabell announced the following awards of contracts for which bids were taken at the morning session, the awards having been previously approved by the Commission by unanimous vote:

"Gibbs Ranch-Baker Section of the Baker-Unity Highway, in Baker County. 4.13 miles gravel surfacing. The low bid was submitted by O. C. Yocom, Portland, at \$6,320.00. The next low bid was that submitted by Leonard & Slate, Multnomah, at \$7,610.00. There were 11 higher bidders. The Commission has awarded this contract to the low bidder, O. C. Yocom, at his bid price of \$6,320.00.

"North Unit, Missouri Flat Section, of the Medical Springs Secondary Highway, in Baker County. 3.02 miles gravel surfacing. The low bidder for this project is O. C. Yocom, Portland, at \$5,750.00. The next low bidder is Van Cleave & Van Cleave, The Dalles, at \$4,450.00. There were 11 higher bidders. The Commission has deferred the award of this contract and has referred the bids received therefor to the Engineer with power to award the contract to the low bidder when certain conditions have been satisfied.

"Mt. Hood Rock Production Project on the Mt. Hood and Wapinitia Highways, in Clackamas, Hood River and Wasco Counties. Furnish 12,400 cu. yds. crushed rock in stock piles. The low bidder for this project is Saxton, Looney & Risley, Portland, at \$21,060.00. The next low bidder is A. S. Wallace, Roseburg, at \$21,620.00. There were 10 higher bidders. The Commission has deferred the award of this contract and has referred the bids received therefor to the Engineer with power to award the contract to the low bidder when certain conditions have been satisfied.

"Shuttler Flat-Condon Section of the John Day Highway, in Gilliam County. Furnish 6,000 cu. yds. crushed rock in stock piles. The Commission received 9 bids for this project, the low one being that submitted by Schmeer, Williams & Gentemann, Portland, at \$8,710.00. The next low bid was that submitted by Jones-Scott Company, Walla Walla, Washington, at \$9,650.00. The Commission has awarded the contract to Schmeer, Williams & Gentemann, the low bidders, at their bid price of \$8,710.00.

"Ross Station-Arvard Section of the Pacific Highway, in Lane County. 2.0 miles Portland cement concrete pavement. The low bid for this project was submitted by Harold Blake, Portland, at \$49,087.00. The next low bid was that of Jacobsen-Jensen Company, Portland, at \$50,379.50. There were three higher bidders. The Commission has awarded this contract to the low bidder, Harold Blake, at his bid price of \$49,087.00.

"Forest Boundary-Elgin Section of the Weston-Elgin Secondary Highway, in Union County. 3.22 miles grading, surfacing and oiling; also, furnishing 1,500 cu. yds. crushed rock in stock piles. E. H. Itschner, Molalla, submitted the low bid for this project at

\$43,408.00. The next low bid was submitted by Leonard & Slate, Multnomah, at \$55,909.00. There were three higher bidders. The Commission has awarded the contract to the low bidder, E. H. Itschner, at his bid price of \$43,408.00.

"Butte Creek Section of the John Day Highway, in Wheeler County. 2.75 miles grading, surfacing and oiling; also furnishing 1,000 cu. yds. crushed rock in stock piles. The low bid submitted was that of Leonard & Slate, Multnomah, at \$39,094.50. The next low bid was that of Fisher Bros., Oregon City, at \$40,264.00. There were five higher bidders. The Commission has awarded the contract to the low bidder, Leonard & Slate, at their bid price of \$39,094.50."

The County Court of Jackson County, consisting of Judge Earl B. Day and County Commissioners L. O. Caster and Ralph Billings, and County Engineer Paul B. Rynning, was present and discussed with the Commission matters pertaining to the abandonment of the Green Springs Junction-Siskiyou Section of the Pacific Highway (old route), in Jackson County, and the selection of roads to be included in the Federal Aid Secondary Highway System. Judge Day gave as the Court's understanding that the Commission has abandoned in favor of Jackson County the section of the old Pacific Highway between Green Springs Junction and Siskiyou Station since the reconstruction of the highway on new alignment south of Ashland. It is the belief of the County Court, he said, that this section should be retained on the state highway system, at least as a secondary state highway, inasmuch as it provides the only direct connection between the Green Springs Highway and points south, and most of the traffic that uses it is state highway traffic. He further stated that the road does not fit in with the county road system and it would be very inconvenient for the county to maintain it, especially to keep it open for travel during the winter season, because it would necessitate the moving of the county's snow removal equipment all the way from Medford for just a few hours' work; whereas, snow removal operations could be performed with state equipment located nearby, without very great inconvenience to the state. The county, he added, could not possibly keep the road open for travel during the snow period, and traffic desiring to go to California points from the Green Springs Highway would have to travel in a roundabout way into Ashland and back over the new Pacific Highway, or about 15 miles farther than if the old road south of the Green Springs Junction were kept open. After discussion, the Commission decided unanimously to place this road on the secondary highway system upon receipt of a formal request from the County Court so to do. The Attorney was instructed to prepare appropriate resolutions covering the matter.

The Commission then discussed with the County Court the matter of abandoning a section of the Tiller-Trail Secondary Highway between the Douglas County line and Trail Creek, in Jackson County, which is no longer of value as a state highway since the road has been reconstructed on other alignment. The County Court agreed that it would be proper for the state to abandon the old road inasmuch as the new road is now available for traffic. The following resolution abandoning the old road was thereupon adopted by the

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Commission by unanimous vote, upon motion of Commissioner Tou Velle, which was duly seconded by Commissioner Aldrich:

WHEREAS, in order to afford a better alignment and a more satisfactory, safe and convenient highway for the traveling public, the Commission found it necessary to relocate the Douglas County Line-Trail Creek Section of the Tiller-Trail Secondary Highway, in Jackson County; and

WHEREAS, by reason of said relocation and reconstruction of the said section of said highway there was eliminated and made unnecessary as a part of the permanent highway a certain section or part thereof, which section is more specifically defined and designated hereinafter in this resolution; and

WHEREAS, it is the judgment and opinion of the Commission that there should be recorded in the minutes and records of the Commission its purpose and plan to abandon as a part of the said state highway the fragment or portion of right of way hereinafter designated and heretofore included within the area of the right of way of the said highway as formerly located, improved and used;

NOW, THEREFORE, the premises being in general as above stated, it hereby is resolved by this Commission, all members being present and affirmatively participating, as follows:

1. That the fragment of land confined within the area of land hereinafter designated, which fragment or parcel of land was formerly within the limits of the right of way of the Douglas County Line-Trail Creek Section of the Tiller-Trail Secondary Highway, in Jackson County, but is now without the limits of the right of way of said highway as said highway has been relocated and constructed, be and said fragment or parcel of land or portion of the old right of way is abandoned as a part of the right of way of said highway, and said fragment or parcel of land or old right of way is, so far as control and supervision by this Commission is concerned, eliminated and left to revert to the adjoining and abutting property owners or to the control and supervision of the County Court of Jackson County for highway or other public purposes as the Court may determine. The fragment or parcel of land affected by this resolution is defined and described as follows, to wit:

All that portion of the 60-foot right of way of the Tiller-Trail Secondary Highway (as originally established by resolution) between the Jackson-Douglas County Line and a point on said highway approximately 800 feet north of the south line of Section 17, Township 33 South, Range 1 West, W. M., lying outside of the limits of the right of way as established on the revised alignment of said highway subsequent to 1930.

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The location of said abandoned right of way may be more definitely and particularly ascertained and determined by reference to a map or blueprint, marked "Exhibit 'A'", attached hereto and by this reference made a part hereof, which said exhibit for identification purposes bears the signatures of K. D. Lytle, Division Engineer, H. G. Smith, Construction Engineer, and R. H. Baldock, State Highway Engineer, and is dated December 23, 1937, upon which map or exhibit there is reflected the above described parcel of land by showing the same shaded in orange. *

2. In the event there remains any physical connection between any portion of said abandoned right of way or highway and the present highway, and by reason of such physical connection traffic from the existing highway may enter or use the said abandoned portion of the said old road to the possible damage or injury of such traffic by reason of any unsafe condition existing with respect to said old or abandoned road, then the State Highway Engineer is hereby authorized and directed to erect such barricade or other safeguards as may be necessary to protect and safeguard traffic using and employing said newly located, constructed and dedicated section of said highway.

3. That this resolution be entered in the minutes and records of the Commission and a certified copy thereof promptly delivered to the County Court of Jackson County, together with a copy of said map or exhibit, for such action as said County Court may desire to take with respect to said fragment of land, and should said abandoned portion of the right of way of said highway be further employed for public or private highway purposes such use shall be entirely under the control and supervision of the County Court of Jackson County and beyond any responsibility or supervision by the State Highway Commission.

Matters pertaining to the selection of roads for the Federal Aid Secondary Highway System were then discussed. Chairman Cabell explained the federal requirements in regard thereto and particularly pointed out that, in so far as the requirements apply to the State of Oregon, approximately 50 per cent of the moneys available for Federal Aid Secondary Highways must be spent on strictly county roads and the balance on other roads that are not on the Federal Aid Primary Highway System. He further explained that the State Highway Department has just completed a state-wide planning survey in connection with which an exhaustive study has been made with respect to the economics of all the public roads in the state, and it appears from the information gathered that, in Jackson County, the county road known as Table Rock Road is the one that most nearly meets the requirements for improvement in the Federal Aid Secondary Program, having a solvency quotient of 1.3 and a composite quotient of 3.32; whereas, the county road known as the Butte Falls

* Map filed in Right of Way Abandonment and Retention File - No. 54

Road shows a solvency quotient of 0.56 and a composite quotient of 1.61. The County Court expressed a preference for the Butte Falls Road because, they said, it is the most important from the county's standpoint and will relieve the county more than any other. They pointed out that the Table Rock Road is now in pretty fair condition and will not need a great amount of improvement for a number of years. After further discussion, Chairman Cabell thanked the County Court for its appearance and advised that the Commission will give due consideration to the county's request in the formulation of the Federal Aid Secondary Highway Program.

A delegation from Taft, Lincoln County, consisting of former County Judge Fred Robison, H. A. Hostettler, and J. W. Lundin, came before the Commission in regard to a proposed park site containing about 120 acres of land and situate adjacent to the Oregon Coast Highway a short distance north of the town of Nelscott. Mr. Robison headed the group. He said that the area lies between the highway and the Pacific Ocean and a part of the property is covered with a good growth of timber; furthermore, an excellent view of the ocean may be obtained from the tract. He also said that this district is rapidly building up, and, no doubt, in a short time the area under discussion will be cut up into small tracts, which they object to because of the value of the property as a state park. He gave as his thought that the property could be purchased from the owners, Nelscott Land Company and Mr. E. W. Chandler, for the sum of about \$21,000, and recommended that the Commission give the matter some consideration. The Commission referred the matter to the State Parks Superintendent, Mr. S. H. Boardman, for investigation and recommendation. The Commission also agreed to inspect the property the next time it is in that vicinity.

A delegation headed by Mr. Roy Meyers, Eagle Creek, Oregon, representing the Chambers of Commerce of the towns of Sandy and Estacada, and the Foothills Boulevard Association, came before the Highway Commission in the interests of the Eagle Creek-Sandy Section of the Woodburn-Mt. Hood Secondary State Highway. Others in the delegation were R. S. Smith, Ivan A. Barker, R. P. Collins, L. J. Gierke, Roy Wilcox, Charles Sharnke, Paul Dillon, Keith LeRoy, Wm. Widmer, Victor Lundein, M. Suckow, and M. Zog, all of Sandy; also, Carl Rehberg, of Eagle Creek; R. Suckow and Helen Suckow, of Boring; Frieda Lange, of Boring; and Gus Sengre, Fred Lohman, and Will Bell, all of Fenger.

They asked the Commission to improve this road on its present alignment rather than on the new location, which, they understood, the Commission is considering, so that the people now residing along this road will not be left without a good highway. It was their thought that the present road could be improved satisfactorily by widening and surfacing and they stated that they would be satisfied with an improvement similar to that which the Commission undertook on this road east of Beaver Creek a couple of years ago. Mr. Meyers stated that the people do not want a road that will encourage fast driving but simply a good road from their farms to the market. He also said that the farmers have stated their willingness to be very fair in right of way settlements.

Chairman Cabell advised that there is a scarcity of funds available to finance projects of this kind and that a study of the data assembled from

the state-wide planning survey that has just been completed indicates that there are a number of county roads in this class which are in need of improvement more than the road under discussion and should be given preference. However, the Commission will be pleased to give this project due consideration in the formulation of its construction program, but cannot make any promises or commitments in regard thereto at the present time.

Mr. Barker, President of the Chamber of Commerce, asked the Commission to rearrange the traffic signs in the town of Sandy so as to eliminate the confusion that now obtains by reason of the existing signs. The matter was referred by the Commission to the Engineer for investigation.

Mr. Meyers asked the Commission for better drainage facilities at the point where Goose Creek crosses the Woodburn-Mt. Hood Loop Secondary Highway, near Eagle Creek. He said that ordinarily the stream carries only a small amount of water and the two pipe culverts that were installed some time ago, to replace a small bridge, are adequate except during periods of heavy rainfall, when the water backs up onto his land, rendering it useless; and, furthermore, the water flows over the highway so that a pilot car is required for traffic safety. The Commission referred the matter to the Engineer for investigation and report.

A delegation representing the Parkrose Water District, just east of Portland, and consisting of Paul Jarrett, Fire Chief; Harry Pearce, Chairman, School Board District No. 3; and J. C. Strudgeon, Superintendent, Parkrose Water District, came before the Commission and asked for the construction of concrete curbs along Sandy Boulevard (Columbia River Highway) from the end of the present curb at 108th Avenue, to 122nd Avenue, which, they said, would complete construction of such facilities through the populated portion of their district and would afford a better drainage for flood water and would provide better protection for their fire hydrants, sidewalks, and footpaths along Sandy Boulevard. They filed petitions bearing the names of 258 residents of the Parkrose Water District, requesting such improvement. They were informed by Chairman Cabell that the Commission appreciates that this is a desirable improvement but it does not appear now that the Commission can undertake it because of the scarcity of funds. Chairman Cabell stated further that the Commission will be glad to reconsider the matter in the event additional state funds become available which could be used to match the Federal Government's W.P.A. money, but present indications are that the Commission will not have the money to spare.

Mr. Pearce brought up for discussion a drainage problem in front of their grade school at 106th Avenue. He said that the district has a drainage pipe under Brainard Street to carry off the water that accumulates on the school grounds, but evidently this pipe is not large enough, and as a result water has been backing up onto private property to the detriment of the property owners. He inquired whether or not the Commission would have any objections to the district connecting its drainage system with the state's drain on Sandy Boulevard. The Commission referred this matter to the Engineer for investigation and report.

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Mr. C. A. Bigelow, representing the Board of County Commissioners of Multnomah County, and Mr. George W. Buck, County Roadmaster, were present and recommended the following projects for the Federal Aid Secondary Highway System in Multnomah County: (1) widening of Base Line Road from the end of the present widened section, near 162nd Avenue, easterly to what is known as 12-mile Road; (2) construction of Section Line and Hosner Road from the Troutdale Road to the Lusted Road, approximately $4\frac{1}{2}$ miles; (3) construction of Thompson Road from Skyline Boulevard to the Columbia County Line; (4) construction of the Laidlaw Road from Thompson Road to the Columbia County Line; (5) construction of Northeast Fremont Street from 105th Avenue to 112th Avenue; (6) 105th Avenue from Prescott Street to Fremont Street; (7) 112th Avenue from Sandy Boulevard to Fremont Street; (8) Extend 112th Avenue to Marx Avenue, north of the railroad, and Marx Avenue from 105th Avenue to 112th Avenue; (9) construct Skyline Boulevard from Barnes Road to Cornelius Pass Road, a distance of 11 miles.

They were informed that the Base Line Road cannot qualify as a Federal Aid Secondary Highway. After discussion, it was finally agreed that the improvement of the Section Line-Hosner Road and the Thompson Road should be given first consideration in the program. Estimates of cost of construction are to be prepared and furnished the county commissioners, who will then advise the Commission as to which of the two projects is to be given preference. Chairman Cabell advised that the moneys available for Federal Aid Secondary Highways is limited and that Multnomah County cannot expect to obtain as much of these funds as it did of the previous federal relief moneys. Mr. Bigelow asked that the record show that there are now between 30,000 and 40,000 registered unemployed in Multnomah County.

County Judge Nelson B. Higgs of Harney County was present in regard to the Federal Aid Secondary Highway Program. He expressed a preference for the improvement of the Crane-Buchanan Ranch County Road in such program if that could be accomplished without decreasing the allotment of other highway funds to Harney County. Commissioner Aldrich advised that the Commission apportions its available funds to the respective districts of the state on a certain basis, irrespective of the class of funds; and, if the Commission should allocate an amount of the Federal Aid Secondary funds for the Crane-Buchanan Ranch Road, it would decrease the allocation of other funds for the Central Oregon Highway. He inquired, in view of this fact, which project the County Court preferred. Judge Higgs expressed a decided preference for continuation of the oiling work on the Central Oregon Highway, regardless of the fact that it might mean that Harney County would not share in the distribution of Federal Aid Secondary moneys.

A delegation from Albany and Lebanon, headed by Mr. Claude H. Murphy, President of the Albany Chamber of Commerce, and including County Judge J. J. Barrett and County Commissioners Harry W. Cooley and H. A. Renninger, County Engineer W. W. Larsen, all of Albany; also Carl Curlier and Mayor C. R. Ashton of Albany, and the following persons from Lebanon and Sweet Home: T. W. Munyan, Walter Scott, Dr. Joel C. Booth, Harry Miller, Harold Irvin, Harry Howe, Senator S. M. Garland, Ted Musgrave, M. J. Nye, E. W. Williams, F. A. Cornell,

and Harry Palmer, came before the Commission with an urgent plea for the completion of the Santiam Highway. Speaking on behalf of the delegation were Senator Garland; Ed. W. Miller, Manager of the Oregon Coast Highway Association, and Mr. Murphy. They urged the Commission to allocate sufficient funds to this road to insure its completion during the 1938 season. Mr. Murphy presented the following communications in support of their oral requests: telegrams from Clyde Williamson and Cliff Knodll, Albany; letter from the Corvallis Chamber of Commerce; letter from the Greater Willamette Valley Association; telegram from the County Court of Lincoln County; letter from the County Court of Benton County; letter from the South Santiam Highway Association.

Chairman Cabell advised that, while the Commission cannot make any promises or commitments at the present time, it is reasonable to assume that if the Federal Aid and Forest Highway moneys are appropriated by Congress as in the past, the closing of the gap in this highway will be accomplished within a reasonable length of time.

The County Court of Linn County then conferred with the Commission in regard to the selection of roads to be included in the Federal Aid Secondary Highway System in Linn County. Judge Barrett suggested the improvement of the Albany-Corvallis Secondary Highway. He was informed by the Engineer that this is too costly a project to undertake in this program. The Engineer also advised that the Commission is more or less obligated to perform some work on the Halsey-Sweet Home Highway, and, at least, to construct a connection to the new county bridge at Brownsville. County Engineer Larsen gave as his thought that the County's choice, in so far as county roads are concerned, would be the Lane County Line-Harrisburg-Corvallis Road, particularly the Harrisburg-Peoria Section thereof. After discussion of a general nature the County Court expressed a desire to confer among themselves before making any definite recommendations. The request was granted and the County Court again came before the Commission on the next day, when the following projects were mutually agreed upon: (1) construction of a section of the Halsey-Sweet Home Secondary Highway to provide a connection with the new county bridge at Brownsville; (2) improvement of the county road extending from Lane County Line through Harrisburg to Corvallis; (3) the county road between Lebanon and Crabtree. Judge Barrett said that the County Court prefers that all of the available moneys be expended for the improvement of county roads rather than state secondary highways, with the exception of the short section of the Halsey-Sweet Home Secondary Highway at Brownsville to provide a connection with the new county bridge at that place.

The County Court of Yamhill County, consisting of County Judge William O. Powell and County Commissioners Thomas Bockes and Frank C. Campbell, conferred with the Commission with regard to the selection of roads to be included in the Federal Aid Secondary Highway System. The State Highway Engineer suggested a continuation of the improvement of the Salem-Dayton Secondary State Highway as the first project, particularly the construction of the section known as the Spaulding Line Change. The County Court said they would have no objection to this project but they would also like the Commission to consider the improvement of county roads and offered the following projects:

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(1) improvement of the county road extending from Sheridan southeasterly to the Polk County Line; (2) improvement of the county road extending from the junction of Secondary Highway No. 154 to a connection with Secondary Highway No. 150; (3) county road extending from the Pacific Highway West, south of Newberg, easterly to the Clackamas County Line, known as the Springbrook-Wilsonville Road.

Chairman Cabell advised that the Spaulding Line Change on the Salem-Dayton Secondary Highway and the improvement of the county road extending southeast from Sheridan to the Polk County Line are about the only projects that the Commission will be able to consider on account of shortage of funds. The County Court expressed its approval of these two projects for the program under discussion.

County Judge J. B. Wilkerson and County Commissioners J. T. Graham and Wm. Pringle, Sr., representing the County Court of Columbia County, were present regarding the selection of roads for the Federal Aid Secondary Highway System. Judge Wilkerson said that their most important secondary highway project is the improvement of the Nehalem Highway between Mist and Birkenfeld but they would prefer that the moneys available be expended for county-road improvements. Chairman Cabell advised that in the estimation of the State Highway Commission the Mist-Clatskanie Secondary Highway fits the state's requirements best, especially in view of the fact that there are some bridges on this road that should be rebuilt. The County Court approved the selection of this project and recommended in addition thereto the following county-road projects: (1) improvement of the upper Nehalem county road, extending from the Vernonia Golf Course, near Treharne, southwesterly toward the town of Timber; (2) improvement of the Allstons Corner-Mayger-Quincey Road; (3) the county road known as the Dutch Canyon Road. Commissioner Graham explained that the Allstons Corner - Mayger-Quincey Road is an important project because it provides the only detour for Columbia River Highway traffic when slides occur on this highway between these points.

Chairman Cabell advised that the Commission will give the county's suggestions due consideration in the formulation of the program for the funds under discussion.

A delegation from Clackamas County, consisting of County Judge W. O. Vaughan, County Commissioners B. Schoenburg and L. L. McFarlane; Wallace R. Telford, Chairman, Clackamas County Planning Board; County Engineer John I. Roberts, Sandy; R. S. Milln, West Linn; and John Raicy, of Sherwood, came before the Commission in regard to the selection of projects for the Federal Aid Secondary Highway System. Chairman Cabell explained the requirements for such system and inquired which roads the Clackamas County Court desires to have included therein. Judge Vaughan replied that the Court is not in a position today to make any definite recommendations in regard thereto and requested additional time to give the matter more thorough study. He inquired how much money would be available for expenditure in Clackamas County and was informed by Chairman Cabell that the Commission has not apportioned the funds as yet; but, for estimating purposes, the Court could consider a figure of approximately \$50,000.

Judge Vaughan advised that there is a possibility that the County Court can contribute county funds to enlarge on the projects that the Commission might select for this program. After discussion it was agreed that the Commission would furnish the county, as soon as possible, a definite figure as to how much of the Federal Aid Secondary money would be spent in Clackamas County this year, and, upon receipt of such information, the County Court will advise the Commission about how much money it can spend in co-operation therewith. A definite selection of projects is to be made at that time.

Mr. Telford inquired as to the possibilities of securing the designation as a state secondary highway of the county road which extends westerly from the Mt. Hood Highway, near Boring, through the town of Boring to Oregon City, thence westerly through the town of Tualatin to a connection with the Pacific Highway West. He was informed by Chairman Cabell that, while the road appears satisfactory for a secondary highway, the Commission is not in a position to so designate it at the present time.

Mr. Telford then inquired as to the possibilities of securing the construction of the proposed connection between 82nd Street Highway and the East Portland-Oregon City Highway at Gladstone. Chairman Cabell advised that surveys have been completed of alternate routes for this connection but the Commission has not yet adopted a route because of objections that have been filed to the proposed change. He further advised that there is no possible chance for construction this year but the Commission will be glad to discuss details of the project with the Clackamas County Planning Board at some convenient date in the future if the Board so desires.

The Commission adjourned at 6:00 o'clock p. m., to reconvene at 9:00 o'clock a. m. on the following day in the same room.

Portland, Oregon, January 7, 1938.

The State Highway Commission reconvened at 9:00 o'clock a. m. in the Auditorium of the Public Service Building, with all Commissioners, the State Highway Engineer, the Attorney and the Secretary present.

Bids as follows for highway construction projects were opened and read in conformance with previously published notice:

OLD OREGON TRAIL	
BAKER-DURKEE SECTION - CRUSHED ROCK IN STOCK PILES	
Homer G. Johnson	\$15,250.00
Quinn-Robbins Company, Inc.	19,000.00
NEHALEM SECONDARY HIGHWAY	
MILE BRIDGE SECTION - GRADE, SURFACE, OIL; TIMBER, STEEL AND CONCRETE	
BRIDGE	
Warren Northwest, Inc.	\$39,791.50
Mountain States Construction Company	40,019.50

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(Mile Bridge Section, continued)

Leonard & Slate	\$42,468.00
F. C. Humber Company	45,051.00
Dolan Construction Company	46,362.50
Joplin & Eldon	46,696.50

PACIFIC HIGHWAY
BEAR CANYON SECTION - GRADING

Harold Blake	\$92,614.00
Berke Bros.	94,641.00
M. L. O'Neil & Son	101,553.00
Colonial Construction Company	106,802.00
Leonard & Slate	107,980.00
E. C. Hall Company	113,958.00
E. L. Gates	114,111.00
Jacobsen-Jensen Company	115,295.00
McNutt Bros.	115,647.00
Clifford A. Dunn	117,698.00
K. L. Goulter	126,915.00
Kern & Kibbe	132,625.00
A. C. Greenwood, Inc.	142,665.00
Diesel Oil Sales Company	143,620.00
Williams & Douglas	143,695.00

CALAPOOYA RIVER AT BROWNSVILLE
STEEL SPAN ON CONCRETE PIERS AND CONCRETE SLAB SPAN
(Bids received for and in behalf of County Court of Linn County)

Tom Lillebo	\$25,045.00
Leonard & Slate	25,730.00
Mountain States Construction Company	26,355.00
F. C. Humber Company	27,008.00
Barham Bros.	28,080.00
J. F. Johnston	28,350.00
Joplin & Eldon	29,088.00
Warren Northwest, Inc.	30,430.00
Portland Bridge Company	32,120.00
Frank Watt Construction Company	32,864.00

COLUMBIA RIVER HIGHWAY
DILLON-JOHN DAY RIVER SECTION - CRUSHED ROCK IN STOCK PILES

H. L. Rice	\$10,200.00
Fisher Bros.	11,250.00
Rogers Construction Company	11,550.00
A. S. Wallace	12,225.00
Saxton, Looney & Risley	12,671.00
Schmeer, Williams & Gentemann	13,537.00

(Continued on next page)

(Dillon-John Day River Section, continued)

Warren Northwest, Inc.	\$13,725.00
Clifford A. Dunn	13,772.50
Edwin C. Gerber	14,250.00
R. O. Dail & Warren Bros., Inc.	14,550.00
Homer G. Johnson	18,180.00

COVE SECONDARY HIGHWAY

GRANDE RONDE RIVER-NOYES RANCH SECTION - GRADING, SURFACING, OILING

Warren Northwest, Inc.	\$19,251.00
Babler Bros.	20,817.00
Van Cleave & Van Cleave	20,871.65
Edwin C. Gerber	22,983.00
Harold Blake	24,739.00
Homer G. Johnson	26,988.00

NEHALEM SECONDARY HIGHWAY

WEST FORK, DAIRY CREEK SECTION

GRADING AND SURFACING AND COMPOSITE PILE TRESTLE

J. F. Johnston	\$ 8,330.00
Leonard & Slate	8,622.50
Mountain States Construction Company	8,715.00
Warren Northwest, Inc.	8,760.00
E. F. & W. F. Philpott	8,790.00
F. C. Humber Company	10,290.00
Shattuck & Neland	10,910.00

Chairman Cabell announced that the awards of contracts would be made at 2:00 o'clock p. m. in the same room. He also announced that the bids received for the Hermiston-Columbia School project in Umatilla County will not be opened for the reason that the Commission plans to revise this project and extend the same to include additional work and will probably take new bids at the next meeting. He stated that the bidders on this job could reclaim their bids unopened by calling for the same at the desk.

The Commission had under discussion a letter from the City Recorder of Newport, Oregon, advising that the City Council at its meeting on December 20 voted down the ordinance providing for parallel parking on the Oregon Coast Highway through their city. The Engineer requested instructions relative thereto, and suggested that the Commission take action to enforce the parallel parking rule at this place. After discussion, the Commission instructed the Attorney to ascertain whether or not the Commission has authority to enforce the parallel parking ruling in cities and towns, and instructed the Engineer to request the assistance of the Department of State Police to enforce such method of parking, in the event the Attorney advises that the Commission has such authority.

The Engineer reported receipt of a complaint in regard to the condition of the surfacing on the Silatz Secondary Highway, in Lincoln County. He advised that a contract is now under way for the placing of surfacing materials on this road, but it seems that the nature of the subgrade is such that the rock is disappearing about as fast as it can be applied, due to heavy log-hauling traffic. He requested authority to increase the amount of rock called for in the contract in order to secure a more stable surface. The Commission authorized the Engineer to use his own judgment in this matter.

The Commission considered and ordered filed a copy of a letter from the Hon. H. A. Wallace, Secretary of the United States Department of Agriculture, directed to Governor Martin, advising the apportionments of the fiscal year 1939 federal moneys to the several states to finance construction of Federal Aid highways and the elimination of railroad grade crossings, and requesting that the submission of projects under this apportionment be deferred until Congress has further considered the President's recommendation for the cancellation of such funds.

A letter was presented from Dr. Joseph H. Adler, Coroner, Klamath Falls, transmitting a report of the coroner's jury sitting for the consideration of a fatal accident that occurred on The Dalles-California Highway south of Klamath Falls, in which the jury recommends that the Highway Commission order a reduction in the speed limit on this highway from the city limits of Klamath Falls to the junction with the Klamath Falls-Lakeview Highway. The Engineer advised that this location would be an ideal place for the establishment of a 25-mile-per-hour speed limit if the Commission has legal authority to impose such regulation, and he recommended that the Commission order such speed limit for this section if the houses are close enough together to satisfy the requirements of the law. The Commission approved the recommendation by unanimous vote. The Attorney was instructed to prepare a bill for presentation to the next legislature, clarifying the law on this subject and definitely authorizing the Highway Commission to order reduced speed limits where necessary.

The Commission had under consideration the matter of acquiring a quarry site from a Mr. Byron Vandecar for use in connection with the surfacing of the north unit of the Missouri Flat Section of the Medical Springs Secondary Highway, in Baker County, for which bids were taken on the previous day. It appears that the Commission has a lease on this property which will expire shortly, and there is a question whether or not the contractor will be able to complete his job before the lease expires. After discussion, the Commission approved settlement with the owner upon the royalty basis and authorized the payment of 3¢ per cubic yard for materials taken, provided the contractor will agree to such arrangement.

The Commission considered and ordered filed a letter from the Vale Chamber of Commerce urging that provision be made in the Commission's budget for the completion of the Central Oregon Highway between Vale and Albany during the season of 1938.

A letter was presented from Archie McGowan, Burns, requesting that a marker be erected at the intersection of the Central Oregon Highway and the Harney Market Road, approximately 13 miles east of Burns, pointing out the old, historic Fort Harney, and containing thereon a brief history of its origin and its service to the pioneers who settled the Harney Valley; also, requesting that the concrete bridge on the Central Oregon Highway, about four miles east of Burns, be named "Susan's Bridge" in honor of Susan Dixon Whiting, a pioneer of this district. The Commission approved the erection of the marker pointing out the location of old Fort Harney but referred to Lewis A. McArthur, Secretary of the Oregon Historical Society, the matter of dedicating the bridge in honor of Mrs. Whiting. The Secretary was instructed to communicate with Mr. McArthur relative thereto.

A letter was presented from Mr. R. Y. Neely, proprietor of the Neely Planing Mill, Willamina, Oregon, expressing his appreciation of the efforts of the State Highway Department to protect life and property. The Commission ordered the communication acknowledged with an appropriate answer.

A letter from Mr. J. W. Raynard, Hillsboro, Oregon, requesting the oiling of the secondary state highway between Hillsboro and Newberg during 1938, had the attention of the Commission. The Commission referred this matter to the Engineer for investigation and report.

The Engineer reported that, in accordance with authority previously granted him by the Commission, he has ordered a number of surveys since the last meeting of the Commission. He presented a list of such surveys and asked the Commission to confirm the action. After due consideration, Commissioner Tou Velle moved that the State Highway Engineer be authorized and instructed to make such location surveys on various sections of the highways of this state, which said sections of highways, together with their identifying survey numbers and the amounts authorized and allocated for such survey expenditures, are as follows:

Landscape	-	36-2815	-	McMinnville-Newberg Section, Pacific Highway West, Yamhill County.	1st authorization - \$150.00
Bridge	- - - -	135-2807	-	Little Shoofly Creek Bridge, Service Creek-Mitchell, Wheeler County.	1st authorization - \$300.00
Location	- - -	20-2808	-	Oak Hill-Veneta Section, Route "F", Lane County	3rd authorization - \$325.00
(Vicinity Map)					Total to date \$5,325.00
Location	- - -	4-2817	-	Wolf Creek-Hamlet Junction - Wolf Creek Highway, Clatsop County.	1st authorization - \$150.00
(Sect. Cor.)					
Location	- - -	122-2808	-	Brownsville-Crawfordsville, Halsey-Sweet Home Sec. Hwy., Linn County.	2nd authorization, \$2,000.00
					Total to date \$4,000.00.

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Location - - - 22-2805 - Halsey-Harrisburg Section, Pacific Hwy. East,
Linn County. 2nd authorization - \$2,360.00
Total to date \$4,860.00.

Location - - - 22-2809 - Albany Section, Pacific Hwy. East, Linn County.
2nd authorization - \$12,000.00
Total to date \$15,000.00.

Prepare Plans - 5-2810 - St. Helens-Multnomah Co. Line, Columbia River Hwy.
Columbia County. 1st authorization - \$2,000.00

Right of Way - 121-2819 - Kernville Section, Siletz Secondary Highway, Lin-
coln County. 1st authorization - \$200.00

Right of Way - 21-2812 - Otis-Siletz Section, Oregon Coast Hwy., Lincoln
County. 2nd authorization - \$500.00
Total to date \$570.00.

Prepare Plans - 10-2819 - Rice Hill-Turkey Hill Section, Pacific Hwy.,
Douglas County. 1st authorization - \$550.00

Scale Site - - 21-2820 - Toledo-Newport Section, Corvallis-Newport Hwy.,
Lincoln County. 1st authorization - \$100.00

Right of Way - 27-1202 - Buell-Mill Creek Section, Dallas-Coast Sec. Hwy.,
Polk County. 1st authorization - \$75.00

Location - - - 6-2809 - North Bend-Marshfield Section, Oregon Coast Hwy.,
Coos County. 4th authorization - \$250.00
Total to date \$5,000.00.

Location - - - 6-2810 - Marshfield-Coquille Section, Oregon Coast Hwy.,
Coos County. 3rd authorization - \$1,000.00
Total to date \$17,300.00.

Location - - - 18-2815 - Crooked Creek-Modoc Point Section, The Dalles-Calif.
Hwy., Klamath Co. 3rd authorization - \$350.00
Total to date \$7,625.00.

Prospect for - 19-2813 - Horse Ranch Section, Fremont Highway, Lake County
Materials 1st authorization - \$660.00

Prepare Plans - 14-2806 - Warren Creek-Perham Creek Section, Columbia River
Hwy., Hood River Co. 2nd authorization-\$100.00
Total to date \$400.00.

Prepare Plans - 23-2813 - Jamieson-Landcaster Sec., John Day Hwy., Malheur
County. 1st authorization-\$800.00

Location - - - 136-2817 - Hopewell Intersection, Bellevue-Hopewell Sec.Hwy.,
Yamhill County. 1st authorization - \$200.00

Location - - - 34-2817 - Sunset Camp-Buften Section, Wolf Creek Highway,
Washington Co. 2nd authorization - \$720.00

Prepare Plans - 1-2811 - Baker-Flagstaff Hill Section, Baker-Homestead Hwy.,
Baker County. 1st authorization - \$1,400.00

Prepare Plans - 26-2832 - Sandy Blvd. Section, Columbia River Hwy., Mult-
nomah County. 1st authorization \$1,000.00

Location - - - 107-2804 - City of Prineville Section, Warm Springs Highway,
Crook County. 1st authorization \$200.00

Location - - - 4-2803 - Astor St. in Astoria, Columbia River and Oregon
Coast, Clatsop Co. 4th authorization \$1,500.00

Location - - - 12-2811 - John Day Section, John Day Highway, Grant County.
1st authorization \$600.00

Right of Way - 20-2827 - South of Bob Creek, Oregon Coast Highway, Lane Co.
1st authorization \$40.00

Quarry and - - 28-2805 - Moro-Kent Section, Sherman Highway, Sherman Co.
Stock Pile Sites 1st authorization \$200.00

Gravel Sites - 6-2814 - Coquille-Winston Section, Coos Bay-Roseburg Hwy.,
Coos County. 1st authorization \$1,250.00

The motion was duly seconded by Commissioner Aldrich and was declared by
Chairman Cabell to have carried by the unanimous vote of the Commission.

The Commission had under consideration the following requests for
extensions of time within which to complete highway construction projects:

McNutt Bros., Contract No. 1917, for grading the Wall Creek-
Siskiyou Section of the Pacific Highway, in Jackson County, re-
quested an extension of time from August 18 to August 23, 1937,
within which to complete this project. They gave no reason for
failure to complete the job within the specified time limit. The
Engineer advised that the excavation quantities on this project
were greatly increased due to slides, and in view thereof it was
his recommendation that the extension requested be granted with-
out penalty. He presented a letter from the Bureau of Public
Roads concurring therein. The Commission approved the recommen-
dation by unanimous vote.

Warren Northwest, Inc., Contract No. 1936, for grading and sur-
facing the Gap Ranch-Silver Creek Section of the Central Oregon High-
way, in Harney County, requested an extension of time from August 31
to October 7, 1937, within which to complete this project. They al-
leged that their failure to complete the project within the speci-
fied time limit was due to bad weather conditions. The Engineer
advised that bids for this project were taken by the Commission on

November 5, 1936, but the contract was not awarded until November 28, 1936. He further advised that there were no unusual road or traffic conditions during the progress of the work; also, that weather conditions were not particularly bad and the only apparent reason that could be given for the failure of the contractor to complete the job within the specified time limit is that the contractor had too many jobs under way at the same time. The traveling public, he said, was not inconvenienced by the delay because the contractor applied a prime coating of oil on this section early in the year and the road was kept in excellent condition during the summer months, but the road mix material was not applied until late in the season; consequently, the job was not as satisfactory as if this part of the work had been done during the warm weather. He also said that a check of the quantities of this contract reveals an overrun of approximately 5 per cent and gave as his thought that the contractor is entitled to an extension of time comparable to the overrun in contract quantities. Accordingly, he recommended the granting of the extension of time requested subject to the condition that the contractor be assessed the engineering costs for such period as remains after making allowance for the extension due by reason of the overrun of the contract amount. He presented a letter from the Bureau of Public Roads concurring therein. The Commission approved the recommendation by unanimous vote.

Corvallis Sand and Gravel Company, Contract No. 1950, for furnishing crushed material in stock pile for the Port Orford-Euchre Creek and Cape Sebastian-Whaleshead Creek Sections of the Oregon Coast Highway, in Curry County, requested an extension of time of 60 days, from October 31 to December 31, 1937, within which to complete this project. They attributed their failure to complete this project within the specified time limit to unprecedentedly bad weather conditions and an excessive quantity of rejection material encountered at the Pistol River setup. The Engineer advised that the unusually late spring and early winter weather was chiefly responsible for the delay. No inconvenience to the traveling public was occasioned by the delay, he said, but the state did incur some additional engineering expense. He gave as his thought that the reasons given by the contractor for the delay are sufficient to justify extending the contract, as requested, without penalty, and he so recommended. The Commission approved the recommendation by unanimous vote.

J. F. Johnston, Contract No. 1985, for the construction of bridges over Jordan Creek on the I.O.N. Highway, near Jordan Valley, in Malheur County, requested an extension of time of 45 days, from October 31 to December 15, 1937, within which to complete this job. He attributed his failure to complete the contract within the specified time limit to the fact that the contract was not awarded to him for 30 days after the bids were opened and the fact that he was required to use longer piling on this job than was originally anticipated. The Engineer advised that bids for this

project were taken by the Commission on April 28, 1937, but the contract was not awarded until June 1, 1937, due to right of way difficulties. He further advised that during the progress of the work it became necessary to change the length of the treated piling for one of the bridges, necessitating re-ordering such material. Work on this job, he said, was completed on December 11, 1937, or 41 days after the date of completion specified in the contract. He recommended that an extension of time of 41 days be granted without penalty, and presented a letter from the Bureau of Public Roads concurring therein. The Commission approved the recommendation by unanimous vote.

E. F. and W. F. Philpott, Contract No 1990, for the construction of a bridge over Short Sand Beach Creek, on the Oregon Coast Highway, near Nehalem, in Tillamook County, requested an extension of time from October 31 to December 4, 1937, within which to complete this project. They gave no reason for their failure to complete the job within the specified time limit. The Engineer advised that the contractors allege that the new grade leading up to this bridge was not completed in sufficient time to enable them to deliver materials to their job, and accordingly they were unable to complete it within the specified time limit. He further advised that the specifications under which this contract was let did not contemplate the use of the new grade, but, on the other hand, specified that the bridge should be completed so that the grading contractor could complete his work. He recommended, in view of the circumstances, that the extension of time requested be granted but that the contractor be charged an amount equal to the cost of maintaining the necessary force of engineers and inspectors on the work during the extra time required. He presented a letter from the Bureau of Public Roads concurring therein. The Commission approved the recommendation by unanimous vote.

A letter was presented from Jacobsen-Jensen Company requesting the Commission to reconsider its action, taken on November 17, 1937, penalizing them for failure to complete their contract, No. 1968, for the grading and paving of the Turkey Hill-Chenoweth Park Section of the Pacific Highway, in Douglas County, within the specified time limit. They pointed out that the Commission took bids for this job on March 25, 1937, but the contract was not awarded to them until 20 days had elapsed, and gave as their thought that they are entitled to at least 20 days' extension of time without penalty, in view of this fact. They further stated that their pay roll shows that they did not have any men working on this job after the 26th day of October, which would indicate that the job was either accepted or ready for acceptance on that date, leaving a period of six days which could be considered as an actual overrun of time limit and for which the Commission could charge a penalty if it so desired. They also stated that they did everything possible to complete the project within the specified time limit but were unable to do so for reasons beyond their control. The Engineer recommended that the contractor be allowed a 10-day extension without penalty on account of the delay in the award of the contract, but that the contractor be required to reimburse

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the state for the cost of engineering supervision incurred on this job subsequent to that time. He presented a letter from the Bureau of Public Roads concurring therein. The Commission approved the recommendation by unanimous vote.

The Engineer reported that contracts Nos. 1890, 1917, 1936, 1950, 1985, 1990, and 2003, for the construction of state highway projects and for the furnishing of steel for the S.P. Undercrossing at Whiteson, Yamhill County, have been completed according to the requirements of the contracts or modifications thereof and that said jobs are now ready for acceptance. The following resolution accepting the above projects was offered and was adopted by the unanimous vote of the Commission:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts and that said jobs are now ready for acceptance:

Contract No. 1890, with McNutt Bros., for grading Unit No. 3, McCallister Section of the Little Butte Secondary Highway, in Jackson County. Completed August 11, 1937.

Contract No. 1917, with McNutt Bros., for grading the Wall Creek-Siskiyou Section of the Pacific Highway, in Jackson County. Completed August 23, 1937.

Contract No. 1936, with Warren Northwest, Inc., for grading, surfacing, and oiling the Gap Ranch-Silver Creek Section of the Central Oregon Highway, in Harney County. Completed October 7, 1937.

Contract No. 1950, with Corvallis Sand & Gravel Company, for furnishing crushed gravel in stock pile for the Port Orford-Euchre Creek and Cape Sebastian-Whaleshead Creek Sections of the Oregon Coast Highway, in Curry County. Completed December 11, 1937.

Contract No. 1985, with J. F. Johnston, for construction of bridges and culverts on the East Unit of the Jordan Creek Section of the I.O.N. Highway, in Malheur County. Completed December 11, 1937.

Contract No. 1990, with E. F. & W. F. Philpott, for bridge construction over Short Sand Beach Creek on the Short Sand Beach Creek Section of the Oregon Coast Highway, in Tillamook County. Completed December 4, 1937.

Contract No. 2003, with Minneapolis Moline Power Implement Company, for furnishing structural steel for Southern Pacific Undercrossing on the Pacific Highway West, near Whiteson, in Yamhill County. Delivered December 25, 1937.

THEREFORE, BE IT RESOLVED that the work covered by said state highway contracts for the construction of said state highway projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

The Commission considered and signed agreements, et cetera, as follows:

Agreement with W. G. Brown, Crystal, Oregon, providing for snow removal on the Klamath Lake Secondary Highway between Crystal Schoolhouse and the Rogue River National Forest Boundary, during the 1937-38 winter season.

Application directed to the Secretary of the Interior for the purchase of additional right of way for the Columbia River Highway between Viento and Memaloose Park, in Hood River County, being a portion of the Katie Koons Indian Allotment.

The Engineer brought up for discussion the matter of constructing the proposed line change through the town of Brookings, in Curry County. He suggested that the Commission approve this project for construction in 1939, if possible, unless the cost of moving the buildings is too high. The Commission deferred a decision in this matter pending a full report by the Engineer on the total cost of the project.

The Engineer reported on the cost to illuminate the East Portland-Oregon City Highway between Portland and Milwaukie, as ordered by the Commission at the previous meeting. He estimated that it would cost about \$8,500 to light the section between the Ross Island Bridge and 17th Avenue, Portland, a distance of 1.297 miles; and about \$9,550 to light the section between 17th Avenue and the south city limits of Portland, near the Oregon Worsted Mill, a distance of 1.79 miles; and about \$6,275 to light the section from the south city limits of Portland to Milwaukie, a distance of 1.075 miles; or a total of about \$24,325 annually for the entire section. He also estimated that it would cost approximately \$3,750 annually for maintenance.

In this connection a letter was presented from the Traffic Engineer of the city of Portland urging, if the Commission intends to experiment with the illumination of highways, consideration of the lighting of 82nd Avenue within the city limits of Portland. A letter was also presented from the town of Beaverton urging the Commission to consider in this program the installation of sodium lights along the Tualatin Valley Highway between the city of Portland and the town of Beaverton. The Commission considered that

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82nd Avenue does not meet the requirements with respect to illumination, and accordingly denied the request to conduct an experiment on this road. The Commission decided to study further the matter of lighting the Tualatin Valley Highway between Portland and Beaverton, it being the thought of the Commission that such section might meet the requirements of the experiment if the city of Portland will cooperate to the extent of installing similar lights along the Canyon Road portion of this highway within the city limits of Portland. The Engineer was instructed to contact the city of Portland officials relative thereto. A definite decision in this lighting matter was accordingly deferred by the Commission until the next meeting.

Chairman Cabell brought up the matter of installing a suitable light at the intersection of Barbur Boulevard and Sheridan Street in Portland, being the intersection of the Pacific Highway West and the Pacific Highway East, for the protection of traffic at this point. The Commission by unanimous vote ordered the installation of a traffic light at this point at the earliest possible time.

The Commission had under consideration the selection of projects on which to receive bids at the next regular meeting. The Engineer submitted a list of eligible projects from which the Commission selected the following:

<u>Name of Project</u>	<u>Estimated Cost</u>
Lake Lytle Bridge	\$ 10,000
Hill Creek Bridge	20,000
Paradise Creek-Drain Rock Production Project	19,000
Hood River Rock Production Project	14,000
Crescent-Beaver Marsh Rock Production Project	10,000
Bandon-Port Orford Rock Production Project	24,000
Mystic Creek-Brockway Rock Production Project	14,000
Gold Hill Rock Production Project	<u>13,000</u>
TOTAL	\$124,000

The Engineer was authorized and instructed to prepare the plans and specifications for these projects and to advertise as many of them as possible for bids to be received at the next meeting.

Reconsideration was given by the Commission to the request of contractor L. H. Hoffman that he be allowed payment for the structural steel that he has on hand for use in connection with his contract for the construction of the Quartz Creek Bridge on the Wolf Creek Highway. The Engineer advised that the steel has already been fabricated and is being held in storage at the fabricator's shop at Vancouver, Washington, but cannot be delivered to the job at the present time because of unfavorable road conditions. He further stated that Mr. Hoffman is willing, in order to obtain payment for this material, to give the state a bill of sale for the same and to pay the cost of storage and have the material insured. In fact, he will do anything that the

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Commission desires in order that his money will not be tied up until next spring. He gave as his thought that Mr. Hoffman's request is reasonable and recommended acceptance of the same. The Commission approved the recommendation by unanimous vote, but ordered that the matter be covered by appropriate agreement.

The Commission reconsidered the matter of paying for right of way that is being acquired for the proposed Albany railroad grade separation project. It was decided not to pay out any money for such right of way until the Public Utilities Commissioner's hearing on this subject has been held, except in cases where deeds have already been received.

The Commission also reconsidered the request of the city of Medford for approval of two traffic light installations on Main Street (Pacific Highway route) in Medford, which lights do not conform to the state's requirements. It was reported that the city has already installed the lights. The question arose as to what action should be taken against the city in regard thereto. After discussion the Commission ordered that the Traffic Engineer, Mr. John Beekey, and Division Engineer K. D. Lytle be instructed to contact the city officials and arrange a settlement of the matter in the most satisfactory manner possible.

The Commission considered, and referred to the Director of the Travel and Information Department, a letter from City Commissioner R. E. Riley, Portland, suggesting that Mr. Marvin K. Hedge, who is the world's champion all-round fly caster and is now on a tour of the United States, be authorized to display advertising material of Oregon in the booths that he will maintain at each of his stops.

The Commission considered a letter from Mr. Lester Shesley, Chairman of the Roads and Highways Committee of the Vernonia Chamber of Commerce, urging the construction of the Banks-Burton Section of the Wolf Creek Highway. The Secretary was instructed to acknowledge receipt of this letter and to inform Mr. Shesley that the Commission feels that it must complete the construction of the 17-mile section between Elsie and Summit Camp before it starts the construction of any other section of this road.

The Attorney brought up for discussion the matter of the pending suit against Baker County, brought by the Sumpter Valley Railroad Company, arising out of encroachment of the Sumpter Valley Secondary Highway on property owned by the company. He said that the railroad company has started suit against the county, and the state, as an agent for the county, and that the county has asked that he be permitted to assist in this suit. He suggested that the Commission authorize him to aid the county in this matter but not as a representative of the State Highway Commission. The Commission approved the suggestion by unanimous vote.

In this connection, the Commission decided that hereafter, before any county road is designated as a secondary state highway, a thorough investigation shall be made to ascertain what obligations, if any, the state will assume by so designating such road and bringing it under the state's

jurisdiction, and if the investigation reveals that the state would assume any undesirable obligations, then a thorough understanding and agreement relative thereto shall be had with the county concerned before the road is placed on the Secondary Highway System.

The County Court of Klamath County, consisting of County Judge George D. Grizzle, and County Commissioners Roy Taber and Wm. F. B. Chase, appeared before the Commission regarding the selection of roads for the Federal Aid Secondary Highway System. Also present were Frank Z. Howard, County Engineer, and Earl Reynolds, Secretary of the Klamath County Chamber of Commerce. Chairman Cabell explained the requirements for Federal Aid Secondary Highways and inquired which roads in Klamath County the County Court preferred to have improved in the Federal Aid Secondary Highway Program. The County Court asked that the funds available be expended for the improvement of county roads, and suggested the following: (1) the road that extends from Malin northerly to the junction with the Klamath Falls-Lakeview Highway, via Poe Valley and Bonanza, particularly the 6-mile section thereof commencing about 3 miles north of Malin and extending northerly to a point in Poe Valley about 2 miles south of Bonanza; (2) the Whitney Bridge road from its junction with The Dalles-California Highway to the California State line; (3) Langell Valley Road. Their first choice of state secondary highways was the improvement of the Midland and Lower Klamath Secondary State Highways, and for their second choice they named the Klamath Lake Secondary Highway. The Commission agreed to send the County Court a statement as to the amount of federal secondary funds that will be allocated to Klamath County, as soon as that has been determined.

A delegation from Douglas County, representing the Douglas County Court and the Roseburg Chamber of Commerce, consisting of County Commissioner H. B. Roadman; A. C. Marsters; W. C. Harding, Secretary of the Chamber of Commerce; Senator C. W. Clark; Harold B. McKay; Harris Ellsworth, all of Roseburg; and Bob Blakely, of Glide, came before the Commission relative to the selection of Federal Aid Secondary Highways in Douglas County. Mr. Roadman said that the County Court is very much in favor of the improvement of the North Umpqua Highway between Roseburg and Glide and recommends that all of Douglas County's share of the Federal Aid Secondary Highway Funds be expended for construction on this road. He said that this is the county's first and only choice. His remarks were endorsed by the other members of the delegation.

Mr. Harding urged, on behalf of the County Judge, George K. Quins, who was unable to be present, the reconstruction of the Roseburg-Rock Creek Section as the first unit. Mr. Marsters asked the Commission to spend its money on permanent location. After further discussion, the delegation left it with the Commission to decide which section should be improved first.

The Commission adjourned at 12:15 o'clock p. m. and reconvened at 2:00 o'clock p. m. in the same room, with all Commissioners, the State Highway Engineer, the Attorney, and the Secretary present.

Chairman Cabell announced the following awards of contracts for which bids were taken at the morning session, the awards having been previously approved by the Commission by unanimous vote:

"Baker-Durkee Section of the Old Oregon Trail, in Baker County. Furnish 5,000 cu. yds. crushed rock in stock pile. The Commission received two bids for this job, being those of Homer G. Johnson, Portland, at \$15,250.00, and Quinn-Robbins, Inc., Boise, Idaho, at \$19,000.00. Neither of these bids is satisfactory to the Commission and they have both been rejected and the project has been ordered readvertised.

"Mile Bridge Section of the Nehalem Secondary Highway, in Columbia County. 0.20 mile grading, surfacing and oiling and construction of a bridge. The low bid is that submitted by Warren Northwest, Inc., Portland, at \$39,791.50. The next low bid is that submitted by the Mountain States Construction Company, Eugene, at \$40,019.50. There are four higher bidders. The Commission awards this contract to the low bidder, Warren Northwest, Inc., at their bid of \$39,791.50.

"Bear Canyon Section of the Pacific Highway, in Jackson County. 0.73 mile grading. Harold Blake, Portland, submitted the low bid for this job at \$92,614.00. The next low bid was submitted by Berke Bros., Inc., Portland, at \$94,641.00. There were 13 higher bidders. The Commission awards this contract to Harold Blake, the low bidder, at his bid of \$92,614.00.

"Construction of a bridge over the Calapooya River on a county road at Brownsville, Linn County. The low bidder was Tom Lillebo, Reedsport, at his bid of \$25,045.00. The next low bidder was Leonard & Slate, Multnomah, at \$25,730.00. There were 8 higher bidders. This is a county bridge project and the bids for the same were received by the Commission on behalf of the County Court of Linn County, which has full jurisdiction over the same and which is paying for the work with county funds. All of the bids, therefore, are being referred to the County Court of Linn County for further disposal.

"Dillon-John Day River Section of the Columbia River Highway, in Sherman and Wasco Counties. Furnish 7,500 cu. yds. crushed rock in stock pile. The Commission received 11 bids for this job, the low one being that of H. L. Rice, Portland, at \$10,200.00. The next low bid was that of Fisher Bros., Oregon City, at \$11,250.00. The Commission has deferred the award of this contract and has referred the bids to the Engineer with power to award the contract to the low bidder when certain conditions have been satisfied.

"Grande Ronde River-Noyes Ranch Section of the Cove Secondary Highway, in Union County. 2.66 miles grading, surfacing and oiling.

Warren Northwest, Inc., Portland, submitted the low bid for this job at \$19,251.00. The bid submitted by Babler Bros., Portland, in the amount of \$20,817.00, was the second low bid received. There were 4 higher bidders. The Commission has awarded the contract to the low bidder, Warren Northwest, Inc., at their bid of \$19,251.00.

"West Fork Dairy Creek Section of the Nehalem Secondary Highway, in Washington County. 0.11 mile grading and surfacing, and construction of an 87-ft. composite pile trestle. J. F. Johnston, Newberg, submitted the low bid for this project at \$8,330.00. Leonard & Slate, Multnomah, submitted the next low bid at \$8,622.50. There were 5 higher bidders. The Commission has awarded this contract to the low bidder, J. F. Johnston, at his bid of \$8,330.00."

The Commission had under consideration the award of the contract for the surfacing of the North Unit of the Missouri Flat Section of the Medical Springs Secondary Highway, in Baker County, for which bids were taken on the previous day. The Engineer advised that the conditions of the award of this contract have been fulfilled and it is now his recommendation that the contract be awarded to the low bidder, O. C. Yocom, at his bid of \$3,750.00. The Commission approved the recommendation by unanimous vote, and so ordered.

County Commissioners Harry O. Harmon and Floyd W. Hammack, and County Engineer Glen Jacob, of Wallowa County, came before the Commission in regard to the selection of roads to be included in the Federal Aid Secondary Highway System. Chairman Cabell explained the requirements and inquired which roads the county court wants given first consideration in the program. The Court mentioned, as its first project, the county road which extends from Enterprise to Joseph, up what is known as Hurricane Creek. Their second choice was the county road which extends from Flora to Troy; and their third choice was the county road extending from Wallowa to Evans. They expressed their preference for the expenditure of the funds available for the improvement of county roads rather than for state secondary highways and advised that the logical place to spend this money is on the Hurricane Creek Road between Enterprise and Joseph.

The County Court of Umatilla County appeared before the Commission with regard to Federal Aid Secondary Highway matters. Present were County Judge Carl W. Chambers and County Commissioners Sam Ingle and Wm. R. Meiners. Chairman Cabell explained the requirements for Federal Aid Secondary roads and asked the County Court which roads it prefers be improved under the Federal Aid Secondary Highway program. Judge Chambers said that the County Court prefers that the funds available be expended for improvements on the State Secondary Highway System. Mention was also made of the following county roads: Milton-Couse Creek Road, particularly a 1-mile section thereof starting near the town of Milton and extending southeasterly toward a connection with the Weston-Elgin Secondary Highway; the Walla Walla River Road, extending from Milton up the Walla Walla River, a distance of about 6 miles; and the Sunquist Road, extending from a point about 3 miles east of Umpine to the Washington State Line, a distance of about 2½ miles.

The County Court was undecided as to its choice of the county roads, whereupon it was agreed that the Court would again discuss the matter with the Commission at its next meeting. The Engineer was instructed to investigate and secure full information on the roads mentioned so that the Commission will be informed when the matter again comes up for discussion.

County Commissioner Clyde Myers, representing the County Court of Union County, conferred with the Commission in regard to the selection of roads in Union County to be improved as federal aid secondary highways. Mr. Myers expressed a preference for the following projects: (1) Sanderson Springs-Phillips Creek County Road, particularly the Imbler-Phillips Creek Section thereof; (2) North Powder County Road from North Powder to the North Powder River; (3) Anthony Creek Road, being an extension of the North Powder-North Powder River Road; (4) Island City-Cove-Union State Secondary Highway; (5) Medical Springs State Secondary Highway. He was informed that the Highway Commission will give these projects due consideration in the selection of the Federal Aid Secondary Highway Program.

The County Court of Wasco County, represented by County Judge G. G. Shults and County Commissioners Angus H. McLeod and Mace Fulton, was present in the interests of the selection of roads for the Federal Aid Secondary Highway Program. The Court expressed a preference for construction of a road from Tygh Valley to Wamic and continuing to a connection with the Wapinitia Highway, being an extension of the Sherar's Bridge-Tygh Valley Secondary State Highway. They were informed that this road could not qualify as a Federal Aid Secondary Highway.

They then asked that this road be placed on the State Secondary Highway System and suggested the following roads for improvement on the Federal Aid Secondary System: (1) Roberts-Kuykendahl County Road known as the Tygh Ridge Road; (2) Chenoweth County Road; (3) Fifteen Mile Creek Road. The Shaniko-Fossil Secondary Highway No. 291 was their choice of projects on the state secondary highway system but they stated a preference for the county road improvements.

County Judge A. R. Bowman and County Commissioner Charles T. Brown, representing the County Court of Crook County, were present. They advised that the Crook County Court prefers that the Federal Aid Secondary Highway moneys be expended for the improvement of the Warm Springs State Secondary Highway, that being their first and only choice. Judge Bowman gave as his opinion that the State Highway Commission is obligated to improve such highway between Prineville and Madras.

The County Court of Coos County, represented by County Judge Hugh McLain and County Commissioner Thos. H. Thompson, was present and recommended the improvement of the following county road projects in the Federal Aid Secondary Highway Program: (1) Coos River Wagon Road; (2) Allegany Road beyond the terminus of the state secondary highway. They stated that they preferred that the available funds be expended for county road construction exclusively.

The County Court was informed that the replacement of the Catching Slough Bridge, on the Coos River Secondary Highway, is an absolute necessity and it does not appear now that the Commission will be able to finance any more than just this one job; however, the Commission will give the County Court's request due consideration in the formulation of the Federal Aid Secondary Highway Program.

The County Court of Lane County, consisting of County Judge Fred Fisk and County Commissioners Walter J. Holland and C. M. Young; also County Engineer P. M. Morse, discussed with the Commission matters pertaining to the selection of roads to be included in the Federal Aid Secondary Highway System in Lane County. Judge Fisk presented a letter recommending the following county roads, in the order mentioned; for consideration in such program: (1) road extending from Eugene to Veneta (Route "F"), particularly the grading and surfacing of the 6-mile section from a place known as Nielson's to Veneta; (2) road extending from Eugene northerly, through Coburg, to the Linn County line, particularly the revision and oiling of the same; (3) road extending from Eugene to the Linn County line, via Springfield and Marcola, including the surfacing of the same north of Mabel, and the oiling of the entire section, 25 miles in length; (4) the road extending from Jasper to Lowell, a distance of 11 miles.

The County Court's first choice of state secondary highways to be improved on this program was the Territorial Road south from Veneta. Chairman Cabell advised that the Commission will give the Court's request due consideration in the formulation of the Federal Aid Secondary Highway program.

County Engineer Morse inquired whether or not the Commission would sell to the county the rock stored in one of the Commission's maintenance stock piles located near a place known as Horton, west of Junction City. He said that the state has 5 piles of maintenance rock at this place that are not being used, because, as he understood it, the rock is quite soft and is not particularly good for highway purposes. He advised that this rock could be used to good advantage by the county on county roads in this vicinity, and the Court would like to buy it, if possible, at least one pile containing about 300 cu. yds. He offered to pay cash for the rock or replace it with other rock from the county's supply at Lorraine, as the Commission preferred. The State Highway Engineer stated that he would not approve the sale of rock as a general policy but in this particular instance he would recommend letting the county have the rock, if, after investigation, it is found that that could be done without causing any interference with the state's activities. The Commission thereupon referred the matter to the State Highway Engineer with full power to act.

The Commission then discussed with the county courts of Lane County and Klamath County matters pertaining to the Willamette Highway. Representing Klamath County in this discussion were County Judge George D. Grizzle and County Commissioners Roy Taber and Wm. F. B. Chase; County Engineer Frank Z. Howard, and Earl Reynolds, Secretary of the Klamath County Chamber of Commerce. Representing Lane County were County Judge Fred Fisk, County Commissioners Walter J. Holland and C. M. Young, County Engineer P. M. Morse, and Ed Turnbull, Eugene.

The State Highway Engineer advised that the Commission has under consideration the postponement of the opening of this highway for general public use for a period of about one year, or in the fall of 1940, rather than in 1939, in order to provide greater safety to the traveling public which will use the road. He explained that heretofore the Commission has concentrated its funds for grading work with a view in mind of opening the road throughout for general public use at the earliest possible time, the idea being to let the public have the use of the road during the time that the road is being surfaced; however, the question now arises whether or not that would be advisable in view of the dust hazard that undoubtedly will obtain if the road is open to the public before the surfacing is applied. He predicted that the road would carry a large volume of traffic just as soon as it is opened to the public and that numerous accidents would occur because of this dust condition. He explained that it was with the thought in mind of reducing the number of accidents, as well as facilitating construction work, that the Commission has been considering the advisability of keeping the road closed to the general public until a sufficient amount of surfacing materials has been placed to permit travel with safety; but, before taking definite action on the matter, the Commission wanted to discuss it with the people of Lane and Klamath Counties because of a previous understanding in regard to the time that the road would be opened to travel. He called attention to the type of soil of which the highway grade is constructed, particularly on the section east of Cascade Summit, being a pumiceous material which arises in clouds of dust when a vehicle passes over it, resulting in poor visibility and unsafe traveling conditions. He also pointed out the necessity to line the tunnel at the summit of the Cascade Range, and advised that in any event it would be necessary to close the highway to travel during the time that such lining is being constructed. He requested expressions from the members of the delegation in regard to this matter.

Judge Fisk of Lane County stated that public opinion in Lane County favors opening the road for travel as soon as possible, regardless of whether or not the road has been surfaced. He suggested that the application of a light oil treatment on the section east of Odell Lake, where the dust condition is the worst, would eliminate the dust hazard and safeguard travel from that standpoint. The State Highway Engineer advised that oiling experiments have been conducted on pumiceous soils and it has been found that a light oil treatment such as suggested by Judge Fisk will not hold up under the conditions that obtain east of Odell Lake; furthermore, that it would cost about \$3,000 a mile to apply such oil treatment, which is considered exorbitant in view of the mileage to be covered and the fact that it would serve only a temporary purpose. He added that if the oiling work could be done for about \$600 a mile, that would be a different matter and he would recommend it.

Judge Grizzle stated that the people in Klamath County prefer that the road be opened for general public use during 1938. They want the use of the road without delay, he said, and they would prefer to use the grade in its dusty condition rather than have to wait until the surfacing is constructed.

Chairman Cabell advised that the members of the Highway Commission and the officials of the Bureau of Public Roads, who have the responsibility for this road, are convinced that a real danger will be created if the road is opened for general use before the surfacing is applied. He added that such responsibility cannot be passed on to the counties. He further advised that the deferment of the opening of the road for a year will have no bearing whatsoever on the amount of money that is to be spent for construction purposes but it would simply mean that when the road is opened the public will have a very good road to travel on; whereas, if it is turned over to the public before the surfacing is applied, travel conditions will be very poor.

Mr. W. H. Lynch, District Engineer, Bureau of Public Roads, was present. He pointed out that it would be necessary in any event to close the road to public use when the tunnel is being lined. He predicted that the Highway Commission and the Bureau of Public Roads would be severely criticized by the general public if the road were opened early and left in a dusty condition.

The State Highway Engineer explained the plans for completion of the project, which include the application of the lightest oil treatment possible to permit travel at the earliest possible time, and the construction of a standard surfacing later. It was his thought that practically all of the construction work would be completed and a dustless road turned over to the public by the fall of 1940, dependent upon the continuation of federal appropriations by Congress.

Chairman Cabell concluded the conference by stating that the Commission is particularly desirous that the people of Lane and Klamath Counties know the situation confronting the Commission and the Bureau of Public Roads with regard to the opening of this road, and it was for that reason that the county courts were invited to be present at this meeting to discuss the matter. The final decision of the matter, he added, is in the hands of the State Highway Commission, which must assume the responsibility, and the Commission will make its decision in accordance with its best judgment after giving due thought and consideration to the desires of the people of Lane and Klamath Counties, as expressed at this meeting.

Judge Fisk inquired into the possibilities of securing state aid in maintaining the detour road along Salt Creek pending the opening of the highway. The Commission took the matter under advisement.

The County Court of Benton County, represented by County Judge H. C. Herron and County Commissioners T. A. Logsdon and W. H. Malone, came before the Commission in regard to the selection of Federal Aid Secondary Highways. They suggested the following: (1) North Albany-Wells county road; (2) Alpine-Glenbrook county road; (3) North Albany-Buena Vista county road; (4) Kings Valley State Secondary Highway; (5) Territorial State Secondary Highway. It was agreed by all that the road of greatest importance is the North Albany-Wells county road, particularly a 3-mile section thereof, at the

Albany end, and that the available money should be expended for the improvement of the same. It was also agreed that any surpluses remaining from Benton County's share of these funds should be spent, perhaps, for the improvement of the Kings Valley State Secondary Highway.

Judge Herron then asked the Commission to take over the maintenance of the Willamette Bridge at Corvallis, which is on the route of the Albany-Corvallis State Secondary Highway. He said that the present state secondary highway terminates at the east end of this bridge and that the west end of this bridge is only one block from the Albany-Corvallis primary state highway. He gave as his thought that, in view of the circumstances, the state should assume the responsibility of maintaining the bridge. The Commission took the matter under advisement.

The County Court of Marion County, represented by County Judge J. C. Siegmund and County Commissioner Roy S. Nelson and County Engineer Nathan C. Hubbs, conferred with the Commission in regard to Federal Aid Secondary Highways. They expressed a preference for the following county roads: (1) Salem-Silverton road; (2) South River Road, between Salem and Independence; (3) North River Road from Salem to McNary's Corner. They said that the county would contribute county funds as cooperation with the state in the improvement of the South River Road between Salem and Independence. After discussion, it was agreed that approximately 50% of the Federal Aid Secondary Highway moneys available for Marion County should be expended on the Salem-Silverton County Road, and the balance on the Salem-Independence Road. The State Highway Engineer was instructed to obtain information for a suitable project on the Salem-Independence road for financing with joint state and county funds.

A delegation from Tigard, Oregon, consisting of O. L. Moore, W. E. Upshaw, E. Johnson, Dr. Bissett, A. Hoffaboer, W. M. Evans, J. M. Keister, and Messrs. Lewis and Doriot, came before the Commission in regard to the improvement of the Pacific Highway west into Tigard for four lanes of traffic. Also present were Thomas Tongue, Hillsboro, Attorney for the delegation, and County Judge Donald T. Templeton and County Commissioner H. D. Kerkman, of Washington County. Mr. Tongue was spokesman for the group. He urged the improvement as a traffic necessity requiring immediate action, and suggested that if the Commission found it impossible to reconstruct the highway on the existing route through Tigard, the most feasible route and the one that would be the least costly to construct and would be the least harmful to the town is the one that leaves the present highway near the intersection of the county road that leads to Beaverton and extends in a northwesterly direction to a connection with the present highway near the Catholic school in Tigard.

Chairman Cabell advised that the town of Tigard is the logical stopping place for a 4-lane highway, but such project depends, to a large extent, upon the revision through the town of Tigard; in fact, the two projects have to be worked up together, and the Commission is not able at this time to state when the work will be done because of the uncertainty of the federal moneys with which the project will be financed. He explained that there is a question as to where the highway should be located through the town of Tigard in

view of the fact that it involves a crossing of the Southern Pacific Company's tracks. The Bureau of Public Roads, he said, will not approve the expenditure of government money for an improvement that involves the crossing of a railroad track at grade; therefore, the adoption by the Commission of the existing route on Main Street through Tigard would necessitate the construction of an overhead structure, which would be detrimental to the best interests of the town and would be highly undesirable from the standpoint of the local people. The alternative, he added, is to reroute the highway.

The policy of the Commission, he said, is to locate highways where they will be of the most benefit to the general traveling public, notwithstanding that such location may be harmful to the local interests. However, there are exceptions to this policy, and, in this instance, it appears, from information available, that the route suggested by Mr. Tongue is the most desirable, although surveys are not yet completed and the Commission is not in a position to make a definite decision at this time.

Judge Templeton said that the Washington County Court feels that there is a necessity for this improvement and that it should be undertaken at the earliest possible time. He further stated that, in his estimation, the route to the north of Tigard, which was suggested by Mr. Tongue, is the Court's choice.

Mr. Upshaw said that sentiment in Tigard is getting very tense because this improvement does not go forward. He urged the Commission to expedite it as much as possible so that the people can proceed with improvement of their properties.

The Engineer stated that he has looked over the several routes at Tigard and his first impression is that the line suggested by Mr. Tongue is the proper one, although he will not be in a position to make a recommendation in regard thereto until the surveys, now under way, are completed, which will probably be in about a month. Chairman Cabell concluded the conference by stating that the Commission will make its decision relative to the route after a study of the Engineer's report on the survey.

The Commission then discussed with the members of the Washington County Court matters pertaining to the selection of roads for the Federal Aid Secondary Highway System. Judge Templeton advised that the County Court prefers that Federal Aid Secondary moneys be spent for county road improvements, and recommended the following: (1) Hillsboro-Orengo-West Union (Cornelius Pass) Road; (2) Gales Creek Road between Balm Grove and Glenwood; (3) county road from Cornelius south to Bloomington. The following roads were the Court's choices for the state secondary highways: (1) Buxton-Wolf Creek Section of the Nehalem Secondary Highway; (2) Farmington State Secondary Highway No. 142.

Chairman Cabell advised that the recommendations would be given due consideration in the formulation of the program for the funds under discussion.

JAN 7 1938


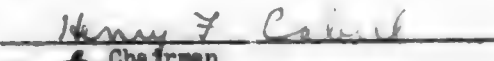


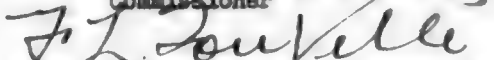
The Engineer reported receipt of an invitation from the Pacific Coast Branch of the Associated General Contractors of America to address this association at its 12th annual convention in Seattle, on January 28. The Commission authorized him to attend such meeting at state expense provided it meets with the approval of Governor Martin.

The Engineer requested authority for Assistant State Highway Engineer C. B. McCullough and Construction Engineer H. G. Smith to inspect concrete pavements in the State of Washington, at state expense, with a view to securing needed information in regard to the construction of joints in such type of pavement, there being many good examples of such work in that state. The Commission approved the request by unanimous vote, subject to further approval by Governor Martin.

The Commission had under consideration the setting of a date for its next regular meeting to receive bids for highway construction. It was decided to hold such meeting on Thursday and Friday, February 17 and 18, 1938, in Portland. The Secretary was instructed to arrange to hold this meeting in the auditorium of the Public Service Building, if possible, in accordance with the usual practice.

The Secretary was also instructed to invite to such meeting the county courts of the several counties which have not been heard relative to the selection of roads to be included in the Federal Aid Secondary Highway System.

There being no further business to come before the Commission at this time, the meeting was adjourned at 5:30 o'clock p. m.

 State Highway Engineer	 Chairman
 Secretary	 Commissioner
	 Commissioner

JAN 7 1938

Madras, Oregon, February 15, 1938.

At 3:30 o'clock p. m. on this day State Highway Commissioner E. B. Aldrich, in behalf of the State Highway Commission, conducted a special meeting in the Jefferson County Courthouse at Madras for the purpose of giving the people of this vicinity an opportunity to express their wishes relative to the proposed rerouting of The Dalles-California Highway between Madras and the Crooked River Bridge. Present, in addition to Commissioner Aldrich, were the following: R. H. Baldock, State Highway Engineer; H. B. Glaisyer, Secretary; H. G. Smith, Construction Engineer; T. M. Davis, Highway Engineer, United States Bureau of Public Roads; and sixteen local citizens, including Lewis H. Irving, representing the Madras Chamber of Commerce; Cecil Porter, Secretary of the Jefferson County Conservancy District; County Judge W. R. Cook; W. V. Merchant, store owner, Culver; George L. Rodman, farmer, Culver; and S. E. Lochrie, Metolius.

Commissioner Aldrich opened the meeting by explaining its purpose. He then invited those present to express themselves in regard to the proposed highway improvement. Mr. Irving, as spokesman for the local people, presented a resolution adopted by the Madras Luncheon Club, in which the State Highway Commission was urged to give careful and conscientious consideration to the adoption of a permanent route for this highway which would not bypass the towns of Culver and Metolius. He suggested a new location south from Madras for a distance of about $1\frac{1}{2}$ miles, eliminating numerous sharp curves in the present route, thence following along the present route through Metolius to Culver, thence southerly along the west side of a place known as Juniper Butte to a connection with the present highway at or near the Crooked River Bridge. He declared that such proposed change would place the highway in the heart of the district that is soon to be placed under irrigation by the United States Government and for that reason would be far more desirable when the irrigation system is an accomplished fact than any proposed route to the east thereof. He also declared that the adoption of a route to the east of Juniper Butte would eliminate the necessity for traffic to climb over what is known as Keeney Hill, which, in his estimation, is an advantage, and during the winter season would eliminate much of the snow, ice, and fog hazard that obtains on the Keeney Hill route.

Mr. Porter stated that he has heard numerous objections to the building of the highway along the lower elevations because of the fear that the irrigation waters would saturate the road and keep it in disrepair. He advocated the route suggested by Mr. Irving and said that he did not believe that a road constructed in such location would be affected at all by the irrigation waters. The remarks of Mr. Irving and Mr. Porter were indorsed by Mr. Merchant, Mr. Rodman, and Mr. Lochrie.

Judge Cook asked the Commission to consider the matter from the standpoint of the county as a whole. He indorsed the resolution of the Madras Luncheon Club but gave as his personal opinion that if the highway is to be changed, it should be reconstructed at a location east of Keeney Hill where it could serve also as a section of the Warm Springs Highway between

Madras and Prineville, thus eliminating the necessity to build the Madras-Prineville road into Madras.

Commissioner Aldrich pointed out that the funds with which the Commission proposes to finance this project are federal funds, so the plans must be prepared in conformance with the requirements of the Federal Bureau of Public Roads. He also explained the procedure the Commission is now following in determining the priority and justification of projects, whereby guesswork in arriving at decisions is eliminated. He called upon the State Highway Engineer for further remarks.

The Engineer explained that it is his function to present facts as he finds them to the Commission, which then adopts the policies of the State Highway Department, including the making of final decisions in regard to the selection of routes for highways. He explained that the present road between Madras and the Crooked River Bridge is about 2 miles longer than the direct location between these points, passing over Keeney Hill, and the route proposed by Mr. Irving to the east of Juniper Butte would be about a mile or a mile and a half longer than the present route. Predicting that eventually a thousand cars would pass over this highway daily, and estimating the cost of operating the average motor vehicle at 6¢ per mile, he pointed out that the 2 miles that the highway would be shortened by the adoption of the direct route over Keeney Hill would save to the motorists who use this road about \$45,000 annually; whereas, such motorists would be penalized proportionately by the adoption of any other route because of the longer distance to travel. He further advised that the Oregon Highway Department has gone very thoroughly into the matter of the effect of rise and fall on the cost of operating automobiles, and has found that rise and fall has a very insignificant effect on the cost of automobile operation but that the shortening of the distance to be traveled is the larger feature to be considered, hence no material benefits would accrue by the adoption of the line around the west side of Juniper Butte as has been suggested, but on the other hand the public would be penalized. He also pointed out that a primary state highway is for the use and benefit of the general traveling public and not alone for the benefit of local communities, which fact the State Highway Commission must consider in the selection and adoption of state highway routes.

Judge Cook inquired what would become of the old highway when the new one is built. He was informed by Commissioner Aldrich that the disposition of the old road would depend considerably on the attitude of the county court in regard thereto, but the probabilities are that the road will be turned back to the county to maintain as a county road, although sometimes, if conditions warrant, the Commission designates such a road as a secondary state highway.

After further discussion of a general nature the Commission adjourned at 4:00 o'clock p. m.


State Highway Engineer


Secretary


Commissioner

FEB 15 1938

Portland, Oregon, February 16, 1938.

The State Highway Commission met at 9:00 o'clock a. m. in Room 204, Benson Hotel. Present were:

Henry F. Cabell, Chairman
E. B. Aldrich, Commissioner
F. L. Tou Velle, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

The Commission by unanimous vote approved the minutes of the meetings held on August 26, August 31 and September 1, October 21 and 22, and November 17, 1937. The minutes of the meeting held on September 13 were previously approved by the Commission on January 5, 1938.

The Engineer reported on the meeting conducted by Commissioner Aldrich in the Jefferson County Courthouse, Madras, on the previous day, which meeting was arranged for the purpose of giving the citizens of Jefferson County an opportunity to express their wishes relative to the proposed rerouting of The Dalles-California Highway south from Madras to the Crooked River Bridge crossing at the Deschutes County Line. (See minute entry for details of this meeting.)

He said that a study of the data secured from preliminary investigations indicates that the most direct route between Madras and the Crooked River Bridge, which route bypasses Metolius and Culver and passes over Keeney Hill, is the best from all standpoints, and requested authority to make a definite location survey for a permanent highway along such route. After discussion the Commission granted the request by unanimous vote. The Commission also decided to conduct a formal hearing in Madras as required by law, when such survey is completed.

The Secretary reported the death, on February 15, 1938, of former State Highway Commissioner Charles K. Spaulding of Salem, and also the death, on October 13, 1937, of former State Highway Commissioner W. B. Barratt of Portland. The Commission by unanimous vote adopted the following resolutions in regard thereto upon motion of Commissioner Aldrich, which was duly seconded by Commissioner Tou Velle, as expressions of sympathy to the bereaved families of the deceased:

WHEREAS, Senator Charles K. Spaulding died at his home in Salem on February 15, 1938; and

WHEREAS, Senator Spaulding served as a member of the Oregon State Highway Commission from March 11, 1931, to February 16, 1932, during which membership he gave generously of his time, his counsel, and his business judgment to the promotion of the Oregon state highway system; and

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WHEREAS, it is fitting and appropriate that this Commission acknowledge his service as a former member of the Commission;

THEREFORE, BE IT RESOLVED by the Oregon State Highway Commission in regular session assembled:

That we recognize and acknowledge the contributions made by Senator Spaulding to the Oregon highway system, and thus his contributions to the development of his State;

That we extend to the widow and the family our sincere sympathy in their hour of sadness;

That this resolution be made a part of our permanent records and an engrossed copy presented to the family of Senator Charles K. Spaulding.

WHEREAS, W. B. BARRATT, who was a former member of the Oregon State Highway Commission, died at his home in Portland on the 13th day of October, 1937; and

WHEREAS, Mr. Barratt served as a member of the Highway Commission from January 8, 1921, to March 27, 1923, during which time he gave to the State of Oregon the same calm, conscientious, and deliberate judgment and concern that he gave to his own personal affairs and thereby contributed greatly to highway development and highway financing; and

WHEREAS, it is eminently appropriate that such faithful public service be acknowledged by this Commission.

THEREFORE, BE IT RESOLVED by the Oregon State Highway Commission at regular session assembled:

That we acknowledge with due regard and sincere appreciation the faithful, efficient, and constructive service performed by W. B. Barratt while serving as a member of the Oregon State Highway Commission;

That we extend to the widow and the family our sincere condolence in their great loss and sorrow;

That this resolution be made a part of the permanent records of the Commission and an engrossed copy be presented to the family of W. B. Barratt.

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The Secretary was instructed to prepare an engrossed copy of each resolution for presentation to the Spaulding family and the Barratt family.

The Commission had under consideration a letter from Thomas E. Rilea, Chairman of the committee in charge of the State Unemployment Relief Fund, which fund was created through donations by state employes, to be used for relief purposes. Mr. Rilea advised that there remains in this fund the sum of \$3,122.06, which the committee is contemplating turning over to the "Battleship Oregon Fund", in the event that can be done legally and the donors offer no objections thereto. The Attorney advised that it would be illegal for the committee to dispose of the fund in such manner regardless of the personal feelings of the state employes involved. Furthermore, it is his understanding that the Attorney General is so advising Mr. Rilea. The State Highway Engineer suggested that the money should be disbursed to needy state employes who contributed the same, particularly to the families of former state employes who have died since the fund was created, provided that the families of such former employes are in need of financial assistance. The Commission approved the suggestion and authorized the Engineer to offer it to the committee in charge of the fund in question.

In this connection the Engineer brought up for discussion the matter of circularizing state highway department employes for contributions to the "Battleship Oregon Fund" which is being raised by a committee appointed by Governor Martin for the dedication of a memorial to a notable event in the nation's history. It was the thought of the Commission that the cause is a worthy one and that each highway department employe should be given an opportunity to contribute to the same. It was decided, therefore, that a circular notice should be sent to each highway department employe that such fund is being raised and that contributions of \$1.00 or less to the same would be cheerfully received; also, that such circular notice should contain information to the effect that the contribution is in no way compulsory but is to be made voluntarily by the employe in the spirit of patriotic citizenship. It was also decided that such notice should be sent to the department employes by someone other than one of the officials of the department so that it would not appear that contributing is mandatory. In view of the fact that this matter is not a function of the State Highway Commission, the Commission decided that the cost of sending out this notice should not be paid with state highway funds. Chairman Cabell then very kindly offered to personally assume such expense, including postage, which it was thought would amount to approximately \$25.00.

The Engineer reported on the cost of resurfacing and oiling the Lexington-Sand Hollow Section of the Lexington-Echo Secondary State Highway by state forces as compared with the low bid received by the Commission on May 22, 1936, when the work was advertised to be done by contract. The report indicates that state force work cost approximately \$25,000, whereas, if the work had been done by contract, it would have cost at least \$38,000, which was the amount of the low bid received. In other words, the state made a saving of 33 per cent by doing the work with state forces. The Commission approved the report and ordered it filed.

A letter was presented from the Clackamas County Planning Board, recommending what is known as the LR-2 alignment for the proposed revision of the 82nd Street (Cascade) Highway north of Oregon City, in Clackamas County. In this connection the Commission also considered a written report from the Engineer on this subject, dated February 1, 1938, in which he advises that there is very little difference between the LR-2 line and the LR-4 line but he is inclined to believe that the LR-4 line is the better of the two. After discussion, the Commission indicated a preference for the alignment recommended by the Engineer and ordered that Clackamas County Planning Board be so informed. The Commission also ordered that the reaction of the Board thereto be ascertained and that the Board be requested to state its objections to the LR-4 line.

The Engineer brought up for discussion the matter of adopting a permanent location for the Pacific Highway at the Oregon-California state line. He advised that the location originally proposed connected with the existing highway in the State of California at the state line with a sharp curve of large central angle; also, that the existing highway in California has very poor alignment and contains grades as high as 7 per cent, so that the location previously considered for the highway in Oregon would not fit in with the improvement of the California section when such section is reconstructed to modern standards, and it would practically force the building of the California section on an inferior location. Further studies of this matter have been made by both Oregon and California engineers, he said, with the result that another location has been tentatively selected which would meet the requirements of both states but it would involve greater expense to construct, although the sharp curvature at the state line would be eliminated. He recommended the adoption of such new location, notwithstanding that construction expense would be greater. After discussion, the Commission approved the recommendation by unanimous vote, subject to the condition that such location meet with the approval of the California highway authorities and that the California authorities will enter into a binding agreement with the State of Oregon providing for the construction of the California portion of this highway on such alignment. The Engineer was authorized and instructed to take the matter up with the California authorities at once.

A report was rendered by the Engineer on the cost to widen and improve the 16-mile detour on the Willamette Highway as was requested by Lane County Court at the previous meeting. He said that investigation has been made and it has been found that very little benefit would be gained by an expenditure of less than \$1,000 per mile for such improvement. He questioned the advisability of such expenditure because, undoubtedly, it would result in more travel over the road and would encourage speeding, which would render the road more hazardous than it is at present. It was his thought that such improvement would not be advisable from the safety standpoint and suggested that satisfactory results would be obtained by doing a little more maintenance work on the present road. The Commission concurred in the viewpoint of the Engineer and so ordered. The Secretary was instructed to convey such information to the Lane County Court.

The Engineer reported orally on the cost to construct a nonskid wearing surface on Sherman Avenue, in North Bend, the route of the Oregon Coast Highway through this town. He estimated that temporary surfacing 30 feet wide, leaving an 8-foot parking strip on each side, would cost about \$5,000 and would alleviate the slippery condition of this strip when wet and would reduce the probability of accidents occurring on such account. He requested authority to do this work as soon as weather conditions will permit. The Commission indicated a favorable attitude toward the project but deferred a definite decision until later in the session. This matter was reconsidered later, at which time the Engineer was authorized to proceed with the project on the basis outlined by him.

The Commission reconsidered the matter of approving the assignment by Julius Gunnell of his contract for furnishing ferry service across Coos River, in Coos County, at a place known as Enegran Ferry, to Mr. Andrew Stambuck. The Engineer reported receipt of several letters from responsible citizens of Coos County recommending Mr. Stambuck very highly, and recommended approval of the assignment provided the surety on the bond furnished by Mr. Gunnell consents thereto without prejudice to the bond; and provided, further, that Mr. Stambuck will furnish proper insurance coverage. After discussion, the Commission approved the recommendation by unanimous vote and ordered that Mr. Gunnell and Mr. Stambuck be so informed.

A letter was presented from Mr. Carle Abrams, Salem, one of a number of persons who own cottages along the beach at a place known as Roads End Beach, in Lincoln County, complaining that large quantities of rocks and boulders are being removed from the beach area for private purposes, and, as a result, their properties are no longer protected from wave action as heretofore. Mr. Abrams gave as his thought that this area is under the jurisdiction of the State Highway Commission, and, such being the case, the Commission should take some action to prevent the removal of the rocks and boulders. The Engineer advised that investigation was made of this matter and it was found that rock has been taken quite frequently from this place and some beach gravel has also been taken, but no great amount of damage has been done as far as can be ascertained; however, inasmuch as it is contrary to the policy of the Commission to permit the taking of materials from the beach area under its control, it would be proper for the Commission to take steps as may be necessary to prevent the removal of additional materials. He recommended the erection of appropriate signs at points of access to the beach from the roadway, calling the attention of the public to the fact that the beach area is state property and that the removal of rock, gravel, et cetera, therefrom is prohibited. The Commission approved the recommendation by unanimous vote.

The Commission discussed briefly the Engineer's report on the cost to illuminate a section of state highway in the city of Portland, as an experiment, but deferred action thereon until the next meeting.

The Commission also discussed the Engineer's report on the cost to illuminate bridges and overpasses that are located on state highway routes within the corporate limits of cities and towns. The Engineer advised that there are about 35 such structures at present and that it would cost about

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\$12,000 annually to illuminate them. The Commission decided, in view of the present financial stringency, not to light such structures for the time being but to limit its lighting program to the illumination of underpasses, which was heretofore approved.

The Attorney reported the results of his investigation of the claim of Mr. Frank Triska for the loss of a horse which he alleges was injured while crossing a cattle guard installed on a roadway leading from one of the state's gravel pits to a state highway, with the result that the horse had to be killed. He said that such investigation reveals that the price paid for the gravel pit was determined upon consideration of the gravel only and that the installation of the cattle guard was simply a precaution taken against injuries and loss that might be sustained. Furthermore, it appears that the precautionary measure did not work as was expected, and, as a result, Mr. Triska sustained a loss that was not provided for in the compensation paid for the gravel pit. He recommended, in view of the facts, that the Commission pay the claim, which amounts to \$100. The Engineer concurred in the recommendation. The Commission approved the recommendation by unanimous vote.

The Engineer reported that, in conformance with authority previously granted him by the Commission, he has awarded the following contracts, bids for which were referred to him by the Commission to award the contract to the low bidder in each instance when certain conditions had been satisfied:

Contract for furnishing 12,400 cu.yds. crushed rock for the Mt. Hood Rock Production Project. Bids taken January 6, contract awarded January 22, 1938, to Saxton, Looney & Risley, Portland, who submitted the low bid therefor;

Contract for furnishing crushed rock for the Dillon-John Day River Section of the Columbia River Highway in Sherman and Wasco Counties. Bids taken January 7, contract awarded January 31, 1938, to H. L. Rice, Portland, who submitted the low bid therefor.

The Commission, by unanimous vote, approved the award of these contracts as made by the Engineer.

The Engineer reported the need for an additional authorization of \$5,000 to finance completion of the concrete investigations now in progress, including the purchase of a freezing unit. He advised that investigation to date shows promise of establishing the primary cause of disintegration of concrete structures in Eastern Oregon and gave as his thought that data obtained from the investigation will be worth many times the cost of conducting the same. The Commission approved the request by unanimous vote.

The Commission also by unanimous vote authorized the purchase of the following equipment:

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- 6 truck scales for installation at strategic locations throughout the state, estimated to cost \$15,000;
- 20 light-weight type trucks of the Ford or Chevrolet class to replace 20 wornout trucks of the same type which are to be traded in as part purchase price on the new equipment - estimated total net cost \$16,000. (The Engineer advised that these trucks are needed to carry on the paving plant work during the coming summer);
- 12 asphalt heaters, estimated to cost \$6,600, which are needed to properly maintain the increased mileage of oiled road;
- 15 mowing machines, estimated to cost a total of \$2,025, to provide for an increase in mowing operations on pavement shoulders thus reducing blading operations in a corresponding amount.

The Engineer brought up for discussion the matter of inspecting the road extending from the Columbia River Highway to the Maryhill ferry landing with a view to determining whether or not this road should be taken over by the state and maintained as a part of U. S. Route No. 97, as has been requested by proponents of same. The Engineer advised that numerous requests have been made for the state to take over this road, the most recent of which is that of Honorable Earl Snell, Secretary of State; further, that at one time the Commission signified its willingness to inspect the road in company with members of the Moro Commercial Club, but such inspection has never taken place. He requested instructions. The Commission decided to inspect the road the next time it is in that vicinity and ordered that Mr. Snell be so informed. The Engineer was instructed to ascertain the policy of the State of Washington highway officials with respect to this matter in so far as it pertains to the connection on the Washington State side of the river.

The Commission considered and signed a voucher in favor of Laura Hotchkiss, assigned to Carson & Carson, Salem, calling for payment of \$59.97, which is one-half of the cost incident to the appeal of the case of Bank of California, et al, versus Scott, et al, involving a state highway contract. The Attorney advised that a vital question is involved in this case inasmuch as the trial court held that the State Highway Commission could not condition an assignment of funds due a contractor so that the funds would be subject to the state's prior rights with respect thereto, but that the contractor could make an assignment of money on a contract and place that money beyond the reach and control of the State Highway Commission. The creditor concerned in this case, he said, has appealed for the purpose of challenging the trial court's decision. He asked the Commission to permit him to appear before the Supreme Court as an amicus curiae to assist in the case. Such authority was granted by the Commission by unanimous vote.

The Engineer reported the need to place reduced load limits on certain highways and requested authority to post them for 50 per cent reduced

loads with the exception of the Oregon Coast Highway between Marshfield and Port Orford, where he recommended a 25 per cent reduction. The Commission approved the Engineer's request and by unanimous vote adopted the following resolutions in regard thereto, with instructions that the reduced load limits shall not be put into effect until absolutely necessary:

WHEREAS, the following roads or highways have been duly designated and declared to be and are state highways, and have been improved and are being maintained by the State Highway Commission pursuant to the laws of the State of Oregon as state highways, to wit:

SHERMAN HIGHWAY
MT. HOOD HIGHWAY
HOOD RIVER SECONDARY HIGHWAY
McKENZIE HIGHWAY
McKENZIE-BEND HIGHWAY
OCHOCO HIGHWAY
FREMONT HIGHWAY
CENTRAL OREGON HIGHWAY

AND WHEREAS, the said above-named state highways are, in the judgment of the State Highway Commission, being subjected to a kind and character of traffic which is damaging and injuring the said highways, and, in order to protect said highways against such damage and injury, it is deemed and is the judgment of the Highway Commission and said Commission finds that it will be for the best interests of the said highways that the maximum weights permitted and authorized by law be reduced;

AND WHEREAS, the State Highway Commission has, after due investigation, determined and found, and it is the judgment of the Commission that the maximum weights which shall be permitted upon the said roads shall be reduced and fixed as in this order provided;

NOW, THEREFORE, the premises being in part as above stated, and the State Highway Commission having as a result of due investigation found that the roads above mentioned and hereinafter designated are being damaged and injured on account of the kind and character of traffic now being hauled over and upon said roads and by reason of the fact that vehicles carrying maximum loads moved at the maximum speeds specified by the provisions of the laws of the State of Oregon are breaking up, damaging and deteriorating the said roads, and the Commission having found upon due investigation that it will be for the best interest of the said state highways that the maximum total weight of load and vehicle which shall be permitted upon said roads shall be reduced so as to conform to the requirements fixed in this order,

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IT IS HEREBY ORDERED, that the maximum weight of combined load and vehicle which shall be permitted upon the within-named roads shall not exceed the weight herein fixed:

The maximum weights which shall apply to the following highways, to wit:

SHERMAN HIGHWAY from its junction with the Columbia River Highway, in Sherman County, to its junction with The Dalles-California Highway, in Wasco County;

MT. HOOD HIGHWAY from Cooper's Spur to its junction with the Columbia River Highway, in Hood River County;

HOOD RIVER SECONDARY HIGHWAY from its junction with the Mt. Hood Highway northerly to Tucker's Bridge, in Hood River County;

McKENZIE HIGHWAY between Sisters and Redmond, in Deschutes County;

McKENZIE-BEND HIGHWAY from Sisters to the junction with The Dalles-California Highway near Bend, in Deschutes County;

OCHOCO HIGHWAY between Redmond, in Deschutes County, and a point 6 miles east of Prineville, in Crook County;

FREMONT HIGHWAY between Silver Lake and Lakeview, in Lake County;

CENTRAL OREGON HIGHWAY between Bend, in Deschutes County, and Burns, in Harney County,

shall be as follows: the combined weight in pounds bearing on the surface of the highway at contact with the tread of the wheels of the front axle of a truck or truck-tractor shall not exceed the product of four hundred (400) multiplied by the sum in inches of the tire width of the wheels of such axle; and, the combined weight in pounds bearing on the surface of the highway at contact with the tread on the wheels of any one axle of a vehicle or combination of vehicles, other than the front axle of a truck or truck-tractor, shall not exceed the product of three hundred (300) multiplied by the sum in inches of the tire width of the wheels of such axle; but, in no event shall the combined weight in pounds bearing on the surface of the highway at contact with the tread of the wheels of any one axle of a vehicle exceed the maximum limit set by law for any one axle.

IT IS FURTHER ORDERED, that these rules and regulations as made and found by the State Highway Commission under the provisions of Chapter 360 of the laws of Oregon for 1931, shall be in

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full force and effect from this date until modified, annulled or voided by the order of the State Highway Commission.

AND IT IS FURTHER ORDERED, that a notice be posted in a conspicuous manner and place at each end of the above-named highways and at important crossroads on said highways so that said notice can be readily seen and read, which said notice shall state plainly the limitations and prohibitions of traffic hereby in this order determined and fixed.

AND BE IT FURTHER ORDERED, that a certified copy of this order be furnished to the county clerk of each county in which any part of said highways are located, and that a certified copy of this order be furnished to the Superintendent of the Department of State Police for his information.

WHEREAS, the following roads or highways have been duly designated and declared to be and are state highways, and have been improved and are being maintained by the State Highway Commission pursuant to the laws of the State of Oregon as state highways, to wit:

THE DALLES-CALIFORNIA HIGHWAY
KLAMATH FALLS-LAKEVIEW HIGHWAY
PENDLETON-JOHN DAY HIGHWAY
JOHN DAY HIGHWAY

AND WHEREAS, the said above-named state highways are, in the judgment of the State Highway Commission, being subjected to a kind and character of traffic which is damaging and injuring the said highways, and, in order to protect said highways against such damage and injury, it is deemed and is the judgment of the Highway Commission and said Commission finds that it will be for the best interests of the said highways that the maximum weights permitted and authorized by law be reduced;

AND WHEREAS, the State Highway Commission has, after due investigation, determined and found, and it is the judgment of the Commission that the maximum weights which shall be permitted upon the said roads shall be reduced and fixed as in this order provided;

NOW, THEREFORE, the premises being in part as above stated, and the State Highway Commission having as a result of due investigation found that the roads above mentioned and hereinafter designated are being damaged and injured on account of the kind and character of traffic now being hauled over and upon said roads and by reason of the fact that vehicles carrying maximum loads moved at the maximum speeds specified by the provisions of the laws of the State of Oregon are breaking up, damaging and deteriorating the said roads, and the Commission having found upon due

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investigation that it will be for the best interest of the said state highways that the maximum total weight of load and vehicle which shall be permitted upon said roads shall be reduced so as to conform to the requirements fixed in this order,

IT IS HEREBY ORDERED, that the maximum weight of combined load and vehicle which shall be permitted upon the within-named roads shall not exceed the weight herein fixed.

The maximum weights which shall apply to the following highways, to wit:

THE DALLES-CALIFORNIA HIGHWAY between Maupin, in Wasco County, and Terrebonne, in Deschutes County;

THE DALLES-CALIFORNIA HIGHWAY between Bend, in Deschutes County, and Klamath Falls, in Klamath County;

KLAMATH FALLS-LAKEVIEW HIGHWAY from its junction with The Dalles-California Highway near Klamath Falls, in Klamath County, to Lakeview, in Lake County;

PENDLETON-JOHN DAY HIGHWAY between its junction with the Oregon-Washington Highway, at Nye, and Ukiah, in Umatilla County;

JOHN DAY HIGHWAY between Prairie City, in Grant County, and Unity, in Baker County

shall be as follows: the combined weight in pounds bearing on the surface of the highway at contact with the tread of the wheels of the front axle of a truck or truck-tractor shall not exceed the product of four hundred (400) multiplied by the sum in inches of the tire width of the wheels of such axle; and, the combined weight in pounds bearing on the surface of the highway at contact with the tread on the wheels of any one axle of a vehicle or combination of vehicles, other than the front axle of a truck or truck-tractor, shall not exceed the product of three hundred (300) multiplied by the sum in inches of the tire width of the wheels of such axle; but, in no event shall the combined weight in pounds bearing on the surface of the highway at contact with the tread of the wheels of any one axle of a vehicle exceed the maximum limit set by law for any one axle.

IT IS FURTHER ORDERED, that these rules and regulations as made and found by the State Highway Commission under the provisions of Chapter 360 of the laws of Oregon for 1931, shall be in full force and effect from this date until modified, annulled or voided by the order of the State Highway Commission.

AND IT IS FURTHER ORDERED, that a notice be posted in a conspicuous manner and place at each end of the above-named highways

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and at important crossroads on said highways so that said notice can be readily seen and read, which said notice shall state plainly the limitations and prohibitions of traffic hereby in this order determined and fixed.

AND BE IT FURTHER ORDERED, that a certified copy of this order be furnished to the county clerk of each county in which any part of said highways are located, and that a certified copy of this order be furnished to the Superintendent of the Department of State Police for his information.

WHEREAS, the following road or highway has been duly designated and declared to be and is a state highway, and has been improved and is being maintained by the State Highway Commission pursuant to the laws of the State of Oregon as a state highway, to wit:

OREGON COAST HIGHWAY

AND WHEREAS, the said above-named state highway is, in the judgment of the State Highway Commission, being subjected to a kind and character of traffic which is damaging and injuring the said highway, and in order to protect said highway against such damage and injury, it is deemed and is the judgment of the Highway Commission, and said Commission finds that it will be for the best interests of the said highway that the maximum weights permitted and authorized by law be reduced;

AND WHEREAS, the State Highway Commission has after due investigation determined and found, and it is the judgment of the Commission that the maximum weights which shall be permitted upon the said road shall be reduced and fixed as in this order provided;

NOW, THEREFORE, the premises being in part as above stated, and the State Highway Commission having as a result of due investigation found that the road above mentioned and hereinafter designated is being damaged and injured on account of the kind and character of traffic now being hauled over and upon said road, and by reason of the fact that vehicles carrying maximum loads moved at the maximum speeds specified by the provisions of the laws of the State of Oregon are breaking up, damaging and deteriorating the said road, and the Commission having found upon due investigation that it will be for the best interest of the said state highway that the maximum total weight of load and vehicle which shall be permitted upon said road shall be reduced so as to conform to the requirements fixed in this order,

IT IS HEREBY ORDERED, that the maximum weight of combined load and vehicle which shall be permitted upon the within-named road shall not exceed the weight herein fixed.

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The maximum weights which shall apply to the following highway, to wit:

OREGON COAST HIGHWAY from Marshfield in Coos County to
Port Orford in Curry County

shall be restricted to the following weights: the combined weight in pounds bearing on the surface of the highway at contact with the tread on the wheels of any one axle of a vehicle or combination of vehicles shall not exceed the product of four hundred fifty (450) multiplied by the sum in inches of the tire width of the wheels of such axle; but, in no event shall the combined weight in pounds bearing on the surface of the highway at contact with the tread of the wheels of any one axle of a vehicle exceed seventy-five (75) per cent of the maximum limit set by law for any one axle.

IT IS FURTHER ORDERED, that these rules and regulations as made and found by the State Highway Commission under the provisions of Chapter 360 of the laws of Oregon for 1931, shall be in full force and effect from this date until modified, annulled or voided by the order of the State Highway Commission.

AND IT IS FURTHER ORDERED, that a notice be posted in a conspicuous manner and place at each end of the above named highway and at important crossroads on said highway, so that said notice can be readily seen and read, which said notice shall state plainly the limitations and prohibitions of traffic hereby in this order determined and fixed.

AND BE IT FURTHER ORDERED, that a certified copy of this order be furnished to the county clerk of each county in which any portion of said highway is located, and that a certified copy of this order be furnished to the Superintendent of the Department of State Police for his information.

In this connection the Engineer reported receipt of numerous "Reports of Arrest" from the State Police Department covering loading violations in Coos County, which indicate that the Justice of the Peace at Coquille is not cooperating in the Commission's efforts to keep loads within the weights specified by law; and it appears that when offenders are brought before him the Justice imposes a fine but immediately remits the same so that the spirit and intent of the law in regard to such matters is being defeated. He requested instructions in regard thereto. It was the thought of the Commission that the placing of a reduced load limit on the Oregon Coast Highway and the carrying out of the procedure heretofore outlined for disposing of cases of this kind, which involves the revocation of the permits of the offenders, would remedy the situation.

The Commission had under consideration at this time the matter of adopting a permanent route for the Pacific Highway between Ashland and the California State Line, in Jackson County. The following resolution in regard

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thereto was adopted by the unanimous vote of the Commission, upon recommendation of the Engineer:

WHEREAS, for the purpose of accomplishing a better alignment, the elimination of unsafe and dangerous curves and the reduction of steep grades the Commission directed the Engineer to make a new survey of the section of the Pacific Highway between Ashland and the Oregon-California state line in Jackson County; and

WHEREAS, said survey has been completed and a map thereof made and the field notes and other engineering data have been filed in the office of the State Highway Commission in Salem, Oregon;* and

WHEREAS, after due consideration of said map and records it is the judgment of the Commission that said map, survey, field notes and other engineering data should be approved and adopted by the Commission and the location and route between said termini be made the location and route of the Pacific Highway between said points.

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the Commission, all members being present and affirmatively voting, as follows:

1. That the survey, field notes, map and other engineering data with respect to the Pacific Highway between the City of Ashland and the Oregon-California state line in Jackson County be and the same in their entirety hereby are approved and adopted as the survey, field notes, map and engineering data supporting and disclosing the route of the highway between the said termini, and the Engineer hereby is directed to file all of said data and information and to preserve the same in the records and files of the State Highway Commission at Salem, Oregon.

2. That the route of the Pacific Highway in Jackson County between Ashland and the Oregon-California state line hereby is changed and modified and said highway between said termini hereby is located as follows, to wit:

Beginning at the intersection of Boulevard Street (being the present Pacific Highway) and Ashland Street in South Ashland, thence southeasterly to a point in the Northwest quarter of the Northwest quarter of Section 24, Township 39 South, Range 1 East, W.M., which is approximately opposite and westerly from the S. P. Railroad Station named "Clausen", thence continuing in a southeasterly direction to a point near the west one-quarter section corner of Section 25, Township 39 South, Range 1 East; thence continuing southerly and southeasterly to a point of crossing with the S. P. Railway Company's line in the

* Map filed with Resolutions Adopting State Highway Routes - No. 1.

Southwest quarter of the Northeast quarter of the Northeast quarter of Section 17, Township 40 South, Range 2 East; thence continuing southerly and southwesterly to a junction with the present constructed Pacific Highway at Siskiyou Station, said point being in the southeast one-quarter of Section 20, Township 40 South, Range 2 East, W.M.; thence continuing southerly, crossing the summit of the Siskiyou Mountains near the northeast corner of Section 32, Township 40 South, Range 2 East, W.M., to a point on the Oregon-California state line in the Northwest quarter of Section 17, Township 41 South, Range 2 East, W.M.

3. That said map for identification bears thereon the signature of R. H. Baldock, State Highway Engineer, and is dated the 10th day of January, 1938, the original of which said map has been placed in the files and records of the Highway Commission at Salem, Oregon, and a copy of which is attached hereto.

4. That the State Highway Engineer hereby is instructed and directed to physically locate and mark with proper monuments or markers on the ground the said route and highway between said termini, and the Engineer is further instructed to prepare the said section of said highway for proper and adequate improvement as a part of the section of the Pacific Highway in Jackson County between said termini.

5. That this resolution be entered in the records and minutes of the State Highway Commission and that a duly certified copy thereof be mailed to the County Court of Jackson County and the United States Bureau of Public Roads at Portland, Oregon.

The Commission also had under consideration a resolution adopted by the Jackson County Court requesting the selection and designation as a secondary state highway of that portion of the Pacific Highway (old route) which extends from the Green Springs Highway junction southerly to a connection with the new route of the Pacific Highway near a place known as Siskiyou Station, a distance of approximately 7.48 miles. It appeared to the Commission that this request is in accordance with previous understanding with the Jackson County Court and that it should be approved. The Commission thereupon adopted the following resolution in regard thereto by unanimous vote, upon motion of Commissioner Tou Velle, which was duly seconded by Commissioner Aldrich:

WHEREAS, under the provisions of Chapter 248, Laws of 1931, and Chapter 196, Laws of 1935, the State Highway Commission, by mutual agreement with the respective county courts of the several counties of the State, is authorized and empowered to select, locate, and designate a system of secondary state highways, which highways shall be selected from the market roads or other county roads or available locations or routes of the several counties; and

WHEREAS, the State Highway Commission, by mutual agreement with the Jackson County Court of the State of Oregon, has selected the highway hereinafter named, and it is the purpose of the Commission to officially and regularly designate and adopt said highway as a highway to constitute, together with other highways heretofore adopted and/or which may hereafter from time to time be added, the system of secondary state highways under the provisions of said acts;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission, all members being present and affirmatively voting and participating, as follows:

1. That the following named market road, county road, highway, route, or location of a highway in Jackson County be and the said market road, county road, highway, location, or route, hereby is selected, designated, established, adopted, and approved as a secondary state highway and shall be and hereby is designated as a part of the secondary state highway system, to wit:

Siskiyou Secondary Highway No. 273:

Beginning at the former junction of the Green Springs Highway with the old route of the Pacific Highway at a point approximately 1,680 feet west and 110 feet south of the quarter section corner between Sections 29 and 32, T. 39 S., R. 2 E., W. M.; thence in a southerly direction via the old route of the Pacific Highway to the junction of the old route of the Pacific Highway with the relocated and constructed route of the Pacific Highway near Siskiyou Station at a point approximately 1,540 feet north and 1,320 feet west of the section corner common to Sections 20, 21, 28, and 29, T. 40 S., R. 2 E., W. M., a distance of 7.48 miles.

2. That the said highway shall be and hereby is qualified for improvement under the provisions of said Chapter 248, Oregon Laws 1931, and amendments thereof.

The following resolution abandoning as a part of the state highway system a portion of the Pringle Creek-Illahe School Section of the Pacific Highway south of Salem, in Marion County, was adopted by the Commission by unanimous vote, upon motion of Commissioner Tou Velle, which was duly seconded by Commissioner Aldrich, it appearing to the Commission that this particular section of road is no longer of value as a state highway inasmuch as the highway has been reconstructed on new alignment at this location:

WHEREAS, in order to afford a better alignment and a more satisfactory, safe and convenient highway for the traveling public, the Commission found it necessary to relocate a portion of the Pringle Creek-Illahe School Section of the Pacific Highway in Marion County; and

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WHEREAS, by reason of said relocation and reconstruction of the said section of said highway there was eliminated and made unnecessary as a part of the permanent highway a certain section or part thereof, which section or part is more specifically defined and designated hereinafter in this resolution; and

WHEREAS, it is the judgment and opinion of the Commission that there should be recorded in the minutes and records of the Commission its purpose and plan to abandon as a part of the said state highway the fragment or portion of right of way hereinafter designated and heretofore included within the area of the right of way of the said state highway as formerly located, improved and used;

NOW, THEREFORE, the premises being in general as above stated, it hereby is resolved by this Commission, all members being present and affirmatively participating, as follows:

1. That the fragment of land confined within the area of land hereinafter designated, which fragment or parcel of land was formerly within the limits of the right of way of the Pringle Creek-Illaha School Section of the Pacific Highway in Marion County, but is now without the limits of the right of way of said highway as said highway has been relocated and constructed, be and said fragment or parcel of land or portion of the old right of way is abandoned as a part of the right of way of said highway, and said fragment or parcel of land or old right of way is, so far as control and supervision by this Commission is concerned, eliminated and left to revert to the adjoining and abutting property owners or to the control and supervision of the County Court of Marion County for highway or other public purposes as the Court may determine. The fragment or parcel of land affected by this resolution is defined and described as follows, to wit:

All that portion of the Old Pacific Highway lying westerly of the westerly right of way line of the reconstructed Pacific Highway as relocated between terminal points in Section 10, Township 8 South, Range 3 West, and Section 2, Township 9 South, Range 3 West, and more particularly described as beginning at Station 104+00 and ending at Station 359+00 of the said relocated Pacific Highway, said old Pacific Highway being a strip of land 60 feet in width.

The location of said abandoned right of way may be more definitely and particularly ascertained and determined by reference to a map or blueprint, marked "Exhibit 'A'", attached hereto and by this reference made a part hereof, which said exhibit for identification purposes bears the signatures of F. D. Eason, Division Engineer, H. G. Smith, Construction Engineer, and R. H. Baldock, State Highway Engineer, and bears date of January 19, 1938, upon which map or exhibit there is reflected the above described parcel of land by showing the same shaded in red. *

* Map filed in Right of Way Abandonment and Retention File - No. 55.

2. In the event there remains any physical connection between any portion of said abandoned right of way or highway and the present highway, and by reason of such physical connection traffic from the existing highway may enter or use the said abandoned portion of the said old road to the possible damage or injury of such traffic by reason of any unsafe condition existing with respect to the said old or abandoned road, then the State Highway Engineer is hereby authorized and directed to erect such barricade or other safeguards as may be necessary to protect and safeguard traffic using and employing said newly located, constructed and dedicated section of said highway.

3. That this resolution be entered in the minutes and records of the Commission and a certified copy thereof promptly delivered to the County Court of Marion County, together with a copy of said exhibit or map, for such action as the County Court may desire to take with respect to said fragment of land, and should said abandoned portion of the right of way of said highway be further employed for public or private highway purposes such use shall be entirely under the control and supervision of the County Court of Marion County and beyond any responsibility or supervision by the State Highway Commission.

The Commission had under discussion the matter of permitting the Dayton City Council to maintain mileage and direction signs at each end of the Amity-Dayton Secondary State Highway, directing traffic over this road rather than along the Pacific Highway West through McMinnville. It appears that the signs in question are located on private property and that they contain information directing traffic, which is contrary to state law; also, that the City Council has been asked to remove the signs but has indicated an unwillingness to do so regardless of the legal status. The Engineer gave as his thought that the Commission should take legal action, if necessary, to effect the removal of the signs, because, if they are allowed to remain in place, it will be necessary to permit the installation of similar signs in other locations throughout the state where like conditions obtain, and the highways of this state would soon be cluttered up with all manner of mileage and direction signs. The Commission indicated concurrence in the Engineer's viewpoint but deferred action pending investigation of the law by the Attorney and a study of his written opinion as to the Commission's authority to control such signs. This matter was reconsidered by the Commission later in the session, at which time the Commission went on record as being opposed to the maintenance of such signs regardless of whether they are on the highway right of way or on private property, and decided that it would do everything within its power to have the signs removed. It was also decided that State Highway Department standard mileage and direction signs should be erected at each end of this secondary highway for the benefit of the traveling public, which would eliminate any necessity for the signs now being maintained by the Dayton City Council.

The Attorney reported receipt of information from the City Council of Newport to the effect that the Council has adopted an ordinance requiring

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the parallel parking of cars along the state highway route through Newport and that such ordinance also provides for one-hour parking privilege and contains an emergency clause making the ordinance effective immediately. He also advised that the city has requested that appropriate stripes be painted on the highway at once so that the provisions of the ordinance can be enforced. The Commission instructed the Engineer to see that the traffic stripes are painted just as soon as weather conditions will permit, and to inform the City Council of the action taken on their request. In this connection, the question arose whether or not the state should assume the expense of painting these stripes, including the cross-stripes to mark off the parking areas next to the curb. The Commission decided unanimously to pay such expense with state funds.

The Commission had under consideration a letter from the Bureau of Public Roads pointing out that a serious traffic hazard exists on the Salmon River Highway by reason of the fact that mud is being deposited on the surface of the road by log-hauling equipment, and asking the Commission to take action as may be necessary to alleviate this condition. The Commission decided that all logging operators should be required to clean the mud off their equipment before entering the state highway. The following letter in regard thereto was approved by the Commission by unanimous vote and the Secretary was instructed to see that a copy of this letter is sent to each operator engaged in the truck-hauling of logs on this road:

To All Persons Engaged in Truck Hauling
of Logs on the Salmon River Highway:

Recent inspection of the Salmon River Highway reveals that, in certain locations, large quantities of mud have been deposited on the surface of the pavement by logging trucks upon entering the highway from private logging roads. This mud causes a slippery condition which is conducive to traffic accidents and will not permit the general public use of the highway with safety.

The remedy of this condition is to require logging operators to clean the mud off their equipment before entering the highway. The State Highway Commission is asking you, as an operator of one or more logging trucks on this highway, to do this in so far as it involves the equipment under your control to the end that this highway, which is heavily traveled, may be maintained in the best possible manner from the traffic safety standpoint.

I am instructed to inform you that, unless the Commission is able to secure your full cooperation in this regard, it will be necessary for the Commission, in the interests of public safety, to order the revocation of all permits that have been issued for the trucking of logs on this highway, at least for the period that the dangerous condition exists. The Commission prefers not to take such drastic action and trusts that you will comply with its request, thus eliminating the necessity for the same.

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The Commission considered and signed a joint letter with W. H. Lynch, District Engineer, Bureau of Public Roads, and C. J. Buck, Regional Forester, U. S. Forest Service, directed to the Chief of the Forest Service and the Chief of the Bureau of Public Roads, Washington, D. C., recommending the following program of national forest highway construction for the State of Oregon for the fiscal year 1939 Forest Highway Funds:

Funds Available:

F. Y. 1939 Authorization..... \$1,254,044

Deduct:

Admin. & Equipment - 10% (approx.).... -125,044

Available for Program.. \$1,129,000

Recommended Program: (Major Projects)

<u>Proj. No.</u>	<u>Proj.</u>	<u>Length</u>	<u>Allocation</u>	<u>Remarks</u>
16-G4,H2,I2,J2	Tiller-Trail	7.0	\$ 85,000	Surf. & Bit. Surf.
21-J3,K2	Willamette	21.0	150,000	Tunnel Lining & Lighting
or				Grading
(21-K2,L				Surf. & Bit. Surf.
(21-E3,F4,G2,H3,				
(I3,J3				
23-K2,L1,M	Santiam	2.0	175,000	Grading
24-C3,D4	North Santiam	17.0	100,000	Surf. & Bit. Surf.
30-B1,C	Klamath Falls-Lakeview	5.0	100,000	Grad., Surf. & Bit. Surf.
31-A1,B	Fremont	9.0	120,000	Grad., Surf. & Bit. Surf.
34-A1	Pendleton-John Day	4.0	75,000	Reconst. Grad. & Surf., & Bit. Surf.
35-A5	John Day-Burns	2.2	125,000	Reconst. Grad.
38-C	Flora-Enterprise	1.5	100,000	Grading
46-A3,B1	Cascade Lakes	3.2	35,000	Surf. & Bit. Surf.
	Location Surveys		25,000	
	Maintenance		39,000	
Total.....			\$1,129,000	

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The Commission also signed the following joint letter with Mr. Lynch and Mr. Buck, directed to the Chief, Forest Service, and Chief, Bureau of Public Roads, Washington, D. C., recommending an additional allocation of \$25,000 from the State Contingent Fund to the Maintenance Fund to finance additional maintenance of forest highway projects necessitated by reason of the fact that an unusually snow-free winter has caused a greater mileage of forest highways to be maintained during this winter than was originally anticipated:

"In the Forest Highway program letter for the State of Oregon, approved by the Secretary on February 24, 1937, there was included an item of \$30,000 for maintenance of projects for which the Federal Government was obligated under the terms of the various cooperative agreements. Due to an unusually snow-free winter, it has been necessary to maintain a considerably greater mileage during the winter than was anticipated. Several large slides have also developed, the removal and correction of which will require additional funds.

"It is, therefore, recommended that an additional allocation from the State contingent to lump fund maintenance of \$25,000 be approved."

The Engineer requested instructions in regard to the disposal of some 14 tons of structural steel which is being salvaged from the overcrossing project now under construction over Sullivan's Gulch, in Portland. He said that he has had a number of offers for the purchase of this material, ranging from \$4.00 per ton to \$8.55 per ton, but there is a question whether these offers should be considered or the material advertised for sale. The Commission decided that the material should be advertised for sale in the regular manner.

The Commission adjourned at 12:15 o'clock p. m. and reconvened at 2:00 o'clock p. m. in the same room with all members present and participating. Also present were the State Highway Engineer, the Attorney, and the Secretary.

The following members of the World's Fair Commission, appointed by Governor Martin, were present and discussed with the Commission matters pertaining to the financing of exhibits at the World's Fairs which are to be held in San Francisco and New York during the year 1939: C. T. Haas, Chairman; T. F. Gunn, Vice-Chairman; C. C. Carlson, Executive Secretary; Federal Judge Claude McCulloch; and Tom Livesley. Also present were Governor Charles H. Martin, Assistant Attorney General Ralph J. Moody, and Lew Wallace, State Game Commissioner. Mr. Haas outlined briefly the tentative plans for exhibits at both fairs and advised that it would cost about \$230,000 to finance the same, \$50,000 of which has already been appropriated by the legislature, \$20,000 to be expended at the New York Fair, and \$30,000 at the San Francisco Fair. He gave as his thought that the State Highway Commission and the State Game Commission should be sufficiently interested in the matter to contribute at least a portion of the remaining funds and suggested a minimum of \$100,000

from the State Highway Department and \$50,000 from the State Game Commission. Others speaking in behalf of the projects as outlined by Mr. Haas were Mr. Gunn, Mr. Livesley, and Judge McCulloch.

Governor Martin inquired as to the legality of the State Highway Commission spending state highway funds for such purposes. In reply thereto Attorney Devers gave as his opinion that the State Highway Commission cannot legally turn over state highway funds for disbursement by some other agency, although the Commission does have the authority to spend its funds for publicity, provided the disbursements are made through the State Highway Department direct in the same manner in which disbursements are made for other purposes. The extent of the Highway Commission's contribution, he added, is subject to the pleasure of the Governor.

Chairman Cabell stated that, as an individual citizen, he considers that expenditures for maintenance of exhibits at these fairs is wise because of the benefits that the state would receive therefrom; but, as a member of the State Highway Commission, he has to look at it from a different standpoint. The position of the Commission, he said, is as that of a trustee for the disbursement of a certain class of funds, which funds are paid by one class of people; namely, the motorists, and should be spent for the benefit of that class. He also said that the legislature intended, when it provided the highway funds, that they should be expended for the benefit of the highway users, and, if they are spent for some other purpose, the probabilities are that it would be called a diversion of funds and the state would then be in a disadvantageous position in the securing of Federal Aid moneys for road construction. He gave as his thought that a fair participation by the State Highway Commission at these fairs would be the maintenance of an exhibit to promote tourist travel, and that, so far as benefits are concerned, the state would derive much more good from the San Francisco Fair than it would from the New York Fair. He said that the Commission is confronted by two questions; namely, the amount of its contribution, and the nature of the expenditure, with respect to which the Commission must depend largely upon the recommendation of Mr. Harold B. Say, Manager of the Highway Department's Travel and Information Department.

Governor Martin stated that an expenditure of state highway funds for this purpose met with his approval and he asked the Commission to be as liberal as possible in the matter. After further discussion, Mr. Haas suggested the appointment of a committee to study the matter in detail. Governor Martin concurred in the suggestion, as did also Chairman Cabell.

Mr. Wallace stated that the State Game Commission is confronted with the same problem as is the State Highway Commission with respect to the diversion of funds in the securing of Federal Aid. He gave as his thought that the advertising of the state as proposed would be a fine thing for the state and would result in much good; but, in his estimation, all of the state departments should contribute to the cost thereof rather than the State Highway Commission and the State Game Commission alone. The State Game Commission, he said, could not possibly give \$50,000 for such purpose.

Commissioner Aldrich suggested that the officials of the State of Washington should be contacted in regard to the matter inasmuch as the cause is common to both states. Chairman Cabell concluded the conference by stating that the Commission is not in a position today to make a decision but will give the matter serious thought and will discuss the matter again in detail with the committee of interested persons.

Mr. J. A. McLean of Eugene, Chairman, and Dr. E. C. Dalton of St. Helens, member, Capitol Reconstruction Commission, were present and discussed with the Highway Commission matters pertaining to the landscaping of the new capitol grounds in Salem and the improvement of city streets approaching thereto. Governor Martin was also present and entered into the discussion of this matter.

Dr. Dalton advised that the Capitol Reconstruction Commission lacks the necessary funds with which to finance the landscaping of the new capitol grounds and is wondering whether or not it would be possible for the State Highway Commission to help defray such expense, and particularly the expense of rebuilding the North Summer Street approach to fit in with the landscaping plans. As a matter of information, he said that the Capitol Reconstruction Commission realized a saving of approximately \$160,000 in the contracting of the new library building but it would not be possible to use this money for the landscaping and street work because of federal prohibitions, it being a requirement that the federal moneys be spent for building construction purposes only. He also said that the plans include the rerouting of the Pacific Highway from Capitol Street to Summer Street and that the reconstruction of about 4 blocks of city streets would be required to provide a proper approach to the Capitol Building from the north.

This matter was discussed in considerable detail but no definite conclusion was reached.

The Engineer requested authority to acquire certain parcels of real property that are needed for various highway improvements throughout the state. He submitted a list of such properties together with the prices that he recommended be paid for each. After careful consideration, the Commission approved the Engineer's request and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as herein-after more definitely set forth; and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon; and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said

reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Madres-Deschutes County Line Section - The Dalles-California Highway</u>				
5457-State Land Board	Quarry	13.43	\$7.50 per a.	McCallister
<u>Tiller-Trail National Forest Section - Tiller-Trail Highway</u>				
4805-Summer, Walter A.	Ditch Easem't		Gratis	Benson
<u>Forest Boundary-Elgin Section - Weston-Elgin Highway</u>				
5500-Hallgarth, Arthur	Gravel Pit	5.08	Gratis	McCallister
<u>Island City-Cove Section - Cove Highway</u>				
4694-Stout, Nannie A.	R/W	1.90	\$100 per a. plus \$708 plus Federal Land Bank fee, plus fencing	Wells
<u>Hermiston-Columbia School Section - Hermiston Highway</u>				
5542-Umatilla County	R/W	0.01	Gratis	Wells
5541-Peck, Augusta R.	"	0.42	\$100 per a. + \$54.50	"
5540-Umatilla Project Farm Bureau	R/W	0.21	\$100 per a. + \$136.50	"
<u>Siletz Bay-Newport Section - Oregon Coast Highway</u>				
5018-Wade, Ira	R/W	3.98	\$150 per a. minus 0.18 a. to be conveyed to Ira Wade at \$150 per a.	McCallister
4450-Storts, John C.	"	2000 sq.ft.	3¢ per sq.ft.	"
<u>Wheeler-Bay City Section - Oregon Coast Highway</u>				
5611-Wyss, Fred	Gravel Pit		2-yr lease, 3¢ per cu. yd.	Benson
5611-A, Marolf, Godfred	"		2-yr lease, 3¢ per cu. yd.	"
5611-B, Peterson, Gus	"		2-yr " " " " " "	"
<u>Viento-Memaloose Park Section - Columbia River Highway</u>				
5284-Marsh, W. A.	Stock Pile	1.91	5-yr lease Lump Sum \$100	Collins
<u>Eagle Creek-Cascade Lock Section - Upper Columbia River Highway</u>				
5390-4674-Labor, J. B.	R/W	1.67	Lump Sum \$750	DeSouza
5502-Karavanich, Joe	R/W	0.002	Lump Sum \$25	Collins

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>John Day-Prairie City Section - John Day Highway</u>				
4928-Cauble, J. A. (Correction)	R/W	4 lots	3 lots at \$100 per lot 1 lot at \$50 per lot + \$95.50 + low bid for moving (\$415)	Wells
4988-McHaley, Rodney (Correction)	Gravel Pit and Hauling Road	1.72	0.29 a. at \$300 per a. 1.43 a. at \$20 " " plus \$50	"
<u>Warren Creek Section - Columbia River Highway</u>				
5512-Lang, Grace E.	R/W	0.65	\$50 per a.	Collins
<u>Scappoose-St. Helens Section - Columbia River Highway</u>				
4138-Carlson, Charles J.	R/W	0.443	Lump Sum \$600	McChesney
5560-Larson, A. L.	"	0.109	Land \$400 plus \$900	"
<u>Sunset Tunnel-Buxton Section - Wolf Creek Highway</u>				
5227-Detroit Trust Company	R/W	2.59	\$15 per a.	McChesney
5230-Conway, Morrison	"	20.08	\$20 per a.	"
<u>Klamath Falls-Lakeview Section - Klamath Falls-Lakeview Highway</u>				
5516-Flackus, Wm. et al	Hauling Road Easement	0.66	Lump Sum \$37.50	Benson
<u>Mitchell Point Section - Columbia River Highway</u>				
5562-Lock, Estate, Edgar and Nellie	Power Line Easement		Lump Sum \$50	McChesney
5561-Tenney, W. D.	" " "		" " \$5	"
<u>Lombard-Killingsworth Section - N. E. Portland Highway</u>				
5430-Schnuelle, Herman	R/W	0.629	\$871.20 per a.	Parker
5431-Northwestern Nat'l Bank	"	78,405 sq.ft.	2¢ per sq. ft.	"
5432-Snyder, Leo W.	"	19,180 " "	2¢ " " " plus low bid (\$225) for moving buildings	"
5238-Moore, Robt. C. 4. (Correction)	"	13,101 sq.ft.	3¢ sq.ft. plus \$107 plus low bid for moving Buildings (\$219)	"
5483-Chilstrom, Gladys	"	0.252	\$871.20 per a.	"
5436-Fleckenstein, Hulda J.	"	0.77	\$871.20 per a.	"
5448-Gradt, Rebecca C.	"	32,618 sq.ft.	2¢ per sq.ft.	"
<u>Haines-North Powder Section - Old Oregon Trail Highway</u>				
5005-Kent, Chas.	R/W	1.01	\$100 per a. + \$301 plus moving fence	Wells
5003-Coles, Edward W.	"	.70	\$100 per a. + fencing + Federal Land Bank fee	"
5581-Kent, Chas.	Gravel Pit and Hauling Road Easement	4.56	4.23 a. at \$60 per a. 0.33 a. at \$60 " " plus fencing \$132.75	"

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Linnton-Columbia County Line - Columbia River Highway</u>				
988-Matthias, Lena Estate	R/W	0.60	Lump Sum \$200	DeSouza
<u>Mile Bridge Section - Nehalem Highway</u>				
5557-Robertson, L. H.	R/W	0.03	Land \$100 plus \$10	McChesney
5556-Colsen, Albin	"	1742 sq.ft.	7 $\frac{1}{2}$ sq.ft. " \$290	"
<u>Moro-Grass Valley Section - The Dalles-California Highway</u>				
5534-Moore, E. H.	Stock Pile	0.50	2-yr lease, lump sum \$5	Benson
<u>Wasco County Line-Madras Section - The Dalles-California Highway</u>				
5459-Hohlfeld, Otto H.	Stock Pile	3.95	\$30 per a.	McCallister
<u>Myrtle Point-Mystic Creek Section - Coos Bay-Roseburg Highway</u>				
4712-Coos County	Stock Pile	0.59	Gratis	Gardiner
<u>Bunker Hill Overcrossing Section - Coos River Highway</u>				
4767-D'Ambrosia, Ida	R/W		Taking down and re-establishing garage building, Lump Sum \$100 plus filling in street	Benson
5120-Chezik, F. A.	"	8920 sq.ft.	Approx. 3 1/3 $\frac{1}{4}$ per sq.ft. plus \$7.50	"
4766)-Youngquist, F. A.	"		Lump Sum \$456.24	"
4764) (Correction)				
<u>Bear Creek-Talent Section - Pacific Highway</u>				
5620-First Securities Co.	R/W	0.07	Land \$25, plus \$5	Gardiner
	and Gravel Pit			
<u>Bridge-Camas Valley Section - Coos Bay-Roseburg Highway</u>				
5526-Martindale, J. D.	Stock Pile	1.00	\$100 per a.	McChesney
<u>Metolius Section - The Dalles-California Highway</u>				
5458-Jefferson County	Stock Pile	0.92	Lump Sum \$50	McCallister
<u>Siletz-Kernville Section - Siletz Highway</u>				
5567-Bensell, Arthur	Stock Pile	1.00	\$100 per a.	McCallister
<u>Milwaukie Section - East Portland-Oregon City Highway</u>				
5533-Webster, Arthur A.	R/W	0.36	Consideration \$1.00	Parker
<u>Troutdale-Multnomah Falls Section - Columbia River Highway</u>				
1833-Columbia River Packers Ass'n	R/W	33.63	Lump Sum \$10,000	Parker
	Park			
<u>Grass Valley-Kent Section - Sherman Highway</u>				
5520-Moore, Margaret A.	Stock Pile	0.48	Lump Sum \$10	Benson
<u>Narrows-Coyote Flat - Frenchglen Highway</u>				
5466-Bang, Hans	R/W	2.15	\$10 per a. plus \$56.50	Wells
5465-Harney County	"	3.09	Gratis	"

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Albany Overcrossing Section - Pacific Highway East</u>				
5128-4975-Wilcox, Essie M.	R/W	7590 sq.ft.	5¢ sq.ft. plus \$1810.50	Gardiner
4979-Linn County	"	9680 " "	5¢ sq.ft.	"
4899-Linn County	"	783 " "	5¢ sq.ft.	"
5157-Albany S. D. #5	"	4220.48 sq.ft.	at 9¢ sq.ft. plus \$56	"
5132-Charles Childs-Wm. Eagles (Correction Report)	"	1989 sq.ft.	5¢ sq.ft. + \$307.24 plus moving bldgs. (estimated cost \$400)	"
4968-World War Veterans State Aid Commission	"	7260 " "	Lump Sum \$2000	"
4959-Albany, City of	"	6160 " "	10¢ sq.ft. plus \$1384	"
<u>Toledo-Newport Section - Corvallis-Newport Highway</u>				
5563-Detmering, C. S.	Scale Site	0.32	\$200 per a.	McCallister
<u>Gold Hill-Dodge Bridge Section - Sams Valley Highway</u>				
5551-Lambert, Paul	Stock Pile	1.0	Lump Sum \$100	Collins
5550-Anderson, Estate A.F. & L.T. Arlander	Stock Pile	1.5	Lump Sum \$100 plus fencing	"
5549-Gold Hill Irrigation District	Gravel Pit and Road Easement	8.60	Lump Sum \$400	"
5617-Jackson County	Stock Pile	**6 lots	(\$30.14 per lot) Lump Sum \$180.82	"
**(Approximately 0.75 acres)				
<u>Eugene Section - Pacific Highway</u>				
5530-Eugene Sand & Gravel Co. Stock Pile & Road		0.57	1-yr lease \$15	McChesney
<u>Saddle Mt. Park - Wolf Creek Highway</u>				
3881-LaDee Logging Company Park Road		32.015	\$20 per a.	Benson
5703-Estate John H. Smith and John Waterhouse	R/W	10.59	\$30 per a.	"
3880-3882-Grand Rapids-Oregon Timber Company	Park Road	123.995	Lump Sum \$6,000	Devers
<u>Astoria-Seaside Section - Oregon Coast Highway</u>				
5618-Reith, Marjorie W.	R/W	0.142	Lump Sum \$100	Benson
<u>Winchester Bay Section - Oregon Coast Highway</u>				
2568-Douglas County	Stock Pile	6 lots (28717 sq.ft.)	Taxes \$104.34 Lump Sum	Parker
<u>Ontario Undercrossing Section - Old Oregon Trail Highway</u>				
5154-Williams, E. W.	Damages for grade crossing		\$1500 Lump Sum	Devers
<u>Toledo Junction-Siletz Section - Siletz Highway</u>				
5667-C. D. Johnson Lumber Co.	R/W	0.92	Gratis	Eason

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Hill Creek Bridge Section - Pacific Highway</u>				
5506-Willemina Van Prooyen	R/W	0.228	Lump Sum \$15 plus fencing \$12	Collins
<u>Tunnel Point-Bridal Veil Section - Columbia River Highway</u>				
4864-Snedecor, Estes	Park	11.9	\$20 per a.	Parker
<u>Scottsburg-Drain Section - Umpqua Highway</u>				
5622-Chambers, J. H.	Quarry and Haul- ing Road Easement		5-yr lease-3¢ per cu.yd.	Collins
<u>Bloucher Section - Hood River Highway</u>				
5678-Hood River County	Stock Pile	1.54	Lump Sum \$35	Chandler

The Commission discussed briefly matters pertaining to the proposed Interstate Avenue project in Portland. It was pointed out that the Portland City Commission has not yet adopted its ordinance providing for the center parking strip on this street, in view of which the Commission decided not to proceed with the construction of this project until the city has adopted such ordinance. The Commission instructed the Engineer to notify the Portland city officials to that effect.

Reconsideration was given by the Commission to the matter of closing right of way settlements in connection with the Albany overcrossing project. The Attorney advised that the hearing before the Public Utilities Commissioner has been held and that the findings of fact and form of order have been approved; and, while the order has not yet been written by the Public Utilities Commissioner, it is his understanding that such order will be issued shortly. In view of the Attorney's report the Commission authorized him to proceed with the closing of right of way transactions in connection with this project.

The Attorney brought up for discussion the matter of settlement of the George Stonefield controversy regarding a small tract of land located in Government Lot 3 of Section 22, Township 15 South, Range 12 West, W. M., Lane County, which tract Mr. Stonefield alleges was inadvertently deeded to the county along with right of way for the Oregon Coast Highway, whereas he intended to retain possession of the tract for a building site. The Attorney recommended that the state deed to Mr. Stonefield the small area in question upon payment of \$125, of which amount \$35.60 represents the cost of a special survey that was necessary in order to prepare a metes and bounds description, and the balance represents the reasonable market value of the area. The Commission by unanimous vote approved settlement with Mr. Stonefield on such basis.

The Attorney also brought up for discussion the matter of acquiring a maintenance headquarters site along the Wolf Creek Highway near its junction with the Oregon Coast Highway in Clatsop County. He advised that the

Commission originally authorized the payment of \$1,000 to the State Land Board for this site, which contains 120 acres of land, which deal was not consummated because the title of the Land Board failed by reason of a decision rendered by the Supreme Court on January 18, 1938, in the matter of the estate of Olaf Ohlsen, deceased, in the case of the State Land Board vs. Ransom, and now the property is to be advertised for Administrator's Sale. He advised that there are two dwellings located on the property and two springs which are of value to the state, and that Division Engineer F. D. Eason recommends that the state bid as high as \$1,200, if necessary, at the Administrator's Sale, in order to secure this property. The Commission thereupon, by unanimous vote, authorized the Attorney to bid a maximum of \$1,200 for this property.

The matter of acquiring an addition to the state park located at Depoe Bay, being more particularly described as the Christenson property in Lot 4 of Section 22, Township 8 South, Range 11 West, W. M., Lincoln County, had the attention of the Commission. The Attorney reported an offer from the owner to sell the property for \$2,600. The Commission considered the offer exorbitant and refused the same by unanimous vote.

The Attorney reported that the County Court of Hood River County is about to sell at tax sale certain property that is needed by the Highway Department as a maintenance headquarters site, and requested authority from the Commission to submit a bid for the same when the sale takes place. The Commission deferred action on this matter pending consultation with the Hood River County Court which is to appear before the Commission on the following day. It was understood that if the County Court would not convey the property to the state free of cost, then the Attorney would be authorized to submit a bid for the same at the tax sale, the amount thereof to be decided later. (The Engineer advised later in the session that it would not be necessary to acquire this tract because another site, which better meets the state's requirements, has been found.)

The Commission had under consideration an offer from Mr. Lee Ragan, Roseburg, to purchase for the sum of 5¢ per sq.ft. a portion of Lot 5 of Block 9, and a portion of Lot 65 of Block 10, in Florence, same being located outside of the standard width right of way of the Oregon Coast Highway and being located near the end of the new Siuslaw River Bridge. The Commission decided unanimously not to sell this property in view of its proximity to the bridge and the fact that it is being landscaped as a highway beautification project.

The Attorney brought up for discussion matters pertaining to the acquisition of right of way for the Northeast Portland Secondary Highway project in Portland. He said that Multnomah County is buying some of this right of way, but, in his estimation, negotiations for the same should be carried on by the state so as to avoid difficulties in closing the deals for the state's portion, which would probably occur if the county made offers higher than the state's basic rate of 2¢ per sq. ft. The Commission decided that the best way to handle the matter would be to ask the county officials to defer the acquisition of the county's right of way until after the state has completed its negotiations. However, the Attorney was authorized to carry on the

negotiations for the county in the event the Board of County Commissioners requests that the matter be handled that way.

The matter of the acquisition of a quarry site from Emil Enquist on the Drews Valley Section of the Klamath Falls-Lakeview Highway, in Lake County, had the attention of the Commission. It appears that surfacing materials were taken from Mr. Enquist's land by a contractor, for use in connection with a forest highway contract under the supervision of the U. S. Bureau of Public Roads, which erroneously assumed that the state had previously made arrangements with Mr. Enquist for such materials. It also appears that Mr. Enquist is demanding \$1,000 for the quarry site, which contains about 13 acres of land and is valued by the state at \$500, but is willing to deed to the state the entire 40-acre tract on which the quarry is located for the same price. The Engineer advised that the quarry in question is a good one and will be used for a long time to come. He recommended the purchase of same for \$500, if possible. After discussion, the Commission approved the Engineer's recommendation by unanimous vote. The Attorney was instructed to see Mr. Enquist personally and attempt to settle the matter on such basis. He was authorized to offer Mr. Enquist \$1,000 for his property if absolutely necessary to do so, but with the understanding that if the state has to pay such sum it will demand a deed to the entire 40 acres.

The Attorney presented for the consideration of the Commission the following list of properties on which it has not been possible to reach satisfactory settlements:

File No.	Owner	Purpose	Section	Price Demanded by Owner	Price Recommended by Attorney
<u>COLUMBIA RIVER HIGHWAY</u>					
5614-W. D. Tenney		Talus Pit	Perham Creek	5¢ cu.yd.	3¢ cu.yd.
5615-J.M.Culbertson et al		" "	Viento-Memaloose Park	" " "	" " "
5511-Chris Dethman Estate		R/W	Warren Creek	\$ 500.00	\$ 100.00
1835-J. H. Gilbaugh		"	Troutdale-Multnomah Falls	\$2,300.00	\$ 460.00
<u>HERMISTON SECONDARY HIGHWAY</u>					
5543-Roy C. Rogers and Mrs. Mary Woodworth		R/W	Hermiston-Columbia School	Would not quote	\$ 10.00
<u>NORTHEAST PORTLAND SECONDARY HIGHWAY</u>					
5442-Joseph Teresi		R/W	Lombard St.-Killingsworth St.	\$4,688.80	\$3,740.93
<u>OREGON COAST HIGHWAY</u>					
5119-H. W. Osborne		R/W	Marshfield-Bay Park	Owner not found	\$ 121.05

(Continued on next page)

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(Properties on which settlements have not been reached, continued:)

File No.	Owner	Purpose	Section	Price Demanded by Owner	Price Recommended by Attorney
<u>PACIFIC HIGHWAY EAST</u>					
4958	Gladys V. Holloway	R/W	Albany Over- crossing	\$5,000.00	\$4,500.00
5130	Charles Childs and Wm. Eagles	"	Albany Over- crossing	\$3,250.00	\$2,500.00
5136	Aroline O. Rankin	"	Albany Over- crossing	Would not quote	\$ 150.00

After due consideration the Commission by unanimous vote adopted the following resolutions authorizing condemnation of the said properties if satisfactory settlements cannot be reached otherwise:

WHEREAS, the State Highway Commission is by law authorized and directed to lay out, locate, designate, construct, improve and maintain a system of state highways in the State of Oregon, and to acquire rights of way and to declare the necessity and need for the acquisition thereof, and the advantages to be gained thereby;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the State Highway Commission does hereby find and declare that it is necessary and will be of advantage to the State of Oregon and there is need that the State acquire for right of way purposes in connection with the permanent location, construction, improvement, and maintenance of the following section or sections of the state highway system of the State of Oregon, to wit:

Hermiston-Columbia School Section of the Hermiston Highway
Warren Creek Section of the Columbia River Highway
Lombard Street-Killingsworth St. Section of the Northeast
Portland Highway
Troutdale-Multnomah Falls Section of the Columbia River
Highway
Marshfield-Bay Park Section of the Oregon Coast Highway
Albany Overcrossing Section of the Pacific Highway East

land and property owned by or in possession of the following parties and/or persons, to wit:

Hermiston-Columbia School Section of the Hermiston Highway
Roy C. Rogers - Mrs. Mary Woodworth

(Continued on next page)

(List continued from last page)

Warren Creek Section of the Columbia River Highway
 Chris Dethman Estate
 Lombard Street-Killingsworth Street Section of the Northeast
 Portland Highway
 Joseph Teresi
 Troutdale-Multnomah Falls Section of the Columbia River
 Highway
 J. H. Gilbaugh
 Marshfield-Bay Park Section of the Oregon Coast Highway
 H. W. Osborne
 Albany Overcrossing Section of the Pacific Highway East
 Gladys V. Holloway
 Charles Childs and William Eagles
 Aroline O. Rankin

as their respective interests may appear, and this Commission does hereby declare further that the said property or properties are necessary, are needful, and the acquisition thereof will be of advantage to the State of Oregon for right of way purposes in order to make it possible for the State Highway Commission to properly locate, construct, and maintain said portion or portions of the said state highway system in accordance with standards adopted by this Commission relative to curvature, grades, alignment, drainage, and factors of safety.

2. That the State Highway Engineer be and he hereby is instructed and directed to properly survey the parcel or parcels of land required for such right of way purposes and prepare proper and adequate descriptions thereof, which descriptions shall be employed in the preparation of a deed or deeds or other instrument or instruments necessary to complete the acquisition of the said property or properties or which description may be used in the preparation of a complaint in the event that condemnation proceedings are necessary.

3. That the boundaries of the said parcel or parcels of land, as defined and determined by the said survey made by the said Highway Engineer, along the route or location adopted by the Highway Commission, shall be and the same hereby are adopted and the lands defined therein are hereby declared to be and the same are included within the rights of way of the said portion or portions of the said state highway system and hereby are declared to be necessary for the proper location, improvement, construction, and maintenance of the said portion or portions of the state highway system.

4. That I. H. Van Winkle, Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they are hereby

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requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land, with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby further resolved that the Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they hereby are requested to commence and prosecute to a final determination such suit or action, or suits or actions, as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

WHEREAS, the State Highway Commission is by law authorized and directed to lay out, locate, designate, construct, improve, and maintain a system of state highways in the State of Oregon and to acquire by donation, purchase, agreement, condemnation, or by the power of eminent domain title to land upon or under which there is gravel, gravel beds or bars, sand, sand beds or bars, rock, boulders, quarries or quarry sites, lime deposits, or other mineral deposits or formations suitable for road construction, improvement, betterment or pavement, and to declare the necessity and need for the acquisition thereof and the advantages to be gained thereby;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the State Highway Commission does hereby find and declare that it is necessary and will be of advantage to the State of Oregon and there is need that the State acquire for the purposes of road construction, improvement, betterment, repair and maintenance, and for the purpose of the manufacture of road materials on the following section or sections of the state highway system of the State of Oregon, to wit:

Perham Creek Section of the Columbia River Highway
Viento-Mamaloose Park Section of the Columbia River Highway
Drews Valley Section of the Klamath Falls-Lakeview Highway

land and property owned by or in the possession of the following parties and/or persons, to wit:

Perham Creek Section of the Columbia River Highway
W. D. Tenney

(Continued on next page)

(List continued from last page)

Viento-Memaloose Park Section of the Columbia River Highway
J. M. Culbertson et al
Drews Valley Section of the Klamath Falls-Lakeview Highway
Emil Enquist

as their respective interests may appear, and this Commission does hereby declare further that the said property or properties contain gravel, gravel beds or bars, sand, sand beds or bars, rock, boulders, quarries or quarry sites, lime deposits, or other mineral deposits or formations suitable for road construction, improvement, betterment, or pavement, and that the said property or properties is or are necessary and needful and the acquisition thereof will be of advantage to the State of Oregon for the said purposes in order to make it possible for the State Highway Commission to construct, improve, maintain, and repair the said portion or portions of the said state highway system in accordance with the standards adopted by this Commission.

2. That the State Highway Engineer be and he hereby is instructed and directed to properly survey the parcel or parcels of land required for said purposes and to prepare proper and adequate descriptions thereof, which descriptions shall be employed in the preparation of a deed or deeds or other instrument or instruments necessary to complete the acquisition of the said property or properties, or which said descriptions may be used in the preparation of a complaint in the event that condemnation proceedings are necessary.

3. That the boundaries of the said parcel or parcels of land, as defined and determined by the said survey made by the said Highway Engineer, shall be and the same hereby are adopted and the lands defined therein are hereby declared to be and the same shall be lands necessary for the purposes stated herein.

4. That I. H. Van Winkle, Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they are hereby requested, authorized and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby further resolved that the Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they hereby are requested to commence and prosecute to a final determination such suit or action, or suits or actions, as may be necessary and appropriate to acquire

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title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

Special consideration was given by the Commission to the G. E. Everson property, transaction No. 5505, for the acquisition of right of way for the Hill Creek Bridge Section of the Pacific Highway in Lane County. The Attorney advised that Mr. Everson is demanding \$100 for his property, whereas he estimates the value at \$50. He inquired whether or not he should pay the price demanded or acquire the property by condemnation. In view of the likelihood that the cost of condemnation proceedings would amount to more than the difference between the appraised value and the amount demanded, the Commission decided that it would be advisable to settle with Mr. Everson out of court, if possible, and accordingly authorized the Attorney to make him an offer of \$100.

The Commission adjourned at 5:45 o'clock p. m., to reconvene at 9:00 o'clock a. m. on the following day in the Auditorium of the Public Service Building.

Portland, Oregon, February 17, 1938

The State Highway Commission reconvened in regular session at 9:00 o'clock a. m. in the Auditorium of the Public Service building. Present were:

Henry F. Cabell, Chairman
E. B. Aldrich, Commissioner
F. L. Tou Velle, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

Bids as follows for the construction of a number of highway projects were opened and read in conformance with previously published notice:

COOS BAY-ROSEBURG HIGHWAY
MYSTIC CREEK-BROCKWAY SECTION - CRUSHED GRAVEL IN STOCK PILES

D. L. Ashton	\$ 11,571.00
Saxton, Looney & Risley	11,770.50
R. O. Dail & Warren Bros., Inc.	11,837.00
A. S. Wallace	11,903.50
Homer G. Johnson	13,632.50

JOHN DAY HIGHWAY
SERVICE CREEK-BRANSON CREEK SECTION - LIGHT OIL TREATMENT

Harold Blake	\$ 18,482.75
Warren Northwest, Inc.	19,504.00

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(Service Creek-Branson Creek Section, continued)

McNutt Bros.	\$ 19,627.00
Babler Bros.	21,442.50
Diesel Oil Sales Company	22,054.00
Clifford A. Dunn	22,415.50
R. O. Dail & Warren Bros., Inc.	22,996.25
J. C. Compton	23,393.00
Edwin C. Gerber	29,181.00
Joplin & Eldon	29,969.50

CENTRAL OREGON HIGHWAY

LAKE COUNTY LINE-GAP RANCH SECTION - OIL MAT SURFACE TREATMENT

A. Milne	\$ 18,902.00
Babler Bros.	20,625.00
Clifford A. Dunn	20,657.00
J. C. Compton	21,216.00
Edwin C. Gerber	22,249.00
R. O. Dail & Warren Bros., Inc.	22,995.50
Warren Northwest., Inc.	23,038.50
McNutt Bros.	23,176.00
Harold Blake	24,770.00

COLUMBIA RIVER AND MT. HOOD HIGHWAYS
HOOD RIVER ROCK PRODUCTION PROJECT

Schmeer, Williams & Gentemann	\$ 12,467.40
Fisher Bros.	12,524.00
John J. Dann Company, Inc.	12,977.60
A. C. Greenwood Company, Inc.	14,140.00
J. S. Johns & Company	14,140.00
O. C. Yocom	14,544.00
H. L. Rice	14,544.00
Saxton, Looney & Risley	14,978.00
A. S. Wallace	15,150.00
Jones-Scott Company	15,352.00
Clifford A. Dunn	15,393.50
Joplin & Eldon	15,559.00
Rogers Construction Company	15,857.00
R. O. Dail & Warren Bros., Inc.	16,109.20
E. C. Hall Company	17,675.00
Homer G. Johnson	17,675.00

LITTLE BUTTE SECONDARY HIGHWAY

EAGLE POINT-BAKER GULCH SECTION - OIL MAT SURFACE TREATMENT

Clifford A. Dunn	\$ 8,935.00
Babler Bros.	9,122.00
J. C. Compton	9,528.50
Warren Northwest, Inc.	10,101.00

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PACIFIC HIGHWAY AND SAMS VALLEY SECONDARY HIGHWAY
GOLD HILL ROCK PRODUCTION PROJECT

A. S. Wallace	\$ 8,905.00
D. L. Ashton	10,097.00
R. I. Stuart & Sons	10,820.00
Clifford A. Dunn	11,310.00
Saxton, Looney & Risley	11,330.00
Mountain States Construction Company	11,375.00
Homer G. Johnson	13,860.00

PACIFIC HIGHWAY
HILL CREEK-BRIDGE SECTION
GRADING, PAVING; FRAME TRESTLE WITH CONCRETE ROADWAY

Edlefsen-Weygandt Company	\$ 16,137.50
Mountain States Construction Company	16,667.50

OREGON COAST HIGHWAY
MOHLER-KILCHIS RIVER SECTION - CRUSHED ROCK IN STOCK PILES

Mountain States Construction Company	\$ 10,400.00
Dolan Construction Company	12,608.00
O. C. Yocom	12,640.00
Saxton, Looney & Risley	13,312.00
Feldschau & Son	14,000.00
Joplin & Eldon	15,400.00
R. O. Dail & Warren Bros., Inc.	15,840.00
D. L. Ashton	15,840.00
A. S. Wallace	16,000.00
Homer G. Johnson	16,400.00

OREGON COAST HIGHWAY
LAKE LYTTLE OUTLET BRIDGE SECTION
PILE TRESTLE WITH CONCRETE ROADWAY

Mountain States Construction Company	\$ 11,090.00
L. H. Hoffman	11,187.00
J. F. Johnston	11,220.00
Leonard & Slate	11,400.00
Dolan Construction Company	12,484.00
Edlefsen-Weygandt Company	12,765.00
Joplin & Eldon	12,774.00
Makele Construction Company	12,848.00
Shattuck & Neland	15,262.00
Frank Watt Construction Company	16,937.50

Chairman Cabell announced that the award of contracts would be made at 4:00 o'clock p. m. in the same room.

The County Court of Sherman County, represented by County Judge

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George A. Potter and County Commissioners A. A. Dunlap and David Reid, came before the Commission in regard to the selection of roads for the Federal Aid Secondary Highway Program. Chairman Cabell explained the requirements for such roads and asked the County Court for an expression of its preferences. Judge Potter stated that they preferred the improvement of county roads rather than state secondary highways and expressed a preference for the following: (1) County road extending from Moro to Erskine, 4 miles in length; (2) County road extending from Rufus to Klondike, particularly the section extending from Rufus south about 3 miles to the top of the Klondike grade; (3) County road extending easterly from a point on the Sherman highway, about $1\frac{1}{2}$ miles north of Moro, to a connection with the Wasco-Heppner Secondary Highway at Hay Canyon, a distance of about 8 miles. He also said that the Court has no choice as to state secondary highway improvements but would be satisfied with the improvement of either the Sherars Bridge Secondary Highway or the Wasco-Heppner Secondary Highway.

Judge Potter then inquired as to the plans of the Commission with respect to the road extending from the Columbia River Highway to the Maryhill ferry landing. He said that this road is a county road but is being maintained by the ferry operator, and gave as his thought that it should be placed on the state highway system inasmuch as it is the connecting link between the Oregon and Washington sections of U. S. Highway No. 97. He was informed by Chairman Cabell that the Commission will inspect this road the next time it is in that vicinity and will then make its decision.

The County Court of Jefferson County, represented by County Judge W. R. Cook and County Commissioner F. E. Stangland, was present regarding Federal Aid secondary highway matters. Mr. Haney, owner of a resort at Camp Sherman, on the Metolius River, was also present. They expressed a preference for the following projects in the Federal Aid Secondary Highway Program: (1) Improvement of the county road extending from Suttle Lake to Camp Sherman, a distance of about $7\frac{1}{2}$ miles, said road being known as the Metolius River Road, connecting with the Santiam Highway at a point about $1\frac{1}{2}$ miles east of Suttle Lake; (2) Surfacing of the Warm Springs Secondary Highway between Madras and Warm Springs Agency.

In reply to inquiry made by Chairman Cabell, Judge Cook said that they want the Warm Springs Highway grading work completed by all means before the other improvements that they have requested at this meeting, but they prefer that the federal funds for county road improvements be spent on the Camp Sherman Road.

The County Court of Deschutes County, represented by County Judge C. E. Lyon and County Commissioners Wm. Baer and Millard T. Triplett, was present in regard to the selection of roads for the Federal Aid Secondary Highway System in Deschutes County. They expressed a preference for the following county roads: (1) Butler Market Road from Bend to a connection with the Powell Butte Secondary Highway; (2) Alfalfa Road extending from the Powell Butte Secondary Highway to Alfalfa; (3) Terrebonne Lower Bridge Road. Their first and only choice of state secondary highways was the Powell Butte Secondary Highway No. 371, particularly the section between its junction with the Central Oregon Highway and its junction with the Butler Road.

Judge Lyon suggested the following revision in the Powell Butte State Secondary Highway: Elimination of that portion of this road extending southerly from the Butler Road junction to the Central Oregon Highway and substitution therefor of the Butler Road from said junction into Bend. The Commission deferred a decision in this matter pending investigation of the road and report thereon by the Engineer.

Judge Lyon inquired as to the plans of the Commission with respect to the completion of the South Santiam Highway and was informed by Chairman Cabell that the Commission hopes to be able to allocate a sufficient amount of funds to complete this project soon. Judge Lyon then brought up for discussion the matter of the county's indebtedness to the state for road construction purposes. The suggestion was made that it might be possible to undertake a joint project to be financed with the moneys that the county owes the state and with the secondary highway funds that have accumulated in the State Highway Fund for expenditure in Deschutes County. The Engineer was instructed by the Commission to look into the matter and to render a report thereon at the next meeting.

The County Court of Polk County, consisting of County Judge Herman Van Well and Commissioners Fred Gibson and Harrison H. Brant, came before the Commission with regard to Federal Aid Secondary Highways. County Engineer E. J. Himes was also present. The County Court expressed a preference for the improvement of the following county roads in such system: (1) Lewisville-Airlie Road; (2) Independence-Buena Vista Road; (3) Falls City Market Road, from the Dallas-Kings Valley Secondary Highway to Falls City. Their first choice of state secondary highways was the improvement of the Kings Valley Secondary Highway No. 190, although they expressed a preference for the improvement of county roads with the funds available.

The matter of the county's indebtedness to the state for road construction purposes was discussed briefly. The Court expressed a willingness and desire to compromise the settlement of this claim on amicable terms but advised that there are numerous Polk County citizens who are opposed to the county's payment of said debt, and they are, therefore, having some difficulty in disposing of the matter. Chairman Cabell said that he believed the Commission would make a generous settlement with the county and would let the county pay the debt over a period of years, if necessary, through an order on the Secretary of State. The Court agreed to give the matter further thought.

The County Court of Baker County, represented by County Judge Chas. E. Baird and County Commissioners Claude Holman and R. M. Phipps, was present in regard to the selection of roads for the Federal Aid Secondary Highway System. County Engineer D. W. C. Nelson was also present. They expressed a preference for the improvement of the Baker-Homestead Highway in such program, the order of the improvements to be as follows: (1) Baker-Middle Bridge Section; (2) Middle Bridge-Richland Section; (3) Richland-Halfway Section. Their choices for county road improvements were the following: (1) County road extending from Baker to Rock Creek, via Pocohontas; (2) Baker-Wingville Road from the Old Oregon Trail to the Wingville School; (3) Halfway-Cornucopia Road from Halfway to the forest boundary; (4) Richland-Newbridge Road. The

following were the Court's choices for state secondary highway improvements: (1) Sumpter Valley Secondary Highway No. 410; (2) Medical Springs Secondary Highway No. 340; (3) Robinette-Homestead Secondary Highway No. 412 westerly from Robinette to a connection with the Baker-Homestead Highway, a distance of about 4 miles.

County Judge A. H. Boice, representing the County Court of Curry County, was present in regard to Federal Aid Secondary Highway matters. He expressed a preference for the improvement of the Squaw Creek Road in such program, if possible. As a second choice he mentioned the South Bank Road extending from the Oregon Coast Highway to the old ferry landing along the south side of the Rogue River. His first choice for state secondary highway improvements was the Cape Blanco Secondary Highway No. 250, particularly the Lighthouse section thereof, about 2 miles in length. Judge Boice then inquired as to the plans of the Commission in regard to the improvement of the Oregon Coast Highway through the town of Gold Beach. He said that the indecision of the Commission in this matter is holding up developments in that town and they would like to have the matter settled as soon as possible. The Engineer advised that the Commission is handicapped in undertaking this project by reason of right of way difficulties. He offered the suggestion that the people of Gold Beach donate the extra right of way needed and that the state assume the expense of removing the buildings therefrom. After discussion, the Commission approved this suggestion by unanimous vote and instructed the Engineer to so inform the Curry County Court, by letter, and to furnish the Court with a map of the proposed layout.

The County Court of Morrow County, consisting of County Judge Bert Johnson and County Commissioners Roy Neill and George N. Peck, was present in regard to the selection of roads for the Federal Aid Secondary Highway System in Morrow County. Also present was County Engineer H. Tamblin. They expressed a preference for the improvement of the Heppner-Rhea Creek Section of the Wasco-Heppner State Secondary Highway No. 300. Their second choice was for the improvement of the Hardman Hill Section of the Heppner-Spray State Secondary Highway No. 321. Their first choice of county road projects was the improvement of the Little Butter Creek Road from its junction with the Lexington-Echo Secondary Highway to Pine City, a distance of about 5 miles.

The County Court inquired as to the plans of the Commission for the oiling of the Lexington-Echo State Secondary Highway in Morrow County. Chairman Cabell advised that the Commission proposes to put this road in a dustless condition this year if funds are available to finance it.

Mayor Elisha Large of Eugene, and City Engineer W. C. Clubb, were present in regard to the installation of flashing traffic signals in their town. Mayor Large advised that the city is short of funds, and they are wondering whether or not the state would be willing to help finance the project, in view of the fact that all but two of the signals provided for in the plan are located on state highway routes. He said that the city has \$5,000 budgeted for this purpose, but that is insufficient to pay the cost, so the installation will have to be delayed unless the state will help finance the proposition, which is estimated to cost from \$7,000 to \$10,000, according to whether a connective system is decided upon.

Chairman Cabell advised that there are two reasons why the State Highway Commission hesitates to start on a program of this kind, the first being that the Commission is short of funds, and the second being that there are other cities in the state where traffic signals are justified, and if the state furnishes signals in one city, then that would establish a precedent and other cities and towns all over the state would want the same service, which it would be impossible for the state to finance. The decision of the Commission in regard to the installation of traffic signals in Eugene, he added, means the adoption of a state-wide policy. Mayor Large then inquired whether or not the Commission would cooperate to the extent of paying 50 per cent of the cost. The Commission deferred a decision in this regard pending a survey of the entire state, to ascertain how much it would cost, approximately, to cooperate in the installation of similar signals in all the cities and towns requiring them. A report on this matter is to be rendered by the Engineer at the next meeting of the Commission and Mayor Large is then to be given an answer to his request.

The Commission adjourned at 12:15 o'clock p. m. and reconvened at 2:00 o'clock p. m. in the same room, with all Commissioners, the State Highway Engineer, the Attorney, and the Secretary present.

County Judge John R. Heckman and County Commissioner W. P. Vernon, representing the County Court of Lake County, also County Clerk Carl W. Pendleton, were present in regard to Federal Aid Secondary Highway matters. They expressed a preference for the improvement of county road projects and recommended a project on the Goose Lake County Road extending along the west side of Goose Lake. They also recommended an expenditure for the oiling of the Klamath Falls-Lakeview Highway westerly from Lakeview, in the event that such project is eligible for the funds under discussion. After consideration, it was agreed that, if the funds allocated to Lake County amount to more than \$15,000, such funds shall be expended for the oiling of the Klamath-Falls-Lakeview Highway west of Lakeview; but if the amount allocated to this county is less than \$15,000, it shall be applied to the improvement of the Goose Lake Road.

County Judge David F. Graham of Malheur County, representing Malheur County Court, was present in regard to Federal Aid Secondary Highway matters. He stated a preference for the following improvements in the program for Federal Aid Secondary Highway Funds: (1) Improvement of the Sucker Creek Section of the Homedale-Malloy Ranch Road, commonly called the Jordan Valley Road; (2) Improvement of Lytle Boulevard, extending from Vale to a point on the Jordan Valley State Secondary Highway, about 3 miles north of Adrian. Judge Graham's first choice of state secondary highway projects was the improvement of Graham Boulevard (Vale-West Secondary Highway No. 451). He urged the Commission not to improve the state secondary highway north and west of the town of Jordan Valley under this program, because, in his estimation, the state is obligated to improve these sections anyway. He also asked the Commission to replace on the State Secondary Highway System the Homedale Spur-Malloy Ranch Section of the Jordan Valley Road which was recently removed from such system. He also asked the Commission to designate as a state secondary highway the county road extending from Vale southeasterly

to a connection with the Jordan Valley Secondary Highway, commonly known as Lytle Boulevard. He said that the settlers in the Owyhee and Vale irrigation districts feel that they are entitled to these roads, and are demanding their improvement as state secondary highways. Judge Graham presented a letter in support of his request and was informed by the Commission that his arguments would be given due consideration.

The County Court of Grant County, consisting of County Judge J. H. Allen and County Commissioners F. B. French and John Porter, was present in regard to the selection of projects for the Federal Aid Secondary Highway Program. Also present was L. E. Lucas, County Engineer. They offered the following county road projects for consideration by the Commission in the selection of roads to be improved under such program: (1) Road extending from Prairie City to Blue Mountain Springs along the north side of the John Day River; (2) Road extending from Prairie City to Blue Mountain Springs along the south side of the John Day River; (3) Road extending from the Pendleton-John Day Highway to Ritter Springs; (4) Bear Valley-Poison Springs Road; (5) County road extending westerly from Long Creek to Monument. They asked the Commission to designate as a state secondary highway the county road extending from Monument to Long Creek, but urged the Commission to improve the Monument Secondary Highway between Kimberly and Monument before rebuilding the Monument-Long Creek Road.

Chairman Cabell advised that the Commission is reluctant to take on any more secondary highways at the present time due to shortage of funds with which to construct and maintain them, and until some of the other roads now on such system have been improved. However, the Commission will consider their request and will have the Engineer inspect the Monument-Long Creek Road and render a report thereon. The Engineer was thereupon instructed to make such investigation and render such report at the next meeting.

A delegation from Grant County, consisting of Mr. Gabler and Mr. Crouch, of Monument, and State Representative E. R. Fatland, of Condon, was present in the interests of the Kimberly-Monument Secondary State Highway No. 402. The Grant County Court also appeared with this delegation. Representative Fatland was spokesman for the group. He stated that this road has never been built to state highway standards and is in very bad condition; further, that the people of this district feel that they have received unfair treatment in regard thereto and now want the road reconstructed to proper standards at the earliest possible time. Mr. Gabler urged the Commission to make a start, at least, on the project, with the view in mind of completing it as fast as funds can be found to finance the work. County Judge Allen advised that this is a very important road and is entitled to the Commission's serious consideration. He urged the Commission to make a start now by improving the lower end thereof easterly from Kimberly, and offered, on behalf of the County Court, to contribute \$1,000 of county funds toward the cost of the project, if the State Highway Commission would contribute a like amount. The Commission by unanimous vote accepted the offer and instructed the Engineer to proceed with the improvement, upon receipt of the county's warrant in the amount of \$1,000.

The County Court of Wheeler County, composed of County Judge S. J. Howard and County Commissioners Charles R. Jackson and L. A. Gochenour, came before the Commission in regard to the selection of roads for the Federal Aid Secondary Highway System. They recommended that Wheeler County's share of such funds be concentrated on the improvement of the Kinsua Road, particularly the $1\frac{1}{2}$ -mile section thereof commencing at the junction with the John Day Highway.

The County Court of Gilliam County, consisting of County Judge James D. Burns and County Commissioners Glen L. Richards and Earl P. Hoag, conferred with the Commission in regard to the selection of roads for the Federal Aid Secondary Highway System. They stated a preference for the construction of the Rock Creek-Morrow County Line Section of the Wasco-Heppner Secondary State Highway No. 300, 3 miles in length. They pointed out that the county has already constructed the road up to Rock Creek and alleged, if this 3-mile section is built, the road could be traveled practically the year round between Condon and Heppner.

Josephine County Court, composed of County Judge Grant Matthews and County Commissioners H. S. Morgan and George W. Thrasher, was present in regard to the selection of roads for the Federal Aid Secondary Highway System. Also present were H. B. Brown, County Engineer, and C. H. Demeray, President of the Grants Pass Chamber of Commerce. The County Court expressed a preference for the improvement of the following county roads in the Federal Aid Secondary Program: (1) Waldo Road, particularly the Illinois River Section thereof, east of Waldo, about 2 miles in length; (2) Murphy-Wilderville Road; (3) Merlin-Robertson Bridge Road.

Mr. Demeray asked the Commission to authorize a survey to determine a permanent location for the Pacific Highway just out of Grants Pass so as to provide for the elimination of numerous curves in the present road. He said that the people of this district are particularly desirous of knowing where the road is to be built eventually, because they want to improve their properties by construction of buildings, etc., but cannot do so until the state has determined upon a permanent line for the highway. The Engineer advised that the present highway is not in the proper location and that to eliminate the curves referred to by Mr. Demeray would require a revision about 2 miles in length. After some discussion, the Commission by unanimous vote authorized the Engineer to make a location survey of this section at his convenience.

Clatsop County Court, consisting of County Judge Guy Boyington and County Commissioners James Elliott and William Larson, was present and discussed with the Commission matters pertaining to the selection of roads for the Federal Aid Secondary Highway System. Also present with this delegation were Messrs. A. F. Danielson, County Engineer; A. C. Barlow, City Manager of Warrenton; and James O. Convill, City Manager of Astoria. Judge Boyington asked the Commission to consider the following county roads: (1) Road extending from Warrenton to Fort Stephens; and (2) Road extending from the Oregon Coast Highway to the Tongue Point Naval Base. He also asked the Commission to consider in such program the oiling of the Jewell-Birkenfeld Section

of the Nehalem State Secondary Highway, and advised that such project is the county's first choice. Their second choice, he said, is the improvement of the Warrenton-Fort Stephens County Road.

Judge Boyington offered the Commission the use of a county quarry in connection with the Nehalem Secondary Highway project, provided the contractor will keep the road leading from the quarry to the highway in a good state of repair.

The Engineer pointed out that the Commission does not have funds available to finance all of the projects mentioned by the County Court, and expressed a doubt that the Commission could do any more than construct the Walluski River Bridge, which is in need of replacement, and do some work on the Jewell-Mist Section of the Nehalem Highway. The County Court signified that it would be satisfied with such improvements.

In reply to an inquiry concerning the possibility of securing the oiling of the west end of the Wolf Creek Highway, Chairman Cabell advised that the Commission has such project in mind but it does not appear likely that the work can be done early enough so it can be used by traffic this year.

Mr. Convill asked the Commission to loan the city of Astoria the services of Traffic Engineer John Beakey for a day or so, to assist the city in the formulation of rules and regulations for the control of traffic. The Commission granted this request.

At 4:00 o'clock p. m. Chairman Cabell announced the following awards of contracts for which bids were taken at the morning session, the awards having been previously approved by the Commission by unanimous vote:

"Mystic Creek-Brockway Section of the Coos Bay-Roseburg Highway, in Douglas County. Furnish 6,650 cu. yds. of crushed gravel in stock pile. The low bid received for this project was that of D. L. Ashton, Lebanon, at \$11,571.00. The next low bid was that of Saxton, Looney & Risley, Portland, at \$11,770.50. There were 3 higher bidders. The Commission has referred all bids to the Engineer with power to award the contract to the low bidder when certain conditions have been satisfied.

"Service Creek-Branson Creek Section of the John Day Highway, in Grant and Wheeler Counties. 27.77 miles light oil treatment. Harold Blake, Portland, submitted the low bid for this project at \$18,482.75. The next low bid submitted was that of Warren-Northwest, Inc., Portland, at \$19,504.00. There were 8 higher bidders. The Commission has awarded this contract to Harold Blake, the low bidder, at his price of \$18,482.75.

"Lake County Line-Cap Ranch Section of the Central Oregon Highway, in Harney County. 7.61 miles oil mat surface treatment. A. Milne, Portland, submitted the low bid at \$18,902.00. Babler Bros.,

Portland, were the next low bidders at \$20,625.00. There were 7 higher bids received. This contract is awarded to A. Milne at his low bid of \$18,902.00.

"Hood River Rock Production Project on the Columbia River and Mt. Hood Highways, in Hood River and Wasco Counties. Furnish 10,000 cu. yds. crushed rock in stock pile. The low bid received for this project is that of Schmeer, Williams & Gentemann, Portland, at \$12,467.40. The next low bid is that of Fisher Bros., Oregon City, at \$12,524.00. There are 14 higher bidders. The Commission has referred all bids received for this project to the Engineer with power to award the contract to the low bidder when certain conditions have been satisfied.

"Eagle Point-Baker Gulch Section of the Little Butte Secondary Highway, in Jackson County. 3.20 miles oil mat surface treatment. Clifford A. Dunn of Klamath Falls submitted the low bid for this project at \$8,935.00. Babler Bros., Portland, submitted the next low bid at \$9,122.00. There were 2 higher bidders. This contract has been awarded to Clifford A. Dunn, the low bidder, at his bid of \$8,935.00.

"Gold Hill Rock Production Project on the Pacific Highway and Sams Valley Secondary Highway, in Jackson County. Furnish 7,100 cu. yds. crushed gravel in stock pile. The low bid received for this project was that of A. S. Wallace, Roseburg, at \$8,905.00. The next low bid was that received from D. L. Ashton, Lebanon, at \$10,097.00. There were 5 higher bidders. The Commission has referred all bids for this job to the Engineer with power to award the contract to the low bidder when certain conditions have been fulfilled.

"Hill Creek Bridge Section of the Pacific Highway, in Lane County. 0.20 mile grading and paving and construction of a 75-foot frame trestle bridge with concrete roadway. Edlefsen-Weygandt Company, Portland, submitted the low bid for this project at \$16,137.50. The only other bid received was that of the Mountain States Construction Company, Eugene, at \$16,667.50. The Commission has referred these bids to the Engineer with power to award the contract to the low bidder when certain conditions have been satisfied.

"Mohler-Kilchis River Section of the Oregon Coast Highway, in Tillamook County. Furnish 8,000 cu. yds. crushed rock in stock piles. Mountain States Construction Company of Eugene, with its bid of \$10,400.00, was the low bidder on this project. The next low bidder was Dolan Construction Company of Tillamook with its bid of \$12,608.00. 8 higher bids were received on this project. The Commission has awarded the contract to the Mountain States Construction Company at its low bid of \$10,400.00.

"Lake Lytle Outlet Bridge Section of the Oregon Coast Highway in Tillamook County. Construction of a 153-foot pile trestle with concrete roadway. The low bid received was that of the Mountain States Construction Company, Eugene, at \$11,090.00. The next low bid was that of L. H. Hoffman, Portland, at \$11,187.00. There were 8 higher bidders. The Commission has awarded this contract to the Mountain States Construction Company at its low bid of \$11,090.00.

Messrs. Preston Williams, Metzger, Durr, and Hunt, representing the Tillamook Drainage District, came before the Commission in regard to the relocation of the Oregon Coast Highway just south of Tillamook. Mr. Williams was spokesman for the group. He said that the highway, as now constructed, is located on property belonging to the drainage district and is immediately adjacent to their drainage ditch, and that rocks are continually falling from the highway into the ditch, damaging the same and blocking the drainage. He also said that the District has plans to improve the ditch on a permanent basis, and suggested that the Highway Commission reconstruct the highway on permanent alignment so they can proceed with their plans.

The State Highway Engineer pointed out that the reconstruction of the highway at this point involves the expenditure of a large sum of money, which is not available to the Commission at the present time unless work is stopped on the Neahkahnie Mountain Project. He added that if the present highway is not being properly maintained, he would see that that is done and would also see that the rocks that have been deposited in the drainage ditch are removed. Chairman Cabell confirmed the Engineer's remarks regarding reconstruction of this section and instructed the Engineer to make an investigation at once of the damage being done by falling rocks. The Engineer was also authorized and instructed by the Commission to make a survey for the permanent location of the highway at this place.

The County Court of Tillamook County, represented by County Judge H. H. Rosenberg and County Commissioners E. H. Lindsey and E. G. Anderson, was present and conferred with the Commission in regard to the Federal Aid Secondary Highway Program in so far as it affects Tillamook County. They recommended the following projects: (1) Construction of the 2-mile section of the Tillamook-Netarts-Oceanside county road extending westerly from the summit towards Netarts, on the new grade constructed by the county last year; (2) Improvement of the Fairview-Clemens Corner county road; (3) Improvement of the Fairgrounds-Coast Highway Section of the Wilson River Loop county road. They also asked the Commission to place these roads on the State Secondary Highway System. A decision with regard to these matters was deferred by the Commission until the allocation of funds is made.

Judge Rosenberg brought up for discussion a proposed change in the deed from the Weyerhaeuser Timber Company conveying unto the county certain timber strips along the Wilson River Highway, and particularly the reservation therein relative to merchantable timber. He said that it is the opinion of the Court that the wording of the second paragraph on page 1 of the proposed deed, under "Exceptions", should be changed from "all marketable timber now standing or being on said land", to read "all marketable timber

suitable for lumber now standing or being on said land". He also asked the Commission's approval to delete from the proposed deed the portion which reads as follows: "and, if at any time, said lands, or any part thereof, should be abandoned for such use, or the maintenance thereof for such purposes be discontinued, the same, or the part thereof so abandoned for such use or discontinued to be maintained for such purpose, shall ipso facto revert to and be and remain the absolute property of the grantor, its successors or assigns". It was his belief that it would be much better to leave such wording out of the deed in order to avoid future misunderstanding, particularly in view of the possibility that the Weyerhaeuser Timber Company would be all through with the land when it removes its timber on or before 1942, as provided in the deed, and it would then not want nor expect this land to revert to them in case the county or the state did not maintain the land as a park. After discussion, the Commission approved such modifications by unanimous vote.

Commissioner Lindsey asked the Commission to construct a minor line-change in the road connecting the town of Nehalem with the Neahkahnie Mountain Section of the Oregon Coast Highway, which road is now being used by state highway traffic pending construction of the permanent highway and is being maintained by the state. He said that a certain bridge and cattle pass on this road, just west of Nehalem, are now being repaired by the state and it was his thought that the Commission should give consideration to the rebuilding of a short section of the highway at this location so as to eliminate two sharp curves; which, in his estimation, is a desirable improvement and would provide greater safety for the traveling public. He also said that the county would donate the use of a power shovel in connection therewith, if the Commission so desired. The Engineer was instructed by the Commission to have Division Engineer F. D. Eason investigate this matter in company with Mr. Lindsey.

The County Court of Hood River County, represented by County Commissioners J. D. Smullin and R. W. Perry, conferred with the Commission with regard to Federal Aid Secondary Highway matters. Also present was County Engineer C. M. Hurlburt. They expressed a preference for the continuation of construction of the Hood River Secondary Highway northerly as far as possible from the end of the section completed last year. As a second-choice project they requested the improvement of the county road extending from the Mt. Hood Highway east of Odell, through a place known as Summit, to a connection with the Hood River Secondary Highway. They also asked that this latter road be designated as a secondary state highway in lieu of the Interstate Bridge Secondary Highway, which was recently removed from the state secondary highway system. The Commission deferred a decision in this matter pending investigation and report by the Engineer as to what it would cost to improve this road to proper standards. Such report is to be rendered at the next meeting of the Commission, and the Hood River County Court is then to be advised of the Commission's decision.

Mr. Ray Gill, Master, Oregon State Grange, was present in regard to the allocation of Federal Aid Secondary Highway Funds. He said that the State Grange is particularly desirous of securing a greater allocation of

such funds for the betterment of unimproved school bus and post roads and he urged such consideration by the Commission as a community service proposition rather than as a service to individual farmers. Mr. Gill was informed fully of the requirements governing the expenditure of the Federal Aid moneys and the reasons why the Commission cannot allocate these funds in the manner suggested. Mr. Gill appeared to be satisfied with the explanation but urged the Commission to bear such unimproved roads in mind and to do the best it possibly can for them. It was his thought that it would be a good idea for someone representing the State Highway Commission to explain the situation to members of the Grange at their annual meeting, which is to be held during the early part of June; and, accordingly, it was decided that Chairman Cabell would talk to the Grange members at such meeting on highway matters if it is possible for him to be present at that time. The Commission adjourned at 6:00 o'clock p. m., to reconvene at 9:00 o'clock a. m. on the following day in the same room.

Portland, Oregon, February 18, 1938

The State Highway Commission reconvened at 9:00 o'clock a. m. in the Auditorium of the Public Service Building, with all Commissioners present and participating. Also present were the State Highway Engineer, the Attorney, and the Secretary.

Bids as follows for the construction of highway projects and for the purchase of buildings at Marshfield were opened and read in conformance with previously published notice:

OLD OREGON TRAIL HIGHWAY

BAKER-DURKEE SECTION - CRUSHED ROCK IN STOCK PILES

Rogers Construction Company	\$ 9,400.00
Babler Bros.	14,050.00
Schmeer, Williams & Gentemann	14,750.00
Homer G. Johnson	15,250.00

OREGON COAST HIGHWAY

BANDON-PORT ORFORD SECTION - CRUSHED ROCK IN STOCK PILES

Homer G. Johnson	\$ 24,210.00
Corvallis Sand & Gravel Company	24,467.00
A. S. Wallace	25,317.50

PACIFIC AND UMPQUA HIGHWAYS DRAIN ROCK PRODUCTION PROJECT

Eugene Sand & Gravel Company	\$ 11,948.00
Homer G. Johnson	13,630.00
Inter City Sand & Gravel Company	13,920.00
A. S. Wallace	14,500.00
Umpqua River & Navigation Company	14,732.00

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UMPQUA HIGHWAY
WILSON RANCH-SCOTTSBURG SECTION - LIGHT OIL TREATMENT

	<u>Using Road Oil</u>	<u>Using Tar</u>
Babler Bros.		\$ 14,862.50
J. C. Compton		15,320.00
R.O.Dail & Warren Bros., Inc.	15,509.60	15,558.00
Warren Northwest, Inc.		16,298.50

FREMONT HIGHWAY
WEST FOREST BOUNDARY-HORSE RANCH SECTION - LIGHT OIL TREATMENT

J. C. Compton	\$ 13,091.60
Warren Northwest, Inc.	13,786.00
McNutt Bros.	14,729.00
Harold Blake	15,695.00
Babler Bros.	16,410.00
Clifford A. Dunn	16,528.00
A. Milne	17,026.00
Edwin C. Gerber	17,068.00
Diesel Oil Sales Company	20,179.40

CENTRAL OREGON HIGHWAY
JUNTURA-HARPER SECTION - LIGHT OIL TREATMENT

J. C. Compton	\$ 23,334.20
Harold Blake	24,902.00
Warren Northwest, Inc.	25,691.00
McNutt Bros.	27,850.00
Clifford A. Dunn	29,180.00
Diesel Oil Sales Company	31,445.00
Edwin C. Gerber	31,504.00

HERMISTON SECONDARY HIGHWAY
HERMISTON-COLD SPRINGS SECTION
OILING, SURFACING, CRUSHED ROCK IN STOCK PILES

Rogers Construction Company	\$ 21,342.50
Edwin C. Gerber	22,591.00
Babler Bros.	23,375.00
Warren Northwest, Inc.	23,411.00
R. O. Dail & Warren Bros., Inc.	24,809.00
Kern & Kibbe and Newport Construction Company	26,311.00
Clifford A. Dunn	27,466.00

SALE OF RESIDENCE BUILDINGS AT MARSHFIELD

BUILDING NO. 5085-1
(Former Owner Robert Downer)

Anton Monson	\$ 101.00
Mrs. W. A. Blackers	75.00

(Continued on next page)

(Building No. 5085-1 continued:)

Carl Barnes and Esther Vincamp (third choice)	\$ 41.00
Roy A. Miller (second choice)	30.00
W. E. Foote and F. J. Miller	25.00

BUILDING NO. 5085-2
(Former Owner Robert Downer)

Anton Monson	\$101.00
Irene E. Harrison	72.00
Carl Barnes and Esther Vincamp (first choice)	41.00
J. S. Chambers	25.00
W. E. Foote and F. J. Miller	25.00

BUILDING NO. 5084
(Former Owner D. M. Root)

Dixie Root	\$126.00
J. S. Chambers	50.00
W. E. Foote and F. J. Miller (third choice)	40.00

BUILDING NO. 5095
(Former Owner E. A. Porter)

John Loring	\$130.00
W. E. Foote and F. J. Miller	22.50

BUILDING NO. 5105
(Former Owner I. B. Tilson)

No bids received

BUILDING NO. 5103
(Former Owner M. G. Hoffman)

W. E. Foote and F. J. Miller	\$ 27.50
J. S. Chambers	25.00

BUILDING NO. 5104
(Former Owner World War Veterans' State Aid Commission)

Carl Barnes and Esther Vincamp (second choice)	\$ 41.00
Roy A. Miller (fourth choice)	30.00
J. S. Chambers	25.00
Mrs. S. E. Johnson (second choice)	20.00

BUILDING NO. 5107-1
(Former Owner H. Emelia Weikel)

W. E. Foote and F. J. Miller (second choice)	\$ 32.50
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BUILDING NO. 5107-2
(Former Owner H. Emelia Weikel)

Roy A. Miller (third choice)	\$ 30.00
W. E. Foote and F. J. Miller	15.00

BUILDING NO. 5107-3

(Former Owner H. Emelia Weikel)

Roy A. Miller (first choice)	\$ 30.00
W. E. Foote and F. J. Miller	21.50
Mrs. S. E. Johnson (first choice)	20.00
M. Jorgenson	15.00

BUILDING NO. 5107-4

(Former Owner H. Emelia Weikel)

Sigurd Sundquist (first choice)	\$ 15.00
M. Jorgenson	5.00

BUILDING NO. 5107-5

(Former Owner H. Emelia Weikel)

Sigurd Sundquist (second choice)	\$ 15.00
Henry Hauerkamp	11.00

BUILDING NO. 5109

(Former Owner Manilo Camilo)

No bids received

BUILDING NO. 5108

(Former Owner F. F. Dobbryn)

J. S. Chambers	\$ 15.00
W. E. Foote and F. J. Miller	10.00

BUILDING NO. 4768

(Former Owner Godfrey A. Quick)

No bids received

BUILDING NO. 4769

(Former Owner Jennie Rourke)

Neil Harding	\$ 25.50
W. E. Foote and F. J. Miller	10.00

BUILDING NO. 4770

(Former Owner Dell Saunders)

Asbjorn Moon	\$ 20.00
W. E. Foote and F. J. Miller	10.00

BUILDING NO. 4771

(Former Owner John Pruitt)

P. J. Pruett	\$ 75.00
W. E. Foote and F. J. Miller	20.00

BUILDING NO. 5112

(Former Owner H. P. Thomas)

Tom Georgen	\$102.00
W. E. Foote and F. J. Miller (first choice)	37.50
J. S. Chambers	20.00

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Chairman Cabell announced that awards would be made at 4:00 o'clock p. m. in the same room.

The County Court of Umatilla County, consisting of County Judge Carl W. Chambers and County Commissioners Sam Ingle and Wm. R. Meiners, was present and discussed with the Commission matters pertaining to the selection of roads for the Federal Aid Secondary Highway System. They stated their preference for the improvement of the Sunnyside-Umapine Secondary State Highway No. 332, and mentioned, as their second choice, the improvement of the Walla Walla River Road, a county road project.

County Judge Nelson B. Higgs of Harney County, and Mr. O'Connell, President of the Burns Chamber of Commerce, were present. Judge Higgs asked for better maintenance of the Frenchglen State Secondary Highway and of the Diamond Valley State Secondary Highway between Princeton and Waverly. He said that these roads have not been kept in very good condition, and school buses and mail-delivery trucks are able to use them only with difficulty. The Engineer advised that these roads are now in as good condition as they were when they were turned over to the state by the county; nevertheless, he would have them inspected. Mr. O'Connell urged improvements to the Central Oregon Highway.

Mr. C. T. Gates, Portland, came before the Commission relative to the proposed construction of the East Portland-Oregon City Highway in front of his property located at the northwest corner of Fifth and Main Streets, in Oregon City. He objected strenuously to the Commission prohibiting the parking of cars along the north side of Fifth Street because, he said, it would be objectionable from the standpoint of his tenants and would decrease the value of his property, which is his only source of income. He also objected to the narrowing of the sidewalk at this point from 10 feet to 6 feet, as is proposed in order to provide for four lanes of traffic on this important road. The necessity for prohibiting the parking of cars at this point and for the narrowing of the sidewalk was explained to Mr. Gates fully by Chairman Cabell and the Engineer. Mr. Gates was very much dissatisfied with the explanation and demanded a set of the plans for the proposed improvement. The Engineer was instructed by the Commission to furnish Mr. Gates with such plans in detail and to have one of the engineers show Mr. Gates, on the ground, just how these plans will affect his property.

Mr. N. E. Schooling, Portland, came before the Commission and requested permission to move a large building across 82nd Street (Cascade Secondary Highway, near the Multnomah-Clackamas County Line). He said that he was refused such permit at the Salem office of the Commission because of the size of the building, it being 30 feet wide and 80 feet long, so he cut the building in half, and now wants permission to move the two sections directly across the highway. He gave as his thought that it would not take more than one hour to move each section. He further advised that it would be necessary to detour traffic during the movement, but offered to provide flagmen to direct traffic over a convenient paved detour which is available.

In the discussion of this matter, it was brought out that the

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Commission has denied two similar requests for moving buildings across the 82nd Street Highway in approximately the same location, in view of which the Commission decided to secure the recommendation of Division Engineer E. A. Collier before passing on this matter. The Engineer was instructed to have Mr. Collier present during the afternoon session of the Commission to express his ideas on this subject. Mr. Collier appeared later in the session and recommended the granting of the permit subject to the condition that the movement of each section be undertaken during the early morning hours, starting at daybreak, and that the road be not blocked for a period longer than one hour at any time; and provided, further, that Mr. Schooling furnish flagmen as may be required, and also have the movement covered by insurance and bond, in accordance with the established policy of the Commission.

In view of Mr. Collier's report, and after further discussion, the Commission voted unanimously to grant Mr. Schooling's request subject to the conditions outlined by Mr. Collier. The matter was referred to Division Engineer Collier and the Secretary to work out the details.

A delegation, representing the Lower Columbia Highway Association, and headed by Mr. Tom Cunning, Secretary, Astoria, was present in the interest of additional improvements on the Lower Columbia River Highway. The other members of this delegation were J. D. Perry, President of the Association; Fred Ransom, Director of the Astoria Chamber of Commerce; Joe Korcarnik of Scappoose; John L. Foote, of St. Helens; Messrs. Abrit and Bloomstat, of Rainier; Tilden Graham, of Clatskanie; and G. C. Barlow, of Warrenton.

They asked the Commission to give special consideration to the following improvements on this highway where hazardous conditions exist and where many accidents occur, if the Commission cannot find it possible to finance a major project: (1) Elimination of sharp curve at the trestle crossing at Big Creek, between Mile Post 89 and Mile Post 90, just south of Knappa; (2) Reconstruction of the sharp curves a short distance south of Scappoose at a place known as Johnson's Landing, pending reconstruction of the highway on the proposed new alignment which parallels the railroad and passes through the cemetery at this location.

Mr. Foote, attorney, of St. Helens, made an urgent plea for the latter project and suggested the temporary flattening of the curves on the east side of the road rather than on the west side. The Engineer was instructed to investigate both of these projects and report his findings at the next meeting of the Commission.

A delegation from Wasco and Sherman Counties, headed by former County Judge F. L. Phipps of Wasco County, came before the Commission and asked for the extension of Sherars Bridge Secondary Highway No. 290 in Wasco County westerly through Wamic and thence to a connection with the Wapinitia Highway at a place known as Bear Paw Rock Quarry. The delegation consisted of the following: County Commissioners Angus H. McLeod and Mace Fulton, of Wasco County; County Judge George A. Potter and County Commissioners A. A. Dunlap and David Reid, of Sherman County; Guy Harvey, J. E. Kennedy, W. E. Woodcock, A. F. Bernhagen, Albert Gish, Willis Driver, Tom Driver, and Percy Driver, all

of Wamic; Paul Muller and George Lofton, both of Tygh Valley; C. G. Schneider, W. C. Carroll, and W. A. Hessell, of Gresham; J. E. Norton and Jerry Wilson, of Kent; Theodore Justesen and H. R. Kaiser, of Maupin; and L. M. Lepper, of Portland.

Mr. Phipps alleged that Wasco County is entitled to this road in view of the fact that it now has only 35 miles of secondary highways in the county. He stated further that the present Sherars Bridge Secondary Highway is hardly justified but it could be made worthy of existence if it were extended to a connection with the Wapinitia Highway, because it would then afford a much shorter route to Portland for the people of the northeastern counties of the state, and would make it possible to market the ripe timber from the forests of Wasco County, which at present has no outlet. He said that they are not asking for a high-class road but simply one that can be used the year round. He gave as his thought that the road is eligible for forest highway funds and urged the Commission to inspect it jointly with officials of the U. S. Bureau of Public Roads and the U.S. Forest Service.

Chairman Cabell advised that the Commission has given this matter some study and it appears to the Commission that the road is not justified as a state highway because it parallels so closely the Wapinitia Highway. Commissioner Aldrich gave as his thought that this is a forest development project in which the State Highway Commission is not particularly concerned. He suggested, nevertheless, that the road be inspected. Mr. Phipps reiterated that all that these people want is a travelable road.

Judge Potter of Sherman County endorsed the project, as did also Commissioner McLeod of Wasco County.

Mr. Schneider, of Gresham, said that the people of Gresham have studied this matter and feel that the road would be of great value to the people on the west side of the mountain.

Mr. Lepper concluded the presentation of arguments by urging this project from the commercial standpoint. He filed with the Commission numerous petitions signed by residents of Wamic, Tygh Valley, and the trade areas contiguous thereto, urging the construction and development of the old Barlow Road from a point near Wamic to its intersection with the Wapinitia Highway.

Mr. C. W. White, Grand Ronde, came before the Commission in regard to his permit for the trucking of logs on the Salmon River Highway, which permit was recently revoked by the Public Utilities Commissioner, upon recommendation of the State Highway Commission, because one of Mr. White's truck drivers was arrested for transporting a load weighing in excess of the limits prescribed by law and he refused to deliver his P.U.C. plates when requested so to do by the state police officer making the arrest. Mr. White stated that his truck driver was not familiar with the most recent rules and regulations promulgated by the State Highway Commission with regard to such matters and was under the impression that the plates would be taken up by a representative of the State Highway Commission, which was his reason for refusing to deliver them to the state police officer. He further stated that this was an honest mistake and that, if his driver had fully understood the

rules and regulations, he certainly would have delivered the plates of this particular truck, because, naturally, he would not have taken a chance on having his permit revoked, which would take all of his trucks out of service.

In view of Mr. White's explanation, the Commission by unanimous vote decided that the reinstatement of this permit is in order, particularly in view of the fact that Mr. White's truck has been out of service for several weeks; and accordingly instructed the Secretary to so recommend to the Public Utilities Commissioner.

The Commission adjourned at 12:15 o'clock p. m. and reconvened at 2:00 o'clock p. m. in the same room, with all Commissioners, the State Highway Engineer, the Attorney, and the Secretary present.

Mrs. Zelda Ploeger, of Portland, was present and inquired as to the plans of the Commission for relocating the Pacific Highway West at Tigard, particularly in so far as it affects property which she owns at that place. She said that she has it in mind to improve her property, including the planting of numerous shrubs, et cetera, but there is a question in her mind whether or not she should go to this expense in view of the possibility of the state taking some of her property for right of way. Chairman Cabell advised that, while a number of alternate routes have been investigated for this proposed revision, the Commission has not yet decided on any one of them and will not do so at least until the next meeting of the Commission, when the Engineer's report on the subject will be discussed. He further stated that present indications are that the new highway will not take any of Mrs. Ploeger's land and he suggested that she proceed with her improvements and plantings with the understanding that the state will compensate her in the event the route adopted passes through her land and causes her additional expense in replacing such improvements. He also informed Mrs. Ploeger that as soon as the Commission adopts the permanent route she will be advised. Mrs. Ploeger indicated that such disposal of the matter was satisfactory.

A delegation from the towns of Mist and Jewell, headed by County Commissioner Wm. Pringle of Columbia County, was present and requested the oiling of the Nehalem Highway between Mist and Jewell. Other members of this delegation were County Commissioner J. T. Graham of Columbia County, W. H. Bridges, Chas. Sundland, and J. O. Libel, all of Mist; Edwin Meier and Frank Wooden, of Jewell; C. W. Laughlin of Astoria, and T. M. Hopkins, R. H. McCaffery, G. E. Bellingham, and Tom Riggle, all of Birkenfeld. They alleged that the road in its present condition is dangerous to travel, being very dusty; in fact, is entirely worn out between Mist and Birkenfeld and should have immediate attention.

Mr. Bridges told the Commission that they preferred this construction to the improvement of the Mist-Clatskanie Secondary State Highway which was previously recommended by the County Court, inasmuch as there is now a good rock surfacing on the Mist-Clatskanie road. County Commissioner Pringle concurred in the statements of Mr. Bridges and advised that he has changed his mind on the subject since appearing before the Highway Commission at the previous meeting, when the Mist-Clatskanie road was recommended. Chairman

Cabell advised that the Commission appreciates that this is a desirable project and has no arguments to present to minimize its importance, but there is a question as to the availability of funds to finance the work, especially in view of the fact that there is some grading work to do in connection therewith. He also said that the Commission has the project under consideration for the fiscal year 1939 Federal Aid Secondary Highway Funds, but there is still an uncertainty with respect to these moneys and a question whether or not the work could be done this year.

Mr. Charles Castner, Portland, came before the Commission and urged the improvement of the Little Nestucca Secondary State Highway, 3 miles of which, he said, are absolutely impassable during the winter months because of their muddy condition and the fact that there are two bridges that need replacement. He advised that four families reside along this road and it is impossible for them to get out to the main highway because of the condition of the road. He particularly asked for the surfacing of the $1\frac{1}{2}$ -mile section west from Dolph, which was graded about two years ago. He was informed by Chairman Cabell that this road is in the same category as many other roads throughout the state; that the Commission has it in mind and will build it when it can spare the funds to finance the work, but the Commission cannot spend its money for such purpose at the present time on the basis of accommodating only a very few people. He expressed regrets that the Commission cannot improve the road in the near future.

Messrs. George Foster, F. W. Withee, and Wade Hartman, of Dayton, conferred briefly with the Commission in regard to the Commission's plans for improvement of the Salem-Dayton Secondary Highway. They were informed by Chairman Cabell that the Commission has this project in mind and is giving it due consideration with the idea in mind to construct a portion of it this year. He added, however, that the plans are only tentative and cannot be decided definitely until the uncertainties regarding funds have been settled.

Messrs. A. H. Hinkson and Fred Lengacher, Eugene, came before the Commission in regard to carrying on logging operations on a particularly wide section of the McKenzie Highway at a place known as Finn Rock, in Lane County. It appears that Mr. Lengacher has purchased timber on the property adjacent to the highway and the only suitable place for loading logs onto his trucks is this section of the highway. It also appears that he has already prepared one spar tree on the highway property, 8 feet from the right of way line, to facilitate the loading operations, and a loading pole, also on the highway, this having been done without the knowledge that he was encroaching upon the right of way; but he has discontinued operations pending authority from the State Highway Commission to proceed.

Mr. Hinkson advised that their application in the Salem office of the Highway Commission for a permit to conduct logging operations on this area was denied, but they asked the privilege of appearing before the Commission in regard to the matter because some 21 families are dependent upon these operations for a livelihood and there is absolutely no way to get the logs out except over this area.

Mr. Lengacher advised that he owns quite a bit of timber along the highway in this vicinity and it is his intention to purchase additional timber adjacent to the highway. He stated his willingness to donate to the state the timber growing adjacent to the highway at the top of the bluff if the Highway Commission will grant him the privilege of operating on the area under discussion.

The question arose whether or not Mr. Lengacher owns the land on which the timber is located. He advised that he does not own the land but there is a possibility that the owner would donate a strip to the state inasmuch as it consists of a steep side hill which is of no particular value except for the timber thereon. The State Parks Superintendent, Mr. S. H. Boardman, was present and advised that he inspected the timber referred to by Mr. Lengacher and ascertained that it would fit in satisfactorily with the state park idea, although it is of no particular value or advantage if the state has to pay for it or the land on which it is located. He added that he did not think it advisable to purchase the land for the preservation of the timber; but if the land were donated, then it would be acceptable.

Chairman Cabell advised that if the Commission allows Mr. Lengacher to conduct loading operations on the highway right of way at this point, it would establish a precedent that would be difficult to avoid in passing on similar requests in the future and the only justification that the Commission would have for permitting such operations would be the consideration of this timber strip in exchange for the use of the highway right of way. The State Highway Engineer advised that he would offer no objections to the granting of this privilege to Mr. Lengacher at this particular point, provided there is a definite consideration, which in this instance would be the deeding to the state of the timber and land located on the bluff above the highway; and provided, further, that such matter is covered by written agreement specifying the distance from the traveled portion of the highway on which the logging operations would be confined. It was his thought that such arrangement would not be establishing a precedent because the state would be getting something of value in exchange for the use of the highway right of way. He suggested that Mr. Lengacher purchase the land on which the timber is located and deed it to the state, at which time the agreement could be prepared and executed. His suggestion was approved by the Commission.

This matter was reconsidered by the Commission later in the session when Mr. Eugene Walsh, Portland, representing Brown & Brown, Inc., Forest Engineers, Portland, appeared in behalf of Mr. Lengacher. Mr. Walsh stated that Mr. Morton, the owner of the land on which the timber purchased by Mr. Lengacher is located, donated the highway right of way to the state with the understanding that he would be allowed to carry on logging operations on the property.

Chairman Cabell advised that if such was the understanding, then the Commission would permit Mr. Lengacher to proceed with his operations. He explained that the Commission is simply trying to avoid establishing a precedent in the matter, and if it can be proved that such right of way was donated with such understanding, that would satisfy the Commission.

After further discussion it was agreed that the record should be investigated, and if it is found that Mr. Walsh's allegation is correct, then Mr. Lengacher will be allowed to conduct logging operations on this wide section of highway but not nearer than 50 feet from the traveled roadway. It was also decided that if the records do not show that the deed contains a logging reservation, but that the land for the right of way was deeded to the state without cost, then Mr. Lengacher would be allowed to operate on this area; but, if the records disclose that the right of way was purchased from the owner, then the Commission will not allow Mr. Lengacher the use of the highway right of way unless he will give to the state the timber heretofore referred to and the land on which it stands.

Mr. V. B. Stanbery, of Portland, Consultant for the State Planning Board, was present and inquired when it would be convenient for the Commission to confer with him and Mr. C. J. Buck, Regional Forester, in regard to Mr. Buck's report on roadside timber preservation. He was informed that the Commission has not had time to discuss this report but will do so in the near future and will be pleased to confer with Mr. Stanbery and Mr. Buck at the next regular meeting of the Commission, which will probably be held during the latter part of March.

State Parks Superintendent S. H. Boardman was present and reported on the following matters:

Removal of the remains of Chief Tag-On-Ecia of the Quah-To-Mah Tribe, known among his fellows as "Whiskers, English Chops", from the present place of interment on the Sixes River to Battle Rock State Park at Port Orford:- Mr. Boardman advised that Mr. Frank B. Tichenor of Port Orford has written to Governor Martin in regard to this matter and has stated that the Port Orford Chamber of Commerce will have the remains moved to the park if the state will authorize interment in the park and will mark the grave with a suitable monument. He requested instructions. The Commission deferred a decision in the matter pending a recommendation from Mr. Lewis A. McArthur, President of the Oregon Historical Society. The Secretary was instructed to secure such recommendation.

Acquisition of C. Dethman property located on the Upper Columbia River Highway near Mile Post No. 56:- The Parks Superintendent advised that Mr. Dethman has offered to sell 54 acres of land at this location for the sum of \$4,000; also, that there are three other holdings adjacent thereto, containing 26 acres of land, which are needed to fit in with the picture, making a total of 80 acres in all. The owners of this extra property, he added, are asking \$3,250 for the same, and, at such rate, the entire 80 acres would cost the state approximately \$10,000. He gave as his thought that it would be inadvisable to purchase this property in view of the fact that the state already owns the adjoining tract known as Starvation Falls State Park, and he recommended that the offer be declined. The Commission approved the recommendation by unanimous vote.

Concession house for Bradley Park:- The Parks Superintendent advised that Mr. Lindeman, who previously had the concession at Bradley Park, has stated his desire to renew the concession for four months of the current year and has indicated his willingness to pay a monthly rental of \$100 for such privilege. He further advised that, in accordance with authority previously granted him by the Commission, he is now maintaining a caretaker in this park who is living in the building formerly used as the concession house; so, if the Commission accepts Mr. Lindeman's proposition, it will be necessary to construct a new building for the concession. He estimated that such building would cost about \$1,200, and requested instructions in regard thereto. The Commission decided unanimously not to construct this building and accordingly declined Mr. Lindeman's offer.

Renewal of option taken from Messrs. Pratt and Williams for acquisition of proposed park along the Oregon Coast Highway south of Cape Perpetua:- The Parks Superintendent advised that this proposed park property has an ocean frontage of $2\frac{1}{2}$ miles, beginning just south of Cape Perpetua and terminating at Bob Creek, and contains 357 acres, which the owners have listed for sale at \$170 per acre. The state's option to purchase this property, he said, terminates on March 7, 1938, and he requested instructions whether or not to have it extended. He recommended that it be extended, in view of the fact that Mr. J. C. Merriam, President of the Carnegie Institute at Washington, D. C., is particularly interested in the tract and has indicated his willingness to arrange for funds to pay one-half of the cost thereof, amounting to about \$70,000, but he has not been able to make such arrangement up to the present time, although he has hopes of fulfilling his part of the transaction during the coming summer. In view of the report, the Commission authorized the Parks Superintendent, by unanimous vote, to have the option extended for another 6 months, if possible.

Acquisition of beach area known as Nehalem Bay Sand Spit:- The Parks Superintendent advised that Tillamook County has taken over for unpaid or delinquent taxes the major portion of the Nehalem Sand Spit, which is located across Nehalem Bay from the place known as Fisher Point, a short distance north of Brighton Beach, and that the property includes all of the area between the bay and the ocean, except for a few lots in private ownership. He recommended acquisition of the same because of its future potential value from a recreational standpoint. He was instructed by the Commission to contact the Tillamook County Court relative thereto.

The Attorney reported the status of acquisition of real property owned by Fred Volz, et al, at Silver Creek Falls, in Marion County, which property is needed to fill out the state park area at this location. He said that Mr. Volz is demanding \$10,000 for his property and that the State Highway Commission, in addition thereto, satisfy the demands of his tenants on

the property. He further stated that he offered Mr. Volz \$8,500 for the property, which offer was refused. The Commission considered Mr. Volz's demands exorbitant and refused to settle with him on such basis.

The Commission had under consideration the offer of Mr. William S. Walton to deed to the state for right of way purposes land owned by him at Neskowin, in Tillamook County, same being required for a proposed revision of the Oregon Coast Highway at this location. Mr. Walton places a value of about \$12,000 on his property, which the Commission thought too high to consider at this time, in view of the present stringency of funds and for the reason that it is not absolutely necessary to construct this revision in the immediate future. The purchase of the property was accordingly deferred for the time being.

The Commission had under discussion the acquisition of certain parcels of land that were acquired by Multnomah County in connection with the acquisition of right of way for the Barbur Boulevard Section of the Pacific Highway West in Multnomah County. The Engineer recalled that the State Highway Commission at its meeting on November 17, 1937, authorized acquisition of certain small parcels situate outside of the standard width right of way but refused to pay the county for certain other parcels because of the price demanded for the same. He further advised that subsequent inspection and study of the agreement between the Commission, Multnomah County, City of Portland, and Civic Emergency Committee of Portland, which agreement is dated November 2, 1932, reveals that the state is justly entitled to the properties in question; in fact, is entitled to all of the properties acquired in connection with such right of way purchases, and that the position of the county with regard to the properties now under discussion is not properly taken. He suggested that this be brought to the attention of the Board of County Commissioners and that the county be requested to deed such parcels to the state without cost. He read aloud a letter directed to the Board of County Commissioners of Multnomah County relative thereto, which letter the Commission approved by unanimous vote.

At 4:00 o'clock p. m. Chairman Cabell announced the following awards of contracts and sale of buildings in Marshfield, bids for which were taken at the morning session, the awards and sales having been previously approved by the Commission by unanimous vote:

"Baker-Durkee Section of the Old Oregon Trail, in Baker County. Furnish 5,000 cu. yds. crushed rock in stock piles. The low bidder for this project is Rogers Construction Company, Dayton, Washington, at \$9,400.00. The next low bidder is Babler Bros, Portland, at \$14,050.00. There were 2 higher bidders. The Commission has awarded the contract to Rogers Construction Company, the low bidder, at its bid price of \$9,400.00.

"Bandon-Port Orford Section of the Oregon Coast Highway, in Coos and Curry Counties. Furnish 9,450 cu. yds. crushed rock in stock piles. 3 bids were submitted on this project, all of which the Commission considers too high, and accordingly has rejected

them and has ordered the project readvertised for bids to be received at the next meeting.

"Drain Rock Production Project on the Pacific and Umpqua Highways, in Douglas County. Furnish 5,800 cu. yds. crushed rock in stock piles. The Commission received 5 bids for this project, the low one being that submitted by the Eugene Sand & Gravel Company, Eugene, at \$11,948.00. The next low bid was that submitted by Homer G. Johnson, Portland, at \$13,630.00. The Commission has awarded the contract to the Eugene Sand & Gravel Company, the low bidder, at its bid price of \$11,948.00.

"Wilson Ranch-Scottsburg Section of the Umpqua Highway, in Douglas County. 7.81 miles light oil treatment. The low bid submitted was that of Babler Bros., Portland, at \$14,862.50, based on the use of tar. They did not submit a bid based on the use of road oil. The next low bid submitted was that of J. C. Compton, McMinnville, at \$15,320.00, based on the use of tar. He did not submit a bid based on the use of road oil. There were 2 higher bidders. The Commission has awarded the contract to Babler Bros. at their bid price, of \$14,862.50, based on the use of tar.

"West Forest Boundary-Horse Ranch Section of the Fremont Highway, in Klamath and Lake Counties. 16.24 miles light oil treatment. The Commission received 9 bids for this project, the low one being that of J. C. Compton, McMinnville, at \$13,091.60. The next low bid was that submitted by Warren Northwest, Inc., Portland, at \$13,786.00. The Commission has awarded this contract to the low bidder, J. C. Compton, at his bid price of \$13,091.60.

"Juntura-Harper Section of the Central Oregon Highway, in Malheur County. 34.52 miles light oil treatment. The low bid was submitted by J. C. Compton, McMinnville, at \$23,334.20. The next low bid was that submitted by Harold Blake, Portland, at \$24,902.00. There were 5 higher bidders. The Commission has awarded this contract to the low bidder, J. C. Compton, at his bid price of \$23,334.20.

"Hermiston-Cold Springs Section of the Hermiston Secondary Highway, in Umatilla County. 1.53 miles surfacing and 6.55 miles oiling; also furnish 1,600 cu. yds. crushed rock in stock piles. The Commission received 7 bids for this project, the low one being that of Rogers Construction Company, Dayton, Washington, at \$21,342.50. The next low bid was that of Edwin C. Gerber, Oregon City, at \$22,591.00. The Commission has awarded the contract to the low bidder, Rogers Construction Company, at its bid price of \$21,342.50.

 "Building No. 5085-1 formerly owned by Robert Downer. The Commission received 5 bids for this building, the high one being

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that of Anton Monson, Marshfield, at \$101.00. The Commission considers this offer satisfactory and therefore has sold the building to Mr. Monson at his high bid of \$101.00.

"Building No. 5085-2 formerly owned by Robert Downer. The Commission received 5 bids for this building, the high one being that of Anton Monson, Marshfield, at \$101.00. The Commission considers this offer satisfactory and therefore has sold the building to Mr. Monson at his high bid of \$101.00.

"Building No. 5084 formerly owned by D. M. Root. The Commission received 3 bids for this building, the high one being that of Dixie Root, Marshfield, at \$126.00. The Commission considers this offer satisfactory and therefore has sold the building to Dixie Root at her high bid of \$126.00.

"Building No. 5095 formerly owned by E. A. Porter and known as the Porter Apartments. The Commission received 2 bids for this building, the high one being that of John Lorsung, Marshfield, at \$130.00. The Commission considers this offer satisfactory and therefore has sold the building to Mr. Lorsung at his high bid of \$130.00.

"Building No. 5105 formerly owned by I. B. Tilson. No bids were received by the Commission for the purchase of this building.

"Building No. 5103 formerly owned by M. G. Hoffman. The Commission received 2 bids for this building, being those of J. S. Chambers, Marshfield, at \$25.00, and W. E. Foote and F. J. Miller, Coquille, at \$27.50. The Commission has rejected both of these offers.

"Building No. 5104 formerly owned by the World War Veterans' State Aid Commission. The Commission received 4 bids for this building, the high one being that of Carl Barnes and Esther Vincamp, Marshfield, at \$41.00. The Commission considers this offer satisfactory and therefore has sold the building to them at their high bid of \$41.00.

"Building No. 5107-1 formerly owned by H. Emelia Weikel. The Commission received 1 bid for this building, being that of W. E. Foote and F. J. Miller, Coquille, at \$32.50. The Commission has rejected this bid.

"Building No. 5107-2 formerly owned by H. Emelia Weikel. The Commission received 2 bids for this building, the high one being that of Roy A. Miller, Marshfield, at \$30.00. The Commission considers this offer satisfactory and therefore has sold the building to Mr. Miller at his high bid of \$30.00.

"Building No. 5107-3 formerly owned by H. Emelia Weikel. The

Commission received 4 bids for this building, the high bid being that of Roy A. Miller, Marshfield, at \$30.00. The next high bid was that submitted by W.E. Foote and F. G. Miller, Coquille, at \$21.50. Inasmuch as Mr. Miller desired to purchase only one building and submitted the high bid for Building No. 5107-2, which was sold to him, the Commission has awarded the sale of this building to W. E. Foote and F. J. Miller at their offer of \$21.50.

"Building No. 5107-4 formerly owned by H. Emelia Weikel. The Commission received 2 bids for this building, the high one being that of Sigurd Sundquist, Marshfield, at \$15.00. The Commission considers this offer satisfactory and therefore has sold the building to Mr. Sundquist at his high bid of \$15.00.

"Building No. 5107-5 formerly owned by H. Emelia Weikel. The Commission received 2 bids for this building, the high one being that of Sigurd Sundquist, Marshfield, at \$15.00 and the second bid that of Henry Hauerkamp, Marshfield, at \$11.00. Inasmuch as Mr. Sundquist desired to purchase only one building and submitted the high bid for Building No. 5107-4, which was sold to him, the Commission has awarded the sale of this building to Henry Hauerkamp at his bid of \$11.00.

"Building No. 5109 formerly owned by Manilo Camilo. No bids were received for the purchase of this building.

"Building No. 5108 formerly owned by F. F. Dobbyn. The Commission received 2 bids for this building, the high one being that of J. S. Chambers, Marshfield, at \$15.00. The Commission considers this offer satisfactory and therefore has sold the building to Mr. Chambers at his high bid of \$15.00.

"Building No. 4768 formerly owned by Godfrey A. Quick. No bids were received for the purchase of this building.

"Building No. 4769 formerly owned by Jennie Rourke. The Commission received 2 bids for this building, the high one being that of Neil Harding, Marshfield, at \$25.50. The Commission considers this offer satisfactory and therefore has sold the building to Mr. Harding at his high bid of \$25.50.

"Building No. 4770 formerly owned by Dell Saunders. The Commission received 2 bids for this building, the high one being that of Asbjorn Moen, Marshfield. The Commission accepted the offer of Mr. Moen and has sold the building to him at his high bid of \$20.00.

"Building No. 4771 formerly owned by John Pruitt. The Commission received only 2 bids for this building, the high one being that of P. J. Pruett, Marshfield, at \$75.00. The Commission has accepted the offer of Mr. Pruett and has sold the building to him at his high bid of \$75.00.

"Building No. 5112 formerly owned by H. P. Thomas. The Commission received three bids for this building, the high one being that of Tom Georgen, Marshfield, at \$102.00. The Commission considers this offer satisfactory and therefore has sold the building to Mr. Georgen at his high bid of \$102.00."

The Attorney requested instructions whether or not to proceed with the acquisition of right of way needed for the proposed revision of the Pacific Highway through Cottage Grove, in Lane County. He said that the people of this town are extremely anxious to know whether or not the state intends to buy the right of way soon because certain improvements are contemplated and they cannot proceed with the same until they know about the plans for the highway. The Commission decided, in view of the present stringency of funds, not to acquire right of way at Cottage Grove this year.

The Commission by unanimous vote authorized the acquisition of 1.54 acres of land owned by Hood River County, at a cost of \$35.00, said property being described as a portion of land lying in the S.E. $\frac{1}{4}$ of the N. W. $\frac{1}{4}$ of Sec. 18, T. 1 N., R. 10 E., W. M., and being needed as a site on which to store maintenance materials.

The Commission had under consideration the offer of Mr. William H. Galvani to sell to the state 20.01 acres of land adjacent to the Sunset-Tunnel-Buxton Section of the Wolf Creek Highway, in Washington County, which property is needed by the state for right of way purposes. The Attorney advised that Mr. Galvani is asking \$20.00 per acre for his land and \$100.00 additional severance damage. He said that the price asked for the land is satisfactory but he could see no justification for paying Mr. Galvani the extra \$100.00 for severance, and he recommended condemnation in the event Mr. Galvani will not accept the sum of \$400.20 as full and complete satisfaction. The Commission approved the recommendation by unanimous vote.

The Commission had under discussion the claim of Ralph Chambers for damage that occurred to his crop located adjacent to the Burns-Buchanan Section of the Central Oregon Highway, in Harney County. It appears that Mr. Chambers has some 21 acres in crop and that the same is fenced in, but someone left the gate open at a time when the highway was under construction, allowing cattle to enter the field, and as a result a large portion of the crop was destroyed. Mr. Chambers alleges that he is damaged to the extent of \$400.00 and asks reimbursement in such amount. The Attorney advised that, from information that he has received, the damage did not amount to more than \$150.00, and that he believes that Mr. Chambers will settle for such amount if the Commission is willing to pay it. It was his thought that, if the Commission will not pay that sum, it will result in litigation. He recommended the payment of \$150.00 in the event that further investigation reveals that the state is responsible for the damage. After some discussion, the Commission approved the recommendation by unanimous vote, subject to the condition that further investigation by the Engineer reveals that the state is responsible for the gate having been left open.

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Mr. C. W. Parker, right of way agent, reported to the Commission the results of a conference with officials of the City of Portland relative to acquisition of right of way for the new Columbia River Highway through city property located at Multnomah Falls. He said that complications have arisen due to the death of Mr. Frank S. Grant, former City Attorney, and that objections have been offered by Mr. C. P. Keyser, City Park Superintendent, to the city deeding the right of way to the state unless the state will build a certain connecting road between the old and the new highways; also, that City Commissioner R. E. Riley is willing for the city to deed the right of way to the state on the condition that the state will take over the entire park and will also take over the Vista House located at Crown Point, and the city's park at Latourell Falls. He further stated that Mr. Keyser will withdraw his objections in the event the state will accept the proposition outlined by Mr. Riley. It is Mr. Riley's suggestion, he added, that the state ask the city, in writing, for the right of way alone and for the right of way and the city's property north of the railroad track. The Commission questioned the advisability of acquiring all of the city's holdings as suggested by Mr. Riley, and accordingly deferred definite action thereon pending a report from the State Parks Superintendent relative thereto. However, inasmuch as the Commission is interested in acquiring the right of way and city property north of the railroad at Multnomah Falls, it authorized the Attorney to direct a letter to the City of Portland asking for such areas.

The Attorney requested instructions relative to acquisition of the Emma Kramien property, which is needed for right of way for the Pacific Highway West, in Yamhill County. He advised that his original offer to Mrs. Kramien was \$400, which is \$250 less than the amount that Mrs. Kramien demanded, but he has since received a letter from Mrs. Kramien's attorney to the effect that Mrs. Kramien is willing now to settle for \$525. The Attorney recommended settlement on such basis in order to avoid the expense of a lawsuit. The Commission authorized the payment of such amount if the property cannot be purchased at a lesser figure.

The Commission adjourned at 5:00 o'clock p. m., to reconvene on the following morning in the Benson Hotel.

Portland, Oregon, February 19, 1938

The State Highway Commission reconvened in regular session at 9:00 o'clock a. m. in Room 801, Benson Hotel, with all members present and participating. Also present were the State Highway Engineer, the Attorney, and the Secretary.

The matter of increasing the amount of the Commission's forgery bond had the attention of the Commission. Present, and entering into the discussion of this matter, was Mr. Jack Godfrey, General Agent of the Forgery-Fraud Bond Department of the National Surety Corporation, which wrote the Commission's previous forgery bond of \$5,000 coverage. The Engineer gave as his thought that, in view of the recent defalcations of W. L. Moorman, former employe of the Highway Department, the amount of the bond should be increased.

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The Commission concurred and the matter was referred to Chairman Cabell, the State Highway Engineer, and the Attorney, to order a forgery bond in the amount of \$100,000 in the event that is considered advisable, after giving the matter further study. The Commission authorized Mr. Godfrey to furnish a bond in the amount of \$100,000 to protect the Commission in the event of loss occurring before a definite decision has been made. Mr. Godfrey agreed to write such bond for a 3-year period, the premium for which, he said, would be \$632.40, with the understanding that, should it be decided later to reduce the amount of the bond, then he would make no premium charge for the excess amount, provided the decision is made within the next ten or fifteen days; but if the reduction is made after a longer time, the premium to be paid for the \$100,000 bond would be prorated and the regular premium charged for the time that it is in force. This arrangement was agreeable to the Commission.

In connection with this matter, the Engineer requested authority to secure the services of a competent auditor not connected with any state department to investigate the Highway Department's method of accounting, for the purpose of ascertaining whether or not there are any loop holes or blind spots in the accounting system that is now being used whereby it would be possible for an employe to cause the state loss by defalcations. The Commission approved the request by unanimous vote.

The Commission had under consideration at this time the selection of projects for the 1938 and 1939 construction programs, the approximate amounts available for such programs being estimated as follows:

Classes of Federal Funds	Approximate Amounts Available (Including Amts. Previously Programmed) for the Respective Classes of Funds		
	Federal	State	Total
1938 Regular Federal Aid	\$2,092,368	\$1,457,632	\$3,550,000
1938 Feeder Road Projects on State Hwys.	209,237	150,763	360,000
1938 " " " " County Roads	209,237	150,763	360,000
1938-39 Grade Separation Projects	1,154,221	185,779	1,340,000
1939 Regular Federal Aid	2,048,413	1,551,587	3,600,000
1939 Feeder Road Projects on State Hwys.	204,842	155,158	360,000
1939 " " " " County Roads	204,841	155,159	360,000
1938 Federal Lands Highways	168,367	71,633	240,000
1939 " " " "	165,000	75,000	240,000
1938 State Projects on Primary Highways	- - - -	180,000	180,000
1938 " " " " Secondary "	- - - -	200,000	200,000

Accumulated Balances as follows:

1935 NRM Funds	15,000	10,000	25,000
1936 WPGS Funds	33,000	22,000	55,000
1937 Federal Aid Funds	33,000	21,750	54,750

The Engineer submitted a list of projects that are eligible for such programs, from which the Commission, by unanimous vote, upon motion of Commissioner Aldrich which was seconded by Commissioner Tou Velle, tentatively selected the following for inclusion therein, it being understood that the programs would be revised later in the event of alteration in the amounts of anticipated federal funds.

1938 REGULAR FEDERAL AID PROGRAM

<u>Highway</u>	<u>Project</u>	<u>Original Allocation</u>	<u>Revised Allocation</u>
<u>DIVISIONS NOS. 1 & 2</u>			
Pacific	Oregon City (11th to 5th & Main Sts.) Paving & Bridge	\$ 160,000	\$ 160,000
Columbia River	St. Helens-Multnomah Co. Line, Grad- ing & Paving	100,000	100,000
West Side Pac.	Middleton-Votaw, Grading & Paving	80,000	58,868 c
West Side Pac.	Lafayette, Paving	30,000	26,138 c
West Side Pac.	South Yamhill River Section, Grading, Paving & Bridge	- - - -	166,629 c
Oregon Coast	Astoria Line Change and Pavement, Grad- ing & Paving (2 Units)	50,000	48,370 c
Oregon Coast	Short Sand Beach Creek, Grad. & Bridge	100,000	117,810 c
Oregon Coast	Arch Cape-Beach Creek, Clearing	- - - -	27,445 c
Oregon Coast	Lake Lytle Bridge	10,000	12,200 c
Santiam	Lamb Creek-Glissade Creek, Grading	115,000	105,540 c
McMinn.-Till.	Bellevue-Pringle Corner, Grad. & Pav.	150,000	116,520 c
Wolf Creek	Wolf Creek Bridges (3 small bridges)	50,000	50,000
Wolf Creek	Quarts Creek Bridge	170,000	175,157 c
Wolf Creek	South Fork of Quarts Creek, Bridge	- - - -	10,000 c
Pacific, West	Interstate Avenue, Paving	245,000	225,000
Pacific	Salem-South, Grading and Paving	130,000	100,000
Pacific	Halsey-South, Grading and Paving	100,000	Eliminated
Columbia River	Troutdale-Dodson, Dredge and Riprap	160,000	160,000
- - -	Planning	25,000	25,000
- - -	Roadside Improvement	17,000	17,000
Total, Divisions Nos. 1 & 2		\$1,692,000	\$1,701,677

DIVISION NO. 3

Pacific	Siuslaw Junction-Awbrey, 4.57 Mi. Grad.	\$ 90,000	\$ 72,444 c
Pacific	Ross Station-Arvard, 2.0 Mi. Paving	60,000	53,995 c
Pacific	Turkey Hill-Chenoweth Park, 1.13 Mi. Grading & Paving	65,000	56,444 c
Pacific	Sardine Creek Bridge	15,000	15,761 c
Pacific	Phoenix-Bear Creek, Grading & Paving	145,000	176,018 c
Pacific	Bear Canyon Section, Grading	135,000	101,875 c
Pacific	Hill Creek Bridge	20,000	Eliminated
Oregon Coast	Marshfield-South, Grading and Paving	101,800	100,000
- - -	Planning	9,720	9,720
- - -	Roadside Improvement	6,480	6,480
Total, Division No. 3		\$648,000	\$592,737

(1938 Regular Federal Aid Program, continued:)

Highway	Project	Original Allocation	Revised Allocation
<u>DIVISION NO. 4</u>			
Central Oregon	Horse Ridge-Brothers, Surf. & Oil	\$ 100,000	\$ 102,211 c
Fremont	Summer Lake-Chalk Cliff, 14.5 Mi. Surfacing & Oiling	123,000	100,892 c
Ochoco	Mill Creek-Marks Creek, Grad. & Surf.	100,000	100,000
Sherman	Shaniko, Resurfacing & Oiling	55,000	51,659 c
The Dalles-Cal.	Fort Klamath-Lobert, Grading	130,950	130,000
- - -	Planning	7,830	7,830
- - -	Roadside Improvement	<u>5,220</u>	<u>5,220</u>

Total, Division No. 4 \$ 522,000 \$ 497,812

DIVISION NO. 5

John Day	John Day-Oliver Ranch, Grad. & Surf.	\$ 100,000	\$ 69,791 c
John Day	N. Fork John Day River, Br. & Appr.	65,000	59,989 c
John Day	Butte Creek Sec., Grad., Surf. & Oil	35,000	43,004 c
Old Oregon Trail	Stanfield-Pendleton, Surf. & Oiling	200,000	197,844 c
Old Oregon Trail	N. Powder-Muddy Creek, Grad., Surf., Oil	171,940	145,401 c
Central Oregon	Burns-Buchanan, 22 Mi. Surf. & Oil	150,000	139,488 c
John Day	Jamieson-Lancaster, Grad., Surf., Oil	- - -	70,000
- - -	Planning	8,680	8,680
- - -	Roadside Improvement	<u>7,380</u>	<u>7,380</u>

Total, Division No. 5 \$ 738,000 \$ 741,577

c - Projects marked thus previously approved and under contract

1938 PROGRAM - FEDERAL SECONDARY PROJECTS ON STATE HIGHWAYS

County	Highway	Estimated Cost
<u>DIVISIONS NOS. 1 & 2</u>		
Clatsop	Nehalem	Klatskanine Summit-Jewell, Oiling
Col. & Wash.	Nehalem	Treharne-Burton, Oiling
Washington	Nehalem	Davies-Banks, Oiling
Linn	Halsey-Sweet Home	Crawfordsville-Holley, Oiling
Clatsop	Nehalem	Walluski R. Bridge, Br., Grad., Surf.
Yamhill	Salem-Dayton	Spaulding Ranch, Grad., Surf., Oil

Total for Divisions Nos. 1 & 2 \$184,520

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(1938 Program, Federal Secondary Projects on State Highways, continued:)

County	Highway	Project	Estimated Cost
<u>DIVISION NO. 3</u>			
Jackson	Little Butte	Eagle Point-Baker Gulch, Surf, Oil Rock	\$ 19,119 c
Jackson	Little Butte	Eagle Point-Baker Gulch, Oiling	9,828 c
Coos	Coos River	Catching Slough, Bridge, Grad., Surf.	<u>66,500</u>
Total for Division No. 3			\$ 95,447
<u>DIVISION NO. 4</u>			
Hood River	Hood R. Sec.	Bloucher Section, Grad., Surf., Oil	<u>\$ 24,319 c</u>
Total for Division No. 4			\$ 24,319
<u>DIVISION NO. 5</u>			
Baker	Baker-Homestead	Baker-Flagstaff Hill, Grade, Surf., Oil	\$ 20,000
Union	Cove	Grande Ronde River-Noyes Ranch, Grade, Surf. & Oil	21,176 c
Umatilla	Hermiston-Cold Spr'gs	Hermiston-Cold Springs, Surf. & Oil	<u>23,476 c</u>
Total for Division No. 5			\$ 64,652
Planning Survey			<u>5,123</u>
Total, all divisions and Planning			\$ 374,061

c - Projects marked thus previously approved and under contract

TENTATIVE 1938 PROGRAM - FEDERAL SECONDARY PROJECTS ON COUNTY ROADS

County	Highway	Kind of Work	Estimated Cost
<u>DIVISIONS NOS. 1 & 2</u>			
Tillamook	Nehalem River Road	Nehalem-N. Fork, S. & O.	\$ 14,586 c
Tillamook	Tillamook-Netarts	Summit-Tillamook R., S. & O.	15,583 c
Multnomah	Thompson Road	Grade, Surface & Bit. Mac.	35,000
Columbia	Upper Nehalem	Surface & Oil	12,000
Clackamas	Carver-Redland	Resurface & Oil	15,000
Clackamas	Eagle Creek-Dover	Resurface & Oil	10,000
Washington	Hillsboro-Cornelius Pass	Grade, Surface & Oil	10,000

(Continued on next page)

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(1938 Federal Secondary Projects on County Roads, continued:)

County	Highway	Kind of Work	Estimated Cost
Marion	Salem-Independence	Grade, Surface & Oil	\$ 23,000
Polk	Independence-Buena Vista	Grade, Surface & Oil	15,000
Yamhill	Sheridan-South & East	Grade, Surface & Oil	<u>23,000</u>

Total for Divisions Nos. 1 & 2 \$173,169

DIVISION NO. 3

Lane	Oak Hill-Veneta	Grade & Topping	\$ 30,000
Douglas	North Umpqua	Grade, Surface & Oil	<u>35,000</u>

Total for Division No. 3 \$ 65,000

DIVISION NO. 4

Wasco	Chenoweth Road	Grade, Surface & Oil	\$ 16,000
Klamath	Whitney Bridge Road	Resurface & Oil	12,000
Klamath	Malin-Bonanza	Grade & Surface	<u>24,000</u>

Total for Division No. 4 \$ 52,000

DIVISION NO. 5

Malheur	Vale-Adrian	Grade, Surface & Oil	\$ 15,000
Union	North Powder-North Powder River	Resurface & Oil	15,000
Wallowa	Enterprise-Hurricane Crk.	Resurface & Oil	<u>24,000</u>

Total for Division No. 5 \$ 54,000

Planning Survey 5,123

Total, all divisions and Planning \$349,292

c - Projects marked thus previously approved and under contract

1938-1939 GRADE SEPARATION PROGRAM

Highway	Railroad	Project		Original Allocation	Revised Allocation
<u>DIVISIONS NOS. 1 & 2</u>					
Pacific	U.P. & S.P. & S.	Union Ave. O'xing - U.P. (Portland)	50% S.P. & S. 50%	\$ 70,000	\$ 72,996 c
Pacific W.	Sou.Pac.	McMinnville Relocation		130,000	116,897 c
Pacific W.	Sou.Pac.	Whiteson Undercrossing		- - -	21,618 c
Pacific	S.P. & O.E.	Albany O'xing, S.P. 80%, O.E. 20%		250,000	420,000
Columbia R.	U.P.	Troutdale Overcrossing		125,000	125,000
Col. Blvd.	U.P.	Columbia Blvd. Reloc. (Portland)		<u>70,000</u>	<u>Elim.</u>
Total, Divisions Nos. 1 & 2				<u>\$645,000</u>	<u>\$756,511</u>

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(1938-1939 Grade Separation Program, continued:)

Highway	Railroad	Project	Original Allocation	Revised Allocation
<u>DIVISION NO. 3</u>				
Pacific	Sou.Pac.	Wilbur	\$120,000	Elim.
Coos R. Sec	" "	Bunker Hill (Marshfield)	65,000	\$ 61,993 c
Total, Division No. 3			\$185,000	\$ 61,993
<u>DIVISION NO. 4</u>				
Dallas-Cal.	Ore.Trunk	Bend (Third Ave.)	\$ 90,000	\$ 90,000
" "	S.P. & G.N.	Klamath Falls S.P. 65%	100,000	120,000
" "	" "	G.N. 35%	80,000	85,000
Total, Division No. 4			\$270,000	\$295,000
<u>DIVISION NO. 5</u>				
Old Oregon Trail	Union Pac.	Ontario	\$190,000	\$213,128 c
Planning Survey			\$ 30,000	\$ 17,850
Total, all divisions and Planning			\$1,320,000	\$1,344,282

c - Projects marked thus previously approved and under contract

SUMMARY BY RAILROADS

Railroad	Estimated Cost
Southern Pacific	\$ 699,508
Union Pacific (O.W.R. & N.Co.)	374,626
S.P. & S. (Oregon Electric)	210,498
Great Northern	42,000
	\$1,326,632
Planning Survey	17,650
	\$1,344,282

TENTATIVE 1939 PROGRAM - REGULAR FEDERAL AID FUNDS

County	Highway	Project	Estimated Cost
<u>PACIFIC HIGHWAY (SPECIAL)</u>			
Jackson	Pacific	Bear Canyon Section, Grading	\$ 270,000

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(Tentative 1939 Program, Regular Federal Aid Funds, continued:)

County	Highway	Project	Estimated Cost
<u>COLUMBIA RIVER HIGHWAY (SPECIAL)</u>			
Multnomah	Columbia River	Troutdale-Dodson, Grading	\$ 270,000
<u>DIVISIONS NOS. 1 & 2</u>			
Multnomah	Columbia River	Troutdale-Dodson, Grading	\$ 51,080
Clackamas	Pacific, East	Abernethy Bridge-11th St., Grading & Paving	105,000
Yamhill	Pacific, West	Newberg-Dundee, Grading & Paving	100,000
Marion	W. Portland-Hubbard	Clackamas Co. Line-Hubbard, Paving	150,000
Tillamook	Coast	Summit-Short Sand Beach, Grading & Topping	120,000
Clatsop	Wolf Creek	Nehalem River Bridge	120,000
Clatsop	Wolf Creek	Rock Creek Bridge	17,000 **
Clatsop	Wolf Creek	Necanicum-Elsie, Surfacing & Oiling	145,000 **
Linn	Santiam	Sheep Ridge, Grading & Topping	160,000 **
Linn	Santiam	Sheep Creek Bridge	25,000 **
Linn	Pacific, East	Albany (Units 1,2,& 3) Grad. & Pav.	152,000
Multnomah	- - -	Projects to be selected	200,000
- - -	- - -	Planning Survey	25,380 **
- - -	- - -	Roadside Improvement	16,920
Total, Divisions 1 & 2			\$1,387,380
<u>DIVISION NO. 3</u>			
Lane	Pacific	Siuslaw Junction-Ross Station, Pav.	\$ 190,000 **
Douglas	Pacific	Bear Canyon Section, Grading	50,000
Douglas	Pacific	Roseburg-Shady Point, Grad. & Pav.	225,000
Lane	Willamette	Salt Creek Falls-Salt Creek, Grad.	135,000
Coos	Coast	Marshfield-Bunker Hill, Grad. & Pav.	128,281
- -	- - -	Planning Survey	9,720 **
- -	- - -	Roadside Improvement	6,480
Total, Division 3			\$ 744,481
<u>DIVISION NO. 4</u>			
Deschutes	Central Oregon	Brothers-Lake County Line, Grad., Surf., & Oiling	\$ 174,531 **
Lake	Fremont	Picture Rock Pass-Harris Creek, Surf. & Oiling	100,000 **
Creek	Ochoco	Mill Creek-Marks Creek, Grad. & Top.	73,000
- -	- - -	Planning Survey	7,830 **
- -	- - -	Roadside Improvement	5,220
Total, Division 4			\$ 360,581

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(Tentative 1939 Program, Regular Federal Aid Funds, continued:)

County	Highway	Project	Estimated Cost
<u>DIVISION NO. 5</u>			
Baker	Old Ore. Trail	Muddy Creek-M.P. 328, Grad.& Surf.	\$ 120,000
Union	" " "	Jimmy Creek-North Powder, Surf.& Oil.	30,000
Grant	John Day	Oliver Ranch-East, Bridges, Grad., Surf., & Oiling	150,000 **
Gilliam	Old Ore. Trail	Blalock-Arlington, Grad., Surf.& Oil.	154,650
Umatilla	Ore.-Washington	Pendleton-Adams, Grading	100,000
---	---	Planning Survey	11,070 **
---	---	Roadside Improvement	7,380
Total, Division 5			\$ 573,100

** Projects marked thus are to be included in partial programs to be submitted to the Bureau of Public Roads for approval

TENTATIVE 1939 PROGRAM - FEDERAL SECONDARY PROJECTS ON STATE HIGHWAYS

<u>DIVISIONS NOS. 1 & 2</u>			
Clatsop	Nehalem Sec.	Surface & Oil	\$ 22,000 **
Columbia	Mist-Clatskanie	Surface & Oil	30,000 **
Linn	Halsey-Sweet Home- Brownsville	Grade, Surface & Oil	30,000 **
Benton	King's Valley		
	Secondary	Grade, Surface & Oil Mat	30,000
Lincoln	Siletz Secondary	Grade, Surface & Oil Mat	30,000 **
Total, Divisions Nos. 1 & 2			\$ 142,000

<u>DIVISION NO. 4</u>			
Klamath	Klamath Falls-	Grade Widening, Surfacing &	
	Lakeview	Oiling	\$ 25,000 **
Lake	" " "	" " " "	25,000 **
Hood River	Hood River Sec.	Widening, Surfacing, & Oiling	27,000
Jefferson	Warm Springs	Surfacing	19,000
Total for Division No. 4			\$ 96,000

<u>DIVISION NO. 5</u>			
Gilliam	Wasco-Heppner	Rock Creek Hill, Grading	\$ 25,000
Umatilla	Sunnyside-Umapine	Grade, Surface, & Oil	25,000 **
Union	Cove Road	Grade, Surface, & Oil	22,000 **

(Continued on next page)

(1939 Federal Secondary Projects on State Highways, continued:)

County	Highway	Project	Estimated Cost
<u>DIVISION NO. 5 (continued)</u>			
Malheur	Hooker Creek-Jordan Val.	Grade, Surface & Oil	\$ 25,000 **
Morrow	Heppner-Rhea Cr.	Surfacing & Oiling	25,000 **
Total for Division No. 5			\$ 122,000
- -	- - -	Planning Survey	\$ 5,123 **
Total, all divisions & Planning Survey			\$ 365,123

** Projects marked thus are to be included in partial programs to be submitted to the Bureau of Public Roads for approval.

TENTATIVE 1939 PROGRAM - FEDERAL SECONDARY PROJECTS ON COUNTY ROADS

County	Highway	Kind of Work	Estimated Cost
<u>DIVISIONS NOS. 1 & 2</u>			
Tillamook	Tillamook-Netarts	Oiling	\$ 7,000 **
Tillamook	Wilson River Loop	Surface & Oil	12,000 **
Tillamook	Fairview-Clemens Corner	Grade, Surface & Oil	6,000 **
Washington	Hillsboro-Cornelius Pass	Grade, Surface & Oil	20,000
Multnomah	Section Line-Hosner	Surface & Oil	46,000
Clackamas	Canby-Marquam	Oiling	25,000 **
Clackamas	Eagle Creek-Dover	Resurface & Oil	15,000 **
Marion	Silverton Road	Grade Raising & Paving	37,000
Polk	Sec.Hwy.191 - Falls City	Grade, Surface & Oil	27,000
Linn	Peoria-Harrisburg	Oiling	40,000
Total for Divisions Nos. 1 & 2			\$ 235,000

DIVISION NO. 3

Josephine	Waldo-Holland Road	Bridge over Illinois River	\$ 12,000
Lane	Oak Hill-Veneta	Grading	25,000
Douglas	North Umpqua	Grade, Surface & Oil	20,000 **
Jackson	Butte Falls	Surface & Oil	20,000
Total for Division No. 3			\$ 77,000

DIVISION NO. 4

Gilliam	Moro-Hay Canyon	Grade & Surface	\$ 10,000
Wasco	Chenoweth Road	Grade, Surface & Oil	16,000
Total for Division No. 4			\$ 26,000

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(1939 Federal Secondary Projects on County Roads, continued:)

County	Highway	Kind of Work	Estimated Cost
<u>DIVISION NO. 5</u>			
Wallowa	Enterprise-Hurricane Crk.	Resurface & Oil	\$ 19,500 **
		Planning Survey	<u>5,123</u>
Total, all divisions and Planning Survey			\$ 362,623

** Projects marked thus are to be included in partial programs to be submitted to the Bureau of Public Roads for approval

1938 FEDERAL LANDS HIGHWAY PROGRAM

Highway	Project	Original Allocation	Revised Allocation
<u>DIVISION NO. 4</u>			
Warm Springs	Miller Flat-Agency, Grading	\$ 42,000	\$ 62,535 c
Central Oregon	Lake County Line-Gap Ranch, Surfacing	40,000	74,973 c
Central Oregon	Lake County Line-Gap Ranch, Oiling	<u>10,000</u>	<u>20,792 c</u>
Total for Division No. 4		\$ 92,000	\$158,300
<u>DIVISION NO. 5</u>			
I. O. N.	East Unit-Jordan Creek, Grading	\$122,000	\$104,162 c
I. O. N.	Jordan Creek Bridge and Culverts	<u>33,000</u>	<u>45,015 c</u>
Total for Division No. 5		\$155,000	\$149,177

c - Projects marked thus previously approved and under contract

TENTATIVE 1939 PROGRAM - FEDERAL LANDS HIGHWAY FUNDS

County	Highway	Project	Estimated Cost
<u>DIVISION NO. 4</u>			
Wasco	Warm Springs	Bear Springs-East, Grading	\$ 25,000
Klamath	Klamath Falls-Lakeview	Bly Mt.-Beatty, Surfacing	<u>80,000</u>
Total for Division No. 4			\$ 105,000
<u>DIVISION NO. 5</u>			
Malheur	I. O. N.	Blue Mt. Pass-North, Grading	\$ 100,000

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1938 PROGRAM - STATE PROJECTS ON PRIMARY HIGHWAYS

County	Highway	Project	Estimated Cost
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DIVISIONS NOS. 1 & 2

Clatsop	Oregon Coast	Arch Cape Tunnel, Lining Reinforcement	\$ 22,000 c
Tillamook	Oregon Coast	Little Nestucca River, Bridge	11,000
Multnomah	Mt. Hood	Gresham, Retaining Wall	<u>12,800 c</u>

Total for Divisions Nos. 1 & 2 \$ 45,800

DIVISION NO. 3

Douglas	Umpqua	Wilson Ranch-Scottsburg, Oiling	\$ 16,348 c
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DIVISION No. 4

Klamath & Lake	Fremont	West Forest Boundary-Horse Ranch, Oil.	\$ 14,400 c
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DIVISION NO. 5

Baker	Baker-Cornu.	Middle Bridge-Black Bridge, Rock Prod.	\$ 17,500 c
Baker	Baker-Cornu.	Middle Bridge-Black Bridge, 18 Mi. Oil	21,000
Baker	Baker-Cornu.	Flagstaff Hill, Surfacing & Oiling	20,000
Malheur	Central Oregon	Juntura-Harper, 34 Mi. Oiling	25,667 c
Wheeler	John Day	Service Creek-Eranson Creek, Oiling	<u>20,330 c</u>

Total for Division No. 5 \$104,497

c - Projects marked thus previously approved and under contract

1938 PROGRAM - STATE PROJECTS ON SECONDARY HIGHWAYSDIVISIONS NOS. 1 & 2

Washington	Nehalem	Dairy Creek Bridge	\$ 9,200 c
Lincoln	Siletz	Siletz River Section, Surfacing (40%)	35,300 c
Multnomah	Col. Hwy. Bypass	Lombard-Killingsworth, Grad. & Top	90,000
Clackamas	Molalla	Molalla Section, Grad. & Pav.	<u>11,000</u>

Total for Divisions Nos. 1 & 2 \$145,500

DIVISION NO. 5

Union	Weston-Elgin	Forest Boundary-Elgin, G., S. & O.	\$ 47,800 c
Baker	Medical Springs	East Unit, Missouri Flat Section, Surf.	<u>4,100 c</u>

Total for Division No. 5 \$ 51,900

c - Projects marked thus previously approved and under contract

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ALLOCATION OF ACCUMULATED BALANCES

County	Highway	Project	Estimated Cost
<u>DIVISIONS NOS. 1 & 2</u>			
Tillamook	Wilson River	Mills Bridge-Jordan Crk., Oiling (1937 FA)	\$ 37,000
Marion	Pacific	Court Street (Salem), Paving (1935 HRM)	25,000
Multnomah	Columbia Blvd.	Airport Road Overcrossing (WPGS)	<u>55,000</u>
Total for Divisions 1 & 2			\$117,000
<u>DIVISION NO. 3</u>			
Lane	Pacific	Hill Creek Bridge (1937 FA)	\$ 17,750 c

c - Projects marked thus previously approved and under contract

The Commission by unanimous vote authorized the Engineer to submit to the Bureau of Public Roads for approval the 1938-1939 Grade Separation Program, and the projects marked with a double asterisk in the above programs; namely, 1939 Regular Federal Aid Funds, 1939 Federal Secondary Projects on State Highways, and 1939 Federal Secondary Projects on County Roads.

The Engineer was authorized by the unanimous vote of the Commission to make surveys as may be necessary for all projects included in these programs.

The Engineer was also authorized by the Commission, by unanimous vote, to change the amounts set up for individual projects as may be necessary to check the totals available.

The matter of financing the state's portion of the construction program had the attention of the Commission. In the discussion of this matter it was brought out that the financing of the 1938 program will result in a temporary shortage of state funds during the period from July to December, in view of which the Commission decided, by unanimous vote, to borrow \$750,000 for a period of six months to eight months, as conditions may require, commencing about July 1, 1938, and ordered that all necessary arrangements be made to effect such loan.

The Attorney reported the status of acquisition of right of way for the East Portland-Oregon City Highway across the property of the Security and Investment Company at Oregon City. He said that he has been approached by Mr. Jack Latourette, attorney representing the company, who has suggested that the matter be disposed of by a board of arbitration consisting of three members. He recommended against such procedure. The Commission approved his

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recommendation by unanimous vote. The Commission also, by unanimous vote, authorized and instructed the Attorney to secure a declaratory judgment with respect to the street ends affected by the proposed Oregon City improvement, it being the allegation of the Security and Investment Company that such street ends belong to them, which opinion is not shared by the Commission's Attorney. The Engineer was instructed by the Commission to defer the advertising of the Oregon City project, or any portion thereof, pending settlement of the right of way matters and a definite determination as to just how much the state will be required to pay for such right of way.

Landscape Engineer Mr. George Otten was present and reported on the following matters:

Monument for Talbot State Park:— The Landscape Engineer advised that a committee of representative businessmen of Portland desires to erect a monument, consisting of a large boulder and a bronze plaque, in this park, honoring the donors of the park, Mr. and Mrs. Guy Talbot, and have asked the privilege of erecting the same in a location which meets with the approval of the Highway Commission. He said that the Parks Superintendent and he have selected a suitable site but that is about as far as they can go until such site has been approved by the committee, which, he anticipates, will pass on the matter shortly. The Commission approved the report.

Erection of a monument on the Woodburn-Mount Hood Loop Secondary Highway, near Estacada, in Clackamas County:— The Landscape Engineer advised that a Mr. W. M. Wade has requested, in behalf of the Currin-Wade Clan, permission to erect a stone marker with a bronze plaque on this highway at the dividing line between the Currin and Wade donation land claims, which is approximately at the Currinsville Store, 2 miles north of Estacada. The marker will be placed on the west side of the road, he said, and will be approximately 25 feet from the center line and will be outside of the highway drainage ditch. He gave as his thought that this marker would have a specific local interest and would in no way harm the best interests of the Highway Department. He recommended that the request be granted. After due consideration, the Commission approved his recommendation by unanimous vote, subject to the condition that the monument be erected in a location which meets with the approval of the State Highway Engineer, and that the sponsors of the monument will pay all of the costs incident to the erection and maintenance of the same.

There was presented to the Commission a letter from Wm. A. Carter, transmitting a copy of his letter directed to the Portland City Council, with respect to the claim of Joseph Terresi for damages he alleges he suffered by reason of the construction of the Union Avenue viaduct on the East Portland-Oregon City Highway, in East Portland. Mr. Terresi alleges that his property was damaged because of a change in grade of the intersecting city street but the claim was heretofore denied by the State Highway Commission. The Commission at this time decided not to change its previous decision and accordingly ordered the communication filed.

A letter was presented from C. G. Gustafson, McMinnville, in which the State Highway Commission was urged to change its plans for the relocation of the Pacific Highway West, near the St. Joe Undercrossing, a short distance north of McMinnville, so as to eliminate the need to take any of his property. The Engineer advised that it is not contemplated to reconstruct this section of the highway in the near future, and recommended that the acquisition of the right of way be deferred until such time as it is needed. The Commission approved the recommendation and ordered that Mr. Gustafson be so informed.

The Commission had under discussion the matter of acquiring from the city of Portland the north 10 feet of lots 5, 6, 7, 8, and 9, of Block 2, Eastover, and a small portion of Lot 6, Block 88, Irvington Park, which property is needed for right of way for the Northeast Portland Secondary Highway, particularly the Lombard-Killingsworth Section thereof. The attorney advised that the city wants the state to purchase all of the lots rather than just the 10-foot strip, and is asking 40 cents per square foot for the property, whereas the state is now paying only 2 cents per square foot for adjoining property. The Commission decided that it could not deal with the city of Portland on any different basis than it does others from whom it is buying right of way for this road, but authorized the Attorney to pay as much as 5 cents per square foot, if necessary. The Attorney was instructed by the Commission to negotiate for the acquisition of this property along with the city property at Multnomah Falls.

The Attorney presented a counter offer from William Manley Currier, a portion of whose property is being acquired by the state for right of way for the revision of the Fremont Highway in Lake County. He said that Mr. Currier prefers not to go to court over this matter and has offered to sell the three parcels of land that the state needs for the sum of \$6,900. He recommended settlement on such basis to avoid condemnation. The State Highway Engineer concurred therein. The Commission approved the recommendation by unanimous vote.

In connection with this matter, the Attorney advised that Mr. Currier would like to have the use of the old road when the new highway is constructed and has stated his willingness to deed to the state other land for the storage of maintenance materials if the state will allow the old road to be turned over to him. The Commission approved such arrangement.

The Attorney also reported on the status of acquisition of land that is needed for right of way for the Columbia River Highway across property owned by Mrs. Elizabeth W. Griggs. He said that Mrs. Griggs originally demanded \$350 for her property, which is \$250 more than the state's offer, but she has finally agreed to accept \$125 for the same. He recommended settlement on such basis. The Commission approved the recommendation unanimously.

The Attorney discussed with the Commission matters pertaining to the Robertson controversy arising out of the construction of the Pacific Highway (new route) in the Siskiyou Mountains, Jackson County. He said that the Robertsons have delivered a deed for the 11 acres of land contained in the slide area and have agreed to accept the sum of \$2,850 as settlement in full.

for their damage, but they also want the state to deed to them a 50'x 100' tract adjacent to the highway so that they will have a direct connection to the highway from a new tract of land that they are buying from another party. The Commission decided that the payment of \$2,850 to the Robertsons is sufficient to pay for the damages that they have suffered and accordingly denied the request.

The Engineer reported results of a traffic survey that has been conducted in the city of Eugene for the purpose of ascertaining whether or not the installation of automatic traffic signals is required for public safety, and in this connection the Commission reconsidered the request of the city that the state pay one-half the cost of such installation. A decision in this matter was deferred by the Commission pending a report from the Engineer on the cost to furnish and install similar signals in all the cities and towns throughout the state. Such report is to be rendered at the next meeting of the Commission.

The Engineer also reported the results of the traffic survey that has been conducted in The Dalles to determine whether or not the installation of automatic flashing signals is justified in this town. The report indicated that there is not sufficient cross-traffic on the highway route to justify the expense, and the Commission ordered that the city officials be so informed.

The Engineer also reported the results of a conference with the Medford City Council with respect to the traffic signals that the city has installed on the route of the state highway through this town, which traffic signals do not conform to the state's requirements. He said that the city has purchased two overhead colored signals, one of which has already been installed at the intersection of Main and Central Streets, and it was the intention of the city officials to install the other one at Main and Riverside Streets, but they deferred making the installation pending approval of the Commission for such installations. He further stated that the city officials allege that the city is financially unable to purchase the corner type signals and wishes to know if the Commission will pay the cost of installing a standard type signal at Main and Riverside Streets, estimated at \$1,300, provided the city will install a similar signal at the intersection of Main and Central Streets; and they also want to know whether or not the Commission will grant a temporary permit for the operation of the signals that they now have in the event that the state will not pay a portion of the cost of the standard signals. After discussion the Commission decided that it could not approve any signal installation that does not conform to the type adopted by the Commission, even for a temporary installation, because of the confusion that would result. The Engineer was instructed to so inform the city officials and to request the discontinuance of the signals that they now have. The Commission also decided to defer its decision with regard to contributing toward the cost of installation of the standard type signal pending the report of the Engineer on the cost to install such signals in the other cities and towns of the state.

The Engineer requested instructions in regard to the continuation

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of snow removal operations on the North Santiam Highway, in view of the large snowslide that occurred during a recent storm, blocking the highway for about a quarter of a mile just west of Hogg Pass with 10 feet of snow. He questioned the advisability of continuing snow-removal operations on this road during the balance of the winter in view of the high cost thereof, and the fact that the road carries very little travel. A decision in this matter was deferred pending personal inspection of this road by Chairman Cabell and the Engineer, who were authorized by the Commission to take final action on the matter.

The question of the liability of the Commission for accidents that occur on state highways by reason of rocks falling on the highway from adjacent slopes had the attention of the Commission. It appears that a court in one of the eastern states recently ruled that the Highway Department of that state is responsible and liable for injuries or damage that occur by reason of rocks falling on the highway, regardless of what may have caused the rocks to be dislodged. The Engineer advised that there are several places along state highways in Oregon where rocks are continually falling, and particularly mentioned two points on the Columbia River Highway, one at the portal of the Mosier tunnel, and the other between Troutdale and the Automobile Club bridge. He gave as his thought, in view of the court's ruling, that it would be a good idea to comb the slopes above the highway at these locations and at other locations where similar conditions obtain, so as to minimize the chances of accidents occurring. The Commission concurred in the viewpoint of the Engineer and instructed him to see that the slopes at such locations are combed thoroughly and that all necessary precautions are taken to safeguard the traveling public.

The Commission set Thursday, March 24, 1938, as the date for its next regular meeting for the receiving of bids, and instructed the Secretary to make the usual arrangements to hold such meeting in the Auditorium of the Public Service Building, Portland, if possible.

Chairman Cabell left the meeting at 12:15 o'clock p. m.

The following communications and petitions had the attention of the Commission:

Petition signed by 282 citizens of Baker County, residing within what is known as the Lower Powder Section, and who travel portions of the Baker-Homestead Highway, requesting that this highway be rerouted as follows: leaving the present highway at or near the junction with the Keating Market Road and following said market road to or near the Merton Bennett farm; thence in an easterly direction, intersecting the present highway at a point near the Montgomery farm. The petition was ordered filed.

Letter from Coos River Grange, Marshfield, requesting the oiling of the Eastside-Allegany Ferry Section of the Coos River Secondary State Highway. Letter ordered filed.

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Letter from Lane County Court inquiring as to the plans of the Commission to construct, this year, a portion of the Christner Gap-Veneta Section of the so-called Route "F" Highway between Eugene and Florence. The Court has options for the needed right of way, which options expire on April 1, 1938, and wants to close the options immediately in the event the Commission proposes to construct this section soon. The Commission ordered that the Court be informed that it is proposed to construct a portion of the Oak Hill-Veneta Section this year as a Federal Aid Secondary Highway Project, in the event that the federal moneys are released, and that the Commission has tentatively budgeted \$30,000 for such purpose. Furthermore, that the Commission has set up in its tentative program for 1939 construction \$25,000 of Federal Aid Secondary Highway Funds for the grading of an additional section of this road between Oak Hill and Veneta.

Resolutions from the City Council of Lakeview and the 20-30 Club of Lakeview, urging the installation of traffic lights on the Klamath Falls-Lakeview Highway at its crossing with the Southern Pacific Company's tracks at the west city limits of Lakeview, for the benefit and safety of the traveling public. The Commission ordered that the petitioners be informed that the Commission is financially unable to eliminate this traffic hazard at the present time but will keep the project in mind for future consideration.

Resolutions from the Sherman County Pomona Grange urging the designation as a secondary state highway of the county road extending from a point on the Sherman Highway, about $\frac{1}{2}$ mile north of the town of Moro, easterly about 8 miles to a connection with the Wasco-Heppner Secondary State Highway; also, urging the State Highway Commission to build the uncompleted portion of a proposed highway extending from Heppner through Condon, Kent, and Wamic, to a connection with the Mt. Hood Highway. The Commission ordered the communications filed.

Petition signed by 785 residents and inhabitants of the Broadbent-Powers districts in Coos County, urging the improvement of the Powers Secondary Highway. The Commission ordered that the petitioners be informed that funds are not available to finance such improvement at the present time but the project will be kept in mind for future consideration.

Letter from Coos Bay Aerie No. 538, F.O.E., urging the construction of a nonskid wearing surface on Sherman Avenue, North Bend, the route of the Oregon Coast Highway, so as to prevent accidents occurring on this street when the pavement is wet or frosty. The Commission ordered that the lodge be informed that the Commission has approved an expenditure of state highway funds to improve the condition of this street and that such work will be done as soon as weather conditions are satisfactory.

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Resolutions from Winema Grange, Birkenfeld, Oregon, and Nehalem Valley Grange, Vine Maple, Oregon, urging the oiling of the Nehalem Secondary Highway between Mist and the Oregon Coast Highway junction. The Commission ordered the communications filed.

Resolution from the Mid-Columbia Chamber of Commerce urging the construction of a water-grade highway through the Columbia Gorge. Ordered filed without action.

Resolution from Pomona Grange No. 33, Ontario, Oregon, asking the Commission to designate as a secondary state highway that portion of the Nyssa-Jordan Valley Road between Homedale Junction and Malloy Ranch, which section was recently removed from the Secondary Highway System by joint action of the Malheur County Court and the Commission. The Commission denied the request.

Letters from Mrs. D. L. Stevens, Prescott, Oregon, relative to reconstruction of the Columbia River Highway between Goble and Rainier, in Columbia County. The Commission ordered the communications filed.

Letter from James J. Schivary, Portland, urging the Commission to alleviate a traffic hazard which, he alleges, exists at the junction of Columbia Boulevard with Sandy Boulevard (Columbia River Highway), in Portland. The Engineer advised that this matter was investigated and additional signs erected, which apparently is satisfactory to Mr. Schivary.

Letter from former State Highway Commissioner, Carl G. Washburne, Eugene, giving as his understanding that Linn County was to be relieved of its obligation to contribute 25 per cent of the cost of constructing the Santiam Highway when that highway was placed on the Federal Aid System. The Commission ordered the communication filed for consideration when the matter of Linn County's indebtedness is again brought up for discussion.

Letter from Grants Pass Chamber of Commerce, in which the Commission was asked to assist in securing a special allocation of funds by Congress to finance reconstruction of the Pacific Highway from Grants Pass to Roseburg and to complete reconstruction of this highway through the Siskiyou Mountains. The Commission decided that the time is not propitious to ask Congress for such appropriation and accordingly denied the request.

Letter from O. Henry Olen, State Representative, St. Helens, expressing the hope that the State Highway Commission will continue the straightening and widening of the Lower Columbia River Highway. The Commission ordered the letter filed.

Petition signed by 65 residents of Monument and Kimberly, Grant County, urging the reconstruction of the Kimberly-Monument State Highway at the earliest possible time. The Commission ordered the

petition filed inasmuch as this matter was disposed of earlier in the session when a delegation from Grant County conferred with the Commission and it was decided to construct a \$2,000 project at the westerly end of this road, 50 per cent of the cost to be paid by the state and 50 per cent by the county.

Letter from County Judge Earl B. Day, of Jackson County, with respect to the construction of a cattle guard across the Crater Lake Highway, in Jackson County. The Commission ordered the communication filed.

Letter from Edgar A. Ricker, Grants Pass, urging the improvement of the Riverbanks Market Road west from Applegate Bridge. The Commission ordered the communication filed.

Letter from the Women's Christian Temperance Union of Oregon requesting permission to erect signs on state highway rights of way bearing slogans relative to motorists indulging in alcoholic liquors. The Commission denied the request as a matter of policy.

Letter from Coos County Planning Board urging the Commission to rebuild the Marshfield-Coquille Section of the Oregon Coast Highway at the earliest possible time. It was the Commission's decision that this project is too costly to undertake at the present time and that the funds available for construction in the vicinity of Marshfield should be expended for the reconstruction of this highway through the Bunker Hill District and for nonskidding Sherman Avenue in North Bend before other projects are undertaken.

Letter from the Curry County Court advising that it is financially unable to acquire right of way for the proposed Squaw Creek Road improvement, for which improvement the Commission heretofore allocated \$10,000 of U. S. Works Program Highway Funds. In view of this letter the Commission decided to delete this project from the construction program.

Letter from V. H. Todd, Resident Engineer, W.P.A., Eugene, advising that the Lane County Court proposes to construct, as a W.P.A. project, 2 miles of crushed rock sidewalk along the Junction City-Eugene Secondary Highway (old route of the Pacific Highway), north and south of a place known as Santa Clara, and inquiring whether or not the State Highway Commission will assume the responsibility for the maintenance of this sidewalk after it is constructed. The Commission refused to assume such responsibility and ordered that Mr. Todd be so informed.

Letter from A. Zundel, County Agent, Clatsop County, requesting the privilege of maintaining special signs on state highway rights of way at the points where such highways enter Clatsop County, directing homeseekers to his office. The Commission denied the request as a matter of policy.

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Resolution from the Klamath Falls City Council whereby the Council goes on record as being opposed to any reduction by Congress of the fiscal year 1939 Federal Aid Funds. The Commission ordered the communication filed.

Letter from Robert W. Sawyer, Bend, with respect to a proposed Third Avenue railroad grade separation project in Bend. The Secretary was instructed to inform Judge Sawyer that this project is in the Commission's tentative program for construction this year and that a contract will be awarded next fall for the construction of the same unless unforeseen difficulties arise in the meantime.

Letter from Senator F. M. Franciscovich, Astoria, requesting the oiling of the Wolf Creek Highway between Elsie and Necanicum. The Engineer was instructed to inform Senator Franciscovich that the Commission has budgeted this year an amount for surfacing and the construction of bituminous macadam on this highway between Necanicum Junction and Elsie, provided the 1939 Federal Aid Funds are released by Congress; but, due to shortage of state funds with which to match the federal funds, it is not likely that the contracting of the work can be done until fall.

Letter from E. E. Wilson, State Game Commissioner, relative to the erection and maintenance of a sign on the right of way of the Pacific Highway West, at its junction with the road leading to the State Game Farm a short distance north of Corvallis. The Engineer advised that Mr. Wilson has in mind to erect a large sign containing a lot of detailed information with respect to the game farm. Such sign, he said, would not be in accordance with the Commission's policy with respect to sign matters and he suggested that the request be denied but that there be erected on the highway, in lieu thereof, one of the Highway Department's standard 30"x 5½" finger-board signs, directing traffic to the Game Farm. The Commission approved the Engineer's recommendation and ordered that Mr. Wilson be advised accordingly.

Letter from C. W. E. Jennings, Valley Falls, requesting the aid of the State Highway Commission in securing the continuation of the Burns-Valley Falls mail route, which, he said, will probably be discontinued unless protest is made to the U. S. Post Office Department. It appeared to the Commission that this mail service is of no particular value to the State Highway Department or to the state as a whole; hence the request was denied.

Letter from Allison Dean & Company, realtors, Portland, asking the Commission to construct a shelter shed on the Canyon Road Section of the Tualatin Valley Highway for the benefit of school children who are required to wait for school buses, and for the benefit of prospective real property purchasers and people who use the buses going to and from the Westhills Golf Course. The Commission denied the request as a matter of policy.

Letter from Mayor Charles H. Huggins, Marshfield, urging the Commission to adopt a route for the Oregon Coast Highway through Marshfield at the earliest possible time so as to allow the undertaking of contemplated improvements by the city on some of its property that may not be needed for right of way. The Commission decided that such funds as are available for expenditure in Marshfield and North Bend should be confined to improvement of the Bunker Hill Section and the nonskidding of Sherman Avenue in North Bend, and until these projects are completed it would not be advisable to select a route through Marshfield, particularly in view of the high cost of this project. The Engineer was instructed to so inform Mayor Huggins.

Petition signed by 101 residents of Nashville, Oregon, and vicinity, requesting the improvement of the Eddyville-Blodgett Secondary State Highway, said petition having been presented by the Corvallis Chamber of Commerce. The Commission ordered that the Chamber of Commerce be informed that the Commission must deal with the county courts of the respective counties in the selection of projects on secondary highways, and that the construction program of the counties concerned in this improvement has already been agreed upon by the Highway Commission and the county courts.

Letter from J. W. Raynard, Hillsboro, requesting the oiling of the Hillsboro-Newberg Section of Secondary Highway No. 140. The Secretary was instructed to inform Mr. Raynard that the Commission's finances are at a low ebb at the present time and that the Commission regrets that it does not have the money to spare to undertake this project this year.

Resolutions from Natal Grange No. 302, Mist, Oregon, and Vernonia Grange, Vernonia, Oregon, requesting the surfacing and oiling of the Nehalem Secondary Highway between Mist and the Oregon Coast Highway junction. The Commission ordered the communications filed.

Letter from Margaret P. Lamb, Regent, Eulalia Chapter, Daughters of the American Revolution, requesting permission to erect a monument on the Crater Lake Highway at its junction with The Dalles-California Highway, marking the site of old Fort Klamath. The matter was referred to the Engineer with power to act.

Request of Mr. A. C. Anderson, Salem, for permission to transport a donkey-engine sled, dismantled, having an overall length of 73 feet, over the Oregon Coast Highway from Agate Beach to Mohler. The Commission denied the request, it appearing to the Commission that the transportation of such a long piece of equipment over this highway, which contains numerous sharp curves, would create too great a hazard to the general traveling public.

The Engineer reported that, in accordance with authority previously granted him by the Commission, he has ordered a number of surveys since

the last meeting of the Commission. He presented a list of such surveys and asked the Commission to confirm the action. After due consideration, motion was made by Commissioner Tou Velle that the State Highway Engineer be authorized and instructed to make such location surveys on various sections of the highways of this state, which said sections of highways, together with their identifying survey numbers and the amounts authorized and allocated for such survey expenditure, are as follows:

Location - - - - -	7-2803 - Mill Creek-Marks Creek Sect., Ochoco Highway, Crook County.	6th authorization - \$750.00 Total to date \$ 7,400.00.
Location - - - - -	16-2806 - Terrebonne-Madras Sect., The Dalles-California Highway, Jefferson County.	1st authorization \$12,600.00
Quarry & Stock Pile - - - - -	14-2812 - Parkdale Section, Mt. Hood Highway, Hood River County.	1st authorization - \$350.00
Raise Grade Line - - - - -	29-2824 - Kilchis River-Cloverdale School, Wilson River Highway, Tillamook County.	1st authorization - \$ 80.00
Right of Way - - - - -	8-2809 - Azalea Park Road, Oregon Coast Highway, Curry County.	1st authorization - \$300.00
Location - - - - -	35-2806 - Kinzua Junction-Butte Creek Ranch, John Day Hwy. Wheeler County.	2nd authorization - \$150.00 Total to date \$ 1,650.00.
Location - - - - -	9-2816 - Bend-Lava Butte Section, The Dalles-California Highway, Deschutes County.	1st authorization - \$400.00
Prepare Plans - - - - -	18-2822 - Bly Mountain-Beatty Section, Klamath Falls-Lakeview Hwy., Klamath County.	1st authorization \$3,000.00
Prepare Plans - - - - -	9-2812 - Brothers-Gap Ranch Sect., Central Oregon Hwy., Deschutes County.	2nd authorization \$2,025.00 Total to date \$ 4,450.00.
Quarry & Stock Pile - - - - -	23-2814 - Juntura-Cario Junction Sect., Central Oregon Hwy. Malheur County.	1st authorization - \$720.00
Quarry & Stock Pile - - - - -	12-2812 - Flat Creek-John Day Sect., John Day Highway, Grant County.	1st authorization - \$320.00
Stock Pile Site - - - - -	121-2812 - Siletz Section, Siletz Secondary Highway, Lincoln County.	1st authorization - \$175.00
Reconnaissance - - - - -	4-2818 - Cannon Beach Junction-Cannon Beach, Oregon Coast Highway, Clatsop County.	1st authorization \$1,200.00

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Foot Path - - - 2-2812 - Marys River-Lincoln School, Pacific West, Benton
County. 1st authorization - \$150.00

Location - - 210-2811 - Lorane-Anlauf Sect. County Road, Douglas County.
2nd authorization - \$700.00
Total to date \$ 7,500.00.

Location - - - 22-2809 - Albany Grade Separation, Pacific Highway East, Linn
County. 4th authorization - \$2,000.00
Total to date \$17,000.00.

Location - - 224-2816 - Salem-Independence Sect., Halls Ferry County Road,
Marion County. 1st authorization - \$4,200.00

Quarry - - - - 12-2813 - Dixie Summit-Deer Flat Sect., John Day Highway,
Grant County. 1st authorization - \$750.00

Location - - 226-2830 - Lombard-Sandy Sect., N.E. Portland Highway, Multno-
mah County. 6th authorization - \$500.00
Total to date \$6,000.00

Location - - - 26-2828 - Union-Denver Ave. Sect., Pacific Highway East & West
Multnomah County. 4th authorization - \$2,500.00
Total to date \$5,000.00

Location - - - 24-280 - Salem-Pringle Creek Sect., Pacific Highway East,
Marion County. 3rd authorization - \$700.00
Total to date \$3,500.00

Relocation - 123-2812 - Owyhee River-Blue Mountain Pass Sect., I.O.N. Hwy.
Malheur County. 2nd authorization - \$1,500.00
Total to date \$3,500.00

Prospect for - 18-2823 - Walker Mountain-Gold Lake Trail Sect., Willamette
Materials Hwy., Klamath County. 1st authorization - \$1,000.00

The motion was duly seconded by Commissioner Aldrich and was declared to have carried.

The Commission had under consideration a request from the Consolidated Highway Company, Inc., for an extension of time of 11 days, from August 31 to September 11, 1937, within which to complete their contract No. 1958 for the construction of the Pendleton-Myttinger Section of the Old Oregon Trail, in Umatilla County. They attributed their failure to complete the project within the specified time limit to an increase in quantities over those contemplated in the original estimate. The Engineer advised that the reason given by the contractor for failure to complete the project within the specified time limit is substantially correct. He further advised that the traveling public has not been inconvenienced by the delay and the state has not incurred any extra expense for engineering supervision. He recommended

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that the extension of time requested be granted without penalty and presented a letter from the Bureau of Public Roads concurring therein. The Commission approved the recommendation by unanimous vote.

The Engineer reported that contracts Nos. 1915, 1958, 1967, 1998, and 2010 for the construction of state highway projects have been completed according to the requirements of the contracts or modifications thereof and that said jobs are now ready for acceptance. The following resolution accepting the above projects was offered and was adopted by the unanimous vote of the Commission:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts and said jobs are now ready for acceptance:

Contract No. 1915, with Hoffman Construction Company, for construction of an undercrossing to carry Milwaukee Avenue over the East Portland-Oregon City Highway, in Portland, Multnomah County. Completed August 28, 1937.

Contract No. 1958, with Consolidated Highway Company, Inc., for grading, surfacing, and oiling the Pendleton-Mytinger Section of the Old Oregon Trail Highway, in Umatilla County. Completed September 11, 1937.

Contract No. 1967, with E. C. Hall, for furnishing crushed rock for the Bend-Crescent Section of The Dalles-California Highway, in Deschutes County. Completed October 4, 1937.

Contract No. 1998, with Babler Bros., for grading and surfacing the Lake County Line-Gap Ranch Section of the Central Oregon Highway, in Harney County. Completed January 12, 1938.

Contract No. 2010, with Frank Watt Construction Company, for the construction of a timber bulkhead on the Mt. Hood Highway, in the town of Gresham, in Multnomah County. Completed January 31, 1938.

THEREFORE, BE IT RESOLVED that the work covered by said state highway contracts for the construction of said state highway projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

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The Commission considered and signed agreements, et cetera, as follows:

Agreement with Tillamook County relative to the purchase of county-owned equipment for use on the Wilson River Highway W.P.A. Project.

Agreement with Erickson and Schmidt Logging Company relative to the transportation of logs across state property adjacent to the Salmon River Highway, in Tillamook County.

Agreement with Contractor L. H. Hoffman, providing for the advance payment to Mr. Hoffman for structural steel purchased for use in connection with the construction of the Quartz Creek Bridge on the Wolf Creek Highway.

Agreement with the State of Oregon Department of Agriculture with respect to the vacation of certain rooms by the Highway Department in the Agricultural Building, Salem, and with respect to the purchase of certain facilities left in certain rooms for the benefit of the State Department of Agriculture.

Agreement with Tillamook County Court covering the subject of acquisition of a timber strip along the Wilson River Highway, in Tillamook County, from the Weyerhaeuser Timber Company.

Agreement with Mr. Shirley Kingsbury, providing for payment to Mr. Kingsbury of the sum of \$500 in lieu of reconstructing his pipe line on the Medical Springs Secondary Highway, in Union County.

Agreement with the city of Hood River relative to lighting the Hood River Bridge on the Columbia River Highway at Hood River.

Agreement with Schmeer, Williams & Gentemann, contractors for the furnishing of rock for the Shuttler Flat-Condon Section of the John Day Highway, contract No. 2034, providing for a change in the quarry site to be used in connection with this job.

Agreement with the Columbia River Packers' Association relative to the purchase of property known as Rooster Rock adjacent to the Upper Columbia River Highway, in Multnomah County.

Agreement with the Oregon American Lumber Corporation providing that the state shall retain title to certain steel girders that are to be used by the corporation in the construction of its railroad over the Wolf Creek Highway at or near highway engineer's station 1042 + 99.8.

Agreement with E. W. Williamson et al, providing for payment to Mr. Williamson for damage that occurred to his property by

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reason of the construction of the Ontario Grade Separation Project, in Ontario, Malheur County.

Agreement with the City of Klamath Falls relative to the reconstruction of Main Street, Klamath Falls, under the tracks of the Southern Pacific Company.

Agreement with the Oregon-Washington Railway and Navigation Company, Union Pacific Railway Company, County of Multnomah, and County of Hood River, whereby the railroad companies grant an easement to the state to reconstruct the Columbia River Highway partially on railroad company property between Eagle Creek and Cascade Locks.

Bargain and sale deed conveying unto Julia S. O'Brien and Bert O'Brien 0.11 acre of land situate in Government Lot 4, Section 32, T. 10 S., R. 11 W., W. M., Lincoln County, Oregon, being outside of the standard width highway right of way.

Bargain and sale deed conveying unto George B. Campbell and Dorothy Campbell 0.90 acre of land situate in Government Lot 1, Section 32, T. 10 S., R. 11 W., W. M., Lincoln County, and being outside of the standard width highway right of way.

Bargain and sale deed conveying unto R. B. Johnson 12,471 square feet of land in Lot 3 of Block G, city of John Day, Oregon, and lying outside of the standard width highway right of way.

Quitclaim deed conveying unto the Southern Pacific Company a parcel of land containing 5,607 square feet adjacent to S.E. 13th Avenue, Portland, pursuant to previous agreement and understanding.

Quitclaim deed conveying unto the Southern Pacific Company a small tract of land containing approximately 1,300 square feet along the Oregon Coast Highway north of Coos Bay.

Quitclaim deed conveying unto Ernest Koble 0.13 acre of land located in the N.E. $\frac{1}{4}$ of the S.E. $\frac{1}{4}$ of Sec. 17, T. 40 S., R. 2 E., W.M., Jackson County, being a 50 x 100-foot area on the west side of the Pacific Highway (new route) south of Ashland. Conveyance is pursuant to an agreement between the Commission and Mr. Koble dated October 22, 1937.

There being no further business to come before the Commission at this time, the meeting was adjourned at 1:00 o'clock p. m.

[Signature]
State Highway Engineer
[Signature]
Secretary

Henry F. Cabell
Chairman
E. B. Adams
Commissioner
J. L. DuValle
Commissioner

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Portland, Oregon, March 23, 1938

The State Highway Commission met in regular session at 7:30 o'clock p. m. in Room 204, Benson Hotel. Present were:

Henry F. Cabell, Chairman
E. B. Aldrich, Commissioner
F. L. Tou Velle, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

The Commission by unanimous vote approved the minutes of the meetings held on November 29, 30, and December 1, and on December 21, 1937.

The Commission had under discussion matters pertaining to the indebtedness of Linn County to the state for construction of the South Santiam Highway, in Linn County, and in connection therewith a letter from Mr. Carl G. Washburne, former State Highway Commissioner, in which Mr. Washburne states that, as he recalls it, when he was State Highway Commissioner an understanding was had with the Linn County Court that the county would be relieved of the customary 25 per cent county participation for the construction of this road after it had been designated a federal aid highway. A decision on the matter was deferred by the Commission pending further investigation. The Engineer was instructed to consult Mr. Leslie M. Scott, former chairman of the State Highway Commission, and ascertain in writing whether or not he recalls any such understanding.

Consideration was given by the Commission to the matter of securing a forgery bond to protect the state against loss in the event of defalcations by state highway department employes or others. Chairman Cabell advised that, pursuant to authority granted him by the Commission at the previous meeting, and after giving the matter serious thought he has authorized the purchase of a forgery bond in the amount of \$100,000. Commissioners Aldrich and Tou Velle confirmed the action taken by Chairman Cabell in this matter. The invoice of the National Surety Corporation, amounting to \$605, for a \$100,000 bond, running for a period of three years from February 19, 1938, was thereupon approved by the Commission for payment.

The Commission then discussed the matter of purchasing a blanket fidelity bond covering highway department employes who are engaged in occupations that require them to be bonded, and in connection therewith considered the offer of the National Surety Corporation to furnish such bond at a reduced rate. The Commission decided that it would be advantageous to have the blanket bond if a savings in premium could be made and if the office routine in handling the bonds could be reduced. However, it was the thought of the Commission that all bonding companies authorized to do business in the State of Oregon should be given an opportunity to furnish such bond. Accordingly it was decided that the matter of furnishing such bond should be advertised for bids to be received at the next regular meeting of the Commission. The matter was referred to the Engineer, the Attorney, and the Secretary, to work up the details.

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The Engineer requested authority to acquire certain parcels of real property that are needed for various highway improvements throughout the state. He submitted a list of such properties and prices that he recommended be paid for each. After careful consideration the Commission approved the Engineer's request and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth; and

Whereas, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon; and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed;

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Pacific Highway-Yale Ranch Section - McKenzie Highway</u>				
5712-Riggs, Nellie	Stock Pile	0.84	Lump Sum, \$175 State to fence	J.G.Toole
<u>Gold Hill-Dodge Bridge Section - Sams Valley Highway</u>				
5552-Potter, Ford	Stock Pile	1.0	Lump Sum, \$100	Collins
<u>Hermiston-Columbia School Section - Hermiston Highway</u>				
5544-McGilva, C. T.	R/W	0.23	\$100 per a. plus \$61	Wells
<u>Meadow Brook Section - Starkey Highway</u>				
5757-Plunkett, Jesse	R/W	4.18	\$10 per a. plus \$329	Wells
5758-Grande Ronde Reservoir Co. "	"	5.52	2.0 a. at \$55 per a. 3.52 a. at \$10 per a. plus \$361	"
<u>Lane County Section - Pacific Highway</u>				
5789-Decker, Mary E.	Stock Pile	0.62	Lump Sum, \$150	J.G.Toole

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Williamson River-Modoc Point Section - The Dalles-California Highway</u>				
5595-Butler, Bybee	R/W	3.07	\$40 per a. plus \$153.95	Benson
5590-Kirk, Roland	"	3.19	\$20 per a. " \$162.70	"
5588-Kirk, Abner	"	1.53	\$20 per a. " \$ 80.50	"
5597-Latches, Alameda	"	3.07	\$30 per a. " \$146.00	"
5598-Latches, Lloyd and Chauncey Miller	"	1.54	\$30 per a. " \$ 78.00	"
5582-Captain, Susan, heirs	"	2.94	1.21 a. at \$35 per a. 1.73 a. at \$20 per a. plus \$90.10	"
5583-Lobert, heirs Hagar	"	5.66	\$20 per a.	"
5584-Butler, Clarice	"	3.76	\$20 per a.	"
5589-Kirk, Joseph, heirs	"	1.55	\$20 per a. plus \$113	"
5592-Burton, C. S.	"	0.01	Gratis	"
5593-Butler, Josie, heirs	"	0.28	\$40 per a. plus \$ 23.80	"
5596-Johnson, James	"	3.09	\$35 per a. plus \$151.10	"
5600-Weeks, Prim, heirs	"	1.54	\$30 per a. plus \$ 68.00	"
5603-Weeks, Daniel Watson	"	4.56	\$40 per a. plus \$ 68.00	"
5604-Sailey, John, heirs	"	1.79	\$30 per a. plus \$ 34.00	"
5608-Lobert, Hagar, heirs	Borrow Pit	13.22	\$20 per a.	"
5609-Captain, Susan, heirs	"	5.58	\$20 per a.	"
5599-Beal, Dodge, heirs	R/W	1.54	\$30 per a. plus \$ 78.00	"
5602-Weeks, Jake, heirs	"	3.08	\$40 per a. plus \$151.85	"
5606-Nelson, Marion	"	7.18	5.71 a. at \$50 per a. 1.47 a. at \$20 per a. plus \$102.00	"
5607-Chocktoot, Lola and Anna May Huitt	"	3.09	\$30 per a. plus \$146.85	"
5610-Wilson, Henry, heirs	" and Gravel Pit	27.61	26.46 a. at \$20 per a. 1.15 a. at \$30 per a. plus \$88.40	"
5585-Cleveland, Charles	R/W	3.58	\$20 per a.	"
<u>Hill Creek Section - Pacific Highway</u>				
5505-Everson, G.E. and Sadie E. Kraft	R/W	0.519	Lump Sum, \$100	Collins
<u>Albany Overcrossing Section - Pacific Highway East</u>				
5704-Fellers, F.M., Estate	R/W	447 sq.ft.	To be exchanged for 909.13 sq.ft. of land outside R/W, plus \$50	Gardiner
5139-Standard Oil of Calif.	"	9219 sq.ft.	Equal exchange of property plus \$4529	"
4955-Kitchen, Melissa J.	"	4400 sq.ft.	104 sq.ft. plus \$1360	"
5518-Albany Seed Company	"	Moving and re-establishing plant,	\$9000 Lump Sum	"
4963-Howard, J. F. & Mary B.	"	10890 sq.ft.	\$0.07 sq.ft.	"
<u>Clackamas County - Mt. Hood Highway</u>				
977- Fischer, Pearl W.	Stock Pile	0.88	\$150 per a. plus \$88	McCheaney

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Condon-Fossil Section - John Day Highway</u>				
913-Hoover, W. W.	Stock Pile	0.83	Lump Sum, \$50.00	Wells
<u>Killingsworth-Lombard Section - N.E. Portland Highway</u>				
5404-Rath, Wm.	R/W	505 sq.ft.	7¢ sq.ft.	Parker
5406-Taggart, Eugene A.	"	537 sq.ft.	7¢ sq.ft. plus \$27.41	"
5420-Chamberlain, Hazel	"	5190 sq.ft.	3¢ sq.ft.	"
5424-Pratt, Edwin	"	6018 sq.ft.	3¢ sq.ft. plus \$51.00	"
5426-Hall, John H.	"	9291 sq.ft.	3¢ sq.ft. plus \$80	"
5432-Snyder, Leo W.	"	26258 sq.ft.	2¢ sq.ft. plus \$233.75	"
5422-Switzer, Janet Warnock	"	5700 sq.ft.	3¢ sq.ft. plus \$174.00	"
5423-Switzer, Janet Warnock and David W.	"	6018 sq.ft.	3¢ sq.ft. plus \$20.00	"
5431-Northwestern Nat'l Bank (Correction)	"	79751 sq.ft.	2¢ sq.ft.	"
5407-Forsberg, Minnie	"	2677 sq.ft.	7¢ sq.ft.	"
5435-Hartman, Emil F.	"	.503	\$871.20 per a., equals 2¢ sq.ft.	"
5405-Peik, Carrie M.	"	587 sq.ft.	7¢ sq.ft. plus \$158.91, plus moving bldg, (Estimated at \$1195)	"
5444-Mike Bosli Heirs	"	13150 sq.ft.	2¢ sq.ft. plus \$837.00	"
<u>Viento-Memaloose Section - Columbia River Highway</u>				
5928-Krussow, Edgar	Stock Pile	0.15	Lump Sum, \$40	Chandler
<u>Eagle Creek-Cascade Locks Section - Columbia River Highway</u>				
4677-McGowan, P.J. & Sons	R/W	0.656	Lump Sum, \$50.00	Collins
<u>Troutdale-Multnomah Falls Section - Columbia River Highway</u>				
1821-Griffith, Caroline D.	R/W	8.47	\$29.527 per a.	Parker
<u>St. Helens Section - Columbia River Highway</u>				
5529-Columbia County	R/W	4 lots	\$107 Lump Sum	McChesney
5860-Columbia County	"	2 lots	\$21 per lot	"
5729-McCormick Lumber Co., Chas. R.	R/W	0.19	\$500 per a. plus \$5 plus mov'g F. & E. sign	"
<u>Dillon-John Day Section - Columbia River Highway</u>				
5709-Carlisle, Walter H.	Stock Pile	0.49	\$50 Lump Sum	Chandler
<u>Bandon-Port Orford Section - Oregon Coast Highway</u>				
5522-Trott, G. E. (Federal Land Bank)	Stock Pile	1.0	\$100 Lump Sum	Collins
5524-Sabin, W. U.	Quarry Site	2.79	5-yr. Lease, 3¢ cu.yd.	"
5525-Smith, Frank	Stock Pile	1.0	\$100 Lump Sum	"
5523-Sabin, W. U.	Stock Pile	1.0	\$100 per a.	"
<u>Siletz Bay-Newport Section - Oregon Coast Highway</u>				
4376-Cage, John (Correction)	R/W	0.813	Lump Sum \$175	McCallister

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Coquille-Bandon Section - Oregon Coast Highway</u>				
5316-A, Jenkins, Celestia J. Est.		0.37	Lump Sum, \$25	Collins
5316-B, " " " Est.	Scale Site R/W	1.62	Lump Sum \$75	"
<u>Narrows-Coyote Flat Section - Frenchglen Highway</u>				
5464-Cone, Lou D.	R/W	0.04	Lump Sum, \$5	Wells
5460-McKenzie, Alexander Est.	"	0.54	\$30 per a. plus \$34.50	"
5461-State Land Board	"	1.65	\$20 per a.	McCallister
5463-Shafer, Alton G.	"	6.14	\$6 per a. plus \$162	Wells
5462-School District No. 9	"	1.43	Gratis	"
<u>Toledo Junction-Siletz Section - Siletz Highway</u>				
5668-Bahrke, Eric	R/W	0.32	\$200 per a.	McCallister
<u>Kernville-Siletz Section - Siletz Highway</u>				
5711-Shaner, Harry L.	R/W	2.326	\$50, Lump Sum	McCallister
<u>Ione-Morgan Section - Oregon-Washington Highway</u>				
5664-Ekleberry, Roy L.	Stock Pile	2.47	10-yr. Lease, \$2 yr.	Wells
<u>Metzger Undercrossing Section-Washington County - Aurora-Beaverton Highway</u>				
5732-Hanna, Helen	R/W	4495 sq.ft. (.103 a.)	Lump Sum, \$50 plus \$25	Collins
<u>Sherman County - Sherman Highway</u>				
5521-Eastern Oregon Land Co.	S.P.	0.50	\$10, Lump Sum	Benson
5624-Eastern Oregon Land Co.	"	1.10	\$15, Lump Sum	"
5933-Eastern Oregon Land Co.	"	1.12	\$15, Lump Sum	"
<u>Tillamook-Jordan Creek Section - Wilson River Highway</u>				
5707-Kunzi, John	Scale Site	0.189	\$250 per a. plus \$265.75	McChesney
<u>Gibbs Ranch-Baker Section - Baker-Unity Highway</u>				
5810-Kimball, Clara	Gravel Site	30-day	Lease, 3¢ per cu.yd. for material taken	Williams
<u>North Powder-Haines Section - Old Oregon Trail</u>				
4946-Union Pacific R.R. Co.	R/W	9583 sq.ft.	5¢ per sq.ft.	Cardiner
<u>Corbett-Tunnel Point Section - Columbia River Highway</u>				
1816-Griggs, Elizabeth W.	R/W	0.36	\$125, Lump Sum.	Parker
1829-Mary J. Stites	R/W	4.27	Lump Sum, \$500	"
<u>Drews Valley Section - Klamath Falls-Lakeview Highway</u>				
5347-Enquist, Emil	Quarry Site	13.77	\$500, Lump Sum	Benson
<u>Rose Lodge-Otis Section - Salmon River Highway</u>				
5677-Gregory, Henry H.	R/W	0.28	\$100 per a. plus \$37	McChesney

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Mystic Creek-Brockway Section - Coos Bay-Roseburg Highway</u>				
5797-Ollivant, Alice B.	Stock Pile	0.62	\$100 Lump Sum	Lytle
5528-Swift, Emma et al	Gravel Bar	5-yr. Lease on all gravel on lessors' property at 3¢ per cu.yd.		Collins
5527-Swift, Emma et al	Stock Pile	0.24	Lump Sum, \$25	"
<u>Canyon City-John Day Section - John Day-Burns Highway</u>				
5167-Canyon City	R/W	0.200	\$481.95, consideration based on 1377 cu.yd. dirt for filler purposes, at 35¢ per cu.yd.	Wells
<u>Arlington-Condon Section - John Day Highway</u>				
838-Smythe Bros., Inc.	Stock Pile	0.82	5-yr. Lease at \$2 yr.	Wells
<u>Burns-Buchanan Section - Central Oregon Highway</u>				
3649-Ralph Chambers (State Land Board)	Crop Loss	Damages to crop on 20.8 a. outside right of way, \$150 lump sum		DeSouza
<u>Nye-Pilot Rock Section - Oregon-Washington Highway</u>				
5859-Cunningham Sheep Company	R/W	14.27	\$10 per a.	Williams
<u>Valade Ranch-Stewart Bridge Section - John Day Highway</u>				
5936-McBain, Duncan	Stock Pile	1.33	\$50 Lump Sum plus fencing	Williams
<u>Mill Creek-Marks Creek Section - Ochoco Highway</u>				
4941-Willamette University	R/W	4.31	3.50 a. at \$50 per a. 0.81 a. at \$5 per a. plus \$376	McCallister
<u>Ochoco Dam-Mill Creek Section - Ochoco Highway</u>				
5613-Willamette University Quarry Site		16.33	\$10 per a. plus fencing	McCallister
5756-Willamette University	R/W	7.69	3.75 a. at \$5 per a. 3.94 a. at \$125 per a. plus \$1,115	"
<u>Lakeside-North Bend Section - Oregon Coast Highway</u>				
5705-Ross, A.A. and Cora M.	R/W	0.46	Lump Sum, \$100	Collins
<u>Medford Trail Section - Crater Lake Highway</u>				
5935-Gregory, William W.	Scale Site	1.15	Lump Sum, \$125	Lytle
or the following site as an alternate, only one of these two sites to be purchased—Engineer to decide:				
5519-Welch Investment Co. or Brophy & Co.	Scale Site	1.57	\$75 per a.	Stiffler

The Commission had under consideration the adoption of a policy with respect to deferring the acquisition of right of way for highway projects until such time as the right of way is actually needed for construction. A decision in the matter was deferred until the next regular meeting of the Commission.

The Attorney presented for the consideration of the Commission the following properties on which it has not been possible to reach satisfactory settlements:

File No.	Owner	Purpose	Section	Price Demanded by Owner	Price recommended by Attorney
<u>The Dalles-California Highway</u>					
5605-Lamm	Lumber Co.	R/W	Williamson River-Modoc Point	Would not quote	\$423.00
5594-Baker, Clara A.	"	"	"	\$ 500	250.80
5591-Dent, Lloyd M.	"	"	"	Not quoted	207.35
5586-Melhase, Richard	"	"	"	\$101.50 + Maint.Fence	101.50 & Constr. Fence
5587-Melhase, Richard & heirs of Joe Ball	"	"	"	\$ 99.25 + Maint.Fence	\$ 99.25 & Constr. Fence
5825-R. A. Sutton and W. C. Fixley	"	"	Lakeview Junction	\$ 500	\$130.00
<u>Northeast Portland Highway</u>					
5425-Williams, F. B.	R/W	"	Lombard-Killingsworth	Would not quote	\$281.54
5434-Schneider, Rudolph Est.	"	"	"	Would not quote	\$3,291.39
5421-Hafner, R. A.	"	"	"	\$1,600	720.70
<u>Nehalem Highway</u>					
5557-Roberson, L.H.	R/W	"	Mile Bridge	Not quoted	200.00
<u>Pacific Highway East</u>					
5160-Riley-Scott	R.R.Exch.	"	Albany Overcrossing	\$2,000	590.75
5558-Jensen, A.C.	"	"	"	2,000	750.00*
			(*Alternate, \$250 cash + move garage, & land)		
5710-Rhodes, G. E.	"	"	Overcrossing	\$1,800	\$100.00
5158-Houston, Safley & Sears	"	"	"	Would not quote	125.00
5159-Fox, J. A.	"	"	"	Would not quote	75.00 & replace walk
5303-Jordan, S. C.	R/W	"	"	\$1,000	\$449.40
4955-Kitchen, Melissa (Incomp)	R/W	"	"	1,800	\$1,800.00
4972-Brown, S. J.	R/W	"	"	3,500	3,000.00
5129-Eagles, Amy	"	"	"	1,200	
5507-Vandran, C. A.	"	"	"	Would not quote	2,850.00

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After due consideration the Commission by unanimous vote adopted the following resolutions authorizing condemnation of the said properties if satisfactory settlement at the prices recommended cannot be reached otherwise:

WHEREAS, the State Highway Commission is by law authorized and directed to lay out, locate, designate, construct, improve, and maintain a system of state highways in the State of Oregon, and to acquire rights of way and to declare the necessity and need for the acquisition thereof, and the advantages to be gained thereby;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the State Highway Commission does hereby find and declare that it is necessary and will be of advantage to the State of Oregon and there is need that the State acquire for right of way purposes in connection with the permanent location, construction, improvement, and maintenance of the following section or sections of the state highway system of the State of Oregon, to wit:

Lombard-Killingsworth Section of Northeast Portland Highway
Lakeview Junction Section of The Dalles-California Highway
Williamson River-Modoc Point Section of The Dalles-California Highway
Albany Overcrossing Section of the Pacific Highway East
Mile Bridge Section of Nehalem Highway

land and property owned by or in possession of the following parties and/or persons, to wit:

Lombard-Killingsworth Section of Northeast Portland Highway:
F. B. Williams; Rudolph Schneider Estate; R. A. Hafner.
Lakeview Junction Section of The Dalles-California Highway:
R. A. Sutton and W. C. Fixley.
Williamson River-Modoc Point Section of The Dalles-California Highway: Richard Melhase; Richard Melhase and heirs of Joseph Ball, deceased; Lamm Lumber Company; Lloyd M. Dont; Clara Baker.
Albany Overcrossing Section of the Pacific Highway East:
Chris A. Vandran; S. J. Brown and Jerusha Brown; Amy Eagles and William Eagles; Melissa J. Kitchen; S. C. Jordan and Ella M. Jordan.
Mile Bridge Section of Nehalem Highway:
L. H. Roberson and Grace Roberson.

as their respective interests may appear, and this Commission does hereby declare further that the said property or properties are necessary, are needful, and the acquisition thereof will be of

advantage to the State of Oregon for right of way purposes in order to make it possible for the State Highway Commission to properly locate, construct, and maintain said portion or portions of the said state highway system in accordance with standards adopted by this Commission relative to curvature, grades, alignment, drainage, and factors of safety.

2. That the State Highway Engineer be and he hereby is instructed and directed to properly survey the parcel or parcels of land required for such right of way purposes and prepare proper and adequate descriptions thereof, which descriptions shall be employed in the preparation of a deed or deeds or other instrument or instruments necessary to complete the acquisition of the said property or properties or which descriptions may be used in the preparation of a complaint in the event that condemnation proceedings are necessary.

3. That the boundaries of the said parcel or parcels of land, as defined and determined by the said survey made by the said Highway Engineer, along the route or location adopted by the Highway Commission, shall be and the same hereby are adopted and the lands defined therein are hereby declared to be and the same are included within the rights of way of the said portion or portions of the said state highway system and hereby are declared to be necessary for the proper location, improvement, construction, and maintenance of the said portion or portions of the state highway system.

4. That I. H. VanWinkle, Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they are hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby further resolved that the Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they hereby are requested to commence and prosecute to a final determination such suit or action, or suits or actions, as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

WHEREAS, the State Highway Commission is by law authorized and directed to lay out, locate, designate, construct, improve and maintain a system of state highways in the State of Oregon, including

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both primary and secondary state highways, and said Commission is further authorized to acquire lands and rights of way therefor and to declare the necessity and need for the acquisition of the same and the advantages to be gained thereby; and

WHEREAS, the Highway Commission is authorized to acquire all of the rights of way for state highways both primary and secondary, including the rights of way for those portions of the state highways or secondary state highways located within the corporate limits of incorporated cities and towns; and

WHEREAS, the Highway Commission is authorized and required whenever a state highway or a secondary highway passes through the corporate limits of a city or town, to select and designate the street or streets over which to route such highway or highways; and

WHEREAS, the Pacific Highway East, extending from Multnomah County through Oswego, Salem and Albany to a junction with the Pacific Highway at Junction City, is a state highway and as such passes through the corporate limits of the City of Albany; and

WHEREAS, the Highway Commission has selected and designated the street or streets of the City of Albany over which to route said highway and has otherwise selected and designated the route of the highway through said City; and

WHEREAS, in connection with the permanent improvement and construction of said highway through said City of Albany, a portion of which said improvement contemplates and involves a grade separation of highway and railroad by which highway traffic will be carried over the tracks of the Southern Pacific Company, it has been found necessary to acquire additional rights of way, a portion of which rights of way will be needed and used for highway purposes and a portion will be required for the purpose of moving and relocating certain spurs and certain tracks owned and operated by the Southern Pacific Company;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission, all members being present and affirmatively voting, as follows:

1. That the Commission does hereby find and declare that it is and will be necessary and of advantage to the State of Oregon and does hereby declare the need that exists for the acquisition of real properties hereinafter defined, such real properties to be used as rights of way for the construction of said highway and the rearrangement of tracks of the Southern Pacific Company and for the construction of an overhead crossing over the tracks of the Southern Pacific Company, and does hereby declare that without the acquisition of said real properties the said highway and street improvement can not be constructed, the said grade crossing which has been ordered

and authorized by an order of the Public Utilities Commissioner can not be accomplished, and the public can not adequately be served with adequate and safe highway and street facilities.

2. The Highway Commission does further declare and find that the properties hereinafter described are needed and are necessary as rights of way for use in connection with the said proposed project of highway and street improvement.

3. The properties which are required for such purpose are owned by the persons hereinafter named and are located in the lots and blocks hereinafter designated:

File 5160, Thomas E. Riley and Nellie M. Scott—land in Lots 5, 6, 7, and 8, Block 46, Hackleman's Second Addition to Albany;

File 5558, A. C. Jensen and Pearl Jensen—land in Lots 2 and 3 of Block 39, Hackleman's Second Addition to Albany;

File 5710, George E. Rhodes and Audra Rhodes—land in Lot 7 of Block 39, Hackleman's Second Addition to the City of Albany;

File 5158, E. R. Huston, C. D. Huston, Annie M. Safley, and/or Edward Sears—land in Lot 8 of Block 38, Hackleman's Second Addition to the City of Albany;

File 5159, J. A. Fox and Elva Fox—land in Lot 5 of Block 34, Hackleman's Second Addition to the City of Albany.

4. This Commission does further declare and find that the said above described properties or portions of the same are necessary and needful and the acquisition thereof will be of advantage to the State of Oregon in order to make it possible for the Highway Commission to properly locate, construct and maintain the said highway through the City of Albany, and in order to make possible the construction of an overhead crossing by which highway traffic may be carried over the tracks of the Southern Pacific Company, and in order to provide adequate ground and accommodations for the removal of certain spur tracks owned and operated by the Southern Pacific Company and now occupying area needed and required for said highway and street improvement and in particular the spur tracks extending from the intersection of Sixth Street and Railroad Street in the City of Albany southerly along said Railroad Street to and including a portion of Block 8 of Hackleman's Second Addition to Albany, and said real property or portions thereof are needed and required for the purpose of making other and additional track changes in order to make available for said highway and street improvement other areas occupied by the Southern Pacific Company.

5. That some of said properties are required so that the State Highway Commission may exchange the same with the Southern Pacific Company for property which the Southern Pacific Company now owns and which is needed by the State in connection with said project and the construction of said overhead crossing.

6. That the State Highway Engineer be and he hereby is instructed to properly survey said parcels of land herein referred to and to prepare proper and adequate descriptions thereof, which descriptions shall be employed in the preparation of a deed or deeds and other instruments necessary to accomplish the acquisition of said property or properties or which descriptions may be used in the preparation of complaints in the event that condemnation proceedings are necessary.

7. That I. H. Van Winkle, Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they are hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby further resolved that the Attorney General of the State of Oregon and J.M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they hereby are requested to commence and prosecute to a final determination such suit or action, or suits or actions, as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

8. That this resolution be entered in full in the minutes are records of this Commission.

The Engineer reported the need for maintenance headquarters buildings at Forest Grove, Suntex, Brothers, Drewsey, and Medford. He estimated the cost of the Forest Grove building at \$8,142 and advised that it is planned to construct this building as a W.P.A. project, the labor cost, estimated at \$3,185, to be paid from W.P.A. funds, leaving a balance of \$4,957 to be paid from state funds. He estimated that the buildings at Suntex, consisting of a maintenance building, two patrolmen's houses with garage, et cetera, would cost about \$12,688.50; that the buildings at Brothers would cost about \$11,643.50; and those at Drewsey would cost about \$12,919.50. He advised that the proposed building at Medford would be of a temporary type which could be built for about \$1,500. After discussion and in view of the apparent need for the buildings, the Commission by unanimous vote approved construction of those located at Forest Grove, Suntex, Brothers, and Medford, at the respective costs estimated by the Engineer. The Commission approved construction of the Forest Grove Building as a W.P.A. project and the Medford

building by state forces. The buildings at Suntex and Brothers are to be constructed under contract. The Commission's approval of this expense was contingent upon there being no increase in the amount of the maintenance budget for this year, it being understood that the funds required to finance the same would be transferred from other maintenance accounts.

The Commission had under discussion the matter of allowing claims for damages to properties in Albany that are affected by changes in the grade line of city streets resulting from the construction of the Albany grade separation project. The Attorney pointed out that in some instances properties will be seriously affected by such street grade changes and the owners will undoubtedly submit claims for damages, and it is quite likely that claims will also be filed by other property owners whose property is located near the highway improvement but is not affected thereby. The question arose whether or not all of the property owners affected should be contacted relative to their claims. It was the decision of the Commission that such contacts should be limited to those whose properties the Attorney conscientiously considers will be damaged by reason of the highway improvement.

The matter of compensation to be paid to Minnie T. Reed for right of way for a proposed revision of the Upper Columbia River Highway, in Multnomah County, had the attention of the Commission. The Attorney advised that Mrs. Reed has received a bona fide offer of \$15,000 for her property, but there is a possibility that she will sell to the state for \$12,000. He recommended settlement with Mrs. Reed for \$12,000 if possible. After full consideration of the facts in the case, the Commission approved the recommendation by unanimous vote.

The Attorney brought up for discussion the matter of acquiring right of way for a revision of the Oregon Coast Highway through the property of William S. Walton, at Neskowin. He advised that Mr. Walton is now negotiating the sale of all of his holdings at this place but would like to have this right of way matter disposed of first, if possible, and accordingly has agreed to reduce his price for the same to \$5,000 with no obligation on the part of the state to take possession of the property or to pay for it until it is actually needed for construction, although he would want to retain for the purchasers of the rest of the property the right to let the buildings located thereon remain in their present location until such time as the reconstruction of the highway is undertaken. The Commission decided, in view of the fact that present plans do not provide for the reconstruction of this highway for several years, that it would be inadvisable to tie up state funds for right of way for such a long period of time. The Attorney was instructed to inform Mr. Walton that the Commission appreciates his offer but cannot accept it now.

The State Parks Superintendent, Mr. S. H. Boardman, was present and reported on the following matters:

Acquisition of Multnomah Falls and Wahkeena Falls properties from the City of Portland:- The Parks Superintendent advised that the United States Forest Service has a recreational

area adjacent to these parks and gave as his thought that it would be advisable for the Forest Service to have supervision and control over the two parks under discussion, particularly in view of the fact that the Forest Service is endeavoring to obtain watershed property as an addition to its present holdings. The addition of the Wahkeena Falls and Multnomah Falls watersheds to the Forest Service recreational area, he said, would make a desirable and compact unit, and he recommended that the City of Portland deed these properties to the Forest Service rather than to the state. The State Highway Engineer concurred in the recommendation in so far as it pertains to the area south of the O.W.R. & N. Railroad but gave as his thought that the property north of the railroad should be owned by the state. The Commission by unanimous vote approved the Engineer's suggestion and authorized negotiations with the officials of the City of Portland to such end.

Acquisition of 360 acres of land belonging to Viola Lee Pratt and Adelaide G. Williams along the Oregon Coast Highway, in Lane and Lincoln Counties:- The Parks Superintendent advised that he has contacted the owners of this property relative to securing renewal of an option to purchase the same for the sum of \$60,000, and that they have agreed to renew the option for a period of six months on the following basis: that the state will agree to pay them \$5,000 at the time the new option is signed, which amount shall apply on the purchase price of the property; and that six months from the date of the signing of the option the state will pay to them an additional amount of \$15,000, and will within twelve months of such payment, pay an additional sum of \$20,000, and will pay the final \$20,000 within two years from the date of expiration of the new six-months' option. They also agreed, he said, not to charge interest on the deferred payments. He pointed out that John C. Merriam, President of Carnegie Institute, Washington, D. C., is particularly interested in the matter and is extremely anxious that the state acquire this property, and has stated his willingness to secure, if possible, a \$30,000 donation to pay one-half the cost thereof. He strongly recommended the acquisition of this property even if Dr. Merriam is unsuccessful in his attempts to secure the donation and the state is required to pay the entire cost. After considerable discussion, the Commission voted unanimously in favor of the purchase of the property on the basis of the offer outlined above, regardless of whether or not Dr. Merriam is successful in finding a public-spirited citizen who is willing to pay half of the cost.

Beach frontage on the Pacific Ocean at Gearhart:- The Parks Superintendent advised that the Gearhart Park Company, represented by Mr. James L. Conley, Portland, has offered to sell to the state for the sum of \$30,000, one-half mile of ocean beach frontage, containing about 30 acres of land, extending northerly from the Necanicum River, near Seaside. He recommended that the offer be declined. The Commission approved the recommendation unanimously.

Naming of a state park in honor of David Douglas, for whom the

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Douglas fir is named:- Mr. Boardman advised that there already exists a park named for Mr. Douglas, consisting of an 80-acre tract located adjacent to the Wolf Creek Highway about $3\frac{1}{2}$ miles east of its junction with the Oregon Coast Highway, in Clatsop County, same having been dedicated by Clatsop County. It was the thought of the Commission that it would be inappropriate to name another park in honor of Mr. Douglas and instructed the Secretary to so inform Mr. Robert W. Sawyer of Bend, who is interested in the matter. The Commission also ordered that the Clatsop County Court be requested to erect a suitable monument in the park for the information of the general public.

Removal of remains of Indian Chief Tag-On-Ecia (Whiskers) from the present place of interment on the Sixes River to Port Orford State Park:- In this connection the Secretary presented a letter from Lewis A. McArthur, President of the Oregon Historical Society, stating that he knows nothing about the historical facts of this matter but suggesting that the Commission grant the request of the Port Orford Chamber of Commerce for the re-interment of the remains in Battle Rock Park. It was the thought of the Parks Superintendent that to grant this request would be establishing a precedent that would be difficult to avoid in the future. He stated that, in his opinion, the remains should not be moved unless descendants or kin of Chief Tag-On-Ecia gave their full consent for the same. The Commission concurred in the viewpoint of the Parks Superintendent and accordingly denied the request.

Request of Reverend William Wallace Youngson, Tillamook, that crosses and benches be erected in all state parks for the convenience of people who desire to gather and worship:- The Parks Superintendent advised that he contacted Reverend Youngson and explained to him the undesirable features of maintaining crosses in the state parks, and apparently satisfied him that such crosses should not be permitted. The Commission approved the report but instructed the Parks Superintendent to follow the suggestion of Reverend Youngson with respect to the benches.

Construction of a memorial building at Otter Crest:- The Parks Superintendent advised that a request has been made by Mrs. Helen M. Warren, Oceanlake, through Governor Martin, for a memorial building to be erected at Otter Crest for the preservation of historical relics. The Commission voted unanimously to deny the request, it being the thought of the Commission that historical relics, et cetera, should be concentrated in a more historical place, such as Champoege Park.

Acquisition of area from S. C. Armitage containing about 33 acres located adjacent to the Coburg county road about 5 miles north of Eugene:- The Parks Superintendent stated that he has again been contacted by Mr. Armitage, who is extremely desirous of donating this tract to the state for park purposes. He said that

the park does not fit into the state park picture because it is not on a state highway route and is located in such close proximity to the city of Eugene, and should properly be a city park. He further stated that Mr. Armitage refuses to donate the land to either the city of Eugene or to the University of Oregon but wants the State Highway Commission to have charge of it. He requested instructions in regard thereto. The Commission discussed this matter but deferred action thereon.

Acquisition of 120 acres of land located between the Oregon Coast Highway and the Pacific Ocean about one mile north of Nelscott, in Lincoln County:- The Parks Superintendent advised that this property is owned jointly by the Nelscott Land Company and a Mr. E. W. Chandler, who want \$21,000 for the property. The Commission deferred a decision in the matter pending an inspection of the property by Chairman Cabell, who agreed to make such inspection the next time he is in that vicinity.

Request of the United States Army Engineers for flowage easements on four state parks and two units of the Columbia River Highway east of the Bonneville Dam:- The Parks Superintendent advised that he has inspected these properties and has no objections to the granting of such easements to the Government. The Commission deferred a decision in this matter pending a conference with Major A. E. McKennett of the United States War Department who has been invited to confer with the Commission relative thereto on the following day.

The Commission considered and signed bargain and sale deeds as follows:

Right of way transaction No. 3105. Deed conveying unto Sarah E. Mulkey a parcel of land containing 2.25 acres situate in the S.W. $\frac{1}{4}$, Section 11, T. 28 S., R. 6 W., W.M., Douglas County.

Right of way transactions Nos. 2232 and 2218. Deed conveying unto Fred H. Brown and Mary Ann Brown 0.331 acre of land situate in the Solomon Zumwalt Donation Land Claim No. 41, T. 17 S., R. 4 W., W. M., Lane County.

Right of way transaction No. 4812. Deed conveying unto George P. Stonefield 0.53 acre of land situate in Government Lot 3, Section 22, T. 15 S., R. 12 W., W.M., Lane County.

Right of way transaction No. 3413. Deed conveying unto Walter A. Sumner and Lottie E. Sumner 1.66 acres of land situate in the N. $\frac{1}{2}$ of the S.E. $\frac{1}{4}$ of Section 8, T. 33 S., R. 1 W., W.M., Jackson County.

The Commission also signed an agreement with the Albany Seed Company providing for settlement with the company for right of way needed for the Albany Overcrossing Project.

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The Commission adjourned at 12:00 o'clock midnight, to reconvene the following morning in the Auditorium of the Public Service Building.

Portland, Oregon, March 24, 1938

The State Highway Commission reconvened at 9:00 o'clock a. m. in the Auditorium of the Public Service Building, with all Commissioners, the State Highway Engineer, the Attorney, and the Secretary present.

Bids as follows for highway construction projects, purchase of buildings, and purchase of scrap bridge steel were opened and read, in conformance with previously published notice:

BAKER-HOMESTEAD HIGHWAY
MIDDLE BRIDGE-BLACK BRIDGE SECTION - OIL MAT SURFACE TREATMENT

Babler Bros.	\$18,991.00
Warren Northwest, Inc.	19,209.00
J. C. Compton	20,078.50
Clifford A. Dunn	20,205.00
Edwin C. Gerber	20,690.00
McNutt Bros.	20,677.00
R. O. Dail & Warren Bros., Inc.	21,591.20
McAtee, Inc.	23,091.50

OREGON COAST HIGHWAY
BANDON-PORT ORFORD SECTION - CRUSHED ROCK IN STOCK PILES

R. I. Stuart & Sons	\$22,550.00
Fisher Bros.	23,711.00
A. C. Greenwood, Inc.	24,817.50
Homer G. Johnson	24,845.00

OREGON COAST HIGHWAY
LITTLE NESTUCCA RIVER BRIDGE SECTION
320-ft. PILE TRESTLE & STEEL I BEAM BRIDGE

Mountain States Construction Company	\$13,736.00
L. H. Hoffman	14,525.00
J. W. & J. R. Hillstrom	14,594.00
Tom Lillebo	14,930.75
Leonard & Slate	15,415.00
Joplin & Eldon	16,146.00
J. F. Johnston	16,254.00
Shattuck & Neland	16,843.25
Gilpin Construction Company	17,524.00
Dolan Construction Company	20,565.00

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SALE OF RESIDENCE BUILDINGS AT ALBANY

BUILDING NO. 5178
(Former Owner Augusta Otto)

No bids received

BUILDING NO. 4978
(Former Owner Gertrude S. Duncan)

Wm. Eagles

\$301.00

BUILDING NO. 4967
(Former Owner John Schlauber)

Wm. Eagles

\$ 25.00

BUILDING NO. 4969
(Former Owner J. C. Allphin)

No bids received

BUILDING NO. 4971
(Former Owner C. F. Forney)

Chas. Childs

\$151.00

BUILDING NO. 4957
(Former Owner Barbara Kinney)

Wm. Eagles

\$ 30.00

BUILDING NO. 4954
(Former Owner A. A. Miller)

Wm. Eagles

\$301.00

SALE OF RESIDENCE BUILDINGS AT MARSHFIELD

BUILDING NO. 5105
(Former Owner I. B. Tilson)

B. C. Grove (second choice)
G. T. Smith (third choice)
A. R. Taggart

\$ 30.00
26.50
20.00

BUILDING NO. 5103
(Former Owner M. G. Hoffman)

Geo. F. Gunnell
Ralph Allen
Arthur Fitch
A. R. Taggart
Dixie Root
Reidar A. Moen (first choice)
W. E. Foote
Elmer F. Davies (first choice)
G. T. Smith (second choice)
Ira Sturdivant
Geo. Prefontaine

\$102.00
68.00
65.00
62.50
53.00
51.50
45.25
35.00
32.50
22.00
20.00

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BUILDING NO. 5107-1
(Former Owner H. Emelia Weikel)

B. C. Grove (first choice)	\$ 60.00
W. E. Foote	42.50
G. T. Smith (first choice)	41.75
Reidar Moen (second choice)	40.00
A. R. Taggart	15.00

BUILDING NO. 5109
(Former Owner Manilo Camilo)

No bids received

BUILDING NO. 4768
(Former Owner Godfrey A. Quick)

Irene E. Harrison	\$ 32.00
A. R. Taggart	31.50
G. R. Quick	30.00
B. C. Grove (third choice)	20.00
G. T. Smith (fourth choice)	19.50
Elmer F. Davies (second choice)	15.00

SALE OF RESIDENCE BUILDING AT ORIENT
(Former Owners Jewel Takaki et al)

Sullivan Wrecking Company	\$ 1.00
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SALE OF RESIDENCE BUILDINGS IN WEST PORTLAND

BUILDING NO. 5046
(Former Owner Wm. Dervoe)

Mrs. Bertha Dervoe	\$ 20.00
Sullivan Wrecking Company	1.00

BUILDING NO. 4589
(Former Owner John G. Maycock)

Sullivan Wrecking Company	\$ 3.00
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SALE OF SCRAP BRIDGE STEEL FROM SULLIVAN GULCH OVERCROSSING
UNION AVENUE IN PORTLAND

H. Maizels	\$270.60
Barde Steel Company	256.50
Zidell-Steinberg	243.00
Simon's, Inc.	240.60
Alaska Junk Company	217.80
Milton E. Potter	216.00

Chairman Cabell announced that the award of contracts and sale of buildings and steel would be made at 2:00 o'clock p. m. in the same room.

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Mr. Lundstrom, representing the Pratt Truck Service, Portland, was present and requested permission to transport an old street car over state highways from Portland to Wilsonville. He said that the load would be slightly under 15 feet in height overall, which is in excess of the statutory limits, but it does not exceed the statutory limits in any other respect. He further stated that the route that he proposes to use is over state highways with the exception of about 3 miles of county road and that at no point are there any overhead structures with impaired clearances. The Engineer advised that the practice for some time has been to refuse to grant permits for movements over state roads of loads exceeding 14 feet in height, but in this particular instance he would recommend granting the permit in view of the fact that there are no impaired clearances involved. The Commission approved the recommendation by unanimous vote.

In this connection the Commission considered it advisable to adopt a standard policy with respect to the movement of loads over state highways, the overall height of which loads is in excess of the legal height limits. The Commission thereupon adopted as its standard policy, to be followed hereafter, that the issuance of permits for overheight movements shall be limited to those not exceeding 15 feet from the surface of the pavement to the top of the load and only then in case there are no impaired clearances involved. Further, in cases of movements over sections of highways where overhead structures exist, permits shall be limited to those movements where the clearance between the top of the load and the lowest point in the overhead structure is not less than 12 inches.

Mr. C. I. Scoffin was present and inquired as to the plans of the Commission with regard to the proposed revision of the Pacific Highway West through Tigard. He was informed that the Commission has not yet adopted a definite route for this revision but expects to consider the Engineer's report thereon the following day. The Secretary was instructed to advise Mr. Scoffin of the action taken by the Commission on this report.

The following persons were present and discussed with the Commission the matter of opening East Court Street, Pendleton, which street was ordered closed by the Public Utilities Commissioner upon completion of the East Pendleton Grade Separation structure: Mayor C. L. Lieuallen, Pendleton; Fred Bets, Attorney, and Hal Roberts, Engineer, for the Union Pacific Railway Company; and T. O. Russell, Chief Engineer, representing the Public Utilities Commissioner.

Mayor Lieuallen stated that the closing of East Court Street is working a hardship on a good many Pendleton people, including doctors who find it very inconvenient to take the present roundabout way to reach the hospital, which is located just east of the railroad tracks. He advised that the city of Pendleton has filed a petition with the Public Utilities Commissioner requesting the reopening of this street and is now asking the Highway Commission to help in the matter, at least to make a commitment one way or the other.

Mr. Bets gave as his thought that the railroad company would not consent to the opening of this street under any consideration. He referred

to the agreement that was executed at the time the grade separation project was first discussed, wherein it was mutually agreed and furthermore was ordered by the Public Utilities Commissioner that East Court Street at this particular location would be perpetually closed when the overhead crossing structure was completed and opened for travel. He declared that this feature was a material consideration in the agreement and that the railroad company has fulfilled its part thereof and accordingly must oppose any efforts that are now made to reopen the street.

Chairman Cabell advised that in his personal opinion this is a matter that does not particularly concern the Highway Commission inasmuch as the matter was fully covered by the agreement mentioned by Mr. Betz, and it would be very difficult for the Commission to reverse its stand now. He declared that the stand of the Commission is neutral in the matter and to him it appears to be a problem for the city to work out with the railroad company. Commissioner Aldrich concurred.

Mr. W. H. Lynch, District Engineer, Bureau of Public Roads, who was present, pointed out that the closing of East Court Street at this point was one of the considerations that justified expenditure of government money for the construction of the overcrossing. The State Highway Engineer pointed out that the Old Oregon Trail has been rerouted since the construction of the overcrossing and no longer follows East Court Street at this point, hence the Highway Commission would have no jurisdiction thereover.

After further discussion Mayor Lieuellen asked the Commission for a letter stating its position in the matter and advising whether or not it will oppose the city's petition.

Mr. Betz suggested, if the Commission should write such a letter, that it show that the Commission is taking no side whatsoever in this controversy, but is neutral; further, that the letter point out that East Court Street, in this particular location, is not a state highway route, so the Commission has no jurisdiction over the same. The Commission approved Mr. Betz's suggestion and instructed the Engineer to write such letter to the Pendleton City Council.

A delegation from Hood River, representing the Hood River Chamber of Commerce and consisting of the following members: Rory A. Collins; Rodrick McRae, President; P. A. Galluzzo; D. Baldwin; Herman Kresse; Larry Boyd; Earl Weber; and James Stranahan, came before the Commission in regard to snow removal on the Mt. Hood Highway so as to permit travel over this highway throughout its entire length earlier this year than heretofore. Mr. Collins headed the group.

Speaking in behalf of the project were Messrs. Collins, McRae, Kresse, and Weber. They urged the project from the commercial standpoint and declared that it means a \$40,000 tourist trade to the people of the Hood River Valley, and pointed out that the opening of the highway would make it possible for sightseers who want to take in both Timberline Lodge and Bonneville Dam to do so in one trip, whereas, under present conditions, that cannot be

done. They also urged the opening for the benefit of winter snow enthusiasts of the Hood River Valley who desire to enjoy the winter sports facilities at Government Camp and Timberline Lodge, which people now have to go many miles in a roundabout way to reach. Mr. McRae filed a petition signed by 263 citizens of Hood River County urging the Highway Commission to take immediate action to open that portion of the Mt. Hood Highway that is now closed by snow.

Chairman Cabell advised that there is danger of rupture of the pavement if the highway is opened to traffic too soon, due to the freezing and thawing conditions, and that it might result in excessive costs for repair work.

The Engineer estimated that it would cost about \$4,000 to open the highway, starting about the first of April, and that it would cost about \$3,000 if the work were started about May first; whereas, if such work were deferred until the first of June, the expense would be reduced to about \$1,000. He pointed out that the Commission made no provision in its budget for such expense.

Mr. McRae gave as his thought that the road is important enough to justify the expense and urged the Commission to at least try it out this year.

After further discussion the Commission decided to open the highway about a month earlier this year than last year, if possible. Accordingly, the Engineer was authorized and instructed to start snow removal operations about the first of May with two snow plows, one working from each end of the closed section. He was further instructed to keep the road closed for about a week after the snow has been removed so as to give the road an opportunity to dry out before it is subjected to traffic, thus reducing the probabilities of damage occurring.

A delegation from Roseburg, representing the Chamber of Commerce and consisting of the following members: W. C. Harding, Secretary; Senator A. C. Marsters; George Smith; and Harris Ellsworth, was present. They inquired as to the plans of the Highway Commission for construction work on the North Umpqua Highway this year. They were informed by Chairman Cabell that the Commission has included in its tentative program for 1938 federal aid secondary highway moneys an amount of \$35,000 for the North Umpqua road. He also advised that the Commission has included in its tentative program for 1939 regular federal aid funds an amount for the construction of the Roseburg-Shady Point Section of the Pacific Highway.

Mr. Harding then inquired as to the possibilities of securing the elimination of the Southern Pacific grade crossing on the Pacific Highway just south of Wilbur. He gave as his understanding that the Commission at one time appropriated \$125,000 for such purpose, but found it necessary to reallocate the funds. He suggested this project for construction in the railroad grade crossing elimination program. He was informed that the railroad grade separation program for 1938 and 1939 federal funds has already been prepared and it was not found possible to include the Wilbur project therein. Furthermore, there is no possible chance now to make any change; however, this project will

be given serious consideration in the formulation of the next grade separation program.

Mr. Harding then asked the Commission to make provision for the reconstruction of the Rice Hill-Turkey Hill Section of the Pacific Highway so as to provide for a standard improvement between the two sections that have already been reconstructed. He was informed by Chairman Cabell that the Commission has this project in mind and that the outlook is favorable for the same if Congress authorizes an appropriation of federal aid moneys for 1940 and 1941.

Mr. Denton G. Burdick, Portland, came before the Commission in regard to a claim of the North Canal Company for right of way that was taken by the state for a revision of The Dalles-California Highway, about two miles south of Redmond, and being more particularly located in the N.W. $\frac{1}{4}$ of the S.E. $\frac{1}{4}$ of Section 29, T. 15 S., R. 13 E., W.M., Deschutes County. It appears that this 40-acre tract was unentered Carey Act land when the highway was built and it was not possible to secure title to the right of way at that time; nevertheless the highway was constructed across the property with approval of the State Engineer, with the idea that payment for the right of way would be effected later. Mr. Burdick now claims title as assignee of the earned water lien from the North Canal Company and is asking the State Highway Commission to pay him \$758.50 for the 3.7 acres included in the highway right of way, said amount being made up as follows: 2 acres at \$100 per acre; 1.7 acres at \$5.00 per acre; and \$550 reimbursement as damages for top soil taken for the highway fill, rendering such land valueless from the crop production standpoint. He agreed to assign the water lease on the entire 40 acres to the state for such consideration, provided the state will reconvey it to him should there be in the future a bona fide entry made for the balance of the 40-acre tract outside of the standard width highway right of way. After considerable discussion of this matter, the Commission indicated that the price demanded by Mr. Burdick is reasonable and satisfactory; however, the question arose as to how a transfer of title is to be made. A decision in the matter was therefore deferred until the following day, and the Attorney was instructed in the meantime to make further investigations with regard thereto. This matter was reconsidered by the Commission later in the session at which time the Attorney reported results of such further investigation and recommended the securing of a declaratory judgment in the circuit court to clear title. The Commission approved the recommendation by unanimous vote and authorized the Attorney to pay Mr. Burdick \$758.50 if the court decides that he is entitled to it.

The Commission adjourned at 12:00 o'clock noon and reconvened at 2:00 o'clock p. m. in the same room, with all Commissioners, the State Highway Engineer, the Attorney, and the Secretary present.

Commissioner Aldrich announced the following award of contracts, sale of buildings, and sale of scrap bridge steel for which bids were taken at the morning session, the awards having been previously approved by the Commission by unanimous vote:

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"Middle Bridge-Black Bridge Section of the Baker-Homestead Highway, in Baker County. 18.15 miles oil mat surface treatment. The low bid submitted for this project was that of Babler Bros., at \$18,991.00. The next low bid submitted was that of Warren Northwest, Inc., Portland, at \$19,209.00. There were 6 higher bidders. The Commission has awarded the contract to Babler Bros., the low bidder, at their bid price of \$18,991.00.

"Bandon-Port Orford Section of the Oregon Coast Highway, in Coos and Curry Counties. Furnish 9,450 cu. yds. crushed rock in stock piles. R. I. Stuart & Sons, Medford, submitted the low bid for this project at \$22,550.00. Fisher Bros., Oregon City, were the next low bidders at \$23,711.00. There were 2 higher bidders. The Commission has referred all bids to the Engineer with power to award the contract to the low bidder when certain conditions have been satisfied.

"Little Nestucca River Bridge Section of the Oregon Coast Highway, in Tillamook County. Construction of a 320-ft. pile trestle and steel I beam bridge. Mountain States Construction Company, Eugene, with its bid of \$13,736.00, was the low bidder on this project. The next low bidder was L. H. Hoffman, Portland, at \$14,525.00. 8 higher bids were received on this project. The Commission has awarded the contract to the Mountain States Construction Company, the low bidder, at its bid price of \$13,736.00."

Buildings in Albany:

"Building No. 5178, formerly owned by Augusta Otto. No bids were received by the Commission for the purchase of this building. The Commission ordered that the building be readvertised.

"Building No. 4978, formerly owned by Gertrude S. Duncan. The Commission received 1 bid for this building, being that of Wm. Eagles, Albany, at \$301.00. The Commission considers this offer satisfactory and has sold the building to Mr. Eagles at his bid of \$301.00.

"Building No. 4967, formerly owned by John Schlehuber. The Commission received 1 bid for this building, being that of Wm. Eagles, Albany, at \$25.00. The Commission has rejected this bid.

"Building No. 4969, formerly owned by J. C. Allphin. No bids were received by the Commission for the purchase of this building. The Commission ordered that the building be readvertised.

"Building No. 4971, formerly owned by C. F. Forney. Charles Childs, Albany, submitted the only bid for this building, at \$151.00. The Commission considers this offer satisfactory and accordingly has sold the building to Mr. Childs for \$151.00.

"Building No. 4957, formerly owned by Barbara Kinney. The only bid received for this building was that submitted by Wm. Eagles, Albany, at \$30.00. The Commission has rejected this offer and has ordered the building readvertised.

"Building No. 4954, formerly owned by A. A. Miller. Wm. Eagles, Albany, submitted the only bid for this building at \$301.00. The Commission considers this offer satisfactory and therefore has sold the building to Mr. Eagles at his bid of \$301.00."

Buildings in Marshfield:

"Building No. 5105, formerly owned by I. B. Tilson. The Commission received 3 bids for this building, the high one being that of B. C. Grove, North Bend, at \$30.00. G. T. Smith, Bunker Hill, submitted the second high bid at \$26.50. The Commission has rejected all offers for this building and has ordered it readvertised.

"Building No. 5103, formerly owned by M. G. Hoffman. The Commission received 11 bids for this building, the high one being that of George F. Gunnell, Marshfield, at \$102.00. The Commission considers this offer satisfactory and therefore has sold the building to Mr. Gunnell at his bid of \$102.00.

"Building No. 5107-1, formerly owned by H. Emelia Weikel. The Commission received 5 bids for this building. B. C. Grove, North Bend, submitted the high bid at \$60.00. Considering this offer satisfactory, the Commission has sold the building to Mr. Grove at his bid price of \$60.00.

"Building No. 5109, formerly owned by Manilo Camilo. No bids were received for the purchase of this building. The Commission has ordered the building readvertised.

"Building No. 4768, formerly owned by Godfrey A. Quick. The Commission received 6 bids for this building, the high one being that of Irene E. Harrison, Marshfield, at \$32.00. The Commission considers this offer satisfactory and has therefore sold the building to her at \$32.00."

Building in Orient:

"Building formerly owned by Jewel Takaki et al. Sullivan Wrecking Company, Portland, submitted the only bid for this building at \$1.00. The Commission has accepted the offer of \$1.00 and has declared the building sold to the Sullivan Wrecking Company."

Buildings in West Portland:

"Building No. 5046, formerly owned by Wm. Dervoe. The Commission received 2 bids for this building, the high one being that

of Mrs. Bertha Dervoe, Portland, at \$20.00. The Commission has accepted the offer and has sold the building to Mrs. Dervoe at her bid of \$20.00.

"Building No. 4589, formerly owned by John G. Maycock. Only 1 bid was received for the purchase of this building, being that of Sullivan Wrecking Company, Portland, at \$3.00. The Commission has rejected this offer and has ordered the building readvertised."

Scrap Bridge Steel:

"Sale of scrap bridge steel from Sullivan Gulch Overcrossing on Union Avenue, in Portland. The Commission received 6 bids for the purchase of this steel, the high one being that of H. Maizels, Portland, at \$270.60. The Commission considers this offer satisfactory and has sold the material to H. Maizels at his bid price of \$270.60."

Mayor Charles H. Huggins and City Attorney J. W. McInturff, Marshfield, came before the Commission in regard to the improvement of the Oregon Coast Highway between North Bend and Marshfield. They asked the Commission to designate a route for this improvement because the people of Marshfield want to improve and develop their properties but cannot do so until they know just where the highway is going to be located. Furthermore, the city owns property along the proposed route which it wants to dispose of, so it would help a lot if the Commission could adopt a route at the earliest possible time. The Engineer advised that there are two routes under consideration, one of which is along Broadway and the other along Front Street, in Marshfield. The Broadway route, he estimated, would cost about \$384,000 and the Front Street route \$407,000, a difference of about \$23,000 in favor of the Broadway route. He explained that these estimates do not include the cost of right of way; which to date has not been appraised. He was instructed by the Commission to prepare revised estimates, including the cost of right of way, for consideration by the Commission at its next meeting.

The Engineer advised that there is no controversy regarding the location of the highway between North Bend and Marshfield, but the only section about which there is a question is right in Marshfield, south of Greenwood Avenue. He gave as his thought that the reconstruction of the highway through the Bunker Hill district should be given first consideration for monies available for expenditure in the vicinity of Marshfield and North Bend, and that, as a second project, the Commission should reconstruct the highway between North Bend and Marshfield, leaving the controversial section in Marshfield for construction at a later date. Mayor Huggins and Mr. McInturff concurred in the Engineer's viewpoint.

Chairman Cabell advised that the adoption of a route by the Commission would not solve the problem from the Commission's standpoint unless it proceeded with construction soon thereafter, because some future Commission might see fit to change it. He also advised that the Commission does not

have funds available to finance the construction of the same at the present time and cannot spare the money to purchase the right of way because funds available to the Commission now are needed to meet the Government's requirements for the matching of federal aid funds. He gave as his thought that, in view of the circumstances, it would be unfair to handicap the next State Highway Commission by the adoption of a route and the acquisition of right of way until the project is ready for construction.

Concerning the Bunker Hill project, he advised that the Commission has included in its tentative program for 1938 Federal Aid Funds an amount for the construction of this section, but there is a possibility that the budget will have to be changed and such funds re-allocated for improving the dike section between Coquille and Bandon, which has been blocked a number of times this winter by high water. After further discussion the conference was concluded by the Commission instructing the Engineer to submit a revised report at the next meeting on the cost of constructing the alternate routes between Marshfield and North Bend, including the right of way costs. He was also instructed to send a copy of this report to Mayor Huggins.

A delegation from Polk and Benton Counties, headed by County Judge Herman Van Well of Polk County, conferred with the Commission in regard to the Kings Valley Secondary State Highway No. 190. Others in the delegation, which consisted of about 20 members, were W. A. Barnum, H. H. Brant, M. M. Fulmer, Grant Byers, F. B. Scofield, all of Independence; G. A. Nyman, Kings Valley; W. I. Van Den Bosch, R. D. Van Den Bosch, H. J. Leverman, P. M. Ritner, C. L. Calbreath, Ira E. Ray, Mr. and Mrs. Jesse V. Johnson, Mr. and Mrs. Ralph Dodson, Frank W. Loughary, and R. D. Elliott, all of Monmouth; and Fred Gibson of West Salem. They alleged that this road is in very poor condition, is crooked and narrow, that the rock surfacing is worn out, and that some bridges need rebuilding. They urged immediate reconstruction and repairs and the construction of an oiled surface to allay the dust nuisance, which they declare is extremely bad. Mr. Nyman declared that children of the Pedee district are now obliged to go to school in Philomath because the road is in such bad condition that they cannot get to their own school.

Mr. Dodson asked for a survey so that when the Commission has money to spare for this road it can be spent on the proper alignment. He alleged that the road at one time was the main road leading to Newport and Toledo and that it still carries a large volume of coast traffic because it provides a short cut to the coast country from Willamette Valley points. He urged the improvement from such standpoint.

Mr. Ritner gave as his understanding that the Commission has already promised the people of Benton County to improve this road from Wren to Kings Valley and he urged the Commission to extend the improvement into Polk County in view of the fact that it is the only outlet for people in the Lewisville and Pedee districts. He said that it made no difference where a start was made so long as the Commission proceeded with construction on a consistent, progressive program.

Representatives of the Independence and Monmouth Chambers of

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Commerce spoke in behalf of the improvement and particularly urged surveys so when funds are available they can be spent on proper alignment.

The Engineer explained, in order to clear up the misunderstanding, that the Highway Commission has not budgeted funds for the improvement of the Benton County section of this road in 1938 but has included in its tentative budget for the fiscal year 1939 Federal Aid Secondary Highway moneys an amount for the improvement of such section.

Chairman Cabell explained the status of the Commission's finances and particularly the requirements for the expenditure of federal aid secondary moneys. He advised that the amount of such funds provided by the Federal Government is so small that it cannot be spread out over the entire state to any advantage but must be spent for fair-sized projects in order to provide for economical construction. He promised to inspect the road in the near future and agreed to study the Commission's finances to ascertain whether or not funds can be spared to pay for a survey at the present time.

Mayor C. R. Ashton, Albany, came before the Commission relative to some state property in Albany described as the North Half of Block 17, Hackleman's Second Addition to Albany, which the city wishes to acquire as a site for a public swimming pool. He said that the city is prepared to pay 7½¢ per square foot for this area, which is the price that the Highway Commission paid for it, although they would naturally like to secure it at less cost, if possible. The Attorney advised that this property was acquired by the state in connection with negotiations with the Southern Pacific Company for right of way for the Albany grade separation project, and, according to the agreement with the railroad company, the state is obligated to deed it to the company at a fixed price, in view of which there is a question whether or not the company will agree to the relinquishment of its claim to the same and will accept other property in lieu thereof. Mayor Ashton stated that the city must know within the next two weeks whether or not it can have the property, because they wish to proceed at once with the construction of their swimming pool so as to make certain that it will be ready for use this summer. After discussion, the Commission agreed to sell the property to the city at 7½¢ per square foot provided the railroad company will relinquish its claim on the same. The Attorney was instructed to take the matter up with the railroad company officials at once and to advise Mayor Ashton of the outcome.

A delegation from Clackamas County, consisting of members of the county court and about 10 residents of the town of Gladstone, was present and urged the Commission to adopt Arlington Street, Gladstone, as the route of a state highway connection between the East Portland-Oregon City Highway and the 82nd Street Highway (Cascade Secondary Highway). The delegation was headed by Mr. Charles Legler and consisted of the following: County Judge W. O. Vaughn; County Commissioners B. Schoenburg and L. L. McFarlane; Messrs. Trahus, Johnson, and Gallogly; Miss Marie Luenburger, Mrs. Patrick, and Mrs. Hahulach. Also present were J. I. Roberts, County Engineer, and Ralph Milen, Assistant County Engineer. Mr. Legler said that Arlington Street is in very bad condition and the city does not have funds available to finance repairs. He alleged that most of the traffic using this street is state highway traffic

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and they are of the opinion, in view thereof, that the street should be designated as a state secondary highway and should be maintained as such by the state. Chairman Cabell advised that the Highway Commission is very reluctant to designate any additional secondary highways at the present time and is not in a position today to state definitely just what it will do about the matter because of the effect that it would have on the permanent routing of the 82nd Street Highway, which is now being studied. He agreed to inspect the road soon and stated that the Commission would make its decision at its next meeting. The Engineer was instructed to prepare an estimate of cost to reconstruct Arlington Street to state highway standards and to report the same at such meeting.

A delegation representing the Clackamas Community Club, Clackamas, Oregon, was present in regard to the proposed rerouting of the 82nd Street Highway. Mr. Trahue headed this group. They urged the retention of the highway in its present location between the top of Pope's Hill and Henneman Corner, from the standpoint of providing greater safety for school children. Mr. Trahue said that of the 131 school children who now attend the Clackamas school, only 9 now reside east of the 82nd Street Highway; whereas, if the highway is relocated about 1,000 feet west of its present location, 40 per cent of the children who attend this school will have to cross the highway and be subjected to the dangers of highway traffic. Further, if the highway is relocated farther west, more than one-half of the student body will have to cross the highway. He asked the Commission to give this feature due consideration in its deliberations on this subject. The Commission took the matter under advisement. The delegation asked the opportunity to be heard when the Commission holds its public hearing in Oregon City on the subject of changing the entrance of 82nd Street into Oregon City. In this connection the Secretary presented a letter from the Sunnyside Grange, Sunnyside, Oregon, endorsing the request of the Clackamas Community Club.

Mr. Lee Ragan, Eugene, came before the Commission in regard to acquiring from the Commission two small parcels of state-owned land adjacent to the Oregon Coast Highway near the north end of the Siuslaw Bridge at Florence, being more particularly described as Lot 5, Block 9, and a portion of Lot 65, Block 10, Florence, outside of the standard width highway right of way. He offered to pay 5¢ per square foot for such property, which he said is needed in connection with his plans for the erection of a hotel and eating house on adjacent property. He offered to landscape the area to the satisfaction of the State Highway Commission so that the site would not detract from the bridge head. He exhibited a plan of the building that he proposes to construct. After considerable discussion, the Commission voted unanimously to sell to Mr. Ragan for the sum of 5¢ per square foot the two parcels of land that he wants, subject to the condition that Mr. Ragan will landscape the premises in conformance with plans approved by the Landscape Engineer, Mr. Otten.

Messrs. Lowell Mundorf and A. W. Davis, representing the St. Johns Businessmen's Association, Portland, came before the Commission in regard to the elimination of a bad turn in the state highway route in St. Johns, particularly at the southeast corner of Jersey Street and Philadelphia Street.

They advised that the United States National Bank of Portland, which owns the property at this corner, plans to erect a new bank building thereon, and gave as their thought that the State Highway Commission should arrange now for the improvement of the highway before the plans for the new bank building are too far advanced. They urged the widening of Jersey Street some 20 feet along the south side between Philadelphia Street and Charleston Street, and the cutting off of the bank corner a sufficient amount to eliminate the bad turn at the Philadelphia Street-Jersey Street intersection. They pointed out that this is an important intersection in view of the fact that Philadelphia Street leads to the St. Johns Bridge and that Jersey Street carries a large volume of state highway traffic from Lombard Street and Columbia Boulevard. They presented a map on which was shown in color the plan that they have in mind. In a discussion of this matter the question arose whether or not Jersey Street is the proper location for the highway route. The Engineer pointed out the possibilities of using Ivanhoe Street, one block west of Jersey Street. It was his thought that right of way could be acquired much more cheaply along Ivanhoe Street than along Jersey Street, which is the main business street of this district. Mr. Mundorf pointed out that an extension of Columbia Boulevard to Ivanhoe Street would pass directly through the Pacific Telephone & Telegraph Company's exchange building, which is a concrete structure built for permanency. Chairman Cabell advised that it is reasonable to assume that the Highway Commission would construct this change if someone would furnish the right of way for the same. He gave as his thought that local people should pay a substantial portion of the cost of such right of way and inquired as to what the Commission could expect along that line. Mr. Davis said that he did not believe that local people would contribute funds for such purpose.

After further discussion Chairman Cabell concluded the conference by advising that the Commission would look into this matter from the standpoint of continuing the highway along the present route and also along Ivanhoe Street, although there is no possible chance for construction to be undertaken in the near future. The Engineer was instructed to investigate the project and report thereon at the next meeting. He was also instructed to secure from the city of Portland appraisals of the property along Ivanhoe Street.

A delegation from Oceanlake and vicinity came before the Commission in regard to the removal of rock and sand from the beach area between Oceanlake and Roads End, in Lincoln County. The delegation consisted of the following members, representing two factions, one of which urged the Commission to permit the taking of rock and sand from the beach area, and the other of property owners who opposed the same: Messrs. John D. Williams, Arthur Zerbee, Hendricks, Buntin; Mr. and Mrs. Clarke, Miss Cline, Miss Summerfield; County Commissioner E. G. Calkins, of Lincoln County; former County Judge F. C. Robison; and Mr. Alfred T. Walker, Manager of the Dorchester House at Nelscott. Mr. Williams headed the group in favor of taking the sand and gravel, and Mr. Zerbee headed the group opposed to the same. Mr. Williams stated that the order recently issued by the State Highway Commission prohibiting the taking of sand and gravel from the beach area is interfering greatly with the development of the Oceanlake District, due to the fact that no other source of sand and gravel is available and it is too costly to ship such

materials in from the Willamette Valley, which would be necessary if the use of the beach materials is prohibited. Mr. Zerbee opposed the taking of materials from the beach, particularly boulders, which, he said, are needed in order to protect private property from ocean wave action.

Chairman Cabell pointed out that the State Highway Commission has no jurisdiction above the high-water line and that if the boulders are being taken from locations above the high-water line, the people taking them are trespassing on private property and can be prosecuted by the property owners.

County Commissioner Calkins urged the modification of the Commission's previous order from the standpoint of the county as a whole so that development of this district will not be held up because of inability to secure sand and gravel at reasonable cost.

Mr. Robison endorsed Mr. Calkins' remarks. He also said that, while the group wants the Commission to modify its order to permit the taking of sand and gravel from the beach area, it is not in favor of the application of such modification indiscriminately because they also are opposed to the taking of large rocks from the beach. He suggested that a satisfactory solution of the problem would be to permit the taking of sand and gravel and small rocks that do not exceed five inches in diameter. Mr. Zerbee stated his approval of Mr. Robison's suggestion.

After further discussion, and it appearing to the Commission that Mr. Robison's suggestion met with the approval of the members of both groups, the Commission ordered that the present signs be removed and that there be substituted therefor signs prohibiting the taking from this beach rocks of a size greater than five inches in diameter.

Mr. F. M. Franciscovich, attorney, Astoria, came before the Highway Commission in behalf of Clatsop County log haulers. He asked the Commission to modify its rules and regulations in regard to the procedure for disciplining log haulers who have been arrested for transporting over state highways loads weighing in excess of the statutory weight limits and the tolerance authorized by the Commission. He particularly requested that the arrested operator be given 24 hours within which to voluntarily surrender his P.U.C. plates rather than be required to surrender them at the time of his arrest, as is now the rule. He alleged that violations are not deliberate and that the surrender of the P.U.C. plates at the time of arrest would create an undue hardship on an innocent man and his crew, and it would be much appreciated by these men if they were permitted to continue with their hauling for the balance of the day on which the arrest occurred. After discussion the Commission approved Mr. Franciscovich's request and by unanimous vote adopted, subject to approval by the Department of State Police, the following modified procedure for disciplining such operators for overloading their equipment:

The statute prescribes that no weight exceeding 17,000 pounds shall be loaded on any one axle of a vehicle. When a logging truck is

weighed by a state police officer and it is found that the weight on any axle exceeds the axle limit prescribed by statute or exceeds the temporarily reduced load limit prescribed and posted by the State Highway Commission, the logging truck operator will be arrested by the said officer and shall be subject to the fines and penalties prescribed by law.

If the weight slip shows that the overload on any one axle exceeds 18,500 pounds, which is a tolerance of 1500 pounds over and above the statutory load limit, or exceeds by 1500 pounds the reduced load limit prescribed and posted by the State Highway Commission for the particular section of highway on which the overload occurred, the logging truck operator shall be subject to further discipline by the State Highway Commission. Under such circumstances the arresting officer will request the voluntary surrender of the P.U.C. plates carried on the equipment involved in the overload. Such plates may either be delivered to the arresting officer at the time of the arrest or to the Department of State Police not later than the following day at the state police headquarters designated by the arresting officer.

If the P.U.C. plates are voluntarily surrendered, the officer will retain them for a period of 10 days following the date of delivery of the plates or for such additional length of time as may be fixed by the State Highway Commission. The state police officer shall immediately notify the State Highway Commission of such arrest and shall advise this Commission of the disposition of the P.U.C. plates. In the event that the P.U.C. plates are not delivered to the arresting officer at the time of the arrest or on the following day at the place designated by such officer, then the state police officer shall immediately notify the Secretary of the State Highway Commission to that effect and said Secretary shall request the revocation of the permit of the operator by the Public Utilities Commissioner.

In the event that the overload on any one axle does not exceed the 1500-pound tolerance prescribed by the State Highway Commission, then the arrested party shall not be required or requested to surrender the P.U.C. plates carried on his equipment; provided, however, that such tolerance provision shall not be construed to in any way relieve the arrested party from the penalty fixed by law in the event such arrested party pleads guilty to the charge or is found guilty upon trial.

The Engineer was instructed to discuss the matter with the Superintendent of the Department of State Police and secure his consent thereto before putting the new order into effect.

Mr. W. F. Cary, Gleneden Beach, came before the Commission and inquired as to the Commission's plans for constructing the proposed revision

of the Oregon Coast Highway at Gleneden Beach. He made an urgent plea for the retention of the highway in its present location and alleged that if the highway is constructed on the proposed new alignment it will render his property worthless for the purpose for which he acquired it. He said that he cannot sell his property under present conditions and people who have purchased property from him under contract are canceling their obligations because of the highway change. Chairman Cabell advised that the Commission has given this matter very serious consideration and is handling the situation here the same as it has been handled in every other locality, and that when the Highway Commission rebuilds a highway the work is done on a permanent basis and on an alignment which the Commission considers will never be changed. He explained that the Commission has standards that must be followed in every instance; otherwise, there will be a hodge-podge of highway location which would cost the state large sums of money to correct in the future. He advised that he personally has inspected the proposed location and is satisfied that it is correct, and, in so far as he personally is concerned, the matter is closed. Commissioner Aldrich concurred in the remarks of Chairman Cabell.

Mr. Cary then asked the Commission, if it will not retain the highway in its present location, to construct on the new alignment now so as to permit the people who have bought property from him to develop their properties in accordance therewith. He was informed that the Commission does not have the funds available to finance such work at the present time.

Mr. C. Culver, Marshfield, and Mr. George Jenkins, County Agent of Coos County, came before the Commission in regard to the Commission's plans for the construction of a bridge across a place known as Catching Inlet. They asked the Commission to alter its plans to provide for the construction of a fill and a tidewater gate rather than the bridge so as to improve farm conditions and increase the number of acres available to farmers for cultivation. Mr. Culver stated that they propose to formulate a drainage district to be responsible for the flooding of the lands and the operation of the gates, but before doing so they want to ascertain the attitude of the State Highway Commission with respect to substitution of a fill for the bridge. The Engineer advised that the existing bridge is in very poor condition and must be replaced in the near future; further, that it is proposed to advertise the project for bids to be received in April; so, if a substitution is to be made, quick action is necessary. He estimated the cost of the bridge at \$65,000 and the cost of the fill and tidebox at \$64,000. Chairman Cabell advised that, so far as costs are concerned, the substitution is satisfactory, because the Commission wants to cooperate with local people as much as possible; but there is a question whether or not approval by the United States War Department and Congress can be secured soon enough to avoid complication in the Highway Department's plans. The Engineer suggested that it would be satisfactory to postpone the bridge project for two or three months. After further discussion the Commission decided to defer constructing the bridge construction from April until May. The Commission instructed Bridge Engineer G. S. Paxson and the Attorney, Mr. J. M. Devers, to assist Mr. Culver in securing approval of the various government agencies.

Mr. Tom Tongue, attorney, Hillsboro, came before the Commission in behalf of the claim of his client, Mr. John Prickett, pertaining to a matter of drainage of Mr. Prickett's property adjacent to the Nehalem Secondary Highway about one mile north of Banks, in Washington County. It appears that when the highway was reconstructed at this place the highway grade was constructed in such a manner as to block a drainage channel which for many years has drained Mr. Prickett's property, and Mr. Prickett is now demanding the sum of \$650 as damages, represented by the following items: two 36-foot drainage pipes, \$200; cost of digging the ditch, \$100; miscellaneous damages \$200; reconstruction of 60 rods of fence, \$250. Mr. Tongue said that Mr. Prickett, in order to dispose of this matter, is willing to release the state from further obligation upon payment to him by the state of the sum of \$500 and he will assume responsibility for doing the work, provided the state will set stakes as a guide. After considerable discussion, the Commission accepted Mr. Prickett's offer and ordered that the matter be covered by appropriate agreement.

The Commission adjourned at 5:45 o'clock p. m., to reconvene the following morning in the Benson Hotel.

Portland, Oregon, March 25, 1938

The State Highway Commission reconvened at 9:00 o'clock a. m. in Room 411, Benson Hotel. Present at such meeting were the following: State Highway Commissioners E. B. Aldrich and F. L. Tou Velle; R. H. Baldock, State Highway Engineer; J. M. Devers, Attorney; and H. B. Glaisyer, Secretary. Chairman Henry F. Cabell was unable to be present on account of illness.

The Secretary reported the death on September 15, 1935, of former State Highway Commissioner William Hanley, of Burns. The Commission by unanimous vote adopted the following resolution in regard thereto as an expression of sympathy to the bereaved family of the deceased:

WHEREAS, William Hanley died on the fifteenth day of September, 1935; and

WHEREAS, Mr. Hanley served as a member of the Oregon State Highway Commission from August 1, 1931, to February 16, 1932, during which time he made valuable contributions to the development of Oregon's splendid highway system; and

WHEREAS, it is deemed appropriate that this Commission in this modest manner recognize the splendid service rendered and the sage advice given by Mr. Hanley while serving his State as a member of said Commission;

THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the Oregon State Highway Commission in regular session assembled:

That we recognize and acknowledge with due appreciation

the constructive service performed by Mr. Hanley for the State of Oregon as a member of its Highway Commission, and that we express appreciation of his genial disposition and friendly attitude to all with whom he came in contact.

That this resolution be made a part of the permanent records of this Commission and an engrossed copy thereof be presented to Mrs. William Hanley.

The Commission considered an inquiry from Orville Cox, Florence, Oregon, regarding the purchase of a portion of the north 40 feet of Block 8, Miller's Addition to Florence, outside of the standard width highway right of way, said parcel containing 864 square feet. The Engineer recommended the sale of this property for a minimum consideration of \$50. The Commission approved the recommendation by unanimous vote.

The Commission had under consideration the adoption of a policy with respect to constructing improvements on leased property, with particular reference to the installation of a traffic truck scale on property belonging to P. and Susan Welch adjacent to the Crater Lake Highway, in Jackson County. The Commission decided not to construct improvements on property that is under lease and ordered that such action be considered as a definite policy to be followed hereafter.

The Commission had under consideration the matter of signing a lease agreement with S. H. Shaw and wife for the use of certain property in the Berryvale Addition to Medford, which said property is now being rented from the Shaws on a month to month basis. The Commission decided not to enter into such lease agreement but to continue paying the Shaws rental for their property as in the past until the state's building, which was authorized previously in this meeting, has been constructed.

The Engineer brought up for discussion the matter of maintaining a temporary trestle approach to the Pacific Highway at Harrisburg. He advised that during the construction of the Willamette River bridge at this place in 1925 a portion of the right of way was acquired from the C. L. Morris Estate, and according to the deed the estate granted to the State Highway Commission for a period of one year from August 19, 1925, the right of access to and upon the Morris property for the purpose of constructing a dike or revetment along the bank of the Willamette River. The deed also recites, he said, that "in consideration of the convenience to the State of Oregon for the purposes of highway construction across the grantors' property and the privilege of going in and upon land of the grantors for the purpose of constructing said dike and revetment, the Highway Commission by the acceptance of, does hereby agree to construct, build, and maintain for a period of 10 years a timber trestle approach suitable for vehicular and pedestrian traffic connecting the highway trestle with the premises of the grantors. Said trestle to be maintained for the use and benefit of the grantors, provided that after said lapse of ten years the grantors or their successors in interest shall have the right to maintain said timber trestle approach,

except that portion level with the Willamette River bridge which shall forever be maintained by the state."

The Engineer advised that notwithstanding the reading of the deed, the heirs to the Morris Estate refuse to assume the responsibility for the maintenance of that portion of the trestle off the highway right of way, although the Highway Maintenance Department is maintaining the portion that is located on the highway right of way. He pointed out that it is necessary from time to time to make repairs to the revetment and that the only means of access to the revetment is over the property of the Morris Estate. He requested instructions from the Commission what to do in the matter and recommended that the Commission enter into a new agreement with the Morris Estate providing for maintenance by the state of the entire timber trestle approach bridge, both on and off the highway right of way, in exchange for which the Morris Estate shall grant to the state a permanent easement over its property, allowing the Highway Department access to the revetment and dike, with equipment necessary for repairs. He advised that the heirs to the estate have signified their willingness to grant such an easement over their property. After discussion, and it appearing to the Commission that access to the dike or revetment is an absolute necessity, the Commission approved the Engineer's recommendation by unanimous vote and ordered that the matter be covered by appropriate agreement.

The Attorney brought up for discussion matters pertaining to the Vols condemnation action for the acquisition of an addition to Silver Creek Falls State Park in Marion County. He said that Mr. Vols is unwilling to sell his land for the amount offered by the state, hence it is necessary to proceed with the condemnation; also, that Mr. Vols has two tenants who are occupying the property, one of whom operates a dance hall and the other a beer parlor, but neither of these tenants has been made a party to the lawsuit, so they cannot testify as to their losses in the event the state acquires the property and evicts them. The leases, he said, expire in three years, and, if the state takes title now, it will have to be subject to the leases. He inquired as to the wishes of the Highway Commission in regard thereto. The Commission voted unanimously to proceed with condemnation, notwithstanding the leases, without including the tenants as parties to the suit.

The Commission considered a letter from V. S. Howard, lawyer, Madras, with respect to the construction of a cattle pass under the Warm Springs Highway near Madras. The Commission denied the request, it appearing that the estimated cost of constructing the cattle pass exceeds the appraised value of Mr. Howard's property; it also appearing that no cattle have been grazed on Mr. Howard's property for the past seven years, so there is no apparent need for a cattle pass.

The Commission considered and approved the form of deed whereby the Weyerhaeuser Timber Company proposes to deed to Tillamook County certain timber lands adjacent to the Wilson River Highway, in Tillamook County, it appearing to the Commission that the reservations contained therein are not of sufficient importance to require a modification of the form.

The Engineer reported on the cost to reconstruct a short section of

the Lower Columbia River Highway at a place known as Johnson's Landing south of Scappoose, to effect an improvement of the reverse curves at such location pending reconstruction of the highway on permanent alignment paralleling the railroad and passing through a cemetery. The Engineer suggested that the most practical way to improve these curves temporarily is to construct a short section of guard fence around the outside of the north curve and to widen and oil the shoulders on the east side of the south curve, if the Commission wants to do anything at all. The Commission approved the suggestion by unanimous vote and authorized the Engineer to proceed accordingly.

A letter was presented from Mr. Lacey V. Murrow, Director of Highways of the State of Washington, with respect to the rerouting of the Oregon-Washington Highway, in Umatilla County. Mr. Murrow states that a reconnaissance survey has been made of the several routes for the Washington end of this road and they have adopted the route along College Avenue through College Place and an extension thereof directly south to the Washington-Oregon State line at a point about three-fourths of a mile east of the present highway. The Engineer advised that such location will connect with the proposed relocation of this highway in the State of Oregon which passes about one-half mile east of the town of Freewater. The Commission instructed the Engineer to inform Mr. Murrow that the location that he has adopted for the Washington section meets with the approval of the Oregon State Highway Commission but there is no chance to construct the Oregon portion now because of lack of funds to finance the work; so it would be appreciated if he will defer construction of the Washington portion south of College Place until Oregon is ready to construct the Oregon section. He was also instructed to inform Mr. Murrow that the rerouting of the highway in Oregon will require a public hearing to be held in the town of Freewater and that the Commission considers it inadvisable to hold such hearing until it is ready to proceed with construction.

Major A. E. McKennett, representing the United States War Department, was present and conferred with the Commission in regard to the reconstruction of the Upper Columbia River Highway at Perham Creek and at Warren Creek above the Columbia River backwater caused by the Bonneville Dam. The State Highway Engineer inquired why the Government is willing to pay the State of Oregon only about \$12,000 for reconstructing the highway at Perham Creek and only about \$16,000 for reconstructing the highway at Warren Creek when it is paying to the Oregon-Washington Railroad and Navigation Company the sum of \$1,500,000 for the reconstruction of the railroad. Major McKennett stated that most of the money that is being paid to the railroad company is to defray the cost of constructing riprap as a protection against wave action, wind, tides, et cetera, to which the highway would not be subjected. He stated further that only a short section of the highway has to be reconstructed compared with a very long section of the railroad. It was his thought that on a comparative basis the state is receiving just as favorable consideration as the railroad company.

The question of right of way was also discussed, particularly that needed at Warren Creek, involving the acquisition of land from the railroad company or the encroachment of the highway upon railroad property. In this

regard Major McKennett referred to a letter from F. N. Finch, General Manager of the Oregon-Washington Railroad and Navigation Company, in which Mr. Finch states that the railroad company is ready and willing to let the highway encroach on the railroad property whenever the state is ready to use it. The State Highway Engineer advised that complications have arisen since Mr. Finch's letter was written and it now appears that the highway right of way will not be as easily obtainable as was first thought. After considerable discussion the matter was left to Chairman Cabell with full power to pass on the matter. The Engineer was instructed to work up the details and discuss the matter with Mr. Cabell.

Major McKennett then brought up for discussion the matter of constructing a fill with tide gates across Mill Creek on the Columbia River Highway at The Dalles as a substitute for the existing temporary timber bridge which was built by the state several years ago pending the working up of plans by the United States War Department for its proposed improvement at this point. Major McKennett explained that this fill is needed as soon as possible in order to prevent the flooding of lands by backwater from Bonneville Dam and gave as his thought that now is a good time to have the work done while the Government has a contractor working in that vicinity. He estimated that the fill would take about 5,500 cubic yards of material and pointed out that the fill slopes would have to be riprapped. The riprapping work, he said, would be paid for with government funds but the filling work could not be handled in such manner because the work is not covered in the Government's contract. He estimated that the fill would cost about 50¢ per cubic yard. He also said that the Government would construct and pay for the culvert through this fill to take care of excess water. The State Highway Engineer questioned the concern of the state in this matter, it appearing to him that the flooding of lands is a matter strictly the Government's responsibility. He pointed out that the State Highway Commission is short of funds and must watch expenditures very closely. After considerable discussion the Commission decided to refer the entire matter to Chairman Cabell and the Engineer with full power to act. The Engineer was instructed to make a joint inspection of the premises with Major McKennett and report his findings to Chairman Cabell.

The Engineer reported the results of a reconnaissance survey made by Engineer J. F. Waller on the reconstruction of the Oregon-Washington Highway between Pendleton and the Washington State line, with particular reference to the section between Pendleton and Adams (see report dated October 1936). He pointed out that the present highway is constructed in the Wild Horse Creek Canyon and is subject to overflow during periods of high water. Furthermore, it is very narrow and crooked, whereas the proposed route follows a direct line between Pendleton and Adams through the wheat fields well above water, where it can be built wide and straight. He estimated that to reconstruct the present road would cost about \$175,000 more than to build a new highway on the proposed location, and pointed out that the proposed route would be about six-tenths of a mile shorter than the existing route between common points. He also pointed out that the proposed route would eliminate the grade crossing of the Oregon-Washington Railroad and Navigation Company's tracks at Adams. However, until the highway is reconstructed throughout, it would be necessary for traffic to use the existing grade crossing on a county

road at Adams as a temporary connection between the old and new highways. The question arose whether or not it would be necessary to secure an order from the Public Utilities Commissioner in order to use this grade crossing temporarily. The Attorney was instructed to discuss the matter with the Public Utilities Commissioner and also with the railroad officials. A definite decision in regard to the improvement was deferred pending consultation with Chairman Cabell.

The Engineer reported briefly on the cost to construct the proposed revision of the Pacific Highway West through the town of Tigard along three alternate routes that are under consideration. He estimated that to construct the northwesterly line would cost about \$385,000; the center line would cost about \$342,000; and the southeasterly line about \$301,000; all estimates being inclusive of right of way and including a railroad grade separation structure over the Southern Pacific and Oregon Electric railroad tracks. He expressed his preference for the northwesterly route, which is the most expensive from the standpoint of construction as well as right of way. The Commission deferred action on this matter until the next meeting and instructed the Engineer to secure options in the meantime for right of way on each of the alternate routes for consideration at that time.

The Engineer also reported briefly on the results of a reconnaissance survey for a proposed revision of the Oregon Coast Highway in Coos County, bypassing the town of Coquille. He said that the bypass would save about 7 miles in distance between Marshfield and Bandon but would cost about \$550,000, so could not be constructed in the near future because of shortage of funds. Meantime, he added, something should be done about improving the condition of the low section of the Oregon Coast Highway, known as the dike section, just west of Coquille, which is inundated about every time there is a period of high water; in fact, was closed to traffic four or five times this winter from such cause. He said that a location survey has not been made to determine the cost to raise this section but a rough estimate indicates that it would cost about \$143,000. It was the thought of the Commissioners that something should be done to relieve conditions at this point, whereupon the Engineer was instructed to make a location survey of the section and report his findings, including costs, to the Commission at the next meeting.

The Commission had under consideration communications and petitions from L. M. Lepper, Portland, urging the designation and construction as a state highway of a road connecting The Dalles-California Highway and the Wapinitia Highway, passing through a place known as Wamic. The Engineer gave as his thought that the Commission is not justified in spending any of its funds for the construction of such road at the present time and recommended that the request be denied. The Commission approved the recommendation by unanimous vote and instructed the Engineer to so inform Mr. Lepper.

The Commission had under discussion a report from the Engineer on the advisability of designating as a state secondary highway the county road extending from the Mt. Hood Highway through the towns of Odell and Summit to

a connection with the Hood River Secondary Highway in Hood River County. The Engineer said that the road shows a reasonable solvency but he could not recommend that it be made a secondary highway at this time because there is now being spent annually for maintenance of secondary highways in Hood River County an average of \$7,500, which is about \$3,000 more than the county is entitled to. It was his thought that the present secondary highways in this county should be completed before the Commission adds any more roads to that system. The Commission concurred in the viewpoint of the Engineer and so ordered. The Engineer was instructed to convey such information to the Hood River County Court.

The Engineer also reported on the cost to construct the line change requested by the Tillamook County Court on the Nehalem-Manzanita county road which is now being maintained by the state as a state highway pending construction of the connecting link in the state highway between Manzanita and the Oregon Coast Highway, near Fisher Point. The Engineer advised that highway maintenance crews are about to rebuild two small bridges on the existing road and that the county court wants the Commission to rebuild these on alignment that will eliminate two sharp curves, and in order to secure such improvement the county will furnish the right of way and clear the same and will also provide a power shovel and do the excavation work that is needed and will load the rock for surfacing and oiling, on the condition that the state will provide the trucks to do the hauling work, and will oil the road when the surfacing is completed. He suggested that, if the plan is approved, the trucks could be taken from the Wilson River Highway at such time as the work there is slack. He estimated that it will require three trucks for a period of about ten days, and recommended approval of the project. The Commission approved the recommendation by unanimous vote.

The Commission had under discussion the Engineer's report on the cost to regrade a section of the East Portland-Oregon City Highway in front of Dr. G. H. Huthman's property at Grand Avenue and Brooklyn Street, Portland. The Engineer estimated that such work, exclusive of revising the garages and constructing a toe wall and steps, would cost about \$3,000. Such estimate, he said, is intended merely to cover the work which might be asked of the state if Dr. Huthman's property were cut down to a level with the highway and it were a desire of the state to lower the pavement, curbs, and sidewalk, but it does not include any reconstruction on private property. After discussion the Commission authorized the Engineer by unanimous vote to proceed with such reconstruction work when and if Dr. Huthman has regraded his property, but not before.

The Engineer reported on the cost to acquire right of way for a connection between the Warm Springs Highway and the Ochoco Highway in the city of Prineville, as proposed by County Judge A. R. Bowman of Crook County. He estimated that such right of way would cost about \$32,000, and recommended, in view of the present shortage of funds, which precludes the construction of the project in the near future, that the acquisition of right of way be postponed. The Commission approved the recommendation and instructed the Engineer to so inform Judge Bowman.

The Engineer reported the results of an investigation of the Butler Market Road in Deschutes County which has been proposed by the Deschutes County Court as a substitute for the present route of the Powell Butte Secondary Highway into Bend. He said that the distance to Bend from the junction of the Butler Market Road and the Powell Butte Secondary Highway is about 8 miles by way of the present route and about 7.45 miles by way of the Butler Market Road; in other words, the route by way of the Butler Market Road is 0.55 mile shorter than the present route; however, the present route for about 5 miles is over the Central Oregon Highway, which is oiled, whereas the Butler Market Road is an unimproved road through an irrigated district, has poor alignment and grade, and would be difficult to maintain during the winter because of its exposure to the elements. He pointed out that the change in route would involve abandonment of 3 miles of secondary highway and the designation as a secondary state highway of 7.45 miles of new road. He recommended that the request be denied. The Commission approved the recommendation.

The Commission had under consideration the matter of widening the right of way of the Sunnyside-Umapine Secondary Highway, which the Commission plans to improve as a federal aid secondary highway project. The Engineer advised that the present right of way between Sunnyside and Umapine is only 40 feet wide and there is a question whether or not the Bureau of Public Roads will approve an expenditure of government funds for an improvement on a right of way of such narrow width. This question was answered by Mr. W. H. Lynch, District Engineer, Bureau of Public Roads, who was present. Mr. Lynch stated that, if the state can construct a suitable road improvement on a 40-foot right of way and will assure the Federal Government that can be done, the Government will not require that the right of way be widened.

The Commission considered and ordered filed a report from the American Association of State Highway Officials showing the standing of the various states with respect to the 1938 Federal Aid Funds available for programmed projects. The report revealed that Oregon stands eleventh, with 67.65 per cent of such funds under contract.

The Commission considered a letter from the Attorney dated March 11, 1938, with respect to the Highway Commission's liability for injuries or death caused by rocks falling from the hillside onto a state highway. The Commission ordered the letter filed, action on such matter having been taken at the previous meeting and there being no further action needed at this time.

In this connection the Commission authorized the Engineer to spend approximately \$25,000 of state highway funds for combing the slopes adjacent to the Columbia River Highway at Mosier tunnel and for improvements in the tunnel, which improvements are to include increasing the width and the height of the same. The Commission ordered that such expense be paid from the emergency or contingent fund.

The Commission considered and ordered filed a reconnaissance survey report from the Engineer on the proposed revision of the Lower Columbia River Highway at Mile Post 89 for the elimination of sharp curves in the present

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alignment at a place known as Big Creek railroad crossing. (See report of J. F. Waller, Locating Engineer, dated March 1938, for a revision between Mile Post 88.5 and Mile Post 89.5.)

The matter of constructing a nonskid wearing surface on Sherman Avenue in North Bend, Oregon Coast Highway, had the attention of the Commission. The Engineer pointed out that the Commission, at a previous meeting, authorized an expenditure of \$5,000 to finance such work. He requested authority to increase the minor betterment budget for primary highways in such amount. The Commission approved the request by unanimous vote, which raises such budget from \$175,000 to \$180,000.

The Commission by unanimous vote authorized the purchase of the following equipment:

12 new cars of the Ford or Chevrolet type and 8 new pickup trucks of the same type. There are to be traded in as part purchase price for such equipment 12 worn-out cars and 8 worn-out pickup trucks, resulting in a net total cash outlay for the new equipment of \$13,800.00.

2 hoists for installation on 2 new trucks assigned to bridge crews, estimated total cost \$700.00.

2 traffic-actuated traffic signal controls complete with detectors, signal heads, et cetera, for future installation, estimated total cost \$5,400.00 exclusive of installation charge.

1 traffic-actuated signal for installation at the intersection of 82nd and Stark Streets, Portland, estimated total cost installed \$3,200.00. The Commission's approval of this installation was contingent upon the city of Portland paying one-half of the cost thereof.

11 dictograph station boxes to complete the dictograph installation in the Salem offices. This equipment is to be purchased from the Converse Company, Inc., Seattle, for \$3,000.00.

The Attorney brought up for discussion the question of payment of additional damages in connection with the derailment of the Union Pacific Company's train at Oneonta on February 21, 1936, and explained that he had a letter from Mr. Roy F. Shields, attorney for the Union Pacific Company, who stated that there is an opportunity to compromise the case of E. L. Sayres versus the Union Pacific Company for \$1,500. The plaintiff is asking for about \$3,000. This case was pending at the time Mr. Cabell and Mr. Finch agreed upon the compromise settlement on the basis of 50-50 and that settlement was made with the understanding that whatever the railroad company had to pay as a result of the pending case would be disposed of on the same basis. The Attorney was instructed to confer with Mr. Shields with respect to the compromise settlement and then report back to the Commission.

The Commission by unanimous vote authorized the payment of \$350.00 to the American Association of State Highway Officials for the Commission's 1938 dues for membership in such organization.

The Commission by unanimous vote authorized N. M. Finkbinder, Engineer of Materials, to go to Seattle, Washington, to view some special tests that are to be conducted on wood stave pipe culverts in the Forest Products Laboratory at the University of Washington, March 24 and 25, 1938, subject to the condition that Governor Martin will approve the out-of-state travel authorization.

The Commission also by unanimous vote authorized the Office Engineer, S. H. Probert, to attend the meeting of the Committee on Uniform Accounting of the American Association of State Highway Officials which is to be held in Chicago, Illinois, on April 11, 1938. The trip is to be made at state expense provided Governor Martin concurs in the approval.

The Commission also authorized Bridge Engineer Glenn S. Paxson to attend, at state expense, a meeting of the Bridge Committee of the American Association of State Highway Officials which is to be held in Salt Lake City May 2 to 6, 1938.

The Commission considered and denied the request of Mr. B. F. Howard, Shedd, Oregon, that the name of the locality known as Smithfield, in Lane County, be printed on future highway maps, it being considered by the Commission inadvisable to place this name on the map in view of the fact that a controversy exists among the local people as to whether or not the place should be known as Smithfield, some contending for the name Franklin.

The Commission considered the adoption of a policy with respect to the penalty which is being imposed on log haulers who have been arrested four times or more for transporting over state highways loads weighing in excess of the statutory weight limits. The Commission decided upon a penalty of 10 days' suspension of the operator's permit, in so far as it pertains to the particular equipment involved in the arrest, for each violation.

The adoption of a policy with respect to the disposal of logs which have fallen from trucks and have been left on state highway rights of way had the attention of the State Highway Commission. The Commission ordered that hereafter in instances of this kind an attempt should be made to ascertain the owner of the logs, and if the owner can be found, he is to be requested to remove the logs from the highway right of way. If he refuses to do so within a reasonable length of time, then the Public Utilities Commissioner is to be requested to cancel the permit of the offending operator, and the logs then are to be either burned or given to someone who will remove them from the highway right of way, provided the Commission has legal authority to dispose of them in such manner.

The Engineer reported that some of the highways on which reduced load limits have been in effect since the first of the year have now dried out sufficiently to withstand legal weight loads. He submitted a list of

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such highways and recommended the lifting of such reduced load limits. The Commission approved the recommendation by unanimous vote and adopted the following resolution in regard thereto:

WHEREAS, on the sixth day of January, 1938, at a meeting of the Oregon State Highway Commission, all members being present and participating, the Commission passed and adopted a resolution reducing the maximum load limit on the following state highway:

SIUSLAW HIGHWAY from the junction with the Pacific Highway near Junction City to Florence, in Lane County; and

WHEREAS, on the sixteenth day of February, 1938, at a meeting of the Oregon State Highway Commission, all members being present and participating, the Commission passed and adopted a resolution reducing the maximum load limit on the following state highways:

THE DALLES-CALIFORNIA HIGHWAY between Maupin, in Wasco County, and Terrebonne, in Deschutes County;

McKENZIE HIGHWAY between Sisters and Redmond, in Deschutes County;

OCHOCO HIGHWAY between Redmond, in Deschutes County, and a point six miles east of Prineville, in Crook County;

McKENZIE-BEND HIGHWAY from Sisters to the junction with The Dalles-California Highway near Bend, in Deschutes County;

CENTRAL OREGON HIGHWAY between Bend, in Deschutes County, and Burns, in Harney County;

OREGON COAST HIGHWAY from Marshfield, in Coos County, to Port Orford, in Curry County;

FREMONT HIGHWAY between Silver Lake and Lakeview, in Lake County; and

WHEREAS, subsequent to the passage of said resolution, conditions have changed so that it is now no longer necessary or desirable, and the Commission hereby finds that it is no longer necessary or desirable to maintain the reduced load limits set out in said resolutions on the said state highways;

NOW, THEREFORE, BE IT RESOLVED that the action of the State Highway Commission reducing the maximum permissible load limit on the

(Continued on next page)

STUSLAW HIGHWAY from the junction with the Pacific Highway near Junction City to Florence, in Lane County;

THE DALLES-CALIFORNIA HIGHWAY between Maupin, in Wasco County, and Terrebonne, in Deschutes County;

McKENZIE HIGHWAY between Sisters and Redmond, in Deschutes County;

OCHOCO HIGHWAY between Redmond, in Deschutes County, and Prineville, in Crook County; the reduced load limit from Prineville to a point six miles east thereof remains in full force and effect;

McKENZIE-BEND HIGHWAY from Sisters to the junction with The Dalles-California Highway near Bend, in Deschutes County;

CENTRAL OREGON HIGHWAY between Bend, in Deschutes County, and Burns, in Harney County;

OREGON COAST HIGHWAY from Marshfield, in Coos County, to Port Orford, in Curry County;

FREMONT HIGHWAY between Silver Lake and Lakeview, in Lake County;

be and the same hereby is rescinded and cancelled as of this date, and the maximum load limit permissible on the said sections of the said highways hereafter shall be the maximum load limit provided by law; and it is further ordered that a certified copy of this resolution be furnished to the county clerk of each county in which said highways are located, and that a certified copy of this resolution be furnished to the Superintendent of the Department of State Police for his information.

The Commission approved the Engineer's letter directed to the Tillamook Drainage District regarding the proposed relocation of the Oregon Coast Highway just south of Tillamook, wherein the Engineer advised the district that the Commission has no funds available for the reconstruction of this section and there will probably be none until the new route of the Oregon Coast Highway around Neahkahnie Mountain, and the Wilson River Highway, are completed, so it appears that the existing highway will have to be used for some time to come.

The Engineer reported that in accordance with authority previously granted him by the Commission he has awarded several contracts for which bids were received by the Commission on February 17, 1938. He asked the Commission to confirm such awards, which are as follows:

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Contract for furnishing crushed rock in stock piles for the Mystic Creek-Brockway Section of the Coos Bay-Roseburg Highway, in Douglas County. Awarded on March 16, 1938, to D. L. Ashton, Lebanon, the low bidder, at his bid price of \$11,571.00.

Contract for furnishing crushed rock in stock pile for the Hood River Rock Production Project on the Columbia River and Mt. Hood Highways, in Hood River and Wasco Counties. Awarded on March 12, 1938, to Schmeer, Williams & Gentemann, Portland, who submitted the low bid therefor at \$12,467.40.

Contract for construction of the Hill Creek Bridge Section of the Pacific Highway, in Lane County. Awarded on March 3, 1938, to Edlefsen-Weygandt Company, Portland, who submitted the low bid therefor at \$16,137.50.

Contract for the Gold Hill Rock Production Project on the Pacific Highway and Sams Valley Secondary Highway, in Jackson County. Awarded on March 8, 1938, to A. S. Wallace, Roseburg, who submitted the low bid therefor in the amount of \$8,905.00.

The Commission confirmed the award of the above contracts by unanimous vote.

The Commission considered and approved W.P.A. projects as follows:

Grading work on the Wolf Creek Highway east of Sunset Camp to Sunset Tunnel. Estimated total cost, \$389,969; state's share, \$180,480.

Construction of a maintenance patrol building at Forest Grove. Estimated total cost \$8,142.00; state's share \$4,957.00.

A petition signed by 96 residents of Marshfield, Coos River, and vicinity, requesting construction of a bridge over Coos River replacing the Enegren Ferry, had the attention of the Commission. The Engineer estimated that such bridge would cost approximately \$100,000. It was his thought that such expense is not justified, particularly in view of the fact that the state is now maintaining a free ferry at this location, and recommended that the request be denied. The Commission approved the recommendation by unanimous vote.

A letter was presented from Catching Inlet Grange No. 690, Marshfield, requesting the oiling of the Coos River Secondary Highway as far as the Enegren Ferry. The Commission denied the request, there being no funds to finance such improvement, and particularly in view of the fact that the Commission proposes to construct a bridge across Catching Inlet which will take all of the funds that the Commission has to spare for this vicinity.

A letter was presented from Philomath City Council requesting the oiling or paving of the strips between the highway pavement and curb lines on the Corvallis-Newport Highway between "F" Street and "H" Street in Philomath. The Commission denied the request on account of lack of funds. (This project was approved at meeting held on April 14th.)

Consideration was given by the Commission to a petition signed by 59 citizens of the town of Dundee, urging the paving of the Pacific Highway West full width between curbs through their town. The Engineer advised that according to present plans a section of this highway near Dundee is to be reconstructed this year. He recommended that the improvement of the highway through the town of Dundee be included in this contract. The Commission approved the recommendation by unanimous vote and so ordered.

The Commission considered and denied a request from J. W. Ostrander, Gold Beach, for state aid in financing the construction of right of way fences in front of his premises along the Oregon Coast Highway, in Curry County.

A letter was presented from H.B. Thomas, Mayor, Boardman, Oregon, requesting permission to dump garbage in an old state-owned gravel pit located about one-fourth mile west of the town of Boardman. The Commission denied the request.

A letter was presented from George G. Peil, Past President of the Waldport Chamber of Commerce, requesting the support of the Commission in ridding the Oregon Coast Highway of advertising signs and billboards. The Commission indicated approval of the sentiment expressed in the letter, which is in conformity with the Commission's established policy regarding sign matters. The Engineer was instructed to bear this feature in mind in the preparation of a circular letter with respect to the maintenance of signs along state highway rights of way.

The Commission considered and ordered filed a communication from the Neighborhood Community Club, Portland, opposing the construction of the proposed Foothills Boulevard Project in Portland.

A petition bearing 202 signatures of residents of Portland, Mt. Angel, Silverton, and vicinity, was presented, pointing out the beauties of Abiqua Falls, in Marion County, and urging the Commission to construct a road up to these falls so that they may be enjoyed by the general public. The Engineer advised that this road would be approximately 9.3 miles in length, and that to grade, surface, and oil the same and to construct necessary bridges would cost about \$196,000, and that the total annual cost for maintenance, et cetera, would amount to \$18,000. The Commission considered that the time is not propitious to place this road on the state highway system and accordingly denied the request.

The Commission considered and ordered filed a letter from Charles M. Bristol, Portland, urging the reconstruction of the Columbia River Highway (Sandy Boulevard) through Troutdale and westerly thereof, on the present alignment instead of on a new location north of the Union Pacific Railroad tracks and across the bottom lands.

The Commission also considered and ordered filed a resolution from the Klamath County Pomona Grange favoring change in the highway laws so as to give the State Highway Commission police jurisdiction over state highways for the control of speed, et cetera.

A letter was presented from the Pacific Telephone & Telegraph Company, inquiring whether or not the State Highway Commission has any objections to the company constructing a fireproof building on private property situate between the Columbia River Highway and the O.W.R. & N. railroad tracks opposite Ainsworth State Park, about one mile east of Horsetail Falls, in Multnomah County. The Engineer advised that the new location for the highway up the Columbia River is a considerable distance away from the present highway at this point and in his estimation the Highway Department would have no use for the land on which the company proposes to erect its building; further, that the building, in his estimation, will not interfere with the highway activities in the least. In view of the Engineer's report, the Secretary was instructed by the Commission to inform the company that the Highway Commission will not offer any objections to its plans in this regard.

The Commission considered and ordered filed a resolution from the City Council of Gearhart, in which suggestion was made that the Highway Commission acquire ownership to the tidelands and beach within the corporate limits of the city of Gearhart

The Commission considered and referred to the State Parks Superintendent for investigation and report a letter from Oscar Furuset, Portland, suggesting that the state should acquire ownership of a small grove situate adjacent to the Pacific Highway West, a short distance south of the town of Monmouth.

A letter was presented from Mr. William H. Baker, Principal of the Grass Valley Public Schools, Grass Valley, Oregon, requesting permission to collect an occasional wild flower specimen along the state highways in the vicinity of Grass Valley. The Commission referred this matter to the Landscape Engineer for recommendation and authorized the Secretary to issue a permit to Mr. Baker, in the event recommendation is favorable.

The Commission considered and signed a bargain and sale deed conveying unto Sarah E. Mulkey for the sum of \$207.00, 2.25 acres of land in Douglas County.

The Engineer asked the Commission to authorize certain surveys which, in accordance with authority previously given him by the Commission, he has ordered since the last meeting. He presented a list of such surveys. Motion was made by Commissioner Tou Velle that the State Highway Engineer be authorized and instructed to make such location surveys on various sections of the highways of this state, which said sections of highways, together with their identifying survey numbers and the amounts authorized and allocated for survey expenditures, are as follows:

Location - 6-2810 - Marshfield-Coquille Sect., Oregon Coast Highway, Coos County.	4th authorization - \$ 1,000.00
Total to date \$18,300.00	
Gravel Pit 10-2813 - Scottsburg-Drain Sect., Umpqua Highway, Douglas County	2nd authorization - \$50.00
Total to date \$250.00	

Prepare Plans - 104-2819 - Jewell-Klaaskanine Summit Sect., Nehalem Secondary Highway. 1st authorization - \$ 2,500.00
 Right of Way - - 21-2812 - Otis-Delake Sect., Oregon Coast Highway. 3rd authorization - - \$500.00
 Total to date \$1,070.00
 Quarry Site - - 121-2823 - M.P. 10 to M.P. 20, Silets Secondary Highway. 1st authorization - - \$400.00
 Quarry Site - - 121-2822 - Norton Summit Section, Eddyville-Blodgett Secondary Highway. 1st authorization - - \$400.00
 Prepare Plans - - 36-2818 - McMinnville Section, Pacific Highway West. 1st authorization - - \$350.00
 Prepare Plans - - 22-2811 - Shedd-Halsey Section, Pacific Highway East. 1st authorization - - \$200.00
 Prepare Plans - - 9-2815 - Oasis at Brothers, Bend-Burns Highway. 2nd authorization - - \$100.00
 Total to date \$800.00
 Recon. Survey - 18-2813 - Chemult-Modoc Point, The Dalles-California Highway. 2nd authorization - - \$225.00
 Total to date \$1,225.00
 Location - - - - 5-2811 - Rainier-Clatskanie Sect., Columbia River Highway. 1st authorization - - - \$50.00
 Relocation - - - 14-2813 - Mitchell Point Section, Columbia River Highway. 1st authorization - - \$2,000.00
 Survey
 Recon. Survey - - 9-2809 - Tumalo Section, McKenzie-Bend Highway. 2nd authorization - - \$150.00
 Total to date \$570.00
 Location - - - - 34-2818 - Multnomah County Line South, Pacific Highway West 2nd authorization - - \$900.00
 Total to date \$2,500.00
 Prepare Plans - - 24-2817 - Salem, Capitol & Summer Streets, Pacific Highway East. 1st authorization - - \$1,000.00
 Prepare Plans - - 227-2810 - Independence-Buena Vista Section, Polk County Road 1st authorization - - \$1,050.00
 Prepare Plans - - 236-2819 - Sheridan and S.E. Yamhill County Road 1st authorization - - \$1,050.00
 Prepare Plans - - 205-2812 - Vernonia-Golf Course, Upper Nehalem County Road. 1st authorization - - \$900.00

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Prepare Plans - -114-2809 - Jericho Lane-Odell Junction, Hood River Secondary Highway. 2nd authorization - - \$300.00
 Total to date, \$1,650.00

Location - - - - 18-2824 - Crescent-Diamond Lake Junction and Diamond Lake Junction Sections of The Dalles-California and East Diamond Lake Highways. 1st authorization - - \$400.00

Location - - - - 18-2815 - Crooked Creek-Modoc Point Sect., The Dalles-California Highway. 3rd authorization - - \$7,355.00
 Total to date \$14,630.00

Stock Pile - - - 28-1202 - Dillon-John Day River Sect., Columbia River Hwy. 1st authorization - - \$900.00

Prepare Plans - -231-2813 - North Powder-North Powder River Sect., N. Powder County Road. 1st authorization - - \$720.00

Prepare Plans - -125-2807 - Rhea Creek-Heppner Section, Wasco-Heppner Road. 1st authorization - - \$1,500.00

Prepare Plans - -232-2806 - Enterprise-Joseph Sect., Hurricane Creek County Road. 1st authorization - - \$1,170.00

Revetment - - - - 20-2828 - Harrisburg-Junction City Sect., Pacific Hwy East. 1st authorization - - \$100.00

Prepare Plans - -226-2833 - Thompson and Laidlaw Roads, Multnomah County Roads 1st authorization - - \$600.00

Prepare Plans - -203-2816 - Carver-Redland, Clackamas County Road. 1st authorization - - \$600.00

Location - - - - 226-2830 - Lombard Street-Sandy Blvd. Sect., N.E. Portland Highway. 7th authorization - - \$1,000.00
 Total to date \$7,000.00

Prepare Plans - - -1-2812 - Flagstaff Hill-Middle Bridge Sect., Baker-Homestead Highway. 1st authorization - - \$6,100.00

Right of Way - - -22-2812 - Lebanon-Sweet Home Section, Santiam Highway. 1st authorization - - \$ 50.00

Stock Pile - - - -14-2811 - Viento-Memaloose Park Section, Columbia River Highway. 2nd authorization - - \$250.00
 Total to date \$550.00

Prepare Plans - -226-2834 - Section Line-Hogner Road Sect., Multnomah County Road. 1st authorization - - \$800.00

Prepare Plans - -233-2814 - Chenoweth Section, Wasco County Road. 1st authorization - - \$1,000.00

Prepare Plans - 203-2617 - Eagle Creek-Dover Section, Clackamas County Road.
1st authorization - \$1,300.00

Prepare Plans - 8-2808 - Brookings Section, Oregon Coast Highway.
2nd authorization - - \$400.00
Total to date \$2,000.00

Location - - - 18-2818 - Chiloquin Preliminaries, The Dalles-California Hwy.
3rd authorization - \$1,800.00
Total to date \$9,200.00

Prepare Plans - 18-2821 - Olene Grade Crossing, Klamath Falls-Lakeview Hwy.
2nd authorization - - \$75.00
Total to date \$175.00

Prepare Plans - 18-2817 - City of Klamath Falls, Main St. Railway Crossing.
2nd authorization - - \$105.00
Total to date \$505.00

Prepare Plans - 234-2819 - Hillsboro-Cornelius Pass Section, Washington County Road.
1st authorization - - \$600.00

Reconn. Survey - 4-2820 - Swenson-Westport Sect., Columbia River Highway.
1st authorization - - \$250.00

The motion was duly seconded by Commissioner Aldrich and was declared carried.

The Commission had under consideration the following requests for extensions of time within which to complete highway construction projects:

Orino, Birkensier & Sarnal, Contract No. 1815, for grading, and bridge and tunnel construction on the Arch Cape Tunnel Section of the Oregon Coast Highway, in Clatsop County, requested an additional extension of time, from July 1, 1937, to such date as may be established by the State Highway Department as the completion date for this contract. The Engineer advised that Feb. 28, 1937, was the date of completion specified in the contract, but this was extended to July 1, 1937, without penalty, because of a 60-day delay in securing additional treated tunnel timber and because slower progress was made in driving the tunnel through hazardous and difficult ground than was anticipated. He pointed out that the amount of work completed by the contractor far exceeds the amount anticipated when the contract was awarded, due to the necessity of constructing additional timber lining and the performance of other extra work, such as grouting behind the timbers and the reconstruction of the timbering at the south end of the tunnel. He further advised that the traveling public has not been inconvenienced by the delay in completing the contract within the specified time limit, and recommended, in view of the circumstances, that the extension of time requested be granted to February 5, 1938, the date on which the contract was completed. He submitted a letter from the Bureau of Public

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Roads concurring therein. The Commission approved the recommendation by unanimous vote.

Roy L. Houck, Contract No. 1977, for grading the Short Sand Beach Creek Section of the Oregon Coast Highway, in Tillamook County, requested an extension of time from November 30, 1937, to March 2, 1938, within which to complete this project. He attributed his failure to complete the project within the specified time limit to slides and over-breaks, which forced the job into a period of bad weather when it was necessary to close down the operations. He also alleged that because of high-water conditions he encountered extreme difficulty in constructing a large culvert and a channel change at Station No. 372. The Engineer advised that the quantities of materials actually excavated exceed the estimated amounts by 8 per cent and on the basis of such increase the contractor should be allowed an extension of time to December 17, 1937, without penalty. He recommended that the extension of time requested be approved but that the contractor be charged an amount equal to the engineering expense incurred by the state on this job subsequent to December 17, 1937. He presented a letter from the Bureau of Public Roads concurring therein. The Commission approved the recommendation by unanimous vote.

Andersen Construction Company, Contract No. 1989, for grading the Miller Flat-Agency Section of the Warm Springs Highway, in Jefferson County, requested an extension of time of 30 days, from November 30 to December 30, 1937, within which to complete this project. They alleged that the progress of the work was handicapped by reason of bad weather conditions. The Engineer advised that there is no particular reason why this job could not have been completed within the time limit specified in the contract; however, the cost of excavation overran the original estimate by about 30 per cent, due principally to the change in classification from common to solid rock, which fact could be considered sufficient justification for an extension of time of 18 days, to December 18, 1937, without penalty, and he so recommended. A letter was presented from the Bureau of Public Roads concurring therein. The Commission approved the recommendation by unanimous vote.

Jacobsen-Jensen Company, Contract No. 1992, for grading and paving the Phoenix-Bear Creek Section of the Pacific Highway, in Jackson County, requested an extension of time of 40 days, from December 31, 1937, to February 9, 1938, within which to complete this project. They attributed their failure to complete the contract within the specified time limit to bad weather conditions which interfered with the progress of paving work. The Engineer advised that bids for this project were received by the Commission on June 3, 1937, but the contract was not awarded until June 19, 1937; also, that the contractor did not start operations until July 1. The failure of the contractor to complete the contract within the specified time limit, he said, has increased the state's expense for engineering and has caused

considerable inconvenience to traffic inasmuch as such traffic was compelled, during the latter part of the time that work was in progress, to detour around on a county road, the maintenance of which has cost the state additional expense. He further advised that the contract was completed on February 5, 1938. He recommended that the extension of time from December 31, 1937, to February 5, 1938, be granted, but that the contractor be charged with the extra engineering expense incurred by the state subsequent to January 16, 1938, and that the contractor also be required to reimburse the state for the cost of maintaining the detour after such date. A letter was presented from the Bureau of Public Roads concurring in such recommendation. The Commission approved the recommendation by unanimous vote.

Averill & Corbin, Contract No. 2002, for remodeling and widening the bridge over Sullivan Gulch on the East Portland-Oregon City Highway, in Portland, requested an extension of time from March 31 to July 1, 1938, within which to complete this contract. They alleged that they were unable to start this job until October 21, 1937, 70 days after the contract was awarded, due to difficulties in securing insurance that was acceptable to the railroad company over whose tracks the bridge was being constructed. They also alleged that they were required to do a considerable amount of extra work, increasing by six per cent the contract quantities; also, that they were further delayed by reason of bad weather conditions encountered because of the fact that they could not start the job as soon as was anticipated. The Engineer advised that the date of completion specified in the contract is March 31, 1938, but for reasons given by the contractors, which are substantially correct, the work will not be done until about the first of July. He recommended, in view of the circumstances, that the extension of time requested be granted without penalty and submitted a letter from the Bureau of Public Roads concurring therein. The Commission approved the recommendation by unanimous vote.

The Engineer reported that contracts Nos. 1815, 1977, 1983, 1989, 1992, 2013, 2019, 2028, and 2032, for the construction of state highway projects, have been completed according to the requirements of the contracts or modifications thereof and that said jobs are now ready for acceptance. The following resolution accepting the above projects was offered and was adopted by the unanimous vote of the Commission:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts, and said jobs are now ready for acceptance:

Contract No. 1815, with Orino, Birkemeier & Saremal, for grading, and bridge and tunnel construction on the Arch Cape Tunnel Section of the Oregon Coast Highway, in Clatsop County. Completed February 5, 1938.

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Contract No. 1977, with Roy L. Houck, for grading the Short Sand Beach Creek Section of the Oregon Coast Highway, in Tillamook County. Completed March 2, 1938.

Contract No. 1983, with Roy L. Houck, for resurfacing and rock production on the Wilson Ranch-Paradise Creek Section of the Umpqua Highway, in Douglas County. Completed January 5, 1938.

Contract No. 1989, with Andersen Construction Company, for grading the Miller Flat-Agency Section of the Warm Springs Secondary Highway, in Jefferson County. Completed December 18, 1937.

Contract No. 1992, with Jacobsen-Jensen Company, for grading and paving the Phoenix-Bear Creek Section of the Pacific Highway, in Jackson County. Completed February 5, 1938.

Contract No. 2013, with E. H. Itschner, for furnishing crushed rock in stock pile for the Middle Bridge-Black Bridge Section of the Baker-Homestead Highway, in Baker County. Completed March 9, 1938.

Contract No. 2019, with O. C. Yocom, for furnishing crushed rock in stock pile for the Wallowa-Enterprise Section of the Wallowa Lake Highway, in Wallowa County. Completed January 26, 1938.

Contract No. 2028, with Rogers Construction Company, for furnishing crushed rock in stock pile for the Snake River Slides-Ontario Section of the Old Oregon Trail Highway, in Malheur County. Completed March 1, 1938.

Contract No. 2032, with O. C. Yocom, for surfacing the Gibbs Ranch-Baker Section of the Baker-Unity Highway, in Baker County. Completed March 15, 1938.

THEREFORE, BE IT RESOLVED, that the work covered by said state highway contracts for the construction of said state highway projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

The Commission adjourned at 12:30 o'clock p. m. to reconvene at 2:00 o'clock p. m. in the same room, with Commissioners E. B. Aldrich and F. L. TouVelle present and participating. Chairman Henry F. Cabell was absent on account of illness. Also present were the State Highway Engineer, the Attorney, and the Secretary.

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Mr. Jack Latourette, Attorney, Portland, representing the Security & Investment Company of Oregon City, with whom the Commission is negotiating for right of way for the East Portland-Oregon City Highway, in Oregon City, was present and conferred with the Commission relative to such right of way. He said that the first price that was made to the state for this property, in an amount of \$72,500, was based on the income the company received from the property, but they have since had the property reappraised and are now willing to accept the sum of approximately \$48,000 which he thought was a fair figure in view of the fact that the property contains the only available dock site in Oregon City. The State Highway Engineer pointed out that the average of the appraisals made for the State Highway Commission by competent appraisers was \$17,500, which includes \$2,632.90 for street ends which the Commission believes, from information at hand, are not owned by the company. Mr. Latourette suggested reappraisal of the property, and, if there appears to be a case for condemnation, that the Commission defer the condemnation proceedings until later in the year. No definite action was taken by the Commission on this matter because of the absence of Chairman Cabell. (The matter was discussed with Mr. Cabell at his residence later in the afternoon.)

The Commission adjourned at 3:00 o'clock p. m., to reconvene immediately at Chairman Cabell's residence, all members of the Commission being present and participating. Also present were the State Highway Engineer, the Attorney, and the Secretary.

The Engineer reported to Chairman Cabell the action taken by Commissioners Aldrich and Tou Velle on matters that were discussed earlier in the day. Chairman Cabell approved the action taken by the other Commissioners on such matters, making the action of the Commission unanimous.

The Commission discussed the matter of borrowing \$750,000 to assist in the financing of highway department activities and to provide funds for the matching of federal aid allotments during the last half of the year 1938 when, it now appears, the Commission's finances will be at a low ebb. The Commission voted unanimously to borrow such sum of money for the six-months' period beginning July 1, 1938, it being intended that it will be paid off on or before January 1, 1939. The Attorney was instructed to prepare an appropriate form of resolution covering the matter for adoption by the Commission at its next regular meeting.

The Commission discussed the matter of acquisition of right of way from the Security and Investment Company of Oregon City. Commissioner Aldrich explained results of the meeting with Mr. Jack Latourette in the Benson Hotel earlier in the afternoon. The Commission authorized Chairman Cabell to secure new appraisers to reappraise this property in the event he deems that advisable. The Commission indicated that it would condemn the right of way if a satisfactory settlement cannot be reached otherwise. However, the Commission ordered that no announcement of its decision should be made public until the condemnation proceedings for the acquisition of the rest of the right of way in Oregon City have been completed.

Reconsideration was given by the Commission to the matter of conducting an experiment of highway illumination on one of the state highways in

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the vicinity of Portland. The Engineer recommended that such an experiment be tried out on the Ross Island Bridge-17th Avenue Section of the East Portland-Oregon City Highway, in Portland. He estimated that it would cost about \$8,500 to install the lights on this section, which is 1.297 miles in length, and that it would cost about \$1,170 annually for operation and maintenance. He advised that he has consulted with the city officials of Portland and with the Oregon State Motor Association in regard to this experiment and has secured the approval of both thereto. After some discussion the Commission voted unanimously in favor of the Engineer's recommendation and authorized him to proceed with the project. He was instructed to pay the cost of the installation and upkeep out of the emergency or contingent fund, in view of the fact that no funds have been budgeted for the same.

The Commission discussed the matter of contributing state highway funds to assist in paying the cost of maintaining exhibits at the World's Fairs that are to be held in 1939 in New York and San Francisco. The Commission decided, after careful consideration, that it could not participate in any advertising program at the New York World's Fair except to make available to the Oregon World's Fair Committee a reasonable amount of literature pertaining to Oregon scenic and recreational attractions for distribution at such fair. The Commission also decided that it would make available, out of its tourist promotion funds, \$20,000 during the calendar year 1938 and \$20,000 during the calendar year 1939 for expenditure at the San Francisco Fair, and in addition thereto will supply a reasonable amount of literature of the scenic and recreational features of Oregon and will furnish qualified, experienced personnel for the distribution of such literature and for the dispensation of travel information. It was also decided that the payments by the Commission shall be in the nature of reimbursements to the Fair Committee and that each voucher must be approved by the Commission's Attorney as to the legality of the expenditure. Furthermore, the moneys are to be expended only for the preparation, maintenance, and operation of such exhibits as are approved as to type by the Highway Department's Travel and Information Department and its Advisory Committee, and for a reasonable portion of the ground rental and building expense necessary to house such exhibits. The Commission definitely decided that it would bear no portion of the expense of erection, maintenance, and operation of a theatre proposed by the Fair Committee as one of the Oregon attractions. Furthermore, that state highway funds shall not be expended for any exhibit for which the public is charged admission.

The Engineer reported on the cost to install traffic signals on state highway routes within municipalities, as requested by the Commission at the previous meeting when the Commission had under consideration the matter of cooperating with the cities on a 50-50 basis in the cost of such installations. The Engineer estimated that the signals needed immediately in cities and towns outside of Portland would cost about \$41,300, installed, of which amount the state's share on a 50-50 basis would be \$22,800, considering that the overhead flashing beacons would be paid for 100 per cent by the state. He estimated that possible future installations in cities and towns outside of Portland would cost a total of \$84,200, of which the state's share would amount to \$43,100. The cost to install such signals within Portland he estimated at \$43,700, and the state's share of such expense at \$22,850. After discussion and it appearing to the Commission that it would be advisable to

cooperate with the various cities and towns in such installations on state highway routes, the Commission voted unanimously to contribute 50 per cent of the cost of the same when and if the cities and towns signify a desire to have the signals installed and a willingness to contribute the remaining funds.

The Commission had under consideration the issuance of instructions to field engineers with respect to the removal of signs and billboards that have been erected illegally upon or adjacent to state highway rights of way. The Engineer presented a letter directed to all division engineers and district maintenance superintendents (see letter dated April 1, 1938, circular letter No. 47), which letter the Commission approved by unanimous vote.

In this connection the question arose of paying the cost of removing such illegal signs in the event the owners thereof refuse to do so. The Commission authorized the payment of such costs with state funds.

The Commission discussed Linn County's indebtedness to the state for construction of the South Santiam Highway, in Linn County. The Commission indicated a willingness to discount this claim a reasonable amount and to settle with the county on the same basis as it has settled its claims against other counties. However, before taking definite action in this regard, the Commission expressed a desire for information from Mr. Leslie M. Scott, former Chairman of the State Highway Commission, as to his recollection of any understanding with the Linn County Court that the county would be relieved of any further cooperation in the cost of constructing this road when it was placed on the federal aid highway system. The Engineer was instructed to contact Mr. Scott relative thereto.

The Engineer reported the completion of the contract for the construction of the Bear Creek-Talent Section of the Pacific Highway, in Jackson County, on new alignment, and recommended that the old highway between Bear Creek and Talent be abandoned as a state highway route and turned back to Jackson County for maintenance. The Commission approved the recommendation and by unanimous vote adopted the following resolution in regard thereto upon motion of Commissioner Tou Velle, which was duly seconded by Commissioner Aldrich:

WHEREAS, in order to afford a better alignment and a more satisfactory, safe and convenient highway for the traveling public, the Commission found it necessary to relocate a portion of the Bear Creek-Talent Section of the Pacific Highway in Jackson County; and

WHEREAS, by reason of said relocation and the reconstruction of said section of highway there was eliminated and made unnecessary as a part of the completed highway a certain section, which is more specifically defined and described hereinafter in this resolution; and

WHEREAS, it is the judgment and opinion of the Commission that there should be reflected in the minutes and records of this Commission the purpose and plan of the Commission to abandon as a

part of the Pacific Highway, and therefore as a part of the state highway system, the fragment or portion of right of way of the old alignment hereinafter defined and heretofore included within the area of the right of way of the Pacific Highway as formerly located between the said termini and as heretofore improved and used:
and

WHEREAS, in connection with the relocation of said highway there was accomplished a change in the point of entrance of the highway into the City of Talent from the south and there was likewise accomplished a rerouting of state highway traffic within the City of Talent;

NOW, THEREFORE, the premises being in general as above stated, it hereby is resolved by this Commission, all members being present and affirmatively participating, as follows:

1. That the fragment of land confined within the area hereinafter described, which fragment was formerly within the limits of the right of way of the Pacific Highway but which is now without the limits of the right of way as said highway has been relocated and constructed, be and said fragment of land is abandoned as a part of the right of way of said highway, and that part of said right of way so abandoned and which is outside of the corporate limits of the City of Talent is left to revert to the adjoining or abutting property owners or to the control or supervision of the County Court of Jackson County for highway and/or other public purposes, and that portion of the abandoned right of way lying inside the corporate limits of the City of Talent over which highway traffic was formerly routed before said highway was relocated is hereby abandoned as a route over which state highway traffic is directed by the State Highway Commission to move and said route hereby is relieved of any burden imposed thereon by the State Highway Commission and is left to revert to the exclusive control and jurisdiction of the municipal authorities of the City of Talent.

2. The fragment of land or right of way hereby abandoned and eliminated from the state highway system, including the route over which highway traffic formerly was routed through the City of Talent, is described as follows, to wit:

All that certain section of the old right of way of the Bear Creek-Talent Section of the Pacific Highway and lying on the westerly side of the right of way required for the reconstructed Pacific Highway and lying between Mile Post 317 and 321 of said highway. The section is outlined in red on the accompanying map, the beginning and ending points with reference to engineer's stations of the original constructed highway being Station 95+00 on the southerly end and Station 230+00 on the northerly end.

In addition to the foregoing description of said abandoned right of way there is attached hereto a print or map, marked "Exhibit 'A'", and by this reference made a part hereof, upon which map there is shown shaded in red the abandoned section of said highway, which exhibit for identification purposes bears the signatures of K. D. Lytle, Division Engineer; H. G. Smith, Construction Engineer; and R. H. Baldock, State Highway Engineer, and bears date of March 1, 1938. *

3. In the event there remains any physical connection between any portion of the said abandoned right of way or highway and the present highway, and by reason of such physical connection traffic from the existing highway may enter or use the said abandoned portion of the old road to the possible damage or injury of such traffic by reason of any unsafe condition existing with respect to said old or abandoned section, then the State Highway Engineer is hereby authorized and directed to erect such barricade or other safeguards as may be necessary to protect and safeguard traffic using and employing said newly located, constructed and dedicated section of said state highway.

4. This resolution shall be entered in the minutes and records of the Commission and a certified copy thereof promptly delivered to the County Court of Jackson County, together with a copy of said exhibit, and a copy of said resolution, together with said exhibit, shall be delivered to the Mayor of the City of Talent for such action as said County Court may desire to take with respect to said fragment of land and for such action as the City of Talent may desire to take with respect to said portion of the abandoned section lying within the corporate limits of said City, and should said abandoned portion of the highway be further employed for public or private highway purposes such use shall be entirely under the control and supervision of the County Court of Jackson County and/or the municipal authorities of the City of Talent, and the same shall be beyond any responsibility or supervision by the State Highway Commission.

The Commission also by unanimous vote adopted the following resolution abandoning a certain portion of the Nelson-Malheur County Line Section of the Old Oregon Trail and retaining certain other portions of said section, which highway has been reconstructed on new alignment at such location:

WHEREAS, in order to afford a better alignment and a more satisfactory, safe and convenient highway for the traveling public, the Highway Commission found it necessary to relocate portions of the Old Oregon Trail in Baker County; and

WHEREAS, by reason of said relocation and reconstruction of said section of said highway there have been eliminated from the

* Map filed in Right of Way Abandonment and Retention File - No. 56.

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main travelled portion of said highway certain sections or fragments of land, which said sections or fragments of land are more specifically defined and described hereinafter in this resolution and are reflected on a blueprint, marked "Exhibit 'A'", a copy of which is attached hereto and made a part hereof; and

WHEREAS, while certain portions of the eliminated sections are not required for use as parts of the main or travelled section of the highway, nevertheless the same are required, can be used, and are essential for other public uses in connection with said highway; and

WHEREAS, it is the judgment and opinion of the Commission that there should be recorded in the minutes and records of the Commission its purpose and plan to preserve for public use in connection with said highway the fragments or parcels of land hereinafter described as the parcels to be retained and shown in red on the attached print; and

WHEREAS, it is the judgment and opinion of the Commission that there should be recorded in the minutes and records of this Commission its purpose and plan of the Commission to abandon as parts of the state highway system certain portions of the highway eliminated from the main travelled portion of said highway, which sections are made unnecessary as a part of the completed highway and are shown in yellow on the attached print;

NOW, THEREFORE, the premises being in general as above stated, it hereby is resolved by this Commission, all members being present and affirmatively participating, as follows:

1. That the parcels of land shown shaded in red on the attached print which heretofore were within the right of way proper of the Old Oregon Trail but which by reason of the relocation or realignment of said highway are now without the area improved and used by the traveling public, but are adjacent to and abut upon the said right of way and are needed for public use, shall be preserved by the Highway Commission in connection with the construction, improvement and maintenance of said highway or the use of the same, which said parcels are described as follows:

All those certain sections of the old right of way of the Nelson-Malheur County Line Section of the Old Oregon Trail and lying on the easterly and westerly sides of the right of way required for the reconstructed Old Oregon Trail between Mile Post 365 and 390 of said highway. The sections are outlined in red on the accompanying map; the beginning and ending point with reference to the engineer's stations of the original constructed highway are as follows:

Station 1468+00 to 1504+00, on the easterly side of reconstructed line									
"	1537+00	"	1543+00,	"	"	"	"	"	"
"	1637+00	"	1647+00,	"	"	"	"	"	"
"	1648+20	"	1655+20,	"	"	westerly	"	"	"
"	1679+50	"	1691+50,	"	"	easterly	"	"	"
"	1715+25	"	1719+25,	"	"	"	"	"	"
"	1764+50	"	1773+50,	"	"	westerly	"	"	"
"	1930+80	"	1945+00,	"	"	easterly	"	"	"
"	1979+00	"	1986+00,	"	"	"	"	"	"
"	2050+00	"	2088+00,	"	"	"	"	"	"
"	42+00	"	47+80,	"	"	"	"	"	"
"	81+00	"	117+20,	"	"	"	"	"	"
"	145+65	"	157+35,	"	"	westerly	"	"	"
"	162+40	"	175+00,	"	"	easterly	"	"	"
"	191+20	"	203+80,	"	"	westerly	"	"	"
"	217+40	"	230+00,	"	"	"	"	"	"
"	388+00	"	396+00,	"	"	"	"	"	"
"	403+20	"	417+00,	"	"	"	"	"	"
"	506+00	"	521+00,	"	"	"	"	"	"

2. That the fragments of land confined within the areas hereinafter described and designated as the parcels of land to be abandoned, which fragments were formerly within the limits of the right of way of the Old Oregon Trail, be and said fragments of land are abandoned as parts of the right of way of said highway and said fragments of right of way are, so far as control and supervision of this Commission are concerned, left to revert to the adjoining and abutting property owners or to the control and supervision of the County Court of Baker County. The fragments to be abandoned are described as follows:

All those certain sections of the old right of way of the Nelson-Malheur County Line Section of the Old Oregon Trail Highway lying on the easterly and westerly sides of the right of way required for the reconstructed Old Oregon Trail lying between Mile Post 365 and Mile Post 390 of said highway. The sections are outlined in yellow on the accompanying map, the beginning and ending points with reference to the engineer's stations of the original constructed highway are as follows:

Station 1370+50 to 1421+00, on the easterly side of reconstructed line									
"	1580+70	"	1627+00,	"	"	"	"	"	"
"	1691+50	"	1704+30,	"	"	"	"	"	"
"	1719+25	"	1741+00,	"	"	"	"	"	"
"	1776+50	"	1866+00,	"	"	"	"	"	"
"	1873+40	"	1913+30,	"	"	"	"	"	"
"	1945+00	"	1979+00,	"	"	"	"	"	"
"	1998+40	"	2050+00,	"	"	"	"	"	"
"	2088+00	"	38+00,	"	"	"	"	"	"

(Continued on following page)

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Station	176+50 to	187+00,	on the	westerly	side of	reconstructed	line
"	230+00	" 275+30,	"	"	"	"	"
"	358+70	" 370+50,	"	"	easterly	"	"
"	455+20	" 478+50,	"	"	"	"	"

3. In addition to the foregoing descriptions of said fragments or parcels of land there is attached hereto a blueprint marked "Exhibit 'A'", which by this reference is made a part hereof, and upon which map there is shown shaded in red the parcels of land to be preserved for public purposes, and upon which map there is shown shaded in yellow the abandoned sections of said right of way. Said exhibit for identification purposes bears the signatures of W. C. Williams, Division Engineer; H. G. Smith, Construction Engineer; and R. H. Baldock, State Highway Engineer, and bears date of March 1, 1938.*

4. In the event there remains any physical connection between any portions of said abandoned right of way and the present highway, and by reason of such physical connection traffic from the existing highway may enter or use the said abandoned portions of the old road to the possible damage or injury of such traffic by reason of any unsafe condition existing with respect to the said old or abandoned sections, then the State Highway Engineer hereby is authorized and directed to erect such barricades or other safeguards as may be necessary to protect and safeguard traffic using and employing said newly located, constructed, and dedicated section of said state highway.

5. That this resolution be entered in the minutes and records of the Commission and a certified copy thereof promptly delivered to the County Court of Baker County, together with a copy of said exhibit for such action as the County Court may desire to take with respect to the fragments of land to be abandoned, and should said abandoned portions of the right of way of said Old Oregon Trail be further employed for public or private highway purposes such use shall be entirely under the control and supervision of the County Court of Baker County and beyond any responsibility or supervision by the State Highway Commission.

6. The Engineer hereby is instructed to properly and completely mark on the ground the boundaries of the fragments of land to be retained for right of way and other purposes by the Highway Commission by erecting and maintaining thereon proper monuments or posts upon which shall be inscribed the words "State Property".

The Secretary presented a resolution from the Umatilla County Court requesting that the Pendleton-Stanfield Section of the Old Oregon Trail (old route) be designated as a state secondary highway and be maintained as such.

* Map filed in Right of Way Abandonment and Retention File - NO. 57.

The Commission considered that such request is in conformance with previous understanding and agreement with the County Court, whereupon the request was approved. The following resolution relative thereto was adopted by the Commission by unanimous vote upon motion of Commissioner Aldrich, which was duly seconded by Commissioner Tou Velle:

WHEREAS, under the provisions of Chapter 248, Laws of 1931, and Chapter 196, Laws of 1935, the State Highway Commission, by mutual agreement with the respective county courts of the several counties of the state, is authorized and empowered to select, locate and designate a system of secondary state highways, which highways shall be selected from the market roads or other county roads, or available locations or routes of the several counties; and

WHEREAS, the State Highway Commission, by mutual agreement with the Umatilla County Court of the State of Oregon, has selected the highway hereinafter named, and it is the purpose of the Commission to officially and regularly designate and adopt said highway as a highway to constitute, together with other highways heretofore adopted and/or which may hereafter from time to time be added, the system of secondary state highways under the provisions of said act;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission, all members being present and affirmatively voting and participating, as follows:

1. That the following named highway, route, or location of a highway in Umatilla County be and the said highway, location or route hereby is selected, designated, established, adopted and approved as a secondary state highway and shall be and hereby is designated as a part of the secondary state highway system, to wit:

Stanfield-Pendleton Secondary Highway No. 337, described as follows:

Beginning at the junction of the reconstructed Old Oregon Trail Highway with the former route of the Old Oregon Trail Highway at a point approximately 1 mile east of Stanfield; thence in a southeasterly direction via the route formerly used as a part of the Old Oregon Trail Highway to the city limits of Pendleton, a distance of approximately 24.5 miles.

2. That the said highway shall be and hereby is qualified for improvement under the provisions of said Chapter 248, Oregon Laws 1931, and amendments thereof.

The Commission set Thursday and Friday, April 28 and 29, 1938, as the date for its next regular meeting for the receiving of bids on highway construction projects. The Secretary was instructed to make the usual arrangements to hold such meeting in the Auditorium of the Public Service Building, Portland.

MAR 25 1938

There being no further business to come before the Commission at this time, the meeting was adjourned at 5:00 o'clock p. m.

W. B. ...
State Highway Engineer
H. B. ...
Secretary

Henry F. Cabell
Chairman
E. B. ...
Commissioner
J. L. ...
Commissioner

MAR 25 1938

VOLUME 23

PART I

PART 1
OF
VOLUME XXIII
MINUTES OF OREGON STATE HIGHWAY COMMISSION
COVERING PERIOD
FROM
APRIL 1, 1938
THROUGH
JUNE 30, 1938

- - - -

OREGON STATE HIGHWAY COMMISSION

Henry F. Cabell, Chairman
E. B. Aldrich, Commissioner
F. L. Tou Velle, Commissioner

- - - -

R. H. Baldock, State Highway Engineer
H. B. Glaisyer, Secretary

- - - -

HEADQUARTERS AND GENERAL OFFICE OF DEPARTMENT
LOCATED AT SALEM, OREGON

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8021	Apr. 14	Real property. Resolution authorizing acquisition.
8025		East Portland-Oregon City Highway. Security & Investment Company property. New appraisal authorized.
		Log hauling. Evans Products Company, Marshfield, request modification of penalty imposed on M. B. Marsh for overloading.
		Salem. Capitol Reconstruction Commission confers in regard to reconstruction of Summer Street approach to Capitol.
8027		Resolution requesting cooperation in taking bids; also appropriating \$15,000 of Capitol Reconstruction Funds.
		Attorney authorized to assist Capitol Commission in preparing petitions necessary for vacation of streets, etc.
		Deschutes County. County Judge urges selection of Deschutes County among first counties to receive benefit from Federal Aid Secondary Highway Funds.
		Federal Aid Secondary Highways. Circular letter authorized to all county courts.
		Philomath. Corvallis-Newport Highway. Improvement through town authorized from emergency fund.
8028		Tillamook County. Oregon Coast Highway. Reconstruction of bridge between Hemlock and Beaver requested. Location survey authorized.
		Yamhill County. Oiling requested along Wheatland-Bellevue Market Road between Howard Stephen's Corner and Briedwell Station.
		Pacific Highway. Connection of Oregon and California Sections at state line approved by California Highway Department.
		Oregon Coast Highway Association. Commission and staff invited to semi-annual meeting at Reedsport.
8029		Lebanon. City requests permission to erect sign across highway within city limits.
		Coos River Secondary Highway. Grange requests oiling from Eastside to Enegren Ferry. Request denied.
		Log hauling. Columbia County Court requests modification of penalty imposed on log haulers for overweight loads.
		Multnomah County. The Metropolitan Association, Inc., Portland, submits letter regarding expenditure of highway funds.
8030		Columbia River Highway. Request of S. M. Abatem, Hood River, for widening along highway to facilitate loading of school buses denied.
		Portland. Union Avenue viaduct. D. A. Morand requests permission to remove portion of handrail to allow construction of driveway from property to highway. Request granted.
		Wilson River Highway. Request of State Forester to construct guard cabin unit on right of way.
		Enterprise. T. R. Maxwell granted 30-day extension of time to pay installment on building purchase.
8031		Salem-Dayton Secondary Highway. Condemnation authorized to acquire property of Mrs. Lorah O. Spaulding, if necessary.

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8031	Apr. 14	Portland. Peninsula Golf Course. Report in connection with Denver and Union Avenue traffic separation structure. Bandon. Report on cost to acquire right of way for revision of Oregon Coast Highway through town. 80-ft. right of way approved.
8032		Umatilla County. Old Oregon Trail. E. N. Boylen's lease to be cancelled for occupancy of Sunset Inn property. East Portland-Hubbard Highway. Sale of building on John G. Maycock property approved to National Properties, Inc. Columbia River Highway. Removal of advertising signs through Parkrose District, east of Portland.
8033		National Parks Service. Inquiry regarding acquisition of sub-marginal lands under Bankhead-Jones Farm Tenant Act. Tigard. Options authorized on alternate routes of Pacific Highway through town. Portland. Lombard-Killingsworth Section of Northeast Portland Secondary Highway. Acquisition of small parcel of land from City of Portland. Gleneden Beach. Acquisition of right of way for proposed revision of Oregon Coast Highway to be deferred. David Douglas. Naming of state park in honor of Mr. Douglas referred to Parks Superintendent.
8034		Flowage easements. Resolutions granting United States of America easements to overflow state property in Hood River and Wasco Counties in connection with Bonneville Dam operations.
8038		Easement across state property in vicinity of Warren Creek deferred pending settlement of right of way matters. Columbia River Highway. Engineer authorized to sign estimate to reconstruct highway at Perham Creek, as requested by War Department. Mill Creek Bridge. War Department to replace bridge with fill and tidegate. Highway Commission to cooperate in cost.
8039		Equipment. Engineer authorized to purchase following: 1 gasoline-driven, 250-watt generator; 2 pavement breakers; 6 vibrating bells for use on bridges; 1 tube tester and 1 modulation monitor. Traffic signals. Offer of Manufacturers Sales Company to furnish trial installation accepted. State to furnish signal heads and pedestals. Columbia River Highway. Scaling of rocks from slopes near Mosier. Agreement with O.R.R. & N. Company and Union Pacific Company outlining procedure.
8040		Albany-Corvallis Secondary Highway. Light oil mat surface authorized as minor betterment project. Harney County. Narrows-Coyote Flat Section of Frenchglen Secondary Highway. U. S. Biological Bureau requests State to furnish engineering work on project. Request granted. Award of contract for Bandon-Port Orford Section confirmed.

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8040	Apr. 14	Load Limit. Resolution lifting limits on following highways: Sherman Highway, Columbia River Highway to The Dalles-California Highway junctions; Mt. Hood Highway, Cooper's Spur to Columbia River Highway; Hood River Secondary Highway, Mt. Hood Highway junction to Tucker's Bridge; Klamath Falls-Lakeview Highway, The Dalles-California Highway junction to 25 miles easterly thereof.
8041		
8042		M. M. Finkbinder. Appointment as member of Committee on Fundamentals of Bituminous Construction. Attendance at National Road Oil and Asphalt Congress, in October, authorized. S. H. Boardman. Conference authorized with George E. Huntley of Aberdeen, Washington, relative to acquisition of property needed for addition to Short Sand Beach Park. Vision test. Purchase of electric testing machine authorized.
8043		Forgery. Settlement from Globe Indemnity Company in connection with Moorman case. Tillamook County. Agreement with County Court and Dougherty Slough Drainage District regarding protective work along Wilson River.
8044	Apr. 27	Real property. Resolution authorizing acquisition.
8046		Deschutes County. Acquisition of wayside strips adjacent to The Dalles-California Highway authorized from Government.
8047		Douglas County. Lease of 40-acre tract of government land adjacent to Gamas Mountain State Park authorized. Columbia River Highway. Starvation Falls State Park. Acquisition of 9 acres from Mrs. Clara Nelson authorized as addition to park Douglas County. Purchase of 110 acres of government-owned land adjacent to Umpqua Lighthouse Reservation authorized. Lake County. Chandler State Park. Relinquishment of portion of park and reedeeding to Mr. Chandler approved.
8048		Polk County. Pacific Highway West. Commission disapproves purchase of timber tract south of Monmouth. Lincoln County. Advisability of acquiring area at north end of Depoe Bay Bridge discussed. Action deferred. Tillamook County. Wilson River Highway. State Forestry Department granted permission to construct guard cabin unit.
8049		Real property. Acquisition of right of way for highway improvements to be limited to projects to be undertaken at once. Bandon. Options authorized on property needed for Oregon Coast Highway construction through town. Cannon Beach. Location survey for reconstruction of Oregon Coast Highway requested by E. A. Hollingshead. Denied. Right of way required offered free of cost. Pacific Highway West. Offer of A. E. Bressler to sell tract south of Monmouth rejected. Portland. Denver Avenue-Union Avenue intersection. Estimate of costs for right of way and rearrangement of Peninsula Golf Club facilities. Project deferred.

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8050 Apr. 27

Tillamook County. Offer of Vester Trusty to sell tract of land at Bay City rejected.

Albany. Willard L. Marks inquires regarding acquisition of right of way for Albany grade separation project.

Offer of City to pay \$1,386 for portion of Hackleman's Addition to city accepted.

John Day. Acquisition of right of way for proposed revision of John Day Highway through town deferred.

Douglas County. R. M. Barnes, Reedsport, inquires regarding purchase of property east of Reedsport.

8051

Salas-Dayton Secondary Highway. Settlement with Mrs. Charles K. Spaulding discussed. Condemnation approved.

Condemnation. Resolution authorizing acquisition of following: Spaulding Ranch-Unionvale Section, Lorah O. Spaulding; Lombard Street-Killingsworth Street Section, Thomas and Lillian Murphy, Wm. and Mary B. Gray, Joseph Mulhens, Jr., Elizabeth Mulhens Scroggins, and J. L. Kelly.

8053

Benton County. Kings Valley Secondary Highway. 10-mile survey requested by delegation not approved.

Polk County. Dallas-Kings Valley Secondary Highway. Location survey requested. Request denied.

Lake County. Fremont Highway. Claim of Frank Ott for loss of crop due to reconstruction of highway.

Columbia River Highway. Reconsideration of request of S. M. Abstem, Hood River, for widening of highway to facilitate loading of school buses. Widening approved.

Gladstone. Report on improvement of Arlington Street for connection between 82nd Street Highway and East Portland-Oregon City Highway. Improvement deferred.

8054

Portland. Sandy Boulevard. Letter to Portland General Electric Company accepting contribution in cost of widening and paving from N. E. Davis Street to East 82nd Street.

Scrap steel. Sale of structural steel and cast iron salvaged from Little Nestucca River Bridge south of Hebo.

Forgery. Release signed from Globe Indemnity Company in connection with Moorman forgery.

Lane County. County Court requests approval of designation of several market roads.

8055

Sand and gravel. Payment for materials to be taken from Columbia River. Conference with officials of State of Washington authorized.

Lighting plant. Purchase of portable, automatic plant for Pistol River maintenance headquarters.

Radio. Expenditure of \$8,760 authorized to increase efficiency of Department's radio network.

8056

Pole line. Request of J. T. Mahoney, Siletz, to maintain power line on west side of Siletz Secondary Highway through Siletz.

Forgery. Permission granted National Surety Corporation to use photostatic copies of \$5,000 draft, and Commission's letter in regard thereto, in connection with Moorman forgery.

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- 8056 Apr. 27 Oregon Coast Highway. Reconstruction of Dike Section approved for this year's program.
Bunker Hill Section. Transfer of funds allocated to this project authorized for Dike Section.
- 8057 Load limit. Resolution lifting reduced load limit in effect on following:
The Dolles-California Highway, between Bend and Klamath Falls;
Ochoco Highway, between Redmond and point six miles east of Prineville.
- 8058 Lane County. Junction City-Eugene Secondary Highway. Maintenance of sidewalk at Santa Clara assumed by State.
Yaquina Bay Bridge. Deposit of contractors in connection with cement irregularities to be returned.
Portland. Maintenance of Killingsworth Avenue and Columbia Boulevard. Commission's responsibility to be determined.
- 8059 Highway Illumination. Installation of sodium vapor lights on Interstate Avenue approved subject to cooperation of Bureau of Public Roads and City of Portland.
East Portland-Oregon City Highway. Action rescinded authorizing installation of lights between Ross Island Bridge and East 17th Street.
Portland Traction Company. Request denied to construct turnaround on North Denver Avenue at Willis Street intersection.
Wolf Creek Highway. W.P.A. project on Nehalem River-Sunset Camp Section approved.
- 8060 Pendleton. Roadside beautification W.P.A. project approved at west end of overcrossing on Old Oregon Trail. City to maintain after completion.
R. H. Baldock. Attendance at meeting of Design Committee of American Association of State Highway Officials authorized.
Harold B. Say. Authority granted to contact newspaper officials in California, personally.
Right of Way. Permission granted right of way buyers to contact Federal Land Bank of Spokane in regard to severance to be paid in connection with Adams-Athens relocation.
American Legion. Request of Rose City Post No. 35, for contribution to send band to California denied.
Loan. Advisability of borrowing from Federal Government, without interest, discussed. Action deferred.
- 8061 Federal Aid Secondary Highway Funds. Letter to all County Courts approved.
Upper Columbia River Highway. Transfer of tidelands to Mrs. Juanita Starr in exchange for right of way.
State Land Board to settle transfer of tidelands.
- Apr. 28 Bids received on following:
Landrich Bridge over Coos River;
Brothers Oasis, drill and case well;
8062 Lobert-Modoc Point Section, grading and topping;
Siuslaw Junction-Ross Station Section, paving;

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8062	Apr. 28	Bids, cont:
		Pringle Creek-Taylor Creek Section, roadside improvement;
		Mills Bridge-Jordan Creek Section, oil mat treatment;
8063		Sale of building in Northeast Portland;
		Sale of building in West Portland Heights;
		Sale of buildings in Albany;
		Sale of buildings in Marshfield;
8064		Fidelity bond covering Highway Department employees.
8067		Fidelity bond. Award of contract covering furnishing of blanket bond covering Highway Department employees deferred.
		Cape Arago Secondary Highway. Light oil approved on 3-mile section from Charleston to point south of Empire.
8068		Salmon River Highway. Otis-Polk County Line Section. Transfer of Forest Highway Funds from Upper Columbia River Highway to finance seal coat.
		Upper Columbia River Highway. Transfer of Forest Highway Funds to Salmon River Highway approved.
		Cape Arago Secondary Highway. Oiling requested and also improvement through Empire and Charleston.
		80' right of way offered by Louis Simpson.
		Light oil treatment approved.
8069		Deschutes County. County's indebtedness discussed. Improvement of Tumalo Falls Road requested.
		Century Drive Secondary Highway. Improvement with funds to be paid by County on indebtedness to State.
		Oregon Truck Owners Association. Representatives request use of privately-owned trucks on W.P.A. projects.
		W.P.A. Use of state-owned trucks on W.P.A. projects. Oregon Truck Owners Association protest State's policy.
		State equipment to meet W.P.A. requirements or be removed.
8070		Harney County. Central Oregon Highway. County Judge inquires regarding oiling between Bend and Burns.
		Awards announced, as follows:
8071		Bridge over Coos River on Landrith County Road;
		Brothers Oasis;
		Lobert-Modoc Point Section, grading and topping;
		Siuslaw Junction-Ross Station Section, paving;
		Pringle Creek-Taylor Creek Section, roadside improvement;
		Mills Bridge-Jordan Creek Section, oil mat treatment;
8072		Sale of building in Northeast Portland;
		Sale of building in West Portland Heights;
		Sale of buildings in Albany;
		Sale of buildings in Marshfield;
		Fidelity bond purchase deferred until May 12.
8073		Wasco County. Improvement of Fifteen Mile Creek Road in Federal Aid Secondary Highway program requested by County Court.
		Chenoweth Creek County Road. Improvement between The Dalles and junction with road 5 miles westerly thereof requested.
		Sheridan. Mayor and delegation request State to rebuild bridge on county road in city.

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- 8074 Apr. 28 Washington County. Rerouting of highway through Forest Grove. Connection from 7th and Main Streets to Gales Creek Road requested.
Wilson River Highway. County Judge inquires regarding two bridges needed at eastern end of highway.
Nehalem Secondary Highway. Relocation between Banks and Menning requested to eliminate railroad grade crossings.
Dundee. City requests paving of Pacific Highway West full width through town.
- 8075 Log hauling. N. M. Marsh of Marshfield requests modification of penalty imposed for overloading on Oregon Coast Highway.
Reedsport. Paving of "L" Street through town requested.
Umpqua Highway. Construction on permanent alignment of section easterly from 15th Street, to Station 60+00.
Fremont Highway. Claim of Frank Ott due to reconstruction of siphon near Paisley, Lake County.
- 8076 Shorman County. Federal Aid Secondary Highway Program. Preference for improvement of Moro-Erskine County Road.
Salem. Capitol Reconstruction Commission. Secretary confers regarding approach to new State Capitol.
Bids for paving to be taken in midsummer.
Tigard. Claude I. Scoffins and Mrs. Zelda Floeger inquire regarding adoption of permanent route of highway.
Southeasterly route favored by petitioners.
- 8077 Brownsville. Ruth Beatty confers regarding rerouting of Halsey-Sweet Home Secondary Highway through town.
Brookings. Elmer Bankus confers regarding reconstruction of Oregon Coast Highway through town.
Pacific Highway. Claim of Mrs. Pearl Koble, Ashland, due to reconstruction of highway south of Ashland.
- 8078 Apr. 29 Bids, as follows, received:
Baker-Flagstaff Hill Section, grading, oiling, et cetera;
Walluski River Bridge;
Otis-Boyer Section, crushed rock or gravel;
Sheep Ridge-Toll Creek Section, grading;
Bridges over Wolf Creek on Wolf Creek Highway;
McMinnville Section, roadside improvement;
Spaulding Ranch Section, grading, surfacing and oiling.
- 8080 Pacific Highway. Settlement with Mrs. Pearl S. Koble discussed. Offer rejected.
Claim of L. D. Dollarhide in connection with reconstruction of highway south of Ashland. Claim denied.
Removal of slide material from Mrs. Koble's road authorized.
P.W.A. Program. Following projects selected for new program:
Fleming Ranch-Shindler Bridge Section, grading and bridge;
Maintenance building at Klamath Falls;
Umatilla Bridge Section, grading, surfacing, and bridge.
- 8081 Catching Inlet. Goos Bay Port Commission refuses to approve fill and tidegate instead of bridge.
Signs. Foster & Kleiser request erection of sign in Lincoln County at Salmon River-Oregon Coast Highway junction.

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8081	Apr. 29	Signs. Longview-Rainier Bridge Company to be requested to remove signs directing travel to Longview-Rainier Bridge. Marcus Whitman Hotel signs at Pendleton. Investigation. Parkrose District. Commission's responsibility discussed in connection with signs which overhang highway.
8082		Oregon Roadside Council. Delegation asks contribution to aid in financing educational program to effect removal of signs. Contribution refused but endorsement given to program. Multnomah County. City of Portland offers to convey Vista House, on Upper Columbia River Highway, to State.
8083		Cartwright Bill. Wire sent to Oregon representatives in Congress urging passage of bill. Fishing. Maintenance of boathouses and docks to be allowed at Corbett. Columbia River Highway. Owners of right of way necessary for new highway request fishing privileges near Corbett. John Day. Maintenance of siphon, by Ira G. Boyce, across John Day Highway within city limits.
8084		Polk County. Request of Sherman A. Brown to maintain pumping plant on Dallas-Coast Highway, at Buell, denied. Klamath County. Federal Aid Secondary Highway Program. Improvement of Malin-Bonanza Road preferred by County Court. Oregon Coast Highway. Installation of cattle pass for F. L. Owens of Cloverdale.
8085		Multnomah County. Request of U. S. War Department to construct bus-passenger waiting room on Lower Columbia River Highway right of way denied. Medford. F. E. Trontier requests paving of parking strip in front of place of business. Request denied. Oregon City. Glen Meyers inquires regarding maintenance of houseboats between 7th and 14th Streets after new highway is constructed. Mooring of houseboats not allowed between 7th and 14th Sts. Awards announced on following projects:
8086		Baker-Flagstaff Hill Section, grading and oiling; Walluski River Bridge Section, grading and bridge; Otis-Boyer Section, furnishing crushed rock; Sheep Ridge-Toll Creek Section, grading; Bridges over Wolf Creek on Wolf Creek Highway; McMinnville Section, roadside improvement; Spaulding Ranch Section, grading, surfacing and oiling.
8087		Multnomah County. Glencullen delegation confer regarding improvement of old S. P. railroad grade between Hillsdale and connection with Barbur Boulevard. Lincoln County. Delegation protests building construction by Harley O. Youngblood at north end of Depoe Bay Bridge. Acquisition by State urged.
8088		Oregon Coast Highway. Option authorized from Mr. Youngblood for right of way needed for highway revision. Silver Creek Falls State Park. Acquisition of Vols property.

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1938
8089 Apr. 29

Signs. Delegation regarding signs along Columbia River Highway through Parkrose District, Portland.

Modification of recent order of Commission asked.

8090

Linn County. Santiam Highway. Settlement of County's debt for cooperative construction.

8091

Pecoria-Harrisburg Section. Improvement within town of Harrisburg to be financed with city or county funds.
Portland. Petition requesting designation of Interstate Avenue as stop street at intersection with North Portland Blvd.
Cascade Secondary Highway. Relocation through town of Clackamas opposed by School District No. 64, Clackamas County.
Flower picking. A. R. Watsek, Portland, offers suggestions regarding prohibiting the picking of flowers along highways.
Baker-Homestead Highway. Letter from Ross Turner urging improvements to Halfway-Homestead Section.

8092

Monroe, Oregon. Oiling of rock shoulders adjacent to highway through town requested. Investigation ordered.
Umatilla County. Umapine Secondary Highway. Placing of stop signs requested at road intersections. No action.
Tillamook County. Oregon Coast Highway. Completion of the Neahkahnie Mountain Section requested by Manzanita Chamber of Commerce and North Tillamook County Chamber of Commerce.
Manzanita. Chamber of Commerce requests action to prohibit dumping of garbage on beach; also removal of rocks from beach and motorcycle racing along beach.
Oregon-Washington Highway. Director of Highways for State of Washington inquires regarding improvement between Milton and Walla Walla.

8093

Jackson County. Walter W. Thiede, Eagle Point, requests permission to mine in state gravel bar near Gold Hill.
Polk County. Buell Grange asks improvement of unsightly and dangerous condition at State gravel pit on Dallas-Coast Highway. Investigation ordered.

8094

Klamath County. Klamath Lake Secondary Highway. Improvements through Wood River Valley and national forest area requested by Fort Klamath Grange. Estimates given.
Tillamook County. Nestucca Union High School urges improvements to Little Nestucca Secondary Highway.
Signs. Independence Chamber of Commerce requests permission to erect signs near Brunks Corner and Independence.
Multnomah County. Drainage conditions along Lower Columbia River Highway between Portland and Linnton. National Pitch Products Company requests improvement. Approved.
Portland. Acquisition of Swift & Company property at Union and Denver Avenue intersection.

8095

Standard Oil Company's service station operations discussed.
Surveys. Commission approves surveys ordered by Engineer.
Completed surveys approved and adopted as reported.
8100 Extension of time. Van Cleave & Van Cleave granted extension on The Dalles Roadside Improvement Project.

<u>Page</u>	<u>Date</u>	<u>Subject</u>
	1938	
8101	Apr. 29	<p>Contracts completed and accepted, as follows:</p> <p>Southern Pacific Overcrossing at Bunker Hill, Mountain States Construction Co.;</p> <p>Furnishing crushed rock on Siletz Secondary Highway, Mountain States Construction Co.;</p> <p>The Dalles Roadside Improvement Project, Van Cleave & Van Cleave.</p> <p>Agreements, et cetera, signed, as follows:</p> <p>Union Pacific Railroad Company and Multnomah County, construction and maintenance of Airport Road Overcrossing;</p> <p>S. P. Company, lease of stockpile site at Hillsboro;</p> <p>Weyerhaeuser Timber Company, extension of lease of stockpile site in Jackson County;</p> <p>Julius Christensen, elimination of cattle pass on Hillsboro-Woodburn Secondary Highway;</p> <p>J. F. Johnston, painting of bridge on I.O.N. Highway;</p> <p>Frank Gribbin, conveyance of land in Malheur County;</p> <p>Petition to Secretary of Interior for acquisition of tract of land in Douglas County;</p> <p>Homer G. Johnson, Enterprise-Joseph Section of Wallows Lake Highway.</p> <p>Date for next meeting set for May 12; meeting following to be held June 2 and 3, 1938.</p>
8102		
8103	May 12	Real property. Resolution authorizing acquisition.
8106		<p>Condemnation. Resolution authorizing condemnation on following sections:</p> <p>Northeast Portland Highway,</p> <p>Raleigh Chinn Company, Albright & Graham, and Decker properties;</p> <p>Halsey-Sweet Home Highway,</p> <p>George W. McKinney property;</p> <p>Interstate Avenue-Denver Avenue Section of Pacific Highway,</p> <p>Laura Beer and Ada B. Toft properties;</p> <p>Pendleton, John Day Highway,</p> <p>Albert McGirr property;</p> <p>Frenchglen Secondary Highway,</p> <p>School District No. 9 property.</p>
8108		Harney County. Negotiations authorized with County Court for enlarging headquarters site at Burns.
8109		<p>West Portland-Hubbard Highway. Charles E. Wood asks consent to vacation of public road in Rosewood Acres, near Cook Overcrossing. Consent granted conditionally.</p> <p>Reedsport. Alterations to Reedsport Garage due to widening of Umpqua Highway. Offer of M. Hogan accepted.</p> <p>Gleneden Beach. James Sansbury inquires regarding proposed revision of Oregon Coast Highway through district.</p> <p>Oregon Coast Highway. Settlement with Frank Hilton for right of way required at north end of Alsea Bay Bridge.</p> <p>Polk County. Salem-Dayton Secondary Highway. Settlement with Mrs. Charles K. Spaulding agreed upon.</p>

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8110 May 12

Subject

Silver Falls State Park. Purchase of 80-acre addition authorized from Gary Neal.

Surveys. Engineer reports several surveys. Commission approved.

Right of way. Attorney reports deficit in budget.

Morrow County. Federal Aid Secondary Highway Program. Improvement of Wasco-Heppner Secondary Highway between Heppner and Rhea Creek requested by County Court.

8111

Umpqua River. Canalisation between Scottsburg and Roseburg. Gus E. Carlson, representing Roseburg Chamber of Commerce, confers in regard to cooperation by Commission.

8112

Bonds. Sale of \$750,000 short-term bonds authorized. Resolution adopted in regard thereto.

8116

Fidelity Bond. Award of contract for furnishing fidelity bond deferred pending legal opinion as to status of employees. Bid deposits to be returned to bidders.

8117

Oregon Coast Highway. Permission granted Anderson and Unlett to transport 60-foot timbers from Newport to Kernville.

John Day. Settlement of siphon matter involving Ira G. Boyce. Bridle paths. Request of Portland Hunt Club for paths along Scholls Secondary and Beaverton-Aurora Secondary Highways.

Central Oregon Highway. A. R. Hollingshead, Harper, demands payment of toll by traffic using highway across his property.

Malheur County Court requested to complete acquisition of necessary right of way.

8118

Multnomah County. Maintenance of portion of Killingsworth Street and Columbia Boulevard refused by State.

Monroe. Oiling of shoulders adjacent to pavement approved.

Estacada. Estimate to install culvert pipe along school grounds and backfill. Project deferred.

Multnomah County. Improvement of old S. P. grade between Hillsdale and connection with Barbur Blvd. requested.

8119

Traffic signal. Installation of traffic-actuated signal at intersection of Slavin Road and Barbur Blvd. authorized.

Portland. Slavin Road. Investigation ordered for improvement of grade between Barbur Boulevard and Terwilliger Boulevard.

Parks. Report on number of automobiles visiting parks along Oregon Coast Highway between Yachats and Boiler Bay.

Canyonville. Oiling of shoulders through town requested.

Portland. Columbia Boulevard extension from Jersey Street to Ivanhoe Street considered.

Alternate routes from Lombard Street to Willamette River Bridge. Action deferred.

8120

Pole lines. Nehalem Valley Electric Association request permit to construct line on Nehalem Secondary Highway.

Permit withheld pending compliance with provisions of permit authorizing pole line construction on Wolf Creek Highway.

Reedsport. City asks cooperation on W.P.A. grading project.

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Subject

- 8120 May 12 Load limits. Resolution lifting limits previously ordered on following sections:
Pendleton-John Day Highway, Nye Junction-Ukiah;
Silets Secondary Highway, Toledo to Kernville;
Tampico-Lewisville Secondary Highway, Junction with Pacific Highway West to Benton-Polk County Line.
- 8122 Resolution modifying reduced load limit heretofore ordered on Klamath Falls-Lakeview Highway between Lakeview and point 25 miles east of junction with The Dalles-California Hwy.
- 8123 Wallowa Lake Highway. Resolution abandoning portion of old Rock Creek-Wallowa Section and portions within towns of Wallowa and Enterprise.
- 8126 Portland. Maintenance of city streets used as highway arterials. City Engineer suggests supplemental agreement.
- 8127 Depoe Bay. U. S. War Department requests recommendation regarding application of Harley Youngblood to construct dock at north end of Depoe Bay Bridge.
Damage to State's property due to building construction by Mr. Youngblood.
Pacific Highway. Additional compensation to Mrs. Pearl Koble for damages south of Ashland denied.
Ochoce Highway. Ochoce Lumber Company proposes railroad construction at grade across highway east of Prineville.
Commission to oppose such construction at P.U.C. hearing.
- 8128 Temporary permission recommended to Public Utilities Comm.
Columbia River Highway. U. S. Department of Commerce granted permission to maintain airway beacon on state property in Multnomah County.
McKensie Highway. Eugene and Bend Chambers of Commerce urge snow removal. Request denied.
Santiam Highway. Snow removal operations authorized.
North Santiam Highway. Cooperation of Federal Government and Marion County in snow removal operations.
- 8129 Jackson County. County Judge protests allocation as made for Federal Aid Secondary Highway Funds.
Klamath County. Lake-of-The-Woods Association urge additional improvements to Westside Klamath Lake Secondary Highway.
Signs. Hood River County Garden Club protests installations.
Motion pictures. Portland Realty Board recommends use of Katherine Gunnell's pictures of Oregon scenery.
John Day Highway. Prairie City Chamber of Commerce urges improvements.
McKensie Highway. Construction of guard fence in vicinity of Leaburg Dam.
P.W.A. Funds. Letter from C. C. Rockley regarding application for P.W.A. projects.
North Bend. Chamber of Commerce expresses appreciation of promise of improvement of Sherman Avenue.
- 8130 Old Oregon Trail. Mrs. J. R. Huffman inquires regarding maintenance of service station near Emigrant Springs Park.

<u>Page</u>	<u>Date</u>	<u>Subject</u>
8130	May 12 1938	Signs. Approval given Foster & Kleiser signs adjacent to Oregon Coast Highway at Otis. Regulations covering installation of advertising signs. Extension of time. Edlefsen-Weygandt Company granted extension, without penalty, on Siuslaw Junction-Awbrey Section.
8131		Contracts completed and accepted, as follows: Wasco County Line-Madras Section, H. L. Rice; Poison Creek-Burns Section, Babler Brothers. Agreements, as follows: Babler Bros., substitution of light oil treatment on portion of Valley Falls-Ginder Butte Section; Deed conveying unto Alma McElwain land in Multnomah County; Deed conveying unto Ira Wade property in Lincoln County; Deed conveying unto City of Albany property in Hackleman's Second Addition to Albany.
8132	June 1	Date for next meeting. June 15, 1938 to be next meeting after June 2 and 3 meeting. Umatilla County. Umatilla Grain Growers Association requests dock construction at Cold Springs Landing.
8133		Cold Springs Highway. Umatilla County suggests substitution of county road from highway to Collins Warehouse at Cold Springs for present Cold Springs Highway. University of Oregon. Commission's financial aid asked in publication of book regarding plant life along Coast Highway. Commission declines to cooperate in cost. Fair. State Committee in charge of New York Fair exhibit asks reconsideration of action in declining to have Oregon exhibit. Oregon Motor Association endorses Commission's action in refusing participation in New York Fair.
8134		Swedish-American Tercentenary Association asks contribution for advertising Oregon at convention. Request denied. Minutes approved for meetings held January 5, 6 and 7, and February 15, 16, 17, 18, and 19, 1938. Real property. Resolution authorizing acquisition.
8137		Condemnation. Attorney presents list of properties needed for Klamath Falls-Lakeview Highway, Pacific Highway West, and Columbia River Highway.
8138		Resolution authorizing condemnation on Drews Valley, Interstate Avenue, and Houlton-Warren Sections of above highways.
8140		Umatilla County. Oregon-Washington Highway. Options for proposed reconstruction between Pendleton and Adams deferred. Oregon City. Appraisal of Security and Investment Company property authorized by outside appraisers.
		Albany. Sewer construction necessitated by removal of buildings in connection with grade separation project. State to assume cost. Salvage of brick from old brewery considered.
8141		Lincoln County. Offer of Silets Investment Company and W. F. Cary to sell land at Glenaden Beach rejected. Umatilla County. Occupancy of Sunset Inn State Park by E. N. Boylen to be terminated September 1, 1938.

<u>Page</u>	<u>Date</u>	<u>Subject</u>
	1938	
8141	June 1	Portland. Airport Road Overcrossing. Award of contract discussed.
		Bids. County road projects not to be advertised for bids until all right of way has been secured hereafter.
8142		Marion County. Salem-Independence Road. Award of contract for Roberts-Orville Section deferred pending settlement of right of way matters.
		Juniper tracts. Acquisition of several tracts between Bend and Redmond authorized from Federal Government.
		Douglas County. Umpqua Lighthouse State Park. Acquisition of property needed for water system authorized.
8143		Umatilla County. Request of Mrs. J. R. Huffman to maintain gasoline pump near Emigrant Springs denied.
		Curry County. Frank B. Tichenor requests establishment of information bureau in Battle Rock State Park and employment of himself therein. Request denied.
		Wallowa County. Maintenance of Chief Joseph Monument site. State declines to assume such maintenance.
		Lane County. Offer of S. C. Armitage to donate state park site adjacent to county road north of Eugene. No action.
8144		Lincoln County. Acquisition of 115-acre tract north of Nelscott disapproved.
	June 2	Bids received on following projects:
		Sheeley Bridge Section, surfacing and oiling;
		St. Helens-Warren Section, grading and paving;
		Bear Creek-Ashland Section, roadside improvement;
8145		Williamson River Bridge Section, concrete bridge;
		Cottonwood Creek-Maddock Corner Section, grading and road-bed topping;
		Peoria-Harrisburg Section, surfacing and oiling;
		Roberts-Orville Section, surfacing and oiling;
8146		Washington County Line-Skyline Boulevard Section, grading, surfacing, and oiling
		Airport Road Overcrossing on N.E. 42nd Avenue, Portland;
		Chenoweth Creek-The Dalles Section, grading, surfacing and oiling;
		Sale of buildings at Albany;
		Sale of buildings in Northeast Portland;
8147		Sale of buildings in West Portland;
		Sale of building at Warren;
		Sale of scrap steel from Little Nestucca River Bridge;
		Sale of vacant lots in Albany.
		Tillamook County. Tone Bridge over Trask River. Bids taken on behalf of County.
		Bidders. Proposal bond forms prepared for county roads to be used hereafter in submitting bids on county road work.
8148		Klamath County. County Court objects to allocation of Federal Aid Secondary Funds to Klamath Falls-Lakeview Highway.
		Resolution filed by County Court opposing expenditure of Federal Secondary Highway Funds on primary highways.

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8148	June 2 1938	Umatilla County. Weston-Elgin Secondary State Highway. Oiling requested by County Court.
8149		Investigation and report on upper 4-mile section ordered. Pendleton-Cold Springs Highway. Abandonment of short section requested by County Court to permit loading of grain by Pendleton Grain Growers' Association.
8150		Fireguard construction requested between Echo and Butter Cr. Deschutes County. Century Drive Secondary Highway. Rerouting in Bend requested. Request denied. Oiling of section from Deschutes River Bridge westerly approved.
		Santiam Highway. Oiling from North Santiam Highway junction to Suttle Lake requested. Request denied.
		Illumination. Bureau of Public Roads objects to use of federal funds on lighting project on Interstate Avenue, Portland. Commission approves lighting project under separate contract.
		Columbia River Highway. Negotiations with State of Washington and Board of Control for appropriation of gravel from Columbia River for grade up the Columbia Gorge.
8151		Douglas County. Erection of marker by American Legion Auxiliary on memorial drive leading to Veterans' Home at Roseburg.
		Lake County. Fremont Highway. Claim of Frank Ott for loss of crop. Settlement agreed upon.
		Beaverton. Non-skid wearing surface on Farmington Secondary Highway approved. To be paid from Emergency Fund.
8152		Fidelity Bond. Attorney General's opinion as to whether employees of Highway Department are public officials.
		Reedsport. Estimate to reconstruct Umpqua Highway on permanent alignment through town.
8153		John Day-Burns Highway. Claim of Chester Mace for loss of crop due to highway drainage.
		Portland. Sandy Boulevard. Reconstruction between 15th and 45th Avenue approved. Portland Traction Company to cooperate in improvement.
		Water meter. Sale of meter from house purchased by Commission approved to Porter Yett.
8154		Cottage Grove. Reconstruction of Pacific Highway through town urged by delegation. Petitions filed.
		Harney County. Central Oregon Highway. County Court requests oiling of Brothers-Lake County Line Section this year.
		Central Oregon Highway. Oiling between Burns and Buchanan and Juntura and Harper urged.
		Gearhart. Gearhart Park Company offers to sell beach area to State for park purposes. Offer rejected.
8155		Oregon City. U. S. Postoffice Inspector and Postmaster confer in regard to proposed highway improvement on Fifth Street.
8156		Awards. Commission announces awards on projects for which bids were received during morning session. (See page 8144)
8159		Portland. Delegation urges designation of Alberta Street as state highway to connect Northeast Portland Secondary and Columbia River Highways. No action.

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1938
8159 June 2

Subject

8160

Klamath Falls-Lakeview Highway. Klamath and Lakeview Chambers of Commerce urge contract this summer.
Fremont Highway. Commission to suggest that Bureau of Public Roads include provision for cleanup work in contract to be let on Crooked River Canyon Section.
Grading of site for General Fremont memorial requested.
Booth State Park. Installation of water supply by State and U. S. Forest Service. Referred to Parks Superintendent.
Permit. L. H. Dobry, Tacoma, denied permission to transport overheight and overlength loads.

8161

Log hauling. Leonard Ferguson, Tillamook, requests permit to haul short logs after dark. Investigation ordered.
Cape Arago Secondary Highway. Oiling of highway through Empire and flattening curve authorized.
Talbot State Park. Site for Guy W. Talbot memorial approved.
Oregon Coast Highway. Complaint of Andes Rajala, Nehalem, arising out of reconstruction of highway through property.
Portland. Peninsula Golf Club. Claim for reimbursement for expense incurred in connection with proposed highway construction at Union and Denver Avenues.

8162

Agreements as follows signed:

Douglas County, acquisition of right of way for North Umpqua County Road project and maintenance after completion;
Soil Conservation Service, renewal of agreement for control of soil erosion along highways;
J. B. Patterson, construction and maintenance of private bridge over borrow pit on Siuslaw Highway;
Olaf Rice, construction of private bridge over borrow pit;
Multnomah County, maintenance of Airport Road Overcrossing Section in Northeast Portland;
Multnomah County, maintenance of Northwest Thompson County Road;
Polk County, maintenance of Independence-Buena Vista County Road;
Polk County, construction of Independence-Buena Vista Road;
Linn County, maintenance of Corvallis-Harrisburg County Road;
Linn County, payment of County's indebtedness on construction of Santiam Highway;
Marion County, construction of Salem-Independence Ferry Rd.;
Marion County, maintenance of Salem-Independence Ferry Road;
Columbia County, maintenance of Upper Nehalem County Road;
Wasco County, maintenance of Chenoweth Creek County Road;
Washington County, maintenance of Hillsboro-Cornelius Pass Road;
Clackamas County, maintenance of Carver-Redland County Road;
Miles Earl Ollivant, renewal of lease of gravel bar.

8163

June 3

Bids received, as follows:

Carver-Redland Store Section, grading, surfacing & oiling;
Bridge over South Fork Rock Creek;
Dixonville Section, grading and surfacing;

8164

<u>Page</u>	<u>Date</u>	<u>Subject</u>
8164	June 3	<p>Lombard Street-Killingsworth Street Section, grading, surfacing and oiling;</p> <p>Northeast 33rd Avenue Overcrossing, reconstruction;</p> <p>Wigrich-Buena Vista Section, surfacing and oiling;</p> <p>Tone Bridge over Trask River</p> <p>Hillsboro-Airport Road Section, surfacing and oiling.</p> <p>Tone Bridge over Trask River. Bids received on behalf of and referred to Tillamook County for disposal.</p> <p>Bonds. County road project bonds to be submitted on regular county forms.</p> <p>Douglas County. Dixonville Section of North Umpqua Highway. Contract to be awarded when legal and right of way matters disposed of.</p> <p>Tillamook and Clatsop Counties. Neahkahnie Mountain Section. Contract for grading work in July requested.</p> <p>Arch Cape Tunnel. To be lined and sidewalks constructed before being opened to traffic.</p>
8165		
8166		
8167		<p>Clatsop County. \$7,000 indebtedness. To be turned over to state when Neahkahnie Mountain project right of way negotiations are disposed of.</p> <p>Ferry Service. Astoria Bridge Committee inquire regarding free ferry service across Columbia River at Astoria.</p> <p>Lincoln County. Melcott delegation urge acquisition of park area between Oregon Coast Highway and Ocean.</p> <p>Lakeview. Chamber of Commerce endorses campaign of Oregon Roadside Council.</p> <p>Crook County. Prineville-Crook County Chamber of Commerce invites Commission to meeting in Prineville on June 13.</p> <p>Columbia River Highway. Reconstruction urged by Oregon Trail Association.</p> <p>Benton County. Corvallis-Eastside Secondary Highway. County Court requests extension to connection with Albany-Corvallis Highway.</p> <p>Northeast Portland Secondary Highway. Mr. William L. Gray confers regarding compensation for right of way.</p>
8168		
8169		<p>P.W.A. Engineer authorized to apply for grants to finance the following:</p> <p>Brothers and Suntex Buildings;</p> <p>Woodburn-Mt. Hood Loop Highway, Molalla Section;</p> <p>Halsey-Sweet Home Highway, Brownsville Section.</p> <p>Pacific Highway. California Highway Commission submits plan for reconstruction of California portion in 1941.</p>
8170		<p>Letter from C. H. Purcell, California State Highway Engineer, regarding dates of biennium referred to in resolution.</p> <p>Completion of reconstruction to California state line by June 1941.</p>
8171		<p>Award confirmed of following contracts:</p> <p>Baker-Flagstaff Hill Section, E. H. Itschner;</p> <p>Otis-Bayer Section, O. G. Yocom;</p> <p>Spaulding Ranch Section, Mountain States Construction Co.</p>

<u>Page</u>	<u>Date</u>	<u>Subject</u>
	1938	
8171	June 3	Brothers Oasis. Contract for drilling of well awarded to A. M. Jannsen Drilling Company.
8172		Advertising signs. Requiring bonds from owners of signs. Pacific Highway. California-Oregon Power Company. Request for placement of poles 5 feet from right of way line denied. Sewer System. Salem. Construction as cooperative project with State Forestry Department, State Highway Shop and State Penitentiary. Expenditure of \$1,000 approved.
8173		Load Limits. Order lifting limits previously imposed on following sections:
8174		Little Nestucca Highway, from Dolph to a point two miles westerly thereof; McKenzie Highway, McKenzie Bridge to east city limits of Springfield; Willamette Highway, Goshen to Oakridge; John Day Highway, Prairie City to Unity; Klamath Falls-Lakeview Highway, Klamath Falls to Lakeview. Traffic count. Report on primary and secondary highways and county roads, from August 19 to December 16, 1937, ordered filed. C. B. McCullough. Attendance at meeting of American Society of Civil Engineers in Salt Lake City authorized. Oregon Coast Highway. Reconstruction on new alignment requested. Bridge construction. Use of timber requested by Willamette Valley Lumbermen's Association.
8175		Log hauling. Columbia River Highway. Request of The Dalles Mill & Lumber Co. to truck from Mosier to The Dalles denied. Lebanon. Strawberry Festival June 3 & 4. Closing of Main Street between 9th and Maple Streets authorized. Oregon Coast Highway. Request of L. Heasbach for parking space at Kernville denied. Snow removal. Timberline Road. Conference with Regional Forester deferred. Salem. Court Street improvement, especially rounding of curb lines. Engineer recommends use of existing black pavement on Court Street beyond limits of Summer Street.
8176		Wilson River Highway. Through or main highway from east city limits of Tillamook to Tillamook-Washington County Line. Resolution adopted. Fidelity bond. Purchase of bond from Ohio Casualty Insurance Company authorized.
8177		Dates for next regular meetings set for June 30 and July 21, 1938. Awards. Commission announces awards on projects for which bids were received during morning session. (See page 8163)
8178		Oregon Coast Highway and Wolf Creek Highway. Directional sign erected at junction requested by Seaside Chamber of Commerce. Jackson County. Chamber of Commerce invites Commission to meeting on June 4 for discussion of highway matters.

<u>Page</u>	<u>Date</u>	<u>Subject</u>
8179	June 3	<p>Pacific Highway. Landscaping at north approach to Medford requested by City Superintendent.</p> <p>North Santiam Highway. Resurfacing and oiling from Mill City to Gates requested.</p> <p>Lewis & Clark Monument. Permission requested to erect monument at west city limits of The Dalles.</p> <p>Borrow pit. Sportsmen's Association of Eugene requests use of pit for casting tournament.</p> <p>Oregon Roadside Council. Requests for state funds to finance educational campaign denied.</p> <p>Pole lines. Oregon Automobile Dealers' Association urge prohibiting of high-power lines along highways.</p> <p>Request of Bonneville Power Company to erect power line between Bonneville and Cascade Locks along Columbia River Hwy.</p>
8180		<p>Mist-Clatskanie Highway. Oil surface requested and denied.</p> <p>Log hauling. R. E. Stiff requests permission to truck logs on secondary highways in Baker County during reconstruction of North Powder-Haines Section of Old Oregon Trail.</p>
8182		<p>Surveys. List of surveys ordered since last meeting approved. Contracts completed and accepted as follows:</p> <p>Drain Rock Production Project, Eugene Sand & Gravel Co;</p> <p>Gold Hill Rock Production Project, A. S. Wallace.</p>
8183	June 13	<p>Ochoco Highway. Improvement requested by Prineville-Crook County Chamber of Commerce.</p>
8185		<p>Prineville-Madras Highway. Location survey urged.</p>
8186	June 14	<p>Rerouting in town of Prineville discussed.</p> <p>John Day-Burns Highway. Oiling of sidewalk between John Day and Canyon City approved.</p> <p>Oiling of highway through John Day and Prairie City approved.</p> <p>Survey for oiling through Prineville authorized.</p> <p>Ochoco Highway. Ochoco Dam-Marks Creek Section. Entire project to be contracted.</p> <p>Slavin Road. Proposed crossing under Barbur Blvd. discussed.</p> <p>Port Orford. Oiling of shoulders adjacent to hwy. requested.</p> <p>Grade separation. Report on cost to construct structure at Sandy Blvd. and 39th Avenue, Portland.</p>
8187		<p>Log hauling. Request of Leonard Ferguson to haul during hours of darkness.</p> <p>Albany. Salvaging of brick in old brewery building as W.P.A. project.</p> <p>Report on cost to construct maintenance building.</p> <p>Benton County. Corvallis-Eastside Secondary Highway. Report on cost of connection with Albany-Corvallis Hwy. and repairs to Willamette River Bridge.</p>
8188		<p>Purchases authorized, as follows:</p> <p>13 trailer-type toolhouses for extra gang bridge crews.</p> <p>Load limits. Order lifting limits previously imposed on:</p> <p>Crater Lake Highway, from junction with Pacific Highway to junction with West Diamond Lake Highway.</p>

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	1938	
8189	June 14	<p>Award confirmed of following contract: Drilling of well for Brothers Oasis, A. M. Jannsen Drilling Co. Sale confirmed of following buildings: No. 5412, Northeast Portland, Sullivan Wrecking Co. No. 5416, Northeast Portland, Sullivan Wrecking Co. No. 5255, Northeast Portland, Sullivan Wrecking Co. Oregon Coast Highway. Neahkahnie Mountain Section. Contracting of entire project this fall. Silverton-Marquam Road. Silverton Safety Council requests sidewalk construction along road in Silverton.</p>
8190		<p>Cattle grazing. Commission urged to prohibit grazing on state and county highways. Contracts completed and accepted as follows: Cook Station Overcrossing, Harold Blake; Sardine Creek Bridge, Mountain States Construction Co. Baker-Durkee Section, Rogers Construction Co. Cold Springs Highway. Pendleton Grain Growers Association requests use of right of way for site for grain elevator.</p>
8191	June 15	<p>Bids as follows, opened and read: Coquille-Clausen Section, grading, surfacing and oiling; Columbia Blvd.-Harding Ave. Section, paving; Enterprise-Scotch Creek Sec., grading, surfacing and oiling; Sheeley Bridge Section, surfacing and oiling; Chenoweth Creek-The Dalles Section, grading, surfacing and oiling.</p>
8192		<p>Baker County. Robinette-Homestead and Baker-Homestead Hwys. Emergency maintenance of four tunnels authorized. Multnomah County. Vista House at Crown Point to be given to state as gift by county. Load limits. Order lifting limits previously imposed on: North Fork Nehalem River Bridge, Clatsop County; Deer Creek Bridge, Yamhill County. Order modifying limit previously imposed on following: Yamhill River Bridge, Yamhill County.</p>
8194		<p>Pacific Highway West. Improvement of Newberg viaduct. Dundee. Improvement of highway in Dundee proposed.</p>
8195		<p>Log hauling. Engineer to investigate operations of Buzzard-Burkhart Lumber Company relative to requiring special carrier permits. Pacific Highway West. Improvement in Corvallis discussed. Oregon Coast Highway. Proposed rerouting of highway in Gold Beach.</p>
8196		<p>Union Avenue Viaduct Project. Seeley property. Attorney to continue negotiations. Bond bids, as follows, opened and read: The United States National Bank of Portland; The First National Bank of Portland; State Bond Commission.</p>
8197		<p>Multnomah County. Aerial photographs of property between Corbett and Dodson authorized. Pacific Highway. Adoption of new route south of Grants Pass.</p>

<u>Page</u>	<u>Date</u>	<u>Subject</u>
8199	June 15 1938	Pacific Highway. Landscaping of north entrance into Medford. Pacific Highway West. Reconstruction of viaduct at Newberg. Klamath County. Whitney County Road. Lost River Bridge to be reconstructed before Bureau approves surfacing and oiling of Malone-California Line Section.
8200		Wallowa County. Hurricane Creek County Road. Bureau defers improvement of Enterprise-Scotch Creek Section until timber culvert is reconstructed. Expense of culvert improvement discussed. Pacific Highway West. Delegation from Newberg and McMinnville urge reconstruction of viaduct at Newberg. Improvement through town of Dundee urged.
8201		Reconstruction of highway at St. Joseph Underpass, north of McMinnville requested. Improvement of Baker Street in McMinnville requested. McMinnville-Tillamook Highway. Reconstruction as far as Valley Junction in Commission's plans. Weston-Elgin Secondary Highway. Oiling of unoiled section near summit deferred until next year. Awards. Commission announces awards on projects for which bids were received during morning session. (See page 8191)
8202		Real property. Attorney authorized to commence condemnation for right of way for projects advertised for this meeting.
8203		Pole line. Permit authorized for Cascade Locks to construct pole line along south side of highway. West Coast Power Company to remove pole line through Cascade Locks. Real property. Resolution authorizing acquisition.
8206		Bonds. Commission sold bonds to The United States National Bank of Portland. Bids received morning session. (See page 8196). Resolution adopted.
8207		Permit. Mr. Jack Joyce, U. S. Forest Service, requests permission to move buildings between Camp Sherman and Fort Rock. Permit to be authorized if trial movement satisfactory.
8208		Harold B. Say authorized to contact newspaper officials in Washington and Idaho. Oregon-Washington Highway. Pendleton-Adams Section. Attorney to take options for right of way. Sandy Blvd. Project. Portland General Electric Company to contribute \$25,000 toward reconstruction. Project to be advertised for bids to be received July 21, 1938.
8209		Denver & Union Avenues traffic separation structure. Claim of Peninsula Golf Club for studies and investigations denied. Oregon Coast Highway. Arch Cape Tunnel. Opening for traffic urged. Pacific Highway. Offer of Mrs. Alvina H. Forland to sell property for revision of highway rejected. Attorney to condemn. Permanent location survey of revised route authorized.
8210		Lane County. Armitage property. Commission accepts gift of 30-acre tract. Lincoln County. Purchase of park site north of Helscott not authorized.

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8210 June 15

Douglas County. Easement for pipe line across property of Southern Oregon Lumber Co. at Umpqua Lighthouse Park.
Tillamook County. Purchase of 200 acres of land in addition to state park at Arch Cape.
Lincoln County. Wayside strips between highway and ocean. Commission opposed to sponsoring holding company for purchase of property.

Agreements, et cetera, as follows:

8211

Berke Bros., settlement of claim for extra compensation arising out of contract No. 1906;
State Board of Forestry and State Penitentiary, construction of joint sewer pipe line;
Viola and Henry G. Pratt, purchase of park property south of Cape Perpetua; deed to property to be deposited in First National Bank;
Bureau of Public Roads, financing The Dalles Roadside Improvement Project;
Klamath County, maintenance of Whitney County Road;
Wallowa County, maintenance of Enterprise-Hurricane Creek County Road;
Bargain and sale deed conveying to Lee Ragan property near north end of Siuslaw River Bridge, Lane County;
Bargain and sale deed conveying to Al Krause property in Lincoln County adjacent to Oregon Coast Highway;
Bargain and sale deed conveying to A. J. Hodges property in city of Albany outside of highway right of way.

8212 June 29

World's Fair. Use of models and dioramas of highways and motion pictures with sound synchronization discussed.
Travel and Information Department. Appointment of committee, as recommended by Advisory Committee, deferred.

8215

Acquisition of real property. Resolution adopted.
Umatilla County. Oregon-Washington Highway. Appraisals of property to be submitted.

Portland. Interstate Avenue improvement. Mr. & Mrs. Roskoski refuse offer for property.

Albany. Gravel pit and quarry site. Purchase of 20-acre tract deferred.

8216

Yaquina Bay State Park. Negotiations for additional area authorized.

Benton County. Park site adjacent to Alsea Highway. State to accept tract as gift from county.

Coos County. Golden Falls State Park. State to accept portion of Silver Creek Area and Silver Falls as gift from Co.

Deschutes County. Sisters. Condemnation of area in wye connection of McKenzie Hwy. with Santiam and Bend-Sisters Hwys. authorized.

Tillamook County. Cape Lookout State Park. Acquisition of 31.72 acre tract from Crown Willamette Company authorized.

8217

Columbia County. Acquisition of tract east of Mist on Nehalem Highway referred to Columbia County Granges.

Multnomah County. Crown Point property. Park Superintendent confers with County Commissioners.

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Subject

- 8217 June 29 Silverton-Marquam Highway. Silverton Safety Council requests sidewalk construction along highway in Silverton.
West Linn. Report on cost to oil shoulders adjacent to pavement.
- 8218 Federal Aid projects. Attorney's opinion relative to obligating highway funds to match federal funds.
Salem. Court Street improvement. Bids to be taken, award to be deferred.
Pacific Highway. Frank Forth requests compensation for damage to his property south of Ashland. Request denied.
Oregon City. Offer of settlement with Security and Investment Company for right of way for East Portland-Oregon City Hwy.
Forest Grove. Bypass route for connection of Tualatin Valley Highway with Gales Creek County Road discussed.
Silver Creek Falls Highway. Report on cost to grade and oil uncoiled portion in vicinity of Shaw.
Oregon Coast Highway. Port Orford. Report on cost of oiling between 9th Street and Knapp Hotel.
Albany. Construction of maintenance building as P.W.A. project approved. Resolution adopted authorizing Engineer to apply for grant of P.W.A. funds.
- 8220 Award confirmed of following contracts:
Roberts-Orville Section, McNutt Bros;
Washington County Line-Skyline Blvd. Section, Saxton, Looney and Risley;
Wigrich-Buena Vista Section, J. C. Compton;
Dixonville Section, Harold Blake;
- 8221 Columbia Blvd.-Harding Avenue Section, Harold Blake;
Enterprise-Scotch Creek Section, Rogers Construction Co.
Federal Aid Highway Act of 1938. Copy ordered filed.
Oregon Coast Highway. Arch Cape Tunnel-Short Sand Beach Creek Section. Bids to be received in August.
Advertising signs. Code of regulations relating to maintenance approved.
- 8223 Signs. Request of Yakima Chamber of Commerce to erect sign directing traffic to Paterson Ferry denied.
Eyesight tests. Services of three oculists and optometrists to advise on tests and equipment authorized. Engineer to consult with Dr. Dillehunt before selecting members.
Equipment. Wolf Creek Highway. Rental of equipment for short period authorized.
- 8224 Fidelity bond. Ohio Casualty Insurance Company. Report of State Insurance Commissioner regarding rates. Commission orders Secretary to file applications.
Portland. Sandy Blvd. improvement. Portland Electric Power Co. to pay \$25,000 toward cost of improvement. Company to maintain remainder of street occupied by its rails.
Bond. Release of bond, for Oregon Coast Highway bridge construction, deposited with Chase National Bank of New York authorized.

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	1938	
8225	June 29	Warm Springs Secondary Highway. Survey between Prineville and Jefferson-Crook County line authorized.
	June 30	Bids, as follows, opened and read: Bly Mountain-Beatty Section, grading, surfacing and oiling; Court Street Section, Salem, paving; Obsolete equipment and scrap material at highway shops.
8226		Oregon Coast Highway. No bids received for old lumber and piling in trestle bridges. Advertised at this meeting. Historical marker. Erection of marker on John Day Highway south of Arlington requested. P.W.A. grants. Acceptance of offer to aid in financing following: Catching Slough Bridge, Coos County; Fleming Ranch-Schindler Bridge Section, Linn County; Sunnyside-Umapine Section, Umatilla County; Office building and storage shed near Klamath Falls. Resolutions accepting offers adopted.
8232		Date for next meeting set for August 4, 1938. Log hauling. E. W. Segessenman requests reinstatement of log hauling permit.
8233.		John Beakey authorized to attend meeting of National Conference on State & Highway Safety in Washington D. C. Western Association of State Highway Officials. Following authorized to attend meeting at Reno, Nevada: F. L. Tou Velle, R. H. Baldock, J. M. Devers, H. G. Smith, J. N. Bishop, G. S. Paxson, and John Beakey. Baker-Homestead Highway. Oiling requested between Halfway and Timber Canyon Hill. Willamina. Letter of thanks for resurfacing Main Street. Interstate Bridge. Portland General Electric Co. requests renewal of lighting agreement and waiving of rental charge.
8234		Clatsop County. Walluski River Bridge on Nehalem Highway. Request for pedestrian walk on bridge denied. Walluski River Bridge. Grade line of embankment to be lowered State College experiment station property to be restored. Truck owners and operators. Urge action to provide employment for individual truck owners on Wilson River, Bear Canyon and Wolf Creek projects. Salem. Request of Martha Roddy to conduct confectionery stand at highway shops denied.
8235		Oregon Coast Highway. Newport. Purchase of 10-ft. strip from Mrs. Laura Hood authorized. Klamath Falls. Opposition to rerouting The Dalles-California Highway along 11th Street. Public hearing regarding change set for August 9, 1938. Deadwood Secondary Highway. Request for improvement from junction with Siuslaw Highway to mouth of Cougar Creek. Enegren Ferry Service. Coos River. Request for 24 hour service, 7 days a week, denied. Columbia River Highway. Modernization between Troutdale and The Dalles urged.

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8235	June 30 1938	Oregon Coast Highway. Acquisition of right of way at Depoe Bay Bridge for proposed revision of highway authorized.
8236		Safety contests. Secretary of State requests permission to erect plaques on highway entrances to winning cities or towns. Portland. Interstate Avenue improvement. Roskoski property to be condemned.
8238		Fremont Highway. Attorney to purchase gravel pit from Richard Curran, Jr. Resolution authorizing condemnation if offer refused.
8239		Forestry Dept. Agreement for occupancy of portion of Wilson River Hwy. right of way and construction of guard cabin unit. Columbia River Highway. Settlement with Mrs. Minnie T Reed for right of way.
8240		World's Fair. Conference with Fair Committee. Use of models and dioramas approved. Use of motion pictures, in sound, approved.
8241		Depoe Bay. Harley O. Youngblood requests permission to open state's rock wall at bridge as access to his restaurant. Morrow County. Wasco-Heppner Secondary Highway. Transfer of funds to finance construction of Heppner-Rhea Creek Section.
8242		Awards. Commission announces awards on projects for which bids were received during morning session. (See page 8225) Lower Columbia River Highway. Shell Oil Company to cooperate in improving drainage facilities.
8243		Albany. Reconstruction of water pipe lines and Santiam Canal affected by grade separation project.
8244		Pacific Highway. Mrs. Pearl Koble renews claim for damage. Surveys. List of surveys ordered since last meeting.
8245		Extensions of time, as follows: Joplin & Eldon, Shaniko Section; Berke Bros., Inc., Arch Cape-Beach Creek Section; R. O. Dail & Warren Bros., Heppner Junction Rock Production; Contracts completed and accepted as follows: Valley Falls-Cinder Butte Sec., Babler Bros.; Horse Ridge-Brothers Section, McNutt Bros.; Union Avenue Bridge over Sullivan's Gulch, Averill & Corbin; South Fork Quartz Bridge Section, F. C. Himer Co.; Bloucher Section, Fisher Bros.; Lincoln County Line-Alsea Mt. Section, R.O.Dail & Warren Bros.; Heppner Junction Rock Production, R.O.Dail & Warren Bros.; Shuttler Flat-Condon Section, Schmeer, Williams & Gentemann; Grande Ronde River-Noyes Ranch Section, Warren Northwest Inc. Lake County Line-Gap Ranch Section, A. Milne; Eagle Point-Baker Gulch Section, Clifford A. Dunn; West Forest Boundary-Horse Ranch Section, J. C. Compton; Mystic Creek-Brockway Section, D. L. Ashton; Little Nestucca River Bridge, Mountain States Constr. Co.; Otis-Boyer Section, O. C. Yocom
8246		Agreements, et cetera, as follows: City of Portland, reconstruction of N. E. 33rd Ave. viaduct. A. R. Sawtell and J. C. Goldrainer, installation of new accounting system in state highway department offices.

Salem, Oregon, April 14, 1938

The State Highway Commission met in special session at 11:00 o'clock a. m. in the office of the State Highway Engineer, Room 325 State Office Building. Present were:

Henry F. Cabell, Chairman
E. B. Aldrich, Commissioner
F. L. Tou Velle, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

The Engineer requested authority to acquire certain parcels of real property that are needed for various highway improvements throughout the state. He presented a list of such parcels, and prices that he recommended be paid for each. After careful consideration the Commission approved the request and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth; and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon; and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose.	Acres	Approximate Amounts	Agent
<u>Green Springs Section - Green Springs Highway</u>				
1255-Weyerhaeuser Timber Co.		0.51	10-yr lease \$1.00	Benson
	Stock Pile		Lump Sum	

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Madras-Deschutes County Line Section - The Dalles-California Highway</u>				
5455-U.S.Dept. of Agric.	Stock Pile	2.38	Gratis, plus fencing	McCallister
	Easement			"
5456-" " " " "	Stock Pile	1.38	" " "	"
	Easement			
<u>Burnt Woods-Eddyville Section - Corvallis-Newport Highway</u>				
5186-A-Conklin, M. J.	Hauling Road	0.62	\$50 for easement, plus \$80	McCallister
	Easement			
<u>East Unit, Missouri Flat Section - Medical Springs Highway</u>				
5294-Vandecar, Byron	Gravel Pit and Hauling Road Lease	9000 cu.yds. at 3¢ cu.yd.	plus \$20	Wells
<u>Junction City-Eugene Section - Pacific Highway</u>				
5937-D-Ross, Elmer H.	Gravel Pit	5.414	\$200 per a. plus \$60	Benson
5937-B-Kokkaler, Louis	" "	4.01	Lump Sum \$500	"
<u>Turkey Hill-Chenoweth Park Section - Pacific Highway</u>				
5799-Hoffman, Frank	R/W	6.30	\$75 per a. + \$81.60	Benson
<u>Elkton Section - Umpqua Highway</u>				
4592-Moore, R. A.	Stock Pile	1.02	5-yr. lease Lump Sum \$75	Benson
<u>Salmon-Pringle Creek Section - Pacific Highway East</u>				
3823-A-Cornforth, Belle	R/W	0.041	\$500 per a. plus \$64	McCallister
<u>Hermiston-Columbia School Section - Hermiston Highway</u>				
5545-Belscamper, Loretta	R/W	0.44	\$50 per a.	Wells
<u>Gold Hill-Dodge Bridge Section - Sams Valley Highway</u>				
5548-California-Oregon Power Company	Gravel Pit	10.49	\$42.90 per a.	DeSouza
<u>Albany Overcrossing - Pacific Highway East</u>				
4972-Brown, S. J.	R/W	7326 sq.ft.	at \$0.055 per sq.ft. plus \$2850	Gardiner
4958-Holloway, Gladys V.	"	14520 "	" 16¢ per sq.ft. plus \$1926.80	DeSouza
5130-Childs, Charles, and Wm. Eagles	"	5968 "	" 20¢ sq.ft. + \$1556.40	"
<u>Sunset Tunnel-Burton Section - Wolf Creek Highway</u>				
5228-Galvani, W. R.	R/W	20.01	\$20 per a.	McChesney
<u>Cook Overcrossing - West Portland-Hubbard Highway</u>				
4632-Hartley, L. W.	R/W	35000 sq.ft.	Lump Sum \$500	Parker
<u>Mist-Clatskanie Section - Columbia River Highway</u>				
5665-Columbia County	Stock Pile	1.0	Gratis	McChesney

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Killingsworth-Lombard Section - Northeast Portland Highway</u>				
5449-Macklin, A.	R/W	2221 1/2 sq.ft. at 2¢ per sq. ft. (0.51 a.)		Parker
5412-Habernicht, Wm.	"	5000 sq.ft. 7¢ sq.ft. plus \$2500		"
5419-Holt, Lillie H.	"	35130 sq.ft. 3¢ sq.ft.		"
5484-McElwain, Alma	"	0.032 Even exchange for 0.030 a.		"
5803-Stoecher, Fred	"	6950 sq.ft. 2¢ sq.ft.		"
5804-Mitchell, Raymond	"	6645 sq.ft. 2¢ sq.ft. plus \$10 plus moving bldgs. (Estimated cost \$135)		"
5801-Funk, Jack	"	13160 sq.ft. 2¢ sq.ft. plus \$94.30 plus moving house (Estimated cost \$110)		"
5446-Dooley, W. R.	"	7757 sq.ft. 2¢ sq.ft. plus \$99.86 plus moving bldgs. (Estimated at \$150)		"
5450-Blake, Harold, and Kern & Kibbe	"	0.106 \$613.15 per a.		"
5442-Teresi, Jos.	"	142877 sq.ft. 2¢ sq.ft. plus \$442.46		"
5513-Collinson, Marie	"	0.026 \$871.20 per a.		"
5514-Collinson, Frank	"	3.508 \$871.20 per a.		"
5428-Jacobs, Wm. J.	"	29190 sq.ft. 2¢ sq.ft. to be exchanged for property outside R/W + \$1250 + moving office and gas pump (Esti- mated at \$325)		"
<u>Saddle Mt. Park Section - Wolf Creek Highway</u>				
5034-Crown-Zellerbach Co.		194.79	\$3000 Lump Sum	Benson
	R/W Park Road			
<u>St. Helens-Scappoose Section - Columbia River Highway</u>				
5792-Ricen, M.	R/W	1439 sq.ft. Gratis		Benson
<u>St. Helens Section - Columbia River Highway</u>				
5728-Baxter, Laura W. and F. K. Lovell	R/W	0.50	\$500 per a.	McChesney
<u>Viento-Memaloose Park Section - Columbia River Highway</u>				
5290-Hood River, City of	Stock Pile	1.37	5-yr. Lease, \$1 per yr.	Collins
<u>Metzger Undercrossing - Aurora-Beaverton Highway</u>				
5731-Howell, Marie C.	R/W	0.191	\$75 Lump Sum, plus mov- ing fence	"
<u>Mile Bridge Section - Nehalem Highway</u>				
5557-Roberson, L. H.	R/W	1307 sq.ft.	\$0.0765 sq.ft. + \$100	McChesney
<u>Parkdale Section - Mt. Hood Loop Highway</u>				
5824-Hood River	Stock Pile	1.01	Gratis	McChesney
<u>Clatsop County Line-Mohler Section - Oregon Coast Highway</u>				
800-Tubbesing, Ella M. et al	Stock Pile	0.202	2-yr. Lease, \$10 per yr.	Collins
<u>Mohler-Kilchis Section - Oregon Coast Highway</u>				
5790-Tillamook County	Stock Pile	1.1	Lump Sum \$178.02	Collins

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Siletz River-Newport Section - Oregon Coast Highway</u>				
5022-Krause, L. Leonard, (Trustee)	R/W	6.75	\$400 per a. Credit to be taken for 2.29 a. at \$400 per a. and 1.0 a. at \$300 per a., to be deeded to Krause	McCallister
NOTE: Mr. Krause has a sale pending for the 20 acres which the highway crosses, at a price of \$500 per a., and action should be taken to avoid dealing with new purchaser, at a higher price.				
5788-Stenzel, Frank	Stock Pile	2.007	\$175 per a.	"
<u>Florence Section - Oregon Coast Highway</u>				
1160-Seaman, A. E.	R/W	8409 sq.ft.	\$150 Lump Sum plus taxes	Devers
<u>Bandon-Port Orford Section - Oregon Coast Highway</u>				
5974-Fernan, P. C.	Stock Pile	1.0	\$125 Lump Sum	McCallister
<u>Otis-Siletz River Section - Oregon Coast Highway</u>				
5795-Masten, Loretta, and E. R. Keith	R/W	504 sq.ft.	at 10¢ sq.ft. plus remodel- ing front garage and service station and moving gas pump and tank (Est. at \$250)	Collins
<u>Haines-North Powder Section - Old Oregon Trail Highway</u>				
5004-Chandler, Herbert et al	R/W	0.48	\$50 per a. plus moving fence	Wells
<u>Siletz Section - Siletz Highway</u>				
6006-Dickenson, Lee L.	R/W	0.44	\$100 per a.	Eason
<u>Hillsboro Section - Tualatin Valley Highway</u>				
5929-Southern Pacific Co.	Stock Pile	2 lots	4-mo. Lease at \$5 per mo.	Collins
<u>Dead Ox Flat Section - Old Oregon Trail Highway</u>				
5568-Gribben, Frank	Stock Pile and Haul Road	0.86	To be exchanged for equal area	Williams
<u>Scotts Butte-Blue Mountain Section - I.O.N. Highway</u>				
5798-Malheur County	Gravel Pit	17.72	Gratis	Wells
<u>Rock Creek-Wallowa Section - Wallowa Lake Highway</u>				
5716-Schaeffer, Lucy	Stock Pile	2.30	5-yr. Lease \$160	W.C. Williams
<u>Siletz-Kernville Section - Siletz Highway</u>				
5791-Johnson, C.D. Lbr. Co.	Stock Pile	1.31	\$25 per a.	McCallister
<u>Estacada Section - Woodburn-Mt. Hood Highway</u>				
2848-Jordan, James	R/W	486 sq.ft.	\$25 Lump Sum	Parker

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The Attorney brought up for discussion matters pertaining to the controversy with the Security & Investment Company of Oregon City relative to right of way needed for the East Portland-Oregon City Highway in Oregon City, and particularly the request of Mr. Jack Latourette, company attorney, who has asked for another appraisal of the company's property by an independent group of appraisers. After considerable discussion the Commission approved the request and instructed the Attorney to arrange for three competent men to make such appraisal, and to have them report to Chairman Cabell for instructions.

The Commission adjourned at 12:15 o'clock p. m. and reconvened at 1:45 o'clock p. m. in the same room with all Commissioners, the State Highway Engineer, the Attorney, and the Secretary present.

Mr. Philip Chipman, attorney, Portland, came before the Commission in behalf of the Evans Products Company, Marshfield, who have a contract with N. B. Marsh, Marshfield, for delivery of logs to its plant. It appears that Mr. Marsh has a number of trucks engaged in log hauling in this vicinity and that the drivers have been arrested numerous times for transporting loads weighing in excess of the statutory weight limits and the reduced weight limits ordered by the Highway Commission; that two of his trucks are still on the suspended list, and, according to the rules and regulations of the State Highway Commission, cannot be reinstated in service until May and June, one of them having been overloaded three times and the other four times. Mr. Chipman advised that the Evans Products Company is extremely anxious to secure more material for its plant and will be very grateful if the Highway Commission will reduce the penalty heretofore imposed and allow Mr. Marsh to resume operations with all of his trucks at once. Chairman Cabell advised that the Commission has endeavored in numerous ways to secure the cooperation of the log haulers in the matter of loads, so as to preserve the highways as much as possible; but some of the log haulers pay no attention whatsoever to the Commission's requests, and it has been found that the only effective means to curb the transporting of overloads is by suspending the operation of the equipment involved. He added that, if the Commission modified the penalty imposed on Mr. Marsh in this particular instance, it would have to extend the modification to include other operators who are in the same predicament, otherwise the Commission would be placed in an embarrassing position, for which reason the Commission must deny the request. Commissioners Aldrich and Tou Velle concurred.

At 2:00 o'clock p. m. the Commission conferred with Dr. E. C. Dalton, St. Helens, and Robert W. Sawyer, Bend, members of the State Capitol Reconstruction Commission, in regard to the reconstruction of the Summer Street approach to the new state capitol building in Salem. Alton John Bassett, Secretary of this Commission, was also present. Dr. Dalton presented a certified copy of an excerpt from the minutes of the meeting of the State Capitol Reconstruction Commission held on April 11, 1938, relative to this matter, which resolution reads as follows:

WHEREAS, the landscaping scheme heretofore, adopted by the State Capitol Reconstruction Commission set forth on plot plan

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"A" approved by the Commission on April 4, 1938, includes two 50 ft. wide streets between Court and Chemeketa Streets and certain sidewalks, curbs, grading and so forth; and

WHEREAS, the State Capitol Reconstruction Commission has requested an opinion from the Attorney General, on the law governing the method to be employed by the Capitol Commission in transferring title and dedicating that portion of land adjacent to Court Street, essential to the proposed widening of Court Street; and

WHEREAS, the State Capitol Reconstruction Commission adopts all of the conditions contained in a letter from the W. H. Lynch, District Engineer, from which letter the following paragraph is quoted:

"Providing the State will dedicate as a city street the areas outside the limits of Court Street (shown on the map in orange), and providing all-day parking is also prohibited in these areas, then the improvement is eligible for Federal participation. This, of course, is predicated on the assumption that their improvement is necessary to relieve congestion on Court Street."

WHEREAS, the Highway Commission has estimated the cost of this work at Fourteen thousand seven hundred (\$14,700.00) Dollars.

NOW, THEREFORE, BE IT RESOLVED, the State Capitol Reconstruction Commission does, hereby, appropriate and budget the sum of Fifteen thousand (\$15,000.00) Dollars for the above described work, and does hereby, request the State Highway Commission's co-operation when they invite bids on the work they have undertaken in widening Court Street to the end that the bids on the Summer Street project can be combined with the Court Street project in order to secure the lowest possible bids.

He said that the State Capitol Reconstruction Commission has appropriated \$15,000 of its funds to finance this work.

The State Highway Engineer advised that he has not as yet had an opportunity to study the estimate of the project and requested an opportunity to do so before the Highway Commission makes any commitments in regard thereto.

Dr. Dalton then presented a map disclosing the plan of the Capitol Reconstruction Commission with respect to such improvement and pointed out that it would require the widening of Court Street between Capitol Street and Winter Street, the vacation of Summer Street from Court Street to Chemeketa Street, and the dedication of two streets 50 feet wide to take the place of Summer Street between Court and Chemeketa Streets.

The Engineer advised that the Highway Commission has budgeted \$25,000 of federal aid funds to finance the improvement of Court Street between

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Capitol Street and Winter Street but that this Commission would require the vacation of the existing Summer Street and the dedication of the other two streets before proceeding with construction. Furthermore, the Commission would require that the City of Salem reconstruct its sewer and waterpipe line and other facilities on this street before commencing the highway improvement so as to eliminate the necessity of cutting up the pavement after the highway work is completed.

Mr. Sawyer gave as his thought that it would be proper for the State Board of Control and the Salem City Council to act on such matters and advised that the City of Salem has already agreed to reconstruct its facilities that are involved. He also stated that the State Capitol Reconstruction Commission would arrange for the circulation of petitions as may be required to secure the vacation of Summer Street and the dedication of the other two streets and such other petitions as may be required to secure the reconstruction of the underground facilities of the city. He doubted that the procedure could be completed by the time that the Highway Commission would want to award its contract for the highway work in June, but suggested that bids be taken nevertheless and that the award of the contract be held pending a satisfactory conclusion of the other details. He requested the services of the Highway Commission's Attorney in preparing the petitions and the other proceedings that may be necessary, in view of the fact that the Assistant Attorney General, assigned to the Capitol Reconstruction Commission, is now in the East. He pointed out that immediate action is necessary so that the matter can come before the Salem City Council at its next meeting on Monday evening, April 18. The Highway Commission granted the request by unanimous vote.

In a further discussion of this matter it was agreed that the State Capitol Reconstruction Commission would prepare its plans for its portion of the project, would secure the right of way, and would advertise its project for bids to be received at the same time that the Highway Commission receives the bids for the construction of its portion of the project, and that the bids for both projects would be considered and contracts awarded at the same time so that the work on both can proceed simultaneously.

A letter was presented from County Judge C. E. Lyon, Deschutes County, urging that Deschutes County be listed among the first nine of the counties which are to receive benefits from the federal aid secondary highway funds. The Commission ordered that a reply to this letter be withheld until such time as the circular which the Commission proposes to send to each of the county courts relative to federal aid secondary highway matters has been prepared and approved. The Engineer was instructed to prepare such circular letter for the approval and signature of Chairman Cabell.

A petition was presented signed by 53 businessmen of Philomath protesting the "deplorable condition" of the Corvallis-Newport Highway in their town and urging the Commission to oil or pave the same the full width between curbs for at least two or three blocks in the main business section. The Engineer advised that such improvement would cost about \$2000, including the installation of drainage pipe and catch basins. He recommended approval of the

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project and that it be financed with emergency funds. The Commission approved the recommendation by unanimous vote.

A letter was presented from Tillamook County Court urging the reconstruction of a bridge on the Oregon Coast Highway at the East Beaver cheese factory (Mile Post 89.53) between Hemlock and Beaver. They allege that the bridge is extremely narrow and in its present condition creates a major traffic hazard, and urged the improvement from the safety standpoint. The Engineer advised that there is no question as to the need to provide a better bridge at this location but there are many places throughout the state where worse conditions exist and the question is which one should be given first consideration. He pointed out that the bridge under discussion is not in a permanent location but is located on a section of the highway that eventually will be realigned; but this cannot be undertaken now because of the cost involved. In view of the Engineer's report the Commission voted unanimously to deny the request for the time being. The Secretary was instructed to inform the county court that the Commission regrets it does not have requisite funds to do the project now, but will bear it in mind for future consideration when its finances improve. The Engineer was authorized to make a location survey of the project at his convenience.

A petition signed by 49 property owners residing along the Wheatland-Bellevue Market Road between Howard Stephen's corner and Briedwell Station, in Yamhill County, in which the Commission is urged to make provision for the oiling of this section this year so as to alleviate the dust nuisance caused by traffic, was presented. The petition was accompanied by a statement signed by a committee of six members who discussed this matter with the State Highway Engineer in his office on April 6, in which numerous arguments were made in support of the petition. The Secretary was instructed by the Commission to inform the committee that the status of the Commission's finances will not permit it to undertake this project this year and that the funds now available to the Commission are obligated up to the limit, but the Commission will be glad to keep this project in mind for consideration when it has funds available to apply on a project of this kind.

A letter was presented from C. H. Purcell, California State Highway Engineer, advising that the plan proposed by the Oregon State Highway Commission for a connection of the Oregon and California Sections of the Pacific Highway at the state line meets with his approval and advising further that this connection will be recommended to the California Highway Commission for a commitment of funds to be expended for construction during the coming biennium (July 1, 1939, to June 30, 1941). The Commission authorized and instructed the Engineer to have this matter covered by appropriate agreement between the two commissions.

A letter was presented from Mr. Ed W. Miller, General Manager of the Oregon Coast Highway Association, inviting the members of the State Highway Commission and the Commission's staff to attend the semi-annual meeting of the Oregon Coast Highway Association, which is to be held in Reedsport on April 24 and 25, 1938, particularly the semi-annual banquet on Monday evening, April 25. The members of the Commission expressed regrets that other

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engagements would not permit them to be present at such meeting. The Commission delegated Mr. R. H. Baldock, State Highway Engineer, and Mr. C. B. McGullough, Assistant State Highway Engineer, as its representatives.

The Secretary presented a letter from Mr. F. D. Mayer, City Attorney, Lebanon, Oregon, inquiring whether or not the Highway Commission has rules and regulations which would prevent the city from granting a permit authorizing a sign to be erected over the Santiam Highway within the city limits of Lebanon. He was instructed to inform Mr. Mayer that there is a question as to the authority of the Commission to control overhead signs on highway rights of way within the corporate limits of cities and towns and in view thereof the Commission hesitates to pass on the matter; although, if there were no question as to the Commission's authority, the Commission would deny the request the same as if the sign were to be erected over the highway outside of the city. He was also instructed to advise Mr. Mayer that the Commission feels that the party granting the permit for such sign would be liable for damages in the event the sign fell, causing injury to persons or damage to property, and if the City of Lebanon grants the permit in the present instance it would have to assume such responsibility and liability.

A letter was presented from Coos River Grange No. 701, Marshfield, requesting the oiling of the Coos River Secondary Highway from Eastside to the Enegren Ferry, a distance of 4.64 miles. The Engineer advised that this road carries from 250 to 300 cars daily, and that a new rock surface would have to be constructed before it could be oiled with any degree of success. He added that the only type of oiling that could be done on the road without constructing a new rock surface is a dust palliative costing approximately \$600 per mile, which would have to be repeated each year. The Commission considered that its first obligation on secondary highway improvements in Coos County is to complete the Cape Arago Secondary Highway to Charleston, which would preclude the oiling of the Coos River Secondary Highway because there is insufficient money to finance both jobs. The Secretary was instructed to so inform the Grange.

The Commission considered and denied the request of the Columbia County Court for a modification of the penalty imposed by the Commission on log haulers who have been arrested for transporting over state highways loads weighing in excess of the statutory weight limits and the tolerance heretofore authorized by the Commission. The Secretary was instructed to inform the Court that the Highway Commission is not responsible for the enactment of laws of this state, such function resting with the state legislature, and that the 1500-pound tolerance authorized by the Commission was simply ordered so as to give the operators a little leeway, which appeared necessary on account of the difference in weight of logs of the same size. Further, that the penalty imposed on log haulers for overloading their equipment was ordered simply to protect the road surface, experience having shown that other means of regulating loads are ineffective.

The Commission considered and ordered filed a copy of a letter from The Metropolitan Association, Inc., Portland, to its members, relative to the expenditure of state highway funds in Multnomah County and the city of Portland, said letter being dated March 30, 1938.

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The Commission also considered and denied a request from Mr. S. M. Absten, Hood River, for the widening of certain places along the Columbia River Highway to facilitate the loading and unloading of school buses, there being no funds available to finance such work at the present time.

The Engineer reported an inquiry from Mr. D. A. Morand, Portland, as to whether or not the State Highway Commission will grant him permission to remove a portion of the handrail on the west side of the Union Avenue viaduct, Portland, for a distance of about 50 feet south of Stephens Street so as to permit construction of a driveway and an approach to the highway from property which he proposes to purchase at such location. The Attorney advised that the property in which Mr. Morand is interested is described as Lot 7 of Block 45, Stephens Addition to Portland, and that on June 22, 1937, an agreement was made providing for payment to the owner of the same an amount of \$5,300 for damages to the property by reason of the change in grade of the street, necessitated by the highway improvement, but such agreement does not contain any clause as to future restrictions of access thereto. Bridge Engineer G. S. Paxson advised that the highway at the point under discussion consists of an earth and gravel fill and a concrete pavement between retaining walls, and that the retaining walls were designed to permit trucks to pass over them at any point; so, from that standpoint, it would be all right to let Mr. Morand cut through the handrail and construct any driveway that he wishes. He further advised that the roadway in front of the property is 62 feet wide and provides a parking lane on each side of a four-lane highway. He gave as his thought, in view of the circumstances, that the Commission could not refuse access to the abutting property at this location any more than it could prevent anyone from constructing an entrance to the highway at any other point on Union Avenue. After further discussion and in view of the reports of the Attorney and the Bridge Engineer, the Commission authorized the granting of a permit to Mr. Morand to remove a section of the handrail as he requests, providing there are no legal barriers to the same. The matter was referred to the Engineer to inform Mr. Morand.

A letter was presented from Mr. J. W. Jackson, State Forester, requesting permission to construct on the right of way of the Wilson River Highway a permanent guard cabin unit, consisting of a three-room guard cabin, three-car garage and tool house, woodshed, sewage disposal system, water system and facilities, outdoor fireplaces, et cetera, for the accommodation and concentration of campers; the adjacent area to be landscaped. The matter was referred to the State Parks Superintendent for investigation and recommendation.

A letter was presented from T. R. Maxwell, Enterprise, Oregon, requesting a 30-day extension of time within which to pay the current installment of \$150 on his obligation to the state for the purchase of a state-owned building in Enterprise. The Attorney advised that this building was sold to Mr. Maxwell for \$1,800 and that he paid \$200 as the initial payment and, according to agreement, was to pay \$150 each quarter thereafter, beginning December 1, 1937. He further advised that the December 1 payment was promptly remitted but Mr. Maxwell failed to make the March 1 payment because he alleges that he is short of ready funds and accordingly has asked additional

time within which to meet this obligation. He requested instructions. After discussion the Commission voted unanimously to extend for 30 days the time for the payment of the March 1 remittance, with the understanding that the granting of this extension shall not operate or be construed as a waiver by the State Highway Commission in the making of future payments in accordance with the agreement nor shall it operate as a waiver of any rights of any nature whatsoever in connection with future defaults by Mr. Maxwell.

The Attorney reported the results of negotiations for right of way for the Salem-Dayton Secondary Highway across the property of Mrs. Lorah O. Spaulding, being right of way No. R-3974. He said that the Commission is taking 6.85 acres of land from Mrs. Spaulding, on which he places a value of \$2,500, but Mrs. Spaulding is demanding \$3,500 for the same, although there is a possibility that she will reduce her price to \$3,000 if the Highway Commission will construct a roadway from her ranch home to the new highway. The Commission considered the price exorbitant and instructed the Attorney to negotiate further with Mrs. Spaulding, and, if he cannot secure a satisfactory settlement, to acquire the property by condemnation.

The Commission discussed with the State Highway Engineer, the Landscape Engineer, and the Attorney matters pertaining to the acquisition of right of way for the proposed traffic separation structure at the intersection of Denver and Union Avenues, Portland, involving rearrangement of the golf facilities of the Peninsula Golf Course. The Attorney estimated the right of way alone would cost about \$20,000 and that it would cost about \$10,000 additional to rearrange the golf course, and \$10,000 more to move the golf clubhouse, or a total of approximately \$40,000. In the discussion of this matter it was pointed out that no particular consideration has been given to the acquisition of two or three additional parcels of land which may be of vital importance in the event that the Commission approves construction of the proposed project. Accordingly, the Commission deferred action on the matter until the next meeting on April 28. The Attorney was instructed to render a complete report at that time on the cost to purchase right of way, including the two or three extra parcels not heretofore considered, and to rearrange the golf course facilities.

The Engineer submitted a report prepared by the Attorney on the cost to acquire right of way for a revision of the Oregon Coast Highway through the town of Bandon, in Coos County. He estimated that such right of way 100 feet in width would cost about \$31,500, and that right of way 130 feet wide, which would be in accordance with the boulevard plan of the State Planning Board, would cost \$44,075. The Attorney explained that such estimates cover a section about 2 miles long through this town. The Engineer questioned the necessity of acquiring more right of way than is actually needed for the first project that the Commission proposes to construct and accordingly recommended that the purchase be limited to the right of way required between highway engineer's stations 31+00 and 65+00. He further recommended that the width of the right of way be limited to 80 feet along this section and that the city of Bandon be requested to establish a 20-foot setback line on each side of the street beyond the limits of the proposed construction where a 60-foot right of way now obtains. The Commission approved the recommendation unanimously and instructed

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the Attorney to render an amended report on such basis for consideration by the Commission at its next meeting.

The Attorney brought up for discussion the matter of renewing the lease of E. N. Boylen, Pendleton, who has occupied state-owned property known as "Sunset Inn" adjacent to the Old Oregon Trail, in Umatilla County, since July 1, 1932, under agreement with the Commission whereby he was supposed to pay to the Commission \$250 for the full term of the lease, which ran for a period of 5 years and terminated on July 1, 1937. He further advised that Mr. Boylen has paid a total of \$225 but has consistently neglected and refused to pay the balance due although it has been called to his attention a number of times, and as the matter now stands Mr. Boylen owes the state \$25 on the original rental agreement and an additional \$50 for the period from July 1, 1937, to July 1, 1938, if he is permitted to occupy the premises until that time. He requested instructions as to how to proceed against Mr. Boylen under the circumstances and advised that it is the recommendation of Division Engineer Williams that the agreement be not renewed and that Mr. Boylen be ordered off the property. After some discussion the Commission voted unanimously to evict Mr. Boylen from the premises, it appearing from reports that he is an undesirable tenant.

The matter of the sale of Building No. 4589 on property heretofore purchased from John G. Maycock for right of way for the East Portland-Hubbard Highway had the attention of the Commission, being property described as Lots 21 and 22 of Block 14, Pasadena Subdivision, Portland. The Attorney reported receipt of an offer from the National Properties, Inc., Portland, to pay \$50 for this building. He recalled that the building was advertised for sale on March 24, 1938, and the only bid received for the same was in the amount of \$3.00, which was rejected. He recommended sale of the building to National Properties, Inc., for the amount of their offer. The Commission approved the sale by unanimous vote.

Reconsideration was given by the Commission to the matter of removing advertising signs on the Columbia River Highway right of way through the Parkrose District east of Portland. The Attorney advised that according to information received from Division Engineer E. A. Collier there are numerous signs that encroach upon the highway right of way at this locality but all of them are back of the concrete curbs and back of the power and telephone poles except the sign that is being maintained by a man by the name of Herron, which extends farther out into the highway and which Mr. Herron refuses to remove, as previously ordered by the Commission. He also advised that it is Mr. Collier's opinion that practically all of these people will remove their signs without argument as soon as they are requested to do so if the Commission is successful in its attempts to get Mr. Herron's sign off the highway. The Attorney said that he expects to confer with Mr. Herron's attorney shortly and hopes to be able to secure the removal of this particular sign without much trouble, in the near future. In view of the Attorney's report, the Commission decided not to take any action against the other parties until the Herron matter has been disposed of.

The Commission considered and ordered filed a letter from the

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National Parks Service relative to the possibilities of acquiring lands of a sub-marginal character for purchase under Title III of the Bankhead-Jones Farm Tenant Act, the Commission having in mind no tracts that would qualify under the provisions of such act.

The Engineer reported on the cost of right of way for the alternate route of the Pacific Highway West through the town of Tigard, Washington County. He estimated the cost of the right of way on the northwest line at \$150,000; that on the center line at \$112,000; and that on the southeast line at \$66,000, and advised that there is very little difference in the estimated cost to construct each route. After discussion, the Commission ordered that 12-months' options be secured for the right of way on the northwest line and on the southeast line for consideration by the Commission at its next meeting or as soon thereafter as is possible, when the Commission proposes to adopt a route for this revision.

The Assistant Attorney reported that he has again contacted the city officials of Portland in regard to the acquisition of a small parcel of land that is needed for right of way for the Lombard-Killingsworth Section of the Northeast Portland Secondary Highway (Right of Way File No. R-5403), but these officials have indicated an unwillingness to reduce the price any lower than \$130, which is \$54 more than the value that the Highway Department's right of way men place on the property and is at a rate that is considerably more than the Commission is paying for other land in the same locality; so it appears necessary to condemn the property in the event the Commission will not pay the amount demanded. The Commission considered the city's price exorbitant and that it should not pay the city any more than it pays the other property owners, but expressed a reluctance to take the matter into court. Accordingly, it was decided that Chairman Cabell and the Attorney, Mr. Devers, should personally contact the city officials in regard thereto.

The Attorney reported receipt of numerous inquiries as to the Commission's plans for constructing the proposed revision of the Oregon Coast Highway in the vicinity of Gleneden Beach. He said that the people are particularly anxious to know whether or not the Commission intends to acquire the right of way for this proposed revision now even if the project is not constructed within the next two or three years. He was instructed to inform these people that the Commission does not intend to purchase any more right of way for the project until it is actually needed for construction, unless exceptionally good offers are presented.

The Secretary presented a letter from Robert W. Sawyer, Bend, with further reference to the naming of a state park in Oregon for David Douglas. Mr. Sawyer gave as his opinion that it would be unwise to have two parks in Oregon named for the same man and advised that, if the Clatsop County park on the Wolf Creek Highway is of sufficient importance to be named in honor of this great explorer and botanist, it might cover the matter satisfactorily; but on the other hand it would probably be more appropriate if the park named for Mr. Douglas contained sugar pine timber as well as Douglas fir timber, if that is possible, and if it were located in the district through which Mr. Douglas traveled. It was also his thought that any park that is named for

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Mr. Douglas should be a state-owned park rather than one owned by the county. The Commission referred the matter to the Parks Superintendent, Mr. S. H. Boardman, with instructions to discuss it in person with Mr. Sawyer.

The Commission had under consideration the matter of granting to the United States of America flowage easements authorizing the flooding of state-owned property adjacent to the Columbia River Highway in connection with Bonneville Dam operations, particularly over three parcels of state land in Hood River County and one parcel of land in Wasco County. In this connection the Secretary presented a letter from the United States War department by Don E. Meldrum, Senior Land Appraiser, offering \$100 for such an easement over the Wasco County property, containing 4.21 acres, and being a part of Mayer State Park, and \$300 for an easement to overflow the three parcels of state land in Hood River County, containing 26.27 acres, 3.69 acres, and 1.33 acres, respectively, and further offering to pay to the state the sum of \$12,202.46 as consideration for the alteration and reconstruction of a section of the Columbia River Highway in the vicinity of Perham Creek, which will also be inundated by the backwater from this dam. After full consideration of the facts in the case and upon recommendation of the Engineer, the Commission unanimously approved the granting of such easements and thereupon signed the easements that were presented. The following resolutions pertaining thereto were offered by Commissioner Aldrich, who moved their adoption. The motion was duly seconded by Commissioner Tou Velle and was declared by Chairman Cabell to have carried by the unanimous vote of the Commission:

WHEREAS, the State of Oregon and Wasco County, a municipal corporation of the State of Oregon, are the owners of a parcel of land situate in the County of Wasco, State of Oregon, described as:

The Northeast quarter of the Southeast quarter of Section 3, Township 2 North, Range 12 East of the Willamette Meridian, Wasco County, Oregon,

which property heretofore has been acquired for highway and public park purposes; and

WHEREAS, the United States of America will require for, and there is necessary for use in connection with, the construction, operation and maintenance of the Bonneville Dam across the Columbia River, the full and perpetual right, power, privilege and easement to overflow all that portion of the above described lands lying below the 97.5-foot contour line above mean sea level, as determined by reference to the U. S. C. & G. S. datum.

The portion of said lands which will be subject to the easement to overflow contains approximately 4.21 acres, more or less; and

WHEREAS, it is and will be of inestimable value to the State of Oregon, Wasco County, and to the people of the State of

Oregon generally that the said Bonneville Dam be constructed and that the easement to overflow said portion of said lands be conveyed to the United States of America for the purposes herein stated; and

WHEREAS, under the provisions of Section 44-118, Oregon Code 1930, the State Highway Commission is granted power and authority to dispose of lands, ground, or property acquired by the State Highway Commission which are no longer needed or useful for highway or other purposes; and

WHEREAS, the right and easement required by the United States to overflow said portion of land hereinabove described will not interfere with the use by the State of Oregon of said land for highway purposes and said portion of said premises is not needed or useful for park or other purposes. The said easement to overflow can be conveyed to the United States of America without detracting from the natural beauty, utility or general value and usefulness of the balance of land which will not be subject to the right and easement to overflow.

NOW, THEREFORE, BE IT RESOLVED by the State Highway Commission, all members being present and participating, that the easement to overflow said portion of land hereinabove described, be and the same hereby is declared to be no longer needed or useful for highway, park, or other purposes.

BE IT FURTHER RESOLVED that the State of Oregon, by the State Highway Commission, join with Wasco County in conveying the said right and easement to overflow said portion of land to the United States of America, by good and sufficient flowage easement, and for and in consideration of the sum of One Hundred and 00/100 Dollars (\$100.00), which said sum will be the total consideration paid by the United States of America to the State of Oregon and Wasco County.

WHEREAS, the State of Oregon is the owner of three parcels of land, each situate in the County of Hood River, State of Oregon, more particularly hereinafter described, which property heretofore has been acquired for highway and public park purposes; and

WHEREAS, the United States of America will require for, and there is necessary for use in connection with, the construction, operation and maintenance of the Bonneville Dam across the Columbia River, the full and perpetual right, power, privilege and easement to overflow those particular respective portions of the following described lands situate in the County of Hood River (formerly and until June 23, 1908 a portion of Wasco County), State of Oregon:

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Parcel No. 1

All that portion of the following described lands lying below the 95.0-foot contour line above mean sea level, as determined by reference to the U. S. C. & G. S. datum, containing 26.27 acres, more or less, which lands are described as follows, to wit:

Government Lots 1, 2, 3 and 4 in Section 36, Township 3 North, Range 9 East of the Willamette Meridian, in Hood River County, Oregon;

Excepting therefrom:

a. All rights of way of the Oregon-Washington Railroad & Navigation Company over and across the above described lands;

b. An easement and right of way for a public road and highway over and across each of the said Lots 1, 2, 3 and 4 hereinabove described;

c. An easement and right of way existing in favor of Pacific Telephone and Telegraph Company, to erect and maintain poles for telephone purposes, with the necessary wires and fixtures thereon, over and across that portion of each of said Lots 1, 2, 3 and 4 lying between the Columbia River Highway and the right of way of the Oregon-Washington Railroad & Navigation Co., which said lots are hereinabove described.

Parcel No. 2

All that portion of the following described lands lying below the 93.8-foot contour line above mean sea level, as determined by reference to the U. S. C. & G. S. datum, containing 3.69 acres, more or less, which lands are described as follows, to wit:

Government Lots 1 and 2, Section 33, Township 3 North of Range 8 East of the Willamette Meridian, Hood River County, Oregon;

Excepting therefrom:

Rights of way existing in favor of Oregon-Washington Railroad & Navigation Co., the Pacific Telephone and Telegraph Company, and right of way for a public road and highway in, over and across the next hereinabove described property.

Parcel No. 3

All that portion of the following described lands lying below the 94.6-foot contour line above mean sea level, as

determined by reference to the U. S. C. & G. S. datum, containing 1.33 acres, more or less, which lands are described as follows, to wit:

Government Lot 4, Section 3, Township 2 North
of Range 9 East of the Willamette Meridian,
Hood River County, Oregon;

Excepting therefrom:

Right of way existing in favor of Oregon-Washington
Railroad & Navigation Co., and a right of way for a
public road and highway over and across the property
next hereinabove described.

WHEREAS, it is and will be of inestimable value to the
State of Oregon and to the people of the State of Oregon generally
that the said Bonneville Dam be constructed and that the easement
to overflow said portions of said lands be conveyed to the United
States of America for the purposes herein stated; and

WHEREAS, under the provisions of Section 44-118, Oregon
Code 1930, the State Highway Commission is granted power and au-
thority to dispose of lands, ground, or property acquired by the
State Highway Commission which are no longer needed or useful for
highway or other purposes; and

WHEREAS, the granting of the right to overflow that por-
tion of the lands designated hereinabove as Parcel No. 1, will ne-
cessitate the raising of a section of the existing Columbia River
Highway over and across a portion of said Parcel No. 1, the esti-
mated cost of which has been agreed upon as the sum of \$12,202.46,
which said sum will be paid by the United States of America to the
State of Oregon as an item separate and distinct from the consid-
eration passing to the State of Oregon for the purchase of the
flowage easement herein mentioned; and

WHEREAS, the right and easement required by the United
States of America to overflow said portion of said Parcel No. 1
will not interfere with the use by the State of Oregon of said
Parcel No. 1 for highway purposes when the said section of the
Columbia River Highway is raised as herein mentioned, over and
upon said portion of said Parcel No. 1. Said Parcels No. 2 and
No. 3, hereinabove described, are not needed or useful for high-
way, park, or other purposes. The said easements to overflow can
be granted to the United States of America without detracting from
the natural beauty, utility, or general value and usefulness of
the balance of the lands which will not be subject to the rights
and easements to overflow.

NOW THEREFORE, BE IT RESOLVED by the State Highway

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Commission, all members being present and participating, that the easements to overflow said portions of the lands hereinabove described be and the same are declared to be no longer needed or useful for highway, park or other purposes;

BE IT FURTHER RESOLVED that the said rights and easements to overflow said portions of lands, and each of said portions, be conveyed to the United States of America and its assigns by good and sufficient conveyance, in the name of the State of Oregon, by the State Highway Commission, for and in consideration of the sum of Three Hundred and 00/100 Dollars (\$300.00), and in further consideration of the sum of Twelve Thousand Two Hundred Two and 46/100 Dollars (\$12,202.46), to be paid by the United States of America to the State of Oregon, for the alteration and reconstruction of said section of the Columbia River Highway over and across a portion of Parcel No. 1 of the lands hereinabove described.

Action on the granting of a similar flowage easement across state property adjacent to the Columbia River Highway in the vicinity of Warren Creek and providing that consideration be paid by the Government for the alteration and reconstruction of a section of the Columbia River Highway at such location (which also will be inundated by backwaters from the Bonneville Dam) was deferred by the Commission pending satisfactory settlement of right of way and other matters pertaining thereto.

In this connection the Engineer advised that he has been requested by Major A. E. McKennett, Principal Engineer of the United States War Department, to sign an "Engineer's Estimate of cost to reconstruct to higher elevation the section of the Columbia River Highway 1,170 feet in length at Perham Creek, Hood River County, State of Oregon, overflowed by the high-water level induced by the Bonneville project". He explained that the amount of the estimate is \$12,202.46, which amount the War Department has agreed to pay to the state in accordance with the provisions of the flowage easement hereinabove approved. The Commission authorized the Engineer to sign such estimate.

The Engineer reported on his inspection with Major A. E. McKennett, of the United States War Department, of the Mill Creek Bridge on the Columbia River Highway at The Dalles, which inspection the Commission ordered at the previous meeting as a result of a conference with Major McKennett. He said that the War Department desires to replace this bridge with a fill and tide-gate so as to prevent the flooding of lands above the bridge, and that he has tentatively agreed with Major McKennett to the disposition of this matter on the following basis, subject to the Commission's approval: the United States War Department is to construct a fill which will be 46 feet wide on top, at an estimated cost of \$2,750; that the War Department will riprap the slope on the upper side of this fill and will construct a one-inch gravel surface on top of the fill, estimated to cost \$300; furthermore, the War Department will remove the old bridge structure and will install in lieu thereof a suitable culvert. The state's cooperation, he said, will consist of the following: contribution of \$1,400 cash as cooperation in the work that is to be

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performed by the War Department, and to pay for the cost of constructing a pavement roadway on the fill. He estimated that by such arrangement the state will save approximately \$5,000 over the cost of constructing a new concrete bridge at this location, as was heretofore proposed. After some discussion the Commission approved by unanimous vote the arrangement as outlined by the Engineer and instructed the Attorney to prepare an appropriate agreement to cover the matter.

The Engineer requested authority to purchase the following equipment:

- 1 gasoline-driven, 250-watt, 12-volt generator for use at Government Camp headquarters to charge radio batteries and batteries of trucks and cars operated out of this station, estimated cost \$50.25;
- 2 pavement breakers at \$200 each, total cost \$400.00;
- 6 vibrating bells for use on certain highway bridges, estimated cost \$18.50 each, total cost \$111.00;
- 1 tube tester, estimated cost \$51.33; and 1 modulation monitor, estimated cost \$24.83, for checking radio transmitter operations.

The Commission approved the request by unanimous vote and ordered that the purchases be made through the State Purchasing Agent in accordance with the usual practice.

The Commission had under consideration the offer of the Manufacturers Sales Company of Seattle to furnish to the state for a 90-day free trial a traffic-actuated signal manufactured by the Automatic Traffic Control Corporation and consisting of the following:

1	traffigo, valued at	\$475.00
1	relay and switch box, valued at	15.00
2	3-foot magnetic detectors, valued at	200.00
4	pedestrian buttons, valued at	60.00
1	relay, valued at	75.00
Total Value		\$825.00

The Engineer advised that in connection with this trial the state would have to furnish the signal heads and pedestals and would have to pay the cost of installing the signals. He estimated the installation cost at \$500 and the cost of signal heads and pedestals at \$525, or a total of \$1,025 to be paid by the state, and explained that this expense would not all be lost because the signal heads and pedestals could be used elsewhere in the event the Commission decided not to retain the signals after the trial period has expired. He recommended acceptance of the company's offer. The Commission approved the recommendation by unanimous vote.

The Commission had under consideration a letter from F. N. Finch, General Manager, Oregon-Washington Railway and Navigation Company and the Union Pacific Company, outlining a procedure with respect to the scaling of

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rocks from the slopes adjacent to the Columbia River Highway, near Mosier, in Hood River County, which said letter is dated April 5, 1938, and outlines certain things to be done by the railroad company and certain things to be done by the state in connection with such work, and further provides that a premium of \$1,000 charged by the insurance company for writing insurance covering the operations shall be paid for, 50 per cent by the railroad company and 50 per cent by the state. The Commission by unanimous vote approved such arrangement subject to the condition that the expense of rerouting or detouring trains as may be necessary on account of such work shall be assumed by the Highway Commission "but to the extent only that the Commission may do so officially but not privately". The Commission thereupon authorized Chairman Cabell to sign the letter in behalf of the Commission.

The Commission had under consideration the matter of constructing a light oil mat surface on the unrolled sections of the Albany-Corvallis Secondary Highway, in Linn County. The Engineer advised that such oiling work is badly needed and that the work would cost about \$5,200. He recommended approval of the project as a minor betterment works project and that the cost thereof be charged against the emergency fund in view of the fact that no provision has been made in the budget this year for such work. The Commission by unanimous vote approved the project as recommended.

The Engineer reported that the United States Biological Bureau has secured the approval of a 7-mile section of the Frenchglen Secondary Highway, in Harney County, and more particularly designated as the Narrows-Coyote Flat Section, and that they propose to start work in the very near future, using a power shovel, several LeTourneaus, carryalls, rippers, and other necessary equipment. They want to do this work, he said, in conformance with state highway requirements and have asked the State Highway Department to do the necessary engineering work. He estimated that such engineering work would cost about \$100 per mile or a total of about \$732, and recommended the expenditure in view of the fact that the work is being done on a state highway at no cost to the state except for furnishing culvert pipe and some blasting powder. The Commission approved the recommendation by unanimous vote.

The Engineer reported that in conformance with authority previously given him by the Commission he awarded, on April 6, 1938, to R.I. Stuart & Sons, Medford, the contract for furnishing crushed rock in stock piles for the Bandon-Port Orford Section of the Oregon Coast Highway, in Coos and Curry Counties, the bid of this contractor in the amount of \$22,550.00 being the low bid received by the Commission on March 24, 1938, for such work. The Commission by unanimous vote approved the award of this contract as reported.

Consideration was given by the Commission to the matter of lifting the reduced load limits heretofore in effect on the following highways:

SHERMAN HIGHWAY, from its junction with the Columbia River Highway to its junction with The Dalles-California Highway;

MT. HOOD HIGHWAY, from Cooper's Spur to its junction with the Columbia River Highway;

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HOOD RIVER SECONDARY HIGHWAY from its junction with the Mt. Hood Highway northerly to Tucker's Bridge;

KLAMATH FALLS-LAKEVIEW HIGHWAY from its junction with The Dalles-California Highway to a point 25 miles easterly thereof.

The Engineer advised that these roads have become sufficiently dried out so that the reduced load limits are no longer required. He recommended lifting of the same. The Commission approved the recommendation and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, on the sixteenth day of February, 1938, at a meeting of the Oregon State Highway Commission, all members being present and participating, the Commission passed and adopted resolutions reducing the maximum load limit on the following state highways:

SHERMAN HIGHWAY from its junction with the Columbia River Highway, in Sherman County, to its junction with The Dalles-California Highway, in Wasco County;

MT. HOOD HIGHWAY from Cooper's Spur to its junction with the Columbia River Highway, in Hood River County;

HOOD RIVER SECONDARY HIGHWAY from its junction with the Mt. Hood Highway northerly to Tucker's Bridge, in Hood River County;

KLAMATH FALLS-LAKEVIEW HIGHWAY from its junction with The Dalles-California Highway near Klamath Falls, in Klamath County, to Lakeview, in Lake County;

and

WHEREAS, subsequent to the passage of said resolutions conditions have changed so that it is now no longer necessary or desirable, and the Commission hereby finds that it is no longer necessary or desirable to maintain the said reduced load limits set out in said resolutions in so far as they pertain to the Sherman Highway, Mt. Hood Highway, the Hood River Secondary Highway, and the Klamath Falls-Lakeview Highway from its junction with The Dalles-California Highway near Klamath Falls to a point 25 miles easterly thereof, in Klamath County;

NOW, THEREFORE, BE IT RESOLVED that the action of the State Highway Commission reducing the maximum permissible load limits on the

SHERMAN HIGHWAY from its junction with the Columbia River Highway, in Sherman County, to its junction with The Dalles-California Highway, in Wasco County;

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MT. HOOD HIGHWAY from Cooper's Spur to its junction with the Columbia River Highway, in Hood River County;

HOOD RIVER SECONDARY HIGHWAY from its junction with the Mt. Hood Highway northerly to Tucker's Bridge, in Hood River County;

KLAMATH FALLS-LAKEVIEW HIGHWAY from its junction with The Dalles-California Highway to a point 25 miles easterly thereof, in Klamath County; but from said last-named point to Lakeview, in Lake County, the load limit as fixed in said former resolution shall remain until removed by order of the Commission;

be and the same hereby is rescinded and cancelled as of this date, and the maximum load limit permissible on the said sections of the said highways hereafter shall be the maximum load limit provided by law; and it is further ordered that a certified copy of this resolution be furnished to the county clerk of each county in which said highways are located, and that a certified copy of this resolution be furnished to the Superintendent of the Department of State Police for his information.

A letter was presented from D. A. McKinnon, State Highway Engineer of Montana, requesting that N. M. Finkbinder, Materials Engineer for the Oregon State Highway Department, be authorized to accept an appointment as a member of the Committee on Fundamentals of Bituminous Construction, to prepare papers and assemble data for submission to a joint session of the Montana Bituminous Conference and the National Road Oil and Asphalt Congress of Tulsa, Oklahoma, which is to be held on October 17 to 20, 1938, at the Edgewater Gulf Hotel on the Gulf of Mexico between Gulf Port and Biloxi, Mississippi. The Engineer advised that acceptance of this appointment would carry with it authorization for Mr. Finkbinder to attend this meeting at state expense. Nevertheless, he recommended approval of the same. The Commission approved the recommendation by unanimous vote, subject to confirmation by Governor Martin.

The Commission also authorized the Parks Superintendent, S.H. Boardman, to go to Aberdeen, Washington, on April 20, 1938, at state expense, for the purpose of conferring with Mr. George E. Huntley of that place relative to the acquisition of property for a proposed addition to Short Sand Beach State Park, in Tillamook County.

The Commission had under consideration the advisability of purchasing an electric testing machine to test the eyesight of highway department employees who are required in the course of their day's work to operate motor equipment. The Engineer recommended the purchase of one of these machines as a safety measure at a cost of about \$50. He pointed out that there would be some expense connected with the making of tests, inasmuch as it would mean that someone from the department would have to travel over the state about

once each year to test the individual operators. He estimated the cost of making the tests at about \$500 annually. After some discussion the Commission concurred in the viewpoint of the Engineer in this matter and accordingly authorized the purchase of the machine, as requested. The Commission referred to the Engineer the matter of arranging for the tests.

The Commission had under consideration the matter of accepting a draft in the amount of \$1,001.39 from the Globe Indemnity Company as final settlement in the Moorman forgery case, and the signing of the form of release which the company has requested in connection therewith. The Attorney advised that the amount of the draft is correct but there is a question in his mind whether or not the Commission should sign the release form, in view of the fact that it assigns to the company the right to press claims for recovery against any person whom they may find to be legally liable, such as any person or bank having cashed one of the checks issued on account of time statements which Moorman forged. He further stated that inspection of the bond that was furnished by the company covering Mr. Moorman and others reveals that no provision was contained therein making it obligatory for the Commission to execute such a release or assignment as the company now requests. After discussion and in view of the facts as presented by the Attorney, the Commission decided not to sign the release in its present form and instructed the Attorney to so inform Mr. Harry L. Raffety, attorney for the Globe Indemnity Company.

The Commission considered and signed an agreement with Tillamook County and the Dougherty Slough Drainage District, Tillamook County, providing for payment by the state to the county of the sum of \$1000 as the state's full and complete share of the cost of constructing certain protective work along the Wilson River to prevent flood waters of this river from inundating farm lands and the Oregon Coast Highway.

There being no further business to come before the Commission at this time, the meeting adjourned at 5:00 o'clock p. m.

Thomas
State Highway Engineer

W. B. Searcy
Secretary

Henry F. Cabell
Chairman

E. A. Odum
Commissioner

F. L. Souville
Commissioner

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Portland, Oregon, April 27, 1938

The State Highway Commission met in regular session at 7:30 o'clock p. m. in the Tyrolean Room of the Benson Hotel. Present were:

Henry F. Cabell, Chairman
E. B. Aldrich, Commissioner
F. L. Tou Velle, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

The Engineer requested authority to acquire certain parcels of real property that are needed for various highway improvements throughout the state. He presented a list of such properties, together with the prices that he recommended be paid for each. After careful consideration the Commission approved the Engineer's request and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth; and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon; and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Boyer-Otis Section - Salmon River Highway</u>				
6008-Miami Corporation-Drainage Tunnel	Easement		Easement Gratis + \$50	McCallister
<u>Bandon-Port Orford Section - Oregon Coast Highway</u>				
6033-Cadman, H. S.	Stock Pile	1.0	\$75 per a. + fencing	Lytle

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Prescott Street to Mason Street - Interstate Avenue Highway</u>				
5384-Ellison, E. L.	R/W	143 sq.ft.	Lump Sum \$40	Benson
5055-Solomon, N.	"	3019 sq.ft.	\$0.10 per sq.ft.	"
5076-Plouff, Mary and Wm. T.	"	5000 sq.ft.	Lump Sum \$1500	"
		(2 lots)		"
5068-Cole, Earl and Marguerite V.	R/W	3750 sq.ft.	Lump Sum \$3500	"
<u>Clackamas County Section - Mt. Hood Highway</u>				
4612-Shank, Goldie	Stock Pile	6.0	\$100 per a.	McChesney
<u>Houlton-Warren Section - Columbia River Highway</u>				
5724-Loomis, W.L. and P.J.	R/W	0.17	\$500 per a.	McChesney
5727-School Dists. #39 & #2	"	6098.4 sq.ft.	\$0.0328 per sq. ft.	"
<u>Lombard-Killingsworth Section - N. E. Portland Highway</u>				
5408-Rath, H. C.	R/W	6997 sq.ft.	7¢ sq.ft. + \$255 + moving tool house (Est. at \$40)	Parker
5413-O.W.R. & N.Co.	"	109538 sq.ft.	- 8895 sq.ft. at 7¢ sq.ft. 86989 sq.ft. at 2¢ sq.ft. 13218 sq.ft. at 3¢ sq.ft. 436 sq.ft. Gratis	"
5415-Scruggs, Alice M.	"	423 sq.ft.	6¢ sq.ft. + \$124.62	"
5416-Buebke, Philip T.	"	11558 sq.ft.	6¢ sq.ft. + \$1906.52	"
<u>Siletz Bay-Newport Section - Oregon Coast Highway</u>				
5018-Wade, Ira (Correction)	R/W	3.98	\$150 per a. less credit for 0.61 a. at \$150 per a. lying outside of right of way	McCallister
1078-Torrens, J. L.	"	124 sq.ft.	Lump Sum \$250	"
<u>Brownsville Section - Halsey-Sweet Home Highway</u>				
5945-Schrunk, W. H.	R/W	0.275	\$200 per a.	
		7402 sq.ft.	Lump Sum \$140, + \$48	Collins
5958-Stanwood, Sadie G.	"	29402 sq.ft.	- 4¢ sq.ft. + \$525	"
5960-Hume, Kittie	"	5084 sq.ft.	- Lump Sum \$150, + \$106	"
5944-Jackson, C. L.	"	4112 sq.ft.	(0.094 a.) - \$266 per a.	"
5959-Rauch, Chas. F.	"	2156 sq.ft.	- 15¢ sq.ft. + \$1376.60	"
5962-Dougherty, Ross P.	"	2596 sq.ft.	- \$0.0481 sq.ft. + \$75	"
<u>Depoe Bay Section - Oregon Coast Highway</u>				
4134-Youngblood, H. O.	R/W	1160 sq.ft.	- Lump Sum \$150 (at 14¢ sq.ft.)	McCallister
<u>South Marshfield Section - Oregon Coast Highway</u>				
4146-Gehrke, E.B.	R/W and	9050 sq.ft.	at .0607 sq.ft.	
(Correction)	Slope Easement	575 sq.ft.	for slope easement- Gratis, + \$2359.26	Parker
<u>Valley Junction-Boyer Section - Salmon River Highway</u>				
569-Miami Corporation	Stock Pile	0.35	2-yr. Lease at \$5 yr.	McCallister

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Salem-Pringle Creek Section - Pacific Highway East</u>				
5761-Roberts, G. W.	R/W	3756 sq.ft.	2¢ sq.ft. + \$28	McCallister
5759-Miller, Frank	"	6272 sq.ft.	2¢ sq.ft. + \$55 + moving trees	"
<u>Junction City-Eugene Section - Pacific Highway</u>				
5937-A, Stafford, Marion F.	Borrow and Gravel Pit	5.274	\$100 per a. + \$118.50	Benson
<u>Hermiston-Columbia School Section - Hermiston Highway</u>				
5543-Rogers, Roy C.	R/W	0.01	Lump Sum \$15	Wells
<u>Ukiah-John Day Section - Pendleton-John Day Highway</u>				
6007-Simmons, Harve	Gravel Pit		2-yr. Lease-Lump Sum \$240	Wells
<u>Butte Creek Section - John Day Highway</u>				
6034-(Johnson, I.A.) Fed- eral Land Bank	Stock Pile	1.0	Lump Sum \$23 + \$27	Williams
<u>Scotts Butte-Blue Mountain Section - I.O.N. Highway</u>				
5806-State Land Board	R/W	75.97	\$3 per a.	McCallister
<u>Williamson River-Modoc Point Section - The Dalles-California Highway</u>				
5594-Baker, Clara A.	R/W	4.57	\$40 per a. + \$68	Benson
5591-Dent, Lloyd M.	R/W	2.87	\$20 per a. + \$149.95	"
<u>Hunter Hill-Currier Ranch Section - Fremont Highway</u>				
5992-Currier, Wm. Manley	Stock Pile	0.744	Gratis	Devers
<u>Baker-Flagstaff Hill Section - Baker-Homestead Highway</u>				
5989-Hansen, A.	R/W	0.02	Land \$15, + \$65	Wells
5976-Peyron, Henry (Molly Har- phan Estate)	"	0.15	Lump Sum \$10	"
5990-Parsons, Noble (W.W. Johns- ton Estate)	"	0.03	Land \$10, + \$15	"
5987-Hunsaker, Estella M.	"	0.06	Land \$15, + \$22	"
5986-Brown, Jesse P.	"	0.21	\$100 per a., + \$30	"
5991-York, Nannie A.	"	0.04	Lump Sum \$15, + moving fence	"
5984-Duncan, Lee A.	"	0.42	\$100 per a. + \$114.75	"
5980-Mattes, August	"	0.16	\$100 per a. + \$55.50	"
5983-Wellman, Walter R.	"	0.80	\$100 per a., + fencing \$200	"

Parks Superintendent S. H. Boardman was present and reported on the following matters:

Acquisition of wayside strips adjacent to The Dalles-California Highway between Redmond and Bend, in Deschutes County:- The Parks Superintendent advised that the Federal Government owns a number of 40-acre

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tracts adjacent to the newly constructed highway between Redmond and Bend on which are growing fine stands of juniper trees. He requested authority to acquire these tracts from the Government, if possible, in order to preserve the juniper trees, which are a valuable attraction. The Commission granted the request by unanimous vote.

Addition to Camas Mountain State Park, in Douglas County:- The Parks Superintendent requested authority to petition the Federal Government for the acquisition of a 40-acre tract of government-owned land adjacent to this park, under the provisions of the Recreational Act of June 14, 1926. He explained that an attempt was made at one time to acquire this area for stock pile purposes, but the state's application was denied; however, the suggestion was made that it could be acquired as a park or recreational area. He estimated that it could be purchased outright from the Government for the sum of \$400, and recommended acquisition, either by purchase or lease. After due consideration the Commission approved the request subject to the condition that the property shall be leased from the Government with an option to purchase it outright at a later date if the Commission so desires.

Addition to Starvation Falls State Park adjacent to the Upper Columbia River Highway:- The Parks Superintendent advised that a Mrs. Clara Nelson, of Black Duck, Minnesota, owns a parcel of land in this vicinity, adjoining the present state park; that all but 9.43 acres of this land will be inundated by backwater from the Bonnevile Dam. He recommended the acquisition of this 9.43 acres by the state as an addition to the present park and gave as his thought that it could be acquired at the rate of \$46 an acre, which is at the same rate as that at which the Government acquired the rest of Mrs. Nelson's property. He pointed out that the acquisition of this small tract would give the present park a frontage on the Columbia River. After some discussion the Commission voted unanimously to purchase the tract in question at the price quoted by the Parks Superintendent.

Purchase of 110 acres of government-owned land at the Umpqua Lighthouse Reservation in Douglas County:- The Parks Superintendent advised that the Commission now has this tract under lease from the Government but it would be possible to purchase it outright at this time for the sum of \$450 if the Commission so desires. He explained that the appraised value of the land is twice the amount that the Government is asking for it, and recommended purchase of the same for park purposes. The Commission approved the recommendation by unanimous vote.

Relinquishment of a portion of Chandler State Park located adjacent to the Fremont Highway, near Lakeview, in Lake County:- The Parks Superintendent advised that a number of years ago Mr. S. B. Chandler of Lakeview presented this park to the state as a

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gift, but since then the highway has been reconstructed, isolating a portion of the park so that it is no longer of value for state park purposes. He further stated that, in accordance with instructions previously given him by the Commission, he has contacted Mr. Chandler with respect to the state's deeding back to him this isolated portion, and Mr. Chandler has agreed to accept the transfer. The Commission accepted and approved the report and ordered that an appropriate deed be prepared, deeding back to Mr. Chandler the strip of land under discussion.

Acquisition of timber tract situate adjacent to the Pacific Highway West, about 6 miles south of Monmouth, in Polk County:- The Parks Superintendent reported that he has inspected this tract, which is located about one-half mile south of the Luckiamute River bridge; that it contains a nice stand of timber; but that it would not be of much advantage to the state from the state parks standpoint because it is planned to relocate the highway at a considerable distance away from the existing highway. In view of the circumstances he recommended that the Commission do not purchase the area. The Commission approved the recommendation by unanimous vote.

Acquisition of privately-owned area lying between the Oregon Coast Highway and the Pacific Ocean, at the north end of the Depoe Bay Bridge, in Lincoln County:- The Parks Superintendent advised that this property is owned by Mr. E. B. Winchell, Portland, who has given an option to a man by the name of Youngblood to purchase the same for the sum of \$3,500, and that Mr. Youngblood plans to construct a building on the property for commercial purposes. He gave as his thought that the state should own the tract, and suggested the taking over of this option, if possible, so as to preserve the present unrestricted view of the ocean from the highway. He advised that the local people are very much interested in this matter and have guaranteed to contribute the sum of \$500 toward the purchase of the tract, provided the Commission will contribute the balance, amounting to \$3,000.00. In this connection the Secretary presented a resolution signed by 62 residents and businessmen of Depoe Bay and vicinity, urging the Highway Commission to purchase the tract under discussion. The Commission indicated a favorable attitude but deferred action on the matter until the following day when a delegation from Depoe Bay will be present in regard thereto.

Request of the State Forestry Department for permission to construct a guard cabin unit on the Wilson River Highway right of way, in Tillamook County:- The Parks Superintendent advised that he has inspected this location as previously instructed by the Commission, and from the state parks standpoint he has no objections to offer against granting the request; although, in his estimation, if the request is granted, it should be limited to a certain period. After discussion the Commission voted unanimously to grant a 5-year revocable permit to the State Forestry Department to occupy a portion of the right of way at this point, which is located near a

place known as McNamers Camp, with the understanding that the facilities of the Forestry Department shall not encroach upon the highway nearer than 50 feet from the center of the traveled roadway.

The Commission had under consideration the adoption of a policy with respect to acquiring right of way for highway improvements before such right of way is actually required for construction purposes. In this connection the Attorney reported that, from an analysis of the right of way budget and right of way settlements which have been approved by the Commission, it is apparent that the amount budgeted for the acquisition of right of way this year will be exceeded by actual purchases. After discussion and in view of the Attorney's report, the Commission by unanimous vote decided not to acquire any more right of way unless it is actually needed in connection with the projects to be constructed at once, and ordered that such decision be considered as its policy to be followed hereafter in connection with right of way purchases.

The Engineer reported on the cost of right of way required for the construction of the Oregon Coast Highway through the city of Bandon, particularly between Highway Engineer's Stations 34+83.1 and 64+40.4, as ordered by the Commission at the previous meeting. He estimated that right of way 80 feet wide between such limits would cost about \$10,200. After discussion, and in view of the fact that there is a possibility that the highway through Bandon will be reconstructed next year, the Commission authorized and instructed the Attorney to proceed with the securing of options for the right of way needed for such project.

A letter was presented from E. A. Hollinshead, Portland, offering free right of way for the reconstruction of the Oregon Coast Highway through the town of Cannon Beach, in Clatsop County, and requesting a location survey of the route so as to permit him to proceed with some improvements that he has in mind. In this connection the Engineer reported results of a reconnaissance survey for a revision and improvement of the existing highway between Cannon Beach Junction and Cannon Beach, which report the Commission considered and ordered filed. In the discussion of this matter it was pointed out that the reconstruction of the highway at this point is not contemplated for the near future, it being too costly a project to finance with funds available; hence the location survey is not needed for the time being. The Secretary was instructed to convey such information to Mr. Hollinshead.

The Commission had under consideration the offer of Mr. A. H. Bressler to sell to the state a 6.04-acre tract adjoining the south city limits of Monmouth through which there is a possibility the Pacific Highway West will be routed at some time in the future. The Commission decided not to negotiate with Mr. Bressler for the purchase of this property in view of the fact that it is not ready to adopt a permanent route for the highway at this place nor to construct the same in the near future.

The Attorney reported on the cost to acquire right of way and to rearrange the facilities of the Peninsula Golf Club in connection with the proposed traffic separation project at the intersection of Denver and Union Avenues, Portland, in accordance with instructions given by the Commission at

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the previous meeting. He estimated that such right of way and the rearrangement of the golf club facilities would cost about \$34,000, and that it would cost about \$40,000 or \$50,000 additional to acquire the service station facilities now located in the wye connection between these two streets. After discussion and in view of the expense involved, which is exclusive of the cost of construction, the Commission decided to defer the project until it is better able to finance the same. The Attorney was instructed to so inform the owners of the property that is involved. The Engineer was instructed to investigate and report the feasibility and cost of installing traffic lights at this intersection.

The Commission considered and declined the offer of Mr. Vester Trusty to sell to the state for right of way purposes a tract of land that he owns adjacent to the Oregon Coast Highway at Bay City, in Tillamook County, the revision of the highway at this location being not in the Commission's program for early construction.

The Commission considered a letter from Hon. Willard L. Marks, Albany, with respect to the purchase of right of way that will be needed in connection with the Albany grade separation project, on the Pacific Highway. The Attorney advised that the property in question lies beyond the limits of the section that is proposed for construction this year and the reason that Mr. Marks is bringing up the matter now is because there is a mortgage on the property and his client would like to avoid the expense of refinancing the mortgage, knowing that the Highway Commission will acquire the property a little later. The Commission decided not to negotiate for the acquisition of this property in view of its newly established policy with respect to such matters.

The Commission considered and accepted the offer of the City of Albany to pay the sum of \$1,386 for the north 75 feet of Block 17 in Hackleman's second addition to said city, which is in conformity with the previous understanding had with Mayor Ashton at the meeting of the Commission held on March 24, 1938.

The Commission had under consideration the matter of acquiring right of way for a proposed revision of the John Day Highway in the western part of the town of John Day. The Commission decided not to acquire this right of way in view of the fact that it is not proposed to reconstruct the highway at this point this year.

The Attorney reported receipt of an inquiry from Mr. R. M. Barnes, Reedsport, as to whether or not it would be possible for him to purchase or lease a small parcel of state-owned property situate between the Umpqua Highway and the Umpqua River at a point about 8 miles east of Reedsport and being more particularly located in Lot 6, Section 1, T. 22 S., R. 11 W., W. M. He said that Mr. Barnes has a residence on the opposite side of the river from the highway and the only means of access to his property is by boat. Further, that Mr. Barnes would like to acquire this small parcel of land as a site on which to maintain a garage for the storing of his automobile when he is at home, and would also like to acquire a strip for a roadway from the garage

to the highway. After considerable discussion, in which it was pointed out that there is suitable private property available nearby for Mr. Barnes's use, the Commission denied the request.

Reconsideration was given by the Commission to the matter of acquiring right of way for the Salem-Dayton Secondary Highway across land owned by Mrs. Charles K. Spaulding, Salem. The Attorney advised that Mrs. Spaulding is demanding \$3,500 for her property, which is on the basis of \$100 per acre for the land actually taken for right of way, and \$50 per acre as severance damages, and that she also wants the Commission to build her a roadway from her farm residence to the new highway. The Commission considered Mrs. Spaulding's demand exorbitant and instructed the Attorney to condemn the property in the event she will not settle for \$2,500 plus the building of a roadway from the new highway to her residence buildings.

The Attorney also reported the need to condemn certain parcels of land that are needed for right of way for the Lombard Street-Killingsworth Street Section of the Northeast Portland Secondary Highway. He requested authority to commence the condemnation proceedings to acquire such properties and the Spaulding property at once. The Commission granted the request and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, the State Highway Commission is by law authorized and directed to lay out, locate, designate, construct, improve, and maintain a system of state highways in the State of Oregon, and to acquire rights of way and to declare the necessity and need for the acquisition thereof, and the advantages to be gained thereby;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the State Highway Commission does hereby find and declare that it is necessary and will be of advantage to the State of Oregon and there is need that the State acquire for right of way purposes in connection with the permanent location, construction, improvement, and maintenance of the following section or sections of the state highway system of the State of Oregon, to wit:

Spaulding Ranch-Unionvale Section of the Salem-Dayton Highway
Lombard Street-Killingsworth Street Section of the Northeast
Portland Highway

land and property owned by or in possession of the following parties and/or persons, to wit:

Spaulding Ranch-Unionvale Section of the Salem-Dayton Highway
Lorah O. Spaulding
Lombard Street-Killingsworth Street Section of the Northeast
Portland Highway

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Thomas W. Murphy and Lillian B. Murphy
William L. Gray and Mary B. Gray
Joseph Mulhens, Jr.
Elizabeth Mulhens Scroggins
J. L. Kelly

as their respective interests may appear, and this Commission does hereby declare further that the said property or properties are necessary, are needful, and the acquisition thereof will be of advantage to the State of Oregon for right of way purposes in order to make it possible for the State Highway Commission to properly locate, construct, and maintain said portion or portions of the said state highway system in accordance with standards adopted by this Commission relative to curvature, grades, alignment, drainage, and factors of safety.

2. That the State Highway Engineer be and he hereby is instructed and directed to properly survey the parcel or parcels of land required for such right of way purposes and prepare proper and adequate descriptions thereof, which descriptions shall be employed in the preparation of a deed or deeds or other instrument or instruments necessary to complete the acquisition of the said property or properties or which descriptions may be used in the preparation of a complaint in the event that condemnation proceedings are necessary.

3. That the boundaries of the said parcel or parcels of land, as defined and determined by the said survey made by the said Highway Engineer, along the route or location adopted by the Highway Commission, shall be and the same hereby are adopted and the lands defined therein are hereby declared to be and the same are included within the rights of way of the said portion or portions of the said state highway system and hereby are declared to be necessary for the proper location, improvement, construction, and maintenance of the said portion or portions of the state highway system.

4. That I. H. Van Winkle, Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they are hereby requested, authorized and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby further resolved that the Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they hereby are requested to commence and prosecute to a final determination such suit or action, or suits or actions, as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

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5. That this resolution be entered in full in the minutes and records of this Commission.

The Engineer reported that there are sufficient moneys budgeted in the secondary highway account to finance a 10-mile survey on the Kings Valley Secondary Highway and the Dallas-Kings Valley Secondary Highway, as was requested by a delegation from Kings Valley at the meeting on March 24, 1938. The Commission decided, in view of the fact that construction of this project is not programmed for this year, that it would be inadvisable to make a standard location survey because the funds required to finance the same could be used to much better advantage for other highway work. However, the Commission authorized the Engineer to make a reconnaissance survey of some two or three miles in length on such highways.

The Commission had under consideration the claim of Mr. Frank Ott for losses that he alleges he incurred by reason of the reconstruction of the Fremont Highway in front of his property near Paisley, Lake County. Mr. Ott alleges that before the highway was reconstructed he maintained an irrigation pipe siphon across the highway and successfully irrigated a number of acres of land, but when the highway was rebuilt the siphon was replaced in such a manner that it no longer functions and, as a result, he cannot irrigate his land and has lost two crops of hay therefrom, for which he is now seeking reimbursement. The Engineer advised that investigation reveals that Mr. Ott's allegations, in so far as the workability of the siphon is concerned, are correct and that the only way to remedy the situation is to open up the lower end of the siphon and let the water pass through the pipe by means of gravity. However, there would still be about 0.66 of an acre of land that could not be irrigated. He gave as his thought that the state is obligated to correct the situation and advised that Mr. Ott is demanding the sum of \$200 as loss for the damage of crops during the seasons of 1937 and 1938, and \$500 per acre as damages for the land that he cannot now irrigate, making a total of about \$530. After discussion the Commission decided to talk to Mr. Ott personally before rendering a decision. The Attorney was instructed to ask Mr. Ott, who resides in Portland, to be present at the Commission meeting on the following day for further discussion. (Mr. Ott came before the Commission on the following day. See additional minute entry.)

The Engineer rendered a supplemental report on the request of Mr. S. N. Abstem, Hood River, for the construction of turnouts on the Columbia River Highway to facilitate the loading and unloading of school children in school buses. He said that further investigation of this matter reveals that it would cost about \$100 to sufficiently widen the highway at Mile Posts 61.3 and 62.4 as suggested by Mr. Abstem. He recommended approval of the project in view of its low cost. The Commission approved the recommendation by unanimous vote.

The Commission had under consideration the Engineer's report on the cost to improve Arlington Street in Gladstone as a state highway connection between 82nd Street Highway (Cascade Secondary Highway) and the East Portland-Oregon City Highway. The Engineer estimated that it would cost about

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\$87,000 to build this street to proper highway standards, and an additional \$25,000 for right of way, such estimate being based on a 60-foot roadway between curbs. He pointed out that the street is only 36 feet wide between curbs at the present time but this could be increased to 46 feet without additional right of way expense and in that case construction could be reduced to \$72,000. The Commission decided not to undertake this project in view of the cost thereof and particularly in view of the fact that it would be necessary to designate the street as a state highway route, which the Commission does not wish to do because there are many other roads now in the state highway system in equally bad condition, where the money could be used to better advantage.

The Commission by unanimous vote approved Chairman Cabell's letter dated April 25, 1938, and directed to Mr. Franklin T. Griffith, President of the Portland General Electric Company, Portland, with respect to the paving of Sandy Boulevard, Portland, in which letter Mr. Cabell advises Mr. Griffith that the State Highway Commission will accept a contribution of \$50,000 from the company as its share in the cost to widen and pave the entire street from N. E. Davis Street to East 82nd Street in order that the project may be done properly. The letter was thereupon signed by Mr. Cabell and mailed.

The Engineer reported that about 45 tons of structural steel and cast iron have been salvaged from the bridge over the Little Nestucca River on the Oregon Coast Highway about 7 miles south of Hebo, which bridge is being replaced by a new structure. He requested authority to advertise this material for sale at the next meeting of the Commission. The Commission approved the request by unanimous vote.

The Attorney reported receipt from the Globe Indemnity Company of two alternate forms of release terminating the company's liability in connection with the Moorman forgery matter, such forms having been submitted as a substitute for the form that was considered and rejected by the Commission at the previous meeting. He read aloud each of the alternate releases and recommended acceptance of the short form. The Commission approved the Attorney's recommendation and thereupon signed the release.

The Commission had under discussion a resolution adopted by the County Court of Lane County, requesting the Commission's approval of the designation as market roads of certain county roads in Lane County, described as follows:

1. The road leading from the Territorial Road to Veneta, Southwesterly to Market Road #15, near Vaughn, known as the Bolton Hill Road - to be known as Market Road #53; 3.3 miles.
2. The road leading from Elmira, Northwesterly to the North end of Market Road #14; thence to the Siuslaw Highway, near Goldson, known as the Sheffler and McMaster Roads - to be known as Market Road #54; 11.5 miles.

3. The road from the East end of the steel bridge East of Creswell, Southerly to the Delight Valley Road, East of Saginaw, known as the Sears Road - to be known as Market Road #55; 5.6 miles.
4. The road beginning on the Territorial Road South of Crow, and thence Northeasterly to the Torkelson Road, known as Market Road #21 - to be considered part of Market Road #21; 4.4 miles.

The Attorney advised that, whereas the Commission may not be particularly interested in the designation of these market roads, the law requires the Commission to approve them as a perfunctory proposition. The Commission thereupon by unanimous vote approved the request upon recommendation of the Engineer.

The Attorney brought up for discussion the matter of payment of royalty for materials to be taken from the Columbia River for use in connection with highway work. He said that at one time an agreement existed between the states of Washington and Oregon, which provided that neither state would pay a royalty on such materials; but, since that agreement was effected, officials of the State of Washington have changed their attitude in regard thereto and now demand the payment of royalty. He pointed out that this would cost the State of Oregon a large sum of money because of the materials that it is proposed to take for construction of the new Columbia River Highway. He further advised that the Clerk of the State Land Board is of the opinion that the officials of the State of Washington can be induced to change their present attitude if they are contacted personally, and has offered the suggestion that a representative of the State Highway Department accompany him to Olympia, Washington, for such purpose. The Attorney stated his concurrence in the views of the Clerk of the State Land Board. It was the thought of the Commission that everything possible should be done to save the State of Oregon this extra expense and accordingly Construction Engineer H. G. Smith was authorized and instructed to contact the Washington officials in company with the Clerk of the State Land Board.

The Engineer requested authority to purchase a portable automatic lighting plant for installation at the Pistol River maintenance headquarters in Curry County. He estimated the cost of such plant at \$700. The Commission approved the request by unanimous vote.

The Engineer requested authority to make the following changes in the highway department radio network in order to increase the efficiency of the same: (1) increase seven 50-watt transmitters to 100-watt transmitters at an estimated total cost of \$210; (2) install radio-teleggraphy for station-to-station communication at the three major stations in La Grande, Klamath Falls, and Salem, estimated total cost \$1,500; (3) install remote control for receiving only at the La Grande, Klamath Falls, and Salem stations, estimated total cost \$750; (4) purchase of a 500-watt transmitter for installation at the Bend station, and the transfer of the present 50-watt station at Bend to Pendleton, stepping the same up to 100-watt power, estimated cost of 500-watt

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transmitter \$300; (5) install remote control at the Bend station for both transmitting and receiving: estimated cost of new vertical antenna \$1,800, cost of remote control equipment estimated at \$250, and a building to house the equipment at \$250; (6) install telephone-plan service for remote control for the stations located at Salem, La Grande, Klamath Falls, and Bend, estimated total cost per month \$60; (7) increase the power of the transmitter at Portland to 500-watt telephone and telegraph in order to more efficiently cover the Columbia River Gorge; (8) transfer the transmitter now located in Portland to Medford, same to be operated by remote control from the Highway Department's scalehouse site: estimated total cost of this change \$7,900, which will be borne entirely by the State Police Department, for whom the change is being made; (9) purchase additional frequency-measuring equipment at Salem station, estimated cost \$1,000. He explained that the total expenditure called for amounts to \$8,760 by the State Highway Department, and \$7,900 by the State Police Department, and recommended the same so as to provide for greater efficiency of all of the radio stations, with better coverage throughout the state. After discussion, the Commission approved the Engineer's request by unanimous vote and authorized him to make the various changes and installations this summer. The Engineer was also authorized by the Commission to apply for permits as may be necessary from the Federal Radio Communications Commission.

The Commission had under consideration the request of Mr. J. T. Mahoney, Siletz, Oregon, for permission to maintain his power transmission pole line in its present location on the west side of the Siletz Secondary Highway through the town of Siletz rather than on the east side of this highway. The Engineer advised that Mr. Mahoney has a franchise from Lincoln County authorizing the maintenance of his pole line on the west side of the highway, but the pole line is now badly in need of repair and he has been requested to rebuild it on the east side of the highway in conformance with the policy of the Highway Commission to avoid the crossing of power wires over the highway as much as possible, and the west side of the highway now being occupied for the most part by telephone circuits. He said that Mr. Mahoney is opposed to moving his line because of the cost involved. He further stated that the power line is located in the town of Siletz and most of the service connections are on the west side of the highway, so it probably would be advantageous and less hazardous if the Commission permitted the pole line to remain in its present location, which would necessitate the crossing of telephone wires at two points. He recommended that Mr. Mahoney's request be approved provided he will reconstruct the present line so as to reduce present hazards. The Commission approved the request by unanimous vote.

The Commission considered the request of the National Surety Corporation for permission to use photostatic copies of the \$5,000 draft that it gave the Highway Commission in payment of the state's claim in the Moorman forgery case, and the Commission's letter of acceptance thereof terminating the liability of the corporation in this case. The Commission approved the request by unanimous vote upon recommendation of the Engineer and the Attorney.

The Commission had under consideration the matter of reconstructing the Dike Section of the Oregon Coast Highway just west of Coquille,

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which section is inundated by waters of the Coquille River during flood periods. The Engineer estimated that it would cost about \$125,000 to reconstruct this section, compared to a cost of \$550,000 to construct the proposed revision bypassing the town of Coquille. He pointed out that the Commission's financial status will not permit the construction of the bypass route at this time and that something must be done to improve the Dike Section regardless of the construction of the bypass route, because this section will always have to be maintained as a state highway. He suggested a temporary transfer of \$125,000 of the funds previously allocated for the reconstruction of the Bunker Hill Section of the Oregon Coast Highway in Marshfield, in order that the reconstruction of the Dike Section can be done this year. After considerable discussion the Commission approved the Engineer's recommendation by unanimous vote.

The Engineer reported that The Dalles-California Highway between Bend and Klamath Falls and the Ochoco Highway between Prineville and a point six miles easterly thereof are now dried out sufficiently to permit the transportation of legal weight loads, and recommended the lifting of the reduced load limits heretofore in effect on these sections. The Commission approved the recommendation and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, on the sixteenth day of February, 1938, at a meeting of the Oregon State Highway Commission, all members being present and participating, the Commission passed and adopted resolutions reducing the maximum load limit on the following state highways:

THE DALLES-CALIFORNIA HIGHWAY between Bend, in Deschutes County, and Klamath Falls, in Klamath County;

OCHOCO HIGHWAY between Redmond, in Deschutes County, and a point six miles east of Prineville, in Crook County;

and

WHEREAS, subsequent to the passage of said resolutions conditions have changed so that it is now no longer necessary or desirable, and the Commission hereby finds that it is no longer necessary or desirable to maintain the said reduced load limits set out in said resolutions in so far as they pertain to The Dalles-California Highway and the Ochoco Highway;

NOW, THEREFORE, BE IT RESOLVED that the action of the State Highway Commission reducing the maximum permissible load limits on the

THE DALLES-CALIFORNIA HIGHWAY between Bend, in Deschutes County, and Klamath Falls, in Klamath County;

OCHOCO HIGHWAY from Redmond, in Deschutes County, to a point six miles east of Prineville, in Crook County;

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be and the same hereby is rescinded and cancelled as of this date, and the maximum load limit permissible on the said sections of the said highways hereafter shall be the maximum load limit provided by law; and it is further ordered that a certified copy of this resolution be furnished to the county clerk of each county in which said highways are located, and that a certified copy of this resolution be furnished to the Superintendent of the Department of State Police for his information.

The Commission had under consideration the matter of assuming responsibility for the maintenance of a sidewalk that the County Court of Lane County proposes to construct as a W.P.A. project on the Junction City-Eugene Secondary Highway at a place known as Santa Clara. The Engineer advised that the County Court considers that its responsibility terminates upon completion of the sidewalk and has refused to accept the permit that was issued by the Commission for such construction inasmuch as it contains provision for maintenance of the sidewalk by the county. He pointed out that the sidewalk to be constructed is of a gravel type and that the cost of maintenance of the same would be negligible. He recommended that the state assume the maintenance costs when completed. The Commission approved the recommendation by unanimous vote and so ordered.

The Engineer requested instructions whether or not to retain for a longer time the certified check in the amount of \$500 which was deposited by the Gilpin Construction Company and the General Construction Company, contractors for the Yaquina Bay Bridge construction, pending final settlement with the P.W.A. authorities in connection with this bridge project. He recalled that the check was held on account of irregularities in labor and in the cement count, and advised that the Federal Government has never intimated that either of these two matters had any bearing on the final adjustment of the grant funds. Furthermore, the Labor Board considered and rejected the labor claims and the P.W.A. authorities have never recognized officially the alleged cement irregularity. He recommended, in view thereof, that the \$500 check be returned to the contractors at this time. The Commission approved the recommendation by unanimous vote.

The Commission considered the matter of maintenance of Killingsworth Avenue in Portland easterly from its connection with Northeast Portland Secondary Highway to the junction with Columbia Boulevard, and Columbia Boulevard from this junction point to a connection with Sandy Boulevard (Columbia River Highway). The Engineer advised that, whereas the Commission has designated the Northeast Portland Secondary Highway No. 123, it has not been the practice of the Commission to maintain roads or streets on the route of such highways until the highway has been constructed. He further advised that the Roadmaster of Multnomah County alleges that the Commission is obligated to maintain Killingsworth Avenue and Columbia Boulevard between the points first mentioned, and is calling upon the state to do certain repair work on such streets at this time. The Commission deferred a decision in this matter pending advice from the Attorney as to whether or not the Commission is legally obligated to maintain such streets.

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The Commission had under discussion the matter of lighting the proposed Interstate Avenue improvement project in Portland. In the discussion of this matter it was agreed by all that some system of lighting should be installed but the question arose as to whether sodium vapor or incandescent lights should be used and whether or not provision should be made for lighting the street between intersections as well as at the intersections. The Commission decided that the streets should be lighted uniformly between intersections so as to avoid the hazard that might obtain if automobilists are required to drive through a brightly lighted intersection and then to suddenly enter a darkened area. The question also arose as to whether or not the Bureau of Public Roads would approve an expenditure of federal funds for such lighting work and whether or not the City of Portland would agree to furnish the electricity and would maintain the lights if the state installed them. After considerable discussion the Commission approved the installation of sodium vapor lights but ordered that they be installed in such manner that they can be changed to the incandescent type of lights later on, if necessary, at minimum expense; provided, however, that the Bureau of Public Roads will contribute toward the cost of such installation and the City of Portland will furnish the electricity for the lights and will maintain them at city expense. The Engineer was instructed to contact the officials of the Bureau of Public Roads and the City of Portland in regard thereto. In view of the action taken on this matter, the Commission decided to cancel the authority previously granted for the installation of sodium vapor lights along the East Portland-Oregon City Highway between Ross Island Bridge and East 17th Street, Portland, in the event that the lighting of Interstate Avenue in the manner approved is carried through to completion.

The Commission also considered the proposal of the Portland Traction Company to construct a turnaround for its trolley buses on North Denver Avenue, Portland, at its intersection with Willis Street, so as to eliminate the necessity of driving the buses around one city block. The Engineer advised that the state highway is now routed on North Denver Avenue northerly from Lombard Street, but it is proposed to reroute it along Interstate Avenue north from Lombard Street to a connection with North Denver Avenue between Willis Street and Argyle Street, and that the plans call for leaving a small triangular area at Willis Street for the convenience of pedestrians. Further, that the Portland Traction Company proposes to use this small triangular area in connection with its turnaround. He pointed out that the use of the island by the company would render it valueless as a safety measure and would greatly increase the hazard to pedestrians because the intersection at this point is very wide. He recommended that the company's request for the use of this island be denied and that the company be required to route its buses around the city block rather than to reverse them at this intersection. After discussion, the Commission decided unanimously to proceed with the construction of the Interstate Avenue project in accordance with the original plans, retaining the island for safety purposes, and to discuss the matter of the bus turnaround with the Portland Traction Company officials later.

The Commission considered and approved a project proposal for additional W.P.A. work on the Wolf Creek Highway between highway engineer's station 668+00 and 1530+00 on the Nehalem River-Sunset Camp Section, involving

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a total expenditure of \$615,076 for slide removal, roadbed topping, replacement of fills, removal of damaged trees, and a general right of way cleanup. The state's share of this expense was estimated at \$129,940 and the cost to be paid with W.P.A. funds at \$485,136.

The Commission also considered and approved a project proposal for a W.P.A. roadside beautification project on the Old Oregon Trail at the west end of the overcrossing in Pendleton. The estimated total cost of the project is \$7,853.20, of which the state's share is estimated at \$2,504.00 and the cost to be paid with W.P.A. funds at \$5,349.20. The approval of this project was conditioned upon the Commission's securing a satisfactory agreement with the City of Pendleton providing for the city to maintain the project after completion.

The Commission by unanimous vote authorized the State Highway Engineer to attend a meeting of the Design Committee of the American Association of State Highway Officials which is to be held in Chicago, Illinois, on May 26 and 27, 1938. The Engineer explained that the Federal Government would pay all expenses incident thereto.

The Commission also authorized Mr. Harold B. Say, Director of the Travel and Information Department, to travel throughout the State of California at state expense for the purpose of contacting newspaper officials of that state whose publications are used in advertising the State of Oregon, provided the expense thereof is approved by Governor Martin.

The Assistant Attorney requested authority for representatives of the Right of Way Department to contact, at state expense, officials of the Federal Land Bank in Spokane, Washington, relative to the matter of severance damages to be paid the owners of large wheat ranches in Umatilla County through whose property it is proposed to relocate the Adams-Athens Section of the Oregon-Washington Highway. The Commission granted the request by unanimous vote, subject to approval by Governor Martin.

The Commission considered and denied the request of Rose City Post No. 35, American Legion, for a contribution of \$2,000 of state highway funds to finance the sending of the American Legion band to Los Angeles, California, in September of this year.

The Engineer brought up for discussion the matter of borrowing funds from the Federal Government under the plan suggested by President Franklin D. Roosevelt, whereby it is proposed that funds be loaned to the states without interest, the same to be paid back to the Government at the rate of 2 per cent annually. He suggested that, if Congress approves the President's recommendation, the Highway Commission borrow \$15,000,000 under the provisions of the act, which would enable the construction of many worthy projects much sooner than can be accomplished under the present setup. The Attorney gave as his opinion that the Commission has legal authority to arrange for such a loan if it so desires. The matter was discussed at some length but a decision thereon was deferred for future consideration.

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The Commission considered and approved Chairman Cabell's letter, dated April 28, 1938, and directed to the county courts of counties of the State of Oregon, with respect to the programming of federal aid secondary highway funds.

The Attorney discussed with the Commission matters pertaining to the acquisition of right of way for the Upper Columbia River Highway across lands owned by Mrs. Juanita Starr, and particularly the question whether or not it would be advisable to turn over to Mrs. Starr certain tidelands fronting on Lot 1, Sec. 34, T. 2 N., R. 6 E., W.M., and on Lot 1, Sec. 3, T. 1 N., R. 6 E., W.M., in order to effect a settlement for such right of way. It appeared to the Commission that the tidelands in this particular location are of no value from the state highway standpoint, as are the tidelands in other locations, in view of which the Commission indicated that it had no objections to the relinquishment of such tidelands in favor of Mrs. Starr. It was considered, however, that action to that end should be effected through the State Land Board, from which the tidelands were obtained by the State Highway Commission. Accordingly, the matter was left open for dealings between the State Land Board and Mrs. Starr, the idea being that if the State Land Board is willing that Mrs. Starr should own the tidelands, then the Commission will reconvey them to the State Land Board which in turn can convey them to Mrs. Starr.

The Commission adjourned at 11.45 o'clock p. m., to reconvene on the following morning in the Auditorium of the Public Service Building.

Portland, Oregon, April 28, 1938

The State Highway Commission reconvened in regular session at 9:00 o'clock a. m. in the Auditorium of the Public Service Building, with all Commissioners, the State Highway Engineer, the Attorney, and the Secretary present.

Bids as follows for highway construction projects, sale of buildings, and for the furnishing of a Fidelity "Blanket" or "Schedule" Bond, covering certain highway department employees, were opened and read in conformance with previously published notice:

LANDRITH COUNTY ROAD
BRIDGE OVER SOUTH FORK OF COOS RIVER
ALTERNATE "A" WITH, ALTERNATE "B" WITHOUT, PILE TRESTLE APPROACHES
(Bids for this project received for and in behalf of Coos County Court)

	<u>Alternate "A"</u>	<u>Alternate "B"</u>
Tom Lillebo	\$ 33,351.00	\$ 23,115.00
J. W. and J. R. Hillstrom	35,028.00	23,978.00
Coos Bay Dredging Company	33,683.00	25,354.50
Mountain States Construction Company	40,742.00	28,387.00

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CENTRAL OREGON HIGHWAY
BROTHERS OASIS - DRILL AND CASE A WELL

A. M. Jannsen Drilling Company	\$ 1,372.50
A. A. Durand	1,629.00
R. J. Strasser Drilling Company	1,837.50
Geo. E. Scott	1,885.50
Shave Bros.	1,950.00
Stinman Bros.	2,242.50
A. M. Edwards & O. E. Haig	2,632.50
C. E. Williams	2,737.50

THE DALLES-CALIFORNIA HIGHWAY
LOBERT-MODOC POINT SECTION - GRADING AND TALUS ROCK TOPPING

Coos Bay Dredging Company	\$ 41,420.80
Fisher Bros.	43,838.00
E. C. Hall	44,378.00
Jacobsen-Jensen Company	46,347.50
Leonard & Slate	50,072.00
Kern & Kibbe	50,420.00
Clifford A. Dunn	53,119.50
Kuckenberg Construction Company	53,194.00
McNutt Bros.	54,274.00
G. I. Stebbins Construction Company	57,945.50
F. C. Dillard	60,705.00

PACIFIC HIGHWAY
STUSLAW JUNCTION-ROSS STATION SECTION - PAVING

Mountain States Construction Company	\$144,216.50
Jacobsen-Jensen Company	145,757.00
Harold Blake	149,707.00
Edlefsen-Weygandt Company	149,877.50
Oregon Contracting Company	158,387.00

PACIFIC HIGHWAY
PRINGLE CREEK-TAYLOR CREEK SECTION - ROADSIDE IMPROVEMENT

River Bend Sand & Gravel Company	\$ 5,934.50
Leonard & Slate	9,856.50
The United Contracting Company	10,570.20

WILSON RIVER HIGHWAY
MILLS BRIDGE-JORDAN CREEK SECTION - OIL MAT SURFACE TREATMENT

	<u>Using Road Oil</u>	<u>Using Tar</u>
J. C. Compton		\$ 26,954.50
Babler Bros.		27,693.00
Warren Northwest, Inc.		28,499.25
Edwin C. Gerber	\$ 29,994.00	30,054.00

(Continued on next page)

(Mills Bridge-Jordan Creek Section, continued)

	<u>Using Road Oil</u>	<u>Using Tar</u>
O. C. Yocom	\$ 31,069.00	\$ 30,133.00
McNutt Bros.	34,028.00	33,908.00

SALE OF RESIDENCE BUILDING IN NORTHEAST PORTLAND
(Former owner Chas. L. Schneller)

Dolan Wrecking Co. \$ 21.50

SALE OF RESIDENCE BUILDING IN WEST PORTLAND HEIGHTS
(Former owner John T. Paulson)

F. A. Graddy \$ 70.00

SALE OF RESIDENCE BUILDINGS IN ALBANY

BUILDING NO. 5178
(Former owner Augusta Otto)

W. A. Jones \$ 61.50

BUILDING NO. 4967
(Former owner John Schlehuber)

H. D. and Barbara Rohde \$ 61.00

BUILDING NO. 4968
(Former owner World War Veterans' State Aid Commission)

S. J. Brown \$104.00

BUILDING NO. 4969
(Former owner J. C. Allphin)

H. D. and Barbara Rohde \$ 76.00

BUILDING NO. 4970
(Former owner Melvin C. Morgan)

H. D. and Barbara Rohde \$151.00
S. J. Brown 96.00

BUILDING NO. 4957
(Former owner Barbara Kinney)

No bids received

SALE OF RESIDENCE BUILDINGS IN MARSHFIELD

BUILDING NO. 5105
(Former owner I. B. Tilson)

J. H. Tewsley	\$ 52.50
G. R. Quick	42.00
Ralph Allen	35.00
Arthur L. Fitch	32.50
Geo. Prefontaine	6.00

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(Residence Buildings in Marshfield, continued)

BUILDING NO. 5109
(Former owner Manilo Camilo)

Earl J. Rice
Mrs. Earl J. Rice

\$ 17.00
15.00

BIDS ON FURNISHING FIDELITY BOND

<u>Surety Company and Agent</u>	<u>Total Premium</u>	
	<u>One Year</u>	<u>Three Years</u>
<u>AETNA CASUALTY & SURETY COMPANY</u>		
J. S. Davis Co., 124 Oregon Ave., Bend	\$ 584.00	\$ 1,635.20
B. L. Bernard, 322 Yeon Bldg., Portland	584.00	1,635.20
G. Cyrus Bishop, 319 Yeon Bldg., Portland	584.00	1,635.20
C. Connett, Molalla	584.00	1,635.20
Baker Insurance Agency, Baker	584.00	1,635.20
A. R. Galle, Union	584.00	1,635.20
Geo. W. Croisan, Ladd & Bush Bank, Salem	584.00	1,635.20
<u>AMERICAN SURETY COMPANY OF NEW YORK</u>		
Phil Grossmayer Co., 419 S.W. 6th Ave., Portland	\$ 584.00	\$ 1,635.20
John Burgard Co., 304 Wilcox Bldg., Portland	584.00	1,635.20
W. R. McDonald Co., Yeon Bldg., Portland	584.00	1,635.20
Nasburg Insurance Agency, Marshfield	584.00	1,635.20
Clyde M. McKay, Bend	584.00	1,635.20
A. R. Bowman, Prineville	584.00	1,635.20
W. A. Sherman, 125 14th St., Astoria	584.00	1,635.20
Homer H. Smith Insurance Agency, Salem	584.00	1,635.20
The Landry Co., Box 192, Klamath Falls	584.00	1,635.20
<u>ASSOCIATED INDEMNITY CORPORATION</u>		
Associated Indemnity Corporation, 408 Wilcox Bldg., Portland	\$ 584.00	\$ 1,635.20
<u>COMMERCIAL CASUALTY INSURANCE COMPANY</u>		
L. E. Garrison, Redmond	\$ 584.00	\$ 1,635.20
Harold S. Hays, Loyalty Bldg., Portland	584.00	1,635.20
Portland Trust & Savings Bank, Portland	584.00	1,635.20
Nicholson & Wiper, Inc., Salem	584.00	1,635.20
<u>CONTINENTAL CASUALTY COMPANY</u>		
A. S. Frohman, Lumbermen's Bldg., Portland	\$ 584.00	\$ 1,635.20
N. B. Souders, 901 S.W. Taylor St., Portland	584.00	1,635.20
J. Rosenthal, Inc., Lumbermen's Bldg., Portland	584.00	1,635.20
Lyman Insurance Agency, American Bank Bldg., Portland	584.00	1,635.20

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(Continental Casualty Company, continued)

	Total Premium	
	One Year	Three Years
City Insurance Agency, Corbett Building, Portland	\$ 584.00	\$ 1,635.20
Phil Grossmayer Co., S. W. 6th Ave., Portland	584.00	1,635.20
Ireland-Guild Agency, Wilcox Bldg., Portland	584.00	1,635.20

FIDELITY & CASUALTY COMPANY OF NEW YORK

Granville D. Morgan Co., Bd. of Trade Bldg., Portland	584.00	\$ 1,635.20
Fred E. Mangis Insurance Agency, Salem	584.00	1,635.20
Pallett, Strum & Co., Porter Bldg., Portland	584.00	1,635.20

FIDELITY & DEPOSIT COMPANY OF MARYLAND

J. F. Porter, 151 Madison St., Corvallis	\$ 584.00	\$ 1,635.20
John H. Rankin, 322 Corbett Bldg., Portland	584.00	1,635.20
Ray W. Sherman, 825 S. E. Grand Ave., Portland	584.00	1,635.20
A. W. Whitmer Co., 632 Mead Bldg., Portland	584.00	1,635.20
Clarence D. Porter, Failing Bldg., Portland	584.00	1,635.20
Kargl & Hurley, The Dalles	584.00	1,635.20
Homer H. Smith Insurance Agency, Salem	584.00	1,635.20

GENERAL CASUALTY COMPANY OF AMERICA

Dooley & Co., Board of Trade Bldg., Portland	\$ 584.00	\$ 1,635.20
Fred E. Mangis Insurance Agency, Salem	584.00	1,635.20
J. E. Murphy, Junction City	584.00	1,635.20
Legler & McGalvery, Hogg Bldg., Oregon City	584.00	1,635.20
Thomas R. Hudson, 305 E. 2nd St., The Dalles	584.00	1,635.20
Huggins Insurance Agency, Marshfield	584.00	1,635.20
Reynolds Insurance Agency, LaGrande	584.00	1,635.20
Dean Vincent, 315 S. W. 4th Ave., Portland	584.00	1,635.20
Brice Mortgage Co., 304 S. W. 6th Ave., Portland	584.00	1,635.20
Bauer & Frans, Pendleton	584.00	1,635.20
Peninsula Mortgage Co., 8527 N. Jersey St., Portland	584.00	1,635.20
Port Investment Co., Inc., 423 S.W. Broadway, "	584.00	1,635.20
Childs & Miller, Inc., 344 State St., Salem	584.00	1,635.20
Brisbine & Mansfield, 310 Lewis Bldg., Portland	584.00	1,635.20

GLENS FALLS INDEMNITY COMPANY

Rogers Insurance Agency, Title & Trust Bldg., "	\$ 584.00	\$ 1,635.20
Jewett, Barton, Leavy & Kern, Lewis Bldg., "	401.50	1,204.50

GLOBE INDEMNITY COMPANY

Geo. S. Kerr Co., Title & Trust Bldg., Portland	\$ 584.00	\$ 1,635.20
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GREAT AMERICAN INDEMNITY COMPANY

Abrams & Ellis, Inc., Masonic Bldg., Salem	\$ 584.00	\$ 1,635.20
Roy H. Simmons, 136 S. Commercial St., Salem	584.00	1,635.20
Harvey Wells Insurance Agency, Failing Bldg., Portland	584.00	1,635.20

HARTFORD ACCIDENT & INDEMNITY COMPANY

R. E. Scott, Hood River	\$ 584.00	\$ 1,635.20
C. A. Wagner, 409 S.W. 2nd Avenue, Portland	584.00	1,635.20

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(Hartford Accident & Indemnity Company, continued)

	Total Premium	
	One Year	Three Years
A. C. Howland, 620 Main St., Oregon City	\$ 584.00	\$ 1,635.20
T. B. Watters, 615 Main St., Klamath Falls	584.00	1,635.20
Merrill D. Ohling, 275 State St., Salem	584.00	1,635.20
Jewett & Dorman, Weatherly Bldg., Portland	584.00	1,635.20
Geo. S. Kerr Co., Title & Trust Bldg., Portland	584.00	1,635.20

MARYLAND CASUALTY COMPANY

Wakefield - Fries & Woodward, 236 S.W. Broadway, Portland	584.00	1,635.20
Samuel M. Fries, 2800 S.W. Patton Rd., Portland	584.00	1,635.20
Brisbine & Mansfield, Lewis Bldg., Portland	584.00	1,635.20
Homer H. Smith Insurance Agency, Salem	584.00	1,635.20

MASSACHUSETTS BONDING & INSURANCE COMPANY

Abrams & Ellis, Inc., Masonic Bldg., Salem	\$ 584.00	\$ 1,635.20
Carl Y. Tengwald, 125 W. Main St., Medford	584.00	1,635.20
Tate, Westenfelder & Berg, Inc., Wilcox Bldg., Portland	584.00	1,635.20

METROPOLITAN CASUALTY INSURANCE COMPANY OF NEW YORK

General Insurance Agency, 8085 S.E. 13th Ave., Portland	584.00	\$ 1,635.20
Harold S. Hays, Loyalty Bldg., Portland	584.00	1,635.20
H. C. Pownall Insurance Agency, Loyalty Bldg., Portland	584.00	1,635.20
Bauer & Franz, Pendleton	584.00	1,635.20
Duke & Proctor, Sandy	584.00	1,635.20
Davenport Insurance Agency, 623 S.W. Oak St., Portland	584.00	1,635.20

NATIONAL SURETY CORPORATION

Jack Godfrey, Corbett Bldg., Portland	\$ 584.00	\$ 1,635.20
Finley C. MacGillivray, John Day	584.00	1,635.20
Leo J. Malarkey Agency, 184 - 14th St., Astoria	584.00	1,635.20
Doy Gray, Beaverton	584.00	1,635.20
M. B. Stegner, 180 N. Commercial St., Salem	584.00	1,635.20
Security Investment Co., Oregon City	584.00	1,635.20
Insurance Service Co., Corbett Bldg., Portland	584.00	1,635.20
W. G. Sutherland, 119 W. Alta Street, Pendleton	584.00	1,635.20
Jas. McL. Wood, West & Co., Failing Bldg., Portland	584.00	1,635.20
Roy W. Sherman, S.E. Grand Ave., Portland	584.00	1,635.20
Standley & Foley, Salem	584.00	1,635.20
John Nielson, Bandon	584.00	1,635.20
Campbell, Smith & Goodman, Corbett Bldg., Portland	584.00	1,635.20
Northwestern Agencies, Inc., Failing Bldg., "	584.00	1,635.20

NEW AMSTERDAM CASUALTY COMPANY

E. A. Ross, St. Helens	\$ 584.00	\$ 1,635.20
Goodell & Mears, Inc., Wilcox Bldg., Portland	584.00	1,635.20
John W. Cormany, 8872 N.E. Sandy, Portland	584.00	1,635.20
Granville D. Morgan, Board of Trade Bldg., Portland	584.00	1,635.20

NEW YORK CASUALTY COMPANY

Rosenblatt & Salmon, Corbett Bldg., Portland	\$ 584.00	\$ 1,635.20
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	Total Premium	
	One Year	Three Years
<u>OHIO CASUALTY INSURANCE COMPANY</u>		
Metsger-Parker Agency, Woodlark Bldg., Portland	\$ 372.30	\$ 1,116.90
<u>PACIFIC INDEMNITY COMPANY</u>		
Nasburg Insurance Agency, Marshfield	\$ 584.00	\$ 1,635.20
John H. Burgard & Co., Wilcox Bldg., Portland	584.00	1,635.20
Stephens Mortgage Co., 525 S.W. Stark St., Portland	584.00	1,635.20
Little & Loucks, Columbia Bldg., Portland	584.00	1,635.20
City Insurance Agency, Corbett Bldg., Portland	584.00	1,635.20
Hawkins & Roberts, Salem	584.00	1,635.20
Campbell & Hall, Inc., Failing Bldg., Portland	584.00	1,635.20
<u>ROYAL INDEMNITY COMPANY</u>		
Wm. McGilchrist, Jr., 325 State St., Salem	\$ 584.00	\$ 1,635.20
<u>STANDARD ACCIDENT INSURANCE COMPANY</u>		
H. T. Werschul, Spalding Bldg., Portland	\$ 584.00	\$ 1,635.20
E. D. Schomacker, Spalding Bldg., Portland	584.00	1,635.20
National Mortgage & Bond Co., 305 S.W. 4th Ave., Portland	584.00	1,635.20
Otto & Harkson Realty Co., Railway Exchange Bldg., "	584.00	1,635.20
M. L. Johnson, 406 Main St., Klamath Falls	584.00	1,635.20
Anna M. Harthrong, Pendleton	584.00	1,635.20
<u>UNITED PACIFIC INSURANCE COMPANY</u>		
L. E. Garrison, Redmond	\$ 584.00	\$ 1,635.20
J. A. Jelderks, Masonic Bldg., Salem	584.00	1,635.20
Abrams & Ellis, Inc., Masonic Bldg., Salem	584.00	1,635.20
C. C. Pierce, Medford	584.00	1,635.20
<u>UNITED STATES FIDELITY & GUARANTY COMPANY</u>		
Baker Insurance Agency, Baker	\$ 584.00	\$ 1,635.20
Paul Fundman, Willamina	584.00	1,635.20
J. C. Corbin Co., Lewis Bldg., Portland	584.00	1,635.20
R. W. Schmeer Co., Wilcox Bldg., Portland	584.00	1,635.20
P. A. Hunt, Bedell Bldg., Portland	584.00	1,635.20
Allyn R. Hunter, Bedell Bldg., Portland	584.00	1,635.20

Chairman Cabell announced that the award of contracts and sale of buildings would be made by the Commission at 2:00 o'clock p. m. in the same room, but that the Commission must have further time to study the bids received for the furnishing of the bond.

The matter of oiling a 3-mile section of the Cape Arago Secondary Highway from Charleston, northerly, to a connection with the oiled section south of Empire, had the attention of the Commission. On account of lack of funds to finance a standard oiling improvement, the Commission decided to put a light oil treatment on this section, extending through the town of Charleston, which the Engineer estimated would cost about \$2,500. The Engineer was

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instructed to charge this expense to the Emergency Fund account in view of the fact that no provision has been made in the 1938 budget for the same.

The Commission conferred with Mr. W. H. Lynch, District Engineer, Bureau of Public Roads, in regard to constructing a seal coat on the section of the Salmon River Highway, in Lincoln County, that was reconstructed last year, under a Bureau of Public Roads contract. It appears that part of this work was done under adverse conditions, and, as a result, the surface of the road is ravelling quite badly, necessitating additional seal, but there is a question as to where the money is coming from to finance the work. Mr. Lynch explained that this improvement is a Government obligation, but conditions are such that it cannot be done under Government contract or by Government forces, so they are now asking the state to do it at Government expense. He estimated that the project would cost about \$25,000 and suggested a temporary transfer of such amount of Forest Highway Funds from the Earl McNutt contract for the construction of a section of the Upper Columbia River Highway, where it will not be needed until later in the season. In this connection Mr. Lynch recalled that the state has already contributed \$90,000 toward the McNutt contract, and agreed, if the Commission will approve the transfer of \$25,000 from this account now, to replace it with a like amount of Forest Highway Funds that accumulate by reason of savings in the contracting of other forest highway work. After discussion the Commission agreed unanimously to the proposition as presented by Mr. Lynch and thereupon signed an agreement with him and C. J. Buck, Regional Forester, covering the matter. The Engineer was authorized to advertise the project for bids to be received at the next meeting.

Messrs. Louis Simpson and George Vaughn, representing the Chamber of Commerce of the town of Empire, Coos County, came before the Commission in regard to the oiling of the Cape Arago Secondary Highway. Mr. Simpson urged the Commission to allocate funds for the oiling of this road from the end of the oiled section south of Empire to and through the town of Charleston. He said that they would be satisfied with an inexpensive, temporary oil treatment if the Commission does not have sufficient funds to finance a standard improvement. He also asked the Commission to proceed with the acquisition of right of way needed for the construction of the Cape Arago Secondary Highway to Cape Arago State Park, and offered free right of way 80 feet wide across his holdings, and to assist the Commission in securing right of way from the other land owners.

Mr. Vaughn asked for the widening of the oiled portion of the Cape Arago Highway through the town of Empire. He alleged that the present roadway is narrower within the city than it is outside the city and suggested that the shoulders adjacent to the present oiled roadway be also oiled. Chairman Cabell advised that it would not be possible for the Commission to finance a standard oiling project on the Cape Arago Secondary Highway this year but the Engineer has recommended a light oil treatment, which would allay the dust, and the Commission will endeavor to find the funds to finance such work. He gave as his thought that the construction of such temporary improvement would not jeopardize the chances of securing a permanent improvement later. Mr. Simpson approved the plan outlined by Chairman Cabell.

The Engineer advised that there is no rock adjacent to the oiled roadway through Empire and it would be a useless expenditure of funds to attempt to oil the same without first stabilizing with rock materials, which the Commission could not do properly now because funds are not available to finance the work. He indicated a willingness to investigate the matter the next time he is in that vicinity and to see what can be done about widening a certain curve in Empire.

County Commissioner Wm. Baer of Deschutes County came before the Commission in regard to Deschutes County's indebtedness to the state for road construction purposes. He said that the County Court has included in its 1938 budget an amount of \$3,000 to take care of this account, but before paying it would like assurance from the Commission that it will be spent for the improvement of the Tumalo Falls County Road. He was informed that the Commission has no legal authority to spend state funds for improvement of roads that are not on the state highway system. The Engineer suggested that the money be spent to improve a state highway near Bend, such as the secondary highway known as Century Drive. He recalled that there has accumulated to Deschutes County's credit in the state secondary highway account about \$5,000 which would be available for expenditure along with the county's \$3,000. Commissioner Baer and the members of the Highway Commission approved this suggestion and the Engineer was thereupon instructed to go into the matter further with the county court.

Mr. Jack Wagner, Chairman of the Grievance Committee of the Oregon Truck Owners Association, Portland, was present in regard to the use of privately-owned trucks on W.P.A. projects under the jurisdiction of the State Highway Commission. He was accompanied by Mr. M. Gumbert and Mr. A. F. Owen, also members of this committee. They alleged that the State Highway Commission is not living up to the intent of the law when it assigns state-owned trucks for use in connection with such W.P.A. projects, and they asked the Commission to change its policy in this regard and to hereafter employ privately-owned trucks that are on relief. They also alleged that the W.P.A. requirements with respect to equipment are not being adhered to, so far as the state trucks are concerned, and that there are many state trucks now employed on such projects that would be ruled off the job if they were privately owned, because of defects.

The State Highway Engineer refuted the statements of Mr. Wagner. He pointed out that the drivers of the state-owned trucks on such projects are men taken from the relief rolls; so, from that standpoint, no advantage would be gained by the employment of privately-owned trucks. He further stated that he is positive that the state-owned trucks are given as strict inspection as the privately-owned trucks because it was never intended that the state equipment should be given any advantage in that regard; but he will look into the matter and will insist that the W.P.A. authorities hereafter inspect them just as severely as the privately-owned trucks in the event that investigation reveals that they are not now being given such inspection. The Engineer advised that the money that the State Highway Commission is spending on these jobs is public money and must be spent in the most economical manner and to the best advantage for the people who provide it, and the Commission

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has determined that the most economical way to provide truck service on such jobs is to furnish state-owned trucks. He pointed out that, at the rental rate paid by the W.P.A. for trucks, the state could pay for the trucks in about three months' time, considering that the trucks are worked three shifts, and then the state would still have the trucks on hand at the end of that period; whereas, if privately-owned trucks were employed, the State would still have to pay out the same amount of money in rentals but the state would not own the equipment and would in effect buy the same equipment over and over again.

Chairman Cabell concurred in the remarks of the Engineer. He summed up the situation by stating that all state-owned trucks hereafter must meet rigid inspection by the W.P.A. authorities, the same as privately-owned trucks if they are not being given such rigid inspection at the present time; that the discussion reveals that the same amount of relief employment is afforded by the use of state-owned trucks as is provided by the use of privately-owned trucks; also, that reports indicate that the state is receiving more value from the taxpayers' money by using state-owned trucks on W.P.A. projects than it would if it used privately-owned trucks. So, considering the matter from all angles, the Commission will continue on the present basis until such time as the engineers recommend a change, inasmuch as the Commission of necessity depends upon the engineers for advice on such matters.

Mr. Wagner disputed the Engineer's figures on the cost to operate and maintain the state-owned trucks and asked for detailed figures in regard thereto. The Engineer informed him that the Commission's records are open for public inspection at all times and that he would be glad to give Mr. Wagner all the detailed information that he desires if he will call at the office for the same.

Mr. Gumbert particularly spoke of the truck bearing the license number 30-335 which he is now operating in connection with W.P.A. work. He said that this truck in a number of respects does not meet the W.P.A. inspection requirements. The Engineer was instructed to check this truck immediately, and if it does not meet the requirements to take it off the job.

County Judge Nelson B. Higgs, of Harney County, was present in the interests of the Central Oregon Highway. He inquired as to the plans of the Commission to complete the oiling of this road between Bend and Burns, and was informed that the Commission hopes to be able to construct at least a light oil treatment on the entire length of the unoled section this year, and that it is the present plan of the Commission to construct the standard oiled surface next year. It was pointed out that this year's oiling work would provide a dustless wearing surface for the convenience of traffic. Judge Higgs was also informed that the Commission proposes to award a contract for the standard oil project some time this fall.

The Commission adjourned at 12:00 o'clock noon and reconvened at 2:00 o'clock p. m. in the same room with all Commissioners, the Engineer, the Attorney, and the Secretary present.

The State Highway Engineer made the following announcement of awards of contracts and sale of buildings, such awards and sales having been previously approved by the Commission by unanimous vote:

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"Bridge construction over South Fork of Coos River on Landrith County Road, in Coos County. This project is a county job and bids were taken for and on behalf of Coos County and therefore all of the proposals and bidders' bonds received in connection therewith will be turned over to the County Court. The low bidder on this project was Tom Lillebo, of Reedsport, with his bid of \$33,351.00 on Alternate "A" and \$23,115.00 on Alternate "B". The second low bid received was that of J.W. & J.R. Hillstrom, Marshfield, at \$35,028.00 on Alternate "A" and \$23,978.00 on Alternate "B". There were 2 higher bidders.

"Brothers Oasis, on the Central Oregon Highway, in Deschutes County. The low bid submitted for this project was that of A. M. Jannsen Drilling Co., Portland, at \$1,372.50. The next low bid was that of A. A. Durand, Walla Walla, Washington, at \$1,629.00. There were 6 higher bidders. The Commission has referred all bids received for this project to the Engineer with power to award to the low bidder when certain conditions have been satisfied.

"Lobert-Modoc Point Section of The Dalles-California Highway, in Klamath County. 5.03 miles grading and 2.58 miles talus rock topping. Coos Bay Dredging Co., Marshfield, submitted the low bid at \$41,420.80. Fisher Bros., Oregon City, submitted the next low bid at \$43,838.00. There were 9 higher bidders. The Commission has awarded this contract to the Coos Bay Dredging Co. at its low bid of \$41,420.80.

"Siuslaw Junction-Ross Station Section of the Pacific Highway, in Lane County. 6.37 miles paving. The Mountain States Construction Co. of Eugene submitted the low bid for this project at \$144,216.50. Jacobsen-Jensen Co., Portland, submitted the next low bid at \$145,757.00. There were 3 higher bidders. The Commission has awarded this contract to the low bidder, Mountain States Construction Co., at its bid of \$144,216.50.

"Pringle Creek-Taylor Creek Section of the Pacific Highway, in Marion County. 5.47 miles roadside improvement. The low bid received by the Commission for this job was that of the River Bend Sand & Gravel Co., Salem, at \$5,934.50. The next low bid was that of Leonard & Slate, Multnomah, at \$9,856.50. There was 1 higher bidder. The Commission has awarded this contract to River Bend Sand & Gravel Company at its low bid of \$5,934.50.

"Mills Bridge-Jordan Creek Section of the Wilson River Highway, in Tillamook County. 12.39 miles of oil mat surface treatment. J. C. Compton of McMinnville submitted the low bid for this project at \$26,954.50, using tar. The next low bid was that of Babler Bros., Portland, at \$27,693.00, also based on the use of tar. Neither of these bidders submitted a bid based on the use of road oil. There were 4 higher bids received. The Commission has awarded this contract to J. C. Compton at his low bid of \$26,954.50, using tar."

Building in Northeast Portland

"Building formerly owned by Chas. L. Schneller. Only 1 bid was received for the purchase of this building, being that of Dolan Wrecking Co., Portland, at \$21.50. The Commission has rejected this offer."

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Building in West Portland Heights

"Building formerly owned by John T. Paulson. Only 1 bid was received for the purchase of this building, being that of F. A. Graddy Portland, at \$70.00. The Commission has rejected this offer."

Buildings in Albany

"Building No. 5178, formerly owned by Augusta Otto. The Commission received only 1 bid for the purchase of this building, being that of W. A. Jones, Albany, at \$61.50. The Commission has rejected this bid.

"Building No. 4967, formerly owned by John Schlehuber. The only bid received by the Commission for the purchase of this building was that of H. D. and Barbara J. Rohde, Albany, at \$61.00. The Commission considers this offer satisfactory and has sold the building to them at their offer of \$61.00.

"Building No. 4968, formerly owned by the World War Veterans' State Aid Commission. S. J. Brown of Albany submitted the only bid for this building at \$104.00. The Commission has rejected his bid.

"Building No. 4969, formerly owned by J. C. Allphin. The Commission received only 1 bid for the purchase of this building, being that of H. D. and Barbara J. Rohde, Albany, at \$76.00. The Commission has accepted this offer and has sold the building to them for \$76.00.

"Building No. 4970, formerly owned by Melvin C. Morgan. 2 bids were received by the Commission for the purchase of this building, the high one being that of H. D. and Barbara J. Rohde, Albany, at \$151.00. The Commission has accepted the offer and has sold the building to them for \$151.00.

"Building No. 4957, formerly owned by Barbara Kinney. No bids were received for the purchase of this building."

Buildings in Marshfield

"Building No. 5105, formerly owned by I. B. Tilson. The Commission received 5 bids for this building, the high one being that of J. H. Tewsley, Marshfield, at \$52.50. The Commission has accepted this offer and has sold the building to Mr. Tewsley for \$52.50.

"Building No. 5109, formerly owned by Manilo Camilo. The Commission received 2 bids for the purchase of this building, the high one being that of Earl J. Rice, North Bend, at \$17.00. The Commission has accepted Mr. Rice's offer and has sold the building to him at his offer of \$17.00."

In regard to the purchase of a fidelity bond, the Engineer made the following announcement:

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"The Commission asked me to announce that it would give consideration later to the bids received this morning for the furnishing of a bond to cover highway department employees, and would announce its decision at a meeting of the Commission to be held in the Benson Hotel, Portland, on May 12, 1938."

The County Court of Wasco County, represented by County Judge G. G. Shults and County Commissioner Mace Fulton, was present in regard to the Commission's Federal Aid Secondary Highway Program in Wasco County. They gave as their understanding that the Commission proposes to improve the Chenoweth Creek County Road, and urged, if such is the case, that the improvement be confined to the section between The Dalles and the junction with a branch road leading back to the Columbia River Highway about 5 miles west of The Dalles, because this road carries very little travel beyond the said junction point. They also asked the Commission to provide in this program for the improvement of the county road known as the Fifteen Mile Creek Road, or the Kuykendall County Road, and presented a petition signed by 35 landowners in regard thereto. The Commission indicated a favorable attitude to this request but deferred action thereon pending further investigation by the Engineer. The Engineer was instructed to contact the County Court during the following week and report his findings at the next meeting of the Commission.

A delegation from Sheridan, headed by Mayor E. J. Bayliss, conferred with the Commission in regard to the reconstruction of a bridge on the county road in Sheridan. Other members of the group were Senator W. E. Burke; Harl Wood, President of the Chamber of Commerce; County Judge Wm. O. Powell; County Commissioner Thos. Bockes; and former County Commissioner W. S. Allan.

Mayor Bayliss said that the present structure was built in 1910 and is no longer suitable for, or capable of carrying present-day traffic; in fact, is a traffic hazard and needs replacement at once. He further stated that it is absolutely impossible for either the city of Sheridan or Yamhill County to finance a new structure, hence it is up to the state to assume the responsibility. He demanded a new bridge at once, same to be constructed as a state highway project and to be financed with Federal Aid Secondary Highway Funds. County Judge Powell advised that this bridge is on an important county artery of travel and should be replaced with a new, modern structure.

Chairman Cabell advised that the road on which this bridge is located is not a state highway, hence the Commission is without legal authority to expend state highway funds for its improvement. He further stated that the Commission has included in its Federal Aid Secondary Highway Program an amount for the improvement of the road outside of the city limits of Sheridan but is precluded from spending the federal money within the city limits because of the Federal Government restrictions; so, if a new bridge is to be constructed, either the county or the city will have to finance it. He explained that the Commission could not assume such responsibility without placing the road on the state highway system, which the Commission is not inclined to do because it now has all of the responsibility that it can handle. It is contrary to the established policy of the Commission, he added, to add any more roads to the highway system at the present time due to the fact that the Commission

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does not have the funds to pay the cost of improving them. Furthermore, the desirability of the project under discussion is not questioned but it is simply a case of the Commission not being able to assume the additional financial responsibility. He suggested that the bridge under discussion might be financed as a P.W.A. project in the event Congress approves additional funds for such projects, which, according to information recently received, seems quite likely.

A delegation from Washington County, consisting of Loyal M. Graham, J. R. McCready, H. G. Bond, E. W. Coon, E. H. Johnson, Fred Gardner, all of Forest Grove; L. L. Crawford, Manning; County Judge Donald T. Templeton, and County Commissioner H. D. Kerkman, was present. Judge Templeton headed the group.

They inquired what action the Commission has taken on their previous request for the rerouting of the highway through Forest Grove so as to make a direct connection from 7th and Main Streets to the Gales Creek Road. They were informed that, according to the Engineer's report, the proposed route is practicable and will cost about \$11,000 for construction and \$9,000 for right of way, but the Commission has not yet inspected the location and therefore has not yet taken definite action in the matter. After discussion it was agreed that Chairman Cabell would look over this project in company with Judge Templeton at an early date.

Judge Templeton then inquired as to the prospects of early construction of two bridges at the eastern end of the Wilson River Highway. He said that there are about 650 men employed on the Wilson River road improvement and it would be a great help if these two bridges could be constructed soon. The Engineer estimated that such bridges would cost about \$40,000.

Chairman Cabell advised that the Commission has only a limited amount of money to spend in this vicinity and wants to concentrate on finishing the 17-mile section of the Wolf Creek Highway between Elsie and Sunset Camp before starting other projects, so the Commission is not in a position to say definitely today what it will do about the two bridges under discussion. He agreed to inspect the project in the near future.

Judge Templeton then inquired in regard to the Commission's railroad grade separation program and suggested as a desirable project the relocating of the Nehalem Secondary Highway between Banks and Manning. Mr. Crawford said that such relocation would eliminate nine railroad grade crossings, seven of which are in constant use by the railroad company.

Chairman Cabell advised that the railroad grade separation program for 1938 and 1939 has already been prepared. He granted that this project would be a good one for such program and agreed to give it serious consideration in the formulation of the next program for railroad grade separation funds.

A delegation from Dundee, in Yamhill County, headed by W. S. Allan, former County Commissioner of Yamhill County, and including Mayor Morris D.

Parks, A. A. Parrett, Emil Sander, Paul J. Groth, and A. H. Allan, came before the Commission and urged the paving of the Pacific Highway West full width between curbs, through the business district of their town. The Commission indicated a favorable attitude toward this request but deferred definite action thereon pending a report from the Engineer as to just how many blocks would have to be paved and what it would cost to do the work. The Engineer was instructed to report on this matter at the next meeting.

Mr. N. M. Marsh, of Marshfield, came before the Commission in regard to the penalty imposed upon him for transporting over the Oregon Coast highway loads of logs weighing in excess of the statutory load limits and the reduced load limits ordered by the Highway Commission for that particular section of the highway. He admitted the overloads; nevertheless asked the Commission to modify the penalty inasmuch as his trucks have been out of service for several weeks, and, in his estimation, he has already been penalized sufficiently for the offense.

He was informed that the Commission did not adopt its rulings for such offenses until it was forced to do so by reason of the fact that logging operators, generally, would not cooperate with the Commission and keep their loads within proper weight limits, so the Commission had to adopt a more drastic ruling and feels that it cannot make any exceptions thereto now without defeating its purpose. Mr. Marsh then asked the Commission to release on May 1st one of his trucks which, according to the penalty, is to be kept out of service until May 3rd. The Commission approved the request by unanimous vote, upon recommendation of the Engineer.

A delegation from Reedsport, representing the Chamber of Commerce, and consisting of Mayor Nelson Hogan, Wm. Lovelace, and a Mr. Burdick, was present and asked the Commission to pave "L" Street in their town, the route of the Umpqua Highway, full width for three blocks between 12th and 15th Streets. They also asked for construction on permanent alignment of a section of this highway easterly from 15th Street about 1/4 mile to a point where the new location will connect with the present highway, at Station 60+00. They urged the Commission to make provision for such construction in 1939, but in the meantime to oil the present road to allay the dust.

The Engineer advised that this is a desirable improvement and that a location survey for the same is now being made. Chairman Cabell advised that the project will be given fair consideration for next year's program.

Mr. Frank Ott came before the Commission at this time in regard to his claim for damages arising out of the reconstruction of his siphon across the Fremont Highway, near Paisley, in Lake County, which matter was discussed by the Commission previously during this session. Mr. Ott stated that he would be satisfied with the restoration of his irrigation system to the condition it was in before the highway construction. He said that he originally irrigated 25 acres of land but now is unable to irrigate any of it because of failure of the siphon to function; in fact, he lost his 1937 crop because of lack of water and has been unable to plant a crop for this season. He asked the payment of \$200 for the loss of the crop for both years, and an

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additional amount for the land that cannot be irrigated when the irrigation system has been rebuilt.

The Attorney advised that his investigation of this matter reveals that the state is responsible for the crop losses and is obligated to pay Mr. Ott for the same; further, that the Commission is under obligation to restore Mr. Ott's irrigation facilities. The Engineer recommended opening up the lower end of the siphon for gravity flow of water and the digging of a ditch from this siphon across Mr. Ott's land to a connection with the existing ditch. He also recommended that the Commission pay for the land that cannot be irrigated when the facilities have been restored, being a fraction of one acre, and also pay Mr. Ott for the loss of the crops. Mr. Ott indicated a willingness to accept settlement on such basis, and the Commission approved the same by unanimous vote, subject to the condition that Mr. Ott does not demand an exorbitant amount for the land.

After considerable discussion Mr. Ott agreed to accept \$90 per acre for the land that was formerly under irrigation but which cannot now be irrigated because of the reconstruction of the highway, such rate being the difference between the value of irrigated land and the value of nonirrigable land in the vicinity. The matter was referred to the Engineer to work out the details.

The County Court of Sherman County, represented by County Judge George A. Potter and County Commissioner David Reid, was present in the interests of the Federal Aid Secondary Highway Program. They gave as their understanding that the Commission has budgeted the sum of \$10,000 of federal secondary moneys in its 1939 program for the improvement of the county road between Moro and Hay Canyon, in Sherman County. They stated a preference for the improvement of the Moro-Erskine county road, if it is not too late to make a change at this time. The Commission agreed to bear their request in mind, although it is now too late to make a change in the present program.

Mr. Alton J. Bassett, Secretary of the Capitol Reconstruction Commission, was present in regard to the proposed improvement of the north approach to the new State Capitol at Salem. The Engineer advised that the City of Salem has plans to install new sewers on Court Street prior to the repaving of this street, but the city has no funds to finance this construction and will have to hold a special election in the month of May to provide for the same, and will not be able to build the sewer in the event that the people will not approve; so there is a possibility that the Highway Department's work will have to wait until fall. He suggested, in view of the circumstances, that the Commission defer the taking of bids for the paving work until the latter part of June or the early part of July, when it will be known definitely whether or not the city can proceed with the sewer construction. The Commission approved the suggestion and so ordered.

Mr. Claude I. Scoffins and Mrs. Zelda Ploeger, Tigard, came before the Commission in regard to the proposed rerouting of the Pacific Highway West through their town. They inquired whether or not the Commission has as yet adopted a permanent route for this revision and were informed by Chairman

Cabell that the Commission has not yet decided this question because of the indefiniteness of right of way costs, but will do so as soon as possible. In this connection the Secretary presented a petition signed by numerous residents of the town of Tigard recommending the adoption of the southeasterly survey for the permanent routing of this highway.

Miss Ruth Beatty, Brownsville, was present in regard to the rerouting of the Halsey-Sweet Home Secondary Highway in Brownsville. She gave as her understanding that the plans for this improvement require the removal of her mother's house and the destruction of some trees. She asked that the plans be revised, if possible, so as to miss this property; and, in the event that cannot be done, that the house be moved at the earliest possible time.

The Engineer advised that if the improvement is constructed to permanent standards, Mrs. Beatty's property cannot be avoided, although that would be a desirable thing to do if possible. He further advised that the Commission proposes to take bids for this project on June 2 and that options for the right of way are now being secured. After discussion, the Commission ordered that negotiations with Mrs. Beatty for the acquisition of her property be given special attention. In order to expedite settlement, the Commission referred to Chairman Cabell the matter of approval of the consideration to be paid for Mrs. Beatty's property.

Mr. Elmer Bankus, Brookings, was present in regard to the reconstruction of the Oregon Coast Highway through the town of Brookings. He was informed that the Commission has no money with which to finance this project at the present time, so the only encouragement that the Commission can give at this time is to state that this project will be given preference in the next state highway program, if there are funds to finance it. Mr. Bankus advised that the people of Brookings are still willing to donate the right of way for the project if the Commission will pay the cost of removing the buildings therefrom. He was informed that the Commission prefers not to move buildings until the project is ready for construction.

Mr. Bankus then asked the Commission to adopt the permanent route for the highway and to stake out the right of way line so that people can develop and improve their properties in conformity therewith. He was informed by Chairman Cabell that it is contrary to the established policy of the Commission to adopt highway routes until the Commission is ready to proceed with construction.

Mrs. Pearl S. Koble, Ashland, came before the Commission in regard to her claim for damages resulting from a slide which she alleges occurred on her property by reason of the construction of the Pacific Highway on new alignment in the Siskiyou Mountains, south of Ashland. She exhibited numerous pictures and read several affidavits from local residents in support of her oral arguments on behalf of her claim. She also presented a claim on behalf of L. D. Dollarhide, a neighbor, who is demanding the sum of \$500 from the Commission as settlement for damages to his property resulting from the same cause. Among other things demanded by Mrs. Koble was the repair of her private roadway.

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The Engineer advised that a very thorough investigation has been made of this matter and there is no question in his mind that the slide occurred from natural causes and that the highway construction work had nothing whatever to do with it. After a lengthy discussion, the Commission by unanimous vote denied Mrs. Koble's claim and advised her to consult an attorney and take the matter into court if she so desires, because it feels that the amount heretofore paid her as consideration for right of way across her property is sufficient. Mrs. Koble insinuated that the Commission has an ulterior motive in referring her to an attorney and stated a preference to file her own claim. She was informed by the Commission that due consideration will be given to any claim that she files. The Attorney was instructed to assist Mrs. Koble in the preparation of her claim on a cash settlement basis. (See minute entry on the following day for details of claim.)

The Commission adjourned at 5:45 o'clock p. m. to reconvene at 9:00 o'clock a. m. on the following day in the same room.

Portland, Oregon, April 29, 1938

The State Highway Commission reconvened at 9:00 o'clock a. m. in the Auditorium of the Public Service Building with all Commissioners, the State Highway Engineer, the Attorney, and the Secretary present.

Bids as follows for highway construction projects were opened and read in conformance with previously published notice:

**BAKER-HOMESTEAD HIGHWAY
BAKER-FLAGSTAFF HILL SECTION
GRADING, OILING, FURNISH CRUSHED GRAVEL IN STOCK PILE**

E. H. Itschner	\$38,762.00
Newport Construction Company and Kern & Kibbe	41,088.60
Roy L. Houck	45,164.00
Leonard & Slate	48,412.00

**NEHALEM SECONDARY HIGHWAY
BRIDGE OVER WALLUSKI RIVER**

Mountain States Construction Company	\$33,788.50
Makela Construction Company	39,273.00
J. F. Johnston	40,004.00
Gilpin Construction Company	41,712.50
Dolan Construction Company	44,458.00

**SALMON RIVER HIGHWAY
OTIS-BOYER SECTION - CRUSHED ROCK OR GRAVEL**

O. C. Yocom	\$12,900.00
River Bend Sand & Gravel Company	12,975.00
Saxton, Looney & Risley	13,720.00
Harold Blake	15,000.00

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SANTIAM HIGHWAY
SHEEP RIDGE-TOLL CREEK SECTION - GRADING

Leonard & Slate	\$130,379.00
Diesel Oil Sales Company	137,010.00
Berke Bros., Inc.	137,639.00
J. A. Lyons	138,465.00
Fisher Bros.	139,960.00
Kern & Kibbe	142,381.00
McNutt Bros.	152,510.00
Roy L. Houck	154,671.00
Morrison-Knudsen Company	160,665.50
E. C. Hall	163,296.00
Joplin & Eldon	194,341.00

WOLF CREEK HIGHWAY
BRIDGES OVER WOLF CREEK

Snook Bros.	\$ 14,105.00
Mountain States Construction Company	15,832.50
J. F. Johnston	15,960.00
Shattuck & Neland	16,199.00
Frank Watt Construction Company	16,377.50
Warren Northwest, Inc.	16,740.00
R. F. Nichol	17,080.00
Averill & Corbin	17,550.00
Edlefsen-Weygandt Company	17,640.00

PACIFIC HIGHWAY WEST
McMINNVILLE SECTION - ROADSIDE IMPROVEMENT

River Bend Sand & Gravel Company	\$ 5,467.50
Leonard & Slate	6,184.00
O. C. Yocom	6,255.00
The United Contracting Company	7,939.30
J. C. Compton	8,489.00

SALEM-DAYTON SECONDARY HIGHWAY
SPAULDING RANCH SECTION - GRADING, SURFACING, OILING

	<u>Using Road Oil</u>	<u>Using Tar</u>
Mountain States Construction Company		\$ 28,944.30
Saxton, Looney & Risley		29,514.00
Leonard & Slate	\$ 32,222.40	31,897.00
Harold Blake		32,571.50
Oregon Contracting Company		33,629.50
E. C. Hall		35,207.00
Joplin & Eldon	36,251.00	36,000.00
Edwin C. Gerber	36,229.00	36,229.55

Chairman Cabell announced that the awards of contracts would be made at 2:00 o'clock p. m. in the same room.

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The Attorney presented the claim of Mrs. Pearl S. Koble for the settlement for damages to her property, same having been prepared as a result of the conference with Mrs. Koble on the previous day. He said that Mrs. Koble alleges that she has 32 acres of land involved in the slide and that she values this land at \$150 per acre; further, that she alleges that the improvements on her property are worth \$52,000 but she will sell her entire holdings to the state for the sum of \$10,000. The Commission declined the offer by unanimous vote.

The Attorney also reported on the claim of Mr. L. D. Dollarhide in the sum of \$500, which was filed by Mrs. Koble. He stated that Mr. Dollarhide's claim arises from highway construction in the vicinity of the Robertson property. The Commission refused to pay this claim.

The Engineer inquired as to what he should do about fixing up Mrs. Koble's wood-hauling road. He said that embankment material from the highway slid across this road as a result of recent heavy rains and that, while practically no damage has been done, it might be proper to clean this off so that the road can be used. He estimated that it would cost \$75 or \$100 to do this. He was thereupon authorized by the Commission to remove this slide material from the roadway but to do nothing for which the state is not responsible.

The Commission had under consideration the matter of approving projects for a proposed P.W.A. construction program, having received information from C. C. Hockley, Regional Director, Public Works Administration, that there is evidence that the Federal Government intends to revive the P.W.A. setup. The Engineer submitted a list of eligible projects, being those that were approved by the Commission for construction in the previous P.W.A. program but were not undertaken because of a change in the P.W.A. rulings.

In the consideration of this matter the possibility of securing federal funds under a new federal program proposed by President Roosevelt, providing for loans to the states without interest, and repayment of the same at the rate of 2% annually, was discussed but no action was taken thereon. The Commission decided to confine its P.W.A. program to a few projects, and accordingly selected the following from the list presented by the Engineer:

Construction of the Fleming Ranch-Shindler Bridge Section of the Albany-Lyons Secondary Highway, in Linn County, consisting of 1.25 miles of grading and surfacing and the construction of a bridge;

Construction of a district maintenance office and storage building at Klamath Falls;

Construction of Umatilla Bridge Section of the Hermiston Secondary Highway, in Umatilla County, consisting of .95 mile grading and surfacing and the construction of a bridge.

The Engineer was authorized and instructed by the Commission to submit such projects to the P.W.A. authorities with the request that the

remaining projects be held pending until it is definitely known whether or not the other federal moneys referred to are obtainable.

The Engineer reported that the Coos Bay Port Commission has refused to approve substitution of a fill and tidegate for a bridge at Catching Inlet; hence it will not be possible to make such substitution in type of construction, as has been requested by the property owners in the Catching Inlet district. In view of this report, the Commission decided to proceed with plans for the construction of the bridge that was originally contemplated. The Engineer was instructed to inform the sponsors of the tidegate project that the Commission has no alternative but to construct a bridge at this location unless the Coos Bay Port Commission will withdraw its objection to the fill and tidegate construction.

The Commission had under consideration the approval of a sign which Foster & Kleiser propose to erect at the junction of the Salmon River Highway and the Oregon Coast Highway, in Lincoln County, directing travel through Newberg, Sheridan, McMinnville, and other towns between Portland and Otis. Inspection of a sample sign revealed that it did not meet with the legal requirements, and accordingly the installation of the same was disapproved by the Commission by unanimous vote. (This matter was discussed later in the session when a representative of Foster & Kleiser was present, at which time the matter was gone into more in detail, with the result that the Commission deferred definite action on the matter until the next meeting.)

The Engineer requested instructions in regard to the disposal of numerous chain-type signs which have been installed in various places along state highways apparently for the purpose of directing travel to the Longview-Rainier Bridge over the Columbia River. He said that the signs evidently were erected at the direction of the Longview-Rainier Bridge Company; that some of them are not objectionable; but that others attempt to direct traffic and therefore conflict with the Oregon law in regard to signs. He suggested that a letter be written to the company calling attention to the law in this regard and that the company be ordered to remove the signs that are in conflict with the law, and that it be requested also to remove those that apparently meet the legal requirements but are objectionable from the standpoint of preserving the aesthetic features of the highway. The Commission approved the Engineer's suggestion and instructed him to write such letter to the Longview-Rainier Bridge Company and to give them 10 days within which to remove the illegal signs. He was authorized to take steps as may be necessary to remove such illegal signs with state forces in the event that the company will not cooperate.

The Engineer was instructed also to see what can be done about removing the sign of the Marcus Whitman Hotel at Pendleton, which contains misleading information in regard to distances from Pendleton to Seattle.

In connection with this matter the Commission discussed the removal of signs from the Columbia River Highway through the Parkrose District just east of Portland, which has heretofore had the attention of the Commission. The Attorney advised that public officials who are charged with the maintenance of highways have certain responsibilities with respect to such highways

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and that city officials have similar responsibilities with respect to city streets, but it is the Highway Commission's responsibility exclusively to maintain state highways outside the corporate limits of cities and towns. He further advised that the courts have construed that the law with respect to cities not only makes the city officials responsible for the surface of the street but it also makes them responsible for the area overhead, and, in his estimation, the same interpretation could be applied to the Highway Commission's jurisdiction over state highways; so, in view thereof, the Highway Commission could be held responsible for a sign which overhangs the highway. He further stated that, while the statutes prohibit the maintenance of advertising signs within the right of way of state highways outside of cities and villages, in his estimation the Highway Commission could adopt a resolution to prohibit signs from being erected on the highway or overhanging the highway, and that the Commission could enjoin the maintenance of such signs if it so desires. In the discussion of this matter the Commission indicated that it would not object to the maintenance of a sign which is attached closely to a building through a district where there is a well-defined sidewalk area off the traveled portion of the highway but would be absolutely opposed to signs which overhang the highway and to so-called curb signs.

In regard to the signs in the Parkrose District, the Commission decided to recommend to the delegation from Parkrose, which is to appear before the Commission later in the day, the incorporation of this district, which would automatically dispose of the issue and would relieve the Highway Commission from responsibility with respect to the signs in this particular vicinity.

A delegation representing the Oregon Roadside Council and headed by Mrs. Jessie M. Honeyman, Portland, conferred with the Commission in regard to financing an educational program which they propose to conduct with a view to carrying out the recommendations of the State Planning Board for an organized effort to remove signs from roadsides and to clean up such roadsides, such cleanup work to be conducted on private property adjacent to but outside the highway right of way and therefore outside the Highway Commission's jurisdiction. Others in the delegation were Mrs. Effie Smith, Mrs. A. E. Rockey, Mrs. Jack Murphy, all of Portland, and Mrs. E. C. Dalton of St. Helens.

Mrs. Honeyman read aloud and then presented to the Commission a petition requesting a contribution of \$3,600 of state highway funds to finance such educational work. They were informed by Chairman Cabell that the Commission regrets exceedingly that it does not have the legal authority to spend state funds in this cause. He further stated that the Highway Commission approves the plans of the Oregon Roadside Council in this regard and is in sympathy with the movement, but because of the legal barrier is prohibited from assisting in the financing of the work as a state body. Commissioners Aldrich and Tou Velle concurred in the remarks of Chairman Cabell. Each Commissioner thereupon made a personal contribution toward the fund which the Council is endeavoring to raise. The Roadside Council was authorized by the Commission to make general use of the statements made by Chairman Cabell in regard to this undertaking.

The Commission discussed briefly the offer of the City of Portland

to convey unto the state property known as the Vista House on the Upper Columbia River Highway, in Multnomah County. The matter was referred by the Commission to Chairman Cabell and the Engineer, with power to act.

The Commission also discussed briefly matters pertaining to the Cartwright Bill now before Congress which provides for federal highway funds for the fiscal years 1940 and 1941. In view of the urgency of this matter the Commission decided to wire the Oregon representatives in Congress urging their assistance in securing the passage of this bill at this session of Congress. The Attorney was instructed to prepare and send such telegram.

The matter of permitting the mooring of boathouses and floating docks that are used by fishermen in connection with fishing activities in the Columbia River near Corbett had the attention of the Commission. The Attorney recalled that the Commission some time ago authorized the continuance of fishing activities in the vicinity of Corbett where the state owns tidelands and has acquired adjoining uplands, and at the present time piling and dolphins which have been placed in the river are used as moorages for boathouses, floating docks, et cetera, which facilities will have to be moved out farther into the river when the highway is constructed. He said that this question is involved in some of the right of way dealings for the new highway and requested instructions as to just how far he should go in making commitments regarding expense of removing the present facilities and giving assurances as to what the Commission will permit in the future. He inquired particularly whether or not the Commission would permit any new docks or buildings to be constructed in such places, or new piling driven, and, if so, what will be the requirements of the Commission as to the granting of permits and the supervision and control over the construction of structures and the subsequent maintenance thereof.

The Engineer advised that at least one of these owners has requested definite information as to the policy of the Commission with respect to the dock at Corbett before she will agree to right of way negotiations. He further stated that at a previous meeting the Commission announced that it did not wish to deprive the fishermen in this vicinity of convenient access to the river and instructed the Engineer to select several sites along the river where fishermen would be permitted to maintain docks, and one of the sites selected is at Corbett. He suggested that the fishermen be allowed to re-drive their dolphins and maintain their harbor in the same relative position at Corbett as they now have until such time as the new highway is constructed, when they will have to establish their docks farther out in the river, and that the matter be covered by issuance of revocable permits.

After discussion the Commission approved the Engineer's suggestion by unanimous vote subject to the condition that permits should be limited to the restricted area at Corbett, and if requests are received for permits to maintain similar facilities at other locations, then they shall be brought to the attention of the State Highway Commission for approval.

The Commission had under consideration a letter from Mr. Earl B. Moore, City Attorney of John Day, Oregon, in regard to a controversy between

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the city and Mr. Ira G. Boyce relative to the maintenance of a siphon across the John Day Highway in the eastern part of John Day. It appears that this siphon is maintained in an unsanitary condition and at times becomes a nuisance to surrounding households, and that the City Council has gone on record as opposed to the continuation of permission to maintain this siphon, but Mr. Boyce insists that his franchise or permit for the maintenance of the same in its present location be continued. It is Mr. Moore's contention that the State Highway Commission is concerned because the siphon is constructed across the highway right of way and he is requesting the Commission to take no action in regard to the matter until the City Council has completed its negotiations with Mr. Boyce. After discussion the Commission instructed the Engineer to suggest to the city officials that the city condemn the siphon as a nuisance. The Commission authorized the Engineer to fill up the siphon in the event the city's proceedings are successful.

A letter was presented from Sherman A. Brown, Sheridan, Oregon, requesting authority to maintain a small pumping plant within the limits of the highway right of way near the Goose Neck Creek Bridge on the Dallas-Coast Secondary Highway at Buell. The Commission denied the request by unanimous vote.

A letter was presented from Frank Z. Howard, County Engineer of Klamath County, on behalf of the Klamath County Court, relative to the allocation of Federal Aid Secondary Highway Funds in Klamath County. It appears that the Commission has budgeted an amount of \$12,000 of the 1938 funds for the Whitney Bridge Road, and \$24,000 of such funds for the Malin-Bonanza Road, but the County Court wants all of these funds expended for the improvement of the Malin-Poe Valley-Bonanza Road, and has stated its willingness to assume the responsibility of oiling the other road this year. The Engineer recommended adherence to the program as arranged, and if the work on the Whitney Bridge Road does not require all of the funds that have been set up for the same, that the amount remaining be expended for the further improvement of the Malin-Bonanza project. The Commission approved the recommendation unanimously.

A letter was presented from F. L. Owens, Cloverdale, Oregon, urging improvements to the Oregon Coast Highway in front of his premises so as to reduce the hazard that now exists when he drives his cattle back and forth across the highway. The Engineer advised that the highway passes between Mr. Owens's house and his barn and that Mr. Owens is a dairy rancher and has occasion to drive his cows across the highway several times a day, which is rather hazardous due to the fact that there are several curves in the highway at this point. He further stated that the existing highway is not in a permanent location and that it is proposed to reconstruct it at some future date as a major project, but the Commission has no funds to finance such work now. He suggested the installation of a 72-inch metal pipe across the highway for use as a cattle pass and estimated that such pipe could be installed for about \$1,200. He pointed out that this pipe could be removed to the new highway location when the highway is reconstructed, so the pipe expense would not be entirely lost.

In the discussion of this matter it was pointed out that Mr. Owens

donated the right of way for the new highway with the understanding that a cattle pass would be constructed under the same for his use. In view of the circumstances and the fact that the Commission is apparently obligated to do something for Mr. Owens to alleviate the danger caused by this condition, the Commission by unanimous vote authorized the Engineer to install a cattle pass of the cheapest possible type across the highway at this location, costing not more than \$1,500.

The Commission considered and denied a request from Major S. L. Damon, United States War Department, for permission to construct a bus-passenger waiting room on the right of way of the Lower Columbia River Highway at a point near Gasco Station, between Portland and Linnton, it being strictly contrary to the policy of the Commission to permit such encroachments.

The Commission considered a letter from Mr. F. E. Trontier, Medford, requesting the paving of a parking strip in front of his place of business in Medford. The Commission denied the request because of the precedent that would be established and for the further reason that available funds will not permit the Commission to embark on a program of this kind at the present time.

A letter was presented from Mr. Glen Meyers, Oregon City, inquiring whether or not, when the new highway is constructed along the waterfront in Oregon City, houseboats will be allowed to remain in the river between 7th and 14th Streets. It appears that Mr. Meyers owns a houseboat at this location and has made application to the city of Oregon City for water service, but the city refuses to extend such service to his boathouse until it is known definitely whether or not the boathouses will be allowed to remain in their present location when the highway is constructed. The Engineer pointed out that if these houseboats are allowed to remain in their present location, it would defeat the purpose for which the land between the highway and the river was acquired by the state, which purpose was to eliminate any possibility of encroachments upon the state's property by buildings or facilities of any kind, and he suggested that the mooring of houseboats at such location be not allowed. The Commission concurred in the viewpoint of the Engineer and ordered that Mr. Meyers be so informed. The matter was referred to the Attorney to prepare an appropriate letter to Mr. Meyers.

The Commission adjourned at 12:30 o'clock p. m. and reconvened at 2:00 o'clock p. m. in the same room, with Chairman Cabell and Commissioner Tou Velle present and participating. Commissioner Aldrich was excused from attending the remainder of the session because of other pressing matters. Also present were the State Highway Engineer, the Attorney, and the Secretary.

Chairman Cabell announced the following awards of contracts for which bids were taken at the morning session, such awards having been previously approved by the Commission by unanimous vote:

"Baker-Flagstaff Hill Section of the Baker-Homestead Highway, in Baker County. 5.68 miles grading and oiling; also furnish 2,000 cu.yds. crushed gravel in stock pile. The low bid received for this project was that of E. H. Itschner, Molalla, at \$38,762.00.

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The next low bid was that of Newport Construction Company and Kern & Kibbe, Portland, at \$41,088.60. There were 2 higher bidders. The Commission has referred all bids received for this job to the Engineer with power to award the contract to the low bidder when certain conditions have been satisfied.

"Walluski River Bridge Section of the Nehalem Secondary Highway in Clatsop County. Remodel 130 lin. ft. steel swing span; construct 348 lin.ft. pile trestle approach; and 0.34 mile grading and surfacing. The Mountain States Construction Company, Eugene, submitted the low bid for this project, at \$38,788.50. Makela Construction Company, of Astoria, submitted the next low bid in the amount of \$39,273.00. There were 3 higher bidders. The Commission has awarded this contract to Mountain States Construction Company at its low bid of \$38,788.50.

"Otis-Boyer Section of the Salmon River Highway, in Lincoln and Tillamook Counties. Furnish 5,000 cu.yds. crushed rock or gravel in stock piles. O. C. Yocom, Portland, was the low bidder on this job, at \$12,900.00. River Bend Sand & Gravel Company of Salem was the next low bidder at \$12,975.00. There were 2 higher bidders. The Commission has referred all bids received to the Engineer, with power to award the contract to the low bidder when certain conditions have been satisfied.

"Sheep Ridge-Toll Creek Section of the Santiam Highway, in Linn County. 1.53 miles grading. Leonard & Slate, Multnomah, submitted the low bid therefor in the amount of \$130,379.00. Diesel Oil Sales Company, Seattle, Washington, submitted the next low bid in the amount of \$137,010.00. There were 9 higher bidders. The Commission has awarded this contract to Leonard & Slate, the low bidders, at their bid of \$130,379.00.

"Construction of two concrete bridges on the Wolf Creek Highway, in Washington and Columbia Counties. Snook Bros., Eugene, submitted the low bid in the amount of \$14,105.00. The next low bid was submitted by the Mountain States Construction Company, Eugene, at \$15,832.50. There were 7 higher bidders. The Commission has awarded this contract to Snook Bros. at their low bid of \$14,105.00.

"McMinnville Section of the Pacific Highway West, in Yamhill County. 2.04 miles roadside improvement. The low bid received for this project was that of the River Bend Sand & Gravel Company, Salem, at \$5,467.50. The next low bid was that of Leonard & Slate, Multnomah, in the amount of \$6,184.00. There were 3 higher bidders. The Commission awards this contract to the River Bend Sand & Gravel Company at its low bid of \$5,467.50.

"Spaulding Ranch Section of the Salem-Dayton Secondary Highway, in Yamhill County. 1.66 miles grading, surfacing and oiling. The

Mountain States Construction Company, Eugene, submitted the low bid of \$28,944.30, based on the use of tar. This company submitted no bid using road oil. The next low bid was that of Saxton, Looney & Risley, Oak Grove, in the amount of \$29,514.00, also based on the use of tar. This company did not submit a bid using road oil. There were 6 higher bidders. The Commission has referred the bids received on this project to the Engineer with power to award the contract to the low bidder when certain conditions have been satisfied."

Messrs. Fred Spoeri, John Abbett, and C. H. Hoss, representing residents of Glencullen district, near Hillsdale, Multnomah County, were present in regard to the improvement, as a state highway route, of the old Southern Pacific railroad grade between Hillsdale and a connection with Barbur Boulevard, Portland. Mr. Spoeri headed the group. He said that this section is about 3/4-mile long and that the railroad company has indicated a willingness to relinquish the same to the state for state highway purposes and they are now requesting that that be done as an aid to the development of the district contiguous thereto.

The Engineer advised that, in his estimation, the project has merit and that, if the Commission so desires, the work can be done as a county road project to be financed with Federal Aid Secondary Highway Funds. After discussion the Commission referred the matter to the Engineer for investigation and report.

A delegation from Depoe Bay, Lincoln County, came before the Commission in regard to the purchase, by the state, of the E. B. Winchell tract of land located at the north end of the Depoe Bay Bridge on the Oregon Coast Highway and between the highway and the Pacific Ocean, said tract of land containing a fraction of an acre. The group consisted of C. W. Crawford, Charles Turner, and Paul Baird, all of Depoe Bay, and Mr. Carl Johnson and Mr. W. B. Schively, attorney, of Portland. Mr. Schively was spokesman for the group.

He urged the Commission to acquire this tract so as to keep it from being commercialized and to prevent a building from being constructed thereon which would interfere with the view of the ocean from the highway. He said that a Mr. Harley O. Youngblood, Portland, is now negotiating with Mr. Winchell for the acquisition of the tract and plans to construct a building thereon in which to conduct a restaurant business, and, in their estimation, the state should intercede so as to prevent the property being used for such purpose. They gave as their understanding that the property is being purchased by Mr. Youngblood for the sum of \$3,500 and stated their willingness to contribute the sum of \$500 toward the cost of the property if the State Highway Commission can obtain it and will pay the remaining amount necessary to secure title to the same.

The Engineer stated that the area joins the state park at this location and in his estimation the state should own it if it can be acquired for a reasonable amount. He pointed out that the Commission has plans to

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widen the bridge at this point and in connection therewith will need some of the area for right of way and in view thereof suggested that the Commission acquire at least enough for such purpose.

Mr. Schively presented a petition signed by 61 residents of Depoe Bay and vicinity urging the Commission to acquire this area.

Mr. Youngblood, who is purchasing the tract from Mr. Winchell, was also present. He said that he has had an option on the property since the summer of 1937 and has already prepared plans for the development of the same, in fact has already started to construct foundations for a building. He further stated that he intends to proceed with the development work and that the land is not for sale although he would be willing to let the state have the small portion that is needed for right of way.

Chairman Cabell asked Mr. Youngblood how much he would take for his interests in the whole tract. Mr. Youngblood reiterated that it is not for sale but if he had to sell it he would not consider less than \$10,000. He filed with the Commission a petition signed by 26 residents of Depoe Bay and vicinity urging the Commission not to purchase any more of the property than is actually needed for right of way purposes.

The Commission considered, after further discussion, that the price demanded by Mr. Youngblood is more than the state can pay for the property; also that it is now too late to get Mr. Youngblood to change his plans. The Engineer asked Mr. Youngblood to defer further construction activities until the State Parks Superintendent has had an opportunity to make some investigations relative to encroachments on the state's land. He agreed to do this but advised that he now has men working there and such investigation should be made without delay. Mr. Youngblood pointed out that some steps are needed leading down from the state's property to his land and gave as his thought that the state should construct such steps; also that he should have an entrance to his property through the stone wall at the edge of the parking area. The Engineer advised him to make no encroachment until the matter has been passed upon by the State Parks Superintendent who will be requested to pass upon the matter of steps at the same time and to render a report to the Commission.

The Engineer was instructed later by the Commission to secure an option from Mr. Youngblood for the acquisition of the land that is needed for right of way. He was authorized to offer him \$150 for such parcel and to condemn the right of way at once in the event the offer is refused.

Mr. Fred Williams, attorney, Salem, came before the Commission in regard to the Volz property that the Commission is endeavoring to purchase as an addition to Silver Creek Falls State Park, in Marion County. He said that he represents Mr. Roman Kintz, who is a tenant on this property; that Mr. Kintz took possession of the property about July, 1936, and immediately constructed on the premises a building for the conduct of a cafe business, and that he has invested therein the sum of \$1,962. Also, that Mr. Kintz's lease

will not expire until 1941, but he has an option to renew the lease at that time for another 5 years if he so desires. He further stated that Mr. Kintz is willing to sell his leasehold and the buildings to the state for the sum of \$3,443.00.

The Attorney advised that this property is now under condemnation but the lessees have not been made parties to the suit. The Engineer said that Mr. Kintz's buildings are of no value to the state whatsoever. He recommended that the leasehold be allowed to run out and that when it expires Mr. Kintz be allowed to remove his buildings if he wants them. The Commission deferred action on the matter pending consultation with the State Parks Superintendent.

A delegation from Parkrose, headed by Mr. Paul Sayre, attorney, Portland, came before the Commission in regard to the maintenance of business signs along the Columbia River Highway through the Parkrose district, just east of Portland. Others in the group were F. G. Clark, florist; C. M. Gilbert, proprietor of variety store; L. M. Schwary, grocer; W. L. Playfair, druggist; Robert Beadle, realtor; J. P. Cooper, proprietor of All States Auto Court; John W. Connany, realtor; George A. Zilka, service station operator; F. A. Stalcup, restaurant owner; Joe Estenson, proprietor of woodworking shop; and Henry Kempenich, Manager of Columbia Food Company.

Mr. Sayre urged the Commission to modify its recent order with respect to the removal of advertising signs through this district. He alleged that compliance with the order would create a hardship and cause irreparable damage. He pointed out that there are many business establishments along the highway through Parkrose, which is situated outside the city limits of Portland and is not an incorporated town. Furthermore, the district has no street-lighting system, and advertising signs are needed to provide such service as well as to advertise places of business. He urged the Commission to reconsider its previous action and to permit the signs to be maintained along this highway under a code of regulations similar to the regulations covering the maintenance of signs along the streets in Portland.

Mr. Clark admitted that some of the existing signs should be removed but stated that there are others which should be allowed to remain, subject to regulation by the State Highway Commission. He concurred in the statements of Mr. Sayre in this regard and advised that if the Commission will adopt appropriate regulations the majority of the businessmen in the Parkrose district will comply with them.

Chairman Cabell advised that when orders were issued for the removal of the signs in question, the Commission was under the impression that the law compelled the removal of the signs, but further study of the law indicates that the Commission may use its own discretion in the matter. However, notwithstanding the apparent ambiguity of the situation, it appears to the Commission that the public wants the signs removed and if the Commission proceeds with that in mind, all of the signs will have to be taken down except the official road signs. On the other hand, if the Commission permits exceptions, where is the line to be drawn, at the city limits or at some other point?

Mr. Sayre gave as his thought that the highway through Parkrose is in the same category as a city street in Portland and that the Commission would be strictly within its rights in controlling the signs as they are controlled in Portland. It was his thought that when a street is predominantly a business street, such as is the highway through Parkrose, businessmen should have the right to maintain the awnings and signs in front of their premises; but, where only a few businesses are concerned, the problem takes a different aspect and in that case the Commission could order the signs placed back of the right of way line.

The question of responsibility for damages incurred in case of an accident due to one of the signs was brought up by Chairman Cabell. He pointed out that the city of Portland has facilities to control the sign situation, but the State Highway Commission does not have such facilities and if an accident should occur the State Highway Commission might be held liable. He suggested that the people of Parkrose incorporate, which would relieve the Commission in situations of that kind. Mr. Sayre agreed that incorporation of the district would solve the problem satisfactorily but explained that the people of Parkrose do not want to incorporate because they would then be required to pay city taxes. After further discussion it was agreed by all that the matter should be given further study and that an attempt should be made to work out a solution prior to the next regular meeting of the Commission on June 2. The Commission instructed the Engineer to confer with representatives of the Parkrose district in the meantime in regard thereto.

The County Court of Linn County, represented by County Judge J. J. Barrett and County Commissioner H. A. Reninger, came before the Commission in regard to Linn County's indebtedness to the state for cooperative construction of the Santiam Highway. The following settlement of this claim was mutually agreed upon: (1) The state's claim against the county is in the amount of \$34,206.69, but the county court denies the debt; (2) Linn County Court agrees to pay the state the sum of \$20,000 in full settlement of the state's claim, and the State Highway Commission agrees to accept such sum as such full settlement; (3) The County Court agrees to pay the State Highway Commission a check or warrant in the amount of 40 per cent of the estimated contract price of the proposed Peoria-Harrisburg county road construction project plus 10 per cent for engineering and contingencies, but not to exceed the total sum of \$20,000, at such time as the Highway Commission advertises this project for bids, it being understood that the job will be contracted during the 1938 season; (4) When the Peoria-Harrisburg construction job is completed an adjustment of costs will be made to make certain that the county does not pay more than 40 per cent of the final costs thereof, including 10 per cent for engineering and contingencies, and not exceeding a total of \$20,000. In the event that the adjustment shows that the county is credited with the payment of less than \$20,000, then the County Court agrees to pay the difference as a contribution to the state's match money at such time as the state contracts the improvement of another county road project in Linn County to be financed with Federal Aid Secondary Highway Funds. The Attorney was instructed to prepare a form of agreement with the county on the basis of the settlement outlined above.

In this connection it was pointed out to the Linn County Court that the Peoria-Harrisburg project must terminate at the city limits of Harrisburg because of the federal requirements which prohibit the expenditure of Federal Secondary Highway Funds for construction of roads within the corporate limits of cities and towns; hence, if the court desires the improvement within the city limits of Harrisburg, the work will have to be financed with either county or city funds. The County court was also informed that when the contract for this improvement is prepared, the city's portion of the work will be omitted unless the city or county provides the funds to finance it.

A petition was presented from residents of Portland, requesting that Interstate Avenue be re-established as a stop street where it intersects North Portland Boulevard. The Commission considered that this is a matter that comes under the jurisdiction of the Portland City Council and ordered that the petitioners be so informed.

The Commission considered and ordered filed a communication from School District No. 64, Clackamas County, protesting the relocation of the 82nd Street Highway (Cascade Secondary Highway) west of the present highway through the town of Clackamas.

A letter was presented from Mr. A. R. Watsek, Portland, offering suggestions to prohibit the picking of flowers and shrubs along the roadsides of this state. The Engineer was instructed to inform Mr. Watsek that the Commission is now doing its utmost to preserve the natural beauty along the highway rights of way and will continue to do all that it can to preserve the roadside beauty, and to that end has ordered the erection of additional signs prohibiting the picking of flowers and shrubs.

The Commission had under consideration a letter from Mr. Ross Turner, Halfway, Oregon, urging improvements to the Halfway-Homestead Section of the Baker-Homestead Highway, in Baker County. The Engineer was instructed to inform Mr. Turner that the condition of the Halfway-Homestead Section has been investigated numerous times and that the Commission is of the opinion that it would be inadvisable to spend any considerable amount of money for the improvement of this road in view of the fact that there now exists a water-grade route from Robinette to Homestead which is open the year round and is adequate to serve the needs of this community.

A letter was presented from Mr. H. T. Wood, Monroe, Oregon, urging the oiling of the rock shoulders adjacent to the highway pavement through the town of Monroe so as to prevent rocks being thrown by automobiles through the windows of business establishments. The Commission instructed the Engineer to investigate the conditions referred to and render a report at the next meeting as to what it would cost to do this work.

The Commission had under discussion a letter from Pleasant View Community Club, Freewater, Oregon, requesting the placing of stop signs at road intersections along the Umapine Secondary Highway in Umatilla County, as an accident prevention measure. The Commission deferred action on this matter pending a report from the Engineer at the next meeting as to whether or not

there are other highways throughout the state which are in the same category and should be declared stop highways.

Letters were presented from the Manzanita Chamber of Commerce and the North Tillamook County Chamber of Commerce urging the completion of the Neahkahnie Mountain Section of the Oregon Coast Highway in Tillamook County during the 1938 season. The Engineer estimated that such work would cost about \$80,000 in addition to the project that has been authorized for construction this year. He advised that there are no funds available to finance this improvement this year unless savings accrue from the contracting of other work. The Commission decided, after discussion, to consider this project for this year's construction in the event that the savings mentioned by the Engineer materialize; however, made no definite commitment of such savings to the same. The Secretary was instructed to convey such information to the respective Chambers of Commerce.

The Commission discussed a letter from the Manzanita Chamber of Commerce urging that something be done to stop the dumping of refuse on the beach at Manzanita, and the removal of rocks from this beach; also urging the Commission to take action as may be necessary to prohibit motorcycle racing on the beach. The Commission instructed the Engineer to erect "no dumping" signs along this beach and additional signs prohibiting the removal of rocks over 5 inches in diameter from the beach area. He was also instructed to advise the Chamber of Commerce that the Commission does not have the authority to prevent the removal of sand or gravel from the beach nor to prohibit the use of the beach by motorcyclists.

The Commission considered and ordered filed a letter from Lacey V. Murrow, Director of Highways for the State of Washington, regarding the ultimate improvement in Oregon and Washington of the highway between Walla Walla, Washington, and Milton, Oregon, wherein Mr. Murrow advises that the State of Washington does not contemplate undertaking any improvement on the Washington section of this road during the present biennium, which ends March 31, 1939, and therefore can give no assurance that the project will be included in the construction program for such biennium. Mr. Murrow requested that he be informed in the event that the Oregon State Highway Commission allocates funds during 1939 and 1940 for the construction of the Oregon section of this highway so that he may make similar provision for the construction of the Washington section.

A letter was presented from Mr. Walter W. Thiede, Eagle Point, Oregon, requesting permission to conduct mining operations in the state-owned gravel bar located on the Rogue River, near Gold Hill, Jackson County. The Commission deferred a decision in this matter pending a recommendation from the State Board of Department of Geology and Mineral Industries.

A resolution from Buell Grange No. 637, Polk County, asking the Commission to remedy an unsightly and dangerous condition that exists at the state's gravel pit located near the west end of the Mill Creek Bridge on the Dallas-Coast Secondary Highway had the attention of the Commission. The Commission referred the matter to the Engineer for investigation and report.

A resolution was presented from Fort Klamath Grange No. 775, Klamath County, in which the Commission was requested to allocate funds for the oiling of the Klamath Lake Secondary Highway through the Wood River Valley and to cooperate with the U. S. Forest Service and Bureau of Public Roads in clearing right of way, and grading, at the earliest possible time, that portion of this highway that lies within the national forest. The Engineer estimated that to grade, surface, and oil a standard road through the Wood River Valley would cost about \$97,500, and that it would cost \$45,500 to resurface, open ditches, and construct an oil mat treatment on the existing road through this valley, which is 6.5 miles in length; further, that to construct the highway through the national forest, 21.7 miles in length, to proper standards, including grading, surfacing, oiling, and bridges, would cost approximately \$450,000. He said that it would be impracticable to resurface and oil the existing road through the forest because it is constructed to very poor standards. The Commission denied the request because of lack of funds to finance a proper improvement and instructed the Secretary to so inform the Grange.

A letter was presented from Mr. J. C. Dunn, Clerk, Nestucca Union High School, in Tillamook County, urging improvements to the Little Nestucca Secondary Highway in Tillamook County. The Commission denied the request because available funds are insufficient to finance the improvement.

A letter was presented from the Independence Chamber of Commerce, Independence, Oregon, requesting permission to erect two signs on the state highway right of way, one at the junction of the Salem-Dallas Highway with the Independence Secondary Highway, near Brunks Corner, and the other on the Pacific Highway West near Monmouth, which signs are to contain the following inscriptions, respectively: "World's Hop Center, Independence, 5 miles" and "Hop Center, Independence, 1 mile". The Commission denied the request, it being strictly contrary to the Commission's established policy in regard to such matters. The Engineer was instructed to convey such information to Mr. Weddle of the Independence Chamber of Commerce and to inform him further that the Highway Commission is opposed to the erection of all manner of signs upon or adjacent to highway rights of way because, in the opinion of the Commission, they mar the scenic beauty of the roadside; also, that if the Chamber proceeds with the erection of its proposed signs on private property adjacent to the highway, such signs must not contain information that is directional in any sense and must not bear any resemblance to the Highway Commission's official mileage and direction signs and must not be of a competitive nature.

A letter was presented from the National Pitch Products Company, Portland, complaining of unsatisfactory drainage conditions near their property along the Lower Columbia River Highway between Portland and Linnton. The Engineer advised that investigation has been made of this matter and conditions have been found to be substantially as alleged by the company. He estimated that it would cost about \$5,000 to properly take care of this matter and recommended the improvement as soon as funds are available to finance the work, and in any event that the project be included in next year's program. The Commission approved the recommendation by unanimous vote of the members present.

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The Attorney discussed with the Commission the question of acquiring property owned by Swift & Company and at present occupied by a service station within the angle formed by the intersection of Union and Denver Avenues, Portland. He advised that the property is owned by Swift & Company but is under lease to the Standard Oil Company, and that the buildings located thereon and which encroach upon the right of way of Denver Avenue were constructed by the lessee, the Standard Oil Company. It appears that the existing lease will expire soon and the question arises whether or not to require the removal of the buildings in connection with the granting of an extension of the lease by Swift & Company, and whether or not additional land should be secured in this "wy" intersection in order to better safeguard traffic at this point. The suggestion was made that the company be asked to move its buildings a greater distance than is actually required to clear the right of way. After discussion, the Engineer was instructed to look into this matter in connection with his investigations with respect to the installation of safety signals or other protection at this intersection, and render a report thereon, when it will be decided whether or not to negotiate with Swift & Company.

The Engineer reported that in accordance with authority previously granted him by the Commission he has ordered a number of surveys since the Commission's last meeting. He presented a list of such surveys and asked the Commission to confirm his action. After due consideration, Commissioner Tou-Velle moved that the State Highway Engineer be authorized and instructed to make such surveys on various sections of highways of this state, which said sections of highways, together with their identifying survey numbers and the amounts authorized and allocated for such surveys, are as follows:

Plans - - - - -	105-2813 - Mist-Clatskanie Sect., Mist-Clatskanie Sec. Highway.	1st authorization - \$2,390.00
Plans - - - - -	6-2815 - Coquille River-Fat Elk Creek Sect., Oregon Coast Highway.	1st authorization - \$1,080.00
Right of Way - -	107-2805 - Prineville-Jefferson County Line Sect., Warm Springs Highway.	1st authorization - - \$35.00
Geophysical - -	8-2810 - Arizona Inn Slide Sect., Oregon Coast Highway.	1st authorization - - \$300.00
Right of Way - -	8-2805 - Gold Beach Sect., Oregon Coast Highway.	2nd authorization - \$1,050.00
	Total to date \$1,200.00	
Plans - - - - -	215-2820 - Neil Creek-Butte Falls Section, County Road, Jackson County.	1st authorization - \$200.00
Location - - -	17-2802 - Grants Pass-Green Creek Section, Pacific Highway.	2nd authorization - \$1,200.00
	Total to date \$3,200.00	

Test Pits - - - 9-2817 - Lapine-Crescent Sect., The Dalles-California Highway. 1st authorization - \$750.00

Materials - - - 20-2808 - Oak Hill-Veneta Section, Route "F", Lane County. 5th authorization - \$350.00
Total to date \$5,675.00

Plans - - - - 229-2805 - County Roads in Tillamook County. 1st authorization - \$1,400.00

Set Stakes - - - 8-2809 - Azalea Park Road, Azalea Park, Curry County. 2nd authorization - \$125.00
Total to date \$425.00

Geophysical - - 8-2810 - Arizona Inn Slide Sect., Oregon Coast Highway, Curry County. 2nd authorization - \$300.00
Total to date \$600.00

Prepare Plans - 14-2806 - Warren Creek Section, Columbia River Highway, Hood River County. 3rd authorization - \$800.00
Total to date \$1,100.00

Right of Way - - 21-2824 - Waldport-Benton County Line, Alsea Highway, Lincoln County. 1st authorization - \$50.00

Prepare Plans - 222-2813 - Peoria-Harrisburg Sect., County Road, Linn County. 1st authorization - \$150.00

Location - - - - 122-2808 - Brownsville-Crawfordsville Sect., Halsey-Sweet Home Secondary Hwy., Linn County. 3rd authorization - \$1,000.00
Total to date \$5,000.00

Reconn. Survey - 24-2818 - Illahe School-Albany Sect., Pacific Highway East, Marion County. 1st authorization - \$1,300.00

Prepare Plans - 229-2825 - Netarts, Wilson River Loop, Fairview, County Roads, Tillamook County. 1st authorization - \$1,400.00

Bridge Survey - 36-2820 - Newberg Viaduct, Pacific Highway West, Yamhill County. 1st authorization - \$500.00

The motion was approved by the unanimous vote of the Commissioners present.

The Engineer also reported that a number of surveys heretofore authorized by the Commission have been completed. He presented a list of such surveys and reported briefly on each survey listed thereon. After due consideration the Commission approved the respective surveys, as reported, and adopted the following resolution in regard thereto:

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WHEREAS, the State Highway Commission heretofore has authorized and instructed the State Highway Engineer to make surveys on certain sections or portions of the highways of the State of Oregon; and

WHEREAS, pursuant to said authorization the State Highway Engineer has made and completed the said surveys and has filed the maps and plans of the said surveys in the files of the State Highway Commission in Salem, Oregon; and

WHEREAS, the maps and plans of the said surveys have been examined by the State Highway Commission and have been found suitable in all respects for approval and adoption by the State Highway Commission;

NOW, THEREFORE, BE IT RESOLVED that the surveys hereinafter designated and described, together with their identifying location map file numbers, as shown in the map filing records of the State Highway Commission in its Salem office, be and they are hereby adopted and approved as the location surveys of the various portions or sections of highway involved:

<u>File No.</u>	<u>Prefix</u>	<u>County</u>	<u>Type of Survey</u>	<u>Section</u>	<u>Highway</u>
5B12-18	35-2806	Wheeler	Location	Kinsua Junction-Butte Cr. Ranch	John Day
1A6-20	22-2809	Linn	Location	Albany	Pacific East
5B12-22)	113-2805	Harney	Location	Narrows-South	Frenchglen Sec.
5B12-23)					
Br.2486	20-2824	Lane	Prepare Plans	Hill Cr. Bridge	Pacific
Br.2514	135-2807	Wheeler	Prepare Plans	Little Shoofly Creek Bridge	Service Creek-Mitchell Sec.
Br.2262	20-2808	Lane	Vicinity Map	Oak Hill Grade Sep.	Route "F" County Rd.
- - -	4-2817	Clatsop	Tie In Sect. Corner	Wolf Creek-Hamlet Junction	Wolf Creek
5B10-7	122-2808	Linn	Location	Brownsville-Crawfordsville	Halsey-Sweet Home
5B14-17	121-2819	Lincoln	Right of Way	Kernville	Silets Sec.
- - -	10-2819	Douglas	Prepare Plans	Rice Hill-Turkey Hill	Pacific
5B13-9	21-2820	Lincoln	Scale Site	Toledo-Newport	Corvallis-Newport
- - -	20-2827	Lane	Right of Way	South of Bob Cr.	Oregon Coast

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<u>File No.</u>	<u>Prefix</u>	<u>County</u>	<u>Type of Survey</u>	<u>Section</u>	<u>Highway</u>
- - -	33-2812	Wasco	Quarry & Stock Pile	Dufur-Maupin & Wapinitia-Maupin	The Dalles-Cal. & Wapinitia
5B13-7	210-2815	Douglas	Location	Roseburg-Rock Cr.	N.Umpqua (Co.Rd.)
Br.1937	15-2815	Jackson	Prepare Plans	Sardine Cr.Bridge	Pacific
- - -	20-1909	Lane	Right of Way	Lincoln Co. Line-Florence	Oregon Coast
- - -	115-2818	Jackson	Prepare Plans	Gold Hill-Dodge Bridge	Sams Valley Sec.
- - -	2-2810	Benton	Stock Pile Site	Lincoln Co.Line-Alsea Mtn.	Alsea
5B17-12	1-2810	Baker	Reconn.	Baker-Middle Br.	Baker-Homestead
5B13-10	20-2818	Lane	Locat'n & R/W	Cottage Grove	Pacific
- - -	20-2826	Lane	Prepare Plans	Siuslaw Junct.-Ross Station	Pacific
5B13-13	29-2823	Tillamook	R/W Timber Tracts	Polk Co. Line-Lincoln Co.Line	Salmon River
- - -	117-2806	Josephine	Prepare Plans	Pass Creek-Eisman Ranch	Rogue River Loop
- - -	1-2805	Baker	Prepare Plans	North Powder-Haines	Old Oregon Tr.
5B12-4	208-2807	Curry	Location	Squaw Creek	Bagnell Ferry (County Rd.)
- - -	26-2831	Multnomah	Right of Way	Orient Corner	Mount Hood
Br.2457	135-2807	Wheeler	Bridge Survey	Shoofly Creek	Service Creek-Mitchell
Br.2452	18-2820	Klamath	Log.R.R.Cross.	Gilchrist Logging R.R.	Across Willamette
8C24-6	121-2814	Lincoln	Reconn.	Siletz-Toledo	Siletz Sec.
- - -	20-2823	Lane	Stock Pile	Glenada-Lane Co-Line	Oregon Coast
Br.2350	26-2805	Multnomah	Bridge Survey	Sullivan Gulch	Pacific East
Br.2371	18-2817	Klamath	Grade Sep.	Klamath Falls (Main St.)	The Dalles-Cal.
Br.2512	18-2816	Klamath	Structure	U.S.R.S.Flume M.P. 293.66	The Dalles-Cal.
Br.2458	226-2826	Multnomah	Location	Fessenden St. Overcrossing	Columbia Blvd.

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<u>File No.</u>	<u>Prefix</u>	<u>County</u>	<u>Type of Survey</u>	<u>Section</u>	<u>Highway</u>
5B1-14	5-2809	Columbia	Location	Rainier	Columbia River
- - -	20-2819	Lane	Quarry & Stock Pile	Yale Ranch-Alder Springs	McKenzie
Br.2432	125-2805	Morrow	Location	Butter Creek Br.	Lexington-Echo
- - -	15-2813	Jackson	Prepare Plans	Talent-Bear Creek	Pacific
- - -	104-2812	Clatsop	Prepare Plans	Jewell-Mist	Nehalem Sec.
- - -	229-2820	Tillamook	Prepare Plans	Three County Rds.	Pacific City, Netarts & Nehalem East
- - -	20-2801	Lane	Prepare Plans	Junction City-Eugene	Pacific
- - -	4-2815	Clatsop	Stock Piles	Clatsop & Tillamook Counties	Oregon Coast
- - -	36-2812	Yamhill	Prepare Plans	Lafayette	Pacific West
- - -	21-2813	Lincoln	Prepare Map	Yachats Beach Sand Plant	
- - -	21-2812	Lincoln	Right of Way	Ocean Lake-Delake	Oregon Coast
5B17-13)	36-2813	Yamhill	Location	South Yamhill R.	Pacific West
5B11-1)	114-2809	Hood R.	Prepare Plans	Jericho Lane-Odell Junction	Hood R. Sec.
- - -	12-2802	Grant	Location	Flat Cr.-Mt.Vernon	John Day
5B10-18	22-2804	Linn	Relocation	Tangent-Halsey	Pacific East
5B6-14&15	12-2808	Grant	Bridge	N.Fork John Day R.	John Day
- - -	8-2806	Curry	Stock Pile	Curry County	Oregon Coast
5B6-21	4-2810	Clatsop	Bridge	N.Fork Nehalem R.	Oregon Coast
- - -	121-2815	Lincoln	Right of Way	Reed Cr.- Bear Cr.	Siletz Sec.
- - -	10-2818	Douglas	Prepare Estimate	"L" St.,Reedsport	Umpqua
5B12-7	6-2808	Coos	Map City	Bandon	Oregon Coast
8C19-12	19-2204	Lake	Timber Preserve	Quartz Mountain	Klamath Falls-Lakeview
- - -	21-2816	Lincoln	Quarry Site	Eddyville-Burnt Woods	Corvallis-Newport
- - -	1-2809	Baker	Quarry Site	Love Br.-Black Br.	Baker-Homestead

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<u>File No.</u>	<u>Prefix</u>	<u>County</u>	<u>Type of Survey</u>	<u>Section</u>	<u>Highway</u>
---	101-2807	Baker	Quarry Site	E. Unit Missouri Flat	Medical Spr. Sec.
---	1-2808	Baker	Quarry Site	Gibbs Ranch-County Farm	Baker-Unity
---	6-2204	Coos	R/W Govt. Corners	Golden & Silver Falls Park	Coos River (County Road)
---	20-1910	Lane	Right of Way	Glenada-Douglas Co. Line	Oregon Coast
---	130-2818	Umatilla	Retrace Center Line	Hermiston-Columbia River Hwy.	Hermiston
---	14-2811	Hood R.	Quarry & Stock Pile	Viento-Memaloose	Columbia River
---	18-2818	Klamath	Preliminary	Lobert-Top Escarpment	The Dalles-Cal.
---	18-2819	Klamath	Right of Way	Klamath Falls-Lakeview Junct.	Klamath Falls-Lakeview
---	4-2808	Clatsop	Spiral Line	Arch Cape Tunnel-County Line	Oregon Coast
---	22-2810	Linn	Make Model	Albany Overcrossing	Pacific East
---	11-2806	Gilliam	Quarry & Stock Pile	Heppner Junction-Castle Rock & Heppner Junct.-Morrow Co. Line	Columbia R. & Oregon-Wash.
---	31-2810	Union	Quarry & Stock Pile	Kamela-LaGrande	Old Oregon Trail
---	32-2805	Wallowa	Quarry & Stock Pile	Wallowa-Enterprise	Wallowa Lake
---	1-2806	Baker	Quarry & Stock Pile	Baker-Durkee	Old Oregon Trail
---	23-2810	Malheur	Quarry & Stock Pile	Snake River Slides	Old Oregon Trail
---	12-2809	Grant	Quarry & Stock Pile	Forest Boundary-Long Creek	Pendleton-John Day
---	11-2805	Gilliam	Quarry & Stock Pile	Shuttler Flat-Condon	John Day
---	20-2820	Lane	Right of Way	Sutton Lake-Florence	Oregon Coast
588-20	102-2808	Benton	Location	Monroe-Ferguson	Territorial Sec.
---	103-2814	Clackamas	Location	Wilsonville Ferry Approaches	Hillsboro-Woodburn Sec.
---	20-2821	Lane	Right of Way	Tennille Creek	Oregon Coast
---	20-2822	Lane	Quarry & Gravel Pit	Pacific Highway-Yale Ranch	McKenzie
588-9	36-2810	Yamhill	Location	Bellevue-McMinnville	McMinnville-Tillamook
587-15	36-2808	Yamhill	Location	McMinnville	Pacific West

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<u>File No.</u>	<u>Prefix</u>	<u>County</u>	<u>Type of Survey</u>	<u>Section</u>	<u>Highway</u>
5B7-12	104-2809	Clatsop	Bridge	Walluski River	Nehalem Sec.
- - -	29-2819	Tillamook	Right of Way	Dolph-Three Rivers	McMinnville-Tillamook
- - -	34-2816	Wash'ton	Prepare Plans	Forest Grove-Hillsboro	Tualatin Valley
- - -	9-2810	Deschutes	Prepare Plans	Horse Ridge-Brothers	Central Oregon
- - -	224-2807	Marion	Right of Way	Champoeg-Butteville	Champoeg Memorial
- - -	33-2810) 11-2804)	Wasco, Gilliam	Quarry & Stock Pile	M.P. 78.4-100 & 120- 136.36	Columbia River
- - -	22-2801	Linn	Prepare Plans	Lamb Cr.-Glisade Cr.	Santiam
- - -	122-1907	Linn	Right of Way	Crawfordsville-Holley	Halsey-Sweet Home
- - -	22-1906	Linn	Right of Way	Grade Cr.-Storm Cr.	Santiam
- - -	6-2812	Coos	Stock Pile	Mystic Cr.-Powers Ranch	Coos Bay-Roseburg
5B7-23	29-2812	Tillamook	Reconn. & Location	Hebo-Otis	Oregon Coast
- - -	115-2814	Jackson	Prepare Plans	Crater Lake Hwy.-Brownboro	Little Butte Cr.
- - -	4-2814	Clatsop	Prepare Plans	Smiths Point-Youngs Bay Bridge	Oregon Coast
- - -	10-2813	Douglas	Stock Pile	Scottsburg-Drain	Umpqua
- - -	10-2816	Douglas	Stock Pile	Mystic Cr.-Roseburg	Coos Bay-Roseburg
- - -	19-2812	Lake	Retrace Line	Antelope Canyon	Fremont
8C24-8	9-2800	Deschutes	Reconn.	Tumalo	McKensie-Bend
8C24-10	16-2805	Jefferson	Reconn.	Thro' Jefferson Co.	The Dalles-Calif.
5B17-11	18-2813	Klamath	Reconn.	Chemult-Modoc Point	The Dalles-Calif.

BE IT FURTHER RESOLVED that the State Highway Engineer be and he hereby is authorized to make such minor changes in the said locations as may improve the standards of alignment and grades not inconsistent with the general location of the section of highway involved.

The Commission had under consideration the request of contractors Van Cleave & Van Cleave for an extension of time from January 31 to March 14, 1938, within which to complete State Highway Contract No. 2020 covering The

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Dalles Roadside Improvement Project adjacent to the Columbia River Highway in Wasco County. The contractors gave no reason for failure to complete the job within the specified time limit. The Engineer advised that there was no particular reason why the contractors could not have finished this job within the specified time and accordingly recommended that the extension of time requested be granted but that the contractors be charged for the extra engineering expense that the state has incurred subsequent to the specified completion date. He presented a letter from the Bureau of Public Roads concurring therein. The Commission approved the recommendation.

The Engineer reported that Contracts Nos. 1997, 2012, and 2020, for the construction of state highway projects, have been completed according to the requirements of the contracts or modifications thereof, and that said jobs are now ready for acceptance. The following resolution accepting the above projects was offered and was adopted by the unanimous vote of the Commission:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts and said jobs are now ready for acceptance:

Contract No. 1997, with Mountain States Construction Company, for construction of the Southern Pacific overcrossing on Coos River Secondary Highway at Bunker Hill, in Coos County. Completed March 10, 1938.

Contract No. 2012, with Mountain States Construction Company, for surfacing and furnishing crushed rock on the Siletz Secondary Highway, in Lincoln County. Completed April 17, 1938.

Contract No. 2020, with Van Cleave & Van Cleave, for The Dalles Roadside Improvement Project on the Columbia River Highway, in Wasco County. Completed March 14, 1938.

THEREFORE, BE IT RESOLVED, that the work covered by said state highway contracts for the construction of said state highway projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

The Commission considered and signed agreements, et cetera, as follows:

Easement agreement with the Union Pacific Railroad Company and Multnomah County covering construction and maintenance of a structure to carry the proposed Airport Road, Portland, over the main line tracks of the O.W.R.R. & N. Railroad, near Northeast 42nd Avenue, Portland;

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Lease agreement with the Southern Pacific Company providing for a 4-month lease of a stockpile site owned by the company in Hillsboro, being right of way transaction No. 5929;

Agreement with the Weyerhaeuser Timber Company providing for extension of the term of a certain lease for stockpile site, containing .51 acre of land, in the E. $\frac{1}{2}$ of N.W. $\frac{1}{4}$ of Section 3, Township 40 S., Range 4 E., W. M., Jackson County, for a 10-year period, from December 19, 1938, to December 19, 1948;

Agreement with Julius Christensen providing for the elimination of a certain cattle pass located at Highway Engineer's Station 29+50 on the Campbell Bridge-Scholls Section of the Hillsboro-Woodburn Secondary Highway, in Washington County, being further described as Bridge No. 140-06.1;

Agreement with contractor J. F. Johnston providing for the painting of certain bridge structures constructed by Mr. Johnston on the Jordan Creek Section of the I.O.N. Highway, in Malheur County, under State Highway Contract No. 1985;

Quitclaim deed conveying unto Frank Gribbin .86 acre of land situate in Lot 5 of Section 33, Township 15 S., Range 47 E., W.M., Malheur County, being right of way transaction No. 5568;

Petition directed to the Secretary of the Interior, Washington, D. C., for the acquisition by the state, under the provisions of the Recreational Act of June 14, 1926, of a 40-acre tract of land described as the N E. $\frac{1}{4}$ of the S.W. $\frac{1}{4}$ of Section 9, Township 29 S., Range 8 W., W.M., Douglas County;

Agreement with contractor Homer G. Johnson relating to his contract with the State Highway Commission for the construction of the Enterprise-Joseph Section of the Wallowa Lake Highway, in Wallowa County, Contract No. 1797.

The Commission set Thursday, May 12, as the date for its next regular meeting for the consideration of special matters and the disposal of accumulated routine matters. The Commission also set Thursday and Friday, June 2 and 3, as the dates for its regular meeting in June for receiving bids for highway construction projects. The Secretary was instructed to make the usual arrangements for these meetings.

There being no further business to come before the Commission at this time, the meeting was adjourned at 5:00 o'clock p. m.

Proprietor
State Highway Engineer

Secretary
Secretary

Henry F. Cabell
Chairman

E. B. Adair
Commissioner

F. L. Louville
Commissioner

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Portland, Oregon, May 12, 1938

The State Highway Commission met in regular session at 9:00 o'clock a. m. in Room 1201, Benson Hotel. Present were:

Henry F. Cabell, Chairman
E. B. Aldrich, Commissioner
F. L. Tou Velle, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

The Engineer requested authority to acquire certain parcels of real property that are needed for various highway improvements throughout the state. He submitted a list of such properties and prices that he recommended be paid for each. After careful consideration the Commission approved the Engineer's request and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as herein-after more definitely set forth; and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon; and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved and that the acquisition of the properties should be completed;

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Little Shoofly Creek Section - Service Creek-Mitchell Highway</u>				
6044-Keys, Robt. R.	R/W	0.73	Lump Sum \$15	Chandler
<u>Pendleton-Adams Section - Oregon-Washington Highway</u>				
5931-Pendleton, City of	Gravel Pit	1.05	\$23.81 per a.	Wells

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amount	Agent
<u>Warren Section - Columbia River Highway</u>				
5921-Northern Pacific Railway Co.			Lump Sum \$10	Collins
	R/W Slope Easement			
<u>Houlton-Warren Section - Columbia River Highway</u>				
5726-Kister, Wm.	R/W	2439.36 sq.ft.	at 12¢ sq.ft. + \$2707.28	McChesney
<u>Baker-Flagstaff Hill Section - Baker-Homestead Highway</u>				
5988-Montgomery, T.G.	R/W	1.05	\$100 per a. + \$167	Wells
5975-Duncan, Lee A.	Gravel Pit	2.71	\$125 per a. + \$69	"
5981-Robinson, W. J.	R/W	0.02	Lump Sum \$10	"
5979-Prowell, J. E.	"	0.01	Lump Sum \$15	"
5985-Roberts, Amanda Hudson	"	0.34	\$100 per a. + \$90	"
5985A-Roberts, W. B.	"	0.34	\$100 per a. + \$80	"
5978-Voruz, Emma -Gust Gekas-	"	0.45	\$100 per a. + \$112.50	"
5977-Lloyd, R. C.	"	1.20	0.13 a. at \$100 per a. 1.07 a. at \$10 per + \$7.50 plus moving fence	Wells
<u>Fox Creek-Forest Boundary Section - Pendleton-John Day Highway</u>				
5994-Schouten, Richard	R/W	5.06	1.0 a. at \$34.70 1.0 a. at \$25.00 3.06 a. at \$5.00 + \$607.25	McChesney
5998-Simmons, Harve	"	1.84	\$25 per a. + \$245	"
5996-Hiatt, Fannie J.	"	1.61	1.0 a. at \$25 0.61 a. at \$5 per + \$227	"
5997-Hiatt, Jason G.	"	1.75	\$5 per a. + \$166.50	"
5995-Hiatt, W. E.	"	2.13	1.13 a. at \$25 1.0 a. at \$5 per + \$355	"
5993-Carson, Geo. G.	"	8.62	3.0 a. at \$25 5.62 a. at \$5 per + \$755	"
<u>Lebanon-Sweet Home Section - Santiam Highway</u>				
6003-Linn County	Stock Pile	1.25	\$140 per a.	Collins
<u>Brownsville Section - Halsey-Sweet Home Highway</u>				
5963-Amon, W. A.	R/W	1170 sq.ft.	\$0.0316 sq.ft. + \$3	Collins
5947-Montgomery, Hugh L.	"	21867 "	\$0.915 sq.ft. + \$75	"
5951-Stanturf, Harold H.	"	492 "	Lump Sum \$5	"
5952-Aden, Elizabeth M.	"	19215 "	\$0.0122 sq.ft. + \$65	"
5957-Hayes, James E.	"	12288 "	\$0.0195 sq.ft. + \$160	"
5956-Kumler, B. T.	"	18494 "	\$0.026 sq.ft. + \$130	"
5964-Ferrell, J. H.	"	0.06	\$183.33 per a. + \$9	"
5953-Baker, Mary J.	"	22502 sq.ft.	at 2¢ sq.ft. + \$65	"
5948-Green, Jessie I.	"	57 "	Gratin + \$100	"
5954-Robe, Elbert Scott	"	3700 "	2¢ sq.ft. + \$101	"
5946-Beatty, Laura R.	"	0.83	\$451.80 per a. + \$561 + moving bldgs. & level- ing lot (Est. at \$1200)	"

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amount	Agent
<u>Salem-Pringle Creek Section - Pacific Highway East</u>				
5763-Stolzheise, P. F.	R/W	9932 sq.ft.	1 3/4 sq.ft.	McCallister
5764-Stonebrink, M.H. et al	"	17337 "	1 3/4 sq.ft. + \$103	"
<u>Gordon-Fossil Section - John Day Highway</u>				
6045-Greiner, B. F.	Stock Pile	0.66	Land \$25, + \$5	McChesney
<u>Butte Creek Section - John Day Highway</u>				
6055-Butte Creek Land, Live-stock & Lumber Co.	R/W	0.38	\$5 per a. + \$6 + fencing	Williams
<u>Scotts Butte-Blue Mountain Section - I.O.N. Highway</u>				
5809-Mutter, Martha J.	R/W	1.15	\$8.70 per a.	Wells
<u>Sherman County Section - Sherman Highway</u>				
5534-Moore, E. H.	Stock Pile	0.50	Land \$20, + \$5	McChesney
<u>Interstate Avenue Section - Interstate Avenue Highway</u>				
5065-Montag, F. P.	R/W	5000 sq.ft.	Lump Sum \$1500	Benson
5381-Brown, Wade	"	35 "	Lump Sum \$10 + reconstruction concrete wall	"
5063-Sanborn, Frank C.	"	5000 sq.ft.	Lump Sum \$2000	"
<u>Lombard-Killingsworth Section - Northeast Portland Highway</u>				
5743-Ugarkovic, Anna	R/W	1966.5 sq.ft.	2 sq.ft. + \$10	Parker
5666-Flynn, H. L.	"	3302 sq.ft.	2 sq.ft.	"
5441-Barnes, Doris M.	"	6142 "	2 sq.ft. + \$90	"
5494-Jarvis, Martin	"	260 "	2 sq.ft.	"
5565-Bonwell, Wm.	"	410 "	2 sq.ft.	"
5493-Burgard, Ernest C.	"	140 "	2 sq.ft. + moving house, garage (Est. at \$425)	"
5440-Gaither, Forest H.	"	4573 sq.ft.	2 sq.ft. + \$70	"
5438-Gancin, John	"	2480 "	2 sq.ft. + \$50	"
5813-Poplar, Wm.	"	15568 "	2 sq.ft. + \$338 + moving bldgs. (Est. at \$250)	"
5421-Hafner, R. A.	"	14790 sq.ft.	3 sq.ft. + \$406.30	"
5410-Hahn, Conrad	"	1381 "	7 sq.ft. + \$265	"
5443-Nelson, Sybil G.	"	13160 "	2 sq.ft. + \$52.50	"
5437-Foster, Lola O. et al	"	1.717	\$871.20 per a.	"
5439-Chandler Building Co.	"	3547 sq.ft.	2 sq.ft. + \$70	"
5443A-Gustafson, Leonard Urcel	"	19450 "	2 sq.ft.	"
5444-Nelson, Victor (Correct'n)	"	13150 "	Lump Sum \$1200	"
5445-Beck, Eugene	"	12536 "	2 sq.ft. + \$100 + moving (Est. at \$250)	"
5515-Press, A. E.	"	0.082	\$871.20 (2 sq.ft.) + \$30	"
5566-Tanner, Maude M.	"	17493 sq.ft.	2 sq.ft. + \$346.23 (\$325 + 1937 and 1938 taxes - approx. \$21.23)"	"

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Section, Ety., and Owner	Purpose	Acres	Approximate Amount	Agent
<u>Williamson River-Modoc Point Section - The Dalles-California Highway</u>				
5586-Melhase, Richard	R/W	3.11	\$25 per a. + \$23.75 + fencing	Benson
5587-Melhase, Richard	"	3.12	\$25 per a. + \$21.25 + fencing	"
<u>Sunset Camp-Tunnel Section - Wolf Creek Highway</u>				
5223A-Thorsen, Roy A.	R/W	2.96	\$20 per a.	Gardiner
<u>Lake County Line-Sage Hen Summit Section - Central Oregon Highway</u>				
6048-Harney Valley Improvement Co.	Maintenance Station & Gravel Pit Site	12.2	Lump Sum \$200	Stiffler

The Attorney requested authority to condemn certain parcels of real property that are needed for various highway improvements in the event he is unable to reach satisfactory settlements by negotiation. He presented a list of such properties, as follows, with prices demanded by the owners and the values placed thereon by the Highway Commission's appraisers:

File No.	Owner	Purpose	Section	Price Demanded by Owner	Price Recommended by Attorney
<u>Northeast Portland Highway</u>					
5418-Raleigh Chinn Co.	R/W	Lombard-Killingsworth		Not found	\$300.00
5451-Albright, Geo. H. & Graham, Geo. H.	"	"	"	"	61.02
6056-Decker, Beatrice	"	"	"	\$450.00	125.00
<u>Halsey-Sweet Home Highway</u>					
5955-McKinney, Geo. W.	R/W	Brownsville		Not found	\$954.16
5949-McKinney, Julius W.	"	"	"	"	279.52
5950-Sawyer, Mary E.	"	"	"	Not quoted	\$15.00
<u>Pacific Highway West</u>					
5077-Beer, Laura	R/W	Interstate Ave.-Denver Ave.		Not found	\$1050.00
5078-Toft, Ada B., Murphy, E. G.	"	"	"	\$1000.00	787.50
<u>Frenchglen Highway</u>					
5462-School Dist. #9	R/W	Narrows-Coyote Flat		Sch. Clerk killed	\$10-\$25
<u>Pendleton-John Day Highway</u>					
5999-McGirr, Albert	R/W	Fox-Forest Boundary		Not quoted	\$375.00

The Commission approved the appraised values of the several parcels as reported, and authorized condemnation in the event the properties cannot be acquired otherwise. The following resolution in regard thereto was adopted by the Commission by unanimous vote.

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WHEREAS, the State Highway Commission is by law authorized and directed to lay out, locate, designate, construct, improve, and maintain a system of state highways in the State of Oregon, and to acquire rights of way and to declare the necessity and need for the acquisition thereof, and the advantages to be gained thereby;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the State Highway Commission does hereby find and declare that it is necessary and will be of advantage to the State of Oregon and there is need that the State acquire for right of way purposes in connection with the permanent location, construction, improvement, and maintenance of the following section or sections of the state highway system of the State of Oregon, to wit:

Lombard Street-Killingsworth Street Section of the Northeast Portland Highway
 Brownsville Section of the Halsey-Sweet Home Highway
 Interstate Avenue-Denver Avenue Section of the Pacific Highway West
 Narrows-Coyote Flat Section of the Frenchglen Highway
 Fox-Forest Boundary Section of the Pendleton-John Day Highway

land and property owned by or in possession of the following parties and/or persons, to wit:

Lombard Street-Killingsworth Street Section of the Northeast Portland Highway
 The Raleigh Chinn Company
 George H. Albright and George H. Graham
 Beatrice Decker
 Brownsville Section of the Halsey-Sweet Home Highway
 George W. McKinney
 Interstate Avenue-Denver Avenue Section of the Pacific Highway West
 Laura Beer
 Ada B. Toft
 Narrows-Coyote Flat Section of the Frenchglen Highway
 School District No. 9
 Fox-Forest Boundary Section of the Pendleton-John Day Highway
 Albert McGirr

as their respective interests may appear, and this Commission does hereby declare further that the said property or properties are necessary, are needful, and the acquisition thereof will be of advantage to the State of Oregon for right of way purposes in order to make it possible for the State Highway Commission to properly locate, construct, and maintain said portion or portions of the said

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state highway system in accordance with standards adopted by this Commission relative to curvature, grades, alignment, drainage, and factors of safety.

2. That the State Highway Engineer be and he hereby is instructed and directed to properly survey the parcel or parcels of land required for such right of way purposes and prepare proper and adequate descriptions thereof, which descriptions shall be employed in the preparation of a deed or deeds or other instrument or instruments necessary to complete the acquisition of the said property or properties or which descriptions may be used in the preparation of a complaint in the event that condemnation proceedings are necessary.

3. That the boundaries of the said parcel or parcels of land, as defined and determined by the said survey made by the said Highway Engineer, along the route or location adopted by the Highway Commission, shall be and the same hereby are adopted and the lands defined therein are hereby declared to be and the same are included within the rights of way of the said portion or portions of the said state highway system and hereby are declared to be necessary for the proper location, improvement, construction, and maintenance of the said portion or portions of the state highway system.

4. That I. H. Van Winkle, Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they are hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land with respect to the compensation to be paid for the taking of the same, and the damage, if there be any, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby further resolved that the Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they hereby are requested to commence and prosecute to a final determination such suit or action, or suits or actions, as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

The matter of enlarging the headquarters site at Burns had the attention of the Commission. The Engineer advised that additional space is needed, and recommended the purchase of a number of lots located directly across the street from the present headquarters, which, he believed, could be acquired from Harney County for approximately \$1000. The Commission

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authorized the Attorney to negotiate with the County Court for the acquisition of the same.

The Assistant Attorney reported that Beckman and Galey, attorneys at law, 307 Corbett Building, Portland, have made a request on behalf of their clients, Charles E. and Elizabeth Wood, for the consent of the State Highway Commission to the vacation of a public road abutting on Block E of Rosewood Acres near the Cook Overcrossing on the West Portland-Hubbard Highway. After consideration the Commission instructed that such consent would be given provided Charles E. and Elizabeth Wood execute to the State Highway Commission a complete waiver and release of access to the West Portland-Hubbard Highway abutting on the portion of roadway proposed to be vacated. The Secretary was thereupon authorized by the Commission to sign the waiver providing for the vacation of such roadway.

A letter was presented from Mr. N. Hogan, President of the Reedsport Garage, Reedsport, giving as his understanding that the Highway Commission proposes to widen the Umpqua Highway in Reedsport, which will take approximately 20 feet off the front of his garage building and will completely change the show room, parts room, and other things important to the business. He also said that it would be to their advantage to make these changes now, notwithstanding that the Highway Commission does not propose to reconstruct the highway until next year, and suggested an agreement with the Highway Commission at this time relative to the right of way. He further stated that it would not be necessary for the Commission to pay for the extra right of way until such time as the balance of the right of way for this proposed widening work is acquired. The Attorney and the Engineer recommended acceptance of Mr. Hogan's offer. The Commission, after discussion, approved the recommendation by unanimous vote.

The Commission considered a letter from James and Katherine Sansbury, Gleneden Beach, Oregon, urging the immediate construction of the proposed revision of the Oregon Coast Highway through the Gleneden Beach district, or a decision by the Commission to retain the highway in its present location, so that definite plans for the development of property in this location may proceed. The Commission ordered that Mr. Sansbury be informed that the Commission has definitely adopted the new route but cannot construct the same now on account of shortage of funds to finance the work.

The Attorney reported the results of the condemnation case for the acquisition of land on both sides of the Oregon Coast Highway at the north end of the Alsea Bay Bridge, said property being owned by Mr. Frank Hilton, Portland. It appears that through misrepresentation on the part of certain witnesses, the jury in the case set a value of \$9,100 for this property, which amount, in the Attorney's estimation, is considerably more than the property is worth. The Commission reluctantly authorized payment of such sum to Mr. Hilton.

The Attorney then reported that Mr. Hilton considers that he did not receive a fair amount from the jury, and accordingly is asking the Commission to relinquish to him that portion of the property that lies on the east side of the highway. The Commission denied the request by unanimous vote.

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The Attorney read a letter from Mr. Custer Ross, attorney, Salem, in behalf of Mrs. Charles K. Spaulding, in regard to the property that the Commission is acquiring from Mrs. Spaulding for right of way for a revision of the Salem-Dayton Secondary State Highway, in Polk County, wherein he states that Mrs. Spaulding demands the sum of \$3000 for the right of way, in addition to the construction of a roadway from the new highway to her farm residence. He recalled that the Commission previously authorized him to offer Mrs. Spaulding \$2500 for the property and to agree to build the side road to her residence, but he has since had the property appraised by three appraisers from the Salem Realty Board, who value the property at \$2650. After some discussion the Commission authorized settlement with Mrs. Spaulding for the sum of \$2750 in addition to the building of the road, The Attorney was instructed to condemn the property in the event that such offer is refused.

The State Parks Superintendent, Mr. S. H. Boardman, was present and requested authority to acquire an 80-acre addition to Silver Falls State Park, Marion County, being described as the E. $\frac{1}{2}$ of the S.W. $\frac{1}{4}$ of Sec. 14, T. 8 S., R. 1 E., W. M., and being owned by Gary Neal. It appearing to the Commission that the acquisition of this tract is necessary for the proper development and maintenance of the present park, the request was approved by unanimous vote.

The Engineer reported briefly on the following surveys:

Reconnaissance survey, Butte Creek Summit Section of the John Day Highway;

Reconnaissance survey, Horse Ridge Section of Central Oregon Highway;

Location Survey of McMinnville-Tillamook Highway between McMinnville and Valley Junction;

Location survey of Pacific Highway West between Whiteson and Dayton;

Location survey for St. Joe Undercrossing on Pacific Highway West, near McMinnville;

Preliminary location survey of Pacific Highway between Oakland and Roseburg.

After discussion, the Commission tentatively approved the reports subject to further study at a later date.

The Assistant Attorney reported the status of the right of way budget. He said that the Commission previously budgeted the sum of \$450,000 for the acquisition of right of way, et cetera, during 1938, and that it now appears that such amount will not be sufficient for the purpose if the Commission authorizes additional projects requiring right of way. The Commission took the matter under advisement.

The County Court of Morrow County, consisting of County Judge Bert Johnson and County Commissioners Roy Neill and George N. Peck; also County

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Engineer H. Tamblin, came before the Commission in regard to the Federal Aid Secondary Highway Construction Program in Morrow County. They advised that the program as promulgated by the Highway Commission for Morrow County does not meet with their approval inasmuch as it does not provide for the reconstruction of the Wasco-Heppner Secondary Highway for the full distance between Heppner and Rhea Creek, which is the section that they particularly asked the Commission to include in such program. They stated further that not only does the Commission's program provide for the construction of only about one-half of this section but it also provides that the work is to be done in 1939 rather than in 1938, which is contrary to their expectations and wishes because the road is badly in need of repair and the county does not have funds with which to finance the work. They advised that this road is the most important secondary highway in Morrow County; in fact, in their estimation, is even more important than the Oregon-Washington Highway east of Heppner. They gave as their thought that Morrow County is entitled to this improvement because of its importance and because it is the only road in the county, other than the Columbia River Highway, that is eligible for Federal Aid funds.

Chairman Cabell advised that the Commission spent a lot of time and study in the selection of projects for the Federal Aid Secondary Highway Program and did not decide definitely which projects to include therein until it had discussed the matter with the respective county courts; further, that the Commission did the best it could with the funds available; and, while some mistakes may have been made in its selections, it is now too late to make any changes because to do so would simply mean disrupting the entire program.

Commissioner Aldrich concurred in the remarks of Chairman Cabell and added that, while it does not seem possible to undertake this project this year, it is his suggestion that the Commission give the project priority in next year's construction program, provided Congress passes the appropriation bill authorizing the 1940-41 Federal Aid Funds. Chairman Cabell indicated his approval of the suggestion and advised that, while it is out of order to change the present program, the Commission will consider advancing the 1939 construction somewhat and the allocating of some of the 1940-41 Federal Aid moneys to this job if they materialize so as to insure completion of the entire project in 1939 if possible. He made it clear that the Commission is making no promises to that effect but is simply stating its willingness to give the matter consideration. He pointed out the possibilities of changes in the personnel of the Commission in the interim, and the reluctance of the Commission to commit its successors. This concluded the conference.

Mr. Gus E. Carlson, Transportation Consultant, Portland, appeared before the Commission in behalf of the Roseburg Chamber of Commerce, in regard to the canalization of the Umpqua River between Scottsburg and Roseburg. He advised that the United States War Department proposes to hold a special hearing in Roseburg on June 10 in regard to this matter for the purpose of securing testimony to determine whether or not the Umpqua River could be made navigable, either by open river channel work or by the construction of locks and dams, and the Roseburg Chamber of Commerce would appreciate it if the State Highway Commission would send a representative to this hearing to give information relative to the Highway Commission's concern and interest in this

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undertaking. He urged the Commission to support the Roseburg Chamber of Commerce in this matter in a program of general development of highways and waterways.

Chairman Cabell advised that he did not believe that the Commission is sufficiently concerned in the matter to have a representative at the hearing; furthermore, he did not believe that the Commission should become involved in arguments of this kind because of the precedent that would thereby be established. After further discussion, Mr. Carlson asked the Commission for a letter stating the Commission's position in the matter and also stating that the Commission has no objection to the canalization of this river. The question arose whether or not the writing of such letter would place the Highway Commission in an undesirable position. It was finally decided to leave the matter to the Engineer for further study, with authority to write such letter in the event that he considers it advisable and proper to do so.

The Commission adjourned at 12:15 o'clock p. m. and reconvened at 1:30 o'clock p. m. in the same room, with all Commissioners, the State Highway Engineer, the Attorney, and the Secretary present.

The Commission had under consideration the matter of the sale of \$750,000 short-term state highway bonds to provide for financing a normal highway construction program during the latter half of the year 1938, and to meet other current demands on the state highway fund. After full consideration of the said matter Commissioner Aldrich moved and Commissioner Tou Valle seconded the adoption of the following resolution, which motion having been put to vote by the Chairman received the unanimous vote of the Commission and was by the Chairman declared carried, to wit:

WHEREAS, there will mature on the first day of October, 1938, \$1,000,000 par value Oregon State Highway bonds of the State of Oregon, and the sum of \$422,948.38 in interest upon all of the outstanding Oregon State Highway bonds will be due on said date; and

WHEREAS, there has been made available by the Federal Government to the State of Oregon for highway construction during the year 1938 the sum of \$3,200,000, which said federal appropriation must, if obtained by the State of Oregon, be matched by \$2,000,000 of state money; and

WHEREAS, there will be due and payable to the several counties of the state on the fifteenth day of July, 1938, \$800,000 which said sum of money will be drawn out of the state highway fund; and

WHEREAS, current revenues are and will be inadequate to provide for normal highway construction and maintenance during the period from July 15, 1938, to March 1, 1939, and to at the same time provide sufficient funds to pay when due the said bonded indebtedness, both principal and interest, and provide likewise for

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funds with which to match federal appropriations for highway construction in Oregon; and

WHEREAS, the issuance and sale at this time of \$750,000 par value Oregon State Highway bonds for the purposes herein stated is and will be for the good of the state and will more efficiently and adequately promote highway construction by providing funds with which to meet the current expenses of the Highway Department, permit the payment to the counties of the said sum of \$800,000, and release and make available current funds with which to match funds made available by the Federal Government, and otherwise carry out the provisions of the laws of the State of Oregon with respect to state highway construction, and provide also funds with which to pay interest and principal upon bonded highway indebtedness when the same become due;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission of the State of Oregon, all members being present and affirmatively voting, as follows:

1. That there be issued and sold for the purpose of providing funds with which to pay interest and principal upon bonded indebtedness and to pay the several amounts due the several counties out of highway revenues, and for the purpose of more efficiently and adequately promoting highway construction, \$750,000 par value Oregon State Highway bonds to be dated July 1, 1938, and to mature March 1, 1939, but to be redeemable in numerical order at the pleasure of the State of Oregon upon payment of the par value of said bonds and accrued interest thereon on January 2, 1939, and/or at the option of the State of Oregon at any date subsequent thereto and prior to the first day of March, 1939, by giving thirty days' published notice of intended redemption as provided in Chapter 71, Oregon Laws, 1937; said bonds to be numbered consecutively, beginning with number 14591 and ending with number 14665; to be in denominations of \$10,000 each and to bear interest payable October 1, 1938, and March 1, 1939, or at the time of redemption if called for redemption before maturity, at a rate to be specified by the purchaser of said bonds; to be registered as to principal at the option of the holder in the office of the State Treasurer at Salem, Oregon, by appropriate endorsement thereon signifying the ownership thereof; to be payable both as to principal of and interest on said bonds to the purchaser thereof at said office of the State Treasurer; to be in printed form both as to the bonds and as to the interest coupons annexed thereto.

2. That said bonds hereby authorized and the interest coupons attached thereto shall be in substantially the following form, subject, however, to completion through execution of the bonds by the Governor of the State of Oregon, the Secretary of State of the State of Oregon, and the Treasurer of the State of Oregon by their signing the bonds in the spaces provided therein for their

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signatures and through the affixing to the said bonds by the Secretary of State of the seal of the State of Oregon, with the printed facsimile of the signatures of said officers on the coupons attached thereto, to wit:

No. _____

\$10,000

UNITED STATES OF AMERICA
OREGON STATE HIGHWAY
SERIES THREE
_____ Per Cent Bond

\$10,000

KNOW ALL MEN BY THESE PRESENTS: That the State of Oregon acknowledges itself to owe and for value received hereby promises to pay to bearer hereof the principal sum of

TEN THOUSAND DOLLARS

on the first day of March, 1939, together with interest on said sum from the date hereof until paid, at the rate of _____ per centum per annum payable October 1, 1938, and March 1, 1939, as evidenced by and upon the presentation and surrender of the interest coupons hereto attached as the said coupons become due; and both the principal hereof and the interest hereon are hereby made payable at the office of the Treasurer of the State of Oregon at Salem, Oregon, in any coin or currency which at the time of payment is legal tender for public and private debts within the United States. This bond if registered in the office of the State Treasurer will be payable both as to interest on and principal thereof to the owner thereof as shown by the record of registration thereof in said office, but if not registered, shall be payable to the holder thereof.

The State of Oregon hereby expressly reserves the right to redeem this bond on January 2, 1939, or at a date subsequent thereto, pursuant to notice of intended redemption given at least thirty days prior to the said redemption date by publication of said notice in one issue of each of the following newspapers: The Oregonian, Oregon Journal, and News-Telegram, each of which publications is a newspaper of general circulation printed and published within the City of Portland, County of Multnomah, State of Oregon, and one such notice in the Capital Journal and the Oregon Statesman, each of which publications is a newspaper of general circulation printed and published within the City of Salem, Marion County, State of Oregon; and upon the exercise of said option, interest hereon shall cease as of the redemption date specified in said notice.

This bond, together with the remaining bonds of this issue, aggregating \$750,000, is issued by the State of Oregon under and by virtue of, and in all respects in full and strict compliance with, the constitution and laws of the State of Oregon, and in

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particular Article XI, Section 7, of the said constitution, and Chapter VIII, Title XLIV, Oregon Code 1930, as amended by Section 44-809, Oregon Code 1935 Supplement, and Chapter 71, Oregon Laws, 1937.

The faith and credit of the State of Oregon hereby are irrevocably pledged for the punctual payment of the interest on and redemption of the principal of this bond as the same become due and payable as aforesaid.

IN TESTIMONY WHEREOF, the State of Oregon has caused this bond to be signed by the Governor, the Secretary of State, and the State Treasurer, and sealed with the seal of the State of Oregon, and on the coupons evidencing the interest to become due thereon or for each installment of such interest there shall be printed the facsimile of the signatures of said officers, all as of the _____ day of _____, 1938.

Governor

Secretary of State

State Treasurer

COUPON

No. _____

\$ _____

On the _____ day of _____, 193____, the State of Oregon will pay to the bearer at the office of the Treasurer of the State of Oregon the sum of

in any coin or currency which at the time of payment is legal tender for public and private debts within the United States of America, in payment of three months' interest then due upon Oregon State Highway Bond, Series 3, No. _____, dated _____; provided that, if said bond shall have been sooner called or redeemed, this coupon shall be void.

Governor

State Treasurer

Secretary of State

3. That the Secretary of the Commission cause the said bonds to be advertised for sale for a price not less than par value and accrued interest in one issue of each of the following newspapers: The Oregonian, Oregon Journal, and News-Telegram, each of

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which publications is a newspaper of general circulation printed and published within the City of Portland, County of Multnomah, State of Oregon, and one such notice in the Capital Journal and the Oregon Statesman, each of which publications is a newspaper of general circulation printed and published within the City of Salem, Marion County, State of Oregon, the said advertisement to provide that a certified check in the sum of \$10,000 shall be deposited as a good faith deposit with each bid for the entire issue of said bonds, and if less than the entire issue, the bid shall be for not less than \$100,000 of such issue and a certified check in a sum equal to two per cent of the bid shall be deposited as a good faith deposit with such bid.

4. That the Governor and the Secretary of State and the State Treasurer be and they hereby are authorized and requested to execute the said bonds by signing them under the seal of the State of Oregon, and upon the coupons evidencing the interest to become due thereon or for each installment of such interest there shall be printed the facsimile of the signatures of said officers, and the State Treasurer be and he hereby is authorized at the option of the purchaser to register said bonds as to principal only in his office and to make certificate to that effect upon the bonds, as provided in Section 44-804, Oregon Code 1930, and to deliver said bonds to the purchaser thereof after the date of sale and execution and sealing thereof upon payment of the principal thereof and the accrued interest thereon, if any.

The Commission also had under consideration the bids received on April 28, 1938, for the furnishing of a fidelity bond covering certain Highway Department employees. A tabulation of such bids revealed that the bid of the Ohio Casualty Insurance Company was the low one, Metzger-Parker Agency, agents, Portland, at \$372.30 annual premium, and \$1,116.90 premium on a 3-year basis. The next low bid was that submitted by the Glens Falls Indemnity Company (Jewett, Barton, Leavy & Kern, agents, Portland) at \$401.50 annual premium, and \$1,204.50 premium on a 3-year basis. There were 120 additional bids received, all of which were on the basis of an annual premium of \$584.00 and a premium of \$1,635.20 on a 3-year basis.

Inspection of the bids revealed that those of the Ohio Casualty Insurance Company and the Glens Falls Indemnity Company were submitted on the theory that Highway Department employees are not considered by the state's Attorney General as public officials. The remaining bids were submitted on the basis that such employees are considered public officials and accordingly carry a higher rate. In view of this condition, the Commission decided to defer the selection of the successful bidder pending receipt of a written opinion from the Attorney General as to the status of the Highway Department employees in this regard. The Attorney was instructed to secure such opinion for consideration by the Commission at its next regular meeting. The Secretary was instructed to return to the respective bidders the proposal checks submitted by them with their bids and to advise such bidders that the return

of the checks will not prejudice their bids in any way. Further, that the Commission has deferred the designation of the successful bidder until it obtains the opinion of the Attorney General, but contemplates taking final action on the matter at its June 2 meeting. Chairman Cabell publicly announced such decision of the Commission in this matter later in the session in the presence of representatives of several of the insurance companies who submitted bids for this business.

Consideration was given by the Commission to a request of the firm of Anderson and Umlett, Newport, for permission to transport three 60-foot timbers over the Oregon Coast Highway from Newport to Kernville, the overall length being 70 feet. It was explained that these timbers are needed in connection with dredging operations in the Siletz River and it is impossible to secure them from any source that would obviate the necessity of transporting them over the highway. The Engineer gave as his thought, in view of the circumstances, that the permit should be granted subject to the condition that the movement be properly flagged as a traffic safeguard, and he so recommended. The Commission approved the recommendation by unanimous vote, with the stipulation, however, that it is not to be considered as a precedent but simply as a special emergency dispensation.

The Engineer reported a satisfactory solution of the siphon matter in the town of John Day, concerning which a complaint was received by the Commission at a previous meeting. He said that Mr. Ira G. Boyce, principal owner of the ditch and siphon, has agreed to the extension of another pipe line a short distance from the existing one, which will eliminate the need for the siphon and will dispose of the matter much more satisfactorily from the state's standpoint than if the siphon were left in place with corrective measures. The Commission approved the report.

The Engineer reported the cost to construct bridle paths along certain highways in the vicinity of the Portland Hunt Club just west of Portland. He said that the Hunt Club wants bridle paths along Scholls Secondary Highway and the Beaverton-Aurora Secondary Highway, and that investigation reveals that such work would require considerable excavation and the acquisition of additional right of way and that the total cost of the work, exclusive of right of way costs, is estimated at approximately \$1000. He recommended that the request be denied because of the shortage of funds with which to finance the same, it being his thought that it would be poor psychology to do this work in view of the present financial stringency. The Commission approved the recommendation.

The status of right of way for the Central Oregon Highway, in Malheur County, had the attention of the Commission. According to a report from Division Engineer W. C. Williams, it appears that Malheur County failed to obtain certain right of way for this highway and that a Mr. A. R. Hollingshead, of Harper, has now acquired some of the properties over which the highway is constructed and has threatened to barricade the highway and to prohibit its use by the general public without the payment of a toll. The Engineer advised that he has already issued instructions to the Division Engineer to investigate the right of way situation in this vicinity with a view to bringing to the attention of the County Court the necessity to acquire the

parcels which, according to the records, are still in private ownership. The Commission approved the report and instructed the Attorney to notify the County Court of any right of way that is in this category and to ask the Court to start the necessary proceedings for the acquisition of the same, either by resolution or otherwise, so as to forestall any further trouble with Mr. Hollingshead or others.

The Commission had under discussion an opinion from the Attorney with reference to the Commission's responsibility for the maintenance of a portion of Killingsworth Street, Portland, extending easterly from its intersection with Northeast Portland Secondary Highway No. 123 to a junction with Columbia Boulevard, and the maintenance of Columbia Boulevard from such junction point to a connection with Sandy Boulevard (Columbia River Highway). It was the Attorney's opinion, based upon the record as heretofore made by the Commission, that the Commission is not responsible for the maintenance of these streets, it being his understanding that the Highway Commission has simply designated a route for this highway and is now contemplating the construction of a highway over such route but the streets mentioned have not been named as a part of this route. In view of this opinion, the Commission decided not to assume the maintenance of these streets and ordered that the Board of County Commissioners of Multnomah County and the City Commissioners of Portland be so informed.

The Engineer reported the cost to oil the shoulders adjacent to the pavement through the town of Monroe, Benton County, as instructed by the Commission at the previous meeting. He estimated that such work would cost about \$750, based upon the placement of 3000 cu.yds. of materials under the 0-9 specification. The Commission approved the project by unanimous vote and ordered that the cost be paid out of the emergency fund, in view of the fact that no provision has been made in the 1938 budget for the same.

The Engineer also reported on the cost to install a culvert pipe in the borrow pit along the entire length of the school grounds in Estacada and the backfilling of the same so as to provide a parking place for cars. He estimated that such work would cost about \$2500 and advised that no funds had been provided for the same in this year's budget. After discussion, the Commission decided to defer this project until its finances improve.

The Engineer reported on the matter of improving the old Southern Pacific railroad grade between Hillsdale and a connection with Barbur Boulevard, Portland, as heretofore requested by a delegation from Glencullen at the previous meeting. He advised that this route is 1.88 miles in length from Hillsdale to the intersection of Barbur Boulevard with Slavin Road, whereas the present highway between these points is only .88 mile in length. Further, that to construct a 2-lane concrete pavement with gravel base and crushed rock shoulders would cost about \$40,000. He gave as his thought that the traveling public would not use this road to any great extent if constructed, because it is about 1 mile longer than the present route. In view of the Engineer's report, the Commission decided unanimously not to build this road and instructed the Secretary to so inform the sponsors of the same.

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In the discussion of this matter it was brought out that a dangerous condition exists at the intersection of Slavin Road and Barbur Boulevard because of the heavy traffic on the latter and the steepness of the grade on Slavin Road. The Engineer gave as his thought that a traffic signal should be installed at this intersection and suggested that this would be a good place to try out one of the traffic-actuated magnetic types. The Commission approved the suggestion by unanimous vote and authorized installation of the signal. The Commission also authorized and instructed the Engineer to have further investigation made to determine what can be done to improve the grade of Slavin Road between Barbur Boulevard and Terwilliger Boulevard. A report on this matter is to be rendered as soon as it is convenient to have the investigation made.

The Commission considered and ordered filed a report from the State Parks Superintendent on the number of automobiles that visited the state parks along the Oregon Coast Highway between Yachats and Boiler Bay during the week ending Saturday, May 7, 1938. The report indicates that a total of 6,510 cars visited these parks during this period.

A letter was presented from R. J. Hash, Mayor of Canyonville, Oregon, requesting the oiling of the shoulders adjacent to the pavement along the Pacific Highway through Canyonville. The Engineer advised that the highway right of way through this town is 80 feet wide and that to oil the strips adjacent to the pavement would require the placement of approximately 8,500 square yards of 0.9 specification material and that the project would cost about \$2,125. He said that the dust condition in this town is very bad during the summer season and particularly so because this place offers the first opportunity for cars to pass after leaving the canyon just south of the town. He recommended that the request be denied for this year's construction because of lack of funds to finance it, but that it be given preference over others in the 1939 budget. The Commission approved the recommendation by unanimous vote.

The Engineer reported on investigations that have been made for the improvement of the alignment of the state highway from Lombard Street to the Willamette River Bridge, in St. Johns, Portland, as requested by the Commission at the previous meeting. He presented a map showing two alternate routes, one of which involves the widening of Jersey Street and Columbia Boulevard between Lombard Street and Burlington Street, with provision for the elimination of the bad turn at the intersection of Burlington and Jersey Streets; and the other, which extends Columbia Boulevard a distance of one block, from Jersey Street to Ivanhoe Street. The map also showed existing buildings. He pointed out that the Pacific Telephone and Telegraph Company's exchange building, a concrete structure, is located directly on the Columbia Boulevard extension to Ivanhoe Street; that the building is not now in use, in fact, is for sale and can probably be purchased for about \$25,000, notwithstanding that the telephone company has about \$45,000 invested in the same. He gave as his thought that the widening of Jersey Street, which is the main business street in this district, would cost more than the construction of the Columbia Boulevard extension to Ivanhoe Street and that in either case the cost of the right of way would run into quite a considerable figure. After discussion of this matter from various standpoints, the Commission indicated that it favored the

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Ivanhoe Street Route; however, deferred a definite decision until a later date in view of the fact that there are no funds available to finance the project.

The Commission had under consideration a report by Division Engineer F. D. Eason, with regard to pole line construction by the Nehalem Valley Electric Association on the Nehalem Secondary Highway. Mr. Eason recalled that the Highway Commission granted a permit to this association to construct its transmission pole line on portions of this secondary highway, and advised that the company has not complied with the requirements with respect to the placement of poles and that the poles have been so placed that the power wires overhang the traveled portion of the highway for long distances, thus creating a hazardous condition for the traveling public; furthermore, the company has placed poles on the state highway right of way beyond the limits of their permit, and has, in the course of construction, cut down and trimmed trees, leaving the debris on the highway right of way contrary to the provisions of the permit, which specifies that such debris shall be removed immediately after the pole line has been constructed.

Mr. Eason also advises that this association has been granted a permit to construct its pole line on a portion of the Wolf Creek Highway, and recommends that they be not allowed to proceed with the construction of such pole line until it has complied with the Commission's rules in connection with its pole line construction on the Nehalem Secondary Highway. After discussion, and it appearing to the Commission that the association has constructed its pole line with utter disregard of the Commission's rules and regulations, the Commission instructed the Attorney to write the association an emphatic letter demanding compliance with the provisions of the permit with respect to the Nehalem Secondary Highway construction and advising them that they will not be permitted to proceed with their pole line construction on the Wolf Creek Highway until the Nehalem Highway matter has been disposed of to the satisfaction of the Engineer and not then unless they will comply with the provisions of their permit for the construction of their pole line on the Wolf Creek Highway.

The Commission had under consideration a request from the City of Reedsport for the loan of the services of one of the engineers of the Highway Department to supervise a city W.P.A. project involving the regrading of certain city streets for the purpose of improving drainage conditions, all of which streets are exclusively within the jurisdiction and control of the city of Reedsport. The Attorney advised that the Commission does not have the authority to expend state highway funds for the construction, improvement, and maintenance of city streets which do not constitute a connection between two state highways or form a link in the state highway system, but the Commission does have authority to expend state highway funds for the purpose of improving city streets that are state highway routes or form connections between state highways. In view of the Attorney's opinion, the Commission voted unanimously to deny the request and instructed the Secretary to so inform the city officials.

The Engineer reported that the Pendleton-John Day Highway between

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Nye Junction and Ukiah, the Siletz Secondary Highway between Toledo and Kernville, and the Tampico-Lewisville Secondary Highway from its junction with the Pacific Highway West to the Benton-Polk County line, have dried out sufficiently so that it is no longer necessary to retain the reduced load limits that have been in effect on these roads for the past few months. He recommended the lifting of these reduced load limits at this time. The Commission approved the recommendation and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, on the 22nd day of October, 1937, at a meeting of the Oregon State Highway Commission, all members being present and participating, the Commission passed and adopted a resolution reducing the maximum load limit on the following state highway:

TAMPICO-LEWISVILLE SECONDARY HIGHWAY from its junction with the Pacific Highway West, north of Corvallis, to the Benton-Polk County Line, in Benton County; and

WHEREAS, on the 6th day of January, 1938, at a meeting of the Oregon State Highway Commission, all members being present and participating, the Commission passed and adopted a resolution reducing the maximum load limit on the following state highway:

SILETZ SECONDARY HIGHWAY from the junction with the Oregon Coast Highway near Kernville to the junction with the Corvallis-Newport Highway near Toledo, in Lincoln County; and

WHEREAS, on the 16th day of February, 1938, at a meeting of the Oregon State Highway Commission, all members being present and participating, the Commission passed and adopted a resolution reducing the maximum load limit on the following state highway:

PENDLETON-JOHN DAY HIGHWAY between its junction with the Oregon-Washington Highway, at Nye, and Ukiah, in Umatilla County; and

WHEREAS, subsequent to the passage of said resolutions, conditions have changed so that it is now no longer necessary or desirable, and the Commission hereby finds that it is no longer necessary or desirable to maintain the reduced load limits set out in said resolutions on the said state highways;

NOW, THEREFORE, BE IT RESOLVED that the action of the State Highway Commission reducing the maximum permissible load limit on the

TAMPICO-LEWISVILLE SECONDARY HIGHWAY from its junction with the Pacific Highway West, north of Corvallis, to the Benton-Polk County Line, in Benton County;

(Continued on next page)

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SILETZ SECONDARY HIGHWAY from the junction with the Oregon Coast Highway near Kernville to the junction with the Corvallis-Newport Highway near Toledo, in Lincoln County;

PENDLETON-JOHN DAY HIGHWAY between its junction with the Oregon-Washington Highway, at Nye, and Ukiah, in Umatilla County

be and the same hereby is rescinded and cancelled as of this date, and the maximum load limit permissible on the said sections of the said highways hereafter shall be the maximum load limit provided by law; and it is further ordered that a certified copy of this resolution be furnished to the county clerk of each county in which said highways are located, and that a certified copy of this resolution be furnished to the Superintendent of the Department of State Police for his information.

The Engineer also reported that the Klamath Falls-Lakeview Highway from a point 25 miles east of its junction with The Dalles-California Highway to Lakeview has dried out sufficiently so that the 50 per cent reduced load limit heretofore in effect is no longer required but the road is still in such condition that it will not hold up under legal weight loads. He recommended, therefore, the modification of the Commission's previous order with respect to this section and that loads weighing not to exceed 75 per cent of the legal weight limits be now allowed. The Commission approved the recommendation and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, on the 16th day of February, 1938, at a meeting of the Oregon State Highway Commission, all members being present and participating, the Commission passed and adopted a resolution reducing the maximum load limit on the following state highway:

KLAMATH FALLS-LAKEVIEW HIGHWAY from its junction with The Dalles-California Highway near Klamath Falls, in Klamath County, to Lakeview, in Lake County;

and

WHEREAS, on the 14th day of April, 1938, the Commission passed and adopted a resolution lifting the reduced load limit on that portion of the said highway from its junction with The Dalles-California Highway to a point 25 miles easterly thereof, in Klamath County; but continued said reduced order from said last-named point to Lakeview, in Lake County;

and

WHEREAS, it now appears that conditions have changed and

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the Commission now finds that it is no longer necessary to maintain or impose the said reduced load limit to the full extent fixed in said order and resolution with respect to the said highway from a point 25 miles east of the junction with The Dalles-California Highway to Lakeview, in Lake County; and further finds that such resolution and order should be modified with respect to said section of said highway by which modification a greater maximum combined weight of load and vehicle will be permitted;

NOW, THEREFORE, BE IT RESOLVED that the resolution and order made and entered into by the Commission on the 16th day of February, 1938, with respect to the following section of the Klamath Falls-Lakeview Highway, be and the same hereby is further modified to read as follows:

The maximum weight of combined load and vehicle which shall be permitted on the Klamath Falls-Lakeview Highway from a point 25 miles east of the junction with The Dalles-California Highway to Lakeview, in Lake County, shall be restricted to the following weights: the combined weight in pounds bearing on the surface of the highway at contact with the tread on the wheels of any one axle of a vehicle or combination of vehicles shall not exceed the product of four hundred fifty (450) multiplied by the sum in inches of the tire width of the wheels of such axle; but in no event shall the combined weight in pounds bearing on the surface of the highway at contact with the tread of the wheels of any one axle of a vehicle exceed seventy-five (75) per cent of the maximum limit set by law for any one axle.

BE IT FURTHER RESOLVED that this resolution shall be in full force and effect until changed, modified, or rescinded by the Commission; and be it further ordered that a certified copy of this resolution be furnished to the county clerk of each county in which said highway is located, and that a certified copy of this resolution be furnished to the Superintendent of the Department of State Police for his information.

The Commission had under consideration the abandonment of portions of the Wallowa Lake Highway in Wallowa County which are no longer of value for state highway purposes, inasmuch as the highway has been reconstructed on new alignment. The Engineer exhibited maps showing the sections so affected and recommended that they be turned back to Wallowa County and the cities of Enterprise and Wallowa for disposal. The Commission approved the recommendation and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, in order to afford a better alignment and a more satisfactory, safe and convenient highway for the traveling public, the Commission found it necessary to relocate certain portions of the Wallowa Lake Highway in Wallowa County; and

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WHEREAS, by reason of said relocation and the reconstruction of the said sections of said highway there were eliminated and made unnecessary as parts of the completed highway the certain sections which are more specifically defined and described hereinafter in this resolution;

WHEREAS, it is the judgment and opinion of the Commission that there should be reflected in the minutes and records of the Commission the purpose and plan of the Commission to abandon as parts of the Wallowa Lake Highway, and therefore as parts of the state highway system, the fragments or portions of the right of way of the old alignment hereinafter defined and heretofore included within the area of the right of way of the Wallowa Lake Highway as formerly located between the said termini and as heretofore improved and used;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by this Commission, a majority of the members being present and affirmatively participating, as follows:

1. That the fragments of land confined within the areas hereinafter described, which said fragments of land were formerly within the limits of the right of way of the Wallowa Lake Highway, but which are now without the limits of the right of way of said highway as said highway has been relocated be and said fragments of land are hereby abandoned as parts of the right of way of said highway. The portion of the right of way of said highway which by this resolution is abandoned and which is within the limits of the City of Wallowa is left to revert to the abutting property owners or to the City of Wallowa for such public use as the City may make of the same and the portion of said right of way lying just outside of the City of Wallowa which is abandoned by this resolution is left to revert to the County Court of Wallowa County for such public use as the County may make of the same, or to the abutting property owners. The portion of said right of way which has been abandoned within the City of Enterprise by this resolution is left to revert to the abutting property owners or the City of Enterprise for such public use as the said City may make of the same. The portion of the Rock Creek-Wallowa Section of said highway which is hereby abandoned is left to revert to the County Court of Wallowa County for such public use as the said County may make of the same or to the abutting property owners.

2. That the fragment of land or right of way hereby abandoned and eliminated from the state highway system which is shown on the blueprint marked "Exhibit 'A'", and is a portion of the Rock Creek-Wallowa Section and is to revert to the supervision and control of the County Court of Wallowa County or to the abutting property owners is described as follows, to wit:

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That certain section of the old right of way of the Rock Creek-Wallowa Section of the Wallowa Lake Highway lying on the southerly side of the right of way required for the reconstructed Wallowa Lake Highway, the beginning and ending points with reference to the engineer's stations of the original constructed highway being station 476+75 on the westerly end and station 494+95 on the easterly end.

3. The fragment of land or right of way hereby abandoned and eliminated from the state highway system which is shown on the blueprint marked "Exhibit 'B'", a part of which lies within the City of Wallowa, is to revert to the supervision and control of the officials of the City of Wallowa, and a part of which lies without the limits of the City of Wallowa and is to revert to the County Court of Wallowa County or the abutting property owners, is described as follows, to wit:

All that certain section of the old right of way of the Elgin-Wallowa Section of the Wallowa Lake Highway lying on easterly and westerly side of right of way required for the reconstructed Wallowa Lake Highway, the beginning and ending points with reference to the engineer's stations of the original constructed highway being station 672+00 on the westerly end and station 751+30 on the easterly end, said section being described as follows: Beginning at Station 672+00; thence southeasterly to Station 708+20 on the west city limits of Wallowa, thence southeasterly through the said City of Wallowa to the intersection of Storie Street and the north line of First Street.

4. The fragment of land or right of way hereby abandoned and eliminated from the state highway system which is shown on the blueprint marked "Exhibit 'C'" and which lies within the City of Enterprise and is to revert to the control and supervision of the city officials of the City of Enterprise is described as follows, to wit:

All that certain section of the old right of way of the Wallowa Lake Highway lying within the City of Enterprise, the beginning and ending points with reference to the streets of Enterprise are as follows: Beginning at the intersection of Grant Street and the eas' line of River Street; thence easterly along Grant Street to East 5th Street; thence southerly on East 5th Street to the present reconstructed Wallowa Lake Highway.

5. There is attached hereto a blueprint marked "Exhibit 'A'" on which is shown shaded in red the portion of the Rock Creek-Wallowa Section of the Wallowa Lake Highway which by this resolution is abandoned as a part of the said highway, and there is attached

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hereto a blueprint marked "Exhibit 'B'", on which is shown shaded in red the right of way within the City of Wallowa and the portion of the highway lying just outside of the City of Wallowa to the northwest which are abandoned as parts of the said state highway, and there is also attached hereto a blueprint marked "Exhibit 'C'", on which is shown shaded in red the right of way within the City of Enterprise which by this resolution is abandoned as a part of the state highway. The said exhibits for identification purposes bear the signatures of W. C. Williams, Division Engineer; H. G. Smith, Construction Engineer; and R. H. Baldock, State Highway Engineer, and bear date of April 1, 1938. *

6. In the event there remains any physical connection between any portion of said abandoned right of way or highway and the present highway, and by reason of such physical connection traffic from the existing highway may enter or use the said abandoned portions of the old road to the possible damage or injury of such traffic by reason of any unsafe condition existing with respect to said abandoned sections, then the State Highway Engineer is hereby authorized and directed to erect such barricade or other safeguards as may be necessary to protect and safeguard traffic using and employing said newly located, constructed and dedicated section of said state highway.

7. That this resolution shall be entered in the minutes and records of the Commission and a certified copy thereof promptly delivered to the County Court of Wallowa County, together with a copy of each of said exhibits and copies of said resolution and exhibits shall be delivered to the Mayor of the City of Enterprise and to the Mayor of the City of Wallowa for such action as said County Court may desire to take and for such action as the city officials of the respective cities may desire to take, and should said abandoned portions of the highway be further employed for public or private highway purposes such use shall be entirely under the control and supervision of the County Court of Wallowa County, and/or the municipal authorities of the City of Enterprise, and/or the municipal authorities of the City of Wallowa, as the case may be, and the same shall be beyond any responsibility or supervision by the State Highway Commission.

A letter was presented from L. G. Apperson, City Engineer of Portland, relative to the maintenance of the following arterial streets in Portland which were county roads when the agreement between the city and the state was executed covering maintenance of highway routes through the city but which have since been taken over by the city as city streets: portions of Northwest St. Helens Road, Southwest Canyon Road, Southwest Capital Highway, Southwest Slavin Road, Southwest Macadam Avenue, North Denver Avenue, North Interstate Avenue, and Southeast 82nd Avenue. It was Mr. Apperson's

*Blueprints filed in Right of Way Abandonment and Retention File - No. 58

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suggestion that the city and the state enter into a supplemental agreement with respect to the maintenance of these streets so as to provide for the maintenance of the same by the state rather than by the city.

The Engineer advised that these streets should be maintained by the state and that it was contemplated that they would be so maintained when the original agreement was prepared and executed, and provision for state maintenance of the same was made in the original agreement; so, in his opinion, the supplemental agreement is unnecessary. The Engineer was instructed to convey such information to Mr. Apperson.

There was presented to the Commission a letter from Major S. L. Damon, Engineer of the United States War Department, advising that an application has been filed by Mr. Harley O. Youngblood, Portland, for permission to construct a dock with float landing in Depoe Bay, Lincoln County, more particularly on the ocean side of the Oregon Coast Highway at the north end of the Depoe Bay Bridge. Major Damon advises that objections to the construction of such dock should be presented to his office not later than Monday, May 16, 1938. The Engineer advised that Mr. Youngblood's plan contemplates the use of land commonly referred to as tidelands, or lands lying between the high- and low-water marks, which lands are owned by the State of Oregon. He gave as his thought that the use of this land for the purpose intended would detract from the appearance of the highway and for that reason should not be allowed. The Commission concurred in the viewpoint of the Engineer and instructed the Attorney to file a written protest with Major Damon. The Commission indicated that it would oppose the construction of a dock at this place to the full extent of its authority.

In this connection the Engineer advised that Mr. Youngblood is now constructing a building on a rock point which extends westerly from the highway on the north side of the Depoe Bay Bridge adjoining the state park at this location; that, in the performance of the work, Mr. Youngblood has destroyed a portion of the rock wall that was constructed by the state as a traffic barrier. Furthermore, he has deposited earth material on the state property and is otherwise using the state's property for personal purposes. The Commission instructed the Engineer to take steps as may be necessary to cause the cessation of the use of the state's property and to effect the repair of the damage already done.

The Commission considered and ordered filed a letter from Mrs. Pearl S. Koble, Ashland, relative to her claim for damages against the state resulting from the construction of the Pacific Highway (new route) across her property south of Ashland. The Commission considered that Mrs. Koble has been paid liberally for the land that has been taken from her for right of way purposes and accordingly denied her request for additional compensation.

The matter of permitting the Ochoco Lumber Company to construct its railroad at grade across the Ochoco Highway east of Prineville had the attention of the Commission. It appears that the proposed railroad is a private one and is a branch line extending from the O.W.R.R. & N. main-line track to the lumber company's mill. Further, that the crossing could have been avoided

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at one time if the company had seen fit to construct its mill in another location, which would have served its purpose equally as well as the present location. The Engineer recommended that the Commission oppose the construction of this grade crossing at the public hearing that will be conducted by the Public Utilities Commissioner in regard thereto and that the company be required, in lieu thereof, to construct at its sole cost and expense a grade separation structure for the operation of its trains over the highway. The Attorney endorsed the recommendation of the Engineer and suggested, if the Public Utilities Commissioner approves the grade crossing, that such Commissioner be requested to do so only as a temporary proposition, retaining the right to open the case later on. After discussion, the Commission by unanimous vote, approved the recommendation of the Engineer and the suggestion of the Attorney and ordered that, when the matter comes up for public hearing, testimony be given to the effect that the State Highway Commission is definitely opposed to all manner of railroad grade crossings.

The matter of authorizing the United States Department of Commerce, Bureau of Air Commerce, to maintain an airway beacon on state-owned property adjacent to the Columbia River Highway, in Multnomah County, and being more particularly described as Lot 3, Section 22, T. 2 N., R. 7 E., W. M., had the attention of the Commission. The Attorney explained that the Bureau of Air Commerce has maintained an air beacon on this property for some time; in fact, the beacon was erected before the Highway Commission acquired the property from Waldo A. Alcorn and that the Bureau wants to continue the beacon on this site because of its advantageous location, but prefers not to enter into a written agreement covering the matter. He further explained that the beacon is in a location that will not interfere at all with the use of the property for highway purposes and will not be objectionable from the esthetic standpoint. He recommended approval of the request. The Commission approved the recommendation by unanimous vote.

The Commission had under consideration letters from the Eugene Chamber of Commerce and the Bend Chamber of Commerce urging snow removal operations on the McKenzie Highway so as to permit general public use of McKenzie Pass at the earliest possible time. The Engineer estimated that this work would cost approximately \$5000 if done now, and pointed out that this expense can be reduced considerably by waiting for Nature to melt the snow. He recommended that the request be denied for the time being and that the Commission concentrate on opening up the Santiam Highway easterly from its junction with the North Santiam Highway, which, he said, would cost only about \$500. He also suggested that the Commission arrange with the Federal Government and Marion County for the opening of the North Santiam Highway north from its junction with the South Santiam Highway so as to open the North Santiam Highway for general public use. In this connection, the Secretary presented a petition signed by 26 residents of Mill City and vicinity urging the opening of the North Santiam Highway for through travel into Central Oregon.

After discussion the Commission approved the Engineer's recommendation by unanimous vote and authorized him to proceed in conformance therewith. The Secretary was instructed to inform the petitioners of the action taken.

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A letter was presented from Earl B. Day, County Judge of Jackson County, protesting the allocation of Federal Aid Secondary Highway Funds as made to that county. The Engineer was instructed to prepare a suitable reply for Chairman Cabell's signature, advising Judge Day of the facts in regard to the allocation of the funds in question.

A letter was presented from Paul O. Landry, President of the Lake-of The Woods Association, Klamath Falls, urging an allocation of funds for additional improvements to the Westside Klamath Lake Secondary Highway. The Commission denied the request on account of lack of funds to finance the work.

The Commission considered and ordered filed a resolution adopted by the Hood River County Garden Club protesting the erection of billboards and signs along state highway rights of way.

A resolution was presented from the Portland Realty Board recommending that arrangements be made for the use of certain motion pictures of Oregon scenery taken by Miss Katherine Gunnell, Salem, in connection with the activities of the Highway Commission's Travel and Information Department. The Commission referred this matter to Mr. Harold Say, Director of the Travel and Information Department, and to the Advisory Committee on publicity matters.

A letter was presented from the Prairie City Chamber of Commerce urging additional improvements to the John Day Highway. The Engineer was instructed to advise the Chamber of Commerce that the Commission feels that it is now doing all that it possibly can for this highway with the funds available. He was also instructed to send them a list of the projects on this highway that are now included in the Commission's program for 1938 construction and those that are contemplated for 1939 construction, with amounts budgeted for each.

The Secretary presented letters from the Lane County Court, McKenzie River Grange No. 878, and from the Board of Directors of the Vida Public Schools, Vida, Oregon, urging the construction of guard fence along portions of the McKenzie Highway in the vicinity of Leaburg Dam to prevent automobiles being driven off the highway into the river at such location. The Engineer advised that he has already instructed the Maintenance Engineer to construct guard fence and sight posts at dangerous points, which should take care of the matter satisfactorily. The Commission approved the action taken by the Engineer.

The Commission considered and ordered filed a letter from C. C. Hockley, Regional Director for the Emergency Administration of Public Works, acknowledging receipt of the Commission's letter of May 4, 1938, relative to the status of its application for P.W.A. projects and advising that this information will be held in readiness for discussion at such time as action by Congress will permit the receiving of new applications for such class of projects.

The Commission considered and ordered filed a letter from the North

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Bend Chamber of Commerce expressing appreciation of assurances given that the Commission proposes to improve Sherman Avenue in North Bend and to do certain oiling work on the Cape Arago Secondary Highway in the vicinity of Charleston, Coos County.

The Commission considered and referred to the State Parks Superintendent for recommendation a letter from Mrs. J. R. Huffman, Pendleton, inquiring whether or not the Commission has any objection to her maintaining a store building and service station adjacent to the right of way of the Old Oregon Trail, near Emigrant Springs Park, in Umatilla County. The Commission indicated that it would not object to a commercial business being established adjacent to the right of way if it could not be seen from the traveled roadway.

Reconsideration was given by the Commission to the matter of advertising billboards which the Foster & Kleiser Company of Portland proposes to install adjacent to the Oregon Coast Highway at Otis, in Lincoln County, one of which billboards is to attract travel over the Salmon River Highway into Portland, and the other to encourage travel over the Oregon Coast Highway north of Otis. The Engineer presented revised models of the billboards, as prepared by the Foster & Kleiser Company. After considerable discussion, the Commission approved the designs, it appearing to the Commission that they do not conflict with the Commission's interpretation of the law with respect to such matters. The Commission instructed the Engineer to advise Foster & Kleiser Company of the action taken and to inform them further that, while the Commission has approved these two signs insofar as compliance with the law is concerned, it wishes to emphasize the fact that it does not approve the principle of erecting signs of this type along state highway rights of way.

The matter of encroachment of advertising signs of business establishments along the Columbia River Highway through the Parkrose District east of Portland also had the attention of the Commission and in this connection the Engineer submitted for the Commission's approval a set of general rules and regulations covering the matter of regulation of advertising signs on or adjacent to highways through unincorporated towns or villages. The Commission indicated approval of these regulations but deferred definite action thereon until the next meeting. The Engineer was instructed to send the individual Commissioners a copy of the rules for study in the meantime.

The Commission considered the request of Edlefsen-Weygandt Company for an extension of time from March 31 to July 15, 1938, within which to complete their contract with the Commission for the grading of the Siuslaw Junction-Awbrey Section of the Pacific Highway, in Lane County, State Highway Contract No. 2000. They alleged that they were unable to complete the project within the specified time limit because of high-water conditions during the winter season. The Engineer advised that the reason given by the contractor for failure to complete the project within the specified time limit is correct. He recommended, in view of the fact that the delay was beyond control of the contractor, that the extension now requested be granted without penalty, notwithstanding that the state has incurred some additional engineering expense in connection therewith. A letter was presented from W. H. Lynch,

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District Engineer, Bureau of Public Roads, concurring in such recommendation. The Commission approved the recommendation by unanimous vote.

The Engineer reported that contracts Nos. 2016 and 2024 for the construction of state highway projects have been completed according to the requirements of the contracts or modifications thereof and that said jobs are now ready for acceptance. The following resolution accepting the above projects was offered and was adopted by the unanimous vote of the Commission:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts, and said jobs are now ready for acceptance:

Contract No. 2016, with H. L. Rice, for furnishing 6,200 cu.yds. crushed rock in stock piles for the Wasco County Line-Madras Section of The Dalles-California Highway, in Jefferson County. Completed April 25, 1938.

Contract No. 2024, with Babler Bros., for resurfacing the Poison Creek-Burns Section of the John Day-Burns Highway, in Harney County. Completed May 5, 1938.

THEREFORE, BE IT RESOLVED that the work covered by said state highway projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

The Commission considered and signed agreements, et cetera, as follows:

Agreement with Babler Bros., contractors for the construction of an oil mat surface on the Valley Falls-Cinder Butte Section of the Lakeview-Burns and Fremont Highways, in Harney and Lake Counties, contract No. 1973, providing for the substitution of a light oil treatment over a portion of this contract;

Bargain and sale deed, conveying unto Alma McElwain 0.03 acre of land adjacent to the highway right of way in the S.E. $\frac{1}{4}$ of the N.E. $\frac{1}{4}$ of Section 13, T. 1 N., R. 1 E., W. M., Multnomah County, right of way transaction Nos. 5436 and 5484;

Bargain and sale deed conveying unto Ira Wade certain property lying in Government Lot 2 of Section 32, T. 10 S., R. 11 W., W. M., Lincoln County, and Lots 2, 3, 4, 5, and 6, of Block 145, Agate Beach No. 2, being right of way transactions Nos. 5018 and 3932;

Bargain and sale deed conveying unto the City of Albany, for

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the sum of \$1,386.00, 19,800 sq. ft. of land situate in Lots 1, 2, 3, and 4, of Block 17, Hackleman's Second Addition to Albany, being right of way transaction No. 4962-A.

The Commission had under consideration the setting of a date for its first regular meeting following that heretofore scheduled for June 2 and 3, 1938, and it was decided to hold such meeting in Portland on Wednesday, June 15. The Secretary was instructed to make the usual arrangements to hold such meeting in the Auditorium of the Public Service Building.

There being no further business to come before the Commission at this time, the meeting was adjourned at 5:30 o'clock p. m.

[Signature]
State Highway Engineer
[Signature]
Secretary

Henry F. Cabell
Chairman
E. B. Aldrich
Commissioner
F. L. Tou Velle
Commissioner

Portland, Oregon, June 1, 1938

The State Highway Commission met in regular session at 7:30 o'clock p. m. in Room 204, Benson Hotel. Present were:

Henry F. Cabell, Chairman
E. B. Aldrich, Commissioner
F. L. Tou Velle, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

The Commission had under discussion the matter of permitting the Umatilla Grain Growers Association to construct a dock and elevator on state highway department property at Cold Springs Landing, in order to facilitate the transportation of wheat on barges in the Columbia River. It appears that the association wants to construct its elevator on the state highway right of way at this point. It also appears that, while the highway leading to the river at this point is a primary state highway, it was originally constructed to very poor standards by county forces and has never been maintained as a state highway; and, in order to assist the association in its plans, the County Court of Umatilla County suggests that the Highway Commission turn this road over to the county for maintenance and designate as a state highway, in lieu thereof, the county road leading from the highway to the Collins Warehouse at Cold Springs, which road is oiled and in much better condition.

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In the discussion of this matter it was brought out that the Cold Springs Highway extending to the Cold Springs Landing is a primary state highway and cannot be removed from the state highway system except by legislative action, for which reason the hands of the State Highway Commission are tied as far as rendering any assistance is concerned. It was decided to convey this information to the delegation that is to appear before the Commission the following day in regard to the matter.

Dr. Warren D. Smith and Mr. Earl K. Nixon, of the University of Oregon, came before the Commission in regard to the publishing of a manuscript containing information concerning the geological and plant life features of the Oregon Coast Highway. Dr. Smith advised that this manuscript has been in the course of preparation several years and is now ready for publication, but the University of Oregon is not financially able to undertake the work, so they are asking the State Highway Commission to give it consideration, in view of the fact that it contains information that would be of interest to tourists and would be especially attractive to people who are interested in the coast country. The State Highway Commission's contribution to this cause, he said, would be in the nature of a loan with provision for reimbursement from receipts of the sale of the book.

Chairman Cabell questioned the Commission's authority to spend state highway funds for such purpose and advised that in any event the Commission could not assume this responsibility unless it received the approval of the Advisory Committee of the Travel and Information Department. Commissioner Aldrich concurred in the remarks of Chairman Cabell and added that he could not see how it could be considered in any way as a part of the state highway program. He explained, further, that the Commission's budget for publicity purposes has already been spent for this year and the program for next year has been arranged.

Mr. Nixon advised that the plan calls for the publishing of 1,500 copies of this book at a cost of about \$1,500, of which amount approximately \$400 would be paid by the State Board of Mineral Industries. After further discussion Chairman Cabell expressed regrets that the Commission cannot cooperate in this undertaking, but, in his estimation, it would be establishing an undesirable precedent and might bring criticism on the Commission. He added that the Commission would loan cuts and prints as may be necessary for use in connection with the publication of this book but that is as far as the Commission can go.

Mr. Harold B. Say, Manager of the Travel and Information Department, reported that the state committee in charge of the New York Fair exhibit wants the Highway Commission to reconsider its action in refusing to cooperate in maintaining an exhibit at this fair. He was instructed to inform this committee that the Commission has made its decision in this matter and does not care to reopen the case.

Mr. Ray Conway, Manager of the Oregon Motor Association, was present and advised that the Motor Association has gone on record as being opposed to making any contribution to the New York Fair exhibit.

Mr. Say also reported a request from the Swedish-American Tercentenary Association for a contribution of state highway funds with which to finance the advertising of the State of Oregon at the Association's convention which is to be held in Delaware on June 22, 1938. The Commission denied the request.

The Commission by unanimous vote approved the minutes of the meetings held on January 5, 6, and 7, and on February 15, 16, 17, 18, and 19, 1938.

The Engineer requested authority to acquire certain parcels of real property that are needed for various highway improvements throughout the state. He submitted a list of such properties together with prices that he recommended be paid for each. After careful study the Commission approved the request and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth; and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon; and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Sunset Camp-Sunset Tunnel Section - Wolf Creek Highway</u>				
5223B-Tower Investment Co.	R/W	14.68	\$20 per a.	Gardiner
<u>Cedar Mills-Multnomah County Line Section - Wolf Creek Highway</u>				
3292-Rosander, Linus	R/W	.90	\$395 per a.+ \$169.50	Parker
<u>South Marshfield Section - Oregon Coast Highway</u>				
4871-Southern Pacific Co.	R/W	2.13	\$268 per a.	Benson
(Correction)				

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Salem-12th Street Junction Section - Pacific Highway East</u>				
5773-Bedient, May E.	R/W	27094 sq.ft.	2 1/2 sq.ft. plus \$76	McCallister
5774-Green, Sanford and Nora (Estate)	"	1045 sq.ft.	2 1/2 sq.ft. plus \$75 (2700 sq.ft. of property outside of R/W to be conveyed to Green Estate for which a deduction of \$54 to be made)	"
5766-Mork, C. B.	"	222 sq.ft.	2 1/2 sq.ft. + \$35 + moving buildings (estimated at \$725)	"
5767-Carr, Stella Neagle	"	1875 sq.ft.	2 1/2 sq.ft. + \$10 + moving buildings (est. at \$150) and well (est. at \$100)	"
5922-Howard, Emily	"	8538 sq.ft.	2 1/2 sq.ft.	"
5777-Prescott, Alice M.	"	19185 sq.ft.	2 1/2 sq.ft. plus \$2550	"
5781-Longcar, J. W.	"	1.16	\$1000 per a. + damages \$75, + moving house (Est. at \$350)	"
5776-Kantner, Constance I.	"	741 sq.ft.	2 1/2 sq.ft. + \$35.57, in exchange for 2184 sq.ft. at 2 1/2 sq.ft."	"
<u>Brownsville Section - Halsey-Sweet Home Highway</u>				
6063-West, Lloyd G.	Gravel Pit	1.6	1-yr. Lease at 3 1/2 cu.yd.	Collins
5950-Sawyer, Mary E.	R/W	10000 sq.ft.	2 1/2 sq.ft. + \$252.50 + moving house (est. at \$500)	"
5961-Porter, A. H.	"	2.51	2.15 at \$125 per a. 15,700 sq.ft. at 2 1/2 sq.ft. + \$2280.50	"
5949-McKinney, Julius W.	"	7226 sq.ft.	2 1/2 sq.ft. plus \$170	"
5955-McKinney, Fannie	"	18708 sq.ft.	2.6 sq.ft. plus \$540	"
<u>Sheridan-McMinnville Section - McMinnville-Tillamook Highway</u>				
4318-Kirby, David J.	R/W	Settlement in lieu of putting old road in shape for farming - \$84.50		Collins
<u>Spaulding Ranch-Unionvale Section - Salem-Dayton Highway</u>				
3974-Spaulding, Lorah	R/W	6.85	\$100 per a. + \$2020	Collins
<u>Gannon Beach Junction Section - Hamlet Junction Highway</u>				
5027, Ransom, Hollis, Admr. (Ohlsen, Olaf Est.)	Maintenance Station	160	Lump Sum \$1000 + axes (approx. \$55)	DeSouza
<u>Multnomah County Line-Beaverton Section - Tualatin Valley Highway</u>				
5755-Savan, Elsie, and Lohr, Ben F.	R/W	0.084	\$2000 per a. + \$332 + moving laurel hedge and flowers	McChesney
<u>Redland Section - Redland-Carver County Road</u>				
6065-Fischer, Emielie	Quarry & Stock Pile Site	3 1/2 cu.yd.	(Road Materials Lease)	Collier

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Section, Hwy, and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Dixonville-Mud Hollow Summit Section - North Umpqua Highway</u>				
6053A-Swift, Leonard E.	Gravel Pit	145.3	5-yr. Lease at 3¢ cu. yd.	Lytle
6053C-McKean, E. A.	Gravel Topping	21.62	5-yr. Lease at 3¢ cu. yd.	"
6053B-McKean, V. B.	Gravel Pit	20.0	5-yr. Lease at 3¢ cu. yd.	"
<u>Drews Valley Section - Klamath Falls-Lakeview Highway</u>				
6020-Anquist, Emil	R/W	0.004	Gratis	Gardiner
6029-Halmer, Geo.	"	4.87	\$35 per a. + \$133.15	"
6024-Lamb, J. T.	Inc. "	4.71	\$50 per a. + fencing \$47.25	"
6013-Lakeview Water Users,	"	2.9	\$25 Lump Sum	"
6019-Favell-Utley Co.	"	1.71	\$15 Lump Sum	"
6030-Fox, Henry	"	2.9	\$5 per a. + moving and re- newing fence, \$72	"
<u>Bly Mountain-Beatty Section - Klamath Falls-Lakeview Highway</u>				
5943-Godowa, Pauline	Stock Pile	2.22	\$10 per a.	Gardiner
<u>Interstate Avenue - Interstate Avenue Highway</u>				
5056A-Park, R.B. (Prudential Life Insurance Co.)	R/W	4243 sq. ft.	Lump Sum \$3800	Benson
5056-Thomsen, Jens (Prudential Life Insurance Co.)	R/W	4242 sq. ft.	Lump Sum \$3500	"
5380-Berwick, Clifton E.	"	2122 sq. ft.	30¢ sq. ft. + \$1863.40	"
5071-Trimble, Geo. H.	"	12500 sq. ft.	8¢ sq. ft.	"
5055-Solomon, N.	"	14123 sq. ft.	10¢ sq. ft.	"
5386-Kaptur, L. H.	"	10 sq. ft.	20¢ sq. ft.	"
5070A-Nelson, Oscar E.	"	539 sq. ft.	10¢ sq. ft. + \$96.10	"
5069-Herrman, Simon (Jas. T. Burtchell)	"	5000 sq. ft.	10¢ sq. ft. (2 lots)	"
5061-Phelps, Jesse L.	"	108 sq. ft.	10¢ sq. ft. + \$49.20	"
5067-Smith, Geo. M.	"	3750 sq. ft.	Lump Sum \$3750 for house and lot	"
5060-Crouch, James (Investors Syndicate)	"	291 sq. ft.	10¢ sq. ft. \$275 in addition	"
5062-Gustafson, Elmer A.	"	1110 sq. ft.	10¢ sq. ft. + \$164 + moving buildings (est. at \$300)	"
5053-Portland, City of (The Norris Company)	"	40 sq. ft.	10¢ sq. ft.	"
<u>Killingsworth-Lombard Section - Northeast Portland Highway</u>				
5403-Portland, City of	R/W	1658 sq. ft.	1441 sq. ft. at 7¢ sq. ft. 217 sq. ft. at 2¢ sq. ft.	Parker
5434-Schnieder, Rudolph (Estate)	"	4.278	\$871.20 per a. + \$100	"
5447-City Motor Trucking Co., Inc.	"	4.08	\$871.20 per a.	"
5417-Gray, Wm. Lotta	"	5000 sq. ft.	Lump Sum \$300	"
<u>Forest Boundary-Elgin Section - Weston-Elgin Highway</u>				
6057-Heyduck, Lelia Hattie	R/W	0.19	\$100 per a.	Williams

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Union Section - Old Oregon Trail Highway</u>				
4989-Union County	Maintenance Site	0.10	2-yr. Lease-\$10 per mo.	Williams
<u>Pendleton Overcrossing - Old Oregon Trail Highway</u>				
4140-Vey, Rita	R/W	4957 sq.ft.	Lump Sum \$500	DeSouza
<u>Unity Section - John Day Highway</u>				
3057-Elms, Sidney (Millis Elms)	Snow Fence	2.12	Lease, 1 yr, \$10 per yr.	Wells
<u>Gibbs Ranch-Baker Section - Baker-Unity Highway</u>				
6035-Baker County	Scale Site	0.90	Gratis	Wells
<u>Baker-Flagstaff Hill Section - Baker-Homestead Highway</u>				
5982-Correll, Edna	R/W	0.30	\$100 per a. plus \$74.25	Wells
<u>Jefferson County Line-Prineville Section - Warm Springs Highway</u>				
6058-Williams, Claude F.	Gravel Pit	0.88	Land gratis, plus fencing	Chandler
<u>Scotts Butte-Blue Mountain Section - I.O.N. Highway</u>				
5807-Malheur County	R/W	50.07	Gratis	Wells
5811-Haines, Emily	"	0.33	\$10 Lump Sum	"
<u>Albany Overcrossing Section - Pacific Highway East</u>				
5158-Sears E. W.	R/W	848 sq.ft.	Lump Sum \$150	DeSouza
<u>Biggs-Moro Section - Sherman Highway</u>				
3321-Pinkerton, Harry B.	Stock Pile	3.75	Lump Sum \$100	McCallister
(Correction)				
<u>Lebanon-Sweet Home Section - Santiam Highway</u>				
6090-Tuma, James J.	Stock Pile	0.248	\$140 per a. in exchange for 0.248 a. at same price per a. (10800 sq.ft.)	McCallister
<u>Albany-Lebanon Section - Santiam Highway</u>				
6082-Burkhart, John G.	Stock Pile	0.48	5-yr. Lease at \$10 per year	McCallister

The Attorney presented a list of properties as follows, which are needed for right of way and other purposes and on which he has been unable to reach satisfactory settlements with the owners:

File No.	Owner	Section	Price Demanded by Owner	Price Recommended by Attorney
<u>Klamath Falls-Lakeview Highway</u>				
6012-13	Tracy, D.O. and Elizabeth	Drews Valley	\$ 689.95	\$ 434.95
6019-	"	"	Absent	5.00
6016-	Thomas, L. G.	"	"	8.15
6018-	Siems, Chris.	"	60.00	60.00
6021-	Heckman, J. R.	"		

(Continued on next page)

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(List of properties needed for right of way, etc., continued:)

File No.	Owner	Section	Price Demanded by Owner	Price Recommended by Attorney
6022-Zedrolas, Matthew		Drews Valley	Not yet Contacted	\$ 97.50
6023-Smith, Oren R.		" "	Absent	11.50
6025-Waterman, E. E.		" "	"	5.05
6026-Toosar, Geo. E.		" "	"	5.75
6027-Jarish, Adolph		" "	"	5.35
6083-Builta, Charles		" "	\$ 60.00	60.00
<u>Pacific Highway West</u>				
5385- Gray, John H.		Interstate Ave.	Not stated	2,113.60
5383-Star Sand & Gravel Co.-Shell Oil Co.		" "	" "	4,000.00
5050-Pierrard, F. J.		" "	" "	4.50
5049-Singh, Bawa		" "	Not found	.60
5051,2-Campbell, J. C.		" "	Not stated	400.80
5059-McGuire Construction Co.		" "	\$ 600.00	500.00
5059-McGuire Construction Co.		" "	Not stated	3,000.00
5058-Reckard, Emily A.		" "	" "	1,500.00
5070-Nelson, Oscar E.- Neiman, Oscar S.		" "	\$ 150.00	55.00
5079-Roskoski, Eva and A.		" "		Appraiser
5054-Woodward, Caroline		" "		658.87
<u>Columbia River Highway</u>				
5730-Tucker, Ernest & Caroline		Houlton-Warren	Not stated	411.00

After careful consideration the Commission approved the prices offered by the Attorney for these properties and authorized him to condemn the several tracts on the basis of such prices if satisfactory settlements cannot be reached otherwise. The following resolution in regard thereto was adopted by the Commission by unanimous vote:

WHEREAS, the State Highway Commission is by law authorized and directed to lay out, locate, designate, construct, improve, and maintain a system of state highways in the State of Oregon, and to acquire rights of way and to declare the necessity and need for the acquisition thereof, and the advantages to be gained thereby;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the State Highway Commission does hereby find and declare that it is necessary and will be of advantage to the State of Oregon and there is need that the State acquire for right of way purposes in connection with the permanent location, construction, improvement, and maintenance of the following section or sections of the state highway system of the State of Oregon, to wit:

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Drews Valley Section of the Klamath Falls-Lakeview Highway
 Interstate Avenue-Denver Avenue Section of the Pacific
 Highway West
 Houlton-Warren Section of the Columbia River Highway

land and property owned by or in possession of the following parties and/or persons, to wit:

Drews Valley Section of the Klamath Falls-Lakeview Highway
 D. O. Tracy and Elizabeth Tracy; Evelyn Steel and
 R. A. Steel; Chris Siems; Oren R. Smith; E. E. Waterman; George E. Tooser

Interstate Avenue-Denver Avenue Section of the Pacific
 Highway West

John Hatala and Anna Hatala; Bawa Singh; J. Campbell;
 Thomas G. Donaca; McGuire Construction Company; Emily
 A. Reckard; Caroline W. Woodward; Eva Roskoski and A.
 Roskoski

Houlton-Warren Section of the Columbia River Highway
 Ernest Tucker and Caroline Tucker

as their respective interests may appear, and this Commission does hereby declare further that the said property or properties are necessary, are needful, and the acquisition thereof will be of advantage to the State of Oregon for right of way purposes in order to make it possible for the State Highway Commission to properly locate, construct, and maintain said portion or portions of the said state highway system in accordance with standards adopted by this Commission relative to curvature, grades, alignment, drainage, and factors of safety.

2. That the State Highway Engineer be and he hereby is instructed and directed to properly survey the parcel or parcels of land required for such right of way purposes and prepare proper and adequate descriptions thereof, which descriptions shall be employed in the preparation of a deed or deeds or other instrument or instruments necessary to complete the acquisition of the said property or properties or which descriptions may be used in the preparation of a complaint in the event that condemnation proceedings are necessary.

3. That the boundaries of the said parcel or parcels of land, as defined and determined by the said survey made by the said Highway Engineer, along the route or location adopted by the Highway Commission, shall be and the same hereby are adopted and the lands defined therein are hereby declared to be and the same are included within the rights of way of the said portion or portions of the said state highway system and hereby are declared to be necessary for the proper location, improvement, construction, and maintenance of the said portion or portions of the state highway system.

4. That I. H. Van Winkle, Attorney General of the State

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of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they are hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby further resolved that the Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General, and Attorney for the State Highway Commission, be and they hereby are requested to commence and prosecute to a final determination such suit or action, or suits or actions, as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

The matter of securing options for right of way needed for the proposed reconstruction of the Oregon-Washington Highway between Pendleton and Adams, in Umatilla County, had the attention of the Commission. The Commission decided to defer the taking of such options until the Attorney has consulted with the officials of the Federal Land Bank in Spokane in regard to the payment of damages for severance.

The Attorney brought up for discussion the matter of employing appraisers to appraise the Security and Investment Company property in Oregon City, a portion of which is needed for right of way for the East Portland-Oregon City Highway in this town. After considerable discussion the Commission authorized the Attorney to secure the services of the following men, who are recognized real property appraisers: J. B. Laber, Henry Reed, and N. C. Soule, all of Portland.

The Attorney reported that in connection with the acquisition of right of way for the Albany grade separation project it was agreed that the state should move certain houses from Block 20 and re-establish them with their appurtenances on Block 19, and in order to do this properly it will be necessary to extend the existing sewer from Block 18 across Jackson Street to the east side of Block 19. He advised that he has a letter from the City of Albany to the effect that this work will cost \$546.50, of which amount the city will pay \$99 for the installation of the sewer pipe across Jackson Street, which is a city responsibility; but the balance of the expense, \$447.50, is the obligation of the state on account of the agreement with the property owner. He further advised that the city has expressed a willingness to perform this work for the state if the Commission so desires and will reimburse the city for the expense involved. He recommended acceptance of the city's offer. The Commission approved the recommendation by unanimous vote.

The matter of salvaging the brick in an old brewery building at Albany, which was acquired by the Commission in connection with the purchase of right

of way for the Albany railroad grade separation project also had the attention of the Commission. The Attorney advised that the bricks are in good condition and would have a salvage value of about \$1,200. Furthermore, the bricks could be used to good advantage in the construction of a maintenance headquarters building in Albany if and when such building is needed. He suggested the salvaging of this brick as a W.P.A. project at an estimated total cost of \$2,000, of which amount the state's share would amount to \$500, the balance representing W.P.A. funds. After some discussion the Commission referred the matter to the Engineer for further investigation and report at the next meeting.

The Attorney presented an offer from the Silets Investment Company and W. F. Cary to sell to the state for right of way for the Oregon Coast Highway, certain lands situate at Gleneden Beach, Lincoln County. He said that the owners are demanding the sum of \$7,500 for this property, which is appraised at about \$3,000. The Commission rejected the offer by unanimous vote.

Reconsideration was given to the matter of evicting Mr. E. N. Boylen from the Sunset Inn State Park property on Emigrant Hill, Umatilla County. The Attorney advised that Mr. Boylen had an agreement some time ago with the Commission to occupy these premises, but the agreement has expired and Mr. Boylen still owes the state back rent in the amount of \$91.67. He further stated that Mr. Boylen is willing to vacate the premises and remove his buildings therefrom but wants to be allowed to remain there until November of this year. The Commission decided to let him occupy the premises until September 1, with the understanding that he will remove his buildings at that time and will pay the entire amount of the rental that is due. The Commission instructed the Attorney to convey such information to Mr. Boylen and to advise him further that he will not be permitted to remove the buildings from the premises until the full amount of the rental has been paid.

The Engineer brought up for discussion the matter of awarding the contract for the construction of the Airport Road Overcrossing Project on Northeast 42nd Avenue, Portland, bids for which are to be taken on the following day. He said that Multnomah County is acquiring the right of way for this project, but it appears now that the right of way negotiations will not be completed in time to award the contract on the same day. He suggested, notwithstanding this situation, that bids be received as advertised but that the award of the contract be held until the right of way situation has been clarified. The Commission approved the suggestion by unanimous vote and ordered that if a satisfactory bid is received the contract be held until the Commission's Attorney has approved title to the right of way, and a satisfactory clearance, in writing, relative to the right of way, has been received from the Board of County Commissioners. (A communication was received from the Board of County Commissioners of Multnomah County the following day, satisfactorily disposing of this right of way situation, and the contract for the project was awarded.)

In this connection the Commission adopted as its policy, to be followed hereafter, that no county road projects shall be advertised for bids

until all right of way matters in connection with same have been disposed of to the satisfaction of the Commission.

The Commission had under discussion a letter from the County Court of Marion County in regard to the right of way for the Salem-Independence road project between Roberts Station and Orville, bids for which are to be received by the Commission on the following day. It appears that the county's resolution proceedings to acquire the right of way included the section from a point one mile north of Orville to Orville, where the road encroaches upon the right of way of the Oregon Electric Railroad. It also appears that the railroad company has offered objections to this encroachment, and when this information came to the attention of the State Highway Department the project was shortened so as to eliminate the portion where the right of way is in controversy, but the county's right of way resolution could not be corrected in this regard and the County Court had to start new proceedings to cover the limits of the project only.

In its communication the County Court expressed a desire for the Commission to proceed with the taking of the bids and the awarding of the contract regardless of this fact so that the project will not be delayed. After some discussion the Commission decided to proceed with the taking of the bids as advertised, but to defer the awarding of the contract until the right of way situation has been satisfactorily settled.

The State Parks Superintendent, Mr. S. E. Boardman, was present and reported on the following:

Acquisition of thirteen 40-acre government-owned juniper tracts adjacent to The Dalles-California Highway between Bend and Redmond:- The Parks Superintendent advised that these tracts are worthy of preservation and that he believed they could be acquired from the Government at \$2.50 per acre, or a total of \$1,300, by an exchange of property owned by the State Land Board, which has indicated a willingness to make such exchange. He recommended acquisition of these tracts on such basis, the State Highway Engineer concurring therein. The Commission approved the recommendation by unanimous vote.

Acquisition of spring and reservoir site adjacent to the Umpqua Lighthouse State Park, in Douglas County:- The Parks Superintendent advised that in the development of this park it is proposed to expend \$5,000 of C.C.C. funds in the construction of a water system, the water to be supplied from a spring located on private property adjacent to this park area. He further advised that the owner of this property refuses to give right of way for the pipe line from the spring to the park or to set a price for the same. He requested authority to offer the man \$100 for one acre of land that is involved, including the area on which the spring is located, reservoir site, and the right of way for the pipe line. In the discussion of this matter it was brought out that the state has already secured a water right for this spring and that it would be advantageous to acquire several acres rather than just enough land to include the spring and reservoir site. Accordingly, the Parks Superintendent was authorized and instructed to negotiate with the owner for the acquisition of the larger tract and report later the results thereof.

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Request of Mrs. J. R. Huffman to maintain a store building and gasoline pump adjacent to the Old Oregon Trail, near Emigrant Springs, in Umatilla County:- The Parks Superintendent recommended against the granting of Mrs. Huffman's request because to grant it would establish an undesirable precedent and would defeat the purpose for which the timber strip adjacent to the Old Oregon Trail was acquired. Furthermore, it would be contrary to the established policy of the Commission which will not now permit encroachments of this kind on state highway rights of way. After discussion the Commission approved the recommendation by unanimous vote; however, authorized the granting of a permit to Mrs. Huffman to construct a private roadway across the state land to her property.

Request of Frank B. Tichenor for authority to distribute publicity material advertising the State of Oregon at Battle Rock State Park, Port Orford, during the summer tourist season:- The Parks Superintendent advised that Mr. Tichenor desires to establish a tourist information bureau at this state park and in connection therewith to hand out literature which he proposes to prepare. Furthermore, that he is asking the Commission to authorize him to do this at state expense for a 4-month period, at the rate of \$50 per month. He said that he now maintains a caretaker at this park and can conceive of no benefits being derived from Mr. Tichenor's services, particularly in view of the fact that the Commission now maintains its own Travel and Information Department for the dissemination of such publicity material. He recommended against the granting of the request. The Commission approved the recommendation unanimously.

Maintenance of Chief Joseph monument at Wallowa Lake, in Wallowa County:- The Parks Superintendent advised that Superintendent O. L. Babcock, of the Umatilla Indian Reservation, proposes to improve the site of the Chief Joseph monument at Wallowa Lake, with C.C.C. forces, at a cost of approximately \$2,500, but he would like to have the state Highway Department maintain the premises after the monument has been completed because he has no funds available to finance such work. The Parks Superintendent advised that he has no caretakers in this vicinity who could maintain this monument site; furthermore in his estimation, such maintenance work is a responsibility of the Indian Service or of the people who sponsored the project. It was his further belief that the assumption of this obligation by the Commission would establish an undesirable precedent and he accordingly recommended denial of the request. The Commission approved the recommendation by unanimous vote.

Offer of S. C. Armitage to donate state park near Eugene:- The Parks Superintendent advised that this proposed park contains 33 acres of land situate adjacent to a county road, about 5 miles north of Eugene, and fronts on the McKenzie River. He said that the matter has had the attention of the Commission on several occasions in the past but a decision has been deferred; that Mr. Armitage is an old man and would like very much to have the state own this property and is particularly anxious that a definite decision be made as soon as possible. The Commission expressed a desire to view this property before making its decision and agreed to do so in the near future.

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Proposed Park adjacent to the Oregon Coast Highway north of Necanicum, Lincoln County:- The Parks Superintendent gave as his understanding that a delegation will come before the Commission during this meeting and urge the Commission to purchase this 115-acre tract for the sum of \$21,000. He said that the tract does not fit into the state park picture and recommended that the delegation be so informed. The Commission indicated concurrence in the Parks Superintendent's viewpoint but decided to view this property on Saturday morning, June 4, enroute to Medford, before making a definite decision in regard thereto.

The Commission adjourned at 11:00 o'clock p. m., to reconvene at 9:00 o'clock on the following morning in the Public Service Building Auditorium.

Portland, Oregon, June 2, 1938.

The State Highway Commission reconvened at 9:00 o'clock a. m. in the Auditorium of the Public Service Building. Present were all three Commissioners, the State Highway Engineer, the Attorney, and the Secretary.

Bids as follows for highway construction projects, sale of bridge steel, sale of buildings, and sale of three vacant lots in Albany, were opened and read, in conformance with previously published notice:

UPPER NEHALEM COUNTY ROAD
SHEELEY BRIDGE SECTION - SURFACING AND OILING

	<u>Using Road Oil</u>	<u>Using Tar</u>
Warren Northwest, Inc.		\$12,573.00
Babler Bros.		13,538.00
Harold Blake		15,186.00
J. C. Compton		15,998.00

COLUMBIA RIVER HIGHWAY
ST. HELENS-WARREN SECTION - GRADING AND ASPHALTIC CONCRETE PAVING

Newport Construction Company and Kern & Kibbe	\$ 87,614.70
E. C. Hall and Warren Northwest, Inc.	90,752.00
Theo. Arens	97,824.00
Harold Blake	100,818.00

PACIFIC HIGHWAY
BEAR CREEK-ASHLAND SECTION - ROADSIDE IMPROVEMENT

M. C. Lininger & Son	\$3,655.50
River Bend Sand & Gravel Company	6,504.00

THE DALLES-CALIFORNIA HIGHWAY
WILLIAMSON RIVER BRIDGE SECTION - REINFORCED CONCRETE BRIDGE

Mountain States Construction Company	\$31,790.00
Clifford A. Dunn	32,855.00

(Continued on next page)

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(Williamson River Bridge Section, continued:)

Tom Lillebo	\$34,653.00
Kuckenberg Construction Company	35,513.40
W. D. Miller Construction Company	36,523.90
C. J. Montag & Sons	36,582.50
G. I. Stebbins Construction Company	38,139.00
Leonard & Slate	40,515.00
Sig Ash	41,280.00

KLAMATH FALLS-LAKEVIEW HIGHWAY
COTTONWOOD CREEK-MADDOCK CORNER SECTION
GRADING, AND TALUS ROCK ROADBED TOPPING

McNutt Bros.	\$23,834.50
E. L. Rigdon	26,014.50
E. C. Hall Company	26,041.50
Babler Bros.	26,711.00
Clifford A. Dunn	26,740.00
D. L. Ashton	28,336.50
Leonard & Slate	30,503.00
F. C. Dillard	33,047.00

CORVALLIS-HARRISBURG COUNTY ROAD
PEORIA-HARRISBURG SECTION - SURFACING AND OILING

	<u>Using Road Oil</u>	<u>Using Tar</u>
Clifford A. Dunn	\$38,451.00	\$
Edwin C. Gerber	39,352.20	
Saxton, Looney & Risley	39,811.00	
O. C. Yocom	40,728.00	
McNutt Bros.	42,141.00	
Babler Bros.	42,227.00	
E. C. Hall Company	42,625.70	
Harold Blake		43,234.00
J. C. Compton	44,972.60	
Warren Northwest, Inc.	46,363.50	

HALLS FERRY COUNTY ROAD
ROBERTS-ORVILLE SECTION - SURFACING AND OILING

	<u>Using Road Oil</u>	<u>Using Tar</u>
McNutt Bros.	\$13,805.00	\$14,037.00
Harold Blake		16,649.50
Edwin C. Gerber	16,852.00	
River Bend Sand & Gravel Company		18,236.00
J. C. Compton		18,669.00
Saxton, Looney & Risley		19,374.00
Warren Northwest, Inc.		20,135.50
Babler Bros.	20,477.00	20,423.00

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NORTHEAST THOMPSON COUNTY ROAD
WASHINGTON COUNTY LINE-SKYLINE BOULEVARD SECTION - GRADING,
SURFACING AND OILING

Saxton, Looney & Risley	\$32,669.00
Harold Blake	33,301.50
Homer G. Johnson	36,239.10
Babler Bros.	37,568.00

NORTHEAST PORTLAND HIGHWAY
AIRPORT ROAD OVERCROSSING ON NORTHEAST 42nd AVENUE
OVER THE O.W.R.R. & N. TRACKS

Barham Bros.	\$41,537.50
Shattuck & Neland	42,003.50
Frank Watt Construction Company	43,296.30
Gilpin Construction Company	43,670.00
Birkemeier & Sarnal	43,830.00
L. H. Hoffman	45,098.00
Averill & Corbin	45,445.00
Kuckenberg Construction Company	45,693.00
Parker-Schram Company	47,305.00
Portland Bridge Company	49,090.00
Theo. Arens	51,980.00
Kern & Kibbe	55,645.00

CHENOWETH COUNTY ROAD
CHENOWETH CREEK-THE DALLES SECTION
GRADING, SURFACING AND OILING

H. L. Rice	\$12,884.50
Babler Bros.	16,943.00

SALE OF RESIDENCE BUILDINGS AT ALBANY

BUILDING NO. 5178
(Former Owner Augusta Otto)

C. R. Wendel	\$102.00
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BUILDING NO. 4968
(Former Owner World War Veterans' State Aid Com.)

No bids received

BUILDING NO. 4957
(Former Owner Barbara Kinney)

No bids received

SALE OF RESIDENCE BUILDINGS AT NORTHEAST PORTLAND

BUILDING NO. 5408
(Former Owner H. C. Rath)

Sullivan Wrecking Company	\$ 1.00
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BUILDING NO. 5412
(Former Owner Wm. Habernicht)
Sullivan Wrecking Company \$ 23.56

BUILDING NO. 5413-2
(Former Owner O.W.R.R. & N. Company)
Sullivan Wrecking Company \$ 11.00

BUILDING NO. 5416
(Former Owner Philip F. Buebke)
Sullivan Wrecking Company \$ 13.56

BUILDING NO. 5255
(Former Owner Chas. L. Schneller)
Sullivan Wrecking Co. \$ 56.56

BUILDING NO. 5566
(Former Owner Maude Tanner)
Sullivan Wrecking Company \$ 5.56

SALE OF RESIDENCE BUILDINGS AT WEST PORTLAND

BUILDING NO. 4589
(Former Owner John G. Maycock)
F. A. Graddy \$ 1.00

BUILDING NO. 5037
(Former Owner John T. Paulson)
F. A. Graddy \$ 42.00

SALE OF RESIDENCE BUILDING AT WARREN

BUILDING KNOWN AS "VASA HALL"
(Former Owner Einer Carlson)
Sullivan Wrecking Company \$ 31.79

SALE OF SCRAP BRIDGE STEEL FROM LITTLE NESTUCCA RIVER BRIDGE
OREGON COAST HIGHWAY

Alaska Junk Company \$378.04
Sam D. Rawson 107.84

SALE OF THREE VACANT TRACTS IN ALBANY

H. D. and Barbara J. Rohde \$1,000.00

Chairman Cabell announced that the awards in connection with the bids received would be made at 3:00 o'clock p. m. in the same room. He also announced that the Commission received bids for the construction of the Tone Bridge, over Trask River, in Tillamook County, on behalf of Tillamook County Court, to whom the bids will be referred for disposal. He cautioned bidders

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hereafter, when submitting bids for county road projects, to use the proposal bond forms prepared for county roads rather than the state forms.

The County Court of Klamath County, represented by County Commissioners Roy Taber and Wm. F. B. Chase, came before the Commission in regard to the allocation of Federal Aid Secondary Highway Funds in Klamath County. They gave as their understanding that the Commission proposes to spend \$61,000 of such funds in Klamath County and has allocated \$25,000 of the 1939 funds for grade widening, surfacing, and oiling a section of the Klamath Falls-Lakeview primary state highway, which is contrary to their wishes and expectations because they had it in mind that the money must be spent for county road construction and that the Commission would finance the improvement of the Klamath Falls-Lakeview Highway with other funds.

The Engineer advised that the Commission did not select the projects for the Federal Aid Secondary Highway System until it had consulted with all of the county courts, and the Commission thought that it was doing pretty well by Klamath County when it allocated \$61,000 to the roads of that county. He explained the Federal Government's requirements for the expenditure of the funds under discussion, which precludes their being used to finance roads on the Federal Aid Primary Highway System, but does not prohibit the expenditure of such funds on other roads in the state, whether they are on the state highway system or not. The Klamath Falls-Lakeview Highway, he said, is a primary state highway but it is not a Federal Aid highway, hence is qualified for the Federal Secondary Road Funds, as are the county roads, and the Commission decided to allocate some of the funds to this road in view of its importance as a farm-to-market route, and because no other funds were available for its improvement.

Chairman Cabell confirmed the remarks of the Engineer and advised that the Commission thought it was doing just what the people of Klamath County wanted done, as expressed by delegations from that county at previous highway meetings. He added that it is now too late to change the adopted program.

Messrs. Chase and Taber then reiterated their objections to the expenditure of these funds on primary state highways at the sacrifice of farm-to-market roads, and asked that the Commission's record show that they want this money spent either on county roads or on roads that are in the state secondary highway system. They filed with the Commission a resolution adopted by the Klamath County Court on May 25, 1938, in support of their oral remarks and outlining the stand that the County Court takes in regard thereto.

After further discussion the Commission decided definitely to proceed with the present plans for the improvement of the Klamath Falls-Lakeview Highway in the Federal Aid Secondary Highway Program.

A delegation from Umatilla County, consisting of County Commissioner Wm. R. Meiners, F. T. Jackson, and W. L. Rayburn, of Weston, came before the Commission and asked for the oiling of a 14-mile section of the Weston-Elgin Secondary State Highway from Weston toward a place known as Tollgate. Mr. Jackson stated that this is a dangerous road to travel because of its

dusty condition, and that numerous accidents have occurred. He gave as his thought that the Commission is obligated morally and legally to improve the road because the county several years ago built a 4-mile section thereof at the upper end at a cost of some \$20,000, in accordance with a previous understanding and agreement with a former highway commission, but the state was precluded from proceeding with its share of the work because of a change in the secondary highway law.

The Engineer doubted that the road has sufficient rock base to hold an oil treatment. Commissioner Aldrich gave as his understanding that the upper 4 miles of this section is in satisfactory condition to receive a light oil treatment but that the balance needs rock stabilization. After further discussion the Commission referred the matter to the Engineer for investigation and report as to whether or not the upper 4-mile section is in suitable condition to receive an oil treatment, such report to be rendered at the next meeting of the Commission on June 15. The Commission advised the delegation that the investigation is not to be construed in the least as a commitment of funds to oil the road at this time, because there is a shortage of funds to finance the work, but is simply to determine the feasibility of the job.

Mr. Meiners then brought up for discussion the matter of the state abandoning the state highway between Cold Springs and the Cold Springs Landing as an aid to the Pendleton Grain Growers' Association in the construction of a grain elevator and dock on the end of this road to facilitate the movement of wheat on Columbia River barges. He said that the road is not improved but that the county is willing to assume responsibility for the same and is also willing to turn over to the state jurisdiction over the oiled county road extending from Cold Springs to the warehouse at the Cold Springs siding of the O.W.R. & N. Company. The matter was discussed briefly but the Commission took no action thereon due to the question of the Commission's legal ability to abandon the highway, this being a primary state highway which cannot be removed from the state highway system except by legislative action.

Mr. Meiners then asked the Commission to construct fireguards along the secondary state highways between Echo and Butter Creek where, he said, costly fires have heretofore occurred. The Commission denied the request because of the expense involved; however, instructed the Engineer to erect signs at particularly hazardous points cautioning the traveling public about throwing lighted matches, cigarettes, et cetera, from automobiles, while traveling.

A delegation from Deschutes County, consisting of County Commissioner Wm. Baer and County Commissioner Millard T. Triplett, and also the Secretary of the Bend Chamber of Commerce, Mr. Don Peoples, came before the Commission in regard to rerouting Century Drive Secondary State Highway along Riverside Boulevard, in Bend, from Franklin Avenue to the junction of the present routing at Tumalo Avenue, so as to eliminate the right-angle turn in the present route at the intersection of Franklin Avenue and Broadway. In this connection the Secretary presented a letter from the Deschutes County Court requesting such change in routing because of its value from the scenic standpoint, being located along the south side of the city park, which is situated on the banks of the Deschutes River.

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Mr. Baer suggested the improvement of Riverside Boulevard and Century Drive easterly from the Deschutes River Crossing as a satisfactory project for the state secondary funds that have accumulated to the credit of Deschutes County, together with the \$3,000 that the county owes the state and which the county is willing to pay the state if the Commission will spend it on a suitable project in Deschutes County, making a total of approximately \$8,000. After considerable discussion the Commission decided not to reroute the secondary highway in Bend at the present time; however, approved the oiling of Century Drive Secondary Highway westerly from the Deschutes River Bridge as far as the funds available will permit. The Engineer was instructed by the Commission to prepare this project for contracting in July, if possible.

Mr. Peoples then asked the Commission for the oiling of the Santiam Highway from the junction with the North Santiam Highway easterly to the end of the present oiled surface near Suttle Lake. Chairman Cabell agreed that this would be a good oiling project to include in the construction program but the Commission cannot do it this year because funds are not available to finance the same.

The Commission discussed a letter from Mr. W. H. Lynch, District Engineer, Bureau of Public Roads, answering the Engineer's inquiry as to whether or not the proposed illumination project on the Interstate Avenue Section of the Pacific Highway West, Portland, will be eligible for federal participation. Mr. Lynch advised that the Chief of the Bureau of Public Roads holds that the use of the motor vehicle revenue for illumination of highways within cities will constitute a diversion of such funds, inasmuch as illumination within cities is not primarily for the safety of vehicular traffic but is for other major purposes, hence it does not appear that such installation within cities would be eligible for participation with Federal Aid. The Engineer gave as his thought that there is still a possibility that the Government can be prevailed upon to reverse its decision; and, in view thereof, suggested that the Commission proceed with its plans for the installation of this lighting system, but that the work be done under separate contract from the road contract. The Commission approved the suggestion by unanimous vote and instructed the Engineer to contact the federal authorities again in an endeavor to secure a change in the attitude taken relative to federal participation.

The Attorney reported satisfactory conclusion of negotiations with officials of the State of Washington concerning appropriation by the Oregon Highway Department of gravel and materials from the bed of the Columbia River to be used in the construction of a roadbed or grade for a new highway up the Columbia River Gorge. He said that an agreement has been executed by the Commissioner of Public Lands for the State of Washington, and the Board of Control of the State of Oregon, covering the matter. The Commission approved the report.

The Engineer reported satisfactory conclusion of negotiations with the Douglas County Court and the American Legion Auxiliary of Roseburg, for the placing of a marker for the memorial drive leading from the Pacific Highway to the Veterans' Home just north of Roseburg. He said that the committee

in charge of this matter appreciates the fact that the erection of their marker on the highway right of way, which is only 60 feet wide at this point, would create a traffic hazard, so they have secured permission from the owner of adjacent property to erect the marker on his land, which is entirely satisfactory from all standpoints. The Commission approved the report.

Consideration was given by the Commission to the Engineer's report on the complaint of Mr. Frank Ott that the reconstruction of the Fremont Highway in front of his premises near Paisley, Lake County, has caused him loss in revenue from his property by reason of the fact that certain lands which he has heretofore irrigated cannot now be irrigated because of the lowering of a certain siphon across the highway. The Engineer advised that the irrigation system has been reconstructed and is now working very satisfactorily, and efficiently irrigating all of Mr. Ott's land previously under irrigation, with the exception of about .7 of an acre. He recommended that settlement be now made with Mr. Ott in accordance with the mutual understanding and agreement that was had with Mr. Ott at a previous meeting. The Commission approved the recommendation by unanimous vote.

The Engineer reported on the cost to construct a non-skid wearing surface on Farmington Secondary Highway No. 142, for a distance of about one-half mile in the town of Beaverton, as has been requested by the District School Board of the Beaverton Public Schools. He estimated that such improvement would cost about \$600, and recommended approval of the project for construction during the 1938 season inasmuch as the present pavement is very smooth and dangerous to travel during wet weather. The Commission approved the recommendation by unanimous vote, the project to be paid for from the Emergency Fund in view of the fact that no provision has been made in the 1938 budget for the same.

The Commission had under consideration the opinion of the Attorney General as to whether employees of the State Highway Department who are to be covered by the schedule fidelity bond that the Commission is contemplating purchasing, are to be deemed employees or public officials. The Commission's Attorney advised that he contacted the Attorney General in regard to this matter and was referred to the Attorney General's opinion dated April 13, 1923, on this subject, in which opinion the Attorney General advises as follows:

"The answer to your question depends upon whether or not the discharge of the duties of clerks, officers and assistants to be employed by the commission pursuant to said Section 44-109, involves the exercise of any of the governmental functions delegated to the Oregon State Highway Commission. If the duties of such employees are to act in a clerical or advisory capacity they are not in my opinion public officers, but if they or any of them have power to decide questions of governmental policy for the commission they are public officers. It would appear, however, that such employees are not appointed nor do they hold office for a definite time, their relation to the commission being created by contract which is subject to termination at the will of the commission or as

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provided by the terms of the contract. Unless there is a clear delegation of authority to exercise governmental functions, such employees are not public officers."

The Commission's Attorney gave as his personal opinion, based upon the law as construed and declared by the Attorney General, that these employees are employees only and not public officials, because he is quite certain that it cannot be held or shown that the Highway Commission has delegated to these employees the right to exercise governmental functions or discretions vested in the Highway Commission. He suggested that, if the Commission approves this opinion, the company to whom the Commission awards the contract for furnishing the schedule fidelity bond be furnished with a copy of the Attorney General's opinion together with a certificate from the State Highway Commission to the effect that its employees merely carry out orders and instructions and that there is not delegated to them any of the governmental functions which have been delegated by the legislature to the State Highway Commission. The Commission indicated approval of the opinion as rendered but deferred action on the purchase of the bond until the following day. The Secretary was instructed to discuss the matter further with the representative of the bonding company in the meantime. (The contract was awarded to the Ohio Casualty Insurance Company the following day.)

The Engineer reported on the cost to reconstruct the Umpqua Highway on permanent alignment through the town of Reedsport to a connection with the existing highway east of that town. He estimated that such project would cost approximately \$47,400. The Commission ordered the report filed for future consideration, due to the fact that there are no funds available to finance the project at this time.

The Commission considered the claim of Mr. Chester Mace, Burns, Oregon, for reimbursement for losses that he alleges he sustained by reason of improper culverts and bridges on the John Day-Burns Highway approximately one mile north of Burns. Mr. Mace alleges that on account of such improper culverts and bridges high water from the Silvies River overflowed his alfalfa field, ruining approximately 25 acres thereof and damaging him to the extent of \$3,000. The Engineer advised that inspection of the field reveals that some 15 or 20 acres appear to be dead, although it is yet too early to determine definitely whether or not the root system of the alfalfa has been killed by the high water. He further advised that, while the present bridge structures are adequate to carry the normal flow of water, they are inadequate to take care of flood waters such as occurred last winter, consequently, the water backed up over Mr. Mace's property, the highway grade acting as a dyke. He recommended, in order to alleviate this condition, that the Silvies River Bridge be extended one 19-foot span on the east side and that a 17-foot span bridge be constructed on the highway approximately one thousand feet north-east of the Silvies River Bridge, and that such work be done some time during the present construction season, at an estimated cost of \$1,000. He also recommended that no action be taken on Mr. Mace's claim until it is known definitely whether or not his alfalfa has actually been killed by reason of this high water. The Commission approved the Engineer's recommendation by unanimous vote and decided to stand suit in the event that Mr. Mace is not satisfied

with such disposition of his claim. The expense of the bridge construction work is to be paid out of the emergency fund because no provision for the same has been made in the 1938 budget.

The Engineer discussed with the Commission the matter of reconstructing Sandy Boulevard in Portland. He said that to do this job properly would require resurfacing of the street throughout its entire length and would cost approximately \$225,000, which amount, in his estimation, is more than the Commission can spare for the purpose at the present time, particularly in view of the fact that the Portland Traction Company, which is to pay for part of the work, will not contribute more than \$25,000 of the cost of the same. He suggested that it might be advisable to do about one-half of the project at this time, from 15th Avenue to 45th Avenue, which would include the congested district in Hollywood; which, he estimated, would cost about \$130,000, provided the street-car company would agree to the covering up of its rails beyond these limits; and, provided further that the Bureau of Public Roads would approve the project on such basis, it being proposed to finance the work as a Federal Aid project and to charge the cost against the Portland district's share of the 1939 allocation of federal funds. After discussion, the Commission by unanimous vote approved the Engineer's suggestion subject to satisfactory solution of the rail matter and a decision as to the completion of the balance of the project. The Engineer was instructed to contact the street-car company officials and the Bureau of Public Roads engineers in regard thereto and to report the same to Chairman Cabell.

Claire Parker, right of way buyer, brought up for discussion the matter of the sale of a water meter from a house purchased in connection with right of way negotiations in Northeast Portland. Mr. Parker advised that since the Commission purchased this house someone entered it and removed the water meter, but the thief was found and the meter has been returned. Also, that he has an offer from Mr. Porter Yett, Portland, to purchase the meter for the sum of \$15. He recommended acceptance of Mr. Yett's offer. The Commission approved the recommendation unanimously.

The Commission adjourned at 12:15 o'clock p. m. and reconvened at 2:00 o'clock p. m. in the same room, with all Commissioners, the Attorney, and the Secretary present.

A delegation from Cottage Grove, consisting of County Judge N. E. Glass, and Messrs. S. L. Godard, L. C. Schroeder, Frank Heck, V. T. Randall and John Durr, Secretary of the Eugene Chamber of Commerce, was present in the interests of the reconstruction of the Pacific Highway along the newly-adopted route through the town of Cottage Grove. Judge Glass was spokesman for the group. He urged the Commission to construct the new route immediately so that contemplated business development can proceed and as an aid in relieving the unemployment situation that exists in the Cottage Grove district. He recalled that when the Commission conducted its hearing in Cottage Grove to ascertain the sentiment of the people with respect to rerouting the highway, such sentiment was divided, about 50 per cent of the people being in favor of the new route and the others desiring no change. However, since then, he said, the businessmen have agreed to the new routing; so, as far as he is

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able to ascertain, there is now no objection thereto. He presented three petitions urging the Commission to construct this project immediately, one of which petitions was signed by 47 people representing contractors and material men; the second by 43 persons representing businessmen of Cottage Grove; and the third by 190 citizens representing the public in general.

Others speaking in behalf of this project and endorsing the remarks of Judge Glass were Mr. Schroeder, in behalf of the Cottage Grove Chamber of Commerce; Mr. Godard, Mr. Randall, and Mr. Heck. Mr. Randall inquired when the Commission proposes to construct this project. He was informed by Chairman Cabell that the Commission cannot give any assurance that the job will be started at any particular time, it being a matter dependent entirely upon the Commission's finances. In any event, he said, it cannot be considered until the Eugene-Junction City project is completed. He advised that the Commission would consider the project in the formulation of next year's construction program but cannot make a definite promise in regard thereto at the present time.

Mr. Heck inquired, if the Commission set right of way stakes now along the new alignment, would these be changed later? He was informed by Chairman Cabell that it is not mandatory upon a new Commission to follow the plans outlined by its predecessor and such new highway commission could change the plans if it so desired. Mr. Durr thanked the Commission for the progress that is being made on the construction of the Junction City-Eugene Section of the Pacific Highway and for the work that is being accomplished on the Willamette Highway.

County Judge Nelson B. Higgs, of Harney County, and Mr. Archie McGowan, of Burns, came before the Commission in the interests of the Central Oregon Highway. They particularly asked that the contract for the oiling of the Brothers-Lake County Line Section be advanced so that the work can be completed this year. The Engineer advised that it would be impossible to award this contract before September and in any event no advantage would result from contracting the work sooner, because the oiling could not possibly be done until next year. By contracting the work in September, he said, the grading and surfacing can be accomplished before spring and the oiling work just as soon as weather conditions will permit so that the road will be ready for the next tourist season.

Judge Higgs asked the Commission to hasten the oiling of the Central Oregon Highway between Burns and Buchanan and between Juntura and Harper.

A delegation headed by Mr. James L. Conley, attorney, Portland, and including a Mr. Taylor, representing the Gearhart Park Company; Robert S. Ferril, Jr.; T. D. Honeyman; U. S. Badger, all of Portland; and Mayor J. L. Burgess of Gearhart, came before the Commission in regard to the tidelands at Gearhart. Mr. Conley advised that the Gearhart Park Company owns 300 acres of tidelands and ocean beach at Gearhart, extending from the Necanicum River northerly to a point about 1/4 mile north of Gearhart; that it has good title to this property except for delinquent taxes amounting to about \$50,609.16, which he believes Clatsop County will cancel upon the payment of the sum of \$10,000. The taxes on the beach area proper, he said, are paid in full but

what is troubling the owners is the taxes on the balance of their property. He mentioned that difficulty has been experienced in controlling traffic along the beach and they feel that if the beach were owned and controlled by the state the solution of traffic problems would be much simpler, hence their desire for state ownership. He offered, on behalf of the owners, to sell the beach area to the state for the sum of \$10,000, which amount they propose to pay to Clatsop County in order to clear the tax burden on the balance of their land. He also said that the owners will donate a 20-foot strip of land fronting on the beach for roadway purposes.

Others speaking on behalf of this proposition were Messrs. Taylor, Ferril, and Honeyman.

Chairman Cabell advised that the Commission has only a limited amount of funds budgeted for the purchase of park and recreational areas and for the maintenance of the same and that it is the policy of the Commission to spend this money for outstanding properties desirable from the scenic standpoint. He further explained that the State of Oregon now owns practically all of the ocean beach, in view of which, in his opinion, the general public would not support the Commission in spending public funds to acquire the beach at Gearhart, particularly in view of the fact that this area is privately owned and most of the benefits would accrue to private parties. He expressed regrets that the Commission cannot help out in this matter but feels definitely that it cannot do so.

Commissioner Aldrich concurred in the remarks of Chairman Cabell and added that it would be a fine display of public spirit if the ocean beach were presented to the state as a gift, but he did not think that the Commission would be justified in expending \$10,000 to acquire the same when there are so many other places in the state where the money is needed and could be used to better advantage from the general public standpoint.

Messrs. W. F. Case, Inspector for the United States Post Office Department, and Percy C. Caulfield, Postmaster at Oregon City, were present and inquired as to the Commission's plans for the improvement of Fifth Street in Oregon City, requiring the narrowing of the sidewalk in front of the post-office building and the prohibiting of the parking of cars on Fifth Street in front of the post office. Mr. Case advised that he has an inquiry from his superiors in Washington, D. C., in regard to this matter and they have asked him for a report on the same at once.

The Engineer explained the plans of the Commission for this project necessitating cutting back the sidewalk and the prohibition of parking of cars for about 100 feet on Fifth Street, west of Main Street, so as to provide for four lanes of moving traffic. He also said the plan includes the installation of an automatic traffic signal.

Mr. Case informed the Commission that he was not present to criticize the Commission's plans but simply to secure information for transmittal to officials in Washington. He said he doubted, however, that such officials would approve the plan because it would bring the highway just that much

closer to the post-office building and because the street-car tracks on Main Street make it impossible for automobiles to turn around on that street. The Commission instructed the Engineer to furnish Mr. Case with maps at once showing the plans for the improvement at this location.

At 3:00 o'clock p. m. Chairman Cabell announced the following awards of contracts, sale of buildings, scrap steel, et cetera, for which bids were taken at the morning session:

"Sheeley Bridge Section of the Upper Nehalem County Road, in Columbia County. 3.22 miles surfacing and oiling. The low bid received for this project was that of Warren Northwest, Inc., Portland, at \$12,573.00, based on the use of tar. This company did not submit a bid based on the use of road oil. The next low bid was that submitted by Babler Bros., Portland, at \$13,538.00, based on the use of tar. They also did not submit a bid based on the use of road oil. There were 2 higher bids received. The Commission rejected all bids received for this project and ordered it readvertised.

"St. Helens-Warren Section of the Columbia River Highway, in Columbia County. 3.95 miles grading and asphaltic concrete paving. Newport Construction Co. & Kern & Kibbe, Portland, submitted the low bid for this project at \$87,614.70. E. C. Hall and Warren Northwest, Inc., Eugene, submitted the next low bid at \$90,752.00. There were 2 higher bidders. The Commission has awarded this contract to Newport Construction Co. and Kern & Kibbe at their low bid of \$87,614.70.

"Bear Creek-Ashland Section of the Pacific Highway, in Jackson County. 0.41 mile roadside improvement. There were 2 bids received for this project, the low one being that of M. C. Lininger & Son, Ashland, at \$3,655.50. The other bid was submitted by the River Bend Sand & Gravel Company, Salem, at \$6,504.00. The Commission has awarded this contract to M. C. Lininger & Son at their low bid of \$3,655.50.

"Williamson River Bridge Section of The Dalles-California Highway, in Klamath County. Construct 342 lin. ft. reinforced concrete bridge. The low bid for this project was submitted by Mountain States Construction Company, Eugene, at \$31,790.00. The next low bid was submitted by Clifford A. Dunn, Klamath Falls, at \$32,855.00. There were 7 higher bidders. The Commission awards this contract to Mountain States Construction Company at its low bid of \$31,790.00.

"Cottonwood Creek-Maddock Corner Section of the Klamath Falls-Lakeview Highway, in Lake County. 2.0 miles grading and talus rock roadbed topping. McNutt Bros., Eugene, submitted the low bid for this project at \$23,834.50. E. L. Rigdon, Paisley, submitted the next low bid at \$26,014.50. There were 6 higher bids. The Commission awards this contract to McNutt Bros. at their low bid of \$23,834.50.

"Peoria-Harrisburg Section of the Corvallis-Harrisburg County

Road, in Linn County. 6.0 miles surfacing and 12.94 miles oiling. The low bid submitted for this project was that of Clifford A. Dunn, Klamath Falls, at \$38,461.00, based on the use of road oil. He did not submit a bid based on the use of tar. The next low bid was submitted by Edwin C. Gerber, Oregon City, at \$39,352.20, based on the use of road oil. He did not submit a bid based on the use of tar. There were 8 higher bidders. The Commission awards this contract to Clifford A. Dunn at his low bid of \$38,461.00, using road oil.

"Roberts-Orville Section of the Halls Ferry County Road, in Marion County. 3.33 miles surfacing and oiling. McNutt Bros., Eugene, submitted the low bid for this project at \$13,805.00, using road oil, and \$14,037.00 based on the use of tar. Harold Blake, Portland, submitted the next low bid at \$16,649.50, based on the use of tar. He did not submit a bid based on the use of road oil. Edwin C. Gerber, Oregon City, submitted the third low bid at \$16,852.00, based on the use of road oil. He did not submit a bid based on the use of tar. There were 5 higher bidders. The Commission has referred all bids received for this project to the Engineer with power to award the contract to the low bidder when certain conditions have been satisfied.

"Washington County Line-Skyline Boulevard Section of the Northwest Thompson County Road, in Multnomah County. 1.73 miles grading, surfacing and oiling. The low bid submitted for this project was that of Saxton, Looney & Risley, Oak Grove, at \$32,669.00. The next low bid was submitted by Harold Blake, Portland, at \$33,301.50. There were 2 higher bidders. The Commission has referred all bids received for this project to the Engineer with power to award the contract to the low bidder when certain conditions have been satisfied.

"Airport Road Overcrossing on Northeast 42nd Avenue over the O.W.R.R. & N. tracks at Northeast Portland Highway, in Multnomah County. Barham Bros., Salem, submitted the low bid for this project at \$41,537.50. Shattuck & Neland, Portland, were the next low bidders with a bid of \$42,003.50. There were 10 higher bidders. The Commission has awarded this contract to Barham Bros. at their bid price of \$41,537.50.

"Chenoweth Creek-The Dalles Section of the Chenoweth County Road, in Wasco County. 0.70 mile grading and 1.19 miles surfacing and oiling. The Commission received two bids for this project, the low one being that of H. L. Rice, Portland, at \$12,884.50. The other bid was submitted by Babler Bros., Portland, at \$16,943.00. The Commission has rejected both of these bids and has ordered the project readvertised."

Buildings in Albany:

"Building No. 5178, formerly owned by Augusta Otto. The Commission received one bid for this building, being that of C. R. Wendel, Albany, at \$102.00. The Commission considers this offer

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satisfactory and has sold the building to Mr. Wendel at his bid price of \$102.00.

"Building No. 4968, formerly owned by the World War Veterans' State Aid Commission. No bids were received by the Commission for the purchase of this building.

"Building No. 4957, formerly owned by Barbara Kinney. No bids were received by the Commission for the purchase of this building."

Buildings in Northeast Portland:

"Building No. 5408, formerly owned by H. C. Rath. Sullivan Wrecking Company, Portland, submitted the only bid for this building at \$1.00. The Commission considers this offer satisfactory and has sold the building to the Sullivan Wrecking Company for \$1.00.

"Building No. 5412, formerly owned by William Habernicht. The only bid submitted for this building was that of Sullivan Wrecking Company, Portland, at \$23.56. The Commission referred the offer to the Engineer with power to sell the building to the Sullivan Wrecking Company.

"Building No. 5413-2, formerly owned by the O.W.R.R. & N. Company. The only bid submitted for this building was that of Sullivan Wrecking Company, Portland, at \$11.00. The Commission considers this offer satisfactory and accordingly has sold the building to the Sullivan Wrecking Company for \$11.00.

"Building No. 5416, formerly owned by Philip Buebke. Sullivan Wrecking Company, Portland, submitted the only bid for this building at \$13.56. The Commission referred this offer to the Engineer with power to make the sale.

"Building No. 5255, formerly owned by Chas. L. Schneller. Only one bid was received for this building, being that of Sullivan Wrecking Company, Portland, at \$56.56. The Commission referred this offer to the Engineer with power to make the sale.

"Building No. 5566, formerly owned by Maude Tanner. The only bid received for this building was that of Sullivan Wrecking Company, Portland, at \$5.56. The Commission accepted the offer of the Sullivan Wrecking Company and accordingly sold the building to it for \$5.56."

Buildings in West Portland:

"Building No. 4589, formerly owned by John G. Maycock. F. A. Graddy, Portland, submitted the only bid for this building at \$1.00. The Commission rejected the offer.

"Building No. 5037, formerly owned by John T. Paulson. Only one bid was received for this building, being that of F. A. Graddy, Portland, at \$42.00. The Commission rejected this offer."

Building at Warren:

"Building known as 'Vasa Hall', formerly owner by Einer Carlson. Sullivan Wrecking Company, Portland, submitted the only bid for this job at \$31.79. The Commission accepted this offer and sold the building to Sullivan Wrecking Company for \$31.79."

Scrap Bridge Steel:

"Sale of scrap bridge steel from Little Nestucca River Bridge on the Oregon Coast Highway. The Commission received two bids for the purchase of this steel, the high one being that of the Alaska Junk Company, Portland, at \$378.04. The Commission considers this offer satisfactory and has sold the material to the Alaska Junk Company at its bid price."

Vacant Tracts:

"Sale of 3 vacant tracts in Albany, Linn County. The Commission received one offer for these tracts, being that of H. D. and Barbara Rohde, for \$1,000.00. The Commission considers this offer satisfactory and has sold the tracts to Mr. and Mrs Rohde for \$1,000.00."

A delegation representing businessmen from the Alberta District, Portland, headed by Mr. G. H. Kendrick, came before the Commission in regard to the designation of Alberta Street as a state highway route. Others in the delegation were Messrs. G. B. Washtok, T. G. Sullivan, Otis Valentine, C. H. Morton, H. A. Walker, H. J. Casey, P. M. Sherlund, A. J. Eckelman, Foster and Dodd. They gave as their thought that Alberta Street would make a much better connection between the Northeast Portland Secondary Highway and the Columbia River Highway than Killingsworth Street because it would make a direct connection with the Columbia River Highway at the Columbia Boulevard intersection; whereas, Killingsworth Street does not make such direct connection; furthermore, Alberta Street practically divides the district lying between Columbia Boulevard and Sandy Boulevard and is favored by the Board of County Commissioners of Multnomah County and the Portland City Commissioners as an arterial traffic route.

Chairman Cabell advised that Alberta Street has certain advantages and no doubt deserves serious consideration as an arterial route, but the Commission has obligations at the present time with respect to Sandy Boulevard leading into the center of Portland, and Lombard Street, which is a bypass route for the Columbia River Highway through the St. Johns District; and until these obligations are fulfilled the Commission cannot think of assuming new ones. This concluded the conference.

Mr. E. A. Geary, Klamath Falls, representing the Klamath County Chamber of Commerce, and Mr. Forrest Cooper, Lakeview, representing the Lakeview Chamber of Commerce, were present in regard to the improvement of the Klamath Falls-Lakeview Highway. They gave as their understanding that the Commission budgeted \$100,000 for the improvement of this road and urged that the contract for the same be awarded as soon as possible so as to eliminate any possibility of a repetition of the bad conditions which obtained

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on this road during the past winter. They were informed that the Commission is ready to proceed with this work as soon as it receives technical approval of the project by the Bureau of Public Roads, and that it looks now as if the contract will be awarded some time in July. They were also informed that the rocking work is about all that can be done this year because weather conditions will probably not permit the oiling until next spring.

Mr. Cooper gave as his understanding that the Bureau of Public Roads proposes in the near future to contract a construction project in the Crooked River Canyon Section of the Fremont Highway, in Lake County. He asked the Commission to suggest to the Bureau that it include in this contract provision for certain cleanup work, as was done last year on a project at the north end of this highway. The Commission approved the request and instructed the Engineer to take care of it.

Mr. Cooper also asked for the grading of a site for a "General Fremont" memorial to be located adjacent to the Fremont Highway in the vicinity of Summer Lake. He suggested that this could be done in connection with the contract for oiling which he understood the Commission intends to award this summer. He asked for just enough grading work at this location to permit the parking of cars so that tourists could read the wording on the marker. The Commission instructed the Engineer to bear this in mind in the contract for this work.

Mr. Cooper brought up for discussion the matter of providing a water supply for Booth State Park, adjacent to the Klamath Falls-Lakeview Highway. He said that the reservoir has been constructed at a certain spring about $3/4$ mile from the park and that the proposition now is to pipe the water from the reservoir to the park; also, that the United States Forest Service has indicated a willingness to cooperate in the construction of the pipe line to the extent of digging a ditch for the same, but the state would have to furnish the pipe. He was instructed to contact the State Parks Superintendent, Mr. S. H. Boardman, in regard thereto.

Mr. L. H. Dobry, Tacoma, Washington, came before the Commission in regard to securing a permit granting him the privilege of operating over Oregon highways a vehicle designed for the carrying of new automobiles. It appears that this equipment, when loaded, will exceed the height and length limits prescribed by the Oregon statutes. The Commission denied the request, it appearing to the Commissioners that no emergency exists and that the Commission is without legal authority to grant special permits except for emergency movements.

Mr. Leonard Ferguson, Tillamook, was present and requested authority to transport alder logs, 8' to 10' in length, over state highways in the vicinity of Tillamook during hours of darkness, which privilege is now prohibited under the Commission's ruling that logs shall not be transported over state highways during such period. He gave as his thought that the hauling of logs at night would create no more dangerous condition than the movement of large freight trucks and trailers. The State Highway Engineer explained that the present policy of the Commission with respect to the transportation

of logs is of long standing and was adopted by a former commission to control the transportation of large logs involving the use of trailers. He gave as his thought that the transportation of short-length logs, properly tied to the truck, would not create an undue hazard, and suggested that a study of the matter be made to ascertain whether or not there would be any objection. The Commission approved the suggestion and referred the matter to the Engineer for such investigation and report.

The Engineer reported on the matter of oiling the Cape Arago Secondary State Highway in the vicinity of Charleston, for which work the Commission previously authorized an expenditure of \$2,500; also, on the cost to oil the shoulders of this highway through the town of Empire, and the cost of flattening a curve in Empire. He advised that it would take the entire amount of \$2,500 to oil the uncoiled portion of this road from a point 2.2 miles north of Charleston to and through the town of Charleston; so, if the Commission desires to oil the shoulders through Empire, which would cost about \$750, and flatten the curve in this town, which would cost about \$500, an additional authorization would have to be made in the amount of approximately \$1,250. He recommended the additional work. The Commission approved the recommendation unanimously.

The Commission considered and approved the site selected by the Landscape Engineer and the State Parks Superintendent for the proposed "Guy W. Talbot" memorial marker in Talbot State Park adjacent to the Upper Columbia River Highway at Latourell. The site selected is on the northerly side of the highway at the west end of the bridge over Latourell Creek.

The Engineer reported on the complaint of Andes Rajala, Nehalem, Oregon, arising out of the reconstruction of the Oregon Coast Highway in front of his premises near Nehalem. Mr. Rajala alleges that the highway was lowered 19 feet in front of his premises, and it is now practically impossible for him to properly care for his stock, and a dangerous condition has been created for his grandchildren. He asks the Commission to construct a bridge over the highway cut for his private use. The Engineer advised that the highway extends between Mr. Rajala's house and barn through a 19-foot cut, creating an undesirable condition. In fact, a rather dangerous condition exists where Mr. Rajala's private road leading to his house has been constructed on the edge of the bank. He further advised that Mr. Rajala indicated that he would be satisfied if the state would construct a fence between the highway cut and the approach road, and accordingly 60 cedar posts were furnished for the purpose; but it now appears that the posts alone are not satisfactory, and Mr. Rajala wants the state to furnish some lumber to be used as fence rails to keep the children from falling into the cut. He recommended that the request be approved. The Commission approved his recommendation.

The Commission had under consideration the claim of the Peninsula Golf Club, Portland, for reimbursement in the amount of \$265 for expense incurred by the club in connection with the investigations that were conducted by the state for a traffic separation structure at the intersection of Union and Denver Avenues, Portland. The State Highway Engineer gave as his thought that the claim should not be allowed. The Assistant Attorney recommended

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payment of the claim because, had it not been for the fact that the Commission had it in mind to actually proceed with this project, the Peninsula Golf Club would not have been put to expense. The Commission, after discussion deferred action on the matter until its next meeting. The matter was referred to the Commission's Attorney, Mr. J. M. Devers, for study in the meantime, and for advice to the Commission as to its legal responsibility for the payment of the claim.

The Commission considered and signed the following agreements, et cetera:

Agreement with Douglas County providing for the county to acquire right of way needed for the construction of the North Umpqua County Road project, and to maintain such project after completion by the state.

Agreement with the Soil Conservation Service of the U. S. Department of Agriculture, renewing previous agreement relative to conducting demonstrations of methods of erosion control along state highways.

Permit authorizing J. B. Patterson to construct and maintain a private bridge over a highway borrow pit on the Siuslaw Highway at Mile Post 7.03.

Permit authorizing Olaf Rice to construct a private bridge over a highway borrow pit on the Siuslaw Highway at Mile Post 13.5.

Agreement with Multnomah County providing for maintenance by the county of the Airport Road Overcrossing Section in Northeast Portland.

Agreement with Multnomah County providing for maintenance by the county of Northwest Thompson County Road upon completion of construction by the state.

Agreement with Polk County providing for maintenance by the county of the Independence-Buena Vista County Road upon completion by the state.

Agreement with Polk County providing for construction of the Independence-Buena Vista County Road as a Federal Aid Secondary Highway Project.

Agreement with Linn County providing for maintenance by the county of the Corvallis-Harrisburg County Road upon completion of the construction of the same by the state.

Agreement with Linn County providing for payment of the county's indebtedness to the state, amounting to \$34,206.69, arising out of the construction of the Santiam Highway, in Linn County.

Agreement with Marion County providing for construction of the Salem-Independence Ferry Road as a Federal Aid Secondary Highway.

Agreement with Marion County providing for maintenance by the county of the Salem-Independence Ferry Road (River Road) after completion of construction of the same by the state.

Agreement with Columbia County providing for maintenance by the county of the Upper Nehalem County Road when the construction of the same has been completed by the state.

Agreement with Wasco County providing for maintenance by the county of the Chenoweth Creek County Road after construction of the same by the state.

Agreement with Washington County providing for maintenance by the county of the Hillsboro-Cornelius Pass Road upon completion of the same by the state.

Agreement with Clackamas County providing for maintenance of the Carver-Redland County Road upon completion of construction of the same by the state.

Agreement with Miles Earl Ollivant providing for the renewal of a lease of a certain gravel bar owned by Mr. Ollivant, situate in Section 34, T. 28 S., R. 7 W., W. M., Douglas County.

The Commission adjourned at 5:00 o'clock p. m., to reconvene on the following day in the same room.

Portland, Oregon, June 3, 1938

The State Highway Commission reconvened at 9:00 o'clock a. m. in the Auditorium of the Public Service Building, with all members present and participating. Also present were the State Highway Engineer, the Attorney, and the Secretary.

Bids as follows for the construction of state highway projects were opened and read in conformance with previously published notice:

CARVER-REDLAND COUNTY ROAD
CARVER-REDLAND STORE SECTION - GRADING, SURFACING, OILING

	<u>Using Road Oil</u>	<u>Using Tar</u>
Fisher Bros.	\$30,145.50	\$31,722.00
Babler Bros.	31,825.00	
Edwin C. Gerber		33,605.00
O. G. Yocom		33,710.00
Kuckenberg Construction Company		35,054.00
Saxton, Looney & Risley		

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**WOLF CREEK HIGHWAY
BRIDGE OVER SOUTH FORK ROCK CREEK**

Snook Bros.	\$8,290.00
J. F. Johnston	8,700.00
Birkemeier & Saremal	8,775.00
Makela Construction Company	9,870.00

**NORTH UMPQUA COUNTY ROAD
DIXONVILLE SECTION - GRADING AND SURFACING**

Harold Blake	\$29,426.00
Leonard & Slate	32,475.00
D. L. Ashton	35,292.50
F. C. Dillard	35,378.50
A. S. Wallace	35,413.50
E. C. Hall	38,934.00
Clifford A. Dunn	44,614.00

**NORTHEAST PORTLAND SECONDARY HIGHWAY
LOMBARD STREET—KILLINGSWORTH STREET SECTION
GRADING, SURFACING, OILING**

Roy L. Houck	\$31,532.50
Harold Blake	32,812.00
Oregon Contracting Company	34,542.50
Kern & Kibbe	36,350.50
Edlefsen-Weygandt Company	36,584.00
Jacobsen-Jensen Company	41,220.00
E. C. Hall Company	43,125.00
Parker-Schram Company	43,442.50
Leonard & Slate	44,665.00
J. A. Lyons	47,875.00
A. C. Greenwood Company, Inc.	50,312.50

**COLUMBIA BOULEVARD
RECONSTRUCTION OF NORTHEAST 33rd AVENUE OVERCROSSING**

Birkemeier & Saremal	\$17,665.00
George Isaackson	17,895.00
Clifford A. Dunn	17,980.00
Averill & Corbin	18,190.75
Lindstrom Bros.	18,835.00
Kern & Kibbe	20,965.00
Shattuck & Neland	22,977.50

**INDEPENDENCE-BUENA VISTA COUNTY ROAD
WIGRICH-BUENA VISTA SECTION - SURFACING AND OILING**

	<u>Using Road Oil</u>	<u>Using Tar</u>
J. C. Compton		\$13,211.60
McNutt Bros.	\$13,578.00	13,741.20

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(Wigrich-Buena Vista Section continued)

Edwin C. Gerber
Harold Blake

Using Road Oil
\$13,934.00

Using Tar
\$
\$15,734.00

MARKET ROAD NO. 15
TONE BRIDGE OVER TRASK RIVER

Dolan Construction Company
Sig Ash
Tom Lillebo
J. F. Johnston
J. W. & J. R. Hillstrom
Makela Construction Company
Gilpin Construction Company

\$19,777.00
20,195.00
20,790.00
21,523.00
21,889.00
24,910.50
25,873.00

HILLSBORO-CORNELIUS PASS COUNTY ROAD
HILLSBORO-AIRPORT ROAD SECTION — SURFACING AND OILING

Saxton, Looney & Risley
Warren Northwest, Inc.

Using Road Oil

Using Tar
\$12,131.50
13,672.00

At the request of the Commission the Secretary made the following announcement: "The Commission wishes bidders to know that the bids received today for the construction of the Tone Bridge over the Trask River, on Market Road No. 15, in Tillamook County, were received on behalf of Tillamook County Court, to which the bids are being referred for disposal. The Commission also requests that hereafter bidders who submit bids for county road projects advertised by the State Highway Commission, submit bonds in connection with such bids on the regular county form which is provided for such purpose and is included in the proposal form. The Commission does not want the state's bond form used in connection with county road projects."

Chairman Cabell announced that the Commission would make the award of contracts at 2:00 o'clock p. m. in the same room.

County Judge Huron W. Clough, of Douglas County, was present and discussed with the Commission matters pertaining to the right of way for the Dixonville Section of the North Umpqua Highway, bids for which were received by the Commission at this meeting. It appears that the County Court is encountering difficulties in acquiring right of way for this road.

Chairman Cabell advised that, if an investigation of the bids received for this job reveals the low one to be satisfactory, the Commission would probably refer the bids to the Engineer with power to award the contract to the low bidder when legal and right of way matters have been satisfactorily disposed of. This was agreeable with Judge Clough.

A delegation from Tillamook and Clatsop Counties, headed by County

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Commissioner E. H. Lindsey of Tillamook County, came before the Commission and urged the early completion of the Neahkahnie Mountain Section of the Oregon Coast Highway. Others in the delegation were County Commissioner E. G. Anderson, and W. S. Coates, County Engineer of Tillamook County; County Judge Guy Boyington and County Commissioners James Elliott and William Larsen of Clatsop County; Walter Nichols, Secretary of the North Tillamook County Chamber of Commerce; John Asham and Tom Dolan, representing the Tillamook Chamber of Commerce; Claude Myers and Samuel Reed, Nehalem; Tom Cuning, Secretary of the Astoria Chamber of Commerce; and Ed Miller, Manager of the Oregon Coast Highway Association.

Speaking in behalf of this project were Messrs. Lindsey, Boyington, Miller, Reed, Elliott, Nichols, Asham, Dolan, and Cuning. They urged the Commission to at least complete the grading work involved this summer and particularly the earth work, leaving the rock work for next winter, and suggested the contracting of the grading work in July so as to insure its completion this year. Chairman Cabell recited briefly the history of the Neahkahnie Mountain project and pointed out that there are other roads in the state that are in the same category of delay. He said that he didn't know very much about the project before he was appointed a member of the Commission, but since he became a member the matter has been discussed thoroughly, and the Commission decided to proceed with the improvement, three allocations having been made for the same, each for a substantial amount. He further advised that the estimated cost to complete this job is \$200,000, half of which the Commission proposes to contract as soon as possible, but the Commission at present cannot see its way clear to finance the entire project this year unless savings accrue from the contracting of other work. He suggested that it would be proper to delay the contracting of the entire project until fall when the entire job can be contracted if contemplated savings accrue. Whether or not the entire project can be contracted this fall, he said, depends entirely upon the amount of savings, but the Commission has it in mind to complete this gap as soon as possible. He pointed out that the Commission is short of funds and indications are that the gasoline tax revenues will be less this year than last year, so it does not appear now that the Commission will be financially able to award many big jobs until September.

The State Highway Engineer advised that the Commission is borrowing \$750,000 on June 15 to help tide over a low period in the Commission's finances, and if the gasoline tax revenues do not increase the possibilities are that the Commission will have to sell additional bonds this fall. He also brought up the matter of lining the Arch Cape Tunnel which was recently constructed. He said that conditions in this tunnel are hazardous and there is danger of accidents occurring by reason of falling rocks; so the Commission does not want to open this tunnel to traffic until it has been properly lined to prevent the falling of rocks and until sidewalks have been constructed through it for pedestrian use. He pointed out that there are two main projects to be undertaken to open this highway: first, construction of the gap south of Arch Cape Tunnel; and, second, the lining of the tunnel, the latter project to be financed with fiscal year 1940 funds that will probably be available about January 1939.

Chairman Cabell stated that it is reasonable to assume that any highway commission will advance the completion of this project so as to make the road usable. He assured the delegation that the present Commission has no feelings whatsoever against this road, as is evidenced by the fact that the Commission, since he has been a member, has allocated substantial sums at three different times to the same, and the present Commission intends to continue allocating funds to the project until it is completed. Commissioners Aldrich and Tou Velle concurred in the Chairman's statements.

The delegation then urged the Commission to award a contract for the grading work only this summer, so as to advance that part of the construction. Chairman Cabell replied that the Commission can make no promises but will look into the matter within the next couple of weeks and ascertain whether or not funds can be spared for the purpose.

Judge Boyington brought up the matter of Clatsop County's indebtedness to the state, amounting to about \$7,000. He said that the County Court has this money available to turn over to the state as soon as it has disposed of the right of way negotiations for the Neahkahnie Mountain project, some of which are still pending. He inquired whether or not it would be satisfactory to continue to hold this money until such time. He was assured by the Commission that such arrangement would be satisfactory.

Judge Boyington then asked the Commission, in behalf of the Board of Trustees of the Astoria Bridge Committee, of which he is a member, whether or not the Commission has any understanding or agreement with the State of Washington in regard to the establishment of free ferry service across the Columbia River at Astoria. He explained that the Board of Trustees anticipates that it will be asked shortly to endorse an application for P.W.A. funds to finance a bridge at this location and they would like to have information available in regard to the free ferry, for use at that time. He was informed by Chairman Cabell that the Commission has no definite agreement covering this ferry matter; that Oregon is ready and willing to install a free ferry but the State of Washington is not in a position to act, and the probabilities are that the matter will have to rest in status quo until the Washington legislature meets.

A delegation from Nelscott, consisting of A. M. Williams, C. D. Hughes, Henry Hostettler, Raymond Shannon, and Ray Edelson, came before the Commission in regard to a proposed state park lying between the Oregon Coast Highway and the Pacific Ocean a short distance north of Nelscott, in Lincoln County. Mr. Williams headed the group. They urged the Commission to acquire this tract, which contains considerable virgin timber, and particularly asked the Commission to inspect the premises the next time it is in that vicinity.

Chairman Cabell advised that the Commission has only a limited amount of funds to spend for the purchase and development of state parks and must be very careful to spend this money in the most beneficial manner possible, considering the state as a whole. He said that personally he has never viewed the tract under discussion, but, from reports, believes that the state can spend its money to better advantage than for the purchase of the

same. He agreed to inspect the tract the following morning enroute over the Oregon Coast Highway to Medford.

Mr. Forrest Cooper, Secretary of the Lakeview Chamber of Commerce, again came before the Commission and advised that the Lakeview Chamber of Commerce wishes to go on record with the Commission as being in favor of and endorsing the objectives of the Oregon Roadside Council in its campaign to educate the people with respect to the beautification of Oregon roadsides. He inquired as to whether or not it would be possible for the Commission to contribute state funds to this cause and was informed by Chairman Cabell that the Commission is precluded from doing so on account of legal barriers, although the Commission is heartily sympathetic with the project.

County Judge A. R. Bowman, of Crook County, was present and invited the Commission to attend a meeting of the Prineville-Crook County Chamber of Commerce which is to be held in Prineville on Monday evening, June 13. The Commission accepted the invitation with thanks.

Mr. Charles Reynolds, President of the Oregon Trail Association, was present and filed with the Commission numerous petitions urging the reconstruction of the Columbia River Highway between Portland and The Dalles.

The County Court of Benton County, represented by County Commissioners W. H. Malone and T. A. Logsdon, was present in regard to the Willamette River Bridge at Corvallis. They asked the Commission to extend the Corvallis-Eastside Secondary Highway, which now terminates at the east end of this bridge, westerly across the bridge to a connection with the Albany-Corvallis Primary State Highway, a distance of 3 or 4 city blocks. Mr. Malone stated that the county owns some of the land at the east end of this bridge, a portion of which might be needed for right of way, and that the county is selling 1 acre of this land to a local party subject to the condition that the state may have the part that it needs for the highway improvement.

The Engineer advised that the bridge is in fairly good condition, although it needs a new deck and painting, and the approaches to the bridge need to be reconstructed. The Commission appeared to be favorably inclined to assume responsibility for this bridge but deferred action thereon until the next meeting. The Engineer was instructed to render a full report at that time as to the cost to make the bridge repairs and to rebuild the approaches, including a report on the right of way situation.

Mr. William L. Gray, Portland, conferred with the Commission in regard to property that is needed by the Commission for right of way for the Northeast Portland Secondary Highway between 13th Street and 15th Street, Portland. It appears that the Commission's right of way agent offered Mr. Gray 6 cents per square foot for land taken from him, which is the price that the Commission is paying for other land in the same vicinity; but Mr. Gray has refused the offer because he has paid taxes and assessments on this property for many years and the amount offered by the state will not nearly recompense him for the amounts expended for such purposes.

He was informed by Chairman Cabell that the Commission cannot pay him more for his property than is being paid for other properties in this vicinity, so it is necessary to deny his request for additional compensation. Mr. Gray then signified his willingness to accept the Commission's offer of 6 cents per square foot.

The Commission discussed a letter from Mr. C. C. Hockley, Regional Director for the Federal Emergency Administration of Public Works, relative to the filing of applications for grants or loans and grants from the Public Works Administration to finance construction projects. The Commission by unanimous vote adopted the following resolution authorizing Mr. R. H. Baldock as State Highway Engineer to file applications with the United States of America, through the Federal Emergency Administration of Public Works, for grants to aid in financing certain state secondary highway projects and the purchase of right of way necessary for the same:

A RESOLUTION authorizing R. H. Baldock, as State Highway Engineer, to file applications with the United States of America through the Federal Emergency Administration of Public Works for grants to aid in financing the construction of certain Secondary State Highway projects; and, the purchase of right of way necessary to such construction.

BE IT RESOLVED BY THE OREGON STATE HIGHWAY COMMISSION:

1. That R. H. Baldock as State Highway Engineer, be and he is hereby authorized to execute and file applications on behalf of the Oregon State Highway Commission with the United States of America for grants to aid in financing the construction of the following Secondary State Highway Projects.

County	Highway	Section	Type of Work
Deschutes & Harney		Brothers & Sunter	Buildings
Clackamas	Woodburn-Mt. Hood Loop	Molalla	Paving
Linn	Walsey-Sweet Home	Brownsville	Grading, Sur- facing & Oiling

2. That the said R. H. Baldock is hereby authorized and directed to furnish such information as the United States of America through the Federal Emergency Administration of Public Works may reasonably request in connection with the applications which are herein authorized to be filed.

The Commission had under discussion a certified copy of a resolution adopted by the California Highway Commission at its meeting on May 6, 1938, wherein that Commission committed itself to include in its budget for

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the next biennium sufficient funds to reconstruct portions of Road II-Sis-3-C (Pacific Highway) to provide an adequate connection with the proposed relocation of the Pacific Highway in Oregon. The Commission also considered a letter from Mr. C. H. Purcell, State Highway Engineer of California, transmitting such resolution, in which he advised that the biennium referred to in the resolution is the coming biennium beginning July 1, 1939, and ending June 30, 1941; also, in which he advises that the preparation of the California State Highway Department budget will be made some time this fall and will include an appropriation based on the estimated cost to construct this highway.

After a full discussion of this matter, the Commission accepted the commitment as made by the California Highway Commission and thereupon, by unanimous vote, adopted the following resolution committing the State of Oregon to promote and complete the construction of the Pacific Highway in Oregon from Siskiyou Summit to the California-Oregon State Line on or before the 30th day of June, 1941:

WHEREAS, this Commission has heretofore approved and adopted a new route and alignment for the Pacific Highway between Ashland and the Oregon-California State line, over a portion of which new route the highway has already been constructed and is now in use, and over the remainder of said new route it is the purpose of the Commission to construct the Pacific Highway and have the same ready for public use not later than June 30, 1941; and

WHEREAS, as a result of conferences between representatives of the California Highway Commission and representatives of the Highway Commission of the State of Oregon, a mutual agreement and understanding has been reached, by which it is agreed that the Pacific Highway shall cross the boundary line between the State of California and the State of Oregon at a point where the elevation does not exceed 3,320 feet, which location is likewise approximately 850 feet westerly from where the present Pacific Highway crosses the California-Oregon state line; and

WHEREAS, the California Highway Commission has by official action taken on May 6, 1938, committed itself "to include in the budget for the next biennium sufficient funds to reconstruct portions of road II-Sis-3-C from the Oregon State Line southerly to provide an adequate connection with the proposed relocation of the Oregon Highway.", and said California Highway Commission has officially advised the Oregon State Highway Commission of such action and commitment;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by this Commission, all members being present and affirmatively voting, as follows:

1. That the certified copy of the resolution passed by the California Highway Commission at its meeting held on the sixth day of May, 1938, and delivered to this Commission by C. H. Purcell,

State Highway Engineer, be accepted as a declaration or commitment of the California Highway Commission with respect to the relocation and reconstruction of the Pacific Highway where the same crosses the California-Oregon State line.

2. That this Commission does hereby commit the State of Oregon to promote and on or before the 30th day of June, 1941, complete the construction of the Pacific Highway in Oregon from Siskiyou Summit to the California-Oregon State line along the route heretofore adopted and mutually agreed upon, said highway to cross the said state line at a point where the elevation does not exceed 3,320 feet, which location is likewise approximately 850 feet westerly from the point where the present highway crosses the said state line.

3. That this resolution be entered in the minutes and records of the Commission and a duly certified copy thereof mailed to the California State Highway Commission.

The Engineer asked the Commission to confirm the award of the following contracts as made by him pursuant to authority previously granted him by the Commission:

Baker-Flagstaff Hill Section of the Baker-Homestead Highway, in Baker County. 5.68 miles grading and oiling and furnishing crushed gravel in stock pile. Contract awarded May 14 to E. H. Itschner, who submitted the low bid for the same on April 29, 1938;

Otis-Boyer Section of the Salmon River Highway, in Lincoln and Tillamook Counties. Furnish 5,000 cu. yds, crushed rock in stock piles. Awarded May 13 to O. C. Yocom, who submitted the low bid therefor on April 29, 1938;

Spaulding Ranch Section of the Salem-Dayton Secondary Highway, in Yamhill County. 1.66 miles grading, surfacing, and oiling. Awarded on May 23 to Mountain States Construction Company at their low bid submitted on April 29, 1938.

The Commission by unanimous vote approved the award of the contracts as reported by the Engineer.

The Commission had under consideration the award of the contract for the drilling of a well for the Brothers Oasis, adjacent to the Central Oregon Highway, in Deschutes County, for which work A. M. Jannsen Drilling Company, Portland, submitted the low bid on April 28, 1938. The Secretary presented a letter from the A. M. Jannsen Drilling Company stating their willingness to accept the award of this contract notwithstanding that the 30-day period for the making of such award has expired. The Engineer advised receipt of a communication from the Federal Government to the effect that federal funds cannot be used to finance this project, although such funds can be used for the construction of a pipe line in connection therewith and also

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for the purchase of trees and the planting of same. He recommended the award of this contract as a state contract to be paid with state funds, and requested that, if the Commission approves the recommendation, he be authorized to designate the location for this well in view of the fact that there is a possibility that it would be desirable to have it on the opposite side of the road from the location originally contemplated. After discussion, the Commission approved the Engineer's recommendation and authorized him to award the contract to the A. M. Janssen Drilling Company on such basis if the company consents to the change in location.

Reconsideration was given by the Commission to the matter of the adoption of a set of rules and regulations for the control of advertising signs on or adjacent to state highways in unincorporated towns and villages, and particularly the matter of charging the owners of such signs a fee to maintain them on the highway, and a requirement that the owners of the signs furnish the state a bond to indemnify the Commission in the event an accident occurs by reason thereof. The Attorney advised that the Commission cannot charge a fee for the maintenance of a sign on the highway but it can require the owner to furnish a bond for the Commission's protection. The Commission decided that an attempt should be made to secure such a bond from the owner of a sign when a permit authorizing such sign to occupy space on the highway right of way is granted.

The Commission had under consideration the application of the California-Oregon Power Company for permission to construct its pole line on the Pacific Highway between Mile Posts 325.12 and 325.84, south of Ashland, in a location 5 feet from the easterly right of way line of said highway, which location is 4 feet nearer the traveled portion of the highway than the standard location. The Commission decided to adhere to its present policy in this matter and to require the placement of the poles a distance of only 1 foot from the right of way line.

The Commission had under consideration the matter of cooperating in the construction and maintenance of a sewer system to serve the State Forestry Department, the State Highway Shops, and, to some extent, the State Penitentiary, at Salem. The Engineer explained that the State Forestry Department constructed its buildings adjacent to the Highway Department shops and proposes to install a sewer from its headquarters to a connection with the State Penitentiary sewer located about 1,610 feet easterly from the forestry buildings; further, that said sewer can be used to good advantage in serving the State Highway Department shops and to some extent the penitentiary grounds; so, it was tentatively agreed by all parties that the sewer should be constructed as a cooperative project, the State Highway Department to pay one-third of the cost of materials between the Penitentiary sewer connection and the Forestry Department's premises, and to pay the entire cost of all of the materials from said point to the State Highway Shops, a distance of about 605 feet, the State Forestry Department to do the constructing work free of cost to the Highway Department. He estimated that the Highway Department's share of the cost would amount to not more than \$1,000 besides furnishing a trenching machine for the use of the State Forester. He recommended that the Commission approve the expenditure. After discussion, the Commission

approved the recommendation by unanimous vote and ordered that the matter be covered by joint agreement among the parties concerned.

The Engineer reported that it is no longer necessary to maintain the reduced load limits on the Little Nestucca Secondary Highway, the McKenzie Highway, the Willamette Highway, the John Day Highway, and the Klamath Falls-Lakeview Highway, and recommended the lifting of such reduced load limits heretofore in effect. The Commission approved the recommendation and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, on the 22nd day of October, 1937, at a meeting of the Oregon State Highway Commission, all members being present and participating, the Commission passed and adopted a resolution reducing the maximum load limit on the following state highway:

LITTLE NESTUCCA SECONDARY HIGHWAY from its junction with the McMinville-Tillamook Highway at Dolph to a point two miles westerly thereof, in Tillamook County; and

WHEREAS, on the 30th day of November, 1937, at a meeting of the Oregon State Highway Commission, all members being present and participating, the Commission passed and adopted a resolution reducing the maximum load limit on the following state highway:

McKENZIE HIGHWAY from the McKenzie Bridge to the east city limits of Springfield, in Lane County; and

WHEREAS, on the 6th day of January, 1938, at a meeting of the Oregon State Highway Commission, all members being present and participating, the Commission passed and adopted a resolution reducing the maximum load limit on the following state highway:

WILLAMETTE HIGHWAY from its junction with the Pacific Highway at Goshen to Oakridge, in Lane County; and

WHEREAS, on the 16th day of February, 1938, at a meeting of the Oregon State Highway Commission, all members being present and participating, the Commission passed and adopted a resolution reducing the maximum load limit on the following state highways:

JOHN DAY HIGHWAY between Prairie City, in Grant County, and Unity, in Baker County;

KLAMATH FALLS-LAKEVIEW HIGHWAY from its junction with The Dalles-California Highway near Klamath Falls, in Klamath County, to Lakeview, in Lake County; and

WHEREAS, subsequent to the passage of said resolutions, conditions have changed so that it is now no longer necessary or desirable, and the Commission hereby finds that it is no longer necessary or desirable to maintain the reduced load limits set out in said resolutions on the said state highways;

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NOW, THEREFORE, BE IT RESOLVED that the action of the State Highway Commission reducing the maximum permissible load limit on the

LITTLE NESTUCCA SECONDARY HIGHWAY from its junction with the McMinnville-Tillamook Highway at Dolph to a point two miles westerly thereof, in Tillamook County;

McKENZIE HIGHWAY from the McKenzie Bridge to the east city limits of Springfield, in Lane County;

WILLAMETTE HIGHWAY from its junction with the Pacific Highway at Goshen to Oakridge, in Lane County;

JOHN DAY HIGHWAY between Prairie City, in Grant County, and Unity, in Baker County;

KLAMATH FALLS-LAKEVIEW HIGHWAY from its junction with The Dalles-California Highway near Klamath Falls, in Klamath County, to Lakeview, in Lake County;

be and the same hereby is rescinded and cancelled as of this date, and the maximum load limit permissible on the said sections of the said highways hereafter shall be the maximum load limit provided by law; and it is further ordered that a certified copy of this resolution be furnished to the county clerk of each county in which said highways are located, and that a certified copy of this resolution be furnished to the Superintendent of the Department of State Police for his information.

The Commission considered and ordered filed the report of the Traffic Engineering Department tabulating the traffic density on various primary and secondary state highways and county roads during the period from August 19 to December 16, 1937.

The Engineer requested authority for the Assistant State Highway Engineer, Mr. C. B. McCullough, to attend, at state expense, the Annual Convention of the American Society of Civil Engineers which is to be held in Salt Lake City, Utah, July 20 to 23, 1938. The Commission approved the request subject to the further approval by Governor Martin.

The Commission considered and ordered filed a letter from Arthur B. Keyser, Bandon, relative to the construction of the Oregon Coast Highway along the coast line between Marshfield and Bandon, and suggesting that the present route through Coquille be designated as an alternate route.

The Commission ordered filed correspondence with the Willamette Valley Lumbermen's Association in regard to the use of timber in bridge construction. The Engineer was instructed to use his discretion in the matter of sending copies of such correspondence to the individual members of the Commission.

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The Commission considered and denied the request of The Dalles Mill and Lumber Company to truck logs over the Columbia River Highway from Mosier to The Dalles, it being contrary to the established policy of the Commission to grant permits for special use of this highway between Portland and The Dalles.

The Secretary presented a petition signed by 54 businessmen of the town of Lebanon requesting permission to close Main Street between 9th and Maple Streets in that town during the 29th Annual Strawberry Festival on June 3 and 4, 1938. The Commission confirmed oral authority given several days previously granting the city permission to close this street during the period requested. The Commission also authorized the closing of this street during the Lebanon Strawberry Festival each year until the construction of the Santiam Highway has been completed over the mountains, when, because of the anticipated increase in traffic, such permission will no longer be granted.

A letter was presented from L. Heasbach, Kernville, asking for the construction of a parking space for automobiles in front of his place of business on the Oregon Coast Highway. The Commission denied the request as a matter of policy.

A letter was presented from Mr. F. H. Brundage, Acting Regional Forester, Portland, suggesting a conference between Mr. C. J. Buck, Regional Forester, and the State Highway Commission, relative to the State Highway Department taking over the snow-removal work on the road extending from the Mount Hood Highway to Timberline Lodge. The Commission approved such conference but decided not to hold it until Chairman Cabell returns from his contemplated vacation trip to Europe, which will be about the first of October.

The Engineer brought up for discussion the matter of the improvement of Court Street, Salem, in front of the new state capitol, with particular reference to the type of pavement to be constructed on this street, and the rounding off of the curbs at the intersection of Chemeketa and Summer Streets. He said that the Capitol Reconstruction Commission is acquiring two parcels of property north of Chemeketa Street on Summer Street, presumably with the idea in mind that this property will be needed in connection with the landscaping of the Capitol grounds. He advised that the landscaping plan provides for the rounding of the curb lines at this point to a 35-foot radius, but all of the work is within the limits of located streets, and therefore no additional right of way is required. He requested authority of the Commission to bring this to the attention of the Capitol Reconstruction Commission. The Commission approved the request unanimously.

In connection with the proposed pavement on Court Street, the Engineer suggested the use of concrete between the outer limits of the two driveways leading north from Court Street, which said driveways are to replace the present Summer Street, and that beyond these limits the existing black pavement be continued with improvements. He said that the present black pavement is in very good condition and it would be an extravagance to tear it up and replace it with concrete. He opposed tearing up any portion of the present street that can be avoided. After discussion, the Commission approved the

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Engineer's recommendation in this regard and authorized him to convey such information to the Capitol Reconstruction Commission.

The Engineer reported that, in his estimation, it would be advisable to designate the Wilson River Highway a through highway from the east city limits of the town of Tillamook to the Tillamook-Washington County line, and he so recommended. The Commission approved the recommendation and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, the Wilson River Highway from the City of Tillamook, in Tillamook County along the Wilson River to a point near Glenwood, in Washington County has been duly designated and adopted as a state highway and said highway is now under construction; and

WHEREAS, that portion of said highway extending from the east city limits of the City of Tillamook in Tillamook County to the Tillamook-Washington County line has been improved and is now being used by the traveling public; and

WHEREAS, said section of said highway carries a large volume of traffic and in the judgment and opinion of the Commission said section of said highway at this time should be designated as a main or through highway, and all roads intersecting or entering said highway should have erected at the point of entrance a sign or marker notifying drivers of vehicles to stop before entering or crossing the said highway;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission, all members being present and affirmatively voting, as follows:

1. The section of the Wilson River Highway beginning at the east city limits of the City of Tillamook in Tillamook County and extending to the Tillamook-Washington County line be and the same hereby is declared to be and is designated as a main or through highway.
2. The State Highway Engineer be and he hereby is instructed and directed to erect and maintain at all places where highways enter or intersect the said section of the Wilson River Highway appropriate signs and/or markers notifying drivers of vehicles to stop before entering or crossing the said highway.
3. This resolution shall be entered in the minutes and records of the Commission as of the 3rd day of June, 1938.

Reconsideration was given by the Commission to the matter of purchasing the schedule fidelity bond from the Ohio Casualty Insurance Company which submitted the low bid at the meeting held on April 28. The Secretary reported the results of the conference with representatives of the insurance

company on the previous evening, and, it appearing to the Commission that the bond which the Ohio Casualty Insurance Company proposes to furnish meets the Commission's requirements, the Commission thereupon authorized the purchase of such bond from the said company.

The Commission considered dates for its next two regular meetings for the receiving of bids for highway construction projects, and decided to hold such meetings on Thursday, June 30, and on Thursday, July 21, 1938. The Secretary was instructed to make the usual arrangements to hold these meetings in the Auditorium of the Public Service Building, Portland.

The Commission adjourned at 12:30 o'clock p. m. and reconvened at 2:00 o'clock p. m. in the same room, with Chairman Cabell and Commissioner Tou Velle present and participating. Commissioner Aldrich was excused from attending the remainder of the session because of other important business. Also present were the State Highway Engineer, the Attorney, and the Secretary.

Chairman Cabell announced the following awards of contracts for which bids were taken at the morning session, the Commission having previously approved such awards by unanimous vote:

"Carver-Redland Store Section of the Carver-Redland County Road, in Clackamas County. 3.32 miles grading, surfacing, and oiling. Fisher Bros., Oregon City, submitted the low bid at \$30,145.50, based on the use of road oil. They did not submit a bid based on the use of tar. Babler Bros., Portland, submitted the next low bid at \$31,722.00, based on the use of tar, but did not submit a bid based on the use of road oil. (The third low bid was submitted by Edwin C. Gerber, Oregon City, at \$31,825.00, based on the use of road oil, with no bid based on the use of tar.) There were 3 higher bidders. The Commission awards the contract to Fisher Bros., at their low bid of \$30,145.50, based on the use of road oil.

"Bridge over South Fork Rock Creek west of Sunset Camp on the Wolf Creek Highway, in Clatsop County. The low bid for this project was submitted by Snook Bros., Eugene, at \$8,290.00. The next low bid was submitted by J. F. Johnston, Newberg, at \$8,700.00. There were 2 higher bidders. The Commission awards the contract to Snook Bros. at their low bid of \$8,290.00.

"Dixonville Section of the North Umpqua County Road, in Douglas County. 2.20 miles grading and surfacing. Harold Blake, Portland, submitted the low bid for this project at \$29,426.00. Leonard & Slate, Multnomah, submitted the second low bid at \$32,475.00. 5 higher bids were submitted. The Commission has referred all bids received to the Engineer, with power to award the contract to the low bidder when certain conditions have been satisfied.

"Lombard Steeet-Killingsworth Street Section of the Northeast Portland Secondary Highway, in Multnomah County. 3.9 miles grading and 0.4 mile surfacing and oiling. The low bid for this project was

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submitted by Roy L. Houck, Salem, at \$31,532.50. The next low bid was submitted by Harold Blake, Portland, at \$32,812.00. There were 9 higher bids received. The Commission awards this contract to Roy L. Houck at his low bid of \$31,532.50.

"Reconstruction of Northeast 33rd Avenue Overcrossing at Columbia-Boulevard, Portland, in Multnomah County. Birkemeier & Saremal, Milwaukie, submitted the low bid at \$17,665.00. George Isaackson, Portland, submitted the next low bid at \$17,895.00. There were 5 higher bidders. The Commission has awarded this contract to Birkemeier & Saremal, the low bidders, at their bid of \$17,665.00.

"Wigrich-Buena Vista Section of the Independence-Buena Vista County Road, in Polk County. 3.31 miles surfacing and oiling. The low bid submitted for this project was that of J. C. Compton, McMinnville, at \$13,211.60, based on the use of tar. Mr. Compton did not submit a bid based on the use of road oil. The next low bidders were McNutt Bros., Eugene, at \$13,578.00, based on the use of oil, and \$13,741.20, based on the use of tar. There were 2 higher bidders. The Commission has referred all bids received on this project to the Engineer with power to award the contract to the low bidder.

"Tone Bridge over Trask River on Market Road No. 15, in Tillamook County. Construct 110-foot steel span and 180-lin. ft. pile trestle approaches. Dolan Construction Company, Tillamook, submitted the low bid at \$19,777.00. Sig Ash, Portland, submitted the next low bid at \$20,195.00. There were 5 higher bidders. These bids were received for and on behalf of Tillamook County and will be referred to the County Court for action.

"Hillsboro-Airport Road Section of Hillsboro-Cornelius Pass County Road, in Washington County. 1.17 miles surfacing and oiling. The Commission received 2 bids on this project, that of Saxton, Looney & Risley, Oak Grove, being low at \$12,131.50, based on the use of tar. The other bid received was that of Warren Northwest, Inc., Portland, at \$13,672.00, also based on the use of tar. These bidders did not submit a price based on the use of road oil. The Commission awards this contract to Saxton, Looney & Risley at their low bid of \$12,131.50, using tar."

A letter was presented from the Seaside Chamber of Commerce requesting the installation of a marker at the intersection of the Oregon Coast Highway with the Wolf Creek Highway, containing information as to the mileage and direction to Seaside, Cannon Beach, Gearhart, and Astoria. The Commission referred this matter to the Engineer with authority to erect a standard Highway Department sign at such location, in the event there are no objections.

The Commission considered and accepted with thanks the invitation of the Jackson County Chamber of Commerce to meet with the Chamber on Saturday evening, June 4, for a discussion of highway matters of mutual interest.

A letter was presented from F. W. Scheffel, City Superintendent, Medford, requesting a landscaping project on the Pacific Highway at the north approach to Medford in order to clean up an unsightly condition that exists at such location. The Commission instructed the Engineer to keep this project in mind for consideration in the formulation of the landscaping program for 1939 Federal Aid Funds.

The Commission considered a petition signed by 40 property owners of Marion County requesting the resurfacing and oiling of the North Santiam Highway from Mill City to Gates. The Commission denied the request due to lack of funds with which to finance the project.

A letter was presented from Miss C. L. Gavin, City Attorney, The Dalles, requesting, on behalf of the City Council, permission to erect a monument on state-owned land adjacent to the west city limits of The Dalles. She explained that the city is sponsoring a W.P.A. project to erect this monument, which is in commemoration of the Lewis & Clarke Expedition, and that the site selected is, in their estimation, the most suitable location, but they need permission from the State Highway Commission to use the state property before they can obtain the W.P.A. funds. The Commission approved the request and ordered that the matter be covered by appropriate agreement.

A letter was presented from the Sportsmen's Association of Eugene, requesting authority to use one of the borrow pit pools adjacent to the Pacific Highway, near the railroad overcrossing structure at the west city limits of Eugene, in connection with a casting tournament which they propose to hold within the next few weeks. The Commission granted the request subject to the condition that the association will enter into an agreement with the Commission providing for the use of the pool and for the cleaning up of the premises at the close of the tournament.

The Commission considered and ordered filed a number of communications requesting a contribution of state highway funds to assist in financing the Oregon Roadside Council's proposed educational campaign, the Commission being without legal authority to expend state highway funds for such purpose.

A letter was presented from the Oregon Automobile Dealers' Association urging the proper state authorities to prohibit the building of high-power tension lines along state highway rights of way because of the interference that they cause to radio reception in automobiles, it being their contention that in the not far distant future practically all automobiles will be equipped with radios. The Commission ordered that the association be informed that the pole line companies now have legal authority to place their poles on the public roads of this state subject to designation of location by the State Highway Commission, in the case of state highways, and by the county courts in the case of county roads, and that it appears to the Commission that the matter of prohibiting such pole line installation on highway rights of way is one for the legislature to decide.

The Engineer reported the receipt of a request from the Bonneville Power Company for permission to erect its pole line along the Columbia River

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Highway between Bonneville and Cascade Locks. The Commission referred this matter to the Engineer to select a location for the poles. He was instructed to tell the company to place the poles entirely off the highway right of way, if possible, in locations where they could not be seen from the traveled roadway, to the end that the beauty of the Columbia Gorge will not be marred by unsightly pole line construction.

A letter was presented from the Clatskanie Kiwanis Club, requesting the construction of an oil surface on the Mist-Clatskanie Secondary Highway, to alleviate the dust condition that prevails during the dry season of the year. The Commission denied the request because of lack of funds to finance the work.

A letter was presented from R. E. Stiff, Jr., Baker, Oregon, requesting the privilege of trucking logs over certain secondary highways in Baker County during the time that the North Powder-Haines Section of the Old Oregon Trail is being reconstructed. The Engineer advised that the surfacing on the secondary highways in question is very light and will not stand concentrated logging traffic. He suggested, however, that the logging trucks be allowed to operate over them subject to the condition that the Commission will order a reduced load limit in the event that damage is being done to the roads by such traffic. The Commission approved the recommendation.

The Engineer presented a list of surveys that he has ordered since the last meeting of the Commission and asked the Commission to confirm such surveys and the amounts authorized for each. After due consideration motion was made by Commissioner Tou Velle that the State Highway Engineer be authorized and instructed to make such location surveys on various sections of highways of this state, which said sections of highways, together with their identifying survey numbers and the amounts authorized for survey expenditures are as follows:

Reconn. Survey - 102-2813 - Junct. Pacific Highway West-Junct. Corvallis-Newport Highway, Kings Valley Secondary Highway.	1st authorization - \$1,285.00
Location - - - 102-2814 - Pedee-Wren Section, Kings Valley Secondary Highway	1st authorization - \$1,800.00
Location - - - - 7-2803 - Ochoco Dam-Marks Creek Section, Ochoco Highway	7th authorization - \$ 250.00
Total to date \$7,650.00	
Soil Test - - - - 7-2803 - Ochoco Dam-Marks Creek Section, Ochoco Highway	8th authorization - \$ 280.00
Total to date \$7,930.00	
Geophysical - - - 8-2810 - Arizona Inn Slide Section, Oregon Coast Highway	3rd authorization - \$ 500.00
Total to date \$1,100.00	

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Right of Way - 9-2812 - Brothers-Gap Ranch Section, Central Oregon Hwy.
 3rd authorization - \$ 900.00
 Total to date \$5,350.00

Right of Way - 9-2804 - Redmond-Bend Section, The Dalles-California Hwy.
 1st authorization - \$ 150.00

Plans - - - - - 210-2820 - Dixonville-Mud Hollow Section, N.Umpqua County Rd.
 1st authorization - \$ 150.00

Plans - - - - - 10-2819 - Rice Hill-Turkey Hill Section, Pacific Highway.
 2nd authorization - \$ 500.00
 Total to date \$1,050.00

Plans - - - - - 210-2820 - Dixonville-Mud Hollow Section, N.Umpqua County Rd.
 2nd authorization \$ 350.00
 Total to date \$500.00

Plans - - - - - 10-2818 - Reedsport Section, Umpqua Highway.
 2nd authorization - \$ 200.00
 Total to date \$500.00

Relocation - - 14-2810 - Hood River-Mosier Section Columbia River Highway.
 3rd authorization - \$1,200.00
 Total to date \$11,700.00

Plans - - - - - 218-2825 - Poe Valley Section - Bonanza Malin County Road.
 1st authorization - \$1,500.00

Quarry - - - - - 18-2826 - Dairy Rock Quarry, Klamath Falls-Lakeview Highway
 1st authorization - \$ 100.00

Plans - - - - - 218-2827 - The Dalles-California Highway - California State
 Line Section, Whitney County Road.
 1st authorization - \$ 180.00

Right of Way - 21-2816 - Burnt Woods-Eddyville-Nashville Section, Corvallis-
 Newport and Eddyville-Blodgett Highways.
 2nd authorization - \$ 85.00
 Total to date \$335.00

Right of Way - 21-2820 - Toledo - Nashville Section, Corvallis-Newport Hwy.
 2nd authorization - \$ 43.00
 Total to date \$143.00

Right of Way - 121-2821 - Siletz Section, Siletz Secondary Highway.
 2nd authorization - \$ 50.00
 Total to date \$225.00

Recon. Survey - 124-2819 - Salem-Mehama Section, North Santiam Highway
 1st authorization - \$1,250.00

(Continued on next page)

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Location - 26-2802 - Fairview-Cascade Locks Section, Columbia River Hwy.
7th authorization - \$3,250.00
Total to date \$70,000.00

Reconn. Survey - 26-2834 - Junct. Slavens Road and Barbur Blvd., Pacific Hwy.
1st authorization - \$ 500.00

Reconn. Survey - 127-2811 - Dallas-Junct. Kings Valley Section, Dallas-Kings
Valley Secondary Highway.
1st authorization - \$ 535.00

Right of Way - 29-2801 - Manzanita-Fisher Point Section, Oregon Coast Hwy.
5th authorization - \$ 215.00
Total to date \$2,090.00

Location - - - 34-2818 - Multnomah County Line-South Section - Pacific West.
3rd authorization - \$ 900.00
Total to date \$3,400.00

The motion was seconded and declared by Chairman Cabell to have passed by the affirmative vote of the Commissioners present.

The Engineer reported that Contracts Nos. 2050 and 2056, for furnishing crushed rock on state highway projects, have been completed according to the terms and provisions of the contracts and said jobs are now ready for acceptance. The following resolution accepting the above projects was offered and was adopted by the unanimous vote of the Commissioners present:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts or modifications thereof and said jobs are now ready for acceptance:

Contract No. 2050, with Eugene Sand and Gravel Company, for furnishing crushed rock for the Drain Rock Production Project on the Pacific and Umpqua Highways, in Douglas County. Completed April 15, 1938.

Contract No. 2056, with A. S. Wallace, for furnishing crushed rock for the Gold Hill Rock Production Project on the Pacific Highway and Sams Valley Secondary Highway, in Jackson County. Completed May 5, 1938.

THEREFORE, BE IT RESOLVED, that the work covered by said highway contracts for the construction of said state highway projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

There being no further business to come before the Commission at this time, the meeting was adjourned at 3:30 o'clock p. m.

R. H. Baldock
State Highway Engineer
H. B. Glaisyer
Secretary

Henry F. Cabell
Chairman
E. B. Aldrich
Commissioner
F. L. Tou Velle
Commissioner

Prineville, Oregon, June 13, 1938

The State Highway Commission met in special session at 9:00 o'clock p. m. in the Drawing Room of Ochoco Inn for a conference with members of the Roads Committee of the Prineville-Crook County Chamber of Commerce and others. Present were:

Henry F. Cabell, Chairman
E. B. Aldrich, Commissioner
F. L. Tou Velle, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

Dr. R. R. Hunter, Prineville, Chairman of the Roads Committee, presided on behalf of the Chamber of Commerce. The meeting was also attended by 15 local citizens and representatives of near-by communities.

Mr. Yocom, of John Day, urged the Commission to construct additional improvements on the Ochoco Highway. He said that this highway is of vital importance to the people of John Day district because it is one of the best routes over which to transport the products of the John Day Valley to Portland.

Mr. Charles R. Jackson, County Commissioner of Wheeler County, stated that the people of his district are satisfied with the action taken by the Commission in refusing to construct the proposed highway between Mitchell and Antelope, but they are now particularly interested in the improvement of the Ochoco Highway over which, he said, approximately 6,000,000 board feet of lumber was transported during 1937 and over which he estimates there will be moved, in 1938, 10,000,000 feet of lumber, besides much stock, grain, hay, et cetera.

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Mr. Irving, of Madras, urged the Commission to construct to modern standards, at the earliest possible time, the state secondary highway from Prineville to Madras as a link in the Warm Springs Highway. He suggested that this road be located so as to connect with the new route of The Dalles-California Highway near the south city limits of Madras. He expressed appreciation for the funds heretofore allocated by the Commission to the Ochoco and the Warm Springs Highways and urged continuance of allocations to these highways in the future.

Mr. Thomas, Madras, endorsed the remarks of Mr. Irving. He urged the Commission to authorize a location survey to determine definitely the route of the secondary highway between Madras and Prineville, particularly the northerly end of the same so as to permit property owners to plan improvements.

County Judge A. R. Bowman, of Crook County, inquired as to the Commission's plans for the reconstruction of the Ochoco Highway over the Ochoco Mountain easterly from a place known as Marks Creek. He also inquired as to the plans of the Commission for the routing of the secondary highway between Prineville and Madras.

Chairman Cabell advised that there are two sources of funds for financing the Ochoco Highway project; namely, Federal Aid funds, which could be used to finance the work between Prineville and Marks Creek; and Forest Highway funds for the financing of the work within the forest boundary east from Marks Creek. He pointed out that there are several important forest highways now in an uncompleted state across the Cascade Mountains and gave as his thought that the Forest Highway funds available should be expended for the completion of these roads before new projects are undertaken, which would postpone for a period the allocation of funds for the forest road work on the Ochoco Highway. When these roads are completed, he said, the Commission will then give consideration to the allocation of forest funds for the further improvement of the Ochoco Highway, provided the Federal Government continues to make such funds available.

The State Highway Engineer advised, in reply to Judge Bowman's inquiry regarding the location survey for the Prineville-Madras Highway, that this road is eligible only for state secondary funds and federal aid secondary funds, of which there are none available from either source at the present time. He further advised that the Commission has adopted a policy not to make location surveys very far in advance of construction because of the possibilities that changes would be made in the location by some future commission. He pointed out that a reconnaissance survey of this road has already been made which should determine approximately where the road will eventually go.

Judge Bowman suggested the use of Federal Public Lands Funds to finance construction of a portion of this road. He advised that there are some of such lands between Madras and Prineville. Mr. Irving confirmed Judge Bowman's remark in this regard and added that there are revested Taylor Act lands in this locality which are under the jurisdiction of the United States Forest Service, the same as are the national forest lands.

Chairman Cabell then advised that the Federal Government is committed to the expenditure of the Public Lands Funds for the completion of the I.O.N. Highway, so it is not likely that the Government would approve the expenditure of such funds on the road between Madras and Prineville until the I.O.N. Highway has been completed. Judge Bowman asked particularly for a definite location survey of the Prineville-Madras road from Prineville northerly a distance of about 2½ miles past the Pine Products Mill. He said that this particular section is of vital importance to their community and is their first choice for improvement as a Federal Aid Secondary Highway. He said that the Crook County Court is undecided whether to ask the Commission to improve this road as a Federal Aid Secondary Highway or as a part of the Prineville-Madras state secondary highway and urged the Commission to inspect the road on the following day. Chairman Cabell questioned the advisability of spending funds for a survey in view of the Commission's policy not to locate a road until there are funds in sight to finance construction of the same. He agreed, however, to inspect the road on the following day without making any commitment thereto.

Judge Bowman then advised the Commission that a new railroad spur is planned to serve Lamms Mill, located east of Prineville, which will introduce another railroad crossing on the Prineville-Madras road. He gave this as another reason for locating the highway immediately, before the mill company's plans have been formulated. Chairman Cabell agreed to inspect this also on the following day.

Commissioner Aldrich made the suggestion that Crook County Court ask the Commission to give first consideration to the Madras-Prineville road in the formulation of the Federal Aid Secondary Highway program for 1939 construction, particularly the section from Prineville past the Pine Products Mill. It was his thought that the Commission would give this project first consideration in the allocation of such funds to Crook County because no allotment of Federal Aid Secondary Highway Funds was made to this county this year. However, he added, the action of the Commission must be based entirely on the amount of funds that the Government apportions to the State of Oregon for such purposes.

Commissioner Aldrich then brought up the matter of the rerouting of the Prineville-Madras road in the town of Prineville, as was heretofore suggested by the County Court. The Engineer advised that a survey has been made of this section, about one-half mile in length, and cost estimates prepared which reveal that the right of way costs are so high that the project cannot be undertaken, and accordingly the Commission ordered the report filed for future consideration.

The conference was concluded at 9:45 o'clock p. m..

W. E. Bowman
State Highway Engineer

W. E. Bowman
Secretary

Henry F. Cabell
Chairman

E. B. Aldrich
Commissioner

J. L. Soule
Commissioner

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Enroute Prineville to Heppner, June 14, 1938

The State Highway Commission considered and disposed of routine matters with all Commissioners present and participating. Also present were the State Highway Engineer and the Secretary.

The Commission approved the oiling of the gravel sidewalk recently constructed along the John Day-Burns Highway between the towns of John Day and Canyon City, reports indicating that the sidewalk in its present condition is rough and is of no benefit to school children, who still walk on the pavement on account of such rough condition.

The Commission considered the matter of oiling the John Day Highway full width through the towns of John Day and Prairie City. The Commission by unanimous vote approved such oiling work in conjunction with the contract for the oiling of the John Day-Prairie City Section of this highway, when that work is undertaken. The Engineer was authorized by the Commission to make investigations and surveys as may be necessary for the oiling of the highway through the towns of John Day and Prairie City, and also for the oiling of the highway full width through the town of Prineville.

The Engineer brought up for discussion the matter of construction of the Ochoco Dan-Marks Creek Section of the Ochoco Highway. He pointed out that the Commission has included in its 1938 and 1939 Federal Aid Program an item of \$173,000 for grading and surfacing this section but he now believes that such amount is not sufficient to complete the entire section, and the probabilities are that it will cost about \$20,000 more than the amount set up for the same. He gave as his thought that the entire project should be contracted notwithstanding that it may overrun the amount heretofore budgeted for such purpose, and he so recommended. The Commission approved the recommendation by unanimous vote.

The Engineer reported briefly on the proposed crossing of the Slavin Road under Barbur Boulevard, Portland. The Commission took no action on this matter but instructed the Engineer to keep the project in mind for consideration at some future date.

A letter was presented from Gilbert E. Cable, Mayor of Port Orford, requesting the oiling of the shoulders adjacent to the highway pavement through the town of Port Orford, particularly from Knapp Tavern to the Port Orford grade school, a distance of about 6 blocks. The Engineer advised that investigation has been made of this matter and it has been found that the shoulders are unsurfaced and that grass is growing up to practically the traveled portion of the road; furthermore, drainage facilities are not good. He recommended denial of the request until such time as the shoulders have been stabilized and surfaced and the drainage has been taken care of. The Commission decided not to do this work now but to give it consideration in next year's budget.

The Engineer reported on the cost to construct a grade separation structure at Sandy Boulevard and 39th Avenue, Portland. He said that, according to an estimate that has been prepared by the City Engineer of

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Portland, this job will cost approximately \$465,000, of which \$175,000 is the estimated cost of right of way and \$290,000 is for construction. The Commission decided not to undertake this project now because funds are not available to finance the same; however, the Engineer was instructed to keep the project in mind for future consideration and to notify the sponsors of the project of the action taken and the estimated cost of the project.

Reconsideration was given by the Commission to the request of Leonard Ferguson, Tillamook, to haul logs 8 to 10 feet in length over state highways during the hours of darkness, which operation has heretofore been prohibited during such periods. The Engineer gave as his thought that the transportation of logs of this length over state highways at night time would cause no more hazard to traffic than freight trucks and trailers. He recommended that Mr. Ferguson and other operators who desire to transport logs of such length over state highways at night be permitted to do so provided the logs are transported on trucks only, without trailers, and that the length of the logs is limited to the normal bed-length of the truck. The Commission approved the recommendation by unanimous vote and adopted the action as a policy to be followed hereafter.

The Commission also reconsidered the matter of sponsoring a W.P.A. project for the salvaging of the brick in an old brewery building at Albany, which building was acquired in connection with the acquisition of right of way for the Albany railroad grade separation project. The Engineer advised that it will cost the state about \$500 to salvage the brick under a W.P.A. project, but the salvaged brick would be worth approximately \$1,200 at the current price for used brick. He further advised that a maintenance building is needed at Albany and that the brick could be used to good advantage in the construction of the end walls and back walls of the same, making it possible to secure a semi-fireproof building cheaper than a frame building, if new lumber has to be purchased for the same. He recommended approval of the project. The Commission approved the recommendation by unanimous vote.

In this connection the Engineer reported that to construct this maintenance building as a W.P.A. project, using the salvaged brick, would cost about \$8,259, of which amount the state's share would be \$5,042 and the W.P.A.'s share would be \$3,217. The question arose whether to construct the project as a W.P.A. project or as a P.W.A. project. A decision was deferred until the next meeting, at which time the Engineer was instructed to render a report on the cost to construct the building as a P.W.A. project.

Reconsideration was given by the Commission to the matter of extending the Corvallis East Secondary State Highway across the Willamette River Bridge at Corvallis to a connection with the Albany-Corvallis Primary State Highway, as requested by the Benton County Court, which wants to be relieved of the maintenance of the bridge structure. The Engineer advised that it would cost approximately \$16,000 to repair the bridge and to improve the alignment at the Linn County end, but if the alignment were not revised the bridge work could be done for about \$10,500. All of the repair work, he said, need not be done at the present time because there are several years' life left in the bridge decking; but to do the necessary work and change the line at the east end of the bridge would call for an immediate expenditure of

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\$10,000, whereas to make repairs that are necessary now would cost about \$2,200. The Commission indicated that it was in favor of taking over this structure and extending the secondary highway as requested; however, decided, on account of the present shortage of funds, to postpone the necessary action until next fall or until funds can be spared to finance the project.

The Engineer requested authority to purchase 13 trailer-type tool-houses for use by extra gang bridge crews. He said that these crews now have trailer houses of various designs, some of them being two-wheeled trailers and others being four-wheeled trailers; and, while they are licensed and covered by liability insurance, they are not safe pieces of equipment to have on the road. Furthermore, they were built by the bridge department maintenance crews years ago. He suggested that, if the Commission sees fit to approve this request, trailers built by reliable manufacturers be purchased under highway department design and specifications. He estimated that they would cost about \$400 each and that it would cost an additional \$150 each to construct and install the compartments for tools, et cetera, making a total estimated cost of \$550 each. He further stated that, while he is requesting authority to purchase 13 of these trailer houses, it would be his intention to purchase only 6 at the present time, replacing the remainder next year, which would entail a total outlay of only \$3,300 at the present time. The Commission approved the request by unanimous vote.

The Engineer reported that it is no longer necessary to maintain the reduced load limit on the Crater Lake Highway from its junction with the Pacific Highway to its junction with the West Diamond Lake Secondary Highway, which reduced load limit has been in effect since December 21, 1937. Accordingly, he recommended the lifting of this reduced load limit. The Commission approved the recommendation and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, on the 21st day of December, 1937, at a meeting of the Oregon State Highway Commission, all members being present and participating, the Commission passed and adopted a resolution reducing the maximum load limit on the following state highway:

CRATER LAKE HIGHWAY from its junction with the Pacific Highway to its junction with the West Diamond Lake Secondary Highway, in Jackson County

and

WHEREAS, subsequent to the passage of said resolution conditions have changed so that it is no longer necessary or desirable, and the Commission hereby finds that it is no longer necessary or desirable to maintain the reduced load limit set out in said resolution on the said state highway;

NOW, THEREFORE, BE IT RESOLVED that the action of the State Highway Commission reducing the maximum permissible load limit on the

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CRATER LAKE HIGHWAY from its junction with the Pacific Highway to its junction with the West Diamond Lake Secondary Highway, in Jackson County

be and the same is hereby rescinded and cancelled as of this date; and the maximum load limit permissible on the said section of the said highway hereafter shall be the maximum load limit provided by law; and it is further ordered that a certified copy of this resolution be furnished to the county clerk of each county in which said highway is located, and that a certified copy of this resolution be furnished to the Superintendent of the Department of State Police for his information.

The Commission by unanimous vote confirmed the Engineer's award of the contract for drilling a well for the Brothers oasis on the Central Oregon Highway, in Deschutes County, to A. M. Jannsen Drilling Company, Portland, which company submitted the low bid for such work on April 28, 1938. The Engineer advised that the contract was awarded on June 8, the conditions of the award having been satisfied.

The Commission by unanimous vote confirmed the sale by the Engineer of the following buildings located on the right of way of the Lombard-Killingsworth Section of the Northeast Portland Secondary Highway, the Engineer having sold these buildings on June 8, 1938, to the Sullivan Wrecking Company, which submitted the high bids therefor on June 2, 1938:

Building No. 5412, formerly owned by Wm. Habernicht, sold for \$23.56.

Building No. 5416, formerly owned by Philip F. Buebke, sold for \$13.56.

Building No. 5255, formerly owned by Chas. L. Schmeller, sold for \$56.56.

The Commission had under consideration the matter of completing the construction of the Neahkahnie Mountain Section of the Oregon Coast Highway. The Engineer advised that it would cost approximately \$200,000 to complete this section, of which amount \$120,000 has been included in the 1938 budget. He suggested that it would be advisable to contract the entire section this fall if accumulated savings in the contracting of other work are sufficient to finance the portion for which no provision has been made. After some discussion the Commission by unanimous vote approved the Engineer's suggestion and so ordered.

A letter was presented from the Silverton Safety Council requesting the construction of a sidewalk along the Silverton-Marquam Road from the end of Oak Street to the junction with the Monitor Road, in Silverton. The Commission referred this matter to the Engineer for investigation and report at the next meeting.

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A petition was presented, signed by 43 persons residing in the vicinity of the Crater Lake Highway and Eagle Point, in which the Commission was requested to take action to prohibit the grazing of livestock on both state and county highways because they are a menace to farmers and automobile traffic. The Secretary was instructed to inform the petitioners that this is a matter entirely out of the jurisdiction of the State Highway Commission and to suggest that they present the same to the legislature for disposal.

The Engineer reported that Contracts Nos. 1994, 2025, and 2049, for construction of state highway projects, have been completed according to the requirements of the contracts, or modifications thereof, and that said jobs are now ready for acceptance. The following resolution accepting the above projects was offered and was adopted by the unanimous vote of the Commission:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts and said jobs are now ready for acceptance:

Contract No. 1994, with Harold Blake, for construction of Southern Pacific Overcrossing on the West Portland-Hubbard Highway, near Cook Station, in Washington County. Completed June 11, 1938.

Contract No. 2025, with Mountain States Construction Company, for construction of Sardine Creek Bridge, on the Pacific Highway, in Jackson County. Completed May 26, 1938.

Contract No. 2049, with Rogers Construction Company, for furnishing crushed rock in stock piles on the Baker-Durkee Section of the Old Oregon Trail, in Baker County. Completed May 10, 1938.

THEREFORE, BE IT RESOLVED, that the work covered by said state highway contracts for the construction of said state highway projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

At 3:00 o'clock p. m. the Commission conferred with Mr. James Hill, Jr., Manager of the Pendleton Grain Growers Association, in the Heyner Hotel, regarding the use of the state highway right of way at Cold Springs Landing, as a site for a grain elevator to facilitate the movement of grain from this place to Portland, via Columbia River barge. It was explained to Mr. Hill that the Cold Springs Highway is a primary state highway and its status as such cannot be changed except by action of the legislature. Furthermore, the Commission is reluctant to permit the use of state-owned property by private parties and does not want to be placed in the position of having sold to private parties state-owned property that is valuable for public use; hence, it

is necessary to deny his request. This matter was discussed at considerable length from various angles, but the Commission adhered to its original decision.

The conference was concluded at 4:00 o'clock p. m.

<p><u><i>[Signature]</i></u> State Highway Engineer</p> <p><u><i>[Signature]</i></u> Secretary</p>	<p><u><i>Henry F. Cabell</i></u> Chairman</p> <p><u><i>E. B. Aldrich</i></u> Commissioner</p> <p><u><i>F. L. Tou Velle</i></u> Commissioner</p>
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Portland, Oregon, June 15, 1938

The State Highway Commission met in regular session at 9:00 o'clock a. m. in the Auditorium of the Public Service Building. Present were:

Henry F. Cabell, Chairman
E. B. Aldrich, Commissioner
F. L. Tou Velle, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

Bids as follows for highway construction projects were opened and read in conformance with previously published notice:

OREGON COAST HIGHWAY
COQUILLE-CLAUSEN SECTION - GRADING, SURFACING, OILING

Berke Bros.	\$136,314.00
A. C. Greenwood Company, Inc.	142,119.00
E. C. Hall Company	165,575.50
McNutt Bros.	167,447.00
Leonard & Slate	173,254.00
Roy L. Houck	200,108.50
Kern & Kibbe	216,641.00

PACIFIC HIGHWAY WEST (INTERSTATE AVENUE)
COLUMBIA BOULEVARD-HARDING AVENUE SECTION - PAVING

Harold Blake	\$139,114.50
Oregon Contracting Company	142,638.50
Warren Northwest, Inc.	147,219.50
Edlefsen-Weygandt Company	151,947.50
Parker-Schram Company	159,293.00
Jacobsen-Jensen Company	174,187.50

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HURRICANE CREEK COUNTY ROAD
ENTERPRISE-SCOTCH CREEK SECTION - GRADING, SURFACING, OILING

Rogers Construction Company	\$23,365.30
Babler Bros.	25,625.50
Hart Construction Company	27,086.00
H. L. Rice	31,107.50

UPPER NEHALEM COUNTY ROAD
SHEELEY BRIDGE SECTION - SURFACING AND OILING

	<u>Using Road Oil</u>	<u>Using Tar</u>
Edwin C. Gerber	\$12,272.40	\$12,272.40
Warren Northwest, Inc.		12,573.00
O. C. Yocom		12,975.00

CHENOWETH COUNTY ROAD
CHENOWETH CREEK-THE DALLES SECTION
GRADING, SURFACING, OILING

H. L. Rice	\$12,744.50
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Chairman Cabell announced that the awards would be made at 2:30 o'clock p.m. in the same room.

The Engineer reported that a recent inspection of four tunnels in the vicinity of Homestead, Baker County, two of which are located on the Robinette-Homestead Secondary Highway, and two on the Baker-Homestead primary state highway, reveals that emergency maintenance of the same will be necessary this year. He estimated that such maintenance work would cost approximately \$4,080, of which amount \$1,480 is for the replacement of the timber lining at the west end of tunnel No. 1 on the Robinette-Homestead Secondary Highway, and \$2,600 for the replacement of the timber lining at both ends of tunnel No. 1 on the Baker-Homestead highway. He requested authority to do this work and to pay for the same with emergency funds, in view of the fact that no provision has been made for this work in the approved maintenance budget for 1938. The Commission approved the request by unanimous vote.

Mr. Frank Shull, Chairman of the Board of County Commissioners of Multnomah County, was present and offered, on behalf of the Board, to convey to the state the property known as the Vista House located at Crown Point on the Upper Columbia River Highway. After some discussion, the Commission indicated that it would accept this gift but deferred definite action thereon pending a recommendation from the Engineer, to whom the matter was referred for report at the next meeting of the Commission.

The Engineer reported that the North Fork Nehalem River Bridge, on the Oregon Coast Highway, in Clatsop County, and the Deer Creek Bridge, on the Bellevue-Hopewell Secondary Highway, in Yamhill County, have been reconstructed so that the reduced load limits heretofore in effect on such bridges are no longer necessary. He also reported that the bridge over the Yamhill

River, on the Three Mile Lane Secondary Highway, in Yamhill County, on which a reduced load limit of 7 tons has been in effect since 1932, has been repaired so that loads weighing up to 12 tons may now be transported over this bridge with safety. He recommended that the reduced load limits on the North Fork Nehalem River Bridge and the Deer Creek Bridge be lifted entirely and that the reduced load limit on the Yamhill River Bridge be raised from 7 tons to 12 tons. The Commission approved the recommendation and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, on the 25th day of September, 1928, at a meeting of the Oregon State Highway Commission, all members being present and participating, the Commission passed and adopted a resolution ordering a reduction of the maximum permissible load limit on certain primary state highway bridges, including the following bridge, to wit:

9-40.8 North Nehalem River Bridge on the Roosevelt Coast Highway, in Clatsop County, - - - - 8 tons

and

WHEREAS, on the 27th day of September, 1932, at a meeting of the Oregon State Highway Commission, all members being present and participating, the Commission passed and adopted a resolution ordering a reduction of the maximum permissible load limit on certain secondary highway bridges, including the following bridges, to wit:

153-0.85 Deer Creek Bridge on the Bellevue-Hopewell Secondary Highway, in Yamhill County, - 6 tons

152-0.40 Yamhill River Bridge on the Three Mile Lane Secondary Highway, in Yamhill County, - 7 tons

and

WHEREAS, subsequent to the passage of said resolutions the said North Nehalem River Bridge, now known as bridge No. 9-40.94 North Fork Nehalem River Bridge, and the said Deer Creek Bridge have been reconstructed so that it is no longer necessary or desirable to maintain the reduced load limits set out in said resolutions; and

WHEREAS, the said Yamhill River Bridge has been repaired so that it is no longer necessary or desirable to maintain thereon the reduced load limit provided in the said resolution dated September 27, 1932;

NOW, THEREFORE, BE IT RESOLVED that the action of the State Highway Commission reducing the maximum permissible load limit on the following bridges, to wit:

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9-40.94 North Fork Nehalem River Bridge on the Oregon Coast Highway, in Clatsop County

153-0.85 Deer Creek Bridge on the Bellevue-Hopewell Secondary Highway, in Yamhill County

be and the same hereby is rescinded and cancelled as of this date and the maximum load limit permissible on the said bridges hereafter shall be the maximum load limit provided by law; and

BE IT FURTHER RESOLVED that the action of the State Highway Commission reducing the maximum permissible load limit on the following bridge, to wit:

152-0.40 Yamhill River Bridge on the Three Mile Lane Secondary Highway, in Yamhill County,

be modified so as to permit a total gross weight of combined load and vehicle not exceeding twelve (12) tons upon any portion of the entire length of said bridge. In computing the total weight of any single vehicle, the total gross weight of any trailer or trailers attached to said vehicle shall be considered as a component part of the total gross load and shall not be considered as a separate vehicle.

IT IS FURTHER ORDERED that a certified copy of this resolution be furnished to the county clerk of each county in which said bridges are located; and that a certified copy of this resolution be furnished to the Superintendent of the Department of State Police for his information.

The matter of revising the viaduct on the Pacific Highway West, Newberg, being structure No. 3-24.07, had the attention of the Commission. The Engineer advised that it would cost about \$109,000 to widen this structure for a 50-foot roadway and to change the grade line to take out the excessive camber in the present structure, but it would cost only about \$28,400 to widen the roadway to 26 feet with a 3½-foot sidewalk on either side, without changing the grade line. He pointed out that \$100,000 has been budgeted in the 1939 program for Federal Aid Funds for grading and paving the Newberg-Dundee Section of the Pacific Highway West, and he suggested that it might be advisable to reallocate these funds for the reconstruction of the Newberg viaduct, because, in his estimation, if anything is done at all with this viaduct, an adequate structure should be provided. He declared his opposition to building any more two-lane structures on important highways within or adjacent to cities or towns. He also suggested that the improvement proposed for the town of Dundee, which it was planned to undertake in connection with the Newberg-Dundee grading and paving project, be undertaken regardless of whether or not the \$100,000 set up for the Newberg-Dundee Section is transferred to finance the improvements on the Newberg viaduct. He estimated the Dundee improvement at \$20,000. After considerable discussion the Commission indicated approval of the Engineer's suggestion but deferred definite action thereon for the time being.

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The Secretary reported receipt of a communication from the Department of State Police relative to the proposed operations of the Buzzard-Burkhart Lumber Company on public roads in the vicinity of Lakeview. It appears that this company is proposing to transport logs from a timber tract situated about 16 miles north of Lakeview into Lakeview over a route that will require them to cross state highways at several points, and to operate along county roads at other points. Further, that the company proposes to haul loads containing from 6,000 to 7,000 feet, B.M., and weighing from 60,000 to 68,000 pounds, and being from 8 to 10 feet in width. It also appears that the company is of the belief that it will not have to obtain a special carrier permit from the Public Utilities Commissioner, alleging that it is transporting its own logs, which are the product of the soil, and that it is entitled to exempt P.U.C. plates covering such operation and to a refund for gasoline tax paid for gasoline used in the trucks operated in this service, because, it alleges, the county roads over which the operations are to be carried on are now or will shortly be abandoned by the county court.

In the discussion of this matter the Commission indicated that it would not object to the transporting of logs across state highways if the company will comply with the statutory requirements, and provided that the operation will not create an undue hazard to other traffic. The matter was referred to the Engineer for investigation and to determine whether or not the operation will create a hazard, and to ascertain the status of the county roads over which the company proposes to transport the said logs, with a view in mind that, if these roads are still in the category of county road, then the company should be required to secure special carrier permits from the Public Utilities Commissioner and to pay the required fees. The Engineer was also instructed to consult with the Public Utilities Commissioner with respect to the transportation of logs across state highways or other public roads under P.U.C. exempt plates.

The Commission discussed the matter of improving the northerly entrance of the Pacific Highway West into Corvallis, particularly the section from the north city limits to Harrison Street. The Engineer estimated that this improvement, consisting of the widening of pavement, construction of curbs, et cetera, would cost about \$27,000. It was the opinion of the Commissioners that this project should be undertaken as soon as possible and accordingly the Engineer was instructed to prepare this project for contracting this year in the event that sufficient savings accrue in the contracting of other work in Divisions Nos. 1 and 2 to finance the same. If such savings do not accrue, then this project is to be included in the program for 1940 Federal Aid Funds.

The matter of revising the Oregon Coast Highway in the town of Gold Beach was brought up for discussion. The Engineer advised that additional investigations have been made which reveal that there is a possibility that the highway could be relocated a short distance west of the present road, between the ocean and the business district of the town, which would obviate the necessity of widening the main street, which is a costly proposition because of the business buildings that would have to be moved. The Commission appeared favorably inclined toward adopting such routing but deferred a decision thereon.

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until it is ready to construct the project. In this connection the question arose whether or not it would be necessary to hold a public hearing in Gold Beach in the event the suggested rerouting is approved, inasmuch as Gold Beach is an unincorporated town. The Commission decided that it would be proper to hold such hearing notwithstanding that the law requires that hearings be held only when a highway routing into or through an incorporated city or town is changed.

The Attorney reported with respect to the portion of the Seeley property which is needed for the Union Avenue Viaduct project, in Portland, which property lies between the portion already acquired and the right of way of the Portland Electric Power Company along the Willamette River. He said that the owners of the property will convey this particular area to the state if the state will pay the taxes due against the balance of the Seeley property. The Attorney stated that, in his opinion, the amount of the unpaid taxes is out of proportion to the real value of the property. The Commission instructed the Attorney to carry on further negotiations and see if a better offer cannot be obtained.

At 11:00 o'clock a. m. bids for the purchase of \$750,000 Oregon State Highway bonds were opened and read in conformance with previously published notice, which bids are as follows:

Bid of The United States National Bank of Portland (Oregon):

For Seven Hundred Fifty Thousand (\$750,000) par value, all or any part thereof, Oregon State Highway short-term bonds, bearing date of July 1st, 1938, to mature March 1st, 1939, but to be subject to optional redemption on January 2nd, 1939, or on any date thereafter on thirty days notice, bearing interest at the rate of .37% per annum, we will pay you the par value thereof and accrued interest to date of delivery.

Bid of The First National Bank of Portland, Oregon:

For \$750,000. State of Oregon Highway Bonds to be dated July 1, 1938 and to mature March 1, 1939, but subject to redemption on January 2, 1939 or on any date thereafter, on thirty days' published notice, to be in denominations of \$10,000.00 each, and to bear interest at the rate of thirty eight hundredths of one per cent (.38%);

WE WILL PAY \$100.00 FOR EACH \$100.00 PAR VALUE THEREOF PLUS ACCRUED INTEREST FROM THE DATE OF THE BONDS TO THE DATE OF DELIVERY TO US IN PORTLAND, OREGON.

Bid of State Bond Commission:

For \$250,000 par value of the \$750,000 Oregon State Highway short-term negotiable coupon bonds to be dated July 1, 1938 and to mature March 1, 1939, but to be subject to optional redemption on January 2, 1939, or on any date thereafter, on thirty days published

notice, the said bonds to be in denominations of \$10,000 each, to bear interest at a rate of $1\frac{1}{2}$ of 1% per annum payable on October 1, 1938 and March 1, 1939 or, as to the second interest installment, at the time of redemption, if the bonds are called for payment before final maturity date, we offer \$100.01 for each \$100 par value and accrued interest to date of delivery.

Chairman Cabell announced that the Commission would take these matters under advisement and would announce its decision relative thereto at 4:00 o'clock p. m. in the same room.

The Attorney requested authority to expend approximately \$100 of state highway funds to secure aerial photographs of certain property situate between Corbett and Dodson, in Multnomah County, which property is now under water. He said that the property is needed for right of way for the proposed water grade highway up the Columbia Gorge, and, no doubt, will have to be acquired by condemnation; further, that the pictures, if taken while the land is inundated, will be valuable when the condemnation cases are tried, and will take the place of costly witnesses. The Commission approved the request by unanimous vote.

The Commission had under consideration the matter of the adoption of a new route for the Pacific Highway just south of Grants Pass in order to eliminate excessive curvature in the present route, and, in this connection, considered the report of the Attorney on the cost of right of way between Engineer's Stations 99+00 and 114+36 where there is controversy with certain property owners in regard to the alignment. The Attorney advised that the right of way on the "L" line, which is the nearest line to the Rogue River, is estimated to cost \$5,111.73, whereas, the estimated cost of right of way on the "L-2" line is \$3,633.05, a difference in favor of the "L-2" line of \$1,478.68. The Engineer advised that both lines lie close together and are of equal length and that it would cost as much to construct one as the other, the only difference between the two being that the "L" line will take right of way from one property owner who will be very badly damaged, whereas the "L-2" line will take right of way from a property owner whose holdings will not be adversely affected. After discussion the Commission decided, in view of the circumstances, to adopt the route which will require the least expenditure for right of way and will be least harmful to the property owners, which route, it appears, is that designated as "L-2".

Commissioner Tou Velle offered the following resolution designating such route, and moved its adoption. The motion was duly seconded by Commissioner Aldrich and was declared by Chairman Cabell to have received the unanimous vote of the Commission:

WHEREAS, for the purpose of accomplishing a better alignment, the elimination of unsafe and excessive curvature, and otherwise improving the Pacific Highway, the Commission directed the Engineer to make a survey of the section of the Pacific Highway between a point approximately 100 feet south of the south end of the bridge over the Rogue River at Grants Pass and a point southerly

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therefrom on the Pacific Highway in the Southeast Quarter of Section 21, Township 36 South, Range 5 West, W. M., in Josephine County; and

WHEREAS, said survey has been completed and a map thereof made and the field notes and other engineering data have been filed in the office of the State Highway Commission in Salem, Oregon; and

WHEREAS, after due consideration of said map and records it is the judgment of the Commission that said map, survey, field notes and other engineering data should be approved and adopted by the Commission and the location and route between said termini be made the location and route of the Pacific Highway between said points;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the Commission, all members being present and affirmatively voting, as follows:

1. That the survey, field notes, map and other engineering data with respect to the Pacific Highway between the above-designated termini be and the same in their entirety are hereby approved and adopted as the survey, field notes, map and engineering data supporting and disclosing the route of the highway between the said termini, and the Engineer hereby is directed to file all of said data and information and to preserve the same in the records and files of the State Highway Commission at Salem, Oregon.

2. That the route of the Pacific Highway in Josephine County between the above-designated termini hereby is changed and modified and said highway between said termini hereby is located as follows, to wit:

Beginning at a point on the present Pacific Highway, said point being approximately 100 feet south of the southerly end of the bridge over the Rogue River at the southerly entrance to the city of Grants Pass, and thence running in a southeasterly and easterly direction through Sections 19, 20, and 21, T. 36 S., R. 5 W., W. M., to a connection with present located Pacific Highway in the S.E. $\frac{1}{4}$ of Section 21, T. 36 S., R. 5 W., W. M.

3. That said map for identification bears thereon the signature of R. H. Baldock, State Highway Engineer, and is dated the 15th day of June, 1938, the original of which said map has been placed in the files and records of the Highway Commission at Salem, Oregon, and a copy of which is attached hereto. *

* Map filed in Adoption of New Highway Routes File - No. 2.

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4. That the State Highway Engineer hereby is instructed and directed to physically locate and mark with proper monuments or markers on the ground the said route and highway between said termini, and the Engineer is further instructed to prepare the said section of said highway for proper and adequate improvement as a part of the section of the Pacific Highway in Josephine County between said termini.

5. That this resolution be entered in the records and minutes of the State Highway Commission and that a duly certified copy thereof be mailed to the County Court of Josephine County and the United States Bureau of Public Roads at Portland, Oregon.

The Commission considered a report from the Landscape Engineer on the request of the city of Medford for the landscaping of the north entrance of the Pacific Highway into Medford. The report indicated that this is a favorable roadside improvement project provided water can be supplied for irrigation purposes after construction is completed, and provided, further, that the Owen-Oregon Lumber Company, which owns adjacent property, will permit the planting of a screen of trees on its property to hide its storage yard, which presents an unsightly appearance from the highway. He recommended an allocation of \$6,500 of 1939 roadside improvement funds for this project if a suitable easement can be secured from the Owen-Oregon Lumber Company and if water can be obtained for irrigation purposes. The Commission deferred action on this matter pending additional information as to whether or not the easement and water can be obtained. The Engineer was instructed to investigate such matter and report later.

The Commission adjourned at 12:00 o'clock noon and reconvened at 2:00 o'clock p. m. with Commissioner Aldrich and Commissioner Tou Velle present. There were also present the State Highway Engineer, the Attorney, and the Secretary.

In the absence of Chairman Cabell Commissioner Aldrich acted as chairman pro tem.

Reconsideration was given by the Commission to the matter of reconstructing the viaduct on the Pacific Highway West at Newberg. The Engineer suggested that, if the Commission does not care to go to the expense of constructing a 4-lane structure at this time, costing \$109,000, it would be possible to construct half of it now and the balance later when there are sufficient funds to finance it. The eventual cost of the entire structure, he said, would be slightly more than if a 4-lane structure were constructed at the present time; but the immediate cash outlay would be considerably less, and the improvement would meet the requirements for a number of years. The Commission appeared favorably inclined toward the suggestion but deferred action thereon pending further study. The Engineer was instructed to investigate the matter thoroughly from this new standpoint and to report later.

The Engineer brought up for discussion the matter of contracting the

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surfacing and oiling of the Malone-California Line Section of the Whitney County Road, in Klamath County, which work is to be done as a Federal Aid Secondary Highway Project. It appears that the Bureau of Public Roads has refused to approve this project, due to the fact that the Lost River Bridge, located thereon, is in an unsafe condition and provision for the reconstruction of the same must be made before said Bureau's approval can be obtained. The Engineer advised that he has received information from the Klamath County Court to the effect that the county will rebuild the bridge when the road project is completed.

Mr. Tom Davis, Highway Engineer of the Bureau of Public Roads, was present and advised, if the Commission will include such bridge project in next year's Federal Aid Secondary Highway Program, or, if the county will agree, in writing, to construct the bridge within a year, the Bureau will then approve the contracting of the Whitney Road project. The Commission decided to defer the contracting of the road project until it is known whether or not the county will reconstruct the bridge next year. The Engineer was instructed to ascertain the attitude of the county court in regard thereto, and, if the county cannot finance the bridge work next year, whether or not it will assign to the State Highway Commission a sufficient amount of the gas tax revenue due Klamath County to reimburse the Commission for advancing the cost of such work.

The Commission discussed a similar situation existing on the Enterprise-Scotch Creek Section of the Hurricane Creek County Road, in Wallowa County, for which bids were received at this meeting. It appears that the Bureau of Public Roads will not approve this project because no provision has been made for the improvement of a certain timber culvert located thereon. The Engineer suggested that the state might assume the expense of reconstructing this culvert if that could be done legally; otherwise, that Wallowa County be asked to sign an agreement that it will widen the structure. On account of the uncertainty of the Commission's legal authority to expend state money on projects of this kind, the Commission ordered that the matter be covered by an agreement with Wallowa County in the event that the cost of the culvert work exceeds the extra amount allowed by the Federal Government for contingencies.

A delegation from Newberg and McMinnville, headed by Mr. Eugene Marsh, of McMinnville, came before the Commission in regard to the reconstruction of the viaduct on the Pacific Highway West at Newberg. Others in the delegation were Dr. H. L. Toney and James Smith, both of McMinnville; and the following from Newberg: Messrs. S. L. Parrett, George Larkin, Dr. T. W. Hester, C. A. Morris, George H. Layman, and E. H. C. Bennett.

Mr. Marsh gave as their understanding that the Highway Commission has budgeted \$110,000 for the improvement of the Pacific Highway West between Newberg and McMinnville, more particularly for the paving of the section between Dundee and Lafayette. He said that, while they would like very much to see this project proceed to completion, they believe that the Newberg Bridge project is of more importance and would rather the Commission spend its money for such project than for the paving work, except that the improvement planned

through the town of Dundee should be given preference over both and should be constructed regardless of the other two.

Chairman Cabell advised that the Commission has given this matter considerable thought, and, in his estimation, it is reasonable to say that the Commission will give the bridge project priority over the other; but the Commission is not ready at the present time to state just what kind of improvement will be made.

Mr. Marsh also asked for the reconstruction of the highway at the St. Joseph underpass, north of McMinnville, right of way for which, he said, has already been acquired; and also for the improvement of the approach of the secondary highway to the Newberg viaduct, in Newberg. He inquired as to the plans of the Commission with respect to the routing of the Pacific Highway West through McMinnville, and advised that rumors are to the effect that the Commission now proposes to build the highway around the city and is taking options for right of way on such basis, which is contrary to the impression that they gathered at the time of the Commission's hearing in McMinnville.

Chairman Cabell advised that, so far as the present Highway Commission is concerned, the route selected by this Commission is the proper one, but such selection does not necessarily bind future commissions, so there is nothing that can be said to guarantee the permanency of the route. He added that this Commission has no intention of changing its previous decision and has given no one authority to take options for right of way along any other route.

Mr. Marsh then asked for the improvement of Baker Street, in McMinnville, the route of the Pacific Highway West, from the end of the present improvement to the bridge, near the city hospital, and for the improvement of the Bellevue-McMinnville Section of the McMinnville-Tillamook Highway which, he said, is now in bad condition because of heavy logging traffic. The Engineer advised that the Commission's plans call for extending the Baker Street improvement southerly and the rebuilding of the bridge near the city hospital, and reconstruction of the McMinnville-Tillamook Highway as far as Valley Junction, when funds become available to finance the work.

The Engineer reported that an investigation by Maintenance Engineer J. N. Bishop of the condition of the unoiled section of the Weston-Elgin Secondary State Highway, near the summit, the oiling of which section has been requested by the people of this district, reveals that the present surfacing is entirely too weak to oil, and to place it in suitable condition would require considerable expense. In view of this report, the Commission decided not to oil this section this year but to give it consideration in next year's oiling program.

At 3:00 o'clock p. m. announcement was made of the following award of contracts for which bids were taken at the morning session, such awards having been previously approved by the Commission by unanimous vote:

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"Coquille-Clausen Section of the Oregon Coast Highway, in Coos County. 2.95 miles grading, surfacing, and oiling. The low bid received for this project was that submitted by Berke Bros., Inc., Portland, at \$136,314.00. The next low bid was that of A. C. Greenwood Company, Inc., Portland, at \$142,119.00. There were 5 higher bidders. The Commission has awarded this job to Berke Bros., Inc., at their low bid of \$136,314.00.

"Columbia Boulevard-Harding Avenue Section of the Pacific Highway West (Interstate Avenue), in Multnomah County. 3.3 miles paving. Harold Blake, Portland, submitted the low bid on this project, at \$139,114.50. The Oregon Contracting Company, Portland, submitted the next low bid at \$142,638.50. There were 4 higher bidders. The Commission has referred all bids received on this project to the Engineer with power to award the contract to the low bidder when certain conditions have been satisfied.

"Enterprise-Scotch Creek Section of Hurricane Creek County Road, in Wallowa County. 3.4 miles grading, surfacing, and oiling. The low bid submitted on this job was that of Rogers Construction Company, Dayton, Washington, at \$23,365.30. Babler Bros., Portland, submitted the next low bid at \$25,625.50. There were 2 higher bidders. These bids have been referred to the Engineer with power to award the contract to the low bidder when certain conditions have been satisfied.

"Sheelsy Bridge Section of the Upper Nehalem County Road, in Columbia County. 3.22 miles surfacing and oiling. Edwin C. Gerber, Oregon City, submitted the low bid on this project, at \$12,272.40, based on the use of either tar or road oil. Warren Northwest, Inc., Portland, submitted the next low bid at \$12,573.00, based on the use of tar. They did not submit a bid based on the use of road oil. There was one higher bidder. Inasmuch as the low bidder, Edwin C. Gerber, submitted identical bids based on either tar or road oil, and the Commission did not care to choose which should be used, selection was made by lot and tar was drawn. The Commission therefore awards this contract to Edwin C. Gerber at his low bid of \$12,272.40, using tar.

"Chenoweth Creek-The Dalles Section of the Chenoweth County Road, in Wasco County. 0.70 mile grading, and 1.19 miles surfacing and oiling. The only bid received for this project was that of H. L. Rice, Portland, at \$12,744.50. The Commission considers this bid satisfactory and has awarded the job to Mr. Rice at this price."

The Engineer brought up for discussion the matter of condemning right of way that has not already been acquired for the projects for which bids were received at this meeting. He requested authority for the Attorney to commence condemnation proceedings to secure such parcels. The Commission authorized and instructed the Attorney to acquire such properties by condemnation, if necessary.

G. E. Manchester, Mayor of Cascade Locks, and Teunis J. Wyers, City Attorney, came before the Commission in regard to the construction of a city-owned power transmission pole line along the right of way of the Columbia River Highway through their city. Mayor Manchester advised that the city is now being served by the West Coast Power Company, but the city wants service from Bonneville and has decided to install its own system, which will include the lighting of the highway, so it will be the best lighted town in the state. He further stated that the West Coast Power Company, which now has a pole line along the south side of the highway, will agree to the joint use of their poles in so far as the street lighting is concerned but will not agree to such joint use for other purposes, although the city is willing to enter into a joint-use agreement with the company at the customary rate.

In view of the policy of the Commission which permits the construction of only one pole line on each side of the highway and also requires the joint use of poles, suggestion was made that representatives of the city meet with representatives of the West Coast Power Company and endeavor to make satisfactory arrangements for the joint use of the poles. The city officials agreed to do this and report later. This matter was discussed further at 4:30 o'clock p. m. after Chairman Cabell returned to the meeting. Mayor Manchester reported at that time that he consulted with the attorney for the West Coast Power Company in regard to the joint use of their poles and this attorney refused emphatically to enter into any discussion of the matter whatsoever.

In the further discussion of this matter it was brought out that the West Coast Power Company is occupying space on the highway right of way without permit from the State Highway Commission, and considers that the State Highway Commission does not have the authority to force them to use poles jointly with the city. In view of the circumstances, the Commission decided unanimously to permit the city of Cascade Locks to construct its pole line along the south side of the highway through the town, overbuilding the facilities of the West Coast Power Company. The Secretary was authorized and instructed to prepare the customary form of permit covering the matter. The Attorney was instructed to take steps as may be necessary to cause the removal of the poles of the West Coast Power Company from the highway right of way.

The Engineer requested authority to acquire certain parcels of real property that are needed for various highway improvements throughout the state. He submitted a list of such properties, together with prices that he recommended be paid for each. After careful consideration, the Commission approved the Engineer's request and by affirmative action of the members present adopted the following resolution in regard thereto:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as herein-after more definitely set forth; and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which

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options have been considered by the Commission, outlining the bases of settlement which have been agreed upon; and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Astoria Section - Nehalem Highway</u>				
6004-Clatsop County	Stock Pile		Gratis	Eason
		55,440 sq.ft.		
<u>Otis-Silets Section - Oregon Coast Highway</u>				
5794-McNeil, J. B.	R/W	504 sq.ft.	14.88¢ sq.ft.	Collins
<u>17th Avenue-Union Avenue Section - East Portland-Oregon City Highway</u>				
2972-Seeley, Mayannah W.	R/W	31,304 sq.ft.	Lump Sum \$7,500	Parker
<u>Killingsworth-Lombard Section - Northeast Portland Highway</u>				
5413-O.W.R.R. & N.Co.	R/W	113,458 sq.ft.	8895 sq.ft. at 7¢ sq.ft.	
(Correction)			13218 sq.ft., 3¢ sq.ft.	
			91345½ sq.ft., 2¢ sq.ft.	Parker
5414-Scroggins, Elizabeth M.	"	10,000 sq.ft.	7¢ sq.ft. plus \$85	"
5411-Mulhens, Joseph Jr.	"	10,000 sq.ft.	7¢ sq.ft. plus \$90	"
5409-Kelly, J. L.	"	2 lots	Lump Sum \$515	DeSouza
5433-Murphy, Thomas W.	"	15,568 sq.ft.	2¢ sq.ft. plus \$883.64	Parker
<u>Columbia Boulevard-Harding Avenue Section - Pacific Highway West</u>				
5050-Pierrard, F. J.	R/W	45 sq.ft.	10¢ sq.ft. plus \$20.50	Benson
5383-Star Sand Co.	"	1,802 sq.ft.	\$1 sq.ft. plus \$698 plus moving bldgs. (Est. \$2000)	"
5070A-Neimann, Oscar J.	"	251 sq.ft.	10¢ sq.ft. plus \$49.90	"
Nelson, Oscar E.				
<u>Salem-12th Street Junction Section - Pacific Highway East</u>				
5912-Larsen, Fred	R/W	260 sq.ft.	5¢ sq.ft.	McCallister
5913-Highway Communities Corp.	"	629 sq.ft.	5¢ sq.ft.	"
5775-Gatchell, W. F.	"	1,960 sq.ft.	2½¢ sq.ft. plus \$26	"
5918-Harbert, John W.	"	10,890 sq.ft.	2½¢ sq.ft. + \$27.75 + moving (est at \$75)	"

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>South Entrance to Marshfield Section - Oregon Coast Highway</u>				
5086-Mullen, Mary F. (Est.)	R/W	29,406 sq.ft.	18,055 sq.ft., 10¢ sq.ft. 11,315 sq.ft., 4¢ sq.ft.	Benson
5099-Flanagan Est., Inc. and Mary F. Mullen Est.	"	4,000 sq.ft.	10¢ sq.ft.	"
5083-West Coast Investment Co. & Mary F. Mullens Est.	"	1,889 sq.ft.	10¢ sq.ft.	"
5110-Mary F. Mullen Est. and Flanagan Est.	"	6,000 sq.ft.	5¢ sq.ft.	"
5094-Mary F. Mullen Est. and Flanagan Est.	"	0.766 a.	Lump Sum \$1,500	"
<u>Coquille River-Fat Elk Creek Section - Oregon Coast Highway</u>				
6074-Russ, Z. Co.	Stock Pile	1.0	1-yr. Lease, Lump Sum \$10	McChesney
6077-Russ, Z. Co.	R/W	3.58	\$100 per a. + \$210 plus cattle pass	"
6079-Fish, Frank D.	Gravel Pit Hauling Road Easement	4.82	Lump Sum \$500	"
6076-Connick, Edythe R.	R/W	3.34	\$100 per a. + \$255 + mov- ing bldgs. (Est \$4,000)	"
6078-Hathaway, Geo E. et al	"	0.98	\$100 per a. plus \$89	"
<u>Coquille-Clausen Section - Oregon Coast Highway</u>				
6085-Hathaway, Geo. E. et al	R/W	4.56	1.0 a. at \$200 per a. 3.56 a. at \$30 per a. plus \$180.25	McChesney
6088-Norton, Berta May	"	0.34	Land Gratis + \$37.50	"
6086-Churchill, Lydia M.	"	0.15	\$90 per a. plus \$12	"
6089-Collier, Joseph A.	"	1.04	\$20 per a. plus \$36	"
6087-Clausen, Alton H. and Lester K.	"	1.76	\$100 per a. + \$126.50	"
<u>Junction City-Eugene Section - Pacific Highway</u>				
5937-Loan & Trust Savings Bank of Concord	Gravel Pit	5.179	\$150 per a.	Benson
<u>Drews Valley Section - Klamath Falls-Lakeview Highway</u>				
6014-Tracy, D. O.	R/W	8.11	3.81 a. at \$5 per a. 1.89 a. at \$10 per a. 1.84 a. at \$25 per a. 0.57 a. at \$100 per a. plus \$456	Gardiner
6015	"			
6017	"			
6019	"			
6083-Builtz, Chas.	"	2.86	Land Gratis plus \$60	"
6022-Zedraalias, Mathew	"	3.75	\$8 per a. plus \$20	"
6021-Heckman, J. R.	"	0.83	Land Gratis plus \$60	"
6027-Jarisch, Adolph	"	1.07	Lump Sum \$6.35	"
6016-Thomas, L. G.	"	0.21	Lump Sum \$5	"
6018-Siems, Chris	"	1.63	\$5 per a.	"

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Muddy Creek-Lakeview Section - Klamath Falls-Lakeview Highway</u>				
4179-Oregon Land Co., Inc.	R/W	5 lots	\$10 per lot	McChesney
<u>Valley Falls-White Rock Section - Fremont Highway</u>				
6037-Chandler, R. L.	Gravel Pit	0.83	\$30 per a. plus fencing	Gardiner
6038-Chandler, Doyle S.	"	1.7	\$30 per a.	"
<u>Picture Rock Pass - Harris Creek Section - Fremont Highway</u>				
6062-State Land Board	Gravel Pit	40.0	\$3 per a.	McCallister
<u>Ana Springs-Hunter Hill Section - Fremont Highway</u>				
6061-Lake County	Gravel Pit	4.84	Gratis	Gardiner
<u>Fox-Forest Boundary Section - Pendleton-John Day Highway</u>				
5999-McGirr, Albert	R/W	6.95	Lump Sum \$400	DeSouza

At 4:00 o'clock p. m. the Commission had under consideration the bid of The First National Bank of Portland, Oregon, and the bid of The United States National Bank of Portland (Oregon) for the purchase of \$750,000 Oregon State Highway bonds, and the bid of the State Bond Commission for the purchase of \$250,000 par value of said bonds, the bid of The United States National Bank of Portland (Oregon) being for the purchase of the entire issue at a rate of interest of thirty-seven hundredths of one per cent (.37%) per annum, the bid of The First National Bank of Portland, Oregon, being for the purchase of the entire issue at a rate of interest of thirty-eight hundredths of one per cent (.38%) per annum, and the bid of the State Bond Commission being for the purchase of \$250,000 of said bonds at a rate of 1/2 of 1 per cent per annum, and the Commission being of the opinion that the bid of The United States National Bank of Portland (Oregon) was the best bid submitted accordingly accepted said bid and sold the said bonds to The United States National Bank of Portland, (Oregon).

The said Commission thereupon by the affirmative vote of the two commissioners present adopted the following resolution with respect to the sale of said \$750,000 Oregon State Highway bonds:

WHEREAS, in response to a call for bids duly issued and published by the Highway Commission for the sale of \$750,000 par value Oregon State Highway bonds, there were received by the Commission the following bids, to wit:

Bid of The United States National Bank of Portland (Oregon):

For Seven Hundred Fifty Thousand (\$750,000) par value, all or any part thereof, Oregon State Highway short-term bonds, bearing date of July 1st, 1938, to mature March 1st, 1939, but to be subject to optional redemption on January 2nd, 1939, or on any date thereafter on thirty days notice, bearing interest at the rate of .37% per annum, we will pay you the par value thereof and accrued interest to date of delivery.

Bid of The First National Bank of Portland, Oregon:

For \$750,000. State of Oregon Highway Bonds to be dated July 1, 1938 and to mature March 1, 1939, but subject to redemption on January 2, 1939 or on any date thereafter, on thirty days' published notice, to be in denominations of \$10,000.00 each, and to bear interest at the rate of thirty-eight hundredths of one per cent (.38%);

WE WILL PAY \$100.00 FOR EACH \$100.00 PAR VALUE THEREOF PLUS ACCRUED INTEREST FROM THE DATE OF THE BONDS TO THE DATE OF DELIVERY TO US IN PORTLAND, OREGON.

Bid of the State Bond Commission:

For \$250,000 par value of the \$750,000 Oregon State Highway short-term negotiable coupon bonds to be dated July 1, 1938 and to mature March 1, 1939, but to be subject to optional redemption on January 2, 1939, or on any date thereafter, on thirty days published notice, the said bonds to be in denominations of \$10,000 each, to bear interest at a rate of 1/2 of 1% per annum payable on October 1, 1938 and March 1, 1939 or, as to the second interest installment, at the time of redemption, if the bonds are called for payment before final maturity date, we offer \$100.01 for each \$100 par value and accrued interest to date of delivery.

WHEREAS, in the judgment of the Commission the bid of The United States National Bank of Portland (Oregon) is the best bid of the bids offered and submitted, and it is the further judgment of the Commission that the said bid of The United States National Bank of Portland (Oregon) should be accepted and the sale of the bonds made to the said The United States National Bank of Portland (Oregon).

NOW, THEREFORE, a majority of the members of the Commission being present and affirmatively voting, it hereby is resolved as follows:

1. That the bid of The United States National Bank of Portland (Oregon) be and the same hereby is accepted.

2. That the said bonds when prepared and when executed by the Governor, the Secretary of State, and the State Treasurer be delivered to the said The United States National Bank of Portland (Oregon) on the first day of July, 1938, on payment of the purchase price thereof.

3. That this resolution be entered in the minutes and records of the Highway Commission.

Mr. Jack Joyce, of the United States Forest Service, was present .

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and requested authority to transport 2 portable buildings, 14 feet wide, 32 feet long, and 18 feet in height, over state highways from Camp Sherman, in Jefferson County, to Fort Rock, in Lake County. He said that he previously requested a permit to move these buildings on the highway but the application was denied because it was considered that the buildings were too large, so he investigated further the matter of cutting the buildings in half and the possibilities of moving them over county roads part of the way, and he finds that that can be done satisfactorily. Accordingly, he is now requesting a permit to move four buildings, 14 feet wide, 16 feet long, and 18 feet in height, over three sections of state highway between Camp Sherman and Fort Rock, being a 4-mile section of the Santiam Highway, near the Jefferson-Deschutes County line, a 7-mile section of the Bend-Sisters Highway near Tumalo, and a 4-mile section of the Central Oregon Highway east of Bend. The balance of the distance, he said, would be over county roads, for which he has already secured county permits. He estimated that it would take about two hours for each trip and that the combined weight of load and vehicle would not exceed the statutory limits.

After considerable discussion, the Commission authorized the transporting of one of the buildings as a trial proposition, subject to the condition that the movement be properly flagged and that the United States Forest Service assume all liability in the event that an accident occurs. The Engineer was instructed to have Division Engineer Wm. E. Chandler personally accompany such trial movement along with Mr. Joyce and render a report thereon. The Commission authorized the granting of a permit for the transportation of the remaining buildings if the report is favorable.

Chairman Cabell returned to the meeting at 4:30 o'clock p. m.

The Engineer requested authority for Harold B. Say, Manager of the Travel and Information Department, to make a trip into Washington and Idaho to contact various newspaper officials relative to publicity matters. He estimated that it would take Mr. Say about two or three days to make this trip and that it would cost about \$25.00. The Commission approved the request by unanimous vote, subject to the further approval of Governor Martin.

The Attorney reported an estimate of cost to secure right of way for the proposed revision of the Oregon-Washington Highway between Pendleton and Adams, including cost of land, severance, fencing, general damage, et cetera. After considerable discussion the Commission approved the report and authorized the Attorney to proceed with the taking of options for right of way that may be needed for a project that can be financed with the funds that have been budgeted for this particular work. The Commission left it with the Engineer to determine the limits of such project.

The Engineer reported receipt of information from Mr. Franklin T. Griffith, President of the Portland General Electric Company, to the effect that the company will contribute a sum of \$25,000 toward the cost of reconstructing the Sandy Boulevard project, between 15th Avenue and 45th Avenue, Portland. In view of this information, the Commission authorized the Engineer

to advertise this project for bids to be received on Thursday, July 21, 1938. He was instructed to convey this information to Mr. Griffith and to tell him, further, that the Commission proposes to construct the remaining section of this project as soon as funds are available to finance the same.

Reconsideration was given by the Commission to the claim of the Peninsula Golf Club, in the amount of \$265.00, same being in the nature of reimbursement to the club for expense incurred in connection with studies and investigations pertaining to the proposed traffic separation structure at the intersection of Denver and Union Avenues, Portland. After considerable discussion of this matter, the Commission concluded that the representations made to the club by the Commission's agents carried no obligation on the part of the Commission to reimburse the club for its expense. In view of this conclusion, and for the further reason that the assumption and payment of this claim would establish an undesirable precedent, the Commission decided unanimously to deny the same.

A letter was presented from Mr. Rey B. Early, Portland, urging that the Arch Cape Tunnel, on the Oregon Coast Highway, south of Cannon Beach, be opened for public use notwithstanding that the highway at the south end of the tunnel has not been completed. The Engineer recommended against the opening of the tunnel because of the danger of accidents occurring by reason of falling rocks. It was his thought that the tunnel should be barricaded at each end until it has been lined and the danger of falling rocks averted. The Commission approved the recommendation and so ordered. The Engineer was instructed to convey such information to Mr. Early.

The Attorney reported results of negotiations with Mrs. Alvina H. Borland for the acquisition of right of way for a revision of the Pacific Highway and a connection with the Redwood Highway at the junction of such highways south of Grants Pass. He said that he consulted with Mrs. Borland's husband, who finally stated that they would take \$15,000 for the property, claiming that it would take that much money to purchase another suitable site for his mill and move his machinery and equipment to the same, in addition to allowing him something for his present site and business location. The Attorney gave as his thought that the price demanded by the Borlands is exorbitant and suggested that they be offered a sum not to exceed \$8,000 covering items as follows: 1.75 acres of land at \$2,000 per acre; moving of storage shed, \$400; spur track, \$800; slab burner, \$600; conveyor, \$200; moving of planer, et cetera, \$1,200; and \$1,000 compensation for a feed and seed warehouse which is now under lease for a period of 5 years at \$35 per month.

The Engineer gave as his thought that a permanent location survey should be made and right of way acquired at once, before Mr. Borland reconstructs his mill on this site. After discussion, the Commission authorized the Engineer to make such location survey. The Attorney was instructed to negotiate further with Mr. Borland, and, if necessary, to offer him as much as \$8,000 for his property. He was further instructed to condemn the right of way across Mr. Borland's land if he refuses the offer.

The State Parks Superintendent, Mr. S. H. Boardman, was present and reported on the following matters:

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Acquisition of the Armitage property adjacent to the Coburg County Road and the McKensie River, about 5 miles north of Eugene:- The Commission decided unanimously to accept Mr. Armitage's gift of this 30-acre tract as a result of an inspection of the property on June 5.

Proposed park site between the Oregon Coast Highway and the Pacific Ocean a short distance north of Nelscott, Lincoln County:- The Commission decided unanimously not to purchase this 90-acre tract, for which the owners demand the sum of \$13,500, inasmuch as inspection of the property reveals that it does not meet the state parks requirements.

Easement for pipe line across property owned by Southern Oregon Lumber Company adjacent to Umpqua Lighthouse State Park, in Douglas County:- The Commission authorized the State Parks Superintendent to pay as much as \$250 for the acquisition of this easement in order to provide a water supply for the state park.

Acquisition of 200 acres from Messrs. Damatio and Huntley, Aberdeen, Washington, as an addition to the state park at Arch Cape, in northern Tillamook County:- The Parks Superintendent advised that this property would make a fine addition to the state park and can be purchased for \$60 an acre, or a total of \$12,000. He strongly recommended acquisition of the same. After discussion, the Commission approved the recommendation by unanimous vote.

Purchase of narrow wayside strips of land lying between the Oregon Coast Highway and the Pacific Ocean, between Newport and Waldport and between Waldport and Yachats:- The Parks Superintendent advised that there is a total of about 100 acres included in these strips, valued at about \$500 an acre, which should be acquired by the state in order to prevent them from being built up and the view of the ocean obstructed. He suggested that, if the Commission does not have funds available to finance the project, a holding company be formed for the acquisition of the same, with the idea in mind that the state would purchase the strips from the holding company at a later date when funds can be spared for that purpose. It was the thought of the Commissioners that such arrangement would not be advisable because of the possibility of a change in the personnel of the Commission in the meantime, which might lead to considerable embarrassment, if an obligation of this kind were incurred. Accordingly, the Commission refused to sponsor such holding company, but authorized the Parks Superintendent to solicit the aid of private individuals to secure these tracts for the state in some other manner.

The Commission considered and signed agreements, et cetera, as follows:

Agreement with Berke Bros., Inc., providing for the settlement of their claim for extra compensation arising out of their contract with the Commission for the construction of the Tunnel Section of the Old Oregon Trail, Baker County, State Highway Contract No. 1906.

Agreement with the State Board of Forestry and the Oregon State Penitentiary providing for the construction of a joint sewer

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pipe line on state-owned property situate near the State Highway Department Shops in Salem.

Agreement with Viola Lee Pratt and Henry G. Pratt relative to the purchase by the state, for park purposes, of certain property situate adjacent to the Oregon Coast Highway south of Cape Perpetua, in Lincoln and Lane Counties; also, escrow agreement providing for the depositing of the deed to such property in the First National Bank of Portland pending final payment for the property by the state.

Agreement with the United States Bureau of Public Roads providing for the financing of The Dalles Roadside Improvement Project on the Columbia River Highway with 1937 Federal Aid Funds, being designated as Oregon F.A.P. 36-C.

Agreement with Klamath County providing for maintenance by the County of the Whitney Bridge County Road, between The Dalles-California Highway and the California state line, after construction of the same by the state as a Federal Aid Secondary Highway project.

Agreement with Wallowa County providing for maintenance by the county of the Enterprise-Hurricane Creek County Road between Enterprise and Scotch Creek after construction of the same by the state as a Federal Aid Secondary Highway project.

Bargain and sale deed conveying unto Lee Ragan two parcels of land containing 931 sq.ft. and 2,923 sq.ft., respectively, situate adjacent to the right of way of the Oregon Coast Highway near the north end of the bridge over the Siuslaw River, at Florence, consideration \$207.70.

Bargain and sale deed conveying unto Al Leonard Krause, trustee, 3.28 acres of land situate adjacent to the Oregon Coast Highway, in Government Lots 4 and 5 of Section 20, Township 10 South, Range 11 West, W. M., Lincoln County.

Bargain and sale deed conveying unto A. J. Hodges Lots 1 and 2 of Block 98, Monteith's Southern Addition to the city of Albany, lying outside of the highway right of way.

There being no further business to come before the Commission at this time, the meeting was adjourned at 5:45 o'clock p. m.

W. S. Seavison
Secretary
W. S. Seavison
State Highway Engineer

Henry F. Cabell
Chairman
E. S. Hedrick
Commissioner
J. L. Soukelle
Commissioner

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Portland, Oregon, June 29, 1938

The State Highway Commission met in regular session at 7:30 o'clock p. m. in Room 204, Benson Hotel. Present were:

E. B. Aldrich, Commissioner and Acting Chairman
F. L. Tou Velle, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

Chairman Henry F. Cabell was absent on a vacation trip in Europe.

The Commission discussed matters pertaining to the expenditure of state highway funds which the Commission has heretofore appropriated for financing a portion of the cost of maintaining an exhibit at the San Francisco World's Fair in 1939 and suggestions made by Mr. Harold B. Say, Manager of the Travel and Information Department, which include the use of models and dioramas of sections of Oregon highways that are appealing and would be attractive to potential tourists, and the use of motion pictures with sound synchronization, pleasing music, and explanatory material. The Commission indicated a favorable attitude toward these suggestions but deferred a definite decision pending a conference with the state committee in charge of the World's Fair exhibits. The Engineer was instructed to arrange for a conference with this committee during the luncheon hour on the following day.

The Commission also had under consideration the appointment of a committee as recommended by the Advisory Committee on Publicity Matters to study conditions affecting tourist travel in Oregon. Several names were mentioned in this connection but the Commission deferred action, pending the return of Chairman Cabell in October.

The Engineer requested authority to acquire certain parcels of real property that are needed for various highway improvements throughout the state and submitted a list of such properties together with prices that he recommended be paid for each. After careful study the Commission approved the Engineer's request. The following resolution in regard thereto was adopted by affirmative action of all members present:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth, and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon, and

WHEREAS, it is the judgment of the Commission that the said

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options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Toledo-Olalla Creek Section - Corvallis-Newport Highway</u>				
6091- Lybargar, Charles W.	R/W	0.74	Land \$100, plus \$300	McCallister
<u>Deschutes County - Central Oregon Highway</u>				
5180- Settelmeyer, Jacob	Oasis and Maintenance Site	26.42	\$4.00 per acre	McChesney
<u>Salem-12th Street Junction Section - Pacific Highway East</u>				
5772- Nixon, H. M.	R/W	32583 sq.ft.	2 1/2 sq.ft. plus \$280 plus moving buildings (estimated at \$375) and construction concrete spring box	McCallister
5919- Hoffman, Otto Paul	"	6621 sq.ft.	2 1/2 sq.ft. plus \$80	"
5769- Anderson, Martha	"	87 sq.ft.	Lump Sum- \$2.50	"
5762- Allison, Sarah Lansing	"	7710 sq.ft.	1 1/2 sq.ft. plus \$3.00	"
<u>Grants Pass-Green Creek Section - Pacific Highway</u>				
6103- Borland, Alvena H.	R/W	1.00	\$2000 per acre (Land \$3600) plus \$4150 and subject to condition that Mr. Borland will enter into a written agreement to vacate the premises within one year, if necessary	McCallister
<u>Valley Falls-White Rock Section - Fremont Highway</u>				
6092- State Land Board	Quarry Site and Park Site	40.0	\$3 per acre	McCallister
<u>Forest Boundary-Elgin Section - Weston-Elgin Secondary Highway</u>				
6102- Hill, Wm. C.	Borrow Pit	0.76	Lump sum- \$25.00	Williams
<u>Douglas County Line-Trail Section - Tiller-Trail Highway</u>				
6095- Swingle, H. F.	Quarry Site	4.43	\$15 per acre	McCallister
<u>Baker County Section - Old Oregon Trail Highway</u>				
6060- Zeller, A. R.	Patrol Hdqtrs	0.59	\$254.24 per acre	Wells

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Mystic Creek-Powers Road Section - Coos Bay-Roseburg Highway</u>				
4500- Scofield, Fred	Stock Pile	1.05	Land \$100, plus \$10	McChesney
<u>Klamath County Section - Klamath Falls-Lakeview Highway</u>				
6046- Bord (Rex)	Park, Quarry and Stock Pile Site	29.63	Lump Sum- \$300	Gardiner
<u>Astoria Section - Oregon Coast Highway</u>				
5924- Clatsop County	Maintenance Site	8325 sq.ft.	Gratis	Collins
<u>Albany Section - Pacific Highway East</u>				
5509- Burkhart, Robt. L.	R/W and Main- tenance Site	4.2	\$365 per acre, plus \$465 (Lump Sum \$2000)	Gardiner
5162- Gray, Nancy	R/W	13993 sq.ft.	5 1/2 sq.ft., plus \$4800	"
5129- Eagles, Amy E.	"	52 sq.ft.	10 1/2 sq.ft., plus \$1194.80	"
4974- Steen, O. A.	"	1540 sq.ft.	\$500, plus conveyance of 2 parcels of land ly- ing outside right of way	"
5507- Vandran, Chris A.	"	800 sq.ft.	Lump sum- \$5500	"
4976a-Forney, C. F.	"	8160 sq.ft.	3 1/2 sq.ft.	"
5738- Umphrey, Linnie M.	R/W and Gravel pit	27.369 A.	\$100 per acre	"
<u>Columbia Boulevard-Harding Avenue Section - Pacific Highway West</u>				
5385- Gray, John H.	R/W	712 sq.ft.	In exchange for Lot 16, Blk. 3, Overlook Addition, plus low bid for moving and re-establishing house thereon, plus \$100 for land- scaping (Moving estimated at \$1000)	Benson
5385A- Drewfs, Henry F.	"	5000 sq.ft.	Lump Sum- \$600	"
<u>West Portland-Cook Overcrossing Section - West Portland-Hubbard Highway</u>				
3631- Hogue, Fred E.	R/W	0.294	\$1500 per a., plus \$59	Parker
<u>Jordan Creek Section - Wilson River Highway</u>				
5857- Tillamook County	Quarry Site	3.45	Gratis	McChesney
<u>Tidewater Section - Alsea Highway</u>				
5940- Barclay, G. N.	R/W	0.61	Land \$65, plus \$140, plus construction of bulkhead	McCallister
<u>Nye-Pilot Rock Section - Oregon-Washington Highway</u>				
5859- Cunningham Sheep Co.	R/W and (CORRECTION)	Gravel Pit	14.27	11.06 a. at \$10 per a. 3.21 a. at \$31 per a. Williams

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Coquille-Clausen Section - Oregon Coast Highway</u>				
6084- Tuttle, H. M.	R/W	0.15	\$100 per acre, plus fencing	McChesney
<u>Tillamook County-McNamer's Section - Wilson River Highway</u>				
5856- Tillamook County	Stock Pile	2.21	Lump sum - \$300	McChesney
5858- Tillamook County	Quarry Site	5.36	Lump sum - \$450	"
<u>Jamieson-Lancaster Section - John Day Highway</u>				
5973- Turner, Basal A.	Gravel Pit	1.35	Lump sum - \$75	McChesney

The Attorney brought up for discussion matters pertaining to the acquisition of right of way for the proposed revision of the Oregon-Washington Highway between Pendleton and Adams, in Umatilla County. He said that he has received a communication from the Attorney representing the land owners stating that such land owners are not particularly anxious for the state to condemn right of way; also that they have secured the services of a Mr. McEwen, Appraiser of the Federal Land Bank of Spokane, to appraise their respective properties but Mr. McEwen will not be able to commence such appraisal until about the middle of July. It was the thought of the Commission that the state should have an appraisal made by competent appraisers to compare with that made by Mr. McEwen and accordingly the Attorney was instructed to arrange for the services of two or three men, who are competent to act in this capacity. Such appraisal is to be completed and ready for study by the Commission at the same time that consideration is given to the appraisal made by Mr. McEwen.

The Attorney also brought up for discussion the matter of acquiring right of way needed for the Interstate Avenue improvement across the property of Mr. & Mrs. Roskoski located at 8434 North Denver Avenue, Portland, and in this connection introduced Mr. Oscar Kaufer who has been employed by the Commission to appraise this property. Mr. Kaufer said that the owners are demanding the sum of \$19,000 for their property as a compromise settlement, they to remove buildings and fixtures located thereon, whereas he has appraised the property at \$18,000 of which amount \$8,000 represents the value of the entire holdings of Mr. Roskoski and \$10,000 represents the cost of moving the buildings and fixtures therefrom. The Commission considered that the price demanded is exorbitant and decided to limit its purchase to right of way only. The Attorney was authorized and instructed to offer Mr. Roskoski \$11,000 for such right of way and to condemn the property in the event the offer is refused. (The Attorney reported on the following day that Mr. Roskoski refused the offer. The State Highway Commission thereupon instructed him to acquire the property by condemnation.)

The matter of acquiring a 20-acre tract of land at Albany for use as a gravel pit and quarry site had the attention of the Commission. The Attorney advised that this property is owned jointly by the State Bank of Albany, D. E. Nebergall, Linnie N. Umphrey, Ruth Gould, and Veldora A. McKnight, and that they are asking the sum of \$100 per acre for the same. The Commission

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approved the price of \$100 per acre for the land but questioned the necessity of acquiring such a large tract. The matter was referred to the Engineer for investigation.

The State Parks Superintendent was present and reported on the following matters:

Acquisition of addition to Yaquina Bay State Park at Newport:- The Parks Superintendent advised that some time ago the state acquired from the United States Government a 32-acre park located at Yaquina Bay State Park but it so happens that the park did not include all of the land bordering the bay and there still remains in government ownership 3.41 acres which fronts on the park and extends to the bay. He said that this is necessary to complete the present park and requested authority to negotiate with the government for the acquisition of the same. The Commission approved the request.

Park site located adjacent to the Alsea Highway, in Benton County, particularly in Section 10, T. 13 S., R. 7 W., W.M.:-- The Parks Superintendent advised that as previously instructed by the Commission he has inspected this tract which contains 10 acres, and is of the opinion that it would be a desirable addition to the state park system. He recommended acceptance of Benton County's offer to convey the tract to the state as a gift. The Commission approved the recommendation.

Proposed addition to Golden Falls State Park on the Coos River Secondary Highway, in Coos County:- The State Parks Superintendent advised that the present park, which contains what is known as Golden Falls, will not be complete until it has been enlarged to include a portion of the Silver Creek area and what is known as Silver Falls. He advised that the property is owned by Coos County and that the county court has signified its willingness to convey it to the state as a gift. The Commission indicated a willingness to accept the county's deed to the tract if the county will convey it to the state without cost and without the assumption of obligation.

Acquisition of the areas included in the wye connection of the McKenzie Highway with the Santiam Highway and with the Bend-Sisters Highway in the town of Sisters, in Deschutes County:- The Parks Superintendent advised that for a number of years the State Highway Department has attempted to purchase these two triangular tracts, one of which contains 20 acres and is located at the west end of the town of Sisters, and the other contains 40 acres at the east end of the town of Sisters, from the owner, Mr. Louis F. Hill, but letters to Mr. Hill regarding the property have not been answered. He further advised that both tracts are very desirable from the state's standpoint and should be state-owned. It was his thought, in view of the fact that previous attempts to acquire the property by negotiation have failed, that the state should acquire them by condemnation and he so recommended. The Commission concurred in the viewpoint of the Parks Superintendent and thereupon authorized and instructed the Attorney to acquire the properties by condemnation, as recommended.

Addition to Cape Lookout State Park, in Tillamook County:- The Parks Superintendent advised that the Commission now owns a one-thousand acre

park overlooking the ocean at Cape Lookout, which park was obtained from the federal government and is inaccessible by road. Furthermore, the tract is isolated and in order to enter it one must cross a tract containing 31.72 acres owned by the Crown Willamette Company. This 31.72-acre tract, he said, fronts on the ocean and would make a valuable addition to the present state park and the acquisition of the same by the state would permit the building of trails across state land from the end of the present road to the present park and would also permit the development of the area with CCC forces. He advised that the tract, which is described as Lot 2, Section 36, T. 2 S., R. 11 W., W.M., can be acquired from the Crown Willamette Company for the sum of \$3,250 and strongly recommended purchase at such price. After discussion, the Commission approved the acquisition of this tract as recommended.

Acquisition of a 10-acre timber tract located adjacent to the Nehalem Secondary Highway four miles east of Mist, in Columbia County:- The Parks Superintendent advised that this tract is owned by the Clark-Wilson Lumber Company which is demanding the sum of \$6,000 for the same, basing such price on the value of the timber located thereon. He said that he has had the timber cruised and that the tract contains 678,000 board feet of red fir for which the top price today is \$4.00 per thousand and on that basis the Commission should not pay more than \$2,712 for the entire tract. He recommended that the tract be not acquired unless the company will reduce its demand to a reasonable figure and suggested that it might be advisable for further negotiations to be conducted by the people who are asking the state to secure the tract for recreational purposes. The Commission approved the recommendation and ordered that the matter be referred to the Columbia County Granges to carry on such additional negotiations.

Acquisition of the Crown Point property on the Columbia River Highway in Multnomah County:- The Parks Superintendent advised that in accordance with previous instructions from the Commission he has endeavored to contact the Board of County Commissioners of Multnomah County in regard to this matter but nothing definite has come of these attempts to date but he hopes within a few days to secure sufficient information to render a complete report thereon.

The Engineer reported on the cost to construct a sidewalk on the Silverton-Marquam Secondary Highway from the end of Oak Street in Silverton to the junction with the Monitor Road, which construction has been requested by the Silverton Safety Council. He said that inspection was made of this project in company with Dr. Smith, Secretary of the Safety Council, and a representative of the City Council, which revealed that the project is 2,800 feet in length, half of which is located within the city limits of Silverton. He estimated that to construct the 1,400-foot section outside of the city limits and within the highway right of way would cost about \$1,500. The Commission indicated a willingness to construct this sidewalk when funds can be spared to finance the same but denied the request for immediate construction.

The Engineer also reported on the cost to oil the shoulders adjacent to the highway pavement in the town of West Linn, which work has been requested by Mr. M. A. Wilson of that town. He said that this project is about 1.5 miles in length and to oil the shoulders, including the placement of stabiliz-

ing rock, would cost about \$10,000. The Commission decided not to do this work now but instructed the Engineer to bear the project in mind for consideration in next year's budget.

The Commission considered and ordered filed the Attorney's opinion as to the legal authority of the Commission to spend state highway funds to match federal funds in the construction and maintenance of county roads as federal aid secondary highway projects. The written opinion is dated June 28, 1937, and contains a supplement dated June 20, 1938, and briefly is to the effect that "if the state can obligate highway funds for the construction of county roads under the conditions and controlled by the rulings and regulations of the Secretary of Agriculture as outlined in the foregoing opinion, (June 28, 1937) then manifestly the Highway Commission can obligate highway funds for the maintenance of such roads if the federal government requires such obligation as a requirement and condition precedent to the procurement of the federal funds."

The Commission had under discussion matters pertaining to the Court Street improvement in Salem for which bids are to be received on the following day. It appears that the new streets that are to be constructed as substitutes for Summer Street have not yet been dedicated and until that has been done the Federal Bureau of Public Roads will not contribute federal funds to assist in financing the Court Street improvement. The Commission decided, under the circumstances, to proceed with the taking of bids for the Court Street project as advertised but to defer the award of the contract, if necessary, until the street situation has been satisfactorily clarified.

A letter was presented from Mr. Frank Forth, Ashland, requesting compensation in the amount of \$258 for loss incurred by him on account of alleged delays and carelessness on the part of the State Highway Department in making repairs to the Pacific Highway (new route) in front of his premises south of Ashland. The Engineer advised that the Highway Department has done everything that reasonably should be done from an engineering standpoint to take care of Mr. Forth and that evidently he is a very hard man to satisfy. Further, that reports indicate that the main thing that he now wants the state to do for him is to construct an approach road to his tourist camp. The Engineer read aloud Division Engineer K. D. Lytle's report on the subject dated June 27, 1938, recommending that Mr. Forth's claim be denied and that he be informed that the Highway Department has done everything that it thinks should be done for him and considers the matter closed. The Commission approved the recommendation and instructed the Attorney to write such letter to Mr. Forth.

The Attorney reported results of appraisals made by the special committee of appraisers, Mr. Henry Reed, Mr. J. B. Leber, and Mr. N. C. Soule regarding the value of the Security and Investment Company's property at Oregon City which is needed for right of way for the East Portland-Oregon City Highway in that town. He said that this board of appraisers has set a value of \$18,000 on the land and \$4,000 on the improvement, or a total of \$22,000, but they also report that the owners claim special moorage right value which they allege is worth \$12,000, same being predicated on a lease

with the Hawley Pulp and Paper Company which gives the paper company permission to moor and break up log rafts in the Willamette River in front of the property in question, for which lease the paper company pays \$1,800 annually. The Attorney advised that there is a question in his mind whether or not the lease is bona fide inasmuch as it was entered into during January 1937 while negotiations for the right of way were pending. He recommended that an offer of settlement with the owners be made on the basis of payment of \$22,000 for the land and improvements, ignoring the moorage value, such offer to be contingent on the determination of title to certain street ends which are in controversy. He further advised that a telegram was sent to Chairman Henry F. Cabell in New York on June 23 explaining the above facts and requesting his reaction and decision and that Mr. Cabell replied by wire approving settlement on the basis of payment of \$22,000 which is \$2,000 more than a previous offer. After discussion Commissioners Aldrich and Tou Velle concurred in Chairman Cabell's telegraphic decision and instructed the Attorney to proceed in accordance therewith.

The Engineer reported on the cost to construct a bypass route for a connection of the Tualatin Valley Highway with the Gales Creek County Road in Forest Grove as has been proposed by people of that town. He estimated that such bypass construction on a direct line from 7th Street to a connection with the Gales Creek Road, about one-half mile north of Forest Grove, would cost about \$29,000 for construction, \$13,000 additional for right of way, and \$30,000 additional for the purchase or moving of 15 houses, making a grand total of \$72,000. To construct the bypass on a route following certain city streets, he said, would cost about \$10,600 and to purchase right of way for such route would cost an additional \$9,000 or a total of \$19,600. The Commission approved the report but took no action thereon. The Engineer was instructed to bear this project in mind for consideration in next year's program.

The Commission considered a report from the Engineer on the cost to grade and oil the unoiled portion of the Silver Creek Falls Secondary Highway in the vicinity of Shaw, which work has been requested by 24 petitioners from this district. He said that the unoiled section is 1.9 miles in length and to grade and oil the same would cost approximately \$14,300. The Commission approved the report and ordered it filed. The Engineer was instructed to bear this project in mind for consideration in next year's program.

Reconsideration was given by the Commission to the matter of oiling the Oregon Coast Highway full width between 9th Street and the Knapp Hotel in Port Orford. The Engineer estimated that it would cost about \$1,700 to construct an oiled surface on a strip 6 feet wide on each side of the existing pavement; that it would cost about \$4,900 to oil the full width of the highway where same can be done without excessive grading costs and that it would cost about \$18,000 to reconstruct the entire street, including catch basins, curbs, et cetera. The Commission ordered the report filed for consideration in next year's budget.

The Engineer reported on the cost to construct a proposed maintenance building in Albany as a P.W.A. project as compared with the construction of the same as a W.P.A. project, which report was ordered by the Commission at

the previous meeting. He estimated that to construct this building as a W.P.A. project would cost \$9,320 of which amount the state would have to pay \$5,555. As a P.W.A. project, he said, the total cost would amount to about \$8,850 of which amount the state would have to pay \$5,367. He recommended construction of the building as a P.W.A. project. The Commission approved the recommendation and by affirmative vote of the Commissioners present adopted the following resolution authorizing the Engineer to file an application for a grant of P.W.A. funds to finance the work:

A RESOLUTION authorizing R. H. Baldock, as State Highway Engineer, to file an application with the United States of America through the Federal Emergency Administration of Public Works for a grant to aid in financing the construction of a maintenance building to be located at Albany, Oregon, and the purchase of right of way necessary to such construction.

BE IT RESOLVED BY THE OREGON STATE HIGHWAY COMMISSION:

1. That R. H. Baldock as State Highway Engineer, be and he is hereby authorized to execute and file an application on behalf of the Oregon State Highway Commission with the United States of America for a grant to aid in financing the construction of a maintenance building to be located at Albany, Oregon.

2. That the said R. H. Baldock is hereby authorized and directed to furnish such information as the United States of America through the Federal Emergency Administration of Public Works may reasonably request in connection with the application which is herein authorized to be filed.

The Engineer reported the award of the following contracts in accordance with authority previously granted him by the Commission:

Contract for surfacing and oiling the Roberts-Orville Section of the Halls Ferry County Road, in Marion County. Bids taken June 2, 1938, contract awarded on June 17, 1938, to McNutt Bros., Eugene, who submitted the low bid therefor;

Contract for grading, surfacing and oiling the Washington County Line-Skyline Blvd. Section of the Northwest Thompson County Road, in Multnomah County. Bids taken June 2, 1938, contract awarded on June 17, 1938, to Saxton, Looney & Risley, Oak Grove, who submitted the low bid therefor;

Contract for surfacing and oiling the Wigrich-Buena Vista Section of the Independence-Buena Vista County Road, in Polk County. Bids taken June 3, 1938, contract awarded June 21, 1938, to J. C. Compton, McMinnville, who submitted the low bid therefor;

Contract for grading and surfacing the Dixonville Section of the North Umpqua County Road, in Douglas County. Bids taken June 3, 1938, contract awarded June 23, 1938, to Harold Blake, Portland, who submitted the low bid therefor;

Contract for paving the Columbia Boulevard-Harding Avenue Section of the Pacific Highway West (Interstate Avenue), in Multnomah County. Bids taken June 15, 1938, contract awarded June 22, 1938, to Harold Blake, Portland, who submitted the low bid therefor;

Contract for grading, surfacing and oiling the Enterprise-Scotch Creek Section of the Hurricane Creek County Road, in Wallowa County. Bids taken June 15, 1938, contract awarded June 20, 1938, to Rogers Construction Company, Dayton, Washington, who submitted the low bid therefor.

The Commission approved the awards as reported.

The Commission considered and ordered filed a copy of the Federal Aid Highway Act of 1938 as submitted to the President by Congress, June 1, 1938.

The Engineer brought up for discussion the matter of advancing the construction of the Arch Cape Tunnel-Short Sand Beach Creek Section of the Oregon Coast Highway which is now scheduled for contracting this fall. He suggested that this project be advertised for bids to be received in August. The Commission approved the suggestion and so ordered.

The Commission considered and approved the following code of regulations relating to the maintenance of advertising signs on or adjacent to state highways in unincorporated towns and villages, same having been tentatively approved previously at the meeting held on May 12, 1938:

Signs may be erected on state highway rights of way within a business district only for the purpose of advertising services or commodities for sale or hire on the adjacent premises. Likewise, marquees and awnings may be erected. The erection and maintenance of signs, marquees and awnings are to be governed by the following conditions:

1. When there is a group of not less than three separate business establishments within a distance of 300 feet on one side of the highway in front of and abutting the right of way line along which there has been constructed a concrete or an oil macadam sidewalk.

2. Such signs, marquees or awnings must be affixed to the buildings and supported entirely from the buildings. Signs will be permitted to encroach upon the highway rights of way provided they are of a height sufficient to give a clearance of not

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less than ten feet above the level of the sidewalk and provided further that they do not, under any condition, extend beyond a point one foot back of the curb line. Awnings must have a clearance of at least seven feet above the sidewalk and marquees a clearance of at least eight feet above the sidewalk. Neither awnings nor marquees may extend farther from the building than a point two feet back of the curb line.

3. No display of merchandise or goods offered for display or sale will be permitted on sidewalks or other places within the right of way.

4. No signs nor appurtenances of any kind other than those described above will be permitted within the right of way. This includes portable signs as well as signs erected on posts or standards.

5. All such signs, marquees and awnings must be approved as to structural stability by the State Highway Commission, and plans for their erection must be attached to the permit forms when considered by the State Highway Commission.

6. Written permits from the State Highway Commission must be obtained by each property owner or lease holder for the erection and maintenance of any and all signs, marquees or awnings. Such permits will be subject to revocation on ten days' written notice. Permits will be issued without charge to the permittee.

7. Each application for permit to construct and/or maintain an overhead or hanging sign and/or for each marquee or awning must be accompanied by a surety bond protecting the State of Oregon, the State Highway Commission, its officers or agents from all damage claims arising from injury to persons or damage to property chargeable to the presence of the said signs, awnings or marquees. In the case of signs maintained by sign companies and covered by blanket insurance policies, an endorsement in the blanket policy protecting the State of Oregon, the State Highway Commission, its officers or agents, will be accepted in lieu of separate surety bonds.

8. Signs, marquees or awnings which are not properly maintained and/or which have been abandoned and/or which are in disuse must be removed by the owner or lessee within thirty days after receipt of written notice from the Highway Commission so to do. Signs not removed within the above period will be taken down by the Highway Commission and the cost of such removal collected from the permittee before cancellation of bond.

9. All signs, marquees or awnings now erected in any business district coming within the purview of these regulations must be covered by a proper permit. At the earliest possible date, the

Highway Commission will cause an inspection to be made covering the structural stability of all signs, marquees or awnings now in place, and, if such signs, marquees or awnings are found satisfactory, permits will be issued. In case the signs, marquees or awnings thus examined are found to be structurally imperfect, correction must be made before permit will be granted. If such correction is not made within thirty days after written notice, and if said signs, marquees or awnings have not been removed, they will be removed by the agents of the State Highway Commission.

10. It is the intention of these regulations to permit the erection and display of advertising signs within the limits of the highway right of way by business establishments located in unincorporated towns and villages, and located with respect to each other and to the highway right of way so as to make it difficult or impossible to display such signs within the limits of their own property. It is not the intention to permit the erection or display of such signs within the right of way at isolated places where conditions permit the satisfactory display of signs on private property.

The matter of permitting the Yakima, Washington, Chamber of Commerce to maintain signs adjacent to the Old Oregon Trail just east of Pendleton and at the junction with the road leading to Paterson Ferry across the Columbia River, directing traffic to the Paterson Ferry had the attention of the Commission. The Commission denied the request for the approval of such signs and ordered that the Chamber of Commerce be so informed and that it also be advised that the Commission is opposed to the maintenance of all signs upon or adjacent to state highway rights of way as a matter of established policy.

The Commission had under consideration the purchase of equipment needed in connection with the testing of the eyesight of highway department employees who are required in the course of their duties to operate motor vehicles. In this connection the Engineer suggested that it would be advisable to secure the services of several oculists and several optometrists to advise what tests should be made and what equipment should be purchased for use in connection with the making of such tests so as to insure that no mistakes will be made and also to avoid criticism that might arise. He pointed out that, if the Commission approved the suggestion, it would be necessary to pay these doctors for their services. After discussion, the Commission authorized the Engineer to secure the services of three oculists and three optometrists and to purchase equipment recommended by them. However, he was instructed to consult with Dr. R. B. Dillehunt of the University of Oregon Medical School, before selecting the members of this board.

The Engineer reported that the WPA fiscal year ends July 1 and that the WPA officials anticipate a delay of two or three weeks in securing their new orders which, it now appears, is going to cause some congestion on the Wolf Creek Highway WPA work unless the state will assume the payment of rental of some of the big equipment used on this project. He requested authority from

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the Commission to rent one Lima shovel with 1½-yard capacity and one Loraine shovel with 1½-yard capacity for this project for approximately three weeks, from July 1 to July 21, at an estimated cost of \$1,500 if developments indicate that is necessary to insure the progress of the work. He said unless the state will assume this expense it might be necessary to discontinue the use of these shovels which are now working at their maximum efficiency and cannot be spared at this time of the year. The Commission approved the renting of these shovels at state expense in order to keep the work going if that is absolutely necessary.

The Secretary presented a letter from Mr. Hugh Earle, State Insurance Commissioner, advising that the fidelity schedule bond issued by the Ohio Casualty Insurance Company covering certain State Highway Commission employees has not been properly executed because the company has failed to use the rates on file in his office as is required by Oregon law. The Commission considered that this is a matter for the State Insurance Commissioner to adjust in view of the fact that the Commission advertised for bids for the furnishing of such fidelity schedule bond and accepted the bid of the Ohio Casualty Insurance Company after study disclosed that it complied with the requirements and was the lowest bid received. Accordingly, the Commission instructed the Secretary to proceed with the filing of applications with the company in accordance with its requirements.

The Commission considered and approved the Engineer's letter dated July 25, 1938, and directed to Mr. Franklin T. Griffith, President of the Portland Electric Power Company, in regard to the proposed improvement of Sandy Boulevard, Portland, between 15th Avenue and 45th Avenue, wherein the Engineer advises Mr. Griffith that the Highway Commission will award a contract on July 21 for this improvement with the understanding that the company will pay to the Commission on or before the date of the award the sum of \$25,000 as the company's contribution for this construction work. Also, in which the Engineer gives as his understanding that the present rails of the company are to be left in place and that the company will maintain the remainder of the street occupied by its rails until such time as the Highway Commission can finance the construction of the remainder of the street. Further, that the company will not be required to cooperate in the additional expense of widening or repaving Sandy Boulevard but the company will be required to move its power lines as may be required now and in the future at its own cost and expense.

The Commission considered and signed a letter directed to the Chase National Bank of New York authorizing release of the bond that the United States National Bank of Portland, Oregon, has deposited with the Chase National Bank of New York in connection with its designation as the depository for funds deposited by the Commission under P.W.A. Docket 982 covering Oregon Coast Highway bridge construction. The Attorney explained that the bridge transaction has been closed and that no funds are now deposited under the said project with the United States National Bank, therefore the bond deposited by the United States National Bank with the Chase National Bank, amounting to some \$500,000 of government bonds, should be released. The Commission approved the explanation and thereupon signed the letter and authorized delivery of the

same to the United States National Bank of Portland, Oregon, for transmittal to the Chase National Bank of New York.

The Commission confirmed the oral authority previously given the Engineer on June 14 in Prineville to make a survey for the permanent location of the Warm Springs Secondary Highway No. 360 between Prineville and the Jefferson-Crook County Line so as to determine the proper location for the highway between Prineville and the Pine Products Mill, about 2½ miles north of Prineville.

The Commission adjourned at 10:00 o'clock p. m. to reconvene the following morning in the auditorium of the Public Service Building.

Portland, Oregon, June 30, 1938

The State Highway Commission reconvened at 9:00 o'clock a. m. in the Auditorium of the Public Service Building. Present were:

E. B. Aldrich, Commissioner and Acting Chairman
F. L. Tou Velle, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Dovers, Attorney
H. B. Glaisyer, Secretary

Bids as follows for highway construction projects were opened and read in conformance with previously published notice:

KLAMATH FALLS-LAKEVIEW HIGHWAY
ELY MOUNTAIN-BEATTY SECTION - GRADING, SURFACING AND OILING

McNutt Bros	\$105,440.00
Fisher Bros	109,869.00
E. C. Hall Co.	113,427.30
Clifford A. Dunn	114,305.60
Babler Bros.	117,688.00
Edwin C. Gerber	122,888.60
A. Milne	125,461.00

PACIFIC HIGHWAY EAST
COURT STREET SECTION, SALEM, - PAVING

Oregon Contracting Co.	\$20,684.00
Edlefsen-Weygandt Co.	22,041.00
The United Contracting Co.	22,435.50
Harold Blake	22,898.00
Ross B. Hammond Co.	27,476.50

Commissioner Aldrich announced that the award of contracts would be made at 2:30 o'clock p. m. in the same room.

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The Commission also received bids for the purchase of obsolete equipment and an accumulation of scrap materials stored at the Highway Department Shops at Salem, Klamath Falls, Coquille, and LaGrande, as previously advertised. These bids were all referred by the Commission to the Engineer with power to sell the various items to the high bidder in each instance if the bids compare favorably with the appraised value of the items. Announcement to that effect was made by the Acting Chairman, Commissioner E. B. Aldrich.

Commissioner Aldrich also announced that the Commission received no bids for the purchase of old lumber and piling in pile trestle bridges on the Oregon Coast Highway, in Lincoln County, the sale of which was also advertised for this meeting.

The Commission had under consideration the request of the Pioneers' Association of Gilliam, Wheeler, and adjacent counties for the erection of a historical marker on the John Day Highway at the point where this highway crosses the original Oregon Trail Wagon Road a few miles south of Arlington. The Commission referred this matter to the Engineer for discussion with Mr. Lewis A. McArthur, President of the Oregon Geographic Board, who is an authority on such matters, with instructions to render a report at the next meeting.

The Commission had under consideration the acceptance of the offers of the United States of America to aid in financing the following state highway projects by making grants of federal funds in the amount of 45 per cent of the cost of such projects, including the acquisition of lands and rights of way needed therefor, upon completion:

1. Construction of Catching Slough Bridge and approach roads thereto on Coos River Secondary State Highway, in Coos County;
2. Construction of the Fleming Ranch-Schindler Bridge Section of the Albany-Lyons Secondary State Highway, in Linn County;
3. Construction of the Sunnyside-Umapine Section of the Sunnyside-Umapine Secondary State Highway, in Umatilla County;
4. Construction of a storage and office building and a storage shed near Klamath Falls, in Klamath County.

After discussion the Commission approved the said offers and, by affirmative vote of each of the Commissioners present, adopted the following resolutions accepting such offers:

A RESOLUTION ACCEPTING THE OFFER OF THE UNITED STATES TO THE STATE HIGHWAY COMMISSION OF THE STATE OF OREGON TO AID BY WAY OF GRANT IN FINANCING THE CONSTRUCTION OF THE CATCHING SLOUGH BRIDGE AND APPROACH ROADS THERETO ON THE COOS RIVER SECONDARY HIGHWAY IN COOS

COUNTY, AND THE ACQUISITION OF NECESSARY LANDS AND RIGHTS OF WAY THEREFOR.

Be it resolved by the Oregon State Highway Commission:

Section 1. That the offer of the United States of America to the State Highway Commission of the State of Oregon to aid by way of grant in financing the construction of the Catching Slough Bridge and approach roads thereto on the Coos River Secondary Highway in Coos County and the acquisition of necessary lands and rights of way therefor, a copy of which offer reads as follows:

"P. W. 80749-127

"FEDERAL EMERGENCY ADMINISTRATION

OF PUBLIC WORKS

Washington D. C.

Dated: Jun 24 1938

Docket No. Oreg. 1172-F.

"State Highway Commission of
the State of Oregon,

Salem, Oregon.

1. Subject to the Terms and Conditions (PWA Form No. 230, as amended to the date of this Offer) which are made a part hereof, the United States of America hereby offers to aid in financing the demolition of existing structures and the construction of a bridge over Catching Slough, including the grading and surfacing of approaches thereto and the acquisition of necessary land and rights-of-way therefor (herein called the "Project"), by making a grant to the State Highway Commission of the State of Oregon (Herein called the "Applicant") in the amount of 45 per cent of the cost of the Project upon completion, as determined by the Federal Emergency Administrator of Public Works, but not to exceed, in any event, the sum of \$41,171.

"2. By acceptance of this Offer the Applicant covenants to begin work on the Project as early as possible but in no event later than 8 weeks from the date of this Offer and to complete such Project with all practicable dispatch, and in any event within 8 months from the commencement of construction.

"UNITED STATES OF AMERICA

Federal Emergency Administrator
of Public Works

By (Sgd.) H. A. Gray

Assistant Administrator"

be and the same is hereby in all respects accepted.

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Section 2. That the State Highway Commission of the State of Oregon and the State of Oregon agree to abide by all rules and regulations relating to such grant a copy of which rules and regulations were annexed to the Government's offer and made a part thereof. It is hereby covenanted that the work on the project described in the offer will be commenced as early as possible, but in no event later than eight weeks from the date of this offer; and to complete the work with all practicable dispatch, and in any event within eight months from the commencement of construction.

Section 3. That J. M. Devers, Assistant Attorney General for Oregon, and Attorney for the State Highway Commission of the State of Oregon be and he is hereby authorized and directed forthwith to send to the Federal Emergency Administration of Public Works three certified copies of this Resolution and three certified copies of the proceedings of this Commission in connection with the adoption of this Resolution, and such further documents or proofs in connection with the acceptance of said offer as may be requested by the Federal Emergency Administration of Public Works.

A RESOLUTION ACCEPTING THE OFFER OF THE UNITED STATES TO THE STATE HIGHWAY COMMISSION OF THE STATE OF OREGON TO AID BY WAY OF GRANT IN FINANCING THE CONSTRUCTION OF THE FLEMING RANCH-SCHINDLER BRIDGE SECTION OF THE ALBANY-LYONS SECONDARY HIGHWAY NO. 211 IN LINN COUNTY AND THE ACQUISITION OF NECESSARY LANDS AND RIGHTS OF WAY THEREFOR.

Be it resolved by the Oregon State Highway Commission:

Section 1. That the offer of the United States of America to the State Highway Commission of the State of Oregon to aid by way of grant in financing the construction of the Fleming Ranch-Schindler Bridge Section of the Albany-Lyons Secondary Highway No. 211 in Linn County and the acquisition of necessary lands and rights of way therefor, a copy of which offer reads as follows:

"P. W. 80934-14

"FEDERAL EMERGENCY ADMINISTRATION
OF PUBLIC WORKS

Washington, D. C.
Dated: June 28 1938
Docket No.Oreg. 1184-F.

"State Highway Commission
of the State of Oregon

Salem, Oregon.

1. Subject to the Terms and Conditions (PWA Form No. 230, as amended to the date of this Offer) which are made a part hereof, the United States of America hereby offers to aid in financing

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the construction of road improvements and a bridge on the Albany-Lyons Secondary Highway No. 211 in Linn County (Fleming Ranch-Schindler Bridge Section), including the acquisition of necessary land and rights of way (herein called the "Project"), by making a grant to the State Highway Commission of the State of Oregon (herein called the "Applicant"), in the amount of 45 per cent of the cost of the Project upon completion, as determined by the Federal Emergency Administrator of Public Works, but not to exceed, in any event, the sum of \$25,310.

2. By acceptance of this Offer the Applicant covenants to begin work on the Project as early as possible but in no event later than 8 weeks from the date of this Offer and to complete such Project with all practicable dispatch, and in any event within 7 months from the commencement of construction.

"UNITED STATES OF AMERICA

Federal Emergency Administrator
of Public Works

By (Sgd.) H. A. Gray
Assistant Administrator"

be and the same is hereby in all respects accepted,

Section 2. That the State Highway Commission of the State of Oregon and the State of Oregon agree to abide by all rules and regulations relating to such grant, a copy of which rules and regulations were annexed to the Government's offer and made a part thereof. It is hereby covenanted that the work on the project described in the offer will be commenced as early as possible, but in no event later than eight weeks from the date of the offer; and to complete the work with all practicable dispatch, and in any event within seven months from the commencement of construction.

Section 3. That J. M. Devers, Assistant Attorney General for Oregon, and Attorney for the State Highway Commission of the State of Oregon be and he is hereby authorized and directed forthwith to send to the Federal Emergency Administration of Public Works three certified copies of this Resolution and three certified copies of the proceedings of this Commission in connection with the adoption of this Resolution, and such further documents or proofs in connection with the acceptance of said offer as may be requested by the Federal Emergency Administration of Public Works.

A RESOLUTION ACCEPTING THE OFFER OF THE UNITED STATES TO THE STATE HIGHWAY COMMISSION OF THE STATE OF OREGON TO AID BY WAY OF GRANT IN FINANCING THE CONSTRUCTION OF THE SUNNYSIDE-UMAPINE SECTION OF

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THE SUNNYSIDE-UMAPINE SECONDARY HIGHWAY IN UMATILLA COUNTY AND THE ACQUISITION OF NECESSARY LANDS AND RIGHTS OF WAY THEREFOR.

Be it resolved by the Oregon State Highway Commission:

Section 1. That the offer of the United States of America to the State Highway Commission of the State of Oregon to aid by way of grant in financing the construction of the Sunnyside-Umapine Section of the Sunnyside-Umapine Secondary Highway in Umatilla County and the acquisition of necessary lands and rights of way therefor, a copy of which offer reads as follows:

"P. W. 80698-17

"FEDERAL EMERGENCY ADMINISTRATION

OF PUBLIC WORKS

"Washington, D. C.

Dated: Jun 27 1938

Docket No. Oreg. 1190-P.

"State Highway Commission
of the State of Oregon

Salem, Oregon.

1. Subject to the Terms and Conditions (PWA Form No. 230, as amended to the date of this Offer) which are made a part hereof, the United States of America hereby offers to aid in financing the construction of road improvements, including the acquisition of necessary lands and rights of way therefor, on Sunnyside-Umapine Secondary Highway in Umatilla County (herein called the "Project"), by making a grant to the State Highway Commission of the State of Oregon (herein called the "Applicant"), in the amount of 45 per cent of the cost of the Project upon completion, as determined by the Federal Emergency Administrator of Public Works, but not to exceed, in any event, the sum of \$20,077.

2. By acceptance of this Offer the Applicant covenants to begin work on the Project as early as possible but in no event later than 8 weeks from the date of this Offer and to complete such Project with all practicable dispatch, and in any event within 6 months from the commencement of construction.

"UNITED STATES OF AMERICA

Federal Emergency Administrator
of Public Works

By (Sgd.) H. A. Gray
Assistant Administrator"

be and the same is hereby in all respects accepted.

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Section 2. That the State Highway Commission of the State of Oregon and the State of Oregon agree to abide by all rules and regulations relating to such grant, a copy of which rules and regulations were annexed to the Government's offer and made a part thereof. It is hereby covenanted that the work on the project described in the offer will be commenced as early as possible, but in no event later than eight weeks from the date of this offer; and to complete the work with all practicable dispatch, and in any event within six months from the commencement of the construction.

Section 3. That J. M. Devers, Assistant Attorney General for Oregon, and Attorney for the State Highway Commission of the State of Oregon be and he is hereby authorized and directed forthwith to send to the Federal Emergency Administration of Public Works three certified copies of this Resolution and three certified copies of the proceedings of this Commission in connection with the adoption of this Resolution, and such further documents or proofs in connection with the acceptance of said offer as may be requested by the Federal Emergency Administration of Public Works.

A RESOLUTION ACCEPTING THE OFFER OF THE UNITED STATES TO THE STATE HIGHWAY COMMISSION OF THE STATE OF OREGON TO AID BY WAY OF GRANT IN FINANCING THE CONSTRUCTION OF A STORAGE AND OFFICE BUILDING AND STORAGE SHED NEAR KLAMATH FALLS IN KLAMATH COUNTY AND THE ACQUISITION OF NECESSARY LANDS AND RIGHTS OF WAY THEREFOR.

Be it resolved by the Oregon State Highway Commission:

Section 1. That the offer of the United States of America to the State Highway Commission of the State of Oregon to aid by way of grant in financing the construction of a storage and office building and a storage shed near Klamath Falls in Klamath County and the acquisition of necessary lands and rights of way therefor, a copy of which offer reads as follows:

"P. W. 80915-13

"FEDERAL EMERGENCY ADMINISTRATION
OF PUBLIC WORKS

"Washington, D. C.
Dated: Jun 27 1938
Docket No. Ore. 1177-P.

"State of Oregon, by and through
the State Highway Commission,
Salem, Oregon.

1. Subject to the Terms and Conditions (PWA Form No. 230, as amended to the date of this Offer) which are made a part hereof,

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the United States of America hereby offers to aid in financing the construction of a storage and office building and storage shed near Klamath Falls, Klamath County, including acquisition of necessary land and landscaping (herein called the "Project"), by making a grant to the State of Oregon, by and through the State Highway Commission (herein called the "Applicant"), in the amount of 45 per cent of the cost of the Project upon completion, as determined by the Federal Emergency Administrator of Public Works, but not to exceed, in any event, the sum of \$9,292.

2. By acceptance of this Offer the Applicant covenants to begin work on the Project as early as possible but in no event later than 10 weeks from the date of this Offer and to complete such Project with all practicable dispatch, and in any event within 5 months from the commencement of construction.

"UNITED STATES OF AMERICA
Federal Emergency Administrator
of Public Works

By (Sgd.) H. A. Gray
Assistant Administrator"

be and the same is hereby in all respects accepted.

Section 2. That the State Highway Commission of the State of Oregon and the State of Oregon agree to abide by all rules and regulations relating to such grant, a copy of which rules and regulations were annexed to the Government's offer and made a part thereof. It is hereby covenanted that the work on the project described in the offer will be commenced as early as possible, but in no event later than 10 weeks from the date of this offer; and to complete the work with all practicable dispatch, and in any event within five months from the commencement of construction.

Section 3. That J. M. Devers, Assistant Attorney General for Oregon, and Attorney for the State Highway Commission of the State of Oregon be and he is hereby authorized and directed forthwith to send to the Federal Emergency Administration of Public Works three certified copies of this Resolution and three certified copies of the proceedings of this Commission in connection with the adoption of this Resolution, and such further documents or proofs in connection with the acceptance of said offer as may be requested by the Federal Emergency Administration of Public Works.

The Commission thereupon set Thursday, August 4, 1938, as the date for its regular meeting in August for receiving bids on the foregoing and other highway projects, which meeting is to be held in Portland, as usual.

The Commission considered the request of Mr. E. W. Segessenman for reinstatement of his permit authorizing the transportation of logs over certain state highways, which permit was heretofore cancelled by the Public

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Utilities Commissioner upon request of the State Highway Commission because Mr. Segessenman violated the law by hauling loads weighing in excess of the statutory limits, and when apprehended refused to voluntarily surrender his P.U.C. plates upon request of the state police officer making the arrest. In this connection the Secretary presented a letter from Mr. Segessenman dated June 28, 1938, alleging ignorance of the Highway Commission's code of regulations, which require the voluntary surrender of the P.U.C. plates for a few days or the cancellation of the permit regardless of how many trucks are operating thereunder, and further stating that because of the fact that he did not have knowledge of these regulations he consulted his attorney who ill-advised him and as a consequence the Public Utilities Commissioner revoked his permit taking all of his trucks out of service. He stated further that all of his trucks have been idle for 12 days, throwing out of employment ten men with families. He gave as his thought that he has been sufficiently penalized and that he should now be permitted to resume his operations. The Engineer recommended approval of Mr. Segessenman's request. After considerable discussion and it appearing to the Commission that Mr. Segessenman's statements are honest disclosures of facts, the Commission decided that it would be proper to reinstate Mr. Segessenman's permit and so ordered. The Secretary was instructed to convey such information to the Public Utilities Commissioner.

The Engineer requested authority for Traffic Engineer John Beakey to attend, at state expense, the National Conference on State and Highway Safety and a meeting of the Committee on Uniform Traffic Control Devices which is to be held in Washington, D. C., on July 7 to 18, 1938, inclusive. The Commission approved the request subject to concurrence by Governor Charles H. Martin.

The Commission also approved the attendance, at state expense, of the following officials of the State Highway Department at the annual meeting of the Western Association of State Highway Officials at Reno, Nevada, August 10 to 13, 1938, inclusive, subject however to approval by Governor Charles H. Martin: F. L. Tou Velle, R. H. Baldock, J. M. Devers, H. G. Smith, J. N. Bishop, G. S. Paxson, and John Beakey.

The Commission considered and ordered filed a letter from W. W. Evans, Halfway, Oregon, requesting the oiling of the Baker-Homestead Highway between Halfway and Timber Canyon Hill, there being no funds to finance such project this year.

The Commission also considered and ordered filed a letter from the Willamina Commercial Club thanking the Commission for the splendid work in resurfacing Main Street in Willamina.

A letter was presented from the Portland General Electric Company asking for the renewal of the agreement covering the installation, operation and maintenance of its 11,000-volt cable on the Interstate Bridge between Portland, Oregon, and Vancouver, Washington, and further requesting that the \$75 per month charge heretofore paid by the company for the use of this bridge be waived. The Commission authorized the renewal of the agreement but refused to waive the rental charge.

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Letters were presented from the County Court of Clatsop County and Clatsop County School District No. 26 urging the construction of a pedestrian walk on the Walluski River Bridge on the Nehalem Highway, which bridge is now being reconstructed under state highway contract. The Engineer advised that the existing structure has a 16-foot roadway but this is being widened to 26 feet which is as wide as it can be built using the girders in the old structure. Sufficient money, he said, is not available to replace the girders with new material which would permit the construction of sidewalks, in fact it would cost about \$30,000 more to replace the entire structure. Furthermore, it is doubtful whether the United States War Department would permit the construction of the sidewalk on the movable span of this structure in view of the fact that it would decrease the navigable opening by approximately four feet. In view of the circumstances he recommended that the request be denied. The Commission approved the recommendation and ordered that the county court and the school district be informed of the action and the reasons necessitating same.

In this connection the Engineer advised that the embankment work that is being constructed in connection with the rebuilding of the Walluski bridge appears to be on unstable ground and that the fill is sinking and ground adjacent thereto is rising as a result thereof. This adjacent land, he said, is owned by the State College and is being used as an experiment station site and objections have been offered by the college authorities because part of their land is being destroyed for test purposes, and their drainage facilities have been badly damaged. He said that he personally inspected the premises to ascertain the condition and as a result ordered the lowering of the grade line of the embankment so as to avoid any further damage to the adjacent property and also ordered the restoration of the experiment station property, including the drainage system. The Commission approved the action of the Engineer in this regard.

A letter was presented from the Individual Truck Owners and Operators, Portland, urging action as may be necessary to provide employment on the Wilson River, Bear Canyon, and Wolf Creek W.P.A. projects for individual truck owners of whom there are approximately 35 now on the rotational list who are able under present conditions to obtain only 140 hours of employment out of every five months' time. The Engineer pointed out that the Commission has budgeted only a certain amount for this W.P.A. work and no additional trucks can be placed in service without exceeding this budget because it would mean not only additional expense for trucks but also additional expense for the furnishing of powder, culverts, et cetera. After discussion the Commission decided not to increase the budgeted amount for these projects and accordingly denied the request.

Similar action was taken by the Commission on requests of E. Estabrook and W. C. Hughes, both of Portland, who have trucks that they wish to place in service on these projects.

The Commission considered and denied the request of Martha Roddy, Salem, to conduct a confectionery stand in the highway department shops at Salem.

A letter was presented from Mrs. Laura Hood, Newport, advising that she is contemplating the construction of a building on her property located at Newport and intends to construct said building on the edge of the right of way of the Oregon Coast Highway unless the Highway Commission acquires from her, in the meantime, a 10-foot strip across the front of her property as has been done along adjacent properties. The Engineer advised that this is one of the properties that is needed in connection with the proposed revision of the Oregon Coast Highway between Newport and the Siletz River and that the Commission at one time authorized the acquisition of the right of way for the improvement and acquired strips across the front of the properties adjacent to Mrs. Hood's property but these negotiations were ordered discontinued by the Commission before settlement was made with Mrs. Hood. After discussion and in view of the circumstances the Commission authorized negotiations with Mrs. Hood to acquire a 10-foot strip across her land.

A petition was presented signed by 41 residents of the City of Klamath Falls protesting the rerouting of The Dalles-California Highway along 11th Street in that city as has been proposed. The Commission decided to personally inspect the route in question the next time it is in the vicinity of Klamath Falls and to hold a public hearing in Klamath Falls regarding the proposed change. The Commission set Tuesday, August 9, 1938, at 9:00 o'clock a. m. as the date for such hearing and instructed the Secretary to so inform the Klamath Falls City Council of such hearing as required by statute.

A petition was presented signed by 110 users of the Deadwood Secondary Highway in Lane County urging the improvement of this road from its junction with the Siuslaw Highway to the mouth of Cougar Creek. The Engineer advised that this road has not been constructed to state highway standards but is being maintained in as good condition as is possible. Furthermore, it is not a very important road and does not carry a great amount of traffic. The Commission thereupon denied the request for the immediate improvement of the road but decided to inspect it the next time they are in that vicinity.

A petition was presented signed by 244 residents and inhabitants of Coos County requesting that the Enegren Ferry service across Coos River be extended so as to provide service 24 hours daily, 7 days a week. It was the Commission's thought that the extra expense to operate the ferry as requested is unjustified, hence the request was denied.

The Commission considered and ordered filed numerous petitions from the Mid Columbia Chamber of Commerce Water Grade Highway Committee urging the modernization of the Columbia River Highway between Troutdale and The Dalles so as to provide for a water level grade highway with four traffic lanes.

The Commission discussed the need of acquiring right of way at the south end of the Depoe Bay Bridge for a proposed revision of the Oregon Coast Highway at this point. Reports indicate that there is considerable activity in real estate transactions at this location and that it would be advisable for the Commission to acquire its right of way at this time in order to avoid further complications. In view thereof the Commission authorized the Attorney to negotiate for such right of way immediately.

A letter was presented from Honorable Earl Snell, Secretary of State, advising that the Safety Division of his Department is planning to inaugurate during the month of July a contest in the cities and towns of the state, same to continue during the balance of the year, in an endeavor to provide for greater safety on city streets and state highways. Also that as a suitable award it is proposed to present two metal plaques to each of the four winning cities, the plaques to be approximately 20 x 30 inches in dimension with the name of the city and approximate wording, designating the city as the winner of the award, appearing thereon. Mr. Snell requested permission to erect these plaques upon state highway rights of way at the entrance of the highway into the cities or towns winning the awards, upon terms and conditions as may be specified by the Highway Commission. It was the thought of the Commission that the granting of this request would be at variance with the Commission's established policy which prohibits the placing of signs of any kind on state highway rights of way, particularly at city entrances where signs erected by civic organizations have been ordered to be moved. It was also the thought of the Commission that the desired purpose would be served if the plaques were displayed in the city council chambers or some other public room of the city or town winning the award. Several other suggestions were offered. The Commission instructed the Engineer to discuss this matter with Mr. Snell in order to work out a satisfactory solution.

Reconsideration was given by the Commission to the matter of acquiring the property of Anton Roskoski at 8434 North Denver Avenue, Portland, which the Commission discussed on the previous evening. The Attorney advised that the owner of this property refuses to sell the right of way for \$11,000, the amount authorized by the Commission. The Commission thereupon instructed the Attorney to condemn the right of way across this property as previously authorized.

The matter of acquiring a gravel pit containing 12 acres from Richard Curran, Jr., for use in connection with the construction of the Fremont Highway at Paisley had the attention of the Commission. The Attorney advised that he offered Mr. Curran \$10 per acre for this property but the offer was refused and Mr. Curran stated that he does not want to sell that particular tract of land at any price. The Commission authorized the Attorney to offer Mr. Curran the sum of \$500 for the 12 acres and if he will not accept such sum to acquire it by condemnation. The following resolution authorizing the condemnation proceedings was adopted by the unanimous vote of the Commissioners present:

WHEREAS, the State Highway Commission is by law authorized and directed to lay out, locate, designate, construct, improve, and maintain a system of state highways in the State of Oregon and to acquire by donation, purchase, agreement, condemnation, or by the power of eminent domain title to land upon or under which there is gravel, gravel beds or bars, sand, sand beds or bars, rock, boulders, quarries or quarry sites, lime deposits, or other mineral deposits or formations suitable for road construction, improvement, betterment or pavement, and to declare the necessity and need for the acquisition thereof and the advantages to be gained thereby;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the State Highway Commission does hereby find and declare that it is necessary and will be of advantage to the State of Oregon and there is need that the State acquire for the purposes of road construction, improvement, betterment, repair and maintenance, and for the purpose of the manufacture of road materials on the following section or sections of the state highway system of the State of Oregon, to-wit:

Chalk Cliff-Paisley Section of the Fremont Highway

land and property owned by or in the possession of the following parties and/or persons, to-wit:

File 5616 - Richard Curran, Jr.

as their respective interests may appear, and this Commission does hereby declare further that the said property or properties contain gravel, gravel beds or bars, sand, sand beds or bars, rock, boulders, quarries or quarry sites, lime deposits, or other mineral deposits or formations suitable for road construction, improvement, betterment, or pavement, and that the said property or properties is or are necessary and needful and the acquisition thereof will be of advantage to the State of Oregon for the said purposes in order to make it possible for the State Highway Commission to construct, improve, maintain, and repair the said portion or portions of the said state highway system in accordance with the standards adopted by this Commission.

2. That the State Highway Engineer be and he hereby is instructed and directed to properly survey the parcel or parcels of land required for said purposes and to prepare proper and adequate descriptions thereof, which descriptions shall be employed in the preparation of a deed or deeds or other instrument or instruments necessary to complete the acquisition of the said property or properties, or which said descriptions may be used in the preparation of a complaint in the event that condemnation proceedings are necessary.

3. That the boundaries of the said parcel or parcels of land, as defined and determined by the said survey made by the said Highway Engineer, shall be and the same hereby are adopted and the lands defined therein are hereby declared to be and the same shall be lands necessary for the purposes stated herein.

4. That I. H. Van Winkle, Attorney General of the State of Oregon, and J. M. Dovers, Assistant Attorney General and Attorney for the State Highway Commission, be and they are hereby requested, authorized, and directed to attempt to agree with the owner or

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owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby further resolved that the Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they hereby are requested to commence and prosecute to a final determination such suit or action, or suits or actions, as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

The Attorney presented a form of agreement between the Commission and the State Board of Forestry providing for the occupancy of a portion of the right of way of the Wilson River Highway by the State Forestry Department and the construction of a guard cabin unit thereon. The Commission tentatively approved the form but ordered that it be presented to the State Board of Forestry for acceptance before taking final action thereon.

The Attorney reported on the progress that is being made in connection with the acquisition of Mrs. Minnie T. Reed's property that is needed for right of way for the new highway up the Columbia River. He said that Mrs. Reed's attorney advises that Mrs. Reed will settle for the sum of \$11,000 cash but she wants the Commission to do certain other things, including the following: rearrange the water system, rearrange the electric light system, reconstruct her power pole line on state property, reconstruct her private road, maintain her private road against slides, and permit construction of a fishhouse and dock at the end of her private road for private purposes. In a discussion of this matter the Commission indicated that it would approve the rearrangement of the water system, the electric generating system, and the reconstruction of the power line and the reconstruction of her private road. The Commission also indicated that it would maintain the private road against slides, except those caused by washouts. In regard to the granting of a permit to Mrs. Reed to maintain a fishhouse and dock the Commission decided that it would be satisfactory to grant such permit to Mrs. Reed personally but not for commercial purposes. The Commission ordered that the entire matter should be covered by written agreement between the Commission and Mrs. Reed and authorized the Attorney to offer Mrs. Reed \$13,000 for her property on the basis that she will do the above things. If unable to acquire the property by agreement, then the property is to be condemned.

The Commission adjourned at 12:00 o'clock noon and reconvened immediately in the dining room of the Heathman Hotel for a conference with representatives of the World's Fair Committee of Oregon. Present at such conference were the following: E. B. Aldrich, Commissioner; F. L. Tou Velle,

Commissioner; R. H. Baldock, State Highway Engineer; J. M. Devers, Attorney; H. B. Glaisyer, Secretary; Harold B. Say, Director, Travel and Information Department; C. T. Haas, Chairman, World's Fair Committee; and C. C. Carlson, Executive Secretary of such committee.

The Engineer read aloud a report from Mr. Say embodying a series of suggestions for material to be exhibited at the World's Fair which is to be held in San Francisco in 1939. These included a recommendation that Oregon's San Francisco and New York World's Fair Committee consider the use of models and dioramas in setting forth in striking fashion sections of the Oregon Coast Highway, the Columbia River Highway, Crater Lake and other features attractive to potential tourists. The recommendation and suggestions were approved by Commissioners Aldrich and Tou Velle. They were also approved by Mr. Haas, in behalf of the World's Fair Committee, he stating that his committee would be glad to have the suggestions and would endeavor to carry them out.

Included in the suggestions made by Mr. Say was a recommendation that the World's Fair Committee produce a 20-minute or 30-minute moving picture, in sound, setting forth basically the same attractions that the State Highway Department features in its space copy and publicity for increasing, by means of its general campaign, motor tourist travel in Oregon. Such recommendation included proviso that the negative, or master film, should remain the property of the State Highway Commission so that, in the event the Commission desires at some future time to enter into the field of distributing motion pictures setting forth the attractions of the State, such material will be available. Following a general discussion of this matter it was mutually agreed that the film should be of the best professional caliber.

Mr. Haas expressed a wish for the State Highway Department to assume the entire responsibility for this matter, explaining that the World's Fair Committee wants to satisfy the State Highway Commission in every regard in connection with the expenditure of the funds that have been made available by this Commission to aid in financing the organization and presentation of Oregon's exhibit at the San Francisco World's Fair. Mr. Haas also expressed a wish that the matter of arranging for the moving pictures be assigned to the State Highway Engineer and Mr. Say with full power to act. Commissioners Aldrich and Tou Velle approved such suggestion and so ordered. The matter of the signing of the contract for the production of the moving picture film was also discussed and it was mutually agreed that such contract should be executed by the World's Fair Committee and the producers. This concluded the conference.

The Commission reconvened at 1:30 o'clock p. m. in the Auditorium of the Public Service Building with the same members present and participating. Also present were the State Highway Engineer, the Attorney and the Secretary.

Mr. Harley O. Youngblood and his attorney, Mr. John Logan, Portland, came before the Commission in regard to the construction of Mr. Youngblood's restaurant building on the rock point between the Oregon Coast Highway and the Pacific Ocean at the north end of the Depoe Bay Bridge, in Lincoln County. Mr. Logan was spokesman. He asked the Commission for permission to open up

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the state's rock wall at the north end of the bridge so as to give people access to Mr. Youngblood's property without going a couple of hundred feet out of their way to the present opening in the wall. He said it would cost about \$1,000 to construct a walk from the present opening to Mr. Youngblood's building, whereas it would cost only a small part of such sum to open the wall at the bridge end and construct the walk to the building. He urged favorable consideration of this request because Mr. Youngblood is not financially able to construct the walk from the present opening.

The Engineer offered objections to the granting of this request because all available space is needed for the parking of automobiles and it would be interfering with the general public use of the state's property. He pointed out that the Commission has it in mind to widen the bridge structure as a safety proposition and if Mr. Youngblood were allowed to open the wall at the end of the bridge it would have a tendency to encourage parking of cars at such location which would create a hazard and defeat the purpose of the bridge widening.

Mr. Logan suggested that the proposition be given a trial and agreed to discontinue the use of the entrance at such point upon orders from the Highway Commission so to do.

The Engineer reiterated that the parking of cars at the end of the bridge would create a hazard. He further stated that he would not approve of connecting the walk with the new bridge that is proposed for this location. He suggested that Mr. Youngblood proceed with the present plans for constructing the walk from the present opening and agreed to supply him with definite information in regard to the Commission's plans so that it would not be necessary for him to rebuild the sidewalk in the event that the plans provide for the destruction of the present wall.

Mr. Logan suggested a compromise by opening the wall about midway between the present opening and the bridge end. The Engineer said that he would look into the matter and report his findings to the Commission.

Mr. Logan then asked the Commission for authority for Mr. Youngblood to continue carrying his supplies over the wall at the bridge end to his building. The Commission granted his request.

Mr. G. N. Peck, County Commissioner of Morrow County, was present and discussed briefly with the Commission matters pertaining to the construction of the Rock Creek Grade Section and the Hoppner-Rhea Creek Section of the Wasco-Hoppner Secondary State Highway, both of which sections are scheduled for improvement in the 1940 federal aid secondary highway program and to each of which the Commission has allocated the sum of \$25,000. In the discussion it was pointed out that the Commission at one time considered improving the Rock Creek Grade Section as a P.W.A. project at a cost of \$63,000 but was precluded from proceeding with the work because of a change in the P.W.A. setup, but it now appears that the P.W.A. program is to be revived and there is a possibility of securing the funds in accordance with the original plan. The Engineer pointed out that it would not be necessary to use the \$25,000 of 1940

federal secondary funds for this project if the \$63,000 of P.W.A. funds materialize and accordingly suggested that the federal secondary funds be transferred from such project to finance an additional section of the Heppner-Rhea Creek project, making a \$50,000 project for that section, which would probably complete the entire unit from Heppner to Rhea Creek. Mr. Peck expressed approval of such arrangement. The Commission also indicated approval of the same but deferred a decision until it is known definitely whether or not the P.W.A. funds can be secured.

At 2:30 o'clock p. m. Acting Chairman Aldrich announced the following awards of contracts for which bids were received at the morning session, the awards having been previously approved by the affirmative action of all Commissioners present:

"Ely Mountain-Beatty Section of the Klamath Falls-Lakeview Highway, in Klamath County. 0.42 mile grading, 10.17 miles surfacing and oiling, and furnish 3,000 cu. yds. crushed rock in stock piles. The Commission received 7 bids for this job, the low one being that of McNutt Bros., Eugene, at \$105,440.00. The next low bid was submitted by Fisher Bros., Oregon City, at \$109,869.00. The Commission has referred all bids received to the Engineer with power to award the contract to the low bidder when certain conditions have been satisfied.

"Court Street Section of the Pacific Highway East in Salem, Marion County. 0.19 mile paving. The low bid submitted for this project was that of Oregon Contracting Co., Portland, at \$20,684.00. The next low bid was submitted by Edlefsen-Weygandt Co., Portland, at \$22,041.00. There were 3 higher bidders. The Commission has referred all bids received to the Engineer with power to award the contract to the low bidder when certain conditions have been satisfied."

The Engineer reported a conference with Mr. Freed, Attorney for the Shell Oil Company, in regard to a drainage condition along the Lower Columbia River Highway between Portland and Linnton. It appears that drainage facilities along this section are inadequate and that the Shell Company is very desirous for improvement of these conditions and has agreed to cooperate with the Commission in this work. The Engineer advised that the drainage conditions at this location are not good and should be remedied. He suggested that the Commission accept the offer of cooperation by the Shell Company to that end, in fact that the Commission also cooperate to the same extent and on the same basis with other companies who are similarly affected by the drainage conditions. He estimated that the project would cost about \$6,000 and requested authority to place the project in the federal aid program or construct it as a W.P.A. project whichever would be the best from the Highway Commission's standpoint. The Commission approved the suggestion and authorized him to proceed on that basis.

The matter of reconstructing the water pipe lines in the city of Albany required by reason of the Albany grade separation project had the attention of the Commission. The Engineer advised that the reconstruction of the

water system and the reconstruction of the Santiam Canal, both of which are affected by the grade separation project, are obligations of the state and it was originally contemplated to include this work in the contract for the construction of the grade separation structure, but it now appears that the work should be done before the contracting of the structure so as to avoid delays and inconvenience caused by bad weather, it being planned to contract the grade separation project in November. He suggested that it would be advisable, in view of the circumstances, to arrange for the pipe line and canal work under separate contract and that the Commission advertise for bids for the same at the meeting on August 4 provided that the United States Bureau of Public Roads will approve such arrangement and will authorize an expenditure of government funds to assist in financing the work, the same as if it were included in the major contract as originally contemplated. The Commission approved the Engineer's suggestion and instructed him to take the matter up with the Bureau of Public Roads officials.

The Commission discussed a letter from Mrs. Pearl S. Koble directed to Governor Charles H. Martin relative to her claim against the State Highway Commission for damages she alleges occurred to her property by reason of the construction of the Pacific Highway (new route) across her premises south of Ashland. The Commission considered that it has dealt very reasonably with Mrs. Koble in the settlement of her claim and accordingly refused to open the case. The Engineer was instructed to explain the matter in detail to Governor Martin.

The Engineer presented a list of surveys that he has ordered since the last meeting of the Commission and asked the Commission to confirm such surveys and the amounts authorized for each. After due consideration motion was made by Commissioner Tou Velle that the State Highway Engineer be authorized and instructed to make such location surveys on various sections of highways of this state, which said sections of highways, together with their identifying survey numbers and the amounts authorized for survey expenditures are as follows:

Plans - - -	106-2817	- Deadmans Curve, Cape Arago Secondary Highway. Coos County.	1st authorization - \$ 250.00
Plans - - -	6-2816	- Fat Elk Creek-Lampa Creek Section, Oregon Coast Highway. Coos County.	1st authorization - \$3,231.00
Plans - - -	6-2815	- Coquille-Fat Elk Creek Section, Oregon Coast Highway. Coos County.	2nd authorization - \$ 690.00
			Total to date - \$1,770.00
Right of Way -	9-2818	- Third Street Undercrossing, The Dalles-California Highway. Deschutes Co.	1st authorization - \$ 250.00
Plans - - -	109-2819	- Bend-Forest Boundary Section, Century Drive. Deschutes County.	1st authorization - \$ 600.00
Survey- - -	14-2806	- Warren Creek Section, Columbia River Highway. Hood River County.	4th authorization - \$ 400.00
			Total to date - \$1,500.00
Plans - - -	18-2829	- Lapine-Crescent Section, The Dalles-California Highway. Klamath Co.	1st authorization - \$3,500.00

Right of Way - 18-2828 - Crescent Section, The Dalles-California Highway.
Klamath County. 1st authorization - \$ 400.00

Right of Way - 19-1909 - Valley Falls-White Rock Section, Fremont Highway.
Lake County. 1st authorization - \$ 400.00

Right of Way - 19-1919 - Cottonwood Creek-Lakeview Section, Klamath Falls-
Lakeview Highway. 1st authorization - \$ 50.00

Right of Way - 19-1908 - Harris Creek-Paisley Section, Fremont Highway. Lake
County. 1st authorization - \$ 50.00

Prospect - - 29-2802 - Fisher Point-Mansanita Section, Oregon Coast Highway.
Tillamook County. 6th authorization - \$1,000.00
Total to date - \$3,090.00

Right of Way - 35-2808 - Mitchell-Layville Section, Ochoco Highway. Wheeler
County. 1st authorization - \$ 200.00

Right of Way - 136-1963 - Spaulding Ranch Section, Dayton-Salem Secondary
Highway. Yamhill Co. 1st authorization - \$ 50.00

The motion was seconded and was declared by Acting Chairman Aldrich to have passed by the affirmative vote of the Commissioners present.

The Commission considered the following requests for extensions of time within which to complete highway construction projects:

Joplin & Eldon, contract No. 1963, for surfacing and oiling the Shaniko Section of the Sherman Highway, in Wasco County, requested an extension of time of 9 months, from September 15, 1937, to June 15, 1938, within which to complete this work. They gave the following reasons for their failure to complete the project within the specified time limit: labor trouble, strikes, and sabotage practices during the later part of 1937 which slowed up the work to such an extent that the oiling work could not be completed in 1937. The Engineer advised that the contractors lost only 3½ days' time due to the labor strike and so far as he has been able to learn no damage was done to the contractors' property during the time of the strike which refutes the contractors' statement that they experienced delay on account of sabotage practice. It was his thought that the contractors could have completed this work within the specified time limit if the work had been carried on properly. Accordingly, he recommended that the extension requested be granted but that the contractors be charged for all of the extra engineering expense incurred by the state subsequent to the specified date of completion of the contract except for 3½ days immediately following such date which is to allow for the loss of time due to labor strike. A letter was presented from W. H. Lynch, District Engineer, Bureau of Public Roads, concurring in such recommendation. The Commission approved the recommendation by affirmative action of both Commissioners present.

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Berke Bros., Inc., contract No. 2005, for clearing the Arch Cape-Beach Creek Section of the Oregon Coast Highway, in Clatsop and Tillamook Counties, requested an extension of time of 60 days, from May 31 to July 31, 1938, within which to complete this contract. They alleged that their failure to complete the project within the specified time limit was due to unsatisfactory labor requirements and the fact that weather conditions were unfavorable to carry on burning operations. The Engineer advised that the Commission took bids for this project on August 12, 1937, but the contract was not awarded until September 10, 1937, which would automatically give the contractor an extension of time of 20 days. He further advised that there is apparently no reason why the contractors could not have completed the work within the estimated time limit and for that reason he recommended that the extension now requested be granted but that the contractors be charged for the extra engineering expense that the state has incurred after allowing for the 20 days' delay in the award of the contract. A letter was presented from the Bureau of Public Roads concurring in such recommendation. The Commission approved the recommendation.

R. O. Dail & Warren Brothers, Inc., contract No. 2021, for furnishing crushed rock in stock piles for the Heppner Junction Rock Production project on the Columbia River and Oregon-Washington Highways, in Gilliam and Morrow Counties, requested an extension of time of 10 days, from May 31 to June 10, 1938, within which to complete this project. They alleged that their failure to complete the project within the specified time limit was due to trouble experienced with their equipment and because their equipment was tied up on another state highway contract at Alsea, making it impossible for them to start this job as soon as they expected. The Engineer advised that the reason for noncompletion of this project on time was failure of the contractors to start the job within a reasonable length of time after the contract was awarded to them, their equipment being tied up on another state highway contract. He further advised that the contractors produced within the specified time limit sufficient materials for this year's use and their failure to complete the job on time in no way inconvenienced the state highway department or the general public and did not increase the cost of supervision. He recommended in view of the circumstances that the extension requested be granted without penalty. The Commission approved the recommendation.

The Engineer reported that Contracts Nos. 1973, 1987, 2002, 2006, 2009, 2015, 2021, 2034, 2040, 2045, 2046, 2052, 2058, 2060, and 2071 for the construction of state highway projects have been completed according to the terms and provisions of the contracts and said jobs are now ready for acceptance. The following resolution accepting the above projects was offered and was adopted by the unanimous vote of the Commissioners present:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway

projects have been completed according to the terms and provisions of the contracts or modifications thereof and said jobs are now ready for acceptance:

Contract No. 1973, with Babler Bros., for oil mat surface treatment on the Valley Falls-Cinder Butte Section of the Lakeview-Burns and Fremont Highways, in Harney and Lake Counties. Completed June 4, 1938.

Contract No. 1987, with McNutt Bros., for regrading and oiling the Horse Ridge-Brothers Section of the Central Oregon Highway, in Deschutes County. Completed June 15, 1938.

Contract No. 2002, with Averill & Corbin, for remodeling and widening Union Avenue Bridge over Sullivan's Gulch on the Pacific Highway East in Portland, Multnomah County. Completed June 26, 1938.

Contract No. 2006, with F. C. Himber Company, for construction of a bridge over South Fork Quartz Creek about 5.5 miles east of Elsie on the Wolf Creek Highway, in Clatsop County. Completed June 24, 1938.

Contract No. 2009, with Fisher Bros., for surfacing and oiling the Bloucher Section of the Hood River Secondary Highway, in Hood River County. Completed June 22, 1938.

Contract No. 2015, with R. O. Dail & Warren Bros., Inc., for producing crushed rock for the Lincoln County Line-Alsea Mountain Section of the Alsea Highway, in Benton County. Completed May 31, 1938.

Contract No. 2021, with R. O. Dail & Warren Bros., Inc., for producing crushed rock for the Heppner Junction Rock Production Project on the Oregon-Washington and the Columbia River Highways, in Gilliam and Morrow Counties. Completed June 4, 1938.

Contract No. 2034, with Schmeer, Williams & Gentemann, for producing crushed rock for the Shuttler Flat-Condon Section of the John Day Highway, in Gilliam County. Completed May 19, 1938.

Contract No. 2040, with Warren Northwest Inc., for grading, surfacing and oiling the Grand Ronde River-Noyes Ranch Section of the Cove Secondary Highway, in Union County. Completed June 11, 1938.

Contract No. 2045, with A. Milne, for oiling the Lake County Line-Gap Ranch Section of the Central Oregon Highway, in Harney County. Completed June 8, 1938.

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Contract No. 2046, with Clifford A. Dunn, for oiling the Eagle Point-Baker Gulch Section of the Little Butte Secondary Highway, in Jackson County. Completed June 26, 1938.

Contract No. 2052, with J. C. Compton, for oiling the West Forest Boundary-Horse Ranch Section of the Fremont Highway, in Klamath and Lake Counties. Completed May 21, 1938.

Contract No. 2058, with D. L. Ashton, for producing crushed rock for the Mystic Creek-Brockway Section of the Coos Bay-Roseburg Highway, in Douglas County. Completed June 25, 1938.

Contract No. 2060, with Mountain States Construction Company, for construction of the Little Nestucca River Bridge on the Oregon Coast Highway, in Tillamook County. Completed June 24, 1938.

Contract No. 2071, with O. C. Yocom, for producing crushed rock for the Otis-Boyer Section of the Salmon River Highway, in Lincoln and Tillamook Counties. Completed June 15, 1938.

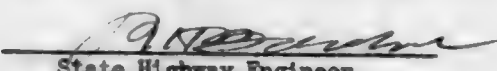
THEREFORE, BE IT RESOLVED, that the work covered by said state highway contracts for the construction of said state highway projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

The Commission considered, approved and signed the following agreements:

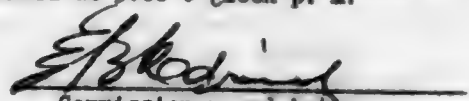
Agreement with the City of Portland covering the reconstruction of Northeast 33rd Avenue viaduct.

Agreement with A. R. Sawtell and J. C. Goldrain, Certified Public Accountants, providing for the services of this company in the installation of a new accounting system in the state highway department offices.

There being no further business to come before the Commission at this time, the meeting was declared adjourned at 3:00 o'clock p. m.


State Highway Engineer


Secretary


Commissioner and Acting
Chairman


Commissioner

JUN 30 1938

VOLUME 23

PART II.

PART 2
OF
VOLUME XXXIII
MINUTES OF OREGON STATE HIGHWAY COMMISSION
COVERING PERIOD
FROM
JULY 1, 1938
THROUGH
NOVEMBER 18, 1938

- - - -

OREGON STATE HIGHWAY COMMISSION

Henry F. Cabell, Chairman
E. B. Aldrich, Commissioner
F. L. Tou Velle, Commissioner

- - - -

R. H. Baldock, State Highway Engineer
H. B. Glaisyer, Secretary

- - - -

HEADQUARTERS AND GENERAL OFFICE OF DEPARTMENT
LOCATED AT SALEM, OREGON

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	1938	
8247	July 20	Oregon City. East Portland-Oregon City Highway. Attorney to assist City in trial against Security and Investment Company. Acquisition of property of Oregon City Laundry Company. Condemnation resolution adopted.
8248		Signs. Columbia River Highway. W. B. Herron ordered to remove sign in Parkrose District, east of Portland.
8249		Pacific Highway. Harris Lumber Company ordered to discontinue use of highway for loading of lumber cars north of Drain. Pole line. Nehalem Valley Cooperative Electric Association requested to build line on Nehalem Secondary Highway in accordance with provisions of permit. Premises to be cleaned up. Klamath Falls-Lakeview Highway, near Lakeview. Surprise Valley Power Co. to be granted permit for pole line construction. West Coast Power Co. to be granted permit if Surprise Valley Power Company defaults in time limit provided in permit.
8250		Ontario. Request to close part of highway during Fair denied. Portland. Interstate Avenue improvement. Settlement for right of way with McGuire Construction Co. and Emily Ricard. Pacific Highway. Albany Section. Purchase of land from First National Bank of Albany authorized. Acquisition of real property. Resolution.
8254		Chandler State Park. Mrs. Gladys Gunther, Lakeview, inquires regarding deeding of property back to Mrs. S. B. Chandler. Portland. Sandy Blvd. improvement. Contract to be awarded on basis of widening street to 60 feet. Businessmen of Hollywood District voice opposition to cutting sidewalk back to 10-ft. width.
8255		Pole line. Permit granted to West Coast Power Co. to construct line through state park acquired from Pratt interests, in Lincoln and Lane Counties. Company to pay for damage done. Gearhart Beach property. Commission to purchase ocean beach frontage from Gearhart Park Company. Company to deed 20-ft. strip along west side of highway through all of property.
8256		Multnomah County. Crown Point. County's offer to deed property to state to be accepted. Multnomah Falls. State to take title to part of property; balance to be deeded to U. S. Forest Service. Maps. Payment for maps furnished Oregon State Motor Association to be divided equally between Association and Commission. World's Fair. Engineer's report on contract for furnishing colored moving pictures of Oregon scenes approved.
8257		P.W.A. program. Following projects in proposed program: Rock Creek-Morrow County Line Section; Umatilla River Section; Klamath Falls-Lakeview Section; Barbur Blvd.-Lake Forest Section; Cape Arago Section; Umpqua River Section;

<u>Page</u>	<u>Date</u>	<u>Subject</u>
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8257	July 20	P.W.A. program (continued): Madras-Warm Springs Section; Baker-Homestead Section; Albany buildings and landscaping. Resolution authorizing Engineer to apply for grants to aid in construction and purchase of right of way authorized.
8258		P.W.A. grants. Resolution accepting offer on following: Buildings at Brothers and Suntax.
8259		Wage rates. Resolutions establishing minimum rates on: Catching Slough Bridge Section; Klamath Falls Building; Fleming Ranch-Schindler Bridge Section; Sunnyside-Umapine Section.
8267		Crater Lake Highway. Medford. Dr. I. D. Phipps opposed to proposed improvement at intersection with East Main Street. Further consideration of improvement to be deferred.
8268		Newberg. Viaduct on Pacific Highway West. Remodeling approved. Award of following contracts approved: Court Street paving, Oregon Contracting Company; Bly Mountain-Beatty Section, McNutt Bros. Scrap materials and obsolete equipment. Sales confirmed on bids received June 30, 1938. Purchase authorized as follows: 1 portable high-speed electric motor with sanding and wire brush attachments.
8269		Salem offices. Remodeling of offices in State Office Building authorized. Bids to be taken August 4, 1938. Ohio Casualty Insurance Co. Copy of Attorney General's opinion relative to state employees not being public officials to be sent to company. North Tillamook Co. Chamber of Commerce. Commission invited to attend dedication of Samuel G. Reed Bridge on Oregon Coast Hwy. Astoria. Reduced speed limit when new highway is constructed requested by residents of Smith's Point District. Lane County. "Roosevelt Lane" proposed name for county road near Junction City. Decision on name deferred. Historical marker. Erection of marker where John Day Highway crossed Oregon Trail south of Arlington approved. Klamath County. Road from Merrill to California state line. County to be relieved of payment of cost of construction. County debts. Counties to be relieved of construction costs when county road projects, financed with federal funds, are designated as state secondary highways.
8270		Oregon Roadside Council. W.P.A. in Washington, D. C., requests specific details regarding educational project. Forest Grove. Chamber of Commerce urges selection of route for road from Tualatin Valley Hwy. to Gales Creek County road. Wolf Creek. Construction of sidewalk on highway bridge denied. Signs. Erection of school zone signs at Wolf Creek approved.

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8270	July 20 1938	Log hauling. Request of Bowman Hicks Lumber Company to haul during Saturday afternoons and holidays on Fallowa Lake Hwy. denied. Request to be reconsidered after Labor Day.
8271		Pacific Highway West. Newberg. Request of A. W. Ferrell to remove trees from right of way denied.
		Baker. Purchase of park area adjacent to Old Oregon Trail from Mrs. W. H. Strayer denied. Site overlooks city of Baker.
		Albany. Chamber of Commerce expresses appreciation of efforts to complete South Santiam Highway.
		Pilot Rock. Rerouting Oregon-Washington Highway. Public hearing set for Aug. 23, 1938. (postponed to Aug. 30, 1938)
		Contract lettings. Schedule of projects for contracting during coming months and fall of 1939.
8274		Surveys. Commission confirms Engineer's action ordering numerous surveys. List presented.
		Extension of time:
		Smith & Company, Maupin Rock Production project.
8275		Contracts completed and accepted:
		Shaniko Section, Joplin & Eldon;
		Siuslaw Junction-Awbrey Section, Edlefsen-Weygandt Co.;
		Mile Bridge Section, Warren Northwest, Inc.;
		Service Creek-Branson Creek Section, Harold Blake;
		Wilson Ranch-Scottsburg Section, Bahler Bros.;
		Juntura-Harper Section, J. C. Compton.
8276		Date for next meeting set for September 22, 1938. (Postponed to September 29, 1938)
	July 21	Bids as follows opened and read:
		Bend Section, surfacing and road mix surface treatment;
		Malone-California Line Section, road mix surfacing;
		Sandy Blvd. Section, paving;
8277		Sale of buildings in Albany;
		Sale of buildings in West Portland;
		Sale of buildings in North Portland
8278		Harney County. County Court requests use of Commission's radio facilities in connection with proposed county radio installation.
		Signs. Sign of Marcus Whitman Hotel and Yakima Chamber of Commerce, directing traffic to Paterson Ferry to be removed unless wording changed to meet Commission's requirements.
8279		Portland. Sandy Blvd. Sidewalks between 39th and 43rd Avenues to be 12 ft. in width; 10 ft. wide on remainder of section.
		Lower Columbia River Hwy. Request for improvement of 4-mile section in vicinity of Prescott denied.
		Improvement between Rainier and St. Helens to start at Rainier suggested by delegation
8280		Territorial Highway. Corvallis Chamber of Commerce urges construction of proposed extension from present terminus to connection with Pacific Highway at Anlauf.
		Vacation. Engineer and Secretary authorized to take two weeks.

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8280	July 21 1938	Awards. Commission announces awards on projects and sale of buildings for which bids were received during morning session. (See page 8276)
8282		82nd St. Highway. Delegation urges improvement on present location in Clackamas. Improvement requested from Portland to connection with McLoughlin Blvd. in or near Oregon City.
8283		Public hearing in Oregon City deferred indefinitely. Agreements, et cetera, as follows, signed: Frank Ott, damages arising out of reconstruction of Fremont Highway; S. P. Company, installation of sewer pipe across railroad company's property in vicinity of Salem shops; John I. Prickett, damages arising out of construction of Davies-Banks Section of Nehalem Secondary Highway; Klamath County, financing of bridge over Lost River; county assigns \$9,000 of its share of gasoline tax revenues.
8284		State Board of Forestry, construction of guard cabin unit on right of way of Wilson River Highway; Consent to vacation of street, along West Portland-Hubbard Hwy. in vicinity of Cook Overcrossing; Deed conveying unto Constance I. and Laverne Kantner land in Marion County.
8287	Aug. 3	Federal Aid projects. Partial program for 1939. Projects listed. Portland. Union Avenue viaduct. Maud Campbell presents claim for damages. Right of way budget. Increase of \$100,000 to meet deficit approved. (See page 8321)
8289		Real property. Resolution authorizing acquisition. Coos County. County Court to convey Silver Falls recreational area to state. Curry County. Stock pile site on Oregon Coast Highway. Fred Caughell requests release from option given on property. Jefferson County. Lease from Government accepted on recreational area in Crooked River Canyon.
8290		Multnomah County. Multnomah Falls property. Area accepted as gift from City of Portland. Shepperd's Dell also accepted as gift from City of Portland. Sign. Marcus Whitman Hotel sign information to be corrected. Yakima Chamber of Commerce sign, directing traffic to Pater-son ferry, to be corrected.
8291		Proposal forms and plans. Discussion of charge to be made to contractors and material dealers for plans. Equipment. Engineer authorized to purchase following: 10 trucks of 2½- and 3-ton capacity. Trade-in of 10 old trucks. Equipment for examination of vision of employees. Wasco County. Warm Springs Highway. Extension of highway from present terminus to connection with Wapinitia Hwy. recommended Awards confirmed of following contracts: Sandy Blvd. Section, Kern & Kibbe; Malone-California Line Section, Clifford A. Dunn.

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1938

Subject

8291 Aug. 3

Paul VanScoy. Authority granted to go to Seattle to inspect portable well drills.
Baker County. Baker-Homestead Highway. Inspection to be made following hearing in Pilot Rock.
World's Fair. Immediate transfer of \$20,000 denied. Form of agreement covering matter of payments approved.
Engineer authorized to represent Commission in passing on payments and other matters.

8292

Sherars Bridge Secondary Hwy. Bridge across John Day River to be repaired for 10-ton loads.
Oregon City. East Portland-Oregon City Hwy. Newspaper item from Oregon City paper relative to construction of hwy.
Oregon Coast Highway. Depoe Bay and vicinity. Construction of proposed revision urged.
Signs. Advertising of Timberline Lodge denied.
Kings Valley Secondary Hwy. Request for oiling between Maple Grove and Polk-Benton County line denied.
Nyssa. Improvement of Main Street denied.

8293

Contracts completed and accepted, as follows:
Hebo Rock Production Project, Saxton, Looney & Risley;
John Day-Oliver Ranch Section, McNutt Bros.;
Lake Lytle Outlet Bridge, Mountain States Construction Co.;
Hermiston-Cold Springs Section, Rogers Construction Co.;
Middle Bridge-Black Bridge Section, Bahler Bros.

Aug. 4

8294

Bids received on following:
Arch Cape-Beach Creek Section, grading;
Catching Slough Bridge Section, grading and bridge;
Bend Section, grading and surfacing;
Salt Creek Section, clearing;
Fleming Ranch-Schindler Bridge Section, roadbed and bridge;
Shedd-Halsey Section, roadside improvement;
Umapine-Sunnyside Section, grading, surfacing and oiling;
Building at Klamath Falls;
Remodeling portion of State Office Building, Salem;
Sale of buildings in North Portland;

8295

8296

Boat dock. Dewey D. Gault requests aid in construction of dock in Columbia River near Denver Ave.-Union Ave. intersection.
Lower Columbia River Hwy. Scappoose. Exchange of property with Harry Elbon resulting from encroachment of his residence building on state property.
Deschutes County. Tumalo Falls-Bend County Road. County to assign portion of gasoline tax and motor vehicle moneys to cover cost of construction.

8297

The Dalles. The Dalles & Southern Railroad Co. request permission construct approach to Columbia River Highway.
Multnomah County. Multnomah Falls and Shepperd's Dell property. Portland City Commr. confers relative to transfer of property.
Clatsop County. Designation of road from Oregon Coast Hwy. to Fort Stevens as secondary highway requested. No action.
P.W.A. Regional Director approves awards of following:
Catching Slough Bridge, J.W. & J.R. Hillstrom;

<u>Page</u>	<u>Date</u>	<u>Subject</u>
8298	Aug. 4	<p>P.W.A. Awards (con't.)</p> <p>Fleming Ranch-Shindler Bridge, Leonard & Slate; Umapine-Sunnyside Project, Edwin C. Gerber.</p> <p>Condemnation. Authorized for right of way on jobs on which bids opened this session.</p> <p>Friendly condemnation authorized against Northern Pacific Co. for right of way for Bend Section of Century Drive Highway.</p> <p>Hood River. Pacific Portland Cement Co. confers regarding operation of company's gravel plant.</p>
8299		Awards. Commission announces awards on projects for which bids were received during morning session. (See page 8293)
8300		<p>Klamath Falls maintenance bldg. Readvertise for bids to be received Aug. 23, 1938. (Later postponed to Aug. 30)</p> <p>Agreements, et cetera, as follows signed:</p> <p>U. S. of America, lease of land in Crooked River Recreational Area;</p>
8301		<p>S. P. Co., termination of stock pile lease at Hillsboro;</p> <p>O.R.R. & N. and U. P. Co., encroachment of Lombard-Killingsworth Section on railroad company's right of way;</p> <p>Shell Oil Company, removal of buildings and facilities from right of way of Columbia Blvd.-Harding Ave. Section;</p> <p>Alvina H. and R. S. Borland, right to occupy property at Grants Pass;</p> <p>Quitclaim deed conveying unto Ralph I. Robertson and wife land in Jackson County;</p> <p>Bargain and sale deed conveying unto Frank D. Vetter land in Jackson County.</p>
8302	Aug. 9	Klamath Falls. Hearing relative to rerouting The Dalles-California Highway within Klamath Falls.
8305		Wage rates. To be paid on Klamath Falls bldg. Resolution.
8307		<p>P.W.A. grants. Resolution accepting offer on following:</p> <p>Woodburn-Mt. Hood Loop Sec. Hwy. at Molalla.</p>
8308		Resolution authorizing application for grants on following:
8309		<p>Moro-Masco County line, rock production;</p> <p>Madras-Deschutes County line, rock production;</p> <p>Provolt Maintenance Project, rock production.</p>
8310		<p>The Dalles-California Hwy. Modoc Point. Acquisition of property of Lamb Lumber Company. Overhead steam pipe approved.</p> <p>Equipment. Engineer authorized to purchase following:</p> <p>Power unit for operation of crusher on Wolf Creek Highway.</p> <p>Santiam Highway. Construction of woven wire fence to prevent snow slides approved. Expense added to minor betterment budget.</p> <p>Coos County. Powers Secondary Highway. Disposal of logs dumped on highway by S. A. Hutchison.</p> <p>Clear Lake Road. Cooperation with Forest Service in maintaining road denied.</p>
8311		<p>Ray Webber. Authority granted to inspect concrete pavements in State of Washington in place of C. B. McCullough.</p> <p>Survey. North River County Road. Location survey authorized north from Salem.</p>

<u>Page</u>	<u>Date</u>	<u>Subject</u>
8312	Aug. 30	Pilot Rock. Hearing relative to rerouting the Oregon-Washington Highway within city.
8313		Maintenance of old bridge over East Birch Creek discussed. Inquiry regarding location of patrol headquarters at Pilot Rock.
8314		Oregon-Washington Hwy. Pilot Rock-Heppner sec. Oiling requested. Wasco-Heppner Sec. Hwy. Heppner-Rhea Creek and Rock Creek Grade Sections. Improvement and allocation of funds discussed.
8318		Real property. Resolution authorizing acquisition. Coos County. Oregon Coast Highway. Request of Mrs. Lizzie Coleman to lease property at Coos Bay Bridge denied. Portland. Sale of buildings to Wm. Dervoe approved. Marion County. Settlement with Mr. Volz for property at Silver Falls State Park approved.
8319		Lane County. Pacific Highway. Request of Henry Houck to purchase property near S.P. overcrossing between Junction City and Eugene denied. Portland. Interstate Ave. improvement. Sale of buildings and property confirmed.
8320		Sand houses. Offer of Jack H. Moore to move buildings in exchange for salvaged material therefrom, located in Newport. Real property. Reconsideration of purchase price of following including lowest bid for moving buildings: Salem-Pringle Creek Section, Pacific Highway; Fat Elk Creek-Coquille River Section, Oregon Coast Highway. Sign. Marcus Whitman Hotel Management granted 30-days' extension of time to change wording of sign.
8321		The Dalles. Request of The Dalles & Southern Rwy. Co. to construct approach to Columbia River Highway denied. Harney County. Request denied for use of Commission's radio facilities in connection with county radio installation. Oregon Coast Highway. Sidewalk north of Coquille requested. Community Friendship Club of Coquille offers \$222 toward cost of construction. Construction denied.
8324		Lewis & Clark Monument. The Dalles. Maintenance of entire tract, including monument, to be assumed by Commission. Columbia County. Exchange of property with C. F. Howard adjacent to Lower Columbia River Highway at Houlton. Right of way budget. Increase in budget disapproved.
8326		Portland. Interstate Ave. Project. Offer of Anton Roskoski to settle for right of way accepted. Umatilla County. Oregon-Washington Hwy. Condemnation of right of way between Pendleton & Adams authorized. Resolution. Quarry site. Resolution authorizing condemnation against Chas. Burris' property for Brothers-Harney County Line Section. Award confirmed of following contract: Bend Section, Fisher Bros. Portland. Interstate Ave. improvement. Elimination of center-line curbing disapproved. Purchase of following authorized: One Simplex pipe forcing jack for use by sign crews.

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	1938	
8326	Aug. 30	Salem Shops. Landscaping approved. Construction of parking shed for employees' cars approved. Parking area. Intersection of Mt. Hood Hwy. and Coopers Spur Road. Rock surfacing approved. Southern Oregon delegation requests private hearing relative to bond issue for reconstruction of Pacific and Columbia River Highways.
8327		Ferry service. Extension of contract with Julius Gunnell for service on Coos River Secondary Highway. Umatilla County. Milton Nursery Bridge. Commission to receive bids for construction of bridge on behalf of County Court. P.W.A. grants. Resolutions accepting offers on following: Maintenance building at Albany; Improvement of Halsey-Sweet Home Sec. Hwy. at Brownsville.
8329		Wage rates. To be paid on following P.W.A. projects. Resolution.
8331		Molalla paving project; Suntex Junction and Brothers building project.
8332		Load limit. Resolution modifying limit on following bridge:
8333		Cottonwood Bridge over John Day River, Wasco-Heppner Sec. Hwy.
8334		P.W.A. funds. Resolution authorizing application for grants on following rock production projects: Central Oregon, Southern Oregon, Eastern Oregon, and North-western Oregon.
8336		Travel and Information Department. Robt. W. Sawyer requests hearing relative to appointment of committee as recommended by Advisory Committee on Publicity Matters. Milton. Delegation requests improvement of highway thru city.
8337		Havana-Helix Secondary Highway. Delegation requests oiling. Connecting road with highway between Pendleton & Adams requested. Bids received on following: Construction of maintenance building at Klamath Falls; Sale of residence building in North Portland.
8338		Awards. On above mentioned bids (Page 8337): Maintenance building at Klamath Falls. Awards referred to Engineer, Angelo Doveri low; Building in North Portland, Lebeck & Son.
		Signs. Pendleton. City requests stop-and-go signs on city streets. Action deferred pending report of traffic count. Dictograph. Purchase of 8 additional station boxes approved.
8339		Yamhill County. Yamhill River Bridge. Sidewalk requested. Log hauling. Oregon Timber Operators request permission to truck logs on Coos River Secondary Highway during Saturday afternoons and Sundays. Request granted. Lane County. Designation of road from Oregon Coast Hwy. to Canary as state secondary highway denied. Location survey of Noti-Walton Section of Route "F" Highway requested. Memorial marker. Champoe Chapter D.A.R. requests permission to erect marker directing attention to grave of Ewing Young.

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Subject

8339 Aug. 30

Lower Columbia Associated Chambers of Commerce invite Commission to join caravan from Portland to Seaview, Wash., Sept. 10. Travel and Information Dept. Oregon Women's Industrial Forum recommends use of Miss Gunnell's pictures at San Francisco Fair.

8340

Klamath County. Resolution of county court granting National Park Service permission to erect marker directing public to Lava Beds. Resolution ordered filed.

Coquille. Rerouting of Coos Bay-Roseburg Highway requested. Signs. Erection of signs in Coquille directing traffic to Oregon Coast Highway requested.

North Bend. Chamber of Commerce expresses thanks for improvement made on Sherman Avenue.

Log hauling. Bowman-Hicks Lumber Co. granted permission to truck logs on Wallowa Lake Highway during Saturday afternoons and holidays. Two-mile section west of Wallowa.

J. E. Twidwell granted permission to truck logs on Wallowa Lake Highway during Saturday afternoons and holidays.

Oregon Coast Highway. O. W. Fraser granted 3-months' time to remove gasoline pump from right of way near Marshfield.

Investigation ordered of faulty culvert near Mr. Fraser's business place at Marshfield.

Oregon Road and Highway Laws. Employment of person to recodify laws approved.

Portland. Sandy Blvd. Engineer's letter to Edwin G. Amme regarding improvement between 14th and 45th Avenues approved.

Traffic signals. Portland. Commission approves Engineer's letters to National Electrical Contractors' Association and International Brotherhood of Electrical Workers regarding traffic signal installation.

8341

Hood River. Lofts & Son object to city's use of state-owned quarry in connection with paving work.

McKenzie Highway. Leaburg Dam Section. McKenzie River Grange expresses appreciation for guard fence and sight posts.

Oregon Coast Highway. Oregon Coast Highway Association expresses appreciation of improvements made.

Oregon Motor Vehicle Law. Samuel L. Brown suggests changes.

Longview Bridge. Inquiry from Bank of America, San Francisco, relative to bridge becoming state highway obligation.

Weston-Elgin Highway. Weston-Tollgate Section. Oiling requested.

Pole line. State park acquired from Pratt interests at Lane-Lincoln Co. line. West Coast Power Co. to build line on east edge of park or install circuits underground along highway.

8342

Extensions of time, as follows:

Medford Concrete Construction Co., Valley Falls-Cinder Butte;

Warren-Northwest, Inc., Burns-Buchanan Section;

Rogers Construction Co., Kamela-LaGrande Section;

8343

Mountain States Constr. Co., Smith Point-Young's Bay Section;

O. C. Yocom, North Unit, Missouri Flat Section;

8344

Harold Blake, Ross Station-Arvard Section;

Leonard & Slate, Butte Creek Section;

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8344	Aug. 30	Extensions of time (continued)
8345		Mountain States Constr. Co., Mohler-Kilchis River Section; Schmeer, Williams & Gentemann, Hood River Rock Production. Contracts completed and accepted, as follows: Valley Falls-Cinder Butte Section, Medford Concrete Constr. Co.; Burns-Buchanan Section, Warren Northwest, Inc.; Smith Point-Youngs Bay Bridge Section, Mt. States Constr. Co.; North Unit, Missouri Flat Section, O. C. Yocom; 8346 Ross Station-Arvard Section, Harold Blake; Butte Creek Section, Leonard & Slate; Crushed rock on Mt. Hood and Columbia River Hwys.; Schmeer, Williams & Gentemann; Drilling well near Brothers, A. M. Jannsen Drilling Co.; Wigrich-Buena Vista Section, J. C. Compton. Agreements, et cetera, as follows: Southern Pacific Co., Albany Overcrossing project; Mountain States Power Co., revision of water lines adjacent to Albany Grade Separation Project; E.F. and W.F. Philpott, disposal of claim for extra compen- sation arising out of contract No. 1944; L. H. and F. R. Williams, drilling of test holes along John Day Highway; 8347 Henry and Anna Blankinship, substitution of fill for cattle pass on Santiam Highway, in Linn County; Bargain and sale deed conveying unto James J. Tuma land in Linn County; Bargain and sale deed reconveying unto Douglas County land formerly owned by W. G. Hoaglund; W. E. Purkeson, permit extending privilege of disposing of material from quarry which state has leased from him. 8350 Sept. 19 Real property. Resolution authorizing acquisition. Lincoln County. Parks Superintendent to negotiate for land be- tween Oregon Coast Hwy. and Ocean from Newport to Yachats. Dayton-Amity Highway. Grubb College Section. Leasing of land to Robert E. Porter authorized for term of one year. Siuslaw Highway. K. N. Lucas authorized to transfer lease to state property in vicinity of Rainrock to Wm. G. Folsom. 8351 Pacific Highway. Purchase of right of way from H. Cogeshall south of Grants Pass deferred. Marion County. State to reimburse county \$500 for addition to Silver Creek Falls State Park. Wolf Creek Highway. Exchange of timbered tracts along highway suggested by Sunset Logging Company. 8352 Eugene Walsh to be employed to assist in appraising such tim- ber strips. Pendleton. Installation of stop-and-go- signals not justified. Installation of flashing beacons at certain streets authorized, provided city pays one-half cost. Santiam Highway. Sweet Home. Options for right of way to wi- den highway. Sidewalk construction discussed.

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	1938	
8353	Sept. 19	<p>Signs. Request for erection of "Bollinger Wood Camp" sign along Old Oregon Trail near Emigrant Springs Park denied. Erection of "Bollinger Road" sign approved.</p> <p>Award confirmed of following contract:</p> <p>Construction of Klamath Falls building, Angelo Doveri.</p> <p>Load limit. Resolution reducing limit on following bridge: Neahkahnie Mountain Chasm Bridge on Oregon Coast Highway.</p> <p>Equipment. Engineer authorized to purchase following:</p> <ul style="list-style-type: none"> 1 Buick car for Attorney's use; 15 push-type snow plows for use on lightweight trucks; 5-45 H.P. tractors equipped with angle dozers.
8354		
8355		<p>American Road Builders Association. Payment of Engineer's membership dues approved.</p> <p>Wage rates. To be paid on Brownsville Section of Halsey-Sweet Home Secondary Highway.</p>
8356		<p>P.W.A. grants. Resolutions accepting offers on following:</p> <ul style="list-style-type: none"> Cape Arago Secondary Highway, in Coos County; Bridge over Umpqua River, in Douglas County; Baker-Cornucopia (Homestead) Highway, in Baker County; Deschutes River-Madras Section, in Jefferson County.
8358		
8359		
8361		
8363		<p>Speed limit. Speed of 35 miles per hour requested on Minom Hill Section of Wallowa Lake Hwy. and on highway around Wallowa Lake. Request denied.</p> <p>Coos Bay Wagon Road. Designation as state secondary highway requested. Request denied.</p> <p>Bonds. Astoria Chamber of Commerce opposed to issuance of \$18,000,000 for reconstruction purposes.</p> <p>Lane County. Old Pacific Highway between Junction City and Eugene. Designation as U.S. Highway No. 99E requested.</p> <p>Washington County. Farmington Secondary Highway. Oiling requested from end of present oiling to Campbells Bridge.</p> <p>Wallowa County. Enterprise-Flora Highway. Resurfacing and oiling requested from Enterprise to Forest Boundary.</p>
8364		<p>Lane County. Walton-Noti Section of Route "F" Highway. Location survey requested. Request approved.</p> <p>Cape Arago Sec. Highway. Letter of thanks from Mayor of Empire for improvements between Tarheel and Charleston.</p> <p>Completion through to Cape Arago State Park requested.</p> <p>Oregon Coast Highway. Letter of thanks for improvement in North Bend.</p> <p>Wilson River Bridge. Forest Grove Chamber of Commerce suggests bridge be dedicated in honor of Mr. Loyal M. Graham.</p> <p>Recommendation to be secured from Mr. Lewis A. McArthur.</p> <p>Bend. Third Street Grade Separation Project. Early construction urged by Robert W. Sawyer.</p>
8365		<p>Gilliam County. County Court requests oiling of secondary highways east and west as far as possible from Condon.</p> <p>Ferry service. Columbia River at Astoria. Lower Columbia Associated Chamber of Commerce supports policy of free ferry service.</p>

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8365	Sept. 19	Extensions of time, as follows: Consolidated Highway Co., East Unit, Jordan Creek Section; J. C. Compton, Tillamook County oiling project; Roy L. Houck, North Powder-Muddy Creek Section; E. L. Rigdon, Harris Creek-Chalk Cliff Section;
8366		
8367		Contracts completed and accepted, as follows: Tillamook County oiling project, J. C. Compton; Belknap Springs-McKenzie Summit Section, A. S. Wallace; Forest Boundary-Elgin Section, E. H. Itschner; Dillon-John Day River Section, H. L. Rice; Mohler-Kilchis River Section, Mountain States Constr. Co.; Hill Creek Bridge Section, Edlefsen-Waygandt Co.; Mills Bridge-Jordan Creek Section, J. C. Compton; Peoria-Harrisburg Section, Clifford A. Dunn; Washington County Line-Skyline Blvd. Section, Saxton, Looney and Risley; Roberts-Orville Section, McNutt Bros.; Malone-California Line Section, Clifford A. Dunn;
8368		Florence. Sale of state property to city for street improvement project authorized. World's Fair. Showing of diorama of ocean views at San Francisco Fair and for two-year period thereafter approved.
8369		Portland. Construction of building by Commission for rental purposes suggested by A. J. Kelly. Sand houses. Newport. Two small buildings given to Jack Moore in exchange for moving them from state's property. Larger buildings to be retained by state. Portland. Union Avenue viaduct. Disposal of Dr. Gus Huthman's claim for damages. Resolution adopted covering agreement.
8370		Agreements, et cetera, as follows signed: Odette Martin Hall, et al, easement across private property south of Willamette River Bridge at Harrisburg; Board of Park Commissioners, Pendleton, maintenance of proposed landscape area at west end of Pendleton overcrossing; Deschutes County Court, assignment of \$1,262.88 of gasoline revenues advanced by state for Tumalo Falls-Bend Road; Elmer Griffith, construction of fence around state-owned quarry site in Morrow County; Klamath Indian Agency, turn-out and check dam adjacent to Modoc Point-Lobert Section, in Klamath County; Dr. Gus H. Huthman, disposing of claim in connection with Union Avenue viaduct in Portland; City of Brownsville, lease of borrow pit for construction of Brownsville-Crawfordsville Section, in Linn County; Quitclaim deed conveying unto Harry & Charlotte Elbon land in Multnomah County; Bargain and sale deed conveying unto James Ben Green land near Salem. Dates for next regular meetings set for September 29 (confirmed) and November 10, 1938.

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- 8371 Sept. 28 Morrow County. Happner-Rhea Creek Section and Little Butter Creek County Road. Construction discussed with Co. Comm. Right of way budget. Status discussed. No action taken. Real property. Resolution authorizing acquisition.
- 8373 Douglas County. Quarry site. Condemnation of property of John T. Black and Wm. Berdine approved. Umatilla County. Oregon-Washington Highway. Condemnation of property of Tolakin Estate approved. Newport. Ownership of sand spit at mouth of Yaquina Bay to be retained by state. Shelton State Park. Cordwood cut by CCC forces given to Relief Committee of Wheeler County. Relief Committee of Wheeler County granted permission to fell beetle-infested trees.
- 8374 Clatsop County. County Court changes name of "Douglas Fir Park" to "David Douglas Park". Coquille. Coos Bay-Roseburg Highway. Rerouting through city requested. Request denied. Oregon Roadside Council. State to assume cost of printing pledge forms relative to erection of signs and billboards. Memorial marker. Erection of marker directing attention to grave of Ewing Young, north of Newberg, approved. Equipment. Engineer authorized to purchase following:
15 trucks of Ford or Chevrolet type;
4 light-power shovels of $\frac{1}{2}$ -yard capacity.
- 8375 Maupin Rock Production Project. Penalty imposed on Smith & Co. for failure to complete project within time limit modified. Ray Webber. Authority granted to inspect concrete paved highways in three coast states. R. H. Baldock. Authority granted to go to San Francisco to discuss use of dowel bars in concrete pavement. Ferry service. Assignment of Julius Gunnell's contract to Andrew Stambuck for operation of ferry on Coos River Secondary Highway approved. Agreement signed.
- 8376 P.W.A. grants. Resolution accepting offer on following: Provolt Rock Production Project.
- 8377 Clear Lake Road. Request of Forest Service for state cooperation in maintenance denied.
- 8378 Yamhill County. Amity-Bellevue Secondary Highway. Improvement requested. Ferry service. Request that Enegren Ferry service start at 5:00 o'clock instead of 7:00 o'clock a. m. denied. Bonds. Sale of bonds to match federal aid funds suggested by L. M. Lepper. Gold Beach Chamber of Commerce opposes bond issue. Shasta-Cascade Wonderland Association. Commission and staff invited to attend convention in Ashland, Oct. 10-11, 1938. Redwood Empire Association. Commission and staff invited to attend convention at Eureka Inn October 22, 1938. Coos Bay Wagon Road. Designation as secondary highway requested.

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8379	Sept. 28	Surveys. Commission approves surveys ordered by Engineer.
8381		Extensions of time as follows: Leonard & Slate, Bridge over North Fork of John Day River; R. I. Stuart & Sons, Banion-Port Orford Section.
8382		Contracts completed and accepted as follows: Consolidated Highway Co., East Unit, Jordan Creek Section; G. J. Montag & Sons, Ontario Undercrossing; Leonard & Slate, Bridge over North Fork of John Day River; Smith & Co., Maupin Rock Production Project; Harold Blake, Bear Canyon Section;
8383		Snook Bros., two bridges over Wolf Creek near Sunset Camp; Mountain States Construction Co., Spaulding Ranch Section; Fisher Bros., Carver-Redland Store Section; Saxton, Looney & Risley, Hillsboro-Airport Road Section. Agreements, et cetera, as follows: City of Klamath Falls and the California-Oregon Power Company, construction of undercrossing of Main Street, Klamath Falls; Southern Pacific Company, Central Pacific Railway Company and City of Klamath Falls, Main Street Undercrossing, Klamath Falls; Southern Pacific Company, lease of maintenance building and storage site at Woodburn; Bargain and sale deed conveying unto Anton Roskoski and wife land in Kenview Addition to Portland; Bargain and sale deed conveying unto John A. Hatala and wife land in Overlook Addition to Portland;
8384		Clatsop County. Location survey approved of proposed road from Wolf Creek Highway at Elsie to connection with Nehalem Secondary Highway at Fish Hawk Falls. Engineer to determine if road was placed on federal aid system some time ago. Construction of approach to Oregon Coast Highway from beach near north end of Arch Cape Tunnel. Action deferred. Josephine County. County to construct bridge over Illinois River on Waldo-Holland Road; state to construct approaches. Location survey ordered.
8385		Minutes approved for meetings held on Mch. 23, 24 and 25; Apr. 14, Apr. 27, 28 and 29; May 12; and June 1, 2 and 3, 1938. Gault's Boat Dock. Dewey D. Gault confers regarding construction of roadway from Pacific Highway to his boat dock in Columbia River. State to ascertain cost of right of way on east side of Pacific Highway, suggested route for Mr. Gault's roadway. P.W.A. funds. Engineer to file application for grant of funds for following: Devils Garden-Quartz Mountain Section.
8386		Wolf Creek Highway. Report of Parks Superintendent on acquiring timber tracts from Sunset Logging Company. Warm Springs Secondary Highway. Extension as secondary highway from Wasco-Jefferson County line to connection with Wapinitia Highway. Resolution adopted.
8388		Pilot Rock. Oregon-Washington Highway. Rerouting approved. Resolution adopting proposed location.

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8390	Sept. 28	Klamath Falls. The Dalles-California Highway to be retained in present location on 9th Street. Oregon City. East Portland-Oregon City Hwy. Refusal of compromise settlement with Security & Investment Company for right of way across street ends. Oregon City Laundry. Negotiations for right of way continued.
8391		Timberline Lodge Road. Maintenance from Mt. Hood Highway to Timberline Lodge requested. World's Fair. Extension of time granted World's Fair Commission to submit items of expenditure. Payment of portion of cost of renting an exhibit building at San Francisco Fair approved. Purchase of few reels of motion pictures, in addition to number in agreement with Castle Films, Inc., approved.
8392	Sept. 29	Bids received on following: Molalla Section, paving; Roadside Oasis at Brothers; Suntex Junction and Brothers Buildings; Brothers-Harney County Line Section, grading, surfacing and oiling; Crooked Creek-Lobert Section, grading, topping and oiling;
8393		Albany Section, canal and railroad roadbed; Brownsville Section, grading, surfacing and oiling; Milton Nursery Bridge over Walla Walla River;
8394		Traffic signal system in Eugene; Sale of building in South Salem; Sale of building in Oregon City; Sale of building in West Portland; Sale of buildings in Albany;
8395		Central Oregon Highway. Designation as U. S. Highway No. 14 requested. Travel & Information Department. Robert W. Sawyer confers regarding appointment of committee to study tourist travel. Signs. Circular letter to be sent to field engineers ordering removal of all advertising signs from highway rights of way. Deschutes County. Butler Market Road. Request for designation as state secondary highway or rerouting of Powell Butte Secondary Highway thereover. Commission to inspect.
8396		Bend. Third Street Grade Separation Project. Early construction again urged by Robert W. Sawyer. Clatsop County. Fort Stevens Road. Designation as state secondary highway from connection with Oregon Coast Hwy. requested. Improvement also requested. Commission to inspect.
8397		Astoria. City Manager confers regarding highway improvements. Suntex and Brothers Building Project. Engineer to file amended application for additional P.W.A. funds. State to pay excess amount if application for P.W.A. funds refused.
8398		Eugene. Pacific Highway. Permanent route discussed. Location survey of two best routes ordered.

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8398	Sept. 29	Lane County. Old Pacific Highway between Junction City and Eugene. Request denied for designation as U.S.Hwy. No. 99E. Santa Clara District. Sidewalk construction along Junction City-Eugene Secondary Highway deferred.
8399		Route "F" Highway. Walton-Noti Section. Decision deferred on furnishing powder for proposed W.P.A. project. Pacific Highway. Roseburg-Shady Point Section. Reconstruction urged.
8400		Pacific Highway West. Mrs. Ida B. Hadley presents claim for damage to her property adjacent to highway, east of Newberg. Grading work in front of her fruit stand requested. Timberline Lodge Road. Designation as state secondary highway requested by Clackamas County Planning Board. Clackamas County. Estacada-Oak Grove Fork Road. Designation as state secondary highway requested.
8401		82nd Street Highway. Improvement between Pope Hill and Oregon City requested. Umatilla County. Oregon-Washington Highway. Pendleton-Adams Section. Condemnation to be continued. Attorney to render report on right of way situation at October meeting.
8402		Date for special meeting set for October 20, 1938. Regular meeting set for November 9 and 10, 1938. Suntext Junction and Brothers Buildings. Contract awarded to Henry C. Nelson. Resolution approving award. Clackamas County. Molalla Section of Woodburn-Mt. Hood Highway. Contract awarded to Mt. States Constr. Co. Resolution. Linn County. Brownsville Section of Halsey-Sweet Home Highway. Contract awarded to Mt. States Construction Co. Resolution.
8403		P.W.A. grant. Resolution accepting offer on following: Madras-Deschutes County Line Rock Production Project.
8405		Awards. Commission announces awards on projects for which bids were received during morning session. (See page 8392)
8406		Grant County. John Day-Burns Highway. Improvement requested of 4-mile section between Seneca and Masonic Lodge picnic ground. Request denied. Hood River County. Revision of Mt. Hood Highway near Fike's Corner involving county road intersection. Reconstruction of county road to connect with present highway proposed. Engineer to inspect and report at next meeting.
8409		Hood River Secondary State Highway. Oiling between Dee and Hood River requested. Umatilla County. County Court announces award of Milton Nursery Bridge contract to C. J. Montag & Son. Albany. Permission granted to construct public rest-room facilities under approaches to Willamette River Bridge. Proposed drainage ditch. State to secure options on right of way.
8410		John Day Highway. Oiling across Butte Creek Summit requested. Timberline Lodge Road. Portland delegation urges designation as forest highway; also state to be responsible for snow removal operations.

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8413	Sept. 29	Log hauling. Cancellation of J. A. Schmidtke's P.U.C. permit to haul on Columbia River Hwy. from Brower County Road to Sandy River Bridge. Trial run of 35-ft. loads to be made. Mt. Hood Highway. Authority granted Cascade Ski Club to move buildings across highway at Government Camp.
8414		Pacific Highway West. Adoption of definite location for proposed revision in vicinity of Tigard urged.
8415	Oct. 20	Right of way budget. Increase to \$600,000 for 1938 authorized. Real property. Resolution authorizing acquisition.
8418		Campaign fund. Circular letter to employees prohibiting the soliciting of campaign funds.
8420		Portland. Pacific Highway. Attorney to negotiate for right of way for widening highway at intersection of Denver and Union Avenues on basis of exchange of properties. Oregon Coast Highway. Gearhart. Acquisition of property for widening highway deferred pending report on status of 20-ft. strip formerly under discussion. (See page 8255) Lincoln County. Request of Thomas Purdy to purchase portion of right of way at Bob Creek on Oregon Coast Highway denied. Reedsport. Umpqua Highway. Acquisition of right of way across property of Reedsport Garage and acceptance of owner's proposition relative to settlement for right of way deferred.
8421		Oregon City. Payment of fees to Alden E. Miller in connection with defense of suit against Security & Investment Company. Trial judge rules street ends are property of Security & Investment Co. Attorney to appeal to State Supreme Court. Acquisition of right of way across property of Oregon City Laundry discussed. U. S. Post Office Department opposes plans of Commission for revision of highway.
8422		Bandon. Oregon Coast Highway. Negotiations for right of way to be continued on basis of 80-ft. width. Baker County. Lee Duncan granted permission to pump water from state's gravel pit. Written permit or easement granting exclusive right denied. Willamette Highway. Transfer of \$50,000 from forest highway fund for construction of tunnel lining.
8423		Lincoln County. Siletz Secondary Highway. Surfacing and oiling requested. Corvallis-Newport Highway. Toledo-Newport Section. Reconstruction to widen and eliminate numerous curves requested. Central Oregon Highway. Bridge over Poison Creek to be named "Susan's Bridge". Roadside improvement projects. Following approved:
8424		South Entrance to Astoria; Awbray-Eugene Section; North Entrance to Medford; North Entrance to Roseburg; Summer Lake to Paisley;

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8424	Oct. 20	Roadside improvement projects (continued): North Powder-Muddy Creek Section; Stanfield-Pendleton Section. Clatsop County. County road from Elsie to Fish Hawk Falls not on federal aid system. Survey ordered.
8425		Oregon City. Conference with Postmaster and Post Office Inspector relative to widening highway past Post Office Bldg. Cottage Grove. Reconstruction of Pacific Highway requested.
8426		Albany. Salvaged material from old brewery given to Boy Scouts. Hebo. Unsanitary condition from overflow of septic tanks through culvert under McMinnville-Tillamook Highway.
8427		Ontario. Attorney to appraise damages arising out of construction of Ontario undercrossing project. Nehalem River Bridge. Repairs costing \$5,000 authorized. Benton County. Eddyville-Blodgett Secondary Highway. Application of Brown Bros. to maintain guy wire over highway near Summit denied. Pole line. Application of Oregon Utilities Company to construct pole line along Oregon Coast Highway between Wheeler and Brighton. United Air Lines. Offer of reduction in fares for state officials upon deposit of \$425 with company. Action deferred.
8428		Equipment and miscellaneous material. Purchase authorized: Material for operation of rock crushing plant, Wolf Creek Hwy; 4 rock spreaders for spreading macadam, Wolf Creek Highway. Wilson River Highway. Bridge to be named "Loyal M. Graham Bridge". Selection of bridge deferred. Wm. E. Chandler. Authority granted to attend convention of Three Flags Highway Association at Reno, Nevada. C. B. McCullough. Authority granted to attend meeting of Redwood Empire Association in Eureka, California. Harold B. Say. Authority granted to attend meeting of Redwood Empire Association in Eureka, California. American Planning and Civic Association. Request for representative to attend conference on roadway improvement in New York City.
8429		Ray Webber. Additional authorization of \$50 to cover expense of inspection trip in California approved. Awards confirmed on following contracts: Crooked Creek-Lobert Section, Roy L. Houck; Traffic signal system in Eugene, Castelleo & Stocker Electric Company. P.W.A. grants. Resolutions accepting offers on following: Rock Creek-County Line Section; More-Wasco County Line Rock Production Project; Northwestern Oregon Rock Production Project; Southern Oregon Rock Production Project; Central Oregon Rock Production Project.
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8439		Wage rates. To be paid on following. Resolutions Rock Creek-Morrow County Line Project;

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8440	Oct. 20	Wage rates (continued): Umpqua River Bridge project; Deschutes River-Madras project; Madras-Deschutes County Line rock production project; Charleston-Miner Creek project; Provolt rock production project; Richland-Halfway project; More-asco County Line rock production project; Southern Oregon rock production project; Central Oregon rock production project; Northwestern Oregon rock production project; Albany maintenance building project.
8441		Log hauling. Douglas Puckett granted authority to transport logs during Saturday afternoons and Sundays over sections of Klamath Falls-Lakeview and Green Springs Highways.
8442		Clackamas County. Shipley Bridge. Commission to receive bids for construction of bridge on behalf of County Court.
8443		Lane County. Territorial Secondary Highway. Oiling from Gillespie Corners to Addison Lumber Company's mill requested.
8444		Deschutes County. Request for advance of portion of motor vehicle license funds for road-warrant indebtedness denied.
8445		Request for advance of portion of motor vehicle fund for bonded indebtedness approved.
8446		Eugene. Pacific Highway. Immediate adoption of permanent route urged by H. B. Brady.
8447		Forest Grove. Tualatin Valley Highway. Plans for rerouting highway requested.
8448		Cooms Bay Wagon Road. Designation as secondary state highway from Roseburg to Sithum, thence to Myrtle Point, requested.
8449		Waldport. Oregon Coast Highway. Oiling full width from Alsea Bay Bridge to sea wall south of city requested.
8450		Clatsop County. Inspection of Fort Stevens Road urged.
8451		The Dalles-California Highway. Newspaper item from Klamath Falls paper relative to hazard at Lost River Bridge crossing.
8452		Nyssa. Old Oregon Trail. Request for oiling denied.
8453		Bonds. The Dalles Chamber of Commerce opposes issuance of \$18,000,000 of bonds to finance highway work.
		Mrs. William Hanley. Receipt acknowledged of resolution honoring the late William Hanley.
		Salem. Request of W. E. Milburn to operate concession at Salem shops denied.
		Tualatin Valley Highway. Improvement for four lanes of traffic between Sylvan and Beaverton. Request denied.
		Hillsboro-Woodburn Secondary Highway. Oiling of highway from Scholls to Campbells Bridge denied.
		Bend. Third Street grade separation project. Robert W. Sawyer requests award of contract this fall. Commission to secure options for right of way. Application for hearing to be filed with Public Utilities Commissioner.

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8453	Oct. 20	Pacific Highway. Roseburg-Shady Point Section. Advance of construction urged. State Game Commission. Letter referred to Engineer regarding gravel pit on Pendleton Game Farm. Signs. Letter to Engineer relative to directing public's attention to game farms and fish hatcheries. Lincoln County. Oregon Coast Highway. Disposal of old right of way in vicinity of Nelscott. Resolution.
8455		Extensions of time, as follows:
8456		R. I. Stuart & Sons, Klamath Falls Rock Production Project; Roy L. Houck, Lamb Creek-Sheep Ridge Section; Mountain States Construction Co., South Yamhill River Bridge and Underpass;
8457		Berke Bros., Inc., Arch Cape-Beach Creek Section; Roy L. Houck, Corvallis-Newport & Eddyville-Blodgett Highways. Rock production.
8458		Contracts completed and accepted, as follows: South Yamhill River Bridge and Underpass, Mt. States Construction Company; Eddyville Rock Production Project, Roy L. Houck; West Fork Dairy Creek Section, J. F. Johnston; Siuslaw Junction-Ross Station Section, Mountain States Construction Company; Chenoweth Creek-The Dalles Section, H. R. Rice; Dixonville Section, Harold Blake.
8459		Oregon City. East Portland-Oregon City Highway. Condemnation resolution authorizing acquisition of following properties: Security & Investment Company of Oregon City; R. E. Schofield and R. W. Knoefel.
8460		Agreement, et cetera, as follows: Deschutes County, payment of county's indebtedness for construction of 1.2 mi. section of Century Drive Sec. Highway; Portland General Electric Company, construction of power transmission pole line across Silver Creek Falls State Park; W. H. Kay, maintenance of logging road over and across Humbug Mountain State Park;
8461		Hattie and Leo Cieslak, lease on property acquired from Fred Volz at Silver Creek Falls State Park; City of Eugene, award of contract for installation of traffic signals in Eugene; Minnie T. and Frank H. Reed, acquisition of right of way for Upper Columbia River Highway; Minnie T. and Frank H. Reed, location and maintenance of dock on state property; Bargain and sale deed conveying unto E. H. and Anna M. Moore property in Sherman County; Bargain and sale deed conveying unto Jettora Asbahr land in the city of Portland; Warranty deed conveying unto Anton and Eva Roskoski land in the city of Portland.

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8461	Oct. 20	Dates for next regular meeting set for November 17 and 18 and December 22, 1938. (if two-day session, start on December 21)
8462	Nov. 14	Deschutes County. Century Drive Secondary Highway. Rerouting along Riverside Drive requested. Tentative decision to hold public hearing after 1939 Legislature adjourns. Butler Market Road. Delegation discusses improvement as federal aid project. County to contribute funds toward improvement.
8464		Powell Butte Secondary Highway. Section from junction with Butler Market Road to Central Oregon Highway to be left on state secondary highway system. Century Drive Secondary Highway. (old route). Abandonment requested. Resolution ordered. Tumalo Creek recreational area road. State aid in connection with construction denied.
8465		Grant County. John Day Highway. Delegation urges improvement of John Day-Prairie City Section.
8466	Nov. 15	Wallowa County. Delegation confers regarding improvement of: Enterprise-Flora Highway from Enterprise to forest boundary; Wallowa Lake Highway, particularly over Minam Hill. Oregon Trail Association confers regarding construction of miscellaneous projects.
8467		Old Oregon Trail. Reconnaissance survey ordered of change between Ontario and Huntington. Union County. Delegation confers and presents list of projects for improvement.
8469	Nov. 16	Umatilla County. Weston-Elgin Secondary Highway. Delegation requests oiling from Weston to Tollgate.
8470		Sweet Home. Santiam Highway. Report on right of way required for sidewalk construction. Acquisition authorized.
8471		Snow removal. Santiam and North Santiam Highways. Snow-removal operations to be conducted by state. Marion County to pay cost of such work. McKenzie Highway. Expenditure of \$1,000 authorized to keep highway open as far as Pole Bridge Cabin. Pacific Highway. Siskiyou Section. Claim of L. D. Dollarhide for damage to his property south of Ashland. Payment of \$50 authorized. Memorial Marker. Location of monument marking site of Fort Klamath referred to Lewis A. McArthur.
8472		Log hauling. Application of E. S. Schwantes to truck logs across Columbia River Highway in Mosier denied. Baker County. Robinette Secondary Highway. Removal of timber from tunnels denied. Engineer to ascertain ownership of tunnels. Valley Falls-Cinder Butte Section. Burns-Lakeview and Fremont Highways. Penalty imposed on Medford Concrete Construction Company for failure to complete contract within time limit modified.

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8472	Nov. 16	Fines for violation of motor vehicle laws. Secretary of State requested to give official recognition to report on investigations made.
8473		Equipment. Engineer authorized to purchase following: 1 Kohler light and power plant for section headquarters at Meacham; 2 electric gasoline pumps for shops at LaGrande and Klamath Falls; 1 saw and jointer for LaGrande shops; 1 Mercury vacuum gauge for LaGrande shops; 2 floor jacks for Klamath Falls shops; Vacuum cleaning attachment for Salem shops; 4 sets power-operated greasing equipment for each of shops; 3 machines for cleaning equipment by use of solvent; 4 semi-trailer tanks and 1 flat bed semi-trailer; 1 electric welder for use on Wolf Creek Highway W.P.A. work. American Association of State Highway Officials. Following authorized to attend convention in Dallas, Texas: Henry F. Cabell, E. B. Aldrich, F. L. Tou Velle, R. H. Baldock, J. M. Devers, and G. S. Paxson. Columbia County. Nehalem Secondary Highway. Abandonment of portion of Mile Bridge Section. Resolution adopted. Draftsman. Request denied for services of draftsman to prepare topographical map of Oregon for use of State Planning Board. Pacific Highway. Henry Hout requests permission to construct roadway approach to highway at end of overcrossing structure between Junction City and Eugene. Marion County. Extension of Scotts Mill county road from present terminus to connection with North Santiam Hwy. near Gates requested.
8475		
8476		Jackson County. Pacific Highway. Request of Harry Polk to construct tunnel across highway near Bear Gulch denied. Plant collection. Manager of Astoria Nursery Unit, Soil Conservation Service, granted permit to collect plants and seeds along rights of way of state highways. Extensions of time, as follows: Coos Bay Construction Company, Elsie-Nehalem River Section; E. L. Rigdon, Harris Creek-Chalk Cliff Section; Newport Construction Company and Kern & Kibbe, St. Helens-Warren Section; McNutt Bros., Cottonwood Creek-Maddock Corner Section; Edwin C. Gerber, Sheeley Bridge Section; Rogers Construction Company, Enterprise-Scotch Creek Section.
8477		
8478		
8479		Contracts completed and accepted, as follows: Klamath Falls Rock Production Project, R. I. Stuart & Sons; Arch Cape-Beach Creek Section, Berke Bros.; Harris Creek-Chalk Cliff Section, E. L. Rigdon; Mt. Hood Rock Production Project, Saxton, Looney & Risley; Walluski River Bridge Section, Mt. States Construction Co.;

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8479	Nov. 16	Contracts completed and accepted (continued): St. Helens-Warren Section, Newport Construction Company and Kern & Kibbe;
8480		Williamson River Bridge, Mountain States Construction Co.; Cottonwood Creek-Maddock Corner Section, McNutt Bros.; Bridge over South Fork of Rock Creek, Snook Bros.; Northeast 33rd Avenue Overcrossing, Birkemeier & Saremal; Sheeley Bridge Section, Edwin C. Gerber; Enterprise-Scotch Creek Section, Rogers Construction Co.; Court Street Section, Oregon Contracting Company.
8481	Nov. 17	Bids as follows opened and read: Richland-Halfway Section, oil mat surface treatment; Shipley Bridge construction; Charleston-Miner Creek Section, grading and surfacing; Rock Creek-Morrow County Line Section, grading;
8482		North Unit, Bear Canyon-State Line Section, grading; Madras-Deschutes County Line Section, crushed rock; Klamath Falls Main Street Undercrossing; Odell Lake-Walker Mountain Section, surfacing and oiling;
8483		Newport Rock Production Project; Maintenance building at Albany; Lebanon-Foster Section, crushed rock or gravel; State Hospital-Ash Street Unit, Pendleton Landscaping; Sale of buildings at Albany.
8484		Wasco County. Celilo Indian village. Cleaning up of roadside.
8485		Wolf Creek Highway. Report of Parks Superintendent on prices set by Sunset Logging Company for timber strips. Curry County. Purchase of ocean-view park site from Blacklock Sandstone Company of San Francisco deferred. Wolf Creek Highway. Report of Parks Superintendent on prices set by Oregon American Lumber Company and H. B. Van Duzer for timber strips. Ecola State Park. Request of State Game Commission to trap elk for rehabilitation purposes denied. Gearhart Beach property. Acquisition of 20-ft. strip adjacent to Oregon Coast Highway deferred pending investigation of company's proposal. (See page 8255)
8486		National park or monument. National Park Service proposes to establish monument or park along Oregon coast line. Three sites suggested. No action taken. Pole line. Application of West Coast Power Company to construct pole line through Benson Park. Multnomah County. Benson Park. Survey ordered north of railroad tracks to complete deal with City of Portland for acquisition of park.
8487		Asalea State Park. Surfacing of road from Oregon Coast Highway to park approved. Engineer to determine whether expense to be charged to maintenance or parks budgets.
8488		P.W.A. grants. Resolutions accepting offers of grants on:
8490		Devil's Garden-Quarts Mountain Section; Eastern Oregon Rock Production Project.

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8491	Nov. 17	Wage rates. Resolutions establishing minimum rates on:
8492		Devil's Garden-Quartz Mountain Section;
8493		Eastern Oregon Rock Production Project.
8494		Dates for next regular meeting set for December 19 & 20, 1938. Conference with Bureau of Public Roads and Forest Service set for afternoon of December 20, 1938. Oregon City. East Portland-Oregon City Highway. Delegation confers regarding construction on new alignment.
8495		Clackamas County. Designation of county road from West Linn to connection with Pacific Highway West. Action deferred. Group insurance. Conference with representatives of California Western States Life Insurance Co. Definite action deferred. Hospital Associations. Agreements with National Hospital Association, Multnomah Industrial Association, and Salem Physicians and Surgeons Hospital Association continued. Pacific Highway. New route between Salem and Eugene suggested by H. R. Peets of Turner. Kings Valley Secondary Highway. Delegation from Polk and Benton Counties request improvement next summer.
8496		Pacific Highway. Siskiyou Mountain Section. Frank Forth confers regarding damage to his property south of Ashland. Washington County. Gales Creek Road. Delegation from Forest Grove requests maintenance extended to junction with Wilson River Highway near Glenwood. Maintenance authorized. Wilson River Highway. Maintenance of new grade to Consolidated Timber Company's camp requested. To be maintained by state if W.P.A. fails to assume responsibility.
8497		P.W.A. Projects. Resolutions awarding contracts for following:
8498		Richland-Halfway Section; Norris Brothers;
8499		Charleston-Miner Creek Section, Coos Bay Dredging Company; Rock Creek-Morrow County Line Section, H. L. Rice; Madras-Deschutes County Line Section, Fisher Bros.;
8500		Newport Rock Production Project; E. F. Altree; Albany Maintenance Building, Vlesko & Hannaman; Lebanon-Foster Section, A. S. Wallace.
8501		Right of way budget. Attorney's report on expenditures in excess of amount budgeted. No action taken. Real property. Resolution authorizing acquisition.
8506		Condemnation. Resolution authorizing condemnation on following: Pacific Highway, Myrtle Creek Section, quarry site, John T. Black and William Berdine;
8508		Ochoco Highway, Ochoco Dam-Marks Creek Section, Ochoco Timber Company; Cape Arago Highway, Charleston-Miner Creek Section, G. Von Salzen, Lillian Smith, Nick Bastendorf Estate; Pacific Highway, Dillard Section, Jennie McKay; Klamath Falls-Lakeview Highway, Drews Valley Section, Mathew Zdroleas; Santiam Highway, Sweet Home Section, Vivian Weddle Long, and G. E. Long

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8509	Nov. 17	Klamath County. Request of Walker & Hovey, logging operators, to purchase rock from state quarry near Beatty denied. Awards. Commission announces awards on projects for which bids were received during morning session. (See page 8481)
8512		Albany. Buildings on which no bids were received to be disposed of at private sale. Travel and Information Department. Conference with Advisory Board on Publicity Matters. Increasing budget to \$120,000 for 1939 discussed.
8513		Appointment of special committee as recommended by Advisory Committee discussed. Use of Kathryn Gunnell's motion pictures at San Francisco Fair denied.
8514	Nov. 18	Bids as follows opened and read: Olney-Jewell Section, crushed rock in stock piles; Ochoco Dam-Marks Creek Section, grading, trestle bridge, surfacing and oiling, also crushed rock; Roadside oasis at Brothers; Umpqua River Bridge Section, bridge and roadway approaches; Powers Ranch-Jacksonville Section, crushed gravel;
8515		Vanora-Madras Section, surfacing and oiling; Jamieson-Lancaster Section, grading, surfacing and oiling, timber bridges, crushed rock; Frame building for car storage at Salem; Corbett Station-Rooster Rock Section, clearing, grading, rock toe embankment;
8516		Moro-Wasco County Line Section, crushed rock; Pendleton-State Farm Section, grading and oiling; Sheridan-Polk County Line Section, grading, surfacing, oiling.
8517		Gault boat dock. Portland. Mr. Dewey D. Gault confers regarding construction of approach road to Pacific Highway from his premises. Construction of road through Westerlund property discussed.
8518		Travel and Information Department. Advisory Committee recommends budget of \$120,000 for 1939. Commission accepts recommendation. Advisory Committee presents resolution urging importance of appointing special committee to study conditions affecting tourist travel.
8519		Awards. Following referred to Engineer: Powers Ranch-Jacksonville Section, noncollusion affidavit to be signed by low bidder;
8520		Corbett Station-Rooster Rock Section, right of way to be settled; Moro-Wasco County Line Section, two identical bids. Decision to be made by lot. P.W.A. Projects. Resolutions awarding the following: Olney-Jewell Section, D. L. Ashton; Umpqua River Bridge Section, C. J. Montag & Sons; Powers Ranch-Jacksonville Section, R. I. Stuart & Sons;
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8522	Nov. 18	<p>P.W.A. Projects. Resolutions (continued):</p> <p>Vanora-Madras Section, J. C. Compton.</p> <p>Sherman County. Surfacing of Erskinville Road requested.</p> <p>Transfer of \$10,000 budgeted for Moro-Hay Canyon Road discussed.</p> <p>Wasco-Heppner Secondary Highway. Improvement of Cottonwood Grade Section requested.</p> <p>Sherman Highway. Oiling of unoiled portion requested.</p> <p>Reedsport. Umpqua Highway. Improvement requested.</p> <p>City requests assistance of a highway engineer in planning city street improvements. Request granted.</p>
8523		Awards. Commission announces awards on projects for which bids were received during morning session. (See page 8514)
8525		P.W.A. Projects. Resolution awarding the following:
8526		<p>Moro-Wasco County Line Section, Rogers Construction Company.</p> <p>Oregon City. East Portland-Oregon City Highway. Offer of Security and Investment Company to settle for right of way refused.</p> <p>Tigard. Report on right of way to be rendered at next meeting.</p> <p>Pacific Highway West. Claim of Mrs. Ida B. Hadley for damage to her property near Newberg denied.</p> <p>Benton County. Corvallis-Eastside Secondary Highway. Resolution extending highway from east end of Willamette River Bridge to connection with Albany-Corvallis Highway, Corvallis.</p>
8527		<p>Repairs to Willamette River Bridge authorized.</p> <p>Deschutes County. Century Drive Secondary Highway. Resolution abandoning short section near Bend.</p>
8529		<p>Portland. Closing of Webster Street intersection by parkway on Interstate Avenue project opposed.</p> <p>Agreements, et cetera, as follows signed:</p>
8530		<p>O.W.R. & N. Co. and Union Pacific Railroad Co. relative to right of way for Columbia River Highway between Troutdale and Warrendale;</p> <p>Pacific Power & Light Company, continuing agreement relative to attachment of pole line on Lewis & Clark Bridge;</p> <p>Klamath Falls, maintenance of Klamath Falls Undercrossing;</p> <p>Wayne W. and Pearl T. Watson, construction of bulkhead on Coos Bay-Roseburg Highway;</p> <p>Yamhill County Court, maintenance of Sheridan-Polk County Line</p> <p>Line Section of Sheridan-Ballston County Road;</p> <p>Clackamas County, payment of \$500 to county as state's share of cost of disposing of claim of John F. Putnam, et al, arising out of construction of East Portland-Oregon City Highway;</p> <p>Idaho Power Company, furnishing of electrical energy for lighting Ontario underpass;</p> <p>Letter directed to U. S. Bureau of Public Roads correcting description of Federal Aid Highway No. 39;</p> <p>Bargain and sale deed conveying unto Oregon-Washington Railroad and Navigation Company land in Hood River County;</p> <p>Bargain and sale deed conveying unto Southern Pacific Company land in city of Albany;</p>

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8530	Nov. 18	Agreements, et cetera, (continued): Quitclaim deed conveying unto S. B. and Hattie Chandler land in Lake County;
8531		Easement conveying unto Southern Pacific Company right to construct, operate and maintain wye track and appurtenances on state-owned property in Albany.

Portland, Oregon, July 20, 1938

The Oregon State Highway Commission met in regular session at 8:00 o'clock p. m. in the Rose Room of the Benson Hotel. Present were:

E. B. Aldrich, Commissioner and Acting Chairman
 F. L. Tou Velle, Commissioner
 R. H. Baldock, State Highway Engineer
 J. M. Devers, Attorney
 H. B. Glaisyer, Secretary

The Commission's Chairman, Mr. Henry F. Cabell, was absent.

The attorney brought up for discussion matters pertaining to the acquisition of right of way for the East Portland-Oregon City Highway across the property of the Security and Investment Company. He said that this matter is going to trial and that the City of Oregon City has asked him to assist in the case, which is being brought by the Security and Investment Company. After discussion, the Commission authorized the Attorney to assist the city in this matter.

In this connection the Attorney advised that it will be necessary to condemn the right of way that is needed across the property of the Oregon City Laundry Company, on Fifth Street. He requested authority to commence the condemnation proceedings. The Commission approved the request and, by the affirmative vote of the members present, adopted the following resolution in regard thereto:

WHEREAS, the State Highway Commission is by law authorized and directed to lay out, locate, designate, construct, improve, and maintain a system of state highways in the State of Oregon, and to acquire rights of way and to declare the necessity and need for the acquisition thereof, and the advantages to be gained thereby;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the State Highway Commission does hereby find and declare that it is necessary and will be of advantage to the State of Oregon and there is need that the State acquire for right of way purposes in connection with the permanent location, construction, improvement, and maintenance of the following section or sections of the state highway system of the State of Oregon, to-wit:

Oregon City Section of the East Portland-Oregon City Highway

land and property owned by or in possession of the following parties and/or persons, to-wit:

Property commonly known as property of Oregon City Laundry Company

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as their respective interests may appear, and this Commission does hereby declare further that the said property or properties are necessary, are needful, and the acquisition thereof will be of advantage to the State of Oregon for right of way purposes in order to make it possible for the State Highway Commission to properly locate, construct, and maintain said portion or portions of the said state highway system in accordance with standards adopted by this Commission relative to curvature, grades, alignment, drainage, and factors of safety.

2. That the State Highway Engineer be and he hereby is instructed and directed to properly survey the parcel or parcels of land required for such right of way purposes and prepare proper and adequate descriptions thereof, which descriptions shall be employed in the preparation of a deed or deeds or other instrument or instruments necessary to complete the acquisition of the said property or properties or which descriptions may be used in the preparation of a complaint in the event that condemnation proceedings are necessary.

3. That the boundaries of the said parcel or parcels of land, as defined and determined by the said survey made by the said Highway Engineer, along the route or location adopted by the Highway Commission, shall be and the same hereby are adopted and the lands defined therein are hereby declared to be and the same are included within the rights of way of the said portion or portions of the said state highway system and hereby are declared to be necessary for the proper location, improvement, construction, and maintenance of the said portion or portions of the state highway system.

4. That I. H. Van Winkle, Attorney General of the State of Oregon and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they are hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby further resolved that the Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they hereby are requested to commence and prosecute to a final determination such suit or action, or suits or actions, as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

The Engineer requested instructions in regard to the removal of a certain sign which encroaches upon the Columbia River Highway right of way in

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the Parkross District just east of Portland, which sign is owned by W. B. Herron. He was instructed by the Commission to notify the owner to remove this sign within 10 days and, if the sign is not removed within that time, to have it removed by State Highway Department forces and stored, pending claiming of the same by the owner.

The Engineer also requested instructions with respect to the disposal of the Harris Lumber Company matter at Drain. In this case, the Harris Lumber Company is using the Pacific Highway right of way in connection with the loading of lumber on cars at a point about one mile north of Drain and the company refuses to discontinue such use of the highway, notwithstanding that it has been requested to do so numerous times, it being contrary to the established policy of the Commission to permit the use of the highway for such purposes. The Commission instructed the Engineer to again notify the Harris Lumber Company to remove its facilities from the highway and, if it does not do so within a reasonable length of time, to take legal action as may be necessary to force the company to vacate the highway right of way.

The Engineer also brought up for discussion the matter of construction of a power transmission pole line on the Nehalem Secondary Highway by the Nehalem Valley Cooperative Electric Association. He advised that a permit was issued to this company to construct a pole line in a certain location on this highway but the company has not built the line in accordance with the provisions of the permit and, as a result, the line as constructed creates a hazard to the traveling public. Furthermore, the company has left a lot of debris lying on the highway which is not only unsightly but is a fire hazard. The Commission instructed the Attorney to write the company to the effect that it must rebuild its power line in conformance with the provisions of the permit and clean up the premises, otherwise the Commission will cancel the permit and will ask the Public Utilities Commissioner to order the de-energization of its line.

The Engineer requested instructions in regard to power transmission pole line construction along the Klamath Falls-Lakeview Highway in the vicinity of Lakeview, Lake County. He advised that the Surprise Valley Power Company of California has filed an application for permission to construct its pole line along and across this highway and has proceeded with the erection of poles and wires notwithstanding that the permit has not yet been granted and, in one particular instance, has suspended its wires across the highway in an undesirable location creating a traffic hazard.

He further advised that the West Coast Power Company has also filed a request for a permit to construct its pole line across this highway a short distance from the crossing of the Surprise Valley Power Company's line, but at a more desirable point. He said that he hesitated to approve this crossing in view of the Commission's policy to keep the number of the crossings at a minimum and to require joint pole line construction of like facilities on highway rights of way.

He recommended, in view of the fact that the application of the Surprise Valley Power Company was filed before that of the West Coast Power

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Company, that the Surprise Valley Power Company be granted a permit subject to the condition that it will rebuild its pole line so as to cross the highway in a more desirable location and will install poles of sufficient height to accommodate also the wires of the West Coast Power Company. He also recommended that the Surprise Valley Power Company be given a reasonable length of time within which to accept and carry out the Commission's order in this regard and, if the company does not comply with such order, that the permit be granted to the West Coast Power Company and that legal action as may be necessary be taken against the Surprise Valley Power Company to effect the removal of its poles from the highway right of way. After considerable discussion, the Commission approved the Engineer's recommendation and ordered that the Surprise Valley Power Company be informed accordingly.

The Secretary reported receipt of a request from the City of Ontario, through Honorable Earl Snell, Secretary of State, for permission to close two blocks of the state highway in the town of Ontario, for two or three days during the period that the Malheur County Fair is in progress, so that the highway may be used for Fair purposes. The Commission denied the request as a matter of policy.

The Attorney requested instructions in regard to the acquisition of right of way across the properties of the McGuire Construction Company and Emily A. Ricard which is needed for the Interstate Avenue improvement in Portland. He recalled that the Commission previously authorized condemnation of this right of way but he questioned the advisability of proceeding with the suit in view of the fact that there is a difference of only \$200 between the amount offered by the State and the amount demanded by the owners. He suggested a compromise settlement with the owners in order to avoid condemnation. The Commission approved the suggestion and so ordered.

Reconsideration was given by the Commission to the matter of acquiring from the First National Bank of Albany, et al, 27.369 acres of land that are needed in connection with the construction of the Albany section of the Pacific Highway. The Commission previously approved the payment of \$100 per acre for this property but questioned the necessity to acquire such a large area. The Engineer advised that a portion of this property is needed for right of way and it is also proposed to take gravel from the tract for use in connection with the construction of the Albany overhead structure, including material needed for the highway fill. He estimated that the state would need about 298,500 cu. yds. of material which would justify the acquisition of the entire tract at this time. In view of the circumstances, the Commission authorized the purchase of the entire tract at the price quoted.

The Engineer requested authority to acquire certain parcels of real property that are needed for various highway improvements throughout the state. He submitted a list of such properties, together with prices that he recommended be paid for each. After careful consideration, the Commission approved the Engineer's request and by affirmative action of the members present adopted the following resolution in regard thereto:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth, and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon, and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Boyer-Otis Section - Salmon River Highway</u>				
3140A-Bundy, H. W.	Revetment	0.3	Lump sum-\$150	McCallister
3140 -Bundy, H. W.	R/W	0.06	Lump sum-\$10	"
<u>Jamieson-Lancaster Section - John Day Highway</u>				
6143-Pope, J. L.	R/W	616 sq.ft.	Land gratis, plus \$175.00	Collins
5968-Brown, Florence A.	"	1.14	\$150 per a. plus \$329	"
5967-Norwood, Mabel, Estate	"	0.52	\$150 per a. plus \$22	"
5966-Brown, C. J.	"	5.0	\$125 per a. plus \$975	"
5970-Coleman, J. A.	"	0.67	Gratis	"
<u>Buford Creek Section - Enterprise-Flora Highway</u>				
6099-Wilson, Albert	R/W	1.61	Land gratis, plus \$5	Collins
4209-Applegate, E. W.	"	24.63	\$5 per a. plus \$551.35	"
6098-Shelton, L. D.	"	5.59	\$20 per a., plus \$488.20	"
<u>Enterprise-Scotch Creek Section - Hurricane Creek County Road</u>				
6067-Federal Land Bank and Ray Emmett	Gravel pit & Haul Road	2.17	2-yr. lease at \$125 per yr. plus fencing	Williams
<u>Madras-Terrebonne Section - The Dalles-California Highway</u>				
6115-Deschutes County	R/W and stock pile site	187,888 sq.ft. plus 1.1565 a.	Gratis	Gardiner

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Ross Station-Arverd Section - Pacific Highway</u>				
6105-Young, C. M.	Gravel Pit	5.0	\$150 per a., plus \$50	Benson
<u>Eugene-Springfield Junction Section - Pacific Highway</u>				
6164-Harlow, Amanda J.	R/W	0.078	Lump sum - \$150	Lytle
<u>Lane County Line-Umpqua River Section - Oregon Coast Highway</u>				
6172-Northwestern National Bank of Portland	R/W	0.79	\$100 per a.	McCallister
<u>Siletz-Newport Section - Oregon Coast Highway</u>				
4437-Hood, Laura	R/W	1650 sq.ft.	10¢ sq.ft. plus \$15	"
<u>Klamath County Section - Green Springs Highway</u>				
6051-Kerns, G. G.	Stock pile	1.0	5-yr. lease at \$15 per yr.	Gardiner
<u>Salem-12th Street Junction Section - Pacific Highway East</u>				
5580-Edmundson, Alice E.	R/W	4111 sq.ft.	5¢ sq.ft. plus \$95	McCallister
5765-Ball, William E.	"	1873 " "	2¢ sq.ft. plus \$333.25 plus moving buildings (estimated at \$600)	"
5768-Albert, Jos. H.	"	3746 " "	2¢ sq.ft. plus \$115	"
5573-Gillette, Sam'l B.	"	212 " "	5¢ sq.ft. plus recon- struction sidewalk and rebuilding rock wall and steps (Estimated at \$200)	"
5572-Jean, V. L.	"	158 sq.ft.	5¢ sq.ft. plus con- struction of sidewalk	"
5571-Rieck, Arthur A.	"	25 " "	10¢ sq.ft.	"
5784-Judson, Edith C.	"	10105 " "	4¢ sq.ft. plus \$100	"
5569-Birdwell, Charlotte R.	"	11 " "	Land \$1 plus \$35	"
5914-Palk, Conrad	"	7694 " "	5¢ sq.ft. plus \$745	"
5576-Plank, Frances	"	369 " "	5¢ sq.ft. plus \$70	"
5574-Reed, Leo V.	"	141 " "	Land \$10, plus \$10 plus retaining wall (estimated at \$25) plus concrete walk and steps	"
5771-Cotton, I. F.	"	1438 sq.ft.	3½¢ sq.ft.	"
5577-Poisal, H. S.	"	989 " "	5¢ sq.ft. plus \$145 plus reconstruction concrete sidewalk and driveways	"
<u>Killingsworth-Lombard Section - Northeast Portland Highway</u>				
5425) 1056) Williams, F. B.	R/W	6018 sq.ft.	3¢ sq.ft. plus \$144.46	Parker
<u>Columbia Boulevard-Harding Avenue Section - Pacific Highway West</u>				
5054-Woodward, Caroline W.	R/W	3 lots	\$100 subject to taxes	Benson
5066A-Reid, John J.	"	10,000 sq.ft.	10¢ sq.ft.	"

(continued)

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Columbia Boulevard-Harding Avenue (continued)</u>				
5073-Burgard, John H.	R/W	379 sq. ft.	10¢ sq.ft.	Benson
5072-Oringdolph, Fred	"	2802 " "	10¢ sq.ft. plus \$42	"
5075-Oringdolph, Fred	"	1002 " "	10¢ sq.ft. plus \$28	"
6064-Vincent, W.L.(F.J.Hoyes)	"	5000 " "	lump sum - \$3500	"
5057-Asbahr, Jettora	"	43 " "	Exchange for approxi- mately 324 sq.ft. lying outside right of way	"
<u>Fleming Ranch-Shindler Bridge Section - Albany-Lyons Highway</u>				
3993-Rhoda, William	R/W	0.073	\$100 per a. plus \$10	McChesney
3994-Rhoda, William	"	0.552	\$100 per a. plus \$73	"
3991-Myers, Jefferson	R/W, Gravel Pit			"
	Channel Change	1.63	\$50 per a. plus \$43.50	"
4530-Gaines, Jorie W.	R/W	Lump sum	(3.0 a. at \$100 per a.	"
		6.17 a.	\$712.50 3.17 a. at \$50 per a.) plus \$254.00	"
3990-Chladek, Anna	R/W	3.0	\$100 per a. plus \$500	"
4532-Westenhouse, K. A.	Gravel pit	5.14	1.5 a. at \$100 per a. 3.64 a. at \$50 per a. plus \$35	"
3998-Westenhouse, K. A.	R/W	1.43	\$100 per a. plus \$240	"
3992-Fleming, J. B. et al	"	0.67	\$50 per a.	"
3995-Fleming, Edwin	Borrow pit- channel change	C.34	\$50 per a.	"
3996-Stellmacher, John A.	Borrow Pit- channel change	0.22	\$100 per a.	"
3992-Fleming, J. B.	R/W	1.01	\$100 per a. plus \$282	"
3996-Stellmacher, John A.	"	0.29	\$100 per a. plus fenc- ing \$11	"
<u>Forest Boundary-Elgin Section - Weston-Elgin Highway</u>				
6102A-Hill, Wm. C.	Gravel Pit	1.74	\$15 (approx) per a. Total \$25	Williams
<u>Deschutes County Section - Redmond-Prineville Highway</u>				
6073-Wester, Florence	Snow Fence and R/W	2.441	lump sum \$100 plus moving fence	Gardiner
<u>Murphy-Provolt Section - Williams Secondary Highway</u>				
6179-Loesch, Louis	stock pile	0.77	lump sum \$50	Lytle
<u>Drews Valley Section-Klamath Falls-Lakeview Highway</u>				
6162-Read, Joel P	R/W	0.36 a.	Lump sum \$10	Gardiner
<u>Triangle Lake Section - Siuslaw Highway</u>				
P-190 U.S.Government	Park	120	\$55 per yr.-1 yr lease	Boardman

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amount	Agent
<u>Loon Lake Park Section - Umpqua Highway</u>				
P-191 U. S. Government	Park	51.51	\$6.44 for 1-yr. lease	Boardman
<u>Camas Mountain Section - Coos Bay-Roseburg Highway</u>				
P-60 U. S. Government	Park	160	\$127.50 for 1-yr. lease	Boardman
<u>Klamath County Section - Klamath Falls-Lakeview Highway</u>				
P-188 U. S. Government	Park	80	\$10 for 1-yr. lease	Boardman
<u>Airport Road-Albany Section - Pacific Highway East</u>				
5738-Linnie M. Umphrey, et al	R/W and gravel pit	27.369	\$100 per a.	Gardiner
<u>Shedd-Halsey Section - Pacific Highway East</u>				
6183-Coon, Mike S.	Borrow Pit	600 cu. yds.	5¢ cu. yd. 4-mos. lease	Benson
6162-Moody, Fred S.	" "	1200 cu. yds.	5¢ cu. yd. 4-mos. lease	"

A letter was presented from Mrs. Gladys F. Gunther, Lakeview, Oregon, stating that she had heard rumors to the effect that the Commission proposes to deed back to Mrs. S. B. Chandler, Lakeview, the property included in what is known as Chandler State Park adjacent to the Fremont Highway, in Lake County, which park was presented to the state as a gift on July 25, 1928, by her husband, the late Mr. S. B. Chandler. Mrs. Gunther states that she is a daughter of Mrs. Chandler and desires to know whether or not the rumors are well-founded. The Commission referred this matter to the State Parks Superintendent for reply.

The Engineer brought up for discussion matters pertaining to the proposed Sandy Boulevard improvement, in Portland, bids for which project are to be received on the following day. He advised that the plans include the improvement of 30 blocks, from 15th Avenue to 45th Avenue, by widening so that the street will be 60 feet wide between curbs, thus allowing for four lanes of moving traffic and one lane on each side for the parking of cars and a neutral strip along the center line. He further stated that, for a distance of about 3 blocks through the Hollywood business district, this will necessitate cutting the sidewalks back from a 15-foot width to a 10-foot width, to which action the local businessmen object. He requested instructions from the Commission in regard thereto and recommended retention of the present plans and the award of the contract on that basis.

W. H. Lynch, District Engineer of the Bureau of Public Roads, was present and stated that the local businessmen called upon him in regard to the cutting back of the sidewalk and apparently they are holding the Bureau of Public Roads responsible inasmuch as federal funds are to be used to finance the work. He suggested that these people be given an opportunity to discuss the matter with the Commission before the contract is awarded. After considerable

discussion the Commission decided to proceed with the taking of bids for the project, as advertised, and to award the contract on the same day, if a satisfactory bid is received. However, the Commission expressed a willingness to hear a delegation of the local businessmen regarding this subject should it appear on the following day.

The State Parks Superintendent, Mr. S. H. Boardman, was present and reported on the following park matters:

Application of West Coast Power Company to construct power pole line through the state park recently acquired from the Pratt interests along the Oregon Coast Highway, in Lincoln and Lane Counties:- The Parks Superintendent stated that the West Coast Power Company wants to build its line through this newly-acquired state park and has already slashed a right of way 20 feet wide for some distance into the park but he is opposed to the desecration of the park in this manner. He suggested that the company be permitted to construct its pole line on the east side of the highway right of way overbuilding the telephone line that exists in such location. He pointed out that such construction would leave the west side of the highway free of poles, which is in line with the Commission's established policy with respect to the preservation of scenic views along this highway.

The Engineer suggested that it would be proper to bill the West Coast Power Company for the damage that it has already done to this park. He recommended the granting of the permit as suggested by the Parks Superintendent provided the company will arrange for the joint use of one line of poles with the telephone company and, provided further, that the company will pay the state for the damage that it has already done to the park. After discussion the Commission approved this solution of the problem by the unanimous vote of the members present.

Gearhart Beach property:- The Parks Superintendent advised that the Gearhart Park Company owns about a mile and a half of ocean beach frontage extending north from the Necanicum River and that at one time it valued the property at \$30,000 but is now willing to sell the property to the state for the sum of \$2,339.13 and will also deed to the state a strip of land 20 feet wide along the west side of the highway through all of the property owned by the company. It appears that the Gearhart Park Company acquired this property from the State Land Board in 1891 for \$562.62, and that the State Land Board is willing to repay such sum to the company as part payment of the purchase price, provided title to the property is conveyed to the State Land Board. This would leave the sum of \$1,776.51 to be paid by the State Highway Commission. The Engineer suggested that it would be preferable for the State Highway Commission to own this area and recommended the payment of the entire amount in order to keep the title clear. The Commission, after discussion, approved the acquisition of this property on the basis of the State Land Board paying \$562.62 provided title to the property is vested in the State Highway Commission, otherwise the Highway Commission is to pay the full amount of the purchase price in order to secure title.

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acquisition of property owned by Multnomah County at Crown Point on the Upper Columbia River Highway, in Multnomah County:- The Parks Superintendent advised that Multnomah County is ready and willing to deed this property to the state at any time that the Commission will receive it. The Engineer advised that inspection of the building on the property reveals that it will take about \$6,000 to repair it and fix up the grounds. Further, that it will cost about \$3,000 annually to maintain the building and premises. He recommended nevertheless that the County's offer be accepted in view of the fact that Crown Point is one of the scenic attractions of the state and is known throughout the world. The recommendation was approved by the unanimous vote of the Commissioners present.

The Commission reconsidered the matter of acquiring Multnomah County property located adjacent to the Columbia River Highway at Multnomah Falls and decided to complete the acquisition of this property on the basis heretofore agreed upon; viz., the state to take title to that portion of the area lying between the O.W.R.R. & N. Company's right of way and the Columbia River, the balance of the property to be deeded to the United States Forest Service. The Parks Superintendent was instructed to carry this matter to conclusion at the earliest possible time.

The Engineer brought up for discussion the matter of the Commission's claim against the Oregon State Motor Association for maps furnished. He said that he presented a bill in the amount of \$700 for the maps but the association has asked to be relieved from payment of part of this cost in view of the purpose for which the maps were used and has suggested that the state pay for the stock on which the maps were printed, leaving the balance of the expense, including printing and other items, to be paid by the association, which would divide the total expense about equally. He recommended approval of the Association's suggestion for payment of the maps already furnished and also for maps that may be furnished in the future. The Commission approved the recommendation.

The Engineer brought up for discussion matters pertaining to the proposed San Francisco World's Fair exhibit and particularly the matter of the contract for the furnishing of colored moving pictures of attractive Oregon scenes. He explained in brief that the World's Fair Commission of Oregon has contracted with the Castle Films, Inc., of New York for the production of a 22-minute Oregon scenic reel as previously recommended by the Highway Commission and that a provision in the contract calls for the employment of Charles S. Piper of Portland, motion picture photographer, as photographer and associate Producer. Under the terms of the contract, he said, the film with one 35 mm. print and one 16 mm. print will be produced for a total cost of \$8,000, \$1,000 of which is to be paid upon approval of the script, and \$500 monthly thereafter as the making of the film progresses until the sum of \$2,500 has been paid. The balance, he said, is to be paid upon delivery of the film by December 1, 1938. He added that the negative of the picture is to be the property of the Oregon State Highway Commission. The Commission approved the report and referred the matter of approving the script, dialogue, voice, music, and other factors to the Engineer with authority to act.

The Commission had under consideration the matter of approving projects to be constructed under the proposed P.W.A. program. After discussion, the Commission decided to include the following projects in such program:

Docket No.	County	Section	Kind of Work	Estimated Cost
<u>PROJECTS INCLUDED IN ORIGINAL PROGRAM</u>				
1194	Gilliam	Rock Creek-Morrow Co. Line	Grading	\$ 63,000
1198	Umatilla	Umatilla River	Bridge, G. & O.	40,500
1192	Lake	Klamath Falls-Lakeview	G. S. & O.	100,000
1200	Washington	Barbur Blvd.-Lake Forest	Grading	96,500
				<u>\$500,000</u>

PROPOSED NEW PROJECTS

-	Coos	Cape Arago	Surf. & Oil	\$ 40,000
-	Douglas	Umpqua River	Bridges (2)	120,000
-	Jefferson	Madras-Warm Springs	Surfacing	95,000
-	Baker	Baker-Homestead	Surf. & Oil	50,000
-	Linn	Albany	*Bldg. & Lands'g	14,000
				<u>\$319,000</u>

* previously approved on June 29, 1938

The following resolution authorizing the Engineer to file applications for grants to aid in the financing of the construction of such projects, and for the purchase of right of way needed in connection therewith, was adopted by the Commission by the affirmative action of the members present: (resolution authorized the filing of applications for four projects, - authority to file applications for the other projects was given the Engineer previously under the old P.W.A. program)

A RESOLUTION AUTHORIZING R. H. BALDOCK, AS STATE HIGHWAY ENGINEER, TO FILE APPLICATIONS WITH THE UNITED STATES OF AMERICA THROUGH THE FEDERAL EMERGENCY ADMINISTRATION OF PUBLIC WORKS FOR GRANTS TO AID IN FINANCING THE CONSTRUCTION OF CERTAIN STATE HIGHWAY PROJECTS AND THE PURCHASE OF RIGHT OF WAY NECESSARY TO SUCH CONSTRUCTION.

Be it resolved by the Oregon State Highway Commission:

1. That, R. H. Baldock, as State Highway Engineer, be and he is hereby authorized to execute and file applications on behalf of the Oregon State Highway Commission with the United States of America for grants to aid in financing the construction of the following State Highway projects:

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County	Section	Type of Work
Coos	Cape Arago	Surfacing and Oiling
Douglas	Umpqua River	Bridges (Two)
Jefferson	Madras-Warna Springs	Surfacing
Baker	Baker-Homestead	Surfacing and Oiling

2. That the said R. H. Baldock is hereby authorized and directed to request the United States of America through the Federal Emergency Administration of Public Works to place the following projects in line for approval, the applications for said projects having been already filed with the Federal Emergency Administration of Public Works:

Docket No.	County	Section	Type of Work
1194	Gilliam	Rock Cr.-Morrow Co. Line	Grading
1198	Umatilla	Umatilla River	Bridge, Grading and Surfacing
1192	Lake	Klamath Falls-Lakeview	Grading, Surfacing and Oiling
1200	Washington	Barbur Blvd.-Lake Forest	Grading

3. That the said R. H. Baldock is hereby authorized and directed to furnish such information as the United States of America through the Federal Emergency Administration of Public Works may reasonably request in connection with the applications which are herein authorized to be filed.

The Commission had under consideration the matter of accepting the offer of the United States of America, through the Federal Emergency Administration of Public Works, of a grant to aid in financing the construction of maintenance buildings, three units at Brothers, in Deschutes County, and three units at Suntex, in Harney County, and the acquisition of necessary lands and rights of way therefor. Commissioner Tou Velle moved the adoption of the following resolution, entitled "A Resolution Accepting the Offer of the United States to the State Highway Commission of the State of Oregon to Aid by Way of Grant in Financing the Construction of State Highway Buildings (Three Units at Brothers in Deschutes County and Three Units at Suntex in Harney County) and the Acquisition of Necessary Lands and Rights of Way Therefor". After discussion the motion was declared by Commissioner Aldrich to have passed by the unanimous vote of the Commissioners present:

A RESOLUTION ACCEPTING THE OFFER OF THE UNITED STATES TO THE STATE HIGHWAY COMMISSION OF THE STATE OF OREGON TO AID BY WAY OF GRANT IN FINANCING THE CONSTRUCTION OF STATE HIGHWAY BUILDINGS (THREE UNITS AT BROTHERS IN DESCHUTES COUNTY AND THREE UNITS AT SUNTEX IN HARNEY COUNTY) AND THE ACQUISITION OF NECESSARY LANDS AND RIGHTS OF WAY THEREFOR.

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Be it resolved by the Oregon State Highway Commission:

Section 1. That the offer of the United States of America to the State Highway Commission of the State of Oregon to aid by way of grant in financing the construction of the state highway buildings (three units at Brothers in Deschutes County and three units at Suntex in Harney County) and the acquisition of necessary lands and rights of way therefor, a copy of which offer reads as follows:

"P. W. 81855-21

"FEDERAL EMERGENCY ADMINISTRATION OF PUBLIC WORKS

"Washington, D. C.
Dated: Jul 19 1938
Docket No. Ore. 1245-F

"State Highway Commission of the
State of Oregon,

Salem, Oregon.

1. Subject to the Terms and Conditions (PWA Form No.230, as amended to the date of this Offer), which are made a part hereof, the United States of America hereby offers to aid in financing the construction of state highway buildings (three units at Brothers, Deschutes County, and three units at Suntex, Harney County) and the acquisition of necessary land (herein called the "Project") by making a grant to State Highway Commission of the State of Oregon (herein called the "Applicant") in the amount of 45 percent of the cost of the Project upon completion, as determined by the Federal Emergency Administration of Public Works (herein called the "Administrator"), but not to exceed, in any event, the sum of \$14,310.

2. By acceptance of this Offer the Applicant covenants to begin work on the Project as early as possible but in no event later than 12 weeks from the date of this Offer and to complete such Project with all practicable dispatch, and in any event within 5 months from the commencement of construction.

3. This Offer is made subject to the express condition that, if the Administrator shall determine at any time that the Applicant has paid or agreed to pay, whether directly or indirectly, a bonus, commission or fee to any person, firm or corporation for attempting to procure an approval of the Applicant's application, or for alleged services in procuring or in attempting to procure such approval, or for activities of the nature commonly known as lobbying performed or agreed to be performed in connection with the application, then the Administrator shall have the right, in his discretion, to rescind this Offer and any agreements resulting herefrom, and, in the event of such rescission, the United States of

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America shall be under no further obligation hereunder.

"UNITED STATES OF AMERICA

Federal Emergency Adminis-
trator of Public Works

By
(Sgd.) H. A. Gray
Assistant Administrator"

be and the same is hereby in all respects accepted.

Section 2. That the State Highway Commission of the State of Oregon and the State of Oregon agree to abide by all rules and regulations relating to such grant, a copy of which rules and regulations were annexed to the Government's offer and made a part thereof. It is hereby covenanted that the work on the project described in the offer will be commenced as early as possible, but in no event later than twelve weeks from the date of this offer; and to complete the work with all practicable dispatch, and in any event within five months from the commencement of the construction.

Section 3. That J. M. Devers, Assistant Attorney General for Oregon, and Attorney for the State Highway Commission of the State of Oregon be and he is hereby authorized and directed forthwith to send to the Federal Emergency Administration of Public Works three certified copies of this Resolution and three certified copies of the proceedings of this Commission in connection with the adoption of this Resolution, and such further documents or proofs in connection with the acceptance of said offer as may be requested by the Federal Emergency Administration of Public Works.

As Chairman

(SEAL)

E. B. Aldrich (Sgd.)
As Commissioner

F. L. Tou Velle (Sgd.)
As Commissioner

The Commission also had under consideration the matter of establishing wage rates to be paid by contractors for work on the following P.W.A. projects:

Catching Slough Bridge Section, PWA Docket Number Oregon 1172-F;
Klamath Falls Building, PWA Docket Number Oregon 1177-F;
Fleming Ranch-Schindler Bridge Section, PWA Docket Number Oregon 1184-F;
Sunnyside-Umapine Section, PWA Docket Number Oregon 1190-F.

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The following resolutions establishing minimum wage rates to be paid on such projects were adopted by the unanimous vote of the Commissioners present:

Catching Slough Bridge Section PWA Docket Number Oregon 1172-F

WHEREAS, a thorough investigation has been made of the hourly wage rates which are being paid in Coos County, which is the locality in which the proposed project (hereinafter referred to as "Project") is to be constructed by the Oregon State Highway Commission, to employees in each trade or occupation engaged in work of a nature similar to the work to be performed in the construction of said Project, and the prevailing hourly wage rates being paid in such locality to such employees for such work have been determined by comparison with the minimum rates of pay set up by the Bureau of Public Roads for use on federal projects, including federal aid road work and all projects under the National Recovery Act. These wage rates have been in effect for several years and have been adopted by the Oregon State Highway Commission under date of February 19, 1937, as the standard for state work.

NOW, THEREFORE, BE IT RESOLVED by the Oregon State Highway Commission of the State of Oregon that the following rates for the respective trades or occupations listed below shall be and are hereby fixed as the minimum hourly wage rates and have been determined in accordance with rates prevailing for work of a similar nature in the locality in which the project is to be constructed:

Skilled Labor

Asphalt plant engineer	\$1.20
Bricklayer	1.20
Carpenter, journeyman	1.20
Crane operator	1.20
Crusher operator (400 tons per day or over)	1.20
Dredge runner	1.20
Drill dresser	1.20
Electrician	1.20
Excavator operator (types comparable to Le Tourneau)	1.20
Hoisting engineer (2 or more active drums)	1.20
Lathers	1.20
Le Tourneau operator	1.20
Master finisher (concrete work)	1.20
Mechanic	1.20
Painter, journeyman	1.20
Mixer operator (5-bag rated capacity or over)	1.20
Pile driver workmen	1.20
Plasterer	1.20
Plumber	1.20

Skilled Labor (cont'd)

Power shovel operator	\$1.20
Reinforcing steel setter (steel tyers)	1.20
Rigger	1.20
Riveter	1.20
Rivet heater	1.20
Rivet buckler	1.20
Rivet passer	1.20
Sheet metal workers	1.20
Shinglers	1.20
Structural steel workers (erectors)	1.20
Waterproofers (bridge work)	1.20

Intermediate Grade Labor

Air compressor operator	.75
Blacksmith	.75
Compressor operator	.75
Crusher operator (under 400 tons a day)	.75
Distributor driver or operator	.75
Finisher's assistant (under direction of master finisher)	.75

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Intermediate Grade Labor (cont'd)

Fireman (steam shovel or hoist) \$.75
Grader operator	.75
Hod carrier	.75
Jack hammer operator	.75
Mixer operator (machine less than 5-bag rated capacity)	.75
Mortar mixer (hand)	.75
Pile driver workmen (groundmen)	.75
Powder man	.75
Pump man	.75
Roller operator	.75
Tractor operator (20 or more H.P. mfr's rated capacity)	.75
Truck driver (over 1½-ton mfr's rated capacity)	.75

Unskilled Labor

Blacksmith's helper	.50
Carpenter's helper (hammer and saw man)	.50
Cement handler	.50
Shoveler (concrete)	.50

Unskilled Labor (cont'd)

Driver, truck (1½-ton mfr's rated capacity or less) \$.50
Electrician's helper (supplying electricians)	.50
Hod carrier	.50
Labor, miscellaneous unskilled	.50
Mechanic's helper	.50
Painter's helper (cleaning surface and supplying painters)	.50
Pitman	.50
Plumber's helper (supplying plumbers)	.50
Powder monkey (helper)	.50
Reinforcing steel laborer	.50
Sloper	.50
Spader (concrete work)	.50
Structural steel laborer (handling steel)	.50
Subgrade laborer (hand tools)	.50
Tractor operator (under 20 H.P. mfr's rated capacity)	.50
Truck Driver (1½-ton mfr's rated capacity or less)	.50
Watchman	.50

BE IT FURTHER RESOLVED that the foregoing list of trades or occupations includes, to the best of our knowledge, all the classifications of employees who will be engaged in work on said Project other than executive, supervisory, administrative, clerical or other non-manual workers as such.

Klamath Falls Building, PWA Docket No. Oregon 1177-F

WHEREAS, a thorough investigation has been made of the hourly wage rates which are being paid in Klamath County, which is the locality in which the proposed project (hereinafter referred to as "Project") is to be constructed by the Oregon State Highway Commission, to employees in each trade or occupation engaged in work of a nature similar to the work to be performed in the construction of said Project, and the prevailing hourly wage rates being paid in such locality to such employees for such work have been determined by comparison with the minimum rates of pay set up by the Bureau of Public Roads for use on federal projects, including federal aid road work and all projects under the National Recovery Act. These wage rates have been in effect for several years and have been adopted by the Oregon State Highway Commission under date of February 19, 1937, as the standard for state work.

NOW, THEREFORE, BE IT RESOLVED by the Oregon State Highway Commission of the State of Oregon that the following rates for the

respective trades or occupations listed below shall be and are hereby fixed as the minimum hourly wage rates and have been determined in accordance with rates prevailing for work of a similar nature in the locality in which the project is to be constructed:

Skilled Labor

Asphalt plant engineer	\$1.20
Bricklayer	1.20
Carpenter, journeyman	1.20
Crane operator	1.20
Crusher operator (400 tons per day or over)	1.20
Dredge runner	1.20
Drill dresser	1.20
Electrician	1.20
Excavator operator (types comparable to Le Tourneau)	1.20
Hoisting engineer (2 or more active drums)	1.20
Lathers	1.20
Le Tourneau operator	1.20
Master finisher (concrete work)	1.20
Mechanic	1.20
Painter (journeyman)	1.20
Mixer operator (5-bag rated capacity or over)	1.20
Pile driver workmen	1.20
Plasterer	1.20
Plumber	1.20
Power shovel operator	1.20
Reinforcing steel setter (steel tyers)	1.20
Rigger	1.20
Riveter	1.20
Rivet heater	1.20
Rivet buckler	1.20
Rivet passer	1.20
Sheet metal workers	1.20
Shinglers	1.20
Structural steel workers (erectors)	1.20
Waterproofers (bridge work)	1.20

Intermediate Grade Labor

Air compressor operator	.75
Blacksmith	.75
Compressor operator	.75
Crusher operator (under 400 tons a day)	.75

Intermediate Grade (cont'd)

Distributor driver or operator	\$.75
Finisher's assistant (under direction of master finisher)	.75
Fireman (steam shovel or hoist)	.75
Grader operator	.75
Hod carrier	.75
Jack hammer operator	.75
Mixer operator (machine less than 5-bag rated capacity)	.75
Mortar mixer (hand)	.75
Pile driver workmen (groundmen)	.75
Powder man	.75
Pump man	.75
Roller operator	.75
Tractor operator (20 or more H.P. mfr's rated capacity)	.75
Truck driver (over 1½-ton mfr's rated capacity)	.75

Unskilled Labor

Blacksmith's helper	.50
Carpenter helper (hammer and saw man)	.50
Cement handler	.50
Shoveler (concrete)	.50
Driver, truck (1½-ton mfr's rated capacity or less)	.50
Electrician's helper (supplying electricians)	.50
Hod carrier	.50
Labor, miscellaneous unskilled	.50
Mechanic's helper	.50
Painter's helper (cleaning surface and supplying painters)	.50
Pitman	.50
Plumber's helper (supplying plumbers)	.50
Powder monkey (helper)	.50
Reinforcing steel laborer	.50
Sloper	.50
Spader (concrete work)	.50
Structural steel laborer (handling steel)	.50

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Unskilled Labor (cont'd)

Subgrade laborer (hand tools) \$.50
Tractor operator (under 20 H.P.
mfr's rated capacity) .50

Unskilled Labor (cont'd)

Truck driver (1½-ton mfr's
rated capacity or less) \$.50
Watchmen .50

BE IT FURTHER RESOLVED that the foregoing list of trades or occupations includes, to the best of our knowledge, all the classifications of employees who will be engaged in work on said Project other than executive, supervisory, administrative, clerical or other non-manual workers as such.

Fleming Ranch-Schindler Bridge Section, PWA Docket Number Oregon 1184-F

WHEREAS, a thorough investigation has been made of the hourly wage rates which are being paid in Linn County, which is the locality in which the proposed project (hereinafter referred to as "Project") is to be constructed by the Oregon State Highway Commission, to employees in each trade or occupation engaged in work of a nature similar to the work to be performed in the construction of said Project, and the prevailing hourly wage rates being paid in such locality to such employees for such work have been determined by comparison with the minimum rates of pay set up by the Bureau of Public Roads for use on federal projects, including federal aid road work and all projects under the National Recovery Act. These wage rates have been in effect for several years and have been adopted by the Oregon State Highway Commission under date of February 19, 1937, as the standard for state work.

NOW, THEREFORE, BE IT RESOLVED by the Oregon State Highway Commission of the State of Oregon that the following rates for the respective trades or occupations listed below shall be and are hereby fixed as the minimum hourly wage rates and have been determined in accordance with rates prevailing for work of a similar nature in the locality in which the project is to be constructed:

Skilled Labor

Asphalt plant engineer \$1.20
Bricklayer 1.20
Carpenter, journeyman 1.20
Crane operator 1.20
Crusher operator (400 tons
per day or over) 1.20
Dredge runner 1.20
Drill dresser 1.20
Electrician 1.20
Excavator operator (types com-
parable to Le Tourneau) 1.20
Hoisting engineer (2 or more
active drums) 1.20

Skilled Labor

Lathers \$1.20
Le Tourneau operator 1.20
Master Finisher (concrete work) 1.20
Mechanic 1.20
Painter, journeyman 1.20
Mixer operator (5-bag rated
capacity or over) 1.20
Pile driver workmen 1.20
Plasterer 1.20
Plumber 1.20
Power shovel operator 1.20
Reinforcing steel setter
(steel tyers) 1.20

Skilled Labor

Rigger	\$1.20
Riveter	1.20
Rivet heater	1.20
Rivet buckler	1.20
Rivet passer	1.20
Sheet metal workers	1.20
Shinglers	1.20
Structural steel workers (erectors)	1.20
Waterproofers (bridge work)	1.20

Intermediate Grade Labor

Air compressor operator	\$.75
Blacksmith	.75
Compressor operator	.75
Crusher operator (under 400 tons a day)	.75
Distributor driver or operator	.75
Finisher's assistant (under di- rection of master finisher)	.75
Fireman (steam shovel or hoist)	.75
Grader operator	.75
Hod carrier	.75
Jack hammer operator	.75
Mixer operator (machine less than 5-bag rated capacity)	.75
Mortar mixer (hand)	.75
Pile driver workmen (groundmen)	.75
Powder man	.75
Pump man	.75
Roller operator	.75
Tractor operator (20 or more H.P. mfr's rated capacity)	.75
Truck driver (over 1½-ton mfr's rated capacity)	.75

Unskilled Labor

Blacksmith's helper	\$.50
Carpenter helper (hammer and saw man)	.50
Cement handler	.50
Shoveler (concrete)	.50
Driver, truck (1½-ton mfr's rated capacity or less)	.50
Electrician's helper (supplying electricians)	.50
Hod carrier	.50
Labor, miscellaneous unskilled	.50
Mechanic's helper	.50
Painter's helper (cleaning sur- face and supplying painters)	.50
Pitman	.50
Plumber's helper (supplying plumbers)	.50
Powder monkey (helper)	.50
Reinforcing steel laborer	.50
Sloper	.50
Spader (concrete work)	.50
Structural steel laborer (Handling steel)	.50
Subgrade laborer (hand tools)	.50
Tractor operator (under 20 H.P. mfr's rated capacity)	.50
Truck driver (1½-ton mfr's rated capacity or less)	.50
Watchman	.50

BE IT FURTHER RESOLVED that the foregoing list of trades or occupations includes, to the best of our knowledge, all the classifications of employees who will be engaged in work on said Project other than executive, supervisory, administrative, clerical or other non-manual workers as such.

Sunnyside-Umapine Section. PMA Docket Number Oregon 1190-F

WHEREAS, a thorough investigation has been made of the hourly wage rates which are being paid in Umatilla County, which is the locality in which the proposed project (hereinafter referred to as "Project") is to be constructed by the Oregon State Highway Commission, to employees in each trade or occupation engaged in work

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of a nature similar to the work to be performed in the construction of said Project, and the prevailing hourly wage rates being paid in such locality to such employees for such work have been determined by comparison with the minimum rates of pay set up by the Bureau of Public Roads for use on federal projects, including federal aid road work and all projects under the National Recovery Act. These wage rates have been in effect for several years and have been adopted by the Oregon State Highway Commission under date of February 19, 1937, as the standard for state work.

NOW, THEREFORE, BE IT RESOLVED by the Oregon State Highway Commission of the State of Oregon that the following rates for the respective trades or occupations listed below shall be and are hereby fixed as the minimum hourly wage rates and have been determined in accordance with rates prevailing for work of a similar nature in the locality in which the project is to be constructed.

Skilled Labor

Asphalt plant engineer	\$1.20
Bricklayer	1.20
Carpenter, journeyman	1.20
Crane operator	1.20
Crusher operator (400 tons per day or over)	1.20
Dredge runner	1.20
Drill dresser	1.20
Electrician	1.20
Excavator operator (types comparable to Le Tourneau)	1.20
Hoisting engineer (2 or more active drums)	1.20
Lathers	1.20
Le Tourneau operator	1.20
Master finisher (concrete work)	1.20
Mechanic	1.20
Painter, journeyman	1.20
Mixer operator (5-bag rated capacity or over)	1.20
Pile driver workmen	1.20
Plasterer	1.20
Plumber	1.20
Power shovel operator	1.20
Reinforcing steel setter (steel tyers)	1.20
Rigger	1.20
Riveter	1.20
Rivet heater	1.20
Rivet buckler	1.20
Rivet passer	1.20

Skilled Labor (cont'd)

Sheet metal workers	\$1.20
Shinglers	1.20
Structural steel workers (erectors)	1.20
Waterproofers (bridge work)	1.20

Intermediate Grade Labor

Air compressor operator	.75
Blacksmith	.75
Compressor operator	.75
Crusher operator (under 400 tons a day)	.75
Distributor driver or operator	.75
Finisher's assistant (under direction of master finisher)	.75
Fireman (steam shovel or hoist)	.75
Grader operator	.75
Hod carrier	.75
Jack hammer operator	.75
Mixer operator (machine less than 5-bag rated capacity)	.75
Mortar mixer (hand)	.75
Pile driver workmen (groundmen)	.75
Powder man	.75
Pump man	.75
Roller operator	.75
Tractor operator (20 or more H.P. mfr's rated capacity)	.75
Truck driver (over 1½-ton mfr's rated capacity)	.75

Unskilled Labor

Blacksmith's helper	\$.50
Carpenter helper (hammer and saw man)	.50
Cement handler	.50
Shoveler (concrete)	.50
Driver, truck (1½-ton mfr's rated capacity or less)	.50
Electrician's helper (supplying electricians)	.50
Hod carrier	.50
Labor, miscellaneous unskilled	.50
Mechanic's helper	.50
Painter's helper (cleaning surface and supplying painters)	.50
Pitman	.50

Unskilled Labor (cont'd)

Plumber's helper (supplying plumbers)	\$.50
Powder monkey (helper)	.50
Reinforcing steel laborer	.50
Sloper	.50
Spader (concrete work)	.50
Structural steel laborer (handling steel)	.50
Subgrade laborer (hand tools)	.50
Tractor operator (under 20 H.P. mfr's rated capacity)	.50
Truck driver (1½-ton mfr's rated capacity or less)	.50
Watchman	.50

BE IT FURTHER RESOLVED that the foregoing list of trades or occupations includes, to the best of our knowledge, all the classifications of employees who will be engaged in work on said Project other than executive, supervisory, administrative, clerical or other non-manual workers as such.

A letter was presented from Mr. F. P. Farrell, City Attorney, Medford, relative to the proposed improvement of the Crater Lake Highway at its intersection with East Main Street in Medford, advising that Dr. I. D. Phipps, who owns the property at the northeast corner of this intersection and against whom an action is now pending for condemnation for a small part of his property which is needed in order to round off a corner of this intersection, objects strenuously to the proposed improvement because it will destroy several large shade trees and will detract considerably from his premises on which his home is located.

It appeared to the Commission that the local citizens are not all of the same mind relative to this improvement, so it was decided to defer further consideration of the project until all are agreeable to it. The Secretary was instructed to so inform the city officials.

The Engineer reported on the proposed widening of the concrete viaduct on the Pacific Highway West, in Newberg. He said that the cost to widen this structure for two lanes of traffic using the present grade line and constructing a 5-foot sidewalk on each side would be about \$28,000, and the cost to widen it for two lanes of traffic including 5-foot sidewalks on each side and constructing it on the proper grade would be about \$64,000; whereas, to rebuild the entire structure properly for four lanes of traffic would cost about \$109,000. He suggested the widening of the present roadway by eliminating the existing sidewalk on the south side of the structure and the construction of a 3½-foot wide timber sidewalk outside of the existing handrail on that side. He estimated that such improvement would cost about \$6,000, and added

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that, as a temporary expedient, such improvement meets with the approval of the local citizens. After discussion, the Commission approved the remodeling of this structure as suggested.

The Commission considered and approved the awards of the following contracts as made by the Engineer upon authority granted him by the Commission previously:

Paving Court Street Section of the Pacific Highway East in Salem. 0.19 mile paving. Bids taken June 30, 1938; contract awarded July 11, 1938, to Oregon Contracting Company, the low bidders.

Grading, surfacing, and oiling Bly Mountain-Beatty Section of Klamath Falls-Lakeview Highway, in Klamath County. Bids taken June 30, contract awarded July 14, 1938, to McNutt Brothers, the low bidders.

The Commission also confirmed the sales of obsolete equipment and scrap material stored at Salem, La Grande, Klamath Falls, and Coquille, as made by the Engineer to the bidder who submitted the high bid for the respective items on June 30, 1938, which bidders were notified of the acceptance of their bids on July 11, 1938.

The Engineer requested authority to purchase one portable, highspeed electric motor with sanding and wire brush attachments for cleaning structural steel, at an estimated cost of \$100.00. The Commission approved the purchase.

The Engineer brought up for discussion the matter of remodeling the Highway Department offices in the State Office Building, Salem. He said that arrangements have been made with the Secretary of State for additional office space to house highway department employees for whom quarters are now being rented in outside buildings; but, in order to accommodate these men, the present offices of the Highway Department will have to be rearranged. He estimated that to change the partitions, do the necessary painting, and improve the lighting system would cost approximately \$5,000, and he recommended approval of such expenditure. After discussion, and in view of the apparent necessity for the change, the Commission approved the request by the unanimous vote of the Commissioners present and authorized the Engineer to take bids for the remodeling work at the meeting of the Commission to be held on August 4.

The matter of furnishing the Ohio Casualty Insurance Company a copy of the Attorney General's opinion as to whether or not certain state highway department employees are regarded as public officials, and a certificate signed by the Commission stating that none of such employees are vested with discretionary powers or authority, had the attention of the Commission. The Secretary was instructed to send a copy of the opinion to the company but not to send the certificate unless the company demands the same. The Commission signed the certificate subject to such condition.

A letter was presented from the North Tillamook County Chamber of Commerce inviting the members of the State Highway Commission and its staff to be present at the ceremonies in connection with the dedication of the

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Samuel G. Reed bridge over Neahkahnie Creek on the Oregon Coast Highway, in northern Tillamook County, which are to be held on Sunday, August 28, 1936. The Secretary was instructed to thank the Chamber of Commerce for the invitation and to state that the Commissioners will be present if possible.

A petition was presented signed by numerous people residing in the vicinity of the Smith's Point District in Astoria, requesting that when the new highway is constructed at this place a reduced speed limit be ordered for traffic using the same, for the safety of pedestrians, particularly in view of the fact that no sidewalk exists for the use of pedestrians at such point. The Commission indicated that it would approve the request in the event there are no legal barriers. The Engineer was instructed to make such investigations as are necessary with respect thereto.

A petition was presented signed by taxpayers and residents of the Lone Pine District, near Junction City, in Lane County, proposing the name "Roosevelt Lane" for a county road which extends easterly from the Pacific Highway near Junction City. In the discussion of this matter it was brought out that other people in this district have proposed another name for this road, and in view of the apparent controversy that exists the Commission decided not to pass on the matter at this time.

The Secretary presented a letter from Lewis A. McArthur, President of the Oregon Historical Society, with respect to the request of the Pioneers Association of Gilliam, Wheeler, and adjacent counties, regarding the erection of a marker where the John Day Highway crosses the original Oregon Trail wagon road, a few miles south of Arlington. Mr. McArthur advised that he could see no reason for denying the request of the Association but he suggested that it would be better to refer to this road as the Oregon Trail rather than as the Old Oregon Trail, inasmuch as, in his opinion, this pioneer road is as much the Oregon Trail now as it ever was and it is neither new nor old in a comparative sense. The Commission approved Mr. McArthur's recommendation and ordered that the Association be so informed.

A letter was presented from County Engineer Frank Z. Howard, of Klamath County, on behalf of the Klamath County Court, relative to the Commission's claim against the county arising out of the construction of the road extending southerly from Merrill to the California state line, which claim amounts to approximately \$2,000. Mr. Howard explained that no provision was made in the county's budget to take care of this item, and if the county is required to pay it, such payment cannot be made until next year. Further, that the Court feels that, inasmuch as this road is now a state secondary highway, and because the county has already spent about \$10,000 for right of way and fencing, it would be only fair for the state to relieve the county from payment of the claim.

The Engineer advised that this was a county road project financed with federal funds that were required to be expended for county road improvements, and accordingly the county had to guarantee the payment of the costs that could not be paid with the federal moneys. He pointed out that since completion of the project the road has been designated by the Commission as a state secondary highway, and recommended, in view of the circumstances, that

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the county be relieved of the payment of the claim, including engineering expense. After discussion, the Commission approved the recommendation unanimously and ordered that the decision should apply also to other counties against which the Commission has similar claims.

A letter was presented from Vina C. Smith, Secretary, Oregon Roadside Council, stating that the Works Progress Administration in Washington, D. C., requires more specific details regarding the educational project proposed by the Oregon Roadside Council, and inquiring particularly whether or not the project has been endorsed by the Oregon State Highway Commission, and if the work will receive advisory and supervisory cooperation of the State Highway Commission; also, requesting that the Commission inform Mr. E. J. Griffith, W.P.A. Administrator of Oregon, by letter, that the Highway Commission approves this project and intends to support the proposed program. The Commission approved the request and ordered that such letter be written.

A letter was presented from the Forest Grove Chamber of Commerce urging the Commission to make a decision immediately in the matter of selecting a route for the proposed cutoff road extending from the intersection of the Tualatin Valley Highway with Seventh Street, in Forest Grove, northwesterly to a point on the Gales Creek County Road. The Commission decided, after discussion, not to make a decision in this matter at the present time, in view of the fact that there are no funds available with which to finance the project within the near future. The Secretary was instructed to so inform the Chamber of Commerce.

A letter was presented from J. F. Sweigert, Principal of Schools, Wolf Creek, Oregon, urging the construction of a sidewalk on a narrow highway bridge at Wolf Creek, for the benefit of school children and other pedestrians; also requesting the erection of appropriate signs on the highway calling the attention of highway traffic to the fact that a school zone is being approached. The Commission authorized the erection of the signs but decided not to construct the sidewalk this year in view of the fact that funds are not available to finance such work. The Engineer was instructed to keep this project in mind for next year.

The Secretary presented a letter from the Bowman Hicks Lumber Company of La Grande requesting permission to transport logs on a 2-mile section of the Wallowa Lake Highway, near the town of Wallowa, during Saturday afternoons and holidays. The Commission decided, in view of the large volume of traffic that uses this road, to deny the request for the present; however, indicated that it would authorize such hauling after Labor Day in the event an investigation of traffic conditions at that time reveals that no undue hazard would be created by such operations during such periods.

A letter was presented from R. H. C. Bennett, attorney, Newberg, in behalf of A. W. Ferrell of that place, in which permission was requested to remove from the right of way of the Pacific Highway West several shade trees which, it is alleged, interfere with the sale of Mr. Ferrell's property as a site for a service station. The Commission denied the request.

Consideration was given by the Commission to a letter from Mrs. W.H. Strayer, Secretary of the Old Oregon Trail Club, Baker, Oregon, in which the Commission was urged to acquire for park purposes a 10-acre tract of land adjacent to the Old Oregon Trail and overlooking the city of Baker, and suggesting that the name "Old Oregon Trail Park" be given to this area. It was the thought of the Commission that this tract does not meet the requirements for state parks, and, in view thereof, decided not to purchase the same. The Commission ordered that Mrs. Strayer's communication be referred to the State Parks Superintendent to convey to Mrs. Strayer the Commission's decision.

A letter was presented from the Albany Chamber of Commerce expressing appreciation for the industrious activities of the Highway Commission in its efforts to complete the South Santiam Highway. The Commission ordered that the letter be acknowledged with appropriate thanks.

The Engineer brought up for discussion the matter of rerouting the Oregon-Washington Highway in the town of Pilot Rock, so as to eliminate two right-angle turns in the present route. He said that the revision is only two blocks long and that to improve the proposed route would cost about \$20,000. He recommended approval of the project and that a public hearing be held in the town of Pilot Rock relative thereto, as is required by statute, so that the project can be constructed as a Federal Aid project as soon as funds are available to finance the same. The Commission approved the Engineer's recommendation and set Tuesday, August 23, 1938, at 10:30 o'clock a. m., as the date and hour for such public hearing. The Secretary was instructed to send formal notice of the hearing to the Pilot Rock City Council. (The hearing was later postponed one week, until August 30, 1938.)

The Engineer brought up for discussion the selection of projects for contracting during the coming fall and winter. He presented a list of projects heretofore approved by the Commission for construction, the estimated total cost of which, he said, is \$6,610,000. He estimated the amount available to finance such work at \$5,500,000, and particularly pointed out that the estimated cost of the projects exceeds the amount available by \$1,110,000. He also pointed out that the Commission has certain preferred projects for construction in 1939 aggregating a total of about \$250,000. He suggested, in view of the shortage of funds to finance current construction, that the Commission defer contracting some of the projects until the fall of 1939.

After considerable discussion, and in view of the circumstances, the Commission approved the Engineer's suggestion unanimously, and thereupon tentatively approved the following schedule of current contract lettings and list of projects to be contracted in the fall of 1939:

<u>County</u>	<u>Section</u>	<u>Kind of Work</u>	<u>Class of Project</u>	<u>Allocation</u>
<u>AUGUST 4th LETTING</u>				
Clat., Till.	Arch Cape-Beach Creek	Grading	39FA	\$160,000
Lane	Salt Creek Falls-Salt Cr.	Clearing	39FA	35,000
Linn	Shedd-Halsey	Roadside Imp.	38FA	3,000

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<u>County</u>	<u>Section</u>	<u>Kind of Work</u>	<u>Class of Project</u>	<u>Allocation</u>
<u>AUGUST 4th LETTING (continued)</u>				
			(For'd 198,000)	
Umatilla	Sunnyside-Umapine	Grad., Surf., Oil.	PWA	\$ 46,000
Coos	Catching Slough	Bridge, Grad. & S.	PWA	65,000
Linn	Flemming Ranch-Schindler Br.	Bridge, Grad. & S.	PWA	53,000
Klamath	Klamath Falls Maint. Bldg.	Building	PWA	10,000
				<u>\$372,000</u>

SEPTEMBER LETTING

Clackamas	Molalla Section	Paving	PWA	\$ 14,000
Linn	Brownsville Section	Grad., Surf., Oil.	PWA	28,000
Deschutes	Brothers Maint. Building	Building	PWA	15,700
Harney	Suntex Maint. Building	Building	PWA	15,700
Klamath	Klamath Falls Landscaping	Landscaping	PWA	8,000
Linn	Albany Pipe Lines & Canal		38GS	6,000
Deschutes	Brothers-Lake County Line	Grad., Surf., Oil.	39FA	175,000
Klamath	Ft. Klamath-Williamson R.	Grading	38FA	121,000
Deschutes	Brothers Oasis	Roadside Imp.	38FA	6,200
Umatilla	West Entrance to Pendleton	Roadside Imp.	38FA	6,400
				<u>\$396,000</u>

OCTOBER LETTING

Yamhill	Newberg-Dundee	Grading & Paving	39FA	\$100,000
Jackson	Bear Canyon	Grading	39FA	220,000
Crook	Mills Creek-Marks Creek	Grading	38FA	180,000
Malheur	Jamieson-Lancaster	Grad., Surf., Oil.	38FA	70,000
Umatilla	Pendleton-Adams	Grading	39FA	100,000
Multnomah	Troutdale-Dodson	Grading	38-39FA	300,000
Yamhill	Sheridan-South & East	Grad., Surf., Oil.	38FAS	23,000
Lane	Odell Lake-Walker Mt.	Surfacing	39FA	100,000
Klamath	Klamath Falls Grade Sep.	Br., Grad. & Pav.	39GS	120,000
Gilliam	Rock Cr.-Morrow Co. Line	Grading	PWA	63,000
Umatilla	Umatilla River Bridge	Br., Grad. & Surf.	PWA	40,500
Lake	Klamath Falls-Lakeview	Grad., Surf., Oil.	PWA	100,000
Washington	Barbur Blvd.-Lake Forest	Grading	PWA	96,500
	4 Rock Production Projects		State	80,000
				<u>\$1,593,000</u>

DECEMBER LETTING

Coos	Marshfield-South	Grading	38FA	\$100,000
Lane	Oak Hill-Veneta	Grad., Surf., Oil.	38FAS	30,000
Clackamas	Oregon City	Grading & Paving	38-39FA	265,000
Malheur	Blue Mountain Pass	Grading	39FLH	100,000
Linn	Albany Grade Separation	Structure	38GS	220,000
Linn	Albany Grade Separation	Grading	39GS	152,000

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<u>County</u>	<u>Section</u>	<u>Kind of Work</u>	<u>Class of Project</u>	<u>Allocation</u>
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DECEMBER LETTING (continued)

(For'd 867,000)

Klamath	Malin-Bonanza	Grad. & Surf.	38FAS	\$ 24,000
Linn	Albany	Maintenance Bldg.	PWA	10,500
Coos	Cape Arago	Surf. & Oil	PWA	40,000
Douglas	Umpqua River	Bridges (2)	PWA	120,000
Jefferson	Madras-Warna Springs	Surfacing	PhA	95,000
Baker	Baker-Homestead	Surf. & Oil	PWA	50,000
	6 Rock Production Projects		State	120,000
				<u>\$1,326,500</u>

JANUARY LETTING

Marion	Salem-South	Grading & Paving	38FA	\$100,000
Grant	Oliver Ranch-East	Bra, Grad, Surf, Oil.	39FA	150,000
Clatsop	Necanicum-Elsie	Surfacing & Oiling	39FA	145,000
Clatsop	Nehalem River Bridge	Bridge	39FA	120,000
	6 Rock Production Projects		State	120,000
				<u>\$635,000</u>

FEBRUARY, MARCH, AND APRIL LETTINGS

Multnomah	Projects to be selected		39FA	\$ 70,000
Klamath	Lobert Overcrossing	Structure	39GS	85,000
Malheur	Vale-Adrian	Grad., Surf., Oil.	38FAS	15,000
Union	North Powder-North Powder R.	Surf. & Oil.	38FAS	15,000
	Federal Secondary Projects on State Highways		39FAS	315,000
	Federal Secondary Projects on County Roads		39FAS	300,000
	Special Maintenance Projects (Total \$430,000)			110,000
	State Projects on Primary Highways			100,000
	State Projects on Secondary Highways			100,000
				<u>\$1,110,000</u>

1939 PROJECTS FOR LETTING IN FALL OF 1939

Douglas	Roseburg-Shady Point	Grading & Paving	39FA	\$225,000
Baker	Luddy Creek-Haines	Grad. & Surf.	39FA	120,000
Union	Jimmy Creek-North Powder	Grad. & Surf.	39FA	30,000
Lake	Picture Rock Pass-Harris Cr.	Surf. & Oil	39FA	100,000
Linn	South Santiam Highway	Bridge	39FA	25,000
Marion	Clackamas Co. Line-Hubbard	Paving	39FA	150,000
Gilliam	Blalock-Arlington	Grad., Surf., Oil.	39FA	155,000
Multnomah	Troutdale Overcrossing	Structure	39GS	125,000
Deschutes	Bend Grade Separation	Structure	39GS	90,000
Wasco	Bear Springs-East	Grading	39FLH	25,000
Jackson	Bear Canyon Section (Unit 3)	Grading	39FA	100,000
Multnomah	Troutdale-Dodson (Unit 2)	Grading	39FA	180,000
				<u>\$1,325,000</u>

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The Engineer presented a list of surveys that he has ordered since the last meeting of the Commission, and asked the Commission to confirm such surveys and the amounts authorized for each. After due consideration motion was made by Commissioner Tou Velle that the State Highway Engineer be authorized and instructed to make such location surveys on various sections of highways of this state, which said sections of highways, together with their identifying survey numbers and the amounts authorized for survey expenditures are as follows:

Location - 107-2806 - Jefferson County Line-Prineville Section, Warm Springs Highway. 1st authorization \$5,400.00

Plans - - - 7-2807 - Scale Site, E. of Prineville, Ochoco Highway. 1st authorization - \$50.00

Bridge - - - 7-2808 - Ochoco River, Ochoco Highway. 1st authorization - \$600.00

Plans - - - 9-2820 - Bend Scale Site, The Dalles-California Highway. 1st authorization - \$35.00

Reconn. - - 10-2821 - Divide-Oakland Section, Pacific Highway. 1st authorization - \$960.00

Plans - - - 12-2822 - Dillard Section, Pacific Highway. 1st authorization - \$400.00

Plans - - - 11-2807 - Blalock-Arlington Section, Columbia River Highway. 1st authorization \$1,000.00

Location - 12-2814 - Prairie City Section, John Day Highway 1st authorization - \$400.00

Plans - - - 18-2830 - Scale Site, Ft. Klamath Junction, The Dalles-California Highway. 1st authorization - \$50.00

Location - 223-2815 - S. Unit, Vale-Adrian Section, Vale-Adrian Highway. 1st authorization \$1,200.00

Location - 30-2819 - Pilot Rock Section, Oregon-Washington Highway. 1st authorization - \$500.00

The motion was seconded and was declared by Acting Chairman Aldrich to have passed by the affirmative vote of the Commissioners present.

The Commission had under consideration a letter from Smith and Company, Contractors for the furnishing of crushed rock in stock piles for the Maupin section of The Dalles-California and Wapinitia Highways, in Wasco County, Contract No. 2030, requesting an extension of time from June 30 to August 15, 1938, within which to complete this project. The Engineer advised that,

in his estimation, there is no legitimate reason why this contract was not completed within the specified time limit. He recommended, in view thereof, that the extension requested be granted but that the contractor be penalized in an amount equal to the extra engineering costs incurred by the state in connection with this job subsequent to the completion date specified in the contract. The Commission approved the recommendation by the unanimous vote of the Commissioners present.

The Engineer reported that contracts Nos. 1963, 2000, 2038, 2044, 2051, and 2053, for the construction of state highway projects, have been completed according to the terms and provisions of the contracts and said jobs are now ready for acceptance. The following resolution accepting the above projects was offered and was adopted by the unanimous vote of the Commissioners present:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts or modifications thereof and that said jobs are now ready for acceptance:

Contract No. 1963, with Joplin & Eldon, for surfacing, oiling, and rock production on the Shaniko Section of the Sherman Highway, in Wasco County. Completed May 27, 1938.

Contract No. 2000, with Edlefsen-Weygandt Company, for grading and topping and timber pile trestle construction on the Siuslaw Junction-Awbrey Section of the Pacific Highway, in Lane County. Completed July 6, 1938.

Contract No. 2038, with Warren Northwest, Inc., for grading, surfacing, and oiling, and bridge construction on the Mile Bridge Section of the Nehalem Secondary Highway, in Columbia County. Completed July 15, 1938.

Contract No. 2044, with Harold Blake, for light oil treatment on the Service Creek-Branson Creek Section of the John Day Highway, in Grant and Wheeler Counties. Completed July 5, 1938.

Contract No. 2051, with Babler Bros., for oiling the Wilson Ranch-Scottsburg Section of the Umpqua Highway, in Douglas County. Completed July 11, 1938.

Contract No. 2053, with J. C. Compton, for oiling the Juntura-Harper Section of the Central Oregon Highway, in Malheur County. Completed June 17, 1938.

THEREFORE, BE IT RESOLVED, that the work covered by said state highway contracts for the construction of said state highway

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projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

The Commission considered the matter of setting a date for its regular meeting in September and decided to hold such meeting on Thursday, September 22, 1938, in Portland. (Later changed to September 29.) The Secretary was instructed to make the usual arrangements for the Auditorium in the Public Service Building, in which to hold this meeting.

The Commission adjourned at 11:00 o'clock p. m., to reconvene at 9:00 o'clock a. m. on the following day in the Auditorium of the Public Service Building.

Portland, Oregon, July 21, 1938

The State Highway Commission reconvened at 9:00 o'clock a. m. in the Auditorium of the Public Service Building. Present were:

E. B. Aldrich, Commissioner
F. L. Tou Velle, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

Bids as follows for highway construction projects and sale of buildings were opened and read in conformance with previously published notice:

CENTURY DRIVE SECONDARY HIGHWAY
BEND SECTION - SURFACING AND ROAD MIX SURFACE TREATMENT

Babler Bros.	\$ 13,714.00
Warren Northwest, Inc.	15,703.00

WHITNEY COUNTY ROAD
MALONE-CALIFORNIA LINE SECTION - ROAD MIX SURFACING

Clifford A. Dunn	\$ 8,527.00
Babler Bros.	10,641.00

COLUMBIA RIVER HIGHWAY
SANDY BOULEVARD SECTION - PAVING

Kern & Kibbe	\$104,859.50
Harold Blake	105,166.00
Parker-Schram Company	115,427.50
City Motor Trucking Company	119,185.50
Warren Northwest, Inc.	124,066.50

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SALE OF RESIDENCE BUILDINGS AT ALBANY

BUILDING NO. 4958
(Former Owner Gladys V. Holloway)

No bids received.

BUILDING NO. 4968
(Former Owner World War Veterans' State Aid Commission)

Barbara J. and H. D. Rohde \$ 76.00

BUILDING NO. 4972
(Former Owner S.J. Brown)

No bids received

BUILDING NO. 4975
(Former Owner Essie M. Wilcox)

Barbara J. and H. D. Rohde \$ 76.00

BUILDING NO. 4980
(Former Owner Leo C. Smith)

J. E. Gentry \$306.00

SALE OF RESIDENCE BUILDINGS IN WEST PORTLAND

BUILDING NO. 4989
(Former Owner John G. Maycock)

F. A. Graddy \$ 1.00

BUILDING NO. 5037
(Former Owner John T. Paulson)

Florence W. Ehle \$ 52.00
F. A. Graddy 45.00

SALE OF RESIDENCE BUILDINGS IN NORTH PORTLAND

Lebeck & Son submitted a lump sum bid for all six buildings of \$1202.00

BUILDING NO. 5076
(Former Owner Mary Plouff)

W. C. Flynn \$ 25.00

BUILDING NO. 5063
(Former Owner Earl L. Sanborn)

W. C. Flynn \$ 25.00

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BUILDING NO. 5068
(Former Owner Earl Cole)

C. O. Westland	\$340.00
Miller Bros.	310.00
Jenny Selberg	200.00
Caroline Brise	100.00
W. C. Flynn	25.00

BUILDING NO. 5067
(Former Owner Geo. M. Smith)

H. J. Clayton	\$401.00
Miller Bros.	350.00
C. O. Westland	340.00
B. Holt	300.00
Earl C. Goble	255.00
Ogden & Gravelle	202.00
Caroline Brise	100.00
W. C. Flynn	25.00

BUILDING NO. 5065
(Former Owner F. P. Montag)

J. A. Gunz	\$126.00
Jenny Selberg	100.00
W.C.Flynn	25.00

BUILDING NO. 5064
(Former Owner F. P. Hayes)

Beretta Leonard	\$200.00
Earl C. Goble	155.00
W. C. Flynn	25.00

Acting Chairman Aldrich announced that the awards of contracts and the sale of buildings would be made at 2:00 o'clock p. m. in the same room.

County Judge Nelson B. Higgs, of Harney County, was present and inquired whether or not it would be possible to arrange for the use of the Highway Commission's radio facilities in connection with the radio station that the county proposes to install in the southern part of Harney County. The Commission indicated its willingness to cooperate with the County Court in this matter but deferred a decision pending investigation by the Engineer. The Engineer was instructed to make such investigation at once.

The Attorney discussed with the Commission matters pertaining to the sign that is being maintained by the Marcus Whitman Hotel of Walla Walla, Washington, adjacent to the Old Oregon Trail, at Pendleton, and the sign that the Yakima Chamber of Commerce proposes to erect directing Old Oregon Trail

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traffic to the Patterson Ferry across the Columbia River. In the discussion of this matter it was brought out that the Marcus Whitman Hotel sign contains erroneous information with respect to the distance from Pendleton to Seattle and that the proposed Patterson Ferry sign will contain information which, while possibly correct, directs traffic over certain highways that cannot be recommended for travel purposes, as they are unpaved. The Attorney advised that the Commission has legal authority to control the signs in question and in view thereof the Commission instructed the Attorney to serve formal notice, by registered mail, on the owners of these signs, to the effect that, unless the signs are corrected to meet the Oregon requirements within a reasonable length of time, they will be taken down by state highway department forces.

A delegation from Portland, consisting of Messrs. Dean Vincent, Millard C. Holbrook, R. E. Brooks, A. R. Porter, A. G. Teepe, Victor Metzger, Al Dinkelstein, and G. B. Van de Water, came before the Commission in regard to the improvement that the Commission has under way on Sandy Boulevard. Mr. Vincent headed the group. He said that they appreciate very much, in general, the improvement on Sandy Boulevard, but they object to the narrowing of the sidewalks from 15 feet to 10 feet, as is proposed by the present plan, particularly between 39th Avenue and 43rd Avenue, which is through the district known as Hollywood, where there is a good shopping center. It was his thought that the narrowing of the sidewalks to such an extent would encourage Sandy Boulevard traffic to pass through this shopping district at excessive speed, which would result not only in the creation of a serious traffic hazard but would also hurt the business of the shop owners.

The Engineer explained in detail the Commission's plans for this improvement, including the provision for a 10-foot sidewalk throughout. After considerable discussion he suggested, as a compromise proposition, that the width of the sidewalk between 39th Avenue and 43rd Avenue be constructed to a 12-foot width rather than the 10-foot width, but that the plans for a 10-foot sidewalk for the remainder of this section be retained as was originally planned. The delegation conferred privately for a few minutes in an adjoining room. Upon returning, Mr. Vincent advised that they would be satisfied with a 12-foot sidewalk between 39th and 43rd Avenues and would withdraw their objections to the improvement if the Commission would change its plans accordingly. The Commission approved, and thereupon instructed the Engineer to change the plans accordingly.

A delegation from Rainier, consisting of County Judge J. B. Wilkerson, of Columbia County, W. E. Proctor and E. E. Rosebraugh, representing the Rainier Commercial Club, was present and asked for the improvement of a 4-mile section of the Lower Columbia River Highway in the vicinity of Prescott, where flood conditions prevail during certain seasons of the year. The Engineer explained that this is a costly project and that the Commission does not have funds available to finance it at the present time. He agreed to keep the project in mind and bring it to the Commission's attention next spring when the Commission formulates its 1939 construction program. Judge Wilkerson advised that the Columbia County Court endorses this project; in fact, it is the court's preferred project inasmuch as the road leading from the highway to the mill at Prescott is inundated by high water every year, and if the Commission

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will improve the highway, it will relieve the county from expending about \$15,000 for the improvement of the mill road. He urged the Commission to advance the construction of this road as much as possible.

Mr. Proctor suggested that future improvements on this highway between Rainier and St. Helens start at the Rainier end so as to relieve the situation existing at this particular point sooner than if the work progressed from the St. Helens end. The Engineer agreed to look into the feasibility of the suggestion and also suggested that the delegation come before the Commission again next spring about the time the Commission will be considering its 1939 budget.

Mr. Bob Glenn, Corvallis, appeared before the Commission on behalf of the Corvallis Chamber of Commerce and urged the Commission to undertake at the earliest possible time the construction of the proposed extension of the Territorial Secondary Highway in Lane County from its present terminus at the Lane-Douglas County line to a connection with the Pacific Highway near a place known as Anlauf. He presented a letter from W. F. Groves, Chairman of the Highway Committee of the Corvallis Chamber of Commerce, endorsing his oral request, which letter was read aloud by the Secretary. The Engineer advised that the Commission has no funds available to finance such improvement at the present time, and the earliest time that the Commission could consider the project would be in the formulation of its 1939 construction program. Commissioner Aldrich confirmed the Engineer's remarks. Mr. Glenn then stated that the delegation would appear before the Commission in the meantime to present arguments in favor of their project.

The Engineer requested authority to take two weeks vacation about the first of September. The Commission granted the request and also authorized the Secretary to take a vacation of a similar length.

The Commission adjourned at 11:30 o'clock a. m. and reconvened at 2:00 o'clock p. m. in the same room with the same members present and participating. Also present were the State Highway Engineer and the Secretary.

Commissioner Aldrich announced the following awards of contracts and sale of buildings, bids for which were received at the morning session, such awards having been previously approved by the Commission by the unanimous vote of the members present:

"Bend Section of the Century Drive Secondary Highway, in Deschutes County. 1.2 miles grading and 0.7 mile surfacing and road mix surface treatment. The Commission received 2 bids for this project, the low one being that of Babler Bros., Portland, at \$13,714.00, and the other one being that of Warren Northwest, Inc., Portland, at \$15,703.00. The Commission has rejected both bids and ordered the project readvertised.

"Malone-California Line Section of the Whitney County Road, in Klamath County. 1.51 miles road mix surfacing. Two bids were received for this project, the low one being that submitted by

Clifford A. Dunn, Klamath Falls, at \$8,527.00. The other bid was received from Babler Bros., Portland, at \$10,641.00. The Commission has referred the bids to the Engineer with power to award the contract to the low bidder when certain conditions have been satisfied.

"Sandy Boulevard Section of the Columbia River Highway, in Portland, Multnomah County. 1.79 miles paving. The Commission received 5 bids for this project, the low one being that of Kern & Kibbe, Portland, at \$104,889.50. Harold Blake, Portland, submitted the next low bid at \$105,166.00. The Commission has referred all bids to the Engineer with power to award the contract to the low bidder when certain conditions have been satisfied."

Buildings in Albany

"Building No. 4958, formerly owned by Gladys V. Holloway. No bids were received by the Commission for the purchase of this building.

"Building No. 4968, formerly owned by the World War Veterans' State Aid Commission. Only one bid was received for this building, being that of Barbara J. and H. D. Rohde, Albany, at \$76.00. The Commission considers this offer satisfactory and accordingly has sold the building to them for \$76.00.

"Building No. 4972, formerly owned by S. J. Brown. No bids were received by the Commission for the purchase of this building.

"Building No. 4975, formerly owned by Essie M. Wilcox. Barbara J. and H. D. Rohde, Albany, submitted the only bid received for the purchase of this building, at \$76.00. The Commission considers this offer satisfactory and accordingly has sold the building to them for \$76.00.

"Building No. 4980, formerly owned by Leo C. Smith. Only one bid was received for the purchase of this building, being that of J. E. Gentry, Albany, at \$306.00. The Commission accepted his offer and accordingly sold the building to him for \$306.00."

Buildings in West Portland

"Building No. 4589, formerly owned by John G. Maycock. The only bid received for the purchase of this building was submitted by F. A. Graddy, Portland, at \$1.00. The Commission rejected the offer and ordered the building readvertised.

"Building No. 5037, formerly owned by John T. Paulson. The Commission received 2 bids for the purchase of this building, the high one being that of Florence W. Ehle, Multnomah, at \$52.00, and the other being that of F. A. Graddy, Portland, at \$45.00. The Commission rejected both offers and ordered the building readvertised."

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Buildings in North Portland

"Buildings Nos. 5076, formerly owned by Mary Plouff; No. 5068, formerly owned by Earl Cole; No. 5067, formerly owned by Geo. M. Smith; No. 5065, formerly owned by F. P. Montag; No. 5064, formerly owned by F. P. Hayes; and No. 5063, formerly owned by Earl L. Sanborn. Several bids were received for the purchase of these buildings but the Commission accepted the lump sum bid of \$1,202 submitted by Lebeck & Son, Portland, for the purchase of all six buildings."

A delegation representing the Clackamas Community Club and consisting of M. J. Burke; County Commissioner B. Schoenburg; Miss Elsie Arnett, Chairman of the Child Welfare Committee, District No. 1, American Legion; R. B. Holcomb; Harry Hartnell; Haskin Tralve; Messrs. Wilson and Mathiesen, representing the Woodstock Community Club and the Southeast Portland Chamber of Commerce, respectively; L. M. Lepper, representing the Eastside Commercial Club; and Messrs. Williams and Jones, representing the Eastside Chamber of Commerce; Miss Marie Leuenberger and Mrs. J. Leuenberger, and Mrs. E. J. Patrick, came before the Commission in opposition to the rerouting of the 82nd Street Highway (Cascade Secondary Highway) in the vicinity of the town of Clackamas. Mr. Burke headed the group.

He urged the Commission to improve this highway in its present location rather than to relocate it, on account of the Clackamas school which is located about a block and a half from the present road. He said that the moving of the highway would create a hazardous condition for school children because nearly all of them would have to cross the highway in going to and from school, whereas, at the present time, very few of them are required to do so. He urged the Commission to retain the highway on the east side of their school. He also urged the retention of the present route from the standpoint of highway traffic, alleging that the proposed route is through a swampy district where foggy conditions prevail, which is not the case along the present route. Mr. Burke presented a petition signed by 950 citizens of Clackamas County urging the improvement of the 82nd Street road from the city limits of Portland to a connection with McLoughlin Boulevard in or near Oregon City and opposing any relocation of the road between what is known as Pope Hill, on the north, and Mrs. Leuenberger's corner on the south.

County Commissioner Schoenburg advised that the Clackamas County Court is in favor of the retention of the present highway route in so far as that is possible. He inquired whether or not the Commission has as yet adopted a permanent route for this road and was informed that the Commission has not yet done so but will do so when it is ready to proceed with construction; however, in the meantime, a public hearing must be held in Oregon City relative to such change, as required by law, and if the residents of Clackamas wish to present their case at that time, the Commission will be glad to hear them.

Mr. Wilson alleged that the retention of the present road will eliminate a large volume of cross-traffic, and urged the retention of the

present road in so far as possible, from that standpoint. He also urged the Commission to improve the highway as quickly as possible. Mr. Mathiesen stated that the Southeast Portland Chamber of Commerce represents a district of 50,000 people who believe that they are entitled to the reconstruction of the 82nd Street road to Oregon City at the earliest possible time, whether it be on the present route or on the revised location. They have no particular preference, he said, except that they do prefer that the connection with the Super Highway (East Portland-Oregon City Highway) be made at Oregon City rather than at Parkplace.

Mr. Jones urged the early reconstruction of the road on any location that the State Highway Commission may see fit to adopt. Miss Arnott spoke for the retention of the present road in the interests of safety to school children and other pedestrians. Mr. Lepper stated that the Eastside Portland Chamber of Commerce is not particularly concerned as to the location that the Commission may adopt for this proposed improvement but it wants this road completed at the earliest possible time.

Commissioner Aldrich thanked the delegation for its appearance and advised that the arguments presented will be given due consideration before any definite decision is made by the Commission. He further stated that the Commission does not have the funds to finance this project now and that the probabilities are that it cannot be considered earlier than in the 1940 construction program.

The question of the public hearing in Oregon City was brought up, and in this connection the Engineer advised that, while Congress has authorized an appropriation of federal funds to finance federal aid highway construction in the fiscal year 1940, the actual appropriation of such funds has not yet been made, in view of which no particular advantage would be gained by holding a public hearing in the near future. Furthermore, the Commission does not want to hold such hearings or establish routes until funds are available to finance construction. This concluded the conference.

The Commission considered and signed agreements, et cetera, as follows:

Agreement with Frank Ott disposing of his claim for damages arising out of reconstruction of the Fremont Highway near the town of Paisley, in Lake County;

Agreement with the Southern Pacific Company relative to the installation of a 12-inch sewer pipe across the railroad company's property in the vicinity of the State Highway Shops, in Salem;

Agreement with John I. Prickett disposing of his claim for damages arising out of the construction of the Davies-Banks Section of the Nehalem Secondary Highway in Washington County;

Agreement with Klamath County providing for the financing of the construction of a certain bridge over Lost River on the Whitney

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Bridge County Road, in Klamath County, whereby the county assigns to the State Highway Commission \$9,000 of its share of the gasoline tax revenues for such purpose;

Agreement with the State Board of Forestry authorizing the State Board of Forestry to construct a guard cabin unit on the right of way of the Wilson River Highway, in Tillamook County;

"Consent to Vacation of Street", providing for the vacation of a certain street adjacent to Lot 8, "Rosewood", along the West Portland-Hubbard Secondary Highway in the vicinity of Cook Overcrossing, in Washington and Clackamas Counties;

Bargain and Sale Deed conveying unto Constance I. Kantner and Laverne Kantner 0.06 acre of land situate in Lot 7, Subdivision of Tract 2 of Smith Fruit Farms, Marion County, being right of way transactions Nos. 5776 and 5777.

There being no further business to come before the Commission at this time, the meeting was adjourned at 2:30 o'clock p. m.

Raymond
State Highway Engineer

H. H. Baldock
Secretary

E. B. Aldrich
Commissioner and Acting Chairman

F. L. Tou Velle
Commissioner

Portland, Oregon, August 3, 1938

The State Highway Commission met in regular session at 7:30 o'clock p. m. in the Tyrolean Room of the Benson Hotel. Present were:

E. B. Aldrich, Commissioner and Acting Chairman
F. L. Tou Velle, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. E. Glaisyer, Secretary

Chairman Henry F. Cabell was absent on a vacation trip in Europe.

The Commission discussed the matter of submitting to the U. S. Bureau of Public Roads a partial program for 1939 regular federal aid funds. After considerable discussion, the Commission selected the following projects for such program, and authorized the Engineer to present them to the Bureau of Public Roads for approval:

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PARTIAL PROGRAM OF 1939 REGULAR FEDERAL AID PROJECTS

Name of Highway	County	Name of Section	Termini	Miles (Net)	Kind of Work	Cost to be	
						Total Est. Cost	Paid from F.A. Funds
Columbia R.	Mult.	Corbett-Crown Point	Corbett to Crown Point	2.5	Grading	\$321,000	\$120,000
Columbia R.	Mult.	Sandy Boulevard	15th St. to 45th St. in Portland	1.9	Repaving	115,376	70,380
Pacific, E.	Clack.	Abernethy Bridge-11th St.	Abernethy Br. to 11th St. in Oregon City	.47	Grad. & Pav.	105,000	64,000
Pacific, E.	Linn	Albany	1.2 mi. N. of N. Limits of Albany to Lafayette St.	1.8	Grad., Pav. & Drainage Str.	152,000	93,000
Pacific, W.	Yamhill	Dundee-W. Dayton Junction	Gaps between Dundee & W. Dayton Junction	2.0	Grad. & Pav.	100,000	61,000
W. Portland-Hubbard	Marion	Butteville Rd.-White School	From pt. on Butteville Rd. to Pacific Hwy.	4.08	Paving	150,000	60,000
Ore. Coast	Clatsop & Till.	Arch Cape-Beach Cr.	0.8 mi. N. of Sand Beach Cr. Crossing to S. Portland Arch Cape Tunnel	2.18	Grading	150,000	84,000
Wolf Creek	Clatsop	Mecanicum-Elsie	Ore. Coast Hwy. Jct. to Elsie	11.28	Surf, Bit. Mac. Bridge	145,000	88,000
Wolf Creek	Clatsop	Rock Creek Bridge	Bridge over Rock Creek	-	-	9,119	5,560
Wolf Creek	Clatsop	Nehalem River Br.	Br. over Nehalem R. approx. 1 mi. E. of Elsie	-	Bridge	120,000	73,000
Santiam	Linn	Sheep Ridge-Toll Cr.	16.5 mi. E. of Cascadia to 18 mi. E. of Cascadia	1.53	Grading Bridge	143,416	87,490
Santiam Pacific	Linn	Sheep Creek Bridge	Bridge over Sheep Cr.	-	-	25,000	15,000
Pacific	Jackson	Siusslaw Junction-Ross Station	1.6 mi. S. of Junction City to 4.7 mi. N. of Eugene	6.4	Paving	158,638	96,890
Pacific	Douglas	M. Unit Bear Canyon-California Line	Bear Canyon to 1.2 mi. N. of California Line	2.0	Grading	320,000	195,000
Ore. Coast	Coos	Roseburg-Shady Pt.-Coquille-Clausen	Roseburg to Shady Pt. Coquille R. Br. at Coquille to 1.8 mi. N. of Riverton	2.4	Grad. & Pav.	225,000	137,000
Willamette	Klamath	Odell Lake-walker Mtn.	Odell Lake to The Dalles-Calif. Hwy	2.95	Grad, Surf, Oil	149,945	91,470
(Continued on next p.)						21.0 Surf. & Oil	61,000
						(Carried forward)	\$2,489,496 1,402,790

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PARTIAL PROGRAM OF 1939 REGULAR FEDERAL AID PROJECTS (continued)

Name of Highway	County	Name of Section	Termini	Miles (Net)	Kind of Work	Total Est. Cost F.A. Funds	Cost to be Paid from
						(Carried forward) \$2,489,496	\$1,402,790
Willamette	Lane	Salt Creek	Salt Cr. Falls to a pt. near Salt Cr. Cross'g	3.1	Clearing	19,000	11,000
Central Ore.	Deschutes	Brothers-Lake Co. Line	Brothers to Lake County Line	26.5	Grad, Surf. oil	174,000	106,000
Fremont	Lake	Silver Lake-Harris Creek	Silver Lake to Harris Creek	26.7	Grad, surf. oil	100,000	61,000
Ochoco	Crook	Ochoco Dam-Marks Cr.	From 5.5 Mi. E. of Prineville to 1 Mi. E. of marks Creek	10.0	Grad, Surf, Oil	73,000	44,000
Columbia R.	Gilliam	Gilmore-Arlington	From a point near Gilmore to Arlington	4.0	Grad, Surf, oil	154,000	94,000
Old Ore. Tr.	Union	Jimmy Cr.-North Powder	Jimmy Creek to North Powder	2.7	Grad, Surf, Oil	30,000	18,000
Old Ore. Tr.	Baker	Muddy Cr.-M.P. 328	Muddy Cr. to 1 Mi. S. of Haines	4.1	Grad. & Surf.	120,000	73,000
John Day	Grant	John Day-Prairie City	John Day to Prairie City	13.0	Bridges, Grad, Surf, Oil	150,000	91,000
Ore.-Wn.	Umatilla	Pendleton-Adams	From easterly limits of Pendleton to pt. near State Exp. Farm	7.4	Grading	100,000	61,000
State-wide Planning Survey						50,157	30,726
						\$3,409,496	\$1,961,790
						\$3,459,653	\$1,992,516

Miss Maud Campbell, accompanied by her brother, Mr. Ben Campbell, came before the Commission in regard to Miss Campbell's claim for damages arising out of the construction of the Union Avenue viaduct on the East Portland-Oregon City Highway in Portland. Miss Campbell alleged that as a result of the construction of this viaduct she now has no outlet to her property, and the same is isolated, and the value thereof, as a result, has been greatly reduced. She asked the Commission to compensate her for such damage, and presented some appraisals which she said were made by competent appraisers, indicating that her property has been damaged to the extent of \$7,000. The Commission deferred discussion of this matter pending the return of Chairman Cabell from his vacation.

The Attorney reported on the status of the right of way budget. He said that a study of expenditures already made for right of way during 1938 and of the assignments that have been given him reveals that the \$550,000 budgeted for right of way purchases this year will be about \$100,000 short of meeting the requirements. After discussion, and it being apparent that it is absolutely necessary to acquire additional right of way in order to carry on contemplated construction projects, the Commission approved increasing the right of way budget in the sum of \$100,000 in order to meet the deficit.

The Engineer requested authority to purchase certain parcels of real property that are needed for various highway improvements throughout the state and submitted a list of such properties, together with prices that he recommended be paid for each. After careful study the Commission approved the Engineer's request and adopted the following resolution in regard thereto:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth; and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon; and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is, instructed to complete the acquisition of the said properties and to take title thereto in the

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name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Astoria Section - Oregon Coast Highway</u>				
5925-Astoria, City of	Maintenance		Gratis	Collins
	Site	16,650 sq.ft.		
<u>Mist-Clatskanie Section - Mist-Clatskanie Highway</u>				
6178-Austin, Ada R.	Stock Pile			
	Site	1.0	Lump Sum \$50	McChesney
<u>South Marshfield Section - Oregon Coast Highway</u>				
5123-Siglin, Michael	R/W	8,736 sq.ft.	at 4¢ sq.ft.	Benson
<u>Marshfield-Cocouille Section - Oregon Coast Highway</u>				
6171-Prentice, John A.	"	2,260 sq.ft.	Lump Sum \$1000.00	Benson
<u>Columbia Boulevard-Harding Avenue Section - Pacific Highway West</u>				
5078-Murphy, E. G.	R/W	5,250 sq.ft.	Lump Sum \$840.00	Kaufer
5051) Campbell, James	"	2,128 "	" " " " \$600.00	"
5052) "	"	"	"	"
5059-McQuire Construction Co.	"	6 lots	2 lots at lump sum \$1940	
			2 " " " " 1910	
			2 " " " " 560 "	
<u>Boiler Bay-Rocky Creek Section - Oregon Coast Highway</u>				
4185-Sunset Investment Co.	R/W	51,019 sq.ft.	42,880 sq.ft. at 5¢ sq.ft.	
			4,039 sq.ft. at 25¢ sq.ft.	
			1,836 sq.ft. at 4¢ sq.ft.	
			2,264 sq.ft. at 6¢ sq.ft.	McCallister
<u>Salem-12th Street Junction Section - Pacific Highway East</u>				
5770-Hunt, Kate V. Rensch	R/W	20,517 sq.ft.	at 2½¢ sq.ft. + \$117	"
5579-Allison, Ethel T. and Thomas, A. L.	"	7,240 sq.ft.	at 4¢ sq.ft. + \$260 plus fencing	"
5915-Allison, Ethel T. and Thomas, A. L.	"	1,383 sq.ft.	at 4¢ sq.ft. + \$37.50	"
5778-Kantner, W. C.	"	888 sq.ft.	at 2½¢ sq.ft. + \$20	"
<u>Ruch-Jacksonville Section - Medford-Provolt Highway</u>				
6194-Moore, Emma	Stock Pile	0.97	Lump Sum \$40 + fencing	Lytle
<u>Provolt-Ruch Section - Medford-Provolt Highway</u>				
6193-Buckley, Rose A. et al	Stock Pile	0.90	Lump Sum \$50	Lytle
6195-Harriott, Helen C.	Stock Pile	0.92	Lump Sum \$40 + fencing	"
<u>Douglas County Line-Trail Section - Tiller-Trail Highway</u>				
6094-Dwinnel, Stanley W.	R/W	4.07	\$15 per a.	McCallister

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Meadow Brook Section - Starkey Highway</u>				
6170-Plunkett, Jesse	Gravel Pit	2.23	\$25 per a. plus \$54.50	Wells
<u>Fleming Ranch-Schindler Bridge Section - Albany-Lyons Highway</u>				
3997-Rahn, Grace M. et al	R/W	3.72	\$100 per a. + \$378	McChesney
<u>Buford Creek Section - Enterprise-Flora Highway</u>				
4209-Applegate, E. W.	R/W	24.63	\$5 per a. + \$551.35	Collins
<u>Bly Mountain-Beatty Section - Klamath Falls-Lakeview Highway</u>				
5942-Klamath Indian Tribe	Quarry and 40.0		5-yr. permit for quarry rock at 2¢ cu.yd.	Benson
	Stock Pile Site		5-yr. permit for stock pile site at \$5 yr. rent	
<u>Sunset Camp-Sunset Tunnel Section - Wolf Creek Highway</u>				
5223C-Ehle, Glen S.	R/W	2.26	\$20 per a.	Gardiner
<u>Peoria-Harrisburg Section - Corvallis-Harrisburg County Road</u>				
6205-Wade, H. M.	Road Materials Lease		30-day lease - approx. 800 cu.yds. at 8¢ cu.yd.	
<u>Mill Creek-Marks Creek Section - Ochoco Highway</u>				
4943-Bank of California, N.A.	R/W	42.97	\$9,957.10 plus well, est. at \$500	McCallister Gardiner

A letter was presented from the County Court of Coos County stating its willingness to convey unto the State of Oregon the Silver Falls recreational area in order that it may be developed as one unit with the Golden Falls State Park. The Commission ordered that this letter be acknowledged with thanks.

The Commission had under discussion the request of Mr. Fred Caughell, Gold Beach, Oregon, to be released from an option that he gave to the state, covering certain property needed as a stock pile site adjacent to the Oregon Coast Highway in Curry County, so as to permit him to sell this property to another party. The Engineer advised that the property is needed for highway purposes and recommended that the option be not cancelled. The Commission approved the recommendation.

The State Parks Superintendent, Mr. S. H. Boardman, was present and reported on the following park matters:

Proposed lease of 1150 acres of land located in the Crooked River Canyon, Jefferson County:- The Parks Superintendent advised that he has secured from the Government a 95-year lease on this tract, which is an outstanding recreational area. He recommended acceptance of the lease. The Commission approved the recommendation. (Lease was signed on the following day.)

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Acquisition of Multnomah Falls property:- The Parks Superintendent advised that the U. S. Forest Service has indicated a willingness to accept from the City of Portland, as an addition to the U. S. Forest Recreational Area, the Multnomah Falls property and all of the city's property lying south of the O.W.R. & N. railroad. In view of the report, the Commission decided to accept as a gift from the City of Portland the balance of the Multnomah Falls area, which includes what is known as Benson Park and Wahkeena Park, lying between the railroad and the Columbia River. The Commission also decided to accept from the City of Portland a 10-acre tract at a place known as Shepperd's Dell, which tract also lies between the railroad and the Columbia River. The Parks Superintendent was instructed to complete negotiations as soon as possible. The Engineer was authorized by the Commission to make a survey of the boundary lines and to set property stakes as may be required.

Consideration was given by the Commission to the Marcus Whitman Hotel sign that is being maintained adjacent to the right of way of the Old Oregon Trail just east of Pendleton, which sign bears incorrect information as to the distance from Pendleton to Seattle. The Attorney was instructed to inform the hotel that the sign must be corrected to meet the Oregon requirements, or be removed.

The Attorney was also instructed to take similar action in regard to some signs that are being maintained by the Yakima Chamber of Commerce adjacent to the Old Oregon Trail, directing traffic to the Patterson Ferry across the Columbia River.

The matter of charging contractors and material dealers for proposal forms and plans for highway construction projects had the attention of the Commission. The matter was referred to the Engineer for investigation and recommendation.

The Engineer requested authority to purchase 10 trucks of 2½- and 3-ton capacity equipped with dump bodies, and to trade in as part purchase price on the same 10 old trucks that have outlived their usefulness. He estimated that the total outlay to the state would be about \$40,000. The Commission authorized the purchase of this equipment through the State Purchasing Agent.

The Commission also authorized the purchase of certain equipment, estimated to cost about \$200, which is needed in connection with the examination of the vision of state highway department employees.

The Engineer reported that the 1939 Federal Lands Highway Program contains an allotment of \$25,000 for the Forest Boundary-East Section of the Warm Springs Highway in Wasco County. He advised that that portion of the Warm Springs Highway has not been designated as a state secondary highway, the highway now ending at the Jefferson-Wasco County line. He gave as his thought that the secondary highway should be extended from its present terminus to a connection with the Wapinitia Highway, and so recommended. The Commission concurred in the viewpoint of the Engineer and instructed him to confer with the Wasco County Court relative thereto, and to ask the Court to petition the Commission for such designation.

The Engineer reported that in accordance with authority previously granted him by the Commission he has awarded contracts as follows, bids for which were received on July 21, 1938:

Sandy Boulevard Section of the Columbia River Highway in Portland. Contract awarded July 25 to Kern & Kibbe, who submitted the low bid therefor.

Malone-California Line Section of Whitney County Road, in Klamath County. 1.51 miles road-mix surfacing. Contract awarded July 28 to Clifford A. Dunn, Klamath Falls, who submitted the low bid therefor.

The Commission approved the awards as reported by the Engineer.

The Engineer requested authority for Assistant Construction Engineer Paul VanScoy to go to Seattle at state expense for an inspection of portable well drills which are needed in connection with certain tests and investigations that are to be conducted in connection with the construction of high fills on soft ground. He estimated that this expense would not exceed \$15.00. The Commission approved the request, subject to further approval by Governor Martin.

The Commission discussed the matter of inspecting the Baker-Homestead Highway in Baker County in company with the Baker County Court. It was decided to inspect this highway immediately following the hearing that is to be held in Pilot Rock on August 23. (Date later changed to August 30.)

The Engineer brought up for discussion and read aloud a letter from the "Oregon's San Francisco and New York World's Fair Commission", in which the Highway Commission was requested to authorize the State Treasurer to transfer immediately the sum of \$20,000 from the state highway fund to the account of the World's Fair Commission in accordance with previous agreement. He also read aloud a suggested reply to such communication, dated August 3, 1938, in which he pointed out that the State Highway Commission cannot legally transfer such amount in the manner desired because the only way that the state highway funds can be used in connection with the work of the World's Fair Commission is by reimbursing that Commission for advances made for goods or services, expenditures for which have been previously approved by the State Highway Commission in accordance with the provisions of the agreement between the two commissions which has heretofore been decided upon and which is now being prepared as a result of the previous conferences on the subject. After discussion, the Commission approved the Engineer's reply unanimously, it being in conformance with the ideas of the Commission on the subject as heretofore expressed.

In this connection the Attorney presented a form of agreement between the two commissions covering the subject under discussion. This was approved by the Commission, with several slight changes.

The matter of passing on payments to the World's Fair Commission was discussed briefly. The Commission decided that the State Highway Engineer

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should be held responsible for such feature and thereupon authorized him to act as the Highway Commission's representative with respect thereto, and in all matters between the two commissions.

A letter was presented from the port of The Dalles requesting the immediate improvement of the bridge across the John Day River on the Sherars Bridge Secondary Highway, which bridge is now posted for a 5-ton load limit. The Engineer advised that it would be too costly to rebuild this structure, but he suggested that it be repaired and bolstered up with falsework so as to make it serve for 10-ton loads. The Commission approved the suggestion and so ordered.

The Commission considered and ordered filed a newspaper item from the Oregon City Banner-Courier relative to the construction of the East Portland-Oregon City Highway through Oregon City, and the suit that is under way for acquisition of right of way for the same.

The Commission also considered and ordered filed for future consideration a petition signed by numerous citizens of Depoe Bay and vicinity, urging the early construction of the proposed revision of the Oregon Coast Highway at Depoe Bay.

A letter was presented from the Timberline Lodge, Inc., requesting permission to maintain on state highway rights of way signs advertising Timberline Lodge. The Commission denied the request as a matter of policy.

A petition was presented, signed by numerous taxpayers of Monmouth and vicinity, urging the oiling of that portion of the Kings Valley Secondary Highway between Maple Grove, Oregon, and the Polk-Benton County Line. The Commission denied the request on account of lack of funds to finance the improvement. The Secretary was instructed to so inform the petitioners.

The Commission had under discussion a resolution from the City Council of Nyssa, Oregon, requesting the improvement of Main Street in their town by hard-surfacing and oiling full width from the Oregon Short Line Railroad right of way to their high school grounds. The Commission denied the improvement on account of lack of funds to finance the same.

The Engineer reported that contracts Nos. 2018, 2022, 2048, 2054, and 2059, for the construction of state highway projects, have been completed according to the terms and provisions of the contracts and said jobs are now ready for acceptance. The following resolution accepting the above mentioned projects was offered and was adopted by the unanimous vote of the Commissioners present:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts or modifications thereof and said jobs are now ready for acceptance:

Contract No. 2018, with Saxton, Looney & Risley, for furnishing crushed rock for the Hebo Rock Production Project on the Oregon Coast and McMinnville-Tillamook Highways, in Tillamook County. Completed June 14, 1938.

Contract No. 2022, with McNutt Bros., for grading and topping the John Day-Oliver Ranch Section of the John Day Highway, in Grant County. Completed July 28, 1938.

Contract No. 2048, with Mountain States Construction Company, for the construction of Lake Lytle Outlet Bridge on the Oregon Coast Highway, in Tillamook County. Completed July 31, 1938.

Contract No. 2054, with Rogers Construction Company, for surfacing, oiling, and rock production on the Hermiston-Cold Springs Section of the Hermiston Secondary Highway, in Umatilla County. Completed July 6, 1938.

Contract No. 2059, with Babler Bros., for oiling the Middle Bridge-Black Bridge Section of the Baker-Homestead Highway, in Baker County. Completed June 21, 1938.

THEREFORE, BE IT RESOLVED, that the work covered by said state highway contracts for the construction of said state highway projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

The Commission adjourned at 10:00 o'clock p. m., to reconvene on the following morning in the Auditorium of the Public Service Building.

Portland, Oregon, August 4, 1938

The State Highway Commission reconvened at 9:00 o'clock a. m. in the Auditorium of the Public Service Building. Present were E. B. Aldrich, Commissioner and Acting Chairman; F. L. Tou Velle, Commissioner; R. H. Baldock, State Highway Engineer; J. M. Devers, Attorney; and H. B. Glaisyer, Secretary. Chairman Henry F. Cabell was absent.

Bids as follows for highway construction projects and for the purchase of buildings and remodeling of the Highway Department offices in Salem were opened and read in conformance with previously published notice:

OREGON COAST HIGHWAY
ARCH CAPE-BEACH CREEK SECTION — GRADING

A. C. Greenwood, Inc.
McNutt Bros.

\$128,832.50
138,972.60

(Continued on next page)

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(Arch Cape-Beach Creek Section, continued)

Kern & Kibbe	\$139,111.20
Leonard & Slate	139,586.00
Roy L. Houck	146,201.00
M. L. O'Neil & Son	150,416.50
Berke Bros., Inc.	153,838.50
Fisher Bros.	156,003.50
F. C. Dillard	157,879.00
Williams & Douglas	160,960.00
K. L. Goulter	171,538.00
J. A. Lyons	175,210.00
Colonial Construction Company	179,040.00
Joplin & Eldon	197,362.00
Harold Blake	203,455.00

COOS RIVER SECONDARY HIGHWAY
CATCHING SLOUGH BRIDGE SECTION - GRADING AND BRIDGE

J. W. & J. R. Hillstrom	\$ 64,986.00
Coos Bay Dredging Company	65,734.40
Tom Lillebo	71,473.75
C. J. Montag & Sons	80,023.50

CENTURY DRIVE SECONDARY HIGHWAY
BEND SECTION - GRADING AND SURFACING

Fisher Bros.	\$ 9,731.50
River Bend Sand & Gravel Company	10,492.50
Babler Bros.	10,956.00
H. L. Rice	11,292.00
O. C. Yocom	11,668.00

WILLAMETTE HIGHWAY
SALT CREEK SECTION - CLEARING

F. C. Dillard	\$ 14,100.00
Heller & Gilgannon	18,150.00

AIBANY-LYONS SECONDARY HIGHWAY
FLEMING RANCH-SCHINDLER BRIDGE SECTION - ROADBED AND BRIDGE

Leonard & Slate	\$ 46,352.00
Mountain States Construction Company	47,666.00
Harold Blake	48,156.50
E. C. Hall & Snook Bros.	48,542.80
Birkemeier & Sarnel	53,669.00
Joplin & Eldon	55,386.50

PACIFIC HIGHWAY EAST
SHEDD-HALSEY SECTION - ROADSIDE IMPROVEMENT

D. L. Ashton	\$ 3,604.25
Leonard & Slate	3,761.00
River Bend Sand & Gravel Company	4,487.85

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**UMAPINE SECONDARY HIGHWAY
UMAPINE-SUNNYSIDE SECTION - GRADING, SURFACING, OILING**

Edwin C. Gerber	\$34,230.50
Standard Asphalt Paving Company	36,448.50
Saxton, Looney & Risley	38,978.50
Rogers Construction Company	39,731.50
Newport Construction Company	44,562.60
Homer G. Johnson	46,019.50
H. L. Rice	48,231.00

**KLAMATH COUNTY
CONSTRUCTION OF A FRAME BUILDING AT KLAMATH FALLS**

G. I. Stebbins Construction Company	\$12,764.00
E. Gray	13,178.00
Brosterhaus Construction Company	13,598.75

**MARION COUNTY
REMODELING A PORTION OF THE STATE OFFICE BUILDING AT SALEM**

Erwin E. Batterman	\$ 2,898.90
Carl Bahlburg	3,448.00
Viesko & Hannaman	3,469.80
Allen V. Moore	4,002.36

SALE OF RESIDENCE BUILDINGS IN NORTH PORTLAND

Lebeck & Son submitted a lump sum bid for both buildings of \$253.00

**BUILDING NO. 5059-A
(At 1626 N. McClellan Street)
(Former Owner McGuire Construction Co.)**

McGuire Construction Company	\$176.00
Sullivan Wrecking Company	37.98

**BUILDING NO. 5059-B
(1616 N. McClellan Street)
(Former Owner McGuire Construction Co.)**

McGuire Construction Company	\$176.00
Sullivan Wrecking Company	27.92

Acting Chairman Aldrich announced that the awards of contracts and the sale of buildings would be made at 2:30 o'clock p. m. in the same room.

Mr. Dewey D. Gault, Portland, came before the Commission and asked the Commission's aid in construction of an approach to his dock, which is located in the Columbia River near the Denver Avenue-Union Avenue intersection. The Commission referred the matter to the Engineer for investigation.

The Commission discussed the matter of the encroachment of the Harry Elbon residence building on state property adjacent to the Lower Columbia River Highway, near Scappoose. It appears that Mr. Elbon owns land between the highway right of way and the abandoned right of way of the United Railways Company, which is now owned by the state; and when he built his house he thought he was locating it on his own property, but inadvertently encroached on the old railroad right of way about 12 feet, and the mistake was not noticed until the house was completed. It also appears that in order to correct the mistake and to avoid the expense of moving the house, Mr. Elbon is willing to deed to the state other property that he owns along the highway, which is much better suited for highway purposes, if the state will deed to him the state land on which his house is located. The Engineer advised that the land on which Mr. Elbon's house encroaches is not particularly valuable from the highway standpoint because it is separated from the highway by private property, whereas the tract that he wishes to deed to the state joins the highway right of way and is much better suited for highway use. He recommended acceptance of Mr. Elbon's offer. After discussion the Commission approved the Engineer's recommendation.

Mr. William Baer, County Commissioner of Deschutes County, was present and discussed the Commission's claim against the county for reimbursement for certain costs incurred by the state in connection with the construction of the Upper Tumalo Section of the Tumalo Falls-Bend County Road. The Engineer explained that this project was built as a federal feeder road project and was financed with funds made available under the Emergency Relief Appropriation Act of 1935; also, that it was anticipated that certain expense would be incurred which could not be collected from the Federal Government; and, for that reason, an agreement was made with the county court providing for payment by the county of the non-reimbursable items, which amount to \$1,262.88.

Mr. Baer stated that Deschutes County accepts this debt but does not have sufficient funds available with which to pay it now. The suggestion was offered that the county assign to the Commission \$1,262.88 from its share of the motor vehicle and gasoline tax moneys that will be due and payable to the county on December 15, 1938. Mr. Baer expressed satisfaction with such an arrangement, whereupon the Commission instructed the Attorney to prepare an appropriate form of assignment covering the matter.

Mr. Stephen A. Hull, President of The Dalles & Southern Railroad Company, The Dalles, was present and asked permission to construct a roadway approach from the company's property adjacent to the Columbia River Highway near the east city limits of The Dalles, to the Columbia River Highway, necessitating special roadway construction on the highway right of way for a short distance. The Commission referred the matter to the Engineer for investigation and report.

Mr. R. E. Riley, City Commissioner, Portland, was present and discussed with the Commission the matter of the city's conveying unto the state city-owned land at Multnomah Falls and at Shepperd's Dell. He said that the City of Portland is ready and willing to proceed with the transfer of this

property in accordance with arrangements made with the State Parks Superintendent, which is to the effect that the city will deed to the state all of the land lying between the O.W.R.R. & N. railroad track and the Columbia River for about a mile and a half along the highway, including Multnomah Falls, Wahkeena Falls, and Benson Park, and will deed to the U. S. Forest Service that portion of the city property at Multnomah Falls which lies south of the railroad track, so that this area may be included in the U. S. Forest Service Recreational Area. He said that the city is glad to make this transfer but wants to urge the rapid development of the property for public use. He suggested the immediate construction of a dock for excursion boats opposite the Multnomah Falls Hotel, and expressed a wish that the Commission would consult the city authorities relative to the development of the entire area.

Commissioner Aldrich advised that it would be the natural thing for the Commission to consult with the city officials in regard to the development of this tract, but he pointed out that the present Commission cannot commit future commissions. After further discussion the Commission voted unanimously to accept this gift from the City of Portland, with the conditions mentioned by Mr. Riley but subject to the securing of releases from the O.W.R.R. & N. Company and from Mr. Simon Benson, who gave Benson Park to the City of Portland. The conference was concluded with the understanding that the City Attorney of Portland would prepare the necessary papers at once, including the release forms, and that these papers would be passed on by the Commission's Attorney before they are executed.

County Judge Guy Boyington and County Commissioner William Larson of Clatsop County were present. They thanked the Commission for contracting the Arch Cape Tunnel Project on the Oregon Coast Highway, which will result in the opening up of this coast route in 1939; and asked the Commission to designate as a future secondary highway the county road extending from the Oregon Coast Highway to Fort Stevens. Commissioner Aldrich explained that all three members of the State Highway Commission must be present to designate a secondary state highway, so the placing of the Fort Stevens road on the secondary highway system must await the return of Mr. Cabell from Europe.

The Commission adjourned for luncheon at 12:10 o'clock p. m., and reconvened at 2:00 o'clock p. m. in the same room with the same members present and participating. Also present were the State Highway Engineer, the Attorney, and the Secretary.

Consideration was given by the Commission to the bids received at the morning session for the construction of P.W.A. projects. The Commission decided to award the contracts for the Catching Slough Bridge project, the Fleming Ranch-Schindler Bridge project, and for the Umapine-Sunnyside project to the low bidder in each instance, the Commission having been previously informed that the awards meet with the approval of the Regional Director of the Public Works Administration.

Moved by F. L. Tou Velle and seconded by E. B. Aldrich that the contract for the construction of the Catching Slough Bridge be awarded to J. W. and J. R. Hillstrom, of Marshfield, Oregon, for the sum of \$64,986.00.

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The following resolutions relative to the award of contracts for the Fleming Ranch-Schindler Bridge Project and the Umapine-Sunnyside Project were adopted by the Commission by the unanimous vote of the Commissioners present:

WHEREAS, the bids received for the construction of P.W.A. Docket 1184-F at Linn County, Oregon, have been duly opened, read and compared, and it appears that Leonard & Slate is low bidder, after taking alternate deductions; and

WHEREAS, such bid is within the available funds of \$53,000;

NOW, THEREFORE, BE IT RESOLVED, That the contract for the construction of said P.W.A. Docket 1184-F be and the same is hereby awarded to Leonard & Slate for the sum of \$46,352.00.

WHEREAS, the bids received for the construction of P.W.A. Docket 1190-F at Umatilla County, Oregon, have been duly opened, read and compared, and it appears that Edwin C. Gerber is low bidder, after taking alternate deductions; and

WHEREAS, such bid is within the available funds of \$44,600;

NOW, THEREFORE, BE IT RESOLVED, That the contract for the construction of said P.W.A. Docket 1190-F be and the same is hereby awarded to Edwin C. Gerber for the sum of \$34,230.50.

The Commission decided to readvertise the Klamath Falls building project inasmuch as unsatisfactory bids were received for such project.

The Secretary was authorized and instructed by the Commission to notify the Public Works Administration and the U. S. Bureau of Public Roads, in writing, of the action taken by the Commission with respect to the award of each of the above-mentioned P.W.A. projects.

The Attorney reported a possibility that it will be necessary to institute condemnation proceedings to acquire right of way that is needed for several of the jobs for which bids were opened at this session. He requested authority to institute such proceedings if further investigation indicates that to be necessary, and particularly to institute a friendly condemnation suit against the Northern Pacific Railroad Company to acquire right of way for the Bend Section of Century Drive Secondary Highway. The Commission approved the request.

Mr. Bill Smith, representing the Pacific Portland Cement Company, was present and inquired whether or not the State Highway Commission would have any objections to interests that he represents securing and operating a gravel plant in Hood River about a quarter of a mile above the Columbia River Highway Bridge. He said that the proposed operation will be readily seen from the highway and because of this the people whom he represents want to make certain that the Commission has no objections to it before proceeding with their plans. In the discussion of this matter it was brought out that the gravel bar is located on a small island a considerable distance beyond the limits of the highway right of way, hence the State Highway Department would have no jurisdiction over the same. Mr. Smith was informed by Commissioner Aldrich that the Commission prefers that a gravel plant be not operated

in this location because no doubt it would be unsightly and would detract from the beauty of the highway. However, it appears that the matter is entirely out of the Commission's jurisdiction.

At 2:30 o'clock p. m. Acting Chairman Aldrich announced the following awards of contracts for which bids were received at the morning session, the awards having been previously approved by the unanimous vote of the Commissioners present:

"Arch Cape-Beach Creek Section of the Oregon Coast Highway, in Clatsop and Tillamook Counties. 2.18 miles grading. The low bid received for this project was that of A. C. Greenwood Company, Inc., Portland, at \$128,832.50. The next low bid was that of McNutt Bros., Eugene, at \$138,912.60. There were 13 higher bidders. The Commission awards this contract to A. C. Greenwood Company, Inc., at its low bid of \$128,832.50.

"Catching Slough Bridge Section of Coos River Secondary Highway, in Coos County. 0.27 mile grading and a steel and timber bridge over Catching Slough. J. W. & J. R. Hillstrom, Marshfield, submitted the low bid for this project at \$64,986.00. The next low bid was submitted by Coos Bay Dredging Company, Marshfield, at \$65,734.40. There were 2 higher bidders. The Commission awards this contract to the low bidders, J. W. & J. R. Hillstrom, at their bid of \$64,986.00.

"Bend Section of Century Drive Secondary Highway, in Deschutes County. 1.2 miles grading and surfacing. Fisher Bros., Oregon City, submitted the low bid at \$9,731.50. The next low bid was submitted by the River Bend Sand & Gravel Company, Salem, at \$10,492.50. There were 3 higher bidders. The Commission has referred all bids received for this project to the Engineer with power to award the contract to the low bidder when certain conditions have been fulfilled.

"Construction of a frame building, 32'x140', complete with heating plant, at Klamath Falls, in Klamath County. G. I. Stebbins Construction Company, Klamath Falls, submitted the low bid at \$12,764.00. The next low bid was submitted by E. Gray of Klamath Falls, at \$13,178.00. There was only 1 other bidder. The Commission rejects all bids received and has ordered the project readvertised.

"Salt Creek Section of the Willamette Highway, in Lane County. Clearing 3.16 miles of highway right of way. The Commission received only 2 bids for this project, the low one being that of F. C. Dillard, Medford, at \$14,100.00. The other bid was that of Heller & Gulgannon, Scappoose, at \$18,150.00. The Commission has awarded this contract to F. C. Dillard at his low bid of \$14,100.00.

"Fleming Ranch-Schindler Bridge Section of the Albany-Lyons Secondary Highway, in Linn County. 1.62 miles of highway roadbed and a concrete bridge approximately 232 feet long over Thomas Creek. The low bid received for this project was that of Leonard & Slate, Multnomah, at \$46,352.00. The next low bid was that of Mountain States

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Construction Company, Eugene, at \$47,666.00. There were 4 higher bidders. The Commission awards this contract to the low bidders, Leonard & Slate, at their bid of \$46,352.00.

"Shedd-Halsey Section of the Pacific Highway East, in Linn County. 6.78 miles roadside improvement. D. L. Ashton, Lebanon, submitted the low bid at \$3,604.25. The second low bid was that of Leonard & Slate, Multnomah, at \$3,761.00. There was 1 higher bidder on this project. The Commission awards this contract to D. L. Ashton at his low bid of \$3,604.25.

"Umapine-Sunnyside Section of Umapine Secondary Highway, in Umatilla County. 5.64 miles grading, surfacing and oiling. Edwin C. Gerber, Oregon City, submitted the low bid for this project at \$34,230.50. The next low bid was that of Standard Asphalt Paving Company, Spokane, Washington, at \$36,448.50. There were 5 higher bidders. The Commission has awarded the contract to the low bidder, Edwin C. Gerber, at his bid of \$34,230.50.

"Buildings in North Portland. Buildings Nos. 5059-A and 5059-B, both formerly owned by the McGuire Construction Company of Portland, and located at 1626 N. McClellan Street and 1616 N. McClellan Street, respectively, in the city of Portland. The bid of the McGuire Construction Company, at \$176 each, was the high bid received for these buildings. The second high bid was that of Lebeck & Son, Portland, at a lump sum of \$253.00 for both buildings. The third and only other bidder was the Sullivan Wrecking Company of Portland. The Commission awards the sale of these buildings to the high bidder, the McGuire Construction Company, at its bid of \$176.00 each.

"Remodeling a portion of the State Office Building in Salem, Marion County. Removal of approximately 370 lineal feet of old partitions and construction of approximately 510 lineal feet of new partitions, complete with doors, paneling, etc. Erwin E. Batterman, Salem, submitted the low bid for this project at \$2,898.90. Carl Bahlburg, Salem, submitted the next low bid at \$3,448.00. There were 2 higher bidders. The Commission awards the contract to the low bidder, Erwin E. Batterman, Salem, at his bid of \$2,898.90."

Consideration was given by the Commission to readvertising for bids for the construction of the Klamath Falls maintenance building and it was decided by the unanimous vote of the Commissioners present to receive bids for the construction of this building on Tuesday, August 23, 1938, at 2:00 o'clock p. m. in the offices of Commissioner Aldrich in the East Oregonian Building, Pendleton. (This meeting was later postponed one week, until August 30, 1938.)

The Commission considered, approved, and signed the following agreements:

Cooperative agreement with the United States of America providing for the lease of 1150 acres of land in the Crooked River Recreational area in Jefferson County.

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Agreement with the Southern Pacific Company terminating the lease of a stock pile site at Hillsboro.

Agreement with the O.W.R.R. & N. Company and the Union Pacific Railroad relative to the encroachment of the Lombard-Killingsworth Section of Northeast Portland Secondary Highway upon the Railroad Company's right of way, being right of way transaction R-5413.

Agreement with Shell Oil Company covering the matter of moving buildings and other facilities from the Shell Oil Company property in Portland, which property is being acquired by the state for right of way for the Columbia Boulevard-Harding Avenue Section of the Pacific Highway West (Interstate Avenue), being right of way transaction 5383.

Agreement with Alvina H. Borland and R. S. Borland, authorizing the Borlands to occupy certain property which they have deeded to the state at Grants Pass for right of way purposes, being right of way transaction 6105.

Quitclaim deed conveying unto Ralph I. Robertson and wife 824 sq. ft. of land situate in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 21, Township 40 S, Range 2 E, W. M., Jackson County, being right of way transaction 5181.

Bargain and sale deed conveying unto Frank D. Vetter and wife 0.86 acre in the N $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 25, Township 38 S, Range 1 W, W.M., Jackson County, being transactions 4571, 4578, and 4569.

There being no further business to come before the Commission at this time, the meeting was adjourned at 2:45 o'clock p. m.

[Signature]
State Highway Engineer
[Signature]
Secretary

[Signature]
Commissioner and Acting Chairman
[Signature]
Commissioner

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Klamath Falls, Oregon, August 9, 1938

The State Highway Commission met in the City Council Chambers of the Klamath Falls City Hall at 9:00 o'clock a. m., in accordance with formal notification sent to the Mayor of Klamath Falls on July 7, 1938, for the purpose of securing expressions from the people of Klamath Falls with respect to the rerouting of The Dalles-California Highway within said city. Present were:

E. B. Aldrich, Commissioner and Acting Chairman
F. L. Tou Velle, Commissioner
H. G. Smith, Construction Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

Chairman Henry F. Cabell and State Highway Engineer R. H. Baldock were absent.

Also present were 15 local citizens. Acting Chairman Aldrich called the meeting to order. He explained that the Commission had been requested by the Common Council of the City of Klamath Falls to determine whether or not the route of The Dalles-California Highway should be retained in its present location on 9th Street or should be rerouted on 11th Street, which is the purpose and object of this meeting. He called upon the Attorney to explain the legal features involved. The Commission's Attorney, J. M. Devers, explained the law which requires the State Highway Commission to hold a public hearing in an incorporated city or town before it alters or changes the route of any state highway into or through such city or town, in order to give the local citizens an opportunity to express themselves either for or against the change. Construction Engineer H. G. Smith exhibited a map showing the proposed change, which is described as follows:

Beginning at a point on The Dalles-California Highway at the intersection of Main Street with 9th Street in Klamath Falls; thence continuing northerly along Main Street to 11th Street; thence following along 11th Street in a northwesterly direction to Upham Street; thence westerly along Upham Street to a connection with the present highway at Prospect Street. He explained briefly the engineering features involved in such change. Commissioner Aldrich then invited all present to express themselves in regard thereto.

James Boyer stated that he lives on Oregon Avenue but owns property on 11th Street. He gave as his thought that 11th Street is the proper route for this highway from the traffic standpoint, particularly in order to eliminate the dangerous condition that exists on the present route at the intersection of Prospect Street and 9th Street, where, he said, many accidents occur. He further stated that he was informed at one time by an engineer of the Highway Department that 11th Street is the proper location for the highway and would be adopted by the Highway Commission if the city would build a bridge over the canal on such street, which has been done, the people having voted bonds for the purpose, with the idea in mind that the Commission would reroute the highway in that location.

Mr. J. S. Peck also spoke in favor of the 11th Street route.

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He said that he owns property on this street and is of the opinion that it is the proper route for the highway, and visitors to their city will then enjoy the same privileges as do the local people in travelling over it.

Mr. J. O. Dryden stated that 11th Street is a residence street and is the most beautiful street in the city, being lined on both sides with ornamental trees. He expressed a preference for the highway to be routed on 11th Street if the trees are not to be removed; otherwise, that the highway be retained in its present location on 9th Street.

Construction Engineer H. G. Smith stated that both 9th and 11th Streets are now too narrow to properly take care of traffic, and would have to be widened. His remarks were confirmed by John Beakey, Traffic Engineer for the State Highway Department. The Commission's Attorney advised that the Commission is without authority to extend its improvement beyond the curbs on any street without the consent of the city officials because the Commission's jurisdiction extends only to the curb line; however, the city officials have authority to remove the trees beyond the curb line if they so desire.

Mr. Peck, speaking again, urged the removal of trees on 11th Street if that is necessary in order to secure the routing of the highway on such street.

Dr. Lloyd Cass stated that he owns property on 11th Street and favors the rerouting of the highway on such street even if it is necessary to go to the extent of removing the trees therefrom. He urged the adoption of the 11th Street route, particularly from the safety standpoint.

City Engineer E. A. Thomas suggested that new trees could be planted to replace the old ones if they were cut down. He pointed out that the present trees, for the most part, are of the poplar species with a big root system, and the city has been put to a great deal of expense in the past in repairing the sewer and water mains because of the roots.

Mr. Earl Devlin, Manager of the Elk Hotel, spoke in favor of the 11th Street route because it would bring more traffic near the Elk Hotel. He said that his argument is simply from a selfish business standpoint.

Mr. H. V. Williams, salesman, gave as his thought that the highway should be rerouted in a location that will do the most good for the greatest number of people; and in his opinion the 11th Street route fits that requirement in the best possible manner. It was his thought that if the Commission should adopt the 11th Street route, a considerable amount of traffic would still use the 9th Street route, but through traffic would be accommodated because the confusion that now exists at the reverse turn on 9th Street will be eliminated if the route is changed to 11th Street. He gave as his opinion that it is unfair to continue to divert traffic from the business interests on 11th Street because these people are entitled to a just share of the business that is created by such traffic. Mr. Williams also spoke for the 11th Street route from the aesthetic standpoint, stating that 11th Street is a more beautiful street than 9th Street and tourists entering their city on that street will receive a much better first impression.

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Mr. Oscar Payton stated that he is in the fuel business and that he owns property along 9th Street and also resides on 9th Street. He spoke in favor of the 11th Street route. He said that, under present conditions, because of the narrowness of 9th Street and the large volume of traffic which uses this street, it is difficult for property owners to drive into their own driveways. It was his thought that a certain amount of traffic would use 9th Street regardless of whether or not it is a state highway route. He also said that he was one of those who voted for the bonds to finance the bridge on 11th Street, being of the opinion at that time that the highway would be routed there; and he has spent more money in developing his property than he would have spent had he known that the highway route was not going to be changed. Mr. Payton also spoke for the adoption of the 11th Street route from the standpoint of removing traffic hazards on the 9th Street route.

Mr. Robert Currier stated that he lives along 11th Street and recently purchased property there because it was his understanding that the highway would be routed on this street. He favored the 11th Street route for business reasons.

At this juncture Commissioner Aldrich inquired why the people of Klamath Falls thought that the highway would be rerouted on 11th Street if the city built a bridge over the canal on this street.

Mr. Dryden, in reply, stated that, as far as he knew, the people had no official assurance that the highway would be routed on 11th Street if the bridge were built there but the rumor was simply started and was based on a proposition of widening the old narrow bridge which had become hazardous and unsafe for vehicular traffic.

Mr. F. W. Van Buskirk stated that he resides along 11th Street. He denied statements that the rerouting of the highway had anything whatever to do with financing the new bridge on 11th Street. This bridge, he said, was built simply to do away with the existing blind-end street, although some thought at that time that the Highway Commission would designate 11th Street as the highway route if the bridge were built. He gave as his thought that the City Council made a mistake in asking the Highway Commission to adopt the 11th Street route until it had made a study of traffic conditions. He submitted traffic counts taken by himself during certain times of the day on July 9, 11, 15, 20, and 21, 1938, and declared that the traffic is now about as equally divided on 9th Street and 11th Street as it could be. He urged the retention of the highway on 9th Street for the following additional reasons: 1. 11th Street passes two schools and a cemetery, which would present a hazardous condition for school children. 2. To preserve the trees on 11th Street. 3. To eliminate congestion on Main Street. In this connection he suggested that a feasible route would be to follow the railroad into Klamath Falls on the north, which would eliminate the necessity to route traffic on either 9th or 11th Street. The present route on 9th Street, he said, could be used until the Commission is ready to permanently reroute the highway through Klamath Falls. Mr. Van Buskirk said that most of the property owners residing on 11th Street are opposed to the rerouting of the highway on that street because they do not want the extra traffic.

Mr. J. H. Hesse stated that he is satisfied to leave the decision up to the Highway Commission. Mr. J. L. Blackburn favored the retention of the present route on 9th Street. He spoke in the interests of safety to children, and pointed out that 11th Street would pass both the high school and grade school, and would be a death trap if it were the route adopted, inasmuch as there are no sidewalks on that street. He said that not only do the school children use this street more than any other street in that section but that funerals must be routed along this artery also. He alleged that rerouting of the highway on 11th Street would not eliminate the turns on the present route. He urged the Commission to leave the highway in its present location from the safety standpoint.

Mr. Chris Blants urged the adoption of the 11th Street route, as did also Mr. Lester Thompson, both being of the opinion that 11th Street is the most natural route and that the majority of the people are in favor of it.

Miss Dorothy Price, teacher in the public schools, spoke in the interests of school children, of whom she said that 50 per cent now use 11th Street in going to and from school. She favored the routing of the highway on 9th Street and the opening up of Washington Street through to 9th Street in order to alleviate the congestion of traffic on 11th Street.

Messrs. Joe Rose and L. D. Collins also voiced a preference for the adoption of the 11th Street route. Mr. Lee Bean, Councilman, advised that the city built the bridge on 11th Street in the interests of the city as a whole, and because the Council felt that 11th Street was the most natural and feasible route for the highway; and for that reason, when the bridge was completed, the Council asked the Commission to reroute the highway on the street on which this bridge is located. He alleged that the traffic hazards on the 9th Street route are much greater than on the 11th Street route. Furthermore, he said that 11th Street is much better for industrial traffic because it takes industry where it wants to go sooner than 9th Street does, and, at the same time, avoids the congestion at 9th and Main Streets.

There being no others present desiring to be heard on the subject, the hearing was declared concluded at 10:30 o'clock a. m. by Acting Chairman Aldrich, who advised that the Commission would consider the arguments presented and would make its decision later.

Following the hearing the Commission was in session for a short time for consideration of routine matters, among which was the adoption of minimum wage rates to be paid laborers employed on the Klamath Falls building project which it is proposed to construct with P.W.A. funds. After some discussion, Commissioner Tou Velle moved the adoption of the following resolution in regard thereto, which motion was duly seconded and declared by Commissioner Aldrich to have passed by the unanimous vote of the Commissioners present.

Klamath Falls Building Project PWA Docket Number Oregon 1177-F

WHEREAS, a thorough investigation has been made of the hourly wage rates which are being paid in Klamath County, which is

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the locality in which the proposed project (hereinafter referred to as "Project") is to be constructed by the Oregon State Highway Commission, to employees in each trade or occupation engaged in work of a nature similar to the work to be performed in the construction of said Project, and the prevailing hourly wage rates being paid in such locality to such employees for such work have been determined by an examination of the wage rates now being paid on the construction of a new gymnasium in the City of Klamath Falls, this construction project being the largest construction project under way at present in that locality, and an examination of the wage rates paid for grading, surfacing, and rock production on highway work which work is comparable to work to be performed on this project.

NOW, THEREFORE, BE IT RESOLVED by the Oregon State Highway Commission of the State of Oregon that the following rates for the respective trades or occupations listed below shall be and are hereby fixed as the minimum hourly wage rates and have been determined in accordance with rates prevailing for work of a similar nature in the locality in which the project is to be constructed.

Air compressor oper.	\$.75	per hour	Sheet metal worker	\$1.25	per hour
Brick layer	1.50	per hour	Shingler	1.20	per hour
Building trades laborers	.62½	per hour	Fireman (steam shovel or hoist)	.75	per hour
Carpenter	1.20	per hour	Grader operator	.75	per hour
Conc. mixer operator (1 sack capacity)	.75	per hour	Hoist engr. (2 or more active drums)	1.20	per hour
Crane operator	1.20	per hour	Jackhammer operator	.75	per hour
Crusher oper. (400 tons per day or over)	1.20	per hour	Labor, misc. unskilled	.50	per hour
Crusher oper. (under 400 tons per day)	.75	per hour	Lather	1.25	per hour
Drill dresser	1.20	per hour	Le Tourneau operator	1.20	per hour
Electrician	1.20	per hour	Master conc. finisher	1.25	per hour
Excavator oper. (types comparable to Le Tourneau)	1.20	per hour	Mason's tender	1.00	per hour
Glasier	1.12½	per hour	Mechanic	1.20	per hour
Iron worker	1.25	per hour	Painter	1.12½	per hour
Pump man	.75	per hour	Pitman	.50	per hour
Reinf. steel setter	1.12½	per hour	Plasterer	1.50	per hour
Roller operator	.75	per hour	Powder man	.75	per hour
			Power shovel operator	1.20	per hour
			Plumber	1.25	per hour
			Teamster	.62½	per hour
			Truck driver	.62½	per hour

BE IT FURTHER RESOLVED that the foregoing list of trades or occupations includes, to the best of our knowledge, all the classifications of employees who will be engaged in work on said Project other than executive, supervisory, administrative, clerical, or other non-manual works as such.

BE IT FURTHER RESOLVED that there be transmitted with this resolution the substantiating data upon which the foregoing determination is based.

The Commission also had under consideration the matter of accepting the offer of the United States of America to aid in financing the construction of highway improvements on the Woodburn-Mt. Hood Loop Secondary Highway at Molalla, in Clackamas County, and the acquisition of necessary lands and rights of way therefor. After discussion, the Commission accepted the said offer and, by affirmative vote of each of the Commissioners present, adopted the following resolution in regard thereto:

A RESOLUTION ACCEPTING THE OFFER OF THE UNITED STATES TO THE STATE HIGHWAY COMMISSION OF THE STATE OF OREGON TO AID BY WAY OF GRANT IN FINANCING THE CONSTRUCTION OF HIGHWAY IMPROVEMENTS ON THE WOODBURN-MT. HOOD LOOP SECONDARY HIGHWAY AT MOLALLA IN CLACKAMAS COUNTY AND THE ACQUISITION OF NECESSARY LANDS AND RIGHTS OF WAY THEREFOR.

Be it resolved by the Oregon State Highway Commission:

Section 1. That the offer of the United States of America to the State Highway Commission of the State of Oregon to aid by way of grant in financing the construction of highway improvements on the Woodburn-Mt. Hood Loop Secondary Highway at Molalla in Clackamas County and the acquisition of necessary lands and rights of way therefor, a copy of which offer reads as follows:

"P. W. 82396-55

"FEDERAL EMERGENCY ADMINISTRATION OF PUBLIC WORKS

"Washington, D. C.
Dated: Aug 5 1938
Docket No. Oreg. 1247-F

"State Highway Commission
of the State of Oregon,

Salem, Oregon.

1. Subject to the terms and Conditions (FMA Form No.230, as amended to the date of this Offer), which are made a part hereof the United States of America hereby offers to aid in financing the construction of highway improvements on Woodburn-Mt. Hood Loop Secondary Highway at Molalla (herein called the "Project") by making a grant to the State Highway Commission of the State of Oregon (herein called the "Applicant") in the amount of 45 percent of the cost of the Project upon completion, as determined by the Federal Emergency Administrator of Public Works (herein called the "Administrator"), but not to exceed, in any event, the sum of \$6,462.

2. By acceptance of this Offer the Applicant covenants to begin work on the Project as early as possible but in no event later than 10 weeks from the date of this Offer and to complete such Project with all practicable dispatch, and in any event within 5 months from the commencement of construction.

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3. This Offer is made subject to the express condition that, if the Administrator shall determine at any time that the Applicant has paid or agreed to pay, whether directly or indirectly, a bonus commission or fee to any person, firm or corporation for attempting to procure an approval of the Applicant's application, or for alleged services in procuring or in attempting to procure such approval, or for activities of the nature commonly known as lobbying performed or agreed to be performed in connection with the application, then the Administrator shall have the right, in his discretion, to rescind this Offer and any agreements resulting herefrom, and, in the event of such rescission, the United States of America shall be under no further obligation hereunder.

"UNITED STATES OF AMERICA

Federal Emergency Administrator
of Public Works

(Sgd.) E. W. Clark

By _____
For the Assistant Administrator"

be and the same is hereby in all respects accepted.

Section 2. That the State Highway Commission of the State of Oregon and the State of Oregon agree to abide by all rules and regulations relating to such grant a copy of which rules and regulations were annexed to the Government's offer and made a part thereof. It is hereby covenanted that the work on the project described in the offer will be commenced as early as possible, but in no event later than ten weeks from the date of this offer; and to complete the work with all practicable dispatch, and in any event within five months from the commencement of construction.

Section 3. That J. M. Devers, Assistant Attorney General for Oregon, and Attorney for the State Highway Commission of the State of Oregon be and he is hereby authorized and directed forthwith to send to the Federal Emergency Administration of Public Works three certified copies of this Resolution and three certified copies of the proceedings of this Commission in connection with the adoption of this Resolution, and such further documents or proofs in connection with the acceptance of said offer as may be requested by the Federal Emergency Administration of Public Works.

The Commission discussed the matter of securing P.W.A. grant funds to assist in the financing of rock production projects. Construction Engineer H. G. Smith advised that if the federal authorities will approve grants for such projects, the state could make a considerable saving because there are a number of such projects that should be undertaken soon. He particularly mentioned the following projects: Moro-Wasco County line rock production

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in Sherman County; Madras-Deschutes County Line rock production in Jefferson County; and the Provolt maintenance project in Josephine and Jackson Counties, which are estimated to cost a total of \$44,000. After discussion the Commission decided to secure P.W.A. funds to assist in financing these projects, if possible, and thereupon adopted the following resolution authorizing the State Highway Engineer to file applications with the United States of America for grants for such purposes:

A RESOLUTION authorizing R. H. Baldock, as State Highway Engineer, to file applications with the United States of America through the Federal Emergency Administration of Public Works for grants to aid in financing the construction of certain State Highway projects; and, the purchase of right of way necessary to such construction.

BE IT RESOLVED BY THE OREGON STATE HIGHWAY COMMISSION:

1. That R. H. Baldock as State Highway Engineer, be and he is hereby authorized to execute and file applications on behalf of the Oregon State Highway Commission with the United States of America for grants to aid in financing the construction of the following State Highway projects.

County	Section	Type of Work
Sherman	Moro-Wasco County Line	Rock Production
Jefferson	Madras-Deschutes County Line	Rock Production
Josephine & Jackson	Provolt Maintenance Project	Rock Production

2. That the said R. H. Baldock is hereby authorized and directed to furnish such information as the United States of America through the Federal Emergency Administration of Public Works may reasonably request in connection with the applications which are herein authorized to be filed.

The Attorney discussed with the Commission matters pertaining to the acquisition of right of way that is needed for a revision of The Dalles-California Highway across the property of the Lamb Lumber Company at Modoc Point. It appears that the residence buildings in Modoc Point are heated by steam from the Lamb Lumber Mill, and that the company's steam pipes are constructed overhead rather than underground. Further, that the company desires to continue to serve these buildings with overhead steam pipes, which will necessitate the construction of such pipe over and across the highway right of way, which is undesirable from the standpoint of the state. It also appears that the company is not willing to let the state have right of way across its property unless it is allowed to construct its steam pipe line over the highway.

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After considerable discussion the Commission instructed the Attorney to negotiate further with the company on the basis of allowing the overhead steam pipe, the company to accede to the wishes of the Highway Commission with regard to other matters, including right of way, and to condemn the right of way in the event the company will not settle with the Commission on such basis.

The Commission had under consideration the request of the Engineer to purchase an industrial power unit at an estimated cost of \$1,600, for use in connection with the operation of a crusher that is being used on the Wolf Creek Highway W.P.A. work. It was explained that power for such crushing operations is now provided by an RD-7 caterpillar tractor which is valued at \$7,000 and for which a rental of \$500 per month is charged. It was also explained that some 200,000 cubic yards of material will be crushed by this plant, in view of which it seems advisable to purchase a special power unit for the operation, thus releasing the RD-7 tractor for other work where the high rental rate would be justified. The Secretary advised that it is the recommendation of the Engineer that the new power unit be purchased. After discussion the Commission approved the Engineer's recommendation unanimously.

The Commission discussed the matter of construction, as an experiment, of woven wire fence along the cut slopes on the Santiam Highway west of a point known as Hogg Pass to prevent the recurrence of snow slides such as blocked this highway during the past winter. The Secretary presented a letter from the Engineer in which he recommends an expenditure of about \$3,500 for such purpose, which would provide for the construction of about 3,500 lineal feet of fence and cable; also, in which he recommends that this amount be added to the 1938 minor betterment budget if this project is approved, in view of the fact that no provision has been made heretofore for such expense.

After discussion, the Commission approved the installation of this fence as recommended by the Engineer.

A letter was presented from District Maintenance Superintendent D.J. Sage, Coquille, requesting instructions with respect to the disposal of a load of fir logs which were dumped on the Powers Secondary State Highway in Coos County. Mr. Sage advises that the logs are owned by S. A. Hutchinson, Powers, Oregon, and that they were dumped on the highway on July 18 by Mr. Hutchinson's truck driver, Mr. Jim Brewster, of Powers; further, that on July 19 he (Mr. Sage) notified both Mr. Brewster and Mr. Hutchinson to remove the logs from the highway right of way, but to date that has not been done. He requested instructions. The Commission ordered that the owner of the logs be again notified to remove them from the highway and if they are not removed within a reasonable length of time, that they be given to anyone desiring them; further, if no one can be found who is willing to remove the logs, then they are to be burned, as provided in Circular Letter No. 50, dated April 7, 1938.

A letter was presented from the Acting Forest Supervisor of the Willamette National Forest, Eugene, advising that the C.C.C. Camp at Belknap, which has heretofore supplied men and equipment to open up the Clear Lake

road between Belknap Springs and the South Santiam Highway, is being transferred to another location and will not be available for future maintenance work on this road, which leaves the Forest Service without sufficient funds to finance the class of work heretofore performed in removing snow and graveling the road prior to and after the time when the road is open to travel. He inquired as to what cooperation the Forest Service can receive from the state in view of the circumstances. In the discussion of this matter it was pointed out that the road in question is not a state highway, hence the Commission is without legal authority to expend state funds for its improvement. The Commission ordered that the Forest Supervisor be so informed.

The Secretary brought up the matter of authorizing the Assistant State Highway Engineer, Mr. C. B. McCullough, and Construction Engineer H. G. Smith, to make an inspection of concrete pavements in the State of Washington, at state expense, with a view to securing needed information with regard to the construction of joints in such type of pavement, there being many good examples of such work in that state. He said that on January 7, 1938, the Commission authorized these engineers to make this inspection trip but it now develops that Mr. McCullough will be unable to go and wishes the Labor Relations Engineer, Mr. Ray Webber, to go in his place. The Commission approved the change, provided it also meets with the approval of Governor Martin.

The Commission discussed and authorized the making of a location survey of the North River County Road for a distance of approximately 6 miles north from Salem, same having been recommended by the Engineer.

There being no further business to come before the Commission at this time, the meeting was adjourned at 11:30 o'clock a. m.


Construction Engineer


Secretary


Commissioner and Acting Chairman


Commissioner

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Pilot Rock, Oregon, August 30, 1938

The State Highway Commission met in special session at 10:00 o'clock a. m. in the Public Library Building, in accordance with notice previously given to the Pilot Rock City Council, as required by law, to secure expressions from the people of this town with respect to a proposed rerouting of the Oregon-Washington Highway in order to eliminate three right-angle turns in the present routing of such highway between the intersection of Main and Lewis Streets and a point near the intersection of the present highway with Balm Street. Present were:

E. B. Aldrich, Commissioner and Acting Chairman
F. L. Tou Velle, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

Also present were 15 local citizens.

Commissioner Aldrich called the meeting to order and stated its purpose. He then called upon the Commission's Attorney to explain the necessity for the meeting from a legal standpoint. The Engineer then exhibited a map showing the proposed change and explained the plans for the improvement and the engineering features involved, following which Commissioner Aldrich invited all present to express their opinions, either for or against the proposed change.

Mr. George W. Done, City Recorder, stated that, in his opinion, the proposed change is a good one and will provide for a permanent improvement. He endorsed the project. Mr. M. D. Orange stated that he also approved the project and advised that he has heard no objections to the proposed change.

Dr. George Smith, Mayor, also approved the proposed change and gave as his thought that the people of Pilot Rock will be perfectly satisfied with it. He inquired whether or not the change would necessitate construction of a new bridge over East Birch Creek, and, if so, who would be responsible for the old bridge. He was informed by the Engineer that a new bridge would be constructed on the new alignment and that the city of Pilot Rock would have to assume the responsibilities and obligations with respect to the old bridge.

Dr. Smith then advised that the U. S. Army Engineers propose to conduct a hearing in Pilot Rock on the following day with respect to improvements to control the floods in Birch Creek, and the question has arisen, if the old bridge has to be raised to meet the Government's requirements with respect to the flood control project, would the city have to pay this expense? He was informed by the Engineer that such expense would be the obligation of the city unless the Government would assume it. Commissioner Aldrich confirmed the Engineer's remark by stating that if the Commission proceeded to construct the highway on new alignment, then the maintenance of the old route and the old bridge located thereon would be the city's obligation because it would then

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not be legal to expend state money on the old route. He suggested that the Government might assume the expense of raising the old bridge if that appeared to be necessary in order to meet the flood control requirements.

Mr. Smith then inquired as to the possibilities of securing patrol headquarters at Pilot Rock. He was informed by the Engineer that in the past when highway maintenance was carried on by horse-drawn equipment, the maintenance sections were much shorter than now when such work is done by motorized equipment, and under the circumstances it did not appear likely that the patrol headquarters would be located in Pilot Rock because it is too close to Pendleton.

Mr. George Carus requested the oiling of the uncoiled portion of the Oregon-Washington Highway between Pilot Rock and Heppner. He was informed by the Engineer that no funds have been budgeted by the Commission for such improvement. Commissioner Aldrich advised that the section between Nye and Heppner is not on the Federal Aid System, so any work that is done on such section will have to be paid for with strictly state money, and in view of the fact that there is a shortage of state money at the present time, it is doubtful that the Commission could finance the work in the near future.

There being no others present desiring to be heard on any subject, Commissioner Aldrich concluded the hearing by thanking the people for the expressions given and advising them that the Commission would take their suggestions under advisement and would make its decision relative to the proposed change at a future date.

The meeting was adjourned at 10:20 o'clock a. m.


State Highway Engineer


Secretary


Commissioner and Acting Chairman


Commissioner

Pendleton, Oregon, August 30, 1938

The State Highway Commission met in regular session at 11:00 o'clock a. m. in the office of Commissioner E. B. Aldrich in the East Oregonian Building. Present were:

E. B. Aldrich, Commissioner and Acting Chairman
F. L. Tou Velle, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

County Judge Bert Johnson and County Engineer Harry Taablyn, of Morrow County, were present. Judge Johnson inquired as to the plans of the

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Commission for the improvement of the Heppner-Rhea Creek Section of the Wasco-Heppner Secondary State Highway No. 300, in Morrow County. He was informed that the Commission has already budgeted \$25,000 for the improvement of this section and has also budgeted a like sum for the improvement of the Rock Creek Grade Section of this highway in Gilliam County. Also, that the Commission has filed an application for P.W.A. funds with which to finance the Rock Creek Grade improvement, and if the application is approved, then the Commission proposes to transfer the \$25,000 of state money from the Rock Creek Grade project to the Heppner-Rhea Creek project, providing for a project costing \$50,000 on that section, which it is thought would be sufficient to finance the entire section. The Engineer explained that the Commission's application for P.W.A. funds has been approved by the local P.W.A. authorities and has been forwarded to Washington, D. C., for final approval. Judge Johnson expressed satisfaction with the Commission's plans for these improvements.

The Engineer requested authority to acquire certain parcels of real property that are needed for various highway improvements throughout the state and submitted a list of such properties, together with prices that he recommended be paid for each. After careful study the Commission approved the Engineer's request. The following resolution in regard thereto was adopted by affirmative action of the members present:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth; and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon; and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Burns Section - Central Oregon Highway</u>				
6096-Harney County	Maintenance	46 lots	Lump Sum \$970.25	Williams
	Site	(213,900 sq.ft.)		

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amount	Agent
<u>Scotts Butte-Blue Mountain Section - I.O.N. Highway</u>				
5808-Wilkey, Fred	R/W	4.57	\$6.00 per a. + \$120.75	Wells
<u>Gilmore-Arlington Section - Columbia River Highway</u>				
6041-Smythe Bros., Inc.	R/W	13.73	\$3.50 per a.	Collins
<u>Pendleton-Adams Section - Oregon-Washington Highway</u>				
5894-Holt, Walter A.	R/W	0.74	\$40 per a. plus \$25.50	Wells
5925-Schwank, Gottlob	R/W	8.45	\$125 per a. + \$3486.50	Parker
<u>Umatilla County Line Section - Oregon-Washington Highway</u>				
6100-Coffman, Jane	Stock Pile	0.62	5-yr. lease, Lump Sum \$50	Wells
<u>Brothers-Harney County Line Section - Central Oregon Highway</u>				
6149-Houston, J. Floyd	R/W for	1.79	\$1.00 per a.	McCallister
	Hauling Road			
6126-Houston, J. Floyd	R/W	20.20	\$1.00 per a. + \$182	"
6130-Verges, Dominique	"	35.765	\$1 per a. + \$310 + construction of cattle guard	"
6131-Vanlanduyt, E.	"	1.556	Lump Sum \$2.50	"
6136-Weeks, Bert M.	"	0.549	Land \$1 + moving buildings (Est. at \$125)	"
6138-Weeks, Herbert A.	"	1.762	\$1 per a. plus \$57	"
6146-Stapleton, Stuart	Gravel Pit	17.077	\$5 per a.	"
6145-Deschutes County, G.P. & Haul Rd.		113.202	\$1 per a.	"
6125-Deschutes County	R/W	233.766	\$1 per a.	"
6137-Brookings, A. V.	"	3.67	\$1 per a.	"
6132-Gross, Octavia Johnson	"	9.54	\$1 per a.	"
6148-Gross, Octavia Johnson	"	2.02	\$1 per a.	"
<u>Provolt-Ruch Section - Medford-Provolt Highway</u>				
6180-O'Brien, J. A.	Gravel Site	3.13	Lump Sum \$350	McChesney
6181-McDaniel, W. H.	"	1.9	\$100 per a. + \$36.50	"
<u>Salem-12th Street Junction - Pacific Highway East</u>				
5920-Foulks, Everett B.	R/W	14,157 sq.ft.	5¢ sq.ft. plus \$2,792.15	McCallister
5766-Mork, C. B. (Correction)	"	2,222 sq.ft.	2¢ sq.ft. + \$35 + moving bldgs. \$1944	"
<u>Williamson River-Crooked Creek Section - The Dalles-California Highway</u>				
6163-Warren, A. J. G.	R/W	0.43	\$20 per a.	Benson
6163-6-Lobart, Billet	"	4.49	\$20 per a.	"
6163-4-David, Dwight	"	0.35	\$20 per a.	"
6163-5-Jackson, John Jr.	"	6.23	\$20 per a.	"
6163-10-Hicks, Rufus	"	6.98	\$20 per a.	"
6163-9-Pelton, John (Heirs)	"	0.54	\$20 per a.	"
6163-12-John Estate, Long	"	2.20	\$20 per a.	"

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>(Williamson River-Crooked Creek Section, continued)</u>				
6157-David, Kate Lobert	R/W	3.63	\$50 per a. + \$149.10	Benson
6163-7-Stokes, Harry, Heirs	"	3.49	\$20 per a.	"
6163-1-Nelson, Evans Hill	"	0.07	\$50 per a. + \$5.95	"
6156-Heidrich, C. C. and Anna Shive Ferguson	"	2.29	\$20 per a.	"
6163-11-Chiloquin, Jane, Heirs	"	3.77	\$20 per a.	"
6163-2-Bart, Josie Ball, Heirs	"	0.20	\$50 per a. + \$17.85	"
6175-Elliott, Orville and J. Russell	Quarry & Stock Pile Site	8.43	5.39 a. at \$50 per a. 3.04 a. at \$100 per a.	"
6159-Elliott, Orville and J. Russell	R/W	3.23	0.33 a. at \$50 per a. 2.90 a. at \$100 per a. plus \$120	"
6122-Klamath Indian Agency	R/W and Stock Pile	39.93	0.25 a. at \$100 per a. 39.68 a. at \$20 per a. plus \$710.50	"
11 parcels				
6155-Savage, Jas. E. et al and Virginia Savage	R/W	3.43	\$20 per a. + \$159.50	"
6160-Wright, Ruby	"	0.06	\$50 per a. + \$12.60	"
6163-8-Yhillitate, Millie, Heirs	"	6.88	\$20 per a.	"
6163-3-Kirk, Raymond, Heirs	"	1.04	0.07 a. at \$50 per a. 0.97 a. at \$20 per a. plus \$15.30	"
6158-Patton, Edith W.	"	1.90	\$20 per a.	"
6153-Spink, Alice L.	"	3.22	\$20 per a.	"
<u>John Day-Prairie City Section - John Day Highway</u>				
4915) Galbraith, John W.	R/W	2.49	0.57 a. at \$10 per a. 1.92 a. at \$100 per a.	Wells
4916)				
(Correction)				
<u>Mill Creek-Marks Creek Section - Ochoco Highway</u>				
4939-Dobbs, E. S. (Estate)	R/W	8.93	5.62 a. at \$100 per a. 1.42 a. at \$50 per a. 1.89 a. at \$5 per a. plus \$1,357.55	Gardiner
6190-Dobbs, E. S. (Estate)	Quarry	3.02	\$10 per a.	"
4942-Lawson, Gilbert	R/W	7.76	1.0 a. at \$75 per a. 1.94 a. at \$100 per a. 2.92 a. at \$5 per a. 1.9 a. at \$50 per a. plus \$959.25	"
6032-Drew, Joseph M.	"	12.10	Lump Sum \$3,000	"

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Siletz River-Newport Section - Oregon Coast Highway</u>				
5802-Peters, Fred	R/W	3234 sq.ft.	10¢ sq.ft. + \$100	McCallister
5739-Raymond, I. F.	"	5000 sq.ft.	2¢ sq.ft. + \$1,250	"
<u>Columbia Boulevard-Harding Avenue Section - Pacific Highway West</u>				
5049-Portland, City of	R/W	6 sq.ft.	Lump Sum \$2.50	Kaufer
6225-Portland, City of	Exchange	4452.5 "	8.1¢ sq.ft.	DeSouza
5070A-Nelson, Oscar E. & Oscar E. Niemann (Correction)	R/W	95 "	Land \$25.10 + \$49.90	Benson
<u>Sunset Camp-Sunset Tunnel Section - Wolf Creek Highway</u>				
5223C-Ehle, Glen S. (Correction)	R/W	2.33 (2 parcels)	\$20 per a.	Gardiner
<u>Killingsworth-Lombard Section - Northeast Portland Highway</u>				
5451-Albright, Eva S. and George Graham	R/W	10,000 sq.ft.	6¢ sq.ft.	Parker
<u>Brownsville Section - Halsey-Sweet Home Highway</u>				
5946-Mason, V. W. (Laura R. Beatty property)			Allowance for additional fill of 300 yards at new house location and construction of temporary run- way to garage until highway is completed - - - - - \$100	Collins
5961-Porter, A. H.			Allowance for construction of tem- porary approaches and roads until highway is completed - - \$100	"
6065-West, Loyd G. (Correction)	Gravel Pit	1-yr lease on 2.41 a. at 2½¢ cu.yd.		"
6063-Brownsville, City of	Borrow Pit	1-yr lease (46,000 sq.ft.)	Gratis	"
<u>Jamieson-Lancaster Section - John Day Highway</u>				
5971-Amalgamated Sugar Company	R/W	0.23	Lump Sum \$10	Collins
6154-World War Veterans' State Aid. Com.	"	0.27	\$150 per a., plus \$14 moving fence	"
<u>Houlton-Warren Section - Columbia River Highway</u>				
5730-Tucker, C. E.	R/W	0.21	Lump Sum \$550	DeSouza
<u>Albany Overcrossing Section - Pacific Highway East</u>				
5151-Southern Pacific Company	R/W	328,474 sq.ft.		
<u>Property to be conveyed to State by Southern Pacific Co.:</u>				
118,007 sq.ft. at 10¢ sq.ft.			\$ 11,800.70	
92,832 sq.ft. at 20¢ sq.ft.			18,566.40	
117,635 sq.ft. at 5¢ sq.ft.			5,881.75	
	Total		\$ 36,248.85	

(Continued)

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(Albany Overcrossing Section, continued:)

Property to be conveyed to Southern Pacific Co. by State:

35,960 sq.ft. at 7 $\frac{1}{2}$ sq.ft.	\$ 2,517.20
31,402 sq.ft. at 5 $\frac{1}{2}$ sq.ft.	1,570.10
Total	\$ 4,087.30

Balance - Cash from State to S. P. Co. \$ 32,161.55 Gardiner

The Commission considered and denied the application of Mr. Lizzie Coleman to lease certain state-owned property adjacent to the Oregon Coast Highway at the north end of the Coos Bay Bridge, in Coos County.

The Attorney requested instructions relative to the sale of buildings located on property acquired from John G. Maycock in Lots 11, 12, 21, & 22, of Block 14, Pasadena Addition to Portland. He explained that he is in receipt of an offer from a Mr. William Dervoe to purchase these buildings for the sum of \$15.00 and he recommended acceptance of this offer, in view of the fact that the buildings have been advertised for sale several times and no satisfactory bid has been received. The Commission approved the sale of the buildings to Mr. Dervoe for the amount of his offer.

The Attorney reported that the condemnation case for the acquisition of the Volz property as an addition to Silver Falls State Park, in Marion County, has been concluded and that the jury set a value of \$10,000 on this property. He said that this is about \$1,500 more than the Commission's offer to Mr. Volz but nevertheless recommended payment of the amount set by the jury in view of the desirability of acquiring the property to complete the present state park. The Commission approved the recommendation unanimously, thereby confirming its previous decision when condemnation was ordered.

A letter was presented from Henry Houck, Eugene, expressing a desire to acquire certain state-owned property adjacent to the Pacific Highway near the Southern Pacific overcrossing between Junction City and Eugene. The Engineer recommended that the state retain possession of this property because it will be needed in the future as right of way in connection with the construction of the proposed 4-lane highway between Junction City and Eugene. In view of the Engineer's recommendation, the Commission decided not to sell this property.

The Attorney reported the sale of certain buildings on property acquired by the Commission from Jens Thompson and R. B. Park, and also the sale of portions of lots outside of the standard right of way limits purchased from N. Solomon and from the McGuire Construction Company, Portland, which properties were acquired by the Commission in connection with negotiations for right of way for the Interstate Avenue improvement in Portland. He explained the transaction in detail, which shows a profit to the state of \$82.70 on the land and a profit of \$217.30 on the houses, and, considering the cost of moving the houses, results in a net accrual to the State Highway fund of \$1,750.00. (For details see letter of August 24, 1938, directed to

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H. B. Glaisyer, Secretary.) The Commission by unanimous vote confirmed the sale of this property as reported.

A letter was presented from Mr. Jack H. Moore, Agate Beach, Oregon, offering to remove some sand houses from state-owned property located about 200 yards north of the old roundhouse in Newport, if the Commission will give him the material salvaged therefrom. The Commission referred the matter to the Engineer with power to act.

The Commission had under consideration for approval prices to be paid for the following parcels of right of way:

Right of way acquired from Jasper Longcore for the Salem-Pringle Creek Section of the Pacific Highway in Marion County;

Right of way acquired from Edith Russ Connick for the Fat Elk Creek-Coquille River Section of the Oregon Coast Highway in Coos County.

The Engineer explained that at a previous meeting the Commission authorized the purchase of these properties for certain amounts, including the cost of moving buildings, which was only estimated at the time. Since then, he said, quotations have been received from house-movers and it now appears that the cost of moving the buildings in each instance will amount to approximately \$500 more than the estimated costs. He recommended payment on the basis of the lowest bid received for the house moving. The Commission approved the recommendation unanimously.

The Attorney reported receipt of a letter from the manager of the Marcus Whitman Hotel, Walla Walla, Washington, concerning the sign that this hotel maintains adjacent to the Old Oregon Trail, near Pendleton, in which the manager states that the hotel owners do not want to do anything that is contrary to the wishes of the State Highway Commission and it is their intention to repaint the sign some time this fall, at which time the wording thereon will be changed to meet the Oregon requirements. After discussion, the Commission authorized the granting of a 30-day extension of time for the hotel people to correct the wording on their sign. The Attorney was instructed to advise the hotel management to that effect and to request them to have the proposed wording of the sign passed upon and approved by the State Highway Department before the sign is repainted.

The Engineer reported on the investigations made on the request of Mr. Stephen A. Hull, President of The Dalles & Southern Railroad Company, for permission to construct an approach road to the Columbia River Highway just east of The Dalles. The Engineer advised that, notwithstanding the plans and good intentions of the Railroad Company, he is of the firm belief that the approach road will be used by traffic entering it from the west and by traffic leaving it and traveling west to The Dalles, which would cause an undue traffic hazard for Columbia River Highway traffic. He recommended that permission for the construction of the approach road be denied, particularly in view of the fact that the company now has access to its property from North

2nd Street, The Dalles. The Commission approved the recommendation.

The Engineer reported on the request of the County Court of Harney County to use the Highway Department's facilities in connection with a radio installation that the County Court proposes to make in the southern part of Harney County. He said that the County Court proposes to install its radio station at Fields, Oregon, which is about 110 miles south of Burns, and in connection therewith wants to use the Highway Department's radio facilities at Burns so as to provide emergency communication for the people of the Fields area who now do not have telephone service. He pointed out that there are two important factors involved in the establishment of this station: first, the obtaining of a frequency assignment from the Federal Communications Commission; and second, the financing of the proposed station. He expressed doubt that the Federal Communications Commission would authorize the additional service, and estimated that the installation would cost approximately \$2,000. He pointed out that up to the present time it has been contrary to the policy of the Highway Commission to permit the use of its radio facilities for anything but state purposes, and gave as his thought that such policy is sound and should be continued; otherwise the Commission might be placed in an embarrassing position in disposing of other requests for similar service. After considerable discussion and in view of the circumstances, the Commission decided to deny the County Court's request notwithstanding the fact that the Commission would like to help the county out, if possible. The Engineer was instructed to so inform the County Court.

Consideration was given by the Commission to the offer of the Community Friendship Club of Coquille to contribute the sum of \$222.00 toward the cost of sidewalk construction along a short section of the Oregon Coast Highway just north of Coquille, particularly between highway engineer's stations 841+63 and 846+00. The Engineer advised that the section along which the sidewalk is desired is 900 feet long and approximately 600 feet thereof is across a rather high fill which would have to be widened in order to accommodate the walk. He estimated that to widen this fill and construct an oiled footpath would cost about \$595.00. He pointed out that the construction of a walk between the limits desired would not provide for a continuous sidewalk into Coquille, so that it would still be necessary for pedestrians to walk on the highway; also, that it is contemplated to improve the highway north of Coquille at some future date. He gave as his thought that it would be a waste of money to build the sidewalk now in view of the contemplated highway improvement, and accordingly recommended denial of the request. The Commission approved the recommendation.

The Commission signed a letter dated August 29, 1938, and directed to the City of The Dalles, authorizing the city to erect a monument on state-owned property adjacent to the Upper Columbia River Highway at the west city limits of The Dalles, as a memorial to the Lewis and Clark expedition. In the discussion of this matter it was brought out that while the city is sponsoring this project, the city will not assume the obligation to maintain it, but such work is to be taken care of by a corporation of local citizens who are particularly interested in the erection of the monument. It was also brought out that the land on which the monument is to be erected is being

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maintained by the State Highway Department. It was the Commission's thought that the maintenance of the area by two agencies is undesirable. Accordingly, the Commission decided to assume the maintenance of the entire tract, including the monument site, thus relieving the city of The Dalles and the local citizens from such obligation. The Commission ordered that maintenance of the area by the state be made a condition of the permit to the city.

The Assistant Attorney presented the offer of C. F. Howard for an exchange of properties adjacent to the lower Columbia River Highway at Houlton, in Columbia County. He advised that Mr. Howard offers to convey to the state a right of way across certain property owned by him, and described as Lots, 9, 10, 11, and 12, of Block 3, Georgetown Addition to Houlton, and to remove therefrom certain buildings, including a residence building and service station, provided the state will convey unto him that portion of Lots 7, 8, 9, 10, 11, and 12, of Block 1 of such addition outside of the standard width highway right of way, and will pay him for moving his residence building located on the property that he is deeding to the state. He recommended acceptance of the offer. The Commission considered the offer fair and equitable and thereupon authorized the exchange of properties on such basis.

The Assistant Attorney presented a tabulation showing an estimated expenditure of \$652,000 for right of way during the year 1938, based upon present projects assigned to the Right of Way Department for purchases of right of way. The Commission decided, in view of the present shortage of funds, not to increase the present right of way budget, which amounts to \$550,000 for this year.

The Attorney reported a compromise offer from Mr. Anton Roskoski for the acquisition of right of way needed for the Interstate Avenue project in Portland. He said that Mr. Roskoski now indicates a willingness to accept the sum of \$15,000 for his entire holdings, provided the state will deed to him that portion of Lots 3, 4, and 5 in Block 3, Kenview Addition, outside of the standard width highway right of way, and provided he is given permission to remove the fixtures from his present location. The offer is further conditioned upon his being able to purchase Lot 2 of Block 3. After discussion the Commission authorized the attorney to complete the deal with Mr. Roskoski on the basis of his offer if a more favorable settlement cannot be secured upon further negotiation.

The Commission had under discussion matters pertaining to the acquisition of right of way for the proposed revision of the Oregon-Washington Highway between Pendleton and Adams, in Umatilla County; and in this connection the Attorney reported the results of appraisals made by a committee of three appraisers previously appointed by the Commission. The Attorney advised that indications are that it will be necessary to condemn for most of this right of way. After discussion the Commission decided unanimously that the respective owners should be offered the amounts as shown by the appraisal for the respective holdings, and, if such offers are not accepted, then the right of way should be acquired by condemnation. The Commission ordered that right of way should be acquired for the entire section between Pendleton and Adams regardless of the limits of the proposed construction project. The

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following resolution authorizing the Attorney to condemn such right of way, and right of way for other projects, was adopted by the Commission by unanimous vote:

WHEREAS, the State Highway Commission is by law authorized and directed to lay out, locate, designate, construct, improve and maintain a system of state highways in the State of Oregon, and to acquire rights of way and to declare the necessity and need for the acquisition thereof, and the advantages to be gained thereby;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the State Highway Commission does hereby find and declare that it is necessary and will be of advantage to the State of Oregon and there is need that the State acquire for right of way purposes in connection with the permanent location, construction, improvement, and maintenance of the following sections of the state highway system of the State of Oregon, to wit:

Troutdale-Multnomah Falls Section of the Columbia River Highway
 Brothers-Harney County Line Section of the Central Oregon Highway
 Fleming Ranch-Shindler Bridge Section of the Albany-Lyons Highway
 Pendleton-Adams Section of the Oregon-Washington Highway

land and property owned by or in possession of the following parties and/or persons, to wit:

Troutdale-Multnomah Falls Section of the Columbia River Highway
 1817 - Myrta E. Reed
 1843 - Edward G. Smyth

Brothers-Harney County Line Section of the Central Oregon Highway
 6124 - Jacob Settelmeyer
 6129 - Peter Auberman
 6133 - Emmor W. Hall
 6134 - Estella M. Hall Estate
 6140 - G. Orlo Jefferson
 6150 - W. H. Kilburn
 6202 - E. S. Hunting
 6204 - James W. Cody

Fleming Ranch-Shindler Bridge Section of the Albany-Lyons Highway
 3992 - Adam Fleming Estate

Pendleton-Adams Section of the Oregon-Washington Highway
 5884 - Charles L. White
 5885 - C. W. Lassen
 5886 - J. P. Stoffle
 5887 - W. H. McCormack

(Continued)

(Pendleton-Adams Section, continued)

5888 - Thomas Sloan
 5889 - Isabella Sutherland
 5890 - G. A. Cummings
 5891 - Fred W. Beck
 5892 - Oscar H. Schultz
 5893 - School District No. 117
 5896 - Grace Owen Rutton
 5897 - Forrest Harrah
 5898 - Ralph Tachella
 5899 and 5905 - Sarah C. Geiss
 5900 - Roy Duff
 5901 - Frank Duff
 5903 - Blanche Rothrock
 5904 - John W. Rothrock
 5906 - Samuel R. Thompson
 5907 - Margaret Blakeley
 5908 - Pauline F. Bemus
 5909 - Susan F. Adams
 5910 - Susan F. Adams
 5911 - Anna Schatz
 6114 - George W. Temple

as their respective interests may appear, and this Commission does hereby declare further that the said properties are necessary, are needful, and the acquisition thereof will be of advantage to the State of Oregon for right of way purposes in order to make it possible for the State Highway Commission to properly locate, construct, and maintain said portions of the said state highway system in accordance with standards adopted by this Commission relative to curvature, grades, alignment, drainage, and factors of safety.

2. That the State Highway Engineer be and he hereby is instructed and directed to properly survey the parcels of land required for such right of way purposes and prepare proper and adequate descriptions thereof, which descriptions shall be employed in the preparation of deeds or other instruments necessary to complete the acquisition of the said properties or which descriptions may be used in the preparation of complaints in the event that condemnation proceedings are necessary.

3. That the boundaries of the said parcels of land, as defined and determined by the said survey made by the said Highway Engineer, along the route or location adopted by the Highway Commission, shall be and the same hereby are adopted and the lands defined therein are hereby declared to be and the same are included within the rights of way of the said portions of the said state highway system and hereby are declared to be necessary for the proper location, improvement, construction, and maintenance of the said portions of the state highway system.

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4. That I. H. Van Winkle, Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they are hereby requested, authorized, and directed to attempt to agree with the owners and/or with the tenants or persons in possession, if there be any, of said parcels of land with respect to the compensation to be paid for the taking of the same and the damage, if any there be, and in the event that no satisfactory agreements can be reached then it is hereby further resolved that the Attorney General of the State of Oregon and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they hereby are requested to commence and prosecute to a final determination such suits or actions as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

The Attorney reported that condemnation proceedings will be necessary in order to acquire certain gravel pits and quarry sites that are needed for various highway improvements, and requested authority to commence such proceedings. The Commission approved the request and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, the State Highway Commission is by law authorized and directed to lay out, locate, designate, construct, improve, and maintain a system of state highways in the State of Oregon and to acquire by donation, purchase, agreement, condemnation, or by the power of eminent domain title to land upon or under which there is gravel, gravel beds or bars, sand, sand beds or bars, rock, boulders, quarries or quarry sites, lime deposits, or other mineral deposits or formations suitable for road construction, improvement, betterment or pavement, and to declare the necessity and need for the acquisition thereof and the advantages to be gained thereby;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the State Highway Commission does hereby find and declare that it is necessary and will be of advantage to the State of Oregon and there is need that the State acquire for the purposes of road construction, improvement, betterment, repair and maintenance, and for the purpose of the manufacture of road materials on the following section or sections of the state highway system of the State of Oregon, to wit:

Brothers-Harney County Line Section of the Central Oregon Highway

land and property owned by or in the possession of the following parties and/or persons, to wit:

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Charles A. Burris

as their respective interests may appear, and this Commission does hereby declare further that the said property or properties contain gravel, gravel beds or bars, sand, sand beds or bars, rock, boulders, quarries or quarry sites, lime deposits or other mineral deposits or formations suitable for road construction, improvement, betterment, or pavement, and that the said property or properties is or are necessary and needful and the acquisition thereof will be of advantage to the State of Oregon for the said purposes in order to make it possible for the State Highway Commission to construct, improve, maintain, and repair the said portion or portions of the said state highway system in accordance with the standards adopted by this Commission.

2. That the State Highway Engineer be and he hereby is instructed and directed to properly survey the parcel or parcels of land required for said purposes and to prepare proper and adequate descriptions thereof, which descriptions shall be employed in the preparation of a deed or deeds or other instrument or instruments necessary to complete the acquisition of the said property or properties, or which said descriptions may be used in the preparation of a complaint in the event that condemnation proceedings are necessary.

3. That the boundaries of the said parcel or parcels of land, as defined and determined by the said survey made by the said Highway Engineer, shall be and the same hereby are adopted and the lands defined therein are hereby declared to be and the same shall be lands necessary for the purposes stated herein.

4. That I. H. Van Winkle, Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they are hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby further resolved that the Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they hereby are requested to commence and prosecute to a final determination such suit or action, or suits or actions, as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

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The Commission adjourned at 12:30 o'clock p. m. and reconvened at 1:00 o'clock p. m. in the same room, with the same persons present and participating.

The Engineer reported that on August 16, in accordance with authority previously given him by the Commission, he awarded to Fisher Bros., Oregon City, the contract for grading and surfacing the last Section of the Century Drive Secondary Highway, in Deschutes County, for which bids were taken on August 4, 1938, Fisher Bros. being the low bidders for this job, and the conditions of the award having been satisfied. The Commission approved the award of this contract, as reported.

The Commission had under discussion the matter of changing the plans for the Interstate Avenue improvement in Portland so as to eliminate the proposed centerline curbing, particularly between Columbia Boulevard and Harding Avenue, as has been suggested by certain business interests in that district. The Engineer recommended against the change, at least until the curb has been constructed and given a satisfactory trial. The Commission approved the recommendation and instructed the Attorney to advise the petitioners accordingly.

The Engineer requested authority to purchase one Simplex pipe forcing jack for use by sign crews in forcing 3/4-inch to 2-inch pipe under highway pavements. He estimated the cost of this jack at \$100. The Commission approved the purchase.

The Commission also approved an expenditure of approximately \$2,500 for landscaping the state highway shop premises at Salem to conform with similar work that is being done on the premises of the State Forestry Department and the state penitentiary. An expenditure of approximately \$1,700 was authorized by the Commission to finance the construction of a parking shed for the accommodation of cars belonging to the men who are employed at the state highway shops.

The Engineer reported that the U. S. Forest Service is now constructing a parking area at the intersection of the Mt. Hood Highway with the Coopers Spur Road for the benefit of winter sports enthusiasts of Hood River; and they are asking the state to surface this area and to keep it free of snow during the winter months. He estimated that it would cost about \$100 to furnish and place such rock surface, and recommended approval of the project. The Commission approved the recommendation by unanimous vote.

The Secretary presented a letter from the Roseburg Chamber of Commerce requesting a private hearing for a Southern Oregon delegation during the afternoon of Wednesday, September 21, for discussion of matters pertaining to the issuance of bonds to finance the reconstruction of the Pacific Highway between Roseburg and Grants Pass, and the Upper Columbia River Highway between Portland and The Dalles. The Secretary was instructed to inform the Chamber that it would not be convenient for the Commission to meet on Wednesday afternoon, but the Commission would be pleased to hear the delegation on the afternoon of Thursday, September 22, in the auditorium of the Public Service Building, Portland. (This meeting was later postponed to September 29.)

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The Commission had under discussion the matter of extending for a period of one year the contract with Julius Gunnell for operating the state-owned ferry across Coos River on the Coos River Secondary Highway at Enegren Ferry, in Coos County, the present contract expiring September 30, 1938. The Engineer advised that the present contract provides for the extending of the same for a period of one year if the Commission so desires. He said that Mr. Gunnell has furnished satisfactory ferry service during the past year, and recommended that the present contract be extended to September 30, 1939. The Commission approved the recommendation and so ordered. The matter was referred to the Attorney to prepare an appropriate agreement covering the matter.

A letter was presented from the County Court of Umatilla County in which the Commission was requested to receive bids on behalf of the County Court for the construction of the Milton Nursery Bridge over the Walla Walla River in Umatilla County, as a P.W.A. project. It was explained that the County Court simply desires the Commission to receive the bids on behalf of the county so the county can secure the benefit of the Commission's list of contractors and its experience in handling P.W.A. jobs, but that the county will assume the responsibility of awarding the contract and paying for the job. The Commission approved the request.

The Commission had under consideration the matter of accepting the offers of the United States of America, through the Federal Emergency Administration of Public Works, of grants to aid in financing the construction of a highway maintenance building at Albany, Oregon, and the construction of highway improvements on the Halsey-Sweet Home Secondary State Highway at Brownsville, in Linn County, and the acquisition of necessary lands and rights of way therefor. Commissioner Tou Velle moved the adoption of the following resolutions in regard thereto. After discussion, the motion was declared by Commissioner Aldrich to have passed by the unanimous vote of the Commissioners present:

A RESOLUTION ACCEPTING THE OFFER OF THE UNITED STATES OF AMERICA TO THE STATE HIGHWAY COMMISSION OF THE STATE OF OREGON TO AID BY WAY OF GRANT IN FINANCING THE CONSTRUCTION OF A HIGHWAY MAINTENANCE BUILDING AT ALBANY, OREGON, AND THE ACQUISITION OF NECESSARY LANDS AND RIGHTS OF WAY THEREFOR.

Be it resolved by the Oregon State Highway Commission:

Section 1. That the offer of the United States of America to the State Highway Commission of the State of Oregon to aid by way of grant in financing the construction of a maintenance building at Albany, Oregon, and the acquisition of necessary lands and rights of way therefor, a copy of which offer reads as follows:

(Letter on following page)

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"P. W. 83034-136

"FEDERAL EMERGENCY ADMINISTRATION OF PUBLIC WORKS

"Washington, D. C.,
Dated: Aug. 27, 1938
Docket No. Oreg. 1282-F

"Oregon State Highway Commission.
Salem, Oregon

"1. Subject to the Terms and Conditions (PWA Form No. 230, as amended to the date of this Offer), which are made a part hereof, the United States of America hereby offers to aid in financing the construction of a highway maintenance building and the acquisition of necessary land (herein called the "Project") by making a grant to Oregon State Highway Commission (herein called the "Applicant") in the amount of 45 percent of the cost of the Project upon completion, as determined by the Federal Emergency Administrator of Public Works (herein called the "Administrator"), but not to exceed, in any event, the sum of \$6,300.

"2. By acceptance of this Offer the Applicant covenants to begin work on the Project as early as possible but in no event later than 12 weeks from the date of this Offer and to complete such Project with all practicable dispatch, and in any event within 4 months from the commencement of construction.

"3. This Offer is made subject to the express condition that, if the Administrator shall determine at any time that the Applicant has paid or agreed to pay, whether directly or indirectly, a bonus, commission or fee to any person, firm or corporation for attempting to procure an approval of the Applicant's application, or for alleged services in procuring or in attempting to procure such approval, or for activities of the nature commonly known as lobbying performed or agreed to be performed in connection with the application, then the Administrator shall have the right, in his discretion, to rescind this Offer and any agreements resulting herefrom, and, in the event of such rescission, the United States of America shall be under no further obligation hereunder.

"UNITED STATES OF AMERICA

Federal Emergency Administrator
of Public Works

By (Sgd.) H. A. Gray
Assistant Administrator"

Be and the same is hereby in all respects accepted.

Section 2. That the State Highway Commission of the State

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of Oregon and the State of Oregon agree to abide by all rules and regulations relating to such grant a copy of which rules and regulations were annexed to the Government's offer and made a part thereof. It is hereby covenanted that the work on the project described in the offer will be commenced as early as possible, but in no event later than twelve weeks from the date of this offer; and to complete the work with all practicable dispatch, and in any event within four months from the commencement of construction.

Section 3. That J. M. Devers, Assistant Attorney General for Oregon, and Attorney for the State Highway Commission of the State of Oregon be and he is hereby authorized and directed forthwith to send to the Federal Emergency Administration of Public Works three certified copies of this Resolution and three certified copies of the proceedings of this Commission in connection with the adoption of this resolution, and such further documents or proofs in connection with the acceptance of said offer as may be requested by the Federal Emergency Administration of Public Works.

A RESOLUTION ACCEPTING THE OFFER OF THE UNITED STATES OF AMERICA TO THE STATE HIGHWAY COMMISSION OF THE STATE OF OREGON TO AID BY WAY OF GRANT IN FINANCING THE CONSTRUCTION OF HIGHWAY IMPROVEMENTS ON THE HALSEY-SWEET HOME SECONDARY HIGHWAY AT BROWNSVILLE IN LINN COUNTY AND THE ACQUISITION OF NECESSARY LANDS AND RIGHTS OF WAY THEREFOR.

Be it resolved by the Oregon State Highway Commission:

Section 1. That the offer of the United States of America to the State Highway Commission of the State of Oregon to aid by way of grant in financing the construction of highway improvements on the Halsey-Sweet Home Secondary Highway at Brownsville in Linn County and the acquisition of necessary lands and rights of way therefor, a copy of which offer reads as follows:

"P. W. 82750-213

"FEDERAL EMERGENCY ADMINISTRATION OF PUBLIC WORKS

"Washington, D. C.,
Dated August 18, 1938
Docket No. Oreg. 1250-F

"State Highway Commission of the
State of Oregon,

Salem, Oregon.

"1. Subject to the Terms and Conditions (PWA Form No. 230, as amended to the date of this Offer), which are made a part hereof, the United States of America hereby offers to aid in financing the construction of highway improvements on Halsey-Sweet Home Secondary

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Highway at Brownsville, including the acquisition of necessary lands and rights of way (herein called the "Project"), by making a grant to the State Highway Commission of the State of Oregon (herein called the "Applicant") in the amount of 45 percent of the cost of the Project upon completion, as determined by the Federal Emergency Administrator of Public Works (herein called the "Administrator"), but not to exceed, in any event, the sum of \$14,130.

"2. By acceptance of this Offer the applicant covenants to begin work on the Project as early as possible but in no event later than 10 weeks from the date of this Offer and to complete such Project with all practicable dispatch, and in any event within 10 months from the commencement of construction.

"3. This Offer is made subject to the express condition that, if the Administrator shall determine at any time that the Applicant has paid or agreed to pay, whether directly or indirectly, a bonus, commission or fee to any person, firm or corporation for attempting to procure an approval of the Applicant's application, or for alleged services in procuring or in attempting to procure such approval, or for activities of the nature commonly known as lobbying performed or agreed to be performed in connection with the application, then the Administrator shall have the right, in his discretion, to rescind this Offer and any agreements resulting herefrom, and, in the event of such rescission, the United States of America shall be under no further obligation hereunder.

"UNITED STATES OF AMERICA

"Federal Emergency Administrator
of Public Works

"By (Sgd.) H. A. Gray
Assistant Administrator"

be and the same is hereby in all respects accepted.

Section 2. That the State Highway Commission of the State of Oregon and the State of Oregon agree to abide by all rules and regulations relating to such grant a copy of which rules and regulations were annexed to the Government's offer and made a part thereof. It is hereby covenanted that the work on the project described in the offer will be commenced as early as possible, but in no event later than ten weeks from the date of this offer; and to complete the work with all practicable dispatch, and in any event within ten months from the commencement of construction.

Section 3. That J. M. Devers, Assistant Attorney General for Oregon and Attorney for the State Highway Commission of the State of Oregon be and he is hereby authorized and directed forthwith to send to the Federal Emergency Administration of Public Works three

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certified copies of this Resolution and three certified copies of the proceedings of this Commission in connection with the adoption of this Resolution, and such further documents or proofs in connection with the acceptance of said offer as may be requested by the Federal Emergency Administration of Public Works.

The Commission had under consideration the adoption of resolutions establishing minimum wage rates to be paid by contractors for labor employed on the Molalla paving project in Clackamas County and on the Suntex Junction and Brothers building project, both of which are being financed as P.W.A. projects. After discussion the following resolutions in regard thereto were adopted by the Commission by unanimous vote:

Molalla Paving Project, PWA Docket No. Oregon 1247-F

WHEREAS, a thorough investigation has been made of the hourly wage rates which are being paid in Clackamas County which is the locality in which the proposed project (hereinafter referred to as "project") is to be constructed by the Oregon State Highway Commission, to employees in each trade or occupation engaged in work of a nature similar to the work to be performed in the construction of said project and the prevailing hourly wage rates being paid in such locality to such employees for such work have been determined by an examination of the wage rates paid on various jobs as listed on Exhibit "A" attached hereto, which work is comparable to the work to be performed in this project.

NOW, THEREFORE, Be It Resolved by the Oregon State Highway Commission of the State of Oregon that the following rates for the respective trades or occupations listed below shall be and are hereby fixed as the minimum hourly wage rates and have been determined in accordance with rates prevailing for work of a similar nature in the locality in which the project is to be constructed:

Concrete mixer operator (5-bag and over)	\$1.20
Concrete mixer operator (4-bag and under)	1.00
Finishing machine operator	0.75
Concrete finisher - master	1.20
Concrete finisher (bull floaters, etc.)	0.90
Joint-dowel-tie bar setters	0.75
Ribbon setter, head	1.00
Ribbon setter, assistant	0.75
Batch weighman	0.75
Vibrator operator	0.75
General labor	0.50
Roller operator	0.75
Blade operator	0.75
Truck driver	0.50

Be It Further Resolved that the foregoing list of trades or occupations includes to the best of our knowledge all the

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classifications of employees who will be engaged in work on said project other than executive, supervisory, administrative, clerical, or other non-manual workers as such.

Be It Further Resolved that there be transmitted with this resolution the substantiating data from which the foregoing determination is based.

Suntex Junction and Brothers Building Project
PNA Docket No. Oregon 1245-F

WHEREAS, a thorough investigation has been made of the hourly wage rates which are being paid in Deschutes and Harney Counties which are the localities in which the proposed project (hereinafter referred to as "project") is to be constructed by the Oregon State Highway Commission, to employees in each trade or occupation engaged in work of a nature similar to the work to be performed in the construction of said project and the prevailing hourly wage rates being paid in such localities to such employees for such work have been determined by an examination of the wage rates paid on various jobs as listed on Exhibit "A" attached hereto, which work is comparable to the work to be performed in this project.

NOW, THEREFORE, Be It Resolved by the Oregon State Highway Commission of the State of Oregon that the following rates for the respective trades or occupations listed below shall be and are hereby fixed as the minimum hourly wage rates and have been determined in accordance with rates prevailing for work of a similar nature in the localities in which the project is to be constructed:

Electrician	\$1.00
Plumber	1.10
Sheet Metal Worker	1.00
Brick Layer	1.50
Carpenter	1.10
Concrete Finisher	1.00
Painter	1.00
Lather	1.00
Plasterer	1.50
Reinforcing Steel Setter	1.10
Shingler	1.00
General Labor	.50
Concrete Mixer Operator	.75
Truck Driver	.60

Be It Further Resolved that the foregoing list of trades or occupations includes to the best of our knowledge all the classifications of employees who will be engaged in work on said project other than executive, supervisory, administrative, clerical, or other non-manual workers as such.

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Be It Further Resolved that there be transmitted with this resolution the substantiating data from which the foregoing determination is based.

The following resolution modifying the reduced load limit heretofore in effect on the Cottonwood Bridge over the John Day River, on the Wasco-Heppner Secondary State Highway No. 300 was adopted by the unanimous vote of the Commission upon recommendation by the Engineer:

WHEREAS, on the 31st day of August, 1932, at a meeting of the Oregon State Highway Commission, all members being present and participating, the Commission passed and adopted a resolution ordering a reduction of the maximum permissible load limit on the following state highway bridge, to wit:

WASCO-HEPPNER SECONDARY STATE HIGHWAY NO. 300
300-18.84 Cottonwood Bridge over John Day River--5 tons

and

WHEREAS, subsequent to the passage of said resolution, temporary repairs have been made to said bridge so that it is no longer necessary to maintain or impose the reduced load limit to the extent fixed in said order and resolution with respect to said bridge so long as temporary repairs are effective:

NOW, THEREFORE, BE IT RESOLVED that the action of the State Highway Commission reducing the maximum permissible load limit on the following bridge, to wit:

300-18.84 Bridge over John Day River (commonly known as the Cottonwood Bridge) on the Wasco-Heppner Secondary Highway No. 300, at the Sherman-Gilliam County Line,

be modified so as to permit a total gross weight of combined load and vehicle not exceeding ten (10) tons upon any portion of the entire length of said bridge. In computing the total weight of any single vehicle, the total gross weight of any trailer or trailers attached to said vehicle shall be considered as a component part of the total gross load and shall not be considered as a separate vehicle; and

BE IT FURTHER RESOLVED that, in the event the said temporary repairs are destroyed or rendered ineffective by reason of high water in the John Day River or for any other reason whatsoever, the maximum permissible load limit of five (5) tons heretofore in effect shall immediately be restored.

IT IS HEREBY ORDERED that a certified copy of this

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resolution be furnished to the county clerks of Sherman and Gilliam Counties, and that a certified copy of this resolution be furnished to the Superintendent of the Department of State Police for his information.

The Engineer brought up for discussion the matter of applying for P.W.A. funds to assist in financing numerous rock production projects throughout the state. He said that he believed such projects are eligible for P.W.A. funds and that a saving to the state of \$185,000 will be effected if the Government will approve them. After discussion the Commission authorized the Engineer to file an application for P.W.A. funds to assist in financing such projects. The following resolution in regard thereto was adopted by the Commission by unanimous vote:

A resolution authorizing R. H. Baldock, as State Highway Engineer, to file applications with the United States of America through the Federal Emergency Administration of Public Works for grants to aid in financing the construction of certain State Highway projects and the purchase of right of way necessary to such construction.

Be it resolved by the Oregon State Highway Commission:

1. That, R. H. Baldock, as State Highway Engineer, be and he is hereby authorized to execute and file applications on behalf of the Oregon State Highway Commission with the United States of America for grants to aid in financing the construction of the following State Highway projects:

1. Central Oregon Rock Production Project

Unit A. Lakeview rock production on Fremont (MP 127-158) and Klamath Falls-Lakeview (MP 86-92) highways in Lake County.

Unit B. Sisters rock production on the McKenzie (MP 84-99), McKenzie-Bend (MP 0-19), Santiam (MP 94-101), Redmond-Bend (MP 0-7) highways in Deschutes County.

Unit C. Mt. Hood Rock Production on the Mt. Hood Loop Highway (MP 75-95) in Hood River County.

Unit D. Chemult and Crescent rock production on The Dalles-California (MP 189-211) highway in Klamath County.

Unit E. Paisley and Silver Lake rock production on Fremont Highway (MP 32-48) and (MP 88-115) in Lake County

(Central Oregon Rock Production, continued)

Unit F. Brothers rock production on the Central Oregon highway (MP 21-43) in Deschutes County.

2. Southern Oregon Rock Production Project

Unit A. Coquille and Myrtle Point rock production on Oregon Coast Highway (MP 270-292) and Coos Bay-Roseburg (MP 3-16) highway in Coos County.

Unit B. Blue River Rock Production on the McKenzie highway (MP 30-56) in Lane County.

Unit C. Blachly rock production on the Siuslaw highway (MP 33-63) in Lane County.

3. Eastern Oregon Rock Production

Unit A. Ione rock production project on the Oregon-Washington highway (MP 9-28) in Morrow County.

Unit B. Spray rock production project on the John Day highway (MP 80-113) in Wheeler and Grant Counties.

Unit C. Echo rock production on the Columbia River (MP 187-192), Old Oregon Trail (MP 192-207), and Lexington-Echo (MP 20-36) highways in Umatilla County.

Unit D. John Day rock production on the John Day highway (MP 137-163) in Grant County.

Unit E. Vale rock production on the Central Oregon (MP 190-246) and John Jay (MP 281-293) highways in Malheur County.

Unit F. Prairie City-Unity resurfacing on the John Day highway (MP 176-216) in Grant and Baker Counties.

4. Northwestern Oregon Rock Production

Unit A. Sweet Home rock production on the Santiam highway (MP 15-31) in Linn County.

Unit B. Newport rock production on the Oregon Coast (MP 145-154) and Corvallis-Newport (MP 0-8) highways in Lincoln County.

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(Northwestern Oregon Rock Production, continued)

Unit C. Jewell-Olney rock production on the Nehalem highway (MP 8-28) in Clatsop County.

Unit D. Stayton resurfacing, oiling and rock production on the North Santiam highway (MP 3-30) and Shaw two miles west in Marion County.

2. That the said R. H. Baldock is hereby authorized and directed to furnish such information as the United States of America through the Federal Emergency Administration of Public Works may reasonably request in connection with the applications which are herein authorized to be filed.

A letter was presented from Robert W. Sawyer, Bend, member of the Publicity Advisory Board appointed by the Commission to advise relative to publicity matters, requesting an opportunity to discuss with the Commission matters pertaining to the selection of personnel of another committee to advise regarding the matter of signs, et cetera. The Secretary was instructed to invite Mr. Sawyer to be present at the next regular meeting of the Commission in Portland.

At 1:30 o'clock p. m. the Commission met with several delegations in the Pendleton City Hall.

A delegation from Milton was present in regard to the improvement of the present highway route through their city, where, they alleged, a dangerous condition now exists. They particularly requested improvement between a certain lumber yard and the railroad tracks. The delegation was headed by Dr. T. M. Birkbeck, Mayor, and consisted of the following: C. D. Hobbs, T. E. Westberg, Cecil Olinger, J. H. Maxwell, Glenn Price, Fred Fullerton, J. D. Whitman, Hugh Murray, Glenn Strickler, Glenn Staggs, F. J. Wheeler, Leonard Sample, Martin Bjorn, T. C. Elliott, C. E. Zerba, Dr. Harry Flower, Dr. Gillis, and George Hibbert, City Manager.

The Engineer explained the plans of the Commission for rerouting the highway south from the Washington-Oregon State line. The delegation asked the Commission to improve the present route regardless of the plans to reroute the highway. It was their contention that the present route would be used by traffic as much as any secondary state highway even after the new route is constructed because of the fact that the depot, warehouses, packing plants, and other facilities front on the present route and cannot be changed.

The matter of the railroad tracks on the present route was mentioned and in this connection Mr. Hibbert stated that the railroad company has a franchise to occupy this street but there is nothing in this franchise to prevent the moving of the tracks as may be desirable from the highway traffic standpoint. He also said that they are simply asking the Highway Commission to widen the present road and make certain improvements, and stated that

the city would assume the responsibility for acquiring the extra right of way. He filed with the Commission a letter signed by numerous warehouse, packing-plant and refrigeration-plant owners doing business in Milton, endorsing the request of the Milton City Council and the Chamber of Commerce for the proposed improvement.

Mayor Birkbeck urged the Commission to include the project in the 1940 construction program if it is not possible to do it sooner. He was informed by Commissioner Aldrich that the Commission is not in a position today to make any commitment of funds, particularly in view of the fact that there is a question whether or not the government officials would approve the Project for federal funds.

Mayor Birkbeck then stated that they are extremely anxious that something be done to remedy the present conditions and that they would be glad to accept any type of improvement that the Commission might decide upon. After further discussion, the Commission decided to give consideration to a reconstruction project through this town, costing about \$9,000, without curbs, sidewalks, et cetera.

A delegation from Helix, headed by L. L. Stockman, and consisting of the following: Tom Cook, George Woodward, Clint Mumford, L. Christopher, Isaac Christopher, and Frank Shristopher, Gunder Tergeson, Randolph Cook, Henry Campbell, Rufus Campbell, Raphael Raymond, Carl Engdahl, Fred Brown, W. A. Stockman, and Lowell Stockman, Allen Leek, Ed Snapp, Roy Penland, August Kuipers, Raymond Reece, and Gerald Gillespie, was present and asked the Commission to give serious consideration to the oiling of the Havana-Helix Secondary State Highway and to the construction of a connecting road between this highway and the proposed new highway between Pendleton and Adams. In this connection the Secretary presented a letter from the County Court of Umatilla County endorsing both projects but requesting that preference be given to the Havana-Helix Road. Mr. Stockman filed a letter from the Pendleton Chamber of Commerce also requesting the oiling of this road.

The Commission thanked the delegation for its appearance and advised that their request would be given consideration in the formulation of future construction programs.

At 2:00 o'clock p. m. the Commission returned to Commissioner Aldrich's office in the East Oregonian Building where bids as follows for the construction of the Klamath Falls maintenance building and for the sale of a residence building in North Portland were opened and read in conformance with previously published notice.

MAINTENANCE BUILDING AT KLAMATH FALLS

Angelo A. Doveri	\$19,540.95
Snook Brothers	19,678.00
W. D. Miller Construction Company	19,945.45
Ellsworth Gray	20,594.25
Contracting & Sales Company, Inc.	24,412.00

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RESIDENCE BUILDING IN NORTH PORTLAND
 1606 North McClellan Street, on Lots 11 and 12, Block 42, Kenton
 (Formerly owned by Emily A. Recard)

Lebeck & Son	\$303.00
Realty Finance Company	183.00
Rose Smollinski	120.00

The Commission decided to defer the award of the contract for the Klamath Falls maintenance building and accordingly referred the bids to the Engineer with power to make the award later. The following resolution covering the matter was adopted by the unanimous vote of the Commission:

Moved by F. L. Tou Velle and seconded by E. B. Aldrich that R. H. Baldock, State Highway Engineer, be and he is hereby empowered to award the contract for the construction of the Klamath Falls Building, FWA Docket Oregon 1177-F to Angelo Doveri, providing such award is satisfactory to C. C. Hockley, Regional Director, Public Works Administration.

After consideration of the bids received for the sale of the house in Portland, the Engineer recommended acceptance of the offer of the high bidder, Lebeck & Son, amounting to \$303.00. The Commission approved the recommendation and thereupon sold the building to Lebeck & Son at their bid of \$303.00.

Mr. J. De Wilde, Pendleton City Councilman, came before the Commission and requested the erection of stop- and go- signs at the following street crossings: Main and Court, Court and Gardner, Cottonwood and Court, Alta and Main, Webb and Main, and Matlock and Court. The Commission deferred action on this matter pending a report from the Engineer as to the results of the traffic counts that have been taken heretofore in the city of Pendleton for the purpose of ascertaining whether or not traffic signals are justified.

The Engineer brought up for discussion the matter of the purchase of additional station boxes to complete the dictograph system in the Salem office. He said that, in order to secure full efficiency from the present dictograph system, it would be necessary to purchase 8 additional station boxes, which will cost approximately \$2,500 installed. He recommended approval of such expenditure. The purchase was approved by the Commission by unanimous vote.

A letter was presented from the County Court of Yamhill County forwarding a resolution adopted by the County Court and a petition signed by 167 residents of McMinnville and vicinity, requesting a sidewalk on the Yamhill River Bridge, which is located on the Threemile Lane Secondary Highway near the east city limits of McMinnville, for the protection of school children and other pedestrians who are required to use this structure. The Engineer estimated that such sidewalk construction would cost about \$4,800. The Commission denied the request on account of lack of funds to finance the

improvement at the present time. The Engineer was instructed to bear the project in mind for future consideration.

A letter was presented from the Oregon Timber Operators requesting permission to truck logs over the Coos River Secondary Highway, in Coos County, during Saturday afternoons and Sundays, from a point one-half mile above Allegany to a point one-half mile below Allegany. The Commission granted the request upon recommendation of the Engineer.

The Commission discussed a letter from the County Court of Lane County suggesting that the state designate as a state secondary highway the county road which extends from the Oregon Coast Highway, at a point about 3 miles south of Florence, easterly across Woahink State Park to a place known as Canary. The Commission denied the request as a matter of policy, it being contrary to such policy to add more roads to the state secondary highway system at the present time.

A letter was presented from County Judge N. E. Glass of Lane County requesting a location survey of the Noti-Walton Section of the Route "F" Secondary Highway in Lane County, so as to permit the county to conduct a W.P.A. construction project thereon this winter. The Commission referred this matter to the Engineer for investigation and report.

A letter was presented from Champoe Chapter, D. A. R., requesting permission to erect a marker on the state secondary highway 5 miles north of Newberg, directing attention to the location of the grave of Ewing Young, a pioneer, who, it is alleged, was the first white man to die in what is now the State of Oregon. The Commission ordered that this matter be referred to Lewis A. McArthur, President of the Oregon Historical Society, for recommendation.

A letter was presented from the Lower Columbia Associated Chambers of Commerce inviting members of the Commission and its staff to join a caravan on September 10 from Portland to Seaview, Washington, it being the occasion of the Association's quarterly meeting. The Commission ordered that the Association be thanked for its invitation and informed that the Commission will be pleased to accept, if possible. The Engineer was delegated to represent the Commission on this occasion in the event that the Commissioners are not able to be present.

The Commission considered and referred to the Travel and Information Department a letter from the Oregon Women's Industrial Forum, recommending that consideration be given to the colored moving pictures made by Miss Kathryn Gunnell, Salem, in connection with the exhibit at the San Francisco World's Fair in 1939.

The Commission considered and ordered filed a resolution from the County Court of Klamath County granting to the National Park Service permission to erect a marker at the intersection of The Dalles-California Highway and the Whitney County Road, directing the general public to the Lava Beds National Monument.

The Commission considered and referred to the Engineer for investigation and report letters from the City of Coquille and the Coquille Chamber of Commerce, requesting the rerouting of the Coos Bay-Roseburg Highway through Coquille on Hall Street rather than on Taylor Street; also requesting certain signs directing traffic to the Oregon Coast Highway.

The Commission considered and ordered filed a letter from the North Bend Chamber of Commerce thanking the Commission for the improvement made on Sherman Avenue, in North Bend.

Reconsideration was given by the Commission to the request of Bowman-Hicks Lumber Company, La Grande, for permission to transport logs over a 2-mile section of the Wallowa Lake Highway just west of the town of Wallowa during Saturday afternoons and holidays. The Commission granted the request upon recommendation of the Engineer, subject to the condition that the permit will be revoked as soon as traffic conditions justify such action.

Similar action was taken by the Commission on the request of J. E. Twidwell, La Grande, to transport logs over the Wallowa Lake Highway during Saturday afternoons and holidays between the town of Elgin and Mile Post 27.0.

A letter was presented from O. W. Fraser, Marshfield, requesting permission to leave his gasoline pump on the right of way of the Oregon Coast Highway, near Marshfield, for a limited time, so as to give him an opportunity to obtain sufficient funds with which to finance removal of the same. Mr. Fraser also mentioned a dangerous condition that exists because of a faulty highway culvert located near his place of business. After discussion the Commission decided to give Mr. Fraser 3 months within which to remove his pump from the highway right of way and instructed the Attorney to so inform him. The matter of the culvert hazard was referred to the Engineer for investigation and report.

The Attorney reported that it would be a great convenience to his office if the Oregon Road and Highway Laws were recodified. He requested authority to employ someone to do this work. The Commission approved his request.

The Commission approved the Engineer's letter dated August 26, 1938, directed to Mr. Edwin G. Amme, Attorney, of Portland, in reply to Mr. Amme's letter of August 10 criticizing the Highway Commission for improving Sandy Boulevard between 14th Avenue and 45th Avenue, in Portland.

The Commission approved the Engineer's letter dated August 30, 1938, directed to J. R. Tomlinson, Secretary, Portland Chapter, National Electrical Contractors' Association, and his letter of the same date directed to J. E. Lake, Business Manager of the International Brotherhood of Electrical Workers, Local Union, relative to the contracting of traffic signal installations in the city of Portland. In such letters the Engineer stated that he would recommend to the Commission the contracting of such installations wherever the amount of work justifies such procedure and provided reasonable bids are received. Furthermore, he would recommend that, if possible, the installation of individual signals be deferred until there is a sufficient number of such installations to warrant contracting the same.

A letter was presented from Lofts & Son, Inc., Hood River, offering objections to the Commission's allowing the contractor on paving work in the city of Hood River to obtain materials from the state-owned quarry about 4 miles east of the city, because Lofts & Son have a suitable privately-owned quarry available for such purposes and are willing and anxious to furnish the materials required. The Engineer advised that it has been the policy of the Commission for a long time to permit counties and cities to take materials from state-owned quarries and it is his recommendation that the city of Hood River be allowed the use of the state quarry notwithstanding the protest of Lofts & Son. The Commission approved the recommendation.

The Commission considered and ordered filed a letter from McKenzie River Grange No. 878, Lane County, expressing appreciation for the guard fence and sight posts that have been constructed recently by state highway forces along the Leaburg Dam Section of the McKenzie Highway.

The Commission also considered and ordered filed a letter from Ed. W. Miller, Manager of the Oregon Coast Highway Association, thanking the Commission for the improvements under way and those completed on the Oregon Coast Highway throughout its entire length, and suggesting that the Commission take advantage of the prevailing low interest rates to secure additional funds to hasten the highway construction program; and a letter from Mr. Samuel L. Brown, Portland, recommending certain changes in the Oregon Motor Vehicle Law.

A letter was presented from the Bank of America, San Francisco, inquiring as to the interests of the State Highway Commission in the bridge across the Columbia River at Longview, Washington, and whether or not the Commission is considering taking over this bridge as a state highway obligation. The Engineer was instructed to inform the Bank that the Oregon State Highway Commission is not interested in this project at the present time.

The Secretary presented a letter from the Umatilla County Court requesting the oiling of the Weston-Tollgate Section of the Weston-Elgin Secondary State Highway. The Commission ordered the letter filed for future consideration.

Reconsideration was given by the Commission to the application of the West Coast Power Company to construct its pole line through the state park recently acquired by the Commission from the Pratt interests adjacent to the Oregon Coast Highway at the Lane-Lincoln County line. The Engineer recommended against the granting of the permit authorizing construction of this pole line through the body of the park. He pointed out that a permit has already been issued authorizing telephone pole line construction on the easterly side of the highway right of way and that it is contrary to the Commission's policy to authorize pole line construction on the westerly or ocean side of the highway. He recalled that at a previous meeting of the Commission authority was given to grant a permit to the West Coast Power Company to overbuild the telephone line, provided the power company would allow the telephone company the joint use of its poles, and in this connection he advised that such type of construction has been disapproved by the power company.

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and the telephone company and also by the chief engineer of the Public Utilities Commissioner's office because of the interference that the power circuit would cause to the telephone circuit, which leaves only two alternates; viz., construction of the power line underground on the easterly side of the highway right of way, or the construction of a power pole line along the extreme easterly line of the state park.

After considerable discussion, the Commission decided to require the power company to build its pole line on the extreme easterly edge of the state park or to install its circuits underground on the highway right of way.

The Commission considered the following requests for extensions of time within which to complete highway construction projects:

Medford Concrete Construction Company, Contract No. 1943, for furnishing crushed materials in stock pile for the Valley Falls-Cinder Butte Section of the Lakeview-Burns and Fremont Highways, in Lake and Harney Counties, requested an additional extension of time, from November 1, 1937, to August 10, 1938, within which to complete this project. They gave no reason for failure to complete the project within the specified time limit. The Engineer advised that this contract was awarded on December 17, 1936, and that the completion date specified therein was May 31, 1937. He further advised that the Commission previously extended the completion date to November 1, 1937, subject to the condition that the contractor would be charged for the cost of engineering expense incurred by the state subsequent to the date of completion specified in the contract. He recommended that the extension now requested be granted subject to the same penalty, that the contractor be charged for all engineering expense incurred by the state subsequent to May 31, 1937. The Commission approved the recommendation by unanimous vote.

Warren-Northwest, Inc., contract No. 1972, for surfacing and oiling the Burns-Buchanan Section of the Central Oregon Highway, in Harney County, requested an extension of time from July 31 to August 2, 1938, within which to complete this project. They alleged that their failure to complete the project within the specified time limit was due to the fact that they were required to do more work than the contract called for. The Engineer advised that the contract overran the time limit by only three days, the reason being that the contractor was required to place certain rip rap work that was not contemplated in the original contract. He recommended that the extension requested be granted without penalty and presented a letter from the United States Bureau of Public Roads concurring therein. The Commission approved the recommendation unanimously.

Rogers Construction Company, Contract No. 2029, for furnishing crushed rock in stock pile for the Kamela-La Grande Section of the Old Oregon Trail, in Union County, requested an extension of time of 73 days, from April 30 to July 12, 1938, within which to complete this job. The contractors alleged that bad weather conditions interfered

with the progress of their work and was the reason for their failure to complete the project within the specified time limit. The Engineer advised that the quarry from which the road materials were taken was at a high elevation and required dry weather for proper screening. Due to the late spring, he said, it was not possible to properly manufacture the materials during the early part of the year, so the contractor was permitted to defer the crushing operations until the weather was suitable. He further advised that the state has not incurred any extra engineering expense in connection with this job; also, that the contractor produced sufficient maintenance materials in ample time for this season's work. He recommended, in view of the circumstances, that the extension requested be granted without penalty. The Commission approved the recommendation.

Mountain States Construction Company, Contract No. 2031, for grading and paving the Smith Point-Young's Bay Bridge Section of the Oregon Coast Highway, in Clatsop County, requested an extension of time of two days, from June 30 to July 2, 1938, within which to complete this project. The Engineer advised that the contractor was required to do considerable extra work in connection with this job, particularly the removal of unsuitable fill material and refilling with material suitable as a subgrade for the new pavement. He recommended that the extension requested be granted without penalty and presented a letter from the United States Bureau of Public Roads concurring therein. The Commission approved the recommendation by unanimous vote.

O. C. Yocom, Contract No. 2033, for surfacing the North Unit of the Missouri Flat Section of the Medical Springs Secondary Highway, in Baker County, requested an extension of time from May 31 to July 20, 1938, within which to complete this project. Mr. Yocom alleges that the award of this contract was made contingent upon the award of Contract No. 2032 for the construction of the Gibbs Ranch-Baker Section of the Baker-Unity Highway, which job was completed on March 15 at a time when it was impossible to commence the Missouri Flat project because of unusually wet weather. He further alleges that bad weather slowed up the progress of the work so that the job was not completed until July 20. The Engineer advised that the reasons given by the contractor for failure to complete this project within the specified time limit are substantially correct. He further advised that the state has not incurred any extra expense for engineering supervision, neither has the traveling public been inconvenienced by the delay. He recommended, in view thereof, that the extension requested be granted without penalty. The Commission approved the recommendation unanimously.

Harold Blake, Contract No. 2035, for construction of Portland cement concrete pavement on the Ross Station-Arward Section of the Pacific Highway, in Lane County, requested an extension of time of 13 days, from July 31 to August 13, 1938, within which to complete

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this job. He gave the following reasons for failure to complete the project within the specified time limit: (1) Wet weather conditions prohibited work until May 1, almost four months after the contract was awarded; (2) Unforeseen difficulties in developing aggregates for paving work, such as the gravel pit being full of water and materials being extremely hard to excavate, necessitating the use of dynamite. The Engineer advised that the only reason that he could give for failure of the contractor to complete the project within the specified time limit was that he preferred not to erect his plant until he knew whether or not he would be successful in securing the contract for the paving of the adjoining section. He recommended, in view thereof, that the extension requested be granted but that the contractor be charged for the engineering expense incurred by the state subsequent to the specified date of completion. He presented a letter from the United States Bureau of Public Roads concurring therein. The Commission approved the recommendation.

Leonard & Slate, Contract No. 2037, for grading, surfacing, and oiling the Butte Creek Section of the John Day Highway, in Wheeler County, requested an extension of time of 15 days, from July 31 to August 15, 1938, within which to complete this job. They attributed their failure to complete the job within the specified time limit to the extra work required to develop several pits from which to secure topping material for this project. The Engineer advised that the reason given by the contractors for failure to complete the project within the specified time limit is only partially correct inasmuch as his record discloses that only 6 days were lost by reason of development of the pits for roadbed topping. He further advised that the contract provided for the placing of loose talus materials as a final topping course but the contractors used quarry material instead and, due to the fact that such material was harder to handle than the talus material, requiring blasting, they lost about 4 additional days. He gave as his thought that the contract should have been completed by August 9, so that a 10-day extension of time should be sufficient. Accordingly, he recommended that an extension of time of 10 days be granted without penalty and that the contractor should be charged for all of the engineering expense incurred by the state subsequent to the expiration of such 10-day period, or subsequent to August 10, 1938. A letter from the United States Bureau of Public Roads concurring in such recommendation was presented. The Commission approved the recommendation unanimously.

Mountain States Construction Company, Contract No. 2047, for furnishing crushed materials in stock pile for the Mohler-Kilchis River Section of the Oregon Coast Highway, in Tillamook County, requested an extension of time of 8 days, from June 30 to July 8, 1938, within which to complete this contract. They attributed their failure to complete the project within the specified time limit to the fact that it was necessary to put an extra amount of material through their plant due to reject materials, before they could obtain a sufficient quantity of the various sizes of rock required to meet the

specifications. The Engineer advised that the state incurred no extra engineering expense due to this overrun of time limit and recommended that the extension requested be granted without penalty. The Commission approved the recommendation.

Schmeer, Williams, and Gentemann, Contract No. 2057, for furnishing crushed rock in stock pile for the Hood River Rock Production Project on the Columbia River and Mt. Hood Highways, in Hood River and Wasco Counties, requested an extension of time from July 31 to August 15, 1938, within which to complete this job. They said that their quarry consisted of a slide which had only a very shallow covering of clean rock on the surface and for such reason their progress was delayed because they had to move their equipment around often to secure the best supply of material possible for the state. The Engineer advised that, in his estimation, there is no reason why the contractors should not have completed this project within the specified time limit. He recommended, therefore, that the extension requested be granted but that the contractors be charged for all extra engineering expense incurred by the state subsequent to the specified completion date, July 31, 1938. The Commission approved the recommendation unanimously.

The Engineer reported that Contracts Nos. 1943, 1972, 2031, 2033, 2035, 2037, 2057, 2084, and 2091, for the construction of state highway projects, have been completed according to the terms and provisions of the contracts and said jobs are now ready for acceptance. The following resolution accepting the above projects was offered and was adopted by the unanimous vote of the Commissioners present:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts or modifications thereof and said jobs are now ready for acceptance:

Contract No. 1943, with Medford Concrete Construction Company, for furnishing crushed rock for the Valley Falls-Cinder Butte Section of the Lakeview-Burns and Fremont Highways, in Lake and Harney Counties. Completed July 21, 1938.

Contract No. 1972, with Warren Northwest, Inc., for topping and road mix surfacing on the Burns-Buchanan Section of the Central Oregon Highway, in Harney County. Completed August 2, 1938.

Contract No. 2031, with Mountain States Construction Company, for grading and paving the Smith Point-Youngs Bay Bridge Section of the Oregon Coast Highway, in Clatsop County. Completed July 2, 1938.

Contract No. 2033, with O. C. Yocom, for surfacing

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the North Unit, Missouri Flat Section of the Medical Springs Secondary Highway, in Baker County. Completed July 20, 1938.

Contract No. 2035, with Harold Blake, for paving the Ross Station-Arward Section of the Pacific Highway, in Lane County. Completed August 13, 1938.

Contract No. 2037, with Leonard & Slate, for grading, surfacing, and oiling the Butte Creek Section of the John Day Highway, in Wheeler County. Completed August 13, 1938.

Contract No. 2057, with Schmeer, Williams & Gentemann, for furnishing crushed rock on the Columbia River and Mt. Hood Highways, in Hood River and Wasco Counties. Completed August 10, 1938.

Contract No. 2084, with A. M. Jannsen Drilling Company, for drilling a well near Brothers, on the Central Oregon Highway, in Deschutes County. Completed August 6, 1938.

Contract No. 2091, with J. C. Compton, for surfacing and oiling the Wigrich-Buena Vista Section of the Independence-Buena Vista County Road, in Polk County. Completed August 22, 1938.

THEREFORE, BE IT RESOLVED, that the work covered by said state highway contracts for the construction of said state highway projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

The Commission considered and signed agreements, et cetera, as follows:

Agreement with the Southern Pacific Company relative to the proposed Albany Overcrossing Project.

Agreement with Mountain States Power Company covering revision of the company's water lines adjacent to the Albany Grade Separation Project, in Albany.

Agreement with E. F. and W. F. Philpott, providing for disposal of their claim for extra compensation arising out of their contract No. 1944 with the State Highway Commission for the construction of a bridge over Necarney Creek on the Oregon Coast Highway, in Tillamook County.

Agreement with L. H. and F. R. Williams for the drilling of test holes or wells along the John Day Highway.

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Agreement with Henry and Anna A. Blankinship, husband and wife, providing for the substitution of a fill for a certain cattle pass located at Mile Post 24.13 on the Santiam Highway, in Linn County, being designated as Bridge No. 151-16.

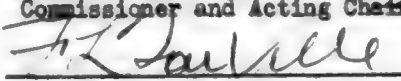
Bargain and Sale Deed conveying unto James J. Tuma a parcel of land containing 0.25 acre, situate in the N $\frac{1}{2}$ of Section 23, T. 12 S., R. 2 W., W. M., Linn County, Oregon, being Right of Way Transaction No. 6090.


Bargain and Sale Deed reconveying unto Douglas County certain lands formerly owned by W. G. Hoagland and which were acquired by the state by mistake, at tax sale.

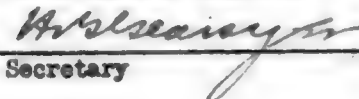
Permit extending to W. E. Purkeson the privilege of disposing of certain materials from a quarry which the State Highway Commission has under lease from him.

The Commission adjourned at 3:00 o'clock p. m.


Commissioner and Acting Chairman


Commissioner


State Highway Engineer


Secretary

Portland, Oregon, September 19, 1938

The State Highway Commission met in regular session at 7:30 o'clock p. m. in Room 204, Benson Hotel. Present were:

E. B. Aldrich, Commissioner and Acting Chairman
F. L. Tou Velle, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

The Engineer requested authority to acquire certain parcels of real property that are needed for various highway improvements throughout the state. He submitted a list of such properties together with prices that he recommended be paid for each. After careful consideration, the Commission approved the request and adopted the following resolution by the unanimous vote of the Commissioners present:

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WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth; and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon; and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Astoria Section - Oregon Coast Highway</u>				
5923-Strong, Frederick H.	Maintenance		Lump Sum \$60.00	Collins
	Site	16650 sq.ft.		
<u>Middleton-Newberg Section - Pacific Highway West</u>				
1476-Cox, Maude (Correction)	R/W	0.016	Land Gratis plus \$535	Parker
<u>Lombard-Killingsworth Section - Northeast Portland Highway</u>				
5493-Burgard, Ernest C. (Correction)				
and Benj. Franklin Savings & Loan Association	R/W	900 sq.ft.	2 1/2 sq.ft. plus \$712.50	Parker
<u>Glenwood Section - Wilson River Highway</u>				
6244-Cormany, Gretchen	R/W	2.09	Lump Sum \$1	McCheesney
<u>Silver Falls City Section - Silver Creek Falls Park</u>				
6248-Crosby, Augusta P.	Park	5000 sq.ft.	Lump Sum \$50	McCallister
6249-Marion County	"	5000 " "	Gratis	"
<u>Albany Overcrossing Section - Pacific Highway East</u>				
4973-Ward, E. G.	R/W	3083 sq.ft.	Lump Sum \$300	Gardiner
5136-Rankin, Arline O.	"	1361 " "	5 1/2 sq.ft. plus \$206.95	Devers
<u>Walker Mt.-Gold Lake Trail Section - Willamette Highway</u>				
6241-Delbruegge, W. H.	Gravel Pit & Stock Pile Site	20	\$55 per a.+ \$102	Benson

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Pendleton-Adams Section - Oregon-Washington Highway</u>				
5902-Richards, Lois Rothrock	R/W	1.34	\$125 per a.+ \$120.40	Parker
6223-Courter, Wm.	Gravel Pit	2.0	\$100 per a.	Wells
<u>Columbia Boulevard-Harding Avenue Section - Pacific Highway West</u>				
5079-Roskoski, Anton	R/W	10500 sq.ft.	at \$0.5719 sq.ft. plus \$8,500 plus \$800 plus portions Lots 3,4,5,6, and 7, Block 3, Kenview, Portland -	Kaufer
<u>Newport-Yachats Section - Oregon Coast Highway</u>				
4475-Southern Pacific Company		63.315	Lump Sum \$4,106.75	DeSouza
	Scenic Preservation			
<u>Parkdale Section - Mt. Hood Highway</u>				
6250-Hood River County	Stock Pile	0.99	Lump Sum \$100	Peck
6281-Hood River County	" "	0.91	" " \$1	"
6280-Hood River County	" "	1.04	" " \$1	"
<u>Brothers-Harney County Line Section - Central Oregon Highway</u>				
6139-Ashbaugh, Chas. W.	R/W	3.504	Lump Sum \$5	McCallister
6203-State Land Board	R/W & Drainage Ditch	1.81	at \$2.50 per a.	"
6128-State Land Board	R/W	6.751	at \$2.50 " "	"
6135-Cooper, Mary S.	R/W	11.894	\$1 per a.+ \$61.50 (fencing)	"
6147-State Land Board	Gravel Pit	40	\$2.50 per a.	"
6127-State Land Board	R/W	19.67	\$2.50 per a.	"
6141-Rogers, Earl F.	R/W	20.01	\$1 per a.	"
<u>Owyhee River-Scotts Butte Section - I.O.N. Highway</u>				
6200-Malheur County	Gravel Pit	17.54	Gratis	Wells
<u>Mitchell-Dayville Section - Ochoco Highway</u>				
6215-State Land Board	R/W	0.457	Lump Sum \$10 + fencing	Benson
6217-Laughlin, Oral	"	0.52	Lump Sum \$10 plus moving fence	"
6216-Laughlin, E. R.	"	0.17	Lump Sum \$10 plus moving fence	"
6213-Blann, Mary G.	"	0.305	Lump Sum \$10 + \$7.50 plus moving fence	"
6220-Sigfrit, Lena	"	0.427	Lump Sum \$10 + \$7.50 plus moving fence	"
6218-Shown, H. C.	"	0.394	Lump Sum \$10 + \$7.50 plus moving fence	"
<u>Mill Creek-Marks Creek Section - Ochoco Highway</u>				
6189-Bank of California	Quarry	0.8	\$10 per a.	Gardiner
6191-State Land Board	"	7.5	\$10 per a.	"

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Section, Hwy., and Owner	Purpose	Acres	Approximate amounts	Agent
<u>Forest Boundary-Elgin Section - Weston-Elgin Secondary Highway</u>				
6247-Hallgarth, Arthur	Stock Pile	1.96	Lump Sum \$25	Williams
<u>Jamieson-Lancaster Section - John Day Highway</u>				
5967-World War Veterans'			\$125 per a.	
State Aid Commission	R/W	0.37	plus \$53.75	Collins
<u>Deschutes River-Madras Section - Warm Springs Highway</u>				
6227-Federal Land Bank of Spokane	Quarry	24.7	\$5 per a. plus \$217.60	Benson
<u>Williamson River-Crooked Creek Section - The Dalles-California Highway</u>				
6152-Hosley, Maud A.	R/W	4.36	\$20 per a.	Benson
<u>Paisley-Chalk Creek Section - Fremont Highway</u>				
3616-Curran, Richard Jr.	Gravel Pit	12.22	\$81.83 per a. Lump Sum \$1,000	McCallister
<u>Narrow-Coyote Flat Section - Frenchglen Secondary Highway</u>				
6274-Newton, William L.	Gravel Pit	6.0	Lump Sum \$200	Williams
<u>Columbia Boulevard-Harding Avenue Section - Pacific Highway West</u>				
5066-Reid, John J. (correction)	R/W	4 lots	Lump Sum \$1,250	Benson

The State Parks Superintendent, S. H. Boardman, was present and brought up for discussion the matter of acquiring strips of undeveloped land lying between the Oregon Coast Highway and the Pacific Ocean from Newport to Yachats. He gave as his thought that the state should acquire these properties so as to preserve an unrestricted view of the ocean from the highway, and that the Commission would be justified in paying as much as \$500 an acre, if necessary. After discussion the Commission authorized the State Parks Superintendent to negotiate for the strips and report later the amount of money involved to acquire them.

The Commission considered the request of Robert E. Porter for the leasing of a parcel of land on the Grubb College Section of the Dayton-Amity Highway in the vicinity of Station 115, which property contains 6.14 acres outside of the standard right of way limits, and was acquired from R. A. Harpole under right of way file No. 3262 (main office file No. 3170). After consideration, the Commission authorized the leasing of the property for the term from October 1, 1938, to September 30, 1939, both dates inclusive, for a consideration of \$30.70 to be paid in advance.

The Commission had under consideration the matter of permitting Mr. K. N. Lucas to assign or transfer to a Mr. William G. Folsom a certain lease covering state-owned property situate adjacent to the Siuslaw Highway in the vicinity of Rainrock, being State Highway Commission Miscellaneous Contract No. 168. The Engineer advised that Mr. Lucas now holds a lease to the property in question and the same does not expire until March 1, 1943; further,

that while the lease is in the name of Mr. Lucas, his father-in-law, Mr. Folsom, has been conducting a service station on the property for the last four years and it is Mr. Lucas's desire to sell his interest to Mr. Folsom, if the Highway Commission will approve the transfer of the lease rights.

The Engineer gave as his thought, in view of the fact that the lease has nearly five years more to run, that there would be no objections to such transfer. However, he suggested that, if the Commission approves the transfer, it be subject to the condition that the lease will not be renewed after its expiration date and that the lessee turn the property back to the state in a satisfactory condition. He recommended favorable consideration of Mr. Lucas's request on such basis. The Commission approved the recommendation by the unanimous vote of the Commissioners present.

The Commission had under discussion a letter from Mr. H. Cogeshall, who is asking the Commission to complete the acquisition of right of way for a proposed revision of the Pacific Highway across his property south of Grants Pass so that he may properly develop the balance of his property. The Engineer advised that the Commission has in mind a revision of the highway at this point but no money has been allocated for the same for expenditure either this year or next year, so there is a question whether or not the Commission should proceed with the acquisition of right of way at this time. The Commission decided, in view of the circumstances, to defer the purchase of the right of way across Mr. Cogeshall's property until it is actually needed for construction, unless a very advantageous deal can be made for the same.

A letter was presented from County Judge Siegmund, Marion County, in regard to securing reimbursement for funds advanced by the county for the acquisition of 200 acres of government land as an addition to the Silver Creek Falls State Park. Judge Siegmund alleged that this purchase was made by the Marion County Court in 1931 as an accommodation to the State Highway Commission, it appearing at that time that the state was unable to make the purchase because of certain federal restrictions, and the County Court agreed to advance county funds for the purpose, with the understanding that it would be reimbursed later by the state. Judge Siegmund advised that the county paid \$500 for this land and is now ready and willing to deed it to the state as soon as the state reimburses the county in the amount of the purchase price. After discussion the Commission approved payment of \$500 to the county upon receipt of the deed conveying the tract to the state.

Mr. J. R. Hulburt, President of the Sunset Logging Company, Portland, came before the Commission in regard to exchange of certain timbered areas adjacent to the Wolf Creek Highway. It appears that in the acquisition of right of way for this highway it was necessary to acquire certain properties that are of no value to the state from the right of way or park standpoint, which properties are in close proximity to the lands of the Sunset Logging Company, which are now being logged off. Also, that the Sunset Logging Company owns certain timber tracts adjacent to the highway which should be owned by the state in order to preserve the scenic beauty of the highway; and that the Sunset Logging Company is willing to exchange its holdings for the state's property if satisfactory arrangements can be made with the Commission. Mr. Hulburt advised that an immediate decision is required because

the company has now completed its operations on the tract adjacent to the state property and plans to take up its railroad tracks immediately unless it can secure the state's timber. Furthermore, the company plans to cut the timber next to the highway as its next operation unless the state acquires it. After considerable discussion, the Commission told Mr. Hulburt that a decision would be rendered on the following day if possible and in the meantime the tract would be inspected by the State Parks Superintendent and the Construction Engineer, and a report rendered for the Commission's guidance. (This matter was reconsidered by the Commission at 2:00 o'clock p. m. on the following day in the Benson Hotel, at which time the Commission considered the report of the State Parks Superintendent and the Construction Engineer. Mr. Hulburt was also present at such meeting. Mr. Hulburt made the Commission an offer for exchange of properties, which was refused. The matter of the state acquiring the timber strip along the highway on a cash basis was then discussed. Mr. Hulburt advised that he would have to consult his associates relative to sale on such basis and would let the Commission know so that the matter could be discussed at the Commission's next regular meeting on September 29. This concluded the conference. Following the conference the Commission discussed the matter further, and authorized the Engineer to employ Mr. Eugene Walsh of Brown & Brown, Logging Engineers, Portland, to assist in appraising a 300-foot strip of the company's timber land along each side of the highway right of way so that such information would be available when the matter is discussed with Mr. Hulburt on September 29.)

The Engineer reported on the matter of installation of traffic signals in the city of Pendleton, as was previously requested by the Pendleton City Council. He advised that there is not enough traffic along the route of the Old Oregon Trail to justify the expense of installing "stop" and "go" signals at the intersections requested, but a study of traffic reports indicates that the installation of flashing beacons at the intersection of Court Street with Main Street and with Matlock Street is justified. After discussion the Commission authorized the installation of such flashing beacons, provided the city of Pendleton will pay one-half the cost thereof, which is in line with the Commission's recently adopted policy with regard to such matters.

The Engineer reported on the matter of permitting sidewalk construction along the Santiam Highway in the town of Sweet Home. It appears that the right of way, for the most part, is 80 feet wide, but along one particular section it is only 60 feet wide, and at such location property owners are desirous of constructing a sidewalk on the highway right of way, which will not conform to the sidewalk already in place where the right of way is 80 feet wide. It also appears that the Commission has plans for the widening of the right of way to 80 feet throughout this town at some future date, but, because of the expense involved, does not contemplate doing so now. It further appears that the property owners are very anxious to construct their sidewalk and that some of them are willing to donate right of way as may be needed to provide a uniform improvement, but the project is blocked because other property owners feel that a 60-foot right of way is wide enough and that they should be paid for the land taken to provide a wider one. After discussion, and in view of the desire of the Commission to help the town in this matter as much as possible, the Commission authorized the securing of options for

the extra right of way that will be needed. A report on the subject is to be rendered to the Commission as soon as possible.

The application of Mr. Bollinger, Pendleton, to maintain a finger-board sign reading "Bollinger Wood Camp", along the Old Oregon Trail near Emigrant Springs Park, had the attention of the Commission. It appears that Mr. Bollinger has a wood camp in this vicinity and that many people from Pendleton who purchase wood from him have difficulty in locating his place because of the absence of an appropriate sign on the highway. It appeared to the Commission that a sign worded as Mr. Bollinger desired would not meet the legal requirements, hence the request for the same, so worded, was denied; however, the Commission approved the erection of a sign worded "Bollinger Road", it being the opinion of the Commission that such a sign would meet the requirements.

The Engineer reported that in conformance with authority previously granted him by the Commission he awarded, on September 2, 1938, to Angelo Doveri, Klamath Falls, the contract for the construction of the Klamath Falls maintenance building, for which bids were taken by the Commission on August 30, 1938, Mr. Doveri's bid being the low one received for this project, and the conditions of the award having been satisfied. The Commission approved the award of this project as reported.

The matter of reducing the load limit on the Neahkahnie Mountain Chasm Bridge on the Oregon Coast Highway, in Tillamook County, had the attention of the Commission. The Engineer recommended that loads be restricted to a maximum of 10 tons in view of the fact that the bridge has been damaged by rocks rolling down the mountain side and is considered unsafe for loads weighing in excess of 10 tons. The Commission approved the Engineer's recommendation and adopted the following resolution in regard thereto by the unanimous vote of the members present:

WHEREAS, the Oregon Coast Highway (Neahkahnie Route) has been designated and declared to be and is a state highway and is being maintained by the State Highway Commission, pursuant to the laws of the State of Oregon as a state highway;

AND WHEREAS, on the said state highway there is located a certain bridge structure which, in the judgment of the State Highway Commission, is incapable of safely carrying the traffic to which it is being subjected, and in order to protect said bridge structure against damage and injury and in order to safeguard traffic over said bridge structure it is deemed and is the judgment of the Highway Commission and said Commission finds that it will be for the best interests of the said bridge structure and of the traffic which uses the said bridge structure that the maximum weights now permitted and authorized by law be reduced;

AND WHEREAS, the State Highway Commission has, after due investigation, determined and found, and it is the judgment of the Commission that the maximum gross loads which shall be permitted

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upon any single span of the said structure at any time shall be reduced and fixed as in this order provided;

NOW, THEREFORE, the premises being in part as above stated and the State Highway Commission having as a result of due investigation found that the bridge structure above referred to and herein-after designated is incapable of safely sustaining or supporting a total gross load in excess of that specified hereinbelow;

IT IS HEREBY ORDERED, that the total gross weight of combined load and vehicle which at any one time shall be permitted upon any single or individual span of the bridge structure hereinbelow designated shall not exceed the limits given and set forth hereinbelow. In computing the total weight of any single vehicle, the total gross weight of any trailer or trailers attached to said vehicle shall be considered as a component part of the total gross load and shall not be considered as a separate vehicle. This combined gross weight shall not exceed the limits given hereinbelow, to wit:

OREGON COAST HIGHWAY (NEAHKAHNIE ROUTE)
9A-40.0 Neahkahmie Mountain Chasm Bridge 10 tons

IT IS FURTHER ORDERED that these rules and regulations as made and found by the State Highway Commission under the provisions of Section 83 of Chapter 360, Oregon Laws 1931, Section 55-2707 Oregon Code 1935 Supplement, shall be in full force and effect from the 19th day of September, 1938, until rescinded, modified or revoked by order of the State Highway Commission.

AND IT IS FURTHER ORDERED, that a notice be posted in a conspicuous manner and place at each end of the above-named bridge structure so that said notice can be readily seen and read, which notice shall state plainly the limitations and prohibitions of the traffic hereby in this order determined and fixed.

AND BE IT FURTHER ORDERED that a certified copy of this order be furnished to the county clerk of the county in which said bridge is located and that a certified copy of said order be furnished the Superintendent of the Department of State Police for his information.

The Engineer requested authority to purchase the following equipment:

1. One automobile of a type similar to the Buick assigned to Division Engineers, for use of the Commission's Attorney, the Attorney's old car to be traded in as part purchase price; estimated net cost \$900. (He explained that the Attorney's car has been driven 75,000 miles and is badly in need of replacement.)
2. 15 push-type snow plows, to be used on lightweight trucks, estimated total cost \$2,100.
3. 5 - 45 H.P. tractors equipped with angle dozers, with 5 obsolete tractors to be traded in as part purchase price. Estimated net cost \$20,000.

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After discussion the Commission approved the purchases as requested.

The Commission considered and approved payment of the bill of the American Road Builders Association in the amount of \$5.00, covering membership of the State Highway Engineer in such association during the year 1938.

The Commission considered the adoption of minimum wage rates to be paid by contractors for labor employed on the Brownsville Section of the Halsey-Sweet Home Secondary Highway, in Linn County, being P.W.A. Docket No. Oregon 1250-F. The following resolution in regard thereto was adopted by the unanimous vote of the Commissioners present:

WHEREAS, a thorough investigation has been made of the hourly wage rates which are being paid in Linn County which is the locality in which the proposed project (hereinafter referred to as "project") is to be constructed by the Oregon State Highway Commission, to employees in each trade or occupation engaged in work of a nature similar to the work to be performed in the construction of said project and the prevailing hourly wage rates being paid in such locality to such employees for such work have been determined by an examination of the wage rates paid on various jobs as listed on Exhibit "A" attached hereto, which work is comparable to the work to be performed in this project.

NOW, THEREFORE, Be It Resolved by the Oregon State Highway Commission of the State of Oregon that the following rates for the respective trades or occupations listed below shall be and are hereby fixed as the minimum hourly wage rates and have been determined in accordance with rates prevailing for work of a similar nature in the locality in which the project is to be constructed:

Shovel Operator	\$1.20	Truck Driver (over 1½-ton manufacturer's rated capacity)	\$0.75
Caterpillar Operator (Le Tourneau)	1.20	Distributor Operator	0.75
Retort Operator	0.85	Power Broom Operator	0.75
Mechanic	1.20	Leverman	0.75
Pumpman	1.00	Leader Operator	0.75
Boilerman	0.75	Miscellaneous Labor	0.50
Oiler	0.75	Retort Fireman	0.80
Blademan	0.75	Truck Driver (1½-ton manufacturer's rated capacity or less)	0.50
Roller Operator	0.75		
Dumpman	0.75		

Be It Further Resolved that the foregoing list of trades or occupations includes to the best of our knowledge all the classifications of employees who will be engaged in work on said project other than executive, supervisory, administrative, clerical, or other non-manual workers as such.

Be It Further Resolved that there be transmitted with this

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resolution the substantiating data from which the foregoing determination is based.

The Commission also had under consideration acceptance of the offers of the United States of America to aid by way of grant in financing the construction of the following P.W.A. projects:

1. Surfacing and oiling the Cape Arago Secondary Highway in Coos County, P.W.A. Docket No. Oregon 1322-F.
2. Construction of a bridge over the Umpqua River on the Pacific Highway, in Douglas County, P.W.A. Docket No. Oregon 1298-F.
3. Surfacing and oiling a section of the Baker-Cornucopia (Homestead) Highway, in Baker County, P.W.A. Docket No. Oregon 1294-F.
4. Deschutes River-Madras Section of the Warm Springs Highway, in Jefferson County, P.W.A. Docket No. Oregon 1287-F.

Commissioner Fou Velle moved the adoption of the following resolutions accepting the said offers. After discussion, the motion was declared by Commissioner Aldrich to have passed by the unanimous vote of the Commissioners present:

A RESOLUTION ACCEPTING THE OFFER OF THE UNITED STATES TO THE STATE HIGHWAY COMMISSION OF THE STATE OF OREGON TO AID BY WAY OF GRANT IN FINANCING THE CONSTRUCTION OF THE CAPE ARAGO SURFACING AND OILING IN COOS COUNTY, AND THE ACQUISITION OF NECESSARY LANDS AND RIGHTS OF WAY THEREFOR.

BE IT RESOLVED by the Oregon State Highway Commission:

Section 1. That the offer of the United States of America to the State Highway Commission of the State of Oregon to aid by way of grant in financing the construction of the Cape Arago Surfacing and Oiling in Coos County and the acquisition of necessary lands and rights of way therefor, a copy of which offer reads as follows:

"P.W.83475-59

"FEDERAL EMERGENCY ADMINISTRATION OF PUBLIC WORKS

"Washington, D. C.

Dated: Sep 13 1938

Docket No.Oreg.1322-F

"State Highway Commission of the State of Oregon
Salem, Oregon.

"1. Subject to the Terms and Conditions (PWA Form No.230, as amended to the date of this Offer), which are made a part hereof,

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the United States of America hereby offers to aid in financing the construction of highway improvements, including acquisition of necessary lands and rights of way (herein called the "Project") by making a grant to State Highway Commission of the State of Oregon (herein called the "Applicant") in the amount of 45 percent of the cost of the Project upon completion, as determined by the Federal Emergency Administrator of Public Works (herein called the "Administrator"), but not to exceed, in any event, the sum of \$19,300.

"2. By acceptance of this Offer the Applicant covenants to begin work on the Project as early as possible but in no event later than 12 weeks from the date of this Offer and to complete such Project with all practicable dispatch, and in any event within 8 months from the commencement of construction.

"3. This Offer is made subject to the express condition that, if the Administrator shall determine at any time that the Applicant has paid or agreed to pay, whether directly or indirectly, a bonus, commission or fee to any person, firm or corporation for attempting to procure an approval of the Applicant's application, or for alleged services in procuring or in attempting to procure such approval, or for activities of the nature commonly known as lobbying performed or agreed to be performed in connection with the application, then the Administrator shall have the right, in his discretion, to rescind this Offer and any agreements resulting herefrom, and, in the event of such rescission, the United States of America shall be under no further obligation hereunder.

"UNITED STATES OF AMERICA

"Federal Emergency Administrator of Public Works

By (Sgd.) H. A. Gray
Assistant Administrator"

be and the same is hereby in all respects accepted.

Section 2. That the State Highway Commission of the State of Oregon and the State of Oregon agree to abide by all rules and regulations relating to such grant a copy of which rules and regulations were annexed to the Government's offer and made a part thereof. It is hereby covenanted that the work on the project described in the offer will be commenced as early as possible, but in no event later than twelve weeks from the date of this offer; and to complete the work with all practicable dispatch, and in any event within eight months from the commencement of construction.

Section 3. That J. M. Devers, Assistant Attorney General for Oregon, and Attorney for the State Highway Commission of the State of Oregon be and he is hereby authorized and directed forthwith

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to send to the Federal Emergency Administration of Public Works three certified copies of this resolution and three certified copies of the proceedings of this Commission in connection with the adoption of this Resolution, and such further documents or proofs in connection with the acceptance of said offer as may be requested by the Federal Emergency Administration of Public Works.

A RESOLUTION ACCEPTING THE OFFER OF THE UNITED STATES TO THE STATE HIGHWAY COMMISSION OF THE STATE OF OREGON TO AID BY WAY OF GRANT IN FINANCING THE CONSTRUCTION OF THE UMPQUA RIVER BRIDGE ON THE PACIFIC HIGHWAY IN DOUGLAS COUNTY, AND THE ACQUISITION OF NECESSARY LANDS AND RIGHTS OF WAY THEREFOR.

Be it resolved by the Oregon State Highway Commission:

Section 1. That the offer of the United States of America to the State Highway Commission of the State of Oregon to aid by way of grant in financing the construction of the Umpqua River Bridge on the Pacific Highway in Douglas County and the acquisition of necessary lands and rights of way therefor, a copy of which offer reads as follows:

"P.W.83499-8

"FEDERAL EMERGENCY ADMINISTRATION OF PUBLIC WORKS

"Washington, D. C.

Dated: Sep 12 1938

Docket No.Oreg.1298-7

"State Highway Commission of the State of Oregon
Salem, Oregon

"1. Subject to the Terms and Conditions (PWA Form No.230, as amended to the date of this Offer), which are made a part hereof, the United States of America hereby offers to aid in financing the construction of a highway bridge with approaches, including the acquisition of necessary land and rights of way (herein called the "Project"), by making a grant to the State Highway Commission of the State of Oregon (herein called the "Applicant") in the amount of 45 percent of the cost of the Project upon completion, as determined by the Federal Emergency Administrator of Public Works (herein called the "Administrator"), but not to exceed, in any event, the sum of \$54,652.

"2. By acceptance of this Offer the Applicant covenants to begin work on the Project as early as possible but in no event later than 12 weeks from the date of this Offer and to complete such Project with all practicable dispatch, and in any event within 10 months from the commencement of construction.

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"3. This Offer is made subject to the express condition that, if the Administrator shall determine at any time that the Applicant has paid or agreed to pay, whether directly or indirectly, a bonus, commission or fee to any person, firm or corporation for attempting to procure an approval of the Applicant's application, or for alleged services in procuring or in attempting to procure such approval, or for activities of the nature commonly known as lobbying performed or agreed to be performed in connection with the application, then the Administrator shall have the right, in his discretion, to rescind this Offer and any agreements resulting herefrom, and, in the event of such rescission, the United States of America shall be under no further obligation hereunder.

"UNITED STATES OF AMERICA

Federal Emergency Administrator
of Public Works

By (Sgd.) H. A. Gray
Assistant Administrator"

be and the same is hereby in all respects accepted.

Section 2. That the State Highway Commission of the State of Oregon and the State of Oregon agree to abide by all rules and regulations relating to such grant a copy of which rules and regulations were annexed to the Government's offer and made a part thereof. It is hereby covenanted that the work on the project described in the offer will be commenced as early as possible, but in no event later than 12 weeks from the date of this offer; and to complete the work with all practicable dispatch, and in any event within ten months from the commencement of construction,

Section 3. That J. M. Devers, Assistant Attorney General for Oregon, and Attorney for the State Highway Commission of the State of Oregon be and he is hereby authorized and directed forthwith to send to the Federal Emergency Administration of Public Works three certified copies of this Resolution and three certified copies of the proceedings of this Commission in connection with the adoption of this Resolution, and such further documents or proofs in connection with the acceptance of said offer as may be requested by the Federal Emergency Administration of Public Works.

A RESOLUTION ACCEPTING THE OFFER OF THE UNITED STATES TO THE STATE HIGHWAY COMMISSION OF THE STATE OF OREGON TO AID BY WAY OF GRANT IN FINANCING THE CONSTRUCTION OF THE BAKER-CORNUCOPIA SURFACING AND OILING IN BAKER COUNTY, AND THE ACQUISITION OF NECESSARY LANDS AND RIGHTS OF WAY THEREFOR.

Be it resolved by the Oregon State Highway Commission:

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Section 1. That the offer of the United States of America to the State Highway Commission of the State of Oregon to aid by way of grant in financing the construction of the Baker-Cornucopia Surfacing and Oiling in Baker County and the acquisition of necessary lands and rights of way therefor, a copy of which offer reads as follows:

"P. W. 83499-9

"FEDERAL EMERGENCY ADMINISTRATION OF PUBLIC WORKS

"Washington, D. C.

Dated: Sep 12 1938

Docket No. Oreg. 1294-F

"State Highway Commission of the
State of Oregon
Salem, Oregon

"1. Subject to the Terms and Conditions (PWA Form No.230, as amended to the date of this Offer), which are made a part hereof, the United States of America hereby offers to aid in financing the construction of highway improvements, including the acquisition of necessary land and rights of way (herein called the "Project"), by making a grant to the State Highway Commission of the State of Oregon (herein called the "Applicant") in the amount of 45 percent of the cost of the Project upon completion, as determined by the Federal Emergency Administrator of Public Works (herein called the "Administrator"), but not to exceed, in any event, the sum of \$25,600.

"2. By acceptance of this Offer the Applicant covenants to begin work on the Project as early as possible but in no event later than 12 weeks from the date of this Offer and to complete such Project with all practicable dispatch, and in any event within 12 months from the commencement of construction.

"3. This Offer is made subject to the express condition that, if the Administrator shall determine at any time that the Applicant has paid or agreed to pay, whether directly or indirectly, a bonus, commission or fee to any person, firm or corporation for attempting to procure an approval of the Applicant's application, or for alleged services in procuring or in attempting to procure such approval, or for activities of the nature commonly known as lobbying performed or agreed to be performed in connection with the application, then the Administrator shall have the right, in his discretion, to rescind this Offer and any agreements resulting herefrom, and, in the event of such rescission, the United States of America shall be under no further obligation hereunder.

"UNITED STATES OF AMERICA

Federal Emergency Administrator
of Public Works

By (Sgd.) H. A. Gray
Assistant Administrator"

be and the same is hereby in all respects accepted.

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Section 2. That the State Highway Commission of the State of Oregon and the State of Oregon agree to abide by all rules and regulations relating to such grant a copy of which rules and regulations were annexed to the Government's offer and made a part thereof. It is hereby covenanted that the work on the project described in the offer will be commenced as early as possible, but in no event later than twelve weeks from the date of this offer; and to complete the work with all practicable dispatch, and in any event within twelve months from the commencement of construction.

"Section 3. That J. M. Devers, Assistant Attorney General for Oregon, and Attorney for the State Highway Commission of the State of Oregon be and he is hereby authorized and directed forthwith to send to the Federal Emergency Administration of Public Works three certified copies of this Resolution and three certified copies of the proceedings of this Commission in connection with the adoption of this Resolution, and such further documents or proofs in connection with the acceptance of said offer as may be requested by the Federal Emergency Administration of Public Works.

A RESOLUTION ACCEPTING THE OFFER OF THE UNITED STATES TO THE STATE HIGHWAY COMMISSION OF THE STATE OF OREGON TO AID BY WAY OF GRANT IN FINANCING THE CONSTRUCTION OF THE DESCHUTES RIVER-MADRAS SECTION OF THE WARM SPRINGS HIGHWAY IN JEFFERSON COUNTY, AND THE ACQUISITION OF NECESSARY LANDS AND RIGHTS OF WAY THEREFOR.

Be it resolved by the Oregon State Highway Commission:

Section 1. That the offer of the United States of America to the State Highway Commission of the State of Oregon to aid by way of grant in financing the construction of the Deschutes River-Madras Section of the Warm Springs Highway in Jefferson County and the acquisition of necessary lands and rights of way therefor, a copy of which offer reads as follows:

"P. W. 83475-53

"FEDERAL EMERGENCY ADMINISTRATION OF PUBLIC WORKS

"Washington, D. C.
Dated: Sep 14 1938
Docket No. Ore. 1287-F

"Oregon State Highway Commission,
Salem, Oregon

"1. Subject to the terms and conditions (PWA Form No.230, as amended to the date of this Offer), which are made a part hereof, the United States of America hereby offers to aid in financing the construction of highway improvements, including the acquisition of

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necessary lands and rights of way (herein called the "Project") by making a grant to Oregon State Highway Commission (herein called the "Applicant") in the amount of 45 percent of the cost of the Project upon completion, as determined by the Federal Emergency Administrator of Public Works (herein called the "Administrator"), but not to exceed, in any event the sum of \$42,750.

"2. By acceptance of this Offer the Applicant covenants to begin work on the Project as early as possible but in no event later than 12 weeks from the date of this Offer and to complete such Project with all practicable dispatch, and in any event within 12 months from the commencement of construction.

"3. This Offer is made subject to the express condition that, if the Administrator shall determine at any time that the Applicant has paid or agreed to pay, whether directly or indirectly, a bonus, commission or fee to any person, firm or corporation for attempting to procure an approval of the Applicant's application, or for alleged services in procuring or in attempting to procure such approval, or for activities of the nature commonly known as lobbying performed or agreed to be performed in connection with the application, then the Administrator shall have the right, in his discretion, to rescind this Offer and any agreements resulting herefrom, and, in the event of such rescission, the United States of America shall be under no further obligation hereunder.

"UNITED STATES OF AMERICA

Federal Emergency Administrator
of Public Works

By (Sgd.) H. A. Gray
Assistant Administrator"

be and the same is hereby in all respects accepted.

Section 2. That the State Highway Commission of the State of Oregon and the State of Oregon agree to abide by all rules and regulations relating to such grant a copy of which rules and regulations were annexed to the Government's offer and made a part thereof. It is hereby covenanted that the work on the project described in the offer will be commenced as early as possible, but in no event later than twelve weeks from the date of this offer; and to complete the work with all practicable dispatch, and in any event within twelve months from the commencement of construction.

Section 3. That J. M. Devers, Assistant Attorney General for Oregon, and Attorney for the State Highway Commission of the State of Oregon be and he is hereby authorized and directed forthwith to send to the Federal Emergency Administration of Public Works three certified copies of this Resolution and three certified copies

of the proceedings of this Commission in connection with the adoption of this resolution, and such further documents or proofs in connection with the acceptance of said offer as may be requested by the Federal Emergency Administration of Public Works.

The Commission considered and denied a resolution from the City Council of the City of Enterprise, Wallowa County, requesting the placing of a speed limit of 35 miles per hour on the Minam Hill Section of the Wallowa Lake Highway, and on the secondary highway around Wallowa Lake, it being the opinion of the Attorney that the Commission is without legal authority to fix the speed limit on these particular sections of highway.

The Commission considered a letter from the Marshfield Chamber of Commerce, and a resolution from the Fairview North Fork Grange No. 739, Coos County, in which the Commission was asked to designate as a secondary state highway the old Coos Bay Wagon Road between Roseburg and Coos Bay. The Commission denied the request because there are no funds available to finance improvements to this road and for the further reason that the Commission considers that Coos County now has too large a mileage of secondary highways in comparison with the other counties of the state.

The Commission considered a resolution from the Astoria Chamber of Commerce, giving as its understanding that a proposal has been submitted to the State Highway Commission to issue \$18,000,000 in bonds to finance the reconstruction of the Pacific Highway south of Roseburg, and the reconstruction of the Columbia River Highway between Pendleton and Portland; and advising the Commission that it is opposed to the issuance of any bonds for highway purposes. The Commission ordered the communication filed.

The Secretary presented a letter from the County Court of Lane County and a petition signed by numerous residents of Eugene and vicinity in which the Commission was requested to name the old Pacific Highway between Junction City and Eugene "East Highway No. 99", and to erect an appropriate sign at each end thereof. It appeared to the Commission that what these people want is merely an alternate route for U. S. Highway No. 99 between Junction City and Eugene. The Engineer advised that the American Association of State Highway officials is strongly opposed to naming alternate routes for U. S. highways because of the confusion that develops when there is more than one route of a similar name. Furthermore, the Association will not approve the naming of any alternate route. In view of the circumstances, the Commission denied the request and ordered that the petitioners be so informed.

The Commission considered and denied a petition signed by numerous residents of Hillsboro and vicinity urging the oiling of the Farmington Secondary Highway, in Washington County, from the end of the present oiled section to a place known as Campbells Bridge. The Commission denied the request because of lack of funds to finance the improvement.

A resolution was presented from the County Court of Wallowa County requesting the resurfacing and oiling of that portion of the Enterprise-Flora

Highway from Enterprise to the U. S. Forest boundary, a distance of about 14 miles, during the 1939 season. The Secretary was instructed to inform the County Court that the Commission cannot now commit funds to finance this improvement but will consider it in the formulation of the 1939 construction program.

A letter was presented from the Lane County Court, asking for a location survey of the Walton-Noti Section of the Route "F" Secondary State Highway in Lane County, so as to permit the County Court to conduct a W.P.A. construction project thereon during the coming winter. The Commission approved the request by unanimous vote upon recommendation of the Engineer.

A letter was presented from Mayor Geo. W. Melville, Empire, Oregon, thanking the Commission for improvements already completed on the Cape Arago Secondary Highway between Tarheel and Charleston and on the Oregon Coast Highway in North Bend, and requesting completion of the Cape Arago Project through to Cape Arago State Park during the 1939 season. The Commission decided that the P.W.A. project that is now included in the P.W.A. construction program is all that it can finance on the Cape Arago road at this time, and ordered that Mayor Melville be so informed.

A resolution was presented from the Forest Grove Chamber of Commerce, suggesting that a bridge on the Wilson River Highway be dedicated in honor of Mr. Loyal M. Graham, Forest Grove, who has given much of his time and money in the interests of the Wilson River Highway project. The Commission considered that the dedication of a bridge in honor of Mr. Graham would be a fine tribute to him, but deferred a definite decision thereon pending a recommendation from Mr. Lewis A. McArthur, President of the Oregon Historical Society. The Secretary was instructed to secure such recommendation.

A letter was presented from Mr. Robert W. Sawyer, Bend, relative to the Commission's plans for the construction of the Third Street railroad grade separation project in Bend. Mr. Sawyer advised that rumors are to the effect that the Commission contemplates postponement of this project until next year, and gave as his thought that this would be inadvisable in view of the fact that the San Francisco World's Fair will be in progress in 1939, which is bound to create an unusual amount of traffic on The Dalles-California Highway. It was his thought that the grade separation project should be completed before that traffic begins, so as to avoid the necessity for detours. The Engineer advised that this is a costly project and cannot be financed at the present time in view of the condition of the Commission's finances, unless some other project is deferred. He also advised that, notwithstanding the fact that federal funds are to be used to pay the costs, there are numerous nonparticipating items that will have to be paid with state funds, including right of way and damages to adjacent properties. Furthermore, the state would have to advance the money to finance construction and it might be six or eight months before reimbursement could be secured from the Government. He pointed out that this is a desirable project but on account of the uncertainty of funds to finance it there is a question whether or not it should be contracted this year. After considerable discussion, the Commission deferred a definite decision in this matter pending an additional report from the

Engineer as to approximately what the damages will amount to and the amount of the state expense involved. Such report is to be rendered to the Commission at its next meeting. The Secretary was instructed to so inform Mr. Sawyer.

A letter was presented from the County Court of Gilliam County, requesting the oiling of secondary highways within Gilliam County, east and west as far as possible from Condon. The Commission decided that the reconstruction of the Rock Creek grade section of the Wasco-Heppner Secondary Highway is all that it is able to finance at the present time, and ordered that the County Court be so informed.

The Commission considered and ordered filed a letter from the Lower Columbia Associated Chamber of Commerce, advising that the Association at its meeting on September 10 adopted a resolution definitely supporting the general policy of the Highway Departments of the states of Oregon and Washington relative to the inauguration and operation of free ferry service across the Columbia River between Astoria, Oregon, and Megler, Washington; also, advising that their organization will support any and every appeal for a free ferry arrangement that may be presented whenever its cooperation is requested.

The Commission considered the following requests for extensions of time within which to complete highway construction projects:

Consolidated Highway Company, Inc., Contract No. 1984, for grading the East Unit of the Jordan Creek Section of the I.O.M. Highway, in Malheur County, requested an extension of time from February 28 to August 29, 1938, within which to complete this project. They advised that a combination of circumstances prevented the completion of the project within the specified time limit, particularly adverse weather conditions which prevailed during the months of December, 1937, and January, February, March, and part of April, 1938.

The Engineer advised that, due to mismanagement by the contractor, it was necessary for the bonding company to take over the job in November, 1937, about six months after the contract was awarded, and at that time there was almost as great an amount of work involved for proper completion of the project as at the beginning of the work. He further advised that bids were taken for the project on April 28, 1937, but the contract was not awarded until June 1, 1937, which would automatically allow the contractor an extension of time of 30 days. However, weather conditions between February 28 and March 28, 1938, were totally unsuitable for work, so the contractor secured no benefit whatsoever from this 30-day extension. The Engineer further advised that he ordered the contractor to shut down his work on February 15, 1938, because of adverse weather conditions, but the contractor resumed operations on April 15, 1938, although for two or three weeks thereafter he was considerably handicapped by reason of late spring rains. He gave as his thought that the contractor is entitled to a 105-day extension of time without penalty, or until July 13, 1938,

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to cover the delay in the award of the contract, the period when the work was shut down because of inclement weather, and a 7% increase in the quantities of material to be moved; but that the contractor should be charged for the engineering expense incurred by the state subsequent thereto, and he so recommended. A letter was presented from the Bureau of Public Roads concurring in such recommendation. The Commission approved the recommendation by unanimous vote.

J. C. Compton, Contract No. 2004, covering the Tillamook County oiling project, requested an extension of time from July 15 to July 23, 1938, within which to complete this project. He gave no reason for failure to complete the project within the specified time limit. The Engineer advised that the contractor completed this project, except for the application of the final seal coat, within the specified time limit; in fact, he could have applied the final seal coat before the time limit expired, but his oiling crew was working at the time on a contract on the Wilson River Highway and it was deemed advisable to leave the final seal on the other project until the Wilson River job was completed. He advised, further, that the delay in completing the project within the specified time limit was due to no fault of the contractor. He recommended, in view of the circumstances, that the extension requested be granted without penalty, and presented a letter from the Bureau of Public Roads concurring therein. The Commission approved the recommendation unanimously.

Roy L. Houck, Contract No. 2014, for grading, surfacing, and bituminous macadam construction on the North Powder-Muddy Creek Section of the Old Oregon Trail, in Baker County, requested an extension of time from August 31 to September 20, 1938, within which to complete this project. He alleged that his failure to complete the project within the specified time limit was occasioned by the fact that he was operating a very hard quarry and that he lost his plant and some equipment by fire. The Engineer advised that the contractor's failure to complete the project within the specified time limit was the result of a fire early in August, which almost entirely destroyed his crushing plant. Had Mr. Houck not experienced this difficulty, he said, he would very probably have finished the project within the specified time limit, notwithstanding the difficulties he had with his quarry. He recommended, in view of the circumstances, that the extension requested be granted without penalty. A letter was presented from the Bureau of Public Roads concurring therein. The Commission approved the recommendation unanimously.

E. L. Rigdon, Contract No. 2026, for grading, surfacing, and oiling the Harris Creek-Chalk Cliff Section of the Fremont Highway, in Lake County, requested an extension of time of 15 days, from August 31 to September 15, 1938, within which to complete this job. He alleged that his failure to complete the project within the specified time limit was due to unusually bad weather conditions during the winter months. The Engineer advised that in his estimation the

contractor should have completed the project within the specified time limit notwithstanding the weather conditions. He recommended, therefore, that the extension requested be granted but that the contractor be charged the amount of the extra engineering expense incurred by the state subsequent to the specified date of completion. A letter was presented from the Bureau of Public Roads concurring in this recommendation. The Commission approved the recommendation unanimously.

The Engineer reported that contracts Nos. 2004, 2027, 2036, 2043, 2047, 2055, 2065, 2077, 2088, 2089, 2097 for the construction of state highway projects have been completed according to the terms and provisions of the contracts, and said jobs are now ready for acceptance. The following resolution accepting the above projects was offered and was adopted by the unanimous vote of the Commissioners present:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts or modifications thereof and said jobs are now ready for acceptance:

Contract No. 2004, with J. C. Compton, for surfacing and oiling on four sections of county roads, in Tillamook County. Completed July 23, 1938.

Contract No. 2027,, with A. S. Wallace, for furnishing crushed rock for the Belknap Springs-McKenzie Summit Section of the McKenzie Highway, in Lane County. Completed August 26, 1938.

Contract No. 2036, with E. H. Itschner, for grading, surfacing, and oiling the Forest Boundary-Elgin Section of the Weston-Elgin Secondary Highway, in Union County. Completed August 29, 1938.

Contract No. 2043, with H. L. Rice, for furnishing crushed rock in stock piles for the Dillon-John Day River Section of the Columbia River Highway, in Sherman and Wasco Counties. Completed July 15, 1938.

Contract No. 2047, with Mountain States Construction Company, for furnishing crushed rock in stock piles for the Mohler-Kilchis River Section of the Oregon Coast Highway, in Tillamook County. Completed July 8, 1938.

Contract No. 2055, with Edlefsen-Weygandt Company, for grading and paving and construction of a trestle bridge, on the Hill Creek Bridge Section of the Pacific Highway, in Lane County. Completed July 1, 1938.

Contract No. 2065, with J. C. Compton, for oiling the Mills Bridge-Jordan Creek Section of the Wilson River

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Highway, in Tillamook County. Completed July 30, 1938.

Contract No. 2077, with Clifford A. Dunn, for surfacing and oiling the Peoria-Harrisburg Section of the Corvallis-Harrisburg County Road, in Linn County. Completed August 31, 1938.

Contract No. 2088, with Saxton, Looney & Risley, for grading, surfacing, and oiling the Washington County Line-Skyline Boulevard Section of the Northwest Thompson County Road, in Multnomah County. Completed September 12, 1938.

Contract No. 2089, with McNutt Bros., for surfacing and oiling the Roberts-Orville Section of Halls Ferry County Road, in Marion County. Completed September 2, 1938.

Contract No. 2097, with Clifford A. Dunn, for placing road mix surfacing on the Malone-California Line Section of the Whitney County Road, in Klamath County. Completed September 10, 1938.

THEREFORE, BE IT RESOLVED, that the work covered by said state highway contracts for the construction of said state highway projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

A letter was presented from I. J. Rossman, member of the City Council of Florence, Oregon, advising that the city has filed an application for P.W.A. funds with which to finance a street improvement project within the city limits, and that it is planned to open up and pave a new avenue of entrance to the city from the Oregon Coast Highway beginning at the intersection of Lincoln Street with Washington Street, and extending in a northwesterly direction to a connection with the Oregon Coast Highway, which will necessitate crossing state property under control of the State Highway Commission. Mr. Rossman inquired as to whether or not the Commission has any objections to the city constructing this street across the state property, and if there are no objections, how much consideration the Commission wants for this property.

The Engineer gave as his thought that the proposed street will provide a better connection to the business district of the town than the existing one because it will be farther from the bridge over the Siuslaw River. He recommended the sale of the property to the city at a price equal to that which the state paid for it. The Commission approved the recommendation unanimously.

The Engineer reported that the World's Fair Commission of Oregon is considering showing at the San Francisco Fair the animated diorama of ocean views invented by Mr. Bud Dietlein, of Vancouver, Washington, provided it meets with the approval of the State Highway Commission. He said that Mr.

Dietlein will allow this diorama to be shown at the San Francisco Fair and three times a year for two years thereafter for the sum of \$3,250, and recommended approval of the proposition. The Commission approved the recommendation unanimously.

A letter was presented from A. J. Kelly, Portland, inquiring whether or not the Commission would be interested in constructing a building for rental purposes at the intersection of McLoughlin Boulevard and Holgate Street in Portland. The Secretary was instructed to inform Mr. Kelly that the Commission is not interested in any proposition of that kind.

The Engineer reported the results of an inspection of the sand houses which Mr. Jack H. Moore of Agate Beach wants to remove from the state property near Newport if the Commission will let him have the buildings for the value that he can salvage from them. He said that one of the buildings is 10' x 14' in dimension and the other is 12' x 16' and that both are located on the old U. S. Spruce Corporation's railroad right of way recently acquired by the state, north of Newport; further, that they were built in 1918 and are now practically worthless. He further advised that there are some larger buildings on the property that would have a salvage value. He recommended that the two small buildings be given to Mr. Moore if he will remove them from the state property, but that the other buildings be retained for state purposes. The Commission approved the recommendation.

The Commission discussed the proposed agreement with Dr. Gus H. Huthman, Portland, disposing of his claim for damages arising out of the construction of the Union Avenue viaduct on the East Portland-Oregon City Highway, in Portland. The following resolution in regard thereto was adopted by the Commission by unanimous vote of the Commissioners present:

WHEREAS, a case is pending in the Circuit Court of the State of Oregon for Multnomah County entitled Gus H. Huthman et al, vs. State of Oregon, et al, in which action the plaintiff seeks to recover damages in connection with the location and construction of the Union Avenue viaduct; and

WHEREAS, an adjustment of differences has been effected and the terms and understandings of said adjustment have been reduced to writing and said written agreement is now before the Commission for consideration and execution; and

WHEREAS, the Commission having fully considered the provisions of said agreement is of the opinion that the agreement should be executed by the State of Oregon, by and through its State Highway Commission;

NOW, THEREFORE, a majority of the members of the Commission being present and affirmatively voting, it hereby is ordered that the agreement covering and incorporating a settlement of the differences between Gus H. Huthman and Henrietta B. Huthman and the State of Oregon involving Lots 3 and 4 and the North one-half

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of Lot 5, Block 1, Villa Heights, City of Portland, County of Multnomah, State of Oregon, be and the said agreement hereby is approved, and it is hereby ordered that said agreement be executed, for and on behalf of the State of Oregon, by E. B. Aldrich, and F. L. Tou Velle, members of the State Highway Commission.

The Commission considered and signed agreements, et cetera, as follows:

Agreement with Odette Martin Hall, et al, relative to an easement across private property south of the Willamette River Bridge on the Pacific Highway at Harrisburg.

Agreement with Board of Park Commissioners, Pendleton, covering the maintenance of a proposed landscape area at the west end of the overcrossing on the Old Oregon Trail, in Pendleton.

Agreement with Deschutes County Court whereby the county assigns to the state \$1,262.88 of its share of the gasoline tax revenues which are to be distributed on December 15, 1938, as reimbursement for expenditures advanced by the state for construction of the Tumalo Falls-Bend Road.

Agreement with Elmer Griffith, authorizing Mr. Griffith to construct a fence around a state-owned quarry site in Morrow County.

Agreement with Klamath Indian Agency providing for the construction of a turn-out and check dam adjacent to the Modoc Point-Lobert Section of The Dalles-California Highway, in Klamath County.

Agreement with Dr. Gus H. Huthman, disposing of his claim against the state, arising out of the construction of the Union Avenue viaduct in Portland.

Agreement with the City of Brownsville, providing for lease of a borrow pit from which to obtain materials needed in connection with the construction of the Brownsville-Crawfordsville Section of the Halsey-Sweet Home Secondary Highway, in Linn County.

Quitclaim deed conveying unto Harry R. Elbon and Charlotte L. Elbon 2,400 sq.ft. of land situate adjacent to the Lower Columbia River Highway in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 28, T. 2 N., R. 1 W., W. M., Multnomah County, Oregon.

Bargain and Sale Deed conveying unto James Ben Green 0.084 acre of land situate adjacent to the Pacific Highway, near Salem, being a part of Lot 10, Smith Fruit Farms Subdivision.

The Commission confirmed the date of September 29, 1938, as the date for its next regular meeting in Portland, same being a postponement of the

meeting heretofore scheduled for September 22, 1938. The Commission also set Thursday, November 10, 1938, as the date for its regular meeting in November for the receiving of bids on highway construction projects. The Secretary was instructed to make the usual arrangements to hold these meetings in the Auditorium of the Public Service Building, Portland.

There being no further business to come before the Commission at this time, the meeting was adjourned at 10:00 o'clock p. m.

[Signature]
State Highway Engineer

[Signature]
Secretary

[Signature]
Commissioner and Acting Chairman

[Signature]
Commissioner

Portland, Oregon, September 28, 1938

The State Highway Commission met in regular session at 8:00 o'clock p.m. in the Rose Room of the Benson Hotel. Present were:

E. B. Aldrich, Commissioner
F. L. Tou Velle, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glalayer, Secretary

Chairman Henry F. Cabell arrived at 10:00 o'clock p. m.

County Commissioner Geo. N. Peck of Morrow County was present and discussed briefly with the Commission matters pertaining to the construction of the Heppner-Rhea Creek Section of the Wasco-Heppner Secondary State Highway and the Little Butter Creek County Road.

The Assistant Attorney reported briefly the status of the right of way budget for 1938. He said that present indications are that the Commission will spend this year for right of way purposes approximately \$600,000. The Commission took no action on this matter.

The Engineer requested authority to acquire certain parcels of real property that are needed for various highway improvements throughout the state. He submitted a list of such properties together with prices that he recommended be paid for each. After careful consideration the Commission approved the request and adopted the following resolution in regard thereto by the unanimous vote of the Commissioners present:

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WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth; and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon; and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Silver Falls Section - Silver Creek Falls Park</u>				
3617A-Cieslak, Hattie & Leo	Park		Surrender and cancellation of lease on Fred Volz property acquired by state - Lump Sum \$500	McCallister
<u>Columbia Boulevard-Harding Avenue Section - Pacific Highway West</u>				
6225-Portland, City of (Correction)	R/W	4342 sq.ft.	Lump Sum \$375	DeSouza
5077-Beer, Laura and City of Portland	"	5250 " "	Lump Sum \$1250	Kaufer
5383-Shell Oil Company and Star Sand Company	"		Rebuilding service station bldgs-maximum amount \$149.74	DeSouza
5054-Woodward, Caroline W. (Correction)	"	6588.75 sq.ft.	\$100 for warranty deed. Taxes amounting to \$254.29 and city liens amounting to \$396.88 to be paid by state	"
<u>Pendleton-Adams Section - Oregon-Washington Highway</u>				
5893-School District #117	R/W	0.45	\$40 per a. plus \$21	Wells
5903-Rothrock, Blanche	"	7.24	\$125 per a.+ \$3540.15	Parker
5907-Blakely, Margaret (Continued)	"	13.60	\$125 per a.+ \$3888 + construction cattle pass "	

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>(Pendleton-Adams Section, continued)</u>				
5906-Thompson, Samuel R.	R/W	1.56	\$125 per a.+ \$302.75	Parker
5900-Duff, Roy	"	11.27	\$125 per a.+ \$7632.75, + cost of cattle pass "	
<u>Burton-Manning Section - Wolf Creek Highway</u>				
6264-Washington County	R/W	0.77	Lump Sum \$1	McChesney
<u>Brothers-Harney County Line - Central Oregon Highway</u>				
6142-Lake County	R/W	6.834	Gratis	McCallister
<u>Jamieson-Lancaster Section - John Day Highway</u>				
5972-Bank of California and Basal A. Turner	Gravel Pit	2.25	Lump Sum \$50	Collins

The Attorney reported that apparently it will be necessary to institute a suit of condemnation to acquire a certain quarry site that is needed in Douglas County, in view of the fact that there is a question of the ownership of the property, it being claimed by two people, John T. Black and William Berdine. He requested authority from the Commission to start the proceedings in the event that the matter cannot be adjusted in any other way. The Commission approved the request.

The Attorney also reported that it may be necessary to institute condemnation proceedings to acquire right of way across the property of the Tolakin Estate for the relocation of the Pendleton-Adams Section of the Oregon-Washington Highway, in Umatilla County. The purchase price of the property, he said, is satisfactory but there is a difference of opinion among the owners of the estate relative to the distribution of the same and it may be necessary to condemn the property in order to secure title. He requested authority to start the condemnation suit in the event that further negotiations reveal that to be necessary. The Commission approved the request.

The State Parks Superintendent, S. H. Boardman, was present and reported receipt of an offer to purchase the sand spit at the mouth of Yaquina Bay, Newport, which property is owned by the state. He inquired whether or not the Commission wishes to sell this property and recommended that it be retained for state purposes. The Commission decided to retain ownership of this property.

The Parks Superintendent also reported receipt of a request from the Relief Committee of Wheeler County for the cordwood that has been cut in Shelton State Park by C.C.C. forces during the past summer. He recommended the granting of the request in view of the fact that the wood has cost the state nothing and that it will be used in a good cause. The Commission authorized the Parks Superintendent to give this wood to the relief committee as has been done in the past.

The Parks Superintendent also advised that the Wheeler County Relief

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Committee would like permission to fell some of the beetle-infested trees in Shelton State Park for fuel purposes. He gave as his thought that it would be a good idea to get rid of these trees in this manner because they are badly infested, and recommended approval of the request. The Commission approved the recommendation.

The Commission considered and ordered filed a resolution from the Clatsop County Court changing the name of a county park located adjacent to the Wolf Creek Highway near the summit of the Coast Range from "Douglas Fir Park" to "David Douglas Park".

The Engineer reported on the request of the City of Coquille for the rerouting of the Coos Bay-Roseburg Highway through Coquille. He said that this highway now connects with the Oregon Coast Highway at Front and B Streets in Coquille but the city wants it routed along Hall Street to 3rd Street; thence along 3rd Street for a distance of one block to a junction with the Oregon Coast Highway, which would mean two parallel highway routes for a distance of three blocks. In the discussion of this matter it was pointed out that the Commission has under contemplation the rerouting of the Oregon Coast Highway between Coquille and Marshfield, which would have some bearing on the routing of the Coos Bay-Roseburg Highway, and in view thereof the Commission decided not to grant the city's request at this time.

The Commission had under discussion a letter from Mrs. Jessie M. Honeyman, President of the Oregon Roadside Council, in which the Commission is requested to assume the cost of printing forms that are to be used by the Roadside Council in the securing of pledges from the owners of property situated adjacent to highway rights of way that they will not sell or lease any of their lands for the purpose of erection and maintenance of commercial signs and billboards thereon and that they will refuse to permit such signs to be erected and maintained on their property or to be painted on fences or buildings adjacent thereto unless said signs are first approved by the State Highway Commission. The Commission authorized printing of the forms at state expense.

The Secretary presented a letter from Mr. Lewis A. McArthur, President of the Oregon Historical Society, with respect to the application of the Champeog Chapter, D.A.R., for permission to erect a monument on the secondary state highway north of Newberg, pointing out the location of the grave of Ewing Young, who, it is alleged, was the first white man to die in what is now the state of Oregon. Mr. McArthur recommended approval of the request, which, in his estimation, is a desirable project. The Commission approved the recommendation and instructed the Secretary to so inform the D.A.R.

The Engineer requested authority to purchase the following equipment:

15 trucks of the Ford or Chevrolet type, 15 old trucks to be turned in as part purchase price for the same. Estimated total cash outlay \$12,750.

4 light-power shovels of $\frac{1}{2}$ -yard capacity, 4 old shovels to be

turned in as part purchase price for the same. Total estimated cash outlay \$20,000.

The Commission approved the request by the unanimous vote of the members present.

Reconsideration was given by the Commission to the penalty heretofore imposed on Smith & Company, contractor for furnishing crushed rock in stock piles for the Maupin Section of The Dalles-California and Wapinitia Highways, in Wasco County, Contract No. 2030. The Engineer explained that this contractor did not complete the contract within the specified time limit and that the Commission on July 20, 1938, extended the completion date to August 15, 1938, under the condition that the contractor be charged for the extra engineering expense incurred by the state subsequent to the completion date specified in the contract. However, he is now of the belief that the penalty is too severe and recommends that the previous penalty be modified so as to charge the contractor with only one-half of the extra expense for engineering, amounting to approximately \$125, that the state has incurred subsequent to the specified date of completion. The Commission approved the recommendation.

The Engineer requested authority for the Labor Relations Engineer, Mr. Ray Webber, to accompany engineers from the State of Washington and from the State of California on an inspection of concrete paved highways in the three coast states, at state expense. He estimated that Mr. Webber's expense would not exceed \$75, exclusive of transportation. The Commission approved the request, subject to further approval by Governor Martin.

The Commission also authorized the State Highway Engineer to go to San Francisco at state expense to discuss matters pertaining to the use of dowel bars in concrete pavement construction with engineers from the states of Washington and California and representatives of the United States Bureau of Public Roads, same having to do with information secured from the above-mentioned inspection trip. The Commission's approval was subject to concurrence by Governor Martin.

The Commission had under consideration the matter of renewal of the contract with Julius Gunnell for the operation of the Enegren Ferry on the Coos River Secondary Highway, in Coos County. It was explained that the present contract expires at 11:00 o'clock p. m. on September 30, 1938, and that arrangements have been made to extend the contract for another year, but Mr. Gunnell wishes to assign his interests to Andrew Stambuck, Marshfield, who has actually operated the ferry for the past year in a satisfactory manner. The Secretary presented a copy of the assignment given by Mr. Gunnell to Mr. Stambuck, together with bond and insurance submitted by Mr. Stambuck as a requirement of the contract. The Attorney advised that the assignment, the bond, and the insurance are satisfactory and meet with his approval. The Engineer advised that the service rendered by Mr. Stambuck during the past year was satisfactory and it is his recommendation that the assignment be approved and that the contract for the extended period be awarded to Mr. Stambuck. After due consideration the Commission approved the recommendation by unanimous

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vote of the members present and thereupon signed an agreement with Mr. Stanbuck covering the matter.

The Commission considered the offer of the United States of America to aid, by way of grant of P.W.A. funds, in financing the construction of the Provolt Rock Production Project on the Williams and Medford-Provolt Secondary State Highways in Josephine and Jackson Counties, and the acquisition of necessary lands and rights of way therefor. The Commission accepted the Government's offer and, by unanimous vote, adopted the following resolution in regard thereto, upon motion of Commissioner Tou Velle which was duly seconded by Commissioner Aldrich:

A RESOLUTION ACCEPTING THE OFFER OF THE UNITED STATES TO THE STATE HIGHWAY COMMISSION OF THE STATE OF OREGON TO AID BY WAY OF GRANT IN FINANCING THE CONSTRUCTION OF THE PROVOLT ROCK PRODUCTION JOB ON THE WILLIAMS AND MEDFORD-PROVOLT SECONDARY HIGHWAYS AND THE ACQUISITION OF NECESSARY LANDS AND RIGHTS OF WAY THEREFOR.

Be it resolved by the Oregon State Highway Commission:

Section 1. That the offer of the United States of America to the State Highway Commission of the State of Oregon to aid by way of grant in financing the construction of the Provolt rock production job on the Williams and Medford-Provolt Secondary Highways in Josephine and Jackson counties and the acquisition of necessary lands and rights of way therefor, a copy of which offer reads as follows:

"P. W. 83951-101

"FEDERAL EMERGENCY ADMINISTRATION OF PUBLIC WORKS

"Washington, D. C.,
Dated: Sep 26 1938
Docket No. Oreg. 1348-F

"State Highway Commission of the State of Oregon,
Salem, Oregon.

1. Subject to the Terms and Conditions (PWA Form No.230, as amended to the date of this Offer), which are made a part hereof, the United States of America hereby offers to aid in financing the construction of highway improvements, including the acquisition of necessary land and rights of way (herein called the "Project"), by making a grant to State Highway Commission of the State of Oregon (herein called the "Applicant") in the amount of 45 percent of the cost of the Project upon completion, as determined by the Federal Emergency Administrator of Public Works (herein called the "Administrator"), but not to exceed, in any event, the sum of \$6,462.

2. By acceptance of this Offer the Applicant covenants to begin work on the Project as early as possible but in no event later

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than 12 weeks from the date of this Offer and to complete such Project with all practicable dispatch, and in any event within 4 months from the commencement of construction.

3. This Offer is made subject to the express condition that, if the Administrator shall determine at any time that the Applicant has paid or agreed to pay, whether directly or indirectly, a bonus, commission or fee to any person, firm or corporation for attempting to procure an approval of the Applicant's Application, or for alleged services in procuring or in attempting to procure such approval, or for activities of the nature commonly known as lobbying performed or agreed to be performed in connection with the application, then the Administrator shall have the right, in his discretion, to rescind this Offer and any agreements resulting herefrom, and, in the event of such rescission, the United States of America shall be under no further obligation hereunder.

"UNITED STATES OF AMERICA

Federal Emergency Administrator
of Public Works

By (Sgd.) H. A. Gray
Assistant Administrator"

be and the same is hereby in all respects accepted.

Section 2. That the State Highway Commission of the State of Oregon and the State of Oregon agree to abide by all rules and regulations relating to such grant, a copy of which rules and regulations were annexed to the Government's offer and made a part thereof. It is hereby covenanted that the work on the project described in the offer will be commenced as early as possible, but in no event later than twelve weeks from the date of this offer; and to complete the work with all practicable dispatch, and in any event within four months from the commencement of construction.

Section 3. That J. M. Devers, Assistant Attorney General for Oregon, and Attorney for the State Highway Commission of the State of Oregon be and he is hereby authorized and directed forthwith to send to the Federal Emergency Administration of Public Works three certified copies of this Resolution and three certified copies of the proceedings of this Commission in connection with the adoption of this Resolution, and such further documents or proofs in connection with the acceptance of said offer as may be requested by the Federal Emergency Administration of Public Works.

A letter was presented from the Acting Forest Supervisor of the Willamette National Forest advising that the C.C.C. camp at Belknap, which heretofore has supplied men and equipment for opening the Clear Lake road

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between Belknap Springs and the Santiam Highway for early spring travel, has been transferred to another location so that the services of the men from this camp are no longer available; hence it will not be possible for the Forest Service to maintain this road in a condition satisfactory as a detour unless the state will cooperate by way of betterment. The Secretary was instructed to inform the Forest Supervisor that the road in question is not a state highway, hence the Commission is without legal authority to spend state funds thereon.

A letter was presented from T. C. Richter, Amity, in which demand is made for the improvement of the Amity-Bellevue Secondary State Highway, in Yamhill County. The Commission ordered the communication filed and that Mr. Richter be informed that the Commission does not have funds available with which to finance this project at the present time.

A letter was presented signed by five homeowners and taxpayers of North Coos River, Coos County, requesting that the Enegren Ferry service across Coos River on the Coos River Secondary Highway be started at 5:00 o'clock a. m. instead of 7:00 o'clock a. m. if the Commission cannot provide 24-hour service. The Commission denied the request.

The Commission considered and ordered filed a letter from L. M. Lepper, Director of the Eastside Commercial Club, Portland, suggesting the sale of bonds, if necessary, in order to provide funds with which to match Federal Aid Funds.

The Commission also considered and ordered filed a resolution from the Gold Beach Chamber of Commerce opposing any additional bond issue for highway purposes.

A letter was presented from the Shasta-Cascade Wouderland Association inviting members of the Commission and its staff to be present at the Eighth Annual Convention of this association, which is to be held in Ashland, Oregon, Monday and Tuesday, October 10 and 11, 1938. The Commission delegated Commissioner Tou Velle; R. H. Baldock, State Highway Engineer; and H. B. Glaisyer, Secretary, to represent the Commission at this meeting.

A letter was presented from the Redwood Empire Association inviting the Commission and its staff to attend the Eighteenth Annual Convention and Banquet of the Association which is to be held at Eureka Inn on Saturday, October 22, 1938. The Commission expressed regrets that it would not be able to attend this meeting and instructed the Secretary to so inform the association.

A petition was presented signed by 145 persons residing along and served by the Coos Bay Wagon Road, in which the Commission is asked to take over and accept this road as a secondary state highway as has previously been requested by the Coos County Court. The Commission denied the request, it being contrary to its established policy to place any more roads on the secondary highway system until the reconstruction of the roads now on that system has been further advanced.

The Engineer reported that in conformance with authority previously granted him by the Commission he has ordered a number of surveys to be made. He presented a list of such surveys and asked the Commission to confirm them and the amounts authorized for each. After due consideration motion was made by Commissioner Tou Velle that the State Highway Engineer be authorized and instructed to make such location surveys on various sections of highways of this state, which said sections of highways, together with their identifying survey numbers and the amounts authorized for survey expenditures, are as follows:

Plans - - - -	1-2813 - Richland-Halfway Section, Baker-Homestead Highway.	
	1st authorization -	\$850.00
Quarry - - - -	104-2821 - Astoria-Jewell Section, Nehalem Secondary Highway.	
	1st authorization -	\$150.00
Right of Way -	9-2812 - Brothers-Gap Ranch Section, Central Oregon Highway.	
	4th authorization -	\$650.00
	Total to date	\$6,000.00
Quarry - - - -	9-2821 - Redmond-Sisters Section, McKenzie Highway.	
	1st authorization -	\$400.00
Right of Way -	9-2818 - Third Street Undercrossing, The Dalles-California Highway.	
	2nd authorization -	\$500.00
	Total to date	\$750.00
Right of Way -	9-1906 - Redmond Section, The Dalles-California Highway.	
	1st authorization -	\$25.00
Plans - - - - -	10-2822 - Dillard Section, Pacific Highway.	
	2nd authorization -	\$400.00
	Total to date	\$800.00
Quarry - - - -	35-2809 - Butte Creek Summit-Branson Creek Section, John Day Highway.	
	1st authorization -	\$400.00
Plans - - - -	114-2809 - Jericho Lane-Odell Junction Section, Mt. Hood Secondary Highway.	
	3rd authorization -	\$300.00
	Total to date	\$1,950.00
Plans - - - -	15-2817 - Siskiyou Station-Bear Canyon Section, Pacific Highway.	
	3rd authorization -	\$2,350.00
	Total to date	\$6,000.00
Location - - -	17-2802 - Grants Pass-Green Creek Section, Pacific Highway.	
	3rd authorization -	\$800.00
	Total to date	\$4,000.00
Plans - - - - -	18-2831 - Klamath Falls Maintenance Headquarters, The Dalles-California Highway.	
	1st authorization -	\$100.00

Quarry - - - - 18-2823 - Walker Mountain-Gold Lake Trail Section, Willamette Highway.
 2nd authorization - \$250.00
 Total to date \$1,250.00

Right of Way - 19-2814 - Picture Rock Pass-Harris Creek Section, Fremont Highway.
 1st authorization - \$500.00

Location - - - 19-2815 - Silver Lake-Picture Rock Pass Section, Fremont Highway.
 1st authorization - \$700.00

Plans - - - - - 19-2816 - Horse Ranch-Silver Lake Section, Fremont Highway.
 1st authorization - \$200.00

Quarry - - - - 20-2830 - Greenleaf Creek-Pacific Highway Section, Siuslaw Highway.
 1st authorization - \$400.00

Recon. - - - - 20-2831 - Salt Creek-Lookout Point Section, Willamette Highway.
 1st authorization - \$1,000.00

Plans - - - - - 20-2808 - Maywood-Oak Hill Section, Eugene-Veneta Highway.
 6th authorization - \$500.00
 Total to date \$6,175.00

Recon. - - - - 20-2831 - Salt Creek-Lookout Point Section, Willamette Highway.
 2nd authorization - \$500.00
 Total to date \$1,500.00

Right of Way - 22-2815 - Sweet Home Section, Santiam Highway.
 1st authorization - \$50.00

Right of Way - 22-2811 - Shedd-Halsey Section, Pacific Highway East.
 2nd authorization - \$100.00
 Total to date \$300.00

Drainage - - - 22-2816 - Lamb Creek-Sheep Ridge Section, Santiam Highway.
 1st authorization - \$500.00

Plans - - - - 125-2807 - Rhea Creek-Heppner Section, Wasco-Heppner Secondary Highway.
 2nd authorization - \$900.00
 Total to date \$2,400.00

Quarry - - - - 25-2808 - Gilliam County Line-Ione Section, Oregon-Washington Highway.
 1st authorization - \$200.00

Drainage - - - 127-2812 - Buell Section, Dallas-Coast Secondary Highway.
 1st authorization - \$50.00

Plans - - - - - 30-2820 - Pendleton Landscape Section, Old Oregon Trail.
 1st authorization - \$75.00

Plans - - - - 30-2820 - Pendleton Landscape Section, Old Oregon Trail.
 2nd authorization - \$50.00
 Total to date \$125.00

Quarry - - - - 30-2821 - Morrow County Line-Echo Section, Columbia River, Old
 Oregon Trail, and Lexington-Echo Highways.
 1st authorization - \$200.00

Plans - - - - - 30-2822 - East Pendleton Overcrossing, Old Oregon Trail.
 1st authorization - \$100.00

Plans - - - - - 30-2823 - Pendleton Section, Old Oregon Trail.
 1st authorization - \$400.00

Plans - - - - - 31-2814 - Jimmy Creek-North Powder Section, Old Oregon Trail.
 1st authorization - \$525.00

Location - - - 233-2813 - Forest Boundary-He He Butte Section, Warm Springs
 Highway.
 2nd authorization - \$1,200.00
 Total to date \$6,800.00

Plans - - - - - 36-2821 - Tillamook Junction Section, Pacific Highway West &
 McMinnville-Tillamook Highway.
 1st authorization - \$200.00

Plans - - - - - 36-2816 - Lafayette Section, Pacific Highway West.
 2nd authorization - \$25.00
 Total to date \$3,625.00

The motion was seconded and was declared by Acting Chairman Aldrich to have passed by the affirmative vote of the Commissioners present.

The Commission considered requests for extensions of time within which to complete highway construction projects, as follows:

Leonard & Slate, Contract No. 2023, for construction of a bridge over the North Fork of the John Day River on the John Day Highway near Kimberly, in Grant County, requested an extension of time of 15 days, from August 31 to September 15, 1938, within which to complete this project. They attributed their failure to complete the project within the specified time limit to bad weather conditions which prevented them from applying the finishing coat of paint to the structure. The Engineer advised that he knows of no reason why the job could not have been completed within the time limit specified in the contract and accordingly recommended that the extension requested be granted but that the contractors be charged with the extra engineering expense incurred by the state subsequent to the specified completion date. A letter was presented from the Bureau of Public Roads concurring in such recommendation. The Commission approved the recommendation unanimously.

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R. I. Stuart & Sons, Contract No. 2061, for furnishing crushed rock in stock piles for the Bandon-Port Orford Section of the Oregon Coast Highway, in Coos and Curry Counties, requested an extension of time from August 31 to October 15, 1938, within which to complete this job. They alleged that their failure to complete the project within the specified time limit was due to change in quarry location. The Engineer advised that bids were taken for this job on March 24, 1938, and the contract was awarded on April 6, 1938; that work of erecting the bunkers was started on April 25, 1938, and actual crushing operations began on May 31, 1938; and it was his opinion that the contract should have been completed within the specified time limit. In view thereof, he recommended that the extension requested be granted but that the contractor be charged with the extra engineering expense incurred by the state subsequent to the date of completion specified in the contract. The Commission approved the recommendation.

The Engineer reported that Contracts Nos. 1984, 2001, 2023, 2030, 2039, 2068, 2072, 2079, and 2083, for the construction of state highway projects, have been completed according to the terms and provisions of the contracts and said jobs are now ready for acceptance. The following resolution accepting the above projects was offered and was adopted by the unanimous vote of the Commissioners present:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts or modifications thereof and that said jobs are now ready for acceptance:

Contract No. 1984, with Consolidated Highway Company, Inc., for grading the East Unit, Jordan Creek Section, of the I.O.N. Highway, in Malheur County. Completed August 29, 1938.

Contract No. 2001, with C. J. Montag & Sons, for construction of an undercrossing structure on the Old Oregon Trail, at Ontario, in Malheur County. Completed September 16, 1938.

Contract No. 2023, with Leonard & Slate, for construction of a steel and concrete bridge over North Fork of John Day River, on the John Day Highway, near Kimberly, in Grant County. Completed September 13, 1938.

Contract No. 2030, with Smith & Company, for furnishing crushed rock for the Maupin Rock Production Project on The Dalles-California and Wapinitia Highways, in Wasco County. Completed August 27, 1938.

Contract No. 2039, with Harold Blake, for grading the Bear Canyon Section of the Pacific Highway, in Jackson County. Completed September 24, 1938.

Contract No. 2068, with Snook Bros., for construction of two concrete bridges over Wolf Creek, near Sunset Camp, on the Wolf Creek Highway, in Columbia and Washington Counties. Completed September 16, 1938.

Contract No. 2072, with Mountain States Construction Company, for grading, surfacing, and oiling the Spaulding Ranch Section of the Salem-Dayton Secondary Highway, in Yamhill County. Completed August 26, 1938.

Contract No. 2079, with Fisher Bros., for grading, surfacing, and oiling the Carver-Redland Store Section of the Carver-Redland County Road, in Clackamas County. Completed September 23, 1938.

Contract No. 2083, with Saxton, Looney & Risley, for surfacing and oiling the Hillsboro-Airport Road Section of the Hillsboro-Cornelius Pass County Road, in Washington County. Completed August 31, 1938.

THEREFORE, BE IT RESOLVED, that the work covered by said state highway contracts for the construction of said state highway projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

lowe: The Commission considered and signed agreements, et cetera, as follows:

Agreement with the City of Klarath Falls and the California-Oregon Power Company relative to the construction of an undercrossing of Main Street, Klamath Falls, under the tracks of the Southern Pacific Company.

Agreement with the Southern Pacific Company, the Central Pacific Railway Company, and the City of Klamath Falls, relative to the construction of an undercrossing of Main Street under the Southern Pacific Company's tracks, in Klamath Falls.

Agreement with the Southern Pacific Company providing for lease by the state of a maintenance building and storage site at Woodburn.

Bargain and Sale Deed conveying unto Anton Roskoski and wife 7,400 sq.ft. of land lying in Lots 3, 4, 5, 6, and 7, of Block 3, Kenview Addition to Portland, being part consideration for property acquired by the Commission from the Roskoskis for right of way for the Interstate Avenue improvement. Right of way transaction 5079.

Bargain and Sale Deed conveying unto John A. Hatala and wife Lot 16 of Block 3, Overlook Addition to Portland, being part

consideration for property which the state is acquiring from the Hatalas for right of way for the Interstate Avenue improvement.
Right of way transaction 5385-A.

County Judge Guy Boyington and County Commissioner Wm. Larson, of Clatsop County, were present in regard to the proposed road extending northwesterly from the Wolf Creek Highway at Elsie to a connection with the Nehalem Secondary Highway at a place known as Fish Hawk Falls, a distance of about 7 miles. They stated that the County Court proposes to conduct a W.P.A. project on this road within the next 12 months and they would like the Commission to authorize a location survey of the road so that their work will be done on the proper alignment. The Engineer advised that this is a logical proposition because it will provide a good connection from Astoria to the Wolf Creek Highway and when constructed will make the distance from Portland to Astoria over state highways about the same as that from Portland to Seaside. He recommended approval of the County Court's request. After discussion the Commission approved the recommendation and authorized the Engineer to proceed with the making of a location survey at his convenience.

Judge Boyington alleged that this road was placed on the federal aid system some time ago when the Wolf Creek Highway was placed on such system. The Engineer was instructed to investigate this allegation and report his findings at the next meeting.

Judge Boyington inquired whether or not the Commission would offer objections to the construction of a roadway approach to the Oregon Coast Highway from the beach at a point near the north end of the Arch Cape Tunnel, in Clatsop County. He advised that the highway is constructed on a high embankment at this particular point and a question has arisen whether or not such approach road would be objectionable from the state's standpoint. This inquiry, he said, is made in behalf of people who are interested in securing a roadway connection between the highway and the ocean beach at this place. The Commission referred the matter to the Engineer for investigation.

The Engineer brought up for discussion a federal aid secondary highway matter in Josephine County. He advised that the Commission has allocated the sum of \$12,000 to build a new bridge over the Illinois River on the Waldo-Holland Road in this county, and it is proposed to contract the work next year. However, the bridge is in very bad condition at the present time and the County Court has indicated a willingness to replace it at once, paying for the same with county funds, if the Highway Commission will spend its money for the construction of approaches to the bridge rather than for the bridge itself. He gave as his thought, in view of the circumstances, that the County Court's proposition is satisfactory, and accordingly recommended acceptance of the same notwithstanding the fact that it will necessitate a location survey of the project because the present bridge structure is not on the proper alignment. After discussion the Commission approved the Engineer's recommendation and authorized him to make such location survey as soon as possible.

Chairman Henry F. Cabell arrived at the meeting at 10:00 o'clock

p. m. and participated in all matters that were discussed subsequent to that time.

The Commission by unanimous vote approved the minutes of the meetings held on March 23, 24, and 25; April 14; April 27, 28, and 29; May 12; and June 1, 2, and 3, 1938.

A letter was presented from Dewey D. Gault, Portland, owner of Gault's Boat Harbor, in regard to the construction of a roadway extending easterly from the Pacific Highway at a point near the intersection of Denver and Union Avenues, Portland, to his boat dock in the Columbia River. Mr. Gault alleges that the present roadway is in bad condition and unsafe for travel, and as a result he has lost considerable business; also, that he has deferred repairing his roadway because of the plans of the State Highway Commission to construct a traffic separation project at the intersection of Denver and Union Avenues. He further advised that he wants to rebuild the roadway on a permanent basis but cannot do so until the state constructs at least a portion of its traffic separation project, including a roadway under the Pacific Highway to a connection with Swift Boulevard. It was his contention that it would be to the advantage of the state to install the underpass now because of the developments that are to take place on certain properties involved during the next year, which would make the purchase of right of way more complicated and more expensive. The Engineer advised that to construct the underpass and approaches thereto would cost about \$60,000. On account of the expense involved, the Commission decided that it could not contract this work next year and after that time would have to take its chances along with others in Portland on the basis of priority. The Engineer was instructed to suggest to Mr. Gault that he build a private road which would leave the Pacific Highway a little farther away from the end of the Interstate Bridge but which would be a much safer one to travel than the present road. In this connection he pointed out that the Commission's plans for the improvement of the highway require the acquisition of additional right of way on the easterly side of the present highway where it has been suggested that Mr. Gault build his private road. In view thereof the Commission decided that it might be advisable to acquire this extra right of way now and let Mr. Gault use it until it is needed for state purposes. The Engineer was authorized and instructed to ascertain the cost of such extra right of way and report his findings at the next meeting.

The Engineer brought up for discussion the matter of securing P.W.A. funds to reconstruct the Devil's Garden-Quartz Mountain Section of the Klamath Falls-Lakeview Highway, which section was badly damaged and was rendered almost impassable during the last spring breakup. He said that to grade, surface, and oil a 9-mile section of this road would cost about \$106,000, and suggested that an application be filed for a P.W.A. grant to assist in financing the work in view of the fact that the road is not a federal aid highway and is not eligible for other federal funds. The Commission concurred in the viewpoint of the Engineer that this would be a good project to undertake if funds can be found to finance the state's share of the cost, and in view thereof instructed the Engineer to secure P.W.A. funds, if possible, to help finance it. The following resolution in regard thereto was adopted by the Commission by unanimous vote:

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A RESOLUTION AUTHORIZING R. H. BALDOCK, AS STATE HIGHWAY ENGINEER, TO FILE AN APPLICATION WITH THE UNITED STATES OF AMERICA THROUGH THE FEDERAL EMERGENCY ADMINISTRATION OF PUBLIC WORKS FOR A GRANT TO AID IN FINANCING THE CONSTRUCTION OF A CERTAIN STATE HIGHWAY PROJECT AND THE PURCHASE OF RIGHT OF WAY NECESSARY TO SUCH CONSTRUCTION.

Be it resolved by the Oregon State Highway Commission:

1. That R. H. Baldock, as State Highway Engineer, be and he is hereby authorized to execute and file an application on behalf of the Oregon State Highway Commission with the United States of America for a grant to aid in financing the construction of the Devil's Garden-Quartz Mountain Section of the Klamath Falls-Lakeview Highway between mileposts 53 and 62 in Klamath and Lake Counties and the purchase of necessary lands and rights of way therefor.

2. That the said R. H. Baldock is hereby authorized and directed to furnish such information as the United States of America through the Federal Emergency Administration of Public Works may reasonably request in connection with the application which is herein authorized to be filed.

The State Parks Superintendent, Mr. S. H. Boardman, reported on the cost to acquire from the Sunset Logging Company timber strips 300 feet wide on each side of the right of way of the Wolf Creek Highway, as instructed by the Commission at the previous meeting. He said that he inspected this property very carefully in company with Mr. Eugene Walsh, Forest Engineer, Portland, and consulted the officials of the Sunset Logging Company on the basis of acquiring 300-foot strips on each side of the highway for a distance of about three miles, involving approximately 269 acres of land; also, that the company has set a cash price of \$34,000 for this property based on timber at the rate of \$2.50 per thousand, and \$1.00 per thousand added as profit over and above the regular market price. He advised that, while the strips are about 3 miles in length, they are not covered entirely with timber, portions being devoid of timber altogether and other portions being timbered on only one side of the highway. He also advised that the company proposes to cut the rest of the timber adjacent to the highway just as soon as it is permitted to truck the logs on the highway. In a discussion of this matter the question arose whether or not it would be advisable to acquire the land on which no timber exists and the strips where there is timber on only one side of the highway. Chairman Cabell suggested that the Commission should confine its negotiations to the acquisition of strips where timber is located on both sides of the highway. Commissioners Aldrich and Tou Velle concurred and it was decided that Chairman Cabell and the State Highway Engineer would inspect the premises in the near future. The Parks Superintendent was instructed to continue negotiations with the company on such basis when further instructed by the Engineer.

The Commission had under consideration a resolution from the Wasco

County Court requesting the extension of the Warm Springs Secondary Highway from its present terminus at the Wasco-Jefferson County line northerly to a connection with the Wapinitia Highway. The Engineer advised that in his estimation it would be advisable to designate this road as a secondary state highway in view of the fact that the Commission plans to construct a project at the northerly end thereof next year in connection with which state funds will have to be expended. Furthermore, it is a logical extension to the present Warm Springs Secondary Highway. The Commission concurred and thereupon approved the County Court's request. The following resolution designating this secondary state highway extension was adopted by the Commission by unanimous vote upon motion by Commissioner Aldrich, which was duly seconded by Commissioner Tou Velle:

WHEREAS, under the provisions of Chapter 248, Laws of 1931, and Chapter 196, Laws of 1935, the State Highway Commission, by mutual agreement with the respective county courts of the several counties of the state, is authorized and empowered to select, locate, and designate a system of secondary state highways, which highways shall be selected from the market roads or other county roads, or available locations or routes of the several counties; and

WHEREAS, the State Highway Commission, by mutual agreement with the Wasco County Court of the State of Oregon, has selected the road or highway hereinafter named, and it is the purpose of the Commission to officially and regularly designate and adopt said highway as a highway to constitute, together with other highways heretofore adopted and/or which may hereafter from time to time be added, the system of secondary state highways under the provisions of said acts;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission, all members being present and affirmatively voting and participating, as follows:

1. That the following described market road, county road, highway, route, or location of a highway in Wasco County be and the said market road, county road, highway, location, or route, hereby is selected, designated, established, adopted and approved as a secondary state highway and shall be and hereby is designated as a part of the secondary state highway system, to wit:

Warm Springs Secondary Highway No. 360:

Beginning at a point on the Wapinitia Highway at a point near the Range line between Section 13, T. 5 S., R. 9 E. and Section 18, T. 5 S., R. 10 E., W. M; thence in a southeasterly direction to the Jefferson-Wasco County line at a point near the township corner common to T. 8 S., R's. 11 and 12 E. and T. 9 S., R's. 11 and 12 E., W. M., a distance of approximately 25.3 miles.

2. That the said highway shall be and hereby is qualified for improvement under the provisions of said Chapter 248, Oregon Laws 1931, and amendments thereof.

The Commission had under consideration the matter of rerouting the Oregon-Washington Highway through the town of Pilot Rock in connection with which matter the Commission held a public hearing in the town of Pilot Rock on Tuesday, August 30, 1938, as required by statute. The Commission decided, in view of the fact that the citizens of Pilot Rock appear to be unanimously in favor of the proposed rerouting of the highway, to adopt the proposed location, which will eliminate two right-angle turns in the present route. The following resolution in regard thereto was adopted by the Commission by unanimous vote on motion of Commissioner Aldrich, which was duly seconded by Commissioner Tou Velle:

WHEREAS, pursuant to notice given as required by Section 44-120, Oregon Code 1935 Supplement, the Highway Commission met in the Public Library Building in the City of Pilot Rock on the thirtieth day of August, 1938, for the purpose of conducting a hearing as provided for in said law with respect to a proposed change in the point or place of entrance of the Oregon-Washington Highway into said City from the southerly boundary thereof, the proposed change in the point or place of entrance of said highway into said City from the easterly boundary thereof, and the proposed change of the route of said highway in and through said City; and

WHEREAS, said meeting was called to order by E. B. Aldrich, Acting Chairman of the State Highway Commission, who explained to those assembled the purpose of the meeting and the proposed change in the route in and through said City, the proposed change in the point of entrance from the southerly boundary, and the change in the point of entrance from the easterly boundary thereof, and the Acting Chairman then invited discussion with respect to said matters and extended to all persons present an opportunity to be heard for or against said proposed change; and

WHEREAS, after all who evidenced a desire to be heard had entered their names in the records and minutes of the meeting and had declared their approval or disapproval of said proposed change, the Acting Chairman announced that said matters would be taken under advisement by the Commission and a decision made and announced at a later date; and

WHEREAS, after due and full consideration of said matters and of the arguments and declarations made for and against the said proposed change at said public hearing, both with respect to the point of entrance of said highway into said City from the south and the point of entrance of said highway from the east, and with respect to the change of route in said City, and the Commission now being fully advised with respect to all of said matters, it is the

opinion and judgment of the Commission that the interests of the State at large will be best served by the adoption of said proposed change of route of said highway in and through said City and the change in the point of entrance into said City from the southerly boundary or direction and the change in the point of entrance into said City from the easterly boundary thereof, all of which changes will, in the judgment of the Commission, make possible a better alignment, a more serviceable, convenient and safe thoroughfare into and through said City, and therefore, it is the opinion of the Commission that the route and alignment of said highway should be altered and modified, and the point of entrance into said City from the southerly direction thereof and the point of entrance into said City from the easterly direction thereof, and the route in and through said City should be changed, fixed and determined, all as in said notice announced and at said hearing heard;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by this Commission, a majority of the members being present and affirmatively voting, as follows:

1. That the route and location of the Oregon-Washington Highway as the same enters the City of Pilot Rock from the southerly direction and the route of said highway as the same enters the said City from an easterly direction, and the route of said highway in and through said City shall be and the same hereby is routed along the route and over streets described and defined as follows:

Beginning at a point on the present Oregon-Washington Highway on Main Street at the intersection with Willow Street in the town of Pilot Rock, Umatilla County, Oregon; thence in a northerly direction along Main Street to Alma Street; thence in an easterly direction along Alma Street to a point near Bluff Street; thence in a northeasterly direction to a connection with the present above-mentioned highway approximately 1000 feet northeasterly of the easterly city limits of said town of Pilot Rock.

2. That the said above described route, location and alignment be and the same hereby is adopted as the route and location of said highway between the termini as defined and described above.

3. That the Engineer be and he is hereby instructed to definitely locate and establish said highway by proper monuments and markers and make proper record thereof in the records of the Highway Commission, and erect proper signs on the street or streets over which said highway is routed, and proceed with the permanent improvement and maintenance of said highway along the route herein defined and in harmony with plans and specifications by this Commission approved.

4. That this resolution be entered in the records and

minutes of the Highway Commission, and a duly certified copy thereof mailed to the Mayor of the City of Pilot Rock, and a like copy to the County Court of Umatilla County.

The Commission also had under consideration the matter of rerouting The Dalles-California Highway from 9th Street to 11th Street, in Klamath Falls, in connection with which matter a public hearing was held in the city of Klamath Falls on Tuesday, August 9, 1938, to secure expressions from the citizens of this city relative to the proposed change, as is required by statute. The Engineer gave as his thought that no advantage would be gained by rerouting the highway, in view of the fact that 11th Street is no wider than 9th Street and contains practically the same number of turns, and for the further reason that there is a possibility that at some time in the not far distant future the route of this highway into Klamath Falls from the north will be continued along the railroad, which will take traffic away from both streets. For reasons stated by the Engineer and for the further reason that there is strong opposition by the citizens of Klamath Falls to the change, the Commission decided to retain the highway in its present location on 9th Street, notwithstanding the request of the Klamath Falls City Council that it be rerouted along 11th Street.

The Attorney reported the status of the suit of Oregon City against the Security and Investment Company of Oregon City to determine the ownership of certain street ends, portions of which are needed for right of way for the East Portland-Oregon City Highway in Oregon City. He said that the case has been tried and it is now before the trial judge for decision. Also, that the attorneys for the Security and Investment Company have approached him relative to a compromise settlement for the street ends. He gave as his thought that the Commission should not consider compromising with the company for these street ends because the object and purpose of the suit was to determine the ownership of the same, and that would be defeated in the event that the Commission would now arrange a compromise settlement. If any compromise settlement is made, he said, it should be confined to the private property that is not in controversy rather than the street ends, which are claimed by both the city and the company. The Commission concurred in the viewpoint of the Attorney and instructed him to inform the attorneys for the Security and Investment Company that the Commission refuses absolutely to consider a compromise settlement for the acquisition of the right of way across the street ends that are in controversy, and the parties to the suit will therefore have to abide by the decision of the trial judge with respect thereto.

The Attorney also reported difficulties in securing right of way for the East Portland-Oregon City Highway across the property of the Oregon City Laundry which is located between Main Street and Water Street in Oregon City. It appears that the owners of the laundry will not set a price on their property, and they allege that if the highway right of way is taken there is insufficient space left on which to establish their laundry business, which is contrary to the belief of the attorneys and engineers of the Highway Department. The Commission instructed the Attorney to continue negotiations and expedite them as much as possible so that no delay will be encountered because of right of way difficulties when this project is ready for construction.

The Commission discussed briefly a letter from Timberline Lodge, Inc., Government Camp, Oregon, in which request was made for the support of the Commission in the matter of maintaining and operating the spur road leading from the Mt. Hood Highway to Timberline Lodge. The Commission took no definite action on this matter. (Delegation was present on following day regarding this.)

Harold B. Say, Manager of the Travel and Information Department, called the Commission's attention to the fact that, by the terms of the contract between the Commission and the San Francisco World's Fair Committee whereby the Commission has budgeted \$40,000 of state highway funds for participation in the Oregon exhibit of the San Francisco Fair, the exposition committee was required to submit to the Highway Commission by October 3, 1938, a list of the various items for which it was proposed that the State Highway Commission's contribution will be expended. He said that it has been impossible to determine all of the items to date, and recommended that an extension of time to December 15, 1938, be given the World's Fair Committee within which to submit a list of all items that the Highway Commission will be called upon to finance. The Commission approved the recommendation unanimously.

Mr. Say also brought up the matter of the Commission's approving an expenditure of state highway funds to pay a portion of the cost of renting an exhibit building at the San Francisco Fair. After discussion the Commission approved in principle the payment of a proportionate share of such expense from the \$40,000 appropriation that it has budgeted for the World's Fair.

The matter of purchasing two or three reels of motion pictures in addition to those called for in the agreement between the State Highway Commission and the World's Fair Committee with Castle Films, Inc., was brought up for discussion by Mr. Say. He advised that such reels could be secured for the sum of \$2,000, and recommended purchase of the same, the cost to be paid from the \$40,000 that the Commission has set up for World's Fair purposes. The Commission approved the recommendation unanimously.

The Commission adjourned at 11:15 o'clock p. m. to reconvene at 9:00 o'clock a. m. on the following day in the Auditorium of the Public Service Building.

Portland, Oregon, September 29, 1938

The State Highway Commission reconvened in regular session at 9:00 o'clock a. m. in the Auditorium of the Public Service Building. Present were:

Henry F. Cabell, Chairman
E. B. Aldrich, Commissioner
F. L. Tou Velle, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

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Bids as follows for highway construction projects and for the purchase of buildings were opened and read in conformance with previously published notice:

WOODBURN-MT. HOOD SECONDARY HIGHWAY
MOLALLA SECTION -- PAVING

Mountain States Construction Company	\$ 12,286.00
Oregon Contracting Company	12,427.00
River Bend Sand & Gravel Company	12,436.00
The United Contracting Company	13,699.00

CENTRAL OREGON HIGHWAY
ROADSIDE OASIS AT BROTHERS

Saxton, Looney & Risley	\$ 7,009.00
Contracting & Sales Company, Inc.	8,254.00

CENTRAL OREGON HIGHWAY
SUNTEX JUNCTION AND BROTHERS BUILDINGS
FOUR FRAME DWELLINGS AND TWO MAINTENANCE BUILDINGS

Henry C. Nelson	\$ 36,394.00
Allen V. Moore	39,180.97
C. E. Silbaugh	43,045.00

CENTRAL OREGON HIGHWAY
BROTHERS-HARNEY COUNTY LINE SECTION - GRADING, SURFACING, OILING

E. C. Hall	\$174,821.30
Edwin C. Gerber	177,143.00
J. A. Terteling & Sons	180,141.40
Fisher Bros.	181,027.50
Roy L. Houck	182,825.60
Leonard & Slate	185,918.00
White Trucking Company	191,268.50
Clifford A. Dunn	191,809.00
McNutt Bros.	192,402.50
Harold Blake	196,482.40
M. L. O'Neil & Son	198,289.90
Babler Bros.	198,955.00
Homer G. Johnson	199,516.00
Joplin & Eldon	232,976.30
Parker-Schram Company	253,155.50

THE DALLES-CALIFORNIA HIGHWAY
CROOKED CREEK-LOBERT SECTION - GRADING, TOPPING, SURFACING AND OILING

Roy L. Houck	\$120,203.50
Mountain States Construction Company	127,252.50
Harold Blake	128,698.00

(Continued on next page)

(Crooked Creek-Lobert Section, continued)

M. L. O'Neil & Son	\$133,699.00
E. C. Hall	136,049.50
Fisher Bros.	136,682.00
Joplin & Eldon	139,395.50
J. A. Terteling & Sons	139,459.50
Clifford A. Dunn	142,586.00
Homer G. Johnson	147,308.50
A. C. Greenwood Company, Inc.	147,397.00
E. L. Gates	151,036.00
Parker-Schram Company	161,754.00
McNutt Bros.	162,445.00
Colonial Construction Company	189,049.00

PACIFIC HIGHWAY EAST

ALBANY SECTION - CONSTRUCTION OF CANAL AND RAILROAD ROADBED

Mountain States Construction Company	\$ 6,422.50
C. J. Montag & Son	6,789.00
Leonard & Slate	6,959.00
The United Contracting Company	8,959.00

HALSEY - SWEET HOME SECONDARY HIGHWAY

BROWNSVILLE SECTION - GRADING, SURFACING AND OILING

Mountain States Construction Company	\$ 21,970.50
D. L. Ashton	23,545.00
O. C. Yocom	23,838.00
Edwin C. Gerber	25,992.50
Saxton, Looney & Risley	26,045.70
H. L. Rice	27,089.70
Homer G. Johnson	28,158.00
Harold Blake	28,933.00

COUNTY ROAD NO. 360

MILTON NURSERY BRIDGE OVER WALLA WALLA RIVER

C. J. Montag & Son	\$ 19,330.00
Snook Bros.	20,916.00
Mountain States Construction Company	20,940.00
Geo. F. Price	21,130.00
Averill & Corbin	21,662.00
C. E. Silbaugh	21,680.00
Leonard & Slate	22,135.00
Barham Bros.	24,255.00
Portland Bridge Company	24,690.00
Colonial Construction Company	25,290.00

(Bids for this project were received for and in behalf of the County Court of Umatilla County.)

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CITY OF EUGENE
FURNISHING AND INSTALLATION ON AN INTERCONNECTED FLEXIBLE PROGRESSIVE
TRAFFIC SIGNAL SYSTEM

Sigwart Electric Company	\$ 6,877.50
Castellon & Stocker	7,741.00
W. R. Gracie Company	7,930.00
Kenney Electric Company	8,238.00
Bosler Electric Company	8,997.00
McPage-McKinny	9,030.70

Sale of Buildings

RESIDENCE BUILDING IN SOUTH SALEM

BUILDING NO. 5777
 (Former Owner Alice M. Prescott)

George Lamers	\$ 156.00
R. M. Toler	130.00
Burt Picha	101.50

RESIDENCE BUILDING IN OREGON CITY

BUILDING NO. 3044
 (Former Owner Chas. and Lena Wieland)

C. H. Walter	\$ 107.00
Mack H. Spencer	103.00
Earl Oney	86.00

RESIDENCE BUILDING IN WEST PORTLAND

BUILDING NO. 5037
 (Former Owner John T. Paulson)

C. H. Walter	\$ 59.00
F. A. Graddy	45.00
Lebeck & Son	12.00

RESIDENCE BUILDINGS IN ALBANY

BUILDING NO. 4958
 (Former Owner Gladys V. Holloway)

No bids received

BUILDING NO. 4972
 (Former Owner S. J. Brown)

Mr. and Mrs. H. D. Rohde	\$ 51.00
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Chairman Cabell announced that the Commission would make its award of contracts, et cetera, at 3:00 o'clock p. m. in the same room.

County Judge Nelson B. Higgs, Harney County, and County Commissioner William Baer, Deschutes County, were present and asked that the Central Oregon Highway be officially designated as U. S. Highway No. 14, so as to provide a U. S. highway route with this number extending from the Atlantic Coast to the Pacific Coast. The Engineer gave as his thought that the idea is a good one but suggested that the numbering of this road be deferred until the road is in better condition for general public travel. The Commission concurred in the Engineer's suggestion and advised that a recommendation to the effect that the Central Oregon Highway be designated as U. S. Highway Route No. 14 would be forwarded to the American Association of State Highway Officials at the proper time.

Mr. Robert W. Sawyer, Bend, came before the Commission in regard to the appointment of a committee, as recommended by the Advisory Board on Publicity Matters, to make a study of Oregon conditions tending to affect tourist travel and to make suggestions that will lead to a more efficient meeting of tourist advertising competition. He gave as his thought that this committee should be composed of probably three members and that the personnel should be people who reside outside of the State of Oregon. He further suggested that this committee should make a trip over the highways throughout the state, taking about a week or so of time, and that they should serve without pay except for reimbursement for their necessary traveling expenses. The Commission indicated approval of Judge Sawyer's suggestion but deferred definite action on the matter until its next meeting. Mr. Sawyer was assured by Chairman Cabell that the matter would be definitely disposed of at such meeting.

In this connection the matter of removal of signs from the highway rights of way and properties adjacent thereto was brought up for discussion. The Commission authorized and instructed the Engineer to prepare a circular letter to all field engineers ordering the removal of all advertising signs of every description, regardless of who owns the signs, from state highway rights of way and all right of way fences.

Mr. Sawyer also brought up the matter of substituting the Butler Market Road in Deschutes County for a portion of the Powell Butte Secondary Highway No. 371. Present and entering into the discussion of this matter were County Judge C. E. Lyon and County Commissioners Wm. Baer and Millard T. Triplett, of Deschutes County, representing the County Court. Mr. Sawyer pointed out that the Butler Market Road connects with the Powell Butte Secondary Highway about 7 miles northeast of Bend and extends directly into Bend, whereas the Powell Butte Secondary Highway connects with the Central Oregon Highway about 5 miles east of Bend. He further stated that the Butler Market Road is the logical secondary highway because, in his estimation, it more nearly meets the federal aid secondary highway requirements, being a feeder road which is a mail route and over which school busses are routed. He urged the Commission to either designate this road as another secondary state highway or to reroute the Powell Butte Secondary Highway over it into Bend rather than to the present connection with the Central Oregon Highway.

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After discussion the delegation was informed by Chairman Cabell that he expects to make a trip to Burns within the next month or so and would be pleased to inspect the Butler Market Road enroute. Action on the request was accordingly deferred for the time being.

Mr. Sawyer also brought up for discussion the matter of construction of the proposed 3rd Street Railroad Grade Separation Project on The Dalles-California Highway, in Bend. He gave as his understanding that the Commission has postponed this project and urged reconsideration of the decision so that tourists visiting the state, after attending the San Francisco World's Fair next year, will not be inconvenienced. He predicted an unusual amount of travel on The Dalles-California Highway during progress of the San Francisco World's Fair. The Engineer advised that the Commission's revenues from the gasoline tax and motor vehicle license fees have not materialized as was anticipated, and indications are that receipts will be from \$250,000 to \$300,000 below the estimates made last fall, in view of which the Commission will not be able to match all of the federal funds as rapidly as they become available, and has found it necessary to postpone a number of projects, including the 3rd Street project in Bend, for the time being.

He further explained that, whereas the government funds are to be used to finance construction of this grade separation project, the state will have to pay the nonparticipating items, including the acquisition of right of way, which, in a project of this kind, will aggregate a considerable sum. Furthermore, the state must advance the cost of construction, and experience shows that, in connection with grade separation projects, the percentage of state funds that are tied up during the time that construction operations are in progress sometimes amounts to as much as 50 percent of the cost of the project, and reimbursement is not secured from the Government for several months after the work is completed. It is apparent, he said, that the state will gain no material financial advantage by giving priority to the 3rd Street Grade Separation Project in Bend, or any other grade separation project, over other federal aid projects. This matter was discussed further but the Commission made no change in its plans for the contracting of the job.

A delegation from Clatsop County, consisting of County Judge Guy Boyington and County Commissioner Wm. Larson, representing the County Court; G. Clifford Barlow, Auditor and Police Judge, Warrenton; Senator F. M. Franciscovich; Colonel Edgar Thompson, Commander of Fort Stevens; and James O. Convill, City Manager of Astoria, was present in regard to a road extending from the Oregon Coast Highway to Fort Stevens. They asked the Commission to designate this road as a state secondary highway and to improve the same as such. They pointed out that the present road is paved, although the pavement is narrow, and asked that it be widened to at least 20-foot width and that the numerous sharp curves and right-angle turns be eliminated. Judge Boyington said that they would be satisfied with an improvement costing about \$25,000.

Speaking in behalf of the project, in addition to Judge Boyington, were the following: Colonel Thompson, Mr. Barlow, and Senator Franciscovich. The speakers urged the improvement from the standpoint of providing a usable

and safe road for the general traveling public when heavy government equipment is being transported over the same; from the standpoint of fire prevention, the government fire-fighting equipment at Fort Stevens being the only available equipment of this kind to serve the towns of Warrenton and Hammond; and to provide a good military road for use in times of war. In this connection it was pointed out that this is the only road leading to Fort Stevens and from that standpoint it should be reconstructed to high standards and placed in exceedingly good condition.

The Engineer advised that the road is a little over 6 miles long and that it would cost approximately \$200,000 to reconstruct it to modern standards. He also said that the road has a high solvency quotient, which would indicate that its improvement would be a desirable project if there were funds to finance it.

Senator Franciscovich pointed out that the road is the only one available between Fort Stevens and Camp Clatsop, which is quite important from the military standpoint.

Chairman Cabell pointed out that the highway improvements which are being financed with government funds must meet certain requirements. He questioned the government authorities approving a minor improvement on this road. He further stated that the road has merit but the Commission is short of funds and is not able to finance the improvement of the same now, hence is not in a position to place the road on the state highway system at present. He agreed to inspect the road the next time he is in the vicinity of Astoria. This concluded the conference.

Mr. Convill then conferred with the Commission in regard to highway improvements in Astoria. He inquired as to the plans of the Commission for the construction of the proposed revision of the Oregon Coast Highway on Bond Street and was informed that this project is in an indefinite status due to shortage of funds, hence there is no possibility of doing the work this year unless it should develop that savings accrue from the contracting of other work, which appears doubtful at the present time.

The Engineer brought up the matter of financing the Surtex and Brothers Building Project, for which the Commission took bids at this meeting. He pointed out that the low bid received for this work exceeds the original estimated cost of the work as submitted to the P.W.A. authorities, and, under the present setup, the Government will not pay more than 45 percent of the original estimated cost. He recommended that an amended application be filed with the P.W.A. authorities to secure, if possible, additional grant funds which would relieve the state from payment of such amount; and, if the Government denied the application, that the excess amount be paid entirely with state funds so that the project can proceed. The Commission voted unanimously to secure the additional P.W.A. funds if possible and authorized the Engineer to file an amended application for the same. The Commission also voted unanimously to pay the excess amount entirely with state funds in the event that the P.W.A. authorities refuse the additional grant. The Commission decided to proceed with the award of the contract on such basis.

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Messrs. J. E. Turnbull and William Tugman, representing the city of Eugene, were present in regard to the adoption of a permanent route for the Pacific Highway through Eugene. Mr. Tugman stated that important business developments are being held up because of the uncertainty of where the permanent highway is to be routed and he urged the Commission to make necessary surveys and to decide a permanent route as soon as possible, whether or not construction is undertaken for two or three years. He filed petitions as follows endorsing the request: letter from the Eugene Chamber of Commerce bearing endorsements by 69 businessmen of Eugene; resolution from the Board of Directors of the Eugene Chamber of Commerce; letter from the Eugene Realty Board; and a letter from the Eugene City Council. He also filed with the Commission a statement showing the 1938 owners of property lying north of and adjacent to 6th Street, Eugene, between Grant and Pearl Streets, which is being considered as a possible route for this highway.

The Engineer advised that several alternate routes have been considered through Eugene and it appears to him that the 6th Street route meets the qualifications and requirements of second stage construction better than the others. It was his thought that a definite route should be decided, and recommended that a location survey be made of the two best routes when there is money available to finance the surveys, which probably would not be until after the first of the year, and that 2-year options be then taken for the right of way; also, that a public hearing be held in Eugene as required by law. The Commission approved the recommendation unanimously and authorized the Engineer to make the survey.

The County Court of Lane County, consisting of County Judge M. E. Glass and Commissioners Walter J. Holland and C. M. Young, was present. They were accompanied by P. M. Morse, County Engineer. Judge Glass inquired whether or not the Commission has as yet acted on the petition of Lane County citizens requesting that the old Pacific Highway between Junction City and Eugene be designated as U. S. Highway No. 99 East. He was informed that the Commission has acted on this matter and has denied the request because it is contrary to the policy of the American Association of State Highway Officials, whose recommendation is followed in such cases, to approve of alternate highway routes, and in this particular instance it is doubtful that approval could be secured because the old route closely parallels the new route of the Pacific Highway.

Judge Glass then brought up the matter of sidewalk construction along the Junction City-Eugene Secondary Highway through the Santa Clara District. He said that the Commission approved of such sidewalk construction at one time but the provisions of the permit that was prepared were so drastic that the county could not accept them, hence did not build the sidewalk, which was to have been undertaken as a W.P.A. project.

The Engineer explained the requirements of the Commission in regard to sidewalk construction on state highway rights of way and pointed out that in most instances the state requires the sponsor of the sidewalk to maintain the same, but in this particular instance the Commission agreed to maintain the sidewalk because of the unusual circumstances.

Judge Glass then stated that the sidewalk is badly needed through this district because of the large volume of traffic using the road and gave as his thought that the state should build the sidewalk and suggested that the work be done as a state W.P.A. project.

The Engineer pointed out that the funds budgeted by the Commission for W.P.A. work have all been allocated. He suggested that further consideration of the sidewalk project be deferred until the new highway between Junction City and Eugene is open for travel, which will be in the near future, when a traffic count can be taken to determine the justification for a sidewalk along the old road, and the Commission can then decide who should sponsor the W.P.A. project if the sidewalk is required. The suggestion was approved by all parties.

Judge Glass then asked the Commission to furnish powder for use in connection with a W.P.A. project that the county proposes to undertake on the Walton-Noti Section of Route "F" Secondary State Highway this winter. The Commission deferred a decision on this matter pending completion of a survey which is now under way, and a determination as to what the Commission's obligations are to be for next year, there being a question as to whether or not the Commission would have any money to spare in view of the fact that its finances are now low and every dollar must be conserved to match federal aid funds.

The Commission adjourned at 12:30 o'clock p. m. and reconvened at 1:45 o'clock p. m. in the same room with all Commissioners present and participating. Also present were the State Highway Engineer, the Attorney, and the Secretary.

A delegation from Roseburg, consisting of W. C. Harding, Secretary of the Chamber of Commerce; A. C. Marsters; County Judge Huron W. Clough; and Senator C. W. Clark, came before the Commission with an urgent plea for the reconstruction of the Roseburg-Shady Point Section of the Pacific Highway. They alleged that they were previously given to understand by the Commission that this project would be contracted this fall, but it now appears that the Commission has deferred it and it is a big disappointment to them and to the people of their district. They urged the Commission to reconsider its decision and to take bids for the work so that construction can be started this year.

Chairman Cabell advised that the revenues that the Commission expected to receive this year have not materialized because the amounts received from the gasoline tax and motor vehicle license fees have decreased since 1937 to such an extent that it has been necessary for the Commission to defer a number of projects, including the one south of Roseburg, because of inability to finance them. He further stated that the Roseburg-Shady Point project is a desirable one and that the Commission wants to contract it as soon as possible but because of financial stringency cannot do so now. This project, he said, was placed on the tentative construction program earlier in the season but the Commission made no definite commitment or promise in regard thereto because that is contrary to the Commission's established policy

and the Commission regrets if the people of Roseburg have misunderstood the Commission in this regard. He pointed out that the Commission has a considerable amount of contract work under way and has to make partial payments to its contractors each month, so it would be unwise for the Commission to jeopardize such payments to the contractors by the contracting of more work than it is able to finance. Commissioner Aldrich concurred in the remarks of Chairman Cabell and added that the Commission has no intention to sidetrack this job and expects to contract it at the earliest possible time.

Mr. and Mrs. E. C. Newall of Vancouver, Washington, and Mrs. Newall's mother, Mrs. Ida B. Hadley, Newberg, came before the Commission in regard to damage that occurred to Mrs. Hadley's property adjacent to the Pacific Highway West, about one mile east of Newberg, by reason of the reconstruction of this highway. Mr. Newall stated that Mrs. Hadley conducted a fruit stand alongside of the highway before the highway was reconstructed but is now unable to do so because the grade line of the highway was lowered several feet, which places her stand at the top of a deep cut, where it is not readily accessible to highway traffic, and as a result she is now deprived of the only income that she had, amounting to about \$250 per year. He further explained that Mrs. Hadley donated land that was needed for extra right of way in front of her premises, and had no intimation of any kind that the highway grade line would be lowered, and the only compensation that she received from the state was about \$20 to pay the cost of moving some shrubbery. He added that Mrs. Hadley is now asking the Commission to recompense her in some way for her loss and will be satisfied if the Commission will do additional grading work in front of her place so that she can resume her business, which, although small, is her only source of income and is badly needed by her.

The Engineer advised that, in order to provide a site for Mrs. Hadley's fruit stand, it would be necessary to do a considerable amount of grading work, which would be quite costly.

Chairman Cabell pointed out that the Commission has an established policy which does not permit the opening up of negotiations after they have once been completed because it is considered a bad precedent to do this unless there is a very valid justification for the same. He added that, notwithstanding this policy, in view of the circumstances, he would be glad to inspect the premises in the near future, but a decision cannot be made at this time.

Messrs. Bernard Schoenburg, Tom Root, and Wallace Telford, representing the Clackamas County Planning Board, came before the Commission with a request that the Highway Commission take over as a state secondary highway the spur road leading from the Mt. Hood Highway to Timberline Lodge. They also asked the Commission to place on the state secondary highway system the county road which extends from Estacada up the Clackamas River to Oak Grove Fork. They said that both roads are scenic in character and, in their estimation, should be state highways. They pointed out that the Estacada-Oak Grove Fork road has possibilities for future connection with the Wapinitia Highway.

They were informed by Chairman Cabell that state highway funds are at a low ebb and the Commission is not in a position today to give them any encouragement for either project; however, the Commission is now considering the matter of taking over the road to Timberline Lodge, although from a check of the Commission's finances and obligations it does not appear possible to do this right now because of the expense involved. However, the Commission has not yet definitely decided what it will do in the matter.

Mr. Telford then brought up the matter of the improvement of 82nd Street (Cascade Secondary Highway) between a place known as Pope Hill and Oregon City. He asked the Commission to rebuild this road next year (1939) as a safety measure inasmuch as it will eliminate two dangerous railroad crossings and one dangerous bridge on the present route, which is a very serious matter. He said that the Clackamas County Planning Board believes that the selection of the proper route should be left with the State Highway Commission and its engineers, but that their purpose at this time is simply to urge the Commission to rebuild the section at the earliest possible time. Mr. Root also spoke in favor of this project.

Chairman Cabell pointed out that the people of this district are not in accord as to what the Commission should do to improve this road and the Commission feels that, since there are so many projects throughout the state where the people are in agreement, it should proceed with those projects rather than with a project where there is so much opposition. In such matters, the Commission acts, he said, on the theory that it should not spend its money for improvements on inferior locations, and believes, in cases where there is considerable opposition to construction on the proper location, that the thing to do is to discontinue further consideration of the project rather than to build on inferior line changes to fit local sentiment. In any event, he added, the Highway Commission does not have funds to proceed with this project now and will not have until it receives the federal appropriations for railroad grade separation projects. The Commission will keep this project in mind, he added, but can make no definite commitment or promises at this time.

The Engineer requested instructions relative to the contracting of the proposed revision of the Oregon-Washington Highway between Pendleton and Adams, in Umatilla County. He said that this project is scheduled for letting at the December meeting of the Commission but there is a question whether or not it will be ready at that time because of difficulties encountered in the acquisition of right of way, some of the property owners having demanded considerably more for their holdings than they are worth or than was anticipated. It appears now, he said, that it will be necessary to condemn the right of way if the Commission wants to contract this work before the end of the year. After considerable discussion the Commission instructed the Attorney to proceed with condemnation immediately under authority heretofore given him. He was also instructed to render a report on the right of way situation at a special meeting of the Commission which is to be held before the end of October, at which time the Commission will decide whether or not to advertise this project for bids to be received at its meeting on November 10.

The Commission thereupon set Thursday, October 20, 1938, as the date for such special meeting, which is to be held in the office of the State Highway Engineer in Salem.

The Commission also confirmed Thursday, November 10, 1938, as the date for its next regular meeting for the receiving of bids in Portland, and decided to take bids also on Wednesday, November 9, 1938, in Portland, inasmuch as there will be too many jobs listed for a one-day letting. The Secretary was instructed to make the usual arrangements to hold the Portland meetings in the Auditorium of the Public Service Building in accordance with the usual practice.

The Commission had under consideration bids received at the morning session for the construction of highway department maintenance buildings at Suntex Junction and at Brothers on the Central Oregon Highway, in Deschutes and Harney Counties. Inspection of the bids revealed that of Henry C. Nelson, Bend, to be low at \$36,394.00. The Engineer advised that in his estimation the bid is satisfactory and recommended the award of the contract to Mr. Nelson at his bid price of \$36,394.00. The Commission approved the recommendation and by unanimous vote adopted the following resolution in regard thereto:

Moved by E. B. Aldrich and seconded by F. L. Tou Velle, that the contract for the construction of Highway Department maintenance buildings at Brothers and Suntex Junction be awarded to Henry C. Nelson of Bend, Oregon, the low bidder, at his bid of \$36,394.00.

The Commission thereupon authorized the State Highway Engineer and the Secretary to sign a letter directed to Mr. C. C. Hockley, Regional Director, P.W.A., advising him of the action taken and informing him that the Commission will proceed with the award of the contract upon receipt of approval from his office.

The Commission also had under consideration the bids received at the morning session for the construction of the Molalla Section of the Woodburn-Mt. Hood Secondary Highway, in Clackamas County, and for the construction of the Brownsville Section of the Halsey-Sweet Home Secondary Highway, in Linn County. Inspection of the bids received for the Molalla paving project revealed that of the Mountain States Construction Company of Eugene to be low at \$12,286.00, and that of the Mountain States Construction Company, Eugene, for the grading, surfacing, and oiling of the Brownsville Section at \$21,970.50 to be low for that project. The Commission considered that these bids are satisfactory, and, having previously received approval from the United States Bureau of Public Roads, decided to award the contract for each project to the Mountain States Construction Company at the low bids submitted therefor. The following resolutions in regard thereto were adopted by the Commission by the unanimous vote of the Commissioners present:

WHEREAS, the bids received for the construction of paving at Molalla, Oregon, have been duly opened, read and compared,

and it appears that Mountain States Construction Co. is low bidder, after taking alternate deductions; and

WHEREAS, such bid is within the available funds of \$13,300;

NOW, THEREFORE, BE IT RESOLVED, That the contract for the construction of said Molalla paving be and the same is hereby awarded to Mountain States Construction Co. for the sum of \$12,286.00.

WHEREAS, the bids received for the construction of grading and surfacing at Brownsville, Oregon, have been duly opened, read and compared, and it appears that Mountain States Construction Co. is low bidder, after taking alternate deductions; and

WHEREAS, such bid is within the available funds of \$26,500;

NOW, THEREFORE, BE IT RESOLVED, That the contract for the construction of said Brownsville grading and surfacing be and the same is hereby awarded to Mountain States Construction Co. for the sum of \$21,970.50.

The Secretary was authorized and instructed by the Commission to notify W. H. Lynch, District Engineer, Bureau of Public Roads, in writing of the action taken.

The Commission had under consideration the offer of the United States of America to contribute P.W.A. funds to aid in financing the construction of the Madras-Deschutes County Line Rock Production Project in Jefferson County, and the acquisition of necessary lands and rights of way therefor. Commissioner Aldrich moved the adoption of the following resolution accepting such offer. The motion was duly seconded by Commissioner Tou Velle and was declared carried by the Commission by unanimous vote:

A RESOLUTION ACCEPTING THE OFFER OF THE UNITED STATES OF AMERICA TO THE STATE HIGHWAY COMMISSION OF THE STATE OF OREGON TO AID BY WAY OF GRANT IN FINANCING THE CONSTRUCTION OF THE MADRAS-DESCHUTES COUNTY LINE ROCK PRODUCTION PROJECT IN JEFFERSON COUNTY AND THE ACQUISITION OF NECESSARY LANDS AND RIGHTS OF WAY THEREFOR.

Be it resolved by the Oregon State Highway Commission:

Section 1. That the offer of the United States of America to the State Highway Commission of the State of Oregon to aid by way of grant in financing the construction of the Madras-Deschutes County Line Rock Production Project in Jefferson County and the acquisition of necessary lands and rights of way therefor, a copy of which offer reads as follows:

(Letter follows on next page)

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"P. W. 84060-12

"FEDERAL EMERGENCY ADMINISTRATION OF PUBLIC WORKS

"Washington, D. C.,
Dated: Sep. 29, 1938
Docket No. Oreg. 1347-F

"State Highway Commission of the State of Oregon
Salem, Oregon.

"1. Subject to the Terms and Conditions (PWA Form No.230, as amended to the date of this Offer), which are made a part hereof, the United States of America hereby offers to aid in financing the acquisition of necessary lands and rights of way and the production of road material for the Madras-Deschutes County Line Rock Production Project (herein called the "Project") by making a grant to State Highway Commission of the State of Oregon (herein called the "Applicant") in the amount of 45 percent of the cost of the Project upon completion, as determined by the Federal Emergency Administrator of Public Works (herein called the "Administrator"), but not to exceed, in any event, the sum of \$7,416.

"2. By acceptance of this Offer the Applicant covenants to begin work on the Project as early as possible but in no event later than 12 weeks from the date of this Offer and to complete such Project with all practicable dispatch, and in any event within 4 months from the commencement of construction.

"3. This Offer is made subject to the express condition that, if the Administrator shall determine at any time that the Applicant has paid or agreed to pay, whether directly or indirectly, a bonus, commission or fee to any person, firm or corporation for attempting to procure an approval of the Applicant's application, or for alleged services in procuring or in attempting to procure such approval, or for activities of the nature commonly known as lobbying performed or agreed to be performed in connection with the application, then the Administrator shall have the right, in his discretion, to rescind this Offer and any agreements resulting herefrom, and, in the event of such rescission, the United States of America shall be under no further obligation hereunder.

"UNITED STATES OF AMERICA
Federal Emergency Administrator
of Public Works

By (Sgd.) H. A. Gray
Assistant Administrator"

Be and the same is hereby in all respects accepted.

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Section 2. That the State Highway Commission of the State of Oregon and the State of Oregon agree to abide by all rules and regulations relating to such grant a copy of which rules and regulations were annexed to the Government's offer and made a part thereof. It is hereby covenanted that the work on the project described in the offer will be commenced as early as possible, but in no event later than twelve weeks from the date of this offer; and to complete the work with all practicable dispatch, and in any event within four months from the commencement of construction.

Section 3. That J. M. Devers, Assistant Attorney General for Oregon, and Attorney for the State Highway Commission of the State of Oregon be and he is hereby authorized and directed forthwith to send to the Federal Emergency Administration of Public Works three certified copies of this Resolution and three certified copies of the proceedings of this Commission in connection with the adoption of this Resolution, and such further documents or proofs in connection with the acceptance of said offer as may be requested by the Federal Emergency Administration of Public Works.

At 3:00 o'clock p. m. Chairman Cabell announced the following awards of contracts and sale of buildings, bids for which were taken at the morning session, the awards having been previously approved by the Commission by unanimous vote:

"Molalla Section of the Woodburn-Mt. Hood Secondary Highway, in Clackamas County. 0.34 mile paving. The low bid for this project was that submitted by the Mountain States Construction Company, Eugene, at \$12,286.00. The next low bid was that of the Oregon Contracting Company, Portland, at \$12,427.00. There were 2 higher bidders. The Commission has awarded the contract to the low bidder, the Mountain States Construction Company, at its bid of \$12,286.00.

"Roadside Oasis at Brothers on the Central Oregon Highway, in Deschutes County. The Commission received 2 bids for this project, being those of Saxton, Looney & Risley, Oak Grove, at \$7,009.00 and that of the Contracting & Sales Company, Inc., Portland, at \$8,254.00. The Commission considers these bids unsatisfactory, hence has rejected them and has ordered the project readvertised.

"Construction of maintenance buildings at Suntex Junction and Brothers, on the Central Oregon Highway, in Deschutes and Harney Counties. The Commission received 3 bids for this project, the low one being that submitted by Henry C. Nelson, Bend, at \$36,394.00. The second low bid was that of Allen V. Moore, Portland, at \$39,180.97. The Commission has awarded this contract to the low bidder, Henry C. Nelson, at his bid of \$36,394.00.

"Grading, surfacing, and oiling the Brothers-Harney County

Line Section of the Central Oregon Highway, in Deschutes and Lake Counties. The low bid for this project was received from E. C. Hall, Eugene, being in the amount of \$174,821.30. The next low bid was submitted by Edwin C. Gerber, Oregon City, at \$177,143.00. There were 13 higher bidders. The Commission has awarded this contract to the low bidder, E. C. Hall, at his low bid of \$174,821.30.

"Construction of Crooked Creek-Lobert Section of The Dalles-California Highway, in Klamath County. The low bid was submitted by Roy L. Houck, Salem, at \$120,203.50. The next low bid was submitted by Mountain States Construction Company, Eugene, at \$127,252.50. There were 13 higher bidders. The Commission has referred the bids to the Engineer with power to award the contract to the low bidder, Roy L. Houck, when certain conditions have been satisfied.

"Construction of canal and railroad roadbed in connection with the Albany Grade Separation Project on the Pacific Highway East, in Linn County. The Commission received 4 bids for this project, the low one being that of Mountain States Construction Company, Eugene, at \$6,422.50. The next low bid was that of C. J. Montag & Son, Portland, at \$6,789.00. The Commission has awarded this contract to the low bidder, Mountain States Construction Company, at its bid of \$6,422.50.

"Brownsville Section of Halsey-Sweet Home Secondary Highway, in Linn County. 1.14 miles grading, surfacing, and oiling. The low bid submitted for this project was that of the Mountain States Construction Company, Eugene, at \$21,970.50. The next low bid was that of D. L. Ashton, Lebanon, at \$23,545.00. There were six higher bidders. The Commission has awarded this contract to the low bidder, the Mountain States Construction Company, at its bid of \$21,970.50.

"Construction of the Milton Nursery Bridge over Walla Walla River on County Road No. 360, in Umatilla County. The low bid submitted for this project was that of C. J. Montag & Son, Portland, at \$19,330.00. The next low bid was that of Snook Bros., Eugene, at \$20,916.00. There were 8 higher bidders. This is a county road project and bids for the same were received by the Commission on behalf of the County Court of Umatilla County, hence the Commission is referring all of the bids to the Umatilla County Court for further handling. (The contract was awarded to C. J. Montag & Son by the Umatilla County Court later in the session. Announcement of the award was made by County Judge Carl W. Chambers.)

"Furnishing and installation of an interconnected flexible progressive traffic signal system in the city of Eugene, Lane County. The Commission received 6 bids for this project, as follows:

Sigwart Electric Company, Eugene	\$6,877.50
Castellote & Stocker, Eugene	7,741.00
W. R. Grasle Company, Portland	7,930.00

(Continued)

(Bids for Eugene traffic signal system, continued)

Kenney Electric Company, Portland	\$8,238.00
Bosler Electric Company, Salem	8,997.00
McPage-McKinney Company, Portland	9,030.70

The Commission desires more time to study these bids so as to make definitely certain that the proposal submitted by the low bidder meets the specifications. In view thereof, the Commission has referred all of the bids to the Engineer, with power to award the contract to the low bidder whose bid meets the state's specifications."

Building in South Salem

"Building No. 5777, formerly owned by Alice M. Prescott, The Commission received 3 bids for the purchase of this building, the high one being that of George Lammers, Eugene, at \$156.00. The next high bid was submitted by R. M. Toler, Salem, at \$130.00. The Commission considers the offer of George Lammers satisfactory and accordingly has sold the building to him for \$156.00."

Building in Oregon City

"Building No. 3044, formerly owned by Chas. and Lena Wieland. 3 bids were submitted for the purchase of this building, the high one being that of C. H. Walter, Aurora, at \$107.00. Mack H. Spencer, Oregon City, submitted the next high bid at \$103.00. The Commission has sold the building to C. H. Walter at his high bid of \$107.00."

Building in West Portland

"Building No. 5037, formerly owned by John T. Paulson. C.H. Walter, Aurora, submitted the high bid for this building at \$59.00. The next high bid was submitted by F. A. Graddy, Portland, at \$45.00. There was one other bid received. The Commission considers the bid of C. H. Walter satisfactory and accordingly has sold the building to him for \$59.00."

Buildings in Albany

"Building No. 4958, formerly owned by Gladys V. Holloway. No bids were received by the Commission for the purchase of this building.

"Building No. 4972, formerly owned by S. J. Brown. Mr. and Mrs. H. D. Rohde, Albany, submitted the only bid received for this building at \$51.00. The Commission has rejected this offer and ordered the building readvertised."

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Mr. Roy Kilpatrick, Canyon City, was present and asked for the improvement of the 4-mile section of the John Day-Burns Highway (Three Flags Highway) between Seneca and the Masonic Lodge picnic ground. He said that he represents the people of Canyon City, John Day, and Seneca, who would like to have the road drained and graveled so as to avoid a repetition of conditions which obtained during the last winter when the road was almost impassable. He further stated that the people of the Seneca district do a considerable portion of their trading in the towns of John Day and Canyon City and it is absolutely necessary for them to have a usable road throughout the entire year. They are fearful, he said, that, unless the road is given some attention now, travel conditions will be much worse this winter than last winter because there is considerably more moisture in the ground now than last year. Mr. Kilpatrick filed with the Commission several petitions bearing the names of 109 residents of John Day, Canyon City, and Seneca, in which the Commission is urged to immediately take steps as may be necessary to insure that the road under discussion will remain in reasonably passable condition throughout the year.

The Engineer advised that the present road was constructed a number of years ago to light-traffic standards and is incapable of standing up under present-day traffic, and to put it in proper condition would cost a large sum of money, which the Commission does not have available at the present time. He said that to add a small amount of surfacing material to the road now would do no good and funds expended for such an improvement would simply be wasted. The road is now being maintained, he said, in as good condition as is possible under the circumstances.

Chairman Cabell advised that this is a forest road section and the Commission is not able at the present time to do anything for it other than to see that it is maintained in the best possible condition. That will be done, he said, to the best of the Highway Department's ability until the road can be reconstructed.

County Commissioners J. D. Smullin and R. W. Perry, of Hood River County, were present in regard to the proposed revision of the Mt. Hood Highway near a place known as Fike's Corner. They said that one of their county roads intersects the Mt. Hood Highway near this place, on which county road there is a bridge that is badly in need of replacement, but they are unable to proceed with their plans for the same because a connection with the Mt. Hood Highway is involved. It appears that this bridge is an old structure and is incapable of safely carrying the loads to which it is subjected, and must be replaced in the near future; and that the County Court has two alternatives, one of which is to build a new bridge where the old bridge now stands, which would not make a proper connection with the Mt. Hood Highway and would cost considerably more to build than one on a location that would connect properly with the Mt. Hood Highway revision that the Highway Commission plans to construct. In fact, it would be possible to take care of the drainage situation satisfactorily by means of a culvert on the new location. The County Court asked the Commission to take action as may be necessary because the construction of their new bridge next spring is an absolute necessity. The question arose whether or not it would be possible, if the county

road were reconstructed on the proposed location, to connect it with the present Mt. Hood Highway, it being the thought of the Commission that such temporary connection would be satisfactory from the County Court's standpoint and would make it possible to defer the improvement of the Mt. Hood Highway until funds can be spared to finance such work. The idea met with general approval and after further discussion the Commission instructed the Engineer to inspect the premises and ascertain whether or not that can be done. A report on the matter is to be rendered to the Commission at its next meeting.

The County Commissioners also asked the Commission to complete the oiling of the Hood River Secondary State Highway between Dee and Hood River in the Commission's 1939 construction program. They were informed that the Commission has not yet formulated a program for next year but will give this project due consideration when the matter comes up for discussion.

The County Court of Umatilla County was present in regard to the award of the contract for the construction of the Milton Nursery Bridge for which bids were taken at the morning session. County Judge Carl W. Chambers stated that the County Court is satisfied with the low bid submitted by C. J. Montag & Son at \$19,330.00 and would like to announce the award of this contract at this meeting if that is agreeable to the Commission. He advised that the award has been approved by the P.W.A. authorities. The Commission thereupon turned the meeting over to the County Court and the following announcement of the award of the contract under discussion was made by County Judge Chambers:

"Umatilla County Court wishes to announce that it is satisfied with the bid submitted by C. J. Montag & Son for the construction of the Milton Nursery Bridge, this bid being the low bid received for this project at \$19,330.00, and accordingly has awarded the contract to C. J. Montag & Son at their bid price."

Following this announcement the State Highway Commission resumed charge of the meeting.

A delegation from Albany, representing the City Council and headed by Mayor C. R. Ashton, was present. Others in the delegation were Elton Coates and W. V. Merrill, Councilmen; City Engineer Walter W. Larsen; and Glen Junkin, City Street Superintendent. They asked permission to construct and maintain public rest-room facilities under the approach to the Willamette River Bridge at Albany. The Commission granted the request subject to the condition that the rooms be kept in a clean and sanitary condition, and with the understanding that the place would be closed in the event that these conditions are not complied with. The Commission ordered that the matter be covered by an appropriate agreement and instructed the Attorney to prepare the same.

The delegation then discussed with the Commission a drainage problem in the southern part of Albany, it being their thought that the State Highway Commission is interested in view of the fact that the city plans to

construct a drainage ditch along the newly acquired highway right of way. Mayor Ashton advised that there is a considerable amount of surface water originating in the southeastern part of Albany which flows into and through town and they want to correct this condition, which will involve the construction of a drainage ditch along the new highway right of way and the construction of a siphon under the highway so that the water can be taken into Oak Creek rather than through town, as at present. Unless the water is taken care of in this manner, he said, the highway grade, when constructed, will act as a barrier to the free flow of water, much to the discomfort of the people residing in that district, and will also have a bad effect on the highway fill. The delegation advised that the plans are to construct the canal this fall, and that the city would like some cooperation from the state in view of the benefits that the state would receive. They suggested that, if the state would construct the canal, they would be satisfied, and advised that the city would furnish the right of way for the same.

The Engineer pointed out that no funds have been budgeted by the Commission to construct the new highway in the southern part of Albany. He also said that the state would receive some benefit from the city's proposed improvement because the material excavated from the canal could be used to partially build the highway embankment, the grade line of which could be lowered about a foot on account of the betterment of the drainage facilities. Relative to right of way, he gave as his thought that it would be advisable for only one agency to negotiate for the right of way for the highway and also for the canal, and suggested, in view of the apparent necessity for early action and in order to conserve funds, that the state assume this obligation and that the right of way options for both projects be obtained at once. The city officials agreed to such arrangement. The Commission appeared favorably inclined to assist the city, if possible, and after further discussion authorized the Engineer to proceed with the securing of options for right of way for both highway and canal, and instructed him to report on the matter at the next meeting, if possible.

Messrs. E. R. Fatland and C. W. Harris, Condon, representing the John Day Highway Improvement Association, were present and asked for the opening of another section of the John Day Highway across the Butte Creek Summit. They particularly urged the Commission to construct at least a one-mile section lying at the summit, if funds are not available to construct a larger project.

Chairman Cabell and the Engineer explained the status of the Commission's finances and advised that, in view of the shortage of funds, the Commission cannot make any promises or commitments in regard to the project under discussion until the reconstruction of the Prairie City-John Day Section has been completed.

A delegation from Portland and vicinity, consisting of 18 members, came before the Commission at this time and asked the Commission to join with the United States Forest Service and the Bureau of Public Roads in securing the designation as a forest highway of the spur road leading from the Mt.

Hood Highway near Government Camp to Timberline Lodge. Mr. Jack Meier headed the group and introduced the speakers. Other members of the delegation were A. A. Comrie, A. M. Cronin, Jr., Forrest Berg, and Horace Mecklem, all representing Timberline Lodge, Inc.; John Standish, representing the Portland Junior Chamber of Commerce; Dale Cowen, representing the Oregon Winter Sports Association; James A. Mount, representing the Mt. Hood Development Association; Henry Corbett, Jr., representing the WY'East Climbers; Rod Norwood, representing the Nile River Yacht Club; Leslie Walrad, representing the Gresham Chamber of Commerce; Bob Smith, representing the Sandy Chamber of Commerce; Jack Greenwood, representing the Mt. Hood Activities Association; Jack Godfrey, Governor of the Columbia River Kiwanis District; E. J. Griffith, Administrator of Works Progress Administration; George M. Henderson, representing the U. S. Olympics Ski Tryouts Commission; and Berger Underdahl, representing the Mt. Hood Ski Sports. Speaking in behalf of the project were Messrs. Meier, Mecklem, Cowen, Greenwood, Comrie, Griffith, and Henderson.

Mr. Mecklem recited the history of Timberline Lodge and gave figures to show that the lodge has been operating very successfully, much to the surprise of its stockholders, the patronage being far above expectations. He said that during the period February 4 to September 5, 1938, the lodge has been visited by over 200,000 people, and that they predict that at least 6000 cars monthly will visit this place if road facilities are made available for their use. He also said that it was their understanding when the lodge was completed that the road leading to the lodge would be kept open the year round; in fact, he said, the road must be kept open, otherwise the general public will not be able to enjoy to the fullest extent the facilities that are offered and which were provided at large expense for public use. He gave as his thought that the cost to the state to maintain the road would not exceed the amount of revenue that the state will receive from gasoline tax collected from motorists who use the road. He alleged that Timberline Lodge, Inc., is not a private undertaking but is a public proposition provided by the Federal Government for the citizens of Oregon and for the benefit of the people of the entire country. Mr. Mecklem concluded his argument by stating that 11 busses were operated over this road the past winter but they did not begin to take care of the people who wanted to visit the lodge, which is a further indication that the road should be kept open.

Mr. Cowen spoke from the standpoint of the skiers and from the point of view of the active members of the Winter Sports Association. He declared that about 5000 people now enjoy the Mt. Hood facilities every week end, which is a remarkable showing compared with only a very limited number of people who spent the week end at this place only as recently as 1932. He advised that this year Mt. Hood has been selected as a site for the Olympic Tryouts for skiers and that these tryouts will take place next April. He further advised that the association that he represents has gone on record as being unanimously in favor of keeping the road up to Timberline Lodge open the year round. He mentioned the names of several organizations that go to make up the Oregon Winter Sports Association.

Mr. Greenwood said that he lives at the foot of Mt. Hood east of the town of Sandy and that he operates a transportation system up to Mt. Hood,

hence is qualified to make a recommendation. He said that Timberline Lodge is being largely advertised in numerous ways in an endeavor to attract people and, in his estimation, it would be giving a false impression to the people who respond to this advertising if the road to the lodge is not kept open. It was his thought that the present road could be improved at small cost; in fact, he said that the road is now in condition to be oiled and he thought it could be kept open during the winter by the state for about one-half the amount that it cost the Government to keep it open last winter. He also said that he believed the state would receive sufficient revenues in gasoline tax to justify keeping the road open the year round.

Mr. Comrie stated that Timberline Lodge, Inc., is being operated on a nonprofit basis, except that the stockholders receive 6 percent on their investment. The Government, he said, secures 80 percent of the balance of the revenues, and 20 percent is spent for operation. He declared that there is absolutely no chance for private profiteering.

Mr. Griffith advised that the Federal Government has spent over \$1,000,000 in the development of the Timberline Lodge Recreational Area for the benefit of the people of the whole United States, and that the Works Progress Administration, under whose direction the lodge was constructed, estimates that, during the first year's operation of the lodge, more than one-half a million people will have enjoyed its facilities.

Chairman Cabell inquired as to the possibilities of providing a place for the parking of cars at the lodge in the winter time. He was informed that it would not be feasible, on account of the wind and snow difficulties, to provide an open-air parking space, but plans are being formulated for the parking of cars underground; in fact, several propositions to that end are now being considered.

The Engineer inquired whether or not any estimates have been made as to how many of the people who have visited the lodge did so because the lodge attracted them, and whether or not these people would have gone to Mt. Hood regardless of the offerings of the lodge. He was informed by Mr. Henderson that available information indicates that the attendance on Mt. Hood has been doubled since the lodge was constructed. He also said that the lodge has a state-wide appeal and is a drawing card for the whole state and that the blame will rest with the State Highway Commission if the road leading to the lodge is not oiled and the dust nuisance alleviated and if the road is not kept open during the winter months, because the people now know that the Mt. Hood Highway is a state highway and they will naturally think that the road leading to the lodge from the state highway is also under the state's control.

The Engineer then advised that, if the Commission should accept the responsibility of this road, he could not guarantee to keep it open at all times because extremely bad winter storms are bound to occur and close the road. He inquired whether or not provision is made for such contingencies by way of having supplies on hand in the lodge to take care of the people who might be snowbound there. He was informed by Mr. Meier that the association

has made provision for such contingency and that a three weeks' supply of food will be on hand at all times.

Chairman Cabell summed up the matter by stating that it is his understanding that the delegation is asking for two things: first, that the State Highway Commission join with the United States Forest Service and the Bureau of Public Roads in securing the designation of this road as a forest highway so that forest highway funds can be used to assist in financing construction of the same; and secondly, that the delegation is asking the state to take over and assume responsibility for maintaining the road and for snow removal operations thereon so that the road can be kept open during all seasons of the year. He advised that the Commission has given this matter considerable thought and will give it further consideration after it is furnished with figures showing the estimated revenue that the state will receive in gasoline taxes if the road is made a state road. The Commission will take the matter under advisement, he said, and will consult the United States Forest Service regarding it and will make its decision as soon as possible thereafter.

Mr. J. A. Schmidtke, Portland, and his attorneys, Robert Bradshaw and A. G. Beatty, came before the Commission in regard to Mr. Schmidtke's log hauling operations along the Columbia River Highway from its junction with the Brower County Road to the Sandy River Bridge, near the Portland automobile Club grounds. Mr. Bradshaw stated that Mr. Schmidtke has been hauling logs over this section of the highway for the past three years under a permit issued by the Public Utilities Commissioner, which permit was evidently issued by mistake because the Public Utilities Commissioner cancelled it a few days ago upon request of the Secretary of the State Highway Commission, such cancellation being based on a previous ruling of the Commission which prohibits the hauling of logs on this highway between the town of Corbett and the Sandy River Bridge. He asked the Commission to reconsider its ruling because the combined length of load and vehicle does not exceed 35 feet and, in his estimation, the operation will not take up more than one-half the roadway. Furthermore, they have 3,000,000 feet of timber to transport, much of which has already been felled and Mr. Schmidtke has a large investment in hauling equipment.

(After considerable discussion the Engineer advised that he would have no objections to the hauling of 35-foot overall length loads from Brower Road to the Sandy River Bridge if they could be transported without any part of load or vehicle crossing the center line of the pavement. He recommended a trial run of one load of logs under the supervision of the District Maintenance Superintendent and the granting of a permit in the event that the Superintendent reports that the movement does not take up more than one-half the roadway. Further, that if the District Maintenance Superintendent's report is adverse, the matter be then brought to the attention of the Commission again for further discussion. The recommendation was approved by all concerned and the Commission so ordered. The Secretary was instructed to make the necessary arrangements for such trial run on the following day.)

Mr. George Henderson, representing the Cascade Ski Club, Inc., Portland, was present and requested authority from the Commission to move

three buildings , each 24' x 36' in dimension, directly across the Mt. Hood Highway at Government Camp. He said that the buildings really constitute one building but it has been cut up into three sections so as to facilitate the moving operation. Further, that the buildings are of light construction and will be moved with regular house-moving apparatus equipped with wheels so that the buildings would not come in direct contact with the surface of the road and can be moved easily and quickly. He estimated that it would take between three minutes and five minutes for the moving of each building across the highway and alleged that highway traffic will not be inconvenienced or delayed in the least because the highway, where the movement is to take place, is wide and traffic can be detoured around the movement without interruption and with the least possible amount of inconvenience. After discussion the Commission granted the request subject to the condition that the club will furnish the Commission with public liability insurance in the amount of \$50,000/\$100,000; property damage insurance in the amount of \$10,000; and a bond in the amount of \$1,000, to protect the Commission and to insure repairs to the road in the event the road surface is damaged; and subject to the further condition that each movement be properly flagged so as to warn other highway traffic of the movement; and that a state police officer and a representative of the State Highway Department be present during each movement.

A delegation from Portland, consisting of Mrs. Mary H. Clarke, C.W. West, E. C. Warner, and F. E. Bolich, came before the Commission and asked that a definite location for the proposed revision of the Pacific Highway West in the vicinity of Tigard be adopted immediately. They said that the uncertainty as to the highway location is seriously handicapping the property owners in the improvement and development of their properties and also in the matter of property sales, and they would like the Highway Commission to make a definite decision as to the permanent location as soon as possible, regardless of when construction is undertaken. The Engineer advised that the right of way options for this improvement have not yet all been accounted for, so the Commission has not been in a position up to the present time to adopt a definite route. He gave as his thought that full information should be ready for the attention of the Commission at its meeting on November 10. Chairman Cabell advised that the Commission will dispose of this matter as soon as the Engineer's final report has been received and considered. Mrs. Clarke filed with the Commission a petition signed by 30 residents of Tigard and vicinity in support of their request.

There being no further business to come before the Commission at this time, the meeting was adjourned at 6:00 o'clock p. m.

Rosemary
State Highway Engineer

W. E. Cleary
Secretary

Henry F. Cabell
Chairman

E. E. Cleary
Commissioner

F. L. Souville
Commissioner

Salem, Oregon, October 20, 1938.

The State Highway Commission met in regular session at 10:00 o'clock a. m. in the office of the State Highway Engineer, Room 325, State Office Building. Present were:

Henry F. Cabell, Chairman
E. B. Aldrich, Commissioner
F. L. Tou Velle, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

Also present were W. H. Lynch, District Engineer, and Tom Davis, Highway Engineer, representing the U. S. Bureau of Public Roads.

The Assistant Attorney reported on the status of the right of way budget and advised that expenditures for such purpose during 1938 will be at least \$600,000, which is \$50,000 more than the amount budgeted for such purpose, exclusive of expenditures for quarry sites, stock pile sites, gravel pits, et cetera. The Commission authorized an increase in the right of way budget for 1938 to \$600,000, it appearing to the Commission that it would not be possible to carry on the construction program at lesser expense for right of way.

The Engineer requested authority to acquire certain parcels of real property that are needed for various highway improvements throughout the state. He presented a list of such properties, together with prices that he recommended be paid for each. After careful consideration the Commission approved the request and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth; and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon; and

WHEREAS, It is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby

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are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Parkdale Section - Mt. Hood Loop Highway</u>				
6323-London, Edwin B.	Stock Pile Site	0.21	Lump Sum \$50	Chandler
<u>Myrtle Point-Bridge Section - Coos Bay-Roseburg Highway</u>				
6325-Endicott, P. F.	Quarry Site	3.53	Lump Sum \$250	Lytle
<u>West Portland-Tualatin Section - West Portland-Hubbard Highway</u>				
4036-Ball, Elmer E.	R/W	0.78	\$250 per a. plus \$40	Benson
3637-Schamoni, W. F.	"	26,575 sq.ft.	Lump Sum \$1240	"
3636-Schamoni, W. F.	"	21,729 " "	Lump Sum \$1010	"
5477-Everling, Valentine A.	"	25 lots	\$30 per lot plus \$50	"
5471-Kienlen, Joe	"	0.23	\$500 per a.	"
<u>Sweet Home Section - Santiam Highway</u>				
6294-Groves, Kenneth S.	R/W	1,189 sq.ft.	Gratis	McCallister
6290-Groves, Kenneth S.	"	1,884 " "	Gratis	"
6293-Groves, Roshal M.	"	512 " "	Gratis	"
<u>Marks Creek-Mill Creek Section - Ochoco Highway</u>				
4940-Mountain Grange	R/W	0.25	Gratis	Gardiner
<u>Enterprise-Scotch Creek Section - Hurricane Creek County Road</u>				
6298-Warnock, Rue Whitmore	Gravel Pit & Hauling Road	2.19	1.29 a., gravel pit .90 a., hauling road 3-mo. lease \$50 Lump Sum	Williams
<u>Brothers-Harney County Line Section - Central Oregon Highway</u>				
6124-Settlemyer, Jacob	R/W	7.62	\$1 per a.	McCallister
6136-Meeks, Bert M.	"	0.549 a.	Gratis plus \$190	"
(Correction Report)				
<u>Sunnyside-Umapine Section - Umapine Secondary Highway</u>				
6314-World War Veterans' State Aid Commission	Stock Pile	0.867	\$175 per a.	McCallister
<u>Umatilla-Hermiston Section - Old Oregon Trail Highway</u>				
6316-Rugg, A. E.	Stock Pile	0.75	\$70 per a.	Wells
<u>Stanfield-Echo Section - Old Oregon Trail Highway</u>				
6318-Allen, Frank	Stock Pile	0.92	\$27 per a.	Wells
<u>Hermiston-Stanfield Section - Old Oregon Trail Highway</u>				
6317-Stanfield Irrigation Company	Stock Pile	1.0	\$25 per a.	Wells

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Williamson River-Crooked Creek Section - The Dalles-California Highway</u>				
6152-Hosley, Maud A.	R/W	4.36	\$20 per a.	Benson
6151-Board Home Missions & Church Extensions M.E. Church	"	5.60	\$20 per a.	"
<u>Pendleton-Adams Section - Oregon-Washington Highway</u>				
6114-Curl, C. C.	R/W	11.75	\$125 per a. + \$2907.75	Parker
5895-Tolaklin, Heirs	"	8.18	\$80 per a. + \$1151.40	"
6224-Oregon State Game Commission	Gravel Pit	2.21	Lump Sum \$100	"
<u>Buxton-Manning Section - Wolf Creek Highway</u>				
6253-Gindhart, Martin	R/W	1.17	0.60 at \$150 per a. 0.57 at \$50 per a. + \$15	McChesney
6257-Pongrentz, Joseph	"	1.13	\$150 per a. + \$113.50	"
6262-Mrosik, James	"	4.87	3.62 a. at \$150 per a. 1.25 a. at \$50 per a. + \$1240	"
6259-Clement, Olive C.	"	0.507	\$100 per a. + \$5	"
6255-Kelly, Reuben	"	1.38	\$150 per a. + \$130	"
6270-Knorr, Levi	"	1.51	1.25 a. at \$150 per a. 0.26 a. at \$20 per a. + \$255	"
<u>Richland-Halfway Section - Baker-Homestead Highway</u>				
6286-Laird, Lewis	Stock Pile	0.83	\$25 per a. plus \$24	Wells
6287-Laird, Lewis	" "	0.53	\$100 per a. plus \$21.50	"
6283-Kirby, Herschel	Gravel Pit	2.57	\$100 per a.	"
6289-DeLong, H. A.	Hauling Road Easement	0.13	\$100 per a. plus \$11.50	"
6282-Kirby, James A.	Stock Pile	0.70	\$125 per a. plus \$30	"
6284-Kirby, James A.	Hauling Road Easement	0.77	Gratis (land) plus \$22	"
6288-Rouse Bros.	Gravel Pit, Haul Road Easement	2.62	2.34 a. at \$100 per a. (gravel pit) 0.28 a. at \$100 per a. (haul road ease- ment), + \$50	"
6285-Greener, Ed R.	Stock Pile	0.80	\$60 per a. plus \$15	"
<u>Douglas County Line-Trail Section - Tiller-Trail Highway</u>				
6094-Dwinnel, Stanley W. (Correction)	R/W	4.07	\$15 per a. + \$7.57 taxes	McCallister
<u>Clackamas County-Mt. Hood Highway</u>				
U. S. Government	Park	120.00	Annual rental \$75.60, as required by lease from Government	Boardman

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Josephine County - Redwood Highway</u>				
U. S. Government	Park	70.0	Annual rental \$6.88 as required by lease from Government	Boardman
<u>Lane County - Siuslaw Highway</u>				
U. S. Government	Park	206.0	Annual rental \$220.20 as required by lease from Government	Boardman
<u>Douglas County - Umpqua Highway</u>				
U. S. Government	Park	200.0	Annual rental \$187.25 as required by lease from Government	Boardman
<u>Marion County - Silver Creek Falls Park</u>				
U. S. Government	Park	200.0	Annual rental \$35 as required by lease from Government	Boardman
<u>Jackson County - Crater Lake Highway</u>				
U. S. Government	Park	320.0	Annual rental \$166.98 as required by lease from Government	Boardman
<u>East Portland-Oregon City Section - Pacific Highway</u>				
6311-Scott, Richard, Trustee	Easement for transmission line		Easement over property for a transmission line - Gratis	McCallister
6340-Lowe, Dollie	Easement for transmission line		Easement over property for a transmission line - Gratis	McCallister
<u>Troutdale-Tunnel Point Section - Columbia River Highway</u>				
1843-Smyth, Edward G.	R/W	0.45	Lump Sum \$250	DeSouza
<u>Corbett-Tunnel Point Section - Upper Columbia River Highway</u>				
1817-Reed, Myrta E.	R/W	0.28	Lump Sum \$250	Parker
1830-Reed, Minnie T.	"	3.83	Lump Sum \$11,000	"
<u>Salem-12th Street Junction - Pacific Highway</u>				
5578-Graham C. A.	R/W	1254 sq.ft. at 10¢ sq.ft. plus \$324.60		McCallister

The Engineer reported receipt of a letter from Governor Charles H. Martin pointing out the state law which prohibits the solicitation for contributions to the campaign fund of any candidate for election, and requesting that the Highway Commission take appropriate action. After due and careful consideration, the Commission approved and signed the following letter in regard thereto directed to all State Highway Department employees, being Circular Letter No. 83:

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Circular Letter No. 83

To All State Highway Department Employees:

In view of the nonpartisan nature of the State Highway Department and the necessity of administering its functions on a strictly nonpolitical basis and in the interest of the state as a whole, the employees of the State Highway Department are again cautioned to refrain from all political activities.

No one is or will be authorized by the Oregon State Highway Commission to solicit contributions from state highway employees for the campaign fund of any candidate. No employee will be permitted to engage in such solicitation. Your attention is called to two sections of the Corrupt Practices Act, quoted below:

"Section 36-2420. Holders of nonelective positions not to contribute. No holder of a public position or office other than an office filled by the voters, shall pay or contribute to aid or promote the nomination or election of any other person to public office. No person shall invite, demand or accept payment or contribution from such holder of a public position or office for campaign purposes.

"Section 36-2419. Promise of appointments prohibited. No person shall, in order to aid or promote his nomination or election, directly or indirectly, himself or through any other person, promise to appoint another person, or promise to secure or aid in securing the appointment, nomination, or election of another person to any public or private position or employment, or to any position of honor, trust, or emolument, except that he may publicly announce or define what is his choice or purpose in relation to any election in which he may be called to take part, if elected, and if he is a candidate for nomination or election as a member of the legislative assembly he may pledge himself to vote for the people's choice for United States senator, or state what his action will be on such vote."

This is brought to your attention at this time in order that there may be no misunderstanding as to the attitude of the Highway Commission in this matter, and with the view of preventing participation of employees in the election campaigns being waged this year.

By order of
THE OREGON STATE HIGHWAY COMMISSION

Henry F. Cabell (sgd.) as Chairman
E. B. Aldrich (sgd.) as Commissioner
F. L. Tou Velle (sgd.) as Commissioner

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The Attorney reported on the matter of acquiring additional right of way for widening the Pacific Highway at the intersection of Denver and Union Avenues, in Portland, which matter was referred to him by the Commission at a previous meeting when the request of Dewey M. Gault for a suitable roadway approach from the highway to his boat dock was under consideration. The Attorney presented an arrangement for an exchange of properties, which the Commission considered and re-referred to the Attorney for additional information and report. The Attorney was authorized by the Commission to carry on negotiations on the basis of exchange of properties, if possible.

The Attorney also reported receipt of a communication from Mr. James L. Conley, Attorney, Portland, in which Mr. Conley inquires whether or not the Highway Commission cares to purchase a strip of land 20' wide and about 6,400' long, for widening the Oregon Coast Highway at Gearhart. In the discussion of this matter it was brought out that the Commission previously authorized the purchase of certain property at Gearhart from the same people who are now offering to sell the 20-foot strip; and when that matter was discussed the owners indicated that they would donate the 20-foot strip to the state if the state would purchase the other property. In view of the circumstances, the Commission deferred action on Mr. Conley's inquiry pending a report on the status of acquisition of other property, and whether or not the 20-foot strip is needed for right of way. The Commission ordered that such report be rendered at its next meeting.

The Commission considered and denied the request from Mr. Thomas Purdy, Yachats, to purchase a portion of the widened highway right of way of the Oregon Coast Highway at a place known as Bob Creek, near Mile Post 183.21, in Lincoln County, it being brought out in the discussion of the matter that this property is needed for state highway purposes.

The Attorney reported results of investigations for the acquisition of right of way for the improvement of the Umpqua Highway across the property of the Reedsport Garage at Reedsport, involving the cutting back of the garage building. He said that Mr. N. Hogan, who owns this garage, plans to remodel the building this winter and will make it fit the proposed highway improvement if the Commission will assure him that he will be reimbursed for the work which is estimated to cost between \$5,000 and \$6,000. He further stated that Mr. Hogan has expressed a willingness to convey unto the state, without charge, the extra right of way needed in front of his premises, provided the state will pay the cost of remodelling his building. Further, that he is willing to wait until 1939 for such reimbursement and will wait until 1940, if necessary. The Engineer advised that this highway project has not been programmed for construction in the near future; also, that the estimated cost to grade and oil the section through the business part of town is about \$20,000. To grade, surface, and oil the entire project, he said, would cost approximately \$47,000; and to grade, surface, and oil the portion outside the city limits with a hard-surfaced pavement construction within city limits would cost about \$63,000.

Chairman Cabell questioned the advisability of making any commitment at this time, in view of the possibility of a change in the personnel of

the Highway Commission after the first of the year and particularly because funds now available to the Commission are at a low ebb. After discussion, it was decided to tell Mr. Hogan that the Commission is not in a position to accept his proposition at the present time but will give him a definite answer after the first of the year. The Engineer was authorized by the Commission to set grade stakes for the highway in front of Mr. Hogan's premises for his guidance should he proceed with his present plans before the Commission takes final action on his proposition.

The Commission considered and approved the payment of \$564.71 to Alden E. Miller, City Attorney of Oregon City, for services rendered in connection with defense of a suit brought by the Security & Investment Company of Oregon City against the city to quiet title to certain street ends, a portion of which are required by the state for right of way for the East Portland-Oregon City Highway, in Oregon City. In this connection the Attorney advised that an adverse decision was rendered by the trial judge, who ruled that the street ends were the property of the Security & Investment Company. He gave as his thought that appeal from this decision should be made to the State Supreme Court, and he so recommended. The Commission approved the recommendation and authorized the Attorney to file the appeal at once, the cost and expense thereof, including the payment for additional service rendered by Mr. Miller, to be paid by the state.

The Commission also discussed other matters pertaining to the Oregon City project, particularly the matter of acquiring right of way across the property of the Oregon City Laundry. In this connection the Attorney advised that he has been unable to make a satisfactory settlement with the owners of the laundry for right of way across their property and it appears that it is going to be necessary to institute condemnation proceedings to acquire it, and that it may be necessary to acquire all of the laundry property because the owners allege that if the right of way is taken from them there will be insufficient room on the balance of their property to re-establish their business.

The Engineer advised that the United States Post Office Department has indicated an unwillingness to cooperate with the state in this highway improvement, objections having been offered to the narrowing of the sidewalk in front of the post-office building from 10 feet to 6½ feet, and to the plan of the Commission to prohibit the parking of cars in front of the post-office building on 5th Street, so it appears that if the original plan for this improvement, which contemplates four lanes of highway traffic, is adhered to, it will be necessary to acquire the extra right of way on the opposite side of the street from the post office. He exhibited a map showing a proposed revision which contemplates the acquisition of all of the laundry property, and pointed out that the adoption of such change would make it possible to flatten the curve where the highway turns from 5th Street onto Water Street, which is desirable, but would not affect the rest of the adopted route.

Mr. W. H. Lynch, District Engineer, Bureau of Public Roads, who was

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present, advised that he would approve such change provided it did not affect the balance of the project.

After considerable discussion the Commission approved the change as suggested by the Engineer and authorized him to make surveys as may be necessary in connection therewith. The Attorney was authorized and instructed by the Commission to continue negotiations with the owners of the laundry for right of way across their holdings and for the acquisition of all of the laundry property. He was authorized also to institute condemnation proceedings, if necessary, to acquire this property and other right of way for this project, which cannot be procured by agreement. The Commission voted unanimously not to proceed with the construction of this project until all of the right of way matters have been cleared up satisfactorily, and instructed the Attorney to expedite them as much as possible.

The Commission had under consideration a plan proposed by Messrs. Schindler, Kronenberg, and Freeman, of Bandon, for the securing of a 200-foot right of way for the Oregon Coast Highway through the town of Bandon at no greater cost than would be involved in the acquisition of right of way 80 feet wide. The plan proposed involves the acquisition of privately-owned lots on each side of the 80-foot right of way and the planting of the same to trees and shrubbery so as to provide a parkway through this town. It was the thought of the sponsors that the extra land could be acquired at no extra cost because, since the town of Bandon was burned by forest fire in 1936, the lots were placed in a "pool" for disposal and, in their estimation, a transfer of title could be made to the state that would be agreeable to all concerned.

The Attorney advised that the "pool" of lots has been dissolved since this matter was submitted to him, and the acquisition of the extra land is no longer feasible under the plan proposed by the sponsors, notwithstanding which the sponsors wish the matter brought to the attention of the Commission. The Commission appeared favorably inclined to the project but decided to adhere to the original plan for an 80-foot right of way in view of the fact that the status of the lots has been changed and they very likely could not be secured without payment for the same. The Attorney was instructed to proceed with negotiations for the acquisition of right of way 80 feet wide.

The Commission had under consideration the application of Lee A. Duncan, Baker, Oregon, for a permit authorizing him to pump water from a gravel pit that he sold to the state for use in connection with the construction of the Baker-Flagstaff Hill Section of the Baker-Homestead Highway, in Baker County. The Commission denied the request, it being considered inadvisable to grant it and contrary to the Commission's policy to give any written easement or permit granting exclusive rights in and to state property, either to Mr. Duncan or to anyone else. The Commission offered no objections to Mr. Duncan taking the water from this pit, provided it would not conflict with or be detrimental to the use of the pit by the state, but preferred not to have the matter covered by a written permit or agreement on account of its present policy.

Mr. W. H. Lynch, District Engineer, Bureau of Public Roads, brought

up for discussion the matter of providing additional funds to finance the construction of a lining in the Willamette Highway tunnel. He said that the tunnel bore has been completed and on account of the peculiarities of the materials encountered a heavier lining will have to be provided than was originally contemplated. Furthermore, it will be necessary to extend the lining beyond the limits of the tunnel portals, all of which will cost approximately \$50,000 more than has been budgeted for such purpose. He further advised that savings have accrued in the contracting of other forest highway work so that the \$50,000 needed is now available in the forest highway contingent fund, and all that is necessary to secure approval of the additional expense is for the Commission to join with the regional forester and himself in recommending to the authorities in Washington, D. C., that the extra expense be allowed. He asked the Commission to do this in order to expedite the completion of the tunnel project. The Commission approved the request by unanimous vote and thereupon signed a joint letter with the Regional Forester and the District Engineer of the Bureau of Public Roads recommending such transfer of funds.

The Commission adjourned at 12:30 o'clock p. m. and reconvened at 1:30 o'clock p. m. in the same room, with all Commissioners, the State Highway Engineer, the Attorney, and the Secretary present.

Mr. J. W. Dunn, County Commissioner of Lincoln County, and Mr. John W. Schroeder, Newport, came before the Commission in regard to the Siletz Secondary Highway. They asked the Commission to provide for the oiling of this road, particularly the Lincoln County portion thereof, and that the work be done as a federal aid secondary highway project. They were informed that the Commission has already budgeted \$30,000 of federal aid secondary highway funds for grading, surfacing, and oiling on this road during the 1939 season, but the contracting of the work will depend entirely upon the availability of state funds to match the federal appropriation. However, the work will be undertaken as early as possible.

Mr. Dunn also asked the Commission to reconstruct the Toledo-Newport Section of the Corvallis-Newport Highway by widening and eliminating numerous curves in the present road. He was informed that the Commission is aware that this section is not up to modern standards of highway construction but the Commission is short of funds at the present time to finance rebuilding of the same and there is no prospect that the work can be undertaken in the near future.

The Secretary presented a letter from Mr. Lewis A. McArthur, Secretary of the Oregon Geographic Board, recommending approval of the request of Mr. Archie McGowan, Burns, Oregon, that the bridge over Poison Creek on the Central Oregon Highway, east of Burns, be named "Susan's Bridge" in honor of Susan Dixon Whiting, a pioneer of this district. The Commission approved the recommendation and instructed the Secretary to convey such information to Mr. McGowan.

The Engineer presented a list of landscaping projects, as follows, which he recommended for construction in the Commission's 1939 Roadside Improvement Program:

<u>Highway</u>	<u>Section</u>	<u>Amount</u>
DIVISION II.		
Oregon Coast	<u>South Entrance to Astoria.</u> Plantings in the plaza between the old and new rights of way.	\$4,000
DIVISION III.		
Pacific	<u>Ambrey-Eugene Section.</u> Plantings around gravel pits and lakes and seeding right of way.	\$12,000
Pacific	<u>North Entrance to Medford.</u> Plantings along right of way.	\$4,000
Pacific	<u>North Entrance to Roseburg.</u> Plantings on extra right of way owned by State.	\$3,000
DIVISION IV.		
Lakeview-Fremont	<u>Summer Lake to Paisley.</u> Sowing crested wheat grass along new grading and improving site for the Fremont Monument.	\$5,200
DIVISION V.		
Old Oregon Trail	<u>North Powder-Muddy Creek Section.</u> Sowing blue grass or crested wheat grass along new excavation. Slight amount of planting.	\$4,800
Old Oregon Trail	<u>Stanfield-Pendleton Section.</u> Sowing crested wheat grass on west unit.	\$3,000
Total Program		\$36,000

After discussion the Commission approved the projects and authorized the Engineer to present the same to the Bureau of Public Roads for further approval inasmuch as it is proposed to finance them with federal aid funds that are required to be expended for such purposes.

The Engineer reported that an investigation has been made of the status of the county road which extends from the Wolf Creek Highway at Elsie to a connection with the Nehalem Highway at a place known as Fish Hawk Falls, which road the County Court of Clatsop County alleges was made a federal aid highway at the same time that the Wolf Creek Highway was placed on the federal aid system. Investigation reveals, he said, that this county road was not designated as either a federal aid highway or a state highway and accordingly

is still a county road notwithstanding the County Court's understanding of the matter. After discussion the Commission confirmed the instructions given to the Engineer at the previous meeting to make a survey of this road so the County Court can construct a W.P.A. project thereon this winter on proper alignment, it being the opinion of the Commission that the road will at some time in the future be designated as a state highway in view of the fact that it will provide a good connection with the Wolf Creek Highway and will shorten the distance from Astoria to Portland by several miles.

At 2:00 o'clock p. m. Mr. Percy C. Caulfield, Postmaster of Oregon City, and Mr. W. F. Case, Post Office Inspector, Portland, came before the Commission in regard to the widening of 5th Street (route of the East Portland-Oregon City Highway) past the Oregon City Post Office, for four lanes of traffic. In this connection the Engineer read aloud a letter from the Acting Director of Procurement, Washington, D. C., in which he advised that the Post Office Department is of the opinion that the plan to decrease the width of the sidewalk on 5th Street from 10 feet to 6½ feet and to eliminate parking on the street is undesirable in that it would be seriously detrimental to the appearance of the federal building and would result in the routing of heavy automobile traffic nearer to the entrance of the post office, which is used by more than 75 percent of the patrons. Further, that it is the opinion of the Post Office Department that the alternate scheme to construct a 10-foot sidewalk encroaching from 3 feet to 4 feet on the Government's property is objectionable in that it would create undesirable conditions. Mr. Case stated that their greatest objection is to the prohibition of parking on 5th Street. He said that there is a steady stream of cars stopping at the post office for only a few minutes each, and 5th Street is the only route available to them where they can park their cars without making a "U" turn when they drive away from the post-office building.

The matter was discussed at some length and several suggestions were made, among which was one by the Engineer, that a sufficient amount of the Government's property be taken to provide for a sidewalk 6½ feet wide and the parking space alongside of the post office. It was his thought that a strip of government land 6½ feet wide would be sufficient to provide such accommodations and inquired whether or not the Government would sell the strip to the state and if so for what amount.

Mr. Caulfield stated that he was not prepared to reply to the inquiry but, in his estimation, the thing for the state to do would be to secure its extra right of way on the north side of the street, which he understood was in accordance with the Commission's original plan for this improvement.

A decision in this matter was deferred pending additional information from the Engineer, who was instructed to inspect the premises in company with Mr. Caulfield and Mr. Case with a view in mind to arrive at a solution that would be satisfactory to all concerned.

A delegation from Cottage Grove, consisting of Cy Eakin, Vinal Randall, C. F. Hoskins, and Frank Heck, businessmen of this town, came before the Commission and inquired as to the plans of the Commission to reconstruct

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the Pacific Highway on the revised alignment through Cottage Grove. They asked the Commission to provide for this project in its 1939 program so people can improve and develop their properties that will be affected by such change. They were informed by Chairman Cabell that, due to shortage of funds, it is doubtful whether the Commission would be able to finance this project next year, but the Commission might consider it as a project for the fiscal year 1940 federal aid money.

Mr. Heck inquired if there is any question as to the construction of this proposed change. He was informed by Chairman Cabell that, in so far as the present Commission is concerned, the change will be constructed as soon as there are funds available to finance it, but that he could not speak for any highway commission that might be appointed in the future. He explained that, whereas the present commission might make a commitment to a certain project, a new highway commission would not be legally bound to accept the commitment and it could change the plans if it saw fit to do so.

The Engineer reported receipt of a letter from F. D. White, scout master for a boy scout troop in Albany, inquiring whether or not it would be possible for the scout groups to secure the salvaged lumber from the wrecking of the old brewery building in Albany, and to secure also the doors, windows, and brick from such building. He said that such salvaged material consists of approximately 11 MFBM lumber, together with doors and windows, none of which are suitable for use in connection with any of the Highway Department's construction activities, although by advertising the state might realize a few dollars from the sale of the same. The brick, he said, is in first class condition and can be used to good advantage if a job should come up where it would fit in. All of this material, he said, is now stock-piled on a vacant lot in Albany and at some time the state will have to go to the expense of removing it and cleaning up the premises. He suggested that it would be advisable to let the scout group have this material if they will remove it from the present location and will clean up the lot to the satisfaction of the Commission, and he so recommended. The Commission approved the recommendation unanimously.

The Engineer reported receipt of a complaint from residents of Hebo of an unsanitary condition that exists there on account of certain people draining their septic tanks through a culvert under the McMinville-Tillamook Highway. He said that the matter was investigated and it was found that the overflow from the septic tanks on the north side of the highway is being turned into the highway culvert, with the result that a very unsanitary and offensive condition is created at the lower end of the culvert. He further stated that the people who are responsible for this condition were contacted and asked to make other arrangements for the disposal of this sewage, and their attention was called to the law which prohibits the draining of any refuse, sewage, or other matter from any cesspool or septic tank upon any public road of this state, but the offenders do not seem to take the matter very seriously, and nothing has been done to remedy the situation. It was his thought that legal steps as may be necessary should be undertaken to abate this nuisance, and so recommended. The Commission approved the recommendation unanimously and referred the matter to the Attorney for appropriate action.

The Attorney reported that a number of claims have been filed by property owners in Ontario for damages arising out of the construction of the Ontario undercrossing project and particularly on account of the change in the grade of certain city streets along the west approach of such undercrossing, and requested instructions relative thereto. The Commission ordered an appraisal of the property affected and of the alleged damages. The matter was referred to the Attorney to make such appraisal and render a report thereon.

The Engineer reported that the bridge over the Nehalem River on the Nehalem Secondary Highway just east of Vernonia is in bad condition and will have to be repaired in some manner so that traffic can use it with safety. He advised that the existing bridge is not in the proper location, and that to replace it with a new structure on permanent alignment, construct approaches thereto, and purchase right of way, would cost about \$41,000. He further advised that the present structure could be bolstered up with falsework to carry traffic safely this coming winter, for about \$500, and that it could be fixed up to carry traffic with safety for four or five years, for about \$5000. He recommended, in view of the estimated cost to build a new structure on permanent alignment, and the fact that the Commission's finances are at a low ebb at the present time, that the Commission authorize repairs costing \$5000, which would take care of the matter for several years, when a new bridge could be built if funds are then available to finance it. The Commission approved the recommendation and referred the matter to the Engineer to work out the details.

The Commission considered and denied the application of Brown Bros., Summit, Oregon, to maintain a guy wire over and across the Eddyville-Blodgett Secondary Highway, in Benton County, near the town of Summit, to facilitate the loading of logs on railroad cars at this point, it being contrary to the established policy of the Commission to permit such encroachments upon highway rights of way.

The Commission had under consideration the application of the Oregon Utilities Company to construct a telephone pole line along the right of way of the Oregon Coast Highway between Wheeler and Brighton, in Tillamook County. The Engineer recommended that the company be allowed to build its pole line on the westerly side of the highway from Wheeler to Fisher's Point, but from that point south to Brighton that the company be required to arrange for the joint use of poles with the Western Union Telegraph Company, whose pole line now occupies a location on the Southern Pacific Railroad right of way; or to construct its own pole line on private property east of the highway, in order to preserve unobstructed the splendid view of Tillamook Bay which may be had from the highway along this section. He explained that his recommendation is based on a joint report from Division Engineer F. D. Eason and Landscape Engineer George Otten, who inspected the premises in person with Mr. J. D. Langman, President of the Oregon Utilities Company, who apparently is satisfied with such arrangement. The Commission approved the recommendation unanimously.

The Secretary reported receipt of an offer from the United Air Lines to furnish airplane transportation to state officials at a cost of 15 percent less than the cost of single fares if the state will deposit with the company

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the sum of \$425 as evidence to the agent of any air-line company throughout the United States that the holder of a card issued by the United Air Lines is entitled to air-line transportation without the payment of cash for the same. The Attorney advised that the Commission has legal authority to deposit state funds for such purpose if it so desires, and wishes to take advantage of the 15 percent reduction. It was the thought of the Commission that inasmuch as this arrangement would be for the benefit of all state departments, it should be consummated through the Secretary of State or the State Board of Control, hence action on the matter was deferred for the time being.

The Engineer requested authority to purchase miscellaneous material that is needed in connection with the operation of the Wolf Creek Highway W.P.A. rock crushing plant, and to purchase 4 rock spreaders for use in connection with the spreading of macadam laid by W.P.A. forces on this project. He estimated the cost of the miscellaneous material at \$1000 and the spreaders at \$2400, making a total expenditure of \$3400. The Commission approved the request by unanimous vote..

The Secretary presented a letter from Mr. Lewis A. McArthur, Secretary of the Oregon Geographic Board, relative to the suggestion by the Forest Grove Chamber of Commerce that a bridge on the Wilson River Highway be dedicated the "Loyal M. Graham Bridge" in honor of Mr. Loyal M. Graham of Forest Grove. Mr. McArthur recommended that the Commission dedicate a bridge on this highway to Mr. Graham in view of the tremendous amount of enthusiastic and effective work that he has done in connection with Oregon highway matters. The Commission approved the recommendation unanimously and so ordered, but deferred the selection of the particular structure to be so named because none of the bridges on this highway have been constructed as yet and the Commission wants to make certain that a worthwhile structure is selected in honor of Mr. Graham. The Secretary was instructed to convey this information to the Forest Grove Chamber of Commerce and to advise the Chamber that, while the Commission has approved the naming of a bridge for Mr. Graham, it is making no commitment or promises as to when these bridges will be constructed.

The Engineer requested authority for Division Engineer William E. Chandler to attend the annual convention of the Three Flags Highway Association at Reno, Nevada, on October 21 and 22, 1938, at state expense. The Commission approved the request subject to further approval by Governor Charles H. Martin.

The Engineer also requested authority for Assistant State Highway Engineer C. B. McCullough and Harold B. Say, Director of the Travel and Information Department, to attend the annual meeting of the Redwood Empire Association in Eureka, California, on October 22, 1938, at state expense. The Commission approved the request subject to further approval by Governor Charles H. Martin.

A letter was presented from the American Planning and Civic Association, in which the Commission was asked to send a representative to the conference on roadside improvement which is to be held jointly by the National Roadside Council, the Conservation Committee of the Garden Clubs of America,

and the American Planning and Civic Association on November 15 and 16, 1938, in New York City. The Commission decided not to be represented at this meeting in view of the expense involved.

The Engineer requested an additional authorization of \$50 to reimburse the Labor Relations Engineer, Ray Webber, for expense incurred by him on an inspection of concrete pavements in the state of California in company with engineers from the states of Washington and California and representatives of the U. S. Bureau of Public Roads. He said that this inspection trip took longer than was originally anticipated and in addition thereto Mr. Webber was required to purchase train transportation from San Francisco to Salem, necessitating an expenditure of \$50 more than was originally authorized for the trip. It was his thought that Mr. Webber should be reimbursed for this extra expense inasmuch as it was incurred in connection with his duties as a state official, and he so recommended. The Commission approved the recommendation unanimously.

The Engineer reported the award of contracts as follows for highway construction projects for which bids were received by the Commission at its meeting on September 29, 1938:

Crooked Creek-Lobert Section of The Dalles-California Highway, in Klamath County. Grading, surfacing, and oiling. Contract awarded on October 17, 1938, to Roy L. Houck, Salem, who submitted the low bid therefor at \$120,203.50.

Furnishing and installation of an interconnected flexible progressive traffic signal system in the city of Eugene, Lane County. Contract awarded on October 13, 1938, to Castelloe & Stocker Electric Company, Eugene, at \$7,741.00, this company having submitted the low bid for such work which meets the state's specifications.

The Engineer advised that the conditions of the awards have all been satisfied. The Commission by unanimous vote approved the awards of the contracts as reported by the Engineer.

The Commission had under consideration the offers of the United States of America to aid, by way of grant of P.W.A. funds, in financing the construction of the following projects and the acquisition of necessary lands and rights of way therefor:

- (1) Construction of the Rock Creek-County Line Section of the Wasco-Heppner Secondary Highway, in Gilliam County, PWA Docket No. Oreg. 1194-F.
- (2) Construction of the Moro-Wasco County Line Rock Production Project on the Sherman Highway, in Sherman County, PWA Docket No. Oreg. 1349-F.
- (3) Construction of the Northwestern Oregon Rock Production Project, PWA Docket No. Oreg. 1372-F.

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- (4) Construction of the Southern Oregon Rock Production Project, PWA Docket No. Oreg. 1374-F.
- (5) Construction of the Central Oregon Rock Production Project, PWA Docket No. Oreg. 1375-F.

The Commission approved and accepted the several offers and, by unanimous vote, adopted the following resolutions in regard thereto upon motion of Commissioner Aldrich which was duly seconded by Commissioner Tou Velle:

A RESOLUTION ACCEPTING THE OFFER OF THE UNITED STATES TO THE STATE HIGHWAY COMMISSION OF THE STATE OF OREGON TO AID BY WAY OF GRANT IN FINANCING THE CONSTRUCTION OF THE ROCK CREEK COUNTY LINE SECTION ON THE WASCO-HEPPNER SECONDARY HIGHWAY IN GILLIAM COUNTY AND THE ACQUISITION OF NECESSARY LANDS AND RIGHTS OF WAY THEREFOR.

Be it resolved by the Oregon State Highway Commission:

Section 1. That the offer of the United States of America to the State Highway Commission of the State of Oregon to aid by way of grant in financing the construction of the Rock Creek County Line Section on the Wasco-Heppner Secondary Highway in Gilliam County and the acquisition of necessary lands and rights of way therefor, a copy of which offer reads as follows:

"P. W. 34614-71

"FEDERAL EMERGENCY ADMINISTRATION OF PUBLIC WORKS

"Washington, D. C.,
Dated: Oct 17 1938
Docket No. Oreg. 1194-F

"State Highway Commission of the State of Oregon
Salem, Oregon.

1. Subject to the Terms and Conditions (PWA Form No. 230, as amended to the date of this Offer), which are made a part hereof, the United States of America hereby offers to aid in financing the construction of road improvements, including the acquisition of necessary land and rights of way (herein called the "Project"), by making a grant to State Highway Commission of the State of Oregon (herein called the "Applicant") in the amount of 45 percent of the cost of the Project upon completion, as determined by the Federal Emergency Administrator of Public Works (herein called the "Administrator"), but not to exceed, in any event, the sum of \$28,545.

2. By acceptance of this Offer the Applicant covenants to begin work on the Project as early as possible but in no event later than 8 weeks from the date of this Offer and to complete such Project with all practicable dispatch, and in any event within 6 months from the commencement of construction.

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3. This Offer is made subject to the express condition that, if the Administrator shall determine at any time that the Applicant has paid or agreed to pay, whether directly or indirectly, a bonus, commission or fee to any person, firm or corporation for attempting to procure an approval of the Applicant's application, or for alleged services in procuring or in attempting to procure such approval, or for activities of the nature commonly known as lobbying performed or agreed to be performed in connection with the application, then the Administrator shall have the right, in his discretion, to rescind this Offer and any agreements resulting herefrom, and, in the event of such rescission, the United States of America shall be under no further obligation hereunder.

"UNITED STATES OF AMERICA
Federal Emergency Administrator
of Public Works

By (Sgd.) E. W. Clark
For the Assistant Administrator"

be and the same is hereby in all respects accepted.

Section 2. That the State Highway Commission of the State of Oregon and the State of Oregon agree to abide by all rules and regulations relating to such grant, a copy of which rules and regulations were annexed to the Government's offer and made a part thereof. It is hereby covenanted that the work on the project described in the offer will be commenced as early as possible, but in no event later than eight weeks from the date of this offer; and to complete the work with all practicable dispatch, and in any event within six months from the commencement of the construction.

Section 3. That J. M. Devers, Assistant Attorney General for Oregon, and Attorney for the State Highway Commission of the State of Oregon be and he is hereby authorized and directed forthwith to send to the Federal Emergency Administration of Public Works three certified copies of this Resolution and three certified copies of the proceedings of this Commission in connection with the adoption of this Resolution, and such further documents or proofs in connection with the acceptance of said offer as may be requested by the Federal Emergency Administration of Public Works.

A RESOLUTION ACCEPTING THE OFFER OF THE UNITED STATES TO THE STATE HIGHWAY COMMISSION OF THE STATE OF OREGON TO AID BY WAY OF GRANT IN FINANCING THE CONSTRUCTION OF THE MORO-WASCO COUNTY LINE ROCK PRODUCTION JOB ON THE SHERMAN HIGHWAY AND THE ACQUISITION OF NECESSARY LANDS AND RIGHTS OF WAY THEREFOR.

Be it resolved by the Oregon State Highway Commission:

Section 1. That the offer of the United States of America to the State Highway Commission of the State of Oregon to aid by way

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of grant in financing the construction of the Moro-Wasco County line rock production job on the Sherman Highway and the acquisition of necessary lands and rights of way therefor, a copy of which offer reads as follows:

"P. W. 84117-21

"FEDERAL EMERGENCY ADMINISTRATION OF PUBLIC WORKS

"Washington, D. C.

Dated: Sep 30 1938

Docket No. Oreg. 1349-F

"State Highway Commission of the State of Oregon
Salem, Oregon.

"1. Subject to the Terms and Conditions (PWA Form No.230, as amended to the date of this Offer), which are made a part hereof, the United States of America hereby offers to aid in financing the quarrying, crushing, hauling, and storing of rock for highway improvement, including the acquisition of necessary land (herein called the "Project"), by making a grant to the State Highway Commission of the State of Oregon (herein called the "Applicant") in the amount of 45 percent of the cost of the Project upon completion, as determined by the Federal Emergency Administrator of Public Works (herein called the "Administrator"), but not to exceed, in any event, the sum of \$8,190.

"2. By acceptance of this Offer the Applicant covenants to begin work on the Project as early as possible but in no event later than 12 weeks from the date of this Offer and complete such Project with all practicable dispatch, and in any event within 4 months from the commencement of construction.

"3. This Offer is made subject to the express condition that, if the Administrator shall determine at any time that the Applicant has paid or agreed to pay, whether directly or indirectly, a bonus, commission or fee to any person, firm, or corporation for attempting to procure an approval of the Applicant's application, or for alleged services in procuring or in attempting to procure such approval, or for activities of the nature commonly known as lobbying performed or agreed to be performed in connection with the application, then the Administrator shall have the right, in his discretion, to rescind this Offer and any agreements resulting herefrom, and, in the event of such rescission, the United States of America shall be under no further obligation hereunder.

"UNITED STATES OF AMERICA

"Federal Emergency Administrator
of Public Works

"By (Sgd.) H. A. Gray
Assistant Administrator"

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be and the same is hereby in all respects accepted.

Section 2. That the State Highway Commission of the State of Oregon and the State of Oregon agree to abide by all rules and regulations relating to such grant, a copy of which rules and regulations were annexed to the Government's offer and made a part thereof. It is hereby covenanted that the work on the project described in the offer will be commenced as early as possible, but in no event later than twelve weeks from the date of this offer; and to complete the work with all practicable dispatch, and in any event within four months from the commencement of the construction.

Section 3. That J. M. Devers, Assistant Attorney General for Oregon, and Attorney for the State Highway Commission of the State of Oregon be and he is hereby authorized and directed forthwith to send to the Federal Emergency Administration of Public Works three certified copies of this Resolution and three certified copies of the proceedings of this Commission in connection with the adoption of this Resolution, and such further documents or proofs in connection with the acceptance of said offer as may be requested by the Federal Emergency Administration of Public Works.

A RESOLUTION ACCEPTING THE OFFER OF THE UNITED STATES TO THE STATE HIGHWAY COMMISSION OF THE STATE OF OREGON TO AID BY WAY OF GRANT IN FINANCING THE CONSTRUCTION OF THE NORTHWESTERN OREGON ROCK PRODUCTION PROJECT AND THE ACQUISITION OF NECESSARY LANDS AND RIGHTS OF WAY THEREFOR.

Be it resolved by the Oregon State Highway Commission:

Section 1. That the offer of the United States of America to the State Highway Commission of the State of Oregon to aid by way of grant in financing the construction of the Northwestern Oregon Rock Production Project and the acquisition of necessary lands and rights of way therefor, a copy of which offer reads as follows:

"P. W. 84713-147

FEDERAL EMERGENCY ADMINISTRATION OF PUBLIC WORKS

"Washington, D. C.
Dated: Oct 17 1938
Docket No. Oreg. 1372-F

"State Highway Commission of the State of Oregon,
Salem, Oregon.

"1. Subject to the Terms and Conditions (PWA Form No.230, as amended to the date of this Offer), which are made a part hereof, the United States of America hereby offers to aid in financing the

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construction of highway improvements, including the acquisition of necessary land and right of way (herein called the "Project"), by making a grant to the State Highway Commission of the State of Oregon (herein called the "Applicant") in the amount of 45 percent of the cost of the Project upon completion, as determined by the Federal Emergency Administrator of Public Works (herein called the "Administrator"), but not to exceed, in any event, the sum of \$40,140.

"2. By acceptance of this Offer the Applicant covenants to begin work on the Project as early as possible but in no event later than December 31, 1938, and to complete such Project with all practicable dispatch, and in any event within 8 months from the commencement of construction.

"3. This Offer is made subject to the express condition that, if the Administrator shall determine at any time that the Applicant has paid or agreed to pay, whether directly or indirectly, a bonus, commission or fee to any person, firm or corporation for attempting to procure an approval of the Applicant's application, or for alleged services in procuring or in attempting to procure such approval, or for activities of the nature commonly known as lobbying performed or agreed to be performed in connection with the application, then the Administrator shall have the right, in his discretion, to rescind this Offer and any agreements resulting herefrom, and, in the event of such rescission, the United States of America shall be under no further obligation hereunder.

"UNITED STATES OF AMERICA
"Federal Emergency Administrator
of Public Works

"By (Signed) E.M. Clark
for the Assistant Administrator"

be and the same is hereby in all respects accepted.

Section 2. That the State Highway Commission of the State of Oregon and the State of Oregon agree to abide by all rules and regulations relating to such grant, a copy of which rules and regulations were annexed to the Government's offer and made a part thereof. It is hereby covenanted that the work on the project described in the offer will be commenced as early as possible, but in no event later than December 31, 1938; and to complete the work with all practicable dispatch, and in any event within eight months from the commencement of the construction.

Section 3. That J. M. Devers, Assistant Attorney General for Oregon, and Attorney for the State Highway Commission of the State of Oregon be and he is hereby authorized and directed forthwith to send to the Federal Emergency Administration of Public Works three certified copies of this Resolution and three certified copies of the

proceedings of this Commission in connection with the adoption of this Resolution, and such further documents or proofs in connection with the acceptance of said offer as may be requested by the Federal Emergency Administration of Public Works.

A RESOLUTION ACCEPTING THE OFFER OF THE UNITED STATES TO THE STATE HIGHWAY COMMISSION OF THE STATE OF OREGON TO AID BY WAY OF GRANT IN FINANCING THE CONSTRUCTION OF THE SOUTHERN OREGON ROCK PRODUCTION PROJECT AND THE ACQUISITION OF NECESSARY LANDS AND RIGHTS OF WAY THEREFOR.

Be it resolved by the Oregon State Highway Commission:

Section 1. That the offer of the United States of America to the State Highway Commission of the State of Oregon to aid by way of grant in financing the construction of the Southern Oregon Rock Production Project and the acquisition of necessary lands and rights of way therefor, a copy of which offer reads as follows:

"P. W. 84677-52

"FEDERAL EMERGENCY ADMINISTRATION OF PUBLIC WORKS

"Washington, D. C.,
Dated: Oct 15 1938
Docket No. Oregon 1374-F

"State Highway Commission of the State of Oregon,
Salem, Oregon

"1. Subject to the Terms and Conditions (PWA Form No.230, as amended to the date of this Offer), which are made a part hereof, the United States of America hereby offers to aid in financing the construction of highway improvements, including the production and placing of stock-pile material and the acquisition of necessary land and rights of way (herein called the "Project"), by making a grant to the State Highway Commission of the State of Oregon (herein called the "Applicant") in the amount of 45 percent of the cost of the Project upon completion, as determined by the Federal Emergency Administrator of Public Works (herein called the "Administrator"), but not to exceed, in any event, the sum of \$33,277.

"2. By acceptance of this Offer the Applicant covenants to begin work on the Project as early as possible but in no event later than December 31, 1938, and to complete such Project with all practicable dispatch, and in any event within 5 months from the commencement of construction.

"3. This Offer is made subject to the express condition that, if the Administrator shall determine at any time that the

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Applicant has paid or agreed to pay, whether directly or indirectly, a bonus, commission or fee to any person, firm or corporation for attempting to procure an approval of the Applicant's application, or for alleged services in procuring or in attempting to procure such approval, or for activities of the nature commonly known as lobbying performed or agreed to be performed in connection with the application, then the Administrator shall have the right, in his discretion, to rescind this Offer and any agreements resulting herefrom, and, in the event of such rescission, the United States of America shall be under no further obligation hereunder.

"UNITED STATES OF AMERICA
" Federal Emergency Administrator
of Public Works

"By (Signed) E. M. Clark
for the Assistant Administrator"

be and the same is hereby in all respects accepted.

Section 2. That the State Highway Commission of the State of Oregon and the State of Oregon agree to abide by all rules and regulations relating to such grant, a copy of which rules and regulations were annexed to the Government's offer and made a part thereof. It is hereby covenanted that the work on the project described in the offer will be commenced as early as possible, but in no event later than December 31, 1938, and to complete the work with all practicable dispatch, and in any event within five months from the commencement of the construction.

Section 3. That J. M. Devers, Assistant Attorney General for Oregon, and Attorney for the State Highway Commission of the State of Oregon be and he is hereby authorized and directed forthwith to send to the Federal Emergency Administration of Public Works three certified copies of this Resolution and three certified copies of the proceedings of this Commission in connection with the adoption of this Resolution, and such further documents or proofs in connection with the acceptance of said offer as may be requested by the Federal Emergency Administration of Public Works.

A RESOLUTION ACCEPTING THE OFFER OF THE UNITED STATES TO THE STATE HIGHWAY COMMISSION OF THE STATE OF OREGON TO AID BY WAY OF GRANT IN FINANCING THE CONSTRUCTION OF THE CENTRAL OREGON ROCK PRODUCTION PROJECT AND THE ACQUISITION OF NECESSARY LANDS AND RIGHTS OF WAY THEREFOR.

Be it resolved by the Oregon State Highway Commission:

Section 1. That the offer of the United States of America to the State Highway Commission of the State of Oregon to aid by way of grant in financing the construction of the Central Oregon Rock

Production Project and the acquisition of necessary lands and rights of way therefor, a copy of which offer reads as follows:

"P. W. 84713-148

"FEDERAL EMERGENCY ADMINISTRATION OF PUBLIC WORKS

"Washington, D. C.,
Dated: Oct 17 1938
Docket No. Oreg. 1375-F

"State Highway Commission of the State of Oregon,
Salem, Oregon.

"1. Subject to the Terms and Conditions (PWA Form No.230, as amended to the date of this Offer), which are made a part hereof, the United States of America hereby offers to aid in financing the construction of highway improvements, including acquisition of necessary land and rights of way (herein called the "Project"), by making a grant to State Highway Commission of the State of Oregon (herein called the "Applicant") in the amount of 45 percent of the cost of the Project upon completion, as determined by the Federal Emergency Administrator of Public Works (herein called the "Administrator"), but not to exceed, in any event, the sum of \$45,000.

"2. By acceptance of this Offer the Applicant covenants to begin work on the Project as early as possible but in no event later than December 31, 1938, and to complete such Project with all practicable dispatch, and in any event within 6 months from the commencement of construction.

"3. This Offer is made subject to the express condition that, if the Administrator shall determine at any time that the Applicant has paid or agreed to pay, whether directly or indirectly, a bonus, commission or fee to any person, firm or corporation for attempting to procure an approval of the Applicant's application, or for alleged services in procuring or in attempting to procure such approval, or for activities of the nature commonly known as lobbying performed or agreed to be performed in connection with the application, then the Administrator shall have the right, in his discretion, to rescind this Offer and any agreements resulting herefrom, and, in the event of such rescission, the United States of America shall be under no further obligation hereunder.

"UNITED STATES OF AMERICA

"Federal Emergency Administrator
of Public Works

"By (Signed) E. M. Clark
for the Assistant Administrator"

be and the same is hereby in all respects accepted.

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Section 2. That the State Highway Commission of the State of Oregon and the State of Oregon agree to abide by all rules and regulations relating to such grant, a copy of which rules and regulations were annexed to the Government's offer and made a part thereof. It is hereby covenanted that the work on the project described in the offer will be commenced as early as possible, but in no event later than December 31, 1938; and to complete the work with all practicable dispatch, and in any event within four months from the commencement of the construction.

Section 3. That J. M. Devers, Assistant Attorney General for Oregon, and Attorney for the State Highway Commission of the State of Oregon be and he is hereby authorized and directed forthwith to send to the Federal Emergency Administration of Public Works three certified copies of this Resolution and three certified copies of the proceedings of this Commission in connection with the adoption of this Resolution, and such further documents or proofs in connection with the acceptance of said offer as may be requested by the Federal Emergency Administration of Public Works.

The Commission also had under consideration the establishment of minimum wage rates to be paid by contractors for labor employed on the following projects:

Rock Creek-Morrow County Line Project, PWA Docket No. Oreg. 1194-F
 Umpqua River Bridge Project, PWA Docket No. Oreg. 1298-F
 Deschutes River-Madras Project, PWA Docket No. Oreg. 1287-F
 Madras-Deschutes County Line Rock Production Project, PWA Docket No. Oreg. 1347-F
 Charleston-Miner Creek Project, PWA Docket No. Oreg. 1322-F
 Provolt Rock Production Project, PWA Docket No. Oreg. 1348-F
 Richland-Halfway Project, PWA Docket No. Oreg. 1294-F
 Moro-Masco County Line Rock Production Project, PWA Docket No. Oreg. 1349-F
 Southern Oregon Rock Production Project, PWA Docket No. Oreg. 1374-F
 Central Oregon Rock Production Project, PWA Docket No. Oreg. 1375-F
 Northwestern Oregon Rock Production Project, PWA Docket No. Oreg. 1372-F
 Albany Maintenance Building, PWA Docket No. Oreg. 1282-F

The Engineer presented a schedule of wage rates for each project. After careful consideration and study, the Commission approved such wage rates and by unanimous vote, upon motion of Commissioner Aldrich, which was duly seconded by Commissioner Tou Velle, adopted the following resolutions in regard thereto:

A RESOLUTION ESTABLISHING MINIMUM WAGE RATES TO BE PAID BY
CONTRACTORS FOR LABOR ON THE ROCK CREEK-MORROW COUNTY LINE SECTION
PWA DOCKET NO. OREGON 1194-F

WHEREAS, a thorough investigation has been made of the hourly wage rates which are being paid in Gilliam County, which is the locality in which the proposed project (hereinafter referred to as "project") is to be constructed by the Oregon State Highway Commission, to employees in each trade or occupation engaged in work of a nature similar to the work to be performed in the construction of said project, and the prevailing hourly wage rates being paid in such locality to such employees for such work have been determined by an examination of the wage rates paid on various jobs as listed in our letter of September 21 to Mr. C. C. Hockley, which work is comparable to the work to be performed in this project.

NOW, THEREFORE, Be It Resolved by the Oregon State Highway Commission of the State of Oregon that the following rates for the respective trades or occupations listed below shall be and are hereby fixed as the minimum hourly wage rates and have been determined in accordance with rates prevailing for work of a similar nature in the locality in which the project is to be constructed:

Sloper	\$.75
Timber fallers	.90
Timber buckers	.75
Powderman	1.00
Jackhammer man	.75
Steel and tool dresser	1.00
Drag scraper operator (up to 1 yard capacity)	.80
Drag scraper operator (over 1 yard capacity)	1.12½
Oiler	.80
Crusher feeder	.75
Truck driver (1½-3 tons mfr. rated capacity)	.75
Truck driver (3 tons and over mfr. rated capacity)	.85
Roller operator	1.00
Power shovel operator (1 yard and under)	1.25
Power shovel operator (over 1 yard)	1.50
Tractor operator (75 H.P. & over with attachments)	1.25
Tractor operator (75 H.P. & over without attachments)	1.00
Tractor operator (35 to 75 H.P.)	1.00
Tractor operator (under 35 H.P.)	.85
Power blade operator	1.12½
Compressor operator	1.00
Common labor	.50

Be It Further Resolved that the foregoing list of trades or occupations includes to the best of our knowledge all the classifications of employees who will be engaged in work on said project other than executive, supervisory, administrative, clerical, or other non-manual workers as such.

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A RESOLUTION ESTABLISHING MINIMUM WAGE RATES TO BE PAID BY
CONTRACTORS FOR LABOR ON THE UMPQUA RIVER BRIDGE SECTION
PWA DOCKET NO. OREGON 1298-F

WHEREAS, a thorough investigation has been made of the hourly wage rates which are being paid in Douglas County, which is the locality in which the proposed project (hereinafter referred to as "project") is to be constructed by the Oregon State Highway Commission, to employees in each trade or occupation engaged in work of a nature similar to the work to be performed in the construction of said project, and the prevailing hourly wage rates being paid in such locality to such employees for such work have been determined by an examination of the wage rates paid on various jobs as listed in our letter of September 21 to Mr. C. C. Hockley, which work is comparable to the work to be performed in this project.

NOW, THEREFORE, Be It Resolved by the Oregon State Highway Commission of the State of Oregon that the following rates for the respective trades or occupations listed below shall be and are hereby fixed as the minimum hourly wage rates and have been determined in accordance with rates prevailing for work of a similar nature in the locality in which the project is to be constructed:

Carpenters	\$1.12 $\frac{1}{2}$
Structural Steel workers	1.37 $\frac{1}{2}$
Structural steel workers, hoist and derrick	1.37 $\frac{1}{2}$
Reinforcing iron workers	1.12 $\frac{1}{2}$
Concrete mixer (5 sacks and over mfr. rated cap.)	1.20
Concrete mixer (under 5 sacks mfr. rated capacity)	1.00
Pumpman (6" suction and over)	1.00
Derrick operator (hook)	1.37 $\frac{1}{2}$
Painters	1.10
Pile driver engineer	1.37 $\frac{1}{2}$
Pile driver boomman	1.31 $\frac{1}{2}$
Pile driver man	1.25
Concrete finisher	1.12 $\frac{1}{2}$
Burner man or drier	.90
Pugmixer man	.90
Rakers	.90
Spreaders	.75
Head ribbon setter	1.00
Truck drivers (3 ton and over mfr. rated capacity)	.85
Truck drivers (1 $\frac{1}{2}$ ton and under mfr. rated capacity)	.75
Shovel operator (1 yard and under)	1.25
Tractor operator (75 H.P. and over with attachments)	1.25
Tractor operator (75 H.P. & over without attachms.)	1.00
Tractor operator (35 to 75 H.P.)	1.00
Tractor operator (under 35 H.P.)	.85
Common labor	.50

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Be It Further Resolved that the foregoing list of trades or occupations includes to the best of our knowledge all the classifications of employees who will be engaged in work on said project other than executive, supervisory, administrative, clerical, or other non-manual workers as such.

A RESOLUTION ESTABLISHING MINIMUM WAGE RATES TO BE PAID BY
CONTRACTORS FOR LABOR ON THE DESCHUTES RIVER—MADRAS SECTION
PWA DOCKET NO. OREGON 1287-F

WHEREAS, a thorough investigation has been made of the hourly wage rates which are being paid in Jefferson County, which is the locality in which the proposed project (hereinafter referred to as "project") is to be constructed by the Oregon State Highway Commission, to employees in each trade or occupation engaged in work of a nature similar to the work to be performed in the construction of said project, and the prevailing hourly wage rates being paid in such locality to such employees for such work have been determined by an examination of the wage rates paid on various jobs as listed in our letter of September 21 to Mr. C. G. Hockley, which work is comparable to the work to be performed in this project.

NOW, THEREFORE, Be It Resolved by the Oregon State Highway Commission of the State of Oregon that the following rates for the respective trades or occupations listed below shall be and are hereby fixed as the minimum hourly wage rates and have been determined in accordance with rates prevailing for work of a similar nature in the locality in which the project is to be constructed:

Retort operator	\$1.00
Retort fireman	.87 $\frac{1}{2}$
Distributor driver	.90
Distributor leverman	.90
Power broom operator	.75
Drag scraper operator	.80
Powderman	1.00
Jackhammer man	.75
Oiler	.80
Crusher feeder	.75
Truck driver (under 3 tons)	.75
Truck driver (3 tons and over mfr. rated capacity)	.85
Roller operator	1.00
Power blade operator	1.12 $\frac{1}{2}$
Compressor operator	1.00
Tractor operator (75 H.P. & over with attachments)	1.25
Tractor operator (75 H.P. & over without attachments.)	1.00
Tractor operator (35 to 75 H.P.)	1.00
Tractor operator (under 35 H.P.)	.85
Power shovel operator (1 yard and under)	1.25
Common labor	.50

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Be It Further Resolved that the foregoing list of trades or occupations includes to the best of our knowledge all the classifications of employees who will be engaged in work on said project other than executive, supervisory, clerical, administrative, or other non-manual workers as such.

A RESOLUTION ESTABLISHING MINIMUM WAGE RATES TO BE PAID BY
CONTRACTORS FOR LABOR ON THE
MADRAS-DESCHUTES COUNTY LINE ROCK PRODUCTION
PWA DOCKET NO. OREGON 1347-F

WHEREAS, a thorough investigation has been made of the hourly wage rates which are being paid in Jefferson County, which is the locality in which the proposed project (hereinafter referred to as "project") is to be constructed by the Oregon State Highway Commission, to employees in each trade or occupation engaged in work of a nature similar to the work to be performed in the construction of said project, and the prevailing hourly wage rates being paid in such locality to such employees for such work have been determined by an examination of the wage rates paid on various jobs as listed in our letter of September 22 to Mr. C. C. Hockley, which work is comparable to the work to be performed in this project.

NOW, THEREFORE, Be It Resolved by the Oregon State Highway Commission of the State of Oregon that the following rates for the respective trades or occupations listed below shall be and are hereby fixed as the minimum hourly wage rates and have been determined in accordance with rates prevailing for work of a similar nature in the locality in which the project is to be constructed:

Stationary drag scraper operator (up to 1 yard capacity)	\$.80
Stationary drag scraper operator (over 1 yard capacity)	1.12½
Powderman	1.00
Jackhammer man	.75
Oiler	.80
Crusher feeder	.75
Shovel operator	1.25
Truck drivers (3-ton and under, mfr. rated capacity)	.75
Truck drivers (over 3-ton, mfr. rated capacity)	.85
Common labor	.50

Be It Further Resolved that the foregoing list of trades or occupations includes to the best of our knowledge all the classifications of employees who will be engaged in work on said project other than executive, supervisory, administrative, clerical, or other non-manual workers as such.

**A RESOLUTION ESTABLISHING MINIMUM WAGE RATES TO BE PAID BY
CONTRACTORS FOR LABOR ON THE CHARLESTON—MINER CREEK SECTION
PWA DOCKET NO. OREGON 1322-F**

WHEREAS, a thorough investigation has been made of the hourly wage rates which are being paid in Coos County, which is the locality in which the proposed project (hereinafter referred to as "project") is to be constructed by the Oregon State Highway Commission, to employees in each trade or occupation engaged in work of a nature similar to the work to be performed in the construction of said project, and the prevailing hourly wage rates being paid in such locality to such employees for such work have been determined by an examination of the wage rates paid on various jobs as listed in our letter of September 21 to Mr. C. C. Hockley, which work is comparable to the work to be performed in this project.

NOW, THEREFORE, Be It Resolved by the Oregon State Highway Commission of the State of Oregon that the following rates for the respective trades or occupations listed below shall be and are hereby fixed as the minimum hourly wage rates and have been determined in accordance with rates prevailing for work of a similar nature in the locality in which the project is to be constructed:

Sloper—layout	\$.75
Powder man	1.00
Jackhammer man	.75
Steel and tool dresser	1.00
Drag scraper operator	.80
Oiler	.80
Crusher feeder	.75
Truck driver (1½ - 3 tons mfr. rated capacity)	.75
Truck driver (over 3 tons)	.85
Roller operator	1.00
Power shovel operator	1.25
Tractor operator (75 H.P. & over with attachments)	1.25
Tractor operator (35 - 75 H.P.)	1.00
Tractor operator (under 35 H.P.)	.85
Power blade	1.12½
Compressor operator	1.00
Common labor	.50

Be It Further Resolved that the foregoing list of trades or occupations includes to the best of our knowledge all the classifications of employees who will be engaged in work on said project other than executive, supervisory, administrative, clerical, or other non-manual workers as such.

**A RESOLUTION ESTABLISHING MINIMUM WAGE RATES TO BE PAID BY
CONTRACTORS FOR LABOR ON THE PROVOLT ROCK PRODUCTION PROJECT
PWA DOCKET NO. OREGON 1348-F**

WHEREAS, a thorough investigation has been made of the hourly wage rates which are being paid in Jackson and Josephine

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Counties, which is the locality in which the proposed project (hereinafter referred to as "project") is to be constructed by the Oregon State Highway Commission, to employees in each trade or occupation engaged in work of a nature similar to the work to be performed in the construction of said project, and the prevailing hourly wage rates being paid in such locality to such employees for such work have been determined by an examination of the wage rates paid on various jobs as listed in our letter of September 23 to Mr. C. C. Hockley, which work is comparable to the work to be performed in this project.

NOW, THEREFORE, Be It Resolved by the Oregon State Highway Commission of the State of Oregon that the following rates for the respective trades or occupations listed below shall be and are hereby fixed as the minimum hourly wage rates and have been determined in accordance with rates prevailing for work of a similar nature in the locality in which the project is to be constructed:

Stationary drag scraper operator (up to 1 yd. cap.)	\$.80
Stationary drag scraper operator (over 1 yd. cap.)	1.12 $\frac{1}{2}$
Powderman	1.00
Jackhammer man	.75
Oiler	.80
Crusher feeder	.75
Shovel operator	1.25
Truck drivers (3-ton and under mfr. rated cap.)	.75
Truck drivers (over 3-ton mfr. rated cap.)	.85
Common labor	.50

Be It Further Resolved that the foregoing list of trades or occupations includes to the best of our knowledge all the classifications of employees who will be engaged in work on said project other than executive, supervisory, administrative, clerical, or other non-manual workers as such.

A RESOLUTION ESTABLISHING MINIMUM WAGE RATES TO BE PAID BY
CONTRACTORS FOR LABOR ON THE RICHLAND—HALFWAY SECTION
PWA DOCKET NO. OREGON 1294-F

WHEREAS, a thorough investigation has been made of the hourly wage rates which are being paid in Baker County, which is the locality in which the proposed project (hereinafter referred to as "project") is to be constructed by the Oregon State Highway Commission, to employees in each trade or occupation engaged in work of a nature similar to the work to be performed in the construction of said project, and the prevailing hourly wage rates being paid in such locality to such employees for such work have been determined by an examination of the wage rates paid on various jobs as listed in our letter of September 21 to the Bureau of Public Roads, which work is comparable to the work to be performed in this project.

NOW, THEREFORE, Be It Resolved by the Oregon State Highway Commission of the State of Oregon that the following rates for the respective trades or occupations listed below shall be and are hereby fixed as the minimum hourly wage rates and have been determined in accordance with rates prevailing for work of a similar nature in the locality in which the project is to be constructed:

Retort operator	\$1.00
Retort fireman	.87 $\frac{1}{2}$
Distributor driver	.90
Distributor leverman	.90
Power broom operator	.75
Drag Scraper operator	.80
Powderman	1.00
Jackhammer man	.75
Oiler	.80
Crusher feeder	.75
Truck drivers	.75
Roller operator	1.00
Power blade operator	1.12 $\frac{1}{2}$
Compressor operator	1.00
Tractor operator (35 H.P. and under)	.85
Shovel operator	1.25
Common labor	.50

Be It Further Resolved that the foregoing list of trades or occupations includes to the best of our knowledge all the classifications of employees who will be engaged in work on said project other than executive, supervisory, administrative, clerical, or other non-manual workers as such.

A RESOLUTION ESTABLISHING MINIMUM WAGE RATES TO BE PAID BY
CONTRACTORS FOR LABOR ON THE MORO--WASCO COUNTY LINE ROCK PRODUCTION
PWA DOCKET NO. OREGON 1349-F

WHEREAS, a thorough investigation has been made of the hourly wage rates which are being paid in Sherman County, which is the locality in which the proposed project (hereinafter referred to as "project") is to be constructed by the Oregon State Highway Commission, to employees in each trade or occupation engaged in work of a nature similar to the work to be performed in the construction of said project, and the prevailing hourly wage rates being paid in such locality to such employees for such work have been determined by an examination of the wage rates paid on various jobs as listed in our letter of September 23 to Mr. C. C. Hockley, which work is comparable to the work to be performed in this project.

NOW, THEREFORE, Be It Resolved by the Oregon State Highway Commission of the State of Oregon that the following rates for the respective trades or occupations listed below shall be and are hereby

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fixed as the minimum hourly wage rates and have been determined in accordance with rates prevailing for work of a similar nature in the locality in which the project is to be constructed:

Stationary drag scraper operator (up to 1 yd. cap.)	\$.80
Stationary drag scraper operator (over 1 yd. cap.)	1.12½
Powderman	1.00
Jackhammer man	.75
Oiler	.80
Crusher feeder	.75
Shovel operator	1.25
Truck drivers (3-ton and under, mfr.'s rated cap.)	.75
Truck drivers (over 3-ton, mfr.'s rated cap.)	.85
Common labor	.50

Be It Further Resolved that the foregoing list of trades or occupations includes to the best of our knowledge all the classifications of employees who will be engaged in work on said project other than executive, supervisory, administrative, clerical, or other non-manual workers as such.

A RESOLUTION ESTABLISHING MINIMUM WAGE RATES TO BE PAID BY
CONTRACTORS FOR LABOR ON THE SOUTHERN OREGON ROCK PRODUCTION
PWA DOCKET NO. OREGON 1374-F

WHEREAS, a thorough investigation has been made of the hourly wage rates which are being paid in Coos and Lane Counties, which is the locality in which the proposed project (hereinafter referred to as "project") is to be constructed by the Oregon State Highway Commission, to employees in each trade or occupation engaged in work of a nature similar to the work to be performed in the construction of said project, and the prevailing hourly wage rates being paid in such locality to such employees for such work have been determined by an examination of the wage rates paid on various jobs as listed in our letter of October 11 to Mr. C. C. Hockley, which work is comparable to the work to be performed in this project.

NOW, THEREFORE, Be It Resolved by the Oregon State Highway Commission of the State of Oregon that the following rates for the respective trades or occupations listed below shall be and are hereby fixed as the minimum hourly wage rates and have been determined in accordance with rates prevailing for work of a similar nature in the locality in which the project is to be constructed:

Stationary drag scraper operator (up to 1 C.Y. cap.)	\$.80
Stationary drag scraper operator (over 1 C.Y. cap.)	1.12½
Powderman	1.00
Jackhammer man	.75
Oiler	.80

(Continued on next page)

Crusher feeder	\$.75
Truck Driver (3 tons and over)	.85
Truck Driver (1½ tons to 3 tons)	.75
Power shovel operator (over 1 C.Y. capacity)	1.50
Power shovel operator (1 C.Y. and under)	1.25
Compressor operator	1.00
Common labor	.50

Be It Further Resolved that the foregoing list of trades or occupations includes to the best of our knowledge all the classifications of employees who will be engaged in work on said project other than executive, supervisory, administrative, clerical, or other non-manual workers as such.

**A RESOLUTION ESTABLISHING MINIMUM WAGE RATES TO BE PAID BY
CONTRACTORS FOR LABOR ON THE CENTRAL OREGON ROCK PRODUCTION
PWA DOCKET NO. OREGON 1375-F**

WHEREAS, a thorough investigation has been made of the hourly wage rates which are being paid in Lake, Deschutes, Hood River and Klamath Counties, which is the locality in which the proposed project (hereinafter referred to as "project") is to be constructed by the Oregon State Highway Commission, to employees in each trade or occupation engaged in work of a nature similar to the work to be performed in the construction of said project, and the prevailing hourly wage rates being paid in such locality to such employees for such work have been determined by an examination of the wage rates paid on various jobs as listed in our letter of October 14 to Mr. C. C. Hockley, which work is comparable to the work to be performed in this project.

NOW, THEREFORE, Be It Resolved by the Oregon State Highway Commission of the State of Oregon that the following rates for the respective trades or occupations listed below shall be and are hereby fixed as the minimum hourly wage rates and have been determined in accordance with rates prevailing for work of a similar nature in the locality in which the project is to be constructed:

Stationary drag scraper operator (up to 1 C.Y.cap.)	\$.80
Stationary drag scraper operator (over 1 C.Y.cap.)	1.12½
Powderman	1.00
Jackhammer man	.75
Oiler	.80
Crusher feeder	.75
Truck driver (3 tons and over)	.85
Truck driver (1½ tons to 3 tons)	.75
Power shovel operator (over 1 C.Y. capacity)	1.50
Power shovel operator (1 C.Y. and under)	1.25
Compressor operator	1.00
Common labor	.50

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Be It Further Resolved that the foregoing list of trades or occupations includes to the best of our knowledge all the classifications of employees who will be engaged in work on said project other than executive, supervisory, administrative, clerical, or other non-manual workers as such.

A RESOLUTION ESTABLISHING MINIMUM WAGE RATES TO BE PAID BY
CONTRACTORS FOR LABOR ON THE NORTHWESTERN OREGON ROCK PRODUCTION
PWA DOCKET NO. OREGON 1372-F

WHEREAS, a thorough investigation has been made of the hourly wage rates which are being paid in Linn, Lincoln, Clatsop, and Marion Counties; which is the locality in which the proposed project (hereinafter referred to as "project") is to be constructed by the Oregon State Highway Commission, to employees in each trade or occupation engaged in work of a nature similar to the work to be performed in the construction of said project, and the prevailing hourly wage rates being paid in such locality to such employees for such work have been determined by an examination of the wage rates paid on various jobs as listed in our letter of October 14 to Mr. C. C. Hockley, which work is comparable to the work to be performed in this project.

NOW, THEREFORE, Be It Resolved by the Oregon State Highway Commission of the State of Oregon that the following rates for the respective trades or occupations listed below shall be and are hereby fixed as the minimum hourly wage rates and have been determined in accordance with rates prevailing for work of a similar nature in the locality in which the project is to be constructed:

Stationary drag scraper operator (up to 1 C.Y. cap.)	\$.80
Stationary drag scraper operator (over 1 C.Y. cap.)	1.12½
Powderman	1.00
Jackhammer man	.75
Oiler	.80
Crusher feeder	.75
Truck driver (3 tons and over)	.85
Truck driver (1½ tons to 3 tons)	.75
Power shovel operator (over 1 C.Y. capacity)	1.50
Power shovel operator (1 C.Y. and under)	1.25
Compressor operator	1.00
Common labor	.50

Be It Further Resolved that the foregoing list of trades or occupations includes to the best of our knowledge all the classifications of employees who will be engaged in work on said project other than executive, supervisory, administrative, clerical, or other non-manual workers as such.

**A RESOLUTION ESTABLISHING MINIMUM WAGE RATES TO BE PAID BY
CONTRACTORS FOR LABOR ON THE ALBANY MAINTENANCE BUILDING
PWA DOCKET NO. OREGON 1282-F**

WHEREAS, a thorough investigation has been made of the hourly wage rates which are being paid in Linn County, which is the locality in which the proposed project (hereinafter referred to as "project") is to be constructed by the Oregon State Highway Commission, to employees in each trade or occupation engaged in work of a nature similar to the work to be performed in the construction of said project, and the prevailing hourly wage rates being paid in such locality to such employees for such work have been determined by an examination of the wage rates paid on various jobs as listed in our letter of September 22 to Mr. C. C. Hockley, which work is comparable to the work to be performed in this project.

NOW, THEREFORE, Be It Resolved by the Oregon State Highway Commission of the State of Oregon that the following rates for the respective trades or occupations listed below shall be and are hereby fixed as the minimum hourly wage rates and have been determined in accordance with rates prevailing for work of a similar nature in the locality in which the project is to be constructed:

Brick layers	\$1.50
Carpenters	1.00
Concrete finishers	1.12½
Electricians	1.00
Glasiers	1.00
Hoisting engineers (1 drum)	1.00
Wood and metal lathers	1.37½
Mortar mixers	0.90
Painters	1.00
Plasterers	1.37½
Plumbers	1.25
Sheet metal workers	1.00
Truck drivers	0.62½
Laborers, common	0.62½
Laborers, building trades	0.75

Be It Further Resolved that the foregoing list of trades or occupations includes to the best of our knowledge all the classifications of employees who will be engaged in work on said project other than executive, supervisory, administrative, clerical, or other non-manual workers as such.

A telegram was presented from Douglas Puckett, Klamath Falls, requesting authority to transport logs during Saturday afternoons and Sundays over the Klamath Falls-Lakeview Highway from Bly to a point 12 miles easterly thereof, and over the Green Springs Highway from Weyerhaeuser Junction to a point 3 miles westerly thereof. The Engineer recommended the granting of this

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request in view of the fact that travel over these highways at this time of the year is not very heavy. The Commission approved the recommendation subject to the condition that log hauling on those days shall be discontinued immediately in the event that the Commission finds that an undue hazard to other traffic is created.

The Commission had under consideration a request from the County Court of Clackamas County that the Commission advertise for and receive bids in behalf of the county for the construction of the "Shipley Bridge" over the Tualatin River on Market Road No. 12, in Clackamas County. The Engineer explained that the County Court proposes to build this bridge as a P.W.A. project and is simply asking the Commission to receive bids for them so as to secure the advantages and benefits of the Commission's advertising medium, but the County Court expects to make the award of the contract and to pay all of the costs incident thereto. He recommended approval of the County Court's request. The Commission by unanimous vote approved the recommendation and authorized the Engineer to handle this matter in the same manner as similar matters have been handled in the past.

A petition was presented from Lorane Grange No. 54, Lorane, Oregon, bearing the names of 93 residents of this district, in which the Commission was requested to oil the Territorial Secondary Highway, in Lane County, south from a place known as Gillespie Corners, through Lorane, to the Addison Lumber Company's mills, a distance of approximately 10 or 12 miles. The Commission denied the request for construction this year on account of lack of funds to finance the same but agreed to give the project consideration in the formulation of future construction programs, although it could not hold out much encouragement that the work would be undertaken in the near future. The Secretary was instructed to so inform the petitioners.

The Secretary presented a letter from Ruth M. Shearer, County Treasurer of Deschutes County, requesting, in behalf of Deschutes County Court, an advance of a portion of Deschutes County's share of the motor vehicle license funds that are due and payable on December 15, 1938, so as to permit the county to pay off road-warrant indebtedness. There was also presented a certificate prepared by the said treasurer at the request of the County Court, setting forth the requirements of the county in that regard and formally requesting an advance of \$4,897.77 on or before November 1, 1938. The Attorney advised that the law which authorizes the Commission to make advance payments to the several counties applies only to payments for road bond indebtedness, either principal or interest, but does not include other indebtedness; hence, in his opinion, the Commission is without authority to authorize the Secretary of State to advance the amount requested, which is for the payment of warrants. In view of the Attorney's opinion, the Commission denied the request and instructed the Secretary to inform the county treasurer of the reasons therefor.

The Secretary also presented a letter and a certificate from Ruth M. Shearer, Deschutes County Treasurer, setting forth the amount of Deschutes County's bonded indebtedness that is due and payable on November 1, 1938, and requesting an advance of \$4,132 of Deschutes County's share of the motor

vehicle fund due and payable on December 15, 1938, to enable the county to pay this bonded indebtedness when due. The Attorney advised that the Commission has legal authority to grant this request if it so desires. The Commission decided, in view of this opinion, to assist the county in this matter and thereupon signed a letter directed to the Secretary of State, as required by law, authorizing the Secretary of State to make such advance payment of \$4,132 to Deschutes County on or before the first day of November, 1938, and requesting that such amount be deducted from the next payment or allocation due Deschutes County out of the motor vehicle fund. The Secretary was instructed to inform the county treasurer of the action taken.

A letter was presented from H. B. Brady, Eugene, in which the Commission was urged to adopt immediately a permanent route for the Pacific Highway through Eugene so as to permit property owners to improve and develop their properties in accordance therewith. The Attorney was instructed to inform Mr. Brady that the Commission has already ordered a survey to determine such permanent routing of this highway, but it would not be possible, because of shortage of funds, to undertake the survey before January 1, 1939. Further, that in view of the importance of the matter it is not likely that a report would be ready for study by the Commission for about a year after the survey is completed.

A letter was presented from Joseph R. McCready, City Attorney of Forest Grove, with respect to the rerouting of the Tualatin Valley Highway along "B" Street in that town, south of Pacific Avenue. Mr. McCready pointed out that if the highway is rerouted on "B" Street it will necessitate the acquisition of two blocks of right of way on which it is tentatively planned to construct a large warehouse, and the City Council wishes to know what plans the Commission has for the highway improvement and whether or not the Council should discourage the construction of buildings on such proposed right of way. The Secretary was instructed to inform Mr. McCready that the State Highway Commission is interested in the matter of rerouting the highway on "B" Street because it will avoid the crossing of several railroad tracks and will eliminate two right-angle turns in the present route, but the Commission does not have funds available to finance the improvement at the present time. Further, that the Commission would appreciate anything that the City Council can do to discourage the sale or development of the property required for right of way and the construction of buildings thereon, so that if and when the project comes up for construction no delays will be encountered on account of right of way difficulties. He was also instructed to inform Mr. McCready that this action of the Commission is not to be considered as a commitment or promise in any way with respect to the proposed rerouting of this highway or the construction of the same.

A letter was presented from the Myrtle Point Chamber of Commerce urging the Commission to designate as a secondary state highway the old Coos Bay Wagon Road from Roseburg to a place known as Sitkum, thence to Myrtle Point, and the construction of the same as such at the earliest possible time. The Engineer advised that the Commission has heretofore received requests for the designation of the old Coos Bay Wagon Road as a secondary highway from Roseburg to Marshfield. After discussion the Commission decided unanimously

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not to place either of these roads in the state secondary highway system at the present time because there are no funds available to finance improvement of the same, and for the further reason that the mileage of secondary highways in Coos County is much greater now than the county is entitled to, comparing the mileage with that of secondary highways in the other counties of the state.

The Secretary presented a letter from H. W. Goff, City Recorder of Waldport, requesting, in behalf of the Waldport City Council, the oiling of the Oregon Coast Highway full width between curbs from the south end of the Alsea Bay Bridge to the sea wall south of Waldport. The Commission ordered that the City Council be informed that the Commission does not have funds available to finance this work at the present time but will consider it in the formulation of next year's construction program, although such consideration does not carry with it any commitment or promises.

A letter from G. Clifford Barlow, Warrenton, asking the Commission to set a definite date for the inspection of the road leading from the Oregon Coast Highway to Fort Stevens, had the attention of the Commission. It was decided that Chairman Cabell and the Engineer should inspect this road some time during the coming week, a definite date to be set later.

A letter was presented from Earl C. Reynolds, Executive Secretary, Klamath County Chamber of Commerce, transmitting a newspaper item from the Klamath News and Herald of Monday, September 26, 1938, relative to the hazard that exists at the Lost River Bridge crossing south of Klamath Falls on The Dalles-California Highway. The Commission ordered the communication acknowledged and filed.

The Commission discussed a letter from Frank T. Morgan, Secretary of the Nyssa Commercial Club, pointing out the need for the oiling of the Old Oregon Trail, full width between curbs, through the town of Nyssa, and requesting that such oiling work be done this fall. The Commission denied the request in view of the fact that there are insufficient funds available to finance the work this year and for the further reason that it is considered advisable to do this work in connection with the contract for the elimination of the railroad grade crossing in Nyssa when such contract is awarded.

The Commission considered and ordered filed a letter from The Dalles Chamber of Commerce opposing a proposal to issue \$18,000,000 of highway bonds to finance highway construction work.

The Commission also considered and ordered filed a letter from Mrs. William Hanley acknowledging receipt of an engrossed copy of a resolution adopted by the Commission in honor of the late Mr. William Hanley, former State Highway Commissioner, and thanking the Commission for the same.

A letter was presented from W. E. Milburn, Salem, requesting permission to operate a concession in one of the state highway department shop buildings in Salem. The Commission denied the request as a matter of policy.

The Commission discussed a letter from B. G. Brockway, Portland,

who urges the improvement of the Tualatin Valley Highway between Sylvan and Beaverton by straightening and widening for four lanes of traffic. The Commission denied the request because of lack of funds to finance such improvement.

A petition was presented signed by 109 residents of Hillsboro and vicinity, in which the Commission was requested to oil a four-mile section of the Hillsboro-Woodburn Secondary Highway northwesterly from Scholls to a point known as Campbells Bridge. The Commission denied the request on account of lack of funds to finance the project but agreed to inspect the project the next time it is in that vicinity.

Reconsideration was given by the Commission to the construction of the 3rd Street grade separation project in Bend, and a request from Mr. Robert W. Sawyer, Bend, that the contract for this work be awarded this fall rather than next year. The Engineer was instructed to inform Mr. Sawyer that, from a study of the Commission's finances, it does not appear possible to place this work under contract this fall, but the Commission will give the matter serious consideration in the event that conditions should change, making it possible to advertise the project for bids sooner than is now expected. In order to expedite the project when funds are available to finance it, the Commission authorized the securing of options for needed right of way for the same, and the filing of an application with the Public Utilities Commissioner for a hearing with respect to the elimination of the present grade crossing, as is required by law.

Reconsideration was also given by the Commission to advancing the construction of the Roseburg-Shady Point Section of the Pacific Highway, in Douglas County, which project has been deferred because of lack of funds to finance the same. The Engineer was instructed to inform the Roseburg Chamber of Commerce, which made an urgent plea at a previous meeting for the contracting of the work this year, that the Commission does not believe it possible to comply with its request, but will advertise the project for bids to be received this fall in the event that the Commission's finances improve, and in any event will be glad to reconsider the matter in the early spring.

The Commission considered and referred to the Engineer for attention a letter from the Oregon State Game Commission with respect to a certain gravel pit located on the Game Commission's Pendleton Game Farm; also concerning the matter of maintaining signs directing the general public to the game farms and fish hatcheries.

The Attorney brought up for discussion the matter of the disposal of the old right of way of the Oregon Coast Highway in the vicinity of Nelscott, Lincoln County. He advised that some time prior to 1931 right of way was acquired for the construction of this highway over a new alignment in the vicinity of Nelscott, and that the highway was reconstructed on such alignment in 1931, which left parts of the old road beyond the limits of the standard 80-foot right of way; further, that it was not until 1936, some five years after the reconstructed road was put into use, that the Highway Commission took action preserving the fragments of land within the old highway right of

way for highway purposes, during which time property owners in some instances assumed that the normal operation of law had taken effect and that such fragments of land had reverted to the abutting property owners, and on that assumption properties changed hands and improvements were made, some of which, it is now found, encroach upon state property. These property owners, he said, are now asking the state to give them this property, in view of their misunderstanding, which is causing them considerable embarrassment.

The Attorney pointed out that it is now the practice of the State Highway Commission, when a revision is made in state highway alignment, to adopt a resolution, either retaining the old right of way for highway purposes; or, if it is not needed by the state, abandoning the same and allowing such fragments to revert to the county court or to the abutting property owners. He gave as his thought that if the Commission's authority were challenged in connection with the properties under consideration, the Court would hold against the Commission on the ground that too much time has elapsed between the adoption of the new alignment and the resolution preserving the eliminated fragments of the old right of way. He suggested that, in order to clarify this situation, it would be advisable for the Commission to adopt a resolution modifying its previous resolution by eliminating therefrom the parcels of land which are now in controversy.

After considerable discussion, the Commission decided to let the property owners have the fragments of the old right of way that abut upon their respective holdings, provided they purchased their properties in good faith and with the understanding that they then owned all of the land up to the right of way of the new highway, but not otherwise. The following resolution in regard thereto was adopted by the Commission by unanimous vote:

WHEREAS, the Commission on January 9, 1936, adopted a resolution by which certain fragments of real property formerly within the limits of the right of way of the Oregon Coast Highway in the vicinity of Nelscott were preserved and kept for public purposes; and

WHEREAS, it appears that said highway at said place was reconstructed over the new alignment in 1930, but the resolution preserving for public purposes fragments of land formerly within the limits of the old right of way but not incorporated within the limits proper of the new alignment was not adopted until January 9, 1936, during which time in certain instances improvements had been made on abutting properties on the theory that the area of land within the limits of the old right of way but not within the limits of the new right of way proper had been left to revert to the abutting property owner; and

WHEREAS, it is the opinion of the Commission that in instances where abutting property owners have made improvements on their property or dealt with their property on the theory that the said fragments had reverted to them and become a part of their property, said resolution adopted January 9, 1936, should be modified or amended in the manner and to the extent hereinafter set out;

NOW, THEREFORE, the premises being in general as above stated, it hereby is resolved by this Commission, all members being present and affirmatively voting, as follows:

1. That the resolution adopted by this Commission on January 9, 1936, by which resolution there was preserved and kept for public purposes certain areas of real property confined within the limits of the right of way of the Otis-Siletz River Section of the Oregon Coast Highway as said highway was formerly located, be and said resolution hereby is amended as follows:

The area confined between Highway Engineer's Station 1012+25 and Station 1020+10 and the area between Highway Engineer's Station 1021+35 and Station 1023+75 be and the same hereby are eliminated from said resolution and said parcels of real property hereby are left to revert to the abutting property owners and shall no longer be considered a part of the right of way of said highway.

2. Be it further resolved that the Engineer be and he hereby is instructed to correct the map attached to said original resolution to correspond with this action now taken by the Commission.

3. Be it further resolved that the Secretary be and he hereby is instructed to send by mail to the County Court of Lincoln County a certified copy of this resolution.

The Attorney was instructed to convey this information to the property owners who are affected by the same.

The Commission had under consideration the following requests for extensions of time within which to complete highway construction projects:

R. I. Stuart & Sons, Contract No. 1975, for furnishing crushed rock in stock piles for the Klamath Falls Rock Production Project on state highways in Klamath County, requested an extension of time from September 30, 1937, to October 15, 1938, within which to complete this project. They alleged that bad weather conditions interfered with the progress of their work and it was necessary for them to close down their operations for several months because of snow and rain. The Engineer advised that the contract was awarded on April 27, 1937, but the work was not started until July 29, 1937. He further advised that in his estimation there is no good reason for the contractors' failure to complete the project within the specified time limit, as weather conditions were no worse than could be expected in that part of the state. He also advised that the contractor furnished 800 cubic yards of material under this contract for use in Division No. 3, which took 7 days' time to manufacture. The general public, he said, has not been inconvenienced

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by the delay in completing this contract within the specified time limit and the state has not been handicapped by lack of materials although the cost of engineering supervision is considerably more than it would have been had the contract been completed within the specified time. He recommended, in view of the circumstances, that the extension requested be granted but that the contractor be charged for the extra engineering expense incurred by the state subsequent to the specified completion date except that incurred on the first 7 days immediately following the specified date of completion, as time allowance for furnishing the 800 cu. yds. of materials for delivery in Division No. 3. The Commission approved the recommendation by unanimous vote.

Roy L. Houck, Contract No. 1979, for grading the Lamb Creek-Sheep Ridge Section of the South Santiam Highway, in Linn County, requested an extension of time from December 15, 1937, to November 1, 1938, within which to complete this job. He alleged that he was not able to begin grading work until August 25, 1937, being held up by the progress of work on an adjoining job. Also, that on November 6, 1937, he was ordered by the engineer to suspend operations until 1938 because of the wet condition of the soil. He also alleged that numerous slides occurred during the progress of the work and he was required to remove them, which took considerable extra time. The Engineer advised that he ordered the contractor to close down the work for the winter season on November 6, 1937, which was 38 days prior to the date of completion of the contract as specified in the contract, thereby entitling him to a 38-day extension of time without penalty, or until July 20, 1938, inasmuch as he resumed operations, following the winter close-down, on June 13, 1938. He also advised that the yardage to be moved on this job was increased from 199,000 cubic yards to 260,000 cubic yards, or approximately 30 percent, due to slides. He gave as his thought that the contractor should be allowed an extension of time equal to 30 percent of the time specified in the contract for completion of the work, to offset the extra time that it took to remove the slide material, and that this time allowance should start on July 20, 1938, the end of the extra period allowed him because of being required to close down his operations during the winter months. He recommended, therefore, that the extension now requested be granted subject to the condition that the contractor be charged for the extra engineering expense incurred by the state subsequent to October 1, 1938. A letter was presented from the Bureau of Public Roads concurring therein. The Commission approved the recommendation by unanimous vote.

Mountain States Construction Company, Contract No. 1996, for construction of the South Yamhill River Bridge and Underpass, on the Pacific Highway West, in Yamhill County, requested an extension of time from February 28, 1938, to July 27, 1938, within which to complete this project. They gave the following reasons for failure to complete the project within the specified time limit: (1) 117

days' time lost because of an order of the Engineer closing work from December 17, 1937, to April 13, 1938; (2) 8 days' time lost in securing an even settlement of the grade, necessitating the use of dynamite, and to remove surplus dirt from the toe of the fill; (3) 3 days' time lost in eliminating soft spots in the grade and re-filling same; (4) 7 days' time lost in construction of more riprap than was specified in the contract; (5) 20 days' time lost on account of increase in excavation quantities. The Engineer advised that the reasons given by the contractor for failure to complete the contract within the specified time limit are substantially correct. He recommended that the extension requested be granted without penalty and presented a letter from the Bureau of Public Roads concurring therein. The Commission approved the recommendation unanimously.

Berke Bros., Inc., Contract No. 2005, for clearing the Arch Cape-Beach Creek Section of the Oregon Coast Highway, in Clatsop and Tillamook Counties, requested an additional extension of time, from July 31 to September 9, 1938, within which to complete this job. They alleged that their failure to complete the project within the specified time limit was due to the fact that they were ordered by the State Forest Ranger to close down their operations during the fire hazard season. The Engineer advised that Berke Bros. completed all of their work except the burning operations within the time limit specified in the contract; but, due to the dry, hazardous condition existing, were unable to secure permits for the burning operations, so final cleanup of the job was not completed until September 9, 1938. He gave as his thought that all of the work could have been completed within the specified time limit if the operations had been carried on in the proper manner, and accordingly recommended that the extension requested be granted but that the contractor be charged for the extra engineering expense incurred by the state subsequent to the date of completion specified in the contract. He presented a letter from the Bureau of Public Roads concurring therein. The Commission approved the recommendation unanimously.

Roy L. Houck, Contract No. 2017, for furnishing crushed rock in stock piles for the Eddyville-Blodgett and Corvallis-Newport Highways, in Lincoln County, requested an extension of time from June 30 to September 17, 1938, within which to complete this job. Mr. Houck alleged that bad weather conditions were the direct cause of his failure to complete the project within the specified time limit. The Engineer advised that the contract was awarded on October 22, 1937, with a provision that it should be completed by June 30, 1938. Further, that Mr. Houck made an effort to get the job started during the fall, but made very little progress because of rainy weather, and he was not able to move his equipment to the quarry site until late in June of this year. He further advised that the delay has caused no inconvenience either to the state or to the traveling public. In view of the circumstances, he recommended that the extension of time now requested be granted without penalty. The Commission approved the recommendation by unanimous vote.

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The Engineer reported that Contracts Nos. 1996, 2017, 2041, 2063, 2087, and 2093, for the construction of state highway projects, have been completed according to the terms and provisions of the contracts or modifications thereof and said jobs are now ready for acceptance. The following resolution accepting the above projects was offered and was adopted by the unanimous vote of the Commissioners present:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts and that said jobs are now ready for acceptance:

Contract No. 1996, with Mountain States Construction Company, for construction of a bridge over the South Yamhill River and construction of a subway under the Southern Pacific Company's tracks on the South Yamhill River Section of the Pacific Highway West, in Yamhill County. Completed July 27, 1938.

Contract No. 2017, with Roy L. Houck, for producing crushed rock for the Eddyville Rock Production Project on the Corvallis-Newport and Eddyville-Blodgett Highways, in Lincoln County. Completed September 17, 1938.

Contract No. 2041, with J. F. Johnston, for construction of a bridge on the West Fork Dairy Creek Section of the Nehalem Secondary Highway, in Washington County. Completed August 8, 1938.

Contract No. 2063, with Mountain States Construction Company, for paving the Siuslaw Junction-Ross Station Section of the Pacific Highway, in Lane County. Completed October 14, 1938.

Contract No. 2087, with H. L. Rice, for grading, surfacing, and oiling the Chenoweth Creek-The Dalles Section of the Chenoweth County Road, in Wasco County. Completed September 30, 1938.

Contract No. 2093, with Harold Blake, for grading and surfacing the Dixonville Section of the North Umpqua County Road, in Douglas County. Completed October 8, 1938.

THEREFORE, BE IT RESOLVED, that the work covered by said state highway contracts for the construction of said state highway projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

The Commission reconsidered the matter of acquiring extra right of way for the East Portland-Oregon City Highway in the city of Oregon City, which matter was discussed earlier in the session. The following resolution, authorizing the Attorney to commence condemnation proceedings to acquire such right of way across the holdings of the Security & Investment Company of Oregon City and R. A. Schofield and R. W. Knoefel, was adopted by the Commission by unanimous vote, upon motion of Commissioner Aldrich, which was duly seconded by Commissioner Tou Velle:

WHEREAS, the State Highway Commission is by law authorized and directed to lay out, locate, designate, construct, improve, and maintain a system of state highways in the State of Oregon, and to acquire rights of way and to declare the necessity and need for the acquisition thereof, and the advantages to be gained thereby;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the State Highway Commission does hereby find and declare that it is necessary and will be of advantage to the State of Oregon and there is need that the State acquire for right of way purposes in connection with the permanent location, construction, improvement, and maintenance of the following section or sections of the state highway system of the State of Oregon, to wit:

Oregon City Section of the East Portland-Oregon City Highway

land and property owned by or in possession of the following parties and/or persons, to wit:

3056 Security & Investment Company of Oregon City
3053 R. E. Schofield and R. W. Knoefel

as their respective interests may appear, and this Commission does hereby declare further that the said property or properties are necessary, are needful, and the acquisition thereof will be of advantage to the State of Oregon for right of way purposes in order to make it possible for the State Highway Commission to properly locate, construct, and maintain said portion or portions of the said state highway system in accordance with standards adopted by this Commission relative to curvature, grades, alignment, drainage, and factors of safety.

2. That the State Highway Engineer be and he hereby is instructed and directed to properly survey the parcel or parcels of land required for such right of way purposes and prepare proper and adequate descriptions thereof, which descriptions shall be employed in the preparation of a deed or deeds or other instrument

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or instruments necessary to complete the acquisition of the said property or properties or which descriptions may be used in the preparation of a complaint in the event that condemnation proceedings are necessary.

3. That the boundaries of the said parcel or parcels of land, as defined and determined by the said survey made by the said Highway Engineer, along the route or location adopted by the Highway Commission, shall be and the same hereby are adopted and the lands defined therein are hereby declared to be and the same are included within the rights of way of the said portion or portions of the said state highway system and hereby are declared to be necessary for the proper location, improvement, construction, and maintenance of the said portion or portions of the state highway system.

4. That I. H. Van Winkle, Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they are hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby further resolved that the Attorney General of the State of Oregon and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they hereby are requested to commence and prosecute to a final determination such suit or action, or suits or actions, as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

The Commission considered and signed the following agreements, et cetera:

Agreement with Deschutes County providing for the payment of the county's indebtedness to the state for the construction of a 1.2-mile section of Century Drive Secondary Highway, at Bend, amounting to \$2,900.00.

Agreement with the Portland General Electric Company relative to the construction of a power transmission pole line across Silver Creek Falls State Park, in Marion County.

Agreement with W. H. Kay, Coquille, relative to the maintenance of a logging road over and across Humbug Mountain State Park, in Curry County.

Agreement with Hattie Cieslak and Leo Cieslak concerning a lease on property which was acquired by the state from Fred Vols at Silver Creek Falls State Park, in Marion County.

Agreement with the City of Eugene relative to the award of a contract for the installation of traffic signals in Eugene.

Agreement with Minnie T. and Frank H. Reed relative to the acquisition of right of way for the Upper Columbia River Highway across the Reeds' property, in Multnomah County.

Easement agreement with Minnie T. and Frank H. Reed relative to the location and maintenance of a dock on state property acquired from the Reeds.

Bargain and Sale Deed conveying unto E. H. Moore and Anna M. Moore 0.5 acre of land situate in the N.E. $\frac{1}{4}$ of the S.E. $\frac{1}{4}$, Section 25, T. 1 S., R. 16 E., W.M., Sherman County. Right of way transaction No. 5534.

Bargain and Sale Deed conveying unto Jettora Asbahr 324 sq. ft. of land situate in Lots 33 and 34 of Block 43, Kenton, in the city of Portland. Right of way transaction Nos. 5057 and 5065.

Warranty Deed conveying unto Anton Roskoski and Eva Roskoski 7,400 sq.ft. of land situate in Lots 3, 4, 5, 6, and 7 of Block 3, Kenview, in the city of Portland. Right of way transaction No. 5079.

The Commission had under discussion the setting of dates for its next regular meetings to be held in November and December, 1938, and decided to postpone the November meeting which was previously scheduled for November 9 and 10, 1938, one week, to Thursday and Friday, November 17 and 18, 1938. The Commission decided to hold its December meeting on Thursday, December 22, 1938, and, if a two-day session is required, to start the meeting on Wednesday, December 21, 1938. The Secretary was instructed to make the usual arrangements to hold these meetings in the auditorium of the Public Service Building, Portland.

There being no further business to come before the Commission at this time, the meeting was adjourned at 4:30 o'clock p. m.

Norman
State Highway Engineer

W. H. Blomquist
Secretary

Harry F. Cahell
Chairman

E. B. Cochran
Commissioner

J. L. Doukelle
Commissioner

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Bend, Oregon, November 14, 1938

The State Highway Commission conferred with members of the Deschutes County Court and a delegation of local citizens at 10:00 o'clock a. m. in the Pilot Butte Inn relative to several road matters in Deschutes County. Present were:

Henry F. Cabell, Chairman
E. B. Aldrich, Commissioner
F. L. Tou Velle, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

Also present were: County Judge C. E. Lyon; County Commissioners Wm. Baer and Millard T. Triplett of Deschutes County; Ernest Butler, farmer; Don Peoples, Secretary of the Bend Chamber of Commerce; Mr. McCallister; and others.

The first project mentioned was the proposed rerouting of the Century Drive Secondary Highway along Riverside Drive to Franklin Street, which would eliminate one right-angle turn in the present route and would provide a direct connection with The Dalles-California Highway on Franklin Street. The proponents of this route urged its adoption from the scenic as well as the safety standpoint. They pointed out that Riverside Drive borders the city park which overlooks the Deschutes River and affords a very attractive view for tourists. After considerable discussion the Commission indicated a favorable attitude toward this change but deferred definite action thereon. It was explained to the delegation that the Commission cannot act on the matter until it has received a formal request from the County Court to make the change and until a public hearing has been held on the matter as is required by statute. The County Court advised that it would present such request to the Commission in the near future. The Commission decided tentatively to hold a public hearing on the matter shortly after the adjournment of the 1939 legislative assembly.

The matter of designating the Butler Market Road as a state secondary highway was then discussed. County Commissioner Baer advised that this is one of the most important roads in the county and they are extremely anxious that it be reconstructed soon to modern standards of surfacing and oiling; also, that the road is 6.4 miles in length from its junction with the Central Oregon Highway in Bend to its junction with the Powell Butte Secondary State Highway, of which distance 5.6 miles is outside of the Bend city limits. He said that Deschutes County would contribute the sum of \$5,000 toward the cost of the improvement outside of the city limits and that the City of Bend would contribute \$650 for improvement of the section within the city limits. Mr. Butler declared that this road carries more travel than any other county road within the county and that it serves directly 72 families, many of whom cannot be considered as farmers because they are engaged in business in Bend and travel the road at least twice daily. He gave as his thought that the state would be fully justified in improving the road and that no difficulties whatsoever would be encountered in acquiring right of way that may be needed.

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The Engineer pointed out that snow conditions on this road are quite bad; also, that while the road stands at the head of the list of county roads in Deschutes County from the standpoint of solvency, it is an expensive one to construct. He estimated that it would cost between \$50,000 and \$60,000 to put the road in proper condition.

Chairman Cabell advised that state funds available to the Commission are very limited and that the only money the Commission has for improvement of this class of road is the federal aid secondary highway funds which the Commission is allocating to county roads and state secondary highways. He gave as his thought in view thereof that the improvement would be completed sooner as a federal aid secondary highway project than as a state secondary highway project.

County Judge Lyon advised that the County Court is not particular how the project is financed, but their concern is to secure the improvement at the earliest possible time. Mr. Butler concurred and added that they have waited twelve years for a good road and feel that they should have it now.

The Engineer then suggested that the improvement be undertaken as a federal aid secondary highway project when possible to finance it, and when construction is done that the Commission designate it as a state secondary highway. He pointed out that if the work is done in this manner it would be up to the county to furnish the right of way and to maintain the road until the state took it over. The entire improvement, he said, could be completed sooner in this manner than if the road were placed on the state secondary highway system now. The members of the County Court and Mr. Butler all approved the Engineer's suggestion.

The Engineer then explained the condition of the Commission's finances. As a matter of information only he advised that the Commission could not possibly do the work next summer and it appears that the best the Commission could do would be to include the project in the 1940 federal aid secondary highway program, and if that were done the work might be placed under contract in the fall of 1939.

Mr. Butler urged earlier construction, if possible. He was informed by Chairman Cabell that it does not appear possible to advance the improvement unless the Commission's finances look much better next spring than they do now.

After further discussion the Engineer's suggestion for the construction of this project was approved by all parties including the members of the State Highway Commission, the County Court, and the Bend Chamber of Commerce. It was agreed that the County Court would file a formal petition requesting that this job be given preference over others for the first federal aid secondary highway funds that become available to the Commission for allocation. The County Court agreed to hold intact the \$5,000 of county funds that it has available for this improvement and to pay the same over to the State Highway Commission when the Commission is ready to use it. The members of the County Court agreed to write a letter to the State Highway Commission setting forth in detail what it would do in this regard.

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The matter of removing from the state secondary highway system a section of the Powell Butte Secondary Highway, extending from its junction with the Butler Market Road to the Central Oregon Highway, if and when the Butler Market Road is placed on such system, was considered and it was decided to leave this road on the state secondary highway system at least until the other road has been constructed.

The County Court then asked the Commission to take the necessary steps to abandon a short section of the Century Drive Secondary State Highway (old route) that is not now being used by highway traffic, since the section was reconstructed on new alignment last fall. They advised that one of the considerations in acquiring the right of way on the new alignment was that the old highway would be turned back to the adjacent property owners, and they would like to fulfill their agreement if possible. The Engineer advised that the old section is of no value from the state highway standpoint and recommended approval of the County Court's request. The Commission, after discussion, approved the Engineer's recommendation by unanimous vote and instructed the Attorney to prepare an appropriate resolution covering the matter. (Resolution adopted at meeting held on November 18, 1938)

Inquiry was made by the County Court as to the possibilities of securing state aid in connection with the construction of a road into the Tumalo Creek recreational area which is being developed by the United States Forest Service. They were informed that the Commission has no funds available for expenditure on this road at the present time.

The meeting was adjourned at 11:00 o'clock a. m.

W. H. Devers
State Highway Engineer
H. B. Glaisyer
Secretary

Henry F. Cabell
Chairman
E. B. Aldrich
Commissioner
F. L. Tou Velle
Commissioner

Burns, Oregon, November 14, 1938

The State Highway Commission conferred with a delegation from Grant County at 6:15 o'clock p. m. in the Arrowhead Hotel. Present were:

Henry F. Cabell, Chairman
E. B. Aldrich, Commissioner
F. L. Tou Velle, Commissioner
R. H. Baldock, State Highway Engineer
J. H. Devers, Attorney
H. B. Glaisyer, Secretary

Members of the delegation were: County Judge J. H. Allen and

County Commissioner John Porter, Grant County; Rev. Back and Dan Fisk, Prairie City; Herman Oliver, C. R. Schmidt, Wm. Ford, and Orval D. Yocom, of John Day.

The delegation asked for the improvement of the John Day-Burns Highway from the top of the hill south of Canyon City to Seneca. They were informed that this is a forest highway section, and improvement of the same is being financed with forest highway funds under supervision of the United States Bureau of Public Roads. Further, that the present road surface is of light construction and is being maintained as well as it can be maintained under the circumstances.

The delegation then asked for additional improvements on the John Day Highway between the towns of John Day and Prairie City. They were informed that the Commission is doing the best it possibly can for this highway with funds available; and, while federal aid funds are available to allocate to this project, they cannot be used because of the federal requirements that the federal funds be matched with state funds, and there are no state funds available for matching purposes. Chairman Cabell explained in detail the status of the Commission's finances. The State Highway Engineer suggested the possibility of allocating some of the 1940 federal aid moneys to the project, although it would not be possible to make a definite commitment at this time.

The delegation then requested improvements on this highway east of the town of Prairie City so as to avoid a repetition of the bad condition that existed during the past winter. They were informed that the Commission has already made arrangements to secure crushed rock for maintenance purposes under a P.W.A. contract and this material will be stock-piled for use as occasion demands, but the Commission does not have sufficient funds to finance a type of surfacing that would be good enough to oil. Mr. Oliver particularly urged the improvement of the unimproved section between John Day and Prairie City. Messrs. Schmidt and Back endorsed Mr. Oliver's request. Mr. Schmidt also asked for the oiling of the John Day Highway throughout its entire length except possibly over Dixie Mountain.

Chairman Cabell advised that the Commission regrets that it could not complete the John Day-Prairie City Section this year and explained that it is simply a case of having to defer some of the projects because revenues that the Commission anticipated did not materialize.

The Engineer advised that the road is being maintained in the best possible manner under the circumstances and that it would not be possible to do any better until the road has been reconstructed, which cannot be done now because of the cost involved. He gave as his thought that it would be a waste of money to make a temporary improvement. Mr. Oliver concurred.

After further discussion of a general nature, the meeting was adjourned at 6:45 o'clock p. m.

Prosser
State Highway Engineer

H. S. Blair
Secretary

Henry F. Cabell
Chairman

E. B. Blair
Commissioner

F. L. Toullette
Commissioner

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La Grande, Oregon, November 15, 1938

The State Highway Commission conferred with several delegations at 9:30 o'clock p. m. in the Sacajawea Hotel following dinner with the Oregon Trail Association. Present were:

Henry F. Cabell, Chairman
E. B. Aldrich, Commissioner
F. L. Tou Velle, Commissioner
R. H. Baldock, State Highway Engineer
H. B. Glaisyer, Secretary

Mr. Charles E. Reynolds, President of the Oregon Trail Association, presided.

A delegation from Wallowa County, consisting of County Judge Ben Waethers, County Commissioners Harry O. Harmon and Floyd W. Hammack, County Engineer Glen Jacob; Arthur Hallgarth, and H. F. Reed of Elgin, was present.

They asked for the following projects: (1) oiling of the Enterprise-Flora Highway from Enterprise northerly to the forest boundary; (2) general improvement of the Wallowa Lake Highway, particularly the 2-mile section over Minam Hill, which they declared is narrow, crooked, and dangerous to travel. The Wallowa Lake Highway project, they said, is a very important one to both Wallowa and Union Counties and will be much more important in the future when the Enterprise-Flora Highway has been completed throughout, because of the increased amount of traffic which they anticipate this road will carry from the Spokane territory. They were informed that the Enterprise-Flora Highway is not on the federal aid highway system and its improvement depends entirely upon availability of state funds, except that the northerly end thereof is a forest highway section and could be improved as a forest highway project if there were funds to finance it. Further, that there is a question whether or not the Commission could improve the section immediately north of Enterprise in view of the status of funds, unless perchance the work is done as a federal aid secondary highway project.

Judge Waethers asked for the oiling of the Trout Creek Section and expressed a hope that the Commission would find it possible to grade a 2-mile section just south of the Washington State Line to connect with the improvement completed this year. The Engineer explained the status of the Commission's funds and, in view thereof, the Commission advised that it did not seem possible to undertake this project next summer.

Mr. Reynolds then introduced members of the Oregon Trail Association as follows: County Judge Chas. E. Baird, Henry McKinney, W. C. Calder, all of Baker; Messrs. W. J. Carlson, G. M. Heggard, Ira Owen, and Amoth, all of Cascade Locks; Messrs. L. K. Kinzel and Lanzer, County Judge U. G. Couch, County Commissioners Clyde Myers and Chris Johnson, and County Engineer S. B. Morgan, all of La Grande.

He advised that at a meeting of the Oregon Trail Association held in La Grande this day it was decided to recommend to the State Highway

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Commission the construction of the following projects on the Old Oregon Trail: (1) widening and resurfacing a 6-mile section between Ontario and Fayette Spur junction; (2) widening the Durkee Undercrossing and flattening the approach curves thereto; (3) reconstruction of a 0.7-mile section at John Troy Ranch about 3 miles east of Pleasant Valley; (4) complete the reconstruction work between Muddy Creek and Baker by widening, resurfacing and constructing bituminous macadam; (5) reconstruct the North Powder-Union Section to modern standards; (6) reconstruct the section between Arlington and John Day River; (7) reconstruct the highway between The Dalles and Portland to provide a suitable road for traffic. Mr. Reynolds advised that these projects have not been listed in accordance with preference but they would present a preference program in writing later.

Chairman Cabell advised that the Commission will be pleased to consider such projects in the formulation of future construction programs. He further advised that the Commission had under consideration today the proposed rerouting of the Old Oregon Trail between Ontario and Huntington, which it is believed will save considerable mileage over the present route. He gave as his thought that a reconnaissance survey of the proposed change should be made as soon as possible. Commissioners Aldrich and Tou Velle concurred and the Engineer was thereupon instructed to make such survey.

Chairman Cabell then inquired as to the wishes of the association in regard to the building of the proposed Stanfield-Boardman Cutoff Section. Mr. Reynolds replied that he personally favored this project but the majority of the members of the association opposed it so it is eliminated from their program.

Mr. W. C. Calder, Baker, particularly urged the reconstruction of the Troy Ranch Section, which, he said, contains very bad curves. The Engineer estimated that such project would cost about \$20,000. The Commission took no action on the matter.

The Union County Court, represented by County Judge U. G. Couch and County Commissioner Chris Johnson and the following local citizens, in addition to Mr. Reynolds, conferred with the Commission: Dick Richards, L. H. Bramwell, Mr. Galles, Merton Davis, L. K. Kinsel, County Engineer S. B. Morgan. Judge Couch presented the following Union County projects for the Commission's consideration and advised that they have been approved by the Union County Court but have not been listed in order of preference:

Primary Highways

1. North Powder-Union Section of Old Oregon Trail, modernization.
2. Minam to Elgin, on Wallowa Lake Highway, modernization.
3. Improve curves at Ora Dell Overhead and between Perry and Hilgard.

Secondary Highways

1. Hilgard-Starkey. Extend to county line and connect with Forest Utilization Road, 4 1/2 miles. Also improve present road.
2. Medical Springs Secondary. Improve to standards of secondary roads. First 6 miles originally had a crushed rock surface. The remaining 16 miles need completion.

3. Alicel-Lower Cove-Becker Corner-Warm Creek-Cove Road, 13.4 miles. Extends through a farming community and into Cove. Desire the state to include this in secondary system.
4. Cove-Union Secondary: 8 miles in length. Now on secondary system and desire to be modernized and brought up to secondary standards.
5. North Powder-Baker County line, Federal Secondary: 4.8 miles. Allocation made for $2\frac{1}{2}$ miles. Desire completion to Baker County line and construction of new bridge over North Powder River.
6. Complete oiling of Cove-Island City secondary.

Mr. Davis said that their most important primary project is the modernization of the North Powder-Union Section of the Old Oregon Trail and the most important secondary highway project is the completion of the oiling of the Cove-Island City Highway and the modernization of the secondary highway between Cove and Union.

Mr. Kinzel urged the extension of the Hilgard-Starkey Secondary Highway to the Umatilla County line and the construction of some 6 or 7 miles of road to connect with the forest service utilization road.

Judge Couch urged the improvement of the county road which extends up the North Powder River from the town of North Powder to the Baker County line, including a new bridge over the North Powder River on this road.

Mr. Reynolds urged the completion and the oiling of the Cove-Island City Secondary Highway. He was informed by the Commission that this project is on the Commission's program for construction but the Commission is unable to state definitely at this time when it will be placed under contract.

Judge Couch asked the Commission to designate as a secondary state highway the county road which extends from Alicel easterly to a connection with the Island City-Cove Secondary Highway. He was informed by Chairman Cabell that it is contrary to the policy of the Commission to place any more roads on the state secondary system now; furthermore, the Commission prefers to confer with the highway department engineers before making any definite commitments to such projects.

The meeting was concluded at 10:30 o'clock p. m.

J. J. [Signature]
State Highway Engineer
[Signature]
Secretary

Henry F. Cabell
Chairman
[Signature]
Commissioner
[Signature]
Commissioner

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Pendleton, Oregon, November 16, 1938

The State Highway Commission conferred with a delegation of Umatilla County citizens in the Umatilla County Courthouse at 11:30 o'clock a. m.
Present were:

Henry F. Cabell, Chairman
E. B. Aldrich, Commissioner
F. L. Tou Velle, Commissioner
R. H. Baldock, State Highway Engineer
H. B. Glaisyer, Secretary

Local citizens present were: Wm. R. Meiners, County Commissioner; Roy Ritner, President of the Pendleton Chamber of Commerce; Roy Raley, Attorney, Pendleton; C. M. Sly, W. L. Rayborn, Walter Rayborn, J. M. Price, S. A. Barnes, and Mr. Hill, Superintendent of the Weston Union High School, all of Weston. Mr. Walter Rayborn headed the group.

They asked for the oiling of the Weston-Elgin Secondary Highway easterly from Weston to the end of the present oiled section near Tollgate. Mr. Barnes alleged that the present road is narrow, in very bad condition, and that it needs straightening and widening as well as an oiled surface. He asked the Commission to do this work next summer. He declared that traffic demands, in his estimation, justify the improvement. He also urged the improvement from the recreational standpoint and for the development of the recreational features at Tollgate.

Mr. W. L. Rayborn stated that he is a farmer and lives $6\frac{1}{2}$ miles east of Weston and is fully acquainted with traffic needs. He recited the history of the road and urged its improvement from both the agricultural and recreational standpoints. The development of the district served by this road, he said, is absolutely dependent upon the improvement of the road.

Mr. Hill spoke for the improvement from the standpoint of the young people of the Basket Mountain District and the Weston Mountain District who attend the Weston Union High School. He said that under present conditions it is not possible to run a school bus over the road, so pupils cannot live at home and attend this school. The improvement of the road, he said, would correct this condition. He also declared that the Basket Mountain and Weston Mountain districts supply one-half of the pea crop for the local canneries; in fact, during the later part of the canning season the canneries depend entirely on the peas received from these districts to supply them with this commodity, and a good road is needed over which to transport their produce.

Mr. Price also spoke for the improvement, as did also Mr. Raley who gave as his thought that the Highway Commission is morally obligated to oil the road. The Pendleton Chamber of Commerce, he said, is 100 per cent in favor of this improvement.

Mr. Ritner, speaking as President of the Weston-Elgin Committee that was appointed to further the interests of this road, spoke for the same

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from the standpoint of tourist traffic. He declared that the road is a link in an interstate highway and when completed will carry a large volume of interstate traffic. The oiling of the road, he said, is essential from the tourist standpoint and for traffic safety. He pointed out that the Tollgate district is the winter sports playground for the people of Pendleton, Walla Walla, and most of Umatilla County, as well as being a summer recreational area for these people, which is an added argument for the improvement of the road leading into the district. The Weston-Elgin Committee, he said, expects to spend a lot of money to advertise this district as the "Little Switzerland of North America". The availability of a good road into the district, he declared, will be a big advantage in this advertising campaign.

Chairman Cabell concluded the conference by stating that the Highway Commission has at its disposal only a limited amount of money for construction purposes, so must be very careful how it allocates this money; further, that the Commission does not doubt that the project is a very desirable one but the Commission cannot overlook the fact that there are numerous roads of this type throughout the state which are in similar condition, so the Commission cannot say today whether or not it will proceed with the improvement, but will give the matter serious consideration.

The meeting was concluded at 12:15 o'clock p. m., following which the Commission proceeded to Portland by automobile and disposed of the following routine matters enroute:

The Engineer reported the following appraisals made by the Right of Way Department on the value of additional right of way that is required for the Santiam Highway in Sweet Home to permit the city to construct sidewalks on the proper alignment:

ESTIMATE OF ADDITIONAL RIGHT OF WAY THROUGH
THE SWEET HOME SECTION OF THE SANTIAM HIGHWAY

STATION 1512+38.7 to STATION 1517+19.2

File No.	Name	Area in Sq. Ft.	Amount per Sq. Ft.	Total	Options
6290	Kenneth S. Groves	1824		Gratis	Options Secured
* 6291	J. D. Long and Vivian Weddle Long	144	10 cents	\$14.40	
* 6292	J. E. Long and A. L. Weddle, Agent	90	10 cents	9.00	
6293	Roshal M. Groves	512		Gratis	Options secured
6294	Kenneth S. Groves and Viva Smith Groves	1189		Gratis	Options secured

* These parcels of land have only a nuisance value, but litigation may be involved in acquiring title as the agent has stated that he will not sell the parcels.

He pointed out that options have been secured for the acquisition of three of the parcels, gratis, and that the value of the other two properties is nominal, although there is a possibility that it may be necessary to acquire them by condemnation. He recommended acquisition of all of the properties listed, and litigation, if necessary, to acquire them. The Commission approved the recommendation unanimously.

The Engineer brought up for discussion the matter of conducting snow removal operations on the Santiam and North Santiam Highways so as to keep the North Santiam Highway open for travel throughout the winter season. He said that it is the state's responsibility to keep the Santiam Highway open over Hogg Pass from Suttle Lake to the junction with the North Santiam Highway, but the responsibility for the maintenance of the North Santiam Highway from its junction with the South Santiam Highway to Detroit, a distance of 32.88 miles, rests with the Bureau of Public Roads and Marion County, it being the county's obligation to maintain the 6.88 miles at the south end of the road and the Bureau's obligation to maintain the balance. The County Court, he said, has asked the Highway Department to undertake the snow removal on the Marion County Section and also to assist the Bureau of Public Roads in maintaining travel along its section, if necessary, all of the work to be paid for by the county. He estimated that it would cost about \$4,000 to keep the 12-mile section between Suttle Lake and the junction with the North Santiam Highway open all winter, and recommended the expenditure and the acceptance of the county's offer in view of the fact that in any case the state would have to spend a portion of the \$4,000 to open the highway early in the spring. After discussion the Commission voted unanimously to conduct snow-removal operations on these highways in conformance with the Engineer's recommendation, so long as the cost of such work is being paid by Marion County.

The Engineer reported a request from the Eugene "Ski Lauferers" that snow-removal operations be conducted on the McKensie Highway this winter so as to keep this road open for two lanes of traffic as far as Pole Bridge Cabin. The Commission by unanimous vote approved a maximum expenditure of \$1,000 for such purpose.

The Commission had under discussion the claim of Mr. L. D. Dollarhide, Ashland, for damages that he alleges occurred to his property south of Ashland by reason of the construction of the Siskiyou Section of the Pacific Highway. Mr. Dollarhide alleges that several acres of his land have been rendered valueless by reason of slides caused by the highway construction and is demanding payment of \$500 for the settlement of his claim. After considerable discussion the Commission authorized the payment of \$50 to Mr. Dollarhide provided he will sign a statement releasing the state from responsibility for damage that has occurred in the past and any that may occur in the future. The matter was referred to the Attorney for handling.

A letter was presented from Mrs. Ida M. Odell, Klamath Falls, Regent for Bulalona Chapter D. A. R., in regard to the selection of a site for a monument marking the site of Fort Klamath. The Commission appeared favorably inclined to this project but deferred definite action thereon pending a

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recommendation from Mr. Lewis A. McArthur, President of the Oregon Historical Society, as to the proposed location.

The Commission considered and denied the application of E. S. Schwantes for permission to truck logs along and across the Columbia River Highway in Mosier, it being the opinion of the Commission that such operation on the highway at this place is unsafe and will create an undue hazard to highway traffic.

The Engineer requested instructions relative to the sale of the timber salvaged from tunnels on the Robinette Secondary Highway, in Baker County, for which he has received an offer. He questioned the advisability of letting anyone remove the timber from the tunnels because of the hazard of falling rocks and the possibility of cave-in. In a discussion of this matter the question arose whether or not the state actually owns the tunnels. The Engineer was instructed to investigate the deed whereby Baker County conveyed the right of way to the state, to ascertain definitely if the tunnels were included in the transfer, and to barricade the entrances to the tunnels and to erect "No Trespassing" signs so as to prevent anyone from entering the tunnels if it is found that the tunnels belong to the state. He was also instructed to refuse everyone permission to take the tunnel timbers.

The Engineer reported a request from the Medford Concrete Construction Company, contractors for the furnishing of surfacing materials for the Valley Falls-Cinder Butte Section of the Burns-Lakeview and Fremont Highways, in Lake and Harney Counties, Contract No. 1943, for a reduction in the penalty imposed on them for failure to complete this contract within the specified time limit. He advised that the overrun in time limit amounted to several months and as a consequence the state incurred considerable more expense for engineering supervision than was contemplated; and that at a previous meeting the Commission granted the contractor an extension of time subject to the condition that the contractor would be charged for this extra engineering expense, which amounts to about \$2,100. He further advised that the contractor is not altogether to blame for failure to complete the project within the specified time limit and in one instance went to considerable extra expense in removing from one of the stock piles a rather large amount of materials that did not meet the specifications, thus showing good faith to the state. He recommended, in view of the circumstances surrounding the case, that the penalty heretofore imposed be reduced to 50 per cent of the extra engineering expense incurred by the state. The Commission approved the recommendation unanimously.

A letter was presented from the Attorney relative to Mr. Lewis P. Crosby, who is employed jointly by the State Highway Commission and the State Treasurer to check on fines imposed for violations of the motor vehicle law. The Attorney advised that Mr. Crosby makes certain reports with respect to his work which vitally affect the revenues which the State Highway Commission and the State Treasurer are seeking to recover for the state highway fund, and it appears that these reports have no official recognition in the Secretary of State's office. He gave as his opinion that it would be desirable to give Mr. Crosby's reports and findings some official standing with the

Secretary of State, and suggested that a letter be addressed to the Secretary of State requesting that the findings and reports made by Mr. Crosby be recognized and given proper consideration in connection with the work and records made by the Secretary of State with respect to such matters. The Commission approved the Attorney's suggestion unanimously and instructed the Secretary to write the Secretary of State in harmony therewith.

The Engineer requested authority to purchase the following equipment:

One 2,000 or 2,500-watt Kohler light and power plant for section headquarters at Meacham, estimated cost \$700;

Two electric gasoline pumps for installation at highway shops at La Grande and Klamath Falls, estimated total cost \$400;

One saw and jointer for La Grande shops, estimated cost \$225;

One Mercury vacuum gauge for La Grande shops, estimated cost \$35;

Two floor jacks for Klamath Falls shops, estimated total cost \$150;

Vacuum cleaning attachment for Salem shops, estimated cost \$48;

Four sets power-operated greasing equipment for each of the shops, estimated total cost \$1,200;

Three machines for cleaning equipment by use of solvent, estimated total cost \$1,800;

Four 2,000-gallon, semi-trailer tanks and one flat bed semi-trailer, total estimated cost \$12,150;

One electric welder for use on Wolf Creek Highway W.P.A. work, estimated cost \$300.

The Commission approved the request unanimously and ordered that the purchases be made through the State Purchasing Agent in the usual manner.

The Commission, after discussion, authorized the following officials to represent the State Highway Department at the annual meeting of the American Association of State Highway Officials in Dallas, Texas, December 5 to 9, 1938, at state expense, subject to approval by Governor Charles H. Martin: Henry F. Cabell, Chairman; Commissioners E. B. Aldrich and F. L. Tou Velle; R. H. Baldock, State Highway Engineer; J. M. Devers, Attorney; and G. S. Paxson, Bridge Engineer.

The Engineer reported that a portion of the Mile Bridge Section of the Nehalem Secondary Highway, in Columbia County, is no longer of value for state highway purposes, in view of the fact that this section has been reconstructed on new alignment. He recommended, in view thereof, that the

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Commission take formal action abandoning this section. The Commission approved the recommendation and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, in order to afford a better alignment and a more satisfactory, safe and convenient highway for the traveling public, the Commission found it necessary to relocate a portion of the Mile Bridge Section of the Nehalem Highway in Columbia County; and

WHEREAS, by reason of said relocation and reconstruction of the said section of said highway there was eliminated and made unnecessary as a part of the permanent highway a certain section or part thereof, which section or part is more specifically defined and designated hereinafter in this resolution; and

WHEREAS, it is the judgment and opinion of the Commission that there should be recorded in the minutes and records of this Commission its purpose and plan to abandon as a part of the said state highway the fragment or portion of right of way hereinafter designated and heretofore included within the area of the right of way of the said state highway as formerly located, improved, and used;

NOW, THEREFORE, the premises being in general as above stated, it hereby is resolved by this Commission, all members being present and affirmatively participating, as follows:

1. The fragment of land confined within the area of land hereinafter designated, which fragment or parcel of land was formerly within the limits of the right of way of the Nehalem Highway in Columbia County, but is now without the limits of the right of way of said highway as said highway has been relocated and constructed, be and said fragment or parcel of land or portion of the old right of way is abandoned as a part of the right of way of said highway, and said fragment or parcel of land or old right of way is, so far as control and supervision by this Commission is concerned, eliminated and left to revert to the adjoining and abutting property owners or to the control and supervision of the County Court of Columbia County for highway or other public purposes as the Court may determine. The fragment or parcel of land affected by this resolution is defined and described as follows, to wit:

All that certain section of the old right of way of the Mile Bridge Section of the Nehalem Highway situated in Section 3, Township 4 North, Range 4 West, W. M., Columbia County; and lying southerly of the right of way required for the reconstructed highway, the beginning and ending points with reference to the engineer's stations of the reconstructed highway being Station 4+33.2, the beginning of the southerly wye connection on the easterly end, and Station 13+95 on the westerly end.

The location of said abandoned right of way may be more definitely and particularly ascertained and determined by reference to a map or blueprint, marked "Exhibit A", attached hereto and by this reference made a part hereof, which said exhibit for identification purposes bears the signatures of F. D. Eason, Division Engineer, H. G. Smith, Construction Engineer, and R. H. Baldock, State Highway Engineer, and is dated the 25th day of October, 1938, upon which map or exhibit there is reflected the above described parcel of land by showing the same shaded in red. *

2. In the event there remains any physical connection between any portion of said abandoned right of way or highway and the present highway, and by reason of such physical connection traffic from the existing highway may enter or use the said abandoned portion of the old road to the possible damage or injury of such traffic by reason of any unsafe condition existing with respect to said old or abandoned road, then the State Highway Engineer is hereby authorized and directed to erect such barricade or other safeguards as may be necessary to protect and safeguard traffic using and employing said newly located, constructed and dedicated section of said highway.

3. That this resolution be entered in the minutes and records of the Commission and a certified copy thereof promptly delivered to the County Court of Columbia County, together with a copy of said exhibit or map, for such action as said County Court may desire to take with respect to said fragment of land, and should said abandoned portion of the right of way of said highway be further employed for public or private highway purposes such use shall be entirely under the control and supervision of the County Court of Columbia County and beyond any responsibility or supervision by the State Highway Commission.

A letter was presented from Mr. C. C. Chapman, Portland, inquiring as to the possibility of securing the services of one of the Highway Department's draftsmen for three or four weeks' time to prepare a topographical map of the State of Oregon for use of the State Planning Board. The Commission found it necessary to deny this request as a matter of policy.

The Commission considered and denied the request of Mr. Henry Hout, Eugene, for permission to construct a private roadway across state-owned property to a connection with the Pacific Highway near the end of the overcrossing structure between Junction City and Eugene, it being considered that traffic entering the highway from such roadway at this point would cause an undue hazard to traffic on the highway, which is of considerable volume at this particular location.

The Commission had under discussion a letter directed to Governor Charles H. Martin by Mr. Cornelius O'Donovan, Portland, requesting the

* Filed in Right of Way Abandonment and Retention File - No. 59

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extension of the Scotts Mills county road in Marion County southeasterly from its present terminus to a connection with the North Santiam Highway near Gates. Mr. O'Donovan alleges that this extension is only 7 miles long and that its construction will shorten the distance from Portland to Bend by some 35 miles. Further, that it will open up for development large areas of farm lands, mines, health resorts, clay deposits, and other natural state resources. The Secretary was instructed to inform Mr. O'Donovan that the Commission appreciates the reason that prompted his letter but is not financially able to undertake this project at the present time.

The Commission considered and denied the request of Harry Polk, Ashland, for a permit authorizing him to construct a tunnel under and across the Pacific Highway near Bear Gulch in Jackson County in connection with certain mining operations.

A letter was presented from Mr. S. T. White, Oregon State Coordinator, Soil Conservation Service, United States Department of Agriculture, Corvallis, requesting in behalf of Robert L. Brown, Manager of the Astoria Nursery Unit, permission to collect small lots of various grass, legume, tree, and shrub seeds along the right of way of state highways. The Commission approved the request by unanimous vote, subject to the condition that Mr. Brown will conduct his activities in accordance with the provisions of the Commission's standard permit covering such matters and will comply with the Commission's rules and regulations in regard thereto.

The Commission had under consideration the following requests for extensions of time within which to complete highway construction projects:

Coos Bay Construction Company, Contract No. 1949, for grading the Elsie-Nehalem River Section of the Wolf Creek Highway, in Clatsop County, requested an additional extension of time, from June 15 to October 15, 1938, within which to complete this project. They alleged that their failure to complete the project within the specified time limit was due to unusually inclement weather during the past winter and the impracticability of moving earth materials during such time. The Engineer advised that the contractor used on this job carry-all scrapers in the moving of the solid rock throughout the winter months, which equipment was unsuitable on this type of work, resulting in numerous breakdowns and delays. However, all of the work under the contract was completed by September 15 except the burning of debris, which could not be done because of the fire hazard, the contractor being unable to secure a permit to carry on burning operations. He further advised that part of the contractor's delay in completing the project could be attributed to numerous slides that occurred near the Elsie Summit, which could not be removed until the summer dry season. He pointed out that the Commission previously extended the time limit on this job from December 15, 1937, to June 15, 1938, with a provision that the contractor be assessed with the extra engineering expense incurred by the state over and above the cost of engineering required in connection with extra work involved, such as slides. He recommended, therefore,

that the extension of time now requested be granted subject to the condition that the contractor pay the extra engineering costs in excess of those incurred in slide removal work and other extra work; in other words, those which were incurred between February 5 and August 30, 1938. A letter was presented from the Bureau of Public Roads concurring in such recommendation. The Commission approved the recommendation by unanimous vote.

E. L. Rigdon, Contract No. 2026, for grading, surfacing, and oiling the Harris Creek-Chalk Cliff Section of the Fremont Highway, in Lake County, requested an additional extension of time, from September 15 to September 24, 1938, within which to complete this project. He alleged that his failure to complete the project within the specified time limit was due to the delay in securing road oil shipments and to adverse weather conditions. The Engineer advised that the date of completion specified in the contract was August 31, 1938, but that the Commission extended this to September 15, 1938, subject to the condition that the contractor would pay the extra engineering expense incurred by the state. He recommended that the 9 days' extension of time now requested be granted subject to the same penalty. A letter was presented from the Bureau of Public Roads concurring in such recommendation. The Commission approved the recommendation unanimously.

Newport Construction Company and Kern & Kibbe, Contract No. 2073, for grading and asphaltic concrete paving on the St. Helens-Warren Section of the Columbia River Highway, in Columbia County, requested an extension of time from September 15 to October 13, 1938, within which to complete this job. They alleged that the time limit specified in the contract for the completion of this job was too short because they worked diligently to complete the project within the specified time but were not able to do so, notwithstanding that they started work immediately after the contract was awarded and had on the job all of the equipment the job could stand. They also alleged that their work was handicapped to some extent by reason of highway traffic during the Labor Day holiday period and their work was also handicapped by reason of bad weather conditions during the early part of October. The Engineer advised that the contract was awarded on June 2, 1938, and the contractors commenced operations on June 13. The production of rock, he said, was started on July 18 and paving on September 7. He further advised that the contractor employed an adequate supply of good equipment and in general pushed the work rapidly, with two shifts working. He confirmed the contractors' allegation that traffic over the Labor Day period interfered with the operations. He gave as his thought that the work could have been completed within the specified time limit, so there is no justification for an extension of time without penalty, in his estimation. Accordingly, he recommended that the extension requested be granted subject to the condition that the contractor be required to pay the extra engineering expense incurred by the state. A letter was

presented from the Bureau of Public Roads concurring therein. The Commission approved the recommendation unanimously.

McNutt Bros., Contract No. 2076, for grading and talus rock roadbed topping on the Cottonwood Creek-Maddock Corner Section of the Klamath Falls-Lakeview Highway, in Lake County, requested an extension of time of 15 days, from September 30 to October 15, 1938, within which to complete this job. They gave no reason for their failure to complete the project within the specified time limit. The Engineer advised that, in his estimation, the extension of time requested should be granted but that the contractor should be charged for the engineering expense incurred by the state subsequent to the date of completion specified in the contract, and he so recommended. A letter was presented from the Bureau of Public Roads concurring therein. The Commission approved the recommendation unanimously.

Edwin C. Gerber, Contract No. 2086, for surfacing and oiling the Sheeley Bridge Section of the Nehalem County Road, in Columbia County, requested an extension of time of 10 days, from August 31 to September 10, 1938, within which to complete this project. He attributed his failure to complete the project within the specified time limit to delays incurred in securing materials for the job. The Engineer advised that this contract was awarded on June 15, 1938, but the contractor did not start operations for some time thereafter, with the result that the work was not completed until the specified time limit had expired. He recommended, in view of the circumstances, that the extension of time requested be approved subject to the condition that the contractor be required to reimburse the state for the engineering expense incurred subsequent to the expiration of the specified time limit. A letter was presented from the Bureau of Public Roads concurring therein. The Commission approved the recommendation unanimously.

Rogers Construction Company, Contract No. 2090, for grading, surfacing, and oiling the Enterprise-Scotch Creek Section of the Hurricane Creek County Road, in Wallowa County, requested an extension of time of 34 days, from September 15 to October 19, 1938, within which to complete this project. They attributed their delay to the fact that the quarry designated by the state to be used did not contain a sufficient quantity of rock to complete the job and they were forced to obtain extra material from other sources, which slowed their operations and carried them into a period of adverse weather. The Engineer advised that the principal reason for the contractor's failure to complete the project within the specified time limit was the delay in starting the project, the contract having been awarded on June 20, 1938, whereas actual work was not started until July 22, 1938. He confirmed the contractor's statement that there was some loss of time due to there being insufficient quantity of material in the designated gravel pit, so it was necessary for the contractor to secure materials from another pit

in order to complete the project, resulting in one week's lost time. He recommended, in view of the circumstances, that the extension of time now requested be granted but that the contractor be charged all engineering costs incurred by the state subsequent to September 22, which would allow 7 days' extension of time without penalty on account of the necessity to change the quarry. A letter was presented from the Bureau of Public Roads concurring therein. The Commission approved the recommendation unanimously.

The Engineer reported that Contracts 1975, 2005, 2026, 2042, 2066, 2073, 2075, 2076, 2080, 2082, 2086, 2090, and 2094, for the construction of state highway projects, have been completed according to the terms and provisions of the contracts or modifications thereof and said jobs are now ready for acceptance. The following resolution accepting the above projects was offered and was adopted by the unanimous vote of the Commissioners present:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts and that said jobs are now ready for acceptance:

Contract No. 1975, with R. I. Stuart & Sons, for furnishing crushed rock for the Klamath Falls Rock Production Project on The Dalles-California, Green Springs, and Klamath Falls-Lakeview Highways, in Klamath County. Completed August 2, 1938.

Contract No. 2005, with Berke Bros., Inc., for clearing the Arch Cape-Beach Creek Section of the Oregon Coast Highway, in Clatsop and Tillamook Counties. Completed September 8, 1938.

Contract No. 2026, with E. L. Rigdon, for grading, surfacing, and oiling the Harris Creek-Chalk Cliff Section of the Fremont Highway, in Lake County. Completed September 24, 1938.

Contract No. 2042, with Saxton, Looney & Risley, for producing crushed rock for the Mt. Hood Rock Production Project on the Mt. Hood and Wapinitia Highways, in Clackamas, Hood River, and Wasco Counties. Completed September 30, 1938.

Contract No. 2066, with Mountain States Construction Company, for remodeling steel swing span, construction of pile trestle approach, and grading and surfacing the Wal-luski River Bridge Section of the Nehalem Secondary Highway, in Clatsop County. Completed October 12, 1938.

Contract No. 2073, with Newport Construction Company

and Kern & Kibbe, for grading and paving the St. Helens-Warren Section of the Columbia River Highway, in Columbia County. Completed October 13, 1938.

Contract No. 2075, with Mountain States Construction Company, for construction of the Williamson River Bridge on The Dalles-California Highway, in Klamath County. Completed November 9, 1938.

Contract No. 2076, with McNutt Bros., for grading and talus rock roadbed topping on the Cottonwood Creek-Maddock Corner Section of the Klamath Falls-Lakeview Highway, in Lake County. Completed October 15, 1938.

Contract No. 2080, with Snook Bros., for construction of a bridge over South Fork of Rock Creek on the Wolf Creek Highway, in Clatsop County. Completed October 15, 1938.

Contract No. 2082, with Birkemeier & Saremal, for reconstruction of Northeast 33rd Avenue Overcrossing at Columbia Boulevard, in Portland, Multnomah County. Completed October 10, 1938.

Contract No. 2086, with Edwin C. Gerber, for surfacing and oiling the Sheeley Bridge Section of the Upper Nehalem County Road, in Columbia County. Completed September 9, 1938.

Contract No. 2090, with Rogers Construction Company, for grading, surfacing, and oiling the Enterprise-Scotch Creek Section of the Hurricane Creek County Road, in Wallawa County. Completed October 19, 1938.

Contract No. 2094, with Oregon Contracting Company, for paving the Court Street Section of the Pacific Highway East in the city of Salem, Marion County. Completed October 19, 1938.

THEREFORE, BE IT RESOLVED, that the work covered by said state highway contracts for the construction of said state highway projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

The meeting was declared adjourned at 4:00 o'clock p. m.

Robert J. McManis
State Highway Engineer
W. B. McManis
Secretary

Henry F. Cabell
Chairman
E. B. Robinson
Commissioner
J. L. Joubert
Commissioner

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Portland, Oregon, November 17, 1936

The State Highway Commission met in regular session at 9:00 o'clock a. m. in the auditorium of the Public Service Building. Present were:

Henry F. Cabell, Chairman
E. B. Aldrich, Commissioner
F. L. Tou Velle, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

Bids as follows for highway construction projects and for the sale of buildings at Albany were opened and read in conformance with previously published notice:

BAKER-HOMESTEAD HIGHWAY
RICHLAND-HALFWAY SECTION - OIL MAT SURFACE TREATMENT

Norris Bros.	\$ 55,494.50
Babler Bros.	59,707.00
J. C. Compton	59,823.00
McNutt Bros.	63,943.00
Mountain States Construction Company	72,013.00
Homer G. Johnson	78,575.00

MARKET ROAD NO. 12
CONSTRUCTION OF SHIPLEY BRIDGE

Joplin & Eldon	\$ 41,712.00
Contracting & Sales Company	44,955.00
Leonard & Slate	45,620.00
Averill & Corbin	46,580.25
Gilpin Construction Company	47,952.50
Birkemeier & Saremal	48,915.00

CAPE ARAGO SECONDARY HIGHWAY
CHARLESTON-MINER CREEK SECTION - GRADING AND SURFACING

Coos Bay Dredging Company	\$ 34,426.25
Leonard & Slate	35,277.00
Homer G. Johnson	47,320.50

WASCO-HEPPNER SECONDARY HIGHWAY
ROCK CREEK-MORROW COUNTY LINE SECTION - GRADING

H. L. Rice	\$ 32,345.00
Joplin & Eldon	38,462.50
Leonard & Slate	39,903.50
J. C. Papin	43,975.50

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(Rock Creek-Morrow County Line Section, continued)

Fisher Bros.	\$ 45,628.00
Berke Bros., Inc.	45,982.00
Colonial Construction Company	46,657.50
Parlier-Schram Company	48,169.00
J. A. Lyons	49,514.50
M. L. O'Neil & Son	50,090.00
F. C. Dillard	50,346.00
A. C. Greenwood, Inc.	51,610.00
Homer G. Johnson	52,731.47
Clifton & Applegate	53,233.50
McNutt Bros.	54,442.50

PACIFIC HIGHWAY

NORTH UNIT, BEAR CANYON-STATE LINE SECTION - GRADING

Harold Blake	\$163,808.00
E. L. Gates	165,407.50
Roy L. Hounk	177,427.00
Berke Bros., Inc.	179,332.50
McNutt Bros.	186,207.00
A. C. Greenwood, Inc.	187,028.50
Clifford A. Dunn	191,235.00
Colonial Construction Company	194,869.00
Leonard & Slate	213,938.50

THE DALLES-CALIFORNIA HIGHWAY

MADRAS-DESCHUTES COUNTY LINE SECTION - CRUSHED ROCK IN STOCK PILES

Fisher Bros.	\$ 12,070.00
Clifton & Applegate	12,425.00
H. L. Rice	12,709.00
Rogers Construction Company	13,916.00
A. S. Wallace	14,200.00
Saxton, Looney & Risley	14,413.00
O. C. Yocom	14,850.00
R. O. Dail & Warren Bros., Inc.	15,620.00
Schmeer, Williams & Gentemann	15,904.00

KLAMATH FALLS

MAIN STREET UNDERCROSSING

C. J. Montag & Sons	\$103,000.00
Clifford A. Dunn	116,423.00

WILLAMETTE HIGHWAY

ODELL LAKE-WALKER MOUNTAIN SECTION - SURFACING, OILING, CRUSHED ROCK

Fisher Bros.	\$131,466.00
Mountain States Construction Company	131,476.00

(Continued on next page)

(Odell Lake-Walker Mountain Section, continued)

Norris Bros.	\$132,853.50
A. Milne	133,513.00
E. C. Hall Company	141,835.00
Babler Bros.	149,606.00
Clifford A. Dunn	151,586.00
McNutt Bros.	156,431.00
Newport Construction Company and Kern & Kibbe	162,611.50
Homer G. Johnson	172,541.00

OREGON COAST AND CORVALLIS-NEWPORT HIGHWAYS
NEWPORT ROCK PRODUCTION PROJECT

E. F. Altree	\$ 10,948.00
A. S. Wallace	12,325.00
R. O. Dail & Warren Bros., Inc.	12,974.00
Dolan Construction Company	14,470.00
F. C. Dillard	14,510.00

MAINTENANCE BUILDING AT ALBANY

Viesko & Hanneman	\$ 12,857.70
Keebler Bros.	12,919.05
Frank Watt Construction Company	13,792.50
Geo. C. Richards	14,137.02
T. Y. McClellan	14,902.10
Teller Construction Company	16,356.75
Birkemeier & Sarnel	17,384.00

SANTIAM HIGHWAY

LEBANON-FOSTER SECTION - CRUSHED ROCK OR GRAVEL IN STOCK PILES

A. S. Wallace	\$ 10,840.00
D. L. Ashton	10,865.00
Saxton, Looney & Risley	11,979.00
R. O. Dail & Warren Bros., Inc.	13,451.00

OLD OREGON TRAIL

STATE HOSPITAL-ASH STREET UNIT - PENDLETON LANDSCAPING PROJECT

Leonard & Slate	\$ 4,144.00
Contracting & Sales Company, Inc.	5,489.00
Parker-Schram Company	5,495.40

SALE OF BUILDINGS AT ALBANY

BUILDING NO. 4955
(Former Owner Melissa J. Kitchen)

No bids received

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BUILDING NO. 5130
(Former Owner Chas. Childs & Wm. Eagles)

W. A. Jones

\$ 11.00

BUILDING NO. 4957
(Former Owner Barbara Kinney)

No bids received

BUILDING NO. 4958
(Former Owner Gladys V. Holloway)

Wilbert Bilyeu	\$ 75.46
C. E. Vols	75.00
V. L. Vols	61.00
Barkren Byers	52.00
Burt Picha	51.00
Wm. Garland	45.00
L. D. Brown	42.50
R. P. Campbell	41.00

BUILDING NO. 4972
(Former Owner S. J. Brown)

V. L. Vols	\$ 61.00
Mr. and Mrs. H. D. Rohde	51.00
Darwin L. Cook	50.00
Burt Picha	35.50

BUILDING NO. 5162
(Former Owner Nancy Gray)

C. E. Vols	\$ 80.00
Chas. Childs	77.00
Burt Picha	71.00
Wilbert Bilyeu	26.00

Chairman Cabell announced that the award of contracts and sale of buildings would be made at 3:30 o'clock p. m. in the same room.

Parks Superintendent S. H. Boardman was present and reported on the following park matters:

Cleaning up the roadside through the Indian village at Celilo adjacent to the Columbia River Highway, in Wasco County:- It was pointed out in the discussion of this matter that the cleaning up of this area is beyond the jurisdiction of the State Highway Commission. However, it was thought that everything possible should be done to effect the cleaning up of the premises by the Federal Government, which has control. A suggestion that the Commission adopt a resolution urging the federal authorities to do this cleaning-up

work was approved by the Commission. The Engineer was instructed to have the Parks Superintendent and the Landscape Engineer consult with the Attorney in the preparation of such resolution, which is to be presented to the Commission for adoption as soon as possible.

Wayside timber strips along the Wolf Creek Highway, about three miles west of Sunset Camp:- The Parks Superintendent advised that he consulted with Mr. J. R. Hulbert of the Sunset Logging Company which owns this timber, relative to the acquisition of strips 300 feet wide on each side of the highway where timber is growing on both sides of the highway, and that Mr. Hulbert has set a price of \$5.10 per MFBM for their timber, at which price the timber would cost the state \$17,136. The Commission considered this price exorbitant and instructed the Parks Superintendent to ascertain from Mr. Hulbert whether or not the company would consider the acceptance of \$3.50 per MFBM.

Acquisition of an ocean-view park site in northern Curry County:- The Parks Superintendent advised that this proposed park, which contains 1,400 acres, is owned by the Blacklock Sandstone Company of San Francisco, which is asking the price of \$10 per acre for its property. He explained that the proposed park area borders on Floras Lake for a distance of about one-half mile and has a 2-mile frontage on the Pacific Ocean, that there are a number of streams running through the area, and that it is covered with pine and rhododendron. Access to the property, he said, may be had from the secondary highway leading to Cape Blanco by extending this road a distance of about one-fourth mile. The Commission appeared favorably inclined to acquire this property but deferred action pending a personal inspection on the ground.

Acquisition of wayside areas on the Wolf Creek Highway, in Clatsop County through the holdings of the Oregon American Lumber Company and Mr. H. B. Van Duser, Portland:- The Parks Superintendent stated that he has conferred with the owners of these timber areas, and the officials of the Oregon American Lumber Company have agreed to set a price on their holdings. Mr. Van Duser, he said, advises that he is willing to sell his holdings to the state at the same rate that the state pays for the holdings of the Oregon American Lumber Company. The Commission ordered the report filed.

Request of the State Game Commission for permission to trap elk in Ecola State Park for rehabilitation purposes in a new game reserve to be located on Mt. Hood, in Clackamas County:- The State Parks Superintendent offered objections to the taking of these elk from Ecola State Park because they are very tame and are a great attraction to park visitors. The Commission concurred in the viewpoint of the Parks Superintendent in this matter.

Acquisition of a 20-foot strip adjacent to the Oregon Coast Highway in Gearhart:- The Parks Superintendent stated that this property is owned by the Gearhart Land Company, and, according to the information he has received, extends for a distance of about 6,400 feet north from Seaside. He advised that there is a question in his mind whether the strip is the same strip that the company agreed to deed to the state free of cost when the state purchased

other property from it, or whether it is an entirely different strip. In view of this uncertainty the Commission deferred a decision relative to the purchase of the property and referred the matter to the Attorney to investigate and clarify the company's proposal.

Plan of National Park Service to acquire a large monument or park to be located along the Oregon coast line:- The Parks Superintendent advised that the National Park Service proposes to establish a large monument some place along the Oregon coast line, consisting of a large acreage of land overlooking the Pacific Ocean, and that a coastal survey has been made by a committee of national park representatives from Washington, D. C., who have selected three sites to present to their superiors in Washington, one being the area including the Sea Lion Caves, in Lane County; another being the area fronting on the ocean between Florence and Gardiner, in Lane and Douglas Counties, the eastern boundary of which site borders on Woahink, Siltcoos, and Tahkenitch Lakes. The third area, he said, is located in Curry County between Cape Sebastian and Brookings, the boundaries being the ocean on the west and the Oregon Coast Highway on the east. He gave as his understanding that if the authorities in Washington select any one of these sites for a national park or monument, the State of Oregon will be asked to purchase the area and present it to the National Park Service as a gift. It was the consensus of opinion that the area located in Curry County would be the most suitable as a national park or monument. However, the Commission took no action on the matter in view of the high cost involved to acquire any of these sites.

The Commission had under discussion the application of the West Coast Power Company to construct its pole line through Benson Park adjacent to the Columbia River Highway at Multnomah Falls, to serve the substation of the Pacific Telephone and Telegraph Company. In the discussion it was pointed out that, in accordance with a previous agreement, the City of Portland, which owns this park, is transferring title to the same to the state, but the negotiations have not yet been completed, so the State Highway Commission does not have, as yet, the authority to issue a permit covering the proposed pole line construction in this area. The Parks Superintendent advised that the City of Portland is ready to transfer title as soon as the survey of that portion north of the railroad tracks has been made. The Engineer was authorized and instructed by the Commission to make such survey so as to complete the deal with the city at the earliest possible time.

The Engineer advised that considerable study has been made of the location for the West Coast Power Company's pole line, and, in his estimation, the proper location is just north of and approximately parallel to the right of way of the O.W.R. & N. Company, in which location the poles will be least objectionable from the highway standpoint. He recommended that such location be designated for this pole line. The Commission approved the recommendation unanimously and instructed the Engineer to consult with the Portland city officials relative thereto, particularly in view of its previous agreement with the City of Portland relative to this park and the fact that the title to the park has not yet been transferred to the state.

It was the thought of the Commission that, if a permit is issued to the West Coast Power Company before the transfer is made, the permit should come from the City of Portland rather than from the state. The Secretary was authorized and instructed to prepare an appropriate permit covering the matter, using the name of the City of Portland as grantor rather than the State of Oregon, upon receipt of information by the Engineer to the effect that that is satisfactory with the Portland city officials.

The Commission had under discussion the matter of surfacing a roadway from the Oregon Coast Highway to the Azalea State Park at Brookings. In this connection the Engineer reported receipt of information from Mr. Elmer Bankus that his company, which owns the property across which this roadway is to be constructed, is ready and willing to deed the right of way to the state without cost as soon as it is furnished with a description of such right of way; also, that Curry County has a W.P.A. project under way for clearing the right of way and grading a portion of the roadway and will continue such work to a connection with the state highway if the State Highway Commission will surface the road when the grading is completed. He further advised that investigation reveals that the section that the state would have to surface is about 3,400 feet in length and will require approximately 1,800 cubic yards of pit-run gravel to provide a surface 8 inches in depth and 20 feet in width. Further, that it is estimated that the surfacing work will cost a total of about \$1,200. He gave as his thought that the expenditure is justified for two reasons: first, the proposed road will provide access to an important state park; and, secondly, when the proposed revision of the Oregon Coast Highway south of Brookings is constructed, this road will be used as a detour for traffic. He further said that, if the state does not cooperate in this improvement now, it will be necessary for the state to pay not only the cost of surfacing later on, but also the cost of the grading work. The State Parks Superintendent, who was present, concurred in the Engineer's recommendation. After discussion the Commission approved the recommendation by unanimous vote. The question then arose whether or not this expense should be charged against the maintenance budget; or whether it should be charged to the state parks budget. The Commission referred the matter to the Engineer to make a decision with respect thereto.

The Commission had under consideration the offers of the United States of America to contribute P.W.A. funds to aid in financing the construction of the Devil's Garden-Quartz Mountain Section of the Klamath Falls-Lakeview Highway and the Eastern Oregon Rock Production Project.

After discussion of the offer of the United States of America to aid by way of grant in financing the construction of the Devil's Garden-Quartz Mountain Section of the Klamath Falls-Lakeview Highway, the following Resolution entitled "A Resolution Accepting the Offer of the United States to the State Highway Commission of the State of Oregon to Aid by Way of Grant in Financing the Construction of the Devil's Garden-Quartz Mountain Section of the Klamath Falls-Lakeview Primary Highway in Klamath and Lake Counties and the Acquisition of Necessary Lands and Rights of Way Therefor" was proposed by Commissioner Tou Velle and read in full:

A RESOLUTION ACCEPTING THE OFFER OF THE UNITED STATES TO THE STATE HIGHWAY COMMISSION OF THE STATE OF OREGON TO AID BY WAY OF GRANT IN FINANCING THE CONSTRUCTION OF THE DEVIL'S GARDEN-QUARTZ MOUNTAIN SECTION OF THE KLAMATH FALLS-LAKEVIEW PRIMARY HIGHWAY IN KLAMATH AND LAKE COUNTIES AND THE ACQUISITION OF NECESSARY LANDS AND RIGHTS OF WAY THEREFOR.

Be it Resolved by the Oregon State Highway Commission:

Section 1. That the offer of the United States of America to the State Highway Commission of the State of Oregon to aid by way of grant in financing the construction of the Devil's Garden-Quartz Mountain Section of the Klamath Falls-Lakeview Primary Highway in Klamath and Lake Counties and the acquisition of necessary lands and rights of way therefor, a copy of which offer reads as follows:

"P. W. 85296-205

"FEDERAL EMERGENCY ADMINISTRATION OF PUBLIC WORKS

"Washington, D. C.,
Dated: Nov 7 - 1938
Docket No. Ore. 1404-F

"State Highway Commission of the State of Oregon,
Salem, Oregon.

"1. Subject to the Terms and Conditions (FHA Form No. 230, as amended to the date of this Offer), which are made a part hereof, the United States of America hereby offers to aid in financing the construction of highway improvements, including the acquisition of necessary land and rights of way (herein called the "Project"), by making a grant to the State Highway Commission of the State of Oregon (herein called the "Applicant") in the amount of 45 percent of the cost of the Project upon completion, as determined by the Federal Emergency Administrator of Public Works (herein called the "Administrator"), but not to exceed, in any event, the sum of \$49,005.

"2. By acceptance of this Offer the Applicant covenants to begin work on the Project as early as possible but in no event later than December 31, 1938, and to complete such Project with all practicable dispatch, and in any event within 11 months from the commencement of construction.

"3. This Offer is made subject to the express condition that, if the Administrator shall determine at any time that the Applicant has paid or agreed to pay, whether directly or indirectly, a bonus, commission or fee to any person, firm or corporation for attempting to procure an approval of the Applicant's application, or for alleged services in procuring or in attempting to procure such approval, or for activities of the nature commonly known as lobbying performed or

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agreed to be performed in connection with the application, then the Administrator shall have the right, in his discretion, to rescind this Offer and any agreements resulting herefrom, and, in the event of such rescission, the United States of America shall be under no further obligation hereunder.

"UNITED STATES OF AMERICA

Federal Emergency Administrator
of Public Works

By (Sgd.) E. W. Clark
For the Assistant Administrator"

be and the same is hereby in all respects accepted.

Section 2. That the State Highway Commission of the State of Oregon and the State of Oregon agree to abide by all Terms and Conditions relating to such grant, a copy of which Terms and Conditions were annexed to the Government's offer and made a part thereof. It is hereby covenanted that the work on the project described in the offer will be commenced as early as possible, but in no event later than December 31, 1938; and to complete the work with all practicable dispatch, and in any event within eleven months from the commencement of the construction.

Section 3. That J. M. Devers, Assistant Attorney General for Oregon, and Attorney for the State Highway Commission of the State of Oregon be and he is hereby authorized and directed forthwith to send to the Federal Emergency Administration of Public Works three certified copies of this Resolution and three certified copies of the proceedings of this Commission in connection with the adoption of this Resolution and such further documents or proofs in connection with the acceptance of said offer as may be requested by the Federal Emergency Administration of Public Works.

The above resolution was seconded by Commissioner Aldrich and was adopted with the following voting yes: Chairman Henry F. Cabell, Commissioner E. B. Aldrich, and Commissioner F. L. Tou Velle. The Chairman thereupon declared said Resolution carried.

Following discussion of the offer of the United States of America to aid by way of grant in financing the construction of the Eastern Oregon Rock Production Project, the following Resolution entitled "A Resolution Accepting the Offer of the United States to the State Highway Commission of the State of Oregon to Aid by Way of Grant in Financing the Construction of the Eastern Oregon Rock Production Project and the Acquisition of Necessary Lands and Rights of Way Therefor" was proposed by Commissioner Aldrich and read in full:

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A RESOLUTION ACCEPTING THE OFFER OF THE UNITED STATES TO THE STATE HIGHWAY COMMISSION OF THE STATE OF OREGON TO AID BY WAY OF GRANT IN FINANCING THE CONSTRUCTION OF THE EASTERN OREGON ROCK PRODUCTION PROJECT AND THE ACQUISITION OF NECESSARY LANDS AND RIGHTS OF WAY THEREFOR.

Be it Resolved by the Oregon State Highway Commission:

Section 1. That the offer of the United States of America to the State Highway Commission of the State of Oregon to aid by way of grant in financing the construction of the Eastern Oregon Rock Production Project and the acquisition of necessary lands and rights of way therefor, a copy of which offer reads as follows:

"P. W. 85296-308

"FEDERAL EMERGENCY ADMINISTRATION OF PUBLIC WORKS

"Washington, D. C.

Dated: Nov 7 - 1938

Docket No. Oreg. 1373-F

"State Highway Commission of the State of Oregon,
Salem, Oregon.

"1.. Subject to the Terms and Conditions (FWA Form No.230, as amended to the date of this Offer), which are made a part hereof, the United States of America hereby offers to aid in financing the construction of highway improvements, including the production of stock-pile materials for maintenance purposes and the acquisition of necessary land and rights of way (herein called the "Project"), by making a grant to the State Highway Commission of the State of Oregon (herein called the "Applicant") in the amount of 45 percent of the cost of the Project upon completion, as determined by the Federal Emergency Administrator of Public Works (herein called the "Administrator"), but not to exceed, in any event, the sum of \$92,421.

"2. By acceptance of this Offer the Applicant covenants to begin work on the Project as early as possible but in no event later than December 31, 1938, and to complete such Project with all practicable dispatch, and in any event within 10 months from the commencement of construction.

"3. This Offer is made subject to the express condition that, if the Administrator shall determine at any time that the Applicant has paid or agreed to pay, whether directly or indirectly, a bonus, commission, or fee to any person, firm or corporation for attempting to procure an approval of the Applicant's application, or for alleged services in procuring or in attempting to procure such approval, or for activities of the nature commonly known as

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lobbying performed or agreed to be performed in connection with the application, then the Administrator shall have the right, in his discretion, to rescind this Offer and any agreements resulting herefrom, and, in the event of such rescission, the United States of America shall be under no further obligation hereunder.

"UNITED STATES OF AMERICA

Federal Emergency Administrator
of Public Works

By (Sgd.) E. W. Clark
For the Assistant Administrator"

be and the same is hereby in all respects accepted.

Section 2. That the State Highway Commission of the State of Oregon and the State of Oregon agree to abide by all Terms and Conditions relating to such grant, a copy of which Terms and Conditions were annexed to the Government's offer and made a part thereof. It is hereby covenanted that the work on the project described in the offer will be commenced as early as possible, but in no event later than December 31, 1938; and to complete the work with all practicable dispatch, and in any event within ten months from the commencement of the construction.

Section 3. That J. M. Devers, Assistant Attorney General for Oregon, and Attorney for the State Highway Commission of the State of Oregon be and he is hereby authorized and directed forthwith to send to the Federal Emergency Administration of Public Works three certified copies of this Resolution and three certified copies of the proceedings of this Commission in connection with the adoption of this Resolution, and such further documents or proofs in connection with the acceptance of said offer as may be requested by the Federal Emergency Administration of Public Works.

The above resolution was seconded by Commissioner Tou Velle and was adopted with the following voting yes: Chairman Henry F. Cabell, Commissioner E. B. Aldrich, and Commissioner F. L. Tou Velle. The Chairman thereupon declared said Resolution carried.

The Commission also discussed the matter of establishing minimum wage rates to be paid by contractors for labor employed on the Devil's Garden-Quartz Mountain Section and on the Eastern Oregon Rock Production Project. The following resolutions pertaining thereto were adopted by the Commission by unanimous vote upon motion of Commissioner Aldrich, which was duly seconded by Commissioner Tou Velle:

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A RESOLUTION ESTABLISHING MINIMUM WAGE RATES TO BE PAID BY
CONTRACTORS FOR LABOR ON THE DEVIL'S GARDEN-QUARTZ MOUNTAIN SECTION
PWA DOCKET NO. OREGON 1404-F

WHEREAS, a thorough investigation has been made of the hourly wage rates which are being paid in Klamath and Lake counties, which is the locality in which the proposed project (hereinafter referred to as "project") is to be constructed by the Oregon State Highway Commission, to employees in each trade or occupation engaged in work of a nature similar to the work to be performed in the construction of said project, and the prevailing hourly wage rates being paid in such locality to such employees for such work have been determined by an examination of the wage rates paid on various jobs as listed in our letter of November 1 to Mr. C. C. Hockley, which work is comparable to the work to be performed in this project.

NOW, THEREFORE, Be It Resolved by the Oregon State Highway Commission of the State of Oregon that the following rates for the respective trades or occupations listed below shall be and are hereby fixed as the minimum hourly wage rates and have been determined in accordance with rates prevailing for work of a similar nature in the locality in which the project is to be constructed:

Retort operator	\$1.00
Retort fireman	.87½
Distributor driver	.90
Distributor leverman	.90
Power brooms	.75
Sloper - layout man	.75
Timber fallers	.90
Timber buckers	.75
Powderman	1.00
Jackhammer men	.75
Steel and tool dresser	1.00
Stat. drag scraper oper., up to 1 yd. cap.	.80
Stat. drag scraper oper., over 1 yd. cap.	1.12½
Oiler	.80
Crusher feeder	.75
Road rollers (finishing high type pavement)	1.12½
Road rollers (grade and surfacing)	1.00
Power shovels, draglines, cranes, over 1 yd. inc. all attachments	1.50
Power shovels, draglines, cranes, 1 yd. and under, inc. all attachments	1.25
Grease monkey	.80
Tractor oper., 75 HP and over, with attach.	1.25
Tractor oper., 75 HP and over, without att.	1.00
Tractor oper., 35 - 75 HP	1.00
Tractor oper., under 35 HP	.85

(Continued on next page)

(Minimum wage rates, Devil's Garden-Quartz Mountain Section, continued:)

Power blade	\$1.12½
Elevating grader operators	1.00
Power loader	1.00
Common labor	.50
Truck drivers, 3 ton & over, mfr. rated cap.	.85
Truck drivers, 1½ - 3 ton, mfr. rated cap.	.75

Be It Further Resolved that the foregoing list of trades or occupations includes to the best of our knowledge all the classifications of employees who will be engaged in work on said project other than executive, supervisory, administrative, clerical, or other non-manual workers as such.

A RESOLUTION ESTABLISHING MINIMUM WAGE RATES TO BE PAID BY
CONTRACTORS FOR LABOR ON THE EASTERN OREGON ROCK PRODUCTION PROJECT
PWA DOCKET NO. OREGON 1373-F

WHEREAS, a thorough investigation has been made of the hourly wage rates which are being paid in Eastern Oregon, which is the locality in which the proposed project (hereinafter referred to as "project") is to be constructed by the Oregon State Highway Commission, to employees in each trade or occupation engaged in work of a nature similar to the work to be performed in the construction of said project, and the prevailing hourly wage rates being paid in such locality to such employees for such work have been determined by an examination of the wage rates paid on various jobs as listed in our letter of November 1 to Mr. C. C. Hockley, which work is comparable to the work to be performed in this project.

NOW, THEREFORE, Be It Resolved by the Oregon State Highway Commission of the State of Oregon that the following rates for the respective trades or occupations listed below shall be and are hereby fixed as the minimum hourly wage rates and have been determined in accordance with rates prevailing for work of a similar nature in the locality in which the project is to be constructed:

Retort operator	\$1.00
Retort fireman	.87½
Distributor driver	.90
Distributor leverman	.90
Power brooms	.75
Sloper - layout man	.75
Timber fallers	.90
Timber buckers	.75
Powderman	1.00
Jackhammer men	.75
Steel and tool dresser	1.00

(Continued on next page)

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(Minimum wage rates, Eastern Oregon Rock Production Project, continued)

Stat. drag scraper oper., up to 1 yd. cap.	\$.80
Stat. drag scraper oper., over 1 yd. cap.	1.12 $\frac{1}{2}$
Oiler	.80
Crusher feeder	.75
Truck drivers, 3 ton & over, mfr. rated cap.	.85
Truck drivers, 1 $\frac{1}{2}$ - 3 ton, mfr. rated cap.	.75
Road rollers (finishing high type pavement)	1.12 $\frac{1}{2}$
Road rollers (grade and surfacing)	1.00
Power shovels, draglines, cranes, over 1 yd. with attachments	1.50
Power shovels, draglines, cranes, 1 yd. and under, with attachments	1.25
Grease monkey	.80
Tractor oper., 75 HP and over, with attach.	1.25
Tractor oper., 75 HP and over, without att.	1.00
Tractor oper., 35 - 75 HP	1.00
Tractor oper., under 35 HP	.85
Power blade	1.12 $\frac{1}{2}$
Elevating grader operators	1.00
Power loader	1.00
Common labor	.50

Be It Further Resolved that the foregoing list of trades or occupations includes to the best of our knowledge all the classifications of employees who will be engaged in work on said project other than executive, supervisory, administrative, clerical, or other non-manual workers as such.

The Commission adjourned at 12:30 o'clock p. m. and reconvened at 2:00 o'clock p. m. in the same room with all Commissioners, the State Highway Engineer, the Attorney, and the Secretary present.

The Commission reconsidered the matter of the date for its next regular meeting in December heretofore scheduled for Thursday, December 22, and decided to advance the date of such meeting to Monday and Tuesday, December 19 and 20, 1938. The Secretary was instructed to arrange to hold such meeting in the auditorium of the Public Service Building, Portland, in accordance with the usual practice. It was tentatively decided to hold a conference with representatives of the United States Bureau of Public Roads and the United States Forest Service on the afternoon of Tuesday, December 20, to arrange a construction program for the fiscal year 1940 forest highway funds.

Messrs. Walter Buse and Raymond Caufield, Oregon City, representing the Oregon City Chamber of Commerce, came before the Commission and inquired as to the Commission's plans for the construction of the East Portland-Oregon City Highway through Oregon City. They were informed by Chairman Cabell that the Commission has adopted a policy not to construct highway projects until all right of way matters in connection therewith have been satisfactorily

disposed of. The right of way for the north unit of the Oregon City project, he said, has been obtained and the Commission proposes to advertise for bids for the construction of this unit in the near future, probably in January of 1939, but the contracting of the south unit of the project will have to be deferred until right of way matters have been clarified.

Mr. Caulfield inquired whether or not the Commission has taken any action toward designating as a secondary state highway the county road extending westerly from West Linn to a connection with the Pacific Highway West, as was heretofore requested by an Oregon City delegation. He was informed by Chairman Cabell that, on account of shortage of funds for construction, the Commission does not feel that it is proper to place any more roads on the state highway system until the many roads now on such system have been rebuilt to proper standards; so the designation of the road under discussion as a secondary state highway will simply have to wait until a more propitious time.

Messrs. Earl J. Knutson, State Manager, and Glenn D. McNeilly, representing the California Western States Life Insurance Company, conferred with the Commission in regard to furnishing group insurance for state highway department employees. The matter was discussed at considerable length but no definite action was taken thereon, although the Commission advised that it would consider the matter and make a decision as soon as possible. The matter was referred to the Attorney for investigation and report.

Following a discussion of this matter, the Commission considered the renewal of the agreements with the National Hospital Association of Portland, the Multnomah Industrial Health Association, Portland, and the Physicians and Surgeons Hospital Association of Salem, for the furnishing of medical and hospital service to state highway department employees. The Commission was advised by the Attorney that the services rendered by these associations in the past have been satisfactory. In view thereof, the Commission decided unanimously to continue these agreements for another year.

Mr. H. R. Peets, Turner, was present and suggested a new route for the Pacific Highway between Salem and Eugene, passing through or near the town of Turner. He submitted a map showing the proposed route and alleged that the adoption of the same would shorten the distance between Salem and Eugene by about 17 miles. He also alleged that the proposed route could be constructed on much straighter alignment than the present route and with fewer adverse grades. Furthermore, it would avoid crossing of the Southern Pacific railroad and the Willamette River. He advised that he has no particular personal interest in the matter but simply wished to bring the route to the Commission's attention because it is so much shorter, straighter, and is much freer from adverse grades than the present route, on which a number of fatal accidents have occurred recently. Chairman Cabell thanked Mr. Peets for his suggestion and advised him that the Commission would be glad to bear it in mind for future consideration.

A delegation from Polk and Benton Counties conferred with the Commission in regard to the improvement of the Kings Valley Secondary State Highway. Mr. H. J. Leverman, Pedee, headed the group, which included the

following members: Messrs. Edward Turner, G. H. Fowler, and R. W. Craven, of Independence; Messrs. Gardner and P. M. Ritner, of Pedee; County Commissioner Fred Gibson, and Harrison H. Brant, of Polk County; Gus A. Nyman, of Kings Valley; and Ira L. Vincent, of Wren.

Mr. Leverman stated that the people served by this road are very anxious to have the road improved next summer and thought it best to bring the project to the Commission's attention at this time so as to make certain that it will be considered when the Commission arranges its 1939 construction program. He said that the section between Lewisville and Pedee should receive first consideration, and advised that they would be satisfied with the improvement of the present road notwithstanding that it might be somewhat longer than is absolutely necessary. He said that their greatest concern is to secure a good, smooth, travelable, dustless road to be used the year round rather than to save them some distance. Mr. Leverman's remarks were endorsed by each of the other members of the delegation.

The Engineer advised that a reconnaissance survey of the road is now being made and a report will be rendered to the Commission as soon as such survey is completed.

Chairman Cabell advised that the Commission is not in a position at the present time to make any promises or commitments to the project but will be pleased to consider it in the formulation of future construction programs.

Mr. Frank Forth, Ashland, was present in regard to damages that he alleges occurred to his property by reason of the reconstruction of the Pacific Highway in the Siskiyou Mountains, south of Ashland. Mr. Forth alleged unfair treatment on the part of the highway department engineers and asked the Commission to widen the fill in front of his premises to provide a parking place 15 feet wide and about 150 feet long so that people can drive to his service station with safety. Mr. Forth also alleged that part of his property had been covered to a depth of 6 feet with materials from the highway right of way, rendering this property valueless, and asked the Commission to pay him for this damage. This matter was discussed at considerable length but no definite action was taken thereon except that the Commission agreed to inspect the premises if it visits this district soon; otherwise, Commissioner Tou Velle and the Engineer are to inspect the property personally before snow falls.

A delegation from Forest Grove, consisting of Loyal M. Graham, John A. Thornburg, Hugh McGilvra, Fred Gardner, Mr. McSorlie, and Russell Stanton came before the Commission in regard to the Gales Creek Road. Mr. Graham headed the group. He pointed out that the state is now maintaining the Gales Creek Road as a temporary state highway route from Forest Grove to Balm Grove pending construction of the Wolf Creek and Wilson River Highways, and asked the Commission to extend this maintenance work approximately 4 miles, to the junction with the Wilson River Highway near Glenwood, and to maintain that portion of the new grade of the Wilson River Highway that is being used by traffic going to the Consolidated Timber Company's camp. He said that the

present road is in very bad condition and, in his estimation, there is sufficient travel over it to justify state maintenance. He advised that they are not asking for a permanent improvement but simply that the road be put in good condition and maintained properly. He filed with the Commission petitions bearing the names of 295 users of this road, urging the improvement of the same as a state highway route until the Wilson River Highway is completed. Mr. McSorlie endorsed the remarks of Mr. Graham.

After discussion the Commission approved the request and authorized the Engineer to maintain the additional section at state expense. The Engineer was instructed to consult with the W.P.A. officials relative to the maintenance of the used portion of the new grade of the Wilson River Highway up to the Consolidated Timber Company's plant in an endeavor to get the W.P.A. to assume this responsibility. If he is unsuccessful in this attempt, then he is authorized to maintain this section at state expense.

The Commission discussed with the Engineer the bids received at the morning session for highway construction projects, including several that are to be financed in part with P.W.A. funds. The following resolutions with respect to the award of the P.W.A. projects were adopted by the Commission by unanimous vote on motion of Commissioner Aldrich, which was duly seconded by Commissioner Tou Velle:

**A RESOLUTION AWARDING THE CONTRACT FOR THE CONSTRUCTION OF THE RICHLAND-HALFWAY SECTION OF THE BAKER-HOMESTEAD HIGHWAY IN BAKER COUNTY
DOCKET NUMBER OREGON 1294-F**

WHEREAS, bids received for the construction of the Richland-Halfway Section of the Baker-Homestead Highway in Baker County have been duly opened and read, in accordance with published notice, and compared,

AND WHEREAS, the bid submitted by Norris Brothers, contractor, is the lowest responsible bid received and is within the funds available for the construction of the said project,

NOW THEREFORE, Be It Resolved by the State Highway Commission of the State of Oregon that the contract for the construction of the Richland-Halfway Section of the Baker-Homestead Highway in Baker County be and the same is hereby awarded to Norris Brothers, contractor, in the amount of Fifty-five Thousand Four Hundred Ninety-four Dollars and Fifty Cents (\$55494.50), and

Be It Further Resolved that this award shall not be effective until the successful bidder has been notified in writing of such award by the Secretary of the Oregon State Highway Commission.

**A RESOLUTION AWARDCING THE CONTRACT FOR THE CONSTRUCTION OF THE
CHARLESTON-MINER CREEK SECTION OF THE CAPE ARAGO SECONDARY
HIGHWAY IN COOS COUNTY - DOCKET NUMBER OREGON 1322-F**

WHEREAS, bids received for the construction of the Charleston-Miner Creek Section of the Cape Arago Secondary Highway in Coos County have been duly opened and read, in accordance with published notice, and compared,

AND WHEREAS, the bid submitted by Coos Bay Dredging Company, contractor, is the lowest responsible bid received and is within the funds available for the construction of the said project,

NOW THEREFORE, Be It Resolved by the State Highway Commission of the State of Oregon that the contract for the construction of the Charleston-Miner Creek Section of the Cape Arago Secondary Highway in Coos County be and the same is hereby awarded to Coos Bay Dredging Company, contractor, in the amount of Thirty-four Thousand Four Hundred Twenty-six Dollars and Twenty-five Cents (\$34,426.25), and

Be It Further Resolved that this award shall not be effective until the successful bidder has been notified in writing of such award by the Secretary of the Oregon State Highway Commission.

**A RESOLUTION AWARDCING THE CONTRACT FOR THE CONSTRUCTION OF
THE ROCK CREEK-MORROW COUNTY LINE SECTION OF THE WASCO-HEPPNER
SECONDARY HIGHWAY IN GILLIAM COUNTY - DOCKET NUMBER OREGON 1194-F**

WHEREAS, bids received for the construction of the Rock Creek-Morrow County Line Section of the Wasco-Heppner Secondary Highway in Gilliam County have been duly opened and read, in accordance with published notice, and compared,

AND WHEREAS, the bid submitted by H. L. Rice, contractor, is the lowest responsible bid received and is within the funds available for the construction of the said project.

NOW THEREFORE, Be It Resolved by the State Highway Commission of the State of Oregon that the contract for the construction of the Rock Creek-Morrow County Line Section of the Wasco-Heppner Secondary Highway in Gilliam County be and the same is hereby awarded to H. L. Rice, contractor, in the amount of Thirty-two Thousand Three Hundred Forty-five Dollars (\$32,345.00), and

Be It Further Resolved that this award shall not be effective until the successful bidder has been notified in writing of such award by the Secretary of the Oregon State Highway Commission.

**A RESOLUTION AWARDING THE CONTRACT FOR THE CONSTRUCTION OF
THE MADRAS-DESCHUTES COUNTY LINE SECTION OF THE DALLES-CALIFORNIA
HIGHWAY IN JEFFERSON COUNTY - DOCKET NUMBER OREGON 1347-F**

WHEREAS, bids received for the construction of the Madras-Deschutes County Line Section of The Dalles-California Highway, in Jefferson County have been duly opened and read, in accordance with published notice, and compared,

AND WHEREAS, the bid submitted by Fisher Bros., contractor, is the lowest responsible bid received and is within the funds available for the construction of the said project,

NOW, THEREFORE, Be It Resolved by the State Highway Commission of the State of Oregon that the contract for the construction of the Madras-Deschutes County Line Section of The Dalles-California Highway in Jefferson County be and the same is hereby awarded to Fisher Bros., contractor, in the amount of Twelve Thousand Seventy Dollars (\$12070.00), and

Be It Further Resolved that this award shall not be effective until the successful bidder has been notified in writing of such award by the Secretary of the Oregon State Highway Commission.

**A RESOLUTION AWARDING THE CONTRACT FOR THE CONSTRUCTION
OF THE NEWPORT ROCK PRODUCTION PROJECT ON THE OREGON COAST AND CORVALLIS-
NEWPORT HIGHWAYS IN LINCOLN COUNTY - DOCKET NUMBER OREGON 1372-F, UNIT B**

WHEREAS, bids received for the construction of the Newport Rock Production Project on the Oregon Coast and Corvallis-Newport Highways in Lincoln County have been duly opened and read, in accordance with published notice, and compared,

AND WHEREAS, the bid submitted by E. F. Altree, contractor, is the lowest responsible bid received and is within the funds available for the construction of the said project,

NOW THEREFORE, Be It Resolved by the State Highway Commission of the State of Oregon that the contract for the construction of the Newport Rock Production Project on the Oregon Coast and Corvallis-Newport Highways in Lincoln County be and the same is hereby awarded to E. F. Altree, contractor, in the amount of Ten Thousand Nine Hundred Forty-eight Dollars (\$10948.00), and

Be It Further Resolved that this award shall not be effective until the successful bidder has been notified in writing of such award by the Secretary of the Oregon State Highway Commission.

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A RESOLUTION AWARDING THE CONTRACT FOR THE CONSTRUCTION OF
A MAINTENANCE BUILDING AT ALBANY IN LINN COUNTY
DOCKET NUMBER OREGON 1282-F

WHEREAS, bids received for the construction of a maintenance building at Albany in Linn County have been duly opened and read, in accordance with published notice, and compared,

AND WHEREAS, the bid submitted by Viesko & Hannaman, contractor, is the lowest responsible bid received and is within the funds available for the construction of the said project,

NOW THEREFORE, Be It Resolved by the State Highway Commission of the State of Oregon that the contract for the construction of a maintenance building at Albany in Linn County be and the same is hereby awarded to Viesko & Hannaman, contractor, in the amount of Twelve Thousand Eight Hundred Fifty-seven Dollars and Seventy Cents (12857.70), and

Be It Further Resolved that this award shall not be effective until the successful bidder has been notified in writing of such award by the Secretary of the Oregon State Highway Commission.

A RESOLUTION AWARDING THE CONTRACT FOR THE CONSTRUCTION OF
THE LEBANON-FOSTER SECTION OF THE SANTIAM HIGHWAY IN LINN COUNTY
DOCKET NUMBER OREGON 1372-F, Unit A

WHEREAS, bids received for the construction of the Lebanon-Foster Section of the Santiam Highway in Linn County have been duly opened and read, in accordance with published notice, and compared,

AND WHEREAS, the bid submitted by A. S. Wallace, contractor, is the lowest responsible bid received and is within the funds available for the construction of the said project,

NOW, THEREFORE, Be It Resolved by the State Highway Commission of the State of Oregon that the contract for the construction of the Lebanon-Foster Section of the Santiam Highway in Linn County be and the same hereby is awarded to A. S. Wallace, contractor, in the amount of Ten Thousand Eight Hundred Forty Dollars (\$10840.00), and

Be It Further Resolved that this award shall not be effective until the successful bidder has been notified in writing of such award by the Secretary of the Oregon State Highway Commission.

Chairman Henry F. Cabell announced at 3:30 o'clock p. m., for the benefit of contractors and others present, that there would be a slight delay in announcing the names of the successful bidders on the projects on which bids were received at the morning session, in order to secure P.W.A. approval of the awards of the P.W.A. projects as made by the Commission.

The Attorney reported that, according to present estimates, expenditures during 1938 for right of way will exceed \$700,000, which is about \$100,000 in excess of the amount budgeted for such purposes. The Commission took no action on the matter.

The Engineer requested authority to acquire certain parcels of real property that are needed for various highway improvements throughout the state. He exhibited a list of such properties together with prices that he recommended be paid for each. After careful consideration the Commission approved the Engineer's request and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth; and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon; and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Columbia Boulevard-Harding Avenue Section - Pacific Highway West</u>				
5054-Tracy, Ethel M.	R/W	6 lots	\$25 lump sum-for a quitclaim deed	Schannep
<u>Oregon City-Milwaukie Section - Pacific Highway East</u>				
6470-Ritchie, A. V. et al	R/W	Cooperative	payment of \$500 to Clackamas County	DeSouza

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>West Portland-Cook's Crossing Section - West Portland-Hubbard Highway</u>				
6369-Kreuger, Emil E.	R/W	8 lots	\$30 each	Benson
4599-Henricks, J. A.	"	1.181	Lump Sum \$350	"
5472-Smith, Geo. S.	"	25 lots	Lump Sum \$1500	"
4588-Bissett, R. A.	"	31600 sq.ft.	Lump Sum \$1200	"
6368-May, Clifford	"	2 lots	\$30 each	"
3641-Duncan, Josephine M.	"	10200 sq.ft.	at 42 1/2 sq.ft.	"
5474-Stolte, John	"	4 lots	\$30 per lot	"
<u>Burton-Manning Section - Wolf Creek Highway</u>				
6232-Watson, Carl W.	R/W	0.31	\$150 per a. plus \$7.50	McCheaney
6456-Mrosik, James	Maintenance Headquarters	4.59	1.97 a. at \$150 per a. 2.62 a. at \$50 per a., plus \$50	"
<u>Manning-Davies Section - Wolf Creek Highway</u>				
6269-Caldwell, John	R/W	3.33	\$150 per a. + \$142.50	"
6273-Carstens, Clell B.	"	5.53	1.0 a. at \$100 per a. 1.75 a. at \$50 per a. 2.78 a. at \$20 per a. plus \$6.90	"
<u>Olney-Jewell Section - Nehalem Highway</u>				
6415-Meier, Edwin	Stock Pile	1.0	Lump Sum \$75	"
6417-Tidewater Timber Co.	" "	1.195	Lump Sum \$1	"
6370-Western Cooperage Co.	Quarry and Hauling Road Easement	5.93	Lump Sum \$500	"
<u>Mussel Creek-Euchre Creek Section - Oregon Coast Highway</u>				
5285-Frank, S.H. Co.	Drainage and Tunnel Easement	0.014	Lump Sum \$1	"
<u>Bear Canyon-State Line Section - Pacific Highway</u>				
6299-Olson, Albert	R/W	9.63	\$10+ per a., Lump Sum \$100	McCallister
6302-O'Neal, Beulah	"	28.64	23.64 a. at \$15 per a. 5 a. at \$40 per a., plus \$320	"
6303-Garwood, Marion	"	1.36	\$15 per a. plus \$16.50	"
6177-Garwood, Edgar M.	"	8.84	\$15 per a. plus \$155	"
6304-Erickson, A. E.	"	11.26	\$15 per a. plus \$56.60	"
<u>Umpqua River Bridge (Dillard) Section - Pacific Highway</u>				
6309-Moore, Ada	R/W	1.14	\$50 per a. plus mov- ing fence	"
6306-Adams, James H.	"	0.59	\$150 per a. plus \$30.50	"
6306A-Adams, James H.	Gravel Pit and R/W	8.33	Lump Sum \$500	"

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>South Dillard Bridge Section - Pacific Highway</u>				
6310-Hanchett, Flossie or James H. Adams	R/W	0.44	\$150 per a. plus \$12.50	McCallister
6307-Coon, F. D.	"	3.03	2.50 a. at \$350 per a. 0.53 a. at \$50 per a. + fencing + \$448.50	"
<u>Rough Creek-Belknap Junction Section - McKensie Highway</u>				
6460-Helfrich, B. B. et al	Stock Pile	1.0	Lump Sum \$175 for land, plus construction of fence and cut and pile trees	Lytle
6461-Gilbert, T.H. and D. C. Meyer	" "	1.11	Lump Sum \$150	"
6462-Vincent, Bert	" "	0.91	Lump Sum \$275	"
6463- ALTERNATE:		1.22	Lump Sum \$200, owner to relinquish right to trees	"
<u>South Entrance to Marshfield Section - Oregon Coast Highway</u>				
5113-McDougald, J. F.	R/W	120 sq.ft.	Lump Sum \$15	Benson
<u>Bend Section - Century Drive Highway</u>				
6118-Great Northern Railway Co.	R/W	1.46	Lump Sum \$100	Gardiner
6117-Shevlin-Hixon Lumber Co.	"	3.62	\$50 per a.	"
<u>Horse Ridge-Brothers Section - Central Oregon Highway</u>				
6339-Settlemyer, Jacob	R/W	29.72	\$1 per a. plus \$480	Benson
6234-Good, Martha	Gravel Pit	3.56	Lump Sum \$10	"
6232-Good, Martha	R/W	5.58	Lump Sum \$10	"
6233-Lee, Alwyn F.	"	2.55	Land \$5, plus \$66	"
6235-Deschutes County	Gravel Pit	1.24	Gratis	"
6229-Deschutes County	R/W	107.743	Gratis	"
<u>Bend Section - The Dalles-California Highway</u>				
6457-Cohrke, George R.	Slope Easement	0.12	Lump Sum \$1	"
<u>Gilliam County Line-Ione Section - Oregon-Washington Highway</u>				
6366-Baurnefeld, Martin	Stock Pile	0.22	\$40 per a. plus \$3	Wells
<u>Charleston-Cape Arago Section - Cape Arago Highway</u>				
6356-Tower, Isaac R., Trustee	R/W	1.3	\$30 per a.	Gardiner
6355-Sengstacken, Henry, Co.	"	4.73	Lump Sum \$150	"
6343-Briggs, P.H. et al	"	510 sq.ft.	8¢ per sq.ft.	"
6344-Anderson, Roscoe	"	272 sq.ft.	5¢ sq.ft. + moving bldg. (est. at \$200)	"
6342-Coos County	"	2 lots	Gratis	"
6351-Collins, E. W.	"	3008 sq.ft.	1½¢ sq.ft.	"
6346-Mills, Don F.	"	1698 sq.ft.	\$0.025 per sq.ft.	"
6353-Stinson, J. B.	"	0.19	\$300 per a. plus \$57	"

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Mill Creek-Marks Creek Section - Ochoco Highway</u>				
6031-Drew, Joseph M.	R/W	2.908	0.398 a. at \$75 per a. 1.55 a. at \$100 per a. 0.96 a. at \$5 per a., plus \$234	Benson
6372-Ochoco Irrigation Dist.	"	0.47 a.	at \$75 per a. + \$71.25	"
<u>Umatilla-Hermiston Section - Old Oregon Trail Highway</u>				
6341-Duvall, Nellie F.	Stock Pile	0.83	\$40 per a.	Wells
<u>Paisley-Chalk Creek Section - Fremont Highway</u>				
5616-Curran, Richard, Jr. (Correction)	Gravel Pit	12.22	\$81.83+ per a., plus taxes,—\$16.15	McCallister
<u>Flat Creek-Mt. Vernon Section - John Day Highway</u>				
6326-Braga, Marie	Stock Pile	0.92	\$15 per a. plus \$7.50	Wells
<u>Hermiston Junction-Echo Section - Lexington-Echo Highway</u>				
6319-Cunha, Joseph	Stock Pile	1.0	Lump Sum \$25	"
<u>Mile Post #39 - Sherman Highway</u>				
6214-Huff, D.W., Estate	Stock Pile	0.84	Lump Sum \$30	Benson
<u>Lebanon-Sweet Home Section - Santiam Highway</u>				
6373-Thompson, J.A., Estate	Maintenance and Stock Pile	1.26	Lump Sum \$250	McCallister
6458-Scott, W. L.	Stock Pile	1.35	Land \$100, plus \$7.50 plus fence	Eason
6402-Gardner, J.D. and First Nat'l Bank of Lebanon	Gravel Pit		5-yr lease at 2 1/2 per cu.yd.	McCallister
<u>Albany Overcrossing Section - Pacific Highway East</u>				
4966-Dodele, Martha	R/W		Construction of sidewalk and driveways, estimated cost \$190.44	Booth
5558-Jensen, Albert C. et al	"	822 sq.ft.	Land \$1,000, plus \$313.14	DeSouza
<u>Pendleton-Adams Section - Oregon-Washington Highway</u>				
5896-Rutten, Grace Owen	R/W	4.45	\$80 per a.+ \$1128.84	Parker
5898-Tachella, Ralph	"	8.89	\$100 per a.+ \$1889.83 and cattle pass	"
5904-Rothrock, John W.	"	6.43	\$125 per a.+ \$2259.25 and cattle pass	"
5897-Harrah, Forrest	"	5.77	\$80 per a.+ \$1343.60 and cattle pass	"

(Continued on next page)

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>(Pendleton-Adams Section, continued)</u>				
6166-Phelps, Minnie M.	R/W	1.70	\$80 per a.+ \$75 + fencing and gate construction	Wells
6165-Henriksen, Oral	"	922 sq.ft.	at 6¢ sq.ft. + \$7.50 + construction of fence	"
5886-Stoffle, J. P.	"	0.13	\$1000 per a. + \$270	"
5887-McCormach, W. H.	"	0.49	\$1,000 per a.+ \$547.50	"
5890-Cummings, Geo. A.	"	1.08	\$56.48 per a. + \$39	"
5891-Beck, Fred W.	"	0.17	\$1,000 per a.	"
5892-Schultz, Oscar H.	"	1.020	0.834 a. at \$40 per a. 0.186 a. at \$500 per a., plus \$367	"
5885-Lassen, C. W.	"	0.165	\$1,000 per a. + \$66.88	"
5932-Nooy, John	Hauling Road Easement		2-yr easement for hauling road purposes, \$25	"
<u>Oregon City Section - East Portland-Oregon City Highway</u>				
3055-Roake, L. V.	R/W	3015 sq.ft.	(a) \$4200 Lump Sum + 2250 sq.ft. of land (b) \$350 + cost of new bldgs (est. cost \$3652.38 and exchange of lots, + moving machinery	Parker
6468-Pope, - - -	"	8415.75 sq.ft.	\$6350 Lump Sum	"
<u>Corbett-Dodson Section - Columbia River Highway</u>				
1860-First Nat'l Bank of Portland	R/W	104.0	\$25 per a.	"
1859-Coopey, Minnie Franklin	"	8.4	\$25 per a.	"
<u>Seaside Section - Oregon Coast Highway</u>				
6313-Clatsop County	R/W	23 lots and unplatted parcel of land -	Lump Sum \$1	McChesney
<u>Lebanon-Foster Section - South Santiam Highway</u>				
6466-Garland, Samuel M.	Gravel Pit	7.8	5-yr lease at 3¢ cu.yd.	Eason
<u>Intersection The Dalles-California and Klamath Falls-Lakeview Highways</u>				
5825-Sutton, R. L. and Fixley, W. C.	R/W	0.13	Lump Sum \$500	Devers
<u>Ontario Undercrossing - Old Oregon Trail Highway</u>				
6412-Van Patten Lumber Co.	Grade Change damages		Lump Sum \$2000	"
<u>Mill City-Gates Section - North Santiam Highway</u>				
6482-Marion County	Stock Pile	1 block	Gratis	McCallister
<u>City of Medford - Crater Lake Highway</u>				
4651-Banks, Harry	R/W	344 sq.ft.	Lump Sum \$250	DeSouza

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Siskiyou Summit-California Line Section - Pacific Highway</u>				
5453A-Long, James I.	R/W	28.53	12.0 a. \$60 per a. 16.53 a. \$15 per a., plus \$238	McCallister
<u>Parkdale Section - Mt. Hood Loop Highway</u>				
6322-Magnuson, C. J.	Stock Pile	0.71	Lump Sum \$100	McChesney

The Attorney reported that it probably will be necessary to institute condemnation proceedings to acquire a quarry site on the property of John T. Black and William Berdine for the Myrtle Creek Section of the Pacific Highway, in Douglas County, and to acquire right of way needed for several construction projects. He requested authority from the Commission to institute condemnation proceedings if further negotiations reveal that to be absolutely necessary. The Commission approved the request and by unanimous vote adopted the following resolutions in regard thereto:

WHEREAS, the State Highway Commission is by law authorized and directed to lay out, locate, designate, construct, improve, and maintain a system of state highways in the State of Oregon and to acquire by donation, purchase, agreement, condemnation, or by the power of eminent domain title to land upon or under which there is gravel, gravel beds or bars, sand, sand beds or bars, rock, boulders, quarries or quarry sites, lime deposits, or other mineral deposits or formations suitable for road construction, improvement, betterment or pavement, and to declare the necessity and need for the acquisition thereof and the advantages to be gained thereby;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the State Highway Commission does hereby find and declare that it is necessary and will be of advantage to the State of Oregon and there is need that the State acquire for the purposes of road construction, improvement, betterment, repair and maintenance, and for the purpose of the manufacture of road materials on the following section or sections of the state highway system of the State of Oregon, to wit:

Myrtle Creek Section of the Pacific Highway

land and property owned by or in the possession of the following parties and/or persons, to wit:

John T. Black and William Berdine

as their respective interests may appear, and this Commission does hereby declare further that the said property or properties contain gravel, gravel beds or bars, sand, sand beds or bars, rock, boulders,

quarries or quarry sites, lime deposits, or other mineral deposits or formations suitable for road construction, improvement, betterment, of pavement, and that the said property or properties is or are necessary and needful and the acquisition thereof will be of advantage to the State of Oregon for the said purposes in order to make it possible for the State Highway Commission to construct, improve, maintain, and repair the said portion or portions of the said state highway system in accordance with the standards adopted by this Commission.

2. That the State Highway Engineer be and he hereby is instructed and directed to properly survey the parcel or parcels of land required for said purposes and to prepare proper and adequate descriptions thereof, which descriptions shall be employed in the preparation of a deed or deeds or other instrument or instruments necessary to complete the acquisition of the said property or properties, or which said descriptions may be used in the preparation of a complaint in the event that condemnation proceedings are necessary.

3. That the boundaries of the said parcel or parcels of land, as defined and determined by the said survey made by the said Highway Engineer, shall be and the same hereby are adopted and the lands defined therein are hereby declared to be and the same shall be lands necessary for the purposes stated herein.

4. That I. H. Van Winkle, Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they are hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby further resolved that the Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they hereby are requested to commence and prosecute to a final determination such suit or action, or suits or actions, as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

WHEREAS, the State Highway Commission is by law authorized and directed to lay out, locate, designate, construct, improve, and maintain a system of state highways in the State of Oregon, and to acquire rights of way and to declare the necessity and need for the acquisition thereof and the advantages to be gained thereby;

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NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the State Highway Commission does hereby find and declare that it is necessary and will be of advantage to the State of Oregon and there is need that the State acquire for right of way purposes in connection with the permanent location, construction, improvement, and maintenance of the following section or sections of the state highway system of the State of Oregon, to wit:

Ochoco Dam-Marks Creek Section of the Ochoco Highway
 Charleston-Miner Creek Section of the Cape Arago Highway
 Dillard Section of the Pacific Highway
 Drews Valley Section of the Klamath Falls-Lakeview Highway
 Sweet Home Section of the Santiam Highway

land and property owned by or in possession of the following parties and/or persons, to wit:

Ochoco Dam-Marks Creek Section of the Ochoco Highway
 6032A-Ochoco Timber Company
 Charleston-Miner Creek Section of the Cape Arago Highway
 6348-G. Von Salsen
 6349-Lillian Smith
 6357-Nick Bastendorf Estate
 Dillard Section of the Pacific Highway
 6308-Jennie McKay
 Drews Valley Section of the Klamath Falls-Lakeview Highway
 6022-Mathew Zdroles
 Sweet Home Section of the Santiam Highway
 6291-Vivian Weddle Long
 6292-G. E. Long

as their respective interests may appear, and this Commission does hereby declare further that the said property or properties are necessary, are needful, and the acquisition thereof will be of advantage to the State of Oregon for right of way purposes in order to make it possible for the State Highway Commission to properly locate, construct, and maintain said portion or portions of the said state highway system in accordance with standards adopted by this Commission relative to curvature, grades, alignment, drainage, and factors of safety.

2. That the State Highway Engineer be and he hereby is instructed and directed to properly survey the parcel or parcels of land required for such right of way purposes and prepare proper and adequate descriptions thereof, which descriptions shall be employed in the preparation of a deed or deeds or other instrument or instruments necessary to complete the acquisition of the said property or properties or which descriptions may be used in the preparation of a complaint in the event that condemnation proceedings are necessary.

3. That the boundaries of the said parcel or parcels of land, as defined and determined by the said survey made by the said Highway Engineer, along the route or location adopted by the Highway Commission, shall be and the same hereby are adopted and the lands defined therein are hereby declared to be and the same are included within the rights of way of the said portion or portions of the said state highway system and hereby are declared to be necessary for the proper location, improvement, construction, and maintenance of the said portion or portions of the state highway system.

4. That I. H. Van Winkle, Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they are hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby further resolved that the Attorney General of the State of Oregon and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they hereby are requested to commence and prosecute to a final determination such suit or action or suits or actions, as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

A letter was presented from Mr. Pentress Hill, Agent and Attorney in Fact for the Detroit Trust Company, Trustees, requesting, in behalf of Walker & Hovey, logging operators near Beatty, Oregon, authority to purchase approximately 2,000 cubic yards of rock from a state quarry near Beatty for use in connection with surfacing of certain roads that are being used in connection with their logging operations. The Commission denied the request as a matter of policy.

Chairman Cabell left the meeting at 4:15 o'clock p. m.

At 4:30 o'clock p. m. the Engineer publicly announced the following awards of contracts and sale of buildings, bids for which were taken at the morning session, such awards and sales having been previously approved by the unanimous vote of the Commission and by the P.W.A. officials with respect to the P.W.A. projects:

"Richland-Halfway Section of the Baker-Homestead Highway, in Baker County. 18.0 miles oil mat surface treatment. The low bid for this project was that submitted by Norris Bros., Burlington,

Washington, at \$55,494.50. The next low bid was that of Babler Bros., Portland, at \$59,707.00. There were 4 higher bidders. The Commission has awarded the contract to Norris Bros., the low bidders, at their bid price of \$55,494.50.

"Construction of Shipley Bridge on Market Road No. 12, in Clackamas County. Joplin & Eldon, Portland, submitted the low bid at \$41,712.00. Contracting & Sales Company, Portland, submitted the next low bid at \$44,955.00. There were 4 higher bidders. These bids were received for and in behalf of the Clackamas County Court, to which they are being referred. The Commission has been informed that the County Court will consider them at 10:00 o'clock a. m., on November 21, 1938, in the Clackamas County Courthouse, Oregon City.

"Charleston-Miner Creek Section of the Cape Arago Secondary Highway, in Coos County. 1.49 miles grading and surfacing. 3 bids were received for this project, the low one being that of Coos Bay Dredging Company, Marshfield, at \$34,426.25. The next low bid was submitted by Leonard & Slate, Multnomah, at \$35,277.00. The Commission has awarded the contract to the Coos Bay Dredging Company, the low bidder, at its bid price of \$34,426.25.

"Rock Creek-Morrow County Line Section of the Wasco-Heppner Secondary Highway, in Gilliam County. 2.99 miles grading. The low bid received for this project was submitted by H. L. Rice, Portland, at \$32,345.00. The next low bid was submitted by Joplin & Eldon, Portland, at \$38,462.50. There were 13 higher bidders. The Commission has awarded this contract to the low bidder, H. L. Rice, at his bid of \$32,345.00.

"North Unit, Bear Canyon-State Line Section of the Pacific Highway. 2.29 miles grading. 9 bids were received for this project, the low one being that of Harold Blake, Portland, at \$163,808.00. The next low bid was that of E. L. Gates, Flora, at \$165,407.50. The Commission has awarded the contract to Harold Blake, the low bidder, at his bid price of \$163,808.00.

"Madras-Deschutes County Line Section of The Dalles-California Highway, in Jefferson County. Furnish 7,100 cubic yards crushed rock in stock piles. Fisher Bros., Oregon City, submitted the low bid for this project at \$12,070.00. Clifton & Applegate, Spokane, Washington, submitted the second low bid at \$12,425.00. There were 7 higher bids submitted. The Commission has awarded the contract to the low bidders, Fisher Bros., at their bid price of \$12,070.00.

"Main Street Undercrossing in Klamath Falls. 2 bids were received for this project, the low one being that of C. J. Montag & Sons, Portland, at \$103,000.00, and the other bid being that of Clifford A. Dunn, Klamath Falls, at \$116,423.00. The Commission has awarded the contract to C. J. Montag & Sons, the low bidders, at their bid of \$103,000.00.

"Odell Lake-Walker Mountain Section of the Willamette Highway, in Klamath County. 23.0 miles surfacing and oiling; also furnish 6,000 cubic yards crushed rock in stock piles. Fisher Bros., Oregon City, submitted the low bid for this project at \$131,466.00. Mountain States Construction Company, Eugene, submitted the next low bid at \$131,476.00. There were 8 higher bids submitted. The Commission has awarded the contract to the low bidders, Fisher Bros., at their bid of \$131,466.00.

"Newport Rock Production Project on the Oregon Coast and Corvallis-Newport Highways, in Lincoln County. Furnish 6,000 cubic yards crushed rock in stock piles. 5 bids were received for this project, the low one being that of E. F. Altree, Agate Beach, at \$10,948.00. The second low bid was submitted by A. S. Wallace, Roseburg, at \$12,325.00. The Commission has awarded the contract to E. F. Altree, the low bidder, at his bid of \$10,948.00.

"Maintenance Building at Albany, in Linn County. Viesko & Hannaman, Salem, submitted the low bid for this project at \$12,857.70. Keebler Bros., Lebanon, submitted the next low bid at \$12,919.05. There were 5 higher bidders. The Commission has awarded the contract to Viesko & Hannaman at their low bid of \$12,857.70.

"Lebanon-Foster Section of the Santiam Highway, in Linn County. Furnish 7,500 cubic yards crushed rock or crushed gravel in stock piles. The low bid for this project was submitted by A. S. Wallace, Roseburg, at \$10,840.00. The second low bid was submitted by D. L. Ashton, Lebanon, at \$10,865.00. There were 2 higher bidders. The Commission has awarded the contract to the low bidder, A. S. Wallace, at his bid price of \$10,840.00.

"State Hospital-Ash Street Unit of the Pendleton Landscaping Project on the Old Oregon Trail, in Umatilla County. Roadside improvement. 3 bids were received for this project, the low one being that of Leonard & Slate, Multnomah, at \$4,144.00. The next low bid was submitted by Contracting & Sales Company, Inc., Portland, at \$5,489.00. The Commission has referred the bids to the Engineer with power to award the contract to the low bidders, Leonard & Slate, when certain conditions have been satisfied."

Buildings in Albany

"Building No. 4955, formerly owned by Melissa J. Kitchen. No bids were received by the Commission for the purchase of this building.

"Building No. 5130, formerly owned by Chas. Childs and Wm. Eagles. The only bid received by the Commission for the purchase of this building was that submitted by W. A. Jones, Albany, at \$11.00. The Commission accepted the offer of Mr. Jones.

"Building No. 4957, formerly owned by Barbara Kinney. No bids were received for the purchase of this building.

"Building No. 4958, formerly owned by Gladys V. Holloway. 9 bids were received for the purchase of this building, the high one being that of Wilbert Bilyeu, Albany, at \$75.46. The next high bid was submitted by C. E. Vols, Albany, at \$75.00. The Commission considers the bid of Wilbert Bilyeu satisfactory and accordingly has sold the building to him for \$75.46.

"Building No. 4972, formerly owned by S. J. Brown. V. L. Vols, Albany, submitted the high bid for this building at \$61.00. Mr. and Mrs. H. D. Rohde, Albany, submitted the next high bid at \$51.00. There were 2 other bidders. The Commission has sold the building to V. L. Vols at his bid price of \$61.00.

"Building No. 5162, formerly owned by Nancy Gray. The high bid for this building was submitted by C. E. Vols, Albany, at \$80.00. The next high bid was submitted by Chas. Childs, Albany, at \$77.00. There were 2 other bidders. The Commission considers the offer of C. E. Vols satisfactory and has sold the building to him for \$80.00."

The Attorney was authorized by the Commission to dispose of the other buildings at private sale if he can secure a satisfactory offer.

The Commission adjourned at 5:00 o'clock p. m. and reconvened at 7:00 o'clock p. m. in the dining room of the Benson Hotel for a conference with the Advisory Board on Publicity Matters. All members of the Commission were present at this conference. Also present were the State Highway Engineer, the Attorney, the Secretary, and the Director of the Travel and Information Department, Mr. Harold B. Say. Members of the Advisory Committee present were: Messrs. Frank Jenkins, Acting Chairman; John Laing, Hugh Ball, R. R. Cronise, Merle Chessman, Ed. W. Miller, Charles Reynolds, Robert W. Ruhl, and Donald Sterling.

Matters pertaining to the Travel and Information Department were discussed briefly, particularly the travel budget for the year 1939. Mr. Jenkins advised that the committee, in its deliberations this date, decided to recommend to the State Highway Commission increasing the budget to \$120,000 for the year 1939, it being the opinion of the committee that the San Francisco World's Fair, which is to take place in 1939, presents an unusual opportunity for advertising the State of Oregon. It is planned, he said, to spend the extra amount for publicity outside of the State of Oregon in an endeavor to reach people before they definitely decide their vacation itinerary, so as to make certain that they will consider visiting Oregon either enroute to or from the San Francisco Fair. He advised that the committee does not want the State Highway Commission to feel that by approving an increase in its travel budget for 1939 it would be establishing a precedent for future increases, because that is not what the committee has in mind, the idea being simply to take advantage of what the committee considers

an unusual opportunity at this time to attract people to this state, and it would not be a permanent proposition. He advised that the committee would present its recommendations in writing on the following day.

Chairman Cabell thanked the committee for the service that it has rendered and advised that it has been of inestimable value to the Commission in its work.

There followed a general discussion of miscellaneous matters, among which were the following: (1) Appointment of a special committee as heretofore recommended by the Advisory Committee, to make a study of Oregon conditions tending to affect tourist traffic. Mr. Jenkins said that the Advisory Committee wishes to urge upon the Commission the importance of this matter. Chairman Cabell advised that the Highway Commission expects to act on this recommendation in the near future. (2) Use of colored motion pictures prepared by Miss Kathryn Gunnell, Salem, at the San Francisco World's Fair. Motion was made by Mr. Chessman that Miss Gunnell's films be not used and that her offer be tabled without action. The motion was seconded by Mr. Ball and, after considerable discussion, carried by the unanimous vote of the committee members present. Mr. Say was instructed to inform Miss Gunnell of the action taken.

After further discussion of a general nature, the meeting was adjourned at 9:00 o'clock p. m. with the understanding that the members of the committee would present their written recommendations to the Commission in person on the following morning in the auditorium of the Public Service Building.

[Signature]
State Highway Engineer

[Signature]
Secretary

Henry F. Cabell
Chairman

[Signature]
Commissioner

[Signature]
Commissioner

Portland, Oregon, November 18, 1938

The State Highway Commission met in regular session at 9:00 o'clock a. m. in the Auditorium of the Public Service Building. Present were:

Henry F. Cabell, Chairman
E. B. Aldrich, Commissioner
F. L. Tou Velle, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

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Bids as follows for highway construction projects were opened and read in conformance with previously published notice:

NEHALEM SECONDARY HIGHWAY
OLNEY-JEWELL SECTION - CRUSHED ROCK IN STOCK PILES

D. L. Ashton	\$ 10,272.00
R. O. Dail and Warren Bros.	11,995.00
A. S. Wallace	12,275.00
Saxton, Looney & Risley	12,900.00
Dolan Construction Company	14,730.00
Tidepoint Company	17,520.00

OCHOCO HIGHWAY
OCHOCO DAM-MARKS CREEK SECTION
GRADING, TRESTLE BRIDGES, SURFACING AND OILING, CRUSHED ROCK

McNutt Bros.	\$171,865.30
Leonard & Slate	178,452.50
Babler Bros.	179,673.00
Edwin C. Gerber	180,201.00
Mountain States Construction Company	195,853.50
Joplin & Eldon	198,773.00
Clifford A. Dunn	204,558.00
A. C. Greenwood, Inc.	206,290.00
Roy L. Houck	208,138.70
E. C. Hall Company	212,871.92
Harzer G. Johnson	235,378.00

CENTRAL OREGON HIGHWAY
ROADSIDE OASIS AT BROTHERS

D. L. Ashton	\$ 6,211.65
W. H. Philpott	6,569.00

PACIFIC HIGHWAY
UMPQUA RIVER BRIDGE SECTION - BRIDGE AND ROADWAY APPROACHES

C. J. Montag & Sons	\$119,000.00
Mountain States Construction Company	119,391.00
Theo. Arens	120,853.00
Leonard & Slate	125,505.00

WILLIAMS AND MEDFORD-PROVOLT SECONDARY HIGHWAYS
POWERS RANCH-JACKSONVILLE SECTION
CRUSHED GRAVEL IN STOCK PILES

R. I. Stuart & Sons	\$ 11,195.00
A. S. Wallace	11,233.00
D. L. Ashton	12,226.00
Saxton, Looney & Risley	14,925.00

WARM SPRINGS SECONDARY HIGHWAY
VANORA-MADRAS SECTION - SURFACING AND OILING

J. C. Compton	\$ 75,879.00
McNutt Bros.	78,423.00
O. C. Yocom	83,246.00
Saxton, Looney & Risley	85,633.20
A. Milne	85,782.00
Fisher Bros.	86,204.00
Norris Bros.	89,443.00
Mountain States Construction Company	91,497.00
Babler Bros.	93,835.00
A. C. Greenwood, Inc.	93,931.00
Newport Construction Company and Kern & Kibbe	96,075.20
Joplin & Eldon	96,825.00
E. C. Hall Company	97,999.20
Harold Blake	102,312.75
Homer G. Johnson	103,584.00
R. O. Dail and Warren Bros., Inc.	112,739.00

JOHN DAY HIGHWAY
JAMIESON-LANCASTER SECTION
GRADING, SURFACING AND OILING, TIMBER BRIDGES, CRUSHED GRAVEL

Leonard & Slate	\$ 66,179.00
Triangle Construction Company	73,596.00
E. L. Gates	74,036.00
J. A. Terteling & Sons	75,413.00
Homer G. Johnson	77,400.50
McNutt Bros.	82,179.50

EAST CITY LIMITS OF SALEM
FRAME BUILDING FOR CAR STORAGE

Carl Bahlburg	\$ 2,242.00
Robert L. Forster	2,391.70
Erwin E. Batterman	2,426.00
Contracting & Sales Company, Inc.	2,490.00
Frank Watt Construction Company	2,636.00

COLUMBIA RIVER HIGHWAY
CORBETT STATION-ROOSTER ROCK SECTION
CLEARING, GRADING, ROCK TOE EMBANKMENT

Colonial Construction Company	\$129,430.00
Leonard & Slate	133,460.00
Harold Blake	139,520.00
E. L. Gates	143,045.00
Berke Bros., Inc.	144,485.00
Kuckenberg Construction Company	148,570.00

(Continued)

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(Corbett Station-Rooster Rock Section, continued)

Oregon Contracting Company	\$151,295.00
K. L. Coulter	151,848.50
J. A. Lyons	163,405.00
A. C. Greenwood, Inc.	168,855.00
Parker-Schram Company	177,655.00
Joplin & Eldon	178,145.00
Kern & Kibbe	180,092.50
McNutt Bros.	180,781.00
Birkemeier & Sarsenal	184,176.00
J. C. Papin	187,800.00
Hauser Construction Company	197,860.00
Homer G. Johnson	216,565.00

SHERMAN HIGHWAY

MORO-WASCO COUNTY LINE SECTION - CRUSHED ROCK IN STOCK PILES

H. L. Rice	\$ 13,833.00
Rogers Construction Company	13,833.00
Clifton & Applegate	14,703.00
Fisher Bros.	14,790.00
A. S. Wallace	15,360.00
Saxton, Looney & Risley	16,008.00
R. O. Dail and Warren Bros., Inc.	17,400.00
Schmeer, Williams & Gentemann	19,053.00

OREGON-WASHINGTON HIGHWAY

PENDLETON-STATE FARM SECTION - GRADING AND OILING

M. L. O'Neil & Son	\$ 74,901.00
Roy L. Houck	75,440.10
Leonard & Slate	76,001.50
Newport Construction Company and Kern & Kibbe	79,492.70
E. L. Gates	81,869.50
Harold Blake	82,173.50
Fisher Bros.	83,799.50
McNutt Bros.	84,105.00
White Trucking Company	86,504.50
Clifton & Applegate	86,756.50
Diesel Oil Sales Company	89,356.50
J. A. Lyons	93,912.00
Homer G. Johnson	94,079.00
Colonial Construction Company	96,754.40
A. C. Greenwood, Inc.	97,141.00

SHERIDAN-LINCOLN COUNTY ROAD

SHERIDAN-POLK COUNTY LINE SECTION - GRADING, SURFACING, OILING

O. C. Yocom	\$ 18,887.00
Mountain States Construction Company	19,401.50

(Continued)

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(Sheridan-Polk County Line Section, continued)

J. C. Compton
Harold Blake
Warren Northwest, Inc.

\$ 21,587.50
23,697.00
24,350.00

Chairman Cabell announced that the award of contracts would be made at 3:30 o'clock p. m. in the same room.

The Commission discussed the matter of acquiring a portion of the right of way that is needed for the proposed traffic separation structure on the Pacific Highway at the intersection of Denver Avenue and Union Avenue, Portland, so as to allow Mr. Dewey D. Gault, who owns a boat moorage a short distance east of the highway at this location, access to his property. It appears that Mr. Gault formerly had access to his property via the Swift Secondary Highway, crossing under the end of the Interstate Bridge, but such access is no longer available to him because the short section of the Swift Secondary Highway which was abandoned when a new approach to the Pacific Highway was completed has been allowed by Multnomah County to revert to the adjacent property owner, Mr. Joel J. Westerlund, who is making use of the property in connection with his boat-building business, and as a result Mr. Gault's patrons are being greatly inconvenienced and he is losing considerable business thereby. Because of these conditions, Mr. Gault is extremely anxious to improve his roadway facilities and would like to secure permission from the Commission to construct an approach road to the highway directly from his premises on the east side thereof.

This matter was discussed by the Commission at a previous meeting, at which time the Commission instructed the Attorney to look into the matter of acquiring a portion of the right of way needed for the grade separation project with a view in mind that it might be possible to solve Mr. Gault's problem without bringing the traffic from his private road directly onto the highway area where it would cause an undue traffic hazard in view of the large volume of traffic on the Pacific Highway at this place.

The Attorney rendered a tentative report on the right of way situation, which included a proposition for an exchange of properties on the east side of the highway, involving an expenditure of about \$3,500 of state funds, and a report on the situation mentioned above with respect to the status of the roadway that is now being used by Mr. Gault through the Westerlund holdings. The question arose whether or not it would be possible to construct a portion of the grade separation project, particularly that part which would provide a new connection of Swift Secondary Highway with the Pacific Highway, passing under the Pacific Highway near the end of the Interstate Bridge.

The Engineer advised that such project would cost approximately \$60,000 to construct and in addition thereto it would be necessary to acquire right of way, which probably could not be purchased for less than \$25,000. He gave as his thought, in view of the amounts involved, that it would be better and cheaper to assist Mr. Gault in securing the right of way through the Westerlund property, which would give him the same access to his property

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that he previously enjoyed and would avoid a private-road entrance to the highway where there would be danger of accidents.

Mr. Gault was called into conference at this time and was informed by Chairman Cabell that the Commission is having difficulty in solving his problem. He advised that the Commission is of the firm belief that the construction of a private roadway approach to the highway at the point desired by Mr. Gault would cause a very serious traffic hazard, and, accordingly, the Commission would have to oppose him if he proceeded with his plans for the same. He further advised that the Commission has discussed the matter of constructing a portion of the grade separation structure but it is an expensive project and the Commission does not feel justified in going to that expense at this time, particularly in view of the fact that the Commission has not adopted any definite plan as yet for the grade separation improvement. He inquired as to whether or not it would be possible for Mr. Gault to force a way through the Westerlund property. Mr. Gault replied that he did not think that would be possible at reasonable expense. The Commission expressed a desire for definite information with respect to the cost of the right of way for the partial highway improvement, and accordingly, after further discussion instructed the Attorney to secure options for such right of way across the properties of Mr. Gault, Leonard F. Willmot, and Joel J. Westerlund. The Engineer was instructed by the Commission to furnish the Attorney with descriptions of the several parcels, that through the Westerlund property to be of the narrowest width possible that will accommodate traffic going to and from the Gault boat moorage.

The following members of the Advisory Committee on Publicity Matters appeared before the Commission at this time: Messrs. Frank Jenkins, Merle Chessman, John Laing, and R. R. Cronise. Mr. Jenkins read aloud and presented to the Commission the committee's recommendations adopted at its meeting on the previous day, with respect to the budget and activities of the Travel and Information Department for the year 1939. He pointed out particularly that the Advisory Committee is recommending to the Commission a budget of \$120,000 for the Travel and Information Department for the year 1939, being \$20,000 more than the amount set up in the budget for 1938, and explained that the committee feels that the increase in the amount is justified in view of the unusual opportunity that will be available next year by reason of the San Francisco World's Fair, to attract tourists to the State of Oregon. He further stated that it is not the idea of the Advisory Committee that the increase be a permanent proposition, neither does the committee feel that the approval of the increased amount for 1939 will constitute a precedent upon which to base future increases. After discussion the Commission accepted and approved the recommendations of the Advisory Committee by unanimous vote, including the recommendation for increase in the budget for 1939, with the understanding that the budget for 1940 will be reduced to \$80,000, if necessary, and in any event will not exceed \$100,000. Mr. Jenkins also presented the following resolution adopted by the Advisory Committee, urging upon the Highway Commission the importance of appointing a special committee to make a study of Oregon conditions tending to affect tourist travel:

WHEREAS at a meeting of the Advisory Committee of the Travel and Information Department of the Oregon State Highway Commission held on November 29, 1937 a resolution was adopted as follows:

"That it is the opinion of the Advisory Committee that a necessary concomitant of a successful advertising undertaking is a study of the thing that is advertised for the purpose of bringing about such improvement as may tend to larger sales, and therefore the committee recommends to the Highway Commission the appointment of a committee to make a study of Oregon conditions tending to affect tourist travel, said committee to make recommendations for changes and betterments that will lead to a more efficient meeting of modern tourist advertising competition and tend to enlarge tourist business in the state," and

WHEREAS the Highway Commission has taken no action on this recommendation of the Advisory Committee:

NOW THEREFORE BE IT RESOLVED that the Committee urge again upon the Highway Commission the importance of having the study made as recommended in 1937.

In renewing this recommendation the Advisory Committee calls attention to the fact that many other states are advertising for tourist business in the same manner that Oregon is advertising, that so far as highway conditions are concerned there is little to choose between the states so advertising, and that said states offer varieties of scenic attraction and tourist resource as interesting in their way as are those of Oregon. This being so the Committee urges the proposition that if Oregon wishes to differentiate itself from the other states it can best do so by making the recommended study and thereafter carrying out suggestions made in the study report.

The Commission adjourned at 12:15 o'clock p. m. and reconvened at 2:00 o'clock p. m. in the same room with all Commissioners present and participating. Also present were the State Highway Engineer, the Attorney, and the Secretary.

The Commission had under consideration the tabulation of bids received at the morning session for highway construction projects and decided to award the contract in each instance to the low bidder except as follows:

In the case of the bids received for the Powers Ranch-Jacksonville Section of the Williams and Medford-Provolt Secondary Highways, the Commission referred the bids to the Engineer to award the contract to the low bidder when such bidder signs the noncollusion affidavit as required by the P.W.A. authorities. In the event the low bidder refuses to sign such affidavit the Engineer is then authorized to award the contract to the second low bidder.

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In the case of bids received for the Corbett Station-Rooster Rock Section of the Columbia River Highway, the Commission referred the bids to the Engineer to award the contract to the low bidder when certain conditions relative to right of way have been satisfied.

With respect to the bids received for the Moro-Wasco County Line Section of the Sherman Highway, there were two contractors who submitted identical low bids. The Commission decided to select the successful bidder by lot when public announcement is made of the award of the contracts at 3:30 o'clock p. m.

The following resolutions with respect to the award of the contracts for the P.W.A. projects were adopted by the Commission by unanimous vote upon motion of Commissioner Aldrich, which was duly seconded by Commissioner Tou Velle:

A RESOLUTION AWARDING THE CONTRACT FOR THE CONSTRUCTION OF THE OLNEY-JEWELL SECTION OF THE NEHALEM SECONDARY HIGHWAY IN CLATSOP COUNTY
DOCKET NUMBER OREGON 1372-F, UNIT C

WHEREAS, bids received for the construction of the Olney-Jewell Section of the Nehalem Secondary Highway in Clatsop County have been duly opened and read, in accordance with published notice, and compared,

AND WHEREAS, the bid submitted by D. L. Ashton, contractor, is the lowest responsible bid received and is within the funds available for the construction of the said project,

NOW THEREFORE, Be It Resolved by the State Highway Commission of the State of Oregon that the contract for the construction of the Olney-Jewell Section of the Nehalem Secondary Highway in Clatsop County be and the same is hereby awarded to D. L. Ashton, contractor, in the amount of Ten Thousand Two Hundred Seventy-two Dollars (\$10272.00), and

Be It Further Resolved that this award shall not be effective until the successful bidder has been notified in writing of such award by the Secretary of the Oregon State Highway Commission.

A RESOLUTION AWARDING THE CONTRACT FOR THE CONSTRUCTION OF THE UMPQUA RIVER BRIDGE SECTION OF THE PACIFIC HIGHWAY IN DOUGLAS COUNTY
DOCKET NUMBER OREGON 1298-F

WHEREAS, bids received for the construction of the Umpqua River Bridge Section of the Pacific Highway in Douglas County have been duly opened and read, in accordance with published notice, and compared,

AND WHEREAS, the bid submitted by C. J. Montag & Sons,

contractor, is the lowest responsible bid received and is within the funds available for the construction of the said project,

NOW THEREFORE, Be It Resolved by the State Highway Commission of the State of Oregon that the contract for the construction of the Umpqua River Bridge Section of the Pacific Highway in Douglas County be and the same is hereby awarded to C. J. Montag & Sons, contractor, in the amount of One Hundred Nineteen Thousand Dollars (\$119,000.00), and

Be It Further Resolved that this award shall not be effective until the successful bidder has been notified in writing of such award by the Secretary of the Oregon State Highway Commission.

A RESOLUTION AWARDING THE CONTRACT FOR THE CONSTRUCTION OF THE POWERS RANCH-JACKSONVILLE SECTION OF THE WILLIAMS AND MEDFORD-PROVOLT SECONDARY HIGHWAYS IN JACKSON AND JOSEPHINE COUNTIES
DOCKET NUMBER OREGON 1348-F

WHEREAS, bids received for the construction of the Powers Ranch-Jacksonville Section of the Williams and Medford-Provolt Secondary Highways in Jackson and Josephine Counties have been duly opened and read, in accordance with published notice, and compared,

AND WHEREAS, the bid submitted by R. I. Stuart & Sons, contractor, is the lowest responsible bid received and is within the funds available for the construction of the said project,

NOW THEREFORE, Be It Resolved by the State Highway Commission of the State of Oregon that the contract for the construction of the Powers Ranch-Jacksonville Section of the Williams and Medford-Provolt Secondary Highways in Jackson and Josephine Counties be and the same is hereby awarded to R. I. Stuart & Sons, contractor, provided R. I. Stuart & Sons execute and file with the Oregon State Highway Commission the form of non-collusion affidavit required by the contract, in the amount of Eleven Thousand One Hundred Ninety-five Dollars (\$11,195.00), and in the event R. I. Stuart & Sons refuse to execute this form of non-collusion affidavit, the contract be awarded to the second low bidder, A. S. Wallace, contractor, in the amount of Eleven Thousand Two Hundred Thirty-three Dollars (\$11,233.00), and

Be It Further Resolved that this award shall not be effective until the successful bidder has been notified in writing of such award by the Secretary of the Oregon State Highway Commission.

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**A RESOLUTION AWARDING THE CONTRACT FOR THE CONSTRUCTION OF THE VANORA-MADRAS SECTION OF THE WARM SPRINGS SECONDARY HIGHWAY IN JEFFERSON COUNTY
DOCKET NUMBER OREGON 1287-F**

WHEREAS, bids received for the construction of the Vanora-Madras Section of the Warm Springs Secondary Highway in Jefferson County have been duly opened and read, in accordance with published notice, and compared,

AND WHEREAS, the bid submitted by J. C. Compton, contractor, is the lowest responsible bid received and is within the funds available for the construction of the said project,

NOW THEREFORE, Be It Resolved by the State Highway Commission of the State of Oregon that the contract for the construction of the Vanora-Madras Section of the Warm Springs Secondary Highway in Jefferson County be and the same is hereby awarded to J. C. Compton, contractor, in the amount of Seventy-five Thousand Eight Hundred Seventy-nine Dollars (\$75879.00), and

Be It Further Resolved that this award shall not be effective until the successful bidder has been notified in writing of such award by the Secretary of the Oregon State Highway Commission.

County Judge George A. Potter and County Commissioners A. A. Dunlap and David Reid of Sherman County were present and asked for an allocation of funds for the surfacing of the Erskinville Road which extends westerly from the Sherman Highway, near Moro. They asked for the improvement as a federal aid secondary highway project and inquired whether or not it would be possible to reallocate to this project the \$10,000 that the Commission has budgeted for the Moro-Hay Canyon County Road easterly from Moro. They also asked for the improvement of the Cottonwood Grade Section of the Wasco-Heppner Secondary Highway westerly from the John Day River crossing. The matter was referred by the Commission to the Engineer for investigation and report.

The County Court also asked for the oiling of the unciled portion of the Sherman Highway, which is about 9 miles in length and extends north-easterly from the junction with The Dalles-California Highway, in Wasco County. The Commission agreed to give this project due consideration in arranging future construction programs.

Messrs. W. A. Lovelace and Wm. Burdick, Reedsport, came before the Commission in regard to the improvement of the Umpqua Highway, in Reedsport. They particularly requested the improvement of this highway through the main part of their town. Chairman Cabell advised that the Commission has this project in mind for consideration in the formulation of programs for future highway work but is not in a position at the present time to make any definite commitment in regard thereto.

Mr. Lovelace then advised that their City Planning Board is now

making plans for improvement of the city streets in Reedsport and in connection therewith would like very much to have the assistance of engineers of the State Highway Department, if that can be arranged. Chairman Cabell advised that the Highway Commission would be pleased to render what assistance it can in this matter, provided the city improvements will fit in with the highway improvements, and would send an engineer to Reedsport in the near future to consult with them. He suggested that the City of Reedsport could obtain valuable assistance from the State Planning Board in the formulation of its plans, and referred them to City Commissioner Ormond R. Bean, of Portland, who is a member of this board.

At 3:30 o'clock p. m. Chairman Cabell announced the following awards of contracts for which bids were taken at the morning session, the awards having been previously approved unanimously by the Commission and by the P.W.A. authorities with respect to the P.W.A. projects:

"Olney-Jewell Section of the Nehalem Secondary Highway, in Clatsop County. Furnish 6,000 cubic yards crushed rock in stock piles. D. L. Ashton, Lebanon, submitted the low bid for this project at \$10,272.00. R. O. Dail and Warren Bros., Inc., Portland, submitted the next low bid at \$11,995.00. There were 4 higher bidders. The Commission has awarded the contract to D. L. Ashton, the low bidder, at his bid price of \$10,272.00.

"Ochoco Dam-Marks Creek Section of the Ochoco Highway, in Crook County. 7.68 miles grading; 132 lin. ft. composite trestle bridges; 10.0 miles surfacing and oiling; also furnish 4,400 cubic yards crushed rock in stock piles. 11 bids were received for this project, the low one being that of McNutt Bros., Eugene, at \$171,865.30. The next low bid was submitted by Leonard & Slate, Multnomah, at \$178,452.50. The Commission has awarded the contract to the low bidders, McNutt Bros., at their bid of \$171,865.30.

"Roadside Oasis at Brothers, on the Central Oregon Highway, in Deschutes County. Construction of pump house; furnish pump and gas engine; install pipe line irrigation system; construct 98 rods of woven wire fence; and plant 500 trees and shrubs. D. L. Ashton, Lebanon, submitted the low bid for this project at \$6,211.65. The only other bid submitted was that of W. H. Philpott, Portland, at \$6,569. The Commission has awarded the contract to the low bidder, D. L. Ashton, at his bid of \$6,211.65.

"Umpqua River Bridge Section of the Pacific Highway, in Douglas County. Construction of bridge and roadway approaches. 4 bids were received for this project, the low one being that of C. J. Montag & Sons, Portland, at \$119,000.00. The next low bid was that of Mountain States Construction Company, Eugene, at \$119,391.00. The Commission has awarded the contract to C. J. Montag & Sons, the low bidders, at their bid price of \$119,000.00.

"Powers Ranch-Jacksonville Section of the Williams and Medford-Provolt Secondary Highways, in Jackson and Josephine Counties. Furnish 7,700 cubic yards crushed gravel in stock piles. The low bid for this project was submitted by R. I. Stuart & Sons, Medford, at \$11,195.00. The next low bid was submitted by A. S. Wallace, Roseburg, at \$11,233.00. There were 2 higher bidders. The Commission has referred the bids to the Engineer with authority to award the contract to the low bidder, R. I. Stuart & Sons, if and when this contractor signs the noncollusion affidavit required by the P.W.A. The Engineer is authorized to award the contract to the second low bidder, A. S. Wallace, in the event R. I. Stuart & Sons refuse to sign the affidavit.

"Vanora-Madras Section of the Warm Springs Secondary Highway, in Jefferson County. 9.37 miles surfacing and oiling. J. C. Compton, McMinnville, submitted the low bid for this project at \$75,879.00. McNutt Bros., Eugene, submitted the next low bid at \$78,423.00. There were 14 higher bidders. The Commission has awarded the contract to the low bidder, J. C. Compton at his bid price of \$75,879.00.

"Jamieson-Lancaster Section of the John Day Highway, in Malheur County. 7.04 miles grading, surfacing, and oiling; construction of two 15-ft. timber bridges; and furnish 2,700 cubic yards crushed gravel in stock piles. 6 bids were submitted for this project, the low one being that of Leonard & Slate, Multnomah, at \$66,179.00. The next low bid was submitted by Triangle Construction Company, Boise, Idaho, at \$73,596.00. The Commission has awarded the contract to the low bidders, Leonard & Slate, at their bid of \$66,179.00.

"Construction of frame building for car storage on property of the Oregon State Highway Commission at the east city limits of Salem, Marion County. Carl Bahlburg, Salem, submitted the low bid at \$2,242.00. Robert L. Forster, Salem, submitted the next low bid at \$2,391.70. There were 3 higher bidders. The Commission has awarded the contract to Carl Bahlburg, the low bidder, at his bid of \$2,242.00.

"Corbett Station-Rooster Rock Section of the Columbia River Highway, in Multnomah County. 2.26 miles clearing; 0.37 mile grading; and 1.15 miles rock toe embankment. The low bid for this project was submitted by Colonial Construction Company, Spokane, Washington, at \$129,430.00. The next low bid was submitted by Leonard & Slate, Multnomah, at \$133,460.00. There were 16 higher bidders. The Commission has referred the bids to the Engineer with power to award the contract to the low bidder when certain conditions have been satisfied.

"Pendleton State Farm Section of the Oregon-Washington Highway, in Umatilla County. 7.43 miles grading and 0.57 mile oiling. M. L. O'Neil & Son, Eugene, submitted the low bid for this project at \$74,901.00. Roy L. Houck, Salem, submitted the next low bid at

\$75,440.10. There were 13 higher bidders. The Commission has awarded the contract to M. L. O'Neil & Son, the low bidder, at their bid of \$74,901.00.

"Sheridan-Polk County Line Section of the Sheridan-Lincoln County Road, in Yamhill County. 2.90 miles grading, surfacing and oiling. 5 bids were received for this project, the low one being that of O.C. Yocom, Willamina, at \$18,887.00. The next low bid was submitted by Mountain States Construction Company, Eugene, at \$19,401.50. The Commission has awarded the contract to O. C. Yocom, the low bidder, at his bid of \$18,887.00.

"Moro-Wasco County Line Section of the Sherman Highway, in Sherman County. Furnish 8,700 cubic yards crushed rock in stock piles. 8 bids were received for this project. Identical low bids of \$13,833.00 were submitted by H. L. Rice, Portland, and Rogers Construction Company, Dayton, Washington. The next low bid was submitted by Clifton & Applegate, Spokane, Washington, at \$14,703.00. The low bids are satisfactory to the Commission, which will decide the successful bidder by lot." (Contractors H. L. Rice and Mr. Rogers of the Rogers Construction Company were called to the platform to witness the drawing, which resulted in the contract being awarded to Rogers Construction Company.)

The following resolution with respect to the award of this contract was adopted by the Commission by unanimous vote:

**A RESOLUTION AWARDING THE CONTRACT FOR THE CONSTRUCTION OF THE MORO-WASCO COUNTY LINE SECTION OF THE SHERMAN HIGHWAY IN SHERMAN COUNTY
DOCKET NUMBER OREGON 1349-F**

WHEREAS, bids received for the construction of the Moro-Wasco County Line Section of the Sherman Highway in Sherman County have been duly opened and read, in accordance with published notice, and compared,

AND WHEREAS, the bid submitted by Rogers Construction Company, contractor, is the lowest responsible bid received and is within the funds available for the construction of the said project,

NOW, THEREFORE, Be It Resolved by the State Highway Commission of the State of Oregon that the contract for the construction of the Moro-Wasco County Line Section of the Sherman Highway in Sherman County be and the same is hereby awarded to Rogers Construction Company, contractor, in the amount of Thirteen Thousand Eight Hundred Thirty-three Dollars (\$13833.00), and

Be It Further Resolved that this award shall not be effective until the successful bidder has been notified in writing of such award by the Secretary of the Oregon State Highway Commission.

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The Attorney reported that the officers of the Security and Investment Company of Oregon City have indicated a willingness to settle with the state for right of way for the East Portland-Oregon City Highway in Oregon City on the basis of the appraisal made by appraisers employed by the State Highway Commission, which is \$14,000 for the land, \$8,000 for the street ends, and \$12,000 for moorage rights, and will permit the state to withhold the payment for the street ends until such time as the case involving such areas has been settled by the Supreme Court. The Commission refused to settle with the company on such basis.

The Attorney also rendered a report on the status of the negotiations for right of way at Tigard. He said that the right of way agent assigned to this project has recovered from his recent illness and has resumed the negotiations, and it is believed that he will be able to make a full report on the subject at the Commission's next regular meeting. The Secretary was instructed to convey this information to Mrs. Mary H. Clarke, Portland, who is particularly interested from the property owners' standpoint.

Reconsideration was given by the Commission to the claim of Ida B. Hadley, who alleges that her property adjacent to the Pacific Highway West, near Newberg, was damaged by reason of the improvement of this highway, the change making it impossible for her to conduct a fruit-stand business on her property next to the highway as she did before the highway was rebuilt. The Commission decided that Mrs. Hadley was dealt with fairly when extra right of way was acquired from her for this improvement and that she has been given as fair and equitable treatment as other property owners from whom right of way was purchased. The Commission considered that the donating of the extra right of way by Mrs. Hadley and the other property owners was an important consideration in the selection of a route for this improvement and the construction of the project. Furthermore, it is contrary to the established policy of the Commission to reopen right of way cases when they have once been settled, and it was thought that the reopening of this case might set a precedent that would result in the submission of similar claims by other property owners along this highway, hence the claim was denied. The Engineer was instructed to advise Mrs. Hadley of the action taken.

The Commission had under consideration a resolution from the County Court of Benton County requesting that the Corvallis-Eastside Secondary State Highway No. 210 be extended westerly from its present terminus at the east end of the Willamette River Bridge at Corvallis to a connection with the Albany-Corvallis Primary State Highway in Corvallis, a distance of about 950 feet. After considerable discussion the Commission approved the request and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, under the provisions of Chapter 248, Laws of 1931, and Chapter 196, Laws of 1935, the State Highway Commission, by mutual agreement with the respective county courts of the several counties of the State, is authorized and empowered to select, locate, and designate a system of secondary State highways, which highways shall be selected from the market roads or other county roads, or available locations or routes of the several counties; and

WHEREAS, the State Highway Commission, by mutual agreement with the County Court of Benton County, has selected the route hereinafter named, and it is the purpose of the Commission to officially and regularly designate and adopt said route as a section of highway to constitute, together with other highways which have heretofore been added and which may hereafter from time to time be added, a part of the system of secondary state highways of Benton County, under the provisions of said Acts;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission, all members being present and affirmatively voting and participating, as follows:

That the following named section of city street in the City of Corvallis in Benton County be and the said route is hereby selected, designated, established, adopted and approved as a secondary State highway and shall be and is hereby designated as a part of the secondary State highway system, to wit:

A Section of the Albany-Corvallis Secondary Highway
No. 210:

Beginning at the intersection of 3rd Street and Van Buren Street in the City of Corvallis; thence in a southeasterly direction to the east city limits of Corvallis, a distance of approximately 950 feet.

That said route shall be, and is hereby qualified for improvement under the provisions of said Chapter 248, Oregon Laws 1931, and Chapter 196, Oregon Laws 1935, and amendments thereof;

That the Engineer be, and he hereby is authorized to make proper surveys with respect to the physical location upon the ground of the said route and properly file in the records of the Commission all of said data;

That this resolution be entered in the minutes of the Commission and a duly certified copy thereof mailed to the County Court of Benton County.

The Engineer was thereupon authorized by the Commission to make repairs to the bridge structure as may be necessary to make it safe for traffic.

Commissioner Aldrich offered and moved the adoption of the following resolution abandoning a short section of the Century Drive Secondary Highway (old route) near Bend, in Deschutes County, which is no longer of value for state highway purposes in view of the fact that the highway has been reconstructed on other alignment. After discussion the motion was duly seconded by Commissioner Tou Velle and was declared by Chairman Cabell to have passed by the unanimous vote of the Commission:

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WHEREAS, in order to afford a better alignment and a more satisfactory, safe and convenient highway for the traveling public, the Commission found it necessary to relocate a portion of the Bend Section of the Century Drive Highway in Deschutes County; and

WHEREAS, by reason of said relocation and reconstruction of the said section of said highway there was eliminated and made unnecessary as a part of the permanent highway a certain section or part thereof, which section is more specifically defined and designated hereinafter in this resolution; and

WHEREAS, it is the judgment and opinion of the Commission that there should be recorded in the minutes and records of the Commission its purpose and plan to abandon as a part of the said secondary state highway the fragment or portion of right of way hereinafter designated and heretofore included within the area of the right of way of the said highway as formerly located, improved and used;

NOW, THEREFORE, the premises being in general as above stated, it hereby is resolved by this Commission, all members being present and affirmatively participating, as follows:

1. That the fragment of land confined within the area of land hereinafter designated, which fragment or parcel of land was formerly within the limits of the right of way of the Bend Section of the Century Drive Highway in Deschutes County, but is now without the limits of the right of way of said highway as said highway has been relocated and constructed, be and said fragment or parcel of land or portion of the old right of way is abandoned as a part of the right of way of said secondary highway, and said fragment or parcel of land or old right of way is, so far as control and supervision by this Commission is concerned, eliminated and left to revert to the adjoining and abutting property owners or to the control and supervision of the County Court of Deschutes County for highway or other public purposes as the Court may determine. The fragment or parcel of land affected by this resolution is defined and described as follows, to wit:

All that certain section of the old right of way of the Century Drive Highway, and lying on the westerly side of the right of way required for the reconstructed Century Drive lying south of and adjoining the City of Bend, Oregon, the beginning and ending points with reference to engineer's stations of the reconstructed highway being 40+05 on the northerly end and 63+00 on the southerly end.

The location of said abandoned right of way may be more definitely and particularly ascertained and determined by reference to a map or blueprint, marked "Exhibit A", attached hereto and by this reference made a part hereof, which said exhibit for identification purposes bears the signatures of W. E. Chandler, Division

Engineer, H. G. Smith, Construction Engineer, and R. H. Baldock, State Highway Engineer, and is dated November 17, 1938, upon which map or exhibit there is reflected the above described parcel of land by showing the same shaded in red. *

2. In the event there remains any physical connection between any portion of said abandoned right of way or highway and the present highway, and by reason of such physical connection traffic from the existing highway may enter or use the said abandoned portion of the said old road to the possible damage or injury of such traffic by reason of any unsafe condition existing with respect to said old or abandoned road, then the State Highway Engineer is hereby authorized and directed to erect such barricade or other safeguards as may be necessary to protect and safeguard traffic using and employing said newly located, constructed and dedicated section of said highway.

3. That this resolution be entered in the minutes and records of the Commission and a certified copy thereof promptly delivered to the County Court of Deschutes County, together with a copy of said map or exhibit, for such action as said County Court may desire to take with respect to said fragment of land, and should said abandoned portion of the right of way of said highway be further employed for public or private highway purposes such use shall be entirely under the control and supervision of the County Court of Deschutes County and beyond any responsibility or supervision by the State Highway Commission.

A letter was presented from Mr. George W. Mead, Attorney, Portland, transmitting a petition signed by 32 owners of property in the vicinity of Interstate and Webster Streets, Portland, objecting to the closing of the Webster Street intersection by the parkway on the Interstate Avenue project recently constructed, and requesting an opportunity for the property owners to be heard on this subject. The Commission expressed regrets that it is too late to hear the property owners at this session, the petition having been received too late to be considered. The Secretary was instructed to inform Mr. Mead of the circumstances and to advise him that the Commission will be pleased to hear the delegation at its next meeting if they wish to be present at that time.

The Commission considered and signed agreements, et cetera, as follows:

Agreement with the Oregon-Washington Railroad and Navigation Company and the Union Pacific Railroad Company relative to the securing of right of way for the Columbia River Highway (new route) between Troutdale and Warrendale, in Multnomah County.

Map filed in Right of Way Abandonment and Retention File - No. 60

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Agreement with the Pacific Power and Light Company continuing in effect an agreement dated July 31, 1923, relative to the attachment of the pole line of the company on the Lewis and Clark River Bridge on the Oregon Coast Highway near Astoria, and the furnishing of power for the operation and lighting of such structure.

Agreement with the City of Klamath Falls relative to the maintenance of the proposed grade separation project on Main Street and East Main Street in Klamath Falls.

Agreement with Wayne W. Watson and Pearl T. Watson, husband and wife, relative to the construction of a bulkhead on the Coos Bay-Roseburg Highway, in Coos County, in front of the property of the Watsons.

Agreement with Yamhill County Court relative to the maintenance of the Sheridan-Polk County Line Section of the Sheridan-Ballston County Road after construction of the same by the state as a Federal Aid Secondary Highway Project.

Agreement with Clackamas County providing for the payment of \$500 to the county as the state's share of the cost of disposing of the claim of John F. Putnam, et al, arising out of the construction of the East Portland-Oregon City Highway across the premises of said parties.

Agreement with the Idaho Power Company relative to the furnishing of electrical energy for lighting the underpass in Ontario.

Letter directed to the United States Bureau of Public Roads, Portland, Oregon, correcting the description of Federal Aid Highway No. 39 which is without a direct connection with Federal Aid Highway No. 1 since the adoption of a new route for a portion of Federal Aid Highway No. 1

Bargain and sale deed conveying unto the Oregon-Washington Railroad and Navigation Company a strip of land of variable width containing 0.85 acre, situate in Government Lot 2, Section 33, T. 3 N., R. 8 E., W. M., Hood River County, being right of way transaction No. 6295.

Bargain and sale deed conveying unto the Southern Pacific Company for the sum of \$2,722.54 two parcels of land lying in Lots 1 to 8, inclusive, of Block 17, and in Lots 1, 2, 3, and 4 of Block 29, respectively, Hackleman's Second Addition to Albany.

Quitclaim deed conveying unto S. B. Chandler and Hattie Chandler 6.61 acres of land situate in the N.W. $\frac{1}{4}$ of Section 6, T. 37 S., R. 21 E., W. M., and in the S.W. $\frac{1}{4}$ of Section 31, T. 36 S., R. 21 E., W.M., Lake County, being right of way transaction No. 6107.

Easement conveying unto the Southern Pacific Company the right to construct, operate, and maintain a railroad wye track and appurtenances on certain state-owned property in Albany, containing 848 sq. ft., in Lot 8, Block 38, Hackleman's Second Addition to Albany.

There being no further business to come before the Commission at this time, the meeting was adjourned at 4:30 o'clock p. m.

[Signature]
State Highway Engineer

[Signature]
Secretary

Henry F. Cabell
Chairman

[Signature]
Commissioner

[Signature]
Commissioner

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VOLUME 23

PART III

PART 3
OF
VOLUME XXIII
MINUTES OF OREGON STATE HIGHWAY COMMISSION
COVERING PERIOD
FROM
NOVEMBER 19, 1938
THROUGH
MARCH 31, 1939

OREGON STATE HIGHWAY COMMISSION

Henry F. Cabell, Chairman
E. B. Aldrich, Commissioner
F. L. Tou Velle, Commissioner

R. H. Baldock, State Highway Engineer
H. B. Glaisyer, Secretary

HEADQUARTERS AND GENERAL OFFICE OF DEPARTMENT
LOCATED AT SALEM, OREGON

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8538		Albany. Sale of buildings to Earl R. Smith and J. H. Robison approved. Buildings advertised Nov. 17; no bids received. Douglas County. Rhododendron State Park. Paul Schuttpels granted permission to maintain roadway through park. Gleneden Beach. James and Katherine Sansbury request advance of cost of right of way for relocation of Oregon Coast Hwy. Portland. City overrules state's objection to pay street assessment on state property adjacent to McLoughlin Blvd.
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8549		Group insurance. Offer of California-Western States Life Insurance Company to furnish insurance to employees denied. Cottage Grove. Pacific Highway. Construction of proposed revision in 1939 requested. Log hauling. Leo Farr and F. B. Lowery request permit to haul piling from Clackamas to Vancouver, Washington. Trial movement to be made.
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8552		Wage rates. Representative of Klamath Falls Building Trades Council confers regarding establishment of wage rates. World's Fair. Proposed budget disposing of \$40,000 toward cost of maintaining exhibit at San Francisco Fair approved. Payment of \$10,000 for rental charge at Fair approved.
8553		Right of way budget. Attorney's report on expenditures in excess of amount budgeted. Real property. Resolution authorizing acquisition.
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8570		Clatsop County. Acquisition of proposed park site adjacent to Oregon Coast Highway north of Arch Cape Tunnel denied. Hood River County. Purchase of wayside strips for park purposes adjacent to Columbia River Highway denied. Strips to be accepted if presented as gift.
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8580		Agreement. F. G. Brown. Snow removal on Klamath Lake Secondary Highway. (See page 8601) Awards confirmed of following contracts: State Hospital-Ash Street Unit, Leonard & Slate; Powers Ranch-Jacksonville Section, R. I. Stuart & Sons. Copyright. Bulletin entitled "Highway Spirals". Equipment. Engineer authorized to purchase following: 1 power shovel; 6 engineer's transits.
8581		Snow removal. Mt. Hood Highway to Timberline Lodge. Waldport. Lester Rickard granted permission to maintain sidewalk on state property north of sea wall. Log hauling. Wolf Creek Highway. Request of Oregon Piling Co. to haul between Sunset Camp and Wolf Creek crossing denied. E. S. Schwantes granted permit to truck logs across Columbia River Highway in Mosier.
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8587		<p>Pacific Highway. Claim of H. U. Martin for damage arising out of accident at junction of highway with North Albany County Road denied.</p> <p>Albany-Lyons Secondary Highway. Oiling requested between Santiam Highway Junction and Crabtree.</p> <p>The Dalles. Request for filling-in of ground between Columbia River Highway and proposed civic building denied.</p> <p>Weston-Elgin Secondary Highway. Weston-Langdon Lake Section. Oiling urged.</p>
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8592		Log hauling. Termination of insurance furnished by Oregon-American Lumber Co. for hauling on Wolf Creek Highway approved.
		Surveys. Commission approves surveys ordered by Engineer.
8595		Completed surveys approved and adopted as reported.
8597		Extensions of time, as follows: Roy L. Houck, North Powder-Muddy Creek Section; Harold Blake, Ross Station-Arward Section; River Bend Sand & Gravel Co., Pringle Creek-Taylor Creek Sec.;
8598		E. H. Itschner, Baker-Flagstaff Hill Section; M. C. Lininger & Son, Bear Creek-Ashland Section; Kern & Kibbe, Sandy Boulevard Section.
8599		Contracts completed and accepted, as follows: Elsie-Nehalem River Section, Coos Bay Construction Company; North Powder-Muddy Creek Section, Roy L. Houck; Pringle Creek-Taylor Creek Section, River Bend Sand & Gravel Company; McMinnville Section, River Bend Sand & Gravel Company; Baker-Flagstaff Hill Section, E. H. Itschner; Bear Creek-Ashland Section, M. C. Lininger & Son; Sandy Boulevard Section, Kern & Kibbe; Remodeling portion of State Office Building, Erwin E. Battaman; Molalla Section, Mountain States Construction Company.
8600		Date for next meeting set for January 26; special meeting to be held in Salem set for January 13, 1939.
		Agreements, et cetera, signed, as follows: Pacific Power and Light Company, extending previous agreement for maintenance of company's poles on Youngs Bay Bridge; Southern Pacific Company, relative to Lobert Overcrossing in Klamath County; U. S. Forest Service, snow removal on Timberline Road; City of Albany, regarding rest rooms under Albany Bridge; Stipulation relative to securing stock pile site adjacent to Coos Bay-Roseburg Highway; Application for patent to land containing fossil beds adjacent to John Day Highway, in Grant County; O.W.R.R. & N. Company, construction of Corbett Station-Rooster Rock Section of the Upper Columbia River Highway; F. G. Brown, covering snow removal operations on Klamath Lake Secondary Highway; Bargain and sale deed conveying unto Martha E. Dodele land in the city of Albany;
8601		

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- 8601 Dec. 20 Agreements, et cetera, continued:
Bargain and sale deed conveying unto J. G. Snyder property in the city of Albany;
Bargain and sale deeds conveying unto H. D. Rohde and wife property in the city of Albany;
Bargain and sale deed conveying unto the Standard Oil Company of California property in the city of Albany.
- 1939
- 8602 Jan. 13 Log hauling. Paul V. Kelley's permit suspended for overload-
ing in vicinity of Prineville.
Senator U. S. Balentine confers on Mr. Kelley's behalf.
Commission orders release of Mr. Kelley's P.U.C. plates.
- 8603 Benton County. Designation as state secondary highway of
county road leading to Corvallis Golf Club requested by
County Court. Investigation and estimate of cost to oil or-
dered.
Klamath Falls-Lakeview Highway. Completion to modern standards
urged by Burt Snyder of Lakeview.
- 8604 Real property. Resolution authorizing acquisition.
- 8605 Wolf Creek Highway. Re-establishment of school building in
town of Manning, Washington County.
- 8606 Tool house. Purchase of county building at Mist authorized.
Neskowin. Oregon Coast Highway revision discussed. Negotia-
tions with W. S. Walton ordered for right of way.
Santiam Highway. Exchange of timber lands with U. S. Forest
Service considered to insure preservation of timber adjacent
to highway right of way.
- 8607 Lincoln County. Oregon Coast Highway. Request of Thomas
Purdy to purchase small area of land at Bob Creek denied.
Clatsop County. Wolf Creek Highway. Sunset Logging Company's
insurance in connection with highway construction underneath
tracks.
Nehalem River Bridge. Resolution establishing 15-mile per
hour speed limit.
- 8608 Load limits. Resolution reducing loads on following bridges:
Alsea River Bridge, Alsea Highway;
Willamette River Bridge, Corvallis-Eastside Secondary Hwy.
- 8610 Jackson County. Request of Forest Supervisor to construct
footbridge over Union Creek on Crater Lake Highway.
Portland. Estimates to pave portions of Lombard Street. Ac-
tion deferred.
- Harney County. Frenchglen Secondary Highway. Location survey
of 12-mile section between Narrows and Wright's Point auth-
orized.
- Linn County. Schindler Bridge. County Court to assume juris-
diction of old bridge upon completion of new bridge by state.
- 8611 Sherman County. County Court requests reallocation of federal
secondary highway funds to Moro-Erskine Road instead of
Moro-Hay Canyon Road. Commission approves.

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8611	Jan. 13	Lane County. Oak Hill-Veneta County Road. Transfer of federal aid secondary highway funds to alternate project.
8612		Federal aid secondary highway funds. Numerous requests for improvement of county roads. Action deferred. Union County. North Powder River County Road. County Court requests grading and graveling only of 5-mile section rather than oiling of 1½-mile section.
8613		Bids. Projects approved for contracting in January and March. Fremont Highway. Application for G.C.C. labor approved for soil erosion project on Silver Lake Section. John Day Highway. Reconstruction of bridge over Mule Shoe Creek requested by John Day Highway Improvement Association.
8614		Traffic signals. Installations in Portland, Sheridan, Marshfield, Grants Pass, Dallas, Amity, Seaside, Lakeview and Oswego requested. Amity and Seaside installations denied. Adoption of policy with respect to installations deferred. Malheur County. County road improvements and construction of shop building at Vale with P.W.A. funds. State cooperation approved. County roads. Attorney's opinion on authority of Commission to construct and maintain. Present practice to be continued.
8615		Award of contract. Commission approves award of Corbett Station-Rooster Rock contract to Colonial Construction Company. Salem-Dallas Highway. Mr. Herman Amos requests straightening of highway to eliminate curve west of Oak Knoll Golf Course. Purchases authorized, as follows: 4 radio receiving sets; 50,000 gallons traffic line lacquer; 25 new trucks.
8616		Snow plow. Sale of old "V" type plow to F. G. Brown, Crystal. Klamath Falls maintenance building. Resolution accepting revised offer of P.W.A. funds.
8618		Wilson River Highway. Commission approves supplementary W.P.A. project with Tillamook County.
8619		Permit. Consolidated Freight Lines, Inc., granted permission to transport overlength equipment over state highways. Portland. Petition requesting action to safeguard pedestrians at Interstate Avenue intersection with Wheeler Place.
8620		Oregon-American Lumber Corporation. Claim for timber used on Wolf Creek Highway W.P.A. project. John Day Highway. Request of Robert Blayden to transport over-width buildings denied. Agreements, et cetera, as follows: Marion County, snow removal on North Santiam Highway; Castle Films, Inc., distribution of motion picture of Oregon; J. L. Worth, elimination of cattle pass; State Game Commission, wild bird and game reserves along Junction City-Eugene Section of Pacific Highway;

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8620	Jan. 13	<p>Agreements, et cetera, continued:</p> <p>Letter to U. S. Bureau of Public Roads requesting designation of road from Mt. Hood Highway to Timberline Lodge as a forest highway;</p> <p>Medford Water Commission providing for lease of water for maintenance building;</p> <p>Bargain and sale deed conveying to H. D. Rohde property in Albany;</p>
8621		<p>Bargain and sale deed conveying property to H. D. Rohde in Albany;</p> <p>Bargain and sale deed conveying property in Reedsport to Reedsport School District.</p>
8622	Jan. 25	<p>Meeting in March scheduled for March 2.</p> <p>Legislature. Alfred A. Hampson requests Commission's support of proposed bill providing for return of portion of gas tax to motor fuel dealers.</p> <p>McKenzie Highway. Eugene Chamber of Commerce suggests support of Congressman James W. Mott's bill for federal funds to purchase timber land along highway.</p>
8623		<p>Santiam Highway. Preservation of timber east of Cascadia.</p> <p>Exchange of government-owned tracts for privately-owned tracts favored.</p> <p>Trees. Cooperation of Commission requested in publication of booklet regarding outstanding trees of state.</p> <p>Salmon River Highway. Negotiations with Miami Corporation for timber tracts east of state property.</p>
8624		<p>Vista House. Investigation ordered of complaint of W. A. Johnson that concession is unfair competition.</p> <p>Wolf Creek Highway. Offer of Sunset Logging Company to sell wayside timber strips refused.</p> <p>C. B. McCullough. Resolution authorizing signature on P.W.A. documents during absence of State Highway Engineer.</p>
8625		<p>Faerman County. County Court's request for substitution of Erskine Road instead of Moro-Hay Canyon project withdrawn.</p> <p>Lane County. Oak Hill-Veneta County Road. County Court approves elimination from federal aid secondary program.</p> <p>Tillamook County. County Court requests oiling of several county roads.</p> <p>Douglas County. North Umpqua County Road. Improvement easterly rather than westerly from completed section requested by County Court. Commission approves request.</p>
8626		<p>Linn County. Albany-Lyons Secondary Highway. Oiling between Reiley's Corner and Scio requested.</p> <p>Union County. North Powder River Road. Commission approves grading and surfacing of 4- or 5-mile section rather than oiling of 1½-mile section.</p> <p>Tillamook County. Little Nestucca Secondary Highway. Request for completion of improvement denied.</p> <p>Wasco County. Substitution of Lower Fifteen Mile Creek Road for the Chenoweth Road in federal aid secondary highway program approved.</p>

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8626	Jan. 25	Wasco-Heppner Secondary Highway. Improvement between Condon and Wasco requested.
		Butler Market Road. Improvement northeasterly from Bend requested by Deschutes County Court.
		Nehalem Secondary Highway. Improvements between Jewell and Mist requested by several Clatsop and Columbia County granges.
8627		Hillsboro-Silverton Secondary Highway. Improvement from Scholls to improved portion north of Newberg requested.
		Weston-Elgin Secondary Highway. Improvement requested.
		Estacada. Improvement of Woodburn-Mt. Hood Loop Secondary Highway in front of high school building requested.
		Woodburn. New connection of Hillsboro-Woodburn Secondary Highway with Pacific Highway requested.
		Clackamas County. Transfer of funds from Canby-Marquam Road to Eagle Creek-Dover County Road approved.
8629		Federal Aid programs. Revisions to take up balances approved. Projects for March 2 letting. Projects selected January 13 approved with minor changes.
		1940 federal aid projects. Selection of projects discussed.
8630		Oregon Coast Highway. Improvement between North Bend and Marshfield as priority project requested.
		John Day Highway. Mule Shoe Creek Bridge Section. Reconstruction requested by John Day Highway Improvement Association.
		Repairs to existing bridge structure approved.
		The Dalles. State aid requested in filling in right of way of Columbia River Highway in front of proposed civic building.
		Marion County. County Court requests construction of railroad grade elimination project on River Road, south of Salem.
8631		Portland. Paving of unpaved portions of Lombard Street requested.
		Milton. Oregon-Washington Highway. Improvement to eliminate curve at south entrance of highway to city requested.
		Klamath County. Improvement of road from Willamette Highway, near Odell Lake, to Crescent Lake requested.
		Halsey. Pacific Highway. Continuance of reconstruction requested.
		Tillamook County. Mills Bridge over Wilson River on the Wilson River Highway. New structure approved.
8632		Speed limit. 15-miles per hour ordered on existing Mills Bridge over the Wilson River, Tillamook County. Resolution.
8633		Travel and Information Department. Complaint of Kirkpatrick Advertising Agency relative to publicity matters.
		Enlarging membership of Advisory Board suggested by Commissioner Aldrich.
		Laws. Bill to codify Oregon highway laws approved subject to minor changes.
8634	Jan. 26	Bids received on following projects:
		North Unit, Oregon City Section, grading and paving;
		Abernethy Creek Bridge;
		Bridge over Nehalem River;
8635		Necanicum-Nehalem River Section, surfacing and macadam;

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8635	Jan. 26	Bids received on projects (continued): Polallie Creek-Hood River Section, crushed rock; Albany Overcrossing;
8636		Albany Overcrossing Section, grading and paving; Tudor Ranch-Blue Mountain Pass Section, grading; Sale of building in Oregon City; Sale of building in Gleneden Beach.
8637		Oregon City. Moorage rights at foot of 8th and 10th Streets requested by Clackamas County Planning Board. Investigation ordered on construction of pedestrian ways over and across highway, and use of present floating dock. 82nd Street Highway. Wallace R. Telford requests reconstruction of highway between Pope Hill and Oregon City.
8638		Warm Springs Highway. Delegation from Crook, Jefferson, Harney and Deschutes Counties requests improvement of various sections. Oasis. Judge Higgs, Harney County, requests location of William Hanley Oasis on Lakeview-Burns Highway.
8639		Central Oregon Highway. Buchanan-Juntura Section. Improvement requested by Judge Higgs of Harney County. Investigation ordered of drainage condition near Buchanan caused by spring flowing on highway. Butler Market Road. Plans for improvement discussed. Wolf Creek Highway. Purchase of timber strips from Sunset Logging Company discussed. Wage scale. Conference with delegation relative to insertion of clause in highway contracts establishing unit wage scale.
8640		Hood River Secondary Highway. Delegation urges completion of oiling between Dee and Hood River. Mt. Hood Highway. County Commissioner Perry, Hood River County, inquires regarding proposed revision at Fike's Corner. Improvement from Odell to connection with Hood River Secondary Highway requested by Commissioner Perry of Hood River. Portland. Dewey Gault confers regarding construction of approach road from his property to Pacific Highway at junction of Union and Denver Avenues.
8641		Delegation confers regarding construction of ramp from Bybee Avenue viaduct to McLoughlin Boulevard.
8642		Pacific Highway. Victor Tengwald, Attorney, confers regarding claim of Frank Forth for damage arising out of construction of highway south of Ashland. Awards. Announcement of exceptions in awarding contracts to low bidders on bids received at morning session.
8643		Mt. Hood Highway. Polallie Creek-Hood River Section. Resolution awarding contract to A. S. Wallace.
8645		Awards. Commission announces awards on projects for which bids were received during morning session. (See page 8634) Yamhill County. Newberg-Yamhill Secondary Highway. Delegation urges improvement.

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8646	Jan. 26	Tillamook County. Little Nestucca Secondary Highway. Delegation requests improvement between Dolph and Meda.
8647		Wasco-Heppner Secondary Highway. Large delegation urges improvement of Wasco-Condon Section.
8648		Gearhart Beach property. Report on additional taxes due. Gearhart Park Company offers to pay one-half of such tax if state will pay balance. Offer accepted.
		Clatsop County. County Court inquires regarding Commission's plans to acquire property for future site of Columbia River ferry at Astoria.
		County Court inquires regarding need of county property for revision of Columbia River Highway in Astoria.
		South Santiam Highway. Continued improvements urged.
		Bills. Discussion of bills to be introduced in Legislature affecting State Highway Department.
8649		Planning Survey Department. W. H. Kellogg presents claim for overtime work.
		Cascade Locks. Wauna Tollbridge Company granted permit to construct overcrossing and highway connection from Bridge of the Gods to Columbia River Highway.
		C. E. McCullough. Authority granted to attend meeting of American Concrete Institute in New York City.
		Albany-Lyons Secondary Highway. Linn County to assume responsibility of Schindler Bridge Section, including old bridge structure. Abandonment resolution adopted.
8652	Jan. 27	Real property. Resolution authorizing acquisition.
8654		Lincoln County. Oregon Coast Highway. Request of Thomas Purdy to purchase small area of land at Bob Creek denied.
		Oregon Coast Highway. Skipanon-Seaside Section. Attorney to negotiate for acquisition of right of way across property of John Albertson.
8655		Clatsop County. Wolf Creek Highway. Discussion of insurance required by Sunset Logging Company in connection with construction of logging railroad over highway.
		Payment of \$9,000 to Sunset Logging Company authorized in connection with overcrossing structure.
		Columbia River Highway. Change in plans of Army Engineers for use of dredged materials from Columbia River for highway construction.
		Enterprise-Lewiston Highway. Oregon and Washington Sections to be completed simultaneously.
		Traffic signals. Present policy regarding flashing beacons and and "stop" and "go" signals to be continued.
8656		Floodlights. State to assume expense of installation and maintenance; cities to pay cost of electricity.
		Traffic signals. Budget of annual amount to cover cost of installation approved.
		Installations, as follows, approved:
		Portland, west end of St. Johns Bridge;
		Sheridan;

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8656	Jan. 27	Traffic signals. Installations approved (continued): Marshfield; Dallas.
8657		Floodlights. Installations, as follows, approved: Grants Pass; Lakeview; Portland. Traffic signals. "Stop" and "go" signals authorized on following Portland streets: Sandy Boulevard, East Burnside Street, and Interstate Avenue. Purchase of signal controllers discussed.
8658		Floodlights. Roseburg. City refuses to assume expense of operating lights. Equipment. Purchase of following authorized: 1 portable welding outfit; 2 25-ton ratchet-type jacks. Load limits. Signs to be erected as occasion demands. Postings to be confirmed by resolution at following meeting.
8659		Wolf Creek Highway. Expense of water supply for W.P.A. Camp near Manning to be assumed by state. Dues. Payment of dues of American Association of State Highway Officials covering year 1939 approved. Herd laws. People of Carlton opposed to placing Panther Creek District, Yamhill County, in open range territory. Wilson River Highway. Request that bridge over Wilson River be named "Reeher Bridge" referred to Lewis A. McArthur. Jump wire. Union Pacific Company offers to furnish jump wire to highway patrolmen operating in Columbia River Gorge. Fish and wild game life. Preservation along streams in Willamette Valley urged.
8660		League of Oregon Cities. Transfer of highway funds to finance city streets opposed by several organizations. Salem-Dallas Highway. Elimination of curve at Oak Knoll Golf Course urged by Rickreall Grange No. 671. Coquille. Sidewalk construction from city limits to Smith Wood Products Company urged. Tigard. Pacific Highway West. Mrs. Mary H. Clark inquires regarding adoption of permanent route. Log hauling. Wolf Creek Highway. Oregon Piling Company inquires regarding hauling on section west of Sunset Camp. Portland. Southwest Portland Community Club inquires regarding proposed construction of west approach to Ross Island Bridge. Signs. Canby Kiwanis Club requests permission to erect a Kiwanis sign either within or without city limits of Canby. Pacific Highway. Request for designation of routes between Junction City and Eugene as U.S. 99E and U.S. 99W. denied. Date of meeting. Request that latter part of February or first of March meeting be scheduled to avoid conflicting with conventions in Los Angeles and San Francisco.
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8661	Jan. 27	Portland. Construction of ramp from Bybee Avenue to McLoughlin Boulevard requested. Revenues. Distribution of one-third of revenues to counties favored by Yamhill County Farmers' Union. Snow fence. Installation along Warner Valley Secondary Highway near junction with Fremont Highway approved.
8662		Benton County. Report on investigation for improvement of county road from Corvallis-Newport Highway to Corvallis Golf Club. Malheur County. Maintenance of county road through Danner, formerly used as detour for I.O.N. Highway traffic, to revert to county. Portland. Claim of Oregon Electric Railway Company for damage to property adjacent to Barbur Blvd. discussed. Contracts completed and accepted, as follows:
8663		Kamela-LaGrande Section, Rogers Construction Co.; Columbia Boulevard-Harding Avenue Section, Harold Blake; Fleming Ranch-Schindler Bridge Section, Leonard & Slate; Shedd-Halsey Section, D. L. Ashton; Bend Section, Fisher Bros.; Frame building at Klamath Falls, Angelo Doveri; Moro-Wasco County Line Section, Rogers Construction Co. Agreements as follows signed: Quitclaim deed conveying property in Baker County unto Frank D. Baird; Easement granting to Washington County authority to construct road on state property during lifetime of newly-established W.P.A. camp on Wolf Creek Highway; Easement agreement with Menasha Wooden Ware Company providing for maintenance of reservoir and pipe line in Umpqua Light-house State Park, Douglas County; Bargain and sale deed conveying unto Southern Pacific Company property in Albany; Permit authorizing Morrison-Knudsen Company to maintain temporary trestle roadway over Columbia River Highway at Onion Rock.
8664		
	Mar. 2	Hood River Secondary Highway. Jericho Lane-Bloucher Project. Error in specifications. To be readvertised for next meeting.
8665		Bids as follows opened and read: Clatskanie-Summit Section, surfacing and oiling; Lobert Section, grading; Poe Valley Section, grading and surfacing; North Powder-Davis Ranch Section, grading; Noyes Ranch-Cove Section, grading, surfacing and oiling;
8666		Sale of building in Marshfield. Historical monument. Oregon City. Site on East Portland-Oregon City Highway for large-scale bust of Dr. McLoughlin approved. Oregon City. East Portland-Oregon City Highway. Construction of underpass and steps for benefit of fishermen discussed.

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8667	Mar. 2	Harney County. County Judge Higgs requests surfacing of 3-mi. section near Buchanan. Complaint not concerning spring.
		Sidewalks. Construction approved along Coos Bay-Roseburg Highway from Coquille to plant of Smith Wood Products Company. Policy adopted for sidewalk construction at state expense if justified by pedestrian traffic count and investigation.
		Marion County. Request for vacation of streets in Silver Falls City, now part of Silver Falls State Park.
		Klamath County. Modoc Point-Klamath Agency Section of The Dalles-California Highway to be designated as state secondary highway upon completion of new highway.
8668		County requests oiling of county road from Chiloquin to Chiloquin Mill.
		County Engineer presents several improvement projects.
		Milton. Reconstruction of Oregon-Washington Highway through city urged. Location survey ordered.
8669		Weston-Elgin Secondary Highway. Delegation from Umatilla County requests improvements, especially between Weston and Tollgate.
		Log hauling. Wolf Creek Highway. Oregon Piling Company inquires regarding opening of short section west of Sunset Camp.
8670		Sunset Logging Company inquires regarding hauling of logs from Sunset Camp to the Tillamook County line.
		Deschutes County. Delegation confers regarding number of highway projects. Improvement of sight distance at intersection of The Dalles-California Highway and Tumalo-Deschutes Market Road requested.
		Jefferson County. Warm Springs Highway. Improvement urged.
8671		Construction of bridge over Warm Springs River requested.
		Awards. Commission announces awards on projects for which bids were received during morning session. (See page 8665)
8672		Coos County. Coos River Secondary Highway. Delegation requests oiling between Eastside and the Enegren Ferry.
8673		Warm Springs Secondary Highway. Delegation urged construction of Prineville-Jefferson County Line Section.
		Rerouting of highway in Prineville discussed.
		Legislation. Commission opposed to bill to determine weight of load of logs by log scale rather than by actual weighing.
8674		Log hauling. Investigation ordered of arrests for overloading of trucks supplying mill at Prineville.
		Newport. Messrs. Smith and Sanford confer regarding state deeding back to them right of way for sidewalk construction.
8675		Tigard. Pacific Highway West. Large delegation confers regarding proposed relocation, particularly along northerly route.
8677		Siuslaw Highway. Improvements requested; also construction of a tunnel near Triangle Lake.
8678		Cascade Secondary Highway (82nd Street Road). Delegation from Clackamas and Multnomah Counties urge early reconstruction between Pope Hill and Oregon City.

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8679	Mar. 2	<p>Signs. Canby Kiwanis Club requests permission to erect a Kiwanis sign along Pacific Highway.</p> <p>Oregon Roadside Council to be requested to assist in removal of civic service club signs from highway rights of way.</p> <p>Mt. Hood Highway. Request of C. C. Bradley to purchase gravel from stock pile near Brightwood denied.</p> <p>Echo. Request of city to use gravel pit near Columbia River Highway as garbage dump denied.</p>
8680		<p>Federal aid secondary highway system. Engineer to prepare list of roads eligible for such system.</p> <p>Equipment. Engineer authorized to purchase following:</p> <ul style="list-style-type: none"> 2 - 10-ton road rollers for use of oiling crews; 1 - 6-ton tandem roller for paving crews; 12 - light-weight trucks; 1 - pickup truck; 10 - asphalt heaters; 6 - mowing machines 12 - light-type cars; 1 - integrating dynamometer 1 - accounting machine for installation at Salem Shops. <p>Robinet-Homestead Secondary Highway. Sale of wood salvaged from Oxbow Tunnel approved.</p>
8681		<p>Portland. Claim of Oregon Electric Railroad Company arising out of construction of Barbur Boulevard Section of Pacific Highway West denied.</p> <p>Award confirmed of following contracts:</p> <ul style="list-style-type: none"> Albany overcrossing section, Roy L. Houck; Albany overcrossing structure, Mountain States Constr. Co. <p>Snow removal. State to remove snow from county road extending from Wallowa Lake to homes of employees of Pacific Power and Light Company. County to reimburse state for expense.</p> <p>Traffic signals. Action taken at January 27 meeting confirmed regarding policy of traffic light installations. (see page 8655)</p> <p>Survey. Reconnaissance survey of proposed revision of Lower Columbia River Highway between Goble and Rainier approved.</p>
8682		<p>P.W.A. grants. Resolutions accepting revised offers on:</p> <ul style="list-style-type: none"> Umpqua River Bridge; Albany maintenance building;
8684		<ul style="list-style-type: none"> Richland-Halfway Section of Baker-Homestead Highway.
8685		
8687		<p>Load limits. Resolutions reducing load limits on several sections of state highways.</p>
8691		<p>Signs removed, due to improved condition, on certain sections of highways heretofore posted for reduced load limits.</p> <p>Resolution lifting reduced load limit on Clarno Bridge over John Day River on Shaniko-Fossil Secondary Highway.</p>
8692		<p>Speed limit. Resolution setting maximum speed limit of 15 mi. per hour on Clarno Bridge over John Day River.</p>
8693		<p>F. D. Eason. To represent Highway Department at annual meeting of Western Association of State Highway Officials in San Francisco during week of March 6.</p>

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3693	Mar. 2	<p>Oregon-Washington Highway. Engineer to investigate flood conditions in Riverside Addition to Pendleton.</p> <p>Lower Columbia River Highway. Improvement requested between Rainier and Prescott.</p>
8694		<p>Reedsport. Umpqua Highway. Improvement of "L" Street Section requested.</p> <p>Willamette Highway. Improvements requested by Klamath County Chamber of Commerce and Klamath County Court.</p> <p>Klamath Falls-Lakeview Highway. Reconstruction at Dairy overcrossing requested.</p> <p>Portland. Improvement of North Ivanhoe Street as state highway connection to St. Johns Bridge requested.</p> <p>Coos River Secondary Highway. Improvement requested east of north fork ferry on Coos River.</p> <p>Woodburn-Mt. Hood Loop Secondary Highway. Hard-surfacing in Marion County during 1939 requested.</p> <p>Williams Secondary State Highway. Standard oil construction approved from Provolt to Williams schoolhouse; light oil treatment approved beyond such point.</p>
8695		<p>Estacada. Improvement of secondary state highway in front of school property requested. Action deferred.</p> <p>Territorial Secondary Highway. Improvement between Cheshire and Ferguson requested.</p> <p>Warm Springs Secondary Highway. Improvement between Prineville and Pine Products Company's mill requested.</p> <p>Multnomah County. Improvement of county roads in vicinity of Northeast 111th Avenue, Portland, requested.</p> <p>Cascade Lakes Forest Highway. Improvement from junction with Willamette Highway to Crescent Lake requested.</p> <p>Sidewalks. Construction requested along Medford-Provolt Secondary Highway west of Medford.</p>
8696		<p>The Dalles. Filling-in of right of way in front of site of proposed civic building and natatorium approved.</p> <p>Monumental marker. Request of Mrs. Adrian Ford to erect marker on Oregon Coast Highway at Astoria in memory of son denied.</p> <p>Eugene. Request for erection of signs directing truck traffic over city streets other than those on route of Pacific Highway approved.</p> <p>Fence construction. Sams Valley Secondary Highway. Construction between Gold Hill and Sams Valley denied.</p> <p>I.O.N. Highway. Additional improvements requested. Appreciation expressed of progress made toward completion.</p> <p>Deschutes River Canyon. Use as location for highway connecting Central Oregon and the port of The Dalles suggested.</p>
8697		<p>Communications, as follows, considered and ordered filed:</p> <p>L. M. Lepper, regarding roads in Warm Springs Indian Reservation;</p> <p>C. T. Hass, regarding Oregon's exhibit at San Francisco Fair.</p> <p>Columbia River. Letter from Longview Bridge Company stating company's position relative to toll-free bridges across river.</p>

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8697	1939 Mar. 2	Salmon River Highway. Purchase of timber along highway at both ends of state-owned property approved.
8698		State to assume obligation of lease given by Miami Corporation to third party to occupy part of company's property. Astoria. Acquisition of county-owned property on 8th Street in connection with proposed ferry landing deferred. Astor Street revision of Oregon Coast Highway. Attorney to settle with county for right of way, and to acquire needed right of way across privately-owned properties. Clatsop County. Fort Stevens Road. Engineer reports on cost of improvement. No action taken.
8699		Wolf Creek Highway. Payment of \$1500 to Sunset Logging Company to cover liability insurance in connection with operation of company's railroad over highway approved. Final payment to Sunset Logging Company for construction of logging railroad over highway approved. Payment of claim of Oregon American Lumber Corporation for trees taken from company's property approved.
8700		Amity-Hopewell Secondary Highway. Claim of S. E. Howard for damage to his property to be settled on cash basis. Easement to carry water through Mr. Howard's property to be secured. Benton County. Oiling of road from Corvallis-Newport Highway to Corvallis Golf Club requested by County Court.
8701		Little Nestucca Secondary Highway. Construction of three temporary bridges and rough grading and surfacing to be done this year. Additional grading and surfacing to be done next year. Wilson River Highway. State to join with contractor Charles H. Leonard in appealing case to Supreme Court regarding extra compensation to be paid laborers Pacific Highway West. Claim of Mrs. Ida B. Hadley for damage to her property reconsidered.
8702		World's Fair. Revised budget for expenditure of \$ 40,000 approved. Travel and Information Department. Action deferred on increasing membership of Advisory Board and appointing committee to study conditions affecting tourist travel. Marion County. Construction of connecting road between Scotts Mills County Road and North Santiam Highway, at Gates, requested.
8703		Wage scales. Portland Chapter of Associated General Contractors suggest modification of specifications for highway construction work pertaining to wage scales.
	Mar. 3	Timberline Lodge Road. Delegation requests Commission to keep east leg of highway open during Ski Tournament. State agrees to furnish snow-removal equipment to Forest Service and Bureau of Public Roads. State to receive credit for loan of equipment.
8704		Right of way budget. Attorney reports on status of budget for 1939.
8705		Real property. Resolution authorizing acquisition. Halsey-Sweet Home Secondary Highway. Payment of additional compensation to Elizabeth Paden for right of way approved.

<u>Page</u>	<u>Date</u>	<u>Subject</u>
8708	1939 Mar. 3	Albany. Options for right of way to be secured for project to be financed with balance of grade separation funds in northern part of city.
8709		Lane County. Exchange of properties with Carl G. Washburne along Oregon Coast Highway near China Creek authorized. McMinnville-Tillamook Highway. Happy Hollow Section. Mr. M. A. Peterson ordered to stop fence construction and to comply with provisions of option given by late Henry J. Rost for purchase of right of way. Condemnation. Resolution authorizing condemnation on following sections;
8710		West Portland-Hubbard Highway, West Portland-Tualatin Section, A. G. and L. H. Smith; Wolf Creek Highway, Manning-Davies Section, Carrie E. McGill.
8711		Oregon Coast Highway. Nelscott. Right of way of old route of highway to revert to adjacent property owners unless needed by state. Property owners then to be paid for same. Ben Hur Lampman to receive title to right of way.
8712		Tillamook County. Acquisition of property for park purposes adjacent to Oregon Coast Highway near Tillamook-Clatsop County line considered. Condemnation. Resolution authorizing condemnation of wayside strips for park purposes as follows: Tillamook County, Charles A. Fowler property; P. J. Butler property.
8714		Arch Cape Tunnel. Timber lining approved. Pacific Highway West. Multnomah County Line-Middleton Section. Options for right of way to be secured. Oyhee Reclamation Service. Engineer to construct bridges over ditches and canals excavated across state highways. Bill for same to be sent to Reclamation Service.
8715		Malheur County. Discussion of controversy with H. M. Featherstone concerning title to stock pile site adjacent to John Day Highway.
8716		Joaquin Miller Cabin. State requested to assume maintenance. Celilo Indian Village. Clean-up of village deferred pending report from Superintendent of Umatilla Indian Reservation. Nelscott. Purchase of suggested park site adjacent to Oregon Coast Highway discussed. Preference given to purchase of timber strips along Salmon River Highway. Wolf Creek Highway. Sales agreement with Oregon-American Lumber Corporation to be prepared covering purchase of wayside strips adjacent to highway. Azalea State Park. Purchase of additional 2.89 acres authorized. Devils Elbow State Park, near Heceta Head. Negotiations for purchase of 458 acres authorized.

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	1939	
8717	Mar. 3	Silver Falls State Park. Purchase of a 130-acre addition approved.
		Vista House at Crown Point. Renewal of Edward L. Dimmitt's concession privilege for period of one year without compensation approved.
		Gravel. Request of George L. Govro to take gravel from Cummings Creek on Oregon Coast Highway denied.
		Curry County. Proposed park site at Floras Lake near Port Orford. Purchase of tract deferred.
8718		Deschutes County. Timber tract at intersection of McKenzie Highway and McKenzie-Bend Highway. Louis Hill interests offer to sell tract to state. Joint cruise of tract to be made.
		Honeymen State Park. Park Superintendent to write National Park Service relative to retaining CCC camp to continue work in park.
		Pictures. Display of highway department's pictures in hotel lobbies discussed.
		Program. Basic allocation, 1940 federal program and 1939 state program.
8720		Partial program of 1940 regular federal aid projects.
8721		Surveys. List of surveys ordered since last meeting.
8723		Extensions of time, as follows: Roy L. Houck, Lamb Creek-Sheep Ridge Section; R. I. Stuart & Sons, Bandon-Port Orford Section; D. L. Ashton, Shedd-Halsey Section;
8724		Mountain States Construction Co., canal and railroad roadbed in Albany; Castelloe & Stocker, installation of traffic signal system in Eugene.
8725		Contracts completed and accepted, as follows: Lamb Creek-Sheep Ridge Section, Roy L. Houck; Bandon-Port Orford Section, R. I. Stuart & Sons; Madras-Deschutes County Line Section, Fisher Brothers; Lebanon-Foster Section, A. S. Wallace.
		Agreements, et cetera, signed as follows: Ida H. Frazier, claim disposed arising out of construction of Ontario underpass; Wauna Toll Bridge Company, highway connection from the Bridge of the Gods to the Columbia River Highway at Cascade Locks; Bureau of Public Roads, reimbursement for expense in supervising P.W.A. road projects on county roads; Maude Hastings Campbell, disposing of claim arising out of construction of Union Avenue viaduct, Portland; First National Bank of Portland and Bridal Veil Timber Company, hauling road easement across property adjacent to Upper Columbia River Highway, Multnomah County; Bridal Veil Timber Company, settlement for right of way on revised location of Columbia River Highway; O.J.R.R. & N. Company and Union Pacific Company, construction of highway crossing and encroachment at Jamieson;
8726		

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Agreements, et cetera, (continued):

Klamath Falls and California-Oregon Power Company, change in power lines, poles, etc., in connection with Main Street Undercrossing Project in Klamath Falls;
Union County Court, maintenance and acquisition of right of way for North Powder River County Road;
Klamath County Court, maintenance and acquisition of right of way for Poe Valley Section of Malin-Bonanza County Road;
Portland General Electric Company, et al, form of permit releasing power company and associated pole lines from liability with respect to fixtures attached by state to poles;
Frank Cornwell, construction of tile drain leading from highway to Cornwell property adjacent to Barbur Boulevard;
Teachers Retirement Fund Association, easement for Barbur Boulevard drainage tunnel in Portland;
Lewis C. Garrigus, Jr., easement for Barbur Boulevard drainage tunnel in Portland;
Bargain and sale deed conveying land in Lane County unto A. J. McDonald and wife;
Bargain and sale deed conveying unto Wm. J. Jacobs and wife land in Irvington Addition to Portland;
Bargain and sale deed conveying unto James Moore indemnity land situate in Grant County

Date for next meeting set for April 6 and 7, 1939.

8727 Mar. 21

Minutes approved of meetings held June 13, 14, and 15; June 29 and 30; July 20 and 21; August 3 and 4; August 9; August 30; September 19; September 28 and 29; October 20; November 14 to 18, inclusive; December 19 and 20, 1938; January 13; January 25, 26 and 27, 1939.

Right of way budget. Attorney's report on budget approved.
Real property. Resolution authorizing acquisition.

8730

Condemnation. Resolution authorizing condemnation on following sections:

8731

East Portland-Oregon City Hwy., Abernethy Bridge-Main St. Sec.;
Gladys Gates McEwan and C. T. Gates;
August Olson;

Cape Arago Highway. Charleston-Cape Arago Section,
John Bastendorf Heirs.

8732

Astoria. Astor Street improvement of Oregon Coast Highway.
Commission approves arrangement with Clatsop County Court for acquisition of right of way.

Pacific Highway. Purchase of L. E. Dayton property needed for right of way for revision of highway approved. Attorney to arrange for lease of building to Mr. Dayton.

Tigard. Pacific Highway West. Attorney's report on status of securing right of way options for proposed improvement.

8733

Wasco-Heppner Secondary Highway. Heppner-Rhea Creek Section.
Bureau of Public Roads objects to alignment of improvement.
Lincoln County. Attorney to negotiate with Thomas Purdy for exchange of properties at Bob Creek on Oregon Coast Highway.

<u>Page</u>	<u>Date</u>	<u>Subject</u>
	1939	
8733	Mar. 21	Pacific Highway West. Claim of Mrs. Ida B. Hadley for damage to her property at Newberg reconsidered.
8734		Wilson River Highway. Naming of bridge over Wilson River "Reeher Bridge" in honor of Reeher family approved.
		Reedsport. Umpqua Highway. Purchase of property from Umpqua Corporation for revision of highway discussed. No action.
		Capital Reconstruction Commission. Request for relief from payment of account with Highway Commission denied.
		Bend. Setting of date for public hearing regarding rerouting of Century Drive Secondary Highway deferred.
		Equipment. Engineer authorized to purchase following:
		2 large motor patrol graders;
		6 4-yd. trucks;
		1 12-yd. carry-all;
		1 RD8 tractor, specifications to include Cletrax tractor;
8735		1 crushing plant;
		10 power graders;
		10 pull-type graders;
		1 Burroughs accounting machine for Salem shops.
		Load limit. Resolution reducing load limit on John Day Hwy.
8737		Resolution lifting reduced load limits on several sections of state highways.
8738		Award of following contract approved:
		Noyes Ranch-Cove Section, Mountain States Construction Co.
		Pacific Northwest Regional Planning Conference. Selection of representative deferred.
		Log hauling. Conference to be held to revise penalty for overloading of trucks in view of passage of House Bill No. 542.
8739		Signs. Free Methodist Church of Hillsboro requests permission to erect sign on Tualatin Valley Highway. Request denied.
		Charles H. Leonard. Appeal of case to Supreme Court regarding extra compensation for laborers on Wilson River Highway contract reconsidered.
		Dallas-Coast Highway. Request for designation as primary state highway denied.
		Bicycle paths. Letter considered and ordered filed regarding construction of such paths.
		Stripe painting. State to paint and maintain stripes in following cities on condition parallel parking is approved by cities:
		LaGrande, Adams Avenue;
8740		Junction City, 5th Street, Junction City-Eugene Highway.
		Lane County. Naming of county road connecting Pacific Highway and the Junction City-Eugene Secondary Highway "Gent Drive" referred to Lane County Court.
		Erection of signs pointing out Santa Clara and Irving on said county road requested.
		Gravel. Removal of agate-bearing gravel from Oregon beaches protested. Engineer to investigate.
		Grant County. Judge Allen inquires regarding possibility of securing 1940 federal funds to finance improvement of feeder roads.

<u>Page</u>	<u>Date</u>	<u>Subject</u>
	1939	
8740	Mar. 21	Waldport. City requests one of highway engineers to act as consultant in controversy over street improvements. Wage rate schedules. C. D. Long, Klamath Falls Building Trades Council, invited to attend conference on April 6 for discussion of establishing wage schedules on highway construction. Action taken on wage schedules by adjoining states to be ascertained.
8741		Klamath County. Request for designation of The Dalles-California Highway from junction with Hatfield Highway to California State line as State Route No. 39E denied. Request for designation of Hatfield Secondary Highway from junction with The Dalles-California Highway to California State line as State Route No. 39W denied. Portland. Lighting facilities requested on Sandy Boulevard from Burnside Street to East 82nd Street. Action deferred. Redmond. Signal system requested by city at crossing of Spokane, Portland and Seattle Railroad with Ochoco Highway. Sidewalk. Construction of sidewalk requested along Columbia River Highway from Hood River to Columbia Gorge Hotel. West Linn. Pacific Highway. Oiling of shoulders to be considered in formulation of next program.
8742		Sheridan. McMinnville-Tillamook Highway. Oiling of shoulders to be considered in formulation of next program. Wolf Creek Highway. Sunset Camp-Elsie Section. Dates for opening of section for travel reported by Engineer. Cars. Offer of Bralcy and Graham, Buick dealers of Portland, to accept Commission's Buick as part payment of Buick owned by Mr. Bralcy refused. Klamath Falls-Lakeview Highway. Reconstruction of short section near Dairy requested. Deschutes County. Tumalo-Deschutes Secondary Highway. Improvement at junction with The Dalles-California Highway north of Bend requested.
8743		Traffic law violations. Commission urged to secure conviction of offenders of traffic violations in vicinity of Baker. H. B. VanDuzer. Naming of park in his honor considered. Newport. L. C. Sanford objects to Commission's solution of request for sidewalk construction and utilization of extra-width right of way in front of his premises. Columbia River Highway. Rights of access to new highway up Columbia River Gorge to be allowed only at limited number of places. Devils Elbow State Park, at Heceta Head. Substitution of tracts with Rufus C. Stonefield approved. Acquisition of 2.6 acres at this location from Eugene O. Hayward approved, either by purchase or condemnation.
8744		Cape Lookout State Park. Purchase of 119-acre tract from Crown Willamette Paper Company discussed. No definite action taken. Silver Falls State Park. Request of L. E. Inman to operate a crab pot in park denied.

<u>Page</u>	<u>Date</u>	<u>Subject</u>
8744	Mar. 21 1939	Jessie M. Honeyman State Park. Continuance of CCC Camp for park improvement discussed. Financial statement of park maintenance funds to be furnished National Park Service in endeavor to retain CCC camp.
		Humburg State Park. Grazing privileges to be granted to stipulated sheepowners upon payment of fee.
8745		Azalea State Park. Park Superintendent to negotiate with owner regarding purchase price of addition to park. Original purchase included 2.89 acres, tract now contains 2.5 acres.
		Tillamook County. Nehalem Bay sandspit. Acquisition of property owned by Hammond Lumber Company, now reverted to county under foreclosure proceedings, discussed. Options to be secured from county.
		Extension of time, as follows: Carl Bahlburg, car storage building at Salem shops.
8746		Contracts completed and accepted, as follows: Frame storage building at Salem, Carl Bahlburg; Gilliam County Line-Ione and Hermiston projects, Clifton and Applegate.
		Agreements, et cetera, signed as follows: Southern Pacific Company, maintenance of rock wall on railroad company's property near Comstock, Douglas County; O.W.R.R. & N. Company and Union Pacific Company, easement for reconstruction of Columbia River Highway between Troutdale and Warrendale; Preston Company, easement for roadway across state park in Tillamook County; Lease from State of Oregon to Hood River County for quarry privileges in quarry acquired from Joseph D. Smullin; Bargain and sale deed conveying unto Maud H. Campbell small parcel of land in Stephens Addition to the City of Portland.

Portland, Oregon, December 19, 1938

The State Highway Commission met in regular session at 9:00 o'clock a. m. in the Auditorium of the Public Service Building. Present were:

Henry F. Cabell, Chairman
E. B. Aldrich, Commissioner
F. L. Tou Velle, Commissioner
C. B. McCullough, Asst. State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

Mr. R. H. Baldock, State Highway Engineer, was present part of the time only.

Bids as follows for highway construction projects were opened and read in conformance with previously published notice:

JOHN DAY HIGHWAY
GRANT COUNTY LINE-UNITY SECTION
SURFACING, OILING, CRUSHED ROCK IN STOCK PILES

Babler Bros.	46,538.00
Rogers Construction Company	47,463.00
Edwin C. Gerber	47,538.00
E. C. Hall Company	50,431.50
Saxton, Looney & Risley	51,556.00
E. H. Itschner	54,159.00
Materne Bros.	54,986.00
A. Milne	55,913.00
Homer G. Johnson	59,569.50
R. O. Dail & Warren Bros., Inc.	59,708.00
Joplin & Eldon	61,143.00
Warren Northwest, Inc.	61,948.00
Quinn-Robbins, Inc.	67,978.00

OREGON COAST AND COOS BAY-ROSEBURG HIGHWAYS
COQUILLE SECTION - CRUSHED GRAVEL OR ROCK IN STOCK PILES

O. C. Yocom	17,892.00
A. S. Wallace	19,610.00
McGeorge Gravel Company	19,755.00
R. O. Dail & Warren Bros., Inc.	22,184.00

MT. HOOD HIGHWAY
POLALLIE CREEK-HOOD RIVER SECTION
CRUSHED ROCK IN STOCK PILES

Saxton, Looney & Risley	13,600.00
Schmeer, Williams & Gentemann	15,150.00
Homer G. Johnson	15,500.00
R. O. Dail & Warren Bros., Inc.	16,200.00

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PACIFIC HIGHWAY
SOUTH UNIT OF BEAR CANYON-STATE LINE SECTION
GRADING AND CULVERT CONSTRUCTION

Harold Blake	\$ 80,322.00
Roy L. Houck	80,360.00
Berke Bros., Inc.	82,217.50
Leonard & Slate	82,334.00
McNutt Bros.	84,068.00
Diesel Oil Sales Company	88,860.00
E. L. Gates	89,588.00
Edward F. Webber	94,905.00
A. C. Greenwood Company, Inc.	110,538.00
Hauser Construction Company	129,930.50

THE DALLES-CALIFORNIA HIGHWAY
CRESCENT-BEAVER MARSH SECTION - CRUSHED ROCK IN STOCK PILES

Fisher Bros.	\$ 13,800.00
Rogers Construction Company	16,900.00
A. S. Wallace	17,450.00

KLAMATH FALLS-LAKEVIEW HIGHWAY
DEVILS GARDEN-QUARTZ MOUNTAIN SECTION
GRADING, SURFACING, OILING, CRUSHED ROCK

J. C. Compton and Rogers Construction Company	\$ 79,331.00
Babler Bros.	89,734.00
McNutt Bros.	89,775.50
Roy L. Houck	92,726.00
E. C. Hall Company	96,626.00
Clifford A. Dunn	98,897.00
A. Milne	102,334.00
A. C. Greenwood Company, Inc.	104,425.00
Homer G. Johnson	104,502.50
Joplin & Eldon	109,992.00

FREMONT HIGHWAY
HORSE RANCH-CHEWAUCAN NARROWS SECTION - CRUSHED GRAVEL

Schmeer, Williams & Gentemann	\$ 12,486.50
Saxton, Looney & Risley	14,891.00
Homer G. Johnson	19,600.00
R. O. Dail & Warren Bros., Inc.	21,066.50

McKENZIE HIGHWAY
ROUGH CREEK-BELKNAP SPRINGS SECTION - CRUSHED ROCK

Mountain States Construction Company	\$ 14,982.00
A. S. Wallace	15,030.00

(Continued on next page)

(Rough Creek-Bellmap Springs Section, continued)

Saxton, Looney & Risley	\$ 15,802.00
R. O. Dail & Warren Bros., Inc.	19,247.50
Homer G. Johnson	21,965.00

Chairman Cabell announced that the award of contracts would be made at 3:00 o'clock p. m. in the same room.

Messrs. S. E. Howard and Lloyd Tresham, Amity, came before the Commission in regard to a drainage problem adjacent to the secondary highway, No. 153, between Amity and Hopewell, in Yamhill County. Mr. Howard alleges that highway department maintenance crews have filled up the highway ditch in front of his property and as a result water backs up over his land, causing considerable damage. He asked the Commission to remedy the situation by re-opening a part of the ditch and by installing a drainage pipe along the remainder of the section. The Commission deferred a decision in the matter pending inspection of the premises by Chairman Cabell, Maintenance Engineer J. N. Bishop, and Division Engineer F. D. Eason. It was agreed that such inspection should be made in the near future.

A delegation from Roseburg, consisting of County Judge Huron W. Clough, A. C. Marsters, W. C. Harding, and George H. Smith, representing the Board of Trustees of the Umpqua Highway Improvement District, came before the Commission in the interests of further improvements on the North Umpqua Highway. Judge Clough headed the group. They gave as their understanding that the Commission has budgeted the amount of \$20,000 of federal aid secondary highway funds for the improvement of this road west of Dixonville toward Roseburg, and asked the Commission to reconsider the allocation and reconstruct the Mud Hollow Section instead, which section extends easterly from the improvement completed this year. They declared that the Mud Hollow Section needs improvement more than any other section between Roseburg and Glide, and, notwithstanding that it will cost about \$28,000, which is \$8,000 more than the amount that the Commission has budgeted for this road, urged it, stating their willingness to furnish right of way for the project at no cost to the state. The Commission agreed to give the matter consideration and let them know as soon as possible, so the county can proceed with the acquisition of the right of way in the event the change in projects is approved.

County Commissioner William Baer, Deschutes County, came before the Commission in the interests of the Butler Market Road which extends north-easterly from Bend to a connection with the Powell Butte Secondary Highway. He was informed by Chairman Cabell that the Commission has not yet adopted its 1939 federal aid secondary highway construction program but this project will be given due consideration for the same, as was agreed when the Commission discussed the matter with the delegation at Bend on November 14, 1938.

County Judge Nelson B. Higgs of Harney County was present and inquired as to the Commission's plans for the completion of the Central Oregon Highway from Bend to Ontario. Chairman Cabell explained that the Commission is taking bids on the following day for the oiling of a 35-mile section of

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this highway between Juntura and Cairo but it does not appear possible now to allocate additional funds for this road until a program is arranged for the fiscal year 1940 federal aid funds. When such program is discussed, he said, the Commission will consider this project along with others, but no definite commitment can be made at this time. He added that it does not appear now that contracts involving 1940 federal aid funds can be awarded until next fall due to a shortage of funds with which to match the federal moneys.

Judge Higgs then asked the Commission to investigate a bad condition on the Central Oregon Highway near the summit east of Buchanan, where a spring flows out on the highway, causing damage to the highway grade. The matter was referred by the Commission to the Engineer to remedy this situation.

Judge Higgs inquired as to the Commission's program for the 1940 federal aid secondary highway funds. He was informed by Chairman Cabell that the Commission has not yet arranged a program for such funds due to the lack of state funds to match them, it being considered by the Commission advisable to take up all of the 1939 federal aid secondary highway funds before obligating the 1940 funds.

Improvement of the Frenchglen Secondary State Highway was then discussed. Judge Higgs stated that this road is badly in need of improvement and suggested that it might be possible to secure aid from the C.C.C. Camp located at the Malheur Lake Game Refuge to do this work, as was done last year when the C.C.C. graded the roadbed and the state furnished powder, culverts, and engineering. After discussion the Commission agreed to look into the matter and instructed the Engineer to contact the C.C.C. officials relative thereto and ascertain whether or not they would be willing to undertake the improvement on such basis.

Mr. Don Peoples, Secretary of the Bend Chamber of Commerce, was present relative to the improvement of the northerly end of the Cascade Lakes Forest Highway. He urged an allocation of forest highway funds for the improvement of this road beginning at the forest boundary near Bend, and extending westerly to Elk Lake. He gave as his thought that it is only fair that the northerly end of this road be improved in the next forest highway program in view of the fact that the section between Crater Lake and Diamond Lake has been completed, and Odell Lake is now served by the Willamette Highway, which has been graded to high standard to a connection with The Dalles-California Highway. He submitted a written brief in support of his oral arguments.

Mr. Peoples also asked for the oiling of the Santiam Highway westerly from the end of the present oiled section at Suttle Lake to the junction with the North Santiam Highway. Chairman Cabell advised that the Commission has not yet arranged its 1939 program for forest highway funds but will be pleased to give due consideration to the projects mentioned when such program is discussed.

The Engineer reported that Mr. Emil Lenke, who conducts a store business at the junction of the Wolf Creek Highway with the Oregon Coast Highway, in Clatsop County, has presented to the state as a gift a small tract of

land at the intersection of these two highways that will afford a much better eye connection than exists at present. He advised that Mr. Lemke has been very cooperative in furthering the Wolf Creek Highway project and gave as his thought that the Commission should recognize such service by accepting Mr. Lemke's gift with appropriate action. The Commission concurred in the Engineer's viewpoint and thereupon by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, Mr. Emil Lemke has generously donated and has conveyed to the State of Oregon for public highway purposes a tract of land in Clatsop County to be used by the Highway Commission in connection with the further improvement and maintenance of the Wolf Creek Highway; and

WHEREAS, ownership of said tract of land by the State will make possible the construction and maintenance of a highway and highway connection more serviceable, more convenient and safe for the traveling public than would be otherwise possible; and

WHEREAS, the helpful and willing cooperation given by Mr. Lemke to the State Highway Commission constitutes a worthy contribution to public welfare;

THEREFORE, BE IT RESOLVED BY THE HIGHWAY COMMISSION, all members being present and participating, that the sincere appreciation of the Commission be extended to Mr. Lemke for his helpful cooperation and his valuable gift to the general public.

Reconsideration was given by the Commission to the matter of allowing water to be pumped from a certain gravel pit acquired some time ago from Lee A. Duncan of Haines, Oregon, for use in connection with the construction of the Baker-Flagstaff Hill Section of the Baker-Homestead Highway. The Commission decided not to permit water to be pumped or taken from this gravel pit by anyone other than Mr. Duncan because of the damage that might occur to Mr. Duncan's property adjacent to the pit. The following resolution in regard thereto was adopted by the Commission by unanimous vote upon motion of Commissioner Aldrich, which was duly seconded by Commissioner Tou Velle:

WHEREAS, the State has heretofore acquired title to the following described real property, to wit:

A parcel of land lying in the North half of the Northwest quarter of Section 10, Township 9 South, Range 40 East, W. M., Baker County, Oregon, and being a portion of the following described property: that tract of land which was conveyed by that certain deed to Lee A. Duncan, recorded in Book 124, Page 64 of Baker County Record of Deeds; the said parcel being described as follows:

Beginning at a point which is 30 feet distant southerly from (when measured at right angles to) the relocated

center line of the Baker-Homestead Highway at Engineer's Station 114+50.2, said point also being 2604.5 feet north and 3947.1 feet west of the quarter corner common to Sections 10 and 11, Township 9 South, Range 40 East, W. M.; thence South $89^{\circ} 47'$ West parallel to and 30 feet distant from said center line a distance of 150.2 feet to a point opposite and 30 feet distant from Engineer's center line Station 113+00; thence South $0^{\circ} 13'$ East a distance of 196.6 feet; thence South $58^{\circ} 35'$ East a distance of 262.3 feet; thence South $76^{\circ} 46' 30''$ East a distance of 374.00 feet; thence North $2^{\circ} 52' 30''$ East a distance of 126 feet; thence North $67^{\circ} 10' 30''$ West a distance of 318.7 feet; thence North $41^{\circ} 37'$ West a distance of 227.4 feet to the point of beginning; containing 2.71 acres,

and

WHEREAS, said property is being used by the State for the purpose of acquiring therefrom materials for road construction purposes, and in excavating materials from said property a hole or depression was made which fills with surface or irrigation waters which drain from the adjoining property of the grantor Lee A. Duncan; and

WHEREAS, it is the belief and contention of said grantor that if the water which accumulates in the said borrow pit or depression is pumped out and conveyed to other property than the property of the grantor that irreparable damage will be done the said grantor; and

WHEREAS, the grantor has requested that by official action the Commission go on record declaring its purpose to use said above described real property for highway purposes only and to refuse to permit water to be pumped therefrom by any person other than the said grantor;

THEREFORE, IT IS HEREBY RESOLVED by this Commission, all members being present and affirmatively voting, as follows:

1. That it is, and hereby is declared to be, the purpose and intention of the Highway Commission to use the above described real property for highway purpose only, and that it is hereby resolved and declared by the Commission that the Commission will not voluntarily permit water which may assemble in said gravel pit or depression to be pumped or taken therefrom by any person, firm or corporation other than the said grantor Lee A. Duncan.

2. Nothing herein, however, shall be construed to in any way prevent the Highway Commission, its officers, agents or employees from pumping water from said gravel site if and when the pumping of

such water becomes necessary in the use and enjoyment of the said real property for the taking and appropriating of gravel or road-building materials therefrom.

The Attorney reported receipt of an offer from Earl R. Smith, Albany, to purchase for the sum of \$15.00 some old buildings located on the right of way acquired from Melissa J. Kitchen in Lots 5 and 6 of Block 73, Monteith's Second Addition to Albany, and the offer of J. H. Robison to purchase for the sum of \$35.00 the building located on the right of way acquired from Barbara Kinney at 805 Lyons Street, Albany. He advised that these buildings were advertised for sale at the last meeting of the Commission but no bids were received for the same and the Commission at that time authorized him to sell the buildings at private sale if he could get a satisfactory offer. He recommended acceptance of both offers. The Commission approved the recommendation unanimously.

The Attorney also reported that some time ago the Commission granted an easement to a Mr. Paul Schuttpels to construct a roadway across Rhododendron State Park, in Douglas County, so as to permit Mr. Schuttpels to have access to his property adjacent to the park. He said that Mr. Schuttpels rebuilt his roadway, but not on the location specified in the agreement, and requested instructions as to what to do about it. After discussion the Commission ordered that Mr. Schuttpels's attention be called to the fact that he has constructed his roadway in the wrong location and that he be told that he will be allowed the use and occupancy of the same by right of sufferance only, with the understanding that the Commission may require him to vacate the state's property at any time and to restore it to its original condition, also that he is not to construe the Commission's action now as vesting in him any right or permission to occupy the property on which the road has been constructed. The Commission also ordered that Mr. Schuttpels be informed that the easement which the Commission granted him is still in effect and that he is privileged to exercise his rights therein granted.

The Commission had under discussion a letter from James and Katherine Sansbury relative to their property at Gleneden Beach, Lincoln County, across which the Commission at some future date proposes to relocate the Oregon Coast Highway. The Sansburys advise that they have an opportunity to trade their property but will not do so if the Commission will advance to them a portion of the cost of the right of way, sufficient to clear the indebtedness against their property, the balance to be paid later. The Commission decided to adhere to its present policy not to acquire right of way for any project until it is ready to proceed with actual construction of the project. The Attorney was instructed to advise the Sansburys accordingly and to state further that the Commission does not have funds to purchase their property at this time, so they are at liberty to dispose of it as they see fit.

A letter was presented from the City Auditor of Portland advising that the Portland City Council has overruled the objection of the State Highway Commission to pay street assessments against certain state-owned property adjacent to McLoughlin Boulevard (East Portland-Oregon City Highway) at the

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Holgate Street intersection, and expects the state to pay such assessments the same as if the property were privately owned. The Attorney questioned the right of a city to assess state property for municipal improvements, and in view thereof the Commission referred the matter to him for further investigation and to ascertain upon what grounds the state is being charged for this expense.

The Commission had under consideration the Engineer's report on the cost to improve the county road extending from the Oregon Coast Highway, near Astoria, to Fort Stevens, but deferred action thereon until some future date.

The Commission adjourned at 11:40 o'clock a. m. and reconvened at 1:00 o'clock p. m. in the Green Room of the Congress Hotel for a conference with representatives of the U. S. Bureau of Public Roads and the U. S. Forest Service relative to programming the fiscal year 1940 forest highway funds. Present at such conference were the following: Henry F. Cabell, Chairman; E. B. Aldrich, Commissioner; R. H. Baldock, State Highway Engineer; C. B. McCullough, Asst. State Highway Engineer; and H. B. Glaisyer, Secretary, representing the State Highway Department; W. H. Lynch, District Engineer, F. E. Andrews, H. D. Farmer, and R. N. Kellogg, representing the U. S. Bureau of Public Roads; C. J. Buck, Regional Forester; and James Frankland, Regional Engineer, representing the U. S. Forest Service.

After careful study and full discussion, the following projects were tentatively selected for such program by mutual agreement of all parties concerned:

Funds Available:

F. Y. 1940 Authorization.....	\$898,443	
Less Admin. & Equipment (10% approx.)....	<u>89,443</u>	\$809,000
Savings from prior programs.....		<u>201,000</u>
Total Available for new program.....		\$1,010,000

Recommended Program: (Major Projects)

<u>Proj. No.</u>	<u>Project</u>	<u>Lengths</u>	<u>F. H. Allocation</u>	<u>Coop. (State)</u>	<u>Remarks</u>
6-E7	Alsea	.08	\$70,000	\$30,000	Reconstr. Br. & Grad.
16-K	Tiller-Trail	3.8	75,000	25,000	Grading
21-K3,L	Willamette	.4	75,000		Grading
21-E4,F4,G2, H3,I3,J4,K4,Willamette		21.3	60,000		Surf. & Bit. Surf. Trt.

(Continued on next page)

(Recommended Forest Highway Program continued)

<u>Proj. No.</u>	<u>Project</u>	<u>Lengths</u>	<u>F. H. Allocation</u>	<u>Coop. (State)</u>	<u>Remarks</u>
23-Q3	Santiam	5.0	\$75,000		Reconstr. Grad. & Surf.
24-E6	North Santiam	6.5	70,000		Surf.
30-D	Klam. Falls-Lakeview	3.6	100,000		Reconstr. Grad. & Surf.
34-A2	Pendleton-John Day	1.4	45,000		Reconstr. Grad. & Surf.
35-A6	John Day-Burns	7.5	65,000		Reconstr. Grad.
37-A4	Weston-Elgin	5.4	45,000		Reconstr. Grad. & Surf.
38-D	Flora-Enterprise	1.4	100,000		Grading
46-C	Cascade Lakes	5.0	50,000		Grading
50-A	Timberline	2.0	100,000		Grad. & Surf.
	Maintenance		50,000		
	Extraordinary Maintenance		5,000		
	Location Surveys		25,000		
TOTAL			\$1,010,000	\$55,000	

The allocation of \$100,000 in this program for the improvement of the Timberline Road was approved subject to the condition that this road be placed on the Forest Highway System. The conference was concluded at 2:00 o'clock p. m., whereupon the Commission returned to the Auditorium of the Public Service Building to hear delegations and to dispose of additional routine matters, all commissioners being present and participating. Also present were the State Highway Engineer, the Assistant State Highway Engineer, the Attorney, and the Secretary.

A delegation from Portland, representing the Metropolitan Association, came before the Commission in the interests of the improvement of Front Avenue as an arterial highway route for north-bound and south-bound traffic through the Portland westside business district. The delegation was headed by Mr. Wm. F. Woodward, and included the following: Mayor Jos. K. Carson, Jr.; David B. Simpson, representing the Building Owners and Managers Association; Vernon Scott, representing the Packer-Scott Company; George Friede, Represents-

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tive in the state legislature; Robert Strong; George Lawrence; John Logan, Attorney; and others.

The members of the delegation reiterated arguments heretofore presented on behalf of this improvement, from the standpoint of both traffic and business interests. They declared that something must be done to relieve traffic congestion and gave as their thought that the improvement of Front Avenue as an arterial highway connection is the most feasible solution. They alleged that, due to the decrease in property valuations and obligations the City of Portland is required to meet, it would not be possible for the city to cooperate financially in this project. They urged the Commission to proceed with the improvement in order to take care of north- and south-bound traffic through Portland's westside district, which they declared is of vital concern. Speaking in behalf of this project were Mayor Carson and Messrs. Woodward, Simpson, Scott, Friede, Strong, Lawrence, and Logan.

Chairman Cabell advised that the Commission is glad to have the viewpoint of the members of the Metropolitan Association and that the Commission realizes that one of its obligations is to provide for traffic needs through metropolitan areas throughout the state. It is an acute problem, he said, and is just one of the problems that is growing larger as time goes on. The difficulty with the Front Avenue plan, he said, is twofold: first, its magnitude, and in this connection the Commission believes that if and when it starts this improvement it should not do an inferior job, and to do a good job will cost an enormous sum of money. The second difficulty, he said, is the cost of right of way, which is very expensive along the route of Front Avenue. He pointed out that the Commission was favorably inclined to the project at one time and indications were that construction would proceed; but the plans did not materialize because the City of Portland could not furnish the right of way, which was a prerequisite to construction. He mentioned that there are rumors that the Federal Government, through Congress, will provide funds for undertakings of this kind, including the acquisition of right of way, and advised that if Congress does provide such funds, then it would be possible to revive this project; but there is a question as to the feasibility of the project unless the state is able to secure financial assistance from some other source. He thanked the delegation for its presentation and concluded the conference by stating that the Commission will keep the project in mind and will do the best it can for it.

The Commission had under consideration at this time the matter of granting a leave of absence to the State Highway Engineer, Mr. R. H. Baldock, from December 19, 1938, to the latter part of February, 1939, to attend the Pan-American Road Congress that is to be held in Santiago, Chile, as a representative of the United States Government. Mr. Baldock, who was present, advised that he is one of three engineers in the United States who have been honored with an invitation to be a delegate to such Road Congress; also, that all of his expenses will be paid by the Federal Government, but he will not be carried on the Government's payroll. The Commission considered that the invitation extended to Mr. Baldock is a high honor and reflects credit on the State of Oregon by whom he is employed, and it was the thought of the Commission that the invitation should be accepted. In view thereof, the Commission

by unanimous vote authorized the Engineer to attend such Road Congress on full salary, provided his expenses are paid by the Federal Government.

The matter of reappointing Mr. R. H. Baldock as State Highway Engineer from the date of expiration of his last appointment, February 28, 1938, was also discussed. Motion was made by Commissioner Aldrich that Mr. Baldock be reappointed State Highway Engineer for another 4-year term commencing March 1, 1938. The motion was duly seconded by Commissioner Tou Velle and was declared by Chairman Cabell to have passed by the unanimous vote of the Commission.

The matter of appointment of the Commission's Attorney and Secretary also had the attention of the Commission. Motion was made by Commissioner Aldrich that Mr. J. M. Devers, the Commission's present Attorney, and Mr. H. B. Glaisyer, the Commission's present Secretary, be reappointed to their respective positions. The motion was duly seconded by Commissioner Tou Velle and was declared by Chairman Cabell to have passed by the unanimous vote of the Commission.

The Commission had under consideration the matter of the award of the contracts for which bids were taken at the morning session. After careful consideration of the bids, the Commission decided to award the contracts in each instance to the low bidders except that the Commission rejected all of the bids received for the furnishing of crushed rock in stock piles on the Polallie Creek-Hood River Section of the Mt. Hood Highway, in Hood River County. The following resolutions in regard to such awards were adopted by the unanimous vote of the Commission, upon motion of Commissioner Aldrich, which was duly seconded by Commissioner Tou Velle:

**A RESOLUTION AWARDING THE CONTRACT FOR THE CONSTRUCTION OF THE GRANT COUNTY LINE—UNITY SECTION OF THE JOHN DAY HIGHWAY IN BAKER COUNTY
DOCKET NUMBER OREGON 1373-F, UNIT F**

WHEREAS, bids received for the construction of the Grant County Line-Unity Section of the John Day Highway in Baker County have been duly opened and read, in accordance with published notice, and compared,

AND WHEREAS, the bid submitted by Babler Brothers, contractor, is the lowest responsible bid received and is within the funds available for the construction of the said project,

NOW, THEREFORE, Be It Resolved by the State Highway Commission of the State of Oregon that the contract for the construction of the Grant County Line-Unity Section of the John Day Highway in Baker County be and the same is hereby awarded to Babler Brothers, contractor, in the amount of Forty-six Thousand Five Hundred Thirty-eight Dollars (\$46,538.00), and

Be It Further Resolved that this award shall not be effective until the successful bidder has been notified in writing

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of such award by the Secretary of the Oregon State Highway Commission.

A RESOLUTION AWARDING THE CONTRACT FOR THE CONSTRUCTION OF THE COQUILLE SECTION OF THE OREGON COAST AND COOS BAY—ROSEBURG HIGHWAYS IN COOS COUNTY - DOCKET NUMBER OREGON 1374-F, UNIT A

WHEREAS, bids received for the construction of the Coquille Section of the Oregon Coast and Coos Bay-Roseburg Highways in Coos County have been duly opened and read, in accordance with published notice, and compared,

AND WHEREAS, the bid submitted by O. C. Yocom, contractor, is the lowest responsible bid received and is within the funds available for the construction of the said project,

NOW THEREFORE, Be It Resolved by the State Highway Commission of the State of Oregon that the contract for the construction of the Coquille Section of the Oregon Coast and Coos Bay Highways in Coos County be and the same is hereby awarded to O. C. Yocom, contractor, in the amount of Seventeen Thousand Eight Hundred Ninety-two Dollars (\$17,892.00), and

Be It Further Resolved that this award shall not be effective until the successful bidder has been notified in writing of such award by the Secretary of the Oregon State Highway Commission.

A RESOLUTION AWARDING THE CONTRACT FOR THE CONSTRUCTION OF THE CRESCENT-BEAVER MARSH SECTION OF THE DALLES-CALIFORNIA HIGHWAY IN KLAMATH COUNTY - DOCKET NUMBER OREGON 1375-F, UNIT D

WHEREAS, bids received for the construction of the Crescent-Beaver Marsh Section of The Dalles-California Highway in Klamath County have been duly opened and read, in accordance with published notice, and compared,

AND WHEREAS, the bid submitted by Fisher Brothers, contractor, is the lowest responsible bid received and is within the funds available for the construction of the said project,

NOW THEREFORE, Be It Resolved by the State Highway Commission of the State of Oregon that the contract for the construction of the Crescent-Beaver Marsh Section of The Dalles-California Highway in Klamath County be and the same is hereby awarded to Fisher Brothers, contractor, in the amount of Thirteen Thousand Eight Hundred and no/100 Dollars (\$13,800.00), and

Be It Further Resolved that this award shall not be effective until the successful bidder has been notified in writing

of such award by the Secretary of the Oregon State Highway Commission.

A RESOLUTION AWARDING THE CONTRACT FOR THE CONSTRUCTION OF THE DEVILS GARDEN-QUARTZ MOUNTAIN SECTION OF THE KLAMATH FALLS-LAKEVIEW HIGHWAY IN KLAMATH AND LAKE COUNTIES - DOCKET NUMBER OREGON 1404-F

WHEREAS, bids received for the construction of the Devils Garden-Quartz Mountain Section of the Klamath Falls-Lakeview Highway in Klamath and Lake Counties have been duly opened and read, in accordance with published notice, and compared,

AND WHEREAS, the bid submitted by J. C. Compton & Rogers Construction Company, contractor, is the lowest responsible bid received and is within the funds available for the construction of the said project,

NOW THEREFORE, Be It Resolved by the State Highway Commission of the State of Oregon that the contract for the construction of the Devils Garden-Quartz Mountain Section of the Klamath Falls-Lakeview Highway in Klamath and Lake Counties be and the same is hereby awarded to J. C. Compton & Rogers Construction Company, contractor, in the amount of Seventy-nine Thousand Three Hundred Thirty-one and no/100 Dollars (\$79,331.00), and

Be It Further Resolved that this award shall not be effective until the successful bidder has been notified in writing of such award by the Secretary of the Oregon State Highway Commission.

A RESOLUTION AWARDING THE CONTRACT FOR THE CONSTRUCTION OF THE HORSE RANCH-CHEWAUCAN NARROWS SECTION OF THE FREMONT HIGHWAY IN LAKE COUNTY DOCKET NUMBER OREGON 1375-F, UNIT E

WHEREAS, bids received for the construction of the Horse Ranch-Chewaucan Narrows Section of the Fremont Highway in Lake County have been duly opened and read, in accordance with published notice, and compared,

AND WHEREAS, the bid submitted by Schmeer, Williams and Gentemann, contractor, is the lowest responsible bid received and is within the funds available for the construction of the said project,

NOW THEREFORE, Be It Resolved by the State Highway Commission of the State of Oregon that the contract for the construction of the Horse Ranch-Chewaucan Narrows Section of the Fremont Highway in Lake County be and the same is hereby awarded to Schmeer,

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Williams and Gentemann, contractor, in the amount of Twelve Thousand Four Hundred Eighty-six and 50/100 Dollars (\$12,486.50), and

Be It Further Resolved that this award shall not be effective until the successful bidder has been notified in writing of such award by the Secretary of the Oregon State Highway Commission.

**A RESOLUTION AWARDING THE CONTRACT FOR THE CONSTRUCTION OF THE ROUGH CREEK-BELKNAP SPRINGS SECTION OF THE MCKENZIE HIGHWAY IN LANE COUNTY
DOCKET NUMBER OREGON 1374-F, UNIT B**

WHEREAS, bids received for the construction of the Rough Creek-Belknap Springs Section of the McKenzie Highway in Lane County have been duly opened and read, in accordance with published notice, and compared,

AND WHEREAS, the bid submitted by Mountain States Construction Company, contractor, is the lowest responsible bid received and is within the funds available for the construction of the said project,

NOW THEREFORE, Be It Resolved by the State Highway Commission of the State of Oregon that the contract for the construction of the Rough Creek-Belknap Springs Section of the McKenzie Highway in Lane County be and the same is hereby awarded to Mountain States Construction Company, contractor, in the amount of Fourteen Thousand Nine Hundred Eighty-two and no/100 Dollars (\$14,982.00), and

Be It Further Resolved that this award shall not be effective until the successful bidder has been notified in writing of such award by the Secretary of the Oregon State Highway Commission.

At 3:30 o'clock p. m. Chairman Cabell made the following announcement with regard to the qualifying of bids on P.W.A. projects: "It has been the custom of the State Highway Commission in the past to allow contractors to bid on several projects and to qualify their bids by stating that they would accept the award of only one contract or certain jobs bid upon, leaving the choice of the project or projects to the Commission. The requirements of the Public Works Administration will not permit such qualification to be included in the projects that are to be financed with P.W.A. money, so the Commission has included in its specifications a clause prohibiting the use of such qualification in connection with bids on such jobs. Bidders are warned, therefore, that if they bid on more than one project and qualify their bids by stating that they will accept only one contract or certain contracts, such qualification will be null and void and the bidders will have to accept all of the jobs that are awarded to them regardless of their qualifying statement."

Chairman Cabell then announced the awards of contracts as follows,

with respect to the bids that were received at the morning session, such awards having been previously approved by the Commission by unanimous vote:

"Grant County Line-Unity Section of the John Day Highway, in Baker County. 10.63 miles surfacing and oiling; also furnish 3,000 cubic yards crushed rock in stock piles. The low bid for this project was that submitted by Babler Bros., Portland, at \$46,538.00. The next low bid was that of Rogers Construction Company, Dayton, Washington, at \$47,463.00. There were 11 higher bidders. The Commission has awarded the contract to Babler Bros., the low bidders, at their bid price of \$46,538.00.

"Coquille Section of the Oregon Coast and Coos Bay-Roseburg Highways, in Coos County. Furnish 7,400 cu. yds. crushed gravel or crushed rock in stock piles. O. C. Yocom, Willamina, submitted the low bid at \$17,892.00. A. S. Wallace, Roseburg, submitted the next low bid at \$19,610.00. There were 2 higher bidders. The Commission has awarded the contract to the low bidder, O. C. Yocom, at his bid price of \$17,892.00.

"Polallie Creek-Hood River Section of the Mt. Hood Highway, in Hood River County. Furnish 6,000 cu. yds. crushed rock in stock piles. The low bid for this project was submitted by Sarton, Looney & Risley, Oak Grove, at \$13,600.00. The second low bid was submitted by Schmeer, Williams & Gentemann, Portland, at \$15,150.00. There were 2 higher bids submitted. The Commission has rejected all bids received for this job and ordered it readvertised.

"South Unit of Bear Canyon-State Line Section of the Pacific Highway, in Jackson County. 0.90 mile grading and culvert construction. 10 bids were received for this project, the low one being that of Harold Blake, Portland, at \$80,322.00. The second low bid was that of Roy L. Houck, Salem, at \$80,360.00. The Commission has awarded the contract to the low bidder, Harold Blake, at his bid price of \$80,322.00.

"Crescent-Beaver Marsh Section of The Dalles-California Highway, in Klamath County. Furnish 7,000 cu. yds. crushed rock in stock piles. Fisher Bros., Oregon City, submitted the low bid for this project at \$13,800.00. Rogers Construction Company, Dayton, Washington, submitted the next low bid at \$16,900.00. The only other bid received was that of A. S. Wallace, Roseburg, at \$17,450.00. The Commission has awarded the contract to the low bidders, Fisher Bros., at their bid price of \$13,800.00.

"Devils Garden-Quartz Mountain Section of the Klamath Falls-Lakeview Highway, in Klamath and Lake Counties. 1.45 miles grading; 8.89 miles surfacing and oiling; also furnish 3,700 cu. yds. crushed rock in stock piles. 10 bids were received for this project, the low one being that of J. C. Compton and Rogers Construction Company, McMinnville, at \$79,331.00. The second low bid was submitted by

Babler Bros., Portland, at \$89,734.00. The Commission has awarded the contract to the low bidders, J. C. Compton and Rogers Construction Company, at their bid price of \$79,331.00.

"Horse Ranch-Chewaucan Narrows Section of the Fremont Highway, in Lake County. Furnish 10,500 cu. yds. crushed gravel in stock piles. The low bid for this project was submitted by Schmeer, Williams & Gentemann, Portland, at \$12,486.50. The second low bid was submitted by Saxton, Looney & Risley, Oak Grove, at \$14,891.00. There were 2 higher bidders. The Commission has awarded the contract to the low bidders, Schmeer, Williams & Gentemann, at their bid price of \$12,486.50.

"Rough Creek-Bellmap Springs Section of the McKenzie Highway, in Lane County. Furnish 9,100 cu. yds. crushed rock in stock piles. Mountain States Construction Company, Eugene, submitted the low bid for this project at \$14,982.00. A. S. Wallace, Roseburg, submitted the next low bid at \$15,030.00. There were 3 higher bids submitted. The Commission has awarded the contract to the low bidder, Mountain States Construction Company, at its bid price of \$14,982.00."

A delegation from Lincoln County, representing the Lincoln County Park Committee, and consisting of A. M. Williams, Nelscott; G. G. Sittser, Jr., De Lake; A. F. Walker, Oceanlake; and E. C. Thayer, Portland, came before the Commission with respect to a proposed park site situate between the Oregon Coast Highway and the Pacific Ocean, a short distance north of Nelscott. Mr. Williams headed the group. He recalled that a delegation from Lincoln County appeared before the Commission some time ago and urged the Commission to acquire 120 acres at this location, which they said could be purchased for the sum of \$22,000; but the Commission refused the offer because of the amount involved. Since then, he said, a part of the property has been platted into lots and some of the lots sold, but there still remain 40 acres of timbered land which is available for state park purposes if the Commission wants it. He advised that this 40 acres, together with an irregular strip approximately 150 feet wide adjacent to the highway, can be purchased for approximately \$6,500, and urged favorable action on the matter by the Commission for the benefit of under-privileged people and others who want to enjoy the beach scenery and facilities but who have no place to go.

Mr. Sittser, Editor of the Nelscott paper, concurred in the remarks of Mr. Williams and added that the tract they are sponsoring for a state park is the only suitable area available for such purpose for a distance of 50 miles up and down the coast line. He urged the Commission to reconsider its previous decision. Mr. Thayer concurred in the remarks of the other speakers and gave as his thought that this is a most desirable tract for park purposes and that the price that is being asked for the same is very reasonable. He further stated that he approved the state park program and the expenditure of state highway funds for the acquisition of additional parks at other points throughout the state.

Chairman Cabell thanked the delegation for its presentation and

advised that the Commission is interested in their proposition but is not in a position today to make a definite decision in regard thereto because of the shortage of funds. He also said that the Commission would reconsider the matter and would discuss it with the State Parks Superintendent to ascertain whether or not the proposed area would fit in with the state park program. (The Commission discussed this matter with the State Parks Superintendent on the following day, at which time it was pointed out that the proposed park has no ocean frontage; in fact, the tract is separated from the ocean by another tract of approximately equal area, and the only access to the beach from the proposed park site is by a narrow roadway. The State Parks Superintendent gave as his thought that, if the Commission wants to purchase an oceanside park, it should be a real ocean park, fronting directly on the ocean, rather than being separated therefrom by another tract of land. After discussion, the Commission decided unanimously to refuse the offer of the Nelson committee.)

Mr. J. V. Chandler, Albany, representing R. I. MacLaughlin Company of that city, and Mr. Arthur McMahan, his attorney, came before the Commission with respect to a right of way matter arising out of the proposed Albany railroad grade crossing elimination project. Mr. McMahan was spokesman. He advised that R. I. MacLaughlin Company owns a fruit-packing plant at Albany which will have to be moved in order to make way for the proposed highway improvement, but they are unable to make a satisfactory settlement with the Commission's right of way agents, hence they are appealing to the Commission direct.

The history of the case was recited by the Commission's Assistant Attorney, Mr. J. W. DeSouza. It appears that a satisfactory settlement has been reached with respect to all matters pertaining to this transaction with the exception of one item representing damages which the company alleges it will suffer by reason of having to move its buildings from their present location to a new site. It is the company's contention that the new site is not as suitable for its purposes as the present site, having no paved street in front of the premises, no sewage facilities, and the back of the property being inaccessible due to the proposed highway grade. It also appears that the state's offer covers damages amounting to \$2,050, whereas the company is demanding the sum of \$2,769, a difference of \$719.00.

The matter was discussed at considerable length but a decision with respect thereto was deferred until later in the session. The question of when the company's buildings would have to be moved was also discussed and it was decided to give the company until January 26, 1939, to remove them from the highway right of way, this being the date on which bids are to be received for the Albany project. (This matter was reconsidered by the Commission at the evening meeting on this date, at which time the Commission instructed the Attorney to negotiate further with the company officials and endeavor to get them to reduce the amount of their demand. He was authorized by the Commission to increase the amount of his offer by 50 per cent of the difference between his previous offer and the company's demanded price, and, if absolutely necessary, to go as high as \$2,500.)

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Mr. Carl J. Knutsen, State Manager, and Mr. Lee D. Cranmer, Superintendent of Group Insurance, representing the California-Western States Life Insurance Company, came before the Commission with respect to the company's offer to furnish group insurance covering state highway department employees. Mr. Cranmer, who represents the Home Office of the company, explained in detail a plan that they have in mind. Chairman Cabell advised that the Commission has not yet had an opportunity to discuss the Attorney's report on this subject, hence is not in a position to make a decision at this time but will do so as soon as possible. (The matter was reconsidered the following day, at which time the Assistant Attorney advised that he has investigated the company and ascertained that its experience rating is satisfactory. Furthermore, that he has been advised by competent authority that the company has a good average general policy and that its plan for the furnishing of group insurance is fair and reasonable. In the discussion of the matter it was brought out that the same kind of insurance is available through numerous insurance companies, in view of which it was thought that it would be creating more or less of a monopoly if the Commission accepted the proposition of the California-Western States Life Insurance Company. The Commission did not question the benefits to the highway department employees through the policy offered but was of the opinion that the selection of the company to furnish the insurance should be made by the employees themselves. In view of the circumstances and the fact that the Commission preferred not to appear as dictating to the employees in the matter of the selection of the company, the Commission decided not to accept the company's offer.)

A delegation from Cottage Grove, consisting of Harold E. Eakin, banker; S. L. Goddard, contractor; Scholfield Stuart, plumber; L. J. McCoy, businessman; Peter Christensen, carpenter; and Vinal Randall, came before the Commission in regard to the proposed revision of the Pacific Highway through Cottage Grove. Mr. Eakin headed the group.

Mr. Eakin urged the Commission to construct the proposed revision during the year 1939 and presented oral arguments in behalf of the request. Each member of the delegation endorsed Mr. Eakin's remarks. Mr. Stuart particularly urged the construction from the standpoint of safety to school children, the present route passing in front of the public school. Mr. Goddard spoke from the standpoint of property development, stating that the development of private property in Cottage Grove is being held up to a large extent because the highway has not been rebuilt on the proposed permanent alignment.

Chairman Cabell advised that it does not appear now, on account of the shortage of funds, that the Commission could possibly place this project under contract until 1940. He explained the status of the Commission's finances and advised that it will be several months before the Commission arranges its 1940 program, but the Commission will be pleased to consider this project at that time.

Messrs. Leo Farr and F.B. Lowery, Portland, came before the Commission and requested permission to transport one load of piling 60 feet in length over state highways from the town of Clackamas to Vancouver, Washington,

the route being along the S2nd Street Highway from Clackamas to Columbia Boulevard, thence along Columbia Boulevard (Northeast Portland Secondary Highway) to Union Avenue (Pacific Highway), thence along the Pacific Highway across the Interstate Bridge to Vancouver. They stated they have only one load to haul at the present time but anticipate considerable hauling in the future if they are awarded the contract to furnish poles for the Bonneville transmission pole line. The Commission hesitated to grant the request due to the large volume of traffic on the roads over which the hauling is to be done, particularly because of the traffic on Sandy Boulevard, Portland, which must be crossed. However, the Commission authorized the movement of a trial load under observation by the Maintenance Engineer and the Traffic Engineer, representing the State Highway Department, to determine whether or not loads of such length can be transported over these roads without causing an undue hazard to other traffic. The Secretary was authorized to issue permits for the transportation of overlength loads over these highways in accordance with the recommendation of the Maintenance Engineer and the Traffic Engineer.

Mr. F. A. Cornell, City Attorney, Sweet Home, Oregon, came before the Commission with regard to the construction of a sidewalk on the highway right of way at Sweet Home. He said that the city contemplates constructing a concrete sidewalk on the south side of the Santiam Highway for several blocks in Sweet Home and would like permission from the Commission to build this sidewalk on the highway right of way notwithstanding that it is only 60 feet wide at this location and there is a possibility that it will be widened to 80 feet at some future date. He advised that, for the most part, the property owners are willing to donate land for a right of way 80 feet wide but several of them object strenuously to doing this because their homes are located too close to the present roadway; so, unless the Highway Commission will authorize the city to build its walk on the present highway right of way, the city will have to forego the walk.

The Engineer advised that the highway right of way outside of the city is now 80 feet wide but within the city limits it is only 60 feet wide and that it is planned to widen it to 80 feet width throughout as soon as funds can be spared for the purpose. If the sidewalk were constructed on the 60-foot right of way, he said, there would be a jog at the point where the width of the highway changes to 80 feet, which would present an undesirable situation. The proper thing to do, he said, would be to require that the sidewalk be constructed at the edge of an 80-foot right of way. Mr. Cornell repeated that this could not be done because there are several buildings in the way and some of the property owners object. He added, however, that if the Commission would let the sidewalk encroach $2\frac{1}{2}$ feet on the present right of way, the property owners would not object to the other $2\frac{1}{2}$ feet being constructed on their private property. He suggested such arrangement as a matter of compromise. The Engineer recommended approval of the suggestion in view of the fact that it would leave 55 feet clear width between curbs if and when a sidewalk is constructed in a similar location on the other side of the road. The Commission approved the recommendation unanimously and authorized the issuance of a permit on such basis.

Mr. James L. Conley, attorney, Portland, appeared before the

Commission in behalf of the Gearhart Park Company relative to tidelands at Gearhart that the company proposes to sell to the state. He said that when the company first offered to sell this property to the state for \$2,339.00, it was with the understanding that the county would accept the amount of the settlement as payment in full for back taxes against the company's property; but the county has now stated its unwillingness to complete the transaction on such basis because the taxes against the property exceed the amount that the state is paying for it. He stated that Mr. Taylor, of the Gearhart Land Company, was quite disappointed with the county's ruling and expressed doubt that the transaction with the state could be completed unless the state would pay an additional amount to cover the tax lien, which is \$175.00 for the tide land and only a nominal sum, as yet undetermined, for the 20-foot strip that is needed for widening the highway right of way. He inquired whether or not the Commission would pay an additional amount to cover the tax items. The Commission's decision in this matter was deferred pending investigation by the Attorney as to the exact amount that the Commission would have to pay to clear the tax lien on the property under discussion.

A delegation from Portland, representing the Hawthorne Commercial Club, came before the Commission and requested the designation of Hawthorne Avenue, Portland, as an arterial highway route into the Portland business district from Southeast Portland. Joseph A. Bradt headed this delegation, which included the following members: D. I. Cooper, of the Howard-Cooper Corporation; Frank R. Cooper; C. C. Hutchison, President of the Hawthorne Commercial Club; C. E. Willison, of the Bagdad Market; K. L. Mendenhall, Hawthorne Hardware Company; Nevin Brentright, of the Mt. Tabor News; L. M. Sammons, New Way Laundry; W. M. Heacock, Heacock Woodworking Shop; Max Sagner, Chrysler Motor Sales; Clarence E. Francis, B. B. Granning, and L. C. Newman.

They suggested the following route for this proposed traffic artery: Hawthorne Avenue from the Hawthorne Bridge to either S. E. 39th Avenue or S. E. 49th Avenue; thence southeasterly, crossing S. E. Division near Mt. Tabor Park to a connection with S. E. Powell Boulevard at its intersection with 82nd Street. They asked that this route be designated as a state highway route particularly to eliminate traffic hazards and congestion along the present route from the Southeast Portland district into Portland. They pointed out that Hawthorne Avenue has been widened for arterial traffic service from the bridge to 50th Street and that wiring has been installed for an appropriate lighting system as far as 12th Street, and advised that their main concern now is to secure an extension of the project from its present dead end to the Southeast Portland district. They said that they are not asking the Commission to make a decision today but would like to have the matter considered by the Commission for inclusion in some future construction program.

Chairman Cabell advised that because of shortage of funds the Commission is reluctant to take on any new projects while there are so many uncompleted projects in the Commission's program. However, the Commission is glad to have heard the arguments and will bear the project in mind for future consideration.

Mr. C. D. Long, business representative of the Klamath Falls Building Trades Council, appeared before the Commission in reference to the establishment of certain wage rates on highway construction work. Mr. Long stated that it was his understanding that the Highway Commission had under consideration adoption of minimum wage rates in connection with highway construction projects; and stated, further, that the rates specified in that certain agreement executed by some of the affiliates of the American Federation of Labor and certain highway contractors, members of the Associated General Contractors of America, are lower in several instances than the corresponding rates specified by the Federal Government. Mr. Long urged that, if and when the Highway Commission adopts the minimum wage rates specified in the above-mentioned agreement, or any other standard minimum wage rates, the minimum rates now in effect be retained in all cases where they are higher than those specified in the agreement.

Mr. Long was informed by the Commission that his request would be given consideration at such time as this matter is brought up for formal action on the part of the Commission.

The Commission adjourned at 5:30 o'clock p. m. to reconvene at 9:00 o'clock p. m. in the Benson Hotel.

The Commission reconvened at 9:00 o'clock p. m. in Room 204, Benson Hotel, all members being present and participating. Also present were the Assistant State Highway Engineer, the Attorney, and the Secretary.

The Commission conferred with the following members of the San Francisco World's Fair Committee of Oregon: C. T. Haas, Chairman, Portland; James W. Morris, Portland; Dr. James A. Best, Pendleton; Ray Conway, Portland; and C. C. Carlson, Executive Secretary, particularly relative to the budgeting of the sum of \$40,000 which the State Highway Commission heretofore agreed to contribute toward the cost of maintaining an exhibit at this Fair, as per general agreement dated August 10, 1938. Mr. Haas presented a proposed budget as follows, and advised that it was approved by the Committee members at a meeting held earlier in the day:

Motion Picture Film (black and white)	\$10,000
Motion Picture Film (colored)	1,000
Diorama	3,250
Motion Picture Equipment	1,500
Building, Furniture and Decorations	3,000
Two operators	4,800
Proportionate rent	<u>10,000</u>
Total	\$33,550
Ten Per Cent Contingency	<u>3,355</u>
Grand Total	\$36,905

Mr. Haas pointed out an item in the budget amounting to \$10,000 for proportionate rental on space at the Fair and asked the Commission to approve this item for payment immediately, as they have urgent need for the money at the present time as working capital. After discussion, the Commission, by

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unanimous vote, approved the budget as presented and also authorized the immediate payment of the \$10,000 item for rental.

The Assistant Attorney reported that present indications are that expenditures for right of way during the year 1938 will amount to approximately \$650,000, which is \$50,000 more than the amount that the Commission budgeted for such purpose during this period. The Commission took no action on the matter.

The Engineer requested authority to acquire certain parcels of real property that are needed for various highway improvements throughout the state. He submitted a list of such properties, together with prices that he recommended be paid for each. After careful study the Commission approved the request and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth; and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon; and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Houlton-Seaside Section - Columbia River Highway</u>				
6246-Howard, C. F.	R/W	6334 sq.ft.	Exchange property outside R/W in Blk 1, Georgetown (St. Helens) + cost of moving dwelling (est. at \$250)	McChesney
<u>Seaside-Hamlet Junction - Oregon Coast Highway</u>				
6374-Lemke, Emil	Quarry	1.24	2-yr lease - Gratis	Eason
6312-Lemke, Emil	R/W	0.28	Gratis	"

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>West Portland-Cook's Crossing Section - West Portland-Hubbard Highway</u>				
6493-National Properties, Inc.	R/W	40 sq.ft.	Gratis	Benson
5470-Wilson, Eugenia Frances	"	1 lot	(25x100) Lump Sum \$30	"
3639-Putsien, R. F.	"	4605 sq.ft.	5 $\frac{1}{2}$ ¢ per sq.ft.	"
3642-Putsien, Lena	"	5100 sq.ft.	5 $\frac{1}{2}$ ¢ per sq.ft.	"
3640-Morgan, S. Katherine	"	10200 sq.ft.	5¢ per sq.ft.	"
3635-Cook, W. Manley	"	1936 sq.ft.	Lump Sum \$115	"
4094-McConnell, Ada O.	"	1.078	\$250 per a. + \$40	"
4031-Eckberg, W.	"	0.7586	\$250 per a. + \$225	"
6371-Crutcher, David E.	"	1.482	\$250 per a. + \$40	"
<u>Water Street-Oregon City Section - East Portland-Oregon City Highway</u>				
6468-Pope property(correction)	R/W	8584 sq.ft.	Lump Sum \$6,850	Parker
3052-First Baptist Church	"	12799 sq.ft.	Lump Sum \$4,000	"
<u>Bridal Veil-Multnomah Falls Section - Columbia River Highway</u>				
6490-First Nat'l Bank of Portland and Minnie Franklin Coopey-Quarry and Haul Road		10.84	Lump Sum \$3,250	"
<u>Cold Springs-Neal Creek Section - Mt. Hood Loop Highway</u>				
6321-Smullin, Joseph D.	Quarry Site	5.22	Lump Sum \$500	Chandler
<u>Buxton-Manning Section - Wolf Creek Highway</u>				
6275-Benefiel, Mary E.	R/W	5.34	4.34 a. at \$150 per a. 1.00 a. at \$75 per a. plus \$377.80	McChesney
6267-McCann, Bruce F.	"	1.51	\$150 per a. + \$480 + moving bldgs. (est. at \$450)	"
6256-Stowell, Mrs. O. H.	"	0.85	\$150 per a. + \$572.50	"
<u>Manning-Davies Section - Wolf Creek Highway</u>				
6266-Manning Social Club	R/W	0.17	\$150 per a.	"
6269-Caldwell, John	"	3.33	\$150 per a. + \$242.50 + fencing	"
<u>Parkdale Section - Mt. Hood Highway</u>				
6324-State Supt. of Banks	Storage Site	22.0	Land Lump Sum \$100, sub- ject to unpaid taxes, ant. approx. \$900	DeSouza
<u>Stayton Section - North Santiam Highway</u>				
6449-Richardson, A.J. Est. Stock Pile		1.30	\$200 per a. + \$15	McCallister
<u>Shaw Section - Salem-Silver Falls Highway</u>				
6376-Keene, Lloyd	Stock Pile	1.0	\$100 per a.	McCallister
<u>Salem-Mehama Section - North Santiam Highway</u>				
6375-Barrow, Joe C.	Stock Pile	1.0	\$100 per a.	McCallister
<u>Greenleaf Creek-Deadwood Creek Section - Siguelaw Highway</u>				
3184-Tidewater Mill Co.	Stock Pile	0.99	Lump Sum \$100	Parker

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Greenleaf Creek-Cheshire Section - Siuslaw Highway</u>				
6450-Rust, Averill	Stock Pile	1.00	Lump Sum \$150	Iytle
6452-Pope, Charles L.	" "	.79	Lump Sum \$100	"
6453-Bricker, John H.	" "	1.00	Lump Sum \$100	"
6451-Horton, Emma A.	Quarry	10.3	Lump Sum \$850	Gardiner
<u>The Oaks-Eugene Section - Pacific Highway</u>				
2169-Blais, Anthony P. (Supplemental)	R/W		Settlement for placing gravel for revised location of buildings - Lump Sum \$50	DeSouza
<u>Bear Canyon-State Line Section - Pacific Highway</u>				
6305-Hodges, Geo. E.	R/W	9.38	Gratis	McCallister
6177-Garwood, Edgar M. (Correction)	"	8.84	5.84 a. at \$15 per a. 3.00 a. at \$50 per a. plus \$225	"
<u>Valley Falls-Crooked Creek Section - Fremont Highway</u>				
6420-Chandler, H. L.	Snow Fence		(3 parcels) at \$35 per a.	
	R/W	2.45		McCallister
<u>Crooked Creek-White Rock Section - Fremont Highway</u>				
6422-Lake County	Snow Fence	0.17	Gratis	McCallister
	R/W			
6423-Reynolds, Fred	Snow Fence		Year to year-Gratis	"
	R/W		lease	
<u>Devils Garden-Quartz Mountain Section - Klamath Falls-Lakeview Highway</u>				
6471-Arthur, Eva	Drainage Easement	1000 sq.ft.	Gratis	McCallister
6472-Owen, Mary E.	R/W	0.18	Land \$1 plus \$5	"
6473-Bly Timber Co.	"	0.50	Gratis	"
<u>Charleston-Cape Arago Section - Cape Arago Highway</u>				
6352-Parks, W. D.	R/W	1.05	0.85 a. at \$100 per a. .20 a. at \$300 per a. plus \$1,234.00	Gardiner
6358-Moore, Rosella	"	0.62	\$150 per a.	"
6347-Sacchi, Antone	"	4408 sq.ft.	26 sq.ft.	"
6350-Lapp, John R.	"	7164 sq.ft.	Lump Sum \$35	"
6354-Brown, Raymond et al	"	0.28	\$400 per a. + \$138	"
6357-Bastendorff, Nick, Heira	"	0.61	0.33 a. at \$30 per a. 0.28 a. at \$150 per a. plus \$16.50	"
<u>Brush Creek-Mussel Creek Section - Oregon Coast Highway</u>				
6168-Frank (S.H.) & Co.	R/W	20.0	\$20 per a.	Benson
6167-Spoerl, F. J.	"	20.0	\$20 per a. plus fencing if necessary	"
<u>Adams-Pendleton Section - Oregon-Washington Highway</u>				
6469-Pendleton, City of	Gravel Pit	5-yr lease on 1.75 a.	at \$25 a.	Wells

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Sisters-Bend Section - McKenzie Highway</u>				
6480-Woods, Carl S.	Stock Pile	0.554	\$150 per a. + \$16.90, State to assign water right	McCallister
6410-Deschutes County Municipal Improvement District	Stock Pile	1.44	Lump Sum \$5	"
<u>Madras-Deschutes County Line Section - The Dalles-California Highway</u>				
6494-Law, Isaac H.	Stock Pile	1.0	Lump Sum \$102	Chandler
<u>Marshfield (Bunker Hill) Section - Oregon Coast Highway</u>				
5097-8-Newton, Elmer I. R/W		10,000 sq.ft. 10 1/2 sq.ft. +	\$5000	Parker
<u>Gilliam County Line-Ione Section - Oregon-Washington Highway</u>				
6362-Allyn, James J.	Stock Pile	1.0	Lump Sum \$25 (at \$25 per a.)	Wells
6365-Howard, W.W. & Erma L.	" "	0.97	\$30 per a.	"
6364-Dismore, Martha M.	" "	0.95	\$27 per a.	"
6363-Mahoney, M. W.	" "	0.77	\$65 per a. plus taxes	"
6361-Krebs, Geo. et al	" "	1.02	\$25 per a.	"
<u>Butte Creek Summit-Branson Creek Section - John Day Highway</u>				
6435-Goodwin, E. L. Quarry & Stock Pile		1.86	Lump Sum \$100	Collins
6436-Crawford, W. E.	Stock Pile	0.57	Lump Sum \$25 + fencing	"
6438-Hill, Blanche	" "	0.79	Lump Sum \$25	"
6434-Palmer, J.C. et al	" "	0.34	Lump Sum \$25	"
<u>Coles Bridge-Mt. Vernon Section - John Day Highway</u>				
6335-Begg, Arthur	Stock Pile	0.48	\$150 per a.	Wells
<u>Service Creek-Valade Ranch Section - John Day Highway</u>				
6439-Stewart, Jos. M.	Stock Pile	4.61	0.75 a. Lump Sum \$35	
	Quarry		3.86 a. at \$25 per a.	Collins
<u>Flat Creek-Mt. Vernon Section - John Day Highway</u>				
6327-Mekas, Gus	Stock Pile	0.54	\$100 per a. + \$13	Wells
6488-Tanler, A. J.	" "	0.91	\$100 per a. + \$14	Collins
<u>Flat Creek-John Day Section - John Day Highway</u>				
6481-Cassady, C. M.	Gravel Pit	1.88	Lump Sum \$200	Collins
6485-Stockdale, Walter E.	Stock Pile			"
	Haul. Road	0.52	\$100 per a.	"
<u>Summit Creek-Baker-Unity Junction Section - John Day Highway</u>				
6483-Rouse, Maude W.	Stock Pile	0.92	Lump Sum \$25	Collins
6483A-Rouse, John	" "	0.71	Lump Sum \$25	"
6487-Wallows Timber Co.	" " Quarry	4.00	\$25 per a.	"
6486-Whited, Wilson	Gravel Pit		Lease for road mat'l at 5¢ cu.yd.	"

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Section, Hwy, and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Vale-Cairo Section - John Day Highway</u>				
6433-Fairbanks, Walter and Leonard	Stock Pile	0.49	\$80 per a.	Wells
6432-Kessler, A. J.	Gravel Pit	8.92	\$14 per a.	"
<u>Juntura-Vale Section - Central Oregon Highway</u>				
6428-Chastain, L. P.	Stock Pile	1.09	\$25 per a.	Wells
6425B-Steers, Verne	" "	0.68	\$100 per a. + fencing	"
6429-Brown, Alfred J.	" "	0.42	\$50 per a. + fencing	"
6427-Copeland, Robert B.	" "	1.0	\$75 per a. + fencing	"
6430-Whittenberg, J.R. Est.	" "	0.50	\$70 per a. + fencing	"
6425-Jones, James N.	" "	0.37	99-yr lease, Lump Sum	\$1 "
6425A-Jones, James N.	" "			
	and Quarry	10.23	99-yr lease, " "	\$225 "
6424-Boyer, Helena Dupont		0.41	10-yr lease " "	\$10
	Stock Pile			Parker
<u>Horse Ridge-Brothers Section - Central Oregon Highway</u>				
6237-McConnell, Gertrude A.	R/W	9.77	\$1 per a.	Benson
6236-State Land Board	"	3.67	\$2.50 per a.	McCallister
<u>Mill Creek-Marks Creek Section - Ochoco Highway</u>				
6032A-Ochoco Timber Co.	R/W	0.66	Lump Sum \$250	Benson
6297-Dobbs, E.S., Est.	R/W and Channel Change	0.92	\$100 per a.	Gardiner
<u>Terrebonne-Redmond Section - The Dalles-California Highway</u>				
6563-Kendall, Mabel M.	R/W	0.093	Lump Sum \$75	Chandler
<u>Bend Section - The Dalles-California Highway</u>				
6108-Basson, Helen S.	R/W	2295 sq.ft.	Lump Sum \$2207	Gardiner
<u>Grants Pass-Green Creek Section - Pacific Highway</u>				
6467-Grants Pass Irrigation District	R/W	11151 sq.ft.	1 1/2 sq.ft.	McCallister
6359A-Hamilton, Geo. A.	"	108739 sq.ft.	1.38 1/2 sq.ft.	"
6359-Hamilton, Geo. A.	"	2.29	\$500 per a. + \$7.50	"
<u>Rough Creek-Bellmap Section - McKensie Highway</u>				
6404-Dalton, Frances	Gravel Bar	4.37	\$200 per a.	McCallister
<u>Dillard-Myrtle Creek Section - Pacific Highway</u>				
6066-Berdine, Wm.	Quarry	2.47	10-yr lease, 3 1/2 cu.yd.	"
<u>Sisters-Redmond Section - McKensie Highway</u>				
6464-Oregon and Western Colonisation Co.	Quarry, Hauling Road, Stock Pile	12.89	10.44 a. at \$20 per a. 2.45 a. at \$20 per a.	McCallister
6411- " " "	Stock Pile	1.84	\$20 per a.	"

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Albany Overcrossing Section - Pacific Highway East</u>				
5710-Rhodes, George E.	R/W	136 sq.ft.	Lump Sum \$800	Gardiner
5531-MacLaughlin & Co.	"	"	Removal of bldgs., Maximum \$2409.50	"

The Attorney brought up for discussion the question of freeway privileges and requested authority from the Commission to try out such question by including it in a condemnation proceeding for acquisition of right of way. The Commission approved the request unanimously.

The Assistant Attorney requested authority to expend a maximum of \$75.00 for providing and placing top soil materials on portions of Block 19, Hackleman's Second Addition to Albany. He explained that the Highway Department, in connection with the Albany Overcrossing Project, moved several residence buildings from the south half of Block 20 and had effected an exchange of properties without payment to the owners of any land values and, in his estimation, it is the obligation of the Highway Department to restore the yards surrounding these respective properties. In view of this explanation, the Commission approved the expenditure of a maximum sum of \$75.00, as requested.

The Attorney brought up for discussion matters pertaining to the Gault right of way problem at the intersection of Denver and Union Avenues, Portland. He said that he contacted Mr. Westerlund, the owner of the property on the west side of Union Avenue, relative to acquiring a 40-foot strip for a roadway for Mr. Gault's convenience, but Mr. Westerlund appears antagonistic and says that if the state wants any of his property it will have to take all of it and restore his facilities in accordance with his plans. The plans that Mr. Westerlund has in mind, he said, include the utilization of the roadway over which Mr. Gault now has access to his holdings, and if he carries them out Mr. Gault will be blocked from access to his property over the present route. He further advised that Mr. Gault is not satisfied with the arrangement that has been made for the roadway to his premises and accordingly is investigating another solution to his problem. In view of the report, the Commission decided to do nothing further on the matter until it is again brought up by Mr. Gault.

The Attorney requested authority to institute condemnation proceedings to acquire the following properties that are needed for various highway improvements:

Transaction No. 5119, P. A. Vaughn, owner - land required for right of way for the Marshfield-Bay Park Section of the Oregon Coast Highway. Offer for condemnation \$150.00.

Transaction No. 4739, Johnnie Gertrude Rushing, owner - land needed for right of way for the Fossil-Kinzua Junction Section of the John Day Highway. Offer for condemnation \$10.00.

(Continued on next page)

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Transactions Nos. 3785 and 6101, Sarah E. Applegate Estate, owner - land required for right of way for the Flora-State Line Section of the Lewiston-Enterprise Highway. Condemnation offer \$311.75.

After due consideration the Commission granted the Attorney's request and approved the prices recommended as offers. The following resolution in regard thereto was adopted by the Commission by unanimous vote:

WHEREAS, the State Highway Commission is by law authorized and directed to lay out, locate, designate, construct, improve, and maintain a system of state highways in the State of Oregon, and to acquire rights of way and to declare the necessity and need for the acquisition thereof, and the advantages to be gained thereby;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the State Highway Commission does hereby find and declare that it is necessary and will be of advantage to the State of Oregon and there is need that the State acquire for right of way purposes in connection with the permanent location, construction, improvement, and maintenance of the following section or sections of the state highway system of the State of Oregon, to wit:

Marshfield-Bay Park Section of the Oregon Coast Highway
Fossil-Kinsua Junction Section of the John Day Highway
Flora-State Line Section of the Lewiston-Enterprise Highway

land and property owned by or in possession of the following parties and/or persons, to wit:

Marshfield-Bay Park Section of the Oregon Coast Highway
5119-P. A. Vaughn
Fossil-Kinsua Junction Section of the John Day Highway
4739-Johnnie Gertrude Rushing
Flora-State Line Section of the Lewiston-Enterprise Highway
3785-Sarah E. Applegate Estate
6101-Sarah E. Applegate Estate

as their respective interests may appear, and this Commission does hereby declare further that the said property or properties are necessary, are needful, and the acquisition thereof will be of advantage to the State of Oregon for right of way purposes in order to make it possible for the State Highway Commission to properly locate, construct, and maintain said portion or portions of the said state highway system in accordance with standards adopted by this Commission relative to curvature, grades, alignment, drainage, and factors of safety.

2. That the State Highway Engineer be and he hereby is instructed and directed to properly survey the parcel or parcels of

land required for such right of way purposes and prepare proper and adequate descriptions thereof, which descriptions shall be employed in the preparation of a deed or deeds or other instrument or instruments necessary to complete the acquisition of the said property or properties or which descriptions may be used in the preparation of a complaint in the event that condemnation proceedings are necessary.

3. That the boundaries of the said parcel or parcels of land, as defined and determined by the said survey made by the said Highway Engineer, along the route or location adopted by the Highway Commission, shall be and the same hereby are adopted and the lands defined therein are hereby declared to be and the same are included within the rights of way of the said portion or portions of the said state highway system and hereby are declared to be necessary for the proper location, improvement, construction, and maintenance of the said portion or portions of the state highway system.

4. That I. H. Van Winkle, Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they are hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby further resolved that the Attorney General of the State of Oregon and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they hereby are requested to commence and prosecute to a final determination such suit or action, or suits or actions, as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

The Attorney rendered a status report on the progress that is being made relative to securing options for right of way for the proposed revision of the Pacific Highway West at Tigard. He advised that progress is being made on this matter but all of the options have not been secured, due to the fact that it was necessary to recall the right of way agent from this project so he could assist in acquiring right of way for projects on which bids were to be received at this meeting. The Commission approved the report but instructed the Attorney to complete the right of way negotiations at Tigard as soon as possible.

The Attorney brought up for discussion the controversy with Maude Hastings Campbell relative to damages that she alleges occurred to her property by reason of the Union Avenue viaduct construction on the East Portland-

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Oregon City Highway, in Portland. He advised that Mrs. Campbell has made inquiry as to whether or not the Commission is still willing to settle with her for the sum of \$700.00, which was the amount of his (the Attorney's) original offer. The Commission indicated that it would pay Mrs. Campbell \$700.00 in order to dispose of this matter, provided the payment can be supported by facts, but not otherwise. The matter was referred to the Attorney for further investigation and report.

The Commission at this time had under discussion the adoption of Maintenance and Minor Betterment Budgets for primary and secondary state highways for 1939. The Assistant Highway Engineer presented budgets as follows, bearing approval of Maintenance Engineer J. N. Bishop and State Highway Engineer R. H. Baldock:

GENERAL SUMMARY

Primary Maintenance Budget

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SECTION MAINTENANCE

Division I	\$137,060.00	
Division II	203,635.00	
Division III	310,880.00	
Division IV	321,365.00	
Division V	366,280.00	
Supervision	45,000.00	
Contingencies	<u>12,805.00</u>	
Total Section Maintenance	\$1,397,025.00	\$1,397,025.00

EXTRA GANG MAINTENANCE

Division I	\$ 94,680.00	
Division II	163,080.00	
Division III	153,700.00	
Division IV	155,480.00	
Division V	140,490.00	
Bridge Maintenance	228,590.00	
Signs	70,000.00	
Traffic Lines	92,000.00	
Traffic Signals	3,500.00	
Highway Illumination	6,000.00	
Supervision	40,000.00	
Contingencies	<u>5,455.00</u>	
Total Extra Gang Maintenance	\$1,152,975.00	<u>\$1,152,975.00</u>

TOTAL GENERAL MAINTENANCE \$2,550,000.00

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GENERAL SUMMARYPrimary Minor Betterment Budget

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Division I	\$18,825.00
Division II	18,385.00
Division III	31,215.00
Division IV	17,855.00
Division V	12,445.00
Bridges	50,275.00
Traffic Signals	18,000.00
Highway Illumination	2,000.00
Supervision	<u>6,000.00</u>
TOTAL MINOR BETTERMENT	\$175,000.00

GENERAL SUMMARYSecondary Maintenance Budget

-1939-

SECTION MAINTENANCE

Division I	\$ 33,175.00	
Division II	94,975.00	
Division III	76,360.00	
Division IV	47,880.00	
Division V	99,100.00	
Supervision	<u>12,000.00</u>	
Total Section Maint.	\$363,490.00	\$363,490.00

EXTRA GANG MAINTENANCE

Division I	\$ 39,620.00	
Division II	59,010.00	
Division III	40,940.00	
Division IV	18,644.00	
Division V	10,685.00	
Bridge Maintenance	86,685.00	
Signs	11,025.00	
Traffic Lines	10,480.00	
Lights	500.00	
Signals	200.00	
Supervision	6,000.00	
Contingencies	<u>2,721.00</u>	
Total Extra Gang Maint.	\$286,510.00	\$286,510.00

TOTAL GENERAL MAINTENANCE \$650,000.00

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GENERAL SUMMARYSecondary Minor Betterment Budget

-1939-

Division I	\$ 5,990.00
Division II	9,406.00
Division III	2,440.00
Division IV	9,341.00
Division V	7,785.00
Bridges	68,500.00
Supervision	5,000.00
Contingencies	<u>16,538.00</u>

TOTAL	\$125,000.00
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DETAIL OFPrimary Minor Betterment Budget

-1939-

Construct Catch Basins	425.00
Oil Road Approaches	2,250.00
Guard Fence & Sight Posts	20,980.00
Culverts & Drains	31,560.00
Snow Fence	4,200.00
Sidewalks & Footpaths	565.00
Widening & Building Shoulders	8,615.00
Rock Wall	4,950.00
Mail Box Posts	1,000.00
Channel Widening & Rip Rap	2,650.00
Construct Parking Areas	375.00
Extend Hand Rail on Sea Wall	1,200.00
Build Powder Magazine	50.00
Build Curb	150.00
Oil Shoulders	2,750.00
Oiling	9,260.00
Slide Correction	750.00
Stabilise Roadbed	3,310.00
Ditching	505.00
Raise Grade	1,100.00
Drinking Fountains	400.00
Slope Oiling	800.00
Right of Way Fence	350.00
Clearing Right of Way	500.00
Historical Sign	30.00
Bridge Betterment	50,275.00
Traffic Signals	18,000.00
Highway Illumination	2,000.00
Supervision	<u>6,000.00</u>

TOTAL	\$175,000.00
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DETAIL OF
Secondary Minor Betterment Budget
-1939-

Guard Fence & Sight Posts	\$ 2,946.00
Culverts	13,475.00
Road Approaches	3,451.00
Oil R. R. Crossing	300.00
Mail Box Posts	450.00
Log Crib & Back Fill	800.00
Rip Rap	1,050.00
New Grade	75.00
Rock Shoulders	300.00
Oiling	4,000.00
Guard Base	3,100.00
Install Siphon	425.00
Clear Right of Way	300.00
Sand Surfacing	760.00
Snow Fence	1,050.00
Widening	2,200.00
Ditches	280.00
Bridge Betterment	68,500.00
Contingencies	16,538.00
Supervision	5,000.00
TOTAL	<u>\$125,000.00</u>

SEGREGATION OF GENERAL MAINTENANCE BY TYPE OF WORK

PRIMARY HIGHWAYS

Surface Maintenance	\$1,113,195.00
Maintenance of Shoulders	124,695.00
Drainage	182,250.00
Structures	279,370.00
Roadside	279,840.00
Traffic Service	467,390.00
Supervision	85,000.00
Contingencies	18,260.00
TOTAL BUDGET	<u>\$2,550,000.00</u>

INCLUDED IN THE ABOVE TABULATION ARE THE FOLLOWING ITEMS OF HIGHWAY OPERATION

Sidewalks & Footpaths	\$ 400.00
Maintenance of Shrubs	6,775.00
Signs	70,000.00
Traffic Lines	92,000.00
Traffic Signals	3,500.00
Highway Illumination	6,000.00
Snow Removal	249,905.00
Sanding Slippery Pavements, etc.	60,470.00
Guard Fence & Sight Posts	29,755.00
TOTAL	<u>\$518,805.00</u>

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After careful consideration and study of the various items comprising the budgets the Commission approved them by unanimous vote, upon motion of Commissioner Aldrich which was duly seconded by Commissioner Tou Velle:

The Commission adjourned at 11:00 o'clock p. m., to reconvene on the following morning in the Auditorium of the Public Service Building.

Portland, Oregon, December 20, 1938

The State Highway Commission reconvened in regular session at 9:00 o'clock a. m. in the Auditorium of the Public Service Building. Present were:

Henry F. Cabell, Chairman
E. B. Aldrich, Commissioner
F. L. Tou Velle, Commissioner
C. B. McCullough, Assistant State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

State Highway Engineer R. H. Baldock was absent, having departed on the previous day to attend the Pan American Road Congress in Santiago, Chile, as a representative of the United States Government.

Bids as follows for highway construction projects and for sale of buildings at Oregon City were opened and read in accordance with previously published notice:

**McKENZIE, SANTIAM, McKENZIE-BEND AND CENTRAL OREGON HIGHWAYS
SISTERS AND HORSE RIDGE-BROTHERS SECTION
CRUSHED GRAVEL AND CRUSHED ROCK IN STOCK PILES**

Chester T. Lackey	\$23,134.00
A. S. Wallace	24,642.00
Babler Bros.	25,332.50
Mountain States Construction Company	25,460.00
Saxton, Looney & Risley	26,248.00
Rogers Construction Company	28,560.00
Homer G. Johnson	36,125.00
A. Milne	39,175.00

**JOHN DAY HIGHWAY
BUTTE CREEK SUMMIT-BRANSON CREEK AND FLAT CREEK-JOHN DAY SECTIONS
CRUSHED ROCK AND CRUSHED GRAVEL IN STOCK PILES**

Saxton, Looney & Risley	\$35,226.20
R. O. Dail & Warren Bros., Inc.	35,794.00
A. S. Wallace	36,464.00
A. Milne	45,789.00
Joplin & Eldon	46,268.90
Homer G. Johnson	47,264.00

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FREMONT AND KLAMATH FALLS-LAKEVIEW HIGHWAYS
LAKEVIEW SECTION — CRUSHED ROCK IN STOCK PILES

Saxton, Looney & Risley	\$16,986.00
E. C. Hall Company	17,340.00
Homer G. Johnson	22,285.00

SIUSLAH HIGHWAY
GREENLEAF-CHESHIRE SECTION — CRUSHED ROCK OR GRAVEL IN STOCK PILES

Eugene Sand & Gravel Company	\$23,787.00
Homer G. Johnson	28,755.00

CENTRAL OREGON AND JOHN DAY HIGHWAYS
JUNTURA-CAIRO SECTION — CRUSHED ROCK AND GRAVEL IN STOCK PILES

Chester T. Lackey	\$53,506.40
Norris Bros.	54,295.20
Diesel Oil Sales Company	55,100.00
Babler Bros.	57,990.00
R. O. Dail and Warren Bros., Inc.	59,619.90
Edwin C. Gerber	60,856.00
J. C. Compton and Rogers Construction Company	63,182.80
Quinn-Robbins Company, Inc.	63,500.00
E. C. Hall Company	64,611.00
Joplin & Eldon	64,804.00
Triangle Construction Company	66,694.40
Warren Northwest, Inc.	71,766.20

SILVER CREEK FALLS AND NORTH SANTIAM HIGHWAYS
SHAW JUNCTION-GATES SECTION
GRADING, SURFACING, OILING, CRUSHED ROCK OR GRAVEL IN STOCK PILES

	<u>Using Road Oil</u>	<u>Using Tar</u>
Edwin C. Gerber	\$ 32,829.00	\$32,574.00
R. O. Dail and Warren Bros., Inc.	38,434.00	38,316.20
Babler Bros.	- - -	39,733.00
Harold Blake	- - -	40,409.00
A. Milne	40,977.00	- - -

OREGON-WASHINGTON, COLUMBIA RIVER, OLD OREGON TRAIL, STANFIELD-PENDLETON AND
LEXINGTON-ECHO HIGHWAYS
GILLIAM COUNTY LINE-IONE AND HERMISTON SECTIONS
CRUSHED ROCK AND GRAVEL IN STOCK PILES

Clifton & Applegate	\$20,161.00
A. S. Wallace	20,899.50
Saxton, Looney & Risley	21,483.80
Jones-Scott Company	23,011.76
Rogers Construction Company	24,010.00
R. O. Dail and Warren Bros., Inc.	24,836.00
Homer G. Johnson	28,151.00

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Sale of Buildings at Oregon City

BUILDING NO. 3918
(Former Owner D. L. Trullinger)

C. H. Walter	\$139.00
M. E. and T. T. Barlow	80.00
Sullivan Wrecking Company	32.40

BUILDING NO. 3042
(Former Owner Casadero Realty Company)

Sullivan Wrecking Company	\$ 5.90
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Chairman Cabell announced that awards would be made at 2:30 o'clock p. m. in the same room.

The Commission discussed briefly matters pertaining to the proposed agreement with the Sunset Logging Company covering the matter of construction of the logging company's railroad over the Wolf Creek Highway, in Clatsop County, and particularly the matter of insurance to be furnished in connection with such agreement. The Commission deferred action on this subject pending a conference with Mr. J. R. Hulbert, President of the Sunset Logging Company, who is to come before the Commission later in the day.

The Tillamook County Court, represented by County Judge Harland M. Woods and County Commissioners E. H. Lindsey and E. G. Anderson, came before the Commission with respect to several federal aid secondary highway projects; namely, the oiling of the Fairview South Section of the Fairview-Clemens Corner Road, about 1 mile in length; the oiling of the Wilson River Loop County Road, particularly the Fairgrounds-Sollie Smith Bridge Section; and the oiling of the Netarts Summit-Netarts Section of the Netarts-Tillamook County Road. They gave as their understanding, from a letter from the State Highway Engineer, Mr. R. H. Baldock, dated March 3, 1938, that the Commission would very likely place these projects under contract during the fall of 1938; but, inasmuch as the work has not yet been contracted, they would like to know what plans the Commission has in mind in regard thereto.

The Assistant Engineer advised that the Commission's tentative 1939 budget includes an amount of \$25,000 for these projects. It was the thought of the Commission, in view of the Engineer's letter and the fact that the tentative budget for 1939 now contains amounts for the three projects under discussion, that priority should be given to these jobs over others when the 1939 construction program for federal aid secondary highway funds is arranged, so as to insure that the oiling work will be completed during the next warm weather season. This was agreeable to the County Court and it was so ordered. The Commission decided to arrange its 1939 construction program for federal aid secondary highway funds as soon as possible after the first of the year.

The matter of oiling a $\frac{1}{4}$ -mile section of the Hanks Corner County Road, just east of Tillamook, was then brought up for discussion. The

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Secretary presented a letter from the Tillamook County Court asking the State to do this oiling work at county expense when a state oiling crew is working in that vicinity. The Assistant Engineer suggested that, in order to avoid complications, the County Court make its own arrangements to have the work done by the state's contractor who will do the other oiling work in this vicinity, the same as was done last season on the Tillamook-Netarts Road. The County Court approved such arrangement.

County Commissioner Lindsey brought up the matter of reconstructing the bridge over the Wilson River at its third crossing with the Wilson River Highway, east of Tillamook. He said that the present bridge is narrow and on improper alignment, there being an abrupt turn at each end of the structure, rendering it unsuitable and unsafe for travel. He suggested the construction of a new bridge of the log type on the proper alignment, as was done at the second crossing of the Wilson River some time ago, and that the work be done as a W.P.A. project. The Assistant Engineer estimated that this structure would cost about \$23,000 and advised that it has the approval of State Highway Engineer R. H. Baldock. He further advised that the work is not eligible for W.P.A. funds and would have to be done as a contract job, and that it is in the tentative program for consideration by the Commission in the formulation of its next construction program.

Chairman Cabell advised that the Commission will give this project due consideration in the formulation of the 1939 program and hopes to be able to rebuild the bridge soon, although no definite promise or commitment can be made at this time.

Mrs. Vern Van Dyke, Medford, came before the Commission in regard to securing an extension of the lease under which she has been maintaining a cottage on the state's property known as Casey State Park, adjacent to the Crater Lake Highway and the Rogue River, north of Medford. She said that she has been ordered by a representative of the State Highway Commission to remove her building from the state's property but she does not want to do so on account of the investment she has in the building and because, in her estimation, the occupancy of the park by the said building will not detract from the park and will not interfere in any way with the use of the park by the general public. She explained that her cabin is located on a narrow strip of land between the highway and the Rogue River and occupies only a very small area, consisting mostly of rock, and that the site is not suitable for recreational purposes, except as a trail for fishermen, the main recreational area being several hundred feet upstream from this location. She declared that she entered the property in good faith under lease from the state and wants to remain there because there is no place for her to move her cabin.

The Attorney advised that some time ago the Commission gave a lease to a Mr. Lamport to maintain a cabin on this site for a 3-year period, but the lease expired and the Commission refused to renew it because it was considered that the occupancy of a state park by a private individual was undesirable, and accordingly ordered the vacation of the property. It is under the privileges of this lease, he added, that Mrs. Van Dyke is now occupying the state's property.

Chairman Cabell advised that the renewal of the lease allowing Mrs. Van Dyke to continue to occupy the state's property while refusing similar privileges to others, is a difficult matter to justify. The Commission might let the building remain on the state's property temporarily, he said, but not indefinitely, because of the precedent that would be established. If the cabin cannot be moved, he added, the Commission might consider purchasing it if it could be used advantageously for state purposes and can be purchased for a reasonable amount. After further discussion, Mrs. Van Dyke asked for an extension of time within which to remove her cabin from the park, stating that it would be a difficult proposition to move it at this time of the year. She asked for at least 90 days' time. Chairman Cabell concluded the discussion by stating that the Commission is willing to give Mrs. Van Dyke a reasonable length of time within which to remove her building, but that is the best it can do, and the Commission will let her know as soon as such time has been fixed. This matter was discussed further by the Commission after the departure of Mrs. Van Dyke, at which time the Commission decided to give Mrs. Van Dyke six months' time within which to vacate the park premises. The State Parks Superintendent was instructed to examine the building and determine the value of it for consideration from the standpoint of purchasing the building if it can be used to advantage for state purposes.

Mr. S. H. Boardman, State Parks Superintendent, was present and reported on the following park matters:

Timber strips along the Wolf Creek Highway:- The Parks Superintendent advised that he has contacted the Oregon-American Lumber Company relative to the purchase of wayside strips extending for a distance of 2.4 miles along this highway, particularly between Highway Engineer's Stations 813 and 929 and containing about 360 acres of burned-over land, situate west of the crossing of North Fork Quartz Creek, and the company has agreed to sell such strips to the state at the rate of \$5.00 per acre, or a total of \$1,800.00. Furthermore, they have agreed to assume the payment of the mortgage against the property, which amounts to more than the sum that they will receive from the state. He recommended acceptance of the offer for wayside protective purposes. The Commission approved the recommendation unanimously and authorized the Parks Superintendent to negotiate with the company for the acquisition of additional wayside strips between Stations 1062 and 1110, on the same basis. He was also authorized to acquire similar wayside strips adjacent to the highway where it passes through the Inman-Poulsen Logging Company's property, which is situate between the two strips mentioned above belonging to the Oregon-American Lumber Company, and particularly between Stations 929 and 1041, the price per acre to be the same as that which is to be paid to the Oregon-American Lumber Company, making a total of \$400 for the 80 acres involved. The Parks Superintendent was also authorized to negotiate on the same basis for the purchase of additional wayside strips through the property of the Detroit Trust Company and others.

Enlargement of Short Sand Beach State Park, near Arch Cape, in northern Tillamook County:- The Parks Superintendent recommended the purchase of the following properties for the enlargement of the present park and for the preservation of wayside timber: 7.8 acres from the Preston Company, of Ionia,

Michigan, situate in the S.E. $\frac{1}{4}$ of the S.E. $\frac{1}{4}$ of Section 6, Township 3 North, Range 10 West, W. M., purchase price \$365.00; 50 acres owned by the Nicolai-Nepach Company, Portland, and being situate in Lots 2 and 3 and in the S.W. $\frac{1}{4}$ of the N.W. $\frac{1}{4}$ of Section 6, Township 3 North, Range 10 West, W. M., approximately 1 mile south of Arch Cape Tunnel, the area to be purchased on a stumpage basis so as to preserve the timbered wayside, for a total of \$2,285.00. The Commission by unanimous vote approved the purchase of both tracts at the prices quoted.

Proposed park situate adjacent to the Oregon Coast Highway about 4 miles north of Arch Cape Tunnel:- The Parks Superintendent reported receipt of a proposal from the citizens of Cannon Beach that a 120-acre tract of land owned by Clatsop County be conveyed to the state for state park purposes. He advised that this tract is separated from the highway by privately-owned land which would have to be purchased and that the area is covered by a heavy stand of dead spruce which could not be cleared so as to make the area suitable for state park purposes for less than \$1,000 per acre. He recommended against the acquisition of the tract because it is not suitable as a state park and because, in his estimation, the project is more of local than of state-wide importance. The Commission approved the recommendation.

Wayside strips adjacent to the Columbia River Highway west of Hood River:- The Parks Superintendent reported an offer from C. L. Gorton, The Dalles, to sell to the state for park purposes, for the sum of \$1,000, an 80-acre tract of land situate adjacent to the Columbia River Highway between Mile Posts 70 and 71, being described as the S. $\frac{1}{2}$ of the N.E. $\frac{1}{4}$ of Section 4, Township 2 North, Range 11 East, W. M. He said that the tract is covered with a stand of second-growth fir and oak but is of little value from the state park standpoint, particularly because it is located at a considerable distance from the proposed new Columbia River Highway, and the fact that the old route of the Columbia River Highway will be abandoned when the new one is constructed. The Commission indicated a willingness to accept the property if it is conveyed to the state as a gift, but not otherwise.

Proposed park 4 miles east of Medford, in Jackson County:- The Parks Superintendent advised that Mr. Wm. Schmidt, Medford, is the owner of 240 acres of land at the above location and is willing to deed the entire tract to the state as a gift provided the state will grant him exclusive concession privileges on the property. He recommended against acceptance of this offer in view of the fact that the City of Medford now owns a park containing 1700 acres within 2 miles of Mr. Schmidt's property, which the city is developing with C.C.C. forces. The Commission approved the recommendation, it appearing to the Commission inadvisable to acquire a state park located so close to the city park, inasmuch as the city park is ample to accommodate all of the patronage of the Medford district.

Wild-life refuge near Cape Meares Lighthouse, in Tillamook County:- The Parks Superintendent advised that the Bureau of Biological Survey of the United States Department of Agriculture is the owner of a 140-acre tract of land located at Cape Meares, and adjoining this tract is another area consisting of 40 acres which is being used for lighthouse purposes; also, that

the Biological Bureau has issued to the State Parks Department a special permit authorizing joint administration of the area as a wild-life refuge and state park. He recommended acceptance of this permit, and development of the tract in conjunction with the Biological Bureau at some future date. The Commission approved the recommendation unanimously.

Nehalem Bay Sand Spit:- The Parks Superintendent reported that Tillamook County owns nearly all of the land on this sand spit and that the County Court has expressed a willingness to deed this property to the state if the state wants it. The balance of the area, he said, is in private ownership, which would have to be purchased unless the Commission has no objection to the state-owned area being interspersed with private property. He requested instructions as to whether or not to complete negotiations for the acquisition of the entire sand spit and recommended acceptance of the county's offer. The Commission by unanimous vote instructed the Parks Superintendent to secure the county-owned portion and authorized him to negotiate for the purchase of the privately-owned property, which will provide a recreational area consisting of approximately 800 acres.

Timber strips along the Wolf Creek Highway through the holdings of the Sunset Logging Company:- The Parks Superintendent reported briefly that he contacted Mr. J. R. Hulbert, President of the Sunset Logging Company, regarding this matter, as previously instructed by the Commission, and inquired whether or not the company would sell to the state strips on both sides of the highway on the basis of the payment of \$3.50 per thousand feet of timber, board measure, but received no encouragement, Mr. Hulbert advising that he would discuss the matter with the Commission later.

Clean-up of Celilo Indian Village, near The Dalles:- The Parks Superintendent advised that he has conferred with Mr. O. L. Babcock, Superintendent of the Umatilla Indian Reservation, who has supervision over the Celilo Indian Village, and ascertained from Mr. Babcock, who for some time has been trying to effect the clean-up of the site, that most of the land upon which the village is located is government-owned, and that whatever is to be accomplished with respect to the clean-up work must be done through the Federal Government. In view of the report, the Commission decided to secure additional information as to which governmental agency has supervision and control over this property. The matter was referred to the Parks Superintendent to secure such information and report his findings at the next meeting of the Commission.

Proposed park site near Nelascott, Lincoln County:- The Parks Superintendent recommended against the acquisition of this tract as urged by the North Lincoln Park Committee which appeared before the Commission on the previous day, because, he said, the tract does not meet the state park requirements. He pointed out that the tract is separated from the ocean by another tract of land and that the only means of access to the beach is over a narrow roadway. He gave as his thought that if the Commission wants to acquire an ocean-view park it should be a real one, fronting directly on the ocean rather than separated therefrom by privately-owned property. The Commission concurred in the viewpoint of the Parks Superintendent and decided not to purchase the property.

The Commission adjourned at 12:00 o'clock noon and reconvened at 2:00 o'clock p. m. in the same room with all members, the Assistant State Highway Engineer, the Attorney, and the Secretary present.

Mr. J. R. Hulbert, President of the Sunset Logging Company, was present and conferred with the Commission relative to final settlement of the excess cost incurred in constructing the company's logging railroad occasioned by the construction of the Wolf Creek Highway, which matter was covered by agreement dated March 31, 1936, between the state and the company. It appeared from the discussion that the Commission and the company are in agreement with respect to practically all items concerned in the settlement except the matter of reimbursing the company for the cost of furnishing liability and property damage insurance which the company proposes to carry in order to secure protection against additional liability by reason of the highway crossing under the railroad company's tracks, the premium for such insurance amounting to \$4,080.75. Mr. Hulbert stated that his company now carries public liability and property damage insurance in amounts that they deem sufficient for their coverage but it is not sufficient to cover the additional liability caused by the crossing of the highway under the railroad. It was his thought that the state should pay the premium on the additional insurance because the company would not have needed such additional insurance if it were not for the presence of the highway under the railroad.

In the discussion it appeared to be the opinion of the Commission that the state should pay the premium on the increased amount of insurance that was actually necessitated by reason of increased liability on the company but the question arose as to how much additional insurance is actually required. The question arose also as to the amount of the premium that should be charged for a policy that would relieve the company from liability for accidents that might occur in connection with the operation of trains over the highway. The Commission referred the matter to the Attorney for further investigation and report.

The matter of acquisition of wayside strips along the Wolf Creek Highway across the holdings of the Sunset Logging Company was then brought up for discussion. Mr. Hulbert advised that he has not had time since talking the matter over with the State Parks Superintendent to make a decision, so he has nothing to report at this time.

The matter of terminating the insurance furnished by the Oregon-American Lumber Company covering the movement of logs across the Wolf Creek Highway at Highway Engineer's Stations 813 and 845 had the attention of the Commission. The Engineer reported that all of the company's logging operations covered by the agreement between the Commission and the company at the two points indicated have been completed and that the cleaning up of the premises has been done. He recommended approval of the cancellation of the policy. The Commission approved the recommendation by unanimous vote.

The Commission considered at this time the tabulation of the bids received at the morning session for the construction of state highway projects. After careful study the Commission decided to award the contracts to

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the low bidder in each instance. The following resolutions pertaining thereto were adopted by the unanimous vote of the Commission, upon motion of Commissioner Aldrich which was duly seconded by Commissioner Tou Velle:

**A RESOLUTION AWARDING THE CONTRACT FOR THE CONSTRUCTION OF THE SISTERS SECTION ON HIGHWAYS IN THE VICINITY OF SISTERS AND HORSE RIDGE-BROTHERS SECTION OF THE CENTRAL OREGON HIGHWAY IN DESCHUTES COUNTY
DOCKET NUMBER OREGON 1375-F, UNITS B AND F**

WHEREAS, bids received for the construction of the Sisters Section on Highways in the vicinity of Sisters and Horse Ridge-Brothers Section of the Central Oregon Highway in Deschutes County have been duly opened and read, in accordance with published notice, and compared,

AND WHEREAS, the bid submitted by Chester T. Lackey, contractor, is the lowest responsible bid received and is within the funds available for the construction of the said project,

NOW THEREFORE, Be It Resolved by the State Highway Commission of the State of Oregon that the contract for the construction of the Sisters Section on Highways in the vicinity of Sisters and Horse Ridge-Brothers Section of the Central Oregon Highway in Deschutes County be and the same is hereby awarded to Chester T. Lackey, contractor, in the amount of Twenty-three Thousand One Hundred Thirty-four and no/100 Dollars (\$23,134.00), and

Be It Further Resolved that this award shall not be effective until the successful bidder has been notified in writing of such award by the Secretary of the Oregon State Highway Commission.

**A RESOLUTION AWARDING THE CONTRACT FOR THE CONSTRUCTION OF THE BUTTE CREEK SUMMIT-BRANSON CREEK AND FLAT CREEK-JOHN DAY SECTIONS OF THE JOHN DAY HIGHWAY IN WHEELER AND GRANT COUNTIES
DOCKET NUMBER OREGON 1373-F, UNITS B AND D**

WHEREAS, bids received for the construction of the Butte Creek Summit-Branson Creek and Flat Creek-John Day Sections of the John Day Highway in Wheeler and Grant Counties have been duly opened and read, in accordance with published notice, and compared,

AND WHEREAS, the bid submitted by Saxton, Looney & Risley, contractor, is the lowest responsible bid received and is within the funds available for the construction of the said project,

NOW THEREFORE, Be It Resolved by the State Highway Commission of the State of Oregon that the contract for the construction of the Butte Creek Summit-Branson Creek and Flat Creek-John Day Sections of the John Day Highway in Wheeler and Grant Counties be and the same is hereby awarded to Saxton, Looney & Risley, contractor,

in the amount of Thirty-five Thousand Two Hundred Twenty-six and 20/100 Dollars (\$35,226.20), and

Be It Further Resolved that this award shall not be effective until the successful bidder has been notified in writing of such award by the Secretary of the Oregon State Highway Commission.

A RESOLUTION AWARDING THE CONTRACT FOR THE CONSTRUCTION OF THE LAKEVIEW SECTION OF THE FREMONT AND KLAMATH FALLS-LAKEVIEW HIGHWAYS IN LAKE COUNTY - DOCKET NUMBER OREGON 1375-F, UNIT A

WHEREAS, bids received for the construction of the Lakeview Section of the Fremont and Klamath Falls-Lakeview Highways in Lake County have been duly opened and read, in accordance with published notice, and compared,

AND WHEREAS, the bid submitted by Saxton, Looney & Risley, contractor, is the lowest responsible bid received and is within the funds available for the construction of the said project,

NOW THEREFORE, Be It Resolved by the State Highway Commission of the State of Oregon that the contract for the construction of the Lakeview Section of the Fremont and Klamath Falls-Lakeview Highways in Lake County be and the same is hereby awarded to Saxton, Looney & Risley, contractor, in the amount of Sixteen Thousand Nine Hundred Eighty-six and no/100 Dollars (\$16,986.00), and

Be It Further Resolved that this award shall not be effective until the successful bidder has been notified in writing of such award by the Secretary of the Oregon State Highway Commission.

A RESOLUTION AWARDING THE CONTRACT FOR THE CONSTRUCTION OF THE GREENLEAF-CHESHIRE SECTION OF THE SIUSLAW HIGHWAY IN LANE COUNTY DOCKET NUMBER OREGON 1374-F, UNIT C

WHEREAS, bids received for the construction of the Greenleaf-Cheshire Section of the Siuslaw Highway in Lane County have been duly opened and read, in accordance with published notice, and compared,

AND WHEREAS, the bid submitted by Eugene Sand & Gravel Company, contractor, is the lowest responsible bid received and is within the funds available for the construction of the said project,

NOW THEREFORE, Be It Resolved by the State Highway Commission of the State of Oregon that the contract for the construction of the Greenleaf-Cheshire Section of the Siuslaw Highway in

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Lane County be and the same is hereby awarded to Eugene Sand & Gravel Company, contractor, in the amount of Twenty-three Thousand Seven Hundred Eighty-seven Dollars (\$23,787.00), and

Be It Further Resolved that this award shall not be effective until the successful bidder has been notified in writing of such award by the Secretary of the Oregon State Highway Commission.

A RESOLUTION AWARDING THE CONTRACT FOR THE CONSTRUCTION OF THE JUNTURA-CAIRO SECTION OF THE CENTRAL OREGON AND JOHN DAY HIGHWAYS IN MALHEUR COUNTY - DOCKET NUMBER OREGON 1373-F, UNIT E

WHEREAS, bids received for the construction of the Juntura-Cairo Section of the Central Oregon and John Day Highways in Malheur County have been duly opened and read, in accordance with published notice, and compared,

AND WHEREAS, the bid submitted by Chester T. Lackey, contractor, is the lowest responsible bid received and is within the funds available for the construction of the said project,

NOW THEREFORE, Be It Resolved by the State Highway Commission of the State of Oregon that the contract for the construction of the Juntura-Cairo Section of the Central Oregon and John Day Highways in Malheur County be and the same is hereby awarded to Chester T. Lackey, contractor, in the amount of Fifty-three Thousand Five Hundred Six and 40/100 Dollars (\$53,506.40), and

Be It Further Resolved that this award shall not be effective until the successful bidder has been notified in writing of such award by the Secretary of the Oregon State Highway Commission.

A RESOLUTION AWARDING THE CONTRACT FOR THE CONSTRUCTION OF THE SHAW JUNCTION-GATES PROJECT ON THE SILVER CREEK FALLS AND NORTH SANTIAM HIGHWAYS IN MARION COUNTY, - DOCKET NUMBER OREGON 1372-F, UNIT D

WHEREAS, bids received for the construction of the Shaw Junction-Gates Project on the Silver Creek Falls and North Santiam Highways in Marion County have been duly opened and read, in accordance with published notice, and compared,

AND WHEREAS, the bid submitted by Edwin C. Gerber, contractor, is the lowest responsible bid received and is within the funds available for the construction of the said project,

NOW THEREFORE, Be It Resolved by the State Highway Commission of the State of Oregon that the contract for the construction of the Shaw Junction-Gates Project on the Silver Creek Falls

and North Santian Highways in Marion County be and the same is hereby awarded to Edwin C. Garber, contractor, in the amount of Thirty-two Thousand Five Hundred Seventy-four Dollars (\$32,574.00), and

Be It Further Resolved that this award shall not be effective until the successful bidder has been notified in writing of such award by the Secretary of the Oregon State Highway Commission.

A RESOLUTION AWARDING THE CONTRACT FOR THE CONSTRUCTION OF THE GILLIAM COUNTY LINE-IONE AND HERMISTON PROJECTS ON THE OREGON-WASHINGTON HIGHWAY IN MORROW AND UMATILLA COUNTIES
DOCKET NUMBER OREGON 1373-F, UNITS A AND C

WHEREAS, bids received for the construction of the Gilliam County Line-Ione and Hermiston Projects on the Oregon-Washington Highway in Morrow and Umatilla Counties have been duly opened and read, in accordance with published notice, and compared,

AND WHEREAS, the bid submitted by Clifton & Applegate, contractor, is the lowest responsible bid received and is within the funds available for the construction of the said project,

NOW, THEREFORE, Be It Resolved by the State Highway Commission of the State of Oregon that the contract for the construction of the Gilliam County Line-Ione and Hermiston Projects on the Oregon-Washington Highway in Morrow and Umatilla Counties be and the same is hereby awarded to Clifton & Applegate, contractor, in the amount of Twenty Thousand One Hundred Sixty-one and no/100 Dollars (\$20,161.00), and

Be It Further Resolved that this award shall not be effective until the successful bidder has been notified in writing of such award by the Secretary of the Oregon State Highway Commission.

At 2:30 o'clock p. m. Chairman Cabell announced the award of contracts and sale of buildings as follows, bids for which were received at the morning session, the awards having been previously approved by the Commission by unanimous vote:

"Sisters and Horse Ridge-Brothers Section of the McKensie, Santian, McKensie-Bend, and Central Oregon Highways, in Deschutes County. Furnish 6,600 cubic yards crushed gravel and 12,700 cubic yards crushed rock in stock piles. Chester T. Lackey, Ontario, submitted the low bid for this project at \$23,134.00. A. S. Wallace, Roseburg, submitted the second low bid at \$24,642.00. There were 6 higher bidders. The Commission has awarded the contract to the low bidder, Chester T. Lackey, at his bid price of \$23,134.00.

"Butte Creek Summit-Branson Creek and Flat Creek-John Day

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Sections of the John Day Highway, in Grant and Wheeler Counties. Furnish 10,500 cubic yards crushed rock and 9,500 cubic yards crushed gravel in stock piles. 6 bids were received for this project, the low one being that of Saxton, Looney & Risley, Oak Grove, at \$35,226.20. The next low bid was submitted by R. O. Dail and Warren Bros., Inc., Portland, at \$35,794.00. The Commission has awarded the contract to Saxton, Looney & Risley, the low bidders, at their bid price of \$35,226.20.

"Lakeview Section of the Fremont and Klamath Falls-Lakeview Highways, in Lake County. Furnish 9,900 cubic yards crushed rock in stock piles. The low bid for this project was submitted by Saxton, Looney & Risley, Oak Grove, at \$16,986.00. The second low bid was submitted by E. C. Hall Company, Eugene, at \$17,340.00. The only other bid was submitted by Homer G. Johnson, Portland, at \$22,285.00. The Commission has awarded this contract to the low bidders, Saxton, Looney & Risley, at their bid price of \$16,986.00.

"Greenleaf-Cheshire Section of the Siuslaw Highway, in Lane County. Furnish 10,500 cubic yards crushed rock or crushed gravel in stock piles. Two bids were received for this project, the low one being that of Eugene Sand & Gravel Company, Eugene, at \$23,787.00, and the other one being that of Homer G. Johnson, Portland, at \$28,755.00. The Commission has awarded the contract to the low bidder, Eugene Sand & Gravel Company, at its bid price of \$23,787.00.

"Juntura-Cairo Section of the Central Oregon and John Day Highways, in Malheur County. 34.52 miles oiling; also furnish 16,600 cubic yards crushed rock and crushed gravel in stock piles. Chester T. Lackey, Ontario, submitted the low bid for this project at \$53,506.40. Morris Bros., Burlington, Washington, submitted the second low bid at \$54,295.20. There were 10 higher bidders. The Commission has awarded the contract to the low bidder, Chester T. Lackey, at his bid price of \$53,506.40.

"Shaw Junction-Gates Section of the Silver Creek Falls and North Santiam Highways, in Marion County. 1.8 miles grading; 1.8 miles surfacing; 5.58 miles oiling; and furnish 5,000 cubic yards crushed rock or crushed gravel in stock piles. The low bid for this project was submitted by Edwin C. Gerber, Oregon City, at \$32,829.00 based on the use of road oil, and \$32,574.00 based on the use of tar. The second low bid was submitted by R. O. Dail and Warren Bros., Inc., Portland, at \$38,434.00 based on the use of road oil and \$38,316.20 based on the use of tar. There were 3 higher bidders. The Commission has awarded the contract to Edwin C. Gerber, the low bidder, at his bid of \$32,574.00 based on the use of tar.

"Gilliam County Line-Ione and Hermiston Sections of the Oregon-Washington, Columbia River, Old Oregon Trail, Stanfield-Pendleton and Lexington-Echo Highways, in Morrow and Umatilla Counties.

Furnish 5,500 cubic yards crushed rock and 6,700 cubic yards crushed gravel in stock piles. 7 bids were received for this project, the low one being that of Clifton & Applegate, Spokane, Washington, at \$20,161.00. The next low bid was that submitted by A. S. Wallace, Roseburg, at \$20,899.50. The Commission has awarded the contract to the low bidders, Clifton & Applegate, at their bid price of \$20,161.00."

Buildings in Oregon City

"Building No. 3918, formerly owned by D. L. Trullinger. The Commission received 3 bids for the purchase of this building, the high one being that of C. H. Walter, Aurora, at \$139.00. The next high bid was that of M. E. and T. T. Barlow, Gladstone, at \$80.00. The Commission considers the offer of C. H. Walter satisfactory and accordingly has sold the building to him for \$139.00.

"Building No. 3042, formerly owned by Casadero Realty Company. The only bid received for this building was that of Sullivan Wrecking Company, Portland, at \$5.90. The Commission considers this offer satisfactory and accordingly has sold the building to the Sullivan Wrecking Company for \$5.90."

The Engineer reported on the proposed connection of the county road with the Mt. Hood Highway at a place known as Fike's Corner, south of Hood River, in Hood River County. He said that the County Engineer investigated several alternate routes for such connection and that the County Court has adopted what is known as Alternate Route No. 1, which connects with the present Mt. Hood Highway a short distance south of the existing connection, regardless of the state's plans for the construction of the proposed revision of the Mt. Hood Highway. The County plans, he said, to take a small quantity of material from the Mt. Hood Highway right of way in order to improve the sight distance at this curve. Chairman Cabell inquired if the construction of the county road on such alignment would increase the highway hazard and was informed by the Engineer that, in his estimation, the traffic hazard would not be increased. The Commission thereupon approved the Engineer's report and indicated that it would have no objection to the county proceeding with its plans for this new road.

The Secretary presented a letter from Mr. Lewis A. McArthur, President of the Oregon Historical Society, with respect to the request of the Eulalia Chapter, D. A. R., Klamath Falls, for permission to erect a monument on The Dalles-California Highway at old Fort Klamath, pointing out the location of this historical spot. It was Mr. McArthur's thought that the request of the D. A. R. should be approved and that the proposed location for the monument on the highway right of way, opposite the old fort barracks, should also be approved. In view of Mr. McArthur's recommendation, the Commission decided unanimously to permit the D. A. R. to erect its monument upon the

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location requested. The Secretary was instructed to inform Mrs. Ida O'Dell, Regent of the Eulalona Chapter, of the action taken. The Engineer was authorized to expend approximately \$300 to fill in the area in front of the monument to provide a parking place for automobiles off the traveled roadway.

The Attorney reported on his investigation of the ownership of the tunnels on the Robinette Secondary State Highway, as previously ordered by the Commission. He said that such investigation revealed that Baker County acquired the tunnels by deed from the railroad company when the railroad line between Robinette and Homestead was abandoned, but the county has not reconveyed them nor the balance of the right of way that it acquired from the railroad company, to the state. He gave as his thought, notwithstanding the fact that the county has not transferred its title to the state, that the state is responsible for the maintenance of the tunnels in view of the fact that the old railroad grade has been designated and is being maintained by the State Highway Department as a secondary state highway and that the state would be liable in the event that an accident occurred as a result of the use of the tunnels by the general public. In view thereof the Commission decided unanimously to barricade what is known as the Oxbow Tunnel so that it cannot be used by the public. The Engineer was accordingly instructed to erect suitable barricades and appropriate signs prohibiting the use of the tunnel and thereby relieving the Commission from responsibility in case of accidents.

The Engineer brought up for discussion the matter of snow removal on the North Santiam Highway. He recalled that the Commission at the previous meeting approved an expenditure for the removal of snow from the Santiam Highway between Suttle Lake and the junction with the North Santiam Highway and also approved similar operations on the North Santiam Highway from said junction point to the North Santiam River Bridge, a distance of about 6 miles, and beyond such point to Detroit, in the event that was necessary, and provided the cost would be paid by Marion County. However, since then the Marion County Court has asked the Commission to take full charge of the work of removing the snow on that portion of the North Santiam Highway that it is responsible for; that is, the 6-mile section just north of the Santiam Highway junction, because the county does not have suitable equipment to handle the work and has agreed to reimburse the state for the cost thereof. He gave as his thought that such arrangement is satisfactory and recommended approval of the same by the Commission. After discussion the Commission approved the arrangement as reported but ordered that the matter should be covered by appropriate agreement.

Consideration was given by the Commission to the matter of surfacing and oiling the Santiam Highway. The Engineer advised that the last contract for grading on this highway has been awarded and, in his estimation, provision should be made in the 1940 budget for surfacing and oiling, inasmuch as the road carries a large volume of traffic and, in the vicinity of Cascadia, is dangerous to travel in the summer because of the dust, which hazard will increase as soon as the entire road is opened for general public use. It was his thought that the surfacing work should start at Foster and proceed easterly, and accordingly he requested authority to resurvey the section from Foster to Bryant Hill, a distance of about 15 miles, in order

to determine approximately what it will cost to surface and oil this section. He estimated that such survey could be made for about \$7,500. The Commission approved the request by unanimous vote.

The Commission discussed the matter of renewing its agreement with Mr. F. C. Brown, Crystal, Oregon, relative to snow removal operations on the Klamath Lake Secondary State Highway, in Klamath County. The Commission, by unanimous vote, approved the renewal of this agreement on the same basis as heretofore.

The Engineer reported the award of the following contracts, bids for which were taken on November 17 and 18, 1938, the bids having been referred to him at that time with power to award the contracts to the low bidders when certain conditions were satisfied:

State Hospital-Ash Street Unit of the Pendleton Landscaping Project. Bids taken November 17, 1938, contract awarded on November 21, 1938, to Leonard & Slate, Multnomah, Oregon, who submitted the low bid therefor;

Rock production project on the Powers Ranch-Jacksonville Section of the Williams and Medford-Provolt Secondary Highways, in Jackson County. Bids taken November 18, 1938, contract awarded on November 23, 1938, to R. I. Stuart & Sons, Medford, who submitted the low bid therefor.

The Commission, by unanimous vote, confirmed the award of these contracts as reported.

The Commission considered and ordered filed in the department records a certificate received from the Copyright Office of the United States of America pertaining to the State Highway Department's bulletin entitled "Highway Spirals".

The Engineer requested authority to purchase the following equipment:

One $1\frac{1}{2}$ -yard power shovel to replace an old power shovel of the same size which is to be traded in as part payment on the new shovel - estimated cost to the state, \$15,000;

Six engineer's transits to replace six old transits that are approximately 20 years old, the old ones to be traded in as part purchase price on the new ones - estimated net cost to the state, \$2,100.

After discussion, the Commission approved the request by unanimous vote.

The Commission discussed and approved arrangements heretofore effected with the U. S. Forest Service for the removal of snow from the Timberline Lodge road leading from the Mt. Hood Highway, near Government Camp, to

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Timberline Lodge. An agreement with respect thereto was signed by the Commission later in the session.

The Attorney reported receipt of a request from Mr. Lester Rickard, Waldport, Oregon, for a permit authorizing him to maintain a sidewalk on state property just north of the sea wall at Waldport. He said that Mr. Rickard has already constructed his sidewalk and would like permission to let it remain on the state's property if the state does not object. He gave as his thought that it would be satisfactory to let Mr. Rickard maintain the walk in its present location as a temporary proposition until such time as the state needs the property for other purposes, and advised that the State Parks Superintendent, who is familiar with this matter, offers no objection thereto. The Commission thereupon approved Mr. Rickard's request and ordered that the matter be covered by an appropriate agreement or letter, the provisions of which Mr. Rickard is to accept in writing.

The Commission considered and denied the request of the Oregon Piling Company for permission to transport piling along a 2-mile section of the Wolf Creek Highway between Sunset Camp and the crossing of Wolf Creek. This action was taken by the Commission in view of its policy not to grant special privileges for hauling on this road until this section of the road has been opened for general public use, which it is anticipated will be some time in January of 1939.

The Commission considered and granted the request of Mr. E. S. Schwantes, Mosier, Oregon, to truck logs directly across the Columbia River Highway at its intersection with Center Street, in Mosier, provided Mr. Schwantes will maintain flagmen on the highway when logs are being hauled across, and will comply with the Commission's other standard rules and regulations with respect to such operations.

The Commission had under consideration the revised offer of the United States of America to contribute P.W.A. funds to aid in financing the construction of buildings at Suntex Junction and Brothers.

After discussion of the offer of the United States of America to aid by way of grant in financing the construction of the Suntex Junction and Brothers buildings, the following resolution, entitled "A Resolution Accepting the Offer of the United States to the State Highway Commission of the State of Oregon to Aid by Way of Grant in Financing the Construction of State Highway Buildings (Three Units at Brothers in Deschutes County and Three Units at Suntex in Harney County) and the Acquisition of Necessary Lands and Rights of Way Therefor", was proposed by Commissioner Tou Velle and read in full:

A RESOLUTION ACCEPTING THE OFFER OF THE UNITED STATES TO THE STATE HIGHWAY COMMISSION OF THE STATE OF OREGON TO AID BY WAY OF GRANT IN FINANCING THE CONSTRUCTION OF STATE HIGHWAY BUILDINGS (THREE UNITS AT BROTHERS IN DESCHUTES COUNTY AND THREE UNITS AT SUNTEX IN HARNEY COUNTY) AND THE ACQUISITION OF NECESSARY LANDS AND RIGHTS OF WAY THEREFOR.

Be it resolved by the Oregon State Highway Commission:

Section 1. That the offer of the United States of America to the State Highway Commission of the State of Oregon to aid by way of grant in financing the construction of the state highway buildings (three units at Brothers in Deschutes County and three units at Suntex in Harney County) and the acquisition of necessary lands and rights of way therefor, a copy of which offer reads as follows:

"P. W. 86013-45

"FEDERAL EMERGENCY ADMINISTRATION OF PUBLIC WORKS

Washington, D. C.,
Dated: Dec 8 1938
Docket No. Ore. 1245-F

"State Highway Commission of the
State of Oregon

Salem, Oregon.

"1. Subject to the Terms and Conditions (PWA Form No.230, as amended to the date of this Offer), which are made a part hereof, the United States of America hereby offers to aid in financing the construction of state highway buildings (three units at Brothers, Deschutes County, and three units at Suntex, Harney County), including the acquisition of necessary land (all herein called the "Project"), by making a grant to the State Highway Commission of the State of Oregon (herein called the "Applicant") in the amount of 45 percent of the cost of the Project upon completion, as determined by the Federal Emergency Administrator of Public Works (herein called the "Administrator"), but not to exceed, in any event, the sum of \$18,000.

"2. By acceptance of this Offer the Applicant covenants to complete the Project with all practicable dispatch, and in any event by March 6, 1939.

"3. This Offer is made subject to the express condition that, if the Administrator shall determine at any time that the Applicant has paid or agreed to pay, whether directly or indirectly, a bonus, commission or fee to any person, firm or corporation for attempting to procure an approval of the Applicant's application, or for alleged services in procuring or in attempting to procure such approval, or for activities of the nature commonly known as lobbying performed or agreed to be performed in connection with the application, then the Administrator shall have the right, in his discretion, to rescind this Offer and any agreements resulting herefrom, and, in the event of such rescission, the United States of America shall be under no further obligation hereunder.

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"4. The acceptance of this Offer by the Applicant shall effectuate a cancellation of the contract created by the acceptance of the Offer dated July 19, 1938, made by the United States of America to the Applicant: Provided, that the cancellation of such contract shall not impair or vitiate any acts performed or proceedings taken thereunder prior to such cancellation, but such acts or proceedings may be continued under the contract created by the acceptance of this Offer.

"UNITED STATES OF AMERICA

Federal Emergency Administrator
of Public Works

By (Sgd.) H. A. Gray
Assistant Administrator"

be and the same is hereby in all respects accepted.

Section 2. That the State Highway Commission of the State of Oregon and the State of Oregon agree to abide by all Terms and Conditions relating to such grant, a copy of which Terms and Conditions were annexed to the Government's offer and made a part thereof. It is hereby covenanted that the work on the project described in the offer will be commenced as early as possible, but in no event later than twelve weeks from the date of this Offer; and to complete the work with all practicable dispatch, and in any event by March 6, 1939.

Section 3. That J. M. Devers, Assistant Attorney General for Oregon, and Attorney for the State Highway Commission of the State of Oregon, be and he is hereby authorized and directed forthwith to send to the Federal Emergency Administration of Public Works three certified copies of this Resolution and three certified copies of the proceedings of this Commission in connection with the adoption of this Resolution, and such further documents or proofs in connection with the acceptance of said offer as may be requested by the Federal Emergency Administration of Public Works.

The resolution was duly seconded by Commissioner Aldrich and was adopted with the following voting "Yes":

Chairman Henry F. Cabell
Commissioner E. B. Aldrich
Commissioner F. L. Tou Velle

The Chairman thereupon declared said resolution carried.

The Engineer requested authority for Division Engineer F. D. Eason to attend, at state expense, the Annual Meeting of the Asphalt Institute which

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is to be held in Los Angeles, California, in February 1939. He explained that Mr. Eason has been asked to read a paper on bituminous macadam construction at this meeting. The Commission approved the request by unanimous vote subject to confirmation by the Governor.

The Engineer also requested authority for Mr. Harold B. Say to go to Los Angeles during the early part of January, 1939, at state expense, to supervise cutting and editing of the Highway Department's motion picture film which is to be used at the Oregon exhibit at the San Francisco World's Fair, and for general publicity purposes throughout the nation. He estimated Mr. Say's expense for this trip would not exceed \$150.00. The Commission approved the request by unanimous vote, subject to confirmation by the Governor.

The Engineer reported receipt of information from Mrs. Jessie M. Honeyman, President of the Oregon Roadside Council, to the effect that the council expects to secure funds from the Rockefeller Foundation with which to finance some landscaping work along state highways, and has asked the State Highway Commission to assist in the matter. He advised that the money, if and when received, could be spent to good advantage for landscaping work along the Oregon Coast Highway, and suggested that the matter be followed up and the money accepted if the conditions of the grant are satisfactory. The Commission approved the suggestion by unanimous vote.

A letter was presented from County Commissioner E. G. Anderson, Tillamook County, urging the widening of the bridge on the Oregon Coast Highway at East Beaver Cheese Factory, 13 miles south of Tillamook, as a traffic safety measure. The Engineer advised that there has been included in the 1939 Minor Betterment Budget an item of \$2,500 for the widening of this structure for a 26-foot roadway. The Commission thereupon approved the project and ordered that Commissioner Anderson be so informed, and advised that the work will be done during the next construction season.

A letter from W. A. Johnson, Corbett, Oregon, relative to the sale of merchandise by the concessionaire in the Vista House, at Crown Point, was considered by the Commission and referred to the State Parks Superintendent for investigation and report.

A petition was presented from the Affiliated Clubs of the Peninsula, Portland, and a letter from the Board of County Commissioners of Multnomah County, endorsing the same, in which the Commission was asked to grant the Affiliated Clubs a hearing on the matter of paving the parking strips on both sides of Lombard Street, in Portland. The Commission instructed the Secretary to inform the petitioners that the Commission will be glad to grant them a hearing at its next regular meeting. The Engineer was instructed to prepare an estimate of cost to do the work requested.

The Commission considered and denied the request of County Judge Hugh McLain, Coos County, for the state to furnish powder in connection with the improvement of the county road which extends northerly from the end of the Coos River Secondary Highway, at Golden Falls State Park, in Coos County.

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A petition was presented from residents of Pendleton requesting that the flashing-type traffic signals that have been installed at the intersections of Main and Blaine Streets with East Court Street in Pendleton be changed to the "stop"- and "go"-type signals. The Traffic Engineer advised that the type of signal now installed meets the national standards for roads and streets carrying the volume of traffic that East Court Street carries, and, in his estimation, the extra expense of installing "stop" and "go" signals at this time is not justified. He recommended denial of the request, at least until such time as the existing signals have been given a thorough trial. The Commission approved the recommendation unanimously.

A petition was presented from citizens of Yamhill and Washington Counties requesting the construction of a surface binder on State Road No. 219 (Secondary State Highway No. 140) between the end of the present hard-surfaced section north of Newberg to a connection with State Road No. 210, at Scholls. The Engineer advised that this section is about 8 miles in length and that it would cost about \$36,000 to construct an oil surface on the same, as requested. He further advised that the alignment of the road is satisfactory for a road of this class; furthermore, the road is eligible for federal aid secondary highway funds. In view of the report, the Commission decided to give the project consideration in the formulation of its program for federal aid secondary highway funds.

The Commission discussed the letter from Mr. George Hibbert, City Manager, Milton, Oregon, urging the Commission to make provision in its 1939 construction program for the widening of the Oregon-Washington Highway through the town of Milton. The Commission ordered that this project also be included in the list of those for consideration in the formulation of the 1939 construction program.

The Secretary presented a letter from Mr. F. W. White, Eugene, urging the designation of the old Pacific Highway route between Junction City and Eugene as U. S. Highway No. 99E and the designation of the new route of the Pacific Highway between these points as U. S. Highway No. 99W. The Secretary was instructed to advise Mr. White that the designation of U. S. highway routes is made by the American Association of State Highway Officials and that it is contrary to the policy of such association to approve the designation of alternate routes for U. S. numbered highways, hence it is necessary to deny his request.

Letters were presented from Jewell Grange No. 876, Jewell, Oregon, and Vernonia Grange No. 652, Birkenfeld, Oregon, urging the Highway Commission to budget sufficient funds in its 1939 construction program for surfacing and oiling the Nehalem Secondary Highway between Jewell and Mist. The Engineer advised that the tentative construction program for 1939 contains an item of \$71,000 for the oiling of this highway between the points mentioned and it is his thought that such amount would finance the improvement from Jewell to approximately Birkenfeld. Furthermore, the Commission has also tentatively budgeted for 1939 expenditure an item of \$30,000 for the Mist-Clatskanie Secondary State Highway. The Secretary was instructed by the Commission to convey

such information to the petitioners and to advise them further that that is all the money the Commission is able to allocate to that district this year.

A letter was presented from Mr. Karl L. Janouch, Forest Supervisor, Rogue River National Forest, requesting permission to construct a footbridge across Union Creek on the Crater Lake Highway right of way in Jackson County. In the discussion of this matter the question arose whether or not the type of the proposed footbridge would harmonize with the aesthetic features of the highway and if the location of the proposed structure is satisfactory from the highway standpoint. In view of this, the Commission deferred its decision pending reports from the Bridge Engineer and the State Parks Superintendent. The Engineer was instructed to secure such reports for consideration at the next meeting.

The Commission considered and denied the claim of George F. Kufner, Portland, for reimbursement for the cost of certain pavement construction in front of his premises on Interstate Avenue, Portland. Mr. Kufner alleges that Interstate Avenue was paved full width in front of his premises a number of years ago, whereas certain strips adjacent thereto were left unpaved. It was his thought that the Commission should reimburse him for his expense because of the fact that the state has paid for the paving of the unpaved portions under a recent contract. The Commission considered that it is under no obligation to reimburse Mr. Kufner for his expense, hence denied the request.

A letter was presented from Mr. J. H. Hildreth, Scio, Oregon, requesting that the old bridge on the Albany-Lyons Secondary State Highway, in Linn County, known as the Schindler Bridge, which is being replaced by a new structure, be left in place for his personal use when the new bridge is completed. This matter was discussed by the Commission at considerable length and the Commission finally decided to grant the request in the event that Linn County will assume the responsibility for maintaining the old structure, and liability in case accidents should occur on the same. Further, in the event the county will not assume such obligations, then the bridge is to be taken down in accordance with the original plan, and the old road abandoned as a state highway. The Engineer was instructed by the Commission to ascertain the attitude of the Linn County Court in regard thereto.

A letter was presented from Mr. Charles D. Vail, President of the Western Association of State Highway Officials, suggesting the scheduling of contract lettings in the month of March, 1939, so as not to interfere with the annual meeting of the American Road Builders Association which is to be held March 7 to 10, 1939. The Secretary was instructed to inform Mr. Vail that the Commission will be glad to consider his request and comply with same if at all possible.

The Commission discussed a letter from Mr. Edwin Ingles, Comptroller, Pacific University, in which request is made for permission to attach finger-board signs on certain highway department signposts in Forest Grove, directing the traveling public to Pacific University, which is located nearby.

The Traffic Engineer advised that he could see no objection to granting this request if the state made the signs. The Commission thereupon approved the request and instructed the Engineer to contact Mr. Ingles in regard thereto.

The Commission discussed the claim of Mr. H. U. Martin, The Dalles, arising out of an accident which occurred on the Pacific Highway at its junction with the North Albany County Road. It appears that Mr. Martin drove his car onto the Pacific Highway from the county road without stopping and, unfortunately, had a collision with a car on the Pacific Highway, causing damages amounting to \$1,040.06. Mr. Martin alleges that the "stop" sign at the junction of the county road with the highway was hidden by weeds and brush and he was not aware that it was necessary for him to stop before entering the highway, and for this reason it is his belief that the state should reimburse him for his expense, it being his contention that he was not properly warned. The Engineer advised that the conditions at the scene of the accident have been thoroughly investigated and it was found that the "stop" sign referred to by Mr. Martin is in excellent condition and is not hidden as alleged by him. Furthermore, there is approximately 1,000 feet sight distance on the highway in each direction from the county road junction. He gave as his thought that the state is in no way to blame for the accident and that Mr. Martin's claim should be denied. After considerable discussion, in which it was brought out that the conditions at the intersection are exactly the same as they were before the accident occurred, indicating clearly that the "stop" sign was not hidden from view, the Commission denied the claim.

Letters were presented from Messrs. Ira Young and W. E. Watson, Scio, Oregon, requesting the oiling of the Albany-Lyons Secondary State Highway to allay the dust that creates a hazard during the dry season. The Engineer advised that it will cost approximately \$25,000 to oil the 2.7-mile section of this highway between the Santiam Highway junction and Crabtree, which is the section that the petitioners particularly have in mind. The Commission decided to consider this project in the formulation of its federal aid secondary highway program.

The Commission considered a letter from Mr. W. S. Nelson, Manager of The Dalles Chamber of Commerce, requesting state cooperation in the filling-in of the low ground between the Columbia River Highway and the site of the city's proposed civic building near the west city limits of The Dalles, which filling-in will require approximately 500 cubic yards of material. The Engineer advised that there are no fill materials available in this vicinity and if the Commission should desire to approve this request it would be necessary to haul materials from considerable distance, which would be quite costly. The Commission thereupon denied the request.

Numerous letters from city officials and others of Pendleton, Milton, Weston, Walla Walla (Washington), and vicinity, requesting the oiling of the Weston-Elgin Secondary State Highway between Weston and Langdon Lake, had the attention of the Commission. The Secretary was instructed to inform the petitioners that an amount of \$45,000 has been set up in the 1939 Forest Highway Program for the oiling of the section west from Langdon Lake to the Forest

Boundary and that the Commission will consider a further allocation in the formulation of its 1939 construction program, although such consideration does not carry with it a definite commitment or promise.

A petition was presented from residents of Jrescent Lake and vicinity, Klamath County, requesting improvement of the county road extending south-erly from the Willamette Highway to Crescent Lake. The Secretary was in-structed to inform the petitioners that a tentative allocation of \$50,000 of forest highway funds has been made for the construction of a section at the north end of the Cascade Lakes Forest Highway, of which highway the Crescent Lake Road is a unit, and that the Commission feels that such allocation is all that it can make to this particular highway this year, so the improvement requested will have to be deferred until some future date.

A letter was presented from Mr. Loyal M. Graham, Forest Grove, urg-ing the Commission to adopt the proposed new route of the Tualatin Valley Highway on "B" Street, in Forest Grove, and to adopt also the route for the proposed highway connecting the Tualatin Valley Highway, at Seventh Street, with the Gales Creek Road; also, to acquire right of way for such projects. The Secretary was instructed to inform Mr. Graham that the Commission regrets its inability at the present time to comply with his request, due to shortage of funds, it being strictly contrary to the Commission's established policy to select routes or acquire rights of way for the same until the Commission is ready to construct them.

The Commission considered and ordered filed a letter from the Klam-ath County Chamber of Commerce recommending certain projects for the fiscal year 1940 forest highway program. (Projects recommended were considered by the Commission in its discussion with the government officials on the previous day relative to programming of the forest highway funds.)

A letter was presented from the City of Lakeview requesting the placing of warning signs or lights at the crossing of the Klamath Falls-Lakeview Highway with the railroad at the west entrance into Lakeview. A let-ter was also presented from the City of Grants Pass requesting the installa-tion of sodium vapor lights at certain street intersections. Due to the late-ness of the hour and the importance of this subject, the Commission deferred its decision until the next meeting.

A petition was presented from residents of Tillamook County request-ing the construction of a sidewalk on the bridge over Trask River, located on the Oregon Coast Highway about 2 miles south of Tillamook. The Assistant Engineer explained that when this bridge was constructed brackets were in-stalled to facilitate sidewalk construction at some future date. He estimat-ed the cost to build the sidewalk at \$1,600, and recommended the expenditure. The Commission approved the recommendation by unanimous vote and ordered that the expense be charged against the Primary Highway Betterment Budget.

The Secretary presented a resolution from the Deschutes County Court offering county cooperation in the amount of \$5,000 as an aid in

financing the improvement of the Butler County Road northeasterly from Bend, in Deschutes County. The Commission took no particular action on this matter except to reaffirm its willingness to give this project consideration in the formulation of its next federal aid secondary highway program.

The Commission considered and denied the request of residents of Umatilla County for the construction of a stock driveway along the Weston-Elgin Secondary Highway from the junction with the Linneton Mountain County Road, 16 miles east of Weston, to the intersection of the government stock driveway, 1/2 mile west of the Tollgate Ranger Station, it being the experience of the Commission that such stock driveways are not of much value in view of the fact that the movement of stock in large numbers takes place during the seasons of the year when it would not be possible to use the driveways were they provided, necessitating the use of the highway as if no stock driveway existed.

The Secretary presented a resolution from the Seaside City Council urging the acquisition of right of way needed for the proposed rerouting of the Oregon Coast Highway on an extension of Roosevelt Drive in the southern part of Seaside, so as to expedite the rerouting of this highway. The Engineer advised that the Commission has already acquired right of way across the property owned by the City of Seaside and Clatsop County, but there is considerably more to be purchased from private owners, which will cost the state a considerable sum of money in view of the fact that the properties have been improved. Due to the expense involved, the Commission decided not to acquire this right of way at the present time, funds available to the Commission being more urgently needed for other purposes.

The Commission had under discussion a letter from the Wallowa County Court inquiring as to the possibilities of effecting arrangements with the state for snow removal on the county road which extends from the Wallowa Lake Hotel to the homes of the employees of the Pacific Power and Light Company, a distance of approximately 1/2 mile. It appears that unless the state will assume the responsibility of such snow removal operations, the company's employees will not have ingress to and egress from their homes during the winter season. The Commission expressed regrets that it could not help out in this matter due to its established policy, which will not permit the use of state equipment for such purposes. Furthermore, the Commission does not have legal authority to perform such operations on county roads at state expense.

The Commission had under discussion the matter of adoption of standards for service driveways connecting with state highways, and, in this connection, the Assistant Highway Engineer presented drawings showing typical entrance driveways of this type, together with instructions, as follows, which he suggested should apply hereafter to all applications for such driveways:

The following instructions apply to all new applications for service drives on state highway rights of way for those types of business located adjacent to the highways which are engaged in serving the motoring public. The highways fall in the following categories:

1. Highways which have been recently constructed or are now under construction and which are now being or have been landscaped. Particular attention should be given to see that the following instructions are immediately complied with on highways of this category.

2. Highways alongside which service stations and other wayside stands have been built to conform with the Commission's setback ruling providing that the service to the public be made entirely off the highway right of way. In many cases the entrance drives are not built in conformity to these standards and plans should be undertaken, after discussion with the Division Engineer, to correct these conditions within a reasonable period of time.

3. On the older highways there are many service stations and wayside stands fronting directly upon the highway, in which case the vehicles being serviced occupy the right of way. Under such circumstances, it is impossible to make the corrections in the driveways illustrated by the attached diagrams. However, if and when plans are made for the erection of new structures, the owners should be contacted and required to conform with the standard plan.

If any difficulty develops with the property owners relating to conforming with these standards, please take the matter up immediately with the Division Engineer.

Driveways will be allowed on state highway R/W when approved by the Engineer, but such driveways shall conform to the following restrictions:

1. Each driveway or entrance shall be confined within the boundaries of a 25' maximum distance measured parallel to the highway center line and between lines drawn at right angles to the said center line and tangent to the turnout curves.

In no case shall more than one-half ($12\frac{1}{2}'$) of the 25' area lie in front of the adjacent property.

2. In the selection of drive entrances from state highways into private properties, considerable care should be used to protect the existing highway as concerns maintenance and roadside beauty.

3. Drive entrances should logically fall, as nearly as possible, equally between existing trees so that the root growth of the trees will not be smothered by fills or roadway construction, or so that the upper branches of the trees are not endangered by trucks and other equipment using the drives in question.

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4. In the case of a single entrance drive, the minimum radius shall be 10' and the maximum radius 15'.

5. In the case of a service station or other double entrance driveway, the inside radius shall be a 10' minimum and the outside radius variable up to a 25' maximum.

6. In the case of a single entrance on two streets or highways (triangles and intersections) the minimum and maximum radii shall be the same as in the case of the double entrance described above.

7. No rocking will be permitted on areas other than the approved drive areas. The areas not rocked are to be improved by plantings as the landscape engineer may arrange on sections of highways which have been landscaped. Specific instructions will be given in other locations.

8. The construction of driveways when approved shall be performed by the owner of the property, or at his expense, and shall conform to the grades and lines to be set by the Highway Commission representative. Adequate provision shall be made for drainage. No wood plank boxes or bridges will be permitted. Standard concrete or corrugated iron culverts shall be installed of a size necessary to meet the needs, but in no case less than 12" diameter pipe. When long lengths of pipe are installed, concrete catch basins of a standard design will be mandatory, if in the opinion of the engineer, they are needed to collect and carry off the surface water.

The Assistant Engineer explained that the drawings and instructions have been approved by Mr. R. H. Baldock, State Highway Engineer, Mr. John Beakey, Traffic Engineer, and Mr. George Otten, Landscape Engineer, and that it was Mr. Baldock's recommendation that they be adopted by the Commission as standards for the State Highway Department. After discussion and careful study, the Commission approved and adopted such drawings and instructions as standard for such class of construction.

The Engineer brought up for discussion the matter of installing traffic signals on Interstate Avenue and on Sandy Boulevard, in Portland. He estimated the cost of such installation on Sandy Boulevard at \$12,785.77, of which the state's share would be 50 per cent, or \$6,392.89; and that on Interstate Avenue at \$11,173.88, of which amount the state's share would be 50 per cent, or \$5,586.94, making a total of \$11,979.83 as the state's share for both projects. The estimate for Sandy Boulevard, he said, includes the installation of lights from 16th Street to 42nd Street, and that on Interstate Avenue includes the lighting of this street throughout its entire length. In addition to such expense, he added, there would be an item of \$1,600 for the construction of safety islands on Sandy Boulevard, of which the state's share

would be approximately \$800.00. He suggested also the installation of signals on East Burnside Street from Union Avenue to 12th Avenue, which would cost about \$15,500, of which the state's share would be 50 per cent, or \$7,750.00.

In the discussion of this matter it was brought out by Chairman Cabell that the Commission, when it agreed to cooperate with the City of Portland to pay one-half the cost of installing traffic signals on Portland city streets, did not intend that all of the work should be done in one year or at any one time, so there is a question as to how far the Commission should go now. It was his thought that, whatever is done, the state should have charge, rather than the city, and that the entire matter should be covered by appropriate agreement between the city and the state. After further discussion, the Commission by unanimous vote tentatively approved the plans for the installations and decided that the work should be done by contract, although no contract will be awarded until a satisfactory agreement has been made with the City of Portland with respect thereto. The Assistant Engineer was instructed to confer further with the city officials on this subject in an endeavor to iron out certain differences.

The matter of authorizing the termination of the insurance furnished by the Oregon-American Lumber Corporation covering its logging operations across the Wolf Creek Highway, at Highway Engineer's Stations 813 and 845, had the attention of the Commission. The Assistant Engineer advised that the company has completed its operations and that the cleaning up of the premises, as provided in the agreement between the company and the state, has been done by state forces, and the company has been billed for such expense. He recommended, in view of the circumstances, that the company be allowed to terminate the insurance on its anniversary date, January 19, 1939. The Commission approved the recommendation unanimously.

The Assistant Engineer reported that, in accordance with authority previously granted by the Commission, he has ordered certain surveys since the last meeting. He submitted a list of such surveys and asked the Commission to approve them. After due consideration, Commissioner Aldrich moved that the State Highway Engineer be authorized and instructed to make such location surveys on various sections of the highways of this state, which said sections of highways, together with their identifying location survey numbers and the amounts authorized and allocated for such survey expenditures are as follows:

Location	-	1-2812 - Flagstaff Hill-Middle Bridge Section, Baker-Homestead Highway	1st authorization \$6,100.00
Plans	-	1-2814 - Summit-Baker-Unity Junct. Section, Baker-Unity Highway	1st authorization \$600.00
Bench Marks	-	2-2815 - Corvallis-Monmouth Section, Pacific West Highway	1st authorization \$ 75.00
Plans	-	107-2816 - Willamette River Bridge, Corvallis-Eastside Sec. Hwy.	1st authorization \$400.00

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Location - 102-2814 - Wren-Pedee Section, Kings Valley Secondary Highway
2nd authorization \$1,320.00
Total to date \$3,120.00

Location - 203-2818 - Timberline Lodge-Mt. Hood Highway Section, Timberline Road.
1st authorization \$2,500.00

Location - 3-2801 - Oregon City Section, Pacific East Highway
6th authorization \$5,400.00
Total to date \$14,400.00

Section Ties - 4-2817 - Wolf Creek and Hamlet Junct., Oregon Coast Highway
2nd authorization \$ 135.00
Total to date \$ 285.00

Bridge - 4-2822 - Black Bridge over Necanicum River, Oregon Coast Hwy.
1st authorization \$ 100.00

Right of Way - 5-2814 - Warren-Scappoose Section, Columbia River Highway
1st authorization \$2,000.00

Bridge and Right of Way - 7-2808 - Crooked Creek-Prineville Section, Ochoco Highway
2nd authorization \$ 200.00
Total to date \$ 800.00

Plans - 9-2822 - Horse Ridge-Brothers Section - Central Oregon Highway
1st authorization \$ 200.00

Roadside Improvement - 10-2823 - N. Entrance to Roseburg, Pacific Highway
1st authorization \$ 300.00

Location and Plans - 11-2807 - Blalock-Arlington Section, Columbia River Highway
2nd authorization \$1,500.00
Total to date \$2,500.00

Quarry - 12-2812 - Flat Creek-John Day Section, John Day Highway
2nd authorization \$ 250.00
Total to date \$ 570.00

Quarry - 13-2806 - Buchanan Ranch-Juntura Section, Central Oregon Hwy.
1st authorization \$ 500.00

Quarry - 14-2812 - Cold Springs Creek-Neil Creek Section, Mt. Hood Hwy
2nd authorization \$ 75.00
Total to date \$ 425.00

Location - 14-2810 - Hood River-Mosier Section, Columbia River Highway
4th authorization \$ 700.00
Total to date \$12,400.00

Bridge - 217-2808 - Waldo-Happy Camp Junction, Waldo-Holland County Rd.
1st authorization \$ 600.00

Bridge - 217-2808 - Waldo-Happy Camp Junct., Waldo-Holland County Road
 2nd authorization \$ 400.00
 Total to date \$1,000.00

Plans - 218-2825 - Poe Valley Section, Bonanza-Malin County Road
 2nd authorization \$1,200.00
 Total to date \$2,700.00

Bridge - 18-2832 - Olene-Dairy Section, Klamath Falls-Lakeview Highway
 1st authorization \$ 300.00

Plans - 18-2833 - Devils Garden-Quarts Mountain Section, Klamath
 Falls-Lakeview Highway-1st authorization \$1,000.00

Location - 220-2832 - Walton-Veneta Section, Eugene-Florence, Route "F"
 1st authorization \$9,800.00

Recon. - 20-2831 - Salt Creek-Lookout Point Section, Willamette Highway
 3rd authorization \$ 500.00
 Total to date \$2,000.00

Plans - 20-2833 - Aubrey-Eugene Section - Pacific Highway
 1st authorization \$ 700.00

Right of Way - 21-2825 - Ocean Lake-Taft Section, Oregon Coast Highway
 1st authorization \$ 900.00

Plans - 121-2826 - Newport Junction-Siletz Section, Siletz Secondary
 Highway
 1st authorization \$ 800.00

Quarry and Stock Pile - 22-2817 - Lebanon-Foster Section - Santiam Highway
 1st authorization \$ 150.00

Right of Way - 122-1965 - Brownsville Section, Halsey-Sweet Home Secondary
 Highway
 1st authorization \$ 240.00

Recon. - 23-2816 - Baker County Line-Ontario Section, Old Oregon
 Trail
 1st authorization \$1,000.00

Plans - 124-2814 - Shaw Junction-Gates Section, North Santiam Highway
 2nd authorization \$ 500.00
 Total to date \$ 600.00

Plans - 24-2820 - Salem Shops -
 1st authorization \$ 100.00

Drainage - 224-2820 - Deaf School Section -
 1st authorization \$ 100.00

Location and Plans - 224-2821 - McNary Junction-Keiser School, Wheatland Ferry
 County Road
 1st authorization \$1,200.00

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Plans	- 127-2813 - Independence Section - Independence Secondary Hwy.	1st authorization \$ 50.00
Quarry	- 28-2805 - Moro-Wasco County Line Section, Sherman Highway	2nd authorization \$ 175.00
	Total to date \$ 375.00	
Plans	- 232-2806 - Enterprise-Joseph Section, Hurricane Creek County Road	2nd authorization \$ 365.00
	Total to date \$1,535.00	
Plans	- 34-2820 - Onion Flat Section, Pacific Highway West	1st authorization \$ 250.00
Signals	- 36-2821 - Tillamook Junction, Pacific West and McMinnville-Tillamook Highways	1st authorization \$ 200.00
Plans	- 36-2816 - Lafayette Section - Pacific West Highway	2nd authorization \$ 25.00
	Total to date \$3,625.00	

The motion was duly seconded by Commissioner Tou Velle and was declared by Chairman Cabell to have carried by the unanimous vote of the Commission.

The Engineer also reported that a number of surveys heretofore authorized by the Commission have been completed. He presented a list of such surveys and reported briefly on each survey listed thereon. After due consideration, the Commission approved the respective surveys as reported, and adopted the following resolution in regard thereto:

WHEREAS, the State Highway Commission heretofore has authorized and instructed the State Highway Engineer to make surveys on certain sections or portions of the highways of the State of Oregon; and

WHEREAS, pursuant to said authorization the State Highway Engineer has made and completed the said surveys and has filed the maps and plans of the said surveys in the files of the State Highway Commission, in Salem, Oregon; and

WHEREAS, the maps and plans of the said surveys have been examined by the State Highway Commission and have been found suitable in all respects for approval and adoption by the State Highway Commission;

NOW, THEREFORE, BE IT RESOLVED that the surveys hereinafter designated and described, together with their identifying location map file numbers, as shown in the map filing records of the State Highway Commission in its Salem office, be and they are hereby adopted and approved as the location surveys of the various portions or sections of highway involved:

<u>File No.</u>	<u>Prefix</u>	<u>County</u>	<u>Type of Survey</u>	<u>Section</u>	<u>Highway</u>
5B7-2	204-2816	Clatsop	Reconn.	Saddle Mountain	Saddle Mt. Park Rd.
5B15-1	4-2803	Clatsop	Location	Astor St.-Comm'l St.	Oregon Coast (Astoria)
5B19-20	6-2810	Coe	Location	Marshfield-Coquille	Oregon Coast
5B18-24	106-2811	Coe	Location	Charleston-Cape Arago-Cape Arago	Secondary
5B11-22	7-2803	Crook	Location	Mill Cr.-Marks Cr.	Ochoco Highway
5B18-2	8-2808	Curry	Location	Brookings	Oregon Coast
5B18-2	8-2809	Curry	Location	Brookings	Asalea Park Rd.
5B18-3	10-2817	Douglas	Prelim. Survey	Oakland-Roseburg	Pacific
5B11-21	12-2811	Grant	Location	John Day	John Day
8C26-18	4-2818	Clatsop	Reconn.	Cannon Beach Junct.-Cannon Beach	Oregon Coast
5B19-11	15-2817	Jackson	Location	Bear Canyon-State Line	Pacific
* * *	16-2806	Jefferson	Location	Madras-Terrebonne	The Dalles-California
5B19-8	17-2802	Josephine	Location	Grants Pass-Green Cr.	Pacific
5B18-23 & 5B13-11	18-2815	Klamath	Location	Crooked Cr.-Modoc Pt.	The Dalles-California
5B20-8	20-2831	Lane	Reconn.	Salt Cr.-Lookout Pt.	Willamette
5B20-9	25-2806	Morrow	Location	Boardman-Stanfield	Old Oregon Trail
5B12-10	226-2830	Multnomah	Location	Lombard St.-Killingsworth St.	Columbia Blvd.
5B20-10	30-2819	Umatilla	Location	Pilot Rock	Oregon-Washington
* 5B18-10 & 11 * 5B19-4 & 5 * 5B18-22					

BE IT FURTHER RESOLVED that the State Highway Engineer be and he hereby is authorized to make such minor changes in the said locations as may improve the standards of alignment and grades not inconsistent with the general location of the section of highway involved.

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The Commission had under consideration the following requests for extensions of time within which to complete highway construction projects:

Roy L. Houck, Contract No. 2014, for grading, surfacing, and construction of bituminous macadam on the North Powder-Muddy Creek Section of the Old Oregon Trail, in Baker County, requested an additional extension of time, from September 20 to October 7, 1938, within which to complete this job. He gave no reasons for failure to complete the job within the extended time limit. The Engineer advised that the contract provided for the completion of this job by August 31, 1938, but it was extended by the Commission without penalty to September 20, 1938, because of delays resulting from the destruction of the contractor's plant by fire. He further advised that there is no good reason why the contractor could not have finished the project within the extended time limit if he had moved his crushing plant onto the project earlier, the facts being that several months elapsed after the award of the contract before actual crushing work was commenced. He recommended, in view of the circumstances, that the extension now requested be granted but that the contractor be charged for the engineering costs incurred by the state subsequent to September 20, 1938. A letter was presented from the Bureau of Public Roads concurring therein. The Commission approved the recommendation unanimously.

Harold Blake, Contract No. 2035, for paving the Ross Station-Arward Section of the Pacific Highway, in Lane County, requested an additional extension of time, from August 13 to October 17, 1938, within which to complete this job. His failure to complete the project within the previously-extended time limit, he said, was due to the necessity of replacing certain panels in the concrete pavement. The Engineer advised that the original date of completion specified in the contract was July 31, 1938, but it was extended by the Commission to August 13, 1938, under the condition that the contractor reimburse the state for engineering expense incurred subsequent to the specified date of completion. He further advised that the contractor's statement as to the necessity for the additional extension of time is correct. He recommended, in view of the fact that the contractor was put to heavy expense in replacing the defective pavement, which was done without cost to the state, that the extension now requested be granted without further penalty. A letter was presented from the Bureau of Public Roads concurring therein. The Commission approved the recommendation by unanimous vote.

River Bend Sand & Gravel Company, Contracts Nos. 2064 and 2069, for landscaping the Pringle Creek-Taylor Creek Section of the Pacific Highway, in Marion County, and the landscaping of the McMinnville Section of the Pacific Highway West, in Yamhill County, respectively, requested extensions of time until December 15, 1938, within which to complete both of these jobs. They alleged that

their failure to complete the projects within the specified time limit was due to the fact that there was insufficient moisture in the ground for the planting of shrubbery, and conditioning of the ground for the planting of grass; also to the necessity for the placement of top soil on the shearboard slopes. The Engineer advised that the reasons given by the contractor for failure to complete both contracts within the specified time limits are correct, the weather being dry, which prevented the seeding and planting work in accordance with instructions of the Landscape Engineer. He recommended, in view of the circumstances, that the extensions of time requested for both contracts be granted without penalty. A letter was presented from the Bureau of Public Roads concurring therein. The Commission approved the recommendation unanimously.

E. H. Itschner, Contract No. 2070, for grading and oiling the Baker-Flagstaff Hill Section of the Baker-Homestead Highway, in Baker County, requested an extension of time of 12 days, from September 30 to October 12, 1938, within which to complete this job. He gave no reasons for his failure to complete the project within the specified time limit but alleged that the delay was caused by conditions beyond his control. The Engineer advised that the contractor's failure to complete this project on time was solely a result of his not starting the work soon enough after the contract was awarded. He recommended, in view thereof, that the extension now requested be granted but that the contractor be required to reimburse the state for the extra engineering expense incurred subsequent to the specified date of completion. A letter was presented from the Bureau of Public Roads concurring therein. The Commission approved the recommendation unanimously.

M. C. Lininger & Son, Contract No. 2074, for landscaping the Bear Creek-Ashland Section of the Pacific Highway, in Jackson County, requested an extension of time from October 31 to November 15, 1938, within which to complete this project. They alleged that their failure to complete the project within the specified time limit was due to dry weather conditions which made it unsuitable for the planting of shrubbery. The Engineer advised that the contractor completed all of the work in connection with this project except the planting, before October 1, 1938, but, on account of the dryness, the planting of the shrubs had to be deferred until later. He recommended, in view of the fact that the contractor was not responsible for the delay, that the extension of time now requested be granted without penalty. A letter was presented from the Bureau of Public Roads concurring therein. The Commission approved the recommendation unanimously.

Kern & Kibbe, Contract No. 2096, for paving the Sandy Boulevard Section of the Columbia River Highway, in Multnomah County, requested an extension of time from September 30 to October 19, 1938, within which to complete this job. They alleged that their failure to complete the job within the specified time limit was due

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to interference caused by the Portland railway busses. The Engineer advised that all of the work contemplated in the contract, except the placing of the asphaltic resurface, was completed within the specified time limit and the reason that the resurfacing work was not completed sooner was because the contractor was considerably handicapped by the large amount of traffic on this street. He further advised that the delay did inconvenience traffic to some extent and the state incurred some extra expense for engineering supervision. Nevertheless, he recommended that the extension of time requested be granted subject to the condition that the contractor reimburse the state in an amount equal to the amount of the extra engineering expense incurred subsequent to the specified date of completion. A letter was presented from the Bureau of Public Roads concurring therein. The Commission approved the recommendation by unanimous vote.

The Engineer reported that Contracts Nos. 1949, 2014, 2064, 2069, 2070, 2074, 2096, 2104, and 2107, for the construction of state highway projects, have been completed according to the requirements of the contracts or modifications thereof, and that said jobs are now ready for acceptance. The following resolution accepting the above projects was offered and was adopted by the unanimous vote of the Commission:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts and said jobs are now ready for acceptance:

Contract No. 1949, with Coos Bay Construction Company, for grading the Elsie-Nehalem River Section of the Wolf Creek Highway, in Clatsop County. Completed October 1, 1938.

Contract No. 2014, with Roy L. Houck, for grading, surfacing, and bituminous macadam on the North Powder-Muddy Creek Section of the Old Oregon Trail Highway, in Baker County. Completed October 7, 1938.

Contract No. 2064, with the River Bend Sand & Gravel Company, for roadside improvement on the Pringle Creek-Taylor Creek Section of the Pacific Highway, in Marion County. Completed November 14, 1938.

Contract No. 2069, with River Bend Sand & Gravel Company, for roadside improvement on the McMinnville Section of the Pacific Highway West, in Yamhill County. Completed November 29, 1938.

Contract No. 2070, with E. H. Itschner, for grading and oiling and producing crushed gravel in stock piles on the Baker-Flagstaff Hill Section of the Baker-Homestead Highway, in Baker County. Completed October 12, 1938.

Contract No. 2074, with M. C. Lininger & Son, for roadside improvement on the Bear Creek-Ashland Section of the Pacific Highway, in Jackson County. Completed November 9, 1938.

Contract No. 2096, with Kern & Kibbe, for paving the Sandy Boulevard Section of the Columbia River Highway, in Multnomah County. Completed October 19, 1938.

Contract No. 2104, with Erwin E. Batterman, for remodeling a portion of the State Office Building, in Salem, Marion County. Completed October 31, 1938.

Contract No. 2107, with the Mountain States Construction Company, for paving the Molalla Section of the Woodburn-Mt. Hood Secondary Highway, in Clackamas County. Completed November 12, 1938.

THEREFORE, BE IT RESOLVED, that the work covered by said state highway contracts for the construction of said state highway projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

The Commission had under consideration the setting of a date for its next regular meeting for the receiving of bids on highway construction projects, and decided to hold such meeting on Thursday, January 26, 1939. It was also decided to hold a special meeting of the Commission, for the disposal of routine matters, in Salem, on Friday, January 13, 1939. The Secretary was instructed to make the usual arrangements to hold the January 26th meeting in the Auditorium of the Public Service Building, Portland.

The Commission considered and signed agreements, et cetera, as follows:

Agreement with Pacific Power and Light Company extending previous agreement dated March 10, 1921, relative to maintenance of company's poles on the Youngs Bay Bridge on the Oregon Coast Highway at Astoria, and the furnishing of electric service for the operation of said bridge.

Agreement with Southern Pacific Company, et al, relative to Lobert Overcrossing, in Klamath County.

Agreement with U. S. Forest Service regarding snow removal on Timberline Road.

Agreement with City of Albany regarding rest rooms under Albany Bridge.

Stipulation relative to securing a 10-acre stockpile site adjacent to Coos Bay-Roseburg Highway.

Application for patent to 40 acres of land containing fossil beds adjacent to John Day Highway, in Grant County.

Agreement with O. W. R. R. & N. Company with respect to the construction of the Corbett Station-Rooster Rock Section of the Upper Columbia River Highway, in Multnomah County.

Agreement with F. G. Brown, Crystal, Oregon, covering snow removal operations on the Klamath Lake Secondary Highway, in Klamath County.

Bargain and Sale Deed conveying unto Martha E. Dodels 10,800 sq. ft. of land situate in Lots 3, 4, 5, and 6, Block 19, Hackleman's Second Addition to Albany - Right of Way Transaction No. 4966.

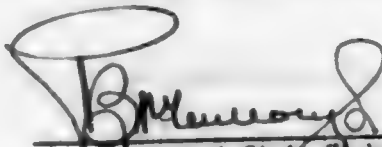
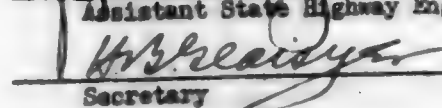
Bargain and Sale Deed conveying unto J. G. Snyder 3,360 sq. ft. of land situate in Lots 7 and 8, Block 19, Hackleman's Second Addition to Albany - Right of Way Transaction No. 4965.


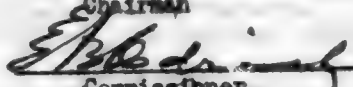
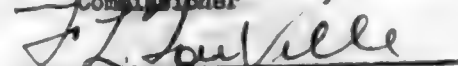
Bargain and Sale Deed conveying unto H. D. Rohde and wife 5,460 sq. ft. of land situate in Lots 7 and 8, Block 19, Hackleman's Second Addition to Albany - Right of Way Transaction No. 4964.

Bargain and Sale Deed conveying unto H. D. Rohde and wife 3 parcels of land containing 3,780, 6,875, and 6,875 sq. ft., respectively, situate in Block 19, Hackleman's Second Addition to Albany - Right of Way Transactions Nos. 4964 and 5151-A.

Bargain and Sale Deed conveying unto Standard Oil Company of California 2,090 sq. ft. of land situate in Lot 7, Block 98, Monteith's Second Addition to the City of Albany - Right of Way Transaction Nos. 5138 and 5139.

There being no further business to come before the Commission at this time, the meeting was adjourned at 5:00 o'clock p. m.


Assistant State Highway Engineer

Secretary


Chairman

Commissioner

Commissioner

Salem, Oregon, January 13, 1939

The State Highway Commission met in regular session at 10:00 o'clock a. m. in the office of the State Highway Engineer, Room 325, State Office Building. Present were:

Henry P. Cabell, Chairman
E. B. Aldrich, Commissioner
F. L. Tou Velle, Commissioner
C. B. McCullough, Assistant State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

Senator U. S. Balentine, and Lloyd R. DeLap, Klamath Falls, came before the Commission on behalf of Mr. Paul V. Kelley, Prineville, whose permit for the hauling of logs on state highways in the vicinity of Prineville has been temporarily suspended because of the loading of his trucks in excess of the statutory load limit and the 1500-lb. tolerance authorized by the Commission. Senator Balentine advised that Mr. Kelley is a new operator in this class of business, and, before commencing his operations, consulted with the local state police officer relative to loads, in an endeavor to ascertain the size of loads that could be hauled without violating the statutes. He further advised that Mr. Kelley thought that he was loading his trucks in conformance with the information obtained from the police officer, but evidently he was not, because, when the trucks were weighed, they were found to be overweight, and, as a result, the truck drivers were arrested and the P. U. C. plates picked up, requiring the suspension of operations. He said that Mr. Kelley did not intentionally overload his trucks and honestly thought that he was operating within the law, having consulted the state police officer before commencing operations. Senator Balentine accordingly urged the Commission to restore the P.U.C. plates to Mr. Kelley immediately so as to permit him to resume his logging operations. Otherwise, he said, it will necessitate the closing down of the mill which is being supplied with logs by Mr. Kelley, and the throwing a lot of men with families out of employment. He said that the operators were arrested on Monday, January 9, and that the P.U.C. permit was suspended for a period of 10 days, being a first violation on the part of Mr. Kelley's men. Also, that if the Commission will allow Mr. Kelley to go back to work, he will be extremely careful in the future so as not to overload his trucks again.

Chairman Cabell explained the reasons that forced the Commission to adopt strenuous rules and regulations relative to the trucking of logs on state highways. The Commission, he said, realizes the importance of the logging industry in the state and does not want to do anything to interfere with it, but it must have the cooperation of the operators; otherwise, the promiscuous overloading of trucks will cause a breakdown of the highways where log hauling is being carried on. The Commission has given this matter much thought, he added, and has tried to work it out with the logging industry, but it seems that the desired cooperation could not be secured, so the Commission had to force compliance with the law by the adoption of stringent rules and regulations which, he explained, were decided upon after consulting with the

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Superintendent of the Department of State Police, the Public Utilities Commissioner, and a representative of the logging industry.

After further discussion and it appearing to the Commission that Mr. Kelley made an honest effort to comply with the legal requirements and did not intentionally violate the provisions thereof, the Commission ordered the immediate release of Mr. Kelley's P.U.C. plates.

The County Court of Benton County, represented by County Commissioners W. H. Malone and O. B. Kyle, came before the Commission in the interests of the county road which extends in a southerly direction from the Corvallis-Newport Highway, about 3 miles west of Corvallis, to the Corvallis Golf Club, a distance of about one-half mile. Mr. Claude Ingalls, Corvallis, was also present in regard to this matter and acted as spokesman for the group. They asked that this road be placed on the state secondary highway system and that it be improved with an oil surface so as to alleviate the dust nuisance which obtains during the dry season. They gave as their thought that this road meets the secondary highway requirements, inasmuch as it passes through a thickly populated district, there being 14 homes served by the road at the present time, and several more to be established during the coming summer. They pointed out that the state owns considerable land adjacent to the road, which is another reason, in their estimation, that would justify the improvement as a state project.

County Commissioner Malone stated that Benton County does not have oiling equipment to do the work, hence is not in a position to improve the road as desired. It was his thought that the road should not only be oiled but that a center-line stripe should be painted thereon also. Mr. Ingalls advised that this road carries a large volume of traffic, much of which is tourist traffic, and there are many visitors who desire to make use of the country club.

Commissioner Aldrich indicated that he would approve this project, particularly in view of the fact that the county has no oiling equipment with which to do the work and because of advantages that would accrue to the users of the road, especially to the strangers who want to make use of the golf club facilities. Chairman Cabell questioned the advisability of taking the road over as a state project but agreed to take the matter under advisement for a decision later. The Engineer was instructed to investigate the road and report his findings at the next meeting, including an estimate of cost.

Representative Burt Snyder, Lakeview, came before the Commission in the interests of the Klamath Falls-Lakeview Highway and urged the early completion of this road to modern standards. The Commission's plans for the reconstruction of this road were explained to Mr. Snyder by Chairman Cabell and appeared to be satisfactory to him.

The Engineer requested authority to acquire certain parcels of real property that are needed for various highway improvements throughout the state. He submitted a list of such properties together with the prices that he recommended be paid for each. After careful study, the Commission approved

the request and by unanimous vote adopted the following resolution with respect thereto:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth; and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon; and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Mecanicum-Elsie Section - Wolf Creek Highway</u>				
6455-Wright-Blodgett Co., Ltd.		0.56	\$100 per a.	McChesney
	Stock Pile			
<u>Manning-Davies Section - Wolf Creek Highway</u>				
6272-Sokol, John	R/W	6.03	4.0 a. at \$150 per a. 1.0 a. at \$100 per a. 1.03 a. at \$50 per a. plus \$963.50	McChesney
6271-Stephans, A. L.	"	4.44	4.0 a. at \$150 per a. 0.44 a. at \$50 per a. plus \$446, plus re-arranging power line	"
<u>Buxton-Manning Section - Wolf Creek Highway</u>				
6261-Rose, Rex E.	R/W	0.13	\$150 per a.	McChesney
6258-Lasott, Harry	"	6.12	5.0 a. at \$150 per a. 1.12 a. at \$100 per a. plus \$1156	"
6263-Crawford, L. L.	"	4.15	\$150 per a. plus \$1228 plus moving bldgs. (est. at \$700)	"

(Continued on next page)

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>(Burton-Manning Section continued)</u>				
6251-Meyers, Jesse	R/W	11.76	6.0 a. at \$150 per a. 5.76 a. at \$20 per a. plus \$734.80	McChesney
<u>Olney-Jewell Section - Nehalem Highway</u>				
6416-Peschl, August and Louis (Peschl Estate)	R/W	1.0	\$100 per a. plus \$25	McChesney
<u>West Portland-Tualatin Section - West Portland-Hubbard Highway</u>				
6245-Patterson, Rhoda	R/W	4 lots 10,000 sq.ft.	\$30 per lot	Benson
<u>Oregon City Section - East Portland-Oregon City Highway</u>				
3055-Roake, L.V. (Correction)	R/W	3015 sq.ft.	Lump Sum \$4100	Parker
3053-Schofield, R. A. and Knoefel, R. W. (Oregon City Laundry)	"	4960 sq.ft.	Lump Sum \$18,499.60	"
<u>Salem-12th Street Junction Section - Pacific Highway East</u>				
5917-White, Paul	R/W	17349 sq.ft. at 5¢ sq.ft.	plus \$732.55	McCallister
5786-Jackson, E. A.	"	8960 sq.ft. at 10¢ sq.ft. +	\$6104	"
<u>Eugene Section - Pacific Highway</u>				
5530-Eugene Sand & Gravel Co. Stock Pile		0.57	1-yr renewal of lease Lump Sum \$15	Gardiner
<u>Florence-Rainrock Section - Siuslaw Highway</u>				
6571-McDonald A. J.	Stock Pile	0.500	To be exchanged for 0.366 a.	Lytle
<u>Charleston-Cape Arago Section - Cape Arago Highway</u>				
6349-Smith, Lillian	R/W	459 sq.ft. at	\$0.027 sq.ft.	Gardiner
<u>Pendleton-Adams Section - Oregon-Washington Highway</u>				
5905-Geiss, Sarah C. et al	R/W	3.35	at \$125 per a. + \$708.67	
		4.31	at \$125 per a. + \$1389.35 + \$529.44	Parker
5899-Geiss, Sarah C. et al	"	2.71	at \$125 per a. + \$1134.51	"
<u>Pendleton Overcrossing Section - Old Oregon Trail Highway</u>				
4140-Vey, Reta et al	R/W	4997 sq.ft.	Lump Sum \$650	Parker

The Attorney brought up for discussion the matter of re-establishing the school building in the town of Manning, Washington County. He explained that the Wolf Creek Highway passes very close to the front of this school building necessitating the moving of the same back from the highway on the

present school property or to an entirely new location. The moving of the building back on the present site, he said, will require considerable excavation because of the fact that there is a steep side hill immediately back of the building. He suggested, as a more desirable solution of this problem, the moving of the building to a site on the opposite side of the highway and he recommended the adoption of such alternate, notwithstanding that it is the more expensive of the two, because it would eliminate the necessity for school children to cross the highway in going to and from school. In this connection he explained that there are some 40 or 50 students who attend this school, most of whom live on the opposite side of the highway from the present school building, and it was his thought that the extra expense of moving the building to a location that will eliminate the crossing hazard for the school children would be justified. The Commission concurred in the viewpoint of the Attorney and after considerable discussion authorized the continuance of negotiations with the school district officials in accordance therewith.

The Engineer reported receipt of a communication from County Judge J. B. Wilkerson of Columbia County offering to sell to the State Highway Department a certain toolhouse at Mist, Oregon, for the sum of \$250.00. He said that the Highway Department has been using this toolhouse for some time without charge but the county is now desirous of disposing of the building permanently. He recommended acceptance of the county's offer in view of the fact that a toolhouse of some sort will be needed at Mist for several years, although it has not yet been determined whether or not a permanent patrol headquarters will be established at this place. The Commission approved the recommendation unanimously.

The Attorney brought up for discussion the matter of acquiring right of way for the proposed revision of the Oregon Coast Highway through Neskowin, in Lincoln County. He advised that the recent storm on the Coast wrecked some of the facilities at this beach resort and Mr. W. S. Walton, Sale., the owner of the same, has inquired whether or not the Commission would care to reconsider the matter of purchasing the right of way for the highway improvement now, before he goes to the expense of re-establishing such facilities. In the discussion of this matter it was brought out that the Commission is not in a position to proceed with the proposed highway improvement in its entirety at this time but is willing to consider a project to cut off the rock point opposite the Neskowin Hotel and, if the Commission should decide to do that part of the work, it would need right of way across the Neskowin picnic ground on which to deposit the rock material. In view of this possibility, the Commission instructed the Attorney to ascertain from Mr. Walton his plans for the re-establishment of his buildings. He was also instructed to ascertain from Mr. Walton whether or not he would agree not to obstruct the proposed highway right of way north of the Neskowin Store if the Commission will purchase from him a right of way across his holdings south of his store and will cut off the rock point referred to above, the Commission being unable financially to undertake the major highway improvement at this time.

The Engineer reported receipt of information to the effect that several logging companies are making plans to log privately-owned timber along the Santiam Highway when the grading operations on this highway have been

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completed. He advised that this highway traverses some very fine forest land and, in his estimation, everything should be done to preserve the timber, particularly adjacent to the highway right of way. He inquired whether or not it would be advisable to contact the United States Forest Service officials relative to securing an exchange of the privately-owned timber lands for the government-owned lands of the same class. The Commission referred the matter to the State Parks Superintendent for investigation and report.

Consideration was given by the Commission to the request of Thomas Purdy, Yachats, to repurchase from the state about one-quarter acre of land that he sold to the state for right of way purposes, the same being located adjacent to the Oregon Coast Highway at Bob Creek, in Lincoln County. It appears that Mr. and Mrs. Purdy operate a restaurant and campground at this location and wish to enlarge their business, including the establishment of a service station, which will necessitate the acquisition of the one-quarter acre of ground under discussion. Further, that they are willing to pay a reasonable sum for the land which, they allege, was deeded to the state under a misapprehension along with the highway right of way.

The Engineer advised that the tract in question has been graveled and is being used for park purposes and as an entrance way to the creek bottom from the highway. He gave as his thought that it would be inadvisable to dispose of the property in view of the fact that it is now being used for public purposes to good advantage and for the further reason that it may be needed for future highway requirements that cannot be foreseen. He recommended that the property be not sold. The Commission approved the recommendation unanimously.

The Attorney reported briefly on the matter of insurance to be furnished for the benefit of the Sunset Logging Company because of the construction of the Wolf Creek Highway under the company's railroad tracks, in Clatsop County. The Commission deferred action on the matter until the next meeting.

The Engineer reported the need to establish a speed limit of 15 miles per hour for trucks operating over the Nehalem River Bridge on the county road between Elsie and Jewell, which road is being maintained by the State Highway Department as a temporary highway route pending completion of the Wolf Creek Highway. He requested authority to post this bridge for such speed limit. The Commission approved the request and, by unanimous vote, adopted the following resolution in regard thereto:

WHEREAS, the bridge crossing the Nehalem River at Mile Post 11.70 on the county road between Elsie and Jewell is a public bridge being maintained by the State of Oregon and is a bridge under the jurisdiction and control of the State Highway Commission; and

WHEREAS, the State Highway Commission has, after due investigation, determined and found that it is the judgment of the Commission that the said structure cannot with safety to itself withstand vehicles traveling at the speeds permissible under Section 55-2201, Oregon Code, 1935 Supplement; and

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WHEREAS, it is the opinion and judgment of the State Highway Commission that maximum speeds in excess of fifteen miles per hour cannot with safety to such structure be maintained thereon and it is the judgment and opinion of the State Highway Commission that the maximum permissible speed of any vehicle traveling over and across said bridge should be limited to fifteen miles per hour;

NOW, THEREFORE, IT IS HEREBY ORDERED that the total maximum permissible speed over the said bridge crossing the Nehalem River at Mile Post 11.70 on the county road between Elsie and Jewell be and the same hereby is reduced to fifteen miles per hour.

IT IS FURTHER ORDERED that these rules and regulations, as made and found by the State Highway Commission under the provisions of Section 55-2205, Oregon Code, 1935 Supplement, shall be in full force and effect from the 13th day of January, 1939, until rescinded, modified, or revoked by order of the State Highway Commission.

IT IS FURTHER ORDERED that a notice be posted in a conspicuous manner and place at each end of the above named bridge structure so that said notice can be readily seen and read, which notice shall state plainly the limitations and prohibitions of the traffic hereby in this order determined and fixed.

AND BE IT FURTHER ORDERED that a certified copy of this order be furnished to the County Clerk of the county in which the said bridge is located and that a certified copy of this order be furnished to the Superintendent of the Department of State Police for his information.

The Engineer also reported the need to post the Alsea River Bridge, on the Alsea Highway, for a maximum load of 15 tons and the Willamette River Bridge, on the Corvallis-Eastside Secondary Highway, at Corvallis, for a maximum of 10 tons. He requested authority to post these bridges for such loads. The Commission approved the request and, by unanimous vote, adopted the following resolution in regard thereto:

WHEREAS, the roads or highways hereinafter named have been designated and declared to be and are State Highways and have been improved and are being maintained by the State Highway Commission, pursuant to the laws of the State of Oregon as state highways;

AND WHEREAS, on each of the said state highways and on all of them there are located certain bridge structures which, in the judgment of the State Highway Commission, are incapable of safely carrying the traffic to which they are being subjected, and in order to protect said bridge structures against damage and injury and in order to safeguard traffic over said bridge structures it is deemed and is the judgment of the Highway Commission and said Commission

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finds that it will be for the best interests of the said bridge structures and each of them and of the traffic which uses the said bridge structures that the maximum weights now permitted and authorized by law be reduced;

AND WHEREAS, the State Highway Commission has, after due investigation, determined and found and it is the judgment of the Commission that the maximum gross loads which shall be permitted upon any single span of any of the said structures at any time shall be reduced and fixed as in this order provided;

NOW THEREFORE, the premises being in part as above stated and the State Highway Commission having as a result of due investigation found that the bridge structures above referred to and hereinafter designated are incapable of safely sustaining or supporting a total gross load in excess of that specified hereinbelow;

IT IS HEREBY ORDERED, that the total gross weight of combined load and vehicle which at any one time shall be permitted upon any single or individual span of the bridge structures shall not exceed the limits given and set forth hereinbelow. In computing the total weight of any single vehicle, the total gross weight of any trailer or trailers attached to said vehicle shall be considered as a component part of the total gross load and shall not be considered as a separate vehicle. This combined gross weight shall not exceed the limits given hereinbelow, to wit:

ALSEA HIGHWAY 27-07.22	Alsea River Bridge	15 tons
CORVALLIS-EASTSIDE SECONDARY HIGHWAY 210-00.13	Corvallis Bridge	10 tons

IT IS FURTHER ORDERED, that these rules and regulations as made and found by the State Highway Commission under the provisions of Section 83 of Chapter 360, Oregon Laws 1931, Section 55-2707 Oregon Code 1935 Supplement, shall be in full force and effect from the thirteenth day of January, 1939, until rescinded, modified, or revoked by order of the State Highway Commission.

AND IT IS FURTHER ORDERED, that a notice be posted in a conspicuous manner and place at each end of the above-named bridge structures, so that said notice can be readily seen and read, which notice shall state plainly the limitations and prohibitions of the traffic hereby in this order determined and fixed.

AND BE IT FURTHER ORDERED, that a certified copy of this order be furnished to the county clerk of each county in which any of said highways are located, and that a certified copy of said order be furnished the Superintendent of the Department of State Police for his information.

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Reconsideration was given by the Commission to the request of Karl L. Janouch, Forest Supervisor, Rogue River National Forest, for permission to construct a footbridge alongside the highway bridge over Union Creek on the Crater Lake Highway, in Jackson County. The Engineer advised that, as instructed by the Commission at a previous meeting, he has investigated this request and finds that the proposed footbridge is to consist of one large log with appropriate timber hand rails that would fit in satisfactorily with the surroundings. He recommended approval of the request, provided the main log is not less than 4 feet in diameter and the cross logs which are to support the hand rails are not less than 6 inches in diameter. The Commission approved the recommendation unanimously.

The Engineer reported on the cost to pave the unpaved portions of Lombard Street in Portland between Vancouver Avenue and Union Avenue and between Union Avenue and the west end of Northeast Portland Secondary State Highway, as ordered by the Commission at the previous meeting. He estimated that such pavement work would cost about \$17,000. The Commission deferred action on this matter pending personal inspection of the project by Chairman Cabell.

The Engineer also reported on the matter of securing the improvement of the Frenchglen Secondary Highway, in Harney County, with C.C.C. forces, as was done last year. He said that the officials in charge of the C.C.C. camp at Malheur Lake were contacted relative to the improvement of another section of this road but it appears that they will not be able to do more this year than complete the 2-mile section upon which they are now working at the Narrows, although there is a possibility that they will be able to assist further next year. The Engineer gave as his thought that it would be advisable, if C.C.C. cooperation can be secured next year, to improve, as the next project on this road, the section between the Narrows and Wright's Point, a distance of about 12 miles. In view of this report, the Commission decided to proceed with the preparation of plans for such project, and thereupon authorized the Engineer to conduct a location survey of the section.

The Commission reconsidered the request of J. R. Hildreth, Scio, Oregon, that the old bridge known as Shindler Bridge, on the Albany-Lyons Secondary Highway, which is being replaced by a new structure, be left in place for his use when the new structure is completed. The Engineer advised that he contacted the Linn County Court relative to this matter, as previously instructed by the Commission, and was assured that the county will assume jurisdiction over this bridge if it is not taken down, and will relieve the Highway Commission from liability for any accident that might occur with respect to it. In view of this report, the Commission decided not to dismantle the old bridge but to abandon it and the approaches thereto as a state highway, in favor of Linn County. The Attorney was instructed by the Commission to prepare an appropriate resolution covering the matter for adoption at its meeting on January 26. The Engineer was instructed to barricade the bridge structure so that traffic cannot use it, if the county has not formally accepted the responsibility for the structure by the time that the falsework that is now supporting the bridge goes out during the high-water period.

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The Engineer reported on the request of Sherman County Court that the federal aid secondary highway moneys heretofore temporarily allocated by the Commission for the construction of the Moro-Hay Canyon project be reallocated to the Erskine Road. He recalled that the Commission tentatively allocated \$10,000 for the improvement of the Moro-Hay Canyon Road as a federal aid secondary highway, but since the allotment was made the County Court has expressed preference for the improvement of the Moro-Erskine Road and the reallocation of the funds to such project. Inspection of the Erskine Road, he said, was made by Division Engineer Wm. E. Chandler and Office Engineer Oscar Cutler on January 5, 1939, in company with two members of the County Court, and it is the opinion of these engineers that this road qualifies as a federal aid secondary highway, but, if improved as such, will provide a road of much higher standard than is needed by the territory that it serves. They also reported, he said, that, in their estimation, the county will benefit more by the improvement of the Moro-Erskine Road than by the improvement of the Moro-Hay Canyon Road, although eventually the latter road will very likely serve more people and will be the better road of the two from a state-wide standpoint. He further advised that the right of way of the Moro-Erskine Road is only 40 feet wide, whereas a 60-foot width right of way will be required generally, and in a few places it should be 80 feet wide. He recommended the reallocation of the funds to the Moro-Erskine Road if the county will acquire a right of way of proper width. After considerable discussion, the Commission approved the Engineer's recommendation by unanimous vote and instructed the Engineer to so inform the County Court.

The matter of transferring the funds heretofore tentatively allocated to the Oak Hill-Veneta Section of the Oak Hill-Veneta County Road (Route "F" Highway) in Lane County, had the attention of the Commission. The Engineer advised that the Commission had previously set up a tentative allocation of federal aid secondary highway funds amounting to \$55,000 for this project. He pointed out in this connection that this section crosses the site of the proposed Fern Ridge Reservoir, which is a part of the Willamette Valley Flood Control Project. The additional cost of this unit by virtue of the construction of the Fern Ridge Reservoir will amount to approximately \$30,000 because of the necessity of building the highway at a higher grade and the necessity for providing longer drainage structures. The Engineer further pointed out that the Army Engineers had tentatively agreed to reimburse the State Highway Commission for the above extra cost in the event that the Willamette Valley Flood Control Project is authorized. In view of the fact that no definite appropriation has been made for this flood control project, the Engineer suggested that consideration be given to an alternate project.

After considerable discussion, the Engineer was requested to consider estimates for alternate projects, and to contact the County Court of Lane County relative thereto.

The Commission adjourned at 12:10 o'clock p. m. and reconvened at 2:00 o'clock p. m. in the same room with all Commissioners, the Assistant State Highway Engineer, the Attorney, and the Secretary present.

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The Commission considered but deferred action on numerous requests for improvement of certain county roads as federal aid secondary highways, there being insufficient time remaining to give this subject proper consideration. The Engineer was instructed to bring these projects to the attention of the Commission at its next meeting, together with estimates of cost to construct them. The Secretary was instructed to advise the sponsors of the various projects the reason for the Commission's delayed action.

The Commission discussed a resolution from the Union County Court relative to the improvement of the North Powder River County Road. The County Court gave as its understanding that the Commission has allocated \$15,000 for grading, graveling, and oiling a 1½-mile section of this road as a federal aid secondary highway, and asked the Commission to change its plans in regard thereto so as to provide for the grading and graveling only of a 5-mile section of this road, at an estimated cost of \$20,000, which improvement, they allege, would be more beneficial to the traveling public and the residents of the North Powder community. A letter from Charles H. Reynolds, Chairman of the Roads and Highways Committee of the La Grande Commercial Club, approving the County Court's request, was also presented. After considerable discussion the Commission tentatively decided to spend the \$15,000 for grading and surfacing work only, as far as such sum will allow, and to let the oiling work go until some future time. This matter, however, is to be reconsidered by the Commission at its meeting on January 26.

The Commission had under consideration the selection of projects for contracting at the next few meetings of the Commission. The Engineer presented a list of projects which have heretofore been approved by the Commission for construction, from which the Commission, by unanimous vote, selected the following:

PROJECTS FOR CONTRACTING ON JANUARY 26, 1939

Polallie Creek-Hood River, Rock Production	PWA	\$ 10,000
Necanicum-Nehalem River, Surf. & Bit. Mac.	38 FA	164,000
Oregon City, North Unit, Grad. & Pav.	38 FA	77,000
Abernethy Creek Bridge, Structure	38 FA	22,000
Albany Grade Separation, Grading	38 GS	140,000
Albany Grade Separation, Structure	39 GS	181,000
Nehalem River Bridge, Structure	39 FA	124,000
Tudor Ranch-Blue Mt. Pass, Grading	39 FLH	<u>\$100,000</u>
		\$818,000

PROJECTS FOR CONTRACTING IN MARCH, 1939

Bunker Hill Section, Grad & Pav.	38 FA	\$124,000
Interstate Avenue (Portland), Lighting	38 FA	45,000
Malin-Bonanza, Grad. & Surf.	38 FAS	24,000
Vale-Adrian, Grad., Surf., & Oil.	38 FAS	15,000
North Powder-N. Powder River, Surf. & Oil.	38 FAS	15,000
Lobert Grade Separation, Grading	39 GS	50,000
Mist-Clatskanie, Surf. & Oil	39 FAS	30,000
Hood River Secondary, Widen., Surf., & Oil.	39 FAS	38,000
Cove Road, Grade, Surf., & Oil	39 FAS	<u>35,000</u>
		\$376,000

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The Engineer was authorized to advertise these projects in accordance with the usual practice.

The Engineer discussed with the Commission the matter of planting suitable grasses along the Silver Lake Section of the Fremont Highway, in Lake County, so as to prevent soil erosion and the depositing of sand on the highway right of way. He explained that the blowing sand from the dry lake bed is causing extremely high maintenance costs, and unless something is done to prevent this condition, it will eventually be necessary to reconstruct the highway roadbed. He advised that a C.C.C. camp is now being maintained near Silver Lake and gave as his thought that perhaps the services of the men employed at this camp could be secured in the planting of grasses for the elimination of the sand-blow. Early action on the matter, he said, is necessary, because, as he understands it, this camp has about completed its present assignment and will be discontinued soon. He recommended filing an application with the proper authorities to secure the services of this C.C.C. Camp in this work, and particularly to conduct an investigation into the feasibility of seeding the bed of Silver Lake, which would not only stop sand from blowing onto the highway but would also do much good in restoring the old lake bed to productivity. He further stated that he has conferred with Wm. A. Schoenfeld, Dean and Director of the School of Agriculture and the Agricultural Experiment Station at Corvallis, Oregon, relative to the matter, and it is Dean Schoenfeld's thought that a project of this kind is feasible. After considerable discussion, the Commission approved the Engineer's recommendation and instructed the Secretary to file such application in accordance with the ideas expressed by the Engineer.

The Commission considered the request of the John Day Highway Improvement Association for the reconstruction of the bridge over Mule Shoe Creek on the John Day Highway, and particularly the letter of Mr. E. R. Fatland, President of the Association, who advises that the existing bridge presents a hazard to the traveling public in view of the fact that it is an unsafe structure and crosses the creek at an angle with the highway alignment. The Engineer advised that the present bridge is in poor condition and is not on permanent alignment, but there is a question whether or not it should be repaired or an entirely new structure erected on permanent location. He presented four alternates for the solution of this problem, the first being the construction of a temporary timber trestle on the present alignment, which would cost about \$2,500; second, construct a temporary timber trestle on improved temporary alignment and the shortest possible approaches thereto from the existing highway. Such project, he estimated, would cost about \$5,500. Third, construct a new, permanent bridge on permanent alignment and grade, surface and oil temporary connections with the existing highway. He estimated that such project would cost about \$18,000. The fourth alternate is to construct a new, permanent bridge on permanent alignment, and grade, surface, and oil permanent connections with the existing road. Such project he estimated would cost about \$23,000.

The Commission discussed this matter at some length but deferred final action thereon until its March meeting.

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The Commission considered briefly numerous requests for the installation of flashing beacons, traffic signals, and flood lights at the following locations on the state highway system: west end of the St. Johns Bridge, Portland; Interstate Avenue, Portland; Sandy Boulevard, Portland; East Burnside Street, Portland; intersection of Main and Bridge Streets, in Sheridan; intersection of North Front and Broadway, in Marshfield; intersection of Salem-Dallas Highway and Dallas-Coast Secondary Highway, in Dallas; intersections of Fifth Street at Trade Street and Nursery Street, in Amity; intersection of the Oregon Coast Highway and the east approach of the Avenue "U" Bridge, in Seaside; main line crossing of the Southern Pacific Railroad, in Grants Pass; crossing of the Klamath Falls-Lakeview Highway with the railroad at the west city limits of Lakeview; Pacific Highway between Sellwood Bridge and Oswego; intersection of McLoughlin Boulevard and Ochoco Avenue, just south of the city limits of Portland.

The Commission denied the requests for the installations in Amity and Seaside, it appearing to the Commission that they are unwarranted at the present time, and indicated that it would not approve any installation that is not recommended by the Engineer. Action on the remaining requests was deferred by the Commission for consideration at the next meeting, there being insufficient time to give this important matter proper consideration at this meeting. The matter of the adoption of a policy with respect to installations of this kind was deferred pending further discussion of the subject. The Engineer was instructed to bring to the Commission's attention at its next meeting a complete list of the requests for highway lighting projects.

The Engineer brought up for discussion matters pertaining to the P.W.A. project being sponsored by the Malheur County Court for the improvement of county roads in Malheur County and for the construction of a county shop building at Vale. It appeared from the Engineer's report that the time limit within which work on these projects must commence expired on the 31st day of December, but that the project had been kept alive thus far by the continuance of certain force account work. It also appears that there is a question as to the validity of the county's bond issue by means of which the county contemplates raising the necessary funds to match the P.W.A. grant, this matter now being in the hands of the Supreme Court for decision. The Engineer requested instructions in view of the circumstances as above outlined. He suggested approval of a 5-mile road project in order to show good faith with the county, and that the force account work on such project be continued so as to meet the P.W.A. requirements. After discussion, the Commission approved the Engineer's suggestion and authorized him to approve the county's plans for such project and to prepare specifications for the same so that it will be ready for contracting if and when the Supreme Court sustains the validity of the county's bonds.

The Commission discussed the Attorney's written opinion on the authority of the State Highway Commission to construct and maintain roads that are not on the state highway system. According to such opinion "this question has never been adjudicated by the Oregon Supreme Court and there are no express statutory provisions to which we may point for direct authority. However, the legislative command to the Highway Commission, which is expressed

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in two or three different statutes, and by which the Commission is told 'to enter into all contracts and agreements with the United States Government relating to the maintenance of roads to carry out the cooperation contemplated and provided for' by the Federal Aid Road Act, may be broad enough to authorize the Highway Commission to assume responsibility for the maintenance of such projects.

"In my opinion, however, should the Highway Commission assume such responsibility it should protect itself by taking from the City and/or the County a definite agreement to reimburse the State for any funds which the State may be called upon to disburse in making good its agreement with the Federal Government."

After discussion, the Commission approved the opinion and ordered the continuance of the present practice with respect to the construction of county road projects, which now provides for the taking of agreements from the counties covering the matter of reimbursing the state for funds advanced by the state in connection with such projects.

The Engineer reported that, in conformance with authority previously granted by the Commission, he awarded to the Colonial Construction Company, Spokane, on December 30, 1938, the contract for the construction of the Corbett Station-Rooster Rock project on the Columbia River Highway, in Multnomah County, bids for which were received by the Commission on November 18, 1938, the Colonial Construction Company being the low bidders for this project and the conditions of the award having been satisfied. The Commission by unanimous vote approved the award of this contract as reported.

A letter was presented from Mr. Herman Amos, Rickreall, Oregon, complaining of the condition of the Salem-Dallas Highway at the curve a short distance west of the Oak Knoll Golf Course. Mr. Amos alleges that a very dangerous condition exists at such curve and that numerous accidents have occurred at this location. He urged the elimination of this danger spot by the straightening of the highway. The Engineer advised that investigation has been made of the conditions existing at this point and everything possible has been done, including the erection of appropriate signs, to prevent the recurrence of accidents and to make the road as safe for travel as is possible without reconstructing the highway. The Commission thereupon approved the report and ordered the communication filed.

The Engineer requested authority to purchase 4 radio receiving sets at an estimated total cost of \$240. One of these sets, he said, is needed on the sanding truck that operates at night in the North Portland area. The others are for replacements during periods when other sets are being overhauled. The Commission approved the purchase by unanimous vote.

The Commission also unanimously approved the purchase of 50,000 gallons of traffic line lacquer at an estimated total cost of \$55,000 for the 1939 requirements.

The Engineer reported that 25 light-type trucks assigned to the

Wilson River Highway W.P.A. work have reached the stage where it is no longer economical to keep them in repair or operation. He recommended the purchase of 25 new trucks and that the old ones be traded in as part purchase price on 25 new trucks, which would reduce the net total cost of the new trucks to about \$22,500. The Commission approved the recommendation by unanimous vote and ordered that the purchase be made through the State Purchasing Agent in the usual manner.

The matter of selling an old "V"-type snow plow now being stored at the Klamath Falls Shops had the attention of the Commission. The Engineer advised that this is an obsolete type of plow and that it has not been used for 10 years. Further, that all usable parts of the same have been salvaged and used in other equipment so that at this time there remains only the steel "V". He further stated that Mr. F. G. Brown, of Crystal, Oregon, who has an agreement with the Commission for the removal of snow from the Klamath Lake Secondary Highway, in Klamath County, has made inquiry regarding the purchase of this plow and indications are that he will pay \$100.00 for the same, although, as junk, it probably is not worth more than half of that amount. He recommended sale of the snow plow to Mr. Brown, at private sale, for \$100.00. The Commission approved the recommendation.

The Commission had under consideration the revised offer of the United States of America to contribute P.W.A. funds to aid in financing the construction of the Klamath Falls Maintenance Building, P.W.A. Docket Number Oregon 1177-F.

After discussion of the offer of the United States of America to aid by way of grant in financing the construction of the Klamath Falls Maintenance Building, the following resolution, entitled "A Resolution Accepting the Offer of the United States to the State Highway Commission of the State of Oregon to Aid by Way of Grant in Financing the Construction of a Storage and Office Building and Storage Shed near Klamath Falls, Klamath County, Including Landscaping and the Acquisition of Necessary Land Therefor", was proposed by Commissioner Aldrich and read in full:

A RESOLUTION ACCEPTING THE OFFER OF THE UNITED STATES TO THE STATE HIGHWAY COMMISSION OF THE STATE OF OREGON TO AID BY WAY OF GRANT IN FINANCING THE CONSTRUCTION OF A STORAGE AND OFFICE BUILDING AND STORAGE SHED NEAR KLAMATH FALLS, KLAMATH COUNTY, INCLUDING LANDSCAPING AND THE ACQUISITION OF NECESSARY LAND THEREFOR.

Be it resolved by the Oregon State Highway Commission:

Section 1. That the offer of the United States of America to the State Highway Commission of the State of Oregon to aid by way of grant in financing the construction of a storage and office building and storage shed near Klamath Falls, Klamath County, including landscaping and the acquisition of necessary land therefor, a copy of which offer reads as follows:

(See next page)

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"P. W. 86635-1

"FEDERAL EMERGENCY ADMINISTRATION OF PUBLIC WORKS

Washington, D. C.,
Dated: Jan 7 1939
Docket No. Oreg. 1177-F

"State of Oregon, by and through the
State Highway Commission,

Salem, Oregon.

"1. Subject to the Terms and Conditions (PWA Form No. 230, as amended to the date of this Offer), which are made a part hereof, the United States of America hereby offers to aid in financing the construction of a storage and office building and storage shed near Klamath Falls, Klamath County, including landscaping and the acquisition of necessary land (all herein called the "Project"), by making a grant to the State of Oregon, by and through the State Highway Commission (herein called the "Applicant"), in the amount of 45 percent of the cost of the Project upon completion, as determined by the Federal Emergency Administrator of Public Works (herein called the "Administrator"), but not to exceed, in any event, the sum of \$10,797.

"2. By acceptance of this Offer the Applicant covenants to complete the Project with all practicable dispatch, and in any event by February 2, 1939.

"3. This Offer is made subject to the express condition that, if the Administrator shall determine at any time that the Applicant has paid or agreed to pay, whether directly or indirectly, a bonus, commission or fee to any person, firm or corporation for attempting to procure an approval of the Applicant's application, or for alleged services in procuring or in attempting to procure such approval, or for activities of the nature commonly known as lobbying performed or agreed to be performed in connection with the application, then the Administrator shall have the right, in his discretion, to rescind this Offer and any agreements resulting herefrom, and, in the event of such rescission, the United States of America shall be under no further obligation hereunder.

"4. The acceptance of this Offer by the Applicant shall effectuate a cancellation of the contract created by the acceptance of the Offer dated June 27, 1938, made by the United States of America to the Applicant: Provided, that the cancellation of such contract shall not impair or vitiate any acts performed or proceedings taken thereunder prior to such cancellation, but such acts or proceedings may be continued under the contract created by the acceptance of this Offer.

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"UNITED STATES OF AMERICA

"Federal Emergency Administrator
of Public Works"By (Sgd.) H. A. Gray
Assistant Administrator"

be and the same is hereby in all respects accepted.

Section 2. That the State Highway Commission of the State of Oregon and the State of Oregon agree to abide by all Terms and Conditions relating to such grant, a copy of which Terms and Conditions were annexed to the Government's offer and made a part thereof. It is hereby covenanted that the work on the project described in the offer will be commenced as early as possible; and to complete the work with all practicable dispatch, and in any event by February 2, 1939.

Section 3. That J. M. Devers, Assistant Attorney General for Oregon, and Attorney for the State Highway Commission of the State of Oregon, be and he is hereby authorized and directed forthwith to send to the Federal Emergency Administration of Public Works three certified copies of this Resolution and three certified copies of the proceedings of this Commission in connection with the adoption of this Resolution and such further documents or proofs in connection with the acceptance of said offer as may be requested by the Federal Emergency Administration of Public Works.

The resolution was duly seconded by Commissioner Tou Velle and was adopted with the following voting "Yes":

Chairman Henry F. Cabell
Commissioner E. B. Aldrich
Commissioner F. L. Tou Velle

The Chairman thereupon declared said resolution carried.

The Commission had under consideration the matter of approving a supplementary, cooperative W.P.A. project on the Wilson River Highway, in which Tillamook County is to contribute a part of the funds. It was explained by the Engineer that this project will supersede projects now in force on the Wilson River Highway and will also increase the work to be performed to the extent of approximately \$360,000; also, that the reason that a project is being presented at this time is that the funds for several of the projects now operating will become exhausted before the first of May and it is necessary to submit this project to Washington as early as possible in order that work may continue after the first of May. The Engineer recalled that the Commission has included in its 1939 budget the amount of \$150,000 for cooperative

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state expenditure on this highway and advised that this new project has been prepared accordingly and will not increase the amount included in said budget. This project, he said, is a consolidation of all of the projects heretofore undertaken on the Wilson River Highway and represents a total estimated cost of \$952,598.00, of which amount the state's share is approximately \$152,000.00 and the county's share \$32,300.00, the balance being W.P.A. funds; further, that it is expected that the project will operate throughout the calendar year 1939. After discussion, the Commission approved the project and authorized the Engineer to execute the project proposal on behalf of the Commission.

A letter was presented from the Consolidated Freight Lines, Inc., requesting permission to move three truck and trailer combinations, each having an overall length of 55 feet, over state highways from the state line, opposite Weiser, Idaho, to Portland and return. They explained that these outfits are now being operated through southern Idaho into San Francisco, but have to be rebuilt, and they prefer to have the work done in Portland, if they can obtain permission to move them over the Oregon highways. Otherwise, they allege, it will be necessary for them to have the work done in San Francisco. The Engineer recommended granting the request as a temporary proposition. After discussion, the Commission approved the recommendation by unanimous vote subject to the condition that the equipment shall not be moved over the Columbia River Highway between The Dalles and Portland, but shall be routed via the Wapinitia Highway and the Mt. Hood Highway into Portland. The Secretary was instructed to advise the company of the action taken and to suggest that the trailers be moved over the Central Oregon Highway rather than the Old Oregon Trail, inasmuch as there is less traffic and fewer sharp curves on the Central Oregon Highway.

A petition was presented, signed by 57 residents of Portland, urging the Commission to take action as may be necessary to safeguard pedestrians who are obliged to cross Interstate Avenue at its intersection with Wheeler Place, in Portland, in order to reach street cars and trolley busses that operate on Interstate Avenue. The Engineer advised that investigation has been made of the situation at this intersection and it has been found that a real hazard does exist for people who have to cross the street in order to board the southbound busses, the facts being that the sight distance for northbound traffic is quite short and that traffic passes this point in excess of 30 miles per hour. Most of the pedestrians concerned, he said, are grain handlers, longshoremen, et cetera, which indicates that the heavy movement of pedestrians is confined to certain hours of the day, which, unfortunately, coincides with the time of the greatest volume of vehicular traffic, making it difficult for the pedestrians to cross the street through the rapidly moving vehicles. He estimated the volume of vehicular traffic at approximately 19,000 cars per day. As to remedial measures, he said, it does not appear possible to relieve the condition by the use of signs or signals, but an arrangement might be worked out whereby pedestrians could board the busses at North Tillamook Street, which is only one block from the point where they now take the busses, where the sight distance is much longer. It was his thought that this is a city problem and accordingly suggested that the petitioners be requested to consult the city officials with regard thereto. The Commission approved the recommendation unanimously.

A letter was presented from the Oregon-American Lumber Corporation claiming damages in the amount of \$777.00 for timber taken from its lands by W.P.A. Forces working on the Wolf Creek Highway, and used as fuel in connection with camp operations. The Commission deferred action on this matter pending the return of the State Highway Engineer, Mr. R. H. Baldock, from South America. The Attorney was instructed to investigate the claim in the meantime, and report his findings.

A letter was presented from County Judge David F. Graham of Malheur County, on behalf of Mr. Robert Blayden, requesting permission to transport 6 buildings, 18' x 24' in dimension, over the John Day Highway from Ukity to Vale, a distance of about 65 miles. The Commission denied the request in view of its established policy not to permit movements that will take up the entire width of the roadway and will interfere with the free use of the highway by other traffic.

The Commission considered and signed agreements, et cetera, as follows:

Agreement with Marion County covering the matter of snow removal from the North Santiam Highway.

Agreement with Castle Films, Inc., covering the national distribution of a two-reel motion picture entitled "The New Oregon Trail".

Agreement with J. L. Worth, providing for the elimination of a cattle pass at Mile Post 18.2 on the John Day-Burns Highway, in Grant County.

Agreement with the State Game Commission relative to the declaring of lakes along the Junction City-Eugene Section of the Pacific Highway wild bird and game reserves.

Letter directed to the United States Bureau of Public Roads, Portland, requesting that the road extending from the Mt. Hood Highway, near Government Camp, to Timberline Lodge, be officially designated a forest highway.

Agreement with the Board of Water Commissioners of the City of Medford, providing for the lease of surplus water from the Medford water supply for use in the Highway Department's maintenance building, in Medford.

Bargain and Sale Deed, conveying unto H. D. Rohde a parcel of land containing 5,460 sq. ft., situate in Lots 7 and 8, Block 19, Hackleman's Second Addition to Albany, being Right of Way Transaction No. 4964. (This deed is to be substituted for a similar deed signed by the Commission on December 20, 1938, because Mrs. Rohde, who was one of the grantees in the previous deed, has died in the meantime.)

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Bargain and Sale Deed conveying unto H. D. Rohde 3 parcels of land, containing 3,780, 6,875, and 6,875 sq. ft., respectively, situate in Block 19, Hackleman's Second Addition to Albany, being Right of Way Transactions Nos. 4964 and 5151-A. (This deed is to be substituted for a similar deed signed by the Commission on December 20, 1938, because Mrs. Rohde, who was one of the grantees in the previous deed has died in the meantime.)

Bargain and Sale Deed, conveying unto Reedsport School District for the sum of \$15.00, 3,278 sq. ft. of land situate in Lots 6 and 7, and the vacated portion of the alley in Block 57, all in Railroad Addition to Reedsport, being Right of Way Transaction No. 2837.

The Commission discussed the matter of the date for its next regular meeting following the meeting scheduled for January 26, and decided to hold such meeting on Thursday, March 2, 1939, in Portland. The Secretary was instructed to make the usual arrangements to hold this meeting in the Auditorium of the Public Service Building.

The meeting was adjourned at 4:15 o'clock p. m.


Assistant State Highway Engineer


Secretary


Chairman


Commissioner


Commissioner

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Portland, Oregon, January 25, 1939.

The State Highway Commission met in regular session at 8:30 o'clock p. m. in Room 1205, Benson Hotel. Present were:

Henry F. Cabell, Chairman
E. B. Aldrich, Commissioner
F. L. Tou Velle, Commissioner
C. B. McCullough, Assistant State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

Mr. Alfred A. Hampson, attorney, Portland, conferred with the Commission relative to a bill that certain oil companies propose to introduce in the Oregon Legislature, now in session, providing recompense to dealers in motor vehicle fuel for losses that it is alleged they incur in complying with the provisions of the Oregon Gasoline Tax Law. Mr. Hampson alleged that these dealers incur losses in excess of 1 per cent of their sales on account of compliance with such law, being represented by overhead expense, uncollectable credit sales, evaporation, et cetera, and it was his thought that their claim for reimbursement for such losses is fully justified. He advised that there are 38 states that now recognize such losses, 11 of which make allowances of from 1 to 4 per cent. He presented a compilation in support of his contention and asked the Commission not to oppose the bill.

Chairman Cabell informed Mr. Hampson that the Highway Commission wishes to be fair in this matter and will give the compilation careful study, but the Commission is not in a position at the present time to state whether or not it will oppose the bill. Funds available to the Commission, he said, are limited and must be conserved as much as possible because every dollar that can be obtained is needed for highway purposes.

The State Parks Superintendent, Mr. S. H. Boardman, was present in regard to the following park matters:

Preservation of timber along the McKensie Highway, in Lane County:-
Mr. Boardman particularly referred to the letter received from the Eugene Chamber of Commerce, in which the Commission is asked to direct a communication to the members of the Oregon delegation in Congress urging them to support a bill that is to be presented by Congressman James W. Mott requesting a special appropriation of \$423,000.00 of federal funds with which to finance the purchase of some 18,899 acres of privately-owned timber land along this highway so as to preserve the natural scenery, this road being one of Oregon's most scenic highways, paralleling the McKensie River, a nationally known fishing stream. The Secretary presented the Chamber of Commerce letter referred to. It was the thought of the Commission that the preservation of timber along this highway is a worthwhile project and a fine thing to do, and that it would be proper to endorse the bill requesting a special appropriation of federal funds to finance the purchase of the same inasmuch as there are not sufficient state funds available to handle the matter. The Secretary was thereupon instructed to write the letters requested by the Eugene Chamber of Commerce.

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Preservation of timber along the Santiam Highway east of Cascadia:- The Parks Superintendent advised that the majority of the timber holdings fronting on this highway are owned by the Louis W. Hill interests and that the United States Forest Service is now working on a plan for an exchange of government-owned timber tracts for the same. He pointed out that there are two things that have a direct bearing on the matter of preserving the timber, one being the location and construction of the dam that is proposed in connection with the Willamette Valley Flood Control Project, and the other the permanent location of the highway. It was his thought that until these two projects are properly defined, the acquisition of the timber will have to be held in abeyance. After discussion, the Commission ordered that Mr. C. J. Buck, Regional Forester, United States Forest Service, be informed that the Commission is very anxious that the timber along this highway be preserved, and endorses any plan that the Forest Service may have in mind to that end, particularly within the national forest boundaries, but the Commission is not in a position at the present time to make any definite commitment as to the timber located outside of the national forest boundaries, because it does not know where the highway will be permanently located and because the Commission has only a very limited amount of money to spend for purchase of timber tracts.

Publication of booklets containing information relative to outstanding trees located at various points throughout the state:- The Parks Superintendent advised that Professor T. J. Starker of the School of Forestry, Oregon State College, has compiled a list of outstanding trees throughout the state and has made inquiry as to whether or not the Highway Commission is interested and would assume the cost of publishing a booklet describing such trees and informing the general public where they may be seen. It was the thought of the Commission that the dissemination of such information would be of considerable interest to the public if it were limited to trees that are located within a reasonable distance of state highway rights of way. Further, that if the information were so limited, it could be contained in a small pamphlet to be distributed at small expense, as are similar pamphlets, through the Travel and Information Department. The Parks Superintendent was thereupon instructed to consult with Professor Starker and the Director of the Travel and Information Department in regard thereto.

Preservation of timber strips along the Salmon River Highway:- The Parks Superintendent advised that the Miami Corporation, owner of timber in which the Commission has previously been interested, has offered to sell strips along this highway on the basis of payment of \$4.00 per MFBM, the purchase price to be paid within a 3-year period without interest being charged on the unpaid amounts. He said that this company owns timber both east and west of the tract that the state already owns in the vicinity of a place known as Boyer. In the discussion of this matter it was brought out that a considerable portion of the timber on the strips to the west of the property that the state now owns has been cut, but that is not true of the timber on the strips lying to the east of the state-owned property. Chairman Cabell gave as his thought that the Commission does not have sufficient funds to finance the acquisition of both tracts and suggested that negotiations be carried on with the company for the acquisition of the tract that lies east of the property that the state now owns. The suggestion was approved by Commissioners Aldrich

and Tou Velle, whereupon the Parks Superintendent was authorized to negotiate with the company for the same.

Concession in the Vista House, at Crown Point:- The Parks Superintendent advised that he has investigated the complaint of W. A. Johnson, Corbett, Oregon, who conducts a restaurant at Crown Point, that the concession in the Vista House is being operated in direct competition with him in the sale of tobacco, cigars, candy, etc., and that it is Mr. Johnson's thought that such competition is unfair because the concessionaire in the Vista House does not have to pay taxes, the property in which he is operating being state-owned. He further advised that he has not as yet been able to contact Mr. Dimmitt, who holds the concession in the Vista House, so cannot report his views of the matter. It was the Commission's thought that the sale of tobacco and candy in the Vista House is a convenience to the public and that Mr. Dimmitt should be allowed to continue the same. The Parks Superintendent was instructed to ascertain definitely just what commodities Mr. Dimmitt sells and whether or not it would be possible and advisable to continue the concession on the same basis as in the past.

Timber strips along the Wolf Creek Highway:- The Parks Superintendent stated that Mr. J. R. Hulbert, President of the Sunset Logging Company, with whom he has been carrying on negotiations for the past six months to acquire wayside strips along the Wolf Creek Highway, advises that the company will not accept less than \$5.10 per MFBM for its timber. The Commission considered this price too high and indicated that it is not interested in acquiring the strips on such basis.

The Commission had under consideration the matter of authorizing Mr. C. B. McCullough, Assistant State Highway Engineer, to sign applications and other papers required by the Federal Government in connection with P.W.A. projects, during the absence of State Highway Engineer R. H. Baldock. The following resolution in regard thereto was adopted by the Commission by unanimous vote upon motion of Commissioner Aldrich, which was duly seconded by Commissioner Tou Velle:

WHEREAS, the Highway Commission has heretofore by resolution designated and appointed R. H. Baldock, the appointed, qualified and acting State Highway Engineer, to sign applications and other papers required in connection with funds made available by the Federal Government through the Public Works Administration for highway construction and other projects in the State of Oregon; and

WHEREAS, the said R. H. Baldock is temporarily absent from the State of Oregon, and C. B. McCullough, Assistant State Highway Engineer, is, during the absence of said R. H. Baldock, acting in his stead;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the Oregon State Highway Commission, all members being present and affirmatively participating, as follows:

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1. That C. B. McCullough, Assistant State Highway Engineer, and now Acting State Highway Engineer, be and he hereby is authorized to sign applications and other papers required by the Federal Government in connection with funds made available through the Public Works Administration for highway construction and other public projects in Oregon.

2. That applications and other papers heretofore signed by said C. B. McCullough in connection with P.W.A. projects hereby are ratified and affirmed.

3. That this resolution be entered in the records and minutes of the Commission as of the twenty-fifth day of January, 1939.

The Commission discussed numerous requests as follows for federal aid secondary highway improvements:

Request of the Sherman County Court for the substitution of the Erskine Road for the Moro-Hay Canyon project to which the Commission has tentatively allocated the amount of \$10,000.00:- The Engineer reported receipt of a letter from the Sherman County Court to the effect that Sherman County cannot finance the acquisition of the right of way needed for the Erskine Road, so has decided to withdraw its request for the substitution of projects and will now be satisfied with the improvement of the Moro-Hay Canyon Section, in accordance with the original plan. He accordingly recommended the retention of the Moro-Hay Canyon project in the Commission's program. The Commission approved the recommendation unanimously.

Construction of the Oak Hill-Veneta County Road Project, in Lane County:- The Engineer advised that the Lane County Court has approved the elimination of this project from the federal aid secondary highway program and the substitution therefor of another section, as was tentatively proposed by the Commission at the previous meeting. The Commission thereupon authorized such substitution of projects if such substitution should become necessary, but agreed to transfer the 1938 PAS allotments on this road to the 1939 PAS program in order to afford more time in which to ascertain the plans of the Army Engineers for the construction of the Willamette Valley Flood Control Dam which is proposed at this location.

Request of Tillamook County Court for the oiling of the following county roads in Tillamook County:- Tillamook-Netarts Road, Wilson River Loop Road, and Fairview-Clemens Corner Road. The Commission by unanimous vote confirmed its previous decision to retain these projects in the federal aid secondary highway program, for construction during 1939.

Request of Douglas County Court for the improvement of an additional section of the North Umpqua County Road easterly from the section that was completed last season, rather than the improvement of a section westerly from such completed section, as was originally proposed. The Engineer advised that the Commission has tentatively budgeted \$20,000.00 of federal aid secondary highway funds to finance a project on this road toward Roseburg from the project that was completed last year. To construct the project requested by the County Court, he said, will cost about \$28,000.00. He recommended approval of the Court's request, notwithstanding the fact that that is a more expensive

project, because it will eliminate the worst section of the present road between Roseburg and Glide. The Commission approved the recommendation unanimously.

Petition requesting the oiling of the Albany-Lyons Secondary Highway in Linn County, between Reiley's Corner and Scio:- The Commission deferred its decision with respect to this project until the Fiscal Year 1940 Federal Aid Secondary Highway Program is arranged.

Request of Union County Court for change in plans for the improvement of the North Powder River Road, in Union County, to provide for the grading and surfacing of a 4- or 5-mile section of this road rather than the oiling of a 1½-mile section, for which the sum of \$15,000 has previously been budgeted:- The Commission by unanimous vote approved the change and also decided to increase the budgeted amount to \$20,000 if the entire section can be graded and surfaced for such sum, but not otherwise.

Request for the completion of the improvement of the Little Nestucca Secondary Highway, in Tillamook County:- The Engineer advised that to complete the reconstruction of this highway to modern standards, including bridges, will cost approximately \$300,000.00. In view of the expense involved, the Commission decided not to consider this project now. (This matter was discussed with the Tillamook County Court on the following day, at which time the Commission ordered an investigation of the project to ascertain whether or not the road could be put in passable condition for traffic at small cost.)

Request of Wasco County Court for substitution of the Lower Fifteen Mile Creek Road for the Chenoweth Road in the Commission's federal aid secondary highway program for Wasco County:- The Engineer recommended such substitution of projects because, he said, the most important section of the Chenoweth Road has already been constructed and, in his estimation, more benefits would be derived from the improvement of the northerly end of the Lower Fifteen Mile Creek Road than from the improvement of an additional section of the Chenoweth Road. In view of the report, the Commission approved such substitution of projects by unanimous vote.

Request of The Dalles Chamber of Commerce for improvement of the secondary state highway between Condon and Wasco, in Gilliam and Sherman Counties:- The Commission deferred action on this matter for the time being. (A delegation appeared before the Commission on the following day in regard to this project.)

Request of Deschutes County Court for the improvement of the Butler Market Road northeasterly from Bend:- The Commission decided to give this project priority over others in the formulation of its construction program for Fiscal Year 1940 Federal Aid Secondary Highway Funds.

Resolutions from several Clatsop and Columbia County granges urging additional improvements to Nehalem Secondary Highway between Jewell and Mist:- The Engineer pointed out that the Commission has already tentatively budgeted \$71,000.00 for oiling on this section, which should pay for oiling from Jewell

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to approximately Birkenfeld. He further stated that the oiling of the Birkenfeld-Mist Section involves considerable high-cost reconstruction, which the Commission previously decided to defer because of lack of funds to finance the work. The Commission decided unanimously to adhere to its previous decision with respect to this road for reasons stated by the Engineer, it being the Commission's thought that it could not allocate additional funds to this district now without being unfair to the other districts of the state.

Requests for the improvement of the Hillsboro-Silverton Secondary Highway from Scholls to a connection with the improved portion north of Newberg:- The Commission deferred a decision with respect to this project.

Request for the improvement of the Weston-Elgin Secondary Highway in Umatilla County:- The Commission decided that the \$45,000 of Forest Highway funds that have been allocated for the oiling of a 5-mile section of this road west from Langdon Lake is all that it can provide for this road at the present time; however, the oiling of an additional section is to be given consideration in the formulation of a construction program for fiscal year 1940 federal aid secondary highway funds.

Request of Union High School District, Estacada, for improvement of the Woodburn-Mt. Hood Loop Secondary Highway in front of the high school building in Estacada: The Engineer was instructed by the Commission to make further investigation of this project and report his findings at the next meeting.

Request of the Businessmen's Club of Mt. Angel for the construction of a new connection of the Hillsboro-Woodburn Secondary Highway with the Pacific Highway, in Woodburn:- The Commission deferred action on this matter until its 1940 budget for secondary highway projects is arranged.

Request of the Clackamas County Court for elimination of the oiling project on the Canby-Marquam Road from the federal aid secondary highway program and the reallocation of the funds set up therefor, amounting to \$25,000, to pay for additional oiling work on the Eagle Creek-Dover County Road, thereby providing for a project on this road costing \$40,000:- The Engineer advised that the Clackamas County Court has plans for the improvement of the Canby-Marquam Road with county forces and prefers that the state spend its money for the improvement of the Eagle Creek-Dover Road. He recommended such transfer of funds, in view of the fact that there is a possibility that the state secondary highway will be routed along such road at some future date. The Commission approved the recommendation unanimously.

The Commission discussed and by unanimous vote approved revisions as follows in the several federal aid programs in order to take up the balances remaining in each:

1936 WPGS PROGRAM

Add to this program the Lobert grade separation project, structure only, to take up the balance of \$35,000.00.

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1938 FAS PROGRAM (State Highways)

Add to this program the following projects to take up the balance of \$100,000:

Williams Secondary Highway, surfacing and oiling	\$30,000
Cape Arago Secondary Highway, grading, surfacing and oiling	40,000
Little Butte Creek Secondary Highway, grad., Surf., oil.	30,000

1938 FAS PROGRAM (County Roads)

Transfer from this program to the 1939 FAS program for county roads the Oak Hill-Veneta grading project, \$30,000, and substitute therefor from the 1939 FAS program for county roads the grading, surfacing, and oiling of the Falls City Road - \$27,000.00.

1939 FAS PROGRAM (State Highways)

Give final approval to the following projects to complete this program:

Hood River Secondary Highway, grading, surfacing, oiling	\$38,000
Kings Valley Secondary Highway, " " "	30,000

1939 FAS PROGRAM (County Roads)

Give final approval to the following projects to complete this program:

Millsboro-Cornelius Pass, grading, surfacing, and oiling	\$20,000
Section Line-Hosner, surfacing and oiling	46,000
Silverton Road, grading and paving	37,000
Walke-Holland, bridge	12,000
Butte Falls Road, surfacing and oiling	20,000
Moro-Hay Canyon Road, grading and surfacing	10,000
Oak Hill-Veneta Road, grading	25,000
Oak Hill-Veneta grading, transferred from 1938 FAS program	30,000

Transfer from this program to the 1938 FAS Program for county roads the grading, surfacing, and oiling of the Falls City County Road	27,000
--	--------

Eliminate from this program the following projects:

Canby-Marquam Road, oiling	25,000
Chenoweth Road, grading, surfacing, and oiling	16,000

Increase allocations for the following projects:

Eagle Creek-Dover, surf. and oil., increase from \$15,000 to	40,000
North Umpqua Highway, grad., surf., oil, " " \$20,000 "	28,000

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(1939 FAS Program, County Roads, continued)

Substitute for the Chenoweth Road Project, in Wasco County,
the surfacing and oiling of the Lower Fifteen Mile Creek
Road, \$16,000

1939 FEDERAL AID PROGRAM

Give final approval to the following roadside improvement
projects:

Astoria	\$ 4,000
Awbrey-Eugene	12,000
Roseburg	3,000
Medford	4,000
Summer Lake	5,300
Stanfield-Pendleton	3,000
North Powder-Muddy Creek	4,800

The Engineer was authorized and instructed to submit such revised
programs to the United States Bureau of Public Roads for final approval.

Consideration was given by the Commission to the selection of proj-
ects to be contracted at its next meeting, scheduled to be held on March 2,
1939. After discussion, the Commission, by unanimous vote, approved the
projects that were selected at the meeting held on January 13, 1939, with the
following changes:

The taking of bids for the Interstate Avenue lighting project in
Portland was deferred.

Plans for the North Powder-North Powder River Road, in Union
County, were changed to eliminate the oiling work and to extend
the surfacing work as far as possible with the \$15,000 heretofore
allocated for such work. The Commission also approved increasing
the allotment to this project to \$20,000 in the event that the in-
creased amount will finance the entire surfacing project.

The amount of \$35,000 previously set up for grading, surfacing and
oiling the Cove Road, in Union County, was increased to \$38,000 in
order to finance a short extension of this project through the
town of Cove.

The Engineer was authorized by the Commission to advertise such
projects for bids to be received on March 2, 1939, it being understood, how-
ever that other projects heretofore approved by the Commission for construc-
tion may be substituted for some in this list, if that is deemed advisable.

The Commission discussed briefly the selection of projects for the
fiscal year 1940 federal aid secondary highway funds, but deferred action

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thereon for a future meeting. The Secretary was instructed to keep a list of all of the projects that have been requested for this program, for consideration by the Commission at such time.

The Commission had under discussion requests for the following miscellaneous improvements:

Letter from Ed W. Miller, Manager, Oregon Coast Highway Association, urging the improvement of the Oregon Coast Highway between North Bend and Marshfield as a priority project when the Bunker Hill Section and the Coal-bank Slough Bridge, just south of Marshfield, have been completed:- The Secretary was instructed to list this project along with others for consideration by the Commission when the next program for federal aid projects is arranged.

Request of the John Day Highway Improvement Association for the reconstruction of the Mule Shoe Creek Bridge Section of the John Day Highway:- The Engineer estimated that it would cost about \$22,000 to reconstruct the highway on permanent alignment and to erect a new bridge structure thereon. The Commission indicated that it would place this project in the construction program for the fiscal year 1940 federal aid funds, and instructed the Secretary to list it along with others for consideration when such program is arranged. The Engineer was instructed to make immediate repairs to the existing bridge structure so as to make it safe for travel in the meantime.

Request of the city of The Dalles for state aid in filling in the right of way of the Columbia River Highway in front of the city's proposed civic building and natatorium near the west city limits:- The Commission instructed the Engineer to make a thorough investigation of this matter and report at the next meeting.

Request of the Marion County Court for the construction of a railroad grade elimination project on the county road known as the River Road, south of Salem:- Action on this matter was deferred by the Commission for the reason that its current program for projects of this kind has already been prepared and funds are not available to finance additional projects in such program. Furthermore, the first unallocated money which could be used for additional projects is the fiscal year 1940 funds, which are quite limited. In this connection, the Engineer pointed out that it would be possible to eliminate this crossing and another one on the Oregon Electric line at Orville by changing the alignment of the highway so as to keep the road entirely on the west side of the railroad between these crossings. He was instructed to convey such information to the Marion County Court and to advise the Court also the reason that the Commission is unable to consider its project at the present time.

Request for the paving of the unpaved portions of Lombard Street, Portland, between Vancouver Avenue and the west end of the Northeast Portland Secondary Highway:- Action on this matter was deferred pending personal inspection of the project by Chairman Cabell.

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Improvement of the Oregon-Washington Highway through the town of Milton, in Umatilla County, and the elimination of the curve at the south entrance of the highway into this town:- The Engineer estimated that it would cost about \$15,500 to widen the pavement on Main Street (state highway route) for the 5 or 6 blocks requested, and to widen the present 20-foot surfacing from the end of Main Street to Freewater Street, which work would include the construction of curbs. The project would cost about \$9,000, he said, if the curbs were eliminated. He further advised that it would cost about \$7,000 to improve the curve at the south entrance to Milton. The Commission deferred action on these projects for the time being and instructed the Secretary to include them in the list of projects for consideration when the next construction program is arranged.

Request of the Klamath County Chamber of Commerce for improvement of the road which extends south from the Willamette Highway, near Odell Lake, to Crescent Lake:- The Engineer advised that the Chamber of Commerce is asking that a portion of the \$50,000 of Forest Highway funds that have been budgeted for the construction of the north end of the Cascade Lakes Forest Highway be transferred to finance improvement of the road leading to Crescent Lake from the Willamette Highway. The Commission denied the request for the immediate improvement of this road because the Forest Highway Program has already been arranged and it is too late now to change it, and for the further reason that there are no funds available to finance the project.

Request of the town of Halsey for continuance of the reconstruction of the Pacific Highway into and through the town of Halsey:- The Engineer advised that when the reconstruction of the said Halsey section of this highway was commenced it was planned to make a continuous yearly appropriation until the improvement had reached Harrisburg, but the Commission has been unable to adhere to this plan because of lack of funds to finance the work. He estimated that the minimum project that could be economically constructed at this point would cost about \$60,000. The Commission deferred action on this project pending the formulation of its construction program for the fiscal year 1940 federal aid funds. The Secretary was instructed to list this project along with others for consideration by the Commission at that time.

The Engineer reported that the Mills Bridge over the Wilson River on the Wilson River Highway, 5.8 miles east of Tillamook, was severely damaged recently by an overhanging load on a logging truck, rendering it unsafe for traffic. This bridge, he said, is an old structure which was moved from the Nestucca River a number of years ago by Tillamook County, and inspection of the same reveals that it has been damaged by traffic several times in the past; in fact, that there is an old break in the structure which raises the question whether or not it could be repaired and restored to a condition for unrestricted loads. A temporary 3-ton load limit, he said, has been placed on the bridge and will be maintained until all temporary repairs are finished. He gave as his thought that the expense of reconditioning the bridge for legal limit loads is not justified, in view of the large volume of traffic that the road will eventually carry and the heavy log hauling that is now being carried on over this road. He recommended, therefore, that an entirely new structure be built at once, on permanent alignment. He estimated that such permanent

structure would cost about \$75,000, and that it would cost an additional \$10,000 to grade, surface, and oil the approaches to the existing road. After considerable discussion, the Commission approved the Engineer's recommendation by unanimous vote and authorized him to advertise this project for bids to be received as soon as plans can be prepared for the same. Funds to finance the project are to be temporarily transferred from the \$150,000 of 1939 federal aid funds which heretofore have been tentatively budgeted by the Commission to finance paving work on the Clackamas County Line-Hubbard Section of the West Portland-Hubbard Secondary Highway.

In this connection the Engineer also recommended the adoption by the Commission of a 15-mile per hour speed limit across the existing bridge, and, in addition thereto, that appropriate signs be posted on the structure requiring one-way traffic for all trucks. The Commission approved the recommendation and by unanimous vote adopted the following resolution in regard thereto:

**ORDER REDUCING MAXIMUM SPEED LIMIT ON THE WILSON RIVER BRIDGE
EAST OF TILLAMOOK AND PROVIDING ONE-WAY TRAFFIC FOR TRUCKS**

WHEREAS, the highway known and designated as the Wilson River Highway is a state highway and therefore a highway under the jurisdiction and control of the State Highway Commission; and

WHEREAS, said highway crosses Wilson River at a point 5.8 miles east of Tillamook, across which river there has been constructed and is being maintained and used a bridge; and

WHEREAS, the State Highway Commission, after due investigation, has determined and found that said structure cannot with safety to the traveling public sustain vehicles traveling at speeds permitted under Section 55-2201, Oregon Code 1935 Supplement; and

WHEREAS, it is the judgment of the Commission that because of the condition of said bridge the maximum speed permitted on said bridge should be fixed at fifteen miles per hour and it is further the opinion of the Commission that a one-way traffic regulation for trucks using said bridge should be established;

NOW, THEREFORE, IT IS HEREBY ORDERED that the maximum speed permitted for motor vehicles crossing the bridge over Wilson River at a point approximately 5.8 miles east of Tillamook shall be and is fifteen miles per hour.

IT IS FURTHER ORDERED that trucks using said bridge shall be confined to one-way traffic during the period for which this order is in effect.

IT IS FURTHER ORDERED that the restrictions and regulations fixed in this order shall be in full force and effect from the 25th day of January, 1939, until rescinded, modified, or revoked by order of the State Highway Commission.

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IT IS FURTHER ORDERED, that a notice be posted in a conspicuous manner and place at each end of the above-named bridge structure so that said notice can be readily seen and read, which notice shall state plainly the limitations and prohibitions of the traffic hereby in this order determined and fixed.

AND BE IT FURTHER ORDERED that a certified copy of this order be furnished to the County Clerk of the county in which the said bridge is located and that a certified copy of this order be furnished to the Superintendent of the Department of State Police for his information.

The Engineer brought up for discussion the complaint of the Kirkpatrick Advertising Agency relative to the handling of publicity matters in connection with the Highway Commission's Travel and Information Department. It appears that this agency feels that it has been discriminated against in the matter of handling the Highway Department's publicity affairs and alleges that it has not been given an opportunity to submit an offer to handle this work, and that Botsford, Constantine & Gardner were employed to handle this feature without any consideration being given to other agencies. The Engineer advised that the allegations of the Kirkpatrick Advertising Agency are not based on fact because the matter of selecting an advertising agency to handle the Commission's advertising work was given careful consideration by the Advisory Committee at the time of its annual meeting, several agencies being discussed, and it was decided at that time to let Botsford, Constantine & Gardner handle it for another year, when the matter is to be reconsidered. He stated further that the Kirkpatrick Agency wants to discuss this matter with the Highway Commission. After discussion, the Engineer was instructed to take this matter up with the individual members of the Advisory Committee, inasmuch as the committee as a whole will not meet for some time and because the Commission relies entirely on this Committee for advice concerning publicity matters. The Commission indicated that it would approve any action that the Advisory Committee may take on the matter.

In this connection suggestion was made by Commissioner Aldrich that the membership of the Advisory Board be enlarged to include, possibly, a representative of the Oregonian, Portland, and of the Corvallis Gazette-Times. Chairman Cabell and Commissioner Tou Velle concurred, whereupon the matter was referred to the Engineer for handling.

The Commission discussed with the Attorney the provisions of a proposed bill that is to be presented to the Oregon Legislature, now in session, which has for its purpose the codifying of the Oregon highway laws. The proposed bill was approved by the Commission by unanimous vote, subject to minor revisions.

The Commission adjourned at 12:00 o'clock midnight, to reconvene on the following morning in the auditorium of the Public Service Building.

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Portland, Oregon, January 26, 1939

The State Highway Commission reconvened at 9:00 o'clock a. m. in the auditorium of the Public Service Building. Present were:

Henry F. Cabell, Chairman
 E. B. Aldrich, Commissioner
 F. L. Tou Velle, Commissioner
 C. B. McCullough, Assistant State Highway Engineer
 J. M. Devers, Attorney
 H. B. Glaisyer, Secretary

Bids as follows for highway construction projects and for the sale of buildings were opened and read in conformance with previously published notices:

PACIFIC HIGHWAY EAST
 NORTH UNIT, OREGON CITY SECTION - GRADING AND PAVING

	<u>Using Road Oil</u>	<u>Using Tar</u>
Leonard & Slate	\$ 53,974.50	\$ 53,974.50
Mountain States Construction Company	- - - -	54,194.00
Jacobsen-Jensen Company	54,605.00	- - - -
Edlefsen-Weygandt Company	- - - -	59,478.50
Parker-Schram Company	59,591.50	- - - -
Harold Blake	- - - -	64,146.50
Oregon Contracting Company	65,065.50	65,065.50

PACIFIC HIGHWAY EAST
 ABERNETHY CREEK BRIDGE, IN OREGON CITY

Odom Construction Company	\$ 18,801.00
Contracting & Sales Company, Inc.	19,205.00
Averill & Corbin	19,595.00
Dolan Construction Company	20,508.00
Edlefsen-Weygandt Company	22,137.00
McNutt Bros.	22,860.00
Birkemeier & Saremal	24,078.00
Leonard & Slate	24,684.00
Oregon Contracting Company	25,228.00

WOLF CREEK HIGHWAY
 BRIDGE OVER NEHALEM RIVER

Mountain States Construction Company	\$111,420.00
Kuckenberg Construction Company	121,480.00
C. J. Montag & Sons	127,450.00
Oregon Contracting Company	129,260.00
McNutt Bros.	130,650.00
Birkemeier & Saremal	146,810.00
Gilpin Construction Company	162,385.00

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WOLF CREEK HIGHWAY
MEGANICUM-NEHALEM RIVER SECTION - SURFACING AND BITUMINOUS MACADAM,
CRUSHED ROCK

	<u>Using Road Oil</u>	<u>Using Tar</u>
Edwin C. Gerber	\$123,187.50	\$ - - - -
McNutt Bros.	125,573.80	125,908.40
Mountain States Construction Company	126,157.50	- - - -
Babler Bros.	- - - -	133,351.00
R. O. Dail & Warren Bros., Inc.	136,245.00	136,519.00
Homer G. Johnson	136,291.80	136,594.40
Roy L. Houck	137,186.00	- - - -
J. C. Compton and Saxton, Looney & Risley	139,637.55	- - - -
Newport Construction Company & Kern & Kibbe	140,971.70	- - - -
A. Milne	148,854.00	149,084.00
Warren Northwest, Inc.	149,983.50	149,983.50
Joplin & Eldon	150,330.00	151,038.00
E. C. Hall	160,336.50	160,630.50
A. C. Greenwood Company, Inc.	167,758.00	- - - -

MT. HOOD HIGHWAY
POLALLIE CREEK-HOOD RIVER SECTION - CRUSHED ROCK

Van Cleave & Van Cleave	\$ 8,340.00*
A. S. Wallace	11,090.00
R. O. Dail & Warren Bros., Inc.	11,950.00
Dolan Construction Company	12,500.00
Homer G. Johnson	14,700.00

* Bid irregular, as the bond was not signed by the contractor

PACIFIC HIGHWAY EAST
ALBANY OVERCROSSING, AT ALBANY

Mountain States Construction Company	\$135,970.00
K. L. Goulter	137,250.80
C. J. Montag & Sons	142,112.50
Roy L. Houck	142,152.00
McNutt Bros.	144,061.50
Harold Blake	146,216.75
Birkemeier & Sarsenil	153,635.00
George H. Buckler	156,046.00
Portland Bridge Company	156,981.00
Oregon Contracting Company	158,380.00
Leonard & Slate	158,942.50
Gilpin Construction Company	159,752.50
Kern & Kibbe	199,231.00

PACIFIC HIGHWAY EAST
ALBANY OVERCROSSING SECTION - GRADING AND PAVING

Roy L. Houck	\$113,461.50
Slate Construction Company	121,261.00
Mountain States Construction Company	127,463.50
Leonard & Slate	128,298.00
K. L. Goulter	128,505.00
J. A. Lyons	129,574.50
White Trucking Company	131,434.00
Jacobsen-Jensen Company	139,658.20
McNutt Bros.	145,302.20
Berke Bros., Inc.	145,906.00
Edlefsen-Weygandt Company	146,869.00
Harold Blake	149,561.10
E. C. Hall	152,802.78
Oregon Contracting Company	166,192.20
Hauser Construction Company	170,283.60
Joplin & Eldon	183,335.80
Birkemeier & Sarnel	199,224.95
Kern & Kibbe	209,198.20

I.O.N. SECONDARY HIGHWAY
TUDOR RANCH-BLUE MOUNTAIN PASS SECTION - GRADING

M. L. O'Neil & Son	\$ 86,628.75
H. E. Cornell	88,645.00
E. C. Hall Company	90,319.00
Leonard & Slate	93,478.00
Don J. Cavanagh	93,577.00
J. C. Papin	94,034.30
Dodge Construction Company	95,590.50
E. L. Gates	109,022.50
Fredericksen & Westbrook	110,227.00
Parker-Schram Company	112,630.50
Triangle Construction Company	118,653.00
McNutt Bros.	125,252.50
Joplin & Eldon	136,846.00

SALE OF BUILDING IN OREGON CITY

Building No. 6468
(Known as Pope Property)

V. M. Howard	\$70.00
Sullivan Wrecking Company	58.89
Glenn E. Dale	40.00

SALE OF BUILDING AT GLENEDEN BEACH

Building No. 5739 (Former Owner I. F. Raymond)	
W. A. Alexander	\$42.00

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Chairman Cabell announced that the award of contracts and the sale of the buildings would be made at 3:00 o'clock p. m. in the same room.

The following members of the Clackamas County Planning Board were present in regard to the mooring of boats in the Willamette River at the foot of 8th Street and 10th Street, in Oregon City: Wallace R. Telford, Chairman of the Board, and W. F. Haberslach, Member, and J. E. Coleman, President, of the Clackamas County Sportsmen's Association. Mr. Telford was spokesman for the group. He advised that salmon fishing in the Willamette River opposite Oregon City is a very popular sport, engaged in by hundreds of fishermen during the salmon fishing season, and that these fishermen have for years moored their boats along the waterfront between 8th and 11th Streets, but recently were ordered by a representative of the State Highway Commission to discontinue this practice. He urged the Commission to reconsider its action and to allow the present moorage facilities to be continued because there is no other place along the waterfront within a reasonable distance where boats can be tied. He also asked the Commission to provide some means for the fishermen to cross underneath Water Street, which is the new state highway route, at 8th Street and between 10th Street and 11th Street, so that pedestrians may cross this highway in going to and from the docks without being subjected to the dangers of highway traffic. He explained that they propose to maintain, if possible, a floating dock with locker and boat moorage facilities for the benefit of the fishermen, and would like to have an underpass between 10th Street and 11th Street with convenient steps leading to the floating dock. The crossing at 8th Street, he said, would be a simple matter because the plans of the Commission call for a viaduct at such location and it would not be necessary to arrange for a special crossing at such place.

Chairman Cabell advised that the Commission has gone on record as being opposed to the granting of moorage rights to squatters and individuals. However, it might be justified in granting such rights for a public convenience. He explained that the Commission does not own the moorage rights at the foot of 8th Street, although it does own such rights between 10th and 11th Streets. Mr. Telford stated that they are particularly interested in securing the moorage right in order that fishermen may continue to enjoy the salmon fishing sport.

After considerable discussion, the Commission referred the matter to the Engineer with instructions to investigate the feasibility of constructing pedestrian ways under and across the highway right of way, and to report his findings at the earliest opportunity. The Engineer was also instructed to look into the matter of the feasibility of permitting the present floating dock to be used for one more fishing season, provided it does not interfere with the highway construction work that is contemplated under the contract that is to be let today. Mr. Telford presented a resolution adopted by the Clackamas County Planning Board and a petition signed by the Clackamas County Sportsmen's Association and numerous citizens of Oregon City in support of the oral request.

The matter of reconstructing the 82nd Street highway between Pope Hill and Oregon City was also brought up for discussion. Mr. Telford urged

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the Commission to place this project in the program for construction in 1939. He was informed by Chairman Cabell that it would not be possible to rebuild this section this year because there are no funds available to finance it, and that the earliest moneys that could be used for such purpose are 1940 federal aid funds, for which no program has been arranged because there are no state moneys to match them. The Commission will be pleased to consider this project, he added, along with others at the proper time. Mr. Telford advised that they are particularly anxious to secure this project because it will eliminate two dangerous railroad crossings where numerous fatal accidents have occurred. He also stated that they are not urging the construction along any particular route but will be satisfied with any route that the Highway Commission selects.

A delegation consisting of County Judge A. R. Bowman, of Crook County; County Judge W. R. Cook, of Jefferson County; County Judge Nelson B. Higgs, of Harney County; and County Commissioner William Baer, of Deschutes County, was present. Judge Cook asked for additional improvements on the Warm Springs Highway in the vicinity of He He Butte, and also for the construction of the Madras-Prineville Section of such highway. He was informed by Chairman Cabell that the Commission has it in mind to construct another section of this road north of Warm Springs Agency, particularly from the junction of the Shinnasha Road to the junction with the Bear Springs Road, but cannot state definitely at this time when the work will be placed under contract, as it is a matter of availability of funds to finance the work. He explained that this road is not on the federal aid highway system and so is not eligible for federal aid funds, and the only funds available to the Commission for this project, other than state funds, are those provided by the Federal Government for improvement of roads across public lands; and, due to the fact that such funds are very limited this year, it does not appear that the Commission can put on a very large project. The same condition obtains, he said, with respect to the road between Madras and Prineville. The Commission is now securing suggestions for the 1940 funds, he added, and will be glad to consider this project along with others in the formulation of the program for the same, but that is all the encouragement that can be given today.

Judge Bowman also urged an allocation of federal aid secondary highway funds for the improvement of the road between Madras and Prineville, particularly the section north from Prineville to the railroad overcrossing.

Judge Cook then asked the Commission to surface the 2-mile section of the Warm Springs Highway from the end of the present surfacing contract to the Deschutes River Bridge, which work was left out of the contract completed last season and is all that is needed to complete the surfacing on this road from Madras to the Deschutes River. Chairman Cabell advised that the Commission will be pleased to keep this project in mind but is not in a position today to make any definite commitment thereto because of the shortage of funds.

Judge Higgs inquired as to the plans of the Commission for the construction of an oasis in honor of the late William Hanley. He said that the people of Burns who are particularly interested in this project are not satisfied with the naming of the oasis at Brothers in honor of Mr. Hanley, and that

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they prefer one located along the highway between Burns and Lakeview. Chairman Cabell explained that the Lakeview-Burns Highway is not a federal aid highway, hence is not eligible for federal aid funds, with which the Commission planned to finance the "William Hanley Oasis". In view thereof, and for the further reason that the Central Oregon Highway location does not meet with approval, it was decided to defer for the time being the definite selection of a site for such oasis.

Judge Higgs then asked for the continued improvement of the Buchanan-Juntura Section of the Central Oregon Highway. He was informed by Chairman Cabell that the Commission has this project in mind and will be pleased to consider it in the formulation of its next program.

The question of proper drainage on the Central Oregon Highway where a spring emerges on the right of way near Buchanan, was brought up by Judge Higgs. The matter was referred to the Engineer for investigation.

County Commissioner Baer inquired as to the plans of the Commission for the improvement of the Butler Market Road. He was informed by Chairman Cabell that the Commission is considering this project for the 1940 fiscal year federal aid secondary highway funds, with the idea of placing it at the head of the list of such projects, in view of the fact that the county is co-operating in the cost of the improvement.

Mr. J. R. Hulbert, President of the Sunset Logging Company, was present in regard to the sale to the state of some timber strips along the Wolf Creek Highway. He advised that his company is positive that their timber on these strips can be liquidated for \$5.10 per MFBM, which is the price for which he previously offered to sell the tracts to the state, and accordingly cannot reduce the amount of its offer. Chairman Cabell advised that the moneys available to the Commission are public moneys and the Commission must be very careful in the expenditure of the same, in view of which the Commission is not interested in the acquisition of these timber strips at the present time unless they can be purchased at the rate of \$3.50 per MFBM for the timber standing thereon.

The Commission adjourned at 12:00 o'clock noon and reconvened at 2:00 o'clock p. m. in the same room, with all Commissioners, the Assistant State Highway Engineer, the Attorney, and the Secretary present.

During the noon hour the Commission conferred with A. B. Harr, Chairman, Labor and Wage Committee, Associated General Contractors, and E. A. Denmore, Executive Secretary, Allied Heavy Construction and Highway Crafts Union, in Chairman Cabell's office in the Failing Building, relative to the insertion of a clause in all highway contracts establishing a unit wage scale in conformance with the wage scale adopted by the Associated General Contractors in collaboration with the A. F. of L. The matter was discussed at considerable length but no decision was reached. Mr. Harr filed with the Commission a copy of the agreement between the Associated General Contractors and certain unions, together with Supplement No. 1 thereto. He was informed by Chairman Cabell

that the Commission would take the matter under advisement and would give him an answer as soon as possible.

At 2:00 o'clock p. m. a delegation from Hood River County appeared before the Commission relative to the completion of the oiling of the Hood River Secondary Highway between Dee and Hood River. Members of the delegation were County Judge C. D. Nickelsen and County Commissioners R. W. Perry and R. Waldo Arens, representing Hood River County Court; Rory Collins and Ray Hazeltine, representing the Hood River Progressive Club. They asked for the completion of the oiling of this section at the earliest possible time. They were informed by Chairman Cabell that the Commission has budgeted an amount of \$38,000 for this project and expects to award a contract for the work at the March meeting of the Commission unless something should develop in the meantime to require its postponement.

County Commissioner Perry inquired as to the Commission's plans for the construction of the proposed revision of the Mt. Hood Highway at Fike's Corner. Chairman Cabell explained the status of the Commission's finances and advised that it seems impossible to place this project in the program for early construction, but the Commission will be glad to consider it in the formulation of the 1940 program. Commissioner Perry then asked for the improvement of the county road which extends westerly from the Mt. Hood Highway through the town of Odell to a connection with the Hood River Secondary Highway, and advised that this project is the County Court's first choice for the next federal aid secondary highway funds that are allotted to Hood River County. He was informed that the Commission would keep this project in mind.

Mr. Dewey Gault, Portland, came before the Commission in regard to the construction of an approach road from his property located east of the Pacific Highway at the junction of Union and Denver Avenues, Portland. He asserted that he must have an outlet from his property and would be obliged to construct a direct approach to the highway unless some other solution can be found. He indicated that he would resort to legal process in order to secure the same, if necessary. Chairman Cabell advised that the Commission has plans for a traffic separation project at this location but the construction of the same involves more money than the Commission has to spare at the present time; so, of necessity, the Commission has to defer it. A direct approach to the highway, he said, will cause too great a hazard to traffic on the Columbia River Highway; but, if Mr. Gault intends to resort to legal proceedings in order to secure the same, that is his prerogative and the Commission cannot stop him, but will offer objections thereto when the case comes up for trial.

Mr. Gault gave as his thought that he is entitled to an outlet from his premises and suggested that the Commission approve a direct connection with the highway as a temporary proposition until such time as the Commission constructs its traffic separation project, when he will change his roadway to pass underneath the highway at the underpass that is included in the plan. The Attorney advised that from a legal standpoint and as a general rule the abutting property owner has right of access to the highway for his personal use, providing the roadway is constructed in a reasonable location. However, it is a different matter if the roadway is not to be used exclusively by the owner and if an undue hazard is created.

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After further discussion, and in view of the Attorney's opinion, the Commission decided to secure additional information before definitely passing on the matter. The Engineer was instructed to have Construction Engineer Smith and Traffic Engineer Beakey contact Mr. Gault and endeavor to work out a solution to this problem that would not require a direct connection of the approach road with the highway. However, the Commission indicated that it would approve a direct connection if that is absolutely necessary. Chairman Cabell was given full power to act in the matter by Commissioners Aldrich and Tou Velle.

A delegation from Portland, representing the Moreland Community Club and the McLoughlin Chamber of Commerce, came before the Commission and requested the construction of a ramp leading northerly from the east end of the Bybee Avenue viaduct to McLoughlin Boulevard, for the benefit and convenience of north-bound traffic from southeast Portland. Mr. L. M. Lepper, Director of the Eastside Commercial Club, Portland, was spokesman for the group, which included the following: L. G. Apperson, City Engineer of Portland; Fred Jarvis, Secretary of the McLoughlin Chamber of Commerce; and others. They pointed out that the city of Portland has already constructed an approach to McLoughlin Boulevard (East Portland-Oregon City Highway) from the west end of Bybee Avenue viaduct for the benefit of south-bound highway traffic; but it appears that the connection is being used also by north-bound traffic, which has to cross McLoughlin Boulevard in order to get into the proper lane, thus creating a hazard on this heavily traveled thoroughfare which will eventually result in serious traffic accidents. They urged the construction of a ramp on the east side of the viaduct in order to avoid a situation of this kind.

In the discussion of this matter it was pointed out that the Portland City Planning Commission and the Portland city officials have had under discussion for some time the matter of providing a connection to the highway from southeast Portland, and that Bybee Avenue has been considered along with Reedway and other points for such connection; further, that this matter was the subject of a conference between members of the City Planning Commission and representatives of the State Highway Department some time ago when it was agreed that a thorough study of all possible connections was to be made. It appears that such study has not been made because of a misunderstanding as to whether the city or the state should do the work. The Engineer suggested that a comprehensive plan of all connections should be made before anything definite is decided.

Objections to the construction of the proposed ramp at Bybee Avenue were offered by Messrs. H. G. Niemans and O. C. Shankle. Mr. Niemans stated that he represents 50 merchants of Westmoreland, who are dependent to a large degree upon the business that they secure from the Eastmoreland district. The construction of a ramp as proposed, he said, would be an inducement for people to trade in downtown Portland and would seriously affect the business of these merchants. He strenuously opposed the construction of the ramp from such standpoint. Mr. Shankle also opposed the construction of such ramp for similar reasons.

After further discussion Chairman Cabell advised that the Highway Commission is not in a position today to make any definite decision with reference thereto but will withhold same until a study has been made of the entire situation. The Engineer was thereupon instructed to make such investigation and comprehensive survey of all possible connections and to render a report thereon as soon as convenient.

Mr. Victor V. Tengwald, attorney, Medford, appeared before the Commission in regard to the claim of Frank Forth for damages arising out of the construction of the Pacific Highway (new route) across Mr. Forth's property in the Siskiyou Mountains, south of Ashland. A decision in this matter was deferred by the Commission pending full investigation and report by Mr. R. H. Baldock, State Highway Engineer, when he returns from South America.

The Commission had under consideration the bids received at the morning session for highway construction projects and sale of buildings and decided unanimously to award the contracts to the low bidder in each instance, with the following exceptions:

It was decided to defer the award of the contracts for the Albany Overcrossing projects, including both the grading and the overcrossing structure, for the time being, and to refer the bids received therefor to the Engineer with power to award the contract to the low bidder when certain conditions have been satisfied.

It was pointed out that contractor Leonard & Slate, who submitted the low bid for the grading and paving of the North Unit of the Oregon City Section of the Pacific Highway East, submitted identical bids on the use of road oil and tar. The Commission decided to defer the award of this contract until public announcement has been made of the other awards, and to decide then the kind of material by the flip of a coin in the presence of the contractor.

The contract for the Polallie Creek-Hood River Rock Production Project was awarded to A. S. Wallace, Roseburg, the second-low bidder, because of an irregularity in the low bid submitted by Van Cleave and Van Cleave, this contractor having failed to execute the bidder's bond. The following resolution in regard to the award of the Polallie Creek-Hood River Rock Production Project was adopted by the Commission by unanimous vote, upon motion of Commissioner Aldrich, which was duly seconded by Commissioner Tou Velle :

A RESOLUTION AWARDED THE CONTRACT FOR THE CONSTRUCTION OF THE POLALLIE CREEK-HOOD RIVER SECTION OF THE MT. HOOD LOOP HIGHWAY IN HOOD RIVER COUNTY, DOCKET NUMBER OREGON 1375-F, UNIT C

WHEREAS, bids received for the construction of the Polallie Creek-Hood River Section of the Mt. Hood Loop Highway in Hood River County have been duly opened and read, in accordance with published notice, and compared,

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AND WHEREAS, the bid submitted by A. S. Wallace, contractor, is the lowest responsible bid received and is within the funds available for the construction of the said project,

NOW THEREFORE, Be It Resolved by the State Highway Commission of the State of Oregon that the contract for the construction of the Polallie Creek-Hood River Section of the Mt. Hood Loop Highway in Hood River County be and the same is hereby awarded to A. S. Wallace, contractor, in the amount of Eleven Thousand Ninety Dollars (\$11,090.00), and

Be It Further Resolved that this award shall not be effective until the successful bidder has been notified in writing of such award by the Secretary of the Oregon State Highway Commission.

At 3:00 o'clock p. m. Chairman Cabell publicly announced the following awards of contracts and sale of buildings for which the Commission received bids at the morning session, such awards and sales having been previously approved by the Commission by unanimous vote:

"North Unit of Oregon City Section of the Pacific Highway East, in Clackamas County. 0.44 mile grading and paving. Leonard & Slate, Multnomah, submitted the low bid for this project at \$53,974.50, based on the use of road oil, and an identical amount based on the use of tar. Mountain States Construction Company, Eugene, submitted the second low bid at \$54,194.00, based on the use of tar. It did not submit a bid based on the use of road oil. Jacobsen-Jensen Company, Portland, with no bid on the use of tar and a bid of \$54,605.00 based on the use of road oil, was the third low bidder. There were 4 higher bidders. The low bid of Leonard & Slate is satisfactory to the Commission and the contract will be awarded to this contractor. However, a decision as to the type of material, either tar or road oil, will be made on the flip of a coin in the presence of the contractor immediately following the announcement of the awards of the other contracts. (Mr. Charles H. Leonard was called to the platform immediately following the announcement of the other awards and a coin was flipped in his presence by Chairman Cabell, which resulted in the alternate, based on the use of tar, being selected. Chairman Cabell thereupon announced the Commission's decision.)

"Abernethy Creek Bridge on the Pacific Highway East, in Oregon City, Clackamas County. Nine bids were received for this project, the low one being that of Odom Construction Company, Oregon City, at \$18,801.00. The second low bid was submitted by Contracting & Sales Company, Inc., Portland, at \$19,205.00. The Commission has awarded the contract to the low bidder, Odom Construction Company, at its low bid of \$18,801.00.

"Bridge over Nehalem River on the Wolf Creek Highway, in

Clatsop County. Mountain States Construction Company, Eugene, submitted the low bid for this project at \$111,420.00. Kuckenberg Construction Company, Portland, submitted the second low bid at \$121,480.00. There were 5 higher bidders. The Commission has awarded the contract to the Mountain States Construction Company at its low bid of \$111,420.00.

"Necanicum-Nehalem River Section of the Wolf Creek Highway, in Clatsop County. 12.3 miles surfacing and bituminous binder course and 11.1 miles bituminous macadam wearing surface; also furnish 5,100 cubic yards crushed rock in stock piles. The low bid for this project was submitted by Edwin C. Gerber, Oregon City, at \$123,187.50 based on the use of road oil. He did not submit a bid based on the use of tar. The second low bid was submitted by McNutt Bros., Eugene, at \$125,573.80 based on the use of road oil, and \$125,908.40 based on the use of tar. There were 12 higher bidders. The Commission has awarded the contract to Edwin C. Gerber at his low bid of \$123,187.50 based on the use of road oil.

"Polallie Creek-Hood River Section of the Mt. Hood Highway, in Hood River County. Furnish 6,000 cubic yards crushed rock in stock piles. Van Cleave & Van Cleave, Hoovet, submitted the low bid for this project at \$8,340.00. A. S. Wallace, Roseburg, submitted the second low bid at \$11,090.00, and the third low bid was submitted by R. O. Dail and Warren Bros., Inc., Portland, at \$11,950.00. There were 2 higher bidders. The bid of Van Cleave & Van Cleave was disqualified in that the bond was not signed by the contractor. The Commission, therefore, has awarded the contract to the second low bidder, A. S. Wallace, at his bid of \$11,090.00.

"Albany Overcrossing on the Pacific Highway East, at Albany, in Linn County. The low bid for this project was submitted by Mountain States Construction Company, Eugene, at \$135,970.00. The second low bid was submitted by K. L. Goulter, Seattle, at \$137,250.80. There were 11 higher bidders. The Commission has referred all bids received to the Engineer with authority to award the contract to the low bidder when certain conditions have been satisfied.

"Albany Overcrossing Section of the Pacific Highway East, in Linn County. Grading approaches to overcrossing structure and paving work on intersecting streets. Eighteen bids were received for this project, the low one being that of Roy L. Houck, Salem, at \$113,461.50, and the second low bid being that of Slate Construction Company, Albany, at \$121,261.00. The Commission has referred all bids received to the Engineer with authority to award the contract to the low bidder when certain conditions have been satisfied.

"Tudor Ranch-Blue Mountain Pass Section of the I.O.N. Secondary Highway, in Malheur County. 22.06 miles grading. M. L. O'Neil & Son, Eugene, submitted the low bid for this project at \$86,628.75.

H. E. Cornell, Boise, Idaho, submitted the second low bid at \$88,645.00. There were 11 higher bidders. The Commission has awarded the contract to the low bidder, M. L. O'Neil & Son, at their bid price of \$86,628.75."

Building in Oregon City

"Building No. 6468, known as Pope Property. The Commission received 3 bids for this building, the high one being that of V. M. Howard, Oregon City, at \$70.00, and the second high one being that of Sullivan Wrecking Company, Portland, at \$58.89. The Commission considers the offer of V. M. Howard satisfactory and accordingly has sold the building to him for \$70.00."

Building in Gleneden Beach

"Building No. 5739, formerly owned by I. F. Raymond. The only bid received for the purchase of this building was that of W. A. Alexander, Gleneden Beach, at \$42.00. The Commission considers this offer satisfactory and accordingly has sold the building to him for \$42.00."

A delegation representing the Chambers of Commerce of Newberg and Yamhill was present in the interests of the secondary state highway between Newberg and Yamhill. Members of the delegation were as follows: C. H. Baynard, Secretary of the Newberg Chamber of Commerce; Mayor George Layman of Newberg; S. L. Parrett and C. A. Morris, also of Newberg; J. H. Teegarten, Mayor of Yamhill; Chester P. Walker, C. W. Eustice, and George Zimmerman, also of Yamhill, and Mr. M. F. Corrigan, of McMinnville. The County Court of Yamhill County, represented by County Judge Wm. O. Powell and County Commissioners Thos. Bockes and Harry F. Williams, was also present and spoke in behalf of this road. Mr. Baynard headed the delegation and introduced the speakers.

Judge Powell said that the present highway is practically worn out, that the drainage is poor and that the road needs improvement immediately; otherwise it will be necessary to reconstruct it throughout. County Commissioner Bockes urged the improvement to eliminate the rough condition of the present road, which, he said, is the worst feature. However, he urged the oiling of the road to alleviate the dusty condition that obtains during the dry season. County Commissioner Williams concurred in the remarks of the other speakers and added that the improvement of the road would be of great benefit to that particular end of Yamhill County.

Messrs. Parrett, Zimmerman, Walker, Teegarten, and Morris each spoke briefly in behalf of this improvement. Mr. Walker pointed out that the distance from Yamhill to Newberg is only 11 miles by this road; but, in most cases, people prefer to travel a circuitous route via McMinnville, which is 7 miles longer, because of the rough condition of the Yamhill-Newberg road. Mr.

Corrigan stated that he resides in McMinnville but he is glad for the opportunity to endorse this project on behalf of the people directly concerned.

Chairman Cabell thanked the delegation for its presentation and advised that the project will be given due consideration in the formulation of future construction programs.

The County Court of Tillamook County, represented by County Judge Harland M. Woods and County Commissioners E. H. Lindsey and E. G. Anderson, was present and urged completion of the Little Nestucca Secondary Highway between Dolph and Meda. Also present in behalf of this road were Dr. H. L. Toney and M. F. Corrigan, of McMinnville; Mr. and Mrs. L. C. Muscott, of Dolph; and Mr. and Mrs. A. H. Fox, also of McMinnville. Judge Woods headed the delegation. Speaking on behalf of this project were Judge Woods, County Commissioner Anderson, Dr. Toney, Mr. Corrigan, and Mr. Muscott. Dr. Toney suggested the improvement as a P.W.A. or W.P.A. project in the event that the Commission is unable to finance it in any other way. He pointed out that there would be a considerable saving in mileage to Neskowin and Pacific City via this highway, when constructed, and urged the improvement from such standpoint. Mr. Anderson said that this is a much needed road and, in his estimation, an expenditure for the improvement of same is fully justified, particularly in view of the fact that the state already has an investment of \$100,000 in the present road and there is only a short distance remaining to be built.

Mr. Corrigan declared that the improvements made to date are of no value and will be of no value to the public until the road is made passable throughout its entire length. He alleged that the road is in worse condition now than it was 35 years ago and asserted that wagons could be driven over it then, whereas now traffic cannot get through except on foot or horseback. He advised that the road serves a large dairying community and in connection therewith it is necessary to truck hay in from Portland. He urged the construction of the road from such utility and commercial standpoint and that it be done as a W.P.A. project as suggested by Dr. Toney. He alleged that the road will provide a saving of 30 miles in a round trip from Neskowin to Portland and gave as his thought that it is unfair to leave the road in its present condition when it would only cost a comparatively small amount to fix it up for year-round travel.

Judge Woods spoke for the improvement from the tourist standpoint. Mr. Muscott stated that he resides in the district served by the road and the main thing at the present time as far as he is concerned is the building of a bridge and the rebuilding of a 1-mile section that is absolutely impassable. He also said that the children of the district are unable to attend school because of the condition of the road and that many people who own property in the district cannot reach their holdings because of the road condition. Mr. Corrigan presented a petition signed by numerous residents and tax payers of Tillamook, Yamhill, Marion, and Polk Counties urging the completion of the road at the earliest possible time.

Chairman Cabell explained the status of the Commission's finances and advised that, while the Commission is not able today to make a definite

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decision, it is glad to have the viewpoint of the delegation and will give the project due consideration in future programs.

Mr. F. C. Knapp, President of the Knapp Company, Portland, appeared before the Commission later in the session and presented additional petitions on behalf of this project.

County Judge George A. Potter, of Sherman County, headed the delegation which came before the Commission and urged the improvement of the secondary highway between Condon and Wasco. Others in the delegation were County Judge James D. Burns and County Commissioners Earl P. Hoag and Glen Richards, of Gilliam County; County Judge G. G. Shults, of Wasco County; County Commissioner David R. Reid, of Sherman County; Frank E. Whitcomb, Manager of the Port of The Dalles, and W. S. Nelson, Manager of The Dalles Chamber of Commerce; George Kaseberg, A. K. York, R. M. Regan, J. S. Burres, and C. P. Edwards, all of Condon; Bart Burrell, Walt May, and W. F. McLeod, all of Moro; and John T. Pope, of Portland. They urged the improvement of this road at the earliest opportunity, from the commercial standpoint. Judge Potter also asked the Commission to extend the secondary highway from its terminus at Fulton Canyon to a connection with the Sherman Highway at Wasco.

Speaking in behalf of this improvement were Judge Burns, who pointed out that a saving of from 40 to 60 miles could be made between Condon and Portland by this secondary highway; Judge Shults, who stated that improvement of the Condon-Wasco Road will be of great benefit to Wasco County because it will reduce the mileage considerably from the district served by the road to the Port of The Dalles; Mr. Nelson, who referred to the report of the State Highway Engineer written in 1934 on the subject of the alternate routes from the John Day Valley to Portland, from which he quoted statistics relative to savings in freight rates that will accrue by reason of the construction of the Bonneville Dam, and further statistics pertaining to the amount of produce that is being shipped out of this territory; Mr. Whitcomb, who gave additional statistics on the matter of reduced freight rates and particularly pointed out the great savings that the ranchers would realize by reason of being able to deliver their products to market by truck rather than by rail; Mr. Burres, who spoke for the project from the standpoint of reduced freight rates; Messrs. Kaseberg, Reid, and Richards, who endorsed the remarks of the other speakers; Mr. York, who alleged that the John Day Highway was originally laid out through Wasco and Condon, and who urged the securing of P.W.A. or W.P.A. funds to finance construction, and even the use of prison labor if the work could be expedited thereby; Mr. McLeod, hotel owner, Moro, who spoke for the improvement from a military standpoint as well as from the commercial standpoint; and Mr. Edwards, who spoke for the improvement from the standpoint of benefits to local people generally, and declared that the road would add to the net income of these people who are permanent residents and taxpayers.

Judge Potter urged the Commission to give this matter serious consideration and to do something about it at the earliest possible time. Chairman Cabell thanked the delegation for its appearance and presentation.

Mr. James. L. Conley, attorney, of Portland, appeared before the

Commission in behalf of the Gearhart Park Company, relative to the sale to the state of tidelands and right of way at Gearhart, which matter has had attention by the Commission on previous occasions. He advised that, since conferring with the Commission previously with respect to this matter, he has ascertained that the additional taxes that would have to be paid before the company could transfer these properties to the state are as follows: extra tax for the right of way, \$150.02; extra tax for the tidelands, \$134.35; making a total of \$284.37. He offered, on behalf of the Gearhart Park Company, to pay half of this additional tax if the state will assume payment of the balance. After discussion, the Commission accepted the offer and ordered that the matter be terminated on such basis.

The County Court of Clatsop County, represented by County Judge Guy Boyington and County Commissioners James Elliott and John Slotte, was present. Judge Boyington stated that the county owns about 150 feet of river frontage at the foot of 8th Street, Astoria, which location has been considered as a possible future site for the Columbia River ferry, and that the county has received an offer to purchase the lower 50 feet of this tract, all of which lies downstream from the foot of 8th Street; but does not want to close the deal until it knows definitely whether or not the state needs the property in connection with the ferry operation. Chairman Cabell advised that the Commission is not in a position at the present time to give him a definite answer but will ascertain the facts and will let the Court know as soon as possible.

Judge Boyington also inquired as to whether or not the state needs any of the county's property for revision of the Columbia River Highway at the east city limits of Astoria. He explained that the county has received offers to purchase some of this property but will not sell if the state needs it. The Engineer was instructed to investigate this matter and report.

Commissioner Elliott inquired as to whether or not the Commission has acquired all of the right of way that it needs across the county's property for the proposed Astor Street revision in Astoria. The Attorney advised that the right of way has not all been acquired for this project as yet. He was instructed by the Commission to let the County Court know just how much more of the county's property is needed for this proposed improvement.

County Judge J. J. Barrett, of Linn County, appeared before the Commission and particularly urged continued improvements on the South Santiam Highway so as to make this road available for traffic throughout, at the earliest possible time. He was informed that the Commission is doing the best that it possibly can for this road and anticipates that the grading work will all be completed this year except certain revisions west of Cascadia, to eliminate excessive curvature in the present road, for which surveys are now under way.

Chairman Cabell brought up for discussion a number of bills that have been introduced in the Legislature affecting the State Highway Department. He gave as his thought that he probably will be called upon to appear before the highway committees with respect to these bills, and, if so, should be in a position to express the Commission's viewpoint in regard to them.

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The bills were then considered and a decision with respect to each determined.

The Attorney brought up for discussion the claim presented by Mr. W. H. Kellogg for overtime work that he alleges he was required to perform in connection with his duties with the State Highway Department. It appears that Mr. Kellogg was employed in the Planning Survey Department and that his duties required him to contact people after 5:00 o'clock in the evening and that he believes he is entitled to double pay for such time, notwithstanding the fact that he was not required to work during regular office hours on the days that he worked during the evening and was given instructions to that effect. The Attorney advised that, in his estimation, there is no justification for Mr. Kellogg's claim but Mr. Kellogg wants a hearing before the Commission in regard thereto. The suggestion was made that the Commission designate someone to hear what Mr. Kellogg has to say and that his testimony be taken, in writing, and a transcript thereof delivered to the Commission, upon which to base its decision. The Commission approved the suggestion.

The Engineer brought up for discussion the application of Wauna Toll-bridge Company for a permit authorizing the construction of an overcrossing and highway connection from the Bridge of the Gods to the Columbia River Highway at Cascade Locks. He advised that the company proposes to build this connection at its own cost and expense. Further, that he has checked the plans and believes that they meet the state highway requirements, except that provision should be made for traffic islands to properly direct traffic entering and leaving the intersection, and provided, further, that provision is made for at least 30 feet of horizontal clearance over the highway at all times. He recommended approval of the company's request subject to the condition that the company will provide for the traffic islands and the necessary horizontal clearance and will arrange to carry on construction work so that highway traffic will not be interrupted or endangered; and provided, further, that all work is done to the entire satisfaction of the State Highway Commission. The Commission approved the recommendation unanimously.

The Commission had under discussion the matter of authorizing the Assistant State Highway Engineer, Mr. C. B. McCullough, to attend a meeting of the American Concrete Institute, which is to be held in New York City March 1 to 3, 1939. The Commission approved by unanimous vote Mr. McCullough's attendance at such meeting at state expense, subject to the condition that the expense is also approved by Governor Charles A. Sprague. The matter was referred to Chairman Cabell to discuss with Governor Sprague.

The Engineer presented a letter from County Judge J. J. Barrett, of Linn County, stating that Linn County will accept responsibility for the future maintenance of that portion of the Albany-Lyons Secondary Highway (old route) known as the Schindler Bridge Section, including the old bridge structure, which is to be abandoned as a state highway when the new bridge and approaches thereto are completed. In view of this letter the Commission decided not to dismantle the old bridge when the new one is completed, as was originally intended. The following resolution abandoning the section of the old highway was adopted by the Commission by unanimous vote:

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WHEREAS, in order to afford a better alignment and a more satisfactory, safe and convenient highway for the traveling public, the Commission found it necessary to relocate a portion of the Albany-Lyons Highway in Linn County; and

WHEREAS, by reason of said relocation and the reconstruction of said section of said highway there was eliminated and made unnecessary as a part of the permanent highway a certain section or part of the old location, which included the Schindler Bridge over Thomas Creek, and which section or part of the highway abandoned is more specifically defined and designated hereinafter in this resolution; and

WHEREAS, it is the judgment and opinion of the Commission that there should be recorded in the minutes and records of this Commission its purpose and plan to abandon as a part of the said state highway the fragment or portion of right of way hereinafter designated and heretofore included within the area of the right of way of the said state highway as formerly located, improved and used; and

WHEREAS, in connection with the abandonment of said section of said highway, including said bridge, affirmative action should be requested of the County Court of Linn County with respect to the further maintenance of and responsibility for said bridge by Linn County;

NOW, THEREFORE, the premises being in general as above stated, it hereby is resolved by this Commission, all members being present and affirmatively participating, as follows:

1. That the fragment of land confined within the area of land hereinafter designated, which fragment or parcel of land was formerly within the limits of the right of way of the Fleming Ranch-Schindler Bridge Section of the Albany-Lyons Highway in Linn County, but is now without the limits of the right of way of said highway as said highway has been relocated and constructed, be and said fragment or parcel of land or portion of the old right of way is abandoned as a part of the right of way of said highway, and said fragment or parcel of land or old right of way is, so far as control and supervision by this Commission is concerned, eliminated and left to revert to the adjoining and abutting property owners or to the control and supervision of the County Court of Linn County for highway or other public purposes as the Court may determine. The fragment or parcel of land affected by this resolution is defined and described as follows, to wit:

All that certain section of the old right of way of the Fleming Ranch-Schindler Bridge Section of the Albany-Lyons Highway and lying southerly of the right of way required for the reconstructed Albany-Lyons Highway, the beginning

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and ending points with reference to the engineer's stations of the new constructed highway being Station 217+90 on the westerly end and Station 287+30 on the easterly end, all in Sections 11 and 12, Township 10 South, Range 1 West, W. M., Linn County, Oregon.

The location of said abandoned right of way and bridge may be more definitely and particularly ascertained and determined by reference to the map or blueprint, marked "Exhibit A", attached hereto and by this reference made a part hereof, which said exhibit for identification purposes bears the signatures of F. D. Eason, Division Engineer, H. G. Smith, Construction Engineer, and C. B. McCullough, Acting State Highway Engineer, and is dated the 26th day of January, 1939, upon which map or exhibit there is reflected the above described parcel of land by showing the same shaded in red. *

2. That the County Court of Linn County be requested to take official action and record in its records such action with respect to the acceptance of said abandoned section of highway, including said bridge, and the assumption of responsibility therefor by the County.

3. In the event there remains any physical connection between any portion of said abandoned right of way or highway and the present highway, and by reason of such physical connection traffic from the existing highway may enter or use the said abandoned portion of the old road to the possible damage or injury of such traffic by reason of any unsafe condition existing with respect to said old abandoned road or bridge, then the State Highway Engineer is hereby authorized and directed to erect such barricade or other safeguards as may be necessary to protect and safeguard traffic using and employing said newly constructed and dedicated section of said highway, but it is further ordered and resolved that in the event Linn County accepts the said abandoned section of highway and the said bridge and agrees to become responsible for the safe maintenance of the same, then and in such event no barricade shall be maintained by the Engineer at said bridge or at the points of connection between said abandoned section of highway and the new highway.

4. That this resolution be entered in the minutes and records of the Commission and a certified copy thereof promptly delivered to the County Court of Linn County, together with a copy of said exhibit or map, for such action as said County Court may desire to take with respect to said fragment of land, and should said abandoned portion of the right of way of said highway be further employed for public or private highway purposes such use shall be entirely under the control and supervision of the County Court of Linn County and beyond any responsibility or supervision by the State Highway Commission.

* Map filed in Right of Way Abandonment and Retention File - No. 61

The Commission adjourned at 6:00 o'clock p. m., to reconvene at 9:00 o'clock a. m. on the following day in the Benson Hotel to dispose of routine matters. Commissioner Aldrich was excused from being present at such meeting.


Asst. State Highway Engineer


Secretary


Chairman


Commissioner


Commissioner

Portland, Oregon, January 27, 1939

The State Highway Commission reconvened at 9:00 o'clock a. m. in Room 203, Benson Hotel. Present were:

Henry F. Cabell, Chairman
F. L. Tou Velle, Commissioner
C. B. McCullough, Assistant State Highway Engineer
H. B. Glaisyer, Secretary
J. W. De Souza, Assistant Attorney

The Engineer requested authority to purchase certain parcels of real property that are needed for various highway improvements throughout the state. He submitted a list of such properties together with the prices that he recommended be paid for each. After careful study, the Commission approved the request and by unanimous vote adopted the following resolution with respect thereto:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth; and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon; and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby

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are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Mecanicum-Elsie Section - Wolf Creek Highway</u>				
6454-Smith, John, Estate	Stock Pile	0.6667	\$100 per a.	McChesney
6454-Waterhouse, David Thorp	"	0.3333	\$100 per a.	"
<u>Otis-Boyer Section - Salmon River Highway</u>				
6206-Yocom, O. C.	Stock Pile	0.993	\$250 per a.	McChesney
<u>Waldport-Yachats Section - Oregon Coast Highway</u>				
6572-Keady, Maud C.	R/W	0.14	Gratis	DeSouza
<u>South Entrance to Marshfield Section - Oregon Coast Highway</u>				
6561-Larson, Julius, Estate	R/W	5800 sq.ft.	4¢ sq.ft.	Benson
6563-Coos County - Slope Easement		1316 sq.ft.	Gratis	"
<u>West Portland-Tualatin Section - West Portland-Hubbard Highway</u>				
4584-Schemoni, C. J.	R/W	8 lots (40,800 sq.ft.)	Lump Sum \$1,000	Benson
<u>Silver Falls City Section - Silver Falls Highway</u>				
6249A-Knight Memorial Congregational Church of Salem, Oregon	Park	5000 sq.ft.	1¢ sq.ft.	McCallister
<u>Salem-12th Street Junction - Pacific Highway East</u>				
5575-Kay, William H.	R/W	159 sq.ft.	10¢ sq.ft. plus \$34	McCallister
<u>Albany Airport Road Section - Pacific Highway East</u>				
5881-Bowersox, A.W., Trustee	Hauling Road Easement (1 yr)	16500 sq.ft.	Lump Sum \$100	Gardiner
<u>Albany Overcrossing Section - Pacific Highway East</u>				
6514-Central Door and Plywood Corporation	R/W	Remodeling building by reason of change in alignment on Southern Pacific spur track south of 9th Street, in Albany,	\$1840	Gardiner
<u>Grants Pass-Green Creek Section - Pacific Highway</u>				
6603-Troll, Frank H.	R/W	36600 sq.ft.	1¢ sq.ft.	McCallister
<u>Drews Valley Section - Lakeview-Klamath Falls Highway</u>				
6014-Tracy, D.O. (Correction)	R/W	9.42	5.12 a. at \$5 per a. 1.89 a. at \$10 per a. 1.84 a. at \$25 per a. 0.57 a. at \$100 per a. plus \$461	Gardiner

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Dads Creek Section - John Day Highway</u>				
6405-Forrest, Orrin	R/W	0.07	Lump Sum \$10 plus moving fence	Wells
<u>Cove Section - Cove Highway</u>				
6611-Anderson, Geo. I.	R/W	18,347 sq.ft.	Gratis	Williams
<u>Lombard Street-Sandy Boulevard Section - Northeast Portland Highway</u>				
6056-Decker, Beatrice	R/W	54 sq.ft. at 5¢ sq.ft. plus moving bldg. (Est. at \$650)		Parker
<u>Oregon City Section - East Portland-Oregon City Highway</u>				
3051-Willamette Tribe #6 Improved Order of Redmen	R/W	5348 sq.ft. at \$0.2804 sq.ft.		Parker

A letter was presented from Ed W. Miller, Manager of the Oregon Coast Highway Association, inquiring whether or not the Commission would lease to Mr. Thomas Purdy one-quarter acre of land situate adjacent to the Oregon Coast Highway at Bob Creek, in Lincoln County, which property Mr. Purdy desires to use in connection with a service station business that he proposes to conduct at this location. The Secretary explained that at a previous meeting the Commission denied Mr. Purdy's request to purchase this property and that such information was transmitted to Mr. Miller, who made the request on behalf of Mr. Purdy, and that Mr. Miller's present request is simply a follow-up to ascertain whether or not the Commission would be willing to lease the property rather than sell it outright. It was the thought of the Commission that its object in refusing to sell the property to Mr. Purdy would be defeated if it were now leased to him, and accordingly the request was denied.

The Commission discussed the matter of acquiring additional right of way that is needed for the Skipanon-Seaside Section of the Oregon Coast Highway across the property of John Albertson, in Clatsop County. It was explained that this matter was previously considered by the Commission on January 18, 1935, at which time the Commission ordered that negotiations for the same be discontinued in view of the expense involved and the fact that the reconstruction of the highway at this point was not contemplated for the near future. It was further explained that the right of way in front of the Albertson property is only 40 feet wide, whereas along the adjoining sections it is 80 feet wide, and that it is contemplated to provide an 80-foot width right of way throughout, which will necessitate the taking of a 20-foot strip off the front of Mr. Albertson's land, which he is willing to sell for \$827. It was also explained that Mr. Albertson proposes to improve his property and to construct a fence along the present right of way line, which is only about 10 feet from the traveled roadway; so, if the Commission intends to widen the highway here to correspond with the adjoining sections, the extra right of way should be acquired now, because, undoubtedly, it will cost considerably

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more later on after Mr. Albertson completes his improvements. It appeared to the Commission that immediate action on this matter is necessary, hence the Attorney was authorized and instructed to negotiate for the acquisition of this right of way at once.

The Commission discussed briefly, but took no action on, the matter of insurance required by the Sunset Logging Company in accordance with the agreement between the company and the Commission, dated March 31, 1936, covering the matter of the construction of the company's logging railroad over the Wolf Creek Highway, in Clatsop County. In this connection the Engineer advised that all of the work in connection with such overcrossing structure has been completed in a satisfactory manner and that the Sunset Logging Company has asked for reimbursement for advancing the cost of its share of the work, amounting to in excess of \$10,000. He recommended the payment of \$9,000 at this time and retention of the balance by the Commission until the insurance matter has been brought to satisfactory conclusion. The Commission approved the recommendation unanimously.

The Engineer reported receipt of information to the effect that the U. S. Army Engineers have apparently changed their minds with respect to the proposed cooperative project for the use of dredged materials from the Columbia River in the construction of the new highway up the Columbia River Gorge, because they now feel that such cooperative contract would be complicated and unsatisfactory and that the calling for alternate bids would introduce too many complications into their work. The suggestion was made by Major Weaver, he said, that the state arrange with the Government's dredging contractor for the placement of the dredged materials in the highway fill. After discussion, and in view of the fact that the arrangement suggested by Major Weaver would not permit the state to take competitive bids for this work, the Commission decided that it would be advisable to confer further with Major Weaver in regard thereto. The matter was thereupon referred to Chairman Cabell, the Assistant Highway Engineer, and the Construction Engineer to take up with Major Weaver.

The question of completion of the Enterprise-Lewiston Highway in Wallawa County to the Washington State Line had the attention of the Commission. The Engineer advised that he discussed this matter with Lacey V. Murrow, Director of Highways in the State of Washington, and ascertained that the Washington Highway Department is programming its portion of the project in the State of Washington so that it will be entirely completed in about 3 years; whereas, the Oregon portion under the present plans will be finished, as far as the grading work is concerned, in 1940. In view of this report, the Commission decided to do everything possible to have the work in both states completed simultaneously, and to that end ordered that the matter be referred to Mr. R. H. Baldock, State Highway Engineer, to discuss with Mr. Murrow at the earliest opportunity, after his return from South America.

The Commission had under consideration the adoption of a policy with respect to traffic light installations of various types within the corporate limits of cities and towns. In the discussion of this matter it was pointed out that the Commission's present policy with respect to the

installation of flashing signals is to install them at state expense on state highway routes, and that for the installation of what is known as the "stop" and "go" signals is to install them at the joint expense of the city and the state, 50 per cent of the cost being paid by each. It was also brought out that the Commission has not as yet established a policy with respect to the installation of flood lights on highway routes within cities. It was the thought of the Commission that the present policy with respect to the flashing beacons and "stop" and "go" signals should be continued, and it was so ordered subject to confirmation by Commissioner Aldrich.

It was also the thought of the Commission that the state should assume the expense and cost of installing and maintaining the flood lights, but that the cities should pay the cost of the electricity needed to operate them. Such arrangement was approved by the Commission as its policy to be followed hereafter in connection with installations of this kind, subject, however, to confirmation by Commissioner Aldrich. It was also decided that a written agreement should be entered into with the cities before the installations are made.

In this connection the Engineer advised that numerous requests have been received from cities throughout the state for traffic light installations. He predicted that as time goes on the Commission will receive many more such requests, involving the expenditure of a considerable sum of money, and accordingly suggested that the Commission budget annually a certain amount for such purpose. The Commission approved the suggestion by unanimous vote and instructed the Engineer to submit a budget for 1939 for consideration by the Commission at either the April or the May meeting.

Consideration was then given by the Commission to the following requests for traffic light installations:

Request of the Board of Commissioners of Multnomah County for the installation of an overhead flashing beacon on the Lower Columbia River Highway at the west end of the St. Johns Bridge, in Portland:- The Commission approved this installation, which is estimated to cost \$200.

Request of the City of Sheridan for the installation of a traffic-actuated signal at the intersection of Main and Bridge Streets, in Sheridan:- The Engineer gave as his thought that an overhead flashing beacon would be more appropriate at this location and recommended installation of such type of signal, which he estimated would cost about \$100. The Commission approved the recommendation.

Request of the City of Marshfield for installation of a flashing beacon at the intersection of North Front Street and Broadway, in Marshfield:- The Engineer recommended approval of this installation, which he estimated would cost \$100. The Commission approved the recommendation unanimously.

Request of the City of Dallas for installation of a flashing beacon at the intersection of the Salem-Dallas Highway and the Dallas-Coast Secondary Highway, in Dallas:- The Engineer recommended approval of this request.

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He estimated that this installation would cost about \$250, the intersection being a wide one, requiring 3 beacons. The Commission approved the recommendation.

Request of the City of Grants Pass for the installation of a floodlight at the crossing of the Pacific Highway (6th Street) with the Southern Pacific main line tracks, in Grants Pass:- The Engineer recommended approval of this installation, which he estimated would cost about \$200. The Commission approved the recommendation unanimously, subject to the condition that the city will agree to pay for the electricity needed to operate it.

Request of the City of Lakeview for the installation of a floodlight at the crossing of the Klamath Falls-Lakeview Highway with the railroad at the west city limits:- The Commission approved this installation, which is estimated to cost \$200.

Request of Messrs. Price and Peters for the installation of a floodlight at the intersection of Southeast McLoughlin Boulevard and Ochoco Avenue, Portland:- The Commission approved this installation, which was recommended by the Engineer, and estimated by him to cost \$100.

Request of the City of Portland for the installation of "stop" and "go" traffic signals on a number of city streets that are state highway routes, particularly the following:

Sandy Boulevard
East Burnside Street from Union Avenue to 12th Street
Interstate Avenue
Southwest 4th Avenue between Jefferson and Burnside Streets
Intersection of Southwest 4th Avenue and Sheridan Street
Southwest 6th Avenue, Morrison Street to Pine
West Burnside Street, from Broadway to 9th
Southeast Powell Boulevard and Morrison Street
Union Avenue, from Columbia Boulevard to Clay Street

The Engineer estimated that the state's share of such installations would be \$53,870.41, based on the city paying one-half the cost. In view of the expense involved, the Commission decided that it could not finance all of these installations this year. After considerable discussion, the Commission authorized the installation of the signals on Sandy Boulevard, East Burnside Street, and Interstate Avenue, the state's share of which is estimated to cost \$21,000, provided the project is also approved by Commissioner Aldrich, it being considered that these are the most important signal installation projects in Portland.

In this connection the Engineer advised that the City of Portland wishes to use signal controllers of one manufacture but is not particular as to what company furnishes the signal heads and pedestals. He pointed out that in order to conform with the city's wishes it will be necessary for the state to either make an outright purchase of the controllers from the company designated by the city or permit the city to purchase the controllers and turn them over to the state for installation, the cost of the same to be credited

to the city's participation in the entire cost of the project. The cost of the controllers, he said, represents about 50 per cent of the cost of the project, and in view thereof he suggested that the city purchase the controllers and turn them over to the state, which would preserve the Commission's past policy in the matter of purchases and would avoid the necessity of turning over any cash to the city. He also gave as his thought that the state should have full charge of the installation. After considerable discussion the Commission decided to let the city do as it pleases with respect to the purchase of the controllers, the city to be given credit for its expenditure on its share of the installation costs; and to advertise for bids for the equipment and material that is to be furnished by the state. The Engineer was instructed to discuss the matter further with the city officials and explain the action taken and also that the Commission will insist that the installations be made under state supervision. A final decision with regard to the matter was deferred by the Commission pending concurrence by Commissioner Aldrich and the return of Mr. R. H. Baldock, State Highway Engineer, from South America.

The matter of payment for electrical energy used in operating the floodlight previously installed at the Kinney Spur railroad crossing with the Pacific Highway, in Roseburg, was discussed. It appears that the Public Utilities Commissioner's order with respect to this crossing provides that the floodlight shall be installed by the State Highway Commission and connected to the street-lighting circuits of the city of Roseburg, but that the current needed to operate the lights, and the maintenance of the lights, is to be the obligation of the city. It also appears that the city has refused to assume this expense and has billed the state for the same, which is neither in conformance with the P.U.C. order nor the newly adopted policy of the Commission with respect to flood lights. The Commission, after discussion, ordered that a communication be directed to the Roseburg City Council pointing out the facts in the case and inquiring what the city intends to do about it, the idea being that the Commission will govern its future action with respect to this light according to the reply received.

The Engineer requested authority to purchase the following equipment:

- 1 portable welding outfit for use in connection with reconstruction of bridge portals - estimated cost \$300
- 2 25-ton ratchet-type jacks for emergency use in connection with bridge repairs - estimated total cost \$75.60

The Commission approved the request by unanimous vote.

The Engineer reported that there are a number of highways throughout the state that are not sufficiently stable to carry heavy traffic during the spring breakup following the winter freeze and that it will be necessary to post them for reduced load limits upon short notice. He requested authority from the Commission to erect appropriate signs on such sections, as occasion demands, without first going through the formality of securing the Commission's approval. The Commission approved the request by unanimous vote and ordered

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that the postings shall be confirmed by the Commission by appropriate resolution at its first meeting following the posting of the roads.

The matter of furnishing a water supply for the new W.P.A. camp that is being established by the Works Progress Administration near Manning, on the Wolf Creek Highway, had the attention of the Commission. The Engineer advised that the W.P.A. authorities have investigated the possibility of securing a water supply and have found that wells that have been drilled at a number of places in this vicinity are not very satisfactory; furthermore, they have not been successful in making satisfactory arrangements to secure water from the town of Banks, but it appears that a satisfactory supply can be secured from the spring located on property owned by Rex E. Rose, who is demanding the payment of \$5.00 per month for the same. He further advised that the W.P.A. regulations will not permit an expenditure of W.P.A. funds to pay for a water supply under an agreement or easement, so the W.P.A. officials have asked the state to pay this expense. The Engineer recommended approval of the request during the lifetime of the camp, in view of the fact that the value of the materials, buildings, and other supplies that will be left at the camp when the W.P.A. work is concluded will be considerably more than enough to reimburse the state for the cost of the water. The Commission approved the recommendation unanimously.

The Commission considered and approved for payment the bill presented by the American Association of State Highway Officials, in the amount of \$350.00, covering the dues of the State of Oregon in such association for the year 1939.

The Commission discussed and referred to Mr. R. H. Baldock, State Highway Engineer, letters from H. E. Debolt, Albert Backman, Jr., and W. H. Bailey, all of Carlton, opposing any change in the state herd laws that would place the Panther Creek District of Yamhill County in open range territory.

The Commission referred to Mr. Lewis A. McArthur, President of the Oregon Historical Society, a letter from Mrs. Jennie Reeher, Forest Grove, requesting that the bridge to be constructed over the Wilson River on the Wilson River Highway, near the old Reeher homestead, be named "Reeher Bridge" in honor of the Reeher family who were pioneers of this district.

The Commission discussed but deferred action on a letter from Mr. F. N. Finch, General Manager, Union Pacific Railway Company, offering to furnish a "jump wire" to highway patrolmen operating in the Columbia River Gorge so they can report dangerous conditions existing along the railroad and the highway, in case of emergency. The Commission requested additional information from the Engineer and the Attorney regarding this matter before rendering a decision.

A letter was presented from Mr. W. L. Finley, Portland, urging the Highway Commission's support in the matter of preserving the fish and wild game life along the streams in the Willamette Valley that are included in the Willamette River Flood Control District. The Engineer was instructed to prepare a letter for the Chairman's signature outlining the Commission's attitude

with respect to this matter, as conveyed to Colonel T. M. Robins of the U. S. Engineers' Department, by letter dated March 19, 1937.

The Commission considered and ordered filed letters from the North Tillamook Chamber of Commerce and Coos River Grange No. 701 opposing the proposal of the League of Oregon Cities to secure \$800,000 of state highway funds to finance the construction and maintenance of city streets.

A resolution was presented from Rickreall Grange No. 671 alleging that a dangerous condition exists for traffic at the curve on the Salem-Dallas Highway just west of the Oak Knoll Golf Course, and demanding that the Highway Commission take steps as may be necessary to remedy this condition at once. The Secretary was instructed to inform the Grange that the Highway Commission is cognizant of the fact that there are numerous places on the state highway system where conditions are not the best for travel, and is doing the best that it possibly can with the funds available to improve these conditions, but all cannot be undertaken at the same time because of the cost involved. Further, that appropriate signs and warning signals have already been installed at the curve referred to, which should help considerably until the Commission is financially able to reconstruct the highway to eliminate this curve. He was also instructed to advise the Grange that the Commission will consider this project in the formulation of its next construction program, although it is not in a position at this time to make a definite promise in regard thereto.

A letter was presented from Smith-Wood Products, Inc., Coquille, requesting sidewalk construction along the Oregon Coast Highway from the city limits of Coquille to its plant located nearby. The Commission referred this matter to the Engineer for investigation and report.

The Commission discussed an inquiry from Mrs. Mary H. Clark, Portland, as to when the Commission expects to make a definite decision with respect to the adoption of a permanent route for the Pacific Highway West, through Tigard. The Secretary was instructed to inform Mrs. Clark that the Commission regrets the delay in reaching a decision in this matter but is doing all that it can to secure information on which to base its decision and hopes to be able to decide the matter in the near future. The Commission ordered a report from the Attorney for its next meeting, on the status of the right of way options.

The Commission discussed an inquiry from the Oregon Piling Company as to when the Commission expects to allow the truck hauling of logs on a 2-mile section of the Wolf Creek Highway just west of Sunset Camp. The matter was referred to the Engineer for investigation and report at the next meeting.

The Commission considered and ordered filed a letter from the Southwest Portland Community Club to City Commissioner O. R. Bean, of Portland, relative to the proposed construction of the westerly approach to the Ross Island Bridge, in Portland.

The Commission discussed a letter from the Canby Kiwanis Club requesting permission to erect a Kiwanis Club Sign in a prominent location along

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the Pacific Highway, either within or without the city limits of Canby. A decision in this matter was deferred by the Commission pending a report from the Engineer as to what has been done about ridding the highways of advertising signs of all kinds, including signs of civic organizations.

The Commission discussed a letter from Santa Clara Grange No. 746, Eugene, suggesting that the old and new Pacific Highway routes between Junction City and Eugene be designated U. S. Highway No. 99E and U. S. Highway No. 99W, respectively. The Commission denied the request in view of the fact that the American Association of State Highway Officials, which is the official body that approves U. S. numbered routes, is opposed to the designating of alternate routes by the same number. The Commission ordered that the Grange be so informed and that Mr. F. W. White, Eugene, who also has requested such designation, be likewise informed.

The Secretary presented a letter from the Asphalt Institute, Pacific Coast Division, San Francisco, suggesting the scheduling of the Highway Commission's contract lettings in the latter part of February and the first part of March, 1939, so as not to interfere with the attendance of engineers, contractors, and producers at its meeting which is to be held in Los Angeles during the week of February 27, 1939, and the conventions of the American Road Builders and of the Associated General Contractors which are to be held in San Francisco during the following week. It was brought out in the discussion that the Commission has already scheduled its March meeting so as to fit in with the meetings of the Associated General Contractors and the Western Association of State Highway Officials, in San Francisco, and it is now too late to make any change, particularly in view of the fact that to advance the contract letting that has been scheduled for March 2 would not give sufficient time to prepare the projects, and the postponement of the letting would disrupt the Commission's plans for the season's construction work. The Secretary was instructed to so inform the Manager of the Asphalt Institute.

The Commission considered and ordered filed a petition signed by numerous residents of the city of Portland urging the construction of a ramp extending from the east approach of the Bybee Avenue viaduct, Portland, north-erly, to a connection with McLoughlin Boulevard, for the convenience of north-bound traffic from southeast Portland.

The Commission also considered and ordered filed a letter from Mr. O. C. Shankle, opposing such ramp construction.

A resolution from the Yamhill County Farmers' Union favoring the distribution of one-third of the highway revenues to the counties of the state on the basis of source of revenue and road mileage had the attention of the Commission. The Commission took no action on the matter.

A letter was presented from the Fremont Highlanders Ski Club, Lakeview, requesting the construction of snow fence along a short section of the Warner Valley Secondary State Highway near its junction with the Fremont Highway north of Lakeview, as an aid in keeping this highway free from snow blockades. The Engineer advised that to comply with this request would

require the construction of about 500 lineal feet of permanent type snow fence, and that the total cost of the same, including acquisition of necessary right of way, would amount to about \$400. He explained, however, that, while the fence would aid considerably in controlling the drifting snow during ordinary winter conditions, it would not be of much value during extremely bad weather; nevertheless, he recommended installation of the fence because it will do some good and will not cost a large sum. The Commission approved the recommendation unanimously.

The Engineer reported briefly on investigations that have been made at the request of Benton County Court for the improvement of the county road which extends from the Corvallis-Newport Highway to the Corvallis Golf Club. The Commission deferred its decision in this matter until all Commissioners are present.

The Engineer reported that construction work on the I.O.N. Secondary Highway, between Jordan Valley and Rome, has been completed and the road opened to general public use, so it is no longer necessary for traffic to be routed over the old county road through Danner, which road has been maintained by the state as a temporary highway detour during construction operations. He suggested, in view thereof, that the Commission take action as may be necessary to return the old road to Malheur County for maintenance, and particularly the old bridge that crosses Jordan Creek, near Danner, which is in bad condition and is now posted for maximum loads of 5 tons. He gave as his thought that it would not be necessary for the Commission to adopt a formal resolution abandoning the old county road as a state highway, inasmuch as it was not included in the secondary highway designation, but was used simply as a convenient detour during construction of the state highway. After discussion, and in view of the Engineer's report, the Commission instructed the Secretary to notify the Malheur County Court by letter that this county road is no longer needed by the state for detour purposes and that the Highway Commission no longer assumes any responsibility for the same but expects Malheur County hereafter to assume such responsibility, as in the past, before it was used as a state highway detour.

The Commission considered briefly the Oregon Electric Railway Company's claim for damage that it alleges occurred to its property adjacent to Barbur Boulevard, Portland, by reason of the installation of improper drainage facilities when the highway was reconstructed. The Commission referred this matter to the Attorney for additional information and report.

The Engineer reported that Contracts Nos. 2029, 2092, 2101, 2102, 2105, 2106, and 2133, for the construction of state highway projects, have been completed according to the requirements of the contracts or modifications thereof, and that said jobs are now ready for acceptance. The following resolution accepting the above projects was offered and was adopted by the unanimous vote of the Commission:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts and said jobs are now ready for acceptance:

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Contract No. 2029, with Rogers Construction Company, for furnishing crushed rock for the Kamela-LaGrande Section of the Old Oregon Trail Highway, in Union County. Completed July 12, 1938.

Contract No. 2092, with Harold Blake, for paving the Columbia Boulevard-Harding Avenue Section of the Pacific Highway West, in Multnomah County. Completed December 12, 1938.

Contract No. 2101, with Leonard & Slate, for highway roadbed and concrete bridge construction on the Fleming Ranch-Schindler Bridge Section of the Albany-Lyons Secondary Highway, in Linn County. Completed January 5, 1939.

Contract No. 2102, with D. L. Ashton, for roadside improvement on the Shedd-Halsey Section of the Pacific Highway East, in Linn County. Completed December 10, 1938.

Contract No. 2105, with Fisher Bros., for grading and surfacing the Bend Section of the Century Drive Secondary Highway, in Deschutes County. Completed October 17, 1938.

Contract No. 2106, with Angelo Doveri, for construction of a frame building at Klamath Falls, in Klamath County. Completed January 7, 1939.

Contract No. 2133, with Rogers Construction Company, for furnishing crushed rock for the Moro-Wasco County Line Section of the Sherman Highway, in Sherman County. Completed January 23, 1939.

THEREFORE, BE IT RESOLVED, that the work covered by said state highway contracts for the construction of said state highway projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

The Commission considered and signed agreements, et cetera, as follows:

Quitclaim deed clarifying the county deed record with respect to property owned by Frank D. Baird, Baker County.

Easement granting to Washington County authority to construct and maintain a road across state-owned property for temporary use during the lifetime of the newly-established W.P.A. camp on the Wolf Creek Highway.

Easement agreement with the Menasha Wooden Ware Company

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providing for maintenance of a reservoir and pipe line on the company's property, in connection with the Umpqua Lighthouse State Park, in Douglas County.

Bargain and Sale Deed, conveying unto the Southern Pacific Company property located in Lots 4, 5, 6, 7, and 8 of Block 20, Hackleman's Second Addition to the City of Albany, in Linn County.

Permit authorizing Morrison-Knudsen Company, contractors, to maintain a temporary trestle roadway over the new Columbia River Highway right of way at Onion Rock.

There being no further business to come before the Commission at this time, the meeting was adjourned at 12:15 o'clock p. m.


Asst. State Highway Engineer


Secretary


Chairman


Commissioner

Portland, Oregon, March 2, 1939

The State Highway Commission met in regular session at 9:00 o'clock a. m. in the auditorium of the Public Service Building. Present were:

Henry F. Cabell, Chairman
E. B. Aldrich, Commissioner
F. L. Tou Velle, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

Before the reading of the bids on the projects advertised for this meeting, Chairman Cabell announced that since the Jericho Lane-Bloucher project on the Hood River Secondary Highway, in Hood River County, was advertised for bids, it was discovered that an error had been made in the preparation of the specifications and that the item "hauling base materials" was listed as 100,000 cubic yards, whereas it should have been listed as 100,000 yard miles. He said that, while the Commission feels that probably this item was understood by the contractors bidding on this work, there is a possibility that there is a question in the minds of some of the bidders, so the Commission has decided not to open the bids on this particular project at this meeting and has instructed the Secretary to return the bids to the respective bidders unopened. He added that the project would be readvertised for bids to be received at the next regular meeting of the Commission.

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Bids as follows for highway construction projects and for the sale of a building at Marshfield were then opened and read in conformance with previously published notice:

**WIST-CLATSKANIE SECONDARY HIGHWAY
CLATSKANIE-SUMMIT SECTION - SURFACING, OILING, CRUSHED ROCK**

	<u>Using Road Oil</u>	<u>Using Tar</u>
Mountain States Construction Company	\$27,815.00	\$ - - - -
R. O. Dail & Warren Bros., Inc.	30,027.80	29,969.60
Saxton, Looney & Risley	31,088.20	31,030.00
Warren Northwest, Inc.	33,104.50	32,815.50
Babler Bros.	- - - -	33,062.00
Tidepoint Company	33,425.00	33,136.00
C. J. Eldon	34,132.00	34,150.00
Homer G. Johnson	39,508.50	40,208.50
Dolan Construction Company	- - - -	40,159.40

**THE DALLES-CALIFORNIA HIGHWAY
LOBERT SECTION - GRADING**

Roy L. Houck	\$19,718.00
McNutt Bros.	23,327.00
Leonard & Slate	24,240.00
E. L. Gates	25,394.00
E. C. Hall Company	26,670.00
C. J. Eldon	27,067.00
Clifford A. Dunn	27,968.00
Geo. Schmidt Construction Company	36,486.00

**BONANZA-MALIN COUNTY ROAD
POE VALLEY SECTION - GRADING AND SURFACING**

Clifford A. Dunn	\$22,720.00
E. C. Hall Company	28,534.50
Geo. Schmidt Construction Company	34,214.00
McNutt Bros.	36,840.50

**NORTH POWDER RIVER COUNTY ROAD
NORTH POWDER-DAVIS RANCH SECTION
GRADING**

C. E. Silbaugh Company	\$16,270.00
Leonard & Slate	16,576.00
E. H. Itschner	17,471.40
Hart Construction Company	19,366.75
F. R. Hewett	19,762.15
E. C. Hall Company	20,828.00
Babler Bros.	21,467.00

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COVE SECONDARY HIGHWAY
NOYES RANCH-COVE SECTION
GRADING, SURFACING, OILING, CRUSHED GRAVEL

Mountain States Construction Company	\$38,738.50
Leonard & Slate	39,790.00
F. R. Hewett	42,697.90
E. H. Itschner	42,782.50
Newport Construction Company	43,869.78
E. C. Hall Company	43,943.50
Babler Bros.	44,820.00
Warren Northwest, Inc.	45,605.50

SALE OF BUILDING IN MARSEFIELD

Building No. 5097-8
(Occupied by H & H Secondhand Store)

Elmer I. Newton	\$126.00
Adams, Wyatt & Cuper	30.00

Chairman Cabell announced that the award of contracts would be made at 2:00 o'clock p. m. in the same room.

The Commission had under consideration approval of a site on the right of way of the East Portland-Oregon City Highway, in Oregon City, for a large-scale bust of Dr. John McLoughlin which certain people of Oregon City desire to erect at this historical spot. The Engineer advised that the site tentatively selected by the sponsors is near the intersection of the highway with 10th Street, although they are still considering a site near the old McLoughlin house at the top of Singer Hill. He gave as his opinion that the erection of the monument on the highway would not be objectionable from the highway standpoint and recommended approval of the site if the sponsors finally decide to locate it there. He pointed out that the state's contractor is now constructing this section of the highway, in view of which the Commission should know very soon just where the sponsors are going to erect this monument so, if the highway site is definitely selected, arrangements can be made to prepare it. The Commission approved the recommendation unanimously.

The Engineer reported on the cost to construct a pedestrian underpass under the East Portland-Oregon City Highway at 11th Street, in Oregon City, for the benefit of fishermen, as has heretofore been requested by the Clackamas County Planning Board and the fishermen's association. He advised that it would cost about \$3,472 to build this underpass, and gave as his thought that the expense is not justified because he did not believe it would be used to any great extent. He suggested, in lieu thereof, the construction of steps leading from the highway to the municipally-owned boat moorage in the Willamette River if and when such moorage is constructed; also, that fishermen be allowed to use the existing steps and privately-owned moorage facilities during the present fishing season providing no interference is caused the state's contractor. After discussion, the Commission approved the Engineer's

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recommendation unanimously, with the understanding that as soon as the present fishing season ends the existing privately-owned moorage facilities shall be discontinued and permission to operate such facilities at this location hereafter shall not be granted unless the facilities are municipally owned.

The Engineer reported that, in accordance with previous instructions from the Commission, the complaint of County Judge Nelson B. Higgs, of Harney County, concerning the condition of the Central Oregon Highway near Buchanan has been investigated and it appears that Judge Higgs's complaint does not particularly concern the spring that flows onto the highway at this point but is a request for the surfacing of a 3-mile section of the highway which becomes very soft and muddy during the spring breakup and during wet periods. The condition that Judge Higgs complains of, he said, cannot be remedied by maintenance. The Engineer was instructed by the Commission to have Division Engineer W. C. Williams contact Judge Higgs and explain to him fully the Commission's plans for the surfacing of this section and the difficulty of taking care of the situation of which he complains.

The Commission discussed the Engineer's report on the cost to construct a sidewalk along the Coos Bay-Roseburg Highway from the city limits of Coquille to the plant of the Smith Wood Products Company. The Engineer advised that this section is about 1800 feet long and to grade and construct an oiled footpath $4\frac{1}{2}$ feet wide thereon would cost about \$1100. Further, that the City of Coquille has offered to cooperate in the project by constructing the portion within the city limits, about 115 feet in length. He estimated that there are about 1000 pedestrians who use this road daily between the town and the mill, all of whom are required to walk on the pavement because the shoulder is too narrow. He gave as his thought that the construction of sidewalks in cases of this kind is fully justified and accordingly recommended approval of the project under discussion. The Commission approved the recommendation by unanimous vote.

In this connection, the Commission considered the adoption of a policy with respect to the construction of sidewalks along state highway rights of way and decided hereafter to build such sidewalks or footpaths at state expense, in the event that investigations, including pedestrian traffic counts, justify the improvement.

The Commission considered and signed a petition directed to the County Court of Marion County requesting the vacation of streets in the platted subdivision known as Silver Falls City, Marion County, which subdivision is now owned by the state and is included in Silver Falls State Park.

Mr. Frank Z. Howard, County Engineer of Klamath County, came before the Commission at this time in regard to a number of highway projects in Klamath County. He presented a resolution from the Klamath County Court requesting that the Modoc Point-Klamath Agency Section of The Dalles-California Highway, which no longer will be of value as a primary state highway when the new highway north of Modoc Point is completed, be retained by the state as a secondary state highway when the new highway is opened for public use. The matter was discussed at considerable length and the Commission's final decision

was to designate this road as a secondary state highway when the new road has been completed.

Mr. Howard inquired whether or not it would be possible to secure the oiling of a $1\frac{1}{2}$ -mile section of the county road extending from Chiloquin to the Chiloquin Mill this summer when the state is doing other oiling work in this vicinity. He explained that the county does not have the equipment required to do the oiling work and that the County Court thought it might be possible to have this work done by one of the state's oiling contractors who might be working in that vicinity this summer, thus avoiding the high costs that would undoubtedly occur if the job were contracted alone. He was informed that the Commission has no objection to the county arranging with the state's contractor to do this work in connection with the state's job; but, of course, the state work would have to be done first. However, the possibility that the state will have any oiling work in this vicinity this year is very remote; in fact, it does not appear now that it would be possible to contract any oiling work in this vicinity until the fall of 1939, at the earliest.

Mr. Howard then inquired as to the possibility of securing the reconstruction of a short section of the Klamath Falls-Lakeview Highway at Dairy, to eliminate several sharp curves in the existing road. He was informed that, while this project is short in length, it is a very costly one and it does not now appear that the Commission will be able to finance it this year. However, the Commission will bear it in mind.

Mr. Howard also asked for the improvement of the Klamath Lake Secondary Highway. He advised that Klamath County is cooperating with the U. S. Forest Service in the construction of a forest development road extending from this highway to the "Lake of The Woods" and they now have a pretty good road leading into this district, but their main trouble is the condition of the state secondary highway which they would like very much to have improved from the Lake of The Woods junction to the end of the existing oiled section. He was informed that the Commission does not have sufficient funds available to finance such improvement this year but the project will be kept in mind for future consideration.

The improvement of the road extending south from the Willamette Highway to Crescent Lake was also brought up for discussion by Mr. Howard, who urged the improvement as a forest highway project. He was informed that the forest highway program for this year has already been arranged and cannot be changed, so that the earliest that the project could be considered for such program would be in programming of the 1940 funds. He was also informed that there are no state funds available with which to finance this project this year.

Mr. George Hibbert, City Manager of Milton, came before the Commission in the interest of the Oregon-Nashington Highway through Milton. He particularly urged a revision to eliminate the curve in the present road at the south city limits, and the widening and paving from the south city limits northerly to the point where the proposed new highway will leave the present

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road. He gave as his thought that the City of Milton would assume the obligation of acquiring the right of way for the elimination of the curve. He explained that concrete curbs have already been constructed along their main street and that the street is 80 feet wide but there are strips 5 feet wide on each side of the highway pavement, which they would like to have paved. The Engineer advised that investigations to date of this section consist merely of a reconnaissance survey. He suggested, inasmuch as the present highway at the south city limits of Milton must be used for many years to come, that a location survey be conducted at this time to determine the permanent location and to ascertain how much it would cost to eliminate the curve referred to by Mr. Hibbert and to widen the existing pavement from this point up to the place where the new highway will connect with the present road. The Commission approved the suggestion and thereupon authorized him to make such location survey. Mr. Hibbert advised that he would ascertain immediately upon his return to Milton whether or not the city would acquire the right of way for this improvement.

A delegation from Umatilla County, consisting of County Judge Carl W. Chambers; County Commissioners Wm. P. Meiners and Wm. Switzer; Roy Ritner, representing the Pendleton Chamber of Commerce; W. L. Rayburn, and S. A. Barnes, both of Weston, Oregon, came before the Commission in the interests of the Weston-Elgin Secondary Highway. Judge Chambers headed the group. They particularly asked for the oiling of the section between Weston and Tollgate. Speaking on behalf of the improvement were Messrs. Chambers, Ritner, and Barnes. They reiterated arguments previously presented on behalf of this project.

Judge Chambers stated that this project is the County Court's first choice of projects for the Federal Aid Secondary Highway Program, in Umatilla County. Chairman Cabell advised that the fiscal year 1940 federal aid secondary highway funds are very limited, and accordingly projects must be curtailed to a large extent, so the Commission probably will not be able to undertake this entire improvement at one time. He inquired which section the delegation prefers constructed first, so that the Commission can have such information when arranging the program for the 1940 funds. Judge Chambers replied that, in their estimation, it would be desirable to commence at the east end of the uncoiled section where it joins the forest highway section that is to be oiled this year; however, they are not particular and any section that the Commission prefers will be satisfactory to them. The Commission made no definite commitments or promises relative to this project. In this connection the Secretary presented a letter from the Weston Chamber of Commerce urgently requesting the oiling of this road.

Mr. R.E. Baker, representing the Oregon Piling Co., Portland, came before the Commission and inquired when the Commission proposes to allow the truck-hauling of piling on a 2-mile section of the Wolf Creek Highway immediately west of Sunset Camp. The Engineer advised that rocking operations are under way on this section and, in his estimation, the hauling of logs or piling thereon should not be allowed until these operations are completed, which he thought would be about May 1, 1939. The Commission concurred in the Engineer's viewpoint and told Mr. Baker that he could make his plans for

operations on the highway about May 1, although the Commission cannot make any definite promise at this time that the highway will be open by then, but the Commission will open it to travel as soon as possible. The Commission referred the matter to the Engineer for final decision.

This matter was reconsidered by the Commission later in the session, when the Engineer advised that inquiry has also been made by the Sunset Logging Company as to when the Commission expects to allow the truck-hauling of logs from Sunset Camp to a point in Tillamook County where they are carrying on logging operations. He pointed out that a large fill is under construction at the county line and gave as his thought that logging trucks should not be allowed to operate over this fill until it is completed and rocked, which would probably be a considerable length of time after rock has been placed on the balance of the section. He recommended, therefore, the modification of the Commission's previous instructions so as to include the entire section from Sunset Camp to this big fill, in other words, that the Commission approve log-hauling operations over the entire section from Sunset Camp to the big fill as soon as the W.P.A. forces have completed the rocking operations and when, in his opinion, the hauling of logs over the same will not be injurious to the roadbed. The Commission approved the recommendation unanimously and instructed the Secretary to so inform the Sunset Logging Company.

A delegation from Deschutes County, consisting of County Commissioner Wm. Baer; Don Peoples, Secretary of the Bend Chamber of Commerce; and J. W. Elliott, Superintendent of the Warm Springs Indian Reservation, was present in regard to a number of highway projects in Deschutes County. Mr. Baer asked the Commission to authorize some excavation work at the intersection of The Dalles-California Highway with the Tumalo-Deschutes Market Road so as to improve the sight distance at such location. He said that the highway at this point is constructed in a deep rock cut and that traffic approaching the highway from the market road does not have a clear view of the highway until within a very few feet of the highway pavement. He asked the Commission to investigate this condition and to take steps as may be necessary to alleviate the same.

The Commission agreed to inspect this intersection the next time it is in the vicinity of Bend. The Engineer was instructed to investigate the condition in the meantime and to render a report thereon. Mr. Baer filed with the Commission a petition bearing the names of numerous citizens of Deschutes County supporting his oral request.

Mr. Peoples presented a request on behalf of County Judge W. R. Cook, of Jefferson County, for the surfacing of the Warm Springs Highway easterly from the Deschutes River crossing to the end of the section that was surfaced last year. He also asked for the construction of a bridge over the Warm Springs River on the Warm Springs Highway, near He He Butte. He was informed that the Commission has these projects in mind but can make no definite statements or promises regarding them at this time because of the question of funds. Chairman Cabell stated that it might be possible to do the surfacing project this fall in the event that the state obtains additional P.W.A. funds but the Commission has no definite assurance at this time that it will be able

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to secure such funds. The construction of the Warm Springs River bridge, he said, is a federal lands highway project which the Commission proposes to finance with public lands funds. However, the Government has reduced greatly the appropriation for this purpose, so it does not seem possible now to build the bridge this year, although the Commission plans to do some grading work near the bridge this season. Chairman Cabell also advised that, while the Commission cannot make any definite commitments or promises in regard to this project now, it will bear it in mind and will endeavor to contract the work if at all possible.

Mr. Elliott presented a resolution from the Jefferson County Chamber of Commerce urging the completion of the surfacing of this highway from the end of the present surfacing to Warm Springs Agency and also urging the Commission to grade additional sections of the Warm Springs Road between Warm Springs Agency and the Wapinitia Cutoff in preference to any work on The Dalles-California Highway south of Madras.

The Commission adjourned at 12:00 o'clock noon and reconvened at 2:00 o'clock p. m. in the same room, with all members present and participating. Also present were the State Highway Engineer, the Attorney, and the Secretary.

Chairman Cabell announced the following awards of the contracts, and sale of building at Marshfield, bids for which were received at the morning session, such awards having been previously approved by the Commission by unanimous vote:

"Clatskanie-Summit Section of the Mist-Clatskanie Secondary Highway, in Columbia County. 6.46 miles surfacing and oiling; also furnish 600 cu. yds. crushed rock in stock piles. The low bid submitted for this project was that of the Mountain States Construction Company of Eugene, at \$27,815.00, based on the use of road oil. They submitted no bid based on the use of tar. The next low bid was that of R. O. Dail & Warren Bros., Inc., Portland, at \$30,027.80 based on the use of road oil, and \$29,969.60, based on the use of tar. There were 7 higher bidders. The Commission has awarded this contract to the Mountain States Construction Company at their low bid of \$27,815.00, using road oil.

"Lobert Section of The Dalles-California Highway, in Klamath County. 0.50 mile grading. Roy L. Houck, Salem, submitted the low bid for this project at \$19,718.00. McNutt Bros., Eugene, were the second low bidders with their bid of \$23,327.00. There were 6 higher bidders. This contract is awarded to Roy L. Houck, the low bidder, at \$19,718.00.

"Poe Valley Section of the Bonanza-Malin County Road, in Klamath County. 2.99 miles grading and surfacing. Clifford A. Dunn, Klamath Falls, submitted the low bid on this job at \$22,720.00. E. C. Hall Company, Eugene, submitted the next low bid at \$28,534.50. There were 2 higher bidders. The Commission rejects all bids received and has ordered the project readvertised.

"North Powder-Davis Ranch Section of the North Powder River County Road, in Union County. 4.65 miles grading. The low bid received for this job was that of C. E. Silbaugh Company, Pendleton, at \$16,270.00. The next low bid was that of Leonard & Slate, Multnomah, at \$16,576.00. There were 5 higher bidders. The Commission awards this job to C. E. Silbaugh Company, the low bidders, at their bid of \$16,270.00.

"Noyes Ranch-Cove Section of Cove Secondary Highway, in Union County. 5.5 miles grading, surfacing, and oiling; also furnishing 1,500 cu.yds. crushed gravel in stock piles. The low bid submitted for this project was that of Mountain States Construction Company, Eugene, at \$38,738.50. The next low bid was that of Leonard & Slate, Multnomah, at \$39,790.00. There were 6 higher bidders. The Commission has referred all bids received to the Engineer with power to award the contract to the low bidder, the Mountain States Construction Company, when certain conditions have been fulfilled."

Building in Marshfield

"Building No. 5097-8 (occupied by H & H Secondhand Store). The Commission received 2 bids for the purchase of this building, that of Elmer I. Newton, Marshfield, at \$126.00 being high. The other bid was that of Adams, Wyatt & Cuper, North Bend, at \$30.00. The Commission has sold this building to the high bidder, Elmer I. Newton, at his bid of \$126.00."

A delegation from Coos County, consisting of Ed W. Miller, Manager, Oregon Coast Highway Association; Dr. J. H. Bennett, representing the Marshfield Chamber of Commerce; and Messrs. Joe Larson, George Landrith, and Ben Hahaffey, came before the Commission and requested the oiling of the Coos River Secondary Highway between the town of Eastside and the Enegren Ferry. Mr. Miller headed the group and introduced the speakers.

Dr. Bennett advised that the Marshfield Chamber of Commerce has gone on record as endorsing this project. This is a heavy-traffic road, he said, carrying more traffic than any other road of its class in the southwestern part of the state, and is badly in need of repair at the present time. He filed with the Commission a petition signed by numerous taxpayers residing in the Coos River Valley, who urged this improvement. Mr. Larson concurred in the remarks of Dr. Bennett and also urged the improvement from the recreational road standpoint.

Mr. Miller pointed out the possibilities of this road as a loop highway from Marshfield, past Golden Falls State Park and Loon Lake, to a connection with the Umpqua Highway near Scottsburg; thence to Reedsport and North Bend. He also asked the Commission to give serious consideration to other projects along the Oregon Coast Highway and mentioned completion of this highway in the northern part of Tillamook County and lesser projects through the small towns of Curry County. It was his thought that, while the Highway Commission's funds are at a low ebb, these small projects could be disposed of

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so that when a large project suddenly arises the Commission would not be handicapped by lack of funds in undertaking it.

Chairman Cabell mentioned the projects that the Commission is now undertaking in Coos County, including the Catching Slough Bridge, the improvements to the Cape Arago Secondary Highway, and the proposed improvement of the Oregon Coast Highway through the Bunker Hill District, in Marshfield, for which bids are to be received April 6. Notwithstanding these projects, he said, the Commission will be glad to give careful consideration to the Coos River Secondary Highway project but no definite commitments or promises can be made at this time in regard thereto.

A delegation from Crook County, consisting of County Judge A. R. Bowman; W. B. Morse, Mayor of Prineville; D. W. Graham, City Attorney of Prineville; Frank Folsom, W. L. Forsythe, C. W. Woodruff, and H. Baldwin, came before the Commission in regard to construction of the Warm Springs Secondary Highway between Prineville and Madras. Judge Bowman headed the group and introduced the speakers. He urged the Commission to construct the Prineville-Jefferson County Line Section of this highway as soon as possible and advised that this project is the County Court's first choice of projects for federal aid secondary highway funds that are allotted to Crook County. He alleged that the development of their county is being held up by reason of the fact that this road has not been constructed, and urged the Commission to give it consideration for early construction.

Chairman Cabell advised the status of the Commission's finances and pointed out that, because of the present shortage of funds, the Commission is obliged to curtail expenditures and to defer some projects. He also advised that the Commission has not yet formulated its program for 1940 federal aid secondary highway funds, but when that matter comes up for discussion the Commission will give serious consideration to this project. He gave as his understanding that the section from Prineville northwesterly to the Jefferson County line is the County Court's first choice for such funds and that the county's first choice of federal aid primary projects is the improvement of the Ochoco Highway west from Prineville. Judge Bowman confirmed the Chairman's understanding of this matter and added that, if the Commission cannot possibly finance the improvement of the entire section of the Warm Springs Highway between Prineville and the county line, it would help a lot if the Commission would build the section immediately north of Prineville to the railroad overhead crossing at the Pine Products Company's mill.

Mayor Morse brought up for discussion the proposed rerouting of the Warm Springs Highway in Prineville. He urged a decision in this matter so that contemplated developments in their town may proceed. He was informed that the Commission has not as yet made a decision in this matter but will endeavor to do so at its next meeting and will then hold a public hearing in Prineville on the subject, as is required by statute. The Engineer was instructed to render a report on this matter at the meeting to be held in April.

Mr. Graham brought up for discussion Senate Bill No. 99 that is now

before the Oregon Legislature and which provides a method for the determination of the weight of a load of logs by log scale rather than by actual weighing. He asked the Commission not to oppose this bill because, in his estimation, it will provide a convenient method of determining the weight of a load of logs, which is a very difficult thing to do under present weight restrictions, there being no way to determine the actual weight when the trucks are loaded in the woods. It is a very difficult matter, he said, for operators to load their trucks in the woods so as not to exceed the statutory limits as to weight, and sometimes when the trucks are weighed on the Highway Department's scales they are found to be overloaded, with the result that fines are imposed, and, in addition thereto, the trucks are suspended from operation for a period of time designated by the State Highway Commission. The operators do not object to the payment of a fine, he said, but they do object to their trucks being taken out of service. He cited several cases of this kind in the vicinity of Prineville, which, he declared, have created a very unfavorable condition and threaten to close down the mills operating in this locality.

Chairman Cabell advised that the Commission has a lot of sympathy for logging operators and recognizes the importance of the logging industry. However, it is the obligation of the Commission to protect the interests of the general public. The Commission would not be fulfilling that obligation, he said, if it did not oppose the passage of Senate Bill No. 99. He explained that the Commission feels that if this bill becomes a law it would only result in the continuous overloading of trucks in log-hauling service and that eventually the highways would be pounded to pieces and the lives of the traveling public would be endangered. He further explained that the Commission is of the firm belief that a limit in pounds is absolutely essential in order that the roads may be properly designed by the engineers. A law which would allow operators a 10 per cent tolerance, he said, would probably be favored by the Commission but a law that does not set a weight limit would be objectionable for reasons stated.

In the discussion of this matter Mr. Graham alleged that a number of the trucks which supply the mills at Prineville have been suspended from operating because of overloads that did not exceed 300 pounds, which, as he understands it, is under the tolerance heretofore authorized by the Commission. The Secretary was instructed to check the records in regard thereto.

Messrs. L. C. Smith and L. C. Sanford, of Newport, came before the Commission in regard to a right of way matter at Newport. They advised that they are developing their property adjacent to the Oregon Coast Highway a short distance north of the Yaquina Bay Bridge and in connection therewith propose to construct a sidewalk on the highway right of way, but they are handicapped by reason of the fact that the right of way at this point is 20 feet wider than that on the adjoining sections; and, if they are required to build their sidewalk at the right of way line, it will result in a jog at each point where the right of way narrows. They alleged that when the right of way was acquired by the state an extra 20-foot strip was taken from their property for slope protection, for which they made no charge. It was their thought that this extra 20-foot strip is of no value to the state and asked that it be deeded back to them so that they can proceed with their improvements, as

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contemplated, including the construction of a sidewalk on alignment that will conform with the sidewalk on the adjoining sections.

The Engineer advised that the Commission acquired this extra width right of way with the idea in mind of landscaping it and improving the appearance of the roadside. Chairman Cabell advised that the Commission is reluctant to deed back property that once has been acquired. Mr. Sanford stated that they would be satisfied to let title to this strip remain with the state if the state will permit the sidewalk to be constructed at the same distance from the center of the highway as it is along the narrower sections and if the state will landscape the extra width in front of their premises. The sidewalk will have to be constructed in the near future, he said, because there is so much pedestrian traffic, to and from the bridge, which now has to use the pavement. Furthermore, he and Mr. Smith cannot proceed with the development of their properties until they know just what the state will permit them to do. Chairman Cabell reiterated that the Commission is reluctant to deed away any land that once has been acquired. However, the Commission will look over the premises the next time it is in that vicinity, although it is making no commitments or promises relative thereto now. It was his thought that a definite answer would be given by the first of April.

Mr. L. C. Smith filed with the Commission letters from L. G. English, District Attorney, Lincoln County, and James F. Baird, Mayor of Newport, in support of their oral request.

Mr. Thomas Tongue, attorney, Hillsboro, headed a large delegation from Tigard and vicinity, which conferred with the Commission in regard to the proposed relocation of the Pacific Highway West through Tigard. Others in the delegation were: Peter Potwin, Ray Christensen, A. Zwiener, Hans Goorde, F.W. Winkel, W. E. Upshaw, John Panck, J. C. Bilyeu, Emil A. Johnson, H. P. Virsulye, George H. Jackson, Leonard Gamroth, W. M. Evans, C. Christensen, Charles Thompson, F. L. Mitchell, C. L. Grant, J. A. Mensies, Albert Hoffarber, H. G. Doriot, Dan Berdar, and G. Bustrom, all of Tigard; W. I. Lacey, E. R. Ritter, and C. L. Chilson, all of Portland; County Judge H. D. Kerkman, of Washington County; and County Commissioners James Lewis and J. W. Hughes.

These people presented arguments in behalf of the most northerly of the routes under consideration. Mr. Tongue stated that practically all of the businessmen in Tigard favor the northerly route because the adoption of any other route would be detrimental to their town. He mentioned the towns of Sherwood and Tualatin as examples of towns which were badly hurt when the highway was constructed a considerable distance away from them.

The Engineer gave figures, as follows, for construction of the two routes that have been considered; namely, the northern route and the southern route. Right of way cost on the northerly route, he said, is estimated at \$95,000, and that along the southerly route at \$56,000. The construction of the northern route, he said, is estimated to cost about \$249,000, as compared to \$265,000 for the southerly route, making a total estimated cost for the northerly route of \$344,000, and \$321,000 for the southerly route, or a difference of \$23,000 in favor of the southerly route.

Speaking on behalf of the northerly route were the following:

County Judge H. D. Kerkman, who stated that the County Court is unanimously in favor of the northerly route; also, that Washington County will cooperate in the construction of the railroad grade separation project and will contribute to this project funds that would have been spent for right of way for the Garden Home grade separation project, which is no longer in the Commission's program;

County Commissioners James Lewis and J. W. Hughes, who confirmed the remarks of Judge Kerkman;

W. M. Evans, banker, and Charles Thompson, Chairman of the School Board, who stated that the School Board feels that the highway in its present location would be better from the standpoint of the school transportation system because it would obviate the necessity of rearranging their bus routes. The present road, he said, goes directly in front of the school buildings and has never been considered as a hazard to the school children; rather, that it has been an advantage. He added that the School Board is opposed to the adoption of the southerly route and is unanimously in favor of the retention of the present route, but, if a change has to be made, the Board favors the northerly route;

Mr. Hoffarber, service station and garage owner, who stated that he favors the northern route because it will not seriously affect his business;

Mr. Zwiener, who stated that he resides along the so-called southerly route but objects to the adoption of such route because it will ruin his home. He favored the northerly route;

Mr. Chilson, who stated that he owns a $1\frac{1}{2}$ -acre tract of land along the southerly route, which bisects his property. He also said that he is opposed to the adoption of the southerly route because he does not want to subject his children to the hazard of fast-moving highway traffic; furthermore, his tract is small enough now without being divided by the highway.

One of the delegates, who did not give his name, stated his preference for the northerly route because the highway would then go in front of their school. It was his thought that this was a good thing because teachers would then be able to give the school children close supervision when they cross the highway, whereas such supervision could not be given were the highway located some distance away from the school. Mr. Upshaw stated that he represents the Tigard Lions Club, which has gone on record as being unanimously in favor of the northerly route.

Messrs. R. H. Clarke and Claude I. Scoffins, Portland, also appeared before the Commission in regard to this matter. Mr. Clarke stated that he has no preference as to route but is very much concerned in securing immediate

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action by the Commission because while the present uncertainties exist people cannot develop or improve their properties. Mr. Scoffins stated that he owns what is known as the Tigard Highway Tracts, which are located along the southerly route, and expressed regrets that there is any necessity to change the present routing of the highway. He spoke in favor of the adoption of the southerly route, particularly because such route would take the highway away from the high school, grade school, and St. Anthony private school. He referred to a petition previously filed with the Commission signed by 38 residents of Tigard, endorsing the southerly route.

Chairman Cabell stated that from the expressions received it is apparent that the delegation appearing before the Highway Commission today represents people of Tigard who are in favor of the northerly route. There may be others, he said, who favor the southerly route, and, inasmuch as he has previously informed a number of people from Tigard that the Commission would give the numerous factions a chance to be heard on the matter before a decision is rendered, he believed that that is the thing to do. The Commission, he added, will be glad to hear the arguments of the proponents of the southern route and he asked Mr. Scoffins to notify these people to that effect. He explained the policy of the Highway Commission with respect to the routing of main highways by stating that where there are alternate routes under consideration, the Commission must consider primarily a route that will best serve the general public interest. Where there are two routes, he said, either of which would be satisfactory, and the local interests are greatly benefited by one, and the general traveling public would be equally well served by that route, or at least not greatly inconvenienced by it, then the Commission is inclined to favor the local interests; but, where one route is overwhelmingly more practical and beneficial from the standpoint of the general traveling public, then the local interests have to be sacrificed. He thanked the delegation for its presentation and advised that the Commission will consider the arguments presented and will make its decision as soon as possible.

Mr. Tongue filed with the Commission a petition signed by numerous bona fide businessmen and property owners of Tigard, urging the Highway Commission to lay out and establish a new route for the Pacific Highway West immediately north and west of the business section of said town.

Mr. C. M. Hulburt, Blachly, Oregon, headed a delegation from Junction City and vicinity, which urged improvements to the Siuslaw Highway, and particularly the construction of a tunnel to eliminate sharp curves and excessive grades in the present highway, near Triangle Lake. Others in the delegation were: Claude Washburne, banker, of Junction City; Lawrence Bauman, representing the Triangle Lake Lumber Company; Carol Hult and J. P. Hult, representing the Hult Lumber Company; Ray Condon, merchant, of Horton; Bob Slater, merchant, of Blachly; Wm. Russell, lumber merchant, of Eugene; and R. Board, representing the Shell Oil Company, Junction City. Speaking on behalf of this improvement were Messrs. Washburne, Bauman, and Hult.

Chairman Cabell advised that the Commission appreciates the fact that the present Siuslaw Highway is in need of improvement to eliminate the curves and excessive grades, but it does not appear possible for the Commission

to make these improvements at the present time because of the shortage of funds with which to finance the work. The Commission is not in position at the present time, he said, to make any promises or commitments to this project, but will give it due consideration in the formulation of future construction programs. Mr. Washburne filed a petition, signed by 747 citizens of Lane County, urging this improvement. He also filed with the Commission a letter from the Lions Club of Junction City endorsing the project.

A delegation from Clackamas and Multnomah Counties, headed by Wallace R. Telford, Chairman of the Clackamas County Planning Board, came before the Commission in behalf of the early reconstruction of the Cascade Secondary Highway (82nd Street Road) between Pope Hill and Oregon City. Others in the delegation were William Haberlach, member of the Clackamas County Planning Board; T. J. Armentrout, Joe Luding, Harry Black, S. C. Williams, Nelson H. Scott, L. Mathiesen, Charles H. Johns, Axel Kildahl, and L. M. Lepper, all from Portland and representing the Southeast Portland Chamber of Commerce. Mr. Armentrout introduced the speakers.

Mr. Williams urged the improvement on behalf of the Southeast Portland Chamber of Commerce and 12 other organizations of eastside Portland. He said that all of these clubs are wholeheartedly and enthusiastically in favor of the improvement of the 82nd Street highway. He alleged that this improvement has been promised by the Highway Commission heretofore but construction has been postponed from time to time and they feel that they are entitled to it at an early date. He said they are not particular which route the Commission selects but they positively want the improvement during the year 1939, on a 4-lane highway basis. He gave four reasons supporting his request: first, 6 miles of this road are now constructed to military standards but will be of very little service to the people until this highway is connected by standard improvement to the "Super Highway" at Oregon City. Second, three-fourths of the people of Portland live on the east side of the Willamette River and are entitled to some of the benefits of tourist travel. Third, the highway will be of great benefit to tourists as it will provide a bypass route away from the eastside business district. Fourth, this highway will make direct connections with the proposed new highway up the Columbia River, with the Lombard Street bypass to the St. Johns Bridge, and with Sandy Boulevard, the present Columbia River Highway route. He presented a letter from the Board of Commissioners of Multnomah County urging that serious consideration be given by the Highway Commission to the reconstruction of this road to modern standards at the earliest possible time.

Messrs. Mathiesen, Lepper, and Telford also spoke on behalf of this project. Mr. Lepper quoted from a letter that he has received from W. H. Lynch, District Engineer, Bureau of Public Roads, in which Mr. Lynch advises that the Federal Government is ready to approve the project whenever the Highway Commission is ready to construct the same. He confirmed Mr. Williams's statement to the effect that they are not particular where the highway is located but they want the improvement very soon. It was his thought that the sale of highway bonds to finance the work is justified if that is necessary. This concluded the conference.

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The Commission adjourned at 5:00 o'clock p. m., to reconvene at 7:30 o'clock p. m. in the Benson Hotel.

Portland, Oregon, March 2, 1939

The State Highway Commission reconvened in regular session at 7:30 o'clock p. m. in Room 301 of the Benson Hotel. Present were:

Henry F. Cabell, Chairman
E. B. Aldrich, Commissioner
P. L. Tou Velle, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

A letter was presented from the Canby Kiwanis Club requesting permission to place a Kiwanis sign at some prominent place along the Pacific Highway, either within or without the city limits of Canby. The Attorney advised that the Commission does not have control over the erection of signs within the limits of incorporated cities and towns but it does have control of such matters outside of such limits. In view of this advice, the Commission decided to deny the request in so far as it pertains to that portion of the highway that is under its control. The Secretary was instructed to so inform the Kiwanis Club.

In the discussion of this matter, the Engineer recalled that the Commission previously ordered that the various civic service clubs and like organizations be contacted relative to the removal of their signs from highway rights of way. These instructions, he said, have been carried out, and in response thereto some of the clubs have removed their signs, but there are many still being maintained on the state's property. He suggested that it might be advisable to bring this matter to the attention of the Oregon Roadside Council and to request their assistance in connection with their roadside cleanup program. The Commission approved the suggestion and instructed the Engineer to bring the matter to the Roadside Council's attention. The Commission also instructed the Engineer to contact the various service clubs again in a month or two with respect to the removal of their signs.

The Commission considered and denied the request from Mr. C. G. Bradley, Portland, to purchase 2 truckloads of gravel from the state-owned stock pile adjacent to the Mt. Hood Highway near Brightwood, it being strictly contrary to the Commission's established policy to permit state-owned material to be given or sold for use in private undertakings.

The Commission also considered and denied the request of the City of Echo to use a state-owned gravel pit near the Columbia River Highway as a city garbage dump, this pit being needed as a source of material for future highway construction; and, in addition thereto, its use as a dumping place would create a very unsightly condition.

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A letter was presented from W. H. Lynch, District Engineer, Bureau of Public Roads, suggesting that, inasmuch as the state-wide planning survey is now sufficiently advanced to provide the factual data required in the selection of a federal aid secondary highway system, that such system be selected and approved prior to any commitment as to the fiscal year 1940 federal aid secondary highway funds. After discussion, the Commission instructed the Engineer to prepare a list of roads eligible for such system (the smallest list that will meet the present requirements of the Federal Government) for consideration by the Commission at its next regular meeting in April.

The Engineer requested authority to purchase the following equipment:

- 2 - 10-ton road rollers for use of oiling crews, 2 obsolete rollers to be traded in as part purchase price. Total net cost \$8,000.
- 1 - 6-ton tandem roller for paving crew, 1 old roller purchased in 1929 to be traded in as part purchase price. Estimated total net cost \$3,300.
- 12 - light-weight trucks, 12 old trucks to be traded in as part purchase price. Estimated net total cost \$10,800.
- 1 - pickup truck, 1 old pickup truck that has been driven 120,000 miles to be traded in as part purchase price. Estimated net cost \$700.
- 10 - asphalt heaters to replace a like number of heaters that are worn out and obsolete. Total estimated cost \$6,500.
- 6 - mowing machines. Estimated total cost \$7,200.
- 12 - light-type cars, 12 old cars that have been driven at least 100,000 miles each to be traded in as part purchase price. Estimated net total cost \$9,000.
- 1 - integrating dynamometer. Estimated cost \$125.
- 1 - accounting machine and special card carrier together with filing equipment for use in connection with the new system of inventory control that is being installed at the Salem Shops. Estimated cost \$3,000.

The Commission by unanimous vote approved the purchase of this equipment and instructed the Engineer to order same through the State Purchasing Agent in accordance with the usual practice.

The Engineer reported receipt of several offers to purchase at \$3.00 per cord approximately 200 cords of wood that have been salvaged from the Oxbow Tunnel on the Robinette-Homestead Secondary Highway, which wood is now piled near the tunnel portal. He advised that the wood is of no value for

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state highway purposes, and recommended sale of the same at such rate. The Commission approved the recommendation unanimously.

The Commission had under discussion the damage claim of the Oregon Electric Railroad Company arising out of the construction of the Barbur Boulevard Section of the Pacific Highway West, in Portland. The company alleges that when this highway was built by the state improper drainage facilities were provided and as a result a slide occurred on the adjacent railroad property, causing the company considerable expense, for which reimbursement is requested. The Engineer advised that this matter has been thoroughly investigated and it has been determined that the slide was not the result of faulty highway construction and was not due to any condition for which the Highway Commission or the state can be held responsible; furthermore, it is the opinion of the Commission's Attorney, who has gone into the facts of the case, that the railroad company's claim is one for which the Highway Commission is not legally obligated. In view of this report the Commission denied the claim by unanimous vote.

The Engineer reported that, in accordance with authority previously given him by the Commission, he has awarded contracts as follows, bids for which were received by the Commission at its meeting on January 26, 1939:

Grading Albany Overcrossing Section of the Pacific Highway East, in Linn County. Contract awarded January 31, 1939, to Roy L. Houck, Salem, the low bidder.

Construction of an overcrossing structure on the Pacific Highway East, in Albany. Contract awarded January 31, 1939, to Mountain States Construction Company, Eugene, the low bidder.

The Commission, by unanimous vote, confirmed the award of these contracts as reported by the Engineer.

Reconsideration was given by the Commission to the request of Wallowa County Court for snow removal on a 1/4-mile section of the county road which extends from Wallowa Lake to the homes of some of the employees of the Pacific Power and Light Company. The Engineer recalled that the Commission denied this request at a previous meeting, it being understood at that time that the county was asking the state to do this work at state expense. However, it now develops that the county is willing to pay the cost involved. He recommended, in view of the circumstances, that the request be approved subject to the condition that the county will pay for the work in monthly installments as bills are rendered. The Commission approved the recommendation unanimously.

The Commission discussed and by unanimous vote confirmed the action taken at the meeting on January 27, 1939, with respect to the establishment of a policy to be followed hereafter in connection with the installation of traffic lights along state highway routes within incorporated cities and towns.

The Engineer requested authority to make a reconnaissance survey

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for a proposed revision of the Lower Columbia River Highway between Goble and Rainier. He estimated that such survey would cost \$500. The Commission approved the request unanimously.

The Commission had under consideration the revised offers of the United States of America to contribute P.W.A. funds to aid in financing the construction of the Umpqua River Bridge, on the Pacific Highway, in Douglas County; the construction of a maintenance building at Albany, in Linn County; and the construction of the Richland-Halfway Section of the Baker-Homestead Highway, in Baker County.

After discussion of such revised offers, the following resolutions were proposed by Commissioner Tou Velle and read in full:

A RESOLUTION ACCEPTING THE OFFER OF THE UNITED STATES TO THE STATE HIGHWAY COMMISSION OF THE STATE OF OREGON TO AID BY WAY OF GRANT IN FINANCING THE CONSTRUCTION OF THE UMPQUA RIVER BRIDGE AND THE ACQUISITION OF NECESSARY LANDS AND RIGHTS OF WAY THEREFOR.

Be It Resolved by the Oregon State Highway Commission:

Section 1. That the offer of the United States of America to the State Highway Commission of the State of Oregon to aid by way of grant in financing the construction of the Umpqua River Bridge and the acquisition of necessary lands and rights of way therefor, a copy of which offer reads as follows:

"P. W. 87270-15

"FEDERAL EMERGENCY ADMINISTRATION OF PUBLIC WORKS

"Washington, D. C.,
Dated: Feb 2 1939
Docket No. Oreg. 1298-F

"State Highway Commission of the
State of Oregon

Salem, Oregon

"1. Subject to the Terms and Conditions (PWA Form No. 230, as amended to the date of this Offer), which are made a part hereof, the United States of America hereby offers to aid in financing the construction of a highway bridge with approaches, including the acquisition of necessary land and rights of way (herein called the "Project"), by making a grant to the State Highway Commission of the State of Oregon (herein called the "Applicant") in the amount of 45 per cent of the cost of the Project upon completion, as determined by the Federal Emergency Administrator of Public Works (herein called the "Administrator"), but not to exceed, in any event, the sum of \$59,551.

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"2. By acceptance of this Offer the Applicant covenants to complete the Project with all practicable dispatch, and in any event by October 1, 1939.

"3. This Offer is made subject to the express condition that, if the Administrator shall determine at any time that the Applicant has paid or agreed to pay, whether directly or indirectly, a bonus, commission or fee to any person, firm or corporation for attempting to procure an approval of the Applicant's application, or for alleged services in procuring or in attempting to procure such approval, or for activities of the nature commonly known as lobbying performed or agreed to be performed in connection with the application, then the Administrator shall have the right, in his discretion, to rescind this Offer and any agreements resulting herefrom, and, in the event of such rescission, the United States of America shall be under no further obligation hereunder.

"4. The acceptance of this Offer by the Applicant shall effectuate a cancellation of the contract created by the acceptance of the Offer dated September 12, 1938, made by the United States of America to the Applicant: Provided, that the cancellation of such contract shall not impair or vitiate any acts performed or proceedings taken thereunder prior to such cancellation, but such acts or proceedings may be continued under the contract created by the acceptance of this Offer.

"UNITED STATES OF AMERICA

Federal Emergency Administrator
of Public Works

By (Sgd.) E. W. Clark
For the Assistant Administrator"

be and the same is hereby in all respects accepted.

Section 2. That the State Highway Commission of the State of Oregon and the State of Oregon agree to abide by all Terms and Conditions relating to such grant, a copy of which Terms and Conditions were annexed to the Government's offer and made a part thereof. It is hereby covenanted that the work on the project described in the offer will be completed with all practicable dispatch, and in any event by October 1, 1939.

Section 3. That J. M. Devers, Assistant Attorney General for Oregon, and Attorney for the State Highway Commission of the State of Oregon be and he is hereby authorized and directed forthwith to send to the Federal Emergency Administration of Public Works three certified copies of this Resolution and three certified copies of the proceedings of this Commission in connection with the adoption of this Resolution, and such further documents or proofs in

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connection with the acceptance of said offer as may be requested by the Federal Emergency Administration of Public Works.

A RESOLUTION ACCEPTING THE OFFER OF THE UNITED STATES TO THE STATE HIGHWAY COMMISSION OF THE STATE OF OREGON TO AID BY WAY OF GRANT IN FINANCING THE CONSTRUCTION OF THE ALBANY MAINTENANCE BUILDING IN LINN COUNTY AND THE ACQUISITION OF NECESSARY LANDS AND RIGHTS OF WAY THEREFOR.

Be it Resolved By the Oregon State Highway Commission:

Section 1. That the offer of the United States of America to the State Highway Commission of the State of Oregon to aid by way of grant in financing the construction of the Albany Maintenance Building in Linn County and the acquisition of necessary lands and rights of way therefor, a copy of which offer reads as follows:

"P. W. 87435-1

"FEDERAL EMERGENCY ADMINISTRATION OF PUBLIC WORKS

"Washington, D. C.

Dated: Feb 8 1939

Docket No. Oreg. 1282-F

"Oregon State Highway Commission,
Salem, Oregon

"1. Subject to the Terms and Conditions (PWA Form No. 230, as amended to the date of this Offer), which are made a part hereof, the United States of America hereby offers to aid in financing the construction of a highway maintenance building, including grading, landscaping and fencing of site, and the acquisition of necessary land (herein called the "Project"), by making a grant to the Oregon State Highway Commission (herein called the "Applicant") in the amount of 45 percent of the cost of the Project upon completion, as determined by the Federal Emergency Administrator of Public Works (herein called the "Administrator"), but not to exceed, in any event, the sum of \$6,852.

"2. By acceptance of this Offer the Applicant covenants to complete the Project with all practicable dispatch, and in any event by March 18, 1939.

"3. This Offer is made subject to the express condition that, if the Administrator shall determine at any time that the Applicant has paid or agreed to pay, whether directly or indirectly, a bonus, commission or fee to any person, firm or corporation for attempting to procure an approval of the Applicant's application, or for alleged services in procuring or in attempting to procure such approval,

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or for activities of the nature commonly known as lobbying performed or agreed to be performed in connection with the application, then the Administrator shall have the right, in his discretion, to rescind this Offer and any agreements resulting herefrom, and, in the event of such rescission, the United States of America shall be under no further obligation hereunder.

"4. The acceptance of this Offer by the Applicant shall effectuate a cancellation of the contract created by the acceptance of the offer dated August 27, 1938, made by the United States of America to the Applicant: Provided, that the cancellation of such contract shall not impair or vitiate any acts performed or proceedings taken thereunder prior to such cancellation, but such acts or proceedings may be continued under the contract created by the acceptance of this Offer.

"UNITED STATES OF AMERICA
Federal Emergency Administrator
of Public Works

By (Sgd.) H. A. Gray
Assistant Administrator"

be and the same is hereby in all respects accepted.

Section 2. That the State Highway Commission of the State of Oregon and the State of Oregon agree to abide by all Terms and Conditions relating to such grant, a copy of which Terms and Conditions were annexed to the Government's offer and made a part thereof. It is hereby covenanted to complete the work with all practicable dispatch and in any event by March 18, 1939.

Section 3. That J. M. Devers, Assistant Attorney General for Oregon, and Attorney for the State Highway Commission of the State of Oregon be and he is hereby authorized and directed forthwith to send to the Federal Emergency Administration of Public Works three certified copies of this Resolution and three certified copies of the proceedings of this Commission in connection with the adoption of this Resolution, and such further documents or proofs in connection with the acceptance of said offer as may be requested by the Federal Emergency Administration of Public Works.

A RESOLUTION ACCEPTING THE OFFER OF THE UNITED STATES TO THE STATE HIGHWAY COMMISSION OF THE STATE OF OREGON TO AID BY WAY OF GRANT IN FINANCING THE CONSTRUCTION OF THE RICHLAND-HALFWAY SECTION OF THE BAKER-HOMESTEAD HIGHWAY IN BAKER COUNTY AND THE ACQUISITION OF NECESSARY LANDS AND RIGHTS OF WAY THEREFOR.

Be it Resolved By the Oregon State Highway Commission:

Section 1. That the offer of the United States of America

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to the State Highway Commission of the State of Oregon, to aid by way of grant in financing the construction of the Richland-Halfway Section of the Baker-Homestead Highway in Baker County and the acquisition of necessary lands and rights of way therefor, a copy of which offer reads as follows:

"P. W. 87633-5

"FEDERAL EMERGENCY ADMINISTRATION OF PUBLIC WORKS

"Washington, D. C.,
Dated: Feb 20 1939
Docket No. Oreg. 1294-F

"State Highway Commission of the
State of Oregon

Salem, Oregon

"Subject to the Terms and Conditions (PWA Form No. 230, as amended to the date of this Offer), which are made a part hereof, the United States of America hereby offers to aid in financing the construction of highway improvements, including the acquisition of necessary land and rights of way (herein called the "Project"), by making a grant to the State Highway Commission of the State of Oregon (herein called the "Applicant") in the amount of 45 percent of the cost of the Project upon completion, as determined by the Federal Emergency Administrator of Public Works (herein called the "Administrator"), but not to exceed, in any event, the sum of \$28,099.

"2. By acceptance of this Offer the Applicant covenants to complete the Project with all practicable dispatch, and in any event by November 29, 1939.

"3. This Offer is made subject to the express condition that, if the Administrator shall determine at any time that the Applicant has paid or agreed to pay, whether directly or indirectly, a bonus, commission or fee to any person, firm or corporation for attempting to procure an approval of the Applicant's application, or for alleged services in procuring or in attempting to procure such approval, or for activities of the nature commonly known as lobbying performed or agreed to be performed in connection with the application, then the Administrator shall have the right, in his discretion, to rescind this Offer and any agreements resulting herefrom, and, in the event of such rescission, the United States of America shall be under no further obligation hereunder.

"4. The acceptance of this Offer by the Applicant shall effectuate a cancellation of the contract created by the acceptance of the Offer dated September 12, 1938, made by the United States of America to the Applicant: Provided, that the cancellation of such contract shall not impair or vitiate any acts performed or

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proceedings taken thereunder prior to such cancellation, but such acts or proceedings may be continued under the contract created by the acceptance of this Offer.

"UNITED STATES OF AMERICA

Federal Emergency Administrator
of Public Works

By (Sgd.) E. W. Clark
For the Assistant Administrator"

be and the same is hereby in all respects accepted.

Section 2. That the State Highway Commission of the State of Oregon and the State of Oregon agree to abide by all Terms and Conditions relating to such grant, a copy of which Terms and Conditions were annexed to the Government's offer and made a part thereof. It is hereby covenanted to complete the work with all practicable dispatch, and in any event by November 29, 1939.

Section 3. That J. M. Devers, Assistant Attorney General for Oregon, and Attorney for the State Highway Commission of the State of Oregon be and he is hereby authorized and directed forthwith to send to the Federal Emergency Administration of Public Works three certified copies of this Resolution and three certified copies of the proceedings of this Commission in connection with the adoption of this Resolution, and such further documents or proofs in connection with the acceptance of said offer as may be requested by the Federal Emergency Administration of Public Works.

Motion was made by Commissioner Tou Velle that the resolutions be adopted. The motion was duly seconded by Commissioner Aldrich and was adopted with the following members voting "Yes":

Chairman Henry F. Cabell
Commissioner E. B. Aldrich
Commissioner F. L. Tou Velle

The Chairman thereupon declared such resolutions carried by unanimous vote.

The Engineer reported the need to establish reduced load limits on certain highways; namely, a reduction of 25% on the Fremont Highway from Silver Lake to Lakeview, Lake County, and on the Klamath Falls-Lakeview Highway from its junction with The Dalles-California Highway to Lakeview; a reduction of 50% on the following highways: Pendleton-John Day Highway between Nye Junction and Long Creek; Mt. Hood Highway, between Hood River and junction with Cloud Cap Inn Road; The Dalles-California Highway between Bend and Klamath Falls; Central Oregon Highway between Bend and Burns; Lakeview-Burns Highway between Valley Falls and junction with the Central Oregon Highway; Wallawa Lake Highway between Elgin and Rock Creek; Crater Lake Highway between Medford

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and Crater Lake National Park boundary. He recommended the adoption of appropriate resolutions and the posting of these roads in accordance therewith. After discussion the Commission approved the Engineer's recommendation and by unanimous vote adopted the following resolutions with respect thereto:

WHEREAS, the following roads or highways have been duly designated and declared to be and are state highways, and have been improved and are being maintained by the State Highway Commission pursuant to the laws of the State of Oregon as state highways, to-wit:

FREMONT HIGHWAY
KLAMATH FALLS-LAKEVIEW HIGHWAY

AND WHEREAS, the said above-named state highways are in the judgment of the State Highway Commission being subjected to a kind and character of traffic which is damaging and injuring the said highways, and in order to protect said highways against such damage and injury, it is deemed and is the judgment of the Highway Commission, and said Commission finds that it will be for the best interests of the said highways that the maximum weights permitted and authorized by law be reduced;

NOW, THEREFORE, the premises being in part as above stated, and the State Highway Commission having as a result of due investigation found that the roads above mentioned and hereinafter designated are being damaged and injured on account of the kind and character of traffic now being hauled over and upon said roads, and by reason of the fact that vehicles carrying maximum loads moved at the maximum speeds specified by the provisions of the laws of the State of Oregon are breaking up, damaging and deteriorating the said roads,

IT IS HEREBY ORDERED, that the maximum weight of combined load and vehicle which shall be permitted upon the within-named roads shall not exceed the weight herein fixed.

The maximum weights which shall apply to the following highways, to-wit:

FREMONT HIGHWAY from Silver Lake to Lakeview, in Lake County

KLAMATH FALLS-LAKEVIEW HIGHWAY from the junction with The Dalles-California Highway to Lakeview, in Klamath and Lake Counties

shall be restricted to the following weights: the combined weight in pounds bearing on the surface of the highway at contact with the tread on the wheels of any one axle of a vehicle or combination of vehicles shall not exceed the product of four hundred fifty (450)

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multiplied by the sum in inches of the tire width of the wheels of such axle; but, in no event shall the combined weight in pounds bearing on the surface of the highway at contact with the tread of the wheels of any one axle of a vehicle exceed seventy-five (75) per cent of the maximum limit set by law for any one axle.

IT IS FURTHER ORDERED, that these rules and regulations as made and found by the State Highway Commission under the provisions of Chapter 360 of the laws of Oregon for 1931, shall be in full force and effect until modified, annulled or voided by order of the State Highway Commission.

AND IT IS FURTHER ORDERED, that a notice be posted in a conspicuous manner and place at each end of the above named highways and at important crossroads on said highways, so that said notice can be readily seen and read, which said notice shall state plainly the limitations and prohibitions of traffic hereby in this order determined and fixed.

AND BE IT FURTHER ORDERED, that a certified copy of this order be furnished to the county clerk of each county in which any portion of said highways are located, and that a certified copy of this order be furnished to the Superintendent of the Department of State Police for his information.

WHEREAS, the following roads or highways have been designated and declared to be and are state highways, and have been improved and are being maintained by the State Highway Commission pursuant to the laws of the State of Oregon as state highways, to-wit:

PENDLETON-JOHN DAY HIGHWAY
MT. HOOD HIGHWAY
THE DALLES-CALIFORNIA HIGHWAY
CENTRAL OREGON HIGHWAY
LAKEVIEW-BURNS HIGHWAY
WALLOWA LAKE HIGHWAY
CRATER LAKE HIGHWAY

AND WHEREAS, the said above-named state highways are in the judgment of the State Highway Commission being subjected to a kind and character of traffic which is damaging and injuring the said highways, and, in order to protect said highways against such damage and injury, it is deemed and is the judgment of the Highway Commission and said Commission finds that it will be for the best interests of the said highways that the maximum weights permitted and authorized by law be reduced;

NOW, THEREFORE, the premises being in part as above stated, and the State Highway Commission having, as a result of due investigation, found that the roads above mentioned and hereinafter

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designated are being damaged and injured on account of the kind and character of traffic now being hauled over and upon said roads; and, by reason of the fact that vehicles carrying maximum loads moved at the maximum speeds specified by the provisions of the laws of the State of Oregon are breaking up, damaging and deteriorating the said roads,

IT IS HEREBY ORDERED, that the maximum weight of combined load and vehicle which shall be permitted upon the within-named roads shall not exceed the weight herein fixed.

The maximum weights which shall apply to the following highways, to-wit:

PENDLETON-JOHN DAY HIGHWAY from Nye Junction, in Umatilla County, to Long Creek, in Grant County;

MT. HOOD HIGHWAY from Hood River, in Hood River County, to Cloud Cap Inn, in Hood River County;

THE DALLES-CALIFORNIA HIGHWAY from Bend, in Deschutes County, to Klamath Falls, in Klamath County;

CENTRAL OREGON HIGHWAY from Bend, in Deschutes County, to Burns, in Harney County

LAKEVIEW-BURNS HIGHWAY from Valley Falls, in Lake County, to the junction with the Central Oregon Highway, in Harney County;

WALLOWA LAKE HIGHWAY from Elgin, in Union County, to a point five miles west of Wallowa (Rock Creek), in Wallowa County;

CRATER LAKE HIGHWAY from Medford, in Jackson County, to the west boundary of Crater Lake National Park, in Jackson County,

shall be as follows: the combined weight in pounds bearing on the surface of the highway at contact with the tread of the wheels of the front axle of a truck or truck-tractor shall not exceed the product of four hundred (400) multiplied by the sum in inches of the tire width of the wheels of such axle; and, the combined weight in pounds bearing on the surface of the highway at contact with the tread on the wheels of any one axle of a vehicle or combination of vehicles other than the front axle of a truck or truck-tractor, shall not exceed the product of three hundred (300) multiplied by the sum in inches of the tire width of the wheels of such axle; but, in no event shall the combined weight in pounds bearing on the surface of the highway at contact with the tread of the wheels of any one axle of a vehicle exceed the maximum limit set by law for any one axle.

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IT IS FURTHER ORDERED, that these rules and regulations as made and found by the State Highway Commission under the provisions of Chapter 360 of the laws of Oregon for 1931, shall be in full force and effect until modified, annulled or voided by the order of the State Highway Commission.

AND IT IS FURTHER ORDERED, that a notice be posted in a conspicuous manner and place at each end of the above-named highways and at important crossroads on said highways so that said notice can be readily seen and read, which said notice shall state plainly the limitations and prohibitions of traffic hereby in this order determined and fixed.

AND BE IT FURTHER ORDERED, that a certified copy of this order be furnished to the county clerk of each county in which any part of said highways are located, and that a certified copy of this order be furnished to the Superintendent of the Department of State Police for his information.

In this connection the Engineer reported that, in conformance with authority granted him by the Commission at a previous meeting, he posted additional sections of state highways, as follows, for 50% reduced load limits: The Dalles-California Highway between Maupin and Bend; McKenzie-Bend Highway between Sisters and Bend; McKenzie Highway between Sisters and Redmond; Ochoco Highway between Redmond and a point 6 miles east of Prineville; it appearing that such postings were necessary in order to preserve these roads during the period of thaw. However, the conditions requiring such postings have now improved to such an extent that the reduced limits are no longer needed, so he has had the signs taken down. The Commission, by unanimous vote, confirmed the action taken by the Engineer on this matter.

The Engineer brought up for discussion the matter of maintaining the reduced load limit that has been in effect for some time past on the Clarno Bridge over the John Day River on the Shaniko-Fossil Secondary Highway. He explained that the present reduced limit was established because of the condition of the floor system of this bridge but the floor has now been replaced and the reduced limit is no longer necessary. He recommended, in view thereof, that the legal weight limit for this bridge be restored but that the bridge be posted for a maximum speed limit of 15 miles per hour and that the bridge be further limited to one-way traffic. The Commission approved the Engineer's recommendation and by unanimous vote adopted the following resolutions with respect thereto:

WHEREAS, on the 18th day of November, 1932, at a meeting of the Oregon State Highway Commission, all members being present and participating, the Commission passed and adopted a resolution reducing the maximum load limit on the following state highway bridge structure:

Clarno Bridge No. 291-23.8 over the John Day River

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at Clarno on the Shaniko-Fossil Secondary Highway
No. 291, in Wasco and Wheeler Counties.

WHEREAS, subsequent to the passage of said resolution the said bridge structure has been reinforced and repaired so that it is now capable of sustaining or supporting loads weighing up to the limit specified by law; and

WHEREAS, the Commission finds that it is no longer necessary or desirable to maintain the reduced load limit set out in said resolution on the said Clarno Bridge, but that it is necessary, because of the narrowness of the bridge roadway, to post said bridge for one-way traffic for trucks;

NOW, THEREFORE, BE IT RESOLVED that the action of the State Highway Commission reducing the maximum permissible load limit on the

Clarno Bridge No. 291-23.8 over the John Day River
at Clarno on the Shaniko-Fossil Secondary Highway
No. 291, in Wasco and Wheeler Counties,

be and the same hereby is rescinded and cancelled as of this date, and the maximum load limit permissible on the said bridge structure hereafter shall be the maximum load limit provided by law; however, on account of the narrowness of the structure and the hazard that would be created by reason of trucks passing on the same, the said bridge shall be posted for one-way traffic for trucks and such posting shall consist of signs bearing the following words: "NARROW BRIDGE ONE-WAY TRAFFIC FOR TRUCKS", one of such signs to be erected at each end of said bridge structure.

IT IS HEREBY ORDERED that a certified copy of this resolution be furnished to the County Clerks of Wasco and Wheeler Counties, and that a certified copy of this resolution be furnished to the Superintendent of the Department of State Police for his information.

WHEREAS, the highway known and designated as the Shaniko-Fossil Secondary Highway is a state highway and therefore a highway under the jurisdiction and control of the State Highway Commission; and

WHEREAS, said highway crosses the John Day River between Wasco and Wheeler Counties, across which river there has been constructed and is being maintained and used a bridge; and

WHEREAS, the State Highway Commission, after due investigation, has determined and found that said structure cannot with safety to the traveling public sustain vehicles traveling at speeds permitted under Section 55-2201, Oregon Code 1935 Supplement; and

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WHEREAS, it is the judgment of the Commission that because of the condition of said bridge the maximum speed permitted on said bridge should be fixed at fifteen miles per hour and it is further the opinion of the Commission that a one-way traffic regulation for trucks using said bridge should be established;

NOW, THEREFORE, IT IS HEREBY ORDERED that the maximum speed permitted for motor vehicles crossing the bridge over the John Day River between Wasco and Wheeler Counties shall be and is fifteen miles per hour.

IT IS FURTHER ORDERED that trucks using said bridge shall be confined to one-way traffic during the period for which this order is in effect.

IT IS FURTHER ORDERED that the restrictions and regulations fixed in this order shall be in full force and effect from the date of this order until rescinded, modified, or revoked by order of the State Highway Commission.

IT IS FURTHER ORDERED, that a notice be posted in a conspicuous manner and place at each end of the above-named bridge structure so that said notice can be readily seen and read, which notice shall state plainly the limitations and prohibitions of the traffic hereby in this order determined and fixed.

AND BE IT FURTHER ORDERED that a certified copy of this order be furnished to the County Clerks of Wasco and Wheeler Counties and that a certified copy of this order be furnished to the Superintendent of the Department of State Police for his information.

The Commission considered the advisability of sending a representative to the Annual Meeting of the Western Association of State Highway Officials which is to be held in San Francisco during the week of March 6. It was decided to let Division Engineer F. D. Eason represent the Highway Department at such meeting, inasmuch as Mr. Eason is now attending the Annual Meeting of the Asphalt Institute in Los Angeles and it would be convenient for him to stop off in San Francisco on his return to Oregon.

The Commission discussed and referred to the Engineer for investigation and report the complaint relative to flood conditions adjacent to the Oregon-Washington Highway in Riverside Addition to Pendleton.

The Commission had under consideration the following requests for primary highway improvements:

Request of the Rainier Commercial Club for improvement of the Lower Columbia River Highway between Rainier and Prescott:- The Secretary was instructed to inform the club that the Commission has

already ordered a reconnaissance survey of this section but is not in a position at the present time to make any commitment of funds to finance construction.

Request of the Reedsport Chamber of Commerce for improvement of the "L" Street Section of the Umpqua Highway, in Reedsport.

Request of the Klamath County Chamber of Commerce and the Klamath County Court for additional improvements on the Willamette Highway.

Request of T. B. Watters, Chairman of the Highway Committee of the Klamath Falls Chamber of Commerce, for the reconstruction of a short section of the Klamath Falls-Lakeview Highway at the railroad overcrossing at Dairy.

Request of the St. Johns Businessmen's Association for the improvement of North Ivanhoe Street from Philadelphia Street to Richmond Avenue, Portland, as a state highway connection to the St. Johns Bridge.

The Commission instructed the Secretary to keep a list of these projects for consideration in the formulation of future construction programs.

The Commission also considered the following requests for secondary state highway improvements:

Request of Charles Enegren, Marshfield, for the improvement of the Coos River Secondary Highway just east of the north fork ferry on Coos River:- The Engineer advised that the highway is in rather poor condition at this point and should be improved at least to a standard equal to the adjoining sections; further, that investigation has been made by Division Engineer K. D. Lytle, who estimates that to do the work that Mr. Enegren has in mind will cost approximately \$9,000, the section being about one-half mile in length. In view of the costs involved the Commission denied the request for the time being but instructed the Secretary to make note of it for consideration in the formulation of the next secondary highway program.

Petition from the Woodburn Community Chamber of Commerce for the hard-surfacing of the Woodburn-Mt. Hood Loop Secondary Highway in Marion County during the year 1939:- The Engineer advised that this is a meritorious project and estimated that it would cost about \$55,000. He was instructed by the Commission to keep it in mind for earnest consideration in the preparation of the budget for 1940 funds.

Request for the oiling of the Williams Secondary State Highway, in Josephine County, to a point 4 miles south of the town of Williams:- The Engineer advised that the Commission has \$30,000 budgeted for a standard oiling project on this road between Provolt and Williams, particularly to the Williams schoolhouse, which is as far as

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the road is in condition to receive standard oil treatment. To extend the improvement the extra four miles with a light oil treatment, he said, would cost an additional \$2,500. After discussion, the Commission approved the standard oil construction from Provolt to the Williams schoolhouse, as a Federal Aid Secondary Highway project and the application of a light oil treatment beyond such point as far as the road is in condition to receive the same, using state money to finance the work.

Request of Union High School District No. 6, Estacada, Oregon, for the improvement of the secondary state highway in front of the school property, by improving the drainage ditch and the shoulders adjacent to the pavement so as to provide safer parking facilities and traffic benefits as well as for the sake of appearance:- The Engineer estimated that it would cost \$2,500 to do this work. The Commission deferred action pending further investigation and report by the Engineer.

Resolution from Long Tom Grange No. 866, Junction City, for the improvement of the Territorial Secondary Highway between Cheshire and Ferguson, in Lane County:- The Commission referred this request to the Engineer for investigation and report.

Request of the Crook County Court for the improvement of the Warm Springs Secondary Highway between Prineville and Madras, particularly between Prineville and the Pine Products Company's mill:- The Engineer was instructed to investigate this request and report thereon at the next meeting.

The following requests for county road, forest highway, and miscellaneous improvements had the attention of the Commission:

Letter from Blaine B. Coles, Vice President, First National Bank, Portland, requesting improvements to certain county roads in the vicinity of Northeast 111th Avenue, Portland:- The Secretary was instructed to inform Mr. Coles that the roads to which he refers are county roads under the jurisdiction of the Board of County Commissioners of Multnomah County, and to suggest to him that he file his request with such board.

Request of the Klamath County Chamber of Commerce for the improvement of the Cascade Lakes Forest Highway from its junction with the Willamette Highway to Crescent Lake:- In the discussion of this project it was pointed out that the forest highway program for this year has already been prepared and sent to Washington, D. C. for approval, so it is now too late to make any change. The Engineer was instructed to bring this project to the Commission's attention in the formulation of the next forest highway program.

Petitions and resolutions requesting sidewalk construction along a $1\frac{1}{2}$ -mile section of the Medford-Provolt Secondary Highway immediately

west of Medford, in Jackson County, for the benefit of school children:- The Engineer was instructed to investigate this project, in line with the newly-established policy covering sidewalk construction, and to render a report thereon, including estimates of cost, at the next meeting.

Request of the City of The Dalles for the filling-in of the highway right of way where it fronts on the site of the city's proposed civic building and natatorium at the west city limits of The Dalles:- The Engineer recommended approval of this request, which he estimated would cost about \$1,145. The Commission approved the recommendation unanimously.

The following communications had the attention of the Commission:

Letter from Mrs. Adrian Ford, Astoria, requesting permission to erect a monumental marker on the right of way of the Oregon Coast Highway at Astoria at the point where her son recently lost his life in an automobile accident. The Commission denied the request as a matter of policy and instructed the Secretary to convey such information to Mrs. Ford in an appropriate sympathetic letter.

Letter from the City of Eugene requesting the erection of appropriate signs directing truck traffic through that city in accordance with the routing designated by the Eugene City Council:- It was explained that what the city wants is for the state to erect signs directing truck traffic over other city streets than those selected for general traffic using the Pacific Highway. The Attorney advised that the Commission has authority to furnish and erect necessary directional signs as the Commission desires. In view thereof the Commission authorized the Engineer to erect such signs provided the Commission, in so doing, does not assume any responsibility for the maintenance of the streets and that it will be clearly understood that the erection of the signs by the Commission will not be deemed as a selection of streets for a state highway route and that the Commission's responsibility will extend no further than simply furnishing and erecting the signs as may be requested by the city.

Letter from County Judge Earl B. Day, of Jackson County, requesting right of way fence construction along the Sams Valley Secondary Highway between Gold Hill and Sams Valley:- The Commission denied this request as a matter of policy.

Communication from the Associated Chambers of Commerce of Southwestern Idaho and Eastern Oregon expressing appreciation for the progress that is being made toward the completion of the I.O.N. Highway, and urging additional improvements thereon:- The Commission ordered the communication filed.

Resolution from Jefferson County Chamber of Commerce requesting

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that investigation be made of the possibilities of using the Deschutes River Canyon as a location for a highway connecting Central Oregon and the port of The Dalles:- The Commission ordered the communication filed.

The Commission also considered and ordered filed a letter from L. M. Lepper, Director of the Eastside Commercial Club, Portland, relative to roads in the Warm Springs Indian Reservation; a letter from C. T. Haas, Chairman of Oregon's World's Fair Commission, relative to the Oregon exhibit at the San Francisco World's Fair; and a letter from Wesley Vandercook, Vice President of the Longview Bridge Company, stating that company's position relative to the establishment of toll-free bridges across the Columbia River.

Mr. L. H. Mills, Portland, representing the Miami Corporation, appeared before the Commission at this time relative to the sale to the state of some of the company's timber along the Salmon River Highway, particularly strips at both ends of the strip now owned by the state, which contain fine stands of virgin timber. The Commission appeared favorably inclined to the acquisition of these tracts if it could be financed. The suggestion was made that the state acquire strips on both sides of the highway at the east end of the state-owned tract, particularly between Highway Engineer's Stations 487+50 and 536+70, and the timber on the south side of the highway at the west end of the state-owned property, particularly between Highway Engineer's Stations 625+06 and 772+25, the purchase of the timber on the north side of the highway at this location to be deferred until later. The State Parks Superintendent estimated that there are about 12 million feet of timber involved, and recommended approval of such suggestion.

Mr. Mills advised that the company is asking \$4.00 per thousand for its timber but he thought that the company would be willing to accept payment in three annual installments. He also stated that he believed the company would be willing to defer the cutting of the timber on the north side of the highway at the west end of the state's property until the state has paid for the balance of the timber.

Chairman Cabell gave as his thought that the Commission would be justified in acquiring these timber strips on the basis outlined, in view of the fact that the Salmon River timber is one of the very few pieces of virgin timber left adjacent to a state highway in this part of the state. After considerable discussion, the Commission voted unanimously to purchase this timber on the basis of such offer; i. e., the timber on both sides of the highway at the east end of the state-owned property and the timber on the south side of the highway at the west end of the state-owned property is to be acquired at once at the rate of \$4.00 per M-FBM, payment to be made in three annual installments, without interest being paid on the balances; further, if the state still wishes to acquire the timber on the north side of the highway at the west end of the state-owned property when the other timber has been paid for, the state may have it at that time at the same rate; namely, \$4.00 per M-FBM, and the Miami Corporation will agree not to cut the timber on such tract before that time. Mr. Mills stated that it would be necessary to have this offer confirmed by the Chicago Office of the company, which he would do at once.

It was agreed that a joint cruise should be made at once of the timber on the tracts that the state is now acquiring and that the total amount that the state is to pay for such timber shall be based upon such cruise. It was also agreed that the state shall take over and assume the obligation of a certain lease that the Miami Corporation has given to a third party to occupy a part of the company's property involved in this transaction.

The Commission discussed an inquiry from County Judge Guy Boyington of Clatsop County as to whether or not the state would need all of the county-owned property on the down-stream side of 8th Street in Astoria for use in connection with the establishment of a Columbia River ferry landing at such point. In the discussion of this matter it was brought out that the present ferry dock is at the foot of 14th Street and there is a question whether or not this should be changed. In view of the circumstances, the Commission deferred its decision in the matter pending additional investigation and report by the Engineer.

In this connection the Assistant Attorney reported on his dealings with Clatsop County for the acquisition of county-owned property that is needed for right of way for the proposed Astor Street revision of the Oregon Coast Highway in Astoria. He advised that he contacted County Commissioners James Elliott and John Slotte with regard to this matter and reached an understanding whereby the county would convey to the state all of the county-owned properties along the proposed alignment provided that, after the completion of all of the right of way transactions, the state will reconvey to the county all portions lying outside of the standard width right of way which have not been used for exchange purposes in acquiring right of way from private owners. He further explained that some of the properties are now under tax foreclosure proceedings by the county and that title to these properties will not become final until February or March of 1940. After discussion the Commission instructed the Attorney to arrange a settlement with the county for all of the right of way that is needed. He was also authorized by the Commission to acquire the right of way across the privately-owned properties which are necessary for this project.

The Engineer reported on the cost to improve the county road which extends from the Oregon Coast Highway to Fort Stevens, in Clatsop County. He advised that this project consists of three units; namely, Unit No. 1, which extends from the Skipanon River Bridge northerly a distance of 1.1 mile and is known as the west leg of the wye connection; Unit No. 2, which begins at a point on the Oregon Coast Highway, about a mile and a half east of Unit No. 1, and extends northerly and westerly a distance of 1.7 miles, to a connection with the north end of Unit No. 1, and is known as the east leg of the wye connection; and Unit No. 3, which commences at the junction of Units 1 and 2 and extends northerly and westerly a distance of 3.15 miles to Fort Stevens. He estimated the cost to improve Unit No. 1 at \$9,000, that to construct Unit No. 2 at \$26,500, and that to construct Unit No. 3 at \$34,800, or a total of \$70,300, and suggested, if the Commission decides to proceed with this improvement, that Unit No. 1 and the southerly part of Unit No. 3 should be constructed first. The Commission considered this project to be of considerable importance and decided to give it serious consideration in

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the formulation of its 1940 federal aid secondary highway program, although no definite commitment of funds was made thereto. It was decided, however, that the entire project could not be constructed at one time because of the cost involved, hence preference is to be given to the construction of Unit No. 1 and a portion of Unit No. 3, as suggested by the Engineer. The Secretary was instructed to inform the sponsors of this project that the Commission will proceed with the construction of the same if and when there is money available to finance it and provided the county will cooperate therein by acquiring rights of way and by paying other costs that cannot be paid with federal moneys.

The Attorney reported on the status of his investigations relative to the securing of liability insurance to protect the Sunset Logging Company in the event that accidents should occur by reason of the operation of the company's logging railroad over the Wolf Creek Highway, in Clatsop County. He said that the Ohio Casualty Company has offered to write public liability and property damage insurance in an amount satisfactory to protect the Sunset Logging Company for accidents that may occur at the exact point where the railroad crosses over the highway, and is asking a premium of \$1,900 for such a policy to cover a 6-year period, with provision for extending the policy another year, if necessary. He further advised that Mr. J. R. Hulburt, President of the Sunset Logging Company, is not satisfied with such policy because it is not written by the same company that wrote their other insurance and would necessitate two policies covering the same operations. Mr. Hulburt, he said, has offered to consider the matter closed if the Commission will pay the Sunset Logging Company the sum of \$1,500 cash and let the company purchase its own insurance. The Commission considered this a fair proposition and thereupon authorized the payment of such sum to the Sunset Logging Company as full and complete satisfaction of its claim for insurance. The Attorney then suggested that it would be in order for the Commission to authorize payment of the final amount to the Sunset Logging Company for constructing its railroad over the highway at this point in accordance with the agreement dated March 31, 1936. He said that there is due and payable on this account the sum of \$2,774.35. The Commission by unanimous vote authorized the payment of such amount to the company as complete and final payment for such undertaking, making a total amount of \$4,274.35 due the company at this time.

The Commission had under consideration the claim of the Oregon American Lumber Corporation for payment for trees that were taken from the company's property by W.P.A. workers on the Wolf Creek Highway for use as camp fuel and roof shakes, which claim is in the amount of \$777, and represents trees as follows that were taken and used for the above-mentioned purposes:

- 2 fir trees averaging 4' in diameter
- 12 fir trees averaging 6' in diameter
- 5 fir trees averaging 7' in diameter
- 3 cedar trees averaging 5' in diameter
- 1 cedar tree averaging 6' in diameter

The Company alleges that this timber was worth \$3.50 per M-FBM and estimates the board measure content of the trees at 222 M-FBM. The Commission

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by unanimous vote approved the payment of the company's claim on such basis.

The Commission discussed the complaint of Mr. S. E. Howard arising out of the improvement of the Amity-Hopewell Secondary State Highway, in Yamhill County. Chairman Cabell advised that he inspected Mr. Howard's premises in company with Maintenance Engineer J. N. Bishop and District Maintenance Superintendent I. A. De France on February 1 and is of the belief that Mr. Howard had just cause for complaint, although the state was not directly responsible for conditions as they exist. It appears that water from nearby canyons originally flowed in a southwesterly direction and crossed the secondary highway at a point about 1/4 mile east of Amity, but that at some time in the past the water was diverted from its natural channel by the construction of a ditch through a small ridge and was taken directly south to the present highway. Also, that before the highway was taken over by the state as a state secondary highway, Yamhill County allowed the water to be diverted westerly for approximately a mile along the north side of the road in a deep drain, thence south across the highway through a box culvert. When this road was taken over as a state secondary highway it was found that this arrangement was very unsatisfactory because, during storms and periods of heavy runoff, the drain was unable to care for the water, and, as a consequence, it flowed down the center of the road, causing ruts to form and the shoulders of the road to be washed away, leaving the road practically impassable. To remedy such condition a culvert was installed across the highway in the natural channel, with the result that the water flowed across Mr. Howard's field and caused considerable damage to his crops. It also appears that Mr. Howard never experienced any difficulty with water in his fields until the Highway Department's forces made this change in the drainage setup.

The Commission's Attorney advised that, in view of the circumstances, the Commission is legally liable for damages to Mr. Howard's property. The Commission decided, after discussion, that it would be advisable to settle with Mr. Howard on a cash basis rather than to attempt to settle on the basis of correcting the drainage system. Accordingly, the Engineer was instructed to negotiate with Mr. Howard on such cash basis and to secure an easement to carry water through his property, if possible.

Reconsideration was given by the Commission to the request of Benton County Court for the oiling of the county road which extends from the Corvallis-Newport Highway to the Corvallis Golf Club, a distance of about .6 mile. The Engineer advised that this road has been inspected and it is estimated that the cost to improve it by regrading and widening the roadbed and by resurfacing and oiling 20 feet in width would amount to about \$10,500. Mr. Tom Davis, Highway Engineer, Bureau of Public Roads, was present and stated that he did not believe that this road would meet the federal aid secondary highway requirements.

After considerable discussion, suggestion was made that perhaps Benton County Court would be willing to pay for the oiling of this road with county funds if the state would construct some other road in Benton County. The Engineer was instructed to contact the County Court relative thereto and to advise the court that the state will arrange for the improvement of the

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golf club road, because the county is not properly equipped for such work, but the Commission will expect the county to reimburse the state for such expense.

The Engineer reported the result of investigations to determine the minimum expense that would be required to place the Little Nestucca Secondary Highway, in Tillamook County, in serviceable condition for local residents, as instructed by the Commission at a previous meeting. He estimated such expense at \$74,500, which would include grading at \$40,000, surfacing at \$12,500, 2 temporary bridges at \$5,000, and 1 permanent bridge at \$17,000; but he suggested that it might be possible to construct all three bridges of a temporary type, which would reduce the total expense to \$60,000. The Commission considered that the traffic carried by this road does not justify such a large expenditure. In the discussion that followed it was brought out that there has accumulated to the credit of Tillamook County the sum of \$8,000 of secondary state highway funds. The suggestion was then offered that the state build 3 bridges of the temporary type and do a certain amount of rough grading and clearing work this year to take up the \$8,000 obligation, and to spend Tillamook County's share of the next allotment of state secondary funds for additional grading and surfacing work next year. The Commission approved the suggestion unanimously and instructed the Engineer to proceed accordingly.

The Engineer brought up for discussion the litigation that is pending in connection with Chas. H. Leonard's contract for the construction of the Jordan Creek Section of the Wilson River Highway, in Tillamook County, Contract No. 1754. He explained that laborers employed on this job are under the impression that they were not properly classified and accordingly about 40 of them have sued the contractor for additional compensation; further, that the case has been tried and the court has ordered payment of the claims, notwithstanding the fact that the classifications have been examined and approved by the engineers of the state highway department and the Bureau of Public Roads. The contractor, he said, is inclined to pay the claims and let the matter drop, because the claims do not aggregate a large amount; but, in his estimation, from the state's standpoint, an appeal should be taken to the Supreme Court, because a principle is involved and there is a possibility that the decision of the judge pro tem will have a bearing on the prices that contractors bid on future highway work. He gave as his thought that probably the state should join with the contractor in appealing the case; also, that the Associated General Contractors should join in such appeal because that organization is also concerned. The Commission's Attorney concurred with the view of the Engineer in this matter.

After considerable discussion the Commission decided to join with the contractor in making this appeal to the Supreme Court, provided the Associated General Contractors will also cooperate. The Engineer was instructed to contact the Associated General Contractors in regard thereto and report further to the Commission.

Reconsideration was given by the Commission to the claim of Mrs. Ida B. Hadley arising out of the reconstruction of the Pacific Highway West in front of her premises, in Yamhill County. In the discussion, Right of Way Agent Clare Parker suggested a possible compromise settlement of this

controversy. He advised that a Mr. Maxwell, who owns property at the intersection of a county road nearby, has plans for the construction of a service station at this intersection, which will involve considerable filling. It was his thought that it would be advantageous to both Mr. Maxwell and Mrs. Hadley if Mr. Maxwell were allowed by the Commission to secure his fill materials from the highway right of way in front of the Hadley property, which would automatically dispose of the Hadley claim. The Engineer suggested that it might be well to look into this suggestion, whereupon the Commission instructed him to have Mr. Parker and Division Engineer E. A. Collier inspect the premises and contact Mrs. Hadley and Mr. Maxwell in regard thereto.

The Commission also reconsidered the budget heretofore approved at its meeting on December 19, for the expenditure of \$40,000 of state highway funds in connection with the Oregon exhibit at the San Francisco World's Fair. The Engineer advised that the amounts set up in this budget for the various items were partially based upon known costs and partially upon estimated outlay; but since then Mr. C. T. Haas, Chairman of Oregon's World's Fair Commission, has suggested a revised budget which will increase the item of rent and the estimate of salaries of personnel to be employed, but will not increase the total amount of the budget. He presented such revised budget as follows, which the Commission approved by unanimous vote and ordered entered in the Commission's records:

	<u>Agreed Original Estimate</u>	<u>Revised Estimate</u>
Motion Picture Film (black and white)	\$ 10,000	\$ 10,000
Motion Picture Film (colored)	1,000	1,000
Diorama	3,250	3,250
Motion Picture Equipment	1,500	1,250
Building, Furniture and Decorations	3,000	4,448
Two operators	4,800	8,750*
Proportionate Rent	<u>10,000</u>	<u>10,000</u>
Total	\$ 33,550	\$ 38,698
10% Contingency	<u>3,355</u>	
Grand Total	\$ 36,905	

* six people

The Commission discussed briefly the matter of increasing the membership of the Advisory Board on Publicity matters and the appointment of a committee to study Oregon conditions tending to affect tourist travel. It was decided to defer action on these matters pending consultation with Governor Charles A. Sprague. The Commission also decided to discuss with Mr. Robert W. Sawyer, Bend, the next time it is in the vicinity of Bend, the matter of the appointment of the committee to study Oregon conditions tending to affect tourist travel. The Engineer was instructed to advise Mr. Sawyer accordingly.

The Commission considered and referred to Chairman Cabell for report to Governor Sprague, a petition urging the construction of the 7-mile gap connecting the Scotts Mills County Road with the North Santiam Highway, at Gates, in Marion County. In the discussion of this matter it was brought out that

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this project does not fit in with the highway construction program for early undertaking, it being the belief of those present that the Commission should concentrate on the reconstruction of the North Santiam Highway before undertaking an entirely new project, and for the further reason that there is a question whether or not the Scotts Mills route is the proper location for a short road between the North Santiam Highway and Portland.

The Engineer discussed briefly with the Commission the proposal made by the Portland Chapter of the Associated General Contractors that the specifications for Oregon state highway construction work be modified so as to provide for wage scales conforming with those agreed upon by certain members of the Associated General Contractors and the American Federation of Labor. It was decided to defer a decision in this matter pending a conference with Governor Charles A. Sprague, which is to be arranged after the legislature adjourns.

The Commission adjourned at 10:45 o'clock p. m., to reconvene at 9:30 o'clock on the following morning in the Benson Hotel.

Portland, Oregon, March 3, 1939

The State Highway Commission reconvened at 9:30 o'clock a. m. in Room 204, Benson Hotel, with all members present and participating. Also present were the State Highway Engineer, the Attorney, and the Secretary.

A delegation consisting of Mr. Dale Cowen, President of the Oregon Winter Sports Association; Fred McNeill, President of the Cascade Ski Club; Berger Underdahl, Chairman of the National Tournament Commission for the Olympic Sports Tryouts; and Mr. George Henderson, Assistant Town Director of the Olympic Sports Tryouts, came before the Commission in regard to the road which extends from the Mt. Hood Highway to Timberline Lodge. Mr. Cowen headed the group. They advised that ski tryouts for the next Olympic Games are to be held on Mt. Hood on April 1 and 2, this year, which will attract a large number of contestants and spectators; in fact, many more than it will be possible to care for by existing road facilities at Timberline Lodge. They further advised that they have given the road problem considerable thought and the only solution that they can find for this difficulty is in some way to secure the opening of the west leg of the road leading from the highway to the lodge. They also advised that they have contacted the U. S. Forest Service relative thereto and were informed by Mr. C. J. Buck, Regional Forester, that if some agency would assume the responsibility for keeping the east leg of the road from the highway to the lodge open, then the Forest Service would open up the west leg and would assume the responsibility of keeping that portion open during the period of the tournament. They urged the Highway Commission to assume such responsibility for the east leg, which, they said, would be only until the conclusion of the tournament, or a matter of about 30 days. They estimated that the east leg could be properly maintained during this period for not more than \$2,000, but that it would cost considerably more than such sum to open up and maintain the westerly leg, which obligation would be assumed by the Forest Service if the state took

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over the east leg. In the discussion of this matter it was pointed out that the Timberline Road is not on the state highway system, hence the Commission is without legal authority to spend state highway funds thereon. However, the Commission indicated a willingness to cooperate in the undertaking if that can be done legally without designating the road as a state highway. A decision in the matter was therefore deferred pending a conference with representatives of the U. S. Forest Service.

Mr. F. N. Brundage, Acting Regional Forester, and Mr. James Frankland, Regional Engineer, appeared with this delegation later in the session. Chairman Cabell advised that the State Highway Commission is favorably inclined to cooperating in this undertaking provided a way is found to do so legally without placing the road on the state highway system. He suggested that the Commission might spend an extra \$2,000 of state highway funds on some other forest highway project if the Forest Service would assume full responsibility for keeping both legs of the Timberline Road open to travel for the period requested. Furthermore, the Commission would be willing to loan some of its snow-fighting equipment as an aid if it can be spared from other projects.

Mr. Frankland gave as his thought that the matter could be worked out satisfactorily on some such basis. After further discussion it was mutually agreed that the Forest Service and the Bureau of Public Roads would assume the responsibility for opening and maintaining both legs of the road during the period under discussion and the state would furnish the snow-removal equipment needed for the work; also, that the Forest Service will keep a record of the cost involved and the state is to be given credit for the loan of equipment, for which no charge is to be made by the state until accumulated rentals reach the sum of \$2,500. It was understood that the arrangement should be covered by written agreement. The State Highway Engineer was instructed by the Commission to arrange for equipment as may be necessary as soon as notified by the Forest Service.

The Assistant Attorney reported on the status of the right of way budget for 1939. He advised that the Commission budgeted an amount of \$550,000 for right of way purchases during such period, and that, to date, he has on hand commitments involving approximately \$260,000. The Commission approved the report and ordered it filed.

The Engineer requested authority to purchase certain parcels of real property that are needed for various highway improvements throughout the state. He submitted a list of such properties together with the prices that he recommended be paid for each. After careful study the Commission approved the request and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth; and

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WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon; and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Mill City Section - North Santiam Highway</u>				
Sullivan, Maggie S.	Stock Pile	2 lots	Lump Sum for land \$100 (14,400 sq.ft.) plus \$7.36	McCallister
<u>West Portland-Tualatin Section - West Portland-Hubbard Highway</u>				
4093-Naas, Charles	R/W	0.896	\$250 per a. plus \$127	Benson
6492-Snow, Edna (Nat'l Prop*)	"	67 sq.ft.	Lump Sum \$25	"
4645-Roach, L. D.	"	7585 sq.ft.	at 1¢ sq.ft.	"
4082-Geiger, Jeanette E.	"	0.464	\$250 per a. plus \$34	"
4091-Erickson, L. M.	"	2.272	\$250 per a. plus \$232	"
5473-Hill, Mary Taylor	"	2 lots	at \$30 per lot	"
		(5000 sq.ft.)		
4472-Baggot, Sophia H.	"	4 lots	at \$30 per lot	"
		(10000 sq.ft.)		
4089-McIntyre, J. J.	"	35475 sq.ft.	at \$250 per a. + \$596.50, (0.814 a.) + moving bldgs. (Est'd. at \$800)	"
4585-Florence, William A.	"	23 sq.ft.	Lump Sum \$2.50	"
<u>Barbur Boulevard Section - Pacific Highway West</u>				
1839-Carrigus, L. C. Jr.	Drainage Tunnel Easement		Gratis	Parker
1838-Teachers' Retirement Fund Assn.	Drainage Tunnel Easement - 20 yr.		Gratis	"
<u>McMinnville-Newberg Section - Pacific Highway West</u>				
4293-Evergreen Memorial Park Assn.	R/W	2.466	1.406 a. Lump Sum \$1600 1.060 a. at \$400 per a. + \$2140.70 + moving bldgs, est. at \$750, + sloping &	

(continued on next page)

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>McMinnville-Newberg Section - Pacific Highway West (continued)</u>				
			planting banks, estimated at \$500. Approved subject to the making of partial payments to owner as reconstruction of his property progresses	Collins
<u>Corbett-Bridal Veil Section - Columbia River Highway</u>				
1831-Union Central Life Insurance Co.	R/W	192.00	\$60 per a. plus \$480	Parker
<u>Third Crossing McNamer's Camp Section - Wilson River Highway</u>				
6479-Hutton, James G.	Stock Pile	1.29	Lump Sum \$100	McChesney
<u>17th Avenue S.E.-Union Avenue S.E. Section - East Portland-Oregon City Hwy.</u>				
2810-Campbell, Maud Hastings	Grade Change		\$500 + conveyance of 2130 sq.ft. of property outside R/W	Parker
<u>Bridal Veil-Multnomah Falls Section - Columbia River Highway</u>				
6621-First National Bank of Portland	Easement			
	Haul Road		3 yrs - Lump Sum \$150	Parker
1844-Bridal Veil Timber Co.	R/W	18.0	\$100 per a.	"
<u>Columbia Boulevard-Harding Avenue Section - Pacific Highway West</u>				
5058-Recard, Emily A.	R/W	5000 sq.ft. at 10¢ per sq.ft. (2 lots)	plus \$1636.50	Parker
<u>Westport-Wauna Section - Columbia River Highway</u>				
3592-Myers, Sandy S.	Stock Pile	1.96	Lump Sum \$250	McChesney
<u>Davies-Vadis Section - Wolf Creek Highway</u>				
6279-Shipley, Clarence E.	R/W	1.79	\$150 per a. + \$440	McChesney
6278-White, George W.	"	1.0	\$175 per a. + \$160	"
<u>Clatsop County - Wolf Creek Highway</u>				
2074-Ruth Realty Company	R/W	6.8	\$5 per a. + \$43	Gardiner
<u>Buxton-Manning Section - Wolf Creek Highway</u>				
6260-Saxton, George D.	R/W	7.51	4.0 a. at \$150 per a. 3.0 a. at \$200 per a. 0.51 a. at \$50 per a. plus \$1174.50	McChesney
<u>South Marshfield Section - Oregon Coast Highway</u>				
6570-Marshfield, City of	R/W	6303 sq.ft.	Gratis	Benson
	Slope Easement			
6568-Marshfield, City of	Slope Easement	3816 sq.ft.	Gratis	"

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Bandon Section - Oregon Coast Highway</u>				
6221-Langlois, Oscar R.	R/W	611 sq.ft. at 5¢ sq.ft.		Gardiner
6222-Morse, Maryette	"	2146 sq.ft. at 5¢ sq.ft. + \$62		"
5358-Panter, T. W.	"	5527.33 sq.ft. at 3¢ sq.ft.		"
5353-Squire, R.W.	"	4988 sq.ft. Lump Sum \$500 plus property lying outside R/W in Lot 2, Block 8, Bandon		"
<u>Odell Junction-Jericho Lane Section - Hood River Highway</u>				
6588-Moe, Forrest L.	R/W	0.01	Lump Sum \$1.00	McCallister
4937-Hood River County	"	0.43	Gratis	"
6593-Coe, Geo. P.	"	0.23	\$100 per a.	"
6583-Gould, E. E.	"	0.24	\$50 per a.	"
6586-Duckwall, John C.	"	0.60	\$50 per a. + \$5	"
6597-Richards, Simon A.	"	4792 sq.ft.	\$50 Lump Sum	"
6584-Edstrom, Herman	"	0.46	\$50 per a. + \$9	"
6580-Krumenacher, J. J.	"	0.70	\$50 per a. + \$61.50	"
6587-Frary, Maud	"	0.36	\$250 per a. + \$110	"
6587A-Frary, Maud & T.H.Acree	"	0.57	Land \$50, + \$5	"
6596-Smith, J. B.	"	0.13	Land \$25, + \$150	"
6595-Severns, H.F. & H.E.Cherry	"	0.09	Land \$10, + \$20	"
6585-Pacific Power & Light Co.	"	1.81	Lump Sum \$10	"
6592-Benton, C. King	"	0.26	\$100 per a. + \$24	"
6582-Hood River County	R/W, Stock Pile	3.04	Gratis	"
6622-Hood River County	"	1.03	Gratis	"
6594-First Securities Co.	R/W	0.08	\$25 Lump Sum	"
<u>Tucker Bridge-Dee Section - Hood River Highway</u>				
6581-Stickney, Gertrude B.	R/W	0.64	\$100 per a. + \$50 + cost of moving flume (est. at \$75)	McCallister
<u>Telocaset-North Powder Section - Old Oregon Trail Highway</u>				
6624-North Powder, City	R/W	1.51	Land \$30, + \$44.50	Wells
<u>Buchanan Ranch-Juntura Section - Central Oregon Highway</u>				
6498-Sitz, Glenn	Gravel Pit	3.52	\$28.40 per a. + fencing	Wells
<u>Butte Creek Summit-Bronson Creek Section - John Day Highway</u>				
6437-Federal Land Bank of Spokane		0.76	\$25 Lump Sum	Collins
	Stock Pile			
<u>Baker-Flagstaff Hill Section - Baker-Homestead Highway</u>				
5990-Johnston, W. W. Estate	R/W	0.03	\$35 Lump Sum for land, plus \$15	DeSouza
(Noble Parsons, purchaser)				
(CORRECTION)				
<u>Buchanan Ranch-Juntura Section - Central Oregon Highway</u>				
6497-Harrison, Mary A.	Gravel Pit	10.95	at \$28.40, plus fencing	Wells

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Valley Falls-White Rock Section - Fremont Highway</u>				
6601-Fisk, Mary Louise	Stock Pile	0.51	\$25 Lump Sum	McCallister
6600-Chandler, Paul P.	" "	0.51	\$25 Lump Sum	"
6602-Chandler, Pauline	" "	0.22	\$20 for land, + \$7.50	"
<u>Dad's Creek Section - John Day Highway</u>				
6407-Sumpter Valley Ry. Co.	R/W	0.12	\$10 Lump Sum + fencing Wells	
6408-Meador, Geo. T.	"	0.16	Land \$16, plus \$16	"
6406-Ricco, Henry	"	0.44	Land \$25, plus moving fence	"
<u>Albany Overcrossing - Pacific Highway East</u>				
5160-Riley, Thomas E. and Nellie M. Scott	R/W	7815 sq.ft.	7½ sq.ft.+ \$252.95	DeSouza
<u>Ontario Undercrossing - Old Oregon Trail Highway</u>				
6413-Fraser, Ida H.	Grade Change Damages		Lump Sum \$400	Parker
<u>Mill Creek-Marks Creek Section - Ochoco Highway</u>				
4943-Bank of California, N.A.	R/W	47.28	19.98 a. at \$100 per a.	
(CORRECTION)			8.07 a. at \$ 50 per a.	
			19.23 a. at \$ 5 per a.	
			plus \$7657, plus cost of drilling well \$1400, and cost of pump and pipe line est. at \$1650	Gardiner

The Attorney presented a request from Elizabeth Paden for additional compensation on a settlement for right of way acquired for the Brownsville Section of the Halsey-Sweet Home Secondary Highway, in Linn County. He said that when Mrs. Paden was approached relative to the acquisition of this right of way the right of way agent was of the opinion that the grade of the highway would be level with Mrs. Paden's property, but it was discovered later that the superelevation of the highway at this point was not considered and that the plans actually called for a considerable fill in front of Mrs. Paden's property, which worked to her disadvantage. It was his thought that an injustice has been done to Mrs. Paden and that the case should be reopened and an additional amount paid to her as damages. He estimated that a satisfactory settlement could be reached at a cost not to exceed \$200 and recommended payment of such amount if necessary. The Commission approved the recommendation unanimously.

The Commission discussed matters pertaining to the Albany grade separation project. In this connection the Engineer advised that of the 1939 federal aid allotment for this project there still remains a balance of \$158,000 which, according to the approved program, is to be used to finance an additional contract in the northern part of Albany before fall. He gave

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as his thought that right of way for this project should be secured now so as to avoid delays in contracting the work that might be attributed to right of way difficulties, it being indicated by past experience in purchasing right of way in Albany that it is going to be quite a slow matter to complete negotiations for property lying within the city limits. He requested authority for the Attorney to commence the securing of options for this right of way at once. The Commission approved the request unanimously.

The Engineer brought up for discussion the matter of an exchange of properties with Mr. Carl G. Washburne, Eugene, along the Oregon Coast Highway, near China Creek, in Lane County. He explained that the state owns a stock pile site that is entirely surrounded by Mr. Washburne's property and that Mr. Washburne is seriously handicapped in the development of his property by reason thereof. Mr. Washburne, he said, would like to obtain this stock pile site and has stated his willingness, if the state will deed it to him, to deed to the state a strip of land of uniform width for the widening of the highway right of way from China Creek to the north line of his property. The Engineer advised that this particular stock pile site is not needed and it would be desirable to accept Mr. Washburne's proposition because the present right of way is only 60 feet wide and should be widened to 80 feet before expensive development takes place in this section. The Commission concurred in the viewpoint of the Engineer and thereupon authorized such exchange of properties.

The Attorney brought up for discussion the controversy with Mr. M. A. Peterson, arising out of a settlement for right of way needed for the Happy Hollow Section of the McMinnville-Tillamook Highway, in Tillamook County. It appears that the property in question was originally owned by a Mr. Henry J. Rost, who was Mr. Peterson's father-in-law, and that Mr. Rost gave to the state an option to purchase the same; but before the Highway Commission had an opportunity to exercise the option Mr. Rost died, and Mr. Peterson, who now owns the land, refuses to give the state a deed. In fact, he has constructed a fence along the original right of way line. The Attorney advised that this land is needed in order to obtain a standard width right of way for this highway, and requested instructions as to further procedure. After discussion, the Commission instructed the Attorney to secure an injunction estopping Mr. Peterson from building any more fence on this land and requiring him to comply strictly with the provisions of the option.

The Attorney reported the need to institute condemnation proceedings in order to acquire right of way needed for the West Portland-Tualatin Section of the West Portland-Hubbard Highway, across the lands of A. G. and L. H. Smith, and for the Manning-Davies Section of the Wolf Creek Highway across the lands of Carrie E. McGill. He suggested payment of \$30 per lot for the Smith property, or a total of \$180 for such right of way, and \$850 for the land needed from Mrs. McGill. The Commission unanimously approved the prices recommended for these properties and authorized the Attorney to proceed with condemnation if the owners refuse the same. The following resolution in regard thereto was adopted by the Commission by unanimous vote:

WHEREAS, the State Highway Commission is by law authorized and directed to lay out, locate, designate, construct, improve, and maintain a system of state highways in the State of Oregon, and to acquire rights of way and to declare the necessity and need for the acquisition thereof, and the advantages to be gained thereby;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the State Highway Commission does hereby find and declare that it is necessary and will be of advantage to the State of Oregon and there is need that the State acquire for right of way purposes in connection with the permanent location, construction, improvement, and maintenance of the following section or sections of the state highway system of the State of Oregon, to wit:

West Portland-Tualatin Section of the West Portland-Hubbard Hwy.
Manning-Davies Section of the Wolf Creek Highway

land and property owned by or in possession of the following parties and/or persons, to wit:

West Portland-Tualatin Section of the West Portland-Hubbard Hwy.
File 5476 - A. G. Smith and L. H. Smith
Manning-Davies Section of the Wolf Creek Highway
File 6268 - Carrie E. McGill

as their respective interests may appear, and this Commission does hereby declare further that the said property or properties are necessary, are needful, and the acquisition thereof will be of advantage to the State of Oregon for right of way purposes in order to make it possible for the State Highway Commission to properly locate, construct, and maintain said portion or portions of the said state highway system in accordance with standards adopted by this Commission relative to curvature, grades, alignment, drainage, and factors of safety.

2. That the State Highway Engineer be and he hereby is instructed and directed to properly survey the parcel or parcels of land required for such right of way purposes and prepare proper and adequate descriptions thereof, which descriptions shall be employed in the preparation of a deed or deeds or other instrument or instruments necessary to complete the acquisition of the said property or properties or which descriptions may be used in the preparation of a complaint in the event that condemnation proceedings are necessary.

3. That the boundaries of the said parcel or parcels of land, as defined and determined by the said survey made by the said Highway Engineer, along the route or location adopted by the Highway Commission, shall be and the same hereby are adopted and the lands defined therein are hereby declared to be and the same are included

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within the rights of way of the said portion or portions of the said state highway system and hereby are declared to be necessary for the proper location, improvement, construction, and maintenance of the said portion or portions of the state highway system.

4. That I. H. Van Winkle, Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they are hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby further resolved that the Attorney General of the State of Oregon and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they hereby are requested to commence and prosecute to a final determination such suit or action, or suits or actions, as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

The Attorney brought up for discussion the complaint of Ben Hur Lampman relative to state-owned property that lies between the Oregon Coast Highway and his property at Nelscott, in Lincoln County. It appears that when the Oregon Coast Highway at this location was straightened a number of years ago, the standard width right of way did not take in all of the old highway, and subsequently the Commission adopted a resolution signifying its intention to retain such portions for state use, which was contrary to the understanding of Mr. Lampman and others in this vicinity, who believed that such portions would be allowed to revert to the adjacent property owners, and they are demanding title from the state to such portions. The Attorney advised that the Commission's resolution of intention to retain the sections of the old road outside of the new standard width right of way was not adopted by the Commission until a lapse of several years after the completion of the new highway, so that in the meantime property owners were perfectly within their rights in thinking that the old highway had reverted to them.

The Commission indicated concurrence in the Attorney's viewpoint and accordingly instructed the Attorney to prepare a modification of the original resolution to eliminate therefrom the section of the old road that fronts on Mr. Lampman's property and is outside of the standard width right of way. He was also instructed to check over this project and ascertain the names of the other property owners who are similarly affected, it being the thought of the Commission that the sections of the old road that are not needed by the state for highway purposes should be turned back to the adjacent property owners without charge; but, if there are parcels that are needed for highway purposes, or, if a reasonable doubt exists, then such parcels shall

be retained by the state but the adjacent property owners shall be paid a reasonable sum for the same.

The State Parks Superintendent was present and discussed with the Commission matters pertaining to the acquisition for wayside purposes of property owned by P. J. Butler, in Tillamook County, being described as the W $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 5, T. 3 N., R. 10 W., W.M., and a 300-foot strip situate in the NE corner of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 6, T. 3 N., R. 10 W., W.M., which said properties are located adjacent to the Oregon Coast Highway near the Tillamook-Clatsop County line. The Parks Superintendent advised that these tracts are badly needed in order to fill out the state park at this location; also, that he has offered Mr. Butler \$5,000 for his property but the offer was refused. After considerable discussion and in view of the desirability of the tract for park purposes, the Commission authorized condemnation of the same provided Mr. Butler refuses to accept the maximum price offered by the state. The Commission referred the matter to Chairman Cabell to set such maximum price. (This property included in resolution authorizing condemnation of the Charles Fowler property immediately following.)

The Parks Superintendent also brought up for discussion the matter of instituting condemnation proceedings to acquire timbered wayside strips from Mr. Charles A. Fowler, near the Tillamook County line, in Clatsop County. He said that Mr. Fowler owns 40 acres of land in this vicinity, described as the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Sec. 31, T. 4 N., R. 10 W., W.M., which are needed to fill out the state park at this location, but Mr. Fowler, for some reason, will not reply to letters on the subject, hence his request for authority to condemn the property. The Commission instructed the Attorney to negotiate with Mr. Fowler for acquisition of his property, and authorized him to commence condemnation proceedings in the event the property cannot be acquired by mutual agreement. The following resolution authorizing such condemnation proceedings to acquire Mr. Fowler's property and also authorizing condemnation of the P. J. Butler property, if necessary, was adopted by the Commission by unanimous vote:

WHEREAS, by virtue of the laws of the State of Oregon, the State Highway Commission is authorized and empowered to acquire land or ground necessary for the development, maintenance and operation of parks, parking places, automobile camps, camp sites, public squares, recreational grounds or resorts and land for the preservation of trees or timber growing thereon; and

WHEREAS, in the judgment and opinion of the State Highway Commission it will be for the convenience and is for the best interests of the general public that there be acquired for public purpose, to wit: for the purpose of developing and maintaining a park, recreational ground and/or resort, and for the purpose of preserving the timber growing thereon the following described parcels of land, to wit:

Charles A. Fowler property:

All of the Southeast quarter of the Southwest quarter of Section 31, Township 4 North, Range 10 West, W.M., Tillamook

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County, Oregon, containing 34.62 acres, exclusive of highway right of way,

and

P. J. Butler property:

All of the West one-half of the Southwest quarter of Section 5, Township 3 North, Range 10 West, W.M., Tillamook County, Oregon, containing 64.83 acres, exclusive of highway right of way.

Also:

A parcel of land lying in the Northeast quarter of the Southeast quarter of Section 6, Township 3 North, Range 10 West, W.M., said parcel being described as follows:

Beginning at the East one-quarter corner of said Section 6; thence south along the east line of said Section 6 a distance of 560 feet; thence North 45° West a distance of 792 feet to the east and west center line of said Section 6; thence east along said east and west line a distance of 560 feet to the point of beginning, containing 3.6 acres.

NOW, THEREFORE, BE IT RESOLVED that the said parcels or tracts of land be and the same hereby are declared by this resolution to be necessary for the purpose herein stated; and

BE IT FURTHER RESOLVED that title to the said parcels or tracts of land be acquired by the State of Oregon, by and through its State Highway Commission, for the above specified public use and purpose.

BE IT FURTHER RESOLVED that the best interests and conveniences of the general public require that title to the said tracts or parcels of real property be acquired for the purpose of developing and maintaining the same for a park, recreational ground or public resort and for the purpose of preserving the timber growing thereon, and for the further purpose of making said parcels of land available for the use and enjoyment of the general public.

BE IT FURTHER RESOLVED that I. H. Van Winkle, Attorney General, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they hereby are requested to negotiate further with the owners of said property and endeavor to acquire said property by agreement, and in the event that said properties cannot be acquired by agreement, then the said I. H. Van Winkle, Attorney General, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, are hereby requested to institute and prosecute such condemnation proceedings or other suits or actions as may be necessary to acquire the said real property or such parcels as cannot be acquired by agreement.

BE IT FURTHER RESOLVED, that in such suits, actions or procedure as may be prosecuted for the acquisition of said real property provision be made whereby title in fee simple shall be acquired in the name of the State of Oregon, by and through its State Highway Commission.

The Engineer brought up for discussion the matter of lining the Arch Cape Tunnel, on the Oregon Coast Highway, in Clatsop County. He suggested, in order to minimize the cost of such project, that a timber lining be substituted for the concrete lining for the time being, notwithstanding that it will be necessary to reduce the width of the sidewalk in the tunnel to 3 feet. The timber lining, he said, will serve the purpose for a number of years and can be replaced with a concrete lining when that will be necessary. The Commission approved such substitution by unanimous vote and authorized the Engineer to proceed accordingly.

The Attorney brought up for discussion the matter of acquiring additional right of way for the Multnomah County Line-Middleton Section of the Pacific Highway West, in Washington County. He explained that he has information to the effect that some of the property in this vicinity which will be needed for the new highway right of way has been subdivided into lots and has been placed on the market for sale, and the question now arises whether or not it would be advisable to acquire the right of way at this time while it is in single ownership rather than to postpone the purchase until such time as it would be necessary to deal with separate individuals. The particular property affected, he said, is that owned by Mr. E. T. Hunter just west of Roamer's Rest. After considerable discussion the Commission decided that it would be advisable to secure options for this property, and instructed the attorney accordingly.

The Commission had under discussion the controversy between the United States Reclamation Service and the Highway Commission concerning ditches and canals which the Government claims must be constructed beneath the surface of the highway in connection with the Owyhee Reclamation Project. The Attorney reported that he had requested Senator McNary to give consideration to legislation which would impose the cost of the construction of such ditches on the Government, and Senator McNary reported that the Federal Reclamation Service in Washington is opposed to such procedure. The Attorney stated that there is a possibility that some cooperative agreement can be worked out through the state and the Reclamation Service and he recommended that negotiations be opened up with that in mind. The Commission approved the recommendation and instructed the Attorney to arrange a conference with Mr. Newell of the Reclamation Service to discuss the matter. Pending satisfactory conclusion of this matter the Engineer was instructed to construct bridges over the ditches and canals that may be excavated across state highways by the Reclamation Service, so as to avoid interruption of traffic, and to bill the Reclamation Service for such expense.

The Commission adjourned at 12:00 o'clock noon and reconvened at 1:30 o'clock p.m. in the same room with the same persons present and participating.

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The Attorney brought up for discussion the controversy with H. M. Featherstone, Vale, Oregon, concerning title to a stock pile site situate in Section 22, T. 18 S., R. 45 W., W. M., Malheur County. He advised that on April 8, 1927, Malheur County executed to the State of Oregon a quitclaim deed covering this stock pile site which is located adjacent to the John Day Highway at Mile Post 283.83, and that the deed was recorded on May 14, 1927; also, that subsequently the county executed another deed conveying a larger subdivision, of which the stock pile site in question is a part, to Mr. Featherstone, who now claims that his title is superior to that of the state, and alleges that the county did not transfer title to the state in compliance with the laws pertaining to transfer of property that was acquired by the county under tax foreclosure proceedings. He gave as his opinion that Mr. Featherstone is not in a position to contest the state's title because, first, the Attorney General ruled many years ago that in the conveyance of property from one governmental board or commission to another, it was not necessary to comply with the statutes relative to advertising and sale; and, second, because the legislature, by Chapter 204, Oregon Laws 1935, authorized any county court or board of county commissioners to convey unto the State of Oregon, by and through its State Highway Commission, lands for various-named state highway purposes, specifically including stock pile sites, notwithstanding the provisions of any other law. He suggested that the controversy might be terminated by deeding to Mr. Featherstone the north half of the stock pile site, which, according to information received from the Division Engineer, is not absolutely needed for the state's use, if Mr. Featherstone will convey to the state a parcel of land of equivalent area fronting on the highway and adjoining the south half of the tract under discussion. He requested instructions.

After discussion, the Commission decided that it does not have authority to quitclaim anything to Mr. Featherstone without adequate consideration. The Attorney was instructed to so inform Mr. Featherstone and to endeavor to reach a satisfactory agreement with him on the basis of his suggestion.

The State Parks Superintendent, Mr. S. H. Boardman, was present and reported on the following park matters:

Suggestion of P. F. Chandler, Canyon City, that the state take over and assume the maintenance of Joaquin Miller cabin, near Canyon City:- The Parks Superintendent advised that the cabin under discussion was built in the year 1860 by Joaquin Miller, who lived in it for about 5 years. Local Canyon City people, he said, are now caring for the cabin because of its historical background and its relation to the early days of Grant County, but the cabin needs attention and it appears that the responsibility is too great for the local people to handle, so they have suggested that the Highway Commission take it over as a state matter. He added that the building houses some old relics, none of which, however, were ever owned by Joaquin Miller, and if the state took it over it would be necessary to maintain a caretaker there constantly. He also stated that the sponsors of this project want to talk it over with the Commission personally, in view of which the Commission decided to defer action until it has had an opportunity to hear what these people have to say about it.

Report on the matter of cleaning up the Indian Village adjacent to the Columbia River Highway at Celilo, Wasco County:- The Parks Superintendent presented a form of resolution pertaining to the cleaning-up of these premises but the Commission deferred action thereon in view of a report from Commissioner Aldrich to the effect that he has been informed by Mr. O. L. Babcock, Superintendent of the Umatilla Indian reservation, who has supervision over the Indian Village at Celilo, that a movement is under way for a general clean-up of this village. It was the thought of the Commission that further action on this matter should be deferred until it is known what can be accomplished by the movement referred to by Mr. Babcock.

Suggested state park adjacent to the Oregon Coast Highway, near Nelscott, in Lincoln County:- The Parks Superintendent advised that he had further conversation with the sponsors of this park during which he pointed out that the Commission has only a limited amount of funds budgeted for purchases of this kind, and if it purchased the Nelscott tract it would not be possible to finance the purchase of timber strips along the Salmon River Highway. In view of the circumstances, he said, these people expressed a strong preference for the acquisition of the Salmon River timber.

Purchase of wayside strips adjacent to the Wolf Creek Highway through the holdings of the Oregon-American Lumber Corporation:- The Parks Superintendent advised that the strips in question have been burned over but have not been logged and that the corporation has stated its willingness to sell the strips to the state, after the timber has been removed, at the rate of \$5.00 per acre, and is willing to enter into a sales agreement with the state at this time to that effect, although it may be a matter of 10 years before the state can secure a deed to the property. He recommended execution of such agreement. The Commission approved the arrangement and authorized the Attorney to prepare a sales agreement in accordance therewith. However, the agreement is to be approved by the Commission before it is presented to the company for execution.

Purchase of an addition to Azalea State Park at Brookings, in Curry County:- The Parks Superintendent requested authority to purchase 2.89 acres as an additional unit to this park. He advised that the owners, the Brookings Land and Townsite Company, are asking \$100 per acre for this land plus an additional \$40, which represents the amount that they paid out to have the property surveyed for a prospective purchaser, or a total of \$329. The Commission approved the purchase of this tract by unanimous vote.

Proposed addition to Devils Elbow State Park adjacent to the Oregon Coast Highway, near Heceta Head, in Lane County:- The Parks Superintendent recommended the purchase of 58 acres at this location, described as Lot 1 and the N.W. $\frac{1}{4}$ of the N.W. $\frac{1}{4}$ of Sec. 34, T. 16 S., R 12 W., W.M., from the owner, Mr. Rufus Stonefield. He said that this property is needed to protect the present state park at this location, Lot 1 being particularly desirable because it will prevent the commercialization of the area on the east side of the highway at the north end of the Cape Creek Bridge, and will round out the present park on the east side of the highway. The N.W. $\frac{1}{4}$ of the N.W. $\frac{1}{4}$, he said, consists of a high promontory overlooking the ocean and lies just north of the Heceta Head

Lighthouse. Furthermore, it joins the property of Mr. Carl G. Washburne, Eugene, who plans to donate his property to the state for park purposes. This promontory, he said, is the main background of the lighthouse setting as viewed from the Sea Lion Caves located about 1 mile south of this point. He gave as his thought that this property can be purchased for \$3,500 and strongly recommended the purchase. The Commission by unanimous vote authorized negotiations for the purchase of this property at such figure.

130-acre addition to Silver Falls State Park, in Marion County:- Mr. Boardman advised that this area is situate in the lower end of the Silver Creek Canyon and is an intervening tract between two areas that have already been acquired to fill in this park. Further, that the tract is timbered and would be very useful in affording protection to other timbered areas in this park and is also needed for the building of trails, which, under present conditions, cannot be built without encroaching upon private property. He advised that the entire acreage, which is described as the S.W. $\frac{1}{4}$ of the N.E. $\frac{1}{4}$, the N $\frac{1}{2}$ of the N.W. $\frac{1}{4}$, and 10 acres situate in the S.E. $\frac{1}{4}$ of the N.W. $\frac{1}{4}$, all in Sec. 10, T. 8 S., R. 1 E., W.M., can be purchased from the owner, a Mr. K. W. Merrifield, for the sum of \$2,600, which is at the rate of \$20 per acre. The Commission approved the purchase by unanimous vote.

Concession at the Vista House at Crown Point:- The Parks Superintendent brought up for discussion the advisability of granting to Mr. Edward L. Dimmitt, who has had the concession privilege at this place for the past 23 years under Multnomah County's supervision, a continuation of his concession privilege. He presented a statement from Mr. Dimmitt showing that his yearly expense for maintaining the concession amounts to \$2,491. After discussion, the Commission authorized the renewal of the concession to Mr. Dimmitt for a period of one year without compensation, provided he will act as caretaker of the property and will maintain the premises to the satisfaction of the state; and provided, further, that he will confine his sales to candy, gum, cigarettes, ice cream, soft drinks, and cigars, and nothing else, the intention being that Mr. Dimmitt shall not conduct a restaurant business in opposition to Mr. W. A. Johnson who conducts such a business on privately-owned property nearby.

Sale of gravel from Cummings Creek on the Oregon Coast Highway, in Lane County:- The Parks Superintendent advised that a Mr. George L. Govro, of Yachats, has requested permission to take gravel from this creek, which is located within the boundaries of the property recently acquired from Mrs. Pratt for state park purposes. He recommended that the request be denied. The Commission approved the recommendation.

Proposed park site at Floras Lake near Port Orford, in Curry County:- The Parks Superintendent advised that the Blacklock Sandstone Company of San Francisco owns 1400 acres at this location, which commences at Floras Lake and extends down the coast in Sections 18, 19, 30, and 31, of T. 31 S., R. 15 W., W. M., for which the company is asking the sum of \$10 per acre, or \$14,000 for the entire acreage. He gave as his thought that this would be a wonderful buy if the Commission could finance it. In view of the present shortage

of funds the Commission decided not to purchase this tract now, it being the Commission's belief that the money required to acquire this tract could be spent to much better advantage in acquiring tracts that would fit in better with the state parks system.

Timber tract at the intersection of the McKenzie Highway and the McKenzie-Bend Highway just east of the town of Sisters:- The Parks Superintendent advised that this tract is owned by the Louis Hill interests, who have offered to sell it to the state at the rate of \$4.00 per thousand for the timber standing thereon. A cruise by the Hill interests, he said, indicates that there are 444,000 board feet of timber on the tract, whereas the state's cruise indicates 143,000 board feet; also, that on account of this difference, a third cruise was made by the U. S. Forest Service, which indicates that the tract contains 374,000 board feet. He advised that, due to the variance, he has arranged with Mr. David Mason, who represents the Hill interests, for a joint cruise of the tract so as to make it possible to come to a mutual understanding as to the correct stumpage. The Commission approved the report.

Woahink Lake C.C.C. Camp:- The Parks Superintendent advised that the Federal Government is about to abandon the C.C.C. camp that has been located at Woahink Lake and has been doing good work in Jessie Honeyman State Park. He said that there is much work yet to be done in this park, and requested authority from the Commission to write to the National Parks Service objecting to the removal of this camp. The Commission by unanimous vote approved the request and instructed Mr. Boardman to send copies of his letter to the members of Oregon's delegation in Congress.

Display of Highway Department's pictures in hotel lobbies:- The Parks Superintendent reported conversation with the manager of one of the hotels in Portland regarding the use of some of the Highway Department's pictures of Oregon scenes for display purposes in the lobby of his hotel. He requested information as to whether or not he should encourage such display of pictures that have been made by the Highway Department's official photographer. In the discussion of this matter the question arose whether or not commercial photographers would object to the use of state-owned pictures for such purpose and to what extent other hotels throughout the country would ask for the same privilege. The Parks Superintendent was instructed to confer with Mr. Harold B. Say, Director of the Travel and Information Department, relative thereto.

The Commission had under consideration the matter of providing a basic allocation for the 1940 Federal Aid Funds and for the 1939 State Funds; also, the selection of projects for a partial program for the 1940 Regular Federal Aid Funds. After considerable discussion and careful consideration, the Commission by unanimous vote approved the following basic allocation for such funds and the following projects for such partial program, it being understood that the basic allocation is tentative only and that it is essential to adopt the partial program at this time if the projects listed therein are to be placed under contract this year. The Engineer was authorized and instructed to submit such partial program to the Federal Bureau of Public Roads for approval.

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BASIC ALLOCATION, 1940 FEDERAL PROGRAM AND 1939 STATE PROGRAM

Program	Total (100%)	Divisions 1 & 2 *(47.0%)	Division 3 (18.0%)	Division 4 (14.5%)	Division 5 (20.5%)
1940 Regular Federal Aid	\$2,900,000	\$1,363,000	\$522,000	\$420,500	\$594,500
1940 Feeder Road Projects on State Hwys.,	215,000	101,000	38,700	31,200	44,100
1940 Feeder Road Projects on County Roads	215,000	101,000	38,700	31,200	44,100
1940 Grade Separation Projects	270,000	126,900	48,600	39,200	55,300
1940 Federal Lands Highway Projects	90,000	- - -	- - -	37,300	52,700
1939 State Projects on Primary Highways	30,000	14,100	5,400	4,300	6,200
1939 State Projects on Secondary Hwys.	55,000	25,800	9,900	8,000	11,300
Accumulated Balances	<u>25,000</u> \$3,800,000	<u>11,800</u> \$1,743,600	<u>4,500</u> \$667,900	<u>3,600</u> \$575,300	<u>5,100</u> \$813,300
Sub-totals					
Adjustment for previous programs		- - -	+234,000	-285,000	+51,000
Adjustment for PWA Program		+225,300	-88,900	-50,600	-85,800
Adjustment for Wolf Cr. & Wilson R.W.P.A. Proj.		-166,000	+56,400	+45,400	+64,200
Sub-totals	<u>\$3,800,000</u>	<u>\$1,802,900</u>	<u>\$869,300</u>	<u>\$285,100</u>	<u>\$842,700</u>
Adjustment for Odell Lake-Walker Mt. Surf.		- - -	-145,000	+145,000	- - -
Adjustment to round out totals		- 27,900	+25,700	+20,000	-17,700
Totals tentatively approved by Commission on March 3, 1939	<u>\$3,800,000</u>	<u>\$1,775,000</u>	<u>\$750,000</u>	<u>\$450,000</u>	<u>\$825,000</u>

* The percentages shown under the division headings apply to all of the programs except the 1940 Federal Lands Highway Projects.

PARTIAL PROGRAM OF 1940 REGULAR FEDERAL AID PROJECTS

Name of Highway	County	Name of Section	Termini	Miles (Net)	Kind of Work	Total Est. Cost	Cost to be Paid from P.A. Funds
Columbia R. Mult.		Taylor Siding-Dodson 3 Mi. E. of Troutdale to Dodson		6.0	Grading	\$217,500	\$130,500.00
Oregon Coast Clatsop		Arch Cape	Arch Cape Tunnel	0.6	Tunnel Linings, Pav., & Portals	50,000	30,000.00
Willamette Lane		Salt Cr. Falls-Salt Creek	Salt Cr. Falls to point near Salt Cr. Crossing	3.3	Grading	150,000	90,000.00
Willamette Lane		Salt Cr. Falls-Summit	Salt Cr. Falls to Klamath County Line	5.7	Surf. & Oil	40,000	24,000.00
Willamette Klamath		Summit-Odell Lake	Lane Co. Line easterly 1.4 mi.	1.4	Surf. & Oil	15,000	9,000.00
The Dalles-Calif.		Agency-Modoc Point	Klamath Indian Agency to Modoc Point	12.5	Surf. & Oil	100,000	60,000.00
Central Ore. Harney & Malheur		Stinkingwater Cr.-Juntura	1.5 mi. W. of road to Drewsey to W. limits of Juntura	17.5	Surf. & Oil	145,000	87,000.00
John Day Wheeler		Mule Shoe Creek	Service Cr. to 0.5 mi. E. of Mule Shoe Cr.	1.1	Bridge, Grad., Surf. & Oil	22,000	13,200.00
State-wide Planning Survey (1 1/2% of total Federal Aid allotment)						41,000	24,582.34
						\$780,500	\$468,282.34

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The Engineer presented a list of surveys that he has ordered since the last meeting of the Commission, and asked the Commission to confirm them and the amounts authorized for each. After due consideration, motion was made by Commissioner Tou Velle that the State Highway Engineer be authorized and instructed to make such location surveys on various sections of highways of this state, which said sections of highways, together with their identifying survey numbers and the amounts authorized for survey expenditures are as follows:

Mile Post - - -	Baker-Idaho Line Section, Old Oregon Trail Highway, Baker County	1st authorization - \$240.00
Plans - - - -	Canby-Marquam Section, County Road, Clackamas County	1st authorization - \$1,050.00
Location - - -	Zig Zag-Rhododendron Section, Mt. Hood Highway, Clackamas County	1st authorization - \$1,400.00
Bridge - - - -	Cannon Beach Junction-Mecanicum Junction Section, Oregon Coast Highway, Clatsop County	1st authorization - \$100.00
Plans - - - -	Jewell-Banser Bridge Section, Nehalem Secondary Highway, Clatsop County	3rd authorization - \$300.00
	Total to date - \$3,550.00	
Right of Way -	Mist Section, Nehalem Secondary Highway, Columbia County	1st authorization - \$100.00
Location - - -	Crooked River-Prineville Section, Ochoco Highway, Crook County	3rd authorization - \$500.00
	Total to date - \$1,300.00	
Reconn. - - -	Divide-Oakland Section, Pacific Highway, Douglas County	2nd authorization - \$200.00
	Total to date - \$1,160.00	
Location - - -	Prairie City Section, John Day Highway, Grant County	2nd authorization - \$250.00
	Total to date - \$650.00	
Reconn. - - -	Prairie City-Austin Junction Section, John Day Highway, Grant County	1st authorization - \$1,000.00
Plans - - - -	Cinder Butte-Wagontire Section, Lakeview-Burns Highway, Harney County	1st authorization - \$1,500.00
Plans - - - -	Okerman Ranch-Sage Hen Hill Section, Central Oregon Highway, Harney County	1st authorization - \$1,400.00
Plans - - - -	Wright Point-Narrows Section, Frenchglen Secondary Highway, Harney County	1st authorization - \$1,500.00
Plans - - - -	Buchanan Ranch-Nigger Flat Section, Central Oregon Highway, Harney County	1st authorization - \$800.00
Plans - - - -	Baker Gulch-Lick Creek Section, Little Butte Highway, Jackson County	1st authorization - \$250.00

Plans - - - - Provolt-Williams Section, Williams Secondary Highway, Josephine County 1st authorization - \$100.00

Location - - - U.S.R.S. Flume, M.P. 293.66, The Dalles-California Highway, Klamath County 2nd authorization - \$550.00
Total to date - \$900.00

Plans - - - - Mac's Store-Merrill Section, The Dalles-California Highway, Klamath County. 2nd authorization - \$2,600.00
Total to date - \$2,800.00

Location - - - Silver Lake-Picture Rock Pass Section, Fremont Highway, Lake County 1st authorization - \$700.00

Location - - - Eugene-Walker Section, Pacific Highway, Lane County 1st authorization - \$25,680.00

Right of Way - Toledo-Olalla Creek Section, Corvallis-Newport Highway, Lincoln County 1st authorization - \$50.00

Right of Way - Otis-Yamhill River Section, Salmon River Highway, Lincoln Co. 1st authorization - \$1,370.00

Test Holes - - Albany Section, Pacific Highway East, Linn County 1st authorization - \$150.00

Location - - - Foster-Bryant Hill Section, Santiam Highway, Linn County 1st authorization - \$7,500.00

Plans - - - - Brogan-Jamieson Section, John Day Highway, Malheur County 1st authorization - \$1,950.00

Plans - - - - Sandy Boulevard (Unit 2), Columbia River Highway, Multnomah County 2nd authorization - \$1,200.00
Total to date - \$2,200.00

Location - - - Bybee Avenue Connection, Pacific Highway East, Multnomah County 1st authorization - \$200.00

Plans - - - - Fern Corner-Falls City Section, County Road, Polk County 1st authorization - \$675.00

Right of Way - Neahkahnie Mountain-Short Sand Beach Section, Oregon Coast Highway, Tillamook County 1st authorization - \$500.00

Bridge - - - - Tillamook-Washington County Line Section, Wilson River Highway, Tillamook County 1st authorization - \$150.00

Plans - - - - Mills Bridge Section, Wilson River Highway, Tillamook County 1st authorization - \$260.00

Plans - - - - Cove-Island City Section, Cove Secondary Highway, Union County 2nd authorization - \$500.00
Total to date - \$2,000.00

Plans - - - - Hillsboro-Airport Section, County Road, Washington County 2nd authorization - \$600.00
Total to date - \$1,200.00

The motion was duly seconded by Commissioner Aldrich and was declared by Chairman Cabell to have carried by the unanimous vote of the Commission.

The Commission had under consideration the following requests for extensions of time within which to complete highway construction projects:

Roy L. Houck, Contract No. 1979, for grading the Lamb Creek-Sheep Ridge Section of the Santiam Highway, in Linn County, requested an additional extension of time, from November 1 to November 17, 1938, within which to complete this project. He alleged that he would have completed the job within the previously-extended time limit had it not been for the fact that wet weather interfered seriously with his work, and the work was further delayed by reason of the occurrence of numerous slides. The Engineer advised that the completion date specified in the contract was December 15, 1937, but, because of numerous large slides, the contractor was unable to complete the project within that time, hence the Commission approved extending the time limit to November 1, 1938, with the understanding that Mr. Houck would be required to reimburse the state for engineering expense incurred subsequent to October 1, 1938. Additional slides occurred, he said, which prevented the completion of the project within the extended time limit, and examination of the final quantities reveals that Mr. Houck removed 280,000 cu. yds. of material, which is an increase of 41 per cent over the estimated amount and is 11 per cent in excess of the quantity estimated at the time of the first extension. This would automatically allow the contractor, he said, an extension of time, without penalty, of 94 days subsequent to July 20, 1938, when the work was resumed after the winter shutdown, or until October 23, 1938. He recommended, therefore, that the extension now requested be granted subject to the condition that the contractor shall reimburse the state for engineering expense incurred subsequent to October 23, 1938, instead of subsequent to October 1, 1938. He advised that such recommendation is made notwithstanding that the Bureau of Public Roads will not concur therein and will not reimburse the state for this expense. After discussion, the Commission by unanimous vote approved the Engineer's recommendation.

R. I. Stuart & Sons, Contract No. 2061, for furnishing crushed rock in stock piles for the Bandon-Port Orford Section of the Oregon Coast Highway, in Coos and Curry Counties, requested an additional extension of time, from October 15 to November 27, 1938, within which to complete this job. They gave no reason for their failure to complete the project within the specified time limit. The Engineer advised that the date of completion specified in the contract was August 31, 1938, but was extended by the Commission to October 15, 1938, with the understanding that the contractor would reimburse the state for the engineering expense incurred subsequent to September 4, 1938. He recommended granting this additional extension of time subject to the same penalty. The Commission approved the recommendation unanimously.

D. L. Ashton, Contract No. 2102, for construction of a roadside improvement project on the Shedd-Halsey Section of the Pacific Highway East, in Linn County, requested an extension of time from October 31 to December 15, 1938, within which to complete this job. The Engineer advised that weather conditions were not favorable to the planting of trees and shrubs prior to November 15 and it was not until the latter part of November that the contractor was permitted to proceed with this part of the work. He recommended, in view of the circumstances, that the extension now requested be granted without penalty and presented a letter from the Bureau of Public Roads concurring therein. The Commission approved the recommendation unanimously.

Mountain States Construction Company, Contract No. 2110, for the construction of a canal and railroad roadbed on the Pacific Highway East, in Albany, Linn County, requested an extension of time from December 31, 1938, to June 1, 1939, within which to complete this project. They alleged that their failure to complete the project within the specified time limit was occasioned by the fact that they were ordered to shut down their work on December 30, 1938, and that their operations were delayed by the failure of the railroad company to perform certain work in connection with this job. The Engineer advised that the contractor was handicapped in his operations by reason of the failure of the railroad company to perform certain work that it was obligated to do in connection with this project and also because of the noncompletion of the revision of the city's water main which had to be coordinated with the contract work. He further stated that because of adverse weather conditions he ordered the contractor to close down the work through the winter months. It was his thought, in view of the circumstances, that the contractor is entitled to the extension of time without penalty and he so recommended. A letter was presented from the Bureau of Public Roads concurring therein. The Commission approved the recommendation unanimously.

Castellote & Stocker, Contract No. 2112, for installation of a traffic signal system in the city of Eugene, Lane County, requested an extension of time from November 30, 1938, to January 25, 1939, within which to complete this project. They attributed their failure to complete the project within the specified time limit to delay in receiving some of the signal equipment required for the work. The Engineer advised that the reason given by the contractor for failure to complete this project within the specified time limit is correct and accordingly recommended that the extension requested be granted without penalty. The Commission approved the recommendation unanimously.

The Engineer reported that Contracts Nos. 1979, 2061, 2119, and 2124 for the construction of state highway projects have been completed according to the requirements of the contracts or modifications thereof, and that said jobs are now ready for acceptance. The following resolution accepting the

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above projects was offered and was adopted by the unanimous vote of the Commission:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts and said jobs are now ready for acceptance:

Contract No. 1979, with Roy L. Houck, for grading the Lamb Creek-Sheep Ridge Section of the Santiam Highway, in Linn County. Completed November 17, 1938.

Contract No. 2061, with R. I. Stuart & Sons, for furnishing crushed rock in stock piles for the Bandon-Port Orford Section of the Oregon Coast Highway, in Coos and Curry Counties. Completed November 27, 1938.

Contract No. 2119, with Fisher Brothers, for furnishing crushed rock for the Madras-Deschutes County Line Section of The Dalles-California Highway, in Jefferson County. Completed February 15, 1939.

Contract No. 2124, with A. S. Wallace, for furnishing crushed rock for the Lebanon-Foster Section of the Santiam Highway, in Linn County. Completed February 11, 1939.

THEREFORE, BE IT RESOLVED, that the work covered by said state highway contracts for the construction of said state highway projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

The Commission considered and signed agreements, et cetera, as follows:

Agreement with Ida H. Frazier disposing of her claim against the State Highway Commission arising out of the construction of the Ontario underpass.

Agreement with Wauna Toll Bridge Company covering the matter of highway connection from the Bridge of the Gods to the Columbia River Highway at Cascade Locks.

Agreement with Bureau of Public Roads covering reimbursement for expense in supervising P.W.A. road projects on county roads.

Agreement with Maude Hastings Campbell disposing of her claim arising out of the construction of Union Avenue viaduct, Portland.

Agreement with the First National Bank of Portland and the Bridal Veil Timber Company providing for a hauling-road easement across certain property adjacent to the Upper Columbia River Highway, Multnomah County.

Agreement with Bridal Veil Timber Company covering settlement for right of way on revised location of the Columbia River Highway.

Agreement with O.W.R.R. & N. Company and Union Pacific Company covering the construction of a highway crossing and encroachment at Jamieson, Oregon.

Agreement with the City of Klamath Falls and the California-Oregon Power Company relative to changes in power lines, poles, and facilities in connection with Main Street Undercrossing Project in Klamath Falls.

Agreement with Union County Court covering maintenance and acquisition of right of way for the North Powder River County Road.

Agreement with Klamath County Court providing for maintenance and acquisition of right of way for the Poe Valley Section of the Malin-Bonanza County Road.

Agreement with Portland General Electric Company et al relative to form of permit releasing the power company and associated pole lines from liability with respect to fixtures which the state may attach to the company's poles.

Agreement with Frank Cornwell covering construction of an 8-inch tile drain leading from the state highway to Mr. Cornwell's property adjacent to Barbur Boulevard.

Confirm the signing of agreements with the Teachers Retirement Fund Association, Multnomah County, and Lewis C. Garrigus, Jr., and wife, providing for easements for Barbur Boulevard drainage tunnel in Portland.

Bargain and Sale Deed conveying 0.366 acre of land adjacent to Siuslaw Highway, Lane County, to A. J. McDonald and wife.

Bargain and Sale Deed conveying unto William J. Jacobs and wife 37,621 square feet of land situate in Irvington Addition to the city of Portland.

Bargain and Sale Deed conveying unto James S. Moore 40 acres of indemnity land situate in Grant County.

The Commission discussed the setting of a date for its next regular meeting to receive bids on highway construction projects, and decided to hold

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such meeting on Thursday and Friday, April 6 and 7, in Portland. The Secretary was instructed to make the usual arrangements for the use of the auditorium in the Public Service Building.

There being no further business to come before the Commission at this time, the meeting was adjourned at 3:00 o'clock p. m.

Robert M. ...
State Highway Engineer
H. B. Glaisyer
Secretary

Henry F. Cabell
Chairman
E. B. Aldrich
Commissioner
F. L. Tou Velle
Commissioner

Salem, Oregon, March 21, 1939

The State Highway Commission met in special session at 10:30 o'clock a. m. in the office of the State Highway Engineer, Room 325, State Office Building. Present were:

Henry F. Cabell, Chairman
E. B. Aldrich, Commissioner
F. L. Tou Velle, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

The Commission by unanimous vote approved the minutes of its meetings held on June 13, 14, and 15; June 29 and 30; July 20 and 21; August 3 and 4; August 9; August 30; September 19; September 28 and 29; October 20; November 14 to 18, inclusive; December 19 and 20, 1938; January 13; January 25, 26, and 27, 1939.

The Assistant Attorney entered a brief report on the right of way budget. He pointed out that said budget for 1939 contains an item of \$550,000 for acquisition of right of way and other real property, exclusive of state parks, and that to date he has received commitments totalling \$286,000. The Commission approved the report.

The Engineer requested authority to acquire certain parcels of real property that are needed for various highway improvements throughout the state. He submitted a list of such properties together with prices that he recommended be paid for each. After careful consideration the Commission approved the Engineer's request and by unanimous vote adopted the following resolution in regard thereto:

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WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth; and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon; and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Salem-12th Street Junction - Pacific Highway East</u>				
5760-Grabenhorst, E.B.	R/W	8818 sq.ft.	3¢ sq.ft. plus \$50	McCallister
<u>Dallas Section - Dallas-Kings Valley Highway</u>				
1253-Polk County	Maintenance	0.59	3-yr. lease	
	Headquarters		Lump Sum \$1.00	Benson
<u>Eagle Creek-Wade Corner Section - Eagle Creek-Dover Highway</u>				
6722-Douglas, Roy	Quarry	2-yr. lease,	1¢ per cu. yd.	Collier
6721-Anderson, A. W.	"	2-yr. lease,	2½¢ per cu.yd.	"
<u>Manning-Davies Section - Wolf Creek Highway</u>				
6268-McGill, Carrie E.	R/W	2.90	\$150 per a. + \$415	McChesney
<u>Mist Section - Nehalem Highway</u>				
6725-Columbia County	Maintenance Site	0.47	\$100 per a. + \$203	McChesney
<u>Buxton Section - Wolf Creek Highway</u>				
1269-Standard Box and Lumber Co.		10.0	\$60 per a.	McChesney
	Quarry			
<u>Mills Bridge Section - Wilson River Highway</u>				
6710-Vogler Estate, and A. T. Dolan	R/W	0.58	Lump Sum \$25	Benson

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Section, Ety., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>West Portland-Tualatin Section - West Portland-Hubbard Highway</u>				
5469-Ford, M. Anna	R/W	2 lots (5000 sq.ft.)	\$30 per lot	Benson
<u>Multnomah County Line-Middleton Section - Pacific Highway West</u>				
6121-Hunter, E. T.	R/W	0.18	\$300 per a. + \$50 + moving bldgs. (Est. at \$400)	"
<u>Bandon Section - Oregon Coast Highway</u>				
5367-Miller, Clara A.	R/W	160 sq.ft.	at \$0.075 per sq.ft.	Gardiner
5349-Chatburn, George	"	215 sq.ft.	at 10¢ sq.ft. plus moving buildings	"
5355-Kronenberg, George	"	5352 sq.ft.	5000 sq.ft. at \$0.12 per sq.ft. 352 sq.ft. at \$0.35 per sq.ft. plus \$76.80 plus moving or remodeling buildings	Gardiner
5326-Bandon, City of	"		Cost of moving transformer station - \$373.11	"
<u>Reedsport-Hinedale Slough Section - Umpqua Highway</u>				
6010-Umpqua Corporation	R/W	17.5	7.5 a. at \$200 per a. 10.0 a. at \$50 per a. plus \$1000	McChesney
			(Price is satisfactory but property not to be purchased until public hearing is held in Reedsport)	
6011-Douglas County	R/W	1.52	\$1.00 Lump Sum	"
4701-Douglas County	"	18749 sq.ft.	\$1.00 Lump Sum	"
<u>South Entrance to Marshfield Section - Oregon Coast Highway</u>				
5094-Mullen, Mary F. Est. and Planagan Est.		7776 sq.ft.	Gratis	Benson
5083-Mullen, Mary F. Est.	"	5167 sq.ft.	"	"
6569-Mullen, Mary F. Est. and Coos County		Slope Easement 282 sq.ft.	"	"
<u>Baker Gulch-Lick Creek Section - Little Butte Highway</u>				
6706-Emerick, Bessie	Quarry	9.19	\$250 Lump Sum	Benson
6705-Hansen, N. M.	Stock Pile	0.49	\$ 75 Lump Sum	"
<u>Cold Springs-Holdman Section - Cold Springs Highway</u>				
2953-World War Veterans' State Aid Commission	R/W	0.21	Land Gratis plus \$73.75	"
<u>Butter Creek Bridge Section - Lexington-Echo Highway</u>				
6625-Barrett, Elisa	R/W	0.22	\$75 per a.	Parker

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Rhea Creek-Hopner Section - Wasco-Hopner Highway</u>				
6711-Jones, C. N.	Quarry	3.67	\$30 per a. plus \$48	Wells
6677-Jones, Alva W.	R/W	0.33	\$30 per a. plus \$7.50 plus fencing	"
6694-Hanshaw, D. H.	"	0.11	Land \$10, plus \$45.75	"
6687-Baird, J. W.	"	0.10	Land \$10, plus \$21	"
6679-Gammell, Ida M.	"	0.36	Land \$10, plus \$85.50	"
6680-Jones, C. N.	"	0.13	Land \$5, plus \$95.25	"
6699-Morrow County	"	0.02	Gratis	"
6678-Jones, Glenn C.	"	2.25	\$20 per a. plus \$406.25	"
6695-Hughes, Joseph J.	"	0.01	\$5.00 Lump Sum	"
6693-Stout, James	"	0.01	\$5.00 Lump Sum	"
6702-Morrow County	"	0.01	Gratis	"

The Attorney requested authority to institute condemnation proceedings to acquire the following properties:

McEwan and Gates property needed as right of way for the Pacific Highway East, in Oregon City. He recommended an offer of \$11,000 for this property.

August Olson property needed as right of way for the Pacific Highway East, in Oregon City. He recommended an offer of \$9,500 for this property.

John Bastendorf property needed as right of way for the Charleston-Cape Arago Section of the Cape Arago Secondary Highway. He recommended payment of \$200 for this property.

After discussion, the Commission approved the offers recommended for such properties and by unanimous vote adopted the following resolution authorizing condemnation if they are refused:

WHEREAS, the State Highway Commission is by law authorized and directed to lay out, locate, designate, construct, improve, and maintain a system of state highways in the State of Oregon, and to acquire rights of way and to declare the necessity and need for the acquisition thereof, and the advantages to be gained thereby;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the State Highway Commission does hereby find and declare that it is necessary and will be of advantage to the State of Oregon and there is need that the State acquire for right of way purposes in connection with the permanent location, construction, improvement, and maintenance of the following section or sections of the state highway system of the State of Oregon, to wit:

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Abernethy Bridge-Main Street Section of the Pacific Highway East

Charleston-Cape Arago Section of the Cape Arago Highway

land and property owned by or in possession of the following parties and/or persons, to wit:

Abernethy Bridge-Main Street Section of the Pacific Highway East

5304-Gladys Gates McEwan and C. T. Gates
6489-August Olson

Charleston-Cape Arago Section of the Cape Arago Highway
6729-John Bastendorf Heirs

as their respective interests may appear, and this Commission does hereby declare further that the said property or properties are necessary, are needful, and the acquisition thereof will be of advantage to the State of Oregon for right of way purposes in order to make it possible for the State Highway Commission to properly locate, construct, and maintain said portion or portions of the said state highway system in accordance with standards adopted by this Commission relative to curvature, grades, alignment, drainage, and factors of safety.

2. That the State Highway Engineer be and he hereby is instructed and directed to properly survey the parcel or parcels of land required for such right of way purposes and prepare proper and adequate descriptions thereof, which descriptions shall be employed in the preparation of a deed or deeds or other instrument or instruments necessary to complete the acquisition of the said property or properties or which descriptions may be used in the preparation of a complaint in the event that condemnation proceedings are necessary.

3. That the boundaries of the said parcel or parcels of land, as defined and determined by the said survey made by the said Highway Engineer, along the route or location adopted by the Highway Commission, shall be and the same hereby are adopted and the lands defined therein are hereby declared to be and the same are included within the rights of way of the said portion or portions of the said state highway system and hereby are declared to be necessary for the proper location, improvement, construction, and maintenance of the said portion or portions of the state highway system.

4. That I, H. Van Winkle, Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they are hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land with respect to the compensation to be

paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby further resolved that the Attorney General of the State of Oregon and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they hereby are requested to commence and prosecute to a final determination such suit or action, or suits or actions, as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

The Assistant Attorney reported results of his contact with the County Court of Clatsop County relative to the acquisition of county-owned land that is needed for right of way for the proposed Astor Street improvement of the Oregon Coast Highway, in Astoria. He advised that the County Court has stated a willingness to deed this property to the state provided the state, in turn, will deed back to the county the areas that lie outside of the standard width highway right of way, and provided, further, that the state will reimburse the county for the taxes that the county has paid to the state treasurer on the property that is taken for right of way. The Commission approved such arrangement by unanimous vote.

The Assistant Attorney brought up for discussion the advisability of acquiring the L. E. Dayton property at Grants Pass, a portion of which is needed as right of way for the proposed revision of the Pacific Highway just south of Grants Pass. He explained that Mr. Dayton owns land fronting on the present highway, on which he conducts a store business and that the relocated highway will take in most of this property. Mr. Dayton, he said, has a bona fide offer of a tenant who wishes a new building at this location, but Mr. Dayton does not want to erect this building if the Highway Commission expects to purchase the right of way in the near future. However, if the Highway Commission does not intend to buy this property in the near future, he will proceed with the erection of the building at once. The matter is an urgent one, he said, because if Mr. Dayton accepts the offer of his tenant the building will have to be completed by June 15. He estimated the value of Mr. Dayton's property at \$5,600 and advised that Mr. Dayton is demanding the sum of \$6,000 for the same. He recommended purchase of this property now in order to avoid condemnation at a later date and the extra cost to purchase the building. After discussion the Commission by unanimous vote approved the recommendation.

In this connection it was pointed out that it will not be necessary to move Mr. Dayton's store building in the near future because it will be some time before the Commission is able to reconstruct the highway. The Attorney was instructed to arrange for the lease of this building by Mr. Dayton until the land is needed for highway purposes.

The Attorney also reported briefly on the status of securing right of way options for the proposed improvement of the Pacific Highway West, through the town of Tigard. He said that the securing of options has been very

slow and that it will probably require another six weeks to complete the negotiations; however, present indications are that right of way along the northwesterly route, which is the favored route, will cost about \$95,000. He was instructed by the Commission to secure options from some of the principal property owners within the next week, which will give the Commission an idea as to how much it will have to pay for all of the right of way, and will help the Commission in deciding the permanent route. He was also instructed to consult Mr. Thomas Tongue, Jr., Hillsboro, in regard thereto, and to inform Mr. Tongue that the Commission cannot seriously consider the northwesterly route for this highway unless the right of way for the same can be secured at reasonable expense.

The Engineer reported receipt of objections from the Bureau of Public Roads as to the alignment of the Heppner-Rhea Creek Section of the Wasco-Heppner Secondary State Highway, which the Commission plans to improve this summer. It appears that the alignment of the present road over the hill just out of Heppner is very crooked and in the opinion of the District Engineer of the Bureau of Public Roads should be improved. The Engineer advised that the moneys budgeted for this project are sufficient only to reconstruct a 5-mile section rather than the entire distance between Heppner and Rhea Creek, using the present alignment, and that the mileage would have to be shortened considerably if the Commission undertook to revise the alignment in accordance with the ideas of the Bureau of Public Roads. It was his thought that such an improvement would not be justified in view of the small amount of traffic that the road carries. The Commission concurred in the Engineer's viewpoint and instructed him to discuss the matter further with the Bureau officials.

The Attorney brought up for reconsideration the offer of Mr. Thomas Purdy, of Yachats, to either purchase or lease a small parcel of state-owned land situate adjacent to the Oregon Coast Highway at Bob Creek, in Lincoln County. He recalled that this matter has been before the Commission on two previous occasions when the Commission refused to either sell or lease the property to Mr. Purdy; but, he said, Mr. Purdy is quite insistent about the matter because he needs the extra area in connection with his service station and restaurant business and has now stated his willingness to deed to the state a strip of land for widening the highway right of way across his holdings if the state will deed to him the property that he needs. The Engineer advised that it would be necessary to acquire a 10-foot strip on each side of the present right of way in order to bring it to a standard uniform width. He recommended acceptance of Mr. Purdy's offer if he will deed such strips to the state. After further discussion the Commission instructed the Attorney to negotiate with Mr. Purdy for sufficient land to provide right of way 100 feet wide. Chairman Cabell volunteered to inspect the premises the next time he is in that vicinity, which he thought would be during the last week in May.

The Commission reconsidered the controversy with Mrs. Ida B. Hadley arising out of the reconstruction of the Pacific Highway West in front of her property near Newberg, but deferred final decision thereon pending further study by the Attorney. The Attorney was instructed to make a detailed review of the entire matter and report to the Commission at its next meeting.

The Secretary reported receipt of a letter from Mr. Lewis A. McArthur, Secretary of the Oregon Geographic Board, recommending the granting of the request of Mrs. Jennie Reeher, Forest Grove, that the bridge over the Wilson River on the Wilson River Highway, near the old Reeher homestead, be named "Reeher Bridge" in honor of the Reeher family, who were pioneers of this district. The Commission approved Mr. McArthur's recommendation by unanimous vote and instructed the Engineer to attach an appropriate plaque on this structure.

The matter of acquiring right of way for the proposed revision of the Umpqua Highway at the eastern city limits of Reedsport had the attention of the Commission. The Attorney presented an offer from the Umpqua Corporation to sell for the sum of \$3000 17½ acres of its property that is needed for this improvement, and recommended acceptance of the same now, so as to avoid complications later, it appearing that the company has plans for the immediate use of this land. In the discussion that followed it was pointed out that before the Commission can make this proposed change in the highway it will be necessary to hold a public hearing in Reedsport, as is required by law. The Commission by unanimous vote approved the amount of the Umpqua Corporation's offer but instructed the Attorney not to close the deal until such hearing has been held. The setting of a date for such hearing was deferred until the April 6th meeting.

The Secretary presented a letter from the State Capitol Reconstruction Commission requesting relief from the payment of its account with the Highway Commission for the cost of testing materials and furnishing prints for the use of the Capitol Commission, totaling \$127.98. The Engineer advised that the past policy of the Highway Commission, which is of long standing, has been to require other state departments to pay for services rendered. The Commission considered this policy sound and thereupon denied the request.

The Commission considered but deferred until its meeting on April 6 the setting of a date for a public hearing in Bend relative to the rerouting of Century Drive Secondary Highway in that city.

The Engineer requested authority to purchase the following equipment:

Equipment for Wolf Creek Highway

- | | |
|--|----------|
| 2 - large motor patrol graders suitable for construction work,
2 old graders to be traded in. Estimated net cost \$5,200
each, or a total of | \$10,400 |
| 6 - 4-yd. trucks, 6 old trucks to be traded in. Estimated
net cost \$3,600 each, or a total of | 21,600 |
| 1 - 12-yd. carry-all, an outright purchase. Estimated cost | 4,200 |
| 1 - RD8 tractor, an old tractor to be traded in. Estimated
net cost | 7,500 |

(Continued on next page)

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(Purchase of equipment for Wolf Creek Highway continued)

Brought forward \$43,700

- 1 - crushing plant, including a recrusher, vibrating screen and power unit, an outright purchase. Estimated cost 12,000

Estimated net total cost of equipment for Wolf Creek Highway \$55,700

Equipment for maintenance work

- 10 - power graders of the single-drive class, 10 old obsolete graders to be traded in. Estimated net cost, \$4000 each, or a total of \$40,000

- 10 - pull-type graders, 10 old pull-type graders to be traded in. Estimated net cost \$1000 each or a total of 10,000

Estimated net total cost of equipment for maintenance work \$50,000

After careful consideration the Commission by unanimous vote approved the purchase of such equipment through the State Purchasing Agent, in accordance with the usual practice. However, the Engineer was instructed to prepare the specifications for the tractor that is to be used on the Wolf Creek Highway so as to include the Cletrac Tractor as well as the RD8 Tractor.

The Engineer also requested authority to purchase one accounting machine for use in connection with the new accounting system that has been installed in the state highway shops at Salem. He presented quotations for 4 different machines; namely, Burroughs, at \$1,788.30; Sundstrand, at \$1,557.00; Monroe, at \$1,678.50; and National, at \$1,862.00, and recommended purchase of the Burroughs machine at \$1,788.30, it being the cheapest of the machines that are in common use under comparable conditions. The Commission approved the recommendation unanimously.

The Engineer reported the necessity to post the Prairie City-Unity Section of the John Day Highway for 50 per cent reduced load limit and recommended the adoption of an order to that effect. The Commission approved the recommendation and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, the following road or highway has been designated and declared to be and is a state highway, and has been improved and is being maintained by the State Highway Commission pursuant to the laws of the State of Oregon as a state highway, to wit:

JOHN DAY HIGHWAY

AND WHEREAS, the said above-named state highway is, in the judgment of the State Highway Commission, being subjected to a kind

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and character of traffic which is damaging and injuring the said highway, and, in order to protect said highway against such damage and injury, it is deemed and is the judgment of the Highway Commission and said Commission finds that it will be for the best interests of the said highway that the maximum weights permitted and authorized by law be reduced;

NCW, THEREFORE, the premises being in part as above stated, and the State Highway Commission having, as a result of due investigation, found that the road above mentioned and hereinafter designated is being damaged and injured on account of the kind and character of traffic now being hauled over and upon said road; and, by reason of the fact that vehicles carrying maximum loads moved at the maximum speeds specified by the provisions of the laws of the State of Oregon are breaking up, damaging, and deteriorating the said road,

IT IS HEREBY ORDERED, that the maximum weight of combined load and vehicle which shall be permitted upon the within-named road shall not exceed the weight herein fixed.

The maximum weights which shall apply to the following highway, to wit:

JOHN DAY HIGHWAY from Prairie City, in Grant County, to Unity, in Baker County,

shall be as follows: the combined weight in pounds bearing on the surface of the highway at contact with the tread of the wheels of the front axle of a truck or truck-tractor shall not exceed the product of four hundred (400) multiplied by the sum in inches of the tire width of the wheels of such axle; and, the combined weight in pounds bearing on the surface of the highway at contact with the tread of the wheels of any one axle of a vehicle or combination of vehicles, other than the front axle of a truck or truck-tractor, shall not exceed the product of three hundred (300) multiplied by the sum in inches of the tire width of the wheels of such axle; but, in no event shall the combined weight in pounds bearing on the surface of the highway at contact with the tread of the wheels of any one axle of a vehicle exceed the maximum limit set by law for any one axle.

IT IS FURTHER ORDERED, that these rules and regulations as made and found by the State Highway Commission under the provisions of Chapter 360 of the laws of Oregon for 1931, shall be in full force and effect until modified, annulled, or voided by the order of the State Highway Commission.

AND IT IS FURTHER ORDERED, that a notice be posted in a conspicuous manner and place at each end of the above-named highway and at important crossroads on said highway so that said notice can be readily seen and read, which said notice shall state plainly the

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limitations and prohibitions of traffic hereby in this order determined and fixed.

AND BE IT FURTHER ORDERED, that a certified copy of this order be furnished to the County Clerk of each county in which any part of said highway is located, and that a certified copy of this order be furnished to the Superintendent of the Department of State Police for his information.

The Engineer also reported that the reduced load limit heretofore in effect on the following highways: The Dalles-California Highway, between Bend and its junction with the Fremont Highway, Central Oregon Highway from Bend to Burns, Fremont Highway from Silver Lake to Lakeview, Lakeview-Burns Highway from Valley Falls to its junction with the Central Oregon Highway, are no longer required because these sections are sufficiently dried out and stabilized to carry legal limit loads. He recommended the lifting of the reduced load limits on these sections. The Commission approved the recommendation and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, on the 2nd day of March, 1939, at a meeting of the Oregon State Highway Commission, all members being present and participating, the Commission passed and adopted resolutions reducing the maximum load limit on the following state highways:

CENTRAL OREGON HIGHWAY from Bend, in Deschutes County, to Burns, in Harney County;

FREMONT HIGHWAY from Silver Lake to Lakeview, in Lake County;

LAKEVIEW-BURNS HIGHWAY from Valley Falls, in Lake County, to the junction with the Central Oregon Highway, in Harney County;

THE DALLES-CALIFORNIA HIGHWAY from Bend, in Deschutes County, to Klamath Falls, in Klamath County;

AND

WHEREAS, subsequent to the passage of said resolutions conditions have changed so that it is no longer necessary or desirable, and the Commission hereby finds that it is no longer necessary or desirable to maintain the reduced load limits set out in said resolutions on the said state highways;

NOW, THEREFORE, BE IT RESOLVED that the action of the State Highway Commission reducing the maximum permissible load limit on the

CENTRAL OREGON HIGHWAY from Bend, in Deschutes County, to Burns, in Harney County;

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FREMONT HIGHWAY from Silver Lake to Lakeview, in Lake County;

LAKEVIEW-BURNS HIGHWAY from Valley Falls, in Lake County, to the junction with the Central Oregon Highway, in Harney County;

and on that portion of

THE DALLES-CALIFORNIA HIGHWAY from Bend to the junction with the Fremont Highway, in Deschutes County (from said last-named point to Klamath Falls, in Klamath County, the load limit as fixed in said former resolution shall remain in full force and effect until removed by order of the State Highway Commission);

shall be and the same is hereby rescinded and cancelled as of this date, and the maximum load limit permissible on the said sections of the said highways hereafter shall be the maximum load limit provided by law.

IT IS HEREBY ORDERED that a certified copy of this resolution be furnished to the county clerk of each county in which said highways are located, and that a certified copy of this resolution be furnished to the Superintendent of the Department of State Police for his information.

The Engineer reported that, in conformance with authority previously given him by the Commission, he awarded to the Mountain States Construction Company, on March 15, the contract for the construction of the Noyes Ranch-Cove Section of Cove Secondary Highway, in Union County, bids for which were received by the Commission on March 2, 1939, that of the Mountain States Construction Company being low. The conditions of the award, he said, have been satisfied. The Commission by unanimous vote confirmed the award of this contract, as reported by the Engineer.

The Commission considered, and deferred for decision at its meeting on April 6, the matter of sending a representative to the Fifth Pacific Northwest Regional Planning Conference at Seattle, Washington, on April 27, 28, and 29, 1939.

The matter of revising the penalty for the overloading of trucks by log haulers, in view of the passage of House Bill No. 542 by the Oregon Legislature, just adjourned, had the attention of the Commission. The Commission decided to hold a conference on this subject before its next meeting on April 6 and instructed the Engineer to arrange for the same and to invite State Senators George H. Chaney, F. M. Franciscovich and U. S. Balentine, Public Utilities Commissioner N. G. Wallace, Superintendent of State Police Charles P. Pray, and other interested persons to be present at such conference.

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The Commission considered and denied a request from the Free Methodist Church of Hillsboro, to erect and maintain a sign on the Tualatin Valley Highway in Hillsboro indicating the location of that church.

Reconsideration was given by the Commission to the matter of instituting an appeal to the Supreme Court on the decision of the trial judge in the case of certain laborers against contractor Charles H. Leonard, arising out of the contract for the construction of the Brooks-Jordan Creek Section of the Wilson River Highway, in Tillamook County. The Engineer was instructed to contact Mr. Leonard and also the local chapter of the Associated General Contractors and ascertain their attitude with respect thereto, the Commission being reluctant to make such appeal unless it receives the cooperation of the contractor and the contractor's association.

The Commission adjourned at 12:40 o'clock p. m. and reconvened at 2:00 o'clock p. m. in the same room, with all Commissioners, the State Highway Engineer, the Attorney, and the Secretary present.

A letter was presented from the Honorable Lyle D. Thomas, Representative from Polk County, requesting on behalf of Polk County citizens the redesignation of the Dallas-Coast Secondary Highway as a primary state highway, because they are of the belief that such designation will expedite the improvement of this road. The Commission denied the request in view of the fact that the mileage of secondary highways in Polk County is now excessive compared to the other counties of the state and the improvement of the road would not be expedited by such change. Furthermore, if the change were made, it would very likely establish an embarrassing precedent. The Engineer was instructed to call on Mr. Thomas, whose home is in West Salem, and explain the circumstances to him in person.

The Commission considered and ordered filed a letter from George Bidwell, Brightwaters, N. Y., urging the Commission to give consideration in its future deliberations to the construction of bicycle paths along state highway rights of way.

A letter was presented from the City of La Grande pointing out that Adams Avenue in that city, which is their main business street, is a state highway route, and requesting the Commission to assume the responsibility for the painting of automobile parking lanes thereon through the business district. The Engineer explained that it is the practice of the Highway Department at the present time to paint the parking lines in the first instance for the parking of cars parallel to the curb, so as to help the cities in establishing such method of parking, but the state has not assumed any responsibility for the repainting of such lines nor for the painting of lines for angular parking, it being considered that such responsibility rightly belongs to the cities. In the discussion of this matter the Commission considered the advisability of changing this practice and finally decided not only to paint the stripes at state expense in the first instance, but to repaint them at state expense thereafter, as occasion requires, provided the cities will comply with the state's requirements and will permit the painting of the areas for the parking of cars parallel with the curb. The Secretary was instructed to so inform the City of La Grande.

The Commission also considered a request from the City of Junction City for permission to paint stripes on 6th Street, the route of the Junction City-Eugene Secondary State Highway, through the business section of their town, for the angular parking of cars against the curb. The Engineer was instructed to inform the city officials of the Commission's new policy with respect to the painting of parking stripes and to advise the city that the state will assume the obligation of painting these stripes and will maintain them hereafter if the city will agree to the parking of cars parallel with the curb.

The Secretary presented a letter from P.A. Gent, Route 1, Eugene, requesting that the county road which connects the Pacific Highway and the Junction City-Eugene Secondary State Highway and passes through the towns of Irving and Santa Clara be named "Gent Drive, Avenue, Lane or Road", as preferred, and that appropriate signs be erected at each end thereof directing traffic to the Irving and Santa Clara districts. The Commission decided, inasmuch as the road under discussion is a county road, that the naming of the same is a function of the Lane County Court, which has jurisdiction, and instructed the Secretary to so inform Mr. Gent. The Engineer was instructed to investigate the matter of erecting signs pointing out Santa Clara and Irving and to erect such signs if it is in line with the Commission's policy with respect to such matters.

The Commission considered and referred to the Engineer for investigation and report letters from W. L. Grigsby, Newport, and Ce Lesta Knowles, Seal Rocks, protesting the removal of agate-bearing gravel from Oregon beaches.

The Commission discussed a letter from County Judge J. H. Allen, of Grant County, who inquires whether or not there is any possibility of Grant County securing federal funds to finance the improvement of feeder roads in that county, particularly roads connecting state highways with forest roads. He asked particularly whether or not it would be possible for the county to secure such funds for the improvement of the Monument-Long Creek County Road. The Commission decided that if the county wants to contribute county funds to augment state funds on some project in Grant County that is supervised by the state, that would be satisfactory, because it would provide a bigger project. However, in view of the fact that the program for 1940 Federal Aid Secondary Highway Funds has not yet been prepared and the amount of such funds that is to be spent in Grant County is not yet known, a definite reply cannot be given to Judge Allen at this time. The Commission decided to discuss the matter with him in person on Thursday of the following week when the Commission expects to be in Canyon City. The Secretary was instructed to so inform Mr. Allen.

A letter was presented from the Waldport City Council requesting the services of one of the State Highway Department engineers to act as consultant in a controversy between the city and the contractor who is making street improvements in that town. The Commission approved the request unanimously.

The Secretary presented a letter from Mr. C. D. Long, Business Representative, Klamath Falls Building Trades Council, requesting a conference with the Commission for discussion of matters pertaining to the establishment of basic wage rates for men employed on state highway construction work. He was instructed to invite Mr. Long to be present at the next regular meeting of the Commission, which is to be held in Portland on Thursday, April 6. In this connection the Commission considered the advisability of adopting a minimum wage

schedule which has been agreed upon by the American Federation of Labor and some of the contractors who are members of the contractors' association. The Engineer was instructed to ascertain what action has been taken by the highway departments of the adjoining states relative to such matter and report the same to Chairman Cabell, who was given full power to act for the Commission in this regard by Commissioners Aldrich and Tou Valle.

The Commission considered and denied the request of citizens of Malin, Klamath County, that The Dalles-California Highway from its junction with the Hatfield Secondary Highway, in Klamath County, to the California State line be designated as State Route No. 39 E, and that the Hatfield Secondary Highway from its junction with The Dalles-California Highway to the California State line be designated as State Route No 39 W, it being considered by the Commission that such numbering of alternate routes is undesirable from the traveling public's standpoint.

The Commission considered and ordered filed a letter from the Federation of Community Clubs of Multnomah County, requesting that lighting facilities similar to those that the Commission contemplates installing on Interstate Avenue, in Portland, be installed on Sandy Boulevard from Burnside Street to East 82nd Street, it being the thought of the Commission that it should dispose of the Interstate Avenue lighting project before it considers any other lighting project in Portland.

The Secretary presented a resolution adopted by the Redmond Kiwanis Club, the Redmond Chamber of Commerce, and bearing the signature of Ernest C. Parker, Mayor of Redmond, calling to the Commission's attention a dangerous condition which exists at the grade crossing of the Spokane, Portland and Seattle Railroad with the Ochoco Highway in Redmond, and urging the installation of a suitable and adequate signal system to warn automobile traffic approaching such crossing. The Secretary was instructed to inform the petitioners that the Commission has this project in mind and will give it due consideration in the formulation of its program for projects of this nature.

A letter was presented from the County Court of Hood River County requesting sidewalk construction along the Columbia River Highway from the town of Hood River to the Columbia River Gorge Hotel for the benefit of the many pedestrians residing in this vicinity. The letter was referred to the Engineer for investigation and report. He was particularly instructed to ascertain whether or not the American Association of State Highway Officials has rules and regulations covering matters of this kind.

The Engineer requested instructions relative to the oiling of the shoulders adjacent to the Pacific Highway through the town of West Linn. He recalled that he reported to the Commission on June 29, 1938, that such oiling work would cost approximately \$10,000 and that the Commission at that time disapproved the improvement because of lack of funds to finance it, but instructed him to keep the project in mind for consideration in the 1939 budget. The Commission ordered this project included with others for consideration in the formulation of the next program.

Similar action was taken by the Commission on the request of the City of Sheridan for the improvement of the McMinnville-Tillamook Highway through that city.

The Commission discussed the matter of opening the Wolf Creek Highway between Sunset Camp and Elsie for general public use. The Engineer advised that recent inspection of this road by Chairman Cabell and himself reveals that the first 4 miles west of Sunset Camp could be opened for travel by June 1, but the rest of the section probably cannot be opened until July 1 on account of slides that have occurred during the winter. The Commission approved the report and ordered that this information be given to the press because there are so many people who are anxiously awaiting the opening of this road.

The Engineer presented an offer from Braley and Graham, Inc., agents for the Buick automobile, Portland, to accept the Commission's 7-passenger Buick, 1936 model, as partial payment on Mr. Braley's personal 7-passenger Buick, 1938 model, which has been driven only 7,500 miles, and is in excellent condition. The Commission unanimously refused the offer, it being considered advisable to adhere to its present policy of purchasing new cars on a competitive bid basis.

The Commission discussed a letter from Mr. T. B. Watters, Chairman of the Highway Committee, Klamath Falls Chamber of Commerce, urging the reconstruction of a short section of the Klamath Falls-Lakeview Highway near the town of Dairy. The Engineer estimated the cost of this project at \$21,000. He pointed out that the Klamath Falls-Lakeview Highway is not a federal aid highway, so that, if the Commission decided to make this improvement, it would have to be financed entirely with state funds, of which, he said, there is a shortage at the present time. The question arose as to whether or not the Klamath Falls Chamber of Commerce would prefer this project to one of the others that are planned for the Klamath Falls district. After discussion, it was decided to talk this matter over with Mr. Watters, in person, when the Commission visits Klamath Falls on Wednesday, March 29. The Engineer was instructed to arrange a conference with Mr. Watters at that time.

The Engineer reported on the investigation that has been made of the complaint of County Commissioner William Baer, of Deschutes County, that a dangerous condition exists at the junction of the Tumalo-Deschutes Secondary Highway with The Dalles-California Highway north of Bend. He advised that such investigation reveals that the sight distance for traffic entering The Dalles-California Highway at this point is about 450 feet, which, in his estimation, is ample, particularly in view of the fact that very little traffic enters The Dalles-California Highway from this road. He further advised that the State Police Department has no record of any accident ever having occurred at this intersection. He estimated that it would cost about \$1000 to widen the highway at this point up to the right of way line. The Commission deferred its decision in this matter pending personal inspection of the project the next time it is in that vicinity.

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The Commission discussed a letter from Mr. J. L. Soule, Baker, Oregon, complaining that many traffic law violations are being committed on state highways in the vicinity of Baker by public carriers without any attention being paid to them by the state police officers, and as a result the carriers who do respect the law and comply with the rules and regulations are losing considerable business and revenue. He urged the Commission to make every effort to secure the conviction of the offenders. The Secretary was instructed to thank Mr. Soule for his interest in this matter and to advise him that the State Highway Commission does not have the necessary law enforcement facilities to correct this condition of which he complains.

The Commission discussed the advisability of naming one of the state parks in honor of Mr. H. B. Van Duser, Portland, former Chairman of the State Highway Commission. It seemed to the Commission that this would be a fitting way of honoring Mr. Van Duser and of recognizing the public service that he has heretofore rendered the state. The matter was referred to the State Parks Superintendent for suggestions.

The Commission discussed and referred to the Engineer a letter from Mr. L. C. Sanford, Newport, in which objection is offered to the solution heretofore recommended by the Commission for the disposal of his request for sidewalk construction along the Oregon Coast Highway in front of his premises in Newport, and for the utilization of the extra-width right of way at this location. The Commission gave the Engineer full power to act in this matter.

The Commission discussed at some length matters pertaining to the granting of right of access to the new highway up the Columbia River Gorge, and particularly letters from certain property owners who desire such right of access to this new highway. After discussion, the Commission reaffirmed its original decision to allow such rights of access only at a very limited number of places, because, in its opinion, the communities along this road are now served with adequate transportation facilities and the Commission is of the firm belief that the new highway should be built as a fast trunk route and its use as such should not be impaired by local roads entering it or crossing it at grade.

The State Parks Superintendent, Mr. S. H. Boardman, was present and reported on the following park matters:

Acquisition of an addition to the Devils Elbow State Park at Heceta Head, in Lane County:- The Parks Superintendent recalled that the Commission at a previous meeting authorized acquisition of 58 acres at this location from Mr. Rufus C. Stonefield, but such tract does not entirely protect the state's interests at the north end of Cape Creek Bridge. To provide such protection, he said, would necessitate the acquisition of additional land from Mr. Stonefield, which he is willing to deed to the state if the state in turn will relinquish to him a small portion of the 58-acre tract that is not particularly needed for the park. He recommended such substitution of tracts as an advantage to the state. The Commission approved the same unanimously.

In this connection, the Parks Superintendent reported that a Mr.

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Eugene O. Hayward, of Astoria, owns 2.6 acres at this location that are entirely surrounded by the state park and that Mr. Hayward has agreed to sell the tract to the state for the sum of \$800, which he considers exorbitant. He strongly recommended purchase of the area but at a lesser figure. After discussion, the Commission decided to purchase the area and instructed the Attorney to condemn it if Mr. Hayward will not sell it for less than \$800.

Addition to Cape Lookout State Park, in Tillamook County:- The Parks Superintendent requested authority to purchase from the Crown Willamette Company a tract containing 119 acres in Section 36, T.2 S., R. 11 W., W. M. being an intervening area between two units of the present state park at this location. He advised that the tract is needed to complete the present park, and that the company is asking the sum of \$3,750 for the tract, based on timber stumpage at \$1.00 per M-FEM for hemlock, and \$3.00 per M-FEM for spruce and cedar, and \$56.00 for the land. He explained that the original park is a primitive area and that it is his intention to develop it as such, limiting access to it by trail only; but he must have the additional land in order to do so and to confine the trails to public property; also, that such development work must be completed within five years. Otherwise, the original park, consisting of 900 acres, will revert to the Federal Government, from which it was acquired. The Commission indicated a favorable attitude toward the purchase of this property but deferred a definite decision pending further negotiations with the owners to ascertain whether or not they will reduce their price for the spruce timber, it being the thought of the Commission that \$3.00 per M-FEM is too much to pay for such stumpage.

Request for permission to operate a crab pot in Silver Falls State Park:- The Parks Superintendent reported receipt of an application from L. E. Inman, Silverton, to maintain and operate a crab-cooking pot in this park. He gave as his thought that such facility is not essential for the public's enjoyment of the park and recommended denial of the request. The Commission approved the recommendation.

Continuance of C.C.C. camp in Jessie M. Honeyman State Park:- The Parks Superintendent advised that he has been in communication with the National Parks Service relative to the continuation of this C.C.C. camp, and, as a result, has been assured that a recommendation will be forwarded to Washington, D. C., this fall that this camp and others in Oregon be authorized for another period, provided there is special justification for the same. In order to justify these camps, he said, the National Parks Service must be furnished, among other things, with a financial statement to show the source and amount of funds that are to be used for park maintenance. After discussion, the Commission approved the report and instructed the Parks Superintendent to furnish such information, in view of the fact that Jessie M. Honeyman State Park in particular is an important one and it is highly desirable that the development work therein be carried on to completion at the earliest possible time.

Granting of grazing rights in Humbug State Park, Curry County:- The Parks Superintendent advised that for several years past sheepowners have been allowed to graze their sheep in this park without charge, but recently he has

been approached by several persons who want this privilege exclusively. He recommended, in order to be able to control the grazing and to avoid an embarrassing situation, the granting of such privilege to stipulated sheepowners upon the payment of a fee. The Commission approved the recommendation unanimously; however, cautioned the Parks Superintendent not to show any favoritism in the granting of the privilege.

Azalea State Park, in Curry County:- The Parks Superintendent recalled that the Commission at the previous meeting authorized the purchase of an addition to this park for the lump sum of \$329, \$289 of which amount represents the cost of the land at \$100 per acre, and the balance the cost of a survey of the tract that was made by the previous owner, Brookings Land and Townsite Company, for a prospective purchaser. It now develops, he said, that the company has included in the description 0.39 acre of the adjacent county road, but the owner insists upon the payment of the full amount previously agreed upon notwithstanding that the state is getting less land than it bargained for. He inquired whether or not he should pay the \$329 or should deduct therefrom \$39, representing the difference between the cost of 2.5 acres and 2.89 acres at the agreed unit price of \$100 per acre. He was instructed by the Commission to negotiate further with the owner in an endeavor to secure a reduction in the total amount.

Acquisition of property at the north end of the proposed bridge over Nehalem Bay, in Tillamook County:- The Parks Superintendent reported that he has obtained from Tillamook County practically all of the county-owned property on Nehalem Bay sandspit, but it has recently come to his attention that private parties are negotiating for the purchase of some land owned by the Hammond Lumber Company and M. L. White which it appears is needed as right of way for the approach to the proposed bridge across Nehalem Bay. This land, he said, has been acquired by the county under foreclosure proceedings for non-payment of taxes and he believed that he could acquire it from the county at reasonable cost if the Commission would authorize him to negotiate for the same. He recommended, therefore, the securing of options from the county. The Commission approved the recommendation unanimously.

The Commission had under discussion the request of contractor Carl Bahlburg for an extension of time from February 16 to February 24, 1939, within which to complete his contract for the construction of a car storage building at the state highway shops in Salem, being Contract No. 2132. Mr. Bahlburg advised that the contract was completed except for some outside painting work which could not be done until the weather was suitable. The Engineer advised that the reason given by the contractor for failure to complete the job within the specified time limit is correct; further, that with the exception of the exterior painting, all work was completed on January 21 and the building has been in use since that date. He recommended that the extension requested be granted without penalty. The Commission approved the recommendation unanimously.

The Engineer reported that Contracts Nos. 2132 and 2150, for the construction of state highway projects, have been completed according to the requirements of the contracts or modifications thereof, and that said jobs are

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now ready for acceptance. The following resolution accepting the above projects was offered and was adopted by the unanimous vote of the Commission:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts and said jobs are now ready for acceptance:

Contract No. 2132, with Carl Bahlburg, for construction of a frame storage building at the east city limits of Salem. Completed February 24, 1939.

Contract No. 2150, with Clifton & Applegate, for furnishing crushed rock and crushed gravel for the Gilliam County Line-lone and Hermiston projects, in Morrow and Umatilla Counties. Completed March 14, 1939.

THEREFORE, BE IT RESOLVED, that the work covered by said state highway contracts for the construction of said state highway projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

The Commission considered and signed agreements, et cetera, as follows:

Agreement with the Southern Pacific Company relative to the maintenance of a rock wall on the railroad company's property adjacent to the Pacific Highway, near Comstock, in Douglas County.

Supplemental agreement with the O.W.R.R. & N. Company and the Union Pacific Railroad Company covering easement for the reconstruction of the Columbia River Highway between Troutdale and Warrendale, in Multnomah County.

Agreement with the Preston Company, whereby the Highway Commission grants to the company an easement for a roadway across the state park located in the S.E. $\frac{1}{4}$ of the S.E. $\frac{1}{2}$ of Section 6, T. 3 N., R. 10 W., W.M., Tillamook County.

Lease running from the State of Oregon to Hood River County covering quarry privileges in a rock quarry acquired by the state from Joseph D. Smullin.

Bargain and Sale Deed conveying unto Maud H. Campbell a small parcel of land lying in Lots 1 and 2 of Block 4, Stephens Addition to the City of Portland, as per agreement dated March 3, 1939, being Right of Way Transaction Nos. 2910 and 3282.

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There being no further business to come before the Commission at this time, the meeting was adjourned at 5:30 o'clock p. m.

R. S. ...

State Highway Engineer

W. S. ...

Secretary

Henry F. Cabell

Chairman

E. B. ...

Commissioner

F. L. DeuVelle

Commissioner

MAR 21 1939



VOLUME 24

PART I

PART 1
OF
VOLUME XXIV
MINUTES OF OREGON STATE HIGHWAY COMMISSION
COVERING PERIOD
FROM
APRIL 1, 1939
THROUGH
JULY 27, 1939

OREGON STATE HIGHWAY COMMISSION

Henry F. Cabell, Chairman
E. B. Aldrich, Commissioner
Huron W. Clough, Commissioner

R. H. Baldock, State Highway Engineer
H. B. Glaisyer, Secretary

HEADQUARTERS AND GENERAL OFFICE OF DEPARTMENT
LOCATED AT SALEM, OREGON

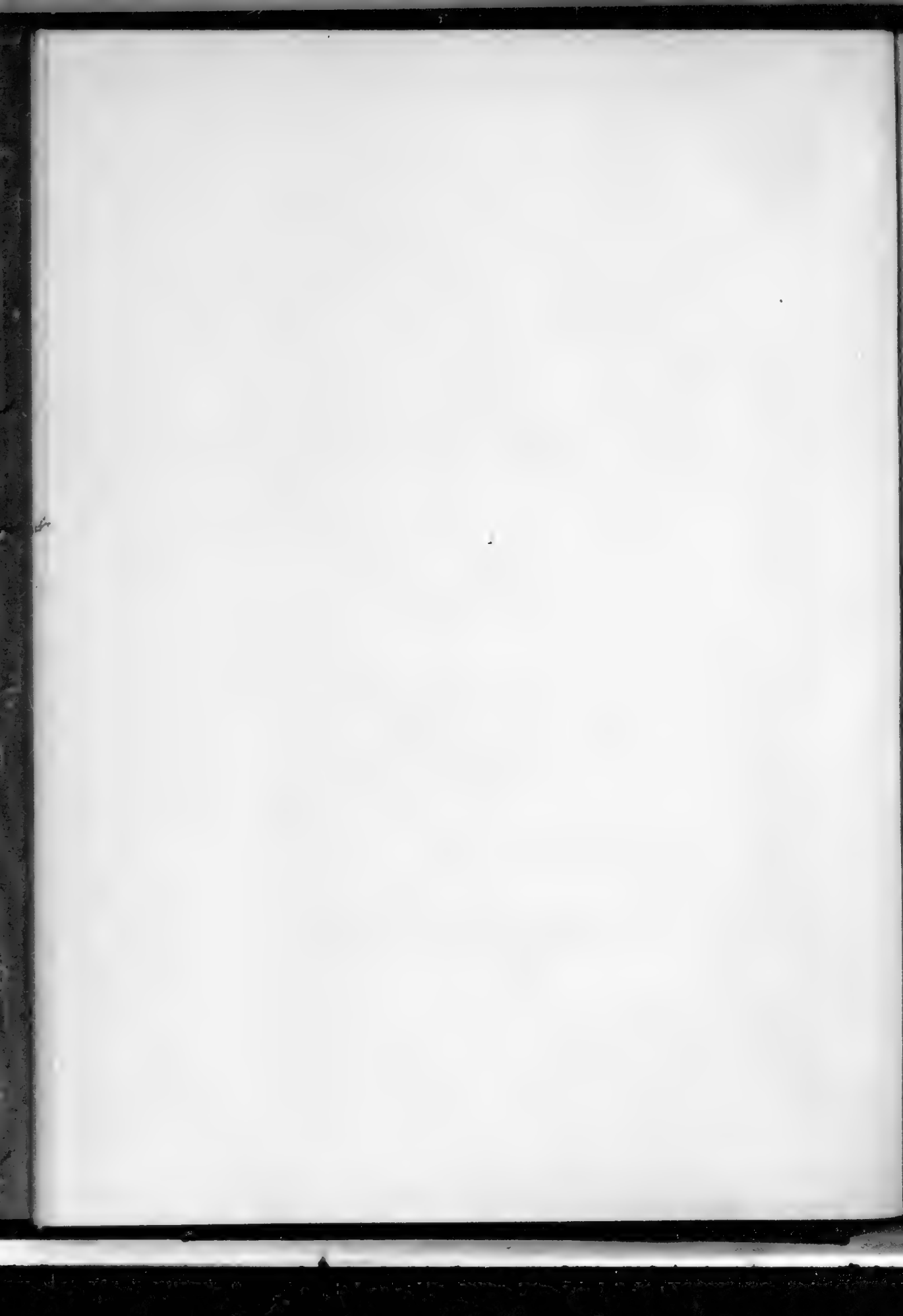


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8748	Apr. 5	Log hauling. Conference relative to adoption of rules for disciplining log haulers for transporting overweight loads. Rules and regulations adopted.
8750		State police officers to differentiate between road types. Saturday afternoon hauling in Klamath County requested. Action deferred pending investigation.
		Pacific Highway West. Payment of additional sum of \$250 to Mrs. Ida B. Hadley for damage to her property approved.
8751		Wage rates. Revising schedule for labor employed on construction work discussed. Action deferred.
		Payment of \$1.00 per day for subsistence to hourly-rate employees on oiling, paving and striping crews approved.
		Tigard. Attorney to expedite matter of securing options for right of way for revision of Pacific Highway West.
8752		Pole line. Commission refuses to change ruling regarding location of poles of West Coast Power Company across state park acquired from Pratt interests at Lincoln-Lane County line.
	Apr. 6	Bids received on following projects:
8753		Eagle Creek-Wade Corner Section, grading, surfacing, oiling; Bunker Hill Section, grading and paving; Jericho Lane-Bloucher Section, grading, surfacing and oiling; Poe Valley Section, grading and surfacing; East Unit, Rhea Creek-Heppner Section, grading, surfacing and oiling;
8754		Falls City-Fern Corner Section, surfacing and oiling; Sale of building in Salem.
		Coos River Secondary Highway. Oiling between Eastside and Engren Ferry requested. Action deferred.
		Wilson River Highway. Gift of roadside strips near Glenwood from Consolidated Timber Company accepted.
		Lane County. Gift of 2-acre tract adjacent to Oregon Coast Highway, near China Creek, from J. C. Ponsler accepted.
		Cape Lookout State Park. Crown Willamette Company reduces price on property. Action deferred.
8755		Van Duzer Forest Corridor. Timber strips along Salmon River Highway named "Henry B. Van Duzer Forest Corridor".
		Fireguard station. Buildings to be erected within limits of Salmon River Highway timber strips by State Forester.
		Casey State Park. Mrs. Vern Van Dyke refuses to sell cabin and vacate park premises.
		Nehalem Sandspit. Purchase of 65.5 acres from Hammond Lumber Company approved. State to pay accumulated unpaid taxes.
8756		Devils Elbow State Park at Heceta Head. Settlement with Mr. and Mrs. Stonefield for purchase of 61-acre tract approved.
		Exchange of properties with Mr. and Mrs. Stonefield at north end of Cape Creek Bridge approved.
		Heceta Head. Purchase of small tract along Oregon Coast Highway from Eugene O. Hayward approved.

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8756	Apr. 6	Douglas County. Delegation from Roseburg confers regarding several highway improvements in Douglas County.
8757		Roseburg. Chamber of Commerce invites Commission and staff to be luncheon or dinner guests in near future.
		Federal Aid funds. Programming and reallocation of funds heretofore tentatively allocated, as follows: \$70,000 additional project on Sandy Boulevard; \$55,000 transferred from Oak Hill-Veneta Project to grading and paving project on North River Road, Salem; \$45,000 lighting project on Interstate Avenue, Portland; \$100,000 construction of Picture Rock Pass-Harris Creek Sec.
8758		Columbia County. Millard Holbrook requests replacement of old bridge to remedy drainage problem at his dairy near Scappoose. Columbia River ferry at Astoria. Selection of site and acquisition of property for proposed new ferry discussed.
8759		Nehalem Secondary Highway. Jewell-Mist Section. Judge Boyington of Clatsop County inquires regarding oiling of section. Wage scales. Delegation confers relative to adoption of individual wage scales for labor employed on highway work.
8760		Wilson River Highway. Charles H. Leonard contract for Brooks-Jordan Creek Section. State to cooperate in cost of appealing case to Supreme Court regarding extra compensation for labor employed. Harold B. Say. Authority granted to contact newspapers, etcetera, in state of California.
8761		Gravel. Removal of gravel from beach, especially in vicinity of Newport, to be prohibited. Newport. Kern & Kibbe to be allowed to remove gravel from beach if material cannot be secured elsewhere for jetty construction. Parting strip. Installation of arrows in parting strip of all four-lane pavements approved.
8762		Marion County. North River Road. County Court requests Commission to negotiate for right of way. Request denied. Portland. Hawthorne Avenue. Request for designation as state highway route denied. Harney County. Delegation confers relative to securing secondary state highway between Burns and the I.O.N. highway, near Rome.
8763		Central Oregon Highway. Judge Higgs confers regarding oiling east of Buchanan. William Hanley oasis. CCC Camp adjacent to Fremont Highway at Alkali Lake approved as site for oasis. Diamond Valley Secondary Highway. Better maintenance requested. Frenchglen Secondary Highway. Better maintenance requested. Albany-Iyons Secondary Highway. Improvement between Crabtree corner and Scio requested.
8764		Brookings. Delegation requests reconstruction of Oregon Coast Highway through city. Azalea State Park road. Oiling from Oregon Coast Highway to park requested.

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8765	Apr. 6	<p>Oregon Coast Highway Association. Commission and staff invited to attend semi-annual meeting in Gold Beach April 23 and 24. Josephine and Curry Counties. Delegation confers relative to proposed road extending from Selma to Agness, thence to Oregon Coast Highway.</p> <p>Awards. Commission announces awards on projects for which bids were received during morning session. (See page 8753)</p>
8766		Astoria. Delegation confers relative to construction of proposed Astor Street revision of Oregon Coast Highway.
8767		<p>Construction of temporary road to allow Columbia River Packers Association access to its cannery on Astor Street requested. Engineer to investigate and report at next meeting.</p> <p>Pacific Highway. Delegation urges improvement between Creswell and Drain, particularly construction of proposed revision through Cottage Grove.</p>
8768		<p>Lower Columbia River Highway. Delegation urges improvement between Prescott and Deer Island, particularly the Little Jack Falls Section.</p> <p>Wage scales. Delegation again confers relative to adoption of wage rates for labor employed on highway construction work.</p> <p>Pacific Highway. Delegation thanks Commission for improvements. Plans for improvement south of Grants Pass discussed.</p>
8769		Tigard. Pacific Highway West. Delegations confer regarding adoption of northern route and southern route for proposed revision.
8770		Hillsboro-Woodburn Secondary State Highway. Scholls-Campbell Bridge Section. Oiling requested by delegation. Realignment discussed.
8771	Apr. 7	<p>Bids received on following projects:</p> <p>Charleston-Sunset Bay Section, grading, surfacing, oiling;</p> <p>Dixonville-Mud Hollow Section, grading, surfacing and oiling;</p> <p>Baker Gulch-Lick Creek Section, widening, surfacing, oiling;</p> <p>Hooker Creek-Jordan Valley Section, grading;</p> <p>Tillamook County Oiling Project, three county roads;</p>
8772		<p>Mills Bridge Section, bridge over Wilson River.</p> <p>Scotch Creek-Castor Ranch Section, grading, surfacing, oiling.</p> <p>Old Oregon Trail. Mayor of Ontario confers relative to proposed shortcut route between Ontario and Olds Ferry.</p> <p>Central Oregon Highway. Mr. Aiken confers relative to completion of oiling of this highway.</p> <p>Little Nestucca Secondary Highway. Expenditure of \$10,000 for improvement of this road authorized.</p>
8773		Wilson River Highway. Routing of highway into Tillamook discussed by delegation. Surfacing and oiling of completed portion of highway requested. Construction of bridge over third crossing of Wilson River also urged.
8774		<p>Reedsport. Umpqua Highway. Delegation confers relative to improvement between 12th and 15th Streets.</p> <p>Floodlight. Reedsport. Crossing of highway with Southern Pacific Railroad. Cost of operation discussed.</p>

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- Reedsport. Commission approves Engineer's recommendation for concrete-type pavement between 12th and 15th Streets.
- Traffic signals. Installations, as follows, approved:
- Seaside, Reedsport, Carlton, and Rainier.
- 8775 Installation at intersection of Pacific Highway with Garden Valley County Road, north of Roseburg, denied for time being. City of Roseburg to be billed for electrical service for operation of floodlight at crossing of Pacific Highway and Southern Pacific railroad.
- Real property. Resolution authorizing acquisition.
- 8777 Sale of state-owned property adjacent to Interstate Avenue to Mr. G. S. Smith, Portland, denied.
- 8778 Condemnation. Resolution authorizing condemnation on following sections:
- 8779 Charleston-Cape Arago Section of Cape Arago Highway, First National Bank of Portland, W. J. Conrad, Nick Bastendorff heirs;
- Buxton-Manning Section of Wolf Creek Highway, H. E. McGraw;
- John Day-Prairie City Section of John Day Highway, Ruth Hiatt heirs.
- 8780 Territorial Secondary Highway. Engineer's report on cost to improve Ferguson-Cheshire Section.
- Planning survey. W. H. Kellogg reduces claim for overtime work. Commission approves settlement of this claim.
- Benton County. Commission to oil county road from North Albany to Polk County line south of Buena Vista in lieu of oiling Corvallis Golf Club Road.
- 8781 Estacada. Request for improvement of secondary state highway in front of high school grounds denied.
- Sherman Highway. Reconstruction of section between Shaniko and The Dalles-California Highway junction urged.
- Farmington Secondary Highway. Oiling from Hazeldale to connection with Hillsboro-Woodburn Secondary Highway urged.
- Reedsport. Date for public hearing to be decided later.
- Bend. Date for public hearing set for May 17, 1939.
- Prineville. Date for public hearing set for May 17, 1939.
- R. H. Baldock. Authority granted to attend Fifth Pacific Northwest Regional Planning Conference in Seattle April 27-29, 1939.
- 8782 Load limits. Resolution lifting reduced load limits on several sections of state highways.
- 8783 Cottonwood Bridge over John Day River posted for reduced load limit of 5 tons.
- Canyon Road, Portland. Commission approves additional authorization for W.P.A. beautification project.
- Maintenance buildings. Construction of buildings at Government Camp and Hogg Pass discussed.
- 8784 Group insurance. Commission accepts offer of California Western States Life Insurance Company to write group insurance for highway department employees paid on hourly-rate basis.

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8784	Apr. 7	Dundee. Pacific Highway West. Delegation requests improvement through town. 82nd Street Highway. Additional improvements south from Portland urged. Sale of buildings. "For Sale" signs to be posted on two small houses on right of way of Corvallis-Newport Highway east of Toledo.
8785		House on right of way acquired for West Portland-Hubbard Highway, in Washington County, to be advertised for sale. Oregon City. Pacific Highway East. Property in front of Hawley Paper Company and Bessie Fudge, at 11th Street, to be filled in level with highway in lieu of retaining wall. Sauvies Island. Delegation requests construction of bridge over Multnomah Channel of Willamette River connecting Island with mainland. Engineer to investigate site and cost.
8786		Awards. Commission announces awards on projects for which bids were received during morning session. (See page 8771)
8787		Florence. Oiling of city streets with state forces requested by city. Engineer to investigate project and estimate of cost. Newport. Landscaping of north approach to Yaquina Bay Bridge approved.
8788		Marion County. Commission refuses offer of Albert Myers to sell tract of land near Mehama. Vale-Adrian Secondary Highway. State to pay cost of reoiling highway after Reclamation Service installs concrete drain. Overweight equipment. Request of Roy Houck to haul overweight equipment over highways denied. Lakeview. Application of seal coat on city street pavements with state forces approved. City to pay cost thereof. Request for widening of prospective highway route denied.
8789		Kings Valley Secondary Highway. Reconstruction from junction with Pacific Highway West to junction with Dalles-Kings Valley Secondary Highway. Request denied. Jury duty. Schedule adopted for payment of salaries and wages of employees absent for jury duty. Corvallis-Newport Highway. Resolution abandoning and retaining portions of Olalla Creek-Toledo Section.
8792		Oregon Coast Highway Association. Commission and staff invited to attend semi-annual meeting in Gold Beach April 23-24, 1939. Sams Valley Secondary Highway. Stockmen request permission to construct fences along highway in vicinity of Sams Valley. Engineer to investigate.
8793		LaGrande. Commission refuses city's request for painting of angle parking stripes. State to paint parallel stripes only. Lane County. No action to be taken on naming of county road in vicinity of Irving "Gent Drive or Road". Memorial marker. Request of United Daughters of Confederacy to erect Jefferson Davis marker on Pacific Highway near south end of Interstate Bridge denied.

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Florence. Sale of state-owned property to Roy Swenson for tourist camp and park purposes denied.

Albany. Brick salvaged from old brewery building to be given to American Red Cross for chimney construction on widow's home.

Devils Lake. Request of Regatta Association to maintain signs over Oregon Coast Highway denied.

Lane County. Securing of material from state property near Thurston for county road construction requested by county.

8794

Surveys. List of surveys ordered since last meeting.

8795

Extension of time, as follows:

Henry C. Nelson, maintenance building at Suntext Junction and Brothers.

Contract completed and accepted, as follows:

Bridge over Catching Slough, J. W. & J. R. Hillstrom.

Date for next regular meeting set for May 18 and 19, 1939.

Special meeting to be held in Salem April 21, 1939.

Agreements, et cetera, signed as follows:

8796

Tillamook County, maintenance of Fairview-Clemmens Corner Road.

Tillamook County, maintenance of Tillamook-Netarts County Road.

Tillamook County, maintenance of Wilson River Loop County Road.

Clackamas County, maintenance of Eagle Creek-Firwood County Road;

Polk County, maintenance of Falls City County Road;

City of Falls City, maintenance of North Main Street;

Douglas County, maintenance of North Umpqua County Road;

Wallowa County, maintenance of Hurricane Creek County Road;

Southern Pacific Company and City of Klamath Falls, additional work on Main Street Undercrossing Project, Klamath Falls;

Nicolai-Neppach Company, acquisition of property in Tillamook County for park purposes;

Ginn Coleman & Company, lease of property for storage of highway equipment in Moro;

George E. Huntly, easement granting permission to truck-haul logs across state property in Tillamook County;

City of Sweet Home, permit granting authority to construct and maintain sidewalk on Santiam Highway;

Application for right of way across tribal lands in Warm Springs Indian Reservation;

Bargain and sale deed conveying unto L. V. Roake 2,250 square feet of land in Oregon City.

8797 Apr. 21

Service Station. C. H. Lake of Salem granted permission to continue servicing cars on highway right of way at his station south of Salem. Area between driveway and station to be landscaped.

8798

Landscaping. Commission approves Engineer's suggestion to landscape areas at entrances to service stations or other places of business adjacent to state highways.

Woodburn. Delegation requests highway improvements, painting of safety lanes, and installation of stop-and-go signals.

Salem-Silverton County Road. County Court of Marion County recommends improvement of Salem end of road.

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8799	Apr. 21	Wage rates. Commission adopts new minimum wage rates for labor employed on state contract work.
		I.O.N. Secondary Highway. Construction of uncompleted portion to be contracted later in year. Commission approves W. H. Lynch's telegram covering allotment of public lands funds.
8800		Salem-Silverton County Road. Silverton delegation confers regarding construction of Silverton project as first choice.
8801		Astoria. Delegation confers regarding narrowing of Taylor Avenue, present route of Oregon Coast Highway. Engineer to investigate.
8802		Astor Street project. Commission urged to acquire balance of right of way needed for proposed project. Deeds from City to be secured for Lots 5 and 6 of Block 132.
		Pacific Highway. Albany Section. Agreement signed with Roy Houck covering construction of hauling road on section to be contracted later. Hauling road to be used in connection with contract for Albany Overcrossing project.
8805		Pendleton. Attorney to investigate matter of sale of three houses acquired in connection with Pendleton Overcrossing.
		Log hauling. Circular Letter No. 119 approved providing procedure for disciplining log haulers for overweight loads.
		Designation of holidays during which log-hauling operations shall not be allowed on state highways.
8806		Award of contract for Dixonville-Mud Hollow Section confirmed.
		Deschutes County. Commission approves advancing \$4,957.68 to County from its share of motor vehicle and gasoline tax fees.
		Real property. Resolution authorizing acquisition.
8808		Albany. Old building on new state highway right of way to be advertised for sale, bids to be received May 10, 1939.
		Condemnation. Resolution authorizing condemnation on following: Main Street-Airport Road Section, Pacific Highway East, E. L. Dickson and Mildred Dickson; Vern H. Crofton; Max Brown and Inez Brown; and Clarence Cox.
8810		Oregon Coast Highway. Payment of \$290 to A. Van Lydegraf approved, representing rehabilitating auto camp in Bunker Hill District occasioned by reconstruction of highway.
		Action deferred on claim of Ben Hur Lampman to section of old right of way of highway in front of his premises at Nelscott.
		Park budget for 1939. Parks Superintendent requests \$ 50,000 increase. Matter taken under advisement.
		Agreements, et cetera, signed as follows:
		Douglas National Bank of Roseburg, removal of slides from bank's property adjacent to Oregon Coast Highway;
		Pussy Estate, heirs, depositing of excavated materials on the Estate's property in Oregon City;
		Beatrice Decker, right of way for Lombard-Killingsworth Sec.;
		Cunningham Sheep Company, lease of land in Umatilla County;
		Chessel and Mamie S. Mills, right of way for detour road around the Wilson River Bridge, in Tillamook County;
		Fred Wyss, cancelling lease of gravel bar situate in Miami River, in Tillamook County;

<u>Page</u>	<u>Date</u>	<u>Subject</u>
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8811	Apr. 21	<p>Agreements, et cetera, (continued)</p> <p>City of Portland, construction of lighting system on Interstate Avenue;</p> <p>City of Portland, maintenance and operation of proposed Interstate Avenue lighting system;</p> <p>Bargain and sale deed conveying unto Albert C. Jensen and wife land in Hackleman's Second Addition to Albany;</p> <p>Bargain and sale deed conveying unto C. F. Howard and wife land in Georgetown (St. Helens), Columbia County.</p>
8812	Apr. 22	<p>Wage rates. Rate for subsistence to hourly-rate employees on oiling, paving and striping crews increased to \$1.20 per day.</p> <p>Equipment. Power patrol graders. Low bidder on graders failed to submit affidavit along with bid to Board of Control on April 17. Commission refuses to waive this technicality.</p>
8813	Apr. 24	<p>Pacific Highway. Securing of options approved for balance of right of way needed for proposed revision south of Grants Pass.</p> <p>Sale of real property. Commission approves sale of 0.9 acre of land on Bear Creek-Talent Section of Pacific Highway to Talent Grange for \$250.00.</p> <p>Fire hydrants. Taft-Nelscott-DeLake Fire District granted permission to place hydrants on Oregon Coast Highway right of way.</p>
8814		<p>Clatsop County. Payment of account to be discussed with County Judge. County not to be relieved of account.</p> <p>Maintenance men. Delegation confers regarding re-employing men who quit jobs when foreman of crew near Gold Beach discharged John Sleeman.</p> <p>Tillamook County. Recreational area adjacent to Oregon Coast Highway. Property to be appraised before decision on purchase from P. J. Butler made.</p> <p>Park sites. Price recommendations to be secured from both Parks Superintendent and Right of Way Department.</p> <p>Pole line. Location of West Coast Power Company's line across state park acquired from Pratt interests adjacent to Oregon Coast Highway at Lincoln-Lane County line.</p>
8815		<p>Report to be made on painting and creosoting poles with view to adopting general policy with respect thereto.</p> <p>Pacific Highway West. Middleton-Newberg Section. Abandonment resolution.</p>
8817		<p>Hillsboro-Woodburn Secondary Highway. Scholls-Christenson Lane Section. Project to be considered in 1940 budget.</p> <p>Reedsport. Umpqua Highway. Improvement between 12th and 15th Streets discussed.</p>
8818		<p>Azalea State Park Road. Oiling of road from Oregon Coast Highway to park postponed.</p> <p>Columbia County. Millard C. Holbrook's request for construction of small fill at his dairy near Scappoose denied. Waste materials from landscaping project to be placed in fill.</p> <p>Pacific Highway. Frank Forth property south of Ashland. Widening of fill in front of Mr. Forth's property recommended.</p>

<u>Page</u>	<u>Date</u>	<u>Subject</u>
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8818	Apr. 24	Wolf Creek Highway. Oregon American Lumber Corporation's claim for loss by fire started by W.P.A. workers. State not liable for claim.
8819		Portland. Ramsey Sign Company to refer claim to city officials for reconstruction of marquee at Highway Theatre necessitated by widening of Sandy Boulevard. Maintenance station headquarters. Expenditure of \$35,000 for construction of buildings at Hogg Pass approved. Buildings at Government Camp not to be constructed. Equipment. Two snogos to be purchased through Board of Control. Snow removal. Willamette Highway. Snow removal authorized. Load limits. Resolution lifting reduced load limits on certain state highways.
8821		Resolution lifting and modifying reduced load limits on following bridges. Lost River Bridge, Rogue River Bridge, Seven Mile Creek Bridge, and Catching Slough Bridge.
8822		Linn County. Commission to receive bids for county for construction of bridge over Thomas Creek in Scio. Monroe. Territorial Secondary Highway. Oiling through city limits requested. Estacada. Surfacing of street in front of high school approved. Klamath Falls-Lakeview Highway. Permission requested to construct electrified fence along highway in vicinity of Bly. Shedd. Pacific Highway. Installation of pedestrian-area markers requested.
8823		Wolf Creek Highway. Bids to be received for oiling Balm Grove-Elsie Section. Washington County. Wolf Creek Highway. County offers to contribute \$10,000 for base and oil rock needed for Balm Grove-Sunset Camp Section. Siuslaw Highway. Report on daily tonnage moved over highway. Engineer to report on cost of reconnaissance survey of Triangle Lake Section. Harney and Malheur Counties. Request for designation as secondary highway of road extending from Princeton to connection with I.O.N. Highway. Halsey-Sweet Home Secondary Highway. Improvement from Brownsville easterly to Hughes Place requested.
8824		Extensions of time, as follows: Edwin C. Gerber, Umapine-Sunnyside Section; R. I. Stuart & Sons, Powers Ranch-Jacksonville Section. Contracts completed and accepted, as follows: Installation of traffic signals in Eugene, Castelleo and Stocker Electric Company; Powers Ranch-Jacksonville Section, R. I. Stuart & Sons; Greenleaf-Cheshire Section, Eugene Sand and Gravel Company.
8825		National Park Service. Report on proposed national park and monument site along Oregon coast line. Silver Falls Recreational Demonstration Project. Parks Superintendent's report on endeavors to secure 2,000 of O. & C. land for this project.
	Apr. 25	

<u>Page</u>	<u>Date</u>	<u>Subject</u>
8826	Apr. 25 1939	Umpqua Lighthouse Reserve. Payment of \$450 to secure title to 110 acres now in Reserve approved. CCC Camps. Applications approved for six camps for 14th period. Fire patrol headquarters. Request of State Forester to construct and maintain fire patrol headquarters on Salmon River Highway wayside strip approved. Casey State Park. Mrs. Vern Van Dyke refuses to vacate park premises. Parks Superintendent requests instructions. Tillamook County. Action on acquiring timber land from Crown Willamette Company at Cape Lookout deferred.
8827	May 17	Prineville. Hearing relative to rerouting Warm Springs Secondary Highway and Ochoco Highway.
8830		Bend. Hearing relative to rerouting Century Drive Secondary Highway along Riverside Boulevard.
8831	May 18	Bids received on following projects:
8832		Read Creek-Wren Section, grading, surfacing and oiling; Construction of new building for Oregon City Laundry Company; Deschutes Oiling Project; Robert Overcrossing; Salt Creek Falls-Odell Lake Section, grading, surfacing and oiling;
8833		Silver Lake-Harris Creek Section, grading, surfacing, oiling; Interstate Avenue Lighting Project, Portland; Service Creek-Mule Shoe Creek Section, grading, surfacing and oiling; Sale of building in West Portland; Sale of building in Albany.
8834		Gardiner. Widening of Oregon Coast Highway requested. Survey to be made to establish location for highway through town. Portland. Sandy Boulevard improvement between 44th and 82nd Avenues. Request for postponement of improvement denied. Deschutes County. The Dalles-California Highway and Tumalo-Deschutes Secondary Highway. Improvement of sight distance at junction of highways approved.
8835		The Dalles. Oiling of road from The Dalles to Eastern Oregon Tuberculosis Hospital to be done with state forces. State to be reimbursed for same. Robinette-Homestead Secondary Highway. Improvement of Oxbow Tunnel Section and Homestead-Ballard's Landing Bridge Section approved. Columbia River Highway. Request for construction of footpath between Hood River and Columbia Gorge Hotel denied. Expenditure of \$1,000 for widening of shoulders approved.
8836		Myrtle Creek. Oiling of Second and Division Streets with state forces approved. State to be reimbursed for cost of same. Lincoln County. Expenditure of \$200 for oiling of road from Oregon Coast Highway to state's quarry at Agate Beach approved. Harney & Malheur Counties. Expenditure of \$7,130 approved for cooperation in construction of road connecting Diamond Valley Secondary Highway, in Harney County, with I.O.N. Highway, in Malheur County.

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8836 May 18

Subject

Astoria. Oregon Coast Highway revision. Decision made regarding width of right of way. Report to be made as to obligation of state to pay cost of moving buildings.

8837

Sams Valley Secondary Highway. Request for permission to construct electrified fence along highway denied.

Enterprise-Lewiston Highway. Report of State of Washington on plans for completion of Washington Section.

Florence. Oiling of city streets with state forces approved. State to be reimbursed for cost of same.

Grant County. Request for improvement of county road from John Day Highway at Bates to connection with Pendleton-John Day Highway at Flowers Gulch denied.

McMinnville. Delegation requests designation of city streets as secondary state highway route to provide connection for Three Mile Lane Secondary Highway with Pacific Highway West.

8838

Hood River County. Delegation confers regarding several road matters.

8839

Harney and Malheur Counties. Resolutions adopted designating road connecting I.O.N. Highway with Diamond Valley Secondary Highway as secondary state highway. State cooperation in

8841

cost of construction of highway approved. Investigation ordered of location of well to be dug in connection with construction of highway.

8842

Malheur County. County Court asks for several highway improvements.

Recreational areas. Completing of State Planning Board's report on recreational areas of Oregon approved. State Parks Department to sponsor report.

8843

Pacific Highway East. Albany. Pastor of Free Methodist Church confers relative to church property needed for highway revision.

Awards. Commission announces awards on projects for which bids were received during morning session. (See page 8831)

8845

Sauvies Island. Delegation requests state cooperation in construction of bridge to connect island with mainland.

Historical sign. Installation of "V" shaped sign at Old Fort Yamhill blockhouse in town of Dayton approved.

8846

Park site. Acceptance of Douglas County's offer to donate 500 acres as addition to Umpqua Lighthouse Park approved. Parks Superintendent to petition federal government for land for park site at confluence of Crooked River, Metolius River, and Deschutes River, in Jefferson County.

Timber strips. Acquisition of additional timber strips adjacent to Salmon River Highway east of Boyer deferred.

Options to be secured for Wolf Creek Highway timber strips. Condemnation of Wolf Creek Highway timber strips authorized if negotiations unsuccessful.

Survey. Survey of timber strips adjacent to Wolf Creek Highway authorized.

8847

Timber strips. Acquisition of tract near Sunset Camp from Tillamook County authorized.

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8847	May 18	Timber strips. Acquisition of timber tract adjacent to Nehalem Highway near Mist deferred.
8848		State park budget. Increase of \$50,000 for this year approved.
		Oregon City Laundry Company. Payment of \$13,600 as settlement in full of company's claim approved. All bids received at morning session for remodeling of laundry rejected.
8852		Real property. Resolution authorizing acquisition.
8854		Condemnation. List of properties to be condemned. Resolutions authorizing condemnation of following: Roseburg-Shady Point Section of Pacific Highway, R. Rausch, Geary G. and Ura Rapp, B. A. and A. J. Young, A. G. and Ruby Pendo; Service Creek-Burton Canyon Section of John Day Highway, W. E. Crawford; Ana Spring-Hunter Hill Section of Fremont Highway, Dean Harris, et al; Silver Lake-Picture Rock Pass Section of Fremont Highway, State of Oregon, James M. Allen; Nehalem Spit Section of Oregon Coast Highway, M. L. White;
8855		Oregon City Section of Pacific Highway East, Security and Investment Company of Oregon City.
8856		John Day Highway. Condemnation of right of way across property of C. A. Hardy authorized if offer of \$2,000 rejected. Highway to be constructed on straight alignment.
8857		Tigard. Pacific Highway West. Route of proposed revision discussed.
		Advertising signs. Attorney to secure signed statements from property owners, when negotiating for right of way, prohibiting erection of advertising signs on private property.
		Oiling projects. List of oiling projects to be financed with accumulated savings from contracting work approved.
8858		Coos River Secondary Highway. Eastside-Enegren Ferry Section. Construction of light oil treatment with state forces approved.
		P.W.A. funds. Possible program to be reported to P.W.A. authorities.
	May 19	Bids received on following projects:
8859		Roseburg-Shady Point Section, grading and paving; Flat Creek-John Day Section, oiling; John Day-Prairie City Section, grading, topping and oiling; Dean Creek-Prairie City Section, three bridges, one culvert, and extensions to seven culverts;
8860		Bridge over Thomas Creek on Main Street in Scio; Lamb Creek-Sheep Ridge Section, 60-ft. log span with 205 lin. ft. trestle approach; Strebin Road-Hosner Road Section, grading, surfacing, oiling;
		Tigard. Pacific Highway West. Highway to be rerouted along northerly route. Resolution adopted.
8862		Reedsport. Umpqua Highway. Proposed improvement discussed. Commission to assume expense of reconstructing canopies when highway improved.

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8863	May 19	Group insurance. Agreement with California Western States Life Insurance Company approved. Attorney to report on coverage for employees on monthly pay basis.
		Sale of real property. Talent Grange to be charged for tract of land requested on Pacific Highway near Talent.
		Mt. Hood Highway. Snow removal. Report ordered on cost to have opened highway to travel on May 1 for past ten years.
8864		Wilson River Highway. Conference with delegation relative to plans for completion of highway, including bridges.
		Central Oregon Highway. Buchanan-Burns Section. Oiling between Juntura and Stinkingwater Bridge to be contracted this fall. Light oil treatment to be applied to remaining part of section.
		Butler Market Road. Plans for improvement discussed.
		Natal Park. Columbia County. Purchase of park area urged.
8866		Portland. Sandy Boulevard. Delegation urges improvement between 74th and 122nd Avenues.
		Survey. Survey authorized of Sandy Boulevard between 74th and 122nd Avenues.
		Awards. Commission announces awards on projects for which bids were received at morning session. (See page 8859)
8868		Willamette Highway. Allocation of forest highway contingent fund to finance section between Salt Creek Tunnel and Salt Creek Falls-Odell Lake Section approved.
		Weston-Elgin Secondary Highway. No action taken on ciling of section between Tollgate and west forest boundary.
		Snow removal. North Santiam Highway. Decision deferred on keeping road open during winter months.
		Forest highway funds. Reallocation of funds budgeted for Cascade Lakes Forest Highway deferred.
8869		Traffic signals and traffic channelizing islands. Portland. Agreement signed relative to installation, operation and maintenance. Expenditure of \$30,000 in connection therewith approved.
8870		Churn drill. Purchase of one drill for soil foundation investigations authorized.
		Tank. Offer of City of Milton to pay \$10 for tanks stored at Pendleton maintenance headquarters approved.
		Load limit. Resolution lifting load limit on Prairie City-Unity Section of John Day Highway.
8871		Date for hearing in Reedsport relative to rerouting of Umpqua Highway set for June 21, 1939.
		Roseburg. Commission to be guests of Chamber of Commerce on June 20 following inspection of North Umpqua Highway.
		Permit. Application of Senator Chaney to transport over-dimension boat on Oregon Coast Highway in Coquille approved.
		Award of contract. Commission approved award of Charleston-Sunset Bay Section to Leonard & Slate.
		X. W. Kite. Claim for additional compensation for employment on maintenance crew denied.

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8872	May 19 1939	Wilsonville ferry. Contract with Leonard & Slate for operation of ferry renewed for one year.
		Bend. Century Drive Secondary Highway. Resolutions adopted rerouting highway along Riverside Boulevard.
8874		Flashing beacon. Pacific Highway West. Installation at Six Corners near Sherwood approved.
		Newport. Installation of beacon at intersection of Oregon Coast Highway and Spruce Street denied. Installation at intersection of Oregon Coast Highway and Corvallis-Newport Highway approved.
8875		Warm Springs Highway. Allocation of \$30,000 for construction of bridge over Warm Springs River approved.
		Highway improvements. Requests for various improvements.
8876		Oregon City. Water Street project. Condemnation of street ends ordered. Moorage rights to be deleted from proceedings.
		Permit. U. S. War Department requests permit to move oversized trucks designed for salvaging wrecked airplanes.
		Right of way purchases. Draft of resolution presented outlining responsibility of State Highway Engineer and Attorney.
		Agreements, et cetera, signed as follows:
		E. H. Itschner, disposing of claim for extra compensation arising out of construction of Baker-Flagstaff Hill Section; Multnomah County, county maintenance of Troutdale-Sandy County Road;
		U. S. Soil Conservation Service, demonstrations of methods of erosion control along highways;
8877		Oregon Trunk Railway Company, proposed Third Street Undercrossing in Bend;
		N. P. Grant, pasturing of sheep in Humbug Mountain Park;
		Robert Fromm, pasturing of sheep in Humbug Mountain Park;
		Consolidated Timber Company, undercrossings of railroad on Wilson River Highway;
		Flowage easement granting to the United States of America rights to state-owned property adjacent to Upper Columbia River Highway at Warren Creek;
		Bargain and sale deed conveying unto State Forestry Department land adjacent to Salmon River Highway, Tillamook County;
		Bargain and sale deed conveying unto Florence and Faith VanLydegraf property in Bunker Hill Addition to Marshfield;
		Quitclaim deed conveying unto Thomas Purdy property adjacent to Oregon Coast Highway, Lane County;
		Bargain and sale deed conveying unto Henry Rees and Max Schlag and wife property situate in Bunker Hill Addition to the city of Marshfield;
		Bargain and sale deed conveying unto R. A. Schofield and R. W. Knoefel property situate in Oregon City;
		Joint letter with E. H. Lynch, District Engineer, Bureau of Public Roads, providing for contracting of remaining work on I.O.N. Highway in fall of 1939.
		Dates for next regular meetings set for June 6 and June 22, 1939.

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8878	June 5	Oregon City. Attorney's report on controversy with Security and Investment Company relative to securing street ends. Port Orford. Oregon Coast Highway. Attorney to negotiate for right of way across Orris Knapp property. Real property. Resolution authorizing acquisition.
8880		Tigard. Pacific Highway West. Approval of prices deferred for right of way for proposed revision.
8881		Wolf Creek Highway. Offer of \$4,000 for H. E. McGraw property in Washington County approved. Pendleton. Decision on whether or not to rent or sell state-owned residence buildings deferred. West Portland-Hubbard Secondary Highway. Payment of \$25 to L. M. Erickson for accrued taxes on property needed for right of way approved. Sale of building. Building adjacent to Corvallis-Newport Highway east of Toledo sold to Roy E. Benson. Pacific Highway. Options authorized for F. B. Patterson property south of Grants Pass.
8882		Albany. Pacific Highway East. Right of way negotiations with Free Methodist Church to be continued. Pacific Highway West. Henry Eggers, Corvallis, to meet drainage requirements in construction of private roadway approach. Approach roads. Location of logging approach roads to be approved by Commission.
8883		Logging trucks. Wheels to be cleaned before entering highways. Wolf Creek Highway. Advance of state funds for non-labor items discussed. Recreational areas. Attorney to secure options to nine sites along Wolf Creek Highway between Sunset Camp and Elsie. 1940 funds. Tentative list of projects selected. Engineer authorized to work up plans for all projects.
8892	June 6	Bids received on following projects:
8893		Division No. 1 oiling project in Clackamas, Washington and Yamhill Counties; Elsie-Balm Grove Section, oiling; Mt. Vernon, Weston and Service Creek oiling project; Division No. 2 oiling project in Linn, Polk & Yamhill Counties. Clean and repaint bridge over Columbia River at Vancouver; Sale of buildings in Albany.
8894		Revolving fund. To consist of \$200,000. Resolution adopted.
8896		Bond. Companies which wrote Mr. Baldock's previous revolving fund bond to be given business again. Baker County. State to pay portion of claim of Sumpter Valley Railroad Company against Baker County for train wreck damages. Union Trout Hatchery. Buildings to be purchased from State Game Commission if satisfactory price can be arranged. Maintenance headquarters. Attorney to negotiate for acquisition of site at Seneca in southern Grant County.
8897		Section headquarters. Attorney to negotiate for site adjacent to Crater Lake Highway at Prospect, in Jackson County.

<u>Page</u>	<u>Date</u>	<u>Subject</u>
8897	June 6 1939	Oregon City. Pacific Highway East. Revision of plans for 11th Street approach requested. Request denied.
8898		Columbia County. County Judge confers relative to county road construction this year with federal moneys.
		Natal Grange Park in Columbia County. Purchase of tract authorized if can be secured for not more than \$3,000.
		Jessie M. Honeyman State Park. Custody of CCC Camp located in park approved subject to certain conditions.
		Emigrant State Park. Boy Scouts of Walla Walla, Washington, granted permission to remove old CCC building.
8899		Short Sand Beach State Park. CCC Camp. Rental of property as site for camp approved.
		Umpqua Lighthouse State Park. U. S. Government conveys portion of Umpqua Lighthouse Reservation to state for park purposes.
		Douglas County presents 300 acres adjoining park to state.
		Acquisition of additional land for park purposes authorized.
		Depoe Bay. Acquisition of strip of land overlooking ocean for park purposes authorized if county will convey it to state without cost.
		Tub Springs. Green Springs Highway. Purchase of property including springs approved.
		Deschutes County. Sisters. Purchase of tract at junction of highways east of Sisters deferred. Another cruise to be made.
8900		Crown Point Vista House. Agreement with Edward L. Dimmitt for concession referred back to Parks Superintendent.
		Waldport. Request of H. R. Blackwell to lease state property to enlarge tourist camp denied.
		Investigation ordered of road being constructed by L. J. Rickard from Oregon Coast Highway to beach. To be constructed as state project if location is proper.
		Silver Creek Falls State Park. Payment of \$500 to J. H. Cunningham for release of rights to former Volz property approved.
8901		Construction of approach road to park over Volz property approved.
		Gravel. Request of George Govro to remove gravel from Cummings Creek within boundaries of state park south of Yachats denied.
		Workmen's Compensation Act. S. S. Montague not to be relieved from acceptance of provisions of act. Contract No. 2184.
		Pacific Highway. Claim of A. T. Crawford for damages caused by slide from highway fill denied. Purchase of 15-foot right of way from Mr. Crawford to reconstruct fill authorized.
8902		Sale of building. A. F. Norby building, Albany, sold to Herman Staley.
		Crescent. The Dalles-California Highway. Attorney to secure options for 100-foot right of way through town.
		Anchorage post. Preservation of old anchorage post at Yamhill River in Willamina approved.
		Gravel pit. Sale of gravel pit south of Junction City deferred.
8903		Service club signs. Action on removal deferred.

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8903	June 6	Klamath County. Designation as federal aid highways requested of secondary highways from The Dalles-California Highway to California state line and of Klamath Falls-Lakeview Highway. Awards. Commission announces awards on projects for which bids were received during morning session. (See page 8893)
8904		Cascade Lakes Forest Highway. Plans for improvement discussed. Reallocation of funds previously approved discussed.
8905		Wolf Creek Highway. Advance of \$8,527.27 for non-labor items up to July 1st approved.
8906		Deer Island. Lower Columbia River Highway. Oiling of short section requested. Marshfield. Bunker Hill District. Request denied for change in plans for outlets of Center and Mullen Streets in connection with construction of new highway. Sisters. Oiling of Main Street, full width, requested. Survey. Survey of Main Street in Sisters ordered. Junction City. Oiling of shoulders full width between 11th and 15th Streets approved. Baker County. Several requests for highway improvements. Albany-Lyons Secondary Highway. Oiling of reconstructed section east of Scio requested. Klamath Falls-Lakeview Highway. Additional oiling requested. Pendleton. Landscaping project at junction of Old Oregon Trail and Oregon-Washington Highway approved. Territorial Secondary Highway. Oiling between Monroe and Douglas County line requested. McKenzie Highway. Construction of guard fence in vicinity of Leeburg Dam approved.
8908		Alsea Highway. Improvement requested. Flashing beacon. Substitution of stop-and-go signal for flashing beacon in East Woodburn requested. Request denied. Coos County. Old wooden bridge over south fork of Coquille River on Powers Secondary Highway to be given to county. Linn County. Albany-Lyons Secondary Highway. County Court assumes maintenance of Fleming Ranch-Schindler Bridge Section, including old bridge. Department records. Obsolete records to be kept. Prineville. Resolution rerouting Ochoco and Warm Springs Highways.
8911		Award of following contracts approved: Read Creek-Wren Section, S. S. Montague; John Day-Prairie City Section, E. L. Rigdon; Bridge construction on Dean Creek-Prairie City Section, Edlefsen-Wygandt Company. Wolf Creek Highway. Invitation accepted to be present on caravan trip commemorating opening of highway June 30, 1939.
8912		Sign and marquee installations. Additional bond not required if permittee carries public liability and property damage insurance.

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8912 June 6

Subject

- Equipment. Purchase of following authorized:
3 50-watt radio transmitters;
2 550-gallon asphalt kettles;
1 portable gasoline hammer.
- Irrigation ditches and drains. Conference approved with Construction Engineer of Bureau of Reclamation relative to construction across state highways.
- Maintenance material projects. Plans for projects in Divisions 4 and 5 authorized. Engineer to work up plans.
- 8913 Pole line. Granting of permission to Bonneville Authority to construct pole line over and across state highways between Portland and Eugene discussed.
- 8914 Washington County. County Court to contribute \$10,000 toward construction of oil surface on Balm Grove-Sunset Camp Section of Gales Creek County Road.
- Pacific Highway. Eugene. Selection of route around city rather than along 6th Street suggested by Clarence Crocker.
- Roadless areas. Letter opposing, in general, extension of roads into roadless areas.
- Weston-Elgin Secondary Highway. Oiling between Weston and Tollgate urged.
- Tillamook County Flying Club. Permission requested to use ocean beach at Rookaway or Saltair as landing field.
- Fort Stevens Road. Improvement requested.
- Oregon City. Owner of Midway Boathouse requests permission to maintain water pipe line on state property and to maintain parking space between 14th and 15th Streets.
- 8915 Oregon Roadside Council. Request for office space for use in connection with project for preservation of scenery denied.
- Oregon Coast Highway. Clatsop County. Investigation to be made relative to claim of Arch Cape Land Company and W. C. Calder for damages caused by slide near Arch Cape.
- Central Oregon Highway. Designation as U. S. Highway Route 14 deferred.
- U. S. Highway Route No. 95. Plans for routing over I.O.N. Secondary Highway discussed.
- Junction City-Eugene Secondary Highway. Designation as U. S. Highway Route No. 99E denied.
- Pacific Highway. Junction City-Eugene Section. Designation as U. S. Highway Route No. 99W denied.
- Federal military highways. Letter from Congressman Pierce relative to proposed federal plan for construction.
- Tigard. Pacific Highway West. Mrs. Clark inquires regarding plans for reconstruction.
- 8916 Newberg. Bridge over Willamette River not to be used as viewing stand during regatta.
- The Dalles-California Highway. Klamath Falls. Placing of Buckaroo Days' decorations over highway outside city limits denied.
- Federal aid secondary highway system. List of roads and graphs with respect to selection to be worked up.

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8916	June 6	Surveys. List of surveys ordered since last meeting.
8918		Extension of time, as follows: Viesko & Hannaman, construction of maintenance building at Albany.
8919		Contracts completed and accepted, as follows: Bly Mountain-Featty Section, McNutt Bros.; Suntex Junction and Brothers maintenance buildings, Henry C. Nelson; Albany Section, canal and railway roadbed, Mountain States Construction Co.; Maintenance building at Albany, Viesko & Hannaman; Olney-Jewell Section, D. L. Ashton; Brothers Roadside Oasis Project, D. L. Ashton; Vanora-Madras Section, J. C. Compton; State Hospital-Ash Street Section, Leonard & Slate; Coquille Section, O. C. Yocom;
8920		Rough Creek-Belknap Springs Section, Mountain States Construction Company; Lakeview Section, Saxton, Looney & Risley; Polallie Creek-Hood River Section, A. S. Wallace; North Powder-Davis Ranch Section, C. E. Silbaugh Co. Date for next regular meeting tentatively set for July 27, 1939. Agreements, et cetera, signed as follows: United States of America, snow removal on west leg of Timberline Lodge Road; California Western States Life Insurance Company, group insurance for highway department employees; City of Bend, reimbursement for revising water system by reason of Third Street undercrossing project; C. H. Lake, parking of cars on state highway right of way while being serviced at his station south of Salem; Olive Lee, approach road to her premises adjacent to Oregon Coast Highway, in Lincoln County; Pacific Power and Light Company, permit authorizing state to install and maintain traffic signal suspension cable on company's pole No. 2107 in Rainier; R. G. Saylor, abandonment of cattle pass on Lexington-Echo Secondary Highway; Fritz Luscher, et al, acquisition of right of way for new Columbia River Highway near Bridal Veil; Easement granting to Mountain States Power Company right to construct canal or ditch to convey water in Albany;
8921		
8922	June 21	Anchorage post. Preservation of anchorage post at Yamhill River in Willamina authorized. Erection of sign giving historical information relative thereto authorized. Astoria. Moving of buildings. State to assume expense of moving one building; city to assume obligation of moving others.
8923		Tunnels. Construction of timber linings in all unlined tunnels, particular reference to Elkton Tunnel, authorized. Natal Park near Mist. Purchase of tract deferred.

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8923	June 21	Condemnation. Resolution authorizing acquisition of right of way for Lower Columbia River Highway through Fairview Cemetery, near Scappoose.
8926		Service club signs. Report on methods of controlling signs in State of Washington. Furnishing of signs by state and maintenance by service clubs tentatively approved. Pacific Highway West. Mr. Henry Eggers to perform work in connection with approach road to his property south of Corvallis; state to furnish drainage pipe. Approach roads. Adoption of policy with respect to construction deferred.
8927		Columbia River Highway. Neon sign maintained by Dr. Thompson in front of auto park at The Dalles ordered removed. Traffic count. Intersection of Wapinitia and Mt. Hood Highways. Count to be made for comparison with one made June 10, 1936. Pole line. Granting of permit to Bonneville Authority for construction of long spans over state highways between Portland and Eugene authorized. Baker-Homestead Highway. Oiling of Dry Gulch Section and grading of CCC Camp-Virtue Hill Section requested.
8928		Weston-Elgin Secondary Highway. Adoption of program for improvement of 5-mile section easterly from Weston urged. Gravel. Action on removal of gravel from ocean beaches for commercial purposes deferred. Equipment. Purchase of following authorized: 1 semi-portable scale for weighing individual axle loads; 1 electric drill; 1 Gerlinger paving plant. John Day Highway. Report on fatal accident between Vale and Jamieson involving truck of Bunting Tractor Company. Bunting Tractor Company. Future permits for special use of highways denied as result of accidents and violations of provisions of permits.
8929		Award of following contracts approved: Silver Lake-Harris Creek Section, E. C. Hall Company; Roseburg-Shady Point Section, Berke Bros., Inc. R. H. Baldock. Authority granted to attend meeting of Committee on Design, American Association of State Highway Officials, in Chicago, at government expense. H. G. Smith. Preparation of paper for 1939 Montana Bituminous Conference at Sun Valley, Idaho, authorized. Attendance at meeting not authorized. Harold B. Say. Authority granted to attend meeting of National Greeters Association in Seattle. Irene Payne. Authority granted to attend meeting of National Greeters Association in Seattle. Out-of-state travel. Expenses to be previously approved by Commission hereafter. Johnny Kirk Springs adjacent to John Day Highway. Residents of Spray express appreciation for installation of drinking fountain.

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8929	June 21	Nyssa. Detouring of traffic off state highway during Harvest Festival approved.
8930		Nehalem Secondary Highway. Birkenfeld-Jewell Section. Letters presented protesting delay in contracting oiling work. Farm element and settlement. Letter urging consideration of farm element and settlements when building roads. Pacific Highway. Cottage Grove Section. Construction requested. The Dalles-California Highway. Klamath Falls. Buckaroo Days' Committee renews request for permission to maintain decorations over highway. Request denied. Surveys. List of surveys ordered since last meeting.
8932		Resolution accepting surveys completed. Extensions of time, as follows:
8933		R. I. Stuart & Sons, Diamond Lake Section;
8934		F. C. Dillard, Salt Creek Section. Contract completed and accepted, as follows: Crescent-Beaver Marsh Section, Fisher Bros. Dates for next regular meeting set for July 27 and August 31.
8935		Reedsport. Umpqua Highway. Hearing relative to rerouting of highway. Landscaping at connection of Umpqua and Oregon Coast Highways requested; also betterment of approach of 8th Avenue to Oregon Coast Highway requested.
8936		Gardiner. Inspection made of Oregon Coast Highway in city. Removal of earth material from highway right of way in front of Dr. Fields' property requested. Survey. Preliminary survey of Oregon Coast Highway north of Gardiner approved.
	June 22	Bids as follows opened and read:
8937		Baker-Gibbs Ranch Section, oiling; Third Street Undercrossing in city of Bend; Provolt-Williams Section, grading, surfacing and oiling; Bridge over East Fork Illinois River; Santiam Junction Maintenance Station;
8938		Salem-Middle Grove Section, grading, paving and pavement widening; Wheatland Junction-Salem Section, grading, paving and pavement widening; Sandy Boulevard Section (44th to 74th Avenue Unit), pavement widening and resurfacing; Hillsboro Airport-Ray's Ranch Section, grading, surfacing and oiling.
8939		Magnet. Columbia Truck Line requests state's magnet for use on private road in Wallowa County. Commission refuses request but authorized loan of magnet to Wallowa County Court. Old Oregon Trail. Hermiston-Umatilla Section. Delegation urges reconstruction and elimination of railroad crossing.
8940		Century Drive Secondary Highway. Construction of forest highway section between Bend and Elk Lake discussed. Inspection of road ordered.

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8941	June 22 1939	Warm Springs Secondary Highway. Plans for construction discussed. Cline Falls Secondary Highway. Commission to furnish engineering supervision in connection with removal of rock point north of Tumalo. Weston-Elgin Secondary Highway. Expenditure of \$10,000 state funds approved to cover deficit in amount budgeted in forest highway program for construction of forest highway section. Oregon Coast Highway. Delegation presents four-point program for 1940 activities.
8943		Cascadia. State urged to purchase Giesendorfer property for park purposes. Investigation ordered.
8944		Clatsop County. Elsie-Fish Hawk Falls road. Delegation urges construction of road to connect Wolf Creek Highway and Nehalem Secondary Highway.
8945		Oregon City. Pacific Highway East. Acquisition of C. T. Gates property needed for proposed revision discussed. Siuslaw Highway. Delegation urges improvement in vicinity of Cheshire and Triangle Lake.
8946		Awards. Commission announces awards on projects for which bids were received during morning session. (See page 8936)
8948		Manning. Wolf Creek Highway. Settlement for right of way involving moving and re-establishing Manning school discussed. Wolf Creek Highway. Report on construction of highway across property of George Saxton.
8949		Prineville. Securing of options for right of way for reconstruction of Ochoco and Warm Springs Highways ordered. Port Orford. Attorney to secure options to Orris Knapp property needed for right of way. Travel and Information Department. Selection of advertising agency to handle publicity matters discussed but deferred. Right of way budget for 1939. Attorney's report on expenditures.
8954		Real property. Resolution authorizing acquisition.
8955		Condemnation. Resolutions authorizing condemnation as follows: Cushman Ranch-Trail Section of Tiller-Trail Highway, Willard F. Horn and Gertrude Horn, Irwin H. and Rena Howe; Provolt-Williams Section of Williams Highway, Albert Biglow; Washington State Line-Shelton Canyon Section of Enterprise-Lewiston Highway, Elmer W. Applegate; Forest Boundary-Cottonwood Creek Section of Klamath Falls-Lakeview Highway, W. K. Verling; Drews Valley Section of Klamath Falls-Lakeview Highway, H. E. Smidth.
8957		
8958		Water right. Settlement with Rex Rose for water from spring for Wolf Creek Highway W.P.A. Camp near Manning and for state's maintenance headquarters.

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8958	June 22	Insurance. Building acquired from L. E. Dayton on new location of Pacific Highway south of Grants Pass to be insured.
8959		Fire loss. Owners of burned-over land along John Day Highway near Arlington to be reimbursed for losses.
		Recreational areas. Negotiations to be continued for acquisition of sites along Wolf Creek Highway between Sunset Camp and Elsie. Condemnation authorized of tracts belonging to Sunset Logging Company.
		Wolf Creek Highway. Payment of \$5,000 for non-labor items for July authorized.
		W.P.A. program. Projects tentatively approved to be submitted to Public Works Administration, when called for.
8960		H. B. Glaisyer. Salary increase approved.
		Agreements, et cetera, signed as follows:
		Washington County, maintenance of Hillsboro-Cornelius Pass County Road;
		Marion County, maintenance of Salem-Silverton County Road;
		Marion County, maintenance of North River County Road;
		Edward L. Dimmitt, concession at Crown Point Vista House;
		Ralph Billings, construction of steps and retaining wall in front of his premises north of Ashland;
		Josephine County, improvement of Illinois Valley County Road;
		Josephine County, maintenance of Illinois Valley County Road;
		Coos Bay Construction Company, claim for extra compensation arising out of Contract No. 1949;
		Clackamas County, stairway construction from Pacific Highway East to Willamette River in Oregon City;
		Bargain and sale deed conveying land adjacent to Upper Columbia River Highway, in Multnomah County, to Fritz Luscher and May Vivian Tohl.
8961	July 18	Contract letting. Projects to be contracted August 31 approved.
		Blalock-Arlington Project. \$30,000 transferred to this project from Jimmy Creek-North Powder Section.
8962		Contract letting. Projects to be contracted October 5 authorized.
		Tigard Grade Separation. Funds from Troutdale Grade Separation project to be transferred to Tigard project.
		John Day-Prairie City Project. Contracting in November authorized.
8963		Lost River Project. Rebuilding of reclamation flume authorized.
		Grant County Line-Patrol Station Project. Increasing project from \$60,000 to \$85,000 authorized.
		Maintenance and minor betterment budgets. Number of increases approved.
		Oiling and extra-maintenance projects. Number of projects approved.
		Location survey. Pacific Highway. Survey of Sexton Mountain Section ordered.

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8964, July 26

Subject

Fire loss. Claims of owners of burned-over land along John Day Highway near Arlington approved. Payments authorized. Albany-Lyons Secondary Highway. Thomas Creek Section. Construction of light oil surface approved for construction in next year's program.

Siuslaw Highway. Improvement over summit of Coast Range requested.

8965

Mt. Hood Highway. Snow removal. Highway to be open May 15th from junction of Wapinitia Highway to Cooper's Spur Road. Cape Arago Secondary Highway. Elimination of Deadman's Curve requested.

Lower Columbia River Highway. Farr's Corner-Seappaose Section. Section not involving cemetery to be advertised for bids in August or September. Attorney to secure right of way for cemetery section.

Halsey-Sweet Home Secondary Highway. Oiling of section between Brownsville and Crawfordville requested.

Territorial Secondary Highway. Request for oiling from Monroe to Douglas County Line denied. Extending of highway from present terminus to Pacific Highway at Anlauf discussed.

8966

Marshfield. Bunker Hill district. Stairway from Mullen Street to connection with Oregon Coast Highway requested.

Sidewalk. Construction on one side of Nehalem River Bridge at Timber approved.

Paisley. Fremont Highway. Oiling for distance of two blocks through business district requested. Request denied.

Enegren ferry service. Coos River. Bids to be taken for furnishing 18-hour and 20-hour service.

Pole line construction. McKenzie Highway. Construction of Rural Electrification Administration power line between Vida and McKenzie Bridge discussed.

8967

Permits. 30-day blanket permits for movement of farm machinery approved.

Claims. Credit accounts against firms now out of business to be declared closed.

Awards of contracts. Commission approves following awards:

Strebin Road-Hosner Road Section, H. L. Rice;

Sandy Boulevard Section (44th Ave. to 74th Ave.), Edlefsen-Weygant Company.

8968

Equipment. Engineer authorized to purchase following:

1 pneumatic-tired lawn mower;

1 7000-gallon-per-hour gravity centrifugal pump;

1 dragline boom, bucket and necessary cable.

Laws. Pamphlet containing road laws to be published by Commission.

Elsie-Jewell County Road. Matter of continuing maintenance discussed.

Richfield Oil Company. Use of pictures of highway department equipment being serviced by company's truck authorized.

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Subject

8968 July 26

Gravel. Policy with respect to removal of gravel from ocean beaches by individuals and by contractors adopted.

8969

Hood River County. Designation, as secondary state highway, of county road extending from Mt. Hood Highway to connection with Hood River Secondary Highway deferred.

Pole line. Easement granted to U. S. Government to construct Bonneville power line over state-owned land between Multnomah and Hood River.

Salem. Salvaged material from old bridge to be loaned to American Legion for construction of temporary bridge at airport.

Depoe Bay. Auto-parking congestion adjacent to Oregon Coast Highway to be investigated.

8970

Mining operations. Request of Paul T. Erb to conduct mining operations in state-owned gravel pit in Jackson County denied. Value of gravel pit to be investigated.

Roseburg. Request for construction of building in landscaping area at junction of Pacific Highway and county road denied.

Oregon Coast Highway. Bandon Section. Construction urged.

Tigard. Pacific Highway West. Selection of route protested.

Robinette-Homestead Secondary Highway. Oxbow Tunnel Section. Request for repairs to tunnel denied.

8971

Nyssa. Suggestions for site for railroad grade separation structure presented.

Tolls. Letter presented suggesting collection of tolls to finance highway construction.

Silverton. Request for loan of services of Commission's artist to prepare plans for gateways at highway entrances to city.

Albany. "No trespass" signs to be erected on state property adjacent to Albany Airport.

Surveys. List of surveys ordered since last meeting.

8974

Resolution approving completed surveys.

Extensions of time, as follows:

Coos Bay Dredging Company, Lobert-Modoc Point Section;

8975

Roy L. Houck, Lombard Street-Killingsworth Street Section;

Babler Bros., Grant County Line-Unity Section;

8976

Schmeer, Williams & Gentemann, Horse Ranch-Chewaucan Narrows Section;

J. C. Compton, Elsie-Balm Grove Section.

Contracts completed and accepted, as follows:

Lobert-Modoc Point Section, Coos Bay Dredging Company;

8977

Salt Creek Section, F. C. Dillard;

Brothers-Harney County Line Section, E. C. Hall Company;

Richland-Halfway Section, Norris Bros.;

Newport Section, E. F. Altree;

Jamieson-Lancaster Section, Leonard & Slate;

Pendleton-State Farm Section, M. L. O'Neil & Son;

Juntura-Cairo Section, Chester T. Lackey;

Flat Creek-John Day Section, Babler Bros.;

Baker-Gibbs Ranch Section, Norris Bros.

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8978	July 27	Bids received on following projects: Warren Creek Section, grading, surfacing and bridge; Junction City-Eugene Section, roadside improvement; East Unit, Troutdale-Corbett Section and Bridal Veil-Benson Park Section, clearing, grading and rock toe embankment.
8979		Florence. Request for state cooperation in construction of approach road from business district to Oregon Coast Highway. Investigation of project ordered.
		Siuslaw Highway. Improvement requested through Lake Creek District and over Coast Range, involving tunnel construction.
8980		Bandon. Oregon Coast Highway. Construction along permanent route urged. Attorney authorized to complete acquisition of right of way. Line and grade stakes to be set.
		Timberline Lodge signs. Erection of signs directing traffic to Lodge approved.
8981		Travel and Information Department. Botsford, Constantine and Gardner contract for handling publicity matters renewed for 1940.
		Cascade Lakes Forest Highway. Bend-Elk Lake Section. Type of improvement for road discussed.
		Minutes approved of meetings held March 2 and 3, March 21, April 5, 6 and 7, and April 21 to 25, inclusive, 1939.
8982		Fines. Standard form to be used in reporting fines collected for motor vehicle violations.
		Depoe Bay. Oregon Coast Highway. Plans for widening and construction of bridge to be presented to U. S. War Department.
		Park property. Sisters. Purchase of Louis W. Hill property adjacent to McKenzie Highway near Sisters approved.
		Roseburg. Pacific Highway right of way. Property of B. L. Eddy's client to be acquired by condemnation if offer of \$100 refused.
		Columbia River Highway. George Joseph granted permission to lock gates to right of way property near Crown Point leased from state.
		Wolf Creek Highway. Agreement reached with Oregon American Lumber Company for acquisition of property for park purposes.
8983		Attorney to secure options on other property along highway for recreational sites.
		Oregon City. Pacific Highway East. Settlement of Mrs. Annie Busch's claim for damages arising out of highway construction deferred.
		Disposition of right of way acquired by city for old roadway along 11th Street deferred pending completion of new highway.
		Change of venue not to be requested in case of state versus Security and Investment Company, pertaining to right of way.
8984		Tigard. Pacific Highway West. State to remove church building from highway right of way.
		Tiller-Trail Secondary Highway. Cushman Ranch-Trail Section. Settlement made with Klamath Indian Agency for right of way approved.

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8984	July 27	Insurance. Fire insurance to be carried on buildings acquired from Duane Gibson for right of way for Salem South Section of Pacific Highway.
		Wilsonville. Approach to Boone's Ferry to be retained. Parks Superintendent to investigate park possibilities.
		Oregon City. Pacific Highway East. Episcopal Church people request change in plans for highway improvement.
8985		Gravel pit. Sale of gravel pit adjacent to Pacific Highway south of Junction City reconsidered.
		Title insurance. Action on securing title insurance on future real property purchases deferred.
		Crofts Lake. Coos County. Parks Superintendent to investigate matter of creating state park at Crofts Lake, near Bandon.
		Speed limit. Wolf Creek Highway. Elsie-Mecanicum Junction Section and at Bear Creek Camp to be posted for a 35-mile-per-hour speed limit.
		Weston-Elgin Secondary Highway. Request for snow-removal operations in Umatilla and Wallowa Counties denied.
8987		Umpqua Highway. Reedsport. Resolution adopting permanent route. Right of way. Resolution prohibiting use of highway right of way in connection with conduct or operation of business or industry. Form letter covering matter to be distributed.
8989		Warm Springs Secondary Highway. Resolutions rerouting highway between Prineville and the Jefferson County line.
8991		Cape Arago Secondary Highway. Charleston. Resolution abandoning old portion of highway in favor of Coos County.
8993		Real property. Resolution authorizing acquisition.
8998		Condemnation. Resolutions authorizing condemnation as follows:
8999		Buchanan Ranch-Juntura Section, Central Oregon Highway, Ralph Chambers and State Land Board;
9000		Salem-Pringle Creek Section, Pacific Highway East, Benjamin Franklin Federal Savings and Loan Association and L. C. Harkey, and A. E. Heasley;
		Service Creek-Burton Canyon Section, John Day Highway, School District No. 7;
		St. Helens Section, Columbia River Highway, Erickson Dairy Products Company;
9002		Warren Creek Section, Columbia River Highway, John and Eleanor Lawler.
9005		Portland. Metropolitan Association requests reconstruction of Front Street as arterial route.
9006		Ocean beach. "No Motoring Beyond This Point" signs to be erected on beach between Newport and Agate Beach.
		Relief map. Acceptance of offer of Pacific Topographic Service to furnish scale relief map of Oregon deferred.
9007		Awards. Commission announces awards on projects for which bids were received during morning session. (See page 8978)
		Tillamook County. Loan of services of engineer requested by county to set line and grade stakes for county road extending from Oregon Coast Highway up Cook Creek.

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9008 July 27

Lafayette Secondary Highway. Request for oiling of section from Amity Junction to Schroeder's place. Work to be done within next month.

Yamhill County. Designation requested, as state secondary highway, of county road extending from Lafayette Secondary Highway to point $1\frac{1}{2}$ miles south of Threemile Lane Secondary Highway.

Coos County. West Coast Power Company requests lease of state property in corner of park at north end of Coos Bay Bridge for substation site.

Columbia and Washington Counties. Delegation requests designation, as state secondary highway, of county road extending from Treharne to Sunset Camp.

9009

Wolf Creek Highway. Mr. & Mrs. L. Siegenthaler confer regarding settlement for right of way across their property.

Wolf Creek Highway. Edwin C. Gerber's contract for surfacing Necanicum-Nehalem River Section to be turned over to surety on bond for completion unless satisfactory progress shown.

9010

Group insurance. Oregon Mutual Life Insurance Company's plan for group insurance to highway department employees considered.

Tigard. Pacific Highway West. Construction of passage-way under railroad grade separation structure considered.

Forestry Department. Blanket authority to be granted Forestry Department for use of ocean beaches in Curry County as landing fields for department airplanes.

Seaside. Engineer to investigate situation at Seaside where beach is used for airplane landing field.

Wolf Creek Highway. Payment of \$3,500 for non-labor items for August authorized.

9011

Oregon City. Pacific Highway East. Request that new highway be opened between 14th and 5th Streets during Territorial Days Celebration, August 17 to 19, denied.

Date for next meeting set for August 31 and September 1, 1939.

Siuslaw Highway. Inspection to be made August 17, 1939.

Date for special meeting in Salem set for August 18, 1939.

Agreements, et cetera, signed as follows:

Jackson County, improvement of Butte Falls County Road;
Jackson County, maintenance of Butte Falls County Road;
Southern Pacific Company, easement for railroad encroachment near Shady Point south of Roseburg;

Leonard and Slate, extending contract for free ferry service across Willamette River at Wilsonville;

Union Pacific Company, construction of Troutdale-Corbett and Bridal Veil-Benson Park Sections, particularly railroad crossing at Corbett;

9012

A. A. Godwin, lease of state-owned property in Josephine Co.;
Southern Pacific Company, right to construct, operate, and maintain railroad wye track and appurtenances in Albany;
Bargain and sale deed conveying unto Hood River County land situate in Hood River County.

Portland, Oregon, April 5, 1939

The State Highway Commission met in regular session at 2:00 o'clock p. m. in Room 204, Benson Hotel, Portland. Present were:

Henry F. Cabell, Chairman
E. B. Aldrich, Commissioner
Huron W. Clough, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

The Commission conferred with a delegation consisting of members of the legislature and representatives of the Public Utilities Commissioner, Department of State Police, and the logging industry, relative to the establishment of rules and regulations for the disciplining of log haulers who have been arrested for transporting over state highways loads weighing in excess of the weight limits specified in House Bill No. 542, which was enacted into law by the 1939 legislature, and which authorizes a 10 per cent tolerance on truck loads. Members of the delegation were State Senators F. M. Francisco-vich, Astoria, and U. S. Balentine, Klamath Falls; A. F. Harvey, representing the Public Utilities Commissioner; H. G. Maison, Deputy Superintendent of State Police; County Commissioners James Elliott and John Slotte, of Clatsop County; and Messrs. George Gray, M. L. Johnson, and L. A. Christenson, log haulers; and others; there being 22 in the delegation.

Chairman Cabell opened the discussion by explaining the purpose of the conference. He stated that the Highway Commission some time ago found it necessary, in order to protect the highways from severe damage by logging trucks, to promulgate rules and regulations for the disciplining of log haulers who transported excessive-weight loads, inasmuch as satisfactory results were not being secured by the arrest of the operators and the imposition of fines. Such rules, he said, provided for the arresting and fining of the violator if the weight of the load exceeded the statutory weight limit, and provided also an additional penalty if the weight exceeded the statutory axle-weight limit by more than 1500 pounds. He pointed out that the 1939 legislature enacted a new law which provided for a 10 per cent tolerance, because of the difficulty in weighing loads of logs at the loading point. It was his thought that if the operators will honestly endeavor to load their trucks so as not to exceed the axle-weight limit, the probabilities are that the 10 per cent tolerance will not be exceeded. The Highway Commission, he added, has given this matter considerable thought and has decided that an operator who is found to be transporting a load weighing in excess of the legal weight limit plus the 10 per cent tolerance, no matter how small the overload, should be arrested and required to pay such fine as the courts may prescribe, and should also be subject to an additional penalty yet to be determined.

He advised that the Commission has also given considerable thought to the matter of trucking logs out of a new timber district where the weight of timber has not been ascertained. In cases of this kind, he said, the Commission has it in mind to let the operators haul several loads to the nearest

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scales, without fear of arrest for overloading, in order to determine approximately the unit weight of the timber from that particular district; but advance arrangements must be made with the state police for the weighing of such trial loads, and the operator must make an honest effort to load within the legal requirements. After the unit weight of the timber has been determined, he added, the operators will be arrested and fined for overloads in any amount. He then invited the members of the delegation to express themselves in regard to this subject.

Senator Franciscovich stated that the arrangement outlined by Chairman Cabell is considerably more lenient than that the log haulers had in mind; in fact, they are not asking for as much leeway as they would be given if this arrangement were carried out. It was his thought that the method of procedure for disciplining the log haulers heretofore in effect is quite fair with the exception that the arrests are made for overloads based upon axle weight, whereas, in his opinion, the overloads should have been based upon gross weight; also, that the penalty for the first violation should be the suspension of the equipment involved in the overload for a period of 5 days; for a second offense, 10 days; and for a third offense 15 days, rather than the present penalty of 10, 20, and 30 days for these offenses. He explained that the operators are pretty well able to tell by log scale the weight of the logs in the woods but it is extremely difficult to estimate the axle-weight after the logs have been loaded, and particularly as to whether or not the 10 per cent tolerance will be exceeded. He heartily approved the Chairman's suggestion of transporting a number of trial loads to determine the average weight of timber from new districts. However, he stressed the importance of notifying the state police in advance of such trial movements; otherwise, he said, every operator would endeavor to justify an overload from a new district by saying that it was a load to determine the average weight of timber from that district. He urged the Commission to modify its present rules by providing that the operation of the extreme penalty of suspension or cancellation of permit shall be based on gross weight rather than on axle weight, and advised that such modification will meet with the loggers' approval, at least those operating in the Clatsop County district, the same as if the weight of the logs were determined by log scale.

Chairman Cabell advised that the Commission does not especially care to be considered a law-enforcement agency and had it in mind simply to try out the new law for a period of six months or so without imposing any penalty on the operators other than the fines prescribed by the court; but, in view of Senator Franciscovich's remarks, the Commission will be pleased to give the matter further study. He invited comments on the suggestions made by Senator Franciscovich. No one responded, which indicated that all were in accord therewith.

The Commission then discussed the matter privately with the representatives of the Public Utilities Commissioner and the Department of State Police, following which Chairman Cabell announced that the Commission is inclined to agree with the suggestions made by Senator Franciscovich, because it believes that the operators will make an honest endeavor to load within the legal requirements and will not load their trucks in excess of the 10 per cent

tolerance permitted by law. He added that the old method of imposing a fine on all operators who transport loads weighing in excess of the statutory weight limits, including the 10 per cent tolerance, will be continued except that the overload will be based upon the gross load rather than on the axle load. If the gross overload exceeds the 10 per cent tolerance permitted by law, then, for a first offense, the equipment involved in such overload will be suspended from operation for a period of 5 days; for a second offense the period of suspension will be 10 days; and for a third offense, 15 days; and, where logs are hauled from a new district, no penalty will be imposed for overloads on the first six loads, provided arrangements have been made with the State Police beforehand for the weighing of such six loads. These rules and regulations, he added, will be published in printed form and will be distributed to all parties concerned at the earliest possible time. (See Circular Letter No. 119.)

The matter of determining the classification of hard-surfaced roads as compared with others was brought up for discussion and it was decided to let the State Police officers differentiate between the road types, as in the past.

Senator Balentine and Mr. Johnson asked the Commission to modify its present ruling with respect to log hauling on state highways in Klamath County so as to permit such hauling during Saturday afternoons, which practice is now prohibited. They were informed that the Commission must have full information on logging operations in this county before it can render a decision, and investigation will be made upon receipt of application for Saturday afternoon hauling in this county.

Mr. E. C. Newall, of Vancouver, Washington, was present in regard to the claim of his mother-in-law, Mrs. Ida B. Hadley, for damages that she alleges she incurred by reason of the reconstruction of the Pacific Highway West in front of her property near Newberg, in Yamhill County. Mr. Newall declared that Mrs. Hadley has received unfair treatment from the Highway Commission inasmuch as she donated right of way for this project with the understanding that there was to be no change in the grade line of the highway; whereas, the highway was actually lowered approximately 8 feet in front of her premises. Had Mrs. Hadley known that the grade was to be lowered, he said, she would never have donated the right of way. He demanded the sum of \$500 as settlement for the claim.

Chairman Cabell pointed out that negotiations with Mrs. Hadley for this right of way were completed a long time ago, apparently to the satisfaction of all parties concerned, and that the Commission is not disposed to reopen a case that has once been consummated. However, in view of the fact that there is a question as to just what Mrs. Hadley had in mind when she donated the right of way, the Commission is willing to pay her an additional amount of \$250 in order to definitely close the case. Such sum, he added, is absolutely the limit in the amount that the Commission will pay and if Mrs. Hadley is not satisfied she will have to take the matter to court. Mr. Newall said that he would present the offer to Mrs. Hadley and would advise later whether or not it is acceptable.

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The Commission discussed at some length the advisability of revising its schedule of wages to be paid labor employed on state highway construction work but deferred definite action thereon until the next meeting.

The Engineer brought up for discussion the matter of adopting a minimum wage allowance for the hourly-rate employees on oiling, paving, and striping crews. He pointed out that these crews are sent into the field as early as possible in the spring in order to insure the completion of their assignments during the working season, and are subjected to frequent and considerable loss of employment because of wet weather conditions which in many instances prevent them from earning enough to pay their local grocery bills. He gave as his thought that such hourly-rate employees should be given a minimum wage allowance or guarantee for subsistence, and recommended an allowance of \$1.00 per day for such purpose. After discussion, the Commission approved the Engineer's recommendation and thereupon, by unanimous vote, authorized the payment of such minimum wage allowance subject to the following conditions:

1. The allowance shall be made only to hourly-rate employees on state force oiling crews, pavement patching crews and center-line striping crews.
2. The allowance shall be made only on days when wet weather conditions are the sole cause of the discontinuance of work. If prosecution of the work is prevented by breakdown of equipment, shortage of materials, moving of plant, or any cause other than wet weather, the allowance shall not be made, even though wet weather may occur concurrently.
3. The allowance shall be made only on regular working days, including Saturday, if Saturday or Saturday morning is regular working time for the crew. The allowance shall not be made on Sundays or holidays.
4. The allowance shall be made only for days on which the employee reports to the timekeeper and is on the job ready to work. No allowance is to be made to an employee who absents himself from the work or who fails to report to the timekeeper each day.
5. The amount of the allowance shall be \$1.00 for days on which the employee has no other earnings. If some pay time is worked by the employee on the day concerned, the amount of the allowance shall be only sufficient to bring the total earnings for the day to \$1.00. For instance, if an employee receiving \$0.55 per hour works one hour during the day, the amount of the allowance will be \$0.45.

The Assistant Attorney reported briefly the status of acquiring options for right of way needed for the proposed revision of the Pacific Highway West through the town of Tigard. He estimated that it would take about 30 days to complete the securing of such options. The Commission took no action

on this matter except to ask the Assistant Attorney to expedite the matter as much as possible.

The Attorney brought up for discussion a letter from the attorney for the West Coast Power Company relative to the construction of the Company's pole line across the state park that was acquired from the Pratt interests, adjacent to the Oregon Coast Highway, at the Lincoln-Lane County line. He advised that, as previously instructed by the Commission, he informed the power company that the Commission would not permit construction of the pole line along the highway because the poles would interfere with the scenic view, and, for similar reasons, would not allow such pole line to be constructed through the body of the park, although it would authorize the construction of the pole line at the extreme edge of the park where it would not interfere at all with the use of the park nor detract from the park's appearance. The company alleges, he said, that it will cost them about \$4,000 extra to build their pole line in the designated location, but, nevertheless, they are willing to build it in such location if the state will pay a portion of this extra cost, but not otherwise.

In the discussion of this matter it was pointed out that the company has already constructed its pole line at a considerable distance from the highway across property adjacent to this state park, which indicated to the Commission that it would be no more difficult or expensive for the company to construct its pole line at the extreme edge of the state's park, as designated. Furthermore, if the line were constructed in such location, it would then not be necessary to cut any timber to accommodate the company's poles or other facilities and would place the line in a position where it would not interfere at all with the use for which the park was acquired. The Commission thereupon, by unanimous vote, refused to make any change in its previous ruling with respect to this matter and indicated that it would be willing to try the matter out in court, if necessary.

The Commission adjourned at 6:00 o'clock p. m., to reconvene on the following morning in the auditorium of the Public Service Building.

Portland, Oregon, April 6, 1939

The State Highway Commission reconvened in regular session at 9:00 o'clock a. m. in the auditorium of the Public Service Building. Present were:

Henry F. Cabell, Chairman
E. B. Aldrich, Commissioner
Huron W. Clough, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

Bids as follows for highway construction projects and for the sale of a building at Salem were opened and read in conformance with previously published notice, following which Chairman Cabell announced that the award of contracts and sale of building would be made at 3:00 o'clock p.m. in the same room:

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EAGLE CREEK-FIRWOOD COUNTY ROAD
EAGLE CREEK-WADE CORNER SECTION - GRADING, SURFACING, OILING

	<u>Using Road Oil</u>	<u>Using Tar</u>
Fisher Bros.	\$38,379.00	\$ - - - -
R. O. Dail & Warren Bros., Inc.	- - - -	49,671.50
C. J. Eldon	52,625.50	52,581.50
H. L. Rice	52,877.50	53,177.50

OREGON COAST HIGHWAY
BUNKER HILL SECTION - GRADING, PAVING

Roy L. Houck	\$108,466.50
Jacobsen-Jensen Company	110,879.50
Leonard & Slate	112,138.00
Theo. Arens	113,998.50
E. C. Hall Company	117,937.00
Edlefsen-Weygandt Company	124,361.00
Clifford A. Dunn	142,780.50

HOOD RIVER SECONDARY HIGHWAY
JERICHO LANE-BLOUCHER SECTION
GRADING, SURFACING, OILING, CRUSHED ROCK

E. C. Hall Company	\$39,926.50
A. S. Wallace	43,326.50
McNutt Bros.	43,670.00
R. O. Dail & Warren Bros., Inc.	44,903.75
C. J. Eldon	45,835.00
Newport Construction Company	45,998.75
H. L. Rice	Irregular bid

BONANZA-MALIN COUNTY ROAD
FOX VALLEY SECTION - GRADING AND SURFACING

E. L. Rigdon	\$20,235.00
Clifford A. Dunn	24,562.50

WASCO-HEPPNER SECONDARY HIGHWAY
EAST UNIT, RHEA CREEK-HEPPNER SECTION
GRADING, SURFACING, OILING, AND CRUSHED ROCK

Saxton, Looney & Risley	\$58,801.00
Warren Northwest, Inc.	59,550.00
E. C. Hall Company	61,484.00
Fisher Bros.	61,605.00
Rogers Construction Company	62,157.00
H. L. Rice	64,491.00
C. J. Eldon	65,110.80

**FALLS CITY COUNTY ROAD
FALLS CITY-FERN CORNER SECTION
SURFACING AND OILING**

	<u>Using Road Oil</u>	<u>Using Tar</u>
Warren Northwest, Inc.	\$ - - - -	\$29,115.50
J. C. Compton and Saxton, Looney & Risley	- - - -	29,510.00
R. O. Dail & Warren Bros., Inc.	29,696.00	29,618.00

SALE OF BUILDING IN SALEM

BUILDING NO. 5786

Arthur S. Washburn	\$ 550.00
W. H. Grabenhorst & Company	205.00

Mr. L. A. Cutlip, Mayor, North Bend, was present and urged the Commission to oil the Coos River Secondary State Highway between the town of Eastside and the Enegren Ferry so as to eliminate the dust nuisance that prevails during the dry season. He said that this road carries as much traffic as any other secondary highway in the State of Oregon and from that standpoint he believes that the improvement requested is fully justified. The Commission deferred action on this request pending formulation of its next construction program for secondary funds. Chairman Cabell agreed to inspect the road in the near future.

The Parks Superintendent, Mr. S. H. Boardman, was present and reported on the following state park matters:

Gift of the Consolidated Timber Company of roadside strips along the Wilson River Highway:- Mr. Boardman advised that the Consolidated Timber Company has offered to deed to the state as a gift a strip of land 400 feet wide and extending along this highway for a distance of about 6 miles from a point near Glenwood to the summit of the Coast Range, the only condition being that the company would like to maintain some camp buildings on the property for 25 years during the time that it is conducting logging operations on other property in this vicinity. The Commission accepted the gift and instructed the Secretary to acknowledge the same with an appropriate letter of thanks.

Gift of Mr. J. C. Ponsler, Florence, of a small tract of land, containing 2 acres, adjacent to the Oregon Coast Highway, in Lane County:- The Parks Superintendent advised that Mr. Ponsler owns a small tract of land overlooking the Pacific Ocean near China Creek and that he has expressed a desire to present this to the state as a gift in memory of his late wife, Muriel O. Ponsler, the only condition being that it be made available for public use at all times. The Commission accepted the gift by unanimous vote and ordered that the same be acknowledged with an appropriate letter of thanks.

Addition to Cape Lookout State Park, in Tillamook County:- The Parks Superintendent advised that, as instructed by the Commission at a

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previous meeting, he has again contacted the Crown Willamette Company relative to the acquisition of this area and the company has agreed to reduce its price to \$2,130 under the condition that it will be allowed to cut the trees on certain portions. This amount, he says, is \$1,620 less than the price previously demanded and, as before, is based on timber stumpage. After considerable discussion Chairman Cabell gave as his thought that the price is satisfactory but that the records should show how it was arrived at. Commissioners Aldrich and Clough concurred and it was thereupon decided to defer final action until the next meeting, when the breakdown in the price is to be discussed.

Naming of a state park in honor of Mr. H. B. Van Duzer, former chairman of the State Highway Commission:- The State Parks Superintendent advised that he has consulted with Mr. Van Duzer relative to the naming of a state park in his honor, and, while Mr. Van Duzer was very reluctant to have this done, he finally consented and indicated that he would be much pleased and satisfied if his name were given to the timber strips along the Salmon River Highway. The Commission thereupon, by unanimous vote, approved the naming of such tracts "Henry B. Van Duzer Forest Corridor".

Request of State Forester to maintain a fireguard station with buildings within the limits of the Salmon River Highway timber strips:- The Parks Superintendent advised that the State Forester needs about 1.8 acres on which to maintain such fireguard station. The buildings to be erected, he said, would be of pleasing architecture and would be placed as far as possible away from the traveled portion of the road. It was his thought that the maintenance of a fireguard at this location would be a fine thing from the fire protection standpoint and he recommended that the request be approved. The Commission approved the recommendation unanimously, subject to the condition that the State Forester will construct buildings that meet with the Commission's approval and will maintain the premises in a satisfactory condition at its own cost and expense.

Request of Mrs. Vern Van Dyke to maintain a cabin in Casey State Park adjacent to the Crater Lake Highway, in Jackson County:- The Parks Superintendent advised that, as previously instructed by the Commission, he interviewed Mrs. Van Dyke relative to the purchase of her cabin, which is located in the state park, but Mrs. Van Dyke will not consider a price at all; in fact, she insists upon being allowed the use of the park for her private purposes. Furthermore, she has plans for the construction of a fence to enclose the portion of the park that she is now occupying. He requested instructions, in view of the Commission's order that she vacate the premises by June 1, 1939. The Commission deferred its decision until a future meeting.

Purchase of property owned by Hammond Lumber Company at Nehalem Sandspit, in Tillamook County:- The Parks Superintendent advised that the Hammond Lumber Company has agreed to accept the sum of \$250 for this property, which consists of some 65.5 acres, described as all of Government Lots 5 and 6, of Section 33, T. 3 N., R. 10 W., W. M., Tillamook County, including all tide lands fronting or abutting on said government lots; Lot 6 of Section 4, T. 2 N., R. 10 W., W. M.; and that portion of Lot 1 in Section 5, T. 2 N., R. 10 W., W. M., that is owned by the company. The company has agreed to accept

such sum for this property, he said, under the assumption that the state will pay the unpaid taxes that have accumulated against same. The Commission approved this purchase by unanimous vote.

Purchase of addition to Devils Elbow State Park at Heceta Head, in Lane County:- The Parks Superintendent advised that he has concluded satisfactory negotiations with Rufus C. and Rosa Stonefield for the purchase of this 61-acre tract, described as Lot 1 and the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 34, T. 16 S., R. 12 W., W. M., for the sum of \$3,500, which is the price that the Commission approved at its meeting on March 3, 1939. The Commission approved this settlement by unanimous vote.

Exchange of properties with Rufus C. and Rosa Stonefield at Devils Elbow State Park:- The Parks Superintendent advised that, in accordance with authority granted him by the Commission on March 21, 1939, he has effected a satisfactory exchange of properties with Rufus C. and Rosa Stonefield for the protection of the state's interests at the north end of the Cape Creek Bridge, whereby the Stonefields are to deed to the state a triangular-shaped tract containing one acre on the east side of the highway and the state is to deed to the Stonefields a rectangular tract containing two acres situate in the SE corner of Lot 1, Section 34, T. 16 S., R. 12 W., W. M. The Commission approved such exchange of properties.

Purchase from Eugene O. Hayward, Astoria, of a small area located adjacent to the Oregon Coast Highway at Heceta Head:- The Parks Superintendent advised that, as instructed by the Commission at the previous meeting, Mr. Hayward has again been contacted relative to the purchase of this property and feels that he cannot sell his property for less than \$800, which is the amount of his previous offer. The Assistant Attorney advised that he inspected this property and it is his opinion that the Commission is justified in paying as much as \$2,500, if necessary. He strongly recommended settlement with Mr. Hayward for \$800. The Parks Superintendent concurred therein. The Commission approved the recommendation by unanimous vote.

A delegation from Roseburg, representing the Roseburg Chamber of Commerce, and consisting of W. C. Harding, Secretary, A. C. Marsters, County Judge Morris C. Bowker, and Senator C. W. Clark, was present and conferred with the Commission relative to the following highway matters. Mr. Harding headed the group. They urged the early improvement of the Roseburg-Shady Point Section of the Pacific Highway and were informed that the Commission expects to receive bids for this project at its meeting which is scheduled to be held in May.

They also asked for the improvement of another section of the North Umpqua Highway extending about 1 $\frac{1}{2}$ miles east of the Mud Hollow Section, for which bids are to be received on the following day, and advised that Douglas County would acquire the right of way that may be needed for such project. Chairman Cabell explained the condition of the Commission's finances and advised that the Commission will be pleased to consider this project in the formulation of its construction program for 1940 federal aid secondary highway funds, although no definite promises or commitments can be made thereto at

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this time. Further, that, even if the project is approved for such program, it probably will not be possible to contract the work until this fall or this winter, at the earliest.

Mr. Harding then extended to the Commission and its staff an invitation to be the guests of the Roseburg Chamber of Commerce for luncheon or dinner some time in the near future that would suit the convenience of the Commission. The Commission accepted the invitation with thanks and advised that a definite appointment would be made later.

The Commission had under discussion the matter of programming certain federal aid funds heretofore tentatively allocated, and the reallocation of federal aid secondary highway funds as follows:

\$70,000 of 1939 regular federal aid funds heretofore reserved for a project in Portland:- The Commission decided unanimously to use such funds to finance an additional project on Sandy Boulevard, Portland, and authorized the Engineer to prepare plans and specifications for the same and to advertise the project for bids as soon as the plans are ready.

\$55,000 of 1939 federal aid secondary highway funds heretofore allocated to finance a grading project on the county road between Oak Hill and Veneta, in Lane County:- The Commission decided, in view of the fact that the construction of this project is dependent upon the Government's action relative to the construction of the Fern Ridge Dam, which is indefinite at the present time, that it would be advisable to reallocate the funds to another project, and accordingly approved the transfer of such funds to finance a grading and paving project on the North River Road, Salem, particularly the Salem-Wheatland Junction Section, which is estimated to cost \$60,000. It was agreed that the Oak Hill-Veneta project should be given preference in the program for 1940 federal aid secondary highway funds.

\$45,000 of 1938 regular federal aid funds heretofore tentatively allocated to finance a lighting project on Interstate Avenue, Portland:- The Engineer explained the plans for this project in considerable detail and the results of conferences with City Commissioner Bean of Portland and officials of the Portland General Electric Company, which maintains pole lines along this thoroughfare. The Commission approved the Engineer's report and by unanimous vote authorized him to advertise this project for bids to be received at the next regular meeting of the Commission.

\$100,000 of accumulated balances in the construction program for 1938 regular federal aid funds:- The Engineer advised that these funds must be obligated and contracted before June or they will be lost to the State of Oregon. He suggested that they be allocated to finance the construction of the Picture Rock Pass-Harris Creek Section of the Fremont Highway, in Lake County, which is now included in the Commission's approved program for 1939 federal aid funds, thereby advancing this particular project one year. The Commission approved the suggestion by unanimous vote and authorized the Engineer to work up the plans and specifications for the same so that it may be advertised for bids to be received not later than the June meeting.

Mr. Millard Holbrook, Portland, came before the Commission in regard to a drainage problem on his dairy, which is located adjacent to the Lower Columbia River Highway, near Scappoose. It appears that when this highway was reconstructed a number of years ago it was built on new alignment across the Holbrook property and as part consideration for the right of way the state agreed to construct a small bridge over swampy ground so that stock could be driven from one pasture to another without using the highway. Further, that such bridge was constructed from timber salvaged from an old bridge but has now deteriorated to such an extent that it is no longer usable by cattle and as a consequence they have to be driven along the highway for a distance of about one-eighth of a mile, which creates a considerable hazard to highway traffic and is likewise dangerous for the cattle. Mr. Holbrook suggested that the logical thing to do is to replace the old bridge with a fill and agreed to see that that is done if the State Highway Commission will loan a truck to haul the material.

The Engineer gave as his thought that the suggestion offered by Mr. Holbrook for the solution of this problem is proper, but questioned the advisability of the state cooperating in the work, because of the previous settlement of the matter, which was apparently satisfactory to all concerned when it was made. He pointed out that it is contrary to the Commission's established policy to reopen cases of this kind that have been closed for such a long time.

The Attorney gave as his opinion that if the construction of the fill will eliminate the hazard created by cattle being driven on this heavily traveled highway for such a long distance, the Commission would be justified in cooperating in the project, regardless of the previous settlement. After considerable discussion Chairman Cabell stated that he would inspect the premises in the near future without making any commitments whatsoever as to whether or not the state would cooperate as requested. He added that this is simply a question of reopening a case that has once been satisfactorily settled, which the Commission is reluctant to do.

County Judge Guy Boyington, Clatsop County, came before the Commission relative to the selection of a site for the proposed new Columbia River ferry at Astoria. He was informed that the 8th Street site, which was previously suggested by the Clatsop County Court, has been inspected and does not appear to be satisfactory; but the site at the foot of 17th Street, which has also been inspected, will meet the requirements very nicely. Judge Boyington advised that, as far as the County Court is concerned, the 17th Street site would be satisfactory, although it might be objectionable from the city's standpoint because it would necessitate the operation of the ferry boats through the Astoria regatta grounds. The County Court suggested the 8th Street site, he said, simply because it would not interfere with the regatta activities; but if such location does not meet the state's requirements, then of course some other site will have to be found. He further advised that the County Court has received two offers to purchase county-owned property at the foot of 17th Street, but has deferred acceptance of either because it wants the state to have the first refusal of the same. He suggested, in view of the fact that the 17th Street site is within the city's recreational center,

that the State Highway Commission should start the proceedings by asking the county to deed the needed property at this location to the state, and the County Court in turn would confer with the city authorities relative thereto. This request, he added, (which should be in the form of a letter) should also state specifically that the proposed location at the foot of 8th Street will not meet the state's requirements for a ferry dock. After discussion the Commission approved Judge Boyington's suggestion and referred the matter to the Attorney for further handling.

Judge Boyington also inquired relative to the oiling of the Jewell-Mist Section of the Nehalem Secondary Highway and was informed that the Commission expects to advertise this project for bids to be received this fall. However, indications are that the \$70,000 that has been budgeted for this work will not finance more than the section between Jewell and Birkenfeld. Judge Boyington gave as his thought that it would cost the state considerably more to have rock manufactured during the winter season because of the nature of the material to be handled; at least, he said, that is the county's experience in this district. He suggested, in view thereof, that the contract for this material be awarded early enough so that the rock can be stockpiled before the winter season begins. The Commission, after discussion, referred this matter to the Engineer for investigation and report.

A delegation, consisting of Messrs. A. B. Harr, Theo. Arens, G. E. Kibbe, and H. A. Dick, representing the Portland Chapter of the Associated General Contractors of America, and Mr. E. A. Densmore, Secretary of the Allied Heavy Construction and Highway Crafts Union, appeared before the Commission relative to the adoption of individual wage scales for the different classes of labor employed on highway contract work. Mr. Harr headed the group. He asked the Commission to adopt the wage scale listed in the agreement between the American Federation of Labor Unions and certain highway contractors who are members of the contractors' association, so as to make it compulsory for all of the contractors bidding on state highway work to prepare their bids on the same basis in that regard.

Chairman Cabell stated that he personally is reluctant to include in the highway specifications clauses specifying specific wage rates for each class of employment because there is a question whether or not it would be to the best interests of the public as a general policy. He favored, rather, the present method of specifying minimum rates of pay for three classes of labor; viz., common, intermediate, and skilled. He also favored the settling of labor disputes by the collective bargaining method. He inquired whether or not the continuance of the present method of specifying minimum rates for such three classes of labor would be acceptable if the minimum rate for each were raised to compare favorably with the wages that are now being paid by most of the contractors.

Mr. Arens gave as his opinion that such method would solve their greatest difficulty, which is the minimum wage paid common labor. He suggested a minimum rate of 62½¢ per hour for such class of labor; 75¢ per hour for intermediate labor; and \$1.25 per hour for skilled labor.

After further discussion Chairman Cabell advised that, while the

Commission is not prepared to make a definite decision with respect to this matter today, it will do so a sufficient time in advance of its next regular meeting, which is scheduled to be held in the early part of May, so that the new rates, if any, can be used in connection with the jobs for which bids will be received at such meeting.

The Engineer then brought up for discussion a controversy between contractor Charles H. Leonard and laborers employed by him on his contract with the state for the construction of the Brooks-Jordan Creek Section of the Wilson River Highway, in Tillamook County. At his request the Attorney explained the results of a conference on the previous day with Mr. Leonard and officials of the contractors' association as to whether or not this case, which was decided adversely to the contractor by the trial judge, should be appealed to the Supreme Court. The Attorney advised that the contractor has carried the burden of this controversy from its inception and feels inclined to settle with the laborers for the amount of the judgment rendered, which is \$1,600; but, if the Highway Commission prefers that the case be appealed, then he is willing to cooperate to a certain extent.

He gave as his thought that the State Highway Commission is sufficiently interested to contribute state funds to pay the cost of this appeal in view of the fact that the trial judge's decision is bound to affect future highway contracts. The cost of the appeal, he said, would be approximately \$1,500, of which amount \$1,000 represents the cost of preparing the transcript of testimony, and the balance, miscellaneous expense, including expense of attorneys. He advised that the contractors' association and the contractor have indicated a willingness to assume the payment of \$500 of the total involved if the state will assume the balance, and recommended approval of such arrangement, particularly in view of the state's interest and the fact that it appeared to him unfair to ask the contractor to assume the entire expense of the appeal inasmuch as he has already paid out considerable money in connection with this case.

Mr. Arenz confirmed the statements made by the Attorney by stating that both the contractors' association and the contractor will agree to cooperate as outlined and the Associated General Contractors will provide an attorney to assist. After discussion the Commission approved such arrangement by unanimous vote.

The Commission adjourned at 12:00 o'clock noon and reconvened at 1:30 o'clock p. m. in the same room with the same persons present and participating.

The Engineer requested authority for Harold B. Say, Director of the Travel and Information Department, to make a trip into the State of California for the purpose of contacting newspapers, auto clubs, and travel bureaus and their branches, relative to the use of the highway department's travel literature and display material. He gave as his thought that Mr. Say would be out of Oregon for about two weeks and that his expense would amount to about \$100. The Commission approved the request by unanimous vote, subject to further approval by Governor Sprague.

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The Engineer reported on the investigations made of the complaints of Mr. Will L. Grigsby, Newport, and Ce Lesta Knowles, Seal Rock, with reference to the removal of agate-bearing gravel from the Oregon beaches, with particular reference to the removal of such material from the beach in the vicinity of Newport. He said investigation reveals that there are a number of commercial aggregate plants located in this vicinity, which are amply and adequately able to take care of ordinary needs for such material, in view of which he recommended that the taking of gravel from the beach be prohibited and that appropriate signs to that effect be erected. The Commission approved the recommendation unanimously.

In the discussion of this matter, the Assistant State Highway Engineer pointed out that Contractors Kern & Kibbe, Portland, who have a contract for jetty construction at Newport, have been securing materials from the beach for such work. He was instructed by the Commission to ascertain whether or not materials suitable for such work are obtainable from other sources and if such investigation reveals that there are other sources of materials, then Kern & Kibbe are to be ordered to discontinue the taking of materials from the beach area. If, on the other hand, investigation reveals that suitable materials cannot be secured elsewhere at reasonable expense, then Kern & Kibbe are to be allowed to continue the taking of materials from the beach as in the past.

The Engineer brought up for discussion the matter of constructing asphaltic arrows within the parting strips on four-lane pavements. He advised that the strips that have been tried out for some time past on McLoughlin Boulevard, between Portland and Milwaukie, have proved very successful and are a great aid in keeping traffic on the proper side of the road. It was his thought, in view of the success of this experiment, that similar arrows should be installed in the parting strip on all four-lane pavements, and requested authority to do this. He estimated the cost at \$310 per mile, or a total of approximately \$9,641 for the 31.1 miles of four-lane pavement now constructed. The Commission approved the request by unanimous vote.

The Commission had under discussion a communication from the County Court of Marion County in which the Commission was asked to negotiate, in behalf of the county, for right of way as may be needed in connection with the reconstruction of the North River Road, Salem, which work is to be done by the state in the near future as a federal aid secondary highway project; also, in which the County Court authorized reimbursement to the state for sums advanced for this purpose from Marion County's share of the state gasoline and motor vehicle funds for the year 1940. The Attorney advised that all of the right of way agents are busily engaged on other assignments and it would not be possible for him to reassign any of these men without handicapping the work of acquiring right of way for strictly state jobs. In view of the Attorney's report and for the further reason that the granting of the request would establish an undesirable precedent, the Commission decided that it would be to the best interests of all concerned if the county would purchase its own right of way. The Attorney was instructed to convey such information to the County Court.

A delegation from Portland, representing the Hawthorne Commercial Club, came before the Commission and asked that Hawthorne Avenue be designated as a state highway route. The delegation consisted of the following members: J. A. Bradt, C. C. Hutchison, County Commissioner G. V. Badley, Carl Lowe, L. H. Sammons, Nick Corlisho, and L. M. Lepper, Director of the Eastside Commercial Club. They pointed out that this street is now one of the city's main thoroughfares, but it dead-ends at East 60th Street, and that their idea would be for it to be designated as a state highway route to approximately East 50th Street, then extend as such in a southeasterly direction to the intersection of Southeast 82nd Street and Powell Boulevard, both of which are now designated state routes.

Chairman Cabell pointed out that the State Highway Commission now has before it for consideration a large program of projects within the city of Portland, some of which are now under way. It was his thought that the present program should be brought nearer to completion before consideration is given to new projects; otherwise, it would not be possible to complete any of them within a reasonable length of time. The Hawthorne Avenue project, he said, is undoubtedly a meritorious one but, under the circumstances, the Commission does not feel that it should be given serious consideration at this time. It was his thought that the improvement is more of a city concern than of a state concern. Commissioners Aldrich and Clough concurred in Chairman Cabell's remarks.

A delegation from Harney County, consisting of County Judge Nelson B. Higgs, Senator Robert M. Duncan, George Beers, Federal Agent for the Taylor Grazing Act, Lew Miller, C. J. Girts, and H. C. Sauter, all of Burns, came before the Commission relative to the securing of a secondary state highway between Burns and the I.O.N. Secondary Highway, near Rome. Judge Higgs headed the group. It appears that, under the provisions of the Taylor Grazing Act, certain federal funds are available for road construction purposes and it is proposed to construct a road between Rome and Crane, using such funds along with certain state aid, to finance the work. Further, that the proposed road is to follow the location survey heretofore made by the State Highway Department for a road between these points. They advised that a C.C.C. camp has been established in this vicinity and that the men from this camp will be available to perform construction operations, but they would like to have the State Highway Commission cooperate in the project by furnishing culvert pipe, powder, and certain equipment consisting of a caterpillar tractor and grader.

Mr. Beers stated that the district served by this road is in the Taylor Grazing Act area and that the road would be administrative in character, which would permit government funds to be used for construction of the same. He also stated that there is urgent need for an early decision by the Commission because it is essential that the road be constructed at once so as to be available for use by June 1. He further stated that the road would be constructed on the location adopted by the State Highway Commission for a connecting state highway between the I.O.N. Highway and Crane and that they would grade the road to the state's profile grade line in so far as possible, although there are a few points that would have to be worked over when the state took over the project; however, all of the work that they propose to do could be used to good advantage when the standard road is constructed by the state.

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Chairman Cabell pointed out that this proposed road is not on the state highway system either as a primary or secondary state highway, so the Commission is precluded from spending state money to construct the same until the road has been so designated. It was his thought that the road would properly be a secondary state highway, in which case the county courts of Harney and Malheur Counties would have to initiate the project by making a formal application for its designation as such.

After considerable discussion, the Commission indicated a willingness to cooperate in the building of this road by furnishing of culvert pipe, powder, and engineering service, but deferred a definite decision in regard thereto until its next meeting. The Engineer was instructed to investigate the project in the meantime and ascertain just what is needed and the costs involved, and to report his findings at the next meeting.

Judge Higgs stated that the Harney County Court would make formal application for the designation of Harney County's end of this road as a state secondary highway and that they would take up with Malheur County Court the matter of requesting such designation for the portion of the road within the borders of that county.

Judge Higgs then inquired as to the plans of the Commission for the completion of the oiling of the Central Oregon Highway east of Buchanan. He was informed that the Commission has tentatively allocated \$145,000 of regular federal aid funds for the oiling of the section between Juntura and Stinkingwater Creek but it does not appear likely that the contract for the work can be awarded until late this fall or this winter because the Commission wants to complete its program for the 1939 funds before it starts on a new program, there being insufficient funds to match the federal funds for both fiscal years.

Commissioner Aldrich brought up for discussion the matter of designating a location for the William Hanley oasis. He suggested that the C.C.C. Camp located adjacent to the Fremont Highway at Alkali Lake might meet the requirements. The members of the delegation endorsed this site unanimously. It was also approved by the State Highway Commission.

Judge Higgs then asked for better maintenance work on the Diamond Valley Secondary Highway and on the Frenchglen Secondary Highway so as to make these roads passable the year round. The Engineer advised that these roads are now being maintained in the best possible manner under existing conditions and that what is really needed is reconstruction of the roads. Judge Higgs pointed out that a portion of the Frenchglen Secondary Highway is subject to flood at certain seasons of the year and requested that this condition be remedied. Such project, he said, would be the county's first choice for secondary highway improvements. The Commission took no definite action on this request other than to state that the project would be kept in mind for future consideration.

Representative Harry R. Wiley, Albany, came before the Commission and requested the improvement of the Albany-Lyons Secondary Highway between

Crabtree corner and Scio. He alleged that this is a very important road to Linn County and carries a large volume of traffic, much of which is logging traffic that creates an unbearable dust condition which they would like remedied by construction of an oiled surface. He was informed that the Commission does not have funds available to finance this work this year because of allocations to other projects in Linn County, but the Commission will bear it in mind and will inspect the road the next time it is in that vicinity.

A delegation from Brookings, Curry County, headed by Mr. W. L. Crissey, was present in the interests of the reconstruction of the Oregon Coast Highway on permanent alignment through this town. Others in the delegation were James Harris, Elmer Bankus, Wilson Freeman, Ed. W. Miller, Manager of the Oregon Coast Highway Association, and C. P. Keyser, Superintendent of the City Parks, Portland. Mr. Miller presented the principal arguments.

They were informed by Chairman Cabell that the Commission is familiar with this project but has not been able to undertake it because of the shortage of funds with which to finance the work. He further advised that it does not seem possible now for the Commission to contract the work this year but it will be considered when the program for the 1940 fiscal year funds is arranged. He added, if the Commission is of the opinion at that time that this is a priority project, it will be placed on the program for construction next year, but that is about all the encouragement the Commission can give now.

Mr. Crissey then asked the Commission for the oiling of the road which leads from the Oregon Coast Highway to Azalea State Park, at Brookings. He said that they expect to dedicate this park with appropriate ceremonies on May 20 this year and would like, in the meantime, to secure the oiling of the road so that visitors to the park will not be discommoded by clouds of dust. He pointed out that most of the right of way for this road was presented to the state as a gift and that the road has been graded at no cost to the state, and gave as his thought that, because of such contributions, the state should surface and oil the road at state expense. Mr. Harris urged the improvement from the standpoint of the bus company, which, he said, has authorized its bus drivers to make a side trip into the state park during the time that the azaleas are in bloom, for the benefit of its Patrons.

Mr. Freeman stated that he has two or three trucks that he will loan for use in connection with this project, and that Curry County has two trucks which it will place on the work, and that drivers will be furnished with all of them, if the Commission will approve the project.

Mr. Keyser urged the project from the tourist standpoint. Azalea State Park, he said, is a tourist mecca, and, in his estimation, publicity concerning it should be stressed to the utmost. Chairman Cabell advised that the Commission is not in a position at the present time to make a definite commitment with respect to this project but will have it investigated as to cost, et cetera, and will make its decision as soon as possible. The Engineer was thereupon instructed to make such investigation and report to the Commission at the special meeting which is to be held in Salem sometime during the week of April 17, 1939.

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Mr. Miller extended to the Commission and its staff an invitation to attend the semi-annual meeting of the Oregon Coast Highway Association which is to be held in Gold Beach on Sunday and Monday, April 23 and 24, 1939. The Commission accepted the invitation with thanks.

Messrs. Frank Seal, M. E. Kelley, and Dr. L. R. Pugh, representing the city of Port Orford, appeared before the Commission relative to a proposed road extending down the Illinois River from its crossing of the Redwood Highway, at Selma, to the town of Agness, at the confluence of the Illinois River and the Rogue River, thence to a connection with the Oregon Coast Highway. Mr. Seal headed the group. He advised that the United States Forest Service has already partially constructed a road between these points but they would like the survey of the unconstructed portion checked by the State Highway Department so as to make certain that it meets the state's requirements, inasmuch as they predict that this will be an important road on the state highway system at some future date. He presented a resolution from the County Court of Josephine County and a letter from the Grants Pass Chamber of Commerce, endorsing the project and his request.

Chairman Cabell explained that the Commission's first obligation in this district is to rebuild the Oregon Coast Highway; also, that the making of the survey requested would be a very costly undertaking because of the rough terrain through which it would extend. He gave as his thought that it would be much better to let the United States Forest Service continue with its improvements to completion and to let the state stay out of the picture until traffic develops. Commissioners Aldrich and Clough concurred in these remarks which concluded the conference.

At 3:30 o'clock p. m. Chairman Cabell announced the following awards of contracts and the sale of the building at Salem, for which bids were received at the morning session, such awards having been previously approved by the Commission by unanimous vote:

"Eagle Creek-Wade Corner Section of the Eagle Creek-Firwood County Road, in Clackamas County. 2.71 miles grading and 3.02 miles surfacing and oiling. 4 bids were received for this project, the low one being that of Fisher Bros., Oregon City, at \$38,379.00. based on the use of road oil. They did not submit a bid based on the use of tar. R. O. Dail & Warren Bros., Inc., Portland, submitted the second low bid of \$49,671.50, based on the use of tar, with no bid based on the use of road oil. C. J. Eldon, Portland, submitted the third low bid of \$52,625.50, based on the use of road oil and \$52,581.50, based on the use of tar. The Commission has awarded the contract to Fisher Bros. at their low bid of \$38,379.00, based on the use of road oil.

"Bunker Hill Section of the Oregon Coast Highway, in Coos County. 1.16 miles grading and paving. Roy L. Houck, Salem, submitted the low bid for this project at \$108,466.50. Jacobsen-Jensen Company, Portland, submitted the next low bid at \$110,879.50. There were 5 higher bidders. The Commission has awarded the contract to the low bidder, Roy L. Houck, at his bid of \$108,466.50.

"Jericho Lane-Bloucher Section of the Hood River Secondary Highway, in Hood River County. 1.57 miles grading and 2.6 miles surfacing and oiling; also furnish 2,000 cu. yds. crushed rock in stock piles. 6 bids were received for this project, the low one being that submitted by E. C. Hall Company, Eugene, at \$39,926.50. The second low bid was submitted by A. S. Wallace, Roseburg, at \$43,326.50. The Commission has awarded the contract to the low bidder, E. C. Hall Company, at its bid of \$39,926.50.

"Poe Valley Section of the Bonanza-Malin County Road, in Klamath County. 2.99 miles grading and surfacing. Only 2 bids were submitted for this project, the low one being that of E. L. Rigdon, Barlow, at \$20,235.00, and the other being that of Clifford A. Dunn, Klamath Falls, at \$24,562.50. The Commission has awarded the contract to E. L. Rigdon at his low bid of \$20,235.00.

"East Unit, Rhea Creek-Hepner Section of the Wasco-Hepner Secondary Highway, in Morrow County. 5.8 miles grading, surfacing and oiling; also, furnish 2,000 cu. yds. crushed rock in stock pile. Saxton, Looney & Risley, Oak Grove, submitted the low bid for this project at \$58,801.00. Warren Northwest, Inc., Portland, submitted the second low bid at \$59,550.00. There were 5 higher bidders. The Commission has awarded the contract to Saxton, Looney & Risley at their low bid of \$58,801.00.

"Falls City-Fern Corner Section of the Falls City County Road, in Polk County. 4.4 miles surfacing and oiling. 3 bids as follows were submitted on this project: Warren Northwest, Inc., Portland, low, at \$29,115.50, based on the use of tar but no bid based on the use of road oil; J. C. Compton, Saxton, Looney & Risley, McMinnville, second low, with a bid of \$29,510.00, based on the use of tar and no bid based on the use of road oil; R. O. Dail & Warren Bros., Inc., Portland, were the other bidders with a bid of \$29,696.00, based on the use of road oil and \$29,618.00, based on the use of tar. The Commission has awarded the contract to Warren Northwest, Inc., at its low bid of \$29,115.50, based on the use of tar."

Building at Salem:

"Building No. 5786, formerly owned by E. A. Jackson. 2 bids were received for this building, the high one being that submitted by Arthur S. Washburn, Salem, at \$550.00. The other bid was submitted by W. H. Grabenhorst & Company, Salem, at \$205.00. The Commission considers the offer of Arthur S. Washburn satisfactory and accordingly has sold the building to him at his bid of \$550.00."

A delegation from Astoria, headed by Mr. James O. Convill, City Manager, conferred with the Commission relative to the construction of the proposed Astor Street revision of the Oregon Coast Highway in Astoria. Other members of the delegation were: Otto Owen, Art Hilderbrand, Anton Sorenson, all city commissioners of Astoria; S. J. Halsan, J. C. Wright, A. S. Dempse

and Tom Cuning, representing the Astoria Chamber of Commerce. The delegation urged the Commission to construct the Astor Street revision, particularly the westerly end thereof so as to eliminate the Bond Street Hill section of the present route and to facilitate the development of private property that is affected by this change.

Chairman Cabell explained the condition of the Commission's finances which precludes the construction of this project this year. The Commission is endeavoring, he said, to complete the programs for the 1938 and 1939 federal aid moneys, of which no sum has been allocated to the Astor Street improvement, and does not contemplate the formulation of a program for the 1940 moneys until the other programs have been disposed of because there are not sufficient state funds available to match all of the federal moneys. The best hope the Commission can offer for this project, he added, is consideration in the 1940 program, but no promise with respect thereto can be made at this time.

Mr. Convill then urged the Commission to acquire the balance of the right of way for the project, stating that the property owners cannot develop their waterfront holdings until they know how much land the state intends to take for right of way and the limits defined. It was his thought that this right of way can be acquired now at considerably less expense than later on. He was informed by Chairman Cabell that the acquisition of right of way is dependent on cost and that the Commission does not consider it a good practice to acquire it too far in advance of construction. However, the Commission will have the matter investigated.

Mr. Convill also asked the Commission to build a temporary road on permanent alignment so as to allow the Columbia River Packers Association access to its cannery on Astor Street. He presented a letter from Mr. W. L. Thompson, Chairman of the Association, urgently requesting such improvement. The Commission referred this matter to the Engineer for investigation and report at its next meeting. The Attorney was instructed to render a report on the right of way situation at the same meeting.

A delegation consisting of Harold E. Eakin, Cleo Morelock, L. J. McCoy, Vinal T. Randall and C. S. Roberts, representing the South Lane-North Douglas 99 Highway Improvement Association, came before the Commission and urged the improvement of the Pacific Highway between Creswell and Drain and particularly the construction of the proposed revision through the town of Cottage Grove. They advised that the development of private property along the new location in Cottage Grove cannot proceed until the proposed improvement is made, and urged the Commission to give the project consideration for early construction.

Mr. Eakin filed with the Commission, in support of their oral request, resolutions from the Cottage Grove Chamber of Commerce, the South Lane-North Douglas 99 Highway Improvement Association, and the City of Cottage Grove and a petition signed by more than 500 members of the association who are particularly desirous for the immediate improvement of the Pacific Highway between Creswell and Drain.

Chairman Cabell explained the condition of the Commission's finances and advised that the earliest hope that can be given for this project is in the program for the fiscal year 1940 funds which the Commission hopes to place under contract sometime this fall or winter. He further advised that the Commission is sympathetic to the project but it is simply a question of funds, and, while the Commission will consider it in the 1940 program, it is not making any definite commitment or promises in regard thereto at the present time.

A delegation from Rainier, representing the Rainier Commercial Club and consisting of E. E. Rosebraugh and W. E. Proctor of Rainier, J. D. Perry of Deer Island, and Roy C. Avrit of Prescott, came before the Commission and urged the improvement of the Lower Columbia River Highway between Prescott and Rainier, particularly the Little Jack Falls Section. They suggested that it would be advantageous to start any further improvements on this highway at the Prescott end rather than at St. Helens, and work toward St. Helens.

Chairman Cabell explained the condition of the Commission's finances and advised that, while the Commission appreciates the necessity and desirability of the improvement of the highway in the vicinity of Little Jack Falls, it believes its first obligation is to provide a modern road between Portland and St. Helens because of the heavy volume of traffic between these places.

Messrs. C. D. Long, representing the Klamath Falls Building Trades Council, and John O'Neil, representing the Structural Iron Workers Union, Portland, came before the Commission relative to the adoption of standard wage rates for labor employed on state highway construction work. Mr. Long urged the Commission to adopt the wage schedule provided in the agreement between the American Federation of Labor Union and the Portland Branch of the Associated General Contractors of America, except that, where such rates are lower than the minimum now specified by the Commission in its contracts, the minimum rates specified by the Commission for such labor should be maintained.

Chairman Cabell advised that the Commission has not yet made a decision in regard to this matter but expects to do so within the near future; in fact, the matter will be decided so that the new rates, if any are adopted, will be inserted in the specifications for the work on which the Commission expects to receive bids at its next regular meeting in May.

Mr. Howard Merriam, President of the Oregon Pacific Highway Association, headed a delegation consisting of C. H. Demeray of Grants Pass; Paul Rynning, County Engineer of Jackson County; A. C. Marsters, Roseburg; and Carl Rynearson, Eugene, which appeared before the Commission as a matter of courtesy to thank the Commission for the improvements heretofore made on the Pacific Highway. Mr. Demeray asked particularly concerning the Commission's plans for the improvement of the Pacific Highway just south of Grants Pass. He stated that the deferment of this project by the Commission is handicapping the development of property in this district and urged the Commission to include it in its 1940 construction program. Chairman Cabell advised that, while the Commission cannot make any definite promises at the present time as to the 1940 program, the project referred to will be considered in the formulation of such program.

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A delegation from Tigard, consisting of Mrs. Zelda Floeger, Mr. and Mrs. Claude I. Scoffins, Maude Scoffins, J. B. Beckham, John Schackla, Charles V. Wallace, S. P. Harris, Mrs. Julia Lower, Mrs. Carl Riverman, W. O. Jeffs, E. C. Hunsiker, Mrs. Thomas Hing, Mr. and Mrs. R. Forsman, and Mr. and Mrs. C. A. Anderson, came before the Commission and presented arguments in behalf of the adoption of what is known as the southern route for the proposed revision of the Pacific Highway West through the town of Tigard. Mr. Scoffins headed the group and introduced the speakers. They urged the adoption of the southern route from the standpoint of cheaper construction, straighter alignment, and safety to school children. It was their thought that the right of way for the southern route could be obtained much cheaper than that for the northern route; also, that the cost of constructing the southern route would be less than that for the northern route and that the alignment of such route would be much straighter than that of the other. They particularly protested against the adoption of the northern route because it would place the highway in such close proximity to their churches and public schools, thus creating a hazard for school children who would be required to cross the highway several times each day.

Mr. Hunsiker spoke in favor of the southern route as a member of the school board. He particularly pointed out the difficulties in keeping the school children off the highway during noontime and recreational periods.

Mrs. Floeger said that she has a selfish interest in securing the adoption of the southern route, but she does not blame the businessmen of Tigard for favoring the northern route, although, in her opinion, their businesses will not be hurt any more by the adoption of the southern route than they would be by the adoption of the other route. She declared that the noise created by traffic passing the public schools would be quite annoying to the pupils and gave as her thought that their minds would be less distracted from their studies if the highway were constructed farther away from the school building. She also said that there is a moral side to be considered in the question of highway location, which she believed would outweigh the financial side.

Several others spoke in behalf of the southern route, their remarks being endorsements of the arguments presented by the other speakers.

Chairman Cabell outlined the Commission's policy of selecting highway routes, stating that, where the general public is equally or nearly equally served by one route as by another but where one route is much more beneficial to local interests than the other, the Commission is inclined to favor the local interests; but, where the general traveling public is greatly inconvenienced by one route and local interests are not greatly injured by the adoption of the other route, then the Commission is inclined to favor the route which is more beneficial to the general public. He added that the expressions received from the proponents of both routes in Tigard indicate that most of the people who have existing investments there prefer the northern route; and, unless the benefits that the general traveling public would receive by the adoption of the southern route greatly outweigh the business interests, then it would seem that the Commission should favor the northern route. However, the Commission has not yet formulated an opinion on the

subject and is not in a position today to make a definite decision.

A delegation from Tigard, consisting of people who favor the adoption of the northern route for this highway, also appeared before the Commission at this time. This delegation was headed by Mr. Tom Tongue, Attorney, Hillsboro, and included A. R. Ritter, Leo Gray, Frank J. Twiss, H. P. Vermilye, A. P. Talent, Mr. and Mrs. F. E. Bolich, Peter Potwin, Dan Berdar, W. M. Evans, Emil A. Johnson, C. L. Chilson, C. A. Dornally, Leonard Gamrath, W. I. Lacey, and Albert Hoffarber. Mr. Tongue was spokesman for the group and reiterated arguments for the group in behalf of this route.

He particularly mentioned that people who are interested in the northern route have created values which they are trying to preserve, whereas people who are interested in the southern route do not have such values and are attempting to have these values created for them by the State Highway Commission. He alleged that most of the people who appeared in favor of the southern route have their business interests in Portland and merely reside in the town of Tigard as a matter of convenience because they have property there that they want to dispose of.

Chairman Cabell concluded the hearing by stating that the Commission regrets that the decision in this matter has been delayed so long, but, he explained, the Commission wants to be sure that the route that it selects is absolutely correct before adopting it, which takes time and careful study. He added that the question will be settled as quickly as possible and indications are that it will be a matter of weeks only, rather than months, before a decision is made.

Mr. Cecil Armitage, Midway, headed a delegation consisting of Julius Christenson, Frank O. Nelson, and Fred A. Nelson, of Midway, and Carl Russell of Hillsboro, which urged the Commission to oil the Scholls-Campbell's Bridge Section of the Hillsboro-Woodburn Secondary State Highway in Washington County. They asked the Commission for any kind of oil treatment that would allay the dust nuisance that now obtains during the dry season, and advised that this section is only about 5 miles in length and that the oiling of the same will provide them an oiled-surface road the entire distance into Hillsboro.

Chairman Cabell advised that it is the desire of the Commission to complete such gaps in state highways as soon as funds will permit and in this particular instance the Commission will instruct the Engineer to investigate the project and report to the Commission at its next regular meeting in May as to the probable cost to apply a light oil treatment. He added that if this report is favorable, the Commission may order the work done, although no definite commitment or promise can be made at this time.

Mr. Christenson then inquired as to whether or not it will be necessary to realign this highway. He explained that he is interested in securing electrical service for use on his farm, and that the Portland General Electric Company, which is to furnish such service to him, would like to install its poles in the proper location on the permanent highway alignment, regardless of when the highway is constructed, so as to avoid the expense of replacing them

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at some future time. The Engineer was instructed to investigate this matter at the same time that he looks into the oiling project and report his findings to the Commission at the May meeting, such investigation to be made in company with Mr. Armitage and Mr. Russell.

The Commission adjourned at 6:00 o'clock p. m., to reconvene at 9:00 o'clock a. m. on the following day in the same room.

Portland, Oregon, April 7, 1939

The State Highway Commission reconvened at 9:00 o'clock a. m. in the auditorium of the Public Service Building with all Commissioners, the State Highway Engineer, the Attorney and the Secretary present.

Bids as follows on highway construction projects were opened and read in conformance with previously published notice:

CAPE ARAGO SECONDARY HIGHWAY
CHARLESTON-SUNSET BAY SECTION - GRADING, SURFACING, OILING

Leonard & Slate	\$ 36,845.00
Coos Bay Dredging Company	36,923.25

NORTH UMPQUA COUNTY ROAD
DIXONVILLE-MUD HOLLOW SECTION - GRADING, SURFACING, OILING

Clifford A. Dunn	\$ 27,870.00
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LITTLE BUTTE SECONDARY HIGHWAY
BAKER GULCH-LICK CREEK SECTION
WIDENING, SURFACING, OILING, CRUSHED ROCK

Clifford A. Dunn	\$ 27,829.00
R. I. Stuart & Sons	31,417.00
Newport Construction Company	34,519.25

JORDAN VALLEY SECONDARY HIGHWAY
HOOKER CREEK-JORDAN VALLEY SECTION - GRADING

M. L. O'Neil & Son	\$ 21,988.00
Leonard & Slate	25,848.00
E. L. Rigdon	26,037.50
Quinn Robbins, Inc.	29,352.50
J. F. Johnston	33,464.50

TILLAMOOK COUNTY OILING PROJECT
THREE COUNTY ROADS - GRADING, SURFACING, OILING

	<u>Using Asphalt</u>	<u>Using Tar</u>
J. C. Compton	\$ - - - -	\$ 26,591.20
Warren Northwest, Inc.	- - - -	26,623.50
Clifford A. Dunn	28,599.50	28,821.50

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WILSON RIVER HIGHWAY
MILLS BRIDGE SECTION
BRIDGE OVER WILSON RIVER - GRADING, SURFACING, OILING APPROACHES

	<u>Using Road Oil</u>	<u>Using Tar</u>
Jacobsen-Jensen Company	\$ - - - -	67,552.50
Mountain States Construction Company	- - - -	69,692.00
Dolan Construction Company	- - - -	70,882.00
Birkemeier, Sarnel & Malcolm	- - - -	72,718.00
C. J. Montag & Son	73,290.50	73,346.50
McNutt Bros.	- - - -	73,721.00
C. J. Eldon	77,281.00	77,251.00

HURRICANE CREEK COUNTY ROAD
SCOTCH CREEK-CASTOR RANCH SECTION
GRADING, SURFACING, OILING, CRUSHED GRAVEL

Rogers Construction Company \$ 22,731.00

Chairman Cabell announced that awards of contracts would be made at 3:00 o'clock p. m. in the same room.

Mr. George Aiken, Mayor, Ontario, Oregon, came before the Commission relative to a proposed shortcut route for the Old Oregon Trail between Ontario and Olds Ferry. The Engineer advised that the reconnaissance survey of this section has been made but he wants to personally inspect the project on the ground before reporting same to the Commission. He gave as his thought that it would be advisable, in view of the scarcity of highway funds, to spend the state's money for the completion of the improvements that are planned for the present highway before starting on an entirely new project. Mr. Aiken concurred.

Mr. Aiken then inquired as to the Commission's plans for the completion of the oiling of the Central Oregon Highway and was informed that the Commission has this project in mind and contemplates giving it first consideration in the formulation of the program for the fiscal year 1940 funds, although, on account of costs involved, it may not be possible to do all of the work under one contract. The prediction was made that the Central Oregon Highway will be oiled in its entirety by the fall of 1941.

The Tillamook County Court, represented by County Judge Harland M. Woods and County Commissioners E. H. Lindsey and E. G. Anderson, came before the Commission relative to the improvement of the Little Nestucca Secondary Highway. They were accompanied by Mr. Tom Dolan, President of the Tillamook Chamber of Commerce, and Messrs. Jacob Reddicopp, H. B. Hamill, and S. D. Hammond, representing the Southern Tillamook County Chamber of Commerce; also a Mr. Muscott, a rancher who resides along this road.

The delegation was informed that the Commission had this matter under consideration at its previous meeting, at which time the Engineer reported on the cost to construct this highway to modern standards throughout and

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to do a minimum amount of work to put the road in passable condition for local use. It was explained that to do a good job would cost about \$300,000, whereas a temporary job would cost about \$74,000; also, that in view of the high cost involved, the Commission considered that it could not finance either of these improvements, although an expenditure of about \$8,000 was authorized for the construction of three temporary bridges and for a small amount of grading work which it was thought would do as a temporary expedient.

Mr. Muscott urged a small amount of work along the road past his premises. He said that the present condition of the road is such that it is passable during the summertime only but could be made passable for all-year travel at small expense, probably not to exceed \$500. He urged such improvement, as did also County Commissioner Anderson. Mr. Anderson stated that Tillamook County would cooperate by assisting in getting out the rock when the bridges are completed. After further discussion the Commission authorized an expenditure of \$10,000 this year for the improvement of this road as far as such amount will go. Chairman Cabell advised that if Tillamook County will agree to assist in this work, as was mentioned by Commissioner Anderson, then the state might spend a little more than \$10,000 for this purpose, although the Commission is not making any promise to that effect at this time. A definite decision in this regard, he said, will be given after the bridges are completed and the Commission has had an opportunity to inspect the project.

Mr. Dolan brought up for discussion the matter of routing the Wilson River Highway into the city of Tillamook, and the improvement of such route. He gave as his thought that the Commission should give this matter serious consideration now, inasmuch as this highway will probably be completed within the next two or three years and will carry a large amount of traffic which will be greatly inconvenienced unless the present routing is changed. He suggested that the work be done as a P.W.A. project if the Commission cannot finance it in some other manner. County Commissioner Lindsey urged the working up of a definite plan, at least, so that private property can be developed in accordance therewith. They were informed by Chairman Cabell that the Highway Commission is now concentrating on the construction of the highway toward Glenwood and it appears to the Commission that this portion of the work should be completed before the entrance into Tillamook is started, in view of the fact that the present route is passable and adequate to take care of present-day traffic. However, the Commission will be pleased to keep this project in mind for consideration at the proper time.

Commissioner Lindsey also asked for the surfacing and oiling of the completed portion of the Wilson River Highway. He advised that present indications are that the grade up to the summit will be completed by this fall and, in his estimation, it would be desirable to have the surfacing and oiling work done at the earliest possible time. He also asked for the construction of a bridge over Wilson River at the third crossing, east of Tillamook, and pointed out that extensive logging operations are being carried on in this district and a new bridge is essential at this point. He declared that an emergency exists because the timber that is being removed is that which was burned in the forest fire of 1933 and must be taken out within a comparatively short time. He was informed that there are no funds budgeted in the 1939 program

for this structure but that it would be considered in the program for the 1940 fiscal year federal aid funds, which program will probably be arranged some time this fall or winter. He was also informed that the Commission would inspect this project the next time it is in the vicinity of Tillamook, which will probably be soon, but in the meantime the Commission would like to have a letter from the Tillamook County Court stating the reasons why a new bridge is needed now, the idea being that the Commission would give this matter special consideration in the event a real emergency exists.

A delegation from Reedsport, consisting of Messrs. William Lovelace, William Burdick, and Frank Taylor, came before the Commission in regard to the improvement of the Umpqua Highway through Reedsport, particularly the section between 12th Street and 15th Street. Mr. Lovelace headed the group. He stated that the city is particularly anxious to have this section constructed to modern standards as soon as possible and to that end is willing to cooperate by constructing curbs and sidewalks if the state will establish grades and set stakes. The delegation was informed that the Commission considers this a meritorious project but is unable, on account of lack of funds, to construct it this year, although it will be considered in the formulation of the construction program for the 1940 funds. The Assistant Attorney advised that right of way for this project has all been acquired with the exception of that which involves the remodeling of a concrete garage building and one other small tract. After discussion, the Commission instructed the Engineer to investigate the project and render a complete report thereon at the next meeting.

The matter of installing a floodlight at the crossing of the highway with the Southern Pacific Railroad in Reedsport was also discussed. It was explained that the Commission has already authorized the installation of such floodlight, provided the city will pay the cost of the electricity to operate the same, which is estimated at \$5.00 per month. Mr. Lovelace advised that he is not in a position to commit the city in this matter but would take it up with the city council upon his return and would let the Commission know within a few days what the city would do.

Following the appearance of this delegation the Engineer reported on the cost to pave the Umpqua Highway in Reedsport between 12th Street and 15th Street. He estimated the cost of the type B-2 bituminous macadam at \$14,100 and for paving with concrete pavement at \$27,800. He recommended the adoption of the concrete-type pavement, notwithstanding that it is more expensive. The Commission approved the recommendation.

The Commission had under consideration the following requests for the installation of traffic lights at certain highway intersections:

Request of the city of Seaside for the installation of a flashing beacon at the intersection of the Oregon Coast Highway with Broadway Street in Seaside. The Commission approved this installation, which the Engineer estimated would cost about \$200.

Installation of a floodlight at the intersection of the Umpqua Highway and the Southern Pacific Company's tracks in Reedsport, estimated to cost

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\$200. The Commission approved this installation subject to the condition that the city of Reedsport will pay the cost of the electrical energy required to operate the same.

Request of the city of Carlton for the installation of an overhead flashing beacon at the intersections of the Pacific Highway West with Pine Street and with Yamhill Street in that town. The Engineer estimated the cost of these installations at \$400 and recommended approval of the same. The Commission approved the recommendation unanimously.

Request of the city of Rainier for the installation of an overhead flashing beacon at the intersection of the Columbia River Highway with "B" Street in that town. The Engineer recommended such installation, which he estimated would cost \$200. The Commission approved the recommendation unanimously.

Request of the Roseburg Chamber of Commerce for the installation of a traffic light at the intersection of the Pacific Highway with the Garden Valley County Road, just north of Roseburg. The Engineer advised that to properly safeguard this intersection would require a flashing beacon and a floodlight, which he estimated would cost \$350. He recommended against the installation for the time being. The Commission approved the recommendation unanimously.

The Commission also discussed the matter of paying for the electrical current needed for operating the floodlight which has already been installed at the crossing of the Pacific Highway with the Southern Pacific Railroad, in Roseburg. The Assistant Attorney pointed out that the city council, during the Public Utilities Commissioner's hearing with respect to this railroad grade crossing, agreed to pay for the operation of the light, in view of which the Public Utilities Commissioner imposed such obligation upon the city, but the city has continuously refused to pay this account. After discussion, the Commission instructed the Attorney to keep a record of the electrical bills for the operation of this light and present them to the city of Roseburg at some future date, through the Roseburg Chamber of Commerce.

The Engineer requested authority to purchase certain parcels of real property that are needed for various highway improvements throughout the state. He submitted a list of such properties, together with the prices that he recommended be paid for each. After careful consideration, the Commission approved the request and, by unanimous vote, adopted the following resolution in regard thereto:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth; and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which

options have been considered by the Commission, outlining the bases of settlement which have been agreed upon; and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>West Portland-Tualatin Section - West Portland-Hubbard Highway</u>				
5479-Armstrong, James, Estate	R/W	4 lots	\$30 per lot	Benson
<u>Abernethy Bridge-Main Street Section - East Portland-Oregon City Highway</u>				
3054-Harding, Estate	R/W	887 sq.ft.	\$1.75 per sq.ft.	Parker
<u>Mills Bridge Section - Wilson River Highway</u>				
6740-Mills, Chessel - Detour Easement		0.73	\$100 Lump Sum - 1 yr. easement	Benson
<u>Skipanon-Seaside Section - Oregon Coast Highway</u>				
1676-Albertson, James O.	R/W	0.06	\$300 per a. + \$18 + moving bldgs. (Est at \$750)	Benson
<u>Neskowin-Otis Section - Oregon Coast Highway</u>				
3593-Affolter, Victor	Stock Pile	0.48	\$75 Lump Sum 4-yr lease	Benson
<u>Nehalem Spit Section - Oregon Coast Highway</u>				
6743-Hammond Lumber Company	Park	60.5	\$250 Lump Sum for land + taxes (est. at \$450) + tide lands	Parker
<u>Boiler Bay-Rocky Creek Section - Oregon Coast Highway</u>				
5818-Ritchy, H. D.	R/W	5880 sq.ft.	104 sq.ft. + moving buildings, \$625	Parker
<u>Randon Section - Oregon Coast Highway</u>				
5356-Chapell, R.	R/W	5100 sq.ft.	\$0.157 sq.ft. + moving bldgs. est. at \$400	Gardiner
<u>Cape Creek-Florence Section - Oregon Coast Highway</u>				
6738-Hayward, Eugene O.	Park	2.6	\$307.70 per a.	Parker

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Otis-Siletz River Section - Oregon Coast Highway</u>				
6733)-Hostetler, H. A.	R/W	0.14	Gratis	Collins
6734)				
<u>Charleston-Cape Arago Section - Cape Arago Highway</u>				
6731-Johnson, Norman E.	R/W	0.05	\$700 per a. + \$98.50	Gardiner
<u>Hooker Creek-Jordan Valley Section - Jordan Valley Highway</u>				
6716-Palmer, Fred J.	R/W	0.61	\$5.00 Lump Sum	Benson
6714-Malheur County	"	0.61	Gratis	"
6715-Malheur County	"	0.61	Gratis	"
<u>Rhea Creek-Hepner Section - Wasco-Hepner Highway</u>				
6691-Smith, Frank, Estate	R/W	0.01	\$5.00 Lump Sum	Wells
6684-Mikesell, W. E.	"	0.10	Land \$10 plus \$10	"
6681-Binney, Elizabeth P.	"	0.10	Land \$10 + moving fence Parker	
6692-Bennett, Irvie C.	"	0.01	\$5.00 Lump Sum	Wells
6685-Bennett, Irvie C.	"	0.01	Land \$5.00 + \$3.75	"
6698-Kelly, Lena H.	"	0.05	\$5.00 Lump Sum	"
6697-Swaggert, Olive	"	0.14	\$12.00 Lump Sum	"
6690-Pearson, Edna E.	"	0.01	\$5.00 Lump Sum	"
6696-Burnett, Myrtle (Mattie A. Gentry)	"	0.10	\$10 Lump Sum	"
6688-Hiatt, Carl	"	0.01	\$5.00 Lump Sum	"
6700-Hepner, City of	"	0.01	Gratis	"
6701-Gentry, Emery C.	"	0.01	Land \$5.00, + \$3.00	"
6676-I.O.O.F. Lodge	"	6.09	3.82 a. at \$50 per a. 2.27 a. at \$20 per a., plus \$711.90	"
<u>Buxton-Manning Section - Wolf Creek Highway</u>				
1267-Fritz, Clara - Quarry & Haul Road		3.81	\$100 per a. + \$119	McChesney
6723-Mrosik, James - Easement, Pipe Line		0.15	\$100 Lump Sum	"
<u>Grants Pass-Green Creek Section - Pacific Highway</u>				
6790-Brown, Walter L.	R/W			J.G.Bromley
& Drain Ditch 45,855 sq.ft. 1¢ per sq.ft.				
6626-Dayton, Lewis E.	R/W	21,770.5 sq.ft.	\$6,000 Lump Sum	Benson
<u>East Unit, Jordan Creek Section - I.O.N. Highway</u>				
4669-Miller, Everett L.	R/W		\$100 Lump Sum in lieu of	
(Supplemental Report)			State building an approach	
			road	DeSouza

The Assistant Attorney reported an offer from Mr. G. S. Smith, Portland, to purchase certain state-owned property adjacent to Interstate Avenue, in Portland. In the discussion of this matter it was pointed out that throughout the state there are many small parcels of land adjacent to state highway

rights of way that are of no particular value for highway purposes. It was the Commission's thought that these parcels should be sold so as get them back on the tax rolls, and that such sales should be given considerable publicity as are highway construction projects and the sale of buildings. While the Commission appeared inclined to favor the adoption of such procedure as a general policy to be followed in such matters, definite action to that effect was deferred until a future date. The offer of Mr. Smith for the Portland tract was thereupon declined.

The Attorney reported difficulties in acquiring the following parcels of land that are needed for highway improvements:

Right of way needed from H. E. McGraw for the improvement of the Buxton-Manning Section of the Wolf Creek Highway, right of way transaction No. 6254:- He estimated the value of this property at \$3,476 and advised that the owner is demanding \$4,000 for the same and that the state pay one-half the cost of building a certain fence. The Commission instructed the Attorney to limit his offer to \$4,000 and to condemn the same if the offer is refused.

Right of way needed for the Charleston-Cape Arago Section of the Cape Arago Secondary Highway, in Coos County, across the land of the First National Bank of Portland and W. J. Conrad, right of way transaction No. 6732, and across the land of the Nick Bastendorff heirs, right of way transaction No. 6730:- He said that the First National Bank is demanding \$1,000 per lot for its property, which price, in his estimation, is exorbitant. He recommended payment not to exceed \$250 per lot or that the property be acquired by condemnation. Mr. Bastendorff, he said, is asking \$1,000 for the 3/4 acre that the state is taking from him. He suggested payment of not to exceed \$500 and that the state construct a fence in addition thereto; otherwise, that the property be acquired by condemnation. The Commission by unanimous vote approved such offers and authorized condemnation in the event the offers are refused.

The Attorney also reported that it is necessary to institute condemnation proceedings to clear title to right of way that is needed for the improvement of the John Day-Prairie City Section of the John Day Highway, in Grant County, across land owned by the heirs of the Ruth Hiatt estate. The Commission authorized such condemnation proceedings.

The following resolution authorizing the Attorney to condemn the properties hereinabove discussed was adopted by the Commission by unanimous vote:

WHEREAS, the State Highway Commission is by law authorized and directed to lay out, locate, designate, construct, improve, and maintain a system of state highways in the State of Oregon, and to acquire rights of way and to declare the necessity and need for the acquisition thereof, and the advantages to be gained thereby;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

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1. That the State Highway Commission does hereby find and declare that it is necessary and will be of advantage to the State of Oregon and there is need that the State acquire for right of way purposes in connection with the permanent location, construction, improvement, and maintenance of the following section or sections of the state highway system of the State of Oregon, to wit:

Charleston-Cape Arago Section of the Cape Arago Highway
Buxton-Manning Section of the Wolf Creek Highway
John Day-Prairie City Section of the John Day Highway

land and property owned by or in possession of the following parties and/or persons, to wit:

Charleston-Cape Arago Section of the Cape Arago Highway
6732-First National Bank of Portland and W.J. Conrad
6730-Nick Eastendorff heirs (Bennett Swanton and
Georgeana Rozell, Trustees)
Buxton-Manning Section of the Wolf Creek Highway
6254-H. E. McGraw
John Day-Prairie City Section of the John Day Highway
4883-Ruth Hiatt heirs

as their respective interests may appear, and this Commission does hereby declare further that the said property or properties are necessary, are needful, and the acquisition thereof will be of advantage to the State of Oregon for right of way purposes in order to make it possible for the State Highway Commission to properly locate, construct, and maintain said portion or portions of the said state highway system in accordance with standards adopted by this Commission relative to curvature, grades, alignment, drainage, and factors of safety.

2. That the State Highway Engineer be and he hereby is instructed and directed to properly survey the parcel or parcels of land required for such right of way purposes and prepare proper and adequate descriptions thereof, which descriptions shall be employed in the preparation of a deed or deeds or other instrument or instruments necessary to complete the acquisition of the said property or properties or which descriptions may be used in the preparation of a complaint in the event that condemnation proceedings are necessary.

3. That the boundaries of the said parcel or parcels of land, as defined and determined by the said survey made by the said Highway Engineer along the route or location adopted by the Highway Commission, shall be and the same hereby are adopted and the lands defined therein are hereby declared to be and the same are included within the rights of way of the said portion or portions of the said state highway system and hereby are declared to be necessary for the proper location, improvement, construction, and maintenance of the said portion or portions of the state highway system.

4. That I. H. Van Winkle, Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they are hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby further resolved that the Attorney General of the State of Oregon and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they hereby are requested to commence and prosecute to a final determination such suit or action, or suits or actions, as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

The Commission adjourned at 12:00 o'clock noon and reconvened at 1:30 o'clock p. m. in the same room, with all Commissioners, the State Highway Engineer, the Attorney, and the Secretary present.

The Engineer reported on the cost to improve the Territorial Secondary Highway between Ferguson and Cheshire, in Lane County, which project has been requested by the Long Tom Grange No. 866, of Junction City. He advised that this improvement is 4.8 miles in length and that it would cost approximately \$127,000 to finance it. The Commission considered this too costly a project to consider at this time, in view of the shortage of funds.

The Engineer reported the results of a hearing with respect to the claim of W. H. Kellogg, who seeks extra compensation for overtime employment with the State Highway Department. He advised that as a result of this hearing Mr. Kellogg agreed to withdraw his claim in the amount of \$95.20 for alleged overtime in connection with his employment on the Road Use Survey and has also agreed to reduce his claim for overtime while employed as a material checker from \$418.59 to \$389.43. He recommended settlement with Mr. Kellogg on such basis, in view of the fact that the state received actual financial benefit because of the overtime work, provided Mr. Kellogg will sign a statement releasing the state in full from further obligation. The Commission approved the recommendation unanimously.

The Engineer reported that, in conformance with instructions previously given him by the Commission, he contacted the County Court of Benton County relative to the improvement of one of Benton County's roads in lieu of the designation as a secondary state highway, and oiling, of the Corvallis Golf Club road, and as a result the County Court has agreed to oil this road and suggests that the state improve, as a federal aid secondary highway, the county road which extends from North Albany to the Polk County line south of Buena Vista. He gave as his thought that this road will qualify as a federal aid secondary

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highway and recommended the oiling of the same in the federal aid secondary highway program because it will connect with the federal aid secondary road from Independence through Buena Vista which was improved with an oil mat surface treatment last year. The Commission approved the report and ordered that this project be listed with others for consideration in the formulation of the construction program for 1940 federal aid secondary highway funds.

The Engineer also reported on his investigation of the request of the Union High School District of Estacada for the improvement of the secondary state highway in front of the high school grounds at Estacada. He advised that this project requires about 1,350 feet of 13" pipe, which would cost approximately \$2,025; 3 catch basins at \$60; 400 cubic yards of excavation at \$4.00; and 350 cubic yards of crushed rock or gravel at \$7.00; or a total of \$3,185. He also advised that he explained to the school authorities the status of the Commission's finances, which he did not think would permit the Commission to finance a project costing so much at this time, and suggested that they endeavor to have the work done as a W.P.A. project, the possibilities of which they agreed to investigate. After discussion, the Commission decided not to make this improvement because of the cost involved. A decision as to whether or not the Commission would cooperate with the school authorities in a W. P. A. Project was deferred until later.

A petition was presented from 421 taxpayers of Central Oregon, in which the State Highway Commission was urged to complete the reconstruction of the Sherman Highway between Shaniko and The Dalles-California Highway junction at the earliest possible time. The Engineer advised that this project is about 10 miles in length and that the work will cost approximately \$140,000. The Commission ordered the project kept in mind for consideration in the formulation of the 1940 budget.

A letter was presented from Mr. W. T. Putnam, Hillsboro, urging the oiling of the Farmington Secondary Highway from Hazeldale to a connection with the Hillsboro-Woodburn Secondary Highway, in Washington County. The Commission ordered this project included in the list of those to be considered in the formulation of the 1940 program.

The Commission had under discussion the scheduling of public hearings in Reedsport, Bend, and Prineville, as required by law, to secure expressions from the people in those towns relative to the proposed rerouting of state highways. The Commission deferred the setting of a date for the Reedsport hearing but decided to hold hearings in Prineville and Bend on Wednesday, May 17, 1939, that in Prineville to be held at 9:00 o'clock a. m. and that in Bend at 11:00 o'clock a. m., which would give the Commission sufficient time to return to Portland the same day. The Secretary was instructed to send official notification of such hearings to the city councils of Prineville and Bend.

The Commission by unanimous vote authorized the State Highway Engineer to attend the Fifth Pacific Northwest Regional Planning Conference which is to be held in Seattle, Washington, on April 27, 28, and 29, 1939, subject to approval by Governor Sprague.

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The Engineer reported that the following highways have sufficiently dried out to permit the transportation thereover of legal weight loads, and recommended the lifting of the reduced load limits heretofore in effect:

Crater Lake Highway, from Medford to the west boundary of Crater Lake National Park;

The Dalles-California Highway, from Crater Lake Highway junction to Klamath Falls;

Klamath Falls-Lakeview Highway, from Klamath Falls to Lakeview;

Mt. Hood Highway, from the junction with the road to Cloud Cap Inn to the junction with the Columbia River Highway.

The Commission approved his recommendation and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, on the 2nd day of March, 1939, at a meeting of the Oregon State Highway Commission, all members being present and participating, the Commission passed and adopted resolutions reducing the maximum load limit on the following state highways:

CRATER LAKE HIGHWAY from Medford, in Jackson County, to the west boundary of Crater Lake National Park, in Jackson County;

KLAMATH FALLS-LAKEVIEW HIGHWAY from the junction with The Dalles-California Highway, to Lakeview, in Klamath and Lake Counties;

MT. HOOD HIGHWAY from Hood River, in Hood River County, to Cloud Cap Inn, in Hood River County;

THE DALLES-CALIFORNIA HIGHWAY from Bend, in Deschutes County, to Klamath Falls, in Klamath County;

and

WHEREAS, subsequent to the passage of said resolutions, conditions have changed so that it is no longer necessary or desirable, and the Commission hereby finds that it is no longer necessary or desirable to maintain the reduced load limits set out in said resolutions on the said state highways;

NOW, THEREFORE, BE IT RESOLVED that the action of the State Highway Commission reducing the maximum permissible load limit on the

CRATER LAKE HIGHWAY from Medford, in Jackson County, to the west boundary of Crater Lake National Park, in Jackson County;

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KLAMATH FALLS-LAKEVIEW HIGHWAY from the junction with The Dalles-California Highway, to Lakeview, in Klamath and Lake Counties;

MT. HOOD HIGHWAY from Hood River to Cloud Cap Inn Road, in Hood River County;

and on that portion of

THE DALLES-CALIFORNIA HIGHWAY from the junction with the Crater Lake Highway at Fort Klamath to Klamath Falls, in Klamath County (from Ft. Klamath to the junction with the Fremont Highway the load limit as fixed in said former resolution shall remain in full force and effect until removed by order of the State Highway Commission);

be and the same is hereby rescinded and cancelled as of this date, and the maximum load limit permissible on the said sections of the said highways hereafter shall be the maximum load limit provided by law.

IT IS HEREBY ORDERED that a certified copy of this resolution be furnished to the county clerk of each county in which said highways are located, and that a certified copy of this resolution be furnished to the Superintendent of the Department of State Police for his information.

The Commission also approved the posting of the Cottonwood Bridge over the John Day River, between Sherman and Gilliam Counties, for a reduced load limit of 5 tons in view of the fact that high water has torn out the temporary timber supports beneath this structure. The Engineer was instructed to replace these supports as soon as possible and when that is done to restore the 10-ton load limit heretofore in effect.

The Commission considered and approved an additional authorization for the W.P.A. beautification project on the Canyon Road, Portland, involving a total expenditure of \$30,000, of which amount the state's share is approximately \$5,300.

The Engineer brought up for discussion the matter of constructing maintenance buildings for the accommodation of men working out of the Government Camp and Hogg Pass headquarters. He explained that the present headquarters at Government Camp are not adequate and will have to be enlarged some time in the future although that is not an immediate necessity; however, with the opening of the North and South Santiam Highways this year for general public use, provision must be made to keep these roads open during the winter season and that cannot be done unless facilities are provided for housing the men and equipment at a convenient point, which, in his estimation, would be at the summit at Hogg Pass. He estimated the cost of appropriate facilities to accommodate about 36 men at Government Camp and approximately 20 men at Hogg Pass at between \$50,000 and \$60,000 each. This matter was discussed at

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considerable length but a decision in regard thereto was deferred until a future meeting.

Messrs. Earl J. Knutson and Glenn D. McNeilly, of the California Western States Life Insurance Company, came before the Commission relative to the furnishing of group insurance for highway department employees who are paid on an hourly basis. Mr. Knutson explained that, as a result of a previous conference with the Commission on this subject, he contacted 625 highway department employees to determine whether or not they would be interested in a proposition of this kind, and as a result of such solicitation he has received applications from 573 of such employees, which indicates that there is a strong demand for insurance of this kind. He explained that these applications were secured upon only 10 days' solicitation on his part, covering only a portion of the state, and it was his belief that many others would take advantage of this offer if they were given an opportunity. In support of his oral statements he exhibited signed applications from the 573 employees. In view of this showing, the Engineer recommended the acceptance of the company's offer to write this group insurance, premiums for which are to be deducted monthly from the highway department pay rolls. The Commission by unanimous vote approved the recommendation and authorized the making of such deductions from the monthly pay rolls, subject to the condition that the entire matter be covered by appropriate agreement and with the understanding that other companies which write similar insurance be given the same privilege.

Messrs. Morris D. Parks, Mayor of the town of Dundee, and W. S. Allan, former County Commissioner of Yamhill County, came before the Commission in regard to the improvement of the Pacific Highway West through the town of Dundee. Mr. Allan, who was spokesman, recalled that the Commission tentatively approved this improvement about a year ago for 1939 construction, and stated that they are simply appearing before the Commission at this time to urge that the work be done this year if possible. Chairman Cabell explained the status of the Commission's finances and advised that it does not now appear possible to contract this project until fall because of shortage of state funds to match the federal moneys with which the project is to be financed. He assured Mr. Allan that the project is definitely in the construction program for 1939 funds but the question of contracting of the work simply depends upon when there are sufficient state funds available to match the federal moneys.

Messrs. Burke and Walter Kanne, of Milwaukie, Oregon, came before the Commission and urged additional improvements on the 82nd Street Highway (Cascade Secondary Highway) south from Portland. They were advised by Chairman Cabell of the status of the Commission's finances and that on account of the shortage of funds it will not be possible to do any more work on this road this year. Further, that the first available money will be that which the Commission expects to receive from the Federal Government for the fiscal year 1940; and, while this project is not on the priority list, it will be given consideration by the Commission in the formulation of the construction program for such funds, although no promise or commitment can be made at the present time.

The Engineer requested instructions relative to disposal of two

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small houses located on the right of way of the Corvallis-Newport Highway about 2 miles east of Toledo. He said that these buildings are not of much value and are worthless from the State Highway Department's standpoint and that he has received an offer from a prospective purchaser who is willing to pay \$20 for them. He inquired whether or not he should accept this offer or advertise the buildings for sale in the regular manner. The Commission took the view that the sale of the buildings should not be made upon receipt of only one offer, and, if the buildings are not advertised for sale in the usual manner through the newspapers, at least signs should be posted on the property for a reasonable length of time notifying the general public that the buildings are for sale. The Attorney was thereupon instructed to post such notices on the property under discussion and report the offers received at a future meeting of the Commission.

The Attorney also requested instructions relative to the sale of a 5-room house located on right of way acquired for the West Portland-Hubbard Secondary Highway, in Washington County, which house was formerly owned by one George S. Smith. He was instructed by the Commission to advertise this building for sale through the local newspapers.

The Attorney brought up for discussion a proposed change in the plans for the construction of the East Portland-Oregon City Highway in front of property owned by the Hawley Paper Company and Bessie Fudge at 11th Street, in Oregon City. It appears that the private property in question is somewhat lower than the grade of the highway and that present plans call for the construction of a retaining wall to prevent the highway fill from sliding beyond the right of way limits. However, the owners of the adjacent property want their properties filled in to a level with the highway and have stated a willingness to let the state do this at no expense, which will eliminate the necessity of the retaining wall. The Engineer gave as his thought that this is a good offer, and recommended acceptance of the same, which, he said, would save the state some \$2,000 for the retaining wall. The Commission approved the recommendation unanimously and referred the matter to the Engineer to work out the necessary details.

A delegation from Multnomah County, consisting of the Board of County Commissioners, Messrs. O. V. Bailey, C. A. Bigelow, and F. L. Shull; Paul M. Ruder, Albert S. Hall, William Eberhart, Ben Howell, W. S. Copeland, Omar C. Spencer, and Kenneth L. Cooper, came before the Commission in regard to the construction of a bridge over Multnomah Channel of the Willamette River, connecting Sauvie Island, below Linnton, with the mainland. Mr. Howell advised that Sauvie Island is now connected to the mainland by ferry only, which at certain times is overtaxed by traffic, and that a bridge at this location is an absolute necessity. He pointed out that a reclamation project is now under way to reclaim some 12,000 acres of land on this island and when completed will emphasize the need for a bridge. He advised that their mission before the Highway Commission today is sponsored by the Multnomah Grange and that they have already secured a permit from the U. S. War Department for a bridge at this location. Others speaking on behalf of this project were Messrs. Spencer, Cooper, and County Commissioners Shull and Bigelow.

Chairman Cabell advised that the road to Sauvies Island is not on the state highway system, so the Commission has no legal authority to spend state money to improve it; also, that the Commission is under great pressure to construct projects that are now on such system, so is reluctant to assume any new obligation. He added that the Commission does not want to deny this project flatly without investigation, but, on the other hand, it does not wish to give too much encouragement, because it does not seem possible now for the Commission to take this road over as a state highway. Commissioner Bigelow advised that their immediate concern is for an investigation and survey of the project and he urged the Commission to do this. After further discussion, the Commission authorized the State Highway Engineer to make such preliminary investigation as soon as possible, to determine whether or not the site proposed for the bridge is proper, and approximately what the project will cost.

At 3:00 o'clock p. m. Chairman Cabell announced the following awards of contracts for which bids were taken at the morning session, such awards having been previously approved by the Commission by unanimous vote:

"Charleston-Sunset Bay Section of the Cape Arago Secondary Highway, in Coos County. 1.05 miles grading and surfacing, 2.54 miles oiling. Leonard & Slate, Multnomah, were the low bidders on this job with their bid of \$36,845.00. Coos Bay Dredging Company, Marshfield, were the second low and only other bidders at \$36,923.25. The Commission has referred both bids to the Engineer with authority to award the contract to the low bidder, Leonard & Slate, when certain conditions have been fulfilled.

"Dixonville-Mud Hollow Section of the North Umpqua County Road, in Douglas County. 1.43 miles grading, 1.02 miles surfacing, and 3.22 miles oiling. The only bid received for this project was that of Clifford A. Dunn, Klamath Falls, at \$27,870.00. The Commission has referred this bid to the Engineer with power to award the contract to Mr. Dunn when certain conditions have been fulfilled.

"Baker Gulch-Lick Creek Section of the Little Butte Secondary Highway, in Jackson County. 0.81 mile grade widening, 3.3 miles surfacing and oiling; also furnishing approximately 1,160 cu. yds. crushed rock in stock piles. The low bid received for this project was that of Clifford A. Dunn, Klamath Falls, at \$27,829.00. The next low bid was submitted by R. I. Stuart & Sons, Medford, at \$31,417.00. There was one other bidder. The Commission has awarded this contract to the low bidder, Clifford A. Dunn, at his bid of \$27,829.00.

"Hooker Creek-Jordan Valley Section of the Jordan Valley Secondary Highway, in Malheur County. 5.24 miles grading. H. L. O'Neil & Son, Jordan Valley, submitted the low bid for this project at \$21,988.00. The next low bid was submitted by Leonard & Slate, Multnomah, at \$25,848.00. There were 3 higher bidders. This job has been awarded to H. L. O'Neil & Son at their low bid of \$21,988.00.

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"Tillamook County Oiling Project on three county roads in the vicinity of Tillamook, in Tillamook County. 0.7 mile grading and 4.71 miles surfacing and oiling. The low bid received for this project was that of J. C. Compton, McMinnville, at \$26,591.20, based on the use of tar. He submitted no bid based on the use of asphalt. Warren Northwest, Inc., Portland, submitted the second low bid at \$26,623.50, also based on the use of tar. This firm did not submit a bid based on the use of asphalt. There was one higher bidder. The Commission has awarded this contract to J. C. Compton at his low bid of \$26,591.20, using tar.

"Mills Bridge Section of the Wilson River Highway, in Tillamook County. Construction of a bridge over Wilson River and grading, surfacing, and oiling approaches thereto. Jacobsen-Jensen Company of Portland submitted the low bid of \$67,552.50, based on the use of tar. Mountain States Construction Company of Eugene submitted the second low bid of \$69,692.00, also based on the use of tar. Neither of these firms submitted a bid based on the use of road oil. There were 5 higher bidders. The Commission has awarded this contract to the low bidder, Jacobsen-Jensen Company, at their bid of \$67,552.50, using tar.

"Scotch Creek-Castor Ranch Section of the Hurricane Creek County Road, in Wallowa County. 2.0 miles grading, surfacing, and oiling; also, furnish approximately 2,000 cu. yds. crushed gravel in stock pile. The only bid submitted for this project was that of the Rogers Construction Company, Dayton, Washington, at \$22,731.00. The Commission awards this contract to the Rogers Construction Company at their bid of \$22,731.00."

Mr. Roy Bowman of Florence, Oregon, came before the Commission in regard to the oiling of a number of city streets in Florence. He advised that the city would like to have about 6,700 lineal feet of oiling work done on its streets this year and inquired whether or not it would be possible to secure the services of the State Highway Department's oiling crew to do this work if the city will pay the costs involved and will deposit a certified check in advance for an amount equal to the estimated cost of the work. Chairman Cabell gave as his thought that this job is of such magnitude that it really belongs in the contract class, although, he added, he would be inclined to favor the state doing the work if the estimated cost does not exceed \$2000, which is the limit to which the state can go without taking bids. He suggested that it might be advisable for the city to contact some of the highway contractors who do work of this kind, and also the Lane County Court, which, he believed, is equipped to do oiling work. Commissioners Aldrich and Clough concurred in the Chairman's remarks, whereupon the Engineer was authorized and instructed to make an investigation of the project and determine the estimated cost of the same.

The Engineer brought up for discussion the matter of landscaping the north approach to the Yaquina Bay Bridge at Newport. He submitted a plan for such project which, he advised, has been approved by the Newport City

Council. He recommended approval of the project and that it be financed with federal aid funds that must be expended for landscaping purposes. The Commission approved the recommendation by unanimous vote and instructed the Engineer to submit this project to the Bureau of Public Roads for approval.

The Commission had under discussion the offer of Albert Myers, of Mehama, to sell to the state for \$1,200 a tract of land containing approximately 30 acres located in the N.W. $\frac{1}{4}$ of the S.E. $\frac{1}{4}$ of Sec. 14, T. 9 S., R. 1 E., W. M., about 1 $\frac{1}{2}$ miles west of Mehama, Marion County. The Engineer advised that the North Santiam Secondary Highway location cuts across the corner of this property for about 450 feet, and eventually, when construction is undertaken, it will be necessary to acquire some of Mr. Myers's land; also, that the property in question contains a very valuable deposit of gravel which can be used to good advantage when the highway is constructed. He questioned the advisability of purchasing the property at this time, in view of the fact that it likely will be 5 years or more before the road is built on the permanent alignment. The Commission concurred in the viewpoint of the Engineer and thereupon refused Mr. Myers's offer.

The Engineer reported that the Bureau of Reclamation has served notice that it intends to install a 36-inch concrete drain across the right of way of the Vale-Adrian Secondary Highway, Malheur County, under authority reserved by the Government when the right of way for this highway was acquired by the state, which will necessitate the cutting of the traveled roadway. The cost of this installation, he said, will be paid by the Federal Government, but they are asking the state to re-oil the road because the Reclamation Service does not have the necessary facilities to do that type of work. He recommended approval of the request and that the cost of such oiling work, which he estimated at \$10.00, be assumed by the state, it being his belief that such arrangement would help considerably in the settling of the controversy that now exists with the Reclamation Service relative to the installation of drainage pipes and structures across state highways. The Commission approved the recommendation unanimously.

The Engineer reported that contractor Roy L. Houck has purchased some new roadbuilding equipment which not only exceeds the statutory limits as to dimension but also is considerably overweight, even when unloaded, and that Mr. Houck has asked for permission to move this equipment over state highways from one job to another. He gave as his thought that it would be inadvisable to grant such permit to Mr. Houck, in view of the fact that this equipment is so much heavier than the law allows and for the further reason that it would have a damaging effect on the highways and the highway bridges. He further advised that he refused Mr. Houck's request. The Commission by unanimous vote confirmed the Engineer's action in this matter.

The Commission had under discussion a request from the city of Lakeview for certain city street improvements; viz., the widening and grading of a prospective state highway route and the application of a seal coat on existing city street pavements. The Engineer estimated the cost of the first of these projects at \$7,236, and that of the seal coat work at \$1,228. The Commission decided not to do the street widening work because it would necessitate

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the rerouting of the highway, which the Commission does not believe is the proper thing to do at this time, and which would involve the holding of a public hearing in the town of Lakeview. Furthermore, the cost of the project is far in excess of the limit which the Commission can spend for any project without advertising the same for bids. The Commission approved construction of a seal coat project subject to the condition that the city of Lakeview will pay the costs involved and will deposit in advance a certified check in an amount equal to the estimated cost of the work.

The Engineer reported the cost to rebuild the Kings Valley Secondary Highway, in Polk County, from its junction with the Pacific Highway West to its junction with the Dallas-Kings Valley Secondary Highway. He advised that to grade, surface, and construct an oil mat treatment on this section, which is $6\frac{1}{4}$ miles in length, will cost approximately \$165,000. The Commission decided not to approve this project because of the cost involved and the shortage of available funds with which to finance it. The Engineer was instructed to convey such information to Senator Dean H. Walker.

The Engineer requested instructions relative to the payment of salaries or wages of highway department employees who are required to be absent from their regular duties in order to serve as jurors in any state or federal court. After discussion, the Commission by unanimous vote approved the payment of salaries and wages of employees while absent for such service in accordance with the following schedule:

Absence for jury duty (with pay) shall not exceed eleven (11) working days in any one year, unless a longer absence is previously authorized by the State Highway Engineer. No absence for jury duty (with pay) will be allowed an employee whose employment with the Highway Department during the calendar year in which the absence is to occur is not expected to total at least six (6) months.

From the amount earned by the employee while absent on jury duty there shall be deducted an amount equal to the amount of "per diem fees" collected (or collectible) for the jury service rendered, it being understood that the per diem fees are as follows:

Justice Court Jury	\$1.50
Grand Jury	3.00
Circuit Court Jury:	
(a) While awaiting assignment to panel	2.00
(b) While serving on panel	3.00

The deduction shall be made at the rate of \$3.00 per day (Sundays and holidays excepted) unless the pay roll on which the absent time is shown is accompanied by a written statement from the employee setting forth the exact rates and amounts received for the service.

The Engineer reported that the Olalla Creek-Toledo Section of the Corvallis-Newport Highway has been reconstructed on new alignment and

that certain portions of the old road are no longer of any value for state highway purposes, although other portions can be used to good advantage as stock pile sites, et cetera. He submitted a map disclosing the several parcels and recommended that the Commission take formal action abandoning the portions of the old road that are of no use for public purposes and retaining the portions that are of value for such purposes. After discussion the Commission approved the recommendation and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, in order to afford a better alignment and a more satisfactory, safe and convenient highway for the traveling public, the Highway Commission found it necessary to relocate portions of the Corvallis-Newport Highway in Lincoln County; and

WHEREAS, by reason of said relocation and reconstruction of said section of said highway there have been eliminated from the main travelled portion of said highway certain sections or fragments of land, which said sections or fragments of land are more specifically hereinafter defined and described in this resolution and are reflected on a blueprint, marked "Exhibit A", a copy of which is attached hereto and made a part hereof; and

WHEREAS, while certain portions of the eliminated sections are not required for use as parts of the main or travelled section of the highway, nevertheless the same are required, can be used, and are essential for other public uses in connection with said highway; and

WHEREAS, it is the judgment and opinion of the Commission that there should be recorded in the minutes and records of the Commission its purpose and plan to preserve for public use in connection with said highway the fragments or parcels of land hereinafter described as the parcels to be retained and shown in yellow on the attached print; and

WHEREAS, it is the judgment and opinion of the Commission that there should be recorded in the minutes and records of this Commission the purpose and plan of the Commission to abandon as parts of the state highway system certain portions of the highway eliminated from the main travelled portion of said highway, which sections are made unnecessary as a part of the completed highway and are shown in red on the attached print;

NOW, THEREFORE, the premises being in general as above stated, it hereby is resolved by this Commission, all members being present and affirmatively participating, as follows:

1. That the parcels of land shown shaded in yellow on the attached print, which heretofore were within the right of way proper of the Corvallis-Newport Highway but which by reason of the relocation or realignment of said highway are now without the area improved

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and used by the traveling public but are adjacent to and abut upon the said right of way and are needed for public use, shall be preserved by the Highway Commission in connection with the construction, improvement and maintenance of said highway or the use of the same, which said parcels are described as follows:

Those certain sections of the old right of way of the Olalla Creek-Toledo Section of the Corvallis-Newport Highway lying on each side of the reconstructed center line of said highway, the beginning and ending points of which with reference to Engineer's Stations of the said reconstructed center line are as follows:

On the westerly side from Station 2461+80 to Station 2466+60
 On the easterly side from Station 2484+50 to Station 2489+00
 On the westerly side from Station 2519+70 to Station 2526+25
 On the westerly side from Station 2535+10 to Station 2539+90
 On the easterly side from Station 2540+00 to Station 2541+70

2. That the fragments of land confined within the areas hereinafter described and designated as the parcels of land to be abandoned, which fragments were formerly within the limits of the right of way of the Corvallis-Newport Highway, and which parcels are shaded in red on the attached blueprint, be and said fragments of land are abandoned as parts of the right of way of said highway and said fragments of right of way are, so far as control and supervision of this Commission are concerned, left to revert to the adjoining and abutting property owners or to the control and supervision of the County Court of Lincoln County. The fragments to be abandoned are described as follows:

Those certain sections of the old right of way of the Olalla Creek-Toledo Section of the Corvallis-Newport Highway lying on each side of the reconstructed center line of said highway, the beginning and ending points of which with reference to Engineer's Stations of the said reconstructed center line are as follows:

On the westerly side from Station 2493+60 to Station 2517+70
 On the easterly side from Station 2526+20 to Station 2533+60
 On the westerly side from Station 2546+25 to Station 2549+50
 On the easterly side from Station 2549+52 to Station 2554+10

3. In addition to the foregoing descriptions of said fragments or parcels of land there is attached hereto a blueprint marked Exhibit A", which by this reference is made a part hereof, and upon which map there is shown shaded in yellow the parcels of land to be preserved for public purposes, and upon which map there is shown shaded in red the abandoned sections of said right of way. Said exhibit for identification purposes bears the signatures of Paul Van Scoy, Acting Division Engineer, H. G. Smith, Construction Engineer,

and R. H. Baldock, State Highway Engineer, and bears date of March 1, 1939. *

4. In the event there remains any physical connection between any portions of said abandoned right of way and the present highway, and by reason of such physical connection traffic from the existing highway may enter or use the said abandoned portions of the old road to the possible damage or injury of such traffic by reason of any unsafe condition existing with respect to the said old or abandoned sections, then the State Highway Engineer hereby is authorized and directed to erect such barricades or other safeguards as may be necessary to protect and safeguard traffic using and employing said newly located, constructed, and dedicated section of said state highway.

5. That this resolution be entered in the minutes and records of the Commission and a certified copy thereof promptly delivered to the County Court of Lincoln County, together with a copy of said exhibit for such action as the County Court may desire to take with respect to the fragments of land to be abandoned, and should said abandoned portions of the right of way of said Corvallis-Newport Highway be further employed for public or private highway purposes such use shall be entirely under the control and supervision of the County Court of Lincoln County and beyond any responsibility or supervision by the State Highway Commission.

6. The Engineer hereby is instructed to properly and completely mark on the ground the boundaries of the fragments of land to be retained for right of way and other purposes by the Highway Commission by erecting and maintaining thereon proper monuments or posts upon which shall be inscribed the words "State Property".

The Secretary presented a letter from Mr. Ed W. Miller, Manager of the Oregon Coast Highway Association, inviting the Commission and its staff to attend the semi-annual meeting of the Association, which is to be held in Gold Beach on April 23 and 24, 1939. The Commission accepted the invitation with thanks.

The Commission considered and referred to the Engineer for investigation a letter from County Judge Earl B. Day, of Jackson County, on behalf of certain stockmen who desire permission to construct fences along the Sams Valley Secondary State Highway in the vicinity of Sams Valley.

The Secretary presented a letter from City Manager E. H. Ford, of La Grande, stating that, owing to limited parking space on Adams Avenue, in La Grande (state highway route), the city officials feel that they cannot comply with the Commission's requirements for the parallel parking of cars on this

Map filed in Right of Way Abandonment and Retention File - No. 62

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street but have modified their present city ordinance to reduce the method of angle parking from 45 degrees to 35 degrees, which they trust will meet the requirements to the extent that the Commission will authorize the painting and maintaining of stripes for such method of parking at state expense. The Engineer was instructed to inform Mr. Ford that the Commission's policy in this regard requires the city to adopt the parallel system of parking cars, and unless the city will provide for such method of parking, the state will neither paint nor maintain the parking stripes.

The Commission considered a letter from County Judge Clinton Hurd, of Lane County, stating that the County Court has no objection to the naming of the county road which connects the Pacific Highway and the Junction City Secondary Highway, through Irving, either "Gent Drive" or "Gent Road". The Commission decided to take no action on this matter, it being considered that this is a county obligation.

The Commission considered and denied the request from Mrs. Wm. M. Dale, Portland, on behalf of the United Daughters of the Confederacy, for permission to erect a "Jefferson Davis" marker on the Pacific Highway near the south end of the Interstate Bridge, in Multnomah County.

A letter was presented from W. J. Kyle, Mayor of Florence, recommending the sale of certain state-owned property in Florence to Mr. Roy Swenson, mill operator and home owner of Swisshome, Oregon, who plans to use this property in connection with a tourist camp and park which he proposes to construct at this place. The Commission decided not to sell this property, it being needed for highway purposes.

A letter from the American Red Cross, Linn County, relative to securing some of the brick that was salvaged from the old brewery building at Albany, for use of a widow with six children whose home was recently burned, the brick being needed for the construction of a chimney, was considered. The Commission refused to give the brick to the widow, it being strictly contrary to the Commission's established policy to give state property to private individuals, but authorized the Engineer to let the Red Cross, which is a public organization, have enough brick to construct the chimney.

The Commission considered and denied the request from the Devils Lake Regatta Association for permission to maintain two signs over the Oregon Coast Highway, advertising the Sixth Annual Regatta at Devils Lake on June 24 and 25, 1939, it being strictly contrary to the Commission's established policy to permit such signs over state highway rights of way.

A letter was presented from P. M. Morse, County Engineer, Lane County, transmitting a petition from Lane County citizens who desire to secure materials from state-owned property adjacent to the McKenzie Highway, near Thurston, for use in connection with the construction of a county road which extends north from the McKenzie Highway to the old state highway a short distance east of Thurston. The Commission referred this matter to the Engineer for investigation.

The Engineer reported that, in accordance with authority previously granted by the Commission, he has ordered certain surveys since the last meeting. He submitted a list of such surveys and asked the Commission to approve them. After due consideration, Commissioner Aldrich moved that the State Highway Engineer be authorized and instructed to make such location surveys on various sections of the highways of this state, which said sections of highways, together with their identifying location survey numbers and the amounts authorized and allocated for such survey expenditures are as follows:

Reconn. - - - 204-2823 - Fishhawk Falls-Ranger Station, County Road between Nehalem and Wolf Creek 1st authorization - \$550.00

Plans - - - 18-2824 - Lapine-W.Forest Boundary Section, Fremont Highway.
1st authorization - \$1,000.00

Plans - - - 117-2809 - Provolt-Williams Section, Williams Secondary Highway.
2nd authorization - \$900.00
Total to date - \$1,000.00

Plans - - - 224-2822 - Salem-Little Pudding River Section, Salem-Silverton County Road.
1st authorization - \$900.00

Plans - - - 19-2810 - Forest Boundary-Lakeview Section, Klamath Falls-Lakeview Highway.
2nd authorization - \$1000.00
Total to date - \$7,000.00

Plans - - - 26-2832 - Sandy Boulevard Section, Columbia River Highway.
2nd authorization - \$1,800.00
Total to date - \$4,000.00

Plans - - - 228-2806 - Hay Canyon Section - Moro-Hay Canyon County Road.
1st authorization - \$750.00

Plans - - - 30-2824 - Milton Section - Oregon-Washington Highway.
1st authorization - \$500.00

Quarry & - - - 33-2815 - Seufert-Dufur Section - The Dalles-California Highway
Stock Pile 1st authorization - \$250.00

Plans - - - 233-2816 - Petersburg Section, Fifteen Mile Road, Wasco County.
1st authorization - \$1,000.00

Right of Way- 36-2822 - Sheridan-Willamina Section, McMinnville-Tillamook Hwy.
1st authorization - \$125.00

Plans - - - 136-2823 - Amity-Hopewell Section, Bellevue -Hopewell Road.
1st authorization - \$100.00

The motion was duly seconded by Commissioner Clough and was declared by Chairman Cabell to have carried by the unanimous vote of the Commission.

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The Commission had under discussion a letter from Contractor Henry C. Nelson requesting an extension of time of 26 days, from February 16 to May 13, 1939, within which to complete his contract for the construction of maintenance buildings at Suntex Junction and Brothers on the Central Oregon Highway, in Harney and Deschutes Counties. He attributed his failure to complete the project within the specified time limit to bad weather conditions and the performance of extra work in connection with this job. The Engineer advised that the reasons given by Mr. Nelson for failure to complete this project on time are correct. He recommended, in view of the circumstances, that the extension requested be granted without penalty and submitted in support thereof a letter from the Acting Regional Director of the Public Works Administration concurring therein. The Commission approved the recommendation by unanimous vote.

The Engineer reported that Contract No. 2099 for the construction of a bridge over Catching Slough on the Coos River Secondary State Highway, in Coos County, was completed by Contractor J. W. & J. R. Hillstrom on March 30, 1939, according to the requirements of the contract or modifications thereof and that said job is now ready for acceptance. The following resolution accepting this project was offered and was adopted by the unanimous vote of the Commission:

WHEREAS, the Engineer has reported that State Highway Contract No. 2099 with J. W. & J. R. Hillstrom for the construction of a bridge over Catching Slough on the Coos River Secondary Highway, in Coos County, has been completed according to the terms and provisions of the contract and that said job is now ready for acceptance;

THEREFORE, BE IT RESOLVED that the work covered by said state highway contract for the construction of said state highway bridge be declared completed according to the terms of the contract and that said job is hereby accepted and final payment in connection therewith is hereby authorized.

The Commission discussed the matter of a date for its next regular meeting for the receiving of bids and decided to hold such meeting in Portland on May 18 and 19, 1939. The Secretary was instructed to make the usual arrangements for the use of the auditorium in the Public Service Building. The Commission also decided to hold a special meeting of the Commission in the office of the State Highway Engineer, Salem, on Friday afternoon, April 21, 1939, to dispose of routine matters.

The Commission considered and signed agreements, et cetera, as follows:

Agreement with Tillamook County providing for county maintenance of the Fairview-Clemmens Corner County Road after improvement of the same by the state as a federal aid secondary highway project.

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Agreement with Tillamook County providing for county maintenance of the Tillamook-Netarts County Road after improvement of the same by the state as a federal aid secondary highway project.

Agreement with Tillamook County providing for county maintenance of the Wilson River Loop County Road after improvement of the same by the state as a federal aid secondary highway project.

Agreement with Clackamas County providing for county maintenance of the Eagle Creek-Firwood County Road after improvement of the same by the state as a federal aid secondary highway project.

Agreement with Polk County providing for county maintenance of the Falls City County Road after improvement of the same by the state as a federal aid secondary highway project.

Agreement with City of Falls City providing for maintenance of North Main Street, in Falls City, after improvement of the same by the state as a federal aid secondary highway project.

Agreement with Douglas County providing for county maintenance of the North Umpqua County Road after improvement of the same by the state as a federal aid secondary highway project.

Agreement with Wallowa County providing for county maintenance of the Hurricane Creek County Road after improvement of the same by the state as a federal aid secondary highway project.

Supplemental agreement with Southern Pacific Company and the City of Klamath Falls covering additional work on the Main Street Undercrossing Project in Klamath Falls.

Agreement with Nicolai-Neppach Company providing for the acquisition of certain property in Tillamook County for park purposes.

Agreement with Ginn Coleman & Company providing for the lease of property for the storage of highway equipment in the town of Moro, Oregon.

Easement granting to George E. Huntly permission to truck-haul logs across state property in Tillamook County.



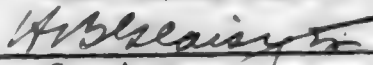
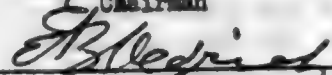
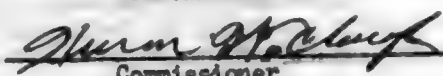
Permit granting the City of Sweet Home authority to construct and maintain sidewalk on Santiam Highway in Sweet Home.

Application for right of way across tribal lands in Warm Springs Indian Reservation.

Bargain and Sale Deed conveying unto L. V. Roake 2,250 sq.ft. of land situate in Lots 6 and 7, Block 4, Oregon City, being right of way transactions Nos. 3055 and 6468.

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There being no further business to come before the Commission at this time, the meeting was adjourned at 5:30 o'clock p. m.

 <u>State Highway Engineer</u>	 <u>Chairman</u>
 <u>Secretary</u>	 <u>Commissioner</u>
	 <u>Commissioner</u>

Salem, Oregon, April 21, 1939

The State Highway Commission met in special session at 2:00 o'clock p. m. in the office of the State Highway Engineer, Room 325, State Office Building. Present were:

Henry F. Cabell, Chairman
 E. B. Aldrich, Commissioner
 Huron W. Clough, Commissioner
 R. H. Baldock, State Highway Engineer
 J. M. Devers, Attorney
 H. B. Glaisyer, Secretary

Also present were W. H. Lynch, District Engineer, and T. M. Davis, Highway Engineer, representing the U. S. Bureau of Public Roads.

Mr. C. H. Lake, Salem, came before the Commission relative to the servicing of automobiles on the highway right of way at his service station just south of Salem. It appears that Mr. Lake's service station has been built too close to the highway to allow the servicing of cars entirely off the highway right of way and he has been notified to discontinue servicing cars in such location, which is in conformance with the Commission's established policy. Mr. Lake stated that he is not the owner of the buildings, being simply a renter, and that he did not know at the time that he leased the property that the servicing of cars on the highway was prohibited. He asked the Commission to modify its rulings in this particular instance so as to allow the servicing of cars on the highway during the lifetime of his lease, which, he said, expires in about 3 years, when he will make other arrangements. After considerable discussion the Engineer suggested, in view of the fact that the owner of this service station misrepresented conditions to Mr. Lake at the time the property was leased, that it might be advisable to allow Mr. Lake to continue the servicing of cars on the highway right of way as a temporary proposition until his lease expires. He further suggested, as a safeguard to other traffic, the construction of a landscaped area, enclosed by concrete curbs, between the driveway to Mr. Lake's pumps and the traveled portion of the highway. The Commission approved the suggestion by

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unanimous vote subject to the condition that the matter be covered by appropriate agreement. In this connection the Engineer requested authority to construct such landscaped areas or islands, with curbs, as a general proposition where entrance and exit driveways are provided at service stations or other places of business adjacent to state highways. It was his thought that such islands would not only add to the attractiveness of the highway but would also act as a safeguard for traffic. The Commission approved the suggestion unanimously.

A delegation from East Woodburn, headed by Mr. J. F. Lawrence, and consisting of C. W. Smith, S. W. Maupin, Harris Nelson, and J. L. Klamp, came before the Commission and requested the following improvements: (1) Filling in of the ditches on both sides of the Pacific Highway through East Woodburn and the oiling of the shoulders full width of the highway right of way; (2) Painting of safety lanes across the intersection of the Pacific Highway with Young Street and with Cleveland Street; (3) Installation of a "stop" and "go" signal at the intersection of the Pacific Highway with Young Street.

They declared that the highway ditches as now maintained are traffic hazards and are the frequent cause of traffic accidents, and that the oiling of the shoulders is a necessity in order to eliminate the dust nuisance that obtains during the dry season in front of the business establishments in this part of Woodburn. They also declared that the painting of safety lanes across the Pacific Highway at Young Street and at Cleveland Street will be of great assistance in safeguarding the pedestrians who are obliged to cross the Pacific Highway at these points, particularly the cannery workers, of whom there is a great number. Mr. Lawrence alleged that the flashing beacons that have already been installed over the highway at Woodburn are not satisfactory because they do not slow down traffic to any appreciable extent, which is the reason they would like to have "stop" and "go" signals substituted. He said that they would raise sufficient money by popular subscription to pay one-half the cost of such installation, which, he understood, was a requirement of the Commission. Mr. Lawrence filed petitions signed by 57 residents of Woodburn in support of their oral requests.

The delegation was informed that the Commission is not in a position today to act on its request, but investigation would be made and it would be advised later as to what it could expect. The matter was thereupon referred by the Commission to the Engineer for such investigation and report.

The County Court of Marion County, consisting of County Judge J. C. Siegmund and County Commissioners Roy S. Nelson and Jim E. Smith, and County Engineer N. C. Hubbs, came before the Commission relative to the improvement of the Salem-Silverton County Road. They were informed that the Commission has budgeted \$37,000 of federal aid secondary highway funds for the improvement of this road and had planned to select a project at the Silverton end, but it appears that difficulties have been encountered in securing the needed right of way, so there is a question whether or not the Commission should proceed with its plans for the improvement of such section or should spend its money for improving the section at the Salem end of this highway where only a very small amount of extra right of way is needed. The Engineer advised

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that this work must be contracted not later than June if the improvement, which is to consist of oiling work, is to be completed this year. Also, that he is ready to proceed with the survey but must know which section to prepare.

Judge Siegmund stated that the County Court was at first in favor of improving the Silverton end of this road, provided the people of Silverton would secure the needed right of way, which they agreed to do. However, the city did not acquire all of it and a goodly portion of that which was acquired was contingent upon so many conditions that it was unsatisfactory. It is now too late, he said, for the county to do anything about it, so the County Court has decided to recommend the improvement of the Salem end of the road. The Engineer advised that the plans for this section provide for the routing of traffic over the street that was oiled for use as a detour when the Salem North Section was improved a few years ago rather than over the present road past the State Fair grounds, which involves a railroad grade crossing in North Salem. This detour road, he said, is 50-feet wide and he believed that it would meet the federal requirements in that respect which would preclude the necessity to purchase additional right of way at this point.

Mr. Lynch stated that the Bureau of Public Roads would approve a right of way 50 feet wide for such improvement. After considerable discussion Chairman Cabell announced that the State Highway Commission is inclined to favor the County Court's request for the improvement of the Salem end of this road but must defer a decision in regard thereto pending a conference with a delegation from Silverton which is to appear before the Commission at this meeting. He added, however, that the Commission will improve such westerly end unless the Silverton delegation presents arguments strong enough to alter the Commission's present attitude with respect to this project. The Chairman's statements were confirmed by Commissioners Aldrich and Clough.

Reconsideration was given by the Commission to the matter of adopting new wage rates for labor employed on state contract work. After discussion, it was decided unanimously to continue the three classifications of labor as in the past; namely, common labor, intermediate labor, and skilled labor, and to prescribe minimum wage rates of 60 cents per hour for common labor which is a 10-cent-per-hour increase over the present rate; 75 cents per hour for intermediate labor; and \$1.20 per hour for skilled labor. The Engineer was instructed to specify such minimum rates in the specifications for the jobs on which the Commission will receive bids at its meeting on May 18 and 19, 1939. He also was instructed to notify the Portland Chapter of the Associated General Contractors of America, and Mr. C. D. Long, Business Representative of the Klamath Falls Building Trades Council, of the action taken.

Mr. W. H. Lynch, District Engineer, Bureau of Public Roads, was present and brought up for discussion the construction of the uncompleted portion of the I.O.N. Secondary Highway, in Malheur County, about 18 miles in length. He advised that inquiry has been made by the Chief of the Bureau of Public Roads as to the possibility of contracting this work this fall so as to expedite the completion of the entire highway. He pointed out that this would necessitate the allocation of all of the 1940 federal lands moneys for this work and the advancement of state funds to make up the difference in the total

estimated cost of the work across the public lands, there being insufficient federal lands funds available in the 1940 allotment to pay for all of the work across such sections. He explained that, if the Commission will agree to do this, arrangements would be made in the programming of the fiscal year 1941 federal lands funds to allocate a sufficient amount of such funds to the I.O.N. Highway to cover the amount advanced by the state, so that, in the end, the financial status of the project will be the same as if the work were done in units from year to year as federal funds are available. This arrangement is suggested, he said, in order to expedite the completion of this road in Oregon.

After considerable discussion, the Commission by unanimous vote approved Mr. Lynch's suggestion and authorized the Engineer to prepare this 18-mile section for contracting later in the year. The Commission also, by unanimous vote, approved the following telegram prepared by Mr. Lynch covering the matter:

"Following is resume of agreement concerning allotment of 1940 fiscal year public lands funds. State will allot all 1940 fiscal year public lands funds to ION with understanding sufficient 1941 public lands funds will be allotted to it when available to make up full share of federal obligation. They will let contract this fall for eighteen mile section. The state's estimate for this section is \$133,000 of which approximately \$76,000 chargeable to public lands funds. State also insists that when 1941 public lands funds are programmed \$80,000 will be allotted to project for Warm Springs Indian Reservation. According to our figures there is no balance of public lands funds from 1939 but a deficit of about \$10,000 because project 2D in Warm Springs Indian Reservation included in program not contracted. State expects to provide sufficient state funds to carry out 1939 program as they feel this project must be built on account promise to people."

A delegation from Silverton, consisting of Dr. P. A. Loar, John Porter, T. T. Leonard, and John Goplerude, came before the Commission in regard to the improvement of the Salem-Silverton County Road as a federal aid secondary highway project. Dr. Loar headed the group. They stated that when this project first came up for discussion the Marion County Court apparently was in favor of the improvement of the east or Silverton end of this road and asked the people of Silverton to acquire needed right of way, which they endeavored to do, although no definite agreement covering the matter was consummated. They further stated that they arranged for all of the right of way with the exception of two parcels which could not be financed, and discontinued negotiations for the same when they learned that the County Court had changed its attitude toward the project and now intended to recommend the improvement of the westerly or Salem end of the road. They urged the Commission to adhere to its present plan and reconstruct the Silverton Section.

Chairman Cabell advised that it does not appear possible to construct the easterly end of this road under the present program because of the right of way difficulties, and for the further reason that it is now too late for the county to do the grading work which it planned to do as a W. P. A.

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project. He explained that the Commission budgeted \$37,000 to finance this improvement but such amount was not sufficient to pay for all of the work involved, so the Marion County Court agreed to cooperate by constructing the grade, which it intended to do as a W.P.A. project. He further explained that due to delays, the grading work could not possibly be done early enough to insure the completion of the surfacing and oiling this season, so it appears that the state will lose this money entirely for this year's construction unless it is used to finance the Salem Section. He added that the Commission will be pleased to give consideration to a project at the east end if and when additional federal aid secondary highway funds are provided by the Government. Commissioners Aldrich and Clough confirmed Chairman Cabell's remarks. The members of the delegation also approved the solution as outlined, which, they stated, they much prefer to losing the money altogether.

Messrs. James Convill and G. T. McClean, City Manager and City Engineer, respectively, of Astoria, came before the Commission in regard to the narrowing of Taylor Avenue (present route of the Oregon Coast Highway) between Columbia Street and Hamburg Street, in Astoria. They advised that originally this street was dedicated 120 feet in width, but a number of years ago an understanding was had between certain people of Astoria and the City Council to the effect that the street would be narrowed to an 80-foot width, such narrowing to be done on the east side of the street, although there appears to be no record of the adoption of an ordinance to that effect and no record of any kind to indicate that the agreement was a fact. Buildings constructed along this street in recent years, they said, have been built so as to encroach on the street in accordance with this understanding, and there are a number of new buildings proposed but the owners do not care to proceed with construction until the narrowing of the street has been approved and officially adopted by the City Council. Mr. Convill exhibited a map showing the present encroachments and inquired whether or not the Commission had any objection to the City Council taking appropriate action to effect the narrowing of this street to 80 feet in width.

The Engineer explained the Commission's requirements for right of way widths and gave as his thought that a right of way at least 100 feet wide should be provided along Taylor Avenue because of anticipated traffic conditions, but he requested time to give the matter further study before definitely committing himself in regard thereto.

Chairman Cabell advised that the Commission is not ready today to say how wide the right of way should be at this point and is reluctant to approve an 80-foot width because it believes that future traffic will demand a wider section, however, further investigation will be made to ascertain the minimum width that is needed and the City will be advised of the findings. He further stated that, if the City of Astoria feels that it must reduce the present width of Taylor Street in order to satisfy the adjacent property owners and to carry out the City's previous oral understanding with them, then the Commission will not object thereto if that can be done without causing traffic congestion. Commissioners Aldrich and Clough confirmed Chairman Cabell's statements whereupon the Engineer was instructed to investigate further and render a report thereon as soon as possible.

Mr. Conwill also urged the Commission to acquire the balance of the right of way for the proposed Astor Street project. He said that the City of Astoria owns a number of lots that will be needed for this right of way and has received several offers for the same but does not want to sell until they know whether or not the state needs them, so as to avoid repetition of the case of the sale of certain lots to the Associated Oil Company which has constructed a service station thereon. In this connection he pointed out that it will be necessary now for the state to purchase from the oil company not only the lots but also the buildings, and suggested that the state could save considerable money in this particular transaction by acquiring from the city Lots 5 and 6 of Block 132, at the site of the proposed ferry dock at 17th Street, a portion of which will probably be needed for right of way for the Astor Street improvement. Such location for the oil station, he said, will be ideal, because it will not only front on the highway but will also front on the road leading to the ferry.

Chairman Cabell advised that the Commission does not have funds available to finance the Astor Street improvement at this time and hesitates to give the people of Astoria any false hopes for the early construction of this project by acquiring right of way now. The first moneys available for this work, he said, are the 1940 funds, for which a program has not yet been arranged, and the Commission is not in a position at this time to definitely commit them. The Assistant Attorney recommended approval of Mr. Conwill's suggestion relative to the acquisition of Lots 5 and 6, Block 132. He also suggested that it would be advisable to at least make an attempt to secure quitclaim deeds from the owners of other properties that are needed for this right of way, which properties are now being foreclosed by the county for non-payment of taxes, rather than to wait until February of next year when the rights of redemption expire. There are three or four parcels, he said, in this category which he believed could be acquired by quitclaim deed upon payment of not to exceed \$50 each.

After considerable discussion, the Commission approved the Assistant Attorney's suggestion and authorized Mr. Conwill to consult with the property owners on such basis. The Commission also, by unanimous vote, approved securing a deed from the City of Astoria for Lots 5 and 6 of Block 132, it being understood that the state will deed back to the city such portion of these lots as are not actually needed for right of way or for trading purposes in securing other right of way for this project.

The Engineer brought up for discussion the proposed agreement with Contractor Roy L. Houck altering somewhat the provisions of his contract No. 2159 for grading the approaches to the Albany overcrossing structure on the Pacific Highway, in Linn County. It appears that when this contract was awarded it was intended that Mr. Houck should secure embankment materials from a pit located about $1\frac{1}{2}$ miles north of the job, which would necessitate the construction of a hauling road across private property. However, since then Mr. Houck has purchased new equipment that will reduce materially the unit cost of his work; but, in order to use this equipment, it will be necessary for him to utilize a hauling road constructed on the new highway location north of the limits of his project, which section it was not proposed to place under contract until later in the year. The Engineer advises that Mr. Houck wants

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the state to acquire the right of way for this section now and let him construct a hauling road thereover, which would not only be of benefit to him but would also be of benefit to the state later on by reducing the cost of construction of this particular section. Not only will Mr. Houck make a saving in cost, he said, but the state will also benefit by reason of the change. He read aloud the provisions of the proposed agreement, the salient features of which follow, and recommended approval of the same:

THINGS TO BE DONE BY STATE:

1. State, at its own expense, shall acquire the right of way for the revised location of the Pacific Highway East between Engineer's Station 349+75 and Engineer's Station 388+80 and shall render the same, or so much thereof as may be necessary for hauling road purposes, available to Contractor by not later than May 20, 1939, and thereafter shall permit and allow Contractor to conduct hauling operations thereover in lieu of the routes stated and set out in the said Contract No. 2159.

THINGS TO BE DONE BY CONTRACTOR:

1. Contractor shall expend the sum of \$6,600.05 in the construction of a highway roadbed between Engineer's Station 345 and Engineer's Station 390, including clearing and grubbing, roadbed, embankment, drainage structures, and selected road topping. The expenditure of the said sum of \$6,600.05 shall be computed upon the basis of the schedule of items, quantities, and unit prices hereinafter set out:

Item	Unit	Unit Price	Net Quantity	Allowance	Total Cost
Clearing and Grubbing	All		All		All \$ 500.00
Trench Excavation	Cu. Yd.	1.00	368	30	398 398.00
Exc. Single Classification	Cu. Yd.	0.20	13614	1386	15000 3,000.00
Truck Haul	Yd. Mi.	0.06	3298	202	3500 210.00
Finishing Roadbeds and Slopes	Mile	200.00	0.86		0.86 172.00
12" Concrete Pipe	Lin. Ft.	0.80	135	6	141 112.80
18" Concrete Pipe	Lin. Ft.	1.45	516	9	525 761.25
24" Concrete Pipe	Lin. Ft.	3.00	39	3	42 126.00
Selected Road Topping 4"	Cu. Yd.	0.44	2527	473	3000 1,320.00
Total Amount					\$6,600.05

In the event that in the final computation of the value of work done the total over-runs in the tabulation hereinabove given should exceed the total under-runs, State shall reimburse Contractor to the extent of the excess of the over-runs over the under-runs, based upon the unit items and the unit prices set out in the said tabulation. In the event that the total computed under-runs should exceed the total computed over-runs the State shall have the right to extend the work to be done easterly from Station 343+45 for a sufficient distance to absorb the difference, based upon the unit items and unit prices hereinabove stated.

2. The work to be done by Contractor shall be in accordance with the highway plans and roadbed sections shown by the State Highway Department standard plans, consisting of three sheets, entitled Albany Overcrossing Section, Pacific Highway East, Sheet No. 1, Sheet No. 2, and Sheet No. 3.

3. All work to be done shall be in accordance with the specifications and special provisions set out in the said Contract No. 2159 and shall be subject to the same engineering supervision and approval as the other work to be done under the said contract.

4. Contractor shall maintain the said highway roadbed and surfacing during his hauling operations thereover, and at the conclusion of the said operations shall turn the same over to State smoothed and finished in accordance with the standards for acceptance of new work as set out in said Contract No. 2159.

5. It is understood that the bridge on the project located approximately at Station 351 will not be constructed and that at this point the Contractor, at his own cost and expense, shall provide a temporary detour road around the location of the said future structure. The Contractor will, however, be required to construct the road embankment and gravel sub-base up to points on each side of the structure, as directed by the engineer, which will not interfere with the future construction thereof.

It is specifically understood and agreed that this agreement is collateral to and is not in derogation of any of the terms, conditions, and agreements of the said Contract No. 2159, except as to the route or routes for hauling materials set out in said contract.

It is further understood and agreed that Contractor shall make arrangements with Great American Indemnity

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Company to the end that the work to be done hereunder shall come under the protection of the bond heretofore given in connection with the said Contract No. 2159 to the same effect and to the same extent and purpose as though the work herein set out had been included in full in said contract.

After considerable discussion, Chairman Cabell expressed himself as satisfied with the agreement if it is legal and will be approved by the Bureau of Public Roads, which is cooperating in this work. It was his thought that this is about as good a deal as the state can get covering the matter and that it should be accepted. Commissioners Aldrich and Clough concurred, making the decision unanimous. The Commission thereupon signed the agreement with Mr. Howk and authorized the Attorney to proceed with the taking of options for the extra right of way, which is estimated to cost approximately \$12,000, as soon as this arrangement has been approved by the Bureau of Public Roads.

The Commission had under discussion the matter of the sale of three houses in Pendleton that were acquired in connection with the acquisition of right of way for the Pendleton Overcrossing Section of the Old Oregon Trail, which buildings were moved from this right of way to state property adjacent to the Pendleton maintenance building. The Engineer advised that one of these houses is now rented to an employee of the State Highway Department and the other two to outside parties; also, that this year's budget contains an item of \$640 for house repair and maintenance. He questioned the advisability of continuing on the present basis of renting the houses because so much time is taken to investigate petty complaints and requests for improvements by the renters. He suggested that it would be better to sell the houses, or at least to hire someone to handle the renting of the same, which would relieve the state's employees of such duty. Commissioner Aldrich advised that, regardless of what the Commission decides about the houses, in his estimation the land on which the houses are located should be retained by the state because it is valuable property. After discussion, the Commission referred the matter to the Attorney for investigation and recommendation.

The Commission discussed and approved a form letter providing a procedure for the disciplining of log haulers who are arrested for transporting over state highways loads weighing in excess of the statutory weight limits, such letter having been prepared as a result of a conference with Senators F. M. Franciscovich and U. S. Balentine, representatives of the Department of State Police and Public Utilities Commissioner, and members of the logging industry, at a meeting held in the Benson Hotel on April 5, 1939. (See Circular Letter No. 119, dated May 5, 1939.)

The Commission had under discussion the designation of holidays during which log-hauling operations shall not be allowed on state highways, and decided to prohibit such hauling on the following holidays: New Year's Day, January 1; Memorial Day, May 30; Independence Day, July 4; Labor Day, first Monday in September; Armistice Day, November 11; Christmas Day, December 25.

Also, any holiday that is designated by the President of the United States or the Governor of the State of Oregon; also, the Monday immediately following the above-mentioned holidays that happen to fall on Sunday.

The Engineer reported that of April 12 he awarded to Clifford A. Dunn of Klamath Falls the contract covering the grading, surfacing, and oiling of the Dixonville-Mud Hollow Section of the North Umpqua County Road, in Douglas County, Mr. Dunn being the low bidder on this project, for which bids were taken on April 7, and the conditions of the award having been satisfied. The Commission approved the award of this contract, as reported, by unanimous vote.

The Secretary presented a letter from the County Treasurer of Deschutes County, requesting an advance to Deschutes County of a portion of the county's share of the motor vehicle and gasoline tax license fees which will be distributed on July 15, 1939, to enable the county to pay off certain road bonded indebtedness due on May 1, 1939. He also presented a certificate from said County Treasurer, advising that Deschutes County has road bonds maturing in the amount of \$5,000 on May 1, with interest amounting to \$1,385, and that the county has only \$1,427.32 on hand in its sinking fund to take care of such obligation; and a resolution from the Deschutes County Court requesting an advance of \$4,957.68 to take care of this expense. The Attorney advised that this request meets the legal requirements. The Commission thereupon by unanimous vote approved the request and signed a letter directed to the Secretary of State authorizing him to advance such sum to Deschutes County and requesting that a deduction of like amount be made from the next payment or allocation due Deschutes County from the state highway fund.

The Engineer requested authority to acquire certain parcels of real property that are needed for various highway improvements throughout the state. He presented a list of such properties, together with the prices that he recommended be paid for each. After careful consideration the Commission approved the request and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth; and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon; and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

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NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Boulton-Scappoose Section - Columbia River Highway</u>				
6246-Howard, C. F. (CORRECTION)	R/W	6334 sq.ft.	To be exchanged for property outside of right of way, plus moving bldgs., (low bid \$698)	McChesney
<u>Smith Point-Young's Bay Bridge Section - Oregon Coast Highway</u>				
5733-Clatsop County	Slope Easement	0.764	Gratis	DeSouza
<u>Sheridan-Willamina Section - McMinnville-Tillamook Highway</u>				
6752A-Olympia Veneer Co.	R/W	0.48	Gratis	McChesney
6752-Kershaw, Harry M.	"	0.093	\$300 per a.	"
<u>Jewell-Clatsop County Line - Nehalem Highway</u>				
6787-Woodbury, Eva	Stock Pile	3.0	\$50 per a. plus \$75	McChesney
<u>Amity-Hopewell Section - Bellevue-Hopewell Highway</u>				
6807-Edlefsen-Weygandt Company	Stock Pile	1.05	\$45 per a.	McChesney
<u>Brownsville Section - Halsey-Sweet Home Highway</u>				
5952-Paden, Elisabeth M. (SUPPLEMENTARY REPORT)	R/W		Damages by change in grade \$200	Collins
<u>Main Street North Limits Albany Section - Pacific Highway East</u>				
5847-Falwell, Edward	R/W	9862 sq.ft.	5¢ sq.ft. plus \$1606.90	Gardiner
5850-Bahrke, E. D.	"	4736 sq.ft.	5¢ sq.ft. " \$1863.20 "	
5855-Norby, A. E.	"	6050 sq.ft.	5¢ sq.ft. " \$1297.50 "	
5846-Ayn, Norbert	"	27844 sq.ft.	5¢ sq.ft. " \$3117.80 "	
5853-Price, Nettie J.	"	7838 sq.ft.	5¢ sq.ft. " \$133.10 plus moving bldg. (Est. at \$600) "	
<u>Albany-Airport Road - Pacific Highway East</u>				
5879, 5880-Burkhart, Mamie L.	R/W	3.182 a.	at \$314.20 per a. plus \$75	Gardiner
<u>Horse Ridge-Brothers Section - Central Oregon Highway</u>				
6229-Helfrich, Josephine and Deschutes County	R/W		Fencing - \$65	DeSouza

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>3rd Street Undercrossing - Bend Section - The Dalles-California Highway</u>				
6440-Cecil, Geo. E. (Lulu L. Nielson)	R/W	5500 sq.ft.	Land \$250, + \$100, + moving bldgs. (Est. at \$400)	Benson
6441-Nicholson, Lawrence T.	"	16115 sq.ft.	Land \$1850 Lump Sum + moving bldgs. \$2361 (estimate)	"
6442-Nelson, Walter and Erickson, P. A.	"	1372 sq.ft.	6¢ sq.ft. + \$367.68	"
6443-Deschutes County	"	1200 sq.ft.	Gratis	"
6444-Pursley, H. A.	"	3600 sq.ft.	6¢ sq.ft. + \$165	"
6446-Bend, City of	"	6360 sq.ft.	Gratis	"
6445-Stone, Jennie	"	1200 sq.ft.	6¢ sq.ft. + \$98	"
6447-Gilbert, N. R.	"	102 sq.ft.	\$50 Lump Sum	"
<u>Bandon Section - Oregon Coast Highway</u>				
5368-Roselle, Maxine and L.T. R/W (Orvil Haga)		4310 sq.ft.	5¢ sq.ft. + \$84.50	Gardiner
<u>Coquille-Myrtle Point Section - Coos Bay-Roseburg Highway</u>				
6829-Jacobson, James N.	Stock Pile	0.234	\$50 Lump Sum	Lytle
<u>Empire-Charleston Section - Cape Arago Highway</u>				
6751-Hutcheck, Caroline	Stock Pile	0.61	\$100 Lump Sum	Gardiner
<u>Deschutes River-John Day River Section - Columbia River Highway</u>				
6054-United States Trust Co.		0.18	Land \$25 plus payment of taxes (approx. \$2)	Collins
	Scale Site			
<u>Enterprise-Joseph Section - Wallowa Highway</u>				
6728-Wallowa County	Stock Pile	17715 sq.ft.	\$10 Lump Sum	Williams
<u>Stinkingwater Mountain-Drinkwater Pass Section - Central Oregon Highway</u>				
6704-Drinkwater, Castolia	Haul Road to gravel pit	1.21	\$28.40 per a., land to revert upon abandonment Wells	
<u>Rhea Creek-Heppner Section - Wasco-Heppner Highway</u>				
6682-Cox, Elbert L.	R/W	0.10	Land \$10, + \$266.75	Wells
6804-Jones, C. H.	"	0.10	Land \$10, + \$66	"

The Attorney requested instructions relative to the sale of an old building in Albany, located on the new state highway right of way. He said that the building is an old structure of not much value and advised that it is quite important that it be disposed of and removed from the right of way before the Commission meeting on May 18. He was authorized by the Commission to advertise the building for sale in the Albany newspaper for bids to be received at the Attorney's office, in Salem, on May 10, 1939.

The Attorney requested authority to condemn 4 parcels of real property in Albany, that are needed for right of way for the improvement of the Pacific Highway East, in that city, as follows:

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Transaction No. 5849, with E. L. Dickson and Mildred Dickson, recommended offer \$50.00; Transaction No. 5878, with Verna H. Crofton, recommended offer \$525.00; Transaction No. 5882, with Max and Inez Brown, recommended offer \$1,083; Transaction No. 5883, with Clarence Cox, recommended offer \$5,000. The Commission approved the request and the amounts of the respective offers and by unanimous vote adopted the following resolution with regard thereto:

WHEREAS, the State Highway Commission is by law authorized and directed to lay out, locate, designate, construct, improve, and maintain a system of state highways in the State of Oregon, and to acquire rights of way and to declare the necessity and need for the acquisition thereof, and the advantages to be gained thereby;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the State Highway Commission does hereby find and declare that it is necessary and will be of advantage to the State of Oregon and there is need that the State acquire for right of way purposes in connection with the permanent location, construction, improvement, and maintenance of the following section or sections of the state highway system of the State of Oregon, to wit:

Main Street-Airport Road Section of the Pacific Highway East

land and property owned by or in possession of the following parties and/or persons, to wit:

5849-E. L. Dickson and Mildred Dickson
5878-Verna H. Crofton
5882-Max Brown and Inez Brown
5883-Clarence Cox

as their respective interests may appear, and this Commission does hereby declare further that the said property or properties are necessary, are needful, and the acquisition thereof will be of advantage to the State of Oregon for right of way purposes in order to make it possible for the State Highway Commission to properly locate, construct, and maintain said portion or portions of the said state highway system in accordance with standards adopted by this Commission relative to curvature, grades, alignment, drainage, and factors of safety.

2. That the State Highway Engineer be and he hereby is instructed and directed to properly survey the parcel or parcels of land required for such right of way purposes and prepare proper and adequate descriptions thereof, which descriptions shall be employed in the preparation of a deed or deeds or other instrument or instruments necessary to complete the acquisition of the said property or properties or which descriptions may be used in the preparation of a complaint in the event that condemnation proceedings are necessary.

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3. That the boundaries of the said parcel or parcels of land, as defined and determined by the said survey made by the said Highway Engineer, along the route or location adopted by the Highway Commission, shall be and the same hereby are adopted and the lands defined therein are hereby declared to be and the same are included within the rights of way of the said portion or portions of the said state highway system and hereby are declared to be necessary for the proper location, improvement, construction, and maintenance of the said portion or portions of the state highway system.

4. That I. H. Van Winkle, Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they are hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby further resolved that the Attorney General of the State of Oregon and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they hereby are requested to commence and prosecute to a final determination such suit or action, or suits or actions, as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

The Commission considered and approved the payment of \$290.00 to A. Van Lydegraf, representing extra payment in connection with the rehabilitating of an auto camp in the Bunker Hill District, Marshfield, occasioned by the reconstruction of the Oregon Coast Highway at this point.

The Commission reconsidered, but deferred action on, the claim of Ben Hur Lampman, Portland, to a section of the old right of way on the Oregon Coast Highway in front of his premises near Nelscott, in Lincoln County, which was abandoned several years ago when this highway was reconstructed on new alignment at this place, there being some question as to whether or not Mr. Lampman is really entitled to this abandoned road. The matter was referred to the Attorney for further study.

The State Parks Superintendent, Mr. S. H. Boardman, was present and presented a request for a \$50,000 increase in the park budget for 1939. The Commission took the matter under advisement.

The Commission considered and signed agreements, et cetera, as follows:

Agreement with Douglas National Bank, Roseburg, covering the

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matter of the removal of slides from the bank's property adjacent to the Oregon Coast Highway, in Douglas County.

Agreement with the heirs of the Pusey Estate, providing for the depositing of excavated materials on the Estate's property in Oregon City.

Agreement with Beatrice Decker, Portland, relative to right of way for the Lombard-Killingsworth Section of the Northeast Portland Secondary Highway.

Agreement with Cunningham Sheep Company, Pendleton, providing for the lease of 0.35 acre of land situate in the N.E. $\frac{1}{4}$ of the N.E. $\frac{1}{4}$ of Section 29, T. 3 S., R. 31 E., W. M., Umatilla County, for a period of 50 years, from March 14, 1939.

Agreement with Chessel Mills and Mamie S. Mills, husband and wife, providing for right of way for a detour road around the Wilson River Bridge situate in the N.W. $\frac{1}{4}$ of Section 24, T. 1 S., R. 9 W., W.M., Tillamook County.

Agreement with Fred Wyss, cancelling the lease of a gravel bar situate in the Miami River adjacent to Mr. Wyss's property, in Tillamook County.

Agreement with the City of Portland covering the construction of a lighting system on Interstate Avenue, Portland.

Agreement with the City of Portland providing for the maintenance and operation of the proposed Interstate Avenue lighting system.

Bargain and Sale Deed conveying unto Albert C. Jensen and wife 2,210 square feet of land situate in Lots 1 and 2 of Block 39, Hackleman's Second Addition to Albany, Linn County.

Bargain and Sale Deed conveying unto C. F. Howard and wife 15,195 square feet of land situate in Lots 7, 8, 9, 10, 11, and 12, of Block 1, Georgetown (St. Helens), Columbia County.

The Commission adjourned at 6:30 o'clock p. m., to reconvene on the following morning in the same room.

Prosser
State Highway Engineer

W. W. Waisner
Secretary

Henry F. Cabell
Chairman

J. B. Cabell
Commissioner

Wm. M. Clark
Commissioner

APR 21 1939

Salem, Oregon, April 22, 1939

The State Highway Commission reconvened at 9:00 o'clock a. m. in the office of the State Highway Engineer, Room 325, State Office Building, with Chairman Henry F. Cabell and Commissioner Huron W. Clough present and participating. Commissioner Aldrich was excused from attending this meeting.

The Engineer brought up for discussion the matter of increasing the amount of deductions to be made by contractors for subsistence of men employed by them on state highway construction work. He explained that, according to the present specifications, contractors are allowed to make a deduction of \$1.00 per day for each man, which amount, in his estimation, is not enough to pay the contractors' costs on this account. He recommended increasing the amount of the deduction to \$1.20 per day. The Commission approved the recommendation unanimously.

The Commission discussed at considerable length the bids received by the State Board of Control for the furnishing of power patrol graders. It appears that the bids were received on April 17 for two of such graders and were referred to the State Highway Department for recommendation in view of the fact that the low bidder did not submit an affidavit certifying that the equipment bid upon fully complied with the specifications as written. It also appears that, because of this technicality, the Board of Control did not award this business to the low bidder, although it was the thought of the Board that this technicality could be waived.

The Commission took the view that this affidavit is an essential part of the bid and when it is omitted by any bidder the bid should be classed as irregular and should not be considered, particularly in view of the fact that the waiving of this feature of the specifications in this instance would preclude its future use inasmuch as the Commission could not insist upon full compliance with the specifications in one instance and waive it in another. It was the thought of the Commission that this affidavit is of such importance in the efficient and economical purchase of equipment, and particularly special types of equipment, that its use should be continued and should not be waived in any instance, regardless of how it affects the low bidder. The Engineer was instructed by the Commission to convey such information to the State Board of Control.

The Commission adjourned at 10:00 o'clock a. m. and left immediately for Gold Beach.

Henry F. Cabell
Chairman

Robertson
State Highway Engineer

H. W. Clough
Secretary

Huron W. Clough
Commissioner

APR 22 1939

Gold Beach, Oregon, April 24, 1939

The State Highway Commission met in special session at 11:00 o'clock a. m. in Sunset Inn for the consideration of a number of routine matters. Present were:

Henry F. Cabell, Chairman
Huron W. Clough, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Claisyer, Secretary

A letter was presented from the Grants Pass Chamber of Commerce urging the Commission to acquire at once the right of way needed for the proposed revision of the Pacific Highway south of Grants Pass, particularly between the Rogue River Bridge and a place known as Fred's Auto Camp, approximately 2½ miles. They pointed out that the location survey for this improvement has already been made and that the Commission has exercised a number of options for right of way which have a direct bearing on property values in this vicinity. The rebuilding of the highway this summer was particularly urged in order to settle definitely the question as to whether or not the highway is actually to be reconstructed, and to stabilize property values. The Commission considered this a meritorious project worthy of construction at an early date if there were funds to finance it, but it appears that funds are not available unless they are taken from other approved projects in that vicinity; however, after considerable discussion, the Commission authorized the securing of options for the balance of the right of way that is needed.

The Attorney reported receipt of an offer from Talent Grange, Talent, Oregon, to purchase a small parcel of land containing .09 acre, opposite Highway Engineer's Station 195+00 on the Bear Creek-Talent Section of the Pacific Highway, in Jackson County. He advised that this parcel lies outside of the standard width right of way and that it cost the state \$186.00; further, that he quoted the Grange a tentative price of \$250.00 for the same but the Grange wants the state to donate it for grange purposes, it being their intention to build a grange hall on the property, to beautify the grounds, and to provide space on the property for the parking of cars. The Commission by unanimous vote authorized the sale of this property for \$250.00 to the Talent Grange, although it indicated reluctance to dispose of property once acquired for highway purposes and does not wish to sell such property as a general policy.

The Secretary presented a letter from the Taft-Nelascott-DeLake Fire District requesting permission to place fire hydrants on the right of way of the Oregon Coast Highway in connection with their project for installation of fire protection facilities in this district. The Engineer recommended approval of this request, provided the hydrants are placed in locations that do not interfere with the proper maintenance of the highway. It was his thought that hydrants in the settled district should be placed back of the curb line, and at the right of way line where the district is not built up. The Commission approved the recommendation unanimously.

The Commission discussed briefly a number of accounts outstanding against certain counties and cities, particularly its account against Clatsop County for right of way. It appears that the Clatsop County Court is of the understanding that the Commission has taken action to relieve the county from the payment of this account, which is contrary to the Commission's understanding. The Engineer was instructed to discuss the matter with Judge Boyington and the Clatsop County Court.

Governor Charles A. Sprague came before the Commission at this time and introduced Herbert Dewart of Gold Beach and Raymond W. Wood, Brookings, who discussed with the Commission a labor matter involving a State Highway Department foreman by the name of W. J. Pacquet. It appears that Mr. Pacquet had charge of a maintenance crew operating near Gold Beach, one member of which, by the name of John Sleeman, was discharged by Mr. Pacquet, and that the rest of the crew, who quit their jobs in sympathy with him, have not been able to secure employment with the State Highway Department since that time, which leads them to believe that they are on a black list. They were assured by Chairman Cabell and the Engineer that the State Highway Department does not maintain a "black list" and, so far as this department is concerned, Mr. Sleeman and any of the other workers on such crew will be reinstated on highway work whenever an opportunity arises where their services can be used.

The Attorney reported on the status of negotiations with P. J. Butler for the acquisition of a recreational area containing 160 acres situate adjacent to the Oregon Coast Highway, in northern Tillamook County. He said that Mr. Butler originally demanded \$12,000 for this property but is now willing to accept the sum of \$6,000 for the same, which amount is still about \$1,300 more than its value, as determined by a cruise of the timber standing thereon. He further stated that he is not in position today to make a recommendation on the matter, and suggested the retention of competent authority to appraise the property before the Commission makes its decision. The Commission approved the Attorney's suggestion and thereupon authorized him to consult such competent authority in Portland regarding the matter, the results of which are to be reported to the Commission later, by letter.

The Commission was unanimously in favor of acquiring the Butler tract in order to fill out the present state park at this location, even if it becomes necessary to condemn the property in order to obtain it at reasonable cost.

In this connection the Commission considered it advisable, in acquiring land for state park purposes, to secure recommendations from not only the State Parks Superintendent but also from the Right of Way Department as to the prices to be paid for the same, it being the thought of the Commission that the experience that the Right of Way Department has had in land purchases would be of much benefit and value in the acquisition of park areas. The Commission adopted such procedure as its general policy to be followed hereafter in such matters.

The Attorney reported on the application of the West Coast Power Company to construct its pole line across the state park located adjacent to

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the Oregon Coast Highway at the Lincoln-Lane County line, being the park recently acquired from the Pratt interests. He said that he inspected this property in person with some of the officials of the power company, who pointed out certain features that would make it impracticable to construct their pole line in the location designated by the Commission at the extreme edge of the property, and who estimated that to build their line in such location would cost between \$4,000 and \$5,000 more than to build it through the body of the park. He further stated that these officials have expressed a willingness to place the poles as far back from the highway as is practicable and to paint the poles and fixtures with creosote so that they will blend with the landscape and not be noticeable from the highway, notwithstanding that it will cost the company about \$1,000 extra to do that; but they declared it simply out of the question to place the pole line at the back end of the park, and indicated that the company would take the matter to court, if necessary, in order to maintain its rights.

The Attorney gave as his thought that the company would have a good case in court and recommended reconsideration of the Commission's previous action. After discussion, the Commission referred the matter to the Engineer with instructions to have the Parks Superintendent, Mr. Boardman, and Division Engineer K. D. Lytle inspect the premises and endeavor to determine a location for this pole line that will be satisfactory to all parties concerned. He was also instructed to obtain a report from the Landscape Engineer with respect to the painting and creosoting of poles, it being the Commission's idea that it would adopt a general policy with respect thereto for future guidance in the granting of permits for pole line construction along state highways.

The Commission considered and by unanimous vote adopted the following resolution abandoning certain portions of the Middleton-Newberg Section of the Pacific Highway West, in Washington County, which sections, the Engineer advised, are no longer of value for state highway purposes, since this highway has been reconstructed on new alignment at this location:

WHEREAS, in order to afford a better alignment and a more satisfactory, safe and convenient highway for the traveling public, the Commission found it necessary to relocate certain portions of the Middleton-Newberg Section of the Pacific Highway West, in Washington County; and

WHEREAS, by reason of said relocation and the reconstruction of the said sections of said highway there were eliminated and made unnecessary as parts of the completed highway the certain sections which are more specifically defined and described hereinafter in this resolution; and

WHEREAS, it is the judgment and opinion of the Commission that there should be reflected in the minutes and records of the Commission the purpose and plan of the Commission to abandon as parts of the Pacific Highway West and therefore as parts of the state highway system, the fragments or portions of the right of way of the old alignment hereinafter defined and heretofore included within the area

of the right of way of the Pacific Highway West as formerly located between the said termini and as heretofore improved and used;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by this Commission, all members being present and affirmatively participating, as follows:

1. That the fragments of land confined within the areas hereinafter described, which said fragments of land were formerly within the limits of the right of way of the Pacific Highway West, but which are now without the limits of the right of way of said highway as said highway has been relocated be and said fragments of land are hereby abandoned as parts of the right of way of said highway. The portions of the right of way of said highway which by this resolution are abandoned are, so far as control and supervision by this Commission is concerned, eliminated and left to revert to the adjoining and abutting property owners or to the control and supervision of the County Court of Washington County for highway or other public purposes as the Court may determine. The fragments or parcels of land affected by this resolution are defined and described as follows, to wit:

All that certain section of the old right of way of the Middleton-Newberg Section of the Pacific Highway West, and lying on the easterly and westerly side of the right of way required for the reconstructed Pacific Highway West. The beginning and ending points with reference to the engineer's stations of the reconstructed highway are as follows:

All that section lying on the easterly side of the reconstructed highway between engineer's station 477+25 on the northerly end and station 539+20 on the southerly end.

All that section lying on the westerly side of the reconstructed highway between engineer's station 543+30 on the northerly end and station 596+25 on the southerly end.

All situated in Section 31, Township 2 South, Range 1 West, and in Section 36, Township 2 South, Range 2 West, and in Sections 1, 12 and 11, Township 3 South, Range 2 West, W. M., Washington County, Oregon.

The location of said abandoned right of way may be more definitely and particularly ascertained and determined by reference to a map or blueprint, marked "Exhibit A", attached hereto and by this reference made a part hereof, which said exhibit for identification purposes bears the signatures of E. A. Collier, Division Engineer; H. G. Smith, Construction Engineer; and C. B. McCullough,

Assistant State Highway Engineer, and is dated April 5, 1939, upon which map or exhibit there are reflected the above described parcels of land by showing the same shaded in red. *

2. In the event there remains any physical connection between any portion of said abandoned right of way or highway and the present highway, and by reason of such physical connection traffic from the existing highway may enter or use the said abandoned portion of the old road to the possible damage or injury of such traffic by reason of any unsafe condition existing with respect to said old or abandoned road, then the State Highway Engineer is hereby authorized and directed to erect such barricade or other safeguards as may be necessary to protect and safeguard traffic using and employing said newly located, constructed and dedicated section of said highway.

3. That this resolution be entered in the minutes and records of the Commission and a certified copy thereof promptly delivered to the County Court of Washington County, together with a copy of said exhibit or map, for such action as said County Court may desire to take with respect to said fragment of land, and should said abandoned portion of the right of way of said highway be further employed for public or private highway purposes such use shall be entirely under the control and supervision of the County Court of Washington County and beyond any responsibility or supervision by the State Highway Commission.

The Commission adjourned at 12:00 o'clock noon but resumed consideration of additional routine matters at 3:30 o'clock p. m. enroute from Gold Beach to Roseburg, there being present at such time Chairman Henry F. Cabell, Commissioner Huron W. Clough, State Highway Engineer R. H. Baldock, and Secretary H. B. Glaisyer.

The Engineer reported the cost to oil a portion of the Scholls-Campbells Bridge Section of the Hillsboro-Woodburn Secondary Highway, which work has been requested by residents of that district. He stated that it would be inadvisable to oil this entire section because the present road is not on permanent alignment and the Commission does not have funds available for a major project, so he has confined his estimate to the 2.7-mile section between Scholls and a place known as Christenson Lane, which is the most important section and requires very little realignment. He estimated that the oiling of such section, including the acquisition of right of way, crushed gravel surfacing, and preparation of subgrade would cost between \$15,000 and \$20,000. After discussion, the Commission authorized the Engineer to prepare such project for consideration in the 1940 budget.

The Commission discussed the matter of improving the Umpqua Highway between 12th Street and 15th Street in the town of Reedsport, which the Commission inspected enroute from Salem to Gold Beach on Saturday, April 22. The

* Map Filed in Right of Way Retention and Abandonment File - No. 63

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Commission decided that the state should pay for the moving of certain buildings in order to secure a standard width right of way but that no definite action should be taken on the matter until a detailed report has been rendered thereon by the Engineer. The Engineer was instructed to make such investigation and to report the results thereof, by telephone, to Chairman Cabell and Commissioner Clough. Chairman Cabell was given full power to act for the Commission in the matter.

Consideration was given by the Commission to the oiling of the road which extends from the Oregon Coast Highway to Annalea State Park, Brookings. The Engineer advised that he has no crew available to do this oiling work now and suggested that the work be postponed until next year when it can be done at much less expense, considering that it will be necessary to ship in a crew for this special assignment if the work is done now. The Commission approved the suggestion unanimously and instructed the Engineer to inform Mr. Elmer Bankus, Brookings, who is sponsoring this project, of the action taken.

Reconsideration was given by the Commission to the request of Mr. Millard C. Holbrook for state cooperation in the construction of a small fill across swampy land on his property near Scappoose. Chairman Cabell advised that he inspected this property and is inclined to the belief that the state is not obligated in any way to make this fill and that this case, which is now some six or seven years old, should not be reopened. He pointed out that a small landscape project is to be undertaken near this place soon, in connection with which there probably will be some waste materials, and suggested that the Engineer be authorized to place such waste materials in Mr. Holbrook's fill if that can be done without extra expense to the state. Commissioner Clough approved Chairman Cabell's suggestion and it was so ordered. The Engineer was instructed to inform Mr. Holbrook of the action taken.

The Engineer reported on his investigation of the Frank Forth claim arising out of the construction of the Pacific Highway (new route) across Mr. Forth's property in the Siskiyou Mountains, south of Ashland. He said that Mr. Forth acquired this property after the right of way had been secured from a prior owner with whom a satisfactory settlement was made, and, in his estimation, when Mr. Forth purchased the property he accepted with it the conditions that were attached to the property, so he really has no valid claim for compensation. He further advised that his investigation reveals that the present approach to Mr. Forth's land is not very good and should be improved in the interests of safety to the traveling public and motorists who patronize Mr. Forth's service station. He suggested, as an aid to the elimination of this condition, the widening of the fill in front of Mr. Forth's premises with slide materials removed from the highway at nearby points. It was his thought that this could be done at practically no additional expense and recommended approval of the suggestion if Mr. Forth will agree that such arrangement will satisfy his claim in full. The Commission approved the suggestion by unanimous vote.

The Commission discussed the claim of the Oregon American Lumber Corporation for certain losses occasioned by a fire started by W.P.A. workers on the Wolf Creek Highway in November, 1938. In this connection the Secretary

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presented a letter from the Attorney giving as his opinion that the Commission is without legal authority to pay this claim and suggesting that the claimants present their claim direct to the representatives of the Federal Government in charge of the work on which these W.P.A. forces were employed. The Commission ordered that a copy of this opinion be forwarded to Mr. E. J. Griffith, Works Progress Administrator for Oregon, Portland, and also that a copy be sent to the National Liberty Insurance Company, inasmuch as this company has requested information relative to the Commission's legal liability because of a claim based upon a policy payment and a subsequent subrogation agreement with the Oregon American Lumber Corporation.

A letter was presented from Ramsay Signs, Inc., Portland, relative to a marquee that the company maintains at the Highway Theatre, Northeast 50th Avenue and Sandy Boulevard, Portland. The Company advised that this marquee will have to be reconstructed when Sandy Boulevard is widened at this location and gave as their belief that the company is entitled to reimbursement for the expense of such reconstruction work, particularly in view of the fact that the marquee is being maintained under a permit from the City of Portland. The Commission considered that this is a matter that comes under the jurisdiction of the City of Portland and ordered that the Ramsay Sign Company be referred to the city officials for disposal of its claim.

Reconsideration was given by the Commission to the construction of maintenance station headquarters at Government Camp and at Hogg Pass. The Engineer estimated that the buildings at Government Camp would cost approximately \$61,000 and those at Hogg Pass \$58,000. He advised that the buildings at Government Camp are not an immediate necessity, but it would be absolutely necessary to provide quarters at Hogg Pass for the use of the men employed on the North and South Santiam Highways, particularly if these highways are to be kept open the year round. He submitted detailed estimates for the improvements at each location, together with blueprint plans of the proposed buildings. After considerable discussion, the Commission decided not to construct the Government Camp facilities at this time, but approved, by unanimous vote, an expenditure of \$35,000 at the Hogg Pass location, it being considered that this is the least amount that could be spent at this place and still provide adequate facilities for the men working out of this headquarters.

The Engineer requested authority to purchase, through the State Board of Control, two Snogos at an estimated cost of \$15,000 each. He explained that one of these Snogos is for use in connection with snow removal operations on the North and South Santiam Highways, and that the other is for use on the Mt. Hood Highway and Timberline Lodge road. The Commission approved the request by unanimous vote.

In this connection, the Engineer advised that it will be necessary to conduct a certain amount of snow removal work on the Willamette Highway in order to make it possible for highway contractors to inspect the project on which the Commission expects to receive bids on May 18. He requested authority to do this work. The Commission approved the request by unanimous vote.

The Commission had under consideration the lifting of reduced load

limits heretofore in effect on certain state highways and state highway bridges, and upon recommendation of the Engineer adopted the following resolutions relative thereto:

WHEREAS, on the 2nd day of March, 1939, at a meeting of the Oregon State Highway Commission, all members being present and participating, the Commission passed and adopted a resolution reducing the maximum load limit on the following state highways:

WALLOWA LAKE HIGHWAY from Elgin, in Union County, to a point five miles west of Wallowa (Rock Creek) in Wallowa County;

PENDLETON-JOHN DAY HIGHWAY from Nye Junction, in Umatilla County, to Long Creek, in Grant County;

THE DALLES-CALIFORNIA HIGHWAY from Bend, in Deschutes County, to Klamath Falls, in Klamath County;

and

WHEREAS, subsequent to the passage of said resolution, conditions have changed so that it is now no longer necessary or desirable, and the Commission hereby finds that it is no longer necessary or desirable, to maintain the said reduced load limits set out in said resolution insofar as they pertain to the above-mentioned highways;

NOW, THEREFORE, BE IT RESOLVED that the action of the State Highway Commission reducing the maximum permissible load limits on the

WALLOWA LAKE HIGHWAY from Elgin, in Union County, to a point five miles west of Wallowa (Rock Creek) in Wallowa County;

PENDLETON-JOHN DAY HIGHWAY from Nye Junction, in Umatilla County, to Long Creek, in Grant County;

and on that portion of

THE DALLES-CALIFORNIA HIGHWAY from the junction with the Fremont Highway, in Deschutes County, to the junction with the Crater Lake Highway, in Klamath County (the reduced load limit on the remainder of this highway, as fixed in said former resolution, has previously been lifted by order of the State Highway Commission);

be and the same hereby is rescinded and cancelled as of this date, and the maximum load limit permissible on the said sections of the said highways hereafter shall be the maximum load limit provided by law.

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IT IS HEREBY ORDERED that a certified copy of this resolution be furnished to the county clerk of each county in which said highways are located, and that a certified copy of this resolution be furnished to the Superintendent of the Department of State Police for his information.

WHEREAS, the State Highway Commission, by resolution duly and regularly adopted on September 25, 1928, reduced the permissible load limit on the

LOST RIVER BRIDGE, No. 4-302.21, on The Dalles-California Highway, in Klamath County;

And on September 27, 1932, by resolution duly and regularly adopted, reduced the permissible load limit on the

ROGUE RIVER BRIDGE, No. 271-15.6, on the Sams Valley Secondary Highway, in Jackson County;

And on July 2, 1934, by resolution duly and regularly adopted, reduced the permissible load limit on the

SEVEN MILE CREEK BRIDGE, No. 421-06.5, on the Klamath Lake Secondary Highway, in Klamath County;

And on May 16, 1937, by resolution duly and regularly adopted, reduced the permissible load limit on the

CATCHING SLOUGH BRIDGE, No. 241-02.1, on the Coos River Secondary Highway, in Coos County;

and

WHEREAS, a new bridge has been constructed over Catching Slough on the said Coos River Secondary Highway, and substantial improvements and repairs have been made to the other three bridges above named, thereby placing all of said structures in a condition to withstand heavier load limits;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission, all members being present and participating, as follows:

1. That the resolution by which a load limit was fixed for the LOST RIVER BRIDGE and the resolution fixing a load limit for the SEVEN MILE CREEK BRIDGE be and each of the same hereby is modified so as to remove the load limit fixed for each of said bridges and permit the statutory load limit in each instance to prevail;

2. That the resolution by which a load limit was fixed

for the ROGUE RIVER BRIDGE be and the same hereby is modified so as to permit a load limit of fifteen (15) tons;

3. That the resolution by which there was fixed a load limit for the CATCHING SLOUGH BRIDGE be and the same hereby is vacated and annulled.

BE IT FURTHER RESOLVED that the restrictions and limits hereby fixed by this resolution shall prevail and shall be in full force and effect until otherwise changed or modified by the order of the State Highway Commission.

IT IS FURTHER ORDERED that a certified copy of this resolution be furnished to the county clerk of each county in which said bridges are located; and that a certified copy of this resolution be furnished to the Superintendent of the Department of State Police for his information.

The Engineer reported receipt of a letter from County Judge J. J. Barrett of Linn County, in which the Commission is asked to receive bids at its meeting on May 18, on behalf of Linn County, for the construction of a bridge over Thomas Creek on Main Street in the town of Scio, it being understood that the county will award the contract and pay construction costs. The Commission approved the request by unanimous vote.

The Secretary presented a letter from the town of Monroe, Benton County, requesting the oiling of the Territorial Secondary Highway through the Monroe city limits. The matter was referred to the Engineer for investigation and report.

A letter was presented from the Union High School District, Estacada, advising that the City of Estacada and the Estacada Union High School District and Local School District No. 108, meeting in joint session on April 11, decided to undertake a W.P.A. project for the improvement of the state secondary highway in front of the high school, in Estacada, if the State Highway Department will pay the cost of surfacing this street after the rest of the work is completed. The Engineer estimated that such surfacing work would cost about \$800 and recommended acceptance of the offer. The Commission approved the recommendation unanimously.

The Commission discussed and referred to the Attorney for legal advice a letter from the Horsefly Cattle and Horse Association, Klamath Falls, requesting permission to construct an electrified fence along a 4-mile section of the Klamath Falls-Lakeview Highway east of the town of Bly, and along a 2-mile section of this highway west of the town of Bly.

A petition was presented from numerous residents of the town of Shedd, requesting the installation of adequate markers designating certain areas of the Pacific Highway within the limits of Shedd for pedestrians' use in crossing said highway. The Engineer advised that the main concern of these

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people is for the reduction of speed of highway traffic through this town, which, in his estimation, could not be accomplished either by the painting of pedestrian lanes or the erection of additional signs. He pointed out that there now exist at both entrances of this highway into Shedd signs indicating a speed limit of 25 miles per hour through this town, and it appeared to him that the solution of this problem is simply the securing of additional police protection rather than the supplying of additional signs or the painting of pedestrian lanes. The Commission concurred in the Engineer's viewpoint and ordered that the petitioners be so informed.

The Commission discussed the oiling of the Sunset Camp-Elsie Section of the Wolf Creek Highway, and the county road between Balm Grove and Sunset Camp, which is now being used as a state highway route pending completion of the state highway connection. The Engineer advised that the section from Balm Grove to Elsie is 30 miles in length and estimated the cost of a light oil treatment at approximately \$30,000. He recommended the improvement and that he be authorized to advertise this project for bids to be received at the June meeting of the Commission. After considerable discussion, the Commission approved the Engineer's recommendation unanimously, it being understood that if the bids received for the project are too high, then the work will be done with state forces. In this connection a letter was presented from H. D. Kerkman, County Judge of Washington County, offering to contribute the sum of \$10,000 of county funds for the securing of base rock and oil rock that will be needed to oil the road between Balm Grove and Sunset Camp. The Commission accepted the offer.

A letter was presented from Julius P. Hult of the Hult Lumber Company, Horton, Oregon, giving information as to the daily tonnage that is moved over the Siuslaw Highway, for the Commission's information in its studies for the proposed improvement of this road. After discussion, the Commission referred the letter to the Engineer with instructions to render a report on the cost to conduct a reconnaissance survey of the Triangle Lake Section, which the people of this district are particularly anxious to have improved at this time.

The Commission considered and ordered filed a letter from County Judge Nelson B. Higgs, of Harney County, asking the designation, as a secondary state highway, of the proposed road extending southeasterly from the town of Princeton, in Harney County, to a connection with the I.O.N. Secondary Highway, in Malheur County.

The Secretary presented a petition signed by 369 residents of Brownsville and vicinity, and letters from W. E. Winslow, of the Hudson-Duncan Company, Portland; Dr. Ralph E. Herron, representing the Brownsville Chamber of Commerce; Melvin C. Morgan, Manager of the Pacific Fruit and Produce Company, Albany; Chester A. Page, owner of the Brownsville Woolen Mills; and Walter T. Malloy, Manager, Cherry City Baking Company, Salem, urging the improvement of the Halsey-Sweet Home Secondary State Highway from Brownsville easterly about 3 miles to what is known as the Hughes Place. The Commission ordered that this project be included with others for consideration in the preparation of the 1940 federal aid secondary highway program.

The Commission had under consideration the following requests for extensions of time within which to complete highway construction projects:

Edwin C. Gerber, contract No. 2103, for grading, surfacing, and oiling the Umapine-Sunnyside Section of the Umapine Secondary Highway, in Umatilla County, requested an extension of time from January 16 to June 30, 1939, within which to complete this project. He alleged that his failure to complete the project within the specified time limit was due to the fact that it was impossible to do the oiling work in the winter months. The Engineer advised that the reason given by Mr. Gerber for failure to complete this job on time is correct and recommended, in view of the circumstances, that the extension requested be granted without penalty. A letter was presented from the Bureau of Public Roads concurring therein. The Commission approved the recommendation by unanimous vote.

R. I. Stuart & Sons, contract No. 2129, for furnishing crushed gravel in stock piles for the Powers Ranch-Jacksonville Section of the Williams and Medford-Provolt Secondary Highways, in Jackson and Josephine Counties, requested an extension of time from April 5 to April 17, 1939, within which to complete this job. They gave no reason for their failure to complete the project within the specified time limit. The Engineer advised that there is no good reason why this contract should not have been completed within the specified time limit; however, that this is a P.W.A. project, and, under the rulings of the Public Works Administration, contractors performing such contracts are allowed a grace period within which to complete their jobs after the expiration of the specified time limit. He recommended, in view of the fact that the work under this contract was completed within the limits of the grace period, that the extension requested be granted without penalty. The Commission approved the recommendation unanimously.

The Engineer reported that Contracts Nos. 2112, 2129, and 2147, for the construction of state highway projects, have been completed according to the requirements of the contracts or modifications thereof, and that said jobs are now ready for acceptance. The following resolution accepting the above projects was offered and was adopted by the unanimous vote of the Commission:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts and said jobs are now ready for acceptance:

Contract No. 2112, with Castelloe & Stocker Electric Company, for installation of traffic signals in the city of Eugene. Completed January 23, 1939.

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Contract No. 2129, with R. I. Stuart & Sons, for furnishing crushed rock for the Powers Ranch-Jacksonville Section of the Williams and Medford-Provolt Secondary Highways, in Jackson and Josephine Counties. Completed April 17, 1939.

Contract No. 2147, with Eugene Sand and Gravel Company, for furnishing crushed rock for the Greenleaf-Cheshire Section of the Siuslaw Highway, in Lane County. Completed April 18, 1939.

THEREFORE, BE IT RESOLVED, that the work covered by said state highway contracts for the construction of said state highway projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

The meeting was declared adjourned at 6:00 o'clock p. m.

<p><u><i>Prosser</i></u> State Highway Engineer</p> <p><u><i>H. B. Glaisyer</i></u> Secretary</p>	<p><u><i>Henry F. Cabell</i></u> Chairman</p> <p><u><i>Huron W. Clough</i></u> Commissioner</p>
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Roseburg, Oregon, April 25, 1939

The State Highway Commission met in special session at 9:00 o'clock a. m. in the office of Division Engineer K. D. Lytle to dispose of a number of state park matters. Present were:

Henry F. Cabell, Chairman
Huron W. Clough, Commissioner
R. H. Baldock, State Highway Engineer
H. B. Glaisyer, Secretary
S. H. Boardman, State Parks Superintendent

The State Parks Superintendent reported briefly on the activities of the National Parks Service which is investigating a proposed national park and monument site along the Oregon coast line. The Commission took no action on this matter.

He also reported on his endeavors to secure 2,000 acres of O. & C. land for the Silver Falls Recreational Demonstration Project. He said that he previously petitioned the Secretary of the Interior, Honorable Harold Ickes, for a transfer of this land to the demonstration project because of its recreational features and for the further reason that it would enhance the value of the 5,000 acres already contained in such demonstration project, and,

as a result, there is a bill now pending in Congress providing for such transfer.

The Commission discussed with the Parks Superintendent the matter of securing title to 110 acres of land that are now included in the Umpqua Lighthouse Reserve. The Parks Superintendent advised that this tract joins the present state park at this location and that the only hold that the state has on the 110 acres is a revocable permit; however, there is now a bill before Congress which provides that title to the property shall rest with the state upon payment by the state of 50 per cent of the assessed value of the property, which would amount to about \$450.00. He recommended payment of such sum. The Commission approved the recommendation unanimously.

The Parks Superintendent requested approval of applications for the following C.C.C. camps for the 14th period, which begins October 1, 1939:

Renewal of Saddle Mountain Camp, in Clatsop County
 Renewal of Silver Falls Camp, in Marion County
 Renewal of Coos Head Camp, in Coos County
 Renewal of Casey's Camp, in Jackson County - and
 New camps to develop the Salmon River Highway wayside timber
 and Neahkahnie Mountain State Park

The Commission approved such applications unanimously.

The Parks Superintendent recommended approval of the request of the State Forester, J. W. Ferguson, for permission to construct and maintain a fire patrol headquarters on a tract containing 1.8 acres located within the recently acquired Salmon River Highway wayside strip. The Commission approved the recommendation.

A brief report was made by the State Parks Superintendent on the activities of Mrs. Vern Van Dyke, who maintains a cottage in Casey State Park, adjacent to the Crater Lake Highway, in Jackson County. He advised that Mrs. Van Dyke refuses to vacate the premises as ordered by the Commission, and indicates by her actions that she intends to stay there indefinitely, inasmuch as she has just completed construction of a new fence around her cottage and has done considerable clean-up work. He requested instructions from the Commission, in view of the fact that she was previously ordered by the Commission to vacate the premises by June 30, 1939. The Commission withheld its decision in this matter until a future meeting.

The matter of acquiring timber land from the Crown-Willamette Company at Cape Lookout, in Tillamook County, was brought up for discussion by the Parks Superintendent. He advised that the company has now reduced its price to \$2,131.00, based upon 67,000 FBM spruce timber at \$3 per M; and \$38 for the standing hemlock timber; and \$83 for the land, totaling 119 acres. This offer, he said, is based upon the state purchasing everything on the west side of a trail that he proposes to construct and the purchase of a 100-ft. strip on the east side of this trail, although provision is also made that the state may purchase the land on the east side of the trail beyond the

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limits of the timbered strip at such time as the timber has been removed therefrom. The Commission indicated approval of this settlement but deferred definite action pending a verification of the price by the Right of Way Department.

There being no further business to come before the Commission at this time, the meeting was adjourned at 10:00 o'clock a. m.

Henry F. Cabell
Chairman

Huron W. Clough
Commissioner

R. H. Baldock
State Highway Engineer

J. M. Devers
Secretary

Prineville, Oregon, May 17, 1939

The State Highway Commission met in special session at 9:00 o'clock a. m. in the Circuit Court Room of Crook County Court House, in accordance with notification previously given the Prineville City Council, to secure expressions from the people of Prineville with respect to the Commission's plans for rerouting the Warm Springs Secondary Highway and the Ochoco Highway in this town. Present were:

Henry F. Cabell, Chairman
Huron W. Clough, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

Also present were about 30 local citizens, including W. B. Morse, Mayor; County Judge A. R. Bowman, County Commissioner Chas. T. Brown, Mrs. W. I. Dishman, H. R. Lakin, Millard Smith, S. M. Gibbs, Mrs. Frank Alander, Mrs. Grimes, and J. T. Amundson.

Chairman Cabell called the meeting to order and explained its purpose and the law which requires the Commission to hold a public hearing in any city or town before it changes or alters the route or entrance of any highway through or into such city or town. The Engineer explained the plans of the Commission for the rerouting of both highways under discussion and exhibited a map showing the proposed changes, which are more particularly described as follows:

Ochoco Highway: Beginning at a point on the present highway at the intersection of Main Street with Third Street, thence

extending westerly along Third Street to the end thereof at the city limits, thence continuing along an extension of Third Street to a connection with the present highway at the curve on the west side of the Crooked River Bridge.

Warm Springs Secondary Highway: Commencing at a point on the present highway at the intersection of Main Street with Third Street (southern terminus of Warm Springs Secondary Highway) and extending thence westerly along Third Street to a point at or near Park Boulevard, thence in a northwesterly direction along the easterly side of the Crooked River toward Madras.

Chairman Cabell then invited local citizens to express their views either for or against such changes.

Mayor Morse suggested that the Warm Springs Highway be retained in its present location along Main Street for several blocks and then turn in a northwesterly direction, leaving the city at the west end of Tenth Street. He said that the City Council has discussed this matter and favors such routing from the city's standpoint because it would give the city additional mileage of state highways and would lessen their street maintenance expense. However, the Council does not wish to appear arbitrary in the matter and will not oppose the change as proposed by the Commission if the Commission feels that it cannot change the present plan. He pointed out that the Crooked River Highway enters Prineville on Main Street and connects with the Warm Springs Highway at Third Street, so it appears logical to them that the Warm Springs Highway be retained in its present location so as to avoid a right-angle turn in the center of town for through traffic bound for Madras. He presented a resolution from the Prineville City Council unanimously endorsing the route suggested by him.

County Commissioner Brown inquired whether or not the Commission has any plans for the rerouting of the Crooked River Highway and was informed by Chairman Cabell that this matter has not as yet been given any consideration by the Commission. Mrs. Dishman stated that she resides on a ranch about 7½ miles north of Prineville and is very much in favor of the retention of the present route of the Warm Springs Highway because it will not cut up her property as will the proposed route.

Mr. Lakin favored the present routing of the Ochoco Highway on Second Street because of service stations and other business interests along that street. He said that he has discussed this matter with numerous people in Prineville and all seem to be in favor of retaining the present route for this highway. Mr. Smith inquired as to whether or not the north Main Street route has been given serious consideration by the Commission and its engineers and was informed that such route was given first consideration but was eliminated because of the advantages of the other route, it being the thought of the Commission that this highway is of major importance as an east and west trunk highway and should be located with that thought in mind.

Mr. Gibbs gave as his thought that it would be unfair for the Highway

Commission to change the present route of the Ochoco Highway. Mrs. Alander endorsed the route suggested by Mayor Morse. She pointed out that the present road passes two sawmills and gave as her thought that if the highway is changed it will work to the disadvantage of these mills. She was opposed to changing the route because it would cut through farm property and would discommode some 89 farmers along the present road.

Judge Bowman advised that Prineville is just now entering a period of rapid growth, and, in his estimation, the highway should be located permanently so as to avoid changes later on. He declared this to be the sentiment of the majority of the townspeople, who are perfectly willing to leave the decision up to the State Highway Commission and are only asking that the decision be made as soon as possible. Mrs. Grimes stated that she is not immediately affected by the proposed change in the Warm Springs Highway but believes that the present route of such highway should be retained because it is in a more centralized location. She declared that the road as now located is satisfactory and that all it needs is the elimination of several sharp curves and oiling to provide a dustless surface.

Mr. Amundson stated that he owns a service station at the corner of Second and Main Streets and is opposed to any change in the Ochoco Highway because it will affect his business adversely. He also objected to any change from the standpoint of safety to children, stating that a number of people have already purchased property along Third Street primarily because it was not a state highway route and would be much safer for their children.

Chairman Cabell advised that the Crooked River Bridge near the west limits of Prineville is in an unsafe condition and must be replaced soon and that it was the thought of the Commission that the new bridge should be placed in a permanent location, and while such work was under way it would be proper to permanently locate the highway leading into Prineville. Mr. Amundson approved construction of a new bridge but gave as his thought that there is no need to change the route of the highway until travel develops. He suggested the construction of a ramp from the east end of the new bridge to the present highway on Second Street rather than an entire rerouting of the highway. He declared that the completion of the Ochoco Highway east of Prineville and the improvement of the Crooked River Highway south from Prineville is of much more importance than the rerouting of the highways within the Prineville city limits.

Chairman Cabell concluded the hearing by outlining the policy followed by the Commission in the selection of state highway routes and by stating that the Highway Commission will take under advisement the arguments presented at this meeting and will make its decision as soon as possible.

The meeting was adjourned at 10:00 o'clock a. m.

Robert M. Work
State Highway Engineer
W. H. Seay
Secretary

Henry F. Cabell
Chairman
Wm. H. Clough
Commissioner

Bend, Oregon, May 17, 1939

The State Highway Commission met in special session at 11:00 o'clock a. m. in the City Council Chambers of the Bend City Hall, in accordance with previous notification given to the Bend City Council, to secure expressions from the people of this city relative to the rerouting of Century Drive Secondary Highway along Riverside Boulevard in Bend. Also, with respect to the alteration of the entrance of such highway into the city of Bend. Present were:

Henry F. Cabell, Chairman
Huron W. Clough, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

Also present were ten local citizens, including C. G. Reiter, City Manager; Don Peoples, Secretary of the Bend Chamber of Commerce; County Judge Charles L. Allen and County Commissioner Wm. Baer, of Deschutes County; Ross Farnum and Jim Donovan. Chairman Cabell called the meeting to order by explaining its purpose and the law which requires the Commission to hold a public hearing in any incorporated city or town before it alters or changes the route or entrance of any state highway through or into such city or town.

The State Highway Engineer explained the plans for the rerouting of the Century Drive Secondary Highway and exhibited a map disclosing such changes, which are described as follows:

Beginning at a point on the present highway route at the intersection of Broadway with Franklin Avenue, thence following along Riverside Boulevard to a connection with the present highway at the intersection of Tumalo Avenue with Riverside Boulevard; also, beginning at a point on the present Century Drive Secondary Highway at the intersection of 14th Street and Albany Avenue, thence south a distance of approximately 1/4 mile to a connection with the existing Century Drive Secondary Highway.

He particularly pointed out that it will be necessary to flatten the curve where Riverside Boulevard turns onto Tumalo Avenue near the crossing of the Deschutes River, which would necessitate the taking of a small portion of the city park at such point. He also explained that the hearing with respect to the change at 14th Street and Albany Avenue is simply to confirm the change that the state has already made along this section. Chairman Cabell then requested expressions from the local people relative to these changes.

Mr. Reiter advised that the changes are not opposed by anyone in Bend; furthermore, that it would be quite satisfactory with the city for the state to take some of the city's park property as may be needed to ease off the curve at the intersection of Riverside Boulevard with Tumalo Avenue. He presented a letter from Mr. Henry M. Fowler endorsing the change on behalf of a number of property owners along Riverside Boulevard.

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Mr. Farnum stated that he is a property owner who will be affected by this change, but wishes to endorse it heartily. He declared that he expressed the sentiment of all of the people who own property at his end of this street. Mr. Donovan advised that he has contacted every person who will be affected by the proposed changes and has found no one opposed to either of them.

Judge Allen endorsed the changes, particularly the one on Riverside Boulevard, because it would eliminate cross-traffic, there being no intersecting streets along Riverside Boulevard.

As there were no others present desiring to be heard on this subject Chairman Cabell concluded the hearing by stating that the Commission will make its decision relative thereto at an early date. The meeting was adjourned at 11:30 o'clock a. m.

Prosser
State Highway Engineer
H. B. Glaisyer
Secretary

Henry F. Cabell
Chairman
Huron W. Clough
Commissioner

Portland, Oregon, May 18, 1939

The State Highway Commission met in regular session at 9:00 o'clock a. m. in the auditorium of the Public Service Building. Present were:

Henry F. Cabell, Chairman
E. B. Aldrich, Commissioner
Huron W. Clough, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

Bids as follows for highway construction projects and for the sale of houses were opened and read in conformance with previously published notice, following which Chairman Cabell announced that the award of contracts and sale of buildings would be announced at 3:00 o'clock p. m. in the same room.

KINGS VALLEY SECONDARY HIGHWAY
READ CREEK-WREN SECTION - GRADING, SURFACING, OILING

	Using Road Oil	Using Tar
S. S. Montague	\$ - - - -	\$36,955.50
H. L. Rice	- - - - -	39,773.00
A. S. Wallace	- - - - -	41,032.00
Leonard & Slate	- - - - -	41,783.50
Edlefsen-Weygandt Company	- - - - -	42,251.50
G. J. Eldon	42,504.00	42,449.00

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(Reed Creek-Wren Section, continued)

	<u>Using Road Oil</u>	<u>Using Tar</u>
McNutt Bros.	\$ 44,377.00	\$44,399.00
Saxton, Looney & Risley	- - - - -	44,048.00
A. Gransatta & L. Angelus	48,618.40	50,060.40
Homer G. Johnson	53,903.00	54,295.00

OREGON CITY LAUNDRY BUILDING
CONSTRUCT REINFORCED CONCRETE BUILDING; REINSTALL FORMER EQUIPMENT

	<u>Alternate "A"</u>	<u>Alternate "B"</u>
Peter Stuart	\$ 1,573.00	\$ 17,907.00
Frank Watt Construction Company	13,600.00	15,350.00
L. L. Quigley	14,483.00	16,600.00
Robertson, Hay & Wallace	14,802.00	17,849.00
L. H. Hoffman	16,680.00	19,630.00

CENTRAL OREGON, FREMONT AND CENTURY DRIVE HIGHWAYS
DESCHUTES OILING PROJECT

Warren Northwest, Inc.	\$ 23,562.35
Babler Bros.	23,764.50
J. C. Compton	24,346.00
Clifford A. Dunn	28,927.00
Diesel Oil Sales Company	31,071.70
Newport Construction Company	33,181.60
McNutt Bros.	34,441.00

THE DALLES-CALIFORNIA HIGHWAY
LOBERT OVERCROSSING

Edlefsen-Weygandt Company	\$ 26,220.00
Clifford A. Dunn	27,651.00
J. F. Johnston	28,138.00
McNutt Bros.	28,525.00
C. J. Montag & Sons	30,595.00
C. J. Eldon	31,580.00
Tom Lillebo	32,770.00

WILLAMETTE HIGHWAY
SALT CREEK FALLS-ODELL LAKE SECTION
GRADING, SURFACING, OILING, FURNISHING CRUSHED ROCK

J. A. Lyons	\$166,859.90
Leonard & Slate	167,385.00
Berke Bros	169,085.10
McNutt Bros.	178,256.80
E. L. Gates	180,196.00
E. C. Hall Company	182,511.00
Newport Construction Company	198,853.67
Kuckenberg Construction Company	217,194.00
Parker-Schram Company	223,585.50

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FREMONT HIGHWAY
SILVER LAKE-HARRIS CREEK SECTION
GRADING, SURFACING, OILING; FURNISHING CRUSHED GRAVEL

E. C. Hall Company	\$121,378.00
Babler Bros.	121,729.00
Leonard & Slate	130,731.00
Dodge Construction Company, Inc.	139,928.00
McHutt Bros.	140,169.00
Clifford A. Dunn	141,413.00
Homer G. Johnson	151,057.40

PACIFIC HIGHWAY WEST
INTERSTATE AVENUE LIGHTING IN THE CITY OF PORTLAND

Birkmeier & Sarsenal	\$ 38,476.00
Newport Construction Company	38,879.44
Homer G. Johnson	39,565.25
W. R. Grassel Company	39,835.00
Tower Builders, Inc.	39,899.00
Frits Ziebarth	40,669.00
Kemney Electric Company	41,779.33
Parker-Schram Company	41,949.50

JOHN DAY HIGHWAY
SERVICE CREEK-MULE SHOE CREEK SECTION
GRADING, SURFACING, OILING; REINFORCED CONCRETE BRIDGE

Leonard & Slate	\$ 19,520.00
Saxton, Looney & Risley	21,527.00
McHutt Bros.	21,783.50
H. L. Rice	22,848.50
C. J. Eldon	23,072.50
F. C. Dillard	24,123.00
Edlefsen-Weygandt Company	24,226.00
S. S. Montague	29,749.50

SALE OF BUILDING IN WEST PORTLAND

Building No. 5472
(Former Owner George S. Smith)

George S. Smith	\$ 40.00
Sullivan Wrecking Company	5.00

SALE OF BUILDINGS IN ALBANY

Building No. 5846
(Former Owner Norbert Aya)

Burt Picha	\$ 65.00
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(Sale of buildings in Albany, concluded)

Building No. 5847
(Former Owner Edward Palwell)

Edward Palwell	\$ 51.00
Martin F. Schultz	26.50

Building No. 5850
(Former Owner E. D. Bahrke)

M. R. Halsay	\$156.00
Burt Picha	65.00
Martin F. Schultz	26.50

Building No. 4959
(Former Owner City of Albany)

Burt Picha	\$ 65.00
G. E. Baker	46.00
Martin F. Schultz	26.50

The Honorable Earl H. Hill, Cushman, Oregon, and O. H. Hinsdale, Gardiner, Oregon, came before the Commission and asked for the widening of the Oregon Coast Highway through the town of Gardiner. Mr. Hinsdale advised that a new building program is under way in Gardiner, which involves the construction of a mill on the river side of the highway between Marsh Street and Camp Street and the subdividing of the property adjacent to the mill site into city lots. He requested state cooperation in the improvements to the extent of widening the highway, construction of sidewalks, installation of lights, et cetera. After discussion, the Commission authorized and instructed the Engineer to make surveys as may be needed to establish a permanent route for the highway through this town and to render a report thereon as soon as possible. The Attorney was authorized to secure right of way options in accordance with the survey.

Messrs. O. B. Peake and H. K. Magness, Portland, came before the Commission relative to the proposed Sandy Boulevard improvement between 44th Avenue and 52nd Avenue. They asked the Commission to postpone this improvement until such time as it can be done without interfering with business along Sandy Boulevard, as they do not want a repetition of business interruptions such as they experienced last year when this street was improved west of 44th Avenue.

The Commission decided unanimously not to alter its present plans for this project, which provide for the taking of bids on June 22, 1939. However, the Commission instructed the Engineer to include in the specifications for the job provisions for handling the work in a manner that will cause the least possible interference with local business.

The Commission had under discussion the matter of improving the sight distance at the junction of The Dalles-California Highway with the Tuma-lo-Deschutes Secondary Highway, in Deschutes County. Chairman Cabell advised that he inspected this intersection in company with Commissioner Clough and

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the Engineer on the previous day and is of the opinion that the rock cut at this point should be widened to give a longer sight distance for traffic entering the highway at this point. The Engineer estimated that a satisfactory job would cost approximately \$500. The Commission by unanimous vote authorized the improvement and instructed the Engineer to proceed therewith.

The Engineer brought up for discussion the matter of oiling the road known as The Dalles Scenic Drive leading from The Dalles to the Eastern Oregon Tuberculosis Hospital at The Dalles. He advised that to oil this road will cost approximately \$1,500, of which amount \$540 is the estimated cost to oil within the city limits and should be paid by the city; \$500 represents the cost of oiling on the hospital grounds and should be paid by the State Board of Control; and the balance, amounting to \$460, is the estimated cost to improve the section lying between the city limits and the hospital, which is a county road, and should be paid by Wasco County. He further advised that the road in question is not a state highway, so the State Highway Commission has no legal authority to expend state highway funds to improve it. However, he recommended that the work be done with state forces if the city, the county, and the Board of Control will pay for it. The Commission approved the recommendation by unanimous vote, provided satisfactory arrangements are made for the financing of the work as suggested by the Engineer.

The Engineer reported on the cost to improve the Robinette-Homestead Secondary Highway over Oxbow Tunnel and between Homestead and the Interstate Bridge at Ballard's Landing, in Baker County. He estimated that it would cost about \$2,500 to improve the Oxbow Tunnel hill section and an additional amount of \$500 to fix up the road to the Ballard's Landing bridge so that it will be passable throughout the entire year. He recommended approval of such expenditures because it is not possible under present conditions to keep the road open for travel during the winter season and the permanent improvement of the section is not contemplated for a number of years and because the improvement is needed in order to realize to the fullest extent on the expenditures that have already been made for the improvement of the old railroad grade between Robinette and Homestead. The Commission approved the recommendation unanimously, subject to the condition that the plan also meets with the approval of the Baker County Court.

The Commission had under discussion the Engineer's report on the request of Hood River County for construction of a footpath along the Columbia River Highway between Hood River and the Columbia Gorge Hotel, a distance of approximately one mile. The Engineer advised that a recent traffic count reveals very little pedestrian traffic along this section; in fact, only thirty people used the road in this manner the day that the count was made, and, in his estimation, the expense of constructing a footpath is not justified. He recommended, as an alternative, an expenditure of approximately \$1,000 for the widening of the shoulders along this section, which he thought would serve the purpose until the need for a walk is more apparent. The Commission approved the recommendation unanimously.

A letter was presented from the town council of Myrtle Creek, Oregon, in which the State Highway Commission was requested to oil, at city

expense, Second Street and Division Street in that town. The Engineer estimated that this work will cost about \$800. He recommended approval of the city's request, subject to the usual requirement: that the city will deposit its check for the estimated cost of the work, in advance. The Commission approved the recommendation under such condition and authorized the work when a state oiling crew is in that vicinity.

The Commission discussed and approved an expenditure of \$200 for the oiling of the road which extends from the Oregon Coast Highway to the state's quarry at Agate Beach, Lincoln County.

The Engineer reported the results of investigation that has been made with respect to the construction of a proposed road connecting Diamond Valley Secondary Highway, in Harney County, with the I.O.N. Highway, in Malheur County, passing through a place known as Pollyfarm, which project was requested by a delegation that appeared before the Commission at the previous meeting. He recalled that this delegation asked the State Highway Commission to furnish culvert pipe, powder, right of way, engineering, and fencing for such project, and agreed to perform the construction operations with C.C.C. forces located in that vicinity. He said that according to the best information available the culvert pipe will cost about \$2,100, powder approximately \$600, fencing \$1,980, right of way across private lands \$500, and engineering \$1,300, to which should be added 10% for contingencies, making a total of \$7,130 as the state's cooperative share. He recommended approval of the expenditure. The recommendation was approved by the Commission by unanimous vote. This matter was reconsidered later in the session when a delegation appeared before the Commission relative thereto. The Commission at that time adopted resolutions designating such road as a secondary state highway. (See resolutions ahead.)

The Engineer reported on the cost to construct a portion of the Astor Street extension in Astoria, particularly from Columbia Avenue to Third Street, in order to provide a roadway to the plant of the Columbia River Packers' Association, which is now in an inaccessible location, having been moved in order to clear the highway right of way. He estimated that such work would cost approximately \$38,000. There was also discussed in this connection the question of what minimum width right of way shall be required along Taylor Avenue between Columbia Avenue and Kingston Street, where a number of buildings now encroach upon this street, which was originally dedicated 120 feet wide. As a result of considerable discussion the Commission decided to require a right of way at least 92 feet wide between said points and a right of way 80 feet wide west of Kingston Street to a connection with the completed highway. The Commission also decided not to construct any portion of this project until a right of way of such width has been furnished. The Engineer was instructed to inform the Astoria City Council of the Commission's requirements and the Attorney was instructed to render an opinion of law as to whether or not the state is obligated to pay the cost of removing the buildings from the right of way in view of the fact that they now encroach upon a dedicated street. In this connection a letter was presented from Mr. Frank Patton of Astoria protesting the narrowing of Taylor Avenue in Astoria.

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The Commission had under discussion the Attorney's opinion with respect to the request of J. U. Smith and others to construct an electrified fence along portions of the Sams Valley Secondary Highway, in Jackson County. It was the Attorney's belief that the Commission has the authority to permit the construction and maintenance of such fence within the highway right of way, if by so doing public convenience will be aided and the hazard of livestock running on the highway will be minimized or entirely eliminated. However, such license or permit should contain proper safeguards and provision for removal of the fence if, in the judgment of the Commission, it is in any way detrimental to public interests or causes inconvenience in connection with highway construction or maintenance operations. It was also his thought that it would be unwise to grant a permit authorizing the construction of an electrified fence. After discussion, motion was made by Commissioner Clough that the application of J. U. Smith be denied. The motion was duly seconded by Commissioner Aldrich and carried by the unanimous vote of the Commission.

The Engineer reported receipt of a letter from L. V. Murrow, Director of highways for the State of Washington, outlining the plans for the completion of the Washington Section of the state highway between Enterprise, Oregon, and Lewiston, Idaho. Mr. Murrow reports that the program of the Washington Highway Department for the present biennium includes the construction of the Grande Ronde River bridge and approaches thereto but there are insufficient funds available for primary highway construction in that state, so it does not seem possible to undertake further construction on this road during the present year; however, they will endeavor, in the formulation of their construction program for the next biennium, to arrange for the completion of the remaining section up to the Oregon state line. The Commission took no action on this.

The Engineer reported that investigation has been made of the request of the city of Florence for oiling work on certain city streets in that town and it has been found that this work can be done for approximately \$2000. He also said that the city would like to have the work done with state forces and has agreed to pay for it with city funds. He recommended approval of the request subject to the condition that the city will deposit with the Commission its certified check in an amount equal to the estimated cost of the work. The Commission approved the recommendation unanimously, provided the work does not cost more than \$2000.

Mr. L. E. Lucas, County Engineer of Grant County, was present and asked for the improvement of the county road which extends from the John Day Highway at a place known as Bates, down the Middle Fork of the John Day River to a connection with the Pendleton-John Day Highway at a place known as Flowers Gulch. He was informed by the Commission that it does not have funds available to finance such project now.

The Commission adjourned at 12:15 o'clock p. m. and reconvened at 1:30 o'clock p. m. in the same room, with all Commissioners present and participating. Also present were the Engineer, the Attorney, and the Secretary.

The City Council of McMinnville, consisting of Mayor R. H. Windisher

and Councilmen M. W. Mattacheck, A. R. Miller, O. L. Milks, W. S. Wright, A. W. Cameron, and L. L. Farnham, came before the Commission and asked for the designation, as a state secondary highway route, of Lafayette Avenue and Third Street, the old route of the Pacific Highway West through McMinnville. They pointed out that the Three Mile Lane Secondary Highway, which enters McMinnville from the east, now has no direct connection with the Pacific Highway West and gave as their thought that Third Street is the logical route for such connection, in view of the churches, schools, and city buildings along Second Street, which has been considered, and for the further reason that the selection of Second Street would necessitate the moving of buildings. They gave as their main reason in asking such designation that it would relieve the city from the expense of maintaining such streets.

In the discussion of this matter, the Engineer pointed out that there is a question as to where the Three Mile Lane Secondary Highway should enter McMinnville. He pointed out that the present entrance is crooked and that the bridge on the present route is inadequate and must be replaced soon at some site yet to be determined because it does not appear that the existing structure is in proper location. Mayor Windishar suggested the routing of this highway into McMinnville along an extension of Third Street notwithstanding that there is a parochial school on such extension.

After considerable discussion, Chairman Cabell advised that the Commission does not have sufficient facts before it at this time to render a decision in this matter, but must know first how the Three Mile Lane Secondary Highway is to be routed into this town, its decision in that regard being dependent upon the other, and the Commission does not care to act hastily. The Engineer was thereupon instructed to investigate the conditions and render a report on the entire matter as quickly as possible.

The County Court of Hood River County, represented by County Judge C. D. Nickelsen and County Commissioner R. Waldo Arens, and County Engineer C. M. Hurlburt, was present in regard to several road matters. They were accompanied by Mr. Rory Collins, of Dee, Oregon. They asked for the following:

1. Designation as a secondary state highway of the county road which extends from the Mt. Hood Highway, near Odell, through Odell and a place known as Summit, to a connection with the Hood River Secondary State Highway.
2. Rerouting of the Mt. Hood Secondary Highway in the vicinity of Parkdale before this section of the road is improved.
3. Reconstruction of the Mt. Hood Highway in the vicinity of Fikes Corner, following more closely along the present road and utilizing the present railroad undercrossing rather than the revision heretofore proposed, which involves construction of the highway over the railroad.

They advised that the first of these projects is the county's choice for the first secondary highway funds available in Hood River County and urged

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it particularly from the traffic standpoint, advising that Odell is an important shipping point for the people of this district and a good road leading to this place is essential.

They were informed by the Commission that, while this road qualifies as a secondary state highway, the Commission is reluctant to so designate it at this time because of its established policy not to place any more roads on the secondary highway system until funds are available to improve them. However, the Commission will give it consideration and will make its decision as soon as possible. As to the rerouting of the Hood River Secondary Highway north from Parkdale, the Commission stated that it would have this matter investigated before proceeding with the improvement of this end of the road.

In regard to the reconstruction of the Mt. Hood Highway at Fikes Corner, Mr. Hurlburt pointed out that Mr. Fike's house, which occupied a site at the top of the hill and was a controlling factor in the determination of the route, burned some time ago and is no longer a barrier to the rerouting of this highway under an alternate location if the Commission so desires. He suggested that the state could save some money by following more closely the route of the present highway and by passing under the railroad rather than over it, which would simply mean the widening of the present undercrossing. Judge Nickelsen advised that the county is desirous of constructing a county road to connect with the Mt. Hood Highway near this underpass and would like a decision in the matter as soon as possible. After discussion, the Commission instructed the Engineer to investigate this possibility and advised the County Court that a decision relative thereto would be rendered at the earliest possible time.

A delegation from Harney and Malheur Counties, consisting of County Judge Nelson B. Higgs of Harney County, County Judge David F. Graham of Malheur County, and George W. Beers, Improvement Supervisor, Taylor Grazing Department, came before the Commission relative to the construction of a road connecting the I.O.N. Highway in Malheur County with the Diamond Valley Secondary Highway in Harney County, passing through a place known as Follyfarn, which matter was first discussed at the previous meeting. The Engineer advised that investigation has been made of this project and indications are that it will cost the state approximately \$7,200 for culvert pipe, powder, right of way, fencing, and engineering, which the state has been asked to furnish. Mr. Beers advised that the actual construction operations will be done with C.C.C. forces but their main object at the present time is to grade the road and install proper drainage facilities with the hope that the surfacing can be taken care of later.

Commissioner Aldrich expressed himself as in favor of state cooperation in this project and the designation of this road as a secondary highway in order to legalize the expenditure of state funds thereon. Commissioner Clough also expressed himself as in favor of the project. Chairman Cabell concurred in the viewpoint of the other two Commissioners. The Secretary presented at this time resolutions from the County Courts of Harney and Malheur Counties requesting the designation of this road as a secondary state highway. Motion was thereupon made, duly seconded, and carried by unanimous vote, that

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the road under discussion be designated a secondary state highway. The following resolutions pertaining thereto were adopted by the Commission by unanimous vote:

WHEREAS, under the provisions of Chapter 248, Laws of 1931, and Chapter 196, Laws of 1935, the State Highway Commission, by mutual agreement with the respective county courts of the several counties of the state, is authorized and empowered to select, locate, and designate a system of secondary state highways, which highways shall be selected from the market roads or other county roads, or available locations or routes of the several counties; and

WHEREAS, the State Highway Commission, by mutual agreement with the Malheur County Court of the State of Oregon, has selected the road or highway hereinafter named, and it is the purpose of the Commission to officially and regularly designate and adopt said highway as a highway to constitute, together with other highways heretofore adopted and/or which may hereafter from time to time be added, the system of secondary state highways under the provisions of said acts;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission, all members being present and affirmatively voting and participating, as follows:

1. That the following described market road, county road, highway, route, or location of a highway in Malheur County be and the said market road, county road, highway, location, or route, hereby is selected, designated, established, adopted and approved as a secondary state highway and shall be and hereby is designated as a part of the secondary state highway system, to wit:

Rome-Princeton Secondary Highway No. 442:

Beginning at a point near the center of Section 18, T. 32 S., R. 40 E., W. M., at a junction point with the I.O.N. Secondary Highway; thence in a northwesterly direction following the route surveyed by the State Highway Department to a point on the township line, between Section 36, T. 28 S., R. 36 E., and Section 31, T. 28 S., R. 37 E., W. M., north of Follyfarm, a distance of approximately 30.0 miles.

2. That the said highway shall be and hereby is qualified for improvement under the provisions of said Chapter 248, Oregon Laws 1931, and amendments thereof.

WHEREAS, under the provisions of Chapter 248, Laws of 1931, and Chapter 196, Laws of 1935, the State Highway Commission, by mutual agreement with the respective county courts of the several

counties of the state, is authorized and empowered to select, locate, and designate a system of secondary state highways, which highways shall be selected from the market roads or other county roads or available locations or routes of the several counties; and

WHEREAS, the State Highway Commission, by mutual agreement with the Harney County Court of the State of Oregon, has selected the highway hereinafter described, and it is the purpose of the Commission to officially and regularly designate and adopt said highway as a highway to constitute, together with the other highways heretofore adopted and which may hereafter from time to time be added, the system of secondary state highways, under the provisions of said act;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission, all members being present and affirmatively voting and participating, as follows:

1. That the following named highway, route, or location of a highway in Harney County be, and the said highway, location, or route hereby is selected, designated, established, adopted and approved as a secondary state highway, and shall be and hereby is designated as a part of the secondary state highway system, to wit:

Rome-Princeton Secondary Highway No. 442:

Beginning at a point on the Diamond Valley Secondary Highway approximately four miles north of Princeton; thence in a southeasterly direction via Market Road No. 1 of Harney County, or a relocation thereof, to the Harney-Malheur County Line, at a point on the township line between Section 36, T. 28 S., R. 36 E., and Section 31, T. 28 S., R. 37 E., W. M., north of Follyfarm, a distance of approximately 23.90 miles.

2. That the said highway shall be and hereby is qualified for improvement under the provisions of said Chapter 248, Oregon Laws of 1931, and Chapter 196, Oregon Laws of 1935, and amendments thereof.

In this connection Mr. Beers mentioned that part of the work involved will be the digging of a well, which would not only be used in connection with the maintenance of a C.C.C. camp but when the camp has been discontinued will be used for the watering of stock. He agreed to dig such well in a location near the highway, if possible, so that it can be used in connection with the maintenance of an oasis if one is established by the state in this vicinity. However, he pointed out that the primary purpose of the well is to furnish water for the C.C.C. camp and for the watering of stock when the camp has been discontinued. He gave as his thought that there will be plenty of water for all purposes, including the oasis. The Engineer was instructed to have Division Engineer W. C. Williams contact Mr. Beers relative to the location of the well.

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Judge Graham asked for the following improvements on behalf of Malheur County Court:

1. Construction of a road extending from Harper, on the Central Oregon Highway, southerly through Coyote Wells to a connection with the I.O.N. Secondary Highway.
2. Completion of oiling of the Central Oregon Highway between Juntura and Buchanan.
3. Construction of a proposed cutoff for the Old Oregon Trail north from Ontario to Olds Ferry.
4. Designation as a secondary state highway of the Sucker Creek Road between Adrian and Jordan Valley.
5. Improvement of Lytle Boulevard which extends southeasterly from Vale to a connection with the Nyssa-Adrian Secondary Highway.
6. Improvement of Graham Boulevard (Secondary Highway No. 451) westerly from Vale.
7. Early disposal of the controversy with A. R. Hollingshead relative to right of way.

With reference to the last request the Attorney advised that he is now negotiating with Mr. W. H. Holmes, Portland, from whom Mr. Hollingshead is purchasing his property, and expects in the near future to arrive at a satisfactory settlement which should dispose of the matter for all time.

The Commission informed Judge Graham that it would give consideration at the proper time to the projects mentioned by him.

Messrs. C. H. Grieder, representing the National Parks Service, and S. H. Boardman, State Parks Superintendent, came before the Commission at this time relative to the completion of the State Planning Board's report on recreational areas of Oregon. Mr. Grieder stated that the State Planning Board has gone out of existence but there are a few things that should be done in connection with the report to make it complete, and these cannot be done unless the report has proper sponsorship, which he believed could be very nicely taken care of by the State Parks Department. He mentioned three important projects that should be included in this report: first, report on organized camps of a non-commercial nature; second, an authentic inventory of historic sites; third, a report showing county basic data such as population, recreational facilities, et cetera. He advised that there is sufficient money on hand to finance the work if it does not extend beyond the first of October, when it is thought the work will be completed, so the State Highway Commission would not be called upon to assist financially in the project.

The State Parks Superintendent gave as his thought that the report should be completed in order to be of full value, and recommended approval of

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Mr. Grieder's request, provided the state is put to no expense thereby. After discussion, the Commission approved the recommendation by unanimous vote.

Reverend R. J. Milton, Pastor of the Free Methodist Church of Albany, came before the Commission relative to a right of way matter. It appears that the highway improvement in Albany will require a strip of land 20 feet wide across the front of the church property, including a part of the entrance to the church, and will necessitate the moving of the church to another location. Reverend Milton stated that the taking of 20 feet off the front of the church property will not leave enough land for the re-establishment of the church on the present site and provide room for expansion which they contemplate. He also objected to another site that has been suggested by the Right of Way Department. He gave as his thought that the state should purchase all of the church property and let the church people re-establish themselves on other property that is satisfactory to them; also, that the church directors would sell this property for \$3000. The Commission took the matter under advisement.

At 3:00 o'clock p. m. Chairman Cabell announced the following awards of contracts and sale of buildings, bids for which were taken at the morning session, such awards and sales having been previously approved by the Commission by unanimous vote:

"Road Creek-Wren Section of the Kings Valley Secondary Highway, in Benton County. 1.73 miles grading, surfacing, and oiling. The low bid received for this project was that of S. S. Montague, Portland, at \$36,955.50, using tar. No bid submitted using road oil. The next low bid was that of H. L. Rice, Portland, at \$39,773.00, using tar. Mr. Rice also did not submit a bid using road oil. There were 8 higher bidders. The Commission has referred all bids received on this project to the Engineer with power to award the contract to the low bidder, S. S. Montague, when certain conditions have been fulfilled.

"Construct reinforced concrete building and reinstall laundry equipment for Oregon City Laundry Company, in Oregon City. Peter Stuart, of Portland, submitted the low bid for this project at \$1,573.00, for Alternate 'A'. His bid on Alternate 'B' was \$17,907.00. Frank Watt Construction Company, of Portland, submitted the next low bid at \$13,600.00 on Alternate 'A' and \$15,350.00 on Alternate 'B'. There were 3 higher bidders. Bids for this project were received on behalf of the Oregon City Laundry Company, to whom they have been referred for consideration and the Commission hopes to announce its decision in regard thereto before adjournment.

"Deschutes Oiling Project on Central Oregon, Fremont, and Century Drive Highways, in Deschutes, Klamath, and Lake Counties. 43.53 miles oiling. Warren Northwest, Inc., of Portland, submitted the low bid for this job at \$23,562.35. Babler Bros., of Portland, submitted the next low bid at \$23,764.50. There were 5 higher bidders. The Commission awards this contract to Warren Northwest, Inc., at their low bid of \$23,562.35.

"Robert Overcrossing on The Dalles-California Highway, in Klamath County. The low bid received for this project was that of Edlefsen-Weygandt Company, Portland, at \$26,220.00. The next low bid was that of Clifford A. Dunn, Klamath Falls, at \$27,651.00. There were 5 higher bidders. This contract is awarded to the low bidder, Edlefsen-Weygandt Company, at its bid of \$26,220.00.

"Salt Creek Falls-Odell Lake Section of the Willamette Highway, in Klamath and Lane Counties. 3.23 miles grading, 6.86 miles surfacing and oiling, and furnishing 2,450 cubic yards crushed rock in stock piles. J. A. Lyons, Portland, submitted the low bid for this project at \$166,859.90. Leonard & Slate, Multnomah, were the second-low bidders, with their bid of \$167,385.00. There were 7 higher bidders. The Commission awards this contract to J. A. Lyons, the low bidder, at his bid of \$166,859.90.

"Silver Lake-Harris Creek Section of the Fremont Highway, in Lake County. 9.22 miles grading, 26.5 miles surfacing and oiling; oiling of approximately 100,000 square yards sand areas, and furnishing 12,200 cubic yards crushed gravel in stock piles. The low bid received for this project is that of E. C. Hall Company, Eugene, at \$121,378.00. The next low bid is that of Babler Bros., Portland, at \$121,729.00. There are 5 higher bidders. All bids on this project have been referred to the Engineer with power to award the contract to the low bidder when certain conditions have been fulfilled.

"Interstate Avenue Lighting Project in the city of Portland. Construction of 3.23 miles highway lighting. Birkemeier & Saremal, Milwaukie, submitted the low bid at \$38,476.00. Newport Construction Company, Portland, submitted the next low bid at \$38,879.44. There were 6 higher bidders. The Commission awards this contract to Birkemeier & Saremal at their low bid of \$38,476.00.

"Service Creek-Mule Shoe Creek Section of the John Day Highway, in Wheeler County. 1.12 miles grading, 1.04 miles surfacing and oiling, and construction of a 60-foot reinforced concrete bridge. The bid of Leonard & Slate, Multnomah, at \$19,520.00, was the low one received for this job. Saxton, Looney & Risley, of Oak Grove, submitted the second low bid at \$21,527.00. There were 6 higher bidders. This contract is awarded to Leonard & Slate, the low bidders, at their bid of \$19,520.00."

Building in West Portland.

"Building No. 5472, formerly owned by George S. Smith. 2 bids were received for the purchase of this building, the high one being that of George S. Smith, Portland, at \$40.00. The other bid was that of the Sullivan Wrecking Company, Portland, at \$5.00. The Commission has sold this building to the high bidder, George S. Smith, at his bid of \$40.00."

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Buildings in Albany

"Building No. 5846, formerly owned by Norbert Aya. The only bid received for this building is that of Burt Picha, of Salem, who offers \$65.00. This bid is rejected and the building will be readvertised.

"Building No. 5847, formerly owned by Edward Falwell. Two bids were submitted for the purchase of this building, the high one being that of Edward Falwell, Albany, at \$51.00. The other bid was that of Martin F. Schults, of Albany, at \$26.50. This building is sold to the high bidder, Edward Falwell, at his bid of \$51.00.

"Building No. 5850, formerly owned by E. D. Bahrke. M. R. Halsey, of Albany, submitted the high bid for the purchase of this building, at \$156.00. Burt Picha was the next high bidder at \$65.00. There was one other bidder, being Martin F. Schults, of Albany, who bid \$26.50. This building is sold to Mr. Halsey at his high bid of \$156.00.

"Building No. 4959, formerly owned by the City of Albany. The high bid received for this building was that of Burt Picha, Salem, at \$65.00. Rev. G. E. Baker, of Philomath, submitted the next high bid at \$46. The third and only other bidder was Martin F. Schults, of Albany, who submitted a bid of \$26.50. The Commission rejects all bids for this building and the same will be readvertised."

Members of the Bridge Committee of Sauvies Island Grange, consisting of E. V. Everett, Ben Howell, William Eberhart, and Joe Kendricks, came before the Commission relative to their previous request for state cooperation in the construction of a bridge over Multnomah Channel of the Willamette River to connect Sauvies Island with the mainland. Speaking on behalf of the project were Messrs. Everett and Howell. The Engineer advised that several locations for this bridge have been investigated, as ordered by the Commission at the previous meeting, and estimates of cost prepared, which indicate that a bridge at either of two satisfactory sites would cost approximately \$400,000.

Chairman Cabell advised that the State Highway Commission does not have funds available to allocate to this project now, regardless of whether or not Multnomah County will pay for a portion of the costs. Furthermore, the Commission has many other projects that are pressing for completion and will not be in a position to consider this project until construction on the others is further advanced. Commissioner Aldrich and Commissioner Clough concurred, which concluded the conference.

Mr. Lewis A. McArthur, President of the Oregon Historical Society, was present and conferred briefly with the Commission in regard to the installation of a V-shaped sign at the old Fort Yamhill blockhouse, which is now located in the town of Dayton. He said that a group of women is particularly interested in preserving the old fort and would like to maintain a sign there giving an outline of the history of the fort and events relating thereto,

which context, he added, he would personally prepare so that it would be authentic. After discussion the Commission instructed the Engineer to install the sign when the wording for the same has been furnished by Mr. McArthur.

The Parks Superintendent, Mr. S. H. Boardman, was present and reported on the following park matters:

Umpqua Lighthouse Park:- The Parks Superintendent reported the offer of Douglas County to donate to the state for park purposes 500 acres of land situate adjacent to the Oregon Coast Highway south of Winchester Bay, provided the state will accept it. He recommended acceptance of the gift because the tract would provide 4 miles of ocean frontage and would fit in admirably with the present state park at this location. The Commission approved the recommendation unanimously.

Proposed park site at the confluence of the Crooked River, Metolius River, and Deschutes River, in Jefferson County:- The Parks Superintendent reported the advisability of securing from the Federal Government some 2,500 acres of land at the above-mentioned location for recreational purposes. He said that the state now controls 1,150 acres at this place but the additional land is needed to complete the area. It was his thought that it could be obtained without cost to the state. After discussion the Commission authorized the Secretary to petition the Secretary of the Interior for the lease of such lands and thereupon approved letters directed to the Department of the Interior and to the Federal Power Commission relative thereto.

Additional timber strip along the Salmon River Highway:- The Parks Superintendent advised that he has investigated a timber tract on the north side of the Salmon River Highway a short distance east of Boyer and has ascertained that it can be purchased on the stumpage basis at the rate of \$4.00 per M, or for a total cost of approximately \$4,188.00, exclusive of the land which is owned by the Miami Timber Corporation and would probably cost \$5.00 per acre. He pointed out that there is considerable timber land lying adjacent to the highway west of the strips already acquired by the state or which are now under negotiation by the state, and he questioned the advisability of acquiring the tract east of Boyer until deals for the acquisition of other tracts have been closed. After discussion the Commission decided to defer final action on the matter pending consultation with Governor Charles A. Sprague. The matter was thereupon referred by the Commission to Chairman Cabell, Commissioner Clough and the State Parks Superintendent to discuss with Governor Sprague during the following week.

Wolf Creek Highway timber strips:- The Parks Superintendent advised that he has contacted the owners of timber situate adjacent to this highway and has ascertained that one of the owners, Mr. Norman Rupp, is willing to sell strips 300 feet wide through his holdings, except that he wants to retain certain land at the Nehalem River Bridge site. The Blodgett Company, he said, is also willing to sell strips 300 feet wide on each side of the highway through its holdings and will donate the land to the state; furthermore, this company will also give to the state, without cost, other land along this highway when it has been logged off. He further advised that he has not been

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able to secure a commitment from the Oregon American Lumber Corporation for its timber near Rock Creek and along the South Fork of Rock Creek west of the Clatsop-Tillamook County line. He suggested that it would be advisable to purchase 300-foot strips along the highway at this place if they cannot be secured otherwise and to pay for the burned timber standing thereon, since the company will not sell the land without the timber or deliver title to the state until the timber has been removed, which they anticipate will take from 10 to 15 years. It appeared to the Commission that it would be very desirable to acquire the timber stands along this highway as soon as possible and particularly to secure control of the levelled-off areas adjacent to the highway in order to prevent their being commercialized with hot dog stands, service stations, et cetera. In view thereof the Commission instructed its Attorney to secure options for such tracts, if possible, particularly the small levelled-off areas adjacent to the highway, such options to be acquired before July 1, 1939, when this highway is to be opened for general public use. He was authorized to condemn them if they cannot be acquired by negotiation. The Engineer was authorized and instructed to make surveys of the several parcels as may be necessary.

Acquisition from Tillamook County of the timber tract described as the N.W. $\frac{1}{4}$ of the S.W. $\frac{1}{4}$ of Section 2, T. 3 N., R. 6 W., W. M., which lies adjacent to the Wolf Creek Highway near Sunset Camp:- The Parks Superintendent advised that there are 220 M-FBM of timber on this tract and that the county will sell it at the rate of \$2.00 per M. He recommended acquisition of the property on such basis. The Commission approved the recommendation unanimously.

Acquisition of timber tract adjacent to the Nehalem Highway 4 miles northwest of Mist:- The Parks Superintendent advised that this property, which contains 10 acres of land, is owned by the Clarke-Wilson Lumber Company, which is demanding the sum of \$6,000 for the timber only, which amount is far more than he considers the property worth inasmuch as the value of the timber at \$4.00 per M. amounts to only \$2,112.00, based upon the state's cruise. He further advised that the tract contains a fine stand of timber and that the company will give the land to the state if the state will buy the timber. He suggested that, if the Commission wants to acquire the tract, another cruise of the timber be made jointly by cruisers for the Clarke-Wilson Company and the state. Chairman Cabell gave as his opinion, in view of the shortage of funds for purchase of recreational areas, that the Commission should concentrate its purchases for timber along main trunk highways, such as the Wolf Creek Highway, before it purchases timber along the highways of a secondary nature. Commissioners Aldrich and Clough concurred. Notwithstanding this decision, Chairman Cabell agreed to inspect the property the next time he is in that vicinity. (Mrs. Pearl Becker, Scappoose, Secretary of Columbia County Pomona Grange, appeared before the Commission in regard to this matter on the following day. In view of her report on the subject, the Commission ordered a further investigation of the area by the State Parks Superintendent.)

The Commission had under discussion the Park Superintendent's request for a \$50,000.00 increase in the state parks budget for the year 1939.

Chairman Cabell expressed himself as in favor of such increase for this year only, particularly in view of the fact that unusual demands have been made on the amount originally budgeted for this purpose and for the further reason that during the past 5 years the amounts actually expended for acquisition and development of state parks have been less than the amounts budgeted for such purposes. He said that he would approve the increase of \$50,000 for this year with the understanding that it would in no way commit the Commission to budget more than \$100,000 in any future year for parks. Commissioners Aldrich and Clough also approved such increase on the same basis and it was so ordered.

The Commission adjourned at 5:30 o'clock p. m. and reconvened at 8:00 o'clock p. m. on the same day in Room 204, Benson Hotel, with all Commissioners present and participating. Also present were the State Highway Engineer, the Attorney, and the Secretary.

The Assistant Attorney brought up for discussion the bids received at the morning session for the remodelling of the Oregon City Laundry. He said that he referred the bids to the laundry company officials, who have requested the rejection of all of the bids and settlement with them on a cash basis in the amount of \$13,600, which is the amount of the low bid submitted by the Frank Watt Construction Company of Portland for Alternate "A", the laundry company to make its own arrangements for the re-establishment of its business. In view of this report the Commission decided unanimously to reject all the bids received for this project and to pay the company \$13,600 cash, as settlement in full of its claim.

The Engineer requested authority to acquire certain parcels of real property that are needed for various highway improvements throughout the state. He submitted a list of such properties together with the prices that he recommended be paid for each. After careful consideration the Commission approved the request and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth; and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon; and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers, or

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bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>West Portland-Tualatin Section - West Portland-Hubbard Highway</u>				
4088-Baker, Helen M.	R/W	0.379	\$250 per a. plus \$74	Benson
<u>McMinnville-Newberg Section - Pacific Highway West</u>				
4293-Evergreen Memorial Park Association	R/W	2.466	1.406 a. \$1600 Lump Sum 1.060 a. at \$400 per a. + \$2140.70 + moving bldgs., est. at \$750, + sloping & planting banks, est. at \$500	Collins
<u>Nehalem Spit Section - Oregon Coast Highway</u>				
6104A-Tillamook County	Park	5.0	\$1 Lump Sum plus tide lands	Parker
<u>Cape Lookout Park Section - Oregon Coast Highway</u>				
6881-Crown Zellerbach Corp.	Park	119.0	\$2,131 Lump Sum	Boardman
<u>Waldport-Big Creek Section - Oregon Coast Highway</u>				
6797-Keady, Maude C. and Wm.	R/W	0.03	Gratis	Goodnight
<u>Burton-Manning Section - Wolf Creek Highway</u>				
6828-Watson, Carl W.	R/W	0.30	\$150 per a. plus \$80	McCheaney
6827-Meyers, Jesse	"	1.12	\$150 per a. plus \$42	"
<u>Albany-Airport Road Section - Pacific Highway East</u>				
5878-Crofton, Verna H.	R/W	1.54	\$314.20 per a. + \$305.63	Gardiner
5849-Dickson, Earl	"	610	sq.ft. at 5¢ sq.ft. + \$444.50	"
5882-Brown, Max	"	2.83	a. \$1500 Lump Sum	"
5883-Cox, Clarence	"	0.71	Land \$550 + moving bldgs., low bid \$975, and damages	"
<u>Arch Cape Section - Oregon Coast Highway</u>				
6630-Butler, T. J.	Park	160	more or less - \$6000 Lump Sum	Parker
<u>Fron-Pedes Section - Kings Valley Highway</u>				
6819-Travelers Insurance Co.	R/W	1.08	0.50 a. at \$100 per a. 0.58 a. at \$30 per a. + \$10 + fencing (est. Parker at \$101.25)	

(Continued on next page)

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
(Wren-Pedee Section continued)				
6818-Raymond Investment Co.	R/W	1.24	0.60 a. at \$100 per a. 0.64 a. at \$25 per a., plus fencing \$163.50	Parker
6820-Wren Community Club	"	0.06	Gratis	McCallister
6822-Turner, Creed	"	1.37	1.0 a. at \$100 per a. 0.37 a. at \$30 per a., plus \$188.80	"
6821-State Forestry Dept.	"	0.35	\$100 per a.	Parker
6831-School District #11, Benton County	"	0.07	Gratis	McCallister
6830-Reid, Walter	"	1.20	\$100 per a. + \$71.25	"
6824-Wren Community Church	"	0.79	\$100 per a. + \$321	"
6832-Price, Johnie	"	4.83	3.64 a. at \$75 per a. 1.19 a., Lump Sum \$100, plus \$153	"
	Stock Pile			
6823-Goldman, Margrethe Nielson	R/W, Stock Pile	2.67	\$125 per a. + \$166.25	"
<u>Depoe Bay Section - Oregon Coast Highway</u>				
5821-Porter, I. M.	R/W	2130 sq.ft.	6¢ per sq.ft.	Parker
<u>Burnt Woods Section - Corvallis-Newport Highway</u>				
6884-Parker, Ernest	Slope Easement		Gratis	Eason
<u>Eddyville Section - Eddyville-Blodgett Highway</u>				
6885-Bryant, E. H.	Slope Easement		Gratis	Eason
<u>South Marshfield - Oregon Coast Highway</u>				
4773-Schlag, Max and Reese, Henry (CORRECTION)	R/W	6000 sq.ft.	to be traded for portion of Lots 8,9,10,11, Blk. 7, outside of R/W, + \$294.70, + moving bldgs. (Low bid \$2,450)	Denson
<u>Randon Section - Oregon Coast Highway</u>				
5364-Chenoweth, J.	R/W	2115 sq.ft.	5¢ sq.ft.	Gardiner
5357-Archdiocese of Portland	"	34658 sq.ft.	3¢ sq.ft.	"
<u>Charleston-Sunset Bay Section - Cape Arago Highway</u>				
6730-Bastendorf, Nick (Est.)	R/W	0.76	Land \$500, plus \$150	Gardiner
<u>Cape Arago-Charleston Section - Cape Arago Highway</u>				
6732-1st Nat'l Bank of Portland	R/W	2.49	Land \$500, plus moving bldg., \$50	Gardiner
<u>Coquille-Myrtille Point Section - Coos Bay-Roseburg Highway</u>				
6789-Smith Wood Products, Inc.	Slope Easement	0.54	Gratis	Lytle
6788-Coquille Gas & Power Company, Inc.	"	1124 sq.ft.	Gratis	"

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Roseburg-Shady Point Section - Pacific Highway</u>				
6765-Kohlhagen, William	R/W	1.33	\$50 per a. plus \$61	Benson
6774-Wimberly, Anna W.	"	1.04	\$135 per a.	"
6775-Parrott, E. L.	"	1.43	\$800 Lump Sum	"
6777-Hamilton, W. S.	"	29185 sq.ft.	\$1,500 Lump Sum	"
6764-Criteser, Amy E.	"	7068 sq.ft.	4¢ per sq.ft. + \$35.34	"
6773-O'Mara, J. V.	R/W and Drnge.			
	Dtch. Eas't.	6.32	\$150 per a. + \$1,552	"
6771-Woodruff, G. E.	R/W	1868 sq.ft.	25¢ sq.ft. + \$50	"
6758-Krogel, Lawrence B.	"	113 sq.ft.	25¢ sq.ft.	"
6766-Metager, E. R.	"	0.69	\$150 Lump Sum	"
6769-Jackson, Aura D.	"	1.994	\$100 per a.	"
6757-Harrison, Hugh	"	53 sq.ft.	\$25 Lump Sum	"
6767-Tipton, C. T.	"	9.95	5.0 a. at \$150 per a. 4.95 a. at \$100 per a. plus \$1295	"
6761-Brown, Margaret C. Hohl	"	2190 sq.ft.	35¢ per sq.ft. + \$733.50 + reconstruction & re- arranging service sta- tion (Low bid estimated at \$2000)	"
<u>Provolt-Williams Section - Williams Highway</u>				
6836-Roberts, Chas. W.	Stock Pile	1.0	\$50 Lump Sum	Lytle
<u>Picture Rock Pass-Harris Creek Section - Fremont Highway</u>				
5265-Pennington, Jess H.	R/W	0.34	\$10 per a. + \$32.50	McGhesney
5267-Pennington, Jess H.	"	1.40	0.74 a. at \$100 per a. 0.66 a. at \$10 per a. plus \$191.50	"
5264-Foster J. F.	"	0.02	Land \$10	"
5248-Deboy, Austin	"	0.06	Land \$50, plus \$5	"
5269-Williams, C. E.	"	0.96	\$100 per a. + \$338	"
5258-Harris, H. C.	"	1.26	\$100 per a. + \$161.20	"
5247-Kerns, John W.	"	0.61	\$100 per a. + \$153.60	"
5246-Foster, R. C.	"	3.29	\$100 per a. + \$321	"
5266-Harris, Dean	"	0.27	\$10 per a. + \$36	"
5270-Partin, M. A., et al	"	1.96	1.30 a. at \$100 per a. 0.66 a. at \$10 per a. plus \$127.50	"
5261-Hartin, Carmel, et al	"	0.07	\$100 per a. + \$21.60	"
5263-Hartin, Carmel, et al	"	0.24	\$100 per a. + \$88.80	"
5268-Moss, Sheldon	"	0.37	\$100 per a. + \$163	"
5260-Harris, S. D.	R/W & Ditch Easement	1.82	\$100 per a. + \$2243.25	"
5249-Elder, Lester E.	R/W	2.67	\$100 per a. + \$712.70	McGhesney
<u>Drews Valley Section - Klamath Falls-Lakeview Highway</u>				
6629-Standridge, William A.	R/W	2.54 a.	\$5 per a. + \$107	McCallister

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Silver Lake-Chalk Cliff Section - Fremont Highway</u>				
6783-Foster, John A.	Stock Pile	1.40	\$25 per a. + \$15	McChesney
6779-Bolliger, F. E.	R/W	169.96	\$5.60 per a. + \$480	"
6780-Bolliger, F. E.	Stock Pile	3.65	\$10 per a. + \$13.50	"
6781-Lake County	Gravel Pit	17.24	Gratis	"
6782-Partin, M. A.	Stock Pile	1.18	\$25 per a.	"
<u>Crooked Creek-Lobert Section - The Dalles-California Highway</u>				
6873-Wilson, Henry, Heirs	Gravel Pit	7.27	\$20 per a.	Parker
(Klamath Indian Agency)				
<u>Service Creek-Burton Canyon Section - John Day Highway</u>				
6745-School District #7	R/W	0.10	Land \$10, plus \$20	Wells
6748-Thomas, Joseph E.	"	10.18	\$10 per a. plus \$343	"
6747-Myers, E. E.	"	4.63	2.63 a. at \$100 per a. 2.0 a. at \$10 per a. plus \$347	"
<u>East Pendleton Section - Old Oregon Trail Highway</u>				
2678-Ladow, Lewis M.	R/W	3251 sq.ft.	\$40 Lump Sum	Schannep
<u>Unity Section - John Day Highway</u>				
3057-Elms, Sidney and Millis Elms	R/W (Snow Fence)	2.21	1-yr lease at \$10 per year	Wells
<u>Mule Shoe Creek Section - John Day Highway</u>				
6880-Ed Baker	Gravel Pit	6.97	\$50 per a.	Wells
<u>Buchanan Ranch-Juntura Section - Central Oregon Highway</u>				
6496-Goodman, Deane	Gravel Pit	8.83	\$35 per a. + \$76.50	Wells
<u>Haines Section - Old Oregon Trail Highway</u>				
6882-Albers Bros. Milling Co.	R/W	10,000 sq.ft.	\$25 Lump Sum	Devers
<u>Washington State Line-Shelton Canyon Section - Enterprise-Lewiston Highway</u>				
6813-Frazier, W. R.	R/W	1.83	\$10 per a.	Wells
6815-Austin, L. M.	"	3.11	\$10 per a. + \$20.50	"
6814-Wilson, Albert	"	16.92	\$10 per a. + \$5	"

The Commission had under discussion the matter of ordering condemnation proceedings to acquire certain properties that are needed for various highway improvements and in connection with which the Attorney has been unable to reach satisfactory settlements. The Attorney presented a list of such properties as follows:

Transaction No. 6744 - right of way required from M. L. White for the Nehalem Spit Section of the Oregon Coast Highway, in Tillamook County. Owner demands \$500. Commission approved offer of \$250.00.

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Transaction No. 6746 - right of way required from W. E. Crawford for the Service Creek-Burton Canyon Section of the John Day Highway. Owner demands \$1,000.00. Commission approved offer of \$600.00.

Transaction No. 6776 - right of way needed from B. A. Young for the Roseburg-Shady Point Section of the Pacific Highway, in Douglas County. Owner demands \$1,000.00. Commission approved offer of \$325.00.

Transaction No. 6760 - right of way needed from R. Rausch for the Roseburg-Shady Point Section of the Pacific Highway. Owner demands \$250.00. Commission approved offer of \$100.00.

Transaction No. 6778 - right of way needed for the Silver Lake-Picture Rock Pass Section of the Fremont Highway, in Lake County. Commission approved condemnation for this property in view of the fact that the Attorney has been unable to locate the owner.

Transaction No. 5262 - right of way needed from Dean Harris, et al, for the Ana Spring-Hunter Hill Section of the Fremont Highway, in Lake County.

Transaction No. 6772 - right of way needed from Geary G. and Ura Alberta Rapp for the Roseburg-Shady Point Section of the Pacific Highway.

Transaction No. 6768 - right of way needed from A. G. Pendo and Ruby Pendo for the Roseburg-Shady Point Section of the Pacific Highway.

After discussion, the Commission authorized the Attorney to proceed with condemnation of these properties and by unanimous vote adopted the following resolution with respect thereto:

WHEREAS, the State Highway Commission is by law authorized and directed to lay out, locate, designate, construct, improve, and maintain a system of state highways in the State of Oregon, and to acquire rights of way and to declare the necessity and need for the acquisition thereof, and the advantages to be gained thereby;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the State Highway Commission does hereby find and declare that it is necessary and will be of advantage to the State of Oregon and there is need that the State acquire for right of way purposes in connection with the permanent location, construction, improvement, and maintenance of the following section or sections of the state highway system of the State of Oregon, to wit:

Roseburg-Shady Point Section of the Pacific Highway
 Service Creek-Burton Canyon Section of the John Day Highway
 Ana Spring-Hunter Hill Section of the Fremont Highway
 Silver Lake-Picture Rock Pass Section of the Fremont Highway
 Nehalem Spit Section of the Oregon Coast Highway

land and property owned by or in possession of the following parties and/or persons, to wit:

Roseburg-Shady Point Section of the Pacific Highway
 6760-E. Rausch
 6772-Geary G. Rapp and Ura Alberta Rapp
 6776 and 6776A-B. A. Young, A. J. Young
 6768-A. G. Pendo and Ruby Pendo
 Service Creek-Burton Canyon Section of the John Day Highway
 6746-W. E. Crawford
 Ana Spring-Hunter Hill Section of the Fremont Highway
 5262-Dean Harris, et al
 Silver Lake-Picture Rock Pass Section of the Fremont Highway
 6778-State of Oregon, James M. Allen
 Nehalem Spit Section of the Oregon Coast Highway
 6744-M. L. White

as their respective interests may appear, and this Commission does hereby declare further that the said property or properties are necessary, are needful, and the acquisition thereof will be of advantage to the State of Oregon for right of way purposes in order to make it possible for the State Highway Commission to properly locate, construct, and maintain said portion or portions of the said state highway system in accordance with standards adopted by this Commission relative to curvature, grades, alignment, drainage, and factors of safety.

2. That the State Highway Engineer be and he hereby is instructed and directed to properly survey the parcel or parcels of land required for such right of way purposes and prepare proper and adequate descriptions thereof, which descriptions shall be employed in the preparation of a deed or deeds or other instrument or instruments necessary to complete the acquisition of the said property or properties or which descriptions may be used in the preparation of a complaint in the event that condemnation proceedings are necessary.

3. That the boundaries of the said parcel or parcels of land, as defined and determined by the said survey made by the said Highway Engineer, along the route or location adopted by the Highway Commission, shall be and the same hereby are adopted and the lands defined therein are hereby declared to be and the same are included within the rights of way of the said portion or portions of the said state highway system and hereby are declared to be necessary for the proper location, improvement, construction, and maintenance of the

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said portion or portions of the state highway system.

4. That I. H. Van Winkle, Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they are hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land, with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby further resolved that the Attorney General of the State of Oregon and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they hereby are requested to commence and prosecute to a final determination such suit or action or suits or actions as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

The Commission also adopted by unanimous vote the following resolution authorizing the Attorney to condemn right of way that is needed for the Pacific Highway East in Oregon City across the property of the Security & Investment Company of Oregon City:

WHEREAS, the State Highway Commission is by law authorized and directed to lay out, locate, designate, construct, improve, and maintain a system of state highways in the State of Oregon, and to acquire rights of way and to declare the necessity and need for the acquisition thereof, and the advantages to be gained thereby;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the State Highway Commission does hereby find and declare that it is necessary and will be of advantage to the State of Oregon and there is need that the State acquire for right of way purposes in connection with the permanent location, construction, improvement, and maintenance of the following section or sections of the state highway system of the State of Oregon, to wit:

OREGON CITY SECTION OF THE PACIFIC HIGHWAY EAST

land and property owned by or in possession of the following parties and/or persons, to wit:

Security & Investment Company of Oregon City

as their respective interests may appear, and this Commission does

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hereby declare further that the said property or properties are necessary, are needful, and the acquisition thereof will be of advantage to the State of Oregon for right of way purposes in order to make it possible for the State Highway Commission to properly locate, construct, and maintain said portion or portions of the said state highway system in accordance with standards adopted by this Commission relative to curvature, grades, alignment, drainage, and factors of safety.

2. That the State Highway Engineer be and he hereby is instructed and directed to properly survey the parcel or parcels of land required for such right of way purposes and prepare proper and adequate descriptions thereof, which descriptions shall be employed in the preparation of a deed or deeds or other instrument or instruments necessary to complete the acquisition of the said property or properties or which descriptions may be used in the preparation of a complaint in the event that condemnation proceedings are necessary.

3. That the boundaries of the said parcel or parcels of land, as defined and determined by the said survey made by the said Highway Engineer, along the route or location adopted by the Highway Commission, shall be and the same hereby are adopted and the lands defined therein are hereby declared to be and the same are included within the rights of way of the said portion or portions of the said state highway system and hereby are declared to be necessary for the proper location, improvement, construction, and maintenance of the said portion or portions of the state highway system.

4. That I. H. Van Winkle, Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they are hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land, with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby further resolved that the Attorney General of the State of Oregon and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they hereby are requested to commence and prosecute to a final determination such suit or action or suits or actions as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

The Commission had under discussion the controversy with C.A. Hardy relative to the location of the John Day Highway across Mr. Hardy's property

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between John Day and Prairie City, in Grant County, which involves the question of whether the highway should be constructed on straight alignment or on curved alignment. The Commission decided in favor of the straight alignment and by unanimous vote authorized the Attorney to condemn the right of way in accordance therewith if Mr. Hardy will not accept \$2000 for same.

The Assistant Attorney reported on the status of securing right of way options for the proposed revision of the Pacific Highway West through the town of Tigard. He advised that the estimated cost of such right of way along the southerly route is \$66,000, whereas that along the northerly route is \$96,500. The Engineer advised that it would cost about \$265,000 to construct the southerly route, whereas the northerly route can be constructed for \$244,000, making a total cost of \$331,000 for the southerly route and \$340,500 for the northerly route. He recommended the adoption of the northerly route notwithstanding that it is slightly more expensive than the other, particularly because it apparently is favored by most of the people in Tigard and because it can be built in sections and will involve a lesser expenditure of state funds at any one time. Also, because there is very little to choose between the two routes so far as alignment is concerned. After considerable discussion Chairman Cabell expressed himself tentatively in favor of the northerly route as did also Commissioners Aldrich and Clough. A definite decision in regard thereto was deferred by the Commission until later in the session after it has heard additional arguments to be presented by groups favoring both routes. (The Commission adopted a resolution on the following day definitely deciding in favor of the northerly route.)

Commissioner Aldrich brought up for discussion the matter of prohibiting the erection of advertising signs on privately-owned property adjacent to state highway rights of way and particularly along the Pendleton-Stanfield Section of the Old Oregon Trail. He advised that practically all of the property owners along this section of the Old Oregon Trail have signed statements to the effect that they will not allow signs to be maintained on their properties, but one owner objects to doing so because he realizes about \$30 per year rental from such source. The Attorney advised that the Commission has authority to spend state funds to purchase exclusive rights for the maintenance of signs on private properties if it so desires, but suggested that that would be unwise because it would eventually mean an expenditure of a large sum of state highway funds, which the Commission cannot afford. The Commission decided not to follow such procedure but to try again to secure signed statements from all of the property owners. The Commission also decided that the proper time to secure statements of this kind is when right of way for new projects is acquired, and accordingly instructed the Attorney to follow such procedure hereafter in connection with right of way negotiations.

The Engineer reported considerable savings in the contracting of state highway construction work and suggested that this money should be expended for oiling work. He presented the following list of eligible projects for such funds and recommended approval of the same for light oil treatment costing approximately \$1000 per mile:

Sunset Camp Oiling Project:

Balm Grove-Sunset Camp Section	State	\$ 12,000
Sunset Camp-Nehalem River Section	"	14,000
Butte Creek & Mt. Vernon Oiling Project:		
Butte Creek-Service Creek Section	"	12,000
Mt. Vernon-Forest Boundary Section	"	24,000
Baker-Gibbs Ranch Section	"	5,000
Weston-Forest Boundary, Oiling	"	12,000
Willamette Valley Oiling Project:		
Midway-Scholls Section	"	15,000
McMinnville Rd.-Sunnycrest Rd. Section	"	3,000
Hopewell Section	"	3,000
Colton-Springwater Section	"	7,000
Maple Grove-Pedee Section	"	3,000
Pedee-Benton County Line Section	"	3,000
Santiam Highway-Crabtree Section	"	2,000
Eastside-Enegren Ferry, Oiling	(State Force)	4,000

The Commission by unanimous vote approved the recommendation and instructed the Engineer to advertise as many of these jobs as possible for bids to be received at the meetings that are scheduled for June 6 and June 22, 1939.

The Commission also by unanimous vote authorized the Engineer to construct a light oil treatment on the Eastside-Enegren Ferry Section of the Coos River Secondary Highway in Coos County, with state forces. However, it was understood that this work is authorized for state forces as an exception and not as a general rule and that as a general policy such projects should be advertised for bids.

The Engineer reported that there is a possibility that Congress will make additional moneys available for a new P.W.A. program and suggested that it would be advisable to take advantage of such funds if and when they are authorized. He advised that present indications are that the Commission will be able to arrange for a program amounting to between \$1,500,000 and \$2,000,000 under such a setup and suggested that the P.W.A. authorities be so informed. After considerable discussion the Commission approved the suggestion and authorized the Engineer to pass this information along to Mr. C. C. Hockley, Regional Director of the P.W.A., Portland.

The Commission adjourned at 10:45 o'clock p. m., to reconvene at 9:00 o'clock on the following morning in the Auditorium of the Public Service Building.

Portland, Oregon, May 19, 1939

The State Highway Commission reconvened at 9:00 o'clock a. m. in the Auditorium of the Public Service Building, with all Commissioners present and participating. Also present were the State Highway Engineer, the Attorney, and the Secretary.

Bids as follows for highway construction projects were opened and

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read in conformance with previously published notice, following which Chairman Cabell announced that the award of contracts would be made at 3:30 o'clock p. m. in the same room:

PACIFIC HIGHWAY
ROSEBURG-SHADY POINT SECTION - GRADING AND PAVING

Berke Bros.	\$191,992.00
Edlefsen-Weygandt Company	193,387.00
McNutt Bros.	216,994.00
E. C. Hall Company	220,424.00
Roy L. Houck	220,827.50
E. L. Gates	223,660.50
Clifford A. Dunn	233,577.00
Leonard & Slate	235,013.00
Parker-Schram Company	237,170.50

JOHN DAY HIGHWAY
FLAT CREEK-JOHN DAY SECTION - OILING

Babler Bros.	\$ 17,415.00
R. O. Dail & Warren Bros.	17,589.00
J. C. Compton	18,676.00
Diesel Oil Sales Company	18,947.00
McNutt Bros.	19,912.00

JOHN DAY HIGHWAY
JOHN DAY-PRAIRIE CITY SECTION - GRADING AND TOPPING
ALSO OILING

E. L. Rigdon	\$ 79,361.00
Triangle Construction Company	79,441.25
Roy L. Houck	80,267.00
M. L. O'Neil & Son	81,881.50
Leonard & Slate	82,042.00
Max J. Kuney	86,169.00
Mountain States Construction Company	86,686.50
McNutt Bros.	89,351.00
C. J. Eldon	90,337.00
G. D. Lyon & Company	94,668.50
Edlefsen-Weygandt Company	96,899.00
E. C. Hall Company	97,206.20
E. L. Gates	97,342.00
Tony Marrasso	98,000.00
J. C. Papin	103,998.10
Dodge Construction Company, Inc.	106,292.00

JOHN DAY HIGHWAY
DEAN CREEK-PRAIRIE CITY SECTION
CONSTRUCTION OF THREE BRIDGES AND ONE CULVERT AND EXTENSIONS TO SEVEN CULVERTS

Edlefsen-Weygandt Company	\$ 22,974.50
J. F. Johnston	23,959.00
Mountain States Construction Company	24,043.40
McNutt Bros.	24,620.50

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(Dean Creek-Prairie City Section, continued)

Tom Lillebo	\$ 24,992.00
Max J. Eumey	25,320.00
Denton & Young	25,400.50
G. J. Elden	25,626.70
G. D. Lyon & Company	25,671.00
Leonard & Slate	26,676.25
Frank Watt Construction Company	26,807.95
Wm. A. McWaters & Robt. L. Knapton	30,623.00
McAttee & Heath	31,781.50

MAIN STREET IN THE TOWN OF SCIO
BRIDGE OVER THOMAS CREEK

Contracting & Sales Company, Inc.	\$ 10,568.00
J. F. Johnston	11,576.00
Birkemeier & Saremal	11,723.00
Tom Lillebo	11,734.00
Leonard & Slate	12,351.00
Mountain States Construction Company	12,802.00
McNutt Bros.	13,427.50

SANTIAM HIGHWAY
LAMB CREEK-SHEEP RIDGE SECTION
LOG SPAN WITH TRESTLE APPROACH

J. F. Johnston	\$ 11,522.00
F. C. Dillard	14,168.00
S. S. Montague	14,657.00
McNutt Bros.	21,048.50
Leonard & Slate	60,910.00

TROUTDALE-SANDY ROAD
STREBIN ROAD-HOSNER ROAD SECTION
GRADING, SURFACING, OILING

	<u>Using Road Oil</u>	<u>Using Tar</u>
H. L. Rice	- - - - -	\$ 37,585.00
Newport Construction Company	\$ 39,220.90	38,828.50
Theo Arens	- - - - -	42,676.50
Babler Bros.	- - - - -	43,832.50
R. O. Dail & Warren Bros., Inc.	- - - - -	47,389.50
Homer G. Johnson	- - - - -	48,710.50
The United Contracting Company	- - - - -	51,694.50

Two delegations from the town of Tigard were present and presented arguments with respect to the rerouting of the Pacific Highway West through that town. One of the delegations was headed by Mr. Thomas Tongue, Attorney-at-Law, Hillsboro, and consisted of approximately 15 persons who favored the northern route. The other delegation, consisting of 19 members, was headed by Mr. Kemmer, Attorney-at-Law, Beaverton, and favored the adoption of the southerly route. Mr. Kemmer presented arguments on behalf of the delegation

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favoring the southerly route and was followed by Mr. Tongue who presented those on behalf of the people who favored the northerly route. At the conclusion of the presentation of both groups Chairman Cabell advised that the Commission is glad to have the arguments of both factions and that the Commission hopes to make its decision with respect to this matter before adjournment of this meeting. This matter was discussed by the Commission in private following the appearance of the delegations, at which time the Commission decided definitely in favor of the northerly route. The following resolution with respect thereto was adopted by the Commission by unanimous vote:

WHEREAS, the Pacific Highway West has for some time been routed through the unincorporated town of Tigard over the main street or thoroughfare of said town; and

WHEREAS, it is the opinion of the Highway Commission that a change in the alignment of said highway with respect to said town of Tigard should be made in order to afford a more convenient, safe and adequate highway for the motoring public; and

WHEREAS, after thorough and repeated surveys had been made and after listening to delegations and citizens of the said community with respect to several possible routes, and after due consideration of all matters pertaining to the selection of a permanent route the Commission has selected as the route of the highway through said town the route which in the judgment and opinion of the Commission will most adequately serve the general public.

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the Commission, all members being present and affirmatively voting, as follows:

1. That the route of the Pacific Highway West through the unincorporated town of Tigard shall be along a route and over territory defined and described as follows, to wit:

Beginning approximately 500 feet westerly of the Multnomah-Washington County Line at engineer's station 204+99.0 - 5+33.4 at the end of the present four-lane pavement; thence in a southwesterly direction in general following the present highway to approximately 400 feet easterly of the High School; thence leaving the present highway and passing back of the Methodist-Episcopal Church, crossing the railroad tracks of the Oregon Electric Railway Company and the Southern Pacific Company approximately 275 feet northwesterly of the present highway crossing, and then joining the present highway near the Catholic Church and School; thence following the present highway to a connection with the end of the present concrete pavement approximately 250 feet westerly of the Public School.

2. That the survey, field notes and other data made, acquired and assembled by the Engineer with respect to said route, all

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of which have been filed in the office of the State Highway Commission at Salem, Oregon, be and the same hereby are approved and adopted as the survey, field notes and route of said highway.

3. Be it further resolved that in due time and as funds are made available therefor the Pacific Highway West shall be constructed over the above described route, and as soon as the highway has been permanently constructed over said route and is ready to receive the traffic which uses and employs the said West Side Pacific Highway in said vicinity the present route of said highway shall thereafter be abandoned as a portion or part of the Pacific Highway West.

4. That this resolution shall be entered in the minutes and records of the Highway Commission and a duly certified copy thereof delivered to the United States Bureau of Public Roads and a like copy to the County Court of and for Washington County.

A delegation from Reedsport, consisting of Mayor E. G. Dunn, W. A. Burdick, W. G. Benson, J. H. Richards, N. Hogan, and Mrs. Harriet Edwards, came before the Commission relative to the proposed improvement of the Umpqua Highway between 12th and 15th Streets in this town, particularly with reference to the moving of the city's building and the theatre building located on the easterly side of this highway. It was recalled from previous discussions that the city building and the theatre building would have to be moved back from the highway a distance of 10 feet in order to provide a standard width highway right of way and that Mrs. Edwards, who owns the theatre building, is not inclined to give up any of her present property fronting on the highway unless she is guaranteed additional land at the back of her premises, because she has need for a full 100-foot property depth in order to satisfactorily carry on her business. It appeared from comparisons that the cost of moving the buildings will nearly equal the cost of improving the highway, for which reason the Commission indicated an unwillingness to assume such obligation. The Engineer suggested, as a solution to the entire problem, the narrowing of the existing sidewalks to 7 feet, which would provide a width of 56 feet between curbs for traffic, including a central neutral zone 2 feet wide. It was his thought that such arrangement would be adequate for a long time. He also suggested an 80-foot right of way at 12th Street in order to improve sight distance at this intersection, which would necessitate the cutting back of the concrete garage building at this point. After discussion the Commission by unanimous vote tentatively approved such arrangement pending further study of the matter.

The question of reconstructing the canopies on business houses in connection with this improvement was also discussed. Chairman Cabell suggested that the state assume such expense if it is not large and if it is a legal expenditure of state funds. The Attorney advised that the Commission has legal authority to expend state funds for improvements of this kind, whereupon the Commission by unanimous vote agreed to assume this responsibility when the street work is undertaken.

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The Assistant Attorney presented a form of agreement with the California Western States Life Insurance Company, providing for group insurance coverage for highway department employees who are paid on the hourly basis. The Commission approved the agreement and referred to the Attorney for further study the matter of including coverage for employees who are paid on the monthly basis.

The Assistant Attorney brought up for discussion the matter of selling to Talent Grange, of Jackson County, a small tract of state-owned land at the intersection of the Pacific Highway with the Valley View County Road south of Talent. He recalled that the Commission at the previous meeting authorized the sale of this property to the Grange for the sum of \$250. He gave as his understanding that the Grange wants the state to deed this property to the Grange without cost. He inquired whether or not the Commission had considered the matter from that standpoint and requested instructions relative thereto. After discussion the Commission decided definitely not to deed this property to the Grange without cost, but to make a charge for it, the amount thereof to be determined by Commissioner Clough. Commissioner Clough was given full authority to act in the matter.

The Commission adjourned at 12:00 o'clock noon and reconvened at 2:00 o'clock p. m. in the same room, with all Commissioners present and participating. Also present were the State Highway Engineer, the Attorney, and the Secretary.

A delegation from Hood River, representing the Chamber of Commerce, came before the Commission relative to snow removal on the Mt. Hood Highway. Mr. Harold Loomis, Secretary of the Chamber of Commerce, headed the group, which included the following: John Mohr of Hood River and County Judge C. D. Nickelson of Hood River County; L. P. Jaeger, Ross Finnegan, Ed Pettig, Joe Herman, W. H. Hoffman, Flavel Temple, and Mr. Halcomb, all representing the Portland Hotelmen's Association; also, Jack Meier of Timberline Lodge, Inc., Tim O'Conner, representing the Gray Line buses, and James Frankland of the U. S. Forest Service. They asked the Commission to endeavor to keep this highway open throughout its entire length for year-round travel, and, if that is impossible, to at least set definite dates for the opening and closing of the highway in the spring and in the fall.

Chairman Cabell advised that the opening of this road is dependent upon the balancing of the expense involved against the probable use of the road, and that in some years the road could be opened much earlier than in others, so the Commission is not in a position at this time to make any definite statement as to what it could do, if anything at all. Mr. Jaeger urged the early opening of this highway on behalf of hotel people. He advised that the Mt. Hood Loop trip is one of the big features that they carry in their advertising matter, and when tourists come to Oregon they expect to make the trip as advertised and many times are disappointed because the road is not open for travel. If the highway could be kept open the year round, he said, or at least if the Commission would set definite dates for the opening and closing of the highway, it would be a great help and then they could advertise this trip accordingly and tourists who want to make the trip would be able to

arrange their itinerary to fit. Also speaking on behalf of this project were Mr. O'Connor, County Judge Nickelsen, and Jack Meier.

As a result of the appearance of this delegation, the Commission instructed the Engineer to render a report on what it would have cost the state to open this highway to travel throughout its entire length on May 1 of each year for the past 10 years. The delegation was informed that the Commission would render its decision after the report has been studied.

A delegation from Tillamook and Washington Counties conferred with the Commission relative to the Wilson River Highway. The delegation was headed by County Judge Harland M. Woods, of Tillamook County, and included the following: County Commissioner E. G. Anderson, of Tillamook County; County Commissioners James Lewis and J. W. Hughes, of Washington County; Jack Aschim; Warren McMinnee, District Attorney; B. Charlie Lamb, Arthur Beals, M. D. Ackley, R. B. Miller, Senator C. J. Edwards, and W. J. Mandley, all of Tillamook; also Charles West, of Portland. Mr. Aschim presented the principal arguments. He particularly urged the oiling of the section between Jordan Creek and McNamers Camp and the construction of a bridge over the Wilson River near the summit of the Coast Range. Mr. Aschim asked for the early construction of the bridge because, in his estimation, it will take considerably longer to build the bridge than to complete the grading work on the adjacent sections.

Mr. Mandley, Senator Edwards, and County Commissioner Hughes endorsed the remarks of Judge Woods and Mr. Aschim. Judge Woods inquired as to the Commission's plans for this highway. He was informed that in order to advance its completion as much as possible the Commission has decided to construct log bridges over all the streams with the exception of the bridge near the summit, which is to be of a permanent type. These log bridges, he said, will be financed with W.P.A. funds as will also the grading work, surfacing, and tunnel construction, but the Commission plans to contract the high bridge at the summit and the oiling work. They were further informed that the Commission plans to move one of its crushers from the Wolf Creek Highway W.P.A. project to this job so as to expedite the preparation of rock needed for surfacing and oiling work. It was explained that the rock would be financed with W.P.A. funds and stockpiled for use in 1940 under an oiling contract.

Chairman Cabell pointed out the possibility of financing the construction of the bridge at the summit with P.W.A. funds and assured the delegation that this project would be undertaken under such program if the funds materialize, as is now expected. If they do not materialize, he added, then the Commission will have to find some other way to finance the work. This concluded the conference.

County Judge Nelson B. Higgs, of Harney County, Archie McGowan of Burns, and County Commissioner Wm. Baer of Deschutes County, came before the Commission relative to the completion of the oiling of the Central Oregon Highway between Buchanan and Burns, a distance of about 30 miles. They were informed that this work will cost approximately \$300,000, which is more money than the Commission can spare in any one year for such work, so it has been decided to do the work in two units, one of which, extending from Juntura to

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the Stinkingwater Bridge and costing about \$145,000, will be included in the next construction program for contracting in the fall.

Mr. McGowan inquired as to the possibility of securing additional oiling work on this road to insure a dustless surface throughout its entire length in 1940. After some discussion the Engineer suggested that it would be advisable to construct a light oil surface on the section that is not to be contracted this fall, which, in his estimation, would satisfy everyone until a standard oil surface could be financed. Judge Higge and Mr. McGowan both approved such arrangement and it was so ordered by the Commission.

Commissioner Baer then inquired as to the plans of the Commission for the improvement of the Butler Market Road, which extends northeasterly from the city of Bend. He was informed that the Commission considers this a priority project and intends to include it in its next construction program for federal aid secondary highway funds which will be arranged later in the year.

Mrs. Pearl Becker, Secretary of the Pomona Grange, Scappoose, Oregon, came before the Commission relative to Natal Park, which is situate adjacent to the Nehalem Secondary Highway about 4 miles west of Mist. She said that this tract contains 10 acres of very fine timber; in fact, this is one of the few stands of fine timber remaining in Columbia County, which should be preserved if some way can be found to finance it. She said that the Clarke-Wilson Lumber Company, which owns the timber, has plans to cut it in the near future, but has consented to defer logging operations pending settlement of the question of whether or not the state wants the area for park purposes and is willing to pay for the timber. The company, she said, is asking payment for the timber only, and, if the state buys it, will deed the land to the state free of cost.

Chairman Cabell explained that the Commission had this matter under discussion on the previous day and understood at that time that the Clarke-Wilson Company demands \$6,000 for the timber, which price the Commission considers exorbitant. He also stated that, in view of the limited amount of funds that the Commission has available for park purposes, the Commission has decided to concentrate on purchases along the heavily traveled highways where the Commission feels the most good would be accomplished. There is a question in the minds of the Commissioners, he added, whether or not the purchase of Natal Park is justified in view of the fact that there are so many desirable places along the heavily traveled highways which more nearly meet the Commission's requirements and which the Commission should purchase if it had the money.

Mrs. Becker urged the Commission to purchase at least a part of the tract if it cannot finance the entire area. The Commission agreed to give the matter further study and referred it to the State Parks Superintendent for additional information. Mrs. Becker agreed to contact the Clarke-Wilson Lumber Company again in an endeavor to secure its consent to the postponement of its logging operations on this tract until the state decides definitely whether or not to acquire it.

A delegation from Multnomah County, representing business interests along Sandy Boulevard through the Parkrose District, came before the Commission and urged the improvement of Sandy Boulevard (Columbia River Highway) from 74th Avenue to 122nd Avenue. The delegation was headed by Mr. James J. Schwary and included W. S. Wessling, R. L. Freeman, Harry Pierce, and W. L. Paterson; also County Commissioner C. A. Bigelow of Multnomah County. Speaking on behalf of this project were Messrs. Paterson, Wessling, Pierce, Freeman, Schwary, and County Commissioner Bigelow. They particularly asked that this project be included in the contract for the construction of the 44th Avenue-74th Avenue Section on which the Commission expects to receive bids at its meeting in June.

Chairman Cabell advised that the 44th Avenue-74th Avenue project is a part of the project that the Commission programmed last year and was not undertaken at that time simply because the Commission did not have funds to finance it. He further advised that it would not be possible to include in this contract additional work between 74th Avenue and 122nd Avenue because there is not sufficient time to make the survey and prepare the data. He added that this job must be considered on its merits and that the Commission will do this when it arranges its next federal aid program, although no commitments or promises can be made relative thereto at the present time. The Engineer was thereupon authorized to make a survey of the section under discussion. Mr. Bigelow presented a letter from the Board of County Commissioners of Multnomah County endorsing this project.

At 3:30 o'clock p. m. Chairman Cabell announced the following awards of contracts for which bids were taken at the morning session, such awards having been previously approved by the Commission by unanimous vote:

"Roseburg-Shady Point Section of the Pacific Highway, in Douglas County. 2.41 miles grading and paving. Berke Bros., Portland, submitted the low bid for this project at \$191,992.00. The next low bid was submitted by Edlefsen-Weygandt Company of Portland at \$193,387.00. There were 7 higher bidders. The Commission has referred all bids on this job to the Engineer with power to award the contract to the low bidder when certain conditions have been fulfilled.

"Flat Creek-John Day Section of the John Day Highway, in Grant County. 24.56 miles of oiling. The low bid received for this project was that of Babler Bros., Portland, at \$17,415.00. The next low bid was that of R. O. Dail & Warren Bros., Inc., Portland, at \$17,589.00. There were 3 higher bidders. The Commission has awarded this contract to the low bidder, Babler Bros., at their bid of \$17,415.00.

"John Day-Prairie City Section of the John Day Highway, in Grant County. 8.17 miles grading and topping and 4.43 miles oiling. E. L. Rigdon, of Klamath Falls, submitted the low bid of \$79,361.00 on this project. The next low bid was submitted by the Triangle Construction Company of Boise, Idaho, at \$79,441.25. There were 14 higher bidders. The Commission has referred all bids received on this project to the

Engineer with power to award the contract to the low bidder when certain conditions have been fulfilled.

"Construction of three bridges and one culvert and extensions to seven culverts on the Dean Creek-Prairie City Section of the John Day Highway, in Grant County. The low bid received for this project was that of Edlefsen-Weygandt Company, of Portland, in the amount of \$22,974.50. The next low bid was that of J. F. Johnston, Newberg, at \$23,959.00. There were 11 higher bidders. The Commission has referred all bids received on this project to the Engineer, with power to award the contract to the low bidder when certain conditions have been fulfilled.

"Bridge over Thomas Creek, on Main Street, in the town of Scio, Linn County. The low bidder for this project was the Contracting & Sales Company, Inc., of Portland, at \$10,568.00. The next low bidder was J. F. Johnston, of Newberg, at \$11,576.00. There were 5 higher bidders. The bids for this project were received for and on behalf of the County Court of Linn County. The Commission, therefore, has referred all of them to Linn County Court for consideration.

"Lamb Creek-Sheep Ridge Section of the Santiam Highway, in Linn County. Construction of a 60-foot log span with 205 lin. ft. of trestle approach. The apparent low bidders, Leonard & Slate of Multnomah, bid \$100 per cu. yd. on Item No. 9, removal of roadbed slides, but their total extension was \$500, which would be at the rate of \$1.00 per cubic yard instead of \$100 per cubic yard; and, while I do not think there is much doubt that they meant their unit price to be \$1.00 per cubic yard, nevertheless, in the specifications there is a clause which reads as follows:

'The total amount of a bid for the purpose of determining the amounts of bidders' deposits and surety bond and of comparing the bids shall be the total sum computed from the State Highway Engineer's approximate estimate of the quantities of work involved, and the unit prices proposed in said bid.'

Therefore, since the unit price is clearly \$100, in order to comply with the specifications, the Commission considers that it has no alternative but to compute the bid on the basis of the unit price, which resulted in Leonard & Slate being the high bidders instead of the low. This leaves J. F. Johnston, of Newberg, the low bidder, with his bid of \$11,522.00. The next low bidder was F. C. Dillard, of Eugene, at \$14,168.00. There were 3 higher bidders. The Commission awards this contract to J. F. Johnston at his low bid of \$11,522.00.

"Strebin Road-Hosner Road Section of the Troutdale-Sandy Road, in Multnomah County. 3.25 miles grading, surfacing, and oiling. The low bid submitted for this project was that of H. L. Rice, of Port-

land, in the amount of \$37,585.00, based on the use of tar. Mr. Rice did not submit a bid using road oil. The next low bid was submitted by Newport Construction Company, of Portland, being in the sum of \$38,828.50, based on the use of tar, and \$39,220.90 using road oil. There were 5 higher bidders. The Commission has referred all bids on this job to the Engineer with power to award the contract to the low bidder, H. L. Rice, when certain conditions have been fulfilled."

Mr. W. H. Lynch, District Engineer, Bureau of Public Roads, conferred with the Commission at this time relative to several forest highway matters. He was accompanied by F. E. Andrews, Senior Highway Engineer, T. M. Davis, Highway Engineer, and James Frankland, Regional Engineer, U. S. Forestry Department. Mr. Lynch advised that there is a short section of the Willamette Highway about 1600 feet in length, between the Salt Creek Tunnel and the J.A. Lyons contract which was awarded on the previous day, for which no provision has been made for surfacing and oiling, although the grading work has been accounted for. He recommended an allocation of \$5,000 from the Oregon Forest Highway Contingent Fund to finance such work in order to insure the completion of this short section along with the other work in this vicinity. The State Highway Engineer concurred in such recommendation. The Commission approved the recommendation by unanimous vote.

Mr. Lynch also brought up for discussion the plans for the oiling of the forest highway section of the Weston-Elgin Secondary State Highway between Tollgate and the west forest boundary. He said that \$80,000 has been set up to finance this work and they plan to let a contract for the same this season, although there is a certain amount of grading work that will have to be done first. He said that he thought the Commission should know the facts because there is a possibility that the oiling work will be contracted too late to be completed this year. The Commission took no action on this matter.

Mr. Lynch inquired as to the plans of the Highway Commission for snow removal on the North Santiam Highway this coming winter. He advised that the cost to perform such work during the past winter was between \$15,000 and \$20,000, which, in their estimation, is rather expensive, considering that only 3,000 cars traveled over this road during the 3-month period ending March 31. He requested an expression from the Commission in regard thereto. The State Highway Engineer pointed out that the grading of the Santiam Highway will be completed this fall and will provide a year-round road from Central Oregon into the Willamette Valley. He questioned the advisability of keeping both the Santiam Highways open during the winter months. The Commission deferred a decision in this matter until next fall.

Mr. Lynch also brought up for discussion the matter of reallocating the \$50,000 of Fiscal Year 1940 Forest Highway Funds that were budgeted for the improvement of the north end of the Cascade Lakes Forest Highway. He said that they have made a very careful analysis of this road from different standpoints but do not seem able to justify the expense of such improvement and there is a question whether or not it will be approved by the authorities in Washington. He inquired as to where the Commission wishes to place these funds

in the event that definite approval of this project is not secured. The Commission deferred its decision in this matter until later.

A letter was presented from Mr. Ormond R. Bean, Commissioner of Public Works, Portland, confirming, in writing, the verbal understanding that he previously had with the Engineer with reference to the planning, installation, operation, and maintenance of traffic signals and traffic channelizing islands in the city of Portland along the established routes of state highways into and through this city. The Engineer read aloud the provisions of this tentative agreement, as follows, and recommended approval of the same and that he be given authority to indicate such approval by signing and returning to Mr. Bean a copy of said letter:

1. On or before June 1st of each year, the engineering staffs of the City and of the State will submit to the State Highway Commission and the City Council of Portland, a budget of expenditures for the year beginning on the first of the following December. The expenditures made under this budget for the purchase of the necessary equipment, material and supplies and for the installation of traffic signals and channelizing islands shall be borne 50% by the City of Portland and 50% by the State Highway Commission.
2. Plans in detail for the installation of signals and channelizing islands shall be prepared by the City Traffic Engineer and approved by the City Engineer and the State Highway Engineer, in writing. No subsequent changes shall be made in the master plan unless approved by both parties in writing.
3. When the State or the City lets contracts for widening and repaving streets, either authority shall install the conduits requisite for the signals and install the channelizing islands, and bill the other party for half the cost. The City shall be charged with the responsibility for the purchase and installation of the signals and controllers. They shall also be privileged to install channelizing islands and conduits with their own forces, where no major reconstruction is involved, and shall bill the State for half the cost of the labor, materials and equipment used.
4. It is to be understood that all equipment purchased shall be on the basis of specifications approved by the State Highway Engineer. All equipment with the exception of signal controllers shall be purchased on competitive bids.
5. It is further understood that the City will maintain and operate the facilities installed under this agreement.

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6. It is understood and agreed that the ownership of the signals shall be vested half with the City and half with the State, and that neither party will dispose of the signals without mutual agreement.

The Commission approved the arrangement as outlined, by unanimous vote, and authorized the Engineer to endorse Mr. Bean's letter. The Commission also approved an expenditure of \$30,000 of state funds this year in connection with such work.

The Engineer requested authority to purchase a Churn drill for testing materials in connection with soil foundation investigations. He estimated that such drill would cost about \$1,500. The Commission authorized the purchase by unanimous vote.

The Commission considered and accepted the offer of the City of Milton to pay \$10.00 for an old tank stored at the Pendleton maintenance headquarters.

The Engineer reported that the Prairie City-Unity Section of the John Day Highway is now sufficiently dry and stabilized to permit the hauling thereover of legal weight loads and recommended the lifting of the reduced load limit heretofore in effect on this section. The Commission approved the recommendation and thereupon, by unanimous vote, adopted the following resolution in regard thereto:

WHEREAS, on the 21st day of March, 1939, at a meeting of the Oregon State Highway Commission, all members being present and participating, the Commission passed and adopted a resolution reducing the maximum load limit on the following state highway:

JOHN DAY HIGHWAY, from Prairie City,
in Grant County, to Unity, in Baker County;

and

WHEREAS, subsequent to the passage of said resolution, conditions have changed so that it is now no longer necessary or desirable, and the Commission hereby finds that it is no longer necessary or desirable, to maintain the said reduced load limit set out in said resolution insofar as it pertains to the above mentioned highway;

NOW, THEREFORE, BE IT RESOLVED that the action of the State Highway Commission reducing the maximum permissible load limit on the

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JOHN DAY HIGHWAY from Prairie City, in Grant County, to Unity, in Baker County,

be and the same hereby is rescinded and cancelled as of this date, and the maximum load limit permissible on the said section of said highway hereafter shall be the maximum load limit provided by law.

IT IS HEREBY ORDERED that a certified copy of this resolution be furnished to the county clerk of each county in which said highway is located, and that a certified copy of this resolution be furnished to the Superintendent of the Department of State Police for his information.

Consideration was given by the Commission to the setting of a date for the public hearing in the city of Reedsport relative to the rerouting of the Umpqua Highway in that town. It was decided to hold such public hearing on Wednesday, June 21, 1939, starting at 10:00 o'clock a. m. The Secretary was instructed to send formal notification of such meeting to the Reedsport city officials.

The Commission also tentatively decided to go to Roseburg on Tuesday, June 20, for an inspection of the North Umpqua Highway and to be the guests of the Roseburg Chamber of Commerce that evening.

The Commission had under consideration the application of Senator George H. Chaney, Coquille, for a permit to transport a boat 44 feet long, 15 feet wide, and 17 feet high over the Oregon Coast Highway from 11th Street, in Coquille, to a point near the Southern Pacific Depot in that town. The Commission approved the granting of such permit provided Senator Chaney will furnish the customary insurance and will maintain flagmen for the protection of the general public during the moving operations.

The Engineer reported that on April 28, 1939, he awarded to Leonard & Slate the contract covering the grading, surfacing, and oiling of the Charleston-Sunset Bay Section of Cape Arago Secondary Highway, in Coos County, in accordance with authority previously granted him by the Commission, the bid of Leonard & Slate being the low one received for such project on April 7, and the conditions of the award having been satisfied. The Commission approved the award of this contract by unanimous vote.

The Engineer discussed with the Commission correspondence pertaining to the claim of K. W. Kite in the amount of \$128.95, representing the amount that he alleges is due him from the state by reason of improper classification of the work that he was required to do. The Engineer advised that Mr. Kite's duties were to grease, service, and maintain trucks of the maintenance crew operating in the Seaside district and that he was paid the regular wage for the performance of such work, which is less than the rate of a truck driver; further, that Mr. Kite alleges erroneously that such work is the regular assignment of truck drivers and, in view thereof, that he should receive truck driver's pay. He added that the greasing of trucks is classified as common

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labor, for which Mr. Kite was paid, and, in his estimation, the claim should be denied. The Commission concurred in the viewpoint of the Engineer and instructed him to convey such information to Mr. Kite's attorneys, Messrs. Norblad & Norblad, of Astoria.

The Commission had under discussion the question of renewing the contract with Leonard & Slate for the operation of the Willamette River Ferry at Wilsonville, inasmuch as the present contract expires on July 1, 1939. The Engineer advised that the present contract contains an extension clause to the effect that upon the expiration of the original 2-year period the contract may be extended at the option of the State Highway Commission for such period as the Commission may decide, but, in any event, not to exceed one year. He further advised that Leonard & Slate have given good service and recommended that the Commission take advantage of this extension clause and renew the present contract for one year. The Commission approved the recommendation by unanimous vote and so ordered.

The Secretary presented resolutions from the County Court of Deschutes County requesting the rerouting of the Century Drive Secondary Highway along Riverside Boulevard in Bend, which matter was the subject of the Commission's public hearing in Bend on May 17th. After discussion, and it appearing to the Commission that such change in route is logical and meets with the unanimous approval of the people of this city, the Commission approved such change. The following resolutions relative thereto were adopted by the Commission by unanimous vote:

WHEREAS, under the provisions of Chapter 248, Laws of 1931, and Chapter 196, Laws of 1935, the State Highway Commission, by mutual agreement with the respective county courts of the several counties of the State, is authorized and empowered to select, locate, and designate a system of secondary state highways, which highways shall be selected from the market roads or other county roads or available locations or routes of the several counties; and

WHEREAS, the State Highway Commission, by mutual agreement with the Deschutes County Court of the State of Oregon, has heretofore selected and regularly adopted, as provided by law, the Century Drive Secondary Highway No. 372; and

WHEREAS, it is now the intention of the State Highway Commission, by mutual agreement with the Deschutes County Court of the State of Oregon to eliminate and remove from the system of secondary state highways, under the provisions of Chapter 196, Oregon Laws of 1935, the hereinafter described section of the Century Drive Secondary Highway No. 372; and

WHEREAS, it is mutually understood and agreed by the State Highway Commission, the Deschutes County Court and the City of Bend of the State of Oregon, that from and after the adoption of this resolution by the State Highway Commission, the hereinafter described section of the Century Drive Secondary Highway No. 372

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shall, under the provisions of the laws of Oregon, become a city street, and the construction, repair, maintenance, or improvement, and the jurisdiction thereof, shall be exclusively under the city authorities of Bend.

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission, all members being present and affirmatively voting and participating, as follows:

1. That the following described section of the Century Drive Secondary Highway No. 372 is hereby eliminated from the secondary state highway system, to wit:

Beginning at the intersection of Broadway and Franklin Avenue and Riverside Boulevard in the City of Bend; thence via Broadway and Tumalo Avenue to the intersection of Tumalo Avenue and Riverside Boulevard, a distance of approximately 0.5 mile.

2. That the said above described section shall be and is hereby declared to be eliminated and removed from the secondary system of highways, and, from and after the adoption of this resolution, shall become a city street, and the construction, repair, maintenance, or improvement, and the jurisdiction thereof, shall be exclusively under the city authorities of the City of Bend, as provided by law.

3. That this resolution be entered in the minutes of the Commission and a duly certified copy thereof mailed to the County Court of Deschutes County and to the City Recorder of the City of Bend.

WHEREAS, under the provisions of Chapter 248, Laws of 1931, and Chapter 196, Laws of 1935, the State Highway Commission, by mutual agreement with the respective county courts of the several counties of the State, is authorized and empowered to select, locate and designate a system of secondary state highways, which highways shall be selected from the market roads or other county roads, or available locations or routes of the several counties; and

WHEREAS, the State Highway Commission, by mutual agreement with the County Court of Deschutes County, has selected the route hereinafter named, and it is the purpose of the Commission to officially and regularly designate and adopt said route as a section of highway to constitute, together with other highways which have heretofore been added and which may hereafter from time to time be added, a part of the system of secondary state highways of Deschutes County, under the provisions of said Acts;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the

State Highway Commission, all members being present and affirmatively voting and participating, as follows:

That the following named section of city street in the City of Bend in Deschutes County be and the said route is hereby selected, designated, established, adopted and approved as a secondary state highway and shall be and is hereby designated as a part of the secondary state highway system, to wit:

A Section of Century Drive Secondary Highway No. 372:

Beginning at the intersection of Broadway, Franklin Avenue, and Riverside Boulevard in the City of Bend; thence in a southwesterly direction along Riverside Boulevard to the intersection of Tumalo Avenue and Riverside Boulevard, a distance of approximately 0.5 mile.

That said route shall be, and is hereby qualified for improvement under the provisions of said Chapter 248, Oregon Laws 1931, and Chapter 196, Oregon Laws 1935, and amendments thereof;

That the Engineer be, and he hereby is authorized to make proper surveys with respect to the physical location upon the ground of the said route and properly file in the records of the Commission all of said data;

That this resolution be entered in the minutes of the Commission and a duly certified copy thereof mailed to the County Court of Deschutes County.

The Engineer reported on investigations that have been made to ascertain what is necessary to improve conditions on the Pacific Highway West at a place known as Six Corners, near Sherwood, where a traffic hazard now exists on account of the number of roads that enter the highway at this place. He advised that many pedestrians cross the highway at this point, and during the year 1938 five accidents occurred at this intersection. The proper solution of this condition, he said, is a re-design of the intersection, which would be quite costly and would involve the expenditure of considerably more money than can be spared at the present time. He recommended, therefore, as a temporary measure, the installation of a six-way flashing beacon over the intersection and that the cost of operating the same be assumed by the state, inasmuch as the beacon is outside of the corporate limits of any city or town. He estimated the cost of the installation at \$200. The Commission approved the recommendation unanimously.

A letter was presented from the City of Newport requesting the installation of flasher-type signals over the Oregon Coast Highway at its junction with the Corvallis-Newport Highway and at the Spruce Street intersection where the Oregon Coast Highway enters Newport from the north. The Engineer advised that investigation reveals that there is insufficient traffic

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entering the highway from Spruce Street to warrant the installation of a flashing beacon at such location and he recommended that the request for the light at this point be denied. However, he recommended approval of the request for a light at the Corvallis-Newport Highway intersection inasmuch as a large volume of traffic enters the Coast Highway at this point and a real hazard exists. The Commission approved the recommendation unanimously, subject to the condition that the City of Newport will pay the costs of operation.

A letter was presented from County Judge W. R. Cook, of Jefferson County, in regard to additional construction work on the Warm Springs Highway north of Warm Springs Agency. The Engineer advised that the Commission has \$25,000 of Federal Lands Funds budgeted for grading work on this road this year in the vicinity of He He Butte, but the County Court and the people of this district are particularly anxious for the construction of a new bridge over the Warm Springs River in connection therewith. He estimated that such bridge would cost about \$30,000 and recommended an additional allocation of state funds in such amount to finance it. The Commission approved the recommendation by unanimous vote.

The Secretary presented requests as follows for highway construction projects:

Request of J. D. Perry for oiling portions of Columbia River Highway at Deer Island.

Request for oiling John Day Highway between Service Creek Station and Shelton Park.

Petition from residents of Sisters, Oregon, for oiling of Main Street in that town full width through the business district.

Request of Cecil Armitage for grading of the Scholls-Campbells Bridge Section of Secondary Highway No. 219 on proposed new alignment.

Request of Baker County Chamber of Commerce for completion of oiling on Baker-Halfway Highway and improvements to Baker-Medical Springs Highway and Baker-Unity Highway.

Letter from Astoria Chamber of Commerce renewing request for construction of Elsie-Fish Hawk Falls cutoff.

Letter from Mrs. Ella Westenhouse, Scio, requesting the oiling of the reconstructed section of the secondary highway east of Scio.

Request of H. A. Utley, Lakeview, to Governor Sprague, urging additional oiling work on the Klamath Falls-Lakeview Highway.

Request of Pendleton Park Commission for landscaping of 1½-acre tract at junction of Old Oregon Trail with Oregon-Washington Highway, East Pendleton.

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Petition from property owners south of Monroe for the oiling of the Territorial Secondary Highway from Monroe to the Lane-Douglas County Line.

Request from Board of County Commissioners of Multnomah County for improvement of county road at intersection of N. E. 45th Avenue and Holman Street, Portland.

The Commission deferred action on these requests but instructed the Engineer to render a report on them at the next meeting.

The Attorney brought up for discussion matters pertaining to the Water Street project in Oregon City. He advised that the Supreme Court has rendered an adverse opinion with respect to the ownership of the street ends that are involved in this project, and requested instructions as to whether he should ask for a re-hearing of the matter or should institute condemnation proceedings to acquire such street ends on the basis of the Commission's original offer of \$20,000, which involves also the claim of the Surety and Investment Company with respect to moorage rights in the Willamette River at this location. After discussion the Commission instructed the Attorney to proceed with condemnation immediately and to delete entirely from the proceedings any reference whatsoever to the moorage rights.

The Attorney also brought up for discussion the request of the U.S. War Department for a permit authorizing the movement over state highways of oversize trucks designed particularly for the salvaging of wrecked airplanes. He read aloud a draft of a resolution with respect to the granting of such permit to the War Department under certain conditions. The Commission tentatively approved such resolution, deferring final action on the same until a future meeting.

The Attorney also presented a draft of a resolution prepared to outline the responsibility of the State Highway Engineer and the Attorney with respect to future right of way purchases, in view of the new Highway Code adopted by the 1939 Legislature, which goes into effect on June 15, 1939. Action on this matter was deferred by the Commission until a future meeting.

The Commission considered and signed agreements, et cetera, as follows:

Agreement with E. H. Itschner disposing of his claim for extra compensation arising out of construction of Baker-Flagstaff Hill Section of the Baker-Homestead Highway.

Agreement with Multnomah County providing for county maintenance of the Troutdale-Sandy County Road upon construction of same by the state as a federal aid secondary highway project.

Agreement with the U. S. Soil Conservation Service relative to the conducting of demonstrations of methods of erosion control along highways.

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Agreement with Oregon Trunk Railway Company pertaining to the proposed Third Street Undercrossing in Bend.

Agreements with N. P. Grant and Robert Fromm providing for the pasturing of sheep in Humbug Mountain State Park, Curry County.

Agreement with Consolidated Timber Company providing for undercrossings of their railroad on the Wilson River Highway, in Washington County.

Flowage easement granting to the United States of America certain rights to state-owned property adjacent to the Upper Columbia River Highway at Warren Creek.

Bargain and Sale Deed conveying unto the State Forestry Department 1.8 acres of land adjacent to Salmon River Highway, Tillamook County.

Bargain and Sale Deed conveying unto Florence N. Van Lydegraf and Faith Van Lydegraf Lots 2,3,4,5, & 6 of West Bunker Hill Addition to Marshfield, Coos County. Right of Way Transaction No. 5101.

Quitclaim Deed conveying unto Thomas Purdy property situate in Govt. Lot 2 of Section 22, T. 15 S., R. 12 W., W.M., adjacent to the Oregon Coast Highway, in Lane County. R/W Transaction No. 6574.

Bargain and Sale Deed conveying unto Henry Rees and Max Schlag and wife property situate in Lots 8,9,10,& 11, Block 7, Bunker Hill Addition to Marshfield, Coos County. R/W Transaction No. 4775.

Bargain and Sale Deed conveying unto R. A. Schofield and R. W. Knoefel property situate in Lots 6 & 7 of Block 4, Oregon City, being R/W transaction No. 3053.

Joint letter with W. H. Lynch, District Engineer, Bureau of Public Roads, providing for the contracting of all remaining work on the I.O.N. Highway in the fall of 1939.

The Commission considered dates for its next regular meetings and decided to hold such meetings in Portland on Tuesday, June 6, and on Thursday, June 22, 1939. The Engineer was instructed to advertise projects for bids to be received on those days. The Secretary was instructed to make the usual arrangements to hold the meetings in the Auditorium of the Public Service Building.

There being no further business to come before the Commission at this time, the meeting was adjourned at 5:30 o'clock p. m.

W. H. Lynch
State Highway Engineer

W. H. Lynch
Secretary

Henry F. Cabell
Chairman

E. B. Schindler
Commissioner

Wm. W. Lynch
Commissioner

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Portland, Oregon, June 5, 1939

The State Highway Commission met in regular session at 8:00 o'clock p. m. in the Rose Room of the Benson Hotel. Present were:

Henry F. Cabell, Chairman
E. B. Aldrich, Commissioner
Haron W. Clough, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

The Attorney brought up for discussion matters pertaining to the controversy with the Security & Investment Company of Oregon City relative to the acquisition of certain street ends in Oregon City that are needed as right of way for the Pacific Highway East in this town. He advised that he renewed his offer to pay \$20,000 for this property but it was refused, although the company stated a willingness to accept the sum of \$40,000 for the same. The Commission considered such amount far in excess of the real value of the property and thereupon refused the offer and ordered that the property be acquired by condemnation, as previously authorized.

The Attorney reported receipt of a letter from Orris Knapp, Port Orford, in regard to the relocation of the Oregon Coast Highway at this place. It appears that Mr. Knapp has plans to subdivide some of his property and wants the plat to conform to the proposed highway revision, which will require some of his land for right of way, and that he is willing to sell the right of way at this time at \$40 per acre if the state wants it; otherwise, will proceed with the subdividing of the property without any regard whatsoever to the proposed highway improvement. The Commission authorized the Attorney to negotiate for the acquisition of right of way across that part of Mr. Knapp's property that is affected by the proposed subdivision, the thought being that the Commission would purchase such portion now, in the event it is not too costly.

The Engineer requested authority to acquire certain parcels of real property that are needed for various improvements throughout the state. He submitted a list of such properties together with prices that he recommended be paid for each. After careful study, the Commission approved the request and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth; and

WHEREAS, as a result of negotiations carried on with the owners of the property acquired, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon; and

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WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed;

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Jewell-Banser Bridge Section - Nehalem Highway</u>				
6874-Larson, F. A.	Stock Pile	1.05	\$150 per a.	McChesney
<u>Bridal Veil-Multnomah Falls Section - Columbia River Highway</u>				
6755-Bergstrom, G. J.	R/W	2.0	\$1,000 Lump Sum	Parker
<u>Wren-Pedee Section - Kings Valley Secondary Highway</u>				
6879-Farris, Ray H.	R/W	0.31	\$100 per a. plus \$44	McCallister
<u>Corvallis-Monroe Section - Pacific Highway West</u>				
6578-Wagner, Frances E. Est.	R/W	1.99	\$65 per a. + \$259.50	Benson
<u>Boiler Bay-Rocky Creek Section - Oregon Coast Highway</u>				
4192-Francis, H. T.	R/W	1306 sq.ft.	\$75 Lump Sum	McCallister
5815-Schroeder, John	"	1500 sq.ft.	10¢ sq.ft. plus \$25	"
<u>Airport Road-Albany Section - Pacific Highway East</u>				
5877-Albany, City of	R/W	1.141	\$500 Lump Sum	Gardiner
5851-Bahrke, E. D.	"	1745 sq.ft.	5¢ sq.ft.	"
5848-Falwell, Edward	"	13548 sq.ft.	5¢ sq.ft. + \$365.50	"
6383-Shaw, J. R.	"	86822 sq.ft.	3½¢ sq.ft. + \$961.23	"
5841-Gilchrist, Bernice H.	"	17157 sq.ft.	8¢ sq.ft. at 6¢ sq.ft. 7495 sq.ft. at 4¢ sq.ft. plus \$435 979 sq.ft. at 5¢ sq.ft.	"
<u>Roseburg-Shady Point Section - Pacific Highway East</u>				
6763-Curry, N. Est.	R/W	114 sq.ft.	25¢ sq.ft. + \$139.25 + moving bldgs. (est. at \$1440)	Benson
6768-Pendo, A.G.	"	3.674	\$150 per a. + \$298.90	"
<u>Service Creek-Burton Canyon Section - John Day Highway</u>				
6749-Kelsey, L. C.	R/W	1.47	0.31 a. at \$100 per a. 1.16 a. at \$10 per a., plus \$102.50	Wells

(Continued on next page)

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Service Creek-Burton Canyon Section continued)</u>				
6750-Asher, Bessie	R/W	1.15	0.65 a. at \$100 per a. 0.50 a. at \$10 per a., + \$91.50 + moving fence	Wells
<u>Rhea Creek-Hepner Section - Wasco-Hepner Highway</u>				
6683-Seay, Nellie M. and Clarke, Gertrude F.	R/W	0.23	\$100 per a. + \$42.75	Wells
<u>Island City-Elgin Section - LaGrande-Joseph Highway</u>				
7020-Federal Land Bank of Spokane	R/W	4.51	\$675 Lump Sum	Devers
<u>Nehalem Spit Park Section - Oregon Coast Highway</u>				
6744-White, M. L.	R/W & Park	15.21	\$32.21 per a.	Parker
<u>Silver Creek Falls Park - Silver Creek Falls Highway</u>				
3617-Cunningham, J. H.	Park		For release and cancellation of two 5-yr. leases, \$500	Devers
<u>Salem-12th Street Junction - Pacific Highway East</u>				
5785-Gibson, Duane	R/W	43560 sq.ft.	4¢ sq.ft. + \$4,257.60	McCallister
<u>South Dillard Bridge Section - Pacific Highway East</u>				
6308-McKay, Jennie	R/W	3.2	\$500 Lump Sum for land, + \$15 (Est. cost of ad- vertising sale of prop- erty by guardian)	McCallister
<u>Third Street Undercrossing, Bend - The Dalles-California Highway</u>				
6446-Bend, City of	R/W	6360 sq.ft.	Gratis	Benson
6811-Bend, City of	Slope Easement	1474 sq.ft.	Gratis	"
<u>Harper-Vale Section - Central Oregon Highway</u>				
6093-Holmes, W. H.	R/W	0.0	Gratis 485 rds. fencing, at 65¢ per rod	Parker
<u>Brothers-Harney County Line Section - Central Oregon Highway</u>				
6135-Cooper, Mary S.	R/W		Additional authorization for moving fence \$63.50	DeSouza
<u>Tunnel Point-Bridal Veil Section - Columbia River Highway</u>				
1828-Luscher, Fritz	R/W	34.2	\$105.45+ per a. + \$309 less credit by property to be deeded, amounting to \$1415.55	Parker

The Commission also discussed matters pertaining to the acquisition of right of way needed for the proposed revision of the Pacific Highway West

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through the town of Tigard. It was decided to defer approval of the prices contained in the options pending personal inspection of the properties by Chairman Cabell.

The Attorney also brought up for reconsideration the proposed settlement for right of way needed for the Wolf Creek Highway across property owned by H. E. McGraw, in Washington County. He advised that the Commission previously authorized offering Mr. McGraw \$3,500 for his property and, if he refused, acquiring the property by condemnation. He gave as his thought that, after having carried on further negotiations, Mr. McGraw would settle with the state for \$4,000, which is \$2,000 less than his original demand and is only \$400 more than the appraised value of the property. He requested authority to make such offer. The Commission approved the request.

The Attorney also reported the results of an investigation with respect to the renting of state-owned residence buildings in Pendleton. He advised that the G. F. Hodges Agency has offered to handle this business at the customary rate, which is \$1.00 per month plus 5 per cent of the monthly rentals, which would amount to \$3.62 per month for each house, based on the rent that the Commission is now charging. The Commission deferred a decision on whether to continue to rent the houses or to sell them until it has had an opportunity to inspect them, which it is thought will be some time this summer.

The Attorney requested instructions whether an allowance should be made to Mr. L. M. Erickson to cover taxes in the amount of \$25 that have accrued during the past two years against some of Mr. Erickson's property that the state needs for right of way for the West Portland-Hubbard Secondary Highway. He said that some two years ago an option was secured from Mr. Erickson who agreed to accept \$800 for this property. However, before the deal was consummated, the Commission ordered the negotiations discontinued, which places Mr. Erickson in an undesirable position with respect to the use of his property. In the meantime, taxes in the amount of \$25 have accumulated. Mr. Erickson feels, he said, that he should be reimbursed for this expense in view of the fact that he was not responsible for the deal not having been closed, although, if the Commission decides against him, he will accept the amount originally agreed upon. The Attorney recommended payment of \$25. The Commission approved the same with the understanding that it be considered as increased value of the property and not as payment of taxes.

The Attorney reported receipt of an offer of \$15 to purchase a state-owned building adjacent to the Corvallis-Newport Highway just east of Toledo. He recalled that the Commission previously ordered this building advertised for sale in the local newspaper and a "For Sale" sign posted on the property so that all interested might submit a bid for the same. Such procedure, he said, has been followed for the past six weeks but only the one offer has been received, being that of Roy E. Benson for \$15. He recommended acceptance of the same. The Commission approved the recommendation unanimously.

The Attorney requested instructions relative to the acquisition of right of way across the property of Mr. P. B. Patterson, which property is needed for a revision of the Pacific Highway just south of Grants Pass, in

Josephine County. He explained that Mr. Patterson has advised that he contemplates subdividing his property and that, in his estimation, it would be better for the Commission to deal with only one owner. In view of the circumstances, the Commission authorized the Attorney to negotiate for an option for this property.

The Attorney requested instructions relative to the settlement with the Free Methodist Church of Albany for right of way that is needed for the revision of the Pacific Highway East in Albany. This matter was discussed at some length, during which the Attorney recalled the alternate propositions for the solution of this problem as presented to the Commission at a previous meeting when the Reverend R. J. Milton was present. The Commission instructed the Attorney to negotiate further with the church officials in an endeavor to settle the matter on the basis of his alternative, which involves an expenditure of \$1,341 for the moving of the church and parsonage to a new location nearby.

The Commission discussed the controversy with Mr. Henry Eggers, Corvallis, relative to the construction of a private roadway approach to the Pacific Highway West, south of Corvallis. It appears that Mr. Eggers' private roadway enters the highway at a point where it is necessary to maintain either a culvert or small bridge across the highway ditch, and in replacing an old timber structure at such crossing Mr. Eggers simply rebuilt it of similar material, which is contrary to the Commission's requirements that such facilities be constructed of permanent materials such as steel or concrete. It also appears that Mr. Eggers has refused to comply with such requirements, which contemplate the installation of an 18-inch culvert pipe either of concrete or of metal, and insists on building a timber drainage facility, which is less costly. The Engineer advised that the Commission, a long time ago, ordered that all such drainage facilities should be of permanent construction and that such order has been followed throughout the state whenever new facilities have been installed, although there are some places where no replacements have as yet been made, which is probably true in the instant case. He gave as his thought that the Commission should not deviate from this policy and should require Mr. Eggers to install a permanent type of drainage facility, and he so recommended. The Commission concurred in the Engineer's viewpoint and thereupon instructed the Attorney to contact Mr. Eggers and explain to him the Commission's requirements, in an endeavor to secure his compliance therewith, which would obviate the necessity for the Commission to change its policy with respect to such matters. The Attorney was instructed to report the results of his conference at the next meeting.

In this connection the Engineer mentioned that logging operators frequently construct logging road approaches to state highways at places where the sight distance is short, thus creating a serious hazard to highway traffic. Furthermore, trucks operating over such logging roads carry onto the highway from the woods considerable mud and muck, which causes a slippery condition that is dangerous to travel. He gave as his thought that such approach roads should not be constructed until the State Highway Department has approved the location of the same, and that the operators of the trucks should be required to clean the wheels of their equipment before entering the highway, which would

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eliminate to a large extent the cause of the slippery condition. After discussion the Commission instructed the Secretary to ask the Public Utilities Commissioner to hereafter include in log-hauling permits issued from his office provision for inspection of all proposed logging-road approaches before they are actually constructed, and for the cleaning of the wheels of logging trucks before they enter upon state highway rights of way.

The Engineer brought up for discussion matters pertaining to the Wolf Creek Highway W.P.A. project. He advised that, according to information received from the W.P.A. officials, it will be necessary to close down this work because of lack of W.P.A. funds with which to finance the non-labor items unless the state will advance state funds for such purpose; in fact, the operation of some of the equipment has already been discontinued because there are no W.P.A. funds available with which to purchase gasoline to operate them. The Engineer estimated that it would take about \$12,000 of state highway funds to finance certain rock production operations that must be completed by July 1, 1939, if this highway is to be opened for general public use at that time. The Commission decided tentatively, after considerable discussion, to advance state funds to carry on this work until July 1, but deferred a definite decision in regard thereto pending consultation with W.P.A. officials on the following day. (See additional entry in the following day's record.)

The State Parks Superintendent, Mr. S. H. Boardman, and Division Engineer F. D. Eason were present and reported on investigations made by them of desirable recreational sites along the Wolf Creek Highway between Sunset Camp and Elsie. They stated that they selected nine sites which, in their estimation, should be acquired by the state, and that surveys of all of these sites have been made. They exhibited a map showing the location of such sites with reference to the highway. After discussion, the Commission approved such sites and instructed the Attorney to proceed immediately with the securing of options for them. He is to report his findings to the Commission on June 22, 1939.

Consideration was given by the Commission to the selection of projects for the fiscal year 1940 funds. The Engineer presented a list of projects that are eligible for such funds and advised that such list is based upon the Commission's securing additional P.W.A. funds to finance other important highway projects. He said that if the P.W.A. funds do not materialize, then it would be necessary to revise this list. After considerable discussion and careful study, the Commission selected the following projects for such program, it being strictly understood that the selection is tentative only; however, the Commission by unanimous vote authorized the Engineer to work up plans for all of them:

BASIC ALLOCATION - FEDERAL AND STATE FUNDS AS INDICATED

Program	Total (100%)	Divisions			
		* (47.0%)	Division 3 (18.0%)	Division 4 (14.5%)	Division 5 (20.5%)
1940 Regular Federal Aid	\$2,900,000	\$1,363,000	\$522,000	\$429,500	\$594,500
1940 Feeder Road Projects on State Hwys.	215,000	101,000	38,700	31,200	44,100
1940 Feeder Road Projects on County Roads	215,000	101,000	38,700	31,200	44,100
1940 Grade Separation Projects	270,000	126,900	48,600	39,200	55,300
1941 Grade Separation Projects	400,000	188,000	72,000	58,000	82,000
1940 Federal Lands Highway Projects	135,000	- - -	- - -	57,000	79,000
1939 State Projects on Primary Highways	125,000	58,800	22,500	18,100	25,600
1939 State Projects on Secondary Highways	65,000	30,600	11,700	9,400	13,300
Sub-totals	\$4,325,000	\$1,969,300	\$754,200	\$663,600	\$937,900
Adjustment for Previous Programs		-146,000	+333,000	-333,000	+146,000
Adjustment for Previous PWA Programs		+227,800	- 89,600	- 51,100	- 87,100
Adjustment for Wolf Cr. & Wilson R. WPA Proj.		-166,000	+ 56,400	+ 45,400	+ 64,200
Sub-totals	\$4,325,000	\$1,885,100	\$1,054,000	\$324,900	\$1,061,000
Adjustment for Odell Lake-Walker Mt., Surf.		- - -	-145,000	+145,000	- - -
Adjustment to round out totals		-100	+ 1,000	+ 100	-1,000
Totals	\$4,325,000	\$1,885,000	\$910,000	\$470,000	\$1,060,000

* The percentages shown under the division headings apply to all of the programs except the 1940 Federal Lands Highway Projects.

ADJUSTMENT COMPUTATIONS

Adjustments to be taken into consideration in developing 1940 Federal Programs and 1939 State Programs

I. ADJUSTMENT FOR 1938-39 PROGRAMS

	Total	Divisions			
		1 & 2	Division 3	Division 4	Division 5
Basic Allocation (Feb. 14, 1938)	\$10,307,000 100.0%	\$4,618,500 44.9%	\$1,768,900 17.2%	\$1,623,800 15.7%	\$2,295,800 22.2%
Adjustment for Previous Programs (Nov. 16, 1937)	- - -	+60,000	+87,000	-104,000	-43,000
Adjusted Totals	\$10,307,000 100.0%	\$4,678,500 45.4%	\$1,855,900 18.0%	\$1,519,800 14.8%	\$2,252,800 21.8%
Revised Allocation (Feb. 10, 1939)	\$10,426,900 100.0%	\$4,877,700 46.8%	\$1,546,800 14.8%	\$1,876,900 18.0%	\$2,125,500 20.4%
Adjustment Required		-1.4% \$ -146,000	+3.2% \$ +333,000	-3.2% \$ -333,000	+1.4% \$ +146,000

II. ADJUSTMENT FOR 1937-38 PWA PROGRAM

	Total	Divisions			
		1 & 2	Division 3	Division 4	Division 5
Basic Allocation	\$ 837,435 100.0%	\$ 393,635 47.0%	\$ 150,700 18.0%	\$ 121,400 14.5%	\$ 171,700 20.5%
Revised Allocation (June 5, 1939)	\$ 837,435	\$ 165,835	\$ 240,300	\$ 172,500	\$ 258,800
Adjustment Required		\$ +227,800	\$ -89,600	\$ -51,100	\$ -87,100

III. ADJUSTMENT FOR 1938 WPA PROGRAM

	Total	Divisions			
		1 & 2	Division 3	Division 4	Division 5
Basic Allocation (Based on amount expended in 1938)	\$ 313,286 100.0%	\$ 147,286 47.0%	\$ 56,400 18.0%	\$ 45,400 14.5%	\$ 64,200 20.5%
Actual Allocation	313,286	313,286	- - -	- - -	- - -
Adjustment Required		\$ -166,000	\$ +56,400	\$ +45,400	\$ +64,200

1940 REGULAR FEDERAL AID PROGRAM

County	Highway	Section and Kind of Work	Estimated Cost
<u>DIVISIONS NOS. 1 & 2</u>			
Multnomah	Columbia R.	Troutdale-Dodson; Grading	\$ 260,000*
Multnomah		Portland (Project to be selected)	214,000
Tillamook	Oregon Coast	Arch Cape Section; Tunnel Linings, Paving and Portals	50,000*
Tillamook	Oregon Coast	Nashkahnle Mountain; Grading, Topping, Bridge and Walls	150,000
Columbia & Clatsop	Columbia R.	Warren-Scappoose; or Multnomah County Line-Scappoose; Grading and Paving	100,000
Tillamook & Washington	Wolf Creek	Nehalem River-Sunset Camp; Oiling	90,000
Linn	Santiam	Foster-Cascadia; Grad., Surf., & Oil., or New Section; Surf. & Light Oil.	75,000
Linn	Pacific, E.	Albany, Unit No. 4; Grading & Paving	81,000
Marion	Pacific, E.	Illahee-South; Grading & Paving	60,000
Multnomah	Pacific, W.	Denver Avenue; Paving	25,000
Washington	Pacific, W.	Tigard; Grading & Paving	44,000
		Roadside Improvement	13,600
		Planning Survey	19,700
Total, Divisions Nos. 1 & 2			\$1,182,300

DIVISION NO. 3

Lane	Pacific	Cottage Grove (S.Unit); Grad. & Pav.	\$ 73,000
Josephine	Pacific	Grants Pass-Green Creek; Grad. & Pav.	105,130
Jackson	Pacific	Siskiyou Summit-Calif. Line; Surf. & Oil.	200,000
Jackson	Pacific	Siskiyou Station-South; Grading	120,000
Lane	Willamette	Salt Creek Falls-Summit; Grad., Surf., Oil.	170,500*
Douglas	Umpqua	Reedsport; Paving	30,000
Coos	Oregon Coast	Bunker Hill-Marshfield; Bridge & Paving	100,000
		Roadside Improvement	5,200
		Planning Survey	7,600
Total, Division No. 3			\$ 811,400

DIVISION NO. 4

Klamath	Dallen-Calif.	Agency-Medoc Point; Surf. and Oil.	\$ 100,000*
Klamath	Willamette	Summit-Odell Lake; Surf. and Oil.	13,000*
Deschutes & Klamath	Fremont	Lapine-Forest Boundary; Surf. and Oil.	42,000
Lake	Fremont	Horse Ranch; Grad., Surf. and Oil.	30,000
Harney	Central Ore.	Sage Hen Hill; Surfacing	58,400
Crook	Ochoco	Prineville; Grad. and Pav.	40,000

(Continued on next page)

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(1940 Regular Federal Aid Program continued)

County	Highway	Section and Kind of Work	Estimated Cost
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DIVISION NO. 4 (continued)

Wasco	Sherman	Shaniko-Cow Canyon (E.Unit); Grad., Surf., and Oil.	\$ 57,000
		Roadside Improvement	4,200
		Planning Survey	6,100
		Total, Division No. 4	\$ 350,700

DIVISION NO. 5

Gilliam	Columbia R.	Gilmore-West; Grad., Surf. and Oil.	\$ 160,000
Umatilla	Oregon-Wash.	Pendleton-Adams; Grading	100,000
Malheur	John Day	John Day-Prairie City; Grad., Surf., Oil	90,000
Wheeler	John Day	Service Creek-Mule Shoe Creek; Bridge, Grad., Surf., Oil.	21,500*
Harney & Malheur	Central Ore.	Stinkingwater Cr.-Juntura; Surf. & Oil	169,500*
		Roadside Improvement	6,000
		Planning Survey	8,600
		Total, Division No. 5	\$ 555,600

* On approved Federal Aid Program

c Under contract

1940 PROGRAM - FEDERAL SECONDARY PROJECTS ON STATE HIGHWAYS

County	Project	Kind of Work	Estimated Cost
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DIVISIONS NOS. 1 & 2

Columbia	Clatskanie-Mist	Surfacing and Oiling	\$ 30,000
Marion	Woodburn-Molalla	Grad., Surf., & Oil.	20,000
Washington	Campbells Bridge-Laurel Road	Grad., Surf., & Oil	25,000
	Planning Survey		1,400
		Total, Divisions Nos. 1 & 2	\$ 76,400

DIVISION NO. 3

Jackson	Little Butte	Grad., Surf., & Oil	\$ 20,000
	Planning Survey		500
		Total, Division No. 3	\$ 20,500

DIVISION NO. 4

Crook	Warm Springs	Grad. & Surf.	\$ 20,000
Jefferson	Warm Springs	Grad. & Surf.	20,000
	Planning Survey		500
		Total, Division No. 4	\$ 40,500

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(1940 Program - Federal Secondary Projects on State Highways continued)

County	Project	Kind of Work	Estimated Cost
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DIVISION NO. 5

Gilliam	Wasco-Hopner	Grad. & Surf.	\$ 15,000
Grant	Kimberly-Monument	Grad. & Surf.	22,000
Harney	Frenchglen	Grad. & Surf.	15,000
Union	Catherine Creek Bridge	Bridge	10,000
Wheeler	Shaniko-Fossil	Grad. & Top.	15,000
	Planning Survey		600

Total, Division No. 5 \$ 77,600

1940 PROGRAM - FEDERAL AID SECONDARY PROJECTS ON COUNTY ROADSDIVISIONS NOS. 1 & 2

Benton	Corvallis-South	Grad., Surf., & Oil.	\$ 20,000
Clatsop	Ft. Stevens Road	Grad. & Pav.	20,000
Multnomah	(Project to be selected)		53,000
	Planning Survey		1,400

Total, Divisions Nos. 1 & 2 \$ 94,400

DIVISION NO. 3

Lane	Route F	Grad., Surf., & Oil.	\$ 62,000
	Planning Survey		500

Total, Division No. 3 \$ 62,500

DIVISION NO. 4

Deschutes	Butler Market Road	Grad., Surf., & Oil.	\$ 25,000
Sherman	Wasco-Fulton Canyon	Grad. & Surf.	12,000
	Planning Survey		500

Total, Division No. 4 \$ 37,500

DIVISION NO. 5

Walla	Enterprise-Joseph	Grad., Surf., Oil.	\$ 20,000
	Planning Survey		600

Total, Division No. 5 \$ 20,600

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1940-1941 GRADE SEPARATION PROGRAM

<u>Highway</u>	<u>Railroad</u>	<u>Project</u>	<u>Estimated Cost</u>
<u>DIVISIONS NOS. 1 & 2</u>			
Pacific, West	Sou. Pac. & Oregon Elect.	Tigard (50% Southern Pacific) (50% Oregon Electric)	\$ 147,000
Cascade Sec.	Sou. Pac.	Clackamas	147,000
Wolf Creek	Sou. Pac.	Strassel	34,000
Wolf Creek	Sou. Pac. & United Rys.	Davies (50% Southern Pacific) 50% United Railways)	73,000
		Crossing Signals	25,000
		Planning Survey	<u>4,200</u>
Total, Divisions Nos. 1 & 2			\$ 439,200
<u>DIVISION NO. 3</u>			
		Crossing Signals	\$ 10,000
		Planning Survey	<u>1,600</u>
Total, Division No. 3			\$ 11,600
<u>DIVISION NO. 4</u>			
		Crossing Signals	\$ 15,000
		Planning Survey	<u>1,300</u>
Total, Division No. 4			\$ 16,300
<u>DIVISION NO. 5</u>			
Old Ore. Trail	Union Pac.	Myssa	\$ 200,000
		Crossing Signals	10,000
		Planning Survey	<u>1,900</u>
Total, Division No. 5			\$ 211,900

1940 FEDERAL LANDS HIGHWAY PROGRAM

<u>County</u>	<u>Highway</u>	<u>Section and Kind of Work</u>	<u>Estimated Cost</u>
<u>DIVISION NO. 5</u>			
Malheur	I. O. N.	Owyhee River-Tudor Ranch, Grad. & Top.	\$ 135,000
Total, Division No. 5			\$ 135,000

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1939 STATE PROJECTS ON PRIMARY HIGHWAYS

<u>Project</u>	<u>Kind of Work</u>	<u>Estimated Cost</u>
<u>DIVISIONS 1 & 2</u>		
Sunset Logging Undercrossing	Structure	\$15,000 c
Sheep Creek Bridge	Bridge	12,700 c
Elsie-Balm Grove	Oiling	<u>27,000</u>
Total, Divisions 1 & 2		\$54,700

DIVISION NO. 4

Deschutes Oiling Project	Oiling	<u>\$26,000</u> c
Total, Division No. 4		\$26,000 c

DIVISION NO. 5

Flat Creek-John Day	Oiling	\$19,300 c
Butte Creek and Mt. Vernon	Oiling	<u>26,000</u>
Total, Division No. 5		\$45,300

1939 STATE PROJECTS ON SECONDARY HIGHWAYSDIVISIONS 1 & 2

Yach Bridge-Small Creek	Grading	\$11,000 c
Willamette Valley Oiling Project	Oiling	<u>36,000</u>
Total, Divisions 1 & 2		\$47,000

DIVISION NO. 3

Eastside-Enegren Ferry	Oiling	<u>\$ 4,000</u>
Total, Division No. 3		\$ 4,000

DIVISION NO. 5

Weston-Forest Boundary	Oiling	<u>\$14,000</u>
Total, Division No. 5		\$14,000

c - Under contract

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TENTATIVE PROGRAM - 1940 FWA PROJECTS

<u>County</u>	<u>Highway</u>	<u>Section and Kind of Work</u>	<u>Amount</u>
<u>DIVISIONS 1 & 2</u>			
Benton	Pacific, West	Corvallis; Pavement Resurfacing	\$ 30,000
Clackamas, Multnomah & Washington	West Portland- Hubbard	West Portland-Cook O'Xing; Grad. & Pav.	200,000
Clatsop	Oregon Coast	Astoria; Grading and Paving	40,000
Clatsop	Oregon Coast	Black Bridge	25,000
Columbia	Columbia River	Rainier	40,000
Lincoln	Oregon Coast	Depoe Bay Bridge	75,000
Lincoln	Eddyville- Blodgett	Nashville Bridge, Yaquina Bridge	35,000
Linn	Corvallis- Eastside	Corvallis Bridge	20,000
Multnomah	N.E. Portland	Lombard-Killingsworth, Paving	110,000
Tillamook	Wilson River	Devils Fork Bridge	115,000
Yamhill	Three Mile Lane	McMinnville Bridge	190,000
		Special Maintenance Projects	<u>75,000</u>
		Total, Divisions 1 & 2	<u>\$955,000</u>
<u>DIVISION NO. 3</u>			
Douglas	Pacific	North Dillard Bridge	\$125,000
Curry	Oregon Coast	Brookings, Grad. & Surf.	70,000
		Special Maintenance Projects	<u>76,000</u>
		Total, Division No. 3	<u>\$271,000</u>
<u>DIVISION NO. 4</u>			
Deschutes	Central Oregon	Brothers-Harney County Line; Oil & Maint. M.	\$ 35,000
Jefferson	Warm Springs	Warm Springs Agency; Surf. & Oil.	45,000
Lake	Prémont	Silver Lake-Chalk Cliff; Oiling	25,000
Lake	Klamath Falls- Lakeview	Lakeview-Forest Boundary; Grad., Surf., Oil. and Bridge	110,000
Klamath	Klamath Falls- Lakeview	Dairy; Grad., Surf., & Oil	20,000
Klamath	Dalles-Calif.	Lost River; Bridge, Grad., Surf., Oil.	45,000
		Special Maintenance Projects	<u>135,000</u>
		Total, Division No. 4	<u>\$415,000</u>
<u>DIVISION NO. 5</u>			
Baker	Baker-Unity	Baker-Gibbs Ranch; Surf., Oil., Maint. M.	\$12,000
Baker	Medical Springs	Missouri Flat; Oiling	10,000

(Continued on next page)

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(Tentative Program - 1940 PWA Projects, continued)

County	Highway	Section and Kind of Work	Amount
<u>DIVISION NO. 5 (continued)</u>			
Baker	Baker-Homestead	Dry Gulch; resurf. & Oil.	\$ 30,000
Grant	John Day	Grant Co. Line-Patrol Station; Grad., Surf., Oil.	60,000
Grant	John Day	Service Creek-Burton Canyon; Oiling	5,000
Grant	John Day	Spray-Branson Creek; Oiling	12,000
Grant	John Day	Goose Rock; Bridge, Grad., Surf., Oil.	50,000
Grant	Pendleton-	Mt. Vernon-Forest Boundary, Oiling & John Day Maint M.	23,000
Morrow	Wasco-Heppner	West Unit, Rhea Creek-Heppner; Grad., Surf., Oil.	65,000
Umatilla	Weston-Elgin	Weston-Forest Boundary; Oiling	10,000
Umatilla	Hermiston Sec.	Umatilla River Bridge	40,000
Umatilla	Oregon-Wash.	Milton; Paving	25,000
Umatilla	Oregon-Wash.	Pilot Rock; Grad., Surf., Oil. & Bridge	25,000
Wallowa	Enterprise-		
	Lewiston	Enterprise-North; Surf. & Oil.	70,000
		Special Maintenance Projects	<u>114,000</u>
		Total, Division No. 5	\$551,000

The Commission adjourned at midnight, to reconvene on the following morning in the Public Service Building.

Portland, Oregon, June 6, 1939

The State Highway Commission met in regular session at 9:00 o'clock A. M. in the Auditorium of the Public Service Building, Portland, Oregon.
Present were:

Henry F. Cabell, Chairman
E. B. Aldrich, Commissioner
Huron W. Clough, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

Bids as follows for highway construction projects and for the purchase of buildings were opened and read in conformance with previously published notice, following which Chairman Cabell announced that the award of contracts and the sale of buildings would be made at 2:00 o'clock p. m. in the same room:

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**DIVISION NO. 1 OILING PROJECT ON THREE SECONDARY HIGHWAYS
IN CLACKAMAS, WASHINGTON, AND YAMHILL COUNTIES**

	<u>Using Road Oil</u>	<u>Using Tar</u>
R. O. Dail & Warren Bros., Inc.	\$ - - - -	\$21,383.50
J. C. Compton	21,907.00	- - - -
Warren Northwest, Inc.	- - - -	24,190.00
Babler Bros.	- - - -	26,579.00
Newport Construction Company	28,150.30	28,232.50

**WOLF CREEK HIGHWAY
ELSIE-BALM GROVE SECTION - OILING**

J. C. Compton	\$29,462.00
R. O. Dail & Warren Bros., Inc.	33,161.00
Babler Bros.	33,276.00
Warren Northwest, Inc.	34,614.00
Newport Construction Company	36,911.00
Diesel Oil Sales Company	41,216.00

**BEECH CREEK AND WESTON-ELGIN SECONDARY HIGHWAYS
PENDLETON-JOHN DAY AND JOHN DAY PRIMARY HIGHWAYS
MT. VERNON, WESTON, AND SERVICE CREEK OILING PROJECT**

Norris Bros.	\$31,758.00
Newport Construction Company	32,351.00
McNutt Bros.	33,639.00
Babler Bros.	35,740.00
Diesel Oil Sales Company	35,909.00
J. C. Compton	37,268.50
Warren Northwest, Inc.	39,060.00

**DIVISION NO. 2 OILING PROJECT ON THREE SECONDARY HIGHWAYS
IN LINN, POLK, AND YAMHILL COUNTIES**

	<u>Using Road Oil</u>	<u>Using Tar</u>
J. C. Compton	\$10,356.30	- - - -
Newport Construction Company	11,491.60	11,159.60
Warren Northwest, Inc.	- - - -	15,390.00
Babler Bros.	- - - -	15,973.00
R. O. Dail & Warren Bros., Inc.	16,451.90	- - - -

**PACIFIC HIGHWAY
CLEAN AND REPAINT STEEL ON BRIDGE OVER COLUMBIA RIVER
BETWEEN PORTLAND, OREGON, AND VANCOUVER, WASHINGTON**

Pacific Bridge Painting Company	\$28,875.00
Odom Construction Company	29,222.00
A. H. Barbur & Son	36,750.00
Contract & Sales Company	40,500.00
McRae Bros.	42,500.00

SALE OF BUILDINGS IN ALBANY

BUILDING NO. 5846
(Former Owner Norbert Aya)

Bert Picha

\$71.00

BUILDING NO. 4959
(Former Owner City of Albany)

Ralph Orton
Frank Hoffman

76.00
51.00

The Commission had under consideration the needs and requirements of the revolving fund provided for under Chapter 529, Oregon Laws, 1939, and was of the opinion that the said revolving fund should consist of the full sum of \$200,000, as provided in said act, and should be maintained for the purposes of and pursuant to the conditions and requirements of said act. Thereupon, Commissioner Aldrich offered the following resolution and moved its adoption:

WHEREAS, heretofore, under the provisions of Section 44-146, Oregon Code 1930, the Secretary of State, upon the order of the Highway Commission, drew a warrant on the state highway fund in favor of the State Highway Engineer in the sum of \$75,000, which said sum was designated as an emergency or revolving fund to be maintained for the use of the State Highway Engineer for the purposes provided in said section; and

WHEREAS, thereafter the said Section 44-146, Oregon Code 1930, was amended by Chapter 87, Oregon Laws, 1937, and pursuant to and under the authority of the said amendment the Secretary of State drew a warrant upon the state highway fund in favor of the State Highway Engineer in the additional sum of \$75,000, which said additional sum was deposited in the said revolving or emergency fund for the purposes authorized and provided by the said Section 44-146, Oregon Code 1930, and the amendment thereof by the said Chapter 87, Oregon Laws, 1937; and

WHEREAS, Chapter 529, Oregon Laws, 1939, repeals the said Section 44-146, Oregon Code 1930, as amended by Chapter 87, Oregon Laws, 1937, and authorizes the issuance of a warrant by the Secretary of State on any fund belonging to the state highway fund in favor of the State Highway Engineer in the sum of \$200,000, which said sum shall be used by the said Engineer as an emergency or revolving fund for the uses and purposes stated in said act; and

WHEREAS, in the opinion of this Commission the best interests of the State will be promoted by making available to the State Highway Engineer as a revolving or emergency fund under the said act the sum of \$200,000;

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NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED as follows:

1. That the Secretary of State be and he hereby is respectfully requested to draw a warrant on any fund belonging to the state highway fund in the sum of \$200,000, which said warrant is to be drawn in favor of the Highway Engineer and to be by him deposited or kept in a fund to be known as a revolving or emergency fund and to be used by the State Highway Commission and the State Highway Engineer for the purposes approved and authorized by Chapter 529, Oregon Laws, 1939.

2. That this resolution shall not be effective and the said warrant for \$200,000 shall not be issued until Chapter 529, Oregon Laws, 1939, goes into full force and effect.

3. That coincident with the issuance of the said warrant for \$200,000 and the deposit of the same by the State Highway Engineer for the uses and purposes designated by Chapter 529, Oregon Laws, 1939, the State Highway Engineer shall issue a check or checks drawn upon the said revolving fund authorized by Section 44-146, Oregon Code 1930, as amended by Chapter 87, Oregon Laws, 1937, in the sum of \$150,000 payable to the State Treasurer of the State of Oregon, which said sum shall be credited to the general state highway fund of the State of Oregon and which said credit shall operate as a cancellation of the transfers aggregating \$150,000 previously made from the state highway fund to the said revolving or emergency fund under the terms of the said Section 44-146, Oregon Code 1930, as amended by Chapter 87, Oregon Laws, 1937, and that thereafter the said account shall be considered closed; provided, however, that all outstanding checks which have been drawn against said fund shall, when presented for payment, be paid out of and charged against the said sum of \$200,000 herein provided for; and provided further that all claims or vouchers audited and presented for reimbursement shall be credited to the said \$200,000 fund.

4. That this resolution be attested by the Secretary of the Highway Commission and thereafter entered in the minutes and records of the Commission and that a duly certified copy thereof be delivered by the Secretary of this Commission to the Honorable Secretary of State.

BE IT FURTHER RESOLVED that the State Highway Engineer be and he hereby is directed to disburse the said revolving or emergency fund of \$200,000 pursuant to and within the provisions of the said Chapter 529, Oregon Laws, 1939.

The motion for the adoption of the foregoing resolution was seconded by Commissioner Huron W. Clough and submitted to the Commission by the Chairman for vote, and received the unanimous vote of all three Commissioners. Whereupon, the Chairman declared the motion carried and the resolution adopted.

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In this connection the Secretary pointed out that according to the new law the State Highway Engineer is required to furnish a bond in the amount of \$200,000 covering such revolving fund. He inquired as to the wishes of the Commission with respect to the placing of this business. After discussion the Commission decided unanimously to give the business to the companies that wrote Mr. Baldock's previous bonds, provided they are representative of the companies that have expressed a desire for this business.

The Attorney reported receipt of a communication filed by the County Judge and the District Attorney of Baker County relative to the case of the Sumpter Valley Railroad Company versus Baker County, et al, being the railroad company's claim for damages arising out of the wrecking of one of its trains, and expense incurred in clearing the railroad property of debris which it was alleged came from the highway onto the railroad tracks.

It appears that the courts held that the county was liable because, when it procured the right of way for the highway, it obligated itself to keep the railroad company free from any damage or cost, or from anything that might result by reason of the construction of the highway, and that it is the contention of the county court that the state should assume at least a portion of the expense because the highway was under the jurisdiction of the state at the time that the wreck occurred. According to the statement, the jury returned a verdict in the sum of \$2,440, of which amount the county court thinks the state should pay \$1,982.75.

The Attorney advised that there is considerable merit in the county's position and that the Commission has legal authority to pay the claim if it so desires. The Engineer gave as his thought that the state is morally obligated to pay at least a portion of the expense because the highway was under the jurisdiction of the state when the wreck occurred. After discussion, the Commission authorized the Attorney to discuss the matter with the County Court and endeavor to settle the matter on a 50-50 basis.

The Commission had under discussion a letter from the Oregon State Game Commission advising that, owing to unsatisfactory water conditions at its Union Trout Hatchery, which is located about one mile from the town of Union, in Union County, it seems proper to discontinue the operation of this hatchery, and inquiring whether or not the State Highway Commission has any use for this property. The Engineer advised that inspection of the buildings reveals that some of them could be used to good advantage for maintenance headquarters although there are more buildings than the highway department would need for such purpose. He doubted that the property could be secured from the State Game Commission at a cost that would justify its purchase. However, he recommended purchase of the property if it can be obtained at reasonable cost. The Commission referred this matter to the Attorney with instructions to ascertain how much the State Game Commission wants for this property.

The Engineer reported the need to construct a maintenance headquarters at Seneca, in southern Grant County. He advised that it is extremely difficult to secure living accommodations at Seneca and that the timber company from whom the section foreman is now renting a house has given notice to vacate

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because the company needs the building for the accommodation of its own employees. Furthermore, during the winter season it is extremely difficult to find accommodations for the additional highway workers who are employed on snow removal operations. He recommended, in view thereof, that the state acquire its own maintenance site, which he estimated would cost not to exceed \$400, and construct its own buildings similar to the ones recently constructed along the Central Oregon Highway between Bend and Burns. The Commission authorized and instructed the Attorney to conduct negotiations for the acquisition of a maintenance site at this place.

The Engineer also requested authority to purchase a section headquarters site adjacent to the Crater Lake Highway at Prospect, in Jackson County. He estimated that a suitable site at such location would cost about \$517. The Commission instructed the Attorney to negotiate for the same.

A delegation from Oregon City, consisting of Mayor L. O. Harding; J. L. Fransen, City Manager; Alden E. Miller, City Attorney; Arthur Beatty, and John Busch, came before the Commission in regard to the 11th Street approach to the Pacific Highway East in this town. They asked the Commission to revise its plans for this approach by cutting back the curb and by widening the fill on the north side of 11th street so as to make it easier for south-bound traffic to enter 11th Street from the highway. They declared that the plan proposed by the Commission for such intersection is unsatisfactory inasmuch as it does not provide sufficient room for traffic entering 11th Street and very likely accidents will occur by reason thereof. They also declared that the property of Mr. Busch, which is located on the north side of 11th Street at Main Street, has been damaged by change in the grade of 11th Street, but advised that Mr. Busch will waive his claim for damages if the Commission will fill in the state property between the highway and his property line so as to permit the use of his property from the highway. They estimated the cost of such improvement at \$1,500.

Chairman Cabell questioned the necessity for this change because, in his estimation, only very little traffic would use this street, there being other physical connections with the highway at 10th Street and at 13th Street and there being no connection along 11th Street from Main Street to the top of the hill in Oregon City. Furthermore, Main Street traffic would still have the present connection with the highway near the Abernethy Creek Bridge. The Engineer advised that the grade for the 11th Street approach has already been constructed as has also the concrete curb. He gave as his thought that the plan as originally proposed and constructed is preferable to the proposed change, particularly in view of the fact that it would be much easier for logging trucks to enter the highway on the diagonal enroute to the paper mills; furthermore, the widening of the highway as proposed would introduce a hazard to pedestrians and would necessitate the construction of safety islands for pedestrian use and the channelizing of traffic. The Commission appeared reluctant to make any change in the original plans for this improvement; however, deferred definite action thereon pending a report from the Engineer as to what it would cost to make the change requested.

This matter was reconsidered by the Commission later in the session,

at which time the Commission voted unanimously to adhere to the original plan notwithstanding that there is a possibility that Mr. Busch will institute a claim for damages. The Engineer was instructed to study the traffic conditions upon completion of the highway, to ascertain whether or not the change as proposed is justified.

County Judge J. B. Wilkerson, Columbia County, came before the Commission and inquired whether or not the Commission intends to spend any federal moneys for county road construction in Columbia County this year. He was informed by Chairman Cabell that the 1940 federal aid moneys are the first moneys available for programming, and because the Federal Government provided a lesser amount of such moneys this year, it does not appear possible to allocate any of them for county roads in Columbia County, although a small sum has been tentatively budgeted for the oiling of the Mist-Clatskanie Secondary Highway, which the Commission considers is the most important project in Columbia County.

The State Parks Superintendent, Mr. S. H. Boardman, was present and reported on the following park matters:

Natal Grange Park, near Mist, in Columbia County:- The Parks Superintendent advised that this tract contains the only stand of old timber in Columbia County and would make a fine addition to the state parks system if it can be purchased from the owner, the Clarke-Wilson Lumber Company, at reasonable cost. After discussion the Commission authorized the purchase of the tract if it can be secured for not to exceed \$3,000. Arrangements were thereupon made for Chairman Cabell and the Parks Superintendent to inspect the property within the next few days.

Custody of C.C.C. Camp located in Jessie H. Honeyman State Park:- The Parks Superintendent advised that this camp has been turned over to him for supervision but there is a question whether or not the state should assume such responsibility, in view of the fact that the Government has such a large amount invested there, consisting of buildings and equipment valued in excess of \$22,000. He advised that he would like to have charge of this camp if the state were not obligated in the event of loss of any of the buildings or equipment by fire or otherwise. The Commission approved taking over this camp in the event that it would involve no legal entanglements and authorized the signing of the necessary papers unless the Commission's Attorney advises legal objections thereto.

Removal of building from Emigrant State Park:- The Parks Superintendent advised that Mr. Oscar E. Hoover, Boy Scout Master of Walla Walla, Washington, has requested permission to remove from Emigrant State Park an old C.C.C. building that was given to the Boy Scouts by the Federal Government. He recommended approval of the request in view of the fact that the building is an old structure of not much value and would better the appearance of the park if removed. The Commission approved the recommendation by unanimous vote subject to the condition that the building be razed rather than moved intact over the state highway.

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C.C.C. Camp at Short Sand Beach State Park:- The Parks Superintendent advised the necessity to obtain a site for the Nehalem C.C.C. Camp that is to be established at this park. He said that an 11-acre tract that meets the requirements has been found, for which the owner wants \$10 per month rental, but if the state later decides to purchase it outright he will sell for \$1200 and will credit the amount paid by the state for rentals against such purchase price. The Commission approved the rental of this property on such basis.

Addition to Umpqua Lighthouse State Park, in Douglas County:- The Parks Superintendent reported that President Franklin D. Roosevelt has signed the bill conveying unto the state for park purposes a portion of the Umpqua Lighthouse Reservation, consisting of 110 acres. He also reported a gift from Douglas County of 300 acres of land adjoining this park, which the Commission accepted with thanks.

In this connection the Parks Superintendent requested authority to negotiate for the acquisition of additional land at this location. He particularly mentioned government land with a 2-mile frontage on the ocean, which property, he said, would make an excellent addition to this state park. He was authorized by the Commission to secure this property if possible.

Acquisition of strip of land about 150 feet wide overlooking the Pacific Ocean at Depoe Bay:- The Parks Superintendent advised that in connection with the platting of a subdivision known as "Breakers Addition" to Depoe Bay, which is located just south of the highway bridge at this point, provision was made for a park area about 150 feet wide between the platted lots and the ocean, such strip having been dedicated to general public use and being under the control of Lincoln County. He further advised that the citizens of Depoe Bay have requested that the state take over this area, which extends about 2,000 feet south from the bay entrance, in order to make certain that the area will be preserved for all time for general public use and enjoyment. He recommended acquisition of the area for state park purposes if possible. The Commission approved the recommendation subject to the condition that the county will convey it to the state without cost.

Acquisition of area including what is known as Tub Springs on the Green Springs Highway, in Jackson County:- The Parks Superintendent advised that investigation reveals that the property embracing Tub Springs is in private ownership and that the owner, Mr. A. L. Coggins, plans to remove the timber therefrom in the near future; also, that Mr. Coggins has indicated a willingness to sell all or any part of this 40-acre tract for the sum of \$800. The Commission considered it advisable to acquire this property in order to preserve the spring for general public use, and thereupon authorized the Parks Superintendent to inspect the property and to purchase the same if he considers that advisable.

Purchase of 40-acre tract at junction of state highways just east of the town of Sisters, in Deschutes County:- The Parks Superintendent advised that this tract is owned by the Louis W. Hill interests and that a recent cruise of the timber by the owners indicates that the tract contains 383,000

board feet, whereas the first cruise showed 444,000 board feet. The United States Forest Service, he said, has also made a cruise of the timber which shows 374,000 board feet of timber, whereas a cruise made by the state's cruiser, Mr. Whitten, indicated that the tract contains only 143,000 board feet of timber. On account of the variation in the results of the several cruises, the Commission decided not to take any definite action on this matter at the present time but to have another cruise made. The Attorney was thereupon authorized and instructed to secure the services of another cruiser to do this work.

Agreement with Mr. Edward L. Dimmitt for concession at Crown Point Vista House, Columbia River Highway:- The Parks Superintendent submitted a form of agreement covering this matter, which the Commission discussed and referred back to him for certain corrections.

Request of Mr. H. R. Blackwell to lease state property at Waldport:- The Parks Superintendent advised that Mr. Blackwell conducts a tourist camp south of Waldport and wants to buy or lease a part of the old Spruce Production Railway right of way which the state now owns, because he alleges that he cannot properly conduct his business without securing some of the state land. He gave as his thought that the main reason that Mr. Blackwell wants to secure possession of this additional land is simply to enlarge his present holdings, his cabins now being constructed right up to the property line. The Commission decided as a matter of policy not to dispose of this land to Mr. Blackwell.

Controversy with L. J. Rickard relative to maintenance of a roadway across state-owned property from the Oregon Coast Highway to the beach at Waldport:- It appears that Mr. Rickard started construction of the roadway from the highway to the beach and was stopped by highway department employees because of its encroachment upon state-owned park property near the end of the sea wall at Waldport. Also that Mr. Rickard alleges that the roadway is necessary in order to accommodate the many people of Oregon who must have access to the beach in order to launch their boats in Alsea Bay, this being the only feasible approach for such roadway. The Engineer gave as his thought that, if a road to the beach is necessary, it should be constructed by the state and should be maintained by the state for general public use. The State Parks Superintendent advised that he is satisfied that the roadway that Mr. Rickard has commenced to construct is properly located, notwithstanding the fact that it passes Mr. Rickard's filling station. After discussion the Commission ordered further investigation to determine definitely whether or not the location of the road is proper from the general public standpoint, and, if it is found that the road is properly located, then it is to be constructed as a state project and not as a private venture and appropriate signs are to be installed warning tourists of the possibility of their cars becoming mired in quicksand, and that the road is a public thoroughfare. The Attorney was instructed to convey such information to Mr. Rickard and to make it clear to him that the Commission considers that such road is strictly a state road.

Disposition of Cunningham strawberry lease at Silver Creek Falls:- The Parks Superintendent advised that the Volz property, which the state

acquired as an addition to Silver Creek Falls State Park, has been under lease for some time past to a Mr. J. H. Cunningham who has it planted to strawberries which he values highly, and it appears that in order to secure a release of Mr. Cunningham's right to such property the state will have to pay him the sum of \$500 and give him possession of a small building located on the property. He recommended settlement with Mr. Cunningham on such basis. The Commission approved the recommendation unanimously.

In this connection the Parks Superintendent advised that he is ready to construct an entrance to the park over the property acquired from Mr. Vols but has encountered difficulties in view of the unsettled status of the transfer of ownership. The Attorney advised that this property is under condemnation and the state has a perfect right to enter the property at any time that it wishes, whereupon the Commission instructed the Parks Superintendent to proceed with the construction of said approach road at his convenience.

The Commission reconsidered and denied the request of Mr. Geo. L. Govro, Yachats, to remove gravel from that portion of Cummings Creek which is located within the boundaries of a state park south of Yachats.

The Commission had under discussion a request of Contractor S. S. Montague to be relieved from the requirements of the Commission with respect to the acceptance of the provisions of the Oregon Workmen's Compensation Act in connection with the contract recently awarded him for the construction of the Read Creek-Wren Section of the Kings Valley Secondary Highway, in Benton County, Contract No. 2184. Mr. Montague states that his work is not confined to strictly highway construction but he has much other work in connection with which he carries protection with private companies, which not only costs him much less than the state insurance but has other advantages. He alleges that confusion will develop if he is required to carry insurance both with the state and with the private concerns and that he will suffer severe loss if required to give up his private insurance contracts, so is asking the Commission to waive its requirement in this respect. The Commission decided not to change this feature in Mr. Montague's present contract but instructed the Attorney to inform Mr. Montague that, if he or any other contractor has complaint in this regard, the Commission will be glad to grant a hearing relative thereto.

The Commission had under discussion the claim of A. T. Crawford, Oakland, Oregon, in the amount of \$1,100, for damages that he alleges occurred to his property by reason of the sliding of embankment materials thereon from an adjacent highway fill. The Engineer advised that the highway was constructed on a fill in front of Mr. Crawford's land and that rock was placed on the fill slopes to confine the fill to the highway right of way. However, the rock happened to be of an inferior grade and in the course of time decomposed, allowing some of the fill material to slide onto Mr. Crawford's property. He further advised that the only way to remedy this situation is to acquire about 15 feet additional width right of way from Mr. Crawford so as to make it possible to reconstruct the fill on a slope that will not slide. Such strip, he said, is worth only about \$75. He recommended acquisition of such right of way and that the Attorney be authorized to condemn the same if Mr. Crawford will not settle on a reasonable basis. In view of the circumstances and the

facts of the case, the Commission denied Mr. Crawford's claim for damages. However, the Commission authorized payment to Mr. Crawford of a reasonable sum for the additional right of way, provided Mr. Crawford will accept the same as satisfaction of his claim in full and will relieve the state from further liability. The Attorney was authorized and instructed to negotiate such settlement with Mr. Crawford and to secure a release from him. He was also authorized to condemn for the right of way if necessary.

The Attorney reported that, as instructed by the Commission at a previous meeting, he advertised in the Albany paper the sale of the A. F. Norby building, bids to be received on May 10, and as a result of such advertisement only one offer was submitted, being that of Mr. Herman Staley, at \$16. He recommended acceptance of this offer inasmuch as the building is an old structure unsuitable for moving and is not worth any more even from a wreckage or salvage standpoint. The Commission approved the recommendation unanimously.

The Engineer advised that a large sawmill is being constructed adjacent to The Dalles-California Highway north of the town of Crescent, in Klamath County, and as a result this town is experiencing considerable development and growth. He pointed out that the present right of way through this town is only 60 feet wide and suggested that it would be advisable to acquire a uniform 100-foot right of way, which he estimated could be done at this time at not to exceed \$3,000. It was his thought that a considerable saving could be made by acquiring the right of way now rather than later, and recommended that authority be granted to the Attorney to proceed with the taking of options for the same. The Commission approved the recommendation unanimously.

A letter was presented from the Willamina Commercial Club, in which the Commission was requested to take appropriate action to preserve an old oak anchorage post that was used nearly one hundred years ago to tie the ferry that used to operate across the Yamhill River just west of the town of Willamina. They advised that this old post is in good condition and is of great historical interest in that vicinity and that, in their estimation, it is worthy of preservation. The Commission instructed the Secretary to secure a recommendation from Mr. Lewis A. McArthur, President of the Oregon Historical Society, relative thereto.

The Commission discussed an inquiry from J. E. Murphy, Junction City, as to whether or not the state would be willing to sell an old gravel pit that it acquired from James Calvert about two miles south of Junction City. The Engineer advised that this pit is located on the opposite side of the Oregon Electric Railway from the highway and that it is no longer of any value for state purposes because all the material which it seems practical to secure therefrom has already been taken, so he would offer no objections to the sale of the property. He suggested, however, that it might be advisable to circulate other state departments and the County Court of Lane County, to ascertain whether or not the property could be used to advantage for state or county purposes before it is offered to private individuals. The Commission concurred in the viewpoint of the Engineer and thereupon ordered an investigation to that end, thus deferring its decision on Mr. Murphy's inquiry for the time being.

The Engineer reported on the matter of service club signs that have been erected on state highway rights of way throughout the state, of which there is a considerable number. He inquired as to what action he should take to secure their removal. The Commission deferred a decision in this matter pending receipt of information as to how such matters are handled in the State of Washington.

A letter was presented from Earl C. Reynolds, Executive Secretary, Klamath County Chamber of Commerce, inquiring as to the possibilities of securing the designation as federal aid highways of the secondary highway which extends southerly from The Dalles-California Highway to the California state line at Hatfield, and of the Klamath Falls-Lakeview Highway. The Engineer was instructed to discuss this matter with Mr. Reynolds in person and to explain to him the federal requirements with respect to the designation of federal aid highways.

The Commission adjourned at 12:00 o'clock noon and reconvened at 2:00 o'clock p. m. in the same room, all Commissioners being present and participating. Also present were the State Highway Engineer, the Attorney, and the Secretary.

Chairman Cabell announced the following awards of contracts and sale of buildings, bids for which were taken at the morning session, such awards having been previously approved by the Commission by unanimous vote:

"Division No. 1 Oiling Project on three secondary highways, in Clackamas, Washington, and Yamhill Counties. 2.33 miles surfacing and 14.63 miles oiling. R. O. Dail & Warren Bros., Inc., Portland, submitted the low bid for this project at \$21,383.50, based on the use of tar. They did not submit a bid based on the use of road oil. J. C. Compton, McMinnville, submitted the next low bid at \$21,907.00 based on the use of road oil, with no bid based on the use of tar. Warren Northwest, Inc., Portland, submitted the third low bid at \$24,190.00, based on the use of tar but no bid based on the use of road oil. There were 2 higher bidders. The Commission has awarded the contract to the low bidders, R. O. Dail & Warren Bros., at their bid of \$21,383.50, based on the use of tar.

"Elsie-Balm Grove Section of the Wolf Creek Highway and county roads, in Clatsop, Columbia, Tillamook and Washington Counties. 33.2 miles oiling. 6 bids were received for this project, the low one being that of J. C. Compton, McMinnville, at \$29,462.00. The second low bid was submitted by R. O. Dail & Warren Bros., Inc., Portland, at \$33,161.00. The Commission has awarded the contract to J. C. Compton, the low bidder, at his bid of \$29,462.00.

"Mt. Vernon, Weston, and Service Creek Oiling Project on the Beech Creek and Weston-Elgin Secondary Highways and on the Pendleton-John Day and John Day Primary Highways, in Grant, Umatilla, and Wheeler Counties. 40.20 miles oiling. The low bid submitted for

this project was that of Norris Bros., Burlington, Washington, at \$31,758.00. The second low bid was submitted by Newport Construction company, Portland, at \$32,351.00. There were 5 higher bidders. The Commission has awarded the contract to the low bidder, Norris Bros., at their bid of \$31,758.00.

"Division No. 2 Oiling Project on three secondary highways, in Linn, Polk, and Yamhill Counties. 14.60 miles oiling. J. C. Compton, McMinnville, submitted the low bid for this project at \$10,356.30, based on the use of road oil but no bid based on the use of tar. Newport Construction Company, Portland, submitted the next low bid at \$11,491.60 based on the use of road oil and \$11,159.60 based on the use of tar. There were 3 higher bidders. The Commission has awarded the contract to J. C. Compton at his low bid of \$10,356.30 based on the use of road oil.

"Clean and repaint structural steel on 14-span bridge over the Columbia River on the Pacific Highway, between Portland, Oregon, and Vancouver, Washington. Five bids were submitted for this job, the low one being that of Pacific Bridge Painting Company, San Francisco, California, at \$28,875.00. Odom Construction Company, Oregon City, submitted the second low bid at \$29,222.00. The award of this contract was deferred pending a conference with officials of the State of Washington inasmuch as that state is cooperating in the cost of the painting." (At 3:00 o'clock p. m. Chairman Cabell publicly announced the award of this painting job to Pacific Bridge Painting Company at its low bid of \$28,875.00, concurrence in the award having previously been secured from Mr. Lacey V. Murrow, Director of Highways of the State of Washington.)

Buildings in Albany

"Building No. 5246, formerly owned by Norbert Aya. The Commission received only one bid for the purchase of this building, being that of Burt Picha, Salem, at \$71.00. The Commission considers this offer satisfactory and accordingly has sold the building to Mr. Picha for \$71.00.

"Building No. 4959, formerly owned by the City of Albany. Two bids were received for the purchase of this building, the high one being that of Ralph Orton, Albany, at \$76.00. The other bid was submitted by Frank Hoffman, Albany, at \$51.00. The Commission has sold the building to Ralph Orton, at his high bid of \$76.00."

The Engineer brought up for discussion the matter of reallocating the \$50,000 of forest highway funds previously approved by the Commission, the United States Forest Service, and the United States Bureau of Public Roads, in joint session, for financing the construction of a section at the north end of what is known as the Cascade Lakes Forest Highway, in Deschutes County. He advised that, as previously instructed by the Commission, he conferred with the federal officials relative to the allocation and is satisfied that the

solvency quotient of this road does not meet the requirements for an expenditure of this amount. He pointed out that the road carries but very little traffic throughout most of the year and is open for general public use only during the summer months, being principally used during that period by people who seek recreational and sporting facilities at the lake resorts in this vicinity. It was his thought that an expenditure of \$50,000 for the construction of a short section of standard road is not justified and suggested in lieu thereof an expenditure of approximately \$20,000 for widening the present road with bulldozer equipment and placing a dust palliative of oil on the existing roadbed, which would provide a dustless road from Bend to Elk Lake. This work, he said, would cost about \$1,000 per mile and for an annual expenditure of \$600 per mile the road could be kept in satisfactory condition for a long time to come. The advantage of such a procedure, he pointed out, would be that it would give the general public a dustless road from Bend to Elk Lake rather than a short length of standard road construction. Furthermore, if this experience proves successful, it would open up possibilities of providing dustless roads into other remote districts pending availability of funds to finance construction of standard-type roads. In this particular instance, he added, there would remain about \$30,000 of forest highway funds to be reallocated to some other project. This matter was discussed at some length but final decision relative thereto was deferred by the Commission until the next meeting. The Engineer was instructed to advise Mr. Robert W. Sawyer, Bend, and the Bend Chamber of Commerce of the proposed plan and to secure reactions to the same before the next meeting.

Mr. Ivan E. Oakes, Deputy Administrator, Works Progress Administration, came before the Commission at this time in regard to the Wolf Creek Highway W.P.A. project, particularly with reference to the securing of additional state funds with which to finance non-labor items in connection with this work. He advised that the W.P.A. funds that were to be used for the financing of such items have been exhausted and that the work on this project will have to close down pending approval of the new allocation unless the state will furnish additional state funds to pay such costs. In fact, he advised that some of the gasoline-powered equipment has already stopped operating because of lack of funds with which to purchase gasoline. He further advised that the new W.P.A. project which is being prepared will contain a sufficient amount to cover the non-labor items but it will be some time before the moneys are available. He asked the Commission to approve an additional expenditure of state funds, estimated at \$12,000, in order to keep the work going until July 1, 1939, and advised that such amount would have to be paid in advance.

Chairman Cabell advised that the Commission had this matter under discussion at the previous meeting and decided at that time to make available sufficient state funds to pay the non-labor items until the first of July, but did not then understand that it would take \$12,000 and that the money would have to be advanced; so, in view thereof, the matter would have to be given further thought. After further discussion it was agreed that Mr. Oakes would prepare a new project statement and submit the same to Chairman Cabell and the Engineer for approval. Such statement was presented and discussed later in the session, when it was pointed out that the state's contribution to finance the non-labor items up to July 1st will amount to \$14,000 rather than \$12,000.

The Commission's Attorney advised that the Commission has authority to advance such amount immediately if it so desires, by a check drawn on the revolving fund. Chairman Cabell expressed a desire to give the matter further study before approving the same, whereupon the matter was referred to him by Commissioners Aldrich and Clough, with full power to act. (Chairman Cabell and the Engineer discussed this matter on the following day, at which time it was decided to advance state funds in the estimated amount of \$8,527.27 for equipment rental and supplies, and in no event should said sum advanced exceed \$10,000. An agreement covering the matter was executed by the Commission and Mr. Oakes on June 7, 1939.)

The Commission had under discussion a letter from J. D. Perry, Deer Island, requesting the oiling of several short sections of the Lower Columbia River Highway in Deer Island, particularly in front of his store building and the Farmers Service Station. The Engineer advised that there is merit in Mr. Perry's request but the work that he particularly has in mind would require the oiling of a section about 400 feet long and 8 feet wide, which would cost about \$150, or about \$560 if the area were paved. He further advised that there is no oiling crew working in the vicinity of Deer Island at the present time and if the Commission ordered the work done it would be necessary to send in a special crew, which would naturally increase the cost. After discussion the Commission instructed the Engineer to ascertain whether there are any other small oiling projects in this vicinity that could be done at the same time, which would justify the sending of a special crew to do the work. A report on this matter is to be rendered to the Commission at the next meeting.

A petition was presented from 9 residents and property owners of the Bunker Hill district, Marshfield, in which the Commission was requested to change its plans for the outlets of Center Street and Mullen Street in connection with the improvement that is now under way at this place, so as to provide a diagonal entrance into Hill Street, thus decreasing the distance to be traveled by the people residing on Center and Mullen Streets in reaching the new highway. The Engineer advised that considerable study has been given to the matter of providing an approach to the highway from these streets, one of the plans providing for a diagonal roadway entering the highway at the Hill Street Intersection, but such route was eliminated because it involved an excessive grade and would be undesirable from the traffic safety standpoint. He pointed out that people residing along Mullen and Center Streets, according to the adopted plan, will have to travel south on such streets about one block to Empire Avenue, thence westerly to a connection with Flannigan Street at its intersection with McCullum, thence north on Flannigan Street to the new highway. Flannigan Street, he said, contains a rather steep grade but is less than would be the grade of the diagonal from Mullen to Hill Street, and was adopted as the approach to the highway because it was considered best and safest notwithstanding that these people would have to travel a little farther in reaching the highway. The Commission decided to adhere to the present plan and thereupon denied the request.

A petition was presented from the residents of the town of Sisters, Deschutes County, requesting the oiling of Main Street full width in that town through the business district when the state conducts recoiling operations in

that vicinity. The Engineer advised that, in order to make a good estimate of the cost of doing such work, a survey of the road should be undertaken. He estimated the cost of such survey at \$150 and requested authority to proceed with the same. The Commission approved the survey by unanimous vote.

The Commission had under consideration the request from the City of Junction City for the oiling of the shoulders adjacent to the pavement on the Pacific Highway between 11th Street and 15th Street in that town. The Engineer estimated that such oiling work would cost \$360. The Commission approved the project by unanimous vote.

A letter was presented from the Baker County Chamber of Commerce requesting the following improvements: (1) Completion of the oiling of the Baker-Halfway Highway; (2) Oiling of a 7-mile section of the Baker-Unity Highway heretofore graded to modern standards; (3) Oiling of a 7-mile section of the Baker-Medical Springs Secondary Highway. The Commission ordered these projects kept in mind in the formulation of future highway programs.

A letter was presented from Mrs. Ella Westinghouse, Scio, requesting the oiling of the reconstructed section of the Albany-Lyons Secondary Highway east of Scio. The Commission decided that it was too late in the season to undertake this work, particularly in view of the fact that the plans for the project have not been prepared. The Engineer was instructed to make investigations as may be necessary and submit an estimate of cost to finance the project for consideration by the Commission at its next meeting.

The Commission considered and ordered filed for future consideration a letter from H. A. Utley, Lakeview, to Governor Charles A. Sprague, urging additional oiling work on the Klamath Falls-Lakeview Highway.

The Secretary presented a letter from the Board of Park Commissioners of the city of Pendleton, urging the construction of a landscaping project on a 1½-acre tract of land situate at the junction of the Old Oregon Trail with the Oregon-Washington Highway just east of Pendleton, and advising that the City Park Department will maintain the project if the state will construct it. The Commission considered this a meritorious project and approved the same subject to the condition that the City of Pendleton will maintain it after construction is completed. The Engineer was instructed to include this job in the 1940 budget for landscaping projects.

The Commission discussed and ordered filed for consideration in the formulation of future construction programs a petition signed by numerous property owners residing along the Territorial Secondary Highway between Monroe and the Douglas County line, in which the oiling of the said road was urgently requested.

A letter was presented from the Eugene Water Board requesting the construction of two short sections of guard fence along the McKensie Highway in the vicinity of Leaburg Dam, particularly a 930-foot section extending down stream from the dam, and a 175-foot section across the spillway section at the Leaburg power plant. The Water Board offered to contribute one-half of the

cost of such fence construction. The Commission by unanimous vote accepted the offer and authorized the Engineer to proceed with the construction of the fence on such basis.

The Commission discussed and ordered filed for future consideration a letter from Mr. R. Frank, Secretary of the Yachats Booster Club, Yachats, Oregon, relative to the improvement of the Alsea Highway, in Lincoln County. The Engineer was instructed to keep this project in mind in the formulation of future construction programs.

The Engineer reported on investigations conducted at the request of citizens of Woodburn for the substitution of a stop- and go-signal for the flashing beacons at the intersection of the Pacific Highway with Young Street, in East Woodburn. He recommended against any change because, in his estimation, traffic conditions do not justify the expense, which is estimated at \$2,600, exclusive of curbs and sidewalks which should also be built. The Commission approved the recommendation.

The Engineer reported that the Coos County Court has asked the state to give to Coos County the old wooden truss bridge over the south fork of the Coquille River, on the Powers Secondary State Highway, about $1\frac{1}{2}$ miles north of Powers, which structure has been replaced by a new bridge. He advised that the bridge is of no value to the state and recommended approval of the county's request. The Commission approved the recommendation unanimously, subject to the condition that the county will remove the old structure and clean up the site to the satisfaction of the State Highway Engineer.

The Secretary presented a resolution from the County Court of Linn County accepting full responsibility for the maintenance and use of that certain section of the old right of way of the Fleming Ranch-Shindler Bridge Section of the Albany-Lyons Secondary Highway, including the old bridge structure which has heretofore been abandoned by the state as a state highway in view of the reconstruction of the highway on new alignment. The said resolution was approved and accepted by the Commission by unanimous vote and ordered filed in the department records, it appearing to the Commission that the provisions thereof satisfactorily relieve the state from responsibility or liability in the event of accidents occurring on said highway and said bridge.

The Commission had under consideration the matter of disposal of certain obsolete highway department records and decided to keep all of them. The Secretary was instructed to arrange to store them in a convenient place for future use.

The Commission discussed the matter of rerouting the Ochoco Highway and the Warm Springs Highway in the town of Prineville, concerning which a public hearing was held in Prineville on May 17, 1939. The Commission decided to reroute these highways in accordance with the plan outlined at such public meeting and thereupon, by unanimous vote, adopted the following resolution in regard thereto:

WHEREAS, pursuant to notice given as required by Section 44-120, Oregon Code, 1935 Supplement, the Highway Commission met in the City Hall in the City of Prineville on May 17, 1939, for the purpose of conducting a hearing as provided for in said law with respect to a proposed change in the point or place of entrance of the Ochoco Highway into and through said City of Prineville and with respect to the proposed change in the point or place of entrance of the Warm Springs Highway into and through the City of Prineville; and

WHEREAS, said meeting was called to order by Henry F. Cabell, Chairman of the State Highway Commission, who explained to those assembled the purpose of the meeting and the proposed change of the point of entrance of the Warm Springs Highway into said city from the north and the proposed change in the route of said highway within said city, and explained the proposed change of the point of entrance of the Ochoco Highway from the westerly side of the said city and the proposed change of the route of said Ochoco Highway within the limits of said city; and

WHEREAS, the said Chairman, after explaining the purpose of the meeting and the proposed changes in the locations and routes of the said highways, invited discussion with respect to said matters and extended to persons present an opportunity to be heard for or against the said proposed changes; and

WHEREAS, after all who evidenced a desire to be heard had entered their names in the record and minutes of the meeting and had declared their approval or disapproval of said proposed changes, the Chairman announced that said matters would be taken under advisement by the Commission and a decision made and announced at a later date; and

WHEREAS, after due and full consideration of said matters and of the arguments and declarations made for and against the said proposed changes at said public hearing, both with respect to the point of entrance of each of said highways and with respect to the routes or locations of the same within said city, the Commission now being fully advised with respect to all of said matters is of the opinion, and it is the judgment of the Commission, that the interests of the State at large will best be served by the adoption of the proposed change of the point of entrance of the Warm Springs Highway into the City of Prineville from the northerly boundary and the proposed change of the route of said highway within said city, and the proposed change of the point of entrance of the Ochoco Highway into said city from the westerly boundary and the proposed change of the route of said highway within said city, all of which changes will, in the judgment of the Commission, make possible better alignments, and more serviceable, convenient and safe thoroughfares into and through said City, and, therefore, it is the opinion of the Commission that the routes and alignment of said highways should be

altered and modified, and the points of entrance into said city and the routes in and through said city should be changed, fixed and determined in harmony with the notice as given and the plan as proposed;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by this Commission, all members being present and voting, as follows:

1. That the route and location of the Warm Springs Highway as the same enters the City of Prineville and is located within the said city over a route described as follows, to wit:

Beginning at the northerly city limits of Prineville and thence in a southeasterly direction to Tenth Street near the intersection of Tenth and "C" Streets; thence easterly along Tenth Street to "A" Street or Main Street; thence southerly along "A" or Main Street to Third Street, connecting with the Ochoco Highway at the intersection of Third and "A" or Main Streets.

be and the same hereby is changed and the point of entrance of said highway and the route within the limits of said City of Prineville shall be over and along a route defined and described as follows, to wit:

Beginning at the westerly city limits of Prineville on Locust Street between Third and Fourth Streets; thence easterly to a connection with the Ochoco Highway on Third Street near Park Boulevard.

2. That the Ochoco Highway as the same enters the City of Prineville from the westerly boundary over a route defined and described as follows, to wit:

Beginning at the westerly city limits of Prineville at the intersection of Second and Locust Streets and thence easterly along Second Street to "A" or Main Street; thence northerly along "A" or Main Street one block to Third Street; thence easterly along Third Street to the easterly city limits,

be and the same hereby is changed and said highway shall be and is routed and located into and through the City of Prineville along a route and location described as follows, to wit:

Beginning at the westerly city limits of Prineville at the intersection of Third and Locust Streets, and thence easterly along Third Street to the easterly city limits, the new route being that portion of Third Street between "A" or Main Street and Locust Street or the westerly city limits.

3. That the said above described new routes, locations and alignments be and the same hereby are adopted as the routes and locations of said respective highways with respect to points of entrance into and locations and routes within the City of Prineville.

4. That the Engineer be and he is hereby instructed to definitely locate and establish said highways by proper monuments and markers and make proper record thereof in the records of the Highway Commission, and erect proper signs on the streets over which said highways are routed, and proceed with the permanent improvement and maintenance of said highways along the routes herein defined and in harmony with plans and specifications by this Commission approved.

5. That as soon as the said highways have been properly and permanently constructed over the said respective routes and are ready to be thrown open for public travel highway traffic now using the old routes shall be directed over the new routes and thereafter the old routes shall be abandoned as the route of either of said highways.

6. That this resolution be entered in the records and minutes of the Highway Commission, and a duly certified copy thereof mailed to the Mayor of the City of Prineville and a like copy to the County Court of Crook County.

The Engineer reported that, in conformance with authority previously granted him by the Commission, he awarded contracts as follows, bids for which were taken by the Commission on May 18 and 19, 1939:

Construction of Read Creek-Wren Section of the Kings Valley Secondary Highway, in Benton County. Bids taken May 18, 1939; contract awarded May 26, 1939, to S. S. Montague, who submitted the low bid therefor.

Construction of John Day-Prairie City Section of the John Day Highway, in Grant County. Bids taken May 19, 1939; contract awarded May 26, 1939, to E. L. Rigdon, who submitted the low bid therefor.

Bridge construction on Dean Creek-Prairie City Section of the John Day Highway, in Grant County. Bids taken May 19, 1939; contract awarded May 26, 1939, to Edlefsen-Weygandt Company, who submitted the low bid therefor.

The Commission by unanimous vote confirmed the award of these contracts as reported.

The Commission considered and accepted an invitation from E. J. Griffith, State Administrator, Works Progress Administration, to be present on the Caravan trip over the Wolf Creek Highway on June 30, 1939, commemorating the opening of that highway to general public use.

The Commission had under discussion the bond to be furnished the state in connection with the granting of sign and marquee installations over state highways, and decided that if the permittee carries public liability and property damage insurance sufficient to protect the state in case of accidents occurring by reason of installation of such signs or marquees, then an additional bond would not be required; however, the permittee must furnish the state with a certificate or affidavit as evidence that such insurance coverage is now provided.

The Engineer requested authority to purchase the following equipment:

Three 50-watt radio transmitters to replace a like number of 10-watt portable transmitters that have not proved satisfactory where positive communication is needed. Estimated total cost \$975.00.

Two 550-gallon asphalt kettles to replace a like number of 300-gallon kettles which are too small to operate in connection with state paving plants. Estimated total cost \$2,000.00.

One portable gasoline hammer for use by the sign department in the installation of signs and signals. Estimated cost \$380.00.

The Commission approved such purchases by unanimous vote.

The Engineer brought up for discussion the advisability of conferring with Mr. R. J. Newell, Construction Engineer with the United States Bureau of Reclamation, relative to the construction of irrigation ditches and drains across state highway rights of way. The Commission approved such conference but deemed it advisable to ascertain what other states are doing along that line beforehand. The Engineer was instructed to communicate with the highway departments of other states similarly affected, with respect thereto.

The Engineer requested authority to prepare plans for the following maintenance material projects in Divisions No. 4 and No. 5, which projects it is proposed to include in the P.W.A. program:

Nye Junction-Long Creek Section of the Pendleton-John Day Highway, in Umatilla and Grant Counties. 66.0 miles in length. Requires production of 24,000 cu. yds. of crushed rock. Estimated total cost \$44,000.00.

Elgin-Rock Creek Section of the Wallowa Lake Highway, in Wallowa County. 22.0 miles in length. Requires 8,000 cu. yds. crushed rock. Estimated total cost \$15,000.00.

Union-Bidwell Hill Section of the Old Oregon Trail, in Union County. 14.0 miles in length. Requires 6,000 cu. yds. crushed rock. Estimated total cost \$13,000.00.

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Mountain Rest-Mt. Vernon Section of the Pendleton-John Day Highway, in Grant County. 14.0 miles in length. Requires 6,000 cu.yds. crushed rock or gravel. Estimated total cost \$12,000.00.

Weston-Elgin Section of the Weston-Elgin Highway, in Umatilla and Mallova Counties. 40.0 miles in length. Requires 15,000 cu.yds. crushed rock. Estimated total cost \$30,000.00.

Seufert-Dufur Section of The Dalles-California Highway, in Wasco County. 20.7 miles in length. Requires 6,500 cu.yds. crushed rock. Estimated total cost \$12,680.00.

Maupin-Cow Canyon Section of The Dalles-California Highway, in Sherman County. 31.0 miles in length. Requires 9,300 cu.yds. crushed rock. Estimated total cost \$17,815.00.

Redmond-Prineville Section of the Ochoco Highway, in Deschutes and Crook Counties. 18.25 miles in length. Requires 6,500 cu.yds. crushed rock. Estimated total cost \$12,620.00.

Bend-Horse Ridge Section of the Central Oregon Highway, in Deschutes County. 21.0 miles in length; and the Bend Section of the Century Drive Secondary Highway, in Deschutes County. 2.76 miles in length. Requires 7,150 cu.yds. crushed rock. Estimated total cost \$13,580.00.

Beaver Marsh-Ft. Klamath Section of The Dalles-California Highway, in Klamath County. 34.0 miles in length. The Crater Lake Junction-The Dalles-California Section of the Diamond Lake Secondary Highway, in Klamath County. 14.72 miles in length. Park Boundary-Ft. Klamath Section of the Crater Lake Highway, in Klamath County. 6.5 miles in length. Park Boundary-The Dalles-California Section of the Sand Creek Secondary Highway, in Klamath County. 4.2 miles in length. Requires 17,800 cu.yds. crushed rock. Estimated total cost \$30,965.00.

Chiloquin-Klamath Falls Section of The Dalles-California Highway, in Klamath County. 20.0 miles in length. Requires 6,000 cu.yds. crushed rock. Estimated total cost \$12,400.00.

The Commission by unanimous vote authorized the working up of plans for such projects.

The Commission had under consideration the matter of granting to the Bonneville Authority permission to construct its transmission pole line over and across a number of state highways between Portland and Eugene, particularly the authorizing of spans exceeding the 130-ft. span limit heretofore established by the Commission. The Commission referred this matter to the Engineer to discuss with engineers of the Public Utilities Commissioner's office. In the event that it is determined that the plans for such crossings are in conformance with good engineering practice, then a permit authorizing the over-length spans is to be issued.

The Commission considered and ordered filed communications as follows:

Letter from the Washington County Court agreeing to contribute \$10,000 of county funds in 1940 toward the cost of construction of a standard oil surface on the Balm Grove-Sunset Camp Section of the Gales Creek County Road, which is being used as a state highway detour pending completion of the Wolf Creek Highway, provided the temporary treatment that is being constructed this year does not prove successful.

Letter from Clarence N. Crocker, Eugene, suggesting that, when the state reconstructs the Pacific Highway through Eugene, it select a route around the city rather than along Sixth Street, as has been proposed.

Letter from Isaac Walton League of America opposing, in principle, the further extension of roads into roadless areas and demanding that, before any further extension into such areas is authorized, all values be given due consideration from the truly public standpoint.

Communications from the Elgin Community Club, Walla Walla Chamber of Commerce, Enterprise Chamber of Commerce; J. G. Kelley, President, Walla Walla Union Bulletin; and Weston-Elgin Highway Association, urging the oiling of the Weston-Elgin Secondary State Highway between Weston and Tollgate.

The Secretary presented a communication from the Tillamook County Flying Club, requesting permission to use the ocean beach at either Rockaway or Saltair, in Tillamook County, as a landing field for airplanes during the conduct of federal examinations for the securing of pilots' licenses. The Commission denied the request, it being considered that such use of the beach would constitute a serious hazard to people who use such areas for recreational purposes.

The Commission discussed a letter from the Lower Columbia Associated Chambers of Commerce with respect to the improvement of the county road extending from the Oregon Coast Highway to Fort Stevens, in Clatsop County. The Commission took no action on this matter other than to recall that this project was tentatively approved for the 1940 construction program at its session on the previous day.

A letter was presented from Guy E. Reddick, owner of the Midway Boathouse in the Willamette River at the foot of 15th Street in Oregon City, in which permission is requested to maintain a water pipe line on state property to supply his boathouse, and also to maintain a parking space on state property between 14th Street and 15th Street for the benefit and convenience of people who patronize his boathouse. The Commission ordered that Mr. Reddick be informed that a permit for such use of the state's property will be granted only in the event that the boathouse in question is owned and operated as a

public enterprise and as a non-profit undertaking, but will allow him to maintain his private boathouse in its present location as a temporary proposition this year only, pending completion of the highway along Water Street.

A letter was presented from Mrs. Jessie M. Honeyman, President, Oregon Roadside Council, in which the Commission was asked to use its influence with the State Board of Control to the end that office space be provided by the state for use in connection with the Council's W.P.A. project for the preservation of scenery along Oregon roadsides. The Engineer was instructed to advise Mrs. Honeyman that the State Highway Commission has no authority in this matter, and, while it is sympathetic with the movement, it is not in a position either to sponsor the project or to provide office space for the workers.

The Engineer discussed with the Commission a letter from Huntington, Wilson and Davis, Attorneys, Portland, relative to the claim of the Arch Cape Land Company and W.C. Calder for damages that they allege occurred to their property by reason of the sliding of a highway fill on the Oregon Coast Highway near Arch Cape, Clatsop County. Action on this matter was deferred pending inspection of the premises by members of the Commission and the Engineer.

The Commission discussed but deferred action on the matter of recommending the designation of the Central Oregon Highway as U. S. Highway Route No. 14.

The Commission also discussed a letter from W. C. Markham, Executive Secretary, American Association of State Highway Officials, relative to the designation of U. S. Highway Route No. 95 across the State of Oregon. The Engineer advised that it is planned to route this highway over the I.O.N. Secondary State Highway through the State of Oregon, which, in his estimation, would be proper, although he did not believe that publicity should be given thereto until the road has been completed throughout and could be shown on maps as an improved route through Oregon. He further advised that he so informed Mr. Markham. The Commission approved the Engineer's action in this matter.

The Commission considered and ordered filed a letter from Mr. F. W. White, Eugene, directed to Governor Charles A. Sprague, with respect to the designation of the Junction City-Eugene Secondary State Highway and the Pacific Highway between Junction City and Eugene as U. S. Highway Route No. 99E and U. S. Highway Route No. 99W, respectively, inasmuch as Mr. White has previously been informed of the reasons why such designation could not be approved.

The Commission also considered and ordered filed a letter from Congressman Walter M. Pierce relative to the proposed federal plan for the construction of federal military highways.

The Secretary presented a letter from Mrs. Mary H. Clarke, Portland, inquiring as to when the Commission intends to construct the proposed revision of the Pacific Highway West through the town of Tigard so that she can plan the remodelling of her premises in accordance therewith. He was instructed to inform Mrs. Clarke that the Commission has this project in mind but is

unable to state at this time just when construction will be undertaken, as that depends upon the availability of funds and the formulation of the Commission's construction program.

A letter was presented from the Newberg Berrians requesting suggestions relative to the handling of traffic during the regatta that is to be held in the Willamette River at Newberg on June 18, 1939, and in connection with which it is likely that a large crowd will assemble on the highway bridge during the festivities. The Engineer advised that the bridge is an old structure and incapable of withstanding a large crowd, and, in his estimation, in order to avoid the possibilities of a tragedy, should not be used as a viewing stand. Furthermore, the bridge crew is now installing additional falsework on this structure in order to make it safe for ordinary vehicular traffic. The Commission instructed the Secretary to inform the Newberg Berrians of the condition of this bridge and to request them to see to it that people do not use the bridge during the regatta. He was also instructed to convey such information to the Department of State Police, with the request that officers be assigned to keep the people off this structure during the time that the regatta is under way.

A letter was also presented from O. D. Mathews, President of the Klamath Buckaroo Days Committee, requesting permission to install 10 lines of decorations over The Dalles-California Highway just outside of the city limits of Klamath Falls during the time of their rodeo, which is to be held July 2, 3, and 4, 1939. The Commission denied the request as a matter of policy and ordered that the suggestion be given to Mr. Mathews that such decorations be placed over the highway within the city limits where the State Highway Commission does not have jurisdiction.

The Engineer discussed briefly with the Commission matters pertaining to the adoption of a federal aid secondary highway system. He advised that the Bureau of Public Roads has requested the submission of a list of roads representing at least 25 per cent of the total available mileage, before it will approve any further expenditures of either the 1940 or the 1941 federal aid secondary highway funds, and that they have also requested graphs with respect to the economical selection of the various roads to be included in such system. The Commission instructed the Engineer to proceed with the preparation of the additional information and to submit a full report on the matter at its next meeting, if possible.

The Engineer presented a list of surveys that he has ordered since the last meeting of the Commission and asked the Commission to confirm them and the amounts authorized for each. After due consideration, motion was made by Commissioner Aldrich that the State Highway Engineer be authorized and instructed to make such surveys on various sections of highways of this state, which said sections of highways and the amounts authorized for survey expenditures are as follows:

Location - 1-2812 - Flagstaff Hill-Middle Bridge Section, Baker-Homestead Highway. Baker County. 2nd authorization - \$500.00
Total to date \$6,600.00

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Plans - - - - 2-2817 - Corvallis Bridge Approaches, Albany-Corvallis Highway, Benton County. 1st authorization - \$100.00

Right of Way - 103-2821 - Aurora-Wilsonville Section, Hillsboro-Woodburn Sec. Hwy., Clackamas Co. 1st authorization - \$300.00

Plans - - - - 103-2822 - Estacada School Section, Woodburn-Sandy Highway, Clackamas County. 1st authorization - \$100.00

Slide - - - - 4-2824 - Nehalem River-Rock Creek Section, Wolf Creek Highway, Clatsop County. 1st authorization - \$500.00

Plans - - - - 4-2825 - Astoria Plaza Section, Oregon Coast Highway, Clatsop County. 1st authorization - \$600.00

Plans - - - - 5-2814 - Warren-Scappoose Section, Columbia River Highway, Columbia County. 2nd authorization - \$1,200.00
Total to date \$3,200.00

Plans - - - - 10-2819 - Rice Hill-Turkey Hill Section, Pacific Highway, Douglas County. 3rd authorization - \$500.00
Total to date \$1,550.00

Right of Way - 117-2809 - Provolt-Williams Section, Williams Secondary Highway, Josephine Co. 3rd & 4th authorizations - \$1,000.00
Total to date \$2,000.00

Quarry - - - - 19-2817 - Drews Gap-Forest Boundary Section, Klamath Falls-Lakeview Hwy., Lake Co. 1st authorization - \$50.00

Right of Way - 20-2836 - Lincoln County Line-Cape Creek Section, Oregon Coast Highway, Lane Co. 1st authorization - \$500.00

Right of Way
& Plans - - - - 20-2837 - Lowell-Goshen Section, Willamette Highway, Lane Co. 1st authorization - \$9,800.00

Plans - - - - 220-2832 - Walton-Veneta Section, Route "F", Lane County 2nd authorization - \$450.00
Total to date \$10,250.00

Right of Way- 21-2829 - Kernville-Newport Section, Oregon Coast Highway, Lincoln County. 1st authorization - \$125.00

Right of Way - 21-2830 - Boyer-Rose Lodge Section, Salmon River Highway, Lincoln County. 1st authorization - \$1,000.00

Bridge - - - - 21-2831 - Alsea Bridge, Alsea Highway, Lincoln County 1st authorization - \$300.00

Location - - - 22-2816 - Foster-Bryant Hill Section, Santiam Highway, Linn County. 2nd authorization - \$2,500.00
Total to date \$10,000.00

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- Quarry - - - - 228-2806 - Hay Canyon Section, Moro-Hay Canyon Road, Sherman County. 2nd authorization - \$26.00
Total to date \$776.00
- Plans - - - - 29-2828 - Mills Bridge-Mining Creek Section, Wilson River Hwy., Tillamook County. 1st authorization - \$400.00
- Location - - - 30-2817 - Adams-Pendleton Section, Oregon-Washington Hwy., Umatilla County. 2nd authorization - \$800.00
Total to date \$7,400.00
- Quarry - - - - 33-2817 - Maupin-Cow Canyon Section, The Dalles-California Hwy., Wasco County. 1st authorization - \$100.00
- Quarry - - - - 33-2815 - Seufert-Dufur Section, The Dalles-California Hwy., Wasco County. 2nd authorization - \$ 46.00
Total to date \$296.00
- Right of Way - 134-2821 - Campbell Bridge-Scholls Section, Hillsboro-Woodburn Sec. Hwy., Washington Co. 1st authorization \$100.00
- Plans - - - - 134-2822 - Christensen-Lane-Scholls Section, Hillsboro-Woodburn Sec. Hwy., Washington Co. 1st authorization - \$540.00
- Right of Way - 36-2822 - Sheridan-Willamina Section, McMinnville-Tillamook Hwy., Yamhill County. 1st authorization - \$125.00
- Plans - - - - 136-2823 - Amity-Hopewell Section, Belleview-Hopewell Road, Yamhill County. 1st authorization - \$100.00

The motion was duly seconded by Commissioner Clough and was declared by Chairman Cabell to have carried by the unanimous vote of the Commission.

The Commission had under consideration a request from Viesko & Hannaman, contractors for the construction of a maintenance building at Albany, Contract No. 2123, requesting an extension of time from March 7 to May 13, 1939, within which to complete this project. They attributed their failure to complete the project within the specified time limit to bad weather conditions which rendered impossible the painting of the exterior brick walls and the construction of driveways at the time that the other work was completed. The Engineer advised that the reason given by the contractor for failure to complete the project within the specified time limit is correct; in fact, he ordered the contractor to close down the work between February 8 and April 11 because he considered it poor engineering to allow the work to proceed under the prevailing conditions. He recommended, in view of the circumstances, that the extension requested be granted without penalty. The Commission approved the recommendation by unanimous vote.

The Engineer reported that Contracts Nos. 2095, 2108, 2110, 2123, 2125, 2127, 2130, 2136, 2138, 2143, 2146, 2156, and 2162, for the construction of state highway projects, have been completed according to the require-

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ments of the contracts or modifications thereof, and that said jobs are ready for acceptance. The following resolution accepting the above projects was offered and was adopted by the unanimous vote of the Commission:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts and said jobs are now ready for acceptance:

Contract No. 2095, with McNutt Bros., for grading, surfacing and oiling on the Bly Mountain-Beatty Section of the Klamath Falls-Lakeview Highway, in Klamath County. Completed May 28, 1939.

Contract No. 2108, with Henry C. Nelson, for construction of maintenance buildings at Suntex Junction and Brothers, in Deschutes and Harney Counties. Completed May 12, 1939.

Contract No. 2110, with Mountain States Construction Company, for constructing canal and railway roadbed on the Albany Section of the Pacific Highway East, in Linn County. Completed April 22, 1939.

Contract No. 2123, with Viesko & Hannaman, for constructing a maintenance building at Albany, in Linn County. Completed May 13, 1939.

Contract No. 2125, with D. L. Ashton, for furnishing crushed rock on the Olney-Jewell Section of the Nehalem Secondary Highway, in Clatsop County. Completed April 27, 1939.

Contract No. 2127, with D. L. Ashton, for landscaping on the Brothers Roadside Oasis Project on the Central Oregon Highway, in Deschutes County. Completed May 15, 1939.

Contract No. 2130, with J. C. Compton, for surfacing and oiling the Vanora-Madras Section of the Warm Springs Secondary Highway, in Jefferson County. Completed May 15, 1939.

Contract No. 2136, with Leonard & Slate, for landscaping on the State Hospital-Ash Street Section of the Old Oregon Trail Highway, in Umatilla County. Completed April 25, 1939.

Contract No. 2138, with O. C. Yocom, for furnishing crushed rock on the Coquille Section of the Oregon

Coast and Coos Bay-Roseburg Highways, in Coos County.
Completed May 15, 1939.

Contract No. 2143, with Mountain States Construction Company, for furnishing crushed rock on the Rough Creek-Belknap Springs Section of the McKenzie Highway, in Lane County. Completed April 22, 1939.

Contract No. 2146, with Saxton, Looney & Risley, for furnishing crushed rock on the Lakeview Section of the Fremont and Klamath Falls-Lakeview Highways, in Lake County. Completed May 31, 1939.

Contract No. 2156, with A. S. Wallace, for furnishing crushed rock on the Polallie Creek-Hood River Section of the Mt. Hood Highway, in Hood River County. Completed May 5, 1939.

Contract No. 2162, with C. E. Silbaugh Company, for grading the North Powder-Davis Ranch Section of the North Powder River County Road, in Union County. Completed May 4, 1939.

THEREFORE, BE IT RESOLVED, that the work covered by said state highway contracts for the construction of said state highway projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

The Commission discussed the setting of a date for its next regular meeting for the receiving of bids on highway construction projects following that set for June 22, 1939, and tentatively scheduled such meeting for Thursday, July 27, 1939, it being understood that a special meeting would be called in the meantime for the disposal of accumulated routine matters.

The Commission considered and signed agreements, et cetera, as follows:

Supplemental cooperative agreement with United States of America providing for snow removal on the west leg of Timberline Lodge Road.

Agreement with California Western States Life Insurance Company, providing for group insurance for Highway Department employees.

Agreement with City of Bend covering reimbursement to the city for work that the city will do in revising the water system by reason of the Third Street undercrossing project.

Agreement with C. H. Lake, Salem, authorizing parking of cars

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on state highway right of way while being serviced at his station south of Salem.

Agreement with Olive Lee providing for construction of an approach road to her premises adjacent to the Oregon Coast Highway in Lincoln County when this highway has been constructed on new alignment.

Revokable permit from Pacific Power and Light Company authorizing the state to install and maintain one traffic signal suspension cable attachment to the company's pole No. 2107, in Rainier.

Agreement with R. G. Saylor providing for the abandonment of a cattle pass on the Lexington-Echo Secondary Highway in Umatilla County, being Bridge No. 320-26.1, situate at Highway Engineer's Station 398+47 in the N.W. $\frac{1}{4}$ of Sec. 31, T. 3 N., L. 28 E., W.M.

Agreement with Frits Luscher et al pertaining to the acquisition of right of way needed for the new Columbia River Highway near Bridal Veil, in Multnomah County.

Easement granting to the Mountain States Power Company the right to construct, maintain, and operate a canal or ditch to convey water across Lots 5 & 6 of Block 5, and Lots 5, 6, 7, and 8 of Block 8, Hackleman's Second Addition to Albany, which is state-owned property.

There being no further business to come before the Commission at this time, the meeting was adjourned at 5:30 o'clock p. m.

W. B. L. L. L.
State Highway Engineer

W. B. L. L. L.
Secretary

Henry F. Cabell
Chairman

Ed. L. L.
Commissioner

Thos. W. L.
Commissioner

June 21, 1939
(9:00 a.m. - Enroute Drain to Reedsport)

The State Highway Commission disposed of the following routine matters enroute from Drain to Reedsport, there being present and participating in the discussions the following:

Henry F. Cabell, Chairman
Huron W. Clough, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

The Secretary reported receipt of a letter from Mr. Lewis A. McArthur, President of the Oregon Historical Society, recommending approval of the request of the Willamina Commercial Club for the preservation of the old anchoring post that was used to tie up the ferry that operated across the Yamhill River just west of Willamina one hundred years ago. The Commission approved the recommendation and authorized construction of a concrete base around the post provided investigation reveals that it is located on the state highway right of way. The Commission also authorized the erection of a sign near this anchoring post giving historical information relative thereto. The Engineer was instructed to ask Mr. McArthur to prepare the wording for such sign.

The Attorney reported on the building encroachments on Astor Street, in Astoria. Inspection on the ground, he said, reveals that some of the buildings encroach fully 20 feet upon the dedicated street, this being particularly true of those on the west side of the street where the traveled roadway was a considerable distance from the property line. He gave as his opinion that the property owners cannot establish their rights to the use of the street as against the rights of the general public but advised that the cost of litigation would be expensive and that the results would be uncertain and it would take considerable time to bring the matter to a final conclusion if it were brought to trial. He estimated that the state could save approximately \$4,000 in the cost of removing the buildings from the highway right of way were the Commission to prevail in a lawsuit to enjoin the further use of the street for private purposes but, on the other hand, if the property owners prevailed, then the Commission would be under obligation to pay the cost of moving the buildings and in addition thereto would be required to purchase from the property owners the area in the dedicated street that they had acquired by reason of long use. He further reported that some of the property owners who are occupying street area on the easterly side of the street and who will not be disturbed by the highway improvement have indicated a willingness to help pay the cost of making adjustments on the opposite side of the street, the consideration being the benefits which they would receive by reason of the vacation of a 20-foot strip of street area which they are now occupying on the easterly side of this street.

He pointed out that in only one instance would the state be required to deal with any of the building owners, that being a case where the state

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will require some of this owner's property that is located outside of the dedicated street area and, in that instance, the Commission in its negotiations will have to give consideration to the moving of this property owner's building. After discussion, the Commission decided to pay the cost of moving the building belonging to this one property owner, and to require the City of Astoria to assume such obligation with respect to the moving of the other buildings inasmuch as the Commission feels that this is a city responsibility. The Attorney was instructed to convey such information to the City Council. He was authorized to assist the city in condemnation proceedings if such are necessary with respect thereto.

The Engineer brought up for discussion the matter of constructing timber linings in all state highway tunnels that are unlined at the present time, with particular reference to the Elkton Tunnel on the Umpqua Highway where, he said, rocks are continually falling from the roof of the tunnel, endangering traffic and requiring constant maintenance by the state maintenance crew. He recommended the budgeting of a sufficient amount in next year's budget to pay the cost of such timber lining work. The Commission indicated approval of the recommendation and instructed the Engineer to bear the matter in mind when the 1941 budget is prepared.

Chairman Cabell reported that in company with the State Parks Superintendent he recently inspected Natal Park, a 10-acre tract of privately-owned timber land situate adjacent to the Nehalem Highway near Mist, Oregon, and ascertained that this is a beautiful place, well suited to state park purposes, and would be a fine addition to the state parks system if it can be acquired at reasonable cost. It was his thought that the state should purchase the area if it can be obtained at its actual worth. Commissioner Clough concurred, but a definite decision was deferred pending further investigation and consultation with the owner.

The Attorney reported that a new state law is now in effect which authorizes the Commission to institute condemnation proceedings to acquire state highway right of way through cemeteries, and suggested that it would be advisable to start such proceedings in connection with the acquisition of right of way needed for the Lower Columbia River Highway through the Fairview Cemetery, near Scappoose, which right of way has been the cause of delay in reconstructing this section of this highway. The Commission approved the suggestion and, by unanimous vote, adopted the following resolution in regard thereto:

WHEREAS, the State Highway Commission is by law authorized and directed to lay out, locate, designate, construct, improve and maintain a system of state highways in the State of Oregon, and to acquire rights of way and to declare the necessity and need for the acquisition thereof, and the advantages to be gained thereby; and

WHEREAS, by the provisions of Chapter 529, Oregon Laws, 1939, the Commission is vested with authority to acquire by purchase, agreement, donation or by the exercise of the power of eminent

domain real property for right of way through a cemetery and by said law the Commission is further authorized to acquire by purchase, agreement, or the exercise of the power of eminent domain real property contiguous to the cemetery, and having acquired such property may convey the same to the cemetery association or the owners of the cemetery in exchange for the real property sought to be acquired for right of way purposes; and

WHEREAS, the Commission has found it necessary in order to properly locate, construct and maintain that section of the Columbia River Highway lying between the Multnomah County line and Scappoose to extend the same through and locate a portion of said highway within the boundaries of the cemetery known as the Fairview Cemetery; and

WHEREAS, the route and location of the said highway within the boundaries of said cemetery is over and across an area within which there are no graves which will be disturbed by reason of the appropriation and use of the area over which is routed the said highway;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED BY THE STATE HIGHWAY COMMISSION AS FOLLOWS:

1. That the Commission does hereby find and declare that it is necessary and will be of advantage to the State of Oregon to acquire for right of way purposes in connection with the permanent location, construction, improvement and maintenance of said section of the Columbia River Highway the real property described as follows: to wit:

A parcel of land lying in the T. J. Jackson, D. L. C. in Township 3 North, Range 2 West, W. M., Columbia County, Oregon, and being a portion of the following described property: that tract of land which was conveyed by that certain deed to Mildred J. Watts, recorded in Book 17, Page 492 of Columbia County Record of Deeds, the said parcel being a strip of land eighty feet in width, forty feet on each side of the relocated center line of the Columbia River Highway as said highway has been surveyed over and across the Fairview Cemetery property, the said parcel being more particularly described as follows:

Beginning at a point on the north line of the Fairview Cemetery, which point is North $89^{\circ} 32' 30''$ West a distance of 40 feet from engineer's station 50+80 of the relocated Columbia River Highway, said point also being 1442 feet south and 128 feet east of the northwest corner of the T. J. Jackson, D. L. C. in Township 3 North, Range 2 West, W. M.; thence South $89^{\circ} 32' 30''$ East along the north line of said property a distance of 80 feet; thence South $2^{\circ} 11' 30''$

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East, 40 feet distant and parallel to said center line a distance of 260 feet to the south line of the cemetery property; thence North $89^{\circ} 19' 30''$ West along the south line of the cemetery property a distance of 80 feet; thence North $2^{\circ} 11' 30''$ West, 40 feet distant and parallel to said center line a distance of 260 feet to the point of beginning, containing 0.48 acres.

2. This Commission does hereby further declare that the above described property is necessary and is needed for highway purposes and the acquisition of the same will be of advantage to the State of Oregon for right of way purposes in order to make it possible for this Commission to properly locate, construct, improve and maintain the said section of said Columbia River Highway in accordance with standards adopted by this Commission with respect to curvature, grades, alignment, drainage and other factors of safety.

3. That the State Highway Engineer be and he hereby is instructed and directed to properly survey the parcel of land required for such right of way purposes and prepare proper and adequate description thereof, which description shall be employed in the preparation of a deed or other instruments necessary to complete the acquisition of said property, or which description may be used in the preparation of a complaint in the event that condemnation proceedings are necessary.

4. That the boundaries of the said parcel of land, as defined and determined by the said survey made by the said Highway Engineer, along the route or location adopted by the Highway Commission, shall be and the same hereby are adopted and the lands defined therein are hereby declared to be and the same are included within the rights of way of the said portion or portions of the said state highway system and hereby are declared to be necessary for the proper location, improvement, construction, and maintenance of the said portion or portions of the state highway system.

5. That I. H. Van Winkle, Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they are hereby requested, authorized, and directed to attempt to agree with the owner of said parcel of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby further resolved that the Attorney General of the State of Oregon and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they hereby are requested to commence and prosecute to a final determination such suit or action as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

6. That in connection with such effort or attempt as may be made with the owner of said property the said attorneys are hereby instructed to offer to procure an equal area of land adjoining and contiguous to said cemetery and convey or cause the same to be conveyed to the owner of the land by this complaint sought to be appropriated in exchange for the real property sought to be condemned in this proceeding.

7. The Engineer hereby is instructed in the preparation of plans for the construction of the highway through said cemetery to make proper and adequate provisions for convenient and commodious access from the said cemetery to the highway when constructed over the new location and to provide for vehicular and/or pedestrian communication across said newly constructed highway between the cemetery property and the portion of said cemetery which will be severed or segregated by reason of the location of said highway.

8. That this resolution be entered in full in the minutes and records of this Commission as of June 6, 1939, but the same shall not become effective until June 14, 1939.

The Engineer reported on his investigation of the methods used by the State of Washington in controlling service club signs, as previously ordered by the Commission. He said that the State of Washington provides a convenient post with crossarms on the state highway right of way at the entrance to a city and each of the service clubs hangs thereon a standard-designed plaque carrying its insignia. The cost of the site, the post, and the cross-arm, he said, is borne by the State of Washington but the service clubs are required to pay the cost of their individual plaques. He gave as his thought that such manner of handling this matter in the State of Oregon would not be satisfactory because the maintenance of signs of this kind on highway rights of way in this state is illegal and because it would establish a very bad precedent. The suggestion was made that the state furnish the signs, which would be uniform in character, and let the service clubs erect and maintain them provided they are placed within the corporate limits of the city or town. The suggestion was tentatively approved by the Commission. The Engineer was instructed to ascertain the attitude of the state representative of each of the service clubs relative thereto.

The Attorney reported receipt of a letter from Mr. Henry Eggers, Corvallis, approving the plan suggested by the Commission for the construction of his private approach road to the highway south of Corvallis. Mr. Devers stated that Mr. Eggers has expressed a willingness to perform the work in connection with the construction of a standard approach road provided the state will furnish the drainage pipe. The Commission approved this arrangement and authorized the Engineer to purchase the pipe for Mr. Eggers' use. In this connection the Commission discussed the advisability of adopting a

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permanent policy with respect to the construction of approach roads but deferred definite action thereon for a future meeting.

The Attorney reported receipt of a complaint that Dr. Fred Thompson, The Dalles, is maintaining a neon advertising sign on the right of way of the Columbia River Highway in front of his auto park near the west city limits of The Dalles, in violation of his agreement with the Commission when this section of the highway was built. He recalled that the relocation of the highway completely changed Dr. Thompson's park setup and made necessary a new and rather expensive entrance to the same at a point where it was difficult to bring to the attention of the motoring public his park facilities and, in view thereof, the Commission, on April 11, 1935, granted Dr. Thompson an easement authorizing him to maintain a sign over the highway right of way provided it did not extend more than 15 feet from the right of way line. He read aloud the provisions of the easement and in view of the provisions thereof the Commission instructed him to order Dr. Thompson to remove the sign immediately.

The Engineer reported briefly the results of a traffic count that was taken at the intersection of the Wapinitia Highway with the Mt. Hood Highway between the hours of 8:00 a. m. and 4:00 p. m. on Sunday, June 4, and Tuesday, June 6, 1939, to determine the volume of traffic over the Mt. Hood Highway, which was recently opened after being closed by snow during the past winter, as compared to the traffic count taken at the same location on Wednesday, June 10, 1936, during the same hours. The Commission took no action on this report.

The Engineer also reported on an investigation that has been made to determine whether or not the design of the power transmission pole line, that the Bonneville Power Authority proposes to construct from Portland to Eugene, is in conformance with good engineering practice. He said that such investigation and check reveals that the design fully meets the requirements of good engineering practice inasmuch as it provides safety factors ranging from 3.2 to as high as 7.3. He recommended, in view thereof, that the permit requested by the Bonneville authorities for the construction of extra long spans over and across state highway rights of way be granted. The Commission approved the recommendation unanimously.

A letter was presented from Mr. W. W. Evans, Halfway, Oregon, requesting the oiling, this year, of the Dry Gulch Section of the Baker-Homestead Highway, and the grading of the CCC Camp-Virtue Hill Section of this highway so that the oiling of this section can be completed during 1940. The Secretary was instructed to inform Mr. Evans that the Commission is not able to approve his request in its entirety but has the interests of this highway in mind, in fact, has included in its tentative budget for P.W.A. projects an amount of \$30,000 for resurfacing and oiling the Dry Gulch Section in 1940, if the P.W.A. funds materialize. The Engineer suggested that this work could probably be financed with state funds in the event that the proposed P.W.A. program did not materialize. The Commission tentatively approved the suggestion.

A letter was also presented from the County Court of Umatilla County in which the Commission was urged to adopt a program for the future improvement of the first 5-mile section of the Weston-Elgin Secondary State Highway easterly from Weston. The Commission indicated that the only hope for such project would be the financing of the same in the P.W.A. program, this project already having been approved under the tentative program for P.W.A. funds.

The Commission discussed briefly, but deferred definite action on a suggestion from the Engineer with respect to the removal of gravel from the ocean beach for commercial purposes.

The Engineer requested authority to purchase the following equipment:

1 semi-portable scale for weighing individual axle loads, estimated total cost, installed, \$1,035.00;

1 electric drill, estimated cost \$75.00, for use in connection with the construction of log bridges on the Wilson River Highway;

1 Gerlinger paving plant, estimated cost \$12,000.00, but valued at \$17,600.00.

After discussion the Commission by unanimous vote authorized the purchase of such equipment.

The Commission had under discussion a report from the State Police Department concerning the fatal accident that occurred on the John Day Highway between Vale and Jamieson in Malheur County on the night of May 30, 1939, when a passenger car containing a family of five persons collided with a truck owned by the Bunting Tractor Company of La Grande which was being used to transport bulldozer equipment of a width in excess of the statutory width limits, resulting in the death of three members of the family. The Commission was informed that a permit was issued to the Bunting Tractor Company to transport this bulldozer over state highways under certain conditions but the company, according to the report, did not comply with the requirements in that the movement was being made on a holiday, during the hours of darkness, and without flagmen. The Commission was also informed that this is the second time that equipment belonging to the Bunting Tractor Company has been involved in an accident on Oregon highways and that in each instance it so happened that the movement was being made in violation of the provisions of the permit that was issued to them. Instructions were requested as to whether or not this company should be granted permits in the future, in view of its apparent unwillingness to comply with the provisions of its permits. The Commission decided unanimously not to grant this company any permits hereafter for the special use of the highways of this state and instructed the Secretary to so inform the company.

The Engineer reported the award of the following contracts in accord-

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ance with authority previously granted him by the Commission, the conditions of the awards having been satisfied:

Grading, surfacing and oiling of the Silver Lake-Harris Creek Section of the Fremont Highway, in Lake County. Bids taken May 18, 1939, contract awarded June 9, 1939, to E. C. Hall Company, the low bidder;

Grading and paving the Roseburg-Shady Point Section of the Pacific Highway, in Douglas County. Bids taken May 19, 1939, contract awarded June 9, 1939, to Berke Bros., Inc., who submitted the low bid.

The Commission approved the award of these contracts by unanimous vote.

The Engineer reported receipt of a letter from Thomas H. McDonald, Chief of the Bureau of Public Roads, requesting his attendance at a meeting of the Committee on Design, American Association of State Highway Officials, which is to be held in Chicago on June 26 and 27, 1939. He explained that this trip would be entirely at government expense and inquired whether or not he should accept the invitation. The Commission, by unanimous vote, authorized the Engineer to attend such meeting in view of the fact that his expenses are to be paid by the Federal Government.

The Engineer also reported that Construction Engineer H. G. Smith has received an invitation to attend and deliver a paper at the 1939 Montana Bituminous Conference which is to be held this year at Sun Valley, Idaho, September 11 to 14. The Commission decided that this meeting is not of sufficient importance to justify the expense, however, authorized the preparation of a paper to be read at such conference.

The Commission confirmed out-of-state travel expense for Harold B. Say and Irene Payne of the Travel and Information Department who attended a meeting of the National Greeters' Association in Seattle, Washington, June 10 to 13, 1939. The Commission ordered, however, that hereafter no expense shall be incurred for out-of-state travel unless it has been previously authorized by the Commission.

The Secretary presented a letter, signed by 14 residents of the town of Spray, Oregon, expressing appreciation and gratitude for the recent installation of drinking fountains at a place known as Johnny Kirk Springs, situated adjacent to the John Day Highway between Spray and Dayville. The Commission accepted the letter, with thanks, and instructed the Secretary to send an appropriate letter of acknowledgment.

A letter was presented from the Chief of Police, Nyssa, Oregon, advising that the city has plans for the Harvest Festival on September 8 and 9, 1939, in connection with which they desire the use of two blocks of the state highway route which will necessitate the detouring of traffic over city streets that are in good condition. The Commission granted the request by unanimous vote subject to the condition that the detour is maintained in a dustless

condition and that flagmen are maintained to direct traffic and that the detour is properly signed so the general traveling public will not be inconvenienced more than is necessary.

A letter was presented from Nehalem Valley Grange No. 804, Jewell, Oregon, protesting the delay in contracting the oiling of the Nehalem Secondary Highway between Birkenfeld and Jewell. A similar letter was presented from Jewell Grange No. 876, Jewell, Oregon. The Secretary was instructed to reply that this project is in the Commission's 1939 construction program, a substantial portion of which cannot be placed under contract until this fall because of the lack of funds with which to finance the same. Also, that \$71,000 heretofore approved by the Commission for such project is still intact and the Commission has no intention to reallocate it to any other project.

The Commission considered and ordered filed a letter from Netel Grange No. 410, Astoria, in which the Commission was asked to give consideration to the benefits accruing to the farm element and settlements when contemplating or building roads, with particular reference to the Wolf Creek Highway connection to Astoria.

A letter was presented from the South Lane-North Douglas 99 Highway Improvement Association urging favorable consideration of its previous request for the construction of the Cottage Grove Section of the Pacific Highway. The Secretary was instructed to inform the Association that, due to the lack of state funds with which to match Federal Aid, the Commission has found it necessary to defer the contracting of a substantial portion of its 1939 construction program until later in the fall. Also, that the Commission has not yet made a definite selection of projects for its 1940 funds but the Cottage Grove improvement is one of those being considered for such program.

A telegram was presented from the Buckaroo Days' Committee, Klamath Falls, renewing its request for authority to maintain banners over and across The Dalles-California Highway for three blocks just outside of the city limits of Klamath Falls, advertising its buckaroo celebration. The Commission denied the request.

The Engineer reported that, in accordance with authority previously granted by the Commission, he has ordered certain surveys since the last meeting. He submitted a list of such surveys and asked the Commission to approve them. After due consideration the Commission by unanimous vote authorized and instructed the Engineer to make such location surveys on various sections of the highways of this state, which said sections of highways, together with their identifying location survey numbers and the amounts authorized and allocated for such survey expenditures, are as follows:

Plans - - - - -	9-2823 - Sisters Section, McKenzie Highway, Deschutes County.	1st authorization - \$150.00
Quarry & Stock Pile	12-2816 - Nye Junction-Long Creek Section, Pendleton-John Day Hwy.	1st authorization - \$500.00

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Quarry - - - - - 12-2817 - Mtn. Rest-Mt. Vernon Sec., Pendleton John Day and
 Beach Creek Highways. 1st authorization - \$300.00

Reconnaissance - 12-2815 - Prairie City-Baker Co. Line Sec., John Day Highway.
 Grant County. 2nd authorization - \$200.00
 Total to date - \$1,200.00

Plans - - - - - 15-2822 - North Entrance Medford, Pacific Highway. Jackson
 County. 1st authorization - \$500.00

Plans - - - - - 18-2835 - Bly-E. Bndry. Indian Res. Section, Klamath Falls-
 Lakeview Hwy. 1st authorization - \$1,000.00

Plans - - - - - 19-2813 - Horse Ranch Section, Fremont Highway. Lake County.
 2nd authorization - \$495.00
 Total to date - \$1,155.00

Test Pits - - - 19-2819 - E. Forest Bndry.-Cottonwood Creek, Klamath Falls-
 Lakeview Hwy. 1st authorization - \$400.00

Quarry - - - - - 19-2819 - E. Forest Bndry.-Cottonwood Creek, Klamath Falls-
 Lakeview Hwy. 2nd authorization - \$500.00
 Total to date - \$900.00

Quarry - - - - - 19-2818 - Lakeview Section, Fremont Highway. Lake County.
 1st authorization - \$500.00

Plans - - - - - 22-2819 - So. Junct.-Lost Lake Sec., Santiam Highway. Linn
 County. 1st authorization - \$150.00

Reconnaissance - 22-2820 - Sweet Home-Foster Section, Santiam Highway. Linn
 County. 1st authorization - \$1,200.00

Right of Way - - 24-2823 - Jefferson Section, Pacific Highway East. Marion
 County. 1st authorization - \$ 75.00

Reconnaissance -111-2809 - Wasco-Condon Section, Wasco-Heppner Highway. Gil-
 liam County. 1st authorization - \$2,325.00

Right of Way - - 29-2829 - Brighton Creek-W. Beaver Creek, Oregon Coast High-
 way. 1st authorization - \$ 50.00

Quarry - - - - -130-2825 - Weston-Elgin Section, Weston-Elgin Highway. Umatilla
 County. 1st authorization - \$500.00

Plans - - - - - 30-2824 - Milton Section, Oregon-Washington Hwy. Umatilla
 County. 2nd authorization - \$100.00
 Total to date - \$600.00

Quarry - - - - - 31-2816 - Elgin-Rock Creek Section, Wallowa Highway. Union
 County. 1st authorization - \$300.00

Quarry - - - - 31-2815 - Union-Bidwell Hill Section, Old Oregon Trail. Union
County. 1st authorization - \$200.00

Right of Way - 33-2818 - Deschutes River Section, Columbia River Highway.
Wasco County. 1st authorization - \$ 50.00

Plans - - - - 34-2818 - Multnomah Co. Line-Tigard Sec., Pacific Highway West.
Washington County. 4th authorization - \$1,100.00
Total to date - \$4,500.00

Location - - -136-2824 - McMinnville-Three Mile Creek Sec., Three Mile Lane
Highway. 1st authorization - \$800.00

The Engineer also reported that a number of surveys heretofore authorized by the Commission have been completed. He presented a list of such surveys and reported briefly on each survey listed thereon. After due consideration, the Commission approved the respective surveys as reported, and adopted the following resolution in regard thereto:

WHEREAS, the State Highway Commission heretofore has authorized and instructed the State Highway Engineer to make surveys on certain sections or portions of the highways of the State of Oregon; and

WHEREAS, pursuant to said authorization the State Highway Engineer has made and completed the said surveys and has filed the maps and plans of the said surveys in the files of the State Highway Commission, in Salem, Oregon; and

WHEREAS, the maps and plans of the said surveys have been examined by the State Highway Commission and have been found suitable in all respects for approval and adoption by the State Highway Commission;

NOW, THEREFORE, BE IT RESOLVED that the surveys herein-after designated and described, together with their identifying location map file numbers, as shown in the map filing records of the State Highway Commission in its Salem office, be and they are hereby adopted and approved as the location surveys of the various portions or sections of highway involved:

<u>File No.</u>	<u>Prefix</u>	<u>County</u>	<u>Type of Survey</u>	<u>Section</u>	<u>Highway</u>
8C28-1	4-2820	Clatsop	Reconn.	Svenson-Westport	Columbia River
5B21-1	24-2818	Marion & Linn	"	Illahee School-Albany	Pacific East
5B11,9,15 16, 17 and 5B 5-12	26-2802	Multnomah	Location	Troutdale-Cascade Locks	Columbia River

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(Completed Surveys, continued)

<u>File No.</u>	<u>Prefix</u>	<u>County</u>	<u>Type of Survey</u>	<u>Section</u>	<u>Highway</u>
5B21-2	26-2835	Multnomah	Reconn.	Junct. Slaven Rd. & Barbur Blvd.	Pacific West
5B21-3	34-2818	Washington	Location	Tigard	Pacific West
5B3-8	3-2801	Clackamas	Location	Oregon City	Pacific East
4B22-5	20-2803	Lane	Location	Salt Cr. Crossing-Salt Cr. Falls	Willamette
5B21-4	10-2821	Lane & Doug.	Reconn.	Divide-Oakland	Pacific
5B21-5	124-2819	Marion	Reconn.	Salem-Mohama	North Santiam
Not Traced	1-2812	Baker	Location	Flagstaff Hill-Middle Bridge	Baker-Homestead
8C28-4 & 102-2813		Benton	Reconn.	Wren-Dallas-Pac. Hwy. Junction	Kings Valley & Dallas-Kings V.
8C28-5					
5B22-2	102-2814	Benton	Location	Wren-Pedee Falls	Kings Valley
8C28-3	204-2823	Clatsop	Reconn.	Ranger Sta.-Fish Hawk	County Road
5B21-18 & 10-2807		Douglas	Location	Roseburg-Kelley Corner	Pacific
4B26-6					
8C28-2	120-2825	Lane	Reconn.	Monroe-Anlauf	Territorial
5B22-22	26-2836	Multnomah	Location	Bybee Ave.-Connect'n	Pacific East
5B22-24	127-2811	Polk	Reconn.	Dallas-Kings Valley	Dallas-Kings Valley
5B11-3,4	30-2817	Umatilla	Location	Adams-Pendleton	Ore.-Wash.
5B22-23	23-2816	Malheur	Reconn.	Baker Co. Line-Ontario	Old Ore. Trail
1H5-1	4-2813	Clatsop	Location	Skipanon Overcrossing	Oregon Coast
4B14-11	29-2802	Tillamook	Location	Clatsop Co. Line-Nehalem	Oregon Coast

BE IT FURTHER RESOLVED that the State Highway Engineer be and he hereby is authorized to make such minor changes in the said locations as may improve the standards of alignment and grades not inconsistent with the general location of the section of highway involved.

The Commission had under consideration the following requests for extensions of time within which to complete highway construction projects:

R. I. Stuart & Sons, Contract No. 2007, for furnishing crushed rock, in stock piles, for the Diamond Lake Section of the West Diamond Lake Secondary Highway and the Crater Lake-North Secondary Highway, in Douglas and Jackson Counties, requested an extension of time to July 18, 1939, within which to complete this project. They gave no reason for their failure to complete the project within the specified time limit. The Engineer advised that this contract was awarded on September 14, 1937, and that the specified completion date was October 31, 1938. He gave as his opinion that there is no valid reason why the contract could not have been completed within

the time specified and accordingly recommended the granting of the extension now requested subject to the condition that the contractor be required to reimburse the state in the amount of the total engineering costs incurred by the state subsequent to the date of completion specified in the contract. The Commission approved the recommendation unanimously.

F. C. Dillard, Contract No. 2100, for clearing the Salt Creek Section of the Willamette Highway, in Lane County, requested an extension of time from December 31, 1938, to July 10, 1939, within which to complete this project. He attributed his failure to complete the contract within the specified time limit to bad weather conditions and particularly early snowfall, which necessitated closing down the work earlier than was anticipated. The Engineer advised that the reason given by the contractor for failure to complete this job by December 31, 1938, the specified date of completion, is correct. He recommended, in view thereof, that the extension requested be granted without penalty. A letter was presented from the Bureau of Public Roads concurring therein. The Commission approved the recommendation unanimously.

The Engineer reported that Fisher Bros. on June 7, 1939, completed their contract No. 2140 for furnishing crushed rock in stock piles for the Crescent-Beaver Marsh Section of The Dalles-California Highway, in Klamath County, according to the requirements of the contract, or modifications thereof, and that said job is now ready for acceptance by the Commission. The following resolution accepting this project was offered and was adopted by the Commission by unanimous vote:

WHEREAS, the Engineer has reported that Contract No. 2140 with Fisher Bros., for furnishing crushed rock in stock piles for the Crescent-Beaver Marsh Section of The Dalles-California Highway, was completed on June 7, 1939, according to the terms and provisions of the contract, and that said job is now ready for acceptance,

THEREFORE, BE IT RESOLVED, that the work covered by said state highway contract No. 2140 for the construction of said state highway project be declared completed according to the terms of the contract and said job is hereby accepted and final payment in connection therewith is hereby authorized.

The Commission set Thursday, July 27, and Thursday, August 31, 1939, as the dates for its regular meetings in July and August and instructed the Secretary to make the usual arrangements to hold these meetings in the Auditorium of the Public Service Building, Portland.

The meeting was declared adjourned at 10:45 o'clock a. m.

John M. ...

State Highway Engineer

Henry F. Cabell

Chairman

H. B. ...

Secretary

Wm. M. ...

Commissioner

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Reedsport, Oregon, June 21, 1939

The State Highway Commission met in special session at 11:00 o'clock a. m. in the council chamber of the Reedsport City Hall, in accordance with notice previously given the Reedsport City Council, to secure expressions from the people of this city relative to the rerouting of the Umpqua Highway into and through Reedsport. Present were:

Henry F. Cabell, Chairman
Huron W. Clough, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

Also present were 15 local citizens, including Mayor E. G. Dunn, William A. Lovelace, and M. Kelley.

Chairman Cabell called the meeting to order and explained its purpose and the law which requires the Commission to conduct a public hearing in any city or town before it changes the route of a state highway into or through such city or town. The Engineer exhibited a map showing the proposed rerouting of the Umpqua Highway in Reedsport, and explained the engineering features involved. Chairman Cabell then invited the local citizens to express themselves either for or against the proposed change.

Mr. Kelley stated that he owns a service station at the north end of Reedsport, which will be somewhat affected by the change, and inquired particularly as to whether or not the grade of the highway would be altered to any extent in front of his premises. He was informed that indications are that there would be practically no change in the existing grade line at this point. Mr. Kelley also asked for better highway drainage than now obtains and was informed that such matter would be properly taken care of as one of the details of construction.

Mr. Lovelace expressed himself as being well satisfied with the proposed change, as did also Mayor Dunn. Mayor Dunn also asked for the following improvements:

Landscaping of the area included within the wye connection of the Umpqua Highway and the Oregon Coast Highway, and the betterment of the approach of 8th Avenue to the Oregon Coast Highway by widening the existing fill and extending the existing culvert at such location.

He explained that the City of Reedsport wants to eliminate the unsightly conditions that exist at the wye connection, hence their request for the landscaping of this area; also, that the city is spending considerable money for the improvement of some of its most important streets, of which 8th Avenue is one, and would like for the State Highway Commission to cooperate by improving the intersection of this particular street with the Oregon Coast Highway.

After discussion the Commission referred these projects to the Engineer for investigation and report.

Dr. Fields, of Gardiner, was present and advised the Commission that he is landscaping his property which fronts on the Oregon Coast Highway in Gardiner, and needs, in connection therewith, the removal of some earth material that is on the highway right of way. He asked the Commission to assist him by authorizing the removal of such material with state forces. The matter was referred to the Engineer for investigation.

Following the hearing, the Commission inspected the Oregon Coast Highway in Gardiner, the improvement of which is contemplated. In this connection the Engineer requested authority to conduct a preliminary survey of this highway north of Gardiner so as to determine the proper location for the permanent highway in that locality with relation to the permanent highway location through the town. The Commission granted the request by unanimous vote.

There being no others present desiring to be heard on any matter, Chairman Cabell declared the meeting adjourned at 11:15 o'clock a. m.

W. B. Aldrich
State Highway Engineer

Henry F. Cabell
Chairman

H. B. Glaisyer
Secretary

Huron W. Clough
Commissioner

Portland, Oregon, June 22, 1939

The State Highway Commission met in special session at 9:00 o'clock a. m. in the Auditorium of the Public Service Building. Present were:

Henry F. Cabell, Chairman
E. B. Aldrich, Commissioner
Huron W. Clough, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

Bids as follows for highway construction projects were opened and read in conformance with previously published notice, following which Chairman Cabell announced that the award of contracts would be made at 3:00 o'clock p. m. in the same room:

BAKER-UNITY HIGHWAY
BAKER-GIBBS RANCH SECTION - OILING

Norris Bros.	\$ 4,850.50
Babler Bros.	4,850.50
J. C. Compton	4,996.70
McNutt Bros.	5,861.00

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THE DALLES-CALIFORNIA HIGHWAY
THIRD STREET UNDERCROSSING IN THE CITY OF BEAD

Birkemeier & Sarnal	\$116,577.00
C. J. Montag & Sons	123,915.25
Parker-Schram Company	129,169.75
McNutt Bros.	135,406.00
C. J. Eldon	140,817.00

WILLIAMS SECONDARY HIGHWAY
PROVOLT-WILLIAMS SECTION - GRADING, SURFACING, OILING, CRUSHED GRAVEL

Newport Construction Company	\$ 32,999.99
R. I. Stuart & Sons	33,722.50
A. S. Wallace	35,684.75
McNutt Bros.	37,859.75
Clifford A. Dunn	42,579.00
E. C. Hall Company	46,740.00

ILLINOIS VALLEY COUNTY ROAD
BRIDGE OVER EAST FORK ILLINOIS RIVER

J. F. Johnston	\$ 12,928.00
Tom Lillebo	13,373.00
Fred Fredenburg	13,932.50
McNutt Bros.	14,202.50
Contracting & Sales Company	14,970.00
Clifford A. Dunn	15,157.50
Scheumann & Johnson	16,220.00
C. J. Eldon	17,065.00

SANTIAM HIGHWAY
SANTIAM JUNCTION MAINTENANCE STATION

Odom Construction Company	\$ 26,117.00
Tom Lillebo	26,568.50
Viesko & Hannaman	27,065.70
Frank Watt Construction Company	27,337.85
Hart Building Company	29,521.00
McNutt Bros.	29,787.90
Barham Bros.	30,524.00

NORTH RIVER ROAD (COUNTY ROAD)
WHEATLAND JUNCTION-SALEM SECTION
GRADING AND PAVING

J. C. Compton	\$ 65,745.50
Warren Northwest, Inc.	66,625.00
McNutt Bros.	73,906.50
The United Contracting Company	75,495.00
Newport Construction Company	77,283.50
Roy L. Houck	82,507.00

PACIFIC HIGHWAY EAST AND SILVERTON COUNTY ROAD
SALEM-MIDDLE GROVE SECTION
GRADING AND PAVING, PAVEMENT WIDENING AND RESURFACING

J. C. Compton	34,958.50
*Warren Northwest, Inc.	36,921.90
McNutt Bros.	38,446.45
**Newport Construction Company	39,820.85
The United Contracting Company	40,935.05

*\$ 5,000 to be deducted if awarded also Wheatland Junction-Salem Project
**\$15,100 " " " " " " " " " " " "

COMBINATION BIDS.
WHEATLAND JUNCTION-SALEM AND SALEM-MIDDLE GROVE SECTIONS

	Net Total Both Projects
Warren Northwest, Inc.	\$ 98,546.90
J. C. Compton	100,704.00
Newport Construction Company	102,004.35

COLUMBIA RIVER HIGHWAY
SANDY BOULEVARD SECTION (44th Avenue to 74th Avenue)
PAVEMENT WIDENING AND RESURFACING

Edlefsen-Weygandt Company	\$112,952.30
Theo. Arens	114,596.00
Kern & Kibbe	115,875.30
Porter W. Yett	116,109.40
Parker-Schram Company	124,449.50

HILLSBORO-CORNELIUS PASS COUNTY ROAD
HILLSBORO AIRPORT-RAY'S RANCH SECTION
GRADING, SURFACING, OILING

	<u>Using Road Oil</u>	<u>Using Tar</u>
McNutt Bros	\$18,283.50	\$ 18,281.00
Saxton, Looney & Risley	- - - -	19,994.00
R. O. Dail & Warren Bros.	- - - -	20,507.50

The Engineer reported receipt of a request from the Columbia Truck Line for the use of the state's magnet to remove nails and small pieces of scrap iron from a private road in Wallowa County, over which it is proposed to conduct log-hauling operations. He pointed out that it is contrary to the Commission's established policy to loan its equipment to private individuals because of the undesirable precedent that would be established thereby. The Commission decided not to deviate from this policy but authorized the loan of this equipment to the County Court of Wallowa County, which would not be deviating from the established policy, and the County Court could then make whatever arrangements it desired with respect to the use of the equipment on the private road.

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A delegation from Umatilla County, consisting of County Judge Carl W. Chambers and County Commissioners Wm. P. Meiners and Bill Switzler; State Representative Carl Engdahl; Roy Ritner, Mayor F. C. McKenzie of Hermiston, and a Mr. Dodd of Hermiston; also, County Judge Nelson B. Higgs of Harney County, came before the Commission in regard to the reconstruction of the Old Oregon Trail between Hermiston and Umatilla so as to eliminate existing railroad grade crossings. Judge Chambers headed the group and introduced the speakers.

Mr. Engdahl presented the principal arguments on behalf of this project. He advised that the town of Umatilla has become a place of considerable importance since the construction of Bonneville Dam and that a good deal of development work is now being carried on there, particularly by some of the large oil companies, which recognize this town as a desirable center for the distribution of their products into Eastern Oregon and Washington, as is evidenced by the fact that they are now constructing large storage facilities for gasoline and oil products which they believe they can barge up the Columbia River from Portland and distribute from Umatilla much more cheaply than by the method now used. Similar savings in freight expense, he said, will accrue to wheat haulers when their plans for the handling of wheat at the dock, in Umatilla, have been completed; but, in order to realize the full benefit of river transportation, the wheat haulers as well as the oil companies will need much better highway facilities than now exist. He urged particularly the straightening of the highway and the elimination of the railroad grade crossings, especially the one at Hermiston.

Mr. Ritner declared that the Port of Umatilla is the seaport for the entire eastern part of the state. He advised that one boat line is now operating between Portland and Umatilla and that another is to start soon; also, that the people of this district feel that they are entitled to a good road leading to this port, particularly because of the savings that will accrue by reason of reduction in freight rates in the shipping in of gasoline products and the trucking out of wheat. Mayor McKenzie exhibited a map of the town of Hermiston on which was shown the route of the proposed highway passing through this town, which route commences at a point on the present highway about one-fourth mile south of Hermiston and extends thence northerly to First Street, following along First Street to the northerly city limits and thence to the town of Umatilla. He pointed out that such route would eliminate 5 railroad grade crossings between Hermiston and Umatilla and would reduce by 75 per cent the volume of traffic that now crosses the railroad tracks in the town of Hermiston, where accidents frequently occur.

Mr. Dodd endorsed the remarks of the other speakers and added that the present road between Hermiston and Umatilla is in an unsatisfactory condition and will not stand up long under the heavy loads of wheat, gasoline, and other products that are being transported over it. He exhibited pictures of gasoline trucks that are now being operated out of the town of Umatilla, and declared that a good road between Umatilla and Hermiston will be of great help in securing the Umatilla port. County Commissioner Switzler also spoke in favor of this project. He declared that approximately 40 gasoline tank trucks operate over this road each night and that the present road cannot be expected to stand up under such heavy traffic.

County Judge Nelson B. Higgs, of Harney County, also endorsed this project from the standpoint of securing reductions in the price of gasoline for the benefit of the people of his county.

Chairman Cabell thanked the delegation for its appearance and advised that the Commission realizes the value of the open river and hopes that it will develop as anticipated. However, as to the building of a new highway between Umatilla and Hermiston, the Commission is of the opinion that it should defer such project until traffic develops; otherwise, the cost of constructing an entirely new highway could not be justified. He also pointed out that the Commission has plans for the construction of a cutoff between Stanfield and Boardman which will reduce the highway distance between these points several miles, and, when constructed, will take away from the present road between Hermiston and Umatilla a large percentage of the traffic that now uses this road and in all probability will reduce greatly the volume of traffic over the grade crossing in Hermiston. In view of this situation, he added, the Commission believes that it should wait and see if traffic to the Port of Umatilla develops to the extent it is anticipated. This concluded the conference.

Mr. Don Peoples, Secretary of the Bend Chamber of Commerce, and Mr. William Baer, County Commissioner of Deschutes County, came before the Commission in regard to the construction of the forest highway section of the Century Drive Secondary Highway between Bend and Elk Lake. Also present were Messrs. Lyle F. Watts, Regional Forester, and James Frankland, Regional Engineer, representing the U. S. Forest Service; W. H. Lynch, District Engineer, H. D. Farmer, Senior Highway Engineer, and T. M. Davis, Highway Engineer, representing the Bureau of Public Roads.

Mr. Peoples gave as his understanding that the Highway Commission and the government agencies have under contemplation the construction of a light-oil treatment on the existing road between Bend and Elk Lake rather than a standard improvement, as was originally planned, and advised that their object in appearing before the Commission at this time is to enter a protest against such type of improvement because they feel that the road is of sufficient importance to justify a higher type of construction, and that they are entitled to more consideration than has been given them. He admitted that probably the traffic that uses the road would not justify the construction that was originally contemplated, but asked for a better improvement than simply the oiling of the present road. He said that the south portion of the Century Drive Loop Road is good up to Elk Lake and the northerly end is good from Bend to the forest boundary, but the balance is poorly aligned, narrow, and dusty and all that they are asking for is that this portion be improved to compare favorably with the balance of the road.

The Engineer estimated that it would cost more than one million dollars to construct this entire road, which is about 40 miles long, to proper standards; and that to grade, surface, and oil the 20-mile section between Bend and Elk Lake would cost approximately \$640,000 for a high-type improvement. He estimated the cost to construct this 20-mile section with maximum 8-per cent grades, 20-degree curves, 20-foot roadbed, and an oil surface 12

feet wide, at \$200,000. After considerable discussion, Mr. Peoples indicated that such type of improvement would meet with their approval. A definite decision on this matter was deferred by the Commission until the next meeting. It was agreed that the Commission in the meantime would make an inspection of the road so as to get first-hand information regarding it.

Mr. Peoples then inquired as to the status of the Warm Springs Secondary Highway construction. He was informed that the Commission's construction program contains an item of \$25,000 of 1939 federal lands funds and \$30,000 of state funds for expenditure on this road in the vicinity of Warm Springs Creek, including a bridge over this stream, and that the contract for this project will probably be awarded by the Commission this fall. He was further informed that the Commission has found it necessary to allocate all of the 1940 federal lands moneys to the I.O.N. Secondary Highway in order to complete this highway across the State of Oregon, in view of which the next moneys available for allocation to the Warm Springs Highway will be the 1941 federal lands funds, a program for which will probably be arranged in the fall of 1940.

Commissioner Baer asked the Commission to furnish engineering service in connection with the removal of a rock point on the Cline Falls Secondary Highway just north of the town of Tumalo. He said that this improvement is quite necessary in order to improve sight distance and if the state could furnish the required supervision the county would remove this rock point at county expense. The Commission approved the request by unanimous vote.

Mr. W. H. Lynch, District Engineer, Bureau of Public Roads, was present and discussed with the Commission matters pertaining to the forest highway section of the Weston-Elgin Secondary State Highway, in Umatilla County. He pointed out that the forest highway program calls for an expenditure of \$45,000 for the oiling of this section, but investigations reveal that such sum is insufficient to finance the work, due to the fact that there is considerable grading work to be done in connection therewith; so, unless additional funds from some other source can be provided, it will be necessary to construct a low type of improvement. He estimated that a satisfactory project, consisting of an 18-foot roadway, surfacing 8 inches thick, and a light-oil treatment would cost approximately \$55,000, or \$10,000 more than the budgeted amount. After a lengthy discussion, the Commission by unanimous vote approved an expenditure of \$10,000 of state funds to make up this deficit, if necessary.

The Commission adjourned at 12:00 o'clock noon and reconvened at 2:00 o'clock p. m. in the same room with all Commissioners present and participating. Also present were the State Highway Engineer, the Attorney, and the Secretary.

A delegation representing the Oregon Coast Highway Association and consisting of the following members came before the Commission and presented a unified program for 1940 activities along the Oregon Coast Highway: Mr. A. B. Sanders, Secretary of the Association; County Judge Guy Boyington and County Commissioners John Slotte and James Elliott, of Clatsop County; Tom Cuning, Guy Hickok, Fred Ransom, G. C. Barlow, and F. G. Mauser, all from Clatsop

County; County Judge Harland M. Woods and County Commissioner E. H. Lindsey, Sam G. Reed, John Aschim, W. F. Nichols, Claude Barrick, George D. Riechers, and J. C. Rogers, all of Tillamook County; Harold Hickerson, Henry Kern, J. E. Norton, Lafe Compton, Ben Chandler, and John Ferguson, all of Coos County; County Judge A. H. Boice, Roy Carter, M. E. Kelly, Jay Moetyner, Frank Seale, and Dr. D. E. Baird, all of Curry County; County Judge Clinton Hurd and County Engineer P. M. Morse, also Earl Hill, of Lane County; and County Judge Franklin E. Gilkey, of Lincoln County.

Mr. Sanders headed the group and introduced the speakers. He mentioned four projects which, he declared, are the most pressing needs of the Oregon Coast Highway, and advised that this 4-point program, which follows, has been agreed to unanimously by representatives of the seven counties along the coast:

1. Complete and oil the highway around Neahkahnie Mountain, in Tillamook County, and construct a lining in Arch Cape Tunnel.
2. Adopt a definite location for the Oregon Coast Highway between Newport and Otter Rock, in Lincoln County, as a guide to the people of this district in the development of their holdings.
3. Commence the reconstruction of this highway between North Bend and Coquille, starting at any place that the Commission thinks best.
4. Reconstruct the highway from the north edge of Port Orford to Mussel Creek, a distance of 15 miles, by eliminating curves and making other necessary improvements; also, reconstruct the section just south of the Rogue River Bridge at Gold Beach.

Mr. Sanders then called upon the other members of the delegation to express their views.

County Judge Guy Boyington, of Clatsop County, endorsed project No. 1, particularly urging the completion of the highway between Neahkahnie Mountain and Cannon Beach. He strongly urged this work in 1940 and asserted that Clatsop County is entitled to this improvement because it has fulfilled its obligation to the state with respect to this road.

County Judge Harland M. Woods, of Tillamook County, also endorsed project No. 1. At his request County Commissioner E. H. Lindsey, also of Tillamook County, made a further statement. Mr. Lindsey predicted a large increase in the volume of traffic over the Oregon Coast Highway upon completion of the Wolf Creek Highway and the Wilson River Highway, which, he said, will emphasize the need for the early improvement and the elimination of the present "bottle neck" on the Oregon Coast Highway between Seaside and Wheeler. County Judge Franklin E. Gilkey, of Lincoln County, urged the Commission to adopt a definite permanent location for the Oregon Coast Highway between Newport and Otter Rock so that the people can develop their properties in accordance therewith.

County Judge Clinton Hurd, of Lane County, spoke in favor of the early reconstruction of the Curry County Section of this highway, particularly the elimination of curves south of Port Orford. At this juncture Mr. Sanders read aloud and filed with the Commission a resolution adopted by the Medford Chamber of Commerce heartily endorsing the 4-point program presented at this meeting. Mr. J. E. Norton, of Coquille, endorsed the entire program in behalf of the Coos County Court. He advised that Coos County is behind this program 100 per cent and urged particularly a start on project No. 3, being the reconstruction of the highway between North Bend and Coquille.

County Judge A. H. Boice, of Curry County, urged the elimination of curves on the highway south of Port Orford, and improvements at Gold Beach and Port Orford.

Mr. Sanders concluded their presentation by offering the services of the Oregon Coast Highway Association in any way possible to bring about the construction of this program.

Chairman Cabell advised, on behalf of the Commission, that the Commission is very glad to know just what the people of the coast counties desire with respect to highway construction and that all of the counties are in agreement with respect to the various projects. He expressed the Commission's appreciation for the spirit of cooperation shown by the members of the Association and advised that the Commission will give due consideration to each project in the formulation of future construction programs.

A delegation from Linn County, consisting of County Judge J. J. Barrett, County Commissioner H. A. Renninger, Honorable Samuel Gerland of Lebanon, and County Commissioner W. H. Malone of Benton County, came before the Commission with regard to a privately-owned park at Cascadia. They urged the Commission to acquire this property for state park purposes and advised that it consists of some 200 acres of land, about 20 acres of which is in camp ground, and on which there is a stand of approximately 4,000,000 feet of first class timber. They also advised that the park contains a mineral spring as well as a good supply of water for domestic purposes; that numerous trails have been constructed throughout the area providing easy access to a number of waterfalls and sightseeing points.

Senator Garland presented the principal arguments. He advised that the park is owned by a Mr. Giesendorfer, who is an elderly gentleman and heavily in debt, there being a \$12,000 mortgage against this park. He further advised that the park can be purchased from Mr. Giesendorfer for approximately \$15,000 but the state will have to pay considerably more than that in the event the mortgagee forecloses, which, indications are, he will do shortly. He asked the Commission to make a thorough investigation of the park and to purchase the same as soon as possible, in the event it is found desirable and the state can finance it, so they can dedicate it at the same time that the Santiam Highway is opened and dedicated this fall. Senator Garland's remarks were endorsed by the other members of the delegation. The Commission ordered an investigation of the property and advised the delegation that its decision would be rendered as soon as possible.

A delegation from Clatsop County, consisting of County Judge Guy Boyington and County Commissioners James Elliott and John Slotte; Tom Cuning, Secretary of the Astoria Chamber of Commerce; G. Clifford Barlow, Guy N. Hickok, Fred Ransom, and F. G. Mauser, appeared before the Commission in regard to the proposed road between Elsie and Fish Hawk Falls, connecting the Wolf Creek Highway and the Nehalem Secondary Highway, as a shortcut road from Portland to Astoria. Mr. Barlow headed the group.

He advised that the members of the Astoria Chamber of Commerce are unanimously in favor of the location recommended in the report of the state's locating engineer, J. F. Waller, and urged the Commission to adopt such route as the permanent location for this road. He alleged that when the former Highway Commission adopted the Wolf Creek Highway location there was a mutual understanding that "when the Wolf Creek Highway was completed first consideration would be given to the construction of a connecting road between Elsie and Fish Hawk Falls", and the purpose of their meeting with the Commission now is simply to remind the Commission of this understanding and to urge the construction of this connecting road as quickly as possible, financing the same as a W.P.A. project, or otherwise.

Judge Boyington gave as his belief that the matter of constructing this proposed cutoff was settled at the time that the Wolf Creek Highway was placed on the state highway system. He recalled the meeting of the Highway Commission in the Multnomah Hotel, Portland, several years ago, when "Portland's short road to the sea" was discussed and arguments were presented in behalf of two alternate routes, and advised that at such meeting Mr. Merle Chessman, Astoria, spoke in favor of the Wolf Creek route and asserted that the people of Astoria would be satisfied with such route if the Commission also approved a connecting road from Fish Hawk Falls to Elsie. He declared that the Commission at that time committed itself to the construction of such connecting road, as is evidenced by the fact that this road was shown on all of the maps that were prepared at that time as exhibits in connection with that controversy. Judge Boyington endorsed the method of financing the project as suggested by Mr. Barlow and advised that he has been informed by W.P.A. officials that when the Wolf Creek Highway is completed some other project must be started in order to take care of W.P.A. labor that has been employed on the Wolf Creek road. However, he said, the delegation is not asking the Commission to build the road immediately but is simply asking that the route be adopted and a definite location surveyed so that the right of way can be secured.

Chairman Cabell advised that he was not a member of the Highway Commission when the Wolf Creek Highway was placed on the state system, so he is not familiar with the arguments presented at that time, but it would be logical to assume that the Elsie-Fish Hawk Falls cutoff was considered, although it is his understanding that no definite commitment was made in regard thereto. He further advised that, in his opinion, the Commission must finish the Wolf Creek Highway before it undertakes another project, so the prospects of early construction of the Elsie-Fish Hawk Falls Section are not very promising, although the Commission will be pleased to bear it in mind in the formulation of future highway programs.

Mr. C. T. Gates, Portland, came before the Commission in regard to his property in Oregon City which is needed by the state in connection with the construction of the new highway in this town. Mr. Gates's property is situate at the northwest corner of the intersection of Main Street with Fifth Street and is needed in order to provide standard width highway right of way along Fifth Street, and it appears that the Commission's Right of Way Department has not been successful in reaching a satisfactory settlement with him for this property. Mr. Gates said that this property represents his life savings and is the only means he has of providing a "meal ticket"; that his present tenant pays \$90 per month rent, and that he has an offer from a prospective tenant who will pay him \$100 per month rental and will also pay for all repairs that are needed for his accommodation. He said that he absolutely does not wish to dispose of his property, but, if he is forced to do so, he will not take less than \$13,500 for the same. He suggested, as a compromise settlement, that the state take off 3 feet from the sidewalk along Fifth Street, which, he thought, would provide a roadway width that would meet the Commission's standards, and advised that he would much prefer the narrowing of the sidewalk to the disposal of his holdings. He agreed to offer no objection to such narrowing of the sidewalk if the Commission would let him keep his property and would remove a certain telephone pole opposite his building. After considerable discussion, the Commission advised Mr. Gates that his proposition would be taken under advisement and a decision rendered after further investigation and report by the Right of Way Department and the Chief Engineer.

A delegation from Lane County, consisting of County Judge Clinton Hurd, County Engineer P. M. Morse, and Honorable Earl Hill, Cushman, came before the Commission at this time in regard to the improvement of the Siuslaw Highway in the vicinity of Cheshire and Triangle Lake. They alleged that the present road is very crooked, narrow, and contains steep grades and, in general, is far below the standard that is required for the volume of traffic that passes over it, particularly in the Lake Creek district. Judge Hurd advised that there are about ten billion board feet of standing timber in this district, consisting principally of fir, that must be trucked to market over this road, inasmuch as there is absolutely no other way for it to be taken out, and the need for the improvement of this highway is imperative. He urged the Commission to authorize a survey of this section to determine the cost of construction, and to rebuild the section at the earliest possible time if that is feasible.

Mr. Hill endorsed the remarks of Judge Hurd. He also pointed out that the improvement of the Siuslaw Highway by the elimination of curves will reduce the mileage from Coquille to Portland considerably, making the Siuslaw road comparable to other routes in that respect. He also pointed out that it will be many years before the so-called "Route F" Highway between Eugene and Florence is completed, and, in the meantime, it is imperative that improvements be made on the present Siuslaw Highway, especially on account of the logs that have to be trucked over it, and to eliminate the hazard of such operations under present conditions.

Chairman Cabell expressed a sympathetic attitude with respect to the marketing of the timber but questioned the economics of the reconstruction of

the road. If the cost of construction, he said, is small, then probably the logical thing to do would be to build it, but if the cost is great, then there is a question whether the Commission would be justified in going ahead with the work. He added that the Commission is without definite cost figures at this time, so cannot make a decision, but will discuss it as soon as figures are available. The Engineer was thereupon instructed to render a cost report on this project at the next meeting.

At 3:30 o'clock p. m. the Engineer announced the following awards of contracts, bids for which were received at the morning session, such awards having been previously approved by the Commission by unanimous vote:

"Baker-Biggs Ranch Section of the Baker-Unity Highway, in Baker County. 6.07 miles oiling. The Commission received 4 bids for this project, two of which were identical, being those of Norris Bros., Burlington, Washington, and Babler Bros., Portland, each in the sum of \$4,850.50. Inasmuch as this was the lowest amount bid, the Commission has decided to select the successful bidder by lot." (Representatives of Norris Bros. and Babler Bros. were then called to the rostrum and a drawing was made in their presence. The name drawn was that of Norris Bros., and, by arrangement, such contractor was declared to be the successful bidder. The Engineer thereupon announced the results of the drawing and declared Norris Bros. the successful bidders for this project.)

"Third Street Undercrossing on The Dalles-California Highway in the city of Bend, Deschutes County. Reinforced concrete and structural steel undercrossing structure, and grading, surfacing, and oiling approaches thereto. Birkemeier & Saremal, Milwaukie, submitted the low bid of \$116,577.00. The next low bid was submitted by C. J. Montag & Sons, Portland, at \$123,915.25. There were 3 higher bidders. The Commission awards this contract to the low bidders, Birkemeier & Saremal, at their bid of \$116,577.00.

"Provolt-Williams Section of the Williams Secondary Highway, in Josephine County. 5.82 miles grading and 6.49 miles surfacing and oiling; also furnish 2,300 cu. yds, crushed gravel in stock piles. The low bid for this project was that of Newport Construction Company, Portland, in the amount of \$32,999.99. The next low bid was that of R. I. Stuart & Sons, Medford, at \$33,722.50. There were 4 higher bidders. The Commission awards this contract to Newport Construction Company at its low bid of \$32,999.99.

"Bridge over East Fork Illinois River on the Illinois Valley County Road, in Josephine County. 60-foot I-beam span on concrete pier. J. F. Johnston of Newberg submitted the low bid of \$12,928.00 for this project. Tom Lillebo of Reedsport submitted the second-low bid of \$13,373.00. There were 6 higher bidders. The Commission has referred all bids received on this job to the Engineer with power to award the contract to the low bidder, J. F. Johnston, when certain conditions have been fulfilled.

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"Santiam Junction Maintenance Station on the Santiam Highway, in Linn County. Construction of two frame dwellings and one frame maintenance building, with gas pumps, tanks, and canopy. The low bid received for this project is that of Odom Construction Company, Oregon City, in the amount of \$26,117.00. The next low bid is that of Tom Lillebo, Reedsport, in the amount of \$26,568.50. There were 5 higher bidders. The Commission awards this contract to Odom Construction Company at its low bid of \$26,117.00.

"Salem-Middle Grove Section of the Pacific Highway East and Silverton County Road. 0.3 mile grading and paving and 2.5 miles pavement widening and resurfacing. The apparent low bidder on this job was J. C. Compton, of McMinnville, with his bid of \$34,958.50, and Warren Northwest, Inc., Portland, second-low, with their bid of \$36,921.90. There were 3 higher bidders. However, both of these contractors also bid on the Wheatland Junction-Salem Section, which bids have a bearing on the award of this job. Therefore, I will read the bids on that job also at this time.

"Wheatland Junction-Salem Section of the North River County Road, in Marion County. 1.2 miles grading and paving and 2.8 miles pavement widening and resurfacing. The apparent low bidder on this job was J. C. Compton with his bid of \$65,745.50. The second-low bidder was Warren Northwest, Inc., Portland, at \$66,625.00. However, in the combination bid on this job and the Salem-Middle Grove project, Warren Northwest agreed to deduct \$5,000 from the total amount bid for the two jobs if awarded both contracts, which leaves \$98,546.90 as the net total of their combination bid on both jobs. J. C. Compton made no reduction for the award of both jobs, which leaves him the second-low bidder on the combination with a net total of \$100,704.00 for the two projects. There were 4 higher bidders on the Wheatland Junction-Salem Section. The Commission awards the contracts for both these jobs on the basis of the low combination, and therefore both contracts are awarded to Warren Northwest, Inc., who submitted the low combination bid of \$98,546.90 for the two jobs.

"Sandy Boulevard Section (44th Avenue to 74th Avenue Unit) of the Columbia River Highway, in Multnomah County. 1.72 miles pavement widening and resurfacing. Edlefsen-Weygandt Company, Portland, submitted the low bid of \$112,952.30 for this project. Theodore Arens, Portland, submitted the second-low bid at \$114,596.00. There were 3 higher bidders. The Commission has referred all bids received on this project to the Engineer with power to award the contract to the low bidder when certain conditions have been fulfilled.

"Hillsboro Airport-Ray's Ranch Section of the Hillsboro-Cornelius Pass County Road, in Washington County. 1.0 mile grading, surfacing, and oiling. The low bid received for this project was that of McNutt Bros., Eugene, at \$18,283.50, using road oil, and \$18,281.00, using tar. The second-low bid was that of Saxton, Looney & Rialley, Oak Grove, at \$19,994.00, based on the use of tar. This firm did not

submit a bid based on the use of road oil. There was only 1 higher bidder. The Commission awards this contract to McNutt Bros. at their low bid of \$18,281.00, based on the use of tar.

The School Board of the town of Manning, represented by C. P. Tolke, J. E. Hiatt, George Saxton, and Bruce F. McCann, Clerk of the Board, was present in regard to settlement for right of way that is needed for the Wolf Creek Highway at Manning, involving the moving and re-establishment of the Manning School. The Assistant Attorney explained that the Commission several months ago authorized the moving and re-establishment of this school building on a site located across the highway from its present location, but the site selected did not meet with the approval of the school board so an alternate site was selected which also did not meet with the approval of all of the members of the Board, in view of which it was thought best to present the problem to the Commission again. He recited details of the original plan which included the moving of the present building to a new site across the highway, the making of necessary repairs, new water and sewer connections, et cetera, and provided an allowance of 5 per cent of the cost of re-establishing the building to pay the expense of supervising the work.

Mr. Hiatt gave as his thought that the 5 per cent allowance for supervision is not enough and requested 7 per cent allowance for such purpose, advising that, in his opinion, it would cost the district that amount even if the work consisted of only moving and repairing the present building. Mr. Saxton stated that he objected to the original site because it was in low ground in close proximity to a slough and that he objected to the alternate site because it is so far removed from the center of their school district.

The question also arose as to what disposition the Commission intends to make of that portion of the present school site that is not required for right of way. The members of the School Board expressed their disapproval of the use of such property for commercial purposes. They were informed that the Commission has no intention of commercializing this extra land, and, if necessary, would approve the insertion of a clause in the deed to that effect. After considerable discussion the Commission referred this matter back to the Attorney for further study. He was authorized by the Commission to assist the School Board in condemning a satisfactory site should that be necessary.

Mr. Saxton then mentioned a personal matter. He advised that the Wolf Creek Highway is to be constructed across his land in a location that will result in some of his buildings being on one side of the highway and some on the opposite side. Further, that the highway will be in a 13-foot cut at such point. He said that he would like to have all of his buildings on one side of the highway, but, in order to do so, considerable material will have to be removed. He offered to give this material to the state for use in constructing the highway embankment nearby if the state wants it, which would facilitate the preparation of the new site for his buildings. The Commission referred this matter to the Engineer for investigation.

At 4:30 o'clock p. m. the Commission adjourned to Room 210, Congress Hotel, for the consideration of routine matters, all Commissioners being

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present and participating. Also present were the State Highway Engineer, the Attorney, and the Secretary.

County Judge A. R. Bowman, of Crook County, was present in regard to the reconstruction of the Ochoco and Warm Springs Highways in Prineville in connection with which the Commission held a public hearing in Prineville on May 17. He urged the Commission to at least acquire the right of way for this proposed improvement, which he thought could be purchased now for considerably less than later on. He particularly urged the acquisition of right of way between the civic center and the Crooked River bridge, a short distance west of the city limits. The Commission instructed the Attorney to secure options for such right of way as soon as he can spare a man for the purpose.

The Attorney reported on the investigations conducted by him relative to the acquisition of right of way across the Knapp property at Port Orford. He said that the state will need about 20 acres of Mr. Knapp's land, for which he is asking the sum of \$824, which is at the rate of \$40 per acre. He explained that this matter has come up at this time because Mr. Knapp proposes to subdivide the property and is desirous of platting his land in conformance with the proposed highway. Chairman Cabell pointed out that the Commission does not have funds available to build this section now, although it will probably be one of the first projects to come up for construction in the near future. In view of the circumstances, the Commission by unanimous vote authorized and instructed the Attorney to secure an option from Mr. Knapp for this right of way.

The Engineer brought up for discussion the matter of the selection of an advertising agency to handle publicity matters during the ensuing year, in connection with the Commission's Travel and Information Department. He pointed out that this matter should be decided upon soon because whatever company is given the business will need all of the time possible between now and the first of the year for the preparation of material for its campaign. The Commission discussed this matter at considerable length but deferred action thereon pending a recommendation from the Advisory Committee on Publicity matters, which committee expects to meet soon.

The Assistant Attorney rendered a brief report on the 1939 right of way budget. He advised that the Commission approved an expenditure of \$550,000 during 1939 for right of way purposes and that up to the present time \$283,000 has been obligated. The Commission took no action on this report.

The Attorney requested authority to acquire certain parcels of real property that are needed for various highway improvements throughout the state. He submitted a list of such properties, together with prices that he recommended be paid for each. After careful consideration, the Commission approved the request and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other

material sites, or sites for the storage of materials, as hereinafter more definitely set forth; and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon; and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed;

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Warren-Scappoose Section - Columbia River Highway</u>				
6917-Honeyman, James D.	R/W	0.71	\$200 per a., plus \$80	McChesney
<u>Manning-Davies Section - Wolf Creek Highway</u>				
7039-Benefiel, Mary E.	R/W	2.0	\$100 per a.	McChesney
<u>Water Street, Oregon City, Section - Pacific Highway East</u>				
7073-Clackamas County	Easement	36 sq.ft.	Gratis	Parker
<u>Campbell Bridge-Scholls Section - Hillsboro-Silverton Highway</u>				
6876-Christensen, Julius	R/W	3.2	\$100 per a. + \$240	Parker
<u>Tigard Section - Pacific Highway West</u>				
6918-Zednick, John	R/W	1400 sq.ft.	4.643 $\frac{1}{2}$ sq.ft.	Collins
6919-Kachel, Kunigunda	"	896 " "	3 $\frac{1}{2}$ sq.ft. + \$48.12 + moving bldg. (est. at \$450)	"
6922-Heffron, Georgia F.	"	0.26	\$1,000 per a.	"
6923-Job, Louise	"	34945 sq.ft.	4 $\frac{1}{2}$ sq.ft.	"
6924-Foley, Jos. D. Estate	"	5000 " "	8 $\frac{1}{2}$ sq.ft. + \$600	"
6925-Ochs, Peter	"	1400 " "	4 $\frac{1}{2}$ sq.ft. + \$144 + moving bldgs. (est. at \$800)	"
6926-Tigard, H. B.	"	9996 " "	\$800 Lump Sum	"
6927-Tigard, H. B.	"	3496 " "	\$0.0572 sq.ft.	"
6928-Tigard, H. B.	"	585 " "	8 $\frac{1}{2}$ sq.ft. + \$73.20	"
6929-Chilson, Clarence L.	"	325 " "	4 $\frac{1}{2}$ sq.ft. + \$7.50	"

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
(Tigard Section continued:)				
6930-Burtch, Josephine	R/W	11058 sq.ft.	\$0.05426 sq.ft.	Collins
6932-Rider, George L.	"	1742 " "	4¢ sq.ft.	"
6933-Panck, John	"	2040 " "	4¢ sq.ft. + \$620.40	"
6934-Warnock, Edward J.	"	0.11	\$1000 per a.	"
6937-Kuensaler, Chas. F.	"	23380 sq.ft.	2½¢ sq.ft.	"
		13646 " "	4¢ sq.ft. + \$1869.66	"
5938-Eslner, Frits	"	700 " "	4¢ sq.ft.	"
6939-Dickinson, Geo. B.	"	700 " "	4¢ sq.ft.	"
6940-Pfaffle, C.H. & Ethel Warner	"	7405 " "	\$0.0405 sq.ft. + \$2700	"
6942-Patterson, Matilda	"	10019 " "	4.99¢ sq.ft.	"
6943-Hunsaker, E. C.	"	5602 " "	4¢ sq.ft. + \$1775.92	"
6944-Alspaugh, W. W.	"	3738 " "	3.344¢ sq.ft.	"
6945-Snow, MacCormic	"	6354 sq.ft.	4¢ sq.ft. + \$945.84	"
6946-Lacey, Wm. I.	"	0.45	\$1200 per a. + \$260	"
6947-Bristow, Alice F.	"	4344 sq.ft.	4¢ sq.ft. + \$321.50 + moving bldg. (est. at \$1000)	"
6948-Rosewarne, Cass	"	1.49	\$1000 per a. + \$1010	"
6950-Scoffins, Claude I.	"	2240 sq.ft.	6¢ sq.ft. + \$40.60	"
6951-Hoffarber, Albert	"	1730 " "	\$1 Lump Sum	"
6952-Hoffarber, Albert	"	1050 " "	\$1 Lump Sum	"
6953-Hoffarber, Albert	"	1050 " "	\$1 Lump Sum	"
6954-Hoffarber, Albert	"	1970 " "	\$1 Lump Sum for land, + remodeling bldgs. (est. at \$2000)	"
6958-Kinnaman, Lena	"	20 " "	Gratis	"
6959-Zednick, Beatrice	"	0.05739	\$1000 per a.	"
6961-Abbott, P. L.	"	1.28	\$1500 per a.	"
6963-Hanse, Charles J.	"	0.51	\$784.32 per a.	"
6964-Wenger, Ida E.	"	1970 sq.ft.	Land Gratis, + \$250 + mov- ing elec. sign (est. \$50)	"
6967-Butler, F. J.	"	670 " "	4¢ sq.ft. + concrete sep- tic tank (est. \$50)	"
6968-Detrow, Geo. A.	"	0.033 "	\$1000 per a. + \$27	"
6970-Christiansen, Geo. C.	"	1360 sq.ft.	3¢ sq.ft.	"
6971-Bolich, Floyd	"	0.36	\$1000 per a. + \$377.50	"
6972-Clarke, Mary H.	"	0.22	\$1000 per a. + moving bldgs. (est. \$700)	"
6974-Swiener, Alfred	"	0.094	\$1000 per a.	"
6975-Keas, Josephine	"	0.07	\$1000 per a. + \$63	"
6976-Karlquist, Nils Julius	"	2886 sq.ft.	3¢ sq.ft. + \$538.42	"
6979-Johnson, Emil A.	"	298 " "	2½¢ sq.ft.	Benson
6981-Johnson, Emil A.	"	1493 " "	2½¢ sq.ft.	"
6983-Bostrom, Gunnar	"	7450 " "	4¢ sq.ft. + \$1952	"
6984-Johnson, Emil A.	"	4000 " "	4¢ sq.ft.	Collins
6997-Tigard, Mamie E.	"	10693 " "	8¢ sq.ft. + \$160.56	"
7012-Scoffins, Claude I.	"	1.0	\$1500 per a.	"
7013-Johnson, Emil A.	"	20000 sq.ft.	5¢ sq.ft.	"

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>(Tigard Section continued)</u>				
7040-Schubring, A. and W. G. Biederman	R/W		1 bldg. with equipment, \$1000 Lump Sum	Collins
7058-Moore, O. L.	"		Allowance for wrecking warehouse \$350	"
6669-Chapman, Lenora M. Estate	"	0.20	\$500 per a.	"
<u>Siletz Bay-Newport Section - Oregon Coast Highway</u>				
4117-Struble, George	R/W	486 sq.ft.	\$50 Lump Sum	McCallister
4108-Struble, George	"	646 " "	10+ sq.ft. + \$20	"
7072-Langman, Jas. D.	"	1000 " "	10+ sq.ft.	"
<u>Provolt-Williams Section - Williams Secondary Highway</u>				
6849-Platinum Gold Corp.	R/W	1.72	Land Gratis, + \$27.50	"
6847-Fred Lichens	"	1.64	\$219 per a. + \$349.75 + moving bldg. (est. at \$50)	" Gardiner
6837-Brittson, V. E.	Gravel Site	6.8	3/4 cu. yd.	McCallister Gardiner
6866-Williams Creek Grange	R/W	0.14	Gratis	McCallister Gardiner
7061-Applegate Valley Tel.Co.	"	350 sq.ft.	Land \$10, + \$3	McCallister
6843-Messinger, Herman	"	0.74	Land Gratis, + \$118.50	"
6846-Redmond, Hazel	"	1.01	Gratis	"
6850-Hansen, Elsie E.	"	0.17	\$150 per a. + \$124.50	Gardiner
6851-Heinsmann, Ludwick	"	3.53	Land Gratis, + fencing	McCallister
6856-Holzhouser, H. B.	"	0.32	\$250 per a. + \$85	Gardiner
6839-School District No. 8	"	0.08	Land Gratis, + \$30 + moving bldgs. (est. at \$350)	"
6852-Thomas, Beatrice Helen	"	1.33	Land gratis, + fencing	"
6855-Letteken, Ethangie	"	2.07	Land Gratis, + \$57.80	"
6860-Cougler, George M.	"	1.71	Land Gratis, + \$12, + moving bldgs. (est. at \$500)	McCallister
6861-First Church of Williams	"	0.04	Gratis	J.G.Bromley
6863-Yocum, I. J.	"	0.73	Land Gratis, + \$30.50	"
6867-Fixley, W. C.	"	0.59	Land Gratis, + \$100	McCallister
6869-Smith, Amos	"	3.16	Land Gratis	J.G.Bromley
6870-School District No. 16	"	0.32	Land Gratis	"
6859-Sparlin, Geo. H.	"	0.16	Land Gratis, + \$35	Gardiner McCallister
6842-4-Fields, Geo. W.	"	1.52	Land Gratis, + \$78.75	"
6858-Brittson, V. E.	"	1.37	Land Gratis, + \$30.50	"
6862-Larimore, J. A.	"	0.10	Land Gratis, + \$3	" and Bromley

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>(Provolt-Williams Section continued)</u>				
6854-Lewman, Richard F.	R/W	1.04	Land Gratis,+ \$23	Gardiner McCallister
6868-Flick, Oliver A.	"	0.04	Land Gratis,+ \$1.50	"
6838-Williams, Roy	"	0.07	Land Gratis,+ \$2.50	"
6840-Farra, Arthur J.	"	0.91	Land Gratis,+ \$11	"
6845-Johnson, Oscar	"	0.99	Land Gratis,+ \$43.50	"
6853-Roberts, C. W.	"	4.16	Land Gratis,+ \$45.50	"
6864-S-Stratton, Stella	"	4.69	Land Gratis,+ \$20	"
6848-Honerkrat, Rudolph	"	0.14	Land Gratis,+ \$11.25	McCallister
<u>Horse Ridge-Brothers Section - Central Oregon Highway</u>				
6236-State Land Board (S.N.Morris) <u>Correction</u>	R/W	3.67	\$2.50 per a. + \$64.30	"
<u>Service Creek-Burton Canyon Section - John Day Highway</u>				
6746-W. E. Crawford	R/W	6.19	2.0 a. at \$50 per a. 4.19 a. at \$10 per a., plus \$458.10	DeSouza
<u>Haines Section - Old Oregon Trail Highway</u>				
6882A-Baker County	R/W	10,000 sq.ft.	\$237.51 Lump Sum	Devers
6882-Baker County	"	10,000 sq.ft.	\$101.05 Lump Sum	"
<u>Bear Gulch Section - John Day-Burns Highway</u>				
7016-Worth, James L. R/W & Easement		1.64	\$10 per a.	
		0.51	(Easement) at \$10 per, plus \$54	Wells
7018-Oliver, Frank & Herman-Borrow Pit		6.35	\$10 per a.	"
7015-Oliver, Frank & Herman R/W		17.47	\$10 per a.+ \$1105.60	"
<u>Forest Boundary-He He Butte Section - Warm Springs Highway</u>				
6806-Confederated Tribes of the Warm Springs Reservation	R/W	144.18	\$3 per a.+ \$5075, subject to cruise of timber	DeSouza
<u>Sinking Water Mt.-Drinkwater Pass Section - Central Oregon Highway</u>				
6703-Pacific Livestock Co. Hauling Road		0.69	\$28.40 per a.	Wells
<u>Pendleton-State Farm Section - Oregon-Washington Highway</u>				
7067-Hemingsen, H. E.	Gravel	0.91	60-day lease for remov- ing gravel, \$25 Lump Sum	Wells
7068-Courter, William	"	0.53	60-day lease for remov- ing gravel, \$40 Lump Sum	"
<u>Cushman Ranch-Trail Section - Tiller-Trail Highway</u>				
7028-9-Vaughn, N. C. (Continued on next p.)	R/W (more or less)	80	\$2550 Lump Sum	Benson

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>(Cushman Ranch-Trail Section continued)</u>				
7024-Fry, Mary C.	R/W	3.0	0.815 at \$10 per a. 2.185 at \$100 per a. + \$673.35 + moving bldgs. (est. at \$650)	Benson
7026-Siemes, Max	"	2.25	Gratis	"
7021-Cushman, Rose M. (Estate)	"	0.18	Land \$10, + \$10	"
7022-Albert, John	"	3.52	2.76 at \$25 per a. 5.76 at \$10 per a., plus \$108	"
<u>Triangle Lake Section - Siuslaw Highway</u>				
P190-U. S. Government	Park	120	\$55 per yr.- 1-yr. lease	Boardman
<u>Loon Lake Park Section - Umpqua Highway</u>				
P191-U. S. Government	Park	51.51	\$6.44 for 1-yr. lease	Boardman
<u>Camas Mt. Section - Coos Bay-Roseburg Highway</u>				
P60-U. S. Government	Park	160	\$127.50 for 1-yr. lease	Boardman
<u>Klamath County Section - Klamath Falls-Lakeview Highway</u>				
P188-U. S. Government	Park	30	\$10 for 1-yr. lease	Boardman
<u>Troutdale-Corbett Section - Columbia River Highway</u>				
6726-Corbett Investment Co. Quarry		5.4	\$325 per a.	Parker

The Attorney requested authority to condemn the following parcels of land that are needed for right of way or quarry purposes:

1. Right of way for the Cushman Ranch-Trail Section of the Tiller-Trail Secondary Highway across the properties of Willard F. Horn and Irwin H. Howe, in Jackson County.
2. Right of way for the Provolt-Williams Section of the Williams Secondary Highway across the property of Albert Bigelow, in Josephine County.
3. Right of way for the Washington State Line-Shelton Canyon Section of the Enterprise-Lewiston Highway across the property of Elmer W. Applegate, in Wallowa County.
4. Quarry site from W. K. Verling for use in surfacing the Forest Boundary-Cottonwood Creek Section of the Klamath Falls-Lakeview Highway, in Lake County.
5. Quarry site from H. E. Smidth for use in surfacing the Drews Valley Section of the Klamath Falls-Lakeview Highway, in Lake County.

He explained that he has been unable to contact the owners of the property needed for the Tiller-Trail Highway right of way, that condemnation is necessary to clear title to the right of way needed for the Wallowa County project, and that he has been unable to reach a satisfactory settlement with either of the quarry site owners, hence his request for condemnation.

After discussion the Commission approved the request and by unanimous vote adopted the following resolutions in regard thereto:

WHEREAS, the State Highway Commission is by law authorized and directed to lay out, locate, designate, construct, improve, and maintain a system of state highways in the State of Oregon, and to acquire rights of way and to declare the necessity and need for the acquisition thereof, and the advantages to be gained thereby;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the State Highway Commission does hereby find and declare that it is necessary and will be of advantage to the State of Oregon and there is need that the State acquire for right of way purposes in connection with the permanent location, construction, improvement, and maintenance of the following section or sections of the state highway system of the State of Oregon, to wit:

Cushman Ranch-Trail Section of the Tiller-Trail Highway
Provolt-Williams Section of the Williams Highway
Washington State Line-Shelton Canyon Section of the Enterprise-Lewiston Highway

land and property owned by or in possession of the following parties and/or persons, to wit:

Cushman Ranch-Trail Section of the Tiller-Trail Highway
7027-Willard F. Horn and Gertrude Horn
7032-Irwin H. Howe and Rena Howe
Provolt-Williams Section of the Williams Highway
6857-Albert Biglow
Washington State Line-Shelton Canyon Section of the Enterprise-Lewiston Highway
6560-Elmer W. Applegate

as their respective interests may appear, and this Commission does hereby declare further that the said property or properties are necessary, are needful, and the acquisition thereof will be of advantage to the State of Oregon for right of way purposes in order to make it possible for the State Highway Commission to properly locate, construct, and maintain said portion or portions of the said state highway system in accordance with standards adopted by this Commission relative to curvature, grades, alignment, drainage, and factors of safety.

2. That the State Highway Engineer be and he hereby is instructed and directed to properly survey the parcel or parcels of land required for such right of way purposes and prepare proper and adequate descriptions thereof, which descriptions shall be employed in the preparation of a deed or deeds or other instrument or instruments necessary to complete the acquisition of the said property or properties or which descriptions may be used in the preparation of a complaint in the event that condemnation proceedings are necessary.

3. That the boundaries of the said parcel or parcels of land, as defined and determined by the said survey made by the said Highway Engineer, along the route or location adopted by the Highway Commission, shall be and the same hereby are adopted and the lands defined therein are hereby declared to be and the same are included within the rights of way of the said portion or portions of the said state highway system and hereby are declared to be necessary for the proper location, improvement, construction, and maintenance of the said portion or portions of the state highway system.

4. That I. H. Van Winkle, Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they are hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby further resolved that the Attorney General of the State of Oregon and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they hereby are requested to commence and prosecute to a final determination such suit or action, or suits or actions, as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

WHEREAS, the State Highway Commission is by law authorized and directed to lay out, locate, designate, construct, improve, and maintain a system of state highways in the State of Oregon and to acquire by donation, purchase, agreement, condemnation, or by the power of eminent domain title to land upon or under which there is gravel, gravel beds or bars, sand, sand beds or bars, rock, boulders, quarries or quarry sites, lime deposits, or other mineral deposits or formations suitable for road construction, improvement, betterment or pavement, and to declare the necessity and need for the acquisition thereof and the advantages to be gained thereby;

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NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the State Highway Commission does hereby find and declare that it is necessary and will be of advantage to the State of Oregon and there is need that the State acquire for the purposes of road construction, improvement, betterment, repair and maintenance, and for the purpose of the manufacture of road materials on the following section or sections of the state highway system of the State of Oregon, to wit:

Forest Boundary-Cottonwood Creek Section of the Klamath Falls-Lakeview Highway

Drews Valley Section of the Klamath Falls-Lakeview Highway

land and property owned by or in the possession of the following parties and/or persons, to wit:

Forest Boundary-Cottonwood Creek Section of the Klamath Falls-Lakeview Highway

6897-W. K. Verling

Drews Valley Section of the Klamath Falls-Lakeview Highway

5532-H. E. Smidth

as their respective interests may appear, and this Commission does hereby declare further that the said property or properties contain gravel, gravel beds or bars, sand, sand beds or bars, rock, boulders, quarries or quarry sites, lime deposits, or other mineral deposits or formations suitable for road construction, improvement, betterment, or pavement, and that the said property or properties is or are necessary and needful and the acquisition thereof will be of advantage to the State of Oregon for the said purposes in order to make it possible for the State Highway Commission to construct, improve, maintain, and repair the said portion or portions of the said state highway system in accordance with the standards adopted by this Commission.

2. That the State Highway Engineer be and he hereby is instructed and directed to properly survey the parcel or parcels of land required for said purposes and to prepare proper and adequate descriptions thereof, which descriptions shall be employed in the preparation of a deed or deeds or other instrument or instruments necessary to complete the acquisition of the said property or properties, or which said descriptions may be used in the preparation of a complaint in the event that condemnation proceedings are necessary.

3. That the boundaries of the said parcel or parcels of land, as defined and determined by the said survey made by the said Highway Engineer, shall be and the same hereby are adopted and the lands defined therein are hereby declared to be and the same shall

be lands necessary for the purposes stated herein.

4. That I. H. Van Winkle, Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they are hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby further resolved that the Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they hereby are requested to commence and prosecute to a final determination such suit or action, or suits or actions, as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

The Assistant Attorney brought up for discussion the proposed settlement with Mr. Rex E. Rose for the right to take water from an unnamed spring on Mr. Rose's property near Manning, Oregon, for domestic use, et cetera, at the Wolf Creek Highway W.P.A. camp located at Manning, and for use at the state's maintenance headquarters which is to be established on the site of the W.P.A. camp when such camp is discontinued.

He advised that Mr. Rose has prior rights to the water from this spring but has agreed to transfer his rights to the state upon the payment of \$500, which sum is made up of the following items: \$250 for the use of the water by the W.P.A. camp during its lifetime, which is estimated at not less than 40 months; \$200 for granting to the state the permanent right to use the water from this spring in the state's maintenance headquarters; and \$50 for a permanent easement to the state to maintain a pipe line across Mr. Rose's land to convey the water from the spring to the W.P.A. camp and the maintenance headquarters.

He gave as his thought that this settlement is as good as can be obtained from Mr. Rose, particularly in view of the fact that the pipe line has already been constructed by W.P.A. forces and that the water from this spring is now being used in the W.P.A. camp, and for the further reason that there is no other suitable water supply available in the vicinity. After considerable discussion, the Commission approved such settlement by unanimous vote.

The Assistant Attorney requested authority to insure the building recently acquired from L. E. Dayton on the proposed new location for the Pacific Highway just south of Grants Pass. He said that this is a store and residence building which is being rented at the present time for \$35 per month,

and, in his estimation, it would be advisable for the Commission to insure it for \$2,000 inasmuch as it is not eligible for state insurance. The Commission approved the suggestion by unanimous vote.

The Commission had under consideration a number of claims that have been filed against the state as a result of a fire that got beyond the control of the State Highway Department sectionmen in the process of burning grass along the right of way of the John Day Highway near Arlington, in Gilliam County. The Engineer advised that these sectionmen, in the course of their regular duties, are required at times to burn grass along the highway right of way, and, in this particular instance, it so happened that the fire got beyond control and burned over considerable acreage of privately-owned pasture land which is valued highly by the respective owners. It was his thought, inasmuch as the state employees were responsible for the fire, that the owners should be reimbursed for their losses. The Commission concurred in the viewpoint of the Engineer and, after discussion, instructed the Attorney to contact a number of responsible land owners in this vicinity and ascertain the value of the burned-over land as a basis upon which to negotiate settlements with the owners of the property. He was instructed to secure such information immediately and report his findings at the next meeting of the Commission.

The Attorney reported the results of negotiations with a number of property owners for the acquisition of several small recreational sites along the Wolf Creek Highway between Sunset Camp and Elsie. He advised that C. W. Parker, Right of Way Agent, contacted representatives of the Sunset Logging Company, the Oregon American Lumber Company, the Rupp Realty Company, and others, with respect thereto and was unable to secure any satisfaction whatsoever, and it appears that if the Commission wants to acquire these tracts it may be necessary to resort to condemnation. He referred particularly to the four parcels belonging to the Sunset Logging Company, consisting of 23.79 acres, .95 acre, 10.18 acres, and 7.21 acres, respectively, which he valued at \$7,000. After considerable discussion, the Commission instructed the Attorney to negotiate further with the owners of all of the tracts under discussion and to secure options, if possible, for each. He was authorized to condemn the four tracts owned by the Sunset Logging Company, if necessary.

The Engineer brought up for discussion the matter of assisting further in the financing of the Wolf Creek Highway W.P.A. project. He pointed out that the Commission heretofore authorized an expenditure not to exceed \$10,000 to finance non-labor items so that this work could be carried on during the month of June when it was expected that additional W.P.A. funds would be authorized. However, the new W.P.A. funds have not yet materialized; so, unless the state advances additional moneys for non-labor items, it will probably be necessary to close down the work. In view of the circumstances, the Commission voted unanimously to advance state funds in an amount not to exceed \$5000 to carry on the work during the month of July. The Attorney was instructed to prepare an appropriate agreement covering the matter. (Agreement was prepared and signed on July 6, 1939.)

The Engineer requested authority to submit to Mr. C. C. Hockley, Public Works Administrator for Oregon, when called for, the projects heretofore

tentatively approved by the Commission for the new P.W.A. program. He predicted early approval of the new P.W.A. program by Congress and gave as his thought that the Highway Commission should be ready to submit its projects to the P.W.A. authorities upon short notice. After discussion, the Commission approved the request by unanimous vote.

The Commission discussed and approved, by unanimous vote, a salary increase of \$25.00 per month for the Secretary, H. B. Glaisyer.

The Commission considered and signed agreements, et cetera, as follows:

Agreement with Washington County, providing for county maintenance of the Hillsboro-Cornelius Pass County Road when reconstructed by the state.

Agreement with Marion County, providing for county maintenance of the Salem-Silverton County Road when reconstructed by the state.

Agreement with Marion County, providing for county maintenance of the North River County Road when reconstructed by the state.

Agreement with Edward L. Dimmitt relative to Vista House concession at Crown Point.

Agreement with Ralph Billings, Ashland, relative to the construction of steps and retaining wall on the Pacific Highway in front of his premises just north of Ashland.

Agreement with Josephine County, providing for the improvement of a portion of the Illinois Valley County Road by the construction of a bridge over the East Fork of the Illinois River and grading and surfacing a section between Engineer's Stations 83+00 and 113+60, 0.58 mile in length.

Agreement with Josephine County, providing for county maintenance of a 0.58-mile section of the Illinois Valley County Road, in Josephine County, including a bridge, being Project F.A.S. 42-A(1), after construction of the same by the state.

Agreement with Coos Bay Construction Company disposing of its claim for extra compensation arising out of its contract with the Commission for the construction of the Elsie-Nehalem River Section of the Wolf Creek Highway, State Highway Contract No. 1949.

Agreement with Clackamas County, covering the subject of stairway construction from the Pacific Highway East to the Willamette River, in Oregon City.

Bargain and Sale Deed, conveying unto Frits Luscher and May Vivian Tohl certain land situate adjacent to the Upper Columbia River Highway, in Multnomah County.

There being no further business to come before the Commission at this time, the meeting was adjourned at 6:30 o'clock p. m.

R. H. Baldock
State Highway Engineer
H. V. Sealey
Secretary

Henry F. Cabell
Chairman
E. B. Aldrich
Commissioner
Huron W. Clough
Commissioner

John Day, Oregon, July 18, 1939

The State Highway Commission met in special session at 9:00 o'clock p. m. at the Oliver Ranch, near John Day. Present were:

Henry F. Cabell, Chairman
E. B. Aldrich, Commissioner
Huron W. Clough, Commissioner
Herman Oliver, Commissioner to be appointed
R. H. Baldock, State Highway Engineer
H. G. Smith, Construction Engineer
J. N. Bishop, Maintenance Engineer
W. C. Williams, Division Engineer

The Commission approved the tentative letting for August 31, 1939, the projects to consist of the following:

1939 Federal Aid Program

Wolf Creek Bridges (3)	\$ 35,000
Nehalem Secondary, Surface and Oil	71,000
Salem, South, Grading and Paving	100,000
Dundee-West Dayton, Grading and Paving	100,000
Clackamas County Line-Hubbard, Paving	150,000
Albany Section, Grading and Paving	220,000
Bear Canyon, Unit 3, Grading	50,000
North Roseburg, Roadside Improvement	5,000
Butte Falls Road, Surface and Oil	20,000
Blalock-Arlington, Grade, Surface, and Oil	155,000

Authorization was given for the transfer of the \$30,000 heretofore set up for the Jimmy Creek-North Powder Section, to augment the Blalock-Arlington allocation.

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1940 Federal Aid Program

Arch Cape Tunnel, Lining and Paving	\$ 50,000
Albany Section, Grade and Pave	81,000
Siskiyou Mt., Grading	200,000
Owyhee River-Tudor Ranch, Grading	133,000
Buchanan-Juntura, Surface and Oil	160,000
Pendleton-Adams, Grading and Topping	100,000

1938 Federal Aid Program

Cow Hollow Creek-Owyhee School, Grade and Top	\$ 15,000
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The Commission also authorized the following projects for the October 5, 1939, letting, or as soon as they can be conveniently prepared:

1939 Federal Aid Program

Siletz Secondary, Grade, Surface, and Oil	\$ 30,000
Oregon City, South Unit, Grade & Pave	160,000
Troutdale-Dodson, Grading	216,000
Petersburg-Fairbanks, Grade, Surface, and Oil	16,000
Moro-Hay Canyon, Grade and Surface	10,000
Summer Lake, Roadside Improvement	5,200
Muddy Creek-Haines, Grade and Surface	120,000
Stanfield-Pendleton, Roadside Improvement	3,000
North Powder-Muddy Creek, Roadside Improvement	4,800

1940 Federal Aid Program

Denver Avenue, Paving	\$ 25,000
Neahkahnie Mountain, Grade, Top, Bridge, and Walls	150,000
Siskiyou Summit-California Line, Surface and Oil	120,000
Grants Pass-Green Creek, Grade and Pave	105,000
Bunker Hill-Marshfield, Bridge and Paving	100,000
Cottage Grove, South Unit, Grade and Pave	73,000
Reedsport Section, Paving	30,000
Klamath Agency-Modoc Point, Surface and Oil	100,000
Warren-Scappoose, Grade and Pave	100,000

Some discussion was given to the projects scheduled for letting in November and later, and the Commission authorized the transfer of funds from the Troutdale Grade Separation to the Tigard Grade Separation in order to advance the construction of the Tigard Grade Separation and defer the Troutdale Grade Separation so that it would not be built greatly in advance of the remainder of the road.

The Commission also definitely authorized the John Day-Prairie City project to be contracted in November. The remaining projects for November and later were authorized to be contracted in an orderly manner as funds were available.

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Some discussion was had of the P.W.A. projects. The Commission authorized the inclusion of the rebuilding of a reclamation flume on the Lost River project, and the increase of the Grant County Line-Patrol Station project from \$60,000 to \$85,000.

The Engineer recommended and the Commission approved the following increases in the maintenance and minor betterment budgets:

Bridges:

Coos Bay Bridge, Extra Painting	\$13,000
Yaquina Bay Bridge, " "	4,000
Wolf Creek Highway Detour Bridges, Repairs	1,600
Days Creek Bridges on Tiller-Trail Highway, Repairs	2,500
Cottonwood Creek Bridge, Repairs	2,500

Buildings:

Extend Storage Building at Medford	\$ 1,500
Extend Storage Building at Enterprise	<u>1,500</u>

Total \$26,600

Non-skid Surfacing:

Newberg-Woodburn Highway, 5.5 miles	\$ 6,000
North Santiam Highway, 11.4 miles	<u>12,000</u>

Total \$18,000

The Commission also approved the following oiling and extra-maintenance projects:

Oiling:

Havana-Helix Secondary Highway, in Umatilla County	\$ 6,000
Lafayette Secondary Highway, in Yamhill Co.-3.2 mi.	3,200
Bellevue-Amity Secondary Hwy., Yamhill Co.-6.2 mi.	6,200
Crawfordsville-Holley Sec., Halsey-Sweet Home Sec. Hwy.	3,500
Kings Valley Secondary Highway, Polk County, 4.4 mi.	4,500

Extra Maintenance:

Wolf Creek Highway	<u>\$ 2,500</u>
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Total \$25,900

Grand Total Authorized \$70,500

The Commission discussed the advisability of conducting a location survey to determine a permanent route for the Pacific Highway between Grants Pass and Roseburg, particularly the Sexton Mountain Section thereof. It was the decision of the Commission that such survey should be made in the near future and it was so ordered.

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There being no further business to come before the Commission at this time, the meeting was adjourned at 11:30 o'clock p. m.

R. H. Baldock
State Highway Engineer
H. B. Glaisyer
Acting Secretary

Henry F. Cabell
Chairman
R. H. Baldock
Commissioner
Huron W. Clough
Commissioner

Enroute Bend to Eugene, July 26, 1939

The State Highway Commission disposed of the following routine matters enroute Bend to Eugene during the afternoon of this day. Present and participating in the discussions were:

Henry F. Cabell, Chairman
Huron W. Clough, Commissioner
R. H. Baldock, State Highway Engineer
H. B. Glaisyer, Secretary

The Engineer reported the results of the investigation conducted to determine the losses claimed by several ranchers by reason of a fire started by highway department maintenance forces along the John Day Highway about 8 miles south of Arlington, in Gilliam County. He said that arrangements have been made for settlements with Arthur Wickland for \$181.00; L. L. Montague Estate for \$19.50; Richard S. Hendricks, Jr., \$4.60; Smythe Brothers, \$26.00; Gilliam County, \$3.75; Charles A. Bartalemay, \$8.00; and Everett Bartalemay, \$6.00; which amounts total \$253.85. He recommended payment of these claims in view of the fact that highway department employees were responsible for the setting of the fire. The Commission approved the recommendation.

The Engineer also reported the cost to construct a light oil surface on the Thomas Creek Section of the Albany-Lyons Secondary Highway, in Linn County, as has been requested by residents of that district. He estimated that such improvement, which is 1.62 miles in length, would cost \$1,620.00. The Commission approved the project for construction in next year's program.

The Commission discussed the Engineer's report on the cost to improve the Siuslaw Highway over the summit of the Coast Range, as has been urged by Lane County citizens. The Engineer estimated that to construct this section, which is 2.1 miles long and includes a tunnel, would cost about \$388,000. However, at a cost of about \$363,000 a satisfactory grade could be constructed, substituting an open cut for the tunnel, although such plan would necessitate the lengthening of the section to be constructed about 1½ miles. This estimate, he said, is based on a reconnaissance survey of the entire Siuslaw Highway. The Commission decided to inspect this road before taking definite action on this improvement.

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The Engineer rendered a report on the cost to open the Mount Hood Highway from its junction with the Wapinitia Highway to Cooper's Spur Road on May 1 of each year, as previously instructed by the Commission. He estimated that it would cost \$4,250 to open the road on such date, commencing snow removal operations on April 1, as compared with a cost of \$1400 if the opening date were delayed until May 27, which indicates that it would cost the state approximately \$100 for each day that the highway is opened before May 27. He also estimated that approximately 100 cars per day would use this highway between May 1 and May 27, and on that basis the cost would be about \$1.00 per day per car for snow removal operations only during such period. After considerable discussion, the Commission decided, as a trial proposition, to open the highway on May 15 of each year, and so ordered. The Secretary was instructed to transmit this information to the parties interested.

The Secretary presented a letter from County Judge Hugh McLain, of Coos County, requesting the elimination of what is known as "Deadman's Curve" on the Cape Arago Secondary Highway, in Coos County. The Engineer advised that this is a meritorious improvement and that he would like to conduct a stabilization experiment thereon, using Portland Cement as a binder. The Commission indicated its willingness to conduct such experiment but deferred its decision pending a report from the Engineer as to what it will cost to do the work on such basis.

A letter was presented from J. D. Perry, Deer Island, urging construction of the Farr's Corner-Scappoose Section of the Lower Columbia River Highway, in Columbia County, and further requesting an audience with the Engineer to discuss a number of highway matters. The Engineer advised that this project is in the construction program and that right of way for the same has all been acquired with the exception of that needed across a certain cemetery. He was instructed by the Commission to advertise the portion that does not involve the cemetery for bids to be received in either August or September. The Attorney was instructed to obtain the right of way for the cemetery section. It was also decided that Chairman Cabell and the Engineer would call upon Mr. Perry in the near future to discuss the matters that he has in mind.

A letter was presented from the Brownsville Chamber of Commerce requesting the oiling of the $3\frac{1}{2}$ -mile section of the secondary highway between Brownsville and Crawfordville. The Commission approved this project for next year's program.

A petition was presented from numerous users of the Territorial Secondary Highway in Benton and Lane Counties, requesting the oiling of this road from Monroe to the Douglas County line. The Commission denied the request for immediate undertaking in view of the fact that there are no state oiling crews available to do the work and no funds with which to finance it. In this connection the Commission discussed the advisability of extending this secondary highway from its present terminus at the Lane-Douglas County line to a connection with the Pacific Highway near a place known as Anlauf. It appeared logical to the Commission to extend this secondary highway if the constructed road meets the secondary highway requirements. The Commission decided to inspect the road before taking definite action.

A request was presented from Mr. Ben C. Flaxel, attorney, North Bend, Oregon, on behalf of certain residents of Bunker Hill District, Marshfield, requesting the construction of a stairway from the end of the improved portion of Mullen Street to a connection with the Oregon Coast Highway. The Commission indicated a favorable attitude toward this request but deferred definite action thereon pending completion of the construction on the new highway through this district and the correction of slide conditions that now obtain at this place.

A letter was presented from Timber School Board, Timber, Oregon, requesting the construction of a sidewalk on one side of the Nehalem River Bridge at Timber for the benefit and safety of pedestrians, particularly school children who are obliged to cross this structure daily. The Engineer estimated the cost of such sidewalk at \$350.00. The Commission approved the project by unanimous vote.

The Secretary presented a telegram from Mayor G. H. Hanson, of Paisley, Oregon, requesting the oiling of the Fremont Highway full width for a distance of two blocks through the Paisley business district. The Engineer estimated the cost of such oiling work at \$600.00. He pointed out that there is no state highway department oiling crew in that vicinity, which could do the work and that there is no oiling work under way within a reasonable distance. He recommended, in view thereof, that the work be deferred until next year and that investigation be conducted looking toward a more permanent type of improvement. The Commission approved the recommendation.

The Engineer reported that the present contract with Julius Gunnell for the furnishing of free ferry service across Coos River at Enegren Ferry expires on September 30, 1939. He pointed out that the present contract contains provision for extending the contract for a period of two years or any portion thereof and that the Highway Commission has already exercised this privilege, this contract having been extended for a 2-year period from September 30, 1937, to September 30, 1939. He also pointed out that the present contract provides for 16-hour ferry service, whereas numerous requests have been received for service of greater length. He requested instructions as to whether or not to advertise for bids for the continuation of this service and whether or not the Commission desires to render more than the 16-hour service that is covered by the present contract. After discussion, the Commission decided to take alternate bids at its next meeting for the furnishing of 18-hour and 20-hour free ferry service at this location and instructed the Engineer to prepare proposal forms on such basis.

The Commission had under discussion the matter of authorizing the construction of a Rural Electrification Administration power line along the southerly side of the McKenzie Highway between Vida and McKenzie bridge, a distance of about 25 miles. It was pointed out in the discussion of this matter that the highway for the most part along this section lies very close to the McKenzie River and that the maintenance of poles between the highway and the river would detract greatly from the scenery and the best appearance of the highway. The question arose whether or not the pole line should be allowed on such location and whether or not it should be allowed on the

northerly side of the highway, which is now partially occupied by a telephone pole line. The Commission discussed this matter at considerable length and took cognizance of the situation enroute to Eugene over this highway. A decision in the matter was deferred pending further investigation, and report by the Engineer.

The question of granting blanket permits of 30 days' duration for the movement of farm machinery over state highways had the attention of the Commission. The Commission decided unanimously, as a trial proposition, to grant such permits. The Secretary was authorized to issue permits for the time being, subject to the condition that such authority would be rescinded immediately if it were found that the provisions of the permits are being abused and that the movements of such machinery are working adversely to the interests of the general public.

The Commission had under discussion claims against R. A. Wernich, Coquille, in the amount of \$8.31; Sam Houser Chevrolet Company, McMinnville, in the amount of \$1.40; and Bertha Poetsch, Rainier, in the amount of \$1.00; totalling \$10.71. The Engineer advised that certain purchases were made from the concerns represented by the above-mentioned people and it so happened that in each instance a credit accrued to the state which it was intended to take advantage of in connection with subsequent purchases; but, in the meantime, the firms went out of business, which eliminates any possibility of taking advantage of the credits unless they are paid in cash. Repeated requests for such cash settlements, he said, have been refused and it appears that the accounts will have to be declared closed unless the Commission desires to institute suit to collect. In this connection a letter was presented from the Attorney in which he pointed out that the claims are all in small amounts and it is his belief that the Commission is not justified in going to much effort or expense in collecting them. Further, that in his estimation it would cost the state more to institute suit than it would realize therefrom if the case were decided in the Commission's favor. After considerable discussion, and it appearing to the Commission that these bills are uncollectible, the Engineer was instructed to do whatever is necessary to clear the accounts in the records and to relieve the individuals who conducted the transactions out of which the credits developed from any personal responsibility.

The Engineer reported that in conformance with authority previously granted him by the Commission he awarded contracts as follows, the conditions of the awards having been satisfied:

Grading, surfacing, and oiling the Strebin Road-Hosner Road Section of the Troutdale-Sandy Road, in Multnomah County. Bids received May 19, contract awarded July 13, 1939, to H. L. Rice, who submitted the low bid therefor, based on the use of tar.

Pavement widening and resurfacing on the Sandy Boulevard Section (44th Ave. to 74th Ave.) of the Columbia River Highway, in Multnomah County. Bids taken June 22, contract awarded June 26, 1939, to Edlefsen-Weygandt Company, Portland, who submitted the low bid therefor.

The Commission approved the award of such contracts as reported.

The Engineer requested authority to purchase the following equipment:

- 1 - pneumatic-tired lawn mower, estimated cost \$250, for use at the state highway shops in Salem
- 1 - 7000 gallon-per-hour gravity centrifugal pump with 2½ h.p. motor, estimated cost \$250, for use in connection with the making of investigations preparatory to the construction of drainage tunnels, etc.
- 1 - dragline boom, bucket, and necessary cable, estimated cost \$1,350, for use in connection with W.P.A. work on the Wolf Creek and Wilson River Highways and in other localities.

The Commission approved the purchase of this equipment.

The Commission discussed and approved the request from the Attorney to publish a highway pamphlet containing laws applicable to state and county roads. It was explained that heretofore such pamphlet has been published by the Secretary of State in accordance with legal authority but the law requiring this publication was repealed, hence the pamphlet containing the road laws is no longer available; further, that, because of the value of this information to employees of the State Highway Department and to county officials, it would be desirable to publish the laws under the name of the State Highway Commission, which it was thought would cost about \$300.

The Commission also considered the matter of continuing the maintenance of the Elsie-Jewell County Road, in Clatsop County, which has been used for some time past as a state highway detour pending construction of the Wolf Creek Highway. Definite action on this matter was deferred by the Commission pending consultation with the Clatsop County Court. The Engineer was instructed to discuss the matter with County Judge Guy Boyington of that county.

A request was presented from the Richfield Oil Company for permission to use, in the advertising of its products, a picture showing state highway department equipment being serviced by a Richfield Oil Company tank truck. The Commission offered no objection to the use of pictures of this kind for such purpose but declared positively that it would not sign any form of release waiving any claim for consideration or compensation for the use of such pictures, nor authorize anyone to sign such a release or a testimonial.

The Commission had under discussion the adoption of a policy with respect to the removal of gravel from ocean beaches, over which it has control according to law. It was the Commission's decision that individuals desiring to obtain gravel in small quantities from the beach areas for use in connection with the construction of private driveways or foundations for private buildings should be permitted to do so for their own use without permit, but that contractors engaged in the furnishing of gravel for commercial purposes or otherwise shall not be allowed to take such material from the ocean beach

areas except under permit from the State Highway Commission and upon payment of 3 cents per cubic yard for the material taken. Further, that the taking of such material from the ocean beach by contractors and individuals shall be limited to places indicated by the State Highway Commission or its authorized representative. The Engineer was instructed to select the points where such materials may be removed and the Attorney was instructed to prepare a form of permit for approval by the Commission at its next meeting. The Secretary was instructed to bring the Commission's action to the attention of all state highway contractors and local contractors along the Oregon Coast Highway.

The Commission had under discussion the matter of designating as a secondary state highway the county road which extends from the Mount Hood Highway westerly through the towns of Odell and Summit to a connection with the Hood River Secondary Highway, as has been requested by the Hood River County Court. Action on this matter was deferred by the Commission for two or three months, when the Commission expects to give consideration to the placing of several important county roads throughout the state on such system. The Secretary was instructed to so inform the Hood River County Court.

The Commission discussed the matter of granting an easement to the United States Government to construct its Bonneville power transmission pole line over and across 5 tracts of state-owned land in Multnomah and Hood River Counties between Bonneville and Hood River, for a consideration of \$400. It was the Commission's decision that such easement should be granted and accordingly the Attorney was authorized to accept, on behalf of the Commission, the Government's offer in regard thereto.

A letter was presented from the Salem Convention Commission of the American Legion requesting state aid in the construction of a temporary bridge over a drainage ditch on the county road in front of the Salem Airport, to be used during the progress of an air circus which is to be conducted at such place on August 10. The Engineer explained that the Convention Commission anticipates a large crowd at the air circus and is fearful that the present facilities for the handling of traffic will prove inadequate, so have decided to provide another entrance into the grounds if they can secure donations of material and/or labor from some source to assist in the work. He pointed out that the road in front of the airport is not a state highway, hence the Commission does not have legal authority to expend state funds thereon; however, he added, if the Highway Commission wants to aid in this matter, it could do so by loaning materials salvaged from an old bridge nearby, which probably would help out to some extent and would not be an infraction of the law. The Commission concurred in the Engineer's viewpoint and thereupon authorized the loan of such materials to the American Legion.

A letter was presented from the North Lincoln Chamber of Commerce requesting relief from the present auto-parking congestion at Depoe Bay adjacent to the Oregon Coast Highway, in Lincoln County. The Commission referred this matter to the Engineer for investigation and report by the State Parks Superintendent as to whether or not there are suitable parking facilities available adjacent to the highway south of the Depoe Bay bridge structure.

The Commission had under discussion a request from Mr. Paul T. Erb for permission to conduct placer mining operations in an abandoned state-owned gravel pit in Jackson County, said gravel pit being more particularly situate in Lots 7 and 8 of Section 11, Township 36 S., Range 3 W., W. M. The Commission denied the request as a matter of policy; however, instructed the Engineer to ascertain whether or not this gravel pit is of any value for state purposes and if not, if it is valuable for mining purposes. In the event such investigation reveals that the pit is of no value to the state but is of value for mining, then the Commission will consider the sale of the property by auction.

The Secretary presented a letter from the Roseburg Chamber of Commerce with respect to the landscaping of the area within the "wye" formed by the connection of the Pacific Highway with the county road at the north city limits of Roseburg. It was urged in such communication that the Commission make provision in the landscaping project for the construction of a building for use in the dissemination of tourist information. The Commission denied the request because the building cannot be financed with federal funds and because the financing of the same with state funds would establish a precedent that would eventually result in an expenditure of state funds far in excess of the amount the Commission could afford. The Engineer was instructed to so inform the Chamber of Commerce.

The Commission discussed a letter from the City of Bandon urging the early construction of the Bandon Section of the Oregon Coast Highway on the proposed new alignment. The Engineer advised that this project is not included in the Commission's 1940 program, although a goodly portion of the right of way has already been acquired. The Commission decided to give this project serious consideration for construction in an early future program and instructed the Attorney to proceed with the acquisition of the balance of the right of way.

Letters were presented from Mr. Carl Schamoni and Mrs. Julia Lowert of Tigard, protesting the route heretofore selected by the Highway Commission as the permanent route for the Pacific Highway West through the town of Tigard. After discussion the Commission decided not to make any change in its previous decision and instructed the Secretary to so inform Mr. Schamoni and Mrs. Lowert.

A letter was presented from Mr. F. R. Schanck, Consulting Engineer, Portland, urging the improvement of the Oxbow Tunnel Section of the Robinette-Homestead Secondary Highway, in Baker County. The Engineer advised that this tunnel is approximately 4,000 feet long, that portions of the same have caved in, and that the tunnel generally is in a very unsafe condition. To repair the tunnel so that it would be safe for traffic, he said, would cost an enormous sum of money; in fact, far more than is justified by the volume of traffic that would use it. He pointed out that the Commission has already approved an expenditure of \$2,500 to finance the improvement of the road leading over the tunnel so that it can be kept open during the winter season, and an additional \$500 for the improvement of the section between Homestead and Ballard's Landing Bridge, which, in his estimation, should provide a satisfactory road for the people of this district. The Commission decided, in view of the

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report, not to make any repairs to the tunnel at this time and instructed the Secretary to so inform Mr. Schanck.

The Commission had under discussion a letter from Mr. Frank T. Morgan, Secretary of the Nyssa Chamber of Commerce, Nyssa, Oregon, suggesting that, when the location for the proposed railroad grade separation structure in Nyssa has been determined from an engineering standpoint, the Commission base the selection of the site upon the wishes of the majority of the property owners affected. He gave as his thought that 80 per cent of the property owners would prefer that the structure be located on Main Street. The Secretary was instructed to inform Mr. Morgan that the Commission's decision in matters of this kind is not made until the Engineer's report on the project has been rendered and given careful study from all standpoints, and that such procedure will be followed in connection with the selection of a site for the proposed grade separation structure in the town of Nyssa.

The Commission considered and ordered filed a letter from J. E. Stanton, Oakland, California, suggesting that the Commission give consideration to the collection of small tolls to secure funds with which to finance state highway construction.

The Secretary reported receipt of a request from the Silverton Lions Club for the loan of the services of the Highway Commission's artist to prepare plans for gateways which the club has in mind to erect at the main highway entrances into the city of Silverton. The Commission denied the request as a matter of policy. The Secretary was instructed to inform the Lions Club of the action taken and to state further that if the club proceeds with its plans for the gateways notwithstanding its inability to obtain the services of the Highway Commission's artist, the Commission will appreciate it if they will arrange to construct their gateways upon the highways within the corporate limits of Silverton rather than outside the corporate limits, in view of the fact that the erection of such gateways on the highway outside the city limits is illegal and it is strictly contrary to the established policy of the Commission to grant permits for the maintenance of same at such locations.

A letter was presented from the Albany Post, American Legion, requesting the erection of "No Trespass" signs on state highway property located adjacent to the Albany Airport, where an air circus is to be conducted on Saturday, August 5, 1939, so that the people who are inclined to view the airport from such vantage points without charge will be required to pay admission to the airport grounds if they wish to view the exhibition. The Commission decided not to erect the signs as a special favor to the American Legion; however, considered it advisable to maintain permanent "No Trespass" signs on its property, and accordingly instructed the Engineer to see that such signs are erected at once.

The Engineer presented a list of surveys that he has ordered since the last meeting of the Commission and asked the Commission to confirm them and the amounts authorized for each. After due consideration, the Commission authorized and instructed the Engineer to make such location surveys on various

sections of the highways of this state, which said sections of highways, together with their identifying location survey numbers and the amounts authorized and allocated for such survey expenditures are as follows:

Plans - - - - -	1-2816	- Black Bridge-Richland Section, Baker-Homestead Hwy., Baker County.	1st authorization - \$800.00
Plans - - - - -	1-2817	- N. Powder-Muddy Creek Section, Old Oregon Trail, Baker County.	1st authorization - \$200.00
Plans - - - - -	202-2818	- Albany North Section, Albany-Buena Vista (Co. Rd.) Benton County.	1st authorization - \$600.00
Location - - - -	3-2823	- Tualatin-Marion County Line Section, W. Portland-Hubbard Hwy., Clackamas County.	1st authorization - \$3,000.00
Plans - - - - -	204-2826	- Coast Highway-Fort Stevens Section, Fort Stevens (Co. Rd.) Clatsop Co.	1st authorization - \$500.00
Right of Way -	4-2827	- Seaside-Gearhart Junction Section, Oregon Coast Hwy., Clatsop Co.	1st authorization - \$50.00
Right of Way -	5-2817	- Clatsop County Line-Clatskanie Section, Columbia River Hwy., Columbia County	1st authorization - \$125.00
Plans - - - - -	5-2816	- Rainier Section, Columbia River Highway, Columbia County.	1st authorization - \$600.00
Plans - - - - -	105-2818	- Clatskanie-Mist Section, Clatskanie-Mist Highway, Columbia County.	1st authorization - \$200.00
Stock Pile & Quarry -	7-2809	- Redmond-Prineville Section, Ochoco Highway, Crook County.	1st authorization - \$450.00
Aerial Survey -	8-2811	- Gold Beach-Brookings Section, Oregon Coast Highway, Curry County.	1st authorization - \$200.00
Plans - - - - -	9-2824	- Bend-Horse Ridge Section, Central Oregon & Century Drive Hwys., Deschutes County.	1st authorization - \$600.00
Plans - - - - -	209-2825	- Butler Market Road, Deschutes County.	1st authorization - \$620.00
Park - - - - -	10-2824	- Camas Mt. State Park, Coos Bay-Roseburg Hwy., Douglas County.	1st authorization - \$200.00
Location - - - -	111-2809	- Lone Rock Junction-Rock Creek Section, Wasco-Heppner Hwy., Gilliam County.	1st authorization - \$1,200.00

Bridge - 12-2818 - Goose Creek Bridge, John Day Highway, Grant County.
 1st authorization - \$700.00

Location - - 112-2819 - Kimberly-Dry Creek Section, Monument Highway, Grant Co.
 1st authorization - \$1,800.00

Recon. - - 114-2814 - Dee-Parkdale Section, Hood River Secondary Hwy., Hood
 River County. 1st authorization - \$300.00

Plans - - - 15-2817 - Siskiyou Station-Bear Canyon Section, Pacific Highway,
 Jackson County. 4th authorization - \$1,500.00
 Total to date \$7,500.00

Plans - - - 116-2807 - Agency-Vanora Section, Warm Springs Highway, Jefferson
 County. 1st authorization - \$125.00

Plans - - - 17-2802 - Grants Pass-Green Creek Section, Pacific Highway, Jo-
 sephine County. 4th authorization - \$500.00
 Total to date \$4,500.00

Stock Pile - 18-2837 - Beaver Marsh-Ft. Klamath Section, The Dalles-Californ-
 & Quarry nia Highway; Diamond Lake-The Dalles-California Hwy.
 Junction, Diamond Lake Highway; Park Boundary-Ft.
 Klamath Section, Crater Lake Highway; Park Boundary-
 The Dalles-California Hwy. Junction, Sand Lake Hwy.
 1st authorization - \$1,000.00

Stock Pile - 18-2836 - Chiloquin-Klamath Falls Section, The Dalles-California
 & Quarry Highway, Klamath Co. 1st authorization - \$500.00

Plans - - - 19-2820 - Summer Lake Section, Fremont Highway, Lake County.
 1st authorization - \$200.00

Bridge - - - 121-2832 - Nashville Bridge, Eddyville-Blodgett Road, Lincoln
 County. 1st authorization - \$150.00

Bench Mark - 24-2825 - Salem-Neil Creek Section, Pacific East, Marion County.
 1st authorization - \$200.00

Plans - - - 124-2824 - Pacific Hwy.-Clackamas County Line Section, Woodburn-
 Mt. Hood Hwy. 1st authorization - \$800.00

Plans - - - 228-2807 - Wasco-Fulton Canyon Section, County Road, Sherman Co.
 1st authorization - \$400.00

Plans - - - 29-2830 - Neahkahnie Mt. Section, Oregon Coast Highway, Tillamook
 County. 1st authorization - \$600.00

Plans - - - 30-2826 - Stanfield-Pendleton Section, West Unit, Old Oregon
 Trail, Umatilla County. 1st authorization - \$200.00

Plans - - - 33-2819 - Shaniko-Cow Canyon Section, Sherman Highway, Wasco Co.
 1st authorization - \$1,000.00

The Engineer also reported that a number of surveys heretofore authorized by the Commission have been completed. He presented a list of such surveys and reported briefly on each survey listed thereon. After due consideration, the Commission approved the respective surveys as reported, and adopted the following resolution in regard thereto:

WHEREAS, The State Highway Commission heretofore has authorized and instructed the State Highway Engineer to make surveys on certain sections or portions of the highways of the State of Oregon; and

WHEREAS, pursuant to said authorization the State Highway Engineer has made and completed the said surveys and has filed the maps and plans of the said surveys in the files of the State Highway Commission, in Salem, Oregon; and

WHEREAS, the maps and plans of the said surveys have been examined by the State Highway Commission and have been found suitable in all respects for approval and adoption by the State Highway Commission;

NOW, THEREFORE, BE IT RESOLVED, that the surveys hereinafter designated and described, together with their identifying location map file numbers, as shown in the map filing records of the State Highway Commission in its Salem office, be and they are hereby adopted and approved as the location surveys of the various portions or sections of highway involved:

<u>File No.</u>	<u>Prefix</u>	<u>County</u>	<u>Type of Survey</u>	<u>Section</u>	<u>Highway</u>
5B23-9	102-2816	Benton	Location	Willamette R.Br.	Corvallis-Eastside
5B23-11	30-2824	Umatilla	Location	Milton South	Oregon-Washington
5B23-10	30-2817	Umatilla	Location	Adams Connection	Oregon-Washington

BE IT FURTHER RESOLVED that the State Highway Engineer be and he hereby is authorized to make such minor changes in the said locations as may improve the standards of alignment and grades not inconsistent with the general location of the section of highway involved.

The Commission had under consideration the following requests for extensions of time within which to complete highway construction projects:

Goes Bay Dredging Company, Contract No. 2062, for grading the Lobert-Modoc Point Section of The Dalles-California Highway, in Klamath County, requested an extension of time from November 30, 1938, to May 21, 1939, within which to complete this job. They gave no reason for their failure to complete the project within the specified time limit. The Engineer advised that the failure

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of the contractor to complete the contract within the specified time limit was due to extra work, increase in quantities, delay in securing price agreement for the excavation of solid rock and talus topping materials and delay in securing an adjustment with the Lamb Lumber Company for revision of its private utilities. Operations in connection with this contract, he said, were temporarily discontinued between September 13 and October 30, pending a special agreement with respect to solid rock excavation, and, as a result, work extended into the winter season, when it was necessary to close it down entirely until spring. He further advised that the public has not been inconvenienced by the delay because the road is on the cutoff section and is not open to travel. He recommended, in view of the circumstances, that the extension requested be granted without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation unanimously.

Roy L. Houck, Contract No. 2081, for grading, surfacing, and oiling the Lombard Street-Killingsworth Street Section of the Northeast Portland Secondary Highway, in Multnomah County, requested an extension of time of 30 days, from June 15, 1939, to July 15, 1939, within which to complete this project. He pointed out that the specifications prohibited the laying of asphaltic concrete pavement under this contract before May 15, 1939, and that bad weather conditions from May 15 to July 1 prevented the performance of such work during that period, all of which accounted for the fact that the job was not completed within the specified time limit. The Engineer advised that rainy weather during May and June interfered materially with the work on this project and caused unavoidable delay; also, considerably more materials were required to be excavated than was anticipated. Traffic, he said, has not been inconvenienced, and engineering expense in connection with the job has not been materially increased because the crew was engaged on other work at the same time. He recommended, in view of the circumstances, that the extension of time requested be granted without penalty. The Commission approved the recommendation.

Babler Bros., Contract No. 2137, for surfacing and oiling the Grant County Line-Unity Section of the John Day Highway, in Baker County, requested an extension of time from July 31 to September 15, 1939, within which to complete this project. They attributed their failure to complete the contract within the specified time limit to bad weather conditions which interfered with their crushing operations. The Engineer advised that Babler Bros. were delayed in the erection of their crushing plant by deep snow, which prevailed until late in March over the section of the highway that was to be resurfaced; also, that they were forced to change their plans for the crushing of rock for reasons that were apparently beyond their control. He recommended, in view of the circumstances, that the extension of time requested be granted without penalty. A letter was presented from W. H. Lynch, District Engineer, Public Roads Administration, concurring therein. The Commission approved the recommendation unanimously.

Schmeer, Williams & Gentemann, Contract No. 2142, for furnishing crushed rock in stock piles for the Horse Ranch-Chewaucan Narrows Section of the Fremont Highway, in Lake County, requested an extension of time of 30 days, from June 15 to July 15, 1939, within which to complete this project. They alleged that their failure to complete the project within the specified time limit was due to encountering materials of a nature that required the operation of their plant at half capacity, with stops approximately each hour for cleaning the screens. The Engineer advised that the contractor had considerable difficulty with his crushing operations, particularly during the winter season, in that the fine sand from the pit would freeze under the screens and cause frequent closing down of operations, there being a particularly large quantity of such fine material to be wasted in the pits in which the operations were carried on. The contractor has worked two shifts at all times that it has been possible for him to do so, he said, and, in order to hasten completion of the project, is now operating three shifts. He recommended, in view of the circumstances, that the extension of time requested be granted without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation unanimously.

J. C. Compton, Contract No. 2188, for oiling the Elsie-Balm Grove Section of the Wolf Creek Highway and county roads, in Clatsop, Columbia, Tillamook and Washington Counties, requested an extension of time of 45 days, from July 15 to August 30, 1939, within which to complete this project. He alleged that his failure to complete this project within the specified time limit was due to the uncertainty of W.P.A. labor which was employed in the manufacture of surfacing material. The Engineer advised that the reason given by the contractor for failure to complete the project within the specified time limit is correct and recommended that the extension requested be granted without penalty. The Commission approved the recommendation.

The Engineer reported that Contracts Nos. 2062, 2100, 2109, 2115, 2122, 2131, 2135, 2148, 2182, and 2194, for the construction of state highway projects, have been completed according to the requirements of the contracts or modifications thereof, and that said jobs are now ready for acceptance. The following resolution accepting the above projects was offered and was adopted by the unanimous vote of the Commission:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts and said jobs are now ready for acceptance:

Contract No. 2062, with Coos Bay Dredging Company, for grading and topping the Lobert-Modoc Point Section of The Dalles-California Highway, in Klamath County. Completed May 21, 1939.

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Contract No. 2100, with F. C. Dillard, for clearing the Salt Creek Section of the Willamette Highway, in Lane County, Completed July 10, 1939.

Contract No. 2109, with E. C. Hall Company, for grading, surfacing, and oiling the Brothers-Harney County Line Section of the Central Oregon Highway, in Deschutes and Lake Counties. Completed June 24, 1939.

Contract No. 2115, with Norris Bros., for surfacing, oiling, and furnishing crushed rock on the Richland-Halfway Section of the Baker-Homestead Highway, in Baker County. Completed June 30, 1939.

Contract No. 2122, with E. F. Altree, for furnishing crushed rock for the Newport Section of the Oregon Coast and Corvallis-Newport Highways, in Lincoln County. Completed June 29, 1939.

Contract No. 2131, with Leonard & Slate, for grading, surfacing, oiling, construction of 2 timber bridges, and furnishing crushed rock on the Jamieson-Lancaster Section of the John Day Highway, in Malheur County. Completed June 30, 1939.

Contract No. 2135, with M. L. O'Neil & Son, for grading and oiling the Pendleton-State Farm Section of the Oregon-Washington Highway, in Umatilla County. Completed July 14, 1939.

Contract No. 2148, with Chester T. Lackey, for oiling and furnishing crushed rock and gravel on the Juntura-Cairo Section of the Central Oregon and John Day Highways, in Malheur County. Completed June 30, 1939.

Contract No. 2182, with Babler Bros., for oiling the Flat Creek-John Day Section of the John Day Highway, in Grant County. Completed June 15, 1939.

Contract No. 2194, with Norris Bros., for oiling the Baker-Gibbs Ranch Section of the Baker-Unity Highway, in Baker County. Completed July 10, 1939.

THEREFORE, BE IT RESOLVED, that the work covered by said state highway contracts for the construction of said state highway projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

The meeting was declared adjourned at 7:00 o'clock p.m.

[Signature]
State Highway Engineer

Henry F. Cabell
Chairman

W. B. Seisya
Secretary

Harmon W. Clungh
Commissioner

JUL 25 1939

Portland, Oregon, July 27, 1939

The State Highway Commission met in regular session at 9:00 o'clock a. m. in the Auditorium of the Public Service Building. Present were:

Henry F. Cabell, Chairman
E. B. Aldrich, Commissioner
Huron W. Clough, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

Bids as follows for state highway construction projects were opened and read in conformance with previously published notice, following which Chairman Cabell announced that the award of contracts would be made at 3:00 o'clock p. m. in the same room:

COLUMBIA RIVER HIGHWAY
WARREN CREEK SECTION

GRADING, BITUMINOUS MACADAM SURFACING, REINFORCED CONCRETE BRIDGE

E. C. Hall Company	\$ 47,755.00
Leonard & Slate	53,163.50
Newport Construction Company	60,563.90
McNutt Bros.	65,792.00

PACIFIC HIGHWAY
JUNCTION CITY-EUGENE SECTION - ROADSIDE IMPROVEMENT

Blair T. Alderman	\$ 5,988.72
D. L. Ashton	6,854.50
Eugene Sand & Gravel Company	8,502.80
Ed Walder	8,650.50
River Bend Sand & Gravel Company	9,038.25

COLUMBIA RIVER HIGHWAY
EAST UNIT, TROUTDALE-CORBETT SECTION AND BRIDAL VEIL-BENSON PARK SECTION
CLEARING, GRADING, 1.95 MILES ROCK TOE EMBANKMENT CONSTRUCTION

Morrison-Knudsen Company	\$ 89,930.00
E. L. Gates	98,340.00
Roy L. Houck	99,216.00
Leonard & Slate	101,592.00
E. C. Hall Company	104,337.00
White's Trucking Company	109,888.00
Jacobsen-Jensen Company	111,104.00
Alex Besoloff	128,885.60
Newport Construction Company	138,744.60
Natt McDougall Company	148,661.00
McNutt Bros.	191,902.00

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A delegation from Lane County, consisting of Representative Earl Hill, Cushman; Mayor W. J. Kyle, of Florence; R. F. Bowman and George Nelson, also of Florence; County Judge Clinton Hurd and County Commissioner W. J. Holland, of Lane County; Charles Nelson and Bard Nelson, of Junction City; Julius P. Hult, of Horton; Fred M. Brenne, J. E. Turnbull, I. J. Rossman, and Hugh Ford, all of Eugene, conferred with the Commission. Mr. Hill headed the group. He asked, on behalf of the people of the town of Florence, for state cooperation in the construction of an approach to the Oregon Coast Highway from the Florence business district, which road would enter the highway on an extension of Lincoln Street, at a point several blocks north of the present approach, near the north end of the Siuslaw River Bridge. He alleged that the present highway connection is unsatisfactory in that it contains a very abrupt turn at the end of the bridge, which cannot be seen by motorists crossing the bridge from the south, and an unsafe condition exists for those coming from that direction who desire to visit the business district of their town. The proposed connection, he said, will provide a comparatively easy and safe entrance to the business district. He further stated that the city has already acquired the right of way and cleared the same for this road and that the city has funds available in the amount of approximately \$1,000 from its recent bond issue to apply on the cost of the work; but such amount, in their estimation, is insufficient to finance the project in its entirety, hence their request for aid from the State Highway Commission. He estimated that there are approximately 12,000 cubic yards of sand to be moved in order to provide a satisfactory grade and urged the Commission to assist the city in this matter because the city is not able to finance it alone and the improvement is a vital necessity for the future welfare of the business interests of the town of Florence.

Chairman Cabell advised that the Commission expects to visit the town of Florence in the near future and will inspect this project at that time. He advised that before the Commission can make a definite decision with respect thereto, the Commission must know what the project will cost and whether or not the Commission has legal authority to spend state funds in connection therewith, but that the Commission will endeavor to pass on the matter at its next regular meeting. The Engineer was thereupon instructed by the Commission to make investigation, as necessary, to determine the cost of the project and the Attorney was instructed to advise the Commission of its legal authority to contribute state funds for this purpose.

This delegation then brought up for discussion the matter of the improvement of the Siuslaw Highway through the Lake Creek District and across the summit of the Coast Range, involving the construction of a tunnel. Mr. Hill advised that this improvement is very necessary because, under present conditions, there exists a serious bottleneck that is not only unsafe for travel but is a considerable detriment to the port of Siuslaw. He strongly urged the rebuilding of this road, particularly the Lake Creek Section, including the tunnel, in order to eliminate the numerous sharp curves in the present road at this point.

Chairman Cabell advised that the Commission is somewhat confused as to just what the people of Lane County consider as their major highway project

inasmuch as there are proponents, not only for the Siuslaw improvement, but also for the construction of what is known as "Route F" from Eugene to the sea. Judge Hurd stated that both projects are important to Lane County and, while they do not in any way want to minimize the importance of the "Route F" road, they feel that the completion of this highway will not be accomplished for a long time and, in the meantime, the Siuslaw Highway must be improved in order to take care of the great amount of tonnage that has to be taken over it from the Lake Creek district. Chairman Cabell then explained that the Commission is not in position to pass definitely on this matter at this time because figures are not available as to the cost of the entire improvement, but the Commission will very likely have such information before its next meeting and, if so, will be pleased to consider these, and will inspect the project in company with the members of the Lane County delegation within the next two or three weeks. The Engineer was thereupon instructed to make a reconnaissance survey of this entire road to augment information previously obtained with respect to the improvement of the Summit Section only.

Mayor K. J. Franklin and City Manager J. H. Fasnacht, Bandon, were present and urged the early construction of the Bandon Section of the Oregon Coast Highway along the line of the permanent route recently adopted by the Commission. They declared that the people of this town cannot proceed with the development of their properties until they know just what the Highway Commission intends to do relative to right of way and grades, and urged the Commission to give the matter immediate consideration. They advised that the city owns considerable property along the adopted route and that offers have been received for the purchase of some of it but the city does not want to dispose of such property without first giving the State Highway Commission an opportunity to secure what it needs. They were informed by Chairman Cabell that the Bandon project is not included in the Commission's current construction program and it is very doubtful that the Commission will be able to place the work under contract this fall. However, the Commission will endeavor to include the project in an early future program. The only thing that can be done now, he said, is to acquire the right of way, which the Commission will do as rapidly as possible. The Attorney was thereupon authorized and instructed to complete the acquisition of right of way for this project at once. The Engineer was instructed to arrange to set line and grade stakes to enable the people of this town to develop their properties in accordance therewith.

Mr. Arthur B. Allen, Manager, Timberline Lodge, came before the Commission in regard to the placing of signs upon highway rights of way within a 50-mile radius of Timberline Lodge, directing tourists to the Lodge. He advised that tourists now have difficulty in finding the Lodge and frequently take the wrong road, necessitating retracement and the traveling of considerable mileage farther than is absolutely necessary. It was his thought that the maintenance of appropriate signs at important highway connections within a reasonable distance of the Lodge would remedy this situation, and asked the Commission to approve the same. After considerable discussion, the Commission approved the request and referred to the Engineer the matter of selecting locations for the signs. It was agreed that the standard finger-board sign would be satisfactory for this purpose and that the inscription on the sign, in order to be consistent with the Commission's policy in this regard, should be limited to the word "Timberline".

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Messrs. Robert W. Sawyer, E. B. McDaniel, and Ed Miller, representing the Advisory Committee on Publicity Matters, appeared before the Commission at this time with respect to the selection of an advertising agency to take charge of the Commission's publicity campaign during the year 1940. Mr. Sawyer headed the group. He advised that the members of the Advisory Committee held a meeting on Tuesday, July 25, 1939, all members being present, for a discussion of this matter, and interviewed at such meeting representatives of a number of such agencies having headquarters in Portland and also inspected exhibits submitted by each agency. Further, that as a result of these interviews, the Committee decided unanimously to recommend to the Highway Commission the retention of the services of Botsford, Constantine, and Gardner, inasmuch as the committee members felt that the state would receive more value for expenditures made through this agency than through another agency not familiar with the Commission's setup. Such recommendation, he added, is being made to the Highway Commission at this time orally and will be confirmed by written recommendation later.

After discussion, the Commission, by unanimous vote, approved and adopted the recommendation of the Advisory Committee and thereupon ordered renewal of the contract with Botsford, Constantine, and Gardner for the year 1940.

The Commission discussed with Mr. Sawyer matters pertaining to the improvement of the Cascade Lakes Forest Highway between Bend and Elk Lake, in Deschutes County. Mr. Sawyer gave as his thought that past agreements with respect to the improvement of this road should be carried out whether or not such agreements were in writing, and that in this particular instance moneys available for this highway should be spent at the north end of the road, in view of the fact that construction at the southerly end between Diamond Lake and Crater Lake is completed. It was his belief that the selection of the type of improvement should be left to the Highway Commission and its Engineers although, in his estimation, a high type of improvement is not justified at this time, and no improvement at all would be preferable to the simple oiling of the existing road. He suggested the construction of a good travelable road as a compromise and predicted that with such a road into this recreational area travel would increase greatly.

Chairman Cabell advised that the Commission also feels that a high type of improvement on this road is not justified and that the oiling of the present road would prove unsatisfactory. Further, that the Commission is inclined to the belief that a satisfactory road could be obtained by constructing a roadbed with maximum 8 per cent grades and maximum 10 degree curves, and by oiling a narrow roadway. However, a definite decision with respect thereto cannot be made until a conference has been held with the Government authorities, inasmuch as this is a federal project. Such conference, he added, will be held in the near future.

The Commission by unanimous vote approved the minutes of the meetings held on March 2 and 3, March 21, April 5, 6, and 7, and April 21 to 25, inclusive, 1939.

The Commission discussed a report from Louis L. Crosby pertaining to the collection of fines for motor vehicle violations. The Attorney advised that Mr. Crosby is employed by the State Treasurer to check with Justices of the Peace relative to the collection of fines, and in connection with such work has unearthed other information which indicates that improvement could be made with respect to the reporting of fines collected. He suggested a standard form for such purpose, which suggestion was approved by the Commission by unanimous vote.

The Engineer reported the need to secure the approval of the United States War Department before proceeding with the proposed widening and reconstruction of the bridge across the entrance to Depoe Bay on the Oregon Coast Highway approximately 14 miles north of Newport, in Lincoln County. He requested authority from the Commission to present the plans of this structure to the War Department for such approval. The Commission approved the request by unanimous vote.

The Attorney reported the results of a cruise made by Mr. Walsh, of Brown & Brown, Inc., Portland, of timber growing on the Louis W. Hill land adjacent to the McKensie Highway, near the town of Sisters, which property the Commission contemplates purchasing for state park purposes. He advised that Mr. Walsh's cruise indicates that the property contains 587,000 board feet, which is considerably in excess of the amount of the timber indicated by a cruise made by Mr. Whitten for the State Parks Department, two cruises by Mr. Keene for the Hill interests, and a cruise by the U. S. Forest Service. After discussion, the Commission decided to purchase the property on the basis of the low cruise made by the cruiser for the Hill interests.

The Attorney reported receipt of an offer from Mr. B. L. Eddy, Roseburg, on behalf of a client, to sell to the state certain property that is needed as right of way for the Pacific Highway in Roseburg. He advised that he valued this property at \$100 but Mr. Eddy is demanding the sum of \$200 for his clients. He recommended rejection of Mr. Eddy's offer and that the property be acquired by condemnation in the event the owner will not accept \$100 for the same. The Commission approved the recommendation unanimously.

The Attorney also reported that an unsatisfactory condition exists with respect to land that the Commission acquired from George Joseph, Jr., as right of way for the Columbia River Highway, near Crown Point, in Multnomah County. He said that when this land was purchased the Commission did not contemplate immediate construction of the highway, and agreed, by lease, to let Mr. Joseph use this property for pasture land until it was needed for highway purposes; but it appears that an adjoining property owner, a Mr. Luscher, continually leaves certain gates open, allowing his cattle to go through and graze upon the land that is under lease to Mr. Joseph, and, in order to remedy this situation, Mr. Joseph has asked permission to lock the gates. The Commission by unanimous vote approved of the locking of the gates provided it does not interfere with the use of the property by the state.

The Attorney brought up for discussion the matter of acquisition of certain land adjacent to the Wolf Creek Highway that the Commission desires to purchase from the Oregon American Lumber Company for state park purposes. He said that a satisfactory agreement had been reached with the timber company

whereby the state purchases the land and the company retains title to the timber; but the company has requested permission to delete from this deal a certain 40-acre tract across which the company operates its logging railroad and which they expect to use in their logging operations for a long time to come. The Commission by unanimous vote agreed to such deletion as a temporary proposition with the understanding that the state will eventually acquire this 40-acre tract when the company has discontinued the use of its railroad across the same. The Attorney was instructed to prepare an appropriate agreement with the company covering the matter.

In this connection the Attorney reported the results of interviews with the various timber owners along this highway for the acquisition of additional recreational sites. Detailed information with respect to each site was presented, including costs, which he said total approximately \$22,000. The matter was discussed at considerable length. Chairman Cabell gave as his thought that it would be advisable to acquire these tracts in order to prevent their being commercialized. Commissioners Aldrich and Clough concurred. The Attorney was thereupon authorized and instructed to proceed with the taking of options on the basis of his report. He was also authorized to secure options for all other properties along this highway that can be acquired at a price not to exceed \$5.00 per acre.

The Attorney reported an offer from Mr. A. G. Beattie, Oregon City, attorney for Mrs. Annie Busch, for the settlement of Mrs. Busch's claim for damages arising out of a change in the grade of 11th Street necessitated by the construction of the new highway in Oregon City. He advised that Mrs. Busch has agreed to withdraw her claim if the Commission will deed to her that portion of the new highway right of way that lies between her property line and the toe of the new highway fill. The Commission deferred a decision in this matter pending completion of the highway, when it will be ascertained whether or not the state has use for such property.

A letter was presented from Mr. Alden E. Miller, City Attorney, Oregon City, advising that the city has been approached by private interests with respect to the purchase of a portion of Lots 7 and 8, in Block 9, Oregon City, which was acquired by the city some time ago as right of way for the old diagonal roadway along 11th Street, connecting Main Street with Water Street. It was Mr. Miller's thought that this property is of no further value to the state, due to the fact that the Highway Commission has constructed a new approach between Main Street and Water Street (Pacific Highway East), so the Commission probably would have no objections to its sale, although the city wants to know definitely if this is the case before selling it. The Commission deferred a decision in this matter pending completion of the highway.

The Attorney requested instructions relative to the case of the state versus Security and Investment Company, Oregon City, pertaining to right of way needed for the Oregon City Section of the Pacific Highway. He said that if a change of venue were requested in this case on the grounds that the jurors were prejudiced against the plaintiff, then it would be necessary for the Commission to adopt a resolution requesting such change. However, it is quite likely that a change would considerably delay the trial. He requested

instructions in regard thereto. The Commission decided unanimously not to ask for a change of venue and to let the matter take its natural course.

The Attorney requested instructions with regard to the removal of a church building from the right of way of the Pacific Highway West in the town of Tigard. He said that inquiry has been made by Mr. W. G. Hare, attorney, Hillsboro, on behalf of the trustees of the church, whether or not the state would assume the responsibility for the moving of this church edifice because it is a matter entirely foreign to these people and they would much prefer that the state assume such responsibility in view of its experience in such matters. The Attorney pointed out that the Commission adopted a policy some time ago to leave such matters entirely in the hands of the owners of the buildings, and if the Commission assumes the responsibility in this instance, it would be deviating from such policy. However, he recommended such deviation in view of the fact that the building to be moved is a church and that the church officials are not prepared to handle matters of this kind. The Commission approved the recommendation subject to the condition that the state is put to no extra expense under the settlement previously agreed upon.

The Commission approved settlement heretofore made by the Attorney with the Klamath Indian Agency for right of way acquired for the Cushman Ranch-Trail Section of the Tiller-Trail Secondary Highway, in Jackson County, involving an expenditure of \$1,150 for 11.78 acres of land.

The Attorney requested authority to purchase fire insurance for buildings recently acquired from Mr. Duane Gibson, Salem, for right of way for the Salem South Section of the Pacific Highway, in Marion County. He advised that the improvements on this property cost the state \$4,100 and that the owners have been carrying \$3,200 insurance on the same. He further advised that the improvements are in first class condition, and, in his estimation, are worth being insured for a similar amount in view of the fact that they are not eligible for state insurance. The Commission approved the request by unanimous vote.

The Attorney brought up for discussion the matter of preserving the approach to Boone's Ferry at Wilsonville when the new highway between West Portland and Hubbard has been constructed. In the discussion of this matter it was pointed out that the proposed bridge over the Willamette River will be located some little distance down stream from the ferry but there are possibilities of developing a state park at this location. In view thereof, the Commission decided to retain the approach until the bridge is completed and then to investigate the state park possibilities. The matter was referred to the State Parks Superintendent for investigation and report.

The Commission discussed a request from the Episcopal Church people in Oregon City for a change in the plans for state highway improvement along Water Street as it affects the church property. It appears that when Water Street was selected as the route of the state highway through Oregon City, the church people made a tentative arrangement with the Clackamas County Court for the sale of the church property to the county, but the deal was not consummated and the church people now want the State Highway Commission to

revise its plans for this improvement to include the construction of an approach to the highway along 9th Street, past the church property, which would necessitate the elimination of guard rail that is proposed along this particular section. The Engineer recommended against such change on account of the traffic hazard that would be created thereby. The Commission approved the recommendation and decided unanimously to adhere to the original plan for this highway improvement.

Reconsideration was given by the Commission to the matter of sale of an old gravel pit situate adjacent to the Pacific Highway about 2 miles south of Junction City. It was explained that the Oregon Electric Railroad lies between this pit and the highway and that the pit is of no value for state purposes inasmuch as all material valuable for state highway construction has been removed, and it was recommended that the property be sold. The Commission ordered that it be offered to other state departments, to Lane County, and to the original owner, in the order mentioned, and if none are interested in the property, then the Attorney is authorized to sell it at a reasonable price to anyone desiring the same.

The Attorney requested instructions relative to securing title insurance in connection with future real property purchases. He pointed out that the present policy is to secure title insurance if the purchase does not involve an expenditure of more than \$500, but since such policy was established the title insurance companies have raised their rates about 25 per cent, which brings up the question whether or not the Commission desires to change its policy. The Commission deferred action on this matter until the next meeting.

The Secretary presented a resolution from Westmost Grange No. 884, Bandon, Oregon, in which the Commission was urged to create a state park at a place known as Crofts Lake, near Bandon, in Coos County. The matter was referred to the State Parks Superintendent for investigation and report.

The Engineer requested authority to post the Elsie-Necanicum Junction Section of the Wolf Creek Highway for a 35-mile-per-hour speed limit and to also post this highway where it passes the Bear Creek Camp for the same speed limit, due to the heavy traffic that this road is now carrying and the hazardous condition that obtains during the highway construction operations. The Commission approved the request by unanimous vote.

The Engineer reported on the cost to conduct snow-removal operations on the Weston-Elgin Secondary Highway, in Umatilla and Wallowa Counties, in order to keep this highway open for traffic throughout the winter season. He estimated that such work would cost from \$10,000 to \$12,000 and advised that if the Commission ordered the work done it would be necessary to purchase additional snow-removal equipment. The Commission considered that this expense is not justified by the traffic that would use the road during the winter months and accordingly denied the request of the Wallowa Community Service Club that this road be kept open for travel throughout the entire year.

The matter of adopting a permanent route for the Umpqua Highway through the town of Reedsport, Douglas County, in connection with which matter

a public hearing was held in Reedsport on June 21, had the attention of the Commission. The Commission selected the route that was suggested at the hearing and thereupon, by unanimous vote, adopted the following resolution in regard thereto:

WHEREAS, pursuant to notice given by Section 44-120, Oregon Code 1935 Supplement, the Commission met in the Council Chambers of the Reedsport City Hall at the hour of 11 A. M. on the twenty-first day of June, 1939, for the purpose of conducting a hearing as provided for in said law with respect to the proposed change in the point or place of entrance of the Umpqua Highway into the City of Reedsport and the proposed change of a portion of the route in and through said City; and

WHEREAS, said meeting was called to order by Henry F. Cabell, Chairman of the State Highway Commission, who explained to those assembled the purpose of the meeting and the proposed change with respect to the point of entrance of said highway into said City and the proposed change of a portion of the route in and through said City, and the Chairman then invited discussion with respect to said matters and extended to all persons present an opportunity to be heard for or against the said proposed change; and

WHEREAS, after all who evidenced a desire to be heard had entered their names in the records and minutes of the meeting and had declared their approval or disapproval of said proposed change, the Chairman of the Commission announced that said matter would be taken under advisement by the Commission and a decision made and announced at a later date; and

WHEREAS, after due and full consideration of said matter and of the arguments and declarations made for and against the said proposed change at said public hearing, both with respect to the point of entrance of said highway into said City and with respect to the change of route in said City; and the Commission now being fully advised with respect to all of said matters, it is the opinion and judgment of the Commission that the interests of the State at large will be best served by the adoption of said proposed change of the route of said highway in and through said City and the change with respect to the point of entrance to said City, all of which changes will in the judgment of the Commission make possible a better alignment and a more serviceable, convenient and safe thoroughfare into and through said City, and therefore, it is the opinion of the Commission that the route and alignment of said highway should be altered and modified and the point of entrance into said City and the route in and through said City should be changed and fixed and determined all as in said notice announced and at said hearing heard and discussed;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by this Commission, a majority of the members being present and affirmatively voting, as follows:

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1. That the said route and location of the Umpqua Highway as the same enters the City of Reedsport and the route in and through said City shall be and the same hereby is located along a route and streets defined and described as follows:

Beginning at the southerly city limits of the City of Reedsport, said point of beginning being approximately 330 feet east of the south quarter corner of Section 36, Township 21 South, Range 12 West, W. M.; thence in a northwesterly direction along old route to Winchester Avenue; thence continuing in a northwesterly direction to "L" Street near 15th Street; thence westerly along "L" Street to about 12th Street; thence in a northwesterly direction to a connection with the Oregon Coast Highway near the intersection of 9th and Holliday Streets.

2. That the said above described route, location and alignment be and the same hereby is adopted as the route and location of said highway between the termini as defined and described above.

3. That the Engineer be and he is hereby instructed to definitely locate and establish said highway by proper monuments and markers and make proper record thereof in the records of the Highway Commission, and erect proper signs on the street or streets over which said highway is routed, and proceed with the permanent improvement and maintenance of said highway along the route herein defined and in harmony with plans and specifications by this Commission approved.

4. That this resolution be entered in the records and minutes of the Highway Commission, and a duly certified copy thereof mailed to the Mayor of the City of Reedsport and a like copy to the County Court of Douglas County.

The Commission also discussed the subject of the use of highway rights of way in connection with the conduct or operation of a business located on abutting property. The following resolution with regard thereto was offered and was adopted by the Commission by unanimous vote:

WHEREAS, the volume of traffic which moves over and uses the highways of the State is steadily increasing, thereby demanding wider highways and improved alignments; and

WHEREAS, as quickly as highways are improved abutting properties are developed for the conduct of business and industries of various types; and

WHEREAS, there has been a growing tendency upon the part of abutting property owners whose properties have been devoted to the conduct of business or industry to so arrange their properties as to require portions of the right of way of the highways for the parking

of cars in connection with the conduct of the business conducted upon the abutting property; and

WHEREAS, in the opinion of the Commission, the use of any portion of the right of way of a highway either for the parking of cars or for other purposes in connection with the conduct of a business interferes with the proper construction and maintenance of the road, impairs the width of right of way, in some instances interferes with sight distance and otherwise tends to inconvenience the traveling public; and

WHEREAS, it is the judgment and opinion of the Commission that an abutting property owner proposing to conduct on his property any commercial activity should so arrange his plant or buildings that it will not be necessary for persons using the public highway and patronizing the said business to park or stop upon any portion of the right of way of the highway, but provision should be made by the property owner whereby such patrons may entirely leave the right of way for the transaction of business, and thereafter at a convenient place return again to the highway; and

WHEREAS, the Commission is of the opinion that it is without authority to dictate to an abutting property owner how or in what respect he may use his property or where on such property he may place improvements or structures, but the Commission believes that it nevertheless does have authority to, by rule and regulation, prohibit the use of any portion of the right of way of a highway for the conduct of or in connection with the conduct of a business or commercial activity;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the Highway Commission as follows:

1. That the parking of cars on the right of way of any primary or secondary highway for service at a gasoline service station or for the transaction of business carried on on property abutting upon the right of way of such highway, or for any other purpose other than the normal and fundamental use of such highway, hereby is declared to be against public interests and interferes with the proper construction and maintenance of such highway and oftentimes becomes a hazard to the motoring public, and, therefore, in the judgment of the Commission any such use or practice should be prohibited.

2. That the State Highway Engineer be and he hereby is instructed and directed to report to the Commission any property owner who is using any part of the right of way of a primary or secondary state highway for the parking of cars or for other use in connection with the conduct of a business carried on upon property abutting upon said highway.

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3. That the said Engineer be and he hereby is instructed to inform and advise all property owners who contemplate the construction of a business or commercial institution on property abutting upon the highway, and all persons who are now operating or conducting a business abutting upon such highway, that the parking of cars on the right of way for service or for the transaction of business in connection with such commercial activity shall be and is prohibited by the Highway Commission.

In this connection the Engineer was instructed to prepare a short form letter covering the matter for distribution among Highway Department employees concerned and people who are now conducting, or propose to conduct, a business of some kind adjacent to state highway rights of way.

The Commission had under consideration resolutions from the County Court of Crook County requesting the rerouting of the Warm Springs Secondary Highway between Prineville and the Jefferson County line, in accordance with the plan proposed at the public hearing held by the Commission in the town of Prineville on May 17, 1939. After discussion the Commission approved the request and by unanimous vote adopted the following resolutions in regard thereto:

WHEREAS, under the provisions of Chapter 248, Laws of 1931, and Chapter 196, Laws of 1935, the State Highway Commission, by mutual agreement with the respective county courts of the several counties of the State, is authorized and empowered to select, locate and designate a system of secondary state highways, which highways shall be selected from the market roads or other county roads, or available locations or routes of the several counties; and

WHEREAS, the State Highway Commission, by mutual agreement with the Crook County Court of the State of Oregon, has heretofore selected and regularly adopted, as provided by law, the Warm Springs Secondary Highway No. 260; and

WHEREAS, it is now the intention of the State Highway Commission, by mutual agreement with the Crook County Court of the State of Oregon, to eliminate and remove from the system of secondary state highways, under the provisions of Chapter 196, Oregon Laws of 1935, the hereinafter described section of the Warm Springs Secondary Highway No. 360; and

WHEREAS, it is mutually understood and agreed by the State Highway Commission, the Crook County Court, and the City of Prineville of the State of Oregon, that from and after the adoption of this resolution by the State Highway Commission the hereinafter described section of the Warm Springs Secondary Highway No. 360 shall, under the provisions of the Laws of Oregon, become a city street and county road, and the construction, repair, maintenance or improvement, and the jurisdiction thereof, shall be exclusively under the

city authorities of Prineville for that portion of the secondary highway lying within the City of Prineville; and that portion beginning at the north city limits of Prineville and extending to the Jefferson County line shall be exclusively under the jurisdiction of the County Court of Crook County;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission, all members being present and affirmatively voting and participating as follows:

1. That the following described section of the Warm Springs Secondary Highway No. 360 is hereby eliminated from the secondary state highway system, to wit:

A Section of the Warm Springs Secondary Highway No. 360:

Beginning at the intersection of A (Main) Street and Third Street in the City of Prineville; thence northerly along A (Main) Street and via former Market Road No. 4 to the Jefferson County line, a distance of 10.70 miles.

2. That the said above described section is hereby declared to be eliminated and removed from the secondary system of highways and from and after the adoption of this resolution shall, for that portion within the City of Prineville, become a city street, and for that portion beginning at the north city limits of Prineville and extending to the Jefferson County line, the construction, repair, maintenance or improvement, and the jurisdiction thereof, shall be exclusively under the city authorities of the City of Prineville and the County Court of Deschutes County, respectively, as provided by law.

3. That the resolution be entered in the minutes of the Commission and a duly certified copy thereof mailed to the County Court of Crook County and to the City Recorder of the City of Prineville.

WHEREAS, under the provisions of Chapter 248, Laws of 1931, and Chapter 196, Laws of 1935, the State Highway Commission, by mutual agreement with the respective county courts of the several counties of the State, is authorized and empowered to select, locate, and designate a system of secondary state highways, which highways shall be selected from the market roads or other county roads, or available locations or routes of the several counties; and

WHEREAS, the State Highway Commission, by mutual agreement with the Crook County Court of the State of Oregon, has selected the road or highway hereinafter named, and it is the purpose of the Commission to officially and regularly designate and adopt said highway as a highway to constitute, together with other highways heretofore

adopted and/or which may hereafter from time to time be added, the system of secondary state highways under the provisions of said acts;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission, all members being present and affirmatively voting and participating, as follows:

1. That the following described market road, county road, highway, route, or location of a highway in Crook County be and the said market road, county road, highway, location, or route, hereby is selected, designated, established, adopted and approved as a secondary state highway and shall be and hereby is designated as a part of the secondary state highway system, to wit:

A Section of the Warm Springs Secondary Highway No. 360:

A relocation of the Warm Springs Secondary Highway route described as follows: Beginning at the intersection of A (Main) Street and Third Street in the City of Prineville; thence westerly along Third Street to a point near Park Boulevard; thence in a northwesterly direction to the Jefferson County line, a distance of 10.55 miles.

2. That the said highway shall be and hereby is qualified for improvement under the provisions of said Chapter 248, Oregon Laws 1931, and amendments thereof.

The Engineer reported that a portion of the Cape Arago Secondary Highway within the town of Charleston has been reconstructed on new alignment rendering valueless for state highway purposes a portion of the old road at this place. He recommended that the old portion be abandoned in favor of Coos County and presented a map showing such portion. After due consideration, the Commission approved the recommendation and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, in order to afford a better alignment and a more satisfactory, safe and convenient highway for the traveling public the Commission found it necessary to relocate a portion of the Cape Arago Highway, otherwise designated as Secondary Highway No. 240, in Coos County; and

WHEREAS, by reason of said relocation and the reconstruction of said section of said highway there was eliminated and made unnecessary as a part of the completed highway a certain section which is more specifically defined and described hereinafter in this resolution; and

WHEREAS, it is the judgment and opinion of the Commission that there should be reflected in the minutes and records of the Commission the purpose and the plan of the Commission to abandon as a

part of the Cape Arago Highway and therefore as a part of the secondary highway system, the fragment or portion of the right of way of the old alignment hereinafter defined and heretofore included within the area of the right of way of said secondary highway as formerly located, improved and used;

NOW, THEREFORE, the premises being in general as above stated, it hereby is resolved by this Commission, the majority of the members being present and affirmatively participating, as follows:

1. That the section or portion of Cape Arago Highway which lies along a route and over real property hereinafter particularly described, which route was formerly a part of the said secondary highway and which said real property was formerly within the limits of the right of way of said highway, but which real property is now without the limits of the right of way of said secondary highway as the same has been relocated, and which route is no longer a part of said secondary highway, be and said section of highway hereby is abandoned as a part of the route of the said secondary highway and as a part of the right of way of the same, and said route and right of way hereby is left to revert to Coos County for right of way and public highway purposes.

2. The portion of said secondary highway which now is abandoned by the State Highway Commission as a section or part of the Cape Arago Highway is described as follows:

All of that certain Section of the old right of way of the Cape Arago Highway No. 240 lying in the Town of Charleston and in use prior to 1934 which lies North of a line 40 feet North of and parallel to the center line of the reconstructed highway and between approximately Engineer's Station 264+80 and the East shore of South Slough and including such portions of the old South Slough Bridge as are now in use as an approach to the wharf and log dump on the East shore of South Slough.

In addition to the foregoing description of said abandoned route and right of way there is attached hereto a print or map marked "Exhibit 'A'" and by this reference made a part hereof, upon which map there is shown shaded in red the abandoned section of said highway which for identification purposes bears the signature of K. D. Lytle, Division Engineer, H. G. Smith, Construction Engineer, and C. B. McCullough, Assistant State Highway Engineer, and bears date of June 1, 1939. *

3. In the event there remains any physical connection between any portion of said abandoned right of way or highway and the present highway, and by reason of such physical connection traffic

from the existing highway may enter or use the said abandoned portion of the old road to the possible damage or injury of such traffic by reason of any unsafe condition existing with respect to said old or abandoned road, then the State Highway Engineer is hereby authorized and directed to erect such barricade or other safeguards as may be necessary to protect and safeguard traffic using and employing said newly located, constructed and dedicated section of said highway. If it is the purpose of the County Court of Coos County to continue to maintain for public travel the said abandoned section of the said secondary highway and maintain a connection between said abandoned section and the route of said secondary highway as relocated, then upon satisfactory showing by the Court that said abandoned road is to be maintained by the County as a county road, the Engineer may discontinue the maintenance of the barricade heretofore ordered.

4. This resolution shall be entered in the minutes and records of the Commission and a certified copy thereof promptly delivered to the County Court of Coos County, together with a copy of said exhibit, and said County Court by this resolution is requested to take official action with respect to the abandoned section of the route of said secondary highway and enter such action in its records and furnish the State Highway Commission with a certified copy thereof, by which action or resolution the County Court is requested to advise and inform the Commission with respect to the County's purpose to maintain for public travel the abandoned section of said secondary highway. In the event the County Court does not disclose its purpose to maintain for public traffic the abandoned section of said secondary highway, then the State Highway Engineer is authorized to erect necessary barriers or barricades at the point where said abandoned section of said highway connects with the relocated route or line of the said secondary highway, to the end that traffic using the newly located secondary highway may not have access to said abandoned section of said secondary highway.

The Commission adjourned at 12:00 o'clock noon and reconvened at 2:00 o'clock p. m. in the same room with all Commissioners present and participating. Also present were the State Highway Engineer, the Attorney, and the Secretary.

The Attorney requested authority to acquire certain parcels of real property that are needed for various highway improvements throughout the state. He submitted a list of such properties together with prices that he recommended be paid for each. After careful study, the Commission approved the request and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth; and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon; and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Clackamas County Section - Wainitia Highway</u>				
1272-Donohue, A. P.	R/W	2.10	\$20 per a.	Schannep
<u>Portland-Milwaukie Section - Pacific Highway East</u>				
3506A-Scott, Richard W., Trustee	Division Hqtrs	0.46	\$869.56 per a. plus \$68.40	DeSouza
<u>Necanicum-Elsie Section - Wolf Creek Highway</u>				
7056-Smith, John H., Jr.	Park	37.5	1.1 a. at \$30 per a.	Parker
			36.4 a. at \$28.16 per a.	
7057-Smith, John H. and Waterhouse, David T.	"	63.42	20.0 a. at \$100 per a.	"
			43.42 a. at \$28.16 per a.	
7054-Smith & Waterhouse	"	4.47	\$28.16 per a.	"
7045-Smith & Waterhouse	"	6.41	5.9 a. at \$100 per a.	"
			0.51 a., \$3.40 Lump Sum	
7053A-Wright-Blodgett Company	"	44.8	\$1,000 Lump Sum	"
7053B-Wright-Blodgett Company	"	26.26	22.4 a. at \$20 per a.	"
			3.86 a. at \$220.73 per a.	
7055-Rierson, Lawrence E.	"	5.96	\$25 per a. plus \$51	"
<u>Sunset Camp-Quartz Creek Section - Wolf Creek Highway</u>				
7046A-Sunset Logging Company	Park	63.00 (Approx.)	10.0 a. at \$50 per a.	Parker
			14.0 a. at \$40 per a.	
			12.0 a. at \$10 per a., plus \$1859	
			4.0 a. at \$100 per a.	
			19.0 a. at \$27.50 per a., plus \$5572	
			4.0 a., Lump Sum \$24.25	
7046-Sunset Logging Company	"	406.09	\$5 per a.	"

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Astoria-Taylor Avenue Section - Oregon Coast Highway</u>				
7145-Johanson, Frits	R/W	500 sq.ft.	10¢ sq.ft. + \$25 + moving bldg. (Est. \$600)	McCallister
7143-A. Puusti Company	"	350 sq.ft.	\$50 Lump Sum	"
<u>Columbia City-St. Helens Section - Columbia River Highway</u>				
6727-Ross, Charles M.	Stock Pile	1.61	5-yr. lease, Lump Sum	\$100 McChesney
<u>Warren Creek Section - Columbia River Highway</u>				
6476-Bowman, Eugenie (Lucy Turnbull)	R/W	5663 sq.ft.	\$100 Lump Sum	McCallister
6474-Greenwood, Ira J.	"	2614 sq.ft.	\$35 Lump Sum	"
6475-Holoubek, Frank	"	2.0	\$75 per a. plus \$100	"
5511-Dethman, C. Estate	"	8.36	\$60 per a.	"
<u>Skipanon-Seaside Section - Oregon Coast Highway</u>				
1676-Albertson, James O. (Correction)	R/W	0.06	\$300 per a. + \$18 + moving bldgs. (Low bid \$1120)	Benson
<u>Seaside Section - Oregon Coast Highway</u>				
6337-Seaside, City of	R/W	54930 sq.ft.	Gratis. (Property not required for R/W to be conveyed back to city)	McChesney
<u>Tigard Section - Pacific Highway West</u>				
6990-Zwieble, Helen Lydia	R/W	4020 sq.ft.	4¢ sq.ft. + \$164.20	Collins
6999-Pfaffle, C. H.	"	0.77	\$1500 per a. + \$2845 + moving bldgs. (Est \$1000)	"
6987-School District #23	"	5500 sq.ft.	4¢ sq.ft. + \$430	"
6998-North, Vivian H.	"	7074 sq.ft.	8¢ sq.ft. + \$5434.08	"
<u>McMinnville-Newberg Section - Pacific Highway West</u>				
4293-Evergreen Memorial Park Ass'n. (Correction)	R/W	2.466	1.406 at \$1600 Lump Sum 1.060 at \$400 per a. + \$3040.70 + sloping & planting banks (Est. \$500)	"
<u>Albany Airport Road Section - Pacific Highway East</u>				
5828-Methodist General Conference of North America, Inc.	R/W	990 sq.ft.	5¢ sq.ft. + \$1550.50	Gardiner
5717-Childs, Charles, and Pagles, Wm.	Slope Easement	198 sq.ft.	Gratis	"
5852-Bahrke, E. D.	R/W	2831 sq.ft.	3¢ sq.ft. plus \$7	"
5845-Labach, August, Adm'r (Forrest Barker)	"	11060 sq.ft.	5¢ sq.ft. + \$2447	"
<u>South Marshfield Section - Oregon Coast Highway</u>				
7093-Pruitt, P. J.	R/W	3 lots	(Approx. 3200 sq.ft.) at 5¢ sq.ft. + \$2090	Benson
7094-McGee, Robert	"	4 lots	(Approx. 12,000 sq.ft.) at 5¢ sq.ft. + \$500	"

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>(South Marshfield Section, continued)</u>				
7103-Weikel, Hannah Amelia	R/W	9940 sq.ft.	5¢ sq.ft. plus \$50	Benson
7101-Watkins, Orville, and Farr, Chester C.	"	9000 sq.ft.	\$1000 Lump Sum	"
7100-Sturdivant, Ira	"	6000 sq.ft.	\$1650 Lump Sum	"
<u>Shady Point-Roseburg Section - Pacific Highway</u>				
6761-Brown, Margaret C. Hohl (Correction)	R/W	2190 sq.ft.	35¢ sq.ft. + \$733.50 + moving bldgs. (Low bid \$2510)	Benson
6770-General Petroleum Corp.	"	0.585	\$1000 per a.	"
6772-Rapp, Gary	"	0.67	\$225 Lump Sum	"
<u>Grants Pass-Green Creek Section - Pacific Highway</u>				
7069-Patterson, Fred B.	R/W	41,121 sq.ft.	1¢ sq.ft.	McCallister
7095-Merryman, Emmett	"	8,407 sq.ft.	2¢ sq.ft. + \$90	"
7066-Young, Richard T.	"	9,393.5 sq.ft.	2½¢ sq.ft. + \$115.17	"
7096-Cogeshall, Harry	"	19,372 sq.ft.	2½¢ sq.ft. + \$762.44	"
7097-Josephine County	"	20,838 sq.ft.	Gratis	"
and Park				
<u>Gushman Ranch-Trail Section - Tiller-Trail Highway</u>				
7023-Mercier, Buford L.	R/W and Borrow Pit	7.212	\$10 per a.	Benson
7030-Blaess, Charles E.	R/W	7.38	\$100 per a.	"
7033-Ash, Frances M.	"	0.32	\$500 per a. + \$109.75	"
7034-Dawson, Carl L.	"	0.34	0.20 a. at \$500 per a. 0.14 a. at \$10 per a. plus \$33.75	"
7025-Shadley, Benj. H. et al	" Gravel Pit	11.79	5.41 a. at \$50 per a. 1.40 a. at \$10 per a. 4.98 a. at \$100 per a. plus \$367.50	"
7031-Mallery, Alan (Correction)	R/W	3.28	2.28 a. at \$250 per a. 1.0 a. at \$20 per a. plus \$425 plus moving bldgs. (Low bid \$700)	"
7026-Siemes, Max (Correction)	"	2.25	Land Gratis, plus \$15	"
<u>Prospect-Union Creek Section - Crater Lake Highway</u>				
7049-California-Oregon Power Company	Maintenance Site	3.825	Land \$400, plus \$117	Benson
<u>Picture Rock Pass-Hunter Hill Section - Fremont Highway</u>				
5267-Pennington, Jess H. (Correction)	R/W	1.40	0.74 a. at \$100 per a. 0.66 a. at \$10 per a. plus \$268.10	McChesney
5262-Harris, Lew W. et al	"	1.13	\$100 per a. + \$228 + \$28	DeSouza

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>(Picture Rock Pass-Hunter Hill Section, continued)</u>				
5260-Harris, S. D. (Correction)	R/W and Ditch Easement	1.82	\$100 per a. + \$2348.25	McChesney
<u>Forest Boundary-Cottonwood Creek Section - Klamath Falls-Lakeview Highway</u>				
6898-Slover, William M.	Quarry	0.57	\$10 Lump Sum	Gardiner
6897-Verling, W. K.	"	40.0 or less at \$10 per a.		DeSouza
<u>Pacific Highway-Klamath County Line Section - Green Springs Highway</u>				
7088-Coggins, Arthur L.	Park	40.0	\$20 per a.	Thompson
<u>Fox Forest Boundary Line-Pendleton Section - John Day Highway</u>				
7092-Carson, George G.	R/W	6.19	2.0 a. at \$50 per a. 4.19 a. at \$10 per a. plus \$583.75	Wells
6835-Carson, George G.	Gravel Pit	9.74	\$80 per a. + \$139.50	"
	Rock Quarry			
6834-Justice, H. G.	Gravel Pit	10.94	\$80 per a. + \$101.75	"
<u>Draws Valley Section - Klamath Falls-Lakeview Highway</u>				
5532-Smith, Clarence M.	Quarry	20.0	\$25 per a.	Gardiner
<u>Bear Gulch Section - John Day-Burns Highway</u>				
7014-Southworth Bros.	R/W	8.02	\$10 per a. + \$584.40	Wells
7017-Oliver, Frank & Herman	"	5.23	\$10 per a. + \$95.45	"
	Ditch Easement			
7089-Worth, James L.	Quarry and Haul Road	3.45	\$15 per a. + \$75	"
7104-U. S. Government (H.C.Herburger, Lessee)	R/W	355 rods	fencing at 50¢ per rod	DeSouza
<u>Prineville Section - Warm Springs Highway</u>				
7136-Austin, Varine P.	R/W	3540 sq.ft.	\$0.022 sq.ft.+ \$37.12	Gardiner
7137-Sitter, Alyse	"	280 sq.ft.	\$10 Lump Sum	"
<u>Ochoco Dam-Marks Creek Section - Ochoco Highway</u>				
6900-Dobbs, E. S. Estate	Quarry	3.52	2.83 a. at \$10 per a.	Gardiner
	and Stock Pile		0.69 a. at \$100 per a.	
<u>Haines-North Powder Section - Old Oregon Trail Highway</u>				
5012-Moore, Milton	Gravel Pit	1.13	\$38 per a. + \$29.25	Wells
5010-Moore, Milton	R/W	0.42	\$100 per a. + \$731.75	"
<u>Rhea Creek-Heppner Section - Wasco-Heppner Highway</u>				
6689-World War Veterans' State Aid Commission	R/W	436 sq.ft.	\$5 Lump Sum	McCallister
<u>State Line-Shelton Canyon Section - Enterprise-Lewiston Highway</u>				
6560-Applegate, Elmer W.	R/W	5.02	\$10 per a. + \$19.80	DeSouza

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>St. Helens Section - Lower Columbia River Highway</u>				
5529A-Easley, Harley P.	Maintenance	Site 41,400 sq.ft.	16,400 sq.ft. at 1¢ sq.ft. 16,400 sq.ft. at 3¢ sq.ft. 8,600 sq.ft. at 5¢ sq.ft. Plus \$125, plus deed from State for approx. 7220 sq.ft. lying outside right of way	McChesney

The Attorney requested authority to condemn the following properties that are needed for highway improvements:

Quarry site from Ralph Chambers and the State Land Board (transaction No. 6495), from which to secure materials for the construction of the Buchanan Ranch-Juntura Section of the Central Oregon Highway. Amount offered \$5.00 per acre.

Right of way needed for the Salem-Pringle Creek Section of the Pacific Highway East, Marion County, from Benjamin Franklin Federal Savings and Loan Association and L. C. Harkey (transactions Nos. 5782 and 5783). Also right of way needed from A. E. Heasley for the Salem-Pringle Creek Section (transaction No. 5916). Respective offers, \$1,000 and \$650. Demand of former, \$1,750. No price set by Mr. Heasley.

Right of way needed for the Service Creek-Burton Canyon Section of the John Day Highway, in Wheeler County, from School District No. 7 (right of way transaction No. 6745). This is a friendly condemnation.

Right of way needed for the St. Helens Section of the Columbia River Highway, in Columbia County, across property of Erickson Dairy Products Company (transaction No. 5725). Amount of offer, \$700. Amount demanded, \$1,210.

Right of way needed for the Warren Creek Section of the Columbia River Highway across the property of John Lawler and Eleanor Lawler, his wife, Hood River County, (transaction No. 6465). No offer made, as efforts to contact owners have failed.

After discussion, the Commission approved the request and by unanimous vote adopted the following resolutions with respect thereto:

WHEREAS, the State Highway Commission is by law authorized and directed to lay out, locate, designate, construct, improve, and maintain a system of state highways in the State of Oregon and to acquire by donation, purchase, agreement, condemnation, or by the power of eminent domain title to land upon or under which there

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is gravel, gravel beds or bars, sand, sand beds or bars, rock, boulders, quarries or quarry sites, lime deposits, or other mineral deposits or formations suitable for road construction, improvement, betterment or pavement, and to declare the necessity and need for the acquisition thereof and the advantages to be gained thereby;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the State Highway Commission does hereby find and declare that it is necessary and will be of advantage to the State of Oregon and there is need that the State acquire for the purposes of road construction improvement, betterment, repair and maintenance, and for the purpose of the manufacture of road materials on the following section or sections of the state highway system of the State of Oregon, to wit:

Buchanan Ranch-Juntura Section of the Central Oregon Highway

real property owned by or in possession of the following parties and /or persons, to wit:

6495-Ralph Chambers-State Land Board

and this Commission does hereby declare further that the said property or properties contain gravel, gravel beds or bars, sand, sand beds or bars, rock, boulders, quarries or quarry sites, lime deposits, or other mineral deposits or formations suitable for road construction, improvement, betterment, or pavement, and that the said property or properties is or are necessary and needful and the acquisition thereof will be of advantage to the State of Oregon for the said purposes in order to make it possible for the State Highway Commission to construct, improve, maintain, and repair the said portion or portions of the said state highway system in accordance with the standards adopted by this Commission.

2. That the State Highway Engineer be and he hereby is instructed and directed to properly survey the parcel or parcels of land required for said purposes and to prepare proper and adequate descriptions thereof, which descriptions shall be employed in the preparation of a deed or deeds or other instrument or instruments necessary to complete the acquisition of the said property or properties or which said descriptions may be used in the preparation of a complaint in the event that condemnation proceedings are necessary.

3. That the boundaries of the said parcel or parcels of land, as defined and determined by the said survey made by the said Highway Engineer, shall be and the same hereby are adopted and the lands defined therein are hereby declared to be and the same shall be lands necessary for the purposes stated herein.

4. That I. H. Van Winkle, Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they are hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby further resolved that the Attorney General of the State of Oregon and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they hereby are requested to commence and prosecute to a final determination such suit or action, or suits or actions, as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

WHEREAS, the State Highway Commission is by law authorized and directed to lay out, locate, relocate, designate, construct, reconstruct, improve, and maintain a system of state highways in the State of Oregon, including both primary and secondary state highways, to acquire rights of way necessary therefor, and to declare the necessity and need for the acquisition thereof, and the advantages to be gained thereby;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the State Highway Commission does hereby find and declare that it is necessary, will be of advantage to the State of Oregon, and is needful that the State acquire for right of way purposes for use in connection with the permanent location, construction, improvement, and maintenance of the following section or sections of the state highway system of the State of Oregon, to wit:

Salem-Pringle Creek Section of the Pacific Highway East
Service Creek-Burton Canyon Section of the John Day Highway
St. Helens Section of the Columbia River Highway

real property owned by or in possession of the following parties and/or persons, to wit:

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Salem-Pringle Creek Section of the Pacific Highway East
 5782, 5783-Benjamin Franklin Federal Savings and
 Loan Association and L. C. Harkney
 5916-A. E. Heasley
 Service Creek-Burton Canyon Section of the John Day Highway
 6745-School District No. 7 of Wheeler County
 St. Helens Section of the Columbia River Highway
 5725-Erickson Dairy Products Company

and this Commission does hereby declare further that the said property or properties are necessary, are needful, and the acquisition thereof will be of advantage to the State of Oregon for right of way purposes in order to make it possible for the State Highway Commission to properly locate, relocate, construct, reconstruct, and maintain said portion or portions of the said state highway system in accordance with standards adopted by this Commission relative to curvature, grades, alignment, drainage, and factors of safety.

2. That the State Highway Engineer be and he hereby is instructed and directed to properly survey the parcel or parcels of land required for such right of way purposes and prepare proper and adequate descriptions thereof, which descriptions shall be employed in the preparation of a deed or deeds or other instrument or instruments necessary to complete the acquisition of the said property or properties or which descriptions may be used in the preparation of a complaint in the event that condemnation proceedings are necessary.

3. That the boundaries of the said parcel or parcels of land, as defined and determined by the said survey made by the said Highway Engineer, along the route or location adopted by the Highway Commission, shall be and the same hereby are adopted and the lands defined therein are hereby declared to be and the same are included within the rights of way of the said portion or portions of the said state highway system and hereby are declared to be necessary for the proper location, improvement, construction, and maintenance of the said portion or portions of the state highway system.

4. That I. H. Van Winkle, Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they are hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby further resolved that the Attorney General of the State of Oregon and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they hereby are requested to commence and prosecute to a final determination such suit or action, or suits or actions, as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

WHEREAS, the State Highway Commission is by law authorized and directed to lay out, locate, designate, construct, improve, and maintain a system of state highways in the State of Oregon, and to acquire rights of way and to declare the necessity and need for the acquisition thereof, and the advantages to be gained thereby;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the State Highway Commission does hereby find and declare that it is necessary and will be of advantage to the State of Oregon and there is need that the State acquire for right of way purposes, for highway drainage and drainage tunnel purposes, and for the appropriation, acquisition, and manufacture of roadbuilding materials in connection with the permanent location, construction, improvement, and maintenance of the Warren Creek Section of the Columbia River Highway land and property owned by or in possession of John Lawler and Eleanor Lawler, his wife, and Hood River County described as follows, to wit:

Parcel 1

A parcel of land lying in Government Lot 5 of Section 4, Township 2 North, Range 9 East, W. M., Hood River County, Oregon, and being a portion of the following described property: that tract of land which was conveyed by that certain deed to John Lawler and Eleanor Lawler recorded in Book 22, Page 439, of Hood River County Record of Deeds; the said parcel being all that portion of the foregoing described property included in a strip of land of variable width on the south side of the center line of the Columbia River Highway as said highway has been relocated over and across or adjacent to the said property; the location of the said strip of land (in so far as it encroaches upon said property) being determined by the said center line from Station 685+73.5 to Station 693+68.7, which portion of center line is described as follows:

Beginning at a point which is Engineer's center line Station 685+73.5, at which point the said relocated center line intersects the westerly line of said property, said point being 208 feet south and 1838.9 feet east of the northwest corner of Lot 5, Section 4, Township 2 North, Range 9 East, W.M.; thence North $79^{\circ} 27'$ East a distance of 26.4 feet; thence on a spiral curve to the right (the long chord of which bears North $81^{\circ} 27'$ East) a distance of 400.0 feet; thence on a 1909.86 foot radius curve to the right (the long chord of which bears North $86^{\circ} 32'$ East) a distance of 72.2 feet; thence on a spiral curve to the right (the long chord of which bears South $89^{\circ} 02'$ East) a distance of 296.6 feet to Engineer's Station

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693+68.7, opposite and 50 feet distant from which station the southerly line of said strip of land intersects the north and south center line of said Section 4.

The widths (in feet) of the strip of land above referred to are as follows:

Station	to Station	Width on south side of center line
685+73.5	685+99.9 P. S.	50
685+99.9 P.S.	689+99.9 P.S.C.	60
689+99.9 P.S.C.	693+68.7	50

The parcel of land to which this description applies contains 1.00 acre, of which 0.36 acre lies within the existing right of way and 0.64 acre lies outside of the existing right of way.

Parcel 2

A parcel of land lying in Government Lot 5 of Section 4, Township 2 North, Range 9 East, W.M., Hood River County, Oregon, and being a portion of the following described property: that tract of land which was conveyed by that certain deed to John Lawler and Eleanor Lawler recorded in Book 22, Page 439, of Hood River County Record of Deeds; the said parcel being described as follows:

Beginning on the westerly line of said Lawler property at a point which is 50 feet distant southeasterly from (when measured at right angles to) the relocated center line of the Columbia River Highway at Engineer's Station 685+74.3; said point also being South 257.0 feet and East 1848.8 feet from the northwest corner of said Government Lot 5; thence South $11^{\circ} 28'$ East along said west property line a distance of 70.0 feet, more or less, to the easterly bank of Warren Creek; thence following said creek bank in a southerly direction to the south line of said Lot 5; thence east along said South line a distance of 100.0 feet; thence North $13^{\circ} 00'$ East a distance of 400.0 feet; thence North $59^{\circ} 46'$ West a distance of 544.0 feet, more or less, to the point of beginning; containing 2.34 acres.

Parcel 3

A parcel of land lying in Government Lot 5 of Section 4, Township 2 North, Range 9 West, W.M., Hood River County, Oregon, and being a portion of the following described property: that tract of land which was conveyed by that certain deed to John Lawler and Eleanor Lawler recorded in Book 22, Page 439, of Hood River County Record of Deeds; the said parcel being described as follows:

Beginning on the east line of Government Lot 5 of Section 4, Township 2 North, Range 9 East, at a point which is 50 feet distant southerly from (when measured at right angles to) the relocated

center line of the Columbia River Highway at Engineer's center line Station 693+68.7; said point also being South $1^{\circ} 07'$ East a distance of 182.2 feet along the easterly line of said Government Lot 5 from the northeast corner of said Lot 5; thence continuing along said easterly line South $1^{\circ} 07'$ East a distance of 720 feet, more or less, to the southeast corner of said Lot 5; thence West along said south line a distance of 420 feet, more or less, to a point 100 feet east of the easterly bank of Warren Creek; thence North $13^{\circ} 00'$ East a distance of 400 feet; thence North $59^{\circ} 46'$ West a distance of 544 feet to the westerly line of said Lawler property at a point which is 50 feet distant southeasterly from (when measured at right angles to) said highway center line at Engineer's Station 685+74.3; thence North $79^{\circ} 27'$ East parallel to and 50 feet distant from said center line a distance of 25.6 feet; thence South $10^{\circ} 33'$ East a distance of 10 feet; thence parallel to and 60 feet distant from said center line on a spiral curve right (the long chord of which bears North $81^{\circ} 27'$ East 393.3 feet) a distance of 393.7 feet; thence North $4^{\circ} 33'$ West a distance of 10 feet; thence parallel to and 50 feet distant from said center line on an 1859.9 foot radius curve to the right (the long chord of which bears North $86^{\circ} 32'$ East 70.3 feet) a distance of 70.4 feet; thence on a spiral curve right (the long chord of which bears South $88^{\circ} 23'$ East 291.7 feet) a distance of 291.8 feet to the point of beginning; containing 7.52 acres.

And this Commission does hereby declare further that Parcel 1 hereinabove described is needful and the acquisition thereof will be of advantage to the State of Oregon for right of way purposes in order to make it possible for the State Highway Commission to properly locate, construct, and maintain the said portion of the said state highway system in accordance with standards adopted by this Commission relative to curvature, grades, alignment, drainage, and factors of safety; and this Commission does hereby declare further that Parcel 2 hereinabove described is needful and the acquisition thereof will be of advantage to the State of Oregon for highway drainage and drainage tunnel purposes in order to make it possible for the State Highway Commission to properly locate, construct, and maintain said portion of the state highway system in accordance with the standards adopted by this Commission relative to curvature, grades, alignment, drainage, and factors of safety; and this Commission does hereby declare further that Parcel 3 hereinabove described is needful and the acquisition thereof will be of advantage to the State of Oregon for the appropriation, acquisition and manufacture of roadbuilding materials in order to make it possible for the State Highway Commission to construct, improve, maintain, and repair the said portion and other portions of the said state highway system in accordance with the standards adopted by this Commission.

2. That the State Highway Engineer be and he hereby is instructed and directed to properly survey the parcels of land required for such purposes and prepare proper and adequate descrip-

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tions thereof, which descriptions shall be employed in the preparation of a deed or deeds or other instrument or instruments necessary to complete the acquisition of the said properties or which descriptions may be used in the preparation of a complaint in the event that condemnation proceedings are necessary.

3. That I. H. Van Winkle, Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they are hereby requested authorized, and directed to attempt to agree with the owners and/or with the tenants or persons in possession, if there be any, of said parcels of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby further resolved that the Attorney General of the State of Oregon and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they hereby are requested to commence and prosecute to a final determination such suit or action as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

4. That this resolution be entered in full in the minutes and records of this Commission.

A delegation representing the Metropolitan Association, Portland, came before the Commission on behalf of the reconstruction of Front Street, Portland, as an arterial route. The delegation consisted of the following: Chester A. Moores, President; Mayor Joseph E. Carson, Jr.; Frederick H. Strong, member Executive Committee; and U. L. Upson, Secretary.

Mr. Moores stated that they have only one object in appearing before the Commission at this time and that is simply to urge the Commission's earnest and serious consideration of this project so that it can go forward expeditiously. He also said that they have no objections to offer as to how the matter is to be handled but want something done at once to improve present conditions, which, he alleged, are a disgrace to the City of Portland.

Mayor Carson stated that this project is the most necessary highway improvement in Portland today. He asked the Commission to choose the route and handle it the same way as the Union Avenue project was handled rather than to leave the choice of the route to the people. If it is left to the vote of the people, he said, there is a possibility that the project will be voted out, whereas, if the Highway Commission handles it exclusively, that can be avoided. He pointed out that property values in this part of Portland are now particularly low and predicted that the improvement of Front Street would revive these values; furthermore, it would be of great benefit to the City of Portland as a whole. He offered full cooperation from the Portland City Council in every way possible and advised that the city is not asking the state to pay the cost of all of the right of way but simply a just proportion of the same on a basis comparable to purchases made by the Commission in other parts of the state.

The City of Portland, he added, must raise its funds by assessment, which will require the formulation of an assessment district. He concluded the presentation by stating that the traffic situation in Portland's Westside district can never be handled properly until the completion of the Front Street project, and strongly urged the Commission to do something about it at the earliest possible time.

Mr. Strong alleged that it is wrong to tie up traffic in the city of Portland as is now being done by the use of inadequate arterial routes. He declared that it takes nearly as much time, under present conditions, for people to go where they want to within the city limits as it does to reach the city from upstate towns.

Chairman Cabell advised that the Commission realizes the desirability of having an arterial highway through the city of Portland and that it is the generally accepted thought now that the motorist should pay more for arterial routes in cities than in the past. The Highway Commission, he said, is interested in the adoption of an arterial route through Portland's Westside district, as is evidenced by the fact that studies are now being made of the alternate routes, one of which is along Front Street, and added that, as a citizen of Portland, he would like to see Front Street improved for such use, not only from the utility standpoint but also for the development of the recreational area along the river front. He declared that there are two groups that would be benefited particularly by the Front Street improvement, the property owners along Front Street and those as far west as 5th or 6th Streets. He referred to the next allocation of federal funds and expressed a hope that a plan could be worked out that would be satisfactory to all concerned, whereby a limited portion of such funds could be applied to finance a project in Portland. He reiterated that the Commission is now making a thorough study of conditions and routes and when the plans and estimates have been prepared the Commission will be pleased to discuss them with the Metropolitan Association. Commissioners Aldrich and Clough concurred in the remarks of the Chairman. This concluded the conference.

Mrs. James Drury, Portland, came before the Commission relative to the use of the ocean beach by motorists, with particular reference to Agate Beach, in Lincoln County. She declared that the driving of motor vehicles upon the beach creates an undue hazard for pedestrians, especially children, and that someone will be injured sooner or later if the practice is not stopped. She urged the Commission to take action as may be necessary to prohibit such use of the beach areas and suggested the establishment of automobile parking zones on the beach at points where roadways enter the same. The Attorney advised that the ocean beach has been declared by the Legislature to be a public way and, in his estimation, the Commission has authority to close it to motor traffic if, in its opinion, such traffic creates an undue hazard. The suggestion was made that signs be erected at certain places, bearing the wording "No Motoring Beyond This Point". After discussion, the Commission adopted the suggestion and instructed the Engineer to see that signs so worded are placed on the beach between Newport and Agate Beach.

Messrs. W. R. Shaw and George M. Brookbank, Portland, representing

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the Pacific Topographic Service, were present in regard to furnishing the Commission with a scale relief map of the State of Oregon. They offered to construct such a map, based upon topographic data available at the present time, for approximately \$3,000. Discussion brought out the question whether or not such a map prepared from information now available would be obsolete in a short time by reason of other surveys that are contemplated by the Federal Government or other departments. In view thereof, the Commission deferred its decision in the matter pending advice from Mr. Lewis A. McArthur, Secretary of the Oregon Geographic Board, relative thereto. The Engineer was instructed to secure Mr. McArthur's opinion in the matter.

At 3:00 o'clock p. m. Chairman Cabell announced the following awards of contracts for which bids were taken at the morning session, such awards having been previously approved by the Commission by unanimous vote:

"Warren Creek Section of the Columbia River Highway, in Hood River County. 0.69 mile grading and bituminous macadam surfacing; also construction of reinforced concrete bridge. The low bid received for this project was that of E. C. Hall Company, Eugene, at \$47,755.00. The next low bid was that of Leonard & Slate, Multnomah, at \$53,163.50. There were 2 higher bidders. The Commission has referred all bids received on this job to the Engineer with power to award the contract to the low bidder when certain conditions have been fulfilled.

"Junction City-Eugene Section of the Pacific Highway, in Lane County. 11.5 miles roadside improvement. The low bidder for this project was Blair T. Alderman of Eugene, with his bid of \$5,988.72. The next low bidder was D. L. Ashton of Lebanon, at \$6,854.50. There were three higher bidders. The Commission awards this contract to Blair T. Alderman, the low bidder, at his bid of \$5,988.72.

"East Unit, Troutdale-Corbett Section and Bridal Veil-Benson Park Section of the Columbia River Highway, in Multnomah County. 4.13 miles clearing; 0.6 mile grading; 1.95 miles rock toe embankment construction. Morrison-Knudsen Company of Boise, Idaho, submitted the low bid of \$89,930.00 for this project. E. L. Gates, Crater Lake, submitted the next low bid of \$98,340.00. There were 9 higher bidders. The Commission has referred all bids received on this project to the Engineer with power to award the contract to the low bidder when certain conditions have been fulfilled."

County Commissioner E. H. Lindsey, of Tillamook County, was present and requested the loan of the services of an engineer to set line and grade stakes for a county road project extending from the Oregon Coast Highway up Cook Creek, along what is known as the old "Ridge Route" that was considered at one time by the Commission as the route for Portland's short road to the sea. He advised that two C.C.C. camps are now operating in this vicinity and it would be possible to secure the services of the men employed in these camps to construct this road if engineering is provided, and all that they want is the services of one competent engineer to supervise the work, particularly the first 10 miles at the west end of this road.

Chairman Cabell advised that the Commission is reluctant to furnish engineering service for roads that are not on the state highway system, there also being a question whether or not the Commission has legal authority so to do. The Attorney advised that, under the new law passed by the 1939 Legislature, the Commission can furnish such service if it so desires. In view thereof the Commission indicated that it might approve Mr. Lindsey's request in the present instance if it can spare an engineer. The matter was referred to the State Highway Engineer for investigation and report at the next meeting.

Messrs. Eugene Marsh and H. T. Allison, McMinnville, came before the Commission and asked for the oiling of a 3-mile section of the Lafayette Secondary Highway from Amity Junction north to what is known as Schroeder's Place, which, they said, would complete the oiling of this highway throughout. The Engineer advised that the Commission has already authorized this improvement with state forces and that the work would be done within the next month.

Mr. Marsh also asked the Commission to designate as a secondary state highway the county road which extends easterly from the Lafayette Secondary Highway, at a point about $1\frac{1}{2}$ miles south of the Threemile Lane Secondary Highway, into the Webfoot Grange community. He alleged that this is an important county road which would provide a short route into McMinnville for the people of this district. He also said that this road is one of the county's preference projects for secondary highway funds. The Commission took the matter under advisement.

Mr. Henry Berk, engineer for the West Coast Power Company, came before the Commission in regard to the leasing of a small tract of state-owned land 40'x 40' in dimension, adjacent to the road leading from the Oregon Coast Highway to the town of Glasgow, in Coos County, upon which to construct and maintain one of the company's substations. The State Highway Engineer explained that this tract does not abut on the state highway, although it is located in a corner of the state park at the north end of the Coos Bay Bridge. He offered no particular objection to selling the tract to the power company if it did not interfere with the park plans. Mr. Berk stated that his company would rather lease the property than purchase it and that they would like to have the use of it for approximately 25 years. The Commission refused to lease the tract and deferred its decision with respect to the sale of the property pending a report as to whether or not it is needed for the state park. The Commission thereupon referred the matter to the Right of Way Department to set a value on the property and to ascertain from the State Parks Superintendent whether or not there are objections to its sale from the park standpoint.

A delegation from Columbia County, consisting of County Judge J. B. Wilkerson, County Commissioner Wm. Pringle, Sr., Lester Sheeley, Vernonia; J.W. Nichols, Secretary, Vernonia Chamber of Commerce; and County Judge H. D. Kerkman of Washington County, came before the Commission and asked for the designation as a secondary state highway of the county road which extends southwesterly from the Nehalem Secondary Highway, at a place known as Trebarne, to a connection with the Wolf Creek Highway at Sunset Camp. They alleged that this is an important connection to the Wolf Creek Highway from the Vernonia District, and, in their estimation, should be on the state highway system.

Further, that the road carries a large volume of traffic and that the counties do not have sufficient funds to properly maintain it. Speaking on behalf of the project were Judge Wilkerson, Judge Kerkman, Mr. Sheeley, and Mr. Nichols. The Commission took the matter under advisement.

Mr. and Mrs. L. Siegenthaler, Portland, came before the Commission in regard to a settlement for right of way that is needed for the Wolf Creek Highway across their property near Cedar Mills. They advised that some time ago the Highway Commission took an option for this right of way and that they were given to understand that the Commission would purchase it in a short time; but the option has never been taken up, which leaves them in a quandary as to how to proceed with certain improvements that they contemplate on the balance of their holdings. Mr. Siegenthaler said that he operates a small mill on his land and that he has plans to reconstruct this building but cannot do so until he knows definitely what the Highway Commission intends to do about the right of way. Also, that the delay of the Commission in closing this deal has inconvenienced him considerably in the planting of crops, and for these reasons they would like to have the matter disposed of as soon as possible.

Chairman Cabell explained that the Commission budgeted this year a certain amount of money for the acquisition of right of way, a portion of which was allocated to the Wolf Creek Highway, but expenditures from this fund were so large that it was necessary for the Commission to change its policy with respect to purchases; so now right of way is not acquired until just prior to construction, unless an emergency exists, or, in special cases where the Commission can save money by purchasing the right of way in advance. The Attorney advised that the option taken from Mr. and Mrs. Siegenthaler provided for the payment of \$3,500 for the right of way and the construction of an approach roadway, and that Mr. Siegenthaler was to clear the right of way and to do certain other things of minor nature. This matter was discussed at considerable length but a definite decision thereon was deferred until the next meeting. The Attorney was instructed to make further investigation and report at that time.

Mr. Allan R. Hunter, Resident Agent for the United States Fidelity and Guaranty Company, appeared before the Commission at this time in regard to the contract awarded by the Commission to Edwin C. Gerber for the construction of a bituminous macadam surfacing on the Necanicum-Nehalem River Section of the Wolf Creek Highway, in Clatsop County, Contract No. 2155. The Engineer advised that this contract was awarded by the Commission on January 26, 1939, and that the date of completion specified therein was September 30, 1939, but Mr. Gerber has made very poor progress on the work and it does not now appear that he will complete it within the specified time. He recommended that, if Mr. Gerber does not make a satisfactory showing by August 16, 1939, the contract be taken away from him and turned over to the United States Fidelity and Guaranty Company to complete, as that company is surety on the bond furnished under this contract. Mr. Hunter advised that Mr. Gerber is finishing up his oiling contract on the Santiam Highway today and is transferring all his equipment to the Wolf Creek Highway project; further, that it is his intention to rush this project so that by September 1 it should be fairly well along toward completion. After further discussion the Commission by unanimous vote approved

the Engineer's recommendation, it appearing to the Commission that Mr. Gerber has failed to comply with the provisions of his contract, notwithstanding that it has been called to his attention repeatedly. Mr. Hunter was asked to transmit this information to Mr. Gerber.

Messrs. Charles MacElhanney and Parry Walbridge, representing the Oregon Mutual Life Insurance Company, came before the Commission and presented a plan for furnishing group insurance for State Highway Department employees whereby such employees could benefit to the extent of 5 per cent in premiums under that paid for individual insurance, it being understood that the premium with each policy would be paid monthly by deductions from the highway department pay rolls. They presented a brief, outlining their proposition in detail. After discussion, the Commission indicated a willingness to accept the proposition in order to give the employees the benefit of the discounts even if it means more work for the Commission's auditing department. The matter was referred by the Commission to the Attorney to work out the details.

The Engineer brought up for discussion matters pertaining to the proposed improvement of the Pacific Highway West through the town of Tigard. He advised that the design of the railroad grade separation structure is now being prepared and the question has arisen whether or not to make provision for the passage of vehicular traffic under the end of the structure for the convenience of people residing in a small community on the opposite side of the highway from the business district. Such a passage-way, he said, has been urgently requested by the people of this district. He presented three plans, one costing about \$8,000, which involves the securing of an easement from the railroad company and the introduction of two curves in the highway alignment; the second plan, estimated to cost \$18,000, provides for straight alignment and an easement from the railroad company; and the third plan, costing about \$25,000, provides for a crossing at Pine Street. He stated his preference for the third alternate, but advised that, in his estimation, the expense is not justified because very few people are concerned. After considerable discussion the Commission approved plan No. 1, modified so as to require only one curve, costing \$8,000, provided the people of Tigard will secure the easement from the railroad company.

The Engineer reported receipt of a request from Mr. J. W. Ferguson, State Forester, for blanket authority to use the ocean beaches in Curry County as landing fields for Forestry Department airplanes. The Commission voted unanimously to grant this permission in extreme emergency cases only, subject to the condition that the Forestry Department will apply for and secure a permit from the State Highway Commission in accordance with legal requirements. The Engineer was instructed to investigate the beaches of Curry County and determine at once which could be used as aircraft landing fields without causing too great a hazard to people who use the beaches for recreation. He was also instructed by the Commission to investigate the situation at Seaside where the beach is used continually as a landing field for airplanes.

The Engineer also reported receipt of information from the W.P.A. officials to the effect that the Wolf Creek Highway W.P.A. project will have to be closed down after the 30th of July because there are no W.P.A. funds

available with which to finance non-labor items, unless the state will advance additional funds to pay these costs. He estimated that the amount required to pay such expense during the month of August would not exceed \$3,500 and recommended approval of an expenditure not to exceed such amount. The Commission approved the recommendation by unanimous vote and ordered that the matter be covered by appropriate agreement.

A letter was presented from the Oregon City Territorial Days' Committee requesting that the new highway now under construction in Oregon City be opened to traffic between 14th Street and 5th Street during the progress of their celebration, which is to be held August 17 to 19. The Engineer advised that the new highway will not be ready for use by traffic at that time and accordingly recommended denial of the request. The Commission approved the recommendation.

The Commission discussed the setting of a date for its next regular meeting for the receiving of bids and decided to hold such meeting in Portland on August 31 and September 1, 1939. The Secretary was instructed to make the usual arrangements for the use of the auditorium in the Public Service Building for such meeting.

The Commission also discussed its proposed inspection of the Sinuslaw Highway in Lane County, and decided to make this trip on Wednesday, August 17, 1939, and to hold a special meeting on the following day in Salem to dispose of accumulated routine matters. The Commission ordered that the Lane County delegation be advised to that effect.

The Commission considered and signed agreements, et cetera, as follows:

Agreement with Jackson County relative to the improvement of the Butte Falls County Road as a federal aid secondary highway.

Agreement with Jackson County providing for county maintenance of the Butte Falls Road after improvement by the state.

Agreement with Southern Pacific Company relative to easement for railroad encroachment near Shady Point on the Pacific Highway south of Roseburg.

Agreement with contractors Leonard & Slate extending for a period of one year, until July 1, 1940, their contract for the furnishing of free ferry service across the Willamette River at Wilsonville.

Agreement with Union Pacific Railroad Company relative to the construction of the Troutdale-Corbett and Bridal Veil-Benson Park Sections of the Columbia River Highway, in Multnomah County, particularly the railroad crossing at Corbett. (Agreement revised later.)

Agreement with A. A. Godwin, Grants Pass, providing for a lease by Mr. Godwin of certain state-owned property in Lot 7 of Section 19, Township 36 S., Range 5 W., W. M., Josephine County, which property lies adjacent to the Grants Pass-Green Creek Section of the Pacific Highway, being Right of Way Transaction No. 6626.

Easement agreement with the Southern Pacific Company whereby the company is granted the right to construct, operate, and maintain a railroad wye track and appurtenances on state-owned property in Albany, particularly property situate in Block 39 and in Lots 5, 6, 7, and 8, of Block 46, Hackleman's Second Addition to Albany - Right of Way Transaction No. 5151.

Bargain and Sale Deed conveying unto Hood River County 22.73 acres of land situate in Section 2, Township 1 North, Range 10 East, W. M., Hood River County - Right of Way Transaction No. 6224.

There being no further business to come before the Commission at this time, the meeting was adjourned at 5:00 o'clock p. m.

[Signature]
State Highway Engineer

[Signature]
Secretary

[Signature]
Chairman

[Signature]
Commissioner

[Signature]
Commissioner

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PART II

PART 2
OF
VOLUME XXIV
MINUTES OF OREGON STATE HIGHWAY COMMISSION
COVERING PERIOD
FROM
JULY 28, 1939
THROUGH
DECEMBER 8, 1939

OREGON STATE HIGHWAY COMMISSION

Henry F. Cabell, Chairman
E. B. Aldrich, Commissioner
Huron W. Clough, Commissioner

R. H. Baldock, State Highway Engineer
H. B. Glaisyer, Secretary

HEADQUARTERS AND GENERAL OFFICE OF DEPARTMENT
LOCATED AT SALEM, OREGON

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9013	Aug. 17	Tillamook County. Request of County Court granted for loan of services of engineer to make location survey and supervise construction of county road extending from Oregon Coast Highway up Cook Creek.
		Group insurance. Entering into agreement with Oregon Mutual Life Insurance Company discussed. Decision deferred.
9014		Pacific Highway East. Plans for dividing north- and south-bound traffic at south city limits of Albany discussed.
		Vouchers. New procedure approved for handling of vouchers and voucher lists, involving change in method of signing.
		Land-purchase vouchers and vouchers not in excess of \$200 to be kept separate from larger vouchers.
		American Association of State Highway Officials. Henry F. Cabell, E. B. Aldrich, Huron V. Clough, R. H. Baldock, C. B. McCullough and J. M. Devers authorized to attend annual meeting in Richmond, Virginia.
		Construction program. Changes in program approved.
9015		Proposed state projects for contracting in fall of 1939 and spring of 1940. Tentative approval of 1941 federal aid program switched from P.W.A.
9016		Railroad grade separation program. Projects approved for 1938, 1939, 1940, and 1941 program.
9019		One-way traffic. Resolution adopted posting Necanicum River Bridge on Oregon Coast Highway for one-way traffic.
9021	Aug. 18	Minutes approved of meetings held May 17, 18 and 19 and June 5 and 6, 1939.
		Edwin C. Gerber. Discussion of violations of labor provisions in connection with Mr. Gerber's contract for Necanicum-Nehalem River Section of Wolf Creek Highway.
		New prequalification statement to be presented hereafter by Mr. Gerber with each request for plans and proposal forms.
		Siuslaw Highway. Lake Creek Section. Improvement discussed.
		Florence. Oregon Coast Highway. State cooperation in construction of approach to highway along extension of Lincoln Street denied.
9022		Poles along highways. Clause to be inserted in pole line permits providing for painting of poles in wooded districts.
		Pole lines. Requirements with respect to span length of lines over and across highways modified.
		Maryhill Ferry road. Reconditioning and oiling of county road extending from Columbia River Highway to Maryhill Ferry approved for next year's construction.
9023		Audit report. Report of Secretary of State concerning highway department for period, Oct. 1, 1937, to Dec. 31, 1938, discussed.
		Liability of State Highway Engineer with respect to handling of funds. Attorney General's opinion to be secured.

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9023 Aug. 18

Gravel pit. State-owned pit in Jackson County not to be sold. Paul T. Erb denied privilege of conducting mining operations. Gold. Payment for gold recovered in state gravel pit by R. I. Stuart & Sons in connection with contract No. 2129, in Jackson and Josephine Counties, discussed.

Depoe Bay. Securing of additional parking space adjacent to Oregon Coast Highway discussed. Cost of area, if purchased, to be charged against state parks budget.

Ochocho Highway. Request for additional rock on section between Jones Mill and forest boundary denied.

9024

Pacific Highway. Construction of oiled walk along highway from north city limits of Roseburg to Garden Valley Road discussed.

Wheeler County. Improvement of county road extending from John Day Highway to Kinsua approved. To be substituted for grading and topping of Shaniko-Fossil Secondary Highway.

Cascade Lakes Forest Highway. Improvement between Willamette Highway junction and Crescent Lake urged.

Traffic beacons. Flashing-type installations approved as follows: Beaverton, Canby, and Fairgrounds Road in Salem.

Installation of beacon in Harrisburg denied.

Over-time pay. Low salaried employees only to be paid time and one-half for time worked in excess of eight hours per day.

9025

Claims. Earl Littrell Supply Company and Buxton's Central Planning Mill. Attorney to endeavor to secure Secretary of State's approval for payment of these claims now over two years old.

Klamath Falls undercrossing. Sale of foundation piling cutoffs to H. G. Wallace approved.

Fines for traffic violations. Lewis P. Crosby resigns as collector. To be handled through Attorney's office hereafter.

Oregon Trail Memorial Association. Commission not to be represented at annual meeting in Sacramento, August 27-29, 1939.

Commission not to be represented in caravan from Salt Lake City to Sacramento at time of meeting.

9026

Travel and Information Department. Increasing membership of Advisory Board on Publicity Matters deferred.

Committee not to be appointed to study Oregon conditions tending to affect tourist travel.

Umatilla and Morrow Counties. Designation, as state secondary highway, of county road extending from Lexington-Echo Secondary Highway to Pine City taken under advisement.

Willamette Valley Flood Control Project. W. L. Finley opposes construction of proposed dam on Upper Willamette River.

Survey. L. M. Lepper requests survey of proposed road extending from Wamic to Bear Paw Quarry, in Wasco County.

Old military road. Construction as highway to provide shortest distance between Astoria and Portland requested.

Territorial Secondary Highway. Oiling between Veneta and Crow urged.

Oregon City. Clipping from Oregon City Banner-Courier regarding Water Street project ordered filed.

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9026	Aug. 18	Claim. Payment of John A. Laing's claim for cleaning paint off automobile approved.
9027		Cascade Lakes Forest Highway. Bend-Elk Lake Section. Engineer's letter to W. H. Lynch outlining plan agreed upon for construction approved by Commission.
		Pratt Park. Purchase of additional area deferred.
		Park. Proposed park near Hunters Creek, Curry County. Purchase of area deferred. Attorney to secure options.
		Cascadia. Inspection to be made of privately-owned park.
		Umpqua Lighthouse State Park. Request that park be named in honor of late George K. Quine denied.
9028		Albany-Lyons Secondary Highway. Oiling of section east of Crabtree, section east of Scio, and section in town of Lyons approved.
		Real property. Resolution authorizing acquisition.
9031		Pacific Highway. Siskiyou Mountain Section. Richfield Oil Company beacon and service station located on proposed highway line. Acquisition of right of way discussed.
		Condemnation. Resolution authorizing condemnation as follows:
		Newberg-McMinnville Section, Pacific Highway West,
		Bertha W. Shannahan, Wm. H. Cutting, Seth and Ethel Maud Clarkson, Roy L. Campbell, Ziba and Evelyn Chamberlain, Jesse Glen and Caroline Ellen White;
		Tigard Section, Pacific Highway West;
		Russel Raun-MacCormac Snow.
9034		Gravel pit and hauling road. For use in construction of State Fair-Adams Section of Oregon-Washington Highway. Lease of properties authorized.
		Harney County. Acquisition of property included in the connection of Lakeview-Burns and Central Oregon Highways deferred.
		Manning. Selection of site for school building to be moved resulting from construction of Wolf Creek Highway discussed.
9035		Sale of buildings. Commission approves emergency sale of buildings on Bunker Hill slide, Marshfield.
		Oregon Coast Highway. Skipanon-Seaside Section. Acquisition of right of way across John O. Albertson property discussed.
		Gravel pit. Sale of pit situate near Pacific Highway south of Junction City authorized.
		Surveys. List of surveys ordered since last meeting.
		Resolution approving completed survey of Flagstaff Hill-Middle Bridge Section of the Baker-Homestead Highway.
9037		Extensions of time, as follows:
		L. H. Hoffman, bridge over Quartz Creek;
9038		Barham Bros., bridge over O.W.R.R. & N tracks on Airport Road, Portland;
		Edwin C. Gerber, Umapine-Sunnyside Section;
9039		Mountain States Construction Co., Brownsville Section;
		H. L. Rice, Rock Creek-Morrow County Line Section;
		Chester T. Lackey, Sisters and Horse Ridge-Brothers Sections;
9040		Saxton, Looney & Risley, Butte Creek Summit-Branson Creek and Flat Creek-John Day Sections;

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9040	Aug. 18	Extensions of time (continued): Norris Brothers, Mt. Vernon, Weston, and Service Creek Sections.
9041		Contracts completed and accepted, as follows: Airport Road Overcrossing, Portland, Barham Brothers; Lombard Street-Killingsworth Street Section, Roy L. Houck; Umapine-Sunnyside Section, Edwin C. Gerber; Brownsville Section, Mountain States Construction Company; Rock Creek-Morrow County Line Section, H. L. Rice; Horse Ranch-Chewaucan Narrows Section, Schmeer, Williams and Gentemann;
9042		Sisters and Horse Ridge-Brothers Sections, Chester T. Lackey; Butte Creek Summit-Branson Creek and Flat Creek-John Day Sections, Saxton, Looney & Risley; Abernethy Creek Bridge, Odom Construction Company; Jericho Lane-Bloucher Section, E. C. Hall Company; Poe Valley Section, E. L. Rigdon; Falls City-Fern Corner Section, Warren Northwest, Inc.; Dixonville-Mud Hollow Section, Clifford A. Dunn; Division No. 1 Oiling Project, R. O. Dail & Warren Bros. Inc.; Elsie-Balm Grove Section, J. C. Compton; Division No. 2 Oiling Project, J. C. Compton.
9043		Date for meeting, following that scheduled for August 31, and September 1, 1939, set for September 28 and 29, 1939. Agreements, et cetera, signed, as follows: Rex E. Rose, acquisition of water right for W.P.A. Camp and future highway department maintenance headquarters on Wolf Creek Highway near Manning; Portland General Electric Company, Portland Electric Power Company, and Southern Pacific Company, with respect to pole lines and "K" line on Ross Island-Schiller Street Section of East Portland-Oregon City Highway; Idaho Power Company, furnishing of electrical energy for lighting Ontario underpass; Works Progress Administration, advance of \$3,500 for non-labor items for August, 1939; E. B. Gresham and Anna Gresham, lease or purchase of tract of land in Tillamook County for CCC Camp site. Clatsop County, use of county's quarry at Northrup Creek; United States Department of Interior, Division of Grazing, construction of Rome-Princeton Secondary Highway; O.W.R.R. & N Company and Union Pacific Railway Company, additional encroachment of Columbia River Highway on railroad right of way at Lindsey;
9044		Jacob J. Hoffard and wife, lease of building and grounds at Timber; O.W.R.R. & N Company and Union Pacific Railway Company, construction of temporary underpass at railroad mile post 30.6 between Multnomah Falls and Oneonta.

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9044	Aug. 31	Bids, as follows, opened and read:
9045		Smith Point-Youngs Bay Bridge Section, roadside improvement;
		Jewell-Banzer Bridge Section, surfacing and oiling;
		North Roseburg Section, roadside improvement;
		North Unit, Siskiyou-Bear Canyon Section, grading;
		South Unit, Siskiyou-Bear Canyon Section, grading;
9046		Owyhee River-Tudor Ranch Section, grading and bridge;
		West Fork Dairy Creek and Nehalem River, bridges;
		Glenwood Undercrossing;
		Enegren Crossing, ferry service;
		Manning, re-establish school building;
		Obsolete equipment and scrap materials at highway shops.
9047		North Umpqua County Road. Additional improvement urged.
		Pacific Highway. Turkey Hill-Rice Hill Section. Reconstruction requested.
		Siuslaw Highway. Lake Creek Section. Improvement requested.
		Territorial Secondary Highway. Extending highway from Lane-Douglas County line to connection with Pacific Highway, near Anlauf, requested.
		Grass Valley-Shearers Secondary Highway. Construction from Buck Hollow Bridge northerly two miles requested.
		Wasco-Heppner Secondary Highway. Improvement of Sherman County Section, particularly near Cottonwood Bridge, requested.
		Sherman County. Improvement of short section of Hay Canyon Market Road requested.
9048		Pacific Highway. Eugene. Rerouting of highway through city discussed. Commission to meet with delegation in Eugene.
		Crusher site. Adjacent to Hood River Secondary Highway near Dee. To be advertised for sale if not wanted by other state departments or County Court of Hood River County.
		Wolf Creek Highway. Payment of \$3,500 for non-labor items for September authorized.
		Discussion of difficulties encountered with power shovel operators as result of reduction in wage rates.
		Condemnation. Resolutions authorizing condemnation as follows:
		Siskiyou Station-State Line Section, Pacific Highway,
		Bessie West;
		Owyhee River-Scotts Butte Section, I.O.N. Highway,
		J. O. Blackwill, Oliver Davis, I. Blatt, Leslie Edson,
		Mrs. E. H. Crim, Mrs. A. A. Graham, and Malheur County.
9050		Owyhee River-Scotts Butte Section, (gravel pits)
		Coast Land Company and J. O. Blackwill.
9052		Oregon-Washington Highway. State Farm-Adams Section. Controversy relative to acquisition of land from O.W.R.R. & N Company at Adams. Revision of plans for project discussed.
		Oregon City. Approval of U. S. War Department to be secured for construction of proposed viaduct along Willamette River between 8th and 9th Streets.
9053		Sidewalk. Construction along Pacific Highway from north city limits of Roseburg to Garden Valley Road deferred.

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9053	Aug. 31	Pole line. Letter to be written to attorney for Rural Electrification Administration, approving the granting of a permit for pole line construction along McKenzie Highway.
9054		Reedsport. Improvement at connection of 8th Street with Oregon Coast Highway approved. To involve intersection only. Seaside. Attorney to ascertain if area being used as landing field for airplanes is within limits of city-owned property. Log hauling. Wolf Creek Highway. Regulation of log-hauling traffic on detour road at Nehalem River bridge. Wolf Creek Highway. Widening of curve on detour at Nehalem River bridge approved. Powers Secondary Highway. Request for oiling between Myrtle Point and Powers denied.
9055		Union County. Miscellaneous highway improvements requested. Oiling projects. List of projects to be financed with funds transferred from Lombard-Killingsworth paving project. Silver Creek Falls State Park. Expenditure of \$50 authorized in connection with manufacture of furniture for concession building.
9056		Award confirmed of following contract: East Unit, Troutdale-Corbett Section and Bridal Veil-Benson Park Section, Morrison-Knudsen Company. Barnum Park. Wasco County. Commission accepts gift of park site adjacent to The Dalles-California Highway south of Columbia River Highway from Mr. and Mrs. Drew Barnum. Emigrant Springs Park. Complaint regarding condition of park. Umpqua Lighthouse State Park. Purchase of additional area, containing 110 acres, from Federal Government for \$1,000 approved. Depoe Bay. Selection of area adjacent to Oregon Coast Highway for parking of automobiles discussed.
9057		Deschutes County. Sisters. Purchase of timber tracts from Louis Hill interests at junction of highways east of Sisters approved. Silver Creek Falls State Park. Request of Roman Kintz to secure connection from state-owned power line at park denied. Extension of lease entered into by Roman Kintz with Fred Vols, involving property acquired by state from Mr. Vols, refused. Territorial Secondary Highway. Extension from present terminus to connection with Pacific Highway near Anlauf urged.
9058		Elkton-Sutherlin Secondary Highway. Oiling requested. Tiller-Trail Secondary Highway. Oiling between Canyonville and Days Creek requested.
9059		Nyssa. Delegation confers regarding proposed railroad grade separation project. Options for right of way to be secured. U. S. Highways No. 30 South and No. 30 North. Delegation proposes change in present system of numbering. Plan discussed. Awards. Commission announces awards on construction projects and ferry service, bids for which were received during morning session. (See page 9044) Announcement also made regarding school building at Manning and scrap materials at highway shops.

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9061 Aug. 31

Culverts. Investigation to be made of effects of use of creosoted timber pipes as alternate for concrete and corrugated metal pipes in highway construction.

Relief map. Expenditure of \$1,500 toward cost of original base map authorized.

Right of way budget. Attorney's report on status of 1939 budget.

9062

Real property. Resolution authorizing acquisition.

9065

Manning. Contract for moving school building to be awarded to Odom Construction Company.

Agreement approved with Manning School District with reference to moving school building.

Agreement approved with Manning Social Club providing for use of club rooms for school purposes.

Gravel pit. Lease agreement to be signed for acquisition of pit on Umatilla Indian Reservation for use in surfacing State Farm-Adams Section of Oregon-Washington Highway.

Stock pile site. Lease agreement to be signed providing for acquisition of site owned by Siletz Indian Reservation near Roads End, Lincoln County.

Fences. Commission not to assume responsibility for fence construction along sections of highways acquired by county court resolutions.

Park site. Establishment of park at Little Jack Falls, adjacent to Columbia River Highway, suggested by John Plebuch.

Maintenance building site. Madras. acquisition of site authorized.

South Santiam Highway. Request of G. W. Engeman and Glen Peck to maintain building on right of way east of Tombstone Summit denied. Building to be removed at once.

9066

Coos County. Sale to West Coast Power Company of small portion of state park located at north end of Coos Bay bridge authorized.

Timber strips. Salmon River Highway. Method of settlement for timber strips acquired from Miami Corporation approved.

House repairs. Pendleton. Repairs to house owned by Commission and rented to private parties approved.

Portland. Encroachment of Standard Oil Company station on Denver Avenue (Pacific Highway West). Ownership of property to be investigated.

9067

Sheridan. Claim of city, in amount of \$15 for services rendered in extinguishing fire on department truck, authorized.

Photographer. Lakeview Chamber of Commerce requests loan of services of department photographer. Request approved.

Richfield Oil Company. Controversy relative to price to be paid by state for service station delivery of gasoline.

Snow removal. Santiam and North Santiam Highways. Engineer recommends entering into agreement with Public Roads Administration and County Court of Marion County for snow removal between Suttle Lake and Detroit.

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9068	Sept. 1.	Bids, as follows, opened and read: Arch Cape Tunnel Section, tunnel enlargement and lining; Bridge over Lang Canyon;
9069		Buchanan-Juntura Section, grading, surfacing and oiling; Eagle Point-Hog Creek Section, regrading and paving; State Farm-Adams Section, grading; West Unit, Stanfield-Pendleton Hill Section, roadside improvement;
9070		Dundee-West Dayton Section, grading and paving. Klamath County. County Court confers relative to several highway improvements in Klamath County.
9071		Timberline forest highway. State to cooperate in snow removal operations under same arrangements as made last year. Public Works Administration. Telegram to Federal Works Administration, Washington, D. C., urging retention of regional office in Portland. Group insurance. Applications of insurance companies to write group insurance for department employees denied.
9072		Application of California Western States Life Insurance Company for extension of agreement to furnish group insurance covering salaried as well as hourly-base employees denied. Claim. United Railways Company presents claim for repairs to telegraph pole damaged by blasting operations on Wolf Creek W.P.A. project. Claim denied. State not responsible. Drainage ditch. Request for improvement of privately-owned ditch adjacent to Pacific Highway south of South Umpqua Bridge. Territorial Secondary Highway. Extension as secondary highway from Lane-Douglas County line to connection with Pacific Highway near Anlauf. Resolution adopted.
9073		Oregon Coast Highway. West Lake Section. Abandonment resolution.
9075		Equipment. Purchase of motion picture camera for use of Travel and Information Department approved. Deschutes County. Letter from Robert W. Sawyer regarding proposed plan for program of county road improvement. State requested to cooperate by assuming management of work. Butte Falls County Road. County Court urges Commission to provide surfacing rock at earliest opportunity.
9076		Awards. Commission announces awards on projects for which bids were received during morning session. (See page 9068)
9077		Manning. Contract for moving and re-establishing school building awarded to Odom Construction Company.
9078		Group insurance. Reconsideration requested of previous action denying privilege of writing group insurance. Commission refuses to alter previous decision. Wolf Creek Highway. Purchase of Louis Siegenthaler property needed for right of way near Cedar Mills approved subject to condition freeway rights are not needed. Engineer to investigate possibilities of limited access to highway from Barnes Road connection to Banks.

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9078	Sept. 1	Linn County. Request that "Neil Creek" be named "Bilyeu Creek" on highway maps referred to Lewis A. McArthur. Smelt sand. Request of George Govro to remove smelt sand from beach at Yachats for use in bridge construction denied.
9079		Salem. Highway shops. Coca Cola Bottling Company denied permission to install Coca Cola vending machine. Roy L. Houck. Request that Mr. Houck be debarred from bidding on future highway construction work because of violations of Oregon labor laws in connection with contract 2159 discussed. Mr. Houck not to be debarred. Wolf Creek Highway. Necanicum-Nehalem River Section. Report on progress now being made by contractor Edwin C. Gerber.
9080		Political party contributions. Letter to employees confirming policy of Commission.
9081		Contracts completed and accepted, as follows: Bridge over Quartz Creek, L. R. Hoffman; Ochoco Dam-Marks Creek Section, McMutt Bros.; Clatskanie-Summit Section, Mountain States Construction Co.; County roads in Tillamook County, J. C. Compton; Mt. Vernon, Weston, and Service Creek Jiling Project, Morris Bros.;
9082		Agreements, et cetera, signed as follows: School District No. 44, new site for Manning school building; Manning Social Club, rental of social club building for school purposes during re-establishment of school; U. S. Department of Interior, use of stock pile site at top of Camas Mountain, Douglas County; H. E. Easley and wife, quitclaim deed to property in Georgetown Addition to St. Helens; H. B. Easley and wife, method of procedure for clearing title to property in St. Helens; Works Progress Administration, advancement of \$3,500 for non-labor items on Wolf Creek Highway Project in September, 1939; Miami Corporation, payment for timber strips along Salmon River Highway; Edward L. Dimmitt, payment of electrical energy bills in connection with concession at Crown Point; Samuel M. Garland, cancellation of lease of gravel pit in Linn County; Metropolitan Casualty Insurance Company, bond release and cancellation notice in connection with old bond covering State Highway Engineer;
9083		Bargain and sale deed conveying unto E. D. Bahrke and wife land in Bryan's Addition to Albany; Bargain and sale deed conveying unto Southern Pacific Company land in Hackleman's Second Addition to Albany. Date for November meeting set for November 2 and 3, 1939.
Sept. 27		Pacific Highway. Albany Viaduct Section. Payment of \$550 to J. A. Fox for right of way approved.

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9084	Sept. 27	<p>Quarry site. Offer from James Anderson to purchase quarry site adjacent to Pacific Highway near Junction City accepted.</p> <p>Elsie-Jewell county road. Maintenance of entire road, used as detour, to be continued for time being.</p> <p>Gold. State's claim for gold recovered in state gravel pit by K. I. Stuart & Sons in connection with Contract No. 2129, in Jackson and Josephine Counties, withdrawn.</p> <p>Weston-Elgin Secondary Highway. McDougall's Camp-Tollgate Section. State requests release from agreement with Public Roads Administration to contribute \$10,000 toward cost of project.</p> <p>Wolf Creek Highway. \$90,000 increase in budget for oiling between Nehalem River and Davies approved.</p>
9085		<p>Payment of \$4,500 for non-labor items for October approved.</p> <p>Drainage ditch. Request for improvement of privately-owned ditch adjacent to Pacific Highway south of Winston Bridge, Douglas County, denied.</p> <p>U. S. Highways No. 30 South and No. 30 North. No action taken on suggestion for change in present system of signing.</p> <p>Deschutes County. Attorney's report on plan of county for program of road construction involving state cooperation in management of work.</p>
9086		<p>Morrow County. Several road improvements requested. No action taken.</p> <p>Portland. Improvement of Lombard Street (state highway route) between Greeley Street and St. Johns requested.</p> <p>Approach roads. Roadway entrance requested from Pacific Highway to public archery range north of Tangent.</p> <p>Policy adopted with respect to construction of private roadway entrances.</p>
9087		<p>Oregon-Washington Highway. Director of Highways, State of Washington, requests information relative to plans for improvement of Oregon Section.</p> <p>Petitions presented from citizens of Freewater relative to route of highway between Freewater and Oregon-Washington line.</p>
9088		<p>Business abutting on highways. Notice prohibiting use of highway rights of way for parking of cars or for commercial purposes. (See also page 8987)</p> <p>Equipment. Purchase of following authorized:</p> <ul style="list-style-type: none"> 12 Ford or Chevrolet automobiles and 1 Buick automobile; 20 trucks of Ford and Chevrolet class; 1 rotary snow plow, known as Rotoblade; 6 push-type snow plows; 1 250-watt radio transmitter for installation at Roseburg; 1 shaker screen for use on Wolf Creek Highway project; 1 stamp vending machine.
9089		<p>Cape Arago Secondary Highway. Resolution from Coos County Court preserving for public use portion of right of way abandoned by state in Charleston.</p> <p>Award of contracts. Commission approves following awards:</p> <ul style="list-style-type: none"> Warren Creek Section, E. C. Hall Company; Dundee-West Dayton Section, McNutt Bros.

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9089	Sept. 27	Scrap material, etc. Engineer approves sale of materials, on which bids were received August 31, 1939, to high bidders.
		G. S. Paxson. Authority granted to attend Soil School in Washington, D. C., November 20 to December 2, 1939.
9090		Redwood Empire Association. Commission invited to attend Nineteenth Annual Convention on Treasure Island, October 13, 1939.
		Insurance. New policy to be ordered covering accidents arising out of snow removal operations on Upper Columbia River Highway. Old policy to be canceled.
		Kimberly-Monument Secondary Highway. Extending highway from Monument to connection with Pendleton-John Day Highway at Long Creek approved. Resolution to be prepared.
		Estacada. Woodburn-Sandy Secondary Highway. Commission to direct letter to W.P.A., Portland, approving improvement of highway in front of high school grounds.
9091		Sign. Illegal information to be removed from Maryhill Ferry sign erected at junction of Sherman and The Dalles-California Highways.
		Cancellation certificates. Resolution authorizing Secretary to sign certificates termination old bonds of Highway Engineer.
9092		Pacific Highway. California Section to be completed simultaneously with Oregon Section.
		Historical monument. Erection of marker on Santiam Highway, honoring pioneers, especially Andrew Wiley, approved. To be financed with funds other than state funds.
		Diamond Lake Highway. Request for snow removal from Union Creek to The Dalles-California Highway denied.
		Signs. Request for change in signs along old Pacific Highway to indicate alternate routes between Junction City and Eugene denied.
9093		Pacific Highway. Letter from Oscar Bussell regarding adoption of permanent route through Eugene.
		Tiller-Trail Secondary Highway. Immediate improvement between Canyonville and Jackson County line requested.
		Siuslaw Highway. Blachly-Long Tom River Section. Proposed improvement discussed.
		Wilson River Highway Project. Discussion of difficulties encountered with shovel operators as result of reduction in wage rates. Wages not to be paid by state.
9094		Surveys. List of surveys ordered since last meeting.
9095		Extensions of time, as follows:
		O. C. Yocom, Sheridan-Polk County Line Section;
		E. C. Gerber, Shaw Junction-Gates Section;
		Warren Northwest, Inc., Deschutes Oiling Project;
9096		Minneapolis-Moline Power Implement Company, Whiteson Grade Separation Project.
		Contracts completed and accepted, as follows:
		Sheep Ridge-Toll Creek Section, Leonard & Slate;
		Crooked Creek-Lobert Section, Roy L. Houck;
		Odell Lake-Walker Mountain Section, Fisher Brothers;

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- 9097 Sept. 27 Contracts completed and accepted (continued):
Sheridan-Polk County Line Section, O. C. Yocom;
Grant County Line-Unity Section, Babler Bros.;
Shaw Junction-Gates Section, Edwin C. Gerber;
North Unit, Oregon City Section, Leonard & Slate;
Lobert Section, Roy L. Houck;
Deschutes Oiling Project, Warren Northwest, Inc.;
Hillsboro Airport-Ray's Ranch Section, McNutt Bros.;
Sandy Boulevard (44th to 74th Ave.) Section, Edlefsen-Keygandt.
9098 Date for meeting in December scheduled for December 7, 1939.
Signs. Oregon City. Fingerboard signs to be installed on high-
way right of way directing public to McLoughlin Memorial Home.
Historical markers. Oregon City. Maintenance of markers on
highway right of way relative to McLoughlin Memorial Home
deferred.
Right of way budget. Attorney's report on status of 1939 budget.
Real property. Resolution authorizing acquisition.
9102 Albany. Offer of Charles Childs to purchase building on
right of way of Pacific Highway East declined.
9103 Timber areas. Wolf Creek Highway. Purchase of area near Wash-
ington-Tillamook County line from Sunset Logging Company dis-
cussed.
9104 Condemnation. Resolution authorizing condemnation as follows:
Salem-Pringle Creek Section, Pacific Highway East,
Ethel T. Allison and Ira R. Thomas;
Davies-Vadis Section, Wolf Creek Highway,
Lester Sell;
Muddy Creek-Lakeview Section, Klamath Falls-Lakeview Highway,
A. C. Kingman, C. B. Ledgwick, and E. L. Ford;
Warren-Scappoose Section, Lower Columbia River Highway,
Erickson's Dairy Products Company;
Albany Section, Pacific Highway East,
Charles Childs and A. K. McMahan, Ruth Nelson, Roy W. and
Winnifred Nutting, Walter Chance, Jr., Mary C. Goodwin and
unknown heirs of Harrison O. Chance, deceased.
9105 Portland. Standard Oil Company's service station located on
state property at intersection of Denver and Union Avenues,
North Portland, ordered removed.
9106 Estacada. Request of C. P. Henkel to purchase two fractional
lots outside standard right of way limits denied.
Properties. Excess properties not to be sold unless cash of-
fer of at least \$250 made.
Portland. John Jordan property on McLoughlin Blvd.(Pacific
Highway East). Purchase by state denied. State opposed to
change in zone classification as requested by Mr. Jordan.
9107 Timber strips. Vouchers covering last two payments to Miami
Corporation for timber strips along Salmon River Highway
signed. To be held until payments are due.
Seaside Beach. Discussion of allowing beach to be used as
landing field for airplanes.

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- 9107 Sept. 27 Robert L. Sawyer. Resignation as member of Travel and Information Advisory Committee accepted. Letter directed to Mr. Sawyer relative thereto.
- 9108 Travel and Information Department. E. B. Hoyt and W. D. B. Dodson invited to serve on Advisory Committee.
- 9109 Sept. 28 Bids, as follows, opened and read:
North Powder-Muddy Creek Section, roadside improvement;
Water Street Section, remodel east approach to existing bridge over Willamette River and construct concrete viaduct;
Warren-Scappoose Section, grading and paving;
Bridge over Coal Bank Slough, Oregon Coast Highway;
Mye Junction-Long Creek Rock Production Project;
9110 Lang Canyon-Arlington Section, grading, surfacing, macadam;
Butte Falls Section, surfacing and oiling;
Cottonwood Creek-Lakeview Section, grading, surfacing, oiling;
South Unit, Albany Section, grading;
9111 Albany Section, eight culverts and one bridge;
Salem-Pringle Creek Section, grading and paving;
West Unit, Stanfield-Pendleton Hill Section, roadside improvement;
Weston-Elgin Rock Production Project;
9112 Maupin-Cow Canyon Rock Production Project;
Sale of 3.8-acre tract near Dee.
North Umpqua County Road. Construction requested on $1\frac{1}{2}$ -mile section extending easterly from project completed this year.
Wilson River Highway Project. Delegation urges that progress be made on construction of highway.
9114 Kimberly-Monument Secondary Highway. Extending highway from Monument to connection with Pendleton-John Day Highway at Long Creek discussed.
Grant County. Commission invited to attend venison dinner as guests of County Court in near future.
Timberline Lodge Road. To connect with Mt. Hood Highway $1\frac{1}{2}$ miles west of present (east leg) connection.
9115 Sidewalk. Delegation requests construction along Oregon Coast Highway between Gearhart and Seaside. Investigation ordered.
Astoria. Payment of approximately \$600, excess cost of moving buildings from right of way of proposed Astor Street revision of Oregon Coast Highway, approved.
9116 Vale-Adrian County Road. Early construction requested.
Vale West Secondary Highway. Improvement requested.
Myssa-Jordan Valley Road. Request made that portion removed from state secondary highway system be replaced.
Albany. Roy W. Nutting requests increase in amount of settlement for right of way involving his home. Condemnation authorized.
Cascade Lakes Forest Highway. Delegation urges construction of section from Willamette Highway to Crescent Lake.
9117 Klamath County. Earl Reynolds discusses several highway improvements in Klamath County. No commitments made.

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9117	Sept. 28	Century Drive Secondary Highway. Bend-Elk Lake Section. Progress of improvement discussed.
9118		Warm Springs Highway. Additional improvements and placing of road on federal aid system requested.
		Butler Market Road. Deschutes County offers to give \$5,000 of county's share of motor vehicle and gasoline tax funds, not yet due, for improvement of road. No definite statement made by Commission.
		Forgery bond. Relieving National Surety Corporation of forgery bond and giving business to American Bonding Company discussed. Definite decision deferred.
		Park matters:
		Proposed park at Brookings: Elmer Bankus offers to donate park site fronting on ocean beach. Decision deferred.
		Proposed park at Blue Lake: W. P. Davidson, Prineville, offers to sell 233-acre park site at Blue Lake. Offer declined.
9119		Proposed recreational area at Neahkahnie Mountain State Park: C. C. Seeley offers to sell 120-acre timber area adjacent to Neahkahnie Mountain State Park. Offer refused.
		Proposed park at Cascadia: Securing of options for portion of Giesendorfer property at Cascadia Springs authorized.
		Awards. Commission announces awards on projects for which bids were received during morning session. (See page 9109)
9122		Agreements, et cetera, signed as follows:
		City of Albany, construction of drainage canal on South Albany project;
		Ed Saling and wife, certificate to correct error in recording deed to parcel of land in Union County;
		United States of America, cooperative agreement covering construction of Alsea River Bridge on Alsea Highway;
		O.W.R.R. & N. Company, encroachment of Oregon-Washington Highway on railroad company property in Adams;
		Henry K. Hardisty, elimination of cattle pass on John Day-Burns Highway, in Grant County;
		Bargain and sale deed conveying unto James Anderson abandoned state-owned borrow pit south of Junction City;
		Bargain and sale deed conveying unto Rufus C. Stonefield and wife land in Lane County;
		Bargain and sale deed conveying unto West Coast Power Company land in Coos County;
9123		Quitclaim deed conveying unto Carl G. Washburne and wife two parcels of land in Lane County.
	Nov. 1	Travel and Information Department. Recommendations of Advisory Committee on tourist promotion activities for 1940 discussed.
9125		Magazine advertising schedule for 1940 suggested.
9126		Portland. Proposed Front Street arterial highway discussed with Portland City Council and City Planning Commission.
9127	Nov. 2	Bids as follows opened and read:
9128		Muddy Creek-Haines Section, grading, surfacing and oiling; Bridge and approaches over Necanicum River at Black Bridge;

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9128	Nov. 2	Bids as follows opened and read (continued): Brothers-Harney County Line Section, crushed rock; Reedsport (12th St. to 15th St.) Section, paving; Klamath Agency-Wadoc Point Section, grading, surfacing, oiling; Waldport Rock Production Project; Butteville Road-White School Section, paving; Multnomah Falls-Oneonta Section, rock embankment; Elgin-Rock Creek and Union-North Powder Rock Production.
9129		Wilson River Highway. Inquiry made as to plans for construction of Devils Fork bridge and log bridge over third crossing of Wilson River. Engineer's report.
9130		Sidewalk. Construction requested along Nehalem-Manzanita Road east of Manzanita School. Investigation ordered.
9131		Tillamook County. County Court requests additional federal aid secondary money for oiling of county roads. Oregon Coast Highway. Beaver. Widening of bridge at Beaver requested. Investigation ordered. Salem. Request for widening of State Street between 12th Street and the east city limits denied. Vale West Secondary Highway. Request for improvement near Hope and at hill west of John Faw Farm denied. Baker-Homestead Highway. Additional improvements requested on Dry Gulch Section and Ruckles Creek Section. Wheeler. Request for graveling and oiling of unimproved strips adjacent to highway. Decision deferred.
9132		Powers Secondary Highway. Oiling from Hoffman Bridge to Powers requested. Amity-Dayton Secondary Highway. Widening, resurfacing and development of road requested by delegation.
9133		Dayton. Commission to be invited to a dinner when project on highway in vicinity of Dayton completed. Portland. Standard Stations, Inc., requests permission to continue maintaining service station on Pacific Highway West at intersection of Denver and Union Avenues. Investigation ordered.
9134		Oregon Coast Highway. Bandon Section. Decision on proposed location requested by delegation. Forgery bond. Canceling of National Surety Corporation bond and securing new bond from American Bonding Company approved. Schedule bond. Jack Godfrey, Portland, offers to write schedule bond covering employees by position rather than by name. Awards. Commission announces awards on projects for which bids were received during morning session. (See page 9128)
9136		Illinois River Bridge. Delegation discusses plans for bridge construction. Bids taken June 22; contract to be awarded when approved by federal authorities. Log hauling. Request of George R. Van Vleet for permission to haul overlength logs denied.
9137		82nd Street Highway. Delegation requests construction of uncompleted section between Portland and Oregon City and elimination of railroad grade crossing near Clackamas.

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9137	Nov. 2	<p>Sign. Erection of sign at Gladstone directing northbound tourist traffic to Columbia River Highway via 82nd Street denied.</p> <p>Oregon Coast Highway. Astoria. City Manager discusses proposed Astor Street improvement.</p> <p>Landscape Engineer. Request of City of Astoria for services of engineer to assist in landscaping city park approved.</p>
9138		<p>Portland. John Jordan requests change in zone classification of his property adjacent to McLoughlin Boulevard. Attorney to negotiate for purchase of Jordan property.</p> <p>Offer of Southern Pacific Company to purchase state-owned property south of John Jordan property denied.</p> <p>The Dalles-California Highway. Partial encroachment of trucks on highway south of Klamath Falls during inspection of potatoes to be allowed during this year's inspection.</p> <p>Deschutes County. Transfer to state highway fund of \$5,000 of county's share of gasoline tax and motor vehicle funds for oiling of Butler Market Road approved.</p>
9139		<p>Butler Market Road. Report on status of project.</p> <p>The Dalles-California Highway. Improvement between Bend and Fort Klamath urged.</p> <p>Deschutes County. Offer of county to donate rock for highway purposes from excavation of basement of courthouse accepted.</p> <p>McKenzie-Bend Highway. Investigation ordered of blind curve near junction with old state highway between Redmond and Bend.</p> <p>Oregon Coast Highway. Marshfield-Coquille Section. Offer of \$100 per acre to A. H. Edlefsen for property involved in improvement authorized. (See page 9152)</p>
9140		<p>Timber strips. Salmon River Highway. Acquisition of strips on north side of highway near Otis from Miami Corporation discussed.</p> <p>Purchase of N. D. Churchill wayside timber strip along Salmon River Highway near Tillamook County line authorized.</p> <p>Vista House. Entering into agreement with Edward L. Dimmitt and power company for furnishing of electrical energy denied.</p> <p>Park matters:</p> <p>Lincoln County's offer to donate 40-acre tract near highway south of Yaquina Bay accepted.</p>
9141		<p>Ecola State Park. Offer of Crown Zellerbach Corporation to sell tract north of Ecola State Park declined.</p> <p>Saddle Mountain Game Reserve. Commission to join with Crown Willamette Paper Company requesting establishment of game reserve in holdings of company near Saddle Mountain State Park.</p> <p>Natal Grange park site. Establishment of park recommended.</p> <p>Croft Lake state park site. Establishment of park at this location urged.</p>
9142		<p>Waldport State Park. Request for allocation of funds for development of park adjacent to Oregon Coast Highway denied.</p> <p>Little Jack Falls park site. State park not to be established, but old road to be retained for sight-seeing purposes.</p>

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9142	Nov. 2	<p>Park matters (continued):</p> <p>Wilsonville park site. Acquisition of property for park on north side of Willamette River approved.</p> <p>C.C.C. State Park Camps. Expenditure of \$50 per month toward rental of central design office in Portland authorized.</p>
9143		<p>Silver Creek Falls Park. State to cooperate in cost of constructing myrtlewood furniture for recreational building.</p> <p>Cascadia proposed park. Parks Superintendent to negotiate with Baptist Church representative relative to vacation of church facilities.</p> <p>Park budget for 1940. Budget of \$150,000 requested. Action deferred.</p>
9144	Nov. 3	<p>Bids, as follows, opened and read:</p> <p>Mt. Hood Rock Production Project;</p> <p>Seaside-Mecanicum Summit Rock Production Project;</p> <p>Mountain Rest-Mt. Vernon Rock Production Project;</p>
9145		<p>Siskiyou Junction-Klamath County Line Rock Production;</p> <p>West Unit, Grants Pass-Green Creek Section, grading and paving;</p> <p>Oregon Slough-Columbia Slough Section, paving.</p> <p>Minutes approved for meetings held June 21 and 22, July 18, July 26 and 27, and August 17 and 18, 1939.</p> <p>Gasoline and oil for 1940. Bids received by State Board of Control discussed. Decision deferred.</p> <p>Real property. Resolution authorizing acquisition.</p>
9151		<p>Condemnation. No offers to be made, in so far as possible, until approved by Commission.</p>
9152		<p>Oregon Coast Highway. Marshfield-Coquille Section. A. H. Edlefsen to be offered \$100 per acre for his property.</p>
9153		<p>Condemnation. Resolution authorizing condemnation on following:</p> <p>Northwest Route of Tigard Section, Pacific Highway West,</p> <p>A. P. and Zelda Ploeger;</p>
9154		<p>Grants Pass-Green Creek Section, Pacific Highway,</p> <p>Jean Higgins;</p> <p>Scotts Butte-Jordan Valley Section, I. O. N. Highway,</p> <p>Hazel Breshears, Delos C. Foster, Wm. B. Packard, Alfred C. Griffin;</p> <p>West Unit, Jordan Creek Section, I. O. N. Highway,</p> <p>Walter R. Bowden;</p> <p>Cottage Grove Section, Pacific Highway,</p> <p>Alvin C. and J. H. Spriggs, Frank and Mary Heck;</p> <p>Salem-Pringle Creek Section, Pacific Highway East,</p> <p>Albert L. Thomas and Ethel Thomas Allen.</p>
9156		<p>Garage building. Reedsport. Commission accepts offer of Nelson Hogan to remodel his garage building.</p> <p>Nehalem sandspit. Competent appraiser to be hired to set a value on number of privately-owned lots.</p> <p>Pacific Highway. Grants Pass-Green Creek Section. Redwood Empire Association requests revision in plans for reconstruction.</p> <p>Timberline Lodge. Demand made by Lodge on Mt. Hood Stages for portion of its ton-mile tax. Attorney to bring matter to attention of Public Utilities Commissioner.</p>

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9157	Nov. 3	1940 federal aid secondary highway funds. Partial program for such funds selected.
9158		Timber strips. Salmon River Highway. Miami Corporation requested to defer final decision in regard to sale of timber to private purchaser until after June 1, 1940.
		Advertising program. Ray Conway suggests advertising in western states rather than throughout entire United States.
9159		Warm Springs Highway. County Judge Bowman asks increase in allocation for construction north of Prineville.
		Gasoline and oil for 1940. Representative of Richfield Oil Company urges award of business to Richfield Oil Company.
		Awards. Commission announces award of projects for which bids were received during morning session. (See page 9144)
9160		Bids. R.O.Dail and Warren Bros., Inc., omitted unit price on bid.
		Gasoline and oil for 1940. Commission approves award of contract to Richfield Oil Company. Engineer to so advise Board of Control.
9161		Nyssa. Proposed railroad grade separation project. Attorney to negotiate for options to property.
		Travel and Information Department. Recommendations presented by Advisory Board on Publicity Matters for activities of department in 1940 adopted. (See page 9124)
		Grant County. Resolution requesting designation as state secondary highway of county road extending from Monument to Long Creek.
9162		Equipment. Engineer authorized to purchase following: 1 3/8 yd. shovel for use on Wilson River F.P.A. Project; 1 pump for use in connection with Wolf Creek Highway work; 4 electric headlamp testers; 4 tension wrenches for cylinder heads; 1 hydraulic brake drum gauge; 1 bench grinder; 2 cylinder boring bars; 1 electric motor and 1 reversing switch; 1 No. 5 Dumore highspeed tool post grinder; 1 7-passenger 1939 automobile for use of Commission; 1 accounting machine.
		Load limit. Resolution lifting reduced load limit on bridges on North Santiam Secondary Highway.
9163		Award of contracts. Commission approves following awards: State Farm Adams Section, Roy L. Houck;
9164		Remodel east approach of bridge over Willamette River at Oregon City, McNutt Bros.;
		Bridge over Lang Canyon, Columbia River Highway, Denton & Young;
		Lang Canyon-Arlington Section, Leonard & Slate.
		Gravel pit. Abandoned pit adjacent to Hood River Secondary Highway, near Dee, sold to H. C. McCurdy.
		Division No. 5. Mileage of state highways in each of maintenance districts to be equalized.

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9164 Nov. 3

Buildings. Construction of maintenance headquarters building at John Day approved.

9165

Construction of office building and addition to maintenance headquarters building at Medford approved.

Engineer presents list of other needed maintenance buildings. Provision to be made in 1940 budget for maintenance buildings at Cascade Summit and Blue Mountain Summit.

Wolf Creek Highway. Payment of \$4,200 for November and a like amount for December for non-labor items authorized.

Oregon Road Laws. Expense of printing to be charged to general administration account.

9166

Advisory Board on Publicity Matters. Acceptance of appointment on Board presented by Palmer Hoyt and W. D. B. Dodson.

Oregon-Washington Highway. Washington improvement deferred until Oregon Section to be constructed.

Siuslaw Highway. Improvement over summit. Suggestion made that hearing regarding improvement be held in Junction City.

Junction City. City inquires as to attitude of Commission with respect to establishing business zones.

Snow removal. Request for snow removal on South Santiam Highway denied.

Klamath Falls. Traffic survey authorized.

9167

Harrisburg. Commission to cooperate in city beautification project. Commission to donate trees.

Tiller-Trail Secondary Highway. Improvement discussed.

Surveys. List of surveys ordered since last meeting.

9168

Extensions of time, as follows:

R. I. Stuart & Sons, Diamond Lake Section;

Berke Bros., Coquille-Clausen Section;

9169

A. C. Greenwood, Arch Cape-Beach Creek Section;

C. J. Montag & Sons, Bridge over Umpqua River;

9170

Fisher Bros., Eagle Creek-Wade Corner Section;

Rogers Construction Co., Scotch Creek-Castor Ranch Section;

Leonard & Slate, Service Creek-Mule Shoe Creek Section;

9171

J. F. Johnston, Bridge over Sheep Creek;

S. S. Montague, Read Creek-Wren Section;

Pacific Bridge Painting Company, Interstate Bridge painting;

9172

Newport Construction Co., Provolt-Williams Section.

Contracts completed and accepted, as follows:

Diamond Lake Section, R. I. Stuart & Sons;

Coquille-Clausen Section, Berke Bros., Inc.;

9173

North Unit, Bear Canyon-State Line Section, Harold Blake;

Umpqua River Bridge Section, C. J. Montag & Sons;

South Unit, Bear Canyon State Line Section, Harold Blake;

Devils Garden-Quartz Mountain Section, J. C. Compton and Rogers Construction Company;

Scotch Creek-Castor Ranch Section, Rogers Construction Co.

Service Creek-Mule Shoe Creek Section, Leonard & Slate;

Lamb Creek-Sheep Ridge Section, J. F. Johnston;

Dean Creek-Prairie City Section, Edlefsen-Weygandt Company;

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9173	Nov. 3	Contracts completed and accepted (continued): Interstate Bridge painting, Pacific Bridge Painting Company; Provolt-Williams Section, Newport Construction Company; Salem-Middle Grove Section, Warren Northwest, Inc.; Wheatland Junction-Salem Section, Warren Northwest, Inc. Date for January meeting scheduled for 11th and 12th.
9174		Agreements, et cetera, signed as follows: Western Union Telegraph Company, operation of remote radio receiver at Salem; City of Myssa, revisions in city's water system; O.W.R.R. & N. Company, Union Pacific Company, and Baker County, revised easement across railroad grounds at Haines; Pacific Telephone and Telegraph Company, use of telephone pole at Fairgrounds Road and Myrtle Avenue, Salem, for use in connection with installation of traffic signal; B. Mildenhall and wife, entrance driveway into Mildenhall Service Station property at Canby; Mary Z. E. Conder, elimination of cattle pass in Tillamook County; McNutt Bros., extra compensation on Contract No. 2126; Coos County, state cooperation in acquiring right of way from J. P. Johnson on Coquille-Clausen Section; C. J. Montag & Sons, Contract No. 2128, Umpqua River Bridge; W.P.A., advance of funds for non-labor items for Nov., 1939; Mountain States power Co., culvert across company's Santiam Canal; John Hewitt, maintenance of logging road across Salmon River timber reserve; Bargain and sale deed conveying unto Tigard Methodist Episcopal Church property in Washington County; Bargain and sale deed conveying unto H. C. McCurdy land in Hood River County; Bargain and sale deed conveying unto C. H. Pfaffle and wife land in Washington County; Bargain and sale deed conveying unto Max Brown and Ines Brown land in Linn County; Easement agreement with Eugene Thorndike providing for detour road during construction of Eagle Point-Trail Section; Easement agreement with Jesse Glen White and wife providing for detour road during construction of Newberg-McMinnville Section; Bargain and sale deed conveying unto Henry Reese and Max and Charlotte Schlag land in Bunker Hill Addition to Marshfield; Bargain and sale deed conveying unto H. M. Featherstone and Pearl E. Featherstone land in Malheur County.
9175		
9176		
9177	Nov. 20	Right of way budget. Attorney's report on 1939 budget. Real property. Resolution authorizing acquisition.
9179		Pacific Highway. Cottage Grove. Settlement for right of way across property of J. H. Chambers, A. W. Helliwell, and P. E. Nelson.

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9180	Nov. 20	<p>Pacific Highway. Cottage Grove project not to be advertised until right of way matters disposed of.</p> <p>Attorney to proceed with condemnation of Frank Heck property.</p> <p>Right of way. Policy adopted relative to securing options when tentative construction programs have been adopted.</p> <p>Larch Mountain. Acquisition of timber discussed. No action.</p>
9181		<p>Lower Columbia River Highway. Property of Erickson Dairy Products Company, near St. Helens, to be condemned.</p> <p>Portland. John Jordan property. Original offer increased as result of improvements made by Mr. Jordan.</p>
9182		<p>Right of way. Policy adopted with respect to maximum amounts to be expended within cities and towns. (Front St. Portland)</p> <p>Culverts. Recommendation made that use of wood stave pipe be limited to 5 per cent of annual pipe requirements.</p> <p>Historical signs. Erection along highways authorized.</p> <p>State Motor Association to prepare booklet for tourists.</p> <p>Federal aid highway system. List of selected roads.</p>
9186		<p>Illinois River Bridge. Transfer of funds to defray cost of construction approved. J. F. Johnston to be consulted regarding acceptance of award of contract.</p> <p>1941 forest highway allocations. Tentative list.</p>
9187		<p>Myssa. Proposed grade separation project. Settlements for right of way approved.</p> <p>Oregon City. Pacific Highway East. Revision to be made in plans to involve connection from St. Pauls Episcopal Church.</p>
9189		<p>Junction City. Hearing relative to proposed improvement of Siuslaw Highway over summit of Coast Range Mountains.</p> <p>Establishment of business zones and set-back line discussed.</p>
9192		<p>Newport. Highway grade to be fixed and area planted between Joseph Franzwa property and highway right of way.</p>
9194	Nov. 21	<p>Tiller-Trail Secondary Highway. Improvements authorized for 1940 and 1941 working seasons.</p> <p>Traffic signals. Klamath Falls. Installation authorized.</p>
9195		<p>Installation at railroad crossing on Klamath Falls-Malin Highway, near Merrill, denied.</p> <p>Santiam Highway. Sweet Home. Oiling approved.</p> <p>Sisters. Oiling of strips adjacent to highway approved.</p> <p>Sumpter Valley Highway. Request for guard rail on Salisbury-Mason Siding Section denied.</p> <p>Survey. Sumpter Valley Highway, Salisbury-Mason Siding Section. Survey authorized.</p>
9196		<p>Sidewalks. Report on cost of construction along Wallowa Lake Highway between LaGrande and Island City.</p> <p>State-wide survey of projects ordered.</p> <p>Action on following requests withheld:</p> <p>Oregon Coast Highway, Seaside to Gearhart. Pedestrian traffic count authorized;</p> <p>Nehalem-Manzanita County Road, vicinity of Manzanita School;</p> <p>Pacific Highway. Hayesville School south to Salem;</p> <p>Medford-Provolt Secondary State Highway, Jackson County.</p>

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9196	Nov. 21	Sidewalks. Construction approved, as follows: City of Parkdale, along Hood River Secondary Highway; City of Coquille, along Oregon Coast Highway.
9197		Snow removal. North Santiam Highway. Discussion with Marion County Court. No definite action. Siuslaw Highway. Expenditure of \$60,000 in 1940 to rebuild section over summit of Coast Range authorized. Culverts. Experiment with timber pipe to be limited to 10 per cent of annual pipe requirements.
9198		Present policy of using concrete and metal pipe continued. 1941 regular federal aid program. Tentative projects selected.
9200		1941 federal aid secondary projects. Tentative list.
9201		Plans to be prepared. Right of way options to be secured. Pendleton-John Day Highway. Pendleton-McKay Creek Section. Improvement discussed. Survey authorized of Pendleton-McKay Creek Section. Military duty. Leaves of absence to be granted employees.
9202		Park matters: Wayside strips along Pendleton-John Day Highway. Acquisition authorized; Recreational area at confluence of Crooked River, Deschutes River and Metolius River. 99-year lease to be secured. Nehalem Bay Sandspit. Acquisition of private lots authorized. Timber strips. Salmon River Highway. Miami Corporation to defer sale of timber for period of six months. Park matters: Natal Grange. Acquisition of tract adjacent to Nehalem Highway at Natal Grange denied. Zoning legislation for signs. Suggestions offered by Foster & Kleiser Company, outdoor advertising concern. Vouchers. Procedure authorized by 1939 Legislature for signing vouchers to be given trial. Pontoon. Offer of Coos Bay Dredging Company to purchase pontoon at old North Bend ferry slip accepted. Memorial markers. McLoughlin Memorial Home. Erection on Pacific Highway East at Oregon City authorized.
9203		Rental of state property. Request of Jack Burton to plant clover on state property adjacent to Wallowa Lake Highway. Drainage. Request of Blaine Stanley, Hubbard, to drain swimming pool into ditch along Pacific Highway denied. Indian houses. Pictures of houses at Priest Rapids, Washington, suggestion for improvement of Celilo Indian village. Prineville. State aid in illuminating highway refused. Award confirmed of following contract: West Unit, Grants Pass-Green Springs Section, Leonard & Slate.
9204		Log hauling. Special permits for overlength loads deferred. Equipment. Purchase of following authorized: 12 4-wheel drive trucks; 4 2,000-gallon semi-trailers; 1 air pressure unit for Santiam maintenance headquarters.
9205		

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9205	Nov. 21	Equipment. Air pressure unit being acquired from Helliwell & Nelson, Cottage Grove, to be considered for Santiam maintenance headquarters before purchase of new unit. U. S. Highway No. 95. Adoption of route through Oregon. Santiam Highway. Soda Creek-Tombstone Summit Section. Abandonment resolution.
9207		Weston. Commission invited to attend get-together meeting. Morgan-Arlington County Road. Request for designation as secondary highway denied. Request for survey denied. Pacific Highway. Request for change in proposed grade line south of Salem.
9208		Old Oregon Trail. Request that name be shown on highway map. Oregon Coast Highway. Requests for improvement in Curry County. The Dalles. City to assume liability in connection with decoration of highway route during Holiday Season. Traffic signals and lights: Requests denied or deferred, as follows: Tillamook, Cornelius, Cottage Grove, Portland at N. E. Union and Vancouver Avenues (traffic island to be constructed), Oregon City, Oswego, Ontario (flashing beacon authorized), and Oregon College of Education at Monmouth.
9209		Requests approved, as follows: Clatskanie, Portland at intersection of N. E. 82nd Street, N. E. Halsey Street and N. E. Jonesmore Street, and Medford (city expense).
9210		Extensions of time as follows: Clifford A. Dunn, Baker Gulch-Lick Creek Section; Leonard & Slate, Charleston-Sunset Bay Section.
9211		Contracts completed and accepted, as follows: Klamath Falls Undercrossing, C. J. Montag & Son; Baker Gulch-Lick Creek Section, Clifford A. Dunn; Mills Bridge Section, Jacobsen-Jensen Company; Charleston-Sunset Bay Section, Leonard & Slate; Interstate Avenue Lighting, Birkemeier & Saremal; Santiam Junction maintenance building, Odom Constr. Company; Smith Point-Youngs Bay Section, D. L. Ashton; South Unit, Albany Section, Leonard & Slate.
9212		Agreements, et cetera, signed as follows: Saxton, Looney & Risley, extra compensation on Contract 2145; Raleigh Matthews & wife, easement for detour road; Bargain and sale deed conveying unto Charles Childs property in Albany; Bargain and sale deed conveying unto O.W.R.R. & N. Company and Northern Pacific Company two standard gauge railroad tracks and appurtenances, in Pendleton; Warranty deed conveying unto O.W.R.R. & N. Company and Northern Pacific Railway Company property in Pendleton.
9213	Dec. 7	Bids, as follows, opened and read: Black Bridge-Richland Section, surfacing, oiling, crushed rock; Mountain Rest-Mt. Vernon Rock Production Project;

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9213	Dec. 7	Bids, as follows, opened and read (continued):
9214		Siskiyou-State Line Section, bituminous macadam surfacing;
		Hebo-Oceanlake Rock Production Project;
		Cow Hollow Creek-Owyhee School Section, grading;
		Jordan Creek-McNamers Camp Section, surfacing and oiling;
		Viaduct over Devils Lake Fork of Wilson River;
9215		Sale of buildings in Tigard, Cottage Grove, and Albany;
9217		Move and reconstruct Methodist Episcopal Church in Tigard;
9218		Move and remodel Johnson Lumber Company buildings, Tigard;
		Remodel Lone Oak Service Station buildings, near Tigard
		Move and reconstruct Villa Ridge Service Station, near Tigard.
		Route F Highway. Oak Hill-Veneta Section. Cooperation of War
		Department in cost of project discussed.
		Oregon City. Condemnation suit against Security and Investment
		Company. Payment of one-half cost of witness expense approved.
9219		Albany. Dr. Sternberg demands increase in price for property
		needed for right of way.
		Signs. Request that "Timberline" signs be changed to "Timber-
		line Lodge".
		Park matters. Offer of Elmer Bankus to donate park site at
		Brookings refused.
		Drinking fountain. Offer of Fred Reynolds to establish drink-
		ing fountain on Fremont Highway near Lakeview accepted.
		Park matters:
9220		Tract near Pratt property, Lane County:- offer of B. E. Smith
		to sell tract south of Pratt property denied;
		Area at confluence of Deschutes, Crooked and Metolius Rivers:-
		property to be leased for 10-year period.
		Ecola State Park. Purchase of 20-acre addition authorized.
9221		Roseburg. Improvement of road between Pacific Highway and
		South Main Street denied. Guard fence to be constructed.
		Baker County. State to interpose no objection if county pre-
		sents claim to 1941 Legislature for damages caused by Sumpter
		Valley Railroad accident.
		Fines for violation of motor vehicle laws. Attorney to prepare
		form of legislation for presentation to 1941 Legislature.
		Claims. Investigation ordered of claim of A. B. Chapman for
		loss incurred by driving into sanding truck on Green Springs
		Highway.
9222		Claim of Miles Otis Estate arising out of accident on Corval-
		lis-Newport Highway denied.
		Gasoline and oil products. Payment for service station deliv-
		ery discussed. Commission to be consulted hereafter before
		contracts involving purchase of supplies are made or modified.
		Old Oregon Trail. To be given prominence on future highway maps.
		Historical markers. Erection on highway routes discussed.
		Drainage. F. J. Fisher requests improvement of condition along
		Pacific Highway west in front of his premises near Sherwood.
9223		Snow removal. Sumpter Valley Secondary Highway to be kept
		clear beyond Sumpter, a distance of four miles.

Page	Date	Subject
9223	Dec. 7	Oregon Coast Highway. Delegation discusses opening of Neah-kahnie Mountain Section, and improvements on other sections.
9224		Curry County. Federal aid secondary highway setup discussed.
9225		Dr. L. I. Howes. Present and paid respects to Commission.
9226		Snow removal. McKenzie Highway. Requested by Willamette Ski Patrol. Decision deferred.
9231		Awards. Commission announces awards on projects for which bids were received during morning session. (See page 9213)
9232		Old Oregon Trail. Several improvements requested by delegation.
		Union County. Several highway improvements requested.
		Tigard. Oiling of strips adjacent to highway requested.
		E. C. Gerber. To be reinstated and awarded only one contract, limited to maximum of \$100,000, as trial proposition.
		Lower Columbia River Highway. Method of reimbursing C. F. Howard for moving his service station north of St. Helens.
9233		Timber. Salmon River Highway. Delegation urges preservation of timber, especially in vicinity of Boyer.
9234		Arch Cape promontory near Clatsop-Tillamook County line. F. L. Smith offers to sell timber to state. Decision deferred.
		Log hauling. Conference with representatives of Department of State Police and Public Utilities Commissioner. State Highway Engineer to formulate set of rules and regulations.
9235		Canby. Requiring logging trucks to stop at crossing of Southern Pacific tracks discussed. Action deferred.
	Dec. 8	Bids, as follows, opened and read:
9236		Nehalem River-Sunset Summit Rock Production Project;
		Reedsport (12th St. to 15th St.) Section, paving;
		Siskiyou Junction-Klamath County Line Rock Production;
		Warm Springs Agency-Vanora Section, surfacing and oiling;
9237		Remodel and widen bridge over Depoe Bay;
		Trout Creek-Toll Creek Section, surfacing and oiling;
		Necarney Creek-Neahkahnie Mountain Section, grading and re-inforce concrete structures;
		West Unit, Petersburg-Fairbanks Section, grading, surfacing, and oiling.
		Pole line. Bonneville Authority presents agreement covering permanence of construction and obligations of government and state in event of alterations in future. Action deferred.
9238		Princeton-Rome Road. Delegation requests construction.
9239		Burns-Crane Highway. Oiling and reconstruction requested.
		Warm Springs Highway. Allocation of additional forest highway funds urged.
		Bend-Elk Lake Forest Highway. Request for additional allocation of forest highway funds.
		Ochoco Highway. Continuation of reconstruction requested.
		1941 forest highway funds. Projects tentatively selected.
9241		Snow removal. Timberline Lodge Road. Status of road to be determined before snow removal operations conducted.
		Timberline Lodge Road. Clackamas County Court inquires as to responsibility for maintenance and upkeep.

<u>Page</u>	<u>Date</u>	<u>Subject</u>
	1939	
9242	Dec. 8	Awards. Commission announces awards on projects for which bids were received during morning session. (See page 9235)
9243		Awards confirmed on following contract: Muddy Creek-Haines Section, E. C. Hall Company. Illinois River Bridge. J. F. Johnston accepts award of contract. Equipment. Purchase of following authorized: 1 electric light plant for maintenance headquarters, Chemult; 1 electric light plant for maintenance headquarters, Austin; 5 power hoists for installation on bridge crew trucks.
9244		Load limit. Yachats State Park Road. Resolution authorizing 50 per cent reduction.
9245		Budgets for 1940, as follows:
9246		Primary maintenance, primary minor betterments, secondary maintenance, and secondary minor betterments.
9250		Lease. Request of Emory Tresham to renew lease of state property adjacent to Amity-Dayton Secondary Highway approved. Portland. Standard Stations, Inc., granted 90 days' extension of time within which to remove service station buildings. John Day Highway. Prairie City. Settlement authorized with W. H. Clark regarding service station.
9251		Benson Park. Deed accepted from City of Portland. Claim. Allen's Cash Grocery claim for loss of business during construction of Bunker Hill Project denied. Neahkahnie Mountain Road. Oregon Coast Highway Association presents resolution urging completion of surfacing. Log hauling. Resolution presented by Oregon Coast Highway Association urging enforcement of laws regarding loads. Sea wall. Waldport. Project not to be undertaken. Pacific and Redwood Highways. Correspondence relative to paving at intersection.
9252		Hospital associations. Contracts to be renewed. Camp Manning. Liquor Control Commission requested to cancel or refuse renewal of permits for sale of beer near Camp Manning. Military duty. Letter from Governor Sprague relative to leaves of absence for members of National Guard or Reserve Officers Association. Abandoned sections of highways. Action by county courts accepting or rejecting short sections heretofore abandoned by state.
9254		Surveys. List of surveys ordered since last meeting.
9256		Extensions of time, as follows: Mountain States Construction Co., Noyes Ranch-Cove Section; Saxton, Looney & Risley, East Unit, Rhea Creek-Heppner Sec.; M. L. O'Neil & Son, Hooker Creek-Jordan Valley Section; H. L. Rice, Strebin Road-Hosner Road Section.
9257		
9258		Contracts completed and accepted, as follows: Corbett Station-Rooster Rock Section, Colonial Constr.Co.; Noyes Ranch-Cove Section, Mountain States Construction Co.; East Unit, Rhea Creek-Heppner Section, Saxton, Looney & Risley; Hooker Creek-Jordan Valley Section, M. L. O'Neil & Son; Junction City-Eugene Section, Blair T. Alderman
9259		

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9259 Dec. 8

Subject

Agreements, et cetera, signed as follows:

Charlotte A. Fuchs, elimination of cattle pass;

Nasco County, maintenance of lower Fifteemile Creek County Road;

Castle Films, Inc., distribution and showing of film;

United States of America, non-labor items on Wolf Creek

Highway W.P.A. Project for December, 1939;

Southern Pacific Company, easement to construct, operate and maintain railroad wye track and appurtenances, in Albany;

Portland General Electric Company, easement authorizing state to occupy company property in Oregon City;

Bargain and sale deed conveying unto Ida E. Davis property in Tigardville;

Portland General Electric Company, revocable permit for use of pole at Six Corners, Washington County;

Portland General Electric Company, revocable permit for use of poles at Fairgrounds Road and Myrtle Avenue, Salem;

Tidewater Associated Oil Company, revocable permit granting state permission to maintain pole on company's property, Salem.

Date for special meeting set for December 20, 1939, in Salem, followed by inspection of Wolf Creek and Wilson River Highways.

9260

Salem, Oregon, August 17, 1939

The State Highway Commission met in the office of the State Highway Engineer, Room 325, State Office Building, at 8:30 o'clock p.m., for the disposal of accumulated routine matters. Present were:

Henry F. Cabell, Chairman
E. B. Aldrich, Commissioner
Huron W. Clough, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

The Commission discussed the request of the Tillamook County Court for the loan of the services of a competent engineer to make a location survey and supervise construction of a county road extending from the Oregon Coast Highway up Cook Creek, which road was at one time considered as the route of Portland's short road to the sea and is known as the Ridge Route. The Engineer advised that he has a locating engineer available who could be loaned to the County Court if the Commission so desired. The question arose whether or not the County Court expected the state to pay this engineer's salary, which it was estimated would amount to about \$1,300, the established policy in such cases being to require the counties to assume such expense. The Engineer was instructed to consult the County Court in regard thereto and report on the following day. (The Engineer reported on the following day that he consulted with the County Court and ascertained that they want the state to furnish this engineer at state expense. After discussion, the Commission approved the request subject to the condition that it would not establish a precedent in such matters and that it would not commit the Commission in any way to the designation of this particular road as a state highway at any future time, it being the Commission's thought that it is now spending as much money in this particular district as the district is entitled to and that it would be inadvisable to incur additional obligations.)

The Commission discussed the matter of entering into an agreement with the Oregon Mutual Life Insurance Company for furnishing group insurance covering state highway department employees. The Engineer questioned the advisability of entering into such an agreement because of the expense involved in auditing the accounts, which he did not believe was justified by savings that would accrue to the employees. The Commission indicated a desire to help the employees as much as possible if the cost of auditing is not excessive and provided it would not be necessary to carry accounts with too many insurance companies. The suggestion was made that the number of companies could be kept at a minimum if each were required to submit at least 50 applications for group insurance coverage as a condition precedent to the opening of an account. The suggestion was tentatively approved, provided the Commission decides to enter into agreements of this kind. The matter was discussed at considerable length but definite decision thereon was deferred until the August 31 meeting of the Commission. The Attorney was instructed to consult in the meantime with the State Insurance Commissioner as to the standing of the various companies which are seeking the privilege of writing such group insurance coverage.

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The Engineer discussed with the Commission the proposed location of the Pacific Highway East at the south city limits of Albany, plans for which involve the dividing of north-bound traffic and south-bound traffic by a parkway at the point where the new highway will enter the existing highway. He exhibited a blueprint map showing the layout and particularly pointed out that some special means of safeguarding traffic at this point must be provided because of the flat angle at which the new highway will join the old one. The Commission approved in general the plan submitted but instructed the Engineer to give the matter further study with a view of improving it if possible.

The Commission had under consideration the adoption of a procedure for the handling of vouchers for the payment of claims against the state highway fund under the Oregon State Highway Code as adopted by the 1939 legislature, which provides that the Commission need not sign each individual voucher unless it so desires, but may signify its approval of the payment of claims as a group if properly prepared and verified. The following procedure for the handling of such vouchers and voucher lists was approved by the unanimous vote of the Commission: When a group of vouchers is ready for approval by the Commission, a list of the same shall be prepared in duplicate as provided by law, and such list shall bear the signature of the Secretary to the Commission and the State Highway Engineer or Assistant State Highway Engineer as to the correctness of each of the claims. This list shall be presented to the Chairman of the State Highway Commission, together with the original vouchers. When the said Chairman has satisfied himself as to the correctness of the claims, he will indicate his approval by signing the prepared list, which will then be forwarded to either one or both of the other Commissioners for further approval, the vouchers being returned to the Salem office of the Commission for transmittal to the Secretary of State with the approved list of vouchers bearing the names of not less than two members of the Commission.

In this connection it was decided that land-purchase vouchers shall be kept separate from other vouchers and that vouchers for amounts not in excess of \$200 shall be kept separate from those in larger amounts. The Engineer was authorized and instructed to put such procedure into effect as quickly as possible.

The Commission had under discussion the matter of attending the annual meeting of the American Association of State Highway Officials, which is to be held in Richmond, Virginia, October 9 to 13, 1939. The following members of the Commission and staff were authorized to attend such meeting at state expense, provided same is approved by Governor Sprague: Henry F. Cabell, Chairman; E. B. Aldrich, Commissioner; Huron W. Clough, Commissioner; R. H. Baldock, State Highway Engineer; C. B. McCullough, Assistant State Highway Engineer; and J. M. Devers, Attorney.

The Commission considered and approved certain changes in the highway construction program as suggested by the Engineer, such changes being necessary on account of failure of Congress to provide additional funds for P.W.A. projects. The Commission also approved the contracting of certain projects in the fall of 1939 and in the spring of 1940, and tentatively approved certain projects for the 1941 federal aid program, which projects it was originally

contemplated would be financed with P.W.A. funds. There follows a tabulation of such changes, et cetera:

SUGGESTED PROGRAM CHANGES

Add to	1939 Federal Aid	Black Bridge	\$ 25,000
Subtract from	" " "	Troutdale-Dodson	25,000
Add to	1940 Federal Aid	Devils Fork Bridge	115,000
" "	" " "	Depoe Bay Bridge	75,000
Subtract from	" " "	Nehalem-Sunset Camp, oiling	90,000
" "	" " "	Troutdale-Dodson	40,000
" "	" " "	Illashe South	60,000

Proposed state projects to be contracted in fall of 1939 and spring of 1940

*Corvallis Bridge	\$ 20,000
Special maintenance projects	400,000
Brothers-Harney County line, oiling	35,000
Warm Springs Agency, oiling	45,000
*Warm Springs Bridge	25,000
Silver Lake-Chalk Cliff, oiling	25,000
Lakeview-Forest Boundary	110,000
Dairy, line change	20,000
Lost River, bridge and flume	55,000
Baker-Gibbs Ranch, oiling	12,000
Missouri Flat, oiling	10,000
Dry Gulch, resurfacing and oiling	30,000
Service Creek-Burton, oiling	5,000
Spray-Branson Creek, oiling	12,000
Grant County Line-Patrol Station, surfacing and oiling	60,000
Weston-Forest Boundary, oiling	10,000
	<u>\$874,000</u>

Proposed 1941 Federal Aid switched from P.W.A.

Corvallis, pavement	\$ 30,000
West Portland-Cook Overcrossing	200,000
Astoria, grading and paving	40,000
Rainier, grading and paving	40,000
Brookings, grading and paving	70,000
Goose Rock Bridge	50,000
Milton, paving	25,000
Pilot Rock, line change	25,000
Lombard-Killingsworth, paving	110,000
	<u>\$590,000</u>

(Continued on next page)

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State funds available

1939 P.W.A. reserve	\$ 400,000
1940 state projects	400,000
1940 special maintenance	450,000
	<u>\$1,250,000</u>

Possible overestimate on income

200,000
<u>\$1,050,000</u>

Suggested contract procedure

Contract \$300,000 special maintenance by March 1940
 *Contract \$45,000 September and November
 Contract remainder in spring 1940

The Commission also considered and approved the following projects for the 1938, 1939, 1940, and 1941 railroad grade separation program, subject to the condition that such list also meets with the approval of the various railroad companies:

<u>1938 GRADE SEPARATION PROGRAM</u>				
<u>Highway</u>	<u>Railroad</u>	<u>Project</u>	<u>Allocation (Feb. 14, 1938)</u>	<u>Revised Estimate</u>
<u>DIVISIONS NOS. 1 & 2</u>				
Pacific	U.P. and S.P. & S.	Union Avenue O'xing (U.P.50%, S.P.& S.50%)	\$ 72,996	\$ 69,700 c
Pacific West	Sou. Pac.	McMinnville Relocation	116,897	115,100 c
Pacific West	Sou. Pac.	Whiteson Undercrossing	21,618	21,600 c
Pacific	Sou. Pac.	Albany O'xing, Structure & Ore.Elec.(S.P.80%, Ore.Elec. 20%)	<u>183,400</u>	<u>149,600 c</u>
Total, Divisions 1 & 2			\$394,911	\$356,000
<u>DIVISION NO. 3</u>				
Coos River Sec.	Sou. Pac.	Bunker Hill (Marshfield)	<u>\$ 61,993</u>	<u>\$ 57,100 c</u>
Total, Division No. 3			\$ 61,993	\$ 57,100
<u>DIVISION NO. 5</u>				
Old Ore.Trail	U. P.	Ontario	<u>\$213,128</u>	<u>\$198,600 c</u>
Total, Division No. 5			\$213,128	\$198,600

c - Under contract

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<u>Highway</u>	<u>Railroad</u>	<u>Project</u>	<u>Allocation</u> <u>(Feb. 14, 1938)</u>	<u>Revised</u> <u>Estimate</u>
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(1938 Grade Separation Program continued)

SUMMARY

Divisions Nos. 1 & 2	\$394,911	\$356,000
Division No. 3	61,993	57,100
Division No. 5	213,128	198,600
	<u>\$670,032</u>	<u>\$611,700</u>
Planning Survey	<u>8,825</u>	<u>8,825</u>
Total	\$678,857	\$620,525

1939 GRADE SEPARATION PROGRAMDIVISIONS NOS. 1 & 2

Pacific	Sou.Pac.& Ore.Elec.	Albany Overcrossing (S.P. 80%, Ore.Elec. 20%)		
		Canal change		\$ 7,100 c
		Grading		124,800 c
		Railway Co. work		25,400 c
		Water Co. work		7,500 c
		Paving		<u>62,000</u>
		Sub-total	\$236,600	\$226,800
Pacific West	Sou.Pac.& Ore.Elec.	Tigard Overcrossing (S.P. 25%, Ore.Elec. 75%)		\$165,000
Columbia R.	U. P.	Troutdale Overcrossing	<u>\$125,000</u>	
		Total, Divisions 1 & 2	\$361,600	\$391,800

DIVISION NO. 4

The Dalles-Calif.	Ore.Trunk	Bend (Third Avenue)	\$ 90,000	\$140,000 c
The Dalles-Calif.	S.P.& G.N.	Klamath Falls (S.P. 65%, G.N. 35%)	120,000	135,700 c
The Dalles-Calif.	Sou. Pac.	Lobert (S.P. 65%, G.N. 35%)	<u>85,000</u>	<u>21,700 c</u>
		Total, Division No. 4	\$295,000	\$297,400

c - Under Contract

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<u>Highway</u>	<u>Railroad</u>	<u>Project</u>	<u>Allocation</u> <u>(Feb. 14, 1938)</u>	<u>Revised</u> <u>Estimate</u>
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(1939 Grade Separation Program continued)

SUMMARY

Divisions Nos. 1 & 2	\$361,600	\$391,800
Division No. 4	<u>295,000</u>	<u>297,400</u>
	\$656,600	\$689,200
Planning Survey	<u>8,825</u>	<u>8,825</u>
Total	\$665,425	\$698,025

SUMMARY BY RAILROADS1938 and 1939 Grade Separation Programs Combined

Southern Pacific	\$699,508	\$638,470
Union Pacific (O.W.R. & N.Co.)	374,626	233,450
S. P. & S. (Oregon Electric)	210,498	373,880
Great Northern	<u>42,000</u>	<u>55,100</u>
	\$1,326,632	\$1,300,900
Planning Survey	<u>17,650</u>	<u>17,650</u>
	\$1,344,282	\$1,318,550

SUMMARY BY DIVISIONS

Divisions 1 & 2	\$756,511	\$747,800
Division No. 3	61,993	57,100
Division No. 4	295,000	297,400
Division No. 5	<u>213,128</u>	<u>198,600</u>
	\$1,326,632	\$1,300,900
Planning Survey	<u>17,650</u>	<u>17,650</u>
	\$1,344,282	\$1,318,550

1940-1941 GRADE SEPARATION PROGRAM

<u>DIVISIONS NOS. 1 & 2</u>			<u>Estimated</u> <u>Cost</u>
Columbia R.	U. P.	Troutdale Overcrossing	\$134,000
Cascade Sec.	Sou.Pac.	Clackamas	160,000
Wolf Cr.	Sou.Pac.	Strassel	32,000
Wolf Creek	Sou.Pac. &	Davies	
	United Ry.	(S.P. 50%, U.R., 50%)	75,000
		Crossing Signals	25,000
		Planning Survey	<u>4,200</u>
		Total, Divisions Nos. 1 & 2	\$430,200

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Highway	Railroad	Project	Estimated Cost
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(1940-1941 Grade Separation Program continued)

DIVISION NO. 3

Crossing Signals	\$10,000
Planning Survey	<u>1,600</u>
Total, Division No. 3	\$11,600

DIVISION NO. 4

Crossing Signals	\$15,000
Planning Survey	<u>1,300</u>
Total, Division No. 4	\$16,300

DIVISION NO. 5

Old Ore. Trail	U. P.	Nyssa	\$200,000
		Crossing signals	10,000
		Planning Survey	<u>1,900</u>
		Total, Division No. 5	\$211,900

SUMMARY BY DIVISIONS

Divisions Nos. 1 & 2	\$430,200
Division No. 3	11,600
Division No. 4	16,300
Division No. 5	<u>211,900</u>
Total	\$670,000

SUMMARY BY RAILROADS

Southern Pacific	\$229,500
Union Pacific	334,000
Oregon Electric & United Railway	<u>37,500</u>
	\$601,000
Crossing Signals	60,000
Planning Survey	<u>9,000</u>
Total	\$670,000

The Engineer requested authority to post the Necanicum River Bridge on the Oregon Coast Highway at M.P. 28.18 for one-way traffic. He explained that this is an 80-foot steel span with three 19-foot and one 17-foot timber approaches and that it is only 15 feet 4 inches wide between felloe guards,

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which presents an extremely hazardous condition in view of the increased volume of traffic that passes over it since the opening of the Wolf Creek Highway. It was his thought, in view of the circumstances, that the bridge should be restricted to one-way traffic in the interests of safety. The Commission concurred in the Engineer's viewpoint and thereupon, by unanimous vote, adopted the following resolution providing for one-way traffic on this bridge and authorizing the erection of appropriate signs at each end thereof:

WHEREAS, the Necanicum River Bridge on the Oregon Coast Highway at Mile Post 28.18 south of Astoria is a bridge on the state highway system of the State of Oregon under the jurisdiction and control of the Oregon State Highway Commission; and

WHEREAS, the said structure has a clear width of only 15 feet 4 inches between fellow guards, which restricted width presents a hazard and danger to two-way traffic simultaneously occupying said structure; and

WHEREAS, it is deemed and is the judgment of the State Highway Commission, and the said Commission hereby finds, that it is and will be in the best interests of public safety and convenience to restrict traffic upon the said structure to one-way traffic;

NOW, THEREFORE, the premises being in part as above stated, it is hereby ordered that the said Necanicum River Bridge on the Oregon Coast Highway at Mile Post 28.18 south of Astoria be restricted to one-way traffic, and it is further ordered that appropriate signs be constructed and maintained at each end of the said structure giving warning and notice to the traveling public that only one-way traffic is permissible on and across the said structure.

IT IS FURTHER ORDERED that these rules and regulations, as made and found by the State Highway Commission under the provisions of Chapter 360 of the laws of Oregon for 1931, shall be in full force and effect until modified, annulled, or voided by order of the State Highway Commission.

AND BE IT FURTHER ORDERED that a certified copy of this order be furnished to the County Clerk of Clatsop County and that a certified copy of this order be furnished to the Superintendent of the Department of State Police for his information.

The Commission adjourned at 10:45 o'clock p. m. until 9:00 o'clock the following morning in the same room.

Salem, Oregon, August 18, 1939

The State Highway Commission reconvened at 9:00 o'clock a. m. in the office of the State Highway Engineer, Room 325, State Office Building, with

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all Commissioners, the State Highway Engineer, the Attorney, and the Secretary present.

The Commission by unanimous vote approved the minutes of the meetings held on May 17, 18, and 19, and on June 5 and 6, 1939.

Mr. C. H. Gram, State Labor Commissioner, was present and conferred with the Commission in regard to certain violations of the labor provisions in connection with the Edwin C. Gerber contract, No. 2155, with the State of Oregon for the construction of a bituminous macadam surfacing on the Necanicum-Nehalem River Section of the Wolf Creek Highway, in Clatsop County. Ray Webster, Labor Relations Engineer for the State Highway Department, was also present and entered into the discussion of this matter. It appears that Mr. Gerber has been working his men overtime on this contract without proper compensation, as is required by law, and when he was approached by the Labor Relations Engineer with respect thereto agreed to pay these men the extra amounts due them, and later forwarded to the Labor Relations Engineer checks covering such amounts, with the request that they be delivered to the proper parties. After considerable discussion of this matter it was agreed by all that Mr. Gerber should pay his men direct, particularly in view of the fact that the State Highway Department has no way of definitely knowing whether or not the checks tendered are for the correct amounts. Mr. Gram stated that he expected to confer with Mr. Gerber on the following day in Astoria, in view of which it was arranged that Mr. Gerber's checks should be returned to Mr. Gerber at that time, in Mr. Gram's presence. The Labor Relations Engineer was instructed to deliver the checks to Mr. Gerber with an appropriate letter of transmittal.

The advisability of permitting Mr. Gerber to bid on future highway construction work in view of the above-mentioned labor violations, and the fact that he has been dilatory in carrying out the provisions of previous contracts, was also discussed. The Commission decided unanimously to require Mr. Gerber hereafter to submit a new prequalification statement each time he requests plans and proposal forms to bid on state highway work. Whether or not Mr. Gerber will be permitted to submit a bid on such construction work will depend upon the action taken by the Commission on such statements.

The Commission discussed briefly the matter of improving the Lake Creek Section of the Siuslaw Highway, in Lane County, as has previously been urged by numerous citizens of that county. An inspection of this project was made by the Commission on the previous day and as a result thereof the Commission instructed the Engineer to render a report at its meeting on August 31, 1939, on the cost to construct an improvement that would be satisfactory although not up to primary highway standards, the Commission being unable financially to undertake a standard improvement, which the Engineer estimated would cost in excess of \$400,000.

The Commission also discussed the Engineer's report on the cost to construct a new approach to the Oregon Coast Highway along an extension of Lincoln Street, in Florence, as has been requested by the citizens of that town. This project was also inspected by the Commission on the previous day in company with members of the Florence City Council. The Engineer advised that the

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project would cost about \$5,300, toward which expense the city has offered to contribute the sum of \$1,000. After considerable discussion the Commission decided not to cooperate in this improvement for the following reasons: first, there now exist several other connections with the Oregon Coast Highway in Florence, and the Commission considers that the construction of the new approach is entirely a city concern; second, the Commission has no legal authority to expend state highway funds in the construction of such approach; third, if the state should build this approach it would establish an undesirable precedent which probably would embarrass the Commission in the disposal of similar requests in the future and would involve the Commission in enormous expenditures that it can ill afford. The Engineer was instructed to convey such information to the Florence City Council.

The Commission had under discussion the matter of requiring poles that are erected on state highway rights of way to be painted a color that will blend with the background and will render the poles less visible from the highway. The Engineer advised that investigation reveals that poles treated with creosote are much less visible from the highway than unpainted poles and would be less objectionable from the aesthetic standpoint. He recommended that hereafter pole line companies be required to either treat the poles with creosote before erection or paint them with creosote after they have been installed. He suggested that perhaps the painting of the poles after installation would be preferable because of objections offered by the company linemen who allege that raw creosote exudes from the poles, particularly in hot weather, if the poles are given the creosote pressure treatment, which makes it difficult for them to climb the poles and perform their necessary duties. Chairman Cabell suggested that a pole painted forest green would be less visible in certain localities where there is a background of green foliage. After considerable discussion the Commission ordered that hereafter a clause be inserted in all permits for pole line construction upon state highway rights of way providing for the painting of poles with creosote where the poles are installed in wooded districts and where bare tree trunks form the main background. In cases where green foliage forms the background the poles are to be painted a forest green to harmonize and blend with such background. In the event that the poles are erected in open country, no treatment of poles shall be required.

The Commission had under consideration the modifying of its requirements with respect to the span lengths of pole lines that are built over and across state highways. It was pointed out that such spans are now limited to 130 feet except in unusual cases which may be approved by the Commission. The Engineer gave as his thought that the fixing of the limit as to span length is not necessary if the pole line companies will install poles and fixtures heavy enough to safely carry longer spans, and will provide the proper clearance over the highway. He recommended, therefore, that the present limit of 130-foot spans be eliminated and that each application for pole line crossings be referred to the Bridge Department for an analysis of the stresses involved and recommendations as to the size of the wire and spacing of poles. The Commission approved the recommendation unanimously.

The Engineer reported on the cost to recondition and oil the county

road which extends from the Columbia River Highway to the Maryhill ferry. He advised that the road is 0.32 mile in length and estimated that it would cost about \$1,000 to improve it to a condition satisfactory for state maintenance. The Commission approved the expenditure for next year's construction.

The Commission discussed briefly matters pertaining to the audit report of the Secretary of State concerning the State Highway Department, covering the period October 1, 1937, to December 31, 1938.

In this connection the question arose as to the liability of the State Highway Engineer with respect to the handling of state highway funds, particularly with reference to the loss incurred by reason of the Moorman defalcation. The Attorney was authorized to secure, if possible, an opinion from the Attorney General with respect thereto and report to the Commission at its next meeting on August 31.

The Engineer reported on investigations that have been made of a state-owned gravel pit in Jackson County, in which Mr. Paul T. Erb, Woodburn, wishes to conduct mining operations. He advised that the pit in question is needed for future operations by the State Highway Department and recommended the denial of Mr. Erb's request and that the property be not sold. The Commission approved the recommendation by unanimous vote.

In this connection a letter was presented from Contractors R. I. Stuart & Sons giving reasons why they believe that they should not be required to pay to the state the value of gold recovered by them in a state gravel pit which they used in connection with the performance of their state highway contract No. 2129 for the construction of the Powers Ranch-Jacksonville Section of the Williams and Medford-Provolt Secondary Highways, in Jackson and Josephine Counties. The Commission discussed this matter at considerable length but deferred its decision in regard thereto until its next meeting.

The Commission discussed the matter of providing additional parking space for automobiles adjacent to the Oregon Coast Highway at Depoe Bay. This matter was referred to the Right of Way Department to negotiate for such area, it being understood that if a suitable tract is purchased the cost thereof shall be charged against the state parks budget.

A letter was presented from W. H. Lynch, District Engineer, Public Roads Administration, in which complaint was made of the condition of the Ochocho Highway between Jones Mill and the forest boundary, and suggesting the placing of additional rock on this section in order to make it adequate as an all-weather road until such time as the Commission is able to finance the reconstruction of the same. The Engineer advised that during the greater part of the year the road is kept in excellent condition for travel but for about one month during the wet season it is somewhat slippery. He estimated that to construct a temporary surfacing on this section, which is 20 miles in length, would cost between \$20,000 and \$30,000, and questioned the justification of such expenditure. The Commission decided unanimously not to make this improvement in view of the high cost and the scarcity of funds with which to finance it.

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The Engineer reported on the cost to construct an oiled walk along the Pacific Highway from the north city limits of Roseburg a distance of 0.4 mile to the Garden Valley Road. A decision in this matter was deferred by the Commission pending report of a pedestrian traffic count. The Engineer was instructed to report thereon at the next meeting.

The Secretary presented a letter from the County Court of Wheeler County urging improvement of the county road which extends from the John Day Highway to Kinsua, in Wheeler County. After discussion, the Commission by unanimous vote approved this improvement in the 1940 federal aid secondary highway program, substituting the same for the grading and topping of the Shaniko-Fossil State Secondary Highway project, in Wheeler County, for which an amount of \$15,000 was originally budgeted.

The Commission considered and ordered filed a resolution from the County Court of Klamath County urging the improvement of the Cascade Lakes Forest Highway between the Willamette Highway junction and Crescent Lake.

The Commission considered and upon recommendation of the Engineer approved the installation of flashing-type traffic beacons at the following locations:

One beacon at the intersection of the Tualatin Valley Highway with Cedar Street in the town of Beaverton.

Two flashing beacons over the Pacific Highway East in the town of Canby, one at A Street and the other at E Street, estimated cost \$500.

One flashing beacon at the intersection of the Pacific Highway East with the Fairgrounds Road in Salem.

The Commission denied the request of the City of Harrisburg for the installation of a flashing beacon at the intersection of the Pacific Highway East with Smith Street in that town.

The Commission had under discussion the adoption of a policy with respect to paying state highway department employees who are required to work more than 8 hours per day. The Attorney advised that, under the new law enacted by the 1939 Legislature, employees paid on a monthly rate and serving in the capacity of civil engineer, inspector, supervisor, superintendent, checker, foreman, watchman, or timekeeper, cannot, if required to work more than 8 hours a day, ask the State Highway Department to pay them overtime, and are denied the right to claim or ask overtime. However, the question of whether or not the Highway Commission pays men so employed and so classified for overtime is a matter of contract between the State Highway Commission and the employees. Further, that it is entirely a matter of agreement and contract between the Commission and the employees as to whether or not the Commission pays for overtime work and what the wage per hour for such overtime shall be; and should such an agreement be made the Commission would lose none of the protection which it has under the statute, nor would the employee's position

be changed in any way or his rights in any way modified or altered. The Commission discussed this matter at considerable length and decided to pay time and one-half for all time worked by employees of the State Highway Department in excess of 8 hours per day, provided that only the low-salaried employees shall receive the benefits of such overtime payments. The Engineer was instructed to prepare a list of employees in this category.

The Commission had under discussion the matter of paying the claims of the Earl Littrell Supply Company, Marshfield, in the amount of \$17.70, and Buxton's Central Planing Mill, Corvallis, in the amount of \$7.50, which claims represent transactions which took place more than two years ago and in connection with which the question arises whether or not the Secretary of State would honor the claims inasmuch as the statute of limitations applying to the payment of claims against the state has expired. It was the Attorney's contention that these claims can be paid if the date upon which they were audited, approved, and allowed by the Commission is within the past two years. In view of the Attorney's opinion the Commission referred the claims to him with instructions to discuss them with the Secretary of State and endeavor to secure his approval for payment, if possible, so that it would not be necessary to hold them over for action by the 1941 Legislature.

The Engineer reported that in connection with the Klamath Falls undercrossing project approximately 5,250 linear feet of foundation piling cut-offs have been salvaged. He advised that these stubs are of no value except for fuel and that he has received two bids for the purchase of the same, one being that of H. G. Wallace at \$0.01 per foot, and the other that of Ralph F. Neubert at \$0.0038 per foot; further, that he has accepted the offer of Mr. Wallace. The Commission by unanimous vote approved the sale of this material to Mr. Wallace as reported.

A letter was presented from the Honorable Walter E. Pearson, State Treasurer, with respect to the continuation of the work heretofore performed by Mr. Lewis P. Crosby in connection with the collection of fines for traffic violations. Mr. Pearson advised that Mr. Crosby has presented his resignation effective August 1, 1939, and that his place will not be filled unless the State Highway Commission considers that the work that he has been doing is of sufficient importance to justify the employment of another man. The Attorney advised that, as previously instructed by the Commission, he is now preparing a standard form for the reporting of fines collected by the Justices of the Peace, and with such forms he believes that the carrying on of investigations could be satisfactorily handled by assistants in his office. The Commission approved the handling of this matter in such manner as a trial proposition and ordered that the State Treasurer be so informed.

A letter was presented from the Honorable Joseph K. Carson, Jr., Mayor of the City of Portland, advising that the Oregon Trail Memorial Association, Inc., is to hold its annual meeting in Sacramento, California, on August 27, 28, and 29, 1939, and in connection therewith will conduct a caravan over the Pony Express Trail from Salt Lake City to Sacramento; also, that the Association is desirous of having the State of Oregon well represented at this meeting and in the caravan, and suggesting that it might be possible for the

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State Highway Department to furnish a car with official representatives, which would be of considerable value in publicizing the State of Oregon. The Commission called into conference Mr. Harold B. Say, Director of the Travel and Information Department, who advised that in his estimation the State of Oregon could receive more benefits by the expenditure of its funds in other ways at this time of the year. In view thereof the Commission decided unanimously not to be represented either at the meeting or in the caravan.

The Commission discussed briefly but deferred action on the matter of increasing the membership of the Advisory Board on Publicity Matters.

The Commission also discussed briefly the appointment of a special committee to study Oregon conditions tending to affect tourist travel, and decided definitely not to appoint such committee.

The Commission considered and took under advisement requests from the County Courts of Umatilla and Morrow Counties for the designation as a state secondary highway of the county road which extends southeasterly from the Lexington-Echo Secondary State Highway, up Butter Creek to a place known as Pine City, a distance of about 3 miles.

The Commission considered and ordered filed letters as follows:

Letter from W. L. Finley in opposition to the construction of proposed dams on the Upper Willamette River and its tributaries in connection with the Willamette Valley Flood Control Project.

Letter from L. M. Lepper, Portland, requesting a survey of a proposed road extending westerly from Wamic to a connection with the Wapinitia Highway at Bear Paw Quarry, in Wasco County.

Letter from H. L. Stokes, Nome, Alaska, recommending construction of the old military road as a highway to provide the shortest distance between Astoria and Portland.

The Commission discussed a letter from Mrs. Frances Goldson, Crow Stage, Eugene, Oregon, urging the oiling of the Territorial Secondary State Highway, Lane County, between Veneta and Crow so as to allay the dust. First-hand information in regard to this road was secured by the Commission on the previous day when the Commission inspected the road in person. The Engineer at that time was instructed to render a report to the Commission at its next meeting on the cost to oil certain portions of this road.

The Commission discussed and ordered filed a clipping from the Oregon City Banner-Courier of August 8, 1939, with respect to the construction of the Oregon City project.

Consideration was given by the Commission to a claim presented by Mr. John A. Laing, Portland, in the amount of \$10, for the cleaning of his automobile which he alleges was spattered with paint while crossing one of the Coast Highway bridges on August 1, 1939, because of the carelessness of

state highway workers who were painting the bridge at that time. The Commission approved the payment of the claim by unanimous vote and ordered that precautions be taken to the end that there be no repetition of the occurrence.

The Commission considered and approved the State Highway Engineer's letter of August 8, 1939, directed to W. H. Lynch, District Engineer, Public Roads Administration, Portland, outlining the plan agreed upon at a conference in Mr. Lynch's office with respect to the construction of the Bend-Elk Lake Section of the Cascade Lakes Forest Highway, in Deschutes County, which plan provides for the following standards of construction: maximum 10° curves; 20-foot roadbed exclusive of ditches; ditches not to exceed 3 feet in width where required; application of 1,000 cu. yds. run-of-bank gravel per mile, 16 feet in width, giving a compacted thickness of approximately 4 inches; application of a dust palliative oil 12 feet in width, to be followed within 2 years by an oil treatment similar to the O-36 specification used by the State Highway Department.

The Commission adjourned at 1:00 o'clock p. m. and reconvened at 1:30 o'clock p. m. in the same room, all members being present and participating. Also present were the State Highway Engineer, the Attorney, and the Secretary.

The State Parks Superintendent, Mr. S. H. Boardman, was present and reported on the following state park projects:

Addition to Pratt Park adjacent to the Oregon Coast Highway at Lincoln-Lane County line; and proposed park near Hunters Creek, in Curry County:- The Parks Superintendent advised that a Mr. Dickinson owns 170 acres of land at this location, which he will sell to the state for the sum of \$3,000. He recommended purchase of this area or another one containing 327 acres, of equal importance from the state parks standpoint, located adjacent to the Oregon Coast Highway about 1½ miles south of Hunters Creek, in Curry County, there being insufficient funds available in this year's budget to finance both of them. It was his thought that the latter area, which is owned by Mildred K. Calvin, could be purchased for about \$4,000, and indicated a preference for this one because a portion of it will be needed as right of way for a proposed revision of the highway at this location. The Commission deferred its decision with respect to both parks until it is known definitely how much the owner wants for the Curry County property. The Attorney was authorized and instructed to secure an option for the purchase of the Curry County tract.

Acquisition of privately-owned park at Cascadia:- The Parks Superintendent inquired as to the wishes of the Commission with respect to the inspection of Cascadia Park, which the people of Linn County are particularly desirous of having included in the state parks system. The Commission decided to inspect the property as soon as possible after the meeting scheduled for September 1, 1939.

Name for Umpqua Lighthouse State Park, in Douglas County:- The Parks Superintendent reported a request from County Judge Morris C. Bowker, of Douglas County, that the Umpqua Lighthouse Park be named in honor of the

late George K. Quine, who was formerly County Judge of Douglas County. It was the thought of the Commission that state parks should retain the names that they were originally and commonly known by and that if some particular person is to be honored, that could be taken care of by the erection of a monument or a fountain in the park as a memorial to such person. The Parks Superintendent was instructed to discuss the matter with Judge Bowker from that standpoint.

The Engineer reported several requests for the oiling of three short sections of the Albany-Lyons Secondary Highway, in Linn County, particularly a section east from Crabtree, a section east of Scio, and a section in the town of Lyons. He estimated that for about \$3,000 a dust palliative could be applied to these sections, which would allay the dust and probably would be satisfactory until sufficient funds become available to construct a standard improvement over the unoiiled sections. He recommended approval of such expenditure for this year's construction. The Commission approved the recommendation unanimously.

The Attorney requested authority to purchase certain parcels of real property that are needed for various highway improvements throughout the state. He submitted a list of such properties, together with prices that he recommended be paid for each. After careful consideration the Commission approved the request and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel, or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth; and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon; and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Sunset Camp-Quarts Creek Section - Wolf Creek Highway</u>				
7042-Oregon American Lumber Company	Park	224.1	\$5 per a.	Parker
<u>Timber Section - Wolf Creek Highway</u>				
7230-Hoffart, Jacob J.	Maintenance Building	pts. Lots 1-2, Blk 16	1-yr. lease at \$12 mo.	Stiffler
<u>Warren-Scappoose Section - Columbia River Highway</u>				
7155-Columbia County	R/W	0.62	Gratis	McChesney
7153-Johnson, Anton G.	"	0.26	\$200 per a. + \$48	"
7156-Harnes, Eva M.	"	0.10	\$200 per a.	"
7154-Johnson, David H.	"	0.29	\$200 per a. + \$42	"
7168-U.S. Nat'l Corporation	"	0.91	\$200 per a. + moving fence (state 5' x 6")	"
7157-Tarbell, A. H.	"	0.53	\$200 per a. + \$50	"
<u>Troutdale-Corbett Section - Columbia River Highway</u>				
1818-Leader, E. W.	R/W	0.25	\$200 Lump Sum	DeSouza
<u>Troutdale Section - Columbia River Highway</u>				
6875-Spence, Wm. C.	Maintenance headquarters	2.5	\$400 per a.	Parker
<u>Tigard Section - Pacific Highway West</u>				
7001-Williams, Frona K.	R/W	0.56	\$1600 per a. + \$5604	Collins
6977-Johnson, Emil A.	"	632 sq.ft.	2 1/2 sq.ft.	"
6978A-Johnson, Emil A.	Easement for foot path	163 sq.ft.	Gratis	"
6982-Johnson, Emil A.	R/W	1.18	\$1000 per a. + moving bldg. (Est. \$1200)	"
6978-Johnson, Emil A.	"	1.39	\$1000 per a. + \$950, + moving bldg. (Est. at \$6000), including graveling yard & runways	"
6980-Johnson, Emil A.	"	10,000 sq.ft.	2 1/2 sq.ft. + \$3763	"
<u>Manning Section - Wolf Creek Highway</u>				
6265A-Manning Social Club	Rental Agreement -		For rental of building for holding school during period of moving and re-establishing school buildings.	DeSouza
			Rent Sept. 1939 \$50 per mo.	
			Rent Oct. 1939 \$50 per mo.	
			Rent Nov. and after at \$100 per mo. State to reimburse for any increase in insurance rates.	
<u>Salem-Pringle Creek Section - Pacific Highway East</u>				
6059-Green, C. L.	R/W	3026 sq.ft.	3 1/2 sq.ft. + \$109.22	McCallister

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Newberg-McMinnville Section - Pacific Highway West</u>				
7123-Whitman, James N.	R/W	0.06	\$25 Lump Sum	Benson
7122-Chaffee, Urban and Morris, C. D.	"	0.52	\$150 per a. + \$297.50	"
7105-Robertson, Roy	"	0.10	\$150 per a.	"
7114-Stringer, Perry P.	"	0.138	\$70 Lump Sum plus moving sign	"
7112-Billick, Edmund	"	3000 sq.ft.	1¢ sq.ft.	"
7120-Ward, R. A.	"	0.18	\$150 per a. + \$240	"
7115-Dundes Cooperative Fruit Growers Association	"	5210 sq.ft.	\$50 Lump Sum + moving bldg. (Est. \$150)	"
7107-Steiner, Stephen	"	6000 sq.ft.	1¢ sq.ft. + \$465.50	"
7109-Billick, Edmund	"	6000 sq.ft.	1¢ sq.ft. + \$560	"
7124-Wirfs, Francis E.	"	0.27	\$750 Lump Sum	"
7121-Pratt, Jennie E.	"	0.15	\$50 Lump Sum	"
<u>Albany Section - Pacific Highway East</u>				
6378-Hurst, Lee A.	R/W	6176 sq.ft.	10¢ sq.ft. + \$2582.40	Gardiner
5851A-Bahrke, E. D.	"	213 sq.ft.	Exchange of 322 sq.ft. by State Hwy. Comm.	"
6386-Wright, Etta	"	5093 sq.ft.	\$0.015 per sq.ft.	"
5722-Weinrick, Wilma A.	"	132 sq.ft.	Gratis	"
5831-Holm, Emil	Slope Easement	159 sq.ft.	Gratis	"
<u>Devitt-Blodgett Section - Eddyville-Blodgett Highway</u>				
7195-Whitby, Harold R.	R/W	0.93	Gratis	Eason
<u>Barron Creek-Siskiyou Summit Section - Pacific Highway</u>				
7180-Vicars, Alexander	R/W	1.26	\$20 per a.	McCallister
7178-Coggins, Arthur L.	"	8.07	\$20 per a.	"
7181-Engle, Fred S. and Polsy, W.M., Trustee	"	26.93 (10/19 interest)	\$10 per a.	"
7181-First Securities Co.	"	26.93 (9/19 interest)	\$10 per a.	"
<u>Provolt-Williams Section - Williams Highway</u>				
6849-Platinum Gold Corporation (Correction)	R/W	1.72	Land Gratis + \$42.75	McCallister
6839-School District #8 (Correction)	"	0.08	Land Gratis + \$30 + moving bldgs. (Est. \$425)	Gardiner
<u>Roseburg-Shady Point Section - Pacific Highway</u>				
6760-Rauch, R.	R/W	919 sq.ft.	5¢ sq.ft. + \$54.05	Benson
<u>State Farm-Adams Section - Oregon-Washington Highway</u>				
7197-Moore, Maude S. and Lucas, Geo. (Indian)	Gravel Pit	3.71 a.	3-yr. Lease, \$50 Lump Sum, plus \$1	Wells
7197A-Atilapuni Estate (Indian)	Hauling Road	0.91	3-yr Lease, \$25, + \$1	"

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Gilmore-Arlington Section - Columbia River Highway</u>				
6754-Smythe Bros., Inc.	Stock Pile	4.53	\$3.50 per a.+ fencing	Parker
	Quarry Site			
6039-Arlington, Port of	R/W	1.47	Gratis - \$1.00	"
6041-Smythe Bros., Inc.	"	32.49	\$3.50 per a.+ fencing (Est. \$1464.75)	"
6708-Smythe Bros., Inc.	Gravel Pit	2.80	\$3.50 per a.+ fencing (Est. \$76.25)	"
6707-Ericksen, Fred J.	R/W	3.77	\$3.50 per a.+ fencing (Est. \$525)	"
<u>Pendleton-Adams Section - Oregon-Washington Highway</u>				
7128-Crothers, W. F.	R/W	0.87	\$125 per a. + \$48.75	Parker
7129-Rogers, L. L.	"	0.26	\$125 per a. + \$21.25	"
7130-Crothers, W. F.	"	0.20	\$125 per a. + \$42.50	"
7131-Coffey, Albert N.	"	1.27	\$125 per a. + \$61.25	"
5911-Schats, Anna	"	2.95	\$135 per a. + \$153	"
7195-Kirkpatrick, R. F.	Gravel Pit and Road	2.40	3-yr. Lease - Gratis	Wells
<u>Rhea Creek-Heppner Section - Wasco-Heppner Highway</u>				
7198-Jones, C. N.	Stock Pile	1.42	\$30 per a.	Williams
<u>East John Day Section - John Day Highway</u>				
7138-Stratton, Lucinda	Slide Damages		\$75 Lump Sum	Wells
<u>Owyhee River-Scotts Butte Section - I.O.N. Highway</u>				
6904A-Dowell, Robert	Gravel Pit	5.75	\$25 per a. + \$87	Wells
6904-Dowell, Robert	R/W	20.69	8.4 a. at \$100 per a. 12.29 a. at \$6 per a. plus \$1105.51	"
6914-Scott, Fred	"	3.70	\$10 per a. + \$95.25	"
6197-State Land Board	"	18.24	\$5 per a.	McCallister
<u>Prineville-Ochoco Dam Section - Ochoco Highway</u>				
2766-Fender, E. L.	Gravel Pit	5.04	5.0 a. Lump Sum \$250	Parker
	Haul Road		0.4 a. at \$50 per a.+ \$5	
<u>Buchanan-Nigger Flat Section - Central Oregon Highway</u>				
6495-Chambers, Ralph	Gravel Pit	40.0	\$5 per a.	Parker
7149-Chambers, Ralph	R/W	6.80	\$5 per a. + \$58	"
7148-Chambers, Ralph	"	4.57	\$5 per a. + \$373	"
<u>Fossil-Kinsua Junction Section - John Day Highway</u>				
4739-Rushing, Johnie Gertrude	R/W	0.08	\$25 Lump Sum	Parker

The Attorney brought up for discussion the matter of acquiring right of way that is needed for the revision of the Pacific Highway at the summit of the Siskiyou Mountains, in Jackson County, on which property there

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is now being maintained a Richfield Oil Company beacon owned by Highway Communities Corporation, Ltd., and leased to the Richfield Oil Company at a monthly rental rate of \$112. There are also a service station and several other buildings and structures on the property, owned by Mr. W. B. Norris. It appears that the beacon and buildings are directly on the proposed highway line and will have to be purchased or moved. Further, that the beacon is on the property under lease from the owner, which said lease does not expire until July 15, 1940, and that the company is demanding the amount of \$2,423 from the state to cover its losses, including the cancellation of its lease. This matter was discussed by the Commission at considerable length but no decision was reached. The Attorney was instructed to bring the matter to the attention of the Commission again at its next meeting.

The Attorney requested authority to institute condemnation proceedings to acquire right of way that is needed for the Newberg-McMinnville and Tigard Sections of the Pacific Highway West across the property of the following owners:

NEWBERG-McMINNVILLE SECTION

Transaction No.	Owner	Attorney's Estimate	Owner's Demand
7108	Bertha W. Shannahan	\$200	Refused to state
7113	Wm. H. Cutting	110	" " "
7117	Seth Clarkson and Ethel Maud Clarkson	75	\$ 350
7118	Roy L. Campbell	410	2,500
7119	Ziba Chamberlain and Evelyn Chamberlain	250	2,000
7125	Jesse Glen White and Caroline Ellen White	No contact	

TIGARD SECTION

6945	Russel Raun-MacCormac Snow	Condemnation to clear title
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The Commission approved the request and by unanimous vote adopted the following resolution with respect thereto:

WHEREAS, the State Highway Commission is by law authorized and directed to lay out, locate, relocate, designate, construct, reconstruct, improve and maintain a system of state highways in the State of Oregon, including both primary and secondary state highways, to acquire rights of way necessary therefor, and to declare the necessity and need for the acquisition thereof, and the advantages to be gained thereby;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the State Highway Commission does hereby find and declare that it is necessary, will be of advantage to the State of Oregon, and is needful that the State acquire for right of way purposes for use in connection with the permanent location, construction, improvement, and maintenance of the following section or sections of the state highway system of the State of Oregon, to wit:

Newberg-McMinnville Section of the Pacific Highway West
Tigard Section of the Pacific Highway West

real property owned by or in possession of the following parties and/or persons, to wit:

Newberg-McMinnville Section of the Pacific Highway West
7108-Bertha W. Shannahan
7113-William H. Cutting
7117-Seth Clarkson and Ethel Maud Clarkson
7118-Roy L. Campbell
7119-Ziba Chamberlain and Evelyn Chamberlain
7125-Jesse Glen White and Caroline Ellen White

Tigard Section of the Pacific Highway West
6945-Russell Raun-MacCormac Snow

and this Commission does hereby declare further that the said property or properties are necessary, are needful, and the acquisition thereof will be of advantage to the State of Oregon for right of way purposes in order to make it possible for the State Highway Commission to properly locate, relocate, construct, reconstruct, and maintain said portion or portions of the said state highway system in accordance with standards adopted by this Commission relative to curvature, grades, alignment, drainage, and factors of safety.

2. That the State Highway Engineer be and he hereby is instructed and directed to properly survey the parcel or parcels of land required for such right of way purposes and prepare proper and adequate descriptions thereof, which descriptions shall be employed in the preparation of a deed or deeds or other instrument or instruments necessary to complete the acquisition of the said property or properties or which descriptions may be used in the preparation of a complaint in the event that condemnation proceedings are necessary.

3. That the boundaries of the said parcel or parcels of land, as defined and determined by the said survey made by the said Highway Engineer, along the route or location adopted by the Highway Commission, shall be and the same hereby are adopted and the lands defined therein are hereby declared to be and the same are included within the rights of way of the said portion or portions of the said state highway system and hereby are declared to be necessary for the proper location, improvement, construction, and maintenance of the said portion or portions of the state highway system.

4. That I. H. Van Winkle, Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they are hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby further resolved that the Attorney General of the State of Oregon and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they hereby are requested to commence and prosecute to a final determination such suit or action or suits or actions, as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

The Commission had under discussion the leasing of a gravel pit and a hauling road on Indian lands in Umatilla County for use in connection with the construction of the State Farm-Adams Section of the Oregon-Washington Highway, in Umatilla County. The Attorney explained that the gravel pit contains 3.71 acres and can be leased for a 3-year period beginning July 1, 1939, for a consideration of \$50; also that the hauling road, which is to be 30 feet wide and contains 0.91 acre of land, can be leased for a 3-year period beginning July 1, 1939, for a consideration of \$25. The Commission by unanimous vote approved the lease of such properties and authorized the Engineer to execute the lease forms as the Commission's agent.

The Attorney requested instructions relative to the acquisition of the property included in the wye connection of the Lakeview-Burns Highway and the Central Oregon Highway, in Harney County. He advised that the tract contains 1.02 acres of land and that it is owned by Mr. C. A. Summers, Port Angeles, Washington, who demands a price of \$500 for the same. It was his thought that the Commission might want to acquire the tract so as to eliminate any possibility of its being commercialized. The Commission decided that there is no justification in acquiring the tract at this time and accordingly deferred further consideration of the matter until such time as conditions render purchase advisable.

The Attorney brought up for discussion matters pertaining to the moving of the school building in the town of Manning, Washington County, necessitated by reason of the construction of the Wolf Creek Highway at this place. He pointed out that the Commission earlier in the session approved an arrangement with the Manning Social Club for the use of its rooms, temporarily, as a school until the Manning schoolhouse has been rehabilitated, but there still exists a question of a new site for the school building and whether or not the building should be moved to an entirely new site or to another location on the present school grounds. He pointed out that the Commission is now

advertising for bids to be received at its meeting on August 31 for the removal of the school building to a new location. The Commission decided to take no action on this matter until the bids for the moving of the school building have been received and studied.

The Attorney reported emergency sales of residence buildings on the the Bunker Hill slide, Marshfield, as follows:

Transaction No. 7093	- P. J. Pruitt property	Amount paid	\$40
"	" 7094 - Robert McGee property	"	" 10
"	" 7100 - Ira and Doshia Sturdivant	"	" 17
"	" 7101 - Orville R. Watkins property	"	" 16

In view of the emergency and necessity of immediate disposition on account of slide conditions, the Commission ratified the sales by unanimous vote.

The Attorney reported on the matter of acquiring right of way 80 feet wide across the John O. Albertson property on the Skipanon-Seaside Section of the Oregon Coast Highway, at Camp Clatsop. He gave as his opinion that the damages to the property were not sufficient to justify the expense involved in moving back the buildings and suggested that the right of way width to be acquired be reduced from 40 feet to 30 feet on that side of the highway. The matter was referred to the Engineer for report as to the desirability of acquiring only a 30-foot width.

The Attorney reported on investigations relative to the sale of an abandoned state-owned gravel pit situate near the Pacific Highway about 2 miles south of Junction City. He said that as previously instructed by the Commission he has contacted numerous state departments and the County Court of Lane County and ascertained that none of them have any use for this property. In view of this report the Commission authorized the sale of the property to anyone desiring it, provided a reasonable offer is secured.

The Engineer presented a list of surveys that he has ordered since the last meeting of the Commission and asked the Commission to confirm them and the amounts authorized for each. After due consideration, motion was made by Commissioner Aldrich that the State Highway Engineer be authorized and instructed to make such surveys on various sections of highways of this state, which said sections of highways and the amounts authorized for survey expenditures are as follows:

Reconn. - - - 5-2819	- Rainier-Goble Section, Columbia River Highway, Columbia County.	1st authorization - \$950.00
Plans - - - 5-2820	- Scappoose-Multnomah County Line, Columbia River Highway, Columbia County.	1st authorization - \$2,000.00
Stock Pile - 6-2818	- Reedsport Rock Production, Oregon Coast Highway, Coos Co.	1st authorization - \$200.00
Stock Pile - 6-2819	- North Bend Rock Production, Oregon Coast and Cape Arago Secondary Highway.	1st authorization - \$100.00

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Recon. - - - 6-2820 - Reedsport-Coos Bay Section, Oregon Coast Highway, Coos County. 1st authorization - \$1,200.00
 Stock Pile - 8-2812 - Gold Beach Rock Production, Oregon Coast Highway, Curry County. 1st authorization - \$300.00
 Location - - 10-2825 - Gardiner Section, Oregon Coast Highway, Douglas County 1st authorization - \$1,400.00
 Gravel Pits - 11-2401 - Lang Canyon-Arlington Section, Columbia River Highway, Gilliam County. 1st authorization - \$50.00
 Plans - - - - 113-2810 - Wrights Point-The Narrows Section, Frenchglen Secondary Highway, Harney County. 2nd authorization - \$600.00
 Total to date \$2,100.00
 Plans - - - - 17-2802 - Grants Pass-Green Creek Section, Pacific Highway, Josephine County. 4th authorization - \$500.00
 Total to date \$4,500.00
 Location - - 17-2810 - Smith Hill-Grants Pass Section, Pacific Highway, Josephine County. 1st authorization - \$27,600.00
 Stock Pile - - 20-2838 - Cape Creek-Douglas County Line Section, Oregon Coast Highway, Lane County. 1st authorization - \$250.00
 Stock Pile - - 20-2839 - Cushman-Camp Creek Section, Siuslaw Highway, Lane County. 1st authorization - \$250.00
 Plans - - - - 20-2818 - Cottage Grove Section, Pacific Highway, Lane County. 4th authorization - \$460.00
 Total to date \$2,760.00
 Bridge - - - 21-2833 - Depoe Bay, Oregon Coast Highway, Lincoln County. 1st authorization - \$200.00
 Plans - - - - 24-2826 - Butteville Road-White School Section, West Portland-Hubbard Hwy., Marion Co. 1st authorization - \$100.00
 Plans - - - - 26-2837 - Oregon Slough-Columbia Boulevard Section, Pacific Highway West, Multnomah Co. 1st authorization - \$1,500.00

The motion was duly seconded by Commissioner Clough and was declared by Chairman Cabell to have carried by the unanimous vote of the Commission.

The Engineer also reported that the location survey of the Flagstaff Hill-Middle Bridge Section of the Baker-Homestead Highway, in Baker County, heretofore authorized by the Commission, has been completed. After due consideration, the Commission approved the survey as reported, and adopted the following resolution in regard thereto:

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WHEREAS, the State Highway Commission heretofore has authorized and instructed the State Highway Engineer to make a survey on a certain section or portion of the highways of the State of Oregon; and

WHEREAS, pursuant to said authorization the State Highway Engineer has made and completed the said survey and has filed the map and plans of the said survey in the files of the State Highway Commission, in Salem, Oregon; and

WHEREAS, the map and plans of the said survey have been examined by the State Highway Commission and have been found suitable in all respects for approval and adoption by the State Highway Commission;

NOW, THEREFORE, BE IT RESOLVED that the survey hereinafter designated and described, together with its identifying location map file number, as shown in the map filing records of the State Highway Commission in its Salem office, be and it is hereby adopted and approved as the location survey of the portion or section of highway involved:

<u>File No.</u>	<u>Prefix</u>	<u>County</u>	<u>Type of Survey</u>	<u>Section</u>	<u>Highway</u>
5B 23-3 & 5B 23-4	1-2812	Baker	Location	Flagstaff Hill-Middle Bridge	Baker-Homestead

BE IT FURTHER RESOLVED that the State Highway Engineer be and he hereby is authorized to make such minor changes in the said location as may improve the standards of alignment and grade not inconsistent with the general location of the section of highway involved.

Consideration was given by the Commission to the following requests for extensions of time within which to complete certain highway construction projects:

L. H. Hoffman, Contract No. 1986, for the construction of a bridge over Quartz Creek on the Wolf Creek Highway near Elsie, in Clatsop County, requested an extension of time from May 31, 1938, to July 1, 1939, within which to complete this contract. He gave the following reasons for failure to complete the project within the specified time limit: delay of 19 days in receiving executed copy of the contract; delay of 23 days on account of being required to drive 1,150 lineal feet of piling in excess of that originally contemplated; delay of 113 days, from December 20, 1937, to April 12, 1938, due to adverse weather conditions and impassable condition of roads leading to the job, the Engineer having ordered the work closed down for this period; delay of 40 days due to defaulting of the painting subcontractor; delay of 149 days, from December 2, 1938, to May 1, 1939, because of adverse weather conditions which would not permit the painting work to be done properly, such close-

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down being ordered by the Engineer. The Engineer advised that during the winter of 1937-1938 he ordered the contractor to close down the work for 113 days because of bad weather conditions during that period. Further, that during the winter of 1938-1939 for similar reasons he ordered the contractor to again close down the work, this time being for a period of 150 days. He also said that 8 days were consumed by the contractor in the iriving of an extra amount of piling over that shown in the contract, which would make a total of 271 days, or until February 26, 1939, for which an extension of time should be granted without penalty. He recommended that the extension of time until February 26, 1939, be granted without penalty, but that the contractor be charged with the engineering expense incurred by the state in the supervision of this job subsequent to such date. A letter was presented from the Public Roads Administration concurring in such recommendation. The Commission approved the recommendation by unanimous vote.

Barham Bros., Contract No. 2078, for construction of a bridge over the O.W.R.R. & N. tracks on the Airport Road, Portland, Multnomah County, requested an extension of time from January 31 to July 9, 1939, within which to complete this contract, particularly the removal of the old bridge and the erection of barriers. They gave no reason for failure to complete the project within the specified time limit. The Engineer advised that the contract provided that all work in connection with this job, with the exception of the removal of the old structure, should be completed on or before January 31, 1939, and that the contractor should remove the old structure within 15 days after notice to proceed with such work. On account of inclement weather, he said, the contractor was ordered to discontinue the painting work until suitable conditions prevailed in the spring, and such painting work was completed immediately upon the giving of such notification. He recommended, in view thereof, that the extension of time requested be granted without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation by unanimous vote.

Edwin C. Gerber, Contract No. 2103, for grading, surfacing and oiling the Umapine-Sunnyside Section of the Umapine Secondary Highway, in Umatilla County, requested an additional extension of time, from June 30 to July 20, 1939, within which to complete this contract. He gave no reason for failure to complete the work within the specified time limit. The Engineer advised that Mr. Gerber's failure to complete the contract within the specified time limit was solely the result of his own negligence and failure to start the project when ordered to do so. He recommended, in view of the circumstances, that the extension of time now requested be granted, but that Mr. Gerber be charged with all engineering expense incurred by the state against the job since June 30, 1939. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation unanimously.

Mountain States Construction Company, Contract No. 2111, for grading, surfacing, and oiling the Brownsville Section of the Halsey-Sweet Home Secondary State Highway, in Linn County, requested an extension of time of 7 days, from July 15 to July 22, 1939, within which to complete this job. They alleged that practically all of the work in connection with this contract was completed by July 12, 1939, and that all that remained was the application of the finish coat of oil and the cleanup work on the shoulders, which work, according to the specifications, could not be done until 7 days had elapsed after the application of the previous coat of oil. The Engineer advised that the contractor was hindered in completing this job within the specified time limit by reason of intermittent rainy periods during the month of June. All work in connection with the job, he said, with the exception of the application of the second seal coat was completed on July 11 and the contractor was not permitted to apply the second seal coat until July 18, in conformity with the provisions of the specifications. He recommended that the 7 days' extension of time now requested within which to complete the project be granted without penalty and submitted a letter from the Public Roads Administration concurring therein. The Commission approved the recommendation unanimously.

H. L. Rice, Contract No. 2117, for grading the Rock Creek-Morrow County Line Section of the Wasco-Heppner Secondary State Highway, in Gilliam County, requested an additional extension of time of 10 days, from June 20 to June 30, 1939, within which to complete this project. He gave no reasons for failure to complete the project within the previously extended time limit. The Engineer advised that Mr. Rice was required to excavate and place 5,000 cubic yards of topping material which was not provided for in his original contract and in view thereof the Commission granted him an extension of time to June 20 to do this work; however, Mr. Rice experienced considerably more difficulty in the performance of such operation than was anticipated and as a result was unable to complete the project within the extended time. He recommended, in view of the circumstances, that the 10-days' extension of time now requested be granted without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation unanimously.

Chester T. Lackey, Contract No. 2114, for furnishing crushed materials in stock piles for the Sisters and Horse Ridge-Brothers Sections of the McKenzie, Central Oregon, and other state highways, in Deschutes County, requested an extension of time of 9 days, from June 15 to June 24, 1939, within which to complete this job. He alleged that his failure to complete the project within the specified time limit was due to unfavorable weather conditions. The Engineer advised that the contractor carried on this project in a very satisfactory manner, but, for reasons stated by him, failed to complete it within the specified time. He recommended the granting of the extension of time now requested without penalty and

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submitted a letter from the Public Roads Administration concurring therein. The Commission approved the recommendation unanimously.

Saxton, Looney, & Risley, Contract No. 2145, for furnishing crushed materials in stock piles for the Butte Creek Summit-Branson Creek and Flat Creek-John Day Sections of the John Day Highway, in Grant and Wheeler Counties, requested an extension of time of 30 days, from June 30 to July 30, 1939, within which to complete this project. They attributed their failure to complete the project within the specified time limit to difficulties in securing satisfactory materials from the gravel pit used in their first set-up, it being necessary for them to abandon this pit and secure gravel from a bar in the John Day River, which source of material they also had to abandon because of high water conditions. The Engineer advised that the reason given by the contractor for failure to complete the project within the specified time limit is only partially correct and, in his estimation, is not sufficient justification for the granting of an extension of time without penalty because the job required the operation of two plants, which were not installed until the job had been under way for some time. After the installation of the second plant, he said, the contractor encountered difficulty in securing suitable rock because of a large amount of dust that the pit contained, and in order to eliminate the dust and at the same time eliminate excessive mechanical trouble it was necessary to install a blower, which took time and also slowed down production. He also advised that part of the overrun in time limit was attributed to manufacture of additional materials under price agreement for use in connection with the construction of the Mule Shoe Creek Section of this highway. He recommended, in view of the circumstances, the extension of time requested be granted without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation unanimously.

Norris Brothers, Contract No. 2189, for oiling the Mt. Vernon, Weston, and Service Creek Sections of the John Day Highway and the Weston-Elgin Secondary Highway, in Grant, Umatilla, and Wheeler Counties, requested a 30-day extension of time, from July 31 to August 31, 1939, within which to complete this project. They attributed their failure to complete the project within the specified time limit to adverse weather conditions. The Engineer advised that the reasons given by the contractor for failure to complete the project within the specified time limit are substantially correct, 12 days having been lost on account of rain and 7-days' time due to failure of the rock contractor to produce materials for use in connection with the Cove Secondary Highway improvement in Union County. The latter reason, he said, is not in itself a justification for the granting of the extension without penalty, but Norris Brothers were requested to oil the Cove job before proceeding to their work at Mt. Vernon, and they could not do this oiling work until the oil rock had been furnished by the Mountain States Construction Company,

which had the contract for the production of such material. He recommended, in view of the circumstances, that the extension of time requested be granted but that the contractor be charged with the engineering expense incurred by the state in connection with this job subsequent to August 19, 1939. The Commission approved the recommendation unanimously.

The Engineer reported that Contracts Nos. 2078, 2081, 2103, 2111, 2117, 2142, 2144, 2145, 2153, 2166, 2167, 2169, 2175, 2187, 2188, and 2190, for the construction of state highway projects have been completed according to the requirements of the contracts or modifications thereof, and that said jobs are ready for acceptance. The following resolution accepting the above projects was offered and was adopted by the unanimous vote of the Commission:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts and said jobs are now ready for acceptance:

Contract No. 2078, with Barham Brothers, for construction of the Airport Road Overcrossing on Northeast 42nd Avenue over the O.W.R.R. & N. tracks on Northeast Portland Highway, Multnomah County. Completed July 8, 1939.

Contract No. 2081, with Roy L. Houck, for grading, surfacing, and oiling the Lombard Street-Killingsworth Street Section of the Northeast Portland Secondary Highway, in Multnomah County. Completed July 11, 1939.

Contract No. 2103, with Edwin C. Gerber, for grading, surfacing, and oiling the Umapine-Sunnyside Section of the Umapine Secondary Highway, in Umatilla County. Completed July 14, 1939.

Contract No. 2111, with Mountain States Construction Company, for grading, surfacing, and oiling the Brownsville Section of the Halsey-Sweet Home Secondary Highway, in Linn County. Completed July 19, 1939.

Contract No. 2117, with H. L. Rice, for grading the Rock Creek-Morrow County Line Section of the Wasco-Heppner Secondary Highway, in Gilliam County. Completed June 30, 1939.

Contract No. 2142, with Schmeer, Williams & Gentemann, for furnishing crushed rock in stock piles for the Horse Ranch-Chewaucan Narrows Section of the Fremont Highway, in Lake County. Completed July 8, 1939.

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Contract No. 2144, with Chester T. Lackey, for furnishing crushed rock in stock piles for the Sisters and Horse Ridge-Brothers Sections of the McKenzie, Central Oregon, and other highways, in Deschutes County. Completed June 24, 1939.

Contract No. 2145, with Saxton, Looney, & Risley, for furnishing crushed rock in stock piles for the Butte Creek Summit-Branson Creek and Flat Creek-John Day Sections of the John Day Highway, in Wheeler and Grant Counties. Completed July 18, 1939.

Contract No. 2153, with Odom Construction Company, for widening the Abernethy Creek Bridge on the Pacific Highway East, in Oregon City, Clackamas County. Completed July 31, 1939.

Contract No. 2166, with E. C. Hall Company, for grading, surfacing, and oiling, and furnishing crushed rock in stock piles for the Jericho Lane-Bloucher Section of the Hood River Secondary Highway, in Hood River County. Completed July 12, 1939.

Contract No. 2167, with E. L. Rigdon, for grading and surfacing the Poe Valley Section of the Bonanza-Malin County Road, in Klamath County. Completed July 11, 1939.

Contract No. 2169, with Warren Northwest, Inc., for surfacing and oiling the Falls City-Fern Corner Section of the Falls City County Road, in Polk County. Completed July 26, 1939.

Contract No. 2175, with Clifford A. Dunn, for grading, surfacing, and oiling the Dixonville-Mud Hollow Section of the North Umpqua County Road, in Douglas County. Completed August 12, 1939.

Contract No. 2187, with R. O. Dail & Warren Bros., Inc., for surfacing and oiling in connection with Division No. 1 Oiling Project on three secondary highways, in Clackamas, Washington, and Yamhill Counties. Completed July 31, 1939.

Contract No. 2188, with J. C. Compton, for oiling the Elsie-Balm Grove Section of the Wolf Creek Highway and county roads, in Clatsop, Columbia, Tillamook, and Washington Counties. Completed August 2, 1939.

Contract No. 2190, with J. C. Compton, for oiling in connection with Division No. 2 Oiling Project on three secondary highways, in Linn, Polk, and Yamhill Counties. Completed July 18, 1939.

THEREFORE, BE IT RESOLVED, that the work covered by said state highway contracts for the construction of said state highway projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

The Commission discussed the setting of a date for its next regular meeting following that scheduled to be held on August 31 and September 1, 1939. It was decided to hold such meeting on September 28 and 29, 1939, in Portland. The Secretary was instructed to make the usual arrangements to hold such meeting in the auditorium of the Public Service Building.

The Commission considered and signed agreements, et cetera, as follows:

Agreement with Rex E. Rose covering acquisition of water right for use in connection with operation of the W.P.A. Camp and future state highway department maintenance headquarters on the Wolf Creek Highway near the town of Manning, Washington County.

Agreement with the Portland General Electric Company, Portland Electric Power Company, and Southern Pacific Company with respect to the power company's pole lines and the Southern Pacific Company's "K" line on the Ross Island-Schiller Street Section of the East Portland-Oregon City Highway, in Portland.

Agreement with the Idaho Power Company covering the furnishing of electrical energy for lighting the underpass on the Old Oregon Trail Highway, in Ontario.

Agreement with the Works Progress Administration providing for the advancement of state funds in a sum not to exceed \$3,500 to pay non-labor items on the Wolf Creek Highway W.P.A. project during the month of August, 1939.

Agreement with E. B. Gresham and Anna Gresham providing for the lease or purchase of an 11-acre tract of land in Tillamook County for a C.C.C. Camp site.

Agreement with Clatsop County with respect to the use of the county's quarry at Northrup Creek in connection with the construction of the Jewell-Banser Bridge Section of the Nehalem Secondary Highway.

Agreement with the United States Department of the Interior, Division of Grazing, with respect to the construction of the Rome-Princeton Secondary Highway, in Harney and Malheur Counties.

Agreement with the O.W.R.R. & N. Company and the Union Pacific Railway Company providing for additional encroachment of the Columbia River Highway on the railroad right of way at Lindsey.

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Agreement with Jacob J. Hoffart and wife providing for the lease of a building and grounds at the town of Timber for a period of 12 months at \$12 per month, for use in connection with highway maintenance work.

Agreement with the O.W.R.R. & N. Company and the Union Pacific Railway Company covering construction of a temporary underpass at railroad mile post 30.6 between Multnomah Falls and Oneonta for the purpose of transporting grade materials from the south to the north side of the railroad tracks in connection with the reconstruction of the Columbia River Highway.

There being no further business to come before the Commission at this time, the meeting was adjourned at 3:40 o'clock p. m.

[Signature]
State Highway Engineer
[Signature]
Secretary

Henry F. Cabell
Chairman
E. B. Aldrich
Commissioner
Huron W. Clough
Commissioner

Portland, Oregon, August 31, 1939

The State Highway Commission met in regular session at 9:00 o'clock a. m. in the Auditorium of the Public Service Building. Present were:

Henry F. Cabell, Chairman
E. B. Aldrich, Commissioner
Huron W. Clough, Commissioner
R. H. Baldock, State Highway Engineer
J. W. DeSousa, Assistant Attorney
H. B. Glaisyer, Secretary

Bids as follows for highway construction projects and furnishing of free ferry service were opened and read in conformance with previously published notice, following which Chairman Cabell announced that the award of contracts would be made at 4:00 o'clock p. m. in the same room:

OREGON COAST HIGHWAY
SMITH POINT-YOUNGS BAY BRIDGE SECTION
ROADSIDE IMPROVEMENT

D. L. Ashton
Geo. F. Anderson

\$ 4,920.00
10,440.00

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NEHALEM SECONDARY HIGHWAY
 JEWELL-BANZER BRIDGE SECTION
 SURFACING, OILING, FURNISH CRUSHED ROCK

	<u>Using Asphalt</u>	<u>Using Tar</u>
O. C. Yocum	\$63,746.00	\$63,234.00
A. S. Wallace	-----	64,098.00
Saxton, Looney & Risley	-----	64,412.10
Babler Bros.	-----	66,963.50
Fisher Bros.	67,491.00	67,196.80
J. C. Compton and Rogers Construction Company	-----	67,402.90
E. C. Hall Company	69,179.00	70,533.00
A. Milne	70,947.60	70,352.60
Dolan Construction Company	-----	72,160.10
Homer G. Johnson	-----	72,880.00
McNutt Bros.	87,796.50	88,603.60

PACIFIC HIGHWAY
 NORTH ROSEBURG SECTION - ROADSIDE IMPROVEMENT

D. L. Ashton	\$ 4,592.25
Blair T. Alderman	5,693.95

PACIFIC HIGHWAY
 NORTH UNIT, SISKIYOU-BEAR CANYON SECTION - GRADING

Roy L. Houck	\$ 78,607.75
Colonial Construction Company	79,752.00
McNutt Bros.	90,716.50
Leonard & Slate	95,784.00
A. G. Greenwood Company, Inc.	98,334.00
Berke Bros.	101,892.50
Frank Penepacker	101,992.90
E. C. Hall Company	102,062.00
Jacobsen-Jensen Company	103,477.50
Nat McDougall Company	123,951.50

PACIFIC HIGHWAY
 SOUTH UNIT, SISKIYOU-BEAR CANYON SECTION - GRADING

Roy L. Houck	\$136,421.50
Leonard & Slate	144,264.00
E. C. Hall Company	149,989.00
Frank Penepacker	158,367.50
Colonial Construction Company	159,091.00
McNutt Bros.	169,064.50
Thompson-Markham Company	178,952.00
Berke Bros.	180,023.50
A. G. Greenwood Company, Inc.	186,485.00
Nat McDougall Company	212,949.50

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I.O.N. SECONDARY HIGHWAY
OWYHEE RIVER-TUDOR RANCH SECTION
GRADING AND TRESTLE BRIDGE

M. L. O'Neil & Son	\$ 97,325.75
Leonard & Slate	104,332.00
McNutt Bros.	106,895.50
Dodge Construction Company	115,681.00

WOLF CREEK HIGHWAY
BRIDGES OVER WEST FORK DAIRY CREEK AND NEHALEM RIVER

J. F. Johnston	\$ 27,563.25
Averill & Corbin	27,749.00
McNutt Bros.	28,188.00
Tom Lillebo	28,570.30
Sig Ash	28,603.50
Odom Construction Company	29,093.50
Birkemeier & Saremäl	30,382.50
Kuckenberg Construction Company	32,544.50
Jacobsen-Jensen Company	33,412.50
Barham Bros.	33,663.00
A. W. Stevens Construction Company	36,231.40

WILSON RIVER HIGHWAY
GLENWOOD UNDERCROSSING

Minneapolis-Moline Power Implement Company	\$ 4,067.20
Poole & McGonigle	4,264.00
Willamette Iron & Steel Corporation	4,756.00

COOS RIVER SECONDARY HIGHWAY
FURNISH FERRY SERVICE AT ENEGREN CROSSING

	<u>18-hr. Service</u>	<u>20-hr. Service</u>
Andrew Stambuck	\$ 734.62	\$ 784.60
Leonard & Slate	1,000.00	1,080.00

WOLF CREEK HIGHWAY
RE-ESTABLISH SCHOOL BUILDING IN VICINITY OF MANNING

Odom Construction Company	4,820.00
Caufield & Savage	6,618.00
Robertson, Hay & Wallace	7,195.00

The Commission also received bids for the purchase of obsolete equipment and an accumulation of scrap materials stored at the Highway Department Shops at Salem, Klamath Falls, Coquille, and LaGrande, as previously advertised. These bids were all referred by the Commission to the Engineer with power to sell the various items to the high bidder in each instance if the bids compare

favorably with the appraised value of the items. Announcement to that effect was made by the Chairman, Henry F. Cabell.

A delegation from Roseburg, consisting of W. C. Harding, A. C. Masters, Senator C. W. Clarke, Harry Ellsworth, County Judge Morris C. Bowker, and County Commissioners H. B. Roadman and J. Ross Hutchinson, of Douglas County, came before the Commission and urged additional improvements on the North Umpqua County Road, particularly two short sections east of the section completed this year. They asked for this improvement as soon as possible and in any event during the 1940 season. They also asked for the reconstruction of the Turkey Hill-Rice Hill Section of the Pacific Highway.

Judge Bowker stated that the county is ready to proceed with the acquisition of the right of way for the North Umpqua improvement as soon as they know when the Highway Commission intends to start construction. Chairman Cabell advised that the Commission has both of these projects in mind and intends to give them careful consideration in the formulation of its next construction program but is not in a position today to make any definite commitment to either of them.

County Judge Clinton Hurd and County Commissioner W. J. Holland, of Lane County, came before the Commission with regard to the improvement of the Lake Creek Section of the Siuslaw Highway. They were informed that the Commission has not yet made a definite decision with respect to such improvement.

They also asked that the Territorial Secondary Highway, which now extends from the town of Monroe, in Benton County, to the Lane-Douglas County line, be extended a distance of about 5 miles to a connection with the Pacific Highway, near Anlauf. They were informed that the Commission has this matter under advisement.

The County Court of Sherman County, represented by County Judge George A. Potter and County Commissioner David R. Reid, came before the Commission and asked for the following improvements:

1. Construction of the Sherman County Section of the Grass Valley-Shearers Secondary Highway, particularly from Buck Hollow Bridge northerly a distance of about 2 miles.
2. Improvement of the Sherman County Section of the Wasco-Heppner Secondary Highway, particularly the narrow sections near the Cottonwood Bridge.
3. Improvement of the Hay Canyon farm-to-market road from its intersection with the Wasco-Heppner Secondary Highway southerly a distance of about $2\frac{1}{2}$ miles.

This request was endorsed by the County Court of Wasco County which was represented by County Judge G. G. Shults and County Commissioner A. H. McLeod and County Engineer John R. Nichols. They were informed that the Commission would be glad to bear these projects in mind in the discussion of future

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highway programs, although no definite commitments can be made now. The Commission thereupon referred the matter to the Engineer for investigation and report.

Messrs. Ed Turnbull and William Tugman, Eugene, and County Commissioner W. J. Holland, of Lane County, were present in regard to the rerouting of the Pacific Highway through Eugene. It was decided that Chairman Cabell, Commissioner Clough, and the Engineer would meet with the delegation in Eugene on Thursday of the following week for a discussion of this matter.

The Commission had under discussion the sale to the Lumber and Sawmill Workers, Dee, Oregon, of an old crusher site located adjacent to the Hood River Secondary Highway just north of Dee. The Engineer advised that this tract contains 3.83 acres and that it is of no further value for state highway purposes, hence he has no objection to the sale thereof. After discussion, the Commission instructed the Attorney to ascertain whether or not any other state department or the County Court of Hood River County desires this property. In the event that such investigation reveals that the property is not wanted by any state department or the County Court, then it is to be advertised for sale, bids to be received at the next meeting. However, the Attorney is to set a minimum price that the Commission will consider for the same and such information is to be forwarded to the prospective purchasers.

The question of whether or not to advance additional state funds to finance non-labor items in connection with the Wolf Creek Highway W.P.A. project was discussed. The Engineer advised that no additional W.P.A. funds have been authorized to pay the non-labor items on this job, and if the work is to proceed during the month of September it will be necessary for the state to advance approximately \$3,500. He recommended approval of such expenditure under the same arrangement as that under which funds were advanced to pay for these items during June, July, and August. The Commission approved the recommendation unanimously.

In this connection the Engineer reported difficulties in connection with the employment of men to operate power shovels on this job, it appearing that these men feel that they are underpaid inasmuch as they are not receiving union wages for such work, the W.P.A. wage scale having been reduced under new W.P.A. regulations. This matter was discussed at some length but no decision with regard thereto was reached. Chairman Cabell was authorized by Commissioners Aldrich and Clough to act for the Commission in the disposal of this and other matters pertaining to this W.P.A. project.

The Assistant Attorney requested authority to institute condemnation proceedings to acquire right of way needed for the Owyhee River-Scotts Butte Section of the I.O.N. Highway, in Malheur County, and for the Siskiyou Station-State Line Section of the Pacific Highway, in Jackson County. He explained that he is offering \$6.00 per acre for right of way needed for the I.O.N. Highway and that he has been unable to locate a Mrs. Bessie West, the owner of the property needed for the Siskiyou Station-State Line project, which he values at \$20. The Commission approved the Attorney's request and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, the State Highway Commission is by law authorized and directed to lay out, locate, relocate, designate, construct, reconstruct, improve, and maintain a system of state highways in the State of Oregon, including both primary and secondary state highways, to acquire rights of way necessary therefor, and to declare the necessity and need for the acquisition thereof, and the advantage to be gained thereby;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the State Highway Commission does hereby find and declare that it is necessary, will be of advantage to the State of Oregon, and is needful that the State acquire for right of way purposes for use in connection with the permanent location, construction, improvement, and maintenance of the following section or sections of the state highway system of the State of Oregon, to wit:

Siskiyou Station-State Line Section of the Pacific Highway
Owyhee River-Scotts Butte Section of the I.O.N. Highway

real property owned by or in possession of the following parties and/or persons, to wit:

Siskiyou Station-State Line Section of the Pacific Highway
7179-Bessie West

Owyhee River-Scotts Butte Section of the I.O.N. Highway
6902-J. O. Blackwill
6907-Oliver Davis
6901-I. Blatt
6910-Leslie Edson
6913-Mrs. E. H. Crim
6915-Mrs. A. A. Graham
6196-Malheur County

and this Commission does hereby declare further that the said property or properties are necessary, are needful, and the acquisition thereof will be of advantage to the State of Oregon for right of way purposes in order to make it possible for the State Highway Commission to properly locate, relocate, construct, reconstruct, and maintain said portion or portions of the said state highway system in accordance with standards adopted by this Commission relative to curvature, grades, alignment, drainage, and factors of safety.

2. That the State Highway Engineer be and he hereby is instructed and directed to properly survey the parcel or parcels of land required for such right of way purposes and prepare proper and adequate descriptions thereof, which descriptions shall be employed in the preparation of a deed or deeds or other instrument or instruments necessary to complete the acquisition of the said property or properties or

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which descriptions may be used in the preparation of a complaint in the event that condemnation proceedings are necessary.

3. That the boundaries of the said parcel or parcels of land, as defined and determined by the said survey made by the said Highway Engineer, along the route or location adopted by the Highway Commission, shall be and the same hereby are adopted and the lands defined therein are hereby declared to be and the same are included within the rights of way of the said portion or portions of the said state highway system and hereby are declared to be necessary for the proper location, improvement, construction, and maintenance of the said portion or portions of the state highway system.

4. That I. H. Van Winkle, Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they are hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby further resolved that the Attorney General of the State of Oregon and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they hereby are requested to commence and prosecute to a final determination such suit or action, or suits or actions, as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

The Commission also by unanimous vote adopted the following resolution authorizing condemnation proceedings to acquire gravel pits on the property of the Coast Land Company and J. O. Blackwill, for use in connection with the construction of the Owyhee River-Scotts Butte Section of the I.O.N. Highway, in Malheur County, and approved the Attorney's offer of \$6.00 per acre for such gravel pits:

WHEREAS, the State Highway Commission is by law authorized and directed to lay out, locate, designate, construct, improve, and maintain a system of state highways in the State of Oregon and to acquire by donation, purchase, agreement, condemnation, or by the power of eminent domain title to land upon or under which there is gravel, gravel beds or bars, sand, sand beds or bars, rock, boulders, quarries or quarry sites, lime deposits, or other mineral deposits or formations suitable for road construction, improvement, betterment or pavement, and to declare the necessity and need for the acquisition thereof and the advantages to be gained thereby;

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NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the State Highway Commission does hereby find and declare that it is necessary and will be of advantage to the State of Oregon and there is need that the State acquire for the purposes of road construction, improvement, betterment, repair and maintenance, and for the purpose of the manufacture of road materials on the following section or sections of the state highway system of the State of Oregon, to wit:

Owyhee River-Scotts Butte Section of the I.O.N. Highway

real property owned by or in the possession of the following parties and/or persons, to wit:

6201-Coast Land Company
6903-J. O. Blackwill

and this Commission does hereby declare further that the said property or properties contain gravel, gravel beds or bars, sand, sand beds or bars, rock, boulders, quarries or quarry sites, lime deposits, or other mineral deposits or formations suitable for road construction, improvement, betterment, or pavement, and that the said property or properties is or are necessary and needful and the acquisition thereof will be of advantage to the State of Oregon for the said purposes in order to make it possible for the State Highway Commission to construct, improve, maintain, and repair the said portion or portions of the said state highway system in accordance with the standards adopted by this Commission.

2. That the State Highway Engineer be and he hereby is instructed and directed to properly survey the parcel or parcels of land required for said purposes and to prepare proper and adequate descriptions thereof, which descriptions shall be employed in the preparation of a deed or deeds or other instrument or instruments necessary to complete the acquisition of the said property or properties, or which said description may be used in the preparation of a complaint in the event that condemnation proceedings are necessary.

3. That the boundaries of the said parcel or parcels of land, as defined and determined by the said survey made by the said Highway Engineer, shall be and the same hereby are adopted and the lands defined therein are hereby declared to be and the same shall be lands necessary for the purposes stated herein.

4. That I. H. Van Winkle, Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they are hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be

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any, of said parcel or parcels of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby further resolved that the Attorney General of the State of Oregon and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they hereby are requested to commence and prosecute to a final determination such suit or action, or suits or actions, as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

The Assistant Attorney also brought up for discussion the matter of acquiring from the O.W.R.R. & N. Company two small parcels of land needed for right of way for the State Farm-Adams Section of the Oregon-Washington Highway in Umatilla County, said parcels being located on the railroad station grounds at Adams. It appears that the railroad company will not convey this property to the state unless the state, in turn, will construct certain guard fence and do other things for the benefit of the railroad company that were not mentioned at the time of the hearing conducted by the Public Utilities Commissioner, covering the matter of elimination of the railroad grade crossing at this point, and it may be necessary, in view thereof, to condemn the right of way across the company's property or to revise the plans for this project so as to use the existing county road connection at Adams, as was originally intended, notwithstanding that it would affect the highway alignment adversely.

The Engineer advised that the original plans for this highway improvement were altered somewhat as an accommodation to the railroad company, although the change also benefited the state. He suggested that, rather than to accede to the new demands of the railroad company, it would be advisable to construct the project under the original plan, using the county road connection as a temporary proposition, notwithstanding that it would shorten the highway improvement about one-half mile. He also suggested that it might be advisable to consult with the Public Utilities Commissioner relative thereto and to withdraw the petition for the railroad grade separation project, in the event the railroad company will not cooperate. The Commission tentatively approved the Engineer's suggestion but deferred a definite decision thereon pending receipt of the bids for this project, which are to be opened on the following day.

The Engineer reported the need to secure the approval of the United States War Department before proceeding with the construction of the proposed viaduct along the east bank of the Willamette River, between 8th Street and 9th Street, in Oregon City, in connection with the state highway improvement at that place, which project was previously authorized by the Commission for the 1939 Federal Aid Program. He requested authority from the Commission to

present the plans of this structure to the War Department for such approval. The Commission approved the Engineer's request by unanimous vote.

The Commission adjourned at 12:00 o'clock noon and reconvened at 2:00 o'clock p. m. in the same room, with all Commissioners, the State Highway Engineer, the Assistant Attorney, and the Secretary present.

The Engineer reported on the cost to construct a sidewalk on the Pacific Highway from the north city limits of Roseburg to the Garden Valley Road, a distance of about 0.4 mile. He estimated that it would cost about \$1,025.00 to build a sidewalk on the east side of the highway, and on the west side of the road about \$1,675.00, or a total of \$2,700.00. He pointed out that the present highway is not on permanent alignment and there is a possibility that it will be reconstructed within the next three years, in view of which he questioned the advisability of spending any money at this time for sidewalk construction, inasmuch as the walk would have to be torn up when the new highway is built. He also questioned the justification of sidewalk construction on account of pedestrian traffic, explaining that a traffic count taken on Thursday, July 13, 1939, between 6:00 o'clock a.m. and 10:00 o'clock p.m., revealed that there were only 78 pedestrians using the west side of the highway and only 77 using the east side of the highway during that period. He recommended deferment of the sidewalk construction until the highway is rebuilt. The Commission approved the recommendation unanimously and asked Commissioner Clough to convey such information personally to the Roseburg Chamber of Commerce, which has urged the construction of such sidewalk.

The Commission had under discussion the report from the Engineer relative to the Rural Electrification Administration power line construction along the McKensie Highway, in Lane County. The Engineer advised that Mr. Charles Edwards, Attorney for the sponsors of this R.E.A. project, was contacted and it appears that there are many questions involved, particularly concerning the right of way through the timbered strips, which cannot be solved until a survey of the project has been made. Also, that the survey is to be financed with federal moneys which cannot be secured until the federal authorities have been assured that a permit will be granted by the State Highway Commission for the maintenance of poles on the highway right of way, for which reason Mr. Edwards has requested a letter from the Highway Commission stating that such permit will be granted subject to the condition that the final exact location is to be determined later. It was his thought that such letter should be written and he so recommended. The Commission approved the recommendation.

The Engineer also reported the cost to perform certain construction work needed in connection with the improvement of the 8th Street connection to the Oregon Coast Highway, in Reedsport, which improvement has heretofore been requested by the Reedsport City Council. He advised that inspection has been made of this project, which reveals that for the sum of \$600 a satisfactory connection can be made, the state's improvement being confined to the intersection property, the balance of the improvement being financed by the City of Reedsport. He recommended that the Commission join with the City of Reedsport in this undertaking. The Commission approved the recommendation unanimously.

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The Commission discussed briefly the matter of the use of the ocean beach at Seaside as an airplane landing field, it having been reported that this particular beach is being so used continually. The Assistant Attorney reported that a portion of the ocean beach at Seaside is owned by the city and is without the jurisdiction of the State Highway Commission, this being one of the few places on the Oregon Coast line where such a condition obtains. He was instructed by the Commission to ascertain definitely if the area that is now being used as a landing field at this place is within the limits of the city-owned property and to report his findings in the event such area is under state jurisdiction, in which case the Commission will take action on the matter.

The question of whether or not to permit the transportation of logs over the Wolf Creek Highway, involving the use of the detour road which passes under the approach to the Nehalem River Bridge, had the attention of the Commission. The Engineer explained that this bridge is now under construction and pending completion of same all of the Wolf Creek Highway traffic is required to use the detour, which contains a very sharp curve at the bridge end where the sight distance is very short. He gave as his thought that the transportation of logs around this curve should be prohibited in the interests of safety to other traffic, and that if log hauling is allowed under the bridge at all it should be limited to loads that originate along the old county road which crosses the highway at a point under the bridge approach where there is a clear view in each direction. He recommended adoption of such a ruling, to be effective until other arrangements can be made for the hauling of logs around the curve with safety. The Commission approved the recommendation unanimously. In this connection the Engineer reported on the feasibility of constructing a connecting road between the highway and the detour road, entirely on the north side of the highway. He estimated the cost of such connection at \$30,000, which amount he declared prohibitive. He suggested in lieu thereof the widening of the curve on the present road, which would cost only a nominal amount and would permit the hauling of logs under the bridge structure without undue hazard to other traffic, particularly if flagmen are maintained during the time logging operations are under way. The Commission approved the suggestion and authorized the widening work to be done with state forces.

A letter was presented from Mr. J. M. Adams, Superintendent of Schools, Powers, Oregon, requesting the oiling of the Powers Secondary Highway between Myrtle Point and Powers. The Commission denied the request for the time being on account of lack of funds with which to finance the work.

A letter was presented from County Judge U. G. Couch, Union County, requesting the following improvements at the earliest possible time:

1. Oiling, Union-Medical Springs Secondary Highway
2. Additional improvement to the Cove Secondary Highway
3. Additional improvements to the North Powder-North Powder River County Road

He also asked that the Starkey Secondary Highway be extended from its present terminus westerly to Ukiah, in Umatilla County.

A letter was also presented from Mr. Charles H. Reynolds, Chairman of the La Grande Commercial Club, requesting the following improvements:

1. Oiling of the Union-Medical Springs Highway
2. Improvement of the Hilgard-Starkey Secondary Highway and the extension of the same as a secondary state highway to the Umatilla County line
3. Improvement to the Wallowa Lake Highway between Elgin and Minam, particularly the Minam Hill Section

The Commission took these requests under advisement.

The Engineer requested authority to substitute certain oiling projects for the Lombard-Killingsworth paving project which was approved by the Commission at its meeting on August 17 for contracting in the fall of 1939 or the spring of 1940, as a state project, it having been determined that this project is eligible for the federal aid program and should be financed with federal funds. He advised that the transfer of this job to the federal aid program will release \$110,000 of state money for other projects in the state oiling program, and suggested the following:

<u>County</u>	<u>Highway</u>	<u>Section and Kind of Work</u>	<u>Amount</u>
<u>Division 2</u>			
Tillamook	Wilson River	Jordan Creek-McNamers - 10 Miles Surfacing and Oiling	\$25,000
<u>Division 3</u>			
Lane	Willamette	Dexter-Duval Creek - 15 Miles Surfacing and Oiling	43,000
<u>Division 4</u>			
Deschutes	Santiam	Sisters Section, Drainage, Surfacing and Oiling	2,000
<u>Division 5</u>			
Baker	Medical Springs	Missouri Flat-Miles Bridge - 8 Miles Surfacing and Oiling	15,000
Union	"	Union-Catherine Creek - 10 Miles Surfacing and Oiling	15,000

The Commission approved such substitution of projects, as recommended by the Engineer.

The Commission authorized an expenditure of \$50 as the sponsor's contribution in connection with the manufacture of furniture for use in the concession building at Silver Creek Falls State Park.

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The Engineer reported that in accordance with authority previously granted him by the Commission he awarded to Morrison-Knudsen Company, Boise, Idaho, on August 22, 1939, the contract for the construction of the East Unit, Troutdale-Corbett Section, and Bridal Veil-Benson Park Section of the Columbia River Highway, in Multnomah County, bids for which were taken by the Commission on July 27, 1939, the conditions of the award having been satisfied. The Commission by unanimous vote approved the award of this contract.

The State Parks Superintendent, S. H. Boardman, was present and reported on the following park matters:

Offer of Mr. and Mrs. Drew Barnum, The Dalles, to donate property for a state park adjacent to The Dalles-California Highway:- The Parks Superintendent advised that Mr. and Mrs. Barnum wish to present to the state, as a gift, a tract containing 7 acres situate adjacent to The Dalles-California Highway at a point about 6 miles south of the Columbia River Highway, in Wasco County. He recommended acceptance of the gift and that it be named Barnum Park in honor of the donors. The Commission approved the recommendation unanimously and ordered that an appropriate letter of thanks be sent to Mr. and Mrs. Barnum.

Complaint of Union Pacific Old Timers Club in regard to conditions in Emigrant Springs Park:- The Parks Superintendent advised that the Union Pacific Old Timers Club held a picnic in Emigrant Springs Park some time ago, which was attended by about 1,500 members, and in addition there were present in the park on that day about 4,000 others, making a total of over 5,000 people. He advised that this park has not been developed to handle such a crowd and gave as his thought, in view thereof, that the Old Timers Club has no cause for complaint. The Commission agreed with the Parks Superintendent and left it with Commissioner Aldrich to explain to the officers of the club.

Purchase of addition to Umpqua Lighthouse State Park, in Douglas County:- The Parks Superintendent advised that the Commission some time ago acquired from the Federal Government, by means of a revokable license, 110 acres of land in this lighthouse reserve, which were to be used as a state park, the thought being at that time that Congress would authorize the deeding of the area to the state upon payment of the sum of \$450. However, when Congress finally took action on the matter and authorized the sale, it increased the consideration to be paid from \$450 to \$1,000. He recommended purchase of the property at such figure on account of its desirability as an addition to the present state park. The Commission approved the recommendation unanimously.

Parking area adjacent to the Oregon Coast Highway at Depoe Bay:- The Parks Superintendent advised that he has investigated the parking strip heretofore dedicated for public use by the Sunset Investment Company along the ocean front on the south side of Depoe Bay and finds in reality that the state already owns the property, it being situate at the edge of the bluff below the highwater line, so there is no particular necessity to secure a deed from the county, although the County Court has stated its willingness to deed this area to the state, if necessary. The Sunset Investment Company, he said, still

owns Block "A" of this subdivision, which fronts on the highway just south of the Depoe Bay Bridge, but they are asking \$15,000 for this tract because, they allege, it is worth that amount as a hotel site, so it does not seem likely that it could be acquired at a reasonable figure for parking space for automobiles. Furthermore, the expense is hardly justified in view of the fact that it is such a small area and will not accommodate many cars.

In the discussion of this matter it was pointed out that the traffic congestion problem at Depoe Bay is serious and that a parking area for automobiles is a necessity. The Commission stated that it wants a parking place for automobiles as close to the highway bridge as possible. The suggestion was made that perhaps a certain 10-acre site about one-quarter mile north of the bridge would be satisfactory. The Commission instructed the Attorney to secure an option for the purchase of this tract if, in his estimation, it is the best one available for the purpose intended.

Purchase of timber tracts from the Louis Hill interests at Sisters:- The Commission by unanimous vote approved the purchase of this timber tract, which is located near the intersection of the McKenzie Highway with the Bend-Sisters Highway at the east city limits of Sisters, at the rate of \$4.00 per M., or a total of \$1,532.00, based on the timber cruise made by the cruiser employed by the Hill interests.

Request of Roman Kintz to secure a connection from the state-owned power line at the Silver Creek Falls State Park:- The Parks Superintendent advised that the Government has just completed this power line to serve the south section of the state park and that it was intended for state use only, but Mr. Kintz, who operates a soft-drink establishment at the entrance to the park, wishes a connection thereto. He gave as his thought, in view of the fact that the Commission has an established policy which will not permit the use of state-owned facilities by private individuals, that the request should be denied. The Commission concurred in the Parks Superintendent's viewpoint and thereupon denied the request.

In connection with this matter, the Assistant Attorney presented the claim of Fred A. Williams, Attorney at Law, Salem, Oregon, in behalf of his client, Roman Kintz, to the effect that a lease which his client had entered into with Fred Volz authorized an extension of five years after June 24, 1941. He advised that it was the opinion of the Legal Department that the lease contained no such provision, and, acting upon this advice, the Commission decided to refuse to recognize any extension of the lease.

County Commissioners H. B. Roadman and J. Ross Hutchinson, of Douglas County, came before the Commission at this time and urged the extension of the Territorial Secondary Highway from its present terminus at the Lane-Douglas County Line southerly to a connection with the Pacific Highway at a point near Anlauf, a distance of about 5 miles. Mr. Roadman stated that Douglas County has rebuilt this section to state secondary highway standards and gave as his understanding that the State Highway Commission would designate this a secondary state highway when the county work was completed. Mr. Hutchinson confirmed Mr. Roadman's statement. The Commission took the matter

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under advisement. (A resolution designating this secondary state highway was adopted later in the session.)

Mr. Hutchinson also asked for the oiling of the Elkton-Sutherlin Secondary State Highway and the Tiller-Trail Secondary Highway between Canyonville and Days Creek, which request was taken under advisement by the Commission.

A delegation from Nyssa, representing the Chamber of Commerce and consisting of Frank Morgan, Secretary; Dr. J. J. Sarazin; E. B. Norcott; Mayor R. A. Thompson; Bernard Frost, President of the Chamber of Commerce; and Berwyn Berke, Editor of the Gate City Journal, came before the Commission in regard to the proposed railroad grade separation project in Nyssa. Mr. Morgan headed the group. He urged the Commission to construct this project at the earliest possible time and advised that the Union Pacific Railroad Company has assured them that it will build a new depot in Nyssa as soon as the Highway Commission constructs the underpass. He further advised that Nyssa is a growing community and that a number of new industries are contemplated there, but are being held up until the matter of the underpass is definitely settled, because the prospective investors want to make certain that their developments are in conformance with the highway improvement. He also urged haste in building the underpass in order to relieve traffic congestion that now obtains on account of the Nyssa sugar factory, which, he said, is one of the largest industries in Eastern Oregon. He explained that there is heavy traffic to and from the sugar factory, all of which must cross over the main line of the O.W.R.R. & N. Company's tracks, and accidents frequently occur, some of which have been fatal.

The Engineer advised that the survey for this project has already been made and that the next step in the procedure is to secure options for the right of way. He recommended the project highly for the next railroad grade separation program, provided right of way can be obtained at reasonable cost, and that the Commission does not have to pay an exorbitant sum for damages on account of change in grade of city streets. This matter was discussed at considerable length, with the result that the Commission, by unanimous vote, authorized the securing of options for the right of way and submission to the city council of resolutions with respect to street grade changes. The Assistant Attorney was instructed to assign a right of way agent to this project as soon as possible.

The delegation then discussed with the Commission matters pertaining to the designation of U. S. Highway 30 North and U. S. Highway 30 South. They advised that under the present system of highway signing people become confused and go many miles out of their way before they realize that they are on the wrong road. They presented a plan to remedy this situation, which the Commission referred to the Engineer for thorough investigation, and report at the meeting on September 28, 1939. The matter is to be discussed at the Annual Meeting of the American Association of State Highway Officials which is to be held in October.

At 4:00 o'clock p. m. Chairman Cabell announced the following awards of contracts for highway construction projects and ferry service, bids for which were taken at the morning session, such awards having been previously approved by the Commission by unanimous vote:

"Smith Point-Youngs Bay Bridge Section of the Oregon Coast Highway, in Clatsop County. 1.66 miles roadside improvement. The low bid received for this project was that of D. L. Ashton, Lebanon, at \$4,920.00. The next low and only other bid was that of George F. Anderson, Astoria, at \$10,440.00. The Commission awards this contract to the low bidder, D. L. Ashton, at his bid of \$4,920.00.

"Jewell-Banser Bridge Section of the Nehalem Secondary Highway, in Clatsop and Columbia Counties. 12.5 miles surfacing and oiling, also furnish 5,200 cu. yds. crushed rock in stock piles and at bunkers. O. C. Yocom, of Willamina, was the low bidder on this project with his bid of \$63,746.00, using asphalt, and \$63,234.00, using tar. A. S. Wallace, Roseburg, was the next low bidder on this project, with his bid of \$64,098.00. He submitted no bid using asphalt. There were 9 higher bidders. The Commission awards this contract to O. C. Yocom at his low bid of \$63,234.00, using tar.

"North Roseburg Section of the Pacific Highway, in Douglas County. 0.74 mile roadside improvement. D. L. Ashton, Lebanon, submitted the low bid of \$4,592.25 for this project. The only other bidder was Blair T. Alderman, Eugene, who bid \$5,693.95. This contract is awarded to D. L. Ashton, the low bidder, at his bid of \$4,592.25.

"North Unit, Siskiyou-Bear Canyon Section of the Pacific Highway, in Jackson County. 1.01 miles grading. The low bid received was that of Roy L. Houck, Salem, at \$78,607.75. The next low bid received on this project was that of Colonial Construction Company, Spokane, Washington, at \$79,752.00. There were 8 higher bidders. The Commission awards this contract to the low bidder, Roy L. Houck, at his bid of \$78,607.75.

"South Unit, Siskiyou-Bear Canyon Section of the Pacific Highway, in Jackson County. 1.4 miles grading. Roy L. Houck, Salem, submitted the low bid on this project with his bid of \$136,421.50. Leonard & Slate, Multnomah, submitted the next low bid at \$144,264.00. There were 8 higher bidders. This contract is awarded to the low bidder, Roy L. Houck, at his bid of \$136,421.50.

"Owyhee River-Tudor Ranch Section of the I.O.N. Secondary Highway, in Malheur County. 18.07 miles grading and 81 lin. ft. pile trestle bridge. The low bid received on this project was that of M. L. O'Neil & Son, Eugene, at \$97,325.75. The next low bid was that of Leonard & Slate, Multnomah, at \$104,332.00. There were 2 higher bidders. The Commission awards this contract to M. L. O'Neil & Son at their low bid of \$97,325.75.

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"Bridges over West Fork Dairy Creek and Nehalem River on the Wolf Creek Highway, in Washington County. Construction of concrete bridge 182 feet long and 2 composite pile trestles, totaling 194 feet in length. The low bid received for this project was that of J. F. Johnston, Newberg, at \$27,563.25. The next low bid was that of Averill & Corbin, Portland, at \$27,749.00. There were 9 higher bidders. The Commission awards this contract to the low bidder, J. F. Johnston, at his bid of \$27,563.25.

"Glenwood Undercrossing on the Wilson River Highway, in Washington County. Furnish and deliver structural steel only for 85-ft. steel deck girder span. Minneapolis-Moline Power Implement Company, Los Angeles, California, submitted the low bid of \$4,067.20 for this project. Poole & McGonigle, Portland, submitted the next low bid at \$4,264.00. There was one higher bidder. This contract is awarded to the Minneapolis-Moline Power Implement Company at its low bid of \$4,067.20.

"Furnish ferry service at Enegren Crossing of the Coos River, on the Coos River Secondary Highway, in Coos County. Andrew Stambuck, Marshfield, was the low bidder for this ferry service at his bid of \$734.62 per month for 18-hour service and \$784.60 per month for 20-hour service. Leonard & Slate, Multnomah, submitted the only other bid. They bid \$1,000.00 per month for 18-hour service and \$1,080.00 per month for 20-hour service. This contract is awarded to Andrew Stambuck, the low bidder, at his bid of \$784.60 for furnishing 20-hour service.

"Move and re-establish school building and play shed in the vicinity of Manning, Washington County. The low bid received for this project is that of Odom Construction Company, Oregon City, at \$4,820.00. The next low bid is that of Caufield & Savage, Tillamook, at \$6,618.00. There was only one higher bidder. The award of this contract will be held until tomorrow pending certain investigations by the Commission in connection with right of way matters.

"Sale of scrap materials at Salem, LaGrande, Klamath Falls and Coquille shops of the Commission. The tabulation of bids received for the purchase of these materials requires further investigation, so they are all referred to the Engineer with power to award the sale to the high bidder in each instance, after the high bidder has been definitely determined."

The Commission adjourned at 4:45 o'clock p. m. to reconvene at 8:30 o'clock p. m. in the Benson Hotel for disposition of accumulated routine matters.

The State Highway Commission reconvened at 8:30 o'clock p. m. in Room 1205, Benson Hotel, all Commissioners being present and participating. Also present were the State Highway Engineer, the Assistant Attorney, and the Secretary.

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Mr. Roger Mything, District Sales Manager of the Oregon Culvert and Pipe Company, Portland, came before the Commission and urged careful investigation and study of the effects that the specifying of the use of creosoted timber pipe culverts, as an alternate for concrete and corrugated metal pipes in state highway construction would have on the pipe manufacturing industry in the State of Oregon, before the Commission takes any definite action with respect to such specification. He said that he represents both the concrete and metal pipe industries and that twenty plants are now operating in the state in the manufacture of such type of pipe, whereas there is only one plant in the State of Oregon that is authorized to manufacture timber pipe. It was his contention, in view of the circumstances, that it would be unfair to include the timber pipe in competition with concrete and metal and urged the Commission to give the matter very careful consideration before it makes its final decision. The Engineer advised that timber pipe as now manufactured compares favorably with concrete and metal pipe as to strength, and, from an engineering standpoint, he could see no reason why the timber pipe should not be included as an alternate, the question being simply one of policy to be established by the Commission.

Chairman Cabell advised that moneys available to the Commission for highway construction are furnished by the motorists, who expect the Commission to spend this money in a manner that will benefit the public to the greatest extent, including the saving of funds in so far as possible. He agreed with Mr. Mything that the matter should be given considerable study and investigation before a definite decision is rendered. After further discussion, the Engineer was instructed to make a thorough investigation and report back to the Commission.

Messrs. W. R. Shaw and George M. Brookbank, Portland, were present in regard to furnishing the State of Oregon a relief map. The Engineer advised that, as previously instructed by the Commission, he made inquiry of Mr. Lewis A. McArthur, President of the Oregon Geographic Board, as to whether or not a relief map constructed on the basis of information available at this time would become obsolete within a comparatively short time by reason of additional topographic surveys throughout the state, and that Mr. McArthur advises that a good map can be prepared now and will be correct for a long time to come. He said that he would like to have such a map in his office because of its value from an engineering standpoint, provided other state departments could be prevailed upon to join in the cost of same. Mr. Shaw estimated the cost of the base map at \$3,800 and the cost of castings from the original at \$400 to \$700, depending upon the amount of lettering required on them. After considerable discussion the Commission authorized an expenditure of \$1,500 toward the cost of the original base map. Mr. Shaw was advised that such amount is the maximum that the Highway Commission will contribute and that it would be up to him to secure the necessary balance from other sources. The Engineer was instructed to prepare specifications for the map and submit the same for approval to the Commission at the next meeting. The entire arrangement is to be covered by appropriate agreement between Mr. Shaw and the Commission.

The Assistant Attorney reported the status of the 1939 right of way

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budget. He advised that the Commission budgeted \$600,000 for right of way purchases this year and up to the present time approximately \$550,000 has been obligated. Present indications, he said, are that right of way expenditures this year will not exceed the budgeted amount. The Commission approved the report.

The Assistant Attorney requested authority to acquire certain parcels of real property that are needed for various highway improvements throughout the state. He submitted a list of such properties together with prices that he recommended be paid for each. After careful consideration, the Commission approved the request and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth; and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon; and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Necanicum-Elsie Section - Wolf Creek Highway</u>				
7044-Crown-Zellerbach Corporation	Park	10.83	\$100 per a.	Parker
<u>Sunset Camp-Elsie Section - Wolf Creek Highway</u>				
2072-Inman-Poulsen Lumber Co.	R/W	4.2	Gratis	Gardiner
<u>Lombard Street-Killingsworth Street Section - N.E. Portland Highway</u>				
6056-Decker, Beatrice (Correction)	R/W	54 sq.ft.	5¢ sq.ft. plus moving building. (Est'd cost \$915.96)	Parker

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
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Warren-Scappoose Section - Columbia River Highway

7166-Freeman, Robert Roy	R/W, Borrow Pit, Channel Change	0.48	\$150 per a. + \$175	McChesney
7163-O'Connor, Emma	R/W	0.10	\$200 per a. + \$20	"
7164-Miller, Howard	"	0.07	\$200 per a. + \$253 + moving bldg. (Est. \$450)	"
7165-Wodecki, Waclov et al	"	0.04	\$200 per a. + \$6.60	"
7169A-Wikstrom, C. E.	"	0.04	\$200 per a. + low bid for filling front yard, seeding lawn, making walk	"

Dolph West Section - Little Nestucca Highway

7237-Edmonds, Ernest D.	Quarry	1.02	Perpetual Easement - 3 $\frac{1}{2}$ cu. yd.	Parker
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Tigard Section - Pacific Highway West

6928-Tigard, H. B.	R/W	1278 sq.ft.	8 $\frac{1}{2}$ sq.ft. + \$225	Collins
6969-Vincent, Hannah	"	82 sq.ft.	\$5 Lump Sum	"
6973-Nash, C. F.	"	0.52	\$1500 per a. + \$422	"
6995-Blanks, Karl A.	"	3200 sq.ft.	4 $\frac{1}{2}$ sq.ft. + \$547	"
7005-Methodist Church	"	20000 sq.ft.	8 $\frac{1}{2}$ sq.ft. + exchange by state of 40,000 sq.ft. (cost \$2000) & moving bldgs. (Est'd at \$3500)	"

Newberg-McMinnville Section - Pacific Highway West

7110-First Nat'l Bank Portland (and Carl Gammon)	R/W	3000 sq.ft.	\$300 Lump Sum	Benson
7116-Miller, Perry A.	"	867 $\frac{1}{2}$ sq.ft.	\$150 Lump Sum	"
7106-Marr, E. U.	"	0.346	\$300 per a. + \$396.20	"
7125-White, Jesse G.	Easement for Detour Road	0.05	\$12.50 Lump Sum	"
7111-School District No. 3	Slope Easement	3000 sq.ft.	Gratis	"

Albany Section - Pacific Highway East

5720-Knox, G. M.	R/W & Slope Easem't	132 sq.ft.	Land Gratis, + \$20	Gardiner
5839-Prestie, Peter	"	732 "	" " + \$12.50	"
5718-Gilbert, W. E.	"	264 "	" " + \$60.50	"
7189-Gilbert, Anna S.	"	198 "	" " + \$48	"
5675-Albany Door Co.	"	792 "	Gratis	"
5837-Graber, Carson	"	726 "	Land Gratis, + \$15	"
5838-Winterstein, Johana	"	528 "	" " + \$15	"
7187-Hackleman, Lena	"	396 "	" " + \$100	"
7188-Worley, Mary M.	"	198 "	" " + \$26.60	"
5829-Elkins, Edith E.	"	750 "	5 $\frac{1}{2}$ sq.ft. + \$90	"
6394-Childs & Eagles	R/W	151,550 "	1 $\frac{1}{2}$ sq.ft. + \$600	"
6393-Childs & Eagles	"	20,397 "	1 $\frac{1}{2}$ sq.ft.	"

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Waldport-Scott Creek Section - Alsea Highway</u>				
7151-Arnold, Harry L.	Borrow Pit	0.12	\$15 Lump Sum	Parker
7150-Tremblay, W. E.	R/W	0.30	\$50 Lump Sum	"
<u>Roads End Section - Oregon Coast Highway</u>				
6598-Smith, Andrew Heirs (Indian)	Stock Pile		2-yr. Lease at \$25 per yr. plus \$1.00	DeSousa
<u>Grants Pass-Green Creek Section - Pacific Highway</u>				
7185-Berger, Fred W. (H. A. Guertler)	R/W	11321 sq.ft.	5¢ sq.ft. + \$50 + moving bldgs. (Est.\$225)	McCallister
7174-Guertler, H. A.	"	8570 sq.ft.	5¢ sq.ft. + \$71.50 + moving bldg. (Est.\$600)"	"
7140-Shaw, S. R.	"	10633 sq.ft.	2¢ sq.ft. + \$100 + moving bldgs. (Est.\$350)	"
<u>Eagle Point-Trail Section - Crater Lake Highway</u>				
7228-Thorndike, Eugene and Olsen, Harry	R/W	1.21	\$100 per a. + \$42.50 + fencing	McCallister
7229-Matthews, G. B.	"	0.98	\$100 per a. + \$234	"
7227-Matthews, Raleigh	R/W & Easement	0.39	\$100 per a. + \$136	"
<u>Siskiyou-State Line Section - Pacific Highway</u>				
7183-Norris, Wm. B.	R/W	36.43	approx. \$19 per a., + \$10,300 "	
7183-Highway Communities Corp. Ltd.	"		Acquisition by state of air beacon and leases for same, \$2400.65	DeSousa
7182-Russell, Eleanor	"	9.73	\$750 Lump Sum	McCallister
7184-School District No. 38, Jackson County	"	500 sq.ft.	Gratis	"
<u>Sisters-Redmond Section - McKenzie Highway</u>				
6047-Hill, Louis W.	Park	41.38	Land Gratis, + \$1532	Parker
<u>Coquille-Clausen Ranch Section - Oregon Coast Highway</u>				
6871-Norton, Bertha May-Slope Easement		0.08	\$1.00 Lump Sum	Parker
6872-Clausen, Alton H. and Clausen, Lester K. (Federal Land Bank)	"	1.85	Land \$100, + \$100	"
<u>Pendleton-Adams Section - Oregon-Washington Highway</u>				
7197B-Carter, Eva Shippentower	Gravel	3.49	3-yr. Lease \$50, + \$1	Wells
5888-Sloan, Thomas	R/W	405 sq.ft.	10¢ sq.ft. + \$709.50	Parker
<u>Owyhee River-Scott's Butte Section - I.O.N. Highway</u>				
6906-Miller, S. P.	R/W	5.65	\$6 per a. + fencing, \$151.50	Wells
6911-Strawn, Dr. Julia C.	"	2.66	\$6 per a. + \$72	"

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Berger Ranch-Barnes Road Section - Wolf Creek Highway</u>				
5201-Siegenthaler, Louis	R/W	1.67	\$225 per a. + \$3125	Collins
<u>Emigrant Creek-Summit Section - Green Springs Highway</u>				
7223-Williams, Geo. D.	R/W	8.37	Land Gratis, + \$900	McCallister

The Commission had under discussion the bids received at the morning session for the moving of the school building at Manning, and decided unanimously to award this contract to the Odom Construction Company, which submitted the low bid therefor, public announcement of such award to be made on the following day. In view of this decision, the Commission approved an agreement with the Manning School District with reference to the moving of the school building, and an agreement with the Manning Social Club providing for the use of its club rooms for school purposes pending re-establishment of the school building on the new site.

The Commission authorized the Engineer to sign a lease agreement, as its agent, for the acquisition of a gravel pit on the Umatilla Indian Reservation, which pit is to be used in connection with the surfacing of the State Farm-Adams Section of the Oregon-Washington Highway.

The Commission also authorized the Engineer to sign a lease agreement, as its agent, providing for the acquisition of a stock pile site on property owned by the Siletz Indian Reservation near Roads End, in Lincoln County.

The Commission had under discussion the adoption of a policy with respect to the construction of right of way fences along sections of state highways that have been acquired by county court resolutions, and decided unanimously not to assume any responsibility for fence construction along sections so acquired.

The Commission considered and referred to the State Parks Superintendent for report a letter from John Plebuch, Willamina, with respect to the establishment of a state park adjacent to the Columbia River Highway at a place known as Little Jack Falls.

The Engineer reported that fire recently destroyed the buildings that were being used by highway department maintenance forces at Madras, and that he has been unable to rent suitable quarters elsewhere in that town. He suggested that it would be advisable for the Highway Department to own its own maintenance buildings at this place, and requested authority to acquire a site from Jefferson County at a cost of about \$440. The Commission by unanimous vote authorized the acquisition of such site, which is described as Lots 1, 2, 3, 4, 5, 6, 12, 13, 14, 15, 16, 17, and 18, of Block 1, First Addition to Palmain, Madras.

The Commission discussed the request of G. W. Engeman and Glen Peck,

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Foster, Oregon, that they be permitted to maintain a small building on the right of way of the South Santiam Highway, about one-half mile east of Tombstone Summit, during the coming winter and up to July 31, 1940. The Engineer advised that the building referred to is 18' x 20' in dimension and is not yet completed; further, that due to a misunderstanding the owners inadvertently placed it on the highway right of way but stopped construction activities when notified that they were building it on state property. He further stated that the owners would like to complete the building and operate it during the present winter, with the understanding that they will prepare a new site and move the building back outside of the 100-foot right of way as soon as snow conditions will permit next spring. The Commission decided, in view of its established policy, which will not permit encroachments upon highway rights of way, not to grant the permission requested, and instructed the Engineer to order the removal of the building at once.

The Engineer reported receipt of a communication from the State Parks Superintendent to the effect that he has no objections to the sale to the West Coast Power Company of a small portion of the state park located at the north end of the Coos Bay Bridge, inasmuch as it will not interfere with the use or development of the park. He also reported receipt of a communication from the Attorney recommending a nominal charge for this property, \$15 or \$20, in the event the Commission elects to sell it. In view of the report, the Commission decided unanimously to sell the parcel, which is 40' x 40' in dimension, for the sum of \$15.00.

The Commission had under discussion an agreement with the Miami Corporation providing a method of payment for timber strips recently acquired from this corporation, adjacent to the Salmon River Highway. The Commission approved the method of settlement, with the understanding that vouchers covering the second and third payments shall neither be retained by the corporation nor presented to the Secretary of State until the amounts represented thereby are due and payable. (Agreement was signed on the following day.)

The Assistant Attorney reported the need to make certain repairs, particularly repairs to the plumbing facilities, in one of the houses owned by the Commission at Pendleton, which house is now being rented to private parties. The Commission approved the repairs and ordered that the expense be shown on the Highway Department's books in such way that no misunderstanding or confusion will develop later in regard thereto.

The Commission had under discussion the matter of ordering the removal of the building from the state highway right of way at the intersection of Union Avenue and Denver Avenue, Portland. The Engineer advised that the building referred to is a Standard Oil Company service station and that it encroaches upon Denver Avenue (Pacific Highway West) for a distance of approximately 20 feet, which cannot be permitted under the Commission's established policy. He further advised that no effort has been made heretofore to eliminate this encroachment because of the proposed construction of a grade separation structure or traffic circle at this point. He recommended that appropriate action be taken to remove the building now because it does not appear that the traffic circle will be built for a long time. In the discussion of

this matter the question arose as to the ownership of the property on which the building is located. In view thereof, the Commission deferred its decision and referred the matter to the Attorney for investigation and report at the September 28th meeting of the Commission.

The Commission considered and ordered paid the claim of the City of Sheridan, in the amount of \$15, for services rendered by the city's fire department in extinguishing a fire on a state highway department truck, near Valley Junction, on August 2, 1939.

A letter was presented from Mr. Forrest Cooper, Secretary of the Lakeview Chamber of Commerce, requesting the loan of the services of Mr. Ralph Gifford, highway department photographer, for a short period of time, to secure some pictures of scenes along the Fremont Highway, which are to be used as an exhibit before the California State Highway Commission with a presentation for the improvement of the Fremont Highway extension into the State of California. The Commission approved the request unanimously.

The Commission had under discussion a controversy with the Richfield Oil Company with respect to the price which is to be paid by the state for service station delivery of gasoline. The Engineer advised that the State Board of Control entered into a contract with the Richfield Oil Company for the furnishing of gasoline to be used in state-owned equipment, which contract provided a certain price for tank wagon deliveries and another price for service station deliveries. Further, that since the contract was executed the Richfield Oil Company, in accordance with one of the provisions of the contract, reduced tank wagon deliveries 1 cent per gallon but did not reduce the unit price of service station deliveries. He gave as his thought that the reduction by the company of 1 cent per gallon for tank wagon deliveries automatically reduces the contract price an equal amount for service station deliveries, which is contrary to the contention of the Richfield Oil Company. He pointed out that both the original contract and the modified agreement were executed by the Secretary of the Board of Control, but there is a question whether or not such secretary had the power to bind the Board, and particularly to execute the modification agreement, in view of the fact that such modification was accepted on June 19, 1939, five days after the new highway code adopted by the 1939 Legislature went into effect. The Commission discussed this matter at some length and referred it to Chairman Cabell with power to act.

The Commission had under discussion a letter from W. H. Lynch, District Engineer, Public Roads Administration, relative to snow removal operations on the Santiam and North Santiam Highways during the coming winter. Mr. Lynch advised that snow removal operations during the winter of 1938-1939 on these highways cost a total of \$17,138, of which amount \$8,531 was paid by the state for operations on the Santiam Highway; \$1,027 was paid by Marion County on the North Santiam Highway; and \$7,580 was paid by the Public Roads Administration on the North Santiam Highway. He inquired as to the adoption of a policy with respect to snow removal on these roads during the coming winter and in the future, in view of the costs, which appear to be rather excessive, considering the small amount of traffic that would be benefited thereby. He

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advised that if the Public Roads Administration is to undertake a program of snow removal during the coming winter it will be necessary for them to purchase heavy-duty snow-removal equipment from forest highway funds, which would of necessity decrease the amount of funds available for forest highway construction elsewhere in this state.

The Engineer advised that the grading of the Santiam Highway between Cascadia and the North Santiam Highway junction will be completed this fall; however, the grade will not be surfaced and will not be in condition to withstand traffic. He suggested, in view thereof, that the Commission enter into an agreement with the Public Roads Administration and the County Court of Marion County for snow removal on the Santiam and North Santiam Highway between Suttle Lake and Detroit on the same basis as that on which last year's snow-removal operations were carried on. The Commission approved the recommendation unanimously and instructed the Engineer to contact Mr. Lynch and the Marion County Court relative thereto and to have the matter covered by appropriate agreement, if the arrangement is satisfactory to all.

The Commission adjourned at 11:10 o'clock p. m., to reconvene on the following morning in the auditorium of the Public Service Building.

Portland, Oregon, September 1, 1939

The State Highway Commission reconvened in regular session at 9:00 o'clock a. m. in the auditorium of the Public Service Building, with all members present and participating. Also present were the State Highway Engineer, the Assistant Attorney, and the Secretary.

Bids as follows for highway construction projects were opened and read in conformance with previously published notice, following which Chairman Cabell announced that the award of contracts would be made at 3:30 o'clock p. m. in the same room:

OREGON COAST HIGHWAY
ARCH CAPE TUNNEL SECTION
TUNNEL ENLARGEMENT AND TIMBER TUNNEL LINING AND PAVING

	Using Creosote- Petroleum Treatment	Using Wolman Salts Treatment
McNutt Bros.	\$59,036.00	\$54,286.00
A. C. Greenwood Company, Inc.	61,521.00	- - -
Dolan Construction Company	66,209.00	66,209.00
Sig Ash	69,079.70	- - -
Birkmeier & Saremal	69,690.00	70,690.00
Fuckenberg Construction Company	70,637.60	70,637.60

COLUMBIA RIVER HIGHWAY
BRIDGE OVER LANG CANYON

Denton & Young	\$ 7,500.00
Averill & Corbin	7,777.00
McNutt Bros.	8,961.00

CENTRAL OREGON HIGHWAY
BUCHANAN-JUNTURA SECTION - GRADING, SURFACING, OILING

A. Milne	\$126,034.00
Leonard & Slate	128,395.50
Warren Northwest, Inc.	134,354.50
Diesel Oil Sales Company	134,523.80
Norris Bros.	134,551.00
Morrison-Knudsen Company	134,934.50
McNutt Bros.	137,580.50
Hoops Construction Company	137,797.50
Babler Bros.	138,068.00
Dodge Construction Company	138,947.50
Newport Construction Company	140,942.00
Whites Trucking Company	142,691.00
Max J. Kuney	147,371.00
Homer G. Johnson	149,681.55
E. C. Hall Company	150,325.00
Roy L. Bair	151,046.00
Jacobsen-Jensen Company	151,342.00
Tony Marrasao	154,176.60
C. J. Eldon	198,250.50

CRATER LAKE HIGHWAY
EAGLE POINT-HOG CREEK SECTION
REGRADING, PAVING

R. I. Stuart & Son	\$ 21,327.00
The United Contracting Company	25,253.75
McNutt Bros.	26,932.50

OREGON-WASHINGTON HIGHWAY
STATE FARM-ADAMS SECTION — GRADING

Roy L. Houck	\$ 71,884.50
Clifton & Applegate	74,833.00
Dan J. Cavanagh	78,806.75
Roy L. Bair	78,829.50
M. L. O'Neil & Son	79,590.70
Newport Construction Company	80,831.00
Leonard & Slate	81,117.00
Jacobsen-Jensen Company	82,837.50
McNutt Bros.	84,126.50
Whites Trucking Company	84,344.50
Frank Penepacker	86,334.50
Colonial Construction Company	89,012.00
Homer G. Johnson	93,090.50
Max J. Kuney	95,123.00

OLD OREGON TRAIL
WEST UNIT, STANFIELD-PENDLETON HILL SECTION
ROADSIDE IMPROVEMENT

River Bend Sand & Gravel Co.	\$ 3,990.00
J. Chas. Thonney	4,300.00

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OREGON COAST HIGHWAY
ARCH CAPE TUNNEL SECTION
TUNNEL ENLARGEMENT AND TIMBER TUNNEL LINING AND PAVING

	Using Creosote- Petroleum Treatment	Using Wolman Salts Treatment
McNutt Bros.	\$59,036.00	\$54,286.00
A. C. Greenwood Company, Inc.	61,521.00	- - -
Dolan Construction Company	66,209.00	66,209.00
Sig Ash	69,079.70	- - -
Birkmeier & Sarcenal	69,690.00	70,690.00
Fuckenberg Construction Company	70,637.60	70,637.60

COLUMBIA RIVER HIGHWAY
BRIDGE OVER LANG CANYON

Denton & Young	\$ 7,500.00
Averill & Corbin	7,777.00
McNutt Bros.	8,961.00

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CENTRAL OREGON HIGHWAY
BUCHANAN-JUNTURA SECTION - GRADING, SURFACING, OILING

A. Milne	\$126,034.00
Leonard & Slate	128,395.50
Warren Northwest, Inc.	134,354.50
Diesel Oil Sales Company	134,523.80
Norris Bros.	134,551.00
Morrison-Knudsen Company	134,934.50
McNutt Bros.	137,580.50
Hoops Construction Company	137,797.50
Babler Bros.	138,068.00
Dodge Construction Company	138,947.50
Newport Construction Company	140,942.00
Whites Trucking Company	142,691.00
Max J. Kuney	147,371.00
Homer G. Johnson	149,681.55
E. C. Hall Company	150,325.00
Roy L. Bair	151,046.00
Jacobsen-Jensen Company	151,342.00
Tony Marrazzo	154,176.60
C. J. Eldon	198,250.50

CRATER LAKE HIGHWAY
EAGLE POINT-HOG CREEK SECTION
REGRADING, PAVING

R. I. Stuart & Son	\$ 21,327.00
The United Contracting Company	25,253.75
McNutt Bros.	26,932.50

OREGON-WASHINGTON HIGHWAY
STATE FARM-ADAMS SECTION — GRADING

Roy L. Houck	\$ 71,884.50
Clifton & Applegate	74,833.00
Dan J. Cavanagh	78,806.75
Roy L. Bair	78,829.50
M. L. O'Neil & Son	79,590.70
Newport Construction Company	80,831.00
Leonard & Slate	81,117.00
Jacobsen-Jensen Company	82,837.50
McNutt Bros.	84,126.50
Whites Trucking Company	84,344.50
Frank Penepacker	86,334.50
Colonial Construction Company	89,012.00
Homer G. Johnson	93,090.50
Max J. Kuney	95,123.00

OLD OREGON TRAIL
WEST UNIT, STANFIELD-PENDLETON HILL SECTION
ROADSIDE IMPROVEMENT

River Bend Sand & Gravel Co.	\$ 3,990.00
J. Chas. Thonney	4,300.00

PACIFIC HIGHWAY WEST
DUNDEE-WEST DAYTON SECTION - GRADING AND PAVING

	<u>Using Asphalt</u>	<u>Using Tar</u>
McNutt Bros.	\$103,704.90	\$103,978.10
Jacobsen-Jensen Company	- - - -	103,722.47
Theo. Arens	106,190.50	106,220.50
Edlafsen-Weygandt Company	- - - -	108,574.30

The County Court of Klamath County, represented by County Judge U.E. Reeder and County Commissioners William Chase and Jack Benner, also County Engineer Frank Z. Howard, came before the Commission with respect to several highway matters. Mr. Howard was spokesman for the group. He gave as their understanding that the Highway Commission regularly allocates a certain amount of forest highway funds to Klamath County, and urged, now that the Willamette Highway and Klamath Falls-Lakeview Highway forest projects are nearing completion, that Klamath County's share of such funds be allocated to additional forest highways in that county. He suggested the following projects:

1. Construction of the Cascade Lakes Forest Highway from its junction with the Willamette Highway southerly to Crescent Lake.
2. Construction of the Forest Highway Section of the West Side Klamath Lake Secondary Highway, beginning at the southerly end and working north.

He asked that provision be made for these improvements in the 1941 allocation of forest highway funds. He also asked for an allocation of federal aid secondary highway funds to oil the section of the Poe Valley County Road that was graded and surfaced last year. He said that this road is going to pieces and needs the oil to preserve it. He also asked the Commission for the construction of the Dairy Section of the Klamath Falls-Lakeview Highway.

Chairman Cabell advised that first consideration must be given by the Commission to the completion of the connecting links in existing forest highways, such as the Willamette and Santiam Highways and the highway between Crater Lake and Diamond Lake, before commencing new projects, but the Commission will be glad to give due consideration to their request at the proper time. The Engineer pointed out that the oiling work that is being done on the Willamette Highway is of a temporary nature and if it does not hold up will have to be rebuilt to better standards, which will take a large share of the forest highway funds as they become available.

Mr. Howard then inquired as to the status of federal aid secondary highway funds, which was explained to him by Chairman Cabell who advised that the federal aid secondary highway program has been held up by the Federal Government which is asking for considerably more information in regard thereto than was originally anticipated. To assemble such information, he said, will take considerable time, and in view thereof it is not likely that the Commission will be able to secure the approval of the federal aid secondary highway system for several months.

As to the construction of the Dairy project, Chairman Cabell advised that this job was one of those that the Commission expected to finance with P.W.A. funds, but Congress did not see fit to appropriate additional funds for P.W.A. projects, so, necessarily, the program had to be revised. He added that the Commission is endeavoring now to include this project in some other program. As to the Klamath Falls-Lakeview Highway, he said that funds have been provided to complete the reconstruction of this entire road except a section outside of the forest boundary, which will cost approximately \$200,000, and this section the Commission contemplates finishing just as fast as money can be provided to finance the work.

Mr. W. H. Lynch, District Engineer, Public Roads Administration, was present and conferred with the Commission with regard to the Timberline Forest Highway project, a portion of which is to be constructed this year. He said that on September 8, 1939, he will receive bids for the construction of this project but cannot award the contract until an agreement has been reached with the state to maintain the road after completion. He pointed out that, if the Government maintained this road, it would be necessary to purchase expensive snow-removal equipment, which they wish to avoid if possible, and suggested that the state cooperate in the snow removal operations under the same arrangements under which such work was carried on last year. The Commission by unanimous vote approved Mr. Lynch's suggestion and thereupon instructed the Engineer to work out the details with Mr. Lynch.

The Commission adjourned at 11:15 o'clock a.m. and reconvened at 2:00 o'clock p.m. in the same room, with all Commissioners present and participating. Also present were the State Highway Engineer, the Assistant Attorney, and the Secretary.

The Commission had under discussion the order of the Federal Works Administration abolishing the regional office of the Public Works Administration in Portland and transferring such office to San Francisco. It was the opinion of the Commission that such change would cause the State Highway Department serious inconvenience and considerable expense and in view thereof the Commission authorized the following telegram sent to the Honorable John M. Carmody, Federal Works Administrator, Washington, D. C.:

THE OREGON STATE HIGHWAY COMMISSION RESPECTFULLY REQUESTS YOUR RECONSIDERATION OF THE RECENT ORDER ABOLISHING THE REGIONAL OFFICE OF THE PUBLIC WORKS ADMINISTRATION IN PORTLAND STOP THE HIGHWAY DEPARTMENT HAS CARRIED ON PWA PROJECTS IN THE PAST AND HOPES TO CONTINUE IN THE FUTURE STOP THE ABOLISHMENT OF THE PORTLAND OFFICE WILL CAUSE THIS DEPARTMENT SERIOUS INCONVENIENCE AND CONSIDERABLE EXPENSE STOP WE PRAY YOUR RECONSIDERATION OF THIS ORDER

The question of permitting certain insurance companies to write group accident and health insurance for State Highway Department employees had the attention of the Commission. The Engineer advised that applications have been received from the Oregon Mutual Life Insurance Company, the California Western States Life Insurance Company, and the American National Insurance Company to write such insurance, premiums for which would be deducted from the Highway

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Department's monthly pay rolls. He recommended denial of the applications because it would involve considerable expense in the Auditing Department and for the further reason that a new accounting system is being installed and such an innovation will further complicate the situation at this time. The Commission approved the recommendation unanimously, with the understanding that the matter would be revived later if that is considered advisable.

The Commission also considered and denied, at least for the time being, the application of the California Western States Life Insurance Company for an extension of its arrangement with the Commission with respect to furnishing group accident, health, and sickness insurance so as to cover salaried employees as well as those paid on an hourly basis.

The Engineer requested instructions relative to the payment of the claim of the United Railways Company, in the amount of \$6.81, representing the cost of repairing a telegraph pole line that was damaged by reason of blasting operations carried on by W.P.A. forces on the Wolf Creek W.P.A. project, near Manning, in Washington County. He gave as his thought that the state is not liable for the payment of this claim in view of the fact that the W.P.A. workers are not under the control of the state and the state is not responsible for the acts or negligence of such workers. He recommended denial of the claim and that the United Railways Company be advised to present the claim to the W.P.A. Administration for Oregon. The Commission approved the recommendation.

The Commission had under discussion the request of certain property owners of Douglas County for the improvement of a privately-owned drainage ditch adjacent to the Pacific Highway just south of the South Umpqua River Bridge. The Engineer advised that this ditch was excavated a number of years ago but it appears that it was not deep enough to drain all of the property intended and the property owners now want the state to deepen the ditch some two feet, and allege that such deepening is necessary by reason of state highway construction. He gave as his thought that the state is not obligated in any way to do this deepening work and that it is an entirely cooperative project among the property owners who would be benefited by the drainage. If the ditch were on the highway right of way, he said, that would be an entirely different matter, but under the circumstances he could not recommend an expenditure of state funds for this purpose. After discussion, the Commission deferred its decision pending further investigation and study and referred the matter to Commissioner Clough with authority to act.

The Secretary presented a resolution from the County Court of Douglas County requesting the selection and designation as a secondary state highway of the county road which extends southerly from the Lane-Douglas County line a distance of about 5 miles to a connection with the Pacific Highway near Anlauf, being an extension of the Territorial Secondary State Highway. The Engineer advised that this road has been rebuilt by the county to state secondary highway standards and recommended approval of the county's request. The Commission approved the recommendation and thereupon by unanimous vote adopted the following resolution placing this road on the state secondary highway system:

WHEREAS, under the provisions of Chapter 248, Laws of 1931, Chapter 196, Laws of 1935; and Chapter 529, Laws of 1939; the State Highway Commission, by mutual agreement with the respective county courts of the several counties of the State, is authorized and empowered to select, locate, and designate a system of secondary state highways, which highways shall be selected from the market roads or other county roads, or available locations or routes of the several counties; and

WHEREAS, the State Highway Commission, by mutual agreement with the Douglas County Court of the State of Oregon, has selected the road or highway hereinafter named, and it is the purpose of the Commission to officially and regularly designate and adopt said highway as a highway to constitute, together with other highways heretofore adopted and/or which may hereafter from time to time be added, the system of secondary state highways under the provisions of said acts;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission, all members being present and affirmatively voting and participating, as follows:

1. That the following described market road, county road, highway, route, or location of a highway in Douglas County be and the said market road, county road, highway, location, or route, hereby is selected, designated, established, adopted and approved as a secondary state highway and shall be and hereby is designated as a part of the secondary state highway system, to wit:

A Section of the Territorial Secondary Highway No. 200:

Beginning at a point on the Lane-Douglas County line at the south end of the Territorial Secondary Highway No. 200 in Lane County; thence in a southerly direction to the Pacific Highway near Anlauf, a distance of approximately 5.0 miles.

2. That the said highway shall be and hereby is qualified for improvement under the provisions of said Chapter 248, Oregon Laws 1931; Chapter 196, Laws of 1935; and Chapter 529, Laws of 1939; and amendments thereof.

The Commission also adopted by unanimous vote the following resolution abandoning the West Lake Section of the Oregon Coast Highway, in Clatsop County, which section is no longer of value from the state highway standpoint inasmuch as the highway has been rebuilt on new alignment:

WHEREAS, in order to afford a better alignment and a more satisfactory, safe and convenient highway for the traveling public, the Commission found it necessary to relocate a portion of the West Lake Section of the Oregon Coast Highway in Clatsop County; and

WHEREAS, by reason of said relocation and reconstruction of the said section of said highway there was eliminated and made unnecessary as a part of the permanent highway a certain section or part thereof, which section is more specifically defined and designated hereinafter in this resolution; and

WHEREAS, it is the judgment and opinion of the Commission that there should be recorded in the minutes and records of the Commission its purpose and plan to abandon as a part of the said state highway the fragment or portion of right of way hereinafter designated and heretofore included within the area of the right of way of the said highway as formerly located, improved and used;

NOW, THEREFORE, the premises being in general as above stated, it hereby is resolved by this Commission, all members being present and affirmatively participating, as follows:

1. That the fragment of land confined within the area of land hereinafter designated, which fragment or parcel of land was formerly within the limits of the right of way of the West Lake Section of the Oregon Coast Highway in Clatsop County, but is now without the limits of the right of way of said highway as said highway has been relocated and constructed, be and said fragment or parcel of land or portion of the old right of way is abandoned as a part of the right of way of said highway, and said fragment or parcel of land or old right of way is, so far as control and supervision by this Commission is concerned, eliminated and left to revert to the adjoining and abutting property owners or to the control and supervision of the County Court of Clatsop County for highway or other public purposes as the Court may determine. The fragment or parcel of land affected by this resolution is defined and described as follows, to wit:

All that certain section of the old right of way of the Skipanon-West Lake Section of the Oregon Coast Highway lying on the easterly side of the right of way required for the reconstructed Oregon Coast Highway between Mile Post 13 and Mile Post 15 of said highway, the beginning and ending points of said section with reference to the engineer's stations of the reconstructed highway being Station 256+00 on the northerly end and Station 280+65 on the southerly end.

The location of said abandoned right of way may be more definitely and particularly ascertained and determined by reference to a map or blueprint, marked "Exhibit A", attached hereto and by this reference made a part hereof, which said exhibit for identification purposes bears the signatures of F. D. Eason, Division Engineer, H. G. Smith, Construction Engineer, and C. B. McCullough, Assistant State Highway Engineer, and is dated August 8, 1939, upon which map* or

Map filed in Right of Way Abandonment and Retention File - No. 65

exhibit there is reflected the above described parcel of land by showing the same shaded in red.

2. In the event there remains any physical connection between any portion of said abandoned right of way or highway and the present highway, and by reason of such physical connection traffic from the existing highway may enter or use the said abandoned portion of the said old road to the possible damage or injury of such traffic by reason of any unsafe condition existing with respect to said old or abandoned road, then the State Highway Engineer is hereby authorized and directed to erect such barricade or other safeguards as may be necessary to protect and safeguard traffic using and employing said newly located, constructed and dedicated section of said highway.

3. That this resolution be entered in the minutes and records of the Commission and a certified copy thereof promptly delivered to the County Court of Clatsop County, together with a copy of said map or exhibit, for such action as said County Court may desire to take with respect to said fragment of land, and should said abandoned portion of the right of way of said highway be further employed for public or private highway purposes such use shall be entirely under the control and supervision of the County Court of Clatsop County and beyond any responsibility or supervision by the State Highway Commission.

The Engineer requested authority to purchase a motion picture camera for the use of the Travel and Information Department. He estimated that it would cost about \$750.00. The Commission approved the purchase by unanimous vote.

A letter was presented from Mr. Robert W. Sawyer, Bend, with reference to a plan that has been proposed to provide funds for a program of county road surfacing and oiling, in Deschutes County. Mr. Sawyer inquired, if such plan is adopted, whether the State Highway Department would cooperate by assuming the management of the work, including the letting of the contracts. He also inquired to what extent the state might be willing to cooperate with respect to the particular roads, some of which would be secondary state highways. The Commission indicated a favorable attitude toward such plan provided the county would agree to pay the engineering costs; however, deferred a definite decision in the matter pending receipt of additional information. The Engineer was instructed to ascertain from Mr. Sawyer whether or not the county would assume the expense for surveys and engineering costs for supervising the contracts; also, what roads are to be included in the program, particularly with reference to secondary state highways. The Attorney was instructed to contact Mr. Sawyer with respect to certain questions regarding legal features.

The County Court of Jackson County, consisting of County Judge Earl B. Day, County Commissioners Ralph Billings, and William Perry, and County Engineer Paul B. Rynning, came before the Commission in the interests of the

Butte Falls County Road. Judge Day recited the history of this road and recalled that improvement of the same was at one time included in the Highway Commission's program as priority project No. 2, it being second only to the Sams Valley Secondary Highway improvement. Further, that some 18 months ago, upon completion of the Sams Valley Road, the Commission promised to allocate funds for the improvement of the Butte Falls Road, but as yet the state has done nothing, although the county has fulfilled its part of the agreement by constructing the grade, which will not be passable this winter unless surfacing rock is applied thereto. He urged the Commission to provide such surfacing rock at the earliest opportunity.

Chairman Cabell advised that the State Highway Commission is not altogether to blame for the delay in placing this project under contract. This project, he said, was included in the 1939 federal aid secondary highway program, but before it could be placed under contract the Federal Government altered its requirements with respect to this class of road and refused to approve any more of them until it was furnished additional information, which is requiring considerable time to assemble, but which the Commission is gathering as rapidly as possible. He acknowledged the Commission's obligation to Jackson County and declared that the work would be placed under contract at the September 28 meeting of the Commission if any way can be found to finance it. The Engineer was thereupon instructed to write Mr. W. H. Lynch, District Engineer, Public Roads Administration, outlining the facts in connection with this project and requesting approval of the same notwithstanding the new requirements of his department. Judge Day requested definite information as soon as possible as to whether the Commission would be able to surface this road before winter, so as to give the county sufficient time to surface the weak spots in the event the state is unable to contract the surfacing. He was assured that such information would be given to him at the earliest opportunity.

At 3:30 o'clock p.m. Chairman Cabell announced the following awards of contracts, bids for which were taken at the morning session, such awards having been previously approved by the Commission by unanimous vote:

"Arch Cape Tunnel Section of the Oregon Coast Highway, in Clatsop County. 588 lin. ft. tunnel enlargement and timber tunnel lining; also 1,227 lin. ft. paving. McNutt Brothers, Eugene, were the low bidders on this project, with their bid of \$59,036.00, using creosote-petroleum treatment, and \$54,286.00, using Wolman salts treatment. The next low bid was that of A. C. Greenwood Company, Inc., Portland, at \$61,521.00, based on the use of creosote-petroleum treatment. They did not submit a bid based on the use of Wolman salts treatment. There were 4 higher bidders. The Commission awards this contract to McNutt Brothers, at their low bid of \$54,286.00, using Wolman salts.

"Concrete bridge over Lang Canyon, about 5 miles west of Arlington, on the Columbia River Highway, in Gilliam County. Denton & Young, Nampa, Idaho, submitted the low bid of \$7,500.00 for this project. Averill & Corbin, Portland, submitted the next low bid of \$7,777.00. There was one higher bidder. The Commission has referred

the bids to the Engineer with power to award the contract to the low bidder, Denton & Young, when certain matters have been cleared up.

"Buchanan-Juntura Section of the Central Oregon Highway, in Harney and Malheur Counties. 2.64 miles grading and 33.43 miles surfacing and oiling. The low bid received for this project was that of A. Milne, Portland, at \$126,034.00. The next low bid was that of Leonard & Slate, Multnomah, at \$128,395.50. There were 17 higher bidders. This contract is awarded to the low bidder, A. Milne, at his bid of \$126,034.00.

"Eagle Point-Hog Creek Section of the Crater Lake Highway, in Jackson County. 0.5 mile regrading and paving. R. I. Stuart & Sons, Medford, submitted the low bid for this project, their bid being in the amount of \$21,327.00. The United Contracting Company, Portland, submitted the next low bid in the sum of \$25,253.75. There was only one higher bidder. This contract is awarded to the low bidders, R. I. Stuart & Sons, at their bid of \$21,327.00.

"State Farm-Adams Section of the Oregon-Washington Highway, in Umatilla County. 4.59 miles grading. The low bid submitted for this project was that of Roy L. Houck, Salem, at \$71,884.50. The next low bid was that of Clifton & Applegate, Spokane, Washington, at \$74,833.00. There were 12 higher bidders. The Commission has referred all bids received on this project to the Engineer with power to award the contract to the low bidder when certain conditions have been fulfilled.

"West Unit, Stanfield-Pendleton Hill Section of the Old Oregon Trail, in Umatilla County. 8.86 miles roadside improvement. The Commission received only two bids for this project, that of the River Bend Sand & Gravel Company, Salem, being low, at \$3,990.00. The other bid was that of J. Chas. Thonney, Dixie, Washington, at \$4,300.00. The Commission has rejected both bids received on this project and has ordered the project readvertised.

"Dundee-West Dayton Section of the Pacific Highway West, in Yamhill County. 1.94 miles grading and paving. The low bidders for this project were McNutt Brothers, Eugene, with their bid of \$105,704.90, using asphalt, and \$103,978.10, using tar. The next low bid was that of Jacobsen-Jensen Company, Portland, at \$103,722.47, based on the use of tar. They did not submit a bid based on the use of asphalt. There were 2 higher bidders. The Commission has referred all bids to the Engineer with power to award the contract to the low bidders, McNutt Brothers, when certain conditions have been fulfilled."

Chairman Cabell also made the following announcement of the award of the contract for the moving of the school building at Manning, bids for which were taken on the previous day:

"Moving and re-establishing school building and play shed in the vicinity of Manning; install equipment in community hall for temporary school quarters; construct septic tank, water pipe line and tile drains. Odom Construction Company, Oregon City, was the low bidder with its bid of \$4,820.00. The second low bidder was Caulfield & Savage, Tillamook, at \$6,618.00. This contract is awarded to Odom Construction Company, the low bidder, at its bid of \$4,820.00."

Mr. A. A. Hendricks, Manager, American National Insurance Company, Portland, came before the Commission at this time relative to his application for the privilege of writing group insurance covering State Highway Department employees. He made a strong plea for such privilege and urged reconsideration by the Commission of its previous action denying the same. The Commission voted unanimously not to alter its previous decision but gave Mr. Hendricks to understand that it might do so in a year or so, if it seems advisable at that time.

The Assistant Attorney brought up for discussion the settlement with Mr. Louis Siegenthaler for right of way needed for the Wolf Creek Highway near Cedar Mills, in Washington County. He advised that Mr. Siegenthaler is demanding \$3,500 for his property and would like to settle with the state now because he has plans for the development of the balance of his holdings, including the remodeling of certain buildings. He recommended purchase of the property at such figure, giving as his belief that it would cost the state considerably more later on after Mr. Siegenthaler's development work has been completed. In the discussion of this matter the question arose whether or not in the right of way negotiations consideration has been given to the acquisition of freeway rights, this feature being considered very important due to the fact that the Wolf Creek Highway, when completed, will carry a large volume of traffic between Portland and the coast. It appeared that such consideration had not been given, whereupon instructions were given to the Engineer to ascertain whether or not right of access to the highway should be restricted in front of Mr. Siegenthaler's property. He was also instructed to investigate the possibilities of limited access to the highway for the entire distance from the Barnes Road connection to the town of Banks. The Commission thereupon approved the purchase of the Siegenthaler property at the price quoted subject to the condition that freeway rights are not needed at this place. The Assistant Attorney was authorized to include this right of way settlement in the real property resolution heretofore adopted by the Commission on this date.

A letter was presented from the Bilyeu Clan, Albany, requesting that a certain stream in Linn County, shown on the state highway map as "Neil Creek", be named "Bilyeu Creek" in honor of the Bilyeu family which pioneered in this district. The Commission ordered the matter referred to Mr. Lewis A. McArthur, President of the Oregon Historical Society, for recommendation.

A letter was presented from Mr. George L. Govro, Yachats, requesting permission to remove 550 cubic yards of smelt sand from the ocean beach

at Yachats for use in the construction of a bridge over the Alsea River, on the Alsea Highway, east of Waldport. The Commission denied the request.

A letter was also presented from the Coca Cola Bottling Company, Salem, requesting permission to install a Coca Cola vending machine in the state highway shops at Salem. The Commission denied the request as a matter of policy.

The Secretary presented a letter from Mr. E. A. Densmore, Executive Secretary of the Allied Heavy Construction and Highway Crafts Union, Portland, requesting that Contractor Roy L. Houck, Salem, Oregon, be debarred from bidding on future state highway construction work because of certain violations of the Oregon labor laws committed by him in connection with his contract, No. 2159, for grading and paving the Albany Overcrossing Section of the Pacific Highway East, in Linn County. In this connection the Engineer read aloud a letter from Mr. Houck explaining the circumstances which necessitated the working of his men overtime on this project. According to Mr. Houck's statement, he encountered considerable difficulty in securing operators for certain equipment known as "Tournapulls", which were used on this job, such equipment being the first of its type to be used in the Northwest, and it was necessary at times to work the experienced operators overtime so they could train men who were without experience in handling this type of equipment. He further stated that this situation has now been remedied by the employment of less skilled men and that all demands for overtime, et cetera, have been settled in full. The Engineer advised that these violations have been thoroughly investigated by the Highway Department's Labor Relations Engineer, Mr. Ray Weber, who gave as his opinion that the reasons given by Mr. Houck for the same are substantially correct and that they were committed at a time of extreme emergency.

This matter was discussed by the Commission at considerable length, and, from the facts presented, it was the Commission's belief that Mr. Houck committed the violations only in desperation and at a time when a serious emergency existed; further, that this is an isolated case and should not be considered sufficient cause for the debarment of Mr. Houck from bidding on future state highway work. However, the Commission considered that the case should not be overlooked and that Mr. Houck should be reprimanded and ordered not to repeat the violation. The Engineer was instructed to so write Mr. Houck and also to advise Mr. Densmore of the action taken by the Commission on this matter, sending copies of both letters to Mr. C. H. Gram, State Labor Commissioner, who is interested in the matter.

The Engineer reported on the progress that is being made by Edwin C. Gerber in connection with his contract for the construction of bituminous macadam surfacing on the Necanicum-Nehalem River Section of the Wolf Creek Highway, in Clatsop County, Contract No. 2155. He advised that Mr. Gerber is making every effort to complete this job at the earliest possible time but will not be able to complete the bituminous macadam work before next year. The Commission expressed regrets that this job could not be completed in its entirety during this year's working season but decided not to take any drastic action against Mr. Gerber at this time.

The Commission had under discussion a report to the effect that representatives of a certain political party are soliciting funds from employees of the State Highway Department for the support of such party. The Commission confirmed its policy, heretofore adopted, with respect to such matter, and by unanimous vote approved the following statement with reference thereto. (See Circular Letter No. 143, dated September 19, 1939.) The Engineer was instructed to send a copy of such statement to each highway department employee for his information and guidance:

"Information has been brought to the attention of the Commission to the effect that employees of the Highway Department are being solicited for funds to be used, as represented by the solicitors, for the support of a political party.

"The Commission has on several occasions expressed its policy with respect to political party affiliations and political activities. It appears, however, that the present activity of political party representatives or alleged representatives makes appropriate a reiteration of the Commission's policy with respect to such matters.

"The Highway Department is a nonpolitical agency of the State of Oregon. No inquiry has ever been made nor is any record kept concerning an employee's political affiliations any more than his religious or fraternal affiliations. The Commission has always been and is now concerned only with the professional qualifications or special fitness of an employee and his ability efficiently and honestly to perform the duties of the position or job to which he may be assigned.

"What financial contribution a highway employee may make to the political party of his choice is a personal matter concerning which the Commission makes no inquiry and with which the Commission is not concerned so long as the action is legal and does not interfere with the duties of his position. Should an employee of the Highway Department choose to refrain from making contributions to any political party, he may do so with complete assurance that his job or position will in no way be jeopardized thereby.

"The holding of office in political parties, the personal solicitation of political funds, and all active participation in political affairs, by employees of the department, are not permitted because such overt acts will, in the end, identify the department with one political party or the other and destroy its nonpartisan status.

"The Commission believes that, in addition to reiterating its policy and rules as stated above, it should call the attention of all employees to the following statute:

(See next page)

'No holder of a public position or office other than an office filled by the voters, shall pay or contribute to aid or promote the nomination or election of any other person to public office. No person shall invite, demand or accept payment or contribution from such holder of a public position or office for campaign purposes.' (Section 36-2420, Oregon Code 1930.)

"This act has never been interpreted by the courts to the knowledge of the Commission, and its application to contributions by employees of the State Highway Department is not clear and well defined. Each case must be considered by the individual employee concerned upon its individual merits."

The Engineer reported that Contracts Nos. 1986, 2126, 2160, 2174, and 2189, for the construction of state highway projects, have been completed according to the requirements of the contracts or modifications thereof, and that said jobs are ready for acceptance. The following resolution accepting the above jobs was offered and was adopted by the unanimous vote of the Commission:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts and said jobs are now ready for acceptance:

Contract No. 1986, with L. H. Hoffman, for bridge construction over Quartz Creek, near Elsie, on the Wolf Creek Highway, in Clatsop County. Completed July 1, 1939.

Contract No. 2126, with McNutt Bros., for grading, surfacing, and oiling, and bridge construction, on the Ochoco Dam-Marks Creek Section of the Ochoco Highway, in Crook County. Completed August 26, 1939.

Contract No. 2160, with Mountain States Construction Company, for surfacing and oiling and furnishing crushed rock in stock piles, on the Clatskanie-Summit Section of the Mist-Clatskanie Secondary Highway, in Columbia County. Completed August 19, 1939.

Contract No. 2174, with J. C. Compton, for grading, surfacing, and oiling on three county roads in Tillamook County. Completed August 5, 1939.

Contract No. 2189, with Norris Bros., for 40.20 miles of oiling on the Mt. Vernon, Weston, and Service Creek Oiling Project in Grant, Umatilla, and Wheeler Counties. Completed August 23, 1939.

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THEREFORE, BE IT RESOLVED, that the work covered by said state highway contracts for the construction of said state highway projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

The Commission considered and signed agreements, et cetera, as follows:

Agreement with School District No. 44, Manning, Oregon, covering acquisition and preparation of a new site for the Manning school building, moving of the existing school buildings, et cetera.

Agreement with Manning Social Club providing for rental of the social club building for school purposes during the re-establishment of the Manning school.

Stipulation with the U. S. Department of the Interior with respect to the use of a stock pile site on government property adjacent to the Coos Bay-Roseburg Highway at the top of Camas Mountain, in Douglas County.

Quitclaim deed conveying unto H. B. Easley and wife certain property adjacent to the Columbia River Highway, in Georgetown Addition to St. Helens.

Agreement with H. B. Easley and wife providing a method of procedure to be followed in clearing title to the property referred to in the above paragraph.

Agreement with the Works Progress Administration relative to the advancement of not more than \$3,500 of state funds to finance non-labor items on the Wolf Creek Highway W.P.A. project during September, 1939.

Agreement with Miami Corporation providing a method of payment for timber strips acquired by the state from the corporation along the Salmon River Highway.

Agreement with Mr. Edward L. Dimmitt with respect to the payment of bills for the furnishing of electrical energy used in connection with his concession at Crown Point.

Agreement with Senator Samuel M. Garland, Lebanon, with respect to the cancellation of a lease of a gravel pit on Mr. Garland's property in Linn County.

Bond release and cancellation notice in favor of the Metropolitan Casualty Insurance Company of New York relieving the company from further liability in connection with the old bond covering the State Highway Engineer, which bond was cancelled on June 15, 1939, having been replaced by a new bond.

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Bargain and Sale Deed conveying unto E. D. Bahrke and wife 322 sq. ft. of land situate in Lot D, Bryan's Addition to Albany, Right of Way Transaction No. 5509.

Bargain and Sale Deed conveying unto the Southern Pacific Company 5,562 sq. ft. of land situate in Lots 4, 5, 6, 7, and 8, of Block 20, Hackleman's Second Addition to the City of Albany, Right of Way Transaction No. 5151.

The Commission had under discussion the setting of a date for its first regular meeting following that scheduled for September 28, 1939, for the receiving of bids on highway construction projects, and decided to hold such meeting on Thursday and Friday, November 2 and 3, 1939, in the auditorium of the Public Service Building, Portland. The Secretary was instructed to make the usual arrangements for the use of this room.

There being no further business to come before the Commission at this time, the meeting was adjourned at 5:00 o'clock p. m.

R. H. Baldock
State Highway Engineer

H. B. Glaisyer
Secretary

Henry F. Cabell
Chairman

E. B. Aldrich
Commissioner

Huron W. Clough
Commissioner

Portland, Oregon, September 27, 1939

The State Highway Commission met in regular session at 4:00 o'clock p. m. in Room 204, Benson Hotel. Present were:

Henry F. Cabell, Chairman
E. B. Aldrich, Commissioner
Huron W. Clough, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

The Attorney discussed with the Commission the compromise settlement with Mr. J. A. Fox for right of way needed for the Viaduct Section of the Pacific Highway in Albany. He advised that Mr. Fox will agree to deed this property to the state for the sum of \$550 and recommended acceptance of this offer in order to avoid condemnation. The Commission approved the recommendation unanimously.

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The Attorney reported receipt of an offer from James Anderson, Junction City, to pay \$25.00 for the abandoned state-owned quarry site located near the Pacific Highway about two miles south of Junction City. He advised that he contacted other state departments and the County Court of Lane County and ascertained that the property is not wanted by any of them. He recommended acceptance of Mr. Anderson's offer because the land is of no value whatsoever for state highway purposes. The Commission approved the recommendation unanimously.

The matter of continuing the maintenance of the Elsie-Jewell county road as a state highway detour was brought up for discussion. The Engineer pointed out that during the construction of the Wolf Creek Highway this entire road was used as a highway detour but since the Wolf Creek Highway has been completed west of Elsie only a portion of the road has been needed for this purpose and that portion will not be needed after the first of the year when the Nehalem River Bridge is completed. The Commission voted unanimously to continue the maintenance of the entire Elsie-Jewell Road for the time being.

The Engineer reported the results of investigations with respect to the recovery of gold from a state-owned gravel pit by contractor R. I. Stuart and Sons in connection with their contract, No. 2129, with the Commission for the construction of the Powers Ranch-Jacksonville Section of the Williams and Medford-Provolt Secondary Highways. He submitted an affidavit from the First National Bank of Portland, Medford Branch, to the effect that the bank sold for R. I. Stuart and Sons \$833.00 worth of gold which was mined in conjunction with their state highway contract. He also presented a letter from R. I. Stuart and Sons stating that they expended \$1,035 in the recovery of this gold. He recommended, in view of the showing made, that the state's claim for the recovered gold be withdrawn. The Commission approved the recommendation unanimously.

The Engineer also reported that at a recent bid opening the District Engineer of the Public Roads Administration received a bid of \$35,951.45 for the oiling of the McDougall's Camp-Tollgate Section of the Weston-Elgin Secondary State Highway, a forest highway project, which is nearly \$10,000 less than the amount budgeted for such work in the 1940 Forest Highway Program. He pointed out that at a joint meeting of the Commission and representatives of the Public Roads Administration and the Forest Service, on June 22, 1939, the Commission agreed to contribute \$10,000 of state funds to augment the programmed amount of \$45,000 because it was thought at that time that the project would cost approximately \$54,000. It was his thought that the state should be relieved of this obligation in view of the fact that the bid received is well within the budgeted amount. The Commission concurred in the viewpoint of the Engineer and thereupon instructed the Secretary to point out the facts to Mr. Lynch, District Engineer, Public Roads Administration, and to ask him to release the state funds so they can be used to finance other desirable work.

The Engineer requested authority to increase the budget for state highway force account work on the Wolf Creek Highway W.P.A. project in the amount of \$90,000 for oiling work required between the Nehalem River and Davies, such work to consist of the application of 12 miles of bituminous

binder, construction of an asphalt concrete leveling course on 28 miles, and application of bituminous seal coat on this 28-mile section. He pointed out that no provision has been made in the W.P.A. budget for 1939 or 1940 for such work which, in his estimation, should be accomplished as soon as possible in order to place this road in condition for general public use. After discussion, the Commission approved the Engineer's request, by unanimous vote, with the understanding that \$50,000 of such sum shall be charged to the 1940 allocation made to districts No. 1 & 2 and \$40,000 shall be charged to such districts in the 1941 allocation.

The Commission also discussed the matter of advancing additional state funds to pay the non-labor items in connection with the Wolf Creek Highway W.P.A. project during the month of October 1939, it appearing that state funds must be advanced if this work is to proceed inasmuch as the new W.P.A. project has not yet been approved. The Engineer estimated that it would be necessary to advance about \$4,500 of state funds for such purpose and recommended approval of the allocation. After discussion, the Commission approved the recommendation by unanimous vote and ordered the matter covered by appropriate agreement between the State Highway Commission and the W.P.A. authorities.

Reconsideration was given by the Commission to the request of certain Douglas County property owners for state aid in the deepening of a drainage ditch located on private property adjacent to the Pacific Highway south of the Winston Bridge in Douglas County. Commissioner Clough reported that he has investigated this matter thoroughly and, in his estimation, the deepening of this ditch is not a responsibility of the state, particularly in view of the fact that the ditch is privately-owned and is located on private property. He recommended that the request be denied. The Commission approved the recommendation unanimously.

The Engineer reported on the request of certain citizens of Malheur County for the re-signing of U. S. Highway No. 30 North and U. S. Highway No. 30 South, in the vicinity of Ontario. He said that, while the present system of signing these highways may not be the best, in his estimation it should not be changed because there is a possibility that the State of Oregon would lose benefits that it now enjoys on account of the present system and particularly because it would leave the town of Ontario off the national highway route. In view of the Engineer's report the Commission decided unanimously to take no action in this matter at this time, although it is to be discussed at the annual meeting of the American Association of State Highway Officials in October of this year.

The Attorney reported on the conference with Mr. Robert W. Sawyer, Bend, relative to a proposal by Deschutes County to finance certain county road and state secondary highway construction in that county. He explained the plan in detail and advised that the Commission has authority to cooperate in the matter if it so desires. Further, that if the county should ask the state to prepare the plans for the work the Commission would have to do so according to the law, although the Commission would not have to pay out of state funds the engineering costs for supervising construction. He further advised

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that, according to Mr. Sawyer, the plan is still in the embryonic stage and that the Commission need do nothing further about it until definite action thereon has been taken by the county court. The Commission took no action on the matter.

A letter was presented from County Judge Bert Johnson of Morrow County requesting the following improvements:

Improvement of the Patterson Ferry Road, which extends from the Columbia River Highway to the Columbia River, near the town of Irrigon and the designation of this road as a state secondary highway.

Complete the reconstruction of the West Unit of the Heppner-Rhea Creek Section of the Wasco-Heppner Secondary State Highway.

Reconstruct the Wasco-Heppner Secondary State Highway between Rhea Creek and Hardman.

Improve the Rhea Creek-Rock Creek Section of the Heppner-Condon Secondary State Highway.

It was pointed out that the Patterson Ferry Road is not on the state highway system, hence the Commission is without authority to expend state funds for the improvement of the same. In view thereof, the Commission declined to approve this request and instructed the Secretary to so inform Judge Johnson.

The Commission decided that it could not make any definite commitment to the other projects at this time in view of the shortage of funds and the requirements of the Federal Government with respect to the allocation of federal aid secondary highway funds which class of funds were used to finance the improvement of the East Unit of the Heppner-Rhea Creek Section. The Secretary was instructed to so inform Judge Johnson and to advise him further that the Commission will bear these projects in mind in the formulation of future highway construction programs.

The Commission had under discussion a letter from the University Park Community Club, Portland, urging the improvement of Lombard Street, Portland, (state highway route) between Greeley Street and St. Johns. The Commission indicated that it might undertake this improvement at some future date when funds can be spared to finance it because it is a desirable project but declined to make any definite commitment thereto at the present time. The Secretary was instructed to so inform the community club.

A letter was presented from Mr. Frank Taylor, Tangent, Oregon, requesting construction of a roadway entrance from the Pacific Highway into a public archery range about one mile north of the town of Tangent. In this connection the Commission discussed the adoption of a policy with respect to the construction of private roadway entrances into state highways and decided unanimously upon the following procedure for future projects of this kind:

Where such roadway entrances involve the installation of culvert pipe 18 inches in diameter, or less, the property owner shall be required to furnish the culvert pipe F. O. B. the job at no cost to the state but the state shall pay the cost of installing such pipe, including the construction of a fill over the same and the necessary graveling of the roadway within the highway right of way limits. In the event that the diameter of the pipe to be installed is greater than 18 inches, then the state shall pay the cost of the pipe over and above the cost of an 18-inch pipe and shall also pay the cost of constructing the fill and graveling the roadway so far as it lies within the highway right of way limits.

The Engineer was instructed to inform Mr. Taylor of this new policy and to advise him that the state will be pleased to cooperate with him in the construction of his driveway in accordance therewith.

A letter was presented from Mr. Lacey V. Murrow, Director of Highways, State of Washington, advising that it is the plan of the Washington Highway Department to carry out the improvement of the Washington Section of the Oregon-Washington Highway at such time as the work may be coordinated with the proposed improvement of this highway in the State of Oregon between Milton and a common point on the Oregon-Washington state line, and requesting information as to when the State of Oregon contemplates construction of its section of this road so as to enable him to make definite plans for the Washington State improvement. The Engineer pointed out that the location survey for the Oregon Section has not as yet been made, it being contrary to the policy of the Commission to undertake location surveys and the acquisition of right of way until the project is authorized and, in this particular instance, it does not appear that funds will be available to finance construction for some time to come, either on the new location or along the present road. The Commission decided, in view of the shortage of funds and the fact that considerable construction work is now underway on this highway between Pendleton and Adams, that it would be advisable to defer construction between Milton and the Washington state line for a year or two. The Engineer was instructed to ascertain whether or not such procedure will fit in with the proposed improvement of this road in the State of Washington.

In this connection the Secretary presented a petition signed by numerous citizens of Freewater, Oregon, who own property along the present highway between Freewater and the Oregon-Washington state line, suggesting a location for the new highway between these points and offering free right of way for the same, except that they would expect the state to pay the cost of moving buildings and appurtenances. A letter was also presented from the Freewater Chamber of Commerce urging the retention of the present route and requesting an opportunity to be heard by the Commission in regard thereto before a definite location has been decided upon. The Secretary was instructed to inform the petitioners that the Commission has not as yet decided upon a permanent location for this highway; furthermore, the location survey has not yet been made and none is contemplated in the near future but, when the time arrives for the settling of this matter, the Commission will be pleased to

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give the people of Milton and Freewater an opportunity to be heard; further, that it is not likely that any consideration will be given to this project until the work now underway between Pendleton and Adams is completed.

The Commission discussed and approved the following "notice" to persons who contemplate operating any business abutting upon any state highway, prohibiting the parking of cars on the highway or the use of the highway right of way for any other commercial purpose, the provisions of such notice being in conformance with the policy of the Commission as adopted by resolution on July 27, 1939:

Since the use of any portion of a highway right of way for parking cars or other commercial purpose interferes with the proper maintenance of the road, obstructs sight distance, and interposes traffic hazards, the State Highway Commission of Oregon has instructed its Engineer to advise all persons who contemplate operating any business abutting upon any highway, that the parking of cars on the right of way, for service or for the transaction of business in connection with such commercial activity, shall be and is prohibited.

The above rule applies not only to new installations but also to the remodeling of any existing facility unless, in the latter case, topographical conditions render it impossible to comply.

The Commission ordered this notice printed and distributed to all parties concerned.

The Engineer requested authority to purchase the following equipment:

- 12 automobiles of the Ford and Chevrolet class and 1 automobile of light Buick class to replace a like number of old cars that are to be traded in - part purchase price - estimated cash outlay \$8,500;
- 20 trucks of the Ford and Chevrolet class to replace 20 old trucks which are to be traded in on purchase price - estimated total cash outlay \$17,000;
- 1 rotary snow plow, known as Rotoblade, - estimated to cost \$4,000;
- 6 push-type snow plows - estimated total cost \$2,007;
- 1 250-watt radio transmitter for installation at Roseburg division headquarters - estimated cost \$1,500;
- 1 shaker screen for use in connection with state-owned crushing plant which is being operated on Wolf Creek Highway W.P.A. work - estimated cost \$240;

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1 stamp vending machine - estimated cost, single model \$35.00.

After considerable discussion and it appearing to the Commission that this equipment is needed in connection with the proper operation of the State Highway Department, the Commission by unanimous vote authorized the purchase of the same through the State Purchasing Agent.

The Secretary presented a copy of a resolution adopted by the Coos County Court in which the Court elects to preserve for public use a fragment of the old right of way of the Cape Arago Secondary State Highway in Coos County that has been abandoned by the state by reason of the reconstruction of the highway on other alignment, said fragment being described as follows:

All of that certain Section of the old right of way of the Cape Arago Highway No. 240 lying in the Town of Charleston and in use prior to 1934 which lies North of a line 40 feet North of and parallel to the center line of the reconstructed highway and between approximately Engineer's Station 264-80 and the East shore of South Slough and including such portions of the old South Slough Bridge as are now in use as an approach to the wharf and log dump on the East shore of South Slough.

The Commission approved the resolution by unanimous vote and ordered the same filed in the department records.

The Engineer reported that in conformance with authority previously granted him by the Commission he has awarded the following contracts, the conditions of the awards having been satisfied:

Construction of Warren Creek Section of the Columbia River Highway, in Hood River County. Bids taken July 27, contract awarded September 9, 1939, to E. C. Hall Company, the low bidder.

Construction of Dundee-West Dayton Section of the Pacific Highway West, in Yamhill County. Bids taken September 1, 1939, contract awarded September 13, 1939, to McNutt Bros., low bidders.

The Commission, by unanimous vote, confirmed the awards as reported.

The Engineer also reported that as previously authorized by the Commission he has sold to the high bidder in each instance the obsolete equipment, scrap material, et cetera, for which bids were taken on August 31, 1939. The Commission, by unanimous vote, confirmed the action taken by the Engineer in this matter.

The Engineer requested authority for the Bridge Engineer, Mr. G. S. Paxson, to attend a "Soil School" which is to be conducted by the Public Roads Administration in Washington, D. C., from November 20 to December 2,

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1939. The object of this course, he said, is to acquaint the participants with the procedures for the surveying, sampling, and testing of soils, to explain the latest developments in testing soils for special purposes, to develop the methods used by the Administration in applying the results of tests on soils to highway design, construction and maintenance problems, et cetera. He gave as his thought that the Oregon Highway Department should keep up to date on matters of this kind and that the information that would be gleaned from such school would be of inestimable value in connection with highway work in this state. He recommended that Mr. Paxson be permitted to attend this school at state expense and estimated that it would cost about \$300.00. After discussion, the Commission approved the recommendation unanimously, subject to the condition that the expense is also approved by Governor Charles A. Sprague.

The Secretary presented a letter from the Redwood Empire Association inviting the members of the Commission and its staff to be its guests at the Nineteenth Annual Convention and Banquet which is to be held on Treasure Island, San Francisco, on Friday, October 13, 1939. The Commission decided not to be represented at this meeting.

The Attorney reported receipt of a letter from Campbell, Smith and Goodman, Inc., Portland, with respect to the insurance coverage protecting the State of Oregon, the State Highway Commission and the Union Pacific Railroad Company, et al, from liability for accidents arising out of snow removal operations on the Upper Columbia River Highway. It appears from past performances under the protection of this policy, which was written by Lloyds of London, that the state is entitled to a credit of 10 per cent of the amount of the premium, amounting to \$640, and can receive full benefit of this credit if it will purchase a new policy at this time for a three-year period. The Attorney inquired as to whether he should order a new policy now or wait until the present policy expires on October 1, 1940. The Commission decided, after discussion, to take advantage of the credit and thereupon authorized the Attorney to secure the new policy and arrange for the cancellation of the old one.

Commissioner Aldrich brought up for discussion at this time the matter of extending the Kimberly-Monument Secondary State Highway, in Grant County, from its present terminus at Monument to a connection with the Pendleton-John Day Highway at Long Creek. He advised that he has again been approached by the Grant County Court in this regard and that the court is very anxious to have the state assume jurisdiction over this road. It was the consensus of opinion of the Commissioners that this road should be on the state secondary highway system and accordingly the Attorney was instructed to prepare the customary resolution for adoption by the Commission at its next meeting.

The Commission had under discussion a request from the City of Estacada and the Estacada High School District for a letter from the Commission, directed to the W.P.A., Portland, advising that the Commission has no objections to the improvement of the Woodburn-Sandy Secondary State Highway in front of the high school grounds in Estacada, as a W.P.A. project sponsored by

the city and the school district. It was explained that this procedure is necessary in order to secure the approval of this W.P.A. project. The Commission decided to offer no objections to such improvement provided the use of the highway by the general traveling public is not interfered with and provided precautions are taken for the proper safeguarding of traffic and pedestrians. The Secretary was thereupon instructed to write such letter.

The Attorney requested instructions with respect to the controversy with the Maryhill Ferry Company concerning a sign maintained by the company at the junction of the Sherman Highway with The Dalles-California Highway, in Wasco County, concerning which complaints have been received because it bears erroneous information for the traveling public. It appears that the company is reluctant to make any change in its sign, alleging that the complaints which the Highway Commission has received in regard thereto are simply efforts to discredit the Sherman Highway. The Attorney advised that the sign under discussion is illegal in view of the fact that it purports to direct traffic, whereas, under the Oregon statutes, the duty and responsibility for maintaining directional signs along state highways rests solely upon the State Highway Commission. Furthermore, it is his belief that the intent of the Legislature was to vest in the State Highway Commission exclusive authority with respect to such matters so that the general public will get authentic information and will not have to be subject to inconvenience and delay by reason of community jealousies. This matter was discussed by the Commission at considerable length and it was decided to let the Maryhill Ferry Company maintain its sign at this location if it will remove therefrom the information of illegal character. In the event the company will not revise its sign to meet the legal requirements, then the sign is to be removed by state highway forces. The Attorney was instructed to convey such information to the owners of the sign.

The Secretary presented a letter from the Great American Indemnity Company requesting evidence to show that the Commission's Secretary had authority to sign the cancellation certificates terminating the old bonds furnished by the State Highway Engineer, which bonds have been replaced by entirely new bonds under the provisions of Chapter 529, Oregon Laws of 1939. The Commission, by unanimous vote, approved the signing of such cancellation certificates by the Secretary and, thereupon, adopted the following resolution in regard thereto:

WHEREAS, under the terms and provisions of Chapter 529, Oregon Laws, 1939, effective June 14, 1939, the State Highway Engineer is required to furnish a bond in the sum of Two Hundred Thousand Dollars (\$200,000) in favor of the State of Oregon, conditioned upon the faithful and honest handling and disposition of all funds coming within the jurisdiction or under the control of the said State Highway Engineer; and

WHEREAS, the said State Highway Engineer has furnished the said bond as required by the said section of the statute; and

WHEREAS, said Chapter 529 repealed all prior statutes

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requiring the furnishing of bonds by the State Highway Engineer, and it is and has been necessary to cancel the bonds issued under the said prior statutes as of June 14, 1939;

NOW, THEREFORE, BE IT RESOLVED that the Secretary of the State Highway Commission be and he hereby is authorized to execute on behalf of the Commission any and all cancellation notices required in connection with the cancellation of the said prior bonds.

BE IT FURTHER RESOLVED that all prior acts of the Secretary in executing the said cancellation notices be and the same hereby are ratified and confirmed.

The Commission discussed and ordered filed a letter from C. H. Furell, State Highway Engineer of California, advising that the California State Highway budget for the present biennium contains an approved project covering the grading and surfacing of the Bailey Summit-Oregon State Line Section of the Pacific Highway on revised location, 1.4 miles in length; further, that the plans and specifications for this project are now being prepared and that the work will be contracted in sufficient time to meet the completion date of the Oregon Section, September 1, 1940.

The Commission discussed a letter from Mr. Charles Wiley, Redmond, Oregon, forwarded from the office of Governor Sprague, in which Mr. Wiley suggests that a monument bearing the names of Oregon pioneers who participated in the blazing of the first wagon road over the South Santiam Pass, now the route of the Santiam Highway, be erected and maintained upon the right of way of such highway. There was also presented in connection with this matter letters from Mr. Lewis A. McArthur, President of the Oregon Historical Society, and Mr. Robert W. Sawyer, Bend, each of whom expressed the thought that the erection of some sort of a memorial or marker to these pioneers, and particularly to Mr. Andrew Wiley, who was the discoverer of the Santiam route in the year 1859, would be proper and appropriate. The Commission approved the placement of such marker or monument on the state highway right of way provided funds other than state funds are secured to finance it.

The Commission discussed a letter from the Diamond Lake Summer Home Association urging that every effort be made to keep the Diamond Lake Highway from Union Creek to The Dalles-California Highway free of snow and open for general public use during the winter months. The Engineer estimated that it would cost approximately \$13,000 to keep this road open during the winter season which, he said, lasts about four months, such estimate being based upon average winter conditions. He questioned the justification of such expenditure in view of the small volume of traffic that would use the road during this period. The Commission decided unanimously not to attempt to keep this road open to travel during the winter months on account of the expense involved.

A petition was presented from numerous property owners and people

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residing along the old Pacific Highway between Eugene and Junction City asking that the fingerboard signs in Eugene and Junction City, which direct travel along the Eugene-Junction City Secondary Highway to Santa Clara, be replaced with signs directing travel to Junction City and Eugene, respectively, so that the traveling public would know that there is an alternate route available between these two places, which would work to the advantage of people residing along this route who depend largely upon tourist business to dispose of the products of their land. The Commission considered it inadvisable to change the signs as requested because of the confusion that it would cause to tourists who depend entirely upon signs erected by the State Highway Department to direct them from one point to another via the most direct and safest route which in this instance would not be over the old highway because it contains a number of railroad grade crossings. Accordingly, the Commission decided unanimously not to change the existing signs and instructed the Secretary to so inform the petitioners.

The Commission considered and ordered filed a letter from Oscar L. Bussell, Eugene, with respect to the adoption of a permanent route for the Pacific Highway through Eugene.

A petition was also presented from users of the Tiller-Trail Secondary State Highway in Douglas County urging immediate improvements to this road, particularly the section between Canyonville and the Jackson County line. The Engineer was instructed to make an investigation of this road and report his findings at the next meeting.

The Engineer brought up for discussion matters pertaining to the proposed improvement of the Blachly-Long Tom River Section of the Siuslaw Highway, in Lane County. He advised that as previously instructed by the Commission he has completed an investigation of this section with a view to providing a temporary improvement which might prove satisfactory until funds are available to rebuild the road to modern standards. The section investigated, he said, is 3.52 miles in length and passes over the Low Pass Summit. He estimated that to widen, surface, and oil this section would cost between \$50,000 and \$60,000. The Commission approved the report but took under advisement the matter of committing funds to the project. It was decided to discuss this matter with the Lane County citizens who are proponents of the project upon the Commissioners return from the annual meeting of the American Association of State Highway Officials in Richmond, Virginia, next month.

The Engineer brought up for discussion matters pertaining to the Wilson River Highway W. P. A. Project, particularly the question of employment of shovel operators. He advised that under a new W.P.A. ruling operators of power shovels now receive considerably less salary than they did heretofore for the same work, and much dissatisfaction has developed among the men who refuse to work at the reduced rate. As a consequence, he said, progress of the project is being greatly retarded, it being very difficult to find experienced operators who will work at the lower salary and it being uneconomical to employ men without experience in handling this type of equipment. He further advised that a delegation is to appear before the Commission on the following day which will ask the Commission to hire the shovel runners and

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carry them on the state pay roll. It was the Commission's thought that the employment of shovel runners by the state would act adversely to the state's best interests and accordingly, after considerable discussion, it was decided not to hire these men and to so inform the delegation when it appears.

The Engineer presented a list of surveys that he has ordered since the last meeting of the Commission and asked the Commission to confirm them and the amounts allocated for each. After due consideration the Commission authorized and instructed the Engineer to make such location surveys on various sections of the highways of this state, which said sections of highways, together with their identifying location survey numbers and the amounts authorized and allocated for such survey expenditures, are as follows:

Plans - - - -	101-2818 - Miles Bridge-Baker Section, Medical Springs Secondary Highway, Baker County.	1st authorization - \$300.00
Plans - - - -	1-2819 - Baker-Gibbs Ranch Section, Baker-Unity Highway, Baker County.	1st authorization - \$150.00
Plans - - - -	4-2828 - Nehalem River-Sunset Camp Section, Wolf Creek Highway, Clatsop County.	1st authorization - \$700.00
Bridge - - - -	206-2902 - Myrtle Point Section, County Road, Coos County.	1st authorization - \$150.00
Quarry - - - -	19-2818 - Lakeview Section, Fremont Highway, Lake County.	2nd authorization - \$100.00
	Total to date \$400.00	
Stock Pile & Quarry - - - -	20-2839 - Cusiman-Camp Creek Section, Siuslaw Highway, Lane County.	2nd authorization - \$150.00
	Total to date \$400.00	
Plans - - - -	20-2840 - Blachly-Long Tom River Section, Siuslaw Highway, Lane County.	1st authorization - \$535.50
Right of Way -	121-2834 - Kernville-Forest Boundary Section, Siletz Secondary Highway, Lincoln County.	1st authorization - \$600.00
Location - - -	22-2818 - Foster-Bryant Hill Section, Santiam Highway, Linn County.	3rd authorization - \$1,500.00
	Total to date \$11,500.00	
Location - - -	23-2817 - Brogan-Jamieson Section, John Day Highway, Malheur County.	2nd authorization - \$250.00
	Total to date \$2,200.00	

Plans - - - - 228-2807 - Wasco-Fulton Canyon Section, County Road, Sherman County. 2nd authorization - \$545.00
Total to date - \$945.00

Plans - - - - 131-2817 - Union-Catherine Creek Section, Medical Springs Secondary Highway, Union County. 1st authorization - \$250.00

Test Pits - - - 33-2815 - Seufert-Dufur Section, The Dalles-California Highway, Wasco County. 3rd authorization - \$ 38.00
Total to date - \$334.00

The Commission had under consideration the following requests for extensions of time within which to complete highway construction projects:

O. C. Yocom, contract No. 2134, for the grading, surfacing and oiling of the Sheridan-Polk County Line Section of the Sheridan-Lincoln County Road, in Yamhill County, requested an extension of time of 15 days, from July 31 to August 15, 1939, within which to complete this project. He alleged that his failure to complete the project within the specified time limit was due to extra work that the state required him to do under Price Agreement No. 1, being for the furnishing and placing of reject materials on macadam surface or binder course. The Engineer advised that the reason given by the contractor for failure to complete the job within the specified time limit is correct. He recommended, in view thereof, that the extension of time requested be granted without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation by unanimous vote.

E. C. Gerber, contract No. 2149, for grading, surfacing and oiling and also furnishing crushed materials in stock piles on the Shaw Junction-Gates Section of the Silver Creek Falls and North Santiam Highways, in Marion County, requested an extension of time of 3 days, from July 30 to August 2, 1939, within which to complete this project. He gave no reason for failure to complete the project within the specified time limit. The Engineer advised that, in his estimation, there is no valid reason why Mr. Gerber could not have completed this job within the specified time. He recommended that the extension of time now requested be granted subject to the condition that Mr. Gerber be charged for the extra engineering expense incurred by the state subsequent to the specified date of completion. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation unanimously.

Warren Northwest, Inc., contract No. 2180, for construction of the Deschutes Oiling Project on the Central Oregon, Fremont and Century Drive Highways, in Deschutes, Klamath and Lake Counties, requested an extension of time of 20 days, from July 31 to August 20,

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1939, within which to complete this project. They attributed their failure to complete the project within the specified time limit to unfair weather conditions for the carrying on of the oiling work in the vicinity of Lakeview during the month of June. The Engineer advised that, in his estimation, this contract should have been completed within the specified time limit and he knows no valid reason that could be given by the contractor for failure to do so. He recommended in view thereof that the extension of time now requested be granted subject to the condition that the contractor be required to reimburse the state for the extra engineering expense incurred in connection with this job subsequent to the specified date of completion. The Commission approved the recommendation unanimously.

The Commission had under consideration the question of a formal extension of the time limit for completion under contract No. 2003 awarded to Minneapolis-Moline Power Implement Company on August 12, 1937, in connection with the supplying of materials for the Whiteson Grade Separation Project. It appears that the contract provided that the completion date should be November 27, 1937, but carried the further provision that the material should be held by the fabricator thereof until shipping instructions were given by the State Highway Department. These shipping instructions were not issued until December 10, 1937, and in accordance with said instructions the materials were shipped and were received and accepted in Portland on December 25, 1937. After consideration, the Commission ordered the entry of a formal extension of time on the contract from November 20, 1937, to December 25, 1937, without penalty.

The Engineer reported that Contracts Nos. 2067, 2113, 2121, 2134, 2137, 2149, 2152, 2161, 2180, 2200, and 2201, for the construction of state highway projects, have been completed according to the requirements of the contracts or modifications thereof, and that said jobs are now ready for acceptance. The following resolution accepting the above projects was offered and was adopted by the unanimous vote of the Commission:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts and said jobs are now ready for acceptance:

Contract No. 2067, with Leonard & Slate, for grading the Sheep Ridge-Toll Creek Section of the Santiam Highway, in Linn County. Completed September 12, 1939.

Contract No. 2113, with Roy L. Houck, for grading, surfacing and oiling the Crooked Creek-Lobert Section of The Dalles-California Highway, in Klamath County. Completed August 17, 1939.

Contract No. 2121, with Fisher Brothers, for surfacing and oiling and furnishing crushed rock on the Odell Lake-

Walker Mountain Section of the Willamette Highway, in Klamath County. Completed September 21, 1939.

Contract No. 2134, with O. C. Yocom, for grading, surfacing and oiling the Sheridan-Polk County Line Section of the Sheridan-Lincoln County Road, in Yamhill County. Completed August 12, 1939.

Contract No. 2137, with Babler Brothers, for surfacing and oiling and furnishing crushed rock in stock piles on the Grant County Line-Unity Section of the John Day Highway, in Baker County. Completed August 30, 1939.

Contract No. 2149, with Edwin C. Gerber, for grading, surfacing and oiling and furnishing crushed rock in stock piles on the Shaw Junction-Gates Section of the Silver Creek Falls and North Santiam Highways, in Marion County. Completed August 2, 1939.

Contract No. 2152, with Leonard and Slate, for grading and paving the North Unit of the Oregon City Section of the Pacific Highway East, in Clackamas County. Completed September 8, 1939.

Contract No. 2161, with Roy L. Houck, for grading the Lobert Section of The Dalles-California Highway, in Klamath County. Completed August 4, 1939.

Contract No. 2180, with Warren Northwest, Inc., for the Deschutes Oiling Project on the Central Oregon, Fremont and Century Drive Highways, in Deschutes, Klamath and Lake Counties. Completed August 19, 1939.

Contract No. 2200, with McNutt Bros., for grading, surfacing and oiling the Hillsboro Airport-Ray's Ranch Section of the Hillsboro-Cornelius Pass County Road, in Washington County. Completed September 6, 1939.

Contract No. 2201, with Edlefsen-Weygandt Company, for pavement widening and resurfacing of the Sandy Boulevard Section (44th Ave. to 74th Ave.,) of the Columbia River Highway, in Multnomah County. Completed September 23, 1939.

THEREFORE, BE IT RESOLVED that the work covered by said state highway contracts for the construction of said state highway projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

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The Commission discussed the scheduling of its regular meeting in December and decided to hold such meeting in Portland on Thursday, December 7, 1939. The Secretary was instructed to make the usual arrangements to hold this meeting in the auditorium of the Public Service Building.

The Commission adjourned at 7:40 o'clock p. m. and reconvened at 9:15 o'clock p. m. in the same room with all Commissioners present and participating. Also present were the State Highway Engineer, the Attorney, and the Secretary.

The Commission had under discussion the request from the Committee in charge of the McLoughlin Memorial Home, in Oregon City, for the placement of fingerboard signs on the highway right of way in Oregon City directing the public to the McLoughlin Home; also, for the erection of historical markers at the north and south entrances to the city containing authentic pioneer information with reference to the McLoughlin Home. The Commission, by unanimous vote, approved the installation of fingerboard signs, as requested, but deferred for future consideration the matter of permitting the other signs to be maintained on the highway right of way. The Secretary was instructed to convey such information to Ray Conway, Manager of the Oregon State Motor Association, who presented this matter on behalf of the McLoughlin Home Committee.

The Assistant Attorney reported the status of the 1939 right of way budget. He advised that of the \$600,000 budgeted for this purpose there has been obligated for right of way and real property purchases the sum of \$582,000 which indicates that expenditures for this year will not exceed the budgeted amount. The Commission approved the report.

The Attorney requested authority to purchase numerous parcels of real property that are needed for various highway improvements throughout the state. He submitted a list of such properties, together with prices that he recommended be paid for each. After careful consideration, the Commission approved the request and, by unanimous vote, adopted the following resolution with respect thereto:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth, and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon, and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Warren-Scappoose Section - Columbia River Highway</u>				
7160-Sherman, C. W.	R/W	0.21	\$200 per a. plus \$83	McChesney
7162-Tabor, James R.	"	0.08	\$200 per a.	"
7158-Boessel, J. A. et al	"	0.27	\$200 per a. plus \$71	"
7161-Colse, Frank	"	0.23	\$200 per a. plus \$155	"
7169-Wikstrom, C. E. et al	"	0.07	\$200 per a. plus moving bldg. (Estd. at \$800)	"
7171-Newman, Henry	"	7800 sq.ft.	5¢ sq.ft. plus \$1610	"
7167-Young, Elsworth S.	R/W, gravel channel change	1.92	\$200 per a. plus \$628.60, plus fencing	"
7170-Wikstrom, I. G	R/W	15,681.6 sq.ft.	2¢ sq.ft., plus \$686.37 plus moving--low bid \$3700.00	"
7169A-Wikstrom, C. E. (Correction)	"	0.04	\$200 per a. plus low bid of \$134 for leveling and seeding lawn, bldg. concrete walk	"
7164-Miller, Howard (Correction)	"	0.07	\$200 per a., plus \$253, plus low bid of \$695 for moving house, etc.	"
<u>Tigard Section - Pacific Highway West</u>				
6957-Heffron, Margaret B.	R/W	1454 sq.ft.	4¢ sq. ft.	Collins
7000-Franciscan Fathers of California	"	23 " "	GRATIS	"
6967-Butler, F. J. (Correction)	"	670 " "	4¢ sq. ft. plus \$85	"
6965-Christensen, Christian	"	425 " "	8¢ sq. ft.	"
6990-Zweible, Helen, L. (Correction)	"	5089 " "	4¢ sq.ft. plus \$164.20	"
6946-Summers, Margaret	"	910 " "	4¢ sq. ft. plus \$325 plus moving (Est.\$800)	"
6947-Bristow, Alice F. (Correction)	"	4344 " "	4¢ sq.ft. plus \$321.50, plus moving bldgs. (low bid \$1700)	"
<u>Tillamook and Clatsop Counties - Wolf Creek Highway</u>				
7401-Properties Corporation Park		412.72	\$5 per a.	Parker
<u>West Portland-Cook Overcrossing Section - West Portland-Hubbard Highway</u>				
4586-Johannesen, A. C.	R/W	2425 sq.ft.	Lump Sum \$175	Parker

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Seufert-Dufur Section - The Dalles-California Highway</u>				
7398-Barnum L.	Park	2.48	GRATIS	Boardman
		0.17	GRATIS	
(Release of Lease)				
<u>Madras Section - The Dalles-California Highway</u>				
7263-Jefferson County	Maintenance	68,000 sq.ft.	LUMP SUM \$440	Chandler
	headquarters			
<u>Multnomah Falls-Dodson Section - Columbia River Highway</u>				
7038-Crown Zellerbach Corp.	Quarry	199.05 a.	\$25+ per a. \$5,000	Parker
<u>Sunset Camp-Mahalem River Section - Wolf Creek Highway</u>				
7046-Sunset Logging Co.	Park	38.3	\$5 per a.	Parker
<u>Newberg-McMinnville Section - Pacific Highway West</u>				
7118-Campbell, Roy L.	R/W	0.40	\$400 per a. plus \$840	Parker
7119-Ziba and Evelyn Chamberlain	"	0.08	Lump Sum \$400	Benson
7113-Cutting, Wm. H.	"	5980 sq.ft.	" " \$150 plus \$12.50 "	
7117-Seth Clarkson	"	0.28	Land \$100, plus fencing "	
<u>Woodburn Section - Pacific Highway East</u>				
7307-Oregon Electric Ry.Co.	Stock pile	3 months' lease at \$5 per mo.	Eason	
<u>Salem Pringle Creek Section - Pacific Highway East</u>				
5916-Heasley, A. E.	R/W	1089 sq.ft.	10 1/2 sq.ft. plus \$641.10	McCallister
5782-3 Benj. Franklin Federal Savings & Loan Ass'n.	R/W	3703 sq.ft.	5 1/2 sq.ft. plus \$1014.85 "	"
5914A-Falk, Conrad	R/W	2500 "	6 1/2 sq.ft. plus \$100 "	"
7403-Golden, Virgil T.	"	891 "	6 1/2 sq.ft. plus \$46.54 "	"
<u>Siletz Bay-Newport Section - Oregon Coast Highway</u>				
4111-Sunset Investment Company	R/W	25,877 sq.ft.	10 1/2 sq. ft.	McCallister
<u>Albany Section - Pacific Highway East</u>				
6390-Walter, H. P.	R/W	5100 sq.ft.	\$0.015 sq.ft.	Gardiner
6395-Morgan, Rose	"	6776 "	\$0.015 " " , plus \$410	"
5723-Creswell, John A.	Slope easement	198 "	GRATIS	"
6387-Miles, W. C.	R/W	4339 "	\$0.035, plus \$798.13	"
7251-Burton, Pearl	"	1533 "	In exchange for portions of Lots 3 & 4, Block 22	"
6389-Dawson, Alfred	"	841 "	\$0.015 sq. ft.	"
6400-Jenks, Oliver H.	"	0.78 a.	\$400 per a. plus \$69	"
5832-Ashton, C. R.	"	8283 sq. ft.	\$0.05 sq.ft., plus \$138.50	"

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Albany Section (continued)</u>				
6399-Bronson, Geo. H.	R/W	16,625 sq.ft.	\$0.015 sq.ft. plus \$67.75	Gardiner
7186-McLeod, Gertrude, and Bramley, Gertrude	Slope Easement		Land Gratis plus \$50	"
6385-Graham, Angus A.	R/W	11,642 sq.ft.	\$0.015 sq.ft.	"
6391-Shipman, Elsie	"	1493 " "	\$0.015 sq.ft. plus \$6	"
6396-Richardson, J. L.	"	10,700 " "	\$0.015 " " " \$839.50	"
5721-Hornback, S. E.	Slope Easement	132 " "	Land Gratis, plus \$25	"
7387-Rhodes, Ella M. et al	R/W	2.0 a.	1.0 a. at \$100 per a. 1.0 a. at \$200 per a. plus \$56.25	"
6384-Clayton, Charles	"	4,708 sq.ft.	\$0.035 sq.ft.	"
5882-Brown, Max (Correction)	"	2.83 a. (outside R/W)	Land and damages-\$1500 Lump Sum - plus deed portion Cox property - 0.05 acre	"
5843-Moench, Gladys P.	"	2,871 sq.ft.	5¢ sq.ft., plus \$1256.45	"
7144-Childs, Chas., Wm. Eagles, W. A. Cox	"	995 " "	5¢ sq.ft. plus \$200.25	"
6388-Chance, W. B.	"	5,082 " "	\$0.015 sq.ft.	"
6392-Chance, W. B. et al	R/W	30,743 " "	\$0.015 sq. ft.	"
	Ditch			
5159-Fox, J. A. & Elva	R/W	336 " "	Lump Sum \$550	Devers
<u>Ukiah-Dale Section - Pendleton-John Day Highway</u>				
7239A-Fayette, Mettie	Stock pile	1.03	\$30 per a. plus \$5, plus fencing	Wells
<u>Devitt-Blodgett Section - Eddyville-Blodgett Highway</u>				
7196-Whitby, Harold R. et al	R/W	0.93	Lump Sum - \$2.65	Eason
<u>Cushman-Camp Creek Section - Siuslaw Highway</u>				
7396-Darling, Chas. M.	Stock pile	0.63	Lump Sum - \$150	Lytle
7395-Walker, Ray	"	1.17	" " \$150	"
<u>Charleston-Cape Arago Section - Cape Arago Highway</u>				
6729-Bastendorff, Mike	R/W	1.43	\$150 per a. plus \$210.95	Gardiner
<u>Cushman Ranch-Trail Section - Tiller-Trail Highway</u>				
7254-Onn, Clyde	R/W	1.02	Lump Sum - \$50	Benson
<u>Grants Pass-Green Creek Section - Pacific Highway</u>				
7267-Searles, A.	R/W	6188 sq.ft.	2¢ sq.ft. plus \$70.30	McCallister
<u>Lake County Section-Warner Highway</u>				
7236-Pfrang, Wm.	Snow fence Easement		GRATIS	Chandler

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Forest Boundary-Cottonwood Creek Section - Klamath Falls-Lakeview Highway</u>				
6898-Slover, Wm. M.	Quarry and R/W	4.96	Lump sum - \$50	DeSouza
<u>Albee-Ukiah Section - Pendleton-John Day Highway</u>				
7238-Hilbert, Frank A.	Stock pile	1.0	\$30 per a. plus fencing	Wells
<u>County Farm-Adams Section - Oregon-Washington Highway</u>				
7142A-Rogers, L. L.	R/W		Gratis - release of leases	Parker
<u>Forest Boundary-Dale Section - Pendleton-John Day Highway</u>				
7243-Arbogast, Hazel	Stock pile	1.05	\$30 per a.	Wells
7245-Powell, Annabelle	Quarry	10.28	\$25 per a. plus \$131.25	"
<u>Forest Boundary-He He Butte Section - Warm Springs Highway</u>				
6806-Confederate Tribes of Warm Springs Indian Agency (Correction)	R/W	144.18	\$3 per a., plus \$5,075, plus fencing	DeSouza
<u>Owyhee River-Scotts Butte Section - I.O.N. Highway</u>				
6196-Malheur County	R/W	49.96	Gratis	Wells
6909-Gill, Albert S.	"	5.02	\$6 per a., plus \$132.75	"
6908-Larsen, Anton P.	"	0.16	\$6 per a., plus \$9	"
6905-Anderson, Richard C.	"	1.01	Lump sum - \$10, plus fencing	"
6912-Bohemian Old Folks Home and Orphan Asylum	"	2.84	\$6 per a., plus \$4.50, plus fencing	"
6910-Edson, Leslie	"	2.34	\$6 per a., plus \$3, plus fencing	"
6915-Graham, Effie B.	"	1.38	\$6 per a., plus \$36	"
6901-Blatt, I.	"	4.54	\$6 per a., plus \$120 fencing	"
<u>Lakeview Section - Fremont Highway</u>				
7310-Lake County	Talus and gravel pit	0.7-	Land gratis, plus fencing and moving bldg. (Est'd \$150)	Parker
7309-Barry, M. P. J.	Talus and Quarry Site	13.17	at approx. \$40 per a. or lump sum \$520	"
7311-Winchester, R. E.	Talus pit	1.55	\$100 per a., plus \$45	"

The Assistant Attorney reported an offer from Mr. Charles Childs, Albany, to purchase, for the sum of \$10.00, an old building located on the newly-acquired right of way of the Pacific Highway East, in Albany. The Commission decided not to sell this building to Mr. Childs, in view of the fact that it was purchased from him in the first place, and to let the contractor dispose of it as he sees fit.

The Attorney brought up for discussion the matter of purchase from the Sunset Logging Company of an 80-acre tract of green timber situate adjacent to the Wolf Creek Highway about one mile west of the Washington-Tillamook County Line, more particularly situate in the north half of the southeast quarter of Section 2, Township 3 North, Range 6 West, W.M. He advised that the state already owns the land on which this timber is located but the timber is still owned by the Sunset Logging Company which plans to start cutting it within the next two weeks. He gave as his thought that the state should own this timber which would be in accordance with the Commission's policy with respect to the preservation of the natural beauty of this road and advised that the Sunset Logging Company will sell it to the state at the rate of \$3.50 per MFBM, which would amount to about \$5,000, there being about 1,500,000 feet of timber on the tract. The Commission indicated that it would acquire this timber in the event the purchase is recommended by the State Parks Superintendent. The Assistant Attorney was instructed to ascertain the Parks Superintendent's attitude with respect thereto. (This matter was reconsidered by the Commission on the following day at which time the Assistant Attorney reported that, while the State Parks Superintendent would like to acquire this timber, he could not recommend purchase now because there are other tracts along this highway west of the town of Elsie for which he would rather spend the money. He suggested, in view of the circumstances, that it might be possible to arrange an exchange of properties with the Sunset Logging Company, the state to secure title to the timber on the tract under discussion and to deed to the Sunset Logging Company a 40-acre tract of timber land nearby which is situate a considerable distance from the highway, the exchange to be made on the basis of timber at \$3.50 per MFBM, and an allowance being made to the Sunset Logging Company for the extra cost of logging the timber from the state's 40-acre tract over the cost of logging the timber from the tract that the state is acquiring. The Commission approved the suggestion and authorized the Assistant Attorney to discuss the matter with the officials of the Sunset Logging Company on such basis.)

The Assistant Attorney requested authority to institute condemnation proceedings to acquire certain parcels of real property that are needed for various highway improvements. The Commission granted the request and, by unanimous vote, adopted the following resolution in regard thereto:

WHEREAS, the State Highway Commission is by law authorized and directed to lay out, locate, relocate, designate, construct, reconstruct, improve, and maintain a system of state highways in the State of Oregon, including both primary and secondary state highways, to acquire rights of way necessary therefor, and to declare the necessity and need for the acquisition thereof, and the advantages to be gained thereby;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the State Highway Commission does hereby find and declare that it is necessary, will be of advantage to the State of Oregon, and is needful that the state acquire for right

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of way purposes for use in connection with the permanent location, construction, improvement, and maintenance of the following section or sections of the state highway system of the State of Oregon, to wit:

Salem-Pringle Creek Section of the Pacific Highway East
 Davies-Vadis Section of the Wolf Creek Highway
 Muddy Creek-Lakeview Section of the Klamath Falls-Lakeview Highway
 Warren-Scappoose Section of the Lower Columbia River Highway
 Albany Section of the Pacific Highway East

real property owned by or in possession of the following parties and/or persons, to wit:

Salem-Pringle Creek Section of the Pacific Highway East
 5915A-Ethel T. Allison and Ira R. Thomas
 Davies-Vadis Section of the Wolf Creek Highway
 6276-Lester Sell
 Muddy Creek-Lakeview Section of the Klamath Falls-Lakeview Highway
 4157-A. C. Kingman and C. B. Ledgwick
 4176-E. L. Ford
 Warren-Scappoose Section of the Lower Columbia River Highway
 7159-Erickson's Dairy Products Co.
 Albany Section of the Pacific Highway East
 6377-Charles Childs and A. K. McMahan
 6379-Ruth Nelson
 6381-Roy W. Nutting and Winnifred Nutting
 6388-Walter Chance, Jr., et al.
 6392-Mary C. Goodwin and Unknown Heirs of Harrison
 O. Chance, deceased.

and this Commission does hereby declare further that the said property or properties are necessary, are needful, and the acquisition thereof will be of advantage to the State of Oregon for right of way purposes in order to make it possible for the State Highway Commission to properly locate, relocate, construct, reconstruct, and maintain said portion or portions of the said state highway system in accordance with standards adopted by this Commission relative to curvature, grades, alignment, drainage, and factors of safety.

2. That the State Highway Engineer be and he hereby is instructed and directed to properly survey the parcel or parcels of land required for such right of way purposes and prepare proper and adequate descriptions thereof, which descriptions shall be employed in the preparation of a deed or deeds or other instrument or instruments necessary to complete the acquisition of the said property or properties or which descriptions may be used in the preparation of a complaint in the event that condemnation proceedings are necessary.

3. That the boundaries of the said parcel or parcels of land, as defined and determined by the said survey made by the said Highway Engineer, along the route or location adopted by the Highway Commission, shall be and the same hereby are adopted and the lands defined therein are hereby declared to be and the same are included within the rights of way of the said portion or portions of the said state highway system and hereby are declared to be necessary for the proper location, improvement, construction, and maintenance of the said portion or portions of the state highway system.

4. That I. H. Van Winkle, Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they are hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby further resolved that the Attorney General of the State of Oregon and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they hereby are requested to commence and prosecute to a final determination such suit or action, or suits or actions, as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

The Assistant Attorney reported on investigations with respect to a service station that encroaches upon the Pacific Highway West (Denver Avenue) at its intersection with the Pacific Highway East (Union Avenue) in North Portland. He said that inspection of the records in the Multnomah County Engineer's office reveals that on December 22, 1926, the Board of County Commissioners granted to the Standard Oil Company of California a revocable permit authorizing the occupancy by this building of the right of way of Denver Avenue, which permit contained a clause that the permit is revocable at any time in the future upon 30 days' notice to the county. He further advised that subsequent inquiry reveals that this service station is now under the control of Standard Stations, Inc., and that it was stated to him by officials of such corporation that they do not contest the legal authority of the State Highway Commission now to revoke the permit originally granted by Multnomah County. In fact, their lease of the property, which runs for a 5-year period ending June 30, 1943, contains a provision to the effect that, if the lessee is required to vacate the public right of way, the lessee then shall have the right to cancel its lease upon 30 days' notice to the lessor. He gave as his opinion that the right of the State Highway Commission to cancel the permit

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and to require that the public right of way be cleared appears definite and incontestable, although the officers of the corporation indicated that they might desire to be heard by the Commission in the matter, in the event the Commission orders the removal of the building. In view of this report, the Commission decided to adhere to its policy with regard to matters of this kind and to require the removal of the building at the earliest possible time. The Secretary was instructed to send formal notice to the corporation on the action taken and to ask them to move this service station off of the state's property within the next 90 days, which was considered a reasonable length of time within which the company could act.

The Commission had under consideration the application of Mr. C. P. Henkel to purchase two fractional lots at Estacada outside of the standard right of way limits, for which an offer of \$60 was made. After consideration, the Commission decided to deny the request to purchase, and instructed the Attorney to so advise Mr. Henkel.

The Commission then gave consideration to the sale generally of excess properties, title to which is held by the Commission. In view of the expense involved in making examinations, it was decided that no sales will be made unless a cash offer of at least \$250 is made for the property involved. In the event of such an offer being received the Commission ordered that the State Highway Engineer and the Attorney make personal examinations and submit affirmative recommendations before consideration will be given to the sale by the Commission.

The Commission had under discussion the matter of acquiring a small triangular-shaped parcel of privately-owned land on the west side of McLoughlin Boulevard (Pacific Highway East) in Portland, so as to prevent the parcel from being put to commercial use. The Attorney advised that this property lies in Block 7, Riverside Homestead Addition to Portland, and borders on S.E. 8th Avenue as well as on the highway south of S.E. Cora Street. Further, that Mr. John Jordan, who owns the property and conducts a service station business on the opposite side of the highway at this point, contemplates the construction of another service station on this small tract, and, to this end, is attempting to have the zone classification changed. It was his thought that a service station at this location would be objectionable from a traffic standpoint and would also detract from the appearance of the highway, for which reason he inquired whether or not the Commission would be interested in the purchase of the area, which he valued at approximately 25¢ per square foot. In this connection the Secretary presented a letter from the Portland City Planning Commission advising that the City Council has been petitioned by Mr. Jordan to change the zone classification from Zone No. 1 to Zone No. 3, in order to permit the operation of a service station on the site, and advising that the City Planning Commission is of the opinion that it would not be to the best interests of the public to allow any more commercial developments at this point, and that the freeway characteristics of this thoroughfare should be preserved. They suggested the acquisition of the property by the State Highway Commission for roadside beautification and park purposes. After considerable discussion, the Commission decided not to acquire this property, but went on record as being opposed to any change in the present zone classification.

Division Engineer E. A. Collier was authorized by the Commission to represent the Commission before the City Planning Commission when this matter comes up for discussion.

The Commission discussed and signed two state highway fund vouchers calling for the last two payments to the Miami Corporation for timber strips recently purchased from the corporation along the Salmon River Highway, each voucher being in the sum of \$12,930.40, it being understood that the vouchers shall not be presented to the Secretary of State for payment prior to the time the payments are due, August 25, 1940, and August 25, 1941, respectively.

A report was rendered by the Assistant Attorney with respect to the ocean beach at Seaside, which is being used as a landing field for airplanes. He advised that investigation reveals that the area being so used is in the ownership of the state and is, therefore, a public highway, specifically under the jurisdiction and control of the State Highway Commission. It was the thought of the Commission that the use of the beach for this purpose is detrimental to the best interests of the general public and, if possible, should not be allowed. However, the question arose as to whether or not the City of Seaside has any particular interest in the use of the area for the purpose mentioned. The Secretary was instructed to ascertain whether or not the city has any such interest and to request the city officials, if no such interest exists, to take action as may be necessary to discourage and stop the landing of airplanes on this beach, and to advise the city officials, if the city does have an interest in such activities, that it is the feeling of the Highway Commission that the use of the beach as a landing field should be properly applied for in accordance with the legal requirements. The Engineer was thereupon authorized to erect appropriate signs on the property in the event the city's reply is favorable.

The Commission had under discussion the resignation of Honorable Robert W. Sawyer, Bend, as a member of the committee appointed to act in an advisory capacity to the Commission with respect to the activities of its Travel and Information Department. The members of the Commission expressed regret that Mr. Sawyer feels that he can no longer serve on this committee and has seen fit to resign therefrom. It was with reluctance that the Commission accepted the resignation, because Mr. Sawyer has rendered valuable service to the state and to the State Highway Commission during his incumbency, which service is sincerely appreciated. The Commission thereupon signed the following letter with respect thereto and ordered it entered in the records of this meeting:

Judge Robert W. Sawyer
Bend Bulletin
Bend, Oregon

Dear Judge Sawyer:

This note is to express the regret that the Commission feels over your resignation as a member of the Travel and Information Advisory Committee on which you have served as Chairman since its

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creation. The Highway Commission has felt that this committee has done an outstanding work and guided us in a field which could have presented many difficulties.

We feel that this undertaking of the Commission has been highly productive and one that has met with general favor throughout the state. Results have been due, in a substantial measure, to the deep interest, wisdom and guidance of the Advisory Committee members.

We thoroughly appreciated your service on the committee and again repeat that it is with sincere regret that we received your resignation.

Yours sincerely,

STATE HIGHWAY COMMISSION

Henry F. Cabell (signed)
Chairman

E. B. Aldrich (signed)
Commissioner

Huron W. Clough (signed)
Commissioner

The Commission then discussed the appointment of two new members to the Advisory Committee, one to take the place of Mr. Sawyer, resigned, and the other to take the place of the late Raymond B. Wilcox. After discussion, it was decided unanimously to ask Mr. E. B. Hoyt, Publisher of the Morning Oregonian, Portland, and Mr. W. D. B. Dodson, Executive Vice President of the Portland Chamber of Commerce, to serve on this committee. The Secretary was instructed to direct a letter to each of these gentlemen requesting their acceptance of the appointment.

The Commission adjourned at midnight, to reconvene the following morning in the auditorium of the Public Service Building.

Portland, Oregon, September 28, 1939

The State Highway Commission reconvened in regular session at 9:00 o'clock a. m. in the auditorium of the Public Service Building. Present were:

Henry F. Cabell, Chairman
E. B. Aldrich, Commissioner
Huron W. Clough, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Deven, Attorney
H. B. Glaisyer, Secretary

Bids as follows for highway construction projects and for the sale of land were opened and read in conformance with previously published notice, following which Chairman Cabell announced that the award of contracts would be made at 3:30 o'clock p. m. in the same room:

OLD OREGON TRAIL
NORTH POWDER-MUDDY CREEK SECTION - ROADSIDE IMPROVEMENT

Norris Bros.	\$ 5,485.00
Blair T. Alderman	7,453.50
R. H. Blower	8,645.00
D. L. Ashton	9,579.00

PACIFIC HIGHWAY
WATER STREET SECTION - REMODEL EAST APPROACH TO EXISTING BRIDGE
OVER WILLAMETTE RIVER AND CONSTRUCT CONCRETE VIADUCT

McNutt Bros.	\$77,392.00
Geo. H. Buckler Company	78,279.86
Birkemeier & Saremal	79,919.00
C. J. Montag & Sons	87,570.50

COLUMBIA RIVER HIGHWAY
WARREN-SCAPPOOSE SECTION - - - - GRADING AND PAVING

Porter W. Yett	\$84,537.00
Warren Northwest, Inc.	89,994.50
Newport Construction Company	99,891.68

OREGON COAST HIGHWAY
DOUBLE LEAF STEEL BASCULE BRIDGE WITH COMPOSITE TRESTLE APPROACH
OVER COAL BANK SLOUGH

J. W. and J. R. Hillstrom	\$ 89,962.50
Tom Lillebo	94,499.00
Barham Bros.	98,651.25
Coos Bay Dredging Company	98,810.00
Kuckenberg Construction Company	101,143.00
C. J. Montag & Sons	102,610.50
Birkemeier & Saremal	102,835.75
Jacobsen-Jensen Company	104,716.00

PENDLETON-JOHN DAY HIGHWAY
NYE JUNCTION-LONG CREEK ROCK PRODUCTION PROJECT

*A. S. Wallace	\$37,370.00
F. R. Hewett	37,630.00
W. B. Hewett Company	38,370.00
Rogers Construction Company	39,400.00

(Continued on next page)

*Will accept only one project.

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(Nye Junction-Long Creek Rock Production Project, continued)

Joslin & McAllister	\$ 40,560.00
Fisher Bros.	40,620.00
Saxton, Looney & Risley	40,890.00
Newport Construction Company	43,970.00
Homer G. Johnson	46,700.00
Schmeer & Williams Bros.	55,985.00

COLUMBIA RIVER HIGHWAY
LANG CANYON-ARLINGTON SECTION

GRADING, SURFACING, BITUMINOUS MACADAM; CRUSHED ROCK IN STOCK PILES

Leonard & Slate	\$182,165.50
Clifton & Applegate	184,646.50
Diesel Oil Sales Company	189,311.00
Homer G. Johnson	192,319.00
K. L. Goulter	193,289.00
Morrison-Knudsen Company	196,500.50
J. C. Compton & Frank Pennepacker	205,440.00
Max J. Kuney	215,216.00
Jacobsen-Jensen Company	219,355.50
Newport Construction Company	220,254.90
Colonial Construction Company	250,993.00
E. C. Hall Company	252,026.00
C. J. Eldon	275,854.50
McNutt Bros.	322,579.00

BUTTE FALLS COUNTY ROAD
BUTTE FALLS SECTION - SURFACING AND OILING

Norris Bros.	\$ 21,986.50
R. I. Stuart & Sons	22,738.00
Newport Construction Company	22,759.50
Saxton, Looney & Risley	28,577.50

KLAMATH FALLS-LAKEVIEW HIGHWAY
COTTONWOOD CREEK-LAKEVIEW SECTION - GRADING, SURFACING, OILING

Rogers Construction Company and J. C. Compton	\$ 99,622.30
Homer G. Johnson	116,193.50
E. C. Hall Company	119,734.50
Fisher Bros.	125,197.50
McNutt Bros.	137,502.00

PACIFIC HIGHWAY EAST
SOUTH UNIT, ALBANY SECTION - GRADING

*E. C. Hall Company	\$ 10,589.00
Leonard & Slate	11,179.50

(Continued on next page)

* Will not accept this contract unless awarded the Albany Bridge Project.

(South Unit, Albany Section, continued)

McNutt Bros.	\$ 13,019.50
H. B. Klinaline	13,890.00
Frank Pennepacker	14,025.00
Coos Bay Dredging Company	14,490.30
D. L. Ashton	14,723.50

PACIFIC HIGHWAY EAST
ALBANY SECTION - EIGHT CULVERTS AND ONE BRIDGE

Averill & Corbin	\$ 35,858.40
Odom Construction Company	38,297.00
Kuckenberg Construction Company	38,955.00
Barham Bros.	39,408.20
E. C. Hall Company	41,182.50
Frank Pennepacker	41,772.00
McNutt Bros.	41,772.50
C. J. Montag & Son	43,160.90
Contracting & Sales Company, Inc.	47,413.00
Leonard & Slate	49,356.00

PACIFIC HIGHWAY EAST
SALEM-PRINGLE CREEK SECTION - GRADING AND PAVING

Roy L. Houck	\$ 86,765.50
Leonard & Slate	90,696.00
Jacobsen-Jensen Company	92,636.50
Warren Northwest, Inc.	93,056.50
Theo. Arens	94,408.50
Berke Bros.	98,103.00
McNutt Bros.	99,955.50
Edlefsen-Weygandt Company	101,381.50

OLD OREGON TRAIL
WEST UNIT, STANFIELD-PENDLETON HILL SECTION - ROADSIDE IMPROVEMENT

M. E. Meyers & Son	\$ 2,270.00
Blair T. Alderman	3,060.00
Norris Bros.	3,275.00
D. L. Ashton	3,320.00
R. H. Blower	3,850.00

WESTON-ELGIN SECONDARY HIGHWAY
WESTON-ELGIN ROCK PRODUCTION PROJECT

F. R. Hewett	\$ 24,240.00
A. S. Wallace	25,134.00
Rogers Construction Company	25,150.00
Joslin & McAllister	27,736.00
Homer G. Johnson	35,210.00

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THE DALLES-CALIFORNIA HIGHWAY
MAUPIN-COW CANYON ROCK PRODUCTION PROJECT

A. G. Wallace	\$ 12,476.00
Schmeer & Williams Bros.	13,177.00
Rogers Construction Company	13,527.50
Saxton, Looney & Risley	13,599.00
Fisher Bros.	14,636.00
Homer G. Johnson	17,655.00
C. J. Eldon	20,512.50

SALE OF 3.8-ACRE TRACT NEAR DEE, OREGON

The only offer received for this land is that of H. C. McGurdy, of Dee, who submitted a bid deposit of \$50.00 for the same, which indicates to the Commission that it was his intention to offer \$250.00 for this property, in view of the fact that the Commission requires a deposit in an amount not less than 20 per cent of the amount of the bid.

A delegation from Roseburg, consisting of W. C. Harding, Secretary, Chamber of Commerce; A. C. Marsters, President, North Umpqua Highway Improvement District; Harry Ellsworth, Editor, Roseburg News-Review; Senator C. W. Clark; and H. B. Roadman, County Commissioner, came before the Commission and urged additional construction on the North Umpqua County Road, particularly a 1½-mile section extending easterly from the project completed this year to a connection with the present road. They urged this improvement at the earliest possible time and advised that Douglas County will acquire the needed right of way as soon as the Commission approves the project for construction. They were informed that the Commission has this project in mind and will be pleased to give it due consideration at the proper time, although no definite commitment of funds can be made now.

A delegation from Tillamook, Washington, and Multnomah Counties, representing various organizations that are interested in the Wilson River Highway W.P.A. project, came before the Commission with respect to such work. Mr. Claude W. Barrick, City Attorney, Tillamook, headed the group, which consisted of the following: County Judge Harland M. Woods and County Commissioners E. H. Lindsey and E. G. Anderson and County Engineer W. Stanley Coates, all of Tillamook County; Jack Aschim, Secretary, Tillamook County Chamber of Commerce; Louis Hammer, Postmaster, Tillamook; A. J. Swett, Oscar Effenberger, and George D. Riechers, representing the Tillamook City Council; County Judge H. D. Kerkman, and County Commissioners James Lewis and J. W. Hughes, of Washington County; F. L. Shull, C. A. Bigelow, and O. V. Badley, representing the Board of County Commissioners of Multnomah County; George Buck, Multnomah County Roadmaster; Gilbert Finney, Rockaway; S. G. Reed, Nehalem, representing the North Tillamook County Chamber of Commerce; L. G. Apperson, City Engineer, Portland; and L. M. Lepper, Director, Eastside Commercial Club, Portland.

Mr. Barrick alleged that progress on construction of the Wilson River Highway W.P.A. project is practically at a standstill, that nothing much has been done for some time, and that about 500 men who are employed on this

work are standing around with very little to do because of trouble experienced with the operation of power shovels, it appearing that serious difficulty has arisen with respect to the employment of shovel runners, who would rather not work at all than work for the salaries that are now paid for such work under the new W.P.A. regulations. He urged the Commission to hire the operators of this equipment and to carry these men on the state payroll at standard rate of pay for men in this class of employment, and declared that unless the Highway Commission does something to alleviate present conditions completion of the Wilson River Highway will be delayed for years.

County Commissioner Lindsey stated that the people of Tillamook County are very much disappointed in this year's progress of the work on this highway. He asserted that there is only one power shovel in operation on this job and that it is laid up a large part of the time for repairs. The inefficiency of the operation of this shovel, he said, is holding up all other work on this project; in fact, because of the trouble experienced with the shovel and with the securing of men to operate it, the efficiency of the entire Wilson River project is far below that of last year, such efficiency being now 30 per cent, whereas last year it was 80 per cent. He urged the Commission to assign another shovel to this job; also, to place a topping course of rock on the section where the grade is finished, and to expedite construction of a certain channel change in the Wilson River. He gave as his thought that the state should not only add another shovel to this project but should also hire the men to operate the shovels, which, in his estimation, would increase the efficiency of the work to a considerable extent. Tillamook County, he said, feels that it is entitled to this improvement, which it understood would be completed in 1940 but which, at the present rate of progress, will not be completed until a long time after that.

County Judge Kerkman, of Washington County, concurred in the remarks of Mr. Barrick and Mr. Lindsey. He also advised that Washington County has expended a large amount of money in the interest of the Wilson River project, notwithstanding that the money could have been used to excellent advantage on other road projects. He urged the Commission to take charge of the work, which he declared would never be completed if the W.P.A. is depended upon to finish it.

Mr. Apperson endorsed the remarks of the other speakers and advised that the City of Portland is ready and willing to cooperate in the project in any way that it possibly can. He gave as his thought, however, that this is a problem that the Highway Commission must work out with the W.P.A. officials. Mr. Shull also endorsed the remarks of the other speakers and suggested that the Commission confer with Mr. E. J. Griffith, State Administrator, W.P.A., in regard to this matter.

Mr. Lepper declared that the original plan for this highway was to complete the grading work in 1940 and the surfacing and oiling in 1941. He urged action to that end. Mr. Reed also urged the completion of the project so that it would be available for general public use in 1940. Mr. Riechers spoke on behalf of the project, as a member of the Tillamook City Council. Mr. Aschin gave as his thought that the state would eventually have to take

over this project as a state job and suggested that the State Highway Commission take charge now because it would not only help out the present situation but would undoubtedly save the state considerable money. Mr. Buck volunteered the information that Multnomah County does not rely at all upon the W.P.A. for men to operate and keep in condition equipment used on the county's W.P.A. work. In fact, he said, the operation of county-owned equipment by W.P.A. help is not tolerated.

Chairman Cabell advised that the State Highway Commission is now spending from \$150,000 to \$175,000 annually on the Wilson River Highway and on the Wolf Creek Highway and, naturally, is very anxious to see this money spent in the most efficient manner; but the question is, how is that to be accomplished. He further stated that the members of the Highway Commission have given considerable study to the matter of power-shovel operation and are of the unanimous opinion that the state should not furnish state operators for such equipment used on W.P.A. work. The Commission is as anxious as anyone, he said, to obtain the greatest efficiency possible in connection with these operations and contemplates discussing the matter thoroughly with the W.P.A. authorities as soon as a convenient time can be arranged. Also, that the Commission will try to keep the work on the Wilson River Highway and the Wolf Creek Highway equalized to the best of its ability and will also try to work out a solution for the present difficulty at the earliest possible time. The State Highway Engineer agreed to look into the matter of providing a satisfactory shovel for the Wilson River Highway operation.

County Judge J. H. Allen, of Grant County, was present and discussed briefly with the Commission the matter of extending the Kimberly-Monument Secondary Highway from its present terminus at Monument to a connection with the Pendleton-John Day Highway at Long Creek. He was informed that the Commission has this matter in mind and contemplates taking definite action thereon in the near future.

Judge Allen then extended to the members of the Commission and its staff an invitation to attend a venison dinner as the guests of the Grant County Court on a date in the near future to suit the convenience of the Commission. The Commission tentatively accepted the invitation, with thanks.

The Commission conferred with the following federal officials in regard to the point of connection of the proposed Timberline Lodge Road with the Mt. Hood Highway near Government Camp: W. H. Lynch, District Engineer, H. D. Farmer, Senior Highway Engineer, representing the Public Roads Administration; Lyle F. Watts, Regional Forester; and James Frankland, Regional Engineer, representing the U. S. Forest Service.

The question involved was whether the proposed road shall connect with the Mt. Hood Highway at a point where the east leg of the present road now enters this highway, or should connect with the Mt. Hood Highway at a point about $1\frac{1}{2}$ miles westerly thereof. It was explained that the cost of constructing the road at the latter-mentioned location would be about \$10,000 more than the other but would have advantages to offset the extra cost in that it would provide a connection nearer to Portland, would contain less

curvature, and would be at a higher elevation which would tend to reduce the grade line on the Timberline Lodge Road. After discussion it was mutually agreed to adopt the route that would connect with the Mt. Hood Highway $1\frac{1}{2}$ miles west of the present (east leg) connection.

The Commission adjourned at 12:30 o'clock p. m. and reconvened at 1:30 o'clock p. m. in the same room, with all Commissioners present and participating. Also present were the State Highway Engineer, the Attorney, and the Secretary.

Senator F. M. Franciscovich of Astoria headed a delegation from Gearhart and Seaside which requested the construction of a sidewalk along the Oregon Coast Highway between these two towns. Other members of the delegation were Mrs. Lesley Miller and Mrs. J. M. Waterhouse, members of the Gearhart City Council; Mayor Carl R. Lolk and Mrs. Lolk, of Gearhart; Mrs. James Murphy, Gearhart; and City Attorney Irving C. Allen, Seaside.

Senator Franciscovich presented the arguments, which were endorsed by Mrs. Miller. The Commission appeared favorably inclined toward this project but advised that it could not render a definite decision in the matter until an investigation of conditions has been made. The Engineer was thereupon instructed by the Commission to make such investigation and report his findings, including the cost of constructing the sidewalk, at his early convenience. He was also instructed to send a copy of his report to Senator Franciscovich as soon as it is prepared, regardless of whether or not the report has been acted upon by the Commission.

Mr. James O. Convill, City Manager, Astoria, came before the Commission in regard to the moving of buildings from the right of way of the proposed Astor Street revision of the Oregon Coast Highway in Astoria. In this connection the Attorney advised that bids have been received for the moving and/or reinstating of all of the buildings on the north side of the street, the low one being in the amount of \$4,780 if all are moved, or \$4040 if all but one are moved, and that one is cut off to suit the convenience of the owner. Mr. Convill advised that the owners of the buildings on the south side of the street have agreed to contribute the sum of \$2,400 toward the cost of moving the buildings on the north side of the street, provided their buildings are not molested and the city will vacate in their behalf the 20-foot strip on which their buildings now encroach. They feel, he said, that the people on the north side of the street should pay the difference. He further stated that all but two of the property owners on the north side of the street are willing to contribute toward this expense but there still remains an amount of \$1200 unaccounted for, a portion of which the city is asking the state to contribute because it cannot finance the project alone, having only \$600 available to apply thereon. He further advised that, unless funds can be supplied to pay the entire cost of the moving of the buildings, it will probably be necessary to settle the matter in court, which they dislike to do because there is a question whether or not the decision would be favorable to the city. After considerable discussion the Commission voted unanimously to assume the payment of 50 per cent of this excess cost, approximately \$600. The Attorney was authorized by the Commission to render legal service to the city as may be required.

County Judge David F. Graham, of Malheur County, was present and urged the Commission to retain in its construction program provision for the improvement of the Vale-Adrian County Road and to construct this project at the earliest possible time. He was informed that this project is still in the program and that it will be placed under contract as soon as it is approved by the federal authorities and funds are available to finance it.

Judge Graham also asked for the improvement of the Vale West Secondary State Highway and urged the Commission to replace on the state secondary highway system the portion of the Nysse-Jordan Valley Road that was removed therefrom a year or two ago.

Mr. Roy W. Nutting, Albany, came before the Commission in regard to a right of way settlement involving his home in Albany. It appears that the new highway takes off a small portion of Mr. Nutting's front yard and he alleges that the loss of this property and the presence of the highway in front of his residence has decreased greatly the value of his home. He valued his home at \$5,000 and advised that the state has offered him \$1,000 for the land taken, including damages, which he cannot accept, but is willing to settle for \$2,000. He presented a letter in support of his oral contentions. The Assistant Attorney advised that this matter has been investigated very carefully and that he cannot recommend payment of more than \$1,000 to Mr. Nutting.

Chairman Cabell informed Mr. Nutting that the Commission uses its best judgment in determining what is a fair price to pay for property in all cases, and bases such judgment upon the recommendation of the Right of Way Department, which employs experts in this work, and when the Highway Commission cannot reach an agreement with the property owner, then the only alternative left is to let the matter go to court for a decision by a jury. The Commission dislikes to pursue such course, he added, and will not do so unless a satisfactory settlement cannot be reached otherwise.

Mr. Nutting stated that he also wished to avoid court proceedings and thought that perhaps he could reach a satisfactory settlement by talking to the members of the Commission. However, it appears that the Commission is not inclined to increase the amount of its offer, so he is willing for the court to decide the case inasmuch as he cannot reduce the amount of his demand. The Commission thereupon authorized the Attorney to proceed with condemnation of the property.

A delegation from Crescent Lake, Oregon, consisting of Miss Leah Collins, Fred Hall, and Messrs. Hammersly and Wallace, came before the Commission and urged the construction of a 3-mile section of the Cascade Lakes Forest Highway extending from the Willamette Highway southerly to Crescent Lake. Mr. Earl C. Reynolds, Secretary of the Klamath County Chamber of Commerce, Klamath Falls, accompanied the group and acted as spokesman. He urged the Commission to give this project serious consideration in the formulation of the next program for forest highway funds and also urged an allocation of such funds to construct the project so that it will be available for general public use at the earliest possible time.

Others speaking on behalf of this project were Mr. Fred Hall, who conducts a store at Crescent Lake, and Miss Collins, who operates a guest camp for girls at this place. Miss Collins alleged that the road under discussion is unlike others leading into resort districts in the Cascade Mountains in that it not only is needed as an accommodation to people going to the resorts for pleasure but also is needed from the commercial standpoint, inasmuch as there is quite a settlement of permanent residents at Crescent Lake needing this road throughout the entire year, whereas roads to the other resorts are utilized only during the summer months.

Chairman Cabell advised that this road is not eligible for state money and that the only money, other than county money, that can be used to finance the improvement of the same is the forest highway money, in the allocation of which the State Highway Commission has only one vote, it being necessary to have the unanimous vote of the State Highway Commission, the Public Roads Administration, and the U. S. Forest Service. He further stated that the members of the State Highway Commission are cognizant of the importance of this road and feel that its improvement is desirable; wherefore, the Commission will keep the project in mind and will endeavor to work out a satisfactory solution for it if that can be done without interference with the forest highway program that has already been arranged.

Mr. Reynolds also discussed with the Commission the following highway improvements:

1. Widening of South Sixth Street in Klamath Falls:- He asked the Commission to authorize a survey of this project this fall so that information will be available for the Commission without delay when the Commission decides to go ahead with the work.
2. Lost River Bridge Section of The Dalles-California Highway:- Mr. Reynolds urged the Commission to authorize this improvement at the earliest possible time.
3. Improvement of The Dalles-California Highway at a point where the irrigation flume crosses over the same at the Semon's Place.
4. Construction of the Dairy Section of the Klamath Falls-Lakeview Highway.
5. Additional improvements to The Dalles-California Highway north of Klamath Falls:- Mr. Reynolds urged the Commission to undertake another project on this section next spring if at all possible.

He was informed by Chairman Cabell that the Commission has these projects all in mind and will endeavor to include them in future highway programs, although no definite commitment of funds thereto can be made at the present time.

County Commissioner William Baer, of Deschutes County, and Mr. Don Peoples, Secretary of the Bend Chamber of Commerce, were present. They

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inquired what progress is being made toward securing approval of the improvement of the Century Drive Secondary Highway between Bend and Elk Lake, particularly the forest highway section. They were informed that plans for an 8-mile section of this project are now being prepared and that the project will probably be ready for contracting some time this fall or winter.

Mr. Peoples also brought up for discussion the matter of additional improvements on the Warm Springs Highway, and particularly urged that this road be placed on the federal aid system, which he thought would expedite the contracting of the work considerably and would advance the time of opening the road for general public use. He was informed that the Commission is reluctant to add any more roads to the federal aid system because of the limited amount of unallocated federal aid mileage available. However, the Commission will give the matter serious consideration.

Mr. Baer brought up for discussion matters pertaining to the improvement of the Butler Market Road. He inquired, if Deschutes County will give to the Commission an order on the Secretary of State for \$5,000, payable from the county's share of the motor vehicle and gasoline tax fund, to apply as county cooperation on this project, will the Commission accept this money even though it is not yet due? He was informed by Chairman Cabell that the proposition appears satisfactory but the Commission would like a little time to think it over before making a definite statement in regard thereto.

Mr. Jack Godfrey, Portland, representing the American Bonding Company of Baltimore, came before the Commission at this time in regard to the Commission's forgery bond. He advised that the National Surety Corporation, which wrote this bond, desires to be relieved of its obligation if the Commission is agreeable, and presented a letter from Mr. W. B. Gilham, Resident Manager of the National Surety Corporation, in support of such statement. He expressed a desire to secure this business for the American Bonding Company, subject to the same conditions, terms, and agreements that are contained in the bond furnished by the National Surety Corporation, which still has about one year to run. He said that the American Bonding Company would furnish a new bond, either for the balance of the term covered by the present bond or for a three-year period, as the Commission desires. However, he stated a preference for a three-year term bond. The Commission appeared favorably inclined to this proposition but deferred a decision thereon pending a recommendation from the Attorney.

The State Parks Superintendent, Mr. S. H. Boardman, was present and reported on the following park matters:

Proposed park site at Brookings, Curry County:- The Parks Superintendent reported the offer of Mr. Elmer Bankus, Brookings, to donate to the state, for park purposes, a 5-acre tract of land fronting on the ocean beach at Brookings. The Commission deferred a decision in this matter pending an inspection of the property by a member of the Commission.

Proposed park at Blue Lake, adjacent to the Santiam Highway:- The Parks Superintendent advised that a Mr. W. P. Davidson, Prineville, owns 233

acres of land at Blue Lake, described as the SE $\frac{1}{4}$ and the S $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Section 27, Township 13 S., Range 8 E., W. M., which property he offers to sell to the state for the sum of \$6,500. He pointed out that this land is surrounded by national forest property and that the U. S. Forest Service now maintains a recreational area at Suttle Lake nearby. It was his thought that Mr. Davidson's property would fit into the national forest picture much better than into the state parks picture, and he recommended, therefore, that the offer be declined. The Commission approved the recommendation.

Proposed recreational area adjacent to Neahkahnie Mountain State Park, in Tillamook County:- The State Parks Superintendent advised that Mr. C. C. Seeley, District Maintenance Superintendent in the employ of the State Highway Department, at Astoria, owns 120 acres of timber land adjacent to the Neahkahnie Mountain State Park, which property he has offered to sell to the state for the sum of \$12,000, if the state wants it. He also said that the tract would make a fine addition to the present park, but there are insufficient funds in the parks budget to finance it now; furthermore, there is a question in his mind whether or not the Highway Commission should purchase a tract from Mr. Seeley, inasmuch as he is an employee of the Highway Department. The Commission decided unanimously not to purchase this tract.

Proposed state park at Cascadia:- The Parks Superintendent requested authority for the Right of Way Department to secure options for the purchase of a portion of the Giesendorfer property located at Cascadia Springs, which property is being considered by the Commission for state park purposes. The Commission granted the request by unanimous vote, subject to the condition that the option should cover only the land lying on the north side of the river, and that fronting on the highway on the south side of the river so as to control the entrance to the park.

At 3:30 o'clock p. m. Chairman Cabell announced the following awards of contracts for which bids were opened at the morning session, such awards having been previously approved by the Commission by unanimous vote:

"North Powder-Muddy Creek Section of the Old Oregon Trail, in Baker County. 5.69 miles roadside improvement. Norris Bros., Burlington, Washington, submitted the low bid of \$5,485.00 for this project. The next low bid was that of Blair T. Alderman, Eugene, at \$7,453.50. There were 2 higher bidders. The Commission rejects all bids on this project and has ordered it readvertised.

"Remodel east approach to existing bridge over Willamette River and construct 372-foot concrete viaduct on Water Street Section of Pacific Highway East, in Oregon City, Clackamas County. The low bid received on this job was that of McNutt Bros., Eugene, at \$77,392.00. The next low bid was that of George H. Buckler, Portland, at \$78,279.86. There were 2 higher bidders. The Commission has referred all bids received on this project to the Engineer with power to award the contract to the low bidder when certain conditions have been fulfilled.

"Warren-Scappoose Section of the Columbia River Highway, in Columbia County. 3.09 miles grading and 2.63 miles asphaltic concrete paving. Porter W. Yett, Portland, was the low bidder on this project with his bid of \$84,537.00. Warren Northwest, Inc., Portland, submitted the second-low bid of \$89,994.50. There was only one higher bidder. The Commission awards this contract to Porter W. Yett, at his low bid of \$84,537.00.

"Construct double-leaf steel bascule bridge with 361 lin. ft. composite trestle approach, over Coalbank Slough, on the Oregon Coast Highway, in Marshfield, Coos County. The low bid received for this project is that of J. W. and J. R. Hillstrom, Marshfield, at \$89,962.50. The next low bid is that of Tom Lillebo, Reedsport, in the amount of \$94,499.00. There were 6 higher bidders. This contract is awarded to J. W. and J. R. Hillstrom, the low bidders, at their bid of \$89,962.50.

"Nye Junction-Long Creek Rock Production Project on the Pendleton-John Day Highway, in Grant and Umatilla Counties. Furnish 24,000 cubic yards crushed rock in stock piles. A. S. Wallace, Roseburg, submitted the low bid for this project, in the amount of \$37,370.00. F. R. Hewett, Spokane, Washington, submitted the next low bid, in the amount of \$37,630.00. There were 8 higher bidders. Mr. Wallace qualified his bid by stating that he would accept only one job at this letting. It proves to be to the interest of the state to award another job to him, and therefore this contract is awarded to F. R. Hewett, the second-low bidder, at his bid of \$37,630.00.

"Lang Canyon-Arlington Section of the Columbia River Highway, in Gilliam County. 5.63 miles grading, surfacing, and bituminous macadam; also furnish 1,500 cubic yards crushed rock in stock piles. The low bid received on this project was that of Leonard & Slate, Multnomah, in the amount of \$182,165.50. The next low bid was that of Clifton & Applegate, Spokane, Washington, in the amount of \$184,646.50. There were 12 higher bidders. The Commission has referred all bids received on this project to the Engineer with power to award the contract to the low bidder when certain conditions have been fulfilled.

"Butte Falls Section of the Butte Falls County Road, in Jackson County. 3.0 miles surfacing and oiling. Norris Bros., Burlington, Washington, submitted the low bid in the amount of \$21,986.50 for this project. R. I. Stuart & Sons, Medford, submitted the second-low bid, in the amount of \$22,738.00. There were 2 higher bidders. This contract is awarded by the Commission to Norris Bros. at their low bid of \$21,986.50.

"Cottonwood Creek-Lakeview Section of the Klamath Falls-Lakeview Highway, in Lake County. 4.1 miles grading and 6.1 miles surfacing and oiling. The low bid received on this project was the joint bid

of Rogers Construction Company and J. C. Compton, Dayton, Washington, in the amount of \$99,622.30. The next low bid was submitted by Homer G. Johnson, Portland, in the amount of \$116,193.50. There were 3 higher bidders. The Commission has awarded this contract to the low bidders, Rogers Construction Company and J. C. Compton, at their bid of \$99,522.30.

"South Unit, Albany Section of the Pacific Highway East, in Linn County. 1.2 miles grading. E. C. Hall Company, of Eugene, submitted the low bid in the sum of \$10,589.00. Leonard & Slate, Multnomah, submitted the next low bid in the amount of \$11,179.50. There were 5 higher bidders. The bid of E. C. Hall Company was qualified in that Mr. Hall stated that he would accept this project only if he were also awarded the contract covering the bridge and culvert construction on this section. Considering his bid on that project, it proved to be to the state's advantage to accept the bid of the second-low bidder, Leonard & Slate. The Commission therefore awards the contract to Leonard & Slate at their bid of \$11,179.50.

"Construction of 8 culverts and 1 bridge on the Albany Section of the Pacific Highway East, in Linn County. The low bid received on this job was that of Averill & Corbin, Portland, in the amount of \$35,858.40. The next low bid was that of Odom Construction Company, Oregon City, in the amount of \$38,297.00. There were 8 higher bidders. The Commission awards this contract to Averill & Corbin at their low bid of \$35,858.40.

"Salem-Pringle Creek Section of the Pacific Highway East, in Marion County. 1.59 miles grading and paving. Roy L. Houck, Salem, submitted the low bid on this project, such bid being in the amount of \$86,765.50. Leonard & Slate, Multnomah, submitted the next low bid which was in the amount of \$90,696.00. There were 6 higher bidders. The Commission awards this contract to the low bidder, Roy L. Houck, at his bid of \$86,765.50.

"West Unit, Stanfield-Pendleton Hill Section of the Old Oregon Trail, Umatilla County. 8.86 miles roadside improvement. The low bid received for this project was that of M. E. Meyers & Son, Echo, in the amount of \$2,270.00. The next low bid was that of Blair T. Alderman, Eugene, in the amount of \$3,060.00. There were 3 higher bidders. This contract is awarded to the low bidder, M. E. Meyers & Son, at their bid of \$2,270.00.

"Weston-Elgin Rock Production Project, in Umatilla and Union Counties. Furnish 15,400 cubic yards crushed rock in stock piles. F. R. Hewett, of Spokane, Washington, submitted the low bid for this work in the sum of \$24,240.00. A. S. Wallace, Roseburg, submitted the second-low bid in the sum of \$25,134.00. There were 3 higher bidders. This contract is awarded to F. R. Hewett, the low bidder, at his bid of \$24,240.00.

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"Maupin-Cow Canyon Rock Production Project, in Wasco County. Furnish 9,300 cubic yards crushed rock in stock piles. The low bid received on this project was that of A. S. Wallace, Roseburg, in the amount of \$12,476.00. The next low bid was that of Schmeer & Williams Bros., Portland, in the amount of \$13,177.00. There were 5 higher bidders. This contract is awarded to A. S. Wallace, at his low bid of \$12,476.00.

"Sale of 3.8-acre tract near Dee, Oregon. The only offer received for this land was that of H. C. McGurdy, of Dee, who submitted a bid deposit of \$50.00 for the same, which indicates to the Commission that it was Mr. McGurdy's intention to offer \$250.00 for this tract, inasmuch as the Commission specifies that a bid shall be accompanied by a deposit of not less than 20 per cent of the amount bid. The Commission, therefore, has instructed the Secretary to ascertain the facts, and, in the event the assumption is correct, this property is sold to Mr. McGurdy for the sum of \$250. Otherwise the bid is rejected."

The Commission considered and signed agreements, et cetera, as follows:

Agreement with the City of Albany with reference to the construction of a drainage canal on the South Albany project.

Certificate to correct error in recording deed covering parcel of land purchased from Ed Saling and wife, in Union County.

Cooperative agreement with the United States of America covering construction of the Alsea River Bridge on the Alsea Highway, in Lincoln County, as a forest highway project, particularly with reference to the financing of the same.

Agreement with the O.W.R.R. & N. Company covering the matter of encroachment of the Oregon-Washington Highway on railroad company property in the town of Adams, Umatilla County.

Agreement with Henry K. Hardisty providing for the elimination of a cattle pass at Mile Post 46.10, on the John Day-Burns Highway, in Grant County.

Bargain and Sale Deed conveying unto James Anderson an abandoned state-owned borrow pit situate near the Pacific Highway about 2 miles south of Junction City.

Bargain and Sale Deed conveying unto Rufus C. Stonefield and wife 2.08 acres of land in Lot 1, Section 34, Township 16 South, Range 12 West, W. M., Lane County. Right of Way Transaction No. 6739A.

Bargain and Sale Deed conveying unto the West Coast Power Company

for \$15.00, 1,959 square feet of land situate in Government Lot 1, of Section 2, Township 25 South, Range 13 West, W. M., Coos County. Right of Way Transaction No. 1209.

Quitclaim deed conveying unto Carl G. Washburne and wife 2 parcels of land in Lane County, one containing .64 acre situate in Government Lots 1 and 2, Section 22, Township 16 South, Range 12 West, W. M., and the other containing .29 acre situate in Government Lot 2, Section 22, Township 16 South, Range 12 West., W.M., being Right of Way Transaction No. 7190.

There being no further business to come before the Commission at this time, the meeting was adjourned at 4:00 o'clock p. m.

Norman Clark
State Highway Engineer

H. B. Glaisyer
Secretary

Henry F. Cabell
Chairman

E. B. Aldrich
Commissioner

Huron W. Clough
Commissioner

Portland, Oregon, November 1, 1939

The State Highway Commission met with members of its Advisory Board on Publicity Matters at 7:00 o'clock p.m. in the Heathman Hotel. Present were:

Henry F. Cabell, Chairman
E. B. Aldrich, Commissioner
Huron W. Clough, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

Harold B. Say, Director of the Travel and Information Department, was also present. The Advisory Committee was represented by a subcommittee composed of Frank Jenkins, Chairman, E. P. Hoyt, and Charles Reynolds. Mr. Jenkins informed the Highway Commission that the Advisory Committee had elected Mr. Merle Chessman, of Astoria, one of its members, as Chairman of the Advisory Committee to succeed Mr. Robert W. Sawyer, of Bend, resigned. The Commission signified its approval.

Matters pertaining to the Highway Department's tourist promotion activities for the year 1940 were then discussed and in this connection Mr. Jenkins presented the following letter which he said is the Advisory Committee's recommendation with respect to such matters, having been adopted by the unanimous vote of the members thereof:

To the Oregon State Highway Commission

Gentlemen:

Your Travel and Information Department Advisory Committee in session October 31 after a comprehensive study of the Highway Department's tourist promotional activities of the year now closing transmits the following observations and recommendations to you:

We feel that the program followed this year has been basically sound and productive; that Oregon has benefited in a major way from increased revenue accruing through increased motor tourist traffic; that the return to the gasoline tax fund through added travel has more than compensated directly for the expenditure to produce it. Gain in traffic since the Commission entered the field of tourist promotional work has been approximately 50 per cent with private non-resident motor traffic now returning apparently over \$1,000,000 to the gasoline tax fund direct out of a gross motor tourist revenue of more than \$24,000,000.

Basically we recommend a continuation of the present program involving the use of magazines, newspapers and motion pictures as the primary media for conveying the story of Oregon's attractions to the motorists of the nation along with the distribution of appropriate literature, maps and kindred material.

We recommend the expenditure of \$100,000 for 1940 in carrying forward an adequate program involving employment of approximately \$65,000 in magazine and newspaper advertising and approximately \$35,000 for all other items, including distribution of motion pictures, production of literature, necessary photography, postage, express, and all other items of operation, including a modest increase in contact work with travel directing agencies and publications in various centers of Oregon's heaviest travel source regions.

Attached is a list of magazines and newspapers recommended for the 1940 campaign. In this connection we specifically recommend a joint endeavor with the Washington State Progress Commission and Province of British Columbia in presenting tourist attractions of the three units of the Pacific Northwest in Life magazine to the extent of approximately \$3,500.

In transmitting recommendations in connection with publications proposed, the committee recommends as in past years that the department director and advertising counsel be given authority for such

minor changes in schedule as may be necessary or may be found peculiarly desirable through circumstances that may develop.

In conclusion, the committee would inform the Commission that it has elected Merle Chessman chairman of the Advisory Committee to succeed Judge R. W. Sawyer, resigned.

Presented for the Advisory Committee
by the following subcommittee

Frank Jenkins, Chairman
E. P. Hoyt
Charles Reynolds

Members of the Advisory Committee present at the meeting October 31, 1939: R. R. Cronise, Charles Reynolds, Frank Jenkins, W.D.B. Dodson, Merle Chessman, Hugh Ball, Don Sterling, Ed. W. Miller, Dr. E. B. McDaniel, E. P. Hoyt.

OREGON STATE HIGHWAY
1940 SUGGESTED MAGAZINE SCHEDULE

General Magazines

	<u>Circulation</u>				
Saturday Evening Post	3,104,208	1	4-color page	\$11,500	
		3	1-column ads	2,000 ea.	\$17,500.00
National Geographic	110,012	2	4-color pages	4,500 ea.	9,000.00
American Magazine	2,189,217	1	4-color page	7,700	
		2	1-column ads	1,700 ea.	11,100.00
Time	759,520	1	4-color page	3,700	
		2	1-column ads	885 ea.	5,470.00
Newsweek	327,823	2	1-column ads	470 ea.	940.00
Sunset	230,472	1	2/3-page ads	800 ea.	
		2	1/3-page ads	400 ea.	1,600.00
Highway Traveler	299,017	2	1-column ads	200 ea.	400.00
					<u>\$46,010.00</u>

Sports Magazines

Field and Stream	256,333	3	1-column ads	290 ea.	\$ 870.00
Outdoor Life	294,391	3	1-column ads	304 ea.	912.00
Sports Afield	251,121	3	1-column ads	260 ea.	
			Fishing Annual	100	880.00
Hunting and Fishing	520,155	1	1-column ad	550	550.00
					<u>\$ 3,212.00</u>

Travel and Motor Magazines

Auto Club News		2	2x7 1/2" ads	73.50 ea.	\$ 147.00
Intermountain Motorist		2	1/2-pages	35.00 ea.	70.00

(Continued on next page)

Carried forward \$ 217.00

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Travel and Motor Magazines (Cont'd)

			For'd	\$	
Keystone Motorist	2	1/3 pages	\$ 85.50 ea.		171.00
Motor Land	3	1/2 pages	151.50 "		454.50
Motor News - Chicago	2	2x7 3/4" ads	108.50 "		217.00
Motor News - Detroit	2	1-column ads	130.00 "		260.00
National Motorist	3	1/2 pages	92.50 "		277.50
New York Motorist	2	2x7 1/2" ads	84.00 "		168.00
Ohio Motorist	2	1-column ads	70.00 "		140.00
Rocky Mountain Motorist	2	2x8" ads	18.40 "		36.80
Washington Motorist	3	1-column ads	40.00 "		120.00
Westways	3	1/2-page ads	218.50 "		655.50
Pacific Travel (Vancouver)	2	1/2-page ads	35.00 "		70.00
					<u>\$ 2,787.30</u>

Magazine Total \$52,009.30

LIST OF PROPOSED NEWSPAPERS FOR 1940

Phoenix Republic Gazette	Christian Science Monitor
Fresno Bee	Minneapolis Star Journal
Long Beach Press	St. Paul Dispatch
Los Angeles Times	Kansas City Star
Los Angeles Examiner	St. Louis Democrat
Los Angeles News	Butte Montana Post
Oakland Tribune	Great Falls Leader
Sacramento Bee	Omaha World Herald
San Diego Tribune	Cincinnati Times Star
San Francisco Examiner	Oklahoma City Oklahoman
San Francisco News	Dallas News
San Francisco Call Bulletin	Salt Lake Telegram
Denver Post	Spokane Spokesman Review
Boise Statesman	Walla Walla Bulletin
Lewiston Tribune	Wenatchee World
Chicago Tribune	Yakima Herald Republic
Chicago News	Milwaukee Journal
Des Moines Tribune	Los Angeles Herald Express
	Detroit News

The members of the Highway Commission indicated approval of the recommendations but deferred definite action thereon pending consultation with Mr. Ray Conway, Manager of the Oregon Motor Association.

This concluded the conference, following which, at 8:00 o'clock p.m., the Commission met with members of the Portland City Council and the Portland City Planning Commission in the city council chambers for a discussion of matters pertaining to the proposed Front Street arterial highway in Portland. All members of the State Highway Commission were present at such meeting, as were also the State Highway Engineer, the Attorney, and the Secretary. The City Council was represented by Mayor Jos. K. Carson, Jr., and City Commissioners R. Earl Riley and William A. Bowes, and Ben Morrow, City Engineer.

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The City Planning Commission was represented by Harry D. Freeman, Planning Engineer. Mayor Carson presided.

The Front Street project was discussed at considerable length from the standpoint of need, engineering, and finance, and with particular reference to acquisition of right of way, but no definite decision was reached with respect to any of the points. The State Highway Engineer presented plans for the ultimate improvement and explained them briefly. He also advised the estimated cost of the project. Mr. Freeman made certain suggestions with respect to the improvement somewhat at variance with the plans as outlined by the State Highway Engineer. The conference was adjourned at 10:30 o'clock p.m. with the understanding that the State Highway Engineer would consult with the City Engineer and the Planning Engineer of the City Planning Commission relative to differences in engineering features, and with the further understanding that additional studies would be made and report rendered to the Highway Commission. The Highway Commission will then decide the maximum amount that the state can offer in financing the project and will transmit such information to the City Council, which will then ascertain the desires of the citizens of Portland with respect to the proposed improvement.

Harmon
State Highway Engineer

W. B. Glaisyer
Secretary

Henry F. Cabell
Chairman

E. B. Aldrich
Commissioner

Huron W. Clough
Commissioner

Portland, Oregon, November 2, 1939

The State Highway Commission met in regular session at 9:00 o'clock a. m. in the auditorium of the Public Service Building. Present were:

Henry F. Cabell, Chairman
Huron W. Clough, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

Commissioner E. B. Aldrich was absent on account of illness.

Bids as follows for highway construction projects were opened and read in conformance with previously published notice, following which Chairman Cabell announced that the award of contracts would be made at 3:00 o'clock p.m. in the same room:

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OLD OREGON TRAIL
MUDDY CREEK-HAINES SECTION
GRADING, SURFACING, OILING; ALSO FURNISH CRUSHED ROCK

E. C. Hall Company	\$ 96,433.00
McNutt Brothers	98,339.50
Morrison-Knudsen Company	99,811.00
G. D. Lyon & Company	100,321.50
Clifton & Applegate	102,701.00
J. C. Compton	102,780.10
Roy L. Bair	104,754.75
Guy F. Norris	105,830.00
Saxton, Looney & Risley	105,943.60
Babler Brothers	108,013.00
Leonard & Slate	110,119.00
Newport Construction Company	115,444.75
Jacobsen-Jensen Company	117,135.30

OREGON COAST HIGHWAY
BRIDGE OVER NECANICUM RIVER AT BLACK BRIDGE NEAR SEASIDE

Geo. F. Anderson	\$ 19,713.00
Birkemeier & Sorenal	21,032.50
Dolan Construction Company	23,350.00
E. C. Hall Company	23,913.50
J. F. Johnston	24,014.75
McNutt Brothers	24,619.00
Barham Brothers	24,622.50
Bennett & Taylor	24,826.00
Harry I. Hamilton	24,885.50
C. J. Eldon	25,938.50
A. C. Greenwood Company, Inc.	26,209.00

CENTRAL OREGON HIGHWAY
BROTHERS-HARNEY COUNTY LINE SECTION
CRUSHED ROCK IN STOCK PILES

Chester T. Lackey	\$ 31,000.00
W. B. Hewett Company	34,075.00
Rogers Construction Company	35,270.00
A. S. Wallace	36,300.00
Saxton, Looney & Risley	37,850.00
E. C. Hall Company	38,600.00
A. Milne	39,680.00
Newport Construction Company	39,700.00
R. O. Dail & Warren Brothers	39,700.00
H. L. Rice	40,000.00
Fisher Brothers	40,125.00
McNutt Brothers	44,350.00
Schmeer & Williams Brothers	54,400.00
Homer G. Johnson	55,400.00

**UMPQUA HIGHWAY
REEDSPORT SECTION - PAVING**

Harry I. Hamilton	\$ 28,352.00
R. I. Stuart & Sons	28,589.50
Jacobsen-Jensen Company	29,569.50
Coos Bay Dredging Company	32,212.50

**THE DALLES-CALIFORNIA HIGHWAY
KLAMATH AGENCY-MODOC POINT SECTION
GRADING, SURFACING, OILING; ALSO FURNISH CRUSHED ROCK**

Rogers Construction Company	\$103,662.00
McNutt Brothers	117,604.00
J. C. Compton and G. D. Lyons	126,494.00
A. Milne	128,259.00
Fisher Brothers	128,930.00
E. C. Hall Company	134,728.00
Babler Brothers	138,764.00
Homar G. Johnson	139,787.50
Newport Construction Company	143,346.60
C. J. Eldon	169,584.00

**OREGON COAST AND ALSEA HIGHWAYS
WALDPORT ROCK PRODUCTION PROJECT**

Gus Reichow	\$ 10,328.80
H. L. Rice	10,870.00
Geo. L. Govro	11,100.00
R. I. Stuart & Sons	11,132.50
Washington Hauling Company	11,418.00
Saxton, Looney & Risley	12,368.00
E. F. Altree	12,908.00
F. O. Dillard	13,668.00
A. S. Wallace	13,770.00

**WEST PORTLAND-HUBBARD HIGHWAY
BUTTEVILLE ROAD-WHITE SCHOOL SECTION - PAVING**

Roy L. Houck	\$116,065.00
Frank Penepacker	119,102.00
Jacobsen-Jensen Company	121,398.00
Theo. Arena.	123,039.00
Berke Brothers	124,219.00
Edlefsen-Weygandt Company	125,257.25
McNutt Brothers	128,883.00

**COLUMBIA RIVER HIGHWAY
MULTNOMAH FALLS-ONEONTA SECTION - ROCK EMBANKMENT CONSTRUCTION**

G. D. Lyon & Company	\$165,025.00
K. L. Coulter	172,825.00

(Continued on next page)

(Multnomah Falls-Oneonta Section, continued)

Whites Trucking Company	\$173,250.00
Diesel Oil Sales Company	186,425.00
E. C. Hall Company	206,150.00
Colonial Construction Company	211,525.00
Leonard & Slate	215,550.00
Jacobsen-Jensen Company	219,125.00
Berke Brothers	220,900.00
Max J. Kuney	221,400.00
Morrison-Knudsen Company	232,100.00
A. C. Greenwood Company, Inc.	232,100.00
McNutt Bros.	238,812.40
Sam Orino	267,477.50
Nat McDougall Company	311,350.00

WALLOWA LAKE AND OLD OREGON TRAIL HIGHWAYS
ELGIN-ROCK CREEK AND UNION-NORTH POWDER ROCK PRODUCTION PROJECT

F. R. Hewett	\$ 24,602.00
Clifton & Applegate	27,761.20
A. S. Wallace	30,777.00
Rogers Construction Company	31,119.00

+ The County Court of Tillamook County, represented by Commissioners E. H. Lindsey and E. G. Anderson, was present and inquired as to the plans of the Commission for further improvements on the Wilson River Highway and on the Nehalem Mountain Highway (Oregon Coast Highway). They particularly inquired as to when the Commission proposes to take bids for the construction of the Devils Fork Bridge, on the Wilson River Highway, near the summit of the Coast Range Mountains, and when the Commission proposes to build the log bridge on this highway at the third crossing of the Wilson River, east of Tillamook. They were informed that the Commission plans to take bids for the Devils Fork Bridge at its meeting in February, 1940, and that the materials for the log bridge at the third crossing of the Wilson River are now being assembled on the ground and it is expected that actual construction of the bridge will start shortly.

The County Court also asked for the construction of a footpath along the Nehalem-Manzanita Road, east of the Manzanita school, for the benefit of school children. They advised that the present road contains a number of sharp curves and deep cuts and that the road is too narrow to permit its use by pedestrians, with safety. In this connection, the Secretary presented a communication from the clerk of the Manzanita School District urging construction of such sidewalk. The Commission advised that it has many requests for improvements of this kind and considers that this project does not have priority over the others unless a particularly dangerous situation exists; further, that an investigation will be made and a decision rendered as soon as possible. The Engineer was thereupon instructed to conduct such investigation and to report informally thereon as to how much it will cost to do the work and how much traffic the road carries.

The County Court also inquired as to the possibility of securing additional federal aid secondary money for the oiling of county roads in Tillamook County. Chairman Cabell advised that the federal appropriation for 1940 and 1941 has been considerably reduced, and, according to federal requirements, first consideration for the allocation of such funds must be given to the counties that have not yet received benefits from funds of this class, so it does not appear possible at this time to allocate additional amounts to Tillamook County. However, the Commission will be pleased to keep in mind Tillamook County's roads in the allocation of funds as they become available.

Commissioner Anderson asked for the widening of a bridge on the Oregon Coast Highway at the town of Beaver. He said that many accidents occur at this point because of the narrowness of the present bridge and the fact that it is located on a sharp curve. It was his thought that the widening of the bridge about 15 feet would remedy the situation. The matter was referred by the Commission to the Engineer for investigation and report.

The Secretary presented a resolution from the Common Council of the City of Salem requesting the widening of State Street, Salem, between 12th Street and the east city limits. The Commission denied the request, there being no funds available to finance the improvement.

A resolution was presented from Vale Grange No. 696, Malheur County, requesting improvements to the Vale West Secondary State Highway (Graham Boulevard), particularly the elimination of dangerous curves at the hill approaching the west bench, 2 miles northwest of a place known as Hope, and at the hill west of the John Faw farm on the east bench. The Commission denied the request because of lack of funds to finance the work, but agreed to bear the project in mind in the formulation of future highway programs.

A letter was presented from Mr. W. W. Evans, Halfway, Oregon, urging additional improvements on the Baker-Homestead Highway, particularly the reconstruction of the Dry Gulch Section and the Ruckles Creek Section. The Engineer pointed out that the Commission has already budgeted funds for the resurfacing and oiling of the Dry Gulch Section, estimated to cost \$30,000, and that it is proposed to contract this work either in the fall of 1939 or the spring of 1940, but no provision has been made for the improvement of the Ruckles Creek Section. The Secretary was instructed to so inform Mr. Evans and to advise him further that, while the Commission is unable to finance the Ruckles Creek Section now, it will keep the project in mind for future consideration.

The Engineer reported on the request of the City of Wheeler for the graveling and oiling of the unimproved strips adjacent to the highway pavement through the town of Wheeler, particularly along the section where concrete sidewalks are to be constructed in the near future. The Engineer estimated that this work would cost approximately \$300. He pointed out that the oiling work could not be done until next spring when weather conditions are suitable. The Commission deferred a definite decision on the matter until next year's budget is arranged. The Secretary was instructed to so inform the City.

A petition signed by numerous residents of the town of Powers and vicinity, requesting the oiling of the Powers Secondary Highway, in Coos County, from Hoffman Bridge to Powers, had the attention of the Commission. In the discussion of this matter it was brought out that there are many highways throughout the state where conditions similar to those on the Powers road obtain; in fact, many of them need improvement more than the road to Powers; but the Commission does not have funds available to finance the work simultaneously. The Secretary was instructed to bring this to the attention of the petitioners and to inform them that the Commission plans to oil these roads as quickly as it can, in the order of priority.

The Commission adjourned at 12:15 o'clock p. m. and reconvened at 2:00 o'clock p. m. in the same room with the same persons present and participating.

A delegation representing the Amity and Dayton Chambers of Commerce, and other organizations, came before the Commission in the interests of the Amity-Dayton Secondary State Highway. The delegation was headed by Mr. Carl Francis, attorney, Dayton, and included the following: Verle E. Cochran, Gus Abraham, Al Nubey, Glen Watts, Burt Humberger, Phil Meeker, and John Snodgrass, all of Amity; Harry Sherman, Al Wakefield and Clair Heider, of Dayton; J. R. Harland and W. W. Rowell, of Rickreall; P. W. Zumwalt, of Perrydale; F. E. Chambers, of Monmouth; County Judge Wm. O. Powell and County Commissioners Thos. Bockes and Harry F. Williams, of Yamhill County, and others.

Mr. Francis presented oral arguments for the widening, resurfacing and developing of this road, and in support thereof filed a brief giving five reasons, as follows, why they are asking this improvement: (1) The Dayton-Amity shortcut route represents a substantial saving in mileage from points south and west of Amity to Portland; (2) This road will eliminate considerable traffic congestion in the city of McMinnville; (3) Improvement will eliminate traffic hazards in the present road, particularly at the Dayton Junction and at one extremely bad curve in the present route; (4) The improvement is needed on account of the volume of traffic that has to be cared for and which will be augmented by reason of the Farm Security Administration's farm labor camp located adjacent to this road; (5) Investments already made by the state on this road will be greatly enhanced by the improvement of the uncompleted section.

County Judge Wm. O. Powell, of Yamhill County, endorsed Mr. Francis' remarks. He particularly urged the improvement from the standpoint of traffic, which, he said, is increasing on this road considerably. He advised that the Yamhill County Court is in favor of the project, and, if the Commission so desires, will present a resolution to that effect.

Mr. F. E. Chambers, representing the Monmouth Chamber of Commerce, urged the improvement from the standpoint of saving in time. Mr. Francis read aloud a letter from the Corvallis Chamber of Commerce requesting favorable consideration for the improvement of this road. Mr. W. W. Rowell, representing the Rickreall Chamber of Commerce, also urged the improvement from the time-saving standpoint, particularly with reference to the transportation of stock to the Portland market.

Mr. Verle E. Cochran and Mr. Phil Meeker, both of Amity, urged the improvement on behalf of truckers, as did also Mr. P. W. Zumwalt, of Perrydale. Mr. Francis advised that there are other organizations in favor of the improvement, which were to be represented at this hearing, but evidently they misunderstood the time of the meeting. He agreed to furnish letters of endorsement from each, particularly the Farm Security Administration. He filed with the Commission a brief supporting their oral arguments in behalf of this project. In conclusion, Mr. Francis stated that the Dayton Chamber of Commerce is particularly appreciative of the work that has been done in their neighborhood by the State Highway Commission, and, as evidence of such appreciation, they would like to entertain the members of the Commission and its staff at a dinner when the project that is now under way in their vicinity is completed, or at any time that is convenient for the Commission. Responding thereto, Chairman Cabell advised that the Commission will be pleased to accept this invitation, if possible.

Mr. Andrew Koerner, attorney for Standard Stations, Inc., and Mr. R. C. Stivers, Development Specialist for such company, appeared before the Commission in regard to the company's service station that encroaches upon the Pacific Highway West (Denver Avenue) at its intersection with Union Avenue, north Portland. Mr. Koerner was spokesman. He advised that his company has received notification from the State Highway Commission to remove its building from the state highway right of way, and will do so if absolutely necessary, notwithstanding the fact that the move will cost \$3,000 or more, but naturally would prefer to continue the arrangements for use of the present location which it has occupied for the past 21 years under permit from Multnomah County.

Chairman Cabell advised that there are two reasons why the Highway Commission has asked the company to vacate the highway right of way. First, the Commission does not believe in encroachments upon the right of way of public thoroughfares and is endeavoring to clear the rights of way of such encroachments as rapidly as possible; and, second, there is a question of hazard, the Commission being of the belief that every encroachment has a tendency to increase the hazard for the general traveling public. Mr. Koerner argued that, in his estimation, the traffic hazard would be increased by simply moving the building back onto private property.

The State Highway Engineer pointed out that the Commission is taking bids at this meeting for the widening of Denver Avenue for four lanes of traffic, and gave as his thought that the building in its present location would be entirely too close to the traveled roadway when this work is done and would constitute a serious traffic hazard. Mr. Koerner admitted the logic of the Engineer's statement but asked that the company be not required to move its building until it has had an opportunity to make a series of traffic counts, which will have considerable bearing on whatever change the company undertakes. The matter was discussed at considerable length but no definite action was taken except that the Commission ordered further investigation of the matter and report by the Engineer at the December meeting of the Commission, such report to include full information in regard to traffic conditions, hazards, and possible safeguards such as traffic lights, safety islands, et cetera.

A delegation from Bandon, representing the Bandon City Council, and consisting of Mayor K. I. Franklin, John H. Faanacht, City Manager, and Dick Fiske, came before the Commission in regard to the construction of the Bandon Section of the Oregon Coast Highway. They reiterated previous arguments presented on behalf of this project and particularly advised that the development of Bandon is being held up because of failure of this project to go forward. They urged the Commission to at least render its decision on the proposed location of the highway through their town because the delay is having an unhealthy effect upon the morale of the residents, who are very much discouraged.

The Attorney advised that difficulties have been encountered in acquiring needed right of way and that, out of 13 options taken, only 3 have been completed and that it has been necessary to defer the negotiations for the remainder pending the results of court action that is now under way, involving tax settlements and the cancellation of tax liens. The Commission decided, in view of the circumstances, that its decision with respect to the construction of this project must wait for the court's decision on the tax lien matter. However, the Attorney was instructed to rush to completion the settlements for right of way if the court's decision is favorable, so the Commission can consider the project in the formulation of its construction program next spring.

Mr. Jack Godfrey, Portland, came before the Commission in regard to the Commission's forgery bond, which matter was previously presented by him at the meeting held on November 3, 1939. The Attorney advised that the Commission has legal authority to transfer the liability of the National Surety Corporation to the American Bonding Company if it so desires. The Commission thereupon decided, in view of the fact that the National Surety Corporation has requested relief from its obligation, to cancel the existing bond and to secure a new bond from the American Bonding Company, same to be dated November 2, 1939, and to run for a 3-year period. It was understood that credit would be given the state for the unearned portion of the premium on the old bond and that a rider would be attached to the new bond including the members of the State Highway Commission and the State Highway Engineer as parties assured.

Mr. Godfrey also offered to write a form of schedule bond covering employees by position rather than by name. This matter was referred to the Attorney for investigation and report at the next meeting.

At 3:30 o'clock p. m. Chairman Cabell announced the following awards of contracts, bids for which were taken at the morning session, such awards having having been previously approved by the Commission by unanimous vote:

"Muddy Creek-Haines Section of the Old Oregon Trail, in Baker County. 4.46 miles grading, surfacing, and oiling; also furnish 2,000 cu. yds. crushed rock in stock piles. The low bidder for this project was E. C. Hall Company, Eugene, at \$96,433.00. The next low bid was that of McNutt Bros., Eugene, at \$98,339.50. There were 11 higher bidders. The Commission has referred all bids received on this job to the Engineer with power to award the contract to the low bidder when certain conditions have been fulfilled.

"Construct 180-foot concrete bridge and roadway approaches over Necanicum River at Black Bridge, about 8 miles south of Seaside, on the Oregon Coast Highway, in Clatsop County. The low bid submitted for this project was that of George F. Anderson, Astoria, in the amount of \$19,713.00. The next low bid was that of Birkemeier & Saremal, Portland, at \$21,032.50. There were 9 higher bidders. The Commission awards this contract to the low bidder, George F. Anderson, at his bid of \$19,713.00.

"Brothers-Harney County Line Section of the Central Oregon Highway, in Deschutes and Lake Counties. Furnish 20,000 cu. yds. of crushed rock in stock piles. Chester T. Lackey, of Ontario, submitted the low bid for this project, in the amount of \$31,000.00. W.B. Hewett Company, Spokane, Washington, submitted the next low bid in the amount of \$34,075.00. There were 12 higher bidders. The Commission awards this contract to Chester T. Lackey at his low bid of \$31,000.00.

"Reedsport Section (12th Street to 15th Street) of the Umpqua Highway, in Douglas County. 0.22 mile of paving. Harry I. Hamilton, Eugene, was the low bidder on this project at \$28,352.00. R. I. Stuart & Sons, Medford, submitted the next low bid in the amount of \$28,589.50. There were 2 higher bidders. The Commission rejects all bids received for this project and has ordered it readvertised.

"Klamath Agency-Modoc Point Section of The Dalles-California Highway, in Klamath County. 0.14 mile grading; 12.58 miles surfacing and oiling; also furnish 8,800 cu. yds. crushed rock in stock piles. The low bid received for this project was that of Rogers Construction Company, Dayton, Washington, in the amount of \$103,662.00. The next low bid was that of McNutt Bros., Eugene, at \$117,604.00. There were 8 higher bidders. The Commission awards this contract to the low bidders, Rogers Construction Company, at their bid of \$103,662.00.

"Waldport Rock Production Project on the Oregon Coast and Alsea Highways, in Lincoln County. Furnish 6,000 cu. yds. crushed rock in stock piles. Gus Reichow, Forest Grove, submitted the low bid of \$10,928.80 for this project. H. L. Rice, Portland, submitted the next low bid in the amount of \$10,870.00. There were 7 higher bidders. The Commission has awarded this contract to the low bidder, Gus Reichow, at his bid of \$10,328.80.

"Butteville Road-White School Section of the West Portland-Hubbard Highway, in Marion County. 4.05 miles paving. The low bid received for this project was that of Roy L. Houck, Salem, in the amount of \$116,065.00. The next low bid was that of Frank Penepacker, Portland, in the amount of \$119,102.00. There were 5 higher bidders. The Commission awards this contract to the low bidder, Roy L. Houck, at his bid of \$116,065.00.

"Multnomah Falls-Oneonta Section of the Columbia River Highway, in Multnomah County. 1.97 miles rock embankment construction. G.D.

Lyon & Company, Spokane, Washington, submitted the low bid on this project in the amount of \$165,025.00. K. L. Goulter, Seattle, Washington, submitted the next low bid in the amount of \$172,825.00. There were 13 higher bidders. The Commission awards this contract to the low bidders, G. D. Lyon & Company, at their bid of \$165,025.00.

"Elgin-Rock Creek and Union-North Powder Rock Production Project, in Union and Wallawa Counties. Furnish 14,300 cu. yds. crushed rock in stock piles. F. R. Hewett, Spokane, Washington, submitted the low bid, in the amount of \$24,602.00, for this project. Clifton & Applegate, Spokane, Washington, submitted the next low bid in the amount of \$27,761.20. There were 2 higher bidders. This contract is awarded to F. R. Hewett, the low bidder, at his bid of \$24,602.00."

The County Court of Josephine County, consisting of County Judge W. A. Johnson and County Commissioners John Valen and Richard McElligott; and County Engineer H. B. Brown, came before the Commission in regard to the construction of the bridge over the East Fork of the Illinois River, on the Illinois Valley County Road. They advised that the county is unable to finance this bridge construction with county funds and unless funds are provided from some other source the road will have to be closed for traffic this winter. The Engineer advised that the Commission took bids for this project on June 22, 1939, and expected to finance the work with federal aid secondary highway funds, but as yet has been unable to secure the approval of the federal authorities. The contract cannot be awarded, he added, until such government approval has been obtained. He gave as his thought that the project is a meritorious one and advised that it is his intention to recommend this road to the Commission for designation as a federal aid secondary highway when that matter is discussed.

In view of the circumstances surrounding this project and the apparent need for the immediate construction of the bridge, the Commission decided that a special appeal shall be made to the Public Roads Administration for the approval of the same. The Engineer was thereupon instructed to direct a letter to Mr. W. H. Lynch, District Engineer, Public Roads Administration, urging early and favorable consideration.

Mr. George R. Van Vleet, Jewell, Oregon, was present and requested authority to truck logs 56 feet long over state highways. He said that he knew that the law limited to 50 feet the overall length of anything that could be transported over the public roads of this state, but he gets many orders for logs of greater length which he would like to fill, and, besides, it is much more economical to haul the long logs than the shorter ones, hence his request. The Commission advised that it does not have authority to grant permits for such movements except in cases where they are in isolated districts or an emergency exists, and it appears that the instant case does not meet the requirements. Furthermore, the Commission understands that the 1939 Legislature, by its refusal to pass a certain bill that would have increased the length of loads that could be hauled over the highways of this state, indicated that it did not want loads longer than 50 feet hauled on the public roads. In view thereof, the Commission denied Mr. Van Vleet's request; however,

decided to make a clear distinction between a log and a piling for use in connection with consideration of requests for permits that are received hereafter. This matter is to be reconsidered at the next regular meeting of the Commission. The Commission indicated that all permits for the transportation of logs involving loads longer than the law allows would be ordered cancelled and that the issuance of such permits shall be limited to poles and piling only.

A delegation representing the Southeast Portland Chamber of Commerce came before the Commission in the interest of the 82nd Street Highway (Cascade Secondary Highway). The delegation consisted of Mr. L. A. Mathiesen, Secretary; Wallace Telford, Chairman of the Clackamas County Planning Board; D. R. Holman, Charles H. Johns, S. C. Williams, and T. A. Roots. They urged the construction of the uncompleted section of this road between Portland and Oregon City, and particularly the elimination of the existing railroad grade crossing near Clackamas. They advised that they have no preference as to routes but are perfectly willing to leave the selection of same with the State Highway Commission and its engineers. Speaking on behalf of the improvement were Messrs. Mathiesen, Telford, and Holman.

They were informed that the Commission proposes to eliminate the existing railroad grade crossing north of Clackamas by the construction of an overhead structure to be financed with federal grade crossing elimination funds; also, that the program for such funds has already been arranged and sent to the Federal Government for approval and it is expected that the contract will be awarded some time next spring or summer; but, on account of lack of funds, the Commission has made no provision for additional improvements on this road.

Mr. Holman requested permission to erect a sign at the junction of the 82nd Street Highway and the Pacific Highway East at the Gladstone connection, directing northbound tourists to the Columbia River Highway via 82nd Street. The Commission denied the request because of the confusion that would develop were the Commission to grant all of the requests that it receives for similar privileges and it being considered inadvisable to grant one such request without granting all.

Mr. James O. Convill, City Manager of Astoria, was present in the interests of the proposed Astor Street improvement of the Oregon Coast Highway in Astoria. He urged the Commission to make provision in its 1940 budget for the construction of this project. The Engineer advised that this project is estimated to cost about \$50,000 and that, in his estimation, the right of way matter should be clarified before any definite allocation of funds is made. The Commission concurred. Mr. Convill advised that the city is having difficulties in securing the removal of the buildings. The Attorney was instructed to assist the city in this matter and to send a representative to Astoria next week to work with Mr. Convill.

Mr. Convill then asked the Commission for the loan of the services of its Landscape Engineer, Mr. George Otten, to assist the city in laying out a landscaping project in its city park, which consists of 100 acres of land and lies adjacent to the state highway near the south city limits. He said

that they would appreciate very much the benefit of Mr. Otten's advice on this matter. The Commission approved the request.

Messrs. E. C. Willard, Consulting Engineer, Portland, and H. D. Freeman, Planning Engineer, City Planning Board, Portland, came before the Commission in regard to the request of Mr. John Jordan, Portland, for a change in the zone classification of his property situate adjacent to McLoughlin Boulevard in Riverside Homestead Addition, Portland. They advised that Mr. Jordan's property, which is described as a part of Lot 7, is now in Zone 1 Special, which permits single family residences or duplex houses, but Mr. Jordan wants the classification changed to Zone 3 so as to allow the construction of a service station thereon. Further, that the City Planning Commission objects to the change because it wants to preserve the freeway characteristics of this thoroughfare, which they believe is in line with the ideas of the State Highway Commission. They pointed out that the state now owns the land adjoining Mr. Jordan's property on the south, which property has been landscaped, and suggested that the solution of the problem might be the acquisition of Mr. Jordan's tract by the state. The Attorney advised that the state paid 10 cents per square foot for other land in this vicinity. After discussion the Commission authorized the Attorney to offer Mr. Jordan 10 cents per square foot for his land.

In this connection, the Secretary presented a letter from Ivan Humason, real estate dealer, Portland, offering to purchase, on behalf of the Southern Pacific Railroad Company, the state-owned property lying just south of the Jordan tract, which property, he said, the company proposes to lease along with other railroad property to a restaurant man who wishes to conduct a restaurant business thereon. The Secretary was instructed to inform Mr. Humason that this property is not for sale.

Mr. Frank McKennon, of the State Department of Agriculture, came before the Commission in regard to the temporary parking of trucks on the right of way of The Dalles-California Highway, a short distance south of Klamath Falls, in connection with the inspection of potatoes which is conducted at that place. He explained that the Department of Agriculture has rented a building adjacent to the highway for use in connection with potato inspection and it so happens that this building is situate so close to the highway right of way line that trucks cannot park in front of the building without encroaching on the highway some 5 or 6 feet. He gave as his understanding that the Highway Commission does not permit such encroachments but urged special consideration in this particular instance because the potato inspection work is now under way and no other buildings are available for their use in this vicinity. He further stated that, if the Commission would permit such encroachment now, the Department of Agriculture will secure other quarters next year in order to avoid a repetition of the occurrence. After considerable discussion, in which the policy of the Commission was explained to Mr. McKennon, the Commission granted the request subject to the condition that the Department of Agriculture find other quarters prior to the starting of next year's inspection work. The Commission ordered the matter covered by appropriate letter.

The County Court of Deschutes County, represented by County Commis-

sioners Wm. Baer and E. E. Varco, conferred with the Commission relative to the improvement of the Butler Market Road. They presented a letter directed to the Secretary of State, signed by all three members of the Deschutes County Court, in which the Secretary of State was authorized to transfer to the State Highway fund \$5,000 of Deschutes County's share of the Motor Vehicle and Gasoline Tax Fund that is to be distributed to the several counties on December 15, 1939, as the county's contribution toward the cost of oiling the Butler Market Road. The Commission accepted the letter and instructed the Secretary to forward it to the Secretary of State.

Commissioner Baer then inquired as to the status of this project and was informed that it is a priority project for federal aid secondary highway funds and that the Commission hopes to place it under contract either this winter or in the spring.

Commissioner Baer also asked for the improvement of The Dalles-California Highway between Bend and Port Klamath, particularly urging such improvement from the accident-prevention standpoint. He gave as his thought that the highway should be widened and excessive crown in the pavement removed. The Commission took the matter under advisement.

Commissioner Baer inquired as to whether or not the State Highway Department could make use of rock that will be available from the excavation for the basement of the new Deschutes County courthouse in Bend. He advised that a large quantity of rock will have to be taken from this excavation and that the county will be glad to haul it to any point on state highways nearby if the state wants it. The Commission accepted the offer and instructed the Engineer to select a suitable place for the depositing of this material.

County Commissioner Baer brought up for discussion the matter of improving the sight distance at a "blind curve" located on the McKenzie-Bend Highway about one-quarter mile east of its junction with the old state highway that extends from Redmond to Bend. He said that a hazardous condition exists at this location, where the state maintains a large stock pile site which obstructs the view, and the County Court would like to have the situation improved for the benefit of traffic. The Engineer was instructed to investigate the conditions and report his findings along with an estimate of cost to do the work.

Mr. A. H. Edlefsen, Portland, appeared before the Commission in regard to right of way for the proposed improvement of the Oregon Coast Highway between Marshfield and Coquille and particularly the section immediately adjacent to the section that is now under construction at Bunker Hill. Mr. Edlefsen outlined plans that have been formulated for the improvement of private property at this location and urged the Commission to acquire the right of way for the highway improvement now so full consideration may be given thereto in the development of their plans for the use of such private property. The Commission took the matter under advisement and informed Mr. Edlefsen that the matter will be investigated and that he will be advised within a couple of days as to what the Commission could offer him for his land. (This matter was reconsidered by the Commission on the following day, at

which time the Commission authorized the Attorney to offer Mr. Edlefsen \$100 per acre for right of way across his property.)

The State Parks Superintendent, Mr. S. H. Boardman, was present and reported on the following park matters:

Salmon River Highway timber strip:- The Parks Superintendent advised that this timber strip lies on the north side of the highway east of the place known as Deer Creek Park, about 8 miles east of Otis, and is a part of the tract for which the Commission carried on negotiations with the Miami Corporation some time previously. He advised that he is in receipt of a letter from the Miami Corporation offering to sell this property now on the basis of 10 per cent cash and the balance payable in equal payments, without interest, in 1940, 1941, and 1942. He questioned the advisability of doing this because it would mean the doubling up of payments for Salmon River Highway timber strips, and for the further reason that a bill is now pending in Congress which provides federal funds to finance the acquisition of such timber strips adjacent to main highways. The Commission concurred in the viewpoint of the Parks Superintendent and instructed him to confer with Mr. L. H. Mills, representative of the Miami Corporation, regarding the matter and to secure from Mr. Mills, if possible, a letter to the effect that the Miami Corporation will not sell this timber for a year or so, and, in any event, will give the State of Oregon the first chance to purchase this property on the basis of his offer.

Churchill wayside timber strip along the Salmon River Highway:- The Parks Superintendent advised that Mr. N. D. Churchill, Portland, owns a 40-acre timber tract adjacent to the Salmon River Highway near the Tillamook County line, described as the northeast quarter of the southwest quarter of section 12, township 6 south, range 9 west, W. M., and that the timber on this tract north of the highway has been cut, but there remains a 300-foot strip of standing timber along the south side of the highway, which, in his estimation, should be preserved. He recommended purchase of this 40-acre tract, including the timber which is owned by a Mr. Ross, and suggested that the Right of Way Department be authorized to secure options for the same. The Commission approved the recommendation unanimously.

Furnishing of electrical energy for use in the Vista House, at Crown Point:- The Parks Superintendent advised that the agreement with Edward L. Dimmitt, concessionaire at Crown Point, provides that Mr. Dimmitt shall pay for the electrical energy that he uses. However, it appears that a reduction in rate can be secured if the Highway Commission will authorize the power company to deliver electricity at this place in the name of the state. He inquired whether or not the Commission would care to enter into an agreement with Mr. Dimmitt and the power company to secure this discount. The Commission decided not to enter into any such agreement, particularly in view of the fact that the state would not benefit by reason of the discount and would be assuming a responsibility that would not conform with the Commission's established policy with respect to such matters.

Acquisition of 40-acre tract near the Oregon Coast Highway south of

Newport:- The Parks Superintendent advised that the Highway Commission owns 8 parks near Newport which contain no timber of any kind for use as camp fuel, etc., but the Lincoln County Court has graciously offered to deed to the state without charge a 40-acre tract located near the highway about 1 mile south of Yaquina Bay, which will supply fuel for these parks for a long time to come. The Commission accepted the gift and ordered that an appropriate letter of thanks be directed to the County Court.

Addition to Ecola State Park, in Clatsop County:- The Parks Superintendent advised that the Crown Zellerbach Corporation owns considerable property fronting on the ocean north of Ecola Park and has made inquiry as to whether or not the state would be interested in purchasing this tract as an addition to the present park at this location. He further advised that the company is asking \$17,500 for this land, and pointed out that the Clatsop County Court is now working on a proposition for an exchange of county holdings for the same. He recommended that the corporation's offer be declined. The Commission approved the recommendation.

Saddle Mountain Game Reserve:- The Parks Superintendent advised that the Crown Willamette Paper Company owns considerable land surrounding Saddle Mountain State Park, in Clatsop County, which it is particularly desirous of placing in a game reserve so as to protect the elk which abound there, and the company wants the Highway Commission to join with it in asking the Game Commission to establish such reservation. He suggested that this would be a fine thing to do as it would not only protect the elk in the company's holdings but would also protect the many elk in the state park. The Commission approved the suggestion with the understanding that the reservation would include only a reasonable area outside of the state park boundaries rather than the entire holdings of the Crown Willamette Paper Company. The State Parks Superintendent was authorized to contact the Game Commission on such basis.

Natal Grange park site adjacent to the Nehalem Highway, in Columbia County:- The Secretary presented a letter from the Columbia County Land Utilization Committee recommending the establishment of a state park at this location. The State Parks Superintendent reported that acquisition of this property is still under negotiation by Mrs. Pearl Becker, Secretary of the Columbia County Pomona Grange, on the basis of payment of \$3,000 for the timber, for which the owners of the property, the Clark Wilson Lumber Company, are demanding \$6,000. The Commission took no action on this matter.

Proposed park site at Croft Lake, south of Bandon, Coos County:- The Secretary presented a petition from Westmost Grange No. 884, Bandon, urging the establishment of a state park at this location. The Parks Superintendent advised that he has under contemplation the acquisition of a park site at Floras Lake which also lies adjacent to the Oregon Coast Highway, near the site recommended by the Grange. It was his thought that the Floras Lake site is more suitable for state park purposes than the site at Croft Lake but said he would not be in a position to make a definite report to the Commission until he has looked into the matter further. The Commission deferred action on the Grange's request until the State Parks Superintendent's final report has been rendered.

Improvements to state park at Waldport:- The Secretary presented a letter from the Waldport Chamber of Commerce urging an allocation of funds for the development of the state park adjacent to the Oregon Coast Highway at Waldport. The Parks Superintendent estimated that to finance the improvements requested by the Chamber of Commerce would cost approximately \$20,000, which, in his estimation, is entirely too much to spend for the improvement of this area, which, he said, is merely a narrow strip along the highway. In view of the report, the Commission denied the request; however, instructed the Engineer to bear this project in mind as a possible one for the federal aid landscaping program some time in the future. It was understood, however, that any landscaping work that is done here should be confined to property adjacent to the highway right of way and should not extend to the beach.

Proposed park site at Little Jack Falls, Columbia County:- The Parks Superintendent reported on the recommendation of Mr. John Plebuch, Willamina, Oregon, that a state park be established adjacent to the Lower Columbia River Highway at a place known as Little Jack Falls. He said that it will cost a large sum of money to acquire and improve this area for state park purposes, and, in his estimation, the expense is not justified in view of the fact that the present highway at this location is not on permanent alignment and, when relocated, will probably be a considerable distance from the present highway and at a much lower elevation. He suggested, however, that when the proposed revision is constructed, provision be made for the use of the old road by people who desire to obtain the scenic view from this advantageous point, which would necessitate, he explained, the widening of the right of way somewhat for the parking of automobiles. In view of the report, the Commission decided not to establish a state park at this point but instructed the Engineer to keep in mind the Park Superintendent's suggestion relative to the retention of the old road for sight-seeing purposes when the proposed revision is completed.

Proposed state park on the north side of the Willamette River, near Wilsonville:- The Parks Superintendent recommended acquisition of suitable acreage at this location where it is proposed to construct a bridge across the Willamette River on the West Portland-Hubbard Highway, not only for park purposes but also as a protection for the proposed bridgehead. The Commission concurred in the viewpoint of the Parks Superintendent and instructed him to ascertain just how much land is needed. The Attorney was authorized to negotiate for the acquisition of such land and to secure options for the same.

State cooperation in establishment of central design office in Portland for State Park C.C.C. camps:- The Parks Superintendent advised that the National Parks Service has in mind the establishment of a central design office in Portland to serve Oregon, Washington, and Idaho, but definite arrangements for the same are contingent upon the State of Oregon contributing the sum of \$50 per month toward the rental of the offices, such sum being Oregon's share on the basis of pro rating the entire cost according to the number of C.C.C. camps in each of the three states. It was his thought that the maintenance of such central office in Oregon would be of considerable advantage to this state and he recommended approval of the expenditure. The State Highway Engineer concurred in the recommendation. The Commission approved the recommendation unanimously.

Furniture for recreational building at Silver Creek Falls State Park:- The State Parks Superintendent requested authority to spend approximately \$300 for construction of myrtlewood furniture, including tables, benches, et cetera, for use in this park. He explained that under the original setup it was planned to construct such furniture of fir, but there has been given to him without cost a considerable amount of myrtlewood timber which he would like to substitute, notwithstanding that to make it up into furniture would cost the state slightly more than to build the furniture of fir. He estimated the total cost of making the furniture at \$1,026.00, of which amount the state's share would be approximately \$300, the balance to be paid with W.P.A. funds. After discussion, the Commission voted unanimously to approve such project, based on the use of myrtlewood. The State Highway Engineer was thereupon authorized to sign the W.P.A. agreement relative thereto.

Proposed state park at Cascadia:- The Assistant Attorney reported on his study of the proposed acquisition of the Giesendorfer property at Cascadia, which has been offered and recommended to the Commission for state park purposes. He estimated the value of this property, exclusive of the soda springs and the hotel, but including some 228 acres of land and 4 M-FEM of timber, at \$17,375.00. He also advised that Mr. Giesendorfer is demanding the sum of \$25,000.00 for the property and that there is a mortgage of \$14,000 against it. He pointed out that an organization of Baptist Church people now maintains a building on the premises and that the same fronts on the Santiam River, which they use for baptismal purposes. He questioned the desirability of acquiring the Giesendorfer property unless some provision is made for removal of the church facilities. The State Parks Superintendent recommended acquisition of the area from Mr. Giesendorfer if it can be obtained for a reasonable amount and if the facilities of the Baptist Church can be eliminated. He declared this to be the finest site for a state park in Linn County. After considerable discussion, the Commission authorized and instructed the Attorney to negotiate with Rev. I. A. Fox, Salem, who represents the Baptist Church in connection with its activities at this point, relative to the vacation of the area that they are now using.

Proposed park budget for 1940:- The State Highway Engineer brought up for discussion the matter of increasing the state parks budget for the year 1940. He advised that the State Parks Superintendent feels that \$100,000 is insufficient to properly carry on the functions of his department, and has requested an increase to \$150,000. Action on this matter was deferred by the Commission until the next meeting, when the State Parks Superintendent is to present a budget itemizing the essentials for carrying on his work, including continuing obligations.

The Commission adjourned at 6:00 o'clock p. m., to reconvene at 9:00 o'clock on the following morning in the same room.

W. H. H. H.
State Highway Engineer

W. H. H. H.
Secretary

Henry F. Cabell
Chairman

John M. H. H.
Commissioner

NOV 2 1939

Portland, Oregon, November 3, 1939

The State Highway Commission reconvened in regular session at 9:00 o'clock a. m. in the auditorium of the Public Service Building. Present were:

Henry F. Cabell, Chairman
 E. B. Aldrich, Commissioner
 Haron W. Clough, Commissioner
 R. H. Baldock, State Highway Engineer
 J. M. Devers, Attorney
 H. B. Glaisyer, Secretary

Bids as follows for highway construction projects were opened and read in conformance with previously published notice, following which Chairman Cabell announced that the award of contracts would be made at 3:00 o'clock p.m. in the same room:

MT. HOOD AND WAPINITIA HIGHWAYS
 MT. HOOD ROCK PRODUCTION PROJECT

E. C. Hall Company	\$27,394.00
Washington Hauling Company	28,812.00
H. L. Rice	29,744.00
R. O. Dail & Warren Bros.	30,387.00
A. S. Wallace	31,187.00
Saxton, Looney, & Risley	33,364.00
O. C. Yocom	35,396.00
Fisher Bros.	38,429.00
Newport Construction Company	38,914.00

OREGON COAST HIGHWAY
 SEASIDE-MECANICUM SUMMIT ROCK PRODUCTION PROJECT

Babler Bros.	\$ 9,270.00
Gus Reichow	9,450.00
Saxton, Looney, & Risley	9,909.00
A. S. Wallace	9,930.00
Tidepoint Company	10,620.00
O. C. Yocom	11,540.00
E. F. Altree	11,800.00
Dolan Construction Company	11,910.00
R. O. Dail & Warren Bros.	13,480.00

PENDLETON-JOHN DAY HIGHWAY and BEECH CREEK HIGHWAY
 MOUNTAIN REST-MT. VERNON ROCK PRODUCTION PROJECT

F. R. Hewett	\$10,370.00
A. S. Wallace	10,485.00
McNutt Bros.	14,400.00
Schmeer & Williams Bros.	14,860.00

GREEN SPRINGS HIGHWAY
SISKIYOU JUNCTION-KLAMATH COUNTY LINE ROCK PRODUCTION

R. I. Stuart & Sons	\$ 15,720.00
Saxton, Looney, & Risley	15,975.00
A. S. Wallace	17,100.00

PACIFIC HIGHWAY
WEST UNIT, GRANTS PASS-GREEN CREEK SECTION - GRADING AND PAVING

Leonard & Slate	\$142,818.00
Berke Bros.	149,704.00
Jacobsen-Jensen Company	151,512.00
E. C. Hall Company	152,259.00
Frank Penepacker	154,942.00
McNutt Bros.	159,631.00

PACIFIC HIGHWAY WEST
OREGON SLOUGH-COLUMBIA SLOUGH SECTION - PAVING

Edlefsen-Weygandt Company	\$ 18,885.70
Porter W. Yett	20,504.10
The United Contracting Company	22,108.80
Parker-Schram Company	23,363.55

The Commission considered and by unanimous vote approved the minutes of the meetings held on June 21 and 22, July 18, July 26 and 27, and August 17 and 18, 1939.

The Commission discussed briefly matters pertaining to the bids received by the State Board of Control for the furnishing of gasoline and oil products for the year 1940 but deferred a decision thereon pending consultation with Mr. Dan Fry, Secretary of the Board of Control. The Engineer was instructed to ask Mr. Fry to be present during the afternoon session. (Mr. Fry conferred with the Commission in regard to this subject at 3:30 o'clock p. m.)

The Attorney requested authority to acquire certain parcels of real property that are needed for various highway improvements throughout the state. He presented a list of such properties and prices that he recommended be paid for each. After careful consideration the Commission approved the request and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth; and

WHEREAS, as a result of negotiations carried on with the

owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon; and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Necanicum-Elsie Section - Wolf Creek Highway</u>				
7457-Reiersen, Laurence E. Stock Pile		1.22	\$75 per a.	Eason
<u>Rainier Section - Columbia River Highway</u>				
2922-Kerr, Wm. L.	Slope	625 sq.ft.	Gratis	DeSouza
	Easement			
<u>Necanicum River Bridge Section - Oregon Coast Highway</u>				
7410-Crown Zellerbach Corporation	Easement	0.33	1-yr. lease gratis	Parker
<u>Lombard-Killingsworth Street Section - Northeast Portland Highway</u>				
5418-The Raleigh Chinn Co.	R/W	5000 sq.ft.	6 1/2 sq.ft.	DeSouza
<u>Rocky Point Section - Columbia River Highway</u>				
3179-Parker, Anna & Jos. P.	R/W	0.456 a.	\$500 Lump Sum + \$48.40	Parker
<u>Nehalem River-Davis Section - Wolf Creek Highway</u>				
7402-Pihl, H. M., et al	Rock Quarry & Haul Road	10.23	\$85 per a. + \$130.45 + fencing	McCheaney
<u>Tigard Section - Pacific Highway West</u>				
6972-Clarke, Mary H. (Correction)	R/W	0.19	\$1158 per a. + moving bldgs. (est. \$1115)	Collins
6974-Zwiener, Alfred (Correction)	"	0.12	\$1000 per a.	"
6962-Brown, A. W.	"	1200 sq.ft.	5 1/2 sq.ft. + \$440	"
6994-Hanback, Fred	"	106 sq.ft.	\$5 Lump Sum for land, + \$70	"
6973-Nash, C. F.	"	1247 sq.ft.	Land \$55, + \$5	"
<u>Siletz Bay-Newport Section - Oregon Coast Highway</u>				
7072-Langman, Jas.D.(Sunset Investment Co.(Correction)	R/W	1112 sq.ft.	10 1/2 sq.ft.	McCallister

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Newberg-McMinnville Section - Pacific Highway West</u>				
7231-Lord, E. J.	R/W	0.03	\$150 per a. + \$35	Benson
7108-Shannahan, Bertha W.	"	3000 sq.ft.	\$250 Lump Sum	"
<u>Willamette River Bridge - Corvallis-East Side Highway</u>				
7063-Olson, Lorine	R/W	17240 sq.ft.	5000sq.ft. at 10¢ sq.ft. 12,240 sq.ft. at 2½¢ per sq.ft., + \$1994	Parker
<u>Albany Section - Pacific Highway East</u>				
6387-Miles, W. C. (Correction)	R/W	4339 sq.ft.	3½¢ sq.ft. + \$648.13	Gardiner
5738A-Hackleman, Denver E.	R/W and Slope Easement	2046 sq.ft.	Gratis	"
6382-McCalley, R. B.	R/W	12440 sq.ft.	\$6000 Lump Sum	"
6380-Nelson, Andrew	"	3368 sq.ft.	\$2500 Lump Sum	"
6379-Nelson, Ruth	"	4602 sq.ft.	Land \$60, + taxes & street assessments	"
6381-Nutting, Roy W.	"	252 sq.ft.	10¢ sq.ft. + \$1474.70	"
5834-Dailey, Frank F.	Slope Easement	344 sq.ft.	Land Gratis, + \$52.15	"
5833-Cheever, Gilbert S.	"	160 sq.ft.	Land Gratis, + \$25.70	"
6377-Childs, Charles	R/W	13048 sq.ft.	5¢ sq.ft. + portion of Lot 7, Block A, lying outside R/W, owned by State	"
5131-Cox, W. A. (Estate)	"	995 sq.ft.	5¢ sq.ft. + \$450.25	"
<u>Airport Road-Murder Creek Section - Pacific Highway East</u>				
7505-Ackerman, Meinert (J. H. Robison)	R/W	0.054	Gratis	Gardiner
<u>Cottage Grove Section - Pacific Highway</u>				
5640-Walker, U. G.	R/W	484 sq.ft.	to be exchanged for 389 sq.ft. not needed for right of way	Benson
5644-Turner, Francis M.	"	4080 sq.ft.	\$2150 Lump Sum	"
5645-Durham, John M.	"	545 sq.ft.	10¢ sq.ft.	"
5647-Turner, Francis M.	R/W and Slope Easement	412 sq.ft.	10¢ sq.ft. + \$10	"
5649-Miller, Ida R/W & 5653-McFarland, C. A.	"	9268 sq.ft.	10¢ sq.ft. + \$125.63	"
5655-Hart, Harry C.	R/W	18204 sq.ft.	\$2015 Lump Sum	"
5689-Garoutte, G. Frank	"	776 sq.ft.	5¢ sq.ft. + \$161.20	"
	"	4174 sq.ft.	5¢ sq.ft. + \$705.50 + moving bldgs. (est. \$900)	"
5690-Wicks, Marie E.	"	300 sq.ft.	5¢ sq.ft. + \$25	"
5692-Hawley, Geo. M.	"	8000 sq.ft.	\$1000 Lump Sum	"
5699-Chrisman, W.W.	"	0.168	\$1000 per a. + \$57	"
5700-Plueard, Frank	"	0.296	\$1000 per a. + \$25	"
5698-Wooley, A. W.	"	274 sq.ft.	2½¢ sq.ft. + \$10	"
5641-Stewart, C. E.	"	6740 sq.ft.	\$700 Lump Sum	"

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Cottage Grove Section (continued)</u>				
5651-Durham, Nelson	R/W	854 sq.ft.	5¢ sq.ft. + \$157.30	Benson
5639-Southern Pacific Co.	R/W and	4829 sq.ft.	28 sq.ft. at 50¢ sq.ft.	"
	Slope Easement		4801 " at 10¢ sq.ft.	"
5648-Durham, John M.	R/W	6678 sq.ft.	10¢ sq.ft. + \$968.40, + moving bldgs. (est.\$900)	"
5652-Sly, Frank J.	"	260 sq.ft.	\$100 Lump Sum	"
5691-Lea, Lucy C.	"	4536 sq.ft.	5¢ sq.ft. + \$673.20, + moving bldgs. (est \$1200)	"
5646-Wilkins, Varian	"	93 sq.ft.	\$10 Lump Sum	"
*5701-Chambers, J. H.	"	0.964	\$1000 per a. + \$6535	"
*5694-Helliwell, A.W. and Nelson, P. E.	"	14915 sq.ft.	\$11,000 Lump Sum, (with serv.sta.bldgs.& equip't	"
7456-Matthews, Geo. W.	Gravel Bar		5-yr.lease at 3¢ cu.yd.	Lytle
5702-Cottage Grove, City of	R/W	1790 sq.ft.	\$80 Lump Sum	Benson
5643-Woodruff, Caroline G.	"	6020 sq.ft.	with 5-room house, \$1250 Lump Sum	"
5650-Roye, Orpha, & Snodgrass, Frank H.	"	8030 sq.ft.	with 5-room house, \$1550, + + \$90 (street assessments)	"
<u>Florence Section - Oregon Coast Highway</u>				
1964-Winchester, Ethel S.	R/W	1200 sq.ft.	2¢ sq.ft.	Parker
<u>Reedsport Section - Umpqua Highway</u>				
3026-1st Nat'l Bank Gardiner (L.C.Arthur)	R/W	236 sq.ft.	Gratis	Gardiner
<u>Grants Pass-Green Creek Section - Pacific Highway</u>				
7176-Samson, Hattie	R/W	23111 sq.ft.	2¢ sq.ft. + \$72.78	McCallister
7209-Hale, J. D.	"	1709 sq.ft.	1¢ sq.ft.	"
7284-Kuhn, Rudolph	"	26286 sq.ft.	2¢ sq.ft. + \$115	"
7281-Bullock, H. S.	"	4400 sq.ft.	2¢ sq.ft. + \$160	"
7280-Tardy, Eugene M.	"	238 sq.ft.	2¢ sq.ft. + \$5.24	"
7279-Sheter, Peter E.	"	9191 sq.ft.	2¢ sq.ft. + \$70	"
7277-Renner, Geo.	"	1945 sq.ft.	2¢ sq.ft. + \$63	"
7276-Bullock, H. S.	"	4977 sq.ft.	2¢ sq.ft. + \$115	"
7274-Talbot, Douglas	"	13920 sq.ft.	2¢ sq.ft. + \$146.60	"
7297-Cooley, Charles R.	"	5218 sq.ft.	2¢ sq.ft. + \$15	"
7216-Harmon, Nellie J.	"	0.409	\$600 per a.	"
7272-Cooley, Charles R.	"	9677 sq.ft.	2¢ sq.ft. + \$125 + mov- ing bldgs. (est \$325)	"
7273-Gilliland, D. J.	"	91 sq.ft.	Gratis	"
7275-Troll, Matilda	"	1283 sq.ft.	2¢ sq.ft. + \$49.34	"
7205-Robinson, Schubel E.	"	10453 sq.ft.	2¢ sq.ft.	"
7091A-Drolet, J. A.	"	15496 sq.ft.	11¢ sq.ft. + \$195.44, + moving bldgs. (est \$550)	"
7175-Morrison, Julia May	"	3111 sq.ft.	2¢ sq.ft. + \$30	"

*Approved tentatively subject to personal inspection by Commissioner Clough

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Grants Pass-Green Creek Section (continued)</u>				
7206-Keibel, Herman	R/W	33628 sq.ft.	2¢ sq.ft. + \$160 + moving bldgs. (est. \$150)	McCallister
7211-Walker, W. W.	"	1.55	\$435 per a. + \$41	"
7212-Proctor, P. P.	"	1.92	\$435 per a. + \$51	"
7286-Heydenburk, Edwin S.	"	5387 sq.ft.	2¢ sq.ft.	"
7091-Drolette, J. A.	"	5061 sq.ft.	20¢ sq.ft. + \$3865.80 + moving gas pumps and tank (est. \$325)	"
7207-MacFarlane, C. P.	"	64158 sq.ft.	2¢ sq.ft. + \$1190, + moving house (est. \$100)	"
7213-Straley, Lee	"	1.044	\$600 per a. + \$23	"
7268-Bennett, W. Z. (Mabel Taylor)	"	0.382	\$600 per a. + \$407.50	"
7269-Bennett, W. Z.	"	0.163	\$600 per a.	"
7220-Straley, Peter C.	"	0.312	\$600 per a.	"
7177-Gordon, Mina W.	"	0.33	\$600 per a. + \$20 + moving bldgs. (est. \$325)	"
7271-Rommell, Effie	"	1565 sq.ft.	2¢ sq.ft. + \$93.70	"
7214-Sherk, T. W.	"	0.303	\$600 per a. + \$10	"
7283-Martin, Stephen A.	"	41035 sq.ft.	2¢ sq.ft. + \$150	"
7218-Dubbs, Harry E.	"	0.21	\$600 per a. + \$11	"
7210-Fruitdale Grange	"	1769 sq.ft.	1½¢ sq.ft.	"
7219-Graves, H. G.	"	0.312	\$600 per a. + \$10	"
7217-Bennett, John N.	"	0.648	\$600 per a. + \$199	"
7215-Southwick, P. W.	"	3118 sq.ft.	To be exchanged for approx. 1600 sq.ft. owned by state	"
7270-Morrison, Lloyd	"	10846 sq.ft.	2½¢ sq.ft. + \$178.85	"
7208-Mallory, Fred N.	"	21578 sq.ft.	3¢ sq.ft. + \$850	"
7288-Calbraith, Miss E. L.	"	1418 sq.ft.	2¢ sq.ft.	"
7285-Grants Pass Irrigation District et al	"	243 sq.ft.	\$10 Lump Sum	"
7511-Kaser, E. N.	"	0.627	\$435 per a., + \$14	"
7246-Schmidt, Nellie C.	"	60984 sq.ft.	1½¢ sq.ft. + \$260 + moving (est. \$2500)	"
7204-McConnell, Helen L.	"	10411 sq.ft.	20¢ sq.ft. + \$4917.80	"
7202-Hughel, Nile	"	1948 sq.ft.	20¢ sq.ft. + \$160.40	"

Siskiyou Station-State Line Section - Pacific Highway

7179-West, Bessie	R/W	1.37	\$25 per a.	McCallister
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Provolt-Williams Section - Williams Highway

6848-Lichens, Fred	R/W	1.43	\$250 per a. + \$399.75	"
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(Correction)

Neil Creek-Butte Falls Section - Butte Falls Highway

7404-Carson, J. F. and Stoddard, N. B.	Quarry		5-yr. lease at 2¢ cu.yd. + payment for any timber destroyed	Lytle
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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Medford Section - Crater Lake Highway</u>				
4652-Phipps, I. D.	R/W	344 sq.ft.	25¢ sq.ft. + \$263.92	Devars
<u>Cushman Ranch-Trail Section - Tiller-Trail Highway</u>				
7027-Horn, Willard F.	R/W	7.28	\$550 Lump Sum	Benson
<u>Picture Rock Section - Fremont Highway</u>				
5262-Harris, Lew W., Dean Harris (Correction)	R/W	1.13	\$100 per a., + \$236.00, + fencing	DeSouza
<u>Horse Ridge-Brothers Section - Central Oregon Highway</u>				
6229-Morris, S. R.	R/W fence		In construction and moving 321½ rods fence at 50¢ per rod	Chandler
<u>Klamath Agency-Modoc Point Section - The Dalles-California Highway</u>				
1792-Hagelstein, John	Stock Pile	0.563	5-yr. lease, \$25	McChesney
<u>Redmond-Prineville Section - Ochoco Highway</u>				
7415-Crook County	Stock Pile	2.07	\$1.00 Lump Sum	McChesney
<u>Brothers-Harney County Line Section - Central Oregon Highway</u>				
7454-Verges, Dominique	Hauling Road Easement	2.28	Consideration for which the state to build cattle guard	McChesney
<u>Mitchell-Fort Creek Section - Ochoco Highway</u>				
7405-Laughlin, Erie L.	Snow Fence Easement		Gratis	Chandler
7407-Laughlin, Orral	" " "		Gratis	"
7406-Sigfrit, Lena	" " "		Perpetual Easement \$25	"
<u>Weston-Elgin Section - Weston-Elgin Highway</u>				
7255-Tucker, Sidney	Stock Pile	1.0	\$50 Lump Sum	Collins
7257-Wishman, Claus	Stock Pile, Quarry	3.13	\$250 " "	"
7259-Frasier, W. H.	Stock Pile	1.59	\$25 " "	"
7260-Kydd, John & James Grant	" "	0.83	\$25 " "	"
7261-Kydd, John & James Grant	" "	0.78	\$25 " "	"
7256-Parks, Laura M.	" "	0.84	\$100 " "	"
<u>Fox-Forest Boundary Section - Pendleton-John Day Highway</u>				
7092A-Carson, George G.	R/W	0.32	\$10 per a.	Wells
<u>Ukiah-Dale Section - Pendleton-John Day Highway</u>				
7240-Carnes, Geo. E.	Stock Pile	0.59	Land \$75, + fencing	Wells
7241-Griswold, M.C. (Security Savings & Trust Co.)	Rock Quarry Stock Pile	6.72	\$30 per a., + \$31.20	"

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Union-North Powder Section - Old Oregon Trail Highway</u>				
7417-Robinson, Florida Ashby	Quarry	3.97	1.0 at \$25 per a.	Wells
	Stock Pile		2.97 at \$10 per a., + fencing	"
7416-Anson, J. G.	Stock Pile	1.08	\$25 Lump Sum, + fencing	"
<u>Owyhee River-Scotts Butte Section - I.O.N. Highway</u>				
6913-Crim, Mrs. E. H.	R/W	3.27	\$10 per a., + fencing	Wells
6201-Coast Land Co.	Gravel Pit	2.81	\$25 Lump Sum	"
<u>Vale-Cairo Section - John Day Highway</u>				
7234-Featherston, H. M.	Stock Pile	0.46	To be exchanged for 1.05 a. owned by state	Williams
<u>Elgin-Rock Creek Section - Wallowa Highway</u>				
7419-Roulet, Rex C.	Stock Pile	1.0	\$50 per a., + \$5.00, + fencing	Wells
7418-Rusaw, Arden	Rock Quarry	7.29	\$30 per a., + fencing	"
<u>Black Bridge-Richland Section - Baker-Homestead Highway</u>				
7423-Skooras, Gust	Stock Pile	1.83	\$25 per a., + \$7.50	Wells
7422-Moody, Nora	Gravel Pit	1.41	\$100 per a., + \$40	"
	& Hauling Road			
7421-Bowman, Ruby R.	Stock Pile	1.0	\$10 per a., + \$7.50, + fencing	"
<u>North Powder-Haines Section - Old Oregon Trail Highway</u>				
6713-Union Pacific R.R.Co.	R/W	44050 sq.ft.	To be exchanged for 2 parcels containing 20,000 sq.ft.	Devers
<u>Nye Junction-Long Creek Section - Pendleton-John Day Highway</u>				
7242-Griswold, M.C. (Security Sav. & Trust Co.)	Stock Pile	1.0	\$30 per a., + \$11.20, + fencing	Wells
7244-Griswold, M.C. (Security Sav. & Trust Co.)	"	1.0	\$30 per a., + fencing	"
<u>Bear Gulch Section - John Day-Burns Highway</u>				
7018A-Oliver, Herman, et al		0.75	To be exchanged for 1.0 owned by state	Public Roads Admin.
	Borrow Pit			
<u>Albany Section - Pacific Highway East</u>				
5836-Woodworth, Elisabeth		726 sq.ft.	Land Gratis, + \$10	Gardiner
	Slope easmt.			
<u>Reedsport Section - Reedsport-Drain Highway</u>				
4705-Reedsport Garage	R/W	405 sq.ft.	Land Gratis, + \$5500	Gardiner

The Commission had under consideration the question of whether or not the amounts of offers in condemnation cases should be approved by the

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Commission before the offers are made; also, the question of whether or not the approved offers should be recorded in the minute book. It was the decision of the Commission that, in so far as possible, no offer in such cases shall be made until the Commission has approved the same, and that the Secretary should make a minute entry of all such approved offers.

The Commission discussed the offer of Mr. A. H. Edlefsen to sell to the Commission right of way needed for the improvement of the Oregon Coast Highway across his property between Marshfield and Coquille. The Attorney advised that Mr. Edlefsen's property consists largely of swamp land with no timber thereon. Further, that, in his estimation, Mr. Edlefsen would not be entitled to damages on account of severances. He valued the Edlefsen property at \$100 per acre and recommended purchase of the right of way at such rate. The Commission approved the recommendation unanimously.

The Attorney reported difficulties in acquiring certain parcels of real property that are needed for various highway improvements and requested authority to acquire such properties by condemnation. He submitted a list of such properties, together with the appraised value of each as determined by the Right of Way Department. After careful consideration, the Commission approved the following offers for such properties:

Transaction No.	Section	Owner	Approved Offer
<u>Needed for Gravel Pit</u>			
R7135	Tigard Sec	A. P. Ploeger and Zelda Ploeger	\$1,000
<u>Needed for Right of Way</u>			
R7203	Grants Pass-Green Creek	Jean Higgins	4,500
R7506	Scotts Butte-Jordan Valley	Hazel Breshears)	To clear up irrigation assessments
R7507	" " " "	Delos C. Foster)	
R7508	" " " "	William B. Packard)	
R7509	" " " "	Hazel Breshears)	
R7510	" " " "	Alfred C. Griffin)	
R3167	West Unit, Jordan Creek	Walter R. Bowden	\$240
R5642	Cottage Grove	Alvin C. Spriggs and J. H. Spriggs	200
R5697	" "	Frank Heck & Mary Heck	13,000
R5915-A	Salem-Pringle Creek	Albert L. Thomas and Ethel Thomas Allison	300

The Attorney was authorized and instructed to acquire such properties by condemnation in the event that the offers are rejected. The following resolutions in regard thereto were adopted by the Commission by unanimous vote:

WHEREAS, the State Highway Commission is by law authorized and directed to lay out, locate, designate, construct, improve, and maintain a system of state highways in the State of Oregon and to acquire by donation, purchase, agreement, condemnation, or by the power of eminent domain title to land upon or under which there is

gravel, gravel beds or bars, sand, sand beds or bars, rock, boulders, quarries or quarry sites, lime deposits, or other mineral deposits or formations suitable for road construction, improvement, betterment or pavement, and to declare the necessity and need for the acquisition thereof and the advantages to be gained thereby;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the State Highway Commission does hereby find and declare that it is necessary and will be of advantage to the State of Oregon and there is need that the State acquire for the purposes of road construction, improvement, betterment, repair and maintenance, and for the purpose of the manufacture of road materials on the following section or sections of the state highway system of the State of Oregon, to wit:

Northwest route of the Tigard Section of the Pacific Highway West
real property owned by or in possession of the following parties and/or persons, to wit:

R7135-Washington County - A. P. Ploeger and Zelda Ploeger

and this Commission does hereby declare further that the said property or properties contain gravel, gravel beds or bars, sand, sand beds or bars, rock, boulders, quarries or quarry sites, lime deposits, or other mineral deposits or formations suitable for road construction, improvement, betterment, or pavement, and that the said property or properties is or are necessary and needful and the acquisition thereof will be of advantage to the State of Oregon for the said purposes in order to make it possible for the State Highway Commission to construct, improve, maintain, and repair the said portion or portions of the said state highway system in accordance with the standards adopted by this Commission.

2. That the State Highway Engineer be and he hereby is instructed and directed to properly survey the parcel or parcels of land required for said purposes and to prepare proper and adequate descriptions thereof, which descriptions shall be employed in the preparation of a deed or deeds or other instrument or instruments necessary to complete the acquisition of the said property or properties, or which said descriptions may be used in the preparation of a complaint in the event that condemnation proceedings are necessary.

3. That the boundaries of the said parcel or parcels of land, as defined and determined by the said survey made by the said Highway Engineer, shall be and the same hereby are adopted and the lands defined therein are hereby declared to be and the same shall be lands necessary for the purposes stated herein.

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4. That I. H. Van Winkle, Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they are hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby further resolved that the Attorney General of the State of Oregon and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they hereby are requested to commence and prosecute to a final determination such suit or action, or suits or actions, as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

WHEREAS, the State Highway Commission is by law authorized and directed to lay out, locate, relocate, designate, construct, reconstruct, improve, and maintain a system of state highways in the State of Oregon, including both primary and secondary state highways, to acquire rights of way necessary therefor, and to declare the necessity and need for the acquisition thereof, and the advantages to be gained thereby;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the State Highway Commission does hereby find and declare that it is necessary, will be of advantage to the State of Oregon, and is needful that the State acquire for right of way purposes for use in connection with the permanent location, construction, improvement, and maintenance of the following section or sections of the state highway system of the State of Oregon, to wit:

Grants Pass-Green Creek Section of the Pacific Highway
 Scotts Butte-Jordan Valley Section of the I. O. N. Highway
 West Unit, Jordan Creek Section of the I. O. N. Highway
 Cottage Grove Section of the Pacific Highway
 Salem-Pringle Creek Section of the Pacific Highway East

real property owned by or in possession of the following parties and/or persons, to wit:

Grants Pass-Green Creek Section of the Pacific Highway
 R7203-Jean Higgins

(Continued on next page)

Scotts Butte-Jordan Valley Section of the I. O. N. Highway

R7506-Hazel Breshears
 R7507-Delos C. Foster
 R7508-William B. Packard
 R7509-Hazel Breshears
 R7510-Alfred C. Griffin

West Unit, Jordan Creek Section of the I. O. N. Highway

R3167-Walter R. Bowden

Cottage Grove Section of the Pacific Highway

R5642-Alvin C. Spriggs and J. H. Spriggs
 R5697-Frank Heck and Mary Heck

Salem-Pringle Creek Section of the Pacific Highway East

R5915A-Albert L. Thomas and Ethel Thomas Allen

and this Commission does hereby declare further that the said property or properties are necessary, are needful, and the acquisition thereof will be of advantage to the State of Oregon for right of way purposes in order to make it possible for the State Highway Commission to properly locate, relocate, construct, reconstruct, and maintain said portion or portions of the said state highway system in accordance with standards adopted by this Commission relative to curvature, grades, alignment, drainage, and factors of safety.

2. That the State Highway Engineer be and he hereby is instructed and directed to properly survey the parcel or parcels of land required for such right of way purposes and prepare proper and adequate descriptions thereof, which descriptions shall be employed in the preparation of a deed or deeds or other instrument or instruments necessary to complete the acquisition of the said property or properties or which descriptions may be used in the preparation of a complaint in the event that condemnation proceedings are necessary.

3. That the boundaries of the said parcel or parcels of land, as defined and determined by the said survey made by the said Highway Engineer, along the route or location adopted by the Highway Commission, shall be and the same hereby are adopted and the lands defined therein are hereby declared to be and the same are included within the rights of way of the said portion or portions of the said state highway system and hereby are declared to be necessary for the proper location, improvement, construction, and maintenance of the said portion or portions of the state highway system.

4. That I. H. Van Winkle, Attorney General for the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they are hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby further resolved that the

Attorney General of the State of Oregon and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they hereby are requested to commence and prosecute to a final determination such suit or action, or suits or actions as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

The Attorney brought up for discussion the offer of Mr. Nelson Hogan, Reedsport, relative to the remodeling of his garage building in Reedsport, necessitated by reason of the proposed improvement of the Umpqua Highway in that town. He advised that the Right of Way Department secured two bids for the remodeling of Mr. Hogan's building, one of which was in the amount of \$7,000 and the other in the amount of \$7,700; whereas the appraiser for the State Highway Department estimates that such remodeling work would cost approximately \$5,200, although it appears that several items were omitted at the time such estimate was made. He further advised that Mr. Hogan is particularly desirous of doing this remodeling work himself and will do the work at once for the sum of \$5,500 if that is agreeable to the Commission. The Commission considered the offer reasonable and desirable and thereupon voted unanimously to accept Mr. Hogan's offer.

The Assistant Attorney brought up for discussion the matter of acquiring a number of privately-owned lots on the Nehalem Sandspit, in Tillamook County. He advised that some of these owners do not reside in Oregon and have never seen their properties, which are desirable from the state's standpoint to fill out the state park at this location. He requested authority to secure the services of a commercial appraiser to set a value on the properties so he could advise the respective owners what the state is willing to pay for them. The Commission approved the request by unanimous vote subject to the condition that such expense do not exceed \$100.

The Commission discussed a letter and a telegram from the Redwood Empire Association requesting a revision in the Commission's plans for the reconstruction of the Pacific Highway between Grants Pass and Green Creek, in Josephine County, particularly the arrangements for the connection between this highway and the Redwood Highway. The matter was referred to the Engineer to work out.

The Attorney read to the Commission a letter over the signature of Paul Farrens, Attorney for the Mt. Hood Stages, in which letter Mr. Farrens reported that Timberline Lodge, Inc. has made demand on Mt. Hood Stages for a portion of its ton-mile tax due under the Motor Transportation Act, for use of the highway between Government Camp and Timberline Lodge. Mr. Farrens stated further that Timberline Lodge, Inc. claims that the U. S. Forest Service has assigned to Timberline Lodge its claim to the tax. The Attorney gave as his opinion that the highway in controversy is a public highway and therefore under the jurisdiction of the Commissioner of Public Utilities with respect to

the collection of the ton-mile tax. The Commission instructed the Attorney to bring the entire matter to the attention of the Public Utilities Commissioner to the end that funds be not diverted from the use to which they have been put heretofore.

The Commission had under discussion the adoption of a program for 1940 federal aid secondary highway funds, amounting to \$430,000. The Engineer submitted a list of desirable state secondary highway and county road projects that are eligible for such program, from which the Commission by unanimous vote selected the following as a partial program for such funds:

County	Project	Kind of Work	Estimated Cost
<u>PROJECTS ON STATE HIGHWAYS</u>			
<u>DIVISIONS 1 & 2</u>			
Columbia	Clatskanie-Mist	Surfacing & Oil	\$30,000
Marion	Woodburn-Molalla	Grade, Surf., & Oil	20,000
Washington	Campbells Bridge-Laurel Road	Grade, Surf., & Oil	25,000
			\$75,000
<u>DIVISION NO. 3</u>			
Jackson	Little Butte	Grade, Surf., & Oil	\$20,000
<u>DIVISION NO. 4</u>			
Crook	Warm Springs (Dry Creek-Prineville)	Grade & Surf.	\$20,000
Jefferson	Warm Springs (Lamonta-Pine Ridge School)	Grade & Surf.	20,000
			\$40,000
<u>DIVISION NO. 5</u>			
Gilliam	Wasco-Heppner (Lonerock Road-Sixmile Creek)	Grade, Surf. & Oil	\$15,000
Grant	Kimberly-East 3 mi.	Grade, Surf. & Oil	22,000
Harney	Frenchglen (Wrights Point)	Grading	15,000
Union	Catherine Creek Bridge		10,000
			\$62,000
<u>PROJECTS ON COUNTY ROADS</u>			
<u>DIVISIONS 1 & 2</u>			
Benton	Albany-North	Grade, Surf. & Oil	\$20,000
Clatsop	Ft. Stevens Road	Grade & Pave	20,000
Multnomah	To be selected	Grade, Surf., & Oil	53,000
			\$93,000
<u>DIVISION NO. 3</u>			
Lane	Veneta-Oak Hill (Route F)	Grade, Surf. & Oil	\$62,000
<u>DIVISION NO. 4</u>			
Deschutes	Butler Market Road	Grade, Surf. & Oil	\$25,000
Sherman	Wasco-Fulton Canyon	Grade & Surf.	12,000
			\$37,000
<u>DIVISION NO. 5</u>			
Wallowa	Enterprise-Joseph	Grade, Surf. & Oil	\$20,000
Wheeler	John Day Highway-Kinzua	Grade & Top	15,000
			\$35,000

(Partial program for federal aid secondary highway funds, continued:)

	<u>SUMMARY</u>	
	<u>Estimated Costs</u>	
	<u>Secondary Highways</u>	<u>County Roads</u>
Divisions 1 & 2	\$ 75,000	\$ 93,000
Division No. 3	20,000	62,000
Division No. 4	40,000	37,000
Division No. 5	62,000	35,000
	<u>\$197,000</u>	<u>\$227,000</u>
State-wide Planning Survey	<u>3,000</u>	<u>3,000</u>
	<u>\$200,000</u>	<u>\$230,000</u>

The Engineer was authorized and instructed to forward this program to Mr. W.H. Lynch, District Engineer, Public Roads Administration, for federal approval.

The Commission adjourned at 12:20 o'clock p. m. and reconvened at 2:00 o'clock p. m. in the same room, with all Commissioners, the Engineer, the Attorney, and the Secretary present.

Mr. Ira Withrow, Grand Ronde, came before the Commission on behalf of the Miami Corporation, relative to timber strips adjacent to the Salmon River Highway which the Commission desires to acquire. Mr. Withrow stated that the corporation has a bona fide offer for the purchase of this timber and that the prospective buyer has plans to start cutting the timber about February, 1940. He inquired whether or not the Highway Commission is still interested in the acquisition of this tract. He was informed by Chairman Cabell that the Commission would like to purchase the tract if it can be acquired at reasonable cost but considers it best to defer further negotiations pending disposition of the bill now before Congress, which will allow the use of federal aid funds for purchases of this kind. He explained that if this bill becomes a law, then the Highway Commission will probably be justified in spending some state money along with the federal funds for the purchase of this tract; but there is a question whether or not state funds exclusively should be used in view of possibilities of criticism that might be aroused thereby. He inquired whether the Miami Corporation would consider the postponement of its final decision with respect to the sale of the timber to the private purchaser until about the first of June, 1940, when the outcome of this bill will be known. Mr. Withrow replied that he would do the best that he possibly could in that regard and promised the Commission that his company would not sell the property in any event without first coming before the Commission again to get its final decision.

Mr. Ray Conway, Manager of the Oregon State Motor Association, was present and discussed with the Commission matters pertaining to the Commission's advertising program. He presented arguments for concentrating the Commission's expenditures for advertising and publicity in the western states rather than for general advertising throughout the entire United States. The Commission thanked Mr. Conway for his presentation and advised him that the information given would be seriously considered.

Mr. A. R. Bowman, County Judge of Crook County, was present. He asked the Commission to increase the amount of its allocation for construction of the Warm Springs Highway north of Prineville because, he said, the work contemplated under the present setup will not be of much value until additional work has been done. He was informed by Chairman Cabell that, due to the limited amount of secondary highway money available, it does not appear possible to extend the work now contemplated, but the Commission will be pleased to look into the matter and will increase the allotment if it is possible to do so.

Mr. L. H. Bagley, representing the Richfield Oil Company, came before the Commission in regard to the pending contract with the state for furnishing gasoline, oil, et cetera, during 1940. He presented arguments on behalf of the award of this business to the Richfield Oil Company, and urged the Commission to recommend to the State Board of Control the acceptance of his company's offer, which, he declared, was the low one submitted. This matter was discussed at some length but decision was deferred pending a conference with Mr. Daniel Fry, State Purchasing Agent, later in the session.

At 3:00 o'clock p. m. Chairman Cabell announced the following awards of contracts, bids for which were taken at the morning session, such awards having been previously approved by the Commission by unanimous vote:

"Mt. Hood Rock Production Project on the Mt. Hood and Mapinitia Highways, in Clackamas and Wasco Counties. Furnish 15,900 cu. yds. crushed rock in stock piles. E. C. Hall Company, Eugene, submitted the low bid on this project, in the amount of \$27,394.00. Washington Hauling Company, Seattle, Washington, submitted the next low bid, in the sum of \$28,812.00. There were 7 higher bidders. This contract is awarded to E. C. Hall Company at their low bid of \$27,394.00.

"Seaside-Mecanicum Summit Rock Production Project, in Clatsop County. Furnish 6,000 cu. yds. crushed rock in stock piles. The low bid received for this project was that of Babler Bros., Portland, in the amount of \$9,270.00. The next low bid was that of Gus Reichow, Forest Grove, in the amount of \$9,450.00. There were 7 higher bidders. The Commission awards this contract to Babler Bros., at their low bid of \$9,270.00.

"Mountain Rest-Mt. Vernon Rock Production Project, on the Pendleton-John Day Highway and Beech Creek Highway, in Grant County. Furnish 5,700 cu. yds. crushed rock in stock piles. F. R. Hewett, Spokane, Washington, submitted the low bid on this project, in the amount of \$10,370.00. A. S. Wallace, Roseburg, submitted the next low bid in the amount of \$10,485.00. There were 2 higher bidders. The Commission rejects all bids received for this work and has ordered the project readvertised.

"Siskiyou Junction-Klamath County Line Rock Production Project, on the Green Springs Highway, in Jackson County. Furnish 7,600 cu.

yds. crushed rock in stock piles. The low bid received for this project was that of R. I. Stuart & Sons, Medford, in the amount of \$15,720.00. The next low bid was that of Saxton, Looney & Risley, Oak Grove, in the amount of \$15,975.00. The third low and only other bidder was A. S. Wallace of Roseburg, with his bid of \$17,100.00. All the bids received on this project have been rejected and the Commission has ordered the project readvertised.

"West Unit, Grants Pass-Green Creek Section of the Pacific Highway, in Josephine County. 2.71 miles grading and paving. Leonard & Slate, Multnomah, submitted the low bid for this project, in the amount of \$142,818.00. Berke Bros., Portland, submitted the next low bid, in the amount of \$149,704.00. There were 4 higher bidders. All bids for this project have been referred by the Commission to the Engineer with power to award the contract to the low bidder when certain conditions have been fulfilled.

"Oregon Slough-Columbia Slough Section of the Pacific Highway West, in Multnomah County. 1.03 miles paving. Edlefsen-Weygandt Company, Portland, submitted the low bid, in the amount of \$18,885.70 for this project. Porter W. Yett, Portland, submitted the next low bid, in the amount of \$20,504.10. There were 2 higher bidders. This contract is awarded to Edlefsen-Weygandt Company, the low bidders, at their bid of \$18,885.70."

Chairman Cabell also made the following announcement: "In connection with the bids received for the Mt. Hood Rock Production Project, in Clackamas and Wasco Counties, a bid was received from R. O. Dail & Warren Bros., Inc., which would have been the fourth low bid on this project had the bid been regular. However, the contractor did not enter the unit price for one of the items, as is required, payments to the contractors in all cases being made upon the basis of the unit price bid for each item. In this particular instance the omission does not affect the award of the contract but it is being called to the contractors' attention at this time so that repetition of the mistake may be avoided in the future, inasmuch as the Commission might find it necessary some time to disqualify a low bid for this reason."

Mr. Daniel J. Fry, Secretary of the State Board of Control and State Purchasing Agent, came before the Commission at 3:15 o'clock p. m. in regard to the bids received by the Board of Control for the furnishing of gasoline and oil products to the state during the year 1940. He advised that a careful study of the bids received for this business reveals that of the Richfield Oil Company to be low, and, in his estimation, the Board of Control will have no alternative but to accept the bid of this company, and that will be his recommendation to the Board. After discussion, Mr. Fry was informed by the Commission that it approves the award of this contract to the Richfield Oil Company on the basis of its bid with the reduction subsequently authorized by telegram, and the Commission will so recommend to the Board of Control. The Engineer was thereupon authorized and instructed by the Commission to so advise the Board of Control, by letter, in accordance with the customary practice.

The Attorney brought up for discussion matters pertaining to the acquisition of right of way for the proposed railroad grade separation project in the town of Nyssa, Malheur County. This matter was discussed at considerable length but action thereon was deferred pending further study. The Attorney was instructed to negotiate with the Amalgamated Sugar Company and other owners relative thereto and to secure options, if possible, without definitely binding the Commission.

Reconsideration was given by the Commission to the recommendations presented by the Advisory Board on Publicity Matters for carrying on the activities of the Travel and Information Department during 1940. After discussion it was decided unanimously to adopt these recommendations and it was so ordered.

The Secretary presented a resolution from the County Court of Grant County, requesting the designation as a state secondary highway of the county road which extends from Monument to a connection with the Pendleton-John Day Highway at Long Creek, in Grant County. The Commission approved the request and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, under the provisions of Chapter 248, Laws of 1931; Chapter 196, Laws of 1935; and Chapter 529, Laws of 1939; the State Highway Commission, by mutual agreement with the respective county courts of the several counties of the State, is authorized and empowered to select, locate, and designate a system of secondary state highways, which highways shall be selected from the market roads or other county roads, or available locations or routes of the several counties; and

WHEREAS, the State Highway Commission, by mutual agreement with the Grant County Court of the State of Oregon, has selected the road or highway hereinafter named, and it is the purpose of the Commission to officially and regularly designate and adopt said highway as a highway to constitute, together with other highways heretofore adopted and/or which may hereafter from time to time be added, the system of secondary state highways under the provisions of said acts;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission, all members being present and affirmatively voting and participating, as follows:

1. That the following described market road, county road, highway, route, or location of a highway in Grant County be and the said market road, county road, highway, location or route, hereby is selected, designated, established, adopted and approved as a secondary state highway and shall be and hereby is designated as a part of the secondary state highway system, to wit:

A Section of the Kimberly-Long Creek Secondary Highway No. 402:

Beginning at Monument in Grant County at the east end of the present designated Kimberly-Monument Secondary State

Highway No. 402; thence in an easterly direction through Hamilton to Long Creek on the Pendleton-John Day Highway, a distance of approximately 21.4 miles.

2. That the said highway shall be and hereby is qualified for improvement under the provisions of said Chapter 248, Oregon Laws 1931; Chapter 196, Laws of 1935; and Chapter 529, Laws of 1939; and amendments thereof.

The Engineer requested authority to purchase the following equipment:

- 1 3/8-yd. shovel for use on Wilson River W.P.A. project. Old shovel to be traded in as part purchase price - estimated cash outlay \$7,000
- 1 pump, 450 gal. per minute capacity, and 250 lineal feet of pipe, for use in connection with Wolf Creek Highway W.P.A. work - estimated total cost \$700
- 4 electric headlamp testers - estimated total cost \$720
- 4 tension wrenches for cylinder heads - estimated cost \$40
- 1 hydraulic brake drum gauge - cost \$90
- 1 bench grinder - cost \$30
- 2 cylinder boring bars - cost \$830
- 1 3-H.P., 220-volt, 60-cycle head electric motor and 1 reversing switch - estimated cost \$95
- 1 No. 5 Dumore highspeed tool post grinder - cost \$50
- 1 7-passenger 1939 automobile for use of the State Highway Commission - 1 Old 7-passenger Buick to be traded in as part purchase price thereon. Estimated cash outlay \$1,000
- 1 accounting machine - estimated cost \$1,100

After careful consideration the Commission approved the request by unanimous vote.

The Engineer reported that the bridges on the North Santiam Secondary Highway, which bridges have for some time past been posted for maximum loads of 10,000 pounds, have been repaired so that they will now carry legal weight loads. He recommended, in view thereof, the lifting of the reduced load limits. The Commission approved the recommendation and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, on the 8th day of July, 1937, at a meeting of the Oregon State Highway Commission, all members being present and participating, the Commission passed and adopted a resolution ordering a reduction of the maximum permissible load limit on the following secondary state highway bridges, to wit:

(Listed on following page)

North Santiam Secondary Highway No. 162

<u>Bridge No.</u>	<u>Description</u>	<u>Total Gross weight</u>
162-30.10	1 - 13' timber span	6 tons
162-30.23	1 - 15' and 2 - 17' timber spans	6 "
162-30.70	1 - 15' timber span	6 "
162-31.33	3 - 16' timber spans	6 "
162-31.38	1 - 68' timber truss	6 "
162-31.71	3 - 11' timber spans	6 "
162-32.91	1 - 17' timber span	6 "

and

WHEREAS, subsequent to the passage of said resolution the said above named bridges have been repaired so that it is no longer necessary or desirable to maintain the reduced load limits set out in said resolution;

NOW, THEREFORE, BE IT RESOLVED that the action of the State Highway Commission reducing the maximum permissible load limit on the following bridges, to wit:

North Santiam Secondary Highway No. 162

<u>Bridge No.</u>	<u>Description</u>	<u>Total Gross weight</u>
162-30.10	1 - 13' timber span	6 tons
162-30.23	1 - 15' and 2 - 17' timber spans	6 "
162-30.70	1 - 15' timber span	6 "
162-31.33	3 - 16' timber spans	6 "
162-31.38	1 - 68' timber truss	6 "
162-31.71	3 - 11' timber spans	6 "
162-32.91	1 - 17' timber span	6 "

be and the same hereby is rescinded and vacated as of this date, and the maximum load limit permissible on the said bridges shall hereafter be the maximum load limit provided by law.

IT IS FURTHER ORDERED that a certified copy of this resolution be furnished the County Clerk of Marion County in which county said bridges are located; and that a certified copy of this resolution be furnished to the Superintendent of the Department of State Police for his information.

The Engineer also reported the award of the following contracts, bids for which were previously referred to him by the Commission with authority to award the contracts to the low bidders in each instance when certain conditions had been fulfilled:

Grading the State Farm-Adams Section of the Oregon-Washington Highway, in Umatilla County. Bids taken September 1, 1939, contract awarded September 29, 1939, to Roy L. Houck, the low bidder.

NOV 3 1939

Remodel east approach to bridge over Willamette River at Oregon City, Clackamas County. Bids taken September 28, 1939, contract awarded October 4, 1939, to McNutt Bros., the low bidders.

Construct bridge over Lang Canyon on the Columbia River Highway, 5 miles west of Arlington, Gilliam County. Bids taken September 1, 1939, contract awarded October 28, 1939, to Denton & Young, low bidders.

Construct Lang Canyon-Arlington Section of the Columbia River Highway, in Gilliam County. Bids taken September 28, 1939, contract awarded October 28, 1939, to Leonard & Slate, the low bidders.

The Commission approved the awards as reported, by unanimous vote.

The Secretary reported on the bid received by the Commission on September 28, 1939, from H. C. McCurdy, Dee, Oregon, for the purchase of an abandoned state-owned gravel pit situate adjacent to the Hood River Secondary Highway, near Dee, in Hood River County. He advised that he interrogated Mr. McCurdy as instructed by the Commission and ascertained that in submitting his bid Mr. McCurdy intended to offer the sum of \$250.00 for this land, having furnished a bid deposit in the amount of \$50, or 20 per cent of the bid price, as required, although he neglected to state the full amount of his bid. In view of the explanation, the Commission decided unanimously to sell this land to Mr. McCurdy for the sum of \$250.00, and so ordered.

The Engineer submitted a plan for equalizing the mileage of state highways in each of the maintenance districts in Division No. 5, Eastern Oregon, thereby making for efficiency in maintenance supervision in this division. He explained that under the present setup Division No. 5 is divided into four districts, with headquarters at Pendleton, La Grande, Baker, and Burns, and that the mileage of highway varies in each district from a total of 377.43 in the La Grande district to 665.97 in the Burns district. Further, that the district maintenance superintendent operating out of La Grande has to travel 110.48 miles to reach the limit of his district as compared with 264 miles for the district maintenance superintendent operating out of Baker. By the new arrangement, he said, the total mileage in each district will be nearly equal as will also the distance to be traveled by the respective maintenance superintendents to the extremities of their districts, although it will necessitate establishing an additional district maintenance headquarters in the town of John Day. After considerable discussion the Commission approved the new arrangement by unanimous vote.

In this connection the Engineer pointed out that under the new setup it will be necessary to construct a maintenance headquarters building at John Day for use of the district maintenance superintendent to be located at such place. He estimated the cost of such building at \$3,300.00, and recommended the expenditure. The Commission approved the recommendation unanimously.

He also recommended an expenditure of \$11,000.00 for the construc-

tion of an office building and an addition to the existing maintenance headquarters building at Medford, which would be used not only by state highway department forces but also as office quarters for the local state police officers. He explained that the arrangement for the use of the Medford building by the Police Department would be on the condition that the Police Department pay for its own heat, light, and janitor service and also pay the Highway Department \$50 per month rental, which, he estimated, would amortize the cost of the building in about 10 years. After discussion the Commission approved the construction of such buildings, subject to the condition that the Department of State Police agree, in writing, to the arrangement made for the use of the building.

The Engineer then brought up for discussion the necessity to construct additional maintenance headquarters buildings throughout the state, particularly in locations where suitable buildings cannot be rented. He mentioned the following: (1) Blue Mountain Summit maintenance station on the I.O.N. Highway, in Malheur County, estimated cost \$21,800; (2) Princeton maintenance station on the Princeton-Rome Secondary Highway, in Harney County, estimated cost \$21,800; (3) Cascade Pass maintenance station on the Willamette Highway, in Klamath County, estimated cost \$27,500; (4) Seneca maintenance station on the John Day-Burns Highway, in Grant County, estimated cost \$19,500; (5) Condon maintenance station on the John Day Highway, in Gilliam County, estimated cost \$11,300; (6) Madras maintenance building on The Dalles-California Highway, in Jefferson County, estimated cost \$11,000; (7) Newport maintenance building on the Oregon Coast Highway, in Lincoln County, estimated cost \$10,000.

He advised that the maintenance buildings at Cascade Summit, on the Willamette Highway, and at Blue Mountain Summit, on the I.O.N. Highway, are the two most needed, and requested authority to take bids for the construction of these two buildings during 1940. The Commission approved the request by unanimous vote and ordered that provision be made for the same in the 1940 budget. It was also decided to give further consideration to the budgeting of additional funds in 1940 for the construction of the buildings at the other locations mentioned by the Engineer.

The Commission had under discussion the matter of advancing additional state funds to finance non-labor items in connection with the Wolf Creek Highway W.P.A. project during the month of November, 1939. The Engineer advised that if this work is to proceed as in the past, the state will have to advance about \$4,200 for such items during the month of November and a like amount during December. He recommended such payments so that this work will not have to close down. After discussion the Commission approved the recommendation by unanimous vote, subject to the condition that the December payment be not made until it is actually needed in that month.

The Commission considered the request from the Attorney for instructions as to what account number should be charged with the cost of printing the new Oregon Road Laws, which expense was heretofore authorized by the Commission and amounted to approximately \$300, it being the Attorney's thought that the entire expense should not be charged to the Legal Department. The

Commission decided that this expense should be charged to the general administration account.

The Secretary presented letters from Mr. Palmer Hoyt, Publisher of the Oregonian, and W. D. B. Dodson, Executive Vice President, Portland Chamber of Commerce, accepting appointments on the Highway Commission's Advisory Board on Publicity Matters. They were approved by the Commission and ordered filed.

A letter was presented from Mr. Lacey V. Murrow, Director of Highways, State of Washington, advising that the State of Washington had plans to construct the Washington Section of the Walla Walla-Milton Road (Oregon-Washington Highway) in 1940, funds having been budgeted for the same; but, since the State of Oregon will not be in a position to construct the Oregon Section simultaneously, they have decided to defer the Washington improvement until Oregon is able to meet it at the state line. The Commission approved such arrangement.

The Commission had under discussion a letter from the Junction City Lions Club inquiring as to when the Commission plans to discuss further with the cities of Lane County the improvement of the Siuslaw Highway over the summit of the Coast Range, and suggesting that such meeting be held in Junction City. The Commission decided to hold such meeting in Junction City within the next couple of weeks, a definite date to be set later. (The Commission subsequently set Monday evening, November 20, 1939, as the date for such hearing and also decided to hold a special meeting in the office of the State Highway Engineer on Monday and Tuesday, November 20 and 21, for disposal of accumulated routine matters.)

A letter was presented from the City Planning Commission, Junction City, inquiring as to the attitude of the State Highway Commission with respect to the establishment of a business zone along the state highway route through Junction City. The Commission decided to discuss this matter with the City Planning Commission at the time of the hearing in Junction City.

Letters were presented from the Sisters Chamber of Commerce, Toledo Lions Club, Lebanon Lions Club, and the East Linn Ski Club, Lebanon, urging snow removal operations on the South Santiam Highway, particularly this winter, so as to permit travel over this highway during the winter season. The Commission considered it inadvisable to spend any money for snow removal on this road this year on account of the fact that the new grade has just been completed and no surfacing work has been placed thereon and it is unlikely that the road would be suitable for travel even if the snow were removed. Accordingly, the request was denied.

A resolution was presented from Shasta View Grange, Klamath Falls, requesting a thorough study of traffic lanes entering Klamath Falls, especially from the north and south, with a view either to diverting traffic to new lanes of travel or to increasing the width of the present highways to 4 lanes. The Engineer advised that such survey would be advisable, particularly in view of the conditions obtaining along South Sixth Street, the route of The Dalles-

California Highway, and recommended that authority be granted him to make a survey as requested by the Grange. The Commission approved the recommendation.

A letter was presented from the Harrisburg Chamber of Commerce requesting permission to plant trees along the state highway route through the town of Harrisburg, as a beautification project; also requesting assistance from the State Highway Commission in such undertaking. The Engineer advised that he had the Landscape Engineer investigate this matter and it is his recommendation that the permission requested be granted provided the trees to be planted are suitable shade trees selected by the State Highway Department. He also suggested that the Commission cooperate with the City of Harrisburg in this undertaking by donating to the cause 35 shade trees now stored in the Highway Department's nursery near Portland. After discussion the Commission approved the recommendation and referred the matter to the Engineer for further handling.

The Engineer reported on the condition of the Tiller-Trail Secondary Highway, in Douglas County, and suggested certain work to improve the same. The matter was discussed briefly by the Commission but action thereon was deferred until the special meeting of the Commission in about 2 weeks.

The Engineer reported that, in accordance with authority previously granted him by the Commission, he has ordered certain surveys since the last meeting. He submitted a list of such surveys and asked the Commission to approve them. After due consideration, the Commission by unanimous vote authorized and instructed the Engineer to make such surveys on various sections of the highways of this state, which said sections of highways, together with their identifying location survey numbers and the amounts authorized and allocated for such survey expenditures, are as follows:

Plans - - - -	2-2819 -	Mary's River Bridge-Airport Section, Pacific Highway West.	1st authorization - \$240.00
Plans - - - -	4-2829 -	Gearhart-Seaside Section, Oregon Coast Highway, Clatsop County	1st authorization - \$200.00
Right of Way -	4-2830 -	Warren-Hug Point Section, Oregon Coast Highway, Clatsop County.	1st authorization - \$25.00
Plans - - - -	209-2805 -	Butler Market Road Section, County Road, Deschutes County	2nd authorization - \$455.00
		Total to date \$1,075.00	
Plans - - - -	18-2834 -	Lapine-W. Forest Boundary Section, Fremont Highway, Klamath County	2nd authorization - \$500.00
		Total to date \$1,500.00	
Location - - -	116-2808 -	Madras-Cook County Line Section, Warm Springs Highway, Jefferson Co.	1st authorization - \$9,600.00
Test Pits - - -	17-2811 -	Sexton Mountain Section, Pacific Highway, Josephine County.	1st authorization - \$600.00
Right of Way -	18-2838 -	Olene-Dairy Section, Klamath Falls-Lakeview Highway, Klamath County.	1st authorization - \$350.00
Plans - - - -	18-2839 -	Dairy Overcrossing Section, Klamath Falls-Lakeview Highway, Klamath Co.	1st authorization - \$500.00

Plans - - - 20-2841 - Dexter-Dural Creek Section, Willanette Highway, Lane County. 1st authorization - \$300.00
 Plans - - - 20-2818 - Cottage Grove Section, Pacific Highway, Lane County 5th authorization - \$240.00
 Total to date \$3,000.00
 Right of Way - 21-2830 - Boyer-Rose Lodge Section, Salmon River Highway, Lincoln County. 2nd authorization - \$700.00
 Total to date \$1,700.00
 Right of Way - 21-3835 - Seal Rock Quarry, Oregon Coast Highway, Lincoln Co. 1st authorization - \$75.00
 Reconm. - - 23-2816 - Baker County Line-Ontario Section, Old Oregon Trail, Malheur County. 2nd authorization - \$1,000.00
 Total to date \$2,000.00
 Park - - - - 35-2810 - Painted Hills Section, County Road, Wheeler County 1st authorization - \$200.00

The Commission had under consideration the following requests for extensions of time within which to complete highway construction projects:

R. I. Stuart & Sons, contract No. 2007, for furnishing crushed rock in stock piles for the Diamond Lake Section of the West Diamond Lake Secondary Highway and the Crater Lake North Secondary Highway, in Douglas and Jackson Counties, requested an additional extension of time, from July 18 to August 26, 1939, within which to complete this project. They gave no reason for their failure to complete the project within the previously extended time limit. The Engineer advised that this contract was awarded on September 14, 1937, and that the date of completion specified in the contract was October 31, 1938. However, the contractor failed to complete the work within such period and the time limit was extended by the Commission to July 18, 1939, as it was thought the work would surely be completed by that time, but it was not completed until August 26, 1939. He further advised that he knows of no valid reason that can be given by the contractor for failure to complete the project within the time limit specified in the contract and accordingly recommended that the extension of time now requested be granted but that the contractor be required to reimburse the state for the extra engineering expense incurred subsequent to the specified date of completion. The Commission approved the recommendation unanimously.

Berke Bros., Inc., contract No. 2085, for grading, surfacing, and oiling the Coquille-Clausen Section of the Oregon Coast Highway, in Coos County, requested an extension of time to August 11, 1939, within which to complete this project. They attributed their failure to complete the project within the specified time limit to adverse weather conditions which did not permit the construction of the oiled surface, and also their inability to secure the proper kind of paint for painting the fog posts. The Engineer advised that

this contract was awarded June 15, 1938, and that the contractor started construction operations on June 21, 1938, and completed the grading and surfacing work December 1, 1938. He pointed out that the contract specified that the oiling work should not be started before June 1, 1939, and, as a matter of fact, due to bad weather conditions, such work was not started until June 26, but was completed on July 8 when all work in connection with the contract was finished with the exception of the installation of fog posts, which work was finished on August 11, 1939. It was his thought that the contractor should not be penalized for the 8 days' overtime that were required to complete the oiling work, in view of the fact that the delay was caused by conditions beyond his control. However, he should be charged with extra engineering expense incurred by the state subsequent to the completion of the oiling work, and he so recommended. A letter was presented from W. H. Lynch, District Engineer, Public Roads Administration, concurring therein. The Commission approved the recommendation unanimously.

A. C. Greenwood, Inc., Contract No. 2098, for grading the Arch Cape-Beach Creek Section of the Oregon Coast Highway, in Clatsop and Tillamook Counties, requested an extension of time from October 31, 1939, to August 15, 1940, within which to complete this project. They alleged it is impossible to move earth and wet material such as exists on this section, at this time of the year, and indications are that it will take about 60 working days to complete the job during the season when such materials can be moved at reasonable cost and to the best advantage of the job, which would set the time for such completion as August 15, 1940. The Engineer advised that the reasons given by the contractor for failure to complete the project within the specified time limit are substantially correct. He recommended, in view thereof, that the extension of time now requested be granted subject to the condition that the contractor be charged for the extra engineering expense incurred by the state in connection with this job subsequent to the specified date of completion, except that he should not be penalized for moving materials over and above the quantity specified in the contract. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation unanimously.

C. J. Montag & Sons, Contract No. 2128, for the construction of a bridge over the Umpqua River on the Pacific Highway, in Douglas County, requested an extension of time of 2 months, from September 4 to November 4, 1939, within which to complete this project. They attributed their failure to complete the project within the specified time limit to high water conditions in the Umpqua River which prevented the moving of the old bridge structure to a new location for use as a traffic detour pending completion of the new structure, until the high water had receded. The Engineer advised that the reason given by the contractor for failure to complete the project within the specified time limit is substantially correct. He also advised that the construction work on the bridge was far enough advanced to

permit the opening of the structure for traffic use on September 18, 1939, and that the bridge has been in constant use by the traveling public since that time. He recommended, in view of the circumstances, that the extension of time now requested be granted without penalty. The Commission approved the recommendation unanimously.

Fisher Bros., Contract No. 2164, for grading, surfacing, and oiling the Eagle Creek-Wade Corner Section of the Eagle Creek-Firwood County Road, in Clackamas County, requested an extension of time from September 30, 1939, to July 1, 1940, within which to complete this contract. They attributed their failure to complete the project within the specified time limit to inclement weather, which interfered with the oiling work. The Engineer advised that this contract was awarded April 6, 1939, and provided that the work should be completed by September 30, 1939, which was considered ample time. However, Fisher Bros. were working on another contract and did not start the production of crushed rock for the contract under discussion until September 11, too late to complete the oiling work this season. He further stated that if the contractor had started work reasonably soon after the award of the contract he could have completed the job within the specified time limit. He recommended, in view of the circumstances, that the extension of time now requested be granted subject to the condition that the contractor be charged for the extra engineering expense incurred by the state subsequent to the specified completion date. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation unanimously.

Rogers Construction Company, Contract No. 2173, for the grading, surfacing, and oiling of the Scotch Creek-Castor Ranch Section of the Hurricane Creek County Road, in Walla Walla County, requested an extension of time of 3 days, from September 15 to September 18, 1939, within which to complete this job. They attributed their failure to complete the project within the specified time limit to adverse weather conditions. The Engineer advised that the reason given by the contractor for overrun in time limit is correct and accordingly recommended that the extension of time requested be granted without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation unanimously.

Leonard & Slate, Contract No. 2181, for grading, surfacing, and oiling, and also construction of a bridge on the Service Creek-Mule Shoe Creek Section of the John Day Highway, in Wheeler County, requested an extension of time of 10 days, from August 31 to September 10, 1939, within which to complete this job. They attributed their failure to complete the project within the specified time limit to rainy weather, which did not permit the accomplishment of the oiling work required. The Engineer advised that the reason given by the contractor for failure to complete the project within the specified time limit is correct and recommended that the extension of time

requested be granted without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation unanimously.

J. F. Johnston, Contract No. 2183, for construction of a bridge over Sheep Creek, on the Santiam Highway, near Cascadia, in Linn County, requested an extension of time of 22 days, from August 31 to September 22, 1939, within which to complete this job. He attributed his failure to complete the project within the specified time limit to increased quantities of material to be moved and his inability to remove a slide from the bridge site on account of late rains and muddy conditions. The Engineer advised that the contract called for the removal of 7,000 cu. yds. of slide material but the contractor was actually required to remove more than 20,000 cu. yds. of such material, which accounted for the fact that the job was not completed within the specified time limit. He recommended, in view thereof, that the extension of time requested be granted without penalty. The Commission approved the recommendation unanimously.

S. S. Montague, Contract No. 2184, for grading, surfacing, and oiling the Read Creek-Wren Section of the Kings Valley Secondary Highway, in Benton County, requested an extension of time from September 30, 1939, to July 1, 1940, within which to complete this job. He attributed his failure to complete the project within the specified time limit to difficulties encountered in securing a suitable quarry. He advised that suitable rock from the quarry now being operated has been exhausted, and, while sufficient material has been obtained therefrom to provide a satisfactory roadway for the traveling public, it will be necessary to move the crushing plant to a new location in order to obtain rock to fulfill the contract. It was his thought that it would require 90 days' time during a period when weather conditions are favorable, or until about July 1, 1940, to complete the project. The Engineer gave as his thought that it would not be necessary for Mr. Montague to move his plant in order to obtain suitable materials to finish this job, but, due to the fact that it took all of the month of October to complete the surfacing, it will be necessary to defer the oiling work until suitable weather conditions prevail, next spring or summer. He further stated that this contract was awarded on May 26, 1939, with a specified date of completion of September 30, 1939, which, in his estimation, was sufficient time within which to complete the job if the work had been carried on in the proper manner. He recommended that the extension of time now requested be granted but that the contractor be charged with the extra engineering expense incurred by the state subsequent to the specified date of completion. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation unanimously.

Pacific Bridge Painting Company, Contract No. 2191, for painting the bridge over the Columbia River between Portland, Oregon, and Vancouver, Washington, on the Pacific Highway, requested an extension

of time of 6 days, from September 30 to October 6, 1939, within which to complete this job. They alleged that their failure to complete the project within the specified time limit was due to the fact that they were required to do extra painting work and could not work during the week ending September 30 because of rain. The Engineer advised that the reasons given by the contractor for failure to complete the project within the specified time limit are correct. He recommended, in view thereof, that the extension of time now requested be granted without penalty. The Commission approved the recommendation unanimously.

Newport Construction Company, Contract No. 2196, for grading, surfacing, and oiling the Provolt-Williams Section of the Williams Secondary Highway, in Josephine County, requested an extension of time of 15 days, from September 30 to October 15, 1939, within which to complete this job. They attributed their failure to complete the project within the specified time limit to failure of the power and telephone companies to remove their poles from the area to be graded, lack of right of way, and absence of engineering stakes. The Engineer advised that this contract was awarded on June 22, 1939, and that the contractor started construction operations on June 29, 1939, and from that date carried on the work in a vigorous manner without interruption. He also advised that the contractor was prevented from working at one end of the project because of fences and pole lines that had to be moved. Most of the work performed after the date of completion specified, he said, consisted of cleaning ditches and production of materials for stock piles. He recommended, in view thereof, that the extension of time now requested be granted without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation unanimously.

The Engineer reported that Contracts Nos. 2007, 2085, 2118, 2128, 2139, 2141, 2173, 2181, 2183, 2186, 2191, 2196, 2198, and 2199, for the construction of state highway projects, have been completed according to the requirements of the contracts or modifications thereof, and that said jobs are now ready for acceptance. The following resolution accepting the above projects was offered and was adopted by the unanimous vote of the Commission:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts and said jobs are now ready for acceptance:

Contract No. 2007, with R. I. Stuart & Sons, for furnishing crushed rock in stock piles on the Diamond Lake Section of the West Diamond Lake and Crater Lake North Secondary Highways, in Douglas and Jackson Counties. Completed August 26, 1939.

Contract No. 2085, with Berke Bros., Inc., for grading, surfacing, and oiling the Coquille-Clausen Section of the Oregon Coast Highway, in Coos County. Completed August 11, 1939.

Contract No. 2118, with Harold Blake, for grading the North Unit, Bear Canyon-State Line Section of the Pacific Highway, in Jackson County. Completed September 30, 1939.

Contract No. 2128, with C. J. Montag & Sons, for construction of bridge and approaches on the Umpqua River Bridge Section of the Pacific Highway, in Douglas County. Completed October 21, 1939.

Contract No. 2139, with Harold Blake, for grading and culvert construction on the South Unit, Bear Canyon-State Line Section of the Pacific Highway, in Jackson County. Completed September 30, 1939.

Contract No. 2141, with J. C. Compton and Rogers Construction Company, for grading, surfacing, and oiling, also furnishing crushed rock in stock piles, on the Devils Garden-Quartz Mountain Section of the Klamath Falls-Lakeview Highway, in Klamath and Lake Counties. Completed September 1, 1939.

Contract No. 2173, with Rogers Construction Company, for grading, surfacing, and oiling, also furnishing crushed rock in stock piles, on the Scotch Creek-Castor Ranch Section of the Hurricane Creek County Road, in Wallowa County. Completed September 18, 1939.

Contract No. 2181, with Leonard & Slate, for grading, surfacing, and oiling, also construction of concrete bridge on the Service Creek-Mule Shoe Creek Section of the John Day Highway, in Wheeler County. Completed September 7, 1939.

Contract No. 2183, with J. F. Johnston, for construction of log span with trestle approach on the Lamb Creek-Sheep Ridge Section of the Santiam Highway, in Linn County. Completed September 22, 1939.

Contract No. 2186, with Edlefsen-Weygandt Company, for construction of three bridges and one culvert and extensions to seven culverts on the Dean Creek-Prairie City Section of the John Day Highway, in Grant County. Completed October 30, 1939.

Contract No. 2191, with Pacific Bridge Painting Company, for cleaning and repainting structural steel on the Interstate Bridge over the Columbia River between Portland, Oregon, and Vancouver, Washington. Completed October 6, 1939.

Contract No. 2196, with Newport Construction Company, for grading, surfacing, and oiling, also furnishing crushed gravel in stock piles, on the Provolt-Williams Section of the Williams Secondary Highway, in Josephine County. Completed October 5, 1939.

Contract No. 2198, with Warren Northwest, Inc., for grading, paving, and pavement widening and resurfacing on the Salem-Middle Grove Section of the Pacific Highway East and Silverton County Road, in Marion County. Completed September 26, 1939.

Contract No. 2199, with Warren Northwest, Inc., for grading, paving, and pavement widening and resurfacing on the Wheatland Junction-Salem Section of the North River Road, in Marion County. Completed September 26, 1939.

THEREFORE, BE IT RESOLVED, that the work covered by said state highway contracts for the construction of said state highway projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

The Commission discussed the setting of a date for its regular meeting in January 1940, and decided to hold such meeting in Portland on Thursday and Friday, January 11 and 12. The Secretary was instructed to make the usual arrangements for the use of the auditorium of the Public Service Building for such meeting.

The Commission considered and signed agreements, et cetera, as follows:

Agreement with Western Union Telegraph Company providing for the use of Western Union poles in connection with operation of remote radio receiver at Salem.

Agreement with City of Nyssa covering revisions to municipally-owned water system at site of Nyssa overcrossing.

Supplemental agreement with O.W.R.R. & N. Company, Union Pacific Railroad Company, and Baker County, with reference to revised easement across railroad station grounds at Haines.

Agreement with the Pacific Telephone and Telegraph Company providing for the use of a telephone pole at Fairgrounds Road and Myrtle Avenue, Salem, in connection with the installation and maintenance of a traffic signal near this location.

Agreement with B. Mildenhall and wife, Canby, Oregon, with respect to the construction of an entrance driveway into the Mildenhall Service Station property at Canby.

Agreement with Mary Z. E. Conder providing for the elimination of a cattle pass at Mile Post 0.10 on the Little Nestucca Secondary Highway, in Tillamook County.

Agreement with McNutt Bros. disposing of their claim for extra compensation arising out of their contract No. 2126 for the construction of the Ochoco Dam-Marks Creek Section of the Ochoco Highway, in Crook County.

Agreement with Coos County providing for state cooperation to the extent of \$150.00 in acquiring right of way from J. P. Johnson on the Coquille-Clausen Section of the Oregon Coast Highway, in Coos County.

Agreement with C. J. Montag & Sons pertaining to their contract No. 2128 for the construction of a bridge over the Umpqua River on the Pacific Highway, near Roseburg, in Douglas County.

Agreement with the United States of America, Works Progress Administration, providing for the advancement of state funds to finance non-labor items in connection with the Wolf Creek Highway W.P.A. Project during the month of November, 1939.

Agreement with Mountain States Power Company covering construction and maintenance of a culvert across the power company's Santiam Canal on the South Unit of the Albany Section of the Pacific Highway East, in Linn County.

Agreement with John Hewitt covering maintenance of a logging road across the Salmon River timber reserve adjacent to the Salmon River Highway, in Tillamook County.

Bargain and Sale Deed conveying unto Tigard Methodist Episcopal Church two parcels of land in Washington County, one containing 20,000 sq.ft. and the other 0.017 acre, being Right of Way Transactions Nos. 7005, 7012, and 7013.

Bargain and Sale Deed conveying unto H. C. McGurdy 3.83 acres of land situate adjacent to the Hood River Secondary Highway, in Hood River County, being Right of Way Transaction No. 3462.

Bargain and Sale Deed conveying unto C. H. Pfaffle and wife 0.012 acre of land situate in Washington County, being Right of Way Transactions Nos. 6940 and 6999.

Bargain and Sale Deed conveying unto Max Brown and Inez Brown, husband and wife, 0.05 acre of land situate in Lot 17 of Section 5, T. 11 S., R. 3 W., W. M., Waverly Fruit Farms, in Linn County.

Easement agreement with Eugene Thorndike, et al, parties of the second part, providing for a detour road over property of the

parties of the second part during construction of the Eagle Point-Trail Section of the Crater Lake Highway, in Jackson County, Right of Way Transaction No. 7228.

Easement agreement with Jesse Glen White and wife, parties of the second part, providing for a detour road across properties of the second part during construction of the Newberg-McMinnville Section of the Pacific Highway West, in Yamhill County, Right of Way Transaction No. 7125.

Bargain and Sale Deed conveying unto Henry Reese and Max and Charlotte Schlag Lots 8, 9, 10, and 11, Block 7, Bunker Hill Addition to Marshfield, being Right of Way Transaction No. 4773.

Bargain and Sale Deed conveying unto H. M. Featherstone and Pearl E. Featherstone 1.5 acres of land situate in the S.E. $\frac{1}{4}$ of Sec. 22, T 18 S., R. 45 E., W. M., Malheur County, being Right of Way Transaction No. 7234.

There being no further business to come before the Commission at this time, the meeting was adjourned at 5:15 o'clock p. m.

Thos. J. Lane
State Highway Engineer
W. W. Mealey
Secretary

Henry L. Cabell
Chairman
E. H. Hocking
Commissioner
Wm. M. Lloyd
Commissioner

Salem, Oregon, November 20, 1939

The State Highway Commission met in special session at 10:30 o'clock a. m. in the office of the State Highway Engineer, Room 325, State Office Building. Present were:

Henry F. Cabell, Chairman
E. B. Aldrich, Commissioner
Huron W. Clough, Commissioner
R. H. Baldock, State Highway Engineer
J. W. DeSouza, Assistant Attorney
H. B. Glaizer, Secretary

The Assistant Attorney reported on the status of the 1939 right of way budget. He advised that present indications are that the expenditures during this calendar year will be less than the amount of the budget by approximately \$50,000. The matter was discussed briefly but no action taken thereon.

The Assistant Attorney requested authority to acquire certain parcels of real property that are needed for various highway improvements throughout the state. He submitted a list of such properties, together with the prices that he recommended be paid for each. After careful consideration the Commission approved the request and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth, and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon, and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Portland-Gresham Section - Mt. Hood Highway</u> 7468-Multnomah County	R/W	0.45	Gratis	McCullough
<u>Clackamas County - Mt. Hood Highway</u> U. S. Government	Park	120.0	Annual rental \$75.60 as required by lease from Government	Boardman
<u>Josephine County - Redwood Highway</u> U. S. Government	Park	70.0	Annual rental \$6.88 as required by lease from Government	"
<u>Lane County - Siuslaw Highway</u> U. S. Government	Park	206.0	Annual rental \$220.20 as required by lease from Government	"
<u>Douglas County - Umpqua Highway</u> U. S. Government	Park	200.0	Annual rental \$187.25 as required by lease from Government	"
<u>Marion County - Silver Creek Falls Park</u> U. S. Government	Park	200.0	Annual rental \$35 as required by lease from Government	"
<u>Jackson County - Crater Lake Highway</u> U. S. Government	Park	320.0	Annual rental \$166.98 as required by lease from Government	"
<u>Tigard Section - Pacific Highway West</u> 6982-Johnson, Emil A. (Correction)	R/W	1.18	\$1,000 per a. plus \$1475.00	Collins
6955-Meyer, Virgil H.	"	922 sq.ft.	46 sq.ft. plus \$963.12	"
7152-David, Ida E.	"	446 sq.ft.	to be exchanged for 1680 sq.ft. owned by the state	"
<u>Newberg-McMinnville Section - Pacific Highway West</u> 7113-Cutting, Wm. H.	R/W	5980 sq.ft.	\$162.50 Lump Sum	Benson
<u>Nest Salem Section - Salem-Dallas Highway</u> 7520-Dobson, Hiram O.	Stock Pile	0.69	10 months' lease \$20	Eason
<u>Newport Section - Oregon Coast Highway</u> 4437-Lamb, Louise K. and Laura Hood (Supplemental Report)	R/W		Partial release of Mortgage - \$100	DeSouza
<u>Albany Section - Pacific Highway East</u> 5719-McMickle, W. W.	Slope Easement	132 sq.ft.	Gratis	Gardiner
5842-Reaser, Walter M.	R/W	660 sq.ft.	\$0.05 sq.ft. plus \$416.70	"

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Cottage Grove Section - Pacific Highway</u>				
5654-Beilder, Chas. A. and Roy E. Short	R/W	89.75 sq.ft.	\$1500 Lump Sum	Benson
5693-First Free Methodist Church, Cottage Grove	"	7065 sq.ft.	\$4200 Lump Sum	"
5689-Garoutte, G. Frank (Correction)	"	4174 sq.ft.	5¢ sq.ft. plus \$1305.50	"
5638-Weeldreyer, H. H.	Cancellation of lease on property acquired for R/W purposes		\$75.00	"
<u>Grants Pass-Green Creek Section - Pacific Highway</u>				
7513-Shields, H. Don	R/W	2200 sq.ft.	2¢ sq.ft. plus \$10.00	McCallister
7289-McConnell, S. A. (H. A. Abbott)	"	1008 sq.ft.	2¢ sq. ft.	"
7185-Berger, Fred W. and H. A. Guertler (Correction)	"	11,321 sq.ft.	5¢ sq.ft. plus \$50, plus moving bldgs., low bid \$250.00	"
7091-A. Drolette, J. A. (Correction)	"	15,496 sq.ft.	11¢ sq.ft., plus \$195.44, plus moving bldgs., low bid \$675.00	"
7174-Guertler, H. A. (Correction)	"	8570 sq.ft.	5¢ sq.ft., plus \$71.50 plus moving buildings (low bid \$820.00)	"
7291-Darrow, B. F.	"	1.236	\$4.35 per a., plus \$100, plus moving bldg., low bid \$845.00	"
7066-Young, Richard T. (Supplemental)	"	Additional trees and shrubbery taken and not included in previous option \$25.00		"
<u>Reedsport Section - Umpqua Highway</u>				
3022-Reedsport, City of	R/W	40 sq.ft.	Gratis	Gardiner
<u>Weston-Elgin Section - Weston-Elgin Highway</u>				
7512-Vancil, Ivan	Stock Pile	2.48	\$20 per a., plus fencing	Williams
<u>Drews Valley Section - Klamath Falls-Lakeview Highway</u>				
6025-Spencer, Frank	R/W	1.01	\$25 Lump Sum	DeSouza

The Commission discussed matters pertaining to the acquisition of right of way needed for the reconstruction of the Pacific Highway through the town of Cottage Grove, particularly the proposed settlements with J. H. Chambers, right of way transaction No. 5701, and with A. W. Helliwell and P. E. Nelson, right of way transaction No. 5694, which settlements were referred by the Commission at its last meeting to Commissioner Clough for investigation. Commissioner Clough reported that he has investigated these properties and is inclined to believe that the proposed settlements are satisfactory whereupon

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the Commission voted unanimously to acquire the properties on the basis of the settlements previously reported.

The Engineer read aloud a letter from the Commission's Attorney, Mr. J. M. Devers, with respect to the right of way situation in Cottage Grove wherein the Attorney points out that at least one of the properties will have to be acquired by condemnation, being the Frank and Mary Heck property, right of way transaction No. 5697, involving a camp site, garage, store building, and service station. Possession of the property, he said, cannot be obtained until after condemnation action has been tried and since the circuit court does not meet for jury cases every month it is not likely that the case could be tried before May or June of next year. The Engineer advised that plans were to call for bids for the Cottage Grove project at the December meeting of the Commission but in view of the information received from the Attorney he now suggests that the project be deferred until the right of way matter has been satisfactorily disposed of. The Commission concurred in the Engineer's viewpoint and so ordered. The Secretary was instructed to inform the Cottage Grove City Council of the action taken and the reasons for the same.

The Commission thereupon authorized the Attorney to proceed with condemnation of the Frank Heck property on the basis of his previous offer of \$13,000, representing the cost of the property exclusive of the buildings located thereon but including the cost of moving such buildings. He was authorized to offer Mr. Heck an additional amount in the event it is necessary to acquire title to the buildings along with the land.

In this connection the Engineer suggested the following procedure for the handling of matters pertaining to proposed highway construction so as to avoid unnecessary delays, not only with respect to right of way but also with respect to the working up of plans. He recommended, when the Commission adopts a tentative construction program, that authority be granted to him to work up the plans for the projects listed therein and that the Attorney be authorized to secure options for the right of way, particularly such right of way as lies within the corporate limits of cities and towns. It was his thought that such procedure would not entail any greater expense than the procedure now followed and would greatly facilitate the contracting of the work involved. After discussion the Commission by unanimous vote adopted the procedure recommended by the Engineer as its policy to be followed hereafter with respect to such matters.

The Commission had under discussion matters pertaining to the acquisition of timber on Larch Mountain, Multnomah County. The Engineer advised that this timber is owned by the Crown-Zellerbach Corporation which plans to market it in the near future and that the company proposes to transport the timber to market over the road that was recently constructed from the Columbia River Highway to Larch Mountain. He pointed out that Larch Mountain is the source of water that supplies several of the waterfalls along the Columbia River Highway and advised that if the timber is cut it will greatly affect these waterfalls which are important scenic attractions. This matter, he said, has been brought to his attention by people who are particularly interested in preserving the scenic beauty of the Columbia River Highway and who have

suggested that the state acquire this timber for state park purposes in order to preserve it. He also pointed out that this timber is located in an area that is surrounded by a national forest and that when the matter of acquiring Benson Park from the City of Portland was under discussion it was agreed that the United States Forest Service would take title to that portion of the park south of the Oregon Washington Railroad and Navigation tracks and that the State of Oregon would take title to the portion between the railroad and the Columbia River and it was his thought, in line with such agreement, that the Larch Mountain property should be included in the national forest area so that it could be controlled by the United States Forest Service along with its property.

Chairman Cabell advised that he has conferred with the District Forester, Mr. Sherrard, concerning this matter and that the Forest Service is now working on a proposition for an exchange of timber which, if it works out satisfactorily, will solve the problem. He also mentioned that there is a possibility of the forest service acquiring the timber by purchase using federal funds that have been provided for purposes of this kind. This matter was discussed at some length and, while it was agreed by all that it would be very much adverse to the best interests of the Columbia River Highway if the timber were cut, there appears to be nothing that the State Highway Commission can do about the matter at the present time.

The Assistant Attorney requested instructions relative to the settlement with the Erickson Dairy Products Company, St. Helens, for right of way needed for the improvement of the Lower Columbia River Highway near St. Helens. It appears that the value set on this property by the Right of Way Department was \$1,200 but such value was lowered to \$775 when certain changes in the original plan were effected which reduced the width of the land needed from the company. However, the company apparently had a change of heart and is now demanding the sum of \$5,000 notwithstanding that the state has fulfilled its obligation with respect to the other matters. He advised that Mr. Erickson has taken a very determined stand and absolutely will not settle for less than \$5,000. In view of the circumstances and it appearing to the Commission that an agreeable settlement cannot be reached with Mr. Erickson without taking the matter to court, the Attorney was instructed to condemn the property.

The Assistant Attorney reported a communication from Louis E. Schmitt, Attorney, Portland, in regard to the John Jordan property situate adjacent to McLoughlin Boulevard in Lot 7, Riverside Homestead Addition, advising that Mr. Jordan has spent nearly \$100 to improve his property outside of the highway right of way limits and in view thereof refuses to sell this property to the state on the basis of the state's offer of 10¢ per square foot. It was the thought of the Commission that, if Mr. Jordan actually spent \$100 to improve his lot as alleged, as a matter of good faith he should be reimbursed therefor in the event that the state is able to purchase the property from him. Accordingly, the Commission ordered an investigation of the work actually performed by Mr. Jordan to ascertain whether or not the said \$100 is a reasonable amount to allow him therefor or whether the offer previously made should be increased by a lesser amount. The Attorney was authorized to renew his previous offer to Mr. Jordan plus an additional amount to be determined by such investigation.

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The Commission had under discussion the adoption of a policy with respect to the maximum amount of state funds that it would expend for acquisition of right of way for state highway improvements within the corporate limits of cities and towns with particular reference to right of way needed for the proposed Front Street project in Portland. After a lengthy discussion of this matter the Commission voted unanimously to pay for right of way needed for any project in this class an amount equal to 40 per cent of the construction cost of such project. Chairman Cabell was authorized to convey this information to the Portland City Council for its information in providing funds to finance the city's share of the cost of right of way for the Front Street project. He was also authorized to prepare a statement for the newspapers of the action taken by the Commission in this matter.

The Commission adjourned at 12:40 o'clock p. m. and reconvened at 2:20 o'clock p. m. in the same room with the same persons present and participating. Also present were W. H. Lynch, District Engineer, and T. M. Davis, Senior Highway Engineer, representing the United States Public Roads Administration, and Ray Conway, Manager of the Oregon State Motor Association.

Mr. Roger Mything, District Manager, Oregon Culvert and Pipe Company, Portland, came before the Commission at this time in regard to the use of wooden stave pipe in connection with highway construction work. Mr. Mything voiced objections, in behalf of the manufacturers of metal and concrete pipe, to the Commission permitting the manufacturers of wooden stave pipe to compete with the manufacturers of metal and concrete pipe on highway work. He declared that the manufacturers of metal and concrete culvert pipe cannot stand the extra competition and some of them will no doubt have to go out of business if the Commission decides to accept alternate bids on the three types. He suggested in the event the Commission feels that a test should be made of wood stave pipe that it be limited to not more than five per cent of the total annual pipe requirements of the State Highway Department. The Commission took the matter under advisement. (This matter was reconsidered by the Commission on the following day. See minute entry ahead.)

The Commission had under discussion matters pertaining to the erection of signs along state highway rights of way pointing out and describing important historical locations. Mr. Conway expressed himself as being heartily in favor of the maintenance of such signs and volunteered, in behalf of the State Motor Association, to prepare a booklet bearing full information in regard to each site for the benefit of tourists and others interested. After considerable discussion the Commission decided unanimously to erect such historical signs or markers and referred the entire matter to the Engineer to work out the details.

The Commission had under consideration the adoption of a federal aid secondary highway system. The Engineer presented a list of highways that are eligible for such system from which the Commission selected the following roads which represent approximately 25 per cent of the mileage authorized by the Federal Government for the State of Oregon, it being understood that the Engineer has authority to add additional roads to this system in the event that the mileage represented by this selection is less than 25 per cent of that allowed:

County	Road or Highway	Section	Length in miles
Baker	Baker-Homestead	Baker to Halfway	63.8
Benton	Kings Valley Secondary	Wren to Polk-Benton Co. line	10.3
"	Albany-Independence County Road	North Albany to Polk-Benton County line	7.4
Clackamas	Woodburn-Sandy Secondary	Marion Co. line to Eagle Creek	37.6
"	Boring County Road	Cascade Secondary Highway to Mt. Hood Highway	12.8
"	Carver-Redlands Store County Road	Boring County Road to Red- lands Store	4.9
"	Eagle Creek Grange Hall- Firwood County Road	Woodburn-Sandy Secondary Hwy. to Mt. Hood Highway	9.8
"	Bluff County Road	Multnomah Co. line to Sandy	6.4
"	Cottrell County Road	Bluff Road to Cottrell	0.3
"	Oswego-Wilsonville Co. Rd.	Maple Heights to Wilsonville	6.5
"	Oregon City-Wilsonville Co. Rd.	Maple Heights to West Linn	6.0
Clatsop	Fort Stevens County Road	Warrenton to Fort Stevens	3.2
"	Nehalem Secondary	Astoria to Columbia Co. line	37.9
Columbia	Mist-Clatskanie Secondary	Clatskanie to Mist	12.0
"	Nehalem Secondary	Clatsop County line to Wash- ington County line	30.1
"	Upper Nehalem County Road	Treharne to Washington Co. line	7.0
Coos	Cape Arago Secondary	North Bend to Cape Arago	14.6
"	Coos River Secondary	Allegany to Bunker Hill	13.7
Crook	Warm Springs Secondary	Jefferson County line to Prineville	10.7
"	Powell Butte Secondary and Alfalfa County Road	Ochoco Hwy. to point $1\frac{1}{2}$ miles north of Deschutes Co. line	7.7
Curry	Cape Blanco Secondary	Oregon Coast Highway to Cape Blanco	5.8
Deschutes	Butler County Road	Bend to Powell Butte Sec. Hwy.	6.3
"	Alfalfa County Road and Powell Butte Secondary	Central Oregon Highway to Alfalfa	10.4
Douglas	North Umpqua County Road	Roseburg to Rock Creek	24.3
Gilliam	Wasco-Heppner Secondary	Condon-Morrow County line	20.2
Grant	Kimberly-Monument-Long Creek Secondary	Kimberly-Long Creek	35.5
Harney	Frenchglen Secondary	Burns to Narrows	24.8

County	Road or Highway	Section	Length in miles
Hood River	Hood River Secondary	Hood River to Parkdale	18.4
Jackson	Little Butte Secondary	Eagle Point to Forest Bdry.	20.2
"	Butte Falls County Road	Crater Lake Highway to Forest Boundary	20.4
Jefferson	Warm Springs Secondary	Madras to Crook County line	19.4
Josephine	Williams Secondary	Grants Pass to Williams	23.4
Klamath	Klamath Falls-Lakeview	Klamath Falls Junction to Lake County line	58.0
"	Malin-Bonanza County Road	Bonanza to Malin	14.6
"	Lorenz Mill-Bonanza Co. Rd.	Klamath Falls-Lakeview Highway to Bonanza	7.8
"	Whitney Bridge County Road	The Dalles-California Highway to California St. line	1.8
Lake	Klamath Falls-Lakeview	Klamath Co. line to Lakeview	34.2
Lane	Route "F"	Richardson to Eugene	33.4
Lincoln	Siletz Secondary	Kernville to Toledo	32.7
Linn	Halsey-Sweet Home Secondary	Sweet Home to Halsey	21.6
"	Albany-Lyons Secondary	Santiam Highway to Scio	10.1
"	Corvallis-Harrisburg Co. Rd.	Harrisburg to Corvallis	21.7
Malheur	I.O.N. Secondary and Hooker Creek-Jordan Valley Sec.	Idaho State line to Jordan Valley	21.7
"	Lytle Blvd. County Road	Vale to Owyhee	18.5
Marion	Woodburn-Sandy Secondary	Pacific Highway to Clackamas County line	2.7
"	Halls Ferry County Road	Independence to Salem	10.7
"	Silverton County Road	Salem to Silverton	12.4
"	West Woodburn-Salem Co. Road	Salem to West Woodburn	16.6
Morrow	Wasco-Heppner Secondary	Gilliam Co. line to Heppner	24.8
Multnomah	Barnes County Road and Sky Line County Road	Washington Street to Rock Creek Road	14.9
"	Thompson County Road and Cornell County Road	Burnside Street to Washington County line	7.1
"	Section Line County Road	Troutdale Road to Lusted Road	4.3
"	Troutdale-Boring County Road	Troutdale to Section Line Road	3.4
"	Cottrell County Road	Lusted Road to Clackamas County Line	1.0
"	Lusted County Road	Cottrell Road to Section Line Road	0.2

County	Road or Highway	Section	Length in miles
Polk	Sheridan-Lincoln County Road	Yamhill Co. line to Bethel	11.9
"	Salem-Dayton Secondary	Yamhill Co. line to West Salem	9.7
"	Dallas-Kings Valley Secondary	Dallas to Lewisville	10.6
"	Falls City County Road	Falls City to Fern Corner	4.6
"	Kings Valley Secondary	Benton County line to Pacific Highway West	15.7
"	Albany-Independence Co. Road	Independence to Benton County line	10.6
Sherman	Fulton Canyon Secondary and Wasco-Fulton Canyon Co. Rd.	Fulton Canyon to Wasco	11.4
"	Moro-Hay Canyon County Road	Moro-Cottonwood Canyon	7.7
Tillamook	North Fork Nehalem-Nehalem County Road	North Fork-Nehalem	5.1
"	Netarts County Road	Netarts-Tillamook	7.6
"	Sallie Smith Bridge Co. Road	Wilson River to Fairgrounds	3.4
"	Fairview-Trask River Co. Rd.	Fairview-Clemens Corner	3.3
Umatilla	Hermiston Secondary	Hermiston to Lexington-Echo Secondary Highway	10.5
"	Hermiston Secondary	Hermiston to Cold Springs	7.1
"	Weston-Elgin Secondary	Weston to Umatilla Forest Bdry.	17.7
Union	Cove Secondary	Island City to Union	22.2
"	Medical Springs Secondary	Union to Medical Springs	22.6
"	North Powder River Co. Road	North Powder River to North Powder	4.7
Wallowa	Enterprise-Lewiston	Wallowa Forest Boundary to Enterprise	13.7
"	Hurricane Creek County Road	Enterprise to Joseph	7.5
Wasco	Chenoweth Creek-Mosier Creek County Road	Mosier to The Dalles	18.5
"	Lower Fifteen Mile Co. Rd.	Petersburg to Columbia School	11.1
"	Shaniko-Fossil Secondary	Shaniko to Clarno	23.6
Washington	Forest Grove-Vernonia Co. Rd.	Columbia County line to Sunset Camp	2.8
"	Nehalem Secondary	Columbia Co. line to Buxton	7.9
"	Nehalem Secondary	Davies to Forest Grove	9.3
"	Gales Creek County Road	Balm Grove to Forest Grove	9.0
"	Hillsboro-Cornelius Pass County Road	Hillsboro to Washington County line	10.0
"	Hillsboro-Silverton Secondary	Hillsboro to Yamhill Co. line	15.2
Wheeler	Shaniko-Fossil Secondary	Clarno to Fossil	20.3
"	Kinsua County Road	Butte Creek School to Kinsua	6.5

County	Road or Highway	Section	Length in miles
Yamhill	Sheridan-Lincoln County Road	Sheridan to Polk County line	3.7
"	Yamhill-Newberg Secondary	Newberg to Yamhill	11.6
"	Hillsboro-Silverton Secondary	Washington Co. line to Newberg	5.3
"	Hillsboro-Silverton Secondary	Newberg to Marion County line	1.3
"	Salem-Dayton Secondary	Dayton to Polk County line	10.6
TOTAL . . .			1,280.3

The Commission also discussed the matter of financing the construction of the Illinois River Bridge on the Illinois Valley county road, in Josephine County, bids for which were taken by the Commission on June 22, 1939, the award of the contract having been deferred at that time because the federal authorities would not approve the work as a federal aid secondary highway project. In the discussion of this matter it was pointed out that there remains unexpended of the 1935 federal allotment of national recovery funds that must be expended on feeder roads an amount of \$5,800 that might be used to help defray the cost of this bridge construction. Such funds it was explained were provided to finance construction of feeder roads entirely off the state highway system and do not have to be matched with other funds whereas the Federal Government requires the matching of federal aid secondary highway funds with which it was originally proposed to finance the construction of this bridge. The Engineer suggested, in order to provide the remaining funds needed for this bridge work, the transfer of the required amount from some other project in the same class, substituting therefor an equal amount of state funds which would avoid the necessity of using state funds to finance this work which is not on a state highway. The Commission approved the suggestion unanimously and authorized the Engineer to make the necessary transfer and to present the plan to the Public Roads Administration for its approval. He was also authorized to call into conference contractor J. F. Johnston, who submitted the low bid for this work, and ascertain whether or not he is willing to accept the award of this contract at this late date. In the event that the contractor is willing to abide by his original offer, submitted on June 22, 1939, and the Public Roads Administration approves the method of financing the work, then the Engineer is authorized to award the contract to Mr. Johnston.

The Commission had under discussion the selection of projects to be recommended to the Public Roads Administration and the United States Forest Service for the 1941 Forest Highway Program. The Engineer presented a list of projects eligible for such program from which the Commission by unanimous vote tentatively selected the following as those to be recommended to the government officials when the joint meeting is held for the allocating of 1941 forest highway funds:

TENTATIVE 1941 FOREST HIGHWAY ALLOCATIONS

Highway	Section	Type of Work	Amount
Willamette	Oakridge-Tunnel	Oiling	\$ 70,000
Pendleton-John Day	Fox Valley	"	50,000
Tiller-Trail		Grade, Surf. & Oil	75,000
Santiam	Sheep Ridge-Tombstone	Surface and Oil	100,000

(continued)

1941 Forest Highway Program (continued)

<u>Highway</u>	<u>Section</u>	<u>Type of Work</u>	<u>Amount</u>
North Santiam	Niagara-Detroit	Grading	\$ 100,000
Klamath Falls-Lakeview	Quartz Mountain	Grade, Surf. & Oil	75,000
John Day-Burns	Canyon City-Bear Valley	Surface and Oil	75,000
Flora-Enterprise	To Washington Line	Grading	60,000
Cascade Lakes	Bend-Elk Lake	Grade and Surface	50,000
Timberline		Grade, Surf. & Oil	100,000
John Day	Prairie City-East	Grade, Surf. & Oil	75,000
Warm Springs	Forest Reserve Section	Grading	75,000
			<hr/>
			\$ 905,000
Location Surveys			50,000
Maintenance			45,000
			<hr/>
			\$ 1,000,000

Matters pertaining to the acquisition of right of way needed in connection with the proposed railroad grade separation project in Nyssa had the attention of the Commission. Mr. C. W. Parker, Right of Way Agent, reported results of negotiations with property owners affected by this proposed improvement. The following settlements effected by him were approved by the Commission by unanimous vote:

Nora Williams: property damages allowed in the amount of \$4,000 by reason of cutting off access to her property from Main Street. Dick Tensen: property damages allowed in the amount of \$4,000 on account of access from Main Street being entirely cut off. Bettie Lafrenz: property damages allowed in the amount of \$2,000 because access from Main Street is entirely cut off. Fletcher Oil Company: purchase approved for the sum of \$5,000. Privately-owned property in the Emison Addition: Mr. Parker advised that several homes are being maintained in this addition and that the only access thereto is by a single roadway which will be closed by reason of the highway improvement and that these properties will either have to be purchased outright or another roadway provided for the owners and if such other roadway is provided it will necessitate these people crossing the railroad grade which is undesirable. The Amalgamated Sugar Company, he said, which owns the bulk of the property in this area, will benefit greatly and its property will be much enhanced by the addition to its holdings of the other privately-owned property, and the Union Pacific Railroad Company would be greatly benefited if the road to serve these few homes were not built across its tracks at grade and it was his thought, in view of such benefits, that the Sugar Company and the Railroad Company should be willing to assume the expense of acquiring the residence properties. This matter was discussed at considerable length and was referred by the Commission to Chairman Cabell and the Attorney to confer with the railroad company officials relative thereto, it being understood that not any of the options shall be closed until authorized by the Commission.

The Commission had under discussion the complaint of St. Pauls Episcopal Church, Oregon City, with respect to the plans for the construction of a concrete viaduct on Water Street (Pacific Highway East) in Oregon City,

opposite the church property described as Lots 7 and 8 of Block 7, Oregon City. It appears that plans for the viaduct include the construction of hand-rail along the easterly side of the roadway which will prevent access to the church property from the highway and it is alleged by the church people that their property will be greatly lessened in value thereby, and that they will suffer damages in the amount of \$5,000 but they will waive their right of access to the highway if the state will pay them such sum. This matter was discussed at considerable length and the conclusion reached that there are no circumstances nor conditions which would justify the Commission in making an expenditure from state highway funds in the amount of \$5,000 as compensation for loss of access to the highway. The Commission took the viewpoint that inasmuch as the street has been constructed, has been in use for many years without access thereto from the church property, and the present plan of construction will not introduce any new factors into the situation, compensation for damages at this time is not in order. Furthermore, the Commission would not have legal authority to expend state highway funds for the purpose if no legal obligation is involved, hence, if the church people desire access to the highway from their property, the cost of constructing such physical connection must be borne by them.

As an alternative the Engineer suggested a revision in the plans for this structure to include brackets so that if at any time in the future the church people desire to make a physical connection to the highway from their property the handrail could be removed provided the adjoining property owners would pay the cost of the removal of the same and would likewise bear all the expense of making the connection. If, on the other hand, it is desired to make the physical connection at the same time that the viaduct is constructed, then the Commission will eliminate from the plans provision for a section of the handrail as may be necessary and under such conditions the Commission will contribute to the cost of making the connection to the church property such amount as it will save by reason of the elimination of the handrail from its contract, it being understood of course that the connection must be constructed in accordance with the plans approved by the State Highway Engineer and must conform to the inspection requirements during construction. It was the thought of the Commission that the plan suggested by the Engineer is logical and fair whereupon it was approved by the Commission by unanimous vote. The Attorney was instructed to convey the information to Reverend A. J. Mockford, Church Rector, Oregon City.

The Commission adjourned at 5:00 o'clock p. m., to reconvene at 9:30 o'clock on the following morning in the same room, and immediately motored to Junction City to conduct a previously scheduled public hearing with respect to the improvement of the Siuslaw Highway.

W. H. McCreary
State Highway Engineer

W. H. McCreary
Secretary

Henry F. Cabell
Chairman

Stearns
Commissioner

Wm. McCreary
Commissioner

Junction City, Oregon, November 20, 1939

The State Highway Commission and party were guests of the Junction City Lions Club at a 6:30 o'clock dinner in the parlor of the First Christian Church, following which the Commission discussed with the members of the Lions Club and others present matters pertaining to the proposed improvement of the Siuslaw Highway over the summit of the Coast Range Mountains. Mr. W. D. Thrall, President of the Lions Club, presided. State Highway Department officials present were:

Henry F. Cabell, Chairman
Huron W. Clough, Commissioner
R. H. Baldock, State Highway Engineer
H. G. Smith, Construction Engineer
K. D. Lytle, Division Engineer
H. B. Glaisyer, Secretary

Approximately fifty persons were present among whom were the members of the County Court of Lane County consisting of County Judge Clinton Hurd and County Commissioners C. M. Young and W. J. Holland; County Engineer P. M. Morse; members of the City Council of Junction City consisting of Charles R. Nelson, Mayor, I. M. Peterson, Recorder and City Attorney, Henry Hansen, City Treasurer, and C. B. Washburne, Councilman; members of the City Planning Commission of Junction City, Mr. Kennedy, Chairman; and Earl Hill, State Representative.

Mr. Thrall called the meeting to order and, after a few opening remarks, inquired as to whether or not the Commission has as yet made its decision with respect to the improvement of the Siuslaw Highway.

Chairman Cabell gave detailed information in regard to the funds available to the State Highway Commission and outlined the formula used by the Commission in distributing these funds to the five districts of the state. He also explained how the Commission selects the projects in each district, pointing out that such lists of projects consist of those which the Commission feels will do the most good for the greatest number of people, are especially needed projects, will provide the greatest amount of convenience to the public, or will reduce maintenance cost to the greatest extent. He added that there are economic advantages from the traffic standpoint such as saving in time, the value of time saved, the savings that accrue by reason of reduced driving costs, et cetera. He advised that the Siuslaw Highway is situated in the third highway division of the state in which division are located numerous other projects such as the Pacific Highway, the Oregon Coast Highway, the Willamette Highway, the McKenzie Highway, the Coos Bay-Roseburg Highway, the Umpqua Highway, and the Green Springs Highway, all of which are costly and are considered by the State Highway Commission to have priority rights over the Siuslaw Highway, particularly in view of the fact that there is under consideration another route between Eugene and the Coast which is known as Route F.

To rebuild the Siuslaw Highway to modern standards over the summit of the Coast Range, he said, is also a costly proposition and is a very dif-

ficult one for the Commission to handle in view of the limited amount of funds available to the Commission and the other projects that are already under way. Further, if the Commission should rebuild this short section, it would render obsolete the adjoining sections which are now considered satisfactory. The cost to construct this short section, he said, is estimated between \$300,000 and \$400,000 which is a large sum of money and raises a question in the minds of the Commission as to whether or not its expenditure is justified in view of the agitation for Route F. The Commission is not financially able to construct both routes and feels that it should not approve an expenditure of a large sum of money for the improvement of the Siuslaw Highway at the summit and commit future Highway Commissions to extend such improvements. The Highway Commission does not question the desirability of this improvement, he said, and realizes that a bad condition exists for the transportation of logs because of excessive curvature which introduces an undue hazard to other traffic, and in order to alleviate this condition has instructed the Engineer to investigate the possibilities of improving the existing road somewhat by widening, et cetera, which the Commission thought could be done for considerable less cost or expense and would serve the purpose for the time being. He called upon the State Highway Engineer to explain this alternate plan.

The Engineer estimated that to construct a standard improvement on a six per cent grade, including a tunnel, would cost approximately \$350,000 whereas a partial improvement, consisting of widening the present road to 22-foot width and with a roadbed 30 feet wide and reducing the super-elevation of sharp curves, will cost not to exceed \$60,000. He expressed his belief that on the basis of economics such modified plan would provide to the users of this road a fair and reasonable degree of safety.

Commissioner Clough was then called upon by Mr. Thrall for a statement. He voiced his concurrence in the remarks made by Chairman Cabell and the Engineer and declared that the analysis given by these men is a true picture of the facts. He expressed sympathy with the loggers who are being inconvenienced by reason of the condition of the present road but pointed out that they are not alone in their predicament because the same problem exists in all of the timbered districts of the state. He gave as his understanding that it is the duty of the State Highway Commission to provide for the timber interests, in so far as funds will permit, the best means possible for the transportation of timber.

County Commissioner Holland stated that in his opinion there is no question of the need for the improvement of the Siuslaw Highway but he for one is willing to leave the problem up to the State Highway Commission.

County Commissioner Young expressed his pleasure that the State Highway Commission is willing to spend a reasonable amount of money to improve this road. He advised that he would be perfectly satisfied with any improvement the State Highway Commission sees fit to undertake.

County Judge Hurd questioned the advisability of spending money for partial improvement as outlined by the Engineer because in his estimation even with such improvement it would not be possible to transport long logs

and poles over the road without taking up the full width of the roadway. It was his understanding that the proposed improvement was for this particular purpose. He suggested that the entire project be deferred for two or three years and that it be constructed at that time on proper alignment and to proper standards, including a tunnel at the summit.

County Engineer Morse gave as his thought that the entire problem is one for the State Highway Commission to solve as best it can.

Mr. Julius P. Hult, timber owner, was called upon for remarks. He inquired as to whether or not the road would be any straighter after the modified improvement was completed and whether or not it would then be possible to transport piling over the road. He was informed by the Engineer that the road would not be any straighter but that the improvement would simply consist of widening which would make it possible to safely move equipment conforming to the statutory length of 50 feet including load. To reconstruct the entire road to a standard that would permit the transportation of long piling, he said, would cost approximately \$2,500,000. Mr. Hult then suggested the reconstruction of the summit section to permanent standards on a four-year continuing program and in reply thereto Chairman Cabell stated that the Commission could not commit itself to a program of that kind because it would simply mean that the improvement would have to be extended later and the Commission cares not to start a fine improvement at one place if it cannot see its way clear to extend it in the future. It was his thought that the modified plan described by the Engineer would help considerably although it would not permit the transportation of piling. The Commission wants to help the logging industry as much as it possibly can, he said, but feels that it should not spend a lot of money to permit the hauling of piling when there is a question whether or not the Commission has legal authority to authorize such movements.

Mayor Nelson stated that he appreciates that the State Highway Commission does not have funds to finance the reconstruction of the Siuslaw Highway as a super-highway, nevertheless he feels that this highway is of major importance as a route to the coast as is also Route F, which route, he said, he is not opposing. He pointed out that the timber along the Siuslaw Highway must be transported over this road and predicted that as time goes on general traffic over the Siuslaw Highway will greatly increase which will mean that the road will have to be improved in order to make it safe for travel. He urged the Commission to make some kind of an improvement but left it entirely up to the Commission to decide the extent thereof.

Mr. Angus Gibson concurred in the remarks of Mayor Nelson. He said that, while he prefers the realignment of the road so that piling could be transported over the same, he would be perfectly satisfied with a \$60,000 project as mentioned by the Engineer because he is satisfied that the Highway Commission would extend the improvement later.

Mr. Hill pointed out that the State Highway Commission has a big problem in road construction throughout the entire state and must be very careful in allocating its funds to the various districts so as to satisfy people and avoid criticism. He also pointed out that Lane County has five major road

problems, viz: reconstruction of the Pacific Highway, improvement of the McKenzie Highway, completion of the Willamette Highway, reconstruction of the Siuslaw Highway, and the building of Route F, and advised that the people of this county do not expect to secure all of these improvements at once but will be satisfied with a just portion of the funds. The people of Lane County who reside west of the Coast Range, he said, are perfectly willing to leave the matter up to the State Highway Commission as to where the funds shall be spent. As a matter of information he pointed out that there are two ways to market the timber along the Siuslaw Highway, one is to take the timber east to Junction City, as the bulk of it is going at the present time, and the other is to take it west. He thanked the Commission for its interest in the Siuslaw project and also for making the additional studies and report, which report he believed should be respected and taken as a matter of fact. He urged all of the people of Lane County to be reasonable and fair with the State Highway Commission in its disposition of this matter.

There followed a general discussion of this problem during which Mr. Gibson inquired as to when the Commission proposes to undertake this improvement. He was informed by the Engineer that it is a summer job and that the work would probably start next spring and would be finished during that working season. Chairman Cabell stated that present indications are that the Commission will do the work next year.

Motion was then made by Mr. Washburne that the members of the Lions Club and others present accept the modified plan offered by the State Highway Commission. The motion was duly seconded by Mr. Gibson and carried, there being no dissenting vote. This concluded the discussion of the matter.

Mayor Nelson then brought up for discussion a problem confronting the City Planning Commission with respect to the establishing of a business zone along the state highway through Junction City and the establishing of a set-back line for buildings along this thoroughfare. He said that the Pacific Highway extends for 17 blocks through the city and that they would like an expression from the State Highway Commission as to whether or not the city should adopt a zone plan which would prohibit the establishment of additional business blocks along this street, and whether or not the city should adopt a set-back line for buildings fronting on this street.

Mr. Washburne pointed out that for the most part the present business section of Junction City lies east of the highway and as a result there is very little traffic congestion along the highway. It was his thought that by proper zoning the city could keep the traffic congestion in the business district where it is at the present time which would leave the highway open and free such as will obtain in Albany and Oregon City when the highway work now under way at those places is completed.

Chairman Cabell advised that, while the Commission now has authority to control signs, et cetera, on state highways outside of incorporated cities and towns, it does not have as much control over these matters as it feels it should have from the standpoint and good of the general public, and there is a question whether or not the Commission should be responsible for or have

jurisdiction over the establishment of zones along the highways within municipalities. He gave as his personal opinion that the zoning feature should be controlled locally although he advised that he has not as yet given serious consideration to the matter, in fact has not had time to study it.

Mr. Washburne suggested, in view of the fact that this problem has not as yet been made public in Junction City, that the matter be discussed in private. Accordingly at 9:00 o'clock p. m. the Highway Commission and the City Planning Commission adjourned to the directors' room of the United States National Bank of Portland, Junction City Branch, where Mayor Nelson presided.

Mr. Kennedy, Chairman of the City Planning Commission, explained their plan for the establishment of zones and a set-back line for new buildings.

Mr. Washburne asked the Commission for a statement which would help the City Planning Commission in passing a city ordinance providing for zones and for the establishment of a set-back line on the highway route.

Chairman Cabell gave as his thought that a set-back line is proper and that the Engineer will advise the city relative thereto as soon as it has been determined; however, both matters involve the establishment of a general policy to be followed throughout the state, hence the Commission must look at it from all standpoints in order to be consistent in the disposition of all cases. The Commission, he said, hesitates and does not consider it proper to adopt any rule as a general policy which appears to be dictatorial, hence is not in a position to make any commitment at this time but will be pleased to give the matter study and will help in the matter as much as possible inasmuch as the Commission wants to continue its friendly relationship with the city and its Planning Commission. Commissioner Clough concurred in the remarks of Chairman Cabell.

The Engineer pointed out that the present highway through Junction City is not a four-lane highway as has been intimated, but is really a wide two-lane highway. It was his thought that the establishment of a set-back line would be desirable so when the highway south of Junction City is widened to four lanes the work could be extended through Junction City without extra cost for moving buildings, however he is not in a position at the present time to advise just how much of a set-back line should be provided. This matter was discussed at considerable length but no definite action was taken except that the Planning Commission was given to understand that the Commission would advise them as soon as possible.

The meeting was adjourned at 10:00 o'clock p. m.

Washburne
State Highway Engineer

W. S. Seay
Secretary

Henry F. Cabell
Chairman

John M. Clough
Commissioner

Salem, Oregon, November 21, 1939

The State Highway Commission reconvened in special session at 9:30 o'clock a. m. in the office of the State Highway Engineer, Room 325, State Office Building. Present were:

Henry F. Cabell, Chairman
E. B. Aldrich, Commissioner
Huron W. Clough, Commissioner
R. H. Baldock, State Highway Engineer
H. B. Glaisyer, Secretary

The Commission had under discussion the Engineer's report on the complaint of Mrs. Joseph Franswa, Eugene, relative to her property at the corner of Abbey and Sixth Streets in Newport. It appears that when the Oregon Coast Highway was constructed through this town the area between the Franswa property and the highway right of way line was utilized as a borrow pit, all vegetation, top soil, et cetera, having been removed, which resulted in a subgrade consisting entirely of fine sand subject to drift and movement during the summer trade winds. This area being directly west of the Franswa property and the prevailing trade winds being from that direction, the result was the constant drifting of sand onto the Franswa property which interfered with the driveway entrances, et cetera. The Engineer advised that this condition can be corrected only by covering the sand with top soil and planting the area to vegetable growth; further, that he had the matter investigated and it was found that the State Highway Department was responsible for this condition and temporary relief was provided, but to entirely remedy the cause of the complaint will require an expenditure of \$1,600, the work to consist of finishing the highway grade and planting the area. He recommended approval of this expenditure. The Commission approved the recommendation unanimously.

The Engineer reported the condition of the Tiller-Frail Secondary Highway, in Douglas County, the improvement of the same having been requested by Mr. P. A. Briggs, Myrtle Creek. He advised that inspection of this road discloses that the surface is in very poor condition being full of chuck holes and corrugations which are the result of heavy hauling. Between Canyonville and Milo, he said, a distance of 16.8 miles, the road is about 20 feet wide but between Milo and Tiller, a distance of about 8 miles, the road is very narrow, being not more than 10 feet wide in certain places. He estimated that to provide a standard oiled highway from Canyonville to Milo, which is the limit of the farming country, would cost approximately \$38,600. He recommended approval of the project using state forces to do the work during 1940 if funds are available to finance it, otherwise that the project be done in two working seasons, 1940 and 1941. After discussion, and in view of the limited amount of state funds available, the Commission approved the recommendation by unanimous vote with the understanding that the work would be done in two working seasons. The Engineer was thereupon instructed to include in the 1940 budget an item of \$20,000 for this purpose.

The Engineer reported the results of a survey in Klamath Falls for the installation of traffic signals. He estimated the cost of the signals recommended by the Traffic Engineer for installation at this time at \$14,350

of which amount the state would pay about \$6,600 and the city \$7,750, considering that the state would participate to the extent of paying 50 per cent of the cost of the "fixed time" and "traffic actuated" signals installed on state highway routes, and 100 per cent of the cost of installing "overhead" flashing signals on such routes, and that the city would pay the balance of the expense, including 100 per cent of the cost of signals installed on streets that are not state highways. He recommended approval of the project on such basis and that the matter be covered by appropriate contract between the state and the city; also that the city be required to deposit with the Commission a certified check in the amount of its share of the cost before any work is done. The Commission approved the recommendation unanimously and so ordered.

In this connection Commissioner Clough reported a request for a traffic signal installation at the point where the Klamath Falls-Malin Highway crosses the Oregon, California & Eastern Railroad near Merrill, in Klamath County. The Engineer advised that the current program for traffic signal installations has already been prepared and it is now too late to make any change. Further that this particular grade crossing was discussed in the preparation of such program but was not considered very hazardous and was placed rather low on the priority list. He said that he would bear the project in mind in the preparation of future programs of this kind but suggested that the proper solution would be for the sponsors of the signal to take the matter up direct with the railroad company and the Public Utilities Commissioner. The Commission approved the suggestion and so ordered.

The Commission had under discussion a request from the people of Sweet Home for the oiling of the Santiam Highway through their town. The Engineer recommended approval of the project which he estimated would cost about \$3,000, the work to consist of rocking and oiling the strips between the present highway pavement and the curb lines provided the City of Sweet Home will pay for the rocking or graveling of the unpaved portions as is needed to provide a proper base for the oil mat which expense, he said, the city officials have orally agreed to assume. The Commission approved the recommendation unanimously.

Reconsideration was given by the Commission to the request of the Town of Sisters for the oiling of the unoiled strips adjacent to the highway pavement through that town. The Engineer estimated that such work would cost about \$2,000 and recommended approval of the expenditure as a minor betterment project, the work to be done during the summer of 1940. The Commission approved the recommendation unanimously.

The Engineer reported on the request of Stewart Grange No. 805 and other residents and taxpayers of Baker County for the construction of guard-rail along the narrow and dangerous curves on the Sumpter Valley Highway between Salisbury and Mason Siding. He said that this highway is narrow and crooked and dangerous to travel but in his estimation construction of guard fences would not eliminate the hazard. It was his thought that the \$8,000 that is required to finance the guard fence construction could be spent to much better advantage by reconstructing the highway itself. He suggested in view thereof that the request for the guard fence be denied but that he be authorized to make a survey to determine the minimum amount that it would take

to widen the road sufficiently to make it safe for travel. The Commission by unanimous vote authorized the Engineer to make such survey.

The Commission also had under discussion the Engineer's report on the cost to construct a sidewalk or footpath along the Wallowa Lake Highway between LaGrande and Island City as has been requested by Congressman Walter M. Pierce and the County Court of Union County. He estimated that such footpath would cost approximately \$4,000. In the discussion of this matter it was pointed out that the number of requests for sidewalk construction along state highways is steadily increasing which indicated to the Commission that it would be advisable to conduct a state-wide investigation of such projects so as to provide a formula for the future handling of work of this kind. The Engineer was thereupon authorized and instructed to make such state-wide survey in order that each project may be given a preference rating.

The Commission withheld action on the following requests for sidewalk construction pending completion of the survey and the development of the formula which is to be based on cost of construction, pedestrian traffic count, accident records, et cetera:

Request of the Cities of Gearhart and Seaside for sidewalk construction along the Oregon Coast Highway between these towns. In connection with this matter the Commission considered, in view of the fact that these towns are seaside resort towns, that the pedestrian traffic count should be taken during the summer season when pedestrian traffic is heaviest because a count taken at any other time of the year would not be indicative of the traffic that has to be taken care of. The Engineer was instructed to conduct such traffic count at that time.

Request for construction of footpath along the Nehalem-Manzanita County Road in the vicinity of Manzanita School.

Request for construction of sidewalk along the Pacific Highway extending south from Hayesville School to Salem.

Request for construction of footpath along the Medford-Provost Secondary State Highway, in Jackson County.

The Commission also considered the request of the Parkdale Parent Teachers' Association for sidewalk construction along the Hood River Secondary Highway in the town of Parkdale. In regard to this project, the Engineer advised that only 75 feet of sidewalk construction are involved which would cost about \$100. He recommended approval of the project in view of the small cost. The Commission approved the recommendation.

The Commission also discussed a request for sidewalk construction on the Oregon Coast Highway between Third Street and Tenth Street in the city of Coquille. It appeared to the Commission that this project should be given special consideration in view of the fact that it is located within the city limits of Coquille. The Engineer advised that considerable grading work would have to be done before the sidewalk could be constructed at the proper location.

He estimated the cost of the project, including the grading work and sidewalk construction, right of way, et cetera, at \$3,200 and advised that it would be a desirable improvement because a real hazard now exists at this location. It appeared to the Commission that there is immediate need for the improvement of the sidewalk facilities at this particular location but that the responsibility for the improvement is a joint obligation of the state and the city. In view thereof the Commission decided to proceed with the improvement if the city will cooperate in the cost thereof. The Engineer was thereupon authorized to negotiate with the city on the basis of the state widening the highway grade and preparing it for the sidewalk and the city constructing the sidewalk.

Mr. Jim E. Smith, Commissioner, and Mr. N. C. Hubbs, County Engineer of Marion County, appeared before the Commission at this time in regard to snow removal operations on the North Santiam Highway. The State Highway Engineer explained that this road is not a state highway, hence the State Highway Commission is without authority to spend state funds either for its improvement or for snow removal to maintain travel during the winter season, thus, if the road is to be kept open for travel during the winter months, the cost thereof must be paid by the county and the federal government. He further explained that the government has indicated a willingness to remove snow from its portion of the section in so far as it is able to do so with push plow equipment, but when the snow becomes so deep that it cannot be removed by such equipment its operations will have to be discontinued because they do not have the proper equipment to handle the excessive depth snow. He inquired as to the attitude of the Marion County Court relative thereto.

Mr. Smith advised that the county is in the same predicament as the government with respect to equipment but he thought that the county court would be perfectly willing to enter into an agreement with the state for the use of the state's heavy snow equipment as was done last year if that is agreeable, the state to furnish the equipment and operate the same with the understanding that the county will reimburse the state for the expense as bills are submitted. He agreed to take the matter up with the other members of the county court immediately and let the Commission know by letter within a very short time just what to expect from the county. It was agreed by all that if this arrangement is approved it should be covered by an appropriate written agreement among the parties concerned.

Reconsideration was given by the Commission to the matter of improving the Siuslaw Highway across the summit of the Coast Range concerning which matter a hearing was held in the town of Junction City on the previous evening. Chairman Cabell reviewed the events of the previous evening and particularly pointed out that the people at such hearing voted unanimously in favor of the modified improvement suggested by the Engineer which was estimated to cost about \$60,000. After discussion the Commission authorized an expenditure of \$60,000 in 1940 to rebuild this section of road which is about three miles in length and instructed the Engineer to make provision for such project in the 1940 budget.

The Commission also reconsidered the advisability of permitting wood

stave pipe, known as McPherson creosoted pipe, to compete as an alternate with concrete pipe and corrugated metal pipe on state highway construction work. After a lengthy discussion of this matter the Commission decided to try out, as an experiment, a quantity of such creosoted timber pipe, such quantity to be limited to not more than 10 per cent of the annual pipe requirements of the State Highway Department, approximately 6,000 feet, and the purchase of the same to be made as a result of competitive bidding. The Engineer was instructed to arrange the details so that the pipe will be used in contract work as well as state force work throughout the entire state. He was also instructed to present the matter to the federal authorities for their approval.

In this connection the Commission discussed the matter of changing its present policy with respect to the use of concrete pipe as compared to metal pipe and decided not to make any change in the present policy which is to the effect that this business shall be divided equally, and during the conduct of the experiment with creosoted wood pipe the same policy shall be followed after allowance has been made for the timber pipe.

The Commission discussed the selection of projects for the 1941 Regular Federal Aid Program, the 1941 Federal Lands Highway Program, and the 1941 Federal Aid Secondary Highway Program. A decision with respect to the Federal Lands Highway Funds was deferred for the time being, however the Commission tentatively selected the following projects from lists presented by the Engineer for the Regular Federal Aid Primary Highway Program and for the Federal Aid Secondary Highway Program:

1941 REGULAR FEDERAL AID PROGRAM

County	Highway	Section	Miles	Kind of Work	Estimated Cost
<u>DIVISIONS #1 AND #2</u>					
Multnomah	Columbia River	Troutdale-Dodson		G.	\$ 260,000
		Front Street, Portland		G. & P.	250,000
Clatsop & Tillamook	Oregon Coast	Hug Point-Manzanita	8.7	S., B-11	100,000
Columbia	Columbia River	Scappoose-Multnomah County Line	3.0	G. & P.	122,000
Linn	Santiam	Cascadia-Upper Soda	11.2	S. & O.	75,000
Washington	Pacific West	Mult. Co. Line-Tigard	1.2	G. & P.	75,300
		or			
Clackamas & Marion	Pacific East	Aurora Bridge			75,300
Lincoln	Oregon Coast	Depoe Bay	1.0	G. & Bit M.	75,000
Clatsop	Oregon Coast	Astoria	0.3	G. & P.	40,000
Columbia	Columbia River	Rainier		P.	30,000
Benton	Pacific West	Corvallis-North & South		P.	40,000
Washington	Wolf Creek	Wolf Creek Tunnel			225,000
	Roadside Improvement				15,500
	Planning Survey				23,200

1941 Regular Federal Aid Program (continued)

County	Highway	Section	Miles	Kind of Work	Estimated Cost
<u>DIVISION #3</u>					
Curry	Oregon Coast	Brookings	0.7	G.&Bit.M.	\$ 70,000
Douglas	Pacific	Rice Hill-Turkey Hill	2.2	G. & P.	112,000
Josephine	Pacific	Grants Pass-Green Creek, East Unit	0.7	G. & P.	30,000
Douglas	Pacific	Kelley Corner-Kinston Bridge	0.7	G. & P.	50,000
Coos	Oregon Coast	Bandon	0.6	G.&Bit.M.	40,000
	Roadside Improvement				5,900
	Planning Survey				8,100
<u>DIVISION #4</u>					
Wasco	Sherman	Shaniko-Cow Canyon, East Unit		S. & O.	60,000
Lake	Dalles-Calif.	Horse Ranch		G. S., O.	30,000
Klamath	Dalles-Calif.	Rabbit Flat	3.0	G.&Bit.M.	100,000
Gilliam	Columbia River	John Day River-Blalock, West Unit	3.0	G.&Bit.M.	86,500
Wheeler	Ochoco	Mitchell-West	4.0	G. & O.	70,000
Crook		Prineville		G. & P.	40,000
	Roadside Improvement				4,800
	Planning Survey				7,200
<u>DIVISION #5</u>					
Umatilla	Oregon-Wash.	Pendleton-Adams	11.0	Bit. M.	\$ 134,500
	Old Oregon Trail				135,000
Malheur	John Day	Brogan-Jamieson	4.8	G. & O.	75,000
Grant	John Day	Goose Rock			85,000
Union	Wallowa Lake	Minam Hill	4.0	G. & O.	130,000
Baker	Old Oregon Tr.	Troy Line Change		G.&Bit.M.	50,000
Umatilla	Oregon-Wash.	Milton	0.5	G. & P.	25,000
Umatilla	Oregon-Wash.	Pilot Rock	0.5	G.&Bit.M.	25,000
	Roadside Improvement				6,800
	Planning Survey				10,200

1941 FEDERAL AID SECONDARY PROJECTS ON STATE HIGHWAYS			
County	Project	Kind of Work	Estimated Cost
<u>DIVISIONS #1 AND #2</u>			
Columbia	Banser Bridge-Mist	3.2 mi. Surface and Oil	\$ 60,000
Marion	Woodburn-Molalla	Grade and Oil	20,000
Lincoln	Silets	Grade and Surface	20,000
	Planning Survey		1,400
		Total Divisions #1 & #2	\$101,400
<u>DIVISION #3</u>			
Jackson	Little Butte	Grade and Oil	\$ 30,000
	Planning Survey		500
		Total Division #3	\$ 30,500
<u>DIVISION #4</u>			
Crook	Warm Springs	Grade	\$ 35,000
Sherman	Buck Hollow-East -		
	Sherars Bridge Hwy.	Grade	15,000
	Planning Survey		500
		Total Division #4	\$ 50,500
<u>DIVISION #5</u>			
Morrow	Happner-Rhea Creek,		
	West Unit	Grade and O-11	\$ 40,000
Umatilla	*Umatilla River Bridge		20,000*
Grant	Kimberly-Monument		20,000
	Planning Survey		600
		Total Division #5	\$ 80,600
* \$20,000 Additional State Funds Allocated			

1941 FEDERAL AID SECONDARY PROJECTS ON COUNTY ROADS			
County	Project	Kind of Work	Estimated Cost
<u>DIVISIONS #1 AND #2</u>			
Clatsop	Fort Stevens Road	Grade and Pave	\$ 25,000
Tillamook	(Projects to be selected)		20,000
Marion	Silverton Road	Grade and Pave	25,000
Multnomah	Skyline Blvd.	Surface and Oil	35,000
	Planning Survey		1,400
		Total Divisions #1 & #2	\$106,400

(1941 Federal Aid Secondary Projects on County Roads, continued)

County	Project	Kind of Work	Estimated Cost
<u>DIVISION #3</u>			
Lane Douglas	Route F	Grade	\$ 20,000
	North Umpqua	Surface and Oil	20,000
	Planning Survey		<u>500</u>
	Total Division #3		\$ 40,500
<u>DIVISION #4</u>			
Sherman	Wasco-Fulton Canyon	Grade and Surface	\$ 15,000
	Planning Survey		<u>500</u>
	Total Division #4		\$ 15,500
<u>DIVISION #5</u>			
Union	North Powder River Road	Oil	\$ 20,000
	Planning Survey		<u>600</u>
	Total Division #5		\$ 20,600

The Engineer was authorized to proceed with the preparation of the plans for such projects and the Attorney was authorized to secure right of way options for the same at once in accordance with the general policy adopted by the Commission on the previous day.

Commissioner Aldrich brought up for discussion the matter of improving the Pendleton-McKay Creek Section of the Pendleton-John Day Highway. The Commission instructed the Engineer to make a location survey of the section and to render a cost report thereon.

The Commission adjourned at 12:30 o'clock p. m. and reconvened at 1:30 o'clock p. m. in the same room with the same persons present and participating.

The Engineer brought up for discussion the matter of granting leaves of absence to employees who are members of the United States Army or Navy Reserve Corps. He advised that there are a number of employees of the Highway Department in this category and there is a possibility, in view of the unsettled condition obtaining throughout the world, that these men will be called for service. It was his thought that the status of these men should be given full recognition and that they should be given leaves of absence during the period that they are called for duty, so that they will not lose their priority standing with the department. The Commission concurred in the viewpoint of the Engineer and thereupon by unanimous vote decided to give to each of such employees affected a leave of absence if and when he is called for military duty.

The State Parks Superintendent, Mr. S. H. Boardman, was present and reported on the following park matters:

Wayside strips along the Pendleton-John Day Highway, in Harney County, between Burns and Canyon City:- The Parks Superintendent advised that it is possible to purchase from the United States Government under the Recreational Act 560 acres of timber land situate in Township 21 S., Range 31 E., W. M., at the rate of \$1.25 per acre; or, if the Commission prefers, they could be leased for the sum of \$35 per year. He advised that this land is located in what is known as Poison Creek Canyon and is highly desirable as an addition to the state parks system, particularly in view of the fact that it fronts on the highway for a distance of about 2½ miles. He strongly recommended acquisition of the area by purchase at \$1.25 per acre, or \$700 total. The Commission approved the recommendation unanimously.

Recreational area at the confluence of the Crooked River, Deschutes River, and Metolius River:- The Parks Superintendent advised that he has already secured from the Federal Government a 50-year lease on a tract containing 1,150 acres of land, at this location, same being secured under what is known as the Bankhead-Jones Farm Tenant Act, and that there is no yearly rental attached to this lease. Further, that he has also secured from the United States Bureau of Reclamation a lease covering an additional 2,852 acres of land at this location, for which the Government is demanding the sum of \$10 per year. However, this lease is limited to ten years. He requested instructions whether or not to accept the property on the basis of a 10-year lease, and gave as his thought that such time-limit is too short to justify an expenditure of very much money for development purposes. The Commission concurred in the Parks Superintendent's viewpoint and thereupon referred the matter back to him, to secure, if possible, a 99-year lease.

Mehalem Bay Sandspit:- The Parks Superintendent reported that, as previously authorized by the Commission, he has negotiated for the acquisition of privately owned lots in this area and he has been able to secure from the Hammond Lumber Company, for the payment of \$250, the equity of this company in Lots 5 and 6, of Section 33, Township 3 N., Range 10 W., W. M. However, it appears that there is a tax lien against this property amounting to \$542.53, which the Tillamook County Court feels it has no legal right to waive, but in lieu thereof the county has expressed a willingness to donate to the state the S.W.¼ of the N.W.¼ of Section 33, Township 3 N., Range 10 W., W. M., in the same locality, containing about 60 acres. He recommended payment of the back taxes on Lots 5 and 6 in order to secure full title to these lots, and acceptance of the county's offer to donate the other tract in lieu of the waiver of the tax lien. The Commission approved the recommendation unanimously.

Salmon River Highway timber strips:- The Parks Superintendent brought up for discussion matters pertaining to the acquisition from the Miami Corporation of timber strips along the Salmon River Highway. He advised that a letter has been received from Mr. L. H. Mills, representing the company, stating that the company would defer the sale of this timber for a period of six months from November 13, 1939, in order to give the state first opportunity to purchase the property after Congress has acted on the bill now before it

providing for an appropriation of federal funds to finance the acquisition of areas of this kind. The Commission approved the report.

Acquisition of 10-acre timber tract adjacent to Nehalem Highway at Natal Grange:- The Parks Superintendent advised that Mrs. Pearl Becker, Secretary of the Columbia County Pomona Grange, has been carrying on negotiations with the Clark and Wilson Lumber Company, owners of this tract, for some time relative to the acquisition thereof, and has been endeavoring to get the company to reduce its price of \$6,000 which is double the amount that the Commission previously authorized as payment for it. However, the company has absolutely refused to sell the property for less money although it will accept \$3,000 for half of the tract. Chairman Cabell advised that he inspected this tract on the ground and in his estimation the property is worth \$3,000 but no more. After discussion the Commission decided not to purchase the tract and instructed the Parks Superintendent to so inform Mrs. Becker.

The Commission had under discussion a communication from Foster and Kleiser Company, an outdoor advertising concern, outlining a suggestion for state-wide zoning legislation for signs. The Engineer advised that he has studied this matter thoroughly and is inclined to believe that, while the proposed legislation is desirable, it is somewhat too drastic for practicability. He explained briefly the various points of the proposed bill which the Commission discussed at length. It was the Commission's thought that it should have full control of state highways insofar as encroachments by signs or anything else are concerned but the matter of zoning private property is a problem which should be sponsored by local organizations which the Commission would be pleased to advise if its viewpoints were requested. The Engineer was instructed by the Commission to convey such information to Foster and Kleiser Company.

Reconsideration was given by the Commission to the establishment of the procedure authorized by the 1939 Legislature for approving state highway fund vouchers whereby the necessity for a majority of the Commissioners to sign each individual voucher in excess of \$200 is eliminated and their approval indicated by the signing of prepared lists of such vouchers. The Engineer reviewed the proposed procedure in detail. After discussion the Commission decided unanimously to give it a trial for a couple of months to see how it functions.

A letter was presented from the Coos Bay Dredging Company, Marshfield, offering to pay \$100 for two state-owned pontoons located at the old North Bend ferry slip at Coos Bay. The Engineer advised that the Commission owns only one pontoon at this location, the other one referred to having been given to Mr. Andrew Stambuck for his use in connection with his contract with the Commission for the operation of the Enegren Ferry across Coos River. He recommended the sale of the other pontoon to the Coos Bay Dredging Company for the sum of \$50 in view of the fact that it is no longer of any value to the state and is simply deteriorating on the mud flats in North Bend. The Commission approved the recommendation unanimously.

The matter of permitting markers to be maintained on the Pacific Highway East at the north and south entrances to Oregon City, bearing historical

information with respect to the McLoughlin Memorial Home, had the attention of the Commission. The Commission decided to permit such signs to be located on the highway at such locations provided the reading matter that is to appear on them meets with the approval of competent authority. The Engineer was instructed to ask Mr. Lewis A. McArthur, President of the Oregon Historical Society, to prepare such reading matter and to submit same to the committee in charge of the McLoughlin Memorial Home before these signs are erected.

A letter was presented from Mr. Jack Burton, Wallowa, requesting permission to plant clover seed on two small parcels of state-owned property adjacent to the Wallowa Lake Highway at the west city limits of Wallowa. The Commission deferred its decision on this matter pending investigation and report from the Engineer as to what is a fair rental value to place on the property.

The Commission had under discussion a request from Mr. Blaine Stanley, Woodburn, for permission to drain into the state highway ditch, on the Pacific Highway north of Hubbard, water from a swimming pool which he proposes to construct near the highway at this location. The Engineer advised that investigation reveals that if the water from this pool is emptied into the highway ditch it will have to be carried along the highway for about one-half mile and then along the county road for about three-quarters of a mile before it could find a natural outlet. It was his thought that approval of the request would establish a very undesirable precedent and would possibly evoke criticism from adjacent property owners and the Marion County Court. He recommended that the request be denied. The Commission approved the recommendation unanimously.

The Commission discussed several pictures of Indian houses at Priest Rapids, Washington, received from Mr. C. O. Bunnell, Farm Service Supervisor of the Pacific Power and Light Company, as a suggestion for the improvement of the Indian village located adjacent to the Columbia River Highway at Celilo, Wasco County. The Commission referred the matter to the Engineer to discuss with the Indian Agent in charge of this Indian village.

The Commission considered and denied a request from County Judge A. R. Bowman, Crook County, for state aid in the cost of illuminating the state highway in Prineville, it appearing to the Commission that this is strictly a city responsibility.

The Engineer reported that in accordance with authority previously granted him by the Commission he awarded on November 10, 1939, to Leonard & Slate, the contract for grading and paving the West Unit, Grants Pass-Green Springs Section of the Pacific Highway, in Josephine County, Leonard & Slate having submitted the low bid for this project on November 3, 1939, and the conditions of the award having been satisfied. The Commission by unanimous vote confirmed the award as reported.

The Commission discussed briefly the matter of granting special permits for the transportation, over state highways, of loads longer than the length limits specified by statute. A decision in this matter was deferred

until the next meeting when the Engineer is to submit a tentative form of application for permits covering such movements. The Secretary was authorized and instructed to issue permits to cover such movements as in the past until otherwise directed.

The Engineer requested authority to purchase the following equipment:

- 12 4-wheel drive trucks such as Fageols and Republics - 12 old trucks to be traded in as part purchase price. Estimated net total cost \$54,000.00;
- 4 2,000-gallon semi-trailers for transportation of oil. Estimated total cost \$8,820.00;
- 1 self-contained air pressure unit, including tank and motor, for Santiam maintenance headquarters. Estimated cost \$250.00.

The Commission approved these purchases by unanimous vote; however, ordered that, before purchasing the air pressure unit for the Santiam headquarters, an examination be made of the equipment that is being acquired from Hellivell and Nelson in Cottage Grove in connection with a right of way transaction at that place, it being the thought of the Commission that this equipment should be used at the Santiam headquarters if it is satisfactory, rather than buy new equipment.

The Commission had under discussion the matter of designating a route for U. S. Highway Route No. 95 through the state of Oregon. The Engineer suggested the adoption of a route which enters Oregon at a point on the Idaho state line, about two miles north and east of Malloy Ranch, in Malheur County, and extends southerly therefrom along the I.O.N. Secondary State Highway, a distance of about 22 miles, to the town of Jordan Valley; thence continuing along the I.O.N. Secondary State Highway in a southwesterly direction, a distance of about 32 miles, to the Owyhee River bridge; thence southerly continuing along the said I.O.N. Secondary State Highway, a distance of about 64 miles, to the Nevada state line at McDermitt. He advised that he discussed this matter with Mr. H. R. Flint, Acting Commissioner of Public Works of the State of Idaho, at the meeting of the American Association of State Highway Officials in Richmond, Virginia, and such routing meets with Mr. Flint's approval. After discussion the Commission adopted such route by unanimous vote and instructed the Engineer to recommend it to the American Association of State Highway Officials by letter.

The Commission considered and adopted by unanimous vote the following resolution abandoning a portion of the Soda Creek-Tombstone Summit Section of the Santiam Highway, in Linn County, such action having been recommended by the Engineer in view of the fact that the highway has been reconstructed on other alignment and that the section being abandoned is of no further value from the state highway standpoint:

WHEREAS, in order to afford a better alignment and a more satisfactory, safe and convenient highway for the traveling public, the Commission found it necessary to relocate a portion of the Soda Creek-Tombstone Summit Section of the South Santiam Highway in Linn County; and

WHEREAS, by reason of said relocation and reconstruction of the said section of said highway there was eliminated and made unnecessary as a part of the permanent highway a certain section or part thereof, which section is more specifically defined and designated hereinafter in this resolution; and

WHEREAS, it is the judgment and opinion of the Commission that there should be recorded in the minutes and records of the Commission its purpose and plan to abandon as a part of the said state highway the fragment or portion of right of way hereinafter designated and heretofore included within the area of the right of way of the said highway as formerly located, improved and used;

NOW, THEREFORE, the premises being in general as above stated, it hereby is resolved by this Commission, all members being present and affirmatively participating, as follows:

1. That the fragment of land confined within the area of land hereinafter designated, which fragment or parcel of land was formerly within the limits of the right of way of the Soda Creek-Tombstone Summit Section of the South Santiam Highway in Linn County, but is now without the limits of the right of way of said highway as said highway has been relocated and constructed, be and said fragment or parcel of land or portion of the old right of way is abandoned as a part of the right of way of said highway, and said fragment or parcel of land or old right of way is, so far as control and supervision by this Commission is concerned, eliminated and left to revert to the adjoining and abutting property owners or to the control and supervision of the County Court of Linn County for highway or other public purposes as the Court may determine. The fragment or parcel of land affected by this resolution is defined and described as follows, to wit:

That certain section of the old right of way of the Soda Creek-Tombstone Summit Section of the South Santiam Highway lying between mile post 52 and mile post 65 of the reconstructed highway.

The location of said abandoned right of way may be more definitely and particularly ascertained and determined by reference to a map or blueprint, marked "Exhibit A", attached hereto and by this reference made a part hereof, which said exhibit for identification purposes bears the signatures of F. D. Eason, Division Engineer, H. G. Smith, Construction Engineer, and C. B. McCullough, Assistant

Map filed in Right of Way Abandonment and Retention file - No. 68

State Highway Engineer, and is dated October 10, 1939, upon which map or exhibit there is reflected the above described parcel of land by showing the same shaded in red.

2. In the event there remains any physical connection between any portion of said abandoned right of way or highway and the present highway, and by reason of such physical connection traffic from the existing highway may enter or use the said abandoned portion of the said old road to the possible damage or injury of such traffic by reason of any unsafe condition existing with respect to said old or abandoned road, then the State Highway Engineer is hereby authorized and directed to erect such barricade or other safeguards as may be necessary to protect and safeguard traffic using and employing said newly located, constructed and dedicated section of said highway.

3. That this resolution be entered in the minutes and records of the Commission and a certified copy thereof promptly delivered to the County Court of Linn County, together with a copy of said map or exhibit, for such action as said County Court may desire to take with respect to said fragment of land, and should said abandoned section of the right of way of said highway be further employed for public or private highway purposes such use shall be entirely under the control and supervision of the County Court of Linn County and beyond any responsibility or supervision by the State Highway Commission.

The Secretary presented a letter from the Weston Chamber of Commerce inviting the members of the State Highway Commission to attend a get-together meeting of members of the Chambers of Commerce in the vicinity of Weston on November 29, 1939, to celebrate the oiling of the Weston-Elgin Secondary State Highway. It was decided that Commissioners Aldrich and Clough and the State Highway Engineer should attend this meeting.

A letter was presented from the Port of Arlington Commission requesting the designation and improvement as a state secondary highway of the county road which extends from Morgan in Morrow County to Arlington in Gilliam County; also asking the Commission to authorize a reconnaissance survey of this road at an early date. In the discussion of this matter it was pointed out that this road carries very little traffic at the present time. The Commission decided that it was not justified in spending state funds for the improvement of the road until the traffic develops; also that, in conformity with the established policy, a request for such secondary highway designation should be initiated by the county courts concerned. The Secretary was instructed to so inform the Port of Arlington Commission.

A petition was presented from property owners and residents adjacent to the Pacific Highway south of Salem requesting a change in the proposed grade line of the highway improvement that is under way at this loca-

tion. This matter was referred by the Commission to the Engineer to discuss with the petitioners and report back to the Commission if necessary.

The Commission had under discussion a letter from Senator W. H. Strayer requesting that the name of the Old Oregon Trail be shown upon the official highway map of Oregon, and particularly calling attention to Section 44-1203, Laws of Oregon for 1930, in regard thereto. The Engineer was instructed to discuss this matter with Senator Strayer and to call his attention to the action taken by the Commission on the previous day authorizing the erection of signs pointing out historical locations along this highway.

The Commission discussed and deferred for future consideration a petition from residents of Curry County requesting miscellaneous improvements to the Oregon Coast Highway in that county.

The Commission also discussed and ordered filed a letter from the City of The Dalles advising that the city has granted to local merchants and city clubs permission to decorate the city streets, including the state highway route through the business district of The Dalles, during the coming Holiday Season and further advising that the city assumes all liability and protects the state from any claims that may arise by reason thereof.

The Engineer reported on the following requests for installation of traffic signals, traffic lights, et cetera:

Request of the City of Tillamook, through its Street Commissioner, for traffic signals (stop and go):- The Engineer advised that a survey of conditions at this place indicates that the expense of such installation is not justified and it is his recommendation that the request be denied. The Commission approved the recommendation with the understanding that the matter would be reconsidered when the traffic problem warrants.

Request from the City of Cornelius for installation of a flashing beacon on the Tualatin Valley Highway:- The Commission denied the request on recommendation of the Engineer.

Request of the South Lane-North Douglas 99 Highway Improvement Association and the Cottage Grove Chamber of Commerce for the installation of a flashing beacon in Cottage Grove. The Engineer recommended that the request be denied in view of the possibility of the relocation of the highway at this place, and that the condition be temporarily handled by signs. The Commission approved the recommendation.

Request from the Central-East Portland Community Club for the installation of traffic lights at the intersection of N. E. Union Avenue and Vancouver Avenue, in Portland. The Engineer recommended denial of this request, the survey indicating that the expense is not justified, but that a traffic island be constructed in lieu thereof. The Commission approved the recommendation.

Request of the City of Oregon City for traffic signal installations

at the intersections of Main Street with Fifth, Seventh, Tenth and Fourteenth Streets, in Oregon City:- The Engineer recommended postponement of action on this request until the new highway through Oregon City is completed. The Commission approved the recommendation.

Request of the City of Oswego for installation of a traffic light on the Oswego Highway. The Engineer recommended that the request be denied but that the city adopt an ordinance making certain changes in its speed regulations. The Commission deferred its decision pending further investigation by the Engineer.

Request of the City of Ontario for the installation of a traffic signal at the intersection of Oregon and Idaho Streets in Ontario:- The Engineer gave as his thought that the expense of a traffic signal at this location is not warranted. He recommended in lieu thereof the installation of a flashing beacon estimated to cost \$250. The Commission approved the recommendation.

Request of the City of Clatskanie for installation of a flashing beacon on the Lower Columbia River Highway at the intersection of Bridge Street, Front Street and Nehalem Street, in Clatskanie:- The Engineer recommended approval of this installation which he estimated would cost approximately \$250. The Commission approved the recommendation unanimously.

Request of the City of Portland for the installation of a traffic light at the intersection of N. E. 82nd Street, N. E. Halsey Street, and N. E. Jonesmore Street, Portland:- The Engineer recommended the installation of an overhead flashing light costing approximately \$250. The Commission approved the recommendation unanimously.

Request of Oregon College of Education at Monmouth for the installation of traffic signals on the Pacific Highway West in front of the school campus:- Action on this matter was deferred pending consultation with Dr. C. A. Howard, President of the School. The matter was referred to the State Highway Engineer to handle personally.

The Commission had under discussion a letter from the City of Medford making formal application for permission to install a traffic signal at the intersection of Sixth Street and Central Avenue in Medford. The Engineer advised that the City has agreed to install a signal similar to and in conformance with the other signals that have been installed in their city, with the exception that they are planning their wiring so that this particular signal may be disconnected whenever they so desire; also that the installation will be made and operated at no expense to the state whatsoever, and that the only reason the city is asking the Commission's approval is because that is required by statute, particularly by Section 55-2002, Oregon Code 1935 Supplement. He recommended approval of the city's request subject to the condition that the equipment installed conforms to state's standards and that it be synchronized with the signal at the adjacent intersection of Main Street with Central Avenue. The Commission approved the recommendation unanimously.

The Commission had under discussion the following requests for extensions of time within which to complete highway construction projects:

Clifford A. Dunn, contract No. 2170, for regrading, surfacing and oiling the Baker Gulch-Lick Creek Section of the Little Butte Secondary Highway, in Jackson County, requested an extension of time from September 15 to September 29, 1939, within which to complete this job. He attributed his failure to complete this project within the specified time limit to rainy weather which interfered with oiling operations. The Engineer advised that this contract was awarded on April 7, 1939, but Mr. Dunn did not commence construction until June 27, 1939, and then worked only a few days when operations were stopped until August 1 because of lack of proper equipment. He further advised that in his estimation rainy weather is not a legitimate reason for failure to complete the project within the specified time limit. He recommended that the extension of time now requested be granted but that the contractor be required to reimburse the state for the extra engineering expense incurred subsequent to the date of completion specified in the contract. A letter was presented from the District Engineer of the Public Roads Administration concurring therein. The Commission approved the recommendation unanimously.

Leonard & Slate, contract No. 2176, for grading, surfacing and oiling the Charleston-Sunset Bay Section of the Cape Arago Secondary Highway, in Coos County, requested an extension of time from September 30 to October 28, 1939, within which to complete this project. They gave no reason for their failure to complete the project within the specified time limit. The Engineer advised that this contract was awarded on April 28, 1939, and work was started on May 8, 1939. The chief reason for the contractors' failure to complete the job within the specified time limit, he said, was that they were required to install some 1200 lineal feet of drain tile which was not included in the contract but was performed under special price agreement. It was his thought that the contractors are entitled to an extension of time to October 21, 1939, without penalty but that they should be charged with the engineering expense incurred subsequent to that date and he so recommended. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation unanimously.

The Engineer reported that Contracts Nos. 2120, 2170, 2172, 2176, 2179, 2197, 2206, and 2225, for the construction of state highway projects have been completed according to the requirements of the contracts or modifications thereof, and that said jobs are ready for acceptance. The following resolution accepting the above projects was offered and was adopted by the unanimous vote of the Commission:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state

highway projects have been completed according to the terms and provisions of the contracts and said jobs are now ready for acceptance:

Contract No. 2120, with C. J. Montag & Sons, for construction of Main Street Undercrossing in Klamath Falls, Klamath County. Completed November 17, 1939.

Contract No. 2170, with Clifford A. Dunn, for grade widening, surfacing and oiling, also furnishing crushed rock in stock piles, on the Baker Gulch-Lick Creek Section of the Little Butte Secondary Highway, in Jackson County. Completed September 29, 1939.

Contract No. 2172, with Jacobsen-Jensen Company, for the construction of a bridge over Wilson River, and grading, surfacing, and oiling approaches thereto on the Mills Bridge Section of the Wilson River Highway, in Tillamook County. Completed November 14, 1939.

Contract No. 2176, with Leonard & Slate, for grading, surfacing, and oiling on the Charleston-Sunset Bay Section of the Cape Arago Secondary Highway, in Coos County. Completed October 28, 1939.

Contract No. 2179, with Birkemeier & Saremal for construction of the Interstate Avenue Lighting Project, on the Pacific Highway West, in the city of Portland, Multnomah County. Completed October 31, 1939.

Contract No. 2197, with Odom Construction Company, for the construction of the Santiam Junction maintenance buildings on the Santiam Highway, about 26 miles west of Sisters, in Linn County. Completed November 2, 1939.

Contract No. 2206, with D. L. Ashton, for roadside improvement on the Smith Point-Youngs Bay Bridge Section of the Oregon Coast Highway, in Clatsop County. Completed November 4, 1939.

Contract No. 2225, with Leonard & Slate, for grading the South Unit, Albany Section, of the Pacific Highway East, in Linn County. Completed November 7, 1939.

THEREFORE, BE IT RESOLVED, that the work covered by said state highway contracts for the construction of said state highway projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

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The Commission considered and signed agreements, et cetera, as follows:

Agreement with contractors Saxton, Looney & Risley disposing of their claim for extra compensation arising out of their contract No. 2145 for furnishing crushed materials in stock piles for the Butte Creek Summit-Branson Creek and Flat Creek-John Day Sections of the John Day Highway, in Grant and Wheeler Counties.

Easement providing for use of a detour road across property owned by Raleigh Matthews and wife, in Jackson County, being right of way transaction No. 7227.

Bargain and sale deed conveying unto Charles Childs certain property located in Lot 7, Block A, Central Addition to the City of Albany, being right of way transaction No. 6377 and No. 6378.

Bargain and sale deed conveying unto the Oregon Washington Railroad and Navigation Company and the Northern Pacific Company two standard gauge railroad tracks and appurtenances which were constructed by the State Highway Department in connection with the Pendleton Railroad Grade Separation Project pursuant to terms of an agreement between the State Highway Commission, the City of Pendleton, the Oregon Washington Railroad and Navigation Company, the Union Pacific Railway Company, and the Northern Pacific Railway Company, dated May 1, 1936, being right of way transaction No. 2676.

Warranty deed conveying unto the Oregon Washington Railroad and Navigation Company and the Northern Pacific Railway Company certain property in Lots 7 and 8 of Block I, South Pendleton, Lot 4, Block H, of Reservation Addition to Pendleton, Lot 6 of Block I, South Pendleton, and other property, pursuant to terms of an agreement between the State Highway Commission, the City of Pendleton, the Oregon Washington Railroad and Navigation Company, the Union Pacific Railway Company, and the Northern Pacific Railway Company, dated May 1, 1936, being right of way transaction No. 2676.

There being no further business to come before the Commission at this time the meeting was adjourned at 4:00 o'clock p. m.

[Signature]
State Highway Engineer

[Signature]
Secretary

[Signature]
Chairman

[Signature]
Commissioner

[Signature]
Commissioner

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Portland, Oregon, December 7, 1939

The State Highway Commission met in regular session at 9:00 o'clock a. m. in the auditorium of the Public Service Building. Present were:

Henry F. Cabell, Chairman
E. B. Aldrich, Commissioner
Huron W. Clough, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

Bids as follows for highway construction projects and for moving and sale of buildings were opened and read in conformance with previously published notice, following which Chairman Cabell announced that the awards would be made at 3:00 o'clock p. m. in the same room:

BAKER-HOMESTEAD HIGHWAY
BLACK BRIDGE-RICHLAND SECTION
SURFACING, OILING, CRUSHED GRAVEL IN STOCK PILES

Morrison-Knudsen Company	\$ 26,240.00
Newport Construction Company	26,642.90
Babler Bros.	30,451.00
Norris Bros.	30,881.50
McNutt Bros.	30,893.50

PENDLETON-JOHN DAY and BEECH CREEK HIGHWAYS
MOUNTAIN REST-MT. VERNON ROCK PRODUCTION PROJECT

F. R. Hawett	\$ 9,750.00
A. S. Wallace	9,880.00

PACIFIC HIGHWAY
SISKIYOU-STATE LINE SECTION
BITUMINOUS MACADAM SURFACING; CRUSHED ROCK IN STOCK PILES

Roy L. Houck	\$108,174.00
Clifton & Applegate	117,373.00
Babler Bros.	119,769.00
J. C. Compton	122,943.00
Fisher Bros.	127,457.50
McNutt Bros.	128,135.00
E. C. Hall Company	128,496.50
A. Milne	130,189.00
Homer G. Johnson	132,740.50
Newport Construction Company	144,765.30
R. O. Dail & Warren Bros., Inc.	153,705.80

OREGON COAST AND SALMON RIVER HIGHWAYS
HEBO-OCEANLAKE ROCK PRODUCTION PROJECT

Washington Hauling Company	\$ 11,580.00
Feldschau & Son	12,420.00
A. S. Wallace	12,600.00
Gus Reichow	13,320.00
O. C. Yocom	13,680.00
H. L. Rice	13,740.00
Dolan Construction Company	13,800.00
Saxton, Looney & Risley	13,800.00
E. F. Altree	15,420.00

VALE-ADRIAN COUNTY ROAD
COW HOLLOW CREEK-OWYHEE SCHOOL SECTION - GRADING

M. L. O'Neill & Son	\$ 13,198.80
E. L. Rigdon	13,891.00
J. A. Tertelling & Sons	14,552.00
Morrison-Knudsen Company	14,672.60
McNutt Bros.	14,974.50
Quinn Robbins Company, Inc.	15,084.20
Lee Tittle	15,145.06
Leonard & Slate	15,454.00
Babler Bros.	17,060.00
Cochran & Gatton	17,388.30
A. Milne	21,839.50

WILSON RIVER HIGHWAY
JORDAN CREEK-McNAMERS CAMP SECTION
SURFACING, OILING, CRUSHED MATERIALS IN STOCK PILES

	<u>Using Road Oil</u>	<u>Using Tar</u>
Saxton, Looney & Risley	\$ 31,789.00	\$ 32,016.70
Newport Construction Company	32,034.00	32,413.50
Babler Bros.	- - - -	32,420.00
Fisher Bros.	32,919.00	32,710.00
H. L. Rice	33,455.00	33,713.10
Homer G. Johnson	34,507.50	- - - -
Dolan Construction Company	35,761.00	- - - -
H. O. Dail & Warren Bros., Inc.	36,174.00	36,401.70
O. C. Yocom	36,860.00	43,360.00
McNutt Bros.	41,100.00	41,501.70

WILSON RIVER HIGHWAY
VIADUCT OVER DEVILS LAKE FORK OF WILSON RIVER

McNutt Bros.	\$ 98,232.50
Bennett & Taylor	100,959.00
Kuckenberg Construction Company	101,532.00

(Continued on next page)

(Viaduct over Devils Lake Fork of Wilson River, continued:)

C. J. Montag & Sons	\$101,974.50
L. H. Hoffman	103,378.00
Jacobsen-Jensen Company	106,805.00
Birkemeier & Sarnel	107,640.00
The Gilpin Construction Company	112,410.00
C. J. Eldon	124,915.50

SALE OF BUILDINGS IN TIGARD

BUILDING NO. 7001	
(Former Owner Frona K. Williams)	
Sullivan Wrecking Company	\$92.72

BUILDING NO. 7001 & LOT	
(Former Owner Frona K. Williams)	
H. V. Kruse	\$1,754.00
Harold J. Heffron	1,100.00
W. I. Lacey	911.00
Bert C. Rue	760.00
Leonard S. Davis	561.00
Sullivan Wrecking Company	151.00

BUILDING NO. 6940	
(Former Owner C. H. Pfaffle)	
H. N. Peabody	\$75.00
Sullivan Wrecking Company	2.17

BUILDING NO. 6998	
(Former Owner Vivian H. North)	
Loyd and Ruby Robinett	\$1,000.00
H. B. Tigard	915.00
Bert C. Rue	655.00
John F. Mills	410.00
Leonard S. Davis	161.00
Sullivan Wrecking Company	103.97

BUILDING NO. 6924	
(Former Owner Joseph D. Foley Estate)	
Sullivan Wrecking Company	\$2.07

BUILDING NO. 6980	
(Former Owner Emil Johnson)	
Madson & Picha	\$122.00
Sullivan Wrecking Company	85.59

BUILDING NO. 7040	
(Former Owner Shubring and Biederman)	
Les Gray	\$201.50
Sullivan Wrecking Company	41.99

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BUILDING NO. 6943
(Former Owner E. C. Hunsiker)

H. V. Kruse	\$201.00
John F. Mills	105.00
Madson & Piche	102.00
Sullivan Wrecking Company	27.93

BUILDING NO. 6983
(Former Owner Emil Johnson)

John Scheckla	\$125.00
Madson & Piche	53.00
Sullivan Wrecking Company	33.79

BUILDING NO. 6945
(Former Owner MacCormac Snow)

Francis J. Scheckla	\$95.00
Madson & Piche	53.00
Sullivan Wrecking Company	33.49

BUILDING NO. 6937
(Former Owner Chas. F. Kuensler)

John Scheckla	\$75.00
Madson & Piche	53.00
Sullivan Wrecking Company	29.97

SALE OF BUILDINGS IN COTTAGE GROVE

BUILDING NO. 5643
(Former Owner Mark Woodruff)

George Lammers	\$12.00
J. E. Soric and Roy Crowe	1.00

BUILDING NO. 5644
(Former Owner Francis M. Turner)

George Lammers	\$36.00
J. E. Soric and Roy Crowe	1.00

BUILDING NO. 5650
(Former Owner Frank H. Snodgrass)

George Lammers	\$66.00
J. E. Soric and Roy Crowe	1.00

BUILDING NO. 5653
(Former Owner C. A. McFarland)

George Lammers	\$26.00
J. E. Soric and Roy Crowe	1.00

BUILDING NO. 5692
(Former Owner Geo. M. Hawley)

George Lammers	\$11.00
J. E. Soric and Roy Crowe	1.00

(Sale of buildings in Cottage Grove, continued:)

BUILDING NO. 5693-A		
(Former Owner First Free Methodist Church)		
Free Methodist Church		\$101.00
George Lammers		56.00
J. E. Soric and Roy Crowe		1.00

BUILDING NO. 5693-B		
(Former Owner First Free Methodist Church)		
Free Methodist Church		\$301.00
George Lammers		153.00
Robert L. Kruse		102.00
J. E. Soric and Roy Crowe		1.00

SALE OF BUILDINGS IN ALBANY

BUILDING NO. 5845		
(Former Owner Forrest Barker)		
Forrest Barker		\$201.50
Edward Falwell		196.50
J. H. Robison		31.00
Ben F. Roselle, Jr.		30.87

BUILDING NO. 6378		
(Former Owner Lee Hurst)		
Harriett Hamilton		\$535.00
V. W. Mason		201.50
Madsen & Picha		145.00
Frank Hoffman		106.00
J. H. Robison		46.00
Wilbur Stead		40.00

BUILDING NO. 6382		
(Former Owner R. B. McCalley)		
Wm. Eagles		\$406.00
V. W. Mason		351.50
Madsen & Picha		145.00
Frank Hoffman		81.00
J. H. Robison		66.00

BUILDING NO. 6396		
(Former Owner J. L. Richardson)		
Chas. Childs		\$51.00
Wilbur Stead		40.00
Ben F. Roselle, Jr.		21.76

MOVING AND RECONSTRUCTING METHODIST EPISCOPAL CHURCH BUILDING, IN TIGARD

	<u>With full basement</u>	<u>With furnace room</u>
Contracting and Sales Company	\$5,927.00	\$5,827.00
V. W. Mason	6,385.00	5,050.00

(Continued on next page)

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(Moving Methodist Episcopal Church in Tigard, continued:)

	<u>With full basement</u>	<u>With furnace room</u>
Odom Construction Company	\$7,364.00	\$6,744.00
Lebeck & Sons	8,484.00	7,494.00

MOVING AND REMODELING JOHNSON LUMBER COMPANY BUILDINGS, NEAR TIGARD

Odom Construction Company	\$6,364.00
A. C. Baumbach	7,350.00
V. W. Mason	8,065.00
Lebeck & Sons	8,740.00

REMODELING LONE OAK SERVICE STATION BUILDINGS, NEAR TIGARD

Odom Construction Company	\$6,180.00
Ray Christensen	6,430.00

MOVING AND RECONSTRUCTING BUILDINGS OF
VILLA RIDGE SERVICE STATION, NEAR TIGARD

Odom Construction Company	\$4,537.00
Ray Christensen	5,035.00

The Engineer reported results of negotiations with the United States War Department pertaining to the construction of the Oak Hill-Veneta Section of the Route "F" Highway, in Lane County, with particular reference to the attitude of the War Department with respect to the assumption of the extra cost of doing this work in view of the proposed construction of the Fern Ridge dam and reservoir. He advised that this matter has been discussed at numerous times and that he has a letter in his files signed by Mr. C. I. Grimm, Chief Civilian Engineer, dated July 29, 1938, stating that the War Department can find no legal obstacle to the matter of reimbursement to the state for expenditures made in connection with construction of the highway at an elevation above the high water that would be created by the dam, when funds are available; however, at a more recent conference with War Department officials, he was informed by Captain Berrigan that it would be impossible for the War Department to pay any portion of this expense, as, under the law, they could not pay for any highway that was not already constructed, although they would reimburse Lane County, for the county roads which were inundated, to the extent of the value of the existing facilities. This matter was discussed at considerable length and as a result the Engineer was instructed to secure a statement in writing from the War Department indicating briefly the extent to which the War Department will cooperate in this project.

The Attorney brought up for discussion matters pertaining to the Commission's condemnation suit against the Security and Investment Company of Oregon City for right of way needed for the Pacific Highway East along Water Street in Oregon City. He advised that this matter has come to trial and that a decision has been rendered, by which the jury has allowed the company the amount of \$26,500 as compared to the state's offer of \$20,000 and the company's

demand of \$60,000. He further stated that one of the attorneys for the defendant has indicated that this decision will not be appealed in the event that the state will pay 50 per cent of the cost of the defendant's witnesses, which aggregates \$1,355.20, the state's share thus being \$677.60. He explained that the state is not legally obligated to pay any portion of such expense, but, in his estimation, it would be advisable to do so in this instance in order to avoid an appeal to the higher court, which would necessarily delay further the construction of the Oregon City project. After discussion the Commission voted unanimously to assume the payment of one-half this witness expense, which would amount to \$677.60, provided it is legal. The Attorney advised that the Commission could legally do so.

Dr. Joseph D. Sternberg, Portland, came before the Commission in regard to a right of way matter at Albany. It appears that Dr. Sternberg owns certain property near the north city limits of Albany, particularly at the junction of the Pacific Highway East with the Albany Airport Road, and that in order to extend the Albany improvement of this highway it is necessary to acquire a narrow strip of Dr. Sternberg's property fronting on the present highway. Further, that the state's right of way agent has offered to pay to Dr. Sternberg \$100 per acre for the two acres involved, which is in conformity with prices paid for other property in that vicinity; but Dr. Sternberg feels that such price is far below the actual value of the property and is demanding \$500 per acre for his land. This matter was discussed at considerable length but the Commission deferred its decision pending personal inspection of the premises by Commissioner Clough, to whom the matter was referred.

Mr. Jim Nutter, Public Relations Director, Timberline Lodge, Inc., came before the Commission and advised that the United States Post Office Department has established a postoffice at Timberline Lodge and, in view thereof, it is the opinion of the Directors of Timberline Lodge, Inc., that the signs bearing the wording "Timberline" which have heretofore been erected by the state to direct traffic to Timberline Lodge should be changed to read "Timberline Lodge" at such time as the signs are renovated. The Commission took no action on this matter. (This matter was reconsidered and approved by the Commission at the December 20th meeting.)

The State Parks Superintendent, Mr. S. H. Boardman, was present and reported on the following park matters:

Offer of Mr. Elmer Bankus, Brookings, to donate to the state a 5-acre tract of land fronting on the Pacific Ocean at Brookings:- The Parks Superintendent recommended that the offer be refused in view of the fact that the state now owns two parks in the vicinity of Brookings,- one known as Harris Beach Park and the other as Azalea Park, and for the further reason that Mr. Bankus's property is situate practically in the town of Brookings, and, in his estimation, its preservation for park purposes is strictly a local matter. The Commission approved the recommendation.

Proposal of Mr. Fred Reynolds, Lakeview, for the establishment of a drinking fountain on the Fremont Highway about 14 miles north of Lakeview:- The Parks Superintendent advised that Mr. Reynolds owns some land adjacent to

the highway at this point on which there exists an artesian well, and he has volunteered to provide water for a drinking fountain on the highway right of way for general public use if the state will construct the fountain. The Parks Superintendent recommended acceptance of Mr. Reynolds's offer. The Commission approved the recommendation by unanimous vote subject to the condition that the fountain erected on the present highway fit in with the proposed new highway location.

Offer of Mr. B. E. Smith to sell to the state for the sum of \$3,250.00 a 140-acre tract of land situate adjacent to the Oregon Coast Highway just south of the state park that was acquired from the Pratt interests, in Lane County, more particularly between the present state park and Bob Creek, in Sections 14, 15, and 22, Township 15 S., Range 21 W., W. M.:— The Parks Superintendent advised that this property has very little value from the state parks standpoint. Further, that the acquisition of the same was previously considered by the Commission and was eliminated in favor of a more desirable tract in Curry County, there being insufficient funds available to finance the purchase of both tracts. He recommended that the state do not buy the Smith tract at this time. The Commission approved the recommendation.

Lease of 2,800 acres of government-owned land from the United States Reclamation Service at the confluence of the Deschutes River, Crooked River, and Metolius River, in Jefferson County:— The Parks Superintendent advised that the Reclamation Service will not grant a lease for a period longer than 10 years, which is insufficient time for the proper development of the area; further, that, as previously instructed by the Commission, he made inquiry as to the possibilities of securing a lease for 99 years and received a reply from Mr. John C. Page, Commissioner of the Bureau of Reclamation, as follows: "If upon termination of the lease in 1949 the land is still needed for reclamation purposes, the Commission can rest assured that a continuation of the lease will receive careful consideration in the light of the existing conditions. In the event the lands are released from the reclamation withdrawal, the Oregon State Highway Commission could file its application to lease the said area under the Act of June 14, 1926 (44 Stat., 741)." The Commission by unanimous vote approved the lease of this property for a 10-year period under the above condition, but instructed the Parks Superintendent to secure, if possible, a stipulation in writing that at the expiration of the lease in 1949 the State Highway Commission would be given first consideration in the renewal thereof. He was also authorized to proceed with the development of the property with C.C.C. forces regardless of whether or not he is able to secure a lease of longer duration than 10 years.

Purchase of 20-acre addition to Ecola State Park, in Clatsop County:— The Parks Superintendent reported that in order to protect the water supply to Ecola State Park it would be necessary to acquire from the Crown Willamette Company a 20-acre tract of land described as the N.½ of the N.E.¼ of the S.E.¼ of Section 18, Township 5 N., Range 10 W., W. M. He advised that, while the tract is heavily wooded, the timber is of little value from the conservation standpoint, particularly because the timber on the adjoining property has been logged; also, that if the property is owned by the state, he could develop it with C.C.C. forces. He recommended acquisition of the tract on the basis of

purchase of land only. After discussion, the Commission authorized the Right of Way Department to negotiate for the purchase of the property on such basis.

The Engineer reported on the request of residents of South Roseburg for the improvement of the connecting road between the Pacific Highway and South Main Street, Roseburg. He advised that investigation reveals that the connection in question includes a portion of the old Pacific Highway, being exactly the same route and traffic way that these people had before the highway was realigned. He further advised that it is contemplated to construct a guard fence along the face of the cut for the protection of traffic, and, in his estimation, when such work is completed, the road will be adequate for the very limited amount of traffic that will use it. He recommended, in view thereof, that no expenditure for the improvement of the section be made at this time except that necessary in connection with the guard fence construction. The Commission approved the recommendation unanimously and instructed the Secretary to so inform the petitioners.

The Attorney brought up for discussion the matter of reimbursing Baker County for a portion of the expense that the county incurred by reason of an accident that occurred on the Sumpter Valley Railroad in August 1937. He recalled that the Commission at a previous meeting authorized the payment of a portion of this expense with state highway funds, and accordingly a voucher in the amount of \$1,248.50 was prepared. Such voucher, he said, was executed by the Commission and was transmitted to the Secretary of State for payment. However, because of a legal technicality, the Secretary of State refuses to honor the voucher, it appearing that the state was not made a party to the suit. He confirmed the Secretary of State's stand in the matter and requested instructions as to how to proceed. In the discussion of this matter the Commission reaffirmed its previous stand that the state is more or less obligated to pay a portion of this expense in view of the fact that it involves a state secondary highway, and decided, in view thereof, to interpose no objection if Baker County will present its claim to the 1941 legislature for payment out of state highway funds. The Attorney was instructed to so inform the Baker County Court.

The Attorney reported the results of investigations of the apparent delinquencies on the part of certain county officials with respect to the rendering of reports on and the remitting of fines imposed for violations of the motor vehicle laws of this state. He said that he is certain from such investigation that the state highway fund is not receiving fair treatment, but so far as he is able to ascertain there are no existing laws which could be referred to in remedying the situation. It was his thought that the Commission should secure new legislation covering the matter if possible. The Commission concurred and thereupon by unanimous vote instructed the Attorney to prepare an appropriate form of legislation for presentation to the 1941 legislature.

Consideration was given by the Commission to the claim of A. B. Chapman for losses incurred by him when he drove his car into a state highway department sanding truck on the Green Springs Highway on January 23, 1939. Action on this matter was deferred by the Commission pending an investigation by the Engineer as to the facts of the case.

The Commission also considered and denied the claim of the Miles Otis Estate, in the amount of \$5,000.00, arising out of an accident that occurred on the Corvallis-Newport Highway on July 28, 1939, which resulted in the death of Mr. Otis, it appearing to the Commission that the accident happened as a result of faulty driving rather than imperfections in the road surface. (See report of J. N. Bishop, Maintenance Engineer, dated October 14, 1939, for details.)

Reconsideration was given by the Commission to its controversy with the Richfield Oil Company arising out of the state's contract with this company for the furnishing of gasoline and oil products for state-owned equipment during the year 1939, and particularly to the payment for service station delivery of gasoline under modified agreement executed by the Secretary of the State Board of Control, Mr. Daniel J. Fry. The Commission decided, after discussion, to ratify the action taken by Mr. Fry on this matter, with the understanding that hereafter the Highway Commission will be consulted before contracts involving the purchase of material, equipment, and supplies for the State Highway Commission are either made or modified. Chairman Cabell thereupon signed a letter directed to Mr. Fry, dated December 5, 1939, to that effect.

The Commission adjourned at 12:15 o'clock p. m. and reconvened at 2:00 o'clock p. m. in the same room with the same persons present and participating.

Messrs. Walter Meacham and Walter Hembree, Portland, came before the Commission at this time and urged that special prominence be given to the Old Oregon Trail on future issues of the State Highway Commission's main-traveled road map. After considerable discussion the Commission decided unanimously to print the following wording on the top margin of maps printed hereafter: "U. S. Highway 30, from Ontario to Seaside, and State Routes 35 and 50, around Mt. Hood, are the paths of the historic OLD OREGON TRAIL." Messrs. Meacham and Hembree signified their approval of such disposition of this matter.

The Commission also discussed with Messrs. Meacham and Hembree its plans for the erection of markers pointing out historical locations along state highway routes of this state, and the plan of the Oregon State Motor Association to publish a booklet describing each of such points. Messrs. Meacham and Hembree signified their hearty approval of such plan.

Mr. and Mrs. F. J. Fisher, Sherwood, Oregon, came before the Commission in regard to a drainage problem along the Pacific Highway West in front of their property located at Mile Post 17.00, near Sherwood. Mr. Fisher stated that his property fronts on the highway for a distance of about 600 feet and that, because of faulty drainage conditions, water from the highway flows onto his land, overflowing his fields so that in the spring of the year his fields are so soft that he is unable to farm them properly. He asked the Commission to remedy this condition. The Engineer advised that Mr. Fisher's complaint has been investigated and it was found that the drainage ditches for the most part are in good condition and adequate to carry all of the water required without difficulty. However, at one point where the ground

slopes away to the east the ditch is not well defined and as a consequence water drains across Mr. Fisher's field through a small creek on the east side of the highway. It would be possible, he said, by constructing a rather deep ditch along the section where no ditch now exists, and by reconstructing the existing ditch, to carry the drainage water from the highway past Mr. Fisher's place to a small creek about 0.4 mile distant. However, this would involve considerable expense and would require considerable maintenance. He gave as his thought that it is not the state's obligation to drain the highway in this manner, particularly in view of the fact that the condition complained of has existed for many years. A decision in this matter was deferred by the Commission pending personal inspection on the ground by Chairman Cabell.

Mr. Irving Rand, Portland, came before the Commission in regard to maintaining travel on the Sumpter Valley Secondary State Highway, in Baker County, during the coming winter. He advised that there is considerable mining activity in the vicinity of the town of Granite and that concentrates must be trucked over this road to Baker continuously, which cannot be done unless the road is kept free of snow. He further advised that arrangements have already been made to keep the road open between the end of the state secondary highway and Granite but they need the state's cooperation in maintaining travel over the secondary highway. He pointed out that this is the only outlet to Baker for the people of Granite and that if the road is kept open it will greatly benefit them as well as the mining companies. The Engineer advised that the state secondary highway is now kept open each winter as far as the town of Sumpter and that the approval of Mr. Rand's request would simply mean the extending of snow removal operations a distance of about 4 miles, which he thought would cost about \$500, using push-plow equipment. He recommended approval of the request as long as the section beyond the secondary highway is kept open for travel. The Commission approved the recommendation unanimously.

A delegation representing the Oregon Coast Highway Association and consisting of the following: A. B. Sanders, Executive Secretary; Henry G. Kern, President; Clarence Coe, Treasurer; County Judge A. H. Boice, Curry County; Representative Roy Carter, Gold Beach; and J. E. Norton, Coquille, appeared before the Commission in the interests of the Oregon Coast Highway. Mr. Sanders headed the group and introduced the speakers. He advised that the Oregon Coast Highway Association has gone on record as being opposed to opening the Neahkahnie Mountain Section of the Oregon Coast Highway to travel until the last section thereof has been graded to proper standards. He advocated the placing of barricades across each end of the section now under construction and urged the Commission to complete the construction of this unit during the 1940 season.

Chairman Cabell advised that the State Highway Commission is receiving bids on the following day for the grading of the final section of this road. He approved Mr. Sanders' suggestion relative to the maintenance of barricades until the grading work is completed but added that it did not seem possible at this time to do the surfacing in 1940 because of the interference that would be caused if the grading and the surfacing work were under way simultaneously. It was his thought that the surfacing and oiling could not be

done until the season of 1941. The Engineer confirmed Chairman Cabell's statement.

Mr. Norton urged the Commission to construct the project between North Bend and Marshfield as its first project. He suggested as an alternate project the reconstruction of the Marshfield-Coquille Section at the summit, working toward Coquille.

Judge Boice urged the Commission to decide definitely on a permanent route for the Oregon Coast Highway through the towns of Port Orford and Gold Beach. He said that development of these towns is being retarded because of lack of information as to where the highway is to be permanently located, and in his estimation the people of these towns are entitled to such information.

Chairman Cabell advised that it is contrary to the policy of the State Highway Commission to make any definite statement as to highway locations until it is ready to construct; also, that the Commission is doing the best it possibly can with moneys available and has the Curry County improvements in mind. He pointed out that numerous requests have been received for the revision of this highway through the town of Brookings, which project, he said, the Commission is inclined to consider has priority over others in this district. He inquired as to Judge Boice's attitude in regard thereto. Judge Boice agreed that the highway should be reconstructed through Brookings and stated that, if the Highway Commission has allocated moneys to such project, in his estimation they should not be reallocated to any other project.

Mr. Sanders urged the improvement south of Port Orford, particularly the removal of excessive curvature between Port Orford and Rumburg Mountain.

Representative Carter suggested that it might be advisable to start the improvement of the Oregon Coast Highway at the California state line and proceed northerly therefrom. It was his thought that the tourist reaction would be much more favorable if the improvement were started at the southerly end rather than farther north, particularly in view of the improvements that have been made by the State of California. He also urged the Commission to decide the location through the town of Gold Beach, suggesting that it would be a fine idea to acquire the right of way soon. The people of Gold Beach, he said, are not particular where the road is built but they would like to have the location adopted as soon as possible.

Chairman Cabell advised that the Commission has this matter under advisement but is not in a position to make a definite commitment at this time.

Mr. Carter then inquired as to the federal aid secondary highway setup for Curry County, giving as his understanding that the Commission has not included any Curry County roads in such system. Judge Boice also made inquiry concerning such matter. They were informed that the Commission has given this matter considerable thought but up to the present time has not been able to see its way clear to include any of the Curry County roads in

such system because it was understood that the county could not acquire the right of way, which is a condition precedent. Judge Boice advised that the county is ready and willing to cooperate in such matter, whereupon the Commission instructed the Engineer to discuss the matter further with the Curry County Court and try to find a suitable road if possible.

Mr. Coe concluded the presentation by stating that, while the people of the Coos Bay district are particularly desirous of securing the reconstruction of the highway between North Bend and Coquille, they do not wish to appear to be dictatorial in the matter and their primary purpose in coming before the Commission at this time was simply to ascertain just what plans the Commission has for such improvement so they can pass the information along to the local people.

Dr. L. I. Hewes, Chief, Western Region, Public Roads Administration, San Francisco, was present and paid his personal respects to the members of the State Highway Commission.

A delegation from Eugene, representing the Willamette Ski Patrol, and consisting of Hale G. Thompson, Sterling Behnke, Bill Parrish, and Ed Turnbull, came before the Commission and urged snow-removal operations on the McKenzie Highway to enable the winter sports enthusiasts to reach the skiing grounds about two miles above a place known as Dead Horse Grade. Mr. Thompson headed the group. They presented numerous arguments in behalf of their request and particularly referred to petitions and endorsements heretofore filed with the Commission's Secretary endorsing the project. Mr. Thompson said that they would be satisfied with an expenditure of state highway funds equal to that paid out by the State Highway Commission last winter for similar operations.

Chairman Cabell inquired whether or not there is any place along the Willamette Highway that would be suitable for winter sports when that highway is completed. He was informed by Mr. Thompson that diligent search has been made but as yet they have been unable to find anything as satisfactory as the McKenzie Highway site or anything near comparable with it. However, it is their intention to continue their search as time permits.

The State Highway Engineer pointed out that snow-removal operations on this highway are very costly, particularly compared with the revenues that the state would derive from traffic if the road were kept open. He also pointed out that such operations with heavy-type equipment are very damaging to the surface of the road, making for high maintenance cost. He suggested that the Commission might authorize push-plow operations to be carried on until the snow got so deep that push-plows could not handle it, but he could not recommend full compliance with the delegation's request.

Chairman Cabell advised that he is heartily in favor of doing everything possible for the winter sports enthusiasts, provided the expense is not great, but is not in position today to state just what the Commission can do in this particular instance. However, the matter will be given serious consideration and the Commission will take definite action as soon as it possibly can.

At 3:00 o'clock p. m. Chairman Cabell announced the awards of contracts and sale of buildings as follows, bids for which were received at the morning session, such awards and sales having been previously approved by the Commission by unanimous vote:

"Black Bridge-Richland Section of the Baker-Homestead Highway, in Baker County. 7.0 miles surfacing and oiling; also furnish 2000 cu. yds. crushed gravel in stock piles. Morrison-Knudsen Company, Boise, Idaho, submitted the low bid for this project at \$26,240.00. Newport Construction Company, Portland, submitted the second-low bid at \$26,642.90. There were 3 higher bidders. The Commission awards this contract to Morrison-Knudsen Company, the low bidder, at its bid price of \$26,240.00.

"Mountain Rest-Mt. Vernon Rock Production Project on the Pendleton-John Day and Beech Creek Highways, in Grant County. Furnish 5700 cu. yds. crushed rock in stock piles. Only 2 bids were submitted for this project, the low one being that of F. R. Hewett, Spokane, Washington, at \$9,750.00 and the other bid being that of A. S. Wallace, Roseburg, at \$9,880.00. The Commission awards the contract to the low bidder, F. R. Hewett, at his bid price of \$9,750.00.

"Siskiyou-State Line Section of the Pacific Highway, in Jackson County. 6.31 miles bituminous macadam surfacing; also furnish 5200 cu. yds. crushed rock in stock piles. 11 bids were received for this project, the low one being submitted by Roy L. Houck, Salem, at \$108,174.00. The second-low bid was submitted by Clifton & Applegate, Spokane, Washington, at \$117,373.00. The Commission awards the contract to Roy L. Houck, the low bidder, at \$108,174.00.

"Hebo-Oceanlake Rock Production Project on the Oregon Coast and Salmon River Highways, in Lincoln and Tillamook Counties. Furnish 6000 cu. yds. crushed rock in stock piles. The low bid for this project was submitted by Washington Hauling Company, Seattle, Washington, at \$11,580.00, and the second-low bid was submitted by Feldschar & Son, Tillamook, at \$12,420.00. There were 7 higher bidders. The Commission awards the contract to Washington Hauling Company at its bid price of \$11,580.00.

"Cow Hollow Creek-Owyhee School Section of the Vale-Adrian County Road, in Malheur County. 4.08 miles grading. The Commission received 11 bids for this project, the low one being that submitted by M. L. O'Neil & Son, Eugene, at \$13,198.80. The second-low bid was submitted by E. L. Rigdon, Prairie City, at \$13,891.00. The Commission refers all bids received to the Engineer, with power to award the contract to the low bidder when certain conditions are satisfied.

"Jordan Creek-McNamers Camp Section of the Wilson River Highway, in Tillamook County. 9.3 miles surfacing and oiling; also, furnish 3000 cu. yds. crushed materials in stock piles. Saxton,

Looney & Risley, Oak Grove, submitted the low bid for this project at \$31,789.00, based on the use of road oil, and \$32,016.70, based on the use of tar. Newport Construction Company, Portland, submitted the second-low bid at \$32,034.00, based on the use of road oil, and \$32,413.50, based on the use of tar. There were 8 higher bidders. The Commission awards the contract to Saxton, Looney & Risley, the low bidders, at the bid of \$31,789.00, based on the use of road oil.

"Construction of a 606-foot steel and concrete viaduct over Devils Lake Fork of the Wilson River on the Wilson River Highway, in Tillamook County. The Commission received 9 bids for this project, the low one being submitted by McNutt Brothers, Eugene, at \$98,232.50, and the second-low one being that submitted by Bennett & Taylor, Los Angeles, California, at \$100,959.00. The Commission awards the contract to McNutt Brothers, the low bidders, at \$98,232.50."

Buildings at Tigard:

" Building No. 7001, formerly owned by Frona K. Williams. The only bid received for this building was that of Sullivan Wrecking Company, Portland, at \$92.72. The Commission rejected this offer and orders that the building be sold with the lot.

"Building No. 7001 and Lot, formerly owned by Frona K. Williams. 6 bids were received for this building and lot, the high one being that of H. V. Kruse, Oswego, at \$1,754.00. The second-high bid was received from Harold J. Heffron, Tigard, at \$1,100.00. The Commission accepts the offer of H. V. Kruse and accordingly sells the building to him at his high bid of \$1,754.00.

"Building No. 6940, formerly owned by C. H. Pfaffle. H. N. Peabody, Portland, submitted the high bid for this building at \$75.00, and the only other bid received was that of Sullivan Wrecking Company, Portland, at \$2.17. The Commission accepts the offer of H. N. Peabody and accordingly sells the building to him at his high bid of \$75.00. (Note: Action rescinded by Commission at meeting held on December 20, 1939.)

"Building No. 6998, formerly owned by Vivian H. North. The high bid received by the Commission for this building was that submitted by Loyd and Ruby Robinett, Tigard, at \$1,000.00. The second-high bid was received from H. B. Tigard, Tigard, at \$915.00. There were 4 lower bidders. The Commission accepts the offer of Loyd and Ruby Robinett and accordingly sells the building to them for \$1,000.00.

"Building No. 6924, formerly owned by Joseph D. Foley Estate. The only bid received for this building was that submitted by Sullivan Wrecking Company, Portland, at \$2.07. The Commission rejects

this offer and orders the building readvertised.

"Building No. 6980, formerly owned by Emil Johnson. The Commission received two bids for this building, the high one being that of Madson & Picha, Salem, at \$122.00, and the other one being that of Sullivan Wrecking Company, Portland, at \$85.59. The Commission rejects both offers and orders the building readvertised.

"Building No. 6943, former owner E. C. Hunsiker. 4 bids were submitted for the purchase of this building, the high one being that of H. V. Kruse, Oswego, at \$201.00. The second-high bid was that of John F. Mills, Tigard, at \$105.00. The Commission accepts the offer of H. V. Kruse and accordingly sells the building to him at his high bid of \$201.00.

"Building No. 7040, formerly owned by Shubring & Biederman. 2 bids were received for this building, the high one being that of Les Gray, Tigard, at \$201.50, and the other one being that of Sullivan Wrecking Company, Portland, at \$41.99. The Commission accepts the offer of Les Gray and accordingly sells the building to him at his high bid of \$201.50.

"Building No. 6983, formerly owned by Emil Johnson. John Scheckla, Tigard, submitted the high bid for this building at \$125.00. Madson & Picha, Salem, submitted the second-high bid at \$53.00. The only other offer received was that of Sullivan Wrecking Company, Portland, at \$33.79. The Commission rejects all bids received and orders the building readvertised.

"Building No. 6945, formerly owned by MacGormac Snow. 3 bids were received for this building, the high one being that of Francis J. Scheckla, Tigard, at \$95.00, and the second-high being that of Madson & Picha, Salem, at \$53.00. Sullivan Wrecking Company, Portland, submitted the other bid at \$33.49. The Commission considers the offer of F. J. Scheckla satisfactory and accordingly sells the building to him at his high bid of \$95.00.

"Building No. 6937, formerly owned by Charles ? Kuensler. John Scheckla, Tigard, submitted the high bid for this building at \$75.00. Madson & Picha, Salem, submitted the second-high bid at \$53.00. The only other bid received was that of Sullivan Wrecking Company, Portland, at \$29.97. The Commission accepts the offer of John Scheckla and accordingly sells the building to him at his high bid of \$75.00."

Buildings at Cotters Grove:

"Building No. 5643, formerly owned by Mark Woodruff. 2 bids were received for this building, the high one being that of George Lemmers, Grants Pass, at \$12.00, and the other one being that of J. E. Soric and Roy Crowe, Eugene, at \$1.00. The Commission

accepts the offer of George Lammers and sells the building to him at his high bid of \$12.00.

"Building No. 5644, formerly owned by Francis M. Turner. George Lammers, Grants Pass, submitted the high bid for this building at \$36.00, and J. E. Soric and Roy Crowe, Eugene, submitted the only other bid received, at \$1.00. The Commission considers the offer of George Lammers satisfactory and accordingly sells the building to him at \$36.00, the high bid.

"Building No. 5650, formerly owned by Frank H. Snodgrass. 2 bids were received for this building, the high one being that of George Lammers, Grants Pass, at \$66.00, and the other that of J. E. Soric and Roy Crowe, Eugene, at \$1.00. The Commission accepts the offer of George Lammers and sells the building to him at his high bid of \$66.00.

"Building No. 5653, formerly owned by C. A. McFarland. George Lammers, Grants Pass, submitted the high bid for this building at \$26.00, and J. E. Soric and Roy Crowe, Eugene, submitted the only other bid received at \$1.00. The Commission considers the offer of George Lammers satisfactory and thus sells the building to him for \$26.00.

"Building No. 5692, formerly owned by George M. Hawley. 2 bids were received for this building, the high one being that of George Lammers, Grants Pass, at \$11.00, the other bid being that of J. E. Soric and Roy Crowe, Eugene, at \$1.00. The Commission considers the offer of George Lammers satisfactory and accordingly sells the building to him for \$11.00.

"Building No. 5693-A, formerly owned by First Free Methodist Church. The Free Methodist Church, Cottage Grove, submitted the high bid for this building at \$101.00. George Lammers, Grants Pass, submitted the second high bid at \$56.00. There was one lower bidder. The Commission accepts the offer of the Free Methodist Church and accordingly sells the building to it for \$101.00.

"Building No. 5693-B, formerly owned by the First Free Methodist Church. 4 bids were received for this building, the high one being that of the Free Methodist Church, Cottage Grove, at \$301.00, and the second-high bid being that of George Lammers, Grants Pass, at \$153.00. The Commission considers the bid of the Free Methodist Church satisfactory and accordingly sells the building to it at its high bid of \$301.00."

Buildings at Albany:

Building No. 5845, formerly owned by Forrest Barker. 4 bids were received for this building, the high one being submitted by Forrest Barker, Albany, at \$201.50, and the second-high one being

submitted by Edward Falwell, Albany, at \$196.50. The Commission accepts the offer of Forrest Barker and accordingly sells the building to him at his high bid of \$201.50.

"Building No. 6378, formerly owned by Lee Hurst. The Commission received 6 offers for the purchase of this building, the high one being that of Harriett Hamilton, Albany, at \$535.00. V. W. Mason, Albany, submitted the second-high bid at \$201.50. The Commission accepts the offer of Harriett Hamilton and accordingly sells the building to her at \$535.00.

"Building No. 6382, formerly owned by R. B. McCalley. Wm. Eagles, Albany, submitted the high bid for this building, at \$406.00. V. W. Mason, Albany, submitted the second-high bid, at \$351.50. There were 3 lower bidders. The Commission considers the offer of Wm. Eagles satisfactory and accordingly sells the building to him at his offer of \$406.00.

"Building No. 6396, formerly owned by J. L. Richardson. The Commission received 3 bids for this building, the high one being that of Charles Childs, Albany, at \$51.00, and the second-high one being that of Wilbur Stead, Tangent, at \$40.00. The Commission considers the offer of Charles Childs satisfactory and accordingly sells the building to him at his high bid of \$51.00."

Moving and reconstructing Methodist Episcopal Church Building, in Tigard:

"Contracting & Sales Company, Portland, submitted the low bid for this project, with a bid of \$5,927.00 based on constructing a full basement. Their bid for this work based on constructing a furnace room only was \$5,827.00. V. W. Mason, Albany, submitted the second-low bid, being \$6,385.00 for full basement construction, and \$5,050.00 for furnace room only. There were 2 higher bidders. The Commission has referred all bids received for this project to the Engineer with power to award the contract to the low bidder when the question whether or not a full basement shall be constructed has been decided by the owner."

Moving and remodeling Johnson Lumber Company Buildings, near Tigard:

"Odom Construction Company, Oregon City, submitted the low bid for this project at \$6,364.00. A. C. Baumback, Sandy, was the second-low bidder with a bid of \$7,350.00. There were 2 higher bidders. Bids for this project were received by the Commission in behalf of the owner of the buildings, to whom the bids are referred for awarding the contract."

Remodeling Lone Oak Service Station Buildings, near Tigard:

"The Commission received 2 bids for this project, the low one

being that of the Odom Construction Company, Oregon City, at \$6,180.00, and the other being that of Ray Christensen, Tigard, at \$6,430.00. Bids for this project were received by the Commission on behalf of the owner of the buildings, to whom the bids are referred for award of the contract."

Moving and reconstructing buildings of Villa Ridge Service Station, near Tigard:

"Only 2 bids were received for this project, the low one being that of Odom Construction Company, Oregon City, at \$4,537.00, and the other being that of Ray Christensen, Tigard, at \$5,035.00. Bids for this project were received by the Commission in behalf of the owner of the buildings, to whom the bids are referred for awarding the contract."

Mr. Charles H. Reynolds, President, Oregon Trail Association, and County Judge G. G. Shults, Wasco County, member thereof, came before the Commission and resubmitted the following program for improvements to the Old Oregon Trail:

Reconstruct the section between Ontario and Olds Ferry, in Malheur County, to shorten the distance and eliminate inferior alignment.

Widen the undercrossing of the Union Pacific Railroad at Durkee, in Baker County, and flatten the approach curves thereto.

Reconstruct 0.7-mile section through the John Troy property three miles east of Pleasant Valley, in Baker County.

Complete reconstruction of the Baker-Haines Section just out of Baker, in Baker County.

Reconstruct the section between North Powder and Union, in Union County, by elimination of curves and widening roadbed.

Construct proposed cutoff between Stanfield, in Umatilla County, and Boardman, in Morrow County.

Continue reconstruction of the Arlington-John Day River Section, in Gilliam County, by elimination of curves, et cetera.

Expedite reconstruction between The Dalles and Troutdale, financing same without special government appropriation, if necessary.

They offered full cooperation in every way possible in the undertaking of these projects. They were informed by Chairman Cabell that the Commission would be pleased to keep these projects in mind.

Mr. Reynolds also requested the following improvements in behalf of the County Court of Union County:

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Reconstruct Minam-Elgin Section of the Wallowa Lake Highway, particularly the section over Minam Hill.

Modernize as expeditiously as possible the Union-Medical Springs Section of the Medical Springs Secondary State Highway.

Extend the Starkey Secondary State Highway from its present terminus to the forest boundary and reconstruct this road to secondary state highway standards as soon as possible. In connection with this project Mr. Reynolds stated that if the state does not have funds available to finance the entire improvement between Starkey and the forest boundary it might be possible to secure funds from some other source.

The Commission agreed to keep these projects in mind.

A delegation from Tigard, consisting of A. L. Mason, C. A. Donnelly, M. W. Evans, A. Schubring, and E. A. Woodward, came before the Commission and asked for the oiling of the unimproved strips adjacent to the highway pavement through the town of Tigard. Mr. Mason headed the group. The Engineer advised that this matter has been investigated and it appears that a first-class improvement will cost about \$7,500, whereas for about \$1,000 a temporary improvement that would be satisfactory could be obtained, although the oiling work would have to be deferred until next year when weather conditions are favorable to such type of construction. The Commission agreed to give the matter careful consideration and instructed the Engineer to make further investigation, and report.

Mr. E. C. Gerber, highway contractor, came before the Commission at this time and requested reconsideration of the Commission's order disqualifying him from bidding on future highway construction projects. The Engineer explained why the Commission has seen fit to disqualify Mr. Gerber, particularly pointing out that Mr. Gerber has been lax in complying with the specifications with respect to labor, and that he carried on his work in a dilatory manner, which in one particular instance has cost the state approximately \$6,000 for extra oiling work. Furthermore, Mr. Gerber's failure to complete this particular project within the specified time limit has caused great inconvenience to the traveling public. He advised, however, that the Commission has no complaint to make with respect to Mr. Gerber's ability to finance the work upon which he is engaged, but insists that he, as well as other contractors, complete his projects within the specified time limit and that he respect all of the provisions of the specifications. He suggested, in view of Mr. Gerber's past performance record, that the Commission reinstate Mr. Gerber on the basis of awarding to him only one contract limited to a maximum of \$100,000. After considerable discussion the Commission approved the Engineer's suggestion by unanimous vote as a trial proposition, it being understood that if Mr. Gerber does not carry on the work to the entire satisfaction of the Commission and its engineers, then he is to be disqualified entirely and will not be permitted to bid on highway work thereafter.

Mr. C. F. Howard, St. Helens, and his attorney, Mr. E. T. Steel,

came before the Commission in regard to the moving of his service station building from right of way recently acquired by the state from him for the improvement of the Lower Columbia River Highway just north of St. Helens. The Assistant Attorney explained that it had been necessary in connection with the improvement of the highway at this location to acquire some of Mr. Howard's property on which he is maintaining a service station, and as a consideration the state deeded to Mr. Howard state-owned property that was not needed for highway purposes. Further, that Mr. Howard is desirous of removing his buildings from the highway right of way but before doing so wants to grade the new site to conform with the grade of the new highway, which will involve considerable excavation not only on his own property but also on the highway right of way. He further advised that the highway work has not yet been contracted but Mr. Howard wants to move his buildings at once and has agreed to perform all of the grading operations himself, both within and without the limits of the highway right of way, but wants the state to reimburse him for the cost of excavation work performed within the highway right of way limits. He recommended approval of Mr. Howard's offer. The Commission approved the recommendation by unanimous vote on the basis of reimbursing Mr. Howard in an amount equal to the cost of the excavation work within the right of way limits if such work were performed by the state's contractor in connection with his other work on the highway when the contract for this section is awarded. The Engineer was instructed to prepare an estimate of cost at once and present the same to Mr. Howard for his consideration, so he will have an idea as to how much reimbursement he may expect from the state.

A delegation representing the Conservation Committee 40 et 8, American Legion, and consisting of Mr. James McCrea, Salem; Municipal Judge Julius Cohn, Portland; Charles F. Walker, Portland; and Ira Withrow, Grand Ronde, came before the Commission in regard to the preservation of timber along the Salmon River Highway. Mr. McCrea headed the group. He urged the Commission to purchase at once from the Miami Corporation certain timber along the north side of the highway in the vicinity of a place known as Boyer, and suggested that arrangements be made to pay for this timber in three annual payments as the Commission now is purchasing another timber tract from this company along the south side of the highway at this location.

Judge Cohn stated that he is Chairman of the Conservation Committee of the 40 et 8 and that the idea which the committee has in mind is to secure the preservation of timber adjacent to the highways generally throughout the state rather than in any one particular locality, and that the Salmon River Highway timber strip is only one of the tracts that they had in mind, but it is an important one.

Mr. Walker also spoke in favor of the preservation of the Salmon River Highway timber.

Mr. Withrow advised that the Miami Corporation has a bona fide buyer for the timber under discussion and that this purchaser plans to start his logging operations on the area fronting the highway.

Chairman Cabell advised that the Commission is cognizant of the value and beauty of the timber along the Salmon River Highway and would like to

purchase it in order to insure its preservation, but funds available to the Commission for such purpose are very limited and there is a question whether or not the Commission would be able to finance the proposition, particularly in view of the fact that the Commission has already committed a substantial amount for the purchase of additional timber in this district. He pointed out that there is a bill pending in Congress which provides federal funds for financing the acquisition of timber tracts adjacent to highways and in view thereof the Commission is reluctant to commit state funds to such projects until Congress has taken final action on this bill, which it is expected will be disposed of shortly after Congress reconvenes this winter. He also advised that the Commission has received a letter from the Miami Corporation granting the Commission a period of six months in which to make its final decision with respect to the purchase of this timber tract so as to give Congress sufficient time to pass on the bill. In view of the circumstances, he said, the Commission is not in a position today to take definite action on this matter.

Mr. F. L. Smith, Portland, came before the Commission in regard to the sale of a timber tract on the Arch Cape promontory adjacent to the Oregon Coast Highway near the Clatsop-Tillamook County line. Mr. Smith stated that he owns considerable timber in this area and that he has received an offer from certain parties who desire to market this timber at once, but he is of the opinion that the state should own the timber on this particular promontory and accordingly is giving the state first refusal of the same. There are approximately 130 acres in the tract, he said, and it contains about 4,000,000 feet of timber which he is willing to sell to the state for the sum of \$2,500 plus accrued taxes. He also said that if the state does not want this timber he cannot afford not to sell it to the logging companies, and all that he is asking in addition to the cash settlement is the right to maintain a roadway across the property for the benefit of the people who have purchased property from him farther removed from the highway. The Commission appeared favorably inclined to Mr. Smith's proposition but deferred a decision in regard thereto pending a report from the State Parks Superintendent, to whom the matter was referred.

At 5:00 o'clock p. m. the Commission adjourned to Room 210, Congress Hotel, for a conference with representatives of the Oregon State Police Department and the Public Utilities Commissioner of Oregon regarding matters pertaining to the transportation of logs, poles, and piling over state highways. Present at such conference were the following: Henry F. Cabell, Chairman, Huron W. Clough, Commissioner, R. H. Baldock, State Highway Engineer, J. M. Devers, Attorney, H. B. Glaisyer, Secretary, representing the State Highway Department; Charles P. Pray, Superintendent of the Department of State Police; T. O. Russell, Chief Engineer, A. F. Harvey, Superintendent of Motor Transportation, Perry O. DeLap and John Bagley, representing the Public Utilities Commissioner; and Mr. Roy Putnam, representing the Southern Pacific Company.

This matter was discussed at considerable length but, due to the lateness of the hour, no definite action was taken thereon. It was decided that the State Highway Engineer should formulate a set of rules and regulations pertaining to the subject and submit the same to the Superintendent of the Department of State Police and the Public Utilities Commissioner for

suggestions and approvals, following which it is to be discussed with representatives of the logging industry at a special meeting called for such purpose.

Mr. Russell also brought up for discussion a dangerous condition which exists at Canby where logging trucks entering Canby from adjacent county roads are obliged to cross the Pacific Highway and the tracks of the Southern Pacific Company enroute to their destination. It was explained that the highway and the railroad lie very close together in that town, and, while logging trucks are required to come to a complete stop before entering the highway, there is no such provision with respect to the railroad. It was thought that some such provision should be made as a safety measure and that some authority should issue an order requiring the logging trucks to stop at such point. Action on this matter was deferred until a later date.

The meeting was adjourned at 6:15 o'clock p. m., the Highway Commission to reconvene in regular session at 9:00 o'clock the following morning in the auditorium of the Public Service Building.

Portland, Oregon, December 8, 1939

The State Highway Commission reconvened at 9:00 o'clock a. m. in the auditorium of the Public Service Building, with all members present and participating. Also present were the State Highway Engineer, the Attorney, and the Secretary.

Bids as follows for highway construction projects were opened and read in conformance with previously published notice, following which Chairman Cabell announced that the award of contracts would be made at 3:00 o'clock p. m. in the same room:

WOLF CREEK HIGHWAY
NEHALEM RIVER-SUNSET SUMMIT ROCK PRODUCTION PROJECT

A. S. Wallace	\$ 21,668.00
H. L. Rice	23,326.00
E. C. Hall Company	25,010.00
Homer G. Johnson	25,140.00
Gus Reichow	25,812.00
O. C. Yocom	26,357.00
Fisher Bros.	26,490.00
Tidepoint Company	26,504.00
Saxton, Looney & Risley	26,529.00
Newport Construction Company	28,396.00
A. C. Greenwood Company, Inc.	29,020.00
R. O. Dail & Warren Bros.	31,360.00
McNutt Bros.	31,400.00

UMPQUA HIGHWAY
REEDSFORT (12th St. to 15th St.) SECTION - PAVING

R. I. Stuart & Sons	\$ 26,894.00
Edlaesen-Weygandt Company	26,945.00
Harry I. Hamilton	27,976.00
Jacobsen-Jensen Company	28,621.50

GREEN SPRINGS HIGHWAY
SISKIYOU JUNCTION-KLAMATH COUNTY LINE ROCK PRODUCTION PROJECT

A. S. Wallace	\$ 13,680.00
R. I. Stuart & Sons	14,960.00
R. O. Dail & Warren Bros., Inc.	18,240.00

WARM SPRINGS SECONDARY HIGHWAY
WARM SPRINGS AGENCY-VANORA SECTION
SURFACING AND OILING; ALSO FURNISH CRUSHED ROCK IN STOCK PILES

Saxton, Looney & Risley	\$ 33,565.50
H. L. Rice	35,655.50
J. C. Compton	36,426.00
Clifton & Applegate	36,677.70
Fisher Bros.	37,142.20
Babler Bros.	37,303.00
A. Milne	37,718.00
McNutt Bros.	41,858.50
Joslin & McAllister	42,025.90
A. S. Wallace	42,454.40
E. C. Hall Company	42,784.00
Newport Construction Company	44,048.92
C. J. Eldon	44,229.00
Edwin C. Garber	44,663.50
Homer G. Johnson	46,124.00
R. O. Dail & Warren Bros., Inc.	54,550.00

OREGON COAST HIGHWAY
REMODEL AND WIDEN BRIDGE OVER DEPOE BAY
ALSO CONSTRUCT HIGHWAY ROADBED APPROACHES

Odom Construction Company	\$ 60,367.50
A. W. Stevens Construction Company	68,644.50
Kuckenberg Construction Company	69,185.00
Birkmeier & Saremäl	70,415.00
McNutt Bros.	70,650.00
Bennett & Taylor	70,997.50
Curtis Gardner	72,760.00
Jacobsen-Jensen Company	73,395.50
C. J. Montag & Sons	76,467.50
Barham Bros.	80,425.00

SANTIAM HIGHWAY
TROUT CREEK-TOLL CREEK SECTION
SURFACING AND OILING; FURNISH CRUSHED ROCK IN STOCK PILES

	<u>Using Road Oil</u>	<u>Using Tar</u>
E. C. Hall Company	\$ 61,381.00	\$ - - - -
Babler Bros.	65,166.00	65,370.00
Homer G. Johnson	68,661.00	- - - -
McNutt Bros.	70,061.00	71,542.00
Fisher Bros.	72,446.00	- - - -
A. Milne	79,158.00	- - - -
R. O. Dail & Warren Bros., Inc.	80,171.00	80,122.00

OREGON COAST HIGHWAY
NECARNEY CREEK-NEAHKAHNE MOUNTAIN SECTION
GRADING AND REINFORCED CONCRETE STRUCTURES

K. L. Goulter	\$135,418.00
Leonard & Slate	137,450.00
Birkemeier & Sarsenal	145,333.00
A. C. Greenwood Company, Inc.	152,880.00
Frank Penepacker	153,245.00
Berke Bros., Inc.	153,354.50
Colonial Construction Company	156,745.00
J. A. Lyons	156,805.00
E. C. Hall Company	158,028.00
McNutt Bros.	159,249.00
Kuckenberg Construction Company	183,637.50
Bennett & Taylor	186,174.00

FIFTEENMILE CREEK COUNTY ROAD
WEST UNIT, PETERSBURGH-FAIRBANKS SECTION
GRADING, SURFACING AND OILING

Leonard & Slate	\$ 11,537.00
Mid-Columbia Sand & Gravel Company	12,229.50
Hart Construction Company	12,588.00
Guy J. Norris	12,661.50
Babler Bros.	13,011.00
Wasco County	13,282.00
Saxton, Looney & Risley	13,823.00
Fisher Bros.	13,995.00
H. B. Klinehline	14,740.00
H. L. Rice	15,968.00
Cochran & Gatten	17,807.30

Mr. Herbert C. Hardy, attorney for the Bonneville Authority, came before the Commission in regard to Bonneville's power transmission pole line between Portland and Eugene. He advised that some time ago the Commission granted the Bonneville Authority permission to construct its pole line over

and across certain state highways but there is no provision in the permit indicating any permanency of this privilege, and, in view of the fact that the Government is spending a large sum of money to construct a 115,000-volt line to Eugene, and will build other lines later on, it would like to have some understanding with the Highway Commission relative to the permanency of its construction and an understanding as to the obligations of the government and the state in the event that alterations are made for any reason or other in the future. He presented a tentative form of agreement covering the matter and pointed out the following: paragraph 3, page 2 thereof, which provides that if at any time, by reason of the construction, repair, improvement, alteration or relocation of any highway or of any portion thereof, it shall become necessary, in the opinion of the State Highway Commission and the Administrator, to relocate any of the electrical transmission lines, and appurtenances, the Administrator shall promptly relocate same; and paragraph 5, on page 3 thereof, which provides that if the highways are damaged or injured in the construction, operation, maintenance, or repair of the electrical transmission lines, then they shall be immediately repaired and reconstructed by the United States under the supervision and to the satisfaction of the Highway Commission; and which provides further that upon failure, neglect or refusal of the United States to immediately repair the highways, then the state may undertake such work, the cost thereof to be paid by the United States upon presentation of properly executed voucher, provided that the state shall submit an estimate of the cost of such changes, alterations, or repairs to the Administrator and shall obtain his approval thereof before making such changes, alterations or repairs, and that, if in an emergency it becomes necessary for the state to make such changes, et cetera, without first having obtained the approval of the Administrator, then the United States shall not be required to make any payment therefor unless the sum expended shall be approved by the Administrator.

This matter was discussed at considerable length, during which the Commission's Attorney questioned the authority of the Commission to enter into an agreement of this nature. The Commission deferred action on this matter pending the securing of an opinion from the Attorney General relative thereto. The Commission instructed its Attorney to confer further with Mr. Hardy with respect to the legal features involved and in the preparation of the form of agreement that might be accepted, and report to the Commission later.

A delegation consisting of County Judge Nelson B. Higgs, of Harney County; William Baer, County Commissioner of Deschutes County; Don Peoples, Secretary of the Bend Chamber of Commerce; and M. A. Lynch, ex-member of the State Highway Commission, Redmond, was present. Judge Higgs asked for the construction of the secondary highway which extends in a southeasterly direction from Princeton, in Harney County, to a connection with the I.O.N. Secondary Highway, near Rome, in Malheur County. He also asked for the oiling of the Burns-Crane Primary State Highway, in 1940. He stated his preference for the construction of this project over the improvement of the secondary highway south of Crane. He was informed by Chairman Cabell that, due to the limited amount of funds available to the Commission, it does not appear possible for the Commission to construct an oiled surface on the Burns-Crane Highway in 1940, but the Commission will be glad to keep the project in mind for future

consideration. As to the other projects mentioned by Judge Higgs, Chairman Cabell stated that, in his estimation, now is not the time to start construction of this road while there are so many other highways of more importance that need attention.

The Secretary presented a petition signed by numerous residents of Harney County, asking for the reconstruction and improvement of the Burns-Crane Highway. He was instructed by the Commission to acknowledge the same and advise the petitioners of the action taken by the Commission at this meeting with respect to this road.

Mr. Peoples urged the Commission to allocate additional forest highway funds to improve the forest highway section of the Warm Springs Highway south of its junction with the Wapinitia Highway, in order to expedite the completion of this road. He also asked that this road be placed on the federal aid highway system so as to receive the benefit of federal aid highway funds. He urged early completion of the highway inasmuch as it will reduce the distance from Central Oregon to Portland by about 30 miles and will eliminate approximately 50 miles of fog condition that obtains on the present traveled route. He also asked that an additional amount of forest highway funds be allocated to extend the improvement now under way on the Bend-Elk Lake Forest Highway. His remarks were endorsed by Judge Higgs, Mr. Lynch, and Commissioner Baer.

Chairman Cabell advised that the Commission questions the advisability of completing the forest section of the Warm Springs Highway until the construction of the state's section of this highway is further advanced. The Commission is now considering, he said, the placing of this highway on the federal aid system so that advantage can be had of financing the project with federal aid funds. However, final action has not yet been taken to that end because the Commission wants to make definitely certain that placing this road on the federal aid system is the proper thing to do, considering other roads throughout the state that are in the same category. The Commission will be pleased, he said, to bear this project in mind in the formulation of future highway programs.

Mr. Lynch also appeared before the Commission in company with Mr. M. A. Hawke and Mr. Charles Woodruff, Prineville, in the interests of the Ochoco Highway. He urged the continuation of reconstruction work on this highway easterly from Marks Creek to Mitchell, which section, he said, is very important, and is entitled to funds in view of the fact that it has lain dormant for a long time. He was informed by Chairman Cabell that the Commission would be pleased to keep this project in mind.

The Commission adjourned at 12:15 o'clock p. m. and reconvened at 1:30 o'clock p. m. in the Green Room of the Congress Hotel for a conference with government officials relative to the programming of the fiscal year 1941 forest highway funds. Present at such conference were Henry F. Cabell, Chairman, E. B. Aldrich, Commissioner, Huron W. Clough, Commissioner, R. H. Baldock, State Highway Engineer, J. M. Devers, Attorney, and H. B. Glaisyer, Secretary, representing the State Highway Department; W. H. Lynch, District Engineer,

T. M. Davis, Senior Highway Engineer, H. D. Farmer, Senior Highway Engineer, and F. E. Andrews, Senior Highway Engineer, representing the United States Public Roads Administration; and F. V. Horton, Acting Regional Forester, and James Frankland, Regional Engineer, representing the United States Forest Service.

Mr. Lynch advised that the exact amount of the federal appropriation for forest highways for the fiscal year 1941 is not yet known but they anticipate that it will be approximately \$1,116,000.00, less \$50,000.00 reserved for financing location surveys, and \$40,000.00 reserved for financing maintenance work, and an additional amount for contingencies. He suggested that an amount of \$960,000.00 be set as the basis for the allocation at the present time. The suggestion was approved.

The State Highway Engineer submitted a list of projects eligible for this program, as did also Mr. Lynch. After considerable discussion the following projects were tentatively approved for such program:

<u>Project</u>	<u>Termini</u>	<u>Length</u>	<u>Amount</u>	<u>Activity</u>
Tiller-Trail	Trail Cr.Br.-Trail	4.3	\$ 85,000 (with tr)	Surf. & Stockpiling for Y (1 mi.) & Br.
Willanette	Oakridge-Upper Salt Cr. Br. 2183	7.5	100,000	Surfacing (7" Comp.)
Santiam	Sheep Cr.-Tombstone	7.0	100,000	Grad. & Surf.
(North Santiam { or { (Santiam	Detroit-Niagara } Hogg Rock-Suttle) Lake	2.0	100,000	Financing share of reconstr. between Niagara & Detroit
			100,000	Oiling
Klamath-Lakeview	Quartz Mt.-Quartz Cr.	5.5	100,000	Grad., Surf., & Stock- piling
John Day	Dixie Summit-West	4.0	75,000	Grading
Pendleton-John Day	Fox Valley	5.3	50,000	Surfacing
John Day-Burns	Vance Cr.-Seneca	7.0	60,000	Surf. & Oiling
Flora-Enterprise	State Line-South	0.8	80,000	Grading
Cascade Lakes	Summit-West	8.0	50,000	Grading & Advance Clearing
Timberline	Timberline-South	3.3	125,000	Grad., Surf., & Oil. & Advance Clearing
Loc. Survey			40,000	
Maintenance			50,000	

The matter of conducting snow-removal operations on the Timberline Lodge Road was then discussed. The State Highway Engineer explained that a question has arisen as to the status of this road, whether it is a private road or a public road, and until such question has been decided definitely the State Highway Commission is in the position of not being able to say definitely whether it can cooperate in the snow-removal operations, as was done last winter. This matter, he said, is now before the Public Utilities Commissioner and if such Commissioner should decide that the road is a private road, then the State Highway Commission would have no alternative but to refuse to cooperate in snow-removal operations, because it does not have legal authority to spend state funds for private improvements, and will have to call upon the Federal Government to reimburse the state for expenditures made last year for such work. If, on the other hand, he said, the Public Utilities Commissioner decides, from the evidence submitted, that the road is a public road, then the Commission would have the authority to cooperate in the snow-removal undertaking and will continue the oral arrangement heretofore effected.

Messrs. Horton and Frankland both declared the road to be a public road, notwithstanding assertions made to the contrary at the time of the hearing before the Public Utilities Commissioner.

The Commission's Attorney gave as his opinion that the road is a public road rather than private. However, he suggested, in view of the uncertainty, that the Commission do not spend any money on the road until it has been so declared by the Public Utilities Commissioner, particularly in view of the allegation that the road is a private one.

After considerable discussion the Commission instructed the Attorney to ask the Public Utilities Commissioner to expedite his decision as much as possible. The Engineer was instructed by the Commission not to spend any state funds for snow-removal operations on this road, even should an emergency exist, until the order of the Public Utilities Commissioner has been received, and not then if, by such order, the road is declared to be a private road.

In this connection the Engineer reported receipt of a letter from Clackamas County Court advising that they have received for execution from the United States Forest Service certain agreements relative to the construction and maintenance of the new road to Timberline Lodge, whereby the county is made responsible for the maintenance and upkeep of this road, and have been advised by the Regional Engineer, Mr. James Frankland, that such obligation will be assumed by the State Highway Commission. The County Court would like advice, he said, before signing the agreements, as to whether or not the information given by Mr. Frankland is correct, inasmuch as the county is not financially able to undertake this task. The Engineer was instructed to inform the County Court that the present plans of the Commission contemplate placing this road on the state highway system when it has been constructed throughout, and when that is done the Commission will assume the responsibility for maintenance and upkeep of the same.

At 3:00 o'clock p. m. the Commission returned to the auditorium of the Public Service Building, and Chairman Cabell announced the following

awards of contracts for which bids were taken at the morning session, such awards having been previously approved by the Commission by unanimous vote:

"Nehalem River-Sunset Summit Rock Production Project, in Clatsop and Washington Counties. Furnish 15,600 cu. yds. crushed rock in stock piles. A. S. Wallace, Roseburg, submitted the low bid for this project at \$21,668.00. H. L. Rice, Portland, submitted the second-low bid at \$23,326.00. There were 11 higher bidders. The Commission awards the contract to the low bidder, A. S. Wallace, at his bid price of \$21,668.00.

"Reedsport (12th Street to 15th Street) Section of the Umpqua Highway, in Douglas County. 0.22 mile paving. 4 bids were received for this project, the low one being that of R. I. Stuart & Sons, Medford, at \$26,894.00, and the second-low being that of Edlefsen-Weygandt Company, Portland, at \$26,945.00. The Commission awards the contract to R. I. Stuart & Sons at their low bid price of \$26,894.00.

"Siskiyou Junction-Klamath County Line Rock Production Project on the Green Springs Highway, in Jackson County. Furnish 7,600 cu. yds. crushed rock in stock piles. The low bid for this project was submitted by A. S. Wallace, Roseburg, at \$13,680.00. The second-low bid was submitted by R. I. Stuart & Sons, Medford, at \$14,960.00. There was only one higher bidder. The Commission awards the contract to A. S. Wallace at his low bid of \$13,680.00.

"Warm Springs Agency-Vanora Section of the Warm Springs Secondary Highway, in Jefferson County. 5.1 miles surfacing and oiling; also furnish 1,500 cu. yds. crushed rock in stock piles. 16 bids were received for this project, the low one being submitted by Saxton, Looney & Risley, Oak Grove, at \$33,565.50, and the second-low being submitted by H. L. Rice, Portland, at \$35,655.50. The Commission awards the contract to the low bidders, Saxton, Looney & Risley, at their bid of \$33,565.50.

"Remodel and widen concrete arch bridge over Depoe Bay and construct 0.1 mile of highway roadbed approaches, on the Oregon Coast Highway, in Lincoln County. Odom Construction Company, Oregon City, submitted the low bid for this project, at \$60,367.50. A. W. Stevens Construction Company, Mt. Vernon, Washington, submitted the second-low bid at \$68,644.50. There were 8 higher bidders. The Commission awards the contract to Odom Construction Company, the low bidder, at its bid price of \$60,367.50.

"Trout Creek-Toll Creek Section on the Santiam Highway, in Linn County. 8.9 miles surfacing and oiling; also furnish 1,700 cu. yds. crushed rock in stock piles. E. C. Hall Company, Eugene, submitted the low bid for this project, at \$61,381.00, based on the use of road oil but they did not submit a bid based on the use of tar. Babler Bros., Portland, submitted the second-low bid at \$65,166.00,

based on the use of road oil, and \$65,370.00, based on the use of tar. There were 5 higher bidders. The Commission awards the contract to E. C. Hall Company at their low bid of \$61,381.00, based on the use of road oil.

"Necarney Creek-Neahkahnie Mountain Section of the Oregon Coast Highway, in Tillamook County. 0.87 mile grading and 6 reinforced concrete structures. 12 bids were received for this project, the low one being that of K. L. Goulter, Seattle, Washington, at \$135,418.00. The second-low bid was that of Leonard & Slate, Multnomah, at \$137,450.00. The Commission awards the contract to K.L. Goulter at his low bid of \$135,418.00.

"West Unit, Petersburg-Fairbanks Section of the Fifteenmile Creek County Road, in Wasco County. 2.0 miles grading and 2.94 miles surfacing and oiling. The low bid submitted for this project was that of Leonard & Slate, Multnomah, at \$11,537.00. The second-low bid submitted was that of Mid-Columbia Sand & Gravel Company, The Dalles, at \$12,229.50. There were 9 higher bidders. The Commission awards the contract to the low bidder, Leonard & Slate, at their bid price of \$11,537.00."

The Engineer reported that, as previously authorized by the Commission, he awarded to E. C. Hall Company on November 30, 1939, the contract for grading, surfacing, and oiling the Muddy Creek-Haines Section of the Old Oregon Trail, in Baker County, for which the Commission took bids on November 2, 1939, the conditions of the award having been satisfactory. The Commission approved the award of this contract as reported.

The Engineer also reported receipt of a letter from Contractor J.F. Johnston, Newberg, who submitted the low bid on June 22, 1939, for construction of a bridge over the East Fork of the Illinois River on the Illinois Valley County Road, in Josephine County, to the effect that he is ready and willing to accept the award of this contract notwithstanding that such a long time has elapsed since the bids were taken. He also reported that he has received oral information from Mr. W. H. Lynch, District Engineer, Public Roads Administration, to the effect that he will approve the award of this contract to Mr. Johnston. In view of the report, the Commission voted unanimously to award this contract to Mr. Johnston as soon as written confirmation from Mr. Lynch has been received. The matter was referred to the Engineer with power to make the award at such time.

The Engineer requested authority to purchase the following equipment:

- 1 electric light plant for maintenance headquarters at Chemult, and trade in as part purchase price 1 old plant, estimated cash outlay \$900
- 1 electric light plant for maintenance headquarters at Austin, estimated cost \$900

- 5 power hoists for installation on bridge crew trucks, estimated total cost \$1,750

The Commission approved the request by unanimous vote.

The Secretary presented a request from the State Parks Superintendent that the Yachats Park Road, which extends along the ocean shore line just south of Yachats River, in Lincoln County, be posted for reduced load limit so as to prevent its use by logging trucks, which now use the road for turn-around purposes and are rendering it impassable for general public use. The Engineer endorsed the request and recommended the adoption of a 50 per cent reduced load limit. The Commission approved the recommendation by unanimous vote and adopted the following resolution in regard thereto:

WHEREAS, the following road or highway has been designated and declared to be and is a state highway, and has been improved and is being maintained by the State Highway Commission pursuant to the laws of the State of Oregon as a state highway, to wit:

YACHATS STATE PARK ROAD

AND WHEREAS, the said above-named state highway is, in the judgment of the State Highway Commission, being subjected to a kind and character of traffic which is damaging and injuring the said highway, and, in order to protect said highway against said damage and injury, it is deemed and is the judgment of the Highway Commission and said Commission finds that it will be for the best interests of the said highway that the maximum weights permitted and authorized by law be reduced;

NOW, THEREFORE, the premises being in part as above stated, and the State Highway Commission having, as a result of due investigation, found that the road above mentioned and hereinafter designated is being damaged and injured on account of the kind and character of traffic now being hauled over and upon said road; and, by reason of the fact that vehicles carrying maximum loads moved at the maximum speeds specified by the provisions of the laws of the State of Oregon, are breaking up, damaging and deteriorating the said road,

IT IS HEREBY ORDERED, that the maximum weight of combined load and vehicle which shall be permitted upon the within-named road shall not exceed the weight herein fixed.

The maximum weights which shall apply to the following highway, to wit:

YACHATS STATE PARK ROAD, from its junction with the Oregon Coast Highway at the south end of the Yachats River Bridge at Yachats, to its junction with said Oregon Coast Highway at a point approximately 3000 feet south of

said bridge, said park road lying on the westerly side of said Oregon Coast Highway and following closely the high tide line of the Pacific Ocean between said points, in Lincoln County

shall be as follows: the combined weight in pounds bearing on the surface of the highway at contact with the tread of the wheels of the front axle of a truck or truck-tractor shall not exceed the product of four hundred (400) multiplied by the sum in inches of the tire width of the wheels of such axle; and, the combined weight in pounds bearing on the surface of the highway at contact with the tread of the wheels of any one axle of a vehicle or combination of vehicles, other than the front axle of a truck or truck-tractor, shall not exceed the product of three hundred (300) multiplied by the sum in inches of the tire width of the wheels of such axle; but, in no event shall the combined weight in pounds bearing on the surface of the highway at contact with the tread of the wheels of any one axle of a vehicle exceed the maximum limit set by law for any one axle.

IT IS FURTHER ORDERED that these rules and regulations as made and found by the State Highway Commission under the provisions of Chapter 360 of the laws of Oregon for 1931, shall be in full force and effect until modified, annulled or voided by the order of the State Highway Commission.

AND IT IS FURTHER ORDERED, that a notice be posted in a conspicuous manner and place at each end of the above-named highway and at important crossroads on said highway so that said notice can be readily seen and read, which said notice shall state plainly the limitations and prohibitions of traffic hereby in this order determined and fixed.

AND BE IT FURTHER ORDERED, that a certified copy of this order be furnished to the County Clerk of Lincoln County, in which said highway is located, and that a certified copy of this order be furnished to the Superintendent of the Department of State Police for his information.

The Engineer brought up for discussion the matter of adoption of budgets for 1940 for primary highway maintenance, primary highway minor betterments, secondary highway maintenance, and secondary highway minor betterments. He submitted budgets for each item, as follows, which the Commission considered carefully and approved by unanimous vote:

GENERAL SUMMARYPrimary Maintenance Budget
-1940-

<u>Section Maintenance</u>		
Division I	\$150,750.00	
Division II	210,740.00	
Division III	306,310.00	
Division IV	321,214.00	
Division V	366,000.00	
Supervision	<u>45,000.00</u>	
Total Section Maintenance	\$1,400,014.00	\$1,400,014.00
<u>Extra Gang Maintenance</u>		
Division I	\$109,260.00	
Division II	170,185.00	
Division III	152,870.00	
Division IV	154,022.00	
Division V	135,975.00	
Bridge Maintenance	207,100.00	
Signs	70,000.00	
Traffic Lines	92,000.00	
Traffic Signals	3,500.00	
Highway Illumination	8,000.00	
Supervision	40,000.00	
Contingencies	<u>7,074.00</u>	
Total Extra Gang Maintenance	\$1,149,986.00	\$1,149,986.00
TOTAL GENERAL MAINTENANCE		\$2,550,000.00

SEGREGATION OF GENERAL MAINTENANCE
BY TYPE OF WORKPRIMARY HIGHWAYS

Surface Maintenance	\$1,121,702.00
Maintenance of Shoulders	115,570.00
Drainage	181,770.00
Structures	267,605.00
Roadside	299,883.00
Traffic Service	471,296.00
Supervision	90,000.00
Contingencies	<u>2,174.00</u>
TOTAL BUDGET	\$2,550,000.00

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INCLUDED IN THE ABOVE TABULATIONS ARE THE FOLLOWING ITEMS
OF HIGHWAY OPERATION

Highway Beautification	\$ 18,750.00
Signs	70,171.00
Traffic Lines	92,000.00
Traffic Signals	3,500.00
Highway Illumination	8,000.00
Snow Removal	248,029.00
Sanding Slippery Pavements, etc.	44,725.00
Guard Fence and Sight Posts	42,905.00
Mile Posts	750.00
Protecting Traffic account Washouts, etc.	<u>4,597.00</u>
TOTAL	\$533,427.00

GENERAL SUMMARY

Primary Minor Betterment Budget
-1940-

Division I	\$ 21,270.00
Division II	13,562.00
Division III	34,215.00
Division IV	22,181.00
Division V	12,545.00
Bridges	52,800.00
Traffic Signals	18,000.00
Highway Illumination	2,000.00
Supervision	6,000.00
Contingencies	<u>17,427.00</u>
TOTAL MINOR BETTERMENT	\$200,000.00

Details of Primary Minor Betterment Budget
-1940-

Construction and Extension of Culverts	\$ 21,593.00
Improvement of Road Approaches	9,018.00
Guard Fences	20,482.00
Sight Posts and Mail Box Posts	3,450.00
Grade, Surface and Oil Parking Places	800.00
Widening	10,595.00
Construct Masonry Walls	3,540.00
Drains and Ditches	10,585.00
Slope Protection	170.00
Shoulder Oiling	2,625.00
Place Riprap	<u>2,335.00</u>

(Continued on next page)

(Details of Primary Minor Betterment Budget for 1940, continued)

Clearing Stock Pile and Gravel Pit Sites	325.00
Stabilize Slides	1,000.00
Stabilize Sand Dunes	150.00
Oiling	6,015.00
Build Up Supers	450.00
Snow Fence	4,145.00
Raise Grade	1,800.00
Remove Dead Trees	800.00
Place Asphalt Arrows	300.00
Drinking Fountains	255.00
Build Powder House	60.00
Improve Drainage Tunnel	140.00
Build Crib	480.00
Set Mile Posts and Right of Way Markers	660.00
Grade and Oil	2,000.00
Bridge Betterment	52,800.00
Traffic Signals	18,000.00
Highway Illumination	2,000.00
Supervision	6,000.00
Contingencies	<u>17,427.00</u>
TOTAL	\$200,000.00

GENERAL SUMMARYSecondary Maintenance Budget
-1940-Section Maintenance

Division I	\$ 35,075.00
Division II	105,295.00
Division III	81,400.00
Division IV	49,900.00
Division V	111,000.00
Supervision	<u>12,000.00</u>

Total Section Maintenance	\$394,670.00	\$394,670.00
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Extra Gang Maintenance

Division I	\$ 45,935.00
Division II	61,965.00
Division III	30,605.00
Division IV	13,980.00
Division V	8,755.00
Bridge Maintenance	93,670.00
Signs	13,050.00
Traffic Lines	12,050.00

(Continued on next page)

(Extra Gang Maintenance, Secondary Maintenance Budget 1940, continued)

Lights	\$ 500.00	
Signals	100.00	
Supervision	6,000.00	
Contingencies	<u>3,720.00</u>	
Total Extra Gang Maintenance	\$290,330.00	<u>\$290,330.00</u>

TOTAL GENERAL MAINTENANCE \$685,000.00

GENERAL SUMMARYSecondary Minor Betterment Budget
-1940-

Division I	\$ 23,095.00
Division II	12,495.00
Division III	18,660.00
Division IV	11,722.00
Division V	12,810.00
Bridges	31,218.00
Supervision	<u>5,000.00</u>
TOTAL	\$115,000.00

Details of Secondary Minor Betterment Budgets
-1940-

Mail Box Posts	\$ 3,083.00
Road Approaches	6,680.00
Guard Fence	2,827.00
Oiling	25,957.00
Shoulder Oiling	8,555.00
Raise Grade	7,156.00
Culverts	13,487.00
Slope Protection	1,025.00
Widening	6,526.00
Sight Posts	403.00
Cut Dead Trees	732.00
Snow Fences	1,509.00
Stabilise Roadbed	732.00
Riprap	110.00
Bridges	31,218.00
Supervision	<u>5,000.00</u>
TOTAL	\$115,000.00

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Reconsideration was given by the Commission to the request of Mr. Emory Tresham to lease 6.14 acres of state-owned land adjacent to the Amity-Dayton Secondary State Highway, in Yamhill County. The Assistant Attorney advised that Mr. Tresham has had the use of this property for the last two or three years and would like to renew the lease for another year, if possible, and is willing to pay \$4.00 per acre for the same. He recommended approval of the request. The Commission approved the recommendation unanimously.

The Engineer brought up for discussion the matter of encroachment of the service station buildings of the Standard Stations, Inc., on the state highway right of way at the intersection of Denver and Union Avenues, Portland. He recalled that at a previous meeting the Commission ordered removal of these buildings from the highway right of way, giving the company 90 days' time within which to do the work, which time expires December 29, 1939, and that at the same meeting he was instructed to investigate conditions at this location with the view to providing greater safety to the traveling public at this point. He further advised that such investigation has been made and several alternate plans are being studied to remedy the existing conditions, but he is not yet ready to make a definite recommendation with respect to any of them. He suggested, therefore, that it would be proper to give Standard Stations, Inc. additional time within which to remove their buildings and suggested an extension of time of 90 days, or until March 29, 1940. The Commission approved the suggestion by unanimous vote.

The Engineer also brought up for discussion a right of way matter arising out of the improvement of the John Day Highway in the town of Prairie City. He advised that in connection with this improvement it is necessary to acquire some property from a Mr. W. H. Clark, on which property there is being maintained a very modern service station valued conservatively at approximately \$7,500. The city street in front of this service station, he said, is only 50 feet wide and the service station is built to conform with such width, the front of the canopy over the gasoline pumps being only 25 feet from the center line of the highway; so, in order to provide an 80-foot right of way, it will be necessary to remove 15 feet from the front of this canopy. He further stated that Mr. Clark's gasoline pumps are now located almost exactly on the 40-foot right of way line and when the highway is reconstructed will be considered as curb pumps, of which there are several along the main street in Prairie City. He said that if the Commission would permit Mr. Clark to leave his pumps in the present location, the cost of the right of way would not be great; in fact, the damage to Mr. Clark would probably not exceed \$800, including land and the remodeling of the canopy; whereas, if Mr. Clark is not permitted to maintain his pumps in their present location, then it will be necessary to readjust his entire service station, which would cost approximately \$5,000 and would be quite difficult to do in view of the limited amount of property that he owns. He requested instructions. After some discussion the Commission decided, in view of the fact that this property is within the city limits of Prairie City and for the further reason that gasoline pumps are being maintained on the curb line at several other locations in this town, that it would not be advisable to require the removal of Mr. Clark's pumps. Accordingly, the Commission, by unanimous vote, authorized a settlement with Mr. Clark on the basis of the \$800 estimate, leaving the pumps in their present location.

The Attorney presented to the Commission for its consideration and approval a deed from the City of Portland, whereby the city conveys unto the State of Oregon that portion of the city's property known as Benson Park, which lies on the north side of the Oregon-Washington Railroad and Navigation Company's tracks at Multnomah Falls and extends to the Columbia River. He said that he has inspected this deed and recommends its acceptance. The Commission by unanimous vote approved the recommendation and ordered the deed recorded in the county records.

A letter was presented from Ralph Allen of Allen's Cash Grocery, Marshfield, advising that, because of certain highway construction work that was being undertaken by the State Highway Commission in the Bunker Hill District, Marshfield, during the period September 4 to October 4, 1939, he has lost considerable business in the sale of gasoline and oil and has been deprived of profits from such business in the amount of approximately \$150.00, which amount he is asking the State Highway Commission to pay him as damages. The Attorney advised that there is no legal obligation on the part of the State Highway Commission to compensate Mr. Allen for his loss; in fact, the Commission has no legal authority to expend state funds for such purpose. In view thereof, the Commission decided unanimously to deny Mr. Allen's claim and instructed the Secretary to so inform him.

The Commission considered and ordered filed two resolutions adopted by the Oregon Coast Highway Association at its annual meeting in Astoria on October 23, 1939, in one of which the Commission was urged to appropriate funds to complete the surfacing of the Neahkahnie Mountain Road and to make every effort to complete the construction of this road in the early summer of 1940; and in the other of which the Highway Commission, the State Police Department, and other state bodies affected, are urged to take steps as may be necessary to enforce existing laws and secure additional laws to eliminate hazards created by the improper loading and overloading of logging trucks operating on state highway rights of way.

The Secretary presented a letter from L. J. Rickard, Waldport, renewing his previous request for the construction of a sea wall along the Oregon Coast Highway at Waldport, to protect the state park at this location. Mr. Rickard advises that he has contacted two contractors who are willing to construct a 12-foot sea wall for the sum of \$10,000, which is considerably less than the amount that the State Highway Engineer estimated the work would cost. The Engineer advised that it would not be possible to construct this improvement for an amount less than the original estimate unless an inferior and unsatisfactory type of work were done, which he could not recommend. It was his thought that the project is not of sufficient importance to justify the expense. In view thereof the Commission decided not to undertake the improvement.

The Commission also considered and ordered filed correspondence between the State Highway Engineer and Mr. Clyde Edmondson, Manager of the Redwood Empire Association, San Francisco, with respect to the paving of the intersection of the Redwood Highway and the Pacific Highway just south of Grants Pass, it appearing to the Commission that this matter has been disposed of

to the satisfaction of all parties concerned.

The Assistant Attorney brought up for discussion the matter of renewing the Commission's contracts with the several hospital associations. He advised that the services heretofore rendered by these associations appear to be entirely satisfactory, and recommended that the contracts be extended for another year on the original basis. The Commission approved the recommendation unanimously.

The Engineer presented a letter from Mr. Ivan E. Oakes, Director, Division of Operations, Works Progress Administration of Oregon, in which the Commission is requested to take action as may be necessary to abate the nuisance caused by the close proximity to Camp Manning of two locations at which the State Liquor Control Commission permits the sale of beer. He recommended the directing of a letter to the Liquor Control Commission requesting consideration to either the cancellation of the permits or the refusal to renew the existing permits when they expire at the end of the calendar year. The Commission approved the recommendation by unanimous vote, whereupon Chairman Caball signed a letter to that effect.

The Secretary presented a mimeographed letter dated December 4, 1939, directed by Governor Charles A. Sprague to all state departments employing male help, in which Governor Sprague requests that all state departments continue cooperation with state employees who are members of the Oregon National Guard or Reserve Officers Association by granting such leaves of absence or making such rearrangement of work programs or hourly schedules as is necessary to assist the personnel to carry out their required active duty training. The Engineer advised that this is in conformity with the plan that is now in effect in the State Highway Department. The Commission approved the same by unanimous vote, subject to the condition that it fit in properly with the state highway department rulings on this subject.

The Secretary presented resolutions from several county courts, as follows, accepting or rejecting short sections of state highways that have been heretofore abandoned by the State Highway Commission because of revisions in the alignment of the highways at such points:

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| Douglas County | Resolution accepting a portion of the Winston Bridge Section of the Pacific Highway, from a point 6 miles south of Roseburg, southerly about 0.8 mile. Abandoned by state May 2, 1935. File No. 6. |
| Lake County | Resolution accepting a portion of the Fremont Highway from Lakeview northerly, approximately 8 miles. Abandoned by state November 30, 1935. File No. 14. |
| Multnomah County | Order accepting a portion of the Bertha-Beaverton Highway, in the Fairvale District. Abandoned by state November 30, 1935. File No. 15. |

- Washington County Resolution accepting a portion of the Tualatin Valley Highway, from Multnomah-Washington County line southwesterly to a point opposite and 40 feet distant northerly from Engineer's Station 82+00 of the highway revision. Abandoned by state February 7, 1936. File No. 20.
- Washington County Resolution accepting a portion of the Tualatin Valley Highway from approximately Engineer's Station 160+20 of the revised center line southerly to a point on the easterly right of way line of the Bertha-Beaverton Highway. Abandoned by state February 7, 1936. File No. 21.
- Jackson County Resolution accepting a portion of the Pacific Highway between Central Point and Medford. Abandoned by state August 14, 1935. File No. 23.
- Multnomah County Resolution accepting a portion of the West Side Pacific Highway, from Bertha to Multnomah-Washington County line. Abandoned by state September 6, 1935. File No. 30.
- Lake County Resolution rejecting a portion of the Fremont Highway between Engineer's Stations 1789+00 and 1804+40 and between Engineer's Stations 1810+40 and 1832+40. Abandoned by state October 4, 1936. File No. 37.
- Washington County Resolution accepting a portion of the Pacific Highway West, north of reconstructed highway between Stations 606+20 and 635+20. Abandoned by state July 29, 1937. File No. 43.
- Douglas County Resolution accepting a portion of the Shady Point-Kelly Corner Section of the Pacific Highway, between Stations 1401+00 and 1302+80. Abandoned by state November 17, 1937. File No. 46.
- Multnomah County Order accepting a portion of the Lower Columbia River Highway between Engineer's Stations 210+00 and 219+50, and rejecting portions between Engineer's Stations 54+50 and 59+50, and between Engineer's Stations 270+50 and 279+00. Abandoned by state December 1, 1937. File No. 50.
- Douglas County Resolution accepting a portion of Stephens Street Section of the Pacific Highway, in Roseburg. Abandoned by state December 21, 1937. File No. 51.
- Marion County Resolution accepting a portion of the Pringle Creek-Taylor Creek Section of the Pacific Highway. Abandoned by state on February 16, 1938. File No. 55.
- Baker County Resolution accepting a portion of the Old Oregon Trail between Mile Posts 365 and 366; also between Mile Posts 374 $\frac{1}{2}$ and 375 $\frac{1}{4}$. Abandoned by state March 25, 1938. File No. 57.

- Jackson County** Order accepting a portion of the Pacific Highway north from Ashland Undercrossing about $1\frac{1}{2}$ miles. Abandoned by state March 28, 1935. File No. 1.
- Washington County** Resolution accepting a portion of the Multnomah County Line-Middleton Section of the West Side Pacific Highway between Engineer's Station 283+00 and Engineer's Station 321+80 (new location). Abandoned by state November 8, 1935. File No. 10.
- Yamhill County** Order accepting a portion of the Salem-Dayton Highway between Engineer's Stations 20+00 and 78+100 (old location). Abandoned by state November 18, 1936. File No. 38.
- Columbia County** Resolution accepting a portion of the Mile Bridge Section of the Nehalem Highway. Abandoned by state November 16, 1938. File No. 59.
- Linn County** Resolution accepting Fleming Ranch-Shindler Bridge Section of the Albany-Lyons Highway, including Shindler Bridge. Abandoned by state January 26, 1939. File No. 61.

After due consideration the Commission approved the resolutions and ordered them filed in the highway department records.

The Engineer presented a list of surveys that he has ordered since the last meeting of the Commission, and asked the Commission to confirm them and the amounts authorized for each. After due consideration, action was made by Commissioner Aldrich that the State Highway Engineer be authorized and instructed to make such surveys on various sections of highways of this state, which said sections of highways and the amounts authorized for survey expenditures are as follows:

- Plans - - - - 1-2820 - Troy Ranch Section, Old Oregon Trail, in Baker Co.
1st authorization - \$300.00
- Plans - - - - 101-2821 - Mason-Salisbury Section, Sumpter Valley Highway, Baker County.
1st authorization - \$1,800.00
- Plans - - - - 202-2818 - Albany-North Section, Albany-Buena Vista Co. Road, Benton County.
2nd authorization - \$900.00
Total to date \$1,500.00
- Right of Way - 104-2831 - Jewell-Banzer Bridge Section, Nehalem Highway, Clatsop County.
1st authorization - \$1,050.00
- Quarry - - - - 105-2821 - Oak Ranch Creek Section, Nehalem Highway, Columbia County.
1st authorization - \$275.00
- Location - - - - 7-2808 - Crooked River-Prineville Section, Ochoco Highway, Crook County.
4th authorization - \$150.00
Total to date \$1,450.00

Location - - - 107-2806 - Jefferson County Line-Prineville Section, Warm Springs Highway, Crook County.
2nd authorization - \$1,500.00
Total to date \$7,500.00

Location - - - 10-2825 - Gardiner Section, Oregon Coast Highway, Douglas County.
2nd authorization - \$280.00
Total to date \$1,680.00

Plans - - - - - 12-2820 - Bridge Creek-Baker County Line Section, John Day Highway, Grant Co. 1st authorization - \$1,500.00

Plans - - - - - 12-2821 - Rock Creek Bridge, John Day Highway, Grant County
1st authorization \$400.00

Plans - - - - - 112-2819 - Kimberly-Dry Creek, Monument Highway, Grant County
2nd authorization - \$475.00
Total to date \$2,275.00

Plans - - - - - 13-2808 - Okerman Ranch-Sage Hen Hill Section, Central Oregon Highway, Harney Co. 2nd authorization - \$252.00
Total to date \$1,652.00

Right of Way - 13-2808 - Okerman Ranch-Sage Hen Hill Section, Central Oregon Highway, Harney Co. 3rd authorization - \$450.00
Total to date \$2,102.00

Plans - - - - - 18-2835 - Bly-E. Boundary Indian Reservation, Klamath Falls-Lakeview Highway, Klamath Co.
2nd authorization - \$650.00
Total to date \$1,650.00

Plans - - - - - 18-2840 - Odell Lake Maint. Hdqtrs., Willamette Highway, Klamath County.
1st authorization - \$150.00

Stock Pile - - - 20-2839 - Cushman-Camp Creek Section, Siuslaw Highway, Lane & Quarry County.
3rd authorization - \$100.00
Total to date \$500.00

Bridge - - - - - 21-2833 - Depoe Bay Bridge, Oregon Coast Highway, Lincoln County.
2nd authorization - \$460.00
Total to date \$660.00

Testing - - - - 121-2836 - Karnville Section, Silets Highway, Lincoln County.
1st authorization - \$300.00

Plans - - - - - 22-2821 - San Garland Bridge-Trout Creek Section, Santiam Highway, Linn Co. 1st authorization - \$1,200.00

Testing - - - - - 22-2809 - Albany Section, Pacific Highway East, Linn County
5th authorization - \$25.00
Total to date \$17,025.00

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Reconn. - - - 23-2816 - Baker County Line-Ontario Section, Old Oregon Trail,
Malheur County. 3rd authorization - \$600.00
Total to date \$2,600.00

Location - - - 26-2838 - Steel Bridge-Interstate Avenue, Front Ave., Port-
land, Multnomah Co. 1st authorization - \$2,000.00

Plans and - - - 26-3839 - Columbia-Alder Streets, Front Ave., Portland, Mult-
Right of Way nomah County. 1st authorization - \$1,500.00

Testing - - - - 26-2840 - Bridal Veil Section, Columbia River Highway, Mult-
nomah County. 1st authorization - \$270.00

Plans - - - - - 29-2837 - Manzanita Junction, Oregon Coast Highway, Tillamook
County. 1st authorization - \$115.00

Reconn. & - - - 31-2818 - Cricket Flat-Wallowa County Line Section, Wallowa
Location Lake Highway, Union County.
1st authorization - \$3,100.00

Plans - - - - - 33-2820 - Criterion-Cow Canyon Section, The Dalles-California
Highway, Wasco Co. 1st authorization - \$575.00

Testing - - - - 33-2815 - Seufert-Dufur Section, The Dalles-California Hwy.
Wasco County. 4th authorization - \$250.00
Total to date \$584.00

Plans - - - - 134-2823 - Campbell Bridge-Laurel Road, Hillsboro-Silverton Rd.
Washington Co. 1st authorization - \$500.00

Reconn. - - - 235-2811 - Fossil-Kinzua Section, Kinzua County Road, Wheeler
County. 1st authorization - \$500.00

Reconn. - - - 235-2811 - Fossil-Kinzua Section, Kinzua County Road, Wheeler
County. 2nd authorization - \$100.00
Total to date \$600.00

The motion was duly seconded by Commissioner Clough and was declared by Chair-
man Cabell to have carried by the unanimous vote of the Commission.

The Commission had under consideration the following requests for
extensions of time within which to complete highway construction projects:

Mountain States Construction Company, Contract No. 2163, for
grading, surfacing, and oiling the Noyes Ranch-Cove Section of the
Cove Secondary State Highway, in Union County, requested an exten-
sion of time from August 31 to November 15, 1939, within which to
complete this job. They attributed their failure to complete the
project within the specified time limit to failure of the La Grande
Concrete Pipe Company to deliver certain materials for this job.

The Engineer advised that all of the work on this project was satisfactorily completed on October 28, 1939, and that the reason that the job was not completed within the specified time limit was that the commercial plant furnishing material aggregate and maintenance materials failed to supply such materials in accordance with the specifications. The overrun of time limit, he said, did not increase the engineering expense on this job, neither did it interfere with the use of the highway by the traveling public. He recommended, in view of the circumstances, that an extension of time, from August 31 to October 28, 1939, be granted without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation by unanimous vote.

Saxton, Looney & Risley, Contract No. 2168, for grading, surfacing, and oiling the East Unit, Rhea Creek-Heppner Section of the Wasco-Heppner Secondary State Highway, in Morrow County, requested an extension of time of 10 days, from September 30 to October 10, 1939, within which to complete this project. They alleged that their failure to complete the project within the specified time limit was due to unforeseen difficulties, and circumstances beyond their control. The Engineer advised that all work in connection with this job was completed on October 6, 1939, hence an extension of time of only 6 days is required. He recommended the granting of the extension of time covering such 6-day period without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation unanimously.

M. L. O'Neil & Son, Contract No. 2171, for grading the Hooker Creek-Jordan Valley Section of the Jordan Valley Secondary Highway, in Malheur County, requested an extension of time from October 31 to November 15, 1939, within which to complete this job. They attributed their failure to complete the job within the specified time limit to bad weather conditions which interfered with the progress of the work. The Engineer advised that all work in connection with this project was completed on November 13, 1939, so that an extension of time of only 13 days is required. He further advised that bad weather conditions did interfere somewhat with the progress of the work; nevertheless, the contractor could have completed the job within the specified time limit had he employed sufficient equipment and crew during the grading operations. He recommended, in view of the circumstances, that the extension of time from October 31 to November 13, 1939, be granted, but that the contractor be required to reimburse the state for the extra engineering expense incurred during such period. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation unanimously.

H. L. Rice, Contract No. 2202, for grading, surfacing, and oiling the Strebin Road-Hoaner Road Section of the Troutdale-Sandy

County Road, in Multnomah County, requested an extension of time from September 30, 1939, to July 1, 1940, within which to complete this project. He attributed his failure to complete the project within the specified time limit to delay in awarding this contract to him. The Engineer advised that the Commission took bids for this project on May 19, 1939, but that the contract was not awarded until July 13, 1939, 53 days later, when approval of the project was obtained from the Public Roads Administration, which cooperated in the cost of the work. He further advised that the contractor started clearing operations on July 21 and commenced the construction of his gravel-crushing plant on July 31; but, owing to various difficulties, was able to manufacture only 100 cubic yards of materials by September 15, when, according to the contract, the oil mat surface treatment should have been placed. On account of the fact that there was nearly two months' delay in awarding this contract, he said, it was not possible for Mr. Rice to complete oiling work this year; in fact, he has been ordered not to do such work until weather conditions permit. He recommended, in view of the circumstances, that an extension of time of 53 days after the resumption of construction operations in the spring be granted without penalty, but that the contractor be required to maintain the road during the winter season and to perform whatever work is necessary in the spring to put the road in condition for oil mat wearing surface. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation by unanimous vote.

The Engineer reported that Contracts Nos. 2151, 2163, 2168, 2171, & 2203, for the construction of state highway projects, have been completed according to the requirements of the contracts or modifications thereof, and that said jobs are ready for acceptance. The following resolution accepting the above projects was offered and was adopted by the unanimous vote of the Commission:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts, and said jobs are now ready for acceptance:

Contract No. 2151, with Colonial Construction Company, for clearing, grading, and toe embankment on the Corbett Station-Rooster Rock Section of the Columbia River Highway, in Multnomah County. Completed November 30, 1939.

Contract No. 2163, with Mountain States Construction Company, for grading, surfacing, oiling, and furnishing crushed gravel on the Noyes Ranch-Cove Section of the Cove Secondary Highway, in Union County. Completed October 28, 1939.

Contract No. 2168, with Saxton, Looney & Risley, for grading, surfacing, and oiling, also furnishing crushed

rock in stock piles on the East Unit, Rhea Creek-Heppner Section of the Wasco-Heppner Secondary Highway, in Morrow County. Completed October 6, 1939.

Contract No. 2171, with M. L. O'Neil & Son, for grading the Hooker Creek-Jordan Valley Section of the Jordan Valley Secondary Highway, in Malheur County. Completed November 13, 1939.

Contract No. 2203, with Blair T. Alderman, for roadside improvement on the Junction City-Eugene Section of the Pacific Highway, in Lane County. Completed November 30, 1939.

THEREFORE, BE IT RESOLVED, that the work covered by said state highway contracts for the construction of said state highway projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

The Commission considered and signed agreements, et cetera, as follows:

Agreement with Charlotte A. Fuchs, providing for the elimination of a timber cattle pass at Mile Post 224.22 on the Central Oregon Highway, in Malheur County.

Agreement with Wasco County, providing for county maintenance of the lower Fifteenmile Creek County Road, from its junction with The Dalles-California Highway to a point approximately 3 miles southerly therefrom, after construction of the same by the state as a federal aid secondary highway, being project PAS 44-A(1).

Agreement with Castle Films, Inc., providing for the distribution and showing of the film "Old Oregon Trail".

Agreement with the United States of America, providing for advancement of state funds in an amount not to exceed \$4,000 to pay non-labor items in connection with the Wolf Creek Highway W.P.A. project during the month of December, 1939.

Easement granting to the Southern Pacific Company for the sum of \$1,027.30 a right to construct, operate, and maintain a railroad tye track and appurtenances on certain state-owned property in Albany, being Right of Way Transaction No. 5151.

Easement from the Portland General Electric Company, authorizing the state to occupy a certain portion of the company's property on the Water Street Section of the Pacific Highway East, in Oregon City, being Right of Way Transaction No. 1421.

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Bargain and Sale Deed, conveying unto Ida E. Davis certain property lying outside of the standard-width highway right of way in Lot 9, Electric Addition to Tigardville, being Right of Way Transaction No. 6927 and No. 7152.

Agreement with the Portland General Electric Company, being a revocable permit for the use of one of the company's power poles at a place known as Six Corners on the Pacific Highway West, in Washington County, for the purpose of suspending an overhead flashing beacon at such location.

Agreement with the Portland General Electric Company, being a revocable permit for use of three of the company's poles at the Fairgrounds Road and Myrtle Avenue, Salem, for the purpose of suspending therefrom an overhead flashing beacon.

Agreement with the Tidewater Associated Oil Company, being a revocable permit granting the state permission to maintain a pole in the corner of the company's property at the intersection of Myrtle Avenue, Fairgrounds Road and Tile Road, Salem, for the purpose of suspending an overhead flashing beacon.

The Commission discussed the advisability of holding a special meeting between now and its regular meeting on January 11 and 12, 1940, for the disposal of accumulated routine matters, and decided to hold such meeting in Salem on Wednesday, December 20, 1939, following its inspection of the Wilson River and Wolf Creek Highways on the preceding day.

There being no further business to come before the Commission at this time, the meeting was adjourned at 4:30 o'clock p. m.

Arthur E. Seasinger
State Highway Engineer

W. B. Seasinger
Secretary

Henry F. Cabell
Chairman

E. B. Cochran
Commissioner

Norm M. Clark
Commissioner

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VOLUME 24

PART III

PART 3
OF
VOLUME XXIV
MINUTES OF OREGON STATE HIGHWAY COMMISSION
COVERING PERIOD
FROM
DECEMBER 9, 1939
THROUGH
MARCH 31, 1940

OREGON STATE HIGHWAY COMMISSION

Henry F. Cabell, Chairman
E. B. Aldrich, Commissioner
Huron W. Clough, Commissioner

R. H. Baldock, State Highway Engineer
H. B. Glaisyer, Secretary

HEADQUARTERS AND GENERAL OFFICE OF DEPARTMENT
LOCATED AT SALEM, OREGON

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9261	Dec. 20	Attractions along highways. Privately-owned attractions, including Sea Lion Caves, not to be shown on highway maps. Tigard. Action on oiling strips adjacent to pavement deferred. Real property. Resolution authorizing acquisition.
9266		Mehalem Sand Spit. Scale of prices for property adopted.
9267		Taxes. Payment of outstanding taxes in order to effect right of way settlements authorized. Condemnation. Recommended offers. Resolution adopted as follows: Albany Section of Pacific Highway East; Tigard Section of Pacific Highway West; Oregon City Section of Pacific Highway East Cottage Grove Section of Pacific Highway.
9269		Bandon. Right of way negotiations to be abandoned pending decision relative to delinquent taxes.
9270		Historical sites. Not to be acquired within cities and towns. Depoe Bay. Report on proposed parking site for automobiles. Sale of building. Field office building located at Lobert Overcrossing, Klamath County, sold to L. K. Porter. Arch Cape. Purchase of Edward W. Smith property authorized. Negotiations to be continued for purchase of tract from Anna C. Taylor.
9271		Oregon Coast Highway. Manzanita-Fisher's Point Section. Acquisition of right of way to be deferred. Footpath. Vicinity of Manzanita School. County offers cooperation in construction. Decision deferred. Park matters: Alkali Lake and McDermitt Creek CCC Camps:- Acceptance as oases or state park sites deferred.
9272		Saddle Mountain State Park:- Game refuge to be established by Legislature. Attorney to prepare bill. Ecola State Park:- Fence to be constructed around property of Mrs. F. G. Minott as barricade against elk from park. Cascadia:- Acquisition of Giesendorfer property deferred.
9273		Timber strips. Wilson River Highway. Options to be secured on section from Summit of Coast Range to McNamers Camp. Tigard. Deposit of H. N. Peabody for purchase of service station building and facilities to be returned. Station to be readvertised. Oregon Coast Highway. Taft. Widening of pavement deferred. Willamette River Bridge at Salem. Expense of maintaining lights not to be assumed by state.
9274		Sidewalk. Waldport. Action on request for construction deferred. Beaver Creek Bridge. Widening deferred pending permanent revision of Oregon Coast Highway. Oregon Coast Highway. Report ordered on improving alignment southerly from Tillamook city limits.

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9274	Dec. 20	Reedsport. Landscaping wye connection of Umpqua and Oregon Coast Highways approved.
		The Dalles. Report on refusal of Dr. Thompson to remove neon sign at his camp ground on Columbia River Highway.
9275		Traffic signal and flashing beacon. Klamath Falls. Installation approved.
		Klamath Falls Undercrossing. Painting of traffic stripes approved.
		Laboratory building. Engineer to report on need for same.
		Claim. H. E. Warren's claim for automobile tire damaged on East Portland-Oregon City Highway approved.
9276		Snow removal. McKenzie Highway between Blue River and Pole Creek. Expenditure of \$1,000 approved for this winter.
		Columbia River. Dredging operations in vicinity of Multnomah Falls. Financing state's share of cost discussed.
		Grants Pass. Action deferred on request of city for state aid in constructing roadway into city park from Pacific Highway.
		Lacquer. Purchase of traffic line lacquer for 1940 approved.
		Interstate Bridge. Attorney to attempt to collect costs of damages to barriers and gates caused by motorists. (see 9308)
		Western Association of State Highway Officials. Mr. Cabell and Mr. Baldock to attend meeting in Reno, Nevada, Jan. 5, 1940.
		Mr. McCullough to attend meeting in Santa Fe if representation necessary.
9277		Historical markers. Committee appointed to designate locations for markers along Old Oregon Trail.
		Award of contracts. Commission approves following awards:
		Cow Hollow Creek-Owyhee School Section, M. L. O'Neil & Son;
		East Fork Illinois River Bridge, J. F. Johnston.
		Salem-Dayton Secondary Highway. Spaulding Ranch Section. Abandonment resolution.
9279		Signposts or racks. Regulations adopted relative to installation and representation.
		Signs. Request that "Timberline" signs be changed to "Timberline Lodge" approved.
9280		Log hauling. Trucking of logs in vicinity of Prineville during Saturday afternoons and Sundays approved for three months.
		Junction City. Commission to take no action in establishing zones. Setback line of 15 feet on each side of highway recommended.
		Sunnyside-Umapine Secondary Highway. To be designated a through highway. Signs to be erected at intersecting roads or streets.
		Waldport. Request for loan of services of an engineer approved.
		Warm Springs Highway. Placing of section from Madras to junction with Wapinitia Highway on federal aid system requested.
9281		Rickreall Cutoff. Proposed route opposed. Alternate route suggested.
		Sidewalk. Request for construction from Roseburg to Garden Valley County Road.

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9281	Dec. 20	Log hauling. F. E. Butt offers services as inspector of logging equipment and loading. Oregon Coast Highway. Port Orford and Gold Beach. Suggestions presented for proposed improvement. Warren. Request of Leon D. Pitts to construct roadway between new and old highway denied. Area to be landscaped.
9282		Pacific Highway. Sutherlin. Widening of Calapooya Street, route of highway, approved. Buildings. Eugene. Remodeling maintenance building and construction of storage building approved. Oregon City. Bill presented by appraisers in Security and Investment Company condemnation suit approved. North River Road. Salem. State to assume expense of damage repairs. Interstate Bridge. Chairman Cabell authorized to give written consent to removal of street car tracks.
9283		Nehalem Sandspit. Mrs. Edna A. Bell refuses Commission's offer for seven lots. Extensions of time, as follows: Coos Bay Dredging Company, Charleston-Miner Creek Section; Roy L. Houck, Albany Overcrossing Section;
9284		Odum Construction Company, school building at Manning. Contracts completed and accepted, as follows: Charleston-Miner Creek Section, Coos Bay Dredging Company Albany Overcrossing, Mountain States Construction Company; Bunker Hill Section, Roy L. Houck; Robert Overcrossing, Edlefsen-Keygandt Company;
9285		West Unit, Stanfield-Pendleton Hill Section, M. E. Meyers & Son; Weston-Elgin Rock Production Project, F. R. Hewett; Maupin-Cow Canyon Section, A. S. Wallace. Date for February meeting set for 15th and 16th. Agreements, et cetera, signed as follows: Lease of borrow pit near Tigard secured from Mrs. Zelda Ploeger; Bargain and sale deed conveying unto Emil A. Johnson land in Tigard; Lease of quarry site from County Court of Lake County Release of cattle pass by Herman Beilke, in Umatilla County; Release of cattle pass by Stephen Spike, in Umatilla County; Extension of CCC campsite lease at Moahink Lake from James V. and Edna C. Ford. Cooperative and license agreement with United States of America providing for lease of land in Jefferson County.
	1940	
9287	Jan. 10	Log hauling. Conference relative to dropping of logs on highways and removal of same. (See page 9333)
9288	Jan. 11	Bids received on following projects: Summit-Mist Section, surfacing, oiling, crushed rock;
9289		Lapine-West Forest Boundary Section, grading, surfacing, oil; Chemult-Fort Klamath Section, crushed rock;

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9289	Jan. 11	Bids received on following projects (continued): Lost River Section, grading, surfacing, road oil; Concrete viaduct over Lost River and concrete siphon;
9290		Albany Section, grading and paving; Hay Canyon Section, grading, surfacing, crushed rock; Buildings in Tigard.
9291		Gravel pit. State's contractor to use Klamath County pit in connection with construction of Lost River Project. The Dalles-California Highway. Improvement north and south from Klamath Falls discussed. Flume Section. Improvement and grade line change discussed. Klamath County. Additional federal aid secondary highway funds discussed.
9292		Cascade Lakes Forest Highway. Improvement from Willamette Highway junction to Crescent Lake discussed. Westside Klamath Lake Secondary Highway. Improvement near Fremont Bridge, in Klamath Falls, requested. Sidewalk. Construction on Fremont Bridge, Klamath Falls, requested. Drainage. Bly. Condition at intersection of Klamath Falls-Lakeview Highway and county road to be investigated. Morrow County. Several highway improvements discussed.
9293		Saxton, Looney & Risley. Additional time granted to furnish bonds in connection with contracts awarded Dec. 7 & 8, 1939. Tigard. E. C. Warren requests construction of temporary approach to his service station, pending completion of highway.
9294		Minutes of August 31 and September 1, and of September 27 and 28, 1939, approved. Buildings. List of new buildings needed. List of buildings approved for 1940 construction.
9295		Laboratory building. Additional land needed to be acquired from State Penitentiary. Warm Springs Highway. Designation as federal aid highway urged. Lower Columbia River Highway. Deer Island. Report on proposed improvement. Oregon Coast Highway. Beaver. Bridge over Beaver Creek to be widened in lieu of revision of highway.
9296		The Dalles. Neon sign maintained by Dr. Thompson to be left in present location. North Umpqua Highway. Report on justification of standard-type bridge across Steamboat Creek. Footpath. Oregon Coast Highway from Tillamook to Trask River Bridge. Engineer's report. Decision deferred. Hubbard. Destruction of traffic island by O. E. Powell at entrance to his service station.
9297		West Portland-Hubbard Highway. Delegation urges completion. Elsie-Jewell Road. Delegation urges designation as state secondary highway.
9298		Tongue Point State Park. Clatsop County requests state to deed back part of park to county.

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9298	Jan. 11	Rock. Sale of rock from state's quarry near Seaside to Clatsop County approved. Elsie-Jewell County Road. Reconsideration of request that road be placed on state secondary highway system. Pea-vining equipment. Special permits for movement of equipment requested by Maling Company and Wentworth & Irwin Co.
9299		Awards. Commission announces awards of contracts and sale of building. (See page 9288).
9301		McMinnville-Tillamook Highway. Sheridan. Improvement requested. Portland. East 39th Avenue. Designation and improvement as arterial highway route requested.
9302		Hood River Secondary Highway. Dee-Parkdale Section. Report on plans for improvement requested. Log hauling. C. L. Hoover granted permission to haul logs on Columbia River Highway, short distance west of Hood River. Hood River County. County Court requests several highway improvements. Irrigation canal across Ochoco Highway near Powell Butte. Construction on basis of skew design approved. Irrigation District to cooperate in cost.
9304		Traffic light. Hubbard. Request for installation denied. Speed limit. Hubbard. 35-mile per hour signs to be erected. Springfield. Request for state to assume expense of replacing lights on Willamette River Bridge. Lights on bridges. State to assume expense of replacement. Traffic lights. Jefferson. Request referred to Engineer. Pedestrian lanes. Jefferson. Request for painting of lanes across highway referred to Engineer.
9305		Traffic light. Cornelius. Request for installation renewed. Oregon Coast Highway, between Marshfield and North Bend. Request for installation denied. Portland. Installation approved at intersection of Sandy Boulevard with Prescott Street, Columbia Boulevard, and N. E. 105th Street. Burns. Request for installation denied. Portland. Installation approved at intersection of U. S. Highway 99 West with S. W. Terwilliger Boulevard, S. W. 19th Street and S. W. 30th Street. Cascade Lakes Forest Highway. Improvement from junction with Willamette Highway to Crescent Lake requested.
9306		Portland. Request for paving of shoulders adjacent to McLoughlin Boulevard at intersection of street leading to Bybee Avenue denied. Yaquina Head Lighthouse Road. Improvement of road leading from Oregon Coast Highway to Lighthouse denied. Siletz Secondary Highway. Improvement discussed. Lower Columbia River Highway. Prescott Hill Section. Improvement requested.
9307		Baker-Homestead Highway. Flagstaff Hill-Lower Powder Section. Light oil treatment tentatively approved.

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9307	Jan. 11	Wasco-Heppner Secondary Highway. Resurfacing and oiling in vicinity of Condon requested.
		Hospital Association. Physicians and Surgeons Association requests modification of agreement. Referred to Attorney.
		Political activities of employees. No change to be made in present policy. (Adopted January 1934)
9308		Railroad grade crossings. Discussion of resolution prepared by Union Pacific System relative to federal appropriations.
		American Association of State Highway Officials. Payment of dues for 1940 approved.
		Nysse. Grade separation project. Acquisition of privately-owned property discussed. Union Pacific Company refuses co-operation.
		Interstate Bridge. Discussion of reimbursement for bridge damages caused by motorists. (See page 9276)
9309		Claim. Settlement with Jack Carey for damages to his car en-route across Interstate Bridge.
		Equipment. Engineer authorized to purchase following: 1 6-ton roller; 1 6-ton trailer; 7 550-gallon kettles; 2 200-gallon kettles; 1 100-gallon kettle; 2 pickup trucks; 6 dump trucks; 9 trucks of Ford and Chevrolet type; 2 pickup trucks for Landscaping Department; and 1 157" wheel base truck for Parks Department.
9310		R. H. Baldock and C. B. McCullough to attend meeting of Western Association of State Highway Officials in Santa Fe, N. M.
		Sunset Camp-Vernonia county road. Designation as state secondary highway requested. Request denied.
		Old Oregon Trail Historical Marker Committee. Ray Conway, Lewis A. McArthur and Walter Meacham accept appointments.
		Claim. Allen's Cash Grocery renews claim for loss of business during construction of Bunker Hill project.
		Portland. Peninsula Golf Club to be reimbursed for extra expense incurred by reason of delay in highway improvement.
9311		Eugene. Pacific Highway. Proposed routing opposed.
		Agate-bearing gravel and sand. Commission urged to stop removal of same between Newport and Otter Crest.
		Portland. Lombard Street. Portland Traction Company offers cooperation in cost of improvement when street-car rails removed. Survey to determine cost of improvement ordered.
		Survey. Klamath Falls. Survey on South 6th Street south to highway department shops approved.
		San Francisco Fair. Expenditure of \$10,000 in 1940 to assist in financing Oregon exhibit approved.
		Wolf Creek Highway. Payment of non-labor items for January and February, 1940, approved.
9312		Mr. Cabell authorized to write to Works Progress Administrator relative to securing approval of new project.
		Surveys. List of surveys ordered since last meeting.
		Resolution approving surveys completed.

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9313	Jan. 11	Extensions of time, as follows: Mountain States Construction Company, Nehalem River Bridge; E. C. Hall Company, Silver Lake-Harris Creek Section.
9314		Contracts completed and accepted, as follows: John Day-Prairie City Section, E. L. Rigdon; Silver Lake-Harris Creek Section, E. C. Hall Company.
9315	Jan. 12	Date for meeting in March tentatively set for 21st and 22nd. Bids received on following projects: South Unit, Oregon City Section, grading and paving; South Unit, Oregon City Section, viaduct and retaining wall; Mist-Vernonia Section, crushed rock; Bend-Millican Section, crushed gravel; Frame office building and addition to existing maintenance building at Medford; Dairy Section, grading, surfacing, oiling, crushed rock; Cushman-Swisshome Section, crushed rock; Pleasant Hill-Oakridge Section, surfacing, oiling.
9316		
9317		Right of way budget. Attorney's report. Columbia River Highway. Dodson Flat. Options for right of way to be secured. Real property. Resolution authorizing acquisition.
9320		Eugene. Mrs. Rose Hollenbeck to be reimbursed if taking of additional right of way increases cost of constructing residence building.
9321		Plans for Eugene project to be studied. Portland. Payment of assessment made by city against state-owned property approved. Oregon Coast Highway. Bandon. Negotiations for acquisition of right of way deferred. Forestry Department. Request permanent easement for use of roadway across stock pile site in Lane County. Nye connection. Purchase approved of area at connection of Lakeview-Burns and Central Oregon Highways, Harney County. Maintenance headquarters. John Day. Attorney to negotiate for acquisition of additional land.
9322		Pacific Highway. Albany. Offer of settlement for right of way across land owned by Harry Dinkle. Tigard. Settlement authorized with Emil A. Johnson for moving his property. High bid submitted by Odom Construction Co. Condemnation resolution: Lost River Section, Klamath Falls-Malin Highway.
9324		Salem. Building acquired from Duane Gibson in revision of Pacific Highway to be rented through local agency. Oasis. Alkali Lake. Offer of U. S. Division of Grazing relative to maintenance. Decision deferred. Log hauling. Molalla. Violations of provisions of permits to be investigated.
9325		Load limit. Authority granted to reduce load limit on Nye Junction-Ukiah and Prairie City-Unity Sections when necessary.

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9325	Jan. 12	Historical monument. Erection on Pacific Highway near junction with Belle Passi Cemetery Road, Woodburn, requested.
		Astoria. Astor Street Project. State requested to cooperate in cost of trial in connection with removal of buildings.
9326		Safeway Stores, Inc. Request permit to operate overheight equipment between Ontario and Snake River.
		North Umpqua County Road. Construction of one-mile section from end of present improvement requested.
		Forest highway program. Conference relative to funds available.
9327		Bridges. Pudding River Bridge at Aurora to be constructed with 1941 funds.
		Steamboat Bridge to be replaced with old Pudding River Bridge.
		Cascade Lakes Forest Highway. Construction of section near town of Crescent Lake discussed.
		Forest highway program for 1941. List of projects approved.
9329		Forest highway funds. Letter to Chief, Forest Service, relative to allocation of funds for surveys and maintenance work.
9330		Portland. Front Street Project. Right of way agent to assist city officials in appraising property.
		State financed projects. List of approved projects to be prepared.
		Saxton, Looney & Risley. Additional time granted to furnish bonds in connection with contracts awarded December 7, 1939.
		Contracts to be awarded to next low bidder if bond not furnished in time-limit extension.
9331		Columbia River. Proposed agreement with United States War Department for use of dredged materials discussed.
		Awards. Commission announces awards of contracts.
9332		Bond. State Highway Engineer to be protected under schedule bond furnished by The Ohio Casualty Insurance Company.
9333		Saxton, Looney & Risley. Extension of time in which to furnish bond to be confirmed by Secretary. (See page 9330)
		Assignment of contracts awarded December 7, 1939, not approved.
		Log hauling. Rules and regulations approved relative to disposal of lost logs and method of loading.
9335		Action deferred on modifying rules for overlength loads.
		Agreements, as follows, considered and signed:
		Leonard & Slate, insurance furnished in connection with ferry service across Willamette River at Wilsonville;
9336		Andrew Stambuck, insurance furnished in connection with ferry service across Coos River at Enegren Ferry;
		Emery Fresham, lease of property in Yamhill County;
		Klamath Indian Agency, lease of Indian lands in Klamath County for stock pile site purposes;
		Oregon Electric Railroad Company, construction of Tigard railroad grade separation project;
		United States of America, advancement of non-labor items on Wolf Creek Highway W.P.A. Project for January, 1940.

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9337	Jan. 25	Tigard. Pacific Highway West. Reconditioning present route approved. Crater Lake Highway. Collection of toll from motorists who do not visit Crater Lake. Objections presented. Crater Lake. Objections to relieving bus companies operating from Medford and Klamath Falls from payment of state transportation fees and gasoline tax. Real property. Resolution authorizing acquisition.
9339		Tigard. Alterations in plans for moving Methodist Episcopal Church building and parsonage approved. (See page 9370) Pacific Highway. Grants Pass. Settlement approved with M. B. Reeder for cancellation of lease on R. O. Borland property.
9340		Salmon. Duane Gibson property. Repair of sewer facilities approved. Decision on sale of property deferred. Wolf Creek Highway. Status report ordered filed. Yamhill-Newberg Secondary Highway. Resurfacing requested. Tualatin Valley Highway. Widening for four lanes of traffic between Sylvan and Beaverton requested. Territorial Secondary Highway. Reconditioning and oiling from Gillespie Corners to Lane-Douglas County line requested.
9341		Crook County. Powell Butte Grange requests several highway improvements. Vale West Secondary Highway. Improvement in 1940 requested. Springfield-Creswell Secondary Highway. Oiling requested. Bond. Assistant State Highway Engineer to be included under schedule bond furnished by Ohio Casualty Insurance Company.
9342		Deschutes County. County Court accepts abandoned portion of The Dalles-California Highway, in and near Redmond. Jackson County. County Court accepts abandoned portion of Tiller-Trail Secondary Highway. Abandoned March 9, 1938. Checks. Disposal of long-standing checks deposited by contractors. Arrow Transportation Company. Permission granted to transport special sanding equipment for icy pavements on gasoline tank trucks. Resolution adopted.
9344		Oregon Coast and Pacific Highways. Letter of complaint on condition ordered filed. Eugene. Pacific Highway. Proposed rerouting opposed. Dayton. Invitation renewed for Commission to attend banquet upon completion of Dundee Section, Pacific Highway West. Historical monument. Florence. Erection of monument honoring the late George Melvin Miller discussed. Enterprise-Lewiston Highway. Fence construction. Twain Bodmer offers to donate 60-foot right of way if permitted to construct fence. State to negotiate for 80-foot right of way.
9345		Nehalem-Manzanita County Road. Detour road. Tillamook County offers cooperation in cost of improvement in vicinity of Manzanita School. Forest highway program for 1941. Joint letter to Chief, Forest Service, signed recommending projects.

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9345	Jan. 25 1940	Saxton, Looney & Risley. Discussion of assignment of contracts awarded December 7 and 8, 1939.
9346		Political activities of employee. Glen Ditto not to continue as member of Board of Directors, Junction City School.
		Wolf Creek Highway. State to pay claim of Contractor's Equipment Corporation for rental of road ripper. Establishment of policy of paying claims direct rather than thru W.P.A. discussed.
9347		Obsidian. Request of Ernest Thomas Cast Stone Company to collect black obsidian from state park at Bend denied.
		Andersen Construction Company. Payment of final estimate ordered on contract for Miller Flat-Agency Section.
		Pacific Highway. Siskiyou Summit. Sale of service station building acquired from W. B. Norris denied.
		Accident to employee. Attorney to intercede with Accident Commission in behalf of S. C. Millard, injured while on duty.
		Surveys. List of surveys ordered since last meeting.
9349		Extensions of time as follows: M. L. O'Neil & Son, Tudor Ranch-Blue Mountain Pass Section; Denten & Young, bridge over Lang Canyon.
9350		Contracts completed and accepted, as follows: Bridge over Nehalem River, Mountain States Construction Co.; Tudor Ranch-Blue Mountain Pass Section, M. L. O'Neil & Son; Structural steel for Glenwood Undercrossing, Minneapolis-Moline Power Implement Company.
		Agreements, et cetera, signed as follows: P. L. Crooks & Company, claim for extra compensation arising out of Contract No. 1857; Sherman County, maintenance of Moro-Hay Canyon County Road; Berkley A. Davis and wife, elimination of cattle pass; Mrs. Ella Cook, installation of pole for traffic signal; Leo F. Smith, purchase of timber tract at Arch Cape Tunnel;
9351		Wasco County Court, assignment of funds to pay for crushed rock; United States of America, advance of funds to pay for non-labor items on Wolf Creek Highway project during Feb. 1940; Quitclaim deed conveying unto Shevlin-Hixon Company land in Deschutes County.
9352	Feb. 15	Bids received on following projects and buildings: Miles Bridge-Baker and Baker-Salisbury Sections, surf. & oil; Repair bridge over Willamette River at Corvallis; C.O.I.D. canal bridge near Redmond; Mussel Creek-Myers Creek Section, crushed gravel;
9353		John Day-Prairie City Section, grading, surfacing, oiling; Warm Springs Agency-Vanora Section, surfacing and oiling; Silver Lake-Chalk Cliff Section, grading, surfacing, oiling;
9354		Fir Creek-Laurel Road Section, grad.; surf.; oil.; and bridge; Building and residence tract at Corvallis; Building at Seappoose.
		Oregon Coast Highway. Bunker Hill Section. Purchase of property involved in slide area approved.
		Alsea-Deadwood Secondary Highway. Construction of short section north of Bummer Creek requested.

<u>Page</u>	<u>Date</u>	<u>Subject</u>
9355	Feb. 15	<p>Survey. Alsea-Deadwood Secondary Highway. Survey authorized from end of present highway to Five Rivers.</p> <p>North River Road. Albany. Difficulties encountered in securing 60-foot right of way.</p> <p>Alsea-Deadwood Secondary Highway. Redesignation as secondary highway of 5-mile section deleted from system requested.</p> <p>Three Flags Highway. Delegation confers relative to improvement.</p> <p>Pendleton-John Day Highway. Inspection in vicinity of Fox ordered.</p> <p>Celilo. Delegation confers relative to widening of Columbia River Highway and cleaning up of village.</p>
9356		<p>Pedestrian underpass between village and store suggested.</p> <p>Sale of building. Corvallis-Eastside Secondary Highway. Low offer of Paul Nordyke refused. Compromise sale price recommended by state.</p>
9357		<p>Peavining equipment. Separate permits for each movement of equipment to be granted B. Maling Company, Inc.</p> <p>Wasco-Heppner Secondary Highway. Improvement discussed. Funds heretofore budgeted not to be reallocated.</p> <p>Klamath Lake Secondary Highway. Improvement in Klamath Falls not to be undertaken.</p>
9358		<p>Snow removal. Weston-Elgin Secondary Highway. Request denied.</p> <p>Corvallis. Pacific Highway West and Albany-Corvallis Highways. Delegation urges rerouting. Investigation ordered.</p> <p>Hubbard. O. E. Powell confers relative to traffic island in front of his service station. Demands access from highway.</p> <p>Awards. Commission announces awards of contracts and sale of buildings.</p>
9360		<p>Springfield-Creswell Secondary Highway. Jasper-McKenzie Highway Section. Delegation urges improvement.</p> <p>Guard rail. Jasper. Construction along Springfield-Creswell Secondary Highway at bridge requested. Action deferred.</p> <p>Traffic lights. Jasper. Installation at bridge requested. Action deferred.</p>
9361		<p>Insurance. Modification of insurance requirements in connection with transportation of overlength loads requested.</p> <p>Traffic light. Cornelius. Request for flashing beacon denied.</p> <p>Cornelius. No-parking strips to be painted in lieu of installation of flashing beacons.</p> <p>Historical marker committee. Old Oregon Trail. Report rendered on proposed sites.</p>
9362		<p>Bonneville Authority. First movement of oversized equipment to be covered by written permit; subsequent ones by telegram.</p> <p>Saxton, Looney & Risley. Request relief from payment of penalty imposed for failure to enter into Warm Springs Agency-Vanora Section contract.</p> <p>Insurance. Group insurance for employees. Proposition of Mutual Benefit Health and Accident Association presented. Attorney to investigate.</p>

<u>Page</u>	<u>Date</u>	<u>Subject</u>
	1940	
9363	Feb. 15	Warm Springs Highway. Completion between Warm Springs Agency and Wapinitia Highway requested.
	Feb. 16	Bids received on following projects: Bend-Butler Ranch Section, grading, surfacing, oiling; Service Creek-Branson Creek Section, oiling;
9364		Lick Creek-Salt Creek Section, surfacing, oiling, crushed rock; North Unit, Ann Spring-Hunter Hill Sec., roadside improvement; Union-Catherine Creek Section, oiling, crushed gravel; Castor Ranch-Joseph Section, grading, surfacing, oil, bridges; Seufert-Dufur Section, crushed rock; Tigard Grade Separation and Fanno Creek Bridge Sec., viaduct.
9365		Forest Service, U.S. Granting of permit for movement of equipment for suppression of fires.
9366		Old Oregon Trail. Delegation confers relative to rerouting. Letter to be filed with Public Roads Administration opposing Idaho's plan for rerouting traffic.
		Consolidated Freightways, Inc. Permit requested for movement of oversight vehicles over Pacific Highway. Clearances at Goshen and Springfield underpasses discussed. Action deferred.
		Oregon Coast Highway. Port Orford-Hubbard Creek Section. Captain Roche requests revision in reconstruction plans.
		Elsie-Jewell County Road. Request renewed for designation as state secondary highway.
9367		Stock pile site. Clatsop County. Error in description of property decided to state to be corrected.
		Right of way budget. Attorney's report.
		Right of way. Oregon Coast Highway, Depoe Bay. Compromise offer of \$750 to J. R. Brewster approved.
		Real property. Resolution authorizing acquisition.
9370		Tigard. Additional expense in connection with moving Methodist Episcopal Church building approved.
		Grants Pass. Request of Mrs. Avvon Hughel for permission to maintain neon sign on highway right of way approved.
9371		Pacific Highway. Eugene. Delegation confers relative to selection of permanent route.
		Toledo. Payment of pavement assessment against state-owned property approved.
		Lease contract. Land at confluence of Deschutes and Crooked Rivers. State of Oregon not to be given preference rating when lease renewed.
		Park matter: land at confluence of Deschutes and Crooked Rivers. (See entry just above).
		Sumpter Valley Secondary Highway. Mining companies in vicinity of Sumpter demand use of highway in operation of dredges.
		Title to right of way to be investigated.
9372		Titles to right of way. Check on all state highways ordered.
		Salmon River Highway. Removal of privately-owned buildings from state's wayside strips approved.
		Condemnation: Recommended offers. Resolutions as follows: Troutdale-Fairview Section, Columbia River Highway;

(continued)

Page	Date	Subject
9372	Feb. 16	<p>Condemnation resolutions, continued:</p> <p>Multnomah Falls-Dodson Section, Columbia River Highway;</p> <p>Catherine Creek Section, Medical Springs Highway;</p> <p>Hug Point-Arch Cape Section, Oregon Coast Highway;</p> <p>Cottage Grove Section, Pacific Highway.</p>
9377		<p>Eugene. Maintenance headquarters site. Attorney to secure options for enlargement of present site.</p> <p>Flowage easement. U.S. War Department granted perpetual flowage easement over state-owned property at Herman Creek, Hood River County.</p> <p>Bonneville Authority. Permit authorized for movement of oversized equipment. (See page 9361).</p>
9378		<p>Peaving equipment. Permit for movement granted B. Maling Company. (See page 9357)</p> <p>State parks. Superintendent's report on parks acquired.</p> <p>Harold B. Say. Authority granted to attend the Evergreen Playground Association meeting in Washington in March, 1940.</p> <p>Astoria. Taylor Street Section. State to contribute \$400 toward cost of moving buildings.</p> <p>Portland. Offer of Southern Pacific Company to sell railroad property adjacent to McLoughlin Blvd. declined.</p>
9379		Awards. Commission announces awards of contracts.
9380		Snow removal LaGrande. Policy adopted with respect to city streets that are highway routes.
9381		<p>Equipment. Engineer authorized to purchase following:</p> <p>5 10-ton rollers; 1 10-ton roller; 15 power mowing machines; 15 asphalt kettles; 4 pickup trucks; 12 light trucks; 1 dust sweeper; 1 electric-driven hand saw.</p> <p>Award of contract. Commission approves following award:</p> <p>Hay Canyon Section, Fisher Brothers.</p> <p>Wolf Creek Highway. Equipment rental to be paid direct rather than through W.P.A. office.</p> <p>Equipment rental on W.P.A. Projects. To be paid direct. (See entry just above)</p> <p>Lewis and Clark Monument. The Dalles. Area surrounding monument to be maintained by state, at state expense.</p>
9382		<p>Halsey-Sweet Home Secondary Highway. Brownsville Section.</p> <p>Abandonment resolution.</p>
9384		<p>Maps. Policy adopted with respect to printing of maps by private organizations.</p> <p>Load limit. Resolution reducing load limit on three highways.</p>
9386		<p>1941 federal aid funds. Selection of eligible projects deferred.</p> <p>Agate Beach. Option to be secured on property between old and new highways.</p> <p>Timber. Wolf Creek Highway. Reed Holding offers to purchase burned timber near Clatsop-Tillamook County Line. Action deferred.</p> <p>Electricity. Roman Kintz requests electrical service from power line at Silver Creek Falls State Park. Approval to be secured from Government.</p>

<u>Page</u>	<u>Date</u>	<u>Subject</u>
	1940	
9387	Feb. 16	Labor. Carpenters' Union requests insertion of clause in future contracts relative to selection of workers through Oregon State Employment Service. Engineer to prepare letter setting forth objections.
		Portland. Lombard Street. Report on cost of reconstruction. Engineer to confer with Portland Traction Company.
9388		Oregon-Washington Highway. Jones Hill-Lena Section. Report on cost of improvement. Too costly to undertake.
		Saxton, Looney & Risley. Reconsideration of penalty imposed for failure to enter into contract for Warm Springs Agency-Vanora Section. Contractors to be granted hearing.
		Traffic signal. Rickreall. Installation at junction of state highways approved.
		Sylvan. Installation of overhead flashing beacons approved.
		Traffic island. Sylvan. Installation approved.
		Log hauling. Bridal Veil Timber Company granted permit to haul logs over Columbia River Highway in vicinity of Corbett.
9389		Overlength loads. Public hearing regarding issuance of permits tentatively scheduled for evening preceding March meeting.
		Agreements, et cetera, signed as follows: Wallowa County, maintenance of Castor Ranch-Joseph Section; Bend, maintenance of South Section, Butler Market Road; Deschutes County, maintenance of Butler Market Road; Sherman County, maintenance of section of Wasco-Fulton Canyon County Road;
9390		Botsford, Constantine & Gardiner, handling of publicity matters for Travel and Information Department; U. S. Department of Interior, application for extra right of way at Celilo Indian village; Bargain and sale deed conveying unto Methodist Episcopal Church of Tigard land in Tigard.
9391	Feb. 27	Date for interim meeting scheduled for February 27, in Portland. Saxton, Looney & Risley. Conference relative to penalty imposed for failure to enter into contract for Warm Springs Agency-Vanora Section. Action deferred.
9392		Oversized vehicles. Traffic Engineer of Washington confers relative to reciprocal agreement between Oregon and Washington covering oversized movements between Umatilla and Washington. Oregon not to enter into agreement.
		Log hauling. Granting of special permits discussed with Traffic Engineer from Washington. Washington law explained.
		Elsie-Jewell Road. Inspection enroute to Seaside.
		Timber tracts. Wolf Creek Highway. Options and trade agreements authorized for tracts in Tillamook and Clatsop Counties.
		Timber land. Wilson River Highway. Purchase of approximately 1900 acres discussed. Felling of burned timber as W.P.A. project and disposition thereof discussed. Engineer to correspond with W.P.A. Administrator relative thereto.
9393		Minutes of meetings held November 1, 2 and 3, November 20 and 21, December 7 and 8, and December 20, 1939, approved.

<u>Page</u>	<u>Date</u>	<u>Subject</u>
	1940	
9394	Feb. 27	Right of way budget. Attorney's report approved.
		Real property. Resolution authorizing acquisition.
9396		Stock pile site. Clatsop County. Error in deed to be disposed of by correction deed. (See page 9367)
		Right of way. Tigard. C. A. Donnelly refuses to deed to state, unless paid \$750, property acquired from Albert Hof-farber, on which state holds option to purchase.
		Port of Umpqua. Request to deposit spoil from dredging operations in Umpqua River on state-owned property at Reedsport approved.
9397		Silver Creek Falls State Park. Settlement with J. T. Hafner for lease privileges, involving operation of dance hall, approved. Buildings to be removed from state's property.
		1941 federal aid program. Partial program selected. To be submitted to Public Roads Administration.
9398		Wooden stave pipe. Manufacturers request change in specifications on metal band requirements. No change to be made.
		Culvert pipe. Engineer's report on amount of various types of pipe purchased from October 15, 1933, to January 13, 1940.
		Medford. Maintenance headquarters. Expenditure for landscaping grounds approved.
		Timber strips. Pendleton-John Day Highway. Investigation ordered of strips in vicinity of Camas Creek and Ukiah.
		Portland. Front Street Project. Attorney's report on appraisals of property. Information not to be divulged.
9399		Log hauling. Overlength loads. Granting of permits discussed. Decision deferred pending conference on March 20, 1940.
		Saxton, Looney & Risley. Full amount of bid bond on Warm Springs Agency-Vanora Section contract to be collected.
		Elsie-Jewell County Road. Designation as state secondary highway considered. Investigations of right of way titles, cost of improvement, etc., ordered.
9400		Mount Angel. Planting of trees along Hillsboro-Silverton Secondary highway in front of Academy of Benedictine Sisters approved.
		Guard fence. Request for construction along Columbia River Highway in front of Mosier School denied.
		Hood River Secondary Highway. Dee-Parkdale Section. Report on cost of reconstruction. Decision deferred.
		Old Oregon Trail. Haines. Request for change in proposed re-routing denied.
		Tualatin Valley Highway. Sylvan-Beaverton Section. Cost to widen discussed. Decision deferred.
		Milton. Request of McLoughlin Union High School to construct parking area on state highway right of way approved.
9401		Sidewalk. Jordan Valley. Permit authorizing construction along I.O.N. Highway by CCC forces approved.
		Newberg-Yamhill Secondary Highway. Oiling of uncoiled section to be done later in year if sufficient savings accrue.

<u>Page</u>	<u>Date</u>	<u>Subject</u>
	1940	
9401	Feb. 27	<p>Drainage. Charleston. Investigation ordered of complaint regarding disposal of water from Cape Arago Secondary Highway. State-financed projects. Engineer's report on projects for 1940 construction.</p> <p>Claim. Allen's Cash Grocery, Marshfield. Claim reconsidered and denied.</p>
9402		<p>Moody Tollbridge Highway. Removal of building encroachments discussed. Removal from state highway system considered. Attorney to prepare legislation relative to removal from system.</p> <p>Western Association of State Highway Officials. Dues for 1940 ordered paid.</p> <p>Bonneville power line. Attorney General's opinion relative to construction of power lines across state highways.</p> <p>Labor. Carpenter's union requests provision made in contracts for securing workers through Oregon State Employment Service. Request denied. (See page 9387)</p>
9403		<p>Santiam Highway. Lebanon-Albany Section. Engineer requests authority to reconstruct under different specifications as experiment. Action deferred.</p> <p>Vale West Secondary Highway. Request for removal from secondary system and substitution of Sucker Creek Road denied.</p> <p>Hubbard. Discussion of controversy with O. E. Powell regarding driveways to his service station adjacent to Pacific Highway.</p>
9404	Feb. 28	<p>Sidewalk. Gold Hill. Request for construction on bridge over Rogue River. Decision deferred.</p> <p>Wasco-Heppner Secondary Highway. Heppner-Rhea Creek Section. Improvement requested.</p> <p>Oregon-Washington Highway. Hanna-Lena Section. Oiling requested.</p> <p>Pine City Road. Request for designation as secondary state highway. Decision deferred.</p> <p>Paterson Ferry Road. Request for designation as state secondary highway. Action deferred.</p> <p>Northeast Portland Secondary Highway. Lombard Street extension. Plans for reconstruction presented.</p> <p>Safety islands. Northeast Portland Secondary Highway at intersection with 52nd Avenue. Request for construction.</p>
9405		<p>Roadside improvement projects. Ontario-Snake River and Middleton-Newberg Projects to be substituted for North Powder-Muddy Creek and Central Point-Medford Projects.</p> <p>Garbage dump. Corvallis-Eastside Secondary Highway. State without authority to abate nuisance. To be brought to attention of county health authorities.</p> <p>The Dalles-California Highway. Redmond-Bend Section. Deschutes County to take over portion abandoned July 29, 1937.</p> <p>Beaverton-Aurora Secondary Highway. Marion County to take over portion abandoned December 27, 1935.</p> <p>Sign. Erection of sign where Malheur irrigation syphon crosses John Day Highway. Request denied.</p>

<u>Page</u>	<u>Date</u>	<u>Subject</u>
	1940	
9406	Feb. 28	Bid prices. Adoption of policy with respect to errors made by contractors in stating unit bid prices discussed.
		Grade crossings. Reflectorized signs. Resolution pertaining to installation adopted.
9409		Insurance. Decreasing insurance requirements in connection with permits for overlength loads discussed. Decision deferred. Purchase of public liability and property damage insurance as substitute for insurance furnished by special carriers to be investigated.
9410		Wolf Creek Highway. Overtime of men employed in removing slide to be paid by state.
		Pole lines. Main lines constructed across country on private right of way to be permitted to cross over state highways.
		Lebanon. Santiam Highway traffic to be detoured during Strawberry Festival.
		Portland. Designation of 39th Avenue from Sandy Blvd. to Milwaukie as arterial highway requested. No action.
		Crater Lake Highway. Collection of fees from motorists who do not visit Crater Lake discussed. Action deferred.
		Territorial Secondary Highway. Oiling requested from Gillespie Corners to Douglas County line. No action.
9411		Legislation. Governor sets dates for submitting outlines of legislation to be recommended to 1941 Legislature.
		Columbia River Highway. Portland-The Dalles Section. Additional construction in 1940 on new route requested.
		Barlow Road extension. Wanic to Bear Paw Springs. Survey requested. Rough reconnaissance survey authorized.
		Oregon Coast Highway. Gleneden Beach Section. Funds for reconstruction to be transferred from Depoe Bay Section.
9412		Federal aid secondary highway funds. State Grange requests that funds be expended to improve outlying roads.
		Snow removal. Weston-Elgin Secondary Highway. Request for snow removal to permit year-round travel denied.
		Editorial. Bend Bulletin publishes "Gasoline Tax Pays Dividends". Appreciation extended to Robert W. Sawyer, Editor.
		Signrack. Erection of rack on Tualatin Valley Highway outside of Hillsboro requested. Action deferred.
		Landscape Engineer. Services of Mr. Otten to be loaned in designing post-office grounds, Salem.
		Scrap lumber and piling. Salvaged from old Whiteson Bridge, near McMinnville. To be advertised for sale.
		Equipment. Purchase of two power hoists for installation on Parks Department trucks authorized.
9413		Quarry. Grant County requests permission to obtain rock from quarry on Pendleton-John Day Highway. Request approved.
		Florence. Attorney to negotiate for purchase of small tract between Siuslaw Highway and 9th Street.
		Legislation. Telegram opposing House Resolution regarding establishment of wage rates on federal aid highway projects by Secretary of Labor.

<u>Page</u>	<u>Date</u>	<u>Subject</u>
	1940	
9413	Feb. 28	Claim. Ben Hilton alleges that state's operation of gravel pit adjacent to Williams Secondary Highway interferes with his irrigation rights.
9414		Date for meeting on March 21 and 22 confirmed. Agreements, et cetera, signed as follows: State Board of Forestry, use of roadway across stock pile site in Lane County; Colonial Construction Company, disposing of claim for extra compensation arising out of Contract No. 2151; Morrow County, easement granting permission to maintain roadway across state property west of Boardman; Bureau of Reclamation, lease agreement covering land at confluence of Crooked River, Deschutes River and Metolius River; Port of Umpqua, permit granting right to deposit spoil material from Umpqua River on state property near Reedsport.
9415	Mar. 21	Bids received on following projects: Ochoco Creek-Prineville Section, grading; Austin Junction-Baker County Line Section, grade widening, surfacing, oiling;
9416		Lamonta-Crook County Line Section, grading, fencing; Odell Lake maintenance patrolmen's headquarters; Low Pass Section, grade widening, surfacing, oiling; Drilling and casing well on I.O.N. Highway; Middle Unit, Troutdale-Corbett Section, clearing;
9417		South Unit, Fulton Canyon Section, grad., surf., culverts. Weston-McDougall Camp Section, oiling; Catherine Creek Bridge Section, trestle and roadbed; Castor Ranch-Joseph Section, grad., surf., oil, bridges; Tigard Section, grading and paving;
9418		Scrap lumber and piling at site of Old Whiteson Bridge; Buildings and property in Marshfield; Buildings and property in Cottage Grove
9419		North Umpqua County Road. Extension of improvement and designation as secondary state highway requested. No action. Tiller-Trail Secondary Highway. Canyonville-Tiller Section. Improvement requested. Project to be studied.
9420		Aloha. Dr. Huntington confers relative to right of way matter. Oregon Coast Highway. Delegation urges reconstruction north of Newport and at Otter Crest. McMinnville-Tillamook Highway. Delegation urges reconstruction. Corvallis-Newport Highway, delegation urges improvement.
9421		Oregon Coast Highway. Landscaping and sidewalk construction at Newport. Project to be included in partial program for 1941 federal aid funds. Harney County. Delegation confers relative to several highway improvements. Burns. Paving of unpaved strips adjacent to highway requested. Investigation ordered. Columbia County. Additional federal aid secondary highway funds for county road construction requested.

<u>Page</u>	<u>Date</u>	<u>Subject</u>
	1940	
9422	Mar. 21	<p>Oregon Coast Highway. Marshfield-Coquille Section. Delegation urges elimination of curve on Delmar Hill and straightening between Beaver Creek and Coaledo Marsh bridges.</p> <p>Wilson River Highway. Devils Lake Fork bridge and Glenwood Section. Delegation confers relative to completion. Elimination of curve at Randalls also requested.</p> <p>Tillamook County. County Court inquires as to possibility of securing additional federal aid secondary highway funds.</p> <p>Necanicum Junction. Delegation requests improvement of Wolf Creek Highway connection with Oregon Coast Highway. Temporary connection to be constructed.</p>
9423		<p>Oregon Coast Highway. Delegation requests improvement south from Tillamook. Investigation of route through Tillamook authorized.</p> <p>Bay City-Garibaldi Section. Improvement also requested.</p> <p>Little Nestucca Secondary Highway. Delegation requests additional improvements.</p> <p>Dolph-Boyer Project. Delegation requests construction.</p> <p>Cloverdale. Widening of pavement full width between curbs and widening of sharp curve at south city limits requested by delegation.</p> <p>Bonneville Power Administration. Permission granted to construct improvements on highway right of way in connection with substation near West Salem.</p>
9424		<p>Tigard. Delegation confers relative to proposed revision of water pipe lines necessitated by reconstruction of Pacific Highway West.</p> <p>South River Road, Salem. Delegation requests survey.</p> <p>Survey. South River Road, Salem. Survey authorized.</p> <p>Salem. 12th Street Cutoff. Delegation requests designation as state secondary highway.</p> <p>Monument. Biggs. Erection of memorial to pioneers requested by Old Wasco County Pioneers' Association.</p> <p>Little Butte Creek Secondary Highway. Delegation urges completion of construction up to Lake of the Woods.</p>
9425		<p>Curry County. Delegation confers relative to improvement of county road extending up Rogue River from Wedderburn.</p> <p>Morrow County. Delegation confers relative to several highway improvements, including oiling and reconstruction.</p>
9426		<p>Oswego Highway. Delegation confers relative to landscaping through Oswego. Further study to be made.</p>
9429		<p>Awards. Commission announces awards of contracts and sale of scrap lumber and piling. Sale of buildings to be announced at morning session.</p> <p>Date for special meeting in Salem scheduled for April 8, 1940. (Later changed to April 9, 1940)</p>

<u>Page</u>	<u>Date</u>	<u>Subject</u>
	1940	
9429	Mar. 22	Baker-Homestead Highway. Flagstaff-Lower Powder Section. Delegation urges allocation of funds for reconstruction.
9430		Insurance. Agreement presented by Mutual Benefit Health and Accident Insurance Company for furnishing group insurance to be modified.
		Celilo. John Whis, Indian representative, to use Engineer's letter to Superintendent of Yakima Indian Reservation when at conference in Washington, D. C.
9431		Control of speed of traffic past village requested.
		Awards. Sale of buildings announced. Bids taken previous day.
9432		Consolidated Freight Lines. Investigation to be made of clearances at Springfield and Goshen undercrossings before permit granted to move trucks over Pacific Highway. State to assume expense of increasing clearances, if necessary.
		Clearance at Mosier Tunnel to be investigated before permit granted to move trucks over Columbia River Highway.
		Undercrossings. Goshen and Springfield. State to assume expense of increasing clearances if necessary in order to authorize movement of Consolidated Freight Lines' trucks. (See entry above)
9433		Scotch Broom. Delegation requests postponement of further cutting along Oregon Coast Highway for time being.
		San Francisco Fair. Bud Dietlein confers relative to renewing contract for showing of his diorama. Action deferred.
		Pacific Highway. Eugene. Delegation confers relative to plans for rerouting.
		Eugene. Hearing. Rerouting of Pacific Highway. Hearing scheduled for May 1, 1940.
9434		Minutes of meeting held January 10, 11, and 12, 1940, approved.
		Columbia River Highway. Right of way through Jordan property at Troutdale. Purchase of entire ranch and also land between right of way and dike to be investigated.
		Timber strips. Pendleton-John Day Highway. Acquisition of timber and timber land discussed.
		Sale of land. Small tract near Lindsey, Hood River County, to be sold to Oregon Washington Railroad & Navigation Company.
9435		Timber strip. Acquisition of strip fronting on Oregon Coast Highway between Delake and Nelscott considered.
		Harold B. Say. Trip into California authorized.
		Trip into the Middle West also authorized.
9436		Log hauling. Conference with representatives of logging and lumber industries relative to transportation of overlength loads. Legal features of regulations prohibiting movements 60 feet in length except in cases of emergency or if timber is not to be cut into shorter lengths to be investigated.
9437		Timber land. Acquisition of timber land adjacent to Wolf Creek Highway between Nehalem and Quartz Creek from Koster Products Company authorized.
9438		Cottage Grove. Frank Heck property. Payment of \$16,750 authorized.

Page	Date	Subject
	1940	
9438	Mar. 22	Herman Oliver. Appointed as Commissioner by Governor for three-year term, March 31, 1940, to March 31, 1943. Woodburn-Sandy Secondary Highway. To be posted for reduced load limit when necessary. Albany-Lyons Secondary Highway. To be posted for reduced load limit when necessary. Load limit. Pendleton-John Day Highway. Resolution lifting reduced load limit on Nye Junction-Ukiah Section.
9439		Log hauling penalty. Elsie-Jewell Road. Permits of operators guilty of overloading to be cancelled for 60-day period if Commission has jurisdiction over road. Investigation ordered. Dolph-Boyer Project. Construction requested by Tillamook County citizens. Wilson River Highway. Project involving total expenditure of \$1,100,000, state's share \$250,000, approved.
9440		Oregon City. Settlement with C. T. Gates for right of way needed for revision of Pacific Highway East approved.
9442		Surveys. List of surveys ordered since last meeting. Extensions of time, as follows:
9443		R. I. Stuart & Sons, Eagle Point-Hog Creek Section; Contracting and Sales Company, moving and reconstructing the Methodist Episcopal Church building, in Tigard.
9444		Contracts completed and accepted, as follows: Roseburg-Shady Point Section, Berke Bros, Inc. Eagle Point-Hog Creek Section, R. I. Stuart & Sons; Moving and re-establishing school building and playshed near Manning, Odum Construction Company; Seaside-Mecanicum Summit Section, Babler Brothers.
9445		Agreements, et cetera, signed as follows; W. R. Shaw, payment of \$1,500 toward cost of constructing relief map of State of Oregon; Western Union Telegraph Company, use of company's pole between Salem and Geer, in connection with radio station; West Coast Power Company, use of company's poles in connection with suspension of flashing beacon in Newport; Canby Light and Power Company, use of company's poles in connection with traffic signal installation in Canby; Canby Telephone Company, use of company's pole in connection with traffic signal installation in Canby; United States Bureau of Reclamation, ditch crossings on Lost River Bridge Section of Klamath Falls-Malin Highway; Samuel Wolf, party wall between his property and the Gates property in Oregon City; Southern Pacific Company, construction of an underpass on the Wolf Creek Highway at Strassel; California-Oregon Power Company and the Pacific Telephone and Telegraph Company, use of certain poles in Klamath Falls in connection with suspension of overhead flashing beacons; Sweet Home Warehouse Company, lease by state of certain property for equipment storage headquarters in Sweet Home.

<u>Page</u>	<u>Date</u>	<u>Subject</u>
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1940

9445	Mar. 22	Agreements (cont.)
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Federal Government, receipt acknowledging payment for perpetual flowage easement on land in Hood River County;
Bargain and sale deed conveying unto Paul Nordyke and wife land near Corvallis, Benton County;
Bargain and sale deed conveying unto Herbert V. Kruse land in Washington County.

Date for next regular meeting set for May 2 and 3, 1940.

Salem, Oregon, December 20, 1939

The State Highway Commission met in special session at 9:30 o'clock a. m. in Room 325, State Office Building. Present were:

Henry F. Cabell, Chairman
Huron W. Clough, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

Commissioner E. B. Aldrich was excused from attending this meeting.

The Commission had under discussion the matter of designating on future state highway maps the location of Sea Lion Caves and other privately-owned attractions situate adjacent to state highways of Oregon. The Commission decided not to show such places on these maps, in view of the fact that they are private commercial enterprises.

The Commission discussed briefly the matter of oiling the uncoiled strips adjacent to the existing highway pavement through Tigard, but deferred action thereon pending a report from the Engineer on how much it would cost to do this work.

The Attorney requested authority to acquire certain parcels of real property that are needed for various highway improvements throughout the state. He submitted a list of such properties together with the prices that he recommended be paid for each. After careful study the Commission approved the request and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth; and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon; and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed;

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of

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the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Davis-Vadis Section - Wolf Creek Highway</u> 6277-Peterson, Carl O.	R/W	13.51	\$150 per a. + \$2723.50 + \$50 crop damage	McChesney
<u>Manning-Davis Section - Wolf Creek Highway</u> 6265-School District #44, Washington County (Correction)	R/W	1.55	In exchange for moving & reestablishing bldgs. etc. in amount of \$6545	"
<u>Tillamook and Clatsop County Section - Wolf Creek Highway</u> 7401-Properties Corp. (Correction)	Park	281.70	\$5.00 per a.	Parker
<u>Clatsop County Section - Wolf Creek Highway</u> 7401-Koster Products Co. (Correction)	Park	94.40	\$5.00 per a.	Parker
7401-Detroit Trust Co, (Correction)	Park	36.47	\$5.00 per a.	"
<u>Short Sand Beach Creek-Arch Cape Section - Oregon Coast Highway</u> 6742-Fowler, Charles A.	Park	34.62	\$1.25+ per a., + \$1,706.62	Parker
<u>Apiary-Pittsburg Section - County Road</u> 7597-Columbia County	Quarry	20.0	\$1 Lump Sum	McChesney
<u>Houlton-Warren Section - Columbia Highway</u> 7434-Veasie, H. E.	R/W	2100 sq.ft.	3¢ sq.ft. + \$112	McChesney
<u>Skipanon-Seaside Section - Oregon Coast Highway</u> 1676-Alberton, John	R/W	0.06	\$300 per a. + \$282	DeSouza
<u>Water Street - East Portland-Oregon City Highway</u> 4486-Portland General Elec. Co. Easement		365 sq.ft.	\$1 Lump Sum	Parker
<u>Nehalem Spit Section - Oregon Coast Highway</u> 7330-Whistler, Mary S.	Park	2 lots	\$10 each	DeSouza
7327-Ban, S.	"	2 lots	\$10 each (state to pay taxes est. to not ex- ceed \$1.50)	"
7376-Montag, Joseph P.	"	1 lot (110x400)	\$50 Lump Sum	"
7360-Seward, Loren	"	2 lots	\$10 each	"
7338-Currier, E. S.	"	1 lot	\$10 Lump Sum	"
7333-Parsons, R. E.	"	2 lots	\$10 each	"
7354-Bryant, Ralph	"	2 lots	\$10 each, including tidelands	"
7377-Miller, Elmon H.	"	Fractional lot	\$10 Lump Sum	"

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>(Nehalem Sp. t Section - Oregon Coast Highway, continued)</u>				
7363-Herner, Heirs of P.G.	Park	1 lot	\$10 Lump Sum	DeSouza
7312-Ackander, Mrs. A. B.	"	4 lots	\$8.50 each (state to assume pay't taxes, approx. \$3.00)	"
7328-Smith, Wm. H. Estate	"	14 lots	\$5 each (state to assume paym't taxes, approx. \$15)"	"
7321-Maris, N. C.	"	1 lot	\$10 Lump Sum	"
7329-Torgerson, Mrs. Donnie L.	"	2 lots	\$10 each	"

Mills Bridge Section - Wilson River Highway

6710-Dolan, A.F. & Estate of		0.22 for right of way		
Vogler (Correction)	R/W and	0.15 for slope easement		
	Slope Easement		\$25 Lump Sum	Benson

Tigard Section - Pacific Highway West

6925-Ochs, Peter	R/W	1400 sq.ft.	4¢ sq.ft. + \$644	Collins
(Correction)				
6999-Pfaffle, C. H.	"	Allowance for construction of steps in lieu of state doing the work, \$50 "		
(Supplemental)				
6920-Kennedy, Wm. F.	"	561 sq.ft.	4¢ sq.ft. + \$227.56	
7135-Ploeger, Zelda and Washington County	Borrow Pit	4.1	Leased for road materials Lump Sum \$1000 (Approx. 90,000 cu.yds. to be taken at 1 1/4 cu. yd.)	"
6989-Warner, John W.	R/W	12,087 sq.ft.	5¢ sq.ft. + \$5,082.65	"
6954-Hoffarber, Albert	"	1,970 sq.ft.	Land \$1.00, + \$6,180	"
(Correction)				
6931-Atkins, Elizabeth	"	596 sq.ft.	4¢ sq.ft.	"

Newberg-McMinnville Section - Pacific Highway West

7504-Norris, C. D. and Chaffee, Urban	R/W	0.05	\$150 per a. + \$35	Benson
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Dolph-Hebo Section - McMinnville-Tillamook Highway

1339-Peterson, Agnes Pauline	R/W	0.49	\$25 per a. + \$428.50 + moving bldgs. \$997.50	Devers
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Salem-Pringle Creek Section - Pacific Highway East

5915-A, Allison, Ethel Thomas	R/W	2,379 sq.ft.	6¢ sq.ft. + \$157.26	McCallister
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Cascadia-Upper Soda Section - Santiam Highway

7567-Allyn, Chester	Stock Pile	1.377	\$100 Lump Sum	Eason
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Albany Section - Pacific Highway East

5840-Misner, James R.	R/W & Slope Easement	528 sq.ft.	Land Gratis + \$175	Gardiner
5133-Haynes, U. G.	R/W	3988 sq.ft.	5¢ sq.ft. + \$2755	"
5829-Elkins, Edith E. and Holm, Emil	Slope Easement	106 sq.ft.	Gratis	"

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Siletz Bay-Newport Section - Oregon Coast Highway</u>				
7517-Hansen, T. R.	R/W	643 sq.ft.	10¢ sq.ft.+ \$35.70	McCallister
<u>Florence Section - Oregon Coast Highway</u>				
7573 Lane County	Stock Pile	44,880 sq.ft.	\$35 Lump Sum	Lytle
<u>Cottage Grove Section - Pacific Highway</u>				
5691-Lea, Lucy C.	R/W	4,536 sq.ft.	5¢ sq.ft.+ \$3198.20	Benson
(Correction)				
5638-Preston, Naomi Hoskins	"	8,611 sq.ft.	\$12,000 Lump Sum, subject to 2 leases one of which may be condemned "	
<u>Mooshink Lake - Oregon Coast Highway</u>				
5377-Ford, James W., Jr.	Easement for outlet control -	Gratis		Devers
<u>Dexter-Duval Creek Section - Willamette Highway</u>				
7568-Elgin, Wm. W.	Gravel Pit	0.51	\$75 Lump Sum	Lytle
7569-Gray, Stanley	" "	13.69	\$500 Lump Sum	"
7570-Penn Timber Co.	Stock Pile	1.83	\$200 Lump Sum	"
7592-Mauney, Robert O.	" "	1.0	\$150 Lump Sum, + fencing"	
<u>Cushman-Camp Creek Section - Siuslaw Highway</u>				
7571-Huntington, Walter L.	Stock Pile	0.97	\$300 Lump Sum	Lytle
<u>Cushman Ranch-Trail Section - Tiller-Trail Highway</u>				
7254-Onn, Clyde	R/W	0.27	\$50 Lump Sum	Benson
(Correction)				
<u>Caser Creek-Douglas County Line Section - Oregon Coast Highway</u>				
7572-Ford, James W. Jr.	Stock Pile	1.14	\$180 Lump Sum	Lytle
<u>Umpqua River Lighthouse Reservation - Oregon Coast Highway</u>				
6612-U. S. Government	Park	110.0	\$1,000 Lump Sum	Boardman
<u>Grants Pass-Green Creek Section - Pacific Highway</u>				
7091-Drolette, J. A.	R/W	5,061 sq.ft.	20¢ sq.ft. + \$3865.80 + moving bldg., low bid	McCallister
(Correction)			\$400 (gas tanks)	
7174-Guertler, H. A.	"	8,570 sq.ft.	5¢ sq.ft. + \$71.50 + moving bldgs., low bid	"
(Correction)			\$820	"
7214-Sherk, Thos. W.	"	0.303	\$600 per a. + fencing + \$17.50 (\$10)	"
(Correction)				
7511-Kaser, E. N.	"	0.627	\$435 per a. + fencing + \$17.50 (\$14)	"
(Correction)				
<u>Drews Valley Section - Klamath Falls-Lakeview Highway</u>				
7526-Jarisch, Adolph	Quarry	9.68	\$10 per a.	Benson
<u>Albion-Klamath Falls Section - The Dalles-California Highway</u>				
7102-Graham, Robt. E. & Matters, T. B.	R/W	21.22	\$100 per a. + \$701.25	"

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Klamath Falls-Merrill Section - Klamath Falls-Malin Highway</u>				
7531-Klamath County	Gravel Pit	40.0	($\frac{1}{2}$ interest - Materials to be taken at 3¢ cu.yd. until \$2600 has been paid, at which time county will deed state half interest in property)	J. B. Weaver
<u>Bend-Forest Boundary Section - Cascade Lakes Highway</u>				
7411-Shevlin-Hixon Company	R/W	5.02	\$4 per a. less credit, 2.12 a. at \$4 per a., to be conveyed to Shevlin-Hixon Co. by the state	DeSouza
<u>Madras Section - The Dalles-California Highway</u>				
6120-Jefferson County	R/W	15 parcels of land	- Gratis	Gardiner
<u>Cottonwood Creek-Lakeview Section - Klamath Falls-Lakeview Highway</u>				
7525-Bradley, L. F.	R/W	0.28	\$20 Lump Sum	John T. Burch
7524-Bond, Edward E.	"	1.81	\$100 Lump Sum	"
7521-Lantsberger, N. K.	"	4.64	\$42.50 per a. + \$43	"
<u>Anna Creek Section - Crater Lake Highway</u>				
661-Woodruff, Leonard J.	R/W	0.98	\$102.05 per a.	DeSouza
<u>Prairie City Section - John Day Highway</u>				
7471-Cleaver, Lewis L.	R/W	145 sq.ft.	\$7.50 Lump Sum for land, plus fencing	Wells
7473-Daly, Sarah J.	"	4,875 sq.ft.	\$35 Lump Sum for land, plus fencing	"
7470-Grant Co. Hospital Association	"	2,927 sq.ft.	\$35 Lump Sum	"
7474-McHaley, Kenneth F.	"	0.35	\$214.28 per a. + \$30, plus fencing	"
<u>Lakeview Section - Klamath Falls-Lakeview Highway</u>				
4176-Ford, E. L.	R/W	2 lots (Blk. 177)	\$30 each	McChesney
<u>Seufert-Dufur Section - The Dalles-California Highway</u>				
7662-Bauer, Clarence	Stock Pile	1.28	\$39+ per a. + fencing	Chandler
7666-Kuck, Ernest A.	Quarry Site	6.45	Land \$350, + Federal Land Bank fee	Benson
7661-Curtiss, Leon W. Est.	Stock Pile	0.76	Land \$50 Lump Sum, plus fencing	"
7663-Wasco County	" "	0.70	Gratis	"
<u>Weston-Elgin Section - Weston-Elgin Highway</u>				
7425-Lawson, Joe and Bair, Roy L.	Quarry and Haul Road	6.4	Lease Sept. 25, 1939, to Aug. 31, 1940, \$100 Lump Sum (reimbursement to contractor)	DeSouza
			-Roy L. Bair-	

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Black Bridge-Richland Section - Baker-Homestead Highway</u>				
7421A-Bowman, Mack	Gravel Pit		3-yr. lease, \$300 Lump	
Risor, Ruby	Hauling Road	2.23	Sum	Wells
<u>Salisbury-Baker Section - Baker-Unity Highway</u>				
7466-Sword, Ephraim	Quarry	2.69	\$40 per a., + \$7.50, plus fencing	Wells
7696-Sword, Ephraim	Stock Pile	1.0	\$100 per a., + fencing, + \$7.50	"
<u>Miles Bridge-Baker Section - Medical Springs Highway</u>				
7528-Lee, Certrude R.	Stock Pile	1.0	\$25 per a., + fencing	Wells
<u>Elgin-Minan Section - Wallows Lake Highway</u>				
7681-Briggs, Alvirus	Quarry and Stock Pile	2.97	\$30 per a., + fencing	C.D. Cannon
7480-Moran, Jeanette and Stonedahl, Selden B.	Gravel Pit and Stock Pile	2.69	\$100 per a., + fencing, + \$5.00	Wells
<u>Haines-North Powder Section - Old Oregon Trail Highway</u>				
3005-Kant, Chas. (Supplemental)	R/W	243 rods fencing at 50¢ per rod		Williams

The Attorney reported on the value of the various lots on the Nehalem Sand Spit, the purchase of which was previously authorized by the Commission. He advised that he had a competent appraiser inspect this property and the following scale of prices was recommended, in which he concurs:

Recommended price to be paid for one lot - - - - -										\$10.00
"	"	"	"	"	"	two	lots, owned by same person			10.00 ea.
"	"	"	"	"	"	three	"	"	"	9.00 ea.
"	"	"	"	"	"	four	"	"	"	8.50 ea.
"	"	"	"	"	"	five	"	"	"	8.00 ea.
"	"	"	"	"	"	six	"	"	"	7.50 ea.
"	"	"	"	"	"	seven	"	"	"	7.00 ea.
"	"	"	"	"	"	eight	"	"	"	6.50 ea.
"	"	"	"	"	"	nine	"	"	"	6.00 ea.
"	"	"	"	"	"	ten	"	"	"	5.50 ea.
"	"	"	"	"	"	eleven	"	"	"	5.00 ea.
"	"	"	"	"	"	twelve or more lots, owned by the same person				5.00 ea.

The above scale, he said, is for lots of regular size, about 50' x 100'. For large tracts of a size equal to several lots he suggested payment of \$50.00 each. He recommended adoption of such scale of prices for this property. The Commission approved the recommendation unanimously and authorized the Attorney to proceed to close the several transactions on such basis and to commit the Commission to the purchase of additional lots at the same rate, although such

settlements are to be included in real property resolutions later, to complete the record.

The Attorney also advised that in some instances it may be necessary, in order to effect settlements, to pay outstanding taxes, which he estimated would rarely exceed \$15 on any large group of lots. The Commission approved the payment of such taxes.

The Attorney reported the necessity to resort to condemnation proceedings to acquire right of way for certain highway improvements. He submitted a list of the properties in question, with offers that he recommended be made in connection with each, as follows:

Albany Section of the Pacific Highway East

		<u>Recommended Offer</u>
Transaction No. 5827 - Owner, C. T. Veal		\$1800 to \$2000
" 5844 - " Harry Dinkle		\$ 350.00
" 6735 - " S. W. Koontz		150.00
" 7390 - " Joseph D. Sternberg		200.00

Tigard Section of Pacific Highway West

Transaction No. 6991 - Owner, A. H. Wright	125.00
" 7002 - " Tracey B. Caswell	1250.00

Oregon City Section of Pacific Highway East

Transaction No. 4485 - Owner, Henry Klossen, et al	100.00
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Cottage Grove Section of Pacific Highway

Transaction No. 5638 - Owner, D. W. Sturges (lease of Nacmi Hoskins Preston property)	400.00
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The Commission, after careful study, approved the offers suggested and thereupon, by unanimous vote, adopted the following resolution authorizing the Attorney to condemn the properties:

WHEREAS, the State Highway Commission is by law authorized and directed to lay out, locate, relocate, designate, construct, re-construct, improve, and maintain a system of state highways in the State of Oregon, including both primary and secondary state highways, to acquire rights of way necessary therefor, and to declare the necessity and need for the acquisition thereof, and the advantages to be gained thereby;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the State Highway Commission does hereby find and declare that it is necessary, will be of advantage to the State of Oregon, and is needful that the State acquire for right of way purposes for use in connection with the permanent location, construction, improvement, and maintenance of the following section

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or sections of the state highway system of the State of Oregon,
to wit:

Albany Section of the Pacific Highway East
Tigard Section of the Pacific Highway West
Oregon City Section of the Pacific Highway East
Cottage Grove Section of the Pacific Highway

real property owned by or in possession of the following parties
and/or persons, to wit:

Albany Section of the Pacific Highway East
5827-C. F. Veal
5844-Harry Dinkle and Bernice Dinkle
6735-S. W. Koontz and Marie Koontz
7390-Joseph D. Sternberg
Tigard Section of the Pacific Highway West
6991-A. H. Wright
7002-Tracey B. Caswell and Katherine Caswell
Oregon City Section of the Pacific Highway East
4485-Henry Klosson, et al
Cottage Grove Section of the Pacific Highway
5638-D. W. Sturges, lease on Naomi Hoskins Preston
property

and this Commission does hereby declare further that the said property or properties are necessary, are needful, and the acquisition thereof will be of advantage to the State of Oregon for right of way purposes in order to make it possible for the State Highway Commission to properly locate, relocate, construct, reconstruct, and maintain said portion or portions of the said state highway system in accordance with standards adopted by this Commission relative to curvature, grades, alignment, drainage, and factors of safety.

2. That the State Highway Engineer be and he hereby is instructed and directed to properly survey the parcel or parcels of land required for such right of way purposes and prepare proper and adequate descriptions thereof, which descriptions shall be employed in the preparation of a deed or deeds or other instrument or instruments necessary to complete the acquisition of the said property or properties or which descriptions may be used in the preparation of a complaint in the event that condemnation proceedings are necessary.

3. That the boundaries of the said parcel or parcels of land, as defined and determined by the said survey made by the said Highway Engineer, along the route or location adopted by the Highway Commission, shall be and the same hereby are adopted and the lands defined therein are hereby declared to be and the same are included within the rights of way of the said portion or portions of the said state highway system and hereby are declared to be necessary for the proper location, improvement, construction, and maintenance of the said portion or portions of the state highway system.

4. That I. H. Van Winkle, Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they are hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby further resolved that the Attorney General of the State of Oregon and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they hereby are requested to commence and prosecute to a final determination such suit or action, or suits or actions, as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

The Attorney reported the status of the litigation involving the question of the right of the Coos County Court to waive and cancel delinquent taxes on property in the town of Bandon. He advised that the Legislature in 1937 passed an act which, as applied to the town of Bandon, gives the taxing body the right to waive and cancel delinquent taxes. However, the Sheriff of Coos County refused to give the benefit of such statute to the properties in this town, whereupon proceedings were commenced in court seeking to require the sheriff to recognize this statute and give it full application; and Judge Brand, before whom the case was tried, has sustained the statute, although there is a possibility that an appeal may be taken to the Supreme Court. He pointed out that the Commission at a previous meeting ordered that negotiations for the right of way for the realignment of the Oregon Coast Highway through the town of Bandon be abandoned pending Judge Brand's decision. He requested instructions, therefore, in view of the fact that this decision has been rendered, whether to proceed with the acquisition of the right of way now or wait until the Supreme Court finally disposes of the matter. The Commission decided unanimously not to resume right of way negotiations in this town until the Supreme Court's decision has been obtained.

The Commission had under discussion the adoption of a policy with respect to the administering and maintaining of historical sites within cities with particular reference to a site in Albany owned by Robert L. Burghardt of that city. The State Parks Superintendent, who was present, gave as his thought that the acceptance by the Commission of historical sites located within the corporate limits of cities and towns is not desirable because it would open up a field of endeavor that is limitless in its scope and would eventually involve a large expenditure of state highway funds for constant improvements, expenses of caretakers, et cetera. He also advised that, in his estimation, the maintenance of such sites is more of local importance than of state-wide concern, hence should be maintained by local people. Further, that

a system of state parks should consist of properties that are strictly state wide in character, located outside the confines of any municipality. The Commission appeared favorably inclined toward the viewpoint of the Parks Superintendent and thereupon, by unanimous vote, decided as its general policy to be followed for the time being not to acquire sites located within the boundaries of cities and towns. The Secretary was instructed to convey such information to Mr. Lewis A. McArthur, President of the Oregon Historical Society, for his information, in so far as it pertains to the Burghardt site in Albany.

The Commission discussed briefly a report on the proposed parking site for automobiles adjacent to the Oregon Coast Highway near Depoe Bay, Lincoln County, but deferred action thereon pending further study of the situation existing at this point.

The Secretary reported the offers received from L. K. Porter, Klamath Falls, and Wm. Woahlander, to purchase the field office building located at the Lobert Overcrossing, in Klamath County, which building was used by the Highway Department's field engineers during the construction of such overcrossing, Mr. Porter's offer being in the amount of \$15 and Mr. Woahlander's being in the amount of \$7.50. The Engineer advised that the construction of the Lobert Overcrossing is completed and that the Highway Department has no further use for the office building. Also, that it would not be economical to tear the building down and salvage the materials. In view thereof, he recommended that the building be sold to Mr. Porter at his offer of \$15. The Commission approved the recommendation unanimously.

The Attorney reported the results of investigation of the Edward W. Smith property along the Oregon Coast Highway at Arch Cape, which property Mr. Smith has previously offered to sell to the state for the sum of \$2,500, plus taxes. He advised that such investigation reveals that the tract contains a large stand of spruce, hemlock, and cedar timber, which is valued in excess of \$6,000. Further, that the delinquent taxes amount to approximately \$1,300. He gave as his thought that Mr. Smith's offer to sell this property, which consists of 121.7 acres, including the timber, for \$2,500, plus the delinquent taxes in the amount of approximately \$1,300, is very fair, particularly in view of the fact that Mr. Smith has an offer of \$4,500 from one of the logging companies for the timber alone, which offer he has held in abeyance pending the Highway Commission's decision, because he would prefer that the timber be preserved in the name of the state.

The State Parks Superintendent strongly urged the purchase of this area. He declared it to be an outstanding tract and advised that if the Commission purchases it he could develop it with C.C.C. forces that are now operating in this vicinity. He also urged the acquisition of a 5-acre tract contiguous to the Smith property from Mrs. Anna C. Taylor so as to preserve a water supply for public use in the main tract. After considerable discussion the Commission voted unanimously to purchase the Smith property, which is described as follows:

All of Lot 4, except 5 acres belonging to Anna C. Taylor, situate in the S.W. $\frac{1}{4}$ of the S.W. $\frac{1}{4}$ of Sec. 30, T. 4 N., R. 10 W., W.M., containing 51.7 acres. (Description continued on next page.)

(Description of Edward W. Smith property at Arch Cape, continued)

All of the S.E. $\frac{1}{4}$ of the S.W. $\frac{1}{4}$ of Sec.30, T.4 N., R.10 W., W.M., containing 40 acres.

All of the S. $\frac{1}{2}$ of the S.W. $\frac{1}{4}$ of the S.E. $\frac{1}{4}$ and the N.W. $\frac{1}{4}$ of the S.W. $\frac{1}{4}$ of the S.E. $\frac{1}{4}$ of Sec.30, T.4 N., R.10 W., W.M., containing 30 acres.

The Commission authorized the Right of Way Department to conduct negotiations for the acquisition of the 5-acre tract belonging to Mrs. Taylor, in Lot 4.

The Commission discussed the advisability of acquiring right of way for the proposed state highway extending from Manzanita to Fisher's Point, in Tillamook County. The State Parks Superintendent advised that C.C.C. forces have a camp established at the town of Nehalem and there is a scarcity of the fuel required in the operation of this camp. Also, that the C.C.C. officials have proposed the securing of fuel from land that will be needed as right of way for this proposed highway; in fact, have stated a willingness to clear this right of way if the state will purchase the same. He pointed out that this would be an opportunity for the State Highway Commission to secure the clearing of the highway right of way at no expense to the state.

The Assistant Attorney called attention to the fact that he is now negotiating for the acquisition of private lots on the Nehalem Sandspit nearby. It was his thought that negotiations for the acquisition of the right of way between Manzanita and Fisher's Point should be deferred until all of the lots on the sandspit have been acquired, because it might have some bearing on the price that will have to be paid for the lots. In view thereof the Commission decided not to acquire the right of way at the present time.

The Engineer brought up for discussion the request of Tillamook County Court and the Manzanita School District for construction of a footpath along the Nehalem-Manzanita county road in the vicinity of Manzanita School. He said that he discussed this matter with the county court, which has offered to furnish equipment to carry on the work provided the State Highway Department will take charge of construction and will secure materials needed for widening the grade, from narrow points along the present road. He recommended acceptance of the county's offer, if the cost to the state is only nominal, because this road will probably have to be used as a state highway detour for several years. The Commission deferred its decision in the matter pending further investigation and report from the Engineer as to the proposed cost involved.

The State Parks Superintendent reported on the following matters:

Proposal of Mr. Nic W. Monte, Acting Regional Grazier of the United States Taylor Grazing Act, with respect to C.C.C. camps located at Alkali Lake and at McDermitt Creek, in Malheur County:- The Parks Superintendent advised that according to Mr. Monte these two camps will be continued in operation some 4 or 5 years, and, owing to their suitability for development as oases or state park sites, it was his thought that they should be turned over to the state when the C.C.C. work is done, but that they should be developed

now while the C.C.C. workers are available to do it, which would advance considerably the time when the sites could be utilized by the general public. The Commission's Attorney advised that the Commission has legal authority to accept these sites if it so desires. The Commission appeared favorably inclined to accept Mr. Monte's offer but deferred definite action thereon pending investigation and recommendation by the State Parks Superintendent.

Game refuge previously suggested for the Saddle Mountain State Park area in Clatsop County:- The Parks Superintendent advised that, as previously instructed by the Commission, he discussed this matter with Mr. Frank Wire, State Game Supervisor, who approved the idea but suggested that the refuge would be more permanent and would give better protection to the wild life of the area if it were established by the state Legislature rather than by the action of the State Game Commission. He recommended approval of Mr. Wire's suggestion and disposal of the matter on such basis. The Commission approved the recommendation and instructed the Attorney to prepare a bill for presentation jointly by the State Highway Commission and the State Game Commission to the 1941 Legislature.

Complaint of Mrs. F. G. Minott regarding damage to her property located adjacent to Ecola State Park, Clatsop County, by elk:- The Parks Superintendent advised that Mrs. Minott was one of the donors of Ecola State Park and that she still maintains her residence on property owned by her adjacent to the park. Further, that her property is being badly damaged by elk from the adjacent state park area and she is no longer able to grow garden truck or shrubbery on her premises because of the depredations of these animals. Mrs. Minott, he said, has appealed to the State Game Commission to have the elk killed, but he (Mr. Boardman) objects to such manner of handling the matter because the elk are a real attraction to visitors to the park. He suggested, therefore, as a solution of this problem, the construction of a fence around Mrs. Minott's property, which, he said, could be done by C.C.C. forces operating in that vicinity at no expense to the state. The Commission by unanimous vote approved the suggestion.

The Attorney reported the results of further investigations in regard to the Giesendorfer property located adjacent to the Santiam Highway, at Cascadia. He advised that the records show that this property is mortgaged for \$14,000.00 and that highway department appraisers value the property at \$17,375.00; further, that Mr. Giesendorfer has expressed a willingness to sell the property to the state for \$15,000.00 if the state will pay him, in addition thereto, \$75.00 per month for the rest of his life (his life expectancy, according to life insurance company ratings, being 3 years and 8 months). In other words, on such basis, the state would be paying approximately \$18,000.00 for the property. In the discussion of this matter the question arose as to what disposition would be made of the lease that was given heretofore by Mr. Giesendorfer to the Baptist Church people for church purposes. It appearing that no arrangements have been made for the removal of the church facilities from the area, the Commission decided to defer action on the purchase of the entire tract until it knows just how the church matter is to be handled. The matter was re-referred to the Attorney to secure such information.

The State Parks Superintendent brought up for discussion the matter of acquiring wayside areas along the Wilson River Highway from the summit of the Coast Range Mountains westerly to McNamers Camp, for the preservation of timber standing thereon. The Commission instructed the Attorney to secure options for desirable tracts along this section after first consulting with the State Parks Superintendent in regard thereto.

The Engineer requested instructions in regard to the bid submitted to the Commission at its last meeting by H. N. Peabody for the purchase of a service station building and certain facilities on the newly acquired right of way at Tigard. He advised that Mr. Peabody submitted a bid by letter rather than on the proposal form prepared by the State Highway Department, his bid being \$75.00 for the building and facilities, including two gasoline pumps. Further, that after the notice of sale was published, it was decided that the pumps could be used to good advantage by the Highway Department, so they were excluded from the sale and information to that effect was given to all of the prospective bidders with the exception of Mr. Peabody, who had not requested a standard proposal form. He pointed out that the Commission accepted Mr. Peabody's offer on the day that it was submitted and that the customary notification of the sale was given to Mr. Peabody, who now claims the gasoline pumps along with the other facilities. He recommended, in view of the circumstances, that the moneys paid by Mr. Peabody be returned to him and that the service station be readvertised for sale at the next meeting. The Commission approved the recommendation and so ordered.

The Commission adjourned at 1:00 o'clock p. m. and reconvened at 2:00 o'clock p. m. in the same room.

The Engineer reported on the cost to widen the pavement on the Oregon Coast Highway through the business section of Taft, as has been requested by Mr. Jos. R. DeJardin, postmaster of that place. He estimated the cost of this project at \$2,000.00, which would include widening work and construction of storm drains through the business portion of this town. He pointed out that the entire district between Taft and Oceanlake is quite thickly populated and that the traffic congestion is quite severe during the summer season, which fact, in his estimation, calls for the improvement of the entire section in the not far distant future, as a traffic safety measure. He questioned the advisability of spending \$2,000.00 at this time for improvement of a very short section in the town of Taft, in view of the possibilities of securing federal aid funds with which to improve the entire section between Taft and Oceanlake. The Commission decided, in view of the report, against the improvement through Taft at the present time, although the matter is to be reconsidered later, after the Commission has had an opportunity to inspect the project.

A letter was presented from the County Court of Marion County and Mayor W. W. Chadwick, of Salem, in which the Commission was asked to assume the expense of maintaining lights on the Willamette River Bridge between Salem and West Salem. The Commission denied the request as a matter of policy, it being considered that this is a state-wide problem requiring modification of the present practice, an expense that the Commission cares not to assume at the present time.

A letter was presented from the Waldport Lions Club requesting sidewalk construction along the state highway through the town of Waldport. The Engineer advised that investigation reveals that this request involves the construction of 3,600 feet of sidewalk, partly on the Oregon Coast Highway between the Alsea Bay Bridge and the sea wall, and the balance being along the Alsea Highway from the Oregon Coast Highway junction to a connection with the main street of the town, being the route of the old highway. He estimated the cost of this project at approximately \$8,000.00, including the construction of fills, rockings, and storm sewer drainage. The Commission deferred action on this matter for the time being in accordance with its recently-adopted policy with respect to the construction of sidewalks along state highways within corporate limits of cities and towns.

The Engineer reported on the cost to widen the bridge over Beaver Creek, on the Oregon Coast Highway, in the town of Beaver, Tillamook County, which project was heretofore requested by the Tillamook County Court. He estimated that the widening of the structure proper would cost \$4,477.00, and that the grading and paving of the north approach thereto would cost approximately \$1,500.00, or a total of about \$7,500.00, including contingencies and engineering. He pointed out that, according to the reconnaissance survey for the permanent location of this section, the eventual line will bypass this bridge and will necessitate the construction of another bridge over the same stream about one-half mile north of Beaver. In view thereof, he suggested the determination of the cost of constructing the permanent revision before the Commission makes its decision with respect to the widening of the bridge. After considerable discussion the Commission deferred its decision pending a report from the Engineer as to how much it will cost to reconstruct the highway on permanent alignment at this location. The Engineer was authorized and instructed to prepare a project about $\frac{3}{4}$ mile in length, extending from the old highway a short distance south of the Beaver Creek Bridge northerly about $\frac{3}{4}$ mile to a point where the reconnaissance survey crosses the present highway.

In this connection the Commission also discussed the matter of improving the alignment of the Oregon Coast Highway southerly from the Tillamook city limits. The Engineer was instructed to study the data assembled from the reconnaissance survey of this section and render a report thereon to the Commission.

The Engineer also rendered a report on the cost to landscape the area contained in the wye connection of the Umpqua Highway with the Oregon Coast Highway at Reedsport. He estimated that such improvement would cost about \$2,000.00, the principal expense being for filling in the area, which was estimated at \$1,000.00. He recommended approval of the project. The Commission approved the recommendation unanimously and ordered that the work be done as a state project.

The Commission had under discussion the report from the Attorney in regard to the neon sign that is being maintained on the Columbia River Highway at the west entrance to The Dalles by Dr. Fred F. Thompson, for the purpose of calling attention to his privately-owned camp ground at this location. It appears that when the right of way for this section of highway was acquired

from Dr. Thompson permission was granted him to maintain a sign partially on the highway right of way, but when the sign was actually erected it was placed much nearer the traveled portion of the roadway than was contemplated under the agreement, and Dr. Thompson now refuses to remove the sign, notwithstanding that the violation of the agreement has been called to his attention, alleging that he is strictly within his rights in view of the fact that the sign is located within the city limits of The Dalles where it is outside the jurisdiction of the State Highway Commission. The matter was discussed at some length but action thereon was deferred pending the securing of further detailed information by the Engineer.

The Commission had under discussion a letter from Mayor Clifton Richmond, Klamath Falls, requesting the installation of flashing beacons at the intersections of Viehn Street and Upham Street with Oregon Street, and a traffic-actuated signal at South Sixth Street and East Main Street, in Klamath Falls. Also, requesting the painting of traffic stripes and pedestrian lanes at the Main Street undercrossing recently built under State Highway Department supervision. The Engineer recommended the painting of the traffic stripes and the installation of flashing beacons, at state expense; also, the installation of the traffic-actuated signal provided the City of Klamath Falls will pay 50 per cent of the cost thereof, which is in accordance with the Commission's established policy with respect to such matters. The Commission approved the recommendation unanimously.

The Commission discussed briefly a report from the Engineer on the necessity to provide a building to house the State Highway Department Laboratory but deferred action thereon until its meeting in January. The Engineer was instructed to resubmit the report at that time and to supplement the same with a full report on buildings that will be needed during the next 12-month period.

The Commission discussed the claim of H. E. Warren, Portland, for damage to an automobile tire that he alleged was ruined when he drove it onto a projection on the East Portland-Oregon City Highway between Park Road and Courtney Road. The Engineer advised that this matter has been investigated, and the projection referred to by Mr. Warren is an 8" concrete pipe under the pedestrian lane, the end of which pipe is in the grassed area about 6½ feet from the edge of the highway pavement. He further advised that the end of the pipe has been chipped off, leaving a sharp edge, so that it would be possible, if a car were driven over it, for a tire to be damaged, although the possibilities of an accident of that kind occurring are very remote in view of the fact that the end of the pipe is such a great distance from the traveled portion of the highway. The state is responsible for the condition, he said, and he recommended payment of the claim, which amounts to \$10.00, notwithstanding that it is rather far-fetched. Recommendation approved unanimously.

Reconsideration was given by the Commission to the request of the Willanette Ski Patrol for snow removal on the McKenzie Highway between Blue River and Polc Creek for the benefit of winter sports enthusiasts of the Eugene district. Chairman Cabell gave as his thought that the Commission should approve an expenditure of \$1,000 for such purpose this winter but not there-

after. The Engineer recommended approval of such suggestion, with the understanding that only light snow-fighting equipment would be used and that the work would cease as soon as the snow became so deep that it could not be removed with such type of equipment, as, in his estimation, there is too much danger of ruining the pavement if snow equipment is employed. After discussion the Commission approved the recommendation unanimously.

Matters pertaining to the proposed agreement with the United States Government covering dredging operations in the Columbia River in the vicinity of Multnomah Falls and the use of the dredged materials for highway construction, particularly the plan proposed for financing the state's share of this work, had the attention of the Commission. The matter was discussed briefly but no action taken in view of the fact that the Attorney General's opinion as to the matter of financing has not yet been secured. The Engineer was instructed to telephone each Commissioner the information contained in the Attorney General's opinion when received, at which time he will be instructed how to act in the matter.

The Commission discussed briefly and referred to Commissioner Clough for investigation and report at the January 11th meeting of the Commission a request from the City of Grants Pass for state aid in constructing a roadway entrance into the city park from the Pacific Highway.

The Engineer requested authority to purchase 60,000 gallons of traffic line lacquer to carry out the Highway Department's stripe-painting program during the 1940 season. He estimated the cost of such lacquer at \$63,000. The Commission approved the purchase by unanimous vote.

The Engineer requested instructions as to what action to take against persons who inflict damage on the barriers and gates on the Interstate Bridge between Portland and Vancouver, Washington. He said that these facilities are frequently damaged by irresponsible drivers and sometimes the cost of repairs amounts to a considerable sum, for which the state should really be reimbursed where it is possible to collect. However, in some instances the persons causing the damage reside out of the state and are not in a position financially to pay this expense, although that is not true in all cases. The Attorney pointed out that the cost to collect these claims in most instances would be more than the amount that the state would recover, so there is a question whether or not it would be advisable to attempt to make collection by process of law. After discussion, the Commission referred the matter to the Attorney with instructions to attempt to collect damages in each instance, if possible, and if not possible to effect a settlement, to report back to the Commission each such case, with an opinion as to whether the cost of an action at law would be justified for the amount involved.

The Commission had under discussion the matter of attending the special committee meeting of the Western Association of State Highway Officials, in Reno, Nevada, on January 5, 1940, for a discussion of important matters concerning the western states. It was decided that Chairman Cabell and the State Highway Engineer should attend such meeting at state expense, subject

to approval by Governor Charles A. Sprague. The Commission also discussed the advisability of being represented at a meeting of the Western Association of State Highway Officials which is to be held in Santa Fe, New Mexico, during the latter part of January, 1940. The Commission decided not to be represented at such meeting because it was thought that the matters proposed for discussion at such meeting could be very well disposed of at the meeting in Reno, and the need for the meeting in Santa Fe is not now apparent. However, the Assistant State Highway Engineer, Mr. C. B. McCullough, was authorized to attend the meeting in Santa Fe in the event that developments in the meantime are such that advantages would be gained by such representation. (Both meetings were called off later.)

The matter of the appointment of a committee to designate locations along the Old Oregon Trail where historical markers are to be erected, and to decide the wording that should appear on such markers, had the attention of the Commission. The names of a number of citizens who are competent to pass on such matters were mentioned and the Commission finally decided to limit the committee to three members, consisting of Messrs. Lewis A. McArthur, President, Oregon Historical Society; Ray Conway, Manager of the Oregon State Motor Association; and Walter Meacham, member of the Oregon Trail Association. The Secretary was instructed to advise these men of their appointment, which is to cover the marking of the Old Oregon Trail only.

The Engineer reported that in conformance with authority previously granted him by the Commission he has awarded the following contracts, the conditions of the awards having been satisfied:

Grading the Cow Hollow Creek-Owyhee School Section of Vale-Adrian County Road, in Malheur County. Bids taken December 7, contract awarded December 11, 1939, to M. L. O'Neil & Son, the low bidders.

Construction of a bridge over East Fork Illinois River, on Illinois Valley County Road, in Josephine County. Bids taken June 22, contract awarded December 18, 1939, to J.F. Johnston, the low bidder.

The Commission by unanimous vote confirmed the awards as reported.

The Commission had under discussion the abandonment of the Spaulding Ranch Section of the Salem-Dayton Secondary Highway, in Yamhill County. The Engineer advised that this section of road is no longer of value from the state highway standpoint, in view of the fact that the highway has been reconstructed on new alignment. He recommended that the section be turned over to Yamhill County for future maintenance. The Commission approved the recommendation and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, in order to afford a better alignment and a more satisfactory, safe and convenient highway for the traveling public, the Commission found it necessary to relocate a portion of the Spaulding Ranch Section of the Salem-Dayton Highway in Yamhill County; and

WHEREAS, by reason of said relocation and reconstruction of the said section of said highway there was eliminated and made unnecessary as a part of the permanent highway a certain section or part thereof, which section is more specifically defined and designated hereinafter in this resolution; and

WHEREAS, it is the judgment and opinion of the Commission that there should be recorded in the minutes and records of the Commission its purpose and plan to abandon as a part of the said state highway the fragment or portion of right of way hereinafter designated and heretofore included within the area of the right of way of the said highway as formerly located, improved and used;

NOW, THEREFORE, the premises being in general as above stated, it hereby is resolved by this Commission, all members being present and affirmatively participating, as follows:

1. That the fragment of land confined within the area of land hereinafter designated, which fragment or parcel of land was formerly within the limits of the right of way of the Spaulding Ranch Section of the Salem-Dayton Highway in Yamhill County, but is now without the limits of the right of way of said highway as said highway has been relocated and constructed, be and said fragment or parcel of land or portion of the old right of way is abandoned as a part of the right of way of said highway, and said fragment or parcel of land or old right of way is, so far as control and supervision by this Commission is concerned, eliminated and left to revert to the adjoining and abutting property owners or to the control and supervision of the County Court of Yamhill County for highway or other public purposes as the Court may determine. The fragment or parcel of land affected by this resolution is defined and described as follows, to wit:

All that certain section of the old right of way of the Salem-Dayton Highway in Yamhill County, lying on the westerly side of the right of way required for the reconstructed Salem-Dayton Highway, which lies between Mile Post 3.2 and Mile Post 4.5 of said highway, the beginning and ending points with reference to the engineer's stations of the reconstructed highway being Station 193+00 on the northerly end and Station 237+65 on the southerly end.

The location of said abandoned right of way may be more definitely and particularly ascertained and determined by reference to a map or blueprint, marked "Exhibit A", attached hereto and by this reference made a part thereof, which said exhibit for identification purposes bears the signatures of F. D. Eason, Division Engineer, H. G. Smith, Construction Engineer, and C. B. McCullough, Assistant State Highway Engineer, and is dated December 11, 1939, upon which map or exhibit there is reflected the above described parcel of land by showing the same shaded in red. *

Map filed in Abandonment and Retention File - No. 69.

2. In the event there remains any physical connection between any portion of said abandoned right of way or highway and the present highway, and by reason of such physical connection traffic from the existing highway may enter or use the said abandoned portion of the said old road to the possible damage or injury of such traffic by reason of any unsafe condition existing with respect to said old or abandoned road, then the State Highway Engineer is hereby authorized and directed to erect such barricade or other safeguards as may be necessary to protect and safeguard traffic using and employing said newly located, constructed and dedicated section of said highway.

3. That this resolution be entered in the minutes and records of the Commission and a certified copy thereof promptly delivered to the County Court of Yamhill County, together with a copy of said map or exhibit, for such action as said County Court may desire to take with respect to said fragment of land, and should said abandoned section of the right of way of said highway be further employed for public or private highway purposes such use shall be entirely under the control and supervision of the County Court of Yamhill County and beyond any responsibility or supervision by the State Highway Commission.

Reconsideration was given by the Commission to the erection of service club signs on state highway rights of way. It was recalled that the Commission at its meeting on June 21, 1939, authorized the installation of a sign post or rack on the state highway right of way within the corporate limits of cities and towns and on a site approved by the city authorities, provided the owners of existing signs located on the highway right of way outside of the corporate limits would remove such existing signs. The Commission considered, in view of the complications that have subsequently arisen, that it would be advisable to restrict such offer to cities and towns of 900 or more, and it was so ordered. The Commission also ordered that no more than 7 panels should be contained on any one signpost and that the organizations that would be represented on such signposts or racks should be limited to national service clubs, patriotic organizations, and chambers of commerce.

The question of what to do with the existing signs on state highway rights of way at the entrances to cities and towns of less than 900 population was then discussed. The Commission decided to give the owners of such signs until April 1, 1940, within which to remove them, and instructed the Engineer to have the signs removed by state forces in the event that the owners fail to take them down by that time. The Secretary was instructed to notify the owners of such signs of the action taken by the Commission and to cite the law which prohibits the maintenance of such signs on state highway rights of way.

A letter was presented from Mr. Jim Nutter, Public Relations Director for Timberline Lodge, Inc., in regard to the changing of the wording on the signs recently erected by state highway forces, directing the traveling

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public to Timberline Lodge, from "Timberline" to "Timberline Lodge", because Timberline Lodge has been designated a United States post office. The Commission decided, in view of the fact that a United States post office is now being maintained at Timberline Lodge, that it would be proper to change the wording on these signs, as has been requested, when it becomes necessary to replace them or to install additional signs, and it was so ordered.

The Secretary presented a letter from Donald M. Graham, lawyer, Prineville, requesting, on behalf of local loggers, permission to truck logs over state highways in the vicinity of Prineville during Saturday afternoons and Sundays for the next few weeks, so as to avoid closing the Prineville mills. The Engineer advised that traffic over state highways in the vicinity of Prineville at this time of year is not very heavy, and, in his estimation, it would be satisfactory to grant the request. He recommended approval thereof as a trial proposition for the next three months. The Commission approved the recommendation.

Reconsideration was given by the Commission to the matter of the establishment of zones along the Pacific Highway through the town of Junction City and the establishment of building setback lines along such section, as has been requested by the Junction City Planning Commission. The Attorney advised that the Commission has no legal right to establish residential and business zones either on rural or on urban highways, or to establish setback lines; hence it is his opinion that the Commission has no legal authority to assume such responsibility in the city of Junction City. The Engineer pointed out that the present highway through Junction City is only 60 feet wide and that it would be advantageous in the future widening of this highway for four lanes of traffic to have setback lines 15 feet on each side of the street. The Commission decided, in view of the Attorney's opinion, to take no action in regard to the City Planning Commission's request for the establishment of zones; however, considered it advisable to recommend to the City Planning Commission the adoption by the city of an ordinance providing for a setback line of 15 feet on each side of the present highway. The Engineer was instructed to convey such information to the City Planning Commission.

The Secretary presented a letter from the County Court of Umatilla County requesting that the Sunnyside-Umapine Secondary State Highway be designated a through highway, and that signs be erected at each intersecting street or road requiring traffic to stop before entering such highway. The Engineer recommended approval of this request. The Commission approved the recommendation by unanimous vote and instructed the Engineer to see that appropriate signs are erected.

The Commission discussed a letter from the City of Waldport requesting the services of an engineer from the State Highway Department to establish the lines of state highways within the Waldport city limits and to set sidewalk grade stakes along such section so that new buildings may be constructed in accordance therewith. The Commission approved the request upon recommendation of the Engineer.

A resolution was presented from the County Court of Jefferson County

urging the State Highway Commission to take steps as may be necessary to add the Warm Springs Highway, from Madras to its junction with the Wapinitia Highway, to the federal aid system in order that additional funds may be made available to insure the early completion of this road. The Commission appeared favorably inclined toward this request but deferred action thereon pending a report from the Engineer at the next meeting as to the federal aid mileage available for allocation and which roads throughout the state are leading candidates for the same.

The Commission considered and ordered filed for future consideration a petition from 17 residents of Rickreall and vicinity opposing the adoption of the proposed highway route extending from the Salem-Dallas Highway, at Rickreall, northwesterly to a connection with the Dallas-Coast Secondary Highway at Salt Creek, and suggesting, in lieu thereof, the improvement of the existing highway between Rickreall and Dallas, and a connection at Oakville, or thereabouts, rather than at Rickreall for the proposed cutoff.

The Commission also considered and ordered filed a letter from the Roseburg Chamber of Commerce renewing its request for sidewalk construction along the Pacific Highway between the north city limits of Roseburg and the Garden Valley County Road.

A letter was presented from Mr. F. E. Butt, Oceanlake, Oregon, calling attention to the hazard resulting from the dropping or dumping of logs along state highway rights of way, and offering his services as an inspector of logging equipment and loading, to the end that fewer logs be dumped on highway rights of way and the hazard to the traveling public thereby greatly reduced. The Commission considered that the employment of such inspector does not come within the jurisdiction of the State Highway Commission but is rather a function of the Department of State Police, and ordered that Mr. Butt be so informed.

The Secretary presented a letter from Frank H. Seal, Eugene, in regard to the proposed improvement of the Oregon Coast Highway in the towns of Port Orford and Gold Beach; also, a petition from businessmen of Port Orford requesting no change in the present route of the Oregon Coast Highway through Port Orford from Garrison Lake Auto Court, on the north, to Port Orford Pharmacy, on the south. The Commission took no action on these communications other than to indicate that it would give them due consideration at the proper time.

The Commission discussed a letter from Mr. Leon D. Pitts, Warren, Oregon, requesting permission to construct a roadway across state property between the new highway and the old highway at Warren. It appears that Mr. Pitts conducts a store business along the old highway, which store is located about 300 feet from the new highway, and he alleges loss of business by reason of isolation, and requests the privilege of building a roadway from his store to the new highway, which would be entirely across the state-owned property. The Engineer advised that the highway was reconstructed on permanent alignment about 2 years ago and that Mr. Pitts's store is located on the abandoned section, although the old road is still being maintained for traffic,

and people have access to Mr. Pitts's store, as heretofore. He further advised that all of the property between the old and the new highway was acquired by the state at the time that the revision was made, in order to retain the freeway characteristics of this road, and it was planned to landscape the area at some time in the future. He gave as his thought that Mr. Pitts's request should be denied, inasmuch as the granting of the same would defeat the purpose for which the extra property was acquired. The Attorney advised that the Commission is not obligated in any way to Mr. Pitts and it would not have to grant his request unless it felt that this was the proper thing to do. After discussion, the Commission decided, in view of the fact that Mr. Pitts now has roadway facilities to his place of business, that the interests of the public would be best served by denying his request, such public interest being considered paramount. However, the Engineer was instructed to do some landscaping work so as to beautify the area in front of Mr. Pitts's store.

The Commission also had under discussion a letter from the City of Sutherlin, requesting the widening of Calapooya Street (Pacific Highway) for a short distance through the business section of their town, by moving the curb on the west side of the street to conform with the curbs on the adjoining sections. The Engineer recommended approval of this request, which he estimated would cost about \$125.00, the work to consist of moving back the existing curb about 8 feet, and the construction of an oiled surface. The Commission approved the recommendation unanimously.

The Engineer requested authority to remodel the highway maintenance building at Eugene so as to provide quarters for the state police officers who operate out of that headquarters; also, to construct a new building at this place for truck and equipment storage. He estimated that these improvements would cost approximately \$6,500.00, and recommended approval of the project. The Commission approved the recommendation.

The Commission discussed the bills presented by the several appraisers who were employed in connection with the condemnation suit to acquire right of way from the Security & Investment Company, Oregon City, for the Oregon City improvement. The Commission considered that the bills as presented were correct statements of time actually employed in this work and accordingly approved them for payment by unanimous vote.

The Engineer reported the failure of the short section of the North River Road, Salem, which was recently constructed as a federal aid secondary highway project. He said that the failure was due to faulty drainage conditions and that to repair the damage would cost about \$1,000 and recommended that the state assume payment of such expense. The Commission approved the recommendation unanimously.

Chairman Cabell reported receipt of information to the effect that the Portland General Electric Company has petitioned the Interstate Commerce Commission for the abandonment of the interurban street car line between

Portland and Vancouver, in connection with which petition the State Highway Commission will be asked for a written statement to the effect that the removal of the street car tracks on the Interstate Bridge will be of benefit to motorists. He gave as his thought that the writing of such a letter would not react disadvantageously to the State Highway Department. The Engineer declared that the removal of the street car tracks from this bridge would be of considerable benefit to the motoring public. After discussion, the Commission authorized Chairman Cabell to write such a letter when requested to do so by the Traction Company.

The Assistant Attorney reported receipt of a communication from John H. Kelley, attorney for Mrs. Edna A. Bell, stating Mrs. Bell's refusal to accept the sum of \$49.00 which has been offered to her for seven lots that she owns on the Nehalem Sandspit, in Tillamook County, and demanding \$20.00 per lot for the same. He requested instructions. The Commission decided to adhere strictly to the scale of prices approved earlier in this session.

The Commission had under consideration the following requests for extensions of time within which to complete highway construction projects:

Coos Bay Dredging Company, Contract No. 2116, for grading and surfacing the Charleston-Miner Creek Section of the Cape Arago Secondary Highway, in Coos County, requested an extension of time from July 29 to August 11, 1939, within which to complete this project. They attributed their failure to complete the project within the specified time limit to adverse weather conditions. The Engineer advised that the reason given by the contractor for overrunning the specified time limit is correct; also, that the contractor was required to install a large amount of drain tile on this project which was not called for in the contract and incidentally had considerable to do with the contractor's failure to complete the job within the specified time limit. He recommended, in view of the circumstances, that the extension of time requested be granted without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation unanimously.

Roy L. Houck, Contract No. 2159, for grading and paving the Albany Overcrossing Section of the Pacific Highway East, in Linn County, requested an extension of sufficient time in the spring of 1940 within which to complete this project. The Engineer advised that the contract specified a completion date of December 31, 1939, but the contractor was ordered to close down the work on December 4, 1939, because weather conditions were unsuitable to secure a good finished job. It was his thought that it would take 28 days to finish the work in the spring when weather conditions are favorable, or until June 1, 1940. He recommended, in view of the circumstances, the granting of an extension of time of 28 days after work is resumed in the spring, without penalty, for completing the project.

A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation unanimously.

Odom Construction Company, Contract No. 2218,, for moving and re-establishing a school building and play shed at Manning, in Washington County, requested an extension of time of 18 days, from October 31, 1939, to November 18, 1939, within which to complete this job. They attributed their failure to complete the project within the specified time limit to the fact that the new building site had not been prepared. The Engineer advised that according to the provisions of this contract, the state was to prepare the new building site, which work was done by a W.P.A. crew working under state supervision, but such work was not completed until the first part of October and the contractor could not begin his work until that time. He recommended, in view of the circumstances, that the extension of time requested by the contractor be granted without penalty. The Commission approved the recommendation unanimously.

The Engineer reported that Contracts Nos. 2116, 2158, 2165, 2177, 2228, 2229, and 2230, for the construction of state highway projects, have been completed according to the requirements of the contracts, or modifications thereof, and that said jobs are now ready for acceptance. The following resolution accepting the above projects was offered and was adopted by the unanimous vote of the Commission:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts and said jobs are now ready for acceptance:

Contract No. 2116, with Coos Bay Dredging Company, for grading and surfacing the Charleston-Miner Creek Section of the Cape Arago Secondary Highway, in Coos County. Completed August 11, 1939.

Contract No. 2158, with Mountain States Construction Company, for construction of the Albany Overcrossing on the Pacific Highway East, in Albany, Linn County. Completed December 16, 1939.

Contract No. 2165, with Roy L. Houck, for grading and paving the Bunker Hill Section of the Oregon Coast Highway, in Coos County. Completed November 28, 1939.

Contract No. 2177, with Edlefsen-Weygandt Company, for construction of the Lobert Overcrossing on The Dalles-California Highway, in Klamath County. Completed December 13, 1939.

Contract No. 2228, with M. E. Meyers & Son, for roadside improvement on the West Unit, Stanfield-Pendleton Hill Section of the Old Oregon Trail, in Umatilla County. Completed December 13, 1939.

Contract No. 2229, with F. R. Hewett, for furnishing crushed rock on the Weston-Elgin Rock Production Project, on the Weston-Elgin Secondary Highway, in Umatilla and Union Counties. Completed December 6, 1939.

Contract No. 2230, with A. S. Wallace, for furnishing crushed rock in stock piles on the Maupin-Cow Canyon Section of The Dalles-California Highway, in Wasco County. Completed December 9, 1939.

THEREFORE, BE IT RESOLVED, that the work covered by said state highway contracts for the construction of said state highway projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

The Commission discussed the date for its regular meeting in February and decided to hold such meeting in Portland on Thursday and Friday, February 15 and 16, 1940. The Secretary was instructed to make the usual arrangements to hold this meeting in the Public Service Building.

The Commission considered and signed agreements, et cetera, as follows:

Lease of borrow pit containing 4.1 a. near the Pacific Highway West one-half mile north of Tigard. Lease secured from Mrs. Zelda Ploeger. Lies in Richardson Donation Land Claim 39, Washington County. Lease expires upon completion of the grading and surfacing of the Tigard Section of the Pacific Highway West, about 2 miles in length, commencing at the Multnomah County line.

Bargain and Sale Deed, Right of Way Transaction Nos. 6930 and 6982, conveying unto Emil A. Johnson 309 sq. ft. of land situate in Lot 3, Block 3, Kingston Addition to Tigard, Washington County.

Lease of quarry site containing 6.92 acres adjacent to the Fremont Highway, at Lakeview, Lake County. 99-year lease, from September 1, 1939, to September 1, 2038. Lease secured from County Court of Lake County. Property lies in Northwest Quarter of the Southeast Quarter of Section 22, Township 39 South, Range 20 East, W. M., Lake County.

Release of cattle pass by Herman Beilke on Stanfield-Pendleton Secondary Highway at Mile Post 08.05, Umatilla County. Consideration, \$50.00.

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Release of cattle pass by Stephen Spike at Mile Post 34.93 on the Lexington-Echo Secondary Highway, Umatilla County.

Extension of C.C.C. campsite lease at Woahink Lake from James W. Ford, Jr., and Edna C. Ford, husband and wife. 10 acres of land in the North Half of the Northwest Quarter of the Northeast Quarter of Section 27, Township 19 South, Range 12 West, W. M., Lane County. Extends prior lease from May 31, 1940, to May 31, 1941.

Cooperative and License Agreement between the United States of America and the State of Oregon, providing for 50-year lease of certain government-owned land in Jefferson County which is required in connection with the Crooked River-Deschutes Recreational Area. (Three copies of agreement returned to Mr. Boardman December 26, 1939, to be held by him pending lease of additional property from the Government.)

There being no further business to come before the Commission at this time, the meeting was adjourned at 4:00 o'clock p. m.

Boardman
State Highway Engineer

W. B. Seisler
Secretary

Henry F. Cabell
Chairman

James M. Clark
Commissioner

DEC 20 1939

Portland, Oregon, January 10, 1940

The State Highway Commission met in special session at 8:00 o'clock p. m. in the Rose Room of the Benson Hotel. Present were:

Henry F. Cabell, Chairman
E. B. Aldrich, Commissioner
Huron W. Clough, Commissioner
R. H. Baldeck, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

The Commission conferred with representatives of the logging industry with respect to the truck-hauling of logs, poles, and piling over state highway rights of way. There were 24 representatives of such industry present and also present were the following representatives of the office of the Public Utilities Commissioner of Oregon: Ormond R. Bean, Commissioner; T. O. Russell, Chief Engineer; A. F. Harvey, Superintendent of Transportation; Perry O. Delap, Supervisor of Permits. Speaking on behalf of the logging industry were Senator F. M. Franciscovich, Astoria; A. C. Lighthall, representing the Oregon Lumber Company; Austin Flegel, attorney, Portland; R. W. Pointer; George Haley, log hauler, Molalla; Ernest McCulloch, Eugene, representing the Booth-Kelley Lumber Company; Faye Abrams, Eugene, also representing the Booth-Kelley Lumber Company; A. S. Page, Seaside; and Fred Packwood, representing the Columbia Basin Loggers Association.

Chairman Cabell opened the meeting by explaining its purpose. He advised that the Highway Commission has received numerous complaints from the general public of logs that are dropped on the highway right of way from logging trucks, and advised that the matter has reached the point where it is considered serious enough to warrant revision of the present rules and regulations covering such type of hauling, in an endeavor to reduce the number of logs that are dropped and the hazards that are created thereby. The State Highway Department, he said, has given this matter considerable study and has prepared a revised list of rules and regulations which it wants to present at this meeting. He particularly mentioned that the Commission is trying to reduce the number of dropped logs and to secure the removal of the same from the highway right of way within a reasonable length of time, and, in order to do this, it will be necessary to have the name of the person responsible for the dropping of the logs. He added that, in the minds of the Commissioners, log haulers who constantly lose logs should be ruled off the road. He then read aloud the proposed draft of regulations and invited all present to express themselves relative thereto.

This matter was discussed at considerable length and numerous suggestions were offered in regard thereto. Particular reference was made to the transportation of loads that exceed the length limit specified by statute. Concerning such matter Chairman Cabell pointed out that when the bill for increasing the overall length limit came up for discussion in the 1939 legislature, the Highway Commission offered no objections thereto; nevertheless, the legislature did not see fit to change the present law in that respect, so the

Commission considers that it has no authority to grant permits for overlength loads except in isolated instances or in cases of emergency. He further stated that, so far as the transportation of ordinary-length logs is concerned, the Commission will formally adopt new rules and regulations in the near future for recommendation to the Public Utilities Commissioner, and in its study of the same will be pleased to consider the suggestions made at this meeting; however, its decision with respect to the granting of permits for the transportation of overlength loads will have to wait until the Commission has had time to give such matter further thought and study, which it will do as soon as possible. In the meantime, he added, no change will be made in the present practice of granting permits. He thanked the delegation for its appearance and suggestions and declared the conference concluded at 10:30 o'clock p. m. (This matter was reconsidered by the Commission on January 12, when the Commission adopted rules and regulations to govern the truck-hauling of logs that do not exceed the legal length-limit.)

[Signature]
State Highway Engineer

[Signature]
Secretary

[Signature]
Chairman

[Signature]
Commissioner

[Signature]
Commissioner

Portland, Oregon, January 11, 1940

The State Highway Commission met in regular session at 9:00 o'clock a. m. in the auditorium of the Public Service Building. Present were:

Henry F. Cabell, Chairman
E. B. Aldrich, Commissioner
Huron W. Clough, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

Bids as follows for highway construction projects and for the sale of buildings in Tigard were opened and read in conformance with previously-published notice, following which Chairman Cabell announced that the award of contracts would be made at 3:00 o'clock p. m. in the same room:

MIST-CLATSKANIE SECONDARY HIGHWAY
SUMMIT-MIST SECTION - SURFACING, OILING, CRUSHED ROCK IN STOCK PILES

Tidepoint Company
Babler Bros.
Homer G. Johnson

Using Asphalt	Using Tar
\$ - - - -	\$26,506.00
- - - -	27,128.00
41,044.00	- - - -

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FREMONT HIGHWAY
LAPINE-WEST FOREST BOUNDARY SECTION - GRADING, SURFACING, OILING

E. L. Rigdon	\$ 59,579.00
Babler Bros.	61,859.00
E. C. Hall Company	61,954.00
Leonard & Slate	62,520.50
A. Milne	62,607.00
Triangle Construction Company	64,718.20
Fisher Bros.	65,826.50
Jacobsen-Jensen Company	66,275.00
Norris Bros.	66,862.50
Homer G. Johnson	66,993.40
E. L. Gates	67,126.25
McNutt Bros.	67,341.00
E. C. Gerber	67,686.50
J. C. Compton	68,643.75
Clifford A. Dunn	71,831.50
Colonial Construction Company	72,303.50
J. C. Papin	76,176.25
J. A. Lyons	77,753.75
H. B. Klineline, R. O. Dail & Warren Bros., Inc.	81,040.20

THE DALLES-CALIFORNIA HIGHWAY
CHEMULT-FORT KLAMATH SECTION - FURNISH CRUSHED ROCK IN STOCK PILES

Rogers Construction Company	\$ 23,700.00
Fisher Bros.	24,598.50
A. S. Wallace	31,780.00
Homer G. Johnson	43,000.00

KLAMATH FALLS-MALIN HIGHWAY
LOST RIVER SECTION - GRADING, SURFACING, ROAD MIX OIL TREATMENT

W. D. Miller Construction Company	\$ 19,252.00
Rogers Construction Company	19,640.50
McNutt Bros.	21,208.00
Clifford A. Dunn	21,564.50
Harry I. Hamilton	22,917.50

KLAMATH FALLS-MALIN HIGHWAY
CONCRETE VIADUCT OVER LOST RIVER AND A CONCRETE SIPHON

W. D. Miller Construction Company	\$ 13,327.00
Clifford A. Dunn	14,456.00
Harry I. Hamilton	14,833.50
Bennett & Taylor	14,987.00
Babler Bros.	15,997.00
Denton & Young	17,684.00

PACIFIC HIGHWAY EAST
ALBANY SECTION - GRADING AND PAVING

Roy L. Houck	\$219,892.00
Edlefsen-Weygandt Company	225,214.95
E. C. Hall Company	227,179.00
Bennett & Taylor	228,710.50
Jacobsen-Jensen Company	230,088.00
McNutt Bros.	232,930.50
J. C. Compton and Frank Penepacker	233,705.00
Theo. Arens	236,601.50

MORO-HAY CANYON COUNTY ROAD
HAY CANYON SECTION - GRADING, SURFACING, CRUSHED ROCK

Fisher Bros.	\$ 11,873.00
H. L. Rice	13,648.50
Guy J. Norris	13,891.50
Rogers Construction Company	14,559.00
Schmeer & Williams Bros.	15,399.00
Homer G. Johnson	16,220.00
Newport Construction Company	16,859.00
S. S. Montague	18,502.00

SALE OF BUILDINGS IN TIGARD

Building No. 6924
(Former Owner Joseph D. Foley Estate)

John Scheckla	\$ 11.00
Madsen & Picha	7.50
W. S. Heiberger	5.00

Building No. 6980
(Former Owner Emil Johnson)

H. V. Kruse	\$266.00
Emil A. Johnson	251.00
Madsen & Picha	162.00
Sullivan Wrecking Company	91.98

Building No. 6983
(Former Owner Emil Johnson)

John Scheckla	\$136.00
Madsen & Picha	71.00
Sullivan Wrecking Company	27.98

Building No. 6940
(Former Owner C. H. Pfaffle)

H. A. Peabody	\$ 15.00
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The County Court of Klamath County, consisting of County Judge U.E. Reeder and County Commissioners Wm. Chase and Jack E. Benner, and County Engineer Frank Z. Howard, came before the Commission in regard to the following highway matters:

Klamath County gravel pit needed by the state in connection with the construction of the Lost River Section of the Klamath Falls-Malin Highway in Klamath County:- The County Court advised that it has no objection to the state's contractor procuring materials from this quarry although it would prefer that an entirely new pit be opened up because the county is now working the old pit and they are fearful confusion will result if the county's forces and the contractor's forces operate in the pit at the same time. After considerable discussion and in view of the emergency that exists relative to the award of the contract for the Lost River Project, the County Court agreed to let the state's contractor use the existing pit in connection with the construction of this project, with the understanding that the county would be given an allowance for the materials that it has already prepared for removal from the pit and that other arrangements would be made for the use of the county's property in connection with future state highway work in this vicinity. The Engineer was instructed to discuss the matter further with the County Court and to have the final arrangements covered by written agreement.

The County Court inquired as to the plans of the Commission for additional improvements to The Dalles-California Highway north from Klamath Falls. Chairman Cabell advised that the Commission has made no definite provision for such work as yet but a project will be considered by the Commission in the formulation of its program for the fiscal year 1941 funds, which are the earliest moneys available.

The County Court also inquired as to the Commission's plan for widening The Dalles-California Highway south of Klamath Falls and for the reconstruction of the Flume Section of this highway. They were informed that nothing definite has as yet been planned for the widening work, although the matter is being considered, but the Commission does have an amount budgeted in its 1940 program for the reconstruction of the Flume Section.

Engineering questions in regard to the Flume Section were then discussed. County Engineer Howard inquired as to the possibilities of securing a change in the proposed grade line of this section to improve the vertical sight distance. A decision in this matter was deferred until the following day, when plans of the proposed improvement will be available.

The County Court then inquired as to the possibilities of securing the benefits of additional federal aid secondary highway funds and was informed by Chairman Cabell that, due to the reduction of the federal aid allotment of such funds, the Commission is not in a position at the present time to make any definite statement in regard thereto, but will be glad to consider Klamath County's request in the event that Congress sees fit to increase the amount of such funds in its next appropriation. It was his thought that Klamath County is entitled to some of these funds.

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The County Court also asked for the improvement of the Cascade Lakes Forest Highway from its junction with the Willamette Highway to the town of Crescent Lake, and was informed that the Commission will bear this project in mind in the allocation of forest highway funds although it is a costly project and the justification for the expense of the railroad grade elimination project is not apparent. After considerable discussion of this project the Commission instructed the Engineer to make a personal inspection on the ground in company with County Engineer Howard and to render a report on the possibilities of providing a better road connection to the town of Crescent Lake at minimum expense.

The County Court also asked for the improvement of the Westside Klamath Lake Secondary Highway near what is known as Fremont Bridge, in the corporate limits of Klamath Falls. They particularly requested the construction of a sidewalk on the Fremont Bridge which crosses Link River, for the benefit of pedestrians, and the realignment of the traveled roadway. They advised that the present traveled roadway is quite crooked, although it lies within the limits of the highway right of way, so it would not be necessary to acquire any additional land for right of way purposes. The State Highway Engineer advised that this is a meritorious project, although it would run into considerable money because it involves not only the construction of the bridge but sidewalk approaches thereto, and it appears that the project would have to be financed entirely with state funds. After discussion, the Commission instructed the Engineer to investigate the project and report his findings, including an estimate of cost to do the work.

County Commissioner Benner brought up for discussion a drainage matter in the town of Bly. He advised that when the Klamath Falls-Lakeview Highway was reconstructed through this town certain drains were blocked by the highway grade and as a result water has backed up, forming a lake at the point where the highway intersects a county road. He gave as his thought that this is not a county obligation and asked the Commission to do something about it. The Commission instructed the Engineer to investigate the conditions and to report thereon.

County Commissioner George N. Peck, of Morrow County, was present and asked for the oiling of the West Unit of the Wasco-Heppner Secondary State Highway, which would complete the oiling of this road between Heppner and a place known as Rhea Creek. He said that this is Morrow County's preference project. He was informed by Chairman Cabell that the first moneys that could be used to finance this work are the 1941 moneys and that the Commission would do its best to allocate a sufficient amount of such moneys for this job.

Mr. Peck then outlined a 5-year construction program as proposed by Morrow County Court, which includes the oiling of a 7-mile section of the Wasco-Heppner Secondary Highway west of Rhea Creek, which section has already been rocked; the surfacing of the adjacent 4-mile section that has already been graded to proper standards; and the grading of the 7-mile section at the Gilliam County Line. He urged the Commission to bear these projects in mind. He also asked the Commission to oil the Oregon-Washington Highway between

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Heppner and a place known as Lena, a distance of about 10 miles. The Engineer gave as his thought that the present surfacing on this road is satisfactory for oil treatment. After discussion, the Commission informed Mr. Peck that it would bear this project in mind and would construct a light oil treatment as far as Lena in the event that funds can be found to finance the work.

Mr. Peck brought up for discussion the maintenance of the county road which extends from the Lexington-Echo Secondary State Highway up Butter Creek to a place known as Pine City, a distance of about 3 miles, in Umatilla and Morrow Counties. He pointed out that this road was oiled under a state contract last year and in their estimation it is eligible for designation as a state secondary highway. He urged the Commission to so designate it. He was informed that the matter would be taken under advisement.

Mr. Peck then inquired, if the Commission cannot see its way clear to place this road on the secondary state highway system, would the state agree to maintain the road at county expense? The Commission approved such an arrangement and thereupon authorized the Engineer to provide for the maintenance of the section on such basis, the matter to be covered by appropriate written agreement between the county and the state.

Mr. Peck also asked the Commission to take over as a state secondary highway the county road which extends from the Columbia River Highway to the Columbia River Ferry at Patterson, a short distance west of Irrigon. He said that no one resides along this road and that the traffic which the road carries is strictly interstate in character and that the road is of no particular benefit to Morrow County. The Commission agreed to inspect the road the next time it is in that vicinity.

Mr. J. S. Risley, of the contracting firm Saxton, Looney & Risley, came before the Commission in regard to the signing of contracts for the construction of the Jordan Creek-McNamers Camp Section of the Wilson River Highway, and the Warm Springs Agency-Vanora Section of the Warm Springs Secondary Highway, in Tillamook and Jefferson Counties, respectively, which contracts were awarded to them by the State Highway Commission on December 7 and 8, 1939. Mr. Risley advised that they are having a little difficulty in obtaining the bonds required by the state in connection with these jobs, both of which are state finance projects, but they believe that their difficulties will be ironed out in about 10 days, in view of which they are asking that much additional time within which to furnish the bonds. After considerable discussion the Commission granted the contractor 2 weeks' additional time within which to furnish the bonds; however, advised Mr. Risley that his request must be in writing and must be accompanied by the written consent of the surety to such extension. (This matter was reconsidered by the Commission on the following day.)

Mr. E. C. Warren, Tigard, Oregon, was present in regard to the approaches to his service station in Tigard. He advised that the new location of the highway through Tigard took in his service station property and he was obliged to sell his property to the state, one of the conditions of the sale being that the state would provide satisfactory approaches to a new service

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station that he proposed to build along the new highway route. He further advised that his new station has been constructed and is now ready for operation but he is precluded from serving the public because of the condition of the approaches thereto. He asked the Commission to provide him with temporary relief, at least until such time as the highway improvement is completed so that he can continue to serve his customers. The Commission referred this matter to the Engineer with authority to provide a temporary improvement if he considers that advisable.

The Commission by unanimous vote approved the minutes of the meetings of the Commission held on August 31 and September 1, and on September 27 and 28, 1939, and thereupon signed the same.

The Engineer reported as follows on new buildings that will be needed within the next 12 months, as requested by the Commission at the previous meeting:

Laboratory building in Salem, estimated to cost \$50,500.00

Maintenance headquarters buildings at the following locations:

Seneca, on the John Day-Burns Highway, in Grant County, estimated to cost \$19,470.00

Princeton, on the Diamond Valley Secondary Highway, in Harney County, estimated to cost \$21,835.00

Prospect, on the Crater Lake Highway, in Jackson County, estimated to cost \$20,570.00

Newport, on the Oregon Coast Highway, in Lincoln County, estimated to cost \$10,065.00

Condon, on the John Day Highway, in Gilliam County, estimated to cost \$11,275.00

Madras, on The Dalles-California Highway, in Jefferson County, estimated to cost \$11,055.00

Total estimated cost of all buildings \$144,770.00

He pointed out that the Commission has already approved for 1940 construction the following buildings:

One new building and addition to existing building at Medford, estimated to cost \$11,000.00

One new building and remodeling of present building at Eugene, estimated to cost \$6,500.00

Addition to present building at John Day, estimated to cost \$3,300.00

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(Buildings approved for 1940 construction, continued)

Maintenance headquarters building at Odell Lake, estimated to cost \$27,500.00

Maintenance headquarters building at Blue Mountain Pass on the I.O.W. Highway, estimated to cost \$21,800.00

Total estimated cost \$70,100.00

After discussion the Commission authorized the Engineer to prepare plans for all of the buildings that are needed at this time, but ordered that those not yet approved for construction be not advertised for bids until the Commission can see its way clear to finance them.

In this connection the Engineer pointed out that it will be necessary to acquire additional land from the State Penitentiary on which to construct the proposed laboratory building at Salem. The Commission authorized negotiations for the acquisition of such property.

A communication was presented from the County Court of Jefferson County urging the designation of the Warm Springs Highway as a federal aid highway in order to make available federal funds for financing the construction of the same, which it was thought would expedite the completion of this road and would provide a main highway from Central Oregon to Portland approximately 30 miles shorter than any existing route. This matter was discussed at considerable length, during which the Commissioners expressed themselves as being in favor of placing this road at the top of the list for consideration in allocating the remaining federal aid mileage. It was the Commission's thought, however, that none of the available mileage should be allocated at this time nor until it is urgent that that be done, particularly in view of the fact that the Commission wishes to make definitely certain that it allocates this small mileage to the proper roads. The Secretary was instructed to inform the County Court that it is the intention of the Commission to place this road on the federal aid system at some future time and proposes to do so this year so as to make it eligible for the fiscal year 1941 federal aid money in the event a portion of such funds can be spared to finance it; otherwise, it will have to wait until the fiscal year 1942 funds are available or until such time as construction work can actually start.

The Commission discussed briefly the Engineer's report on the proposed improvement of the Lower Columbia River Highway through the town of Deer Island, involving the relocation of the highway on a line parallel with the S. P. & S. Railroad tracks and the re-establishment of numerous buildings. A decision in this matter was deferred pending a personal inspection of the project by Chairman Cabell.

The Engineer reported on the cost to construct a revision of the Oregon Coast Highway in the vicinity of the town of Beaver, as instructed by the Commission at the previous meeting. He pointed out that the shortest

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revision that could be constructed is about one mile in length and estimated the cost to construct the same, including the grading, surfacing, and oiling, at \$80,000. He questioned the justification of such expense in view of the possible reduction in traffic when the Wilson River Highway is completed, and recommended as an alternate proposition the widening of the present bridge over Beaver Creek, which, he said, would cost only about \$7,500, although state money would have to be used to finance the work because the Federal Government would not cooperate on a temporary improvement of this kind. The Commission approved the recommendation by unanimous vote, subject to the condition that state moneys can be spared for the purpose by May or June of this year.

The Attorney reported the results of investigations to determine the exact location of the neon sign that is being maintained on the right of way of the Columbia River Highway at The Dalles by Dr. Fred F. Thompson to advertise his tourist campground. He said that such investigation reveals that the sign is located on the highway within the city limits of The Dalles, hence is beyond the jurisdiction and control of the State Highway Commission. He recommended, in view thereof, that the sign be left where it now is, at least for the present. The Commission approved the recommendation.

The Commission discussed briefly the Engineer's report on the North Umpqua Highway, in Douglas County, being an analysis to determine the justification for a standard-type bridge across Steamboat Creek, near Steamboat Creek Guard Station, as has been proposed by the United States Forest Service. A decision on this matter was deferred until the following day, when it will be discussed with representatives of the Public Roads Administration and the U.S. Forest Service.

A report was rendered by the Engineer on the cost of construct a footpath along the Oregon Coast Highway from the city of Tillamook southerly to the Trask River Bridge. He estimated the cost of such footpath, including right of way, grading, surfacing, oiling, and the construction of a timber walk along the outside of the bridge, at \$2,860.00. The Commission deferred its decision in this matter pending a report from the Engineer on needed footpath and sidewalk construction throughout the state.

The Engineer also reported a controversy with Mr. O. E. Powell, who owns a service station adjacent to the Pacific Highway at Hubbard, Oregon. It appears that a standard entrance driveway was constructed into Mr. Powell's service station and that in connection therewith the usual traffic island was installed, which island Mr. Powell destroyed, alleging that it interfered with his business; also, that the island was replaced with a new one, which Mr. Powell destroyed also. The Engineer questioned the advisability of additional expenditures for this purpose unless assurance is given that the island will be preserved, and requested instructions relative thereto. The Commission ordered the replacement of the island and instructed the Attorney to enjoin Mr. Powell from damaging or removing the same. The Attorney was also instructed to collect damages from Mr. Powell if possible.

The Commission adjourned at 12:15 o'clock p. m. and reconvened at 2:00 o'clock p.m. in the same room, with the same persons present and participating.

Mr. G. S. Ehle, Multnomah, Oregon, headed a delegation from Multnomah and Portland that was particularly interested in completion of the West Portland-Hubbard Highway. Other members of the delegation were Sol Lubliner, H. K. Kibler, and County Commissioner C. A. Bigelow of Multnomah County. Mr. Ehle read aloud and filed with the Commission a brief on behalf of this project. He also filed with the Commission petitions bearing the names of numerous residents of Multnomah, Washington, Clackamas, and Yamhill Counties, urging the early completion of the same. Mr. Ehle's remarks were endorsed by Messrs. Kibler, Lubliner, and Bigelow.

Mr. Bigelow advised that his endorsement was presented on behalf of the Board of County Commissioners of Multnomah County, which urges the Commission to give the project its early consideration. The Commission thanked the delegation for its appearance and advised that the matter would be taken under advisement.

A delegation from Clatsop County appeared before the Commission and urged the designation of the Elsie-Jewell County Road as a state secondary highway. The delegation was headed by County Judge Guy Boyington of Clatsop County and included the following: County Commissioners James Elliott and John Slotte; Lee Wooden, representing the Union Grade School of Jewell, Oregon, and the Jewell Grange; David Tweedale, pioneer of Nehalem Valley and Clatsop County; Frank Wooden, Manager, Clatsop County Pomona Grange; Mr. Meyers of Jewell, owner of a hotel and garage; and W. W. Barnett, representing the Nehalem Valley Grange.

Mr. Barnett alleged that when the Wolf Creek Highway was placed on the state highway system it was understood that Astoria would have a standard highway connection thereto via the Nehalem Secondary Highway, and, in his estimation, such connecting highway should be established now, particularly in view of the fact that the volume of traffic that uses the present connection between Elsie and Jewell is as heavy as it is on the Wolf Creek Highway. Furthermore, it will provide a shortcut to Astoria which the people of Astoria believe they are entitled to at the earliest possible time.

Mr. Lee Wooden stated that the Elsie-Jewell Road is the most important feeder road to the Wolf Creek Highway and that the Jewell School Board and Jewell Grange are strongly in favor of it, particularly in view of the great advantage that would be gained in the consolidation of school districts. Mr. Meyers declared that this connecting road is endorsed by all of the granges, the Astoria Chamber of Commerce, and all of the residents in the district affected. Mr. Tweedale, pioneer of the Nehalem Valley, who has resided along the Elsie-Jewell road for the past 47 years, endorsed the remarks of the other speakers. Mr. Frank Wooden endorsed the project on behalf of the Clatsop County Pomona Grange, which, he said, has gone on record unanimously in favor of the road. He read aloud and filed with the Commission a letter from the Astoria Chamber of Commerce endorsing the project and pointing out that it will eliminate the necessity of building the proposed shortcut between Fishhawk Falls and the Wolf Creek Highway at the mouth of Alder Creek.

Mr. Elliott declared that Astoria needs this shortcut road and, in

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their estimation, the economical thing to do would be to rebuild the present road rather than construct an entirely new one. Mr. Slotte endorsed the remarks of the other speakers. Judge Boyington also endorsed the remarks of the other speakers but suggested investigation of a possible revision at Cow Creek to shorten the distance. He filed with the Commission a petition bearing the names of 156 residents and property owners of the Nehalem Valley, strongly urging the Commission's approval of this project. The Commission took the matter under advisement.

Judge Boyington also inquired whether or not the state would be willing to deed back to Clatsop County a portion of Tongue Point State Park, consisting of 43 acres, which was heretofore conveyed to the state by the county for state park purposes. He explained that the Federal Government, in connection with the development of a naval base at this point, needs additional land, and it appears that a small portion of the state park meets the requirements, hence the county court's inquiry as to whether or not the Highway Commission would be willing to reconvey a few acres of this park to the county so it in turn can deed it to the government. The Commission indicated a favorable attitude toward this request but deferred a definite decision thereon pending an opinion from the Attorney as to whether it has legal authority to make such transfer, and a report from the State Parks Superintendent as to whether or not the state park would be adversely affected by such transfer.

Judge Boyington inquired as to whether or not the Commission would be willing to sell to the county some of the rock from the state's quarry located about 5 miles south of Seaside. He explained that Clatsop County is co-operating with the City of Seaside in preparing a parking area for automobiles at the north end of Tillamook Head and that they need rock to surface the same, the most convenient rock available being that from the state's quarry. He suggested that, with the Commission's permission, the county would enter into an agreement with the state's contractor who is operating this quarry, for the furnishing of about 200 cubic yards for the aforementioned purpose. The Commission approved the request by unanimous vote and instructed the Engineer to cover the matter by letter.

Following the appearance of the Clatsop County delegation the Commission reconsidered the delegation's request for the designation of the Elsie-Jewell County Road as a state secondary highway. In the discussion of this matter the Engineer pointed out that the right of way of the present road is considerably less than 60 feet wide; also, that the road is now being maintained by the State Highway Department as a detour road pending completion of the Wolf Creek Highway. He suggested that it would be advisable to place this road on the state secondary highway system if the county will furnish a right of way 60 feet wide. The Commission appeared favorably inclined but deferred action until the next meeting. The Engineer was instructed to ascertain in the meantime whether or not Clatsop County would furnish the required right of way.

Mr. Wm. O. Joos, representing the Maling Company, Inc., Hillsboro, and Mr. Chas. Pierce, representing Wentworth & Irwin Company, Portland,

manufacturers of special equipment, came before the Commission in regard to the moving of pea-vining equipment over state highways, the dimensions of which equipment exceed the limits specified by statute, particularly the overall height, which, Mr. Pierce stated, is 13 ft. 8 inches, whereas the legal height is 12 ft. 6 inches when permitted by the State Highway Commission. Mr. Joos stated that his company would like to have a blanket permit of 90 days' duration to transport three pieces of such equipment over designated state highways at any time of the day or night, explaining that it is very urgent that they have this permission so as to facilitate the harvesting of the pea crop. Such operations, he said, would extend from The Dalles, on the Upper Columbia River Highway, to Astoria, on the Lower Columbia River Highway, and their season is between May 20 and August 20 of each year. Mr. Pierce presented blueprint plans of the equipment that they propose to manufacture, and explained that they could reduce the overall height from 13 ft. 8 in. to 12 ft. 9 in., but it is impossible to make it any lower.

The Commission's Attorney explained the law which authorizes the Commission to grant permits for special privileges under certain conditions. After considerable discussion the Commission advised that a decision in this matter could not be rendered today because there is a question regarding the authority of the Commission to grant such a permit. However, the matter will be given serious study, and action will be taken as soon as possible. The Engineer was thereupon instructed to make such study and report back to the Commission at the next meeting.

Mr. Joos also asked the Commission to consider elimination of the requirement that flagmen accompany the movement in the event a permit is granted. He was informed that insofar as overheight loads are concerned it would not be necessary to have special flagmen accompany the movement except at points where vertical clearance is impaired.

At 3:00 o'clock p. m. Chairman Cabell announced the following awards of contracts and sale of buildings, bids for which were taken at the morning session, such awards having been previously approved by unanimous vote:

"Summit-Mist Section of the Mist-Clatskanie Secondary Highway, in Columbia County. 4.89 miles surfacing and 5.45 miles oiling; also furnish 1,000 cu. yds. crushed rock in stock piles. The low bidder for this project was Tidepoint Company, Astoria, at \$26,506.00, based on the use of tar. It did not submit a bid based on the use of asphalt. The second-low bidder was Babler Bros., Portland, at \$27,128.00, also based on the use of tar. They did not submit a bid based on the use of asphalt. There was one higher bidder. The Commission awards this contract to the low bidder, Tidepoint Company, at its bid of \$26,506.00, based on the use of tar.

"Lapine-West Forest Boundary Section of the Fremont Highway, in Deschutes and Klamath Counties. 4.45 miles grading and 12.19 miles surfacing and oiling. 19 bids were submitted for this project, the low one being that of E. L. Rigdon, Prairie City, at \$59,579.00.

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The second-low bid was submitted by Babler Bros., Portland, at \$61,899.00. The Commission awards this contract to the low bidder, E. L. Rigdon, at his bid of \$59,579.00.

"Chemult-Port Klamath Section of The Dalles-California Highway, in Klamath County. Furnish 12,000 cu. yds. crushed rock in stock piles. Rogers Construction Company, Dayton, Washington, submitted the low bid for this project at \$23,700.00. Fisher Bros., Oregon City, submitted the next low bid at \$24,598.50. There were 2 higher bidders. The Commission awards the contract to Rogers Construction Company, the low bidder, at its bid price of \$23,700.00.

"Lost River Section of the Klamath Falls-Malin Highway, in Klamath County. 0.92 mile grading, surfacing, and road mix oil treatment. The low bid for this project was submitted by W. D. Miller Construction Company, Klamath Falls, at \$19,252.00. The second low bid was submitted by Rogers Construction Company, Dayton, Washington, at \$19,640.50. There were 3 higher bidders. The Commission has referred all bids received on this job to the Engineer with power to award the contract to the low bidder when certain conditions have been fulfilled.

"Construction of a 130-lin. ft. concrete viaduct over Lost River and a 4' x 6' concrete siphon on the Klamath Falls-Malin Highway, in Klamath County. 6 bids were submitted for this project, the low one being that of W. D. Miller Construction Company, Klamath Falls, at \$13,327.00. The second-low bid was submitted by Clifford A. Dunn, Klamath Falls, at \$14,456.00. The Commission has referred all bids received on this job to the Engineer with power to award the contract to the low bidder when certain conditions have been fulfilled.

"Albany Section of the Pacific Highway East, in Linn County. 1.4 miles grading and 3.9 miles paving. Roy L. Houck, Salem, submitted the low bid for this project at \$219,892.00. Edlefsen-Weygandt Company, Portland, submitted the next low bid at \$225,214.95. There were 6 higher bidders. The Commission awards this contract to the low bidder, Roy L. Houck, at his bid of \$219,892.00.

"Hay Canyon Section of the Moro-Hay Canyon County Road, in Sherman County. 1.98 miles grading and surfacing; also furnish 2,000 cu.yds. crushed rock in stock piles. 8 bids were received for this project, the low one being that of Fisher Bros., Oregon City, at \$11,873.00. The second-low bid was submitted by H. L. Rice, Portland, at \$13,648.50. The Commission has referred all bids received on this job to the Engineer with power to award the contract to the low bidder when certain conditions have been fulfilled."

Buildings in Tigard:

"Building No. 6924, former owner Joseph D. Foley Estate. 3 bids

were received for this building, the high one being that of John Scheckla, Tigard, at \$11.00, and the second-high being that submitted by Madsen & Picha, Salem, at \$7.50. The Commission considers the bid of John Scheckla satisfactory and accordingly sells the building to him at his bid of \$11.00.

"Building No. 6980, former owner Emil Johnson. H. V. Kruse, Oswego, submitted the high bid for this building at \$266.00. Emil A. Johnson, Tigard, submitted the second-high bid at \$251.00. There were 2 lower bidders. The Commission considers the offer of H. V. Kruse satisfactory and accordingly sells the building to him at his high bid of \$266.00.

"Building No. 6983, former owner Emil Johnson. 3 bids were received for this building, the high one submitted being that of John Scheckla, Tigard, at \$136.00. The second-high bid was submitted by Madsen & Picha, Salem, at \$71.00. The Commission considers the bid of John Scheckla satisfactory and accordingly sells the building to him at his high bid of \$136.00.

"Building No. 6940, former owner C. H. Pfaffle. H. A. Peabody, Portland, submitted the only bid for this building, his bid being \$15.00. The Commission considers this bid satisfactory and accordingly sells the building to him for \$15.00."

A delegation from the town of Sheridan, headed by Mayor E. J. Bayliss and including Cecil Harrison, President of the Chamber of Commerce; and E. M. Huntley, came before the Commission and asked for the improvement of the McMinnville-Tillamook Highway through their town. The Engineer estimated the cost of such improvement, which extends from Bridge Street to the west city limits, a distance of about 0.6 mile, at \$20,000, the city to construct fills as may be necessary and the state to construct concrete curbs and pave the entire width between curbs. Mr. Bayliss pointed out that the city contemplates doing considerable W.P.A. street work this year and will probably have considerable excavation material to spare, so it is in much better position to cooperate in the state's improvement than heretofore. After discussion the delegation was informed by Chairman Cabell that the Commission appreciates that this is a needy improvement and looks with favor upon the project, but whether or not it could undertake it this year depends upon the Commission's ability to finance it. The Engineer was thereupon authorized and instructed to make a detailed survey of the project and to ascertain just what is necessary in regard to embankment construction.

A delegation from Portland appeared before the Commission and urged the designation and improvement of East 39th Avenue as an arterial state highway route. The delegation was headed by Mr. William M. Hartford, President, East 39th Avenue Improvement Club, and included the following: Russell Ward and W. R. Bailey, representing the Hollywood Boosters' Club; Herman Ledding, Milwaukie Businessmen's Club; Paul Sayre, President, Federation of Community Clubs; Rev. Edward Cunningham of the Ardenwald Community Club; L. M. Lepper, Director, Eastside Commercial Club; and Carl Hutchinson of the Hawthorne Commercial Club.

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In support of oral arguments presented by the individual members of the delegation for this designation, Mr. Ledding filed with the Commission a resolution from the City Council of Milwaukie, the Milwaukie Community Club, and the Milwaukie Businessmen's Club, in which the Commission was urged to "declare and establish an arterial highway from Sandy Boulevard and 39th Avenue, in Portland, to the north limits of the City of Milwaukie; and that the Commission make such improvements thereto as the Commission may determine." He urged the Commission to authorize a preliminary survey of this project at once.

Chairman Cabell advised that the Commission appreciates the desirability of this improvement and will be pleased to bear the project in mind for future consideration but it does not wish to give too much encouragement at this time because there are so many other important projects that have priority for the limited amount of funds available. He thanked the delegation for its presentation.

Mr. Rory Collins, Dee, Oregon, appeared before the Commission on behalf of residents of Dee and Parkdale relative to the improvement of the Hood River Secondary Highway between Dee and Parkdale. He inquired as to the plans of the Commission for this improvement. He was informed that the Commission has no definite plans for this project as yet; in fact, investigations to date consist only of a reconnaissance survey. The Engineer was instructed to send a copy of this survey report to Mr. Collins for his information.

Mr. C. L. Hoover, Cascade Locks, came before the Commission and requested authority to transport logs 32 ft. long over the Columbia River Highway from Mile Post 49 to Mile Post 48, a short distance west of Hood River. He advised that he has approximately 800,000 board feet of timber to transport to the Columbia River and the only route available to him necessitates the use of the Columbia River Highway for a distance of about one mile. He estimated that it would take him about 2 months to complete this operation after he gets started, and in any event his operations should be entirely finished by the middle of April. The Engineer pointed out that it is contrary to the established policy of the Commission to permit log-hauling operations on the Columbia River Highway because of the hazard to other traffic, particularly along the sections where there is excessive curvature. He exhibited a map showing the section over which Mr. Hoover wishes to conduct his operations, and pointed out that this particular section contains no specially bad curves. He gave as his thought that Mr. Hoover's operations along this section would not cause undue hazards to other traffic and recommended approval of his request subject to the condition that no hauling be done on the highway after April 15, 1940. The Commission approved the recommendation unanimously.

The County Court of Hood River County, represented by County Judge C. D. Nickelsen and County Commissioners R. W. Perry and R. Waldo Arens, came before the Commission in regard to several highway matters. Judge Nickelsen was the spokesman. He urged the Commission to make provision for the reconstruction of the Dee-Parkdale Section of the Hood River Secondary Highway in its 1941 program. He also requested the construction of the proposed revision of the Mt. Hood Highway at a place known as Fike's Corner, in such program.

He was informed by Chairman Cabell that the 1941 program has not yet been formulated but the Commission will be pleased to consider these projects for the same inasmuch as it considers that Hood River County is deserving of such consideration, although no definite commitment or promise can be made in regard to the allocation of funds at this time. The Engineer was instructed to personally investigate the proposed revision at Fike's Corner and report back to the Commission before the next construction program is discussed.

Judge Nickelsen also asked the Commission to construct an oil surface on a short section of the new county road that connects with the Mount Hood Highway near Fike's Corner, particularly the section between the new county bridge and the highway. The Commission indicated approval of this request but deferred definite action pending personal inspection and report by the Engineer.

There followed a general discussion of matters pertaining to the improvement of the Mount Hood Highway, particularly the widening of the same and the elimination of curves, but no action was taken thereon.

Messrs. George H. Brewster, attorney, and Olaf Anderson, engineer, representing the Central Oregon Irrigation District, Redmond, Oregon, appeared before the Commission in regard to the reconstruction of the district's canal across the Ochoco Highway near Powell Butte, in Crook County. It appears that under the present arrangement irrigation water is carried across the highway through three 36-inch concrete pipes; but, on account of the restricted head room, the pipes are depressed in the bottom of the canal and act as a siphon, so that full carrying capacity of the pipe is not realized, and water backs up so that the high-water mark is very close to the top of the highway pavement. It also appears that the canal has not been enlarged since the highway was constructed some 20 years ago, but the demand for water has increased to a large extent, which makes it necessary to provide a greater waterway across the highway; hence the request of the Irrigation District for a larger opening. The Engineer gave as his thought that the Irrigation District is well within its rights in asking the state to provide a suitable structure at this point and accordingly recommended the construction of three openings, each 10 feet wide, to replace the pipes, at an estimated cost of about \$3,000.

Mr. Brewster pointed out that the existing pipes cross the highway at right angles to the center line of the highway, which is not in line with the center line of the canal. He suggested that it would be advisable to correct the alignment and to construct a skewed crossing of the highway. If the Commission will approve such type of construction, he said, the Irrigation District will pay the difference between the cost of constructing it at right angles to the highway and the cost to construct it on the skew. Furthermore, the district will deposit with the Commission, whenever requested, a certified check in the amount of its share of the cost. He urged the Commission to expedite the improvement because the water will be badly needed by the 10th of April at the latest.

After discussion, the Commission by unanimous vote approved the construction of such crossing on the basis of the skew design, as suggested by

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Mr. Brewster, provided the Irrigation District will submit its certified check in advance, covering its share of the cost. The Engineer was instructed to proceed with the plans for the structure at once and to advertise the project for bids to be received at the earliest opportunity.

A letter was presented from the City Council of Hubbard, Oregon, requesting the installation of a traffic light on the Pacific Highway at its intersection with Needy Road, within the city limits of Hubbard; also, requesting the erection of 35-mile per hour speed-limit signs on this highway at the north and south city limits of Hubbard. The Engineer advised that this request has been investigated by the Traffic Engineer and it appears that conditions obtaining at this point do not meet the requirements of the Commission for traffic lights, and it is recommended that the request for the same be denied. However, he recommended approval of the city's request for the 35-mile per hour speed-limit signs, subject to the condition that the city, by appropriate ordinance, provide an indicated speed limit of 35 miles per hour. The Commission approved the recommendations.

The Commission also had under discussion a request from the City of Springfield, Lane County, that the state relieve the city of the expense of replacing the electric light globes on the Willamette River Bridge at that place. The Engineer advised that at present there is no uniformity in the practice of the State Highway Department relative to such matters. He recommended, in view thereof, the adoption of a state-wide policy whereby the state would assume the expense of replacement of light globes and fixtures on all of the bridges on the state highway system, which arrangement, he estimated, would not cost the state more than \$2,000 annually. After discussion, the Commission approved the recommendation by unanimous vote; however, decided to adhere to its present policy with respect to the payment for electrical energy used in lighting these structures, which is that cities, counties, or other civic bodies concerned pay for the electrical energy used in lighting bridges and overpasses, and the state assume such expense in connection with the lighting of the underpasses.

The Commission considered and referred to the Engineer for investigation and report a petition from the citizens of Jefferson, Oregon, requesting the installation of a traffic light at the intersection of Main Street with the Pacific Highway in Jefferson, and the painting of pedestrian lanes across the highway at such intersection.

The Secretary presented a letter from Mr. Ray P. Shaw, Mayor of Cornelius, Oregon, renewing the city's request for the installation of flashing beacons at important intersections on the Tualatin Valley Highway in that town. The Engineer pointed out that this matter was discussed by the Commission at the previous meeting and the request was denied because it appeared, from investigations made by the Traffic Engineer, that the conditions obtaining at this place do not meet the requirements for traffic light installations, and that the city officials were so informed. However, it is apparent that the city does not wish to take "no" for an answer. In view thereof the Commission instructed the Engineer to discuss this matter personally with Mayor Shaw.

A request from the North Bend Traffic Safety Council for the installation of traffic lights along the Oregon Coast Highway between North Bend and Marshfield had the attention of the Commission. The Engineer advised that investigation of the conditions obtaining along this section has been made by the Traffic Engineer, who reports that, while the accident record at this point is quite high, he does not believe that the expense of installing traffic lights at this time is justified in view of the fact that the Commission has under consideration the reconstruction of this section of the highway in the near future, which would simply mean duplication of expense inasmuch as lights installed on the present highway would have to be moved when the highway improvement was completed. The Commission concurred in the viewpoint of the Engineer and instructed the Secretary to inform the North Bend Traffic Safety Council that the lighting of this section will have to wait until the highway improvement is done.

The Commission also considered the request from the Parkrose Lions Club, Portland, for the installation of a stop light at the intersection of Northeast 105th Avenue and Sandy Boulevard (Columbia River Highway) so as to provide greater safety for pedestrians at this point. The Engineer advised that an investigation has been made of this request; in fact, the investigation covered the entire section from Northeast 82nd Avenue to Northeast 122nd Avenue, a distance of approximately 2.14 miles, and it was found that the section most congested and upon which most accidents have occurred is that between Northeast Prescott Street and Northeast 112th Avenue, inclusive. He recommended the installation of flashing beacons at three points; viz., Prescott Street, Columbia Boulevard, and Northeast 105th Street, it appearing that these intersections carry the most vehicular and pedestrian traffic, at an estimated cost of \$250 each. The Commission approved the recommendation unanimously.

The Commission considered and denied the request of the City of Burns for the installation of two flashing beacons on the Central Oregon Highway at the following street intersections in Burns: Broadway North and Dee Street and West Monroe and Egan Avenue, it appearing from investigations made by the Traffic Engineer that conditions obtaining at these intersections do not meet the requirements of the Commission for traffic signals.

The Engineer rendered a report on traffic conditions obtaining along U. S. Highway No. 99 West (Barbur Boulevard) between Southwest Slavin Road and Southwest Capitol Street, Portland. He said that a very thorough study has been made of the conditions obtaining along this section, which reveals that there are six important intersections from the standpoints of vehicular traffic entering the highway, pedestrian traffic crossing the highway, and number of accidents. However, in his estimation, there are only three of these that are particularly outstanding and where flashing beacons should be installed; viz., at Southwest Terwilliger Boulevard, Southwest 19th Street, and Southwest 30th Street. He recommended the installation of flashing beacons at each of these three points, and further studies to ascertain the volume of pedestrian traffic along the highway, as a guide in determining the justification for sidewalk construction. The Commission approved the recommendation unanimously.

Letters were presented from Fred R. Hall, B. W. Hood, and the County

Court of Klamath County, requesting the improvement of the Cascade Lakes Forest Highway from its junction with the Willamette Highway, southerly, to the town of Crescent Lake, eliminating from consideration for the time being the construction of the railroad grade separation structure which is involved. The Secretary was instructed to reply that the Commission has this project in mind and that an investigation will be made in accordance with the suggestions offered. The Engineer was instructed to make such investigation and it was decided to discuss this matter with representatives of the Public Roads Administration and the United States Forest Service on the following day.

The Engineer reported the request from the City of Portland for the paving of the shoulders adjacent to McLoughlin Boulevard at its intersection with the city street that leads to Bybee Avenue, Portland, so as to provide a paved roadway connecting the highway pavement and the street pavement. The Engineer advised that the work contemplated would cost about \$370. He recommended against the improvement because it would have a tendency to increase traffic on the connecting road and would create a very undesirable traffic hazard. The Commission approved the recommendation by unanimous vote.

The Commission discussed a letter from the Agate Beach Community Club requesting the improvement of the road leading from the Oregon Coast Highway at Agate Beach to the Yaquina Head Lighthouse. The Engineer advised that this is an expensive project which he did not believe the Commission could finance in view of its other obligations. Furthermore, the road is not on the state highway system, so the Commission is without authority to expend state funds to improve it. The Commission thereupon denied the request.

In the discussion of this matter other secondary state highway projects in Lincoln County were mentioned, particularly the Siletz Secondary Highway. The Engineer advised that the Commission previously budgeted federal aid secondary highway funds for the improvement of this road, but the project was turned down by the federal authorities as not being eligible on account of excessive curvature and steep grades; so, unless the government officials can be prevailed upon to change their attitude, the improvement will have to be deleted from the construction program unless the Commission will approve the same as a state-financed job. He pointed out that the Commission heretofore gave the people of this district to understand that the project would go forward this year. This matter was discussed at some length but action thereon was deferred by the Commission until the following day. The Engineer was instructed to prepare a list of projects that have been approved by the Commission for construction as state-financed jobs.

A letter was presented from Mrs. Maude Hollenbeck, Rainier, Oregon, in which complaint was made of the condition of the Lower Columbia River Highway between Rainier and Coble, particularly the section known as Prescott Hill. Also, in which request was made for the improvement of this section so that it would be safe for traffic. The Engineer was instructed to inform Mrs. Hollenbeck that the Commission is reconstructing the Lower Columbia River Highway as rapidly as it can with the funds available and that the plan is to perform such reconstruction work in increments, starting at the Portland end until the improvement reaches the town of St. Helens; and, until the improvement reaches

St. Helens, the Commission considers it inadvisable to commence the reconstruction of any other section.

The Engineer brought up for discussion the matter of improving the Flagstaff Hill-Lower Powder Section of the Baker-Homestead Highway, in Baker County, which improvement has been urgently requested by the people of that district. He advised that to regrade this section to proper standards is a very expensive job, estimated at \$220,000, and that it would take a long time to accomplish it in view of the limited amount of funds that the Commission has available for this class of work. He suggested as an alternate proposition the construction this year of a light oil treatment on the present road, costing about \$10,000, followed later by a heavier oil and rock surface costing about \$12,000, which improvement, he said, would last for a long time and would probably satisfy the local people. After discussion, the Commission tentatively approved an expenditure of \$10,000 of state funds this year for the light oil treatment, deferring a definite decision pending further discussion on the following day.

A letter was presented from the County Court of Gilliam County, requesting the resurfacing and oiling of the Wasco-Heponer Secondary State Highway from the City of Condon westerly a distance of 6 miles; also, requesting the resurfacing and oiling of this highway from Condon easterly a distance of about 5 miles. The Engineer advised that the Commission has already budgeted \$15,000 to grade and surface a section of this highway east of Condon commencing at a point about 5 miles from the city limits and extending to Rock Creek Hill, it being the thought of the Commission at the time the budget was prepared that it would be better to do additional grading and surfacing work rather than to oil the portion that has already been graded and surfaced. The Commission appeared inclined to favor the improvement nearer the town of Condon, as requested by the County Court; however, a decision as to whether or not to transfer the funds to such project was deferred pending consultation with the County Court. The Engineer was instructed to contact the County Court relative thereto.

The Commission discussed a proposal from the Physicians and Surgeons Hospital Association, Salem, for modification of the agreement between the Commission and the Association providing for group health insurance for State Highway Department employees, so as to provide for the Association reasonable protection in the event that conditions beyond the control of the Association should arise at any time in the future, which modification reads as follows: "The Association shall not be held responsible for the furnishing of services other than those reasonably available, in the event that conditions beyond its control should arise, such as conditions of war, catastrophies, floods, earthquakes, fires, and general strikes." The Commission indicated approval of the modification in principle but not as written. The matter was referred to the Attorney to discuss with the officials of the Association in an endeavor to secure a clause that would be satisfactory. (The Association's request was withdrawn later.)

The Commission discussed the advisability of altering its code of relations covering the activities of State Highway Department employees in

relation to their membership in political parties, fraternal organizations, religious organizations, and labor unions, et cetera, and decided unanimously to make no change in the present code. (See Code on page 10 of the Maintenance Manual, Second Addition.)

The Attorney reported that he has been asked by Mr. Harold Turner, attorney for the Union Pacific System, to discuss with the Commission a form of resolution prepared by Mr. Turner for congressional action, which resolution provides for a federal appropriation of \$50,000,000 for the elimination of highway railroad grade crossings during the fiscal year 1942 and 1943, without state cooperation. He read aloud such resolution, which the Commission discussed briefly. The Engineer suggested that the resolution should provide for an appropriation of federal funds equal to those appropriated for the fiscal year 1938 and 1939 without mentioning any particular class of project. The Commission favored the purpose of the resolution but was of the opinion, since the Chairman of the Commission, who also is President of the American Association of State Highway Officials, will be in Washington to promote the general interests of the states with respect to federal funds, that it would not be wise to recommend the type or class of improvement.

The Secretary presented an invoice from the American Association of State Highway Officials covering the annual dues of the State of Oregon in such Association during the year 1940, said invoice being in the amount of \$350. The Commission by unanimous vote approved the payment of same.

The Attorney brought up for discussion matters pertaining to the proposed underpass construction at Nyssa, in Malheur County, particularly the acquisition of privately-owned property that will be affected by this improvement by reason of its being deprived of a roadway connection to the highway. He read a letter received from the Union Pacific Company which advises that the privately-owned property in question is of no value to the railroad company, hence it refuses to pay out any of its funds to add this property to its present holdings. Furthermore, the proposed highway improvement necessitates the remodeling of the railroad station at Nyssa at considerable expense, and in view thereof the company does not feel that it can go to the extra expense of acquiring additional land for which it has no use. The Attorney further advised that he has consulted with the officials of the Amalgamated Sugar Company, Nyssa, in regard to this project and has ascertained that this company is willing to cooperate with the Highway Commission fully in this undertaking. He also advised that there is no ground for the assertion of the Union Pacific Company that the highway improvement is responsible for the remodeling of the railroad station, because, as he understands it, the company intended to remodel this station regardless of the highway improvement. After discussion, the Attorney was instructed by the Commission to inform the Union Pacific Railroad Company officials that the grade separation project at Nyssa, in which the railroad company is particularly interested, is in jeopardy and may be cancelled from the Highway Commission's construction program unless the Commission can secure reasonable cooperation from the company.

The Attorney also brought up for discussion the question of whether or not persons who are accused of damaging state highway bridges should

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reimburse the state for the cost of repairs. He read aloud several letters from persons who were involved in accidents on the Interstate Bridge between Portland and Vancouver, in which it was pointed out that accidents occurred by reason of the faulty condition of the highway rather than on account of reckless driving, and the question arises whether or not, under the circumstances, they are obligated to pay the cost of repairing the bridge. The Engineer stated that at times the Interstate Bridge is slippery by reason of the dripping of oil from the street-cars and there is no question that a hazard exists, and if conditions are just right an accident is bound to occur regardless of the care that the driver of an automobile may exercise. He suggested that it might be advisable to investigate each accident carefully and ascertain, if possible, whether or not the accident occurred by reason of reckless driving or otherwise, and if it is found that recklessness on the part of the driver of the car was the cause of the accident the driver of said car should be required to reimburse the state for the cost of repairs; otherwise, the state should assume such expense. After considerable discussion, the Commission by unanimous vote approved the Engineer's suggestions and ordered that hereafter accidents occurring on any state highway bridge be handled in such manner. The Engineer and the Attorney were instructed to study each of the current cases involving accidents on the Interstate Bridge and if it appears that oil on the street-car tracks was the main cause of the accidents or if it is found that the accident occurred because of the slippery highway surface, then the owner of the automobile shall not be required to reimburse the state, and any remittances tendered by such persons shall be returned to them.

Consideration was then given by the Commission to the claim of Jack Carey for reimbursement for the cost of repairing his car which he alleged was damaged while enroute across the Interstate Bridge between Portland and Vancouver. The Engineer explained that this accident occurred during a time when inspection of the barrier on the right side of this bridge was being made by a highway department employee, and it so happened, for some unknown reason, that the contacts of the control box became connected, causing the barrier to start lowering, and it was not stopped until too late to prevent Mr. Carey driving his car into it. The responsibility for the accident, he said, is clearly the state's and he recommended that Mr. Carey be reimbursed for the cost of repairs to his car, which were estimated at \$102.40. The Commission by unanimous vote approved the recommendation subject to the condition that the State of Washington, which is joint owner of this bridge, assume a portion of this expense.

The Engineer requested authority to purchase the following equipment:

1 6-ton roller - estimated cost	\$ 3,500.00
1 6-ton trailer - estimated cost	1,500.00
7 550-gallon kettles - estimated total cost	8,050.00
2 200-gallon kettles - estimated total cost	1,200.00
1 100-gallon kettle - estimated cost	380.00
2 pickup trucks - estimated total cost	1,200.00
6 dump trucks - estimated total cost	5,550.00
Carried forward	\$21,380.00

(Continued on next page)

(Purchase of equipment requested by Engineer, continued)

	Forward \$21,380.00
9 trucks of the Ford and Chevrolet type, and trade in 9 old trucks as part purchase price - estimated net total cost	8,100.00
2 pickup trucks for Landscape Department - estimated total cost	1,200.00
1 157" wheel base truck for Parks Department - estimated cost	800.00
Grand Total	\$31,480.00

After consideration the Commission approved the request by unanimous vote and ordered that the purchases be made through the State Purchasing Agent in accordance with the usual practice.

The Engineer requested authority for the Assistant State Highway Engineer and himself to attend the meeting of the Western Association of State Highway Officials which is tentatively scheduled to be held in Santa Fe, New Mexico, some time in February. The Commission approved the request unanimously, subject to further approval by Governor Charles A. Sprague.

A letter was presented from Mr. Lester Sheeley, Vernonia, requesting that the county road which extends from the Wolf Creek Highway at Sunset Camp northeasterly to a connection with the Nehalem Secondary Highway, near the town of Vernonia, be designated a state secondary highway. The Commission decided not to so designate this road at the present time.

The Secretary presented letters from Messrs. Ray Conway, Lewis A. McArthur, and Walter Meucham, all of Portland, accepting appointments on the Commission's committee to select sites for historical markers along the Old Oregon Trail. The Commission approved the letters and ordered them filed.

A letter was presented from Mr. R. Allen, of Allen's Grocery Store, Marshfield, renewing his claim for loss of business and damages which he alleges he suffered by reason of the construction of the Bunker Hill Section of the Oregon Coast Highway just south of Marshfield. The Commission referred this matter to the Attorney for investigation and report.

The Secretary presented a letter from Mr. Charles Stidd, President, Peninsula Public Golf Course, Portland, advising that they have plans for the development and improvement of this golf course, located at the intersection of Denver and Union Avenues, Portland, which they would like to undertake in the near future, and inquiring as to the plans of the State Highway Commission for the reconstruction of the highway at this location. He was instructed to inform Mr. Stidd that the highway improvement is too costly a project to undertake in the near future and in view thereof the State Highway Commission would offer no objections to the immediate improvement of the golf course and would expect to reimburse the Golf Club for extra expense that it incurs by reason of the delay in the highway improvement.

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The Commission considered and ordered filed a petition signed by numerous residents of Eugene objecting to the Commission's plans for the proposed permanent routing of the Pacific Highway through the city of Eugene.

The Commission also considered a petition filed by numerous residents and tax payers of Newport and vicinity urging action by the Commission to stop the removal of agate-bearing sand and gravel from the ocean beach between Newport and Otter Crest, in Lincoln County. The Commission deferred action on this matter pending personal inspection of the premises.

The Engineer reported that he has received information from the Portland Traction Company to the effect that it intends to abandon its street-car tracks on Lombard Street, Portland, and in connection therewith intends to remove the rails. Also, that the company has stated its willingness to contribute toward the improvement of this street, which is a state highway route, an amount equal to the cost to repair the street after the rails have been removed. He requested authority from the Commission to make a survey of this street so as to ascertain how much it will cost to improve it to modern standards and to determine whether or not the offer of the Traction Company should be accepted. The Commission approved the request unanimously.

The Engineer also requested authority to conduct a survey on South 6th Street, Klamath Falls (The Dalles-California Highway) from Klamath Falls south to the state highway shops, a distance of about 2.18 miles, so that detailed information will be available when this project comes up for consideration in the formulation of future highway construction programs. He advised that this section extends through a thickly populated district and carries a large volume of traffic and must be improved in the near future as a traffic safety measure. Also, that the city is now working on the matter of acquiring strips for the widening of the right of way and for the establishment of building setback lines so as to advance the improvement as much as possible. The Commission approved the Engineer's request by unanimous vote.

The matter of authorizing an expenditure of state highway funds during 1940 to assist in financing the Oregon exhibit at the San Francisco Fair, which is to be opened again this year, had the attention of the Commission. The Engineer advised that this fair is to remain open for five months, beginning about May 1, and he estimated that to maintain an exhibit would cost between \$18,000 and \$20,000, of which amount the Fair Committee is asking the State Highway Commission to pay 50 per cent. After discussion the Commission authorized an expenditure not to exceed \$10,000 for such purpose, provided some other Oregon agency would pay the balance.

The matter of advancing additional state funds to finance non-labor items in connection with the Wolf Creek Highway W.P.A. project was brought up for discussion by the Engineer. He advised that if this work is to proceed the state will have to advance about \$2,500 in January and about \$3,500 in February. In this connection he pointed out that several months ago a new W.P.A. Project on this highway, to supersede the project now in force, was initiated, but, for some reason that he has not been able to ascertain, approval of the same by the Washington authorities has not been secured. He recommended

advancement of state funds to finance the non-labor items during January and February of 1940 but that a letter be written to E. J. Griffith, Works Progress Administrator for Oregon, inquiring as to the reason for the delay in securing approval of the new project and advising him that, notwithstanding that the State Highway Commission wants to see this project proceed to completion, some more equitable arrangement must be made in the near future to finance it. The Commission approved the Engineer's recommendations by unanimous vote and authorized Chairman Cabell to write such letter.

The Engineer presented a list of surveys that he has ordered since the last meeting of the Commission and asked the Commission to confirm them and the amounts allocated for each. After due consideration, the Commission authorized and instructed the Engineer to make such location surveys on various sections of the highways of this state, which said sections of highways, together with their identifying location survey numbers and the amounts authorized and allocated for such survey expenditures, are as follows:

Plans	----	11-2810	- Quinton-Blalock Section, Columbia River Highway, Gilliam County.	1st authorization - \$437.50
Plans	----	20-2841	- Defter-Duval Creek Section, Willamette Highway, Lane County	2nd authorization - \$25.00 Total to date \$325.00
Right of Way	-	21-2837	- City of Waldport Section, Oregon Coast and Alsea Highways	1st authorization - \$500.00
Testing	----	22-2809	- Albany Section, Pacific Highway East, Linn County.	6th authorization - \$35.00 Total to date \$17,060.00
Plans	----	24-2827	- Pringle Creek-Taylor Creek Section - Pacific Highway East	1st authorization - \$100.00
Plans	----	-226-2841	- Barnes Road-Germantown Road Section, Skyline Blvd. (Co.Rd.)	1st authorization - \$600.00
Plans	----	30-2827	- Tutuilla Creek Section, Pendleton-John Day Highway, Umatilla County	1st authorization - \$250.00
Plans	----	33-2819	- Shaniko-The Dalles-California Highway, Wasco County.	2nd authorization - \$1,400.00 Total to date \$2,400.00
Location	----	235-2812	- John Day Highway-Kinzua Section, Kinzua County Road, Wheeler County.	1st authorization - \$2,800.00

The Engineer also reported that a number of surveys heretofore authorized by the Commission have been completed. He presented a list of such surveys and reported briefly on each survey listed thereon. After due consideration the Commission approved the respective surveys as reported and adopted the following resolution in regard thereto:

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WHEREAS the State Highway Commission heretofore has authorized and instructed the State Highway Engineer to make surveys on certain sections or portions of the highways of the State of Oregon; and

WHEREAS, pursuant to said authorization the State Highway Engineer has made and completed the said surveys and has filed the maps and plans of the said surveys in the files of the State Highway Commission, in Salem, Oregon; and

WHEREAS, the maps and plans of the said surveys have been examined by the State Highway Commission and have been found suitable in all respects for approval and adoption by the State Highway Commission;

NOW, THEREFORE, BE IT RESOLVED, that the surveys hereinafter designated and described, together with their identifying location map file numbers, as shown in the map filing records of the State Highway Commission in its Salem office, be and they are hereby adopted and approved as the location surveys of the various portions or sections of highway involved:

<u>File No.</u>	<u>Prefix</u>	<u>County</u>	<u>Type of Survey</u>	<u>Section</u>	<u>Highway</u>
1A-8-27	7-2808	Crook	Location	Crooked River-Prineville	Ochoco
5B-24-20 5B-24-21	107-2806	Crook	Location	Jefferson Co. Line-Prineville	Warm Springs
5B-25-3	12-2815	Grant	Reconn.	Prairie City-Baker Co. Line	John Day
5B-23-18	13-2809	Harney	Location	Buchanan Ranch-Nigger Flat	Central Oregon
5B-24-19	18-2816	Klamath	Relocation	Flume, M.P. 293.66	The Dalles-Calif.
5B-25-4	235-2811	Wheeler	Reconn.	Fossil-Kinsua	Kinsua County Rd.

BE IT FURTHER RESOLVED that the State Highway Engineer be and he hereby is authorized to make such minor changes in the said locations as may improve the standards of alignment and grades not inconsistent with the general location of the section of highway involved.

The Commission had under consideration the following requests for extensions of time within which to complete highway construction projects:

Mountain States Construction Company, Contract No. 2154, for construction of a bridge over the Nehalem River on the Wolf Creek

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Highway, near Elsie, in Clatsop County, requested an extension of time of 60 days, from December 31, 1939, to February 29, 1940, within which to complete this project. They gave no reason for their failure to complete the project within the specified time limit. The Engineer advised that failure of the contractor to complete this job in the time limit specified in the contract was due to changes in the plans and additional work authorized, which increased the contract amounts by 21 per cent. Such increase, he said, would entitle the contractor to 71 days extra time within which to complete the job. He recommended, in view thereof, that the extension of time requested be granted without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation by unanimous vote.

E. C. Hall Company, Contract No. 2192, for grading, surfacing and oiling the Silver Lake-Harris Creek Section of the Fremont Highway, in Lake County, requested an extension of time of 6 days, from September 30 to October 6, 1939, within which to complete this job. They gave no reason for their failure to complete the project within the specified time limit. The Engineer advised that bids for this project were taken by the Commission on May 18, 1939, but the contract was not awarded until June 9, 1939. Furthermore, the quantities involved in the contract were increased during the time that the contract was under way. He recommended, in view thereof, that the extension of time requested be granted without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation unanimously.

The Engineer reported that Contracts Nos. 2185 and 2192, for the construction of state highway projects have been completed according to the requirements of the contracts or modifications thereof, and that said jobs are now ready for acceptance. The following resolution accepting the above projects was offered and was adopted by the unanimous vote of the Commission:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts and said jobs are now ready for acceptance:

Contract No. 2185, with E. L. Rigdon, for grading, topping, and oiling the John Day-Prairie City Section of the John Day Highway, in Grant County. Completed December 31, 1939.

Contract No. 2192, with E. C. Hall Company, for grading, surfacing, and oiling the Silver Lake-Harris Creek Section of the Fremont Highway, in Lake County. Completed October 6, 1939.

THEREFORE, BE IT RESOLVED that the work covered by said state highway contracts for the construction of said state highway

projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

The Commission discussed a date for its regular meeting in March for the receiving of bids for highway construction work, and decided tentatively to hold such meeting on Thursday and Friday, March 21 and 22, 1940, in Portland. The Secretary was instructed to make the usual arrangements to hold such meeting in the auditorium of the Public Service Building.

The Commission adjourned at 6:00 o'clock p. m., to reconvene on the following morning at 9:00 o'clock in the same room

Portland, Oregon, January 12, 1940

The State Highway Commission reconvened in regular session at 9:00 o'clock a. m. in the auditorium of the Public Service Building, with all Commissioners present and participating. Also present were the State Highway Engineer, the Attorney, and the Secretary.

Bids as follows for highway construction projects were opened and read in conformance with previously published notice, following which Chairman Cabell announced that the award of contracts would be made at 3:00 o'clock p. m. in the same room:

PACIFIC HIGHWAY EAST
SOUTH UNIT, OREGON CITY SECTION - GRADING AND PAVING

Edlefsen-Weygandt Company	\$36,781.25
Jacobsen-Jensen Company	39,582.00
Contracting & Sales Company	39,912.50
The United Contracting Company	41,396.20
McNutt Bros.	41,652.50
Theo. Arenz	41,980.25
A. W. Stevens Construction Company	42,303.95
Bennett & Taylor	42,996.50

PACIFIC HIGHWAY EAST
SOUTH UNIT, OREGON CITY SECTION - PARTIAL VIADUCT AND RETAINING WALL

Barham Bros.	\$30,697.50
Kuckenberg Construction Company	30,743.50
Bennett & Taylor	31,085.00
Birkemeier & Sarnel	31,580.00
McNutt Bros.	32,050.00
A. W. Stevens Construction Company	32,561.00
Contracting & Sales Company	34,375.00
Parker-Schram Company	34,832.50
Edlefsen-Weygandt Company	35,870.00
Jacobsen-Jensen Company	36,452.50

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NEHALEM SECONDARY HIGHWAY
MIST-VERNONIA SECTION - CRUSHED ROCK IN STOCK PILES

Tidepoint Company	\$ 8,640.00
Homer G. Johnson	10,500.00
A. S. Wallace	10,800.00
Babler Bros.	11,200.00
Schmeer & Williams Bros.	11,400.00
O. C. Yocom	12,000.00
Dolan Construction Company	12,570.00

CENTRAL OREGON HIGHWAY
BEND-MILLICAN SECTION - CRUSHED GRAVEL IN STOCK PILES

A. S. Wallace	\$10,040.00
Fisher Bros.	11,460.00
Homer G. Johnson	12,960.00
Rogers Construction Company	13,030.00
Chester T. Lackey	13,480.00
A. Milne	14,500.00
Schmeer & Williams Bros.	14,690.00
Gus Reichow	16,510.00

CONSTRUCT FRAME OFFICE BUILDING AND
ADDITION TO EXISTING MAINTENANCE BUILDING AT MEDFORD

Walter J. Stutte	\$10,767.00
E. G. Whiteside & Son	11,996.73
Contracting & Sales Company	12,790.00
R. I. Stuart & Sons	12,880.00
C. A. Chamberlin	12,903.50

KLAMATH FALLS-LAKEVIEW HIGHWAY
DAIRY SECTION - GRADING, SURFACING, OILING
ALSO FURNISH CRUSHED ROCK IN STOCK PILES

Rogers Construction Company	\$19,733.00
W. D. Miller Construction Company	23,771.00

SIUSLAW HIGHWAY
CUSHMAN-SWISSHOME SECTION - CRUSHED ROCK OR GRAVEL IN STOCK PILES

Eugene Sand & Gravel Company	\$14,280.00
A. S. Wallace	14,960.00
Gus Reichow	15,980.00

WILLAMETTE HIGHWAY
PLEASANT HILL-OAKRIDGE SECTION - SURFACING, OILING, CRUSHED GRAVEL

E. C. Hall Company	\$49,393.50
O. C. Yocom	51,292.50

(Continued on next page)

(Pleasant Hill-Oakridge Section, continued)

Babler Bros.	\$52,240.00
Homer G. Johnson	53,345.00
Fisher Bros.	54,341.25
Norris Bros.	55,457.50
R. O. Dail & Warren Bros., Inc.	56,702.00
S. S. Montagus	57,007.50
E. C. Gerber	58,450.00
McNutt Bros.	59,450.00
Clifford A. Dunn	64,606.50

The Assistant Attorney reported that the right of way budget as set up for 1940 amounts to \$600,000 and that of this amount a total of \$230,361.83 has been authorized to date for acquisition of right of way. He also reported that by reason of exceptionally large payments during the month of December the anticipated saving in the 1939 budget of from \$40,000 to \$50,000 did not materialize, the actual saving being approximately \$12,000. The Commission approved the report.

The Engineer brought up for discussion the matter of the acquisition of right of way for the Columbia River Highway across a place known as Dodson Flat. He suggested that the Attorney be authorized to proceed with the securing of options for such right of way. The Commission approved the suggestion by unanimous vote.

The Attorney requested authority to acquire certain parcels of real property that are needed for various highway improvements throughout the state. He submitted a list of such properties together with prices that he recommended be paid for each. After careful study the Commission approved the request and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth; and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon; and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED, that the several offers, or bases of settlement hereinafter enumerated be, and the same

hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Warren-Scappoose Section - Columbia River Highway</u>				
7696-Hartness, Candace M. (Guardian, Mildred Watts)	R/W	4000 sq.ft.	\$100 Lump Sum	McChesney
7697-Scappoose, City of	"	3200 sq.ft.	\$150 Lump Sum	"
7247-Northern Pac.Ry.Co. (SP&SR)	R/W and Easement	50965 sq.ft.	3/4 sq.ft. + \$975, + credit 7200 sq.ft., to be deeded by state to R.R.Co. (\$216.00)	"
<u>Wolf Creek Camp-Sunset Camp Section - Wolf Creek Highway</u>				
7731-Sunset Logging Co.	Main- tenance Site	40.0	Gratis	Parker
<u>Tigard Section - Pacific Highway West</u>				
6954-Hofferber, Albert (Correction)	R/W	1970 sq.ft.	Land \$1 per a. + \$6,380	Collins
7006-Hammer, Florence B.	"	1.48	\$1000 per a. + \$1270 + moving bldgs (Est. at \$1200)	"
6978-Johnson, Emil A.	"	1.39	\$1000 per a. + \$7950	"
<u>Houlton-Warren Section - Columbia River Highway</u>				
7429-Wikstrom, Alice D.	R/W	9042 sq.ft.	\$0.025 sq.ft.	McChesney
7451-Peterson, Augusta	"	0.16	\$200 per a. + \$5.00	"
7448-Dahlgren, Elmer O.	"	0.05	\$200 per a. + \$17.75	"
7445-Larson, C. J.	"	0.17	\$200 per a. + \$42.00	"
7452-Boesel, Fred	"	0.13	\$200 per a. + \$70	"
7447-Hammerbeck, Wm. O.	"	0.07	\$200 per a. + \$21.00	"
<u>Nehalem Spit - Oregon Coast Highway</u>				
7351-Bell, Edna A.	Park	2 lots	\$10 per lot	DeSouza
7348-Bell, E. E.	"	2 "	\$10 " "	"
7350-Sunset Land & Invest- ment Company	"	2 "	\$10 " "	"
7318-Buckley, Myrtle E.	"	1 1/2 "	\$10 " "	"
7373-Harriet Curtis Catto Heirs	"	1 "	\$50 Lump Sum	"
7334-Cooper, Charles D.	"	1 "	\$10 Lump Sum	"
7336-Wiedrick, John	"	1 "	\$10 Lump Sum	"
<u>Roosevelt Beach-Squaw Creek Section - Oregon Coast Highway</u>				
892-Schreiber, Jack C.	Stock Pile	0.459	3-yr. lease at \$15 per yr.	Gardiner

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Pompeii Section - Mt. Hood Highway</u>				
7529-Wilson, M. L. Morrison	R/W	3254 sq.ft.	3¢ sq.ft.	DeSousa
<u>Albany Section - Pacific Highway East</u>				
6379-City of Albany	R/W	4602 sq.ft.	10¢ sq.ft.	Gardiner
(Correction)				
6735-Koonts, S.W.	Slope Easement	726 sq.ft.	Gratis, plus \$197	"
7691-Quattlebaum, Ella E.	Borrow pit for top soil	10.947	\$164.41 per a.	"
5844-Dinkle, Harry	R/W	3978 sq.ft.	5¢ sq.ft. plus \$201.10	"
5132-Gilmore Oil Company	"	1989 sq.ft.	5¢ sq.ft. + \$105 + moving bldgs. (Est. at \$800)	"
<u>Cottage Grove-Walker Section (County Road #728) - Pacific Highway</u>				
7728-Davison, Rhoda E.	Gravel Pit	10.92	\$400 Lump Sum	Benson
<u>Cushman-Camp Creek Section - Siuslaw Highway</u>				
7595-Eugene Sand & Gravel Co.	Quarry	Approx. 6700 cu.yds.	rock at 6¢ cu.yd.	Gardiner
<u>Dexter-Duval Creek Section - Willamette Highway</u>				
7569-Gray, Stanley	Gravel Pit	13.69	\$51.13 per a. + fencing	Lytle
(Correction)				
<u>Dairy Crossing Section - Klamath Falls-Lakeview Highway</u>				
2403-Bliss, D. J. and Brewer, C. A.	R/W	1.02	\$200 for the land, + \$50, + moving bldgs. (Est. at \$1250)	McCallister
<u>Klamath Falls-Malin-Lost River Section - Klamath Falls-Malin Highway</u>				
7685-Klamath County	R/W	1.34	Gratis	McCallister
7682-Taylor, Eugene H. and Sullivan, Dennis	"	0.83	\$200 per a. + \$25 + moving fence	"
7684-Wilson, J. S.	"	1.52	\$300 per a. + \$750.50	"
<u>East Diamond Lake Section - East Diamond Lake Secondary Highway</u>				
7693-Klamath Indian Agency	Stock Pile	2.75	5-yr. lease, \$25.00, plus \$1.00	McCallister
(Tribal Lands)				
<u>Cottonwood Creek-Lakeview Section - Klamath Falls-Lakeview Highway</u>				
7522-Troy, Wm. J.	R/W	0.67	\$20 Lump Sum	Benson
<u>Forest Boundary-Cottonwood Creek Section - Klamath Falls-Lakeview Highway</u>				
7577-Hahner, Geo. and wife	R/W	5.33	\$5 Lump Sum for land (State to deed back portion not needed)	McChesney
7578-Fox, Henry	"	2.95	Land \$1.00, plus \$10	"

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Bend-Horse Ridge Section - Central Oregon Highway</u>				
7598-Deschutes County	Stock Pile	8.27	Gratis	Benson
<u>Horse Ridge-Brothers Section - Central Oregon Highway</u>				
6231-Rahn, Wm. A.	R/W	11.85	\$1.00 per a.	McChesney
6228-Ginder, Frank J.	"	2.61	\$2.00 per a.	"
<u>Redmond-Prineville Section - Ochoco Highway</u>				
7414-Fleischacker, Herbert	Quarry	52.8	\$4.74 per a.	DeSouza
<u>Pilot Rock Section - Pendleton-John Day Highway</u>				
7556-Royer, Eleanor	R/W	48277.40 sq.ft.	797 sq.ft. \$5 Lump Sum 47,480.40 " " \$20 " "	"
			plus fencing	Wells
7558-Hinkle, W. B. and Twig	"	3535 sq.ft.	\$175 Lump Sum, + \$75	"
<u>Elgin-Rock Creek Section - Wallowa Lake Highway</u>				
2629-Gilbert, J. Allen and Kerr, James Oliver	Stockpile	1.64	\$40 per a.	Wells
<u>Haines-North Powder Section - Old Oregon Trail Highway</u>				
5004-Chandler, E.N. et al (Supplemental)	R/W		Allowance for construction 90 rods fence at 50¢ per rod	DeSouza
5002-Bieber, Christine (Supplemental)	"		Allowance for construction 180 rods fence at 50¢ per rod	"
5003-Coles, Fdw. W. (Supplemental)	"		Allowance for construction 184 rods fence at 50¢ per rod	"
<u>Beaver Marsh-Fort Klamath Section - The Dalles-California Highway</u>				
7718-Pelican Bay Lumber Company	Quarry	5.0	\$50 per a.	McCallister
<u>Warren Creek Section - Columbia River Highway</u>				
6465-Hood River County	R/W	10.5	\$172.34 Lump Sum (For amount unpaid taxes)	DeSouza

The Engineer presented for consideration the Rose M. Hollenbeck property matter at Eugene, explaining that Mrs. Hollenbeck had awarded a contract for the construction of a residence building and that after the excavation work had been done she stopped further activities at the request of the Highway Department until such time as it could be definitely ascertained whether or not any additional right of way would be required across her property. The Commission expressed its appreciation of the cooperation afforded by Mrs. Hollenbeck and instructed that if it should develop later that her residence construction will be increased in cost by reason of the taking of any additional right of way, a claim for such increase in cost shall be presented to the Commission for approval.

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The Commission decided to study the plans for the Eugene project within the next three or four weeks and decide at that time whether to conduct a public hearing in Eugene on the subject.

Reconsideration was given by the Commission to the matter of paying the assessment made by the City of Portland against certain state-owned property adjacent to McLoughlin Boulevard, Portland, which property is described as Lots 10 and 11, Block 3, Reynolds Addition. The Attorney advised that the assessment is in the amount of \$42.00 and that he has received notice from the city that the property will be sold in the near future unless this assessment is paid. He gave as his thought that the city has no legal authority to collect such assessment against state property and requested instructions relative thereto. The Commission discussed this matter at some length but deferred its decision pending investigation and report as to whether or not the City of Portland actually pays the assessments made for improvements in front of city-owned property, it being the thought of the Commission that if the city pays such assessments then the state should do likewise. (This matter was reported on later in the session when the Attorney advised that inquiry reveals the fact that the City of Portland does pay assessments for improvements in front of city-owned property the same as private property owners are required to do in front of private holdings. In view thereof, the Commission by unanimous vote approved the payment of the assessments in this instance.)

The Attorney requested instructions as to whether or not he should resume negotiations for the acquisition of right of way needed for the proposed improvement of the Oregon Coast Highway through the town of Bandon. He advised that he has not yet received the final decree of the Circuit Judge in the case of the tax lien matter, involving property in the town of Bandon, but indications are that the decree will be favorable, so if the Commission wants to expedite this project it could authorize the acquisition of the right of way at this time. The Commission deferred a decision in the matter until the final decree has been handed down.

The Attorney reported a request from the State Forestry Department for a permanent easement to use a roadway across state-owned property acquired from Mr. Charles Pope, in Lane County, for stock pile purposes, so as to permit access to property that the Forestry Department owns. He explained that the Forestry Department simply wants a permanent right to use an existing roadway across this tract and that it has offered to construct a fence around the stock pile at its own expense. The Commission appeared inclined to grant this request but deferred a definite decision pending investigation and recommendation by the Engineer.

Reconsideration was given by the Commission to the matter of acquiring the area contained within the wye connection of the Lakeview-Burns Highway with the Central Oregon Highway, in Harney County. The Attorney advised that the owners of this property have indicated a willingness to accept \$350.00 for the same, which is \$150.00 less than their previous offer. The Commission approved the purchase of this tract at such figure.

The Engineer reported the need to acquire additional land in John

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Day for the enlargement of the maintenance headquarters at such place, and recommended that the Attorney be authorized to negotiate for the same. The Commission approved the recommendation and instructed the Attorney to secure options for consideration by the Commission at the next meeting.

The Attorney reported difficulties in acquiring right of way for the improvement of the Pacific Highway across land owned by Harry Dinkle at Albany. He advised that the appraised value of this property is \$350.00, including damages in the amount of \$150.00, but the owner previously demanded \$550.00 for the same, in view of which the Commission authorized condemnation of the property. However, Mr. Dinkle subsequently agreed to accept the sum of \$450.00 and has given the state an option in that amount. He inquired whether he should close this transaction on such basis or should proceed with condemnation, in view of the value placed on the property by the state's appraiser. After discussion the Commission authorized the Attorney to pay as much as \$400.00 for the property, and if Mr. Dinkle will not accept such sum, then to proceed with condemnation.

The Assistant Attorney presented for consideration the settlement on the Emil A. Johnson property, Right of Way File 6978, at Tigard, explaining that on December 7 the State Highway Commission received bids on behalf of the owner for the moving of the buildings and that the low bid was submitted by Odom Construction Company, in the amount of \$6,364.00. It has developed, however, that there was some indefiniteness in the specifications and that Mr. Johnson has demanded additional items of work, estimated to cost about \$300.00, which the contractor has refused to do, resulting in failure to enter into a contract by the owner and the contractor for the doing of the work. If new specifications are prepared and the work is readvertised, it is anticipated that Mr. Johnson will make additional demands over and above the original specifications, which unquestionably will greatly increase the cost of the work. The Assistant Attorney advised that Mr. Johnson has offered to accept the sum of \$7,000.00 and to do all of the work himself, and to relieve the Commission from any further liability. Mr. Johnson's offer was based upon the further fact that from the sum of \$7,000.00 there should be deducted \$159.10, which is 2½ per cent of the low bid of Odom Construction Company and which sum is to be paid to Odom Construction Company as compensation for having submitted the low bid and not having been awarded the contract for the work by Mr. Johnson. In view of the desire to place the Tigard project under contract, and the expense which will be involved in preparing additional specifications and readvertising the work, it was recommended that Mr. Johnson's offer be accepted. After consideration the Commission approved the recommendation of the Assistant Attorney and authorized settlement for the moving work upon the basis of payment of \$6,840.90 to Mr. Johnson and \$159.10 to Odom Construction Company.

The Attorney requested authority to institute condemnation proceedings to acquire right of way needed for the revision of the Lost River Section of the Klamath Falls-Malin Highway, in Klamath County, across the property of B. L. Dodenhoff and wife, Right of Way Transaction No. 7683. He explained that the appraised value of this property is \$3,064.50, but that Mr. Dodenhoff is demanding the sum of \$8,000.00 for the same. He recommended condemnation

of the property and that he be authorized to offer Mr. Dodenhoff \$3,000.00 for the same. The Commission approved the recommendation and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, the State Highway Commission is by law authorized and directed to lay out, locate, relocate, designate, construct, reconstruct, improve, and maintain a system of state highways in the State of Oregon, including both primary and secondary state highways, to acquire rights of way necessary therefor, and to declare the necessity and need for the acquisition thereof, and the advantages to be gained thereby;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the State Highway Commission does hereby find and declare that it is necessary, will be of advantage to the State of Oregon, and is needful that the State acquire for right of way purposes for use in connection with the permanent location, construction, improvement, and maintenance of the following section or sections of the state highway system of the State of Oregon, to wit:

Lost River Section of the Klamath Falls-Vain Highway

real property owned by or in possession of the following parties and/or persons, to wit:

File 7683-B. L. Dodenhoff and Hallie M. Dodenhoff

and this Commission does hereby declare further that the said property or properties are necessary, are needful, and the acquisition thereof will be of advantage to the State of Oregon for right of way purposes in order to make it possible for the State Highway Commission to properly locate, relocate, construct, reconstruct, and maintain said portion or portions of the said state highway system in accordance with standards adopted by this Commission relative to curvature, grades, alignment, drainage, and factors of safety.

2. That the State Highway Engineer be and he hereby is instructed and directed to properly survey the parcel or parcels of land required for such right of way purposes and prepare proper and adequate descriptions thereof, which descriptions shall be employed in the preparation of a deed or deeds or other instrument or instruments necessary to complete the acquisition of the said property or properties or which descriptions may be used in the preparation of a complaint in the event that condemnation proceedings are necessary.

3. That the boundaries of the said parcel or parcels of land, as defined and determined by the said survey made by the said

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Highway Engineer, along the route or location adopted by the Highway Commission, shall be and the same hereby are adopted and the lands defined therein are hereby declared to be and the same are included within the rights of way of the said portion or portions of the said state highway system and hereby are declared to be necessary for the proper location, improvement, construction, and maintenance of the said portion or portions of the state highway system.

4. That I. H. Van Winkle, Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they are hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby further resolved that the Attorney General of the State of Oregon and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they hereby are requested to commence and prosecute to a final determination such suit or action, or suits or actions, as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

The Attorney brought up for discussion the matter of renting the building recently acquired by the Commission from Duane Gibson in connection with the purchase of right of way for the revision of the Pacific Highway just south of Salem. He suggested that the renting of this building should be handled in the same manner that the state-owned buildings in Pendleton are handled; that is, through a local agency. The Commission approved the recommendation unanimously.

The Commission had under discussion the offer of the United States Division of Grazing relative to the maintenance of an oasis for general public use adjacent to the Lakeview-Burns Highway at a place known as Alkali Lake. The Engineer advised that Mr. George Beers, who represents the Division of Grazing, offers, if the Commission intends to proceed with its plans for an oasis at this place, to make available to the state certain wells already drilled and serving the C.C.C. camp located nearby, and he will also cooperate with the Highway Commission in this undertaking by furnishing C.C.C. labor required for the construction and maintenance of such oasis as long as the C.C.C. camp is maintained in that vicinity. The Commission deferred its decision in this matter pending investigation by the Engineer, who was instructed to have the Landscape Engineer contact Mr. Beers for details.

Mr. Honeyman, Portland, came before the Commission at this time in regard to logging operations on highways in the vicinity of Molalla. He stated

that the loggers of this district apparently have no regard whatsoever for the provisions of the permits that have been issued to them and continually violate the provision that prohibits the transportation of logs during the hours of darkness, Saturday afternoons, Sundays, and holidays. Further, that many logs are spilled along the roadside, creating a hazardous as well as an unsightly condition; furthermore, the highways are being badly damaged by reason of truck-hauling of logs over the same. He asked the Commission to look into the matter. The Commission instructed the Engineer to investigate Mr. Honeyman's allegations and report his findings.

The Engineer requested authority to post the Nye Junction-Ukiah Section of the Pendleton-John Day Highway and the Prairie City-Unity Section of the John Day Highway for 50 per cent reduced load limits when the need for such posting is apparent. He explained that there is considerable frost in the ground at the present time and it may be necessary to post the roads for reduced loads at any time. In any event, he said, it would be necessary to do so when the spring break-up occurs, in order to prevent serious damage to the highway. The request was approved by the Commission by unanimous vote, with the understanding that an appropriate resolution would be adopted later when the reduced load limit signs are placed.

The Secretary presented a letter from the Belle Passi Cemetery Association, Woodburn, in which the Commission was requested to authorize the erection and maintenance of a monument on the Pacific Highway right of way near its junction with the Belle Passi Cemetery Road about 1 mile south of Woodburn, as a memorial to pioneers of this historical location. The Engineer advised that the right of way at this place is only 60 feet wide, which is too narrow to accommodate a monument such as the petitioners have in mind, and it would be necessary to acquire additional width as a site for the monument if the Commission approved the request. He suggested that the Commission secure a recommendation from Mr. Lewis A. McArthur, President of the Oregon Historical Society, before passing definitely on the matter. The Commission approved the recommendation and so ordered.

The Attorney reported briefly on the status of the proposed Astor Street project in Astoria, particularly as to the progress that is being made by the city in securing the removal of buildings from the highway right of way. He said that the city has encountered difficulties in this matter and has brought suit against the owners of the buildings to force them to move their buildings. He read aloud a letter from the City Attorney regarding the matter, in which was outlined an offer of settlement made by the property owners to the city, and advised that the city has rejected the offer and has decided to proceed with its trial, in connection with which the city would like to know whether or not the Highway Commission will contribute any state funds to help defray the cost. He also said that the City Council intends to discuss this matter at a meeting in the near future and would like to have the Commission's answer at that time. The Commission appeared disinclined to contribute state funds for this purpose; however, authorized the Attorney to attend such meeting and to inform the City Council, if questioned on the matter, that he has no authority to obligate the state for any additional amount but will report back to the Commission for further instructions.

The Attorney presented a letter from Mr. Jay Bowerman, Portland, attorney for the Safeway Stores, Inc., inquiring whether or not the Commission would grant Safeway Stores a permit to operate its delivery equipment on the Ontario Spur Section of the Old Oregon Trail between Ontario and the Snake River, which equipment exceeds somewhat the overall height limit specified by the Oregon statutes. It appears that the Safeway Company supplies its Ontario store from its Payette, Idaho, headquarters, and that the equipment that it operates in Idaho meets the Idaho requirements in all respects, but it does not meet the Oregon requirements as to height, hence their request for a special permit to avoid the necessity of purchasing special equipment simply to serve its store in Ontario, which requires the movement over the Oregon highway for a distance of only 1 mile. The Engineer recommended granting such permit in the event that the Commission has legal authority to do so and provided there is sufficient overhead clearance across the Snake River Bridge. The Commission approved the recommendation unanimously, subject to a check of the bridge clearance. The Engineer was instructed to investigate the matter.

County Commissioner H. B. Roadman, Douglas County, was present and urged the construction of an additional section of the North Umpqua County Road on permanent alignment from the end of the present improvement which is now unusable, being a deadend section, for a distance of about 1 mile, to a connection with the existing road. He said that the county has already started proceedings to acquire the right of way and in support thereof presented a copy of the County Court's resolution in regard thereto. He was informed by Chairman Cabell that the Commission appreciates that this particular section should be completed as soon as possible but just how soon the Commission could undertake it is a question which depends entirely upon the availability of funds. The Commission agreed to give the project serious consideration in the formulation of its next federal aid secondary highway program.

The Commission adjourned at 12:00 o'clock noon and reconvened at 1:15 o'clock p. m. in Room 210, Congress Hotel, with all Commissioners present and participating. Also present were the State Highway Engineer, the Attorney, and the Secretary.

The Commission conferred with representatives of the Public Roads Administration and the United States Forest Service with regard to the selection of projects to be recommended to the Commissioner of Public Roads and the Chief of the Forest Service, Washington, D. C., for the fiscal year 1941 forest highway program. Representing the Public Roads Administration were Messrs. W. H. Lynch, District Engineer, and T. M. Davis, H. D. Farmer, F. E. Andrews, and Robert Bloodsworth, Senior Highway Engineers. Representing the United States Forest Service were James Frankland, Regional Engineer, and F. V. Horton, Acting Regional Forester.

Mr. Lynch advised that the exact amount of the fiscal year 1941 authorization is \$1,171,755.00, which amount, less the administrative expense and cost of equipment, estimated at \$116,755.00, leaves a balance of \$1,055,000.00 available for allocation to construction projects, location surveys, and maintenance, being \$95,000.00 more than was estimated at the previous

conference. Discussion was then had on the question of whether or not an allocation should be made for the construction of a permanent bridge structure on the North Umpqua Forest Highway, in Douglas County, at a place known as Steamboat, or to construct a temporary structure at such place. It was pointed out that the state highway bridge over the Pudding River on the Pacific Highway, at Aurora, will have to be replaced in the near future, and it was suggested that this old bridge, which is a steel structure, could be dismantled upon completion of the new bridge and re-erected at Steamboat at considerably less expense than if an entirely new bridge were built at the latter place. The suggestion was approved by unanimous vote of all parties concerned and it was decided to finance the new Pudding River Bridge at Aurora with fiscal year 1941 federal aid moneys and to finance the re-erection of the old Pudding River Bridge at Steamboat with fiscal year 1942 forest highway moneys, which would avoid the necessity of providing an allotment in the current forest highway program for such project. The Commission indicated that it would take bids for the construction of the new bridge at Aurora in the fall of 1940.

The question of whether or not to construct a section of the Cascade Lakes Forest Highway between its junction with the Willamette Highway and the town of Crescent Lake was also discussed at some length. On account of the excessive cost to build this section, including the railroad overcrossing structure involved, it was suggested that consideration should be limited to the section from the Willamette Highway southerly a distance of about one mile to a junction with the county road that leads to the town of Crescent Lake, which project it was estimated would cost only about \$30,000.00. Mr. Lynch gave as his thought that sufficient savings would accrue from the contracting of other work to finance such project so that it would not be necessary to make an allocation thereto at the present time. The suggested improvement was approved by the unanimous vote of all parties concerned, whereupon Mr. Lynch advised that he would order a survey of the project immediately, to secure a closer estimate of cost. It was decided that the action taken at this meeting with respect to this project would be brought to the attention of the people of Crescent Lake, and their attitude with respect thereto ascertained. The Engineer was instructed to personally contact these people in company with a representative of the Public Roads Administration and the County Engineer of Klamath County.

There followed a general discussion of the projects to be included in the 1941 program, special consideration being given to the proposed revision of the Oregon Coast Highway south of Port Orford, in Curry County; to the construction of the forest highway section of the Warm Springs Highway; and to the reconstruction of the remaining link of the Wapinitia Highway a short distance westerly from its junction with the Warm Springs Highway. After considerable discussion the Commission voted unanimously to contribute \$100,000.00 of state funds as cooperation in financing the Port Orford improvement and the Warm Springs and Wapinitia projects. The following projects were thereupon approved for the program under discussion and it was decided unanimously to recommend them to the Commissioner of Public Roads and the Chief of the Forest Service, Washington, D. C.:

Funds Available:

F.Y. 1941 Authorization\$1,171,755

Less Admin. & Equipment (10% approx.)..... 116,755

Total available for new program.....\$1,055,000

Recommended Program: (Major Projects)

Proj.No.	Project	Approx. Length	Funds Programmed		Remarks
			For. Hwy.	Coop.	
10-D1	Oregon Coast Hwy. Reconstr.Grad.	2.0	\$ 20,000	\$50,000	-
10-D2	Oregon Coast Hwy. Hubbard Cr.Br. Reconstr.	.03	25,000	-	26' roadway with 2 sidewalks
16-K1,L	Tiller-Trail Hwy. Surf. & Surf. Aggr.Prod.	4.3	45,000	-	Surf. & Bit.Surf. Treatment on Section K1 and Surf. Aggr.Prod. on Section L
17-B2	Crater Lake Hwy. Reconstr. Surf. Aggr.Prod.	0.7	5,000	-	For surf. of section to be reconstr. next season adjacent to junction of Crater Lake and Tiller-Trail Hwy.
17-B3	Crater Lake Hwy. Trail Cr.Br. Reconstr.	.03	35,000	-	Reconstr. of bridge over Trail Cr.
21-F5, G3, H4	Willamette Hwy. Surf.	7.5	100,000	-	Surf. & Bit. Surf.Treatment
23-I2,J1, K3, L2	Santiam Hwy. Surfacing	7.0	100,000	-	Surf.,Bit.Surf. Treatment, and Slide Correction
24-A2	North Santiam Hwy. Reconstr.Grad.,Surf. & Bridges	2.0	100,000	-	-
26-C5	Wapinitia Hwy. Reconstr.Grad.,Surf., Bit. Surf., & Bridge	2.5	30,000	50,000	-

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Proj.No.	Project	Approx. Length	Funds Programmed		Remarks
			For. Hwy.	Coop.	
30-A2,E	Klamath Falls-Lakeview Hwy. Reconstr.Gr., Surf., & Surf. Aggr. Prod.	5.5	\$100,000	-	Reconstr.Grad., Surf., & Bit. Surf.Treatment incl.stockpiling of surf.for 2.5 mi.which is to be reconstructed next season
34-A3,B3	Pendleton-John Day Hwy. Reconstr. Surf.	5.3	50,000	-	Reconstr.Surf., & Bit.Surf.Treat.
35-A7	John Day-Burns Hwy. Reconstr. Surf.	7.0	60,000	-	Reconstr.Surf. & Bit.Surf.Treat.
36-A1	John Day Hwy. Reconstr. Grad.	4.0	75,000	-	-
38-E	Flora-Enterprise Hwy. Grading	0.8	80,000	-	-
42-A	Warm Springs Hwy. Clearing	7.0	20,000	-	-
46-C1,D	Cascade Lakes Hwy. Grad. & Adv. Clear.	13.0	50,000	-	-
50-A1,B	Timberline Hwy Grading,Surf. & Adv.Clear.	5.0	125,000	-	Includes Bit.Surf.Treat.
	Location Surveys		10,000		
	Maintenance		25,000		
	TOTAL		\$1,055,000	\$100,000	

Mr. Lynch then brought up for discussion the matter of providing funds to carry on surveys and to perform necessary maintenance work before the new forest highway program receives final approval in Washington. He advised that about \$30,000 will be needed to finance location surveys and \$25,000 to finance maintenance of forest highways, or a total of \$55,000, which, he said, is available in the forest highway state contingent fund. He asked the Commission to approve such allocations. The Commission approved the request and thereupon signed the following joint letter with Mr. Lynch and Mr. Horton in regard thereto:

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Chief, Forest Service
 Commissioner of Public Roads
 Washington, D. C.

Gentlemen:

It is recommended that \$30,000 be allocated from the Oregon Forest Highway State Contingent to finance location surveys in the State of Oregon, and that \$25,000 be allocated to finance maintenance of Forest Highways in that State for which the Federal Government is obligated under existing cooperative agreements.

The conference was concluded at 2:15 o'clock p. m., whereupon the Commission reconvened immediately in the auditorium of the Public Service Building with all Commissioners, the State Highway Engineer, the Attorney, and the Secretary present.

Matters pertaining to the proposed Front Street project, Portland, were discussed and in this connection the Attorney advised that the Portland City Council desires a conference with the Commission for consideration of right of way matters incident thereto; also, that the city officials have requested that someone from the State Highway Department be assigned to work with the city authorities in appraising properties along this route. After discussion, the Commission authorized the Attorney to assign one of his right of way agents to work with the city officials in making such appraisals, it being understood, however, that options are not to be taken.

The Engineer discussed with the Commission the program of state finance projects that have been approved for construction in 1940. He pointed out that the Commission has already approved an item of \$767,000.00 in the 1940 budget to finance state work on primary highways, and an item of \$386,000 to finance state work on secondary highways, or a total of \$1,152,000.00, and some time ago approved individual projects to take up these amounts. He questioned the advisability of approving additional projects until it is known whether or not these already approved will take up the amounts available. This matter was discussed briefly and the Engineer was instructed to prepare a list of approved projects and report the same to the Commission at the next meeting.

Reconsideration was given by the Commission to the award to the bidders, Saxton, Looney & Risley, of the contract for the construction of the 5.1 miles of surfacing and oiling on the Warm Springs Agency-Vanora Section of the Warm Springs Secondary Highway, in Jefferson County, bids for which were received by the Commission on December 8, 1939, and also to the award to the said bidders of the contract for the construction of 9.30 miles of highway construction on the Jordan Creek-McNamers Camp Section of the Wilson River Highway, in Tillamook County, bids for which were received by the Commission on December 7, 1939, and the failure of the said bidders to execute each of said contracts and furnish the construction bond required in support of each

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contract. In this connection the Commission gave consideration to the bidders' request for additional time within which to execute said contracts and furnish the required bonds, and the Commission by unanimous action agreed to grant the bidders two weeks within which to execute the contract and furnish the bond with respect to each project, said period of time to terminate on January 27, 1940.

The Commission instructed the Secretary to so notify the bidders and the surety on their bidders' bonds and the Commission further instructed the Secretary to advise the said bidders and their sureties that in the event they fail to execute each of said contracts within said extension of time and furnish the bonds required, the Commission will determine and conclude that the bidders have abandoned the contract, and the Commission will proceed to recover the full amount of the bidders' bonds in each case. The Engineer was authorized by the Commission to award said contracts to the next low bidder in each instance in the event that Saxton, Looney & Risley fail to meet the Commission's requirements.

The Engineer discussed briefly with the Commission the proposed agreement with the United States War Department with respect to the use of the dredged materials from the Columbia River for constructing fills along the new Columbia River Highway, in Multnomah County, but no definite action was taken thereon.

At 3:00 o'clock p. m. Chairman Cabell announced awards of contracts as follows, bids for which were taken at the morning session, such awards having been previously approved by the Commission by unanimous vote:

"South Unit, Oregon City Section of the Pacific Highway East, in Clackamas County. 0.31 mile grading and paving. Edlefsen-Weygandt Company, Portland, submitted the low bid for this project at \$36,781.25. Jacobsen-Jensen Company, Portland, submitted the second-low bid at \$39,582.00. There were 6 higher bidders. The Commission awards this contract to the low bidder, Edlefsen-Weygandt Company, at its bid of \$36,781.25.

"Construct 336 lin. ft. concrete partial viaduct and 173 lin. ft. concrete retaining wall on the South Unit, Oregon City Section of the Pacific Highway East, in Clackamas County. The low bid for this project was submitted by Barham Bros., Salem, at \$30,697.50. The second-low bid was submitted by Kuckenberg Construction Company, Portland, at \$30,743.50. There were 8 higher bidders. The Commission awards the contract for this job to Barham Bros., the low bidders, at their bid of \$30,697.50.

"Mist-Vernonia Section of the Nehalem Secondary Highway, in Columbia County. Furnish 6,000 cu. yds. crushed rock in stock piles. 7 bids were received for this project, the low one being that of Tidepoint Company, Astoria, at \$8,640.00. The second-low bid was that submitted by Homer G. Johnson, Portland, at \$10,500.00. The Commission awards the contract for this project to the low bidder, Tidepoint Company, at its bid of \$8,640.00.

"Band-Millican Section of the Central Oregon Highway, in Deschutes County. Furnish 8,000 cu. yds. crushed gravel in stock piles. A. S. Wallace, Roseburg, submitted the low bid for this project at \$10,040.00. Fisher Bros., Oregon City, submitted the second-low bid at \$11,460.00. There were 6 higher bidders. The Commission awards the contract to the low bidder, A. S. Wallace, at his bid of \$10,040.00.

"Construct frame office building approximately 26' x 48', and a 32' x 40' addition to existing maintenance building at Medford, Jackson County. 5 bids were received for this project, the low one being that submitted by Walter J. Stutte, Portland, at \$10,767.00. The second-low one was submitted by E. G. Whiteside & Son, Medford, at \$11,996.73. The Commission awards the contract to Walter J. Stutte, the low bidder, at his bid of \$10,767.00.

"Dairy Section of the Klamath Falls-Lakeview Highway, in Klamath County. 0.51 mile grading, surfacing, and oiling; also, furnish 4,000 cu. yds. crushed rock in stock piles. Rogers Construction Company, Dayton, Washington, submitted the low bid for this project at \$19,733.00. The only other bid received was that of W. D. Miller Construction Company, Klamath Falls, at \$23,771.00. The Commission awards the contract for this project to Rogers Construction Company at its bid price of \$19,733.00.

"Cushman-Swisshome Section of the Siuslaw Highway, in Lane County. Furnish 6,800 cu. yds. crushed rock or crushed gravel in stock piles. Three bids were received for this project, the low one being that of the Eugene Sand and Gravel Company, Eugene, at \$14,280.00, and the second-low one being that of A. S. Wallace, Roseburg, at \$14,960.00. The Commission awards the contract to the low bidder, Eugene Sand and Gravel Company, at its bid of \$14,280.00.

"Pleasant Hill-Oakridge Section of the Willamette Highway, in Lane County. 13.05 miles surfacing and 14.65 miles oiling; also, furnish 11,300 cu. yds. crushed gravel in stock piles. E. C. Hall Company, Eugene, submitted the low bid at \$49,393.50. O. C. Yocom, Willamina, submitted the second-low bid for this project at \$51,292.50. There were 9 higher bidders. The Commission awards this contract to the low bidder, E. C. Hall Company, at its bid price of \$49,393.50."

The Commission had under discussion the schedule bond furnished by The Ohio Casualty Insurance Company covering certain State Highway Department employees. The Engineer advised that the present bond protects only the State Highway Commission, whereas, in his estimation, he, as State Highway Engineer, should be included as additional party assured, inasmuch as he is responsible for the acts of the employees covered by the bond. He further stated that Mr. H. R. Drinker, President of the Metzger-Parker Company, Portland, the local representatives of The Ohio Casualty Insurance Company, advises that his company is willing to include as additional parties assured any official of the State Highway Department whom the State Highway Commission wishes protected

by this bond, and will furnish an endorsement to be attached to the bond so protecting such officials. Accordingly, he suggested that such endorsement be secured protecting him as State Highway Engineer. The Commission approved the suggestion by unanimous vote and instructed the Secretary to secure such an endorsement from the insuring company.

Messrs. J. S. Risley and A. H. Saxton, representing the contracting firm of Saxton, Looney & Risley, came before the Commission at this time in regard to the contracts awarded to them by the State Highway Commission at its meeting on December 7 and 8, 1939, for the surfacing and oiling of the Warm Springs Agency-Vanora Section of the Warm Springs Secondary Highway, in Jefferson County, and the construction of the Jordan Creek-McNamers Camp Section of the Wilson River Highway, in Tillamook County. They advised that up to the present time they have been unable to secure the bonds required by the State Highway Commission in connection with these contracts, and requested additional time within which to provide such bonds. Chairman Cabell advised the action taken by the Commission previously on this matter and that the Commission has instructed the Secretary to confirm such action by letter. The question of whether or not the Commission would authorize the assignment of these contracts was then brought up for discussion. The Commission decided unanimously not to approve such assignment.

The Engineer presented a list of rules and regulations covering the truck-hauling of logs over state highways, as revised pursuant to suggestions offered at the conference with representatives of the logging industry in the Benson Hotel on Wednesday evening, January 10, 1939, which rules and regulations are as follows:

A. Disposal and Reporting of Lost Logs or Log Loads

If any log be dropped from any load during its transportation over any of the highways of this state, it shall be the duty of the person, firm, or corporation hauling said logs, immediately to remove the same from the travelled portion of the roadway, and within a period of not more than 48 hours (holidays excluded) to remove the same from the right of way at his or its own expense. The repeated dumping or loss of logs upon the highway right of way, or the neglect or refusal of any log hauler to remove any log or logs so unloaded or lost in transit shall be considered as an indication of laxity in conforming to loading requirements and shall be cause for the immediate suspension or cancellation of the permit under which said log hauler is operating.

If any log or logs be dropped or lost upon the highway it shall be the duty of the log hauler to report said fact to the Highway Commission within 48 hours thereafter. Said report shall state, among other things:

1. The time the log or logs were lost.
2. The exact location.
3. The number of logs on the truck at the time of the accident.

4. The length of the respective logs.
5. The number of board feet contained in the load.
6. The speed of the truck at the time of the accident.
7. If on a curve, a full description of the curve and surrounding country.
8. What portion of the equipment broke, if any, prior to the loss of said logs.
9. The type and age of equipment, both truck and trailer, and the number and size of chains or fastenings used.
10. The date of the last checkup or inspection of the equipment involved.

The neglect or refusal of any log hauler to render the above report within the time specified may be considered cause for the immediate suspension or cancellation of the permit under which said log hauler is operating.

B. Method of Loading

1. The bunks or bolsters of any truck hauling logs shall be straight or concave upward. Bunks which are convex upward will not be permitted.

2. The ends of the bunks or bolsters shall be provided with a chock block which can be securely locked in position; and when the truck is loaded and the chock block in position, it shall have a height of not less than eight inches above the edge of the bunk. No chock block shall extend more than three inches beyond the limits of the bunk.

3. Loads shall be tied with not less than two ties. All ties shall entirely surround the load and the rear tie shall be securely fastened to the bunk of the trailer. In case any log is of insufficient length to rest securely upon both front and rear bunks, such log shall have an additional tie securely binding the unsupported end of such log to the remainder of the load. All ties shall be placed on right-hand side of load and shall be drawn tight.

4. Any tie or fastening thereof shall have a minimum breaking strength of not less than 15,000 pounds.

5. The method of loading shall be such that the outside logs in any upper tier or layer shall have their centers inside of the centers of the outer logs of the next lower tier or layer so that the load is stable without ties or bindings. The ties or bindings are to be regarded as a precautionary measure to insure stability while rounding curves or on superelevated or sloping sections of highway.

6. In the case of short logs hauled on trucks not pulling trailers, the following regulations may be substituted in lieu of Paragraphs 3, 4, and 5: The logs may be loaded between rigid standards

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attached to the bed of the truck at the bottom and tied across above the load with cable or chain ties. There shall be a standard on each side of the load within two feet of each end of the logs, and a sufficient number of standards shall be provided so that they are spaced not more than eight feet apart on each side of the load. The standards shall be rigidly connected to the bed of the truck or shall be placed in tight-fitting sockets at least twelve inches in depth. The chain or cable tie above the load shall have a minimum breaking strength of not less than 15,000 pounds. The standards shall be of such size and dimension that when supported at each end, a load of 15,000 pounds applied at the center of the standard shall not cause failure.

C. Precautions at Grade Crossings

No permit for the movement of overlength logs or piling will be granted involving any crossings at grade of a railroad carrying passenger traffic unless said crossing is protected either by automatic signals or gates or by flagmen. Such flagmen shall be permanently stationed at the crossing or crossings in question during all times when hauling operations are in progress.

After careful consideration the Commission approved the regulations by unanimous vote subject to concurrence by the Superintendent of the Department of State Police and the Public Utilities Commissioner of Oregon. The Engineer was instructed to discuss the rules with said state officials and he was authorized to make such minor revisions in the same as may appear necessary as a result of such consultations. (The above rules and regulations were approved by the Superintendent of the Department of State Police and the Public Utilities Commissioner of Oregon as of January 30, 1940.)

The Secretary was instructed to send a copy of the approved rules to each logging operator.

The Commission also discussed briefly the matter of modifying its present rules and regulations with respect to the granting of permits for the transportation over state highways of timbers, the length of which when loaded exceeds the length limit specified in the statutes, but deferred action on this matter until a future meeting.

The Commission considered and signed agreements, et cetera, as follows:

Supplemental agreement with Contractors Leonard & Slate, providing for the furnishing of insurance written by a commercial agency rather than by the State Industrial Accident Commission, protecting the persons employed by them in connection with their contract with the state for the furnishing of ferry service across the Willanette River at Wilsonville.

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Supplemental agreement with Andrew Stambuck providing for the furnishing of insurance written by a commercial agency rather than by the State Industrial Accident Commission, protecting persons employed by him in connection with his contract with the state for the furnishing of ferry service across Coos River at Enegren Ferry.

Agreement with Emery Tresham covering the lease to Mr. Tresham of certain state-owned property situate adjacent to the Pacific Highway West, in Yamhill County, being Right of Way Transaction No. 3262. Consideration to be paid by Mr. Tresham is \$24.56 annually for the 6.14 acres involved.

Agreement with Klamath Indian Agency providing for the lease of Indian tribal lands in Klamath County for stock pile site purposes.

Agreement with the Oregon Electric Railroad Company covering construction of the Tigard railroad grade separation project at Tigard.

Agreement with the United States of America providing for the advancement of not to exceed \$2,500.00 of state funds to pay non-labor items in connection with the Wolf Creek Highway W.P.A. project during January 1940.

There being no further business to come before the Commission at this time, the meeting was adjourned at 4:00 o'clock p. m.

Raymond C. [Signature]
State Highway Engineer

W. S. [Signature]
Secretary

Henry F. Cabell
Chairman
E. B. [Signature]
Commissioner

Thurman W. [Signature]
Commissioner

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Salem, Oregon, January 25, 1940

The State Highway Commission met in special session at 11:00 o'clock a. m. in the office of the State Highway Engineer, Room 325, State Office Building. Present were:

E. B. Aldrich, Commissioner
Huron W. Clough, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

Chairman Henry F. Cabell was absent, being in attendance at Congressional Committee hearings on road matters in Washington, D. C.

The Engineer reported on the cost of reconditioning the present route of the Pacific Highway west through the town of Tigard, as has been requested by businessmen of that town. He estimated that a first-class job would cost about \$7,500, however, for an expenditure of about \$3,300 an improvement could be secured which he thought would be satisfactory and would afford adequate relief from the present unsatisfactory condition for a long time. He recommended an expenditure of state funds in such amount for a project of that kind. The Commission approved the recommendation unanimously.

A letter was presented from Mr. Fred B. Robinson, Klamath Falls, complaining of the practice of the National Park Service in collecting a toll of \$1.00 from motorists who drive over the Crater Lake Highway enroute from Medford to Klamath Falls, but who do not visit Crater Lake. Mr. Robinson gave as his opinion that such practice is unfair and that no charge should be made unless the motorist drives up to the lake. The Commission concurred in the viewpoint of Mr. Robinson and, thereupon, instructed the Attorney to prepare a letter to the proper Government officials, for the Commission's signature, objecting to the collection of such toll inasmuch as, in the minds of the Commission, it is an unfair charge and is an injustice to the motorists who do not visit the lake.

In this connection the Attorney advised that a movement is on foot to relieve the bus companies that operate to Crater Lake from Klamath Falls and Medford from the payment of state transportation fees and gasoline tax, it being the thought of these people that the road to Crater Lake is a private road which would place it outside of the jurisdiction of the state and would obviate the necessity of the payment of the fees. The Attorney said that this case is similar to the case of the road leading to Timberline Lodge from the Mount Hood Highway, which road was declared by the Public Utilities Commissioner to be a public road. He recommended that this matter be called to the attention of the proper government officials and objections offered thereto. The Commission approved the recommendation.

The Attorney requested authority to acquire certain parcels of real property that are needed for various state highway improvements throughout the state. He submitted a list of such properties together with the prices

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that be recommended be paid for each. After careful study the Commission approved the request and, by unanimous vote, adopted the following resolution in regard thereto, with the understanding that options taken for the right of way needed for the Nyssa underpass on the Old Oregon Trail, in Malheur County, shall not be closed until the Commission approves the project for construction:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth, and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon, and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Houlton-Warren Section - Columbia River Highway</u>				
7444-Fullerton, W. C.	R/W	0.173	\$200 per a. plus \$27.60	McChesney
7436-Chambers, Verlin V.	"	1062 sq.ft.	\$0.025 sq.ft. plus \$3.45	"
7442-Cornwell-Brady, Milton H.	"	3948 " "	\$0.01118 sq.ft. plus \$31.00	"
7446-Israelson, Anna L.	"	0.15	\$200 per a., plus \$73	"
<u>Nehalem Spit Section - Oregon Coast Highway</u>				
7322-Senosky, L. B.	Park	1 lot	\$10.50 Lump Sum	DeSouza
7375-Willman, F. J.	"	1 lot	\$41.62 Lump Sum (State to pay taxes est'd., approx. \$10.00)	"
6743-Hammond Lumber Co. (Correction)	"	60.5	Land \$250, including tide lands, plus taxes amounting to \$547.81	Parker

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Troutdale-Corbett Section - Columbia River Highway</u>				
7694-Wilhelm, Rudolph	Borrow Pit	20.8	\$50 per a.	Parker
<u>Water Street Section - Pacific Highway East, Oregon City</u>				
6289-Olson, August	R/W	12,820 sq.ft.	\$11,000 Lump Sum	Parker
<u>Willamette River Bridge - Corvallis-Eastside Highway</u>				
7065-Whiteside, Chas.	R/W	738 sq.ft.	5¢ sq.ft. plus \$38.10	McCallister
6883-Benton County	"	0.30	Gratis	"
7064-Robinson, F. L.	"	748 sq.ft.	5¢ sq.ft. plus \$87.60	"
<u>Follyfarm --Scotts Butte Section - Rome-Princeton Highway</u>				
7664-State Land Board	R/W	62.74	\$2.50 per a.	Gardiner
<u>Owyhee River-Scotts Butte Section - I.O.M. Highway</u>				
6201-Coast Land Co., Ltd. (Correction)	Gravel Pit	2.81	\$25 land, plus \$3.76 (taxes)	Schannep
<u>Nysse Section - Old Oregon Trail Highway</u>				
7392-Fletcher Oil Company	R/W	8,000 sq.ft.	25¢ sq.ft. plus \$3,000	Parker
7646-Hinsch, Albert, Estate	"	Damage due to change of grade	\$500	"
7647-Hillier, Ed	"	" " " " " "	\$500	"
7458-Tenson, Dick	"	" " " " " "	\$4000	"
7459-Lafrens, Bettie	"	" " " " " "	\$2000	"
7460-Gray, Earl	"	8,500 sq.ft. 5¢ sq.ft., plus	\$575	"
7461-Williams, Nora	"	Damage due to change of grade	\$4000	"
<u>Miles Bridge-Baker Section - Medical Springs Highway</u>				
7465-Pollman, Wm., Estate	Stock Pile	0.99	\$50 Lump Sum	Gardiner
7465-Pollman, Wm., Estate	Gravel Pit	2.04	5-year lease (7,000 cu. yd.) 3¢ cu. yd.	"

The Attorney reported that since the Commission awarded the contract for the moving of the Methodist Episcopal Church building and parsonage, in Tigard, the trustees of this church have changed their ideas with respect to the arrangement of the buildings on the new location and they now want the buildings re-established in a somewhat different manner than was specified in the contract and they also want additional toilet facilities. Such alterations in the plans and the added facilities, he said, are estimated to cost \$456.00. He gave as his thought that the request is reasonable and just and recommended approval of the extra expense provided the church will pay the cost of the extra toilet facilities which, he estimated, would cost about \$75.00. The Commission approved the recommendation unanimously.

The Attorney also brought up for discussion the M. B. Reeder lease of the R. O. Borland property at Grants Pass which property the Commission acquired for right of way for the improvement of the Pacific Highway at this

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place. He said that Mr. Reeder is a tenant on the property, in fact has a lease which runs for a period of five years, although the lease was never recorded in the county records so was not discovered when the title search was made, and he now refuses to vacate the premises unless he is compensated therefor. He further stated that Mr. Reeder has agreed to the cancellation of the lease provided the state will give him the building that he is occupying and will also pay him the sum of \$250 cash. Furthermore, Mr. Reeder will assume the responsibility of removing the building from the right of way. It was the Attorney's thought that such settlement is very satisfactory in view of the fact that the building is of little value and must be moved soon so as not to interfere with the progress of the highway construction. He recommended approval of the same. The Commission approved the recommendation unanimously.

The Assistant Attorney brought up the matter of the rental of the Duane Gibson building which was purchased in connection with the acquisition of right of way for the Salem South Project on the Pacific Highway. He said that under authority granted by the Commission at the last meeting this building has been listed with a local real estate agency for rental, but it appears that the building cannot be rented to a desirable tenant unless the sewer facilities are repaired. He estimated that the repairs would cost about \$20.00 and recommended the expenditure. In the discussion of this matter the Commission considered the advisability of the sale of the property but deferred its decision in regard thereto until the highway reconstruction project is completed when a sale value for the property will be established. The Commission authorized, in the meantime, the expenditure of the amount necessary to fix up the sewer.

The Engineer rendered a status report on the Wolf Creek Highway W.P.A. project. (See letter by E. H. Clymer, Cost Analyst, dated January 16, 1940). The Commission discussed the report briefly and ordered it filed.

The Secretary presented a resolution from the Yamhill County Court requesting the resurfacing of the Yamhill-Newberg Secondary State Highway, in Yamhill County, during the 1940 season. The matter was referred to the Engineer for report on how much it would cost to do this work.

There was also presented to the Commission a petition from residents of Beaverton and vicinity requesting the widening of the Tualatin Valley Highway between Sylvan and Beaverton for four lanes of traffic. The petition was referred to the Engineer for investigation and report as to how much it will cost to do this work.

Consideration was given by the Commission to a petition signed by numerous residents and taxpayers of Lorane, Oregon, requesting the reconditioning and oiling of the Territorial Secondary Highway from Gillespie Corners southerly to the Lane-Douglas County line. The Engineer advised that this is a desirable project but there is a question whether or not the Commission will be able to finance it in view of the limited amount of funds that are available for such work. The Commission decided, after discussion, to place this project on the 1940 construction program in the event there appears to be

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funds available to finance it. The Secretary was instructed to so inform the petitioners.

The Commission discussed a resolution from Powell Butte Grange No. 629, Crook County, in which the Commission was urged to allocate funds for the construction of the Marks Creek Section of the Ochoco Highway east of Prineville, and for the construction of the Crook County Section of the Warm Springs Highway between Prineville and Madras. The Secretary was instructed to inform the grange that the Commission contemplates the construction of a portion of the Prineville-Madras Section this year along permanent alignment but because of scarcity of funds is not in a position to finance all of the construction that the grange requests. However, the projects will be kept in mind for future consideration.

The Commission also discussed a resolution from Vale Grange No. 696, Malheur County, transmitted by County Judge David F. Graham, requesting the improvement of the Vale West Secondary Highway (Graham Boulevard) during the 1940 season by widening, straightening and reconditioning the rock surface. The Engineer advised that this improvement is 10.7 miles in length and estimated that it would cost about \$87,600 to regrade and resurface it, and construct an oil mat thereon. He questioned the justification for an expenditure of such sum in view of the fact that the road carries very little traffic, the maximum count being 127 vehicles daily. The Commission decided to give this project further consideration notwithstanding that the prospects of its approval are rather remote.

The Engineer reported a request from Mr. Ralph Laird, Creswell, Oregon, for the oiling of the Springfield-Creswell Secondary State Highway, in Lane County, and advised that Mr. Laird wishes to appear before the State Highway Commission at its next meeting for a discussion of this subject. The Secretary was instructed to notify Mr. Laird that the Commission will be glad to give him an audience at such meeting and to set a time for his appearance. The Engineer was instructed to have available at such meeting a report on how much it would cost to oil this road as requested.

The Commission adjourned at 12:00 o'clock noon and reconvened at 1:00 o'clock p. m. in the same room with the same persons present and participating.

The Secretary requested instructions relative to the renewal of the fidelity bond furnished by the Assistant State Highway Engineer, Mr. C. B. McCullough. He explained that the present bond, which is in the amount of \$10,000, was written by the Commercial Casualty Insurance Company, the premium being at the rate of \$5.00 per thousand, or a total of \$50.00, and that the anniversary date of the bond is February 1, 1940. He pointed out the possibility of including Mr. McCullough under the coverage of the schedule bond furnished by The Ohio Casualty Insurance Company at the rate of \$2.30 per thousand, or a total of \$23.00. The Commission decided unanimously to include Mr. McCullough under the bond written by The Ohio Casualty Insurance Company and so ordered.

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The Secretary presented a resolution from the Deschutes County Court wherein the county accepts the following-described section of The Dalles-California Highway which has been abandoned by the state since reconstruction of this section on other alignment, and agrees to maintain such section hereafter as a county road:

Beginning on "A" Street in the city of Redmond where said street intersects the easterly line of Sixth Street, thence east on "A" Street for one-fourth mile; thence north for three miles; thence in a northwesterly direction for 0.4 mile to a point on the easterly right of way line of the present The Dalles-California Highway, opposite Engineer's Center Line Station 175+90, which point is further located as being 1035 feet east and 1390 feet north of the south one-quarter corner of Section 28, Township 14 South, Range 13 East, W. M., Deschutes County, Oregon.

The Secretary also presented a resolution from the Jackson County Court in which Jackson County accepts as a part of the Jackson County Road System a section of the Tiller-Trail Secondary Highway which was abandoned by the Commission on March 9, 1938, as a part of the State Highway System inasmuch as the section has been reconstructed on new alignment. The Commission approved the resolutions and ordered them filed in the department records.

The Secretary requested instructions relative to the disposal of numerous checks in small amounts that have been deposited by various contractors for plans and specifications. He explained that some of the checks are of long standing, one being dated January 24, 1918, and that repeated attempts to locate the depositors have been unsuccessful. After discussion, the Commission ordered that the checks be again mailed to the persons who deposited them and, if such persons cannot be located, that the checks be sent to the bank on which they are written for payment and the proceeds therefrom, if any, deposited in the state highway fund.

The Engineer reported a request from the Arrow Transportation Company for permission to transport a 700 pound overload, consisting of special equipment for sanding pavements, on its gasoline tank trucks operating on state highways during periods when the surface of the highways is frosty and covered with ice. He explained that the company has devised certain equipment for sanding pavements, to be attached to the front end of its trucks for use during such periods, which equipment weighs 700 pounds, and the company wants authority to use this equipment on its trucks without reducing its payload, alleging that if they have to reduce the payload it will render their operations unprofitable. He further explained that the use of this sanding equipment will minimize a serious hazard in the operation of the company's trucks and will also afford much benefit and safety to other vehicles using the same highway at or near the same time. He gave as his thought that the benefits that would accrue to the motoring public from the safety standpoint would justify the granting of the request for the overload and accordingly recommended favorable consideration of the request, as did also the Attorney. The Commission concurred in the viewpoint of the Engineer and the Attorney and thereupon approved the request. The following resolution in regard thereto was adopted by the Commission by unanimous vote:

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WHEREAS, the Arrow Transportation Company is engaged in the transportation of gasoline over the public highways of the State of Oregon; and

WHEREAS, said Company has devised some detachable equipment known as sanders, which equipment during seasons of the year when the surface of the highways in places is frosty and ice covered is used to sand the surface of the highways and thereby remove a hazard connected with the movement of the company's transportation equipment; and

WHEREAS, it appears that the sanding of the highway for the benefit of the Company's own operations likewise affords benefit and safety to other motor vehicles using the same highway at or about the same time; and

WHEREAS, when said sanding equipment is attached to a motor vehicle used for the transportation of gasoline the combined weight of vehicle and load is increased to the extent of 700 pounds; and

WHEREAS, if said Company is required to reduce the weight of pay load by 700 pounds in order to be permitted to use said safety device, such reduction in pay load will so reduce the revenue as to make the operation unprofitable; and

WHEREAS, the use of said sanding equipment can be confined to movements taking place between December 15th and March 15th of each year; and

WHEREAS, it is the judgment and opinion of this Commission that the use by the said Company of said sanding equipment will contribute not alone to the safety of the traveling public with respect to the movement of the Company's motor transportation vehicles, but likewise with respect to the movement of other motor vehicles on the highway, and, therefore, it is the judgment of the Commission after due investigation that the interests of general public will be served and safety upon the said highway promoted by the use of said sanding equipment on the motor vehicles of said Company;

THEREFORE, permission hereby is granted to the Arrow Transportation Company to move, over and along any state highway in Oregon, its motor equipment for the transportation of gasoline produce while such equipment has installed thereon the said sanding equipment, the installation and use of which equipment it is understood will increase the combined weight of load and vehicle by not to exceed 700 pounds in excess of the statutory limit of 54,000 pounds.

This permit is temporary and shall be in effect from date hereof until March 15, 1940, but it is expressly understood that this permit may be terminated by the Highway Commission whenever in the

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opinion of the Commission public interests require such termination.

Nothing in this permit shall relieve the permittee from its obligation to conform to and comply with all of the laws of the road and the movement of traffic thereover, except as herein specially permitted.

The Commission considered and ordered filed a letter from Mr. Ernest Rosen, Portland, complaining of the condition of the Oregon Coast Highway and the Pacific Highway.

The Commission also considered and ordered filed a letter from Mrs. Homer Gullion, Eugene, protesting the proposed rerouting of the Pacific Highway through Eugene.

The Secretary presented a letter from the Dayton Chamber of Commerce renewing its invitation to the Commission and staff to attend a banquet at Dayton to celebrate the completion of the Dundee Section of the Pacific Highway West, when such project is completed. The Secretary was instructed to thank the Chamber of Commerce for its kind invitation which the Commission will be pleased to accept, if possible.

The Commission discussed a letter from the Western Lane County Chamber of Commerce in which permission was requested to erect on the state highway right of way in the town of Florence a monument honoring the late George Melvin Miller who was an early pioneer of this section and who was greatly interested in the promotion of a transcontinental highway between New York and Florence. The Secretary was instructed to inform the Chamber of Commerce of the recently-adopted plan of the Commission with respect to the erection of historic markers along the state highways of this state, which plan includes the appointment of special committees to designate the sites and the wording for the markers, and to further explain that the Commission is reluctant to authorize the erection of a marker in Florence, or at any other location, until the committee has passed on the matter, and that the Commission will be pleased to refer their request to the proper committee when the members thereof have been selected.

The Attorney brought up for discussion a right of way matter in Wallowa County. It appears that Mr. Twain Bodmer owns certain property adjacent to the Enterprise-Lewiston Highway about four miles south of the Washington state line and that he desires to construct a fence along the highway in front of his holdings and wants to place this fence 30 feet from the center line of the traveled roadway, which would limit the right of way to a width of 60 feet, whereas, the right of way on the adjoining sections is standard 80' width. It also appears that, according to Mr. Bodmer, right of way for this highway across his holdings has never been acquired, either by the county or by the state, but he is willing to deed a strip 60' wide to the state without cost if he is permitted to construct his fences in the location stated.

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The Attorney advised that Mr. Bodmer's statement as to the ownership of the right of way is correct according to investigation of the county records. The Engineer suggested, on account of the desirability of having an 80 foot width right of way throughout this entire section and in view of Mr. Bodmer's offer to deed a 60 foot strip without cost, that it would be advisable to negotiate with him for such 80 foot right of way on the basis of the state paying one-half of the cost of the fence construction. The Commission approved the suggestion by unanimous vote and so ordered. The matter was referred to the Attorney to handle.

The Engineer brought up for discussion the matter of improving the Nehalem-Manzanita county road in the vicinity of the Manzanita School, as has been requested by the Tillamook County Court and the School District. He advised that the present road is narrow and crooked and contains a small bridge that is in a bad state of repair; also, that in his estimation there is no question but that the road is in need of improvement in the interests of traffic safety, particularly in view of the fact that it is now being used as a detour for state highway traffic pending construction of the permanent road between Neahkahnie Mountain and Fisher's Point, near Nehalem. He estimated the cost of a new temporary bridge or a permanent culvert at \$2,700 and the cost to widen the present roadway in the vicinity of the Manzanita School, so as to make it safe for school children, at \$9,500. He presented an offer from the Tillamook County Court to furnish county equipment for the work, consisting of four dump trucks and one power shovel, provided the state will take charge of the work, will furnish the men, gasoline, oil, grease, et cetera, to operate the equipment. He questioned the advisability of using state funds to purchase supplies for county-owned equipment and suggested the following alternative proposition: that the county furnish the equipment and pay for all repairs to the same, and pay the cost of public liability and property damage insurance, gasoline, oil, and other equipment charges, including the wages of truck drivers and shovel runner; the state to furnish all culvert pipe, replace the existing bridge, pay labor charges in connection with clearing operations, the dismantling of the existing bridge, and the construction of the roadway, surface and oil the road when the grade is completed, and reimburse the county for advancing the wages of the men who operate the county equipment. The Commission by unanimous vote approved the plan suggested by the Engineer and instructed him to ascertain the attitude of the county court relative thereto.

The Commission approved and signed a joint letter with W. H. Lynch, District Engineer, Public Roads Administration, and James Frankland, Acting Regional Forester, representing the United States Forest Service, directed to the Chief of the Forest Service and to the Commissioner of Public Roads, Washington, D. C., recommending for the fiscal year 1941 forest highway program the projects that were selected from such program at the conference held in the Benson Hotel on January 12, 1940. (See minutes of meeting of January 12, 1940, for list of projects.)

The Attorney brought up for discussion matters pertaining to the failure of Saxton, Looney & Risley to sign certain contracts that were awarded to them by the Commission at its meeting on December 7 and 8, 1939, particu-

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larly Contract No. 2251 for the surfacing and oiling of the Jordan Creek-McNamara Camp Section of the Wilson River Highway, in Tillamook County, and Contract No. 2256 for the surfacing and oiling of the Warm Springs Agency-Vanora Section of the Warm Springs Secondary Highway, in Jefferson County. He said that the contractor and the bonding company, which furnished the bid bonds in connection with these jobs, are endeavoring to work out a satisfactory solution of this difficulty within the time limit heretofore designated by the Commission, and it now appears that their efforts will be successful as far as they pertain to the Wilson River Highway job but it may be necessary for them to let the Warm Springs Highway job go by default. The paramount question now involved, he said, is whether or not the Commission will approve the assignment of the contract.

This matter was discussed at considerable length and the following decision reached: The Commission will not approve of the assignment of either contract in its entirety to any other contractor but the Commission will approve of the signing of either contract and bond, as a joint venture, by such other contractor along with Saxton, Looney & Risley and will also approve of the forwarding of warrants in payment of progress estimates to such other contractor direct. In the event that settlement of this difficulty cannot be reached with respect to either contract on such basis, then the Commission will declare the contract forfeited, in which event the project will be re-advertised for bids and the Commission will demand payment of the amount of the bidder's bond.

The Commission discussed a letter from W. B. Empey, Clerk of Union High School District No. 13, Junction City, Oregon, in which the Commission was advised that Mr. Glen Ditto, an employee of the State Highway Department, is a member of their Board of Directors and that he has tendered his resignation as a member of such Board due to the policy of the State Highway Department. Further, that the School Board would appreciate action on the part of the State Highway Commission which would permit Mr. Ditto to continue serving on this Board for the balance of the school year, or until July 1, 1940. The Engineer advised that the present policy of the Commission, which was adopted in February of 1934, provides that employees shall not hold honorary offices in political subdivisions of the state. The Commission decided not to deviate from this policy and, accordingly, denied the request.

The Engineer brought up for discussion the question of whether or not the state should pay direct certain claims arising out of construction of the Wolf Creek Highway W.P.A. project. He explained that, in connection with this work, the W.P.A. rented a Jumbo road ripper from the Contractor's Equipment Corporation, Portland, and inadvertently failed to renew the contract in October when the original agreement terminated; also, that the W.P.A. has not paid the rental on this equipment for the months of October, November and December, and is not in a position to make the payments now; however, will reimburse the state for the full amount thereof (\$345) if the state will advance the payment. He suggested approval of the settlement of this account on such basis and that such procedure be followed in the settlement of similar accounts in the future, except in the case of powder purchases which should be paid through the W.P.A. in order to benefit by the W.P.A.'s special price quotation

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for such commodity. The Commission approved the suggestion unanimously insofar as it pertains to the claim of the Contractor's Equipment Corporation but deferred until its meeting on February 15 its decision with respect to the establishment of such procedure as its general policy.

A letter was presented from the Ernest Thomas Cast Stone Company, Portland, requesting the privilege of collecting black obsidian from the state park at Bend for use in connection with building construction, particularly for the facing of cast stone. The Commission denied the request in view of its established policy that will not permit the giving away of state property for private undertakings.

The Commission had under discussion the matter of the payment of the final estimate to Andersen Construction Company for grading the Miller Flat-Agency Section of the Warm Springs Highway, in Jefferson County. The Attorney advised that the Federal Court in Portland has ordered payment of this final estimate to the United States Fidelity & Guaranty Company, surety on the bond furnished by the Andersen Construction Company in connection with this project, and he exhibited a copy of the judgment entered in such Court in support thereof. In view of the circumstances, the Commission authorized the payment of such final estimate and thereupon signed the voucher in regard thereto.

The Commission also discussed a letter from W. D. Morgan, Ashland, Oregon, inquiring whether or not the state would sell to him the service station building located on the property that the state acquired from W. B. Norris for right of way for the revision of the Pacific Highway at the Siskiyou Summit. The Engineer recommended the retention of this building by the state in view of the possibility that it could be used later on as a residence by one of the maintenance employees working in that vicinity, after the highway construction work now under way is completed. The Commission approved the Engineer's recommendation.

The Attorney reported on the claim of Section Foreman S. C. Millard, Dufur, against the State Industrial Accident Commission; and requested instructions relative thereto. He advised that Mr. Millard severely injured his thumb while engaged in the performance of his regular duties, necessitating his absence from work for several days, and, in accordance with prescribed procedure, filed his report with the Accident Commission with the thought in mind that he would receive compensation under the provisions of the Workmen's Compensation Act, but the Accident Commission disclaims any liability in the case and refuses to recompense him for lost time. He gave as his thought that Mr. Millard is entitled to compensation inasmuch as he was engaged in his regular duties at the time of the accident and for the further reason that he subscribes to the Industrial Accident Fund. He was instructed by the Commission to intercede with the Accident Commission in Mr. Millard's behalf.

The Engineer presented a list of surveys that he has ordered since the last meeting of the Commission and asked the Commission to confirm them and the amounts allocated for each. After due consideration the Commission authorized and instructed the Engineer to make such location surveys on various

sections of the highways of this state, which said sections of highways, together with their identifying survey numbers and the amounts authorized and allocated for such survey expenditures, are as follows:

Plans - - - 4-2832 - Necanicum Junction Section, Wolf Creek Highway,
Clatsop County. 1st authorization - \$100.00

Gravel Pits - 107-2810 - Jefferson County Line-Prineville Section, Warm Springs
Highway, Crook Co. 1st authorization - \$750.00

Plans - - - 111-2809 - Lone Rock Junction-Rock Creek Section, Wasco-Hepner
Highway, Gilliam Co. 2nd authorization - \$450.00
Total to date \$1,650.00

Plans - - - 112-2819 - Kimberly-Dry Creek Section, Monument Highway, Grant
County. 3rd authorization - \$325.00
Total to date \$2,600.00

Plans - - - 13-2807 - Cinder Butte-Wagontire Section, Lakeview-Burns High-
way, Harney County. 2nd authorization - \$1,000.00
Total to date \$2,500.00

Location - - 18-2841 - Barkley Springs-Terminal City Section, The Dalles-
California Highway, Klamath County.
1st authorization - \$3,600.00

Gravel Pits - 18-2842 - Lost River Section, Klamath Falls-Malin Highway,
Klamath County. 1st authorization - \$200.00

Right of Way - 19-2819 - Forest Boundary-Cottonwood Creek Section, Klamath
Falls-Lakeview Hwy. 3rd authorization - \$200.00
Total to date \$1,100.00

Drainage - - 19-2821 - Paisley Section, Fremont Highway, Lake County.
1st authorization - \$150.00

Right of Way - 19-2822 - Drews Valley Section, Klamath Falls-Lakeview Highway,
Lake County. 1st authorization \$200.00

Reconn. - - -23-2816 - Baker County Line-Ontario Section, Old Oregon Trail,
Malheur County. 4th authorization - \$200.00
Total to date \$2,800.00

Plans - - - 24-2828 - 12th Street Junction Section, Pacific Highway East,
Marion County. 1st authorization - \$700.00

Location - - 229-2901 - Mohler-Glenwood Section, County Road (new) Tillamook
County. 2nd authorization - \$1,300.00
Total to date \$2,600.00

Plans - - - 36-2825 - Sheridan Section, Salmon River Highway, Yamhill County.
1st authorization - \$400.00

The Commission had under consideration the following requests for extensions of time within which to complete highway construction projects:

M. L. O'Neil & Son, Contract No. 2157, for grading the Tudor Ranch-Blue Mountain Pass Section of the I.O.N. Secondary Highway, in Malheur County, requested an extension of time of 40 days, from November 30, 1939, to January 10, 1940, within which to complete this project. They alleged that their failure to complete the project within the specified time limit was due to the fact that they encountered considerably more solid rock in their excavation work than was originally contemplated. The Engineer advised that the reason given by the contractor for overrun of time limit is correct, the fact of the matter being that the quantity of solid rock excavated exceeded the estimated quantity by 5.5 per cent which in his estimation would entitle the contractor to 17 days' extension of time without penalty. He further advised that the overrun of time limit has not inconvenienced the traveling public and has not caused the state any extra expense for engineering supervision. He recommended that the extension of time requested be granted but that the contractor be charged for any engineering expense that the state may incur in connection with the job after December 17, 1939, which would allow for 17 days' extension without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation unanimously.

Denton & Young, Contract No. 2233, for construction of a bridge over Lang Canyon on the Columbia River Highway, in Gilliam County, requested an extension of time of 90 days, from December 31, 1939, to March 31, 1940, within which to complete this job. They attributed their failure to complete the project within the specified time limit to the delay in the award of this contract, which extended their work into the winter season. The Engineer advised that bids for this project were taken by the Commission on September 1, 1939, but due to delay in securing an easement from the Union Pacific Railway Company the contract was not awarded until October 28, 1939, a delay of 58 days. He further stated that because of this delay the contractor was unable to complete the project before the winter period set in and as a result operations were handicapped by bad weather conditions. He recommended in view of the circumstances that the extension of time requested be granted without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation unanimously.

The Engineer reported that Contracts Nos. 2154, 2157 and 2213 for the construction of state highway projects have been completed according to the terms and provisions of the contracts, and said jobs are now ready for acceptance. The following resolution accepting the above projects was offered and was adopted by the unanimous vote of the Commissioners present:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway

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projects have been completed according to the terms and provisions of the contracts or modifications thereof and said jobs are now ready for acceptance:

Contract No. 2154, with Mountain States Construction Company, for construction of a bridge over Nehalem River on the Wolf Creek Highway, in Clatsop County. Completed January 20, 1940.

Contract No. 2157, with M. L. O'Neil & Son, for grading the Tudor Ranch-Blue Mountain Pass Section of the I.O.M. Highway, in Malheur County. Completed January 10, 1940.

Contract No. 2213, with Minneapolis-Moline Power Implement Company, for furnishing structural steel for the Glenwood Undercrossing on the Wilson River Highway, in Washington County. Completed October 31, 1939.

THEREFORE, BE IT RESOLVED, that the work covered by said state highway contracts for the construction of said state highway projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

The Commission considered and signed agreements, et cetera, as follows:

Agreement with P. L. Crooks and Company, Inc., disposing of their claim for extra compensation arising out of contract No. 1857 for the construction of the Franklin Avenue Undercrossing, in Bend.

Agreement with Sherman County providing for county maintenance of the Moro-Hay Canyon County Road after construction of the same by the state as a federal aid secondary highway project.

Agreement with Berkley A. Davis and wife providing for the elimination of a cattle pass at mile post 08.80 on the Weston-Elgin Secondary State Highway No. 330. in Umatilla County. Consideration \$50.00.

Agreement with Mrs. Ella Cook being a revocable permit granting to the state permission to install and maintain one wooden pole on Mrs. Cook's property adjacent to the Tualatin Highway near Sylvan, Multnomah County, as a support for a traffic signal suspension cable at this place.

Agreement with Leo F. Smith providing for the purchase of a timber tract belonging to him adjacent to the Oregon Coast Highway at Arch Cape Tunnel, Clatsop County. Right of way transaction No. 7747.

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Agreement with Wasco County Court, being an assignment of \$3,250 of county funds from the county's share of the next apportionment of the motor vehicle funds, license fees, and gasoline tax, to pay for crushed rock to be furnished by the state's contractor in connection with the improvement of the Seufert-Dufur Section of The Dalles-California Highway, in Wasco County.

Agreement with the United States of America providing for the advancement of not to exceed \$3,500 of state funds to pay non labor items in connection with the Wolf Creek N.P.A. Project during February 1940.

Quitclaim deed conveying unto Shevlin-Hixon Company 2.12 acres of land situate adjacent to the Century Drive Secondary Highway in Section 25, T. 18 S., R. 10 E., W.M., Deschutes County. Right of way transaction No. 7411.

There being no further business to come before the Commission at this time the meeting was adjourned at 3:00 o'clock p. m.

H. B. Aldrich
State Highway Engineer

E. B. Aldrich
Commissioner

H. W. Clough
Secretary

Chas. H. Clough
Commissioner

Portland, Oregon, February 15, 1940

The State Highway Commission met in regular session at 9:00 o'clock a. m. in the auditorium of the Public Service Building. Present were:

E. B. Aldrich, Commissioner
Huron W. Clough, Commissioner
R. H. Baldock, State Highway Engineer
J. W. DeSouza, Assistant Attorney
H. B. Glaisyer, Secretary

Chairman Henry F. Cabell was attending congressional hearings in Washington, D. C.

Bids as follows for highway construction projects and for the sale of buildings were opened and read in conformance with previously published notice, following which Commissioner Aldrich announced that the award of contracts would be made at 3:00 o'clock p. m. in the same room:

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MEDICAL SPRINGS SECONDARY and BAKER-UNITY HIGHWAYS
 MILES BRIDGE-BAKER and BAKER-SALISBURY SECTIONS
 SURFACING, OILING, FURNISHING CRUSHED MATERIAL

R. O. Dail & Warren Bros., Inc.	\$ 33,592.65
Newport Construction Company	35,628.15
J. C. Compton	35,660.75
Norris Bros.	36,789.75
Morrison-Knudsen Company	36,989.50
Babler Bros.	37,578.00
Warren Northwest, Inc.	37,793.00
Hoops Construction Company	45,339.75

CORVALLIS-EAST SIDE HIGHWAY
 REPAIR BRIDGE OVER WILLAMETTE RIVER AT CORVALLIS, AND RE-
 CONSTRUCT TRESTLE APPROACH; ALSO CONSTRUCT 0.06 MILE HIGHWAY ROADBED

Averill & Corbin	\$ 20,073.00
Harry I. Hamilton	20,883.00
Barham Bros.	20,898.00
Birkemeier & Saremal	21,496.50
Scheuman & Johnson	24,777.00
Vernon Bros. Company	24,946.00

OCHOCO HIGHWAY
 C.O.I.D. CANAL BRIDGE NEAR REDMOND

Birkemeier & Saremal	\$ 2,204.00
Hart Building Company	2,362.50
Contracting & Sales Company	2,394.00
Leonard & Slate	2,616.00
Edlefsen-Weygandt Company	2,792.00
W. H. Philpott	2,804.00
Averill & Corbin	2,838.00
Denton & Young	2,900.00
Vernon Bros. Company	2,926.00
Gilbert L. Potts	2,949.00

OREGON COAST HIGHWAY
 MUSSEL CREEK-MYERS CREEK SECTION - FURNISH CRUSHED GRAVEL

A. S. Wallace	\$ 22,140.00
River Bend Sand & Gravel Company	25,620.00
Homer G. Johnson	31,840.00

JOHN DAY HIGHWAY
 JOHN DAY-PRAIRIE CITY SECTION
 GRADING, SURFACING, OILING; FURNISH CRUSHED GRAVEL

Triangle Construction Company	\$ 70,516.50
Babler Bros.	71,434.00

(Continued on next page)

(John Day-Prairie City Section continued)

J. C. Compton & Rogers Construction Company	\$ 76,822.50
Joslin & McAllister	76,938.50
F. R. Hewett	77,749.00
R. O. Dail & Warren Bros., Inc.	82,688.20
Morrison-Knudsen Company	82,772.50
McNutt Bros.	82,897.00
Homer G. Johnson	83,780.50
A. Milne	85,992.00
Newport Construction Company	86,183.40
Hoops Construction Company	87,350.50

WARM SPRINGS SECONDARY HIGHWAY
WARM SPRINGS AGENCY-VANORA SECTION
SURFACING, OILING, FURNISHING CRUSHED ROCK

R. O. Dail & Warren Bros., Inc.	\$ 36,196.00
Babler Bros.	36,358.00
J. C. Compton & Rogers Construction Company	36,426.00
E. C. Gerber	37,283.00
Fisher Bros.	37,660.10
A. Milne	37,718.00
McNutt Bros.	40,458.50
C. J. Eldon	40,579.00
Homer G. Johnson	40,891.50
O. C. Yocom	42,434.00

FREMONT HIGHWAY
SILVER LAKE-CHALK CLIFF SECTION - GRADING, SURFACING, OILING

Warren Northwest, Inc.	\$ 25,614.10
Babler Bros.	26,563.00
J. C. Compton	26,853.00
Morris Bros.	28,825.80
Clifford A. Dunn	28,834.50
R. O. Dail & Warren Bros., Inc.	29,314.00
E. C. Gerber	30,218.00
McNutt Bros.	31,934.50
A. Milne	34,526.00

HILLSBORO-SILVERTON SECONDARY HIGHWAY
FIR CREEK-LAUREL ROAD SECTION
GRADING, SURFACING, OILING; ALSO TRESTLE BRIDGE

	<u>Using Asphalt</u>	<u>Using Tar</u>
M. L. O'Neil & Son	\$ - - -	\$ 33,654.50
Contracting & Sales Company	- - -	35,454.00
McNutt Bros	37,751.50	37,546.50
Homer G. Johnson	37,613.25	- - -
O. C. Yocom	40,020.00	- - -
C. J. Eldon	44,882.00	44,809.10

SALE OF BUILDING AND RESIDENCE TRACT AT CORVALLIS
(Former Owner Lorine E. Olson)

Paul Nordyke

\$425.50

SALE OF RESIDENCE BUILDING IN SCAPPOOSE
(Former Owner Henry Newman)

Scappoose Irrigation & Produce Company

\$ 51.00

The Assistant Attorney reported a hazardous condition existing along the Bunker Hill Section of the Oregon Coast Highway south of Marshfield. It appears that a serious slide condition has developed as a result of highway construction at this location and that three homes are in danger of destruction; in fact, it is imperative that the properties be acquired and the residences removed from the premises immediately, otherwise the state would be liable for serious damage. The Assistant Attorney advised that he has secured options from three owners, as follows:

Ida D'Ambrozia, for six lots at \$7,000.00

Monrad Underland, for two lots at \$850.00

Garland Lillie, for two lots at \$1,800.00

The Commission discussed this matter at considerable length and, in view of the existing emergency, approved the purchase of these properties at the stated amounts and authorized the moving of the household goods of the occupants of the premises at state expense.

A delegation from Benton and Lincoln Counties, consisting of the following, came before the Commission in the interest of the Alsea-Deadwood Secondary State Highway: County Commissioner W. H. Malone, of Benton County; County Commissioner E. G. Calkins, of Lincoln County; Victor P. Moses and Guy Thomas, of Corvallis; and Messrs. John W. Orr, George Hendricks, Norman Sapp and J. C. Barclay, of Alsea. Mr. Malone headed the group.

They asked the Commission to construct a $1\frac{1}{2}$ -mile section of this highway north of Bummer Creek, which section, they stated, has already been cleared but has not yet been graded to state standards, and they would like to have that done and the entire highway rocked and oiled. They also asked the Commission to conduct a survey with the idea in mind of extending this highway a distance of about 15 miles to a connection with the Alsea Highway at Five Rivers, in Lincoln County. The Engineer advised that no money has been budgeted by the Commission for this road. He suggested that it might be advisable for the Commission to authorize an investigation of the same so that the information will be available for future use. Commissioner Aldrich advised that the Commission is not in a position today to make any definite commitment in regard to this project but will be pleased to consider it in the formulation of future programs; and whether or not the Commission can improve the $1\frac{1}{2}$ -mile section in the near future depends entirely upon the question of

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funds. After further discussion the Commission authorized the Engineer to make a survey of the proposed extension from the end of the present secondary highway to Five Rivers.

Mr. Malone then brought up for discussion matters pertaining to the North River Road out of Albany, for which the Commission has budgeted \$20,000 of federal aid secondary highway funds, for construction in 1940. He said that the right of way for this road is supposed to be 60 feet wide, although the county records do not disclose it and the County Court is having considerable difficulty in settling with some of the property owners for the land required for a 60-foot right of way; in fact, they are demanding \$6,000.00, which the county cannot pay. If the state will not construct the road on right of way less than 60 feet wide, he said, then it very likely will be necessary to transfer the funds to some other project.

The matter was discussed at considerable length, during which the suggestion was offered that the County Court secure deeds from the property owners with the understanding that the owners could use the property for 10 years or so, which arrangement would meet the requirements of the federal authorities. Mr. Malone stated that he would negotiate further with the property owners on such basis. If the County Court's efforts are not successful, then the Commission will give consideration to the transfer of the funds to finance the improvement of the Alsea-Deadwood Secondary State Highway.

Mr. Malone then asked the Commission to redesignate as a secondary state highway the 5-mile section of the Alsea-Deadwood Road that was deleted from the secondary state highway system when the Tampico-Louisville Road was placed on that system. The Commission agreed to keep the project in mind when adding new roads to the state's secondary highway system.

The County Court of Grant County, represented by County Judge J. H. Allen and County Commissioner Boyd L. Erikson, was present in the interests of the Three Flags Highway (Pendleton-John Day and John Day-Burns Highways) through Grant County. Also present with the court were Ernest Curtis, Road Superintendent of Grant County; E. H. Brent; and County Judge Nelson B. Higgs, of Harney County. They inquired as to the plans of the Commission for the further improvement of this road and were given detailed information in regard thereto by the Engineer, who recited projects that are now programmed for construction in Grant County, which projects are estimated to cost in excess of \$300,000.00. Judge Allen particularly referred to the condition of the Pendleton-John Day Highway in the vicinity of a place known as Fox. He said that the road was graded last year but there is no surfacing on it and it is now practically impassable. The Engineer was instructed to make an inspection of the section in company with H. D. Farmer, Senior Highway Engineer of the Public Roads Administration, to ascertain what is necessary to fix it up, the idea being that the work would be done with state forces in the event that it is not too costly, otherwise by contract.

A delegation from the Celilo Indian Reservation, consisting of Chief Tommy Thompson; Henry Thompson, his son; McKinley Westley; and John Whiz, interpreter, were present and discussed with the Commission matters pertaining to

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widening of the Columbia River Highway past the Celilo Indian Village east of The Dalles, and also in regard to the cleaning up of the Indian village. The State Highway Engineer advised that the present right of way is only 60 feet wide at this point, and it would be necessary, in order to provide a uniform-width highway, to acquire a 20-foot strip through the Indian village, it being impossible to widen the highway on the opposite side because of the proximity of the O.W.R. & N. Company's property, upon which the highway already encroaches. The widening of this section, he said, has been deferred for some time because of the right of way difficulty, but it now appears necessary to construct the improvement. He pointed out that the Indian buildings have been built very close to the present highway right of way and will have to be moved to accommodate the highway improvement, and gave as his thought that now would be a good time to secure a general cleanup of the village, which, under present conditions, is very unsightly, so as to make it a tourist attraction rather than an eyesore. He exhibited tentative plans for the reconstruction of the village, showing houses attractively arranged, and interspersed with wigwams. He asked Chief Thompson whether or not the Indians would object to giving up a portion of their property for right of way. Chief Thompson replied, through the interpreter, that the Indians do not wish to move away from this location and that the giving up of so much property for the highway improvement would deprive them of considerable area that they need for their village, considering that they have only 7.4 acres now for all of the Indian families; also, that he did not want to give the Commission an answer until he has had an opportunity to discuss it privately with the other Indians of his tribe. The Engineer gave as his thought that the final decision in this matter would be up to the Indian agent in charge of this reservation, Mr. M. A. Johnson, Superintendent of the Yakima Indian Agency, Toppenish, Washington. He requested authority from the Commission to communicate with Mr. Johnson in regard thereto. The Commission granted the request. He was instructed to send a copy of his letter to Chief Thompson for his information in discussing the situation with the members of his tribe.

Chief Thompson also inquired what could be done to provide greater safety for his people in crossing the highway and the railroad tracks between the village and the Celilo store. The Engineer suggested that a pedestrian underpass constructed of 84-inch diameter metal pipe would serve the purpose. This appeared to be satisfactory to Chief Thompson and accordingly the Engineer was instructed by the Commission to mention such a project in his letter to Superintendent Johnson. The conference was concluded with the understanding that Chief Thompson would discuss this matter with the members of his tribe at once and that another conference for further discussion of the entire matter would be called as soon as the Engineer receives a reply from Superintendent Johnson. The Commission also authorized the Engineer to send a letter to Senator McNary asking him to intercede with the Commissioner of Indian Affairs in Washington, D. C., for the cleaning up of the Celilo Reservation.

The Commission adjourned at 12:00 o'clock noon and reconvened at 1:30 o'clock p. m. in the same room with the same persons present and participating.

The Assistant Attorney brought up for discussion the bid received

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at the morning session for the purchase of the building on the right of way of the Corvallis-Eastside Secondary Highway, at Corvallis. He said that the only bid received for this building was that of Paul Nordyke, in the amount of \$425.50, as compared to the Highway Department's appraisal amounting to \$750.00. He also said that he could not recommend sale of the property for the amount of the bid price but suggested a minimum of \$550.00 as a compromise. After discussion, the Commission ordered that Mr. Nordyke be given an opportunity to purchase the property for not less than \$550.00, and if he does not want it at such figure, that the building be wrecked by the state contractor for the road work and the land retained for future disposition.

Reconsideration was given by the Commission to the request of B. Malting Company, Inc., Hillsboro, for a blanket permit to move peaving equipment 13 ft. 8 in. high overall, over certain state highways. The Engineer recommended denial of the request for a blanket permit but that the company be granted a separate permit for each movement, that for the first movement to be in writing and containing detailed conditions, terms, and regulations; subsequent permits to be issued by wire subject to the provisions of the written permit. The Commission approved the recommendation unanimously.

The Engineer reported the attitude of the Gilliam County Court with respect to the improvement of the Wasco-Heppner Secondary State Highway, particularly the improvement of this highway for a distance of about 5 miles east and west from Condon, as has been requested by the residents of that locality. He said that the County Court has expressed a preference for the improvement of the Rock Creek-Morrow County Line Section of this highway as originally proposed, rather than the sections adjacent to Condon, so as to expedite the grading of the entire section between Condon and Heppner, deferring until the grading work is done the surfacing and oiling of the sections adjacent to Condon. In view of this report, the Commission decided unanimously not to reallocate funds heretofore budgeted for the improvement of this road.

The Engineer also reported the cost to improve the Klamath Lake Secondary State Highway No. 421 within the corporate limits of Klamath Falls, particularly between the section already paved by the city and the end of the state's oiled section. He estimated that such project, using a 22-foot oiled section, would cost about \$12,000. He advised that this is a meritorious project but did not believe that there would be sufficient funds available to finance it this year. The Commission decided that it was too costly a project to undertake now, and so ordered.

The Commission had under discussion telegrams from Pendleton, Free-water, Weston Chamber of Commerce, Blue Mountain Ski Club of Tollgate, Oregon, the Oregon Trail Ski Club, Pendleton, and others, urging snow removal operations on the Weston-Elgin Secondary State Highway for the benefit of winter sports enthusiasts who desire to attend the Inter-Mountain Ski Tournament which is scheduled to be held at Tollgate on February 25. The Commission considered that the road carries insufficient traffic to justify the expense involved and, in fairness to other communities whose requests for similar work have been denied, could not authorize the work. The Engineer was instructed to so reply to the communications.

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A delegation from Corvallis, representing the Corvallis Planning Commission, came before the Commission in regard to the rerouting of the Pacific Highway West and the Albany-Corvallis Highway through Corvallis. The delegation was headed by Mr. Bob Glenn and included the following: W. M. Ball; C. L. Willey, City Engineer; Mayor H. W. Hand; and Ed Edmonds. They proposed a revision of the Pacific Highway West, starting at a point about one-quarter mile north of the city limits and extending southeasterly to a point near the intersection of First Street with Polk Street, thence southerly along First Street to Washington Street, thence southwesterly to a connection with the present highway at Third and "A" Streets. They pointed out that such routing would intersect the Albany-Corvallis Highway about one block north of Polk Street and the proposed route would serve both highways through the city so far as through traffic is concerned, and it would have the advantage of taking through traffic away from the congested district. They also pointed out that the proposed route, which extends along the Willamette River waterfront, would eliminate cross-traffic and would be an advantage from that standpoint. They asked an early decision in the matter because of a request now pending before the City Planning Commission for a change in the zone classification of some of the property involved, it now being classified as residential property, whereas the request is for classification as industrial property. Mr. Glenn filed a brief in support of oral arguments presented. After considerable discussion the Commission instructed the Engineer to make a study of the proposed change within the next few weeks and report his findings, including an estimate of the cost to construct the change.

Mr. O. E. Powell, Hubbard, came before the Commission in regard to the entrance driveway into his service station adjacent to the Pacific Highway north of Hubbard. The Engineer explained that highway department maintenance forces constructed a standard driveway into Mr. Powell's service station in accordance with plans heretofore adopted by the Commission, which provided two openings, one for entrance to the station and the other for exit, and in connection therewith built a traffic island on the state highway right of way, separating the two; further, that Mr. Powell caused the removal of this island and another island that was subsequently constructed to replace the first one, notwithstanding that he had been advised of the State Highway Commission's requirements. Mr. Powell alleged that the traffic island is a traffic hazard and is bound to be the cause of accidents. Furthermore, that it interferes greatly with the proper conduct of his business and that he will have to discontinue his business if the Commission insists upon maintaining the island. He demanded free access from the highway at any point in front of his property. The Engineer reiterated that the driveway was constructed in conformance with plans adopted by the Commission and pointed out that if Mr. Powell's demands are granted the Commission would have to change its policy. The matter was discussed at considerable length but action thereon was deferred pending the return of Chairman Cabell and an inspection of the premises by him.

At 3:00 o'clock p. m. the State Highway Engineer announced the following awards of contracts and sale of buildings, bids for which were taken at the morning session, such awards having been previously approved by the Commission by unanimous vote:

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"Miles Bridge-Baker and Baker-Salisbury Sections of the Medical Springs Secondary Highway and Baker-Unity Highway, in Baker County. 4.8 miles surfacing and 22.91 miles oiling; also furnish 2,200 cu. yds. crushed material in stock pile. R. O. Dail & Warren Bros., Inc., Portland, submitted the low bid on this project at \$33,592.65. Newport Construction Company, Portland, submitted the next-low bid in the amount of \$35,628.15. There were 6 higher bidders. The Commission awards this contract to R. O. Dail & Warren Bros., Inc., at their low bid of \$33,592.65.

"Repair existing steel bridge over the Willamette River at Corvallis, in Benton and Linn Counties, and reconstruct trestle approach thereto; also construct 0.06 mile highway roadbed. The low bid received for this project was that of Averill & Corbin, Portland, at \$20,073.00. The next-low bid was that of Harry I. Hamilton, Eugene, at \$20,883.00. There were 4 higher bidders. The Commission awards this contract to the low bidders, Averill & Corbin, at their bid of \$20,073.00.

"C.O.I.D. Canal Bridge 9 miles east of Redmond on the Ochoco Highway, in Crook County. The low bid received for this project was that of Birkemeier & Sarenal, Portland, at \$2,204.00. The next-low bid was that of Hart Building Company, Redmond, in the amount of \$2,362.50. There were 8 higher bidders. This contract is awarded to Birkemeier & Sarenal at their low bid of \$2,204.00.

"Mussel Creek-Myers Creek Section of the Oregon Coast Highway, in Curry County. Furnish 13,800 cu. yds. crushed gravel in stock piles. The low bid received for this project was that of A. S. Wallace, Roseburg, in the amount of \$22,140.00. The next-low bid was that of the River Bend Sand & Gravel Company, Salem, at \$25,620.00. There was one higher bidder. The Commission awards this contract to A. S. Wallace, the low bidder, at his bid of \$22,140.00.

"John Day-Prairie City Section of the John Day Highway, in Grant County. 0.84 mile grading, 9.0 miles surfacing, and 13.10 miles oiling; also furnish crushed gravel in stock piles. The Triangle Construction Company of Boise, Idaho, submitted the low bid for this project, in the amount of \$70,516.50. Babler Bros., Portland, submitted the next-low bid in the amount of \$71,434.00. There were 10 higher bidders. This contract is awarded to the low bidder, Triangle Construction Company, at its bid of \$70,516.50.

"Warm Springs Agency-Vanora Section of the Warm Springs Secondary Highway, in Jefferson County. 5.1 miles surfacing and oiling; also furnish crushed rock in stock piles. The low bid submitted for this work was that of R. O. Dail & Warren Bros., Inc., Portland, in the amount of \$36,196.00. The next low bid was that of Babler Bros., Portland, in the amount of \$36,358.00. There were 8 higher bidders. This contract is awarded to R. O. Dail & Warren Bros., Inc., the low bidders, at their bid of \$36,196.00.

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"Silver Lake-Chalk Cliff Section of the Fremont Highway, in Lake County. 0.43 mile grading and surfacing and 40.26 miles oiling. Warren Northwest, Inc., Portland, submitted the low bid for this project at \$25,614.10. Babler Bros., Portland, submitted the second-low bid in the amount of \$26,563.00. There were 7 higher bidders. The Commission awards this contract to the low bidder, Warren Northwest, Inc., at its bid of \$25,614.10.

"Fir Creek-Laurel Road Section of the Hillsboro-Silverton Secondary Highway, in Washington County. 2.25 miles grading, surfacing, and oiling; also construct 63 lin. ft. pile trestle bridge. The low bid received on this project was that of M. L. O'Neil & Son, Eugene, in the amount of \$33,654.50, based on the use of tar. The next-low bid submitted was that of Contracting & Sales Company, Portland, in the amount of \$35,454.00, also based on the use of tar. Neither of these bidders submitted a bid based on the use of asphalt. There were 4 higher bidders. The Commission awards this contract to the low bidders, M. L. O'Neil & Son, at their bid of \$33,654.50, using tar."

Sale of Buildings:

"Sale of 4-room house and garage, formerly owned by Lorine E. Olson, at the east end of the Willamette River Bridge, at Corvallis, in Benton County. The low and only bid received for this building is that of Paul Nurdyke, of Corvallis, at \$425.50, for building and tract. This bid is referred to the Engineer to sell the building for not less than \$550.00; otherwise the bid is rejected.

"Sale of 8-room house, formerly owned by Henry Newman, on the west side of the Columbia River Highway in Scappoose, Oregon. The only bid received for the purchase of this building is that of the Scappoose Irrigation and Produce Company, at \$51.00. The Commission sells this building at this price to the Scappoose Irrigation and Produce Company."

Messrs. Ralph P. Laird and John Parrott, Creswell, Oregon, came before the Commission relative to the improvement of the Springfield-Creswell Secondary State Highway, particularly the section between the town of Jasper and the McKenzie Highway. They filed with the Commission a petition signed by numerous users of this road, in which the Commission was urged to gravel and oil the road during the summer of 1940. The Engineer estimated that it would cost about \$25,000 to stabilize and oil this road throughout its entire length, and that to improve the section between Jasper and the McKenzie Highway, which in his estimation is the most important section, would cost about \$10,000. He gave as his thought that the project is economically sound and there is no question of its merit. After considerable discussion, the Commission indicated that it would approve this project for construction this year in the event that a sufficient amount of funds accumulates by reason of savings in the maintenance operations to finance the work. The Secretary was instructed to place this project on the priority list for consideration by the Commission later in the year.

Mr. Laird signified his approval of the improvement of this section between Jasper Bridge and the McKenzie Highway, a distance of about 5 miles, in the event the Commission cannot finance the improvement of the entire road. He also asked for the construction of guard rail and installation of traffic lights at the point where a county road enters the highway at the bridge in Jasper. This matter was referred by the Commission to the Engineer with authority to take such action as may be necessary.

Mr. G. M. Fox, representing the Markel Highway Transport Service, Portland, came before the Commission in regard to the Commission's requirements with respect to the furnishing of public liability and property damage insurance in connection with the transportation over state highways of loads that exceed the statutory limit as to length. He pointed out that the Commission now requires public liability insurance in the amount of \$50,000/100,000 and property damage insurance in the amount of \$10,000. He advised that there are only two or three companies that write such insurance, and, when they do write it, they make a charge of about \$60 for the excess coverage, which, in his estimation, is valueless so far as protection to the public is concerned. He gave as his thought that the general public would be as well protected by insurance in the amounts required by statute; viz., \$5,000/10,000 public liability and \$1,000 property damage, and urged the Commission to modify its requirements in that regard. The Commission deferred its decision in this matter pending the return of Chairman Henry F. Cabell.

Mr. J. A. Irmiler, City Councilman, Cornelius, was present and conferred with the Commission in regard to the installation of flashing beacons at the intersection of the Tualatin Valley Highway with two streets in Cornelius. The Engineer explained that this matter has been given very careful study, not only by the Traffic Engineer, but by himself personally, and, in his estimation, the conditions obtaining at these intersections do not meet the requirements of the State Highway Commission for flashing beacons. He suggested, in lieu thereof, the painting of "No Parking" strips on the highway for a distance of 30 feet on each side of the intersections, which, he thought, would improve the sight distance for traffic entering the highway and would assist greatly in reducing the number of accidents. The Commission approved the Engineer's suggestion.

Mr. Walter Meacham, Secretary of the Committee appointed by the Commission to recommend sites for historical markers along the Old Oregon Trail, conferred with the Commission. He presented a report, in writing, containing suggestions for the carrying out of this assignment. The matter was discussed at some length but action thereon was deferred pending the return of Chairman Cabell.

Messrs. R. B. Pemberton, Master Mechanic, and Herbert C. Hardy, Attorney, representing the Bonneville Authority, came before the Commission and requested permission to operate over Oregon state highways certain equipment that exceeds the statutory limits as to width and length. They explained that in connection with the activities of the Bonneville Authority it will be necessary, occasionally, to make deliveries of extremely heavy transformers, and they plan to ship these transformers by rail to the nearest railroad point and

to truck them from such location to the point of use, which trucking operation will require the use of specially-built trailer equipment. They asked the Commission for a special permit to move the special equipment, without load, over state highways as occasion requires. It was explained to Messrs. Pemberton and Hardy that it is contrary to the established policy of the Commission to grant blanket privileges of this kind, but, under such policy, the Commission would be pleased to consider the granting of individual permits for each movement, provided the Bonneville Authority would meet the Commission's requirements with respect to the furnishing of insurance, et cetera. Mr. Pemberton advised that each movement of this special equipment would be in the nature of an emergency and that they would be severely criticized if they had to wait for a written permit each time one was needed. The Engineer thereupon recommended the granting of a written permit for the first movement, embodying all the rules and regulations, and the granting of subsequent permits by telegram, based on the conditions of the written permit and conditioned upon the Highway Commission being furnished proper insurance. The Commission adopted the suggestion by unanimous vote but deferred until the return of Chairman Cabell its decision with respect to the insurance. (The matter was reconsidered on the afternoon of the following day, when Chairman Cabell was present, and it was decided unanimously to require the Bonneville Authority to furnish public liability insurance in the amount of \$5,000/10,000 and property damage insurance in an amount not less than \$1,000.)

Messrs. Paul Crooks and A. H. Saxton appeared before the Commission relative to the contract that was awarded by the Commission to Saxton, Looney & Risley on December 8, 1939, for the construction of the Warm Springs Agency-Vanora Section of the Warm Springs Secondary Highway, in Jefferson County, which contract Saxton, Looney & Risley failed to execute. Mr. Crooks was spokesman. He advised that he has been appointed Trustee for the creditors of Saxton, Looney & Risley and is particularly interested in securing relief from the payment of the 5 per cent penalty imposed on Saxton, Looney & Risley for failure to enter into this contract. He presented a letter from the Portland Chapter of the Associated General Contractors of America in support thereof and advised that the concession requested is simply for the benefit of the creditors. Commissioners Aldrich and Clough expressed themselves as being opposed to granting the relief requested because it would establish a very bad precedent which would place the Commission in an embarrassing position in the disposition of similar cases in the future. However, they deferred a definite decision in the matter pending consultation with Chairman Henry F. Cabell. It was understood that the Commission would grant Mr. Crooks and the contractor another hearing in two or three weeks. In this connection the Assistant Attorney suggested that the contractor be notified that the Commission intends to collect the amount of the bond. The Commission concurred and thereupon instructed him to prepare such letter. (The Commission on the following day set Tuesday, February 27, as the date for a special meeting to be held in Chairman Cabell's office, Portland, and instructed the Secretary to invite Mr. Crooks and Mr. Saxton to be present at such meeting.)

Messrs. O. A. Feland and H. K. Coffey, representing the Mutual Benefit Health and Accident Association of Omaha, Nebraska, came before the Commission relative to the furnishing of group health and accident insurance covering

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salaried employees of the State Highway Department. They explained their proposition in detail and after some discussion the Commission referred the matter to the Attorney for investigation and report at the next meeting.

Mr. Don Peoples, Secretary of the Bend Chamber of Commerce, came before the Commission and discussed briefly matters pertaining to the completion of the Warm Springs Highway between Warm Springs Agency and the Wapinitia Highway junction. He was informed as to the Commission's plans for the financing of this work.

The Commission adjourned at 6:00 o'clock p. m., to reconvene on the following morning in the same room.

Portland, Oregon, February 16, 1940

The State Highway Commission reconvened at 9:00 o'clock a. m. in the auditorium of the Public Service Building. Present were:

E. B. Aldrich, Commissioner
Huron W. Clough, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

Chairman Henry F. Cabell arrived at 2:00 o'clock p. m.

Bids as follows for highway construction projects were opened and read in conformance with previously published notice, following which Commissioner Aldrich announced that the award of contracts would be made at 3:00 o'clock p. m. in the same room:

BUTLER COUNTY ROAD

BEND-BUTLER RANCH SECTION - GRADING, SURFACING AND OILING

J. C. Papin	\$31,709.90
Leonard & Slate	33,644.50
Fisher Bros.	33,927.60
Clifford A. Dunn	40,857.40
Babler Bros.	41,879.00
Homer G. Johnson	44,155.00
McNutt Bros.	46,044.50

JOHN DAY HIGHWAY

SERVICE CREEK-BRANSON CREEK SECTION - OILING

J. C. Compton	\$11,804.25
Babler Bros.	12,944.30
Norris Bros.	14,133.50
Edwin C. Gerber	15,682.00
Warren Northwest, Inc.	15,841.00
Diesel Oil Sales Company	16,137.00
McNutt Bros.	17,967.00
Newport Construction Company	20,105.00
Hoops Construction Company	21,976.25

LITTLE BUTTE SECONDARY HIGHWAY
 LICK CREEK—SALT CREEK SECTION
 SURFACING, OILING, FURNISHING CRUSHED ROCK IN STOCK PILES

Norris Bros.	\$21,032.00
Clifford A. Dunn	23,063.50
Homer G. Johnson	28,374.50

FREMONT HIGHWAY
 NORTH UNIT, ANA SPRING-HUNTER HILL SECTION
 ROADSIDE IMPROVEMENT

Guy H. Booker & Arthur T. Fox	\$ 5,381.50
River Bend Sand & Gravel Company	7,469.50
Blair T. Alderman	8,279.50
W. E. Myers & Son	8,521.00

MEDICAL SPRINGS SECONDARY HIGHWAY
 UNION-CATHERINE CREEK SECTION
 OILING; ALSO FURNISH CRUSHED GRAVEL IN STOCK PILES

J. C. Compton	\$16,097.00
R. O. Dail & Warren Bros., Inc.	16,390.30
Morrison-Knudsen Company, Inc.	18,282.00

HURRICANE CREEK COUNTY ROAD
 CASTOR RANCH-JOSEPH SECTION
 GRADING, SURFACING AND OILING; ALSO COMPOSITE TYPE BRIDGES

Norris Bros.	\$25,549.00
Colonial Construction Company	26,882.00
Homer G. Johnson	27,204.90

THE DALLES-CALIFORNIA HIGHWAY
 SEUFERT-DUFUR SECTION - CRUSHED ROCK IN STOCK PILES

Mid-Columbia Sand & Gravel Company	\$12,737.00
Homer G. Johnson	12,908.00
Schmeer & Williams Bros.	13,138.00
Fisher Bros.	13,886.00
Chester T. Lackey	14,250.00
A. S. Wallace	15,160.00

PACIFIC HIGHWAY WEST
 TIGARD GRADE SEPARATION AND FANNO CREEK BRIDGE
 REINFORCED CONCRETE VIADUCT

Jacobsen-Jensen Company	\$86,292.50
Birkemeier & Saremal	87,382.50
Scheuman & Johnson	88,150.00

(Continued on next page)

(Tigard Grade Separation and Fanno Creek Bridge continued:)

Clifford A. Dunn	\$ 38,848.00
Barhan Bros.	91,681.50
Geo. H. Buckler Company	91,923.30
Kuckenberg Construction Company	93,588.00
A. W. Stevens Construction Company	96,411.00
Edlaesen-Weygandt Company	96,687.00
McNutt Bros.	96,805.00
C. J. Eldon	98,591.00
L. H. Hoffman	99,685.00
Parker-Schran Company	101,305.00
Angeles Gravel & Supply Company	111,331.50
Ross B. Hammond Company	112,380.00

Messrs. James Frankland, Regional Engineer, and Otto Lindh, representing the United States Forest Service, came before the Commission in regard to the securing of a blanket permit to operate heavy tractor equipment over state highways in connection with the suppression of forest fires. They explained that at times during the fire season they are obliged to rent privately-owned equipment, such as trucks and tractors, to augment the government equipment, and frequently such hired equipment is not licensed to operate on the public roads of this state; further, that such equipment is rented only in cases of emergency, which would not allow time to secure a written permit. In fact, it would be disastrous to have to wait for a written permit and in view thereof they would like blanket authority to operate such equipment over state highways when necessary. After discussion, the Commission decided not to grant a blanket permit, inasmuch as that is contrary to its established policy; however, the Commission authorized the granting of a permit for one particular movement, which permit shall contain in detail the conditions and requirements under which the movement is authorized; subsequent movements to be granted by telegram subject to the conditions and requirements set forth in the original permit. Mr. Frankland advised that such arrangement would be satisfactory with the United States Forest Service.

Mr. George K. Aiken, Mayor, headed a delegation from Ontario, Oregon, which appeared before the Commission relative to the proposed revision of the Old Oregon Trail between Ontario and Huntington, to shorten the distance between these points, and concerning the plans of the State of Idaho to reroute Old Oregon Trail traffic on the east side of the Snake River through Weiser, Idaho, thus bypassing the town of Ontario. Other members of the delegation were Elmo E. Smith, Publisher of the Eastern Oregon Observer; Robert E. Lees, lawyer and city councilman; and George Merriott, owner of the Moore Hotel, Ontario.

The State Highway Engineer advised that the rerouting proposed by Idaho would increase the distance between Boise and Portland considerably over the present route through Ontario. Furthermore, it would involve the State of Oregon in considerable expense for the construction of a bridge over the Snake River. He suggested that it would be much better to retain the present routing of this highway through Ontario, and pointed out that this route, with certain

revisions, would not only be much shorter than the Weiser route but would also provide direct connections with the Central Oregon Highway and the John Day Highway, thus giving the traveling public the benefit of alternate routes. It was his thought that the State of Oregon should oppose the Idaho plan and he recommended that a letter be filed with the Public Roads Administration to that effect inasmuch as this is a federal aid highway and federal funds would be used to assist in financing the work. After considerable discussion the Commission approved the Engineer's recommendation and thereupon instructed him to prepare such letter.

Mr. James Morrell, Portland, appeared before the Commission in behalf of the Consolidated Freightways, Inc., relative to the securing of a blanket permit authorizing the movement over state highways of motor vehicles having a maximum height, unladen or with a load, in excess of 11 feet but less than 12½ feet. He particularly requested such a permit for the operation of equipment having a maximum height of 11 feet 6 inches over the Pacific Highway between Portland and the California state line; however, advised that the company also desires similar permits for its operations on other state highways. In the discussion of this matter the Engineer pointed out that there is insufficient clearance at the Springfield and Goshen underpasses on the Pacific Highway to permit movements of this height, so it would be necessary for the company to either arrange for bypassing the section between Springfield and Goshen or to cooperate with the state in providing greater clearances at these two points, which he estimated would cost about \$4,000.00. It was his thought that it would be more economical for the company to pay for increasing the clearances at Springfield and Goshen than to use any bypass route. Mr. Morell requested time in which to give the matter further study and it was agreed that he would advise the State Highway Engineer as soon as their decision has been made, and would also let the Engineer know all of the highways over which they desire permits.

Captain Harold Roche, mining engineer, Port Orford, came before the Commission in regard to the proposed relocation of the Oregon Coast Highway between Port Orford and Hubbard Creek. Captain Roche advised that he has conducted extensive investigations along the Oregon coast line, looking into the possibilities for mining, and has decided to spend a considerable sum of money in a mining venture at the mouth of Hubbard Creek, but it appears that the State Highway Commission has plans for the reconstruction of the highway at this location, which will take the only available site for his plant. He asked the Commission to revise its plans for the highway improvement so as to bypass his plant site. He also advised that he has already secured options for the purchase of this site and other property that he needs in this vicinity. He also mentioned that he has plans for the conducting of similar operations at the mouth of Euchre Creek, about 20 miles south of Port Orford. The Engineer was instructed by the Commission to investigate both locations in question with Mr. R. L. Farmer, Senior Highway Engineer of the Public Roads Administration, and ascertain whether or not it will be possible to accede to Captain Roche's request without ruining the proposed highway alignment or increasing the cost of highway construction.

County Judge Guy Boyington and County Commissioner John Slotte,

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Clatsop County, came before the Commission in regard to the Elsie-Jewell County road. They renewed their request for the designation of this road as a state secondary highway and in support thereof presented a resolution adopted by the county court to that effect. Judge Boyington advised that the right of way of the present highway between Jewell and Tideport Camp is 60 feet wide but from that point on to Elsie it is only 40 feet wide, and there are numerous building encroachments consisting of small shacks. It was his thought that the State Highway Commission is in much better position to secure the removal of the buildings but offered the services of the county to assist in securing extra right of way as may be required, particularly that needed for line changes. This matter was discussed at some length but a decision in the matter was deferred by the Commission pending personal inspection of the road by members of the Commission.

Judge Boyington then brought up for discussion matters pertaining to a stock pile site that the county deeded to the state without cost, said site being situate in the S.E. $\frac{1}{4}$ of the S.W. $\frac{1}{4}$ of Section 15 and in the N.E. $\frac{1}{4}$ of the N.W. $\frac{1}{4}$ of Section 22, Township 7 N., Range 10 W., W. M., Clatsop County. He advised that the description of the property deeded to the state is in error in that it overlaps on adjacent property that the county deeded to a private individual. He asked the Commission to reconvey to the county by quitclaim deed the area included in the overlap so as to clear up the title. The Commission approved the request by unanimous vote and instructed the Attorney to prepare the necessary papers.

The Assistant Attorney reported the status of the right of way budget as follows: total budget for 1940, \$600,000.00; total obligations set up to date, \$244,684.72.

The matter of acquisition of right of way across property owned by J. R. Brewster on the west side of the Oregon Coast Highway just south of the Depoe Bay Bridge was brought up for discussion by the Assistant Attorney. He stated that Mr. Brewster owns Lot 1 of Block 1, Breakers Addition to Depoe Bay, and that he is demanding \$1,000 for one-half of this lot, which is needed for the highway improvement. He valued the entire property at \$1,750.00 to \$2,000.00, but gave as his thought that Mr. Brewster would accept a compromise offer of \$750.00, and requested authority to offer Mr. Brewster such amount for the one-half lot. The Commission approved the recommendation.

The Attorney requested authority to acquire certain parcels of real property that are needed for various highway improvements throughout the state. He submitted a list of such properties together with prices that he recommended be paid for each. After careful study the Commission approved the request and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth; and

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WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon; and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Ecola Park Section - Oregon Coast Highway</u>				
7688-Crown Zellerbach Corp.	Park	20.0	\$5 per a.	Gardiner
<u>Hug Point-Arch Cape Section - Oregon Coast Highway</u>				
7748-Taylor, Anna C.	Park	5.0	\$40 per a., + \$7.50	Parker
<u>Sunset Camp-Elsie Section - Wolf Creek Highway</u>				
6617A-Oregon American Lbr. Corp.	Timber Strip		8.3 a. at \$5 per a.	Parker
<u>Houlton-Warren Section - Columbia River Highway</u>				
7441-Curteman, J. O.	R/W	10482 sq.ft.	\$0.01118 sq.ft., plus \$132.81	McChesney
7762-Anderson, Julia	"	750 sq.ft.	\$0.025 sq.ft.	"
7450-Muhr, Louis L., et al	"	0.087	\$200 per a., + \$33	"
7453-Parr, John	"	0.15	\$200 per a., + \$63	"
<u>Nehalem Spit Section - Oregon Coast Highway</u>				
7326-Prince, Louis R.	Park	1 lot	\$10 per lot (State to pay taxes, est. \$1.50)	DeSouza
<u>Tigard Section - Pacific Highway West</u>				
7689-Zwerner, Alfred	Drainage Ditch Esmt.		Perpetual easement on 10'x 800' strip of land for drainage ditch purposes - Lump Sum \$300	Collins
<u>Buxton-Manning Section - Wolf Creek Highway</u>				
6257-Pongrats, Joseph, Estate	R/W	1.13	\$150 per a., + \$130.50, plus fencing	McChesney
<u>Siletz Bay-Newport Section - Oregon Coast Highway</u>				
4120-Bachelder, Ray M.	R/W	806 sq.ft.	10¢ sq.ft.	McCallister
4186-Tragilo, Pierre L.	"	1460 sq.ft.	10¢ sq.ft., + \$54	"
7019-Dempsey, A. W.	"	687 sq.ft.	10¢ sq.ft., plus moving bldg. (Est. \$250)	"

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Corvallis-Monroe Section - Pacific Highway West</u>				
7811-Smith, John M.	R/W	1.29	\$100 per a., + \$177.50	Eason
<u>Albany Section - Pacific Highway East</u>				
5827-Veal, F. Chester	"	1007 sq.ft.	5¢ sq.ft., + \$1,949.65	Gardiner
<u>Gold Beach Section - Oregon Coast Highway</u>				
7746-First National Bank of Portland	Stock Pile	0.52	\$200 Lump Sum	DeSouza
7744-First National Bank of Portland	" "	1.0	\$100 Lump Sum	"
<u>Port Orford-Euchre Creek Section - Oregon Coast Highway</u>				
2564-Leutwyler, Paul	R/W	42 sq.ft.	Gratis	Collins
2563-Knapp, Lewis L.	"	5620 sq.ft. (2 lots)	\$150 per lot	"
<u>Euchre Creek-Rogue River Section - Oregon Coast Highway</u>				
7745-Miller, Eva	Stock Pile	1.98	\$250 per a.	Collins
7743-Miller, D. W.	Stock Pile Site	0.72	\$150 Lump Sum	"
<u>Grants Pass-Green Creek Section - Pacific Highway</u>				
6103-Reeder, Marvin B. (Borland property)	R/W		Cancellation of Lease - \$250	McCallister
<u>Medford-Josephine County Line - Pacific Highway</u>				
7740-Inter-Continental Corp.	R/W	2.36	Gratis	DeSouza
<u>Silver Lake-Chalk Cliff Section - Fremont Highway</u>				
7789-Currier, Wm. Manley	Borrow Pit	0.5	\$50 Lump Sum, plus moving fence	John T. Burch
<u>Jefferson County Line-Prineville Section - Warm Springs Highway</u>				
7679-Austin, Varina P.	R/W	13.98	4.37 a. at \$100 per a. 9.61 a. at \$25 per a., plus \$1,100	Benson
<u>Crooked River-Prineville Section - Ochoco Highway</u>				
7620-Solberg, Geo.	R/W Slope Easement	400 sq.ft.	Gratis	Benson
7619-Bowman, A. R.	" "	543 sq.ft.	Gratis	"
7642-Poindexter, Isabella	R/W	9.96	\$150 per a., + \$2,044	"
<u>Seufert-Dufur Section - The Dalles-California Highway</u>				
7752-Kuck, Ernest A.	Stock Pile	0.61	\$50 Lump Sum, + Federal Land Bank fee, \$7.50, + fencing	Chandler
<u>Haines Section - Old Oregon Trail Highway</u>				
6882A-Veazie & Veazie (Supplemental) (E.W.Hearing property)	R/W		Release of judgment - \$25	DeSouza
<u>Soda Mountain (Seneca) Section - John Day-Burns Highway</u>				
7224-Edward Hines Lumber Co.		4.0	\$62.50 per a.	DeSouza
Maintenance Site				

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Prairie City Section - John Day Highway</u>				
7469-Clark, W. R.	R/W	88 sq.ft.	Gratis	Gardiner
7470-Grant Co. Hosp. Assn.	"	6326 sq.ft.	1¢ sq.ft.	"
7471A-Cleaver, Lewis L.	"	2858 sq.ft.	Land Gratis, + \$850	"
7472-Daly, Patsy (Clarence F. Harris)	"	5185 sq.ft.	1¢ sq.ft. + \$34	"
7473-Daly, Sarah J.	"	6202 sq.ft.	1¢ sq.ft. + fencing	"
7680-Smyth Estate, Eloise Unice		3.73	\$25 per a. + fencing	"
Gravel Pit and Stock Pile				
<u>Bunker Hill Section - Oregon Coast Highway</u>				
7827-Underland, Monrad	R/W	2 lots (6000 sq.ft.)	\$850 Lump Sum	Benson
7825-D'Ambrosia, Ida	"	6 lots (18000 sq.ft.)	\$7,000 Lump Sum	"
7826-Lillie, Garland	"	2 lots (and house)	\$1,800 Lump Sum	"

Reconsideration was given by the Commission to moving the Methodist Episcopal Church Building at Tigard, particularly its approval of an expenditure of \$456 in addition to the contract price, for certain items desired by the Board of Trustees. The Assistant Attorney advised that when the Commission authorized the additional expenditure it was thought that the toilet fixtures, for which the church was to make payment, would cost about \$75.00, leaving a difference of \$381.00 to be paid by the state; however, it now develops that the quotation submitted by the contractor included only \$33.00 for such items, which would leave a difference of \$423.00 to be paid by the state rather than \$381.00, an increase of \$42.00. He inquired whether or not the Commission is willing to assume this extra expense. The Commission voted unanimously to pay the extra expense with state funds.

The Assistant Attorney brought up for discussion the request of Mrs. Avvon Hughel, Grants Pass, owner of the Grants Pass Auto Park, for permission to maintain a neon sign on the state highway right of way south of Grants Pass. He advised that in connection with the Grants Pass South improvement of the Pacific Highway it was necessary to acquire some right of way from Mrs. Hughel and one of the conditions of the sale was that Mrs. Hughel would be allowed to maintain her existing sign on the highway right of way. The sign, he said, is attached to an oak tree at the highway line and projects over the right of way a distance of about 10 feet and is 10 feet above the ground surface. He also said that Mrs. Hughel wants provision made in a deed for the maintenance of this sign at such location rather than to have the matter covered by separate agreement or permit. He recommended approval of the request. The Commission approved the recommendation unanimously.

The Commission adjourned at 12:15 o'clock p.m. and reconvened at 2:00 o'clock p.m. in the same room with all members present and participating. Also present were the State Highway Engineer, the Attorney, and the Secretary.

Messrs. William Tugman and Howard Merriam, Eugene, came before the Commission in regard to the permanent route of the Pacific Highway through Eugene. They questioned the advisability of holding a public hearing on this matter and asked the Commission to expedite the adoption of a permanent route and the construction of the same. The Engineer advised that surveys for this project have been completed but the data have not as yet been assembled for report, although he expects to have this report ready to render to the Commission at its March meeting. Chairman Cabell advised that the Commission is not in a position today to say definitely whether or not it will hold a public hearing in Eugene on this matter, but will give the matter consideration when the Engineer's report has been studied.

The matter of paying a pavement assessment against state-owned property described as Lot 9, Block 16, Grahams Fourth Addition to Toledo, had the attention of the Commission. The Attorney advised that assessment against this lot is in the amount of \$74.60 and that investigation reveals that the city actually pays the assessments against city-owned property. He pointed out that the Commission at a recent meeting authorized the payment of an assessment against state-owned property in Portland, and recommended, in view thereof, that the state pay the assessment in Toledo. The Commission approved the recommendation.

The Attorney reported receipt of a communication from the Commissioner of the Bureau of Reclamation with respect to the incorporation of an extra clause in the lease contract between the government and the state for certain lands at the confluence of the Deschutes and Crooked Rivers, in Jefferson County, which provides that the application of the State of Oregon for a continuance of the lease at termination in 1949 will be given preference over that of any other applicant. He said that according to this communication the suggested clause expresses the sentiments of the present officials of the Bureau of Reclamation but their decision is that it is not feasible to incorporate it in the lease contract because of the possibility that it would be interpreted to express the future policy of the government at the end of the 10-year period of the lease, which situation they wish to avoid. The Commission decided, in view of this report, to accept the lease contract in its present form.

The Attorney read aloud a letter from Hallock, Donald & Banta, Attorneys, Baker, Oregon, in behalf of certain mining companies operating in the vicinity of Sumpter, Oregon, in regard to the Sumpter Valley Secondary Highway right of way. It appears that one of the mining companies is operating two dragline dredges in the vicinity of Sumpter and that the company has been prohibited the use of the highway in connection with these operations. Further, that the company alleges that it is strictly within its rights in using the highway for its purposes because the Baker County records disclose that title to the right of way is still vested in the company and, in view thereof, it is the intention of the company to close the highway to general public use unless the Highway Commission will grant its request for a permit to conduct certain dredging operations on the highway right of way and to move its equipment upon and across the traveled roadway. The Engineer advised that the road under discussion was used for many years as a county road before it was added

to the state highway system and the matter of title to the right of way was not questioned when the state took the road over. He suggested that it would be advisable to search the county records to ascertain whether or not Baker County ever did acquire this right of way by purchase or otherwise. The Commission approved the suggestion and instructed the Attorney to make such investigation and report his findings. The Secretary was instructed to search the records and ascertain whether or not any mining company in this vicinity has been denied permit to use the highway.

In this connection the Commission considered that it would be advisable, in order to avoid circumstances of this kind, to check the titles to right of way of all state highways throughout the state and it was decided unanimously to have the records searched. The Attorney was instructed to make investigations as may be necessary with respect thereto.

The Attorney also brought up for discussion the matter of removal of several small buildings from state-owned property adjacent to the Salmon River Highway. He explained that for some time past certain private parties have maintained small cabins on property that the Commission acquired for wayside strips along this highway and it now appears that the work upon which these parties were engaged in this vicinity is completed and they have requested authority to remove the buildings from the state's premises. He recommended approval of the request, the buildings being of no value to the state and it being desirable to clean up the state property. The Commission approved the recommendation.

The Assistant Attorney reported the need to institute condemnation proceedings to acquire certain parcels of real property that are needed for certain highway improvements. He submitted a list of properties in question, together with offers that he recommended be made, for condemnation as follows:

- File 1823-Alice W. Jordan. Troutdale-Fairview Section of the Columbia River Highway. Right of Way - \$13,000.00
- File 4896-Juanita Starr. Multnomah Falls-Dodson Section of the Columbia River Highway. Right of Way - \$10,000.00
- File 7480-Selden B. Stonedahl. Catherine Creek Section of the Medical Springs Highway. Quarry and Stock Pile Site - \$274.00
- File 7747-Leo F. Smith. Hug Point-Arch Cape Section of the Oregon Coast Highway. Park - \$2,500.00
- File 5697-Frank Heck. Cottage Grove Section of the Pacific Highway. Right of Way - \$16,000.00

After discussion the Commission approved the request and the offers recommended. The following resolutions in regard thereto were adopted by the Commission by unanimous vote:

WHEREAS, the State Highway Commission is by law authorized and directed to lay out, locate, relocate, designate, construct, reconstruct, improve and maintain a system of state highways in the State of Oregon, including both primary and secondary state highways, to acquire rights of way necessary therefor, and to declare the necessity

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and need for the acquisition thereof, and the advantages to be gained thereby;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the State Highway Commission does hereby find and declare that it is necessary, will be of advantage to the State of Oregon, and is needful that the State acquire for right of way purposes for use in connection with the permanent location, construction, improvement, and maintenance of the following section or sections of the state highway system of the State of Oregon, to wit:

Troutdale-Fairview Section of the Columbia River Highway
Multnomah Falls-Dodson Section of the Columbia River Highway
Cottage Grove Section of the Pacific Highway

real property owned by or in possession of the following parties and/or persons, to wit:

Troutdale-Fairview Section of the Columbia River Highway
File 1823-Alice W. Jordan
Multnomah Falls-Dodson Section of the Columbia River Highway
File 4869-Juanita Starr
Cottage Grove Section of the Pacific Highway
File 5697-Frank Heck and Mary E. Heck

and this Commission does hereby declare further that the said property or properties are necessary, are needful, and the acquisition thereof will be of advantage to the State of Oregon for right of way purposes in order to make it possible for the State Highway Commission to properly locate, relocate, construct, reconstruct, and maintain said portion or portions of the said state highway system in accordance with standards adopted by this Commission relative to curvature, grades, alignment, drainage, and factors of safety.

2. That the State Highway Engineer be and he hereby is instructed and directed to properly survey the parcel or parcels of land required for such right of way purposes and prepare proper and adequate descriptions thereof, which descriptions shall be employed in the preparation of a deed or deeds or other instrument or instruments necessary to complete the acquisition of the said property or properties or which descriptions may be used in the preparation of a complaint in the event that condemnation proceedings are necessary.

3. That the boundaries of the said parcel or parcels of land, as defined and determined by the said survey made by the said Highway Engineer, along the route or location adopted by the Highway Commission, shall be and the same hereby are adopted and the lands

defined therein are hereby declared to be and the same are included within the rights of way of the said portion or portions of the said state highway system and hereby are declared to be necessary for the proper location, improvement, construction, and maintenance of the said portion or portions of the state highway system.

4. That I. H. Van Winkle, Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they are hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby further resolved that the Attorney General of the State of Oregon and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they hereby are requested to commence and prosecute to a final determination such suit or action, or suits or actions, as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

WHEREAS, by virtue of the laws of the State of Oregon, the State Highway Commission is authorized and empowered to acquire land or ground necessary for the development, maintenance, and operation of parks, parking places, automobile camps, camp sites, public squares, recreational grounds or resorts and land for the preservation of trees or timber growing thereon; and

WHEREAS, in the judgment and opinion of the State Highway Commission it will be for the convenience and is for the best interests of the general public that there be acquired for public purpose, to wit: for the purpose of developing and maintaining a park, recreational ground and/or resort, and for the purpose of preserving the timber growing thereon, a one-twelfth interest in the following described parcels of land, to wit:

Property of the heirs of the William E. Smith, deceased,
estate and of Anna C. Taylor

Government Lot 4 of Section 30, Township 4 North, Range 10 West, W.M., containing 56.7 acres, excepting 3.8 acres lying within the existing right of way of the Oregon Coast Highway.

Also, the southeast quarter (SE $\frac{1}{4}$) of the southwest quarter (SW $\frac{1}{4}$) of said Section 30, containing 40 acres.

Also, the south one-half ($S\frac{1}{2}$) of the southwest quarter ($SW\frac{1}{4}$) of the southeast quarter ($SE\frac{1}{4}$) of said Section 30, containing 20 acres.

Also, the northwest quarter ($NW\frac{1}{4}$) of the southwest quarter ($SW\frac{1}{4}$) of the southeast quarter ($SE\frac{1}{4}$) of said Section 30, containing 10 acres.

All in Section 30, Township 4 North, Range 10 West, W.M., Clatsop County, Oregon, containing a total of 122.9 acres.

NOW, THEREFORE, BE IT RESOLVED that the said parcels or tracts of land be and the same hereby are declared by this resolution to be necessary for the purpose herein stated; and

BE IT FURTHER RESOLVED that title to the said parcels or tracts of land be acquired by the State of Oregon, by and through its State Highway Commission, for the above specified public use and purpose.

BE IT FURTHER RESOLVED that the best interests and convenience of the general public require that title to the said tracts or parcels of real property be acquired for the purpose of developing and maintaining the same for a park, recreational ground or public resort and for the purpose of preserving the timber growing thereon, and for the further purpose of making said parcels of land available for the use and enjoyment of the general public.

BE IT FURTHER RESOLVED that I. H. Van Winkle, Attorney General, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they hereby are requested to negotiate further with the owners of said property and endeavor to acquire said property by agreement, and in the event that said properties cannot be acquired by agreement, then the said I. H. Van Winkle, Attorney General, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, are hereby requested to institute and prosecute such condemnation proceedings or other suits or actions as may be necessary to acquire the said real property or such parcels as cannot be acquired by agreement.

BE IT FURTHER RESOLVED that in such suits, actions, or procedure as may be prosecuted for the acquisition of said real property provision be made whereby title in fee simple shall be acquired in the name of the State of Oregon, by and through its State Highway Commission.

WHEREAS, the State Highway Commission is by law authorized and directed to lay out, locate, designate, construct, improve, and maintain a system of state highways in the State of Oregon and

to acquire by donation, purchase, agreement, condemnation, or by the power of eminent domain title to land upon or under which there is gravel, gravel beds or bars, sand, sand beds or bars, rock, boulders, quarries or quarry sites, lime deposits, or other mineral deposits or formations suitable for road construction, improvement, betterment or pavement, and is further authorized by law to acquire lands for stock pile purposes, and to declare the necessity and need for the acquisition thereof and the advantages to be gained thereby;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the State Highway Commission does hereby find and declare that it is necessary and will be of advantage to the State of Oregon and there is need that the State acquire for the purposes of road construction, improvement, betterment, repair and maintenance, and for the purpose of the manufacture of road materials, and for stock pile purposes, on the following section of the state highway system of the State of Oregon, to wit:

Catherine Creek Section of the Medical Springs Highway

real property owned by or in the possession of the following parties and/or persons, to wit:

Selden B. Stonedahl--Jeanette Moran

and this Commission does hereby declare further that the said property or properties contain gravel, gravel beds or bars, sand, sand beds or bars, rock, boulders, quarries or quarry sites, lime deposits, or other mineral deposits or formations suitable for road construction, improvement, betterment, or pavement, or are needed and necessary for stock pile purposes, and that the said property or properties is or are necessary and needful and the acquisition thereof will be of advantage to the State of Oregon for the said purposes in order to make it possible for the State Highway Commission to construct, improve, maintain, and repair the said portion of the said state highway system in accordance with the standards adopted by this Commission.

2. That the State Highway Engineer be and he hereby is instructed and directed to properly survey the parcel or parcels of land required for said purposes and to prepare proper and adequate descriptions thereof, which descriptions shall be employed in the preparation of a deed or deeds or other instrument or instruments necessary to complete the acquisition of the said property or properties, or which said descriptions may be used in the preparation of a complaint in the event that condemnation proceedings are necessary.

3. That the boundaries of the said parcel or parcels of

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land, as defined and determined by the said survey made by the said Highway Engineer shall be and the same hereby are adopted and the lands defined therein are hereby declared to be and the same shall be lands necessary for the purposes stated herein.

4. That I. H. Van Winkle, Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they are hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement or agreements can be reached then it is hereby further resolved that the Attorney General of the State of Oregon and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they hereby are requested to commence and prosecute to final determination such suit or action, or suits or actions, as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

The matter of acquiring additional land to enlarge the maintenance headquarters site in Eugene had the attention of the Commission. The Engineer advised that the present maintenance site is too small to accommodate the Highway Department's facilities and those of the State Police Department, and he suggested that the Attorney be authorized to secure options for the purchase of adjoining property, being the back end of lots that face the street on the opposite side of the block from the Highway Department's facilities. It would be preferable, he said, to purchase all of the private property on this particular block so as to allow more room for expansion. However, the front of the lots in question is occupied by residence buildings and it might be too costly. After discussion the Commission authorized the Attorney to secure options for acquisition of the back end of the lots and also for the acquisition of the full lots for purposes of comparison.

The Commission had under discussion a request from the United States War Department for a perpetual flowage easement over 0.68 of an acre of state-owned property adjacent to the Columbia River Highway at Herman Creek, in Hood River County, which property lies within the flowage area of Bonneville Dam and will be submerged during high water stages in the Columbia River. The Engineer recommended the granting of this request without charge. The Commission approved the recommendation unanimously and so ordered.

Reconsideration was given by the Commission to the request of the Bonneville Authority for blanket permit for the occasional movement over state highways of certain equipment the dimensions of which exceed the statutory

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limits as to width and length. The Engineer explained for the benefit of Chairman Cabell the action taken by Commissioners Aldrich and Clough in regard to this matter on the previous day, which action Chairman Cabell approved. The question of whether or not the federal government should be required to furnish the customary public liability and property damage insurance in connection with such movements was also discussed and it was decided unanimously to require the government to furnish public liability insurance coverage only in the amounts of \$5,000/10,000, and property damage insurance in an amount not less than \$1,000.

The Engineer also explained the action taken by Commissioners Aldrich and Clough on the previous day relative to the request of the Maling Company, Inc., Hillsboro, for a blanket permit to move over state highways peaviner equipment having an overall height in excess of the statutory limit. Chairman Cabell approved the action.

The Commission discussed and ordered filed a report from the State Parks Superintendent, being a summary of the state parks that have been acquired by the State Highway Commission up to February 1, 1940.

The Engineer requested authority for the Director of the Travel and Information Department to attend a meeting of the Evergreen Playground Association in Seattle or Olympia, Washington, sometime during the month of March, 1940. He estimated the expense at \$20.00. The Commission approved the request subject to confirmation by Governor Charles A. Sprague.

The Attorney reported the status of the right of way situation along the Taylor Street Section of the Oregon Coast Highway in Astoria, particularly progress being made by the City of Astoria in clearing the right of way of building encroachments. He stated that the city has filed a suit to require the property owners to vacate the street area. However, it appears that the city and the property owners are about to reach an agreement and if the agreement is consummated and carried out it will result in the removal of the buildings on that portion of the street which the Highway Commission wants. The cost of moving the buildings and re-establishing them on private property, he said, is estimated at \$4,780.00. However, Senator Franciscovich, who is attorney for the property owners, advises that his clients will settle on the basis of payment of \$4,000.00 and will among themselves contribute the difference between such sum and \$4,780.00. There has been made available to meet such expense the sum of \$3,600.00, of which amount the city has agreed to contribute \$600.00 and the property owners \$2,400.00 and the state \$600.00, which leaves a balance of \$400.00 unaccounted for, which amount the city is asking the state to contribute because it has no available funds; in fact, is having considerable difficulty in raising the \$600.00 that it has already pledged. After considerable discussion and in view of the apparent emergency that exists, the Commission voted unanimously to pay this extra expense with state funds and it was so ordered.

The Commission considered an offer from the Southern Pacific Company to sell to the state certain railroad company property situate adjacent to McLoughlin Boulevard at Eighth Avenue in Portland. The Engineer advised that

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this property is not of any particular use to the state and recommended that the offer be declined. The Commission approved the recommendation.

At 3:00 o'clock p. m. Chairman Cabell announced the awards of contracts as follows, bids for which were taken at the morning session, such awards having been previously approved by the Commission by unanimous vote:

"Bend-Butler Ranch Section of the Butler County Road, in Deschutes County. 6.3 miles grading, surfacing and oiling. J. C. Papin, Bend, submitted the low bid for this project at \$31,709.90. Leonard & Slate, Multnomah, submitted the second-low bid at \$33,644.50. There were 5 higher bidders. The Commission awards the contract to J. C. Papin, the low bidder, at his bid of \$31,709.90.

"Service Creek-Branson Creek Section of the John Day Highway, in Grant and Wheeler Counties. 27.17 miles oiling. 9 bids were received for this project, the low one being that of J. C. Compton, McMinnville, at \$11,804.25. The second-low bid was submitted by Babler Bros., Portland, at \$12,944.30. The Commission awards the contract to J. C. Compton at his low bid of \$11,804.25.

"Lick Creek-Salt Creek Section of the Little Butte Secondary Highway, in Jackson County. 2.54 miles surfacing and oiling; also furnish 2,850 cu. yds. crushed rock in stock piles. The low bid for this project was submitted by Norris Bros., Burlington, Washington, at \$21,032.00. The second-low bid was submitted by Clifford A. Dunn, Klamath Falls, at \$23,063.50. There was only one higher bid submitted. The Commission awards the contract to Norris Bros., the low bidders, at their bid of \$21,032.00.

"North Unit, Ana Spring-Hunter Hill Section of the Fremont Highway, in Lake County. 6.81 miles roadside improvement. Guy H. Booker & Arthur T. Fox, Salem, submitted the low bid for this project at \$5,381.50. River Bend Sand & Gravel Company, Salem, submitted the second-low bid at \$7,469.50. There were 2 higher bidders. The Commission awards the contract to the low bidders, Guy H. Booker & Arthur T. Fox, at their bid price of \$5,381.50.

"Union-Catherine Creek Section of the Medical Springs Secondary Highway, in Union County. 9.0 miles oiling; also furnish 1,000 cu. yds. crushed gravel in stock piles. Three bids were received for this project, the low one being that of J. C. Compton, McMinnville, at \$16,097.00. The second-low bid was submitted by R. O. Dail & Warren Bros., Inc., Portland, at \$16,390.30. The Commission awards the contract to J. C. Compton, the low bidder, at his bid of \$16,097.00.

"Castor Ranch-Joseph Section of the Hurricane Creek County Road, in Wallawa County. 1.58 miles grading, surfacing and oiling; also construct 77 lin. ft. composite-type bridge. 3 bids were

received for this project, the low one being that of Norris Bros., Burlington, Washington, at \$25,549.00. The second-low bid was submitted by Colonial Construction Company, Spokane, Washington, at \$26,882.00. All bids received were rejected.

"Seufert-Dufur Section of The Dalles-California Highway, in Wasco County. Furnish 9,100 cu. yds. crushed rock in stock piles. Mid-Columbia Sand & Gravel Company, The Dalles, submitted the low bid for this project at \$12,737.00. Homer G. Johnson, Portland, submitted the second-low bid at \$12,908.00. There were 4 higher bidders. The Commission awards the contract to the low bidder, Mid-Columbia Sand & Gravel Company, at its bid of \$12,737.00.

"Tigard Grade Separation and Fanno Creek Bridge on the Pacific Highway West, at Tigard, in Washington County. 343 lin. ft. and 124 lin. ft. of reinforced concrete viaduct. 15 bids were received for this project, the low one being that of Jacobsen-Jensen Company, Portland, at \$86,292.50. The second-low bid was submitted by Birkenmeier & Saremal, Portland, at \$87,382.50. All bids for this project were referred to the Engineer with power to award the contract to the low bidder when certain conditions have been satisfied."

The Commission had under discussion a request from the City of La-Grande for the removal of snow from its city streets that are state highway routes. They gave as their interpretation of the law that the State Highway Commission is obliged to perform such service. The Engineer advised that the present practice of the Highway Department is simply to clear the gutters and pile the snow in windrows down the center of the streets where it is considered to be of least inconvenience to merchants and to traffic, but it has not been the practice to remove the snow from the streets entirely; in fact, the procedure now being followed is practically the same as that followed by the cities before the streets were turned over to the state. He further advised that if the Commission should alter this practice it would be necessary to purchase numerous pieces of special equipment, which would have to stand idle a good part of the year because it would not be needed to carry on routine maintenance work. He estimated the cost of such equipment at \$175,000.00 and the cost of operating the same at approximately \$50,000.00 for an average year. He recommended continuance of the present practice of removing the snow from the gutters and the piling of same in windrows in the center of the street, except at intersections, where it should be piled in circular mounds in the center of the intersections so as to maintain cross-travel. He also recommended that the state's operations be carried on during the nighttime, when there is the least amount of traffic; provided, however, that the city council adopts an ordinance providing for the parallel parking of vehicles along the curb line while the snow-removal operations are under way, and will exercise its police powers to clear the parked cars from the streets during such periods. After discussion the Commission by unanimous vote adopted the recommendations of the Engineer as its general policy to be followed hereafter in connection with such matters, and instructed the Engineer to convey the information to the city manager of La Grande.

The Engineer requested authority to purchase the following equipment:

- 5 10-ton rollers, 5 old rollers to be traded in as part purchase price - estimated total net cost \$22,500.00
 - 1 10-ton roller - estimated cost \$5,200.00
 - 15 power mowing machines - estimated total cost \$16,500.00
 - 15 asphalt kettles - estimated total cost \$9,000.00
 - 4 pickup trucks, 4 old trucks to be traded in - estimated total cost \$2,000.00
 - 12 light trucks, 12 old trucks to be traded in - estimated total net cost \$10,800.00
 - 1 dust sweeper - estimated cost \$1,000.00
 - 1 electric-driven hand saw - estimated cost \$90.00
- (Total estimated cash outlay \$67,090.00)

The Commission approved the request by unanimous vote and instructed the Engineer to make the purchases through the State Purchasing Agent in accordance with the usual practice.

The Engineer reported that on January 25, 1940, in accordance with authority previously given him by the Commission, he awarded to Fisher Bros., Oregon City, the contract for grading and surfacing the Hay Canyon Section of the Moro-Hay Canyon County Road, in Sherman County, the bid of this contractor being the low bid received by the Commission on January 11, 1940, and the conditions of the award having been satisfied. The Commission confirmed the award of this contract as reported.

Consideration was given by the Commission to the matter of paying equipment rentals, et cetera, on W.P.A. projects direct rather than through the office of the Works Progress Administration in Portland. The Engineer explained that in connection with the Wolf Creek Highway W.P.A. Project, the Works Progress Administration rented certain equipment from an implement house in Portland with the understanding that the rental payments would be made monthly and would be credited against the purchase price of the equipment; but it appears through oversight by the Works Progress Administration office that the last three months' rental of this equipment was not paid and that the Works Progress Administration is now unable to make these payments but is willing to reimburse the state if the state will advance the amount. He gave as his thought that, in order to avoid a recurrence of this oversight, the state should pay these rental charges in the first instance, except in connection with the purchase of powder, which can be purchased at much less expense through the Works Progress Administration than direct from the dealer, and he recommended the approval of such procedure in this instance and in connection with future purchases. The Commission approved the recommendation unanimously.

The matter of maintenance of the park surrounding the Lewis and Clark monument at The Dalles had the attention of the Commission. The Engineer explained that a couple of years ago the State Highway Department, under contract, prepared, as a roadside beautification project, the site for a monument that the city of The Dalles proposed to erect adjacent to the Columbia River Highway near the west city limits of The Dalles, and that the city is now

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erecting the monument as a W.P.A. project; but the question has arisen as to whether or not the city or the state shall maintain the area after the monument is completed. He gave as his thought that if the area is to be maintained properly, the work should be done by state forces and at state expense, and he so recommended. The Commission approved the recommendation.

The Commission had under discussion the matter of abandoning a portion of the Brownsville Section of the Halsey-Sweet Home Secondary State Highway, in Linn County, particularly the section along Main Street and Blakeley Avenue, in Brownsville. The Engineer advised that this section is no longer of value from the state highway standpoint inasmuch as the highway has been reconstructed on other alignment. He recommended abandonment of the section in favor of Linn County or the municipal authorities of Brownsville, as the case may be. The Commission approved the recommendation and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, in order to afford a better alignment and a more satisfactory, safe and convenient highway for the traveling public, the Commission found it necessary to relocate a portion of the Brownsville Section of the Halsey-Sweet Home Highway in Linn County; and

WHEREAS, by reason of said relocation and the reconstruction of the section of said highway there was eliminated and made unnecessary as a part of the completed highway the portion more specifically defined and described hereinafter in this resolution; and

WHEREAS, it is the judgment and opinion of the Commission that there should be reflected in the minutes and records of the Commission the purpose and plan of the Commission to abandon as a part of the Halsey-Sweet Home Highway, and therefore as a part of the state highway system, the portion of the right of way of the old alignment hereinafter defined and heretofore included within the area of the right of way of the Halsey-Sweet Home Highway as formerly located between the said termini and as heretofore improved and used;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by this Commission, a majority of the members being present and affirmatively participating, as follows:

1. That the fragment of land confined within the area hereinafter described, which fragment of land was formerly within the limits of the right of way of the Halsey-Sweet Home Highway, but which is now without the limits of the right of way of said highway as said highway has been relocated, be and said fragment of land is hereby abandoned as a part of the right of way of said highway. The portion of the right of way of said highway which by this resolution is abandoned and which is within the limits of the City of Brownsville is left to revert to the abutting property owners or to the City of

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Brownsville for such public use as the City may make of the same, and the portion of said right of way lying just outside of the City of Brownsville, which is abandoned by this resolution, is left to revert to the County Court of Linn County for such public use as the County may make of the same or to the abutting property owners in the event the County does not desire to retain the same for public use.

2. That the fragment of land or right of way hereby abandoned and eliminated from the state highway system which is shown on the blueprint marked "Exhibit 'A'" is described as follows, to wit:

All that certain section of the old right of way of the Brownsville Section of the Halsey-Sweet Home Highway lying on the southerly side of the right of way required for the reconstructed Halsey-Sweet Home Highway and lying between Mile Post 5 and Mile Post 7 of said highway, the beginning and ending points with reference to the Engineer's Stations of the reconstructed highway being Station 791+00 on the easterly end and Station 819+00 on the westerly end.

In addition to the foregoing description of said abandoned right of way there is attached hereto the above-mentioned blueprint, which by this reference is made a part hereof, upon which map or exhibit there is shown shaded in red the abandoned section of highway, which exhibit for identification purposes bears the signatures of C. B. McCullough, Assistant State Highway Engineer, H. G. Smith, Construction Engineer, and F. D. Eason, Division Engineer, and bears date of December 14, 1939. *

3. In the event there remains any physical connection between any portion of said abandoned right of way or highway and the present highway, and by reason of such physical connection traffic from the existing highway may enter or use the said abandoned portion of the old road to the possible damage or injury of such traffic by reason of any unsafe condition existing with respect to said abandoned section, then the State Highway Engineer is hereby authorized and directed to erect such barricade or other safeguards as may be necessary to protect and safeguard traffic using and employing said newly located, constructed and dedicated section of said state highway.

4. That this resolution shall be entered in the minutes and records of the Commission and a certified copy thereof promptly delivered to the County Court of Linn County, together with a copy of the said exhibit, and a copy of said resolution and exhibit shall be delivered to the Mayor of the City of Brownsville for such

* Map filed in Highway Retention and Abandonment Resolutions - No. 70.

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action as said County Court may desire to take and for such action as the city officials of Brownsville may desire to take, and should said abandoned portion of the highway be further employed for public or private highway purposes such use shall be entirely under the control and supervision of the County Court of Linn County and/or the municipal authorities of the City of Brownsville, as the case may be, and the same shall be beyond any responsibility or supervision by the State Highway Commission.

The Commission had under discussion the adoption of a policy with respect to the printing of state highway maps for private organizations, particularly with the back of the maps blank so that this space can be used for private advertising purposes. It was the Commission's decision that the Highway Department should not print maps for private parties. However, the Commission authorized the loan of the map plates to such private parties or organizations so they can print their own maps, with the understanding that any advertising matter contained thereon should be first approved by the State Highway Department and that there should be printed on the back of the map information to the effect that the maps are made available through the courtesy of the Oregon State Highway Department.

The Engineer reported that in accordance with authority previously granted him by the Commission he has posted the following highways for 50 per cent reduced load limits because the frost is leaving the ground and legal-weight loads appear to be causing damage to the road surface:

Pendleton-John Day Highway from Nye Junction to Ukiah, in Umatilla County
 Lakeview-Burns Highway from its junction with the Central Oregon Highway, in Harney County, to its junction with the Fremont Highway at Valley Falls, in Lake County
 John Day Highway from Prairie City, in Grant County, to Unity, in Baker County

He asked the Commission to confirm these postings. The following resolution in regard thereto was adopted by the Commission by unanimous vote:

WHEREAS, the following roads or highways have been designated and declared to be and are state highways, and have been improved and are being maintained by the State Highway Commission pursuant to the laws of the State of Oregon as state highways, to wit:

PENDLETON-JOHN DAY HIGHWAY
 LAKEVIEW-BURNS HIGHWAY
 JOHN DAY HIGHWAY

AND WHEREAS, the said above-named state highways are, in the judgment of the State Highway Commission, being subjected to a kind and character of traffic which is damaging and injuring the said highways, and, in order to protect said highways against such

damage and injury, it is deemed and is the judgment of the Highway Commission and said Commission finds that it will be for the best interests of the said highways that the maximum weights permitted and authorized by law be reduced;

NOW, THEREFORE, the premises being in part as above stated, and the State Highway Commission having, as a result of due investigation, found that the roads above mentioned and hereinafter designated are being damaged and injured on account of the kind and character of traffic now being hauled over and upon said roads; and, by reason of the fact that vehicles carrying maximum loads moved at the maximum speeds specified by the provisions of the laws of the State of Oregon are breaking up, damaging and deteriorating the said roads,

IT IS HEREBY ORDERED, that the maximum weight of combined load and vehicle which shall be permitted upon the within-named roads shall not exceed the weight herein fixed.

The maximum weights which shall apply to the following highways, to wit:

PENDLETON-JOHN DAY HIGHWAY from Nye Junction to Ukiah, in Umatilla County

LAKEVIEW-BURNS HIGHWAY from its junction with the Central Oregon Highway, in Harney County, to its junction with the Fremont Highway at Valley Falls, in Lake County

JOHN DAY HIGHWAY from Prairie City, in Grant County, to Unity, in Baker County

shall be as follows: the combined weight in pounds bearing on the surface of the highway at contact with the tread of the wheels of the front axle of a truck or truck-tractor shall not exceed the product of four hundred (400) multiplied by the sum in inches of the tire width of the wheels of such axle; and, the combined weight in pounds bearing on the surface of the highway at contact with the tread of the wheels of any one axle of a vehicle or combination of vehicles, other than the front axle of a truck or truck-tractor, shall not exceed the product of three hundred (300) multiplied by the sum in inches of the tire width of the wheels of such axle; but in no event shall the combined weight in pounds bearing on the surface of the highway at contact with the tread of the wheels of any one axle of a vehicle exceed the maximum limit set by law for any one axle.

IT IS FURTHER ORDERED, that these rules and regulations as made and found by the State Highway Commission under the provisions of Chapter 360 of the laws of Oregon for 1921, shall be in

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full force and effect until modified, annulled or voided by the order of the State Highway Commission.

AND IT IS FURTHER ORDERED, that a notice be posted in a conspicuous manner and place at each end of the above-named highways and at important crossroads on said highways so that said notice can be readily seen and read, which said notice shall state plainly the limitations and prohibitions of traffic hereby in this order determined and fixed.

AND BE IT FURTHER ORDERED, that a certified copy of this order be furnished to the county clerk of each county in which any part of said highways are located, and that a certified copy of this order be furnished to the Superintendent of the Department of State Police for his information.

The Engineer discussed briefly with the Commission the matter of selection of projects for the fiscal year 1941 regular federal aid funds. He particularly pointed out the necessity to approve a 25 per cent program for such funds now if the projects are to be gotten under way and completed during the 1940 working season. He presented a list of projects eligible for such program, consisting primarily of city projects, involving an expenditure of approximately \$1,000,000.00. The Commission deferred action on this matter for further discussion at a special meeting of the Commission which is to be held within the next two weeks.

The Assistant Attorney requested instructions whether to purchase the area between the old and new highways at Agate Beach. He advised that the tract within the intersection probably can be acquired for approximately \$600 and its acquisition appeared to be very desirable. After consideration and examination of the location map, the Commission authorized the taking of an option and presentation of the same for final consideration.

The Attorney reported an offer from Mr. Reed Holding to purchase at the rate of \$2.00 per thousand certain burned timber along the Wolf Creek Highway near the Clatsop-Tillamook County line. The Commission deferred its decision in this matter pending a recommendation from the State Parks Superintendent. In the event the recommendation is favorable and the Commission decides to sell the timber, then the timber is to be cruised.

The Attorney also reported a request from Roman Kintz, who has a lease of state-owned property at the entrance to Silver Creek Falls State Park, for electrical service from the state's electric power line supplying the buildings in the park. He said that Mr. Kintz is the state's tenant and that he is very desirous of securing electrical service but there are no power lines available in that vicinity except that owned by the state. He recommended approval of the request. The Engineer read aloud a report from the State Parks Superintendent on the subject, in which it was pointed out that the power line was constructed by the federal government for government and state use only and the government has certain restrictions which prohibit the

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dissemination of electrical power to private individuals from this circuit. It was the Parks Superintendent's thought that the supplying of electrical energy to private individuals from this power line might jeopardize the financial setup of the Government Recreational Demonstration Project and of the C.C.C. Camp that is now working in the state park, and that the proper procedure for Mr. Kintz to follow would be to apply directly to the National Park Service in Washington, D. C., which is the government unit that has supervision over the power line. After considerable discussion the Commission approved Mr. Kintz's request by unanimous vote, subject to the condition that the government has no objections thereto and the procedure is legal.

The Commission discussed a resolution from Carpenters' Union No. 780 requesting that a clause be inserted in all future federal, state, county, and municipal contracts reading as follows: "that all skilled, semi-skilled, and unskilled workers be obtained through lists furnished by the local office of the Oregon State Employment Service, and that such action as is necessary be taken by the Federal Government and the State of Oregon to secure the use of local help from lists of the Oregon State Employment Service, on all operations and projects undertaken in this community." The Engineer advised that it would not be practicable to comply with this request, particularly in view of the fact that approximately 80 per cent of the State Highway Department's contract work is partially financed with federal moneys and in connection with which work the federal government dictates the policy with respect to the employment of labor. He also mentioned other reasons why the Commission should not approve the request. He was instructed by the Commission to prepare a letter to the Carpenters' Union setting forth objections to compliance with the provisions of this resolution and to present the same to the Commission for discussion and approval at its next meeting.

The Engineer reported on the cost to recondition Lombard Street, Portland, between Interstate Avenue and Alma Street, St. Johns, in connection with which work the Portland Traction Company has indicated a willingness to contribute funds because of the abandonment of its streetcar tracks thereon. He stated that this project has been investigated from two standpoints, one of which is to provide an improvement similar to the Sandy Boulevard improvement constructed last year and involves the removal of the car tracks, surfacing throughout the entire project, constructing concrete pavement level with the top of the rails, and resurfacing between curbs with asphaltic concrete. The other, he said, involves the removal of the car tracks and surfacing for a portion of the distance only. He estimated the cost of the work under the first plan at approximately \$91,000.00 and that under the second plan at approximately \$46,000.00, and also estimated the cost of the cooperation to be received from the Portland Traction Company at about \$14,000.00. He gave as his thought that the second plan, costing around \$46,000.00, would provide a satisfactory improvement. He was instructed by the Commission to discuss the matter further with the Portland Traction Company.

The Engineer also reported the condition of the Jones Hill-Lena Section of the Oregon-Washington Highway, in Morrow County, on which section the Commission has in mind to construct a light oil surface this coming summer in the event there are funds available to finance the work. He stated that the

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section has been investigated thoroughly and it has been found that the present rock surfacing is unsuitable for light oil treatment. He estimated that it would cost about \$50,000.00 to stabilize the road and to construct an oil mat surface thereon. The Commission decided that this project is entirely too costly to undertake at this time.

Reconsideration was given by the Commission to the request of Mr. Paul Crooks, trustee for contractors Saxton, Looney & Risley, for full relief from the penalty under the bond furnished by them in connection with their bid submitted on December 8, 1939, for the construction of the Warm Springs Agency-Vanora Section of the Warm Springs Secondary Highway, in Jefferson County. The Commission decided unanimously to collect the amount of the bond in view of the fact that the contractors failed to enter into the contract agreement and to furnish a contract bond; however, decided to give the contractors a hearing on the matter at the special meeting which is to be held in about two weeks. The Secretary was instructed to notify Mr. Crooks the date of such meeting.

The Commission discussed a letter from Rickreall Grange No. 671 and a petition from the ladies of the Rickreall Aid Society requesting the installation of a traffic signal at the junction of the Pacific Highway West with the Salem-Dallas Highway in Rickreall. The Engineer advised that the conditions at this intersection have been investigated and, in his estimation, a traffic signal is justified. He recommended the installation of an overhead flashing beacon costing about \$200.00. The Commission approved the recommendation unanimously.

The Commission had under discussion a report from the Engineer on the need for traffic signals at the intersection of the Tualatin Valley Highway with the Scholls Ferry County Road at Sylvan, near the west city limits of Portland, as has been suggested by Mr. Aaron M. Frank, Portland. The Engineer advised that this intersection has been investigated by the Traffic Engineer, who reports that a dangerous condition exists at this location because of a very wide intersection, which permits traffic from Portland enroute to points along the Scholls Ferry Road to cross the Tualatin Valley Highway at a very flat angle. In fact, he advises that such condition is the principal cause of the many accidents that occur at this point. As a solution for this condition, he said, the Traffic Engineer recommends the construction of a traffic island at the southeast corner of the intersection, which would serve to force traffic to take the proper traffic lane, and the installation of two overhead flashing beacons, all of which he estimated would cost about \$416.00. He recommended approval of the project. The Commission approved the recommendation by unanimous vote.

The Secretary presented a letter from the Bridal Veil Timber Company, Portland, requesting permission to transport over the Columbia River Highway, from its intersection with the Brower County Road to the county road leading to Corbett, loads of logs having an overall length of 70 feet, which is 20 feet longer than the length limit allowed by statute, so they can fill orders for logs that are to be cut up into timbers 56 feet long. The Attorney advised that the Bridal Veil Timber Company has about a year's supply of logs to market

and that their present procedure is to dump them into the Columbia River at Corbett where they maintain dumping facilities. However, these facilities will be destroyed when the state undertakes construction of the new highway at this point. He recommended, in view thereof, that the permit requested be granted so as to avoid any controversy with the Bridal Veil Timber Company relative to the destruction of the company's dock, and to avoid the trucking of logs over the Columbia River Highway for much greater distances where the curvature is excessive. The Engineer concurred in the viewpoint of the Attorney and recommended the granting of the permit subject to the condition that the company will certify that the logs are not to be cut up into shorter lengths at the mill and that the company will furnish the customary insurance in connection with the transportation of overlength loads. The Commission approved the recommendation unanimously.

In this connection the Commission discussed briefly the matter of holding a public hearing in Portland to discuss matters pertaining to the granting of permits allowing movements over state highways of loads that exceed the statutory length-limit of 50 feet, and it was tentatively decided to hold such hearing on the evening before the regular meeting of the Commission in March. (This date is to be confirmed later.)

The Commission considered and signed agreements, et cetera, as follows:

Agreement with Wallowa County, providing for county maintenance of the Castor Ranch-Joseph Section of the Hurricane Creek County Road after construction of the same by the state as a federal aid secondary highway project, being project No. FAS 23-C(1).

Agreement with the City of Bend, providing for city maintenance of the South Section of the Butler Market Road (East 8th Street, Bend) from the intersection of Greenwood Avenue with East 8th Street to the north city limits of Bend, after construction of the same by the state as a federal aid secondary highway project, being project No. FAS 67-A(1).

Agreement with Deschutes County, providing for county maintenance of the Butler Market Road from the north city limits of Bend at East 8th Street to the intersection of the Butler Road with the Powell Butte State Secondary Highway No. 371, after construction of the same by the state as a federal aid secondary highway project, being project No. FAS 67-A(1).

Agreement with Sherman County, providing for county maintenance of a 1.6-mile section of the Wasco-Fulton Canyon County Road from a point at the south end of the Fulton Canyon State Secondary Highway No. 301 southerly a distance of 1.6 miles, after construction of the same by the state as a federal aid secondary highway project, being project No. FAS 68-A(1).

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Agreement with Botsford, Constantine & Gardiner relative to the handling of publicity matters for the state through the Highway Department's Travel and Information Department.

Application to the United States Department of the Interior for extra right of way needed for the improvement of the Columbia River Highway in front of the Celilo Indian Village, east of The Dalles.

Bargain and Sale Deed, conveying unto the Methodist Episcopal Church of Tigard two parcels of land, each containing 20,000 square feet, and being situate in tracts 3 and 4 of Tigard Highway Tracts, Washington County, being right of way transaction No. 7005.

The Commission discussed the setting of a date for an interim meeting to be held before its regular March meeting, for disposal of accumulated routine matters, and decided to hold such meeting on Tuesday, February 27, 1940, in Portland.

There being no further business to come before the Commission at this time, the meeting was adjourned at 4:45 o'clock p. m.

Henry L. Cabell
Chairman

M. O. Botsford
State Highway Engineer

E. B. Oodrich
Commissioner

W. H. Seavoy
Secretary

Thos. M. Clough
Commissioner

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Portland, Oregon, February 27, 1940

The State Highway Commission met in special session at 1:30 o'clock p. m. in the office of Chairman Henry F. Cabell, 1107 Failing Building. Present were:

Henry F. Cabell, Chairman
E. B. Aldrich, Commissioner
Huron W. Clough, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

The Commission conferred with a delegation consisting of Mr. Paul Crooks, A. H. Saxton, and Theodore Arens relative to the question of whether contractors Saxton, Looney & Risley would be penalized in the amount of their bid bond for failure to enter into a contract with the Commission for the construction of the Warm Springs Agency-Vanora Section of the Warm Springs Secondary Highway, in Jefferson County, which contract was awarded to them by the Commission on December 8, 1939. Mr. Crooks, who headed the group, appeared as trustee for the creditors. Mr. Saxton was present on behalf of the contractors, and Mr. Arens appeared on behalf of the Associated General Contractors.

Mr. Crooks made a strong plea for relief from the payment of this penalty. He alleged that the bonding company that wrote the bid bond in this instance is not particularly concerned whether such relief is granted or not because the company is subrogated against claims and if the company is required to pay the amount of the bond then it collects a like amount from the contractor as a preferred claimant, after chattel mortgages, et cetera, have been satisfied, which simply means that Saxton, Looney & Risley will have to pay all of the claims, including the amount of the bid bond, or the creditors would have to go unsatisfied.

Chairman Cabell advised that the Commission requires contractors to furnish a bid bond for a specific purpose and if the contractor to whom a contract is awarded cannot furnish the contract bond then, in his estimation, he should be required to pay the penalty, otherwise confusion would develop and the Commission would lay itself open for considerable argument in every instance where a contractor for some reason or other fails to enter into the contract agreement. The Commission, he said, wants to avoid a situation of this kind and the establishment of a precedent in the matter and, accordingly, is of the opinion that it should abide strictly by the established rule and by the provisions of the bid bond. Chairman Cabell's remarks were endorsed by Commissioners Aldrich and Clough, Mr. Aldrich giving as his thought that any deviation from the present practice would establish a bad precedent and would react to the detriment of the state and the whole contracting fraternity.

Mr. Arens asked the Commission to give the matter thorough consideration for the benefit of the contractors association which, he said, would appreciate having the legal status of the matter exposed. After considerable

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discussion the conference was concluded with a statement by Chairman Cabell to the effect that the Commission would take definite action in the matter within the next few days. The Attorney was instructed, in the meantime, to investigate the contractor's application for his bid bond to ascertain whether or not the bonding company is a preferred creditor.

Mr. C. E. Fritts, Traffic Engineer of the State of Washington, was present and discussed with the Commission the suggestions offered by the Arrow Transportation Company, Portland, that a reciprocal agreement be arranged between the States of Oregon and Washington providing for the transportation of oversize vehicles between Umatilla, Oregon, and the Washington state line, particularly vehicles having an overall length in excess of the length limit specified by the Oregon statutes. Mr. Fritts stated the willingness of his department to cooperate with the State of Oregon so far as possible. Chairman Cabell pointed out that the legal length limit in the State of Oregon is 50 feet whereas in the State of Washington it is 60 feet. He gave as his thought that the Oregon Highway Commission is not in a position to enter into a reciprocal agreement for movements that do not comply with the law, particularly in view of the fact that the Oregon Legislature, in its 1939 session, saw fit to retain the present 50-foot maximum limit by voting down the bill that would have authorized loads of longer length.

The matter was discussed at some length during which opinions were expressed that it would not be proper nor legal to enter into any such reciprocal arrangement.

The Commission also discussed briefly with Mr. Fritts the matter of granting special permits for the transportation over state highways of loads of logs having an overall length in excess of the statutory limits. Mr. Fritts advised that the State of Washington does not have much difficulty in this respect due to the fact that the legal length limit in Washington is 10 feet longer than it is in Oregon; also the Washington law is more liberal than the Oregon law and permits are granted for excessive length loads without hesitation, if the width and curvature of the highway will permit same without undue hazard to other traffic.

The conference was concluded at 2:30 o'clock p.m. following which the Commission motored to Seaside, via the Wolf Creek Highway, inspecting en-route certain timber strips which the Commission is contemplating acquiring; also inspecting the county road between Elsie and Jewell which Clatsop County Court desires designated as a state secondary highway. Present on this trip were Chairman Henry F. Cabell, Commissioners E. B. Aldrich and Huron W. Clough; R. H. Baldock, State Highway Engineer; J. M. Devers, Attorney; H. B. Glaisyer, Secretary; Claire Parker, Right of Way Buyer; and others.

Mr. Parker pointed out timber tracts for which negotiations are now being carried on and also the tracts of burned timber for which the Commission has received an offer to purchase. The Commission authorized the Attorney to secure options for the purchase of the following described tracts: N $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 11; that portion of the S $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 11 which lies south of the highway; and the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 3, all situate in T. 4 N., R. 7 W., W.M., Clatsop County. He was also instructed to arrange a

trade agreement if possible for acquisition of timber and land situate in the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 3, and in the N $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Section 10, T. 4 N., R. 7 W., W.M., Clatsop County, trading for the same, if possible, burned timber situate in Section 33, T. 4 N., R. 7 W., W.M., Clatsop County, and in Sections 3 and 4, T. 3 N., R. 6 E., W.M., Tillamook County.

Discussion of the Elsie-Jewell Road was deferred until the evening session of the Commission in Seaside.

At 8:30 o'clock p. m. the Commission resumed its meeting in the parlor of the Seaside Hotel with all Commissioners, the State Highway Engineer, the Attorney, and the Secretary present. Also present were Messrs. Ivan Oakes and Jack Shirley, representing the Works Progress Administration.

The Commission discussed at considerable length matters pertaining to the acquisition of timber lands, approximately 1900 acres, along the Willson River Highway, particularly between the summit of the Coast Range and a point about three miles west of McNamer's Camp, which timber for the most part is owned by the Consolidated Timber Company. Mr. Parker, right of way buyer, reported about 100 million feet of timber involved in this transaction, of which amount he estimated approximately 10 million feet as being merchantable, burned timber. He also reported that the Consolidated Timber Company is asking \$25,000 for all of its timber on the tracts under discussion, including both burned timber and green timber and the land. The Engineer pointed out that much of this burned timber is located near the highway and will become a serious hazard to traffic when the highway is opened for public use. It was his thought that such timber should be felled so as to eliminate this hazard and suggested that such work be done as a W.P.A. project. Mr. Oakes gave as his thought that the project is eligible for W.P.A. funds and stated his willingness to submit the matter to authorities in Washington, D. C.

The question then arose whether or not the timber felled and cut into logs and cold-decked by W.P.A. forces could be disposed of later to the benefit of the state. Mr. Oakes stated that he did not believe that the government would approve an arrangement of that kind. After considerable discussion, the Engineer was instructed by the Commission to direct a letter to Mr. E. J. Griffith, W.P.A. Administrator for Oregon, outlining the entire matter as discussed at this meeting and to secure from him a letter in regard thereto from which the Commission will determine the advisability of spending \$25,000 of state funds to purchase this land and timber on the chance that the state will benefit later on by the sale of the timber that is felled and cold-decked. The matter is to be reconsidered by the Commission at its meeting on March 21 in the event Mr. Griffith's reply is received by that time. The Attorney was authorized and instructed to negotiate with the owners of the property on such basis, securing options, if possible, and to report the results of his efforts at the Commission meeting scheduled for March 21.

The Commission, by unanimous vote, approved the minutes of the meetings held on November 1, 2 & 3, November 20 & 21, December 7 & 8, and December 20, 1939.

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The Assistant Attorney reported the status of the 1940 budget for real property purchases. He advised that the Commission approved for expenditure in 1940 the sum of \$600,000 for such purpose, of which amount \$245,000 has been obligated. The Commission approved the report.

The Attorney requested authority to acquire certain parcels of real property that are needed for various improvements throughout the state. He submitted a list of such properties together with prices that he recommended be paid for each. After careful consideration of each item the Commission approved the request and, by unanimous vote, adopted the following resolution in regard thereto:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as herein-after more definitely set forth; and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon, and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Houlton-Warren Section - Columbia River Highway</u>				
7439-Yeager, Clyde E.	R/W	1367 sq.ft.	2 1/2 sq.ft. plus \$10	McChesney
7440-Welch, A. R.	"	1874 " "	2 1/2 " " " \$10	"
<u>Quartz Creek-Bear Creek Section - Wolf Creek Highway</u>				
7043-Ruth Realty Company	Park	153.2	\$5.00 per a., plus Taxes (1941)	Parker
<u>Lombard-Killingsworth Section - Northeast Portland Highway</u>				
5448-Gradt, Rebecca C.	R/W	For executing correction deed \$5.00		McChesney

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Salem, Oregon</u>				
7759-Oregon State Board of Control	Maintenance Hdqrs.	3.934	\$212 per a.	DeSouza
<u>Agate Beach-Newport Section - Oregon Coast Highway</u>				
7842-Williams, Fred A.	R/W	11,000 sq.ft. 5 1/2 sq. ft. (Approximately)		McCallister
<u>Boiler Bay-Rocky Creek Section - Oregon Coast Highway</u>				
5814-Brewster, J. R.	R/W	2307 sq.ft. 35 1/2 sq.ft. plus \$42.55		McCallister
<u>Cottage Grove Section - Pacific Highway</u>				
5695-Union Oil Company of California	R/W	4211 sq.ft. 20 1/2 sq.ft. plus \$3692.50		Benson
<u>Roseburg Section - Pacific Highway</u>				
7695-Douglas County	Maintenance Site	(1 lot) 4,000 sq.ft.	Lump Sum \$114	Benson
<u>Provolt-Williams Section - Williams Secondary Highway</u>				
6863-Yocum, I. J. and Geo. Fry	R/W	0.73	Land Gratis, plus \$61.00	McCallister
<u>Crook County Line-Madras Section - Warm Springs Highway</u>				
7803-Grizzly Livestock & Land Company	R/W	2.11	\$10 per a., plus \$24.00	Benson
7802-Keenan, Mary	"	325 sq.ft. & 10.4 a.	\$2.00 per a., plus \$195.00	"
<u>Brownsville-Crawfordsville Section - Halsay-Sweet Home Highway</u>				
7751-Winsted, Russell E.	Drainage ditch easement	0.03	Gratis	Eason
<u>Crooked River-Prineville Section - Ochoco Highway</u>				
7640-Johnson, Columbus J. Estate	R/W	1.32	Gratis, plus fencing	Benson
7822-Poindexter, Isabella	Haul Road Easement	0.26	1-year easement -\$25	"
<u>Lamonta-Crook County Line - Warm Springs Highway</u>				
7800-Jefferson County	R/W	19.89	6.77 a. at \$5. per a. 13.12 a. at \$2 per a.	Benson
7801-McCoin, Hazel	"	(4 lots) 17920 sq.ft.	Lump sum \$5.00	"
<u>Bunker Hill Section - Oregon Coast Highway</u>				
7824-Davidson, Geo. W. Estate	R/W	2 lots (6000 sq.ft.)	5 1/2/sq.ft. plus \$200	Benson

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Milton-South Section - Oregon-Washington Highway</u>				
7721-Schriempf, E. G.	R/W	0.50	\$100 per a., plus \$54.50 Wells	
7723-Walden, Mrs. J. E.	"	0.96	0.48 a. at \$100 per a. 0.48 a. at \$50 per a. plus \$30.75	"
7726-Whitman, J. D.	"	1031 sq.ft.	3 $\frac{1}{2}$ sq.ft. plus \$169.07 plus fencing	"
<u>Scotts Butte-McDermitt Section, - I. O. N. Highway</u>				
7839-State Land Board	Maintenance Site	35.5	\$2.50 per a.	Parker
<u>Bandon Section - Oregon Coast Highway</u>				
5369-Swanson, W. and R.	R/W	1060 sq.ft.	5 $\frac{1}{2}$ sq.ft. plus \$10	Gardiner
5339-Diamonds, Laura A.	"	1446 " "	5 $\frac{1}{2}$ sq.ft.	"
5337-Henry, Harriet A.	"	1100 " "	5 $\frac{1}{2}$ sq.ft.	"
5318-McDuffee, Laura	"	6000 " "	\$0.0416 sq.ft. plus \$18.00	"

The Assistant Attorney brought up for discussion the matter of the overlap in the deed given by Clatsop County Court to the state for a stock pile site located in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 15 and in the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 22, T. 7 N., R. 10 W., W.M., Clatsop County. He recalled that at the previous meeting the Commission authorized deeding back to the county that portion of this site that overlaps property that the county previously deeded to an individual, provided that could be done without adversely affecting the remainder of the tract. He advised that the County Court has suggested that the matter be disposed of by a correction deed containing a proper description of the tract. He recommended approval of the suggestion in which recommendation the State Highway Engineer concurred inasmuch as the area involved is small and is not absolutely needed by the state. The Commission thereupon ordered the matter handled in such manner.

The Assistant Attorney also brought up for discussion matters pertaining to the acquisition of right of way from Albert Hofferber at Tigard. He explained that Mr. Hofferber owns two tracts, on one of which he conducts a service station and on the other a store business, and that Mr. Hofferber consented to deed to the state right of way that the state needed across these holdings; in fact, gave the state two options to purchase at \$1.00 each. However, before the transactions were closed he sold his holdings to a Mr. C. A. Donnelly, a condition of the sale being that Mr. Donnelly would honor the options given the state. Mr. Donnelly, he said, refuses to recognize the options and will not deed the right of way to the state unless he is paid the sum of \$750. He recommended that the Commission refuse to deal with Mr. Donnelly on such basis and that he be authorized to do what is necessary to force Mr. Donnelly to deed the right of way to the state in accordance with the terms of the options and the condition in his deed from Mr. Hofferber. The Commission approved the recommendation.

The Commission discussed and approved the request of the Port of

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Umpqua to deposit certain spoil from dredging operations in the Umpqua River at Reedsport on state-owned property adjacent to the Oregon Coast Highway at this place. (Agreement covering the matter was signed by the Commission on the following day.)

The Attorney brought up for discussion the matter of purchasing from Mr. J. T. Hafner certain lease privileges that he enjoys on property acquired by the state at the entrance to Silver Creek Falls State Park, Marion County. He explained that Mr. Hafner secured a lease from the prior owner to operate a dance hall on this property, which lease does not expire until June of 1941 but he is willing to surrender his lease if the state will pay him \$125 and will permit him to remove his buildings from the state's property. He gave as his thought that it would be to the state's advantage to settle with Mr. Hafner on such basis, which would remove this undesirable business from the state park and recommended approval of such settlement. The Commission approved the recommendation unanimously.

The Engineer requested authority to submit to the Public Roads Administration a partial program for the 1941 Regular Federal Aid Funds. He submitted a list of projects eligible for such funds from which the Commission, after careful study, selected the following for such partial program:

PROJECTS FOR 1941 REGULAR FEDERAL AID PARTIAL PROGRAM

County	Highway	Section and Kind of Work	Estimated Cost
<u>DIVISIONS #1 and #2</u>			
Multnomah	Columbia River	Troutdale-Dodson	G. \$ 260,000
*Clatsop & Tillamook	Coast	Hug Point-Manzanita 8.7 mi.	S.,B-11 110,000
Clatsop	Coast	Astoria 0.3 mi.	G. & P. 40,000
Columbia	Columbia River	Rainier	P. 30,000
Benton	Pacific West	Corvallis-South & North	P. 40,000
<u>DIVISION #3</u>			
Curry	Coast	Brookings 0.7 mi.	G. & Bit.M. \$ 70,000
Josephine	Pacific	Grants Pass-Green Creek, East Unit 0.7 mi.	G. & P. 30,000
Coos	Coast	North Bend-Marshfield, North Unit	G. & P. 80,000
*Josephine	Pacific	Sexton Mountain	G. 248,000
Coos	Oregon Coast	Bandon 0.6 mi.	G. & Bit.M. 40,000
<u>DIVISION #4</u>			
Wasco	Sherman	Shaniko-Cow Canyon, East Unit	S. & O. \$ 60,000
Lake Crook	Dalles-Calif.	Horse Ranch	G. S. & O. 30,000
		Prineville	G. & P. 40,000

(continued)

1941 Regular Federal Aid Partial Program (continued)

County	Highway	Section and Kind of Work	Estimated Cost
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DIVISION #5

Unatilla	Oregon-Wash.	Pendleton-Adams	11.0 mi. Bit. M.	\$ 134,500
*Grant	John Day	Goose Rock		85,000
Unatilla	Oregon-Wash.	Milton	0.5 mi. G. & P.	25,000
Unatilla	Oregon-Wash.	Pilot Rock	0.5 mi. G. & Bit.M.	25,000

* To be contracted in fall of 1940

The Engineer was thereupon authorized to submit the projects to the Public Roads Administration for approval.

The Engineer reported briefly on matters pertaining to the use of wooden stave pipe in highway culvert construction. He recalled that the Commission at a meeting held on November 21, 1939, ordered the purchase of a quantity of such pipe for use on highway work, provided the pipe were constructed in conformance with certain specifications that would provide a strength comparable to metal pipe, however, the manufacturers of the wooden pipe now offer objections to the state advertising for bids on their pipe in accordance with these specifications because they feel that it would have a bad effect on their business inasmuch as the specifications call for more metal bands than they are accustomed to using. He requested instructions from the Commission whether or not to change the specifications and recommended adherence to the specifications as written. The Commission approved the recommendation unanimously.

The Engineer also reported briefly on the amount of culvert pipe of various types that has been purchased by the Commission during the period October 15, 1933, to January 13, 1940, which report the Commission approved and ordered filed.

The Commission also approved, by unanimous vote, the plan submitted by the Engineer for the landscaping of the maintenance headquarters grounds at Medford and authorized an expenditure of approximately \$2,175 of state funds to pay for the work.

Commissioner Aldrich brought up for discussion the matter of preservation of timber strips along the Pendleton-John Day Highway in the vicinity of Camas Creek and Ukiah, in view of the increased logging activities in this vicinity. It was his thought that investigation should be made to determine whether or not it would be advisable to acquire some of this timber for future use and enjoyment by the general public. The Engineer was instructed to have the State Parks Superintendent make such investigation.

The Attorney reported the progress that is being made in the appraisal of property along Front Street, Portland, where it is planned to construct an arterial highway. He said that practically all of the appraisals have been made and that he has been requested by one of the City Commissioners to furnish him with the information assembled. In this connection the Engineer

advised that he plans to submit to the Commission at its March meeting a full report on the Front Street project, including estimates of cost of right of way and construction. The Commission decided, after discussion, not to divulge to anyone information assembled in regard to right of way and construction until the Commission has had an opportunity to study the report.

The Commission also discussed the matter of granting permits for transportation over state highways of logs, poles and piling, the overall length of which, including the equipment, exceeds the limit specified by statute. The matter was discussed from three standpoints: first, that of granting permits for loads that exceed the statutory length limit by only 3 or 4 feet; second, movements of piling or long logs that are not to be cut into small lengths at the mill; and, third, movements of long logs which are to be sawed into shorter lengths at the mill. A decision on the matter was deferred pending a conference with interested operators, which was tentatively scheduled for the evening of Wednesday, March 20, 1940, prior to the regular meeting of the Commission on March 21. It was decided, in the meantime, that Chairman Cabell should discuss the matter with Governor Charles A. Sprague and that the Attorney should prepare a form of application for permits covering such movements.

The Commission reconsidered the matter of granting contractors Saxton, Looney & Risley relief from payment of the penalty for failure to execute the contract agreement and furnish the contract bond in connection with the Warm Springs Agency-Vanora project on the Warm Springs Highway, which contract was awarded to them on December 8, 1939. After discussion, the Commission decided unanimously to collect from the contractors the full amount of the bid bond. The Attorney was instructed to make a demand on the contractors and their surety for such payment.

The Commission also reconsidered a resolution from Clatsop County Court requesting the designation of the Elsie-Jewell County Road as a secondary state highway. Involved in this discussion was the question of whether or not, if the Commission takes over this road, jurisdiction should include both branches of the road where it connects with the Wolf Creek Highway. Also, whether or not the Commission should accept the road in view of the fact that a portion of the right of way is only 40 feet wide and there are certain building encroachments thereon. The Commission decided that so far as the right of way is concerned it would not object to the 40-foot width because the alignment will have to be revised at some future date. As to the encroachments, the Commission thought the County Court should see to it that such are removed before the state takes the road over. The Attorney was instructed to investigate the records as to title to the right of way. The Engineer was instructed to make further detailed investigations and to ascertain from the Tidepoint Logging Company how long it expects to operate in this vicinity and how much it will cost to revise its guy wires which now extend over and encroach upon the present right of way. He was also instructed to report to the Commission the estimated cost to bring the present road to satisfactory secondary state highway standards and the cost to construct an alternate connection between the Wolf Creek Highway near Elsie and the Nehalem Secondary State Highway at a place known as Fish Hawk Falls.

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The Commission discussed a report from the Engineer on the matter of authorizing the planting of trees along the Hillsboro-Silverton Secondary State Highway No. 140 at the south approach of this highway into the city of Mount Angel, particularly in front of the Academy of the Benedictine Sisters. The Engineer advised that the right of way at this point is only 60 feet wide which is too narrow to allow for the proper development of tall evergreen trees such as have been suggested, but the church people have agreed to secure easements from the property owners for extra right of way as may be required if the state will furnish and plant the trees. He estimated that the state's expense in this undertaking would not exceed \$1,000 and recommended approval of the project. The Commission approved the recommendation unanimously.

The Commission considered and denied the request of the School Board of Mosier, Oregon, for the construction of guard fence along the Columbia River Highway in front of the Mosier School, it being the opinion of the Commission that such fence construction would be of no particular benefit to the state highway, and that the protection of school children is primarily a function of the school district.

The Engineer reported on the cost to complete the reconstruction of the Hood River Secondary Highway from Dee to Parkdale, in Hood River County, a distance of 5.3 miles. He estimated such cost at \$143,000, based on the reconnaissance survey made by Locating Engineer J. F. Waller. It appeared to the Commission that such project is too costly to undertake at this time. However, a definite decision was deferred pending further study and report by the Engineer, which report is to include an economic analysis of the road.

The Commission discussed a letter from the Baker County Taxpayer's League protesting the proposed rerouting of the Old Oregon Trail through the town of Haines which rerouting, they allege, will destroy their community park. The Engineer pointed out that the contract for the highway improvement has already been awarded and it is now too late to make any change in the plans; furthermore, in his estimation, the park will be damaged only very little, if at all, inasmuch as only a small portion of the park property is being taken. He recommended denial of the request. The Commission approved the recommendation.

The Commission discussed a report from the Engineer on the cost to widen the Sylvan-Beaverton Section of the Tualatin Valley Highway for four lanes of traffic, as has been requested by residents of that district. The Engineer advised that this section is four miles in length and that new right of way would have to be acquired for about one-half the distance to accommodate concrete pavement 44 feet wide, and estimated the cost of the improvement at \$172,000. The Commission deferred its decision in this matter pending further report from the Engineer based upon constructing the 4-lane pavement on the present right of way.

The Commission discussed the Engineer's report on the request of McLoughlin Union High School, Milton, Oregon, for permission to construct on state highway right of way in front of their school grounds a parking area

for school buses. The Engineer advised that the school district proposes to construct a concrete curb along the highway for a distance of about 200 feet and to pave the area between the curb and the existing highway pavement, and that such work will be done as a W.P.A. project at no expense to the state. He recommended approval of the request subject to the condition that the concrete curb is constructed not more than two feet from the edge of the existing sidewalk and that the parking of school buses be confined to a strip eight feet wide measured from the curb. The Commission approved the recommendation unanimously.

The Commission tentatively approved a form of permit prepared by the Attorney authorizing the construction by CCC forces of a sidewalk along the I.O.N. Highway in the town of Jordan Valley, it being understood that the state will be put to no expense in connection with the construction of this walk and that the walk will be placed in a location satisfactory to the State Highway Engineer.

The Engineer reported on the cost to oil the unoled section of the Newberg-Yamhill Secondary State Highway No. 151 as has been requested by residents of that district. He advised that the unoled section is 4.6 miles long and that it would cost about \$4,300 to construct a light oil surface thereon similar to that on the adjacent sections; however, a more substantial improvement, using a crushed rock base course, would cost about \$10,000. He further advised that this is a meritorious project and recommended the same for construction later on in the year in the event sufficient savings accrue from maintenance operations to finance the work. The Commission approved the recommendation.

The Commission discussed briefly a complaint from residents of Charleston, Oregon, concerning the disposal of drainage water from the Cape Arago Secondary State Highway near its intersection with Roosevelt Boulevard in the town of Charleston. Action on this matter was deferred by the Commission pending further investigation and report. The Engineer was instructed to have Maintenance Engineer J. N. Bishop give this matter his personal attention.

The Commission considered and ordered filed a report from the Engineer on projects that have been authorized for construction during 1940, using state funds exclusively to finance them.

The Commission reconsidered the claim of Mr. R. Allen, owner of Allen's Cash Grocery, Marshfield, for damages that he alleges he incurred by reason of the construction of the Bunker Hill Section of the Oregon Coast Highway, Marshfield. In this connection the Attorney advised that he has gone into this matter thoroughly, as instructed by the Commission at the last meeting, and is of the firm opinion that the state is not liable for the damage. He recommended that the claim be denied. The Commission approved the recommendation and instructed the Attorney to inform Mr. Allen that his claim is not one for which the state is liable, hence the Commission is without authority to expend state highway funds in payment thereof.

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The Engineer requested instructions relative to building encroachments on the Moody Tollbridge State Highway which extends a distance of about one-half mile south from the Columbia River Highway, just west of the Deschutes River Bridge, and connects with the county road at its southern extremity. He advised that this road is the shortest highway on the state highway system, and was designated a state highway simply as a convenience to the motoring public pending construction of the Columbia River Highway between The Dalles and the Deschutes River, so as to obviate the necessity of motorists paying a toll to cross the Moody toll bridge. He said that the road is of no value from the state highway standpoint although it provides a connection to the highway for the county road and would be valuable to the county from that standpoint. Also, that the right of way near the Columbia River Highway Junction is being occupied by a service station. He questioned the advisability of the Commission taking any action toward the removal of the service station buildings at this time and suggested, as an alternate, that the road be taken off the state highway system and turned over to the jurisdiction of Wasco County, which would require appropriate action by the Legislature. The Commission concurred in the viewpoint of the Engineer and thereupon instructed the Attorney to prepare appropriate legislation for presentation to the 1941 Legislature.

The Commission considered and ordered paid the invoice from the Western Association of State Highway Officials, in the amount of \$25, representing the dues of the State of Oregon in such association for the year 1940.

The Secretary presented the written opinion of the Attorney General with respect to the authority of the State Highway Commission to execute a form of easement submitted by the United States of America, through its Bonneville Power Administrator, pertaining to the construction of power transmission pole lines across state highways. It was pointed out that, according to this opinion, the State Highway Commission is authorized to enter into such proposed agreement if it so desires, provided the agreement includes provision to the effect that if executed by the Commission it will vest in the United States of America authority only to cross over the highway and does not in any way vest in the government authority to occupy right of way longitudinally. The Commission ordered the opinion filed.

The Commission discussed a resolution from the Carpenters and Joiners Union of Astoria, requesting that there be inserted in future state highway contracts a clause providing that contractors shall obtain their labor through the local offices of the Oregon State Employment Service. The Engineer advised that there are numerous reasons why the Commission cannot require contractors to obtain their labor from such sources, the most important reason being that about 80 per cent of the state contract work is Federal Aid work in connection with which the Federal Government dictates the policy with regard to the employment of labor, the federal policy being to require that only unskilled labor shall be secured from local employment offices. It has been the policy of the State Highway Department, he said, on the remaining 20 per cent of its work to follow the same policy, partly for the sake of uniformity and partly because from experience it has been shown that the work could be done much cheaper if the contractor were allowed to select his key

men from his own organization rather than be required to build up an entirely new organization for each job. He recommended denial of the request. The Commission approved the recommendation and instructed the Engineer to advise the Carpenters and Joiners Union of the action taken, giving the reasons therefor.

The Engineer requested authority to conduct an experiment on the Lebanon-Albany Section of the Santiam Highway providing for the stabilization of this road by reconstructing the same under several different specifications. He explained briefly that he has it in mind to try out four or five different types of improvement over a 2-mile section, and estimated the cost of the entire project at approximately \$35,000. The Commission appeared favorably inclined toward this project but deferred definite action pending further investigation and report by the Engineer.

A letter was presented from County Judge David F. Graham, Malheur County, suggesting that the Highway Commission remove from the secondary highway system the Vale West Secondary Highway (Graham Boulevard) and substitute therefor the county road known as the Sucker Creek Road, which extends south from the Nyssa-Adrian Secondary State Highway to Jordan Valley. The Commission denied the request, it being considered that this road does not meet the state's secondary highway requirements.

The Commission discussed informally matters pertaining to the controversy with Mr. O. S. Powell relative to the construction of standard driveways into his service station adjacent to the Pacific Highway just north of Hubbard, in Marion County. The Commission referred the matter to Chairman Cabell with full power to act.

The meeting was adjourned at 11:45 o'clock p. m. with the understanding that unfinished business would be disposed of on the following day enroute to Portland.

Mr. [Signature]
State Highway Engineer

W. H. [Signature]
Secretary

Henry F. Cabell
Chairman

[Signature]
Commissioner

Huron W. Clough
Commissioner

Enroute Seaside to Portland, February 28, 1940

The following matters had the attention of the State Highway Commission enroute from Seaside to McNamers Camp, on the Wilson River Highway. Present and entering into discussions were Chairman Henry F. Cabell, Commissioner Huron W. Clough, State Highway Engineer R. H. Baldock, Attorney J. M.

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Devers, and Secretary H. B. Glazier. Commissioner E. B. Aldrich was excused.

Request from the Gold Hill Garden Club for the construction of a sidewalk on the bridge over the Rogue River on the Pacific Highway at Gold Hill:- The Engineer estimated the cost of a 3½-foot timber sidewalk, 444 feet long, at \$1,887.00. A decision in this matter was deferred by the Commission until its next meeting.

A letter was presented from Morrow County Court renewing its request for the following improvements:

Completion of the improvement started last year on the Wasco-Heppner Secondary State Highway between Heppner and Rhea Creek;

Oiling the Oregon-Washington Highway between a place known as Hanna and Lena;

Designation, as a state secondary highway, of the county road which extends from the Lexington-Echo Secondary State Highway, up Butter Creek a distance of about 3 miles, to Pine City, which section was oil surfaced last year by the state as a federal aid secondary highway project.

Designation, as a state secondary highway, of the county road extending from the Columbia River Highway to Patterson's Ferry.

The Secretary was instructed to inform the County Court that the Commission expects to complete the Heppner-Rhea Creek project in the 1941 program for federal aid secondary highway funds; further, that recent investigations of the Oregon-Washington Highway project reveal that there is insufficient rock on the road to warrant an oil treatment but the Commission will authorize the Engineer to advertise for bids later on in the year for the furnishing of materials to stabilize the road in the event there are savings in the maintenance budget that can be used to finance the work, which would then make it possible for the Commission to do the oiling work the following year. The County Court's request for the designation of the Pine City Road and the Patterson Ferry Road as secondary state highways was deferred by the Commission for future consideration.

A letter was presented from the Whitaker Community Club, Portland, inquiring as to when the Commission expects to complete the construction of the Lombard Street extension of the Northeast Portland Secondary Highway, particularly between Northeast 20th Avenue and Northeast 72nd Avenue; also, requesting the construction of safety islands on this highway at its intersection with 52nd Avenue for the benefit of the many school children who are obliged to cross the highway at this point. The Engineer advised that the Commission has already tentatively provided in its program for 1941 federal aid funds for the paving of the 4-mile section of this road. The Secretary was instructed to so inform the Community Club. The request for the installation of safety islands at 52nd Avenue was referred to the Engineer for investigation.

The Engineer brought up for discussion the matter of substitution of roadside improvement projects in the 1939 Federal Aid Landscaping Program. He advised that this program now includes two projects, as follows:

North Powder-Muddy Creek Project, estimated to cost \$4,800.00;
Central Point-Medford Project, estimated to cost \$4,000.00.

Further, that he has been unable to agree with the Public Roads Administration as to certain work in connection with the North Powder-Muddy Creek Project, particularly the rounding of slopes and certain grading work, so it appears that this project cannot be undertaken; also, that there is not sufficient moisture available for plant growth on the Central Point-Medford Project and the cost to construct an irrigation system for this special purpose is not justified. He recommended, in view of the circumstances, the substitution of the following projects in this program:

Ontario-Snake River Section (1.28 miles - estimated cost \$4,000);
Middleton-Newberg Section (5.5 miles - estimated cost \$6,000).

The Commission approved such substitution of projects.

The matter of a garbage dump that is being maintained adjacent to the Corvallis-Eastside Secondary State Highway between Albany and Corvallis had the attention of the Commission, said matter having been reported by the school board having charge of the school located about one-quarter mile east of said dump. The Engineer advised that this matter has been investigated and it has been found that the dump is being maintained on private property owned by G. S. and L. Faxon who are selling their property under contract to a Mr. F. A. Lutz of Albany who, it appears, is operating the dump. Further, that the property involved is not a part of the right of way of the highway, hence is not under the control of the Highway Commission. The Attorney advised that he has been unable to find in the statutes any authority for the Highway Commission to abate this nuisance. He suggested that it would be proper to call the matter to the attention of the county health authorities. The Commission approved the suggestion and referred the matter to the Attorney to handle.

The Secretary presented a resolution from the County Court of Deschutes County in which the county elects to take over, as a county road, a portion of the Redmond-Bend Section of The Dalles-California Highway which was abandoned by the State Highway Commission on July 29, 1937, the highway having been reconstructed on other alignment. He also presented a resolution from the County Court of Marion County in which the county elects to take over as a county road a portion of the Beaverton-Aurora Secondary Highway which was abandoned by the State Highway Commission, by resolution, on December 27, 1935, when the highway at this point was reconstructed on other alignment. The Commission approved the resolutions and ordered them filed.

The Commission had under discussion a letter from Mayor George K. Aiken, Ontario, suggesting the erection of a large sign on the right of way of the John Day Highway about six miles southwest of Ontario, where the Malheur irrigation siphon crosses this road. It was Mr. Aiken's thought that

such sign is appropriate because this is the world's largest irrigation siphon and should be of particular interest to the general traveling public. The Engineer pointed out that approval of this request would be inconsistent with the Commission's policy with respect to signs; furthermore, this siphon is not of an historical nature, hence would not come in the category of signs which the Commission proposes to erect along the Old Oregon Trail. In view thereof, the Commission decided that it would be inadvisable to grant the request. The Engineer was instructed to so inform Mr. Aiken and advise him the reasons for such action.

The Commission discussed briefly the adoption of a policy with respect to errors that are committed by contractors in stating unit bid prices in proposals for highway construction work. The matter was referred to the Attorney for study and report at the next meeting.

The Commission had under consideration the matter of the installation of reflectorized crossing signs at certain types of grade crossings, and, after due consideration, Commissioner Clough offered the following resolution which was unanimously adopted by the Commission:

WHEREAS, the Bureau of Public Roads has promulgated and established certain rules and regulations governing safety standards and devices which must be employed at grade crossings which serve highways qualified for improvement under the provisions of the Federal Aid Highway Act; and

WHEREAS, the Commission desires to cooperate with the Federal Government in putting into effect the said rules and regulations; and

WHEREAS, it appears that some of the railroads affected by the rules and regulations promulgated by the Bureau are not common carriers and hence do not fall within the general rule established by the Public Utilities Commissioner; and

WHEREAS, it is deemed advisable by this Commission that with respect to railroads which are not common carriers a special application or petition be filed with the Utilities Commissioner in instances where grade crossing signs are to be removed and in their stead reflectorized signs installed;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED, as follows:

1. That in instances where grade crossing signs are to be removed and reflectorized signs installed at grade crossings over railroads which are not common carriers the following form of petition or application is approved and shall be employed for such purpose:

BEFORE THE PUBLIC UTILITIES COMMISSIONER OF OREGON

In the matter of the application of the
 State of Oregon, by and through its State
 Highway Commission, for authority to erect
 reflectorized railroad crossing signs at
 the highway grade crossing of highway over
 railroad in _____
 Section _____, Township _____, Range _____
 County, Oregon.

PETITION

Your petitioner respectfully represents and shows the following facts:

I.

That _____ is the owner and operator of a railroad in _____ County, which railroad is not a common carrier railroad, and which railroad crosses at grade a public highway known and designated as _____, and which grade crossing is located in _____ of Section _____, Township _____ Range _____ in _____ County, Oregon.

II.

That the owner of said railroad with the approval of the Public Utilities Commissioner has erected and has been for some time maintaining railroad crossing signs which consist of standard timber cross-buck signs.

III.

That said highway is a _____ highway under the jurisdiction of _____ and the cost of the construction of the project which involves said grade crossing is to be borne in part by _____ and in part by the Federal Government.

IV.

That Section 8 of the Hayden-Cartwright Act of June 16, 1936, and amendments thereof, by which there is made available by the Federal Government funds for highway construction in the State of Oregon contains the following provision:

"That no part of the appropriations hereafter made for the purpose of carrying out the provisions of the Federal Highway Act, or any acts amendatory thereof, or supplementary thereto, shall be approved for expenditure on any highway unless proper safety protective devices shall be installed or be in operation at any highway and railroad grade crossing or drawbridge on that portion of the highway with respect to which such expenditures are to be made, and said devices shall comply with the safety

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standards determined by the United States Bureau of Public Roads at that time as being adequate."

V.

That the Bureau of Public Roads has promulgated and established certain rules and regulations governing safety standards and devices which must be employed at grade crossings which serve highways qualified for improvement under the provisions of said Federal Aid Highway Act, and after providing with respect to certain types of crossings in said rules and regulations the said rules and regulations contain the following provision:

"For all other crossings, protection with reflectorized advance warning signs and reflectorized railroad crossing signs of the cross-buck type will be considered adequate at this time, except that

"(a) Protection of crossings of important trunk highways with main and branch line railroads which are not high-speed lines may be required under one of the methods enumerated under 1.

"(b) Non-reflectorized advance warning signs and non-reflectorized railroad crossing signs of the cross-buck type will be acceptable at railroad crossings that are not used for night operation and at railroad crossings where a satisfactory agreement is made or is in effect that train movements will be flagged across."

VI.

That the grade crossing referred to above is a crossing which comes within the provisions of the foregoing government regulation.

VII.

It is the purpose and plan of the petitioner to change the existing grade crossing signs or devices and make the same conform to the requirement of the Federal Government with respect to the foregoing rule and regulation by installing reflectorized signs.

VIII.

It is represented that the cost of altering and changing the said crossing signs so as to conform the same with the foregoing Federal requirements shall be paid by the petitioner, but thereafter the maintenance and/or renewal of said crossing signs or devices shall be at the expense of the owner of the railroad.

WHEREFORE, petitioner prays for an order authorizing and

permitting this petitioner to alter and change said existing grade crossing signs and devices and make the same conform to the Federal requirements, and that said order require the said owner of the railroad to thereafter maintain said crossing signs or devices.

Dated at Salem, Oregon, this _____ day of _____,
1940.

STATE OF OREGON, by and through its
State Highway Commission

By _____
By _____
By _____

The undersigned officers and qualified officials or owners of the _____ hereby approve the foregoing petition and by this endorsement join with the petitioner in requesting that the order prayed for be granted and that the said order provide that the cost incurred in altering and changing the existing crossing signs be paid by the State and that the owner of the said railroad does hereby assume and agree to pay the cost of maintaining and/or renewing the new crossing signs or devices. The undersigned waive a hearing and notice of hearing with respect to said matter and request that an order be made upon the filing of said petition.

ATTEST:

By _____
By _____

2. That said form of petition shall be completed by incorporating all of the facts, data and information related to the particular crossing involved, and when so completed the petition may be signed by the State Highway Engineer or the Assistant State Highway Engineer for the Commission and then filed with the Public Utilities Commissioner.

The Commission discussed briefly the matter of decreasing its insurance requirements in connection with the granting of permits for transportation over state highways of loads that are longer than the statutory length limits, as was suggested by Mr. G. M. Fox who appeared before the Commission at its meeting on February 15. A decision in this matter was deferred by the Commission until its next meeting. The Attorney and the Secretary were instructed to study the matter in the meantime and submit their recommendations in regard thereto. They were also instructed to look into the matter of purchasing public liability and property damage insurance protecting the Commission in connection with the granting of permits of all kinds, as a substitute for the insurance furnished by the several carriers.

The Engineer requested instructions relative to the payment of overtime to one of the W.P.A. crews performing special work on the Wolf Creek Highway. He explained that on August 12, 1939, Captain Jones, who was then superintendent of the W.P.A. operations on this highway, found it necessary to work a small crew of W.P.A. laborers overtime in removing a slide, and that the W.P.A. has refused to pay the men any extra amount for the overtime employment. He gave as his thought that the men are entitled to overtime pay and suggested that the state assume the expense which, he thought, would not total more than \$15, so as to avoid complications. After discussion, the Commission approved the payment of this expense with state funds.

The Commission had under discussion the matter of modifying its requirements for pole line permits across state highways. In this connection the Engineer pointed out that under the Commission's present ruling such crossings are prohibited except in unavoidable places. He also pointed out the current practice of pole line companies which is to construct their main leads across country on private right of way, necessitating the occasional crossing over state highways. He gave as his thought that such type of construction is preferable to the installation of a line of poles along the highway right of way, which not only is unsightly but is also more or less hazardous to the traveling public and, in view thereof, he recommended modification of the present policy so as to permit such crossings in instances of that kind. The Commission approved the recommendation and so ordered.

The Engineer brought up for discussion a letter from the Lebanon Strawberry Festival Committee in which the Commission was requested to detour Santiam Highway traffic onto paved city streets for a distance of three blocks in Lebanon during the progress of their 1940 Festival, in June. The Committee advised that their Fair is located on a side street but, due to the fact that the permanent places of business and amusement, such as restaurants, pool halls, et cetera, are all located along the highway, it is impossible to keep the crowd off the highway and it is their feeling that the hazard to pedestrians would be greatly reduced if highway traffic could be detoured during the time of their celebration. The Engineer stated his concurrence in the viewpoint of the Committee and recommended approval of the request. The Commission approved the recommendation unanimously.

The Commission considered and ordered filed a resolution from the Council of Clackamas County Cities requesting the designation of 39th Street, Portland, between Sandy Boulevard and the north city limits of Milwaukie, as an arterial highway, and the improvement of the same as such.

The Commission discussed briefly the policy of the National Parks Service with respect to the collection of fees from motorists for the privilege of driving their automobiles over the Crater Lake Highway through Crater Lake National Park without visiting Crater Lake. Decision in this matter was deferred until the next meeting so as to give Chairman Cabell an opportunity to study the correspondence.

The Commission considered and ordered filed a letter from Charles B.

Mitchell, Lorane, Oregon, renewing the request of people of that district for the oiling of the Territorial Secondary Highway from Gillespie Corners to the Douglas County line.

The Commission had under discussion a letter from Governor Charles A. Sprague suggesting that outlines of legislation to be recommended to the 1941 Legislature be prepared and submitted to his office for review by September 1, 1940, and that drafts of necessary bills be made ready by December 15, 1940, so as to expedite the work of the Legislature. The Commission voted unanimously to comply with this request and instructed the Attorney to govern his actions accordingly.

A letter was presented from L. M. Lepper, Director of the Eastside Commercial Club, Portland, urging additional construction work in 1940 on the new Columbia River Highway between Portland and The Dalles, and suggesting that forest highway funds and federal aid funds be used to finance the work. The letter was discussed briefly but no action was taken thereon, it being the thought of the Commission that progress now being made on this project is as rapid as can be expected with funds available, and that the work cannot be advanced without handicapping improvements in other parts of the state.

The Commission also discussed letters from A. G. Harvey, Chairman, Barlow Road Extension Committee, Wamic, and L. M. Lepper, Director of said Association and of the Eastside Commercial Club, urging a survey of a proposed road, known as the Barlow Road Extension, from the town of Wamic, in Wasco County, westerly to a connection with the Wapinitia Highway at a place known as Bear Paw Springs. The Commission expressed reluctance to order a survey of this road, which is not on the state highway system, in view of the fact that it is through an entirely new district and could not be constructed for many years. However, the Commission authorized the Engineer to make a rough reconnaissance survey of the same at his convenience.

The Secretary presented a petition from numerous residents and property owners of Gleneden Beach, in Lincoln County, requesting a definite statement in regard to the Commission's plans for the proposed revision of the Oregon Coast Highway past Gleneden Beach. They alleged that the development of this beach district is being seriously handicapped by inaction of the Commission with respect to this project. The Engineer pointed out that some of the right of way for this proposed change has been acquired but the negotiations were stopped by the Commission two or three years ago when it became apparent to the Commission that it would not be able to finance construction for a number of years. He suggested that it would be advisable to contract this section, about 1½-mile in length and estimated to cost \$50,000, at an early date if funds can be found to finance the work and he also suggested a transfer of funds from some other project. After considerable discussion, the Commission approved the Engineer's suggestions and decided to transfer such amount from the allocation heretofore tentatively set up for the reconstruction of a section of the Oregon Coast Highway at Depoe Bay and, accordingly, authorized the Engineer to make such transfer of funds and to prepare the project for contracting as soon as possible, provided needed right of way can be acquired at reasonable cost. The Attorney was authorized and instructed to proceed with negotiations for the right of way.

A letter was presented from Mr. Ray W. Gill, Master, Oregon State Grange, in regard to the allocation of federal aid secondary highway funds. It was Mr. Gill's thought that these funds should be expended by the State Highway Commission in the improvement of outlying roads rather than for improvements contemplated by the Commission. The Engineer was instructed to write to Mr. Gill and explain to him fully the basis of the Commission's allocations and the reasons for the same. However, such letter is to be approved by Chairman Cabell before it is mailed.

The Commission had under discussion a petition signed by numerous taxpayers and citizens of Union and Walla Walla Counties urging the Commission to conduct snow removal operations on the Weston-Elgin Secondary State Highway so as to make this road available for traffic use throughout its entire length the year round. The Commission denied the request in view of the cost involved, which the Commission considered is not justified by the volume of traffic that the road carries.

The Secretary presented a newspaper clipping from the Bend Bulletin being an editorial entitled "Gasoline Tax Pays Dividends". The Commission considered this a well-written and timely editorial and instructed the Secretary to convey its appreciation for the same to Mr. Robert W. Sawyer, Editor-Manager of the paper.

A letter was presented from the Hillsboro Rotary Club inquiring whether or not the state, in connection with its program for the removal of service club signs from state highway rights of way, would consider the installation of one of the Commission's standard sign racks on private property adjacent to the Tualatin Valley Highway outside of the limits of Hillsboro. The matter was discussed but final action on the same was deferred until the next meeting.

The Commission had under discussion a letter from Mr. W. E. Reynolds, Commissioner of Public Buildings, Washington, D. C., inquiring if it would be possible to secure the services of the Highway Department's Landscape Engineer, Mr. George Otten, to collaborate with the Public Buildings Administration in a design for the planting of the United States Post-Office grounds in Salem. Mr. Reynolds explained that Mr. Otten's services would have to be gratuitous because the Federal Government is without authority to pay for his services. The Commission approved the loan of Mr. Otten's services for this undertaking.

The Engineer requested instructions relative to the disposal of an accumulation of scrap lumber and piling salvaged from the old Whiteson Bridge on the Pacific Highway West about three miles south of McMinnville. He advised that there are about 100 M-FBM of such material which is of no particular value from the state's standpoint, and recommended that it be advertised for sale on a competitive bid basis. The Commission approved the recommendation and so ordered.

The Engineer requested authority to purchase two power hoists for installation on trucks assigned to the Parks Department. He estimated the cost of the hoists at \$350, or a total of \$700.00. The Commission approved the purchase through the regular channels.

A letter was presented from County Judge J. H. Allen of Grant County requesting permission to obtain rock from a state-owned quarry located at mile post 57.79 on the Pendleton-John Day Highway. He said that the rock is to be used for a W.P.A. job and that under the W.P.A. regulations written consent of the state is required for use of the quarry. The Engineer advised that this quarry was secured for the purpose of obtaining materials for rock surfacing projects but the material is not desirable as oil aggregate, hence will be of very little use to the state in the future. He recommended approval of Judge Allen's request subject to the condition that the county will clean up the premises to the satisfaction of the Engineer when their operations are completed. The Commission approved the recommendation unanimously.

A letter was presented from Mr. Cal M. Young, County Commissioner of Lane County, advising that the county court has received an application from a Mr. T. T. Loftus, Glenada, for the purchase of a small strip of county-owned land adjacent to the Siuslaw Highway at Florence. He said that the county is inclined to sell this property but before doing so thought it advisable to ascertain whether or not the property is needed for state highway purposes. The Engineer advised that the property in question is a narrow strip of land lying between the highway and 9th Street, in Florence, and in his estimation should be acquired by the state in order to prevent its being commercialized. He recommended acquisition of the same. The Commission approved the recommendation and instructed the Attorney to secure an option from the county court.

The Commission discussed communications from the American Road Builders' Association and the Associated General Contractors of America relative to House Resolution No. 6395 now before Congress, which provides that wage rates on federal aid highway projects shall be established by the Secretary of Labor. The Commission considered such legislation inimical to the best interests of the State of Oregon and, accordingly, decided to oppose the passage of the same. The following telegram was thereupon sent to each member of the Oregon delegation in Congress:

"WE BELIEVE H.R. 6395 TO BE AN INVASION OF STATES RIGHTS AND INIMICAL TO THE BEST INTEREST OF THE STATE OF OREGON AND WILL APPRECIATE YOUR OPPOSING THIS BILL."

The Commission discussed the claim of Mr. Ben Hilton, Grants Pass, and his allegations that operation by the state of a gravel pit adjacent to Williams Creek at its crossing of the Williams Secondary Highway, in Josephine County, has interfered with his irrigation rights on certain property that he has under lease. Mr. Hilton contends that the state's excavation was made too close to the river and, as a result, considerable water seeps through the berm between the river and the pit and he is deprived of much water that he needs for irrigation purposes. He blames the state for this condition and has asked the state to do whatever is necessary to remedy it.

Commissioner Clough advised that he personally investigated this complaint. He gave as his thought that the trouble could be remedied if Mr. Hilton's dam were constructed a little farther upstream and were connected to

the present irrigation ditch by pipe line. He suggested, however, in view of the fact that Mr. Hilton will not need much irrigation water until about July 1 that the matter be held in abeyance until that time which will not only allow more time to give the matter additional study but will also provide an opportunity to see just what effect, advantageous or otherwise, the spring floods will have on the situation. Chairman Cabell approved this suggestion and it was so ordered.

The Commission confirmed its previous action setting Thursday and Friday, March 21 and 22, 1940, as the date for its next regular meeting for the receiving of bids on contract work, and instructed the Secretary to arrange to hold this meeting in the auditorium on the third floor of the Public Service Building, Portland, as usual.

The Commission considered and signed agreements, et cetera, as follows:

Agreement with the State Board of Forestry covering the use by the State Forestry Department of a roadway across a stock pile site owned by the Highway Department in Government Lot 7 of Section 36, Township 16 South, Range 8 West, W.M., Lane County.

Agreement with Colonial Construction Company disposing of its claim for additional compensation arising out of its contract with the State Highway Commission for the construction of the Corbett-Rooster Rock Section of the Columbia River Highway, in Multnomah County, Contract No. 2151.

Easement granting to Morrow County permission to maintain a roadway across certain state-owned property just west of Boardman for a period of six months in connection with a county W.P.A. Project.

Lease agreement from the United States Department of the Interior, Bureau of Reclamation, covering 2,852.08 acres situate in Townships 11 and 12 South, Range 12 East, W.M., in Jefferson County, and more particularly at the confluence of the Crooked River, Deschutes River, and the Metolius River, which property is to be used by the state for recreational purposes.

Permit granting to the Port of Umpqua the right to deposit on state-owned property at Reedsport certain spoil materials from dredging operations in the Umpqua River.

There being no further business to come before the Commission at this time the meeting was declared adjourned at 12:00 noon.

W. B. ...
State Highway Engineer

W. B. ...
Secretary

Henry F. Cabell
Chairman

Wm. M. Elough
Commissioner

Portland, Oregon, March 21, 1940

The State Highway Commission met in regular session at 9:00 o'clock a. m. in the auditorium of the Public Service Building. Present were:

Henry F. Cabell, Chairman
E. B. Aldrich, Commissioner
Huron W. Clough, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

Also present was Mr. Herman Oliver, John Day, Oregon, appointed by Governor Charles A. Sprague as State Highway Commissioner, effective April 1, 1940, succeeding Commissioner E. B. Aldrich, resigned.

Bids, as follows, for highway construction projects, sale of buildings, and scrap lumber were opened and read in conformance with previously-published notice:

WARWICK SPRINGS SECONDARY HIGHWAY
OCHOCO CREEK-PRINEVILLE SECTION - GRADING

Homer G. Johnson	\$ 10,158.00
Leonard & Slate	11,176.00
S. S. Montague	11,238.00
Clifford A. Dunn	11,968.00
H. B. Kline	12,070.90
J. C. Papin	12,198.50
McNutt Bros.	12,228.00
C. J. Eldon	12,450.00
A. Milne	12,740.50
J. A. Lyons	13,350.50
Frank Penepacker	13,516.00
Coos Bay Dredging Company	13,847.15
M. L. O'Neil & Son	15,427.00

JOHN DAY HIGHWAY

AUSTIN JUNCTION-BAKER COUNTY LINE SECTION - GRADE WIDENING, SURFACING, OILING

Fisher Bros.	\$ 73,006.20
Triangle Construction Co.	74,311.00
Clifton & Applegate	79,243.60
A. Milne	79,432.00
E. C. Hall Company	80,725.00
Babler Bros.	80,899.00
Edwin C. Gerber	82,131.40
F. R. Hewett	86,102.50
Tony Marrazzo	87,091.80
Homer G. Johnson	88,824.75
McNutt Bros.	90,276.40

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WARM SPRINGS SECONDARY HIGHWAY
LAMONTA-CROOK COUNTY LINE SECTION - GRADING, FENCING

Frank Penepacker	\$ 28,440.00
Coos Bay Dredging Company	29,748.95
M. L. O'Neil & Son	29,957.75
Leonard & Slate	33,558.00
Clifford A. Dunn	36,110.00
J. A. Lyons	38,910.00
Cochran & Gatton	39,186.50
C. J. Eldon	43,342.50
McNutt Bros.	43,447.00

WILLAMETTE HIGHWAY
MAINTENANCE PATROLMEN'S HEADQUARTERS NEAR ODELL LAKE

Berham Bros.	\$ 32,441.00
Vernon Bros. Co.	33,873.00
Viesko & Hannaman	34,733.75
Ed. Walder	36,228.00
Geo. H. Buckler Company	38,155.50
Brosterhouse Construction Company	40,225.90
Birkemeier & Sarnel	41,123.50
Angelo Doveri	41,214.75
Scheumann & Johnson	41,585.00
Hart Building Company	47,149.50

STUSLAW HIGHWAY
LOW PASS SECTION - GRADE WIDENING, SURFACING, OILING

	Using Asphalt	Using Tar
Fisher Bros.	\$ 63,483.75	\$ 63,699.75
McNutt Bros.	72,088.50	72,160.50
Babler Bros.	- - - -	78,491.00
Homer G. Johnson	82,417.95	82,614.15

I.O.N. HIGHWAY
DRILLING AND CASING WELL 30 MILES NORTH OF McDERMITT

J. Naillon	\$ 1,076.00
Williams Drilling Company	1,380.00
A. M. Edwards	1,700.00

COLUMBIA RIVER HIGHWAY
MIDDLE UNIT, TROUTDALE-CORBETT SECTION - RIGHT-OF-WAY CLEARING

Vernie Jarl	\$ 600.00
Erick Enquist	700.00
Heller & Gillgannon	800.00
Edlefsen-Weygandt Company	1,160.00
J. A. Lyons	1,495.00
Yunker & Gilkey	1,800.00

FULTON CANYON-WASCO COUNTY ROAD
SOUTH UNIT, FULTON CANYON SECTION - GRADING, SURFACING, BOX CULVERTS

Mid-Columbia Sand & Gravel Company	\$ 17,991.10
H. B. Klineline	19,910.50
Guy J. Norris	20,923.00
McNutt Bros.	21,810.80
Leonard & Slate	22,022.00
Clifford A. Dunn	23,155.00
Fisher Bros.	23,738.60
Colonial Construction Company	24,115.00

WESTON-ELGIN SECONDARY HIGHWAY
WESTON-McDOUGALL CAMP SECTION - OILING

Norris Bros.	\$ 8,462.00
J. C. Compton	8,872.40
Warren Northwest, Inc.	9,140.00
Standard Asphalt Paving Company, Inc.	9,984.25
McNutt Bros.	13,901.00

MEDICAL SPRINGS SECONDARY HIGHWAY
CATHERINE CREEK BRIDGE SECTION - COMPOSITE TRESTLE AND ROADBED

Denten & Young	\$ 9,307.00
Averill & Corbin	11,290.00
McNutt Bros.	12,723.75
Soule & Walters	13,332.00

HURRICANE CREEK COUNTY ROAD
CASTOR RANCH JOSEPH SECTION - GRADING, SURFACING, OILING
BRIDGES

Norris Bros.	\$ 25,204.50
McNutt Bros.	25,891.50
Homer G. Johnson	26,954.90
Colonial Construction Company	28,146.00

PACIFIC HIGHWAY WEST
TIGARD SECTION - GRADING AND PAVING

Roy L. Housk	\$ 178,724.50
Jacobsen-Jensen Company	202,633.50
Frank Penepacker	202,657.50
Berke Bros.	203,054.00
Theo. Arenz	206,559.50
Edlefsen-Weygandt Co.	206,723.00
McNutt Bros.	209,459.50
Leonard & Slate	209,544.00
Babler Bros.	210,447.00

SALE OF SCRAP LUMBER AND PILING
AT SITE OF OLD WHITESON BRIDGE
PACIFIC HIGHWAY WEST

Weatherly Boom Company

\$ 280.00

SALE OF BUILDINGS AND PROPERTY

MARSHFIELDNo. 7827 (former owner Monrad Underland)

C. V. Bloyd, Marshfield	\$ 37.50
Kenneth E. Dodd, Eugene	26.00
Ed Lorsung, Marshfield	20.00
Frank Davies, Eastside	17.00
Theodore P. Lund, Eastside	15.00

No. 7826 (former owner Garland F. Lillie)

*Elmer Mikulecky, Marshfield	\$ 40.00
**Ed Lorsung, Marshfield	40.00
Kenneth E. Dodd, Eugene	31.00
Frank Davies, Eastside	17.00

* - Second choice. Will take only one. High bidder on No. 7825

** - Bid on all buildings; will take all or none.

No. 7824 (former owner George W. Davidson Estate)

*C. V. Bloyd, Marshfield	\$ 22.50
Kenneth E. Dodd, Eugene	20.00
Frank Davies, Eastside	17.00
Ed Lorsung, Marshfield	15.00
Theodore P. Lund, Eastside	10.00

* - will take only one building. No. 7827 first choice

No. 7825 (former owner Ida D'Ambrosia)

Elmer Mikulecky, Marshfield	\$ 200.00
E. B. Pope, Marshfield	100.00
Ed Lorsung, Marshfield	75.00
Kenneth E. Dodd, Eugene	35.00
Frank Davies, Eastside	17.00

COTTAGE GROVENo. 5694 (former owner A. W. Holliwel)

Kenneth E. Dodd, Eugene	\$ 206.00
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No. 5694 and Tract "A"

No bids received

No. 5694 and Tract "B"

No bids received

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No. 5694 and Tracts "A" and "B"
No bids received

Tract "A" alone
D. C. Greening, Cottage Grove \$ 500.00

Tract "B" alone
No bids received

Combination of Tracts "A" and "B"
No bids received

No. 5638 (former owner Naomi Hoskins Preston)
No bids received

Chairman Cabell announced that the award of contracts and sales of buildings, etc., would be made at 4:00 o'clock p. m. on the same day.

A delegation from Roseburg, representing the Chamber of Commerce, and consisting of W. C. Harding, Secretary; A. C. Marsters; County Commissioner H. B. Roadman; Harris Ellsworth, Senator C. W. Clark; and George Smith, was present in behalf of the North Umpqua County Road. They urged the Commission to extend the improvement completed last year a distance of about 1-1/8 miles to a connection with the present road, so as to make the newly-constructed portion available for general public use. Mr. Harding advised that the forest highway section of this road will be completed and ready for use by the general public about July 1st. They also urged the designation of this road as a secondary state highway throughout its entire length.

Chairman Cabell advised that the Commission is reluctant to add any more roads to the State Secondary Highway System but will give their request fair consideration. He also said that the Commission would bear in mind the request for the construction of the 1-1/8-mile section.

A delegation from Days Creek, Douglas County, consisting of Guy McGee; Carl Hill, Superintendent of Schools, Days Creek; Elton Jackson, and D. L. Weaver, was present and requested improvements to the Tiller-Trail Secondary Highway, particularly between Canyonville and Tiller. Others in the delegation were County Commissioner H. B. Roadman; Harris Ellsworth; George Smith; A. C. Marsters; and Senator C. W. Clark of Roseburg. Mr. McGee headed the group.

Mr. Jackson urged the improvement from the standpoint of the logging industry. He declared that this district contains the largest stand of sugar-pine timber remaining in the State of Oregon and that between 10 and 15 million feet of this timber is marketed annually over the Tiller-Trail Road, in view of which they consider that the expense of improving the road is fully justified. Mr. Hill spoke for the improvement from the standpoint of operation of school buses. He predicted a large increase in traffic over the road in the future and urged the Commission to provide an oil surface, at least between Canyonville and Tiller, so as to make the road safer for travel. Mr.

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Ellsworth endorsed the remarks of the other speakers. The Commission agreed to study the project.

Dr. W. D. Huntington, Aloha, appeared before the Commission in regard to a right of way matter near the town of Aloha, particularly with respect to the vacation by the Washington County Court of a section of the dedicated street that parallels the railroad at the Aloha railroad station. Dr. Huntington alleged ownership of a portion of this property and appealed to the Highway Commission for assistance in securing it inasmuch as the vacated area joins other property that he owns between the Tualatin Valley Highway and the railroad. The matter was referred to the Engineer for investigation and report.

A delegation, representing the Chambers of Commerce of Newport, Waldport, Toledo, and Agate Beach, came before the Commission in regard to several highway matters. Members of the delegation were L. C. Smith, Chairman; Larry Hill, President, Newport Chamber of Commerce; Franklin G. Gilkey, County Judge of Lincoln County; L. D. Nash, State Representative, Nashville; E. A. Woodman and Mayor James F. Baird of Newport; E. F. Altree, Agate Beach; L. G. English, District Attorney, Toledo; B. F. Updike, Toledo; and James H. McKibben, Newport.

They urged the Commission to reconstruct the Oregon Coast Highway to modern standards from Newport north and suggested that the proposed improvement at Gleneden Beach be deferred by the Commission until the sections north and south of Otter Crest have been reconstructed. They also urged the reconstruction of the McMinnaville-Tillamook Highway on the proposed new alignment east from Valley Junction, and improvements to the Corvallis-Newport Highway, consisting of widening, elimination of curves, et cetera.

Chairman Cabell advised that the Commission is cognizant of the fact that the Oregon Coast Highway should be improved between Newport and Kernville but because of the shortage of funds the Commission does not like to start the project until other important work on this highway has been completed, such as that now under way at Neahkahnie Mountain in Northern Tillamook County. He gave as his thought that the Commission might be able to start the work from Newport north when the Neahkahnie Mountain Section is completed, but not before that time because there are not sufficient funds available to finance both projects at the same time and the Commission feels that the opening of the Neahkahnie Mountain Road to general public use is of first importance. He pointed out that the Commission now has under consideration the reconstruction of a short section of the Coast Highway in the vicinity of Gleneden Beach and, if possible, will do this work this year, but believes that the proposed improvement at Otter Crest should wait until the sections north and south of this point have been revised. Furthermore, he said, the Commission believes that the improvement of the Oregon Coast Highway north of Newport should be given preference over the improvement of the Corvallis-Newport Highway between Toledo and Newport. The members of the delegation agreed to such arrangement.

Mr. Smith concluded the conference by stating that they do not want the Commission to think that they are dictating what the Commission should do

because they will be satisfied with anything, their purpose at this time being simply to urge the Commission to do something.

Mr. Hill inquired as to the Commission's plan for landscaping and sidewalk construction along the Oregon Coast Highway at Newport. The State Highway Engineer advised that this project was approved by the Commission some time ago but was inadvertently left off the list of projects that the Commission selected at the previous meeting for its 25 per cent program for 1941 Federal Aid Funds. He recommended to the Commission that this project be included in such partial program so as to insure its construction at the earliest possible time. He estimated the cost at \$25,000. The Commission approved the recommendation and authorized the Engineer to include this project in the list forwarded to the Public Roads Administration for federal approval. This concluded the conference.

The County Court of Harney County, consisting of County Judge Nelson B. Higgs and County Commissioners T. E. Jenkins and Charles A. Miler, was present and requested improvement of the Frenchglen Secondary Highway for a distance of about 8 miles south from Burns; also, the improvement of the Diamond Secondary Highway for a distance of about 7 miles south from Crane. They also asked for the improvement and oiling of the Crane-Lawen Section of the Burns-Crane Primary Highway. Judge Higgs read aloud a petition signed by residents, citizens, and business organizations of Harney County requesting such improvements.

Judge Higgs also mentioned the Princeton-Rome Secondary State Highway. He advised that C.C.C. forces under the U. S. Grazing Service have constructed a 12-mile section of this road north of Rome and they expect to construct another section south from Princeton during the coming working season, but will not be able to construct between these two sections because heavy rock excavation is involved and they are not equipped to handle such work.

Judge Higgs also asked for the paving of the unpaved strips along the highway pavement in the town of Burns, particularly on Broadway between West "V" Street and West "D" Street, and along West Monroe Street from Broadway to North Diamond Street. The Engineer was instructed to investigate the matter and report thereon.

County Judge J. B. Wilkerson of Columbia County was present and, asked for additional Federal Aid Secondary Highway Funds for county road construction in Columbia County, particularly to finance the remaining 5-mile section of the road that the County is building toward Vernonia from St. Helens. He was informed by Chairman Cabell that the Commission is directing its efforts toward the completion of the roads already started on this program and feels that the Nehalem Highway between Birkenfeld and Mist, and the secondary highway between Mist and Clatskanie should be completed before other obligations are assumed, in view of which the Commission is not in a position at the present time to give him any encouragement.

The Commission adjourned at 12:00 o'clock noon and reconvened at 2:00 o'clock p. m. in the same room with the same persons present and participating.

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County Judge Hugh McLain of Coos County conferred with the Commission in regard to the further improvement of the Marshfield-Coquille Section of the Oregon Coast Highway. He urged the Commission to continue the improvement of this highway, particularly two sections; viz., elimination of the curve on the Delmar Hill and the straightening of the highway between Beaver Creek and Coaledo Marsh bridges. He stressed the importance of these improvements from the traffic-safety standpoint by pointing out that it is now dangerous to travel over the road because of the large number of logging trucks that operate over it. He was informed by Chairman Cabell that the Commission considers that the North Bend-Marshfield Section is of first importance because it now carries the heaviest traffic for 2-lane pavements in the state and, until it is reconstructed, it does not appear possible to allocate additional funds to the Marshfield-Coquille Section.

The County Court of Tillamook County, consisting of County Judge Harland M. Woods and County Commissioners E. H. Lindsey and E. G. Anderson, was present in the interests of the Wilson River Highway. They particularly inquired as to what provision has been made for the completion of the section between the Devils Lake Fork bridge and Glenwood. They were informed that the Commission has under consideration at the present time the filing of an application for additional W.P.A. funds to finance work between the bridge and a connection with the Gales Creek Road at Glenwood and beyond such point to the Gales Creek Post Office.

Commissioner Lindsey asked for the elimination of the curve where the highway emerges from the canyon at a point known as Randalls. He said that this point is at the end of the oiled section and a dangerous condition exists there which should be remedied. The matter was referred to the Engineer for investigation.

The County Court also inquired into the possibilities of securing additional Federal Aid Secondary Highway Funds for county road improvements in Tillamook County. Chairman Cabell pointed out that the Commission is handicapped this year because the Federal Aid Secondary Highway allotment for 1941 is considerably less than for the previous year and there is a question whether or not the Commission can spare any of these to Tillamook County. In any event, he said, the amount thereof will probably be small; further, it would not be possible to make the allocation early enough to contract the work during the present working season. He inquired which roads, in the opinion of the County Court, should be given prior consideration. The members of the Court appeared to be undecided as to this, whereupon the Commission referred the matter to the Engineer to discuss with the Court later, the intention being to award a contract in the fall of 1940 if there are funds available to finance it.

Commissioner Lindsey asked the Commission to improve the Wolf Creek Highway connection with the Oregon Coast Highway at Necanicum Junction. He alleged that the present connection is very poor and works to the disadvantage of Tillamook County and urged a better connection this year. The Engineer advised that he has this matter in mind but it does not seem possible to

construct a permanent connection this summer because of the expense involved; however, a survey has been made for a temporary connection which will be constructed as soon as state forces can get to it. It was his thought that such temporary connection would serve the purpose satisfactorily until the Commission can finance a permanent connection. This appeared to meet with the approval of Mr. Lindsey.

Commissioner Lindsey also requested the improvement of the Oregon Coast Highway south from the city of Tillamook. The Engineer asserted that this is a meritorious improvement because the present road is very crooked and narrow and carries a large volume of traffic. However, the revision south of Tillamook is tied up with the location of the highway through the city so it could not be constructed until plans for both sections are approved. He pointed out that he now has authority to carry on investigations south of Tillamook but not through the city. The Commission thereupon, by unanimous vote, authorized such investigation through Tillamook.

Commissioner Lindsey also requested improvement of the Oregon Coast Highway between Bay City and Garibaldi where, he declared, a dangerous condition now exists. The Commission agreed to inspect this section the next time it is in that vicinity.

Commissioner Anderson asked for additional improvements on the Little Nestucca Secondary Highway and for the construction of the proposed Dolph-Boyer project connecting the McMinnville-Tillamook Highway and the Salmon River Highway. He also asked for the widening of the pavement full width between curbs, for a distance of about two blocks in the town of Cloverdale and presented petitions signed by numerous residents of Cloverdale and vicinity requesting such improvement. He also requested the widening of a sharp curve on the Oregon Coast Highway at the southern limits of Cloverdale. The Commission referred to the Engineer, for investigation and report, the matter of widening the pavement in Cloverdale and widening of the curve at the south city limits.

Mr. Herbert Hardy, attorney for the Bonneville Power Administration, was present in regard to the use of the state highway in connection with the construction and maintenance of a substation near West Salem, in Polk County. He particularly requested permission to construct certain improvements on the highway right of way, including culverts, curbs, roadway approaches, and certain landscaping. The Engineer advised that he has studied the plans, which, he said, have been prepared in conformance with good engineering practice and are acceptable to him. He recommended approval of the Power Administration's request subject to the condition that the Bonneville Power Administration shall remove from the highway right of way all of its improvements if and when it abandons its use of said right of way. After discussion the Commission approved the Engineer's recommendation and thereupon signed a letter dated March 21, 1940, directed to Dr. Paul J. Raver, Administrator, Bonneville Power Administration, in accordance therewith.

Mr. J. S. Barber, Superintendent of the Water Board, Tigard, Oregon, came before the Commission in regard to a proposed revision of pipe lines in Tigard necessitated by the reconstruction of the Pacific Highway West through this town. The Commission referred this matter to the Engineer for handling.

A delegation from Marion County, consisting of Mayor W. W. Chadwick of Salem; Senator Douglas McKay; County Judge J. C. Siegmund; County Commissioners R. S. Nelson and Jim E. Smith; and County Engineer N. C. Hubbs, J. H. Davis, City Engineer of Salem; A. C. Haag, F. E. Needham, E. A. Miller, D. O. Lear, all of Salem, and Lee W. Eyerly and Leroy E. Grote of Roberts, came before the Commission and requested a survey of the South River Road, Salem, for a distance of about 3 miles south of the Salem city limits; they also requested the designation of the 12th Street cutoff, Salem, as a state secondary highway. County Commissioner Nelson headed the group.

Mr. Nelson advised that the County Court has in mind the further improvement of the South River Road as a V.P.A. project and wants to know how much it will cost to do the work to proper standards. He read aloud and filed with the Commission two letters requesting these projects. Speaking on behalf of the delegation were Commissioner Nelson and Senator McKay. After discussion, the Commission, by unanimous vote, authorized the Engineer to conduct a survey of the South River Road as may be necessary to provide a permanent improvement, the cost of the survey to be paid by the State. The Commission took under advisement the matter of designating the 12th street cutoff as a state secondary highway.

Mr. A. J. Price, President of the Old Wasco County Pioneers' Association, was present and asked the Commission to approve the erection of a monument upon the right of way of the Columbia River Highway near the town of Biggs as a memorial to pioneers who first reached the Columbia River at this point. He said that the Association will hold its annual meeting in May and would like to dedicate the monument at that time. He asked the Commission to approve the project and erect the monument but stated that the Association will pay its share of the cost and will furnish a properly inscribed tablet. Chairman Cabell explained that the Commission recently appointed a committee to pass on historical sites along the Old Oregon Trail. He suggested that Mr. Price contact Mr. Ray Conway of this committee. Mr. Price expressed the hope that something definite can be worked out at least for a temporary installation so that it can be dedicated by the Association at its annual meeting. He agreed to discuss the matter with Mr. Conway.

Mr. C. E. Gates of Medford, was present in regard to the Little Butte Creek Secondary Highway. He urged the Commission to complete the construction of this road up to Lake of the Woods which, he said, would reduce the distance from Medford to this point by some 26 miles. The matter was discussed at considerable length during which it was explained to Mr. Gates that the project is very costly and the Commission does not have funds available to finance it at the present time, particularly in view of the fact that the Commission is convinced from studies of the road that it is not as important as many other roads in the state which are in an uncompleted status, hence the Commission

would not be justified in allocating funds to it now. The Commission agreed to inspect the road the next time it is in that vicinity.

A delegation from Curry County, consisting of S. O. Newhouse, County Surveyor; Mrs. Kay Latimer and W. F. Miller of Wedderburn; A. G. Walker of Gold Beach; Onas S. Olson of Salem; and W. F. Bushnell and A. W. Strowger of Portland, was present relative to the improvement of the county road which extends up the Rogue River from the town of Wedderburn. They requested the improvement as a Federal Aid Secondary Highway and particularly urged modification in the alignment proposed by the State at the lower end of the road so as to follow more closely the existing road because, they alleged, if the road were constructed on the alignment proposed by the State it would be inundated during periods of high water whereas the existing road is at a higher elevation and would not be subject to such flood conditions. They pointed out that the Highway Commission at one time allocated \$10,000 of federal funds to improve this road but the project did not materialize because the County was unable to furnish right of way as required and they gave as their thought that, if the Commission will revise the alignment at the lower end, as requested, the cost of right of way would be greatly reduced, in which event it might be possible for the County to meet the requirements as to the right of way. They asked for a resurvey of this section using minimum specifications, and also asked for a resurvey at the upper end of the road so as to avoid certain private property on which the owner has constructed a fine home which will be only 15 feet from the highway unless the highway is realigned. It was their thought that considerable right of way would be donated if the Commission would change its plans as requested.

They also advised that the property owners would raise funds by private subscription to do a certain amount of construction work at the upper end of the road. Speaking on behalf of this project were Mrs. Latimer, Mr. Newhouse and Mr. Strowger. Mrs. Latimer alleged that 90 per cent of the people of Curry County are in favor of the improvement of the present road rather than construction of a new road as planned by the Commission, and read aloud a petition signed by numerous residents to that effect. Mr. Strowger stated that there are many fine home sites along this road and that numerous people from California would invest in and develop these sites if a good road were provided to them. He urged favorable consideration by the Commission.

Chairman Cabell explained the federal secondary highway regulations and advised that the Commission will be pleased to reconsider this matter but is not in a position to give a definite decision today, either as to the improvement or the survey, because the matter would have to be discussed first with the County Court and with the engineers of the Public Roads Administration. He agreed to inspect the road the next time he is in that vicinity, stating that the Commission is anxious to do something in Curry County, if possible. It was agreed that the Commission would get in touch with Mr. Newhouse when it contemplates the trip into Curry County.

The County Court of Morrow County, represented by County Commissioners George N. Peck and L. D. Neill, and County Engineer H. Tamblin, was

present in regard to the Wasco-Heppner Secondary Highway. They were accompanied by Mr. P. W. Mahoney, President of the Heppner Chamber of Commerce. They urged the Commission to complete the oiling of the Wasco-Heppner Secondary Highway from the end of the present improvement to the junction with the Heppner-Spray Secondary Highway, near a place known as Rugge; also to reconstruct the Heppner-Spray Road from said junction point to Hardman, and to oil the primary state highway between Heppner and Lena. They particularly urged the contracting of the Heppner-Rhea Creek project at an early date so that the work could be completed this year.

Chairman Cabell explained the status of the Commission's finances and advised that the Heppner-Rhea Creek project is at the top of the list of priority projects for contracting in July provided funds are available at that time to finance the work, but it is yet too early to state definitely whether or not it will be possible to place the work under contract at that time. The Engineer pointed out that the Heppner-Lena Road is not in condition at the present time to receive an oil treatment as was thought to be the case a few months ago. Subsequent investigation, he said, shows that considerable stabilization rock will have to be added which will cost about \$50,000, which is more than the Commission feels it can spare at the present time. Chairman Cabell added that the Commission appreciates that this would be a meritorious improvement but is not in a position to make any definite commitment to the project now because of the limited amount of funds available but the Commission will be pleased to reconsider it later on if savings accrue from maintenance operations during the present winter season.

A delegation from Oswego, headed by Dr. William H. Cane, and including 37 members, came before the Commission in regard to the landscaping of the Oswego Highway through the town of Oswego. They inquired as to the policy of the Highway Commission to cooperate in such projects. They were informed by Chairman Cabell that it is the policy of the State Highway Commission to cooperate in movements to beautify the roadsides of this state and occasionally the Commission contributes funds to help pay the cost of the work. He suggested that it would be advisable, before the Commission makes any definite statements in regard to the Oswego project, that the project be investigated by the Highway Department's engineers to determine its feasibility and the cost involved.

The Engineer advised that certain investigations have already been made for this improvement but the report has not as yet been prepared in a form to submit to the Commission, although he anticipates that it will be ready to render at the next meeting. Chairman Cabell thereupon advised the delegation that the Commission will study the Engineer's report and, if the project can be worked out satisfactorily, the Commission will proceed with the work.

At 5:00 o'clock p. m. Chairman Cabell announced the award of contracts, bids for which were received at the morning session, such awards having been previously approved by the Commission by unanimous vote, as follows:

"Ochoco Creek-Prineville Section of the Warm Springs Secondary Highway, in Crook County. 1.29 miles grading. The low bid received on this project was that of Homer G. Johnson, Portland, in the amount of \$10,158.00. The next low bid was that of Leonard & Slate, Multhomah, in the amount of \$11,176.00. There were 11 higher bidders. The Commission awards this contract to the low bidder, Homer G. Johnson, at his bid of \$10,158.00.

"Austin Junction-Baker County Line Section of the John Day Highway, in Grant County. 4.73 miles grade widening, 9.59 miles surfacing and oiling; also furnish 3,000 cu. yds. crushed rock in stock piles. Fisher Bros., Oregon City, submitted the low bid for this project in the amount of \$73,006.20. Triangle Construction Company, Boise, Idaho, submitted the next low bid in the amount of \$74,311.00. There were 9 higher bidders. This contract is awarded to Fisher Bros. at their low bid of \$73,006.20.

"Lamonta-Crook County Line Section of the Warm Springs Secondary Highway, in Jefferson County. 6.25 miles grading and 10 miles fencing. Frank Penepacker, Portland, submitted the low bid on this job in the amount of \$28,440.00. Coos Bay Dredging Company, Marshfield, submitted the next low bid in the amount of \$29,748.95. There were 7 higher bidders. The Commission has referred all bids received on this project to the Engineer with power to award the contract to the low bidder when certain conditions have been fulfilled.

"Construction of maintenance patrolmen's headquarters adjacent to the Willamette Highway, near Odell Lake, in Klamath County. Barham Bros., Salem, submitted the low bid for this work in the amount of \$32,441.00. The bids of Walter Stutte and Leo Huls were irregular in that all of the columns were not filled in and, as a result, it was impossible to know what was intended. The Commission plans to print instructions as a guide to contractors hereafter, but in the present instance the bids were made out in such way that it was impossible for the Commission to know just what the bidders had in mind, hence they could not be considered. In view of the circumstances, the apparent second-low bid was that of Vernon Bros. Company, Boise, Idaho, in the amount of \$33,873.00. There were 8 higher bidders. This project is awarded to Barham Bros., at their low bid of \$32,441.00.

"Low Pass Section of the Siuslaw Highway, in Lane County. 3.57 miles grade widening, surfacing, and oiling; also furnish 1,500 cu. yds. crushed material in stock piles. Fisher Bros., of Oregon City, submitted the low bid for this project, in the amount of \$63,483.75, using asphalt, and \$63,699.75, using tar. McNutt Bros., Eugene, submitted the next low bid in the amount of \$72,088.50, using asphalt, and \$72,160.50, using tar. There were 2 higher bidders. This contract is awarded to the low bidders, Fisher Bros., at their low bid of \$63,483.75, based on the use of asphalt.

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"Drilling and casing a well on State Highway Commission's property north of McDermitt, on the I.O.N. Highway, in Malheur County. Three bids were received for this project, the low one being that of J. Naillon, Ontario, in the amount of \$1,076.00. The second low bid was that of Williams Drilling Company, North Powder, in the amount of \$1,380.00. The Commission rejects all bids and has ordered the project readvertised.

"Middle Unit, Troutdale-Corbett Section of the Columbia River Highway, in Multnomah County. 0.42 mile (5.0 acres) right of way clearing. Vernie Jarl of Gresham submitted the low bid for this project in the amount of \$600.00. Erick Enquist, Troutdale, submitted the second low bid in the sum of \$700.00. There were 4 higher bidders. This contract is awarded to the low bidder, Vernie Jarl, at his bid of \$600.00.

"South Unit, Fulton Canyon Section of the Fulton Canyon-Wasco County Road, in Sherman County. 1.62 miles grading and surfacing; also construct two and extend one reinforced concrete box culverts. The low bid for this project was that of the Mid-Columbia Sand and Gravel Company, The Dalles, in the amount of \$17,991.10. The next low bid was that of H. B. Klineline, Vancouver, Washington, in the amount of \$19,910.50. There were 6 higher bidders. The Commission awards this contract to the Mid-Columbia Sand and Gravel Company at its low bid of \$17,991.10.

"Weston-McDougall Camp Section of the Weston-Elgin Secondary Highway, in Umatilla County. 14.57 miles oiling. The low submitted for this project was that of Norris Brothers, Burlington, Washington, at \$8,462.00. The next low bid was that submitted by J. C. Compton, McMinnville, at \$8,872.40. There were three higher bidders. The Commission has awarded this contract to the low bidder, Norris Brothers, at their bid price of \$8,462.00.

"Catherine Creek Bridge Section of the Medical Springs Secondary Highway, in Union County. Construction of 81 ft. of composite trestle and 0.35 mile of highway roadbed. Denten and Young, Boise, Idaho, submitted the low bid for this project at \$9,307.00. Averill and Corbin, Portland, submitted the next low bid at \$11,290.00. There were two higher bidders. The Commission has awarded this contract to Denten and Young, the low bidders, at their bid price of \$9,307.00.

"Caster Ranch-Joseph Section of the Hurricane Creek County Road, in Wallowa County. 1.58 miles grading, surfacing and oiling, and construction of 77 lineal feet composite type bridges. The Commission received four bids for this project, the low one being that of Norris Brothers, Burlington, Washington, at \$25,204.50. The second low bid was that of McNutt Brothers, Eugene, at \$25,891.50. The Commission has awarded this contract to the low bidder, Norris Brothers, at their bid price of \$25,204.50.

"Tigard Section of the Pacific Highway West, in Washington County. 1.74 miles grading and paving. Roy L. Houck, Salem, submitted the low bid for this project at \$178,724.50. The next low bid was submitted by Jacobsen-Jensen Company, Portland, at \$202,633.50. There were seven higher bidders. The Commission has awarded the contract to the low bidder, Roy L. Houck, at his bid price of \$178,724.50.

"Sale of approximately 152 M-FBM scrap lumber and piling at the site of the old Whiteson Bridge on the Pacific Highway West, near McMinnville, in Yamhill County. The only bid received by the Commission for the purchase of this material was that submitted by the Weatherly Boom Company, Newberg, at \$280.00. The Commission has accepted this bid and has sold the material to the Weatherly Boom Company for the amount of its offer."

Chairman Cabell also announced that the successful bidders for the purchase of buildings would be announced on the following morning at 11:00 o'clock.

The Commission had under discussion the matter of holding a special meeting in Salem prior to the next regular meeting to dispose of accumulated routine matters, it being apparent that the Commission would be unable to dispose of such matters at the present meeting. It was decided to hold such meeting on Monday, April 8, 1940, in the office of the State Highway Engineer, Salem. (This date was later changed to Tuesday, April 9.)

The Commission adjourned at 5:30 o'clock p. m. to reconvene on the following morning at 9:00 o'clock in the same room.

Portland, Oregon, March 22, 1940

The State Highway Commission reconvened in regular session at 9:00 o'clock a. m. in the auditorium of the Public Service Building. Present were:

Henry F. Cabell, Chairman
 E. B. Aldrich, Commissioner
 Huron W. Clough, Commissioner
 R. H. Baldock, State Highway Engineer
 J. M. Devers, Attorney
 H. B. Glaisyer, Secretary

County Judge Charles E. Baird of Baker County came before the Commission in regard to the oiling of the Flagstaff-Lower Powder Section of the Baker-Homestead Highway. He urged the Commission to allocate funds for the reconstruction of this section on permanent alignment and presented numerous arguments in support thereof. He suggested that if the Commission is unable to finance the entire section this year half of the work be done this year and the balance next year, and advised that the people of Baker County would not be satisfied with the oiling of the present road, as proposed by the Commission, and that they would prefer that nothing be done if they cannot secure permanent construction.

Chairman Cabell explained that the Commission realizes that the present road is not on the proper alignment or in the best of condition, and it was the Commission's thought that the people particularly wanted a dustless road which was the reason that the Commission authorized the light oil treatment this year at minimum expense. The estimated cost to construct on permanent alignment, he said, is in excess of \$200,000 which the Commission cannot spare at the present time in fairness to other parts of the state, particularly in view of the fact that so much money is now being spent in the Baker district. The Commission's construction program for this year, he said, has already been prepared and includes an item of \$10,000 for the oiling of the section under discussion. However, if the people of Baker County do not want this improvement, then of course the funds will have to be reallocated to some other project, preferably in Baker County so that Baker County would not lose the benefit of the same. He reiterated that the Commission does not have money available to even start construction on the permanent alignment now.

Commissioner Aldrich gave as his opinion, in view of the circumstances, that it would be advisable to improve the present road which would serve traffic until the Commission is able to finance construction on the permanent line. He pointed out that this highway is not on the federal aid system so would have to be financed entirely with state money, however predicted nevertheless that the new line would be built in four or five years. Commissioner Clough concurred in the statements made by Chairman Cabell and Commissioner Aldrich. After further discussion, Chairman Cabell informed Judge Baird that the Commission would bear this project in mind and discuss with the engineer the possibilities of building the new line by stage construction.

Messrs. Harry Coffey and O. A. Feland, representing the Mutual Benefit Health and Accident Insurance Company, discussed with the Commission matters pertaining to the furnishing of group insurance covering salaried employees of the State Highway Department. The Assistant Attorney reported on the proposed form of agreement covering the matter and pointed out several features which, in his estimation, should be modified. After discussion, the Commission indicated that it would approve the agreement with the modifications recommended and would authorize deductions from monthly payrolls to pay the premiums. The matter was re-referred to the Assistant Attorney to iron out the differences with the insurance company. He was instructed to present the matter to the Commission again at its next regular meeting.

Mr. John Whiz, Celilo Indian and interpreter for Chief Tommy Thompson, was present in regard to the improvement of the Columbia River Highway past the Celilo Indian village near The Dalles, also in regard to the cleaning up of the Indian village proper. He stated that arrangements have been made for him to go to Washington, D. C., on behalf of the Celilo Indians and inquired whether or not the Commission has objections to his using and quoting the State Highway Engineer's letter dated February 16, 1940, to M. A. Johnson, Superintendent, Yakima Indian Reservation, which, he believed, would help their cause considerably. He was authorized by the Commission to use this letter as he sees fit. Mr. Whiz then reported that, in accordance with the understanding that was reached when Chief Thompson and other members of the tribe appeared before the Commission at its last meeting, Chief Thompson called a

meeting of the Indians of the Celilo tribe and those of the Yakima and Warm Springs tribes in regard to the Commission's proposal for right of way and the cleaning up of their village but no agreement was reached, it appearing that the site proposed for the use of the Yakima and Warm Springs Indians was not acceptable to them, hence there is nothing to report. He advised, however, that it is his intention to take the matter up with the authorities in Washington, D. C.

Mr. Whiz then asked the Commission to take action to control the speed of traffic past the Celilo Indian village. He said that under present conditions traffic speeds by the village at an excessive rate endangering the lives of the Indians, particularly when crossing the highway in going to and from the Celilo store. After discussion, it was agreed that nothing should be done in regard to this matter until it is known whether or not the present plan, which involves the construction of a pedestrian underpass, meets with the approval of the authorities. In the event that such plan is not approved then the Commission will give the matter further study.

At 11:00 o'clock a. m. Chairman Cabell announced the following sales of buildings at Marshfield and Cottage Grove, bids for which were received by the Commission on the previous day, such sales having been previously approved by the Commission by unanimous vote:

Buildings at Marshfield:

"Building No. 7827 (formerly owned by Monrad Underland). Five bids were received for the purchase of this building, the high one being that of C. V. Bloyd, Marshfield, at \$37.50. The second high bid was that of Kenneth E. Dodd, Eugene, at \$26.00. The Commission considers the bid submitted by Mr. Bloyd satisfactory, and accordingly sells the building to him at his bid of \$37.50.

"Building No. 7826 (formerly owned by Garland F. Lillie). The high bid was submitted by Elmer Mikulecky, Marshfield, at \$40.00. This is Mr. Mikulecky's second choice. Inasmuch as his bid on another building has been accepted by the Commission, the bid for building No. 7826 cannot be considered. The second high bid was submitted by Mr. Ed Lorsung, Marshfield, at \$40.00. Mr. Lorsung's bid was contingent upon his being sold all of the buildings at Marshfield, hence cannot be considered, inasmuch as he was not a successful bidder for the other buildings. The third high bid was submitted by Kenneth E. Dodd, Eugene, at \$31.00. The only other bid was submitted by Frank Davies, Eastside, at \$17.00. The Commission has accepted the bid of Mr. Dodd and has sold the building to him at his bid price of \$31.00.

"Building No. 7824 (formerly owned by the George W. Davidson Estate). The high bid was submitted by C. V. Bloyd, Marshfield, at \$22.50. Mr. Bloyd qualified his bid by stating that he would purchase only one building at this letting. His offer for Building No. 7827 has been accepted, so his bid for Building No. 7824 cannot

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be considered. The next high bid was submitted by Kenneth E. Dodd, Eugene, at \$20.00. Frank Davies, Eastside, was next at \$17.00. There were two lower bidders. The Commission has sold the building to Mr. Kenneth E. Dodd at his bid price of \$20.00.

"Building No. 7825 (formerly owned by Ida D'Ambrosia). The high bidder for this building was Elmer Mikulecky, Marshfield, at \$200.00. The next high bid was that submitted by E. B. Pope, Marshfield, at \$100.00. There were three lower bidders. The Commission has sold the building to Mr. Mikulecky at his bid price of \$200."

Buildings at Cottage Grove:

"Building No. 5694, (formerly owned by A. W. Helliwell). With either tract A, or tract B, or with both tracts. The Commission received no bids for this property under any of these alternates. However, the Commission did receive a bid for Tract A alone, being that of D. C. Greening, Cottage Grove, in the amount of \$500.00. The Commission has rejected this bid as being unsatisfactory.

"Building No. 5694, alone. The only bid received for this building was submitted by Kenneth E. Dodd, Eugene, at \$206.00. The Commission considers this bid satisfactory and has sold the building to Mr. Dodd at his bid price.

"Building No. 5638 (formerly owned by Naomi Hoskins Preston). No bids were submitted for the purchase of this building."

Mr. James Morrell of the Consolidated Freight Lines, Portland, came before the Commission in regard to the company's request for a blanket permit authorizing the movement of its trucks, which are 11'6" in height, over state highways, particularly over the Pacific Highway between Portland and the California line and over the Old Oregon Trail between Portland and Ontario. He advised that his company has given careful consideration to the Highway Commission's proposal that the company pay the cost of depressing the Pacific Highway at the Springfield and the Goshen undercrossings, which work is estimated to cost in excess of \$4,000, and has decided that it cannot pay such cost because it believes that it should not be held responsible for these improvements in view of the fact that they are improvements for the benefit of the entire general public. After discussion the Commission decided unanimously to pay such expense with state funds and instructed the Engineer to have the work performed as soon as possible. He was also instructed in the meantime to investigate the clearances at both of these underpasses. If such investigation reveals sufficient clearance for 11'6" overall-height vehicles then the Commission will issue a permit authorizing the company to move its trucks over this highway at once; otherwise, the issuance of a permit will be deferred until the vertical clearance of each pass has been increased. As to the company's request for a similar permit to move its trucks over the Old Oregon Trail, the Engineer reported that there is sufficient clearance at all points except at the Mosier Tunnel where investigation reveals it would not be possible for two trucks each 11'6" in height to pass in the tunnel. Some

discussion was had as to the possibility of controlling traffic at this point by means of manually operated traffic lights. The Commission's decision in this matter was deferred pending further investigation by the Engineer. He was instructed to have the Traffic Engineer ride with one of the Consolidated Freight Line trucks through this tunnel and ascertain whether or not it would be possible to negotiate the tunnel without crossing the highway center stripe. The possibility of the truck passing through the tunnel without crossing the center stripe would indicate sufficient clearance for two trucks to pass in the tunnel and, under such circumstances, the Commission would authorize the granting of a permit for the 11'6" overall height movement without special flagmen or under the protection of traffic lights.

Mr. A. B. Sanders, Manager of the Oregon Coast Highway Association, was present and asked the Commission to postpone the further cutting of Scotch Broom along the Oregon Coast Highway, in Douglas County, until that already cut has grown back to normal size. The Engineer was instructed to have the Landscape Engineer look into the matter.

Mr. Bud Dietlein, owner of the diorama that was exhibited in the Oregon booth at the San Francisco Fair in 1939, was present in regard to renewing his contract with the Commission for the showing of this diorama at this Fair in 1940. He agreed to exhibit the same if paid the sum of \$3,000. He gave as his thought that the equipment has proved itself and that it is worth such sum if exhibited again this year. The Commission took the matter under advisement.

A delegation from Eugene, consisting of Messrs. Wm. Tugman, Ed. Turnbull, Mayor Elisha Large, and Fred Stickels, President of the Chamber of Commerce, came before the Commission in regard to the Commission's plans for the rerouting of the Pacific Highway through Eugene. The Engineer reported briefly the results of the surveys that have been made of this project which include not only the rerouting of this highway through Eugene but covers the matter of connections with the McKenzie and the Willamette Highways. He recommended adoption of the so-called Goshen Route for the Willamette Highway connection and the retention of the present route of the Pacific Highway from Goshen northerly to Springfield, thence to Eugene, following closely the existing route, with revisions to eliminate railroad grade crossings, provided the City of Eugene will adopt ordinances ordering one-way traffic on certain streets in Eugene. Otherwise, he said, the Commission would probably be forced to construct the highway on a permanent route which would bypass the City of Eugene on the west. He also recommended the construction of the Eugene-Springfield Section as the first project, involving the moving of the railroad closer to the river, and the construction of four-lane pavement between Eugene and Springfield. As a second project, he recommended the construction of the Willamette Highway easterly from the town of Goshen. The Commission indicated approval of the Engineer's report and recommendations and informed the delegation that in its opinion the Eugene-Springfield project is a logical one for 1941 grade crossing elimination funds. The plan as outlined appeared to meet with the approval of the delegation, whereupon the Commission decided to hold a public hearing on the matter in Eugene on Wednesday, May 1, 1940, starting at 2:00 o'clock p. m. The Secretary was instructed to formally notify the city of the

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hearing. The Engineer was thereupon authorized to release his report on this subject to the newspapers during the following week.

Mayor Large advised that the City of Eugene will cooperate in every way possible in this undertaking. He gave as his opinion that the City Council would not hesitate to adopt ordinances providing for one-way traffic streets as may be required. Mr. Turnbull suggested construction of an extension of 7th Street to a connection with the Pacific Highway west of Eugene, as an aid to the traffic problem. He also suggested that the Commission designate as a secondary state highway an extension of the Pacific Highway from 7th Street to 11th Street, in order to provide a state highway connection with the so-called "Route F" Highway to the Coast. The Commission agreed to consider the matter. This concluded the conference.

The Commission by unanimous vote approved the minutes of the meeting held on January 10, 11 and 12, 1940.

The matter of acquisition of right of way through the Jordan property at Troutdale came up for informal discussion and it was revealed that Chairman Cabell, responding to Mr. Jordan's request, personally inspected the property. After some general discussion, Mr. Cabell suggested that inquiry be made to ascertain the price for which Mr. Jordan's entire ranch could be purchased and also the price for which not only the right of way but the land lying between the right of way and the dike could be purchased and the Commission would then give further consideration to the subject.

The Engineer read aloud a report from the State Parks Superintendent relative to the acquisition of timber strips along the Pendleton-John Day Highway. The report was to the effect that the Pilot Rock Lumber Company which owns this timber is willing to sell to the state the timber situate in the Canas Creek area and along the John Day River between Canas Creek Bridge and the north boundary of the Whitman National Forest, at the Umatilla-Grant County line, at the following rates: \$3.00 per M-FBM for the pine timber and \$0.75 per M-FBM for the tamarack, there being no charge for the fir, sale being based upon a timber cruise made by the present owners and being contingent upon the company retaining title to the land. The report also indicates that there are some 1,200 acres involved in this transaction and that the timber stand is approximately 4,000 feet per acre which makes the cost approximately \$12.00 per acre. It was the Parks Superintendent's belief that the acquisition of these timber strips would make a timely and pleasing addition to one of the generally treeless Eastern Oregon highways if the land could be obtained along with the timber. The Commission appeared reluctant to acquire the timber only. After discussion, during which Commissioner Aldrich expressed his opinion that at least some of this timber land should be purchased, the matter was referred to the Right of Way Department to negotiate with the owners and secure options, if possible, after first consulting with the Parks Superintendent.

The Commission had under discussion a letter from the Oregon Washington Railroad and Navigation Company relative to the purchase by the company of a strip of land 40 feet wide and approximately 870 feet long adjoining the

northerly right of way line of the railroad in the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 4, Township 2 North, Range 9 East, W.M., near Lindsey, in Hood River County. They explained that the Railroad Company is making a line change in this vicinity and needs this additional strip of property for the extension of its slopes; that this land is below the normal pool level of the Columbia River and is now covered by water; and that the tract embraces approximately 0.8 acre of land for which the company is willing to pay the state \$20.00 cash. The Engineer advised that this property is a portion of the Starvation Creek State Park and, according to the State Parks Superintendent, is not particularly needed for park purposes. He recommended, in view thereof, that the 0.8 acre be sold to the railroad company at the price offered. The Commission approved the recommendation unanimously subject to the condition that the deed by which the property was conveyed to the state does not contain provision prohibiting resale by the state of any portion of the property. The matter was referred to the Attorney for handling.

A letter was presented to the Commission from Mr. A. M. Williams, Chairman of the North Lincoln Park Committee, Nelscott, advising that a Mr. W. L. Graham, Portland, who owns 20 acres of land on both sides of the Oregon Coast Highway between Delake and Nelscott on which there is a fine stand of virgin timber, has plans for the sale of this timber in the near future, and suggesting that the Highway Commission purchase a strip at least 100 feet wide fronting on the highway for about 660 feet, so as to preserve the timber standing thereon for public use and enjoyment. The Engineer was instructed to refer this matter to the State Parks Superintendent for investigation and to ascertain whether or not a strip 100 feet wide would be sufficient.

The Commission had under discussion the matter of authorizing Harold B. Say, Manager of the Travel and Information Department, to make a trip into California, involving about 16 days and an outlay of approximately \$100 for expenses, starting about April 20, 1940. Also, the advisability of authorizing Mr. Say to make a trip into the Middle West, starting about the middle of May, and involving a state expenditure of approximately \$200, which trips are for the purpose of promoting tourist travel for the benefit of Oregon. The Engineer advised that Mr. Say has it in mind to contact various motor clubs and newspapers in the western and mid-western sections of the United States, particularly in the areas from which Oregon is now deriving substantial travel and, with proper efforts, can expect increased travel. Further, that the mid-western trip would include stops at Salt Lake City, Denver, Omaha, Kansas City, St. Louis, Chicago, Milwaukee, Minneapolis, Detroit, Cleveland, Cincinnati, Fargo, Yellowstone, and Billings. He also said that Mr. Say will be accompanied by Mr. Ray Andrews, Vice President of the Botsford, Constantine and Gardiner Company, which company is handling publicity matters for the Highway Department. He recommended that Mr. Say be authorized to make these trips. The Commission approved the recommendation by unanimous vote, subject to approval by Governor Charles A. Sprague.

The Commission adjourned at 12:45 o'clock p. m. and reconvened at 2:00 o'clock p. m. in the same room with Chairman Cabell and Commissioner Clough present and participating. Also present were the State Highway Engineer, the Attorney, and the Secretary.

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The Commission conferred with representatives of the logging and lumber industries regarding the transportation over state highways of loads of logs, piling, et cetera, the overall length of which exceeds the statutory limit of 50 feet. There were approximately 50 representatives of the lumber and logging industries present including the following: R. K. McCulloch, Eugene; James Elliott, Astoria; E. VanVleet, Seaside; H. J. Cox, Eugene, Secretary-Manager of the Willamette Valley Lumbermen's Association; Senator F. M. Franciscovich, Astoria, representing the Clatsop County loggers; Fred W. Packwood, attorney, Portland, representing the lumber industry in general; W. S. Pratt, Milwaukie, contract hauler; Baxter Moore, Colton; F. D. Butler of the Thompson Lumber Company; O. K. Mowat of the Colton Logging and Lumber Company; T. W. Collins; and a Mr. Haley.

Chairman Cabell opened the meeting by explaining its purpose. He advised that the Commission is greatly concerned about the matter of granting permits for the transportation over state highways of logs involving overall lengths in excess of the 50-foot limitation specified by statute. He pointed out that the Highway Commission was granted limited authority by the Legislature to grant permits for emergency and isolated movements, but the Legislature did not give the Commission blanket authority to issue overlength permits indiscriminately. In fact, the Commission considers, he said, that the Legislature, by its action at the 1939 session when it voted down the bill that would have increased the overall length to 60 feet, does not want loads of such length moved over the highways of this state, except in cases of emergency, and in view thereof the Commission has decided not to grant permits for the same. However, if the applicant can clearly show that the logs are for emergency use in providing extra long timbers and are not to be cut into shorter lengths at the mill, then the Commission will give special consideration to the request and may grant special permits in the event that seems proper. This procedure, he said, will not entirely solve the problem but will aid greatly in its solution. Also, that special forms of application are to be prepared for use of each operator in filing his request for an overlength permit. Chairman Cabell then invited those present to express themselves in regard thereto.

There followed a general discussion of the matter during which it was pointed out by the operators that they do not know when they receive an order for long logs for what purpose the logs are to be used or where they are to be delivered eventually. In fact, about all that they do know is that the logs are going to the river for the open market. It was also pointed out that logs in long lengths are more salable than in shorter lengths, hence bring a better price. Mr. Elliott inquired whether or not the new ruling would be retroactive. He pointed out that he plans his operations well in advance and at the present time he has about 2 million feet of extra long logs ready in the woods for immediate delivery. He asked whether or not it would be necessary to buck these logs into shorter lengths. The Commission decided that if Mr. Elliott or any other operator will certify that his logs were bucked into the longer lengths before the Highway Commission's new rules became effective, then permission would be granted to move them over the highway, but no permit would be granted for logs so cut after the new rule becomes effective.

The Commission was asked if it intends to discontinue the granting of permits for the hauling of extra long logs. Chairman Cabell replied in the affirmative, stating that such permits would not be granted unless the owner would certify that they are not to be cut into shorter lengths at the mill. He added that the argument that the owners secure more money for the long logs is not a good one and is not sufficient to justify the granting of permits.

Senator Franciscovich stated that his clients are not particularly concerned with the new ruling because their operations are confined to the hauling of short logs which, he understands, the Commission will allow to be transported without permit. Logs of such length, he said, will not be re-sawed into shorter lengths at the mill. He also said that he was a member of the Legislature when the law specifying maximum lengths was enacted and, as he recalls, it was the general feeling of the Legislators that the Highway Commission should have authority to grant overlength permits whenever it considers it necessary to do so. He suggested that the affidavit contained in the application for an overlength permit be sworn to by the logging operator rather than by the individual trucker. The Commission indicated that the suggestion was worthy of consideration.

Mr. Packwood asserted that the operators do not know where the logs are going when they deliver them, hence the proposed ruling of the Commission requiring the operator to state where the logs are to be delivered is not practicable. He gave as his interpretation of the law that the Commission now has authority to grant overlength permits at its discretion and suggested the continuance of past practice in this regard, at least until some court decides the issue and, in any event, until the next Legislature convenes when the matter can be clarified. He asked the Commission to defer putting the new regulations into effect until he has had an opportunity to discuss with the Commission's Attorney, and other attorneys, the legal features. Chairman Cabell gave as his opinion that Mr. Packwood's request is reasonable whereupon the Commission instructed the Attorney to consult with Mr. Packwood in regard thereto. The Commission decided that, if it can be convinced by these attorneys that it now has the authority to grant overlength permits, then it would authorize continuance of the granting of the same until the meeting of the Legislature in January of 1941.

Chairman Cabell concluded the conference by stating that there is no question but that considerable confusion exists at the present time, however, in his estimation, it is not a matter for the State Highway Commission to tell the Legislature what to do, but on the contrary it is the function of the Commission to carry out the instructions and orders issued by the Legislature and if the logging industry is not satisfied with the present laws it must take the initiative in securing additional legislation. The conference was concluded at 3:00 o'clock p. m.

The Commission had under discussion the matter of acquiring from the Koster Products Company 116 acres of timber land situate adjacent to the Wolf Creek Highway between the Nehalem River and Quartz Creek. C. W. Parker, right of way buyer, reported results of his negotiations with the company for the

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acquisition of this tract which, he said, contains about 1,400 M-FBM of timber. He advised that the company is willing to exchange this property on a foot per foot basis for burned timber owned by the state south of the Wolf Creek Highway right of way in Section 33, T. 4 N., R. 6 W., W.M., Clatsop County, and in Sections 3 and 4, T. 3 N., R. 6 W., W.M., Tillamook County, there being 1,240 M-FBM of such burned timber, provided the state will pay the company \$545 cash in addition thereto to equalize the settlement. He recommended acquisition of the property on such basis. The Commission, after discussion, approved the recommendation unanimously.

The Attorney brought up for discussion the settlement for right of way across the Frank Heck property at Cottage Grove. He recalled that the Commission previously authorized an offer of \$16,000 in connection with the condemnation of this property which offer was refused, but Mr. Heck has stated his willingness to accept the sum of \$16,750. He recommended settlement at such figure in order to avoid condemnation. After discussion the Commission approved the recommendation unanimously.

The Secretary presented a letter from the Honorable Charles A. Sprague, Governor, advising, as a matter of record, that he has appointed Mr. Herman Oliver, John Day, Oregon, as a member of the State Highway Commission to succeed Mr. E. B. Aldrich at the expiration of his term on March 31, 1940, said appointment to expire on March 31, 1943. The Commission ordered the letter acknowledged and filed.

The Engineer reported serious damage being done to the Woodburn-Sandy Secondary State Highway west of Molalla by log haulers, with the result that maintenance costs have become excessive and the section crews are unable to keep the road in passable condition regardless of the fact that they have performed intensive maintenance work. He suggested that the Commission order a 50 per cent reduced load limit on this section until such time as the road becomes stable enough to withstand legal weight loads. He also reported a similar condition on the Albany-Lyons Secondary Highway, near Crabtree, and recommended similar action by the Commission on this road. He was instructed by the Commission to inspect these roads personally and to post them for such reduced load limits in the event he considers that advisable.

The Engineer also reported that the reduced load limit heretofore ordered by the Commission for the Nye Junction-Ukiah Section of the Pendleton-John Day Highway is no longer required inasmuch as the road has dried out sufficiently to withstand legal weight loads. He recommended lifting the reduced limit on this section. The Commission approved the recommendation and, by unanimous vote, adopted the following resolution in regard thereto:

WHEREAS, on the 16th day of February, 1940, at a meeting of the Oregon State Highway Commission, all members being present and participating, the Commission passed and adopted a resolution reducing the maximum load limit on several state highways, including the following:

PENDLETON-JOHN DAY HIGHWAY from Nye Junction to Ukiah, in Umatilla County;

and

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WHEREAS, subsequent to the passage of said resolution, conditions have changed so that it is no longer necessary or desirable, and the Commission hereby finds that it is no longer necessary or desirable to maintain the reduced load limit set out in said resolution on the said above-named highway;

NOW, THEREFORE, BE IT RESOLVED that the action of the State Highway Commission reducing the maximum permissible load limit on the

PENDLETON-JOHN DAY HIGHWAY from Nye Junction to Ukiah, in Umatilla County,

be and the same hereby is rescinded and cancelled as of this date, and the maximum load limit permissible on the said section of said highway hereafter shall be the maximum load limit provided by law.

IT IS HEREBY ORDERED that a certified copy of this resolution be furnished to the County Clerk of Umatilla County in which said highway is located, and that a certified copy of this resolution be furnished to the Superintendent of the Department of State Police for his information.

The question of the penalty to impose on log haulers who have overloaded their trucks in log hauling operations on the Elsie-Jewell Road, in Clatsop County, had the attention of the Commission. The Engineer advised that recently officers of the State Police Department arrested several operators on this road and, in weighing the loads, found that they were grossly overloaded, in one instance the overload being 7,100 pounds and in another instance it being 27,300 pounds. Other overloads amounted to 34,600 pounds, 10,200 pounds and 31,300 pounds. The Commission decided that these overloads should not go unnoticed and, accordingly, ordered that the permits of these operators be cancelled for a period of 60 days in the event investigation reveals that the State Highway Commission has jurisdiction over the road on which the violations occurred. The Secretary was instructed to look into the matter and to ask the Public Utilities Commissioner to suspend the permits if this road is under the jurisdiction of the Commission.

The Secretary presented a petition signed by numerous citizens of Tillamook County requesting the construction of a proposed cutoff road connecting the Salmon River Highway and the McMinnville Highway between Boyer and Dolph. The Commission ordered the petition filed.

The Commission had under discussion the approval of a continuing W.P.A. project on the Wilson River Highway. The Engineer advised that the present allotment of W.P.A. funds for this road will be exhausted by July 1 of this year and, if work on this project is to continue, additional W.P.A. funds must be secured. He recommended a project involving a total expenditure of \$1,100,000 of which amount the State's share would be \$250,000, Tillamook

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County's share \$30,000, and the balance, \$320.00, would be W.P.A. funds. The work contemplated under this project, he said, would include grading, base course surfacing, and oil mat surfacing; also, construction of bridges as will be necessary, roadside cleanup, park development, and the felling of danger trees; and it would extend from the mouth of the Wilson River canyon west of Hills Bridge to a point approximately $2\frac{1}{2}$ miles southerly from Glenwood, but would not include the tunnel on this road. After discussion, the Commission approved the project and authorized the Engineer to sign the necessary papers to secure W.P.A. funds for the same.

The Attorney reported the results of the condemnation suit to acquire property of Mr. C. T. Gates, in Oregon City, which property is needed to provide a proper width right of way for the Pacific Highway East in Oregon City, along Fifth Street. He stated that the trial was not consummated but during the course of the same a satisfactory settlement was reached out of court which provides payment to Mr. Gates of the sum of \$12,900 and also provides that the state will install tie rods to protect the joint building wall between the Gates property and the adjoining property owned by a Mr. Wolf, and that the state will deed to Mr. Wolf the land on which the joint property wall rests. The Commission, by unanimous vote, approved such settlement.

The Engineer presented a list of surveys that he has ordered since the last meeting of the Commission and asked the Commission to confirm them and the amounts allocated for each. After due consideration, the Commission authorized and instructed the Engineer to make such location surveys on various sections of the highways of this state, which said sections of highways, together with their identifying survey numbers and the amounts authorized and allocated for such survey expenditures, are as follows:

Plans - - - - -	6-2810	- Marshfield-Bunker Hill Section, Oregon Coast Highway, Coos County.	5th authorization - \$200.00
		Total to date	\$18,500.00
Retrace Line - -	8-2813	- Port Orford-Rocky Point Section, Oregon Coast Highway, Curry County.	1st authorization - \$150.00
Quarry - - - - -	9-2826	- Bend-Chemult Section, The Dalles-California Highway, Deschutes County.	1st authorization - \$700.00
Plans - - - - -	116-2809	- Wasco County Line-Miller Flat Section, Warm Springs Highway, Jefferson Co.	1st authorization - \$1,200.00
Prospect - - -	116-2808	- Lamonta-Crook County Line Section, Warm Springs Highway, Jefferson Co.	2nd authorization - \$200.00
		Total to date	\$9,800.00
Plans - - - - -	18-2816	- U.S.R.S. Flume, Klamath Falls-Malin Highway, Klamath County.	3rd authorization - \$150.00
		Total to date	\$1,050.00
Plans - - - - -	18-2843	- Klamath Falls-Lakeview Junction Section, Klamath Falls-Lakeview Highway, Klamath County.	1st authorization - \$4,200.00
Plans - - - - -	21-2838	- Newport Section, Oregon Coast Highway, Lincoln County.	1st authorization - \$500.00
Plans - - - - -	121-2826	- Toledo-Siletz Section, Siletz Secondary Highway, Lincoln County.	2nd authorization - \$1,400.00
		Total to date	\$2,200.00

Plans - - - - - 21-2833 - Depoe Bay Section, Oregon Coast Highway, Lincoln County. 3rd authorization - \$240.00
Total to date \$900.00

Plans - - - - - 123-2818 - Malloy Ranch-Hooker Creek Section, I.O.N. Highway, Malheur County. 1st authorization - \$5,600.00

Bench Mark - - - 24-2829 - North Salem Section, Pacific Highway, Marion County. 1st authorization - \$100.00

Plans - - - - - 226-2842 - Union Avenue-St. Johns Sec., Lombard Avenue in Portland, Multnomah County. 1st authorization - \$2,000.00

Plans - - - - - 33-2819 - Shaniko-The Dalles-California Highway Section, Sherman Highway, Wasco Co. 3rd authorization - \$700.00
Total to date \$3,100.00

Plans - - - - - 101-2821 - Mason-Salisbury Section, Sumpter Valley Highway, Baker County. 2nd authorization - \$1,200.00
Total to date \$3,000.00

Reconn. - - - - - 2-2820 - Through Corvallis, Pacific Highway West, Benton County. 1st authorization - \$150.00

Plans - - - - - 204-2826 - Skipanon-Ft. Stevens Section, Ft. Stevens County Road, Clatsop Co. 2nd authorization - \$1,550.00
Total to date \$2,050.00

Stock Pile - - - - 4-2833 - Mile Post 81.7, Columbia River Highway, Clatsop County. 1st authorization - \$ 60.00

Plans - - - - - 5-2820 - Scappoose-Multnomah County Line Section, Columbia River Highway, Columbia Co. 2nd authorization - \$1,000.00
Total to date \$3,000.00

Plans - - - - - 9-2827 - Greenwood Ave. Undercrossing, Central Oregon Highway, Deschutes County. 1st authorization - \$500.00

Stock Pile - - - - 9-2828 - Lapine-Horse Ranch Section, Fremont Highway, Deschutes County. 1st authorization - \$600.00

Location - - - - - 10-2825 - Gardiner Section, Oregon Coast Highway, Douglas County. 3rd authorization - \$200.00
Total to date \$1,880.00

Plans - - - - - 10-2826 - Canyonville-Days Creek Section, Tiller-Trail Highway, Douglas County. 1st authorization - \$600.00

Quarry - - - - - 13-2817 - Sage Hen Hill-Harney Section, Central Oregon Highway, Harney County. 1st authorization - \$250.00

Right of Way - - - 14-2815 - Hood River Loop Section, Columbia River Highway, Hood River County. 1st authorization - \$150.00

Plans - - - - - 15-2824 - Medford Section, Pacific Highway, Jackson County. 1st authorization - \$200.00

Plans - - - - - 121-2826 - Toledo-Siletz Section, Siletz Secondary Highway, Lincoln County. 3rd authorization - \$500.00
Total to date \$2,700.00

Plans - - - - - 22-2822 - Albany Section, Pacific Highway East, Linn County. 1st authorization - \$800.00

Location - - - - - 122-2823 - Crabtree-Scio Section, Albany-Lyons Secondary Highway, Linn County. 1st authorization - \$150.00

Plans - - - - - 23-2819 - Ontario-Undercrossing, Old Oregon Trail, Malheur County. 1st authorization - \$150.00

Quarry	- - - -	23-2820	- Ironside-Drogan Section, John Day Highway, Malheur County.	1st authorization - \$200.00
Quarry	- - - -	23-2821	- Cairo Junction-Hysse Section, Old Oregon Trail, Malheur County.	1st authorization - \$200.00
Plans	- - - -	-226-2841	- New Barnes Road-Germantown Road Section, Skyline Blvd. (County Road) Multnomah County,	2nd authorization - \$1,350.00
			Total to date \$1,950.00	
Bridge	- - - -	29-2832	- Beaver Creek, Oregon Coast Highway, Tillamook County.	1st authorization - \$100.00
Quarry	- - - -	30-2828	- Pendleton-Pilot Rock Section, Pendleton-John Day Highway, Umatilla County.	1st authorization - \$200.00
Plans	- - - -	31-2819	- Elgin-LaGrande-Hot Lake Section, Wallowa Lake and Old Oregon Trail, Union County.	1st authorization - \$250.00
Stock Pile	- -	33-2821	- Mosier-Deschutes River Section, Columbia River Highway, Wasco County.	1st authorization - \$165.00
Plans	- - - -	33-2819	- Shaniko-The Dalles-California Section, Sherman Highway, Wasco County.	4th authorization - \$900.00
			Total to date \$4,000.00	
Plans	- - - -	34-2824	- Middleton-Newberg Section, Pacific Highway West, Washington County.	1st authorization - \$150.00
Plans	- - - -	34-2819	- Multnomah County Line-Tigard Section, Pacific Highway West, Washington Co.	5th authorization - \$2,450.00
			Total to date \$6,950.00	
Plans	- - - -	-134-2823	- Campbell Bridge-Laural Road Section, Hillsboro-Silverton Secondary Highway, Washington County.	2nd authorization - \$1,075.00
			Total to date \$1,575.00	

The Commission had under consideration the following requests for extensions of time within which to complete highway construction projects:

R. I. Stuart and Sons, Contract No. 2216, for regrading and paving the Eagle Point-Hog Creek Section of the Crater Lake Highway, in Jackson County, requested an extension of time, from October 31 to December 27, 1939, within which to complete this job. They alleged that their failure to complete the project within the specified time limit was due to the failure of the United States Forest Service to remove its telephone pole line from the highway right of way and also because the Engineer ordered the road closed for 28 days due to experimental changes in the cement mix. The Engineer advised that this contract was awarded on September 1, 1939, and was supposed to be completed by October 31, 1939, although it was not finished until December 27, 1939. He further advised that the contractor was delayed in commencing construction operations by reason of the fact that adjacent property owners had not moved their fences and there were also telephone and power poles that interfered; in fact, the contractor lost 18 days' time by reason thereof. He further advised that after the contract had been awarded the contractor was asked to construct 300 feet of pavement, using a

three-bag mix, to which proposition the contractor agreed. However, tests of the concrete made from such mix were so low that the contractor was forbidden to open the section to travel until the concrete had cured for 28 days, whereas, normally it would have been opened up within 21 days. In other words, on account of change in specifications, the contractor should be allowed seven days' extension of time. He recommended, in view of the circumstances, that the extension of time requested be approved but that the contractor be charged with the engineering and inspection costs incurred by the state subsequent to November 26, 1939, which would allow 26 days' extension without penalty. The Commission approved the recommendation unanimously.

Contracting and Sales Company, Inc., Contract No. 2263, for moving and reconstructing the Methodist Episcopal Church building along the Pacific Highway West, at Tigard, in Washington County, requested an extension of time, from March 3 to June 6, 1940, within which to complete this project. They alleged that their failure to complete the project within the specified time limit was due to adverse weather conditions. The Engineer advised that the reason given by the contractor for failure to complete the project on time is correct. He explained that the buildings are being moved onto low and rather swampy ground, and that the continued rain of the last two months has made it impossible to carry on the work to complete the job on time. He also said that the buildings are occupied and in use and to have continued the moving under the circumstances would have seriously inconvenienced the owners. He recommended, in view thereof, that the extension of time requested be granted without penalty and in support thereof presented a letter from the Chairman of the Church Board consenting to such extension. The Commission approved the recommendation unanimously.

The Engineer reported that contracts Nos. 2193, 2216, 2218 and 2243, for the construction of state highway projects, have been completed according to the requirements of the contracts, or modifications thereof, and that said jobs are now ready for acceptance. The following resolution accepting the above projects was offered and was adopted by the unanimous vote of the Commission:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts and said jobs are now ready for acceptance:

Contract No. 2193, with Berke Bros., Inc., for grading and paving the Roseburg-Shady Point Section of the Pacific Highway, in Douglas County. Completed February 23, 1940.

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Contract No. 2216, with R. I. Stuart & Sons, for regrading and paving the Eagle Point-Hog Creek Section of the Crater Lake Highway, in Jackson County. Completed December 27, 1939.

Contract No. 2218, with Odom Construction Company, for moving and re-establishing the school building and playshed near Manning, in Washington County. Completed November 18, 1939.

Contract No. 2243, with Babler Brothers, for furnishing crushed rock in stock piles on the Seaside-Mecanicum Summit Section of the Oregon Coast Highway, in Clatsop County. Completed March 1, 1940.

THEREFORE, BE IT RESOLVED, that the work covered by said state highway contracts for the construction of said state highway projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

The Commission considered and signed agreements, et cetera, as follows:

Agreement with W. R. Shaw providing for the payment of \$1,500 toward the cost of constructing a relief map of the State of Oregon, one copy of which map is to be furnished the State Highway Department.

Agreement with the Western Union Telegraph Company providing for the use of one of the company's poles along the Southern Pacific Company's right of way between Salem and Geer, in connection with the operation of the Highway Department's radio station KOHS by remote control.

Agreement with the West Coast Power Company providing for the use of three of the company's poles in connection with the suspension of a flashing beacon over the Oregon Coast Highway at the Olive Street intersection, in Newport.

Agreement with the Canby Light and Power Company providing for the use of three of the company's poles in connection with a traffic signal installation on the Pacific Highway East, in Canby.

Agreement with the Canby Telephone Company providing for the use of one of the company's poles in connection with a traffic signal installation in Canby.

Agreement with the United States Bureau of Reclamation covering the matter of ditch crossings on the Lost River Bridge Section of the Klamath Falls-Malin Highway, in Klamath County.

Agreement with Samuel Wolf, Oregon City, with respect to the party wall between Mr. Wolf's property and the Gates property in Oregon City.

Agreement with the Southern Pacific Company covering construction of an underpass on the Wolf Creek Highway, at Strassel, in Washington County.

Joint agreement with the California-Oregon Power Company and the Pacific Telephone and Telegraph Company providing for the use of certain poles in Klamath Falls, owned jointly by both companies, in connection with the suspension of overhead flashing beacons.

Agreement with Sweet Home Warehouse Company providing for the lease by the state of certain property in Sweet Home for equipment storage headquarters.

Receipt acknowledging payment by the Federal Government of the sum of \$16,009.06 in full payment for perpetual flowage easement on land situate in Lot 5, Section 4, Township 2 North, Range 9 East, W.M., Hood River County.

Bargain and sale deed conveying unto Paul Nordyke and wife 6328 sq. ft. of land situate adjacent to the Corvallis-Eastside Secondary Highway near Corvallis, Benton County, right of way transaction No. 7063.

Bargain and sale deed conveying unto Herbert V. Kruse 0.30 acre of land situate in the SW $\frac{1}{4}$ of Section 36, Township 1 South, Range 1 West, W.M., Washington County, right of way transaction No. 7001.

The Commission considered the setting of a date for its next regular meeting for receiving bids on highway construction projects and decided unanimously to hold such meeting in Portland on Thursday and Friday, May 2 and 3, 1940. The Secretary was instructed to make the usual arrangements to hold this meeting in the auditorium of the Public Service Building.

There being no further business to come before the Commission at this time the meeting was adjourned at 4:00 o'clock p. m.

W. H. Sweeney
State Highway Engineer

W. H. Sweeney
Secretary

Henry F. Cabell
Chairman

E. B. Blodgett
Commissioner

Wm. H. Sweeney
Commissioner

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VOLUME 25

PART I

PART 1
OF
VOLUME XXV
MINUTES OF OREGON STATE HIGHWAY COMMISSION
COVERING PERIOD
FROM
APRIL 1, 1940
THROUGH
JULY 19, 1940

OREGON STATE HIGHWAY COMMISSION

Henry F. Cabell, Chairman
Huron W. Clough, Commissioner
Herman Oliver, Commissioner

R. H. Baldock, State Highway Engineer
H. B. Glaisyer, Secretary

HEADQUARTERS AND GENERAL OFFICE OF DEPARTMENT
LOCATED AT SALEM, OREGON

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		Woodburn-Sandy Secondary Highway. Repair work approved near Molalla.
		Santiam Highway. Albany-Lebanon Section. Repair work approved.
		Salmon River Highway. Bellevue-Sheridan Section. Repair work project to be prepared for contracting.
		Portland. Front Avenue Project. Financing discussed.
		Florence. Delegation requests surfacing and oiling, at state expense, of road connecting old and new highway. Project approved subject to legality of expenditure of funds.
9448		Crater Lake Highway. Collection of fees from motorists who do not visit Park discussed. Solutions presented. No action.
9449		Wolf Creek Highway. Tunnel construction. Project to be prepared for contracting and submitted to Public Roads Administration for approval in 25 per cent partial program for 1941 federal funds.
9450		Equipment. Engineer authorized to purchase following: 1 1 1/2-yd. shovel with lighting system; 1 tractor; 1 12-yd. carryall scraper; 1 angle dozer. Instructions to Engineer relative to purchase of tractor and scraper. 10 light-type trucks; and 1 light-type sedan.
9451		2 car-heating boosters; and 10 truck scales. To be purchased on rental-purchase plan.
		Lacquer. Purchase of 10,000 gallons of white lacquer for painting "no passing" lines approved.
		Log hauling. Adoption of policy with respect to granting permits for overlength loads discussed. No action.
		Salem. State Street. Widening between 12th and 13th Streets approved.
		Portland. Front Street Project. Resolution relative to designating such route as a state highway route.
9454		Portland. Steel bridge over Willamette River. Union Pacific and Southern Pacific Companies to be informed of Commission's intention with respect to use of bridge in connection with proposed Front Street Project.
		Clatsop County. Warrenton. County Court requests that deeds for right of way for proposed improvement (Fort Stevens Road) be prepared to convey property direct to State of Oregon. Request denied.
		San Francisco Fair. Contributing funds to assist in financing Oregon exhibit discussed. Referred to Chairman Cabell.
		Wilson River Highway. New W.P.A. project approved. Engineer authorized to sign papers to secure W.P.A. funds.

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9455 Apr. 9

Timber land. Wilson River Highway. Purchase of 1900 acres from Consolidated Timber Company approved on basis of Engineer's report.

Log hauling. Cannon Beach Road. Year-round hauling on section east of summit to Oregon Coast Highway junction approved. Present rules prohibiting hauling during summer months to be retained on section from summit to Cannon Beach.

Logs on Salmon River Highway. Special carrier permit of Knute Johnson Logging Company to be cancelled for failure to remove logs dropped on highway near Grand Ronde.

Pacific Highway. Green Creek. Mr. & Mrs. E. Crouch confer relative to settlement for right of way across peach orchard. Payment of \$12.50 per tree approved.

Non-skid wearing surface. Construction on following approved: Pacific Highway, 10-mile section north of Grants Pass; Cascade Secondary Highway, from Oregon City to railroad crossing north of Clackamas; Pacific Highway West, 4 short sections, from Tigard southerly 7 miles.

Planer for use on above projects. To be rented from J. C. Compton.

Baker-Homestead Highway. Flagstaff-Lower Powder Section. Construction of light oil treatment discussed. Mr. Oliver to confer with Baker County people.

Roadside improvement projects. List of projects approved for 1940-1941 program.

Traffic signal. Burns. Action deferred on approving lights installed by city on state highway route.

Central Oregon Highway. Action deferred on permitting U. S. Grazing Service to paint grill cattleguards, as experiment.

Fences. Request of U. S. Division of Grazing to construct stock fences along state highways in eastern Oregon approved.

Foster Road Extension. Engineering information to be furnished Multnomah and Clackamas Counties in order that grading work can be done to state highway standards.

Skyline Road. Multnomah County requests that funds heretofore allocated for improvement be reallocated to Foster Road extension. No change to be made in setup of funds.

Pacific Highway. Ashland. Delegation requests improvement through city. Inspection to be made.

Pendleton-John Day Highway. Tutuilla Bridge to summit of hill south of Pendleton. Mr. E. B. Aldrich inquires regarding reconstruction on permanent alignment.

John Day Highway. Request for oiling from junction with Baker-Unity Highway to Baker-Halheur County line denied.

Klamath Falls-Lakeview Highway. Cottonwood-Antelope Canyon Section. Request for construction during 1941 denied.

Award of contract. Commission approves award of contract for Tigard Grade Separation and Fanno Creek Bridge to Jacobsen-Jensen Company.

9456

9457

9458

9459

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9459 Apr. 9

Load limit. Resolution reducing maximum load limit on West Diamond Lake Secondary State Highway.

9460

Resolution lifting reduced load limit on section of Lakeview-Burns Highway.

9461

Peaving equipment. Permit to be granted Oregon Packing Corporation to transport equipment in vicinity of Astoria.

9462

Plant specimens. Request of Robert T. Clausen, Cornell University, to collect plants along highways approved.

Log hauling. C. L. Hoover granted extension of time to continue logging operations on Columbia River Highway.

Gravel. Commission requested to prevent removal of rock and gravel from ocean beach at Bayocean, Tillamook County.

Curry County. Inspection of county road extending up Rogue River from Wedderburn to be made.

Columbia River Highway. Acquisition of Jordan property, in Multnomah County, discussed. Maximum offer \$13,000.

Park matter:

9463

Umpqua Lighthouse State Park:- Purchase of 1,097.85 acres of government-owned land south of Winchester Bay approved.

Timber strips. Salmon River Highway. Miami Corporation requested to grant six-months' extension of time for purchase of strips.

Park matter:

Tillamook Head, Clatsop County:- Parks Superintendent requests authority to negotiate for lease of government land. Annual lease fee to be ascertained.

Proposed national park in Curry County:- National Park Service to be contacted relative to assistance in financing park.

Timber strips. Pendleton-John Day Highway. Action deferred on purchase of timber strips owned by Pilot Rock Timber Company.

Right of way settlements:

9464

Cottage Grove:- Payment of \$500 to D. W. Sturgis for termination of lease approved. Right of way transaction No. 5638

Klamath Falls-Lakeview Highway, Dairy Section:- Payment of \$225 to W. McDaniel for removal of building. Transaction No. 3181

Condemnation. List of properties to be condemned. Resolutions adopted on following sections of highways:

9465

Oregon Coast Highway, Bandon Section;

Pendleton-John Day Highway, Pilot Rock Section;

9466

Frenchglen Highway, Wrights Point-The Narrows Section.

9467

Agreements, et cetera, signed as follows:

Benton County, construction of portion of Albany-Buena Vista-Independence County Road;

9468

Benton County, maintenance of portion of Albany-Buena Vista-Independence County Road;

Gordon and Agnes Stuart, disposing of controversy concerning approach road to Pacific Highway West, Yamhill County;

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9468 Apr. 9

Subject

Agreements, et cetera, continued:

J. L. Wooden, et al, lease of property in Clatskanie for maintenance headquarters purposes;

Union Pacific Railroad Company, lease of railroad property in Albina District, Portland, for stock pile and storage purposes;

Federal Government, invoice calling for payment of real property sold to Government in connection with flowage easement, being a portion of original J. D. Yeon State Park;

Northern Pacific Company, deed conveying unto state property at Scappoose;

Bargain and sale deed conveying unto School District No. 44 property situate in Washington County;

Bargain and sale deed conveying unto Reuben W. Squire property in Woodland Addition to Bandon;

Bargain and sale deed conveying unto Oregon-Washington Railroad and Navigation Company land situate in Hood River County, being a portion of Starvation Creek Falls State Park.

9469 May 1

Eugene. Hearing. Rerouting of Pacific Highway through and adjacent to City of Eugene.

9472

Fern Ridge Dam. Conference relative to reconstruction of roads affected by construction of Dam.

Route F Highway. Conference relative to reconstruction as result of Fern Ridge Dam construction. (See entry above)

9473

Minutes of meetings held January 25, February 15 and 16, and February 27 and 28, 1940, approved.

Log hauling. Overlength loads. Permits for transportation of extra long logs to be granted as in past.

Insurance. Public Utilities Commissioner to be contacted relative to insurance required for movement of overlength logs.

Redwood Highway. Hayes Hill Section. Transportation of extra long logs authorized.

Log hauling. Redwood Highway, Hayes Hill Section. Transportation of extra long logs authorized.

9474

Amiesite. Decision deferred on matter of including Amiesite in state highway specifications.

John Day Highway. John Day. Reconstruction approved. Options for right of way authorized.

Curry County. Secondary highway system in county discussed.

Salmon River Highway. Sheridan. Reconstruction deferred.

Bellevue. Repairs to be made by state patching crew. Provision to be made in next year's program for contracting.

9475

Elsie-Jewell County Road. Engineer's report on removal of logging facilities from right of way, and connection with Wolf Creek Highway if road is placed on secondary highway system discussed.

Authority for expenditure of \$3,000 for additional crushed material for emergency surfacing confirmed.

Snow removal. Oregon Caves Highway. Expenditure useless if Caves Hotel is closed during winter season.

<u>Page</u>	<u>Date</u>	<u>Subject</u>
	1940	
9475	May 1	Unit prices. Standard policy adopted with respect to errors made by contractors in stating unit bid prices. Statement to be inserted in all proposal forms.
9476		The Dalles-California Highway. Widening of bridge over Pilot Butte Canal, Bend, approved. Anthony Lake Road. Shadilane Section. Request for improvement denied. Baker-Homestead Highway. Flagstaff-Lower Powder Section. Temporary improvement not to be undertaken. Pendleton-John Day Highway. Reconstruction from Tutuilla Bridge up hill, south of Pendleton, requested. No funds available.
9477		Graham Boulevard. Improvement requested. Investigation ordered. Condon-Heppner Secondary Highway. Improvement of uncompleted portion urged. Action deferred. Hillsboro-Woodburn Secondary Highway. Request for immediate oiling from Scholls to foot of mountain north of Newberg denied. Rogue River Loop Secondary Highway. Improvement from Gunnell Junction to Robertson Bridge requested. Action deferred. Nehalem Secondary Highway. Mist-Birkenfeld Section. Request for oiling denied.
9478		Traffic signal. John Day-Burns Highway in city of Burns. Action deferred on approving installation by city. Salem. Engineer's report on streets where signals needed. Cottage Grove. Ornamental lighting system. Lights not to be installed at present time. Conduits to be installed now. Lighting system. Cottage Grove. Ornamental lights not to be installed at present time. Conduits to be installed.
9479		Traffic lights. Harrisburg. Request for installation denied. Vale. Request for installation of overhead flashing beacon referred to Engineer for investigation. Newberg. Request for flashing beacon at intersection of Springbrook Road with Pacific Highway West east of Newberg denied. Portland. Standard Stations, Inc., granted extension of time of 6 months to remove buildings from right of way. Seaside. Mr. Eason to contact Mayor relative to use of ocean beach as airplane landing field. E. C. Hall Company. To be reimbursed in amount of \$650 as result of change in quarry in connection with forest highway contract in Lake County.
9480		Signs. Discussion of regulations adopted relative to advertising signs adjacent to unincorporated towns and villages. Award confirmed of following contracts: Lamonta-Crook County Line Section, Frank Penepacker. Poles. Messrs. Pratt and Baldwin granted permission to transport overlength poles over Alsea and Corvallis-Newport Highways in connection with R. E. A. power project.
9481		Boathouses. Oregon City. Action deferred on matter of permitting boathouses to be moored to banks of Willamette River.

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	1940	
9481	May 1	San Francisco Fair. Action taken by Chairman Cabell relative to contributing funds toward maintaining Oregon exhibit approved. Plans for expenditure presented. Fair Committee to be appointed.
		1941 forest highway program. Increasing state's contribution approximately \$25,000, if necessary, approved.
9482		Load limit. Resolution lifting reduced load limit on Prairie City-Unity Section of John Day Highway.
		Log hauling. Haulers to maintain flagmen at each end of bridge on Columbia River Highway at Hood River.
9483		Interstate Bridge. Control of transportation of over-sized vehicles considered. No action.
		Maintenance. Letter of commendation on condition of highways during past winter.
		Curry County. Resurvey requested of county road extending up Rogue River from Wedderburn.
		Gravel. Complaints regarding removal of gravel from ocean beach at Jackson's Cut, near Bayocean. Inspection ordered.
		Old Wasco County Pioneer's Association. Commission invited to attend dedication of monument, near Biggs.
9484		Azalea Festival. Commission invited to attend second annual Azalea Festival at Brookings.
	May 2	Bids received on following projects;
		Astoria (Taylor Ave.-Astor St.) Sec., grading and paving;
		Brothers-Harney County Line Section, oiling;
9485		Horse Ranch Section, grading, surfacing, oiling;
		Cottage Grove Section, grading, paving;
		Ontario-Snake River Section, roadside improvement;
		Drilling and casing well on I.O.W. Highway;
		Pendleton-Adams Section, surfacing, crushed rock;
9486		South Milton Section, grading, paving;
		Warm Springs River Bridge Section, concrete bridge;
		Warm Springs River Section, grading;
9487		Strassel Undercrossing Section, abutments
		Strassel Undercrossing Project, structural steel.
		Burns. Delegation confers relative to action taken on request for oiling between pavement and curb lines.
		KOAC. Delegation from Corvallis presents proposition for broadcasting highway information during summer months.
9488		North Bend. Mrs. Elisabeth Coleman desires to purchase state-owned property near Coos Bay Bridge. Action deferred.
		Hauser. Leveling off of state property between grade school and highway for parking purposes requested. Action deferred.
		Arrow Transportation Company. Permit requested to move over-length loads from Washington to turnout point near Cold Springs. Request denied.
9489		Commission requested to construct turnout at Washington state line. Action deferred.
		Oswego. Delegation inquires as to status of proposed highway beautification project.

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	1940	
9439	May 2	McLoughlin, Dr. John Memorial. Commission requested to contribute funds toward purchase price of bronze bust to be erected at Oregon City. Request denied.
		Tualatin Valley Highway. Delegation requests widening for four lanes of traffic between Portland and Forest Grove.
9490		Forest Grove. Delegation requests improvement of Fifth Street from connection with Tualatin Valley Highway to Carnation.
		New York World's Fair. Loan of department's pictures of Oregon scenes approved. Transportation charges to and from New York to be paid by state.
		Klamath Falls-Lakeview Highway. Delegation requests completion of remaining link.
9491		Warner Secondary Highway. Warner Canyon-Plush Section. Improvement requested. Survey also requested. Request denied.
		Inspection of road to top of mountain to be made by Chairman Cabell when in that vicinity.
		Sprague River Road. Delegation urges designation and reconstruction as state secondary highway. Inspection ordered.
9492		Prineville. Delegation requests ciling of Main Street. Expenditure of \$37,500 for work approved provided city will contribute \$2,500.
		Tigard. Delegation confers relative to state acquiring right of way for county road connection as result of closing of Pine Street. Commission willing to pay one-third of cost.
9493		Awards. Commission announces awards of contracts.
9495		Log hauling. Cannon Beach Section. Delegation requests date for beginning of restricted hauling west of summit be changed from May 1 to May 18.
9496		Survey. Oregon Coast Highway. Survey approved between Cannon Beach and junction with old route near Necanicum.
		Nyssa. Delegation confers relative to proposed undercrossing project. Taking of bids at June meeting discussed.
9497		Champoeg State Park. Delegation requests installation of more conspicuous sign at entrance to park.
		Park property. Mrs. Mildred K. Colvin offers to sell property near Cape Sebastian Park, in Curry County, for park purposes.
		Curry County. Mrs. Mildred K. Colvin offers to sell property near Cape Sebastian Park to state for park purposes.
9498		Timber strips:
		Salmon River Highway:- Miami Corporation grants six-months' extension of time within which to complete purchase of timber.
		Melscott:- Offer of Lewis W. Nolte to sell 20-acre tract adjacent to Oregon Coast Highway declined.
		Park matters:
		Ocean frontage at Yachats:- Offer of Lumbermen's Trust Company to sell 75-acre tract south of bridge at Yachats declined.
		Offer of O. F. Carpenter to sell 64-acre tract adjoining above property at Yachats also declined.
		Proposed park at Bob Creek, Lincoln County:- Offer of C. M. Aruchex to sell tract at this location declined.

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9498 May 2

Subject

Park matters (cont.):

Tongue Point State Park:- To be deeded back to Clatsop County with exception of 100 feet fronting on Columbia River Highway.

9499

Umpqua Lighthouse State Park:- Options to be taken for land owned by Buchner Investment Company, adjoining present park.

Cape Lookout State Park:- Options to be secured from H. Peterson for 25.96 acres of land as addition to park.

Short Sand Beach State Park:- Acquisition of tract on Neahkahnie Mountain and tract owned by Clatsop County discussed. Construction of roadway from highway to beach in connection with acquisition of county tract discussed.

Pendleton-John Day Highway:- Camas Creek Section. Action deferred on purchase of timber strips.

9500

Roadway to top of Neahkahnie Mountain:- Trails to summit to be constructed in lieu of roadway.

Timber strips:

Wilson River Highway. Gift of timber strips by Weyerhaeuser Timber Company to be given public announcement.

Park matters:

State park CCC Camps:- Parks Superintendent's report on number of camps in Oregon.

Myrtle tract along Clatsop River:- Purchase of tract deferred.

Agate Beach Lighthouse:- Inspection of proposed park property to be made.

9501

O. & C. Recreational Lands:- Tracts at Silver Creek Falls, Loon Lake, Camas Mountain, and Wildcat Creek not to be purchased.

Timber strips:

Newport-Yachats Section. Action on purchase deferred.

Salmon River Highway. Action on purchase deferred.

Parks budget for 1940. Parks Superintendent's report approved.

Budget for 1940 to be increased to \$150,000.00.

List of purchases to take up difference between obligated amount and approved budget tentatively approved.

9502

1941 budget to be discussed in fall.

Right of way budget for 1940. Attorney's report approved.

Real property. Commission confirms settlements approved by

Commissioners Cabell and Clough since April 9th meeting.

Resolutions authorizing acquisition.

9513

Oregon Coast Highway. Brookings. Attorney's report on prices demanded for certain parcels of real property.

9514

Condemnation. Recommended offers. Resolution adopted:

Brookings Section, Oregon Coast Highway;

Lone Rock Junction-Rock Creek Sec., Wasco-Heppner Highway;

Wrights Point-The Narrows Section, Frenchglen Highway.

9516

Sale of buildings. Commission confirms action taken by Chairman Cabell subsequent to meeting on April 9, as follows:

Buildings formerly owned by Helen McConnell, Grants Pass, sold to Pete Fredericksen;

Buildings formerly owned by Jean Higgins, Grants Pass, sold to Helen McConnell. Portion of land also included.

<u>Page</u>	<u>Date</u>	<u>Subject</u>
	1940	
9516	May 2	Klamath Falls-Lakeview Highway. Klamath Falls-Dairy Section. Discussion of prices demanded by F. C. Adams for property near Klamath Falls. Condemnation proceedings to be deferred.
9517		Pacific Highway, south of Salem. Payment of \$150 to C. L. Green for loss of trees in construction of highway approved.
	May 3	Bids received on following projects:
9518		North Bend (Midland Addition) Section, grading, surfacing; Canyonville-Days Creek Section, surf., oil, crushed gravel; Days Creek Bridge Section, log bridge; Lone Rock Junction-Rock Creek Section, grading, surfacing; East Unit, Grants Pass-Green Creek Section, grading, paving; North Pilot Rock Section, grad., surf., oil, concrete bridge; Middleton-Newberg Section, roadside improvement.
9519		Portland. Lombard Street. Offer of Portland Traction Company to cooperate in cost of improvement and maintenance accepted. Project to be advertised at June meeting.
		Interstate Bridge. Letter to be written to Portland Traction Company approving its plans for removal of streetcar tracks.
		San Francisco Fair. Request for loan of department trucks to deliver shrubbery to Oregon exhibit denied.
		Insurance. Salary-saving plan for employees presented by West Coast Life Insurance Company disapproved.
		Cascadia. Giesendorfer property. Action on terms of settlement deferred. Cancellation of lease held by Baptist Church and removal of its buildings discussed.
9521		Pacific Highway. Eugene. Chamber of Commerce approves plan for rerouting of highway.
		Old Oregon Trail Historical Marker Society. Ray Conway reports on progress made by Committee. Report approved.
		Fossil-Antelope Highway. Improvement requested. Transfer of \$15,000 to this road from Kinzua County Road requested.
		Kinzua County Road. Transfer of \$15,000 from this road to Fossil-Antelope Highway requested. Request denied.
		Survey. Resurvey of road extending up Rogue River from Wedderburn approved.
		Sixes River Road. Estimate of cost to improve ordered.
		Log hauling. Delegation confers relative to granting of permits for overlength loads. Chairman Cabell announces Commission's stand on matter.
9522		B. F. Irvine. Commission recessed to attend Mr. Irvine's funeral.
		Awards. Commission announces awards of contracts.
9523		Astoria. Negotiations for acquisition of 20-foot strip of land to provide 80-foot width for Fifth Street approved.
		Cottage Grove. Settlement with Alvin C. Spriggs, et al, for right of way and slope easement approved.
9524		Aurora. Request of Mrs. S. E. Huntsberger to purchase land between old and new highways denied.
		Pacific Highway. Bear Creek-Talent Section. Request of L. A. Bratcher to purchase state property denied.

<u>Page</u>	<u>Date</u>	<u>Subject</u>
	1940	
9524	May 3	Wilsonville. Suggestion offered that approach roads to ferry be maintained for public use after bridge is constructed.
		Salem shops. Acquisition of tract between enlarged shop site and county road leading to airport approved. Maximum offer \$212 per acre.
		Bunker Hill District. Request of W. H. Kennedy to purchase land adjacent to Oregon Coast Highway denied.
9525		Oregon Coast Highway. Gold Beach. Options for right of way to be taken, including George B. Stafford property.
		The Dalles-California Highway. Klamath Indian Agency Section between mile posts 252 and 253. Abandonment resolution.
9527		Green Springs Highway. Section east of Jonny Creek. Abandonment resolution.
9528		Klamath Falls-Lakeview Highway. Portion of Drews Valley Section. Abandonment resolution.
9530		Fremont Highway. Hunter Hill-Lakeview Section. Abandonment and retention resolution.
9534		Sale of property. Bids to be received for purchase of borrow pit adjacent to Warm Springs Highway, north of Madras.
		Borrow pit, north of Madras. To be advertised for sale.
		Sale of property:
		Medford:-Sale of small parcel of state land to Medford Corporation approved. Included in deed by mistake.
		Medford:-Sale of small parcel of land to Della A. Lindeman as approach to her service station approved.
9535		Claim. Mrs. B. Huslik to be paid \$500 as settlement for property damages by reason of highway improvement in Bend.
		Payment of \$20 to J. N. Whitman, Dundee, for reconstruction of concrete curbs in front of his premises authorized.
		Albany. Commission consents to vacation of portion of 8th St.
		Pendleton. State-owned residence buildings which are rented to be repaired.
9536		Salem. Gibson house acquired in connection with Pacific Highway improvement south of Salem to be repaired.
		Pacific Highway. Eugene. Southern Pacific Company to be requested not to sell property needed for right of way for revision of highway until plans for improvement approved.
		Dundee. Formal demand to be made on city to remove encroachments between 9th and 10th Streets in connection with highway improvement.
		Fire trail. State Forester orders Sunset Logging Company to construct trail around tract sold to state adjacent to Wolf Creek Highway. State to pay one-half of cost if State Forester refuses to alter or modify requirements.
		Timber. Arch Cape Tunnel. Bids to be taken for sale of used timber salvaged from tunnel.
9537		Surveys. List of surveys ordered since last meeting.
9539		Contracts completed and accepted, as follows:
		East Unit, Troutdale-Corbett and Bridal Veil-Benson Park Sections, Morrison-Knudsen Company;

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Contracts completed (cont.):

Bridge over West Fork Dairy Creek and Nehalem River, J. F. Johnston;
Arch Cape Tunnel enlargement and lining, McNutt Bros.;
Nehalem River-Sunset Summit Section, A. S. Wallace;
Cow Hollow Creek-Onyhee School Section, M. L. O'Neil & Son;
Frame building and addition to existing maintenance building at Medford, Walter J. Stutte;
C.O.I.D. Canal on Ochoco Highway, Birkemeier & Saremal.

9540

Date for next regular meeting set for June 13 and 14, 1940.
Date for interim meeting in Salem set for May 23, 1940.

Agreements, et cetera, signed as follows:

Southern Pacific Company, use of jointly-owned poles of Western Union Telegraph Company and Southern Pacific Company between Salem and Gear for remote control radio setup;
Southern Pacific Company, construction of Davies Undercrossing on Wolf Creek Highway;
Division of Grazing, construction of stock fences on right of way of Central Oregon Highway, Old Oregon Trail, and John Day Highway;
Agnes Teedor, installation of cipoletti weir in highway culvert, Malheur County;
Clatsop County, maintenance by county of Warrenton-Fort Stevens County Road after construction by state;
Multnomah County, maintenance by county of Skyline Boulevard;
Florence, improvement of extension of Lincoln Street;
Wayne A. Shaw, approval of assignment given to H. D. Bostwick, being assignment of funds payable to Mr. Shaw in accordance with agreement for construction of relief map of Oregon;
Consolidated Freightways, Inc., permit authorizing transportation of oversized equipment over certain highways (does not include Pacific Highway);
B. E. Maling Co., Inc., permit authorizing movement of peavining equipment over Columbia River, Tualatin Valley, and Wolf Creek Highways;
G. B. Matthews, et al, easement agreement providing for detour road around Crater Lake Highway construction work;
C. C. Seeley and wife, easement agreement providing for construction of fire trail at Short Sand Beach State Park;
George E. Huntley and wife, easement agreement providing for construction of water system at Short Sand Beach State Park;
Department of the Interior, application for patent to government-owned lands in Douglas County;
Bargain and sale deed conveying unto Helen L. McConnel land adjacent to Grants Pass-Green Creek Section, Douglas County;
Bargain and sale deed conveying unto O. A. and Augusta Steen property in Albany;
Quit claim deed conveying unto Shevlin-Hixon Company land adjacent to Century Drive Secondary Highway, Deschutes County.

9541

<u>Page</u>	<u>Date</u>	<u>Subject</u>
9542	May 23	Pacific Highway. Use of quick-setting rather than slow-setting cement requested on project south of Grants Pass. Substitution as may be consistent with current practice authorized.
		Log hauling. Columbia River Highway. S. U. Johnson authorized to transport logs directly across highway west of Hood River. Murphy and Nelson Logging Company to be granted permit to transport logs over Columbia River Highway for short distance west of Hood River if test run meets requirements.
9543		Portland. Front Avenue Project. Placing of route on federal aid and state systems, acquisition of right of way and use of Steel Bridge over which to route traffic discussed. 1941 federal lands moneys. Allocation of available funds to Warm Springs Highway considered. Decision deferred.
		Channelizing islands. Engineer's report on difficulties encountered in maintaining islands on rights of way in front of service stations.
9544		Log hauling. Siletz Secondary Highway south of Kernville. Engineer to contact operators relative to handling logs in some manner other than on highway.
		Siletz Secondary Highway south of Kernville. Investigation of cost to widen and improve ordered.
		Traffic island. Request of Mrs. Wm. Lindblad for removal of island in front of her business in Bunker Hill denied.
		Celilo. Columbia River Highway. Engineer to secure consent of Union Pacific Railway Company to further encroachment on railroad property in improvement of highway.
9545		Survey. Topographic survey of entire improvement in Celilo Indian village authorized.
		Elsie-Fish Hawk Falls Road. Engineer recommends designation as state secondary highway connecting Wolf Creek Highway and Nehalem Secondary Highway.
		Elsie-Jewell Road. To be maintained as detour.
		Engineer's report on encroachments of logging facilities.
		Tualatin Valley Highway. Report on traffic count to determine volume of traffic between Portland and Forest Grove.
		Wilson River Highway. Discussion of grade crossing of Wilson River Highway and Consolidated Timber Company's railroad at Glenwood. Commission opposed to grade separation structure.
9546		Right of way budget for 1940. Attorney's report approved.
		Real property. Resolution authorizing acquisition.
9550		Condemnation. Recommended offers. Resolution adopted:
		Bandon Section, Oregon Coast Highway.
9551		St. Helens. Erickson Dairy Products Company. Decision on settlement for needed right of way deferred.
9552		Claim. Additional payment demanded by J.W. Campbell Estate for damages on account of change in grade of Water Street, Oregon City, denied.
		Oregon City. St. Pauls Episcopal Church claim for connection to highway viaduct on Water Street denied. No objections to be offered to church constructing its own viaduct.

<u>Page</u>	<u>Date</u>	<u>Subject</u>
	1940	
9552	May 23	<p>Claim. Payment of \$150 to J. N. Whitman, Dundee, for additional compensation by reason of change in grade of Pacific Highway West approved.</p> <p>Toledo. Paving assessment to be paid on square foot basis.</p> <p>Tigard. Commission willing to pay one-third of cost of right of way but refuses responsibility of building county road connection into Tigard.</p>
9553		<p>Astoria. Taylor Avenue improvement. Easy curves in curb line to be introduced in order to eliminate necessity for remodeling buildings beyond improvement now under contract.</p> <p>Consolidated Timber Company. Claim for loss of railroad trestle resulting from fire started by W.P.A. denied.</p>
9554		<p>Burning operations. Burning in connection with highway work not to be permitted except under supervision of Fire Warden.</p> <p>Wolf Creek Highway. Government presents claim for constructing driveways to private properties. Attorney to investigate.</p> <p>Park matter. Purchase of Mildred K. Colvin property, in Curry County, for park purposes approved.</p>
9555		<p>KOAC. Arrangement with Oregon State College relative to use of station as trial proposition during summer months.</p> <p>Abandoned sections of highways. Action by county courts accepting or rejecting short sections heretofore abandoned by state.</p> <p>Nysa Grade Separation Project. Project not to be advertised at June meeting as result of right of way difficulties.</p>
9556		<p>Saxton, Looney & Risley. Offer of bonding company to pay \$1,000 as full payment of bid bond on Warm Springs Agency-Vanora Section project denied. Full amount of bond to be collected.</p> <p>Insurance. No change to be made in present insurance required of log haulers.</p> <p>Maps. County maps to be furnished, free of cost, to roadside improvements councils throughout state.</p>
9557		<p>Ocean beach. Request for use of beach at Nelscott as landing field during air circus denied.</p> <p>Salmon River Highway. Request for letter outlining plans for location of highway in Willamina and with respect to reconstruction between Sheridan and McMinnville denied.</p> <p>Junction City. Request for letter outlining trend of traffic on highways through small towns denied.</p> <p>Clatsop County. State not to build roadway from Coast Highway to beach near Arch Cape. (See page 9499). Payment of damages resulting from sliding of embankment to be considered. Acquisition of park at this location to be outright purchase.</p>
9558		<p>San Francisco Fair. Agreement signed covering department's cooperation in maintenance of exhibit at Fair.</p> <p>Baker-Homestead Highway. Flagstaff-Lower Powder Section. Funds previously allocated for oiling to be applied on cost of reconstruction on permanent alignment. Oiling not to be done.</p> <p>North Bend. Request of Mrs. Elizabeth Coleman to re-establish her building on old highway right of way near Coos Bay Bridge denied. Trees on right of way near her property to be trimmed.</p>

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9558	May 23	<p>North Bend. Acquisition of Mrs. Elizabeth Coleman's holdings at end of Coos Bay Bridge considered.</p> <p>Port Orford Harbor. Request that Commission direct letter to Federal Board of Engineers for Rivers and Harbors relative to securing funds for improvement of harbor denied.</p>
9559		<p>Approach-road culvert. J. G. Harem, Roseburg, demands that state replace culvert, removed by state forces, on approach road to his property. Investigation ordered.</p> <p>Roseburg. Purchase of state-owned land acquired from county at northern entrance to city requested by Mr. Edwards.</p> <p>Peaviners. Application of Oregon Pucking Corporation for blanket permit to move equipment denied. Permits for individual movements authorized.</p>
9560		<p>Parks budget. Increasing budget authorized to permit oiling work in Washink, Ecola and Silver Creek Falls State Parks.</p> <p>Silver Creek Falls State Park. Roman Kintz authorized to use power pole located on state property under lease to Mr. Kintz.</p> <p>Equipment. Purchase of following authorized: 3 Buick cars; 5 pickup trucks; 10 light-type trucks; 1 station wagon for use of Bridge Department.</p> <p>Awards. Commission confirms following awards: Lost River Section, W. D. Miller Construction Company; Lost River Bridge, W. D. Miller Construction Company; Dredge embankment between Troutdale and Dodson, General Construction Company;</p>
9561		<p>Agreements, et cetera, signed as follows: Marham and Callow, easement authorizing construction of fire trail across property on Neahkahnie Mountain; Syneva and E. A. Lindberg, lease of maintenance headquarters site at Port Orford; City of Pendleton, moving of garage building, sloping banks, rebuilding steps, sidewalks, etc., on state property; Southern Pacific Company, authorizing P.W.A. equipment operations across railroad property at Strassel; Oscar Parroin, lease of maintenance headquarters site at Silver Lake; A. T. Dolan and wife, lease of maintenance site at Seaside; S. G. Reed and wife, construction of fire trail across Reed property at Short Sand Beach State Park; 1940 San Francisco Fair Commission of Oregon, maintenance of Oregon exhibit at 1940 Fair; Bargain and sale deed conveying unto Samuel Wolf and wife land in Oregon City; Bargain and sale deed conveying unto Medford Corporation land in Medford; Bargain and sale deed conveying unto Emil A. Johnson land in Tigard;</p>
9562		<p>Quitclaim deed conveying unto Louise K. Lamb land situate in Thompson's Addition to Newport.</p>

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9562	June 13	Bids received on following construction projects and sale of used lumber: Fir Grove-Albany Section, surfacing and oiling; Corvallis-Lincoln School Section, grading and paving; Fischers Millrace Bridge, near Corvallis; Warrenton Section, grading and paving; Used lumber and cord wood at site of Arch Cape Tunnel; Prineville Section, grading, surfacing and oiling; John Day Section, grading and bituminous macadam surfacing; Alma Avenue-Interstate Avenue Section, pavement resurfacing; Germantown Road-Earnes Road Section, bituminous macadam; East Unit, Shaniko-Cow Canyon Section, grading, surfacing, oiling, and crushed rock; Sunset Tunnel Section, grading, tunnel excavation, lining and paving; Middleton-Newberg Section, roadside improvement.
		Hyssa. Amalgamated Sugar Company requests that bids for construction of undercrossing structure be deferred. Real property matters to be settled by June 22, 1940.
9565		Morrow County. Delegation requests several improvements.
9566		Paterson Ferry Road. To be oiled at state expense. Jurisdiction of road to remain with Morrow County. Bid bond. Request of Parker-Schram Company that proposal for construction of Corvallis-Lincoln School Section be considered regardless of submission of incorrect bid denied. Eugene. Pacific Highway. Delegation confers relative to proposed rerouting of highway. Pacific Highway. Grants Pass South Section. Request of delegation for elimination of dip in highway denied. Substitution of cement concrete pavement for black pavement in contract now under way requested. Investigation ordered.
9567		Tongue Point State Park. Clatsop County Court confers relative to status of deed reconveying portion of park back to county. Harney County. Delegation confers relative to improvement of secondary highways south from Burns and from Crane. Burns. Oiling of strips between pavement and curb approved. Sidewalk. Construction requested along Central Oregon Highway between Burns and Hines Hill. Investigation ordered. Harney County. Delegation inquires as to improvement of road south of Burns to Wright's Point. Bids to be taken in August. Boat. Request of John Mitzel to transport oversized boat from Aloha to Portland over Tualatin Valley Highway granted.
9568		Alsea Highway. Delegation requests reconstruction and oiling of remaining 16-mile section. No action taken on request.
9569		Records of department. Assistant P.&S. Supervisor, Oregon Historical Records Survey, granted permission to search highway department records for historical information. Hood River County. Delegation requests designation and improvement as secondary highway of county road extending from Odell to connection with Mt. Hood Highway. County to prepare appropriate resolution. Oiling of road considered.

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9569	June 13	<p>Hood River Secondary Highway. Delegation requests designation of permanent route between Dec and Parkdale.</p> <p>Mt. Hood Highway. Reconstruction of highway, especially under railroad tracks, at Pike's Corner discussed.</p> <p>Survey. To be conducted on Mt. Hood Highway at Pike's Corner if government funds are used for reconstruction.</p> <p>Awards. Commission announces awards of contracts and sale of used lumber.</p>
9571		John Day Highway. John Day City Section. Work to be done with state forces.
9572		<p>Oregon Coast Highway. North Bend-Coquille Section. Delegation confers relative to plans for improvement.</p> <p>Wage scale. Delegation representing Building and Construction Trades Council of Portland urges provision made in specifications for payment of prevailing wage scale to all crafts.</p>
9573		<p>Safeway Stores, Inc. Permit requested to operate overlength as well as overheight equipment between Ontario and Snake River.</p> <p>Permits. Delegation suggests issuance of permits for oversized movements from Division Engineer in Portland.</p> <p>Log hauling. Mr. Murphy requests permission to haul 40-foot logs over Columbia River Highway in vicinity of Hood River.</p>
9575		Eugene. Pacific Highway. Resolution designating permanent route.
		Willamette Highway. Resolution designating permanent route between Dexter and connection with Pacific Highway at Goshen.
9576		Portland. Resolution designating Front Street as state highway route.
9578	June 14	Bids received on following projects:
9579		<p>Rock Creek-Molalla Section, bituminous macadam surfacing;</p> <p>Elsie-Sunset Tunnel Section, oiling;</p> <p>Rainier Section, grading and paving;</p> <p>Bandon Section, grading, and plant-mix bituminous macadam surf.;</p> <p>North Canal Bridge at Bend, remodel and widen;</p> <p>Medford Maintenance Station Landscaping Project;</p> <p>Albany-Crabtree Corner Section, surf., stabilize, and pave;</p> <p>Ontario-Snake River Section, roadside improvement;</p>
9580		<p>Maintenance patrol station at Blue Mountain;</p> <p>Replacement of wire rope on Interstate Bridge.</p>
		Load limit. Resolution lifting reduced load limit on West Diamond Lake Secondary Highway.
9581		<p>Resolution lifting reduced load limit on Willamette River Bridge at Corvallis;</p> <p>Resolution reducing maximum load limit on two small bridges on Alsea-Deadwood Secondary Highway, in Benton County.</p>
9583		<p>Oregon City. Request of Jack Latourette to purchase or lease state-owned property at end of 5th Street denied.</p> <p>Crown Zellerbach Corporation requests lease of Willamette River frontage between 10th and 15th Streets. Action deferred.</p>
		Tillamook County. County Court confers relative to plans for oiling certain county roads.
9584		Request renewed for designation as state secondary highway of road leading from Tillamook to Netarts.

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9584	June 14	Oregon Coast Highway. Bay City-Garibaldi Section. Delegation requests improvement.
		Survey. Oregon Coast Highway. Survey south of Tillamook authorized.
		Oregon Coast Highway. Bridge at Beaver. Delegation inquires as to plans for proposed reconstruction.
		Brookings. Oregon Coast Highway. Condemnation authorized of remaining property needed for right of way.
		Park matters:
		Umpqua Lighthouse State Park:-Gift from Douglas County as addition to park accepted.
9585		Proposed park east of Burns:-Acquisition of property, including petrified forest, disapproved.
		Peter Skene Ogden State Park:-Request of L. D. McBain to maintain concession for sale of novelties denied.
		Vista House at Crown Point:-Use of Vista House for dissemination of travel information considered.
		Crooked River State Park:-Acquisition of additional land considered. Inspection of property to be made.
		House moving. Collusion in submission of bids for moving buildings in Bandon to be investigated before contract awarded.
9586		Claim. Elks Club of Oregon City to be reimbursed for expense of moving flagpole. Balance of claim denied.
		Casey State Park. Removal of buildings owned by E. M. Lamport and Mr. Casey discussed. Decision deferred.
9587		Lake County World War Veterans' Memorial. Setting aside strip of land paralleling Klamath Falls-Lakeview Highway on Quartz Mountain as memorial discussed. Decision deferred.
		Timberline Lodge Road. State to advance funds to pay cost of surfacing, if necessary.
		North Santiam Highway. State to do patching work on oiled section. Federal government to reimburse state.
		Public lands funds. Amount now available for contracting to be expended on Warm Springs Agency Section.
		Warm Springs Highway. Public lands funds now available to be expended on Warm Springs Agency Section. (See entry above)
		1941 regular federal aid funds. Eligible projects selected.
9591		1941 federal aid secondary highway funds. Eligible secondary and feeder roads projects selected.
9593		Right of way budget for 1940. Attorney's report.
		Real property. Resolution authorizing acquisition.
9597		Condemnation. Resolution adopted as follows:
		Quartz Mt.-Drews Valley Sec., Klamath Falls-Lakeview Hwy.
9598		Awards. Commission announces awards of contracts.
9600		Acquisition of property. Port Orford. Property between Oregon Coast Highway and ocean, at Hubbard Creek, to be acquired, including C. C. Inman property.
		Historical markers. Committee presents report on erection of markers along Old Oregon Trail.

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9600 June 14

Log hauling. Murphy-Nelson Logging Company to be granted permit to transport 40-foot logs over Columbia River Highway in vicinity of Hood River.

9601

Flagmen to be maintained at intersection of Mt. Hood Highway with Columbia River Highway at each end of Hood River Bridge. Hood River County. Investigation ordered of connection with Columbia River Highway of county road extending from highway to Columbia River.

Oregon-Washington Highway. State of Washington presents plans for construction of Washington Section. Oregon section not to be undertaken.

Portland. Oiling of shoulders adjacent to highway through Parkrose District, from 82nd to 122nd Avenues, requested.

9602

South Santiam Highway. Completion of construction requested.

Cloverdale. Oiling of Oregon Coast Highway shoulders approved. Route F Highway. Project to be advertised for bids when formal agreement has been executed.

Truck turnout. Request for construction of turnout adjacent to Columbia River Highway at Washington state line denied.

Springfield. Commission not to assume responsibility in diverting truck traffic off McKenzie Highway in city limits.

Roseburg. Commission invited to attend celebration in connection with dedication of North Umpqua Road on June 21, 1940.

9603

Date for inspection of Oregon Coast Highway to be set later. Sidewalk. Request for construction on Rogue River Bridge at Gold Hill. Action deferred.

Coos River Secondary Highway. Improvement through Golden Falls Park requested. Action deferred.

Tualatin Valley Highway. Elimination of dip on highway east of Huber requested. Action deferred.

Malheur County. Request for construction of road extending from I.O.N. Highway at Rome to connection with Central Oregon Highway near Harper denied.

Sumpter Valley Secondary Highway. Improvement requested between Sumpter and McColley's Fork. Action deferred.

9604

Extending highway to Granite requested. Action deferred. Baker-Homestead Highway. Flagstaff-Lower Powder Section. Expenditure of funds for existing section opposed. Construction on permanent alignment requested.

Powers Secondary Highway. Oiling of northerly 5-mile section requested. Road to be sprinkled with water to allay dust.

Mallowa-Powwotka-Troy Highway. Designation as state secondary highway requested. Request denied.

Union County. Plans for proposed cutoff of Old Oregon Trail up Ladd Canyon to North Powder discussed. No definite plans.

9605

Nehalem Secondary Highway. Mist-Birkenfeld Section. Oiling requested. Transfer of funds for improvement of Siletz Secondary Highway to Nehalem Highway considered. No action.

Siletz Secondary Highway. Report on cost to construct using state and federal funds ordered.

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9605	June 14, 1940	<p>Tumlatin Valley Highway. Resolution urging widening for four lanes of traffic between Portland and Forest Grove.</p> <p>Hebo. Oiling of shoulders on both sides of McMinnville-Tillamook Highway requested. Request denied.</p> <p>Salmon River Highway. Request for improvement between Bellevue and Valley Junction denied.</p> <p>Silver Creek Falls Secondary Highway. Improvement between state highway shops at Salem and junction with Turner Road at Four Corners requested.</p> <p>Oiling crew. Request of Union Pacific Railway Company for services of state's oiling crew to repair private roadway in Hood River denied.</p>
9606		<p>Eddyville-Blodgett Secondary Highway. Request for oiling between Blodgett and Nashville denied.</p> <p>Alsea-Deadwood Secondary Highway. Request for oiling between Swisshome and Paris denied.</p> <p>Klamath Lake West Side Secondary Highway. Request for improvement as detour in event The Dalles-California Highway becomes impassable denied.</p> <p>Yamhill-Newberg Secondary Highway. Oiling of unoiled portion requested. Investigation ordered.</p> <p>Eugene-Swisshome Secondary Highway. Request for improvement between San Antone Creek and junction with Siuslaw Highway denied.</p>
9607		<p>Ferry service. Contract with Leonard and Slate for Wilsonville ferry service extended for six-months' period or until January 1, 1941.</p> <p>Equipment. Purchase of following authorized: Power plant equipment for lighting Willamette Tunnel; 1 light-type truck for landscape maintenance crew.</p> <p>Guy wire. Request of Foster Lumber Company, Willamina, to maintain guy wire across Salmon River Highway denied.</p> <p>32nd Street Highway. Newspaper report criticizing plans for project between Portland and Oregon City.</p> <p>Beehives. Request of Lewis M. White to maintain beehives on right of way of Wolf Creek Highway near Wolf Creek Camp denied.</p> <p>Haines. Objections offered to taking part of city park as right of way for improvement of Old Oregon Trail.</p>
9608		<p>Extensions of time, as follows: Denton & Young, bridge over Lang Canyon; Guy H. Booker and Arthur T. Fox, Ana Spring-Hunter Hill Section; Vernie Jarl, Middle Unit, Troutdale-Corbett Section.</p>
9609		<p>Contracts completed and accepted, as follows: Eagle Creek-Wade Corner Section, Fisher Brothers; Reud Creek-Tren Section, S. S. Montague; Third Street Undercrossing in Bend, Birkemeier & Saremal; Strobin Road-Hosner Road Section, H. L. Rice;</p>

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9609 June 14

Contracts completed and accepted (continued):

Owyhee River-Tudor Ranch Section, M. L. O'Neil & Son;
State Farm-Adams Section, Roy L. Houck;
Bridge over Lang Canyon, Denton & Young;
Elgin-Rock Creek Section, F. R. Hewett;

9610

Siskiyou Junction-Klamath County Line Section, A. S. Wallace;
Reconstruction of Methodist Episcopal Church in Tigard, Contracting and Sales Company;
Mist-Vernonia Section, Tidepoint Company;
Hay Canyon Section, Fisher Brothers;
North Unit, Ana Spring-Hunter Hill Section, Guy H. Booker and Arthur T. Fox;
Troutdale-Corbett Section, Vernie Jarl.

Date for next regular meeting set for July 18, 1940.

Date for special meeting in Roseburg to dispose of accumulated routine matters scheduled for June 20, 1940.

Agreements, et cetera, signed as follows:

9611

Leonard & Slate, extension of Wilsonville ferry service to January 1, 1941;
Mildred K. Colvin, acquisition of park site in Curry County;
U. S. Forest Service, permit authorizing movement of oversized equipment over state highways in connection with fighting of forest fires;
Eugene F. Hug, lease of maintenance headquarters site at Elgin;
Federal Works Administrator, repair work on Forest Highway Section of North Santiam Highway to be done by state forces;
Portland Traction Company, improvement of Lombard Street;
City of Astoria, Commission's contribution of funds to assist in financing removal of houses from Taylor Avenue, in Astoria;
Mountain States Power Company, use of three of company's poles in connection with traffic signal suspension in town of Rickreall;
Union Pacific Railroad Company, elimination of railroad grade crossing in Nyssa;
I. J. Rossman and wife, lease of maintenance headquarters site in town of Florence;
Oregon State Board of Higher Education, use of facilities of college radio station KOAC during summer months of 1940;
Meyerhaeuser Timber Company, lease of three stockpile sites in Jackson County extended for five-year period;
Warranty deed conveying unto O.N.R.R. & M. Company property situate in town of Haines;
Bargain and sale deed conveying unto Hugh G. Walker land situate in Shield's Addition to Cottage Grove;
Quitclaim deed conveying unto Lincoln County land situate in Lincoln County.

9612

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	1940	
9612	June 20	1941 federal aid funds. Commissioner Clough approves selection of projects made on June 14, 1940. Legislative bills. Attorney to prepare bills for 1941 legislature. Pacific Highway. Special allocation of federal funds to modernize highway discussed. Columbia River Highway. Special allocation of federal funds to modernize highway discussed.
9613		Wayside strips. To be charged to parks budget. Fremont Highway. Indian writings on rocks at Picture Rock Pass to be preserved when additional right of way secured. Stock not to be allowed on highway at Pass; construction of fences to be considered. Quarry. Tupper Rock Quarry at Bandon not to be sold to Kern & Kibbe. Contractors on Bandon jetty project to be given opportunity to purchase rock on royalty basis. State to have all tailings from manufacture of jetty rock.
9614		Sale of real property. Floyd Wood submits low bid for land adjacent to Warm Springs Highway, Jefferson County. Approval of offer deferred. Silver Falls State Park. Request for improvement of road through park and through Golden denied. (See page 9662) Douglas County. Small parcel of property near Roseburg to be deeded back to county rather than disposed of by private sale to Mr. Edwards. Schroeder & Iverson. Ordered to vacate property being used without permit adjacent to Oregon Coast Highway at Sixes River. Acquisition of property. Options to be secured on all property between Oregon Coast Highway and beach along proposed improvement south of Port Orford (See page 9600)
9615		Driveways. Construction of driveways at commercial establishments adjacent to highway rights of way discussed. Islands. Construction and maintenance of pump islands at service stations at highway rights of way discussed. Military duty. Commission approves Governor's order relative to leaves of absence of employees who are members of military or naval forces. Curry County. Report on roads eligible for federal secondary highway funds. Pendleton. Request for landscaping of cutbank slopes east of railroad grade separation structure denied. Vale West Secondary Highway. Request for improvement renewed.
9616		Siletz Secondary Highway. Toledo-Siletz Section. Plans for improvement using federal standards discussed. Action deferred. Insurance. Action on insuring residence building at Grants Pass deferred. Traffic signals: Willamina:-Installation at each end of bridge approved. Newberg:-Installations approved. City to share in cost. Jefferson:-Installation approved.
9617		Albany:-Installation deferred pending completion of highway. Baker:-Requests for installation denied.

Page	Date	Subject
9617	June 20 1940	Baker. Suggestions offered for safeguarding traffic in lieu of installation of traffic lights. Traffic lanes. Uniformity in painting lanes discussed. Portland. Request for better lighting on Union Avenue denied. Estimate of cost to be prepared on extending lighting project to Interstate Bridge.
9618		Homer G. Johnson. Request for change in bid for Germantown Road-Barnes Road Section from asphalt to tar denied. Willamette Highway. Resolution adopted designating highway a through highway throughout entire length. Stop signs. To be installed at all crossroads where warranted along Willamette Highway.
9619		Seaside. Beach area used as airplane landing field not under jurisdiction of Commission. Minor betterment budgets. Increase in budgets approved. List of projects in increase presented.
9621		Award of contracts. Commission approves following awards: Lone Rock Junction-Rock Creek Section, M. L. O'Neil & Son; Replacement of wire rope on Interstate Bridge, Contracting and Sales Company. Dredging operations. Northwest Development Company granted permit to dig trench on Sumpter Valley Secondary Highway to float dredge across highway. Sumpter Valley Highway. Request of Northwest Development Company to conduct mining operations on right of way denied.
9622		Peaviners. Request for blanket permit authorizing movements in vicinity of Astoria denied. Individual movements authorized. Laboratory building. Construction of proposed building in Salem considered too costly. Permit. Movements of overwidth and overlength loads on state highways authorized in cases of emergency and if article cannot be dismantled. Albany. Request for construction of driveways across Drainage Canal denied. Signs. Request of County Roadmaster, Douglas County, for obsolete metal caution signs owned by department granted.
9623		Sweeper. Deposit of Feenaughty Machinery Company on bid for road sweeper to be retained and deposited in highway fund. Claim. L. T. Nicholson, Bend, to be paid damages caused by falling tree located on portion of lot acquired for right of way. Pacific Highway. Resolution from Josephine County vacating section of highway abandoned by state.
9624		Green Springs Highway. Jackson County advises that it has no use for abandoned portion of highway. Log hauling. Order cancelling permits of Messrs. Bewley, Johnson, and Updegrave for overloading trucks in vicinity of Grand Ronde. Permit of George Clark to be cancelled as result of accident on McKenzie Highway caused by hauling during darkness.

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9624	June 20	U. S. numbered highways. Ballots presented by American Association of State Highway Officials covering changes approved.
9625		Nerberg. Request for cooperation in directing traffic on Willamette River Bridge during Regatta approved.
		Coos County. Continuation of improvement with CCC forces of county road passing Golden and Silver Falls Park requested.
		Warm Springs Highway. Designation as federal aid highway requested.
		The Dalles-California Highway. Petition protesting change of route bypassing towns of Culver and Metolius.
		Irrigation Project. Investigation ordered of progress made in Wickiup Irrigation Project necessitating change in alignment of The Dalles-California Highway.
		Deer Island. Inspection to be made of lots owned by Mrs. J. E. Meehan in connection with proposed improvement of Columbia River Highway.
		Portland. Southeast 39th Avenue. Letters requesting and letters opposing designation as state highway route.
		Driveways. Wilson River and Wolf Creek Highways. Matter being presented to Washington officials for reconsideration where construction involves W.P.A. labor.
9626		Malheur County. Need for added secondary highway construction to be investigated.
		Survey. Tillamook. Request for survey to determine permanent location for state highways through city requested.
		Lighting specialist. Request of City of Tillamook for loan of services of specialist approved.
		Portland. Sullivan's Gulch suggested as highway entrance into city from east.
		Prineville. City deposits check as contribution toward cost of oiling Main Street.
		Columbia River Highway. Improvement of sight distance at curves where highway connects with Bradwood and Clifton county roads approved.
		Weston. Request for erection of signs outside city limits on highway rights of way advertising Weston as "Gateway to Longdon Lake Recreational Area" denied.
		82nd Street Highway. Congressman Nott suggests route for highway past schoolhouse in town of Clackamas.
9627		Claim. Letter from Mrs. Pearl S. Koble relative to claim for damages as result of reconstruction of Pacific Highway.
		Wolf Creek Highway. Seaside Chamber of Commerce approves progress made in construction.
		Oregon Coast Highway. Judge Gilkey, Lincoln County, to be informed of substitution of Glenseden improvement for section in vicinity of Depoe Bay.
		Improvement past Glenseden Beach requested.
		Warren. Leon D. Pitts renews request for permission to construct roadway to provide access to store building on old highway.
		Portland. City of Portland and Commissioner of Public Docks approves plans for improvement of Front Avenue.

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9627	June 20	Rock. Request of Jim Whitaker to purchase rock from state-owned pile south of Nye Junction approved. Umatilla County to pay for rock.
9628		Umatilla County. Old steel span bridge formerly on Athena-Cold Springs Secondary Highway to be given to county. Field engineering costs. Arizona and Oregon costs compared. Fossil-Shaniko Secondary Highway. Personal inspection urged. Timber strips. Preservation along Santiam Highway between Cascadia and Foster urged. Wilson River Highway. Tillamook County Court commends Commission on progress made in construction.
9629		Tigard. Pacific Highway West. Request for permission to construct roadway on right of way of highway denied. Cascade Locks. Request for Commission's approval of W.P.A. improvements on Columbia River Highway within city approved. State Land Use Planning Committee. C. B. McCullough authorized to represent Commission on Committee. Claim. Benjamin Cant's claim for assistance in paying doctor bills as result of accident on Powers Secondary Highway denied. Truck operations. G. O. Hamilton suggests legislation prohibiting operation of trucks on Saturday afternoons and Sundays. New highways, streets, etc. Letter opposing acquisition which will jeopardize life of established institutions. Albany-Scio Secondary Highway. Complaint filed on present condition.
9630		American Association of State Highway Officials. Resolutions adopted by Executive Committee discussed and approved. U. S. Highway No. 30. Letters favoring and opposing designation as Old Oregon Trail. Marion County. Communications relative to construction of highway from Marquam to Gates ordered filed. Tolls. Resolution endorsing efforts which may be made in removal of tolls on bridges and ferries between Washington and Oregon. Columbia River Highway. John L. Lamar urges retention of present route south of Scappoose. Pump island. Controversy with L. Plets, Dundee, relative to moving of pump island adjacent to Pacific Highway West disposed of. The Dalles-California Highway. Algona Section. News item commending Commission on recovery of traffic following flood. Eugene. Request for designation and construction, as a state secondary highway, of connecting road between Pacific Highway and Route 7 Highway approved.
9631		Brookings. Oregon Coast Highway. Reconstruction discussed.
9632		Surveys. List of surveys ordered since last meeting. Contracts completed and accepted as follows:
9633		Culverts and bridge on Albany Section, Averill & Corbin; Oregon Slough-Columbia Slough Section, Edleisen-Keygandt Co.; Jordan Creek-McNamar's Camp Section, Saxton, Looney & Risley; Pleasant Hill-Oakridge Section, E. C. Hall Company; Ochoo Creek-Prineville Section, Homer G. Johnson; North Bend Section, Coos Bay Dredging Company.

Page	Date	Subject
9633	June 20	<p>Agreements, et cetera, signed as follows:</p> <p>Letter to Commissioner of Public Roads, Washington, D. C., recommending allocation of funds to Warm Springs Highway;</p> <p>Quitclaim deed conveying unto L. O. Harra land in Polk County;</p> <p>Elmer Taylor and Myrtle Taylor, lease of property in Alsea for use in connection with highway construction and operation;</p> <p>Polk County, lease of county-owned property for maintenance headquarters site at Dallas;</p> <p>Edward L. Dinmitt, extending lease of Vista House at Crown Point for one-year period.</p>
9634	July 18	<p>Bids, as follows, opened and read:</p> <p>Corvallis-Lincoln School Section, grading and paving;</p> <p>Marshfield-Bunker Hill Section, grading and paving;</p> <p>East Unit, Lava Falls-Bend Section, oiling;</p> <p>John Day Section, bridge over Canyon Creek;</p> <p>Veneta-Fisher Road Section, grad., surf., oil, & bridges;</p> <p>Albany Section, roadside improvement;</p> <p>Sanderson Bridge-Crabtree Creek Section, grad., surf., oil, bridge;</p> <p>Nyssa Undercrossing Section, grade separation;</p> <p>Lombard Street-Killingsworth Street Section, grade & pave;</p> <p>Oregon Slough-Columbia Slough Section, pavement resurfacing;</p> <p>East Unit, Shaniko-Cow Canyon Section, grade, surf., & oil;</p> <p>Butte Creek-Mayville Road Section, grade and surface;</p> <p>Ferry service across Willamette River near Wilsonville.</p>
9635		<p>Klamath Falls. Request for advance of state funds to finance city's share of cost of traffic light installation denied.</p>
9636		<p>Klamath County. Delegation requests additional federal aid secondary highway construction in county.</p>
9637		<p>Klamath Falls-Merrill-Hatfield Road. Delegation requests designation as federal aid highway.</p>
9638		<p>The Dalles-California Highway. Klamath Falls-Modoc Point Section. Delegation urges additional improvement. Improvement of Algoma-Terminal City Section to be advanced for fall letting if possible.</p>
9639		<p>Lake of the Woods Road. Request for appropriation to improve road denied.</p> <p>Siletz Secondary Highway. Plans for improvement and contracting of work discussed.</p> <p>Tillamook County. County Court confers relative to allocation of 1941 federal aid secondary highway funds to county.</p> <p>Tillamook-Netarts Road. Delegation renews request for placing of road on state secondary highway system.</p>
9640		<p>Wheeler. Request for oiling of strips along pavement approved.</p> <p>Oregon Coast Highway. Delegation inquires regarding plans for completion in vicinity of Arch Cape.</p> <p>Wilson River Highway. Delegation confers relative to plans for continued construction.</p> <p>Commission invited to join caravan inspection trip on July 25, followed by banquet in Tillamook.</p>

<u>Page</u>	<u>Date</u>	<u>Subject</u>
9641	July 18	Traffic signals. Portland. Request of S.P. & S. Company for installation of signal at Balboa Street approved. Albany. Delegation confers relative to use of Old Pacific Highway upon completion of new highway. South Santiam Highway. County Court of Linn County confers relative to plans for completion of highway.
9642		Warm Springs Secondary Highway. Messrs. Harker and Earwood confer relative to settlement for right of way between Madras and Prineville. Wolf Creek Highway. Sylvan Section. Surfacing requested. Construction of traffic separation structure at connection of Wolf Creek and Tualatin Valley Highways discussed. Gravel. Washington County requests material from state's borrow pit at Tigard. Investigation ordered.
9643		Log hauling. Request of George H. Clark for reinstatement of permit ordered cancelled, as result of accident on McKenzie Highway, granted. Dundee. Commission invited to attend celebration upon completion of Dundee Section of Pacific Highway West. Claim. Administrator of estate of Miles Homer Otis, who lost his life as result of accident on Corvallis-Newport Highway, requests payment of damages. Matter under advisement.
9644		Awards. Commission announces awards of contracts.
9646		Wall. Peninsula Drainage District No. 1 granted permission to construct concrete wall on right of way of Swift Secondary Highway for controlling flood waters of Oregon Slough. Resolution adopted.
9647		Tigard. Expenditure of \$1500 for additional work on improvement of highway authorized.
9648		Sheridan. Salmon River Highway. Delegation inquires as to plans of Commission for improvement of highway.
July 19		Pacific Highway. Eugene-Ashland Section. Delegation confers relative to securing special federal appropriation for reconstruction from military standpoint. Columbia River Highway. Portland-The Dalles Section. Delegation discusses federal appropriation for reconstruction from military standpoint.
9649		Minutes approved of meetings held on March 21 and 22, April 9, May 1, 2 and 3, and May 23, 1940. I.O.N. Highway. Owyhee River-Nevada State Line Section. Oil-ing of highway this fall and securing of funds to finance same discussed.
9650		Signs. I.O.N. Highway. 40-miles per hour speed limit signs to be erected on Owyhee River-Nevada State Line Section. Snow removal. North Santiam Highway. Operations to be conducted on same basis as last year. Willamette Highway. Forest Highway Section. State to assume maintenance of road surface and snow removal. Snow removal. Willamette Highway. State to assume obligation of snow removal on Forest Highway Section.

<u>Page</u>	<u>Date</u>	<u>Subject</u>
	1940	
9650	July 19	Right of way budget. Attorney's report approved. Real property. Resolution authorizing acquisition.
9655		Condemnation. Resolutions authorizing acquisition as follows: Shaniko-The Dalles-California Highway Section, Sherman Hwy. Quarry site and hauling road in connection with Eugene-Veneta Section of Eugene-Mapleton Highway (Route F).
9656		
9658		Sale of real property. Commission confirms sale of land adjacent to Warm Springs Highway, in Jefferson County, to Floyd Wood. Sidewalk. Rogue River Bridge at Gold Hill. Engineer suggests construction of concrete walks on each side of bridge. Oregon Coast Highway. Brookings Section. Attorney to proceed with condemnation. Project to be advertised at August meeting. Date for trip down Oregon Coast Highway tentatively scheduled for week of August 16, 1940. Date for inspection trip in Eastern Oregon tentatively set for week commencing September 1, 1940. American Association of State Highway Officials. Attendance at annual meeting in Seattle discussed. 9659 Willamette Highway. Commission to attend dedication of highway at Salt Creek Tunnel on July 30, 1940. Roseburg. City refuses to pay cost of operating lights at crossing of Pacific Highway with Southern Pacific Railroad. Traffic light expense. Decision deferred on question of state paying expense of lights at crossings of highways and railroads. Investigation of number of such lights ordered, and amounts paid annually to municipalities for light operations. Freight service. Wm. P. Ellis, Salem, confers relative to establishment of high-speed freight service along Oregon Coast Highway from Marshfield south. Commission to confer with Public Utilities Commissioner. 9660 Portland. Front Avenue Project. Securing of options for needed right of way discussed. Legislative bills. Attorney presents drafts of bills involving state highway legislation for presentation to 1941 Legislature. 9661 Commission not to sponsor bill relating to stock running at large on state highways. Bill relative to payment of highway revenue to incorporated cities and towns to be given serious consideration. Homer G. Johnson. Request for change in bid on Germantown Road-Barnes Road Section denied. (See page 9613) 9662 Opening of bids. Suggestion made that bids be not opened until 10:00 or 11:00 a. m. Coos County. Request for improvement of road through Golden and Silver Falls State Park denied. Traffic signal. West Salem. Installation of new type signal on Salem-Dallas Highway approved. Burns. Commission approves Traffic Engineer's recommendations. Vale. Commission approves Traffic Engineer's recommendation that request for installation at A and Main Streets be denied.

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Subject

9663 July 19

House moving. Contractors to submit along with bid affidavit declaring no collusion.

Insurance. State Board of Control to assume insurance risk on all buildings owned by highway department.

Park matters:

Lake County World War Veterans' Memorial:-Request for designation of Memorial denied.

CCC Camps:-Applications for renewal of camps and for establishment of new camps in several parks approved. Parks Superintendent to confer with Chairman Cabell on matters requiring immediate attention.

9664

Jessie M. Honeyman Park:-Charge for use of bathhouse at Cleavox Lake approved.

Timber strips. Salmon River Cutoff. Purchase of additional wayside strips from Miami Corporation considered.

Height of vehicles. Resolution limiting to 10 feet the overall height of vehicles passing under S.P. tracks in Albany.

9665

Similar resolution limiting to 10 feet the overall height of vehicles passing under tracks of Oregon Trunk Railway in Bend.

9666

Hood River County. Request for Commission's approval of W.P.A. project involving county road approach to Columbia River Highway approved.

9667

Hood River. Request for Commission's approval of W.P.A. improvements on Hood River Secondary Highway, in Hood River, approved.

Warm Springs Secondary Highway. Resolution recommending designation as federal aid highway; also changing classification of road to state primary highway.

9668

Rock. Request of farmers residing along Middle Fork of John Day River to purchase 1000 cu. yds. of rock being produced by F. R. Hewett for Nye Junction-Long Creek Section approved.

Odell Secondary Highway. Resolution designating said highway a state secondary highway.

9669

Eugene. Designation, as a state secondary highway, of connecting road between Pacific highway and Route F Highway considered but deferred.

Hood River Secondary Highway. Resolution designating highway a through highway.

9670

Awards. Commission confirms following awards:

Blue Mountain maintenance patrol station, Fife & Company;

Warrenton Section, Jacobsen-Jensen Company;

Bandon Section, Coos Bay Dredging Company.

9671

Equipment. Purchase of following authorized:

20 four-wheel-drive trucks of Harmon-Harrington type;

1 snogo for use on Willamette Highway;

30 modern push-type snow plows for installation on Ford trucks;

1 set Lowell steel socket bridge wrenches.

Scrap material stored at highway shops. To be advertised for sale.

Weight tolerance. 10 per cent tolerance to be allowed in transporting commodities as well as logs.

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9671	July 19	Length of logs. Law governing classification of length of loads discussed.
9672		Salary increases. Salaries of Wm. Patton and Wm. Grenfell, Radio Technicians, to be increased. Log hauling. Engineer replies to letter from A. G. Teepe relative to regulation of weights of hauling equipment on Oregon Coast Highway. Linfield College. Commission disapproves of concrete letters installed on slope of Pacific Highway West advertising Linfield College. Wheeler County. Commission to take bids on behalf of county for reconstruction of county road bridge at Spray. Oasis State Park at Brothers. Commission to refuse sale of area in park for school building.
9673		Ocean beach. Request of Arthur L. Churchill to use beach at Manzanita as airplane landing field during search for body of his son, recently drowned, approved. Sumpter Valley Secondary Highway. Northwest Development Company to be granted permission to dig trench to float dredge across highway. Company to construct detour road. Log hauling. A. E. Stebinger requests permission to transport logs over Columbia River Highway in Mosier. Lake County Chamber of Commerce invites Commission to attend meeting of Order of the Antelope on July 20 and inspect Warner Valley Secondary Highway. Commission declines. Youth Hostels Association. Erection of markers along state highways indicating routes to be used by members of organization requested.
9674		Automobile travel. Request of Secretary of State that Commission assume sponsorship of securing information concerning travel for use of National Association of Motor Vehicle Operators denied. Claim. Action deferred on claim of Miles Homer Otis Estate. (See page 9643) Extensions of time, as follows: George F. Anderson, bridge over Necanicum River at Black Bridge; F. R. Hewett, Nye Junction-Long Creek Section.
9675		Contracts completed and accepted, as follows: South Unit, Siskiyou-Bear Canyon Section, Roy L. Houck; Nye Junction-Long Creek Section, F. R. Hewett; Black Bridge-Richland Section, Morrison-Knudsen Company; Bridge over East Fork, Illinois River, J. F. Johnston; Lapine-West Forest Boundary Section, E. L. Rigdon; Cushman-Swisshome Section, Eugene Sand & Gravel Company.
9676		Date for next regular meeting scheduled for Aug. 22 & 23, 1940. Agreements, et cetera, signed as follows: Lane County, construction of section of Route F Highway between Veneta and Eugene, across Fern Ridge Dam site.

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Subject

9676 July 19

Agreements, et cetera, continued:

Fisher Bros., disposing of claim for extra compensation on contract for Odell Lake-Walker Mountain Section.

E. Powell, rental of an RD-8 caterpillar tractor and 12-yd. carryall for use on John Day Section.

9677

Union Pacific Company, installation of automatic grade-crossing signals at Adams and Pendleton.

Wheeler County, county maintenance of Kinzua County Road.

Lane County, county maintenance of Route F Highway between Fisher Road and Territorial Secondary Highway.

John M. Zeller and wife, disposing of controversy involving right of way for Oregon Coast Highway in Tillamook;

George W. Joseph, Jr., and wife, construction of water-pipe line across Joseph property near Talbot State Park.

Evans Products Company, detour road over company's property adjacent to Oregon Coast Highway, in Marshfield.

George Hagelstein and wife, detour road adjacent to The Dalles-California Highway, Klamath County.

Bonneville Power Administration, permit to construct improvements on Pacific Highway near Eugene.

Quitclaim deed conveying unto Vera Bahrke land in Albany.

Bargain and sale deed conveying unto Clatsop County a portion of Tongue Point State Park at Astoria.

Quitclaim deed conveying unto Floyd Wood land in Jefferson County.

9678

Quitclaim deed conveying unto Douglas County land in Douglas County near north city limits of Roseburg.

"Offer to Convey Easement", willingness to grant Bonneville Power Administration authority to maintain power pole line across state-owned property in Hood River County.

Salem, Oregon, April 9, 1940

The State Highway Commission met at 10:00 a. m. in the office of the State Highway Engineer, Room 325 State Office Building. Present were:

Henry F. Cabell, Chairman
Huron W. Clough, Commissioner
Herman Oliver, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Olaisyer, Secretary

The Engineer discussed with the Commission matters pertaining to the bids received by the U. S. War Department on April 5, 1940, on behalf of the State Highway Commission, for the construction of the embankments and culverts on the Troutdale-Dodson Section of the Columbia River Highway, in Multnomah County, which bids were received along with bids for dredging operations in the Columbia River, the plan contemplating the use of the dredged materials in the highway embankment work. He said that the low bidder for this work was the General Construction Company, whose bid for embankment construction was 11¢ per cubic yard, totalling \$286,000.00, and for culvert construction \$28,550.00. The riprap work, he said, was not included in the call for bids but will be required in future contract work and is estimated to cost \$81,500.00, making the grand total cost of the highway work under this arrangement \$396,050.00. He gave as his thought that the unit bid of 11¢ per cubic yard for the embankment construction is somewhat high but suggested that it would be well to accept the same in view of the fact that the total cost of the work to the state under this plan would be considerably less than by doing the work under separate contract, using dredged borrow material, or by using borrow material from dry pits where available, with dredged borrow where material is not available from dry pits. He estimated the total cost on the basis of the first alternate plan at \$474,050.00, and under the second alternate plan at \$766,000.00.

An award to the General Construction Company on the basis of its bid, he said, would effect a saving of at least \$78,000.00 to the state, and possibly \$100,000.00, over any other possible award or plan for the performance of the work. Mr. Tom Davis, Senior Highway Engineer, Public Roads Administration, was present and advised that District Engineer W. H. Lynch would concur in the award of the contract to the General Construction Company if he receives a letter from the State Highway Engineer to the effect that the preliminary estimate of cost heretofore submitted to the Public Roads Administration for approval is considered too low, and provided, further, that Mr. Lynch is furnished with estimates of cost to do the work under the alternate plans. After considerable discussion and it appearing to the Commission that a substantial saving would be made if the bid of the General Construction Company is accepted, the Engineer was authorized and instructed to write such letter to Mr. Lynch. The bids received for the work were thereupon referred by the Commission to the Engineer with power to award the contract to the low bidder, the General Construction Company, upon receipt of concurrence in the award by W. H. Lynch, District Engineer, Public Roads Adminis-

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tration, and upon the condition that the U. S. War Department awards its contract. This action of the Commission was taken by unanimous vote.

The Engineer reported the need to recondition certain state highways which are being badly damaged by continuous log-hauling traffic, particularly the following:

3-mile section of the Albany-Lyons Secondary Highway between Crabtree and Scio. He estimated that it would cost about \$30,000 to repair this section.

3.8-mile section of the Woodburn-Sandy Secondary Highway west of its junction with the Cascade Secondary Highway near Molalla. He estimated that it would cost about \$55,000 to repair this section.

Albany-Lebanon Section of the Santiam Highway. In connection with this project the Engineer requested authority to conduct experiments using different types of construction on short sections about one mile in length. He estimated that this project would cost about \$70,000 and advised that it is quite important that something be done to this road because maintenance costs under present conditions are extremely high; in fact, the amount budgeted for the calendar year 1940 has already been spent.

Bellevue-Sheridan Section of the Salmon River Highway. The Engineer advised that this section is rapidly going to pieces by reason of heavy hauling thereover, and there is urgent need for repairs because maintenance costs are extremely high under present conditions. He estimated that the improvement would cost approximately \$100,000 and suggested that funds to finance the same be secured by transferring those heretofore tentatively allocated for the improvement of the Lower Columbia River Highway near Scappoose. He also suggested that the Commission allocate \$150,000 from the contingency fund to finance the other three jobs.

In the discussion of this matter reference was made to the financing of the Front Avenue project in Portland, in connection with which the Commission has heretofore agreed to purchase right of way up to a maximum of \$800,000.00, representing 40 per cent of the estimated cost of construction. After due consideration of the entire matter, the Commission by unanimous vote approved an expenditure of \$155,000.00 from the contingency fund to finance improvements needed on the Albany-Lyons Secondary Highway, Woodburn-Sandy Secondary highway, and on the Santiam Highway between Albany and Lebanon, as reported by the Engineer, and authorized the Engineer to proceed with the work. The Engineer was also authorized to prepare the Bellevue-Sheridan project for contracting but not to advertise this project for bids until so instructed by the Commission.

A delegation from Florence, Oregon, consisting of J. C. Ponsler; Ira Rossman, Acting Mayor; and Harry Deveraux, Engineer for the W. P. A.

was present and asked the Commission to surface and oil at state expense a new road connecting the old and new state highways in the city of Florence, particularly along an extension of Lincoln Street. Mr. Rossman was spokesman for the group. He advised that the city has already graded the road in question, same being approximately 400 feet in length, with a maximum grade of 3 per cent and a roadway 28 feet wide. He asked the Commission to surface and oil the road because it is the most important roadway leading into their town from the Oregon Coast Highway, and the city is without funds to finance it.

Chairman Cabell advised that the Commission looks with favor upon this project but there is a question whether or not the Commission has legal authority to expend state money for such purpose in view of the fact that the road is not a connecting road between two state highways and the Commission is reluctant to establish a precedent by designating the road a secondary state highway. The Engineer estimated that it would cost \$810.00 to surface and oil the road. He pointed out that from the state's standpoint the road is in a much better location than the present connection at the north end of the Siuslaw River Bridge. He recommended the improvement at state expense if a way can be found to legalize the expenditure, particularly in view of the fact that the road has already been graded and will provide a much safer route into the business district of Florence than any existing road.

After discussion the Commission approved the project by unanimous vote, subject to an opinion from the Attorney that an expenditure of state highway funds for the purpose is legal.

Mr. E. P. Leavitt, Superintendent, Crater Lake National Park, came before the Commission in regard to the \$1.00 fee which the National Parks Service charges motorists for the use of the roads in Crater Lake National Park, particularly with reference to the collection of such fee from motorists who do not drive up to Crater Lake but who simply pass through the park on the Crater Lake Highway. This question has arisen because of complaints received by the State Highway Department from persons who are charged such fee for simply passing through the park.

Mr. Leavitt advised that the charge is made by the Parks Service for the use of the park road the same as the state exacts a license fee from motorists for the use of state roads, and the amount of the fee is based somewhat upon the mileage of roads in the park. He also advised that federal appropriations for national park purposes in any particular park are dependent somewhat upon the amount of revenue that the Parks Service secures from fees collected for the use of the roads in that park. He also explained other features of the Government's present policy, which, he said, has now been in effect for about three years, which policy provides that the amounts appropriated for any particular park shall not be increased from year to year until that park is more self-supporting, so it appears if more federal money is to be obtained for park improvements a better showing as to the revenues must be furnished. The relieving of the motorists from the payment of the fee, he said, would deviate from long-established policy.

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He recited statistics concerning travel in Crater Lake Park and filed a written brief in support of his contention that no change should be made now in the present practice.

Chairman Cabell suggested as a possible solution that the state might pay a portion of the cost of maintaining the Crater Lake Highway within the park boundaries, the state's share to be based upon the volume of traffic that uses this road but does not go up to the lake proper. Mr. Leavitt replied that the suggestion involves a matter of policy of the National Parks Service and that he was unable to make any statement in regard thereto at the present time. He suggested that the matter of waiving the present fee be deferred for the time being and that in the meantime signs be erected at the park entrances calling attention of the motoring public to the fact that a \$1.00 annual fee will have to be paid for the use of the park road. He asked the Commission not to make any public statements in regard to the matter until he has had an opportunity to discuss it further with his superiors, and, in any event, not until the Commission has again consulted with him in regard thereto. He also asked the Commission for a letter stating the Commission's reaction to the contents of his brief. The Commission agreed not to take any public action on the matter until it has consulted further with Mr. Leavitt. The Commission also agreed to send him a letter outlining its viewpoint.

The question of whether or not the proposed Wolf Creek Highway tunnel should be constructed as a W.P.A. project or by contract was discussed by the Commission. Mr. Harry Deveraux, W.P.A. engineer, was present and entered into the discussion of this matter. The State Highway Engineer reported the advantages and disadvantages of both plans of construction. He estimated the total cost of the tunnel under the W.P.A. plan at \$301,685.00, of which amount the state's share would be approximately \$75,400.00 as compared to an estimated total cost of \$173,566.00 if the work were done under the contract plan, in which case the state's share would be about \$69,400.00. He pointed out that the performance of the work under the W.P.A. plan would necessitate the purchase of considerable high-priced equipment, which would not be worn out on the job and would be of no value to the state after the job was completed because there would be no other W.P.A. tunnels to construct; also, that it would take from seven to twelve months to construct this 810-foot tunnel under the contract plan, which, in his estimation, is a much shorter time than that in which it could be constructed under the W.P.A. plan.

Mr. Deveraux gave as his thought that the tunnel could be constructed in a year's time under the W.P.A. plan, with proper equipment. He pointed out that the Wolf Creek Highway W.P.A. project has already been established and declared that it would be a simple matter to have the project extended to include the tunnel. He said that it would take about three weeks to get the project started and about six weeks to secure approval by authorities in Washington, D.C. He also said that the W.P.A. rules are simple and that it would be possible to employ the same men on the job and to pay these men the same wages as if the work were done by contract. Furthermore, the present W.P.A. rules provide for the employing and discharging of men as may be necessary.

The Commission discussed this matter at considerable length and

decided that it would be to the best interests of the general public and all concerned if the work were done by contract. The Engineer was thereupon authorized and instructed to prepare the project for contracting and to submit it to the Public Roads Administration for approval in the 25 per cent partial program for 1941 federal funds.

The Commission adjourned at 12:20 p. m. and reconvened at 1:20 p.m. in the same room, with all Commissioners, the State Highway Engineer, the Attorney, and the Secretary present.

The Engineer requested authority to purchase the following equipment for the Wolf Creek Highway W.P.A. project:

1 1½-yd. shovel equipped with lighting system, estimated cost \$19,000.00 - 1 truck crane to be traded in as part purchase price, value \$2,000.00 - net cost of new shovel	\$17,000.00
1 tractor, estimated cost \$8,800.00 - 1 old tractor to be traded in as part purchase price - net cost	8,300.00
1 12-yd. carryall scraper, estimated cost \$5,500.00 - 1 used scraper to be traded in - net cost	4,500.00
1 angle dozer, estimated cost	<u>2,400.00</u>
Total cash outlay on equipment	\$32,200.00

He requested particular instructions relative to the purchase of the tractor and the 12-yard carryall scraper. The question involved was whether to write special specifications for these two pieces of equipment or to purchase an RD-8 tractor and a 12-yard LeTourneau scraper direct from the manufacturers of such equipment and under the specifications of the manufacturing concern. The Engineer explained that the RD-8 tractor and the LeTourneau scraper are particularly well adapted to work on this project; and, while they may cost a little more than other types of equipment, he believed that it would be to the best interests of the state to purchase them for the purpose intended and he so recommended in this particular instance.

After considerable discussion the Commission approved the Engineer's recommendation by unanimous vote, subject to further approval by the State Board of Control and the securing of a quotation from the manufacturers that is considered reasonable, taking into consideration the value of one old tractor and one used scraper that are to be traded in as part purchase price. The Commission also by unanimous vote authorized the purchase of the 1½-yard shovel and the angle dozer requested by the Engineer for this project.

The Engineer also requested authority to purchase the following equipment:

10 light-type trucks, estimated total cost	\$9,000.00
1 light-type sedan to replace one wrecked,	
estimated cost	800.00

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Also, to purchase on the rental-purchase plan 2 car-heating boosters, estimated to cost \$7,200.00; 10 truck scales, estimated total cost, exclusive of installation, \$12,500.00; installed, \$25,000.00.

The Commission approved the request by unanimous vote.

The Engineer reported the need to purchase 10,000 gallons of white lacquer for use in painting "no passing" lines on the vertical curve sections of state highways throughout the state. He explained the need for such striping as an additional safeguard to highway traffic and advised that the plan proposed for the striping conforms with the standards of the adjoining states and with those adopted by the American Association of State Highway Officials. He estimated that the paint would cost about \$11,500.00, and recommended the purchase. The Commission approved the recommendation unanimously.

The matter of the adoption of a policy with respect to the granting of permits for the transportation of 40-foot logs over state highways, involving an overall length in excess of the legal length limit, was discussed briefly but action thereon was deferred by the Commission until its meeting scheduled for May 2 and 3, 1940.

The Commission had under discussion a request for the widening of State Street, Salem, (route of the North Santiam Secondary Highway) between 12th Street and 13th Street. The Engineer advised that the Union Oil Company plans to construct a large service station at the northwest corner of the intersection of 13th and State Streets, which station will occupy a frontage of approximately 100 feet on State Street, and the company has requested permission to widen this section immediately in front of its property, at its own expense, which would mean the moving of the curbs a distance of about 10 feet for this one-half block. He pointed out that this would result in an offset of the curb line and would create a traffic hazard unless the curb for the rest of the block were set back a corresponding distance. He pointed out that traffic signals will have to be installed at the intersection of 12th and State Streets in the near future, in connection with which it would be advisable to provide for two moving lanes of travel to facilitate the operation of the signals. Also, that the Commission has plans to install, during the coming summer, new flashing-type railroad-crossing signals at this intersection; so, if the street is to be widened, it appears advisable that the work be done now before the signals are installed. He estimated the cost of the widening work at \$1,900.00, of which amount, he said, the Union Oil Company would pay approximately \$620.00 and the State Highway Department \$1,280.00. He recommended the improvement because State Street is now only 49½ feet wide between curbs, which is too narrow for the volume of traffic that it is required to carry; provided, however, that the City of Salem will adopt an ordinance continuing the present practice of parking cars parallel with the curb line. After discussion the Commission by unanimous vote approved the project as recommended by the Engineer.

The Commission had under discussion matters pertaining to the proposed Front Street project in Portland and particularly the matter of designating such route as a state highway route. The following resolution with

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respect to such matter was adopted by the Commission by unanimous vote:

WHEREAS, vehicular traffic entering the City of Portland over the Pacific Highway from the north, the Columbia River Highway from the east and the Pacific Highway from the south is now and has been for some time routed through the City over Fourth Street by order and direction of the Oregon State Highway Commission; and

WHEREAS, the traffic so entering, passing through and leaving said City is of such volume that congestion, inconvenience and other traffic problems result by reason of confining such traffic to Fourth Street alone; and

WHEREAS, it is the judgment of the Highway Commission that an alternate route should be designated and thus made available for the convenience, the accommodation and the safety of the motoring public as well as for the convenience and safety of local traffic, both pedestrian and vehicular, having occasion to use or cross Fourth Street; and

WHEREAS, after extensive and careful study of traffic needs and conditions, which study was made by the Highway Commission in cooperation with municipal authorities of the City of Portland, it is the judgment of the Commission and said municipal authorities that Southwest Front Avenue, with certain related or connecting streets, would, if widened and otherwise improved, afford and make available more adequate facilities and accommodations for the general motoring public than are available under existing conditions; and

WHEREAS, if said project is promoted and carried through to completion, it will be necessary that additional real property be acquired for right of way and other street purposes; and

WHEREAS, it is the purpose of the Highway Commission to cooperate with the municipal authorities of the City of Portland in the acquisition of said real properties; and

WHEREAS, for the purpose of procuring funds with which to pay the City's pro rata share of the cost of such right of way the City is submitting to the voters of the City of Portland the question of issuing bonds in the amount of \$1,250,000, which question is to be voted on at the general election to be held in May, 1940.

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the Commission, all members being present and affirmatively voting, as follows:

1. That the Highway Commission hereby declares its purpose and plan to cooperate with the City of Portland in the widening

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and more permanent improvement of the following streets, known generally as the Southwest Front Avenue route, to wit:

Beginning at the intersection of Barbur Boulevard and Southwest Front Avenue at or near Southwest Lane Street in the City of Portland; thence northerly along Southwest Front Avenue, crossing Southwest Arthur Street (and its extension known as Southwest Kelly Avenue) by means of a structure passing over the grade of said Southwest Arthur Street to a point at or near the intersection of Southwest Carruthers Street; thence crossing diagonally from Southwest Front Avenue to Southwest Water Avenue, and thence along Southwest Water Avenue, passing underneath the grade of Southwest Madison Street at Hawthorne Bridge, and underneath the grade of Southwest Morrison Street at the Morrison Street Bridge, and thence to an intersection with the Steel Bridge at or near the intersection of Northwest Front Avenue and Glisan Street; thence onto the Steel Bridge by a set of ramps; thence across the Steel Bridge to the east side of the Willamette River, passing under the Steel Bridge by a set of ramps, at a point near the intersection of North Williams Avenue and Northeast Oregon Street; thence northerly along the east bank of the Willamette River, passing underneath the Broadway Bridge, and thence to an intersection with Interstate Avenue at or near its junction with North Tillamook Street.

Also, a second route which operates as a service drive and which diverges from the first named route at its intersection with Southwest Columbia Street and proceeds thence westerly along Southwest Columbia Street to its intersection with Southwest Front Avenue, and thence northerly along Southwest Front Avenue to its intersection with Northwest Glisan Street, said point being approximately the westerly end of the Steel Bridge.

2. That the Commission does further declare its purpose to officially and affirmatively adopt said route and said streets as streets over which to route state highway traffic if and when the voters of the City of Portland at the general election to be held in May, 1940, approve the issuance and sale of bonds in the sum of \$1,250,000, and if the necessary right of way can be procured at a cost satisfactory to the Highway Commission and the City authorities.

3. That for the purpose of determining the cost of real property needed and required for right of way purposes the legal and right of way departments of the Highway Department hereby are authorized and instructed to cooperate with the city officials of the City of Portland in the procurement of options disclosing the price or prices for which the several parcels of real property required for said project can be purchased, and that said options when taken be taken subject to the approval of the Highway Commission and the municipal authorities of the City of Portland.

4. That the permanent adoption and designation of said streets

as a route over which to direct traffic entering and leaving the City from the above named highways shall be wholly and completely contingent upon the action of the voters of the City of Portland with respect to the authorization of said bond issue.

5. That this resolution be entered in the minutes and records of the Commission and a duly certified copy thereof delivered to the Honorable Joseph K. Carson, Mayor of the City of Portland, and a certified copy thereof delivered to W. H. Lynch, District Engineer of the Public Roads Administration.

The Commission also discussed its plans for the use of the railroad bridge; commonly known as the Steel Bridge, over the Willamette River in Portland, in connection with the proposed Front Street arterial highway. It was the thought of the Commission that the owners of this bridge, which are the Union Pacific Railroad Company and the Southern Pacific Railroad Company, should have knowledge of the Commission's plans in this regard. Accordingly, the Commission authorized Chairman Cabell to write a letter to both railroad companies advising them of the Commission's intentions with respect to the use of the bridge so that they will be informed when the Highway Commission submits its application for the necessary easements and permits. (See letter dated April 9, 1940.)

The Commission had under consideration the request from the County Court of Clatsop County that the deeds secured for right of way for the proposed improvement of the county road in the City of Warrenton be prepared so as to convey the property direct to the State of Oregon rather than to Clatsop County. The Engineer pointed out that the proposed improvement is on the county road that leads to Fort Stevens and is scheduled for construction as a federal aid secondary highway project, although government approval has not as yet been secured. Further, that after construction is completed the maintenance of the road will be a responsibility of Clatsop County. In view thereof the Commission considered it inadvisable to take title to the right of way at the present time and thereupon tentatively denied the County Court's request.

The Commission had under discussion the question of contributing funds to assist in financing an Oregon exhibit at the 1940 San Francisco Fair. It was pointed out that if such exhibit is to be maintained this year it will require a contribution from the State Highway Commission of approximately \$8,000.00 of state highway funds. After considerable discussion the Commission referred the matter to Chairman Cabell to consult with the sponsors of the project, after which definite action will be taken by the Commission over the telephone.

The matter of continuing W.P.A. construction work on the Wilson River Highway was considered by the Commission. The Engineer recommended approval of a project costing approximately \$1,250,000.00, of which amount the state's share, as sponsor, will amount to about \$289,000.00. He explained that such project would provide 15 months' work and would complete the grading

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of the Canyon Section and a 3-mile section at the Glenwood end of the road; in fact, will finance all work except the tunnel and the surfacing and oiling, which is to be done under state contract, and will also include provision for the felling of danger trees on the 1900 acres of burned timber land adjacent to the highway right of way, which property is being acquired from the Consolidated Timber Company. He further advised that the Consolidated Timber Company has agreed to sell its 1900 acres to the state for the sum of \$4,500.00, on the condition that Tillamook County will waive its claim for delinquent taxes. The Commission by unanimous vote approved the purchase of this timber land on the basis of the Engineer's report and also by unanimous vote approved the new U.P.A. project as reported. The Engineer was authorized to sign papers as may be necessary to secure U.P.A. funds.

The Commission discussed several letters from log haulers in Clatsop County who desire to truck logs over the Cannon Beach Road from the summit to its junction with the Oregon Coast Highway during the summer months as well as during the winter months, such operations under present rulings being denied them during the period May 1 to September 15, when beach travel is heaviest. The Engineer advised that the curvature of this highway from the summit easterly to the junction of the Oregon Coast Highway is not excessive and, in his estimation, the hauling of logs over the same during the summer months would not be unduly hazardous to other traffic, although from the summit west to Cannon Beach such operations would be dangerous because of the many sharp curves. He recommended year-round log hauling on the section east of the summit to the Coast Highway junction, provided the overall length of the loads do not exceed the statutory limit of 50 feet, but that the present ruling prohibiting log hauling during the summer months be retained in full force and effect along the section from the summit to Cannon Beach. The Commission approved the recommendation unanimously.

The Secretary presented a report from the Department of State Police concerning several logs that were dropped on the right of way of the Salmon River Highway west of Grand Ronde by truckers for the Knute Johnson Logging Company of Grand Ronde. According to this report the logs were lost in October, 1939, but the owners have failed to remove them notwithstanding that they have been ordered to do so by the police officers several times. The Commission instructed the Secretary to ask the Public Utilities Commissioner to cancel the special carrier permit of the Knute Johnson Logging Company, in accordance with the rules and regulations adopted by the Commission in January of 1940 and thereafter ratified by the Public Utilities Commissioner and the Superintendent of the Department of State Police.

Mr. and Mrs. E. Crouch, Grants Pass, came before the Commission regarding settlement for right of way that is needed for the improvement of the Pacific Highway at Green Creek, south of Grants Pass. They stated that they had been tendered an offer by one of the Highway Department's right of way agents for their property, which offer is acceptable to them in all respects with the exception of the amount that they have been offered for 58 peach trees. Such offer, they said, is \$10.00 per tree, whereas they feel that they should receive \$25.00 per tree.

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The Assistant Attorney, who was present, stated that the price offered Mr. and Mrs. Crouch for their property is consistent with other offers made and accepted in that vicinity and that at the rate of \$10.00 per tree the Commission would be paying Mr. and Mrs. Crouch \$1,500.00 an acre for their orchard land, which is considered adequate for such property in this locality. The matter was discussed at some length but immediate action was deferred. The matter was reconsidered immediately after Mr. and Mrs. Crouch left the meeting, when the Commission decided unanimously to pay them \$12.50 per tree.

The Engineer reported the necessity to construct a nonskid wearing surface on the following highways:

- 10-mile section of the Pacific Highway north of Grants Pass;
- 4.6-mile section of the Cascade Secondary Highway from Oregon City to the Southern Pacific Railroad crossing north of the town of Clackamas;
- 4 short sections of the Pacific Highway West, totalling 5.5 miles, extending from the town of Tigard to a point 7.1 miles southerly thereof.

In order to do a satisfactory job of nonskidding, he said, it would be necessary to prepare the existing pavement surface by planing. He estimated the total cost of the work at approximately \$27,000.00, of which amount \$7,000.00 represents the cost of the planing work and the balance the cost of the nonskid work. He requested authority to proceed with these improvements and to rent a planer from Contractor J. C. Compton for use in connection therewith. The Commission approved the request unanimously.

The Engineer brought up for discussion the matter of constructing a light oil treatment on the Baker-Homestead Highway between Flagstaff and Lower Powder. He explained for Mr. Oliver's benefit the Commission's plans for this improvement and the objections that have been offered thereto by the people of Baker County. After discussion the matter was referred to Commissioner Oliver to discuss with the people of Baker County, it being understood that Mr. Oliver would notify the Salem office the results of his conference in sufficient time so that the project can be advertised for bids at the May 2 meeting of the Commission if indications are that the people of Baker County will be satisfied with the improvement as proposed.

The Engineer presented a list of projects which he recommended for consideration in the 1940-41 roadside improvement program to be financed with federal funds. After discussion the Commission approved the following projects for such program and authorized the Engineer to present them to the Public Roads Administration in the usual manner, and to prepare them for contracting:

<u>Division #1</u>	
Warren-St. Helens and Warren-Seappoose	\$2,500.00

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Division #2

Albany Airport through Overcrossing to South Albany Connection	\$ 27,500.00
12th Street Junction-Salem-South Section	8,500.00

Division #3

Grants Pass-South	4,500.00
Cottage Grove Section	2,000.00

Division #4

Klamath Agency-Modoc Point	8,000.00
Bend Undercrossing	2,500.00

Division #5

Pendleton-Adams and E. Pendleton Ave	9,000.00
	<u>564,500.00</u>

The Commission discussed the advisability of approving the traffic lights that the City of Burns has installed on the state highway route at certain intersections in Burns, but deferred final action thereon until the next regular meeting. The Engineer was instructed to submit a supplemental report at that time.

The Commission also discussed, but deferred its decision on, the matter of permitting the United States Grazing Service to paint grill cattle-guards on the Central Oregon Highway as an experiment to ascertain whether or not grills of this type would prevent range cattle crossing the highway.

The Secretary presented a letter from the United States Division of Grazing requesting permission to construct stock fences along certain sections of state highways in Eastern Oregon. He explained that the Grazing Service plans to construct its fences at the extreme edge of the highway right of way so as to obviate the necessity of securing easements from private property owners, which would be required if the fences were constructed just off the highway right of way. (See letter from M. H. Galt, District Grazier, Vale, Oregon, dated April 3, 1940.) The Engineer recommended approval of this request, subject to the condition that the fences be constructed at the extreme edge of the right of way. The Commission approved the recommendation unanimously and ordered that the matter be covered by appropriate written agreement.

Chairman Cabell presented a letter from the Southeast Portland Chamber of Commerce advising that the Board of County Commissioners of Multnomah County has relief funds available for a road project in the southeast district of Portland, and looks with favor upon the proposed extension of S. E. Foster Road to a proposed connection with the Mount Hood Highway. They asked the State Highway Commission to provide information and engineering data so that the county can proceed with the grading work to state highway standards, which work they contemplate financing with W.P.A. funds. They also asked that the federal aid secondary highway funds heretofore allocated by the Commission for the improvement of the Skyline Road be reallocated to the improvement of the Foster Road extension. The Commission decided that it is now too

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late to make any change in the Skyline project; however, instructed the Engineer to furnish the engineering departments of Multnomah and Clackamas Counties such engineering information as he may have available concerning the Foster Road extension, and to inspect the location of the road during the progress of construction if requested to do so by the counties.

A delegation from Ashland, consisting of Mayor T. S. Wiley, Councilman C. H. Delaman, and City Superintendent E. C. Biegal, was present in regard to the improvement of the Pacific Highway through Ashland. They particularly asked the Commission to provide for the elimination of a turn in the present route at what is known as the Plaza Corner. The Engineer estimated the cost of this improvement, exclusive of right of way, at \$17,000.00. The right of way cost he estimated at \$35,000.00.

Chairman Cabell explained the established policy of the Commission with respect to the construction of highway improvements within cities in cases where the right of way costs exceed the construction costs, and advised that the Commission is reluctant to undertake such improvements without financial assistance from the city concerned. He mentioned the recent offer of the Commission with respect to the acquisition of right of way for the Front Street project in Portland, whereby the Commission agreed to pay for right of way an amount equal to 40 per cent of the cost of construction, the City of Portland to pay the balance. The matter was discussed at some length and the concluding remark from the Commission was to the effect that it would study the Ashland problem further and would inspect it on the ground some time this coming summer.

The Engineer discussed briefly with the Commission a letter from former State Highway Commissioner E. B. Aldrich, Pendleton, in which Mr. Aldrich inquired as to the possibility of securing the reconstruction of the Pendleton-John Day Highway on permanent alignment from Tutuilla Bridge to the summit of the hill south of Pendleton. The Commission deferred its decision in this matter until the next meeting.

A resolution was presented from Unity Grange No. 660, Baker County, requesting the oiling of the John Day Highway from its junction with the Baker-Unity Highway southeasterly a distance of about 12 miles, to the Baker-Malheur County line. The Commission considered that the project of most importance on this highway is the reconstruction of the section between Prairie City and Unity. The Secretary was instructed to so inform the Grange.

A letter was presented from Mr. W. H. Vernon, County Commissioner of Lake County, urging the construction of the Cottonwood-Antelope Canyon Section of the Klamath Falls-Lakeview Highway during the 1941 season. In the discussion of this matter it was pointed out that the Commission has spent a considerable sum of money on the Klamath Falls-Lakeview Highway during the past two or three years and that considerable work is still under way. Also, that the Commission is making as rapid progress toward the completion of this road as finances will permit. Considering the matter from all standpoints, the Commission decided that it could not comply with Mr.

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Vernon's request. The Secretary was instructed to convey such information to Mr. Vernon, pointing out to him clearly the reasons for such action and furnishing him with a list of projects that have been contracted on this highway during the past three years.

The Engineer reported that on March 2, 1940, in accordance with authority previously granted him by the Commission, he awarded to Jacobsen-Jensen Company, Portland, the contract for construction of the Tigard grade separation and Fanno Creek Bridge on the Pacific Highway West, in Washington County, such company having submitted the low bid in the amount of \$86,292.50 on February 16, 1940, and the conditions of the award having been satisfied. The Commission by unanimous vote approved the award of this contract as reported.

The Engineer requested instructions relative to the posting of the West Diamond Lake Secondary Highway for a 50 per cent reduced load limit between its junction with the Crater Lake Highway and its junction with the Crater Lake North Secondary Highway. He said that the frost is leaving the ground and the reduced load limit should be put into effect at this time in order to prevent the road being damaged by traffic. He recommended approval of the posting. The Commission approved the recommendation and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, the following road or highway has been designated and declared to be and is a state highway, and has been improved and is being maintained by the State Highway Commission pursuant to the laws of the State of Oregon as a state highway, to wit:

WEST DIAMOND LAKE SECONDARY STATE HIGHWAY

AND WHEREAS, the said above-named state highway is, in the judgment of the State Highway Commission, being subjected to a kind and character of traffic which is damaging and injuring the said highway, and, in order to protect said highway against such damage and injury, it is deemed and is the judgment of the Highway Commission and said Commission finds that it will be for the best interests of the said highway that the maximum weights permitted and authorized by law be reduced;

NOW, THEREFORE, the premises being in part as above stated, and the State Highway Commission having, as a result of due investigation, found that the road above mentioned and hereinafter designated is being damaged and injured on account of the kind and character of traffic now being hauled over and upon said road; and, by reason of the fact that vehicles carrying maximum loads moved at the maximum speeds specified by the provisions of the laws of the State of Oregon are breaking up, damaging and deteriorating the said road,

IT IS HEREBY ORDERED, that the maximum weight of combined load and vehicle which shall be permitted upon the within-named road shall not exceed the weight herein fixed.

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The maximum weights which shall apply to the following highway, to wit:

WEST DIAMOND LAKE SECONDARY STATE HIGHWAY from its junction with the Crater Lake Highway, in Jackson County, to its junction with the Crater Lake North Secondary State Highway, in Douglas County.

shall be as follows: the combined weight in pounds bearing on the surface of the highway at contact with the tread of the wheels of the front axle of a truck or truck-tractor shall not exceed the product of four hundred (400) multiplied by the sum in inches of the tire width of the wheels of such axle; and, the combined weight in pounds bearing on the surface of the highway at contact with the tread of the wheels of any one axle of a vehicle or combination of vehicles, other than the front axle of a truck or truck-tractor, shall not exceed the product of three hundred (300) multiplied by the sum in inches of the tire width of the wheels of such axle; but, in no event shall the combined weight in pounds bearing on the surface of the highway at contact with the tread of the wheels of any one axle of a vehicle exceed the maximum limit set by law for any one axle.

IT IS FURTHER ORDERED, that these rules and regulations, as made and found by the State Highway Commission under the provisions of Section 55-2707, Oregon Code 1935 Supplement, shall be in full force and effect until modified, annulled or voided by the order of the State Highway Commission.

AND IT IS FURTHER ORDERED, that a notice be posted in a conspicuous manner and place at each end of the above-named highway and at important crossroads on said highway so that said notice can be readily seen and read, which said notice shall state plainly the limitations and prohibitions of traffic hereby in this order determined and fixed.

AND BE IT FURTHER ORDERED, that certified copies of this order be furnished the County Clerks of Jackson and Douglas Counties, in which counties said highway is located, and that a certified copy of this order be furnished to the Superintendent of the Department of State Police for his information.

The matter of lifting the reduced load limit heretofore in effect on the Lakeview-Burns Highway was also discussed. The Engineer advised that this road has dried out sufficiently to permit legal-weight loads without damage. He recommended adoption of an order permitting loads weighing up to the legal limit. The Commission approved the recommendation and by unanimous vote adopted the following resolution in regard thereto:

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WHEREAS, on the 16th day of February, 1940, at a meeting of the Oregon State Highway Commission, all members being present and participating, the Commission passed and adopted a resolution reducing the maximum load limit on several state highways, including the following:

LAKEVIEW-BURNS HIGHWAY from its junction with the Central Oregon Highway, in Harney County, to its junction with the Fremont Highway at Valley Falls, in Lake County,

and

WHEREAS, subsequent to the passage of said resolution, conditions have changed so that it is no longer necessary or desirable, and the Commission hereby finds that it is no longer necessary or desirable to maintain the reduced load limit set out in said resolution on the said above-named highway;

NOW, THEREFORE, BE IT RESOLVED that the action of the State Highway Commission reducing the maximum permissible load limit on the

LAKEVIEW-BURNS HIGHWAY from its junction with the Central Oregon Highway, in Harney County, to its junction with the Fremont Highway at Valley Falls, in Lake County,

be and the same hereby is rescinded and cancelled as of this date and the maximum load limit permissible on the said section of said highway hereafter shall be the maximum load limit provided by law.

IT IS HEREBY ORDERED that certified copies of this resolution be furnished to the county clerks of Harney and Lake Counties, in which counties said highway is located, and that a certified copy of this resolution be furnished to the Superintendent of the Department of State Police for his information.

The Secretary presented a letter from the Oregon Packing Corporation, requesting permission to transport over state highways in the vicinity of Astoria certain pea viners, the overall dimensions of which are: width, 11 feet; height, 13 feet 5 inches; length, 48 feet. The Commission voted unanimously to grant this company a permit similar to that granted the D. E. Maling Company of Hillsboro for a like purpose, subject to the condition that investigation reveal that there is sufficient vertical and horizontal clearance to allow such movements without endangering traffic or injuring highway structures. The Secretary was authorized to issue the permit if investigations to be made by the Engineer reveal that there is satisfactory clearance on all highway structures involved.

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A letter was presented from Robert T. Clausen, Assistant Professor of Botany and President of the American Fern Society, Cornell University, requesting permission to collect specimen plants along Oregon highways in connection with botanical studies which he proposes to undertake in Oregon during the coming summer. The Commission approved the request and instructed the Secretary to issue the customary permit covering such matter.

The Commission discussed a letter from Mr. C. L. Hoover, Cascade Locks, in which request was made for an extension of time of one month, from April 15 to May 15, 1940, within which to finish certain log hauling operations along the Columbia River Highway between Mile Posts 48.00 and 49.00, in Hood River County. The Secretary advised that the Commission previously authorized Mr. Hoover to haul logs on this highway up to April 15, 1940, but it is apparent that the operations will not be completed by then and it will take about 30 days' additional time. The Engineer recommended granting the request. The Commission approved the recommendation.

A letter was presented from Mr. A. W. Strowger in which the Commission was requested to take such action as may be necessary to stop the removal of rock and gravel from the ocean beach at a place known as Jackson's Cut, Bayocean, in Tillamook County. The Engineer recalled that the Commission has received numerous complaints about the promiscuous removal of gravel and rock from the ocean beaches and as a result the Commission considers it advisable to adopt a permanent policy with respect thereto, but has deferred action on the matter pending inspection of the several locations. However, the date for such inspection trip has not as yet been set. He suggested that it would be advisable to inspect the Bayocean site at the same time the others are inspected. The Commission approved the suggestion and instructed the Engineer to bear the matter in mind the next time the Commission makes a trip down the coast. It was tentatively decided to make such trip about the middle of May and to also inspect at that time the county road which extends up the Rogue River from Wedderburn, in Curry County. Mr. T. H. Davis, Senior Highway Engineer, Public Roads Administration, was requested to accompany the Commission on such inspection trip.

The Attorney brought up for discussion matters pertaining to the acquisition of the Jordan property, which is needed for right of way for the new Columbia River Highway near its junction with the Sandy River, in Multnomah County. He stated that as heretofore instructed by the Commission he again contacted Mr. Jordan and tendered the Commission's offer of \$13,000.00 for this property but Mr. Jordan refused the offer and reiterated his demand for \$23,000.00, which is the value that he places on the 60 acres involved. The Attorney asked the Commission to set a maximum amount that it would pay for the property under discussion. He was instructed to inform Mr. Jordan that the previous offer of \$13,000.00 is all that the Commission will pay and if he will not accept such offer then the Commission will probably be forced to resort to condemnation proceedings.

The State Parks Superintendent, Mr. S. H. Boardman, was present and reported on the following park matters:

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Proposed addition to Unpqua Lighthouse State Park, in Douglas County:- The Parks Superintendent advised that there is available to the Commission, by means of purchase or lease, 1,097.85 acres of government-owned land situate just south of Winchester Bay, in Sections 24, 25, 26 and 35, Township 22 South, Range 13 West, W.M., which property, he said, adjoins the present state park at this location and has a 2-mile frontage on the ocean; further, that it can be purchased from the Government at the rate of \$1.50 per acre, or a total of \$1,646.78, or if the Commission prefers can be leased from the Government at an annual rental charge of \$82.34. He recommended purchase of the property. The Commission approved the recommendation unanimously.

Acquisition of timber strips along the Salmon River Highway:- The Parks Superintendent advised that the time limit set by the Miami Corporation for the purchase of this timber by the state has expired. He requested instructions whether to proceed with the purchase, which would involve a cruise of the timber, or to let the matter drop entirely. After discussion the Commission instructed the Parks Superintendent to ascertain whether or not it would be possible to secure from the Miami Corporation a 6-months' extension of time within which to purchase this timber, in view of the fact that Congress has not as yet acted upon the bill which provides federal funds to assist in the purchase of wayside timber tracts such as this. The Commission indicated that it would be satisfied with a 3-months' extension of time if it is impossible to secure one of longer duration. The parks Superintendent was further instructed not to make a cruise of the timber until authorized by the Commission.

Acquisition of government-owned property at Tillamook Head, in Clatsop County:- The Parks Superintendent requested authority to negotiate with the Federal Government for a lease of the following-described property: Lots 2, 3, and 4 of Section 31, Township 6 North, Range 10 West, W.M., with or without oil and mineral rights. He was instructed by the Commission to ascertain how much the state would have to pay annually for a lease.

Proposed national park in Curry County:- The Parks Superintendent reported receipt of a petition signed by the Curry County Court and numerous citizens of Curry County, urging the establishment of a national park in their county, as has heretofore been proposed by the National Parks Service. He suggested, in view of this petition, that it would be advisable to again contact the National Parks Service with respect to such park matter, particularly to ascertain whether or not government funds can be secured to help finance it. The Commission approved the suggestion.

Wayside timber strips along the Pendleton-John Day Highway:- The Parks Superintendent brought up for discussion the proposed purchase of the John Day Highway wayside timber strips owned by the Pilot Rock Timber Company, but action thereon was deferred by the Commission until the next meeting.

The Commission by unanimous vote approved the following right of way settlements:

Right of Way Transaction No. 5638, being a cancellation of the D. W. Sturgis lease of the Hoskins building, in Cottage Grove. The Assistant Attorney advised that the Cottage Grove improvement is scheduled for contracting on May 2 and it is imperative that the Hoskins building be vacated by April 15. Also, that Mr. Sturgis is demanding the sum of \$500 for the termination of his lease. He gave as his thought that \$500 is a reasonable and fair amount to pay Mr. Sturgis and he recommended approval of the payment of such sum. The Commission approved the recommendation unanimously.

Right of Way Transaction No. 3181, involving the moving of buildings from the right of way of the Dairy Section of the Klamath Falls-Lakeview Highway. The Assistant Attorney advised that one of the conditions of the purchase of this property was that the buildings would be removed at state expense, and in accordance with such provision the buildings were removed by a Mr. W. McDaniel at a cost of \$225.00. He recommended approval of payment of such sum to Mr. McDaniel for services rendered. The Commission approved the recommendation.

The Assistant Attorney reported the necessity to condemn certain properties that are needed for various highway improvements, as follows:

Right of Way Transaction No. 7557 - property required from Zylph Horn for right of way for the Pilot Rock Section of the Fendleton-John Day Highway, in Umatilla County. He suggested an offer of \$450 for this property in condemnation.

Right of Way Transaction No. 5363, being for property required from the heirs of the Carl J. Hansen Estate for right of way for the Bandon Section of the Oregon Coast Highway, in Coos County. He suggested an offer of \$120.25 for this property in condemnation.

Right of Way Transaction No. 7813, being for property required from Molly Tomlin as a source of materials to be used for the improvement of the Wrights Point-The Narrows Section of the Frenchglen Secondary Highway, in Harney County. It was his thought that an offer of a nominal amount would be satisfactory in this case.

After discussion, the Commission authorized the Attorney to proceed with condemnation of these properties, and approved the suggested offers for condemnation purposes. The following resolution in regard thereto was adopted by the Commission by unanimous vote:

WHEREAS, the State Highway Commission is by law authorized and directed to lay out, locate, relocate, designate, construct, reconstruct, improve, and maintain a system of state highways in the State of Oregon, including both primary and secondary state highways, to acquire rights of way necessary therefor, and to declare the necessity and need for the acquisition thereof, and the advantages to be gained thereby;

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NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the State Highway Commission does hereby find and declare that it is necessary, will be of advantage to the State of Oregon, and is needful that the State acquire for right of way purposes for use in connection with the permanent location, construction, improvement, and maintenance of the following section or sections of the state highway system of the State of Oregon, to wit:

Bandon Section of the Oregon Coast Highway
Pilot Rock Section of the Pendleton-John Day Highway

real property owned by or in possession of the following parties and/or persons, to wit:

Bandon Section of the Oregon Coast Highway
R 5363-Heirs of Carl J. Hansen
Pilot Rock Section of the Pendleton-John Day Highway
R 7557-Zylph Horn

and this Commission does hereby declare further that the said property or properties are necessary, are needful, and the acquisition thereof will be of advantage to the State of Oregon for right of way purposes in order to make it possible for the State Highway Commission to properly locate, relocate, construct, reconstruct, and maintain said portion or portions of the said state highway system in accordance with standards adopted by this Commission relative to curvature, grades, alignment, drainage, and factors of safety.

2. That the State Highway Engineer be and he hereby is instructed and directed to properly survey the parcel or parcels of land required for such right of way purposes and prepare proper and adequate descriptions thereof, which descriptions shall be employed in the preparation of a deed or deeds or other instrument or instruments necessary to complete the acquisition of the said property or properties or which descriptions may be used in the preparation of a complaint in the event that condemnations proceedings are necessary.

3. That the boundaries of the said parcel or parcels of land, as defined and determined by the said survey made by the said Highway Engineer, along the route or location adopted by the Highway Commission, shall be and the same hereby are adopted and the lands defined therein are hereby declared to be and the same are included within the rights of way of the said portion or portions of the said state highway system and hereby are declared to be necessary for the proper location, improvement, construction, and maintenance of the said portion or portions of the state highway system.

4. That I. H. Van Winkle, Attorney General of the State

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of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they are hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby further resolved that the Attorney General of the State of Oregon and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they hereby are requested to commence and prosecute to a final determination such suit or action, or suits or actions, as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

WHEREAS, the State Highway Commission is by law authorized and directed to lay out, locate, designate, construct, improve, and maintain a system of state highways in the State of Oregon and to acquire by donation, purchase, agreement, condemnation, or by the power of eminent domain title to land upon or under which there is gravel, gravel beds or bars, sand, sand beds or bars, rock, boulders, quarries or quarry sites, lime deposits, or other mineral deposits or formations suitable for road construction, improvement, betterment or pavement, and to declare the necessity and need for the acquisition thereof and the advantages to be gained thereby;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the State Highway Commission does hereby find and declare that it is necessary and will be of advantage to the State of Oregon and there is need that the State acquire for the purposes of road construction, improvement, betterment, repair, and maintenance, and for the purpose of the manufacture of road materials on the following section or sections of the state highway system of the State of Oregon, to wit:

Wrights Point-The Narrows Section of the Frenchglen Highway

real property owned by or in the possession of the following parties and/or persons, to wit:

R 7813-Molly Tomlin-Harney County

and this Commission does hereby declare further that the said property

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or properties contain gravel, gravel beds or bars, sand, sand beds or bars, rock, boulders, quarries or quarry sites, lime deposits, or other mineral deposits or formations suitable for road construction, improvement, betterment, or pavement, and that the said property or properties is or are necessary and needful and the acquisition thereof will be of advantage to the State of Oregon for the said purposes in order to make it possible for the State Highway Commission to construct, improve, maintain, and repair the said portion or portions of the said state highway system in accordance with the standards adopted by this Commission.

2. That the State Highway Engineer be and he hereby is instructed and directed to properly survey the parcel or parcels of land required for said purposes and to prepare proper and adequate descriptions thereof, which descriptions shall be employed in the preparation of a deed or deeds or other instrument or instruments necessary to complete the acquisition of the said property or properties, or which said descriptions may be used in the preparation of a complaint in the event that condemnation proceedings are necessary.

3. That the boundaries of the said parcel or parcels of land, as defined and determined by the said survey made by the said Highway Engineer, shall be and the same hereby are adopted and the lands defined therein are hereby declared to be and the same shall be lands necessary for the purposes stated herein.

4. That I. H. Van Winkle, Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they are hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby further resolved that the Attorney General of the State of Oregon and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they hereby are requested to commence and prosecute to a final determination such suit or action, or suits or actions, as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

The Commission considered and signed agreements, et cetera, as follows:

Agreement with Benton County providing for the construction of

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a portion of the Albany-Buena Vista-Independence County Road, beginning at the junction of said road with the Albany-Corvallis State Highway, near the north end of the Willamette River bridge, at Albany, and extending northerly a distance of 4.368 miles to a place known as Fir Grove School, said work to be done as a federal aid secondary highway project.

Agreement with Benton County providing for the maintenance of the above-described section of the Albany-Buena Vista-Independence County Road after construction of the same by the state as a federal aid secondary highway project, being Project FAS 13.

Agreement with Gordon Stuart and Agnes Stuart, husband and wife, disposing of the controversy concerning an approach road to the Pacific Highway West, in Yamhill County.

Agreement with J. L. Wooden, et al, Clatskanie, Oregon, providing for the lease of property in Clatskanie for state highway department maintenance headquarters purposes.

Agreement with the Union Pacific Railroad Company providing for the lease of certain railroad property in the Albina District, Portland, for stock pile and storage purposes.

Invoice calling for the payment by the Federal Government of \$10.00 for a small parcel of real property sold to the Government in connection with a flowage easement, said property being a portion of the original J. B. Yeon State Park, Right of Way Transaction No. 1266.

Deed executed by the Northern Pacific Railroad Company conveying unto the state certain property at Scappoose, in accordance with settlement previously approved by the Commission on January 3, 1940, Right of Way Transaction No. 7247.

Bargain and Sale Deed conveying unto School District No. 44, Washington County, certain property situate in the Northwest Quarter of the Northeast Quarter of Section 15, Township 2 North, Range 4 West, W. M., Washington County, being Right of Way Transaction No. 7039.

Bargain and Sale Deed conveying unto Reuben W. Squire property situate in Lot 2, Block 8, Woodland Addition to Bandon, being Right of Way Transaction No. 5353. (Approved by the Highway Commission on March 3, 1939.)

Bargain and Sale Deed conveying unto the Oregon-Washington Railroad and Navigation Company, for the sum of \$20.00, 0.8 acre of land situate in the Southwest Quarter of the Northeast Quarter of Section 4, Township 2 North, Range 9 East, W.M., Hood River County, being a portion of the Starvation Creek Falls State Park,

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adjacent to the Columbia River Highway, Right of Way Transaction No. 6106.

There being no further business to come before the Commission at this time, the meeting was adjourned at 5:30 p. m.

W. H. Baldock
State Highway Engineer
H. B. Glaisyer
Secretary

Henry F. Cabell
Chairman
Huron W. Clough
Commissioner
Herman Oliver
Commissioner

Eugene, Oregon, May 1, 1940

The State Highway Commission convened at 2:00 p. m. in the Circuit Court Room of the Lane County Courthouse to conduct a public hearing with respect to the rerouting of the Pacific Highway through and adjacent to the city of Eugene, in accordance with notice previously sent to the Eugene City Council. Present were:

Henry F. Cabell, Chairman
Huron W. Clough, Commissioner
Herman Oliver, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

Also present were about 200 interested citizens.

Chairman Cabell opened the meeting by explaining its purpose and then called upon the State Highway Engineer to explain the plan in detail and the engineering features involved. The Engineer exhibited a map showing an outline of the proposed improvement, and arrangement of the highways affected, particularly the connections with the McKenzie and the Willamette Highways. He pointed out that the plan as contemplated provides for the establishment of one-way traffic on Sixth and Seventh Streets; the elimination of eleven railroad grade crossings on the present route between Eugene and Springfield by moving the railroad tracks to a location nearer the Willamette River; the establishment of a permanent connection with the McKenzie Highway at West Springfield; and a connection with the Willamette Highway at Goshen.

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Extensive studies, he said, were made of the five prospective routes, and the conclusion was reached that the so-called Goshen route, which follows closely the present route of the Pacific Highway, is the cheapest and the most desirable under present conditions, although eventually it may be necessary to construct the alternate route which bypasses Eugene on the west. (See the Engineer's report dated March 19, 1940, for details.)

Chairman Cabell advised that the State Highway Commission has not as yet adopted the Engineer's report, it being considered advisable to defer doing so until this public hearing was held to ascertain the viewpoints of the people of Eugene. He then invited those present to express their views, either for or against the plan, and suggested that those who are not in favor of it present their arguments first.

Mr. Dave Evans, attorney, offered objections in behalf of a group of property owners and businessmen along High and Pearl Streets whose holdings are involved. He said that these people are not trying to interfere with the progress of the State Highway Department's program or the Commission's plans for this project, except in one point and that is the provision for one-way traffic on Sixth and Seventh Streets. He gave as his thought that the traffic problem in Eugene is not serious enough as yet to require one-way traffic streets and that the adoption of such a plan now would simply mean that the burden of sacrifice would be placed upon comparatively few people. He alleged that 75 per cent of the population of Eugene reside south, east, and west of the business section and that 90 per cent of the business in Eugene is local business, which indicates that these people could not conduct business at local institutions without crossing and recrossing the streets that are state highway routes. The people of Eugene, he said, are not particularly interested in the tourist business, which makes up only a small percentage of the total business transacted. He also said that they have not made extensive surveys of traffic and other conditions, so they are not in a position to present first-hand arguments from that standpoint, except that they have secured experience reports from people in other localities who have had experience in the same problems. He particularly referred to the city of Portland. He suggested, as an alternate for the adoption of one-way traffic streets, that signs be erected directing northbound traffic along High Street from Broadway to Sixth Street, thence along Sixth Street to a connection with the present Pacific Highway, and directing southbound traffic along Seventh Street to High Street, thence along High Street to Broadway. It was his thought that such routing could be accomplished effectively by the erection of appropriate signs and that such plan would take care of the situation satisfactorily without prohibiting two-way traffic on any street. He urged the Commission to give conscientious consideration to the suggestion and reiterated that the Commission's plan in every other respect meets with the approval of his constituents. Mr. Evans filed with the Commission a petition signed by 21 property owners and tenants of property on and affected by the proposed highway change, in which the Commission was requested to alter its plans so as to provide for two-way traffic on High Street and Pearl Street.

Mr. Gordon Gullion gave as his thought that the moving of the

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Southern Pacific railroad tracks nearer the river would interfere with Eugene's recreational center which is located in that vicinity. He suggested that investigations be made for the moving of the railroad to the north side of the river. He was informed that the cost for such an undertaking would be prohibitive. Also, that the recreational center has been taken into consideration in the formulation of the plans and it will not be interfered with. The Engineer advised, however, that he would give the matter further thought. This concluded the presentation of those opposed to the plan.

Mr. Ed Turnbull, Chairman of the Highway Committee of the Eugene Chamber of Commerce, spoke in favor of the project. He approved the plans in their entirety and asserted that, in his estimation, the engineers have performed an exceedingly good job in preparing them. The Chamber of Commerce, he said, is willing to leave the entire matter in the hands of the State Highway Commission and its engineers.

Fred Stickels, President of the Eugene Chamber of Commerce, read aloud and filed with the Commission a resolution adopted by the Board of Directors, in which the Commission was requested to approve the program as outlined by the Engineer and to commence construction in accordance therewith at the earliest possible time.

Mr. Victor P. Morris also spoke in favor of the plan as presented, on behalf of Dr. Donald M. Erb, President of the University of Oregon, who, he said, regretted his inability to be present and speak for himself.

Mayor Elisha Large stated that the City of Eugene has been looking forward to this improvement for years, and advised that the Eugene City Council is unanimously in favor of the plan as recommended by the State Highway Engineer. Others speaking briefly in behalf of the project were the following: Ford Hand, Chairman of the Retail Merchants Division of the Chamber of Commerce; Judge G. O. Potter, member of the Eugene Planning Commission, who advised that the plan as proposed meets with the unanimous approval of the City Planning Commission, which considers it to the best interests of the City of Eugene; George McMorran, retired businessman; Lyman McCredie, Cashier, First National Bank, who stated that his bank does not wish to harm any business but believes that the plan as proposed will serve the City of Eugene in the best possible manner; W. B. Gard, Manager, United States National Bank, Eugene Branch; Dr. Orville Waller, tax payer, who alleged that the plan as proposed serves the need of traffic in Eugene better than any other that could be devised; Howard Merriam, President of the Oregon Pacific Highway Association, who approved the plans in general as an improvement to the Pacific Highway route; Frank Highland; Wm. Tugman, Managing Editor, Eugene Register-Guard Publishing Company, who stated that he approves the plans because they are so flexible and subject to change without much difficulty whenever necessary. He particularly approved the plan for the reconstruction of the unit between Eugene and Springfield Bridge.

Chairman Cabell concluded the conference by stating that the Commission on a number of occasions has found it necessary to vote to change the

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routing of highways notwithstanding that it adversely affects some people. The Commission dislikes very much, he said, to cause anyone damage but sometimes it seems necessary and the best thing to do in the interests of the general public. The purpose of the public hearing, he said, is to secure expressions from the people concerned. The arguments presented are given serious thought by the Commission and the advantages and disadvantages studied. He reiterated that the Commission has not yet approved the Engineer's report on the Eugene situation but expects to pass on the matter in the near future and at that time will give all the arguments presented at this hearing full consideration.

There followed a general discussion of matters pertaining to the project under discussion.

Mr. Oscar Todd, member of the Board of Education of Eugene, offered the Commission full cooperation in every way, although, he said, there is one problem involving one of the schools which he would like to have clarified. The school situation was explained in detail by Mr. J. F. Cramer, Superintendent of Schools. Mr. Cramer stated that the Washington grade school will be very adversely affected by the highway plan as proposed. This school, he said, is located at Seventh and High Streets and if the proposed plan is adopted it will simply mean that the school is surrounded by heavy-traffic streets and that school children will be subjected to a serious traffic hazard. There are more than 130 of these children, he added, and all but 16 of them will have to cross a 4-lane highway four times daily. He also said that they are not opposing the project as planned but the situation is serious and he favored closing the school if the plan is adopted. The Commission referred Mr. Cramer to the Traffic Engineer for a study of this problem.

Mr. Burghardt inquired as to what provision has been made for a roadway into the Eugene cannery. He was informed by the Engineer that the cannery will have the same access that it now has; furthermore, that he would be very glad to discuss the matter with Mr. Burghardt at any time suitable to him. Mr. Merriam advised that he is a director in the Fruit Growers' Association which owns this cannery and that the Association offers no objection whatsoever to the Highway Commission's plans so far as the cannery is concerned. Others inquiring as to details in connection with the proposed plans were Pauline Walden, Clarence Hyde, and Floyd Manville.

The meeting was concluded at 3:25 p. m., following which the Commission conferred in an adjoining room with the members of Lane County Court relative to the matter of reconstructing roads that are affected by the construction of the Fern Ridge Dam west of Eugene, which the U. S. War Department is constructing as a flood control project.

Following such conference the Commission and the County Court discussed such matter with the following representatives of the U. S. Army: Major C. R. Moore, District Engineer, and Lieutenant O. L. Hoffman. The following plan with regard thereto was tentatively adopted: The Federal Government will pay the costs to grade and surface a section of the "Route F" Highway from its junction with what is known as the Fisher Road westerly to a

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point about one mile east of the Territorial Secondary Highway, and do what may be necessary to provide a road comparable to the existing county road known as the Elmira Road. Inasmuch as such type of improvement will not meet the state highway standards, the state is to pay the cost of such widening and other work as may be necessary to provide an improvement that will meet the state highway standards. The entire project is to be done by contract, and the respective shares of the state, county, and the government are to be determined on the basis of the unit bids received.

The Engineer was instructed to work out the details with Lieutenant Hoffman and P. M. Morse, County Engineer of Lane County, and to present to the Commission an estimate of quantities and costs involved, following which another conference is to be held and final decision reached.

The conference was concluded at 4:20 p. m., after which the Commission returned to Salem, disposing of the following routine matters enroute:

The Commission by unanimous vote approved the minutes of the meetings held on January 25, February 15 and 16, and February 27 and 28, 1940.

The Commission discussed the adoption of a policy with respect to the granting of permits for the transportation over state highways of logs involving overall lengths in excess of the length-limit specified by statute. The Attorney advised that he has consulted with Judge L. T. Harris of Eugene, attorney for the Booth-Kelly Lumber Company, in regard to this matter, and ascertained that Judge Harris contemplates a friendly action in court to determine the authority of the State Highway Commission to grant such permits. He was authorized by the Commission to defend the action.

The Commission decided unanimously, in view of the contemplated procedure and pending the outcome of the same, to continue the granting of permits for the transportation of extra-long logs as in the past, and so ordered.

The matter of the insurance to be provided by permittees in connection with the securing of permits for overlength movements was also discussed. It was the thought of the Commission that operators should not be required to go to the expense of furnishing extra insurance for the protection of the members of the Commission in the event that is not absolutely necessary. The Attorney pointed out that the Public Utilities Commissioner is required by law to secure insurance from operators and at present is requiring such insurance in the amounts of \$5,000/\$10,000 public liability and \$1,000 property damage, although the law does not state the exact amount that shall be required. He suggested, in the event that the Commission desires more protection than is offered by such insurance coverage, that it might be possible to get the Public Utilities Commissioner to raise his requirements in that respect. He was instructed by the Commission to contact the Public Utilities Commissioner relative thereto.

The Engineer reported that a survey has been made to determine the width of pavement on the Hayes Hill Section of the Redwood Highway, in

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Josephine County, over which section several people desire to transport extra-long logs. Application of the formula to determine the overall length of loads that can be transported over any section of highway without crossing the center line, he said, indicates that, with proper precautions, loads up to 70 feet overall length can be safely transported over this section. In view of the report, the Commission authorized the granting of permits for the transportation of extra-long logs on this particular section of highway, at least until the matter of the Commission's authority to grant such permits has been determined.

The Engineer discussed with the Commission the matter of including in state highway specifications the type of pavement known as Amiesite, as has been requested by certain parties who are interested in this type of pavement. However, no decision was reached.

The Engineer reported the cost to reconstruct the John Day Highway through the town of John Day, particularly from the U. S. Forestry headquarters on the west to the new highway improvement on the east. He estimated the cost of such improvement, including the necessary grading, construction of bituminous macadam, curbs, gutters, drainage, and a bridge, at \$22,600.00. He recommended approval of the project so that bids can be taken for the same while there is a state contractor working in that vicinity; also, that the Commission authorize the securing of right of way options at once. After discussion the Commission approved the recommendation unanimously, the work to be financed with fiscal-year 1940 funds, if possible; otherwise, with 1941 fiscal-year moneys.

The Commission discussed briefly the Engineer's report on the secondary highway system in Curry County, but deferred action thereon pending an additional report from the Engineer on the economic value of the several county roads in this county that are eligible for designation as secondary state highways.

The Engineer reported the cost to reconstruct the Salmon River Highway (old McMinville-Tillamook Highway) through the town of Sheridan. He estimated that to widen the present highway between Bridge Street and the west city limits would cost approximately \$49,000.00, the work to provide for a 30-foot roadway with an 8-foot parking strip and a 7-foot sidewalk on each side. He pointed out that the City of Sheridan has offered to provide extra right of way as may be needed and to construct one of the larger fills at city expense. The Commission decided that this project is too costly to undertake this year and doubted that it would be possible to include it in any construction program before 1942. In this connection the Engineer pointed out the need to reconstruct a section of this highway in the vicinity of Bellevue, which section is being damaged by reason of heavy log-hauling traffic. He estimated the cost of the work at \$100,000.00, and suggested, in view of the fact that there are no unallocated funds available with which to finance it, that immediate repairs be made by the state patching crew, which would serve the purpose for the time being, and that provision be made for contracting the entire improvement in next year's construction program. The Commission approved the suggestion unanimously.

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The results of investigations relative to the removal of certain logging facilities from the right of way of the Elsie-Jewell County Road, which the Clatsop County Court desires designated a state secondary highway, were reported by the Engineer. He said that this investigation included inspection of both connections of this road with the Wolf Creek Highway to determine which branch is more desirable from the state's standpoint as a secondary highway route. He recommended the easterly branch as the better connection, if and when this road is placed on the secondary highway system. Action on this matter was deferred by the Commission pending receipt of the Engineer's report on the proposed alternate route between the Wolf Creek Highway, near Elsie, and the Nehalem Secondary Highway at a place known as Fish Hawk Falls.

The Commission by unanimous vote confirmed the authority granted the Engineer by telephone subsequent to the last meeting of the Commission, for an expenditure of approximately \$3,000.00 for the purchase of additional crushed material for emergency surfacing on the Elsie-Jewell Road, such material to be purchased from the state's contractor, A. S. Wallace, who is now operating in this vicinity under a state highway contract.

The question of whether or not to continue snow-removal operations on the Oregon Caves Highway had the attention of the Commission. The Engineer advised that the average annual cost of maintaining travel on this road from the floor of the valley up to the caves resort amounts to about \$1,200.00. He gave as his understanding that the National Parks Service, which has charge of the Oregon Caves, no longer requires its operators at the Caves Hotel to keep the resort open during the winter months, which raises the question in his mind whether snow-removal operations between the floor of the valley and the caves proper is justified. The Commission decided that if the Caves Hotel is closed to the public during the winter season it would be a useless expenditure of funds to keep the road open. The Secretary was instructed to convey such information to the Superintendent of the Caves Park.

The Commission had under discussion the adoption of a policy with respect to errors that are committed by contractors in connection with contract work, particularly the errors in stating their unit-bid prices. The Engineer explained that in the past it has been the practice of the Commission, in cases where there is a difference between the written amount and the figure, to accept the written amount, regardless of other indications of the bidder's intent, which in some cases reacts to the advantage of the state and in other cases to the advantage of the contractor. He suggested that it would be advisable to adopt a standard policy in this regard and that there be inserted in the proposal form immediately preceding the pages for the insertion of the unit bid amounts the following statement, which was prepared by the Attorney to cover the situation:

"IMPORTANT. In each instance the unit bid price must be expressed both in writing and in numerals, and the bidder is cautioned to exercise care in filling in the amount so that the written words and the numerals will be in exact conformance. If in the proposal submitted by the bidder there

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is found to be conflict between a bid price as stated in words and the same price as stated in numerals, the unit price which will govern in the comparison of bids shall be the unit price which checks with the extension as shown. If neither of the unit prices checks with the extension shown, or if no extension is shown, then the unit price which is stated in written words shall control."

The Commission approved the recommendation by unanimous vote and ordered that the statement hereafter be inserted in all proposal forms.

The Engineer reported the need to widen the bridge over Pilot Butte Canal on The Dalles-California Highway at the north city limits of Bend. He advised that the U. S. Reclamation Service expects to build a structure soon across The Dalles-California Highway nearby and the plans for the same call for a structure the full width of the roadway, which is 42 feet. The existing bridge over the canal, he said, has a roadway only 20 feet wide. He suggested that it would be advisable to widen the highway bridge at this time, particularly in view of the fact that the road carries a large volume of pedestrian traffic as well as vehicular traffic. He estimated the cost of the work at \$4,000.00. The Commission approved the project by unanimous vote.

The Secretary presented a petition from residents of Baker and Union Counties, requesting the improvement of the Shadilane Section of the Anthony Lake Road for the benefit of winter sports enthusiasts. The Engineer estimated that it would cost about \$10,000.00 to resurface this section, which he said is 5.4 miles in length. He gave as his thought that the expenditure is not justified, inasmuch as the farmers in the vicinity are satisfied with the present road and there are many other projects throughout the state of more importance. The Commission thereupon denied the request.

The Commission also discussed the matter of oiling the Flagstaff-Lower Powder Section of the Baker-Homestead Highway, for which the sum of \$10,000.00 has been budgeted. The Commission decided, in view of the objections that have been offered to a temporary improvement by the people of Baker and vicinity, not to undertake such temporary improvement at this time but to hold the funds in abeyance until another project materializes. The Commission also decided to give serious consideration to awarding a contract on permanent line east of Flagstaff in the 1941 program, the intention being to award a contract this fall for such work if funds are then in sight with which to finance it. Arrangements were thereupon made for Commissioner Oliver to contact the people of Baker and advise them of the Commission's plans and to contact also the people residing in the vicinity of Keating who heretofore offered objections to the reconstruction of the highway on the proposed permanent alignment.

The Commission discussed a letter from former State Highway Commissioner E. B. Aldrich, in which he suggests that it would be desirable to include in the 1941 construction program provision for the reconstruction of the Pendleton-John Day Highway from Tutuilla Bridge up the hill south of Pendleton in view of the fact that the entire road between Pendleton and Pilot Rock must

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be resurfaced and this hill section should be reconstructed on permanent alignment before the surfacing work is done. The Engineer advised that this is a desirable project and that it would cost approximately \$35,000.00. However, in his estimation, the most important thing to be done on this road is to stabilize the foundation so that the road will hold up under heavy logging traffic that now uses it. He pointed out that there are no funds available at the present time to finance the improvement. After discussion the Commission decided to inspect the road the next time it is in the vicinity of Pendleton and to give the project consideration in the formulation of next year's construction program.

A letter was presented from County Judge David F. Graham, of Malheur County, suggesting that, if the Highway Commission cannot approve the substitution of the Sucker Creek County Road for Graham Boulevard in the secondary highway system of Malheur County, the Commission improve Graham Boulevard, which road, he said, is in very poor condition. The Commission decided to inspect the road the next time it is in that vicinity and to consider it when preparing a program for the 1941 federal secondary funds.

A petition was presented, signed by 200 citizens of Morrow and Gilliam Counties, urging that the uncompleted portion of the Condon-Heppner Secondary Highway be improved as soon as it is within the power of the State Highway Commission to do so. The Engineer advised that the uncompleted portion is 9.8 miles in length. He estimated the cost to grade, rock, and construct an oil mat surface thereon at approximately \$181,000.00. He suggested, in view of the fact that this is a desirable improvement, that the Commission allocate a certain amount of money each year until the project is finished. Action on the matter was deferred by the Commission.

A request from the Hillsboro Chamber of Commerce for the oiling of the Hillsboro-Woodburn Secondary Highway from the end of the completed section at Scholls to the foot of the mountain north of Newberg had the attention of the Commission. The Commission denied the request for immediate construction but ordered that the project be kept in mind in the future allocation of funds.

The Secretary presented communications from the County Court of Josephine County; Howard Barrett, school bus driver, Grants Pass; M. B. Winslow, Superintendent, Grants Pass, Public Schools; and C. H. Massie, Postmaster at Grants Pass; and a petition signed by numerous residents of Josephine County, all of which urged the Highway Commission to improve the Rogue River Loop Secondary State Highway from the end of the completed section, at a place known as Gunnell Junction, to Robertson Bridge, a distance of approximately 5 miles. There was also presented another petition signed by 61 property owners who agreed to furnish the state, without cost, additional land that may be needed to provide a right of way 60 feet wide for this road. The Commission indicated that it might approve a small project on this road but definite action in regard thereto was deferred pending discussion with the County Court the next time the Commission is in that vicinity.

The Secretary presented a letter from Norman Hanson, Mist, Oregon.

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urging, in behalf of the people residing in his vicinity, the oiling of the Nehalem Secondary Highway between Mist and Birkenfeld so as to eliminate the dusty condition that obtains during the dry season. The Engineer advised that this section is approximately 3.3 miles in length and that the improvement was not included in the contract recently awarded for surfacing and oiling the adjacent section because there were not sufficient funds available to finance it. He estimated the cost of the project at \$76,000.00. The request was denied by the Commission because of insufficient funds to finance the work. However, the Commission decided to bear the project in mind for consideration in the formulation of next year's construction program.

The matter of approving the traffic signal installed by the City of Burns on the John Day-Burns Highway, in Burns, had the attention of the Commission. Action on the matter was deferred pending supplemental report from the Engineer.

The Engineer reported briefly on investigations that have been made of traffic accidents that have occurred on state highway routes in Salem to ascertain the need for traffic signals. He said that the investigation reveals that signals are particularly needed at four points, viz., intersection of State and 12th Streets; intersection of North Capitol and Center Streets; intersection of North Commercial and Center Streets; and intersection of South Commercial and Ferry Streets. He estimated the total cost of the four installations at approximately \$7,600.00. He advised that he has conveyed this information to the city council and informed the council that the state would pay half the cost of the installations, and has received reply from the city to the effect that it is not in a position financially at the present time to pay its share of the cost but will give the matter consideration in the preparation of next year's budget.

A letter was presented from the City of Cottage Grove in regard to the installation of an ornamental lighting system along the new highway in Cottage Grove from Main Street south to Madison Avenue. It appears that the property owners along this highway are interested in securing such ornamental lighting and the city council is desirous of knowing whether or not the State Highway Commission will assume a portion of the expense or will make provision for such lighting installation in the present highway contract by installing conduits at street intersections for use in the future in the event the lighting project is not approved at this time. The Commission voted unanimously not to install the traffic lights now, but instructed the Engineer to see that suitable conduits are placed to facilitate the installation at some future date.

The Secretary presented a letter from the Harrisburg Chamber of Commerce renewing its request for a flashing beacon at the Smith Street intersection with the Pacific Highway in Harrisburg. In the discussion of this matter it was pointed out that the Commission previously denied a similar request because it considered that the conditions obtaining at this point did not meet the requirements of the Commission for traffic signal installations. The Engineer advised that the conditions at this intersection have not changed since the Commission took its former action. He explained that the situation

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here is no different from that at hundreds of other intersections in small communities and gave as his thought that traffic lights at such locations would not reduce the number of accidents that occur; but, on the other hand, would have a tendency to increase the hazards because, if the signals become too common, motorists will disregard them even in locations where they are a necessity. He suggested that traffic signals should be limited to hazardous intersections outside of community centers. The Commission concurred in the Engineer's viewpoint of the matter and thereupon confirmed its previous action denying the request of the Harrisburg Chamber of Commerce in this particular instance.

The Commission considered and referred to the Engineer for investigation and report the request from the City of Vale for approval of an overhead flashing beacon installation at the intersection of Main and "A" Streets in Vale.

The Commission denied the petition from residents of Newberg and vicinity for the installation of a flashing beacon at the intersection of Springbrook Road with the Pacific Highway West about one mile east of Newberg, it appearing from the Engineer's report that conditions prevailing at this point do not justify the expense.

The matter of extending the time limit for the removal of the buildings of the Standard Stations, Inc., from the right of way of the Pacific Highway West at the intersection of Denver and Union Avenues, Portland, had the attention of the Commission. The Engineer pointed out that the Commission previously ordered the removal of these buildings by March 29, 1940, when it was thought that the plans for the control of traffic at this intersection would be completed. However, the problem involved is very difficult and requires additional serious study. He recommended, in view thereof, that an extension of time of 6 months be granted the company to clear the right of way, or until September 29, 1940. The Commission approved the recommendation unanimously.

The Commission considered the matter of the use of the ocean beach at Seaside as an airplane landing field. In this connection the Secretary reported that as previously instructed by the Commission he directed several communications to the Mayor of Seaside inquiring as to what interest, if any, the city has in the use of the beach for this purpose, but to date has not received a reply. The Commission instructed the Engineer to have Division Engineer Eason contact the mayor in person.

The Engineer requested instructions relative to a pending controversy with contractor E. C. Hall, relative to a quarry or gravel pit used by the E. C. Hall Company in connection with a forest highway contract in Lake County, which work is being carried on under the supervision of the U. S. Public Roads Administration. It appears that the contract provided for the use of a quarry located near the northern end of the project, which would have resulted in an average haul of approximately 4.3 miles and a considerable waste of materials because the rock is soft and there would be a large percentage of fine material which could not be used. Further, that Mr. Hall carried on

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investigations for another site, finding one at another location which met with the approval of the government engineers, same being located on certain lands owned by R. M. Chandler, and that Mr. Hall was required to pay Mr. Chandler the sum of \$650.00 for the right to enter upon these lands and to crush and remove rock for his contract. Mr. Hall, he said, is asking the state to reimburse him for such expenditure.

The question now arises, he said, whether or not to purchase the site from Mr. Chandler, for which he wants at least \$1,000.00, thereby securing the advantage of all of the waste materials deposited thereon by Mr. Hall, or simply to reimburse Mr. Hall in the amount of \$650.00, destroying entirely the value of the said wasted materials.

The Engineer gave as his thought that it would be to the best interests of the state to reimburse Mr. Hall for his expense, thereby saving an immediate expenditure of at least \$350.00, because the materials in the quarry are about exhausted. The Commission approved the recommendation unanimously.

The Commission discussed briefly the regulations adopted at its meeting on May 12, 1938, relating to the maintenance of advertising signs on state highways adjacent to unincorporated towns and villages, but deferred action thereon until the next meeting.

The Engineer reported that, in accordance with authority previously granted him, he awarded to contractor Frank Penepacker, on April 11, 1940, the contract for grading and fencing the Lamonta-Crook County Line Section of the Warm Springs Secondary Highway, in Jefferson County, Mr. Penepacker's bid being the low one received by the Commission for this project on March 21, 1940, and the conditions of the award having been satisfied. The Commission approved the award of this contract as reported.

The matter of permitting W. S. Pratt and O. D. Baldwin, Milwaukee, to transport long poles over the entire length of the Alsea Highway and over the Corvallis-Toledo Section of the Corvallis-Newport Highway had the attention of the Commission. The Engineer explained that Messrs. Pratt and Baldwin are engaged in furnishing poles for an R. E. A. power project in Lincoln County and in connection therewith are required to deliver poles up to 55 feet in length, making an overall length of approximately 65 feet, which cannot be moved over certain sections of these highways without taking up more than one-half the width of the roadway. The poles, he said, are for the use of the Benton-Lincoln Electric Cooperative Association which now has franchise from the State Highway Department to construct and maintain power pole lines on the rights of way of these highways, and, as he understands it, poles 55 feet long are required in connection with the proper building of the line. He suggested, in view of the circumstances, that the request of Messrs. Pratt and Baldwin to transport poles of such length over these highways for this particular purpose be approved, it being apparent that an emergency exists. The Commission approved the recommendation unanimously, subject to the condition that the loads be properly flagged for the protection of other traffic and that the privilege terminate immediately upon the completion of the hauling of poles for this particular project.

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The matter of permitting boathouses to be moored to the bank of the Willamette River along the north unit of the Oregon City project was discussed by the Commission. The Engineer pointed out that the state owns all of the land between the highway and the river at this point, having purchased the same as right of way at considerable cost, and that last year the Commission permitted the boathouses to stay in this location during the 1939 fishing season with the understanding that they would be moved when the fishing season closed. However, the boathouses are still there and the question now arises what to do with them. Action on this matter was deferred by the Commission pending personal inspection of the premises.

The Commission by unanimous vote approved the action taken by Chairman Cabell subsequent to the last meeting, relative to contributing funds toward maintaining an Oregon exhibit at the San Francisco Fair, which arrangement was as follows: State Highway funds up to a maximum of \$8,000.00 would be contributed toward this expense. The State Highway Department will pay 100 per cent of the cost of maintaining a strictly highway-promotional exhibit but will not pay any of the expense of maintaining promotional exhibits of the non-highway type. The State Highway Department will pay a reasonable proportion of the cost of overhead items, which it is estimated will not amount to more than 50 per cent of all such items. The State Highway Department's expense items for which state highway funds will be expended shall be agreed upon in advance and payment of the same shall be made in a legal manner. The State Highway Department's participation in this undertaking is contingent upon the following: that a Fair Committee be appointed, including Mr. T. H. Banfield, Portland, who is to be chairman.

Chairman Cabell advised that he agreed to this arrangement in order to make it possible for Oregon to have an exhibit at this fair, notwithstanding that it was his personal opinion, which he expressed at the time that the arrangement was made, that there was great danger that the exhibit would be unsatisfactory.

The matter of increasing the state's contribution to several forest highway projects included in the fiscal year 1941 forest highway program, was discussed. The Engineer advised that when the program referred to was arranged, accurate information concerning several of the projects included therein was not available but has since been assembled and it appears that additional funds may be required to complete the work outlined and that the state will have to advance approximately \$25,000.00 to take care of these items in the event the forest highway contingent fund is insufficient to meet the expense. He particularly referred to the Wapinitia Highway project which was originally estimated to cost \$80,000.00, of which amount the Commission agreed to contribute the sum of \$50,000.00 of state money. It appears now, he said, that the federal cooperation on this project will have to be increased to \$65,000.00, \$20,000.00 of which will be transferred from the Warm Springs forest highway clearing project and \$5,000.00 from the state contingent fund. A similar condition obtains, he said, on the Pendleton-John Day Highway forest highway project, to which an amount of \$50,000.00 of forest highway funds has been allocated and which it now appears will be about \$10,000.00 under the actual amount needed to do the necessary work. He explained that according to these estimates the total cost of the work will amount to approximately \$25,000.00 more than the amount of forest highway funds available; so, in order to insure the accomplishment of the work, the state may have to pay this expense, although the state will not be called upon to contribute such amount if the forest

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highway contingent fund, which has been set up to take care of emergency items, proves sufficient to pay the cost. In other words, the state will not be called upon to pay the extra \$25,000.00 unless absolutely necessary. He recommended approval of the arrangement. The Commission approved the recommendation unanimously.

The Engineer reported that the Prairie City-Unity Section of the John Day Highway is now sufficiently dry and stabilised to withstand legal-weight loads and he recommended that the reduced load limit heretofore in effect be lifted. The Commission approved the recommendation and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, on the 16th day of February, 1940, at a meeting of the Oregon State Highway Commission, all members being present and participating, the Commission passed and adopted a resolution reducing the maximum load limit on several state highways, including the following:

JOHN DAY HIGHWAY from Prairie City, in Grant County,
to Unity, in Baker County,

and

WHEREAS, subsequent to the passage of said resolution, conditions have changed so that it is no longer necessary or desirable, and the Commission hereby finds that it is no longer necessary or desirable to maintain the reduced load limit set out in said resolution on the said above-named highway;

NOW, THEREFORE, BE IT RESOLVED that the action of the State Highway Commission reducing the maximum permissible load limit on the

JOHN DAY HIGHWAY from Prairie City, in Grant County,
to Unity, in Baker County,

be and the same hereby is rescinded and cancelled as of this date, and the maximum load limit permissible on the said section of said highway hereafter shall be the maximum load limit provided by law.

IT IS HEREBY ORDERED that certified copies of this resolution be furnished to the County Clerks of Grant and Baker Counties in which counties said section of said highway is located, and that a certified copy of this resolution be furnished to the Superintendent of the Department of State Police for his information.

The matter of permitting logging operations across the Hood River Bridge on the Columbia River Highway, at Hood River, was brought up for

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discussion by the Engineer. He advised that recently the Commission approved the hauling of logs over this structure from the Mount Hood Highway junction through the town of Hood River. However, it now appears that legal-length loads cannot negotiate the curves at each end of the bridge structure without taking up more than half of the roadway, which creates a hazard to other traffic. He also said that this feature has been brought to the attention of the log haulers and that they have been ordered to maintain a flagman at each end of the bridge to warn traffic of the logging operations. The Commission approved the action taken by the Engineer in this matter as a trial proposition and ordered that the operators be informed that it may be necessary to cancel their permits in the event the arrangement does not prove satisfactory.

The Commission considered the suggestion made by L. E. Bates, Office Engineer, Washington State Highway Department, Vancouver, relative to the control of over-dimension and/or overweight loads that are transported across the Interstate Bridge between Portland and Vancouver but took no action on the same, it being considered that the suggestion does not offer a practicable solution of this problem.

The Commission considered and ordered filed a letter from Mr. G. H. Struthers, Portland, commending the State Highway Department for the excellent condition in which the state highways have been maintained during the past winter.

The Secretary presented letters from Mr. A. W. Strowger and County Judge A. H. Boice, of Curry County, requesting a resurvey of the county road which extends up the Rogue River from Wedderburn, which road has heretofore been considered for improvement as a federal aid secondary highway. In this connection the Engineer pointed out that the Commission at its March meeting told a delegation from Curry County that it would inspect this road some time this summer. The Commission declared its intention to make this inspection trip as soon as a convenient time can be arranged but deferred the setting of a date for the same until later.

Communications were also presented from A. W. Strowger and Swan Hawkinson, Tillamook, protesting the removal of rock and gravel from the ocean beach at a place known as Jackson's Cut, near Bayocean. It was recalled that the Commission previously has received similar complaints in regard to the taking of rock and gravel from other beach areas and that the Commission has it in mind to adopt a policy relative thereto. After discussion the Commission decided to defer action on the matter pending personal inspection of the various sites, and to make such inspection at the same time that it inspects the road at Wedderburn.

A letter was presented from Mr. A. J. Price, President of the Old Wasco County Pioneers Association, inviting the Commission to be present at the Annual Meeting of the Association, which is to be held at The Dalles, Oregon, on Saturday, May 4, and during which meeting the Association expects to dedicate a monument adjacent to the Columbia River Highway, near Biggs, Oregon, to mark the old Emigrant Road. The Commissioners expressed their regrets that they would be unable to attend this meeting but delegated Assistant State Highway Engineer C. B. McCullough to represent them.

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The Secretary also presented a letter from Mr. W. L. Crissey, President of the Brookings Chamber of Commerce, Brookings, Oregon, inviting the members of the Commission to attend the Second Annual Azalea Festival, which is to be held in Brookings on May 11 and 12. It was decided that Mr. Clough should represent the Commission at this function.

The meeting was declared adjourned at 6:30 p. m.

<u><i>Robert H. Baldock</i></u> State Highway Engineer	<u><i>Henry F. Cabell</i></u> Chairman
<u><i>H. B. Glaisyer</i></u> Secretary	<u><i>Huron W. Clough</i></u> Commissioner
	<u><i>Herman Oliver</i></u> Commissioner

Portland, Oregon, May 2, 1940

The State Highway Commission met in regular session at 9:00 a. m. in the auditorium of the Public Service Building. Present were:

Henry F. Cabell, Chairman
Huron W. Clough, Commissioner
Herman Oliver, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

Bids as follows for highway construction projects were opened and read in conformance with previously-published notice, following which Chairman Cabell announced that the award of contracts would be made at 4:00 p. m. in the same room:

OREGON COAST HIGHWAY
ASTORIA (TAYLOR AVENUE-ASTOR STREET) SECTION -- GRADING AND PAVING

Jacobsen-Jensen Company	\$44,852.00
Edlefsen-Weygandt Company	45,281.00
McNutt Bros.	45,989.50
The United Contracting Company	52,795.60

CENTRAL OREGON HIGHWAY
BROTHERS-HARNEY COUNTY LINE SECTION -- OILING

Norris Bros.	\$31,391.00
Warren Northwest, Inc.	31,409.50

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(Brothers-Herney County Line Section continued)

Diesel Oil Sales Company	\$31,433.00
Babler Bros.	31,946.00
J. C. Compton	34,343.00
R. O. Dail & Warren Bros., Inc.	35,814.50
Clifford A. Dunn	36,866.50
McNutt Bros.	38,551.50
J. F. Forbes	38,615.50

FREMONT HIGHWAY
HORSE RANCH SECTION - GRADING, SURFACING, OILING

E. L. Rigdon	\$29,815.00
Homer G. Johnson	32,029.50
A. Milne	33,161.00
Leonard & Slate	33,693.00
Berke Bros.	39,905.50
Clifford A. Dunn	41,294.50
McNutt Bros.	43,310.50

PACIFIC HIGHWAY
COTTAGE GROVE SECTION - GRADING AND PAVING

Berke Bros.	\$66,681.00
Jacobsen-Jensen Company	68,511.70
Edlefsen-Weygandt Company	71,915.50
McNutt Bros.	73,637.00
Homer G. Johnson	77,258.50
The United Contracting Company	88,491.90

OLD OREGON TRAIL
ONTARIO-SNAKE RIVER SECTION - ROADSIDE IMPROVEMENT

Arthur T. Fox	\$ 4,465.50
River Bend Sand & Gravel Company	4,706.00
Quinn-Robbins Company	6,841.50

I.O.N. HIGHWAY
30 MILES NORTH OF McDERMITT - DRILLING AND CASING WELL

Haigh Bros. & Hughes	\$ 1,205.25
Williams Drilling Company	1,980.50

OREGON-WASHINGTON HIGHWAY
PENDLETON-ADAMS SECTION - SURFACING AND FURNISHING CRUSHED ROCK

Edwin C. Gerber	\$ 95,517.00
Clifton & Applegate	98,949.00
Triangle Construction Company	101,889.00

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(Pendleton-Adams Section continued)

F. R. Hewett	\$102,272.00
J. C. Compton	102,789.00
Babler Bros.	102,827.00
A. Milne	103,279.00
R. O. Dail & Warren Bros., Inc.	104,109.00
Roy L. Bair	108,519.00
Warren Northwest, Inc.	109,211.50
Homer G. Johnson	110,805.00
Max J. Kuney	112,632.00
Standard Asphalt Paving Co. and G. D. Lyon	120,539.00
McNutt Bros.	129,007.00

OREGON-WASHINGTON HIGHWAY
SOUTH MILTON SECTION — GRADING AND PAVING

Warren Northwest, Inc.	\$25,330.50
Norris Bros.	26,601.00
The United Contracting Company	30,099.00
McNutt Bros.	30,919.50

WARM SPRINGS SECONDARY HIGHWAY
WARM SPRINGS RIVER BRIDGE SECTION — CONCRETE BRIDGE

Clifford A. Dunn	\$15,640.00
H. B. Klinefine	16,825.50
Birkensier & Sarnal	17,120.00
Leonard & Slate	17,565.00
McNutt Bros.	17,580.00
Frank Watt Construction Company	17,715.00
Tom Lillebo	18,385.00
C. J. Eldon	18,530.00
Averill & Corbin	18,857.50
A. C. Greenwood Company, Inc.	19,820.00
M. L. O'Neil & Son	20,305.00

WARM SPRINGS SECONDARY HIGHWAY
WARM SPRINGS RIVER SECTION — GRADING

Cochran & Catton	\$20,305.50
Homer G. Johnson	25,886.00
H. B. Klinefine	26,218.00
Leonard & Slate	26,766.00
McNutt Bros.	29,349.00
M. L. O'Neil & Son	29,526.00
J. C. Papin	30,144.00
Berke Bros.	33,018.00
A. Milne	33,668.00

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(Warm Springs River Section continued)

J. A. Lyons	\$34,668.00
C. J. Eldon	35,419.00
A. C. Greenwood Company, Inc.	45,343.00
Clifford A. Dunn	46,682.00

WOLF CREEK HIGHWAY
STRASSEL UNDERCROSSING SECTION - ABUTMENTS

S. S. Montague	\$17,147.00
Averill & Corbin	17,455.00
Birkemeier & Sarnel	18,840.00
McNutt Bros.	20,875.00
C. J. Eldon	21,380.00

WOLF CREEK HIGHWAY
STRASSEL UNDERCROSSING PROJECT - FURNISH STRUCTURAL STEEL

Willamette Iron & Steel Corporation	\$ 2,476.60
Minneapolis-Moline Power Implement Company	2,598.40
Pittsburgh-Des Moines Steel Company	2,604.20
Schmitt Steel Company	2,633.20
Clinton Bridge Works	2,882.60

County Judge Nelson B. Higgs of Harney County was present and inquired as to whether or not the Commission has taken any definite action on the request made by the Harney County delegation at the March meeting for certain oiling between the existing highway pavement and the curb lines in the city of Burns. The Engineer advised that investigation authorized on this matter has not been completed but he expects to report to the Commission the results thereof at its next meeting.

A delegation from Corvallis, including Professors S.M.P. Dolan; Fred O. McMillan, Head of the Electrical Engineering Department; and Wm. Teutsch, Chairman of the Program Committee of Radio Station KOAC, came before the Commission in regard to a proposition for broadcasting highway information over the state-owned radio station at Oregon State College during the summer months. Professor Dolan headed the group. They asked the Commission to take charge of a one-hour broadcast daily during the months of June, July, and August, and suggested the dissemination of information particularly interesting to the people of the State of Oregon. They estimated that the total cost to the State Highway Department would not exceed \$600.00 per month, representing salaries of one man in charge of broadcasting, one man to prepare script, and a secretary. It was their thought that the State Highway Department would receive much benefit from the use of these broadcasting facilities by way of informing the people of the state of highway work and points of interest, which would have a tendency to increase local travel and, incidentally, highway revenues. They further advised that there is now pending before

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the Federal Radio Commission the College's application for an increase in power and that the college station is now under observation by that Commission; and stated that favorable consideration by the State Highway Commission of their request would help greatly in securing authority from the Government for such increase in power, which is badly needed.

The Attorney advised that the Commission has legal authority to spend state funds for this purpose if it so desires. The matter was discussed at considerable length but definite action thereon was deferred by the Commission until it has had an opportunity to discuss the details with Mr. Harold Say, Director of the Travel and Information Department.

Mr. C. M. Conner and Mrs. Elizabeth C. Coleman, North Bend, came before the Commission in regard to Mrs. Coleman's application to purchase a parcel of state-owned property near the north end of the Coast Highway bridge over Coos Bay. Mrs. Coleman states that she is maintaining a number of cabins on her property at this location and also maintains a dance hall on the property, and alleges that the dance hall is being undermined by drainage water from the highway and there is danger that the building will collapse. In order to avoid this, Mrs. Coleman said that it would be necessary to move her building closer to the highway, which would necessitate taking some of the state's property, for which she is willing to pay a reasonable price. In the discussion of the matter the question arose whether or not the State Highway Department's activities at this point were the cause of the damage to Mrs. Coleman's property; also, whether the Commission is justified in selling state property situate so close to the bridgehead. Chairman Cabell explained the Commission's policy in this regard, which, he said, is adverse to the sale of property so located, it being considered advisable to retain such properties in state possession. After considerable discussion the Commission deferred its decision in the matter pending personal inspection of the premises and report by Commissioner Clough, to whom the matter was referred.

Mr. Conner also brought up for discussion the matter of the grading of a parking area in front of the Hauser Grade School. He presented a map showing the school property and pointed out that the State Highway Department owns a strip of land between this property and the highway and advised that it would be a great convenience if the Highway Commission would permit the leveling off of this area so as to facilitate the parking of cars. The matter was referred to the Engineer for investigation and report.

Mr. H. R. Williams, Manager of the Arrow Transportation Company, was present in regard to moving over the Columbia River Highway between the Washington state line and Umatilla equipment having an overall length in excess of the Oregon statutory limits, although it meets the requirements of the State of Washington in that respect. He said that under present conditions, due to the difference in the legal lengths allowed in both states, it is necessary for them to break up their truck and trailer combinations and to use auxiliary equipment so as to avoid overall length combinations in excess of the Oregon limits, which procedure is expensive; and, furthermore, there is no place along the highway at the state line suitable for making

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these changes. He asked the Commission to grant a permit authorizing his company to move the overlength combinations into Oregon to a point near Cold Springs, where, he said, a suitable place is available for the construction of a turnout such as they will need to make the changes.

It was explained to Mr. Williams that the Commission does not have legal authority to grant such permit. Mr. Williams then inquired whether or not the Commission would construct a turnout at the Washington state line and advised that they would need an area about 20 feet wide and 400 feet long to accommodate 5 truck and trailer combinations each 60 feet overall in length. The matter was referred to the Engineer for investigation and report.

The Commission adjourned at 12:15 p. m. and reconvened at 2:00 p.m. in the same room with the same persons present and participating.

Mr. Allison Dean, Portland, came before the Commission and inquired as to the status of the proposed Oswego Highway beautification project concerning which a large delegation from Oswego conferred with the Commission at the previous meeting. The Engineer advised that the report on this matter has not as yet been completed but that he would communicate with Dr. Cane, who headed the delegation, as soon as it is ready.

A delegation representing the Oregon Congress of Parents and Teachers, Inc., came before the Commission and inquired whether or not the Commission would contribute state funds to complete the purchase of a bronze bust of Dr. John McLoughlin, which bust they propose to erect on an approved site at Oregon City. This delegation consisted of Mrs. Kenneth B. Hall, Oswego, Chairman; Mrs. F. W. Blum, and Mrs. Martin W. Jones, Portland. They advised that the bust has already been made by the sculptor, Mr. Adrian Voisen, at a cost of approximately \$2,000 and that they have raised \$1,575.00 through 10-cent contributions from school children, but they still lack \$425 to complete the purchase. Also, that Mr. Voisen will not deliver the bust to them until the full amount has been paid.

The Commission expressed its sympathy in this project but declined to contribute state funds for the same because of the question of the legality and advisability of doing so.

A delegation from Washington County, consisting of the Washington County Court, represented by County Judge H. D. Kerkman and County Commissioners James Lewis and J. W. Hughes; J. W. Barney, City Manager of Hillsboro; Jake Weil and J. M. Perron, also of Hillsboro; C. C. Ruth, Nick Schmidt, Henry Hering, J. Imler, J. A. Oppenlander, and E. S. Barker, all of Cornelius; J. O. Johnson, attorney, Tigard; Sam K. Fetter, Aloha; Charles Inlay of Reedville; G. S. Lehman of Cedar Mills; and the following from Forest Grove: J.A. Thornburgh, banker; Hugh McGilvra, newspaper publisher; Loyal M. Graham, attorney; F. D. Gardner, realtor; and E. W. Woodford, came before the Commission.

They asked for the widening of the Tualatin Valley Highway for four lanes of traffic between Portland and Forest Grove. Speaking on behalf of the

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Project were Judge Kerkman, Commissioners Lewis and Hughes, J. W. Thornburgh, Messrs Barney, Fetter, Imlay, Ruth, Graham, Weil, Perron, and Gardner. They urged the improvement, particularly from the standpoint of traffic safety.

Chairman Cabell advised that this is an expensive project and that the Commission has no funds available at the present time to undertake it. Further, that it is the established policy of the Commission not to make any commitments or promises in regard to any particular project until there are funds in sight with which to finance it. He also said that the Commission appreciates that at least a portion of this section should be widened but he pointed out that there are many places throughout the state where similar conditions exist, and, inasmuch as the Commission cannot finance all of them, it is obliged to program them in the order of their priority. The Commission, he said, will give the Tualatin Highway project very careful consideration in the formulation of its future construction programs.

Mr. Gardner asked for the improvement of Fifth Street, Forest Grove, from its connection with the Tualatin Valley Highway southerly to a place known as Carnation. He asked the Commission to resurface this street which, he said, is being badly damaged by heavy traffic of state character, and at least to help the city finance the improvement, because the city is not able to undertake the project alone.

He was informed that the Commission has no legal authority under the present law to improve this street inasmuch as it is not a state highway route and is not a connection between state highway routes. However, the Commission will consider the matter of performing the work for the city at cost if the city will agree to reimburse the state for the expense involved although the Commission cannot give a definite decision in that regard until the matter has been discussed with the Engineer to ascertain whether or not it will be possible to assign equipment to the project.

The Engineer reported that a request has been received from a committee which has charge of an Oregon exhibit at the New York World's Fair for the loan of some of the Highway Department's pictures of Oregon scenes for this Fair. The only obligation assumed by the Highway Department, he said, would be to furnish the pictures and pay the express charges to and from New York. He also said that the pictures are available in the Travel and Information Department. The Commission approved the loan of the pictures with the understanding that the only expense would be the payment of transportation costs.

A delegation from Klamath and Lake Counties was present and asked for the completion this year of the remaining link of the Klamath Falls-Lakeview Highway, about 4 miles in length. The delegation consisted of County Judge U.E. Reeder of Klamath County; County Judge J. R. Heckman and County Commissioner W. P. Vernon of Lake County; Carl W. Pendleton, County Clerk, Lake County; County Engineer Frank Z. Howard of Klamath County; and Forrest Cooper, Secretary of the Lake County Chamber of Commerce.

Judge Heckman also asked the Commission for the improvement of the

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Warner Secondary Highway, particularly between Warner Canyon and Plush. He said that this section contains numerous sharp curves and carries a large volume of log-hauling traffic, and they would like to have the improvement scheduled in next year's program. Further, that they are not asking for a high-class road.

Chairman Cabell explained the tentative program for the completion of the Klamath Falls-Lakeview Highway. He also explained the status of funds available to the Commission for construction purposes. Due to the limited amount of funds available, he said, the Commission was unable to allocate a sufficient amount to complete this highway this year but expects to give it serious consideration in next year's program although it is not in a position to make any definite commitment or promise at this time with respect thereto. He also advised that the Commission would be pleased to bear in mind the request for the improvement of the Warner Secondary Highway.

Judge Heckman asked the Commission for a survey of the Warner Secondary Highway but the Commission made no definite commitment thereto, due to the fact that there are only a limited number of survey parties available and they are all busy at the present time on other assignments.

Mr. Cooper urged the Commission to inspect the Warner Secondary Road to the top of the mountain. Chairman Cabell agreed to do this some time when he is in that vicinity.

County Engineer Howard brought up for discussion matters pertaining to the Sprague River County Road. Also present and entering into this discussion were a number of residents of the Klamath Indian Reservation, including B. G. Courtright, Superintendent, Klamath Indian Reservation; Ben F. Mitchell, Tribal Secretary; Arthur R. Campman, Engineer, U. S. Indian Service; Norman P. Conway, U. S. Indian Service; Joe S. Ball, Road Foreman, Indian Service; and Judge Levi Walker, President, Klamath Tribal Business Committee.

They urged the Commission to designate this road as a state secondary highway and to allocate funds to reconstruct the same on the basis of finishing the work within three years. Mr. Campman filed with the Commission a brief in support of oral arguments requesting the improvement, which brief bore the signatures of representatives of the Indian Service, Klamath County Chamber of Commerce, and the Klamath County Court. He said that the road is badly in need of improvement and that neither the Indian Service nor the County Court is financially able to do the work. He also said that the survey for the road has already been made and has been approved by the Public Roads Administration.

Chairman Cabell explained the policy of the Commission with respect to the secondary highway system. He pointed out that under this policy Klamath County now has as much mileage of such highways as it is entitled to in comparison with the other counties of the state, so there is a question whether or not the Commission would be justified under such policy to so designate this road. He suggested that it would be advisable before passing

definitely on this matter that the road be investigated carefully by engineers of the State Highway Department in company with the County Engineer and the Engineer for the Indian Service and that a report be rendered indicating just what obligation the state would assume if the road were made a secondary state highway. The Commission approved this suggestion and so ordered.

A delegation from Prineville, consisting of County Judge A. R. Bowman, of Crook County; Mayor W. B. Morse; Millard T. Smith, Councilman; H. R. Lakin, Mack Houck, and Arthur Erickson, came before the Commission and asked for the oiling of Main Street (present route of the Warm Springs Highway) in Prineville between First Street and Tenth. Mayor Morse headed the group. He said that this street carries a large volume of traffic and during the dry season the dust conditions create an unbearable situation, which is a menace to traffic and health. He asked the Commission to authorize the oiling of this street by the state's oiling crew the next time it is in that vicinity. Mr. Smith said that the city is financially unable to pay for the entire project but has \$1,500.00 that it will be pleased to contribute thereto, and the businessmen of the town have also subscribed personal funds in the amount of \$1,000.00 to apply to this work. Furthermore, the city owns a gravel pit nearby which it will be pleased to turn over to the state for its use in connection therewith. Mayor Morse said that the city would be glad to take over the maintenance of the street after the oiling work is completed.

The Engineer estimated that a first-class improvement would cost between \$7,500.00 and \$10,000.00, according to whether or not storm sewers, curbs, gutters, and sidewalks are constructed. He also said that this street carries a large volume of logging traffic and that it appeared to him undesirable to do anything but a first-class job because any other type of improvement would simply result in heavy maintenance cost.

Chairman Cabell thanked the delegation for its offer of cooperation and advised that the Commission would like to help the city but there is a question how far the Commission should go in improving a road that is to be taken off the state highway system in the not distant future. He pointed out that the Commission has already adopted a new route for the Warm Springs Highway between Prineville and Madras and that the present route will be abandoned when the new route is opened for public use. The matter was discussed at considerable length but action thereon was deferred until later. Commissioner Oliver agreed to inspect the project on or about May 11 when he expects to be in that vicinity. (This matter was reconsidered by the Commission on the following day, at which time the Engineer suggested, in the event the Commission approved an expenditure of state funds for the same, that it would be advisable to include the work in the contract for the construction of another project at Prineville, bids for which are to be taken at the June meeting. The Commission concurred in the viewpoint of the Engineer and thereupon authorized an expenditure of \$7,500.00 for the work, provided the City of Prineville will contribute thereto the amount of its offer, \$2,500.00.)

Mr. J. O. Johnson, Tigard, came before the Commission in regard to a right of way matter at Tigard. He pointed out that in connection with the highway improvement at this place, which includes the realignment of the

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highway and the construction of the highway over the railroad tracks of the Southern Pacific Company and the Oregon Electric Company, it has been necessary to close Pine Street, which serves as a county road connection for the people living north and west of Tigard, so the people of this district now have no means of access to the business district of the town except by a roundabout route. He said that when the matter of the railroad grade crossing elimination in Tigard was before the Public Utilities Commissioner, this matter was given consideration, and the order made by the Public Utilities Commissioner, as a result of the hearing, provided that the county should maintain another roadway paralleling the Southern Pacific right of way, in lieu of the Pine Street connection, which would pass under the highway grade separation structure and would occupy land owned by the railroad company. Further, that a lease has been secured from the railroad company for the use of its land immediately under the grade separation structure, but no provision has been made for right of way beyond that point, the railroad company refusing to give up any of its property for such purpose and the property owners being unwilling to donate their land for right of way. In fact, they consider it unfair to ask them to donate the right of way, in view of the fact that the highway improvement has closed their outlet on Pine Street as well as two other crossings that were previously available. Mr. Johnson urged the Commission to acquire the right of way for this county road connection.

The Assistant Attorney advised that he was present at the Public Utilities Commissioner's hearing when the matter of closing Pine Street was discussed but no suggestions whatsoever were made at that time that the state should purchase the right of way for the county road connection. In fact, he said that he would have interposed objection to such suggestion if it had been made. He estimated that right of way across the private lands would cost about \$700.00.

County Judge H. D. Kerkman, who was present, confirmed the Assistant Attorney's remarks and advised that Washington County is ready and willing to construct and maintain the roadway but is not in a position financially to acquire the right of way.

The matter was discussed at considerable length but a decision in regard thereto was deferred until later. (The matter was reconsidered by the Commission on the following day, at which time the Attorney was instructed to confer with Judge Kerkman again and to advise him that the Highway Commission is willing to pay one-third of the cost of this right of way if the county court and Mr. Johnson will pay the balance.)

At 4:00 p. m. Chairman Cabell announced the following awards of contracts, bids for which were received at the morning session, such awards having been previously approved by the Commission by unanimous vote:

"Astoria Section (Taylor Avenue-Astor Street) of the Oregon Coast Highway, in Clatsop County. 0.43 mile grading and 0.62 mile paving. Jacobsen-Jensen Company, Portland, submitted the low bid for this project in the amount of \$44,852.00. Edlefsen-Weygandt

Company, Portland, submitted the second-low bid in the amount of \$45,281.00. There were 2 higher bidders. The Commission awards this contract to the low bidder, Jacobsen-Jensen Company, at its bid of \$44,852.00.

"Brothers-Harney County Line Section of the Central Oregon Highway, in Deschutes and Lake Counties. 40.9 miles oiling. The low bid received for this project was that of Norris Bros., Burlington, Washington, in the amount of \$31,391.00. The next-low bid was that of Warren Northwest, Inc., Portland in the amount of \$31,409.50. There were 7 higher bidders. This contract is awarded to the low bidders, Norris Bros., at their bid of \$31,391.00.

"Horse Ranch Section of the Fremont Highway, in Lake County. 3.32 miles grading, surfacing, and oiling. E. L. Rigdon, Lapine, was the low bidder for this work, with his bid of \$29,815.00. Homer G. Johnson, Portland, was the next-low bidder, with his bid of \$32,029.50. There were 5 higher bidders. The Commission awards this contract to the low bidder, E. L. Rigdon, at his bid of \$29,815.00.

"Cottage Grove Section of the Pacific Highway, in Lane County. 0.85 mile grading and paving. Berke Bros., Portland, submitted the low bid for this work, in the amount of \$66,681.00. Jacobsen-Jensen Company, Portland, submitted the next-low bid in the amount of \$68,511.70. There were 4 higher bidders. The Commission awards this contract to Berke Bros., the low bidders, at their bid of \$66,681.00.

"Ontario-Snake River Section of the Old Oregon Trail, in Malheur County. 1.27 miles roadside improvement. The low bid received for this project was that of Arthur T. Fox, Salem, in the amount of \$4,465.50. River Bend Sand & Gravel Company, Salem, submitted the next-low bid in the amount of \$4,706.00. There was only one other bidder. The Commission has rejected all bids received for this project.

"Drilling and casing well on Highway Department property approximately 30 miles north of McDermitt, on the I.O.N. Highway, in Malheur County. There were only 2 bids received for this project, that of Haigh Bros. & Hughes, Gooding, Idaho, being the low one and being in the amount of \$1,205.25. The other bid was that of Williams Drilling Company, North Powder, in the amount of \$1,980.50. The Commission has awarded this contract to the low bidders, Haigh Bros. & Hughes, at their bid of \$1,205.25.

"Fendleton-Adams Section of the Oregon-Washington Highway, in Umatilla County. 11.51 miles surfacing and 12.02 miles bituminous macadam wearing surface; also, furnish 7,000 cu. yds. crushed rock in stock piles. Edwin C. Gerber, Oregon City, submitted the low bid on this project, in the amount of \$95,517.00.

Clifton & Applegate, Spokane, Washington, submitted the second-low bid, in the amount of \$98,949.00. There were 12 higher bidders. This contract is awarded by the Commission to Edwin C. Gerber, the low bidder, at his bid of \$95,517.00.

"South Milton Section of the Oregon-Washington Highway, in Umatilla County. 0.51 mile grading and 0.95 mile paving. The low bid received for this project was that of Warren Northwest, Inc., Portland, in the amount of \$25,330.50. The next-low bid received was that of Morris Bros., Burlington, Washington, in the amount of \$26,601.00. There were 2 higher bidders. This contract is awarded to the low bidders, Warren Northwest, Inc., at their bid of \$25,330.50.

"Warm Springs River Bridge Section of the Warm Springs Secondary Highway, in Wasco County. Construct 210-foot concrete bridge. Clifford A. Dunn, Klamath Falls, submitted the low bid for this project, in the amount of \$15,640.00. H. B. Klineline, Vancouver, Washington, submitted the next-low bid in the amount of \$16,825.50. There were 9 higher bidders. This contract is awarded to the low bidder, Clifford A. Dunn, at his bid of \$15,640.00.

"Warm Springs River Section of the Warm Springs Secondary Highway, in Wasco County. 1.39 miles grading. The low bid received for this work was that of Cochran & Gatton, Portland, in the amount of \$20,305.50. The next-low bid was that of Homer G. Johnson, Portland, in the amount of \$25,886.00. There were 11 higher bidders. The Commission awards this contract to Cochran & Gatton, Portland, the low bidders, at their bid of \$20,305.50.

"Strassel Undercrossing Section of the Wolf Creek Highway, in Washington County. Construct concrete abutments on treated piling foundations. S. S. Montague, Portland, submitted the low bid for this work, in the amount of \$17,147.00. Averill & Corbin, Portland, submitted the next-low bid, in the sum of \$17,455.00. There were 3 higher bidders. The Commission awards this contract to the low bidder, S. S. Montague, at his bid of \$17,147.00.

"Furnish only, F.O.B. cars at Portland, Oregon, approximately 58,000 lbs. structural steel for the Strassel Undercrossing Project on the Wolf Creek Highway, in Washington County. Willamette Iron & Steel Corporation, Portland, submitted the low bid on this project, in the amount of \$2,476.60. Minneapolis-Moline Power Implement Company, Los Angeles, California, submitted the next-low bid, in the amount of \$2,598.40. There were 3 higher bidders. This contract is awarded to the low bidders, Willamette Iron & Steel Corporation, Portland, at their bid of \$2,476.60."

Messrs. George Gray and D. T. Waterhouse came before the Commission in regard to the hauling of logs on the Cannon Beach Section of the Oregon Coast Highway. They advised that under the present ruling of the Commission log hauling is prohibited on this road between May 1 and September 15, when

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beach travel is heaviest, but there is no restriction, except as to length, on the section east of the summit. They further advised that they have a considerable amount of timber felled in the woods west of the summit and that it will require about two weeks to move the logs to market, and asked the Commission to extend the time for permissible log-hauling on this section approximately two weeks, or until the middle of May, in order to get these logs out. After discussion the Commission granted the request, extending the time limit to Saturday noon, May 18. However, the Commission informed Messrs. Gray and Waterhouse that the Commission may find it necessary to prohibit the hauling of logs over this road entirely in the event it considers that the best interests of the general traveling public will be served thereby.

In this connection the Engineer pointed out that the section between the summit and Cannon Beach contains numerous sharp curves, two of which are extremely bad, it being absolutely impossible for loads of logs 42 feet over-all in length to negotiate them without taking up more than half the width of the roadway. He pointed out that when the Coast Highway is open to general public use past Arch Cape and Neahkahnie Mountain, travel over this particular section is bound to increase materially. He suggested, therefore, that it would be advisable to conduct a survey of the section between Cannon Beach and the junction with the old route near Necanicum to determine the proper location and secure estimates of cost of reconstruction of the same. The Commission approved the suggestion unanimously, and so ordered.

A delegation from Nyssa, headed by Mr. A. L. Fletcher, City Attorney, and including R. A. Thompson, Mayor; Frank P. Morgan, Secretary of the Chamber of Commerce; and Leonard Frost, President of the Chamber of Commerce, came before the Commission in regard to the proposed improvement of the Old Oregon Trail at its crossing of the Union Pacific railroad tracks in this town, involving the construction of an undercrossing. They advised that they have assurances from the Amalgamated Sugar Company that the matter of financing the acquisition of the private property which is involved in this improvement and is appraised at \$9,000.00, has been taken care of or will be taken care of within the next few days and in view thereof they asked the Commission to authorize the taking of bids for the project at its June meeting, subject to the condition that the Commission would not have to award the contract in the event that all matters pertaining thereto are not cleared.

The Engineer advised that he is ready to proceed with the project as soon as the right of way situation has been disposed of satisfactorily. The Attorney advised that he has discussed the matter of acquisition of the Emison Addition property with Mr. Bets, attorney for the railroad company, who is quite certain that the railroad company will purchase this property; so, as far as the legal features of the project are concerned, it appears that a longer delay in contracting the work is not necessary, provided the real properties in Emison Addition are acquired by the railroad company and the sugar company. The Commission thereupon told the delegation that it would advertise this project for bids to be taken at the June meeting if it is definitely assured that the right of way and all other matters pertaining

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to the project have been satisfactorily disposed of by that time.

Mr. Walter Hembrie, President of the Sons and Daughters of Oregon Pioneers, was present and asked that a more conspicuous sign than is now being maintained be installed at the entrance to Champoeg State Park. He alleged that the existing sign is too small and is not befitting the importance of the park. The matter was referred to the Engineer for investigation and action as may be necessary, although it was pointed out to Mr. Hembrie that the Commission has standard signs for different purposes and likes to have all of its signs as uniform as possible.

Mrs. Mildred K. Colvin, Waldport, came before the Commission in regard to selling to the state for park purposes 327 acres of land which she owns in Curry County, same lying between the Oregon Coast Highway and the Pacific Ocean at a point about 4 miles south of Gold Beach and about 2 miles north of the present state park at Cape Sebastian. Mrs. Colvin advised that there is about \$3,600.00 against the property, including back taxes amounting to approximately \$1,000.00; \$1,472.00 due on the mortgage, and other expense; and that the mortgagee has foreclosed. Further, that the period of redemption expires during the early part of June, 1940. She further advised that some time ago the State Parks Superintendent offered her \$15.00 per acre for this property, which she refused because, in her estimation, the property is worth much more than that, but she is now willing to sell to the state for \$30.00 an acre.

The Attorney gave as his understanding that the alignment of the Oregon Coast Highway at this point is to be revised and that new right of way will have to be acquired across Mrs. Colvin's property. The matter was discussed at considerable length but action thereon was deferred until later. Chairman Cabell concluded the discussion by stating that if the Commission feels it should purchase this property it will offer Mrs. Colvin a fair price for the same but there is a limit to what the Commission feels it can pay in purchasing properties of this kind. (This matter was reconsidered by the Commission later in the session, at which time the Commission indicated that it might be justified in paying Mrs. Colvin as much as \$25.00 per acre for her land if inspection of the property reveals that it is worth that much and that it is needed in connection with the system of state parks. It was decided that the Commission would make an inspection of all prospective state parks along the coast some time this summer and would adopt a general policy as to the acquisition of additional state parks in this section after a review of the whole situation has been made. The Attorney was instructed to secure, in the meantime, if possible, consent from the mortgagee to extending the period of redemption in the foreclosure proceedings pertaining to Mrs. Colvin's property so as to give the Commission sufficient time in which to make its decision with respect to the acquisition of the same. He reported on the following day that he contacted Mr. Middleton, attorney for the mortgagee, who advised that his client is no longer concerned in the matter because his interests have been disposed of.)

The State Parks Superintendent, Mr. S. H. Boardman, was present and reported on the following park matters:

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Timber strips along the Salmon River Highway:- The Parks Superintendent advised that he has secured from the Miami Corporation a 6-months' extension of time, or until October 1, 1940, for the state to purchase the wayside timber strips along this highway. The Commission approved the report.

Purchase of timber tract along the Oregon Coast Highway at Nelscott, Lincoln County:- The Parks Superintendent advised that a Mr. Lewis W. Nolte owns a 20-acre tract in Section 22, Township 7 South, Range 11 West, W. M., adjacent to the highway, for which he is asking the sum of \$100.00 per acre. He also said that the tract has a 660-foot frontage on the highway and that it is of very little value from the state parks standpoint because the timber has all been removed from the east side of the highway and there is only a small stand of timber remaining on the west side. He recommended against the purchase of this property for this reason and because, in his estimation, the money could be spent to much better advantage elsewhere. The Commission approved the recommendation.

Ocean frontage south of Yachats:- The Parks Superintendent advised that the Lumbermen's Trust Company, Portland, owns 75 acres of land in Section 34, Township 14 South, Range 12 West, W. M., which it has offered to sell to the state for the sum of \$500.00 per acre, or a total of \$37,500.00. This land, he said, lies just south of the bridge at Yachats and takes in the park roadway already owned by the state. He further stated that the tract would make a fine addition to the state parks system and, in his estimation, it is worth purchasing if it can be acquired at reasonable cost, but he could not recommend payment of \$500.00 per acre for the same. The Commission decided not to purchase this tract in view of the high cost involved.

In this connection the Parks Superintendent also reported an offer from O. F. Carpenter to sell to the state a 64-acre tract of land adjoining the Lumbermen's Trust Company property on the north, for the sum of \$400.00 per acre. The Commission refused the offer.

Proposed park at Bob Creek on the Oregon Coast Highway, in Lincoln County:- The Parks Superintendent advised that a Mr. C. M. Kruchex owns 36.5 acres of land at this location, being particularly situate in Lot 2, Section 22, Township 15 South, Range 12 West, and that he has offered to sell this property to the state for the sum of \$18,250.00, which is at the rate of \$500.00 per acre. The Commission declined the offer.

Request of Clatsop County Court for portion of Tongue Point State Park:- The Parks Engineer advised that Clatsop County deeded to the state some time ago a 40-acre tract of land bounded by the Columbia River Highway, the Tongue Point Naval Base Road, and the Columbia River, just north of the city limits of Astoria, a portion of which, it now appears, the U. S. War Department desires in connection with the maintenance of the naval base at Tongue Point, and the County Court has asked the State Highway Commission to deed such portion back to the county so that it, in turn, can deed it to the Government. He said that he has investigated this matter and it is his recommendation that all of this site be deeded back to the county with the exception of a strip approximately 100 feet wide fronting on the Columbia River Highway. The Commission approved the recommendation.

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Cut-over lands just south of Unpqua Lighthouse State Park:- The Parks Superintendent advised that the Buchner Investment Company of North Bend owns approximately 250 acres of land adjoining the present park, from which the timber has been cut. He recommended acquisition of this tract as an addition to the park and requested authority to negotiate for the same. The Commission authorized the taking of options for this land.

Addition to Cape Lookout State Park, in Tillamook County:- The Parks Superintendent requested authority to negotiate with a Mr. M. Peterson for the purchase of 25.96 acres of land which, he said, is needed in connection with the development of the present park at this point. The property is described as Lot 1 of Section 36, Township 2 South, Range 10 West, W. M. The Commission approved the request and instructed the Right of Way Department to secure an option from Mr. Peterson.

Proposed 120-acre addition to Short Sand Beach State Park:- The Parks Superintendent requested authority to negotiate for the acquisition of three 40-acre tracts on Neahkahnie Mountain which, he said, are needed in order to complete the setup for Short Sand Beach State Park. The properties are described as follows: West half of the northeast quarter of Section 18, the northeast quarter of the northwest quarter of Section 18, and Lots 1, 2, and a portion of Lot 3, of Section 7, all in Township 3 North, Range 10 West, W. M. The Commission authorized the Right of Way Department to secure options for the same. In this connection the Parks Superintendent pointed out that Clatsop County owns an additional 40-acre tract adjacent to this park, which it would be desirable to acquire if possible, so that this entire area will be in state ownership. The Oregon Coast Highway runs through this tract, he said, and he believed that the county would deed it to the state if the state would construct a roadway from the highway to the beach. The tract is described as the northeast quarter of the southwest quarter of Section 31, Township 4 North, Range 10 West, W. M., and is located about three-quarters of a mile south of Arch Cape Tunnel. The Engineer was instructed by the Commission to investigate the roadway matter and to report at the next meeting the practicability of constructing the same and how much it will cost to do the work.

Timber strips along the Pendleton-John Day Highway:- The Parks Superintendent advised that he has contacted the Pilot Rock Lumber Company, which owns the timber along the Camas Creek Section of this highway, and ascertained that the company is willing to sell the timber on the strips adjacent to the highway but wishes to retain title to the land. He advised that the proposed strips contain a beautiful stand of virgin timber and would make a fine addition to the state parks system, but the price that the company is asking for them would involve an expenditure of more than \$30,000.00. It was the thought of the Commission that this tract would be a desirable one to purchase with federal funds in the event the bill now before Congress, authorizing an expenditure of federal funds for the acquisition of wayside strips, is enacted into law. In view of the possibilities of securing this congressional legislation, the Commission deferred final action on the purchase of this property for the time being. The Parks Superintendent was instructed to prepare and submit to the Commission in the meantime, for its consideration, a

list of desirable wayside timber tracts that would be eligible for the federal funds, so that if and when the federal funds become available the acquisition of the approved tracts may be expedited.

Proposed roadway to top of Neahkahnie Mountain:- The Parks Superintendent advised that the Commission some time ago approved the construction of a roadway leading to the summit, in Neahkahnie Mountain State Park. However, in view of the cost involved, and for other reasons, it has been considered best to eliminate this roadway and to construct, in lieu thereof, trails that would serve the purpose equally as well and would not involve such heavy construction. He recommended approval of this plan and that he be authorized to secure leases from five property owners through whose properties the trails must be constructed. The Commission approved the report and authorized the Parks Superintendent to negotiate for the leases.

Wayside timber strips along the Wilson River Highway:- The Parks Superintendent recalled that the Weyerhaeuser Timber Company, which owns considerable of the timber through which the Wilson River Highway has been constructed, previously deeded to Tillamook County, without cost, certain strips along this road, it being the idea at the time that the strips would be re-conveyed by Tillamook County to the state. It was his thought that the gift of the Weyerhaeuser Timber Company should be recognized by appropriate public announcement, and advised that he has contacted the Tillamook County Court in regard thereto and that the court has volunteered to give the matter publicity through the Portland newspapers. The Commission approved the report.

Report on state park C.C.C. camps:- The Parks Superintendent advised that the Federal Government has reduced the number of C.C.C. camps in the State of Oregon in accordance with its new policy and as a result he has lost four of these camps from state parks, there now remaining only two camps, one of which is operating in Silver Creek Falls State Park, in Marion County, and the other in Saddle Mountain State Park, in Clatsop County. No action was taken by the Commission on this matter.

Myrtle tract along the Chetco River:- The Parks Superintendent reported a fine stand of myrtle trees at this location which, he said, would make a very fine addition to the state parks system due to the fact that the trees are exceptionally beautiful and the stand is the finest one in existence so far as is known. The owners of this tract, he said, are willing to sell it to the state and he recommended purchase of the same if it can be acquired at reasonable cost. He estimated that it would require an expenditure of about \$10,000.00. The Commission decided to inspect the tract when it makes its park inspection trip down the coast this summer. In the event the Commission decides that the tract is desirable as a part of the state parks system, then purchase of the same will be considered in the formulation of the 1941 parks budget.

Proposed park near Agate Beach Lighthouse, Lincoln County:- The Commission decided to inspect this property on its coastal inspection trip of state parks this summer. This property is owned by Messrs. Fred Williams, Salem, and Ira Wade, Newport.

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O. & C. Recreational Lands:- The State Parks Superintendent reported that there are available, as additions to the state parks system, 532 acres of O. & C. lands located at Silver Creek Falls, Marion County; Loon Lake, in Douglas County; Canas Mountain, in Douglas County; and at Wildcat Creek, in Clackamas County, which can be purchased for the sum of approximately \$6,000.00. These tracts, he said, would make desirable additions to the state parks system if funds can be spared to purchase them. The Commission decided not to acquire these tracts on account of the cost involved.

Wayside strips along the Oregon Coast Highway between Newport and Yachats and along the Salmon River Highway:- The Parks Superintendent reported that it would be highly desirable to acquire wayside strips along the above-mentioned highways if funds can be spared to purchase the same. He estimated that the strips along the Newport-Yachats Section would cost about \$50,000.00 and those along the Salmon River Highway would cost about \$20,000.00. Action on these purchases was deferred by the Commission pending the outcome of the bill in Congress that authorizes an expenditure of federal aid funds for purchases of this kind.

1940 park budget:- The Parks Superintendent reported the status of the 1940 budget, including necessary costs for maintenance, betterment, and for approved purchases, as follows:

Amounts approved under maintenance orders	\$ 35,525.00
Amounts approved under betterment orders	36,825.60
Definite obligations	57,483.80
Proposed acquisitions	<u>172,238.78</u>
TOTAL	<u>\$302,073.18</u>

The Commission approved by unanimous vote increasing the parks budget for 1940 from \$100,000.00 to \$150,000.00. The Commission also approved by unanimous vote the amounts reported by the Parks Superintendent as being needed to carry on maintenance work, betterment work, and to pay the definite obligations, totalling \$129,834.40.

Consideration was then given by the Commission to the selection of properties to take up the difference between the obligated amount and the approved budget, amounting to \$20,165.60. After considerable discussion the following purchases were selected and tentatively approved by the Commission by unanimous vote:

Colvin property in Curry County. 327 acres at \$20.00 per a.-	\$6,540.00
Wilsonville Bridgeheads	2,000.00
Rogue River Bridgeheads	3,000.00
Nehalem Sandspit	5,000.00
Short Sand Beach, Collins Tract. 40 a. at \$100.00 per a.	4,000.00
Short Sand Beach Addition. 40 a. at \$50 per a.	2,000.00
Neahkahnie Mountain. 120 a. at \$31.66 per a.	<u>3,800.00</u>
TOTAL	<u>\$26,340.00</u>

It was understood that adjustments would be made in this program as may be required to keep the total expenditure within the approved budget amount of \$150,000.00.

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It was also understood that the parks budget for 1941 would be discussed some time this coming fall.

The Commission adjourned at 6:00 p. m. and reconvened at 9:45 p.m. in the Green Room of the Congress Hotel, with all Commissioners, the State Highway Engineer, the Attorney and the Secretary present.

The Assistant Attorney reported on the status of the 1940 right of way budget. He recalled that the budget approved by the Commission for this year is in the amount of \$600,000.00, and advised that, up to the present time, of this amount \$312,000.00 has been obligated for right of way purposes. The Commission approved the report.

The Attorney asked the Commission to confirm certain property settlements that were approved by Chairman Cabell and Commissioner Clough subsequent to the Commission meeting held on April 9, 1940, such confirmation being necessary for the records. The Commission approved the request and adopted the following resolution in regard thereto by unanimous vote:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth; and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon; and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Water Street Section - East Side Pacific Highway</u>				
5304-McEwan, Gates	R/W	1810 sq. ft. (pt. 4 lots)	\$12,900.00 Lump Sum for land, + \$100, + tie rods in wall, & deed to property on which tie rods rest	Parker

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Colton-Springwater Section - Woodburn-Sandy Highway</u>				
7869A-Genserowsky, Ernest and George	Stock Pile	1.0	\$150 per a. + \$38.50	McChesney
<u>Forest Grove-Glenwood Junction Section - Gales Creek-Detour Road Highway</u>				
7952-Larsen, Lars	Stock Pile	0.25	3-yr. lease at \$5 per yr.	Collier
<u>Oregon City-Mulino Section - Cascade Highway</u>				
7870-Ingram, Emma	R/W	0.87	\$103.45 per a.	McChesney
<u>Silverton-Mt. Angel Section - Hillsboro-Silverton Highway</u>				
7954-Henjun, Conrad B.	Stock Pile	1.72	\$100 Lump Sum	Eason
7901-Benedictine Sisters of Mt. Angel	Easement	2 parcels	Gratis	Martin
7891-Bialy, Gust	"	parcel	"	"
7892-Zollner, Joseph	"	"	"	"
7898-Bernt, Joseph	"	"	"	"
7897-Ebner, Clement J.	"	"	"	"
7895-Borschowa, Peter	"	"	"	"
<u>Tigard Section - Pacific Highway West</u>				
7810-Johnson, Emil A.	R/W	0.04	\$1,000 per a.	Collins
		205 sq.ft.	2 1/2 sq.ft.	
State to convey to Johnson 845 sq.ft. outside R/W at value of 2 1/2 sq.ft., this amount to be deducted from amount to be paid for property under this settlement				
<u>Wilson River Section - Wilson River Highway</u>				
7861-Consolidated Timber Co. Quarry, 1231.05			30.0 at \$20.00 per a.	Parker
R/W			345.47 at 5.00 " "	
and Park			258.50 at 2.00 " "	
			155.68 at 2.50 " "	
			401.40 at 3.00 " "	
			40.0 at 4.00 " "	
<u>Siletz Bay-Newport Section - Oregon Coast Highway</u>				
7838-Sunset Investment Company	Road	750 sq.ft.	Gratis	McCallister
Eas't				
7787-Columbia River Packers Association, Inc.	"	750 sq.ft.	"	"
7837-Port of Newport	"	1200 sq.ft.	"	"
<u>Cottage Grove Section - Pacific Highway</u>				
5638-Sturges, D. W.	Cancellation of lease on the Hoskins building in Cottage Grove, \$500.00 Benson			
5697-Heck, Frank	R/W	45,557 sq.ft.	5¢ sq.ft. + \$14,472.15 + 8965 sq.ft. in old R/W valued at 5¢ sq.ft.	Devers

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Grants Pass-Green Creek Section, Pacific Highway</u>				
7690-Rommel, Effie	Easement	408 sq.ft.	\$25 for the easement, plus \$15	McCallister
7203-Higgins, Jean	R/W	18,698 sq.ft.	Land \$2805, + \$3195 (Lump Sum settlement of \$6,000)	Devers
<u>John Day-Prairie City Section - John Day Highway</u>				
7949-Buchanan, C. E.	Channel Change	3.11	Gratis	Williams
7948-Allen, Brady W.	Gravel Pit	0.34	\$50 Lump Sum	"
<u>White Rock-Lakeview Section - Fremont Highway</u>				
952-Sewell, Matilda, Heirs	R/W	3.27	\$30.58 per a.	Martin
<u>Roseburg Section - Pacific Highway</u>				
7695-Commercial Abstract Co.	Main-		For securing quitclaim deeds from	
1436-	tenance site		W.S.Hamilton and Lexington Inv. Co. - \$20	Schannepp
<u>Eagle Point-Trail Section - Crater Lake Highway</u>				
7947-Johnson, James F.	Haul Road		\$75 Lump Sum	McCallister
		30,262 sq.ft.		
<u>Dairy Section - Klamath Falls-Lakeview Highway</u>				
3181-McDaniel, W. (A.L.Michael prop.)	R/W		Moving buildings from R/W ac- quired from A.L.Michael, \$225	Chandler
<u>Jefferson County Line-Prineville Section - Warm Springs Highway</u>				
7679-Austin, Varina P. (Correction report)	R/W	13.98	4.37 a. at \$100 per a. 9.61 a. at \$25 per a. plus \$2,200	Benson
<u>Memaloose Park-Dillon Section - Columbia River Highway</u>				
4501-Wetle, Fred	Stock Pile	0.95	1-yr. lease - \$10	Collins
<u>Pendleton-State Farm Section - Oregon-Washington Highway</u>				
7749-Harrah, Forrest	Stock Pile	1.0	\$100 per a., + \$20, + fencing	Wells
<u>Pendleton-Adams Section - Oregon-Washington Highway</u>				
7737-Rothrock, Ralph, Estate and Lois M. Kruse	Quarry	3.74	\$80.21 per a. + \$5, + fencing	Wells
<u>Seufert-Dufur Section - The Dalles-California Highway</u>				
7661-Curtiss, Leon T.C., Estate (Correction)	Stock Pile	0.76	Land \$100 Lump Sum, + fencing	Benson

The Attorney also requested authority to acquire additional parcels of real property that are needed for various highway improvements throughout the state. He presented a list of such properties together with prices that he recommended be paid for each. After careful consideration the Commission approved the request and by unanimous vote adopted the following resolution in regard thereto:

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WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth; and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon; and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement, hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Nehalem River-Washington County Line - Wolf Creek Highway</u>				
7515-Koster Products Co.	R/W & Park	115.0	\$1.25 per a. + 1400M ft. timber at \$2.50 M, or \$3500, State to convey 1240M ft. burnt timber at \$2.50 per M, or \$3100, timber south of R/W in Sec. 33, T 4 N, R 6 W, WM, Clatsop Co., & Lots 3 & 4, T 3 N, R 6 W, WM, Tillamook Co., making a difference of \$545 to be paid by the state	Parker
<u>Nehalem River-Elsie Section - Wolf Creek Highway</u>				
7874A-Rupp, Norman (Agt)	Park	13.34	\$500 Lump Sum, including timber	Parker
<u>Ranger Station-Washington County Line - Wolf Creek Highway</u>				
7874-Rupp, Norman (Agt)	R/W & Park	187.9	\$5 per a.	Parker
<u>Washington County-Sunset Camp Section - Wolf Creek Highway</u>				
7916-Sunset Logging Co.	R/W & Park	42.6	\$5 per a. + \$587.50	Parker
<u>Nehalem Spit Section - Oregon Coast Highway</u>				
7364-Olsen, Randi	Park	15 lots including tide land abutting on Lot 16	\$5 per lot, + taxes (Est. \$8) to be paid by state	DeSouza

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>(Nehalem Spit Section continued)</u>				
7337-Bradshaw, Julia M.	Park	2 lots	\$10 per lot (state to pay taxes, est. \$3)	DeSousa
6743A-Batterson, S. M.	"	40 (Govt Lot 4)	Land, including tide land, \$400 Lump Sum	Parker
<u>Troutdale Section - Columbia River Highway</u>				
7541-Wiser, Wm. J.	R/W	0.07	\$1.00 Lump Sum	Parker
<u>Biggs Section - Columbia River Highway</u>				
1934-Fulton, Lulu B.	Stock Pile	1.0	5-yr lease at \$10 per yr.	Gardiner
<u>Wyeth Section - Columbia River Highway</u>				
7951-Dunn, Mildred	Hauling Road Easement	0.33	2-yr. easement at \$10 per yr.	Parker
7950-O.W.R.R. & N.Co.	Stock Pile	0.86	2-yr. lease at \$5 per year	"
<u>Warren Creek Section - Columbia River Highway</u>				
6465-Lawler, John F.	R/W	0.64	\$100 Lump Sum	
		1.0	\$100 Lump Sum	
		1.34	\$50 per a.	
		7.52	\$40 per a. + \$432.20	
		10.50	(plus 1940 & 1941 taxes to be paid by state)	"
<u>Scappoose Section - Columbia River Highway</u>				
7247-Northern Pacific Rwy.Co. (SP&SRy Co)	R/W Easement		Slope Easement, Lump Sum \$10	DeSousa
<u>Shepherd's Dell Falls Section - Columbia River Highway</u>				
7729-Sheppard, Geo. G.	Park		Cost of procuring quitclaim deed, \$10	Schannep
<u>Houlton-Warren Section - Columbia River Highway</u>				
7443-Copeland, Jos. and Ben	R/W	14,810.4 sq.ft.	2 1/2 sq.ft. + \$214.12	McChesney
7427-Haniff, R. F.	"	818 sq.ft.	2 1/2 sq.ft. + \$33	"
7432-Bomberry, John	"	750 sq.ft.	2 1/2 sq.ft. + \$406.25	"
7436-Chambers, Verlin V. (Correction)	"	1062 sq.ft.	2 1/2 sq.ft. + \$20.95	"
7880-Engesser, Joseph	"	1025 sq.ft.	2 1/2 sq.ft. + \$399.35	"
7879-Weber, A. A.	"	752 sq.ft.	5 1/2 sq.ft. + \$387.40	"
7437-Elliott, Daisy D.	"	1817 sq.ft.	2 1/2 sq.ft. + \$454.57	"
7438-Long, Harvey	"	2392 sq.ft.	2 1/2 sq.ft. + \$940.20	"
<u>Sunset Beach Section - Oregon Coast Highway (Nehalem Spit)</u>				
7352-Mulkey, Ruth Welch	Park	2 lots	\$10 per lot	Martin
<u>Ocean Grove Section - Oregon Coast Highway</u>				
7929-Dolan, A. T.	Maintenance Headquarters	2 lots	1-yr. lease, \$10 per month	Bishop

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Tillamook Section - Wilson River Highway</u>				
7596A-Southern Pacific Co.	Maint. & Stock Pile	2.9	\$1,750 Lump Sum	Benson
<u>Albina-Portland Section - Pacific Highway West</u>				
7876-O.W.R.R. & N.Co. (Union Pacific)	Stock Pile	Approx. 13,000 sq.ft.	6-mo. lease - \$10	Collier
<u>Kayler Junction Section - Woodburn-Sandy Highway</u>				
7867-Owen, C. J. and Ethel	Scale Site & Easem't	0.23	\$200 per a. + \$184	McChesney
<u>Pringle Corner-Bellevue Section - Salmon River Highway</u>				
5299-Pringle, A. M.	R/W	0.58	\$500 per a. + \$365	Collins
<u>Brunks Corner-Rickreall Section - Salem-Dallas Highway</u>				
8029-Southern Pacific Company	Stock Pile		Lease on land in Sec. 30, T 7 S, R 4 W, WM, Polk Co., Apr. 15 to Oct. 31, 1940, - \$10	Eason
<u>Mt. Angel Section - Hillsboro-Silverton Highway</u>				
7896-Trimberger, Elizabeth	Easem't		Gratis	Martin
7893-Belm, John A.	"		"	"
7894-Schmidt, Wm., Estate	"		"	"
<u>Siletz Bay-Newport Section - Oregon Coast Highway</u>				
4188-Kerr, Nettie	R/W	1600 sq.ft.	5¢ sq.ft. plus \$20	McCallister
4121-Zimmerman, A. J.	"	1333 sq.ft.	10¢ sq.ft.	"
6187-Zimmerman, A. J.	"	1175 sq.ft.	5¢ sq.ft.	"
4124-Hopkins, Clara M. and Graham, Frank	"	497 sq.ft.	10¢ sq.ft. + 30¢	"
4122-Van Buskirk, Winifred M.	R/W	856 sq.ft.	10¢ sq.ft.	"
	Easem't			
4123-Van Buskirk, Geo.G.	R/W	808 sq.ft.	10¢ sq.ft.	"
	Easem't			
<u>Boiler Bay-Rocky Creek Section - Oregon Coast Highway</u>				
5816-Whitney, S. A.	R/W	950 sq.ft.	10¢ sq.ft. + \$55	McCallister
5820-Schrader, J. B.	"	2043 sq.ft.	7¢ sq.ft. + \$32	"
<u>Albany Section - Pacific Highway East</u>				
7866-Brown, Max	R/W	1.15	\$600 Lump Sum	Gardiner
<u>Blachly-Long Tom River Section - Siuslaw Highway</u>				
7817-McVay, Dan	R/W	6.61	\$25 per a.	Collins
7818-McVay, Millard L.	"	4.80	\$25 per a.	"
7819-Andrews, D. D.	"	13.46	\$25 per a. + \$190	"
7820-Pope, Martha and C. L.	"	0.69	\$25 Lump Sum	"
7816-Lane County	"	1.35	Gratis	"
7815-First Nat'l Bank, Eugene	"	26.97	\$30 per a.	"
7814-Whistler, Edna R.	"	1.30	\$25 per a.	"

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Dexter-Duval Creek Section - Willamette Highway</u>				
7785-Penn Timber Company	Stock Pile	1.0	\$100 Lump Sum	Schannep
<u>Wilbur Section - Pacific Highway</u>				
8028-Southern Pacific Co.	Stock Pile		Lease on land in Sec. 7, T 26 S, R 5 W, WM, Douglas Co, April 15 to July 15, 1940, incl.- \$5	Lytle
8032-Rockhill, W. S.	" "		Lease on land in Sec. 18, T 26 S, R 5 W, WM, Douglas Co.- 5 mo.- Apr. 1 to Sept. 1, 1940. incl. - \$3 per mo.	"
<u>Florence Section - Siuslaw Highway</u>				
7865-Lane County	R/W		Part of 11 lots - Gratis	Collins
<u>Yoncalla-Sutherlin Section - Pacific Highway</u>				
7982-Sefton, Anna M. et al	Stock Pile	1.15	Land \$150 Lump Sum, + fencing	Lytle
7983-Lloyd, Martin	"	22,000 sq.ft.	\$150 Lump Sum	"
<u>Canyonville-Days Creek Section - Tiller-Trail Highway</u>				
7961-Federal Farm Mrtg. Corp.	R/W	1.32	\$150 per a., + \$71, + \$5	Parker
7980-Fenn, John A.	"	0.60	\$150 per a., + \$46, + moving telephone poles if necessary	"
7886-Farnsworth, Kate	Stock Pile	0.98	\$100 Lump Sum for land, + fencing	"
7885-Weaver, Ralph F.	" "	7.23	1.0 a. at \$125 per a. 6.23 a. at \$74.64 per a., + \$35, + cattle guard	"
	& Gravel Bar			"
7981-Weaver, Ralph	R/W	0.53	\$150 per a. + \$198.50	"
7959-Raymond, Ada Lillie	"	1.13	\$50 per a., + \$60	"
<u>Grants Pass-Green Creek Section - Pacific Highway</u>				
7306-Morgan, Geo. A. and John Frech	R/W	0.086	\$435 per a., + \$122.50, + moving buildings, etc. (est. at \$600)	McCallister
7293-Littrell, E. K.	"	0.226	\$435 per a.	"
7296-Chretien, Julianne	"	0.137	\$435 per a., + \$55, + sprinkling system	"
7294-Gilbert, Ray	"	0.283	\$435 per a.	"
7173-Woodbury, Ralph R.	"	0.086	\$435 per a., + \$25	"
7299-Rhoads, Minnie B.	"	0.044	\$435 per a., + \$7	"
7305-Jensen, David	"	0.11	\$435 per a., + \$77.15	"
7292-Herring, F. A. and Dale Ginn	"	0.303	\$435 per a., + pipe line	"
7295-Wood, A. R. and Oliver Morrison	"	0.186	\$435 per a., + \$19.09	"
7304-Coburn, Florence C.	"	0.54	\$435 per a., + \$105	"

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Section, Hbry., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>(Grants Pass-Green Creek continued)</u>				
7303-Biddle, W. R.	R/W	0.054	\$435 per a., + \$55	McCallister
7300-Eslinger, Ray, and Nova G. Phillips	"	0.045	\$435 per a.	"
7298-Eslinger, Ray, and Stella and James Mascell	"	0.193	\$435 per a., + \$20	"
7301-Crouch, E.R. and E.N.	"	9,148 sq.ft. 1/2 sq.ft.	0.543 a. \$435 per a., + \$1296.12	"
7297-Snedden, W. P.	"	0.063	\$435 per a., + \$28	"
7282-Higdon, J.E., and E. L. Warren	"	740 sq.ft. 1/2 sq.ft.		"
<u>Provolt-Williams Section - Williams Highway</u>				
6854-Lewman, Richard F.	R/W	1.04	\$60 per a., + \$28	McCallister
(Correction report)				
<u>Beaver Marsh Section - The Dalles-California Highway</u>				
1796-Thorpe, James R.	Stock Pile-	1.838	\$50 Lump Sum	DeSousa
<u>Lost River Section - Klamath Falls-Malin Highway</u>				
7683-Dodenhoff, B. L.	R/W	4.41	\$200 per a., + \$2335.50, + fencing, dike & gates at state expense (est. at \$390.75)	DeSousa
<u>Forest Boundary-Cottonwood Creek Section - Klamath Falls-Lakeview Highway</u>				
7860-Lake County Loan & Savings Bank	Gravel Pit	20.0	\$22.50 per a.	Collins
<u>Draws Valley Section - Klamath Falls-Lakeview Highway</u>				
6023-Smith, Oren R., Estate	R/W	2.3	\$5 per a.	Martin
<u>Quarts Mt.-Draws Valley Section - Klamath Falls-Lakeview Highway</u>				
7888-Newell, G. H.	R/W	0.25	\$50 per a.	Benson
		6.19	\$2.50 per a., + \$21	
		5.44		
		2.5	\$50 per a.	
7887-Arthur, Eva W.	"	5.65	\$2.50 per a., + \$312	"
		8.15		
<u>Horse Ranch Section - Fremont Highway</u>				
7667, 68, 69-Federal Soil Conser- vation Service, L.D.Bell, et al	R/W	5.49	Land Gratis, + fencing	Benson
<u>Silver Lake Section - Fremont Highway</u>				
8021-Perrein, Oscar	Maintenance Headquart'rs	2 lots	1-yr lease, \$10 per mo.	Stiffler
<u>Port Orford Section - Oregon Coast Highway</u>				
7956-Lindberg, Syneva	Maint.Hdqtrs. Lease		5-yr. at \$15 per mo. (N. 50 ft. Lot 3, Blk 66, Port Orford)	Bishop

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Marshfield-Bay Park Section - Oregon Coast Highway</u>				
5119-Vaughn, P.A.	R/W	4,035 sq.ft.	3-1/3¢ sq.ft., + taxes (est. \$11.31) to be deducted	Martin
<u>Randon Section - Oregon Coast Highway</u>				
5321-Tucker, R. W.	R/W	1400 sq.ft.	1000 sq.ft. at 5¢ sq.ft. 400 sq.ft. at 2¢ sq.ft., + \$70, + moving bldgs. (est. \$450), owner to accept one-half	Gardiner
7852-Fasnacht, John H.	"	800 sq.ft.	400 sq.ft. at 5¢ sq.ft. 400 sq.ft. at 2¢ sq.ft., + \$19, + moving bldgs. (est. at \$500)	"
7847-Gilmore Oil Company	"	1251 sq.ft.	5¢ sq.ft.	"
7853-Baptist Church	"	2400 sq.ft.	5¢ sq.ft.	"
7859-Assembly of God	"	530 sq.ft.	5¢ sq.ft., + \$400 (Est. moving bldg.)	"
5323-Dunn, Harry	"	3200 sq.ft.	5¢ sq.ft., + \$100, + moving bldg. (est \$500)	"
5326-Coos County	"	15 parcels	Gratis	"
7850-Methodist Church	"	1200 sq.ft.	5¢ sq.ft., + \$40	"
7808-Douglas Bldg. & Loan	"	540 sq.ft.	5¢ sq.ft.	"
7882-Coos County, Gust D. Gross	"	5573 sq.ft.	5¢ sq.ft., + moving bldg. (est. \$850)	"
5322-Brown, W. J.	"	600 sq.ft.	5¢ sq.ft., + \$100	"
7849-McDonnell, Helen K.	"	900 sq.ft.	600 sq.ft. at 5¢ sq.ft. 300 sq.ft. at 2¢ sq.ft., + \$64	"
7858-Coos County and P. E. Mallory	"	1697 sq.ft.	5¢ sq.ft., + \$250	"
5340-Woolley, Charles	"	845 sq.ft.	5¢ sq.ft.	"
5319-Bandon, City of	"	10,042 sq.ft.	7714 sq.ft. at 5¢ sq.ft. 1346 sq.ft. at 20¢ sq.ft. 982 sq.ft. at 10¢ sq.ft., + moving City Hall (est. at \$800)	"
5361-Cotter, Anthony K.	"	1633 sq.ft.	5¢ sq.ft.	"
5344-Bandon, City of, and D. C. Kay	"	600 sq.ft.	5¢ sq.ft., + moving bldg. (est. at \$600)	"
5344-Bandon, City of, and D. C. Kay	"	600 sq.ft.	5¢ sq.ft., + moving and reconstructing bldg. (est. at \$600)	"
5363-Hansen, Carl J., Heirs	"	2405 sq.ft.	5¢ sq.ft.	"
5343-Coquille Valley Dairy Co- operative	"	1500 sq.ft.	10¢ sq.ft., + \$5	"
5372-Rauschert, E. R.	"	(2650 sq.ft. 10¢ sq.ft. 1060 sq.ft. 5¢ sq.ft. (530 sq.ft. 2¢ sq.ft., + moving (4240 sq.ft.) bldgs. (est. \$2000)	"	"

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>(Bandon Section continued)</u>				
5346-Southwestern Motor Co.	R/W	836 sq.ft.	10¢ sq.ft., + \$216.40, + moving (est. \$250)	Gardiner
5316-West Coast Telephone Co.	"	5200 sq.ft.	4¢ sq.ft.	"
<u>Bunker Hill Section - Oregon Coast Highway</u>				
7881-Carlson, A. T.	R/W	18,000 sq.ft.	6000 sq.ft. at 3¢ sq.ft. 12000 sq.ft. at 2¢ sq.ft., + \$30	Benson
<u>Deadman's Curve Section - Cape Arago Highway</u>				
7643-Coos County	R/W	33,778 sq.ft.	\$1.00 Lump Sum	Parker
7478-Taylor, James	"	4,569 sq.ft.	2¢ sq.ft., + \$45.69, + \$87.93	"
7475-Putnam, Frank E.	"	1,067 sq.ft.	2¢ sq.ft., + \$228.66, + new steps (est. \$20)	"
7479-Vredenburg, W. D.	"	3,901 sq.ft.	2¢ sq.ft.	"
7476-Newman, Robert	"	10,200 sq.ft.	2¢ sq.ft., + \$396	"
7477-Uthaug, Henrietta Bear	"	4 lots	\$62.50 per lot	DeSouza
<u>Charleston-Cape Arago Section - Cape Arago Highway</u>				
6348-Salsen, G. Von	R/W	3,723 sq.ft.	1¢ sq.ft., state to pay taxes and deduct (est. at \$11.98)	Martin
<u>Empire-Charleston Section - Cape Arago Highway</u>				
2768-Empire Development Co.	R/W	0.09	\$1.00 Lump Sum	Parker
<u>Horse Ridge-Brothers Section - Central Oregon Highway</u>				
6238-Deschutes County	R/W	0.34	Gratis	McChesney
6230-Deschutes County	"	12.11	Gratis	"
<u>Jefferson County Line-Prineville Section - Warm Springs Highway</u>				
7828-McCoin, N. F.	R/W	16.91	11.5 a. at \$5 per a. 5.41 a. at \$10 per a., + \$893	Benson
7675-Rim Rock Ranch, Inc.	"	2.10	0.24 a. at \$100 per a. 1.86 a. at \$5 per a., + \$9	"
7674-Rim Rock Ranch, Inc. and Fehser	"	0.55	\$100 per a., + \$14.25, fencing	"
7835-Dishman, Emma	"	5.18	1.22 a. at \$50 per a. 3.96 a. at \$25 per a., + \$349	"
7676-McPhetridge, L. J.	"	10.53	2.76 a. at \$100 per a. 7.77 a. at \$25 per a., + \$960, + moving bldg., (low bid) \$275	"
7833-McCabe, Mike and Fehser	"	0.82	\$40 per a., + \$23 fencing	"
7670-Oregon & Western Coloniza- tion Co.; Armon W. Carey	"	3.69	\$25 per a., + \$225	"
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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>(Jefferson County Line-Prineville Section continued)</u>				
<u>7670B-Oregon & Western Colonization Co.:</u>				
Armon W. Carey	R/W	4.08	0.50 a. at \$50 per a. 3.58 a. at \$15 per a., plus \$228	Benson
7830-Oregon & Western Colonization Co.	"	2.88	1.0 a. at \$100 per a. 1.88 a. at \$5 per a., plus \$111 fencing	"
7831-Carlson, Agnes	"	2.89	\$100 per a., + \$245	"
7832-Carlson, Agnes	"	3.81	1.33 at \$100 per a. 2.48 a. at \$25 per a., plus \$971	"
7677-White, James Hudson	"	7.45	5.18 a. at \$100 per a. 2.27 a. at \$50 per a., plus \$726	"
<u>Madras-Juniper Butte Section - The Dalles-California Highway</u>				
6109-Oregon State Land Board	R/W	3.2	\$24 per a.	Gardiner
<u>Lamonte-Crook County Line Section - Warm Springs Highway</u>				
7799-U. S. of America	R/W	119.22	Land Gratis, plus fencing 3200 rods at \$1.50 per rod	Benson
<u>Rhea Creek-Hepburn Section - Wasco-Hepburn Highway</u>				
6682-Cox, Elbert	R/W	0.04	\$100 per a., plus \$27 fencing	Wells
<u>Lone Rock Junction-Rock Creek Section - Wasco-Hepburn Highway</u>				
8010-Monahan, John J.	Road Lease	4.30	1-yr. lease, \$100	Wells
<u>Havana-Helix Section - Havana-Helix Highway</u>				
7936-Christopher, Sophia M. Stock Pile		1.0	\$100 per a.	Wells
<u>Milton-South Section - Oregon-Washington Highway</u>				
7725-Birdsell, Lloyd E.	R/W	4091 sq.ft.	2¢ sq.ft., + \$97.50	Wells
7724-Hoon, Lane	"	4684 sq.ft.	2¢ sq.ft., + \$6 fencing	"
7722-Sherwood, D. C.	"	0.78	\$100 per a., + \$54, fencing	"
7918-Spence, Carrie M.	Gravel Pit	0.70	5-yr. lease, \$100	"
7727-Thomas, Lucile E.	R/W	7615 sq.ft.	3¢ sq.ft., + \$1021.55	"
<u>Nye Junction-Pilot Rock Section - Pendleton-John Day Highway</u>				
7999-McDevitt, Charles	Scale Site	0.11	\$150 per a., + \$5, + fencing	Wells
<u>Bear Gulch Section - John Day-Burns Highway</u>				
7018B-Oliver, Herman, et al Borrow Pit		1.78	\$10 per a.	Devers
<u>Unity Junction-Hereford Section - Baker-Unity Highway</u>				
7760-Koontz, H.L.	Maintenance Site	1.0	\$25 per a., + fencing	Wells

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Black Bridge-Highland Section - Baker-Homestead Highway</u>				
7421-Bowman, Ruby Risor	Stock Pile	1.0	Land \$1, + \$5 (deed to re-convey previous stock pile site)	Williams
7421A-Bowman, Ruby Risor	Gravel Pit	0.88	\$1 Lump Sum	"
<u>Muddy Creek-Haines Section - Old Oregon Trail Highway</u>				
7953-Christensen, John C., Estate	Stock Pile	1.0	\$50 per a., plus fencing	Wells
<u>Wrights Point-The Narrows Section - Frenchglen Highway</u>				
7794-Geer, Neva W. Hodder	R/W	6.11	\$6 per a., + \$242.25	Wells
7790-Harney County	"	17.75	\$1 for land, + fencing	"
7792-Carrico, Eleanor M.	"	2.55	\$6 per a., + \$96.75, fencing	"
7796-State Land Board	"	12.20	\$5 per a.	McCallister
7795-Hodder, Walter Henry	"	6.12	\$6 per a., + \$242.25	Wells
7797-Baker, Northy J.	"	8.86	\$6 per a., + \$260.25	"
7917-Eager, Harry	"	1.13	\$6 per a., + \$98.25	"
<u>Salem-Pringle Creek Section - Pacific Highway</u>				
6059-Green, C.L. and Anna (Supplemental Report)	R/W	3026 sq.ft.	3¢ sq.ft., + \$259.22	McCallister
<u>Cottage Grove Section - Pacific Highway</u>				
5642-Spriggs, Alvin C. and John H.	R/W	997 sq.ft.	plus slope easement - state to convey to grantors 1717 sq.ft. lying outside R/W in Lot 4, Block 1, Long & Landess Addition, with understanding the state is to be paid for the difference of 720 sq.ft. at rate of 20¢ sq.ft.	DeSouza

The Attorney brought up for discussion matters pertaining to the acquisition of right of way needed for the proposed improvement of the Oregon Coast Highway through the town of Brookings, in Curry County. He advised that negotiations have been under way for some time to acquire extra land needed to provide right of way 80 feet wide, but difficulties have arisen and it now appears that it is going to cost considerably more for this right of way than was originally estimated. It was originally thought, he said, that this right of way would cost about \$15,000.00; however, a more careful appraisal indicates that the properties are valued at \$25,000.00 as compared with the amount of \$32,000.00 which the property owners are demanding. He particularly mentioned three properties, one being the garage business owned by the bankrupt estate of Fanny T. Pedrioli, which is involved in a proceeding in federal court. Another is a service station business owned by Bernice M. Ward, which is under lease to a tenant who will have to be paid damages. This property, he said, is appraised at \$3,000.00, but the owner is demanding \$3,500.00 and

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that the state in addition thereto pay the amount of the tenant's damage, which is estimated at \$500.00. The third property, he said, is that belonging to Irving Austin Leming and concerns a restaurant business. Mr. Leming, he said, is asking \$3,000.00 for the building and \$324.00 for the land. In addition to these three cases, he said, there is another involving property owned by H. F. Arnold, which property is appraised at \$45, whereas Mr. Arnold is demanding a considerably larger amount for the same. He suggested, in view of the fact that it is proposed to advertise the Brookings project for bids to be received at the June meeting of the Commission, that condemnation proceedings be commenced to acquire right of way across each of these properties, and recommended the following offers for condemnation:

	<u>Price Demanded</u>	<u>Recommended Offer</u>
Pedrioli property	\$10,000	\$4,000
Ward property	3,500 (state to pay damages to tenant)	3,000 (owner to pay damages to tenant)
Leming property	3,324 (Bldg. \$3,000 Land 324)	3,000 (for bldg. & land)
Arnold property	- - -	50

After discussion the Commission by unanimous vote approved the offers recommended and authorized the Attorney to proceed with condemnation. The Attorney was instructed to discontinue negotiations for the remaining right of way until the condemnation proceedings have been disposed of.

The Attorney also reported difficulties in arriving at satisfactory settlements with the owners of additional property that is needed for highway purposes, particularly the following:

Right of way needed for the Lone Rock Junction-Rock Creek Section of the Wasco-Happner Highway across property owned by Gladys Booth. He recommended an offer of \$60.00 for this property in condemnation and advised that it is necessary to condemn because it involves settlement with an estate.

Right of way needed for the Wright's Point-The Narrows Section of the Frenchglen Highway across property owned by Nora G. Thole. He recommended an offer of \$200.00 in condemnation.

After discussion the Commission approved the offers recommended in each instance and authorized the Attorney to proceed with condemnation. The following resolution authorizing the Attorney to institute condemnation for the acquisition of all of the above-described properties was thereupon adopted by the Commission by unanimous vote:

WHEREAS, the State Highway Commission is by law authorized and directed to lay out, locate, relocate, designate, construct, reconstruct, improve, and maintain a system of state highways in the State of Oregon, including both primary and secondary state highways, to acquire rights of way necessary therefor, and to declare the necessity and need for the acquisition thereof, and the advantages to be gained thereby;

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NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the State Highway Commission does hereby find and declare that it is necessary, will be of advantage to the State of Oregon, and is needful that the State acquire for right of way purposes for use in connection with the permanent location, construction, improvement, and maintenance of the following section or sections of the state highway system of the State of Oregon, to wit:

Brookings Section of the Oregon Coast Highway
Lone Rock Junction-Rock Creek Section of the Wasco-Heppner Highway
Wright's Point-The Narrows Section of the Frenchglen Highway

real property owned by or in possession of the following parties and/or persons, to wit:

Brookings Section of the Oregon Coast Highway
7707-Bankrupt estate of Fannie T. Pedrioli
7705-Bernice M. Ward
7704-Irvin Austin Leming
7698-H. F. Arnold
Lone Rock Junction-Rock Creek Section of the Wasco-Heppner Highway
7841-Gladys Booth
Wright's Point-The Narrows Section of the Frenchglen Highway
7791-Nora G. Thole

and this Commission does hereby declare further that the said property or properties are necessary, are needful, and the acquisition thereof will be of advantage to the State of Oregon for right of way purposes in order to make it possible for the State Highway Commission to properly locate, relocate, construct, reconstruct, and maintain said portion or portions of the said state highway system in accordance with standards adopted by this Commission relative to curvature, grades, alignment, drainage, and factors of safety.

2. That the State Highway Engineer be and he hereby is instructed and directed to properly survey the parcel or parcels of land required for such right of way purposes and prepare proper and adequate descriptions thereof, which descriptions shall be employed in the preparation of a deed or deeds or other instrument or instruments necessary to complete the acquisition of the said property or properties or which descriptions may be used in the preparation of a complaint in the event that condemnation proceedings are necessary.

3. That the boundaries of the said parcel or parcels of land, as defined and determined by the said survey made by the said Highway Engineer, along the route or location adopted by the Highway Commission, shall be and the same hereby are adopted and the

lands defined therein are hereby declared to be and the same are included within the rights of way of the said portion or portions of the said state highway system and hereby are declared to be necessary for the proper location, improvement, construction, and maintenance of the said portion or portions of the state highway system.

4. That I. H. Van Winkle, Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they are hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby further resolved that the Attorney General of the State of Oregon and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they hereby are requested to commence and prosecute to a final determination such suit or action, or suits or actions, as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

The Commission discussed and ratified the action taken by Chairman Cabell and Commissioner Clough on the following property sales, subsequent to the meeting of the Commission on April 9, 1940:

Transaction No. 7204 - sale of buildings on the right of way acquired from Helen McConnell for the improvement of the Pacific Highway south of Grants Pass. The Commission accepted the offer of Pete Fredericksen to pay \$105.00 for these buildings, acceptance having been recommended by the Attorney.

Transaction No. 7203 - sale of buildings within the limits of the right of way acquired from Jean Higgins for the improvement of the Pacific Highway south of Grants Pass. The Commission approved the sale of this property, including a portion of the land outside and to the east of the standard-width right of way boundary to Helen McConnell for the sum of \$2,250.00.

The Attorney requested instructions whether or not to acquire from a Mr. F. C. Adams certain right of way that is needed for the Klamath Falls-Dairy Section of the Klamath Falls-Lakeview Highway, in Klamath County. It appears that this property lies adjacent to the city of Klamath Falls and is on the Sixth Street section of this highway. Further, that the owner has subdivided the land and has placed the plat of the subdivision on file in the county records. The Attorney advised that Mr. Adams is asking \$2,300.00 per acre for the right of way, whereas, in his estimation, it is worth only

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about \$300.00 per acre. It was his thought that the right of way should be acquired now while the entire subdivision is still owned by Mr. Adams, which would limit negotiations to one individual rather than numerous property owners if the right of way is not acquired until later on when some of the property has been sold. Because of the great difference in the amount that is being asked by Mr. Adams for the property and the value placed thereon by the Right of Way Department, the Attorney suggested that it would be advisable to condemn the property.

In the discussion the Engineer pointed out that the permanent alignment for this highway has not as yet been determined, so he is not in a position to state just how much of this property is needed. In view thereof the Commission decided to defer commencement of the condemnation proceedings until the location survey has been completed. The Attorney was instructed to bring the matter up again at that time.

The Attorney reported that in connection with the settlement with Mr. C. L. Green for right of way needed for the improvement of the Pacific Highway East just south of Salem it was agreed that certain trees would not be destroyed, and in consideration thereof Mr. Green offered to sell his property to the state for \$150.00 less than if the trees were removed. It now appears, he said, that during the construction of the highway at this point the contractor inadvertently destroyed the trees and now Mr. Green is asking the state to pay him an additional \$150.00 for their loss. He recommended approval of the request. The Commission approved the recommendation unanimously.

The Commission adjourned at 12:00 midnight, to reconvene on the following morning in the auditorium of the Public Service Building.

Portland, Oregon, May 3, 1940

The State Highway Commission reconvened at 9:00 a. m. in the auditorium of the Public Service Building. Present were:

Henry F. Cabell, Chairman
Huron W. Clough, Commissioner
Herman Oliver, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

Bids as follows for highway construction projects were opened and read in conformance with previously published notice, following which Chairman Cabell announced that the award of contracts would be made at 3:30 p. m. in the same room:

CAPE ARAGO SECONDARY HIGHWAY
NORTH BEND (MIDLAND ADDITION) SECTION - GRADING & SURFACING

Coos Bay Dredging Company, Inc.
McNutt Bros.

\$ 3,985.05
4,379.35

**TILLER-TRAIL SECONDARY HIGHWAY
CANYONVILLE-DAYS CREEK SECTION - SURFACING, OILING, CRUSHED GRAVEL**

O. C. Yocom	\$25,251.00
J. C. Compton	25,823.50
Homer G. Johnson	27,610.00
Clifford A. Dunn	29,510.90
A. Milne	32,152.00
McNutt Bros.	33,982.10

**TILLER-TRAIL SECONDARY HIGHWAY
DAYS CREEK BRIDGE SECTION - CONSTRUCT LOG BRIDGE**

J. F. Johnston	\$ 4,861.30
Contracting & Sales Company	4,896.50
Tom Lillebo	5,461.25
W. H. Philpott	5,580.25
Clifford A. Dunn	6,451.50
McNutt Bros.	7,998.00

**WASCO-HEPPNER SECONDARY HIGHWAY
LOME ROCK JUNCTION-ROCK CREEK SECTION - GRADING & SURFACING**

M. L. O'Neil & Son	\$15,461.75
A. Milne	19,777.50
Leonard & Slate	23,189.00
McNutt Bros.	25,418.50
Homer G. Johnson	28,156.00

**PACIFIC HIGHWAY
EAST UNIT, GRANTS PASS-GREEN CREEK SECTION - GRADING & PAVING**

Leonard & Slate	\$39,240.00
R. I. Stuart & Son	40,636.00
McNutt Bros.	42,166.50

**FENDLETON-JOHN DAY HIGHWAY
NORTH PILOT ROCK SECTION - GRADING, SURFACING, OILING, CONCRETE BRIDGE**

McNutt Bros.	\$23,898.00
Babler Bros.	23,937.00
Birkemeier & Saremäl	24,857.50
F. R. Hewett	26,069.50
Norris Bros.	27,194.00

**PACIFIC HIGHWAY WEST
MIDDLETON-NEWBERG SECTION - ROADSIDE IMPROVEMENT**

Leonard & Slate	\$12,425.00
River Bend Sand & Gravel Company	16,821.50

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The Engineer brought up for discussion matters pertaining to the improvement of Lombard Street, Portland, and particularly the offer of the Portland Traction Company to cooperate in the cost thereof by reason of the abandonment of its streetcar tracks on this street. He said that the Traction Company has agreed in writing to contribute the sum of \$10,317.00 toward the cost of this improvement, which amount represents the cost of paving over the abandoned track area at the rate of 60 cents per square yard, and that the Traction Company has also agreed orally to pay the state an additional sum of \$1,500.00, which represents the cost of maintaining this area for the next ten years. He recommended acceptance of such offer as full and complete cooperation from the Traction Company and that the Commission authorize the advertising of this project for bids to be taken at the June meeting. The Commission approved the recommendation by unanimous vote, subject to the condition that the entire offer of the Traction Company be obtained in writing.

The Engineer reported a request from the Portland Traction Company for a letter outlining the attitude of the State Highway Commission with respect to the removal of the streetcar tracks from the Interstate Bridge between Portland and Vancouver. He said that the Traction Company has plans for the removal of its streetcar line between Portland and Vancouver, and the public hearing on its application is to be held on the following day in the Multnomah County Courthouse and, if consistent with the Commission's policy, they would like to have a letter from the Commission outlining its viewpoint, for the records of such meeting. He recommended approval of the request in view of the fact that the Interstate Bridge is narrow and the elimination of streetcar traffic across same would be a big advantage and of considerable benefit to vehicular traffic. The Commission authorized the Engineer to write such letter.

The Commission had under discussion a request from the 1940 San Francisco World's Fair Commission for the use of one of the Highway Department's trucks to deliver shrubbery to the Oregon exhibit at this fair. The Commission decided not to loan a truck for this purpose in view of its established policy concerning Highway Department equipment; however, instructed the Engineer to contact Mr. Sigfrid Unander, Secretary of the Oregon Fair Commission, and endeavor to work out a satisfactory solution of this problem.

A letter was presented from the West Coast Life Insurance Company offering, for the benefit of State Highway Department employees, a salary-saving plan involving the purchase by such employees individually any form of life or endowment insurance that they may desire and the paying of the premiums for the same by the state by making a deduction from the monthly salaries of such employees. The Commission disapproved the plan by unanimous vote in view of the complications that would result in keeping proper records of individual accounts, considering that there are so many life insurance companies doing business in this state, and if the Commission authorized one company to put its plan in force it would also have to grant the same privilege to all of the companies.

The Assistant Attorney brought up for discussion the matter of acquisition of the Giesendorfer park property at Cascadia. It appears that

there is an outstanding mortgage against this property, amounting to \$15,000.00, that will have to be paid off if the Commission acquires the property. Furthermore, the Baptist Church has a long-term lease to occupy a certain portion of the property, and, under the provisions of this lease, is now maintaining certain buildings thereon, valued at \$4,000.00, which lease would have to be terminated, and the buildings removed. Also, that Mr. Giesendorfer, who is past eighty years of age, is demanding an annuity that would provide him \$75.00 per month during the balance of his life.

The Assistant Attorney advised that in accordance with information that he has obtained from the State Insurance Commissioner and from a representative of one of the life insurance companies, an insurance policy providing for such an annuity payment to Mr. Giesendorfer can be purchased for the sum of \$4,814.00, based on a life expectancy of 2.78 years. In other words, the cash outlay by the state under such plan would total approximately \$23,800.00. He suggested that, if the Commission decides to acquire this tract, it would be advisable to pay Mr. Giesendorfer \$75.00 per month rather than to purchase the annuity insurance; and, on such basis, the total cash outlay would then be approximately \$21,000.00. The matter was discussed at some length, during which the Commission appeared inclined to favor the suggestion of the Attorney, but no definite action was taken the matter being held pending further discussion with Dr. F. W. Starring, Executive Secretary, Oregon Baptist Church Convention, Portland, who has an appointment with the Commission at this meeting.

Dr. Starring appeared before the Commission in company with Dr. C. S. Tunnell, Supervisor in charge of their recreational department. Dr. Starring advised that the Baptist Church Convention has a 50-year lease on 15 acres of land belonging to Mr. Giesendorfer and that said lease still has 44 years to run. Further, that they are paying Mr. Giesendorfer \$50.00 per year for the privilege of occupying his land. He estimated that the Baptist State Convention would suffer a loss of \$6,500.00 if it is required to vacate the premises and said that they would willingly move in order to accommodate the State Highway Department, if necessary, and provided they can find a suitable location elsewhere. He qualified his statement by saying that he has not been authorized to offer any definite proposition to the state but would take the matter up with the Board of Directors at a meeting which is scheduled for next week.

This matter was discussed at length but no decision reached except that it was decided to continue the search for another suitable site for the Baptist Church facilities. The Assistant Attorney reported later in the session that he discussed this matter further with Dr. Starring, who appeared favorably inclined to accept a cash settlement of \$4,000.00 to terminate the lease, provided the Baptist State Convention retain ownership of the buildings and not be required to move the buildings until 1941. The Commission considered the proposition fair and reasonable if it decides to purchase the park, and authorized the Assistant Attorney to direct a letter to Dr. Starring outlining the Commission's attitude, without making any definite commitment, so that Dr. Starring may present this letter to his Board of Directors.

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Mr. Fred Brenne, Secretary of the Eugene Chamber of Commerce, and Mr. H. L. Koppe, City Councilman, were present and advised the Commission that the Eugene Chamber of Commerce has gone on record as approving in full the Engineer's plan for the permanent routing of the Pacific Highway through the city of Eugene. The Commission thanked them for this information.

Mr. Ray Conway, member of the committee appointed by the Commission to recommend sites for historical markers along the Old Oregon Trail, was present and reported briefly the progress that is being made by the Committee on this matter. The Commission approved the report.

A delegation from Wasco and Wheeler Counties came before the Commission and urged improvements to the secondary state highway between Fossil, in Wheeler County, and Antelope, in Wasco County. The delegation was headed by Fred E. Metteer, of Fossil, and included the following: County Commissioner Mace Fulton, of Wasco County; County Judge S. J. Howard, and County Commissioners L. A. Gochenour and Chas. R. Jackson, of Wheeler County; Buster Burgess, Charles Conlee, Edward Lee, all of Fossil; Estel Storall, A. W. Gust, E. C. Woodcock, Charles Steele, and Chas. H. Crofoot, all of Maupin; W. C. Vreidt, Ed McGreer, V. W. Dunn, Robt. B. Rooper, E. A. Maurer, and J. A. Hastings, all of Antelope; Chas. Chapman, Martin W. Nill, and John Wilson, on Clarno; and J. B. Kirk, of The Dalles.

They particularly asked the Commission to transfer the federal aid secondary highway funds heretofore budgeted by the Commission for the improvement of the Kinsua County Road, amounting to \$15,000.00, from this road to the Fossil-Antelope Road. They were informed that it is now too late to make such transfer of funds; anyway, the money was allotted to the Kinsua Road at the request of the Wheeler County Court. Further, that while the Commission is not in a position at the present time to make any commitments or promises with respect to future allocations, it will be pleased to bear this project in mind and will consider it in the formulation of the next program for this type of road.

The Commission adjourned at 12:45 p. m. and reconvened at 2:00 p.m. in the same room.

The Engineer requested authority to conduct a resurvey of the county road which extends up the Rogue River from the town of Wedderburn, as was heretofore requested by a delegation from that vicinity. The Commission approved the request and ordered a report on the situation, for consideration at the next meeting. The Commission also instructed the Engineer to have on hand at that time an estimate of cost to improve the Sixes River Road in Curry County.

A group headed by Mr. Fred Packwood, attorney, Portland, and including W. C. Reugnitz, representing the Columbia Basin Loggers Association; Fay Abrams, representing the Booth-Kelly Lumber Company of Eugene; Herb Cox and George Metzger, of the West Coast Lumber Association, also of Eugene; and Truman and E. S. Collins of Portland, was present in regard to the granting of permits for the transportation over state highways of extra-long logs,

involving overall lengths in excess of the limit specified by statute. Chairman Cabell made the following announcement in regard thereto: "The State Highway Commission feels that, as it interprets the law, it has no right to continue issuing permits authorizing the transportation of overlength loads of logs except under conditions outlined at the Commission meeting last month. However, there are others, including some attorneys, who place a different interpretation on the law, and for that reason the Commission is prepared to enter into a friendly suit to determine just what the law is in the matter. Pending the outcome of this suit the Commission will continue to grant permits for such overlength movements as in the past; at least, the present practice of granting permits will not be changed until there is an adverse decision rendered by the court from this suit. Regardless of the outcome of this suit, it is the hope of the Commission that the representatives of the logging industry will introduce a bill before the next legislature to clarify the situation."

The group thanked the Commission for the action taken. The Secretary was thereupon authorized to continue the granting of permits for overlength movements of logs as in the past.

The Commission recessed from 2:15 p. m. to 3:15 p. m. to attend the funeral of B. F. Irvine, former editor of The Journal, Portland.

At 3:30 p. m. Chairman Cabell announced the following awards of contracts for which bids were taken at the morning session, such awards having been previously approved by the Commission by unanimous vote:

"North Bend Section (Midland Addition) of the Cape Arago Secondary Highway, in Coos County. 0.31 mile grading and 0.09 mile surfacing. Only 2 bids were received for this project, that of the Coos Bay Dredging Company, Inc., Marshfield, being the low one and amounting to \$3,985.05. The other bid was that of McNutt Bros., Eugene, in the amount of \$4,379.35. The Commission has awarded this contract to the low bidder, Coos Bay Dredging Company, Inc., at its bid of \$3,985.05.

"Canyonville-Days Creek Section of the Tiller-Trail Secondary Highway, in Douglas County. 7.12 miles surfacing and oiling; also furnish 5,150 cu. yds. crushed gravel in stock piles. O. C. Yocom, Willamina, submitted the low bid for this contract, in the amount of \$25,251.00. J. C. Compton, McMinnville, submitted the next-low bid, in the amount of \$25,823.50. There were 4 higher bidders. The Commission awards this contract to the low bidder, O. C. Yocom, at his bid of \$25,251.00.

"Days Creek Bridge Section of the Tiller-Trail Secondary Highway, in Douglas County. Construct 124-foot log bridge. The low bid submitted on this project was that of J. F. Johnston, Newberg, in the amount of \$4,861.30. The next low bid was that of the Contracting and Sales Company, Portland, in the amount of \$4,896.50. There were 4 higher bidders. The Commission has rejected all bids received for this work.

"Lone Rock Junction-Rock Creek Section of the Wasco-Heppner Secondary Highway, in Gilliam County. 6.29 miles grading and surfacing. The low bid received was that of M. L. O'Neil & Son, Jordan Valley, in the amount of \$15,461.75. A. Milne, Portland, submitted the next low bid, in the amount of \$19,777.50. There were 3 higher bidders. The Commission has referred all bids received on this project to the Engineer with power to award the contract to the low bidder when certain conditions have been fulfilled.

"East Unit, Grants Pass-Green Creek Section of the Pacific Highway, in Josephine County. 0.83 mile grading and paving. Leonard & Slate, Multnomah, submitted the low bid for this work, in the amount of \$39,240.00. R. I. Stuart & Sons, Medford, submitted the next low bid in the sum of \$40,636.00. There was only one higher bidder. This contract is awarded to Leonard & Slate, the low bidders, at their bid of \$39,240.00.

"North Pilot Rock Section of the Pendleton-John Day Highway, in Umatilla County. 0.34 mile grading, surfacing, and oiling, and construct 54-foot concrete bridge. McNutt Bros., Eugene, submitted the low bid for this work, in the amount of \$23,898.00. Babler Bros., Portland, submitted the next low bid in the amount of \$23,937.00. There were 3 higher bidders. The Commission has awarded this contract to McNutt Bros., the low bidders, at their bid of \$23,898.00.

"Middleton-Newberg Section of the Pacific Highway West, in Washington and Yamhill Counties. 6.49 miles roadside improvement. The Commission received only 2 bids for this project, that of Leonard & Slate, Multnomah, being the low one, in the amount of \$12,425.00. The other bid was that of the River Bend Sand & Gravel Company, Salem, in the amount of \$16,821.50. The Commission has rejected both bids received on this project and has ordered the job readvertised."

The Engineer requested authority for the Right of Way Department to negotiate for the acquisition of a strip of land 20 feet wide along the west side of Block 33, Olney's Addition to Astoria, so as to provide a right of way 80 feet wide along Fifth Street, the connecting street between the Oregon Coast Highway and the Nehalem Secondary Highway at this place, which property is owned by the City of Astoria. The Commission granted the request.

The Attorney reported that in connection with the Cottage Grove improvement it is necessary to secure right of way and a slope easement from Alvin C. Spriggs, et al. The area to be acquired, he said, contains 997 sq. ft. of land plus a slope easement. He recommended the following settlement for the same: The conveying of 1,777 sq. ft. of state-owned property to Mr. Spriggs, et al, with the understanding that the Commission is to be paid 20 cents per square foot for the area deeded in excess of 997 sq. ft., which the state is obtaining, and advised that such settlement is satisfactory to Mr. Spriggs and his associates. The Commission approved such settlement by unanimous vote.

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Consideration was given by the Commission to a request of Mrs. S.E. Huntsberger, Portland, to purchase a parcel of state-owned land situate between the old highway and the new highway just north of the Pudding River Bridge, at Aurora. The Engineer advised that it is planned to revise the alignment of the highway somewhat at this point in the near future, and in connection therewith some of this land will be needed. He recommended that the request be denied. The Commission decided unanimously not to sell the property.

Reconsideration was given by the Commission to the application of L. A. Bratcher, Ashland, to purchase a parcel of state-owned property adjacent to the Bear Creek-Talent Section of the Pacific Highway, in Jackson County. The Commission decided not to sell the property.

A letter was presented from E. G. Robinson, Portland, suggesting that when the proposed bridge across the Willamette River at Wilsonville is constructed the road approaches to the ferry at such point be maintained for general public use rather than revert to the adjacent property owners, because, if the approaches are allowed to revert to private ownership, it would then be impossible for the general public to have access to the river anywhere in this area without encroaching upon private property. The Commission took the matter under advisement for future consideration.

The matter of acquiring additional property at the Highway Department's shops at Salem had the attention of the Commission. The Engineer advised that the Commission a short time ago authorized the acquisition of approximately 4 acres of land abutting upon and immediately east of the present highway shop site, which land was secured at a price of \$212.00 per acre. He pointed out that there remains between the enlarged shop site and the county road leading to the Salem Airport a triangular-shaped area containing 3.653 acres, and gave as his thought that it would be desirable to acquire this additional area in order to have control of all the property between the original highway shop site and the county road, and he so recommended. The Commission approved the recommendation unanimously on the condition that the property can be acquired at the rate of not more than \$212.00 per acre.

The Commission considered and denied the application of W. H. Kennedy, Deputy Sheriff, Coos County, to purchase an irregular-shaped parcel of state-owned property, approximately 50 feet wide and 125 feet long, adjacent to the Oregon Coast Highway just east of the Bunker Hill School, on which to construct and maintain a service station.

The Commission had under discussion matters pertaining to the proposed improvement of the Oregon Coast Highway at Gold Beach and particularly discussed the matter of acquiring additional needed right of way for the same. In this connection the Attorney advised that a George B. Stafford, Jr., whose property fronts on the east side of the highway, a portion of which property will be needed for right of way, contemplates the construction of an expensive filling station thereon and he has stated his unwillingness to sell any of this property for the highway improvement. The Engineer advised that Mr. Stafford's property is located at the south end of Gold Beach where there is

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no question about the permanency of the highway alignment; also, that it is contemplated to reconstruct this unit as the first project in the Gold Beach improvement. He recommended, therefore, that the Attorney be authorized to take options for the right of way at this time, beginning at the curve at the intersection of Strahan Street and extending southerly the full length of the contemplated improvement, which would include Mr. Stafford's property. The Commission approved the recommendation unanimously and so ordered.

The Engineer recommended the abandonment of certain sections of the following highways, such sections being no longer of value from the state's standpoint because the highways have been reconstructed on other alignment:

Portion of the Klamath Indian Agency Section of The Dalles-California Highway between Mile Posts 252 and 253, Klamath County.

Portion of the Green Springs Highway one-half mile east of Jenny Creek, in Jackson County.

Portion of the Draws Valley Section of the Klamath Falls-Lakeview Highway, in Lake County, opposite Draws Reservoir.

Also, the abandonment of certain portions and the retention of certain portions of the relocated Hunter Hill-Lakeview Section of the Fremont Highway, in Lake County.

The Commission approved the recommendation and by unanimous vote adopted the following resolutions in regard thereto:

WHEREAS, in order to afford a better alignment and a more satisfactory, safe and convenient highway for the traveling public, the Commission found it necessary to relocate a portion of the Klamath Indian Agency Section of The Dalles-California Highway in Klamath County; and

WHEREAS, by reason of said relocation and reconstruction of the said section of said highway there was eliminated and made unnecessary as a part of the permanent highway a certain section or part thereof, which section is more specifically defined and designated hereinafter in this resolution; and

WHEREAS, it is the judgment and opinion of the Commission that there should be recorded in the minutes and records of the Commission its purpose and plan to abandon as a part of the said state highway the fragment or portion of right of way hereinafter designated and heretofore included within the area of the right of way of the said highway as formerly located, improved and used;

NOW, THEREFORE, the premises being in general as above stated, it hereby is resolved by this Commission, all members being present and affirmatively participating, as follows:

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1. That the fragment of land confined within the area of land hereinafter designated, which fragment or parcel of land was formerly within the limits of the right of way of the Klamath Indian Agency Section of The Dalles-California Highway, but is now without the limits of the right of way of said highway as said highway has been relocated and reconstructed be and said fragment or parcel land or portion of the old right of way is abandoned as a part of the right of way of said highway, and said fragment or parcel of land or old right of way is, so far as control and supervision by this Commission is concerned, eliminated and left to revert to tribal ownership by the Klamath Indian Tribe. The fragment or parcel of land affected by this resolution is defined and described as follow, to wit:

All that certain section of the old right of way of The Dalles-California Highway in Sections 7 and 18, Township 34 South, Range 7 East, W.M., Klamath County, lying on the easterly and westerly side of the right of way required for the reconstructed The Dalles-California Highway and lying between Mile Post 252 and Mile Post 253 of said highway, the beginning and ending points with reference to engineer's stations of the said old highway being Station 1634+50 on the southerly end and Station 1672+80 on the northerly end.

The location of said abandoned right of way may be more definitely and particularly ascertained and determined by reference to a map or blueprint, marked "Exhibit A", attached hereto and by this reference made a part hereof, which said exhibit for identification purposes bears the signatures of W. E. Chandler, Division Engineer, H. G. Smith, Construction Engineer, and C. B. McCullough, Assistant State Highway Engineer, and is dated May 1, 1940, upon which map or exhibit there is reflected the above described parcel of land by showing the same shaded in red.*

2. In the event there remains any physical connection between any portion of said abandoned right of way or highway and the present highway, and by reason of such physical connection traffic from the existing highway may enter or use the said abandoned portion of the said old road to the possible damage or injury of such traffic by reason of any unsafe condition existing with respect to said old or abandoned road, then the State Highway Engineer is hereby authorized and directed to erect such barricade or other safeguard as may be necessary to protect and safeguard traffic using and employing said newly located, constructed and dedicated section of said highway.

3. That this resolution be entered in the minutes and records of the Commission and a certified copy thereof, together with a copy of said map or exhibit, delivered to Honorable B. G. Courtright, Superintendent of the Klamath Indian Agency, and thereafter said abandoned section of said highway shall no longer be under the jurisdiction or control of the State Highway Commission, nor shall the Highway Commission

*Map filed in Right of Way Abandonment and Retention File - No. 71

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assume or undertake any responsibility in connection therewith.

WHEREAS, in order to afford a better alignment and a more satisfactory, safe and convenient highway for the traveling public, the Commission found it necessary to relocate a portion of the Green Springs Highway in Jackson County; and

WHEREAS, by reason of said relocation and reconstruction of the said section of said highway there was eliminated and made unnecessary as a part of the permanent highway a certain section or part thereof, which section is more specifically defined and designated hereinafter in this resolution; and

WHEREAS, it is the judgment and opinion of the Commission that there should be recorded in the minutes and records of the Commission its purpose and plan to abandon as a part of the said state highway the fragment or portion of right of way hereinafter designated and heretofore included within the area of the right of way of the said highway as formerly located, improved and used;

NOW, THEREFORE, the premises being in general as above stated, it hereby is resolved by this Commission, all members being present and affirmatively participating, as follows:

1. That the fragment of land confined within the area of land hereinafter designated, which fragment or parcel of land was formerly within the limits of the right of way of the Green Springs Highway in Jackson County, but is now without the limits of the right of way of said highway as said highway has been relocated and constructed, be and said fragment or parcel of land or portion of the old right of way is abandoned as a part of the right of way of said highway, and said fragment or parcel of land or old right of way is, so far as control and supervision by this Commission is concerned, eliminated and left to revert to the adjoining and abutting property owners or to the control and supervision of the County Court of Jackson County for highway or other public purposes as the Court may determine. The fragment or parcel of land affected by this resolution is defined and described as follows, to wit:

All that certain section of the old right of way of the Green Springs Highway lying on the southerly side of the right of way required for the reconstructed Green Springs Highway lying between Mile Post 24 and Mile Post 25 of said highway, the beginning and ending points with reference to the engineer's stations of the reconstructed highway being Station 446+70 on the westerly end and Station 477+80 on the easterly end, all in Section 4, Township 40 South, Range 4 East, W.M., Jackson County, Oregon.

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The location of said abandoned right of way may be more definitely and particularly ascertained and determined by reference to a map or blueprint, marked "Exhibit A", attached hereto and by this reference made a part hereof, which said exhibit for identification purposes bears the signatures of K. D. Lytle, Division Engineer, H. G. Smith, Construction Engineer, and C. B. McCullough, Assistant State Highway Engineer, and is dated February 23, 1940, upon which map or exhibit there is reflected the above described parcel of land by showing the same shaded in red. *

2. In the event there remains any physical connection between any portion of said abandoned right of way or highway and the present highway, and by reason of such physical connection traffic from the existing highway may enter or use the said abandoned portion of the said old road to the possible damage or injury of such traffic by reason of any unsafe condition existing with respect to said old or abandoned road, then the State Highway Engineer is hereby authorized and directed to erect such barricade or other safeguards as may be necessary to protect and safeguard traffic using and employing said newly located, constructed and dedicated section of said highway.

3. That this resolution be entered in the minutes and records of the Commission and a certified copy thereof promptly delivered to the County Court of Jackson County, together with a copy of said map or exhibit, for such action as said County Court may desire to take with respect to said fragment of land, and should said abandoned portion of the right of way of said highway be further employed for public or private highway purposes such use shall be entirely under the control and supervision of the County Court of Jackson County and beyond any responsibility or supervision by the State Highway Commission.

WHEREAS, in order to afford a better alignment and a more satisfactory, safe and convenient highway for the traveling public the Commission found it necessary to relocate a portion of the Klamath Falls-Lakeview Highway in Lake County; and

WHEREAS, by reason of said relocation and reconstruction of the said section of said highway there was eliminated and made unnecessary as a part of the permanent highway a certain section or part thereof, which section is more specifically defined and designated hereinafter in this resolution; and

WHEREAS, it is the judgment and opinion of the Commission that there should be recorded in the minutes and records of the Commission its purpose and plan to abandon as a part of the said state highway the fragment or portion of right of way hereinafter designated and heretofore included within the area of the right of way

*Map filed in Right of Way Abandonment and Retention File - No. 72

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of the said highway as formerly located, improved and used;

NOW, THEREFORE, the premises being in general as above stated, it hereby is resolved by this Commission, all members being present and affirmatively participating, as follows:

1. That the fragment of land confined within the area of land hereinafter designated, which fragment or parcel of land was formerly within the limits of the right of way of the Klamath Falls-Lakeview Highway in Lake County but is now without the limits of the right of way of said highway, as said highway has been relocated and constructed, be and said fragment or parcel of land or portion of the old right of way is abandoned as a part of the right of way of said highway, and said fragment or parcel of land or old right of way is, so far as control and supervision by this Commission is concerned, eliminated and left to revert to the adjoining and abutting property owners or to the control and supervision of the County Court of Lake County for highway or other public purposes as the Court may determine. The fragment or parcel of land affected by this resolution is defined and described as follows, to wit:

All that certain section of the old right of way of the Klamath Falls-Lakeview Highway lying on the westerly side of the right of way required for the reconstructed Klamath Falls-Lakeview Highway and lying between Mile Post 71.62 and Mile Post 73.46 of said highway; the beginning and ending points with reference to the engineer's stations of the reconstructed highway being Station 472+14.8 on the northerly end and Station 554+38.4 on the southerly end.

The location of said abandoned right of way may be more definitely and particularly ascertained and determined by reference to a map or blueprint, marked "Exhibit A", attached hereto and by this reference made a part hereof, which said exhibit for identification purposes bears the signatures of W. E. Chandler, Division Engineer, H. G. Smith, Construction Engineer, and C. B. McCullough, Assistant State Highway Engineer, and is dated February 16, 1940, upon which map or exhibit there is reflected the above described parcel of land by showing the same shaded in red. *

2. In the event there remains any physical connection between any portion of said abandoned right of way or highway and the present highway, and by reason of such physical connection traffic from the existing highway may enter or use the said abandoned portion of the said old road to the possible damage or injury of such traffic by reason of any unsafe condition existing with respect to said old or abandoned road, then the State Highway Engineer is hereby authorized and directed to erect such barricade or other safeguards as may be necessary to protect and safeguard traffic using

* Map filed in Right of Way Abandonment and Retention File - No. 73

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and employing said newly located, constructed and dedicated section of said highway.

3. That this resolution be entered in the minutes and records of the Commission and a certified copy thereof promptly delivered to the County Court of Lake County, together with a copy of said map or exhibit, for such action as said County Court may desire to take with respect to said fragment of land, and should said abandoned section of the right of way of said highway be further employed for public or private highway purposes such use shall be entirely under the control and supervision of the County Court of Lake County and beyond any responsibility or supervision by the State Highway Commission.

WHEREAS, in order to afford a better alignment and a more satisfactory, safe and convenient highway for the traveling public the Highway Commission found it necessary to relocate portions of the Hunter Hill-Lakeview Section of the Fremont Highway in Lake County; and

WHEREAS, by reason of said relocation and reconstruction of said section of said highway there have been eliminated from the main travelled portion of said highway certain sections or fragments of land, which said sections or fragments of land are more specifically defined and described hereinafter in this resolution and are reflected on prints or maps, marked "Exhibit A", "Exhibit B", and "Exhibit C", and "Exhibit D", copies of which are attached hereto and made a part hereof; and

WHEREAS, while those sections hereinafter described as the parcels to be retained and shown in yellow on the attached prints are not required for use as a part of the main or travelled section of the highway, nevertheless the same are required, can be used, and are essential for other public purposes, to wit: storage purposes, parking area and other public uses in connection with said highway; and

WHEREAS, it is the judgment and opinion of the Commission that there should be recorded in the minutes and records of the Commission its purpose and plan to preserve for public use in connection with said highway the fragments or parcels of land hereinafter described as the parcels to be retained and shown in yellow on the attached prints; and

WHEREAS, it is the judgment and opinion of the Commission that there should be recorded in the minutes and records of this Commission the purpose and plan of the Commission to abandon as parts of the state highway system certain portions of the highway eliminated from the main travelled portion of said highway, which sections are made unnecessary as a part of the completed highway

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and are shown shaded in red on the attached prints or maps;

NOW, THEREFORE, the premises being in general as above stated, it hereby is resolved by this Commission, all members being present and affirmatively participating, as follows:

1. The fragments or parcels of land which heretofore were within the right of way proper of the Hunter Hill-Lakeview Section of the Fremont Highway but which by reason of a relocation or re-alignment of said highway are now without the area improved and used by the traveling public, but are adjacent to and abut upon the said right of way, which parcels are shown shaded in yellow on the attached print, shall be preserved by the Highway Commission for such other public use as said land may serve in connection with the construction, improvement, and maintenance of said highway or the use of the same, which said parcels or fragments of land are described as follows, to wit:

All those certain sections of the old right of way of the Hunter Hill-Lakeview Section of the Fremont Highway in Lake County lying on each side of the right of way required for the reconstructed Fremont Highway and lying between Mile Post 80 and Mile Post 135 of said highway. The beginning and ending points of each section to be retained with references to the location and the engineer's stations of the reconstructed highway are described as follows:

(Hunter Hill-Currier Ranch Section, Mile Post 80 to Mile Post 86, Exhibit A.)

Station 3376+47 to Station 3369+54	on the westerly side of the highway
Station 3310+94 to Station 3304+79	" " " " " " "
Station 3223+68 to Station 3213+53	" " " " " " "
Station 3173+82 to Station 3157+80	" " " " " " "

(Warlow Creek-Paisley Section, Mile Post 97 to 98, Exhibit B.)

Station 2400+00 to Station 2387+15 on the westerly side of the highway, being all that portion of the old right of way lying in the South one-half of the Northwest quarter of Section 24, Township 33 South, Range 18 East, W. M., Lake County.

(Chandler Park-Loveless Creek Section, Mile Post 126 to Mile Post 129, Exhibit C.)

Station 822+00 to Station 812+18	on the easterly side of the highway
Station 808+70 to Station 803+60	" " " " " " "
Station 798+30 to Station 780+38	" " " " " " "
Station 751+50 to Station 741+74	" " " " " " "
Station 724+90 to Station 717+80	" " " " " " "

(Crooked Creek-Salt Creek Section, Mile Post 130 to
Mile Post 134, Exhibit D.)

Station 646+84 to Station 639+53	on the easterly side of the highway				
Station 550+86 to Station 545+96	" southeasterly	"	"	"	"
Station 545+39 to Station 540+94	" northwesterly	"	"	"	"
Station 540+73 to Station 537+11	" southeasterly	"	"	"	"
Station 531+90 to Station 509+89	" northwesterly	"	"	"	"
Station 508+80 to Station 495+23	" southeasterly	"	"	"	"

2. That the fragments of land confined within the area hereinafter described and designated as the parcels of land to be abandoned, which fragments were formerly within the limits of the right of way of the Hunter Hill-Lakeview Section of the Fremont Highway, be and said fragments of land are abandoned as a part of the right of way of said highway, and said fragments of right of way are, so far as control and supervision of this Commission are concerned, left to revert to the adjoining and abutting property owners or to the control and supervision of the County Court of Lake County. The fragments of land to be abandoned are described as follows, to wit:

All those certain sections of the old right of way of the Hunter Hill-Lakeview Section of the Fremont Highway lying on each side of the right of way required for the reconstructed Fremont Highway and lying between Mile Post 80 and Mile Post 135 of said highway, The beginning and ending points of each section to be abandoned with reference to the location and the engineer's stations of the reconstructed highway are described as follows:

(Hunter Hill-Currier Ranch Section, Mile Post 80 to
Mile Post 86, Exhibit A.)

Station 3332+37 to Station 3325+52	on the easterly side of highway				
Station 3250+76 to Station 3243+80	" " westerly	"	"	"	"
Station 3198+23 to Station 3189+92	" " " "	"	"	"	"
Station 3077+10 to Station 3061+69	" " " "	"	"	"	"

(Warlow Creek-Paisley Section, mile Post 97 to Mile Post
98, Exhibit B.)

Station 2421+00 to Station 2400+00 on the westerly side on highway, being all that portion of the old right of way lying in the North one-half of the Northwest one-quarter of Section 24, Township 33 South, Range 18 East, T. M., Lake County.

(Chandler Park-Loveless Creek Section, Mile Post
126 to Mile Post 129, Exhibit C.)

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(Chandler Park-Loveless Creek Section continued)

Station 851+50 to Station 822+00 on the easterly side of the highway and lying north of the west line of Section 6, Township 37 South, Range 21 East, W. M., Lake County.

(Crooked Creek-Salt Creek Section, Mile Post 130 to Mile Post 134, Exhibit D.)

Station 587+60 to Station 557+25 on the easterly side of highway
 Station 474+90 to Station 418+40 " " " " " "

3. In addition to the foregoing descriptions of said fragments or parcels of land there are attached hereto prints or maps, marked "Exhibit A", "Exhibit B", "Exhibit C", and "Exhibit D", which by this reference are made parts hereof, and upon which maps there are shown shaded in yellow the parcels of land formerly within the old right of way, but which are now by this official act preserved for public purposes, and upon which map there are shown shaded in red the abandoned sections of said right of way. Said exhibits or maps for identification purposes bear the signatures of W. E. Chandler, Division Engineer, H. G. Smith, Construction Engineer, and C. B. McCullough, Assistant State Highway Engineer, and bear date of April 2, 1940. *

4. The Engineer hereby is instructed to properly and completely mark on the ground the boundaries of the fragments of land to be retained by the Highway Commission by erecting and maintaining thereon proper monuments or posts upon which shall be inscribed the words "State Property".

5. In the event there remains any physical connection between any portions of said abandoned right of way or highway and the present highway, and by reason of such physical connection traffic from the existing highway may enter or use the said abandoned portions of the old road to the possible damage or injury of such traffic by reason of any unsafe condition existing with respect to the said old or abandoned road, then the State Highway Engineer is hereby authorized and directed to erect such barricade or other safeguards as may be necessary to protect and safeguard traffic using and employing said newly located, constructed, and dedicated section of said state highway.

6. That this resolution be entered in the minutes and records of the Commission and a certified copy thereof promptly delivered to the County Court of Lake County, together with copies of said exhibits or maps, for such action as said County Court may desire to take with respect to the fragments of land to be abandoned, and should said abandoned portions of the right of way of said Fremont Highway be further employed for public or private

* Maps filed in Right of Way Abandonment and Retention File - No. 74

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highway purposes such use shall be entirely under the control and supervision of the County Court of Lake County and beyond any responsibility or supervision by the State Highway Commission.

The Commission considered the application of Mr. Floyd Wood to purchase a portion of state-owned property adjacent to the Warm Springs Highway about 6 miles north of Madras, in Jefferson County. The Attorney advised that the area in question is an old borrow pit containing 23 acres and that Mr. Wood has offered to pay \$50.00 for the same, which is approximately the amount that the state paid for it. Also, that the land is of no value for state highway purposes. The Commission decided to sell the property to the bidder submitting the highest bid for the same, and ordered that the property be advertised for sale in the local newspaper. The Commission also ordered that, if the property is sold, the deed of conveyance contain a clause prohibiting right of access to the highway from the property.

The Commission also approved the sale of a small triangular-shaped parcel of state-owned land in Medford to the Medford Corporation for the sum of \$10.00, said parcel containing 46 sq. ft. of land and situate in Lot 13, Block 8, Berryvale Addition to Medford. The Attorney advised that this area was included in the deed to the state from the Medford Corporation by mistake and that the Corporation has asked that it be reconveyed to it in order to clear its records.

The Commission also approved the sale to Della A. Lindeman, Medford, for the sum of \$10.00, of a small parcel of land lying outside of the right of way, in Lot 21, Block 7, Berryvale Addition to Medford, for use as approach to her service station.

The Commission discussed the claim of Mrs. B. Huslik, Bend, for damages that she alleges occurred to her property by reason of the state highway improvement on Franklin Avenue, in Bend. The Assistant Attorney advised that Mrs. Huslik owns a service station at the corner of Third and Franklin Avenues which has been rendered more or less isolated by reason of the highway improvement, particularly because a curve has been introduced into the alignment at this intersection, taking traffic away from her place of business, and because the center of the highway has been raised somewhat, although there has been no change whatsoever in the grade of the highway at the property line. As a consequence, he said, Mrs. Huslik, in order to save her business, has purchased adjacent property fronting on Franklin Avenue, for which she paid \$2,500.00, and she is now asking such sum in settlement of her claim because she feels that the highway improvement has forced this expense upon her.

The Assistant Attorney gave as his thought that the damages sustained by Mrs. Huslik have arisen out of change in location of the highway, for which the State Highway Commission has no legal obligation, hence would have no legal authority to compensate her. However, he gave as his thought, in view of the fact that Mrs. Huslik's business will be somewhat adversely affected by reason of change in location of the highway, that she is entitled

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to some compensation therefor, and recommended the payment of \$500.00 as complete and full settlement of her claim. After discussion the Commission by unanimous vote approved the recommendation.

The Commission also considered the claim of J. N. Whitman, Dundee, for additional compensation arising out of the reconstruction of the Pacific Highway West at this place. It appears that when the original settlement was effected with Mr. Whitman providing for right of way needed for this improvement, nothing was said about reconstructing the concrete curb in front of Mr. Whitman's premises, which curb was destroyed by the highway improvement, and Mr. Whitman now wishes the curb replaced or that he be paid the sum of \$20.00 in lieu thereof so he can replace it himself. The Commission considered Mr. Whitman's claim reasonable and thereupon authorized the payment of \$20.00 to him for such purpose.

The Commission had under discussion the matter of consenting to the vacation of a portion of 8th Street in Albany for a short distance at the point where said street connects with the new route of the Pacific Highway, more particularly described as follows:

Beginning at a point where the south line of the new Pacific Highway intersects the south line of Eighth Street or the north line of Block 5 in Bryant's Addition to Albany, Oregon; thence easterly along the north line of said block to the east end of said Eighth Street, thence North 00° 56' West 30 feet to the south line of said highway, thence South 66° 46' West along said highway to the place of beginning, containing 1125 square feet.

The Attorney and the Engineer advised that this street is of no value from the State Highway standpoint or for any general public use whatsoever and that the city intends to vacate it and in connection therewith needs the consent of the State Highway Department because the street abuts on the state highway right of way. They recommended that the Commission join with the other property owners in consenting to the vacation. The Commission approved the recommendation unanimously and thereupon signed a form of consent relating thereto, as prepared by the Attorney.

The Assistant Attorney advised that the State Highway Department owns several residence buildings in Pendleton and that the renting of the same is in the hands of a local real estate agency which advises that it is having difficulty in securing desirable tenants in two of the houses because they are in need of repair. He said that investigation reveals that it would cost about \$90.00 to put these buildings in satisfactory condition, and requested authority to proceed with the improvement. The Commission approved the request unanimously.

The Assistant Attorney also reported that the Gibson house, which was acquired by the Commission in connection with the acquisition of right of way for the South Salem improvement of the Pacific Highway, is in need of repair to make it rentable. He estimated that it would cost about \$25.00 to make the repairs, consisting of the installation of a trash burner and other

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minor improvements. He requested authority for the expenditure of such sum. The Commission approved the request.

The Attorney brought up for discussion matters pertaining to the proposed improvement of the Pacific Highway through Eugene. He pointed out that the Southern Pacific Railroad Company owns certain property in University Addition to Eugene which may be needed for right of way for the new improvement, although it is not definitely known at this time whether or not the railroad company's land will actually be needed. He suggested that it would be advisable to write the railroad company and request that this property be not sold until the Highway Commission's plans for this improvement have been finally approved. The Commission approved the suggestion and so ordered.

The Assistant Attorney brought to the attention of the Commission the fact that fronting on Block 25 of the town of Dundee, between 9th Street and 10th Street, which section is now being reconstructed as a state highway route, certain gasoline pumps, a pump island, and storage tanks have been installed, all within the limits of the highway right of way, which facilities will conflict with the construction of sidewalks in connection with the highway improvement. He suggested that formal demand should be made upon the City of Dundee to cause the removal of these encroachments in order to permit the proper construction of the highway project, it being his thought that this is an obligation of the city. The Commission concurred in the viewpoint of the Attorney and thereupon instructed the Secretary to ask the city authorities, by letter, to have these encroachments removed.

The matter of constructing a fire trail across certain property acquired from the Sunset Logging Company adjacent to the Wolf Creek Highway had the attention of the Commission. It appears that in connection with the rules and regulations of the State Forester, the Sunset Logging Company, which owns the adjacent land, has been ordered to construct a fire trail around the tract sold to the state, and the Sunset Logging Company has objected thereto because of the cost involved and because it does not appear to the company to be necessary. Furthermore, the company would not have been required to construct a fire trail around this property had it retained title to the same, inasmuch as the State Forester's regulations do not require such fire trails where private properties abut on public roads. The Attorney advised that the tract, in question contains 22 acres. He was instructed by the Commission to discuss the matter with the State Forester in an endeavor to secure modification of his requirements so as to avoid the expense. In the event that the State Forester still demands that the fire trail be constructed, then the Commission authorized an expenditure of state highway funds to pay one-half the cost thereof.

The Engineer reported that approximately 50 M-FEM untreated used timbers have been salvaged from the contract for the lining of the Arch Cape tunnel, which material, he said, is in random lengths, is in rather bad condition, and has no structural value for any state use. He requested authority to advertise it for sale at the next meeting of the Commission. The Commission approved the request.

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The Engineer presented a list of surveys that he has ordered since the last meeting of the Commission and asked the Commission to confirm them and the amounts allocated for each. After due consideration the Commission authorized and instructed the Engineer to make such location surveys on various sections of the highways of this state, which said sections of highways, together with their identifying location survey numbers and the amounts authorized and allocated for such survey expenditures are as follows:

Reconn. - - - - 202-2821 - Lobster Mt.-Five Rivers Junct. Section, Benton and Lincoln Co. Roads. 1st authorization - \$400.00.

Plans - - - - 103-2824 - Clackamas Grade Separation, Cascade Secondary Hwy., Clackamas County. 1st authorization - \$1,000.00.

Plans - - - - 3-2825 - Pudding River Bridge, Pacific Highway East, Clackamas County. 1st authorization - \$800.00.

Plans - - - - 103-2825 - Market Rd. #10-Kaylor Junct. Sect., Woodburn-Mt. Hood Sec.Hwy., Clackamas County. 1st authorization - \$750.00

Reconn. - - - - 6-2820 - Reedsport-Coos Bay Section, Oregon Coast Highway, Coos County. 2nd authorization - \$400.00
Total to date \$1,600.00

Gravel Pits - 107-2812 - Deschutes County Line-Ochoco Highway, O'Neil Sec.Hwy., Crook County. 1st authorization - \$400.00

Gravel Pits - 107-2811 - Crooked River Hwy.-Paulina Section, Crooked River Sec.Hwy., Crook Co. 1st authorization - \$500.00

Plans - - - - 8-2813 - Port Orford-Rocky Creek Section, Oregon Coast Hwy., Curry County. 2nd authorization - \$1,000.00
Total to date \$1,150.00

Plans - - - - 9-2829 - Bend-North Section, The Dalles-California Hwy., Deschutes County. 1st authorization - \$250.00

Plans - - - - 11-2810 - John Day River-Squally Hook Section, Columbia River Hwy., Gilliam County. 2nd authorization - \$390.00
Total to date \$827.50

Testing - - - - 17-2811 - Sexton Mountain Section, Pacific Highway, Josephine County. 2nd authorization - \$2,400.00
Total to date \$3,000.00

Plans - - - - 18-2844 - Chemult Section, The Dalles-California Highway, Klamath County 1st authorization - \$200.00

Mile Post - - - 18-2845 - Klamath Section, The Dalles-California, Klamath Falls-Malin, and Klamath Falls-Lakeview Highways, Klamath Co. 1st authorization - \$865.00

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Right of Way - 19-1919 - Cottonwood Creek-Lakeview Section, Klamath Falls-Lakeview Highway, Lake County.
2nd authorization - \$100.00
Total to date \$150.00

Plans - - - - 20-2840 - Blackly-Long Tom River Section, Siuslaw Highway, Lane County.
2nd authorization - \$964.50
Total to date \$1,500.00

Plans - - - - 22-2825 - Trout Creek-Toll Creek Section, Santiam Highway, Linn County.
1st authorization - \$1,800.00

Plans - - - - 22-2824 - Albany-Lebanon Section, Santiam Highway, Linn Co.
1st authorization - \$700.00

Plans - - - - 124-2831 - Mt. Angel Section, Hillsboro-Silverton Sec. Hwy., Marion County.
1st authorization - \$100.00

Plans - - - - 224-2832 - Salem-Roberts Corner Section, So. River County Rd., Marion County.
1st authorization - \$2,400.00

Plans - - - - 26-2844 - Steel Bridge-Barbur Blvd. Section, Front Street, Multnomah County.
1st authorization - \$3,500.00

Plans - - - - 28-2808 - Spanish Hollow Section, Columbia River Highway, Sherman County.
1st authorization - \$125.00

Park - - - - 30-2829 - Battle Mt. Park Section, Pendleton-John Day Highway, Umatilla County.
1st authorization - \$150.00

Plans - - - - 131-2820 - Meadowbrook Section, Starkey Secondary Highway, Union County.
1st authorization - \$300.00

Quarry - - - - 33-2819 - Shaniko-The Dalles-California Highway, Sherman Hwy., Wasco County.
5th authorization - \$500.00
Total to date \$4,500.00

Plans - - - - 33-2823 - Cow Canyon Section, The Dalles-California Highway, Wasco County.
1st authorization - \$600.00

Plans - - - - 36-2810 - Deer Creek-Bellevue Section, Salmon River Highway, Yamhill County.
3rd authorization - \$400.00
Total to date \$3,506.18

Non-passing
Lanes - - - - 64-5032 - Pacific, Columbia River, The Dalles-California, Oregon Coast, and Old Oregon Trail Highways.
1st authorization - \$4,000.00

The Engineer reported that Contracts Nos. 2205, 2212, 2214, 2253, 2261, 2272, and 2279, for the construction of state highway projects, have

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been completed according to the requirements of the contracts or modifications thereof, and that said jobs are now ready for acceptance. The following resolution accepting the above projects was offered and was adopted by the unanimous vote of the Commission:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts and said jobs are now ready for acceptance:

Contract No. 2205, with Morrison-Knudsen Company, for clearing, grading, and embankment construction on the East Unit, Troutdale-Corbett and Bridal Veil-Benson Park Sections of the Columbia River Highway, in Multnomah County. Completed March 30, 1940.

Contract No. 2212, with J. F. Johnston, for bridge construction over West Fork Dairy Creek and Nehalem River on the Wolf Creek Highway, in Washington County. Completed March 31, 1940.

Contract No. 2214, with McNutt Bros., for tunnel enlargement and timber lining in the Arch Cape Tunnel, on the Oregon Coast Highway, in Clatsop County. Completed March 30, 1940.

Contract No. 2253, with A. S. Wallace, for furnishing crushed rock in stock piles on the Nehalem River-Sunset Summit Section of the Wolf Creek Highway, in Clatsop and Washington Counties. Completed April 9, 1940.

Contract No. 2261, with M. L. O'Neil & Son, for 4.08 miles grading on the Cow Hollow Creek-Owyhee School Section of the Vale-Adrian County Road, in Malheur County. Completed April 13, 1940.

Contract No. 2272, with Walter J. Stutte, for construction of frame building and addition to existing maintenance building at Medford, Jackson County. Completed April 13, 1940.

Contract No. 2279, with Birkemeier & Saremäl, for the construction of the C.O.I.D. Canal on the Ochoco Highway, in Crook County. Completed March 27, 1940.

THEREFORE, BE IT RESOLVED that the work covered by said state highway contracts for the construction of said state highway projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

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The Commission had under discussion the setting of a date for its next regular meeting in June and decided to hold such meeting in Portland on Thursday and Friday, June 13 and 14, at which meeting bids will be received for highway construction projects. The Secretary was instructed to make the usual arrangements to hold this meeting in the auditorium on the third floor of the Public Service Building. The Commission also set Thursday, May 23, 1940, as the date for an interim meeting in Salem for the disposal of accumulated routine matters.

The Commission considered and signed agreements, et cetera, as follows:

Agreement with the Southern Pacific Company providing for the use of certain jointly-owned poles of the Western Union Telegraph Company and the Southern Pacific Company between Salem and Geer, in Marion County, for use in connection with the Highway Department's remote control radio setup.

Agreement with the Southern Pacific Company covering construction of the Davies Undercrossing on the Wolf Creek Highway, in Washington County.

Agreement with the United States of America, Division of Grazing, providing for the construction by the Division of Grazing of certain stock fences on the right of way of the Central Oregon Highway, the Old Oregon Trail, and the John Day Highway.

Agreement with Agnes Teedor providing for the installation of a cipoletti weir in a highway culvert, which culvert is located at the point where the I.O.N. Highway crosses Crooked Creek, in the SE $\frac{1}{4}$, NE $\frac{1}{4}$ Sec. 24, T. 33 S., R 39 E., W. M., Malheur County.

Agreement with Clatsop County providing for the maintenance by the county of the Warrenton-Fort Stevens County Road after construction by the state as a federal aid secondary highway, being designated as Project No. FAS 66-A(1).

Agreement with Multnomah County providing for the maintenance by the county of the county road known as Skyline Boulevard after construction by the state as a federal aid secondary highway, being designated as Project No FAS 71-A(1).

Agreement with the City of Florence providing for the improvement of an extension of Lincoln Street in Florence as a connection between the old and new routes of the Oregon Coast Highway.

Approval of assignment given by Wayne A. Shaw to H. D. Bostwick, being the assignment of \$1,500.00 which will be payable to Mr. Shaw by the State Highway Commission in accordance with agreement dated March 22, 1940, relative to the construction of a relief map of the State of Oregon.

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Permit authorizing the Consolidated Freightways, Inc., to transport over certain state highways certain equipment unladen or with load, having a maximum height of 11 feet 6 inches (Does not include Pacific Highway, which is subject of a separate permit.)

Permit authorizing the B. E. Maling Inc., Hillsboro, to move over the Columbia River Highway between Astoria and The Dalles, and over the Tualatin Valley and the Wolf Creek Highways between Hillsboro and Portland, certain peaviner equipment having an overall height of 13 feet 8 inches.

Easement agreement with G. B. Matthews et al providing for a detour road around Crater Lake Highway construction work, in Jackson County. Right of Way File No. 7229.

Easement agreement with C. C. Seeley and wife, providing for the construction of a fire trail across the Seeley property at Short Sand Beach State Park, in Clatsop County.

Easement agreement with George E. Huntley and wife, providing for right of way for the construction of a water system across the Huntley property for use in Short Sand Beach State Park.

Application to the Department of the Interior for a patent to certain government-owned lands situate in Douglas County.

Bargain and Sale Deed, conveying unto Helen L. McConnell, for the sum of \$2,250.00, 0.25 acre of land situate adjacent to the Grants Pass-Green Creek Section of the Pacific Highway, in Government Lot 7, Section 19, T. 36 S., R. 5 W., W.M., Josephine County. Right of Way File No. 7203.

Bargain and Sale Deed conveying unto O. A. Steen and Augusta Steen 2 parcels of state-owned property situate adjacent to the right of way of the Pacific Highway, in Lot 1, Block 31, Hackleman's Second Addition to Albany, containing 1342.4 and 2916.8 sq. ft., respectively. Right of Way Transaction No. 4974.

Quit Claim Deed conveying unto the Shevlin-Hixon Company 2.12 acres of land situate adjacent to the Century Drive Secondary Highway in the S $\frac{1}{2}$, SW $\frac{1}{4}$, Sec. 25, T. 18 S., R. 10 E., W.M., Deschutes County. Right of Way Transaction No. 7411.

There being no further business to come before the Commission at this time, the meeting was adjourned at 5:00 p.m.

[Signature]
State Highway Engineer

[Signature]
Secretary

[Signature]
Chairman

[Signature]
Commissioner

[Signature]
Commissioner

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Salem, Oregon, May 23, 1940

The State Highway Commission met in special session at 10:30 a. m. in the office of the State Highway Engineer, Room 325, State Office Building. Present were:

Henry F. Cabell, Chairman
Huron W. Clough, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

Commissioner Herman Oliver was excused from attending this meeting.

Commissioner Clough brought up for discussion matters pertaining to the paving contract on the Pacific Highway south of Grants Pass. He advised that he has received numerous complaints from businessmen in the district to the effect that if the Highway Department adheres to its present plans to construct this pavement, using slow-setting cement, their businesses will be adversely affected in that they will be deprived of their regular business by reason of the fact that the highway will be closed for such a long period during the time that the concrete is curing. Particularly does this affect the business establishments along a short section about 500 feet long, and the suggestion has been made that quick-setting cement be substituted for the ordinary cement at this particular location. After discussion the Commission authorized the Engineer to make such substitution of materials as may be consistent with current practice.

The Commission discussed the application of S. U. Johnson for a permit to transport logs directly across the Columbia River Highway at a point about 300 feet east of Mile Post 62, just west of Hood River. It appears that Mr. Johnson has about 500 M-FBM of timber to move and that there is no other way to get the logs to the Columbia River. After discussion the Commission authorized the granting of the permit to Mr. Johnson provided he will maintain flagmen on the highway at the point of crossing during the time that his operations are under way.

In this connection the Commission also considered the request of the Murphy & Nelson Logging Company of Portland to transport logs over the Columbia River Highway from Mile Post 63.9 to Mile Post 62.4, west of Hood River. The Engineer recommended approval of this request if a test run of a load of logs shows that they can be moved over this section of highway without any part of the load or hauling equipment extending across the center line of the highway at any point; and provided, further, that flagmen be maintained at the point where the loads enter the highway when operations are under way and that the back end of the logs do not project over the center line stripe at the point where the logs leave the highway. The Commission approved the recommendation unanimously. The Engineer was instructed to investigate the conditions at the point where it is proposed that the loads leave the highway and to do whatever is necessary to ease off the curve of the approach road so as to insure that the loads, when leaving the highway, will not project across the center-line stripe.

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The Commission had under discussion matters pertaining to the proposed Front Ave. project, Portland. It was pointed out that the people of the city of Portland at the primary election on Friday, May 17, approved the bond issue to secure funds to purchase right of way for this improvement and in view thereof the Engineer and the Attorney requested instructions relative to the contracting of the work and acquisition of the right of way. It was also pointed out that, in order to make this project eligible for federal funds, the route would have to be placed on the federal aid system and that it would be advisable to designate it as the state highway route. The Commission tentatively approved the placing of the Front Avenue route on both the federal aid and state highway systems but deferred final action thereon until its regular meeting on June 13 when all Commissioners will be present. The Engineer was instructed in the meantime to send full information in regard to the project to W. H. Lynch, District Engineer, Public Roads Administration, and to advise him of the Commission's intention in this matter.

The Attorney reported a number of inquiries as to when the Commission would need the extra-width right of way, particularly inquiries from the owners of buildings that are occupied by tenants who will be required to vacate. The Engineer requested authority to negotiate with the owners of the Steel Bridge, over which traffic is to be routed from the west side of the Willamette River to the east side. The entire matter was discussed by the Commission at considerable length and the feeling was expressed that the Commission should not make a final commitment to this project until all matters pertaining to the right of way and the use of the Steel Bridge have been satisfactorily disposed of. The Commission referred the entire matter to Chairman Cabell to work out the details in connection therewith, with the understanding that he would report his findings to the Commission at the meeting on June 13 for final action.

Mr. W. H. Lynch, District Engineer, Public Roads Administration, was present and brought up for discussion the matter of programming the fiscal year 1941 federal lands moneys which, he said, amount to approximately \$129,000 although only about \$65,000 is immediately available for contracting. The Commission decided tentatively to allocate these funds to the Warm Springs Highway; however, deferred a definite decision in that regard until the next meeting when Commissioner Oliver will be present. The Engineer was instructed to provide in the meantime a list of projects that are eligible for the full amount of these funds, it being the Commission's intention to select from such list for contracting in the near future only a sufficient number of projects to take up the funds that Mr. Lynch advised are immediately available.

The Engineer discussed with the Commission the matter of enforcing the Commission's orders with respect to the construction of channelizing islands on the highway right of way in front of service stations. He advised that he is conscientiously endeavoring to comply with the Commission's rulings in this regard but has encountered considerable difficulty in that the service station owners, for the most part, object to the islands and destroy them about as fast as they are installed. He declared that the trouble in handling these cases is entirely out of proportion to the time spent by Highway Department employees in connection therewith and he inquired whether or not the

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Commission considered it advisable to try out a test case in court. The Commission's decision in this matter was deferred pending an opinion from the Attorney.

The Engineer reported that certain interests contemplate the truck-hauling of logs over a section of the Siletz Secondary Highway, in Lincoln County that is very definitely only a one-way road, particularly the section between Mile Post 6 and Mile Post 9.6, south of Kernville. Portions of this road, he said, are very narrow and in very poor condition for such heavy hauling. He questioned the advisability of permitting any log-hauling whatsoever on this section. After discussion the Commission instructed the Engineer to discuss the matter with the logging operators and ascertain whether or not it would be possible to handle their logs in some other manner, such as dumping them into the Siletz River opposite the section of the highway where logging operations are not prohibited. He was also instructed to investigate and ascertain what it would cost to widen this section and to improve it sufficiently to withstand logging traffic.

The Commission discussed the complaint from Mrs. Wm. Lindblad, Marshfield, who alleges that the traffic island installed on the Oregon Coast Highway in front of her place of business in the Bunker Hill District has caused her considerable loss of business. Mrs. Lindblad asked for the removal of this traffic island so as to give traffic more easy ingress to her premises and to provide a larger parking space in front thereof. The Engineer advised that Mr. and Mrs. Lindblad own a beer parlor and dance pavilion at this point and that the complaint apparently is against the establishment of a one-way street in front of this place, which is located at the point of intersection of the Oregon Coast Highway and the Coos River Secondary Highway. He further advised that both highways carry considerable traffic and it is necessary, in order to minimize the possibilities of accidents occurring, to arrange a division of traffic, including one-way travel sections, which could only be accomplished by the installation of the traffic island in front of the Lindblad establishment. He further advised that Mrs. Lindblad's complaint has been thoroughly investigated by Division Engineer K. D. Lytle and Traffic Engineer John Beakey, both of whom are of the opinion that traffic is now being adequately handled at this intersection and who feel quite strongly that any revision in the highway as now constructed will destroy the effectiveness of the intersection and will increase the traffic hazard. He recommended that the request for the removal of the island be denied. The Commission approved the recommendation.

The Engineer reported briefly on matters pertaining to the acquisition of additional right of way needed for the improvement of the Columbia River Highway past the Indian village at Celilo, in Wasco County. He said that he has received information from the U. S. Indian Service to the effect that it cannot take any action to assist the State Highway Department in securing this additional right of way unless and until all of the Indians concerned are in agreement as to the plans. He suggested, in view thereof, that it might be possible to secure the consent of the Union Pacific Railroad Company to further encroachment upon the railroad property, and requested authority to take the matter up with the railroad company. He also requested

authority to conduct a topographic survey of the entire area on 1-foot or 2-foot contours so as to have this information available and to make it possible for him to discuss the matter more intelligently with the representatives of the Indians and the Indian Service when negotiations are resumed. The Commission approved the Engineer's request unanimously.

The Engineer presented a report on investigations of the county road between Elsie and Jewell, in Clatsop County, which road the Clatsop County Court wishes designated as a state secondary highway, and his investigations of the proposed road connecting the Wolf Creek Highway and the Nehalem Secondary Highway between Elsie and Fish Hawk Falls, being a suggested alternate connection between these two state highways. The Engineer compared the solvency and benefit quotients for each route, as computed from the economic survey, and presented figures on the cost to construct each of the alternate routes. He recommended the adoption of the Elsie-Fish Hawk Falls Road as a state highway when the Commission is ready to make such designation, and the maintenance of the present road between Elsie and Jewell by the state as a state highway detour until such time.

In this connection the Engineer also reported on the encroachments of logging facilities on the present road between Elsie and Jewell, which report indicates that there is nothing definite as to how long logging operations in this vicinity will be carried on and when the facilities will be removed from the highway. The Commission deferred action on this matter until its next regular meeting in June.

The Engineer reported briefly the results of traffic counts to determine the volume of traffic that is using the Tualatin Valley Highway between Portland and Forest Grove. He said that since the opening of the Wolf Creek Highway for public use there has been a large increase in the volume of traffic over this highway and there is every reason to believe that there will be a further increase when the Wilson River Highway is opened to general public travel. He gave figures to show the volume of traffic in 1939 as compared with the count taken in 1936, which reveal that there has been an increase in automobile traffic of 25 per cent between Forest Grove and Cornelius and approximately 10 per cent at the Multnomah-Washington County line. In this connection the Engineer brought up for discussion the Commission's application to the Public Utilities Commissioner for authority to maintain a grade crossing of the Wilson River Highway and the Consolidated Timber Company's railroad at Glenwood. It appears that the Public Utilities Commissioner has not as yet handed down his order with respect to such matter and there is a question whether or not he will permit the highway to be constructed across the railroad at grade, it being the contention of the engineers in his office that the highway and the railroad should be separated, particularly in view of the fact that logging trains are being operated on this railroad without air, under authority of permit from the Interstate Commerce Commission, making it difficult for the trains to stop when once in motion. Suggestion was made that the Public Utilities Commissioner might approve a crossing at grade if all highway traffic were required to stop before crossing the railroad tracks and if the State Highway Commission would install appropriate railroad crossing stop-signs. This matter was referred by the Commission to Chairman

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Cabell to discuss with the Public Utilities Commissioner. He was authorized to inform the Public Utilities Commissioner, if necessary, that the Commission will take the matter to court if he (the Public Utilities Commissioner) insists upon construction of a grade separation structure at this point.

The Commission adjourned at 1:00 p.m. and reconvened at 1:30 p. m. in the same room, with the same persons present and participating.

The Assistant Attorney reported the status of the 1940 right of way budget. He pointed out that the Commission budgeted \$600,000.00 for this purpose and that up to the present time there has been obligated to right of way purchases the sum of \$275,000.00. The Commission approved the report.

The Attorney requested authority to acquire certain parcels of real property that are needed for various highway improvements throughout the state. He submitted a list of such properties together with prices that he recommended be paid for each. After careful consideration of each item the Commission approved the request and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as herein-after more definitely set forth; and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon; and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Houlton-Warren Section - Columbia River Highway</u>				
7426-Huston, S. C.	R/W	1576 sq.ft.	5¢ sq.ft. + \$371.20	McChesney

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Sheridan-McMinnville Section - Salmon River Highway</u>				
8108-Duerst, John	R/W	0.24	\$150 per a. + \$32	McChesney
8109-Burchell, Martha E.	"	0.16	\$150 per a. + \$31	"
8107-Russell, Anna M.	"	0.16	\$150 per a. + \$34	"
<u>Timber Section - Glenwood-Timber County Road</u>				
8038-Gill, Virgil	Stock Pile	1.0	3-yr. lease at \$5 per yr.	Collier
<u>Nehalem Spit Section - Oregon Coast Highway</u>				
7374-Murphy, Chester G.	Park	1 lot	\$50 per lot (State to assume pay't of taxes, also 1940)	DeSouza
<u>Mary's River Bridge-Lincoln School Section - Pacific Highway West</u>				
8125-Durrell, Susan	Gravel Pit and Haul Road	9.64 (pit) 0.116 (haul road)	\$1500 Lump Sum, + fencing, + 5-yr. lease of small tract owned by state which will not be needed by state before this time	Goodnight
<u>Mary's River Bridge-Airport Section, Pacific Highway West</u>				
7903-School District #23	R/W	2648 sq.ft.	2 1/2 sq.ft.	Parker
7904-Seal, Eva H.	"	0.16	\$653.40 per a., + \$33.75	"
7905-Cummings, E. A.	"	3685 sq.ft.	2 1/2 sq.ft. + \$203.75	"
7906-Webb, Elmer	"	2094 sq.ft.	2 1/2 sq.ft.	"
7907-Hopkins, Susanna	"	3310 sq.ft.	2 1/2 sq.ft. + \$20	"
7908-Fischer, August	"	5446 sq.ft.	2 1/2 sq.ft., + \$36.75, + a strip of land 20 ft. wide containing 0.11 a. at \$1,000 per a.	"
7912-Nordenson, E.	"	-	Land Gratis, + \$68.86	"
<u>Albany Section - Pacific Highway East</u>				
6401-Mountain States Power Co.	R/W	0.38	Gratis	Gardiner
<u>Corvallis-Monroe Section - Pacific Highway West</u>				
8127-Wagner, H. L.	Stock Pile	1.0	6-mo. lease, - \$1	Goodnight
<u>Monroe-Junction City Section - Pacific Highway West</u>				
8128-Strome, Lizzie	Stock Pile	3.08	1-yr. lease, - \$10	Goodnight
<u>Siletz Bay-Newport Section - Oregon Coast Highway</u>				
4391-O'Neill, Chester B.	R/W	1.71	\$600 per a. + \$1474	Collins
<u>Eugene Section - Pacific Highway</u>				
7933-Glisan, J. R. (M. C. Harris)	Maintenance Site	5050 sq.ft.	6 1/2 sq.ft. + \$100	Collins

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Squaw Creek Section - Oregon Coast Highway</u>				
892A-Stonefield, Geo. P., Stock Pile Jack C. Schreiber (Correction)		0.459	3-yr. lease, \$25 yr.	Gardiner
<u>Day's Creek Bridge Section - Tiller-Trail Highway</u>				
8110-Montgomery, Ida	R/W	0.29	Gratis	Lytle
8111-Hill, C. C.	"	0.34	Gratis	"
7959-Raymond, Ada Lillie (Correction)	"	1.33	\$50 per a., + \$60	Parker
<u>Cushman Ranch-Trail Section - Tiller-Trail Highway</u>				
8023-Mercer, Buford Leslie	R/W	1.24	\$10 per a.	Benson
7741-Horn, Willard F.	"	4.65	\$150 Lump Sum	"
<u>Algoma Point-Barclay Springs Section - The Dalles-California Highway</u>				
8129-Hagelstein, George	Easement)		\$187.50 Lump Sum	Benson
8130-Hagelstein, John	Easement (Detour Road		\$25 Lump Sum	"
8131-Cox, Albert G.	Easement)		\$20 Lump Sum (60-day easement)	"
<u>Quartz Mt.-Drews Valley Section - Klamath Falls-Lakeview Highway</u>				
7889-Oregon Land & Live-stock Co.	R/W	12.18	\$2.50 per a.	Benson
7902-Oregon Land & Live-stock Co.	Gravel Pit Haul Road	4.36	\$2.50 per a.	"
<u>Parker Mountain Section - Green Springs Highway</u>				
2527, 8-Weyerhaeuser Timber Company	Stock Pile	0.15 0.17	Renewal lease, Gratis Renewal Lease, Gratis	Collins
			#374-375	
<u>Brothers-Harney County Line Section - Central Oregon Highway</u>				
6140-Deschutes County	R/W	20.906	Gratis	Devers
<u>Bandon Section - Oregon Coast Highway</u>				
5370-Cox, John H.	R/W	1060 sq.ft.	5¢ sq.ft.	Gardiner
7764-Manciet, H. F.	"	4313 sq.ft.	20¢ sq.ft., + moving bldgs. (Est. \$700)	"
7805-Miller, Clara A.	"	530 sq.ft.	5¢ sq.ft.	"
5367-Miller, Clara	"	213 sq.ft.	75¢ sq.ft.	"
<u>Port Orford-Euchre Creek Section - Oregon Coast Highway</u>				
2563A-Knapp, Louis L.	Park-	5 lots	Gratis	Collins
<u>Prineville Section - Ochoco Highway</u>				
7602 - Vaughn, Earl M.-R/W, Slope Easmt		200 sq.ft.	Gratis	Benson
7604-Thorne, Frank	Slope Easement	200 sq.ft.	"	"
7605-Chambers, Leland M."	"	200 sq.ft.	"	"
7606-McKay, William	"	200 sq.ft.	"	"

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
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(Prineville Section continued)

7608-Tobin, Henry J.	Slope Easement	400 sq.ft.	Gratis	Benson
7607-Peterson, Loui	"	200 sq.ft.	"	"
7609-Reiten, Oscar R.	"	200 sq.ft.	"	"
7611-Endicott, Fred	"	800 sq.ft.	"	"
7612-Endicott, Madge M.	"	800 sq.ft.	"	"
7613-Austin, Varina P.	"	400 sq.ft.	"	"
7614-Merrifield, John W.	"	400 sq.ft.	"	"
7615-Stanton, Elizabeth	"	400 sq.ft.	"	"
7616-Smith, Sadie	"	400 sq.ft.	"	"
7617-Crooks, America J.	"	413 sq.ft.	"	"
7618-Berry, Glen W.	"	1200 sq.ft.	"	"
7621-Duffy, T.E.J.	"	2033 sq.ft.	"	"
7622-Carlin, Emery L.	"	800 sq.ft.	"	"
7623-Miller, Glen E.	"	400 sq.ft.	"	"
7624-Ammons, Virgil	"	1200 sq.ft.	"	"
7625-Sordal, Ben A.	"	1263 sq.ft.	"	"
7626-Gerow, M. E.	"	—	"	"
7635-Demaris, Edna	"	400 sq.ft.	"	"
7636-Brunner, Don	"	140 sq.ft.	"	"
7637-Manthey, Georgette	"	260 sq.ft.	"	"
7638-Basler, Agnes	"	400 sq.ft.	"	"
7639-Basler, Vernon I.	"	1000 sq.ft.	"	"
8117-Bowman, A. R.	"	1650 sq.ft.	"	"
8120-Wayne, Alexander	"	—	"	"
8121-Prather, Merlin	"	—	"	"
8122-Glasgow, Ray	"	400 sq.ft.	"	"

Shaniko-Cow Canyon Section - Sherman Highway

8101-Fisher, James W.	R/W	10.94	\$10 per a., + \$267	McChesney
8102-Hinton, James E.	"	24.0	\$10 per a., + \$150	"
8104-Kinney, Richard I.	"	3.62	\$10 per a., + \$55	"
8105-Rooper Ranch, Inc.	"	2.77	Land Gratis, + \$85	"
8106-Schmidt, Gladys G. Est.	"	4.0	\$10 per a., + \$254.50	"

Green Springs Highway - Jackson County

2729-Weyerhaeuser Timber Co.		0.39	Renewal Lease #373,	
Stock Pile			Gratis	Collins

Silver Lake-Picture Rock Pass Section - Fremont Highway

6779-Bolliger, F. E.	R/W	169.96	\$5.60 per a., + \$565	McChesney
(Correction Report)				

The Attorney requested authority to condemn the following properties in Bandon that are needed in connection with the improvement of the Oregon Coast Highway through that town, if satisfactory settlements with the owners cannot be reached otherwise:

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Right of Way File No.	Owner	Recommended Offer	Owner's Demand
7872	G. Chappel and R. Young	\$246.00	---
5342	G. L. Stearns	100.00	---
5341	Ralph York	421.80	---
7855	Edmund Gallier	7.50	\$947.00

The Commission approved the request and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, the State Highway Commission is by law authorized and directed to lay out, locate, relocate, designate, construct, reconstruct, improve, and maintain a system of state highways in the State of Oregon, including both primary and secondary state highways, to acquire rights of way necessary therefor, and to declare the necessity and need for the acquisition thereof, and the advantages to be gained thereby;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the State Highway Commission does hereby find and declare that it is necessary, will be of advantage to the State of Oregon, and is needful that the State acquire for right of way purposes for use in connection with the permanent location, construction, improvement, and maintenance of the following section or sections of the state highway system of the State of Oregon, to wit:

Bandon Section of the Oregon Coast Highway

real property owned by or in possession of the following parties and/or persons, to wit:

R 7872-G. Chappel and R. Young
 R 5342-G. L. Stearns
 R 5341-Ralph York
 R 7855-Edmund Gallier

and this Commission does hereby declare further that the said property or properties are necessary, are needful, and the acquisition thereof will be of advantage to the State of Oregon for right of way purposes in order to make it possible for the State Highway Commission to properly locate, relocate, construct, reconstruct, and maintain said portion or portions of the said state highway system in accordance with standards adopted by this Commission relative to curvature, grades, alignment, drainage, and factors of safety.

2. That the State Highway Engineer be and he hereby is instructed and directed to properly survey the parcel or parcels of land required for such right of way purposes and prepare proper

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and adequate descriptions thereof, which descriptions shall be employed in the preparation of a deed or deeds or other instrument or instruments necessary to complete the acquisition of the said property or properties or which descriptions may be used in the preparation of a complaint in the event that condemnation proceedings are necessary.

3. That the boundaries of the said parcel or parcels of land, as defined and determined by the said survey made by the said Highway Engineer, along the route or location adopted by the Highway Commission, shall be and the same hereby are adopted and the lands defined therein are hereby declared to be and the same are included within the rights of way of the said portion or portions of the said state highway system and hereby are declared to be necessary for the proper location, improvement, construction, and maintenance of the said portion or portions of the state highway system.

4. That I. H. Van Winkle, Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they are hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby further resolved that the Attorney General of the State of Oregon and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they hereby are requested to commence and prosecute to a final determination such suit or action, or suits or actions, as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

The Attorney reported on the controversy with the Erickson Dairy Products Company relative to a right of way settlement at St. Helens. It appears that if the standard-width right of way is acquired in front of the Erickson Dairy Products Company it will require the cutting off of a portion of the company's concrete building and will also involve the re-establishment of the company's equipment, which is a costly undertaking and, in order to avoid this expense, the Attorney has endeavored to arrange a settlement which would leave the building and the equipment in its present location, although it does necessitate the construction of a sidewalk and a parking area in front of the building. It also appears that Mr. Erickson at one time agreed to certain arrangements with respect to the sidewalk and parking space but has since reconsidered and is now demanding the sum of \$5,000.00 damages. A decision in the matter was deferred by the Commission pending personal inspection of the premises by Chairman Cabell and the Engineer.

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The Commission considered and denied the claim of J. W. Campbell Estate for damages on account of the change in grade of Water Street, in Oregon City, which is being reconstructed by the state as a state highway route. The Attorney advised that settlement in this matter was previously agreed upon by mutual consent but the Campbell Estate is now demanding an additional payment of \$250.00 and that he could not recommend approval of the same because, in his estimation, the estate property has not been damaged.

The Commission also discussed and denied the claim of the St. Paul's Episcopal Church of Oregon City for a connection to the highway viaduct on Water Street in Oregon City from the church property, the Commission considering that it is not obligated to build this connection at state expense. However, the Commission interposed no objections to the church constructing its own connection to the viaduct provided it will assume the whole cost thereof and will construct the same in accordance with state highway department standards and under the general supervision of the State Highway Engineer.

The claim of J. N. Whitman, Dundee, for additional compensation by reason of change in grade of the Pacific Highway West in front of his premises had the attention of the Commission. The Assistant Attorney advised that in connection with this highway improvement it was necessary to acquire some land from Mr. Whitman and that Mr. Whitman was assured at the time that the settlement was agreed upon that there would be no appreciable change in the existing grade line of the county road. However, it is evident that the plans were changed and as a result the highway was lowered 5 feet and the county road nearby was lowered 12 feet, in view of which Mr. Whitman is demanding additional payment for damages, amounting to \$150.00. He recommended payment of such sum in view of the fact that there was a mutual misunderstanding in the matter. The Commissioners expressed themselves as being reluctant to reopen any case that has once been settled; however, in this particular instance decided to pay Mr. Whitman \$150.00 as recommended by the Attorney in view of the fact that there apparently was a bona fide misunderstanding on the part of both Mr. Whitman and the Right of Way agent.

The Attorney presented a claim from the City of Toledo for the payment of a paving assessment in front of a small parcel of state-owned property in that town. He recalled that the Commission recently adopted a general policy authorizing the payment of such paving assessments in front of highway department property, provided the city concerned pays such assessments in front of city-owned property, and, in this particular instance, previously approved the payment of the paving assessment in Toledo. However, subsequent investigation reveals that the tract is a small, three-cornered area and represents only a very small fraction of the city lot of which it is a part, and, regardless of this fact, the city has charged the state for the paving in front of the entire lot. It was his thought that the charge is unfair and he suggested that the Commission pay the city on the square foot basis, limiting its payment to the percentage that the area of the state-owned tract bears to the area of the entire lot. The Commission approved the suggestion and so ordered.

Reconsideration was given by the Commission to the request of J. O.

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Johnson, Tigard, that the Commission acquire right of way for a proposed county road connection into Tigard, paralleling the Southern Pacific Railroad tracks, so as to provide a more direct route into this town for the people served by the county road than now obtains as a result of the state highway improvement at this place. The Assistant Attorney advised that, as previously instructed by the Commission, he discussed this matter with the County Judge of Washington County and ascertained that Mr. Johnson has now agreed to furnish the right of way, which is estimated to cost \$600.00, but wants the state to build the road. After discussion the Commission refused to assume any responsibility in connection with building the road but restated its willingness to pay one-third of the cost of the right of way needed for the same.

The Attorney brought up for discussion matters pertaining to the removal of buildings from the right of way of the Oregon Coast Highway on Taylor Avenue, in Astoria. He advised that the highway improvement that is now under contract at this place extends a short distance beyond the point where the right of way has been cleared of buildings and includes the next block, upon which there is a building that will have to be remodeled if the highway plans are strictly adhered to; also, that northerly from the end of the present contract there are other building encroachments that will have to be eliminated before another contract can be awarded. He estimated the cost to remodel the building involved in the present contract at \$600.00 and to clear all of the encroachments at \$8,150.00. He pointed out that unless the building is remodeled or moved back to conform with the building line in the adjacent block it would introduce a jog in the curb line that would be conducive of traffic accidents. He raised the question who would pay the cost of remodeling the building and advised that it is in the same category as the buildings in the adjacent block, which were remodeled or moved back under mutual agreement with the City of Astoria and the property owners. The Commissioners expressed themselves as not being averse to the purchasing of new right of way when necessary, in conformance with the established policy, but questioned the advisability of paying out state money for the moving of buildings that encroach upon existing right of way, because it would involve the establishment of a very undesirable precedent. The Engineer suggested that the condition could be corrected by gradually tapering off the pavement width from the wide section to the narrow section by introducing easy curves in the curb line, which would eliminate the abrupt jog and the necessity for additional expense in remodeling buildings at the present time. The Commission approved the suggestion and instructed the Engineer to revise his plans accordingly. The Attorney was instructed by the Commission to direct a communication to the Astoria City Council and to point out clearly therein that the State Highway Commission, by its action in contracting the work now under way on Taylor Avenue does not intend that such work shall commit the Commission in any way to future improvements on this street.

The Commission discussed a complaint from the Consolidated Timber Company concerning the burning of one of its railroad trestles adjacent to the Wolf Creek Highway, in Clatsop County. The Company alleges that the trestle was damaged by fire started by W.P.A. forces in connection with the clearing of state land and the burning of slashings thereon, and demands payment from the state for the cost of the repairs. The Attorney advised that he knows of

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no law that would permit the State Highway Commission to pay expense of this kind. The Engineer advised that there is a question whether or not the W.P.A. crew was responsible for the fire inasmuch as the fire occurred about a quarter of a mile from the place where burning operations were being carried on. After considerable discussion the Commission decided not to pay this claim but to suggest to the Consolidated Timber Company that it file its claim with the W.P.A. officials. If it develops that W.P.A. funds cannot be expended for such purpose, then it is to be suggested to the company that it present its claim to the legislature. The Engineer was instructed by the Commission to permit no burning operations whatsoever in connection with highway work at any time, except under supervision of the Fire Warden, and to do everything possible to protect private interests whenever burning operations are being carried on.

The Engineer discussed with the Commission the letter from Mr. E. J. Griffith, State Administrator for the Works Progress Administration, relative to certain work that was prosecuted under the Wolf Creek Highway W.P.A. project, particularly certain labor performed in connection with the improvement of 7 parcels of private property near the town of Manning. According to Mr. Griffith, W.P.A. labor was employed in the constructing of driveways to these private properties, which work the state was obligated to do as a right of way consideration, hence could not be paid with W.P.A. funds. Further, that the total expenditures in connection with such undertaking amounted to \$6,670.25, for which sum the Government is now asking reimbursement from the state. The Commission instructed the Engineer to investigate this claim thoroughly and report his findings at the next meeting. Also, to secure from the Attorney an opinion as to the Commission's legal authority to pay the claim.

Commissioner Clough reported the results of his investigation of the Mildred K. Colvin property in Curry County, which property Mrs. Colvin desires to sell to the state for park purposes. He said that he inspected this property in person and found it to be a beautiful tract well worth while as an addition to the state parks system. Of the 327 acres in the area, he said, approximately 50 acres is semi-open land, the balance containing a growth of scrub timber. A creek flows through the property and it would not be difficult to construct a roadway through the property from the highway to the beach, on which the property fronts. He gave as his thought that the tract would be particularly appealing to people who are looking for a restful recreational area and advised that, from his personal standpoint, the tract is more desirable for state park purposes than the Cape Sebastian State Park nearby, which he also inspected. He also gave as his thought that, based on prices paid by the state for other property in this vicinity, the state would not be criticized for paying as much as \$25.00 per acre for this land and he recommended acquisition of the property at such figure. The State Parks Superintendent, Mr. S. H. Boardman, was present and concurred in the remarks of Commissioner Clough who, he said, had not overestimated the value of the property from the state parks standpoint. He pointed out that the property has a 3/4-mile frontage on the Pacific Ocean. After discussion the Commission authorized the purchase of the area at the rate of \$25.00 per acre, subject to approval by Commissioner Oliver. The Attorney was instructed to ascertain

Commissioner Oliver's attitude in regard thereto. (Note: Commissioner Oliver's approval was secured by the Attorney on the following day.)

Consideration was given by the Commission to the offer of Oregon State College relative to the use of the college radio station, KOAC, for one hour daily during the summer months, to disseminate information concerning the State Highway Department. The matter was discussed at some length, during which it was pointed out that the Highway Department's expense in connection therewith would be \$1,800.00 for the 3-month period ending September 10, 1940; also, that the State College would hire all necessary personnel, including radio broadcaster, script writers, station attendants, et cetera, and that the script for the broadcasts shall be approved by the Highway Department before it is transmitted on the air. The Commission decided unanimously to accept the offer as a trial proposition during the present season, it being particularly understood, however, that the broadcasts shall in no way be connected with the Travel and Information Department for the dissemination of tourist and travel information.

The Commission had under discussion several resolutions from the County Court of Clatsop County pertaining to the use of certain portions of highway rights of way that have been abandoned by the state because of reconstruction of these highways on new alignment, such resolutions being as follows:

1. Resolution whereby Clatsop County retains for county road purposes portion of the Skipanon-West Lake Section of the Oregon Coast Highway between Mile Post 13 and Mile Post 15, particularly between Engineer's Stations 256+00 and 280+65.
2. Resolution whereby Clatsop County declares that certain parcels of land formerly within the right of way of the North Fork Nehalem River Section of the Oregon Coast Highway are of no use to the county, hence are being left to revert to abutting property owners.
3. Resolution whereby Clatsop County retains for county road purposes a portion of the Beneke Creek Section of the Nehalem Secondary Highway
4. Resolution whereby Clatsop County retains for county road purposes a portion of the Astoria-Svensen Section of the Columbia River Highway.

The Commission approved the resolutions and ordered them filed.

The Attorney reported briefly on matters pertaining to the Nyssa grade separation project, particularly the status of the acquisition of certain privately-owned lands by the Union Pacific Railroad Company and the Amalgamated Sugar Company, which is a matter contingent upon the contracting of the project. He said that, as the matter now stands, it does not appear that either the railroad company or the sugar company is willing to acquire

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this property, which will cost about \$9,000.00, so he is not in a position to clear the grade separation project from the right of way standpoint at this time. In view of this report the Commission decided not to advertise this project for bids at the June meeting of the Commission as was originally intended.

The Attorney reported receipt of a letter from the General Casualty Company of America offering to pay the Commission the sum of \$1,000.00 as full and complete payment of its obligation under the bid bond furnished by Saxton, Looney & Risley in connection with its proposal submitted on December 8, 1939, for the construction of the Warm Springs Agency-Vanora Section of the Warm Springs Secondary Highway, in Jefferson County, the contract having been awarded by the Commission to this contractor, who defaulted. The Attorney recommended rejection of this offer in view of the fact that the amount thereof is considerably less than the amount of the bid bond and for the further reason that the low bid received by the Commission upon the second advertising of this project was considerably in excess of the amount of the bid submitted by Saxton, Looney & Risley. The Commission approved the recommendation and instructed the Attorney to make demand on the bonding company for the payment of the full amount of the bid bond.

The matter of insurance to be required of log haulers in connection with the securing of permits for transporting over state highways loads longer than the length-limit specified by statute had the attention of the Commission. The Attorney advised that, as previously instructed by the Commission, he discussed this matter with Mr. Ormond R. Bean, Public Utilities Commissioner, who has indicated a willingness to increase the amounts of insurance required by him to such amount as the State Highway Commission may desire, and it is Mr. Bean's thought that public liability insurance in the amount of \$10,000/- \$20,000 and property damage insurance in the amount of \$5,000 should be adequate. In the discussion of this matter it was pointed out that the over-length log permits issued by the State Highway Department represent only a small percentage of the total number of permits issued by the Public Utilities Commissioner for the transportation of logs; and, if the insurance requirements are changed from \$50,000/\$100,000 public liability and \$10,000 property damage, to \$10,000/\$20,000 public liability and \$5,000 property damage for all logging operators, it would simply mean the penalizing of the bulk of the log haulers for the benefit of the few, because the Public Utilities Commissioner makes no distinction between the long-log hauler and the short-log hauler. In view of the circumstances, the Commission decided to make no change in its present insurance requirements at this time.

The Engineer reported a request from Mrs. Jessie M. Honeyman that the State Highway Department furnish to the several roadside improvement councils throughout the state, free of cost, copies of the State Highway Department's county maps. He said that Mrs. Honeyman is of the belief that these maps will be very beneficial to the various councils throughout the state and it would help them very much in their endeavors; further, that it would not be necessary to send a complete set of the maps to each of the councils but it would suffice to send to each only the maps of the counties in their respective districts. The cost to the state, he said, would be nominal in view of the fact that the map folios cost only \$5.00 each. He recommended approval

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of the request. The Commission approved the recommendation with the understanding that it was not to be taken as a precedent for the furnishing of such maps free of cost to others.

The Engineer presented a letter from Reverend A. L. Williams, Nelscott, requesting the privilege of using the ocean beach area in the vicinity of Nelscott as a landing field during the progress of an air circus which they propose to conduct some time during the month of July. The Commission considered that the use of the ocean beach area for such purpose would create a serious hazard to pedestrians, and particularly to children who congregate on the beach at that time of the year, and accordingly denied the request.

The Engineer reported a request from Mr. O. C. Yocom, Willamina, Oregon, for a letter advising him of the Highway Commission's plans with respect to the location of the Salmon River Highway (McMinnville-Tillamook Highway) through the town of Willamina; also, with respect to the reconstruction of the section of this highway between Sheridan and McMinnville, particularly near Bellevue. The Commission disapproved the writing of such letter; however, instructed the Engineer to invite Mr. Yocom and his group to Salem for a discussion of the entire matter so as to avoid any written statements that might commit the Commission in the future.

The Engineer also reported the request from the City of Junction City for a letter outlining the trend of traffic on highways through small towns, particularly with reference to the set-back line for buildings. The Commission considered it unwise to write such letter and instructed the Engineer to express appropriate regrets.

The Engineer submitted a report on the cost to construct a roadway extending from the Oregon Coast Highway to the beach at a place known as Cove Beach, near Arch Cape, in Clatsop County. He estimated the cost of such roadway at \$3,000.00 compared to \$2,000.00, which is the value of the 40-acre tract of land that Clatsop County has offered to deed to the state for state park purposes if the state will construct the roadway. The question arose whether or not it would be possible to construct a roadway to the beach at some other point at less expense. The Engineer stated that a roadway for this beach at any other point on the highway would be much more costly because of the steepness of the terrain. This statement was confirmed by the Assistant Attorney who advised that there is now pending before the Commission a claim for damages on account of the sliding of the highway embankment in this vicinity. The Assistant Attorney further advised that, in his investigation of the damage claim, he ascertained that the right of way for the Oregon Coast Highway along this section was donated by the property owners and that in consideration thereof Clatsop County committed itself to construct a roadway from the highway to the beach, although there is no record whatsoever of such commitment. This matter was discussed at considerable length and the following decision reached: That the State Highway Commission will not recognize any obligation to build a roadway from the highway to the beach at this point but will consider the payment of damages that have occurred to private property by reason of the sliding of the highway embankment. The acquisition of the 40-acre tract referred to shall be a separate and

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distinct matter and the tract shall be purchased outright from the county as a separate transaction if it is needed for state park purposes and can be obtained at reasonable cost.

The Attorney presented a form of agreement with Oregon's 1940 San Francisco Fair Commission covering the matter of the State Highway Department's cooperation in the maintenance of an exhibit at this Fair. He read aloud the provisions of this agreement, which the Commission approved. The agreement was signed later in the session.

The Commission discussed the proposed improvement of the Flagstaff-Lower Powder Section of the Baker-Homestead Highway. In this connection the Secretary presented a petition from the residents of Baker County opposing any expenditure of funds for the improvement of the existing road between these points and urging construction on the newly-adopted permanent route at the earliest possible time. The Commission decided not to oil the present road this year, for which the sum of \$10,000.00 was previously budgeted, but on the other hand to hold such sum for expenditure with an additional amount of \$110,000.00 of fiscal year 1941 federal aid funds to finance the construction of a section on the permanent route, bids for which are to be taken by the Commission in the fall of 1940. The Engineer was instructed to convey such information to Commissioner Oliver and to advise him of the reasons for the action.

Commissioner Clough reported on investigations made by himself of the Elizabeth C. Coleman property adjacent to the Oregon Coast Highway at the north end of the Coos Bay Bridge. He said that the investigation reveals that there is some caving-in of the ground under a corner of Mrs. Coleman's store, as she reported to the Commission at the previous meeting; however, in his estimation, the damage is not the result of the run-off of water from the highway but is caused by water from the downspout on the building itself, so is not the state's concern. He further advised that he investigated the trees complained of by Mrs. Coleman and ascertained that there are several of these near the north end of Mrs. Coleman's property which contain numerous dead limbs that should be removed. He recommended denial of Mrs. Coleman's request that she be permitted to re-establish her building on the old highway right of way, and that any improvement that the Highway Commission sees fit to make at this place be limited to the trimming of the trees. The Commission approved the recommendation.

In this connection the question arose whether or not it would be advisable to acquire Mrs. Coleman's holdings in order to protect the bridge-head, the property being situate so near the north end of the Coos Bay Bridge. The Attorney was instructed to appraise the property and report the results thereof to the Commission, which will then decide whether or not to acquire the same.

The Secretary presented two letters from Port Orford Chamber of Commerce, in which the Commission was requested to direct a letter to the Board of Engineers for Rivers and Harbors, Washington, D. C., giving such Board information as may be helpful in securing an appropriation of federal funds to

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construct a breakwater in the Port Orford harbor and otherwise improve the ship channel along the existing wharf at this place. The Engineer explained that the Board of Engineers for Rivers and Harbors previously considered this improvement and decided that it was not advisable to undertake it at federal expense; however, a rehearing in the matter has been ordered and the Port Orford Chamber of Commerce desires a letter from the State Highway Commission for use in connection with such rehearing. The Commission considered that it is not particularly concerned in this matter and thereupon denied the request.

Commissioner Clough brought up for discussion a complaint filed by J. G. Harem, a World War Veteran of Roseburg. It appears that Mr. Harem has recently constructed a residence building adjacent to the Pacific Highway and, in order to obtain access to the highway from his property, was obliged to build an approach road across the highway ditch. However, the culvert pipe that was installed was of wooden construction and not in conformance with the Highway Commission's requirements, notwithstanding that he was informed of these requirements several times. Further, that Mr. Harem was instructed by the local engineer to remove the wooden culvert and was given 60 days within which to do the work, but he failed to comply with instructions, so the culvert was removed by state forces and Mr. Harem now wants the state to replace the culvert and to fill in the highway ditch the full length of his frontage on the highway. After discussion the Commission referred this matter to the Attorney and the Engineer for investigation and to ascertain whether or not there is anything unusual about this installation to which the Commission's standard policy with respect to approach-road culverts will not apply.

Commissioner Clough reported receipt of a request from a Mr. Edwards of Roseburg to purchase a parcel of state-owned land adjacent to the Pacific Highway at the northern entrance to Roseburg. In the discussion it was pointed out that this tract was originally purchased by the county and deeded to the state, so the question arose whether the state should sell the property or deed it back to the county and let the county receive the benefits of the sale. The Commission referred the matter to the Attorney for investigation and report.

Reconsideration was given by the Commission to the application of the Oregon Packing Corporation, Astoria, for a blanket permit to move pea-viners, 11 feet wide and 13 feet 8 inches in height, overall measurements, along the state highways in the vicinity of Astoria. The Commission decided not to grant such blanket permit in view of the fact that the indiscriminate movement of such wide vehicles over the public roads of this state would create too great a hazard to other traffic. However, the Commission authorized the granting of permits for individual movements of such equipment during the present pea-harvest season. The Secretary was instructed to so inform the Corporation and to advise them that they must rebuild their equipment so that it will not be wider than 8 feet, because the movement of same under individual permits will not be allowed hereafter.

The Engineer requested authority to increase the state parks budget for 1940 in the approximate amount of \$8,175.00 so as to enable certain oiling work to be done in Washink State Park, Ecola State Park, and Silver Creek

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Falls State Park, such work to consist of oiling of roadways and parking areas for automobiles. He estimated the cost of such work in Woahink State Park at \$1,200.00; at Ecola State Park at \$2,400.00; and in Silver Creek Falls State Park at \$4,575.00. The Commission considered these worthy projects and thereupon approved them and the Engineer's request for an increase in the parks budget in like amounts.

The Attorney reported a request from Mr. Roman Kintz, who occupies, as a tenant under the State Highway Commission, a portion of the real property acquired by the state for Silver Creek Falls State Park, for permission to use a power pole now located on state property, being also located on the property that he has under lease, to suspend power wires to serve his place of business. He advised that such use of the power pole will not interfere with nor impair the service that the power company renders to the state in connection with the state park; further, that Mr. Kintz's lease expires in 1941, so has only a short time to run. He recommended approval of the request. Mr. S. H. Boardman, State Parks Superintendent, was present and concurred in the recommendation. The Commission approved the recommendation unanimously and authorized the Secretary to issue the permit to Mr. Kintz.

The Engineer requested authority to purchase the following equipment:

- 3 cars of light Buick type for use of division engineers, 3 old cars to be traded in as part purchase price - estimated total cash outlay \$2,700.00
- 5 pickup trucks - estimated total cost \$3,000.00
- 10 light-type trucks - estimated total cost \$8,500.00
- 1 station wagon for use of Bridge Department - estimated cost \$750.00

The Commission approved the request unanimously and ordered that the purchases be made through the State Purchasing Department in accordance with the usual practice.

The Engineer reported that, in conformance with authority previously granted him by the Commission, he has awarded contracts as follows, the conditions of the awards having been satisfied:

Contract awarded to W. D. Miller Construction Company for construction of the Lost River Section of the Klamath Falls-Malin Highway, in Klamath County. Bids taken January 11, 1940; contract awarded May 10, 1940.

Contract awarded to W. D. Miller Construction Company for construction of the Lost River Bridge on the Klamath Falls-Malin Highway, in Klamath County. Bids taken January 11, 1940; contract awarded May 10, 1940.

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Contract awarded to General Construction Company for construction of dredge embankment on Upper Columbia River Highway between Troutdale and Dodson. Bids taken by U. S. Army Engineers on April 5, 1940; contract awarded May 13, 1940.

The Commission approved these awards as reported.

The Commission considered and signed agreements, et cetera, as follows:

Agreement with Markham & Callow, being an easement authorizing construction of a fire trail across property owned by them on Neah-kahnie Mountain, in Tillamook County, being in connection with Short Sand Beach State Park.

Agreement with Syneva and E. A. Lindberg providing for lease of maintenance headquarters site at Port Orford,-real property transaction No. 7956.

Agreement with the City of Pendleton covering the moving of a garage building, sloping banks, rebuilding steps, sidewalks, et cetera, on state property adjoining state highway right of way in Pendleton,-real property transaction No. 2454.

Agreement with the Southern Pacific Company authorizing P.W.A. equipment operations across railroad property on the Wolf Creek Highway at Strassel.

Agreement with Oscar Parrein providing for the lease of a maintenance headquarters site at Silver Lake.

Agreement with A. T. Dolan and wife providing for lease of a maintenance site at Seaside,-real property transaction No. 7929.

Agreement with S. G. Reed and wife providing for construction of a fire trail across the Reed property adjacent to Short Sand Beach State Park.

Agreement with the 1940 San Francisco Fair Commission of Oregon pertaining to the maintenance of an Oregon exhibit at the 1940 San Francisco Fair.

Bargain and Sale Deed conveying unto Samuel Wolf and wife 113 sq. ft. of land situate in Lot 4, Block 4, Oregon City,-right of way transaction No. 5304.

Bargain and Sale Deed conveying unto the Medford Corporation 46 sq. ft. of land situate in Lot 13, Block 8, Berryvale Addition to Medford,-right of way transaction No. 290.

Bargain and Sale Deed conveying unto Emil A. Johnson 701 sq.ft.

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of land situate in Lot 3, Block 3, Kingston, Town of Tigard,-
right of way transaction No. 6930.

Quitclaim Deed conveying unto Louise K. Lamb 1,650 sq.ft. of
land situate in Lot 1, Block 8, Nye and Thompson's Addition to New-
port, right of way transaction No. 4437.

There being no further business to come before the Commission at
this time, the meeting was adjourned at 6:00 p. m.

W. H. Baldock
State Highway Engineer
H. B. Glaisyer
Secretary

Henry F. Cabell
Chairman
Herman Oliver
Commissioner

Portland, Oregon, June 13, 1940

The State Highway Commission met in regular session at 9:00 a.m. in
in the auditorium of the Public Service Building. Present were:

Henry F. Cabell, Chairman
Herman Oliver, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

Commissioner Clough was excused from attending this meeting.

Bids as follows for highway construction work and sale of used lum-
ber were opened and read in conformance with previously published notice, fol-
lowing which Chairman Cabell announced that the award of contracts would be
made at 3:00 p. m. in the same room:

INDEPENDENCE-ALBANY COUNTY ROAD
FIR GROVE-ALBANY SECTION - SURFACING AND OILING

	Using Asphalt	Using Tar
A. Milne	\$23,767.50	\$ - - - -
R. O. Dail & Warren Bros.	- - - -	24,678.00
Babler Bros.	- - - -	25,698.00
Warren Northwest, Inc.	25,861.50	25,813.50
J. C. Compton	- - - -	27,292.50

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PACIFIC HIGHWAY WEST
CORVALLIS-LINCOLN SCHOOL SECTION - GRADING AND PAVING

United Contracting Company	\$53,447.25
Warren Northwest, Inc.	53,726.25

PACIFIC HIGHWAY WEST
FISCHERS MILLRACE BRIDGE, NEAR CORVALLIS

Averill & Corbin	\$ 6,826.75
McNutt Bros.	7,235.00
Contracting & Sales Company	7,475.00
Babler Bros.	7,781.50
Birkemeier & Saremal	8,180.00
Clifford A. Dunn	9,270.00

FORT STEVENS COUNTY ROAD
WARRENTON (MASSACHUSETTS AVE.-MARKET ST.) SECTION
GRADING AND PAVING

Jacobsen-Jensen Company	\$24,224.50
Edlefsen-Weygandt Company	24,420.20
McNutt Bros.	26,634.00

OREGON COAST HIGHWAY
SALE OF USED LUMBER AND CORD WOOD AT THE SITE OF ARCH CAPE TUNNEL

Cannon Beach Lumber Company	\$ 150.00
Park Fuel Company	56.50
J. M. Shanks	51.00

OCHOCO HIGHWAY
PRINEVILLE SECTION - GRADING, SURFACING, OILING
ALSO FURNISH CRUSHED ROCK IN STOCK PILES

Homer G. Johnson	\$64,226.80
Clifford A. Dunn	66,647.00
Norris Bros.	70,894.00
Babler Bros.	72,366.00
A. Milne	75,381.00
McNutt Bros.	76,456.50

JOHN DAY HIGHWAY
JOHN DAY SECTION - GRADING AND BITUMINOUS MACADAM SURFACING

No bids were received on this project

LOMBARD STREET, PORTLAND
ALMA AVENUE-INTERSTATE AVENUE SECTION - PAVEMENT RESURFACING

Parker-Schram Company	\$44,102.80
Cascade Construction Company	45,994.25
Kern & Kibbe	46,697.50
Porter W. Yett	52,643.00

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SKYLINE BOULEVARD
GERMANTOWN ROAD-BARNES ROAD SECTION -BITUMINOUS MACADAM WEARING SURFACE

	<u>Using Asphalt</u>	<u>Using Tar</u>
Homer G. Johnson	\$41,502.00	\$ - - - -
Norris Bros.	- - - -	48,416.50
Babler Bros.	- - - -	49,380.00
J. C. Compton	- - - -	50,576.40
Warren Northwest, Inc.	- - - -	50,904.00
R. O. Dail & Warren Bros.	- - - -	51,508.00

SHERMAN HIGHWAY
EAST UNIT, SHANI-KO-COW CANYON SECTION - GRADING, SURFACING, OILING
ALSO FURNISH CRUSHED ROCK IN STOCK PILES

Leonard & Slate	\$ 87,103.00
A. Milne	89,621.00
Clifford A. Dunn	95,930.00
E. C. Hall Company	102,927.00
Diesel Oil Sales Company	104,525.50
J. A. Lyons	109,138.00
C. J. Eldon	114,751.00
McNutt Bros.	117,051.00

WOLF CREEK HIGHWAY
SUNSET TUNNEL SECTION - GRADING, TUNNEL EXCAVATION, LINING, PAVING

	<u>Using Wolman Salts</u>	<u>Using Zinc Chloride-Sodium Dichromate</u>
Kern & Kibbe	\$135,295.00	\$ - - - -
C. J. Eldon	138,316.80	138,316.80
Sam Orino	140,365.00	142,265.00
Diesel Oil Sales Company	144,463.00	- - - -
A. C. Greenwood Company, Inc.	152,336.00	- - - -
J. A. Terteling & Son	157,348.00	- - - -
Birkemeier & Sarnel	157,527.00	- - - -
B. H. Sheldon	167,327.50	- - - -
T. E. Connolly	174,620.00	- - - -
Morrison-Knudsen Company	181,142.70	194,442.70

PACIFIC HIGHWAY WEST
MIDDLETON-NEWBERG SECTION - ROADSIDE IMPROVEMENT

Leonard & Slate	\$12,420.00
D. L. Ashton	15,612.50

Mr. B. Frost, President of the Nyssa Chamber of Commerce, came before the Commission in regard to the proposed Nyssa railroad grade separation project on the Old Oregon Trail. He advised that the Amalgamated Sugar Company, which is interested in this project, is proceeding with the acquisition of certain real property that is needed in connection therewith and is en-

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deavoring to arrange the financing of the same; however, will need a little time to work out the details. He asked the Commission not to delete this project from its construction program until the outcome of the present negotiations is known. Chairman Cabell advised that there is a limit to the time that the Commission can postpone the project and this particular job was scheduled for contracting in July and unless bids for the same are taken by the Commission at its July meeting the work could not be done this year. Mr. Frost asked the Commission to defer a definite decision in the matter as long as it could before the July meeting. The Commission granted the request subject to the condition that the job would have to be deferred indefinitely in the event that a satisfactory settlement of the real property matters is not arranged by June 20, 1940. This time was extended by the Commission to June 22, 1940, later in the session. The Attorney was instructed to inform the Nevada Chamber of Commerce, by letter, just what information the Commission needs with respect to the clearing up of this difficulty.

A delegation from Morrow County, consisting of County Judge Bert Johnson and County Commissioner George N. Peck, County Engineer H. Tamblin, Gene Ferguson, Harvey Miller, Harry Duvall, Chas. Cox, and J. G. Barratt, came before the Commission and renewed their request for the following improvements:

1. Oiling of the Heppner-Spray Secondary Highway from the end of the present oiled section to Ruggs. They urged the Commission to contract this work in July.
2. Complete the construction of the Heppner-Condon Secondary Highway from Eightmile to the Rock Creek Road, a distance of about 10 miles.
3. Reconstruction of the Heppner-Spray Secondary Highway from Ruggs to Hardman.
4. Oil the Oregon-Washington Highway between Heppner and Lena.

Judge Johnson headed the group. Speaking on behalf of the projects were Messrs. Barratt, Ferguson, Duvall, and County Commissioner Peck. They alleged that Morrow County has been treated unfairly in the allocation of highway funds and urged the favorable consideration of the above-listed projects, particularly the oiling of the section of the Heppner-Condon Secondary Highway between Parkers and Ruggs, which, they declared, is their preference project.

Chairman Cabell advised that the 1941 federal aid highway program has not as yet been adopted but the Heppner-Rhea Creek project will be given serious consideration in the formulation of the same. Pending adoption and approval of this program, he said, the Commission is not in position to make any promises as to when it will advertise the project for bids but will do so at the earliest possible time. The County Court voiced its approval of such procedure. Chairman Cabell also advised that the other projects requested are not eligible for federal funds and must be financed with state moneys, of which there are none available at the present time. However, the Commission will bear them in mind for future consideration.

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Judge Johnson also asked the Commission to designate the Paterson Ferry Road as a state secondary highway, advising that, while it is a county road, it is of no particular benefit to local residents because none reside along the same but the road carries a considerable volume of interstate traffic and in view thereof it is the County Court's thought that the state should maintain the road as a state highway. The Engineer advised that this road has been investigated and it has been ascertained that the right of way does not meet the state's requirements as to width. He suggested that the present road be oiled at state expense as a temporary route for state highway traffic but that jurisdiction of the road remain with the county. The County Court approved this suggestion as did also the members of the State Highway Commission. The Attorney was instructed to prepare an appropriate form of agreement between the state and the county covering the matter.

Messrs Charles T. Parker and C. A. Schram came before the Commission in connection with the bid bond furnished by them with their proposal for the construction of the Corvallis-Lincoln School Section of the Pacific Highway West, in Benton County, on which project they inadvertently submitted a bond prepared for the Fir Grove-Albany Section of the Independence-Albany County Road, on which project they did not submit a bid. They advised that it was their original intention to submit bids on both projects but at the last moment they decided not to bid on the Fir Grove-Albany project, although they had a bid bond prepared for it; and, in their rush to deliver their bid on the other project, thoughtlessly inserted the incorrect bid bond in their proposal form. They submitted a new bond properly made out, covering the Corvallis-Lincoln School Section and asked that this be substituted for the incorrect bond. They were informed by Chairman Cabell that the Commission has always proceeded on the theory that if a bond is not in order the bid is not considered, and in the present instance, while the Commission knows that the contractors are acting in good faith, nevertheless there is a possibility that some day, if the Commission does not adhere to its established policy, something will occur that will result in loss to the state, in view of which the Commission is inclined not to approve the substitution of the bond, although it will reconsider the matter later in the session. This matter came up for discussion at the time the award of contracts was considered and the Commission at that time decided not to permit the substitution of the bond.

A delegation from Eugene, consisting of Ed Turnbull, Wm. Tugman, Fred Brenne, Secretary of the Chamber of Commerce, and C. I. Rynearson, President of the Oregon Pacific Highway Association, came before the Commission in regard to the proposed plan for the permanent routing of the Pacific Highway through Eugene. They inquired whether or not the Commission has as yet taken definite action on the Engineer's report on this subject, which report was the subject of discussion at the public hearing held in Eugene on May 1, 1940. They were informed by Chairman Cabell that the Commission has not yet made its final decision with respect to this matter but will endeavor to do so at this meeting. (The matter was reconsidered later in the session, when the Engineer's report was approved. See resolution ahead.)

A delegation from Grants Pass, consisting of County Judge T. A. Johnson, County Commissioner Richard McElligott, and James K. Manuel, Secretary

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of the Chamber of Commerce, came before the Commission in regard to the elimination of a dip in the Pacific Highway a short distance south of Grants Pass. They requested the elimination of this dip and also that cement concrete pavement be substituted for black pavement in the contract that is now under way at this location. The matter of the elimination of the dip was discussed at considerable length, during which it was pointed out that raising the grade line would involve considerable expenditure for construction and for extra right of way. The Engineer gave as his thought that the expense is not justified and that the conditions obtaining under the original plan would not be objectionable. He explained the construction details and as a result the delegation was satisfied that a change in plans was unnecessary. As to the substitution of cement concrete pavement for black pavement, the Engineer pointed out that the present black pavement is in good condition and expressed his reluctance to destroy it simply to change the type. After discussion the Engineer was instructed by the Commission to investigate the matter personally.

The County Court of Clatsop County, represented by County Judge Guy Boyington and County Commissioners James Elliott and John Slotte, was present and inquired as to the status of the deed whereby the state is to reconvey to Clatsop County a portion of the Tongue Point State Park so the county can in turn deed it to the federal authorities for use in connection with the maintenance of the U. S. naval base at this point. The Attorney advised that the deed is ready with the exception of the description of the property to be conveyed. He was instructed by the Commission to expedite the matter as much as possible.

County Judge Nelson B. Higgs of Harney County was present and inquired as to the Commission's plans for the improvement of the secondary highways extending south from Burns and Crane. He was informed that the Commission has deferred its decision in the matter pending personal inspection of the roads, which inspection the Commission expects to make this summer.

Judge Higgs also inquired as to the plans of the Commission to oil the strips between the pavement and the curb line along the state highway in the city of Burns. The Engineer advised that this matter has been investigated and it has been ascertained that the job would cost about \$8,000.00. After discussion the Commission approved the project, the construction of the curbs and the rocking of the strips to be done under contract and the oiling work to be done by state forces this year, if possible.

Judge Higgs also asked for sidewalk construction along the Central Oregon Highway between Burns and the public swimming pool at Hines Mill for the benefit and safety of children and others who patronize the pool. The matter was referred to the Engineer for investigation and report.

Inquiry was made by Judge Higgs as to the improvement of the farm-to-market road south of Burns to Wright's Point. He was informed that this project is in the construction program for 1940 funds and that it is proposed to take bids for the same at the regular meeting of the Commission in August.

Mr. John Mitzel, Aloha, was present and requested permission to

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transport a boat, the overall dimensions of which are 12 feet wide, 16 feet high, and 34 feet long, over the Tualatin Valley Highway from Aloha to Portland. After discussion the Commission granted the request, provided Mr. Mittel will comply with the Commission's standard rules and regulations covering such movements.

The Commission adjourned at 12:20 p. m. and reconvened at 2:00 p. m. in the same room, the same persons being present and participating.

A delegation from Benton and Lincoln Counties came before the Commission in the interests of the Alsea Highway. The delegation was headed by S. M. P. Dolan, Corvallis, and included the following: County Commissioner W. H. Malone of Benton County; L. J. Richards, President, Waldport Chamber of Commerce; Claude Hall, W. F. Keady, and Desmond Fulp, also of the Waldport Chamber of Commerce; John Greenbo, President, and Wm. Hunter, Jr., representing the Waldport Lions Club; Ross Linville and L. M. Christensen, representing the South Lincoln County Rod and Gun Club; Don Wolf, President of the Silver-side Club of Waldport; Ken Crawford of Alsea; and Leo Goodman, J. M. Jackson, H. E. Fry, Vern Goodman, and E. W. Martinson, all representing Tidewater Grange. They presented arguments for the reconstruction and oiling of the remaining 16-mile section of this highway. They alleged that a former highway commission once committed itself to this project, provided Lincoln and Benton Counties would do certain things in cooperation. Further, that the county's obligation has been fulfilled but the state has not done its part. They urged the improvement at the earliest possible time.

Chairman Cabell advised that the Highway Commission is aware of the need for the improvement of this road but is handicapped in the performance of the work by lack of funds. He pointed out that the road is not on the federal aid system, hence is not eligible for federal aid funds, and any improvements that are made would have to be financed with forest highway funds and state funds. He said that the amount of state funds is limited and must be conserved as much as possible for matching the federal aid funds. It has not been considered advisable, he said, to allocate forest highway funds to this project because it was considered best to use these funds to finance the completion of other going forest highways. However, some of these other highways are now rapidly approaching the state of completion and it might be possible to budget some of the forest highway funds for the improvement of this road. At least, the Commission will keep it in mind when the next forest highway program is arranged.

Chairman Cabell also advised that to reconstruct this road to modern standards is a very costly undertaking and one that the Commission cannot see its way clear to finance now. He suggested that it would be satisfactory to construct the section within the national forest boundaries to forest highway standards and the balance in a manner comparable to the work that is now under way on the Siuslaw Highway where the improvement follows generally the line of the existing highway and consists of widening at the sharp turns, the placing of stabilizing rock, and oiling, which work, he said, could be done at minimum expense. The members of the delegation expressed their approval of such arrangement and urged that the work be done this year. The Commission

made no commitment to that effect but agreed to consider the project in the preparation of its next construction program of forest highway funds. Mr. Dolan filed with the Commission a petition signed by numerous civic organizations interested in this road, urging the improvement of the same.

Miss Margaret Clarke, Assistant P. & S. Supervisor, Oregon Historical Records Survey, was present and requested permission to search the State Highway Department's records for information with which to compile a historical record of the State Highway Department. The Commission approved the request unanimously, subject to the condition that Miss Clarke allow someone from the State Highway Department to review her script before it is published.

The County Court of Hood River County, represented by County Judge C. D. Nickelsen and County Commissioners R. W. Perry and R. Waldo Arens; and County Engineer C. M. Hurlburt, came before the Commission in regard to the improvement of the county road which extends from the town of Odell to a connection with the Mt. Hood Highway. They asked the Commission to designate this road as a state secondary highway and improve the same as such. After discussion the Commission indicated that it would approve the request if presented in legal form. The Engineer was instructed to furnish the County Court with the proper form of resolution for its adoption.

The matter of oiling this road was then discussed. The Engineer advised that it would cost about \$1,800.00 to do a proper oiling job. The Commission indicated that it would approve the oiling work, same to be done with state forces, if and when the road is designated a state secondary highway.

The County Court also asked the Commission to designate a permanent route for the Hood River Secondary Highway between Dee and Parkdale. They advised that they are not particular which route is designated but they would like the designation made now so the county can go ahead with certain county road improvements that it has in mind. The matter was referred to the Engineer for investigation and report at the next meeting.

The matter of the improvement of the Mt. Hood Highway in the vicinity of Fike's Corner was also brought up for discussion, particularly the matter of reconstruction of the highway under the railroad tracks. The financing of such project was discussed, during which the question arose whether it would be possible to secure federal railroad grade separation funds for the same. The Engineer was instructed to ascertain from Mr. W. H. Lynch, District Engineer, Public Roads Administration, whether or not this project would be eligible for such funds. In the event that government funds can be used for such purpose, then the Engineer is authorized to conduct a location survey of the section.

At 3:00 p. m. Chairman Cabell announced the following awards of contracts and sale of used lumber, bids for which were taken at the morning session, such awards having been previously approved by the Commission by unanimous vote:

"Fir Grove-Albany Section of the Independence-Albany County Road, in Benton County. 4.38 miles surfacing and oiling. The low

bidder for this project was A. Milne, Portland, at \$23,767.50, based on the use of asphalt. He did not submit a bid based on the use of tar. The second-low bidder was R. O. Dail & Warren Bros., Portland, at \$24,678.00, based on the use of tar. They did not submit a bid based on the use of asphalt. There were 3 higher bidders. The Commission awards this contract to the low bidder, A. Milne, at his bid of \$23,767.50, based on the use of asphalt.

"Corvallis-Lincoln School Section of the Pacific Highway West, in Benton County. 0.80 mile grading and paving. Only two bids were received for this project, the low one being that of United Contracting Company, Portland, at \$53,447.25, and the other being that of Warren Northwest, Inc., Portland, at \$53,726.25. The Commission rejects both bids and orders the project readvertised.

"Fischers Millrace Bridge on the Pacific Highway West, approximately 0.6 mile south of the south city limits of Corvallis, in Benton County. Six bids were received for this project, the low one being that of Averill & Corbin, Portland, at \$6,826.75. The second-low bid was that of McNutt Bros., Eugene, at \$7,235.00. The Commission awards this contract to Averill & Corbin at their bid of \$6,826.75.

"Warrenton (Massachusetts Ave.-Market St.) Section of the Fort Stevens County Road, in Clatsop County. 0.52 mile grading and paving. The low bid for this project was submitted by Jacobson-Jensen Company, Portland, at \$24,224.50. The second-low bid was submitted by Edlefsen-Weygandt Company, Portland, at \$24,420.20. There was one higher bidder. The Commission has referred all bids received on this job to the Engineer with power to award the contract to the low bidder when certain conditions have been fulfilled.

"Prineville Section of the Ochoco Highway, in Crook County. 1.67 miles grading and 1.51 miles surfacing and oiling; also furnish 6,500 cu. yds. crushed rock in stock piles. Homer G. Johnson, Portland, submitted the low bid for this project at \$64,226.80. Clifford A. Dunn, Klamath Falls, submitted the second-low bid at \$66,647.00. There were four higher bidders. The Commission awards this contract to Homer G. Johnson at his bid of \$64,226.80.

"John Day Section of the John Day Highway, in Grant County. 0.45 mile grading and bituminous macadam surfacing. No bids were received on this project.

"Germantown Road-Barnes Road Section of the Skyline Boulevard, in Multnomah County. 6.47 miles bituminous macadam wearing surface. Six bids were received for this project, the low being that of Homer G. Johnson, Portland, at \$41,502.00, based on the use of asphalt. He did not submit a bid based on the use of tar. The second-low bid was submitted by Norris Bros., Burlington, Washington,

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at \$48,416.50, using tar. They did not submit a bid based on the use of asphalt. The Commission awards this contract to Homer G. Johnson at his low bid of \$41,502.00, using asphalt.

"Lombard Street (Alma Ave.-Interstate Ave.) Section of Lombard Street in Portland, Multnomah County. 2.55 miles pavement resurfacing. Parker-Schram Company, Portland, submitted the low bid for this project at \$44,102.80. Cascade Construction Company, Portland, submitted the second-low bid at \$45,994.25. There were two higher bidders. The Commission awards this contract to Parker-Schram Company at its low bid of \$44,102.80.

"East Unit of Shaniko-Cow Canyon Section of the Sherman Highway, in Wasco County. 5.03 miles grading, surfacing, and oiling; also furnish 4,000 cu. yds. crushed rock in stock piles. The low bid for this project was submitted by Leonard & Slate, Multnomah, at \$87,103.00. The second-low bid was submitted by A. Milne, Portland, at \$89,621.00. There were six higher bidders. All bids received for this project have been rejected and the project ordered readvertised.

"Sunset Tunnel Section of the Wolf Creek Highway, in Washington County. 0.165 mile grading, tunnel excavation, lining and paving. Ten bids were received for this project, the low one being that of Kern & Kibbe, Portland, at \$135,295.00, based on the use of Wolman Salts. They did not submit a bid based on the use of Zinc Chloride-Sodium Dichromate. The second-low bid was that of C. J. Eldon, Portland, at \$138,316.80, based on the use of Wolman Salts, and an identical bid based on the use of Zinc Chloride-Sodium Dichromate. The Commission awards the contract to the low bidder, Kern & Kibbe, at \$135,295.00, based on the use of Wolman Salts.

"Middleton-Newberg Section of the Pacific Highway West, in Washington and Yamhill Counties. 6.49 miles roadside improvement. Only two bids were received on this project, the low one being that of Leonard & Slate, Multnomah, at \$12,420.00, and the other being that of D. L. Ashton, Lebanon, at \$15,612.50. The Commission awards the contract to Leonard & Slate at their bid of \$12,420.00.

"Sale of approximately 53 M-FB of used lumber and cord wood at the site of the Arch Cape Tunnel, approximately 15 miles south of Seaside, in Clatsop County. Three bids were submitted for the purchase of this material, the high one being that of the Cannon Beach Lumber Company, Astoria, at \$150.00, and the second-high being that of the Park Fuel Company, Tolovana Park, at \$56.50. The Commission considers the bid of the Cannon Beach Lumber Company satisfactory and accordingly sells the material to it at its high bid of \$150.00."

The Commission discussed the John Day city project on the John Day Highway, in Grant County, which project was advertised for bids to be received

at this meeting but for which no bids were submitted. After discussion of this matter the Commission decided to do the work involved with state forces, and so ordered. The Engineer was instructed by the Commission to proceed accordingly.

A delegation from Marshfield and Coquille, consisting of Clarence Coe, President, Marshfield Chamber of Commerce; Lafe Compton, Coquille; Fred McGougan, Marshfield; H. G. Kern and Lars Peterson, both of North Bend, came before the Commission. Mr. Coe headed the group. They inquired as to the plans of the Highway Commission for the improvement of the Oregon Coast Highway between North Bend and Coquille. They were informed that the Commission has amounts budgeted to commence the reconstruction of the section between North Bend and Marshfield, starting at the Marshfield end, and to finance the Bunker Hill Section just south of Marshfield, and that it is proposed to take bids for these projects at the July meeting of the Commission. They were also advised as to the method used by the Commission in the allocation of funds at its disposal, which precludes the contracting of more work in this vicinity at the present time.

Mr. Compton urged additional work between Marshfield and Coquille and suggested that, if the Commission cannot finance permanent construction, it improve the present road by widening at sharp curves, etc. He was informed that the permanent route of the highway does not follow the present road, hence it would be a waste of funds to improve the present road, as suggested. Mr. Kern suggested that the improvement between Marshfield and North Bend start at the North Bend end rather than at the Marshfield end. It was explained to him that this could not be done because of the interference of the railroad along this section, the difficulties incident thereto having not as yet been ironed out between the Commission and the railroad company. There followed a general discussion of highway matters in Coos County. The Commission expressed regrets that it could not approve the additional expenditures at this place but agreed to bear the project in mind for future consideration.

A delegation from Portland, representing the Building and Construction Trades Council of Portland and Vicinity, was present. The delegation was headed by B. R. Mathis, Secretary, and included the following: E. F. Harland, representing the Allied Heavy Crafts; F. W. Griffith, Hoisting and Portable Engineers No. 701; John O'Neil, representing the Iron Works Union; Jack Shallot, Truck drivers' Council No. 162; and Ed Nelson, of the Pile Drivers. They urged the Commission to include in its specifications for highway contract work provision for the payment of the prevailing scale of wages to all crafts, according to their jurisdiction on highway work. The Commission indicated reluctance to comply with this request because it considers that it is not the business of the state to enforce agreements between the various unions and the highway contractors and because the Commission believes in the system of collective bargaining for the settlement of labor disputes. However, the Commission agreed to give the matter serious consideration. The members of the delegation expressed a willingness to furnish the Commission with any information in its files that might aid the Commission in its study of the matter.

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Mr. John R. Hall, attorney, Portland, appeared before the Commission in the interests of the application of Safeway Stores, Inc., to operate over the Old Oregon Trail, between the Idaho state line and Ontario, truck and semi-trailer combinations having an overall height and an overall length in excess of the limits specified in the Oregon statutes. He read the complete file on this matter, which included a letter from the State Highway Department to the effect that the Highway Commission had authorized the granting of the permit covering the overheight feature. He pointed out that their request was for a permit covering the overlength feature as well as the overheight; and, on the basis of the information received, the company has ordered several pieces of equipment which, it now appears, cannot be operated legally within the State of Oregon. He urged the Commission to reconsider the matter and grant a blanket permit covering the overlength feature, inasmuch as it involves an operation over the highways in Oregon for a distance of only one mile. After considerable discussion the Commission authorized the granting of such permit if, in the opinion of the Attorney, the Commission has legal authority to do so. The Attorney was instructed to render an opinion on the subject.

Messrs. Kenneth Poorman and Bob Hintz, contract haulers of Portland, came before the Commission in regard to the matter of securing permits for movements over state highways of equipment, et cetera, that exceeds the statutory limits in Oregon as to dimensions. They advised that they frequently are delayed in securing permits from the Salem office of the Commission, which is rather inconvenient and embarrassing, particularly in cases of emergency, and suggested that the issuance of permits could be expedited if the Commission would authorize the Division Engineer in Portland to issue them. They urged the Commission to take action to that effect. The matter was referred to the Engineer for study and recommendation.

Mr. Murphy, of the Murphy and Nelson Logging Company, Portland, was present and requested permission to truck-haul logs over the Columbia River Highway from Mile Post 63.9 to Mile Post 62.4. The Engineer advised that, as instructed by the Commission at the previous meeting, a trial run of logs over this section was made and it was found that logs over 40 feet in length could not be transported without the use of more than one-half the width of the roadway, particularly at a place known as Ruthton Hill. He recommended denial of the request for the transportation of logs over this particular section. Mr. Murphy stated that it is essential that he move these logs in 40-foot lengths, and suggested, as an alternate route, that he be granted permission to transport the logs over and across the Hood River Bridge at Hood River, thence along the Columbia River Highway to the county road that leads to the Columbia River opposite the intersection of the Columbia River Highway with the Mt. Hood Highway. The Commission deferred a decision in the matter pending an additional report from the Engineer. This matter was reconsidered by the Commission on the following day and the permit was authorized. (For details see minute entry ahead.)

Reconsideration was given by the Commission to the Engineer's report on the results of investigations for the permanent routing of the Pacific Highway through Eugene. After discussion the Commission approved the report

and the program of construction as outlined therein. The following resolution designating a permanent route for this highway through Eugene was adopted by the Commission by unanimous vote:

WHEREAS, the Pacific Highway is a part of the state highway system and is likewise a part of the federal highway system; and

WHEREAS, the section of said highway located in Lane County passes through the City of Eugene over streets selected and designated by the Highway Commission; and

WHEREAS, said highway entering Eugene from a westerly direction has been routed by the Highway Commission over Sixth Avenue from the west city limits to Willamette Street; thence over Willamette Street to Broadway; thence over Broadway to Franklin Boulevard and thence over Franklin Boulevard to the east city limits; and

WHEREAS, the volume of traffic using said highway and said route into and through Eugene exceeds 5,000 cars per day, which traffic will materially increase in the near future; and

WHEREAS, for the purpose of relieving traffic congestion and for the purpose of affording to the travelling public a more convenient route into and through the City of Eugene and for the further purpose of accommodating local business concerns and industries the Highway Commission has found it advisable to change the routing of said highway into and through Eugene and has found it necessary to make other needed highway changes and improvements.

THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the Highway Commission, all members being present and affirmatively participating, as follows:

1. That the route and location of the Pacific Highway entering Eugene from the westerly direction shall be as follows:

a. Beginning at or near highway station 646 on said highway over the present route to the westerly terminus of Sixth Avenue; thence over Sixth Avenue to an intersection with High Street; thence over High Street to an intersection with Broadway; thence over Broadway to an intersection with Franklin Boulevard; thence over Franklin Boulevard to the easterly city limits;

b. Beginning at highway engineer's station 646; thence in an easterly direction to a connection with the westerly terminus of Seventh Avenue; thence over Seventh Avenue to an intersection with Pearl Street; thence over Pearl Street to its intersection with Broadway; thence over Broadway to Franklin Boulevard; thence over Franklin Boulevard to the easterly city limits.

2. That Seventh Avenue from its westerly terminus to its intersection with Pearl Street and Pearl Street to its intersection with Broadway shall be made one-way traffic streets and only traffic moving from a northerly direction to a southerly direction shall be permitted to move over said streets.

3. That Sixth Avenue from its westerly terminus to its intersection with High Street and High Street from Sixth Avenue to its intersection with Broadway shall be made one-way traffic streets and only traffic moving from a southerly to a northerly direction shall be permitted to travel over said streets.

4. Traffic shall not be routed over said newly designated streets until the highway connecting the Pacific Highway with Seventh Avenue has been constructed and made ready for use. When traffic is routed over said newly selected and designated streets then Willamette Street from Sixth Avenue to Broadway and Broadway from Willamette Street to Pearl Street shall no longer be streets of the City of Eugene over which state highway traffic shall by order of the Highway Commission be deemed routed.

5. That the municipal authorities of the City of Eugene be requested to pass and adopt an appropriate resolution or other appropriate procedure or action to supplement the action of the Commission with respect to making Sixth Avenue and Seventh Avenue one-way traffic streets, and confining such streets to one-way traffic operation.

6. That this resolution be entered in the minutes of the Commission and a duly certified copy thereof be delivered to the City of Eugene and to the Public Roads Administration and the County Court of Lane County, Oregon.

The following resolution designating a permanent route for the Willamette Highway between Dexter and a connection with the Pacific Highway at Goshen was also adopted by the Commission by unanimous vote:

WHEREAS, the Highway Commission contemplates the more permanent improvement of the Willamette Highway, which is a part of the state highway system; and

WHEREAS, in connection with said proposed improvement it is the judgment of the Commission that a portion of said highway should be relocated so as to afford a better alignment and a more serviceable highway for the general public;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the Highway Commission, all members being present and participating, as follows:

1. That the location of the Willamette Highway between Dexter and Goshen be changed and that said section of said highway be located over the following route, to wit:

Beginning at or near the town of Dexter; thence north-westerly to a junction with the Pacific Highway at or near the town of Goshen over the route heretofore surveyed by the State Highway Engineer and approved by the Commission.

2. That the field notes and other engineering data made and obtained by the Engineer in the survey and location of said route be and the same hereby are approved and adopted as the survey, location and route of said Willamette Highway between said termini and said field notes and other engineering data shall be filed in the records of the State Highway Commission at Salem, Oregon.

3. That the foregoing route hereby is adopted and designated as the route and location of the Willamette Highway between said termini and when said highway is constructed or improved between said points it shall be constructed and improved pursuant to said relocated line.

4. That this resolution be entered in the minutes and records of the Commission and a duly certified copy thereof delivered to the Public Roads Administration and a copy to the County Court of Lane County, Oregon.

The Commission also considered the matter of the adoption of a route for a state highway along Front Avenue, Portland. The Commission decided to designate such street as a state highway route. The following resolution with regard thereto was adopted by the Commission by unanimous vote:

WHEREAS, the volume of traffic entering Portland over the Pacific Highway, the Columbia River Highway and other state highways entering the City of Portland has caused congestion and a traffic problem which demands relief; and

WHEREAS, it is the purpose of the Commission to select certain streets of the City of Portland over which to route state highway traffic and to reconstruct such streets so as to convert the same into a more adequate thoroughfare or freeway; and

WHEREAS, the State, represented by the State Highway Commission, and the City of Portland, represented by its duly constituted authorities, have agreed to cooperate in the accomplishment of an adequate thoroughfare through said City, and for that purpose have mutually agreed to construct a major project known as the Front Avenue project; and

WHEREAS, in order that said program and project may be

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accomplished it is necessary that certain streets be selected by the Highway Commission as streets of the City of Portland over which to route state highway traffic;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the Highway Commission, all members being present and affirmatively participating, as follows:

1. That the following named streets of the City of Portland hereby are selected and designated as streets over which to route state highway traffic in said City and as streets which shall constitute a state highway route through said City:

Beginning at the intersection of Barbur Boulevard and Southwest Front Avenue at or near Southwest Lane Street in the City of Portland; thence northerly along Southwest Front Avenue, crossing Southwest Arthur Street (and its extension known as Southwest Kelly Avenue) by means of a structure passing over the grade of said Southwest Arthur Street to a point at or near the intersection of Southwest Carruthers Street; thence crossing diagonally from Southwest Front Avenue to Southwest Water Avenue, and thence along Southwest Water Avenue, passing underneath the grade of Southwest Madison Street at Hawthorne Bridge, and underneath the grade of Southwest Morrison Street at the Morrison Street Bridge, and thence to an intersection with the Steel Bridge at or near the intersection of Northwest Front Avenue and Glisan Street; thence onto the Steel Bridge by a set of ramps; thence across the Steel Bridge to the east side of the Willamette River, passing under the Steel Bridge by a set of ramps, at a point near the intersection of North Williams Avenue and Northeast Oregon Street; thence northerly along the east bank of the Willamette River, passing underneath the Broadway Bridge, and thence to an intersection with Interstate Avenue at or near its junction with North Tillamook Street.

Also the following named streets are hereby selected and designated as a secondary route which shall operate as a service road and which shall diverge from the first-named route at its intersection with Southwest Columbia Street; thence westerly along Southwest Columbia Street to its intersection with Southwest Front Avenue and thence northerly along Southwest Front Avenue to its intersection with Northwest Glisan Street at a point which is the approximate westerly end of the Steel Bridge.

2. That said streets which are intended to constitute streets involved in the Front Avenue project be and they hereby are declared to be the streets and to constitute the route over which shall be constructed and maintained the said Front Avenue project, and the Commission does hereby declare its purpose to cooperate with

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the City of Portland and the Federal Government in the permanent improvement and accomplishment of said Front Avenue project.

3. That when said project is completed and thrown open for traffic a further and appropriate resolution shall be adopted by the Commission fixing and prescribing rules and regulations with respect to the movement and control of traffic using said streets and the erection and maintenance of necessary and appropriate directional signs and traffic control signals.

4. That the Engineer be and he hereby is instructed to prepare and submit to the Highway Commission for approval, and thereafter to the Public Roads Administration and to the City of Portland for approval, necessary plans and specifications for said Front Avenue project and that upon the approval of said project by the several governmental agencies interested in and concerned therewith units or sections of said project shall be placed under contract as quickly and as expeditiously as funds are available therefor.

5. That this resolution and action of the Highway Commission with respect to the selection and designation of the said streets is adopted and made pursuant to the authority of the Highway Commission under Section 22, Chapter 529, Oregon Laws, 1939, to alter or change such routing when in its opinion the interests of the motoring public will be better served.

6. That this resolution be entered in the minutes and records of the Commission and the Secretary be and he hereby is instructed to deliver to the Public Roads Administration and to the City of Portland duly certified copies thereof.

The Commission adjourned at 5:15 p. m., to reconvene on the following morning in the same room.

Portland, Oregon, June 14, 1940

The State Highway Commission reconvened in regular session at 9:00 a. m. in the auditorium of the Public Service Building. Chairman Henry F. Cabell and Commissioner Herman Oliver were present and participating. Also present were the State Highway Engineer, the Attorney, and the Secretary.

Bids as follows for highway construction work were opened and read in conformance with previously published notice, following which Chairman Cabell announced that the award of contracts would be made at 3:00 p.m. in the same room:

WOODBURN-SANDY SECONDARY HIGHWAY
ROCK CREEK-MOLALLA SECTION - BITUMINOUS MACADAM SURFACING

	<u>Using Asphalt</u>	<u>Using Tar</u>
Babler Bros.	\$ - - - -	\$65,365.00
E. O. Hall Company	70,660.00	70,935.00
A. Milne	71,096.00	- - - -
R. O. Dail & Warren Bros.	- - - -	71,909.20
Homer G. Johnson	- - - -	77,688.00

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WOLF CREEK HIGHWAY
ELSIE-SUNSET TUNNEL SECTION - OILINO

A. Milne	\$27,252.50
Babler Bros.	29,970.00
J. C. Compton	31,208.50
Clifford A. Dunn	31,386.00
Warren Northwest, Inc.	34,969.75

COLUMBIA RIVER HIGHWAY
RAINIER (6th St.E.-3rd St.W.) SECTION - GRADING AND PAVING

City Motor Trucking Company	\$24,736.50
Edlefsen-Weygandt Company	25,884.70
United Contracting Company	26,033.25

OREGON COAST HIGHWAY
BANDON SECTION - GRADING AND PLANT-MIX BITULINOUS MACADAM SURFACING

Coos Bay Dredging Company	\$43,963.00
Leonard & Slate	48,345.00
Berke Bros.	50,165.50

THE DALLES-CALIFORNIA HIGHWAY
NORTH CANAL BRIDGE, BEND - REMODEL AND WIDEN

Birkemeier & Saremal	\$ 3,145.00
W. H. Philpott	3,332.50
Averill & Corbin	3,365.00
McNutt Bros.	3,705.00
Clifford A. Dunn	4,685.00

PACIFIC HIGHWAY
MEDFORD MAINTENANCE STATION LANDSCAPING PROJECT

Arthur T. Fox	\$ 3,898.00
D. L. Ashton	4,520.00
Blair T. Alderman	5,022.00
Guy H. Booker	5,429.00

SANTIAM HIGHWAY
ALBANY-CRASTREE CORNER SECTION - SURFACING, STABILIZATION, PAVING

	<u>Using Asphalt</u>	<u>Using Tar</u>
Warren Northwest, Inc.	\$71,531.50	\$ - - - -
United Contracting Company	78,623.50	78,532.50

OLD OREGON TRAIL
ONTARIO-SNAKE RIVER SECTION - ROADSIDE IMPROVEMENT

M. E. Myers & Son	\$ 2,772.41
Guy H. Booker	3,784.00
Engle & Zickler	3,974.53
Arthur T. Fox	4,267.50
Quinn-Robbins Company	4,379.70

I.O.N. HIGHWAY
MAINTENANCE PATROL STATION AT BLUE MOUNTAIN

Fife & Company	\$20,823.00
Viesko & Hannaman	21,348.00
Walter J. Stutte	22,130.30
Tri-State Construction Company	24,644.22

PACIFIC HIGHWAY
REPLACEMENT OF WIRE ROPE ON INTERSTATE BRIDGE

Contracting & Sales Company, Inc.	\$ 6,290.00
The Gilpin Construction Company	9,465.00

The Engineer reported that the West Diamond Lake Secondary Highway has dried out sufficiently following the spring thaw to withstand legal-weight loads. He recommended, in view thereof, that the reduced load limit which has been in effect on this road for the past several months be lifted. The Commission approved the recommendation and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, on the 9th day of April, 1940, at a meeting of the Oregon State Highway Commission, all members being present and participating, the Commission passed and adopted a resolution reducing the maximum load limit on the

WEST DIAMOND LAKE SECONDARY STATE HIGHWAY from its junction with the Crater Lake Highway, in Jackson County, to its junction with the Crater Lake North Secondary State Highway, in Douglas County,

and

WHEREAS, subsequent to the passage of said resolution, conditions have changed so that it is no longer necessary or desirable and the Commission hereby finds that it is no longer necessary or desirable to maintain the reduced load limit set out in said resolution on the said above-named highway;

NOW, THEREFORE, BE IT RESOLVED that the action of the State Highway Commission reducing the maximum permissible load limit on the

WEST DIAMOND LAKE SECONDARY STATE HIGHWAY from its junction with the Crater Lake Highway, in Jackson County, to its junction with the Crater Lake North Secondary State Highway, in Douglas County,

be and the same hereby is rescinded and cancelled as of this date, and the maximum load limit permissible on the said section of said highway hereafter shall be the maximum load limit provided by law.

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IT IS HEREBY ORDERED that certified copies of this resolution be furnished the County Clerks of Jackson and Douglas Counties in which counties said highway is located, and that a certified copy of this resolution also be furnished the Superintendent of the Department of State Police for his information.

The Commission also adopted by unanimous vote the following resolution lifting the reduced load limit heretofore in effect on the Willamette River Bridge at Corvallis, the Engineer having reported that repairs to this bridge have been completed and the reduced load limit is no longer required:

WHEREAS, on the 13th day of January, 1939, at a meeting of the State Highway Commission, all members being present and participating, the Commission passed and adopted a resolution ordering a reduction of the maximum permissible load limit on certain state highway bridges, including the following, to wit:

CORVALLIS-EASTSIDE SECONDARY HIGHWAY

210-00.13	Corvallis Bridge	10 tons
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and

WHEREAS, subsequent to the passage of said resolution the said above-named bridge has been repaired so that it is no longer necessary or desirable to maintain the reduced load limit set out in said resolution;

NOW, THEREFORE, BE IT RESOLVED that the action of the State Highway Commission reducing the maximum permissible load limit on the following bridge, to wit:

CORVALLIS-EASTSIDE SECONDARY HIGHWAY

210-00.13	Corvallis Bridge	10 tons
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be and the same hereby is rescinded and vacated as of this date, and the maximum load limit permissible on the said bridge shall hereafter be the maximum load limit provided by law.

IT IS FURTHER ORDERED that certified copies of this resolution be furnished to the County Clerks of Benton and Linn Counties between which counties said bridge is located; and that a certified copy of this resolution also be furnished the Superintendent of the Department of State Police for his information.

The Engineer recommended the posting of two small bridges on the Alsea-Deadwood Secondary Highway in Benton County for reduced loads. He said that these bridges are in a poor state of repair and will not withstand loads

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to which they have recently been subjected and it was his thought that they should be posted for reduced loads as a matter of safety to the general traveling public. The Commission approved the recommendation and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, the road or highway hereinafter named has been designated and declared to be and is a state highway and has been improved and is being maintained by the State Highway Commission, pursuant to the laws of the State of Oregon, as a state highway;

AND WHEREAS, on the said state highway there are located certain bridge structures which, in the judgment of the State Highway Commission, are incapable of safely carrying the traffic to which they are being subjected, and in order to protect said bridge structures against damage and injury and in order to safeguard traffic over said bridge structures it is deemed and is the judgment of the Highway Commission and said Commission finds that it will be for the best interests of the said bridge structures and each of them and of the traffic which uses the said bridge structures that the maximum weights now permitted and authorized by law be reduced;

AND WHEREAS, the State Highway Commission has, after due investigation, determined and found and it is the judgment of the Commission that the maximum gross loads which shall be permitted upon any single span of any of the said structures at any time shall be reduced and fixed as in this order provided:

NOW, THEREFORE, the premises being in part as above stated and the State Highway Commission having, as a result of due investigation, found that the bridge structures above referred to and hereinafter designated are incapable of safely sustaining or supporting a total gross load in excess of that specified hereinbelow;

IT IS HEREBY ORDERED, that the total gross weight of combined load and vehicle which at any one time shall be permitted upon any single or individual span of the bridge structures shall not exceed the limits given and set forth hereinbelow. In computing the total weight of any single vehicle, the total gross weight of any trailer or trailers attached to said vehicle shall be considered as a component part of the total gross load and shall not be considered as a separate vehicle. This combined gross weight shall not exceed the limits given hereinbelow, to wit:

ALSEA-DEADWOOD SECONDARY STATE HIGHWAY, Benton County

Mile Post 201.52	small log trestle	10 tons
Mile Post 201.53	small log trestle	10 tons

IT IS FURTHER ORDERED, that these rules and regulations as made and found by the State Highway Commission under the provisions

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of Section 55-2707. Oregon Code 1935 Supplement, shall be in full force and effect until rescinded, modified or revoked by order of the State Highway Commission.

AND IT IS FURTHER ORDERED, that a notice be posted in a conspicuous manner and place at each end of the above-named bridge structures, so that said notice can be readily seen and read, which notice shall state plainly the limitations and prohibitions of the traffic hereon in this order determined and fixed.

AND BE IT FURTHER ORDERED, that a certified copy of this resolution be furnished to the County Clerk of Benton County in which county said bridge structures are located, and that a certified copy of said resolution be furnished the Superintendent of the Department of State Police for his information.

The Attorney reported a request from Mr. Jack Latourette, attorney, Portland, either to purchase certain state-owned property at the end of Fifth Street, in Oregon City, or to lease the same from the state in order to provide access thereover to property owned by the Latourettes. The Commission decided not to sell this property as it is needed for state highway purposes and to retain a clear view for highway traffic at this point. The Commission also decided not to lease the property to any private individual. The Attorney was instructed to inform Mr. Latourette of the action taken.

The Attorney also presented a request from the Crown Zellerbach Corporation, Portland, to lease certain Willamette River frontage in Oregon City between Tenth Street and Fifteenth Street, which frontage the corporation desires to use for the storage of logs in the Willamette River pending utilization of the logs in the paper mill at Willamette Falls. The Attorney advised that the Crown Zellerbach Corporation is willing to pay a reasonable amount for the use of this privilege and considers that \$250.00 per year is a fair charge for the same. Action on this matter was deferred by the Commission pending completion of the construction of the highway at this location and the determination at that time whether or not the use of the river frontage for the purpose intended would interfere with or detract from the scenic view from the highway. The Commission instructed the Attorney to convey such information to the Crown Zellerbach Corporation and to also investigate what would be a reasonable price to charge the corporation for the use of the property.

The County Court of Tillamook County, represented by County Judge Harland M. Woods and County Commissioners E. H. Lindsey and E. G. Anderson, came before the Commission and inquired as to the plans of the Commission for the oiling of certain Tillamook County roads. They asked consideration of the following projects in the 1941 construction program: (1) 1½-mile section of the South Prairie Road which extends into the Trask River district; (2) Nehalem River Road up the Nehalem River from Mohler; (3) A section of the Lower Miami Road; (4) Section of the Sand Lake Road near a place known as Woods.

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They were informed by Chairman Cabell that the Commission has not as yet adopted a program for the fiscal year 1941 federal aid secondary highway funds, with which this work must be financed, but the Commission expects to consider this matter at this session, if possible. The suggestion was made by Judge Woods that a definite amount of funds be budgeted for county road oiling work in Tillamook County and that the decision as to the projects be deferred until later. The Commission indicated a favorable attitude toward additional oiling work in Tillamook County but declined to make any definite commitment of funds in regard thereto at the present time.

Judge Woods renewed the county's request for the designation as a state secondary highway of the road leading from Tillamook to Netarts. The Commission took the matter under advisement. The County Court also asked the Commission for the improvement of the Oregon Coast Highway between Bay City and Garibaldi, particularly the straightening of this section. The Commission took no action on this request. Inquiry was made by the County Court as to the plans of the Commission for improving the alignment of the Oregon Coast Highway south from the city of Tillamook. The Commission authorized the Engineer to make a survey of this section.

Commissioner Anderson inquired when the Commission proposes to reconstruct the bridge on the Oregon Coast Highway at Beaver and was informed that, according to present plans, bids for this project will be received at the August meeting of the Commission. This concluded the conference.

Mr. Elmer Bankus, Brookings, was present in regard to right of way that is needed for the improvement of the Oregon Coast Highway through the town of Brookings, in Curry County. He advised that local interests have been working on this matter and they are now of the belief that all right of way matters can be cleared up without further difficulty. The Assistant Attorney advised that, with the exception of three parcels, there will be no difficulty encountered in acquiring the right of way for this project, the three in question being the property required from the Pedrioli Estate, that needed from Bernice M. Ward, and property required of Irvin A. Leming, which it appears will have to be condemned. After considerable discussion, and it being desired by the Commission to proceed with the construction of this project as soon as possible, the Commission instructed the Attorney to proceed with the condemnation of these three properties. He was also authorized to close the options heretofore taken for other property when the condemnation cases have been disposed of. The Engineer was authorized to advertise this project for bids some time this coming fall, if the right of way matters are cleared at that time, and to make provision in the contract for the completion of as much of the work as possible this winter without discommoding business in this town.

The Parks Superintendent, Mr. S. H. Boardman, was present and reported on the following park matters:

Addition to Umpqua Lighthouse State Park, in Douglas County:- The Parks Superintendent reported a gift from Douglas County of approximately 500 acres of land adjoining Umpqua Lighthouse State Park, same being described as follows: $W\frac{1}{2}$ of the $NE\frac{1}{4}$ and the $NW\frac{1}{4}$ of the $SE\frac{1}{4}$ of Section 36; Lot 3 of

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Section 12, all in Township 22 South, Range 13 West, W.M. The Commission accepted this gift and instructed the Secretary to send to the Douglas County Court an appropriate letter of appreciation.

Proposed park east of Burns, in Harney County:- The Parks Superintendent presented a letter from Mr. Earl K. Nixon, Director of the State Board of the Department of Geology and Mineral Industries, Portland, suggesting that an 80-acre tract of land in Harney County, which contains a petrified forest, be acquired by the state as an addition to the state parks system. He advised that he has inspected this property, which is located 35 miles east of Burns and about 10 miles south of the Central Oregon Highway, and ascertained that, in order to be of any value to the state for park or other purposes, a road-way would have to be constructed to it, the present road being narrow, crooked, and in a poor state of repair. He also said that one of the conditions of the acquisition would be the fencing of the property with metal fence and that a caretaker be maintained on the premises at all times. He questioned the advisability of the state taking over this property because of the cost involved. The Commission concurred in the viewpoint of the Parks Superintendent and accordingly disapproved the acquisition of the property. The Secretary was instructed to convey such information to Mr. Nixon.

Request for concession privileges at Peter Skene Ogden State Park:- The Parks Superintendent reported a request from Mr. L. D. McBain, of Culver, Oregon, to maintain a concession in this park for the sale of novelties constructed of juniper wood. He recommended that the request be denied because of the precedent that would be established. The Commission approved the recommendation.

Use of the Vista House at Crown Point for advertising purposes:- The Parks Superintendent suggested that, because of the large number of tourists that visit the Vista House, it would be a good place to disseminate travel information. He was instructed by the Commission to ascertain the attitude of Harold B. Say, Director of the Travel and Information Department, in regard thereto and to report the results thereof.

Addition to Crooked River State Park in Jefferson County:- The Parks Superintendent advised that the Commission recently leased from the Federal Government 3,900 acres of land at this location at an annual rental of \$10.00. However, there are several additional parcels that should be acquired to properly round out the park, some of these being in county ownership and some being privately owned. He gave as his thought that the entire acreage could be acquired from the owners at not to exceed \$3.00 an acre, except one parcel containing an orchard. He recommended purchase of the property if the Commission can finance it but suggested that the Commission's decision in the matter be deferred until it has had an opportunity to inspect the property and to investigate the entire state parks setup. The Commission approved the Parks Superintendent's suggestion and agreed to inspect this property the next time it is in that vicinity, following which a decision will be rendered.

The Assistant Attorney reported collusion in the submission of bids by house-moving contractors for the removal of buildings from the right of way

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of the Oregon Coast Highway at Bandon. He explained that inspection of the bids received for this work indicates strongly that all of the bidders, with the exception of the low bidder, have agreed among themselves as to what price they should demand for this work. He suggested a thorough investigation of the matter, inasmuch as it will have considerable bearing on future work of this kind that the Commission has to offer. He also explained that the low bidder, who was not a party to the collusion, is unable to furnish the required performance bond, and requested instructions whether or not to award the contract to such bidder under the circumstances. After discussion the Commission referred the matter of the collusion of the bidders to the Engineer and the Attorney for investigation, and report at the next meeting, particularly inasmuch as the Commission will receive bids shortly for the removing of buildings from the right of way in Brookings and the probabilities are that the same bidders will submit bids for this work. The Commission decided to defer the award of the contract for the Bandon project, for which bids were taken at the morning session, pending the outcome of the investigation. The Attorney was instructed to contact Mr. A. C. Baumback, one of the bidders, with regard thereto. He was also instructed to discuss with the owners of the buildings the matter of the acceptance of the bid of the low bidder who was unable to furnish a contract bond.

Consideration was given by the Commission to the claim of the Elks Club, Oregon City, arising out of the construction of the highway along Water Street in that city. The Assistant Attorney advised that the Elks Club is demanding payment in the sum of \$26.50 for changing the location of its flagpole, and \$75.00 for placing certain wire facilities in conduit, and an additional amount of \$329.76 for moving and replacing a certain tank which the club has heretofore maintained in Water Street in front of its clubhouse, although the record does not disclose that they have had a permit to maintain the tank in such location. Furthermore, the billing includes the cost of a new tank. He gave as his thought that, with the exception of the moving of the flagpole, the claim is invalid and not one for which the Commission is liable. He recommended reimbursement to the Elks Club in the amount of \$26.50, being the expense of moving the pole, and that the balance of the claim be denied. The Commission approved the recommendation.

The Attorney brought up for discussion the matter of the removal of certain privately owned buildings from Casey State Park adjacent to the Crater Lake Highway, in Jackson County. He advised that the park property was acquired by the Commission from the Federal Government some years ago and that it was occupied at that time by Mr. Casey, a squatter, who maintained a camp ground thereon; and that, in addition thereto, a Mr. E. M. Lampert secured permission to maintain a building on the property; and, although his lease expired in 1936, Mr. Lampert still maintains a building there and refuses to vacate, alleging that he has an investment of \$3,000.00 in the property and that he has been advised by competent authority that he cannot be disturbed. Furthermore, Mr. Lampert intends to seek recourse through Senator McNary. The Attorney requested instructions. The Commission deferred a decision in the matter until later; however, instructed the Attorney to bring all of the facts in the case to the attention of Senator McNary by letter.

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The Commission adjourned at 12:00 noon and reconvened at 2:00 p. m. in the same room with the same persons present and participating.

The Honorable Julius Cohn, Municipal Judge, City of Portland, came before the Commission in behalf of Lake County Post No. 53, American Legion, in regard to the setting aside of a strip of land paralleling the Klamath Falls-Lakeview Highway on Quartz Mountain, about 30 miles west of Lakeview, as a memorial to be named the "Lake County World War Veterans' Memorial". He inquired as to the attitude of the Commission in regard to such matter and was informed that the Commission could take no action until certain investigations have been made. The Commission thereupon referred the matter to the State Parks Superintendent for such investigation and report.

Messrs. W. H. Lynch, District Engineer, and Hal D. Farmer, Senior Highway Engineer, representing the Public Roads Administration, were present in regard to the surfacing that will be needed this winter to keep the Timberline Lodge Road open to winter traffic. They said that the contract under way at the present time does not include surfacing as they contemplated doing such work this year under a separate contract but the delay by Congress in appropriating funds had made this impracticable. It appeared to them that the logical thing to do, therefore, is to make arrangements by which the state would surface this road, as no local material was found which would be available for surfacing under the grading contract. They inquired whether or not the State Highway Commission would advance funds in the event further investigation reveals that federal funds cannot be used for this purpose. The Commission agreed to pay this cost if necessary.

Mr. Lynch also asked the Commission to authorize the use of state equipment for doing certain patching work on the oiled section of the North Santiam Highway. He said that he considers the job too small to interest any private contractor and if the state would do the work the Federal Government would reimburse the state for the cost thereof. He estimated that the work would not take longer than two or three days and that it would cost not to exceed \$2,500. The Commission approved the request by unanimous vote and thereupon signed an agreement with the Federal Works Administration covering the matter.

Consideration was given by the Commission at this time to the programming of federal public lands funds which, according to Mr. Lynch, amount to approximately \$129,000.00. Mr. Lynch also advised that of this amount possibly \$60,000.00 is available for contracting at the present time. The Engineer recalled that the Commission last year allocated all of the public lands funds to expedite construction of the I.O.N. Highway in Malheur County, with the understanding that this year's money would be expended on the Warm Springs Highway. He recommended, in view thereof, that the \$60,000.00 now available be expended for the improvement of the Warm Springs Agency Section of the Warm Springs Highway, or at least a sufficient amount to make good the promise of the previous year. The Commission approved the recommendation and so ordered.

The Commission had under consideration the programming of the 1941 regular federal aid and federal aid secondary highway funds. The Engineer presented projects that are eligible for such funds, from which the Commission selected the following, subject to telephonic approval by Commissioner Huron W. Clough: (Mr. Clough's approval was secured by the Engineer later.)

PROGRAM OF 1941 REGULAR FEDERAL AID PROJECTS

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County	Termini	Fed. Funds		Kind of Work	Length	Section
		Est. Cost	Requested			
Baker	2.6 Mi. Southeast of Pleasant Valley-Southeasterly 0.7 Mi.	\$ 50,000	\$30,500	G. S. Bit. M.	0.7	Troy Line Change
Benton	South Limits of Corvallis to Lincoln School	61,000	37,250	G. P. Br.	0.81	Corvallis-Lincoln Sch.
*Clatsop	Astoria: Taylor Ave. near Melbourne Ave. to 5th & Astor Sts.	48,500	29,550	G. & P.	0.62	Astoria
*Clatsop	Austin Point to Arch Cape	12,000	7,300	S. & Bit. Mac.	0.92	Austin Point-Mezzanita
*Clatsop	Arch Cape Tunnel Section	8,000	4,900	S. & Bit. Mac.	0.65	Austin Point-Mezzanita
*Clatsop & Tillamook	Arch Cape-Deach Creek Section	28,000	17,000	S. & Bit. Mac.	2.18	Austin Point-Mezzanita
Columbia	St. Helens to .5 Mi. N. of Scappoose	2,500	1,500	Roadside Impr.	7.03	St. Helens-Scappoose
Columbia	0.5 Mi. N. of Scappoose to Columbia St. in Scappoose	22,000	13,400	G. & P.	0.50	Scappoose-Multnomah County Line
Columbia	Columbia St. Scappoose to 0.1 Mi. N. of Multnomah County Line	100,000	61,000	G. & P.	2.50	Scappoose-Multnomah County Line
*Columbia	Rainier: 3rd St. W. to 6th St. E.	27,200	16,600	G. & P.	0.45	Rainier
*Coos	Tremont & Lockhart Sts. in North Bend to N. Broadway & Fir Ave. in Marshfield	20,000	48,800	G. & P.	1.30	S. Unit. North Bend-Marshfield
*Coos	Grand Ave. in Bandon to 10th St.	48,300	29,500	G. & Bit. Mac.	0.59	Bandon
*Crook	Prineville: W. Limits to "I" St.	44,000	27,000	G. S. O.	0.99	Prineville
*Curry	0.3 Mi. N. of Pacific Ave. in Brookings to Oak St.	70,000	42,700	G. S. O.	0.70	Brookings
Douglas	South End of FAP 189-A to North End of FAP 139-B	112,000	37,543	G. & P.	2.22	Mice Hill Turkey Hill
Gilliam	2.5 Mi. W. of Blalock to Blalock (W. End of FAP 14)	86,000	52,400	G. S. Bit. M.	2.50	Blalock-West
*Grant	Crossing of John Day River 4.5 Mi. North of Uchoco Highway Jct.	85,000	52,000	Br., G. S. O.	0.30	Goose Neck
*Grant	Bridge over Canyon Cr. in John Day	10,000	6,100	Bridge	0.01	Canyon Creek Bridge
Grant	3.5 Mi. W. of Austin Jct. to E. End of Austin Jct.	113,000	68,900	G. S. O.	3.50	Dixie Summit-Austin
Harney	4.5 Mi. E. of Lakeview-Burns Hwy. Jct. to Sage Hen Summit (E. End of FAP 148-A)	80,000	48,800	S. & O.	6.90	Sage Hen Hill

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PROGRAM OF 1941 REGULAR FEDERAL AID PROJECTS (continued)

County	Termini	Fed. Funds		Kind of Work	Length	Section
		Est. Cost	Requested			
*Josephine	Sexton Mt. Summit Section approx. 13 Mi. N. of Grants Pass	\$248,000	\$50,000	Grad.	1.50	Sexton Mountain
*Josephine	S. End of FAP 131-J to 0.4 Mi. W. of Green Creek	43,200	26,300	G. & P.	0.83	E. Unit, Grants Pass- Green Creek
Josephine	E. Unit, Grants Pass-Green Creek	1,000	600	Roadside Impr.	0.83	" " " "
Josephine	W. Unit, Grants Pass-Green Creek	3,500	2,100	Roadside Impr.	2.71	W. Unit, Grants Pass- Green Creek
Klamath	Klamath Agency to Modoc Point	8,000	4,800	Roadside	"	12.60 Klamath Agency-Modoc Pt.
Klamath	Albion to Terminal City (N. End of FAP 26-B)	100,000	61,000	G. S. Bit. M.	5.00	Albion-Terminal City
*Lake	Forest Boundary to 3 Mi. S. of Horse Ranch	32,800	20,010	G. S. O.	3.30	Horse Ranch
Lane	9th & Main St., Cottage Grove, to .13 Mi. N. of Coast Fork of Willamette River	2,000	1,200	Roadside Impr.	0.85	Cottage Grove
Lincoln	0.65 Mi. N. of Depoe Bay to 0.35 Mi. S. of Depoe Bay	85,000	51,800	G. & Bit. Mac.	1.00	Depoe Bay
*Lincoln	Alder St. in Newport to N. End of FAP 133-C	25,000	15,000	Roadbed Widen- ing & Sidewalks	0.54	Newport
Linn	Cascadia to 1.5 Mi. E. of Trout Cr.	75,000	45,700	Surf. & Oil	9.00	Cascadia-Trout Creek
Marion	S. Limits of Salem to Pringle Creek	2,000	1,200	Roadside Impr.	1.59	Salem-12th St. Jct.
Marion	Pringle Creek to 12th St. Route Jct.	6,500	3,900	"	"	0.18 Salem-12th St. Jct.
Morrow	Boardman-East 11 Mi.	135,000	30,000	Gr. & Top.	11.00	W. Unit, Boardman-Stan- field
*Multnomah	Portland-Alma Ave to Interstate Ave.	48,500	29,600	Paving	2.55	Lombard St. (Alma- Interstate)
*Multnomah	Portland: Lombard St. & Vancouver Ave. to Killingsworth & 82nd St.	180,000	110,000	G. & P.	4.50	Lombard St.-Killings- worth St.
*Multnomah	East Unit, Troutdale-Corbett Sec.	65,000	39,600	(Riprap & Rock Topping	2.16	Troutdale-Dodson
*Multnomah	Tunnel Point-East 0.13 Mi.	7,000	4,200	Riprap	0.13	Troutdale-Dodson
*Multnomah	0.8 Mi. E. of Bridal Veil to 0.7 Mi. W. of Benson Park	22,000	13,400	(Riprap & Rock Topping	1.23	Troutdale-Dodson

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PROGRAM OF 1941 REGULAR FEDERAL AID PROJECTS (continued)

County	Termini	Est. Cost	Fed. Funds Requested	Kind of Work	Length	Section
*Multnomah	1.2 Mi. E. of Multnomah Falls to Oneonta Creek	\$ 13,000	\$ 7,900	Riprap & Rock Topping	0.78	Troutdale-Dedson
*Multnomah	Multnomah Falls to Oneonta Creek	101,500	50,770	Hydraulic Embankment	1.97	Troutdale-Dodson
Multnomah	Portland; Columbia Street to Glisan Street	286,000	174,400	G. & P.	1.00	Front Street
Tillamook	Short Sand Beach Section	16,000	9,800	S. & Bit. Mac.	1.24	Austin Pt.-Manzanita
Tillamook	Nearney Creek Section	10,000	6,000	S. & Bit. Mac.	0.82	Austin Pt.-Manzanita
Tillamook	Nearney Creek to Neahkahnie Mt.	11,000	6,700	S. & Bit. Mac.	0.87	Austin Pt.-Manzanita
Tillamook	Neahkahnie Mountain Section	13,000	8,000	S. & Bit. Mac.	0.99	Austin Pt.-Manzanita
Tillamook	Manzanita Section	12,000	7,300	S. & Bit. Mac.	0.89	Austin Pt.-Manzanita
*Umatilla	Pendleton-State Farm Section	59,520	36,310	S. & Bit. Mac.	7.43	Pendleton-Adams
*Umatilla	State Farm-Adams Section	30,110	18,370	S. & Bit. Mac.	2.74	Pendleton-Adams
*Umatilla	Fraser St. in Milton to 0.2 Mi. S. of S. City Limits	27,860	17,000	G. & P.	0.95	South Milton
*Umatilla	0.19 Mi. N.E. of E. limits to Willow St., in Pilot Rock	27,800	16,040	G. S. O.	0.34	North Pilot Rock
Umatilla	Pendleton-State Farm Section	6,000	3,600	Roadside Impr.	7.43	Pendleton-Adams
Umatilla	State Farm-Adams Section	3,000	1,800	Roadside Impr.	3.74	Pendleton-Adams
Union & Wallowa	Minam Hill Summit (Appr. 9 Mi. E. of Elgin) to Minam	130,000	79,300	G. S. O.	5.50	Minam Hill
*Wasco	2 Mi. W. of Shaniko to a point 5 Mi. E. of Cow Canyon	77,730	47,520	G. S. O.	5.03	E. Unit, Shaniko-Cow Canyon
*Washington	Approx. 3 Mi. E. of Sunset Camp	149,000	90,800	G.P. Line Tunnel	0.16	Sunset Tunnel
*Washington	Approx. 3 Mi. E. of Sunset Camp	15,000	9,100	Tunnel light	0.16	Sunset Tunnel
Washington	Junction with Pacific Hwy. West to Lower Boones Ferry Road	115,000	70,100	G. & Topping	3.70	Barbur Blvd.-Lower Boones Ferry Road
Wheeler	Bridge Creek (4 Mi. W. of Mitchell) to Main & Nelson Sts., Mitchell State-wide Planning Survey	70,000	42,700	G. S. O.	4.00	Mitchell-West
		45,869	28,274			
		33,396,389	\$1,884,937			

Projects marked with asterisk (*) have been previously approved by Commission
The above is a complete program for the 1941 Regular Federal Aid Funds

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PROGRAM OF 1941 SECONDARY OR FEEDER ROADS PROJECTS

PROJECTS ON STATE HIGHWAY SYSTEM

County	Termini	Est. Cost	Fed. Funds Requested	Kind of Work	Length	Section
Crook	3.7 Mi. N.W. of Prineville to 1.5 Mi. N.W. of Prineville	\$ 35,000	\$ 20,174	G. & T.	2.2	McKay Creek-Ochoco Creek
Grant	3 Mi. East of Kimberly to Simas School	20,000	12,000	G. S. & O.	2.5	East Unit, Kimberly- Simas School
Jackson	0.1 Mi. East of Salt Creek to 2 Mi. East of Lake Creek	30,000	18,000	G. S. & O.	3.5	Lake Creek
Lincoln	Siletz to 1 Mi. N. of Junction with Corvallis-Newport Highway	40,000	23,000	G. S. & O.	2.5	Siletz-Toledo
Morrow	West End FAS 246-B to Rhea Creek	40,000	23,000	G. S. & O.	5.2	West Unit, Rhea Creek-Heppner
Sherman	Wasco-Sherman County Line-E. 1½	Mi. 15,000	9,000	G. & T.	1.5	Buck Hollow
Umatilla	Crossing of Umatilla River 4½ Mi. S. of Hermiston	40,000	23,000	Bridge, G. S. & O.	0.1	Umatilla River Bridge
Subtotal, Projects on State Highway System		\$ 220,000	\$ 128,174			

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PROGRAM OF 1941 SECONDARY OR FEEDER ROADS PROJECTS
PROJECTS NOT ON STATE HIGHWAY SYSTEM

County	Termini	Fed. Funds		Kind of Work	Length	Section
		Est. Cost	Requested			
Clatsop	Warrenton; Jefferson Street to Third Street	\$ 25,000	\$ 15,000	G. & P.	0.5	Warrenton (Jefferson St.-3rd St.)
Douglas	2.5 Mi. Northeast of Dixonville to Oak Creek	30,000	18,000	G. S. & O.	1.9	Mud Hollow-Oak Creek
Lane	Fisher Road to Oak Hill	30,000	18,000	G. S. & O.	1.0	Fisher Road-Oak Hill
Marion	E. End of T&N 40-A (3 Mi. N.E. of Salem) to Central Howell School	40,000	24,000	G. & P.	3.5	Middle Grove-Central Howell
Sherman	East End of F&S 68-A(1)-E. 1.4 Mi.	15,000	9,000	G. & S.	1.4	Pulten Canyon
Tillamook	Trask River to Junction with F.A. Route No. 2 Approx. 5 Mi. S. of Tillamook	30,000	18,000	G. S. & O.	4-3	Trask River-Clements Corner
Union	Junction F.A. Route No. 1 in North Powder to 0.1 Mi. North of Powder River	20,000	12,000	O.	4.7	North Powder-Davis Ranch
Subtotal, Projects Not on State Hwy. System		\$ 190,000	\$ 114,000			
(Not Fwd) Projects on State Highway System		220,000	128,174			
State-wide Planning Survey		6,100	3,687			
Total Program		\$ 416,100	\$ 245,861			

The Engineer was authorized to submit these programs to the Public Roads Administration for approval.

The Assistant Attorney reported the status of the 1940 right of way budget. He advised that the Commission budgeted \$600,000 for the purchase of right of way this year and that of this amount \$316,000 has been obligated to date. The Commission approved the report.

The Attorney requested authority to acquire certain parcels of real property that are needed for various highway improvements throughout the state. He submitted a list of such properties together with the prices that he recommended be paid for each. After careful consideration, the Commission approved the request and, by unanimous vote, adopted the following resolution in regard thereto:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth, and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon, and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Sunset Camp-Sunset Tunnel Section - Wolf Creek Highway</u>				
8037-Detroit Trust Company	Quarry	88.1	\$5.00 per a.	Parker
<u>Houlton-Warren Section - Columbia River Highway</u>				
7431-Beland, Charles E.	R/W	750	sq.ft. 2 1/2 sq.ft. plus \$56.25	McChesney
<u>Corbett Section - Columbia River Highway</u>				
8138-Morrison-Knudsen Co.	Quarry	5 lots	\$200 Lump Sum	Baldock

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Buxton-Manning Section - Wolf Creek Highway</u>				
6724A-Rose, Rex E.	Easement, pipe line	0.30	Gratis	McChesney
<u>Salem Section - Silver Creek Falls Highway</u>				
7759A-Board of Control	Maintenance Site	3.653	\$212 per a.	DeSousa
<u>Cottonwood Junction-Crabtree Section - Albany-Lyons Highway</u>				
8148-Barclay, Carl	Gravel Pit	9.2	\$100 per a.	Benson
	Road Esm't	5.8	\$100 per a.	
		6.0	Gratis	
		21.00	plus \$150	
8149-Schumacher, Glenn and Frank	R/W	0.18	\$200 per a., plus \$18	"
<u>Philomath-Corvallis Section - Newport-Corvallis Highway</u>				
8124-Jensen, Mary Ann	Stock Pile	1.46	Land Lump Sum \$300,	Goodnight
	-Scale Site		plus \$7.50, plus fencing	
<u>Nehalem Spit Section - Oregon Coast Highway</u>				
7379-Scott, Elizabeth P. Lewis	Park	1 lot	\$10 per lot (State to assume payment taxes, approximately 50¢)	DeSousa
7335-James, John H.	Park	1 lot	\$10 per lot (State to assume paym't taxes)	"
<u>Siletz Bay-Newport Section - Oregon Coast Highway</u>				
4463-Lord, Howard C.	R/W	16,304 sq.ft.	13,224 sq.ft. at 5¢ 3,080 sq.ft. at 3¢	Collins
<u>Bandon Section - Oregon Coast Highway</u>				
8140-Weston, Edna M.	R/W		Moving Bldg. \$20	Gardiner
5366-Lynch, Keuhue	"	69 sq.ft.	Lump Sum \$5.00	"
		1060 sq.ft.	5¢ sq.ft.	
		1129 sq.ft.		
7856-Nanciet, George D.	"	1157 sq.ft.	7¢ sq.ft. plus \$75	"
5374-Shipley, Arminda J.	"	530 sq.ft.	5¢ sq.ft.	"
8151-Thom, Robert	"		Moving house from right of way \$50.00	"
5373-Nielson, Martha	"	1060 sq.ft.	5¢ sq.ft.	"
5326A-Driskill, Dallas and Coos County	"	1060 sq.ft.	5¢ sq.ft.	"
7804-Hartman, E. A.	"	530 sq.ft.	5¢ sq.ft.	"
7806-Norris, Anna	"	530 sq.ft.	5¢ sq.ft.	"
5326-1-Rasmussen, Eliese	"		Moving building-\$25	"
7855-Gallier, E. W.	"	151 sq.ft.	10¢ sq.ft., plus \$4.90	"
5342-Coats, Hulda and Clyde E. Stearns	R/W & Channel Chg.	400 sq.ft.	10¢ sq.ft., plus \$110	"
5341-Harvey, Fred J. and Ralph York	R/W & Channel Chg.	760 sq.ft.	10¢ sq.ft., plus moving bldg. (Est'd at \$105)	"
5357-Catholic Church	R/W	29,570 sq.ft.	3¢ sq.ft.	"

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Bandon Section (continued)</u>				
7857A-Harter, Lee E.	R/W		Restaurant building and equipment Lump Sum \$3800	Gardiner
8168-Bandon, City of, and Coos County	Channel Chg.	2 lots and part of 2 others	Gratis	"
8174-Bandon, City of	R/W	4,250 sq.ft.	2.6¢ sq.ft. (2 lots at \$50 each)	"
8173-Bandon, City of	"	11,500 sq.ft.	1-3/4¢ sq.ft. (2 lots at \$100 each)	"
7872-Chappell & Young, and Mrs. Walker	R/W & Channel Chg.	960 sq.ft.	10¢ sq.ft., plus \$325	"
8145-Capps Motor Co.	R/W		State is to deed motor company 1,372 sq.ft. at 16¢ sq.ft., as part compensation for building alterations (Est'd at \$500), leav- ing net to owner of \$280.48	"
7857-Coos County, and Henry F. Winters	R/W	2,462 sq.ft.	20¢ sq.ft., plus \$150	"
5326-Coburn, Geo. (Insur- ence Office)	"		Moving 10x12 building (low bid \$25.00)	"
<u>Port Orford-Euchre Creek Section - Oregon Coast Highway</u>				
2558-Inman, C. C.	R/W	48.6	\$25.72 per a.	DeSouza
<u>Bandon-Port Orford Section - Oregon Coast Highway</u>				
8035-Boise, Carrie	Gravel Pit- Haul Road	0.71	1 year lease, 3¢ cu.yd.	Gardiner
8034-Hansen, H. H.	Gravel Pit	2.02	1 yr.lease, 3¢ cu.yd.	"
<u>Eugene Section - Pacific Highway</u>				
7932-Swearingen, Lucinda	Maintenance Site	4560 sq.ft.	\$500 Lump Sum	Collins
7934-Mannel, Carrie C.	Maintenance Site	1896 sq.ft.	\$350 Lump Sum	"
7930-Ball, John W. and Elmer A. Simons	Maintenance Site	3000 sq.ft.	4¢ sq.ft., plus \$280	"
<u>Florence Section - Siuslaw Highway</u>				
7865-Lane County	R/W	8 Lots	\$1 Lump Sum, plus \$1	Devers
<u>Bear Creek-Ashland Section - Pacific Highway</u>				
7955-Halls, Margery	Borrow Pit	0.35	1-yr. lease Gratis	Benson
<u>Grants Pass-Green Creek Section - Pacific Highway</u>				
7275-Troll, Matilda (Correction)	R/W	1283 sq.ft.	2¢ sq.ft., plus \$89.34	McCallister
<u>Klamath Falls-Merrill Section - Klamath Falls-Molin Highway</u>				
8139-Klamath County	Stock Pile	1.65	\$100 per a.	DeSouza

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Provolt-Williams Section - Williams Highway</u>				
8009-Josephine County	Gravel Bar Stock Pile	11.02	Gratis	DeSouza
<u>Trail-McLeod Section - Crater Lake Highway</u>				
8166-Hoag, Jennie	R/W	0.37	Gratis	Lytle
8167-Tate, A. D.	"	0.13	Gratis	"
<u>Jefferson County Line-Prineville Section - Warm Springs Highway</u>				
7834-Davison, Marie	R/W	4.3	\$100 per a., plus \$428	Benson
<u>Crooked River-Prineville Section - Ochoco Highway</u>				
7603-Rose, Alma M.	Slope Est't	5.0 ft.	Gratis	Benson
<u>Cushman Ranch-Trail Section - Tiller-Trail Highway</u>				
8025-Shadley, Estate Benj.	Quarry	2.59	\$100 per a.	Benson
8026-Siemes, Max	Quarry R/W	2.50	\$100 per a.	"
<u>Lone Rock Junction-Rock Creek Section - Wasco-Heppner Highway</u>				
7841-Booth, Gladys	R/W	1.49	\$20 per a., plus \$27.60	Collins
<u>Prairie City Section - John Day Highway</u>				
7471A-Cleaver, Lewis L. (Correction)	R/W	2858 sq.ft.	Land gratis, plus \$963.92	Gardiner
<u>John Day-Prairie City Section - John Day Highway</u>				
8157-Hall, Geo. H.	Stock Pile	1.08	\$32.40 per a., plus fencing \$35, plus \$7.50.	Williams
<u>Triangle Lake Section - Siuslaw Highway</u>				
P-190-U. S. Government	Park	120	\$55 per yr, 1-yr. lease	Boardman
<u>Loon Lake Park Section - Umpqua Highway</u>				
P-191-U. S. Government	Park	51.51	\$6.44 for 1-yr. lease	"
<u>Camas Mountain Section - Coos Bay-Roseburg Highway</u>				
*P-60-U. S. Government	Park	160	\$127.50 for 1-yr. lease	"
<u>Klamath County Section - Klamath Falls-Lakeview Highway</u>				
P-188-U. S. Government	Park	80	\$10 for 1-yr. lease	"
<u>John Day Section - John Day Highway</u>				
8134-King, Robert	R/W	0.33	\$250 Lump Sum Land, plus \$1250	Parker
8133-Geisler, Catherine	"	2760 sq.ft.	\$50 Lump Sum	"
		0.27	\$100 Lump Sum	"
8133A-Geisler, Catherine	Gravel Pit	1.69	2-yr. lease 2¢ cu.yd.	"
8135-Bradely, W. R.	"	0.47	\$750 Lump Sum	"
8136-Casady, Chas. M.	R/W and Channel Chg.	20,922 sq.ft.	4¢ sq.ft., plus \$2,413.12	"

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The Attorney also requested authority to institute condemnation proceedings to acquire right of way needed for the Quartz Mountain-Drews Valley Section of the Klamath Falls-Lakeview Highway across property belonging to the estate of George H. Newell of Lake County. He advised that this would be a friendly suit and is simply required in order to clear title to the property. The Commission approved the request and, thereupon, by unanimous vote, adopted the following resolution in regard thereto:

WHEREAS, the State Highway Commission is by law authorized and directed to lay out, locate, relocate, designate, construct, reconstruct, improve, and maintain a system of state highways in the State of Oregon, including both primary and secondary state highways, to acquire rights of way necessary therefor, and to declare the necessity and need for the acquisition thereof, and the advantages to be gained thereby;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the State Highway Commission does hereby find and declare that it is necessary, will be of advantage to the State of Oregon, and is needful that the State acquire for right of way purposes for use in connection with the permanent location, construction, improvement, and maintenance of the following section or sections of the state highway system of the State of Oregon, to wit:

Quartz Mt.-Drews Valley Section of the Klamath Falls-Lakeview Highway

real property owned by or in possession of the following parties and/or persons, to wit:

Estate of George H. Newell, deceased

and this Commission does hereby declare further that the said property or properties are necessary, are needful, and the acquisition thereof will be of advantage to the State of Oregon for right of way purposes in order to make it possible for the State Highway Commission to properly locate, relocate, construct, reconstruct, and maintain said portion or portions of the said state highway system in accordance with standards adopted by this Commission relative to curvature, grades, alignment, drainage, and factors of safety.

2. That the State Highway Engineer be and he hereby is instructed and directed to properly survey the parcel or parcels of land required for such right of way purposes and prepare proper and adequate descriptions thereof, which descriptions shall be employed in the preparation of a deed or deeds or other instrument or instruments necessary to complete the acquisition of the said property or properties or which descriptions may be used in the preparation of a complaint in the event that condemnation proceedings are necessary.

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3. That the boundaries of the said parcel or parcels of land, as defined and determined by the said survey made by the said Highway Engineer, along the route or location adopted by the Highway Commission, shall be and the same hereby are adopted and the lands defined therein are hereby declared to be and the same are included within the rights of way of the said portion or portions of the said state highway system and hereby are declared to be necessary for the proper location, improvement, construction, and maintenance of the said portion or portions of the state highway system.

4. That I. H. Van Winkle, Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they are hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby further resolved that the Attorney General of the State of Oregon and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they hereby are requested to commence and prosecute to a final determination such suit or action, or suits or actions, as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

At 3:00 p. m. Chairman Cabell announced the following awards of contracts, bids for which were taken at the morning session, such awards having been previously approved by the unanimous vote of the two members of the Commission present:

"Rock Creek-Molalla Section of the Woodburn-Sandy Secondary Highway, in Clackamas County. 4.9 miles bituminous macadam surfacing. Babler Bros., Portland, submitted the low bid on this project, in the amount of \$65,365.00, using tar. They did not submit a bid based on the use of asphalt. E. C. Hall Company, Eugene, submitted the next low bid being in the amount of \$70,660.00, based on the use of asphalt, and \$70,935.00, based on the use of tar. There were 3 higher bidders. The Commission awards this contract to Babler Bros., at their low bid of \$65,365.00, based on the use of tar.

"Elsie-Sunset Tunnel Section of the Wolf Creek Highway, in Clatsop and Washington Counties. 1.10 miles surfacing and 20.37 miles oiling. The low bid received for this project was that of A. Milne, Portland, in the amount of \$27,252.50. The next low bid was that of Babler Bros., Portland, in the amount of \$29,970.00. There

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were 3 higher bidders. This contract is awarded to the low bidder, A. Milne, at his bid of \$27,252.50.

"Rainier Section (6th Street E.-3rd Street W.) of Columbia River Highway, in Columbia County. 0.45 mile grading and paving. The City Motor Trucking Company, Portland, submitted the low bid for this work in the amount of \$24,736.50. Edlefsen-Meygandt Company, Portland, submitted the next low bid in the amount of \$25,884.70. There was only 1 higher bidder. This contract is awarded to the City Motor Trucking Company at its low bid of \$24,736.50.

"Bandon Section of the Oregon Coast Highway, in Coos County. 0.59 mile grading and plant-mix bituminous macadam surfacing. Only 3 bids were received for this project, that of the Coos Bay Dredging Company, Marshfield, being low, in the amount of \$43,963.00. Leonard & Slate, Multnomah, were the second-low bidders, with their bid of \$48,345.00. The Commission refers all bids received on this job to the Engineer with power to award the contract to the low bidder when certain conditions have been fulfilled.

"North Canal Bridge on The Dalles-California Highway at the north city limits of Bend, in Deschutes County. Remodel and widen existing bridge. Birkemeier & Saremäl, Portland, submitted the low bid on this project in the amount of \$3,145.00. W. H. Philpott, Portland, submitted the next low bid in the amount of \$3,332.50. There were 3 higher bidders. The Commission awards this job to the low bidders, Birkemeier & Saremäl, at their bid of \$3,145.00.

"Medford Maintenance Station Landscaping Project on the Pacific Highway, in Jackson County. The low bid received for this work is that of Arthur T. Fox, Salem, in the amount of \$3,898.00. The next low bid is that of D. L. Ashton, Lebanon, in the amount of \$4,520.00. There were 2 higher bidders. The Commission awards this contract to the low bidder, Arthur T. Fox, at his bid of \$3,898.00.

"Albany-Crabtree Corner Section of the Santiam Highway, in Linn County. 3.95 miles surfacing, 1.13 miles cement stabilization, 1.22 miles paving, 1.97 miles oil surface treatment, 1.98 miles bituminous macadam wearing surface. Only 2 bids were received for this work, that of Warren-Northwest, Inc., Portland, in the amount of \$71,531.50, based on the use of asphalt, being the low one. They did not submit a bid based on the use of tar. The other bid was that of the United Contracting Company, Portland, in the amount of \$78,628.50, based on the use of asphalt, and \$78,532.50, based on the use of tar. The Commission awards this contract to the low bidder, Warren Northwest, Inc., at its bid of \$71,531.50, using asphalt.

"Ontario-Snake River Section of the Old Oregon Trail, in Malheur County. 1.27 miles roadside improvement. M. E. Myers & Son,

Echo, submitted the low bid for this work in the amount of \$2,772.41. Guy H. Booker, Portland, submitted the next low bid in the amount of \$3,784.00. There were 3 higher bidders. This contract is awarded to the low bidders, M. E. Myers & Son, at their bid of \$2,772.41.

"Maintenance Patrol Station at Blue Mountain, on the I.O.N. Highway, 30 miles north of McDermitt, Nevada, in Malheur County. The low bid received for this work was that of Fife & Company, Nyssa, in the amount of \$20,823.00. The next low bid was that of Viesko & Hannaman, Salem, in the amount of \$21,348.00. There were 2 higher bidders. The Commission has referred all bids for this work to the Engineer with power to award the contract to the low bidder, Fife & Company, when certain conditions have been fulfilled.

"Replacement of wire rope on the Interstate Bridge over the Columbia River, on the Pacific Highway between Vancouver and Portland, Multnomah County. Only 2 bids were received for this work, that of the Contracting & Sales Company, Inc., Portland, being the low bid, in the amount of \$6,290.00. The other bid was that of The Gilpin Construction Company, Portland, in the amount of \$9,465.00. Both of these bids have been referred to the Engineer with power to award the contract to the low bidder, the Contracting & Sales Company, Inc., when certain conditions have been fulfilled."

The Commission had under discussion the matter of acquiring tidelands from Mr. C. C. Inman which are desirable in connection with the proposed relocation of the Oregon Coast Highway near Port Orford. In connection with this matter the State Highway Commission also gave consideration to the desirability of acquiring all of the property between the revised location of the highway, at Hubbard Creek, and the normal high-water mark, which purchase may affect certain lands understood to be under option by Captain Harold Roach. After consideration, the Commission decided to acquire all of the property between the highway and the ocean at this point, including the Inman tidelands which will be a valuable adjunct thereto. The Commission authorized the purchase of the Inman property for the amount of the option, which is \$1,250, or \$25.72 per acre for the 48.6 acres.

Mr. Walter Meacham, Member of the Committee appointed by the Commission to recommend sites for the erection of historical markers along the Old Oregon Trail, was present and submitted to the Commission a report from this committee. The report was referred to the Engineer for study.

Chairman Cabell expressed the Commission's appreciation of the work performed by the members of this committee, which consists of Ray Conway, Chairman, Manager of the Oregon State Motor Association; Lewis A. McArthur, President of the Oregon Historical Society, and Mr. Meacham.

Mr. Murphy of the Murphy & Nelson Logging Company reappeared before the Commission in regard to the hauling of logs over the Columbia River Highway

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from Hood River easterly to the county road which connects with this highway at the Mount Hood Highway junction and extends northerly to the Columbia River. The Engineer advised that a test run of logs over this section reveals that 40-foot logs cannot be transported thereover without crossing the center line of the highway, particularly at the east end of the Hood River Bridge. He recommended, however, that a permit be granted to the Murphy-Nelson Logging Company to truck-haul logs 40 feet in length over this section provided they will maintain flagmen for the protection of other traffic, one of said flagmen to be stationed at the curve at the east end of the Hood River Bridge and the other at the point where the county road intersects the Columbia River Highway. The Commission approved the recommendation.

In this connection the Engineer recalled that the Commission previously authorized certain operators to truck-haul 32-foot length logs over this highway from the Mount Hood Highway junction into the city of Hood River without flagmen. He gave as his thought that the conditions obtaining at this point justify the maintenance of flagmen at three points, viz., at the intersection of the Mount Hood Highway with the Columbia River Highway and at each end of the Hood River Bridge, and he recommended that the Commission so modify its previous ruling. The Commission approved the recommendation and so ordered. The Secretary was instructed to convey this information to the Public Utilities Commissioner and request a modification to that effect in the permits that are issued from his office.

In the discussion of this matter the question arose whether or not the county road extending from the Columbia River Highway to the Columbia River, over which road the Murphy-Nelson Logging Company plans to truck-haul its logs, has a proper connection with the Columbia River Highway. The Engineer was instructed to investigate the conditions and to report the cost to improve this connection if it is not satisfactory at the present time.

The Engineer discussed with the Commission a letter from the Director of Highways of the State of Washington, advising that he is now preparing a construction budget for the next biennium, which begins April 1, 1941, and in connection therewith is considering the improvement of the highway between Walla Walla and the Oregon State line, particularly the section between College Place and the state line, and inquiring as to the plans of the Oregon State Highway Commission for the construction of this road within the state of Oregon. The Engineer advised that if the State of Washington reconstructs the Washington Section of this highway it would necessitate Oregon's building the section from Milton-Freewater to the Washington State line which it was not planned to do for several years. The Commission instructed the Engineer to inform the Washington officials that the State of Oregon does not contemplate undertaking this project during the next biennium.

Communications were presented from the Parkrose Lions Club and Multnomah County Fire District No. 2 requesting the oiling of the dirt shoulders adjacent to the highway pavement through the Parkrose District, Portland, from 82nd Avenue to 122nd Avenue. The Commission decided to inspect this project before taking action on the request and to consider it in the programming of funds for next year's construction.

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A telegram was presented from the Sweet Home Chamber of Commerce urging the Commission to complete the construction of the South Santiam Highway throughout its entire length at the earliest possible time. The Secretary was instructed to inform the Chamber of Commerce that the Commission is now proceeding as rapidly with this work as funds will permit.

The Engineer reported the cost to oil the shoulders adjacent to the pavement on the Oregon Coast Highway through the town of Cloverdale. He said that this work, which would consist of oiling full width between curbs for a distance of about two blocks, would cost about \$2,000 and he recommended approval of the expenditure. The Commission approved the recommendation.

The Commission discussed matters pertaining to the construction of a section of the "Route F" Highway in Lane County across the Fern Ridge Dam Reservoir. The Engineer advised that Lane County, the Army Engineers and he are in agreement with respect to the financing of this work, according to letters which have been exchanged, although the matter has not been covered by formal agreement. He requested authority to advertise this project for bids as soon as such formal agreement has been executed by all parties concerned. The Commission approved the request on condition that all of the legal features involved are approved by the Attorney. The Attorney was instructed to discuss the matter with the Lane County Court.

A report was rendered by the Engineer on the cost to construct a turnout for trucks adjacent to the Columbia River Highway at the Washington State line, as has heretofore been requested by certain trucking industries as an accommodation in breaking up their truck and trailer combinations to meet the Oregon statutory requirements as to overall length. He advised that investigation reveals that it is possible to construct a turnout 20 feet wide and 400 feet long at the state line for the sum of approximately \$500. He pointed out that there are suitable locations available within the State of Washington where the truck equipment could be broken up into units that would meet the Oregon length requirements and gave as his thought that Oregon should not be required to spend its funds for this purpose. He recommended denial of the request. The Commission approved the recommendation.

Consideration was given by the Commission to a letter from the Springfield City Council requesting advice on the feasibility of diverting logging truck traffic and other heavy traffic off the McKenzie Highway to a route about one-half block south of Main Street in that town, so as to relieve the city of this traffic problem. The Commission considered that this is a matter of strictly local concern and accordingly decided not to assume any responsibility in connection therewith.

The Secretary presented a letter from the Roseburg Chamber of Commerce inviting the members of the State Highway Commission and its staff to attend the celebration that is to be held in Roseburg on Friday, June 21, in connection with the dedication of the North Umpqua Road between Roseburg and Diamond Lake, which celebration includes a caravan trip to Diamond Lake. The Commission accepted the invitation with thanks.

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The Commission discussed the setting of a date for its inspection trip on the Oregon Coast Highway but deferred definite action thereon until later.

Reconsideration was given by the Commission to the request of the Gold Hill Garden Club for the construction of a sidewalk on the Rogue River Bridge at Gold Hill for the benefit of school children and other pedestrians. Action on this matter was deferred by the Commission pending additional report from the Engineer as to the volume of pedestrian traffic that uses this bridge.

The Commission discussed a letter from County Judge Hugh McLain, Coos County, urging the Commission to improve the Coos River Secondary Highway through Golden Falls Park in order to provide a suitable road for the truck-hauling of logs. The Engineer advised that, while the present road runs through the state park at this location, it is not a state highway and there is a question whether it is even a county road. He suggested that the Commission deny Judge McLain's request and that the logging operators be required to build their own road entirely off the state park premises which he believed could be done at reasonable cost. The Commission indicated approval of the Engineer's suggestion but took no definite action on the matter.

A letter was presented from the Huber Commercial Club requesting the elimination of a dangerous dip on the Tualatin Valley Highway a short distance east of the town of Huber. The Engineer advised that a dip in the highway, such as exists at the point referred to, is naturally very undesirable in a highway that carries as much traffic as does the Tualatin Valley Highway; however, it would cost a considerable sum to eliminate it. He suggested that the Commission defer its decision on the matter pending a trial of the double traffic stripe which has been painted on the pavement at this place to see what effect such striping will have in the elimination of accidents. The Commission approved the suggestion.

The Secretary presented a resolution from the Malheur County Pomona Grange urging the construction of a road extending from the I.O.N. Highway, near the town of Rome, northerly to a connection with the Central Oregon Highway, near the town of Harper. The Commission denied the request because funds cannot be spared to finance it and for the further reason that the Commission considers that it should complete the I.O.N. Highway before starting on new projects in this vicinity.

The Commission discussed a letter from Mr. R. B. McGinnis, Mining Engineer, Granite, Oregon, requesting the improvement of a 3-mile section of the Sumpter Valley Secondary State Highway between Sumpter and a place known as McColley's Fork, which section Mr. McGinnis alleges is practically impassable in places. The Engineer advised that this section is simply an ungraded and unsurfaced county road although it is on the secondary state highway system and, accordingly, is being maintained by the state. He estimated the cost to stabilize the weak portions thereof at \$1,500 and suggested that the request be denied. The Commission deferred a decision in the matter pending an inspection of the road.

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In this connection the Secretary presented a resolution from the Baker County Court requesting that the Sumpter Valley Secondary State Highway be extended to the town of Granite. Action on this matter was deferred pending inspection of the road.

Petitions were presented from numerous taxpayers of Baker County opposing any expenditure of highway funds for the improvement of the existing section of the Baker-Homestead Highway between Flagstaff and Lower Powder and urging construction on permanent alignment between these points at the earliest possible time. In the discussion of this matter the Commission reaffirmed its previous decision to contract work on the permanent alignment, costing about \$120,000, some time this fall.

The Commission discussed a number of communications from citizens and organizations in Coos County requesting the oiling of the Powers Secondary State Highway, particularly the northerly 5-mile section thereof. The Engineer advised that there is considerable log hauling traffic over this road and that the dust conditions resulting therefrom, according to reports, are most unbearable. However, inspection of the road reveals that it is not in condition to receive an oil treatment. Further, that to surface and oil the 5-mile section would cost about \$14,000. He said that he could not see how the Commission could finance the project at this time so, in order to alleviate the dust condition somewhat, he ordered maintenance forces to sprinkle the road with water and that the watering tank is now in operation and should alleviate the dust nuisance considerably and make the road much safer for travel. The Commission approved the action taken by the Engineer in this matter and agreed to bear this project in mind for consideration in the formulation of future construction programs.

The Secretary presented a resolution from the County Court of Wallowa County requesting the designation, as a state secondary highway, of the county road known as the Wallowa-Powwotka-Troy Highway, in Wallowa County, which road is 39.5 miles in length. A letter was also presented from the Wallowans Club of Wallowa requesting such designation and a resolution from the Wallowa Pomona Grange No. 22, Joseph, Oregon, requesting state aid in the improvement of this road from Troy to the Washington State line. The Commission denied the request for the time being; however, agreed to keep the project in mind and to discuss it with the Wallowa County Court when the programming of future federal aid secondary state highway funds is considered.

The Commission discussed a letter from County Judge U. G. Couch of Union County inquiring as to the plans of the Commission for the proposed cutoff section of the Old Oregon Trail which extends up Ladd Canyon to North Powder. Judge Couch advised that the county court has under contemplation the improvement of this cutoff but, because of limited county funds available, does not wish to spend very much for a permanent improvement if it is the intention of the State Highway Commission to take it over as a state highway. The Commission ordered that Judge Couch be informed that definite plans for this cutoff have not been made, hence the Commission is not in a position to give him any definite information at this time; however, the Commission will be pleased to inspect this road the next time it is in that vicinity.

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Consideration was given by the Commission to a letter from Mr. H. Jepson, Mist, Oregon, who requests the oiling of the 3-mile section of the Nehalem Secondary Highway between Mist and Birkenfeld which will complete the oiling of this road. The Engineer advised that this is a very desirable improvement and is on the priority list. He recommended that it be kept in mind for construction next year in the program for state funds. He estimated that it would cost about \$35,000. Chairman Cabell suggested that it might be possible to finance this job with funds heretofore set up for the improvement of the Siletz Secondary Highway, in Lincoln County, inasmuch as there is a question whether or not the federal authorities will approve the Siletz project as now planned. The Commission indicated a favorable attitude toward the transfer of such funds but deferred a definite decision pending receipt of additional information from the Engineer. The Engineer was instructed to report at the next meeting on the cost to construct the Siletz project to a low standard, using all state funds to finance it. Also, to submit an estimate of cost to construct it to federal standards, using federal funds to finance it, and, as a third alternate, to submit an estimate of cost to construct a portion of it with federal funds and a portion with state funds.

The Commission discussed and ordered filed a resolution from Aloha Grange, Aloha, Oregon, in which the Commission was urged to widen the Tualatin Valley Highway for four lanes of traffic between Portland and Beaverton and to continue such improvement to Forest Grove.

A petition was presented from the property owners of Hebo, Oregon, requesting the oiling, or otherwise hard surfacing, of the shoulders on both sides of the Three Rivers Highway (McMinnville-Tillamook Highway) through Hebo. The Commission decided that it cannot finance this project this year, in view of the fact that it has just ordered the improvement of the Oregon Coast Highway through the town of Cloverdale which will take all of the funds that can be spared in this vicinity this year, but agreed to bear it in mind for next year's construction.

The Commission discussed a letter from the North Lincoln County Chamber of Commerce urging improvement of the Salmon River Highway between Bellevue and Valley Junction. The Commission denied the request for construction this year on account of lack of funds to finance the work; however, agreed to bear the project in mind for consideration in the formulation of next year's program.

The Commission discussed and referred to the Engineer for report a petition from numerous residents of Salem requesting the improvement of the Silver Creek Falls Secondary Highway No. 163 between the State Highway Shops, at Salem, and its junction with the Turner Road at a place commonly known as Four Corners, a distance of about one mile.

The Commission discussed a letter from the Union Pacific Railroad Company inquiring whether or not it would be possible to secure the services of the state's oiling crew to repair the roadway leading to the company's freighthouse and team track in Hood River and offering to reimburse the state for the cost thereof if the state will do the work. The Engineer estimated

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that this work will cost about \$125.00. However, he recommended denial of the request for the reason that it would establish an undesirable precedent in doing work for private concerns. Furthermore, in his estimation, it is work that should be done by some contractor. The Commission approved his recommendation.

A petition was presented from residents of Benton and Lincoln Counties requesting the oiling of the Eddyville-Blodgett Secondary Highway from Blodgett to Nashville. The Engineer advised that this section is $7\frac{1}{2}$ miles in length and that the surfacing is not suitable to take a coat of oil. He estimated the cost to stabilize and oil the road at about \$44,600. The Commission decided, in view of the cost involved, to deny the request for immediate construction, however, agreed to keep the project in mind for consideration in next year's program.

The Commission discussed a petition from residents of Lane County requesting the improvement of the Alsea-Deadwood Secondary Highway between Swisshome and Paris, particularly the sections known as Haight's Grade, Olson Grade, the rock crusher site, and two places near Deer Creek, totalling approximately four miles. The Engineer estimated that it would cost about \$18,500 to widen the grade and construct surfacing on the widened portions and that it would cost about \$855,000 to grade, surface, and construct bridges on the entire road, which is 20.1 miles long. The Commission denied the request in view of the high cost of the improvement, and the lack of funds with which to finance it.

The Commission considered and denied the request from the City of Klamath Falls for the improvement of the secondary highway on the west side of Klamath Lake, known as the West Side or Rock Creek Road, as a detour in the event The Dalles-California Highway should become impassable at any time by reason of floods or other disasters.

A letter from Chester P. Walker, Yamhill, Oregon, requesting the oiling of the unoled portion of the Yamhill-Newberg Secondary Highway had the attention of the Commission. The Engineer advised that the unoled section is about 4 or 5 miles long and he estimated that it would cost about \$5,000 to place a light oil treatment thereon. The Commission instructed the Engineer to make further investigation of the road and, if in his estimation the oiling work can be done for not to exceed \$5,000, then he is authorized to proceed with the improvement.

The Commission discussed a letter from Earl G. Muir, Eugene, in which the Commission was urged to improve the Eugene-Swisshome Secondary State Highway, particularly the section between San Antone Creek and its junction with the Siuslaw Highway, so as to permit the hauling of logs over the same. The Engineer advised that the section which Mr. Muir wishes improved is 6.7 miles in length. He estimated that the minimum amount required to place this section in condition to permit log hauling would be about \$4,000, exclusive of bridge structures, of which there are sixteen on this section. He recommended denial of the request, particularly in view of the fact that this road will be abandoned as a state highway if and when the so-called "Route F" High-

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way is constructed, and because the volume of traffic that uses the road does not justify the expense. The Commission approved the recommendation.

The Commission considered the matter of extending the contract with Leonard and Slate for furnishing ferry service across the Willamette River at Wilsonville and decided to extend this contract for a period of six months, or until January 1, 1941. The Commission thereupon signed an agreement with Leonard and Slate covering the matter which said agreement also bears the consent of the surety on the bond furnished by the contractor in connection with this project. The Engineer was authorized to advertise this ferry service for bids to be received at the next meeting.

The Engineer requested authority to purchase the following equipment:

Power plant equipment for lighting the Willamette Tunnel on the Willamette Highway - estimated cost \$6,000;

1 light-type truck equipped with 600-gallon pressure tank and two pumps for use by landscape maintenance crew - estimated cost \$1,184.00.

The Commission approved the request and ordered that the purchases be made through the State Board of Control in the usual manner.

The Secretary presented the application of the Foster Lumber Company, Willamina, to maintain a $1\frac{1}{2}$ " guy wire across the Salmon River Highway as one of the supports for a boom pole to be used in connection with the loading of logs onto railroad cars. The Commission denied the request as a matter of policy, it being considered that the maintenance of such guy wire under pressure over a highway would constitute a hazard to the general traveling public.

The Commission considered and ordered filed an item from a newspaper known as "The Progressive" published in Portland, in which the Commission is criticized for its plans in connection with the 32nd Street project (Cascade Secondary Highway) between Portland and Oregon City.

The Commission discussed and denied as a matter of policy the application of Lewis M. White, Portland, to maintain beehives on the right of way of the Wolf Creek Highway near a place known as Wolf Creek Camp. Mr. White offered to pay the state \$40 for this privilege.

The Secretary presented a letter from the Baker County Taxpayers' League offering objections to the taking of some of the city park in the town of Haines as right of way for the improvement of the Old Oregon Trail through this town. The Engineer advised that only a very small part of this park was taken for the highway improvement and that it did not in the least affect the park adversely; furthermore, he believed that when the highway improvement is completed the people in this town will be perfectly satisfied with the same and will not miss the small portion of the park that has been taken. The Commission ordered the communication filed.

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The Commission considered the following requests for extensions of time within which to complete highway construction projects:

Denton & Young, Contract No. 2233, for the construction of a bridge over Lang Canyon on the Columbia River Highway, in Gilliam County, requested an additional extension of time, from March 31 to April 5, 1940, within which to complete this job. The Engineer advised that the contract time limit was previously extended for 90 days, or until March 31, 1940, without penalty, on account of delay in the award of the contract. He further advised that the bridge was practically completed before the expiration of this extended time limit but the contractors were not able to complete the painting of the handrails on account of adverse weather conditions. He recommended, in view of the circumstances, that the extension of time requested be granted without penalty. A letter was presented from W. H. Lynch, District Engineer, Public Roads Administration, concurring therein. The Commission approved the recommendation unanimously.

Guy H. Booker & Arthur T. Fox, Contract No. 2288, for roadside improvement on the North Unit, Ana Spring-Hunter Hill Section of the Fremont Highway, in Lake County, requested an extension of time of two days, from May 15 to May 17, 1940, within which to complete this job. They alleged that their failure to complete the project within the specified time limit was due to unusually rainy weather and additional work which they were required to do, which work was not included in the original contract. The Engineer advised that the reasons given by the contractor for failure to complete the job within the specified time are correct. Further, that the traveling public has not been inconvenienced by the delay, neither has the state incurred any extra expense for engineering supervision. He recommended that the extension be granted without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation unanimously.

Vernie Jarl, Contract No. 2295, for clearing the Middle Unit, Troutdale-Corbett Section of the Columbia River Highway, in Multnomah County, requested an extension of time of three days, from April 15 to April 18, 1940, within which to complete this job. He alleged that bad weather conditions which prevented burning operations were the reason for his failure to complete the job within the specified time limit. The Engineer advised that the explanation given by Mr. Jarl for failure to complete the project on time is correct. He further advised that the state has not incurred any extra expense for engineering supervision, neither has the general traveling public been inconvenienced by the delay because the job is situate entirely away from any traffic. He recommended that the extension of time requested be granted without penalty. The Commission approved the recommendation.

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The Engineer reported that Contracts Nos. 2164, 2184, 2195, 2202, 2211, 2231, 2233, 2241, 2255, 2263, 2270, 2276, 2288, and 2295, for the construction of state highway projects, have been completed according to the requirements of the contracts or modifications thereof, and that said jobs are now ready for acceptance. The following resolution accepting the above projects was offered and was adopted by the unanimous vote of the Commission:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts and said jobs are now ready for acceptance:

Contract No. 2164, with Fisher Bros., for grading, surfacing, and oiling the Eagle Creek-Wade Corner Section of the Eagle Creek-Firwood County Road, in Clackamas County. Completed May 27, 1940.

Contract No. 2184, with S. S. Montague, for grading, surfacing and oiling the Road Creek-Wron Section of the Kings Valley Secondary Highway, in Benton County. Completed June 3, 1940.

Contract No. 2195, with Birkemeier & Sarnal, for construction of the Third Street Undercrossing on The Dalles-California Highway in Pend, Deschutes County. Completed June 6, 1940.

Contract No. 2202, with H. L. Rice, for grading, surfacing, and oiling the Strebin Road-Hosner Road Section of the Troutdale-Sandy County Road, in Multnomah County. Completed June 1, 1940.

Contract No. 2211, with H. L. O'Neil & Son, for grading and bridge construction on the Oryhee River-Tudor Ranch Section of the I.O.H. Highway, in Malheur County. Completed May 24, 1940.

Contract No. 2231, with Roy L. Houck, for grading the State Farm-Adams Section of the Oregon-Washington Highway, in Umatilla County. Completed May 25, 1940.

Contract No. 2233, with Denten & Young, for bridge construction over Long Canyon on the Columbia River Highway, in Gilliam County. Completed April 2, 1940.

Contract No. 2241, with F. R. Hewett, for furnishing crushed rock on the Elgin-Rock Creek Section of the Wallowa Lake Highway, in Wallowa County, and the Union-North Powder Section of the Old Oregon Trail, in Union County. Completed June 5, 1940.

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Contract No. 2255, with A. S. Wallace, for furnishing crushed rock on the Siskiyou Junction-Klamath County Line Section of the Green Springs Highway, in Jackson County. Completed May 25, 1940.

Contract No. 2263, with Contracting & Sales Company, for moving and reconstructing the Methodist Episcopal Church Buildings in Tigard, Washington County. Completed May 31, 1940.

Contract No. 2270, with Tidepoint Company, for furnishing crushed rock on the Mist-Vernonia Section of the Nehalem Secondary Highway, in Columbia County. Completed May 4, 1940.

Contract No. 2276, with Fisher Bros., for grading and surfacing the Hay Canyon Section of the Moro-Hay Canyon County Road, in Sherman County. Completed May 1, 1940.

Contract No. 2238, with Guy H. Booker and Arthur T. Fox, for roadside improvement on the North Unit, Ana Spring-Hunter Hill Section of the Fremont Highway, in Lake County. Completed May 17, 1940.

Contract No. 2295, with Vernie Jarl, for clearing on the Troutdale-Corbett Section of the Columbia River Highway, in Multnomah County. Completed April 18, 1940.

THEREFORE, BE IT RESOLVED that the work covered by said state highway contracts for the construction of said state highway projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

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The Commission had under discussion the setting of a date for its next regular meeting for the receiving of bids on highway construction projects and decided to hold such meeting in Portland on Thursday, July 18, 1940. The Secretary was instructed to make the usual arrangements for the use of the auditorium in the Public Service Building for this purpose. The Commission also decided to hold a special meeting in Roseburg on the evening of Thursday, June 20, to dispose of accumulated routine matters.

The Commission considered and signed agreements, et cetera, as follows:

Agreement with Leonard and Slate covering extension of the Wilsonville Ferry Contract for a period of six months - to January 1, 1941.

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Agreement with Mildred K. Colvin pertaining to the acquisition of a park site in Curry County.

Permit authorizing the U. S. Forest Service to move oversized equipment over state highways in connection with the fighting of forest fires.

Agreement with Eugene F. Hug providing for the lease of a maintenance headquarters site at Elgin.

Agreement with the Federal Works Administrator providing for repair work to be done on the Forest Highway Section of the North Santiam Highway by state forces, reimbursement to the state to be made by the Federal Government.

Agreement with the Portland Traction Company relative to the improvement of Lombard Street in Portland.

Agreement with the City of Astoria covering the matter of the State Highway Commission's contribution of funds to assist in the financing of the removal of houses from Taylor Avenue, in Astoria.

Agreement with the Mountain States Power Company providing for the use of three of the company's poles in connection with a traffic signal suspension in the town of Rickreall.

Agreement with the Union Pacific Railroad Company covering the matter of the elimination of the railroad grade crossing in the town of Nyssa, in Malheur County.

Agreement with I. J. Rossman and wife providing for the lease of a maintenance headquarters site in the town of Florence.

Agreement with Oregon State Board of Higher Education covering the matter of the use of the facilities of the college radio station KOAC during the summer months of 1940.

Lease agreement with Weyerhaeuser Timber Company extending for a period of five years, or until August 14, 1945, the lease of three stockpile sites in Jackson County; right of way file #2527.

Warranty Deed conveying unto the O.W.R.R. & N. Company certain property situate in the SE $\frac{1}{4}$ of Section 33, Township 7 South, Range 39 East, W.M., Baker County, being in the town of Haines; right of way file #6882.

Bargain and Sale Deed conveying unto Hugh G. Walker 389 sq. ft. of land situate outside of the highway right of way limits in Lot 4 of Block 4, Shield's Addition to Cottage Grove, Lane County; right of way file #5640

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Quitclaim Deed conveying unto Lincoln County 3.15 acres of land situate in Government Lots 1, 2 & 3, of Section 36, Township 13 South, Range 12 West, W. M., in Lincoln County; right of way file #R-4475.

The meeting was adjourned at 5:00 p. m.

R. H. Baldock
State Highway Engineer

Henry F. Cabell
Chairman

H. B. Glaisyer
Secretary

Huron W. Clough
Commissioner

Roseburg, Oregon, June 20, 1940

The State Highway Commission met in special session at 9:30 p. m. in the Blue Room of the Umpqua Hotel. Present were:

Henry F. Cabell, Chairman
Huron W. Clough, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

Commissioner Oliver was excused from attending this meeting.

Due to the fact that Commissioner Clough was not present at the meeting held on June 13 and 14, in Portland, when the Commission selected certain projects for the construction program for the fiscal year 1941 federal aid funds, full information concerning the projects selected for such program at that time was given him by Mr. Cabell. Commissioner Clough approved the selection of projects, thus making the Commission's decision unanimous with respect thereto.

The Commission had under discussion the matter of preparation of bills for the 1941 legislature. The Attorney was instructed to prepare bills covering the following subjects and present them to the Commission for approval at its meeting on July 18: (1) Modification of House Bill No. 28 that was considered by the 1939 legislature. (2) Freeway bill. (3) Roadside beautification bill in behalf of the Oregon Roadside Council. (4) Bill covering the regulations for the truck-hauling of logs and piling over state highways.

The Commission also had under discussion the advisability of securing a special allocation of federal funds to expedite the modernization of the Pacific Highway and the Columbia River Highway. It was decided not to appeal to Congress for a special appropriation for any particular project. However, the

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Commission expressed itself as being not opposed to the people of Roseburg and vicinity endeavoring to secure a special allotment of funds for the improvement of the Pacific Highway between Roseburg and Grants Pass, if they so desire.

The Commission discussed a letter from the State Parks Superintendent relative to charging to the state parks budget the cost of acquiring wayside strips. It was the Parks Superintendent's thought that, inasmuch as wayside strips are necessary to the construction and maintenance of highways and because W.P.A. forces can be used in cleaning up and reforesting the areas, it might be advisable to charge this expense to right of way rather than to parks thus conserving the parks funds for strictly park purposes. The Commission decided to keep the accounts separate and to charge to the right of way budget the cost of the land acquired for right of way purposes and to the parks budget the cost of land outside of the limits of the right of way.

A letter was presented from the Acting Regional Grazier, U. S. Department of the Interior, Grazing Service, in regard to the Highway Commission's application for additional right of way along the Fremont Highway in the vicinity of Picture Rock Pass, Lake County. The Acting Regional Grazier advises that the Grazing Service has no objection to the approval of this application if the State Highway Department will, first, agree to protect and preserve the Indian writings on the rocks at the Pass; and, second, will allow the free use of the Pass as a stock driveway. As to condition No. 1, the Commission agreed to protect and preserve the Indian writings, inasmuch as that is in compliance with the Commission's established policy. As to condition No. 2, the Commission considered it inadvisable to allow stock on the highway; however, agreed to accept the condition if possible to construct fences to keep the stock off the highway.

The Commission considered the application of contractors Kern & Kibbe, Portland, to purchase a state-owned rock quarry at Bandon, known as Tupper Rock Quarry, which contains about two acres of land. It was the contractors' thought that this quarry is of no value to the state inasmuch as it contains extra-hard rock unsuitable for manufacturing into road surfacing material. The Engineer advised that the State Highway Department acquired this quarry a number of years ago for use in connection with surfacing work in the vicinity of Bandon. However, the rock proved to be very hard and it was difficult and very expensive to break it up into a size that could be used on the road, so it was abandoned for that purpose and the contractor was obliged to ship in rock from other sources. The rock is of excellent quality, he said, and would make fine road-building material if broken up into proper sizes, which he thought could be done now in view of the improvements that have been made in crushing equipment. He suggested that the quarry be not sold to Kern & Kibbe, who want to use the rock in repairing and extending the jetty at Bandon, and suggested, in lieu thereof, that all of the contractors who are interested in the jetty work be given an opportunity to purchase rock from the quarry on a specified royalty basis, with the understanding that the State Highway Department could have all of the tailings from the manufacture of the jetty rock. The Commission approved the suggestion and instructed the Engineer to notify the jetty contractors when the jetty work is advertised for bids.

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The Commission discussed the sale of 23 acres of land situate adjacent to the Warm Springs Highway in the NE $\frac{1}{4}$ of Section 9, Township 10 South, Range 13 East, T.M., Jefferson County, to Mr. Floyd Wood, Madras, Oregon, who submitted the high bid therefor in the amount of \$50.00, in reply to the Attorney's call for bids on June 17, 1940. The Commission deferred approval of this offer pending inspection of the premises.

Reconsideration was given by the Commission to a request made by County Judge Hugh McLain, Coos County, for the improvement of the road through Golden and Silver Falls State Park. The Engineer advised that the records have been searched to ascertain what, if any, obligation the Commission assumed in accepting the deed to this park from the county, and it has been ascertained that there are no obligations that have not been satisfied. In view thereof, he recommended that Judge McLain's request be denied, particularly in view of the fact that the road carries very little traffic other than logging traffic, and, in his estimation, the expense of the improvement is not justified; and for the further reason that, according to the State Parks Superintendent, it would be possible for the logging company to construct a much better private road entirely outside of the park boundaries. The Commission approved the recommendation.

The Attorney reported the results of his investigation of the small parcel of state-owned property near the north city limits of Roseburg, which property a Mr. Edwards of Roseburg desires to purchase for his personal use. He said that such investigation reveals that the property is part of an old county road right of way that was given to the state by the county. Further, that it lies entirely outside of the new highway right of way and is not needed for state highway purposes. He suggested that, inasmuch as the county deeded this property to the state, the state quitclaim it back to the county and let the county sell it to Mr. Edwards if it so desires, and secure the benefits of the sale. The Commission approved the suggestion.

The Commission had under discussion the application of Schroeder & Iverson, Sixes, Oregon, for permission to occupy temporarily certain state-owned property adjacent to the Oregon Coast Highway at Sixes River, it being their intention to construct certain buildings on this property for use in connection with their logging operations in this vicinity. The Commission denied the request and instructed the Engineer to order Schroeder and Iverson to vacate the state property that they are now using without permit.

The Commission had under discussion matters pertaining to the right of way for the proposed improvement of the Oregon Coast Highway south of Port Orford. It was pointed out that the Commission at the previous meeting authorized the securing of all of the land between the proposed highway centerline and the beach along the section from Port Orford to a point near Hubbard Creek, but no definite decision was reached with respect to the balance of the right of way, and the Public Roads Administration is now suggesting that all of the land between the highway centerline and the beach along the entire length of the proposed project be acquired so as to eliminate any possibility of its being commercialized and to retain the present unobstructed view of the Port Orford Harbor and the ocean shore line. The Commission approved the suggestion and authorized the Attorney to obtain options for the property.

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Reconsideration was given by the Commission to the matter of constructing driveways providing ingress and egress to and from service stations and other commercial establishments located adjacent to state highway rights of way, and the construction of pump islands that are involved. The question arose whether or not it would be advisable to ascertain through the courts just what authority the State Highway Commission has to construct and maintain the islands on the highway right of way. Action in this matter was again deferred pending consultation with Commissioner Oliver and then with Governor Charles A. Sprague.

The Commission discussed an order from the office of Governor Charles A. Sprague with respect to the granting of leaves of absence to state employees who are members of military or naval forces of the nation. The order extends to such employees, in view of the extraordinary conditions now obtaining, leave of absence of 21 days, without loss of pay or vacation, during the calendar year 1940 only. The Commission approved the order in so far as it pertains to employees of the State Highway Department for the year 1940 and instructed the Engineer to adhere to the provisions thereof in the granting of vacations and leaves of absence to employees under his supervision.

The Engineer reported briefly on county roads in Curry County that are eligible for federal secondary highway funds. The Commission took no action on this report, deferring the same until it makes its inspection trip into Curry County later in the summer. The Engineer was instructed to send to each Commissioner, in the meantime, a copy of the report.

The Engineer reported the results of investigation of the request of Mr. Charles E. Burnett, City Recorder, Pendleton, for the landscaping of cut-bank slopes along the Old Oregon Trail east of the railroad grade separation structure on Turner Street in East Pendleton. He advised that this matter was investigated by Landscape Engineer George Otten, who ascertained that the owners of the adjacent properties, a Mr. Russell Adams, Indian, and Mr. Wm. Giebels, want the state to plant shrubbery on the slopes and to maintain and irrigate the same, alleging that that was one of the conditions of their sale of right of way for the highway improvement. Mr. Otten also reports, he said, that the nature of the soil in the cutbanks is such that it would be very difficult to secure proper growth of shrubbery and vines. Furthermore, any obligation that the state may have had in connection with the securing of the right of way has been fulfilled. There is no assurance, he added, that after the shrubbery has been planted it will not be destroyed later on by excavation to make room for service stations or other roadside establishments. He recommended that the request be denied. The Commission approved the recommendation.

A letter was presented from County Judge David F. Graham, Malheur County, renewing his request for the improvement of the Vale West Secondary Highway (Graham Boulevard). The Engineer suggested that serious consideration should be given to this project in the formulation of the next program, and that in the meantime the Commission should make a trip into Eastern Oregon to inspect the county roads in that district. The Commission approved the suggestion.

The Commission discussed the letter from the Toledo Lions Club inquiring when the Commission proposes to surface and oil the Siletz Secondary Highway between Toledo and Siletz. The Engineer advised that the Commission budgeted \$35,000.00 of 1940 federal aid funds to finance a 2-mile project on this highway where the present road is very crooked. However, the Public Roads Administration will not approve such project, alleging that the plans do not meet the federal standards; so, the question now before the Commission is whether to proceed with the improvement, using federal standards, or to do the work as a state project, using lower standards. He recommended adoption of the government standard job and that the contracting of the work be deferred until the 1941 federal funds are available for use, when it would be possible to undertake a much larger job, using both 1940 and 1941 funds in conjunction with state funds to finance it. It was his idea that the worst section should be improved first and that the state funds should be used to finance the work that cannot be paid with the federal funds. The Commission indicated approval of the Engineer's suggestion but deferred definite action until later.

The Attorney brought up for discussion the matter of insuring a residence building that was acquired by the Commission in a right of way transaction at Grants Pass. He advised that the insurance heretofore carried on the building has expired and that the building is being occupied by engineers of the State Highway Department. Further, that the building is valued at \$1,800.00 and that the annual premium for \$1,200.00 is \$53.00. He also said that the building is in fairly good condition and will not be needed for state highway purposes when the engineers vacate it. A decision in this matter was deferred by the Commission pending additional report from the Attorney as to how many buildings in this category are owned by the Highway Department.

A letter was presented from the Plywood, Veneer & Box-Shook Workers Union, Sheridan, Oregon, urging the installation of traffic signals at the entrance of the Salmon River Highway (McKinville-Tillamook Highway) into Sheridan and Willamina; also, requesting that railroad-crossing signals be installed at the two railroad crossings between Willamina and Sheridan, and that safety lanes be painted and signs be erected at these points for the benefit of pedestrian and vehicular traffic. The Engineer advised that the Traffic Engineer has made a thorough investigation of this matter and recommends the installation of one two-way beacon at the curve at the north end of the bridge and one one-way beacon at the curve at the south end of the bridge at Willamina, at an estimated total cost of \$200.00, provided the City of Willamina will pay the cost of operating the same. The Commission approved the recommendation.

The Engineer also reported on requests for traffic signals, lights, et cetera, at Newberg, Jefferson, Albany, and Baker. He said that these requests have been investigated by the Traffic Engineer, who recommends as follows:

Newberg: The Traffic Engineer recommended the installation of a semi-traffic-actuated signal at the intersection of First and College Streets at an estimated cost of \$2,500.00, and the installa-

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tion of flashing beacons at the intersection of First and River Streets and at First and Main Streets at an estimated total cost of \$300.00, subject to the Commission's established policy, which provides that the entire cost of the flashing beacons shall be paid by the state but that 50 per cent of the cost of the semi-traffic-actuated signals, being approximately \$1,250.00, shall be paid by the City of Newberg; and provided, further, that the city shall furnish the electrical energy required to operate all of the signals. The Commission approved the recommendation provided the city pays its share of the cost.

Jefferson: The Traffic Engineer recommended the installation of a flashing beacon at the intersection of Second and Main Streets, provided the city will pay the cost of electricity to operate it. The Commission approved the recommendation.

Albany: The Traffic Engineer recommended that the Commission defer its decision with respect to the installation of traffic signals at this place until the new highway route through the city is completed, at which time a new traffic survey will be made. The Commission approved the recommendation.

Baker: It was the recommendation of the Traffic Engineer that the request for traffic signals at this place be denied but that the matter of stopping traffic at the three intersections involved be modified so as to require three-way stops and that the city be requested to adopt parallel parking along the routes of state highways through this city. The Commission approved the recommendation. The Engineer was instructed to direct a communication to the City of Baker and inform them why, in the opinion of the Commission, traffic signals are not needed and to suggest to the City things that it could do to safeguard traffic.

In the discussion of this matter there arose the question of uniformity in the painting of traffic lanes. It appears that there is no particular uniformity in the painting of such lanes at the present time. The Engineer was instructed by the Commission to look into the matter.

A letter was presented from the Eastside Commercial Club, Portland, endorsing the request of the Union Avenue Association, Portland, for the better lighting of Union Avenue, route of the Pacific Highway East. The request was denied for lack of funds to finance it.

In the discussion of this matter it was pointed out that when the Commission approved the lighting project on Interstate Avenue, promise was given to the Public Roads Administration that such lighting would be extended later on to the Interstate Bridge. However, the work has not yet been done. The Commission decided to consider this project in its next program and instructed the Engineer to submit to the Commission in the meantime an estimate of cost to do the work.

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The Commission discussed a letter from Contractor Homer G. Johnson with respect to his bid submitted on June 13 for the construction of the German-town Road-Barnes Road Section of the Skyline Boulevard, in Multnomah County. Mr. Johnson alleges that a mistake was made in submitting his bid for Item 8B, "Heavy Tar in Place", and that the unit price for such item was inadvertently inserted in the space for Item 8A, "Asphalt in Place", it being his intention to limit his bid to the tar alternate, such mistake having been made by a clerk in his office. He said that this was an honest mistake and that he would not be justified in submitting a bid of \$16.50 per ton for asphalt. He also said that the bids submitted by the other contractors on this work were all based on the tar alternate and he pointed to such fact as evidence that he is acting in good faith in requesting that he be allowed to use tar instead of asphalt in this work. In this connection the Secretary also presented a letter from Contractor J. C. Compton of McMinnville, who expects to subcontract the oiling work, in which he verifies Mr. Johnson's assertions.

The Commission took the attitude that the contractor should be responsible for any bid that he submits and that it would be a mistake and would cause embarrassment in the future if this change were permitted. Accordingly, the request was denied. The Engineer was instructed to advise Mr. Compton by telephone of the action taken.

The matter of designating the Willamette Highway a through highway throughout its entire length had the attention of the Commission. The following resolution so designating this highway was adopted by the Commission by unanimous vote, upon recommendation of the Engineer, and the Engineer was instructed to install appropriate stop signs at all crossroads where warranted:

WHEREAS, the Willamette Highway is a state highway of primary importance and because of its connection with The Dalles-California Highway and the Pacific Highway carries a large volume of traffic; and

WHEREAS, said highway between its connection with the Pacific Highway at Goshen and its connection with The Dalles-California Highway near the town of Chemult is intersected by many local roads and by some roads serving various communities through which the Willamette Highway passes; and

WHEREAS, in the judgment of the Commission the Willamette Highway should be designated as a main traveled or through highway.

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED BY THE COMMISSION, a majority of the members being present and affirmatively voting, as follows:

1. That the Willamette Highway from its junction with the Pacific Highway from the town of Goshen in Lane County throughout its entire length to its junction with The Dalles-California Highway near the town of Chemult in Klamath County be and the same hereby is designated as and declared to be a main traveled or through highway.

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2. That the Highway Engineer be and he hereby is instructed to place along said highway at all points where roads intersect the Willamette Highway appropriate signs or markers notifying drivers of vehicles to stop before entering or crossing the Willamette Highway. The Engineer is further instructed to place such signs or markers as nearly as practicable at the place where said cross or intersecting road meets the prolongation of the nearest property line of such through highway, and the place where such signs are installed shall designate to the drivers of motor vehicles entering said through highway from any of said cross or intersecting roads the place where the stop shall be made.

3. This resolution shall be entered in the minutes and records of the Commission as of the twentieth day of June, 1940, and a duly certified copy thereof delivered to the Public Roads Administration and a copy to the County Court of Lane County and the County Court of Klamath County, Oregon.

Reconsideration was given by the Commission to the matter of the use of the ocean beach at Seaside as an airplane landing field. The Attorney advised that he has investigated this matter and is of the opinion that the City of Seaside is fully within its rights in allowing the beach to be used for this purpose. Further, that the Highway Commission is without authority in the matter because the area that is being used by aircraft is outside of the area that is under the control of the Commission. In view of the Attorney's report the Commission decided to take no further action to stop the use of the beach for this purpose.

The Engineer reported that since the primary and secondary highway minor betterment budgets were approved by the Commission last fall additional construction work has been ordered by the Commission requiring increases in these budgets totalling \$63,944.00, of which amount \$34,892.00 is for primary minor betterments, \$23,932.00 is for secondary minor betterments, \$4,720.00 is for primary bridge betterment, and \$400.00 is for secondary bridge betterment. He submitted the following list of projects making up the totals and requested authority from the Commission to increase the budgets accordingly. The Commission approved the request unanimously and ordered that the increased amounts be paid from the Emergency Fund:

PRIMARY MINOR BETTERMENT

26-1626-163	Sprinkling system at S. plaza at Ross Island Bridge	\$ 760.00
26-1623-131	Grading and paving shoulder area in Tigard	3300.00
26-1620-153	Guard fence on Barbur Blvd. at Dr. Menne property	300.00
26-1615-172	Traffic islands at Sylvan	275.00
26-1615-131	Shoulder oiling between Portland and Sylvan (Canyon Road rock walls)	1220.00
	(Carried forward)	\$5855.00

Primary Minor Betterment (continued)

	Brought Forward	\$5855.00
34-1623-171	Reflectorized crossbuck signs in Tigard (labor only)	12.00
29-1612-154	Bridge replacement with pipe and grade widening in cooperation with Tillamook Co. (State's share)	5000.00
22-1604-107	Oil Main Street in Sweet Home	3000.00
27-1629-135	Repair sidewalk N. of Mornmouth	115.00
204-1621-110	Stabilize Elsie-Jewell Road	3000.00
21-1623-165	Remove rock point and widen roadbed S. of Waldport	600.00
17-1633-104	Pavement planing N. of Grants Pass	3500.00
17-1633-104A	Nonskid N. of Grants Pass	9000.00
6-1641-135	Oil footpath in Coquille	3200.00
10-1626-107	Widen and oil Pacific Highway in Sutherlin	125.00
20-1627-107	Surface and oil Lincoln Street in Florence	810.00
18-1616-154	60' of 18" C.G.I. pipe in Bly	175.00
9-1615-165	Remove 3 rock points on McKenzie-Bend Hwy.	75.00
28-1616-171	Preparation of site for marker for Wasco Co. Pioneer Ass'n	225.00
23-1615-154A	Lower ditch and install siphon on Old Oregon Trail	200.00
	Total	<u>\$34,892.00</u>

SECONDARY MINOR BETTERMENT

124-1671-104	Widen one block on State Street in Salem	1900.00
103-1661-104	Plane and nonskid 4.6 miles of Cascade Highway	6400.00
103-1663-131	Construct gravel shoulder at Estacada School	800.00
134-1665-171	Install crossbuck signs at Durham Sta. (labor only)	12.00
124-1665-163	Dig and transplant 100 Incense trees S. entrance to Mt. Angel	300.00
122-1663-107	Oil 1.62 miles at Thomas Cr.	1620.00
103-1663-107	Oil 2.46 miles on Woodburn-Sandy between contracts	2460.00
106-1665-153	Guard fence in Powers	40.00
120-1669-107	Stabilize and oil M.P. 0.0 to M.P. 2.61 in vicinity of Jasper	4500.00
120-1669-107	Stabilize and oil M.P. 2.61 to M.P. 5.22 in vicinity of Jasper	4500.00
106-1661-142	Storm sewer and catch basins in Charleston	1400.00
	Total	<u>\$23,932.00</u>

PRIMARY BRIDGE BETTERMENT

20-1623-151-08 and 09	Grade Revision at Goshen & Springfield	\$4720.00
	Total	\$ 4,720.00

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SECONDARY BRIDGE BETTERMENT

134-1665-152-06	Sidewalk on Fanno Creek Bridge	\$250.00	
120-1661-152-02, 03, & 04	Raise bridges to provide additional drainage area	150.00	
	Total		\$ 400.00
	Grand Total		\$63,944.00

The Engineer reported that, in accordance with authority previously granted him by the Commission, he has awarded contracts as follows:

Grading and surfacing Lone Rock Junction-Rock Creek Section of the Wasco-Heppner Secondary Highway, in Gilliam County. Bids taken May 3, contract awarded May 28, 1940, to M. L. O'Neil & Son, the low bidders, the conditions of the award having been satisfied.

Replacement of wire rope on Interstate Bridge over the Columbia River on the Pacific Highway between Vancouver and Portland. Bids taken June 14, contract awarded June 17, 1940, to Contracting & Sales Company, the low bidders, the conditions of the award having been satisfied.

The Commission confirmed the awards as reported.

The Commission discussed the claim of the Northwest Development Company, which company is represented by Hallock, Donald & Banta, attorneys-at-law, Baker, said claim having to do with the right of the company to conduct dredging operations across the right of way of the Sumpter Valley Secondary Highway, in Baker County, particularly in the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 32, T. 9 S., R. 37 E., W. M. The Engineer advised that when this matter first came to his attention it was thought that the development company simply wished to move its dredge from one side of the highway to the other, which would necessitate the digging of a trench only big enough to float the dredge and that the trench would be filled in immediately after the dredge was taken across the road, which operation would not interfere greatly with the traffic on the highway because it was intended to provide a good detour. However, it now appears that the company desires not only to cross the highway with its dredge but also wishes to conduct gold-dredging operations on the highway right of way, which is an entirely different matter and would prove very objectionable and would introduce an extreme hazard to highway traffic. He recommended denial of the company's request to conduct mining operations on the highway right of way but that the company be allowed to dig a trench of sufficient depth to float the dredge across the highway provided the company will backfill the trench immediately after the moving operation is completed and will provide a suitable detour for traffic around the scene of the operations. After discussion the Commission approved the Engineer's recommendation and instructed the Attorney to prepare an appropriate agreement covering the matter, which agreement is to state clearly that the authority granted by

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the Commission is simply to cover the movement of the dredge from one side of the highway to the other and not to cover mining operations on the highway right of way, which operations will be opposed by the Commission.

The Secretary reported that the Oregon Packing Corporation has renewed its request for a blanket permit authorizing the movement of its peaviners over state highways in the vicinity of Astoria. He advised that he is in receipt of a letter from the company stating that it is the equipment on which the peaviners are transported that is 12 feet in width and not the peaviners themselves and that they have cut down the width of the hauling equipment to 9 3/4 feet. The Commission considered that the movement of equipment of such width over state highways introduces too great a hazard to other highway traffic and accordingly confirmed its previous decision denying the request for a blanket permit. However, the Secretary was authorized to issue permits for individual movements during the present pea-harvesting season only, which is in conformance with the Commission's previous ruling on this matter.

The Engineer reported the cost to construct a proposed State Highway Department laboratory building in Salem. He estimated that the building, as planned, will cost about \$75,000.00. The Commission considered this too costly an undertaking at the present time and therefore deferred further consideration of the matter until next year.

The matter of granting permits for the moving of combination over-width and overlength loads over state highways had the attention of the Commission. The Commission authorized such movements in the event no part of the hauling equipment or the load would extend beyond the center line of the highway, such permits to be issued only in cases of emergency and in the event that the article being moved cannot be dismantled so as not to exceed the limits prescribed by statute.

The Engineer reported a request from the City of Albany for the construction of driveways across the Albany drainage canal at the south city limits of Albany. He said that the city has it in mind to develop certain property adjacent to the Pacific Highway East at the south city limits of Albany, and, in connection therewith, will need several road approaches from the highway. Further, that the Albany drainage canal parallels the highway at this location and, in the construction of such roadway approaches, it will be necessary to install drainage structures of some kind to carry the water. The drainage canal, he said, is located on city-owned right of way and has nothing whatever to do with the highway, although the canal was constructed in connection with a state highway contract. He estimated the cost of the structures at several thousand dollars and recommended denial of the city's request because, in his estimation, it is strictly a city responsibility. The Commission concurred in the viewpoint of the Engineer and thereupon approved his recommendation.

Consideration was given by the Commission to a request from the County Roadmaster of Douglas County for certain obsolete metal caution signs owned by the State Highway Department, which signs Douglas County desires to

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install on winding, crooked county roads, the work to be done by W.P.A. forces. The Engineer advised that the State Highway Department has approximately 500 of these old signs stored at the Highway Shops at Salem, consisting of curve signs, slow signs, narrow road signs, et cetera, and that for the most part they are not of much value since the Highway Department is now using reflectorized signs on primary highways. He further stated that these signs are made of galvaneal steel and could not be sold as junk. He recommended that they be given to Douglas County in accordance with the Road Master's request. The Commission approved the recommendation.

The Commission had under discussion a letter from the Feenaughty Machinery Company, Portland, with respect to its bid submitted as a result of the call for bids dated March 15, 1940, for one current-model road sweeper, which bid was accepted by the State Highway Department, but delivery of the sweeper could not be made by the Feenaughty Machinery Company because of misunderstanding with the factory, for which reason it was necessary for the Commission to re-order a sweeper from the next-low bidder at a higher price; and, in accordance with the provisions of the specifications, to hold the bid deposit of the Feenaughty Machinery Company. The company alleges that they were unable to deliver this road-sweeper through no fault of their own, but it was strictly on account of their disagreement with the factory; and, in view of the circumstances, they are asking for the return of their certified bid check. The Commission was of the opinion that to modify the specifications in this particular instance would establish a very undesirable precedent and lead to much embarrassment in the future purchases of equipment, and accordingly decided to retain the company's check. The Engineer was instructed to deposit the same in the state highway fund and to notify the Feenaughty Machinery Company of the action taken.

The Commission discussed a claim presented by L. T. Nicholson, Bend, for damage caused to his property by a falling tree in Bend. It appears that the tree was growing on a lot, a portion of which had been acquired by the state for right of way purposes, and that the major root of the tree extended into the area to be occupied by the roadway; and, when the excavation for the roadway was made, the root was cut and subsequently, during a wind storm, the tree fell on Mr. Nicholson's property, damaging his building and necessitating repairs to the same, costing \$29.64. The Attorney recommended payment of the claim notwithstanding that there is some question as to who is liable for the same. After discussion the Commission approved the recommendation.

The Secretary presented a resolution from the County Court of Josephine County vacating a certain section of the old Pacific Highway right of way in Josephine County heretofore abandoned by the State Highway Commission as a state highway since the highway has been reconstructed on other alignment, said section being described as all of that portion of the old Pacific Highway right of way 60 feet in width between the original Engineer's Station 210+10 and original Engineer's Station 314+17, save and excepting those portions lying within the right of way acquired on revised alignment constructed in 1932. The Commission approved the resolution and ordered it filed in the department records.

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The Commission considered and approved a letter from the County Court of Jackson County advising that the Court has decided that it has no use for the old right of way of the Green Springs Highway, in Jackson County, which was abandoned by the State Highway Commission on May 3, 1940, under Abandonment and Retention Resolution No. 72, on account of relocation of the highway on other alignment. The Secretary was instructed to file this letter in the department records.

The Commission discussed a report from the State Police Department relative to log-hauling operations on state highways in the vicinity of Grand Ronde. It appears that on June 12, 1940, officers Spaulding and Enahieser were engaged in the weighing of logging trucks at the Grand Ronde scales, and, in order to expedite the weighing, Officer Spaulding directed the truck drivers to the scales from a service station about 1 mile westerly thereof. It also appears that, during the process of weighing, three operators (viz., B. R. Bewley, Independence; Waldemar Herman Johnson, Tillamook; and Norman Francis Updegrave, Chiloquin) parked their loaded trucks on the parking area at the service station. In the opinion of the officer the trucks were overloaded and he directed the operators to proceed to the Highway Department's scales at Grand Ronde, which the operators refused to do, stating that they knew they would lose their P.U.C. licenses if their equipment were weighed. It appeared to the Commission that the operators were all aware of the fact that their trucks were overloaded and that the overloading was deliberate; further, that the operators were not cooperating in keeping the weight of their loads within the weight limits specified by statute. In view thereof the Commission ordered the cancellation of the permits of the three operators regardless of the number of trucks being operated by them, provided they have previously been apprehended for similar violations.

The Commission also had under discussion a report from the State Police Department regarding an accident that occurred on the McKenzie Highway involving a truck loaded with logs. It appears that the truck is owned by a Mr. George Clark and that logs were being hauled over this highway after dark, which is in violation of the provisions of the permit, and that the truck was not properly lighted and as a result was run into by a touring car driven by Mr. Robert F. Dawe of Eugene, whose car was badly damaged and who himself received personal injuries. The Commission considered that this violation justified cancellation of Mr. Clark's permit and so ordered.

The Engineer requested instructions relative to certain changes or amendments to the purpose and policy of the American Association of State Highway Officials in the establishment and development of U. S. numbered highways. He explained that there have been submitted to him by the Association, for approval or disapproval, four ballots covering the following changes: (1) An amendment to the definition of a "bypass route"; (2) An amendment to the definition of an "alternate route"; (3) An amendment to the policy in reference to the extension of U. S. numbered routes; (4) a change in the definition concerning the erection of signs on routes within the state. After discussion of these proposed amendments the Commission voted unanimously in favor of all of them and instructed the Engineer to cast an affirmative ballot for each in behalf of the Commission.

The Secretary presented a letter from the Newberg Chamber of Commerce requesting, on behalf of the Newberg Berrians, cooperation from the State Highway Department and the Oregon State Police in preventing congestion of traffic on the Willamette River Bridge at Newberg during their Second Annual Regatta on the Willamette River on Sunday, August 25, 1940, as was done last year. The Commission approved the request.

A letter was presented from the Good Roads Committee of Loon Lake Grange No. 721, Reedsport, requesting the support of the State Highway Commission in its efforts to have the C.C.C. road work continued on the county road which passes Golden and Silver Falls State Park, in Coos County. The Engineer was authorized to direct a letter to the U. S. Forest Service requesting the continuation of such work in the event the State Parks Superintendent, Mr. S. H. Boardman, is of the opinion that the road work is of value to the state.

The Commission considered and ordered filed resolutions from the Portland Chamber of Commerce and the Nyssa Chamber of Commerce requesting the designation of the Warm Springs Highway as a federal aid highway in order to expedite the completion of this highway. The Commission ordered that this matter be placed on the agenda for consideration at its next regular meeting.

A petition signed by numerous residents of Metolius, Culver, Madras, and other points in Jefferson County, in which protest was made to the changing of the route of The Dalles-California Highway through Jefferson County so as to bypass the towns of Culver and Metolius, had the attention of the Commission. The Secretary was instructed to inform the petitioners that the Commission has already adopted the new route and proposes to reconstruct the highway on such route as soon as funds are available to finance the work. The Engineer was instructed to ascertain what progress is being made by the irrigation company toward the construction of ditches and canals in connection with the Wickiup Irrigation Project, which project has necessitated the adoption of the permanent alignment for The Dalles-California Highway in this vicinity. When this report is rendered the Commission will then decide whether or not to authorize the Attorney to proceed with the securing of options for the right of way.

A letter was presented from Mrs. J. E. Meehan, Tillamook, concerning three lots that she owns in the town of Deer Island where the Commission proposes to improve the Columbia River Highway. Action on this matter was held pending personal inspection of the premises by Chairman Cabell.

The Secretary presented a resolution from the Ardenwald Community Club, Milwaukie, requesting the designation of Southeast 39th Street, Portland, as a state highway route. He also presented a letter from the Woodstock Community Club opposing any attempts to designate such street as the state highway route. The Commission ordered these communications filed.

The Commission also ordered filed letters dated June 17 and June 19 from E. J. Griffith, State Administrator, Works Progress Administration, concerning the construction of driveways and approaches to the Wilson River Highway and the Wolf Creek Highway where these highways are being constructed with

W.P.A. labor. Mr. Griffith advised that he is presenting this matter to their Washington, D.C., office for reconsideration in view of information received from the State Highway Engineer in reply to his (Mr. Griffith's) request for reimbursement for W.P.A. funds advanced for the financing of the construction of such driveways and approaches.

A letter was presented from the Vale Chamber of Commerce requesting that particular study be given by the Commission to the acute need for added secondary highway construction in Malheur County. The Commission decided to inspect the secondary highways in this county on the proposed inspection trip into Eastern Oregon later in the summer.

Letters were presented from the City of Tillamook requesting that a survey be authorized to determine the permanent location for state highways through the city of Tillamook; also requesting the loan of the services of the State Highway Department's lighting specialist to confer with the city officials in regard to the establishment of modern lighting along certain city streets and on state highway routes in Tillamook. The Commission approved both requests.

The Commission discussed and ordered filed a letter from E. A. Hollinshead, Portland, suggesting Sullivan's Gulch as a route for a state highway entrance into Portland from the east.

The Secretary reported receipt from the City of Prineville of a certified check in the amount of \$2,500.00, representing the city's contribution toward the cost of oiling Main Street in that town. The Commission accepted the payment and ordered that it be disposed of in conformance with previous understanding and agreement with the city.

The Secretary presented communications and petitions signed by numerous residents of Bradwood and Clifton communities along the Lower Columbia River Highway in which the Commission was urged to take necessary steps to improve the sight distance at a curve on the Columbia River Highway where such highway connects with the Bradwood and Clifton county road. The Engineer advised that a hazardous condition obtains at this junction, which should be remedied. He estimated the cost of the improvement at about \$1,500.00 and recommended that he be authorized to do the work. The Commission approved the recommendation.

The Commission discussed a letter from the Weston Chamber of Commerce requesting permission to place a sign on the highway right of way on each side of Weston, advertising Weston as the "Gateway to the Langdon Lake Recreational Area". The Commission denied the request as a matter of policy but offered no objection to the placing of these signs on the highway right of way within the city limits, where they will be beyond the jurisdiction of the Commission.

A letter was presented from Congressman James W. Mott in which suggestion was offered that the Highway Commission permanently locate the 82nd Street Highway (Cascade Highway) east of the schoolhouse through the town of

Clackamas as has heretofore been urged by the citizens of that district, which location, in his estimation, is the proper side considering the safety of school children. The Commission ordered the communication filed for future reference.

The Commission also considered and ordered filed a letter from Mrs. Pearl S. Koble relative to her claim against the State Highway Commission arising out of the reconstruction of the Pacific Highway through the Siskiyou Mountains in Jackson County, and a letter from the Seaside Chamber of Commerce approving the progress that is now being made by the Commission in constructing the Wolf Creek Highway.

The Commission discussed a letter from County Judge F. E. Gilkey, Lincoln County, giving as his understanding that the Highway Commission expects to reconstruct this year a section of the Oregon Coast Highway at Gleneden Beach, and giving as his thought that the funds appropriated for this project should be expended for the improvement of more important sections of this highway where the existing hazards are greater. The Secretary was instructed to inform Judge Gilkey that the Commission has decided to postpone the Gleneden improvement and has eliminated such project from the 1940 construction program in favor of a section of this highway in the vicinity of Depoe Bay.

In this connection a letter was presented from Mr. W. F. Carey, Gleneden Beach, renewing his request for the improvement of this highway past Gleneden Beach. The Secretary was instructed to inform Mr. Carey that the Commission regrets that its financial status will not permit construction of this project this year. However, the Commission will consider it in the formulation of next year's budget and will authorize the purchase of needed right of way for the same if the Commission can see its way clear to do the work next year.

The Commission considered a letter from Mr. Leon D. Pitts, Warren, Oregon, in which the Commission was asked to reconsider its previous decision refusing him permission to construct a private roadway, about 150 feet long, across state-owned property between the old and new routes of the Columbia River Highway at Warren, so as to provide the general public with easy access to his store building which is located on the old highway. A decision in this matter was deferred pending personal inspection of the premises by Chairman Cabell.

The Commission considered and ordered filed resolutions from the City of Portland and the Commissioner of Public Docks, Portland, approving the plans of the Highway Commission for the improvement of Front Avenue in Portland as an arterial highway route.

The Engineer reported receipt of a communication from Unatilla County Court requesting the privilege of purchasing some crushed rock from the state-owned stock pile south of Nye Junction on the Pendleton-John Day Highway for the use of Mr. Jim Whitaker, a local citizen, in the gravelling of his private road in that vicinity. The Court advised that Mr. Whitaker donated

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the right of way for about 2 miles of state highway in this vicinity and also permits the maintenance of snow fence on his property each year without cost. Furthermore, Mr. Whitaker is willing to pay for any of the rock that he might use. The Engineer pointed out that it is contrary to the Commission's established policy to dispose of any stockpiled material for private use. He advised, however, that this particular case is somewhat different, inasmuch as it could be considered that the rock is being sold to the county, which, in turn, would deliver it to Mr. Whitaker as a means of satisfying the county's obligation. He recommended, in view thereof, that the request be granted, provided Umatilla County will pay for the rock. The Commission approved the recommendation.

The Commission also considered a letter from the Umatilla County Court requesting that the 40-foot steel span bridge on the Athena-Cold Springs Secondary Highway, in Umatilla County, which has been replaced by a standard timber trestle, be turned over to the County Court for use on one of its county roads. The Engineer advised that this structure is of no value from the state highway standpoint and that the bridge has been dismantled and is stored in the Highway Department's maintenance yard in Pendleton. He recommended that it be given to Umatilla County provided the county will agree to rebuild the floor system, which is in poor condition, so that when it is re-erected it will be safe for traffic. The Commission approved the recommendation.

A letter was presented from the Arizona State Highway Department giving a tabulation showing the average field engineering costs incurred by that department on various classes of highway construction work. The Engineer advised that the average field engineering cost on all classes of projects for the State of Oregon is 6.3% of construction costs, which is considerably less than the average for the State of Arizona. The Commission took no action on this matter.

The Commission discussed and ordered filed letters as follows:

Letters from Clarno Grange and Fred Metteer, Fossil, Oregon, urging the Commission to personally inspect the Fossil-Shaniko Secondary Highway some time this summer;

Letter from the Lebanon Lions Club urging the Commission to consider the matter of preserving timber strips along the Santiam Highway, in Linn County, between Cascadia and Foster;

Letter from Tillamook County Court commending the Commission for the progress that is being made in the construction of the Wilson River Highway.

The Commission discussed a letter from the Tigard Businessmen's Club requesting permission to construct a roadway on the right of way of the Pacific Highway West in Tigard, said roadway being an extension of Center Street, to serve as a shortcut from Greenberg Road to the Tigard business district. The Engineer recommended that the request be denied because there is very little right of way at this point that is not being covered by embankment slopes

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and it was his thought that if this roadway were constructed it would have very short sight-distance at the point where it connects with the county road under the railroad viaduct and would result in a very dangerous intersection. The Commission approved the recommendation.

A letter from the City of Cascade Locks, requesting the Highway Commission's approval of certain W.P.A. improvements that the city plans to undertake on the Columbia River Highway in that city, had the attention of the Commission. The Engineer advised that the city has in mind the improvement of certain city streets involving minor improvements on the Columbia River Highway right of way, including the cutting of concrete curbs at certain places, and that they plan to do the work as a W.P.A. project, but the W.P.A. officials will not approve the project until they are furnished a letter from the Highway Commission authorizing the work on the highway right of way. He recommended approval of the city's request. The Commission approved the recommendation.

A communication was presented from the State Land Use Planning Committee, Corvallis, suggesting that someone representing the State Highway Commission be authorized to accept appointment on their committee as they feel that the Highway Commission's work in planning roads has a very definite relationship to the land-use planning activities of both the state and county committees. The Engineer recommended approval of the request and that Assistant State Highway Engineer C. B. McCullough be authorized to represent the Commission in this matter. The Commission approved the recommendation.

The Commission considered and denied the claim of Mr. Benjamin Gant for financial assistance in paying doctor bills, et cetera, incident to an accident that occurred on the Powers Secondary Highway, resulting in injuries to his wife and son, it being the Commission's contention that the accident occurred through no fault in the condition of the highway, hence the state is not liable.

The Commission read and ordered filed a letter from G. O. Hamilton, Portland, suggesting legislation to prohibit the operation of trucks on state highways from noon on Saturdays to midnight on Sundays, and a letter from Zone Council No. 10, Federation of Community Clubs, Multnomah County, opposing any movement or legislation for the purpose of acquiring new streets, highways, et cetera, which will in any way jeopardize the life of any established institution.

Similar action was taken by the Commission on an editorial from the Albany Democrat-Herald complaining of the condition of the Albany-Scio Secondary Highway, inasmuch as the Commission has already made plans for the improvement of this road.

The Commission discussed, approved, and ordered filed certain resolutions adopted by the Executive Committee, American Association of State Highway Officials, at its meeting in Chicago, Illinois, on June 3, 1940.

The Commission had under discussion a resolution from the Fifth

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District, Oregon Federation of Women's Clubs, expressing sentiment for the re-designation of U. S. Highway No. 30 as the Old Oregon Trail; also, a letter from Carol R. Belden, Seaside, opposing such change in designation. The Commission voted unanimously not to make any change in the present designation of this highway.

A communication from Cornelius O'Donovan, Portland, directed to Marion County Court, and County Judge J. C. Siegmund's reply thereto, having reference to the construction of a proposed highway from Marquam to Gates, in Marion County, was brought to the attention of the Commission. Mr. O'Donovan urged the construction of this section in the near future. Judge Siegmund advised him that the county is not able financially to undertake the improvement, although it would offer no objection to the State Highway Department undertaking the project if it so desires. The Engineer advised that this project is entirely through a new section and has not been considered seriously for any program of construction in the near future because of the many other projects that have priority. The Commission ordered the communications filed.

The Commission also ordered filed a resolution from Chenoweth Grange No. 591, The Dalles, endorsing any effort that is made for the removal of tolls on bridges and ferries operating across the Columbia River between the states of Oregon and Washington.

A letter was presented from John L. Lamar, Scappoose, Oregon, directed to Governor Sprague and referred by him to the State Highway Commission, in which letter Mr. Lamar urges the retention of the present route of the Columbia River Highway south of Scappoose at the point where the Highway Commission has plans to relocate the highway parallel to the S. P. & S. railroad tracks, which relocation passes through a cemetery plat. The Engineer advised that funds have already been budgeted by the Commission for this proposed improvement and that the project is ready for advertising for bids as soon as right of way matters have been cleared. The Attorney advised that the right of way will all be acquired within about a week. The Commission decided not to revise its plans for the improvement and authorized the Engineer to advertise the project for bids as soon as right of way matters have been definitely clarified.

The Engineer reported that the controversy with Mr. L. Flews, Dundee, Oregon, relative to the moving of his pump island adjacent to the Pacific Highway West at Dundee, has been disposed of to the satisfaction of all parties concerned, including the Union Oil Company of California, which has this property under lease.

The Commission read and ordered filed a news item from the Klamath Basin Progress complimenting the State Highway Department for the speedy restoration of traffic along the Algoma Section of The Dalles-California Highway, which section was recently flooded by reason of a break in a dyke on Klamath Lake.

Letters were presented from County Judge Clinton Hurd of Lane County and Mayor Elisha Large of Eugene, in which the Commission was urged to designate and construct, as a state secondary highway, a connecting road between

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the Pacific Highway and the so-called "Route F" Highway (6th Street to 11th Street), Eugene, commencing at a point on the Pacific Highway near the curve at the west end of 6th Street and extending southerly therefrom. The Engineer advised that the proposed roadway will be a section of the Pacific Highway at some future time when this highway is constructed on its eventual route, by-passing Eugene; furthermore, a portion of the same (viz., between 6th Street and 7th Street) will be needed in connection with the Commission's present plans for routing southbound traffic along 7th Street through Eugene. He recommended approval of the request for these reasons and for the further reason that it will provide a good connection between the Pacific Highway and "Route F". The Commission approved the recommendation subject to the condition that formal request for such designation be submitted by the Lane County Court.

The Engineer discussed with the Commission matters pertaining to the reconstruction of the Oregon Coast Highway through the town of Brookings, in Curry County. He advised that the people of this town are extremely anxious that the Commission award a contract for this work at its July meeting. He questioned whether or not the right of way situation will have been clarified by that time and gave as his thought that it would not be possible to advertise the work until this fall. The Commission approved the fall letting of this contract if right of way matters have been disposed of by that time.

The Engineer presented a list of surveys that he has ordered since the last meeting of the Commission and asked the Commission to confirm them and the amounts allocated for each. After due consideration the Commission authorized and instructed the Engineer to make such location surveys on various sections of the highways of this state, which said sections of highways, together with their identifying location survey numbers and the amounts authorized and allocated for such survey expenditures, are as follows:

Stock File	- 104-2834	- Elsie-Vernonia Section, Nehalem Secondary Highway, Clatsop County.	1st authorization - \$100.00
Right of Way	- 4-2835	- West Lake-Gearhart Junction Section, Oregon Coast Highway, Clatsop Co.	1st authorization - \$150.00
Plans	- - - - 6-2821	- North Bend-Marshfield Section, Oregon Coast Highway, Coos County.	1st authorization - \$360.00
Plans	- - - - 7-2808	- Crooked River-Prineville Section, Ochoco Highway, Crook County.	5th authorization - \$350.00 Total to date \$1,800.00
Reconn.	- - - - 9-2830	- Bend-Lapine Section, The Dalles-California Highway, Deschutes Co.	1st authorization - \$1,450.00
Plans	- - - - 11-2810	- John Day River-Blalock Section, Columbia River Hwy. Gilliam County.	3rd authorization - \$700.00 Total to date \$1,527.50
Reconn.	- - - - 18-2846	- Crescent-Diamond Lake Section, The Dalles-California Hwy., Klamath Co.	1st authorization - \$1,550.00

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Right of Way - 19-2823 - Paisley-Lakeview Section, Fremont Highway. Lake
County. 1st authorization - \$160.00

Location - - - 20-2834 - Eugene-Wilbur Section, Pacific Highway. Lane County.
2nd authorization - \$9,580.00
Total to date \$35,260.00

Gravel Pit - - 220-2842 - Houston-Veneta Section, Route "F", Lane County.
1st authorization - \$175.00

Plans - - - - 220-2842 - Houston-Veneta Section. Route "F", Lane County.
2nd authorization - \$250.00
Total to date \$425.00

Plans - - - - 122-2823 - Crabtree-Scio Section, Albany-Lyons Sec. Hwy., Linn
County. 2nd authorization - \$420.00
Total to date \$570.00

Bridge - - - - 26-2843 - Interstate Bridge (Vancouver), Pacific Hwy., Multno-
mah County. 1st authorization - \$300.00

Plans - - - - 126-2845 - Vancouver Ave.-82nd St. Section, Northeast Portland
Hwy., Multnomah Co. 1st authorization - \$900.00

Location - - - 128-2809 - Tygh Valley-Grass Valley Section, Sherars Bridge
Highway, Sherman Co. 1st authorization - \$3,000.00

Plans - - - - 31-2818 - Cricket Flat-Wallowa County Line Section, Wallowa
Lake Hwy., Union Co. 2nd authorization - \$1,900.00
Total to date \$5,000.00

Reconn. - - - 233-2824 - Wamic-Bear Paw Springs Section, Wasco County Road,
Wasco County. 1st authorization - \$1,000.00

The Engineer reported that Contracts Nos. 2226, 2244, 2251, 2275, 2292, and 2314, for the construction of state highway projects, have been completed according to the requirements of the contracts or modifications thereof, and that said jobs are now ready for acceptance. The following resolution accepting the above projects was offered and was adopted by the unanimous vote of the Commission:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts and said jobs are now ready for acceptance:

Contract No. 2226, with Averill & Corbin, for construction of eight culverts and one bridge on the Albany Section of the Pacific Highway East, in Linn County.
Completed June 19, 1940.

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Contract No. 2224, with Edlefsen-Teygandt Company, for paving the Oregon Slough-Columbia Slough Section of the Pacific Highway West, in Multnomah County. Completed May 31, 1940.

Contract No. 2251, with Saxton, Looney & Risley, for surfacing and oiling the Jordan Creek-McNamer's Camp Section of the Wilson River Highway, in Tillamook County. Completed May 24, 1940.

Contract No. 2275, with E. C. Hall Company, for surfacing and oiling the Pleasant Hill-Oakridge Section of the Willamette Highway, in Lane County. Completed June 12, 1940.

Contract No. 2292, with Homer G. Johnson, for grading the Ochoco Creek-Prineville Section of the Warm Springs Secondary Highway, in Crook County. Completed May 31, 1940.

Contract No. 2314, with Coos Bay Dredging Company, for grading and surfacing the North Bend (Midland Addition) Section of the Cape Arago Secondary Highway, in Coos County. Completed June 17, 1940.

THEREFORE, BE IT RESOLVED that the work covered by said state highway contracts for the construction of said state highway projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

The Commission considered and signed agreements, et cetera, as follows:

Joint letter with W. H. Lynch, District Engineer, Public Roads Administration, directed to the Commissioner of Public Roads, Washington, D. C., recommending that approximately 50 per cent of the 1941 fiscal year public lands funds, amounting to \$64,600.00, heretofore apportioned to the State of Oregon, be allocated to finance additional construction work on the Warm Springs Highway in Wasco County.

Quitclaim deed conveying unto L. O. Harra two tracts of land containing 2.031 acres and 0.2 acres, respectively, in Polk County. Right of Way File No. 1293.

Agreement with Elmer Taylor and Myrtle Taylor, husband and wife, covering the lease of certain property in the town of Alsea, Benton County, for use in connection with highway construction maintenance and operation. Real Property File No. 8150.

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Agreement with Polk County covering the lease of certain county-owned property for a maintenance headquarters site at Dallas, Oregon.

Agreement with Edward L. Dimmitt extending for one year the lease of the Vista House on Crown Point, Columbia River Highway, or until December 31, 1940.

There being no further business to come before the Commission at this time, the meeting was adjourned at 1:15 a. m.

[Signature]
State Highway Engineer

[Signature]
Secretary

Henry F. Cabell
Chairman

Huron W. Clough
Commissioner

Portland, Oregon, July 18, 1940

The State Highway Commission met in regular session at 9:00 a. m. in the auditorium of the Public Service Building. Present were:

Henry F. Cabell, Chairman
Huron W. Clough, Commissioner
Herman Oliver, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

Bids as follows for highway construction projects and for the furnishing of ferry service across the Willamette River at Wilsonville were opened and read in conformance with previously published notice, following which Chairman Cabell announced that the award of contracts would be made at 4:00 p. m. in the same room:

PACIFIC HIGHWAY WEST
CORVALLIS-LINCOLN SCHOOL SECTION - GRADING AND PAVING

United Contracting Company	\$52,791.00
J. C. Compton	53,133.90
Warren Northwest, Inc.	53,726.25
McNutt Bros.	56,880.00

OREGON COAST HIGHWAY
MARSHFIELD-BUNKER HILL SECTION - GRADING AND PAVING

R. I. Stuart & Son	\$46,248.00
Coos Bay Dredging Company	48,291.50
McNutt Bros.	50,739.50
Warren Northwest, Inc.	51,691.50

CENTURY DRIVE SECONDARY HIGHWAY
EAST UNIT, LAVA FALLS-BEND SECTION - OILING

Warren Northwest, Inc.	\$ 5,136.00
J. C. Compton	5,492.00
Babler Bros.	5,750.00
Norris Bros.	5,888.00

JOHN DAY HIGHWAY
JOHN DAY SECTION - BRIDGE OVER CANYON CREEK

William Zickler	\$ 8,888.00
Harry I. Hamilton	9,578.80
J. W. and J. R. Hillstrom	9,612.50
Barham Bros.	9,636.60
J. F. Johnston	9,842.00
Birkemeier & Saremal	10,092.00
Clifford A. Dunn	10,184.00
Babler Bros.	10,777.00
C. J. Eldon	10,909.00
Averill & Corbin	11,490.00
Verhei Construction Company	11,678.00
Denten & Young	12,232.00
McNutt Bros.	12,561.00

EUGENE-VENETA COUNTY ROAD
VENETA-FISHER ROAD SECTION - GRADING, SURFACING, OILING, BRIDGES

	<u>Using Asphalt</u>	<u>Using Tar</u>
Berke Bros.	\$105,353.00	\$ - - - -
Leonard & Slate	- - - -	107,573.00
E. C. Hall Company	116,892.50	- - - -
McNutt Bros.	119,156.25	120,023.25
M. L. O'Neil & Son	- - - -	120,682.05
Roy L. Houck	122,382.00	- - - -
Clifford A. Dunn	124,451.00	124,861.00
A. Milne	129,507.00	- - - -

PACIFIC HIGHWAY EAST
ALBANY SECTION - ROADSIDE IMPROVEMENT

E. L. Gates	\$ 45,544.00
Leonard & Slate	49,477.50

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(Albany Section, continued)

McNutt Bros.	\$ 51,647.50
River Bend Sand and Gravel Company	56,240.00
Roy L. Houck	57,346.50

ALBANY-LYONS SECONDARY HIGHWAY
SANDERSON BRIDGE—CRABTREE CREEK SECTION
GRADING, SURFACING, OILING; BRIDGES

	<u>Using Asphalt</u>	<u>Using Tar</u>
E. C. Hall Company	\$ - - - -	\$ 47,632.00
M. L. O'Neil & Son	- - - -	49,916.85
Leonard & Slate	- - - -	53,399.75
Babler Bros.	- - - -	55,111.05
Clifford A. Dunn	56,236.95	56,521.95
A. Milne	56,511.50	- - - -
McNutt Bros.	56,513.50	57,915.50

OLD OREGON TRAIL HIGHWAY
NYSSA UNDERCROSSING SECTION
GRADE SEPARATION, GRADING, OILING AND PAVING

Henry L. Horn	\$205,704.00
Clifford A. Dunn	206,550.90
C. J. Montag & Son	215,475.50
Kern & Kibbe	221,209.00
C. J. Eldon	230,261.20
Morrison-Knudsen Company	234,983.50
McNutt Bros.	239,530.50
Birkemeier & Saremal	244,484.50

LOMBARD STREET AND NORTHEAST PORTLAND SECONDARY HIGHWAY
LOMBARD STREET-KILLINGSWORTH STREET SECTION
GRADING AND PAVING

	<u>Using Asphalt</u>	<u>Using Tar</u>
Porter W. Yett	\$141,722.00	\$ - - - -
Edlefsen-Weygandt Company	- - - -	152,867.00
Roy L. Houck	158,172.00	- - - -
Jacobsen-Jensen Company	172,494.50	172,408.50
McNutt Bros.	179,822.00	179,786.00

PACIFIC HIGHWAY WEST
OREGON SLOUGH-COLUMBIA SLOUGH SECTION
PAVEMENT RESURFACING

Parker-Schram Company	\$ 2,376.00
United Contracting Company	2,420.00

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SHERMAN HIGHWAY
EAST UNIT, SHANIKO-COW CANYON SECTION
GRADING, SURFACING, OILING; CRUSHED ROCK

Leonard & Slate	\$87,103.00
Fisher Bros.	89,207.00
J. A. Lyons	98,953.00
C. J. Eldon	99,951.00

KINZUA COUNTY ROAD
BUTTE CREEK-MAYVILLE ROAD SECTION - GRADING AND SURFACING

Frank Penepacker	\$15,104.50
M. L. O'Neil & Son	15,499.90
Leonard & Slate	15,520.00
Norris Bros.	16,330.00
McNutt Bros.	16,920.50
A. B. Klinefine	17,713.00
C. J. Eldon	18,839.50
Fisher Bros.	21,550.00
Homer G. Johnson	22,737.50

BEAVERTON-AURORA SECONDARY HIGHWAY
FERRY SERVICE ACROSS WILLAMETTE RIVER NEAR WILSONVILLE

	<u>Per Month</u>
Leonard & Slate	\$ 1,250.00

Mayor Clifton Richmond, Klamath Falls, came before the Commission and requested an advance of state funds to finance the city's share of the cost to install traffic lights in the city of Klamath Falls, amounting to about \$7,500.00. He advised that the city voted a 1-mill levy to pay for the lights but the amount has not yet been collected and they are very anxious to proceed with the installation and thought perhaps the State Highway Commission would advance the necessary funds if the city agreed to reimburse the Commission at a later date. Chairman Cabell explained the Commission's policy with respect to such matters, which precludes the advancement of state funds and requires a deposit from the city or county, as the case may be, guaranteeing that the state will be reimbursed in the event that the state does the work. It was suggested that the city endeavor to find some other way to finance its project. The Commission agreed to advertise the project for bids as soon as the city arranges to pay its share of the cost.

Mr. T. B. Watters, Klamath Falls, came before the Commission in behalf of the Klamath County Court and the Klamath County Chamber of Commerce relative to the following:

- (1) Additional federal aid secondary highway construction work. Mr. Watters alleged that Klamath County has not received, in the last year or two, benefits from the federal aid secondary highway fund,

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and suggested an allocation of at least some of the 1941 funds to this county. Chairman Cabell explained the status of the Commission's finances and the basis of allocation of the funds under discussion, particularly pointing out that, due to the small amount of such funds available, it is not possible to distribute them to all of the counties and undertake projects of any great size. The Commission tries to be fair in the matter, he said, and, in order to avoid doing a lot of very small jobs in all of the counties, has considered it advisable to undertake a comparatively few jobs in about half of the counties in any one year, and then the following year to allocate the funds for improvements in the remaining counties. After further general discussion of the matter the Engineer was instructed by the Commission to send to Mr. Watters a statement showing the distribution and expenditure of the funds under discussion.

(2) Designation of the Klamath Falls-Merrill-Hatfield Road as a federal aid highway. Mr. Watters urged the placing of this road on the federal aid highway system in order to expedite reconstruction of the same to modern standards. He advised that the State of California is arranging to so designate the California Section of this highway and gave as his thought that the State of Oregon should so designate the Oregon section. Action on this matter was deferred by the Commission pending receipt of information from the California Highway Department as to its intentions in this regard. The Engineer was instructed to obtain this information and report back to the Commission.

(3) Additional improvements on The Dalles-California Highway between Klamath Falls and Modoc Point. Mr. Watters inquired as to the Commission's plans for further improvement of this section. He was informed that the Commission has \$100,000.00 of state and 1941 federal aid funds budgeted to grade, surface, and construct bituminous macadam on the 5-mile section between Algoma and Terminal City and that it is proposed to take bids for this work next spring. Mr. Watters urged the contracting of the work this fall, if possible. After some discussion the Commission authorized the Engineer to advance the project for fall letting, if possible to do so without postponing some other project. He was instructed to investigate the possibilities and advise Mr. Watters in regard thereto.

(4) Improvement of the "Lake of The Woods" Road. Mr. Watters asked for an appropriation to improve this road which, he said, is in very unsatisfactory condition at the present time. The Commission denied the request on account of lack of funds with which to finance the work.

County Judge F. E. Gilkey, of Lincoln County, and Dow Walker, Toledo, came before the Commission in regard to the Siletz Secondary Highway. They advised that log hauling is being carried on extensively over this road and during the last two weeks the road has broken down in numerous places, and, as a

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consequence, truck-hauling of logs has had to be suspended and if something is not done to remedy the situation soon it will be necessary for the big mill belonging to the C. D. Johnson Lumber Company at Toledo to suspend operations. The Engineer advised that the condition of this road was brought to his attention a few days ago and he immediately ordered minor repairs, which are now under way. However, they are of a temporary nature only and what the road really needs is a major improvement. He recalled that the Commission heretofore budgeted a certain amount of funds to finance a partial improvement of the section between Toledo and Siletz and advised that since the budget was prepared he has inspected the road and ascertained that the amount is insufficient to properly do the work that is needed. He recommended a combination state- and government-financed project, costing approximately \$113,000.00, the state's share to be about \$40,000.00 and the government's share about \$73,000.00 and that the project be advertised for bids at the earliest possible time so as to make certain that the road will be in good condition throughout the coming winter. He advised that there is considerable work to be done in preparing the project for contracting and that it would not be possible to take bids for the same until the September meeting of the Commission, so that about all the work that could be done this year is the grading and surfacing, which would leave the oiling work to be done next spring. After considerable discussion the Commission approved the arrangement as outlined by the Engineer and authorized the contracting of the work in accordance with his recommendation.

The Commission adjourned at 12:30 p. m. and reconvened at 1.45 p.m. in the same room with all Commissioners present and participating. Also present were the State Highway Engineer, the Attorney, and the Secretary.

The County Court of Tillamook County, consisting of County Judge Harland M. Woods and County Commissioners E. G. Anderson and E. H. Lindsey, came before the Commission in regard to the allocation of the fiscal year 1941 federal aid secondary highway funds. They inquired as to how much of this money has been allocated to Tillamook County and what project the Commission proposes to construct with such funds. They were informed that on account of the limited amount of secondary funds available the Commission has found it necessary to limit its allocation in Tillamook County to \$30,000.00, and that the Commission proposes to apply these funds to the improvement of the Fairview-Clemens Corner County Road, particularly the section between the Trask River and the junction with Federal Aid Route No. 2, approximately 5 miles south of Tillamook, the work to consist of grading, surfacing, and oiling, and being a continuation of the improvement completed last year. Chairman Cabell pointed out that this project is contingent upon the county furnishing the necessary right of way. The county court appeared dissatisfied with the amount of funds allocated Tillamook County but agreed to abide by the Commission's decision in the matter.

Judge Woods then renewed the county's request for the placing of the Tillamook-Netarts Road on the state secondary highway system. The Commission took the matter under advisement.

Commissioner Lindsey requested the oiling of the strips between the highway pavement and the curb lines through the town of Wheeler. The Engineer

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advised that this matter has been investigated and it is estimated that the work will cost about \$300.00. He recommended approval of the project and that the work be authorized for construction this year in the event a state ciling crew is available in that vicinity. The Commission approved the recommendation.

Judge Woods inquired as to the Commission's plans for completion of the Oregon Coast Highway in the vicinity of Arch Cape. The Engineer advised that all of the grading work either has been completed or is under contract and that there remains to be done only the surfacing and oiling between Hug Point and Mansanita. Further, that the Commission has already budgeted funds to finance this work and that it is expected that the contract for the same will be awarded some time this fall.

A delegation from Tillamook and Washington Counties appeared before the Commission in regard to the Wilson River Highway. This delegation consisted of the County Court of Tillamook County, represented by County Judge Harland M. Woods and County Commissioners E. H. Lindsey and E. G. Anderson; Washington County Court, represented by County Judge H. D. Kerkman and County Commissioner J. W. Hughes; Jack Aschim, Secretary of the Tillamook Chamber of Commerce; Robert Brady; C. W. Barrick, City Attorney of Tillamook; Oscar Effenberger, Tillamook; L. G. Apperson, Portland; and Mr. Woodford of Forest Grove.

The Engineer pointed out that available W.P.A. funds will be exhausted by August 2, 1940, and that the work on this project will have to close down on that day unless the federal authorities will approve the new W.P.A. project for this highway, application for which has been pending for about six months. Chairman Cabell advised that the State Highway Commission filed this application for additional funds last November and since that time has been doing all that it can to secure approval of the same. Further, that the Portland office of the W.P.A. has recommended the project to the officials in Washington, D.C., but it appears that for one reason or another approval has been deferred, although information received within the last few days indicates that such approval will be forthcoming soon. Judge Woods suggested that the state take over this work in the event that the new W.P.A. funds do not materialize. He was informed that the Commission is not prepared to assume such responsibility.

Commissioner Lindsey inquired whether or not the Commission would take the state equipment away from this job in the event the new W.P.A. project is not approved shortly. He was informed that the Commission would leave its equipment on the job a reasonable length of time and if, for any reason, all or any part of the equipment were taken away for use on some other project it would be returned as soon as the new W.P.A. funds are received and work on the Wilson River project is ready to be resumed. There followed a general discussion of matters pertaining to this work.

Judge Woods invited the Commission and its staff to join the caravan inspection trip which is to be made over the Wilson River Highway on Thursday, July 25, 1940, to be followed by a banquet in the city of Tillamook. Chairman Cabell thanked him for the invitation on behalf of the Commission and advised

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him that he would be present if possible. In any event, the Commission will be represented, he said. Commissioners Clough and Oliver expressed regrets that it would be impossible for them to attend on account of personal business matters.

Mr. Bernard Blum, Chief Engineer, and Mr. A. J. Witchel, Assistant Superintendent, S. P. & S. Railroad Company, came before the Commission relative to the proposed installation of traffic signals at the railroad crossings on 14th Street, Doan Street, and Balboa Street, in Northwest Portland. They advised that, due to the many parallel car tracks at the 14th Street location, it appears impossible to install a standard railroad crossing signal at this location, for which reason they prefer the elimination of this particular signal from the Commission's program and the substitution therefor of a standard-type signal installation at the Balboa Street crossing where there is a large volume of truck-traffic to and from the oil company's plants. The Traffic Engineer, Mr. John Beakey, advised that federal approval has been secured for the installation of signals at 14th Street and at Doan Street. However, subsequent investigations reveal that it would be impossible to install a standard-type signal at the 14th Street crossing. He further advised that, while there is no record of any accidents having occurred at the Balboa Street crossing, the potential hazard to traffic is great. He recommended approval of the request of the railroad company. The State Highway Engineer concurred in the recommendation, provided the Federal Government will approve the change. The Commission approved the recommendation unanimously.

The County Court of Linn County, represented by County Judge J. J. Barrett and County Commissioners H. A. Renninger and H. W. Cooley, was present and inquired as to the plans of the Highway Commission with respect to the old Pacific Highway routes through Albany upon completion of the new highway through this city. The Engineer advised that the plans for the Albany project provide for connections of the old highway with the new highway at both south and north entrances into Albany and that an arrangement has been devised, after a very careful study of traffic conditions, for a division of traffic so as to enable traffic destined for Albany to use the old entrances with a minimum amount of hazard in crossing the new highway. He explained the plan in considerable detail. Judge Barrett advised that the people of Albany are not satisfied with this arrangement and want direct two-way connections between the old highway and the new highway. After considerable discussion it was decided that the Engineer should go to Albany some time during the following week and explain the details of the plan to the County Court on the ground. Commissioner Renninger inquired whether or not it is the plan of the Commission to close the old highway route into Albany from the north. He gave as his understanding that this road is to be closed upon completion of the new highway. He was informed that the Commission has no plans to that end but the information that he (Mr. Renninger) has received is no doubt a rumor which has originated because of the plan of the Commission to close this approach for two or three days after the new highway is opened for traffic so as to permit certain repairs to the bridge on the old route.

The County Court also inquired as to the Commission's plans for completing the South Santiam Highway. They were advised that progress on this

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work is being carried on as rapidly as is possible with funds available; that the state has \$75,000.00 budgeted for additional oiling work on the state's portion between Cascadia and Trout Creek but the contract cannot be awarded until next spring; also, that \$100,000.00 of fiscal year 1941 forest highway funds have been allocated for this highway, which it was intended to contract this year, but the federal funds have not as yet been released, so the work will have to be delayed. However, it is intended to place the work under contract as soon as possible.

Messrs. Howard Harker and Roy Earwood, Prineville, accompanied by their attorney, Mr. R. J. Brown, Prineville, came before the Commission in regard to settlement for right of way needed for the Warm Springs Secondary Highway between Madras and Prineville. They advised that they are unable to reach an agreement with the Highway Department's right of way agent for land taken from them and urged reconsideration of the state's offer and payment of damages to them in proportion to the resale value of their properties, including increased amounts by reason of severance. Action on this matter was deferred by the Commission pending consultation with the right of way agent, Mr. Harry Benson, and inspection of the property by Commissioner Oliver.

A delegation from Washington County came before the Commission and asked for the surfacing of the Sylvan Section of the Wolf Creek Highway, which has heretofore been graded by W.P.A. forces. Members of this delegation were as follows: County Judge H. D. Kerkman and County Commissioners James Lewis and J. W. Hughes; Fred, George, William F. and Edna Durig; R. Beamish, H. Bauer, Herman Jenne, Henry Johnson, Mrs. Tom C. Gallagher and Mrs. H. A. Chambers, Charles W. Duefre, Paul Stalder, Essher V. Alean, Frank H. and Gordon F. Reeves and E. R. Hoagard. Judge Kerkman headed the group and urged the surfacing of this road so that it can be used by adjacent property owners.

The Engineer pointed out that there is no connection at present between the Wolf Creek Highway and the Tualatin Valley Highway and that the plans for this connection involve construction of an expensive traffic separation structure, which is an absolute necessity in order to avoid a serious traffic hazard that would obtain if the two highways were connected in any other manner. Judge Kerkman suggested a temporary connection along a private road near the Mount Calvary Cemetery, which he thought would serve the purpose until the Commission could see its way clear to construct the grade separation structure. The Commission indicated reluctance to spend any money to improve the present grade at this time, particularly in view of the fact that the Commission is spending so much money to complete the westerly end of this highway, which it considers of primary importance, and for the further reason that the Commission does not consider that it is obligated to the people who have purchased property adjacent to the Sylvan Section since this section was graded. However, Chairman Cabell agreed to inspect the project some time this month.

Judge Kerkman inquired into the possibilities of securing about 2000 cubic yards of material from the state's borrow pit at Tigard after the highway work now under way at that place is completed. He said that the county would like this material for use in connection with some county work that it contemplates in this vicinity and would appreciate authority from the Commis-

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sion to secure the materials from this source. The Engineer was instructed to look into the matter.

Mr. George H. Clark, Eugene, came before the Commission in regard to reinstatement of his permit for the truck-hauling of logs over the McKensie Highway east of Eugene, which permit was ordered cancelled by the Commission at its previous meeting because Mr. Clark violated the provisions thereof by hauling logs during hours of darkness and without proper lights on his truck and for the further reason that his truck was involved in an accident which caused serious injury to Mrs. Robert F. Dawe and damaged Mr. Dawe's automobile.

Mr. Clark made an urgent plea for reinstatement of his permit. His request was granted by the Commission after considerable discussion, under the condition that hereafter Mr. Clark would abide strictly by the provisions of the permit and would not violate these provisions again. He was warned that the Commission would probably impose a more serious penalty in the event he is again arrested for a traffic violation.

Mr. W. S. Allan, Dundee, Oregon, was present and extended an invitation to the members of the Commission and its staff to be the guests of the people of Dundee and vicinity at a celebration to be held upon the completion of the construction of the Dundee Section of the Pacific Highway West. The Engineer advised that this project would be completed the early part of September. Mr. Allan was advised that the Commission would be pleased to accept the invitation if possible, but, because of several other engagements, could not state definitely now. However, the Commission will be represented at this function. The Engineer was thereupon instructed to contact Mr. Allan and arrange a convenient date for the gathering.

Mr. Lee Lewis, Corvallis, administrator of the estate of Miles Homer Otis, deceased, who lost his life as a result of an accident on the Corvallis-Newport Highway on July 28, 1939, came before the Commission and requested payment of damages in the amount of \$5,000.00. He alleged that the accident which resulted in Mr. Otis's death was caused by loose gravel spread on the surface of the road by State Highway Department employees. He said that Mr. Otis was an elderly man and that he did not drive his car in excess of 35 miles per hour and that on this particular day he encountered large gravel on the highway which caused his car to skid off the road and crash into a tree, resulting in his death.

The Engineer advised that the conditions obtaining at the time of the accident were not unusual for light-oil surfaced roads, of which there are many throughout the state. During hot weather, he said, it is the practice to spread a thin layer of screenings on the road surface to eliminate the bleeding of the oiled surface and the splashing of the oil and that this is the operation that was under way at the time of the accident. He read aloud the report of Maintenance Engineer J. N. Bishop, report from the State Police officer who investigated the accident, and several written statements from residents of the district who had first-hand knowledge of the conditions, and gave as his thought that the condition of the road was not responsible for the accident. After considerable discussion the Commission took the matter under

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advisement and informed Mr. Lewis that a decision would be rendered as soon as possible.

At 4:00 p. m. Chairman Cabell announced the award of contracts, bids for which were received at the morning session, such awards having been previously approved by the Commission by unanimous vote:

"Corvallis-Lincoln School Section of the Pacific Highway West, in Benton County. 0.80 mile grading and paving. The United Contracting Company, Portland, submitted the low bid for this project in the amount of \$52,791.00. J. C. Compton, McMinnville, submitted the next-low bid in the amount of \$53,133.90. There were two higher bidders. The Commission awards this contract to the United Contracting Company at its low bid of \$52,791.00.

"Marshfield-Bunker Hill Section of the Oregon Coast Highway, in Coos County. 0.39 mile grading and paving. The low bid received for this project was that of R. I. Stuart & Sons, Medford, in the amount of \$46,248.00. The next-low bid was that of the Coos Bay Dredging Company, Marshfield, in the amount of \$48,291.50. There were two higher bidders. The Commission has rejected all bids received for this work and has ordered the project readvertised.

"East Unit of Lava Falls-Bend Section of Century Drive Secondary Highway, in Deschutes County. 2.0 miles oiling. Warren Northwest, Inc., Portland, submitted the low bid in the amount of \$5,136.00, for this work. J. C. Compton, McMinnville, was the second-low bidder with his bid of \$5,492.00. There were two higher bidders. The Commission has rejected all bids received on this project.

"John Day Section of the John Day Highway, in Grant County. Construct 40-foot concrete bridge over Canyon Creek in the city of John Day. The low bid received for this structure was that of William Zickler, John Day, in the amount of \$8,888.00. The next-low bid was that of Harry I. Hamilton, Eugene, in the amount of \$9,578.80. There were 11 higher bidders. This contract is awarded by the Commission to the low bidder, William Zickler, at his bid of \$8,888.00.

"Veneta-Fisher Road Section of the Eugene-Veneta County Road, in Lane County. 5.23 miles grading, surfacing and oiling and construction of five bridges. The low bid received for this project was that of Berke Bros., Portland, in the amount of \$105,353.00, based on the use of asphalt. They did not submit a bid based on the use of tar. Leonard & Slate, Multnomah, submitted the second-low bid in the amount of \$107,573.00, based on the use of tar. They did not submit a bid using asphalt. There were 6 higher bidders. The Commission has referred all bids for this project to the Engineer with power to award the contract to the low bidders, Berke Bros., when certain conditions have been fulfilled.

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"Albany Section of the Pacific Highway East, in Linn County. 3.8 miles roadside improvement. E. L. Gates, Trail, was the low bidder for this project with his bid of \$45,544.00. Leonard & Slate, Multnomah, were the next-low bidders with their bid of \$49,477.50. There were 3 higher bidders. The Commission awards this contract to E. L. Gates, the low bidder, at his bid of \$45,544.00.

"Sanderson Bridge-Crabtree Creek Section of the Albany-Lyons Secondary Highway, in Linn County. 2.46 miles grading, 3.89 miles surfacing, 4.20 miles oiling; also construction of three bridges. The low bid received on this project was that of E. C. Hall Company, Eugene, in the amount of \$47,632.00, based on the use of tar. They did not submit a bid using asphalt. M. L. O'Neil Son, Eugene, submitted the second-low bid in the amount of \$49,916.85 also based on the use of tar. They did not submit a bid using asphalt. There were 5 higher bidders. The Commission has awarded this project to the low bidder, E. C. Hall Company, at its bid of \$47,632.00, using tar.

"Nyssa Undercrossing Section of the Old Oregon Trail Highway, in Malheur County. Construct grade separation with Union Pacific Railway and also 0.45 mile grading, oiling, and paving. Henry L. Horn, of Caldwell, Idaho, submitted the low bid for this work in the amount of \$205,704.00. Clifford A. Dunn, Klamath Falls, submitted the next-low bid in the amount of \$206,550.90. There were 6 higher bidders. The Commission has referred all bids received on this project to the Engineer with power to award the contract to the low bidder when certain conditions have been fulfilled.

"Lombard Street-Killingsworth Street Section of Lombard Street, Portland, and Northeast Portland Secondary Highway, in Multnomah County. 0.4 mile grading and 4.5 miles paving. The low bid submitted for this project was that of Porter W. Yett, Portland, in the amount of \$141,722.00, based on the use of asphalt. He did not submit a bid based on the use of tar. The next-low bid was that of Edlefsen-Weygandt Company, Portland, in the amount of \$152,867.00, based on the use of tar. They did not submit a bid based on the use of asphalt. There were 3 higher bidders. The Commission awards this contract to the low bidder, Porter W. Yett, at his bid of \$141,722.00, using asphalt.

"Oregon Slough-Columbia Slough Section of the Pacific Highway West (North Denver Avenue), in Multnomah County. 0.96 mile pavement resurfacing. Only two bids were received for this work, that of Parker-Schram Company, Portland, being the low one, in the amount of \$2,376.00. The other bid was that of the United Contracting Company, Portland, in the amount of \$2,420.00. The Commission awards this contract to the low bidders, Parker-Schram Company, at their bid of \$2,376.00.

"East Unit of Shanika-Cow Canyon Section of the Sherman Highway, in Wasco County. 5.03 miles grading, surfacing, and oiling; also, furnish 4000 cubic yards crushed rock in stock piles. Leonard & Slate,

Multnomah, submitted the low bid for this work in the amount of \$87,103.00. Fisher Bros., Oregon City, submitted the next-low bid in the amount of \$89,207.00. There were two higher bidders. This contract is awarded to Leonard & Slate, the low bidders, at their bid of \$87,103.00.

"Butte Creek-Mayville Road Section of the Kinzua County Road, in Wheeler County. 3.20 miles grading and surfacing. Frank Penepacker, Portland, submitted the low bid for this work in the amount of \$15,104.50. M. L. O'Neil & Son, Eugene, submitted the next-low bid in the amount of \$15,499.90. There were 7 higher bidders. The Commission awards this contract to Frank Penepacker, the low bidder, at his bid of \$15,104.50.

"Furnishing ferry service across the Willamette River, near Wilsonville, in Clackamas County. Only one bid was received for this service, being that of Leonard & Slate, Multnomah, in the amount of \$1,250.00 per month. The Commission has referred this bid to the Engineer."

A delegation from Multnomah County, representing the Peninsula Drainage District No. 1 and the U. S. Engineer's Office, came before the Commission in regard to securing permission to construct a concrete wall along the northerly side of the right of way of Swift Secondary State Highway for a distance of about 1200 feet westerly from the intersection of this highway with the Pacific Highway, for the purpose of controlling flood waters of Oregon Slough. The delegation was headed by Dan Phipps, President of the Drainage District, and included R. R. Bullivant, T. G. Donora, P. D. Berrigan representing Major C. R. Moore, and M. W. Jones of the U. S. Engineer's office. Mr. Phipps exhibited a map showing the extent of the proposed improvement and its relation to the state highway. He advised that they originally intended to construct this wall on private property belonging to a Mr. Frank Kernan but encountered difficulties with Mr. Kernan in securing an easement to use his property; and, in view of the fact that the wall would be of considerable benefit to the highway, they concluded, after study, that the highway right of way would be the proper location on which to build it, provided the State Highway Commission would grant the necessary authority.

Mr. Phipps further advised that it is their intention to secure a declaratory judgment in the courts to ascertain whether or not they can construct this wall without compensating anyone for the use of the highway, because they anticipate objections thereto by Mr. Kernan, who is challenging the right to the use of the highway right of way for the purpose intended.

The State Highway Engineer stated that such wall would benefit the highway considerably in that it would prevent the highway being inundated during periods of high water. He recommended approval of the request. After considerable discussion the Commission approved the recommendation unanimously, under the condition that there be no legal impediments. The following resolution with respect thereto was adopted by the Commission by unanimous vote:

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WHEREAS, Peninsula Drainage District Number One of Multnomah County, Oregon, has applied to the State Highway Commission for an easement permitting the construction and maintenance of a flood wall within and along the right of way of the North Portland Road, sometimes known as Swift Boulevard, now a part of the state secondary highway system in Multnomah County; and

WHEREAS, after due consideration the Commission is of the opinion that the construction and maintenance of said flood wall will in nowise interfere with the use of the right of way for highway purposes, but on the contrary will benefit the highway by reason of protecting the roadbed against floods and high water; and

WHEREAS, it is the opinion of the Commission that said application should be granted;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED, all members being present and voting affirmatively as follows:

1. That the application of the Peninsula Drainage District Number One of Multnomah County for an easement permitting the construction and maintenance of a flood wall within the right of way of the North Portland Road, also known as Swift Boulevard, be and the same hereby is granted.

2. That J. M. Devers, Attorney for the Commission, be and he is hereby authorized to prepare the necessary form of easement and submit the same to the Commission for approval and execution.

3. That when said easement has been executed by the Commission an executed copy thereof shall be delivered to the Peninsula Drainage District Number One of Multnomah County.

4. That this resolution be entered in the minutes and records of the Commission and a copy thereof attached to the said easement agreement.

A delegation from Tigard, consisting of Emil A. Johnson, George Halowell, W. M. Evans, and Messrs. Vermilye and Young, was present and asked the Commission to extend the limits of the improvement of the old highway route through Tigard from the business section of the town to the point where the old highway connects with the new highway on the north, and to Fanno Creek on the south. They asked for the oiling of this entire section full-width between curbs. The Engineer advised that this work would cost about \$5,000.00 more than the Commission has already budgeted for the Tigard improvement. He questioned the advisability and justification for the improvement of the entire section as requested but recommended that the proposed improvement be extended about 150 feet at each end, which he thought would be satisfactory and would cost about \$1,500.00. After considerable discussion the Commission authorized an expenditure of \$1500 for the additional work and left it with the Engineer to decide with the people

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of Figard the particular section to be improved. The delegation approved such arrangement.

Mayor E. J. Bayliss of Sheridan was present and inquired as to what plans the Commission has, if any, for the improvement of the Salmon River Highway (McMinnville-Tillamook Highway) through the town of Sheridan. He recalled that the Engineer was authorized to make certain investigations with the idea in mind of improving this section if possible. The Engineer advised that, as instructed by the Commission, a survey of the project was made and the results thereof reported to the Commission some time ago and that the Commission found it necessary to defer its approval of the project because of the high cost involved and the limited amount of funds available to the Commission for work of that kind. Chairman Cabell advised that it would not be possible for the Commission to undertake this project this year but the Commission will give it due consideration in the formulation of the program for next year's federal funds. The Engineer was instructed to contact Mayor Bayliss in Sheridan at his convenience and discuss the entire project with him.

The Commission adjourned at 5:30 p. m., to reconvene at 9:00 a. m. the following day in the Imperial Hotel to dispose of routine matters.

Portland, Oregon, July 19, 1940

The State Highway Commission reconvened at 9:00 a. m. in the Streamline room of the Imperial Hotel. Present were:

Henry F. Cabell, Chairman
Huron W. Clough, Commissioner
Herman Oliver, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

A delegation from Southern Oregon, consisting of sixteen members, presented an urgent plea for assistance from the Commission in securing a special federal appropriation to finance the reconstruction of the Pacific Highway from Eugene to Ashland, and the Columbia River Highway between Portland and The Dalles so as to make these highways suitable for the transportation of military equipment in the event of necessity. Members of the delegation were A. C. Marsters, W. C. Harding, Senator C. W. Clarke, County Judge Morris C. Bowker and County Commissioner J. Ross Hutchinson, of Douglas County, all from Roseburg; C. H. Demeray, W. A. Johnson, County Judge and John Valen, and Richard McElligott, County Commissioners of Josephine County; County Commissioners C. M. Young and W. J. Holland, of Lane County; County Commissioner William Perry and County Engineer Paul B. Rynning, of Jackson County; J. B. Coleman, County Judge of Jackson County; H. E. Eakin of Cottage Grove; and Captain S. M. Tuttle of Medford. Mr. Marsters headed the group.

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Speaking on behalf of this improvement were Messrs. Marsters, Bowker, Tuttle, Johnson, Demeray, Clark, McElligott, Rynning, and Eakin. They presented numerous arguments and gave numerous reasons for militarizing these highways, particularly the Pacific Highway, and offered to give the Commission full cooperation in anything that the Commission should undertake to accomplish the desired end. They also informed the Commission that any special moneys received from the Federal Government for this purpose could be charged to the various districts in which the expenditures are made, thus releasing other federal funds for expenditure elsewhere throughout the state. They declared that this project requires the concerted efforts of everyone and urged the Commission to take a definite stand in the matter and to help in securing the assistance of all of the members of the Oregon delegation in Congress. Mr. Marsters closed the delegation's presentation with a few appropriate remarks. The Commission made no statements whatsoever with respect to the subject and took no action thereon.

The Commission by unanimous vote approved the minutes of the meetings held on March 21 and 22, April 9, May 1, 2, and 3, and May 23, 1940.

The Engineer reported on the condition of the I.O.N. Highway surfacing, particularly between the Owyhee River and the Nevada state line. He said that the surfacing on this section consists of pit-run gravel and that cars driven thereover at a reasonable rate of speed are not caused any trouble; but, due to the fact that the road is straight and carries very little traffic, the tendency of autoists is to drive at an excessive rate of speed, and as a result during the past two or three months numerous accidents have occurred by reason of tire blowouts, the last one during the preceding week resulting in the death of two prominent Nevada men. The oiling of the road, he said, would alleviate this condition. However, to give it a light-oil treatment would cost about \$100,000.00. He pointed out that this highway is eligible for federal lands highway funds and suggested the contracting of the oiling work this fall and the securing, if possible, to finance the work, the unallocated federal lands highway funds for the fiscal year 1941 and as much of the 1942 federal lands highway funds as may be needed, under an arrangement such as was made with the government officials last year whereby the state advanced funds for other work on this highway with the understanding that the Government would reimburse the state for its share of the cost. He estimated that federal lands funds in the amount of about \$70,000.00 would be needed. He recommended such an arrangement and that in the meantime appropriate signs be erected advising the traveling public of the existing condition and limiting the speed of traffic to 40 miles per hour. After discussion the Commission approved the Engineer's suggestion relative to the oiling work; however, instructed him not to present it to the Public Roads Administration until Congress has appropriated additional federal lands highway funds. The Commission also approved the Engineer's recommendation relative to the maintenance of warning and speed-limit signs along this highway.

The Engineer brought up for discussion the matter of snow removal on the North Santiam Highway during the coming winter. He pointed out that, according to the records that have been kept of these operations during the past two years it has averaged between \$5.00 and \$10.00 per car to keep this

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road open during the winter season, and the question has arisen whether or not the expense is justified in view of the fact that the South Santiam Highway is now available for year-round traffic and it is contemplated to keep it open during the winter months. The normal annual expense for such operations on these highways, he said, is \$15,000.00 each. He pointed out that the Willamette Highway will be open for general public use on August 1 and, according to present plans, will be kept open during the winter months, which will add a considerable amount to the annual expense of snow-removal operations throughout the state.

Mr. W. H. Lynch, District Engineer, Public Roads Administration, advised that sufficient forest highway funds are not available to embark on a program of snow-removal work other than that which it is possible to do with push plows. He suggested that the state assume this obligation on the North Santiam Highway for that reason and pointed out that the relieving of the Government of this expense would simply mean that the federal funds that have heretofore been used for such purpose could be applied toward the cost of additional construction work. After considerable discussion the Commission decided to conduct snow-removal operations on this highway next winter on the same basis as that on which such operations were carried on last winter; viz., that the Federal Government would pay for push-plow work on the section under its control, Marion County would do as much as possible with push plows, and the state would do what is necessary with rotary snow plows, with the understanding that Marion County would reimburse the state for such expense in view of the fact that the North Santiam is not a state highway. This arrangement is conditioned upon there being sufficient state equipment available to carry on the work. The Engineer was instructed to contact Marion County Court in regard thereto.

In this connection the Engineer reported a suggestion from the Public Roads Administration that the state take over and assume the obligation of maintaining the Forest Highway Section of the Willamette Highway, including both maintenance of the road surface and snow removal. It appears that this highway is so situated that it cannot be maintained economically by government forces; hence their request for state maintenance. The Engineer recommended approval of the suggestion, which, as in the case of the North Santiam Highway, would leave forest highway funds for construction purposes. The Commission approved the recommendation unanimously and authorized the Engineer to maintain this highway with state forces at state expense; also, to do what is necessary in the way of snow removal to keep the road open for travel throughout the winter season.

The Assistant Attorney reported the status of the right of way budget. He advised that the Commission approved a budget of \$600,000.00 for right of way purchases in 1940 and that up to the present time of this amount \$344,000.00 has been obligated. The Commission approved the report.

The Attorney requested authority to acquire certain parcels of real property that are needed for various highway improvements throughout the state. He submitted a list of such properties together with the prices that he recommended be paid for each. After careful consideration of each item

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the Commission approved the request and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth; and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon; and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Troutdale Section-Columbia River Highway</u>				
7554-Lambert, Joe H.	R/W	2.43	\$400 per a.	Parker
<u>Multnomah County Line-Scappoose Section - Columbia River Highway</u>				
3850-Watts, Mildred J.	R/W	0.48	\$2,750 Lump Sum	Devers
<u>Clatskanie Summit-Jewell Section - Nehalem Highway</u>				
8217-Tidewater Timber Co.	Stock Pile	1.0	Gratis	Eason
<u>Rainier-Apiary Extension Section (Vernonia-Mist) - Nehalem Highway</u>				
8216-Clark & Wilson Lum-ber Company	Stock Pile	2.01	Gratis	Eason
<u>Rainier Section - Columbia River Highway</u>				
8180-Proctor, W. E.	Stock Pile	16 lots	\$15 each	McChesney
	Paving Plant			
<u>Houlton-Warren Section - Columbia River Highway</u>				
7449-School District #7	R/W	0.087	\$500 per a. + \$15	McChesney
<u>Washington County Section - Wilson River Highway</u>				
8153-Consolidated Timber Co.	R/W	51.8	\$9.43 per a.	Parker
8158- " " " "	"	1.32	Gratis	"
8206- " " " "	"	1.97	\$5 Lump Sum (2 parcels)	"

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Sunset Camp-Sunset Tunnel Section - Wolf Creek Highway</u>				
8037-Detroit Trust Company (Correction)	Quarry Site	88.1	\$10 per a. less \$19.55 for piling sold	Parker

<u>S. Unit, Oregon City Section - Pacific Highway East</u>				
6895,6-Butler, J. Dean and Glenn, Mary	R/W		For retaining wall, gas and oil tank changes, \$56.30	DeSouza

<u>Kaylor Junction Section - Woodburn-Sandy Highway</u>				
7867-Owen, C. J. (Correction)	Scale Site & Easement	0.23	\$200 per a., + \$234	McChesney

<u>West Portland-Cook's Crossing Section - West Portland-Hubbard Highway</u>				
3632-Hughes, Clark E.	R/W	0.23	\$1500 per a., + \$255	Benson

<u>Tigard Section - Pacific Highway West</u>				
6951-Hoffarber, Albert (Correction)	R/W	1730 sq.ft.	Land \$1.00, + \$270 for raising canopy	Collins

<u>Sheridan-McMinnville Section - Salmon River Highway</u>				
4307-Buel, Laurence	R/W	2.861	\$150 per a., + \$1070.85	Collins
8205-Stringer, C. L.	"	3192 sq.ft.	3.1328 $\frac{1}{2}$ sq.ft., + \$100, + moving bldgs. (low bid \$500)	Collins Landon
4308-School District #51	"	0.013	to be exchanged for 0.104 a., to be ac- quired at cost of \$50, + \$500	Collins Landon

<u>Deer Creek-Masonville Section - Salmon River Highway</u>				
4313-Bellevue Community Hall	R/W	8189 sq.ft.	1.642 $\frac{1}{2}$ sq.ft., + \$255, + moving & re-establishing bldg.(Est. cost \$1500); State to deed 3192 sq.ft. at 3.1328 $\frac{1}{2}$ sq.ft., acquired from C.L.Stringer	Collins Landon

<u>Bandon Section - Oregon Coast Highway</u>				
5338-Jameson, Morrill	R/W	1788 sq.ft.	5 $\frac{1}{2}$ sq.ft., + \$260	Gardiner
5355A-Anderson, Emmett	"		Moving bldg. from R/W, \$50	"
5372-Rauschart, E. R. (Correction)	"	3710 sq.ft.	2650 sq.ft. at 10 $\frac{1}{2}$ sq.ft. 1060 sq.ft. at 5 $\frac{1}{2}$ sq.ft., + low bid \$1650 moving bldgs., + \$50.60	"
5319-Bandon, City of (Correction)	"	10,042 sq.ft.	State to construct side- walks to value of prop- erty taken (\$753.10), + moving bldgs., low bid \$1125	"

(Continued on next page)

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>(Bandon Section, Oregon Coast Highway, continued)</u>				
7859-Assembly of God (Correction)	R/W	530 sq.ft.	5 1/2 sq.ft., + cost of moving bldgs, low bid \$660	Gardiner
5320-Melton, D. J.	"	800 sq.ft.	5 1/2 sq.ft., + \$100. + moving house (Est. cost \$250)	"
<u>Euchre Creek-Port Orford Section - Oregon Coast Highway</u>				
2563A-Knapp, Louis L. (Correction)	Park	5 lots	Land gratis (state to assume payment of \$11.50 for taxes, but no more)	Collins
7745-Miller, Eva, and Wood, Elva Miller (Correction)	Stock Pile Plant Site	1.98	\$250 per a., + \$5	"
<u>North Bend-Marshfield Section - Oregon Coast Highway</u>				
8080-Coos Bay Dredging Co.	R/W	1592 sq.ft.	10 1/2 sq.ft., + moving bldg. (Est. \$1000); state to convey Lots 17, 18, Blk. 33, Nashburg's Add. to Marshfield, containing approx. 4750 sq.ft. at 6 1/2 sq.ft.	Landon Collins
<u>Marshfield Section - Oregon Coast Highway</u>				
5093-Noeninger, Anna (Correction)	R/W	745 sq.ft.	Land \$500 Lump Sum, + low bid for remodeling store bldg, \$1207	Benson
<u>Cascadia-Upper Soda Section - Santiam Highway</u>				
8202-Oregon & Western Colonization Company		2.06	\$100 per a.	Eason
		2 Stock Piles (1.03 each)		
<u>Albany-Lyons Highway - Crabtree-Scio Section</u>				
8186-Norman, Harry W.	R/W	1.83	1.13 a., at \$100 per a. 0.70 a. at \$150 per a., + \$382, + low bid \$790 for moving barn	McChesney
8184-Lough, A. F.	"	0.03	\$200 per a., + \$9	"
8185-Samples, Thomas D.	"	0.09	\$200 per a., + \$20	"
<u>Albany Section - Pacific Highway East</u>				
6401-Mt. States Power Co. (Correction)	R/W	0.38	\$100 Lump Sum	Gardiner
5883A-Cox, Clarence	"		Cost of destruction of trees and land, and construction of bridge due to flood conditions, \$200	Gardiner

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Nashville Section - Eddyville-Blodgett Highway</u>				
8030-Corey, Geo. D., and W.C.T.U.	R/W		Moving bldg. from R/W, \$350	Parker
<u>Eugene-Veneta Section - Eugene-Mapleton Highway</u>				
8156-Jetson, J. J. et al	Haul Road	1.09	\$100 Lump Sum	Parker
<u>Grants Pass-Green Creek Section - Pacific Highway</u>				
7246-Schmidt, Nellie (Supplemental)	R/W		Raising bldg. an addi- tional 3 ft. acct. super-elevation of highway, \$122	McCallister
<u>Quartz Mt.-Drews Valley Section - Klamath Falls Highway</u>				
7902-Oregon Land & Live- stock Company (Correction)	Gravel Pit Haul Road	4.18	\$5 per a., + haul- ing road	Benson
<u>Klamath Agency-Modoc Point Section - The Dalles-California Highway</u>				
8220-Johnson, James	Maintenance Site & Stock Pile Site	1.0	\$45 Lump Sum (Lease)	Chandler
<u>Union-North Powder Section - Old Oregon Trail Highway</u>				
8177-Haynes, T. B.	Stock Pile	0.43	\$100 per a.	Wells
<u>Wright's Point-The Narrows Section - Frenchglen Highway</u>				
7793-George, Frank J.	R/W	6.14	\$6 per a., + fenc- ing \$243	Wells
<u>Lone Rock Junction-Rock Creek Section - Wasco-Heppner Highway</u>				
8010A-Oregon-Washington Joint Stock Land Bank	Gravel Pit	1.11	1-yr. lease, \$26	Williams
<u>Nyssa Undercrossing Section - Old Oregon Trail Highway</u>				
8179-Lackey, Alford McNee, Ernest and Whalen	R/W	2727 sq.ft.	\$25 Lump Sum	Parker
7394-Reece, John F. Estate	Gravel Pit	1.36	\$100 per a.	"
<u>Crabtree-Scio Section - Albany-Lyons Highway</u>				
8187-Burge, Marion F. and Union Central Life In- surance Company	R/W and Stock Pile	2.81	\$100 per a., + \$260.50, + moving & rebuilding fence and moving garage (Est. \$20)	McChesney
8183-Gaines, M. C.	R/W	1.44 2.00 2.55 5.99	\$125 per a. 60 per a. 25 per a., + \$786.25	"
<u>Boyer Section - Salmon River Highway</u>				
8132-Churchill, James, Estate Park		37.1	\$5 per a.	Parker

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The Attorney requested authority to institute condemnation proceedings to acquire property needed from the estate of Gladys Schmidt, file 8106, as right of way for the improvement of the Shaniko-The Dalles-California Highway Section of the Sherman Highway, in Sherman County, and also to acquire from Benjamin Fisher, file R8155, land needed for a quarry site and a hauling road to be used in connection with the construction of the Eugene-Veneta Section of the Eugene-Mapleton Highway (Route F). The Commission approved the request and by unanimous vote adopted the following resolutions in regard thereto:

WHEREAS, the State Highway Commission is by law authorized and directed to lay out, locate, relocate, designate, construct, reconstruct, improve, and maintain a system of state highways in the State of Oregon, including both primary and secondary state highways, to acquire rights of way necessary therefor, and to declare the necessity and need for the acquisition thereof, and the advantages to be gained thereby;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the State Highway Commission does hereby find and declare that it is necessary, will be of advantage to the State of Oregon, and is needful that the State acquire for right of way purposes for use in connection with the permanent location, construction, improvement, and maintenance of the following section or sections of the state highway system of the State of Oregon, to wit:

Shaniko-The Dalles-California Highway Section of the Sherman Highway

real property owned by or in possession of the following parties and/or persons, to wit:

8106-Estate of Gladys Schmidt

and this Commission does hereby declare further that the said property or properties are necessary, are needful, and the acquisition thereof will be of advantage to the State of Oregon for right of way purposes in order to make it possible for the State Highway Commission to properly locate, relocate, construct, reconstruct, and maintain said portion or portions of the said state highway system in accordance with standards adopted by this Commission relative to curvature, grades, alignment, drainage, and factors of safety.

2. That the State Highway Engineer be and he hereby is instructed and directed to properly survey the parcel or parcels of land required for such right of way purposes and prepare proper and adequate descriptions thereof, which descriptions shall be employed in the preparation of a deed or deeds or other instrument or instruments necessary to complete the acquisition of the said property or

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properties or which descriptions may be used in the preparation of a complaint in the event that condemnation proceedings are necessary.

3. That the boundaries of the said parcel or parcels of land, as defined and determined by the said survey made by the said Highway Engineer, along the route or location adopted by the Highway Commission, shall be and the same hereby are adopted and the lands defined therein are hereby declared to be and the same are included within the rights of way of the said portion or portions of the said state highway system and hereby are declared to be necessary for the proper location, improvement, construction, and maintenance of the said portion or portions of the state highway system.

4. That I. H. Van Winkle, Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they are hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby further resolved that the Attorney General of the State of Oregon and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they hereby are requested to commence and prosecute to a final determination such suit or action, or suits or actions, as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

WHEREAS, the State Highway Commission under the provisions of Chapter 529, Oregon Laws, 1939, is authorized to locate, relocate, construct, reconstruct, maintain, widen, straighten, and otherwise improve state highways, both primary and secondary, and said Commission is also authorized to construct shops, equipment sheds, office buildings, maintenance sites, patrolmen accommodations, and snow fences, and is authorized to acquire quarry sites, gravel pits, storage sites, stockpile sites, weighing stations, and broadcasting stations, and is further authorized to develop, construct, improve, operate, and maintain parks, parking places, auto camps, camp sites, roadside development, recreational grounds or resorts, and other places of attraction and scenic value; and

WHEREAS, said Highway Commission is authorized to acquire by purchase, agreement, donation, or by the power of eminent domain real property deemed by the Highway Commission necessary for the accomplishment of any or all of the foregoing things; and

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WHEREAS, in the judgment of the Highway Commission the real property hereinafter described is necessary for quarry site and hauling road purposes in connection with the construction of its Eugene-Veneta Section of the Eugene-Mapleton Highway;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the Commission does hereby find and declare that the real property hereinafter described is necessary for the accomplishment of the purposes hereinafter declared, which said real property is described as follows, to wit: real property owned by Benjamin Fisher and located in Section 26, Township 17 South, Range 5 West, W. M., Lane County, Oregon, more particularly described on the attached sheet. (See Real Property Condemnation File No. 1 for description as approved by State Highway Commission.)

2. That the purpose for which the above described real property is being acquired is for a quarry site and hauling road to be used in connection with the construction of the Eugene-Veneta Section of the Eugene-Mapleton Highway.

3. That the State Highway Engineer be and he hereby is instructed and directed to make or cause to be made all surveys necessary in connection with the determination, description, and acquisition of said real property, and said Engineer is further instructed to prepare and submit to the Legal Department necessary and adequate descriptions of the said real property, which said descriptions shall be available for the preparation of any deed or deeds or other instrument or instruments necessary to complete the acquisition of said property or properties, whether said property be acquired by purchase, donation, agreement, or by the exercise of the power of eminent domain.

4. That I. H. Van Winkle, Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they are hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby further resolved that the Attorney General of the State of Oregon and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they hereby are requested to commence and prosecute to a final determination such suit or action, or suits or actions, as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

The Commission confirmed the sale of 23 acres of land adjacent to the Warm Springs Highway, in Jefferson County, to Floyd Wood of Madras, for the sum of \$50.00, upon recommendation of the Engineer and the Attorney, Mr. Wood's bid being the only one received as a result of advertising the sale of this property in the Madras paper and it being considered a satisfactory bid and the land being considered of no value for state highway purposes.

The Engineer reported the results of a pedestrian traffic count taken on the Rogue River Bridge at Gold Hill to ascertain the justification for sidewalk construction on this bridge, as has been requested by the citizens of this town. He advised that the count taken during a 12-hour period, on Thursday, June 27, 1940, reveals a pedestrian count of 126, and 13 bicycle riders, the movements being about equally divided between north and south traffic. He estimated that it would cost about \$9,000.00 to construct permanent concrete sidewalks on both sides of the bridge and that it would cost about \$3,500.00 to construct these sidewalks of timber. He suggested approval of the permanent concrete sidewalks in the event the Commission decides to proceed with the improvement, because the bridge is in the town and will always be used, notwithstanding that the highway may be rerouted at some time in the future. The Commission deferred a decision in the matter.

Reconsideration was given by the Commission to the matter of constructing the Brookings project on the Oregon Coast Highway, in Curry County. The Engineer recommended that this project be advertised for bids to be taken at the August meeting of the Commission, if the right of way can be cleared at that time, and that the specifications be written so as to preclude the contractor from doing anything in connection with this job during the winter months that will interfere with or discommode businessmen. The Attorney advised that options for the right of way have been acquired for the entire project with the exception of two or three parcels that will have to be condemned. After discussion the Commission instructed the Attorney to proceed with condemnation of these parcels, as heretofore authorized, and authorized the Engineer to advertise this project in accordance with his recommendation.

The Commission had under discussion the setting of dates for its trip down the Oregon Coast Highway for inspection of state parks and county roads in Curry County, and decided tentatively to make this trip during the week commencing Friday, August 16. The Commission also tentatively set the week commencing September 1, 1940, as the time for its inspection of highways in Eastern Oregon. The Engineer was instructed to prepare an itinerary for both trips.

The Commission also discussed matters pertaining to the Annual Meeting of the American Association of State Highway Officials, which is to be held in Seattle, Washington, on September 16, 17, 18, and 19, 1940. It was decided that all three members of the Commission should attend this meeting and that the Highway Department should be represented by certain employees to

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be designated later. It was left with Chairman Cabell to discuss this matter with Governor Charles A. Sprague whose opinion is desired relative to the furnishing of state cars for transporting other employees who may wish to attend this meeting at their own personal expense.

Consideration was given by the Commission to the matter of attending the dedication of the Willamette Highway, which is to be conducted at Salt Creek Tunnel at the summit of the Cascade Mountains under the sponsorship of the Eugene and Klamath Falls Chambers of Commerce on Tuesday, July 30, 1940. The Commission decided to attend this function if possible.

The Attorney reported refusal on the part of the City of Roseburg to pay the cost of operating a traffic light at the crossing of the Pacific Highway with the Southern Pacific Railroad in Roseburg. He said that up to the present time the State Highway Department has paid bills amounting to \$281.77 for electrical service and that, according to the orders of the Public Utilities Commissioner, who conducted a hearing on this crossing, this expense is to be paid by the city; further, that the city agreed at the hearing to pay this expense. He requested instructions. In the discussion of this matter the question arose whether or not the state should assume expense of this kind as a matter of state-wide policy, which would require modification of the present policy with respect thereto. A decision in the matter was deferred by the Commission pending a report from the Engineer as to how many lights in this classification are now being maintained, and the amounts that are being expended by the state in the various municipalities annually for the electrical energy required to operate them.

The Commission adjourned at 12:00 noon and reconvened at 1:30 p.m. in the same room with all Commissioners present and participating. Also present were the State Highway Engineer, the Attorney and the Secretary.

Mr. William P. Ellis, attorney, Salem, came before the Commission relative to the application of the Consolidated Freightways, Inc., before the Interstate Commerce Commission, for a "certificate of public convenience and necessity" to extend its operations between San Francisco and Oregon points. He said that the Consolidated Freightways, Inc., is endeavoring to secure authority for the establishment of a high-speed freight service along the Oregon Coast Highway between Marshfield and California points and that a hearing on the subject is to be held in Portland on the following Monday, July 22. It was his thought that the Highway Commission is particularly interested in the matter because, in his estimation, the establishment of high-speed freight service on this highway would introduce considerable hazard to other traffic, in view of the fact that this section of highway contains so many sharp curves. He suggested that the Commission have someone present at the hearing who is able to testify as to the physical characteristics of this highway within Oregon, which would help the Interstate Commerce Commission in making its decision and would possibly effect an adverse decision in the case and prevent the unnecessary misuse of this highway, which is one of Oregon's most scenic routes. He further stated that his interest in the proceeding is partly in the interest of certain local truck lines whose business would be adversely affected should the application be granted. However, he is also concerned as a citizen

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who believes in the retention of scenic highways for the purposes for which they were intended. He was informed by Chairman Cabell that the Commission would be pleased to give the matter consideration but is not prepared to make a definite statement at the present time.

Following Mr. Ellis's departure the matter was reconsidered, when the Commission decided that the time is too short to prepare a statement to the Interstate Commerce Commission. Furthermore, the Commission is reluctant to enter into a controversial matter of this kind. The Commission considered it best to discuss the matter with the Public Utilities Commissioner of Oregon, Mr. Ormond R. Bean, who has jurisdiction in so far as it pertains to the highways within the State of Oregon, it being the thought of the Commission that it could forestall the granting of the permit to the Consolidated Freightways, Inc., if that is considered advisable after further study.

The Attorney brought up for discussion matters pertaining to the right of way needed for the proposed Front Avenue project in Portland. He said that options have been secured from nearly all of the owners where big transactions are involved and that he is now prepared to proceed with the securing of options for the balance of the property and to close the options already secured if the Commission so instructs him. Chairman Cabell gave as his thought that the Commission should not be bound to take up these options until all other matters pertaining to this matter have been clarified and disposed of, particularly the securing of the right of way from the railroad companies, the ascertaining of the right of the public to the use of the upper deck of the Steel Bridge over which it is proposed to route traffic, and the securing of the railroad company's approval for the use of this bridge. Commissioners Clough and Oliver concurred. As a matter for the record, the Commission instructed the Attorney to continue the taking of options for right of way as is needed for this project. Chairman Cabell was authorized by the Commission to arrange a conference with the city officials of the City of Portland relative to the closing of the options when he is satisfied as to the proper disposition of other major matters pertaining to this undertaking, it being understood that he would report the results of this conference to the other Commissioners for ratification.

The Attorney submitted for the approval of the Commission tentative drafts of several bills involving state highway legislation that the Commission is sponsoring and proposes to submit to the 1941 Legislature, particularly the following:

1. Revision of House Bill No. 28 which was rejected by the 1939 Legislature and pertains to log hauling, granting of continuous permits, and increasing the overall length and overall height of vehicles that may be transported over state highways.
2. Bill covering the removal of "danger trees" from private property adjacent to state highways and the payment of the cost of removing such trees.
3. Bill providing for the elimination of billboards and

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advertising signs from private property adjacent to highways, which bill is being sponsored by the Oregon Roadside Council.

4. Proposed amendments to the present law pertaining to the maintenance of advertising signs on state highways within municipalities.

5. Bill for the establishment of freeways.

6. Bill providing for a division of traffic within cities and towns by the construction of curbs and parting strips.

7. Legislation to effect the proper submission by Justices of the Peace of sums collected as fines for traffic violations.

The Attorney read aloud the provisions of each bill and after some discussion the Commission approved all of them in principle, with certain revisions.

The Attorney also suggested that it might be advisable to introduce a bill prohibiting stock from running at large on primary and secondary state highways, and a bill with reference to payment to incorporated cities and towns of a certain amount of the state highway revenue, as has been proposed by the League of Oregon Cities. The Commission decided not to sponsor a bill relating to stock running at large on state highways and to give the other matter serious consideration before making its decision.

Messrs. Homer Johnson and J. C. Compton, contractors, came before the Commission in regard to Mr. Johnson's bid submitted on June 13, 1940, for the Germantown Road-Barnes Road Section of Skyline Boulevard, in Multnomah County, in which bid Mr. Johnson alleges an improper entry was made by a clerk in his office who inadvertently inserted a unit bid price for asphalt, whereas it was his intention to bid on the tar alternate, which makes a difference of \$1,500.00 in the total amount of the bid. He said that this was an honest mistake and he asked the Commission to change the bid accordingly. Otherwise, he stated, he did not want the job. Mr. Compton confirmed Mr. Johnson's statements, as prospective subcontractor on the oiling work, and advised that the price quotation that he gave to Mr. Johnson was on the tar alternate and that he had no intention of submitting a quotation for asphalt.

After considerable discussion the Commission voted unanimously not to make any change in the bid submitted by Mr. Johnson for this work, inasmuch as it involves the modification of a long-standing policy of the Commission and would establish an undesirable precedent. The Engineer suggested that if Mr. Johnson will not sign the contract forms and furnish the required bond within a reasonable length of time, the Commission declare him in default and collect on the bid bond; also, that the project be readvertised for bids to be received at a future meeting of the Commission. He pointed out, however, that there is some question whether or not Multnomah County still desires the construction of this project, which is on a county road and is to be financed with federal secondary highway funds. The Commission tentatively approved

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the Engineer's suggestion but deferred final action pending consultation with the Board of County Commissioners of Multnomah County. The Engineer was instructed to discuss the matter with County Roadmaster George Buck and report back to the Commission.

Mr. Johnson attributed the mistake made by his office force to the rush incident to the preparation of the bid and the filing of same with the Commission before 9:00 o'clock a. m. on the day the bids were opened. He alleged that the opening of the bids at 9:00 a. m. does not give the contractors sufficient time to prepare their bids and secure bid bonds before the time of the opening, the result being a last-minute rush, which is conducive to the making of mistakes. He suggested that the Commission change the time of the bid opening to 10:00 or 11:00 a. m. The Commission agreed to consider the matter and referred it to the Engineer for recommendation.

A letter was presented from the Marshfield Chamber of Commerce requesting improvement of the road through Golden and Silver Falls State Park, Coos County. The Engineer advised that the road through the park is not on the state highway system, although it connects with the Coos River Secondary Highway. He gave as his thought that the time is not propitious to officially extend the secondary highway and recommended that the request be denied, particularly in view of the fact that the improvement is being requested for the benefit of log haulers and because investigation reveals that it is possible for the logging operators to build their own road entirely outside the park area, which would serve their purpose perhaps better than the road through the park. The State Parks Superintendent, who was present, concurred in the Engineer's statements and advised that, in his estimation, the present roadway through the park is not in the proper location and that it would be a waste of funds to improve the same. The Commission thereupon denied the request.

The Engineer requested authority to install a new type of traffic signal on the Salem-Dallas Highway at its intersection with Edgewater Street in the town of West Salem. He advised that this is a very busy intersection and that accidents frequently occur there, notwithstanding that a standard-type flashing beacon is now being maintained at this point. He gave as his thought that it would be a good place to try out the new type of signal, which consists of a flashing red light which changes to green upon the approach of traffic at a certain designated speed. He estimated the cost of the new type signal at \$1,500.00 and recommended approval of the installation as an experiment. The Commission approved the recommendation unanimously.

The Engineer also reported the results of investigation by Traffic Engineer John Beakey of the traffic signals which the city of Burns has erected at certain locations on state highways in that town without the Commission's approval. He said that the Traffic Engineer now recommends approval of the flashing beacon installed at the intersection of Broadway N. and D Streets which is at the top of a vertical curve where sight distance is short, and disapproval of the signal installed at the intersection of W. Monroe Street with Egan Street, as there is no apparent need for the same. A similar investigation was made, he said, of the request of the city of Vale for approval of

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a flashing beacon which the city proposes to install at the intersection of A and Main Streets in Vale and it is his recommendation that this request be denied as there is no evidence that the signal is needed. He advised that he concurs in the Traffic Engineer's recommendations. The Commission approved the recommendation unanimously.

The Assistant Attorney reported the results of discussions with house-moving contractors relative to collusion in the submission of bids for the removal of houses from state highway rights of way. He said that it is not possible to state definitely that there was collusion in the submission of bids for the removal of houses from the right of way in Bandon but he is convinced in his own mind that such was the case. He suggested as a remedy that the Commission require each house-moving contractor hereafter to submit to the Commission along with his bid for house-moving an affidavit to the effect that he has not entered into collusion with anyone with respect to his bid. The Commission approved the suggestion and so ordered.

The Assistant Attorney also reported that the State Board of Control has agreed to assume the insurance risk on all buildings owned by the State Highway Department so that it is no longer necessary to purchase private insurance covering buildings acquired by the Commission in connection with right of way negotiations unless the Commission so desires. He referred particularly to the building acquired from a Mr. Gibson in Salem and to the one purchased from a Mr. L. E. Dayton in Grants Pass. In view of the Attorney's report the Commission decided as its general policy to be followed hereafter not to insure such buildings in private companies. The Attorney was instructed to make the necessary arrangement with the State Board of Control for state insurance coverage under the provisions of the Restoration Act.

The following matters were reported by the State Parks Superintendent in person:

Request of Lake County Post No. 53, American Legion, for a reservation of a strip of land along the Quartz Mountain Section of the Klamath Falls-Lakeview Highway, in Lake County, as a memorial to be named "Lake County World War Veterans' Memorial":— The Parks Superintendent recommended that the request be denied because it would establish a very undesirable precedent and would encourage the reservation of similar areas in other parts of the state for like purposes, which would eventually react adversely to the best interests of the highways. The Commission approved the recommendation and instructed the Secretary to inform the Honorable Julius Cohn, Municipal Judge of Portland, who presented this request to the Commission on behalf of the Lake County Legionnaires, that, while the Commission is sympathetic with the idea of this reservation, it cannot approve the same as a matter of policy, which policy limits the bestowing of honors to donors of property or to persons who have done something important for the state from the state highway standpoint.

Establishment of C.C.C. Camps:— The Parks Superintendent advised that he frequently receives from the federal authorities telegrams offering to establish additional C.C.C. camps in Oregon and requesting immediate answer

by wire relative thereto, said camps having to do with the development and improvement of state parks. He pointed out that he does not really have authority to make a final decision in such matters and requested instructions from the Commission with respect thereto so as to avoid embarrassing situations that might arise. In this connection he advised that request has already been made for the renewal of C.C.C. camps at the following state parks for the 16th period: Silver Creek Falls, Jessie M. Honeyman, Saddle Mountain, and Short Sand Beach; also, that applications have been filed for new C.C.C. camps in the following state parks: Cape Lookout and Cape Mears, as a joint camp; Crooked River; Unpqua Lighthouse; Salmon River; and Silver Creek Falls. The Commission approved such applications by unanimous vote; however, ordered that hereafter, when matters requiring immediate decisions arise, the State Parks Superintendent shall bring them to the attention of Chairman Cabell by telephone or otherwise for instructions, and thereafter to the attention of the Commission at its next meeting. Action on matters that do not require immediate decisions shall be deferred until the next meeting of the Commission. The Attorney was instructed to prepare an appropriate form of resolution covering the matter.

Charge for the use of bathhouse at Cleawox Lake in Jessie M. Honeyman State Park:- The Parks Superintendent advised that the bathhouse will be open for general public use on the following Sunday, and gave as his thought that a charge should be made for use of the facilities. He suggested that adults should be required to pay 10 cents each and that children up to 15 years of age should be charged 5 cents. The Commission approved the suggestion.

Purchase of additional wayside strips along the Salmon River Cutoff between Highway Engineer's Stations 227+00 and 380+50:- The Parks Superintendent reported that the Miami Corporation, which owns this land, has offered to sell it to the state at the rate of \$10.00 per acre, provided the company is given the privilege of cutting all matured timber standing thereon and to maintain roadways across the property. The Commission deferred a decision in this matter pending further negotiations with the corporation by the Parks Superintendent in an endeavor to secure a reduction in the purchase price.

The Engineer reported the need to place a limit on the overall height of vehicles that are permitted to pass under the Southern Pacific Railroad tracks on First Street in Albany, the present route of the Pacific Highway East. He advised that the clearance between the pavement and the railroad girders which support the railroad tracks is only 10 feet 8 inches and that several times recently trucks loaded with logs passing under this structure have struck the girders and there is a possibility of serious damage being done unless remedial measures are taken. It was his thought that the limiting of the overall height of vehicles passing under this structure to 10 feet would take care of the situation satisfactorily and recommended that the Commission make an order to that effect. The Commission approved the recommendation and thereupon, by unanimous vote, adopted the following resolution with regard thereto:

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WHEREAS, that certain highway known as the Pacific Highway East is a state highway, the route of which passes through the corporate limits of the City of Albany; and

WHEREAS, the State Highway Commission has heretofore selected and designated First Street in said city as one of the streets over which to route said highway; and

WHEREAS, said street is crossed by the Southern Pacific railroad and traffic using the street at the point of intersection of railroad and highway passes beneath the tracks of the railroad through a viaduct or undercrossing; and

WHEREAS, the vertical clearance in said undercrossing does not exceed ten feet eight inches and many trucks using said highway route have a height of eleven feet and over; and

WHEREAS, it is the judgment of the Highway Commission that for the safety of the general public using said highway and for the protection of the railroad crossing said street trucks passing through said viaduct should be limited to a maximum height of ten feet.

THEREFORE, BE IT AND IT HEREBY IS RESOLVED AND ORDERED by the Commission:

1. That no truck having a maximum height either unladen or with load of over ten feet shall be permitted to pass through the viaduct beneath the tracks of the Southern Pacific Railroad Company where said tracks cross over First Street in the City of Albany.

2. That the State Highway Engineer be and he hereby is directed and instructed to prepare and place at each entranceway to said viaduct an appropriate notice, sign or warning advising truck operators that the clearance beneath said viaduct is impaired and that no truck having a height in excess of ten feet is permitted to pass through said viaduct.

3. That this resolution shall be entered in the minutes and records of the Highway Commission and a certified copy thereof delivered to the County Court of Linn County and a duly certified copy thereof delivered to the municipal authorities of the City of Albany, and a like copy to the officials of the Southern Pacific Company.

The Engineer also recommended the adoption of a similar resolution limiting to 10 feet the overall height of loads passing under the Oregon Trunk railroad tracks on the Central Oregon Highway in Bend, where the vertical clearance between the highway pavement and the railroad structure is only

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10 feet 4 inches. The Commission approved the recommendation and thereupon adopted the following resolution in regard thereto by unanimous vote:

WHEREAS, that certain highway known as the Central Oregon Highway is a state highway, the route of which passes through the corporate city limits of the City of Bend; and

WHEREAS, the State Highway Commission has heretofore selected and designated Greenwood Avenue in said City as one of the streets over which to route said highway; and

WHEREAS, said street is crossed by the Oregon Trunk railroad and traffic using said street at the point of intersection of said railroad and highway passes beneath the tracks of the railroad through a viaduct or undercrossing; and

WHEREAS, the vertical clearance in said undercrossing does not exceed ten feet four inches, and many trucks using said highway route have a height of eleven feet and over; and

WHEREAS, it is the judgment of the Highway Commission that for the safety of the general public using the said highway and for the protection of the railroad which crosses said street trucks passing through said viaduct should be limited to a maximum height of ten feet.

THEREFORE, BE IT AND IT HEREBY IS RESOLVED AND ORDERED by the Commission:

1. That no truck having a maximum height either unladen or with load of over ten feet shall be permitted to pass through the viaduct beneath the tracks of the Oregon Trunk Railroad Company where said tracks cross over Greenwood Avenue in the City of Bend.

2. That the State Highway Engineer be and he hereby is directed and instructed to prepare and place at each entranceway to said viaduct an appropriate notice, sign or warning advising truck operators that the clearance beneath said viaduct is impaired and that no truck having a height in excess of ten feet is permitted to pass through said viaduct.

3. That this resolution shall be entered in the minutes and records of the Highway Commission and a certified copy thereof delivered to the County Court of Deschutes County and a duly certified copy thereof delivered to the municipal authorities of the City of Bend, and a like copy to the officials of the Oregon Trunk Railroad Company.

The Secretary presented a letter from Hood River County Court requesting permission to do certain construction work on the right of way of

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the Columbia River Highway at a point about $1\frac{1}{2}$ miles west of the town of Hood River in connection with the construction of a new county road approach to this highway. It was explained that the county proposes to do this work as a county W.P.A. project but cannot secure approval of the same by the W.P.A. officials until authority to do the work on the state highway has been obtained from the State Highway Commission, in writing. The Engineer recommended approval of the request. The Commission approved the recommendation and instructed the Secretary to send an appropriate letter to the County Court.

The Commission also had under discussion a letter from the City of Hood River requesting permission to do certain construction work on 9th Street, route of the Hood River Secondary Highway, in Hood River, between Eugene Street and Oak Street, consisting of the replacement of old curbs and gutters with new facilities of like nature. It was explained that the city proposes to do this work as a W.P.A. project and that approval by the W.P.A. is contingent upon the city securing from the State Highway Commission authority to work on the state highway. The Engineer recommended that the request be granted. The Commission approved the recommendation and instructed the Secretary to send an appropriate letter to the City Council.

Consideration was given by the Commission to the designation of the Warm Springs Secondary Highway as a federal aid highway. After considerable discussion the Commission decided to recommend such designation to the federal authorities in order to secure the benefits of federal aid funds which are needed in order to expedite the construction of this road to proper standards. The Commission also decided to change the classification of this road from a state secondary highway to a state primary highway. The following resolution with respect thereto was adopted by the Commission by unanimous vote:

WHEREAS, that certain highway known and designated as the Warm Springs Highway, which extends from a junction with the Wapinitia Highway near Bear Springs, thence in a southeasterly direction to a connection with The Dalles-California Highway near Madras, has heretofore been designated as a secondary highway and is therefore now a part of the secondary highway system; and

WHEREAS, it is the judgment and opinion of the Highway Commission that said highway is of sufficient public importance and carries a sufficient volume of traffic to warrant its designation as a primary state highway.

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the Commission, all members being present and voting affirmatively, as follows:

1. That the highway extending from a junction with the Wapinitia Highway near Bear Springs, thence in a southeasterly direction to a connection with The Dalles-California Highway near Madras, be and the same hereby is adopted as a primary state highway, and hereby is declared to be such.

2. The Engineer hereby is instructed to give proper recognition to said highway as a primary state highway in the records and reports of the Highway Commission.

3. In addition to the adoption of said highway as a primary state highway it hereby, subject to approval by the Public Roads Administration, is ordered that said highway shall be, and the same hereby is declared to be, a Federal Aid Highway, and therefore a part of the Federal Aid Highway System.

4. Upon approval by the Public Roads Administration the Engineer is instructed to give appropriate recognition in the records and reports of the Highway Commission to said highway as a Federal Aid Highway.

5. That this resolution be entered in the minutes and records of the Highway Commission and a duly certified copy thereof delivered to the County Court of Wasco County, a certified copy to the County Court of Jefferson County, and a certified copy to the Public Roads Administration.

The Commission discussed a request from several farmers residing along the Middle Fork of the John Day River, in Grant County, for permission to purchase rock from the state's contractor in this vicinity, Mr. F. R. Hewett, who is producing maintenance materials for the Nye Junction-Long Creek Section of the Pendleton-John Day Highway. The Engineer advised that these farmers need about 1000 cubic yards of crushed rock for use on a semi-public road so as to give them access to the Pendleton-John Day Highway; also, that, in his estimation, the furnishing of this rock to the farmers will not interfere with Mr. Hewett's contract with the state. He recommended approval of the request. The Commission approved the recommendation unanimously.

The Secretary presented a resolution from the Hood River County Court requesting the designation as a state secondary highway of the county road which extends westerly from the Mount Hood Highway a distance of about one mile to the town of Odell. The Commission approved the request, it being in conformance with previous understanding with the County Court. The following resolution in regard thereto was adopted by the Commission by unanimous vote:

WHEREAS, under the provisions of Chapter 248, Laws of 1931; Chapter 196, Laws of 1935; and Chapter 529, Laws of 1939; the State Highway Commission, by mutual agreement with the respective county courts of the several counties of the state, is authorized and empowered to select, locate, and designate a system of secondary state highways, which highways shall be selected from the market roads or other county roads, or available locations or routes of the several counties; and

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WHEREAS, the State Highway Commission, by mutual agreement with the Hood River County Court of the State of Oregon, has selected the road or highway hereinafter named, and it is the purpose of the Commission to officially and regularly designate and adopt said highway as a highway to constitute, together with other highways heretofore adopted and/or which may hereafter from time to time be added, the system of secondary state highways under the provisions of said acts;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission, all members being present and affirmatively voting and participating, as follows:

1. That the following described market road, county road, highway, route, or location of a highway in Hood River County be and the said market road, county road, highway, location, or route, hereby is selected, designated, established, adopted and approved as a secondary state highway and shall be and hereby is designated as a part of the secondary state highway system, to wit:

Odell Secondary Highway No. 282:

Beginning at a point on the Mt. Hood Highway at the junction of the Mt. Hood Highway with County Market Road No. 1; thence west to a point approximately one-quarter mile east of Odell, a distance of approximately 0.90 mile.

2. That the said highway shall be and hereby is qualified for improvement under the provisions of said Chapter 248, Oregon Laws 1931; Chapter 196, Oregon Laws of 1935; and Chapter 529, Oregon Laws of 1939; and amendments thereof.

The Commission also considered a resolution from the County Court of Lane County requesting the designation, as a state secondary highway, of a connection between the Pacific Highway at 6th Street, in Eugene, and the so-called Route F Highway at 11th Street. Due to the lateness of the hour and the necessity to give this matter very careful consideration the Commission decided to defer action on the resolution until the next meeting.

The Engineer brought up for discussion the matter of designating the Hood River Secondary State Highway as a through highway. He said that this highway carries a large volume of traffic and, in his estimation, traffic from side roads should be required to stop before entering the same. He recommended appropriate action by the Commission to that end. The following resolution with regard thereto was adopted by the Commission by unanimous vote:

WHEREAS, the Hood River Highway extending from its junction with the Columbia River Highway at or near Hood River thence in a southwesterly and southeasterly direction to a junction with the Mt. Hood Highway at or near Parkdale is a secondary highway and therefore a part of the state system of secondary highways; and

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WHEREAS, said highway carries a large volume of traffic, and between its termini is intersected by several local roads serving the various communities through which said secondary highway passes; and

WHEREAS, in the judgment of the Commission said Hood River Highway should be designated as a main-travelled or through highway.

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the Commission, all members being present and voting affirmatively, as follows:

1. That the Hood River Secondary Highway from its junction with the Columbia River Highway at or near Hood River throughout its entire distance to its junction with the Mt. Hood Highway at or near Parkdale be and the same hereby is designated as and declared to be a main-traveled or through highway.

2. That the Highway Engineer be and he hereby is instructed to place or cause to be placed along said highway at all points where roads intersect or enter the said Hood River Secondary Highway signs or markers notifying drivers of vehicles to stop before entering or crossing said highway.

3. The Engineer is further instructed to place such signs or markers as nearly as practicable at the place where said cross or intersecting roads meet a prolongation of the nearest property line of such through highway, and the place where such signs are installed shall designate to the drivers of motor vehicles entering said through highway from any of said cross or intersecting roads the place where the stop shall be made.

4. This resolution shall be entered in the minutes and records of the Commission as of the nineteenth day of July, 1940, and a duly certified copy thereof delivered to the Public Roads Administration and a copy to the County Court of Hood River County, Oregon.

The Engineer reported the award of the following contracts since the last meeting, authority previously having been granted him by the Commission to make such awards when certain conditions had been satisfied:

Construction of maintenance patrol station at Blue Mountain on the I.O.N. Highway, in Malheur County. Bids taken June 14, contract awarded July 1, 1940, to Fife & Company, the low bidders.

Grading and paving of the Warrenton Section (Massachusetts Avenue-Market Street) of Fort Stevens County Road, in Clatsop County. Bids taken June 13, contract awarded July 12, 1940, to Jacobsen-Jensen Company, the low bidders.

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Grading and surfacing of the Bandon Section of the Oregon Coast Highway, in Coos County. Bids taken June 14, contract awarded July 12, 1940, to Coos Bay Dredging Company, the low bidders.

The Commission confirmed these awards as reported.

The Engineer requested authority to purchase the following equipment:

- 20 four-wheel-drive trucks of the Marmon-Harrington type,
20 old trucks to be traded in on purchase price. Estimated cash outlay \$64,000.
- 1 Snogo for use on the Willamette Highway, estimated cost \$16,000.
- 30 modern push-type snow plows for installation on Ford trucks, estimated total cost \$10,500.
- 1 set Lowell steel socket bridge wrenches for use of bridge crew, estimated cost \$200.

The Commission approved the request by unanimous vote:

The Engineer requested authority to advertise for sale certain obsolete, worn-out equipment and an accumulation of junk, such as old tires, scrap iron, and other materials, stored at the several highway shops. The Commission approved the request.

The Engineer brought up for discussion the matter of allowing a 10 per cent weight tolerance for loads transported over state highways. He said that frequently applications are filed for movements that weigh in excess of the statutory weight limits and it was his thought, in view of the fact that the 1939 Legislature allowed log haulers a 10 per cent weight tolerance in the transportation of logs, that it would be no more than fair that haulers of other commodities should be given similar consideration. He recommended a weight tolerance of 10 per cent for the movement of such commodities in special instances only, but not as a general rule. The Commission approved the recommendation.

The Secretary pointed out a peculiarity in the law with respect to the length of loads that may be transported over the public roads in Oregon, particularly the law which authorizes movements up to 50 feet overall in length where the hauling equipment consists of truck and full trailer, but limits the overall length to 35 feet where the hauling equipment consists of a truck and semi-trailer. He pointed out that, according to this law, a load of lumber involving an overall length of 50 feet may be transported without special permit from the Commission, but if small articles such as shingles, cement, hay or similar commodities, are made a part of the load, then the classification immediately changes and the 35-foot overall length obtains. He inquired whether or not the Commission desires to make any special concession in cases of this kind. It was the Commission's decision that the law, "as written, must govern and that requests for special permits in cases of this kind should be denied.

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The matter of increasing the salary of the Radio Technician, Wm. R. Patton, and two of his assistants, Harold C. Anderson and Wm. Grenfell, had the attention of the Commission. The Engineer advised that these employees have passed the federal civil service examination for Radio Inspector, which commands a salary of \$2,600.00 per year, and are open for appointment in the federal service at any time. He pointed out that Mr. Patton's present salary is \$2,220.00 per year and that of each of his assistants is \$1,800.00 per year. He recommended an increase for Mr. Patton and Mr. Grenfell because they are particularly well trained for the work that they are doing, hold first class radio operators' licenses, and would be hard to replace. It would be possible, he added, to replace Mr. Anderson with an officeman who is not highly specialized in radio work, so he is not recommending an increase for him. The Commission by unanimous vote approved increases for Messrs. Patton and Grenfell but left it with the Engineer to fix the amounts thereof.

The Engineer read aloud a letter directed to Mr. A. G. Teepe, Portland, replying to his inquiry of June 25, 1940, whether or not the operation of heavy logging trucks on the Oregon Coast Highway comes within the scope of the state law and whether or not the State Highway Commission has authority and power to regulate the weight of such equipment so as to provide for safety on the highway and against impairment of the roads. The Commission approved the Engineer's reply.

The Engineer reported that the management of Linfield College, McMinnville, in order to bring attention to Linfield campus, has installed concrete letters on the cut slope of the Pacific Highway West in front of Linfield College without having first obtained permission from the State Highway Commission so to do. He pointed out that the letters that were installed are purely of an advertising nature and are therefore illegal. He requested instructions as to how to handle the matter. He was instructed by the Commission to bring to the attention of the college authorities the law pertaining to the erection and maintenance of advertising signs on state highway rights of way and to inform such authorities that the Commission does not have the legal right to grant a permit for the maintenance of a sign or emblem of this character upon the highway right of way and in view thereof the occupancy of the highway by the sign referred to is by sufferance only and entirely at the risk of the college and that the Highway Commission does not approve the same, and will appreciate opportunity to discuss any matters of similar nature that may arise in the future before any work on the state's property is commenced.

The Commission considered and approved the request of Wheeler County Court that the Highway Commission take bids at its next meeting on behalf of the county for the reconstruction of a county road bridge at Spray.

The Secretary presented a letter from Mr. John Helfrich, Brothers, Oregon, stating that the Directors of the School District at that place contemplate presenting to the Highway Commission an offer to purchase a sufficient area of ground in the Oasis State Park at Brothers on which to maintain a school building. Mr. Helfrich protested the use of the state's property for such purpose and urged the Commission to deny the request when received. The Commission concurred in his viewpoint of the matter and

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expressed its intention to refuse the School Board's offer, which refusal is in line with the Commission's established policy with respect to such matters.

The Commission had under discussion a request from Mr. Arthur L. Churchill, Portland, for permission to use the ocean beach at Manzanita as a landing place for an airplane on Saturday and Sunday, July 20 and 21, as may necessary during the search for the body of his son who was recently drowned in the surf at this beach. The Commission approved the request unanimously, subject to the condition that an officer from the State Police Department be present during the time that the beach is used for this purpose.

The Engineer brought up for discussion the matter of granting the Northwest Development Company of Baker, Oregon, permission to do certain excavation work on the right of way of the Sumpter Valley Secondary State Highway in the vicinity of the town of Sumpter so as to permit the movement of its gold dredge from one side of the highway to the other. The Engineer recalled that this matter was discussed at a previous meeting and it was understood at that time that the company wanted to conduct dredging operations generally on this highway. However, further investigation reveals that that is not the case and that it simply wants to move the dredge from one side of the highway to the other, which necessitates the digging of a trench large enough to float the dredge. He questioned very much that the company would want to dredge the entire highway after considering that it would cost about \$5,000.00 to construct a suitable detour road for traffic. However, he recommended that the company be permitted to dredge the entire highway if it so desires and will pay the entire cost of constructing the detour road and the cost to maintain the same during the time that it is in use. The Commission approved the recommendation and ordered that the matter be covered by appropriate agreement between the Commission and the Northwest Development Company.

The Commission considered the application of A. E. Stebinger, representing Stebco, Inc., Vancouver, Washington, for permission to transport logs over the Columbia River Highway within the city limits of the town of Mosier, particularly from a point near the east city limits of Mosier to a point about 500 feet west of the city limits of Mosier. The matter was referred to the Engineer for investigation and report as to whether or not such operations would create an undue hazard to the general traveling public.

A letter was presented from Lake County Chamber of Commerce inviting the State Highway Commission and its staff to be the guests of the Chamber at the annual meeting of the Order of the Antelope on Hart Mountain on July 20 and 21, and suggesting that the Commission make its inspection of the Warner Valley Secondary Highway at the same time. The Commission expressed regrets that it could not accept this invitation.

The Engineer brought up for discussion the request from the American Youth Hostels Association for the erection of markers along state highways indicating routes to be used by the members of this organization. He gave as his understanding that certain loop trips are designated for the various groups and that hostels are established at approximately 15-mile intervals thereon, such hostels being private residences in most instances. In any

event they are privately owned. He further advised that, according to his understanding, the members travel either on foot or on bicycles and that the routes are laid out, in so far as possible, so as to avoid main highways, and that the people in charge are asking the Highway Department to prepare and erect signs indicating these routes, a sign to be erected at each point where there would be any possibility of the members taking the wrong road. He pointed out that it is contrary to a long-established policy of the Commission to permit signs of this kind on official highway department signposts and suggested that a more satisfactory way to handle the matter would be to use the Highway Department's main-traveled road map in conjunction with a few signs placed at strategic points, particularly at turnouts to the hostels. After considerable discussion the Commission approved the Engineer's suggestion unanimously and instructed him to convey this information to the persons in charge of the Youth Hostels movement and to inform them that the state would furnish the maps and erect signs in accordance with this decision.

The Engineer reported a request from the Honorable Earl Snell, Secretary of State, that the State Highway Commission assume the sponsorship and responsibility of securing certain factual information concerning automobile travel in this state for use by the National Association of Motor Vehicle Operators, of which association Mr. Snell is vice president. He estimated that it would cost about \$500.00 to secure the information desired by Mr. Snell and recommended denial of the request because the information will be of no particular value to the State Highway Department inasmuch as a considerable portion of the information wanted has already been secured in connection with the State-wide Planning Survey. The Commission approved the recommendation; however, instructed the Engineer to give to Mr. Snell as much information as he wants of the material already assembled.

Reconsideration was given by the Commission to the claim of Miles Homer Otis Estate which was presented to the Commission on the previous day by Mr. Lee Lewis, Corvallis, administrator of the estate. Due to the lateness of the hour the Commission was unable to give this matter proper attention and accordingly deferred a decision until the next meeting. The Secretary was instructed to so inform Mr. Lewis and to advise him that the Commission is inclined to deny the claim unless the Commission's Attorney, who was previously called away from the meeting, should make a favorable recommendation.

Consideration was given by the Commission to the following requests for extensions of time within which to complete highway construction projects:

George F. Anderson, Contract No. 2235, for the construction of a bridge over the Necanicum River at Black Bridge, on the Oregon Coast Highway, near Seaside, Clatsop County, requested an extension of time of 30 days, from July 31 to August 31, 1940, within which to complete this job. He alleged that failure to complete this job within the specified time limit was due to unusual high water in the Necanicum River during the spring months. The Engineer advised that the reason given by the contractor for failure to complete the job within the specified time limit is incorrect because the water in the Necanicum River was unusually low for that time of the year.

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However, he recommended the granting of the request subject to the condition that the contractor be charged with all of the engineering expense incurred by the state subsequent to the specified date of completion, which is July 31, 1940. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation unanimously.

F. R. Hewett, Contract No. 2222, for the furnishing of crushed rock in stock piles for the Nye Junction-Long Creek Section of the Pendleton-John Day Highway, in Grant and Umatilla Counties, requested an extension of time of 7 days, from June 30 to July 7, 1940, within which to complete this project. He attributed his failure to complete the project within the specified time limit to prolonged wet weather, which delayed the beginning of his operations until April 16. He also alleged that his work was retarded considerably by rainy weather subsequent to that time and by difficulties encountered in operating the quarry. The Engineer advised that the principal reason for the contractor's failure to complete the project within the specified time limit was the fact that the road over which it was necessary for him to transport his equipment was posted for reduced loads and even if it had been possible for him to deliver the equipment at the quarry site he could not have proceeded with the rock crushing work because the reduced load limit on the highway would have prohibited the hauling of the crushed materials to the stock piles. He further stated that the contractor lost 30 days' time due to this feature; also, that the delay has not increased the cost of the work to the state nor inconvenienced the traveling public. He recommended, in view of the circumstances, that the extension requested be granted without penalty. The Commission approved the recommendation unanimously.

The Engineer reported that Contracts Nos. 2210, 2222, 2247, 2262, 2265, and 2274, for the construction of state highway projects, have been completed according to the requirements of the contracts or modifications thereof and that said jobs are now ready for acceptance. The following resolution accepting the above projects was offered and was adopted by the unanimous vote of the Commission:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts and said jobs are now ready for acceptance:

Contract No. 2210, with Roy L. Houck, for grading the South Unit, Siskiyou-Bear Canyon Section of the Pacific Highway, in Jackson County. Completed July 7, 1940.

Contract No. 2222, with F. R. Hewett, for furnishing crushed rock in stock piles for the Nye Junction-Long Creek Section of the Pendleton-John Day Highway, in Grant and Umatilla Counties. Completed July 6, 1940.

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Contract No. 2247, with Morrison-Knudsen Company, Inc., for surfacing and oiling and also furnishing crushed gravel in stock piles on the Black Bridge-Richland Section of the Baker-Homestead Highway, in Baker County. Completed June 28, 1940.

Contract No. 2262, with J. F. Johnston, for construction of a bridge over the East Fork of the Illinois River, on the Illinois Valley County Road, in Josephine County. Completed July 11, 1940.

Contract No. 2265, with E. L. Rigdon, for grading and surfacing and oiling the Lapine-West Forest Boundary Section of the Fremont Highway, in Deschutes and Klamath Counties. Completed July 6, 1940.

Contract No. 2274, with Eugene Sand & Gravel Company, for furnishing crushed rock or gravel in stock piles on the Cushman-Swissnome Section of the Siuslaw Highway, in Lane County. Completed May 25, 1940.

THEREFORE, BE IT RESOLVED that the work covered by said state highway contracts for the construction of said state highway projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

The Commission discussed the date for its next regular meeting for the receiving of bids for highway construction projects and decided to hold such meeting on Thursday and Friday, August 22 and 23, 1940, in Portland. The Secretary was instructed to make the usual arrangements to hold this meeting in the auditorium of the Public Service Building.

The Commission considered and signed agreements, et cetera, as follows:

Agreement with Lane County covering the construction of a section of Route "F" Highway between Veneta and Eugene, across the Fern Ridge Dam site.

Agreement with Fisher Bros., contractors, disposing of their claim for extra compensation arising out of their contract for surfacing the Odell Lake-Walker Mountain Section of the Willamette Highway, in Klamath County.

Agreement with E. Powell providing for rental of an RD-8 caterpillar tractor and a 12-yard carryall for use on the John Day Section of the John Day Highway.

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Agreement with the Union Pacific Company covering the installation of automatic grade-crossing signals at Adams and Pendleton.

Agreement with Wheeler County providing for county maintenance of the Kinzua County Road from its junction with the John Day Highway to a point 3.182 miles easterly thereof, after construction of the same by the state as a federal aid secondary highway project, being Project FAS- 69-A(1).

Agreement with Lane County providing for county maintenance of the Route "F" Highway between Fisher Road and the Territorial Secondary Highway after construction of the same by the state as a federal aid secondary highway project, being Project FAS 234-D(1).

Agreement with John M. Zeller and wife disposing of issues in a controversy involving right of way for the Oregon Coast Highway in Tillamook. Right of Way File 4809.

Easement agreement with George W. Joseph, Jr., and wife, providing for the construction of a water-pipe line across the Joseph property near Talbot State Park, in Multnomah County.

Easement agreement with Evans Products Company providing for detour road over the company's property adjacent to the Oregon Coast Highway in Block 8, Railroad Addition to Marshfield. Right of Way File 8172.

Easement agreement with George Hagelstein and wife providing for a detour road across the Hagelstein property adjacent to The Dalles-California Highway in Sec. 18, T. 37 S., R. 9 E., W.M., Klamath County.

Permit authorizing Bonneville Power Administration to construct certain improvements on the Pacific Highway near Eugene in connection with substation development.

Quitclaim deed conveying unto Vera Bahrke 1,125 sq. ft. of land, being a portion of 8th Street, in Albany, which has been vacated by the city on account of highway construction. Right of Way File 5509.

Bargain and Sale Deed conveying unto Clatsop County 6.09 acres of land, being a portion of Tongue Point State Park at Astoria, which property Clatsop County proposes to convey to the Federal Government for use in connection with Tongue Point Naval Base. Right of Way File R8189.

Quitclaim deed conveying unto Floyd Wood 23.4 acres of land situate adjacent to the Warm Springs Highway in the NE $\frac{1}{4}$ of Sec. 9, T. 10 S., R. 13 E., W.M., Jefferson County. Sale price \$50.00. Right of Way File 3079.

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Quitclaim deed conveying unto Douglas County 1,842 sq.ft. of land situate in the W. $\frac{1}{2}$ of Sec. 18, T. 27 S., R. 5 W., W.M., Douglas County, near the north city limits of Roseburg. Right of Way File R8219.

"Offer to Convey Easement" whereby the Commission declares its willingness to grant to the Bonneville Power Administration authority to maintain a power pole line across certain state-owned property in Hood River County, said property being known as the Lawler property. Right of Way File R6465-A.

There being no further business to come before the Commission at this time, the meeting was adjourned at 6:00 p. m.

Henry F. Cabell
Chairman

Harold W. Cough
Commissioner

Herman O. O'Neil
Commissioner

John J. ...
State Highway Engineer

W. S. ...
Secretary

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VOLUME 25

PART II



PART 2
OF
VOLUME XXV
MINUTES OF OREGON STATE HIGHWAY COMMISSION
COVERING PERIOD
FROM
JULY 20, 1940
THROUGH
NOVEMBER 13, 1940

OREGON STATE HIGHWAY COMMISSION

Henry F. Cabell, Chairman
Huron W. Clough, Commissioner
Herman Oliver, Commissioner

R. H. Baldock, State Highway Engineer
H. B. Glaisyer, Secretary

HEADQUARTERS AND GENERAL OFFICE OF DEPARTMENT
LOCATED AT SALEM, OREGON

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9679	Aug. 16	Pacific Highway. Delegation confers relative to improvement between Roseburg and Grants Pass.
	Aug. 17	National park along Oregon coast line. Conference with representatives of National Parks Service relative to establishment of park in Curry County.
9681		Survey. Reconnaissance survey of highway through proposed national park area in Curry County authorized.
	Aug. 18	Powers Secondary Highway. Delegation confers relative to improvement.
9682	Aug. 19	Park matter. Delegation urges authorization of funds to improve small park at south city limits of Waldport.
9683	Aug. 20	Gravel on Lincoln County beaches. Delegation confers relative to removal of sand and gravel from beach. No decision.
		Traffic light. Otis. Installation at intersection of Salmon River and Oregon Coast Highways requested. Decision deferred.
		Drift logs. Prohibiting burning of logs on Lincoln County beaches requested.
		Park matter. Commission urged to purchase, as park site, land between Oregon Coast Highway and Ocean at outlet of Devils Lake.
		Netarts County Road. Tillamook County Court requests designation as state secondary highway. County to make application.
9684	Aug. 21	Klamath Falls-Alturas Road. Status of California section considered.
		Saxton, Looney & Risley. Warm Springs Agency-Vanora Section. Surety deposits check covering claim for failure to execute contract agreement and bond.
		Homer G. Johnson. Germantown Road-Barnes Road Project. Considered in default for failure to execute contract forms.
		Hood River Secondary Highway. Permanent route between Dee and Parkdale, designated as ABOD route, adopted.
9685		Bend Undercrossing. Landscaping to be done by state forces.
		Oregon Coast Highway. Ocean Lake District. Report on cost to improve Main Street Section.
		Wolf Creek Highway. Elimination of two sharp curves south of Cannon Beach Junction requested by L. H. Weathers.
9686		Survey. Location survey to determine cost to revise Wolf Creek Highway south of Cannon Beach Junction authorized.
		Mehalem. Oiling of unpaved strips adjacent to pavement on present highway approved.
		Sumpter Valley Secondary Highway. Extension of highway from Sumpter to Granite requested. Decision deferred.
		Snow removal. Sumpter Valley Secondary Highway. Removal authorized on secondary state highway portion and on county road portion if Baker and Grant Counties pay expense.
		Sprague River Road. Request that road be placed on state secondary highway system denied.
		Solvency quotients. Comparison to be made of report on Sprague River Road and Klamath Lake Secondary Highway No. 421.

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9686	Aug. 21	Midland Secondary Highway. Oiling requested. Future consideration.
9687		Coos Bay-Roseburg Highway. Request for widening of county road approach north of Myrtle Point denied.
		Wilson River Highway. Reconstruction to eliminate bad curve at Randalls deferred.
		Silver Creek Falls Secondary Highway. Request for improvement between Salem and Four Corners denied.
		Albany. City streets heretofore used as state highway routes and streets damaged by building of new route to be repaired.
		Sidewalk. Rogue River Bridge at Gold Hill. Construction of timber walk on one side of bridge approved.
		Footpath. Construction along Central Oregon Highway between Burns and Hines Mill disapproved.
9688		Construction of walk along Oregon Coast Highway at Seal Rocks denied.
		Construction between Gearhart and Seaside approved.
		American Association of State Highway Officials. Members of Commission and seventeen employees of department to attend meeting in Seattle at state expense.
9689		N. M. Finkbinder. Authorized to attend meeting of Committee on Materials of American Association of State Highway Officials in Seattle on September 13 and 14, 1940.
		Right of way budget. Attorney's report on status of budget.
		Real property. Resolution authorizing acquisition.
9696	Aug. 22	Bids. Chairman's announcement of time bids must be received.
9697		Bids received on following projects:
		Bunker Hill Section, excavation for drainage ditch;
		Brookings Section, grading and macadam surfacing;
		Gold Hill Rock Production Project;
9698		Little Butte Creek-Cascade Gorge Section, crushed rock;
		Reconstruct Henley Flume and widen U.S.R.S. canal bridge;
		Bridge at Albany;
		Eightmile-Dry Creek Section, grading, surfacing, oiling;
		Forest Boundary-Warm Springs River Section, grading;
9699		Reconstruct John Day River Bridge, near Spray.
		Footpath. Burns to Hines Mill. No action taken on suggestion of Judge Higgs that towns of Burns and Hines Mill pay portion of expense.
		Frenchglen Secondary Highway. Wright's Point-Marrows Section. Plans for calling for bids discussed with Judge Higgs.
		Hanley Lane Section. Request for resurfacing denied. To be kept in condition to maintain travel during winter months.
		Diamond Valley Secondary Highway. Improvement south of Crane requested.
		Sign. Commission disapproves wording suggested for privately-owned directional sign to be erected near Cairo directing traffic over Central Oregon Highway.
9700		Deschutes County. Delegation requests state aid in improvement of county road extending westerly from Terrebonne, passing plant of Oromite Company

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9700	Aug. 22	Butler Market Road. Placing of road on state highway system and removal therefrom of section of Powell Butte Secondary Highway requested. Powell Butte Secondary Highway. Removal of section from state highway system and substitution therefor of Butler Market Road requested.
9701		Cline Falls Secondary Highway. Oiling north of Tumalo requested. Tumalo-Deschutes Secondary Highway. Oiling from Tumalo to connection with The Dalles-California Highway requested. Warm Springs Secondary Highway. Additional construction between Warm Springs Agency and Wapinitia Highway junction requested. Grant County. Citizens extend invitation to entertain Commission on proposed Eastern Oregon trip. Blue Mountain Springs-Prairie City County Road. Placing on secondary highway system and improvement thereof requested. Projects. Construction projects for next letting approved. Fences. Erection of electrically-charged fences to be permitted. Property owners to be responsible.
9702		World's Fair Commission. Commission's share of pay roll expense to be handled similar to salaries in State Purchasing Dept. Other expense to be handled by revolving fund voucher. Flashing beacon. Drain. Installation approved. Lights. Corvallis. Installation of sodium vapor lights on Willamette River Bridge and Mary's River Bridge approved.
9703		General Construction Company. State to reimburse company for premium on bond and liability policy furnished Union Pacific Company and Western Union Company in connection with Troutdale-Dodson Section, Contract No. 2320. Historical markers. Old Oregon Trail. Installation of 25 markers at estimated cost of \$2,600 approved. Equipment. Engineer authorized to purchase following: 12 trucks of Mack and Federal type; 13 snow plows for use on Walters trucks; 20 modern push-type plows; 6 air compressors; 1 laboratory crusher.
9704		Camera. Purchase of new camera for Travel and Information Department approved. Mr. Gifford to be reimbursed for use of his camera during past two years. Oversized equipment. Request of O. K. Transfer Company to transport overheight paving machine from Klamath Falls to Nyssa denied. Permit. Request of Pierce Auto Freight Lines for blanket permit to operate overheight equipment between Portland and California granted. Overall height limited to 12 feet.
9706		Awards. Commission announces awards of contracts. Powers Secondary Highway. Delegation renews request for oiling. Oregon Coast Highway. Newport-Otter Rock Section. Delegation urges early reconstruction.

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9706	Aug. 22	Corvallis-Newport Highway. Delegation requests elimination of bad dip near city limits of Newport.
		Territorial Secondary Highway. Gillespie Corner-Douglas County Line Section. Delegation requests ciling.
9707		Alsea Highway. Delegation requests completion of uncoiled lower end of highway. Chairman explains plans for improvement.
		Building. T. R. Maxwell to make monthly payments of \$100 for building at Enterprise until total amount is paid.
		Nysa. Moving of houses from property acquired by Amalgamated Sugar Company in connection with undercrossing project discussed.
9708		Bonneville Power Administration. Agreement signed covering right of Administration to construct pole lines over and across certain state highways.
		Lake. Pumping of water by individuals from borrow pit lake near S. P. Overcrossing at Eugene discussed.
		State Parks Superintendent. Authority with respect to activities which are partially federal in development of state parks discussed. Action deferred.
		Rental of building. Request of employee of General Construction Company to rent dwelling on Jordan property, Upper Columbia River Highway denied.
		Property, state-owned. Oregon City. Offer of Mr. Coleman to purchase property at connection of old and new Pacific Highways near Alernethy Creek Bridge. Decision deferred.
		Portland. Front Avenue Project. Representative of railway companies voices objection to newspaper item relative to endeavors of companies to block project. Service to industries if project materializes discussed.
9709		Property, state-owned. Grants Pass. Action deferred on offer of Hewell Wright to purchase property for access to highway.
		Albany. Thos. Gilchrist requests acquisition of property formerly deeded to state near intersection of Pacific and Santiam Highways. Investigation ordered.
		Claim. Agreement disposing of Bruno Huslik's claim for damages arising out of construction of Bend undercrossing approved.
		Property, state-owned. Albany. Application of Dr. Sternberg to purchase property at wye connection of old and new Pacific Highways denied.
9710		Freight service. Organizations along Oregon Coast Highway oppose granting permit to Consolidated Freightways, Inc., to operate fast freight service between Marshfield and California line.
		Wall. Agreement with Peninsula Drainage District No. 1 covering construction of flood wall on Swift Secondary Highway, in North Portland, signed.
		Drainage. Investigation to be made of drainage facilities on J. G. Harem's approach road to Pacific Highway, north of Roseburg.
		Safeway Stores, Inc. Permission granted to operate oversized equipment between Ontario and Idaho state line.

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9710	Aug. 22	Claim. Damage claim arising out of death of Miles Homer Otis on Corvallis-Newport Highway denied.
9711		Condemnation. Recommended offers. Resolutions adopted as follows: Quarry site for Brookings project; Hauling road for Sage Hen Hill-Burns project; Hauling road for Brookings project; Quarry site for Brookings project; Right of way for Troy Ranch Section; Land for channel change along Troy Ranch Section; Park site in Curry County; Right of way for Jefferson County Line-Prineville project.
9718		Rental of building. Request of employee of contractor Roy L. Houck to rent building at summit of Siskiyou Mountains denied. Building. Disposal of buildings at summit of Siskiyou Mountains discussed. Lights. Policy requiring cities to pay cost of operating lights at crossing of highways and railroad tracks not to be changed. Roseburg. City refuses to pay cost of operating lights at crossing of Pacific Highway and Southern Pacific tracks. Claim to again be presented to City Attorney.
9719		Lookout. Construction of lookout on Sun Mountain adjacent to The Dalles-California Highway requested. Pendleton-Adams Highway. Old route to be offered to Umatilla County for maintenance as county road. Wilsonville. Establishment of memorial garden discussed. Title reports. Rates charged by Hartman Abstract Company for furnishing real property title reports discussed. Front Avenue Project. Request that brick, lumber, etc., salvaged from buildings be given to Portland School District. Lincoln County. Acquisition of property between Oregon Coast Highway and ocean at Agate Beach discussed. Kings Valley Secondary Highway. Portion in Benton County. Abandonment resolution.
9721		Alsea Highway. Portion in Lincoln County. Abandonment resolution.
9723		Park matter. Clean-up work in park south of Oregon Coast Highway near Astoria authorized. Request made by Oregon Historical Society. American Legion Park. Name suggested for timber strip adjacent to Fremont Highway south of Lakeview. Parks Superintendent to investigate and report. Roadway. Construction of roadway from Willamette Highway to Crescent Lake and designation as secondary highway discussed. Snow removal. Keeping road open from Willamette Highway to Crescent Lake discussed. Fences. Request of Horsefly Cattle Association for state cooperation in construction of fences along Klamath Falls-Lakeview Highway east of Ely denied.
9724		Territorial Secondary Highway. Request for oiling between Elmira and Sigulaw Highway junction denied. Oiling requested between Central Turn and Lorane.

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- Aurora-Portland Highway. Early completion urged.
Knoll. Bunker Hill District. Request for removal of knoll adjacent to Oregon Coast Highway denied.
Polk County highways. Letter from C. A. Robertson expressing need for improvement.
Umatilla County. County Court, by letter, requests several improvements.
- 9725 Crater Lake Highway. Improvement through Fort Klamath requested.
Albany-Lyons Secondary Highway. Oiling of unoiled section between Scio and Thomas Creek requested.
Tualatin Valley Highway. Widening for four lanes of traffic between Portland and Forest Grove requested.
Load limit. Resolution lifting reduced load limit on Alsea River Bridge and on small trestles on Alsea-Deadwood Secondary Highway.
- 9726 Survey. Location survey on Pacific Highway in Josephine County extended to section between Wolf Creek and Glendale junction.
Gold-dredging operations. Request of C. W. Henderson to conduct gold-dredging operations adjacent to Pacific Highway, near Bear Creek, in Jackson County, denied.
Gravel. Adoption of policy with respect to removal of sand and gravel from ocean beach areas discussed. Inspection of beaches between Waldport and Roads End ordered.
Electrical Service. Secretary to sign application to Pacific Power and Light Company for electrical service at maintenance headquarters at Rufus.
- 9727 Klamath Falls-Malin Highway. Application to Department of Interior for permission to reconstruct highway across irrigation canals and ditches in Klamath County. Resolution adopted.
- 9728 Award of contracts. Commission approves following awards:
Wilsonville ferry service, Leonard & Slate;
Eugene-Fisher Road Section, Berke Bros.;
- 9729 Nyssa undercrossing, Henry L. Horn.
Permits. Issuance of permits to be concentrated in Salem office rather than in offices of Division Engineers.
Newspaper boxes. Application of Eugene Daily News to install boxes, in Lane County, within highway rights of way. Action deferred.
Log hauling. Complaint filed on closeness with which logging trucks operate on Wolf Creek Highway and Oregon Coast Highway. State Police requested to observe movements.
Columbia River Highway. Correspondence relative to securing special allotment of funds for construction of new route.
Logging traffic. Public Utilities Commissioner requested to insert clause in permit requiring trucks to stop before crossing railroad tracks at grade.
- 9730 Snow removal. Oregon Caves Highway. Operations not to be conducted.
Signs. Request for erection of signs diverting traffic to Central Oregon Highway denied.

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9730	Aug. 22	Signracks. Hillsboro. Rotary Club inquires regarding erection of signracks outside city limits.
		Signs. Adoption of policy regarding maintenance of city entrance signs, lodge signs, et cetera, on rights of way of state highways at city entrances discussed.
		Redwood Empire Association. Commission invited to attend 20th annual convention in Ukiah, California. Harold B. Say authorized to represent Commission.
9731		Parks or state forests. Orange Belt Mineralogical Society suggests establishment of state parks or forests in southeastern Oregon.
		Tolls. State Grange endorses efforts for removal of tolls across Columbia River.
		Surveys. List of surveys ordered since last meeting.
9733		Extensions of time, as follows:
		D. L. Ashton, North Roseburg roadside improvement;
		J. W. & J. R. Hillstrom, bridge over Coalbank Slough;
		Norris Bros., Butte Falls Section;
9734		Chester T. Lackey, Brothers-Harney County Line Section;
		F. R. Hewett, Mountain Rest-Mt. Vernon Section;
		R. O. Dail & Warren Bros., Warm Springs Agency-Vanora Sec.;
9735		J. C. Papin, Bend-Butler Ranch Section;
		Haigh Bros. & Hughes, drilling well on I.O.N. Highway.
		Contracts completed and accepted, as follows:
9736		Salt Creek Falls-Odell Lake Section, J. A. Lyons;
		North Roseburg roadside improvement, D. L. Ashton;
		Buchanan-Juntura Section, A. Milne;
		Butte Falls Section, Norris Bros.;
		Cottonwood Creek-Lakeview Section, Rogers Construction Company and J. C. Compton;
		Mountain Rest-Mt. Vernon Section, F. R. Hewett;
		Trout Creek-Toll Creek Section, E. C. Hall Company;
		Bend-Millican Section, A. S. Wallace;
		Willamette River Bridge at Corvallis, Averill & Corbin;
9737		John Day-Prairie City Section, Triangle Construction Co.;
		Silver Lake-Chalk Cliff Section, Warren Northwest, Inc.;
		Fir Creek-Laurel Road Section, M. L. O'Neil & Son;
		Austin Junction-Baker County Line Section, Fisher Bros.;
		Weston-McDougal Camp Section, Norris Bros.;
		Lamonta-Crook County Line Section, Frank Penspcker;
		Brothers-Harney County Line Section, Norris Bros.;
		Well drilling on I.O.N. Highway, Haigh Bros. & Hughes;
		South Milton Section, Warren Northwest, Inc.
		Date for next regular meeting set for October 10 and 11, 1940.
9738		Subsequent meetings scheduled for November 12 and 13, December 17 and 18, 1940; and January 23 and 24, 1941.
		Inspection trip in Eastern Oregon tentatively scheduled for first week in October.
		Projects for 1941 construction on primary and secondary hwy's.
		List of projects approved.

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9740	Aug. 22	Budget. Biennial budget for period January 1, 1941, to June 30, 1943, adopted. To be submitted to Legislature.
9742		Fort Stevens County Road. Action deferred on placing road on state secondary highway system.
		Warm Springs Highway. Section from junction with Wapinitia Highway to Madras to be placed on federal aid highway system.
		Letter to Public Roads Administration requesting designation.
		Boardman-Stanfield revision of Old Oregon Trail. Placing on federal aid highway system approved. Letter to Public Roads Administration requesting such designation. (See page 9852)
9744	Aug. 23	Bids received on following construction projects and for sale of scrap materials and obsolete equipment.
9745		Keating Road-Ruckles Creek Section, grading and bridge;
		Troy Ranch Section, grading and surfacing;
		Sage Hen Hill-Harney Section, crushed rock;
		South Newport Section, grading, surfacing and oiling;
9746		Redrive pier fenders for Yaquina Bay Bridge;
		Reconstruction of King Creek Culvert;
		Widen bridge over Beaver Creek, at Beaver,
		Obsolete equipment and scrap materials stored at Salem, Klamath Falls, Coquille and La Grande Shops.
		Log hauling. Cannon Beach Road. G. R. Van Vleet offers use of his construction equipment for widening road if permission granted him to transport logs thereover at any time of year. Investigation ordered.
		Cannon Beach Road. G. R. Van Vleet offers use of his construction equipment to widen road to permit log hauling thereover.
		Eugene. Delegation confers relative to construction of connection between Pacific Highway and Seventh Street.
9747		Roadway. Delegation confers relative to construction of road from Willamette Highway to Crescent Lake.
		Strategic highways. Selection of highways from military standpoint discussed.
		Baker County. County Judge Charles E. Baird requests several highway improvements.
9748		Awards. Commission announces awards of contracts and sale of scrap material and obsolete equipment.
9749		Maintenance buildings. List of buildings to be approved for construction. Commissioners to review plans.
9750		Picture. Request for state cooperation in cost of airview picture of South Sixth Street District in Klamath Falls approved. State's share \$200.00.
		Salem. Request for discontinuance of detour maintained around highway construction work in South Salem denied.
		Rock. U. S. Fish and Wild Life Service requests permission to obtain rock from state property along Columbia River Highway near Troutdale.
		Trees. Request of A. V. Sundholm to cut trees along Pacific Highway East in front of his auto camp at Harts Pond denied.
		Training classes. Request of National Defense Training Workers to conduct training classes at La Grande Shops denied.

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9751 Aug. 23

Wolf Creek Highway. Banks-Duxton Section. Request for oiling to make road available for public use this winter denied. Oswego Highway. Landscaping of Oswego Section discussed. Metarts County Road. Designation as state secondary highway approved if Tillamook County Court will make application. Oregon Roadside Council. Request that Commission intercede with Legislature to secure state funds to finance activities of Council denied.

Trees and shrubs. Request of Multnomah County Roadmaster to remove trees and shrubs adjacent to Pacific Highway West, at intersection of S. W. 13th Street and Capitol Hill, approved. Recreational area. Mrs. Echols suggests state purchase promontory known as Iron Mountain near Agate Beach. No action.

9752

Agreements, et cetera, signed as follows:

Bonneville Power Administration, construction of power lines over and across certain state highways;

Clarence Cox, disposing of claim for damages to property in Linn County;

Bruno Huslik and wife, disposing of claim for damages to property in Bend;

Earl C. Reynolds and wife, additional right of way for Klamath Falls-Malin Section of Klamath Falls-Malin Highway;

City of Albany, culvert installations in Albany;

A. S. Wallace, disposing of claim for extra compensation arising out of Contract No. 2271, Bend-Millican Rock Production;

Amalgamated Sugar Company, disposing of claim for injury and losses sustained by construction of Nyssa Underpass;

Susan Durrell, lease to Mrs. Durrell of state-owned property in Benton County;

Southern Pacific Company, terminating lease of gravel storage site at Wilbur;

9753

Charles B. Short and wife and Fred Williams and wife, payment of damages arising out of construction of Nyssa Undercrossing;

Loring Taylor, Administrator of estate of Albert Hensch, payment of damages arising out of construction of Nyssa Underpass;

Southern Pacific Company, construction of culvert pipe across company's right of way in vicinity of North Bend;

Gertrude and Ray T. Cox, use of detour road across Cox property in Klamath County;

Bargain and sale deed conveying unto Walter R. Bradley property in Grant County;

Peninsula Drainage District No. 1, construction of flood wall on right of way of Swift Secondary Highway, North Portland;

Mountain States Power Company, use of company's pole for traffic light installation in Jefferson;

Henry Semon and wife, right of way required for Klamath Falls-Merrill Section of Klamath Falls-Malin Highway.

9754 Sept. 30

Shaniko-Fossil Secondary Highway. Clarno-Fossil Section. Delegation at Clarno requests reconstruction.

Gilliam and Morrow Counties. Conference at Condon relative to local road problems.

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9755	Sept. 30	<p>Condon-Heppner Secondary Highway. Inspection in company with Morrow County Court.</p> <p>Pendleton. Highway matters discussed with delegations.</p> <p>Log hauling. Delegations at Pendleton confer relative to hauling in vicinity of Pilot Rock.</p> <p>Snow removal. Tollgate Road. Delegation requests snow removal between Weston and Elgin. No definite action.</p> <p>Old Oregon Trail. Hermiston-Umatilla Section. Reconstruction requested by delegation at Pendleton.</p> <p>Weston-Elgin Road. Delegation urges improvement between Weston and Tollgate.</p>
9759	Oct. 1	<p>Wallowa County. Delegation at La Grande discusses several highway matters pertaining to Wallowa County.</p>
9760		<p>Union County. Delegation at La Grande discusses several Union County highway matters.</p> <p>Union. Delegations confer with Commission relative to various highway matters.</p>
9764		<p>Baker County. Delegations confer with Commission at Baker relative to several highway matters.</p>
9768	Oct. 2	<p>Huntington. Delegation confers relative to cloudburst condition and drainage problems.</p> <p>Ontario. Delegations met with Commission.</p> <p>Malheur County. Delegations confer with Commission at Vale regarding highway matters.</p>
9769		<p>Burns. Delegations confer with Commission regarding highway matters in Central Oregon.</p>
9770		<p>Stock fences. Fremont Highway. Conference with Mr. Nic Monte of the Federal Grazing Department.</p> <p>Cattle guards and stock passes. Conference with Mr. Nic Monte relative to construction on state highway rights of way.</p> <p>Signs. Request of Mr. Monte for authority to paint "Prevent Range Fires" on surface of highways in stock district. Commission suggests erection of signs on sides of highways.</p> <p>Princeton-Rome Highway. Request of Mr. Nic Monte that state purchase powder and culverts approved. State to furnish engineering work for this project also.</p>
9773		<p>Fences. Request of Mr. Nic Monte for change in permit covering construction of fences along highway rights of way approved.</p> <p>Stock drift fences. County Judge of Baker County requests state maintenance of drift fence along John Day Highway between Unity Junction and Austin. Action deferred.</p>
9774	Oct. 3	<p>John Day. Delegations confer with Commission at home of Commissioner Oliver.</p>
9776	Oct. 9	<p>Prineville. Delegations confer relative to highway matters.</p>
9783		<p>Real property. Resolution authorizing acquisition.</p> <p>Condemnation. Recommended offers. Resolutions adopted: Right of way for North Bend-Marshfield Section; Forest Boundary-Cottonwood Creek Section; Neil Creek-Barron Creek Section; and Sexton Mountain Section.</p>

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9783	Oct. 9	<p>Condemnation (cont.):</p> <p>Hauling road from state's quarry to Eugene-Mapleton Highway;</p> <p>Storage of maintenance materials on Ironside-Brogan Section;</p> <p>Park area in Lake County;</p> <p>Park area in Tillamook County;</p>
9793		<p>Recreational areas. Purchase of areas under lease and rental from Government discussed. Few tracts to be purchased each year.</p>
9794		<p>Timber strips. Salmon River Highway. Purchase of strips from Miami Corporation, joining strips heretofore purchased, approved. Joint cruise to be made.</p> <p>Property along Salmon River Highway. Exchange of property with Mervin Boyer denied. Attorney to negotiate for outright purchase of Boyer property.</p> <p>Timber strips. Use of federal aid funds to purchase wayside strips discussed, particularly strips along Pendleton-John Day Highway.</p> <p>Property adjacent to Salmon River Highway. Miami Timber Corporation offers to sell logged-off land adjacent to highway.</p>
9795		<p>Portland. Front Avenue Project. Commission approves inclusion of provision in deed reserving unto Union Pacific Company all mineral rights and oil rights in sale of right of way.</p> <p>Park matters:</p> <p>Proposed park in Curry County:-Curry County Court requests that Commission take no action on establishment of proposed park.</p> <p>CCC Camp applications, et cetera:- Method of signing CCC Camp applications, contractual instruments, et cetera, adopted. To be covered by resolution.</p>
9796		<p>Park matters:</p> <p>Parks Superintendent to file with Commission at frequent intervals complete report of his activities.</p> <p>Cape Lookout State Park:-Purchase of 26 acres from Alex Donaldson and 19.9 acres from W. K. Smith as addition to park approved.</p> <p>Redwood and myrtlewood tracts along Chetco River:-Tracts not to be purchased.</p> <p>Proposed park adjacent to Oregon Coast Highway at Oregon-California State line:- Tract not to be purchased.</p> <p>Rogue River bridgeheads. Options to be secured on property at north and south bridgeheads at Gold Beach.</p>
9797		<p>Rogue River mouth fishing frontage:- Purchase of tracts bordering on Rogue River for benefit of fishermen deferred.</p> <p>Proposed park at Crofts Lake:- Parks Superintendent recommends against purchase of tract. Recommendation approved.</p> <p>Proposed park at Agate Beach Lighthouse:- Area not to be purchased. Owners of property Fred Williams and Ira Wade Estate.</p> <p>Crooked River State Park:- Purchase of area at confluence of Deschutes, Crooked, and Metolius Rivers, known as The Cove, authorized. Attorney to secure options.</p>

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9798	Oct. 9	Park matters (cont.): American Legion Park south of Lakeview:- Naming of section along Quartz Mountain in honor of Legion denied.
	Oct. 10	Bids received on following projects and buildings for sale: Rice Hill-Turkey Hill Section, grading and paving; Oakerman Ranch-Sage Hen Hill Section, grad., surf., oil; Maintenance building at Madras; Sexton Mountain Section, grading; Bryant Hill-Trout Creek Section, grad., surf., oil; Tillamook Rock Production Project; Follett Ranch-Cold Canyon Section, grad., surf., oil; Mosier-Seufert Rock Production Project; Buildings in Bandon, Oakland, and Troutdale.
9799		Warm Springs Highway. Warm Springs Agency-Wapinitia Junction Section. Delegation confers relative to plans for further improvement.
9800		Santiam Highway. Delegation confers relative to oiling unciled portion. Commission's plans explained.
		Claim. W. C. Calder and Arch Cape Land Company present claim for damage caused by sliding of materials on Oregon Coast Highway at Arch Cape tunnel. Investigation ordered.
9801		Survey. Slide area on Oregon Coast Highway at Arch Cape Tunnel to be surveyed.
9802		Oregon City. Willamette River frontage to be advertised for bids. Provision to be made in lease for revocation at any time.
		Boathouses. Oregon City. Mooring of boathouses along Willamette River discussed.
		Tracts along coastal streams. Acquisition of tracts considered obligation of State Fish Commission.
		Fremont Highway. Hunter Hill-Lakeview Section. Resolution of Lake County pertaining to abandonment approved.
		Klamath Falls-Lakeview Highway. Lake County's resolution abandoning portion and retention of portions approved.
		Abandonment resolution covering section between stations 1229+95 and 1331+00.
		Pacific Highway. Williams Highway-Fruitdale Road Section. Section between mile posts 279.6 and 282 to be turned back to Josephine County. Resolution adopted.
9804		Claim. Mrs. J. R. Prewett demands additional compensation for right of way acquired for improvement of highway at Toledo.
9806		Amount previously offered to be paid but no more.
		Salem. Exchange of properties with State Board of Control at highway department shops discussed. Action deferred.
9807		Building. Private sale of building at Brookings to Charles M. Casad authorized.
		Bandon. T. W. Panter property. Reopening of settlement for right of way authorized.

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9807	Oct. 10	Property. Aloha. State to retain parcel of land between Tualatin Valley Highway and Southern Pacific right of way. Resolution adopted.
9808		Viewpoint. Sun Mountain near Fort Klamath. Acquisition of tract and development of same authorized. Eugene-Swisshome Secondary Highway. Improvement requested. Suggestion offered that Lane County, Roy Swenson log hauler, and state pay equal share of cost of improvement.
9809		Removal of Walton-Swisshome Section from state secondary system and substitution therefor of Eugene-Veneta Section of Route F Highway suggested. Action deferred. Oregon Coast Highway. Delegation refers to program previously presented and renews requests for several improvements.
9811		Gold Beach. Oregon Coast Highway. Moving of buildings and pole lines on right of way discussed. Fairview-Clemens Corner County Road. Improvement of Long Prairie Road Section to be substituted for Clemens Corner-Trask River Bridge Section. Netarts Road. Action to be taken on designation as state secondary highway.
9812		Parks along roadside. Establishment of parks along Hood River Highway at View Point, Moss Acres, and Fikes Corner suggested. Awards. Commission announces awards of contracts and sale of buildings.
9814		KOAC. Broadcasting. Delegation confers relative to continuing of broadcasting over KOAC. Log hauling. Representatives of Public Utilities Commissioner confer relative to requiring logging trucks to stop before crossing railroad tracks.
9815		Logging trailers. Fastening of trailers to trucks enroute to woods from dumping points discussed. Insurance. California Western States Life Insurance Company presents plan for group coverage of employees. Referred to Assistant Attorney. Wage scale and classification of employees. Delegation representing State Federation of Labor asks revision in state's policy to conform with Union rates and classification.
9816		Oregon City. Right of access to new highway between 13th and 14th Streets requested by Joseph Woernle and E. G. Barnes. Cooperation in landscaping work offered by Mr. Barnes.
9817	Oct. 11	Bids received on following projects: North Marshfield and Marshfield-Bunker Hill Sections, grading and paving; Mud Hollow-Oak Creek Section, grading, surfacing, oiling; Blalock-Lang Canyon Section, grading, surfacing, and widening of concrete bridge;
9818		Maintenance headquarters at Seneca; Burns Section, grade widening and surfacing; Wasco County Line-Madras Rock Production Project;

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9818	Oct. 11	Bids received (cont.): Ironsides-Brogan Rock Production Project; Troutdale-Oneonta Section, roadbed topping-slope protection; Culverts on Lower Columbia River, Tualatin Valley, and Beaverton-Aurora Highways; Traffic signal system at Klamath Falls.
9819		Frenchglen Secondary Highway. Hanley Lane Section. Delegation requests early improvement. Maintenance crew to keep highway in good condition. Log hauling. Permit of V. H. Harroun reinstated.
9820		Salmon River Highway. McMinnville-Sheridan Section. Delegation requests immediate reconstruction. Effort to be made to keep road open during winter season. Cascade Secondary Highway. Silverton Section. Delegation requests financial aid in reconstruction.
9821		Terrebonne-Lower Bridge County Road. Construction of 7-mile section approved subject to condition Oromite Company reconstructs plant and county will cooperate in cost. Travel and Information Department. Budget for 1941 recommended by Advisory Board. (See page 9826) Botsford, Constantine and Gardiner. Retention of services for 1941 approved.
9822		Non-Resident Registration Law. Advisory Board suggests repeal of present obsolete law. Tiller-Trail Secondary Highway. Delegation requests reconstruction and keeping of road open during winter season.
9823		Snow removal. Diamond Lake Secondary Highway. Delegation requests that road be kept open from Union Creek to junction with The Dalles-California Highway. Little Butte Creek Secondary Highway. Delegation requests additional improvement and construction of Soda Springs-Butte Falls Road Section. Snow removal. Delegation requests snow removal on Little Butte Creek Secondary Highway. Pacific Highway. Ashland. Delegation requests removal of bottleneck at Plaza Corner.
9824		Snow removal. Engineer's report on cost of operations on several highways. Cost of removal operations on Diamond Lake Secondary Highway discussed.
9825		Log hauling. Oregon Coast Highway. Request of Mr. Bryant to transport logs between Sixes River and Bandon during Saturday afternoons and Sundays denied.
9826		Oregon Coast Highway. Hauling during Saturday afternoons and Sundays denied throughout entire length of highway. Awards. Commission announces awards of contracts. Oregon City. Henry S. Coleman confers relative to purchase of state owned property between old and new highway.
		Travel and Information Department. Budget for 1941, as recommended by Advisory Board, approved. (See page 9821) Hospital Associations. Contracts with associations to be renewed. Obligation to furnish medicine to be eliminated.

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9826	Oct. 11	American Flag. To be displayed over all highway department buildings, except maintenance sheds. Oiling crew. Request of Edward Hines Lumber Company for services of oiling crew in improving runways of mill at Burns denied. Oregon Coast Highway. Gold Beach. Engineer to prepare alternate plans for improvement of highway.
9827		Claim. Mrs. E. J. Wright's claim for loss of turkeys mired in oil in borrow pit adjacent to Sams Valley Highway approved. Scales. Action deferred on adoption of policy with respect to use of department scales for weighing privately-owned trucks in obtaining licenses. Awards. Commission approves following awards of contracts: Troy Ranch Section, McNutt Bros., Gold Hill Rock Production Project, R. I. Stuart & Sons.
9828		Bids. No change to be made in present hour of opening bids. Equipment. Purchase of following authorized: 1 electric lighting plant for Meacham maintenance headquarters; 1 jackhammer and auger for use in tunnel construction; 1 electric bench grinder; 1 electric drill for sign crew; 2 Buick cars for use of H. G. Smith and K. D. Lytle; Radio equipment, several items. Trucks. Two trucks used on Wolf Creek Highway wrecked. One to be traded in as part purchase price on new truck. Attempt to be made to collect value of other from Board of Control.
9829		Wilson River Highway tunnel. Report on cost to construct under contract as compared with construction as W.P.A. project. Log hauling. G. R. Van Vleet granted permission to haul logs 40 feet overall in length from Arch Cape to Youngs River. Sea wall. Request for construction of sea wall at Devils Lake to improve parking area adjacent to highway denied. Devils Lake. Request for improvement of parking area adjacent to highway, involving sea wall construction, denied. Odell Secondary State Highway. Adoption of Odell-Tucker Bridge route as extension of highway considered. Placing of extension on state secondary highway system considered. Pacific Highway. Eugene. Proposed revision in plans for ultimate routing discussed. No change in present plans to be made. Crater Lake Highway. Fort Klamath. Engineer's report on cost of reconstruction. Installation of three culverts approved.
9830		Gravel on ocean beach. Gravel on beach between Waldport and Roads End investigated. Adoption of policy relative to removal of gravel from beach deferred. Ocean beach. Investigation made of gravel on beach between Waldport and Roads End. Traffic signal. Installation of flashing beacon approved at intersection of Oregon Coast Highway and road to Camp Clatsop, Albany. Installation of fixed time signal at intersection of First and Ellsworth Streets approved. Little Butte Secondary Highway. Continuation of construction through Lake of the Woods district requested.

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9830 Oct. 11

Traffic signal. Amity. Installation of overhead flashing beacon and traffic-controlled school crossing signal requested. Footpath and fill widening. Amity. Construction along Pacific Highway West in northerly part of town requested.

9831

Springfield-Creswell Secondary Highway. Request for oiling of Coast Fork Bridge-Cloverdale Bridge Section denied. Siletz Secondary Highway. Improvement of short section south of Kernville requested.

Little Nestucca Secondary Highway. Improvement of short section from Meda Loop County Road to Oregon Coast Highway requested.

Burroughs Adding Machine Company. Engineer to sign contract agreement covering service of bookkeeping machine. Annual rate of service \$45.80.

Coos River Secondary Highway. Claim presented by Waterford Lumber Company for expense of maintaining section north of Allegany denied.

Claim. Waterford Lumber Company's claim for maintenance work on Coos River Secondary Highway denied.

9832

Wage increase. Request of department employees residing in Coos and Curry Counties for wage increase denied.

Bridge design. Request of Corvallis Park Board for assistance from highway department in designing a bridge to span Mary's River, Corvallis, approved.

Salem. Secretary to sign permits authorizing Avondale Construction Company and Drake, Wyman & Voss to occupy narrow strip along Court Street during construction of business buildings.

Permits. Blanket authority granted to issue permits for occupation of parking space parallel to curbs when business buildings are being constructed.

Warren Northwest, Inc. Penalty previously imposed for failure to complete Deschutes Oiling Project within specified time limit reduced 50 per cent.

Penalty. Penalty previously imposed on Warren Northwest, Inc., for failure to complete Deschutes Oiling Project on time reduced 50 per cent.

9833

Portland. Standard Stations, Inc., granted six-months' extension of time, or until March 29, 1941, to move buildings.

Soap-box derby. Action deferred on allowing contests to be conducted on 82nd Street, Portland.

Log hauling. Oregon City. Walter L. Koch denied privilege of trucking logs on new highway from 14th Street to Main Street until traffic signal is installed.

Traffic signal. Oregon City. Installation at intersection of 14th Street and new highway authorized.

9834

Log hauling. Permit of Ralph E. Ray reinstated inasmuch as logs dropped on highway have been removed from right of way.

Landscaping project. Canyon Road. Continuation of project approved. Engineer authorized to sign necessary papers.

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9834	Oct. 11 1940	<p>Permit. Arrow Transportation Company granted permit to move oversized load from Washington to California and return.</p> <p>Arrow Transportation Company. Renewal of permit requested to transport special sanding equipment on gasoline tank trucks.</p> <p>Surveys. List of surveys ordered since last meeting.</p>
9836		<p>Extensions of time, as follows:</p> <p>E. C. Gerber, Necanicum-Nehalem River Section;</p>
9837		<p>Porter W. Yett, Warren-Scappoose Section;</p>
9838		<p>Gus Reichow, Waldport Section;</p> <p>R. I. Stuart & Sons, Reedsport Section;</p> <p>Tidepoint Company, Summit-Mist Section;</p> <p>Barham Bros., Water Street, Oregon City.</p>
9839		<p>R. O. Dail & Warren Bros., Inc., Warm Springs Agency-Vanora Sec.;</p> <p>J. C. Compton, Service Creek-Branson Creek Section;</p> <p>Norris Bros., Lick Creek-Salt Creek Section;</p>
9840		<p>J. C. Compton, Union-Catherine Creek Section;</p> <p>Norris Bros., Castor Ranch-Joseph Section;</p>
9841		<p>Jacobsen-Jensen Co., Astoria Section;</p> <p>E. L. Rigdon, Horse Ranch Section;</p>
9842		<p>Averill & Corbin, Fishers Millrace Bridge;</p> <p>Babler Bros., Rock Creek-Molalla Section;</p> <p>City Motor Trucking Company, Rainier Section;</p>
9843		<p>Contracting & Sales Co., Inc., replacement of rope on Interstate Bridge;</p> <p>Jacobsen-Jensen Company, Warrenton Section.</p>
9844		<p>Contracts completed and accepted, as follows:</p> <p>Necanicum-Nehalem River Section, Edwin C. Gerber;</p> <p>Jewell-Banzer Bridge Section, O. C. Yocom;</p> <p>Siskiyou-Bear Canyon Section, Roy L. Houck;</p> <p>Dundee-West Dayton Section, McNutt Bros.;</p> <p>Warren-Scappoose Section, Porter W. Yett;</p> <p>Lang Canyon-Arlington Section, Leonard & Slate;</p> <p>Brothers-Harney County Line Section, Chester T. Lackey;</p> <p>Butteville Road-White School Section, Roy L. Houck;</p> <p>Muddy Creek-Maines Section, E. C. Hall Company;</p>
9845		<p>Reedsport Section, R. I. Stuart & Sons;</p> <p>Summit-Mist Section, Tidepoint Company;</p> <p>South Unit, Oregon City Section, Edlefsen-Weygandt Company;</p> <p>South Unit, Oregon City Section, Barham Bros.;</p> <p>Mussel Creek-Myers Creek Section, A. S. Wallace;</p> <p>Warm Springs Agency-Vanora Section, R.O.Dail & Warren Bros.;</p> <p>Dend-Butler Ranch Section, J. C. Papin;</p> <p>Service Creek-Branson Creek Section, J. C. Compton;</p> <p>Union-Catherine Creek Section, J. C. Compton;</p> <p>Tigard Overcrossing and Fanno Creek Bridge, Jacobsen-Jensen Co.;</p> <p>Catherine Creek Bridge Section, Denten & Young;</p>
9846		<p>Castor Ranch-Joseph Section, Norris Bros.;</p> <p>Astoria Section, Jacobsen-Jensen Company;</p> <p>Horse Ranch Section, E. L. Rigdon;</p> <p>East Unit, Grants Pass-Green Creek Section, Leonard & Slate;</p>

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9846	Oct. 11	Contracts completed (cont.): Fir Grove-Albany Section, A. Milne; Rock Creek-Molalla Section, Babler Bros.; Elsie-Sunset Tunnel Section, A. Milne; Rainier Section, City Motor Trucking Company; North Canal Bridge Widening Project, Birkemeier & Saremal;
9847		Shovel. Bay City power shovel delivered by Feenaughty Machinery Company accepted. John Day Highway. John Day Section. August 15, 1940, set as date of completion of project and release of bond furnished by Elmer Powell in connection with rental of equipment. Agreements, et cetera, signed as follows: Bettie La Frens, payment for damage to property in Nyssa; Douglas County, maintenance of North Umpqua County Road after construction as federal aid secondary highway; Clifford A. Dunn, disposing of claim for extra compensation arising out of contract for bridge over Warm Springs River; A. I. Johnson, moving of his garage in Prairie City; Mrs. Hazel Breshears, et al, condemnation of land needed for Scotts Butte-Jordan Valley Section of I.O.N. Highway; United Railways Company, construction of Davies Overcrossing;
9848		Bonneville Power Administration, construction of pole lines over certain state highways; Northwest Telephone Company, use of poles in Willamina; Bargain and sale deed conveying unto Ed and Maud L. Capps land in Bandon; Bargain and sale deed conveying unto Pearl Burton land in Albany; Bargain and sale deed conveying unto Standard Oil Company of California property in Bandon; R. R. Clark, renewal of lease of property in Douglas County needed as source of roadbuilding materials.
9849	Oct. 18	Strategic military highway system. Conference with engineers of Public Roads Administration. Suggested routes in Oregon adopted. Pacific Highway. Sexton Mountain Project. To be readvertised for bids as result of default of previous low bidders, M. L. O'Neil & Son. Portland. Front Avenue Project. Delegation confers relative to settlements for right of way.
9850		Steel Bridge. Conditions pertaining to rental of bridge set forth by owners. Commission requests reduction in annual rental charge. Letter to railroad companies signed.
9851		Harold Say. Authorized to attend Pacific Northwest Tourist Association meeting in Spokane on November 1, 1940. Boardman-Stanfield revision, Old Oregon Trail. L. A. McClintock requests change in route of proposed revision. Park matter: Proposed park at Agate Beach Lighthouse:- Fred Williams renews offer to sell property to state. Offer declined.

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9852	Oct. 18	Boardman-Stanfield Road. Placing on federal aid system re-considered. (See page 9742 and 9743)
		Umatilla-Stanfield Section. To be removed from federal aid highway system. (See pages 9742 and 9743)
		Oregon City. Certain lands acquired in connection with Water Street route of highway dedicated for roadside development and landscaping purposes. Resolution adopted.
9855		Timber strips. Pendleton-John Day Highway. Acquisition of strips deferred.
		Cruiser to be employed to make cruise of timber adjacent to Pendleton-John Day Highway.
		Employment of cruiser to cruise timber on Salmon River Highway strips, owned by Miami Corporation, authorized.
		Award of contract. Following award confirmed:
		Ironsides-Brogan Rock Production, M. L. O'Neil & Son.
		Pacific Highway. Eugene. Commission confirms resolution adopted June 13, 1940, designating permanent route of highway.
		Portland. Front Avenue Project. Commission confirms resolution adopted June 13, 1940, designating Front Avenue and other city streets a state highway route.
9856		Arrow Transportation Company. Temporary permit authorized to transport special sanding equipment on gasoline tank trucks.
		Permit. Request of Berkheimer Manufacturing Company for blanket permit to move oversized equipment denied.
		Historical markers and signs. McLoughlin Memorial Home in Oregon City. Recommendations of Old Oregon Trail Historic Marker Association regarding legend referred to committee in charge of Home.
		Permit. Special carrier permit of Emil Walckirch to be cancelled due to violation of statutory weight limits.
9857		Odell Secondary Highway. Resolution designating extension of highway from Odell to Tucker Bridge.
9858		Corvallis-Eastside Secondary Highway. Albany. Extension of highway to connection with new route of Pacific Highway East considered. Decision deferred.
		Fort Stevens County Road. Designation as state secondary highway considered. Action deferred.
		Klamath Agency-Modoc Point Section of old route of The Dalles-California Highway. Designation as state secondary highway approved. Klamath County Court to make application.
		Elsie-Fish Hawk Falls Road. Designation as state secondary highway considered.
		Nehalem Secondary Highway. Engineer to report on cost to re-construct highway from Fish Hawk Falls to Astoria.
		Tillamook City-Netarts County Road. Designation as state secondary highway requested. Action deferred.
		Oregon Coast Highway Association. Commission invited to attend annual convention in Tillamook, October 20 and 21, 1940.
9859		Redwood Empire Association. Commission invited to attend annual meeting in Ukiah, California, October 26, 1940.

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9859 Oct. 18

Harold Say. Authorized to represent Commission at annual meeting of Redwood Empire Association in Ukiah, California.

Salem. Exchange of properties with State Board of Control at highway department shops approved. Resolution signed.

Log hauling. South Bay Logging Company granted permit to transport logs over Cape Arago Secondary Highway in vicinity of Charleston during Saturday afternoons and Sundays.

Extensions of time, as follows:

R. O. Dail & Warren Bros., Inc., Miles Bridge-Baker and Baker-Salisbury Sections;

9860

Mid-Columbia Sand & Gravel Company, South Unit, Fulton Canyon Section.

Contracts completed and accepted, as follows:

Waldport Rock Production Project, Gus Reichow;

Multnomah Falls-Oneonta Section, G. D. Lyon Company;

West Unit, Grants Pass-Green Creek Section, Leonard & Slate;

Miles Bridge-Baker and Baker-Salisbury Sections, R. O. Dail and Warren Bros., Inc.;

9861

South Unit, Fulton Canyon Section, Mid-Columbia Sand and Gravel Company;

Warm Springs River Bridge Section, Clifford A. Dunn.

Agreements, et cetera, signed as follows:

Pacific Power & Light Company, use of company's poles in suspension of flashing beacon at Camp Clatsop road intersection with Oregon Coast Highway;

Eugene F. Hugg, Sr., lease of maintenance headquarters site at Elgin;

Portland Gas & Coke Company, reimbursement to state for additional costs resulting from change in design of culvert on Lower Columbia River Highway;

Letter to Commissioner of Public Roads, Washington, D. C., authorizing R. H. Baldock, C. B. McCullough, S. H. Probert, and J. W. Nash to bind Commission by signatures on reimbursement vouchers covering federal highway funds;

State Board of Control, resolutions providing for exchange of properties at Salem Shops;

9862

Columbia County Court, petition for vacation, order for consent to vacation, and notice of application to vacate portion of alley in Block 4, West Rainier;

U. S. Government, certificate with respect to payment by government for easement over state-owned property, known as Lawler property, in Hood River County.

Nov. 12

Bids received on following projects and buildings:

Lincoln County Line-Alsea Mountain Rock Production;

9863

Hug Point-Manzanita Section, macadam surfacing;

East Unit, Dixie Summit-Austin Section, grad., surf., oil;

Goose Rock Bridge Section;

Sexton Mountain Section, grading;

9864

Forest Boundary-Cottonwood Creek Section, grading, surfacing, and oiling; also bridges and culverts;

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9864	Nov. 12	Bids received (cont.): Cottage Grove Section, roadside improvement; Nashville Bridge Section; Barbur Boulevard-Doones Ferry Road Section, grade and surface; La Grande Rock Production; Buildings in Brookings, Marshfield, and Siskiyou Summit.
9865		Little Butte Secondary Highway. Delegation requests improvement of section beyond Lake Creek junction.
9866		Terrebonne-Lower Bridge County Road. Delegation confers relative to improvement. County Court offers cooperation. Survey. Terrebonne-Lower Bridge County Road. Survey authorized if county court and Oromite Company confirm statements regarding improvement in writing. Cline Falls Secondary Highway. Delegation requests oiling of uncoiled section north of Tumalo. Snow removal. Crescent Lake County Road. Delegation requests Commission to conduct snow removal operations. Request granted subject to confirmation by county of offer to pay costs. Parking area. Bear Springs adjacent to Wolf Creek Highway. Improvement as WPA Project authorized. Wolf Creek Highway WPA Project. Improvement of parking area at Bear Springs authorized. Portland. Hawthorne Bridge street car traffic. Payment of cost of rails to be installed in shifting street car tracks during construction of Front Avenue Project approved. The Dalles-California Highway. Madras-Terrebonne Section. Location of irrigation canals in connection with proposed realignment of highway discussed. Attorney to secure options for right of way. Bridge. Service Creek Bridge over John Day River on Service Creek-Mitchell Secondary Highway. Improvement authorized. Nehalem River Bridge on county road at Elsie. Repair of bridge discussed. Commission recommends against expenditure. Ochoco Highway. Prineville-Mitchell Section. Reconstruction discussed. Improvement to be continued from westerly end. Interstate Bridge. Portland. Expenditure for purchase and installation of motor generator set to convert available alternating current energy to direct current authorized provided State of Washington will pay one-half of cost involved.
9867		Claim. Claim of J. E. Johnson, Milton, for expense of drilling new well approved. Profits and loss on contract work. Engineer's report on profits and losses incurred by contractors during past two years. Roseburg. State to pay cost of electrical energy to operate flashing beacon at crossing of Pacific Highway with Southern Pacific Railroad. Effort to be made to secure city's light rate from power company.
9868		Cottage Grove. Delegation confers relative to closing certain city streets that connect with newly-constructed highway.
9869		Awards. Commission announces awards of contracts and sale of buildings.
9871		

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9873 Nov. 12
9874

Log hauling. Permit of Lawrence Nelson, Seaside, reinstated.
Snow removal. McKenzie Highway. Delegation from Eugene requests snow removal up to place known as Pole Bridge.
Property, state-owned. Aurora Post, American Legion, requests purchase of property between old and new routes of Pacific Highway East at Pudding River Bridge. Action deferred.
Norris Bros. Penalty previously imposed for failure to complete contracts No. 2287 and No. 2223 within specified time limit reduced 50 per cent.

9875

Log hauling. Coast Highway Association endorses policy of Commission prohibiting hauling on Saturday afternoons, Sundays, holidays and during hours of darkness.
Rest room facilities. Establishment of facilities at Otter Crest and Depoe Bay requested. Investigation ordered.
Oregon Coast Highway. Marshfield-North Bend Section. Mr. Arch B. Sanders suggests acquisition of right of way now.
Gold Beach Section. Reconstruction discussed. No action.
Oregon City. I. C. Nealeigh requests filling in of right of way in front of his property in Block 11. Mr. Nealeigh offers to furnish material if state will do work.

9876

Albany. Delegation confers relative to routing logging trucks through city.
Engineer recommends designation of Lyon Street from new highway to First Street a state highway route.
Traffic signal. Albany. Installation of beacon at intersection of Lyon and First Streets discussed. No action.
Log hauling. Mr. Jess Dawes granted permit to transport logs in vicinity of Molalla on equipment purchased from Mr. Emil Waldkirch. (See page 9856 re equipment)
Samuel Lancaster. Services with department terminated.
Right of way budget. Attorney's report.
Minutes of meetings held June 13 and 14, June 20, July 18 and 19, August 16 to 23, incl., and September 30 to October 4, 1940, approved.

9877

Real property. Resolutions authorizing acquisition.

9884

Portland. Front Avenue Project. Resolution authorizing acquisition of real property needed for right of way.

9885

Condemnation. Recommended offers. Resolution adopted:
Right of way for West Portland-Tualatin Section;
Multnomah County Line-Scappoose Section; Jefferson County Line-Prineville Section; Forest Boundary-Cottonwood Creek Section, and Nashville Section.

9892

Claim. Payment of \$100 to Mrs. Delma Prewett for damage to her property at Toledo approved.
Boardman-Stanfield Road. Engineer's report on changes proposed by L. A. McClintock. Decision deferred.
Right of way options not to be closed until study made of plans of U.S. War Department to establish munitions dump and bombing range in vicinity of highway.

Page	Date	Subject
9893	Nov. 13 1940	Bids received on following projects: Woodburn-Molalla-Silverton Rock Production; Scappoose-Multnomah County Line Section, grading, paving; Millican-Brothers Rock Production; Third Street (Bend) Undercrossing Section, roadside improvement; Siletz-Toledo Section, grading, surfacing, oiling; Pendleton-Pilot Rock Rock Production; Minam Hill Viaduct; Lease of riparian rights at Oregon City.
9894		I.O.N.Highway. Malheur County. Method of financing oiling discussed with District Engineer, Public Roads Administration. Bids to be received for project at December meeting.
9895		Santiam Highway. \$100,000 forest highway funds allocated to North Santiam Highway to be reallocated to Hogg Pass-Suttle Lake Section for oiling work. State to contribute \$50,000. (See pages 9921 and 9922) Forest Highway Funds for 1941. \$100,000 allocated to North Santiam Highway to be reallocated to Hogg Pass-Suttle Lake Section of Santiam Highway. (See entry just above). Survey. Surveys for access roads at Fort Stevens authorized. Fort Stevens access roads. Engineer to confer with U. S. Army Engineers relative to such roads. Oregon City. Landscaping project along Pacific Highway East. Engineer authorized to proceed with plans. Section in front of Jerry Hemingway's property in Block 11 to be omitted.
9896		Oregon City. Action deferred on request of Harry Coleman to purchase property on easterly side of highway at Abernethy Creek Bridge, involving property owned by Crown-Zellerbach Corporation. Right of way stakes to be set.
9897		Klamath Agency-Modoc Point Secondary State Highway. Resolution designating such route.
9898		Secondary State Highway No. 224 (West 6th St.-West 11th Street, Eugene). Resolution adopted designating such route.
9899		Netarts Secondary Highway No. 131. Resolution adopted designating such route.
9900		Corvallis-East Side Secondary State Highway Extension. Resolution adopted designating such extension in Albany. Timber strips. Purchase of timber strips along Netarts Secondary Highway in Tillamook County urged by R. M. Nance. Treharne-Sunset Camp County Road. Request of Columbia County that road be designated a secondary state highway denied. Columbia County. Request for designation of Treharne-Sunset Camp County Road a secondary state highway denied. Salmon River Highway. Mrs. E. Martin granted privilege of occupying state-owned property adjacent to highway at Boyer. Other occupants ordered to vacate premises.
9901		Advertising signs. Provisions which State of Michigan incorporates in deeds and easements controlling signs on private property discussed.

<u>Page</u>	<u>Date</u>	<u>Subject</u>
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9901	Nov. 13	Property, exchange. Exchange of property adjacent to Oregon Coast Highway, involving short section of old Spruce Production Railroad right of way, with J. A. Davenport approved. Property, state-owned. Sale of property adjacent to Salem-Dayton Secondary Highway near Grubb College to O. D. Keiffer approved. Residence building. Request of Mrs. Wm. Wamsley to purchase or rent state-owned building adjacent to maintenance headquarters in Eugene denied. Sale of building. Residence building north of Oakland sold to Mrs. Bert Pound. Advertised for sale at October meeting. Portland. Front Avenue Project. Request of Southern Pacific Company for early settlement for right of way denied.
9902		Property at Coos Bay Bridge. Purchase of Elizabeth C. Coleman property, needed for protection of bridgehead, approved. Arch Cape slide area. W. C. Calder suggests settlement of his claim for damage resulting from sliding of highway embankment. Pacific Highway. Eugene-Springfield Section. Delegation confers relative to securing realignment construction. Eugene. Delegation confers relative to proposed 7th Street approach of Pacific Highway into city from north. Options to be secured. Options also to be secured for newly designated secondary highway between 6th and 11th Streets. Bunker Hill. Marshfield. Monrad Underland requests settlement for property isolated by slide. Options to be taken.
9903		Hospital associations. Previous action renewing agreements confirmed. (See page 9826). Request of Multnomah Medical Service Bureau to change form of agreement denied. Tiller-Trail Highway. Abandonment resolution covering portion of highway in Jackson County.
9905		Oregon-Washington Highway. Pendleton-Adams Section. Abandonment resolution.
9907		Parks Superintendent. Resolution outlining activities and authority of State Parks Superintendent.
9909		Title report. Suggested settlement of claim of Hartman Abstract Company, Pendleton, for charges made for furnishing title reports on real property. Oregon Coast Highway. Marshfield-North Bend Section. Proposed improvement, involving relocation of Southern Pacific Company's tracks, discussed. Trip. Inspection trip to Klamath Falls scheduled for week starting December 2, 1940.
9910		Ashland. Chamber of Commerce invites Commission to attend dedication of recently completed Siskiyou Section of Pacific Highway. Gravel. Signs to be erected along beaches in Lincoln County regulating removal of gravel. Kings Valley Secondary Highway. Delegation requests oiling of uncompleted two-mile section in Polk County.

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Cape Arago Secondary Highway. Deadman's Curve Project. Completion requested. Work to be done next year.

Turn-around. Cottage Grove School District 25J requests construction of turn-around for school busses on Pacific Highway near Lane-Douglas County line. Action deferred.

9911

Sidewalk construction. Action deferred on following requests:

Amity. Construction on Pacific Highway West.

Reedsport. Construction along Winchester Avenue.

Toledo. Construction along Corvallis-Newport Highway for distance of one-half mile.

Cascade Locks. Delegation confers relative to reducing speed limit, installation of flashing beacons, painting of pedestrian lanes, and improvement of sight distance at east city limits.

Flashing beacon. Cascade Locks. Action deferred on request for installation of two beacons.

Cascade Locks. Request of city for authority to perform WPA project on state highway right of way within city approved.

9912

Cascadia. Delegation confers relative to settlement for Baptist Church facilities on land needed for park purposes. Flat sum of \$20,000 offered.

Overlength equipment. Request of Waitsburg Welding Company for permission to operate overlength equipment over short section of Old Oregon Trail approved.

9913

Oregon-Washington Highway. Heppner-Lena Section. Delegation confers relative to plans for oiling.

Heppner-Lena Section first priority of Morrow County Court.

Oregon-Washington Highway. Milton-Washington State Line Section. Resolution designating permanent route.

9914

Vacations. Employees paid on hourly basis to be granted vacations.

9915

Ontario. Payment of sewer assessment approved if department will receive benefits from sewer.

Claim. Mr. Dage, Canyonville, presents claim for damage to fence and deposit of debris on land by maintenance crew.

Fences. Form letter for distribution to owners of electrified fences approved.

Salary of collector of delinquent traffic fines. Salary set at \$200 per month. Highway Department to pay 50 per cent.

KOAC. Broadcasting. Arrangement with KOAC to be renewed for summer of 1941. Request for participation in broadcasting during winter season denied.

9916

S. S. Montague. Penalty of \$197.50 previously imposed for engineering expense during November on Contract No. 2184 waived.

Geological features. Employment of man to secure concise descriptions of features along highways. Decision deferred.

Salem. Request of city for ratification of resolution designating North Capitol Street and 12th Street a through route for truck traffic approved. Signs to be erected.

9917

Equipment. Purchase of following authorized:

12 Ford and Chevrolet cars;

1 forward-dump truck with drum attachment;

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9917	Nov. 13	<p>Equipment, purchase of (cont.):</p> <ul style="list-style-type: none"> 1 long-wheelbase truck chassis for sign crew; 5 hand-operated, $\frac{1}{2}$ H.P. spray paint machines for sign crew; 1 cab-over-engine truck for traffic line crew; 1 long-wheelbase truck for bridge crew; 1 long-wheelbase truck for bridge crew; 2 4-H.P. dragsaws for use at Santiam Junction and Odell Lake maintenance headquarters. <p>Award of contracts. Commission approves following awards:</p> <ul style="list-style-type: none"> Culvert construction on Lower Columbia River, Beaverton-Aurora, and Tualatin Valley Highways, G. L. Potts; North Marshfield and Marshfield-Bunker Hill Sections, Roy L. Houck. <p>Log hauling. Request of J. R. Morris to transport logs over Columbia River Highway, necessitating use of Mosier Tunnel, denied.</p>
9918		<p>Request of J. E. Flurry for permission to truck-haul logs over section of Green Springs Highway during Saturday afternoons and Sundays granted.</p> <p>Permit. Request of Wentworth and Irwin to operate over Old Oregon Trail trucks carrying loads having an overhang of two feet in excess of statute limits granted.</p> <p>Permit. Request of Stanley Currington for reinstatement of his log hauling permit, suspended for overloading, denied.</p> <p>Request of Mrs. Daisy M. Whitlow for reinstatement of her log hauling permit granted.</p> <p>C. B. McCullough. Authorized to attend meeting of Highway Research Board in Washington, D. C., week of December 2, 1940.</p> <p>Awards. Commission announces awards of contracts.</p>
9920		<p>Oregon City. Lease of riparian rights in Willamette River. Attorney to negotiate for private sale of leases.</p> <p>Forest highway program for 1941. Revision of funds approved. Joint letter to officials in Washington, D. C., signed.</p>
9923		<p>Game reserves. Creation of reserves at Saddle Mountain and at Yachats discussed. Referred to State Game Commission.</p>
9924		<p>Park matters. Picnic area along Mount Hood Highway. Acquisition and development of same authorized.</p> <p>CCC Camps. Parks Superintendent asks approval of camps at Silver Creek Falls, Saddle Mountain Park, Crooked River State Park, and Umpqua Lighthouse Park. Referred to Chairman.</p> <p>Portland. Channelizing of intersection at Denver and Union Avenues approved.</p> <p>Traffic lights. Installation at intersection of Denver and Union Avenues approved.</p> <p>Portland. Standard Stations, Inc. Exchange of property with company discussed. Negotiations authorized.</p>
9925		<p>Malheur County. Delegation renews request for certain highway improvements.</p> <p>Ochoco Highway. Marks Creek Section. Delegation urges early construction.</p>

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Snow removal:

- > Sumpter Valley Secondary Highway. Baker and Grant Counties to reimburse state for costs of operations beyond limits of secondary highway.
- > Anthony Lakes Road. Not obligation of Commission. Operations authorized on secondary highway which connects with this road if Baker County removes snow from county road section.
- > Oregon Caves Road. Operations not to be conducted beyond farming area.

9926

- > McKenzie Highway. Request for snow removal denied.
- > Diamond Lake Secondary Highway. Request denied.
- > Weston-Elgin Secondary Highway. To be kept open throughout entire length.

Laboratory building. Bids for construction of building at Salem authorized.

Gravel pit. Milwaukie. U. S. Housing Administration desires to purchase area including gravel pit between Southern Pacific tracks and 32nd Street. Action deferred.

Sumpter Valley Secondary Highway. Baker County requests state aid in proposed WPA project for improvement of highway.

9927

Portland. Steel Bridge. Letter from officials of railroad companies accepting Commission's proposal with respect to payment for use of bridge. (See pages 9850 and 9851)

Extensions of time, as follows:

- Roy L. Houck, Salem-Pringle Creek Section;
- Rogers Construction Company, Klamath Agency-Modoc Point Section;
- E. C. Hall Company, Mt. Hood Rock Production Project;
- Leonard & Slate, West Unit, Petersburg-Fairbanks Section;
- S. S. Montague, abutments to Strassel Undercrossing;
- O. C. Yocom, Canyonville-Days Creek Section;
- M. L. O'Neil & Son, Lone Rock Junction-Rock Creek Section;
- Homer G. Johnson, Prineville Section;
- Warren Northwest, Inc., Albany-Crabtree Corner Section;
- Contracting & Sales Company, Inc., replacement of wire rope on Interstate Bridge;

9928

9929

9930

9931

Contracts completed and accepted, as follows:

- Salem-Pringle Creek Section, Roy L. Houck;
- Klamath Agency-Modoc Point Section, Rogers Construction Co.;
- Siskiyou-State Line Section, Roy L. Houck;
- West Unit, Petersburg-Fairbanks Section, Leonard & Slate;
- Albany Section, Roy L. Houck;
- Odell maintenance headquarters, Barham Brothers;
- Low Pass Section, Fisher Brothers;
- Abutments on Strassel Undercrossing, S. S. Montague;
- Canyonville-Days Creek Section, O. C. Yocom;
- Lone Rock Junction-Rock Creek Section, M. L. O'Neil & Son
- Fischers Millrace Bridge, Averill & Corbin;
- Prineville Section, Homer G. Johnson;
- Albany-Crabtree Corner Section, Warren Northwest, Inc.;

9932

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Contracts completed and accepted (cont.):

Blue Mountain maintenance patrol station, Fife & Company.
Agreements, et cetera, signed as follows:

Public Utilities Commissioner, petition for placing of re-
flectorized signs at railroad crossing near Scappoose;

"Consent to Vacation" alley in West Rainier;

Hunt Livestock Company, lease of property for maintenance
station at Maupin;

Quitclaim deed conveying unto Douglas County portion of old
county road adjacent to Pacific Highway in Roseburg;

Warranty deed conveying unto Northern Pacific Railway Com-
pany property at Scappoose;

Bargain and sale deed conveying unto Albert Hoffarber land
in Washington County;

Bargain and sale deed conveying unto James A. Harris land
at Brookings;

Home Owners Loan Corporation, acquisition of property in
Clackamas County;

9934

Frank F. Dailey and wife, slope easement along Pacific High-
way East in Albany;

Gertrude Branley and Gertrude McLeod, slope easement along
Pacific Highway East in Albany;

Bargain and sale deed conveying unto Walter W. Russell, et al,
Trustees of Bellevue Community Hall, property along Salmon
River Highway, in Yamhill County.

Roseburg, Oregon, August 16, 1940

The State Highway Commission met with W. C. Harding, Secretary of the Roseburg Chamber of Commerce, A. C. Marsters, member, and Carl I. Rynearson, Manager of the Pacific Highway Association, in the dining room of the Unpqua Hotel at 1:00 p. m. for a brief discussion of matters pertaining to the securing of a special allotment of federal funds with which to finance improvements to the Pacific Highway between Roseburg and Grants Pass.

Mr. Harding advised that arrangements have been made for Mr. Rynearson to go to San Francisco within the next ten days to discuss with the Commander of the Ninth Corps Area of the United States Army the question of securing federal funds to improve the Roseburg-Grants Pass Section of the Pacific Highway so as to make it suitable as a military highway for the rapid transportation of troops and motor equipment, and they feel that their cause would be aided greatly if one of the members of the State Highway Commission would accompany Mr. Rynearson on this trip. He suggested that the Commission authorize Commissioner Clough to do this at state expense. The Commission took the matter under advisement.

Henry F. Cabell
Chairman

W. C. Harding
State Highway Engineer

Huron W. Clough
Commissioner

Herman Oliver
Commissioner

Ar. Breasing
Secretary

Gold Beach, Oregon, August 17, 1940

The State Highway Commission met in special session at 9:00 p. m. in the parlor of the Sunset Inn with representatives of the National Parks Service for a discussion of matters pertaining to the establishment of a national park and recreational area along the Oregon coast line, in Curry County. Representing the State Highway Commission were:

Henry F. Cabell, Chairman
Huron W. Clough, Commissioner
Herman Oliver, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary
S. H. Boardman, State Parks Superintendent

Representing the National Parks Service were Conrad L. Wirth, Supervisor of Recreational and Land Planning, Washington, D. C.; Mark H. Astrup, Assistant Regional Director, Region No. 4, San Francisco; and Claude E. Greider, State Supervisor, Division of Recreational and Land Planning, San Francisco.

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Mr. Wirth advised that the desirability of establishing a national park and recreational area along the coast line in Curry County has been determined and that the proposed bill that has for its purpose the establishment of such park has been approved by the Secretary of the Interior; further, that his visit to Curry County on this occasion is for the purpose of going over the properties involved with a view to the establishment of the ultimate boundaries of this park. He said that any statements that he makes at this meeting are not final but must be confirmed by higher authorities, but he is in hopes that he will be able to reach an informal agreement with the State Highway Commission at this time with respect to matters pertaining to this subject. He further stated that the Federal Government is not particularly interested in the upland area in the proposed park but is primarily interested in the lands along the coast line and sufficient area back of this to protect the main body of the park. Generally, he said, the park should include all of the land between the ocean and the Oregon Coast Highway from Harris Beach on the south to Pistol River on the north, and sufficient land on the east side of the highway to protect the area from encroachments. It was his thought that perhaps a strip from 500 to 1000 feet in width on the east side of the highway would be sufficient for this purpose. He suggested that the state acquire additional land between Pistol River and Meyer Creek so as to consolidate the state's holdings in this section up to a place known as Buena Vista Park. He also suggested state acquisition of additional property between Buena Vista Park and Gold Beach in order to obtain full control of the entire coast line between Gold Beach and Brookings, except certain portions that are chiefly valuable from the farming standpoint. The Federal Government, he said, would provide funds with which to purchase the area within the proposed park but the state would be required to purchase the wayside strips from Pistol River to Gold Beach, making the area jointly owned by the government and the state. However, the participation in the cost by the government and the state is a matter that would have to be agreed upon later.

Chairman Cabell pointed out that the State Highway Commission has only limited funds available for projects of this kind but the Commission is willing to do all that it can to assist, considering the limited amount of funds. It is beyond the power of the Commission, he said, to acquire or maintain such a large area as the Federal Government has in mind for this national park; however, the Commission feels that the idea of the establishment of a national park in Curry County is a very good one and a very desirable one to discuss.



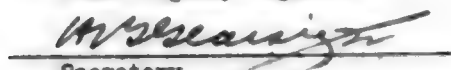
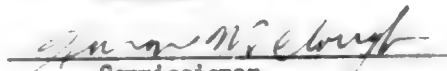
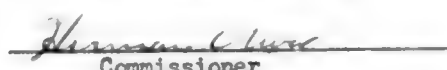
The Engineer pointed out that the present highway through this district is not on permanent alignment and probabilities are that it will have to be relocated at some future time. He inquired whether or not the Federal Government would permit such relocation after the park has been acquired and if the Government would pay any of the expense of relocating the highway.

Mr. Wirth replied that the Government has never had any trouble in ironing out difficulties of this kind with the several states and he anticipated no difficulty in this instance. He advised, however, that the Government would prefer that the highway be not permanently located too close to the coast line.

The matter of permitting stock-grazing on the park area was also discussed. Mr. Wirth stated that the National Parks Service would prefer that stock be not allowed to graze in the park between the highway and the ocean, but would not object to a limited amount of grazing in the area east of the highway. He added that, in cases where property owners are now grazing their stock in the proposed park area, they would be allowed to continue the use of the property for this purpose for a limited length of time, to enable them to adjust themselves to the new conditions.

After further discussion, during which the Commissioners expressed themselves as being in favor of the establishment of this park if satisfactory arrangements can be made for the same, the Engineer was authorized to make a reconnaissance survey through this section to determine the permanent location for the highway. He was instructed to make such survey at once.

The meeting was adjourned at 10:00 p. m.

 State Highway Engineer	 Chairman
 Secretary	 Commissioner
	 Commissioner

Powers, Oregon, August 18, 1940

The State Highway Commission met with a large group of Coos County citizens, particularly from Powers, Myrtle Point, Coquille, and way points, at 4:00 p. m. in the Lodge Room at Powers, for a discussion of matters pertaining to the improvement of the Powers Secondary State Highway. Present were:

Henry F. Cabell, Chairman
 Huron W. Clough, Commissioner
 Herman Oliver, Commissioner
 R. H. Baldock, State Highway Engineer
 J. M. Devers, Attorney
 H. B. Glaisyer, Secretary

Heading the local group of approximately one hundred was Mr. Ropper, member of the Myrtle Point Lions Club.

Mr. Ropper presented several petitions signed by numerous residents of Coos County requesting the oiling of this road, and brief summarizing data and information gathered by local citizens, bearing upon the question of the advisability of oiling this secondary highway throughout its entire length from

its junction with the Coos Bay-Roseburg Highway to Powers. There followed a general discussion of the matter, during which numerous arguments were presented in behalf of the improvement.

Chairman Cabell expressed the attitude of the Commission with respect thereto. He advised that the Commission appreciates the need for the improvement of this road and intends to give it very careful consideration in the preparation of its next construction program, but is not in a position at the present time to state just what it can and will do, although the Commission hopes to make a start on the project in the not far distant future. He pointed out that the surfacing on the road at the present time is not suitable for an oil treatment and before any oiling work could be undertaken additional rock to stabilize the present surfacing would have to be applied. The cost of the improvement, he said, is a considerable sum and in view thereof it does not now appear possible for the Commission to do the entire project at one time, although it will be considered. The season is too far advanced, he said, to do any work this summer and the best that the Commission could hope for would be to provide the rock this fall and winter and do the oiling next year. He made it clear that the Commission is not making a definite commitment to the project at this time but intends to give it serious consideration in the preparation of the next construction program.

The meeting was adjourned at 4:30 p. m.

<p><u><i>[Signature]</i></u> State Highway Engineer</p> <p><u><i>[Signature]</i></u> Secretary</p>	<p><u>Henry F. Cabell</u> Chairman</p> <p><u><i>[Signature]</i></u> Commissioner</p> <p><u><i>[Signature]</i></u> Commissioner</p>
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Waldport, Oregon, August 19, 1940

The State Highway Commission, all members being present, met at 3:00 p. m. with a number of local citizens, including Mayor Wm. F. Keady, at the small state park on the west side of the Oregon Coast Highway near the south city limits of Waldport.

The committee urged the Commission to authorize an additional expenditure of state highway funds to further improve this small park area by filling in the same so as to make it available for the parking of automobiles, et cetera, and to make it more inviting from the aesthetic standpoint. The Commission took the matter under advisement.

<p><u><i>[Signature]</i></u> State Highway Engineer</p> <p><u><i>[Signature]</i></u> Secretary</p>	<p><u>Henry F. Cabell</u> Chairman</p> <p><u><i>[Signature]</i></u> Commissioner</p> <p><u><i>[Signature]</i></u> Commissioner</p>
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Nelscott, Oregon, August 20, 1940

The State Highway Commission met with a number of local citizens at the Nelscott post office at 10:00 a. m. for a discussion of matters pertaining to the removal of sand and gravel from the ocean beach area. All members of the Commission, the State Highway Engineer, the Attorney, and the Secretary were present. Local citizens present were Messrs. Earl M. Nelson, Lundeen, Williams, and others. Also present was a Mr. Grigsby, of Newport.

Arguments were presented both for and against the further removal of sand and gravel from the beach areas, principal arguments being in behalf of the preservation of the agate-bearing gravels. The Commission made no decision in the matter, it being considered advisable to make a thorough investigation of the Lincoln County beaches before adopting any policy covering the subject.

The Commission was requested to install a traffic light at the intersection of the Salmon River Highway with the Oregon Coast Highway at Otis. The matter was taken under advisement.

The Commission was also requested to take action as may be necessary to prohibit the burning of drift logs on the Lincoln County beaches. The matter was referred to the Engineer for investigation.

The Commission was urged to purchase for state park and recreational purposes the privately-owned land lying between the Oregon Coast Highway and the Pacific Ocean at the outlet to Devils Lake. The Commission took the matter under advisement.

J. H. Brown
State Highway Engineer
W. H. Seay
Secretary

Henry F. Cabell
Chairman
John W. Chugh
Commissioner
Herman O. Lums
Commissioner

Tillamook, Oregon, August 20, 1940

At 1:00 p. m. the State Highway Commission met at luncheon with the Tillamook County Court in the Tillamook Hotel, following which a joint inspection was made of the Netarts County Road, which road the county court desires designated as a state secondary highway. The Commission indicated that it would so designate this road if the county court would make application for the same in proper form.

J. H. Brown
State Highway Engineer
W. H. Seay
Secretary

Henry F. Cabell
Chairman
John W. Chugh
Commissioner
Herman O. Lums
Commissioner

Portland, Oregon, August 21, 1940

The State Highway Commission met in regular session at 3:30 p. m. in Room 415, Imperial Hotel. Present were:

Henry F. Cabell, Chairman
Huron W. Clough, Commissioner
Herman Oliver, Commissioner
R. H. Baldock, State Highway Engineer
H. B. Glaisyer, Secretary

The Engineer reported the results of an inquiry directed to the State Highway Engineer of California relative to the status of the highway which extends southerly from Klamath Falls to Alturas, California, via Canby, California. According to the information received, a portion of this route, from Hatfield Junction to Canby, is not on the California highway system but is under county jurisdiction and cannot be taken into the state system until completed in its entirety, which will not be done for a number of years. The Commission took no action on the matter.

The Attorney reported receipt of a check from the Maryland Casualty Company in the amount of \$1,678.28, representing complete satisfaction of the Commission's claim against Saxton, Looney & Risley and their surety for failure to execute the contract agreement and the contract bond covering the Warm Springs Agency-Vanora Section of the Warm Springs Highway, in Jefferson County, which contract was awarded to them on December 8, 1939. The Commission ordered the remittance deposited in the State Highway Fund.

The Commission also discussed the failure of Contractor Homer G. Johnson to execute the contract agreement and furnish the contract bond covering the construction of the Germantown Road-Barnes Road Section of the Skyline Boulevard in Multnomah County, which contract was awarded to Mr. Johnson on June 13, 1940. In this connection it was recalled that Mr. Johnson appeared before the Commission at the previous meeting and stated that he did not wish to enter into this contract unless the Commission would authorize the changing of his bid on the asphalt item, it being his contention that the price quoted for such item should have been entered under the tar alternate, the mistake being made by a clerk in his office and not being discovered until after the bids were opened; also, that the Commission informed Mr. Johnson at that time that it could not change the bid, and that, unless he accepted the contract within a reasonable length of time, the Commission would declare him in default and would proceed to collect the amount of the bid bond. The Commission considered that Mr. Johnson has now had sufficient time to give this matter the study required and accordingly declared him in default, inasmuch as he has not yet executed the contract forms. The Attorney was instructed to take action as may be necessary to collect the amount of the bid bond.

The Engineer reported the results of investigations for determining a permanent location for the Hood River Secondary Highway between Dee and Parkdale in Hood River County. He recommended adoption of a route designated as the ABCD route on the reconnaissance survey map of this highway made in February 1940, by J. F. Waller, Locating Engineer, which route is roughly described as follows:

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Beginning at point "A", which is at the end of the present paved section of this highway in the town of Dee, at Mile Post 11.7. and extending southerly therefrom, following generally the route of the present highway, to point "B", at Mile Post 14; thence leaving the present highway route and extending in a southeasterly direction across logged-off land to point "C", Mile Post 16, at a turn in the county road known as the Bailey Road; thence south along the Bailey Road to point "D" on the present secondary highway route in the town of Parkdale.

The Engineer estimated the cost of construction of such route at \$142,000.00. After careful consideration the Commission by unanimous vote approved the routing as recommended by the Engineer, subject to the condition that no objections be offered by the Hood River County Court.

The Engineer brought up for discussion the matter of landscaping the right of way at the undercrossing recently completed on The Dalles-California Highway in the city of Bend. He advised that the underpass has been left in its natural rock state without masonry or concrete retaining walls, and, in his estimation, its appearance would be greatly improved by the planting of rock plants in the various rock pockets and crevices. He estimated the cost of the work at about \$800.00 and recommended that it be done by state forces rather than by contract work because it is almost impossible to write a specification for contract work that would insure the proper bedding for each particular plant, and for the further reason that the success of the project is dependent upon the effort that is made in setting out the plants. The plants, he said, would be contracted for in the usual manner. After discussion, the Commission approved the recommendation unanimously.

A report was submitted by the Engineer on the cost to improve the Oregon Coast Highway through the Main Street section of the Ocean Lake district in Lincoln County, by widening the existing pavement or by oiling the full width of the traveled roadway. He said that the section is about 1,300 feet in length through the business section of Ocean Lake and that the improvement would have to include not only the oiling work but construction of storm sewers, catch basins, and rock stabilization. He estimated that the entire improvement would cost about \$4,500.00. The Commission approved the report and ordered that the project be kept in mind for consideration in the preparation of the 1941 budget.

The Engineer reported on the request of L. H. Weathers, Hamlet Route, Seaside, Oregon, for the elimination of two sharp curves on the Wolf Creek Highway about 2 miles south of Cannon Beach Junction. It appears that Mr. Weathers desires to improve his property, which lies adjacent to these curves, but is precluded from doing anything of a permanent nature because the highway is not constructed in its ultimate location. The Engineer advised that the curves referred to by Mr. Weathers are reversing 10-degree and 14-degree curves and that they form the only really poor alignment on the Wolf Creek Highway. The removal of these curves, he said, would make a desirable improvement. He

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estimated the cost to reduce them to 8-degree curves at \$12,000.00 and to 6-degree curves at \$15,000.00. After discussion the Commission authorized a location survey of the project to determine more definitely what it would cost to revise the highway on permanent alignment. The Secretary was instructed to advise Mr. Weathers of the action taken.

A request was presented from the town of Nehalem for the oiling of the unpaved strips adjacent to the pavement on the present highway through Nehalem. The Engineer advised that this matter has been investigated and it is estimated that to construct an oil surface full width between curbs in this town, including necessary drainage facilities, would cost about \$3,000.00. He recommended approval of the expenditure in the 1941 construction program. The Commission approved the recommendation.

Reconsideration was given by the Commission to a resolution from Baker County Court requesting the extension of the Sumpter Valley Secondary Highway from its present terminus, about 3 miles northwest of the town of Sumpter, to the town of Granite, in Grant County. The Commission deferred a decision in this matter pending personal inspection of the road on its Eastern Oregon trip tentatively scheduled for the first week in October. The matter of snow removal on this road during the coming winter season was also discussed. In view of the extensive mining operations in the vicinity of Granite and the need to maintain this road for year-round travel, the Commission authorized the Engineer to keep the secondary state highway portion of this road open this winter at state expense. He was also authorized to conduct snow-removal operations on the county road portion if the county courts of Baker and Grant Counties will agree to reimburse the state for the expense thereof.

The matter of placing the Sprague River Road, in Klamath County, on the state secondary highway system was also discussed. The Engineer advised that investigation reveals that the road is 36 miles long and that the cost to construct it to proper standard with a 26-foot grade and with adequate surfacing, oiling, and bridges, is approximately \$654,000.00. The estimated annual maintenance cost, he said, is approximately \$22,000.00. The Commission considered that it was not justified in assuming this expense, particularly in view of the fact that the road is not of state-wide importance. The request of the Klamath County Court for the designation of this road as a state secondary highway was thereupon denied for the time being.

The Engineer was instructed to report to the Commission at the next meeting the solvency quotients for this road and for Secondary State Highway No. 421 around the west side of Upper Klamath Lake, for comparison purposes. The Secretary was instructed to inform the Klamath County Court of the action taken in this matter and to explain to the court the reason for such action.

The Commission discussed a petition from numerous residents of Klamath Falls and Midland requesting the oiling of the Midland Secondary Highway No. 420, south of Klamath Falls. The Engineer estimated that it would cost about \$65,000.00 to construct this road to proper standards, including right of way, grade widening, bridge reconstruction, surfacing, and oiling. The Commission

decided to bear this project in mind in the formulation of its next construction program for secondary highway funds, and instructed the Secretary to so inform the County Court.

The Engineer reported the cost to widen the county road approach to the Coos Bay-Roseburg Highway at Mile Post 7.82, about one mile north of Myrtle Point, as has been requested by the Myrtle Point Chamber of Commerce. He estimated such cost at \$750.00 but recommended against the improvement because, he said, investigation reveals that the present approach is now constructed in accordance with current design standards. The Commission approved the recommendation.

The advisability of reconstructing a section of the Wilson River Highway so as to eliminate a bad curve at a place known as Randalls had the attention of the Commission. The Engineer advised that the permanent location for the highway at this point has not as yet been selected and he recommended that the Commission do not approve this project at the present time but defer consideration of the same until the Wilson River Highway has been opened up for travel throughout its entire length and the need for the revision is more apparent. The Commission approved the recommendation.

A report was rendered by the Engineer on the cost to improve the Silver Creek Falls Secondary Highway from the city limits of Salem to a place known as Four Corners, a distance of about 1.33 miles, as has been requested by numerous users of this road, particularly people residing at Four Corners. He advised that an improvement similar to that now under way on the Pacific Highway West, south of Corvallis, which provides for a 44-foot width roadway with curbs and sidewalk, would cost about \$90,000.00. The Commission considered that the expense involved is far in excess of the amount that it can spare for the purpose at the present time and thereupon denied the request.

A letter was presented from Mr. Victor Olliver, City Attorney, Albany, requesting, on behalf of the City Council, the repair of the streets in Albany heretofore used as state highway routes; also requesting the repair of other city streets. It was their contention that the city is entitled to the improvement of these streets before they are turned back to the city to maintain upon completion of the new highway route through Albany, because the city paid for the original improvements, and the repairs needed now are the result of the use of the streets by state highway traffic. After discussion and upon recommendation of the Engineer, the Commission voted unanimously to repair and put in first-class condition the streets that heretofore have been used as state highway routes. The Commission also authorized the Engineer to make repairs to any of the streets adjacent to the new highway route which streets have been damaged by the state's contractor in connection with the building of a new route through Albany, this being in conformity with the Commission's established policy with respect to matters of this kind.

Reconsideration was given by the Commission to the matter of constructing sidewalks on the Rogue River Bridge on the Pacific Highway at Gold Hill. The Commission approved the construction of a timber sidewalk $3\frac{1}{2}$ feet

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wide on one side of the bridge only, which walk the Engineer estimated will cost about \$2,000.00.

The Engineer reported the cost to construct a footpath along the Central Oregon Highway between the town of Burns and the swimming pool near Hines Mill, as has been requested by people of that district. He advised that the footpath would be about 3.84 miles in length and that to construct a sidewalk grade 6 feet wide, with surfacing and oiling 5 feet wide, would cost about \$6,000.00. The Commission decided not to build this walk in view of the cost involved.

The Engineer also reported on the cost to construct a pedestrian walk along the Oregon Coast Highway at Seal Rocks. He said that investigation reveals that the people of this place want a footpath 1.2 miles in length, which will require considerable grading, consisting of high cuts and fills, which he estimated would cost about \$10,000.00. The Commission considered that the volume of pedestrian traffic that would use the walk would not justify the expense and accordingly denied the request.

Reconsideration was given by the Commission to the request of the people of Gearhart and Seaside for the construction of a pedestrian sidewalk between these two towns. The Engineer advised that, as previously instructed by the Commission, a further survey of the project has been made with a view to determining whether or not the volume of traffic that would use the walk during the summer season would justify the expense of the walk. Investigation reveals, he said, that there is considerable pedestrian traffic, but what is more important is the large volume of vehicular traffic over this road, which pedestrians must use between these two places. He estimated the cost of the footpath at about \$6,000.00, and recommended approval of the expenditure. After discussion the Commission approved the recommendation by unanimous vote and authorized construction of the walk in 1941, the work to be done either in connection with some other highway construction project in that vicinity or as a separate project, whichever method is cheaper.

Matters pertaining to the Annual Meeting of the American Association of State Highway Officials which is to be held in Seattle on September 16 to 19, inclusive, particularly the selection of employees who are to represent the State Highway Department at such meeting, had the attention of the Commission. The Engineer gave as his thought that, in view of the fact that Chairman Cabell is President of this Association and that the state expense of having a good representation at this meeting would not be great, the Oregon Highway Department should be well represented. He recommended that all members of the Commission and 17 members of the Highway Department be allowed to attend this meeting at state expense, and that state highway department cars be provided for transportation. After discussion the Commission approved the recommendation unanimously subject to further approval by Governor Charles A. Sprague. The Commission left it with the Engineer to select the personnel, it being understood that those selected would be, in general, employees who are members of subcommittees of the National Association.

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The Engineer also recommended that authority be granted to Mr. N. M. Finkbinder, Engineer of Materials, to attend a section meeting of the Committee on Materials of the American Association of State Highway Officials, which is to be held in Seattle on September 13 and 14, just prior to the general meeting. He estimated that Mr. Finkbinder's expenses in attending both meetings would not exceed \$80.00. The Commission approved the recommendation unanimously, subject to the further approval of Governor Charles A. Sprague.

The Assistant Attorney, Mr. J. W. DeSouza, was present and reported on the status of the right of way budget. He advised that the amount budgeted by the Commission for right of way purposes this year was \$600,000.00 and that of such amount approximately \$362,000.00 has been obligated. He gave as his thought that total expenditures this year would not reach the budgeted amount. The Commission approved the report.

The Assistant Attorney requested authority to acquire certain parcels of real property that are needed for various highway improvements throughout the state. He submitted a list of such properties together with the prices that he recommended be paid for each. After careful consideration the Commission approved the request and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth; and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon; and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is, instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Sunset Tunnel-Buxton Section - Wolf Creek Highway</u>				
8261-Fowler, Quincy L.	Esmt.	4.41	Gratis	McChesney

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>(Sunset Tunnel-Burton Section continued)</u>				
8260-Conway, Morrison A.	R/W	0.8	\$15 per a.	McCheaney
8260-Conway, Morrison A. Emt., Haul Rd.	20 ft.		Gratis - 1 yr.	"
8260-Conway, Morrison A. Emt., drainage	1.19		Gratis (permanent)	"
8311-Reed, Edw. C.	R/W	2.46	\$15 per a.	"
<u>Wolf Creek Section - Wolf Creek Highway</u>				
7401B-Koster Products Co.	Danger Trees		Right to clear danger trees, \$1.00	Parker
<u>Warren-Scappoose Section - Columbia River Highway</u>				
7697-Kenny, Dan J.			\$10 for securing deed to clear title	Scharnep
<u>West Portland-Tualatin Section - West Portland-Hubbard Highway</u>				
4032-Coleman, R. V.	R/W	1.137	\$250 per a. + fencing \$40	Benson
<u>Interstate Avenue-Denver Avenue Section - Pacific Highway West</u>				
5074-Graham, Wm. L.	R/W	60 sq.ft.	\$25 Lump Sum	Benson
<u>Southern Pacific Overcrossing Section - Cascade Highway</u>				
8239-Wartenweiler, Veronica	R/W	0.03	\$5 Lump Sum	Landon
8238-McBride, D. B.	"	0.31	\$322.50 per a., + \$32.50 for moving fence	"
8245A-Ieuenberger, Fred & Marie	"	1.62	\$550 per a., + fencing \$109	"
<u>Newberg-McMinnville Section - Pacific Highway West</u>				
7424-Whitman, J. N.	Easement	0.19	\$40 Lump Sum	Benson
<u>Tigard Section - Pacific Highway West</u>				
7810-Johnson, Emil A.	R/W	0.04	\$1,000 per a.	
(Correction)		205 sq.ft.	2 1/2 sq.ft., & State to convey 701 sq.ft. at 2 1/2 sq.ft.	Collins
7000-Franciscan Fathers of California (Correction)	R/W	23 sq.ft.	Land Gratis, + \$35	"
<u>Newport-South Section - Oregon Coast Highway</u>				
8369-Saxton, E. M.	Borrow Pit	2 lots	\$1 Lump Sum	Parker
8367-Pugsley, Arthur I.	"	1 lot	\$1 " "	"
8368-Davis, Loretta J.	"	2 lots	\$1 " "	"
8366-Elain, L.E. & Mary M.	"	2 "	\$1 " "	"
8364-Gauntlett, Harry W.	Easement	685 sq.ft.	\$1 " "	"
8365-Smith, A. M.	"	6051 sq.ft.	\$1 " "	"
8362-Tobin, J. J.	"	1032 sq.ft.	\$1 " "	"
8363-Wilson, E. E.	"	522 sq.ft.	\$1 " "	"
<u>Salem-Pringle Creek Section - Pacific Highway</u>				
5570-Miller, Edw. A.	R/W	11 sq.ft.	Land \$2.50, + \$30	McCallister
<u>Swisshome Section - Singlaw Highway</u>				
8314-Peckham, H. D.	R/W	0.083	\$50 Lump Sum	Lytle

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Marv's River-Lincoln School Section - Pacific Highway West</u>				
8302-Falk, Erwin F.	R/W	1060 sq.ft.	2 1/2 sq.ft.	Parker
8300-Neville, Frank L.	"	1574 sq.ft.	2 1/2 sq.ft.	"
8301-Conn, Joseph G.	"	1560 sq.ft.	2 1/2 sq.ft.	"
8303-Hovey, J. L.	"	860 sq.ft.	2 1/2 sq.ft.	"
8304-Union Oil Co. of California	"	2640 sq.ft.	2 1/2 sq.ft.	"
<u>Eugene Section - Pacific Highway</u>				
7931-Rogers, Minnie, and Parish, Lois	Maintenance Site	6670 sq.ft.	8 1/2 sq.ft., + \$666.40	Collins
<u>Bryant Hill-Trout Creek Section - Santiam Highway</u>				
8290-Long, Geo. M.	Talus Pit	4.39	\$50 Lump Sum, 1-yr. lease	McChesney
<u>Cottage Grove Section - Pacific Highway</u>				
8356-Chambers, J. H.	Easement	0.066	Gratis	Lytle
<u>Beaver Creek Section - Oregon Coast Highway</u>				
8361-Gilbert, Lena M. Estate	R/W	1742 sq.ft.	2.9 1/2 sq.ft.	McChesney
<u>South Marshfield Section - Oregon Coast Highway</u>				
8172-Evans Products Co., Inc.	Easement	3360 sq.ft.	Gratis	Benson
<u>North Bend-Marshfield Section - Oregon Coast Highway</u>				
8088-Bennett Trust Company	R/W	Undivided 1/2 interest in 133 sq.ft.	at 20 1/2 sq.ft.	Collins
8288-Port of Coos Bay	Easement	1 lot	Gratis	"
8287-Port of Coos Bay	"	1 lot	Gratis	"
8075-Hillstrom, Rudolph	R/W	1073 sq.ft.	at 15 1/2 sq.ft.	"
8088A-Bennett Trust Company	"	Undivided 1/2 interest in 909 sq.ft.	at 20 1/2 sq.ft.	"
8259-Chesik, Anastatia B. et al	"	18,377 sq.ft.	at 4 1/2 sq.ft., + \$25, + low bid for moving bldgs. & service station (est. at \$1200)	"
8077-Doane, Chas.	"	1065 sq.ft.	10 1/2 sq.ft., + \$15	(Collins Landon)
8078-Cox, Eugene	"	3985 sq.ft.	10 1/2 sq.ft.	"
8086-Madden, Lillian M.	"	2287 sq.ft.	20 1/2 sq.ft., + \$3542.60	"
8062-Port of Coos Bay	"	6548 sq.ft.	10 1/2 sq.ft., + \$50	Collins
8253-Davis, Alvin	"	4750 sq.ft.	5 1/2 sq.ft.	"
8081-Brewer, John W.	"	3388 sq.ft.	15 1/2 sq.ft.	"
3091-Condron, Ivy, and Curtis, G. W.	"	3241 sq.ft.	20 1/2 sq.ft., + \$2351.80, + 1250 sq.ft., Lot 12, Blk 42, to be deeded	"
8088-Coos County	"	Undivided 1/6 interest in 133 sq.ft.	Gratis	"

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>(North Bend-Marshfield Section continued)</u>				
8060-Schneider, F. P.	R/W	847 sq.ft.	10¢ sq.ft.	Collins
8094-Reilly, Geo. B.	"	2156 sq.ft.	10¢ sq.ft.	"
8254-Doane, C.F. and Oerding, Wm.A., et al, Coos County	"	4750 sq.ft.	8¢ sq.ft.	(Collins Landon)
8218-Cox, Eugene	"	1061 sq.ft.	10¢ sq.ft., + \$60	"
8251-Christiansen, Emil	"	2375 sq.ft.	\$5 Lump Sum	Collins
8057) Peterson, L. P. 8058)	"	7571 sq.ft.	12¢ sq.ft., + \$700, + moving bldgs (est. \$3000); State to convey Lots 8,9, 10,11,13,14, Blk 18, Nasburg's Add. to Marshfield, cont'g approx. 16,038 sq.ft., at \$0.5665 sq.ft.	(Landon Collins)
8051-Hillstrom, J.W. & J.R.	"	1004 sq.ft.	30¢ sq.ft., + \$148.80	Collins
8084-Conlogue, J. T.	"	4040 sq.ft.	24.74¢ sq.ft.	"
8089-Martin Candy Company	"	5650 sq.ft.	20¢ sq.ft.	"
8088A-Coos County	"	Undivided 1/12 interest in 909 sq.ft.	Gratis	"
8250-Strubel & Glancy Mercan- tile Company	"	4750 sq.ft.	7.368¢ sq.ft.	"
8087-Bennett, & Violet A. & Swanton, R. W.	"	4522 sq.ft.	22.11¢ sq.ft., + \$260 (State to convey all Lots 2,3, Blk 43, Nasburg; Lot 3, Blk 43, Bennett; Lots 3,4, Blk 61, Bennett Add., Marshfield, lying out- side R/W	Collins
<u>Bunker Hill Section - Oregon Coast Highway</u>				
8284-Coos County	R/W	2 lots	Gratis	Benson
		(5000 sq.ft.)		
8281-Tully,, P. R.	"	10,000 sq.ft.	2¢ sq.ft.	"
8282-Siglin, Michael	"	5 lots	\$50 per lot	"
		(15,000 sq.ft.)		
8283-Mullen, Mary, Estate	"	11,945 sq.ft.	3¢ sq.ft.	"
		5,000 sq.ft.	2¢ sq.ft.	"
		16,945		
<u>Bandon Section - Oregon Coast Highway</u>				
8188-Coos County-Channel Change Esmt.		7710 sq.ft.	Gratis	Gardiner
7857A-State Highway Com.-Moving Bldg. from Lot 4, Blk 8, Bandon (low bid) \$475				Parker
<u>Coquille Section - Oregon Coast Highway</u>				
7938-Alley, L. V.	Esmt.	144 sq.ft.	Gratis	Lytle
7939-Coos County	"	1800 sq.ft.	"	"
7940-Danielson, Richard	"	521 sq.ft.	"	"

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>(Coquille Section continued)</u>				
7941-Folsom, R. E.	Esmt.	483 sq.ft.	Gratis	Lytle
7943-Ashton, C. W.	"	350 sq.ft.	"	"
7944-Stonescypher, E. A.	"	350 sq.ft.	"	"
7945-Chase, Inez R.	"	350 sq.ft.	"	"
7946-Waltermier, James	"	511 sq.ft.	"	"
<u>Canyonville-Days Creek Section - Tiller-Trail Highway</u>				
8355-Weaver, Ralph F.	Stock Pile	0.57	\$87.70 per a.	Lytle
<u>Veneta-Anlauf Section - Territorial Highway</u>				
8299-Swenson, Roy	Stock Pile	0.58	\$100 per a., \$60 Lump Sum	Lytle
<u>Low Pass Section - Singlaw Highway</u>				
7820-Pope, Martha A. (Correction)	R/W	0.69	Land \$25, + \$5	Collins
<u>Forest Boundary-Cottonwood Creek Section - Klamath Falls-Lakeview Highway</u>				
7581-Favell-Utley Realty Co.	R/W	8.11	\$10 per a.	Benson
7582-Stevens, Geo. H.	"	9.27	2.76 a. at \$75 per a. 6.51 a. at \$25 per a., + \$1180.25	"
7588-Sanderson, H. H.	"	5.26	\$25 per a., + \$57	"
7589-Baldwin, F. Zim, and Fuller, J. S.	"	1.22	\$75 per a., + \$70.85	"
7590-Roberts, Elwood W.	"	4.63	\$10 per a.	"
7592-Roberts, Elwood W.	"	3.37	\$15 per a.	"
7583-Friend, Wm. E.	"	0.65	\$10 per a.	"
7586-Lee, W. T.	"	1.44	\$10 per a.	"
7580-Lake County	"	7.94	Gratis	"
7591-Wright, Carolyn	"	0.04	\$2.50 Lump Sum	"
7579-Madison, Ollie	"	6.12	\$10 per a.	"
<u>Klamath Falls-Merrill Section - Klamath Falls-Malin Highway</u>				
7564-Semon, Henry	R/W	0.22	Land Gratis, + \$150	Parker
7561-Whitlatch, W. V.	"	0.20	\$150 per a., + \$27.75	"
7562A-Fleming, R. L.	"	0.24	\$150 per a., + fencing \$24	"
7562-Dixon, Percy	"	0.335	\$150 per a.	"
		0.135	\$300 per a., + \$111	"
		0.470		
<u>Klamath Falls-Lakeview Section - Klamath Falls-Lakeview Highway</u>				
4729-Lake County	R/W	0.68	Gratis	Martin
4728-Lake County	"	0.68	"	"
<u>Rhea Creek-Heppner Section - Wasco-Heppner Highway</u>				
7539-Jones, Alva W. & Hanna	R/W	0.10	Land Gratis, + \$55.50	
7537-(Luper, James N.) and Babb, Lita King	"	0.10	Land Gratis, + fencing, \$86.25	Gardiner

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>(Rhea Creek-Hepner Section, continued)</u>				
7532-Wright, A. E.	R/W	0.10	Land Gratis, + fencing \$9	Gardiner
7533-Rugg, Edward E.	"	0.10	Land Gratis, + \$7.50, + moving bldgs \$750, + \$3.75	"
7535-Wright, Harold A.	"	0.01	Land Gratis, + fencing \$9.75	"
7534-Wright, Harold A.	"	0.10	Land Gratis, + fencing \$33.75	"
7536-Peters, Jos. T.	R/W, Quarry	0.10	Gratis	"
		5.56	\$10 per a., + fencing	"
		5.66		
7538-Willow Lodge IOOF #66 (Hendryx Estate)	R/W	0.10	Land Gratis, + fencing \$53.25	"
<u>Crooked River-Prineville Section - Ochoco Highway</u>				
7610-Brink, M. W.	Slope Eamt.	350 sq.ft.	Gratis	Benson
<u>John Day-Prairie City Section - John Day Highway</u>				
8384-Johnson, A. I.	Damages caused by lowering grade of Main Street in Prairie City		\$100 Lump Sum	Williams
<u>Flagstaff Hill-Middle Bridge Section - Baker-Homestead Highway</u>				
8213-Montgomery, T. G.	R/W	3.37	\$5 per a.	Gardiner
8211-State Land Board	"	3.15	\$2.50 per a.	"
8214-Widman, Frank	"	3.27	\$5 per a., + \$70.25	"
8215-Phillips, Lulu M.	"	0.37	\$5 per a.	"
8212-Snyder, Wm.	"	(1.97)	\$5 per a.	"
		(1.38)	\$75 per a., + \$219.15, + fencing	"
		3.35		"
8209-Peyronne, Henry L.	"	1.79	\$5 per a.	"
<u>Troy Ranch Section - Old Oregon Trail Highway</u>				
7878-Troy, Mary	R/W	0.81	\$100 per a., + fencing	Wells
<u>West Unit Kimberly-Monument Section - Monument Highway</u>				
7924-State Land Board	R/W	0.72	\$3.47 per a.	Gardiner
7920-Simas, Joe M. (Hewlett, Thos. A.)	"	2.11	\$5 per a., + fencing \$96, + \$7.50	"
7921-Simas, Joe M.	"	1.93	\$5 per a., + fencing \$94, + \$7.50	"
<u>Owyhee River-Scotts Butte Section - I.O.N. Highway</u>				
6902-Blackwill, Jas. O.	R/W	1.91	\$6 per a., + \$30	Martin
<u>Nyssa Undercrossing Section - Old Oregon Trail Highway</u>				
7393-Amalgamated Sugar Co.	R/W	493 sq.ft. 64 sq.ft.		
		729 sq.ft. 2.84 sq.ft., + \$1,950		Parker
		1222		

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Burns-Buchanan Section - Central Oregon Highway</u>				
8286-Myers, Alice Evans	Stock Pile	2.06	\$10 Lump Sum	Parker
<u>Sage Hen Hill-Burns Section - Central Oregon Highway</u>				
8285-State Land Board	Stock Pile	1.03	\$5 per a.	Parker
8305-Krueger, Bertha	Quarry and Haul Rd.	(10.00) (1.75) 11.75	\$10 per a. \$10 per a.	"
<u>Okerman Ranch-Sage Hen Hill Section - Central Oregon Highway</u>				
8313-State Land Board	R/W	25.39	\$2.50 per a.	Parker
<u>Brookings Section - Oregon Coast Highway</u>				
7698-Arnold, H. F.	R/W	0.16	\$20 Lump Sum for the land, + fencing	Collins
7699-Semon, C. J.	"	52 sq.ft.	Gratis	"
7713-Steeves, Kathleen A.	"	16 sq.ft.	Gratis	"
7709-Howell, James E.	"	817 sq.ft.	\$35 Lump Sum	"
	Slope Esmt. (10 ft.)			
7711-Grigollo, Emma	R/W	1566 sq.ft.	4¢ sq ft., + \$275	"
7988-Ask, Thor V.	"	2899 sq.ft.	4¢ sq.ft., + \$184. + moving & re-establish'g service sta. (Est. \$950)	"
	Slope Esmt.			
7712-Heiberger, Maura M. & G. J.	R/W	2065 sq.ft.	Gratis	"
7735-Delcur Corporation	"	2344 sq.ft.	Gratis	"
7715-Hogan, R. R.	"	2007 sq.ft.	4¢ sq.ft., + \$170, + moving bldg (Est. \$700)	"
7710-Meter, H. P.	"	1851 sq.ft.	Land Gratis, + moving laundry (Est. \$1200)	"
7703-Harris, Jas. A.	"	2022 sq.ft.	Land Gratis, + moving bldgs (Est. \$1500)	"
7701-Kile, Leavenworth	"	6760 sq.ft.	4¢ sq.ft., + \$1,229.60	"
7702-Cascad, Chas. M.	"	6542 sq.ft.	4¢ sq.ft., + \$538.32	"
7708-Mosier, J. W.	"	256 sq.ft.	\$50 Lump Sum	"
7714-Langfield, Karl C.	"	29 sq.ft.	Gratis	"
7716-Reese, A. B.	"	923 sq.ft.	4¢ sq.ft., + \$413.08, & State is to deed unused portion Lot 3, Blk 25, Brookings, consideration \$100, to be deducted	"
7717-Mosier, J. W.	"	864 sq.ft.	4¢ sq.ft., + \$115.44	"
7720-Campbell, H. W.	"	5911 sq.ft.	(23¢ sq.ft.) \$150 Lump Sum	"
8022-Brookings Land & Town-site Company	"	1622 sq.ft.	\$100 Lump Sum	"
7706-Crissey, W. L.	"	4755 sq.ft.	State to deed land lying in Lots 1,2,3,4, Blk 15, outside R/W, approx. 20 ft between Blks 12 & 15, + moving bldg. (Est. \$1800, low bid	"

(Continued on next page)

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>(Brookings Section continued)</u>				
7700-Brookings Land & Town-site Company	R/W	2.56	State to pay taxes \$97.73	
		17,251 sq.ft.	" " " " \$420.62, + \$700	
		11,048 sq.ft.	State to pay taxes \$152.65	
		9,852 sq.ft.	Gratis, + moving theatre (Est. \$2000). State to deed portion Lot 3, Blk 4, parts Lots 1 to 12, incl, Blk 12, lying north re-located R/W; also portion vacated street between Blks 12 & 15, not needed for R/W	Collins
7707-Pedrioli, Fanny Trimble	"	11,683 sq.ft.	46 sq.ft., + \$3,197	"
<u>Albany Section - Pacific Highway East</u>				
8382-Maxwell, John	Slope Emt. & Channel Change	0.02	Land Gratis, + fencing	Gardiner
<u>Siskiyou-State Line Section - Pacific Highway</u>				
8358-Coggins, Arthur L.	R/W	10.86	\$400 Lump Sum	Benson

The Commission adjourned at 6:00 p. m., to reconvene on the following morning in the auditorium of the Public Service Building.

Portland, Oregon, August 22, 1940

The State Highway Commission reconvened in regular session at 9:00 a.m. in the auditorium of the Public Service Building. Present were:

Henry F. Cabell, Chairman
 Huron W. Clough, Commissioner
 Herman Oliver, Commissioner
 R. H. Baldock, State Highway Engineer
 J. M. Devers, Attorney
 H. B. Glaisyer, Secretary

Chairman Cabell made the following public announcement:

"We again have information to the effect that there are one or two bids in our custody in the Salem office, which bids are now on the way up here by messenger. We will once more open and read these bids, even though all of the bids for the particular projects they are for have been read before they arrive. We have always requested that bids be sent here. If they are sent to Salem hereafter they will have to be mailed in time to be received in Salem on the after-

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noon before the day of the letting. If they are not received in Salem by that time they will be returned to the bidder unopened."

Bids as follows for highway construction projects were then opened and read in conformance with previously published notice, following which Chairman Cabell announced that the award of contracts would be made at 2:00 p. m. in the same room:

OREGON COAST HIGHWAY
BUNKER HILL SECTION - EXCAVATION FOR SLIDE DRAINAGE DITCH

Martin Petersen	\$ 8,950.00
River Bend Sand & Gravel Company	10,967.50
Leonard & Slate	11,150.00
Coos Bay Dredging Company	11,860.00
H. B. Klineline	14,350.00

OREGON COAST HIGHWAY
BROOKINGS SECTION - GRADING AND BITUMINOUS MACADAM SURFACING
ALSO FURNISH CRUSHED GRAVEL IN STOCK PILES

A. Milne	\$57,089.50
Homer G. Johnson	58,213.50
E. C. Hall Company	58,635.50
Leonard & Slate	64,037.50
Coos Bay Dredging Company	65,706.65
Scheumann & Johnson	84,397.00
Joseph Shaw	85,047.00

SAMS VALLEY AND PACIFIC HIGHWAYS
GOLD HILL ROCK PRODUCTION PROJECT

R. I. Stuart & Sons	\$18,940.00
M. C. Lininger & Son	19,080.00
A. S. Wallace	21,100.00
E. C. Hall Company	21,845.00
Rogers Construction Company	21,930.00
Clifford A. Dunn	23,850.00
Homer G. Johnson	24,675.00

CRATER LAKE HIGHWAY
LITTLE BUTTE CREEK-CASCADE GORGE SECTION
FURNISH CRUSHED GRAVEL IN STOCK PILES

R. I. Stuart & Sons	\$18,425.00
A. S. Wallace	21,530.00
Rogers Construction Company	21,582.00
Homer G. Johnson	22,650.00
E. C. Hall Company	22,660.00
Clifford A. Dunn	24,260.00

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**KLAMATH FALLS-MALIN HIGHWAY
RECONSTRUCTING HENLEY FLUME AND WIDENING U.S.R.S. DIVERSION CANAL BRIDGE**

Angelo Doveri	\$ 8,143.50
Clifford A. Dunn	9,260.00
W. D. Miller Construction Company	9,805.00
McNutt Bros.	10,372.50

**PACIFIC HIGHWAY
CONSTRUCTION OF REINFORCED CONCRETE BRIDGE AT ALBANY**

Barham Bros.	\$12,238.00
Frank Watt	12,750.00
McNutt Bros.	12,904.00
Averill & Corbin	13,040.00
Birkemeier & Saremal	13,590.00
Clifford A. Dunn	13,932.00
Tom Lillebo	14,658.00
Jacobsen-Jensen Company	16,600.00

**WASCO-HEPPNER SECONDARY HIGHWAY
EIGHTMILE-DRY CREEK SECTION - GRADING, SURFACING, OILING; CRUSHED ROCK**

Babler Bros.	\$43,089.00
Edwin C. Gerber	44,420.00
Norris Bros.	44,893.00
Fisher Bros.	44,896.70
Clifford A. Dunn	47,489.00
R. O. Dail & Warren Bros.	48,043.50
E. C. Hall Company	50,004.00
Max J. Kuney	50,495.60

**WARM SPRINGS HIGHWAY
FOREST BOUNDARY-WARM SPRINGS RIVER SECTION - GRADING**

Colonial Construction Company	\$76,027.00
M. L. O'Neil & Son	83,872.50
Leonard & Slate	87,665.50
Berke Bros.	89,298.00
E. C. Hall Company	94,529.50
G. D. Lyon & Company	95,765.50
E. L. Rigdon	97,241.00
C. J. Eldon	97,244.50
J. A. Lyons	99,963.00
Sam Orino	102,908.50
Clifford A. Dunn	107,626.50
A. C. Greenwood Company, Inc.	109,978.00
McNutt Bros.	115,873.00
E. L. Gates	121,514.00
J. C. Papin	122,057.50

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SPRAY-WATERMAN ROAD
RECONSTRUCTION OF JOHN DAY RIVER BRIDGE, NEAR SPRAY

Averill & Corbin	\$ 5,468.00
W. H. Philpott	6,056.50
McNutt Bros.	6,380.00

County Judge Nelson B. Higgs of Harney County was present and inquired what action has been taken by the Commission on the request of the people of Burns for footpath construction along the Burns-Hines Mill Section of the Central Oregon Highway for the benefit and safety of children and others who frequent the swimming pool at Hines Mill. He was informed that the Commission discussed this matter on the previous day and decided not to build this footpath because it is an expensive undertaking and the Commission does not feel that it can spare funds for the purpose. Judge Higgs inquired whether the Commission would consider the project if the towns of Burns and Hines Mill would pay a portion of the expense. The Commission took no action on such suggestion.

Judge Higgs also inquired when the Commission expects to call for bids for the construction of the Wright's Point-Narrows Section of the Frenchglen Secondary Highway south of Burns. He was informed that the contracting of this work is dependent upon the Federal Government's approval inasmuch as federal funds are to be used to finance the work, and that the Commission will advertise this project for bids to be received at its meeting in October, if such government approval has been obtained in the meantime. In any event, the Commission will place it under contract as soon as possible.

In this connection Judge Higgs advised that the Hanley Lane Section of this secondary highway is badly in need of resurfacing, as under present conditions it is difficult to maintain travel over the road during the winter season. The Commission expressed regrets that its finances will not permit the reconstruction of this section this year; however, instructed the Engineer to do what is necessary to maintain travel over the same during the winter months.

Judge Higgs also asked for the improvement of the first four or five miles of the Diamond Valley Secondary Highway south of Crane. The Commission agreed to keep the project in mind.

Judge Higgs brought up for discussion the matter of maintaining a directional sign on private property adjacent to the Old Oregon Trail near its junction with the Central Oregon Highway just south of Cairo. He said that in an endeavor to increase travel over the Central Oregon Highway a number of communities along this route have made arrangements to maintain a sign at this junction point and would like now to secure the Commission's approval to the wording of the sign. He submitted a rough diagram of the sign with the proposed wording that will appear thereon. The Commission refused to approve the wording upon advice from the Attorney that it does not comply with the legal

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requirements. Judge Higge was informed that the Commission is reluctant to approve the erection of privately owned directional signs along state highways, and its policy in regard thereto is to oppose the maintenance of such signs unless they are worded strictly in conformance with the legal requirements.

A delegation from Deschutes County, consisting of County Judge Charles L. Allen, County Commissioner William Baer, and McKinley Stockton, General Superintendent of the Oromite Company, came before the Commission and requested state aid in the improvement of the county road which extends westerly from the town of Terrebonne and serves the Lower Bridge and Cloverdale Sections of Deschutes County, including the Oromite plant. Judge Allen stated that the Oromite Company's plant was burned down a short time ago and that there is some question as to whether it will be rebuilt, although the chances are quite favorable to that end if the company is assured of a good road over which to transport its products. He asked the Commission to oil the road as a federal aid secondary highway project and offered county cooperation by way of grading the road and making it ready for the oil treatment. Furthermore, he stated, the county will pay all of the costs of the improvement that cannot be paid with federal money. Mr. Stockton confirmed Judge Allen's statement as to the probabilities of the Oromite Company rebuilding its plant. He gave statistics as to the company's operations including annual expenditure by the company for pay rolls, taxes, et cetera. The cost of transporting their products over the existing road, he said, is extremely high because of the poor condition of the road and he gave as his thought that if the company were assured that the road would be improved it would rebuild the plant and resume operations, particularly because such improvement would cut down its transportation costs considerably and would place them in line to meet the existing strong competition.

Chairman Cabell advised that the federal aid secondary highway funds are the only funds that can be used by the Commission to finance this work and that the Commission is not in position today to give a definite answer but will do so as soon as investigation is made by the Engineer, and the Commission passes on his report. Commissioner Baer asked the Commission to make its decision before the first of November so that the county can make provision for the county's share of the cost in the county budget which will be prepared at that time. The Commission agreed to do this and instructed the Engineer to make his report to the Commission at its meeting in October. Judge Allen filed with the Commission a letter from the Bend Chamber of Commerce advising that the Bend Chamber of Commerce and the Redmond Chamber of Commerce are heartily in favor of the improvement of this road.

Judge Allen also asked the Commission to place the Butler Market Road on the state highway system, inasmuch as this road is now oiled throughout its entire length and provides a shorter route into Bend from the Powell Butte district than is now afforded by the Powell Butte Secondary Highway. He suggested that the Commission take over this road and remove from the state secondary highway system that portion of the Powell Butte Secondary Highway which extends from the Central Oregon Highway northerly to the point where it connects with the Butler Market Road; in other words, that the Commission trade the latter-mentioned section, which is 3 miles in length, for the Butler Market Road, which is 6 miles in length. The Commission took the matter under advisement.

Judge Allen presented to the Commission a petition signed by numerous citizens of Deschutes County requesting the oiling of a $3\frac{1}{2}$ -mile section of the Cline Falls Secondary Highway north of Tumalo, and the oiling of the 4-mile section of the Tumalo-Deschutes Secondary Highway from Tumalo to a connection with The Dalles-California Highway. Judge Allen urged approval of this request. The Commission took the matter under advisement.

County Judge W. R. Cook and County Commissioner F. E. Stangland, of Jefferson County, were present in regard to additional construction on the Warm Springs Highway between Warm Springs Agency and the Wapinitia Highway Junction. They urged the Commission to expedite construction of the northerly end of this section as much as possible. They were informed that the Commission is proceeding as rapidly as it can with this road and is as anxious as the County Court for the early completion of the same; also, that it is simply a question of availability of federal funds to finance the work. Judge Cook then thanked the Commission for placing this road on the federal aid system.

County Judge J. H. Allen of Grant County was present and expressed the desire of the citizens of Grant County to entertain the State Highway Commission on its proposed trip into Eastern Oregon. Chairman Cabell thanked him and advised that the Commission would be pleased to accept, if possible.

Judge Allen then brought up for discussion the need for the improvement of the Blue Mountain Springs-Prairie City County Road. He said that this road is in poor condition and they would like to have it placed on the state secondary highway system so the state could improve it. Otherwise, he said, the county would have to resurface the road, which is quite a problem to the county in view of its present financial condition. The Commission took no action on the matter.

The Engineer presented a list of construction projects, being a partial list of projects proposed for letting at the next regular meeting of the Commission. After due consideration, the Commission approved the following projects and authorized the Engineer to advertise them for bids to be received at such meeting:

Blalock-Lang Canyon, Grad., Surf., & Bit. Mac.	40 FA	\$145,000
Marshfield-Bunker Hill, Grad. & Pav.	40 FA	46,000
North Marshfield Section, Grad. & Pav.	41 FA	65,000
Goose Rock Section, Grad., Surf. & Bridge	41 FA	45,000
Troutdale-Oneonta, Riprap & Topping	41 FA	107,000
Okerman Ranch-Sage Hen Hill, Grad., Surf., & Oil	41 FA	98,300
Siletz-Toledo, Grad., Surf., & Oil	39 FAS	33,000
Kimberly-Simas School (V. Unit), Grad. & Surf.	40 FAS	22,000
Wrights Point-Narrows (N. Unit), Grad. & Top.	40 FAS	15,200
Woodburn-Rock Creek, Surf., Oil, & Rock Prod.	40 FAS	21,500
Wasco County Line-Madras, Rock Prod.	State	13,400
Mosier-Seufert, Rock Prod.	State	15,600
Tillamook Rock Production Project	State	13,700
Mud Hollow-Oak Creek, Grad., Surf., & Oil	41 FAS	30,000

The Attorney brought up for discussion the question of permitting property owners to maintain electrically charged stock fences along highway rights of way. He said that ordinarily these fences do not carry sufficient voltage to do any harm to people or stock coming into contact with them but it

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has been brought to his attention that there is a possibility of harmful effects in the event something should go wrong, and in view thereof he questioned the advisability of permitting such fences along the edge of the right of way without first notifying the property owners that the Highway Commission will not assume any responsibility or liability in connection with any accidents that might result therefrom. He suggested the preparation of a circular letter to that effect, same to be distributed to the property owners through the offices of the Division Engineers. After discussion the Commission decided to allow the erection of such electrically-charged fences along the highway rights of way provided the property owner will assume all responsibility for accidents that may result therefrom. The Attorney was instructed to prepare and distribute the circular letter in accordance with his suggestion.

The Engineer reported receipt of information from the Secretary of Oregon's World's Fair Commission to the effect that the Fair Commission will be unable to meet its pay roll for September and to promptly meet other expense incurred unless some means are found for considerably expediting payment of the Highway Commission's share of this cost. He suggested that, in order to assist the Fair Commission, the Highway Commission follow the same procedure in the payment of the salaries of the Fair Commission employees as is now being followed in paying the salaries of employees in the State Purchasing Department; also, that reimbursement to the Fair Commission for the cost of supplies and other expense be made by paying the vouchers from the Revolving Fund instead of through the usual channels, as is now being done. The Attorney advised that such procedure is in conformity with the agreement between the Highway Commission and the Fair Commission and that the Commission can approve this method of payment if it so desires. After discussion the Commission approved the Engineer's suggestion by unanimous vote, subject to the condition that the amount to be paid do not exceed the total amount that the Highway Commission has agreed to pay for this undertaking as set out in the said agreement.

The Commission discussed the matter of installing flashing beacons on the Pacific Highway at the intersection of Fourth and B Streets in the city of Drain. The Engineer advised that this is a dangerous intersection and, in his estimation, the beacons should be installed as a safety measure. He estimated the cost of the installation at \$250.00. The Commission approved the recommendation.

The Commission also discussed the matter of installing lights on the Willamette River Bridge and on the Mary's River Bridge, in Corvallis, as has been requested by the City Council, which has agreed to pay the cost of maintaining and operating the same. The Engineer advised that this matter has been investigated and it has been recommended by the Traffic Engineer, in which recommendation he concurs, that sodium vapor lights be installed on these bridges. He estimated the cost of installing 5 sodium vapor lights on the Willamette River Bridge at \$950.00, and 2 similar lights on the Mary's River Bridge at \$475.00. The cost of operating these lights, he said, is estimated at \$131.00 and \$52.00 annually, respectively. After discussion the Commission by unanimous vote approved the installation of lights on both bridges at state expense, provided the City of Corvallis will agree to pay the cost to maintain and operate them.

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A letter was presented from the General Construction Company, contractors for embankment construction and culvert pipe installation on the Troutdale-Dodson Section of the Columbia River Highway, State Highway Contract No. 2320, with reference to the executing of a form of indemnity agreement and the furnishing of a bond to the Union Pacific Railroad Company and the Western Union Telegraph Company in the amount of \$20,000.00 to insure compliance with the provisions of the Highway Commission's encroachment agreement with those companies in connection with the above-mentioned project. According to the letter, which was signed by H. A. Dick, Vice President of the General Construction Company, the agreements have been signed by the contractor and returned to the railroad and telegraph companies for further execution. Mr. Dick also explained that, in addition to the bond asked for, the contractor has secured a contractual liability policy from the United States Fidelity and Guaranty Company in order to protect the contractor against the added liability assumed by reason of the signing of the aforementioned agreements. He is asking the Highway Commission to pay the premium on the bond, in the amount of \$200.00, and the premium on the contractual liability policy, amounting to \$240.95, or a total of \$440.95. The Engineer advised that the contract with the General Construction Company did not include provision for the furnishing of this bond and insurance, and it was his thought that, inasmuch as the contractor did not have the benefit of this requirement in submitting his bid for the work, it would be only fair for the state to assume this expense, and he so recommended. The Commission approved the recommendation.

The Engineer reported the results of the study on the recommendations submitted by the committee that was appointed by the Commission to select locations along the Old Oregon Trail for historical markers. He recommended the installation of 25 markers, as a start on this program, and estimated the cost of the same at \$2,600.00. He also submitted a design for a standard marker, as prepared by the Highway Department's architect, which sign is to bear appropriate historical information relative to the site upon which the marker is located. After discussion the Commission by unanimous vote approved the design and authorized the Engineer to proceed with the erection of the 25 markers as recommended.

The Engineer requested authority to purchase the following equipment:

- 12 trucks of Mack and Federal type - 12 old trucks to be traded in as part purchase price. Estimated total cash outlay \$39,600.00
- 13 snow plows for use on Walters trucks. Estimated total cost \$6,000.00
- 20 modern push-type plows. Estimated total cost \$7,000.00
- 6 air compressors. Estimated total cost \$1,050.00
- 1 laboratory crusher. Estimated cost \$250.00

After careful consideration the Commission approved the request by unanimous

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vote and instructed the Engineer to purchase this equipment through the State Purchasing Department in accordance with the usual practice.

The Engineer also recommended the purchase of a camera for the Travel and Information Department. He advised that for the past two years the Department has used the privately-owned camera of Mr. Gifford, an employee of the Travel Department, at no cost to the state. He gave as his thought that this is a very unsatisfactory arrangement and suggested either the purchase of this camera from Mr. Gifford or the purchase of an entirely new one. The Commission considered it inadvisable to purchase a second-hand piece of equipment, particularly a piece of equipment that is owned by a highway department employee, because of the precedent that would be established. In view thereof the Commission authorized the Engineer to buy a new camera, which he estimated would cost approximately \$218.00. The Engineer was also authorized to pay Mr. Gifford a reasonable sum for the past rental of his camera.

The Commission considered and denied a request from the O. K. Transfer Company, Klamath Falls, for permission to transport over state highways from Klamath Falls to Nyssa one concrete paving machine having an overall height of 14 feet 8 inches, because there are several impaired bridge clearances on the route proposed and there being rail transportation available.

The Commission had under discussion a letter from the Pierce Auto Freight Lines, Inc., requesting a blanket permit to operate over the Pacific Highway between Portland and the California state line motor vehicle equipment having an overall height of 12 feet, said application being made under Section 55-2702, Subsection B, Oregon Code 1930. The Engineer recommended approval of this request. The Commission approved the recommendation unanimously, subject to the condition that the maximum overall height shall not exceed 12 feet.

The Commission adjourned at 12:00 noon and reconvened at 2:00 p.m. in the same room with all Commissioners, the State Highway Engineer, the Attorney, and the Secretary present.

Chairman Cabell announced the following awards of contracts, bids for which were taken at the morning session, such awards having been previously approved by the Commission by unanimous vote:

"Bunker Hill Slide Drainage Ditch on the Oregon Coast Highway, in Coos County. Approximately 18,000 cubic yards drainage ditch excavation. Martin Petersen, Florence, submitted the low bid for this project in the amount of \$8,950.00. River Bend Sand & Gravel Company, Salem, submitted the second-low bid in the amount of \$10,967.50. There were 3 higher bidders. The Commission awards this contract to the low bidder, Martin Petersen, at his bid of \$8,950.00.

"Brookings Section of the Oregon Coast Highway, in Curry County. 0.73 mile grading and bituminous macadam surfacing; also furnish 8,500 cubic yards crushed gravel in stock piles. Seven bids were submitted for this project, the low one being that of A. Milne, Portland, in the amount of \$57,089.50, and the second-low being that of

Homer G. Johnson, Portland, in the amount of \$58,213.50. The Commission awards the contract to A. Milne, the low bidder, at his bid of \$57,089.50.

"Gold Hill Rock Production Project on the Sams Valley and Pacific Highways, in Jackson County. The low bid for this project was submitted by R. I. Stuart & Sons, Medford, in the amount of \$18,940. The second-low bid was submitted by M. C. Lininger & Son, Ashland, in the amount of \$19,080.00. There were 5 higher bidders. The Commission refers all bids received for this project to the Engineer with power to award the contract to the low bidder when certain conditions have been satisfied.

"Little Butte Creek-Cascade Gorge Section of the Crater Lake Highway, in Jackson County. Furnish approximately 16,300 cubic yards crushed gravel in stock piles. Six bids were received for this project, the low one being that of R. I. Stuart & Sons, Medford, in the amount of \$18,425.00, and the second-low being that of A. S. Wallace, Roseburg, in the amount of \$21,530.00. The Commission awards the contract to the low bidders, R. I. Stuart & Sons, at their bid of \$18,425.00.

"Henley Flume and U.S.R.S. Diversion Canal on the Klamath Falls-Malin Highway, in Klamath County. Reconstruction of Henley Flume and widening of U.S.R.S. Diversion Canal bridge. Angelo Doveri, Klamath Falls, submitted the low bid for this project in the amount of \$8,143.50. Clifford A. Dunn, Klamath Falls, submitted the second-low bid in the amount of \$9,260.00. There were 2 higher bidders. The Commission awards the contract to the low bidder, Angelo Doveri, at his bid price of \$8,143.50.

"Cox Creek Bridge on the Pacific Highway at Albany, in Linn County. Construction of 76-foot reinforced concrete bridge. The low bid for this project was submitted by Barham Bros., Salem, in the amount of \$12,238.00. The second-low bid was submitted by Frank Watt, Portland, in the amount of \$12,750.00. There were 6 higher bidders. The Commission awards the contract to the low bidder, Barham Bros., at their bid of \$12,238.00.

"Eightmile-Dry Creek Section of the Wasco-Hepner Secondary Highway, in Morrow County. 4.92 miles grading and surfacing and 11.82 miles oiling; also furnish 1,500 cubic yards crushed rock in stock piles. Babler Bros., Portland, submitted the low bid at \$43,089.00. The second-low bid on this project was submitted by Edwin C. Gerber, Oregon City, in the amount of \$44,420.00. There were 6 higher bidders. The Commission awards the contract to Babler Bros., the low bidders, at their bid of \$43,089.00.

"Forest Boundary-Warm Springs River Section of the Warm Springs Highway, in Wasco County. 6.06 miles grading. 15 bids were submitted

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for this project, the low one being that of the Colonial Construction Company, Spokane, Washington, at \$76,027.00, and the second-low one being that of M. L. O'Neil & Son, Eugene, at \$83,872.50. The Commission awards the contract to the low bidder, Colonial Construction Company, at its bid of \$76,027.00.

"John Day River Bridge on the Spray-Waterman Road near Spray, in Wheeler County. Reconstruction of existing bridge. The low bidder for this project was Averill & Corbin, Portland, at \$5,468.00. The second-low bidder was W. H. Philpott, Portland, at \$6,056.50. There was one higher bidder. The bids for this project were received for and on behalf of the County Court of Wheeler County. The Commission therefore has referred all of them to the Wheeler County Court for consideration."

A delegation from Coos County, headed by County Judge J. E. Norton, came before the Commission and renewed their request for the oiling of the Powers Secondary Highway. Other members of the delegation were Senator George H. Chaney and Albert Powers, of Coquille, Jess Clinton of Myrtle Point, and E. Hull, of Powers. They urged the Commission to oil this entire highway at one time rather than in deferred increments. Chairman Cabell advised that the prospects for oiling this highway at one time are not very good. He pointed out that the federal aid secondary highway funds available to the Commission are very limited but the Commission intends to do a certain amount of oiling work on this road, although it does not know at the present time just how much it can do, and that the best hope for construction in the near future is to finance it with state funds, which the Commission must be very careful in spending.

A delegation from Newport, representing the Chamber of Commerce and consisting of L. C. Smith, who was spokesman; County Judge Franklin E. Gilkey; Mayor James F. Baird of Newport; and H. L. Hull, came before the Commission and urged early reconstruction of the Newport-Otter Rock Section of the Oregon Coast Highway. Judge Gilkey explained that they are not asking the Commission to reconstruct the entire section at one time but would like to have the work done in sections, starting as a first project the section between Newport and a place known as Hutchinson's Mill. Mayor Baird stated that the City of Newport has in mind the improvement of Agnes Street but cannot proceed with this improvement until the highway has been regraded. He also urged the Commission to eliminate a bad dip in the Corvallis-Newport Highway near the city limits.

The delegation was informed that the Commission would be pleased to give their projects due consideration in the formulation of future highway construction programs.

A delegation from Lane County, headed by Mr. H. A. Mitchell, came before the Commission and requested the oiling of the Gillespie Corner-Douglas County Line Section of the Territorial Secondary Highway. There were fifteen members of this delegation, including the following: Roy V. Foster, A. R. King, Thomas B. Mitchell, Harold Foster, E. S. Addison, Hubert Addison, and Victor Chambers. They offered to aid the Highway Commission in any way possible in

order to secure this improvement. Chairman Cabell advised that the Highway Commission is cognizant of the condition of this road and will be glad to give it consideration in the formulation of future highway programs, and expects to allocate funds to finance the improvement of some portion of the Territorial Highway whenever funds are available, although no definite commitment or promise can be made at this time. He pointed out that the Commission has only a limited amount of funds to spend on roads of this type and must be very careful in the distribution thereof because there are many roads throughout the state in the same category and the Commission cannot improve all of them at the same time. He thanked the delegation for its appearance.

A delegation from Waldport, consisting of County Judge Franklin E. Gilkey, Mayor Wm. F. Keady, L. J. Rickard, County Commissioner James C. Barclay, C. A. Moffitt, and John Greenboen, came before the Commission in the interests of the Alsea Highway. They particularly requested the completion of the un-oiled lower end of this highway, about 16 miles in length. The Commission agreed to consider the project in the preparation of the next construction program for forest highway and state funds. Chairman Cabell explained that the Commission appreciates the desirability of this improvement, which has been somewhat delayed because of the fact that the Alsea Highway is not a federal aid highway, hence is not eligible for federal aid funds. He pointed out that it is out of the question to build the road to high standards, so the Commission has it in mind to spend state money to improve the easterly 12-mile unit of this section to make it comparable to the completed improvement easterly thereof, and to program forest highway funds to finance the improvement of the lower 4-mile section. He made it clear that the Commission has not yet committed itself to such a program but is considering it, and inquired as to whether such an improvement would meet with the approval of the people of that district. The members of the delegation expressed themselves as being satisfied with the improvement as outlined.

The Attorney requested instructions relative to the acceptance of deferred payments by Mr. T. R. Maxwell, at Enterprise, who some time ago purchased a building from the State Highway Commission at that place. It appears that Mr. Maxwell agreed to pay \$150.00 quarterly for this building but he became delinquent in his payments and now offers to pay \$100.00 per month, starting on August 20, until the total amount is paid. The Attorney recommended acceptance of the offer. The Commission approved the recommendation.

The Attorney also brought up for discussion the matter of moving houses from property in the Emison Addition to Nyssa, which property has been acquired by the Amalgamated Sugar Company in connection with the Nyssa undercrossing project. He said that the Amalgamated Sugar Company wants to move these buildings over the state highway and has requested permission so to do. He pointed out that if the highway has not been closed by reason of the contractor's construction work, then the State Highway Commission would be responsible for the issuance of the permit. On the other hand, if the highway has been closed by the contract work, then, in his opinion, it would be in order for the Amalgamated Sugar Company to procure its permit from the contractor, inasmuch as the moving of the buildings would be over a portion of the highway

under control of the highway contractor and might interfere with his operations. The Commission referred the matter to the Attorney for further investigation and to determine definitely who is responsible for the issuance of the permit.

The Commission discussed a revised draft of an agreement with the Bonneville Power Administration covering the subject of a perpetual right of the Administration to construct power transmission pole lines over and across certain state highways. After careful consideration of the provisions of this agreement and assurance on the part of the Attorney that the objectionable clauses in the first draft of the agreement have been eliminated, the Commission approved the agreement and thereupon signed the same.

The matter of permitting certain individuals to continue to pump water from one of the borrow pit lakes adjacent to the Pacific Highway near the Southern Pacific Overcrossing at Eugene had the attention of the Commission. The question arose whether it would be advisable to let the persons who are now taking water from the lake continue to do so in view of the fact that the water level at the lake has been lowered several feet, making more or less unsightly the landscaping around the lake. The Commission deferred its decision in the matter pending investigation and report by the Engineer and the Attorney, such report to be rendered to Chairman Cabell, who was authorized by the Commission to pass on the matter and to issue instructions relative thereto.

The Commission discussed briefly matters pertaining to the authority of the State Parks Superintendent with respect to such of his activities as are mingled with federal activities in the development of state parks, but deferred action thereon until a future meeting.

The Attorney reported an offer from one of the employees of the General Construction Company, which is doing contract work for the state along the upper Columbia River Highway, to rent a dwelling situate on the Jordan property, which was acquired by the Commission in connection with the acquisition of right of way for this highway. The Attorney advised that this man has offered to pay \$7.50 per month rental for this building, but recommended that the request be denied. The Commission approved the recommendation as a matter of policy.

The Commission also discussed the offer of Mr. Coleman to purchase certain state-owned property in the wye formed by the junction of the new Pacific Highway East and the old Pacific Highway East, near the Abernethy Creek Bridge in Oregon City. The Commission deferred a decision in this matter pending personal inspection of the premises.

Mr. Charles A. Hart, Attorney for the United Railways Company, the S. P. & S. Company, and the Oregon Electric Company, which are involved in the Front Avenue project in Portland, came before the Commission relative to an item in the Portland newspapers of this date quoting Chairman Cabell as saying that the railroad companies are endeavoring to block the Front Avenue improve-

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ment because they do not wish to remove their existing railroad tracks from Front Avenue. Mr. Hart stated emphatically that the railroad companies do not want to keep their tracks on Front Avenue and they resent any statement to that effect; further, that the only thing that the railroad companies have ever told the industries located along Front Avenue is that the railroad companies could not serve them as in the past if the Front Avenue project materialized and the railroad companies were required to vacate.

Chairman Cabell replied that he was glad to have Mr. Hart's statement and that if Mr. Hart would give him his personal assurance that the statement is a fact, he would be glad to accept it. However, the statement made by himself on the previous evening at a conference with members of the City Council was expressed as his firm belief and it would be difficult for him to change his feeling in the matter; further, that it seems to him that City Commissioner Bennett is acting more in the interests of the railroad companies than in the interests of the property owners, because, from statements that have been made to him, it appears that industries can be adequately served by some other means.

The Attorney reported an offer from Newell Wright, Grants Pass, to purchase certain state-owned property at Grants Pass to allow him access to the highway at that place. He inquired whether the Commission wished to sell this property. Action on this matter was deferred pending investigation and report by the Engineer and the Attorney.

The Commission discussed the matter of reconveying unto Thos. M. Gilchrist, Albany, certain property acquired from Mr. Gilchrist in connection with the securing of right of way for the new highway through this city. It appears that Mr. Gilchrist owns property near the intersection of the Pacific and Santiam Highways and that a portion of the same is required as right of way for the proposed traffic separation structure at this point and that the Commission purchased the area needed although it was not intended to construct the traffic separation structure in the near future. It also appears that Mr. Gilchrist wants his property deeded back to him and is willing to pay the Commission the sum that the state paid him for it, because, as conditions now exist, he has no access to the highway. The Engineer advised that plans have been made for an elaborate grade separation structure at this intersection but traffic conditions at the present time do not justify the expense. He suggested, in view of the fact that the state now owns this property, that it be retained and that the Commission give Mr. Gilchrist temporary access to the highway across the same pending use of the property for state highway purposes. The Commission deferred action on this matter pending further investigation by the Engineer.

The Commission discussed and approved the form of agreement disposing of the claim of Bruno Huslik, Bend, for damages arising out of the construction of the Bend Undercrossing Section of The Dallas-California Highway.

The Commission discussed and denied the application of Dr. Joseph D. Sternberg, Albany, to purchase certain state-owned property included within

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the wye connection between the old and new routes of the Pacific Highway East, near the north city limits of Albany, it appearing to the Commission that this property is needed for state highway purposes.

The Attorney presented a number of resolutions adopted by various organizations, including chambers of commerce and county courts, along the Oregon Coast Highway, in which resolutions objections were offered to the granting of the application of the Consolidated Freightways, Inc., for a license or permit to carry on fast freight service along the Oregon Coast Highway between marshfield and California points, which matter is now pending before the Interstate Commerce Commission. The Commission ordered the resolutions acknowledged and filed.

The Attorney presented a form of agreement with Peninsula Drainage District No. 1, Multnomah County, covering the construction of a flood wall on the right of way of Swift Secondary Highway, in North Portland. He read aloud the provisions of the agreement, which were approved by the Commission by unanimous vote. The agreement was thereupon signed by the Commission. The Commission thereupon confirmed the resolution covering this matter which was adopted by the Commission at its meeting on July 19, 1940.

Commissioner Clough brought up for discussion matters pertaining to the drainage problem of J. G. Harem, who owns property adjacent to the Pacific Highway just north of Roseburg. It appears that Mr. Harem is dissatisfied with the action previously taken by the Commission on his request for relief in connection with this drainage matter, particularly the action taken by the Commission with respect to the construction of suitable drainage facilities under his approach road to the highway. It was pointed out in the discussion that Mr. Harem has been advised of the Commission's established policy with respect to such matters but is unwilling to accept it, evidently from a misunderstanding. In order to avoid injuring Mr. Harem in any way due to this apparent misunderstanding or lack of knowledge of all of the facts in the case, the Commission decided that it would be advisable for the Attorney and the Division Engineer, K. D. Lytle, to call upon Mr. Harem and go over with him the entire situation on the ground, and it was so ordered.

The Attorney reported on the request of Safeway Stores, Inc., for permission to operate over the Old Oregon Trail, between the Idaho state line and Ontario, certain equipment having dimensions in excess of the height and length limitations specified by the Oregon law. The Attorney advised that inquiry reveals that the company intends to operate this oversized equipment over this one-mile section of the Old Oregon Trail only twice a week, which, in his estimation, can be classified as an occasional movement, and in view of which it would be legal for the Highway Commission to grant the permit if it so desired. He recommended approval of the application. After discussion and in view of the Attorney's opinion, the Commission decided unanimously to grant the request.

Reconsideration was given by the Commission to the claim of the Miles Homer Otis Estate for damages arising out of the death of Mr. Otis in an

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accident that occurred on the Corvallis-Newport Highway between Corvallis and Philomath on July 28, 1939. After a resume of all the facts in this case, as previously reported, the Commission concluded that the State Highway Department was not responsible for the accident and thereupon, by unanimous vote, confirmed its previous action denying the claim. The Secretary was instructed to so inform Mr. Lee Lewis, Administrator of the estate.

The Attorney requested authority to condemn certain parcels of real property that are needed for various highway purposes, particularly the following:

Owner	Purpose Needed	Offer Recommended
B. W. McVay (File 8292)	Quarry site for Brookings project in Curry County	\$ 225.00
John L. Caldwell (Trustee) (File 8306)	Hauling Road for Sage Hen Hill-Burns project in Harney County	10.00
F. L. Clark (File 8031)	Hauling Road for Brookings project in Curry County)	1000.00
F. L. Clark (File 8031)	Quarry site for Brookings project in Curry County)	
Heirs of John Troy (File 7877)	Right of Way for Troy Ranch Sec. of Old Oregon Trail, in Baker Co.	1500.00
Heirs of John Troy (File 7877)	Land for Channel Change along Troy Ranch Section, Old Oregon Trail, in Baker County	Nominal
Mildred K. Colvin (File 7308)	Park Site in Curry County	Condemnation to clear title only
Heirs of W.I. Dishman (File 7835)	Right of Way for Jefferson County Line-Prineville project, in Crook County	\$ 509.00

After discussion the Commission approved the request and the offers recommended. The following resolutions in regard thereto were adopted by the Commission by unanimous vote:

WHEREAS, the State Highway Commission under the provisions of Chapter 529, Oregon Laws, 1939, is authorized to locate, relocate, construct, reconstruct, maintain, widen, straighten, and otherwise improve state highways, both primary and secondary, and said Commission is also authorized to construct shops, equipment sheds, office buildings, maintenance sites, patrolmen accommodations, and snow fences, and is authorized to acquire quarry sites, gravel pits, storage sites, stockpile sites, weighing stations, and broadcasting

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stations, and is authorized to acquire real property for the appropriation, acquisition or manufacture of road-building materials, approach or hauling roads or for other purposes; and

WHEREAS, said Highway Commission is authorized to acquire by purchase, agreement, donation, or by the power of eminent domain real property deemed by the Highway Commission necessary for the accomplishment of any or all of the foregoing things; and

WHEREAS, in the judgment of the Highway Commission the real property hereinafter described is necessary in connection with the acquisition, appropriation, manufacture, crushing, and other treatment and preparation of roadbuilding materials;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the Commission does hereby find and declare that the real property hereinafter described is necessary for the accomplishment of the purposes hereinafter declared, which said real property is described as follows, to wit: real property owned by B. W. McVay and located in Section 5, Township 41 South, Range 13 West, T.M., Curry County, Oregon, more particularly described as follows:

A parcel of land lying in Government Lot 6 (NW $\frac{1}{4}$ of the SE $\frac{1}{4}$) of Section 5, Township 41 South, Range 13 West, W. M., Curry County, Oregon, and being a portion of the following described property: that tract of land which was conveyed by that certain deed to B. W. McVay recorded in Book 21, Pages 484-485, of Curry County Record of Deeds; the said parcel being described as follows:

Beginning at a point on the meander line of the Cheteco River; said point being 1886.7 feet north and 2247.9 feet west of the southeast corner of said Section 5; said point also being the northwest corner of said property; thence east along the north line of said property a distance of 170.0 feet; thence south a distance of 261.8 feet; thence west a distance of 188.3 feet to the said meander line on the east bank of the Cheteco River; thence north 4° 00' east a distance of 262.5 feet to the point of beginning, containing 1.08 acres.

2. That the purpose for which the above described real property is being acquired is for the acquisition, appropriation, manufacture, crushing, and other treatment and preparation of roadbuilding materials to be used in connection with the further improvement and construction of the Brookings Section of the Oregon Coast Highway in Curry County.

3. That the State Highway Engineer be and he hereby is

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instructed and directed to make or cause to be made all surveys necessary in connection with the determination, description, and acquisition of said real property, and said Engineer is further instructed to prepare and submit to the Legal Department necessary and adequate descriptions of the said real property, which said descriptions shall be available for the preparation of any deed or deeds or other instrument or instruments necessary to complete the acquisition of said property or properties, whether said property be acquired by purchase, donation, agreement, or by the exercise of the power of eminent domain.

4. That I. H. Van Winkle, Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they are hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement can be reached, then it is hereby further resolved that the Attorney General of the State of Oregon and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they hereby are requested to commence and prosecute to a final determination such suit or action or suits or actions as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

WHEREAS, the State Highway Commission under the provisions of Chapter 529, Oregon Laws 1939, is authorized to locate, relocate, construct, reconstruct, maintain, widen, straighten and otherwise improve state highways, both primary and secondary, and said Commission is also authorized to construct shops, equipment sheds, office buildings, maintenance sites, patrolmen accommodations and quarters and snow fences, and is authorized to acquire and develop quarry sites, gravel pits, storage sites, stockpile sites, weighing station and broadcasting station sites, and is authorized to acquire, appropriate and manufacture road-building materials, and is authorized to construct and maintain approach or hauling roads in connection with highway improvement; and

WHEREAS, said Highway Commission is authorized to acquire by purchase, agreement, donation or by the exercise of the power of eminent domain real property, or any interest therein necessary or deemed by the Highway Commission necessary for the accomplishment of any and all of the foregoing things; and

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WHEREAS, in the judgment of the Highway Commission the several tracts or parcels of land hereafter described are each and all necessary for the specific and particular purposes hereinafter specifically set forth:

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. The Commission does hereby find and declare that the several parcels of real property hereinafter described are each and all necessary for the accomplishment of the purposes hereinafter expressly and specifically set forth, which said real properties and the specific purposes for which the same are being acquired are described as follows, to wit:

Real property owned or held by John L. Caldwell, as trustee, which property is located in the Northeast quarter of Section 26, Township 23 South, Range 30 East, W.M., in Harney County, Oregon, and which property is more particularly described on the attached sheet and designated as Parcel No. 1, which property is further identified in the Highway Commission's records under File R 8306; *

Real property owned by F. L. Clark and Sarah Clark, which property is located in the Southeast quarter of Section 5, Township 41 South, Range 13 West, W.M., Curry County, Oregon, and which property is more particularly described on the attached sheet and designated as Parcel No. 2, which property is further identified in the Highway Commission's records under File R 8031; *

Real property owned by F. L. Clark and Sarah Clark, which property is located in the Southeast quarter of Section 5, Township 41 South, Range 13 West, W.M., Curry County, Oregon, and is more particularly described on the attached sheet and designated as Parcel No. 3, which property is further identified in the Highway Commission's records under File R 8031; *

Real property belonging to the heirs of John Troy, deceased, which property is located in the South one-half of the Northwest quarter of Section 33, Township 10 South, Range 42 East, W.M., Baker County, Oregon, which property is more particularly described on the attached sheet and designated as Parcel No. 4, and is further identified in the records of the Highway Commission as File R 7877; *

Real property belonging to the heirs of John Troy, deceased, which property is located in the Southeast quarter of the Northwest quarter of Section 33, Township 10 South, Range 42 East, W.M., Baker County, Oregon, which property

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is more particularly described on the attached sheet and designated as Parcel No. 5, and is further identified in the records of the Highway Commission as File R 7877; and *

Real property owned by Mildred K. Colvin, which property is located in Section 24, Township 37 South, Range 15 West, and Sections 19 and 30, Township 37 South, Range 14 West, W.M., Curry County, Oregon, which property is more particularly described on the attached sheet and designated as Parcel No. 6, and is further identified in the records of the Commission as File R 7308. *

2. The particular purposes for which the above described parcels of real property are being acquired are as follows:

Parcel No. 1 is being acquired for the construction thereover of a hauling road to make possible the acquisition and appropriation of roadbuilding materials to be used in connection with the construction of the Sage Hen Hill-Burns Section of the Central Oregon Highway in Harney County;

Parcel No. 2 is being acquired for the construction thereover of a hauling road to be used in connection with the acquisition and appropriation of roadbuilding materials from Parcel No. 3 in connection with the further construction of the Brookings Section of the Oregon Coast Highway in Curry County;

Parcel No. 3 is being acquired for the purpose of appropriating and acquiring roadbuilding materials therefrom for use in connection with the further improvement of the Brookings Section of the Oregon Coast Highway;

Parcel No. 4 is being acquired for right of way purposes in connection with the further improvement of the Troy Ranch Section of the Old Oregon Trail in Baker County;

Parcel No. 5 is being acquired for the purpose of making possible a channel change in connection with the construction of said Troy Ranch Section of the Old Oregon Trail in Baker County; and

Parcel No. 6 is being acquired for a park or recreational area which is adjacent to the Oregon Coast Highway and is located in Curry County, Oregon.

3. The Commission does hereby find and declare that each of the said described parcels of real property is necessary and acquisition of the same by the State is required for the specific

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purposes hereinabove set forth, and the said properties are being acquired for the express and specific purposes in this resolution set forth.

4. That the State Highway Engineer be and he hereby is instructed and directed to make or cause to be made all surveys necessary in connection with the determination, description, and acquisition of said real properties, and said Engineer is further instructed to prepare and submit to the Legal Department necessary and adequate descriptions of the said real properties, which said descriptions shall be available for the preparation of any deed or deeds or other instrument or instruments necessary to complete the acquisition of said property or properties, whether said properties be acquired by purchase, donation, agreement, or by the exercise of the power of eminent domain.

5. That I. H. Van Winkle, Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they are hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby further resolved that the Attorney General of the State of Oregon and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they hereby are requested to commence and prosecute to a final determination such suit or action, or suits or actions, as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

6. That this resolution be entered in full in the minutes and records of this Commission.

* (The detailed descriptions of the respective parcels of real property mentioned in this resolution are attached to the original resolution on file in the office of the State Highway Commission, Salem, being Resolution No. 2, under the heading "Real Property Condemnation Resolutions", and said descriptions by this reference are made a part of this minute entry to the same extent as if copied in full herein.)

WHEREAS, the State Highway Commission under the provisions of Chapter 529, Oregon Laws, 1939, is authorized to locate, relocate, construct, reconstruct, maintain, widen, straighten, and otherwise improve state highways, both primary and secondary, and said Commission is also authorized to construct shops, equipment sheds, office buildings, maintenance sites, patrolmen accommodations, and snow fences, and

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is authorized to acquire quarry sites, gravel pits, storage sites, stockpile sites, weighing stations, and broadcasting stations, and is further authorized to develop, construct, improve, operate, and maintain parks, parking places, auto camps, camp sites, roadside development, recreational grounds or resorts, and other places of attraction and scenic value; and

WHEREAS, said Highway Commission is authorized to acquire by purchase, agreement, donation, or by the power of eminent domain real property deemed by the Highway Commission necessary for the accomplishment of any or all of the foregoing things; and

WHEREAS, in the judgment of the Highway Commission the real property hereinafter described is necessary for right of way purposes in connection with the construction of the Jefferson County Line-Prineville Section of the Warm Springs Highway;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission, as follows:

1. That the Commission does hereby find and declare that the real property hereinafter described is necessary for the accomplishment of the purposes hereinafter declared, which said real property is described as follows, to wit: real property owned by the heirs of W. I. Dishman, deceased, and located in Section 9, Township 14 South, Range 15 East, W.M., Crook County, Oregon, more particularly described on the attached sheet. *

2. That the purpose for which the above described real property is being acquired is for right of way in connection with the construction of the Jefferson County Line-Prineville Section of the Warm Springs Highway.

3. That the State Highway Engineer be and he hereby is instructed and directed to make or cause to be made all surveys necessary in connection with the determination, description, and acquisition of said real property, and said Engineer is further instructed to prepare and submit to the Legal Department necessary and adequate descriptions of the said real property, which said descriptions shall be available for the preparation of any deed or deeds or other instrument or instruments necessary to complete the acquisition of said property or properties, whether said property be acquired by purchase, donation, agreement, or by the exercise of the power of eminent domain.

4. That I. H. Van Winkle, Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they are hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land with respect to the compensation

to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby further resolved that the Attorney General of the State of Oregon and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they hereby are requested to commence and prosecute to a final determination such suit or action, or suits or actions, as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

*(The detailed description of the parcel of real property mentioned in this resolution is attached to the original resolution on file in the office of the State Highway Commission, Salem, being Resolution No. 3 under the heading "Real Property Condemnation Resolutions", and said description by this reference is made a part of this minute entry to the same extent as if copied in full herein.)

The advisability of allowing an employee of the state's contractor, Mr. Roy L. Houck, the use of one of the buildings located adjacent to the Pacific Highway at the summit of the Siskiyou Mountains, in Jackson County, during the time that this highway construction work is under way, was discussed by the Commission. The Attorney advised that according to the agreement with the prior owner of the buildings, the state is to obtain possession of them by September 1, 1940; also, that the contractor's employee wants to rent the house for the duration of the job on which he is employed. He recommended that the request be denied. The Commission approved the recommendation as a matter of policy. The question then arose what to do with these buildings. The Attorney advised that the buildings are isolated, being located at the summit of the mountain, and are not saleable, and, in his estimation, are not usable by the Highway Maintenance Department because they are not in a proper location. After discussion the Commission referred the matter to the Engineer to ascertain whether or not the Maintenance Department can use the buildings to advantage. If not, then he was ordered to raze them, using state forces to do the work.

The Assistant Attorney brought up for discussion the question of a change in policy with respect to requiring cities to pay the cost of maintaining and operating flood lights installed by the State Highway Department in cities at points where state highway routes cross railroad tracks at grade. He particularly referred to the state's claim against the City of Roseburg for advancing payment in excess of \$300.00 for electrical energy to operate the flood light at the crossing of the Pacific Highway and the Southern Pacific Railroad in that city. The Assistant Attorney pointed out that, according to the order made by the Public Utilities Commissioner, following the hearing with respect to this grade crossing, the city is to pay this expense, but up to the present time has refused to do so. The Commission decided not to change its policy with

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respect to such matters at the present time; however, instructed the Attorney to present the Highway Department's claim to Senator B. L. Eddy of Roseburg, who is City Attorney, with the request that he discuss it with the City Council and secure approval of the same, if possible.

The Commission discussed and referred to the State Parks Superintendent a resolution from Fort Klamath Grange No. 775, requesting the construction of a lookout on Sun Mountain adjacent to The Dalles-California Highway, in Klamath County, where a splendid view of the Wood River Valley is obtainable.

The matter of maintaining on the state highway system the old highway between Pendleton and Adams, in Umatilla County, after completion of the new highway between these points, was discussed by the Commission. The Commission decided to offer this road to Umatilla County for maintenance as a county road.

The Commission discussed the suggestion of the Oregon Roadside Council and former Highway Commissioner E. B. Aldrich for the establishment of a memorial garden adjacent to the proposed state highway near Wilsonville. Action on this matter was deferred by the Commission for the time being. However, the Commission expressed its intention of keeping it in mind for future consideration as a desirable project.

The Attorney reported briefly on the rates charged by the Hartman Abstract Company, Pendleton, for furnishing real property title reports. It appears that the charges made by this company for such service are considerably in excess of the rates charged by other companies. The Commission deferred a decision in the matter pending study of specific cases to be presented by the Attorney at a future meeting.

A letter was presented from R. E. Dugdale, Superintendent, Portland Public Schools, requesting that the brick, lumber, et cetera, salvaged from the buildings along Front Avenue when such project is undertaken, be given to the Portland School District for use in connection with school construction work. The Secretary was instructed to inform Mr. Dugdale that the Front Avenue project is not far enough advanced to permit the Commission to say just what it can or will do with the materials salvaged from these buildings, but the Commission will be glad to consider his request at the proper time.

The Commission discussed briefly and referred to the Engineer for investigation and report the matter of acquiring additional property between the Oregon Coast Highway and the ocean at Agate Beach, so as to maintain an unobstructed view of the ocean shore line at this place.

The Commission, upon recommendation of the Engineer, adopted the following resolutions abandoning as state highways portions of the Kings Valley Secondary State Highway, in Benton County, and a portion of the Alsea Highway, in Lincoln County, which portions are no longer of value for highway purposes, since the highways have been reconstructed on other alignment:

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WHEREAS, in order to afford a better alignment and a more satisfactory, safe and convenient highway for the traveling public, the Commission found it necessary to relocate a portion of the Kings Valley Highway in Benton County; and

WHEREAS, by reason of said relocation and reconstruction of the Wren-Read Creek Section of said highway there were eliminated and made unnecessary as parts of the permanent highway certain sections or parts thereof, which sections are more specifically defined and designated hereinafter in this resolution; and

WHEREAS, it is the judgment and opinion of the Commission that there should be recorded in the minutes and records of the Commission its purpose and plan to abandon as a part of the said state highway the fragments or portions of right of way hereinafter designated and heretofore included within the area of the right of way of the said highway as formerly located, improved and used;

NOW, THEREFORE, the premises being in general as above stated, it hereby is resolved by this Commission, all members being present and affirmatively participating, as follows:

1. That the fragments of land confined within the areas of land hereinafter designated, which fragments or parcels of land were formerly within the limits of the right of way of the Kings Valley Highway in Benton County but are now without the limits of the right of way of said highway, as said highway has been relocated and constructed, be and said fragments or parcels of land or portions of the old right of way are abandoned as parts of the right of way of said highway, and said fragments or parcels of land or old right of way are, so far as control and supervision by this Commission is concerned, eliminated and left to revert to the adjoining and abutting property owners or to the control and supervision of the County Court of Benton County for highway or other public purposes as the Court may determine. The fragments or parcels of land affected by this resolution are defined and described as follows, to wit:

All those certain parts of the old right of way of the Wren-Read Creek Section of the Kings Valley Secondary Highway lying on the easterly and westerly side of the right of way required for the reconstructed Kings Valley Highway and lying between Mile Post 23 and Mile Post 26 of said Highway, the beginning and ending points with reference to the Engineer's stations of the reconstructed highway being between Station 417+00 and Station 436+00 on the westerly side of the highway, and on the easterly side of the highway from Station 501+00 southerly to an intersection of the Corvallis-Newport Highway.

The location of said abandoned right of way may be more definitely and particularly ascertained and determined by reference to a map or blue-

print, marked "Exhibit A", attached hereto and by this reference made a part hereof, which said exhibit for identification purposes bears the signatures of F. D. Eason, Division Engineer, H. G. Smith, Construction Engineer, and C. B. McCullough, Assistant State Highway Engineer, and is dated July 18, 1940, upon which map or exhibit there are reflected the above described parcels of land by showing the same shaded in red. *

2. In the event there remains any physical connection between any portion of said abandoned right of way or highway and the present highway, and by reason of such physical connection traffic from the existing highway may enter or use the said abandoned portions of the said old road to the possible damage or injury of such traffic by reason of any unsafe condition existing with respect to said old or abandoned road, then the State Highway Engineer is hereby authorized and directed to erect such barricade or other safeguards as may be necessary to protect and safeguard traffic using and employing said newly located, constructed and dedicated section of said highway.

3. That this resolution be entered in the minutes and records of the Commission and a certified copy thereof promptly delivered to the County Court of Benton County, together with a copy of said map or exhibit, for such action as said County Court may desire to take with respect to said fragments of land, and should said abandoned sections of the right of way of said highway be further employed for public or private highway purposes such use shall be entirely under the control and supervision of the County Court of Benton County and beyond any responsibility or supervision by the State Highway Commission.

WHEREAS, in order to afford a better alignment and a more satisfactory, safe and convenient highway for the traveling public, the Commission found it necessary to relocate a portion of the Alsea Highway in Lincoln County; and

WHEREAS, by reason of said relocation and reconstruction of the said section of said highway there was eliminated and made unnecessary as a part of the permanent highway a certain section or part thereof, which section is more specifically defined and designated hereinafter in this resolution; and

WHEREAS, it is the judgment and opinion of the Commission that there should be recorded in the minutes and records of the Commission its purpose and plan to abandon as a part of the said state highway the fragment or portion of right of way hereinafter designated and heretofore included within the area of the right of way of the said highway as formerly located, improved and used:

* Map filed in Right of Way Abandonment and Retention File - No. 75

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NOW, THEREFORE, the premises being in general as above stated, it hereby is resolved by this Commission, all members being present and affirmatively participating, as follows:

1. That the fragment of land confined within the area of land hereinafter designated, which fragment or parcel of land was formerly within the limits of the right of way of the Alsea Highway in Lincoln County but is now without the limits of the right of way of said highway, as said highway has been relocated and constructed, be and said fragment or parcel of land or portion of the old right of way is abandoned as a part of the right of way of said highway, and said fragment or parcel of land or old right of way is, so far as control and supervision by this Commission is concerned, eliminated and left to revert to the adjoining and abutting property owners or to the control and supervision of the County Court of Lincoln County for highway or other public purposes as the Court may determine. The fragment or parcel of land affected by this resolution is defined and described as follows, to wit:

All that certain section of the old right of way of the Waldport-Scott Creek Section of the Alsea Highway lying on the southerly side of the right of way required for the reconstructed Alsea Highway and lying between Mile Post 7 and Mile Post 8 of said highway, and on each side of the Alsea River, the beginning and ending points with reference to the engineer's stations of the reconstructed highway being Station 280+00 on the westerly end and Station 297 on the easterly end.

The location of said abandoned right of way may be more definitely and particularly ascertained and determined by reference to a map or blueprint, marked "Exhibit A", attached hereto and by this reference made a part hereof, which said exhibit for identification purposes bears the signatures of F. D. Eason, Division Engineer, H. G. Smith, Construction Engineer, and C. B. McCullough, Assistant State Highway Engineer, and is dated July 17, 1940, upon which map or exhibit there is reflected the above described parcel of land by showing the same shaded in red. *

2. In the event there remains any physical connection between any portion of said abandoned right of way or highway and the present highway, and by reason of such physical connection traffic from the existing highway may enter or use the said abandoned portion of the said old road to the possible damage or injury of such traffic by reason of any unsafe condition existing with respect to said old or abandoned road, then the State Highway Engineer is hereby authorized and directed to erect such barricade or other safeguards as may be necessary to protect and safeguard traffic using and employing said newly located, constructed and dedicated section of said highway.

* Map filed in Right of Way Abandonment and Retention File - No. 76

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3. That this resolution be entered in the minutes and records of the Commission and a certified copy thereof promptly delivered to the County Court of Lincoln County, together with a copy of said map or exhibit, for such action as said County Court may desire to take with respect to said fragment of land, and should said abandoned section of the right of way of said highway be further employed for public or private highway purposes such use shall be entirely under the control and supervision of the County Court of Lincoln County and beyond any responsibility or supervision by the State Highway Commission.

The Commission discussed a letter from Lewis A. McArthur, President, Oregon Historical Society, requesting the Highway Commission's assistance in cleaning up a small park located about 1½ miles south of the Oregon Coast Highway near Astoria. Mr. McArthur advised that this park is being held in trust by the Oregon Historical Society for the state and that it needs cleaning up, which work the Society is unable to finance. He gave as his thought that the cleanup work will not take more than about one-half day's time of one of the Highway Department's maintenance crews. After discussion the Commission voted unanimously to do this cleanup work if it is a legal expenditure of state highway funds; otherwise, not.

The Commission also discussed and referred to the State Parks Superintendent for investigation and report the matter of naming a timbered strip of state-owned land adjacent to the Fremont Highway south of Lakeview "American Legion Park" as has been requested by the Lakeview Post of this organization.

Consideration was given by the Commission to the matter of construction of a roadway from the Willamette Highway to Crescent Lake, in Klamath County. The Commission appeared favorably inclined to designate this road as a secondary state highway but deferred a decision in the matter pending further investigation of the road by the Engineer and the rendering of his report on the subject. The question of keeping this road open during the winter season was also discussed. The Engineer was instructed to report at the next meeting his recommendations on this matter so the Commission can make its decision at that time.

The Commission discussed a letter from Mr. W. O. Harriman, Forest Supervisor, Fremont National Forest, written in behalf of the Horsefly Cattle Association, Bly, Oregon, inquiring whether or not the Highway Commission would be willing to enter into a cooperative agreement with the Association for the building of fences along the Klamath Falls-Lakeview Highway east of Bly, so as to prevent stock getting on the highway and endangering traffic. The Commission considered that approval of such project would establish a precedent that would eventually cost the state an enormous sum of money, which it can ill afford to spare for such purposes. Furthermore, the Commission felt that this is a problem that the stockmen should work out among themselves. The request was thereupon denied and the Secretary was instructed to so inform Mr. Harriman.

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A petition was presented from residents of Lane County requesting the oiling of a 7-mile section of the Territorial Secondary Highway between the town of Elmira and the Siuslaw highway junction. The Commission denied the request for immediate construction but agreed to consider the project in the formulation of future construction programs.

The Commission considered a similar petition from other residents of Lane County, requesting the oiling of this highway between a place known as Central Turn and Lorane. The Commission agreed to consider this project along with the other in the formulation of the 1941 construction program, without making a commitment at this time, and instructed the Secretary to so inform the petitioners.

The Commission discussed and ordered filed a letter from D. O. Denman, Portland, urging early completion of the new highway between Portland and Aurora, via Wilsonville. The Secretary was instructed to inform Mr. Denman that the Commission is making as rapid progress as is possible on this highway with the funds available.

A petition was presented from residents of Bunker Hill, Marshfield, requesting the removal of a knoll located adjacent to the Oregon Coast Highway in the Bunker Hill District, particularly between Newport Avenue and Edwards Street, it being alleged that the knoll is unsightly and is a detriment to adjacent property. The Engineer recommended denial of the request because, in his estimation, the removal of this knoll would accentuate slide conditions along the highway in this vicinity, with which condition the Commission has had considerable trouble since the new highway was constructed at this place. It was his opinion that the knoll now acts as a counter-balance and that its removal would start additional slides which would not only cause the state considerable expense but would also result in inconvenience to the traveling public. In view of the Engineer's report the Commission denied the request.

The Commission considered and ordered filed a letter from C. A. Robertson, Salem, expressing the need for the improvement of state highways in Polk County.

The Secretary presented a letter from the County Court of Umatilla County, requesting the following improvements:

1. Oiling of the secondary highway between Athena and Cold Springs
2. Construction of connection between the Havana-Helix Road and the new highway between Pendleton and Adams at Havana
3. Improvement of the approach road leading to Riverside School.

The Commission deferred action on this matter pending personal inspection of these roads on its proposed trip into Eastern Oregon in October.

The Commission discussed and referred to the Engineer for investigation and report a petition from the Civic Improvement Club of Fort Klamath,

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requesting the improvement of the Crater Lak. Highway through this town.

Consideration was given by the Commission to a letter from the City of Scio, Oregon, in which the Commission was requested to complete the oiling of the Albany-Lyons Secondary State Highway between Scio and Thomas Creek, the uncompleted section being about 2 miles in length, and to make provision for such improvement in the Commission's construction program for 1941. The Commission agreed to give this project consideration in the formulation of the 1941 program.

A letter was presented from Albert T. Kommer, attorney, Portland, renewing his request for the widening of the Tualatin Valley Highway for four lanes of traffic between Portland and Forest Grove, particularly between Portland and Beaverton. After discussion the Commission decided that it would at least consider making a start on this project in its program for 1942 funds; however, made no definite commitment to the project.

The Engineer reported that the Public Roads Administration has completed and opened to traffic a new bridge over the Alsea River on the Alsea Highway, in Lincoln County, more particularly at M.P. 27-07.22, hence Alsea Highway traffic is no longer required to use the old bridge which is posted for 15 tons. He further reported that maintenance forces have installed culverts in the place of two log trestles on the Alsea-Deadwood Secondary State Highway in Benton County between Mile Post 201-05.2 and Mile Post 201-05.3, so that it is no longer necessary to maintain the reduced load limit of 10 tons which formerly applied to these two trestles. He recommended, in view thereof, the lifting of the reduced load limits heretofore in effect on these two trestles and on the Alsea River Bridge. The Commission approved the recommendation and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, on the 13th day of January, 1939, at a meeting of the State Highway Commission, all members being present and participating, the Commission passed and adopted a resolution ordering a reduction of the maximum permissible load limit on certain state highway bridges, including the following:

ALSEA HIGHWAY

27-07.22

Alsea River Bridge

15 tons

and

WHEREAS, on the 14th day of June, 1940, at a meeting of the State Highway Commission, two members being present and participating, the Commission passed and adopted a resolution ordering a reduction of the maximum permissible load limit on the following state highway bridges:

ALSEA-DEADWOOD SECONDARY STATE HIGHWAY

Mile Post 201.52

small log trestle

10 tons

Mile Post 201.53

small log trestle

10 tons

and

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WHEREAS, subsequent to the passage of said resolutions the said above-named bridges have been repaired so that it is no longer necessary or desirable to maintain the reduced load limit set out in said resolutions:

NOW, THEREFORE, BE IT RESOLVED that the action of the State Highway Commission reducing the maximum permissible load limit on the following bridges, to wit:

ALSEA HIGHWAY

27-07.22 Alsea River Bridge 15 tons

ALSEA-DEADWOOD SECONDARY STATE HIGHWAY

Mile Post 201.52	small log trestle	10 tons
Mile Post 201.53	small log trestle	10 tons

be and the same hereby is rescinded and vacated as of this date, and the maximum load limit permissible on the said bridges shall hereafter be the maximum load limit provided by law.

IT IS FURTHER ORDERED that certified copies of this resolution be furnished the County Clerks of Benton and Lincoln Counties in which counties said bridges are located; and that a certified copy of this resolution also be furnished the Superintendent of the Department of State Police for his information.

The Engineer requested authority to extend the location survey now being made on the Pacific Highway in Josephine County so as to include the section between Wolf Creek and Glendale junction. The Commission approved the request.

The Commission discussed and denied the request of C. W. Henderson, Medford, for permission to conduct gold-dredging operations on state-owned property adjacent to the Pacific Highway, near Bear Creek, in Jackson County.

The Commission discussed the adoption of a policy with respect to the removal of sand and gravel from ocean beach areas under its control and in connection therewith considered the complaint of residents of Newport, Nelscott, and vicinity, that the taking of gravel from the ocean beaches depletes the supply of agates, which is one of their great tourist attractions. The Engineer was instructed to have Division Engineer F. D. Eason and the State Parks Superintendent, S. H. Boardman, inspect the beaches between Waldport and Roads End, in Lincoln County, and select the places where, in their estimation, the beach should not be disturbed, in order to preserve the agate deposits. The Commission will establish a definite policy with respect to such matter when the Engineer's report has been received and discussed.

The Commission authorized the Secretary to sign, in its behalf, an application directed to the Pacific Power and Light Company to furnish

electrical service to the Highway Department's maintenance headquarters located at Rufus, Oregon.

The Commission had under discussion its application now before the United States of America, Department of Interior, for permission to reconstruct the Klamath Falls-Malin Highway across certain irrigation canals and ditches in Klamath County, particularly a request from the Department of Interior for an amendment to the proposed agreement covering matters involved in such application. After due consideration, and upon recommendation of the Engineer and the Attorney, the Commission approved the request. The following resolution relative thereto was offered by Commissioner Oliver who moved its adoption. The motion was duly seconded by Commissioner Clough and was declared by Chairman Cabell to have carried by the unanimous vote of the Commission:

WHEREAS, the Highway Commission heretofore made application to the United States of America for permission to cross certain canals and irrigation ditches in connection with the reconstruction of a state highway known as the Klamath Falls-Malin Highway; and

WHEREAS, an agreement was prepared covering matters involved in said application, which agreement was heretofore approved by the Commission and is now pending before the Department of the Interior in Washington, D. C.; and

WHEREAS, said Department has requested that page 5 of said contract be amended so as to read as follows:

"6. The State shall construct, maintain and operate its said highway at the point of crossing in a good and workmanlike manner and so as not to interfere with the flow of water in said canals and other structures and without injury thereto. Any changes in the said canals or other irrigation structures necessary to be made to effect said crossings shall be made by and at the expense of the State, pursuant to plans and specifications approved by the Chief Engineer of the United States Bureau of Reclamation. The State shall at its own expense construct all bridges or culverts to carry said highway over the above described canals and waterways of the Klamath Project, or construct and install a pipe line, siphon or other conduit under said highway and such structure shall be of such construction, size, material, description, and at such elevation as shall be designated and approved by the Chief Engineer of the United States Bureau of Reclamation. All work under this agreement to be performed by the State at the crossings described herein, shall be performed during the non-irrigation season of each year, and no work shall be performed by the State under this agreement which will interfere with the operation of the said canals and water conduits of the United States during the irrigation season of

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any year, including 1940, which irrigation season for the purposes hereof is defined to be the period from April 15 to October 15 of any year.

"7. Should the United States at any time hereafter find it necessary or desirable to enlarge or relocate said canals or other irrigation structures or change the alignment thereof, the State hereby agrees that the United States may occupy, so far as may be necessary for such purpose, the right of way of the State covered by the easement granted hereby. Any expense incident to such enlargement, relocation or change of alignment and due to the existence on the ground of the state highway and right of way or other property shall be borne by the State.

"8. The plans and specifications for state highway crossings over the above listed irrigation structures, drains, and canals, in their present locations and dimensions crasheafter constructed or reconstructed, shall be submitted to the Chief Engineer."

NOW, THEREFORE, BE IT RESOLVED BY THE HIGHWAY COMMISSION, all members being present and affirmatively voting, as follows:

1. That the Secretary of the Interior be and he hereby is authorized to amend page 5 of the agreement proposed for execution by the State of Oregon, by and through its State Highway Commission, and the United States of America, by its Secretary of the Interior, which said agreement covers the subject of highway crossings over irrigation canals in Klamath County, Oregon, which highway crossings are required in connection with the construction of the Klamath Falls-Malin Highway, said amendment to be as above written.

2. That this resolution be entered in the minutes and records of the Highway Commission and that J. M. Devers as attorney for the Commission be and he hereby is instructed to transmit to B. E. Stoutemyer of Portland, Oregon, District Counsel for the Bureau of Reclamation, a duly certified copy of the same.

The Engineer reported the award of contracts as follows. authority for which was previously given him by the Commission, and the conditions of the awards having been satisfied:

Ferry service across the Willamette River, near Wilsonville, Bids taken July 18, contract awarded July 31, 1940, to Leonard & Slate, low bidders.

Veneta-Fisher Road Section of the Eugene-Veneta Road, in Lane County. Bids taken July 18, contract awarded July 25, 1940, to Berke Bros., low bidders.

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Construction of Nyssa undercrossing on Old Oregon Trail, in Malheur County. Bids taken July 18, contract awarded July 25, 1940, to Henry L. Horn, the low bidder.

The Commission by unanimous vote confirmed the award of these contracts as reported.

The Commission discussed the matter of issuance of permits from the Division offices. The Engineer gave as his thought that the issuance of permits should be concentrated in the Salem office so as to provide for uniformity in the conditions of the permits, which is the present procedure, and he so recommended. The Commission approved the recommendation.

The Commission discussed the application of the Eugene Daily News for permission to install and maintain within the right of way of state highways in Lane County boxes or receptacles for the depositing of newspapers of subscribers, on which boxes would be painted the name of the paper. In the discussion of this matter the question arose whether the wording on the boxes would conflict with the provisions of the statute which prohibits advertising within the right of way of a state highway. In view of this question, decision on the application was deferred by the Commission pending an opinion from the Attorney General on the matter. The Attorney was instructed to secure such opinion.

A letter was presented from J. H. Sroufe, Portland, pointing out that logging trucks operating over the Wolf Creek Highway and the Oregon Coast Highway between Necanicum Junction and Cannon Beach Junction travel very close together, and as a result it is very difficult and hazardous for other traffic to pass them. He suggested the adoption of a regulation to prohibit logging trucks from traveling nearer than 300 yards apart. In the discussion it was pointed out that the state law requires trucks and motor buses to travel at least 300 feet apart, except in cases where one vehicle is overtaking and passing another, which law the log haulers are evidently not respecting. The Secretary was instructed to bring this to the attention of the State Police Department with the request that these movements be observed and action taken as may be necessary to correct the situation.

The Commission considered and ordered filed correspondence between Charles H. Reynolds, President of the Oregon Trail Association, and Senator Rufus C. Holman, with respect to the possibility of securing a special allotment of federal funds to finance construction of the new Columbia River Highway.

A letter was presented from W. E. Regan, Chairman, Railway Brotherhood Legislative League of Oregon, requesting the cooperation of the State Highway Commission in securing a regulation that will require logging trucks to come to a dead stop before passing over railroad tracks. The Commission concurred in the viewpoint of Mr. Regan and accordingly instructed the Secretary hereafter, in making recommendations to the Public Utilities Commissioner covering applications for permits for log hauling on state highways, to

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include in such recommendations a clause requiring logging trucks to stop before crossing railroad tracks at grade.

Reconsideration was given by the Commission to the matter of snow removal on the Oregon Caves Highway and particularly to a letter from Mr. E. P. Leavitt, Superintendent of the Oregon Caves National Monument, urging favorable consideration by the Commission of this matter. The Commission considered that traffic over this road during the winter season is not sufficient to justify the expense of snow-removal operations beyond the point where farming is carried on and accordingly decided not to go to the expense of such operations for the time being.

A letter was presented from J. L. Taylor, Manager of the Vale Chamber of Commerce, suggesting that additional directional and mileage signs be installed along state highways at key points in the State of Oregon calling attention to the availability of the Central Oregon Highway as a new, fast, and direct route across the state. It was Mr. Taylor's thought that the increased use of this route as a main artery of travel would relieve traffic congestion on other cross-state routes. The Commission denied the request as a matter of policy, it being contrary to such policy to maintain signs that would have a tendency to divert traffic from one highway to another discriminately, and it being considered that the Highway Commission's function is simply to advise the traveling public of the alternate routes available to reach a certain destination. The Secretary was instructed to so inform Mr. Taylor.

The Commission discussed a letter from A. L. Amacher, President, Hillsboro Rotary Club, in which inquiry was made whether or not the Highway Commission would consider furnishing one of its standard service club sign-racks to be erected on private property adjacent to the Tualatin Valley Highway about 100 yards east of the Hillsboro city limits. The Commission considered that it did not have legal authority to expend state highway funds to erect sign-racks on private property and instructed the Secretary to so inform Mr. Amacher. The Secretary was also instructed to advise Mr. Amacher that if the service clubs and other eligible organizations in Hillsboro desire sign-racks erected on the highway right of way within the city limits of Hillsboro the Commission will be pleased to furnish and erect the racks if these organizations will agree to maintain them after erection and will comply with the Highway Commission's requirements with respect to such matter.

The Commission discussed briefly and deferred for future consideration the adoption of a policy with respect to the maintenance of city entrance signs, lodge signs, etc., on rights of way of state highways at city entrances.

Communications were presented from the Redwood Empire Association inviting the members of the Commission and staff officers to be the guests of the Association at its 20th annual convention in Ukiah, California, on Saturday, October 26. The Commissioners expressed regrets that they could not attend this meeting; however, authorized the Director of the Travel and Information Department, Mr. Harold B. Say, to represent them.

The Secretary presented a letter from the Orange Belt Mineralogical Society, San Bernardino, California, suggesting the establishment of state parks or state forests at suitable locations in southeastern Oregon and the construction of roadways leading to the same. The Commission took no action on this matter.

The Commission considered and ordered filed a resolution adopted by the Oregon State Grange at its annual session in Salem, June 10-14, 1940, endorsing efforts for the removal of tolls which hamper traffic across the Columbia River between Oregon and Washington.

The Engineer presented a list of surveys that he has ordered since the last meeting of the Commission and asked the Commission to confirm them and the amounts allocated for each. After due consideration the Commission authorized and instructed the Engineer to make such location surveys on various sections of the highways of this state, which said sections of highways, together with their identifying location survey numbers and the amounts authorized and allocated for such survey expenditures, are as follows:

Location - - -	101-2822 - Sumpter-North Section, Sumpter Valley Secondary Hwy., Baker County.	1st authorization - \$250.00
Plans - - - -	6-2821 - North Bend-Marshfield Section, Oregon Coast Hwy., Coos County.	2nd authorization - \$600.00
		3rd authorization - \$540.00
		Total to date \$1,500.00
Right of Way -	9-2831 - Bend-Horse Ridge Section, Central Oregon Highway, Deschutes County.	1st authorization - \$50.00
Plans - - - -	9-2832 - Third Street Undercrossing Section, The Dalles-California Highway, Deschutes County.	1st authorization - \$500.00
Right of Way -	9-2833 - Sisters School Grounds Section, McKenzie Highway, Deschutes County.	1st authorization - \$50.00
Bench Mark - -	10-2827 - Reedsport-Paradise Creek Section, Unpqua Highway, Douglas County.	1st authorization - \$50.00
Plans - - - -	12-2822 - Town of John Day Section, John Day Highway, Grant County.	1st authorization - \$200.00
Plans - - - -	12-2823 - Dixie Summit-Austin Junction Section, John Day Hwy., Grant County.	1st authorization - \$2,600.00
Plans - - - -	13-2812 - City of Burns Section, Central Oregon Highway, Harney County.	1st authorization - \$500.00
Plans - - - -	115-2825 - Lake Creek-Little Butte Creek Section, Little Butte Sec.Hwy., Jackson Co.	1st authorization - \$1,375.00

Location - - - 18-2841 - Barclay-Terminal City Section, The Dalles-California Hwy., Klamath County. 2nd authorization - \$1,800.00
 Total to date \$5,400.00

Plans - - - - 18-2847 - Scale Site, Klamath Falls-Lakeview Hwy., Klamath County. 1st authorization - \$75.00

Quarry - - - - 119-2824 - Fremont Junction-Adel Section, Warner Secondary Hwy., Lake County. 1st authorization - \$600.00

Right of Way - 21-2839 - Toledo-Eddyville Section, Corvallis-Newport Highway, Lincoln County. 1st authorization - \$50.00

Plans - - - - 22-2822 - Albany Section, Pacific Highway East, Linn County. 2nd authorization - \$300.00
 Total to date \$1,100.00

Plans - - - - 123-2822 - Jordan Valley Section, I.O.N. Highway, Malheur Co. 1st authorization - \$500.00

Plans - - - - 123-2823 - Jordan Creek-McDermitt Section, I.O.N. Highway, Malheur County. 1st authorization - \$400.00

Bench Mark - - 27-2815 - Hebo-Salem Section, Three Rivers, Salmon River, and Salem-Dallas Highways, Polk County. 1st authorization - \$54.00

Plans - - - - 228-2810 - Maryhill Ferry Connection - Sherman County Road, Sherman County. 1st authorization - \$100.00

Plans - - - - 30-2830 - Pendleton-Adams Section, Oregon-Washington Highway, Umatilla County. 1st authorization - \$1,200.00

Slides - - - - 131-2821 - Summit Section - Weston-Elgin Secondary Highway, Union County. 1st authorization - \$120.00

Plans - - - - 33-2825 - Lewis & Clark Monument Section, Columbia River Hwy., Wasco County. 1st authorization - \$100.00

Plans - - - - 133-2826 - He He Butte-Wasco County Line Section, Warm Springs Sec. Hwy., Wasco Co. 1st authorization - \$2,600.00

Plans - - - - 134-2825 - Forest Grove-Banks Section, Nehalem Secondary Hwy., Washington Co. 1st authorization - \$500.00

Test Holes - - 34-2826 - Davies Grade Separation, Wolf Creek Highway, Washington County. 1st authorization - \$200.00

Location - - - 35-2813 - Mitcnell West Section, Ochoco Highway, Wheeler Co. 1st authorization - \$12,750.00

The Commission considered the following requests for extensions of time within which to complete highway construction projects:

D. L. Ashton, Contract No. 2208, covering the construction of a roadside improvement project on the North Roseburg Section of the Pacific Highway, in Douglas County, requested an extension of time from November 30, 1939, to June 19, 1940. He alleged that his failure to complete the project within the specified time limit was due to adverse weather conditions in the fall of 1939 which did not permit construction of the oiling work required. The Engineer advised that this contract was awarded on August 31, 1939, but the work was not started until October 24, 1939; further, that due to the bad weather the work was closed down from November 15, 1939, to May 14, 1940, but it was completed on June 19, 1940. The only reason, he said, that this project was not completed within the specified time limit was the long delay in starting the work after the award of the contract. He recommended, in view thereof, that the extension of time be granted subject to the condition that the contractor be required to reimburse the state for all engineering costs incurred by the state subsequent to the specified date of completion. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation unanimously.

J. W. and J. R. Hillstrom, Contract No. 2221, for the construction of a bridge over Coalbank Slough on the Oregon Coast Highway, near Marshfield, in Coos County, requested an extension of time from July 31 to August 30, 1940, within which to complete this job. They attributed their failure to complete the project within the specified time limit to changes ordered by the Engineer in the construction of foundation piers and because of an overrun of concrete work. They advised also that they encountered difficulties in obtaining delivery of steel for the job, with the result that the painting of the structure and clean-up work could not be done before July 31, 1940. The Engineer advised that the reasons given by the contractor for failure to complete this project within the specified time limit are correct. He recommended that the extension of time now requested be granted without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation by unanimous vote.

Norris Bros., Contract No. 2223, for surfacing and oiling the Butte Falls Section of Butte Falls County Road, in Jackson County, requested an extension of time of 17 days, from June 30 to July 17, 1940, within which to complete this job. They attributed their failure to complete the job within the specified time limit to adverse weather conditions during the months of April and May. The Engineer advised that the principal reason that the contractors did not complete the project within the specified time limit was the fact that they had more contracts under way than they could handle expeditiously, and, in his estimation, no valid reason can be given why the work

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should not have been completed within the specified time. He recommended, in view thereof, that the extension of time requested be granted subject to the condition that the contractors be required to reimburse the state for engineering expense incurred subsequent to the specified completion date. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation unanimously.

Chester T. Lackey, Contract No. 2236, for furnishing crushed rock in stock piles for the Brothers-Harney County Line Section of the Central Oregon Highway, in Deschutes and Lake Counties, requested an extension of time of 16 days, from June 30 to July 16, 1940, within which to complete this project. Mr. Lackey alleged that the work under the contract was completed on June 28 and that the extension of time is needed for the performance of two work orders issued in connection with this job, one of which called for the reshaping of the stock piles behind the oiling operations and the other was for purchasing and installing culvert pipes in the borrow pits at the stock pile sites. The Engineer advised that the reasons given by the contractor for failure to complete the project within the specified time limit are correct. He recommended the granting of the extension requested without penalty. The Commission approved the recommendation unanimously.

F. R. Hewett, Contract No. 2248, for furnishing crushed rock in stock piles for the Mountain Rest-Mt. Vernon Section of the Pendleton-John Day and Beach Creek Secondary Highways in Grant County, requested an extension of time of one month, from June 30 to July 31, 1940, within which to complete this job. He attributed his failure to complete the project within the specified time limit to adverse weather conditions and difficulties encountered in connection with the operation of the quarry which he was using in connection with another project, viz., the Nye Junction-Long Creek maintenance materials project. The Engineer advised that Mr. Hewett lost some time on the Nye Junction-Long Creek Project because of bad weather conditions which necessitated the ordering of a reduced load limit on the section of highway over which he was operating during the early part of the year and such load limit prevented him from starting work until late in the spring. He further advised that after Mr. Hewett started operating on the Mountain Rest-Mt. Vernon project, for which he is now requesting an extension of time, the work was rushed to completion within three weeks. He recommended, in view of the circumstances, that the extension requested be granted without penalty. The Commission approved the recommendation unanimously.

R. O. Dail & Warren Bros., Inc., Contract No. 2282, for surfacing and oiling and furnishing crushed rock in stock piles on the Warm Springs Agency-Vanora Section of the Warm Springs Secondary Highway, in Jefferson County, requested an extension of time of 30 days, from July 31 to August 30, 1940, within which to complete this

project. They attributed their failure to complete the project within the specified time limit to breakdown of equipment and to shortage of rock in the quarry. The Engineer advised that he knows of no good reason why the contract should not have been completed within the specified time limit and accordingly recommended the granting of the extension of time requested subject to the condition that the contractor reimburse the state for engineering and supervision expense incurred by the state subsequent to the specified date of completion. The Commission approved the recommendation.

J. C. Papin, Contract No. 2285, for grading, surfacing, and oiling the Bend-Butler Ranch Section of the Butler County Road, in Deschutes County, requested an extension of time of 15 days, from July 31 to August 15, 1940, within which to complete this project. He attributed his failure to complete the job within the specified time limit to bad weather conditions which forced suspension of oiling operations long enough to make it impossible to complete the job by July 31. The Engineer advised that the reason given by Mr. Papin for failure to complete the project on time is correct. He recommended, in view thereof, that the extension of time requested be granted without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation unanimously.

Haigh Bros. & Hughes, Contract No. 2307, for the drilling of a well on state property adjacent to the I.O.N. Highway, in Malheur County, requested an extension of time from June 4 to June 28, 1940, within which to complete this project. They attributed their failure to complete the project within the specified time limit to the fact that no water was found at a depth of 200 feet, as was anticipated, and it was necessary for them to drill to a greater depth, which required additional time. The Engineer advised that the reason given by the contractor for failure to complete the contract within the specified time limit is correct, and that an adequate supply of water was not obtained until the well had been drilled beyond the 200-foot depth specified in the contract. He recommended, in view thereof, that the extension of time requested be granted without penalty. The Commission approved the recommendation.

The Engineer reported that Contracts Nos. 2178, 2208, 2215, 2223, 2224, 2248, 2258, 2271, 2278, 2281, 2283, 2284, 2293, 2297, 2302, 2304, 2307, and 2309, for the construction of state highway projects, have been completed according to the requirements of the contracts or modifications thereof, and that said jobs are now ready for acceptance. The following resolution accepting the above projects was offered and was adopted by the unanimous vote of the Commission:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and

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provisions of the contracts and said jobs are now ready for acceptance:

Contract No. 2178, with J. A. Lyons, for grading, surfacing, and oiling on the Salt Creek Falls-Odell Lake Section of the Willamette Highway, in Klanath and Lane Counties. Completed July 29, 1940.

Contract No. 2208, with D. L. Ashton, for roadside improvement on the North Roseburg Section of the Pacific Highway, in Douglas County. Completed June 19, 1940.

Contract No. 2215, with A. Milne, for grading, surfacing, and oiling on the Buchanan-Juntura Section of the Central Oregon Highway, in Harney and Malheur Counties. Completed July 12, 1940.

Contract No. 2223, with Norris Bros., for surfacing and oiling the Butte Falls Section of the Butte Falls County Road, in Jackson County. Completed July 17, 1940.

Contract No. 2224, with Rogers Construction Company and J. C. Compton, for grading, surfacing, and oiling the Cottonwood Creek-Lakeview Section of the Klanath Falls-Lakeview Highway, in Lake County. Completed July 2, 1940.

Contract No. 2248, with F. R. Hewett, for furnishing crushed rock on the Mountain Rest-Mt. Vernon Section of the Pendleton-John Day and Beach Creek Secondary Highways in Grant County. Completed July 30, 1940.

Contract No. 2258, with E. C. Hall Company, for surfacing and oiling the Trout Creek-Toll Creek Section of the Santiam Highway, in Linn County. Completed July 27, 1940.

Contract No. 2271, with A. S. Wallace, for furnishing crushed rock for the Bend-Millican Section of the Central Oregon Highway, in Deschutes County. Completed June 29, 1940.

Contract No. 2278, with Averill & Corbin, for repairing the steel bridge over the Willamette River at Corvallis and reconstructing trestle approach thereto, in Benton and Linn Counties. Completed July 31, 1940.

Contract No. 2281, with Triangle Construction Company, for grading, surfacing, and oiling the John Day-Prairie City Section of the John Day Highway, in Grant County. Completed July 31, 1940.

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Contract No. 2283, with Warren Northwest, Inc., for grading, surfacing, and oiling the Silver Lake-Chalk Cliff Section of the Fremont Highway, in Lake County. Completed July 3, 1940.

Contract No. 2284, with H. L. O'Neil & Son, for grading, surfacing, and oiling the Fir Creek-Laurel Road Section of the Hillsboro-Silverton Secondary Highway, in Washington County. Completed August 6, 1940.

Contract No. 2293, with Fisher Bros., for grading, surfacing, and oiling the Austin Junction-Baker County Line Section of the John Day Highway, in Grant County. Completed July 20, 1940.

Contract No. 2297, with Norris Bros., for oiling the Weston-McDougal Camp Section of the Weston-Elgin Secondary Highway, in Umatilla County. Completed July 31, 1940.

Contract No. 2302, with Frank Penepacker, for grading the Lamonta-Crook County Line Section of the Warm Springs Secondary Highway, in Jefferson County. Completed August 8, 1940.

Contract No. 2304, with Norris Bros., for oiling the Brothers-Harney County Line Section of the Central Oregon Highway, in Deschutes and Lake Counties. Completed June 9, 1940.

Contract No. 2307, with Haigh Bros. & Hughes, for drilling and casing a well on state property 30 miles north of McDermitt, on the I.O.N. Highway, in Malheur County. Completed June 28, 1940.

Contract No. 2309, with Warren Northwest, Inc., for grading, paving, and pavement widening on the South Milton Section of the Oregon-Washington Highway, in Umatilla County. Completed July 23, 1940.

THEREFORE, BE IT RESOLVED that the work covered by said state highway contracts for the construction of said state highway projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

The Commission had under discussion the setting of a date for its next regular meeting for the receiving of bids, and decided to hold such meeting on Thursday and Friday, October 10 and 11, 1940. The Commission also set the following dates for its regular meetings during the next few months:

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Tuesday and Wednesday, November 12 and 13; Tuesday and Wednesday, December 17 and 18, 1940; and Thursday and Friday, January 23 and 24, 1941. The Secretary was instructed to make the usual arrangements to hold these meetings in the auditorium of the Public Service Building.

The Commission also discussed a date for its proposed inspection of highways in Eastern Oregon. This was tentatively set for the first week in October, subject to ratification later.

The Commission adjourned at 6:15 p. m. and reconvened at 7:30 p. m. in Chairman Cabell's home, all Commissioners being present and participating. Also present were the State Highway Engineer, the Attorney, and the Secretary.

The Commission had under discussion the selection of projects for construction in 1941 on primary and secondary state highways and to be financed with state funds. The Engineer submitted a list of eligible projects from which the Commission, by unanimous vote, selected the following and authorized the Engineer to advertise them for bids to be received as soon as plans and specifications can be prepared for the same:

<u>STATE PROJECTS ON PRIMARY HIGHWAYS</u>			Estimated
County	Highway	Section and Kind of Work	Cost
<u>DIVISIONS 1 AND 2</u>			
Benton	Corvallis-Newport	Blodgett, overcrossing & bridge	\$ 50,000
Lincoln	Alsea	Tidewater, Grade, Surface, & Oil	50,000
Linn	South Santiam	Foster-Cascadia, 11 mi., Grad, Surf, Oil	30,000
		Total, Divisions 1 and 2	\$130,000
<u>DIVISION 3</u>			
Douglas	Pacific	Umpqua River Bridge at Dillard	\$200,000
*Lane	Pacific	Eugene Section, Grad. & Pav.	70,000
		Total, Division 3	\$270,000
<u>DIVISION 4</u>			
Lake	K.Falls-Lakeview	Cottonwood Cr.-Forest Boundary, Grade, Surface, and Oil	\$125,000
*Klamath	K.Falls-Lakeview	Klamath Falls (6th Street)	100,000
		Total, Division 4	\$225,000
<u>DIVISION 5</u>			
*Harney	Burns-Crane	E. Unit, Surface and oil	\$ 40,000
Baker	Baker-Homestead	Flagstaff Hill-Middle Bridge, Grade, Surface, and Oil	120,000
*Baker	Baker-Unity	Hereford-Unity, 11 mi., Surf. & Oil	25,000
*Morrow	Heppner	Jones Hill-Lena, Surface and Oil	70,000
		Total, Division 5	\$255,000

* Projects marked thus were tentatively approved only

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(State Projects on Primary Highways continued:)

SUMMARY

Divisions 1 and 2 - - - - -	\$130,000
Division 3 - - - - -	270,000
Division 4 - - - - -	225,000
Division 5 - - - - -	<u>255,000</u>
Total	\$880,000

STATE PROJECTS ON SECONDARY HIGHWAYS

County	Highway	Section and Kind of Work	Estimated Cost
<u>DIVISIONS 1 AND 2</u>			
Lincoln	Siletz	North End (Intermittent), Grade, Surf.	\$ 30,000
Benton	Kings Valley	Pedee Section, Grade, Surface, Oil	30,000
Lincoln	Eddyville-Blodgett	Yaquina River Bridge at Nashville	<u>20,000</u>
		Total, Divisions 1 and 2	\$ 80,000
<u>DIVISION 3</u>			
*Benton	Territorial	Monroe-South, 3 mi., Grade, Surf., Oil	\$ 20,000
Douglas	Tiller-Trail	Days Creek-Milo, Grade, Surf., Oil	40,000
Douglas	Powers Road	Powers Road	<u>30,000</u>
		Total, Division 3	\$ 90,000
<u>DIVISION 4</u>			
Deschutes	Century Drive	Bend-Forest Boundary, Surface and Oil	\$ 15,000
Lake	Adel Secondary	Intermittent, Grade and Surface	30,000
Hood River	Hood River Secondary	Hood River Sec., Grade, Surf. Oil	<u>25,000</u>
		Total, Division 4	\$ 70,000
<u>DIVISION 5</u>			
Baker	Medical Springs	Union County Line-Miles Bridge, Grade, Surface, Oil	\$ 30,000
Union	Medical Springs	Benson Park, Surface and Oil	35,000
*Malheur	Vale-West	All, Grade, Surface and Oil	30,000
*Gilliam	Condon-Heppner	Condon-Top of Rock Creek Hill, Surf., Oil	30,000
Harney	Frenchglen	Burns-Narrows, Grade and Surface	50,000
*Wheeler	Shaniko-Fossil	Clarno-Chichester, Grade, Surface, Oil	20,000
*Union	Starkey	Meadowbrook-GrandeRonde River, Grade, Surf.	<u>20,000</u>
		Total, Division 5	\$215,000

* Projects marked thus were tentatively approved only

SUMMARY

Divisions 1 and 2 - - - - -	\$ 80,000
Division 3 - - - - -	90,000
Division 4 - - - - -	70,000
Division 5 - - - - -	<u>215,000</u>
Total	\$455,000

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The Commission also discussed a budget for the two and one-half-year period commencing January 1, 1941, and ending June 30, 1943, as requested by the State Budget Director, for submission to the Legislature. After full consideration the following budget was adopted by unanimous vote:

BIENNIAL BUDGET, Years 1941, 1942 and 1943
State Highway Fund

	First Half	Fiscal Years	
	1941	1942	1943
<u>RECEIPTS:</u>			
Motor vehicle license fees	\$2,400,000	\$ 3,030,000	\$ 2,870,000
Gasoline tax	4,850,000	11,670,000	11,900,000
Motor transportation fees	513,000	1,168,000	1,207,000
Fines for traffic law violations	15,000	30,000	30,000
Cash discounts	5,000	10,000	10,000
County cooperation	--	4,000	--
1935-38 federal funds	100,000	--	--
1939 federal aid funds	125,000	75,000	--
1939 federal secondary funds	30,000	--	--
1939 federal grade separation funds	50,000	50,000	--
1940 federal aid funds (\$1,639,000)	200,000	200,000	--
1940 FLH funds (\$61,000)	10,000	--	--
1940 federal secondary funds (\$246,000)	20,000	30,000	--
1940 federal grade sep. funds (\$225,000)	50,000	125,000	--
1941 federal funds (\$2,595,000)	415,000	1,435,000	745,000
1942 federal funds (\$2,215,000)	--	1,400,000	700,000
1943 federal funds (\$2,215,000)	--	--	700,000
Estimated total receipts	\$8,783,000	\$19,227,000	\$18,362,000
Less contribution to State Police	176,000	357,000	357,000
Less contribution to counties	393,000	2,470,000	2,500,000
Net receipts for highway purposes	\$8,214,000	\$16,400,000	\$15,505,000
First of year balance	967,000	2,764,000	2,754,000
Estimated total available funds	\$9,181,000	\$19,164,000	\$18,259,000
<u>EXPENDITURES:</u>			
Capital Outlays:			
1935-38 federal projects	\$ 20,000	\$ --	\$ --
1939 federal aid projects	50,000	--	--
1939 federal grade separation projects	25,000	--	--
1940 federal aid projects (\$2,969,000)	300,000	250,000	--
1940 federal secondary projects (\$531,000)	32,000	--	--
1940 federal grade sep. projects (\$266,000)	93,000	72,000	--
1941 federal projects (\$4,300,000)	980,000	1,870,000	100,000
1942 federal projects (\$3,850,000)	--	3,000,000	750,000

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(Biennial Budget - Capital Outlays - continued)

	First Half	Fiscal Years	
	1941	1942	1943
1943 federal projects (\$3,850,000)	\$ --	\$ --	\$ 3,000,000
PWA highway projects	--	--	--
WPA Wolf Creek and Wilson River	175,000	--	--
State construction (primary)	200,000	1,230,000	1,600,000
State construction (secondary)	120,000	750,000	900,000
Cooperation in forest road work	--	100,000	100,000
Minor betterments (primary)	75,000	200,000	200,000
Minor betterments (secondary)	25,000	100,000	100,000
Surveys (primary)	90,000	175,000	175,000
Surveys (secondary)	25,000	50,000	50,000
Surveys (county roads)	10,000	25,000	25,000
Engineering county construction	3,000	5,000	5,000
Property acquisition, field expense	15,000	30,000	30,000
Purchase of real property:			
For rights of way	250,000	525,000	550,000
For right of way on Front Avenue	165,000	--	--
For quarries and gravel pits	10,000	20,000	20,000
For stockpile sites	5,000	5,000	5,000
For parks	40,000	75,000	75,000
For miscellaneous sites	10,000	20,000	20,000
Construction of buildings and improvements:			
In parks	15,000	30,000	30,000
At maintenance stations	40,000	125,000	150,000
On other properties	55,000	25,000	--
Equipment:			
Purchase of equipment	150,000	350,000	350,000
Sale and depreciation credits	Cr. 125,000	Cr. 300,000	Cr. 300,000
Contingency reserve, construction	50,000	250,000	250,000
<u>Maintenance:</u>			
Special maintenance (primary)	190,000	430,000	450,000
Special maintenance (secondary)	20,000	50,000	55,000
General maintenance (primary)	1,000,000	2,500,000	2,530,000
General maintenance (secondary)	300,000	670,000	685,000
General maintenance (county roads)	10,000	20,000	20,000
Maintenance supervision expense	55,000	115,000	120,000
Contingencies, maintenance	75,000	150,000	150,000
<u>Operations:</u>			
Administration and general supervision	225,000	460,000	470,000
Planning and traffic surveys	25,000	50,000	50,000
Travel and Information Bureau	80,000	100,000	100,000
Radio system, maintenance and supervision	5,000	5,000	5,000
Quarry and gravel pit leases	2,000	5,000	5,000
Stockpile site leases	1,000	1,000	1,000

(Continued on next page)

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Biennial Budget - Operations - continued)

	First Half 1941	Fiscal Years	
		1942	1943
Park operation and maintenance	\$ 20,000	\$ 40,000	\$ 45,000
Maintenance station operation	15,000	25,000	30,000
Truck scale maintenance	5,000	10,000	10,000
Drawbridge and ferry operation	25,000	50,000	50,000
Research and special investigations	10,000	15,000	15,000
Miscellaneous general expense	20,000	40,000	40,000
Increase in revolving fund	50,000	- -	- -

Service and Clearing Accounts:

Equipment repair shops - charges	500,000	1,060,000	1,070,000
Equipment repair shops - credits	Cr. 500,000	Cr. 1,060,000	Cr. 1,070,000
Other service and clearing accounts - net	- -	- -	- -

Debt Service:

Bond maturities	1,075,000	2,150,000	2,100,000
Bond interest	306,000	542,000	447,000
Estimated total expenditures	\$6,417,000	\$16,410,000	\$15,563,000
Unexpended balances	<u>2,764,000</u>	<u>2,754,000</u>	<u>2,696,000</u>
	\$9,181,000	\$19,164,000	\$18,259,000

The Commission discussed the matter of placing the Fort Stevens County Road, in Clatsop County, on the state secondary highway system but deferred action thereon pending consultation with the Clatsop County Court.

The Commission discussed the matter of placing on the federal aid highway system the following described highways:

Warm Springs Highway from a point on Federal Aid Road No. 24, about 16.7 miles east of Government Camp, in Clackamas County, and extending in a southerly and easterly direction to a point on Federal Aid Road No. 4, near Madras, in Jefferson County, a gross length of 46.4 miles.

Revision of the Old Oregon Trail, beginning at a point on Federal Aid Road No. 1, at Boardman, in Morrow County, and extending in a southeasterly direction a distance of approximately 25.57 miles to a point on Federal Aid Road No. 1, about 2 miles east of Stanfield, in Umatilla County.

The Commission decided unanimously to place these roads on the federal aid system in order to make available thereto federal aid funds with which to expedite

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construction of the same. The following letters directed to the Public Roads Administration requesting such designations were thereupon signed by the Commission:

Public Roads Administration
P. O. Box 3900
Portland, Oregon

Gentlemen:

In order that federal aid funds may be utilized in the building of the important "cut-off" highway between the Wapinitia Highway at Clear Creek and The Dalles-California Highway at Madras the Highway Commission requests that that highway be added to the Federal Aid System.

The gross length of this road is 46.4 miles. Of this, 7.0 miles are in a National Forest and 27.0 miles are in the Warm Springs Indian Reservation. The net federal aid length is, therefore, only 12.4 miles.

The total cost of the 46.4 miles of road is expected to be about \$1,500,000 and, of that amount, about \$600,000 is already expended or under contract. The road will effect a saving in distance of 32 miles for a present traffic of about 200 vehicles per day.

A suggested description for the new road is as follows:

From a point on Federal Aid Road No. 24 about 16.7 miles east of Government Camp, south and east to a point on Federal Aid Road No. 4 near Madras.

A map showing the location of the proposed road is submitted herewith.

Very truly yours,

OREGON STATE HIGHWAY COMMISSION

Mr. W. H. Lynch, District Engineer
Public Roads Administration
P.O. Box 3900, Portland, Oregon

Dear Sir:

In order to provide a more direct and shorter routing for Federal Aid Road No. 1, the Highway Commission requests changes in the Federal Aid Highway System as follows:

1. Adopt as the location for Federal Aid Road No. 1, the straight-line route from Boardman to a point two miles

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east of Stanfield which is shown on the accompanying map. This change is 25.57 miles in length and results in a distance saving of 7.57 miles.

2. Retain on the Federal Aid System the roads at present traversed by Road No. 1, by adding the Boardman-Unatilla Unit to Federal Aid Road No. 18 and by assigning a new federal aid road number to the unit between Unatilla and the junction east of Stanfield.

Oregon's present unallocated mileage is 74.20. The change requested will utilize 25.57 miles of this.

Very truly yours,

OREGON STATE HIGHWAY COMMISSION

The Commission adjourned at 9:00 p. m., to reconvene on the following morning in the Public Service Building.

Portland, Oregon, August 23, 1940

The State Highway Commission reconvened in regular session at 9:00 a. m. in the auditorium of the Public Service Building. Present were:

Henry F. Cabell, Chairman
Huron W. Cloup, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

Commissioner Oliver was excused from attending this meeting.

Bids as follows for highway construction projects and for the sale of scrap materials and obsolete equipment were opened and read in conformance with previously published notice, following which Chairman Cabell announced that the award of contracts would be made at 2:00 p. m. in the same room:

BAKER-HOLESTEAD HIGHWAY
KEATING ROAD-RUCKLES CREEK SECTION - GRADING AND BRIDGE CONSTRUCTION

Leonard & Slate	\$51,818.00
McNutt Bros.	52,570.00
M. L. O'Neil & Son	55,899.25
E. C. Hall Company	55,903.00
E. L. Rigdon	55,911.80

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(Keating Road-Ruckles Creek Section continued)

E. L. Gates	\$60,907.10
Max J. Kuney	62,013.00
Berke Bros.	62,582.00
Tony Marrazzo	62,685.80
Colonial Construction Company	66,335.00
J. C. Papin	67,562.30
Frank Penepacker	75,124.00

OLD OREGON TRAIL

TROY RANCH SECTION - GRADING AND BITUMINOUS MACADAM SURFACING

McNutt Bros.	\$30,921.60
M. L. O'Neil & Son	31,390.10
Leonard & Slate	32,404.00
E. L. Rigdon	34,205.10
Max J. Kuney	34,262.00
Colonial Construction Company	37,421.00
E. L. Gates	37,949.90
Norris Bros.	38,582.80
Berke Bros.	38,816.40
E. C. Hall Company	40,022.00
Frank Penepacker	40,933.90
Tony Marrazzo	44,652.40

CENTRAL OREGON HIGHWAY

SAGE HEN HILL-HARNEY SECTION - FURNISH CRUSHED ROCK

Chester T. Lackey	\$18,835.00
R. O. Dail & Warren Bros.	19,217.50
A. S. Wallace	20,346.00
Clifford A. Dunn	21,292.50

OLD OREGON TRAIL

SOUTH NEWPORT SECTION - GRADING, SURFACING, AND OILING

	<u>Using Road Oil</u>	<u>Using Tar</u>
A. Milne	\$ 23,967.50	\$ - - - -
McNutt Bros.	26,961.50	27,063.40
Coos Bay Dredging Company	29,954.20	29,976.20
Edlefsen-Weygandt Company	29,978.60	- - - -
A. T. Dolan	32,891.50	- - - -
Newport Construction Company	33,727.00	33,314.90

OREGON COAST HIGHWAY

REDRIVING PIER FENDERS FOR YAQUINA BAY BRIDGE

Tom Lillebo	\$15,865.00
Coos Bay Dredging Company	15,971.60
The Gilpin Construction Company	17,643.00
McNutt Bros.	18,149.00

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SALEM-DAYTON SECONDARY HIGHWAY
RECONSTRUCTION OF KING CREEK CULVERT

J. F. Johnston	\$ 5,000.00
Birkemeier & Saremal	5,765.00
Barham Bros.	7,950.00
Jacobsen-Jensen Company	13,600.00

OREGON COAST HIGHWAY
WIDEN EXISTING BRIDGE OVER BEAVER CREEK, AT BEAVER

Birkemeier & Saremal	\$11,375.00
Clifford A. Dunn	12,270.00
McNutt Bros.	12,810.00
Babler Bros	12,870.00
J. F. Johnston	13,338.00
Averill & Corbin	13,435.00
Barham Bros.	15,510.00
A. T. Dolan	16,000.00
Frank Watt Construction Company	16,635.00

The Commission also received bids for the purchase of obsolete equipment and an accumulation of scrap materials stored at the Highway Department Shops at Salem, Klamath Falls, Coquille, and La Grande, as previously advertised. These bids were all referred by the Commission to the Engineer with power to sell the various items to the high bidder in each instance if the bids compare favorably with the appraised value of the items. Announcement to that effect was made by the Chairman, Henry F. Cabell.

Mr. G. R. Van Vleet and his attorney, Mr. Carl E. Davidson, came before the Commission in regard to the truck-hauling of logs over the Cannon Beach Road. Mr. Van Vleet stated that he has purchased a large stand of timber east and south of the Cannon Beach Road and, in order to market this timber, it will be necessary for him to transport the logs over this state highway. He said that he would cut logs into 32-foot lengths and would use trucks with cabs built over the motor so as to reduce the overall length as much as possible. He further advised that he is aware of the fact that the Cannon Beach Road is very crooked and would have to be widened at certain places in order to accommodate his hauling. However, he said that he owns certain construction equipment which he would be glad to place on the widening work if the Highway Commission would grant him the privilege of hauling logs over the road at any time of the year. After discussion, the Commission referred the matter to the Engineer for investigation and report as to what it would cost to improve the alignment of the present road to accommodate Mr. Van Vleet's operations. It was understood that the Engineer would contact Mr. Van Vleet after his report has been rendered and passed upon by the Commission.

Messrs. Ed. Turnbull and Fred Brenne, officers in the Eugene Chamber of Commerce, and Fred R. Hall, of Crescent Lake, Oregon, were present and

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conferred with the Commission. Mr. Turnbull brought up for discussion the matter of constructing the proposed connection between the Pacific Highway and Seventh Street, in Eugene, which is a part of the Commission's scheme for the rearrangement of the Pacific Highway route through Eugene. He urged the Commission to construct such connection this fall. He was informed by Chairman Cabell that the Commission discussed this matter at its meeting on the previous day but decided to hold the matter in abeyance pending action by Congress on the Federal Aid Bill, which provides for federal funds for the fiscal years 1942-43. The Commission is favorable to this project, he added, but prefers not to make any definite commitment to it until it has had an opportunity to adjust its finances.

Mr. Hail inquired as to the Commission's plans for the construction of a road leading from the Willamette Highway to Crescent Lake. He was informed that the Engineer has not as yet had time to inspect this road but will do so in the near future; also, that the Public Roads Administration contemplates making a location survey of the road soon, but that is the extent of the information that can be given at this time. The Engineer was thereupon instructed by the Commission to contact Mr. H. D. Farmer of the Public Roads Administration and arrange for a joint inspection of the project as soon as possible.

Dr. L. I. Hewes, Chief, Western Region, Public Roads Administration, was present and discussed with the Commission certain highways that have been designated by the Federal Government as strategic highways from the military standpoint. The Commission questioned the selection in certain instances, it being the thought of the Commission that the government officials have selected certain roads that are not so important as others on the state system. After discussion, the Engineer was instructed to forward to the Public Roads Administration a map showing the various selected routes, in color, and to point out the inconsistencies. He was also instructed to make a thorough study of the situation and to file with the Public Roads Administration a supplemental letter recommending changes and substitutions that may appear desirable.

County Judge Charles E. Baird, of Baker County, was present. He asked the Commission for the following improvements: construction on the Baker-Homestead Highway and improvement of the Sumpter Valley Secondary Highway. He said that these two projects are the ones of first importance to the people of Baker County. He also said that the county would like some additional work on the Medical Springs Road but such improvement is secondary to the other two. Judge Baird inquired whether or not the State Highway Commission would cooperate with the county in securing a W.P.A. project on the Sumpter Valley Secondary Highway. He pointed out that mining operations are being carried on quite extensively in the district served by this road and he anticipates that such operations will continue for a long time to come, hence the need for a good road. He also said that Baker County will sponsor the W.P.A. project but would like the Commission to help in any way that it can. The Commission agreed to give the matter consideration.

The Commission adjourned at 12:10 p. m. and reconvened at 2:00 p. m. in the same room with the same persons present and participating.

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Chairman Cabell announced the following awards of contracts and sale of scrap material, bids for which were taken at the morning session, such awards having been previously approved by the Commission by unanimous vote:

"Keating Road-Ruckles Creek Section of the Baker-Homestead Highway, in Baker County. 4.79 miles grading, and construction of a bridge. There were 12 bids received for this project, the low one being that of Leonard & Slate, Multnomah, at \$51,818.00, and the second-low being that of McNutt Bros., Eugene, at \$52,570.00. The Commission awards the contract to the low bidders, Leonard & Slate, at their bid of \$51,818.00.

"Troy Ranch Section of the Old Oregon Trail, in Baker County. 0.73 mile grading and bituminous macadam surfacing. McNutt Bros., Eugene, were the low bidders on this project, at \$30,921.60. M. L. O'Neil & Son, Eugene, were the second-low bidders at \$31,390.10. There were 10 higher bidders. The Commission refers all bids received for this project to the Engineer with power to award the contract to the low bidder when certain conditions have been satisfied.

"Sage Hen Hill-Harney Section of the Central Oregon Highway, in Harney County. Furnish approximately 9,700 cubic yards crushed rock in stock piles. The low bidder for this project was Chester T. Lackey, Ontario, at \$18,835.00. The second-low bidder was R. O. Dail & Warren Bros., Inc., Portland, at \$19,217.50. There were two higher bidders. The Commission awards the contract to the low bidder, Chester T. Lackey, at his bid of \$18,835.00.

"South Newport Section of the Oregon Coast Highway, in Lincoln County. 0.61 mile grading, surfacing, and oiling. A. Lilne, Portland, submitted the low bid for this project at \$23,967.50, based on the use of road oil, with no bid based on the use of tar. McNutt Bros., Eugene, submitted the second-low bid at \$26,961.50, based on the use of road oil, and \$27,063.40, based on the use of tar. There were 4 higher bidders. The Commission awards the contract to A. Lilne, the low bidder, at his bid of \$23,967.50, based on the use of road oil.

"Redrive fenders for Yaquina Bay Bridge on the Oregon Coast Highway, at Newport, in Lincoln County. There were 4 bids received for this project, the low one being that of Tom Lillebo, Reedsport, at \$15,865.00, and the second-low being that of Coos Bay Dredging Company, Marshfield, at \$15,971.60. The Commission awards the contract to the low bidder, Tom Lillebo, at his bid of \$15,865.00.

"King Creek Culvert on the Salem-Dayton Secondary Highway, in Polk County. Reconstruction of 105" x 140' multiplate culvert. J. F. Johnston, Newberg, submitted the low bid at \$5,000.00. Birkenmeier & Saremal, Portland, submitted the second-low bid at \$5,765.00. There were two higher bidders. The Commission awards

the contract to J. F. Johnston, the low bidder, at his bid price of \$5,000.00.

"Beaver Creek Bridge Section of the Oregon Coast Highway, in Tillamook County. Widening of existing bridge over Beaver Creek at Beaver. 9 bids were received for this project, the low one being that of Birkemeier & Sarnal, Portland, at \$11,375.00, and the second-low being that of Clifford A. Dunn, Klamath Falls, in the amount of \$12,270.00. The Commission awards the contract to the low bidders, Birkemeier & Sarnal, at their bid of \$11,375.00.

"Sale of scrap materials at Salem. No bids were received on Items 4 and 5. The tabulation of bids received for the purchase of the other items of material requires further investigation, so they are all referred to the Engineer with power to sell the material to the high bidder in each instance.

"Sale of scrap materials at Coquille. All bids for the purchase of this material were referred to the Engineer with power to sell the material to the high bidder in each instance.

"Sale of scrap materials at Klamath Falls. No bids were received on Items 1, 2, and 3. All bids received for the purchase of the other items of material were referred to the Engineer with power to sell the material to the high bidder in each instance.

"Sale of scrap materials at La Grande. All bids received for the materials listed in Items 1 to 10, inclusive, were rejected. All bids received for the purchase of the other items of material were referred to the Engineer with power to sell the material to the high bidder in each instance."

The Engineer requested authority to advertise for bids for the construction of maintenance station buildings at the following locations:

Job No.	Location	Description	Est. Cost
2720	Madras	32'x101' Maintenance Bldg. (with office)	\$ 11,500
2703	Condon	36'x105' Maintenance Bldg. (with office)	12,500
2707	Newport	32'x101' Maintenance Bldg. (with office)	11,500
5167	Troutdale	36'x105' Maintenance Bldg. (with office))	12,000
2704	Seneca	36'x76' Maintenance Bldg. (2 houses, etc.)	22,000
2705	Prospect	36'x76' Maintenance Bldg. (2 houses, water system, etc.)	24,000
2706	Necanicum Junction	32'x76' Maintenance Bldg. (2 houses, water system, etc.)	22,000
Total			\$115,500

Note: Estimates do not include surfacing of yards. It is tentatively planned that the surfacing will be placed by state forces.

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After discussion the Commission approved the request, subject to approval by Commissioner Oliver and subject, further, to a review by the members of the Commission of the plans for the residence buildings involved. The Engineer was instructed to send a set of the building plans to each Commissioner and to secure Commissioner Oliver's reaction to the proposed expenditure.

The Engineer brought up for discussion a request from Klamath County for state aid in securing an airview picture of the South Sixth Street district in Klamath Falls, where improvements of the state highway are contemplated by the Commission. He said that it is estimated that the picture would cost about \$400.00 and that the county is asking the Highway Commission to pay \$200.00 of this expense. He recommended approval of the request. The Commission approved the recommendation.

The Secretary presented a petition signed by numerous residents of South Salem urging discontinuance of the detour that is now being maintained around the highway construction work in South Salem. The Commission considered it best to maintain this detour in the interests of public safety, it being the opinion of the Commission that such interests are paramount to the interests of the local residents, particularly in view of the fact that it is anticipated that the detour will be needed for only a short time.

Consideration was given by the Commission to the request of the U.S. Fish and Wild Life Service for permission to obtain approximately 6,000 cubic yards of rock from land acquired by the Commission from Alice Jordan in connection with a right of way settlement along the Columbia River Highway east of Troutdale. The Commission indicated a reluctance to grant this request because of the scar in the landscape that would result therefrom. However, the Commission approved the removal of the rock if it will not mar the landscape and cause an unsightly appearance along the highway. The Engineer was instructed to refer this matter to the Landscape Engineer for investigation and report.

The Commission discussed a report from Division Engineer E. A. Collier with respect to the trimming of trees along the Pacific Highway East by a Mr. A. V. Sundholm, who owns an auto camp at a place known as Harts Pond. It appears that Mr. Sundholm owns a 265-foot frontage along the highway at this location and that he has trimmed to a height of 12 feet above the ground all of the oak trees growing on the highway right of way in front of this property. Further, that he has requested permission to cut down and remove entirely two oak trees so that his signs may be seen more plainly from the highway. The Engineer recommended that Mr. Sundholm be not permitted to either cut the trees or trim them. The Commission approved the recommendation as a matter of policy and instructed the Attorney to so inform Mr. Sundholm.

A letter was presented from R. S. Goold, Coordinator for the National Defense Training Workers, La Grande, Oregon, requesting the privilege of conducting a training class of such workers in the state highway shops at La Grande. The Commission denied the request as a matter of policy, it being

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considered that the use of the state's property for such purpose would react adversely to the best interests of the State Highway Department.

The Commission discussed a letter from the Oregon-American Lumber Corporation requesting the early oiling of the Banks-Buxton Section of the Wolf Creek Highway so as to make this section available for general public use this winter. The Engineer advised that this section will not be completely surfaced until after the first of January, 1941, and that it would be absolutely impossible to oil the section until the weather conditions are favorable next year. Chairman Cabell stated that he would convey such information to the Corporation.

The Engineer brought up for discussion the matter of landscaping the Oswego Section of the Oswego Highway, as has been requested by citizens of that town. He advised that he has not as yet had an opportunity to investigate this matter personally although he plans to do so this coming week and will have a report for the Commission at its next meeting.

The matter of designating the Netarts County Road, in Tillamook County, a state secondary highway was discussed. The Commission decided to so designate this road if the Tillamook County Court will make application for such designation in proper form. The Engineer was instructed to see that the proper form of resolution is forwarded to the court for adoption.

The Commission considered and denied the request of the Oregon Roadside Council that the Highway Commission intercede with the Legislature in its behalf for state funds with which to finance the activities of this Council.

The Engineer reported a request from County Roadmaster George Buck, of Multnomah County, for permission to remove certain trees and shrubs that were planted adjacent to the Pacific Highway west near the city limits of Portland, particularly at the intersection of Southwest 13th Street and Capital Hill Road. It appears that when the highway was constructed at this location no provision was made for a connection with either the Capital Hill Road or Southwest 13th Street, which intersect very close to the highway right of way, and that certain landscaping work, including the planting of trees and shrubs, was performed on the highway right of way at the points where both of these roads enter the highway, it being considered at that time that connections to the highway would never be constructed. However, it now appears that the county intends to fill in these areas and to build up the approaches, and, in order to accommodate such improvement, certain portions of the landscaping work must be removed. In view of the circumstances, the Commission approved the request.

The Attorney reported receipt of a communication from Mrs. Echols, of Agate Beach, suggesting that it would be a fine thing for the State Highway Department to acquire for recreational purposes a promontory known as Iron Mountain, situate a short distance east of the Oregon Coast Highway, near Agate Beach. Mrs. Echols advised, he said, that a third party is seriously considering the purchase of this property for private purposes but, in her estimation, the state should have first refusal of the same because of its

desirability from the state parks standpoint. The Engineer advised that the Highway Department now owns a portion of this mountain, having purchased the same as a source of road-building materials. He questioned the suitability of the area for recreational purposes. The Commission discussed the matter but deferred its decision pending further investigation and report by the Engineer and the State Parks Superintendent.

The Commission considered and signed agreements, et cetera, as follows:

Agreement with Bonneville Power Administration covering the construction of electric power transmission lines over and across certain state highways.

Agreement with Clarence Cox, Albany, disposing of his claim for damages resulting to his property described as Lot 17, Waverly Fruit Farms, in Linn County, by reason of the construction of the Airport Road-Albany Section of the Pacific Highway East.

Agreement with Bruno Huslik and wife, Bend, providing for the disposal of their claim for damages to their property, described as Lots 7 and 8, of Block 10, Center Addition to Bend, by reason of a change in grade in Franklin Avenue. Right of Way Transaction 8027.

Agreement with Earl C. Reynolds and wife, Klamath Falls, covering the matter of reconstruction of the Klamath Falls-Malin Section of the Klamath Falls-Malin Highway, in Klamath County, which requires additional right of way from the Reynoldses. Right of Way Transaction 7563.

Agreement with the City of Albany covering certain culvert installations in Albany. Right of Way Transaction 22-1030.

Agreement with A. S. Wallace, contractor, disposing of his claim for extra compensation arising out of his contract No. 2271 for the furnishing of maintenance materials for the Bend-Millican Section of the Central Oregon Highway, in Deschutes County.

Agreement with the Amalgamated Sugar Company disposing of the company's claim for injury and losses that it will sustain by reason of the construction of the Nyssa Underpass in the town of Nyssa.

Agreement with Susan Durrell covering lease to Mrs. Durrell for a period of five years, of certain state-owned property situate in the Northwest Quarter of the Southwest Quarter of Section 13, Township 12 South, Range 5 West, W. M., Benton County. Right of Way Transaction 8125.

Agreement with the Southern Pacific Company terminating lease of a gravel storage site situate on railroad company property at Milbur, Oregon.

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Agreement with Charles B. Short and wife and Fred Williams and wife providing for the payment of damages arising out of construction of the Nyssa undercrossing on the Old Oregon Trail, at Nyssa. Right of Way Transaction 7461.

Agreement with Loring Taylor, Administrator of the estate of Albert Hensch, deceased, providing for the payment of damages arising out of construction of the Nyssa Undercrossing Section of the Old Oregon Trail, in Malheur County. Right of Way Transaction 7646.

Agreement with the Southern Pacific Company covering the construction of an 18-inch culvert pipe across a portion of the Southern Pacific Company's right of way in the vicinity of North Bend.

Easement agreement with Gertrude Cox and Ray T. Cox providing for the use of a detour road across the Cox property situate in Section 6, Township 37 South, Range 9 East, W. M., Klamath County, adjacent to The Dalles-California Highway. Right of Way File 8131.

Bargain and Sale Deed conveying unto Walter R. Bradley 16,158 sq. ft. of land situate in the Southwest Quarter of the Southwest Quarter of Section 23, Township 13 South, Range 31 East, W. M., Grant County. Right of Way Transaction 8133.

Agreement with Peninsula Drainage District No. 1., Multnomah County, providing for the construction of a flood wall on the right of way of the Swift Secondary Highway, in North Portland.

Agreement with Mountain States Power Company providing for use of one of the company's poles for suspending cable attachments in connection with traffic light installation at the intersection of Main Street with the Pacific Highway East in the town of Jefferson, Marion County.

Agreement with Henry Semon and wife pertaining to right of way required for the Klamath Falls-Merrill Section of the Klamath Falls-Malin Highway.

There being no further business to come before the Commission at this time, the meeting was adjourned at 3:30 p. m.

Henry F. Cabell
Chairman

James M. Clough
Commissioner

W. B. S. S. S.
State Highway Engineer

W. B. S. S. S.
Secretary

W. B. S. S. S.
Commissioner

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Clarno, Oregon, September 30, 1940

The State Highway Commission met with members of Clarno Grange No. 674 at 1:30 p. m. in the Clarno Grange hall, following a sumptuous chicken dinner provided by the Grange members. Present at such meeting were the following, representing the State Highway Department:

Henry F. Cabell, Chairman
Huron W. Clough, Commissioner
Herman Oliver, Commissioner
R. H. Baldock, State Highway Engineer
H. B. Glaisyer, Secretary

There were about forty Grange members present, including Buster Burgess, H. R. Kaiser, R. S. Keller, and Mr. Steel of Fossil, Mr. Olson of Shaniko, Barney Rufus of Antelope, and Henry McGreer of Clarno. Mr. Burgess presided.

Mr. Burgess urged the Commission to reconstruct the unimproved portion of the Shaniko-Fossil Secondary State Highway between Clarno and Fossil, to provide a road that can be used throughout the year. He said that they are not asking for a high-class improvement but simply a road that is travelable the entire year. Arguments in behalf of such improvement were presented by Messrs. Kaiser, Steel, McGreer, Olson, and Keller, all of whom endorsed the remarks of Mr. Burgess.

Chairman Cabell advised that the Commission will be pleased to consider this project in the formulation of its next construction program but is not in position at the present time to make any definite commitment or promise in regard thereto. Commissioner Clough endorsed Chairman Cabell's remarks, as did also Commissioner Oliver, who added that the people of this district are entitled to a better road just as soon as the Commission can spare the funds to finance the work. He also pointed out that it will be an expensive undertaking to rebuild the road to proper standards but the Commission will do the best that it can because it appreciates the condition and the need for better road facilities in this district.

The Engineer suggested the possibility of constructing a low-type, low-cost road that would serve the purpose. He pointed out that if the people in outlying districts of the state would be satisfied with improvements of that kind it would then be possible for the Commission to build roads at minimum expense into localities that are not now served by good road facilities.

Mr. McGreer, pioneer of 1876, recited the history of road problems in this vicinity and urged the Commission to respond favorably to their earnest request.

The meeting was adjourned at 2:00 p. m.

The Commission then motored to Pendleton, stopping enroute at the Gilliam County Courthouse in Condon for a brief conference with the County Courts of Gilliam and Morrow Counties relative to local road problems. The

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Commission also inspected the Condon-Hempner Secondary State Highway in company with the Morrow County Court.

Henry F. Cabell
Chairman

Herman Oliver
State Highway Engineer

Huron W. Clough
Commissioner

H. B. Glaisyer
Secretary

Herman Oliver
Commissioner

Pendleton, Oregon, September 30, 1940

The State Highway Commission were guests of the Pendleton Chamber of Commerce at dinner in the dining room of the Pendleton Hotel, following which at 8:30 p. m. the Commission discussed highway matters with a number of delegations from Pendleton and outlying districts. Present were:

Henry F. Cabell, Chairman
Huron W. Clough, Commissioner
Herman Oliver, Commissioner
R. H. Baldock, State Highway Engineer
H. B. Glaisyer, Secretary

representing the State Highway Department, and about fifty local citizens. Mr. Donald Robison, President of the Pendleton Chamber of Commerce, presided. He called upon members of the State Highway Commission for remarks.

Responding, Chairman Cabell explained the Commission's financial set-up, including the uncertainty concerning expenditures of federal aid funds. He pointed out that Congress has authorized an appropriation for fiscal years 1942 and 1943 but advised that the amounts authorized are less than those provided for the years 1940 and 1941; also, that the law provides that the roads that are to be improved with such funds must be passed on by the Public Roads Administration and the army authorities who are to select the roads of primary importance from the government and military standpoint. He advised that under the circumstances it is difficult for the Commission to arrange any program for the federal moneys, and the Commission will not know how to allocate the state moneys until it knows how the federal moneys are to be spent. On account of the uncertainty, he added, the Commission is not in position at the present time to make any definite statements with respect to future highway programs but will be glad to give consideration to the projects desired by the various districts of the state at such time as a program is arranged. Commissioners Clough and Oliver concurred in the remarks of Chairman Cabell.

Mr. Robison then called upon the delegations to present their respective projects.

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Mr. Irwin, representing a delegation from Pilot Rock, asked for a modification of the rules and regulations governing log hauling on state highways. He said that the sawmills in and around Pilot Rock and Pendleton employ upwards of 500 men who have families and according to the present regulations loggers are practically ruled off the roads. He pointed out that they are required to limit their gross loads to a weight specified by law, whereas there is a great variance in the weight of timber and as a result operators at times transport excess-weight loads and if apprehended by the State Police on such occasions are subject to the penalty of having their permits suspended for a certain length of time, which they really cannot afford. He asked the Commission to modify this ruling.

Mr. Kerns, President of the Pilot Rock Lumber Company, stated that his company is securing its logs from a place 50 miles south of Pilot Rock on the Pendleton-John Day Highway and that they have engaged nine haulers to transport this timber to their Pilot Rock mill. Each of these men, he said, owns his own truck and must make two round trips daily in order to make it pay; but they are handicapped in doing so by the regulations. He advised that there are no facilities to weigh the loads in the woods and as a result trucks are frequently found to be overloaded when weighed by the State Police on the state scales near Pilot Rock, and the hauler is subsequently penalized for overloading. He suggested that, in order to obviate the variance in the weight of logs, the size of the loads be based on scale measure rather than on weight; also, that the present rule be further modified to provide for the weighing of 100 loads of logs by the State Police so as to determine the average weight of logs from any particular district. Mr. Kerns also asked for a modification of the rules so as to permit the transportation of logs for a short period after sundown. He explained that, due to the long distance that the timber has to be transported, the log hauler cannot make two round trips daily at this time of the year during daylight hours, and, because they must make two trips daily in order to make their operations pay, request is made that the operator be allowed to complete his run notwithstanding that he may reach his destination after dark, provided, of course, that the equipment is properly lighted.

Mr. Harris, of the Harris Brothers Logging Company, Pilot Rock, concurred in the remarks of Mr. Kerns and urged approval of Mr. Kerns's suggestions. He also complained of the lack of courtesy on the part of the State Police in dealing with log haulers. Mr. Denning, logger in the employ of Mr. Harris, also endorsed the remarks of the other speakers.

Mr. Phillips, log hauler in the employ of Mr. Kerns, urged modification of the rules to permit night hauling. He said that it is imperative that he make two round trips a day, and the change is necessary because it is not possible to park the load of logs on the side of the road.

Mr. George Carns, Chairman of the Road Committee of the Pilot Rock Chamber of Commerce, and Mr. Pattey, head of one of the logging companies in this district, both endorsed the remarks of the other speakers and urged approval of the suggested modifications.

County Judge Carl W. Chambers, Umatilla County, stated that the County Court is doing all that it can to help out in the situation and will appreciate any help that the State Highway Commission can give.

Chairman Cabell, in response, stated that two big things are involved; viz., the matter of overweight and the matter of operating during hours of darkness, the first of which concerns the maintenance of highways and the second the matter of safety to the public; also, that the Commission appreciates the predicament that the logging operators are in and would like very much to protect the haulers who are carrying on legitimate operations. There are two sides to the problem, he said—that of the log haulers and that of the general public, many of whom are very strong in their convictions that the Highway Commission should rule all of the log haulers off the road. The Highway Commission, he added, is opposed to the method of log scale in determining the size of a load because highways must be built on the basis of definite loadings and not on guesswork. He mentioned the 10 per cent tolerance allowed logging operators by the 1939 Legislature and also referred to the rules of the Washington Highway Department, which provide for trial loads and the estimating of weights by settlement of the truck springs, which method, he said, the Oregon Highway Commission is considering. He expressed a hope that the 1941 Legislature will see fit to modify the present law governing this matter so as to permit greater weights and longer loads over certain highways in this state.

As to hauling after dark, he said that the principal reason that hauling is not allowed during that period is because the Commission feels that it causes an undue hazard to other traffic. However, the Commission will give careful consideration to the arguments presented and will make its decision as soon as possible.

Mr. Lester Hamley, Pendleton, brought up for discussion snow removal on the Tollgate Road between Weston and Elgin. He urged the Commission to make provision to keep this road open during the winter season, at least as far as Tollgate, for the benefit of winter sports enthusiasts. He alleged that the winter sports people contribute \$1,000.00 annually to the state highway fund in going to and from this recreational area and gave as his thought that such sum would go a long way toward the cost of keeping the road open. Chairman Cabell explained that the Commission likes to help the sportsmen out as much as it can but there is a limit to what the Commission can do, and, as far as winter sports are concerned, they must stand on their own merits.

The Engineer advised that it would cost about \$10,000.00 to keep this road open throughout its entire length during the winter season and that it would cost about \$3,500.00 to keep it open between Weston and Tollgate during such period.

Chairman Cabell inquired where the traffic originates and was informed by Mr. Hamley that most of it comes from Pendleton, Hermiston, La Grande, Echo, Walla Walla, Milton, Weston, Athena, and other places in this district. Mr. Cabell then inquired whether or not the people would be

satisfied if the Commission would simply keep open for travel the Weston end of this road as far as Tollgate. Mr. Hamley replied that that would be quite satisfactory for all except for the people that reside in the vicinity of La Grande and Elgin. After further discussion Chairman Cabell advised that the Commission will be pleased to consider the matter but is not in position at this time to give a definite answer.

A delegation from Hermiston, headed by Mr. Frank McKenzie, was present and urged the Commission to reconstruct the Old Oregon Trail between Hermiston and Umatilla by straightening, widening, and eliminating several railroad grade crossings. He said that this is a very important road to Umatilla County and that it carries a large volume of traffic which no doubt will increase in the future on account of the development work that is under way at Umatilla, including the proposed port development and the developments being made by several oil companies. He added that there is every reason to believe that the town of Umatilla will become an important port on the Columbia River and in view thereof the highway improvement is a necessity.

Mr. Roy Rittner, Pendleton, advised that the boundaries of the new Umatilla port district do not include all of Umatilla County as did the original and in his estimation the district will be formed because everybody seems to be in favor of it. He requested favorable consideration by the Commission on Mr. McKenzie's request.

Mr. William Schwitzler also spoke in favor of the improvement and gave statistics showing the amount of oil products that are now being distributed daily to Eastern Oregon points from Umatilla, all of which must be transported over the Umatilla-Hermiston Section.

Mr. Henry Summers, Hermiston, endorsed the remarks of the other speakers. He added that if the Commission could not see its way clear to provide this improvement they would at least like to have the four sharp turns eliminated on the Old Oregon Trail through the town of Hermiston. The Commission took the matter under advisement.

A delegation from Weston urged the Commission to provide a better oiled surface on the Weston-Elgin Road, particularly between Weston and Tollgate. The delegation consisted of C. M. Sly, Principal of the Union High School, Walter Raban, Sim Barnes, and Marvin Price. They declared that traffic over this road has been very heavy and that the improvement recently constructed by the state is showing signs of distress. They gave as their thought that the road should be given immediate attention before it goes to pieces entirely.

Chairman Cabell stated that, due to lack of funds, the Commission was unable to provide a standard oil improvement for this road but will maintain it in as good condition as is possible under the circumstances. He also said that the Commission intends to drive over the road on the following day and will secure first-hand information.

Mr. Barnes suggested a W.P.A. project to eliminate the sharp turns in the road. Mr. Raban inquired as to the Commission's plan for future improvement of the road. He was informed by Chairman Cabell that the Commission is not in position at this time to make any definite statement in regard thereto.

The meeting was adjourned at 10:15 p. m.

Herman Oliver
State Highway Engineer
H. B. Glaisyer
Secretary

Henry F. Cabell
Chairman
Huron W. Clough
Commissioner
Herman Oliver
Commissioner

La Grande, Oregon, October 1, 1940

The State Highway Commission met with a number of delegations at 1:00 p. m. in the dining room of the Sacajawea Hotel. Present, representing the State Highway Department, were:

Henry F. Cabell, Chairman
Herman Oliver, Commissioner
R. H. Baldock, State Highway Engineer
H. B. Glaisyer, Secretary

Commissioner Huron W. Clough was excused from attending this meeting so that he might make a personal inspection of the Wallowa Lake Highway up to its terminus at Wallowa Lake. There were about 50 local people, including delegations from nearby towns, also present at this meeting, which was presided over by Mr. Charles H. Reynolds, La Grande.

At the request of Mr. Reynolds Chairman Cabell explained the status of the highway department finances, particularly calling attention to the uncertainties that surround the expenditure of future federal aid funds. Commissioner Oliver endorsed the remarks of Chairman Cabell. Mr. Reynolds then called upon various delegations to present their respective projects.

The Wallowa County Court, represented by County Judge Ben Weathers, County Commissioners H. O. Harmon and F. W. Hammack, and County Engineer Glen Jacob, was present. Judge Weathers informed the Commission that the most important state highway project in Wallowa County is the further improvement of the Wallowa Lake Highway, and the next in order is the completion of the Enterprise-Lewiston Highway to the Washington state line. He expressed a hope that the Highway Commission could finish this work within the next couple of years. He also asked for the improvement of the southerly end of this highway by straightening, widening, et cetera, and asked the Commission to program such improvement so that it can be completed at the same time that the work at the northerly end is completed. Judge Weathers also asked the Commission to take over, as a state secondary highway, a one-mile section of county road at the head of Wallowa Lake. He said that this road passes through a thickly populated district and serves not only the many people that live there the year

round but also serves people who maintain summer cottages at this point and the summer camp grounds maintained by the Methodist Church and by the Boy Scouts organization several months each summer. He said that the county is asking the state to take this road over because it is in an isolated district and is very inconvenient and difficult for the county to maintain. Judge Weathers also asked for the oiling of the Little Sheep Creek Secondary Highway from the town of Joseph to a place known as Little Sheep Creek Hill.

Mr. Harmon endorsed the remarks made by Judge Weathers and particularly urged early completion of the Enterprise-Lewiston Highway and additional improvements on the Minam Hill Section of the Wallowa Lake Highway. He said that logging operations are being carried on quite extensively along the Enterprise-Lewiston Highway and the trucking of logs over this highway introduces an extreme hazard to other traffic because of the dust created. He alleged that the improvement of this highway is fully justified and as proof of his contention asked the Commission to make a special count of traffic that uses this road.

Mr. Reynolds inquired as to the present status of the Enterprise-Lewiston Highway. Chairman Cabell explained that this highway is on the forest highway system and that it is proposed to construct it with forest highway funds. In fact, he said, the Commission recommended an expenditure of such funds in the last forest highway program as would have financed the final grading work to the state line but it so happened that Congress did not authorize enough money for the purpose. He gave as his thought that the improvement of the south end of this road is a logical project and should be undertaken at the proper time.

As to the improvement of the Minam Hill Section of the Wallowa Lake Highway, Chairman Cabell advised that the Commission is taking bids next week for the reconstruction of a portion of this grade and that it is the intention of the Commission to place under contract for reconstruction adjacent sections when funds become available to finance the work. Relative to extending the secondary state highway at the head of Wallowa Lake, he said that the Commission would give the matter very careful consideration but is not in position at the present time to make a definite statement about it. As to the oiling of the Little Sheep Creek Secondary Highway, he advised that the Commission has not as yet inspected this road and is not in position to make any statements with respect thereto but the Commission intends to look it over at the earliest opportunity. He concluded his remarks by saying that the Commission has the Wallowa County projects in mind and will be pleased to help the county out as much as it can whenever it is possible to do so.

A delegation from Elgin, including Fred Guthrie, Arthur Helgarth, W. E. Moore, and Mr. Reed, was present. Mr. Moore headed the group. They thanked the Commission for the Minam Hill reconstruction project, for which the Commission is receiving bids the following week. They also asked the Commission to conduct snow-removal operations on the Weston-Elgin Secondary Highway so traffic can use this road throughout the entire year. They asserted that the people of this district insist and demand that the road be kept open during the winter season because it is needed for commercial as well as for recreational purposes and there is urgent need for travel over this road during the winter season as well as during the summer months.

Chairman Cabell replied that the Commission is now studying the matter of snow removal on mountain roads and, in connection therewith, is considering the adoption of a formula which will be applied to each such road as a basis in determining whether or not there is justification in keeping a road open during the winter months. The State Highway Department cannot keep all of these roads open, he said, but the Commission intends to give each fair and equitable consideration. He added that this is a problem that cannot be easily answered, hence no decision can be given today.

The County Court of Union County was represented by County Judge U. G. Couch, County Commissioners Chris Johnson and Alex McKenzie, and County Engineer S. B. Morgan. Judge Couch asked Mr. Reynolds to present the matters in behalf of the county court.

Responding, Mr. Reynolds first asked for additional improvements on the North Powder River Road between North Powder and a place known as Davies Ranch. He stated that this is a county road and that they would like to have it further improved as a federal aid secondary highway project; also, that the county would maintain the improvement after construction. He also explained that this road connects with the Haines-Anthony Secondary Highway, in Baker County, and, in the county's estimation, is justified from that standpoint. Mr. Jim Wilson and Mr. Moore, North Powder, endorsed Mr. Reynold's remarks. Mr. W. Perkins also endorsed the project and asked for the improvement of the 5-mile section of the Haines-Anthony Secondary Highway, including a bridge over the North Powder River, to facilitate travel to the Anthony Lakes recreational and winter sports area.

Mr. Reynolds then requested, in behalf of the county court, the extension of the Starkey Secondary Highway from its present terminus at Starkey southwesterly a distance of about 7 miles to the national forest boundary line where it would connect with a forest development road already constructed by the forest service, and that the Commission cooperate with the forest service in the improvement of the road from that point to a connection with the Pendleton-John Day Highway near Ukiah. He pointed out that the distance from Hilgard to Ukiah by such route is practically the same as the distance from Pendleton to Ukiah over the Pendleton-John Day Highway, and the opening up of this new route will provide a saving of about 46 miles between Hilgard and Ukiah.

A delegation from Ukiah was present and endorsed this request. This delegation consisted of Lloyd Bowman, spokesman, F. Dunfield, Bill Arbuckle, and Oscar Hare. Mr. Bowman urged the improvement so as to provide a road over which natural resources can be transported. He said that they do not want a scenic road but just a good travelable road to allow them to reach the timber in the district, which must be marketed soon. He alleged that the road can be constructed at water grade, avoiding mountain summits, and that it would not only serve the timber interests but it would also open up for general public use certain valuable mineral springs in that vicinity.

Mr. Kinzel, of the Mt. Emily Lumber Company of La Grande, also urged favorable consideration of this project. The construction of the 7-mile

section mentioned by Mr. Reynolds, he said, will connect the present Starkey Secondary Highway with the forest development road already constructed in the national forest, which road, he said, is in as good condition as the present road between Hilgard and Starkey. He gave as his thought that it would not cost more than \$10,000.00 per mile to build this 7-mile section.

Mr. Reynolds also asked for the modernization of the Wallowa Lake Highway from Rock Creek Bridge at the mouth of Wallowa River Canyon to Island City, a distance of approximately 41 miles. He said that this highway is heavily traveled, being the principal route of travel to and from Wallowa County points, and is important from both business and recreational standpoints; also, that the present road is old-type construction, not suited for present-day travel. He asked serious consideration by the Highway Commission of this matter in behalf of both Union and Wallowa Counties, and suggested a definite program of reconstruction, with allocations each year of sufficient amounts to complete the improvement in the shortest time possible.

Mr. Reynolds also asked for the widening and the non-skidding of the Island City-La Grande Section of the Wallowa Lake Highway, and for the construction of a pedestrian lane or walk along this section for the benefit of pedestrians.

Chairman Cabell explained that the Commission is now endeavoring to work out a formula to apply to all requests for sidewalk construction and hopes to be able to say within a short time just what it can or cannot do with the many requests that the Commission has received for this type of work. The Commission has it in mind, he added, to construct a few sidewalks each year but they will be built in the order of their priority, based on the formula.

Mr. Reynolds also asked for the improvement of the Hunters Lane County Road and that this road be placed on the state secondary highway system. The importance of this road to the La Grande community, he said, cannot be overestimated. It carries heavy travel for an uncoiled road and must have immediate attention because the rock surfacing is about worn out. He also mentioned the Medical Springs Secondary Highway and gave as his understanding that the Commission intends to complete the oiling of this highway in 1941. He was informed by the Engineer that the Commission has approved this project for the 1941 program and that the work will be done in 1941 unless something unforeseen arises in the meantime. Mr. Reynolds concluded his presentation by asking the Commission to allocate larger amounts hereafter to improve a greater mileage of highways in their district. He presented a statement showing the amounts heretofore expended by the state on primary and secondary highways in Union County and gave as his thought that Union County is entitled to favorable consideration of its request.

Chairman Cabell explained the status of the Highway Commission's funds. He particularly pointed out that, because of the fact that funds available to the Commission are limited, a large construction program cannot be carried on and for that reason the Commission must be very careful in the allocation of its funds and must distribute them in limited amounts over a large territory, and particularly must the Commission be very careful in assuming

new obligations, such as the Hunters Lane County Road and others in that category.

The meeting was adjourned at 2:00 p. m., following which the Commission conferred privately with a delegation from the town of Union consisting of the following: G. I. Hess, Dick Richards, Tony Smith, Murton Davis, and L. H. Braunwell.

Mr. Hess headed the group and acted as spokesman. He urged the Commission to improve the Union-North Powder Section of the Old Oregon Trail. He alleged that this section is badly in need of repair and that it is the only section of the Old Oregon Trail in that part of the state that has not as yet been improved. He inquired as to the plans of the Commission with respect thereto.

The Engineer advised that the improvement of this section has been deferred pending a decision by the Commission on the proposed rerouting of the Old Oregon Trail through Ladd Canyon and he explained that if the Commission elects to proceed with the construction of the Ladd Canyon route as the main route of the Old Oregon Trail then it would not be necessary to reconstruct the present route to the high standards of a main arterial highway.

Mr. Hess advised that the people of the town of Union are cognizant of the fact that the Highway Commission has been considering the Ladd Canyon cutoff, and, because of this prospective change in the highway, developments in the town of Union are being deferred. Furthermore, the uncertainties of the situation are adversely affecting the sale of properties in this town. He urged the Commission to make a definite decision as soon as possible and particularly asked the Commission to retain the present route of this highway.

Chairman Cabell explained that there are a number of places throughout the state where similar conditions obtain and where the Commission is confronted with the problem of reconstructing certain sections of highways on permanent alignment that will bypass certain cities and towns. In such cases, he said, the Commission must balance the interests of all, both for and against the proposed changes, and its decision is based on the result or outcome of the studies of each problem by itself. The Commission regrets, he said, that in some instances the changes work adversely to the best interests of the people of the local community and in the case of the proposed cutoff through Ladd Canyon no doubt numerous people along the present highway will be disappointed because, if the change is approved, the permanent highway will not pass through their communities. The improvements along the Old Oregon Trail, he said, have advanced to a point where it appears now that serious consideration must be given to the Ladd Canyon cutoff and the Commission will take action on the matter as soon as it can.

There followed a general discussion during which other members of the delegation expressed their desire for the retention of the present route of this highway through Union and Telocaset. Upon conclusion of the same the Engineer was instructed by the Commission to commence the study of the situation, if this meets with the approval of Commissioner Clough who was not present at this meeting.

The delegation also asked the Commission to construct the unimproved section of the Cove Secondary State Highway between Cove and Union, a distance of about 8 miles. Mr. Hess advised that this road carries practically all of the local products and is badly in need of improvement. He asked the Commission to bear the project in mind for early construction. The Engineer advised that this road has no rock surfacing and there is no question that it needs improvement because at certain places it is impassable during the spring months. The Commission took the matter under advisement.

Mr. Kinsel of the Mt. Emily Timber Company was present and again urged the Commission to extend the Starkey Secondary State Highway and to make certain improvements to the existing road between Hilgard and Starkey, particularly the stabilization of the road with rock where it passes through some low meadows, and the elimination of a certain section where the road passes over a couple of hills and where traffic hazards exist. The Commission took the matter under advisement.

The meeting was adjourned at 2:30 p. m.

J. W. Hess
State Highway Engineer

H. B. Glaisyer
Secretary

Henry F. Cabell
Chairman

Herman Oliver
Commissioner

Baker, Oregon, October 1, 1940

The State Highway Commission conferred with a number of delegations in the Baker Hotel at 8:30 p. m. Present were:

Henry F. Cabell, Chairman
Huron W. Clough, Commissioner
Herman Oliver, Commissioner
R. H. Baldock, State Highway Engineer
H. B. Glaisyer, Secretary

Mr. Fred Moes, President of the Baker Chamber of Commerce, called the meeting to order. Mr. Lynn Vermillion, Chairman of the Road Committee, took charge of the meeting in behalf of Mr. Moes. There were about 30 residents of Baker County present.

A delegation from Huntington was present, consisting of Mr. Clint Garrison and Mr. Romeo. Mr. James T. Donald was also present with this delegation, acting as spokesman and chief counsel for the city. He stated that the City of Huntington has recently suffered considerable loss due to a cloudburst which flooded this town and that people are of the opinion that the damage was directly attributable to the inadequacy of highway culverts at the east and west city entrances, and the thing that the city is now asking of the Highway Commission is that it construct larger culverts at these two points so that

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hereafter when cloudbursts and heavy rains occur the highway will not act as a dam, causing the flooding of their town. He said that cloudbursts frequently occur at this location and reiterated that the installation of the culverts would to a large measure obviate the damage. He also said that the city has plans to raise some money to finance repairs to the city's ditch at the west end of town but its expenditures to that end would be of no value unless the Highway Commission will increase the size of the existing culverts or will construct new ones big enough to adequately take care of the water.

Chairman Cabell advised that it is beyond the reach of the State Highway Commission to provide drainage facilities to take care of cloudburst water in the districts where cloudbursts occur, as that would be a very costly undertaking; however, if investigation reveals that the highways in those localities where cloudbursts frequently occur are responsible for damage to private property, then the State Highway Commission should cooperate in the remedy of the situation. The Commission, he said, does not now have full information with respect to the situation at Huntington but will be pleased to inspect the premises on the following day enroute to Ontario. It was thereupon arranged that the Commission would meet with the delegation at 10:00 a. m. on October 2, in Huntington.

Mr. A. V. Quine, General Manager of the Cornucopia Gold Mining Company, was present and asked that the county road between Halfway and Cornucopia be redesignated a secondary state highway and that it be improved as such. He said that they are not asking that the road be constructed to high standards but simply that they be given a passable road to allow movement of their concentrates to the railroad at Robinette. He pointed out that this road was on the state highway system at one time but was taken off by the Legislature when the Pine Creek route from Halfway to Homestead was placed on the highway system. He gave statistics concerning their operations, showing that they move over this road 180 tons of concentrates daily, and they anticipate that their operations will continue for many years; further, that the road will not only serve the mining company but will also serve many people that live adjacent to the road. He alleged that this road carries more traffic than any other road in the county.

Mr. W. J. Evans and Mr. Fred Mackison, stage operator, Halfway, were present. Mr. Evans endorsed Mr. Quine's request for the improvement of the road to Cornucopia. He also asked for the improvement of the secondary state highway which extends from the Baker-Homestead Highway at a place known as Timber Canyon to the town of Robinette on the Snake River, a distance of about 11 miles. As to the latter road, Mr. Evans stated that it is in bad condition, is narrow, contains many curves, and is unsafe for travel. He urged the widening and straightening of the same from the safety standpoint.

Mr. Vermillion brought up the matter of the improvement of the road leading to the Anthony Lakes playground area and called upon Mr. Blaine Halleck, President of the Anthony Lakes Playground Association, Mr. Don Smith-peter, President of the Evergreen Ski Club, and Mr. Grant of the United States Forest Service, for remarks pertaining thereto. Mr. Halleck stated that the Anthony Lakes Playground Association has been endeavoring for the past two

years to secure W.P.A. funds to finance the improvement and development of the Anthony Lakes Recreational Area, and just recently their request was denied. However, they are still carrying on and expect to be successful in their efforts in the not far distant future. He urged the Commission to improve the Shady Lane Section of the secondary highway leading to the area, the condition of which, he said, is fair during the summer months but is practically impassable during the spring period when frost leaves the ground. He also asked the Commission to cooperate in the cost of snow removal operations on the upper end of this road to permit travel to the winter sports area and in this connection stated that he appreciates the fact that this is not strictly a state highway matter but they are in hopes the Commission will give their request early and favorable consideration to the end that state aid may be secured both financially and physically.

Messrs. A. S. Grant, attorney, Baker, and A. E. Murray, Granite, asked that the Sumpter Valley secondary State Highway be extended to the town of Granite; also, that this extension, 3 miles of which lie in Baker County and 8 miles in Grant County, be improved so as to permit the transportation of gold concentrates over the same the year round. They included in their presentation a request for snow removal on this road during the winter season. They pointed out that pay rolls of mining companies in the vicinity of Granite now aggregate more than one-half million dollars annually, with only the high-grade properties being operated, although with a good road it would be possible to put low-grade properties into production.

Mr. James T. Donald, attorney, Baker, also spoke in behalf of the project. He stated that their main problem at this time is to keep the road open during the winter months. If the Highway Commission will cooperate in this work, he said, it will assure a continuance of mining operations during that period, which under present conditions is impossible because their concentrates cannot be transported to the railroad. Mr. Murray said that mining operations in the Granite area would last at least for 12 years.

County Judge Charles E. Baird presented the following projects in behalf of Baker County and urged favorable consideration of the same by the Commission:

1. Completion of the oiling of the Baker-Homestead Highway between Baker and Homestead. He urged that this work be completed in 1941
2. Extend the Sumpter Secondary Highway to Granite, improve the same, and authorize snow-removal operations during the winter
3. Consider designation of a new route from Sumpter to Austin and Prairie City via Whitney. He alleged that this route would provide a saving of 14 miles in distance between Baker and Prairie City
4. Complete the oiling of the Medical Springs Secondary Highway between Baker and Union
5. Improve the Anthony Lakes Road

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6. Resurface the Shady Lane Section of the Haines-Anthony Secondary Highway, which he alleged is impassable during the spring months
7. Improve the 1-mile section of the county road which connects the Haines-Anthony Secondary Highway in Baker County with the North Powder River Road in Union County, at the Baker-Union County line
8. Widen the Timber Canyon-Robinette Section of the Robinette Secondary State Highway to provide greater safety to traffic. In this connection he advised that this road carries a large volume of traffic, including freight, livestock, and concentrates, and that there are numerous places along this road where cars are unable to pass with safety
9. Redesignate the road between Halfway and Cornucopia a state highway and improve the same. He recited the history of this road and advised that if the Commission would not place it on the state highway system the county would ask the Legislature to do so and to remove therefrom the Halfway-Homestead connection
10. Construct adequate culverts at the east and west entrances of the Old Oregon Trail into Huntington as an aid to remedy the cloudburst situation

Mr. Vermillion endorsed in behalf of the Baker County Chamber of Commerce all of the projects mentioned by Judge Baird and the other delegations.

Chairman Cabell advised that the Highway Commission will be glad to give consideration to these projects in the formulation of future construction programs. However, he pointed out that the funds at the disposal of the Highway Commission are provided by the motorists of the state and must be spent in a manner that will provide the greatest amount of benefit to the general public. He said that the Commission appreciates the importance of the mining industry and that the mines must be provided with good transportation facilities but before the Commission can spend much money for improvement of roads into such districts it must consider carefully the continuity of traffic as well as the continuity of the mining operations. The state, he added, should pay its share of the cost if investigation reveals that the traffic and the mining operations justify the expenditure. As to the relocation of the Baker-Unity Highway via Sumpter and Whitney to Austin and Prairie City, Chairman Cabell pointed out that this is a tremendous undertaking, but a casual inspection of the map reveals that there is some argument for it.

The meeting was adjourned at 10:00 p. m.

Henry F. Cabell
Chairman

Wm. H. Cloyd
Commissioner

W. B. Seavoy
State Highway Engineer

W. B. Seavoy
Secretary

Wm. H. Cloyd
Commissioner

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Huntington, Oregon, October 2, 1940

The State Highway Commission inspected the cloudburst condition in Huntington at 10:00 a. m. in company with several local citizens, including Mr. Clint Garrison, who appeared before the Commission the previous evening in Baker. All three members of the Commission were present as were also the State Highway Engineer, the Attorney, and the Secretary.

Such investigation revealed possibilities that the condition could be improved by changing the natural drainage channel at the west end of the town, which involves the diversion of water to a point farther east and the construction at that point of a new bridge under both the highway and the railroad. It was thought that such construction would at least materially improve existing conditions. However, it was pointed out that nothing could be done unless the railroad company would cooperate. After considerable discussion the matter was referred to the Engineer for detailed investigation and report. He was instructed to contact the railroad officials relative thereto and arrange for a conference on the ground with the railroad company engineers in an endeavor to work out a satisfactory solution.

The Commission thereupon motored to Ontario, where luncheon was taken with the Ontario Kiwanis Club at 12:30 p. m., Mountain Time, in the Moore Hotel.

The Honorable George Aiken, Mayor of Ontario, presided at the meeting following the luncheon. No special requests were made of the Highway Commission at this meeting. Chairman Cabell explained the status of the Commission's finances and the uncertainties that confront the Commission with respect to the expenditures of future federal aid appropriations. Brief statements were also made by Commissioners Clough and Oliver, who concurred in the remarks of the Chairman. R. H. Baldock, State Highway Engineer, explained briefly the basis of allocation of funds to the various districts throughout the state. The meeting was adjourned at 1.30 p. m., Mountain Time.

R. H. Baldock
State Highway Engineer
W. M. Seais
Secretary

Henry F. Cabell
Chairman
John M. Clough
Secretary
James O. Oliver
Commissioner

Vale, Oregon, October 2, 1940

The State Highway Commission met with the County Court of Malheur County in the courthouse at 2:30 p. m., Pacific Time, following an inspection of highways south of Ontario. All three members of the State Highway Commission

were present at such meeting, as were also the State Highway Engineer, the Attorney, and the Secretary. The County Court was represented by County Judge David F. Graham and County Commissioners L. P. Peterson and C. A. Marshall. Mr. Taylor, Secretary, Vale Chamber of Commerce, was also present.

Judge Graham asked the Commission to replace on the secondary state highway system the Sucker Creek Road which extends south from the Homedale Spur Secondary Highway to Jordan Valley. He was informed by Chairman Cabell that the Commission has previously gone on record as being opposed to making this road a secondary state highway because it is not considered the economical thing to do.

The County Court then asked the Commission for the improvement of Lytle Boulevard, a county road which extends southeasterly from Vale to Adrian, and for the improvement of the Vale West Secondary State Highway (Graham Boulevard). They stated that these projects are of first importance to the people of Malheur County and urged the Commission to undertake them at the earliest possible time. Mr. Taylor endorsed the request in behalf of the Chamber of Commerce and concurred in the statement of the County Court that such projects, in the opinion of the Chamber of Commerce, are of first importance.

The meeting was adjourned at 3:00 p. m., following which the Commission motored to Burns.

Prosser
State Highway Engineer

W. B. Harris
Secretary

Henry F. Cabell
Chairman

John W. Elroy
Commissioner

Herbert L. Timms
Commissioner

Burns, Oregon, October 2, 1940

The members of the State Highway Commission and party were the guests of the Burns Chamber of Commerce at dinner in the Arrowhead Hotel, following which at 8:30 p. m. a short meeting was held, during which the Chamber of Commerce presented a brief, outlining certain highway improvements desired by the people of this community. Mr. Morgan Timms, President of the Chamber of Commerce, presided at this meeting.

Mr. Carroll Jordan, Secretary of the Chamber of Commerce, presented a brief which he read aloud, in which the following projects were requested:

1. Construction of a seal coat on the recently oiled section of the Central Oregon Highway between Buchanan and Juntura, so as to strengthen this road and improve the riding qualities thereof

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2. Improvements to state highways and county roads in Harney County as follows, portions of which roads are in an impassable condition for travel during certain times of the year:
 - a. Pave the Burns-Crane Highway easterly from Burns to a point where the diagonal section cuts off for Crane, approximately 3 miles
 - b. Oil the Burns-Crane Highway from Lawen to Crane
 - c. Grade and surface the Hanley Lane Section of the Frenchglen Secondary Highway from its connection with the Burns-Crane Highway to and beyond Wrights Point
 - d. Grade and surface a 7-mile section of the Diamond Valley Secondary Highway immediately south of its junction with the Burns-Crane Highway
 - e. Construct a pedestrian lane along the Central Oregon Highway between Burns and Hines
 - f. Complete at an early date improvement of the John Day-Burns Highway (Three Flags Highway) between Burns and the foot of Canyon Creek grade

Responding, Chairman Cabell advised the status of the Commission's finances and explained the difficulties confronting the Commission in regard to the programming of the future federal aid funds, in view of the possibility that the Government will demand that these funds be expended for the improvement of certain highways that are particularly important from the military standpoint. Commissioners Clough and Oliver concurred in the remarks of Chairman Cabell.

The meeting was adjourned at 9:30 p. m., following which the Commission conferred in the office of the Arrowhead Hotel with Mr. Nic Monte and Mr. Paul Stafford of the Federal Grazing Department relative to construction of stock fences along state highway rights of way, and other matters. Present at such conference were all three members of the State Highway Commission, the Engineer, the Attorney, and the Secretary.

The State Highway Engineer explained that some time ago, in accordance with the usual practice, an application was filed with the Department of the Interior for highway right of way 200 feet wide across public lands at Picture Rock Pass on the Fremont Highway in Lake County, and that in response thereto a letter was received from Mr. Nic W. Monte, Acting Regional Grazier of the United States Grazing Service, saying that he would recommend favorable action on this application if the State Highway Department would agree to certain stipulations, as follows: that the Indian writings on the rocks at the Pass be protected and preserved, and that both sides of the right of way be fenced by the state to allow stock access to a certain spring located just

north of the right of way without getting on the highway, and that a gate be installed on the south side of the road to allow vehicles to go to and from the corral located on that side. A similar application, he said, was filed for a 200-foot right of way across public lands along the Flagstaff-Middle Bridge Section of the Baker-Homestead Highway, in Wallowa County, the response in that instance being that the application would be recommended for approval if fences were constructed on both sides of the highway and if the state would install gates, cattle guards, and stock underpasses at certain locations; further, that the state would agree to maintain the fences.

He read aloud Mr. Monte's letters with respect to both projects and requested instructions in view of the fact that the requirements appear to be a wide departure from previous practice in the securing of right of way across public lands, and will establish a precedent that will involve the state in a huge expenditure of funds hereafter in connection with highway construction. He said that heretofore the State Highway Department has not been required to accept stipulations of this kind in the acquisition of right of way across public lands, although the Department has paid private parties for fences in some instances as a right of way consideration, with the understanding that the property owners would maintain the fences at their own expense. He added that so far as the Indian writings are concerned the stipulation is satisfactory, because it conforms with the Commission's established policy with respect to such matters. Mr. Monte explained that the State of Oregon is not being asked to do any more than is now being done in other states and particularly referred to the State of Idaho. He said that the fencing is really needed in connection with both of the projects under discussion because the highway in each instance cuts the stock-grazing area in two. He also said that the fences are also required to properly allot the government lands.

The matter of cattle guards and stock passes was also discussed. The Attorney advised that, according to his interpretation of the law, it would be illegal to construct cattle guards on state highway rights of way. Mr. Monte stated that cattle passes should have openings 19 feet wide because range cattle will not use passes that are constructed of pipe. After considerable discussion the following mutual arrangement was reached:

1. Where fences are required the state will furnish the wire and staples for the same in sufficient amount to build a 4-strand fence requiring approximately 17 spools of wire to the mile. The Government will furnish all other materials, including posts, and will construct the fences and will maintain them after construction at no expense to the state.
2. No cattle guards shall be constructed on state highway rights of way and when constructed at other points, such as at side road approaches, they shall be built and paid for by the United States Grazing Service.
3. Cattle passes shall be constructed and paid for by the state and shall be installed at locations decided on by the State highway

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Engineer and the District Grazier, or their representatives. after joint inspection on the ground.

4. It was mutually agreed that this arrangement shall obtain only in cases where new highways are to be built across public lands. Where fences, cattle guards, and stock passes are required along existing highways they shall be constructed and maintained by the United States Grazing Service at no expense whatsoever to the state. The Engineer was instructed to direct a letter to Mr. Monte outlining in writing the understanding reached at this meeting.

Mr. Monte requested authority from the Commission to paint on the surface of paved and oiled highways in the stock district the following wording: "Prevent Range Fires", which he thought would aid materially in the prevention of fires. He said the work would be done by C.C.C. forces at no expense whatsoever to the state. The Engineer gave as his thought that it would be better to maintain board signs along the sides of the highway where they could be easily seen and read by the motoring public and would not have to be renewed as often as would the wording on the traveled roadway. He also suggested that it would be advisable for the Highway Commission to make the signs so as to provide for uniformity in sign design. Mr. Monte said that he would be glad to make the signs as well as erect them if furnished with specifications of the Commission's standard design. The matter was referred to the Engineer, who is to confer with the Traffic Engineer relative thereto and advise Mr. Monte by letter when a decision has been reached.

Mr. Monte also brought up for discussion the matter of furnishing powder and culverts in connection with C.C.C. work that is being done along the newly designated secondary state highway between Princeton and Rome, in Harney and Malheur Counties. He advised that the Highway Commission has already entered into an agreement with the Federal Government with respect to this project, in which the Commission agreed to contribute the sum of \$7,000.00 of state funds for culverts and powder. The federal requirements, he said, will not permit him to purchase these items, so he is asking the Commission to make the purchases, credit of course to be given the state for such expenditure on its cooperative share of the project as outlined in the agreement. He said that if the state would purchase this material he would see to it that it is delivered to the job. He also said that this material is needed now because the work is under way and he wants to continue operations through the winter season so as to expedite the completion of the project as much as possible. After discussion the Commission by unanimous vote approved Mr. Monte's request and instructed the Engineer to purchase culvert pipe and powder up to the amount of the state's obligation. It was understood that Mr. Monte would advise the Engineer of the type and size of culverts to be furnished and the kind and amount of powder that would be needed. When furnished with such information the Engineer is to purchase the items and forward them to Mr. Monte. A complete and detailed record of such purchases is to be kept by the Engineer. It was also agreed that the state would furnish engineering work for this project.

Mr. Monte requested a modification of the permit furnished him by the State Highway Commission for acceptance covering the matter of construction of fences along certain state highway rights of way. He said that the form of permit is satisfactory insofar as he personally is concerned but there are certain conditions in the form that he cannot accept because of federal restrictions. He suggested the use of a special form prepared by the Federal Government covering such matters and submitted a copy of the same for inspection. The Attorney advised after study of this form that he could see no special objections to the use of the same for the purpose intended and recommended approval of Mr. Monte's request. The Commission approved the recommendation unanimously. This concluded the conference with Mr. Monte, who then retired from the meeting.

The State Highway Engineer brought up for discussion the request of County Judge Charles B. Baird of Baker County for state maintenance of a stock drift fence along the John Day Highway through the national forest between Unity Junction and Austin. He said that this section of the highway was constructed by the Bureau of Public Roads in 1925 and was on a line which intersected a drift fence that had been constructed by the Cattle and Horse Growers Association, Baker County, under permit from the forest service for the purpose of making a better division of the cattle and sheep ranges and for the control of the feed on the range within the forest area. The fence, he said, was built about 15 years ago and is approximately 11 miles long, extending approximately $5\frac{1}{2}$ miles on each side of the highway. He also said that the fence has never been maintained by the State Highway Department because it was considered that it was not the state's obligation, and there appears to be no agreement covering it in the Commission's records, although the files do disclose a letter signed by Mr. William Doby, former Chairman of the State Highway Commission, dated October 19, 1925, giving as his thought that, inasmuch as the state destroyed the usefulness of the drift fence, the state should maintain fences along the highway if the state builds them, so long as the stockmen maintain their fence; also a letter dated October 20, 1925, from Mr. Roy A. Klein, who was then State Highway Engineer, to Mr. C. H. Purcell, who was then District Engineer of the Bureau of Public Roads, authorizing him, in view of Chairman Doby's letter, to proceed with the construction of fences on both sides of the highway from the drift fence to the private lands east of the forest boundary in preference to the original proposal to construct a cattle guard with a gate at the side of the road for horse-drawn vehicles and horseback travel. He inquired whether or not the Commission wishes to assume this obligation in view of the circumstances. It appeared to the Commission that the state is more or less obligated in the matter. However, a definite decision thereon was deferred pending further investigation by the Engineer to ascertain just what is required and what it will cost to do the work.

The meeting was adjourned at 11:00 p. m.

W. B. Blair
State Highway Engineer

W. B. Blair
Secretary

Henry F. Coble
Chairman

Wm. H. C. Clegg
Commissioner

Wm. H. C. Clegg
Commissioner

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Burns, Oregon, October 3, 1940

The members of the State Highway Commission and party made a personal inspection of the Frenchglen Secondary State Highway, the Diamond Valley Secondary State Highway, and the Burns-Crane Highway in company with members of the Harney County Court, starting at Burns at 8:30 a. m. and returning to Burns at 1:30 p. m.

The Commission then motored to the town of John Day where an overnight stop was made at the home of Mr. Herman Oliver, State Highway Commissioner. After an excellent dinner, prepared under the direction of Mrs. Oliver, the Commission met informally in the living room with a number of local citizens, several of whom expressed to the Commission their sincere thanks and gratitude for the highway improvements made by the State Highway Commission in this vicinity. Those speaking were the Honorable D. J. Hughes, Mayor of the town of Prairie City; Jake Paulis, President of the Prairie City Chamber of Commerce; Chet Bennett, President of the John Day Chamber of Commerce; Bill Ford, Chairman of the Highway Committee of the John Day Chamber of Commerce; Dan Gleason, Chief of Police of John Day; and F. B. French, County Commissioner, Prairie City. Chairman Cabell responded.

Henry F. Cabell
Chairman

W. H. Baldock
State Highway Engineer

Huron W. Clough
Commissioner

H. B. Glaisyer
Secretary

Herman Oliver
Commissioner

Prineville, Oregon, October 4, 1940

The State Highway Commission took luncheon with the Prineville-Crook County Chamber of Commerce in the Ochoco Inn and immediately thereafter conferred with local citizens relative to highway problems in this vicinity. Present, representing the State Highway Commission, were:

Henry F. Cabell, Chairman
Huron W. Clough, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

Commissioner Oliver was excused from attending this meeting.

Mr. Asa W. Battles, President of the Chamber of Commerce, presided. There were about 40 persons present at the meeting, including Charles R. Jackson, County Commissioner of Wheeler County; Chester Williams, L. L. Meizner,

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L. Johns, and Ray Jones, all of Mitchell; M. A. Lynch, former State Highway Commissioner, Redmond; Jack Houck, Prineville; County Judge A. R. Bowman and County Commissioners Charles T. Brown and Carl E. Fischer, of Crook County; W. B. Morse, Mayor, Prineville; Frank Poulsen, Supervisor of the Ochoco National Forest; and Harold Baldwin.

Mayor Morse thanked the Commission for the improvements under way in the city of Prineville and then asked the Commission to continue construction of the new highway between Prineville and Madras, including a new bridge over the Crooked River. He also asked the Commission to expedite completion of the Ochoco Highway between Prineville and Mitchell, which he said is badly needed. Mr. Jackson endorsed Mr. Morse's remarks with respect to the Ochoco Highway and urged the speeding up of this project as much as possible. He asked for the construction of the West Branch Creek-Forest Boundary Section as the next project on this road.

Mr. Poulsen urged the construction of the Marks Creek Section of this highway so as to facilitate the marketing of timber in this district. He said that the United States Forest Service plans to make this a very scenic section and intends to leave a stand of timber along each side of the road so as to preserve the natural scenic effect. Furthermore, their plan includes provision for elimination of pole lines along this section, which, in their estimation, will make for a more attractive highway.

Mayor Morse, speaking again in behalf of this project, stated that several of the timber companies have purchased timber in the Marks Creek District and in accordance with the provisions of their contracts must start cutting this timber within the next year; but they hesitate to begin operations until they know where the highway is to be permanently located, because they want to make their cuttings conform with the highway improvement and do not want to cut the timber along the highway route.

Chairman Cabell responded by saying that the Highway Commission contemplates awarding another contract this winter for additional construction on the road between Prineville and Madras; also, as to the Ochoco Highway, that he agrees that every effort should be made to complete the entire remaining link as rapidly as is possible when the work is started. He suggested that it might be possible to expedite the improvement by using both federal and state funds to finance it, and pointed out that a survey is now being made west from Mitchell to connect up with the survey made by the forest highway engineers. When the survey is completed and the Engineer's report rendered and studied, the Commission will then take action, but in accordance with the usual practice will give the local people an opportunity to discuss the plans before they are adopted. Commissioner Clough concurred in the remarks of Chairman Cabell.

Mr. Lynch also urged serious and favorable consideration by the Commission for the early completion of the Ochoco Highway. He also brought up for discussion the matter of acquisition of the privately-owned lands within the boundary of the recreational area recently acquired by the Highway

Commission from the Federal Government at the confluence of the Deschutes, Crooked, and Metolius Rivers at a place known as "The Cove", in Jefferson County. He was informed by the Chairman that the Commission has this matter under advisement.

Mr. Baldwin expressed appreciation for the assistance rendered by the State Highway Commission in the development of their view point at the top of the hill just west of Prineville, where an excellent panoramic view of the district may be obtained. Mayor Morse also expressed thanks for the aid furnished by the Commission in this matter and stated that, in order to make this place complete and convenient for the public, the parking area and the road leading to the view point should be given an oil treatment. He asked the Commission to do this work. The Commission took no action on the matter.

The meeting was adjourned at 2:00 p. m., which concluded the Eastern Oregon trip.

W. B. Devers
State Highway Engineer

W. B. Devers
Secretary

Henry F. Cabell
Chairman

Huron W. Clough
Commissioner

Portland, Oregon, October 9, 1940

The State Highway Commission met in regular session at 8:00 p. m. in Room 415 (Imperial Room) of the Imperial Hotel. Present were:

Henry F. Cabell, Chairman
Huron W. Clough, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

Commissioner Herman Oliver was excused from attending this meeting.

The Attorney requested authority to acquire certain parcels of real property that are needed for various highway improvements throughout the state. He submitted a list of such properties together with the prices that he recommended be paid for each. After careful consideration the Commission approved the request and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth; and

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WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon; and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is, instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Multnomah County Line-Scappoose Section - Columbia River Highway</u>				
8337-Oregon-Washington Joint	R/W	0.52	\$200 per a. + \$46	McChesney
Stock Land Bank				
8359-Columbia County	Borrow Pit	1.08	Gratis	"
8331-Reddaway, Wm. A.	R/W	0.03	\$200 per a. + \$44	"
8425-Cholick, A. G.	"	0.71	\$200 per a. + \$58	"
8334-Bisek, Joseph F.	"	0.27	\$200 per a. + \$77	"
8340-Panis, Peter	"	0.42	\$200 per a. + \$291	"
8332-Havlik, John J.	"	400 sq. ft.	1 1/2 sq. ft.	"
8338-Rhodes, Geo. W.	"	0.93	\$200 per a. + \$314	"
8335-Valla, Agnes	"	0.53	\$200 per a. + \$349	"
8336-Kucera, Frank	"	0.53	\$200 per a. + \$344	"
<u>Sunset Camp-Elsie Section - Wolf Creek Highway</u>				
5282-Sunset Ranches, Inc.	Stock Pile and Quarry	32.0	\$2 per a.	Gardiner
<u>Glenwood-McNamara Camp Section - Wilson River Highway</u>				
8424-Consolidated Timber Company			Permanent Easement-\$1	Parker
	Drainage Easement			
<u>Metzger Section - Beaverton Highway</u>				
8447-Steele, Jonathan A.		2763 sq. ft.	9/10 sq. ft. + fencing	Collins
	Channel Change			
<u>West Portland-Tualatin Section - West Portland-Hubbard Highway</u>				
4824-Daley, M. S.	R/W	0.294	\$150 per a.	Benson
4833-Smith, Walter B.	"	1.89	\$150 per a. + \$154.50	"
4829-Rinehart, J. Carlo	"	1.60	\$200 per a. + \$50	"
4825-Shumway, Harold H.	"	0.082	\$200 per a.	"
4837-Lichtenwalter, Elgin B.	"	0.49	\$200 per a. + \$127	"
4836-MacLannan, K. E.	"	63 sq. ft.	\$5 Lump Sum	"
5476-Smith, A. G.	"	6 lots	\$50 per lot	DeSouza

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Astoria Section - Oregon Coast Highway</u>				
8123-Astoria, City of	R/W	12740 sq.ft.	Gratis	DeSouza
<u>North Bend-Marshfield Section - Oregon Coast Highway</u>				
8076-Hoffman, C. S.	R/W	3220 sq.ft.	10¢ sq.ft.	Collins
8061-Marshfield, City of	"	45652 sq.ft.	7.958¢ sq.ft.	"
8088-Marshfield, City of	"	133 sq.ft.	1/6 of 10¢ sq.ft.	"
8082-Marshfield, City of	"	587 sq.ft.	9/12 of 10¢ sq.ft.)	"
	"	105 sq.ft.	1/4 of 10¢ sq.ft.)	"
8085-Marshfield, City of	"	481 sq.ft.	5/6 of 10¢ sq.ft.	"
8088A-Marshfield, City of	"	909 sq.ft.	1/6 of 10¢ sq.ft.	"
8083-Marshfield, City of	"	528 sq.ft.	1/6 of 10¢ sq.ft.)	"
	"	1978 sq.ft.	3/12 of 10¢ sq.ft.)	"
	"	2598 sq.ft.	4/6 of 10¢ sq.ft.)	"
	"	3848 sq.ft.	8/12 of 10¢ sq.ft.)	"
	"	1393 sq.ft.	1/4 of 10¢ sq.ft.)	"
8056A-Coos County	"	5912 sq.ft.	Gratis	"
8064-Hartson, H. J.	"	1445 sq.ft.	10¢ sq.ft.	"
8074-Tatson, Mathis E.	"	2150 sq.ft.	10¢ sq.ft.	"
8092-Lund, Wm.	"	3470 sq.ft.	19.7¢ sq.ft.	"
8252-Junson, J. G.	"	2374 sq.ft.	6.32¢ sq.ft.	"
8357-Bennett Trust Co.	"	780 sq.ft.	7/12 of 15¢ sq.ft.	"
8090-Lapp, John	"	392 sq.ft.	2/3 of 10¢ sq.ft.	"
8090-Coos County	"	392 sq.ft.	Gratis	"
	"	(undivided 1/6 int.)		"
8082-Coos County	"	692 sq.ft.	Gratis	"
	"	(undivided 1/12 int. in 587 sq.ft.)		"
	"	(undivided 7/12 int. in 105 sq.ft.)		"
8051-Hillstrom, J.R. & J.M.	Drain- age Easement	298 sq.ft.	Gratis	"
8070-Griffin, Aerie E.	R/W	1076 sq.ft.	10¢ sq.ft.	"
8079-Arhopulos, P. T.	"	1801 sq.ft.	10¢ sq.ft.	"
8082-Loggie, G. W. Estate	"	692 sq.ft.	1/6 of 20¢ sq.ft.	"
8083-Loggie, G. W. Estate	"	10345 sq.ft.	1/6 of 20¢ sq.ft.	"
8088A-Loggie, G. W. Estate	"	909 sq.ft.	1/6 of 20¢ sq.ft.	"
8085-Loggie, G. W. Estate	"	481 sq.ft.	1/6 of 20¢ sq.ft.	"
8090-Loggie, G. W. Estate	"	392 sq.ft.	1/6 of 20¢ sq.ft.	"
8357-Loggie, G. W. Estate	"	780 sq.ft.	1/6 of 20¢ sq.ft.	"
8068-Loggie, G. W. Estate	"	133 sq.ft.	1/6 of 20¢ sq.ft.	"
8065-Hammer, Goldsmith Estate	"	2773 sq.ft.	10¢ sq.ft.	"
8357-Coos County	"	780 sq.ft.	Gratis	"
	"	(undivided 1/4 int.)		"
8053-Parris, Sterling S.	"	1785 sq.ft.	10¢ sq.ft.	"
	"	(State to record deed, pay taxes, ent. at \$182.50, in support of settlement)		"
8072-Lloyd, Annie E.	"	2375 sq.ft.	7.36¢ sq.ft.	"
8071-Lloyd, T. L.	"	2375 sq.ft.	7.36¢ sq.ft.	"
8088A-Bennett Trust Co. (Correction)	"	909 sq.ft.	7/12 of 20¢ sq.ft.	"
	"	(undivided 7/12 int. in)		"
8054-Coos County	"	3749 sq.ft.	Gratis	"

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>(North Bend-Marshfield Section, continued)</u>				
8066-Guettinger, Albert J.	R/W	2050 sq.ft.	14.63 ⁺ sq.ft.	Collins
3056-Marshfield, City of	"	3835 sq.ft.	(2788 sq.ft. at 10¢ sq.ft. " (1047 sq.ft. at 15¢ sq.ft. "	"
8054-Gilkerson, Harry, Estate	"	3749 sq.ft.	\$5 Lump Sum	"
<u>Bandon Section - Oregon Coast Highway</u>				
5350-Standard Oil Company of California	R/W	1256 sq.ft.	exchanged for 2 lots in Block 7, Woolen Mill Addition to Bandon, to be conveyed by state, plus \$1946.51	Gardiner
5323-Dunn, Harry (Correction)	"	3200 sq.ft.	5¢ sq.ft. + \$708	"
<u>Winchester Bay-Lakeside Section - Oregon Coast Highway</u>				
8000-Richards, Kenneth	Park	140.08	\$5 per a.	Parker
<u>Brookings Section - Oregon Coast Highway</u>				
8292-McVay, B. W.	Plant Site	1.08	\$416.66 per a.	Collins
8031-Clark F. L.	Gravel Bar & Haul Road	7.16	\$139.66 per a. + \$200	"
7704-Leming, Irwin Austin	R/W	5400 sq.ft.	14.81¢ sq.ft. + \$2500	"
<u>Sheridan-McMinnville Section - Salmon River Highway</u>				
4308-School District #51 (Correction)	R/W	0.013 a.	to be exchanged for 0.104 a., + \$526.12	Collins
<u>Tigard-Northwest Route Section - Pacific Highway West</u>				
6951-Hoffarber, Albert			Reconstruction of sidewalk & curb - \$144.20	Collier
<u>Clackamas County - Mount Hood Highway</u>				
U. S. Government	Park	120.0	Annual rental \$75.60 as required by lease from Gov't Boardman	
<u>Josephine County - Redwood Highway</u>				
U. S. Government	Park	70.0	Annual rental \$6.88 as required by lease from Gov't Boardman	
<u>Lane County - Siuslaw Highway</u>				
U. S. Government	Park	206.0	Annual rental \$220.20 as required by lease from Gov't Boardman	
<u>Douglas County - Umpqua Highway</u>				
U. S. Government	Park	200.0	Annual rental \$187.25 as required by lease from Gov't Boardman	
<u>Marion County - Silver Creek Falls Park</u>				
U. S. Government	Park	200.0	Annual rental \$35.00 as required by lease from Gov't Boardman	

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Jackson County - Crater Lake Highway</u>				
U. S. Government	Park	320.0	Annual rental \$166.98 as required by lease from Gov't	Boardman
<u>S. P. Overcrossing Section - Cascade Highway</u>				
8244-Vaetz, Jacob	R/W	1.41	\$500 per a.)	Landon
		0.64	\$295 Lump Sum)	
8237-Clarke, Ethan A.	"	0.23	\$300 per a. + \$55.50	"
8245-Larios, Faith M.	"	0.08	\$468.75 per a. In addition the state is to convey 0.0137 of an a., thereby taking credit of \$5.50	"
8242-Home Owners Loan Corp.	"	1.59	\$150 per a. + \$513.20	"
8237A-Clarke, Ethan A.	Borrow Pit	7.3	\$345 per a. + fencing \$41.25, + \$26.50	"
8241-Youmans, Freeman	R/W	0.52	\$500 per a. + \$60, + credit of 0.29 a. at \$500 per a., to be conveyed by state	"
8236-Clarke, Ethan A.	"	0.08	\$400 per a. + \$806	"
<u>Bryant Hill-Trout Creek Section - Santiam Highway</u>				
8289-Oregon & Western Colonization Company	R/W	0.50	\$100 per a.	McChesney
8290-Long, Geo. M.	Talus Pit	4.39	1-yr lease, land \$50 Lump Sum, + \$5	"
<u>Albany Section - Pacific Highway East</u>				
8381-St. Johns Lodge 17 AF&AM	Slope & Channel Esmt.	0.02	Gratis (for land) + \$20	Gardiner
<u>Rice Hill-Turkey Hill Section - Pacific Highway</u>				
8408A-Churchill, Leroy	R/W	9319 sq.ft.	Land Gratis, + \$58.75	Parker
8411-Rice, Erwin	"	2.42	\$131 per a.	"
8408-Churchill, Leroy	"	8.57	\$130 per a. + \$939.65	"
8406-Neuner, Myrtle E.	"	7.44	\$65 per a.	"
4422-Clarke, R. R.-Quarry Site & Haul Road		7.46	5-yr lease - 4¢ cu.yd.	"
8410-World War Veterans' State Aid Commission	R/W	3492 sq.ft.	\$10 Lump Sum	"
8407-Hawley, Alsea	"	15.238	\$65 per a. + \$418.67, + fencing \$645.63	"
8409-Rice, Isadore E. Heirs	"	3.78	\$131 per a. + \$304.82, + \$150 for fencing	"
<u>Wolf Creek-Grants Pass Section - Pacific Highway</u>				
8376-Ward, Phoebe Ann	R/W	9.22	\$15 per a.	Landon
8375-Josephine County	"	9.47	Gratis	"
8377-Holgate, Mabel F.	"	0.70	\$10 Lump Sum	"
8371-Chilcott, Sidney E.	"	22.72	\$10 per a.	"
8373-Pirzer, Peter	"	18.96	\$20 per a. + \$71	"
8372-Pratt, Marietta & Ruth	"	18.32	\$10 per a.	"
8395-Moorehead, Paul T.	Gravel Pit	2.68	\$74.63 per a.	"
8374-Dyche, Mattie E.	R/W	34.11	\$10 per a.	"
8249-Loper, . . R.	"	160.0	Land \$2,198.90 + \$8301.10	McCallister

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Grants Pass-Green Creek Section - Pacific Highway</u>				
7294-Gilbert, Ray	R/W	0.283	\$435 per a. + \$17.50	McCallister
(Correction)	"			"
7209-Riddle, James J.	"	1709 sq.ft.	1 1/2 sq.ft. + \$52.50	"
(Correction)	"			"
<u>Grants Pass-Medford Section - Pacific Highway</u>				
8477-Cosgrove, Stephen G.	Stock Pile	0.81	3-yr lease, \$10 per yr-Lytle	
8479-Knox, Tom	" "	1.07	3-yr lease, \$10 " " "	
<u>Neil Creek-Barron Creek Section - Pacific Highway</u>				
8297-Crosslin, Wm. J.	R/W	1.28	\$58.60 per a.	Benson
<u>Bear Canyon Section - Pacific Highway</u>				
8295-Dieu, Felecite	R/W	3.36	\$20 per a.	Benson
<u>Wall Creek-Siskiyou Section - Pacific Highway</u>				
8178-Haines, Chas. A. and Dollarhide Estate	R/W	2.79	\$20 per a. + \$51.70	Landon
<u>Klamath Falls-Merrill Section - Klamath Falls-Malin Highway</u>				
7563-Reynolds, Earl C.	R/W	0.22-	\$200 per a. + \$442	Devers
<u>Forest Boundary-Cottonwood Creek Section - Klamath Falls-Lakeview Highway</u>				
7587-Cade, O. B.	R/W	2.43	\$10 per a.	Benson
7585-Parshall, Alfred R.	"	1.73	\$10 per a. + \$5	"
<u>Blalock-Arlington Section - Columbia River Highway</u>				
8385-Walters, Frank and Share, A. C.	R/W	1.74	\$100 per a.	Gardiner
<u>Jefferson County Line-Prineville Section - Warm Springs Highway</u>				
7676-McPhetridge, L. H.	R/W	2.99	\$100 per a. + \$158 + \$340	Benson
<u>Mosier-The Dalles Section - Columbia River Highway</u>				
8315-Tindall, Sam A.	Stock Pile	1.19	\$300 Lump Sum	Gardiner
<u>South Butte-Jordan Valley Section - I.O.N. Highway</u>				
8459-Malheur County	R/W	1.56	Gratis	Gardiner
<u>Coos-Rock Bridge Section - John Day Highway</u>				
8380-Humphrys, Loula	R/W	0.57	\$2 Lump Sum	Gardiner
8379-Hunro, A. T.	"	2.57	2.03 a. at \$2.50 per a. + \$100 for fencing	"
			0.54 a. Gratis	"
<u>Dale-Range Section - Pendleton-John Day Highway</u>				
7962-Gill, B. F. and Gilbert, Maud	R/W and Gravel Pit	6.32	Gratis	DeSouza
<u>Mountain Rest-Mt. Vernon Section - Little Beech Creek Highway</u>				
7420-Schrier, J. L.	Stock Pile	0.81	\$25 per a. + fencing	Williams

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Ironside-Brogan Section - John Day Highway</u>				
8444-Duncan, Ralph A.	Stock Pile	1.0	\$1 Lump Sum, + fencing	Gardiner
8471-Malheur County	" "	1.0	Gratis	"
8445-Pratt, Louis G.	" "	2.83	\$5 per a.	"
<u>Lamonta-Crook County Line Section - Warm Springs Highway</u>				
7801-McCoin, Hazel	R/W	6 lots	\$30 Lump Sum	Devers
<u>Cricket Flat-Minam Section - Wallowa Lake Highway</u>				
8393-Foley, Jerome J.	R/W	1.26	\$5 Lump Sum	Gardiner
8391-Follett, Corn	"	18.05	\$4 per a. + \$379.50	"
8394-Hale, L. C.	"	14.53	\$4 per a. + \$7.50	"
<u>Owyhee River-Scotts Butte Section - I.O.N. Highway</u>				
6903-Blackwill, James O.	Gravel Pit	1.04	\$6 per a.	Martin
<u>M.P. 254.4-Malheur County Line Section - John Day Highway</u>				
8443-State Land Board	Stock Pile Site	20.0	\$4 per a.	Gardiner
<u>West Unit, Kimberly-Monument Section - Monument Highway</u>				
7919-Kimberly, Louis A. Estate	R/W	3.86	\$5 per a. + fencing \$183.90	Gardiner
<u>Nyssa Undercrossing Section - Old Oregon Trail Highway</u>				
7647-Hillier, Ed (Correction)	Grade Change	1 lot	Land \$800 Lump Sum	Parker
7460-Gray, Earl (Correction)	" "		Damages, \$750 Lump Sum	"
<u>Donaldson Bridge-Hills Bridge Section - Wilson River Highway</u>				
8307-Wyss, Peter	R/W and Stock Pile	2.0	1.0 a. at \$500 per a. 1.0 a. \$108.50 Lump Sum, + \$91.50	Parker
<u>Tillamook Line-Quartz Creek Section - Wolf Creek Highway</u>				
7046B-Sunset Logging Company	R/W		State to deed Logging Co. lands in Secs. 2 & 11, Tillamook Co., on basis of 3,445,000 ft. timber at \$3.50 per M, & the Logging Co. is to deed to the state lands in Sec. 2, Tillamook Co., on basis of 1,400,000 ft. timber at \$3.50 per M, plus cash \$2,796.25 - plus \$4,361.25 allowance by the state for construction of logging road and cost of trucking	Parker
<u>Brookings Section - Oregon Coast Highway</u>				
7705-Hard, Bernice J.	R/W		4,793 sq.ft. at 12.52¢ sq.ft., + \$2550, + \$290 low bid for moving equipment - to go to lessee, Ed Hoar	Collins

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Cape Lockout Section - Oregon Coast Highway</u>				
3902-Donaldson, Alex	Park	25.96	\$7,500 Lump Sum (\$288.91 per a.)	Parker

The Attorney also requested authority to condemn certain parcels of real property that are needed for highway purposes and concerning which he either has been unable to reach satisfactory settlements with the owners or condemnation is necessary in order to clear title, such properties being as follows:

Name	Purpose Required	Recommended Offer
Edward T. Garre	Right of Way	\$ 110.00
Ernest A. Snyder	"	82.10
Goldsmith Hammer Estate	"	277.30
The Texas Company	"	--
Union Oil Co. of California	"	--
Eldon J. Smith	"	25.10
A. T. Freeman	"	19.60
Harry Banks	"	70.00
Ole M. Jetson	Hauling Road	100.00
Edward Donnelly	Stock-pile site	35.00
Sidney E. Chilcott	Right of Way	1900.00
William E. Campbell	"	50.00
A. V. Smith	Park Site	20.00
Lawrence Sandberg et al	"	60.00
Nick J. Haniges	"	10.00
S. E. Combs	"	15.00
Stella Hays	"	20.00
Emma Drake	"	10.00
Fred Kaul	"	10.00
Margaret M. Gordon Estate	"	27.00
William Kennard	"	99.00
John Kohler	"	10.00
Harry W. Borham	"	10.00
Harriet E. Cook	"	10.00
Dora Bingham	"	10.00
Edna Lowry	"	10.00
Asilda Jette	"	10.00
Lydia L. Ellis	"	10.00
Alex Horne	"	10.00
Frances Brooke	"	10.00
Emma J. Keys	"	10.00
Evelyn J. Roberts	"	10.00
E. L. Dakin	"	20.00
L. Asher	"	10.00
Earl D. Walkon	"	10.00
Edgar J. Robertson	"	20.00
Carrie L. Dixon	"	500.00

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I. J. Everell	Park Site	\$ 10.00
R. Thomas Hughes	"	10.00
A. V. and D. B. Smith	"	20.00
Anita McIntyre Peterson	"	10.00
Mabel Bishop Shepherd	"	10.00
Blanche Reed	"	25.00
H. F. Clark	"	10.00
May Cecelia Cheldelin	"	10.00
Earl F. Bethards	"	10.00
Jennie C. Young	"	40.00
H. S. Allen	"	15.00
Martha A. Bequeath	"	20.00
Charles Vogt	"	20.00
Mattie Bequeath	"	10.00
M. R. Bishop	"	10.00
Anselm Boskowitz	"	10.00
Fred J. Johnson	"	100.00

After discussion the Commission approved the request and by unanimous vote adopted the following resolution with respect thereto:

WHEREAS, the State Highway Commission under the provisions of Chapter 529, Oregon Laws, 1939, is authorized to locate, relocate, construct, reconstruct, maintain, widen, straighten, and otherwise improve state highways, both primary and secondary, and said Commission is also authorized to construct shops, equipment sheds, office buildings, maintenance sites, patrolmen accommodations, and snow fences, and is authorized to acquire quarry sites, gravel pits, storage sites, stock-pile sites, weighing stations, and broadcasting stations, and is further authorized to develop, construct, improve, operate, and maintain parks, parking places, auto camps, camp sites, roadside development, recreational grounds or resorts, and other places of attraction and scenic value; and

WHEREAS, said Highway Commission is authorized to acquire by purchase, agreement, donation, or by the exercise of the power of eminent domain, real property, or any interest therein, necessary or deemed by the Highway Commission necessary for the accomplishment of any and all of the foregoing things; and

WHEREAS, in the judgment of the Highway Commission the several tracts or parcels of land hereinafter described are each and all necessary for the specific and particular purposes hereinafter specifically set forth:

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the Commission does hereby find and declare that the several parcels of real property hereinafter described are each and all necessary for the accomplishment of the purposes hereinafter expressly

and specifically set forth, which said real properties and the specific purposes for which the same are being acquired are described as follows, to wit:

Real property owned by Edward T. Garre, which property is located in Lot 5, Block 25, of Nasburg's Addition to Marshfield, in Coos County, Oregon, and which property is more particularly described on the attached sheet and designated as Parcel No. 1, which property is further identified in the Highway Commission's records under File R 8068; *

Real property owned by Ernest A. Snyder and Anna J. Snyder, which property is located in Lot 9, Block 21, Nasburg's Addition to Marshfield, Coos County, Oregon, and which property is more particularly described on the attached sheet and designated as Parcel No. 2, which property is further identified in the Highway Commission's records under File R 8063; *

Real property belonging to the heirs of Goldsmith Hammer, deceased, and Lurissa Anna Hammer, deceased, which property is located in Lots 1, 2, 3, and 4, Block 22, Nasburg's Addition to Marshfield, Coos County, Oregon, and which property is more particularly described on the attached sheet and designated as Parcel No. 3, which property is further identified in the Highway Commission's records under File R 8065; *

Real property owned by the Texas Company, which property is located in Lots 1, 2, 3, and 4, of Block 5, Flat "H" Addition to Marshfield, in Government Lot 3 of Section 22, Township 25 South, Range 13 West, W. M., Coos County, Oregon, and which property is more particularly described on the attached sheet and designated as Parcel No. 4, and is further identified in the records of the Highway Commission as File R 8055; *

Real property owned by the Union Oil Company of California, which property is located in Government Lot 3 of Section 22, Township 25 South, Range 13 West, W. M., Coos County, Oregon, and which property is more particularly described on the attached sheet and designated as Parcel No. 5, and is further identified in the records of the Highway Commission as File R 8052; *

Real property owned by Eldon J. Smith, which property is located in the south half of the north half of the southwest quarter of the southwest quarter of Section 17, Township 39 South, Range 19 East, W. M., Lake County, Oregon, and which property is more particularly described on the attached sheet and designated as Parcel No. 6, and is further identified as File R 7584 in the records of the Highway Commission; *

Real property owned by A. T. Freeman and Edith Freeman, which property is located in the north half of the south half

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of the northeast quarter of the northeast quarter of Section 21, Township 39 South, Range 19 East, W. M., Lake County, Oregon, and which property is more particularly described on the attached sheet and designated as Parcel No. 7, and is further identified in the records of the Highway Commission as File R 7593; *

Real property owned by Harry Banks, which property is located in the southwest quarter of the southeast quarter of Section 31, Township 39 South, Range 2 East, W. M., in Jackson County, Oregon, and which property is more particularly described on the attached sheet and designated as Parcel No. 8, and is further identified in the records of the Highway Commission as File R 8298; *

Real property owned by Ole M. Jetson, et al, which property is located in the northeast quarter of Section 35, Township 17 South, Range 5 West, W. M., Lane County, Oregon, and which property is more particularly described on the attached sheet and designated as Parcel No. 9, and is further identified in the records of the Highway Commission as File R 8156; *

Real property owned by Edward Donnelly, which property is located in the northwest quarter of the northeast quarter of Section 4, Township 15 South, Range 40 East, W. M., in Malheur County, Oregon, and which property is more particularly described on the attached sheet and designated as Parcel No. 10, and is further identified in the records of the Highway Commission as File R 8442; *

Real property owned by Sidney E. Chilcott and Florence R. Chilcott, which property is located in Government Lot 4 (NW $\frac{1}{4}$ of the NW $\frac{1}{4}$) and in the south half of the northwest quarter and in the northwest quarter of the southwest quarter of Section 14, Township 34 South, Range 6 West, W. M., in Josephine County, Oregon, which property is more particularly described on the attached sheet and designated as Parcel No. 11 and Parcel No. 12, and is further identified in the records of the Highway Commission as File R 8370; *

Real property owned by William E. Campbell, which property is located in the southeast quarter of the southeast quarter of Section 15, Township 39 South, Range 18 East, W. M., Lake County, Oregon, and which property is more particularly described on the attached sheet and designated as Parcel No. 13, and is further identified in the records of the Highway Commission as File R 7576; *

Real property owned by A. V. Smith, which property is located in Lots 14 and 15, Block 34, Necarney City, Tillamook County, Oregon, and which property is more particularly described on the attached sheet and designated as Parcel No. 14, and is further identified in the records of the Highway Commission as File R 7313; *

Real property owned by Lawrence Sandberg and the unknown heirs of Albert Crawford, deceased, which property is located in Lots 6

to 11, inclusive, Block 37, and in Lots 16 to 21, inclusive, Block 37, Necarney City, Tillamook County, Oregon, which property is more particularly described on the attached sheet and designated as Parcel No. 15, and is further identified in the records of the Highway Commission as File R 7314; *

Real property owned by Nick J. Haniges, which property is located in Lot 24, Block 37, Necarney City, Tillamook County, Oregon, and which property is more particularly described on the attached sheet and designated as Parcel No. 16, and is further identified in the records of the Highway Commission as file R 7315; *

Real property owned by S. E. Combs and Matilda G. Combs, which property is located in Lot 10 and the north one-half of Lot 12 of Block 1, Seabright, Tillamook County, Oregon, and which property is more particularly described on the attached sheet and designated as Parcel No. 17, and is further identified in the records of the Highway Commission as File R 7317; *

Real property owned by Stella Hays, which property is located in Lots 14 and 15, Block 1, Seabright, Tillamook County, Oregon, and which property is more particularly described on the attached sheet and designated as Parcel No. 18, and is further identified in the records of the Highway Commission as file R 7319; *

Real property owned by Emma Drake, which property is located in Lot 8, Block 3, Seabright, Tillamook County, Oregon, and which property is more particularly described on the attached sheet and designated as Parcel No. 19, and is further identified in the records of the Highway Commission as file R 7323; *

Real property owned by Fred Kaul, which property is located in Lot 10, Block 4, Seabright, Tillamook County, Oregon, and which property is more particularly described on the attached sheet and designated as Parcel No. 20, and is further identified in the records of the Highway Commission as file R 7325; *

Real property owned by the heirs of Margaret M. Gordon, deceased, which property is located in Lots 8 and 9 and the south one-half of Lot 6 and the north one-half of Lot 11, Block 4, Seabright, Tillamook County, Oregon, and which property is more particularly described on the attached sheet and designated as Parcel No. 21, and is further identified in the records of the Highway Commission as File R 7324; *

Real property owned by William Kennard, which property is located in Lots 9, 10, and 11, Block 1, Sunset Beach; Lot 16, Block "I", Nehalem Bay Park; and Lots 9, 10, 11, and 12, Block 23, Sunset Beach, Tillamook County, Oregon, and which property is more particularly described on the attached sheet and designated as Parcel No. 22, and is further identified in the records of the Highway Commission as File R 7331; *

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Real property owned by John Kohler, which property is located in Lot 21, Block 1, Sunset Beach, Tillamook County, Oregon, and which property is more particularly described on the attached sheet and designated as Parcel No. 23, and is further identified in the records of the Highway Commission as File R 7332; *

Real property owned by Harry W. Borham, which property is located in Lot 7, Block 7, Sunset Beach, Tillamook County, Oregon, and which property is more particularly described on the attached sheet and designated as Parcel No. 24, and is further identified in the records of the Highway Commission as File R 7339; *

Real property owned by Harriet E. Cook, which property is located in Lot 8, Block 7, Sunset Beach, Tillamook County, Oregon, and which property is more particularly described on the attached sheet and designated as Parcel No. 25, and is further identified in the records of the Highway Commission as File R 7340; *

Real property owned by Dora Bingham, which property is located in Lot 15, Block 7, Sunset Beach, Tillamook County, Oregon, and which property is more particularly described on the attached sheet and designated as Parcel No. 26, and is further identified in the records of the Highway Commission as File R 7341; *

Real property owned by Edna Lowry, which property is located in Lot 1, Block 18, Sunset Beach, Tillamook County, Oregon, and which property is more particularly described on the attached sheet and designated as Parcel No. 27, and is further identified in the records of the Highway Commission as File R 7342; *

Real property owned by Axilda Jette, which property is located in Lot 2, Block 18, Sunset Beach, Tillamook County, Oregon, and which property is more particularly described on the attached sheet and designated as Parcel No. 28, and is further identified in the records of the Highway Commission as File R 7343; *

Real property owned by Lydia L. Ellis, which property is located in Lot 8, Block 21, Sunset Beach, Tillamook County, Oregon, and which property is more particularly described on the attached sheet and designated as Parcel No. 29, and is further identified in the records of the Highway Commission as File R 7344; *

Real property owned by Alex Horne, which property is located in Lot 11, Block 22, Sunset Beach, Tillamook County, Oregon, and which property is more particularly described on the attached sheet and designated as Parcel No. 30, and is further identified in the records of the Highway Commission as File R 7345; *

Real property owned by Frances Brooks, which property is located in Lot 21, Block 22, Sunset Beach, Tillamook County, Oregon, and which property is more particularly described on the attached sheet

and designated as Parcel No. 31, and is further identified in the records of the Highway Commission as File R 7346;*

Real property owned by Emma J. Keys, which property is located in Lot 23, Block 22, Sunset Beach, Tillamook County, Oregon, and which property is more particularly described on the attached sheet and designated as Parcel No. 32, and is further identified in the records of the Highway Commission as File R 7347;*

Real property owned by Evelyn J. Roberts, which property is located in Lot 15, Block 1, Nehalem Bay Park, Tillamook County, Oregon, and which property is more particularly described on the attached sheet and designated as Parcel No. 33, and is further identified in the records of the Highway Commission as File R 7353;*

Real property owned by E. L. Dakin, which property is located in Lot 10 and Lot "L", Block 14, Nehalem Bay Park, Tillamook County, Oregon, and which property is more particularly described on the attached sheet and designated as Parcel No. 34, and is further identified in the records of the Highway Commission as File R 7355;*

Real property owned by L. Asher, which property is located in Lot 5, Block 15, Nehalem Bay Park, Tillamook County, Oregon, and which property is more particularly described on the attached sheet and designated as Parcel No. 35, and is further identified in the records of the Highway Commission as File R 7356;*

Real property owned by Earl D. Walkon, which property is located in Lot 6, Block 15, Nehalem Bay Park, Tillamook County, Oregon, and which property is more particularly described on the attached sheet and designated as Parcel No. 36, and is further identified in the records of the Highway Commission as File R 7357; *

Real property owned by Edgar J. Robertson, which property is located in Lots 24 and 25, Block 15, Nehalem Bay Park, Tillamook County, Oregon, and which property is more particularly described on the attached sheet and designated as Parcel No. 37, and is further identified in the records of the Highway Commission as File R 7358;*

Real property owned by Carrie L. Dixon, which property is located in Lots 1 to 12, inclusive, and Lots 15 to 28, inclusive, Block 17; Lots 1 to 11, inclusive, and Lots 13 to 16, inclusive, and Lots 18 to 28, inclusive, all in Block 19; Lots 1 to 11, inclusive, and Lots 15 to 28, inclusive, Block 21; Lots 1 to 21, inclusive, and Lots 29 and 30, Block 31, Nehalem Bay Park, Tillamook County, Oregon, and which property is more particularly described on the attached sheet and designated as Parcel No. 38, and is further identified in the records of the Highway Commission as File R 7359;*

Real property owned by I. J. Everell, which property is located in Lot 12, Block 19, Nehalem Bay Park, Tillamook County, Oregon, and which property is more particularly described on the attached sheet and designated as Parcel No. 39, and is further identified in the records of the Highway Commission as File R 7360; *

Real property owned by R. Thomas Hughes and Bess L. Hughes, which property is located in Lot 18, Block 20, Nehalem Bay Park, Tillamook County, Oregon, and which property is more particularly described on the attached sheet and designated as Parcel No. 40, and is further identified in the records of the Highway Commission as File R 7361; *

Real property owned by A. V. Smith and D. B. Smith, which property is located in Lots 5 and 6, Block 23, Nehalem Bay Park, Tillamook County, Oregon, and which property is more particularly described on the attached sheet and designated as Parcel No. 41, and is further identified in the records of the Highway Commission as File R 7365; *

Real property owned by Anita McIntyre Peterson, which property is located in Lot 11, Block 23, Nehalem Bay Park, Tillamook County, Oregon, and which property is more particularly described on the attached sheet and designated as Parcel No. 42, and is further identified in the records of the Highway Commission as File R 7366; *

Real property owned by Mabel Bishop Shepherd, which property is located in Lot 12, Block 23, Nehalem Bay Park, Tillamook County, Oregon, and which property is more particularly described on the attached sheet and designated as Parcel No. 43, and is further identified in the records of the Highway Commission as File R 7367; *

Real property owned by Blanche Reed, which property is located in Lots 13 and 14 and the north half of Lot "R", Block 23, Nehalem Bay Park, Tillamook County, Oregon, and which property is more particularly described on the attached sheet and designated as Parcel No. 44, and is further identified in the records of the Highway Commission as File R 7368; *

Real property owned by H. F. Clark, which property is located in Lot 17, Block 23, Nehalem Bay Park, Tillamook County, Oregon, and which property is more particularly described on the attached sheet and designated as Parcel No. 45, and is further identified in the records of the Highway Commission as File R 7369; *

Real property owned by May Cecilia Cheldelin, which property is located in Lot 21, Block 24, Nehalem Bay Park, Tillamook County, Oregon, and which property is more particularly described on the attached sheet and designated as Parcel No. 46, and is further identified in the records of the Highway Commission as File R 7370; *

Real property owned by Earl F. Bethards and Agnes Bethards, which property is located in Lot 18, Block 25, Nehalem Bay Park, Tillamook County, Oregon, and which property is more particularly described on the attached sheet and designated as Parcel No. 47, and is further identified in the records of the Highway Commission as File R 7371;*

Real property owned by Jennie C. Young, which property is located in Lot 15, Block "I", Nehalem Bay Park, Tillamook County, Oregon, and which property is more particularly described on the attached sheet and designated as Parcel No. 48, and is further identified in the records of the Highway Commission as File R 7372;*

Real property owned by H. S. Allen, which property is located in Lot 29, Block "T", Nehalem Bay Park, Tillamook County, Oregon, and which property is more particularly described on the attached sheet and designated as Parcel No. 49, and is further identified in the records of the Highway Commission as File R 7378;*

Real property owned by Martha A. Bequeath, which property is located in Lots 29 and 30, Block 6, Nehalem Beach, Tillamook County, Oregon, and which property is more particularly described on the attached sheet and designated as Parcel No. 50, and is further identified in the records of the Highway Commission as File R 7381;*

Real property owned by Charles Vogt, which property is located in Lots 8 and 9, Block 7, Nehalem Beach, Tillamook County, Oregon, and which property is more particularly described on the attached sheet and designated as Parcel No. 51, and is further identified in the records of the Highway Commission as File R 7382;*

Real property owned by Mattie Bequeath, which property is located in Lot 9, Block 13, Nehalem Beach, Tillamook County, Oregon, and which property is more particularly described on the attached sheet and designated as Parcel No. 52, and is further identified in the records of the Highway Commission as File R 7383;*

Real property owned by M. R. Bishop, which property is located in Lot 1, Block 14, Nehalem Beach, Tillamook County, Oregon, and which property is more particularly described on the attached sheet and designated as Parcel No. 53, and is further identified in the records of the Highway Commission as File R 7384;*

Real property owned by Anselm Boskowitz, which property is located in Lot 8, Block 16, Nehalem Beach, Tillamook County, Oregon, and which property is more particularly described on the attached sheet and designated as Parcel No. 54, and is further identified in the records of the Highway Commission as File R 7385;*

Real property owned by Fred J. Johnson and Marie Johnson, which property is located in the southwest quarter of the southwest

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quarter of the southeast quarter of Section 32, Township 3 North, Range 10 West, W. M., Tillamook County, Oregon, and which property is more particularly described on the attached sheet and designated as Parcel No. 55, and is further identified in the records of the Highway Commission as File R 7386. *

2. The particular purposes for which the above described parcels of real property are being acquired are as follows:

Parcels Nos. 1, 2, 3, 4, and 5 are being acquired for right of way purposes in connection with the North Bend-Marshfield Section of the Oregon Coast Highway in Coos County;

Parcel No. 6 is being acquired for right of way purposes in connection with the further improvement of the Forest Boundary-Cottonwood Creek Section of the Klamath Falls-Lakeview Highway in Lake County;

Parcel No. 7 is being acquired for right of way purposes in connection with the further improvement of the Forest Boundary-Cottonwood Creek Section of the Klamath Falls-Lakeview Highway in Lake County;

Parcel No. 8 is being acquired for right of way purposes in connection with the further improvement of the Neil Creek-Barron Creek Section of the Pacific Highway in Jackson County;

Parcel No. 9 is being acquired for the construction thereover of a hauling road to haul material from the state's quarry to the Eugene-Mapleton Highway in Lane County;

Parcel No. 10 is being acquired for the storage of maintenance materials on the Ironside-Brogan Section of the John Day Highway in Malheur County;

Parcels Nos. 11 and 12 are being acquired for right of way purposes in connection with the further improvement of the Sexton Mountain Section of the Pacific Highway, in Josephine County;

Parcel No. 13 is being acquired for a park or recreational area which is adjacent to the Klamath Falls-Lakeview Highway and is located in Lake County, Oregon;

Parcels Nos. 14 to 55, inclusive, are being acquired for a park or recreational area which is in close proximity to the Oregon Coast Highway and to the Pacific Ocean and is located in Tillamook County.

3. That the Commission does hereby find and declare that each of the said described parcels of real property is necessary and acquisition of the same by the state is required for the specific purposes hereinabove set

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forth, and the said properties are being acquired for the express and specific purposes in this resolution set forth.

4. That the State Highway Engineer be and he hereby is instructed and directed to make or cause to be made all surveys necessary in connection with the determination, description, and acquisition of said real properties, and said Engineer is further instructed to prepare and submit to the Legal Department necessary and adequate descriptions of the said real properties, which said descriptions shall be available for the preparation of any deed or deeds or other instrument or instruments necessary to complete the acquisition of said property or properties, whether said properties be acquired by purchase, donation, agreement, or by the exercise of the power of eminent domain.

5. That I. H. Van Winkle, Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they are hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby further resolved that the Attorney General of the State of Oregon and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they hereby are requested to commence and prosecute to a final determination such suit or action, or suits or actions, as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

6. That this resolution be entered in full in the minutes and records of this Commission.

* (The detailed descriptions of the respective parcels of real property mentioned in this resolution are attached to the original resolution on file in the office of the State Highway Commission, Salem, being Resolution No. 4, under the heading "Real Property Condemnation Resolutions", and said descriptions by this reference are made a part of this minute entry to the same extent as if copied in full herein.)

The Commission discussed the advisability of continuing to pay annual rental for certain lands now under lease from the Government for recreational purposes. The State Parks Superintendent, who was present, advised that the state is now paying the Government annually the sum of approximately \$875.00 for such leases. He suggested the purchase of these tracts outright so that the state will have title to them at the expiration of the lease

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periods. Otherwise, he said, the state would have nothing to show for its expenditure. The Commission concurred in the viewpoint of the Parks Superintendent and decided to purchase a few of these tracts each year until all have been acquired. The Parks Superintendent was instructed to submit to the Commission at its next meeting a complete list of such properties, together with a recommendation as to the order in which the purchases should be made.

The Attorney reported receipt of a letter from Mr. A. L. Mills, Portland, Western Representative of the Miami Timber Corporation of Chicago, relative to the sale to the state of timber strips along the Salmon River Highway. He read aloud such letter and particularly pointed out that Mr. Mills is recommending to the Chicago office a continuation of the agreement heretofore reached with respect to the purchase of the balance of this timber, at the rate of \$3.00 per thousand, which timber is situate on the north side of the highway between Highway Engineer's Station 630 on the west and 772 on the east, and joins the strips heretofore purchased by the Commission. After discussion Chairman Cabell and Commissioner Clough approved the purchase of this timber with state funds, subject to further approval by Commissioner Oliver. (The State Parks Superintendent reported on the following day that he discussed this matter with Commissioner Oliver over the phone and that Mr. Oliver approved the expenditure for this purpose, making the action unanimous.) The Parks Superintendent was authorized by the Commission to employ a cruiser to make a joint cruise of the timber on the tract with a representative of the Miami Corporation so as to ascertain definitely the amount that is to be paid to the Company.

In this connection the State Parks Superintendent reported that Mr. Mervin Boyer, who resides in this locality, owns a 3.2-acre tract of land abutting on the Salmon River Highway at this point, which property acts as a wedge in the tract that the state is buying from the Miami corporation. When Mr. Boyer purchased this tract, he said, he really intended to purchase sufficient land to include a certain sulphur spring; however, when the property line was established it was found that the spring was not included and now Mr. Boyer wants to exchange the property described in his deed for state property on which the spring is located. He recommended against such exchange and gave as his thought that it would be highly desirable from the state's standpoint to buy Mr. Boyer's acreage so as to eliminate private holdings within the boundaries of the state's property. The Commission concurred and authorized the Right of Way Department to conduct negotiations with Mr. Boyer for the purchase of his 3.2-acre tract.

The matter of using federal aid funds for the purchase of wayside strips was also discussed, the Commission having particularly in mind using such funds for the acquisition of timber strips along the Pendleton-John Day Highway as heretofore recommended by the State Parks Superintendent. Action on such matter was deferred by the Commission pending receipt of the federal requirements that are to govern the expenditure of the government moneys. The Engineer was instructed to ask the Public Roads Administration for such information.

The Attorney also presented a letter from Mr. A. L. Mills, repre-

senting the Miami Timber Corporation, in which it was stated that the company would sell to the Commission, at the rate of \$5.00 an acre, 320 acres of logged-off land along the Salmon River Highway. The company, however, wished to reserve the right to construct necessary logging roads or railroads on such property for use in connection with its operations on other land owned by the company. The Attorney was instructed to bring to the Commission for approval the formal deed or contract of sale.

The Attorney read aloud a letter from Mr. George W. McMath, Right of Way Engineer for the Union Pacific Railroad Company, outlining several conditions under which the company is willing to sell to the state right of way across its holdings as may be necessary in connection with the construction of the Front Avenue project in Portland. It appears that the company desires to sell to the state the surface rights only and to reserve unto the company all mineral rights and oil rights. The Commission considered that the conditions of the sale are not particularly objectionable from the state's standpoint and thereupon authorized the inclusion of such provisions in the deed of conveyance.

The Parks Superintendent reported on the following matters:

Letter from County Judge A. H. Boice, Curry County, relative to the establishment of a national park adjacent to the Oregon Coast Highway in Curry County:- The Parks Superintendent advised that a letter has been received from Judge Boice requesting, on behalf of the County Court, that the Highway Commission take no steps toward the establishment of said proposed park and that the Commission oppose the acquisition of lands for this park by the Federal Parks Service because they believe that the taking of several thousand acres of land off the tax rolls would place the county in a much worse condition financially than it is now in. After discussion the Commission ordered that Judge Boice be informed that the State Highway Commission has not at any time taken the initiative in promoting this national park, which the Commission believes would eventually result in much benefit to Curry County; hence the Commission must decline to make any recommendations that may be taken as an objection to the establishment of such park; further, that the Commission declines to make any promise or statement to the effect that it will not do anything to promote or help establish this park.

Authority of State Parks Superintendent to sign C.C.C. Camp applications, et cetera:- The Parks Superintendent advised that the National Parks Service has made inquiry as to his authority to sign, on behalf of the Commission, C.C.C. Camp applications, contractual C.C.C. instruments, et cetera. He said that he has been signing such documents for the past seven years and no question has been raised as to his authority until recently, and he would like the Commission to act on the matter so that he can pass the information on to the National Parks Service. After discussion it was decided that the Commission should sign all papers in connection with C.C.C. state park development matters in which the Commission and the Federal Government are working cooperatively. In cases of emergency, where immediate action is required, it was decided that the State Parks Superintendent should contact Chairman Cabell for instructions, Chairman Cabell's action on the matter to

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be ratified by the Commission at its next meeting. In cases involving action in conformance with a policy that has been established by the Commission, Chairman Cabell was empowered to pass on the matter personally without ratification by the other members of the Commission. To enable the Commission to keep advised of state park matters and particularly of expenditures made by the State Parks Department, the Parks Superintendent was instructed to file with the Commission at frequent intervals, not exceeding six months, a complete report on his activities. The Attorney was instructed to prepare a resolution in conformance with the above for adoption by the Commission at a future meeting.

Addition to Cape Lookout State Park in Tillamook County:- The Parks Superintendent advised that some time ago he secured an option from Alek Donaldson to purchase 26 acres of land as an addition to Cape Lookout State Park, this being a key tract that is badly needed in order to properly develop the existing park. This option, he said, was for \$7,500.00 and is effective for a period of six months, which period will soon expire. He requested authority from the Commission to take up the option. The Attorney advised that the tract has been investigated by one of his right of way agents, who considers that the price asked by Mr. Donaldson is fair and would be sustained in condemnation. After discussion the Commission approved the purchase of this tract at the price quoted. In this connection the Parks Superintendent pointed out that, in order to completely fill out this park, it will be necessary to buy a small tract of land containing 19.9 acres situate in Lot 4, Section 36, Township 2 South, Range 11 West, W. M., from the owner, Mr. W. K. Smith. He requested authority to negotiate for the purchase of this tract, which he thought could be acquired at the rate of \$5.00 per acre. The Commission approved the request.

Redwood and myrtlewood tracts along the Chetco River, in Curry County:- The Parks Superintendent requested instructions relative to the purchase of these tracts, there being two which contain a fine growth of myrtlewood trees and one containing a good stand of redwood trees, the myrtlewood tracts belonging to Elmer Bankus and Alfred Loeb of Brookings, and the redwood tract belonging to the O. & C. Company, Crescent City, California. These tracts were inspected by the Commissioners in person on their trip over the Oregon Coast Highway in August of this year. The Commission decided, after discussion, not to purchase these tracts because they are situated a considerable distance from the state highway and are served by a very poor county road which the Commission would be compelled to reconstruct if the areas were acquired.

Proposed park adjacent to the Oregon Coast Highway at the Oregon-California state line:- The matter of purchase of the property owned by Mr. Fritz, situate between the Oregon Coast Highway and the Pacific Ocean at the California state line, was brought up by the Parks Superintendent. The Commission decided not to purchase this tract because there are so many other tracts throughout the state which have priority in the state parks program.

Rogue River bridgeheads:- The Parks Superintendent also brought up for discussion the matter of acquiring property controlling both the north

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and the south bridgeheads of the Rogue River bridge at Gold Beach. The Commission considered it advisable to protect these bridgeheads and accordingly authorized the Right of Way Department to secure options on private properties that are needed for this purpose.

Rogue River Mouth fishing frontage:- The Parks Superintendent presented for the consideration of the Commission the matter of purchase of lands bordering on the Rogue River below the Rogue River bridge at Gold Beach. He said that this is one of the best fishing points along the entire Rogue River, the mouth of the river being quite narrow, permitting fishermen to cast their lines about half way across the river at this point; further, that the river bed and the bank slopes are of sand, making ideal casting conditions, and a more perfect fishing setup does not exist. It was his thought that the Commission should acquire frontage on the river at this point so as to protect the rights of the fishermen and to permit people to fish from the banks of this noted fishing stream without trespassing on private property. The Commission questioned its authority to expend state funds to purchase this property for the purpose intended. The Commission also questioned the advisability of acquiring a freeway for fishermen because it would establish a precedent in such matter which might work to the disadvantage of the Commission later. In view thereof the purchase of the areas was held in abeyance for the time being.

Proposed park at Crofts Lake, near Bandon:- The Parks Superintendent advised that the Westcott Grange, Bandon, had recommended the purchase of property at Crofts Lake as a state recreational area. He said that he has inspected the area and considers that it will not fit properly into the state parks picture because lands bordering the lake have been developed by private individuals for their own recreational purposes and it would cost the state a large sum of money to purchase the interests of these people. Furthermore, it would be necessary to construct a road to the area approximately 4 miles long. He recommended against the purchase of this property. The Commission approved the recommendation.

Proposed park at Agate Beach Lighthouse, Lincoln County:- The Parks Superintendent reported an offer received from Fred Williams, Salem, and the Ira Wade Estate, Toledo, to sell to the state for park purposes at the rate of \$200.00 per acre, 66 acres of land overlooking the ocean, near Agate Beach lighthouse. He said that the owners have had other offers to purchase the property but would prefer to sell to the state if the state wants it. The Commission decided not to buy this property in view of the numerous obligations that it now has with respect to the acquisition of additional areas for purposes of this kind.

Addition to Crooked River State Park:- The Commission discussed the acquisition of private holdings contained within the boundaries of the state park located at the confluence of the Deschutes River, the Crooked River, and the Metolius River, in Jefferson County, at a place known as The Cove, and decided to purchase such properties in the event they can be secured at reasonable cost. The Attorney was instructed to negotiate options for the same.

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Request of Lake County American Legion Post for establishment of American Legion Park south of Lakeview:- The State Parks Superintendent advised that this matter has been investigated by Division Engineer W. E. Chandler, who advises that the state owns no timber strips along the highway south of Lakeview and accordingly has no timbered area to name, and that it is quite evident that what they have in mind is the naming of a section along the Quartz Mountain Section of the Klamath Falls-Lakeview Highway, which was previously considered by the Commission and was denied. The Attorney was instructed to so inform the American Legion Post at Lakeview.

The Commission adjourned at 11:45 p. m., to reconvene in the auditorium of the Public Service Building on the following morning.

Portland, Oregon, October 10, 1940

The State Highway Commission reconvened in regular session at 9:00 a. m. in the auditorium of the Public Service Building. Present were:

Henry F. Cabell, Chairman
Huron W. Clough, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

Bids as follows for highway construction projects and for the sale of buildings were opened and read in conformance with previously published notice, following which Chairman Cabell announced that the award of contracts would be made at 3:30 p. m. in the same room:

PACIFIC HIGHWAY
RICE HILL-TURKEY HILL SECTION - GRADING AND PAVING

Roy L. Houck	\$116,456.00
Leonard & Slate	121,973.50
Berke Bros.	124,726.50
Jacobsen-Jensen Company	125,878.00
McNutt Bros.	142,742.00

CENTRAL OREGON HIGHWAY
OAKERMAN RANCH-SAGE HEN HILL SECTION
GRADING, SURFACING, AND OILING

E. L. Rigdon	\$ 89,198.25
M. L. O'Neil & Son	108,939.15
Rogers Construction Company	111,827.25
Clifford A. Dunn	116,074.00
McNutt Bros.	118,081.25
E. C. Hall Company	121,127.00
Babler Bros.	129,814.00
Homer G. Johnson	134,948.30
A. Milne	135,411.00
Newport Construction Company	156,179.60

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THE DALLES-CALIFORNIA HIGHWAY
CONSTRUCTION OF MAINTENANCE BUILDING AT MADRAS

Birkemeier & Saremal	\$ 9,589.50
Hart Building Company	10,152.50
McNutt Bros.	13,264.50
M. E. Meyers & Son	14,287.47

PACIFIC HIGHWAY
SEXTON MOUNTAIN SECTION - GRADING

M. L. O'Neil & Son	\$194,922.50
Roy L. Houck	246,782.50
White's Trucking Company	248,754.50
K. L. Goulter	255,658.00
Berke Bros.	263,572.50
Leonard & Slate	264,439.50
Kuckenberg Construction Company	273,221.50
Frank Penspacker	276,828.50
A. Teichert & Son	277,267.00
San Orino	282,309.50
McNutt Bros.	286,844.00
J. A. Lyons	290,799.50
C. J. Eldon	291,360.80
E. L. Gates	296,990.80
A. C. Greenwood Company, Inc.	318,778.00
Natt McDougall Company	334,531.00

SANTIAM HIGHWAY
BRYANT HILL-TROUT CREEK SECTION - GRADING, SURFACING, OILING

	<u>Using Asphalt</u>	<u>Using Tar</u>
Fisher Bros.	\$ - - - -	\$ 79,195.50
E. C. Hall Company	- - - -	80,988.50
Leonard & Slate	82,145.00	- - - -
Homer G. Johnson	90,875.50	90,811.50
McNutt Bros.	116,034.50	- - - -
C. J. Eldon	118,451.65	118,389.35
Newport Construction Company	123,043.55	- - - -

OREGON COAST AND WILSON RIVER HIGHWAYS
TYLLAMOOK ROCK PRODUCTION PROJECT

F. C. Feldschau	\$ 11,880.00
A. T. Dolan	12,672.00
Tidepoint Company	15,585.00
A. S. Wallace	16,720.00

WALLOWA LAKE HIGHWAY
FOLLETT RANCH-COLD CANYON SECTION - GRADING, SURFACING, OILING

Colonial Construction Company	\$ 99,351.00
Leonard & Slate	113,963.00

(Continued on next page)

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(Follett Ranch-Cold Canyon Section continued:)

White's Trucking Company	\$115,542.50
E. L. Gates	117,196.50
K. L. Goulter	119,501.00
G. D. Lyons & Company	127,546.25
J. C. Papin	131,418.00
McNutt Bros.	141,362.50

COLUMBIA RIVER HIGHWAY
MOSSIER-SEUFERT ROCK PRODUCTION PROJECT

Rogers Construction Company	\$ 12,977.60
M. L. O'Neil & Son	13,502.00
A. S. Wallace	14,850.00
R. O. Dail & Warren Bros., Inc.	15,595.40
Homer G. Johnson	16,144.00
Newport Construction Company	17,100.00
A. O. Ekstrom	20,250.00

Sale of Building in Bandon:

BUILDING NO. 7857-A
(Known as Koffee Kup Cafe)

No bids received

Sale of Building in Oakland:

BUILDING NO. L-961
(Former Owner T. B. Garrison)

No bids received

Sale of Building in Troutdale:

BUILDING NO. 1823
(Former Owner Alice W. Jordan)

Ralph T. Johnson

\$ 60.00

County Commissioner Wm. Baer, of Deschutes County, and Don Peoples, Secretary of the Bend Chamber of Commerce, came before the Commission and inquired as to the Commission's plans for the further improvement of the Warm Springs Highway between Warm Springs Agency and Wapinitia Junction. They were informed that the Commission has already placed under contract all of the work provided for in the current program; further, that the Commission has not as yet adopted a program for the new federal aid moneys and probably will not do so until it is known definitely just what the Federal Government will require

with respect to allocations to finance improvements on roads that are considered of greatest value from the military standpoint.

Chairman Cabell explained the status of funds and advised that the Federal Government may require that priority be given to roads that are of strategic military importance. Mr. Peoples gave as his understanding that the United States Reclamation Service has plans to establish new C.C.C. camps along The Dalles-California Highway between Terrebonne and Madras to work on the irrigation canals in this vicinity. He gave as his thought that the Commission should have this information, inasmuch as there is a possibility that the canal construction will affect the proposed highway improvements in this locality. The Commission referred the matter to the Engineer for investigation.

Mr. Peoples also brought up for discussion the matter of oiling the uncoiled section of the Santiam Highway and suggested that the section of most importance is that between Suttle Lake and Hogg Pass. He was informed by Chairman Cabell that the current forest highway program contains an amount to finance the oiling of this section but work cannot go forward this year because of the lack of congressional appropriation. Chairman Cabell further stated that the Commission considers the project mentioned by Mr. Peoples as being of most importance and that it should be completed at the earliest possible time.

Mr. W. C. Calder of Baker, and W. M. Huntington, Portland, attorney for Mr. Calder and for the Arch Cape Land Company, Portland, came before the Commission in regard to a claim for damages arising out of construction of the Oregon Coast Highway at the south end of Arch Cape tunnel, in Tillamook County. They alleged that the construction of the highway at this point has caused an unstable condition in the terrain and has caused considerable slide material to be deposited on their property and they consider that it is the obligation of the state to pay certain damages and to clean up the premises of debris, et cetera. The Engineer suggested that a solution of this problem might be the purchase of additional right of way from these owners. Mr. Huntington stated that his clients would be pleased to consider selling to the state additional right of way if the state will arrange to clean up the premises surrounding it. Mr. Calder also stated that he would be glad to discuss with the Commission the sale of a portion of his property that is affected by the slide but he wants the balance of his property cleaned up and the slide debris removed therefrom. After considerable discussion the Commission instructed the Engineer to make a survey to determine the exact boundaries of the slide and the area of the same. He was also instructed to investigate the matter of the debris on these private properties and the allegations of Mr. Calder and Mr. Huntington that material is still sluicing from the highway into a small lake on their property, and to submit a report on this matter, together with an estimate of cost to clean up the slide area and the adjoining areas, at the November meeting of the Commission. It was arranged that Mr. Calder would contact Resident Engineer J. H. Scott, at Nehalem, on the following Monday and with him make a joint inspection of the premises.

Reconsideration was given by the Commission to the proposal of the

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Crown-Zellerbach Corporation, Portland, to lease certain Willamette River frontage along the newly constructed Pacific Highway East, in Oregon City, for which the corporation previously offered to pay a reasonable sum. After discussion the Commission decided to call for bids for the lease of this area for a period of three years or so; reserving, however, from the area to be leased a certain cove opposite the courthouse, in which it is proposed to construct and maintain a wharf for use of fishermen in tying up their boats. The Attorney was instructed to prepare an appropriate advertisement to be published, calling for bids, and he was instructed to include in the lease, if and when it is prepared, a clause providing for the revocation of the lease at any time that the Commission may see fit, it being considered advisable to have such provision in the lease in view of the possibilities that certain factions will object to the use of the frontage for purposes intended by the Crown-Zellerbach Corporation if such use detracts from the natural scenic view. The Engineer was instructed to contact the city officials of Oregon City relative to the operation of the cove for the benefit of fishermen. The Attorney was instructed to inform the Crown-Zellerbach Corporation of the action taken by the Commission.

The matter of permitting the mooring of boathouses along the bank of the Willamette River at this location was also discussed. It was the thought of the Commission that this matter would be automatically taken care of upon the leasing of the river frontage at this place.

The Secretary presented a letter from the Multnomah Anglers and Hunters Club suggesting that the state acquire tracts of land along coastal streams so as to provide access to these streams by fishermen without trespassing on private property. The Commission considered that solution of this problem is the function of the State Fish Commission and not the Highway Department, hence declined to take any action on the matter.

The Commission considered and approved two resolutions from Lake County Court, one of which pertains to the abandonment of the Hunter Hill-Lakeview Section of the Fremont Highway and the other relates to the abandonment of a portion of the Klamath Falls-Lakeview Highway and the retention of other portions of such highway for county purposes. The Engineer explained that these resolutions are the result of the abandonment by the State Highway Commission of the sections of highway referred to because of a relocation of the highway on other alignment. He recommended approval of the resolutions. The Commission approved the recommendation.

The Engineer reported that the Klamath Falls-Lakeview Highway between Engineer's Station 1229+95 and Station 1332+00, in Sections 14, 15, and 22, Township 39 South, Range 19 East, W. M., Lake County, has been reconstructed on new alignment, hence the old highway between these points is no longer of value from the state's standpoint. He recommended that the Commission take action to turn the old section back to Lake County for future maintenance.

He also reported that a portion of the Williams Highway-Fruitdale Road Section of the Pacific Highway, in Josephine County, has been relocated

and reconstructed on new alignment, particularly between Mile Post 279.6 and 282, so that the old highway between these points is no longer of value for state highway purposes. He recommended that the old right of way be turned back to the county to maintain. After discussion the Commission approved the Engineer's recommendation in both instances and by unanimous vote adopted the following resolutions pertaining thereto:

WHEREAS, in order to afford a better alignment and a more satisfactory, safe and convenient highway for the traveling public, the Commission found it necessary to relocate a portion of the Klamath Falls-Lakeview Highway in Lake County; and

WHEREAS, by reason of said relocation and reconstruction of the said section of said highway there was eliminated and made unnecessary as a part of the permanent highway a certain section or part thereof, which section is more specifically defined and designated hereinafter in this resolution; and

WHEREAS, it is the judgment and opinion of the Commission that there should be recorded in the minutes and records of the Commission its purpose and plan to abandon as a part of the said state highway the fragment or portion of right of way hereinafter designated and heretofore included within the area of the right of way of the said highway as formerly located, improved and used;

NOW, THEREFORE, the premises being in general as above stated, it hereby is resolved by this Commission, all members being present and affirmatively participating, as follows:

1. That the fragment of land confined within the area of land hereinafter designated, which fragment or parcel of land was formerly within the limits of the right of way of the Klamath Falls-Lakeview highway in Lake County, but is now without the limits of the right of way of said highway as said highway has been relocated and constructed, be and said fragment or parcel of land or portion of the old right of way is abandoned as a part of the right of way of said highway, and said fragment or parcel of land or old right of way is, so far as control and supervision by this Commission is concerned, eliminated and left to revert to the adjoining and abutting property owners or to the control and supervision of the County Court of Lake County for highway or other public purposes, as the Court may determine. The fragment or parcel of land affected by this resolution is defined and described as follows, to wit:

All that certain section of the old right of way of the Klamath Falls-Lakeview Highway in Sections 14, 15 and 22, Township 39 South, Range 19 East, W. M., Lake County, lying on the northerly side of the right of way required for the reconstructed Klamath Falls-Lakeview Highway, said section also lying between Mile Posts 85.4 and 87.5 of said highway; the beginning and ending points with reference to

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the engineer's stations of the said reconstructed highway being Station 1229+95 on the westerly end and Station 1331+00 on the easterly end.

The location of said abandoned right of way may be more definitely and particularly ascertained and determined by reference to a map or blueprint, marked "Exhibit A", attached hereto and by this reference made a part hereof, which said exhibit for identification purposes bears the signatures of W. E. Chandler, Division Engineer, H. G. Smith, Construction Engineer, and C. B. McCullough, Assistant State Highway Engineer, and is dated September 21, 1940, upon which map or exhibit there is reflected the above described parcel of land by showing the same shaded in red.*

2. In the event there remains any physical connection between any portion of said abandoned right of way or highway and the present highway, and by reason of such physical connection traffic from the existing highway may enter or use the said abandoned portion of the said old road to the possible damage or injury of such traffic by reason of any unsafe condition existing with respect to said old or abandoned road, then the State Highway Engineer is hereby authorized and directed to erect such barricade or other safeguards as may be necessary to protect and safeguard traffic using and employing said newly located, constructed and dedicated section of said highway.

3. That this resolution be entered in the minutes and records of the Commission and a certified copy thereof promptly delivered to the County Court of Lake County, together with a copy of said map or exhibit, for such action as said County Court may desire to take with respect to said fragment of land, and should said abandoned portion of the right of way of said highway be further employed for public or private highway purposes such use shall be entirely under the control and supervision of the County Court of Lake County and beyond any responsibility or supervision by the State Highway Commission.

WHEREAS, in order to afford a better alignment and a more satisfactory, safe and convenient highway for the traveling public, the Commission found it necessary to relocate a portion of the Williams Highway-Fruitdale Road Section of the Pacific Highway in Josephine County; and

WHEREAS, by reason of said relocation and reconstruction of the said section of said highway there was eliminated and made unnecessary as a part of the permanent highway a certain section or part thereof, which section is more specifically defined and designated hereinafter in this resolution; and

*Map filed in Right of Way Abandonment and Retention File - No. 77

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WHEREAS, it is the judgment and opinion of the Commission that there should be recorded in the minutes and records of the Commission its purpose and plan to abandon as a part of the said state highway the fragment or portion of right of way hereinafter designated and heretofore included within the area of the right of way of the said highway as formerly located, improved and used;

NOW, THEREFORE, the premises being in general as above stated, it hereby is resolved by this Commission, all members being present and affirmatively participating, as follows:

1. That the fragment of land confined within the area of land hereinafter designated, which fragment or parcel of land was formerly within the limits of the right of way of the Williams Highway-Fruitdale Road Section of the Pacific Highway but is now without the limits of the right of way of said highway as said highway has been relocated and constructed, be and said fragment or parcel of land or portion of the old right of way is abandoned as a part of the right of way of said highway, and said fragment or parcel of land or old right of way is, so far as control and supervision by this Commission is concerned, eliminated and left to revert to the adjoining and abutting property owners or to the control and supervision of the County Court of Josephine County for highway or other public purposes, as the Court may determine. The fragment or parcel of land affected by this resolution is defined and described as follows, to wit:

All that certain section of the old right of way of the Williams Highway-Fruitdale Road Section of the Pacific Highway, in Sections 19, 20, 21, 28 and 29, Township 36 South, Range 5 West, W. M., Josephine County, lying on the southerly side of the right of way required for the reconstructed Pacific Highway; said section also lying between Mile Posts 279.6 and 282 of said highway; the beginning and ending points with reference to the engineer's stations of the said old highway being Station 19+60 on the westerly end and Station 147+66 on the easterly end.

The location of said abandoned right of way may be more definitely and particularly ascertained and determined by reference to a map or blueprint, marked "Exhibit A", attached hereto and by this reference made a part hereof, which said exhibit for identification purposes bears the signatures of K. D. Lytle, Division Engineer, H. G. Smith, Construction Engineer, and C. B. McCullough, Assistant State Highway Engineer, and is dated October 8, 1940, upon which map or exhibit there is reflected the above described parcel of land by showing the same shaded in red. *

Map filed in Right of Way Abandonment and Retention File - No. 78

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2. In the event there remains any physical connection between any portion of said abandoned right of way or highway and the present highway, and by reason of such physical connection traffic from the existing highway may enter or use the said abandoned portion of the said old road to the possible damage or injury of such traffic by reason of any unsafe condition existing with respect to said old or abandoned road, then the State Highway Engineer is hereby authorized and directed to erect such barricade or other safeguard as may be necessary to protect and safeguard traffic using and employing said newly located, constructed and dedicated section of said highway.

3. That this resolution be entered in the minutes and records of the Commission and a certified copy thereof promptly delivered to the County Court of Josephine County, together with a copy of said map or exhibit, for such action as said County Court may desire to take with respect to said fragment of land, and should said abandoned section of the right of way of said highway be further employed for public or private highway purposes such use shall be entirely under the control and supervision of the County Court of Josephine County and beyond any responsibility or supervision by the State Highway Commission.

The Commission discussed the controversy with Mrs. J. R. Prewett, Toledo, Oregon, arising out of a right of way settlement in connection with the improvement of the Corvallis-Newport Highway at Toledo. The Attorney advised that this matter is of long standing and that at one time a satisfactory settlement with Mrs. Prewett was reached. However, she now appears to be dissatisfied with the settlement and has filed a claim for additional payment. He further advised that the Commission some time ago approved an additional payment to Mrs. Prewett in the amount of approximately \$75.00 and that this offer was conveyed to Mrs. Prewett, who refused it because she felt she was entitled to compensation in a larger sum. He recommended the payment of the amount previously offered Mrs. Prewett, but no more. The Commission approved the recommendation and instructed the Attorney to renew the offer to Mrs. Prewett as settlement in full of her claim and to let the matter drop if she refuses to accept same.

The Commission had under discussion the matter of exchange of certain property with the State Board of Control at the Highway Department's shops in Salem, such exchange being necessary in order to facilitate the development of properties of both departments. The Commission indicated approval of such exchange provided the Highway Department is given the right to maintain a sewer line which has been constructed and installed on the tract that is to be conveyed to the Board of Control. The Commission, however, deferred definite action until the next meeting when all Commissioners are present.

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The Commission authorized the private sale of a residence building on the former Charles M. Casad property at Brookings, together with a portion of the lot outside the standard highway limits, to James H. Harris, for a consideration of \$350.00. The Assistant Attorney advised that this sale is immediately necessary in order to permit the moving of buildings now owned by James H. Harris, some of which are to be placed on the former Charles M. Casad property.

The Assistant Attorney reported that at the time of the settlement on the T. W. Panter property at Bandon there was a mutual misunderstanding, in that Mr. Panter and the right of way agent anticipated that the reconstructed highway would be at approximately the same level as the existing highway, so there would be no material impairment of access to his service station. It has developed, however, that the new highway is about five feet lower than the old highway and access to Mr. Panter's property is very materially impaired. The Commission authorized the reopening of this settlement with the idea of endeavoring to work out a plan, either for payment of damages or for the purchase of adjacent lots and the moving of the service station thereon, which would leave the former owner in as good position as he was at the time of the original negotiations.

The Commission discussed the matter of disposal of a small three-cornered parcel of state-owned land lying between the Tualatin Valley Highway and the Southern Pacific Railroad right of way near a place known as Aloha, in Washington County. The Attorney explained that this small parcel was originally part of a dedicated street that has been vacated by the Washington County Court and left to revert to the adjacent property owners, which is the reason that the state now owns it; also, that the owner of the property abutting on this tract wants to obtain possession of it for his personal use. He inquired whether the Commission wished to dispose of it. The Commission decided to keep the property. The following resolution pertaining thereto was adopted by the Commission by unanimous vote:

WHEREAS, the County Court of Washington County by resolution duly and regularly adopted on March 15, 1939, recorded on page 183, Book 179, Washington County Deed Records, abandoned for public right of way purposes the following described parcel of real property:

Beginning at the Southwest corner of Lot 191 in Johnson Estate Addition to Beaverton-Reedville Acreage in Washington County; thence North 81° 37' West, 227 feet along the north line of Southern Pacific Railway right of way to the south line of the Tualatin Valley Highway; thence easterly along said south line to the west line of said Lot 191; thence south 24 feet to the point of beginning;

AND, WHEREAS, said resolution, among other things, contained the following:

"It is further ordered and adjudged that as a result of the vacation aforesaid the title to the land shall fall

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to the owners of land abutting upon the north side of said dedicated roadway and none to the Southern Pacific."

AND, WHEREAS, the said tract of land is bordered on the north by a state highway and by reason thereof the State of Oregon, by and through its State Highway Commission, as the abutting owner is vested with title to the above described parcel of land by reason of the vacation proceedings promoted and adopted by the County Court of Washington County; and

WHEREAS, it is the judgment of the State Highway Commission that said parcel of land should be preserved by the State for public purposes:

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the Highway Commission, all members being present and voting affirmatively, as follows:

1. That the Highway Commission does hereby declare and find that the above described parcel of land is necessary and will be useful in connection with public highway construction and maintenance, and the Commission does therefore declare and order that said parcel of land shall be preserved by the State for such use as it may serve in connection with highway construction, maintenance, beautification, landscaping or other uses.

2. That the State Highway Engineer be and he hereby is instructed to properly inclose said area with a fence or otherwise define the borders thereof so that the same will be clearly marked and designated as state property.

3. There is attached hereto and made a part hereof a blueprint or map, marked "Exhibit A", on which there is shown shaded in red the area of land described in this resolution.

The Engineer reported on the request of Fort Klamath Grange No. 775 that the state construct a view point on Sun Mountain adjacent to The Dalles-California Highway, near Fort Klamath. He said that this matter has been investigated by Division Engineer W. E. Chandler, who recommends the acquisition of a small tract at this point, which is opposite Mile Post 241.2, because it will afford an excellent view of the beautiful Wood River Valley, and also recommends the development of the same, which he estimated would cost about \$800.00. He said that he concurs in Mr. Chandler's recommendation. The Commission approved the recommendation unanimously.

The Commission recessed at 12:00 noon and reconvened at 1:30 p. m. in the same room with the same persons present and participating.

Messrs. Roy Swenson, Swisshome, and Earl J. Muir, Eugene, came before the Commission and requested the improvement of the Eugene-Swisshome

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State Secondary Highway. Mr. Muir stated that Mr. Swenson has purchased from him about 80 million feet of timber adjacent to this highway and in order to truck the logs to market must use several miles of the state secondary highway between Walton and Swisshome, which is in very bad condition. The Engineer advised that this matter has been investigated by Division Engineer K. D. Lytle who states that it will cost about \$4000.00 to place this road in condition that will permit log hauling during the winter months, and in addition some of the bridges would have to be repaired. The present road, he said, will not stand up under logging traffic and unless the road is stabilized the probabilities are that the Commission will have to close it entirely for such traffic in order to keep it open for other traffic. Mr. Muir advised that he has discussed this matter with Lane County Court, which has agreed to pay one-third of the cost of the repair work; and has discussed the matter also with Mr. Swenson, who is willing to contribute an equal share of the cost if the state will pay the difference. The Engineer then suggested that such proposition might be acceptable if, after the repair work has been done, Lane County will consent to the removal of the Walton-Swisshome Section from the state secondary highway system and to the substitution therefor on such system of the Eugene-Veneta Section of the so-called Route "F" Highway. The Commission appeared favorably inclined toward such suggestion and instructed the Engineer to discuss the matter with the County Court and report the results thereof at the November meeting of the Commission.

A delegation, representing the Coast Highway Association, and consisting of the following members came before the Commission in the interests of the Oregon Coast Highway: Arch B. Sanders, Manager of the Association; County Judge A. H. Boice of Curry County; County Judge J. E. Norton of Coos County; W. E. Kelley of Port Orford; H. G. Kern and E. L. Peterson, of North Bend; C. H. Coe of Marshfield; County Judge Franklin E. Gilkey of Lincoln County; and County Commissioner James C. Barclay; H. L. Hull of Newport; J. W. Lundin of Nelscott; Al T. Walker of Ocean Lake; Edw. G. Smith of Gleneden Beach; County Judge Harland M. Woods and Commissioners E. G. Anderson and E. H. Lindsey, of Tillamook County; John Aschim, Chas. A. Ross, and A. T. Dolan, all of Tillamook; and S. G. Reed of Neahkahnie. Mr. Sanders headed the group and acted as spokesman. He referred to a program previously presented to the Commission by the Association, particularly to the following projects mentioned therein:

(1) Improvement of the Oregon Coast Highway from the south end of the Rogue River Bridge to the southerly limits of Gold Beach. Mr. Sanders said that the feeling of the people of this district is now against the rerouting of the highway and that they consider that it would be much better to simply improve the present highway, for which the property owners are willing to donate additional right of way 20 feet wide. He further stated that lack of approval by the Commission of a definite plan for the highway improvement at this place has delayed development in this town because the people are reluctant to spend their money to improve their properties without knowledge as to where the permanent highway is to be. Chairman Cabell outlined briefly the projects that the Commission now has under consideration in this vicinity; viz., the improvement at Bandon, which is now under way; the improvement at Brookings, which is also under contract; and the proposed improvement at Gold

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Beach, which, he said, the Commission has found it necessary to defer because of lack of funds and a decision as to where the highway is to be located. He also mentioned the proposed improvement at Port Orford, advising that this work also had to be postponed because it is a forest highway project and funds to finance the work have not been provided by the Federal Government.

(2) Complete the reconstruction of the Bunker Hill Section and continue the improvement to Coquille; also, rebuild the section between Marshfield and North Bend:- Mr. Sanders asked the Commission to give particular consideration to the Marshfield-North Bend improvement and to outline the work involved so there will be no gaps of inactivity until the entire project is completed. He suggested continuing projects as the best arrangement.

(3) Relocation of the highway between Newport and Otter Rock:- Mr. Sanders stated that the members of the Coast Highway Association are agreed that this project is of first importance when the Neahkahnie Mountain project is completed in northern Tillamook County. Chairman Cabell stated that this is a reasonable suggestion and that the Commission would give it careful consideration.

(4) Proposed relocation at Gleneden Beach:- Mr. Sanders advised that this project is not particularly important from the Association's standpoint and that they would prefer that the project be indefinitely postponed. He said that Mr. Carey, who owns considerable property at Gleneden Beach, has offered to give land as may be required to properly flatten the curve in the present highway at this point if the Commission will retain the present route.

Mr. Edward G. Smith, Gleneden, also urged the Commission to retain the present route of the highway past Gleneden Beach. He added that if the Commission feels that it must change the location, then they would like the work done as soon as possible so they can adjust their properties accordingly. Judge Gilkey endorsed Mr. Smith's remarks and stated that Lincoln County Court would prefer that the Highway Commission spend its money elsewhere.

Chairman Cabell replied that since he has been a member of the State Highway Commission it has been his policy in the laying out of new highways and in the reconstruction of old highways to provide for permanency, and the proposed realignment of the highway at Gleneden Beach is in conformity with such policy, and, so far as he personally is concerned, the adoption of the new line at Gleneden Beach is a closed issue because he believes that such location is best. He also said that the Commission many times is required to locate roads that result to the disadvantage of certain individuals but the Commission must look at these matters from the general public standpoint and must make its decisions in harmony therewith, which has been done at Gleneden Beach.

(5) Mr. Sanders then asked the Commission to authorize a location survey for the realignment of the Oregon Coast Highway south from the city of Tillamook to a point known as Pleasant Valley. He declared that the realignment of the highway at this location is imperative in the interests of motor-ing safety. He also inquired when the Commission intends to contract

the surfacing work on the Neahkahnie Mountain project and suggested that the Commission do not open this section for general public use until all of the surfacing and oiling work has been completed. He was informed by the Engineer that the construction season in this vicinity is short and it is doubtful that the road will be open for travel before the fall of 1941. However, the present plans are to take bids for the final project in November of this year.

The Attorney inquired about the extra right of way that will be required at Gold Beach in the event that the Commission elects to retain the present highway at that place, particularly as to the moving of buildings. Judge Boice gave as his understanding that the property owners are willing to donate right of way 20 feet wide on the east side of the highway, but expect the state to move the buildings. The Attorney then inquired as to the moving of the pole lines along this section. Judge Boice stated that he is not in a position to make any suggestions relative to this feature but that the County Court will cooperate with the Commission fully, to the end that a satisfactory solution may be reached.

Tillamook County Court, represented by County Judge Harland M. Woods and County Commissioners E. H. Lindsey and E. G. Anderson, conferred with the Commission relative to the federal aid secondary highway funds that have been programmed by the Commission for the improvement of the Fairview-Clemens Corner County Road. They gave as their understanding that the Commission proposes to improve the section of this road which extends northerly from Clemens Corner toward the Trask River Bridge, and asked the Commission to reconsider this decision and reallocate the funds to improve a section of what is known as the Long Prairie Road, beginning at the Oregon Coast Highway at a point known as Pels Corner and extending easterly about 2 miles to a junction with the Fairview-Clemens Corner Road, thence northerly to the crossing of the Trask River, or as far as funds will permit. They advised that the Long Prairie Road carries more traffic than the other and now has a right of way 60 feet wide, whereas the Fairview-Clemens Corner Road is not that wide and the county has no funds budgeted for purchase of additional right of way, a considerable amount of which would be needed because this road would have to be realigned.

The Engineer advised that the Long Prairie Road is not included in the partial system of federal aid secondary highways heretofore recommended to the Public Roads Administration, and it might require considerable time to secure approval of the change. Mr. T. M. Davis, Senior Highway Engineer of the Public Roads Administration, was present and suggested that the proposed change could be made if traffic justifies. After due consideration the Commission voted unanimously in favor of the change and instructed the Engineer to take action as may be necessary to secure the Government's approval thereto, provided no good reason can be found within the next few days for not doing so. The County Court was informed that they would be notified shortly if the change could not be made.

Judge Woods then inquired whether or not the Commission has as yet passed on the county's request for the designation of the Netarts Road as a

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state secondary highway. He was informed by Chairman Cabell that the Commission has not as yet acted on this matter but will do so when all three Commissioners are present.

Mrs. Victor C. Follenius and Mrs. P. L. Manser, of Hood River, came before the Commission as representatives of the Hood River Valley Garden Club and asked the Commission to select several sites along the Mount Hood Highway, between Hood River and Parkdale, for the establishment of roadside parks. They particularly asked for such parks at a place known as "View Point" and at "Moss Acres", near Odell. They said that if the Commission will acquire these sites the Garden Club will assume the responsibility for planting the areas, although it would expect the state to maintain them. They also suggested that the Commission acquire a small tract containing some lovely trees situate adjacent to the Mount Hood Highway at a place known as Fikes Corner. It was their thought that this area could be acquired by the state at small expense and that it could be developed very cheaply. They were informed that the Commission cannot give them an answer today but will refer the matter to the State Parks Superintendent for investigation and recommendation, and will let the Garden Club know as soon as a decision has been reached.

At 3:30 p. m. Chairman Cabell announced the award of contracts and sale of buildings, as follows, such awards having been previously approved by the Commission by unanimous vote:

"Rice Hill-Turkey Hill Section of Pacific Highway, in Douglas County. 2.22 miles grading and paving. Roy L. Houck, Salem, submitted the low bid for this project in the amount of \$116,456.00. Leonard & Slate, Multnomah, submitted the next-low bid in the amount of \$121,973.50. There were 3 higher bidders. The Commission has awarded this contract to Roy L. Houck, the low bidder, at his bid of \$116,456.00.

"Oakerman Ranch-Sage Hen Hill Section of the Central Oregon Highway, in Harney County. 6.88 miles grading, surfacing, and oiling. The low bid received on this project was that of E. L. Rigdon, Lapine, in the amount of \$89,198.25. The next-low bid was that of M. L. O'Neil & Son, Eugene, in the amount of \$108,939.15. There were 8 higher bidders. The Commission has awarded this contract too E. L. Rigdon, the low bidder, at his bid of \$89,198.25.

"Construction of maintenance building on The Dalles-California Highway, at Madras, in Jefferson County. Birkemeier & Saremal, Portland, submitted the low bid for this work, in the amount of \$9,589.50. Hart Building Company, Redmond, submitted the second-low bid in the amount of \$10,152.50. There were 2 higher bidders. This contract is awarded to the low bidders, Birkemeier & Saremal, at their bid of \$9,589.50.

"Sexton Mountain Section of the Pacific Highway, in Josephine County. 1.91 miles grading. The low bid submitted for this work

was that of M. L. O'Neil & Son, Eugene, in the amount of \$194,922.50. The next-low bid was that of Roy L. Houck, Salem, in the amount of \$246,782.50. There were 14 higher bidders. The Commission awards this contract to M. L. O'Neil & Son, the low bidders, at their bid of \$194,922.50.

"Bryant Hill-Trout Creek Section of the Santiam Highway, in Linn County. 4.21 miles grading, surfacing, and oiling. The bid of Fisher Bros., Oregon City, in the amount of \$79,195.50, using tar, was the low one submitted for this work. The second-low bid was that of E. C. Hall Company, Eugene, in the amount of \$80,988.50, also based on the use of tar. Neither of these contractors submitted a bid based on the use of asphalt. There were 5 higher bidders. The Commission awards this contract to the low bidders, Fisher Bros., at their bid of \$79,195.50, using tar.

"Tillamook Rock Production Project on the Oregon Coast and Wilson River Highways, in Tillamook County. Furnish approximately 8,800 cubic yards crushed rock or crushed gravel in stock piles. F.C. Feldschau, Tillamook, submitted the low bid for this work, in the amount of \$11,880.00. A. T. Dolan, Tillamook, submitted the next-low bid in the amount of \$12,672.00. There were 2 higher bidders. This contract is awarded to the low bidder, F. C. Feldschau, at his bid of \$11,880.00.

"Follett Ranch-Gold Canyon Section of the Wallowa Lake Highway, in Union County. 1.67 miles grading, surfacing, and oiling. The low bid received for this project was that of the Colonial Construction Company, Spokane, Washington, in the amount of \$99,351.00. The next-low bid was that of Leonard & Slate, Multnomah, in the amount of \$113,963.00. There were 6 higher bidders. This contract is awarded to the low bidder, the Colonial Construction Company, at its bid of \$99,351.00.

"Mosier-Seufert Rock Production Project on the Columbia River Highway, in Wasco County. Furnish approximately 9,000 cubic yards crushed rock or crushed gravel in stock piles. Rogers Construction Company, Dayton, Washington, submitted the low bid for this project, in the amount of \$12,977.60. M. L. O'Neil & Son, Eugene, submitted the second-low bid in the amount of \$13,502.00. There were 5 higher bidders. The Commission awards this contract to the low bidder, Rogers Construction Company, at its bid of \$12,977.60."

Sale of Buildings

"Sale, and removal from right of way, of residence building formerly owned by T. B. Garrison, situate on the west side of the Pacific Highway approximately 3 miles north of Oakland, Douglas County. No bids were received for the purchase of this building.

"Sale, and removal from right of way, of residence building

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formerly owned by Alice W. Jordan, situate on the east side of the Sandy River, approximately one-quarter mile east of Troutdale, Multnomah County. The Commission received only one bid for this building, it being that of Ralph T. Johnson of Troutdale, in the amount of \$60.00. The Commission approves the sale of this building to Mr. Johnson at his bid of \$60.00.

"Sale of restaurant property and equipment at Bandon, more particularly being the Koffee Kup Cafe and tract on which it is now established on the west side of the new Oregon Coast Highway at 3rd Street, Bandon. The Commission received no bids for the purchase of this property."

A committee from Oregon State College, consisting of S. M. P. Dolan, Associate Professor of Civil Engineering; Professor Fred O. McMillan, Head of the Electrical Engineering Department; and Burton Hutton, came before the Commission with regard to the Highway Commission's participation in radio broadcasts over the college station, KOAC. They thanked the Commission for assistance given during the past summer, making it possible for them to continue their activities during the period June 10 to September 10, and submitted a condensed report of the programs conducted over their station under the title "Oregon on Parade". Mr. Hutton, as director of the college radio station, reviewed in detail the work accomplished under this program and particularly pointed out that the appropriation authorized by the Commission to help defray expenses was not all used, there remaining a balance of \$292.00. Professor McMillan advised that the Highway Commission's cooperation was of considerable benefit to them in securing approval of their application from the Federal Communication System for an increase in power for their station from 1000 to 5000 watts. The work in changing over the station, he said, is now under way and must be completed by April 14, 1941. Professor Dolan asked the Commission to continue its participation in this work next year. It was his thought that much good could be accomplished for the state and the State Highway Department if the Commission would participate in one program each week during the school year and would repeat next summer the cooperation extended this year. He asked the Commission for an answer as soon as possible so they can arrange their programs accordingly.

The Engineer gave as his opinion that much good was accomplished by the "Oregon on Parade" program as conducted last summer and that the State Highway Commission has received much benefit therefrom. This is evident, he said, from numerous letters of approval that have been received from all parts of the state. After discussion, Chairman Cabell advised that the Commission would take this matter under advisement and would let the committee know as soon as possible whether or not it would continue to cooperate in this endeavor.

Messrs. A. F. Harvey and John Carlin, of the office of the Public Utilities Commissioner, were present and discussed with the Commission the matter of requiring log haulers to bring their trucks to a dead stop before crossing railroad tracks. Mr. Harvey stated that they have received from the

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Highway Commission a request that a clause be inserted in all special carrier permits issued hereafter requiring logging trucks to stop before crossing railroad tracks and that they would be pleased to comply therewith, but it will require the reprinting of all their forms, which they question is justified, because they do not believe that the loggers would read the conditions. He suggested, as an alternate method of notifying the loggers, the posting of signs at all railroad crossings. The Engineer objected to the signs as being too complicated and not workable. The Attorney gave as his thought that this is a matter for the legislature to pass on.

Mr. Harvey suggested that the order be not put into effect until after the meeting which has been called by the Public Utilities Commissioner for Monday, October 14, when matters pertaining to log hauling on public roads of this state are to be discussed by representatives of the various state departments who are interested. The suggestion was approved by the Commission, and the Engineer was instructed to attend such meeting and to report the outcome of the same at the Commission meeting to be held in November.

Mr. Harvey brought up for discussion the matter of fastening logging trailers on logging trucks when enroute from the dumping point to the woods. It was his thought that some provision should be made for securely fastening the trailer to the truck so it cannot fall off, as occurred recently in a logging operation in Coos County when a trailer fell off a truck as it was rounding a curve and smashed into a passing automobile, resulting in the death of the driver of the automobile. He suggested that provision be made in permits hereafter issued by the Public Utilities Commissioner for the fastening of the trailers to the trucks more securely, to avoid the recurrence of such an accident. The Commission approved the suggestion and referred the matter to the Engineer with instructions to work up a plan of remedy and report the same to the Commission at the next meeting.

Mr. E. J. Knutson, Oregon Agency Manager of the California Western States Life Insurance Company, was present and presented a plan of group insurance coverage for State Highway Department employees. The matter was discussed at some length and was referred by the Commission to Mr. J. W. DeSouza, Assistant Attorney, for investigation and report at the next meeting. He was authorized by the Commission to give Mr. Knutson a complete list of Highway Department employees.

The following persons, representing the Oregon State Federation of Labor and affiliated organizations, came before the Commission: D. E. Nickerson, Executive Secretary, B. R. Mathis, President, Portland Building and Construction Trades Council; F. W. Griffith, representing the Portable Engineers; E. Harland, representing Highway Crafts; John O'Neil, representing the Iron Workers; and Wallace Cramer, representing Truck Drivers. Mr. Nickerson headed the group. They asked the Commission to revise its wage scales and its classification of employees to conform more closely with the Union rates and classifications. Mr. Nickerson presented a copy of a resolution, being Resolution No. 52, adopted at the 33th Annual Convention of the Oregon State Federation of Labor, in which the Convention went on record " * * * supporting legislation to amend the law covering the Highway Department to the effect

that they include in their specifications covering all highway work done direct by the Commission or let by contract the Union rate for each craft employed on highway work; * * * * " He also presented a resolution, being resolution No. 26, in which " * * * * The Oregon State Building and Construction Trades Council appoint a committee of three and request the Oregon State Federation of Labor and the Portland Central Labor Council to approve this resolution and appoint a like committee to meet with the Governor of Oregon as soon as possible and prevail upon him to use his influence to assist us in having the Oregon State Highway Commission place the prevailing scale in all contracts let by the Commission."

This matter was discussed at considerable length with all members of the delegation expressing themselves relative thereto. Chairman Cabell advised that the State Highway Commission does not want to adopt the Union wage scale in connection with state highway work, although the Commission is willing to adopt a scale that will approach the Union scale. He further advised that the Commission will give this matter very careful consideration. The matter was thereupon referred to the Engineer for investigation and report.

Messrs. Joseph Woerndle and E. G. Bradle, Oregon City, were present and asked the Commission to allow them access to the new highway in Oregon City from the alley in Block 12, between 13th and 14th Streets, across state-owned property. Mr. Woerndle said that this is the only place in Oregon City where this condition exists and all that they are asking is simply permission to drive onto the highway from the alley, which means crossing a strip of state-owned property about 15 feet wide between the highway and the alley.

Chairman Cabell advised that this highway was constructed by the state to facilitate motor transportation through Oregon City and, in the opinion of the Commission, the best interests of the motorists would be served if access to the highway at this particular point were prohibited. He explained that when a highway is so constructed that access from adjacent private property is cut off, then it is the practice of the State Highway Commission to pay the property owner a certain amount as damages. However, he pointed out that such is not the case in this particular instance because the highway does not touch Mr. Woerndle's property but is separated therefrom by the alley, and his property is in exactly the same relative position with respect to the alley as it was before the highway was constructed. He further advised that the Commission, in acquiring right of way for this highway improvement, purchased land on the east side of the highway between 11th Street and Abernethy Creek bridge, beyond the limits of a standard-width right of way and now has under contemplation the landscaping of such area so as to improve the attractiveness of this section. Were the Commission now to allow access to the highway at this place, he added, it would not only defeat the purpose of the landscaping work but would also introduce additional hazards to highway traffic; hence the Commission is inclined to deny the request. Mr. Bradle presented a petition signed by eight owners of property in Block 12 of Oregon City, all of whom ask the Commission to grant this privilege of access to the highway. He suggested that if the Commission could not see its way clear to grant access from each lot, perhaps it would be willing to grant access for every two lots, and he offered to cooperate in the landscaping work if the

Commission would approve such alternate proposition. The Commission agreed to include this matter in its study of the landscaping project and to let Mr. Woerndle know as soon as a decision has been reached.

The Commission adjourned at 5:45 p. m., to reconvene the following morning in the same room.

Portland, Oregon, October 11, 1940

The State Highway Commission reconvened in regular session at 9:00 a. m. in the auditorium of the Public Service Building, with the same persons present and participating. Bids as follows for highway construction projects and for the installation of a traffic signal system in Klamath Falls were opened and read, in conformance with previously published notice, following which Chairman Cabell announced that the award of contracts would be made at 3:30 p. m. in the same room:

OREGON COAST HIGHWAY
NORTH MARSHFIELD AND MARSHFIELD-BUNKER HILL SECTIONS
GRADING AND PAVING

Roy L. Houck	\$101,373.30
Coco Bay Dredging Company	108,443.95
R. I. Stuart & Sons	111,863.30
McNutt Bros.	115,845.20

NORTH UMPQUA COUNTY ROAD
MUD HOLLOW-OAK CREEK SECTION - GRADING,
SURFACING, OILING

A. Milne	\$ 27,774.00
Coco Bay Dredging Company	28,713.00
A. S. Wallace	32,759.50
C. J. Eldon	36,713.50

COLUMBIA RIVER HIGHWAY
BLALOCK-LANG CANYON SECTION - GRADING, SURFACING, AND
BITUMINOUS MACADAM WEARING SURFACE; ALSO WIDENING OF CONCRETE BRIDGE

Roy L. Houck	\$118,530.00
K. L. Goulter	127,699.00
G. D. Lyon & Company	128,653.80
Berke Bros.	130,399.00
Leonard & Slate	132,124.50
E. L. Gates	141,226.50
J. A. Lyons	148,835.00
McNutt Bros.	155,802.50
Max J. Kuney	156,355.00
Sam Orino	171,629.50
C. J. Eldon	219,946.00

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JOHN DAY HIGHWAY
CONSTRUCTION OF MAINTENANCE PATROLMEN'S HEADQUARTERS AT SENECA

Fife & Company	\$19,532.25
Babler Bros.	21,287.75
McNutt Bros.	22,620.75
M. E. Meyers & Son	26,579.27

CENTRAL OREGON HIGHWAY
BURNS SECTION - GRADE WIDENING AND SURFACING

Chester T. Lackey	\$ 9,168.00
A. Milne	10,433.00

THE DALLES-CALIFORNIA HIGHWAY
WASCO COUNTY LINE-MADRAS ROCK PRODUCTION PROJECT

M. L. O'Neil & Son	\$10,539.00
Rogers Construction Company	11,460.00
A. S. Wallace	11,880.00
Fisher Bros.	12,360.00
R. O. Dail & Warren Bros.	12,540.00
Homer G. Johnson	15,150.00
D. C. and A. L. Williams	15,396.00
A. O. Ekstrom	16,500.00
McNutt Bros.	21,574.50

JOHN DAY HIGHWAY
IRONSIDES-BROGAN ROCK PRODUCTION PROJECT

M. L. O'Neil & Son	\$12,144.00
A. S. Wallace	13,260.00
Chester T. Lackey	13,260.00
Rogers Construction Company	13,645.00
D. C. and A. L. Williams	15,495.00

COLUMBIA RIVER HIGHWAY
TROUTDALE-ONEONTA SECTION - ROADBED TOPPING AND SLOPE PROTECTION

K. L. Goulter	\$ 67,935.00
Berke Bros.	72,938.00
C. J. Eldon	74,986.00
Leonard & Slate	87,780.00
Sam Orino	90,030.00
Homer G. Johnson	91,141.00
J. A. Lyons	91,501.00
E. H. Itchner	91,620.00
J. C. Papin	101,142.00
Porter W. Yett	104,500.00
White's Trucking Company	107,535.00
A. C. Greenwood Company, Inc.	113,860.00
McNutt Bros.	130,800.00

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LOWER COLUMBIA RIVER HIGHWAY
TUALATIN VALLEY HIGHWAY
BEAVERTON-AURORA HIGHWAY
CONSTRUCTION OF THREE CULVERTS

G. L. Potts	\$ 5,615.00
Lindstrom Bros.	5,779.00
C. J. Eldon	5,805.00
Verhei & Haworth	5,975.50
Grimstadt & Vanderveldt	6,200.00
Birkemeier & Sarenal	7,525.00
Babler Bros.	9,295.00
McNutt Bros.	9,375.00

TRAFFIC SIGNAL SYSTEM AT KLAMATH FALLS

Trowbridge & Flynn Electric Company	\$17,324.00
Tinling & Powell	19,482.00
Clifford A. Dunn	20,449.00

County Judge Nelson B. Higgs of Harney County was present and asked for the early improvement of the Hanley Lane Section of the Frenchglen Secondary Highway south of Burns, which, he said, is in particularly bad condition just now. He also renewed the county's request for other improvements which were brought to the attention of the Commission at its meeting in Burns on October 2, 1940. He was informed that the Commission will bear these projects in mind for consideration in the formulation of future construction programs. As to Hanley Lane, the Engineer was instructed, to keep this section in as good condition as is possible with maintenance crews.

Mr. V. B. Harroun, Carlton, Oregon, came before the Commission and requested reinstatement of his log-hauling permit which was cancelled by the Commission some time ago for violation of the provisions of the law and the rules and regulations of the Commission with respect to log hauling on state highways. It appears that Mr. Harroun was engaged in the transportation of logs on the Pacific Highway West during hours of darkness and was involved in an accident; and, due to the fact that his permit did not allow him to haul logs after dark, the Highway Commission recommended to the Public Utilities Commissioner the cancellation of the permit, which was done. Mr. Harroun said that he owns a number of trucks engaged in this class of service and that it is imperative that he be allowed to resume his hauling. He also said that these trucks have been out of service for more than two weeks. After discussion the Commission authorized reinstatement of the permit, with the understanding that a more drastic penalty will be imposed upon Mr. Harroun if he again violates the law or the regulations.

A delegation from McMinnville, consisting of Eugene Marsh, Lars Bladine, Ed Bayliss, Charles Ludeen and Art Baird, came before the Commission in the interest of the McMinnville-Sheridan Section of the Salmon River High-

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way. Mr. Marsh headed the group. They urged the Commission to reconstruct this section immediately because they are afraid that the highway will go to pieces entirely this winter, which will necessitate the posting of the road for reduced loads and will stop all log hauling, which is one of the main industries in their district.

Chairman Cabell explained the status of the Highway Department's funds and the plans of the Commission for the improvement of this highway, which, he said, include reconstruction of the highway from Portland to McMinnville before starting improvements west of that place. The Highway Commission, he said, is cognizant of the need of improvement to the McMinnville-Sheridan Section and expects to give the project fair consideration for construction next year but is not in a position to make any definite statement today in regard thereto because of the uncertainties existing with respect to federal aid funds which the Government may require be spent on roads of its choice from a military strategic standpoint. However, the Commission will do the best that it can. The Engineer advised that he would do everything possible to keep this road open for travel during the coming winter.

A delegation from Silverton was present and asked the Commission for assistance, financial and otherwise, in reconstructing the Silverton Section of the Cascade Secondary Highway, particularly where it extends over the hill in Silverton. Mr. R. B. Duncan headed the group, which included the following: Harry V. Carson, Glenn Briedwell, R. A. McClanathan, L. A. Standard T. T. Leonard, and Mrs. Zetta Schlador, the Mayor. They stated that the present highway right of way is 60 feet wide but the pavement is only 20 feet wide and that they have it in mind to secure a W.P.A. project to widen the grade and construct retaining walls, the present road being quite crooked, if the state will widen the pavement 5 feet on each side. He said that they are asking this to provide greater safety to traffic, and the city is not able to finance this undertaking alone, although it will sponsor a W.P.A. job. They suggested that all the state would be required to do is to furnish material for widening the pavement in order to take up the 25 per cent share of the cost that the city must provide. After considerable discussion the Engineer was instructed to make an investigation of the project sufficiently broad to ascertain whether or not the alignment of the highway is satisfactory and to determine the probable cost of the improvement. He was also instructed to discuss the matter further with the city officials and with the officials of the Works Progress Administration.

The Engineer reported the cost to construct the Terrebonne-Lower Bridge County Road from its junction with The Dalles-California Highway, at Terrebonne, westerly toward Lower Bridge, a distance of about 7 miles, as previously instructed by the Commission at the request of Deschutes County Court. He estimated the cost of this improvement at approximately \$41,580.00 and recommended approval of the improvement as a federal aid secondary highway project if the Public Roads Administration will offer no objections thereto, and provided the Cromite Company, which is served by this road, rebuilds its plant that was recently destroyed by fire, and provided further that Deschutes County will pay all the costs that cannot be paid with federal funds, including right of way. After discussion the Commission approved the recommendation and instructed the Secretary to so inform the County Court.

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The Commission adjourned at 11:45 a. m., to reconvene at 2:30 p.m. in the same room.

The Commission took luncheon with members of the Advisory Board on Publicity matters in the Oak Room of the Benson Hotel, following which, at 1:30 p. m., the Commission conferred with such committee in the Tyrolean Room of this hotel. Present at such meeting were Henry F. Cabell, Huron W. Clough, R. H. Baldock, H. B. Glaisyer, and Harold B. Say, representing the State Highway Department. Representing the Advisory Board were Merle Chessman, Chairman; Donald J. Sterling, Frank Jenkins, Charles H. Reynolds, Hugh Ball, R. R. Cronise, and E. B. McDaniel. Mr. Chessman asked to be excused on account of another engagement. Following his departure Mr. Sterling presided. He reported the action taken by the Advisory Board on the 1941 budget for the Travel and Information Department and advised that the Board recommends to the Commission a budget for 1941 in the amount of \$100,000.00, and also recommends the retention of the services of Botsford, Constantine, and Gardiner to carry on publicity work next year as in the past. He stated that the Board has given very careful consideration to these matters and recommends that, if the Highway Commission approves the \$100,000.00 budget for 1941, the money be spent approximately as follows: \$66,000.00 in magazine and newspaper advertising; \$22,650.00 for necessary literature, moving pictures, displays, postage, et cetera; and \$11,000.00 for salaries and miscellaneous office expense. He presented a recommendation of the Board, in writing, and advised that it was adopted by the board members by unanimous vote. Mr. Sterling also presented a letter from the Advisory Board stating that the Board has gone on record unanimously as being of the opinion that the present Non-Resident Registration Law is obsolete and should be repealed.

Chairman Cabell thanked the members of the Board for the excellent service rendered by them and advised that the Commission is very glad to have their recommendations and will give them due consideration at the earliest possible time. (The Commission approved the recommendations during the afternoon session, subject to concurrence by Commissioner Oliver, which was secured over the telephone later.)

The meeting was adjourned at 2:30 p. m., following which the Commission returned to its meeting in the Public Service Building.

The State Highway Commission reconvened at 2:30 p. m. in the auditorium of the Public Service Building with the same persons present and participating.

A delegation from Jackson County, representing the Jackson County Chamber of Commerce, was present. They were headed by Mr. Frank Hull, Manager, and the group included the following: County Judge J. B. Coleman and County Commissioners Ralph Billings and William Perry; George Howard, S. M. Tuttle, Earl Ulrich, S. M. Green, Ralph Koozer, Frank Van Dyke; and T. S. Wiley, Mayor of Ashland. They requested the following improvements:

Continued reconstruction on the Tiller-Trail Secondary Highway:--1.

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this connection they asked the privilege of meeting with the Commission when the next program is arranged for forest highway funds. They said that they are vitally interested in this road because it is an important outlet for timber products. They particularly asked the Commission to keep this road open during the winter season. They also asked the Commission for snow removal on the Diamond Lake Secondary highway from Union Creek to the junction with The Dalles-California Highway so the people of their district may have the benefit of the newly-constructed Willamette Highway during the winter months. They asked for immediate consideration of this request and an early decision by the Commission.

Additional improvement to the Little Butte Creek Secondary State Highway was also requested and snow removal on this road for the benefit of winter sports enthusiasts. County Engineer Paul B. Rynning gave as his understanding that the Commission is now making a survey for a possible project on this road, beginning at the end of the completed section, and advised that they consider such project of secondary importance and would greatly prefer that the Commission construct a 4-mile section further up in the mountains, which is impassable at certain times of the year. He also said that the road carries a large volume of traffic, and logging operations are being carried on quite extensively on the upper section, and improvement of the 4-mile section referred to is badly needed now so that the timber can be hauled to market. He also mentioned the need for a good road into the Lake of the Woods district where many people from the Medford district maintain summer homes. He pointed out that construction of this section would reduce the distance from Medford to the Lake of the Woods by some 13 miles. County Commissioner Perry endorsed Mr. Rynning's remarks. He described the 4-mile section mentioned by Mr. Rynning as the section between Soda Springs and the Butte Falls Road.

Chairman Cabell pointed out that there are already numerous roads through the Cascade Range, some of which are in an uncompleted stage, and the Commission is reluctant to construct any more roads across these mountains until the others are completed. He pointed out that this road serves a comparatively small amount of traffic; and whereas the Lake of the Woods district is a lovely place, the Commission does not feel that it can improve the road beyond Soda Springs because that is the end of the farming area and the limit to which federal aid secondary highway funds can be expended.

Mr. Van Dyke asked for the removal of the bottleneck on the Pacific Highway at the Plaza Corner in Ashland. He urged the Commission to make a careful study of this matter as soon as possible so that relief from the existing situation may be obtained expeditiously. Chairman Cabell advised that the Commission appreciates the need for this improvement but hesitates to start the project because of the precedent that would be established of doing work where the right of way cost involved greatly exceeds the construction costs. However, the Commission will be pleased to reconsider the project and will discuss it in the formulation of the next construction program if it appears that the establishment of such precedent can be avoided. County Commissioner Billings offered, on behalf of the County Court, free right of way for this project across county-owned land. Mr. Van Dyke added that he did not

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believe the Commission would experience much difficulty in acquiring right of way because the property owners have indicated they would be very fair in dealing with the Commission.

The Engineer at this time reported on the cost of snow-removal operations on the highways that are kept open each winter by the State Highway Department. He said that during the winter of 1939-40 the cost to keep the Old Oregon Trail open in the vicinity of Heacham was about 10 cents per car, based on the number of cars that traveled this section; while at Government Camp the cost was 35 cents per car. At Hogg Pass, on the Santiam Highway, the cost was 98 cents per car, and at Siskiyou Summit, on the Pacific Highway, where the volume of traffic is much heavier, the cost was 2 cents per car. He estimated that it would cost about \$8,000.00 to keep the Diamond Lake road open to travel from the middle of December to the middle of April, a period of 4 months; and, estimating traffic at 10 cars per day, which figure is based on the record kept by the officials at Crater Lake National Park, this would make the cost per vehicle approximately \$6.66 compared with the gasoline tax revenue from each vehicle of not more than 35 cents. He did not believe that the cost per car could be reduced below \$3.50 by any manner of calculations.

Chairman Cabell advised that the Commission is now studying the snow-removal problem and hopes in the not distant future to arrive at an answer that will be satisfactory, and whether or not any particular project is approved by the Commission will depend upon the Commission's investigation of such project and the results of the application of the yardstick that the Commission expects to set up for use in passing on projects of this kind. He inquired whether or not the delegation's request for snow removal on the Diamond Lake Road is based on the use of the road for recreational purposes only or for both recreational and commercial use. Mr. Hull replied that the basis of their request is on both types of traffic. Their primary purpose, he added, is to secure an outlet to the Willamette Highway because traffic over the road is increasing daily and cars and trucks are taking this route in preference to the Pacific Highway. Chairman Cabell concluded the discussion by stating that the Commission is favorably inclined to assume a reasonable subsidization of snow-removal projects but cannot say now just what it will or will not do to that end because there are so many of them throughout the state that must be considered. He reiterated that the Commission is studying the matter and will give them a final answer as soon as possible.

A Mr. Bryant of Sixes, Oregon, came before the Commission and asked the privilege of transporting logs over the Oregon Coast Highway from Sixes River to Bandon during Saturday afternoons and Sundays. The Commission denied the request and instructed the Secretary to consider such decision as final insofar as the Oregon Coast Highway is concerned throughout its entire length, and to give the same answer to all others requesting similar privileges on this highway.

At 3:30 p. m. Chairman Cabell announced the following awards of contracts for which bids were taken at the morning session, such awards having been previously approved by the Commission by unanimous vote:

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"North Marshfield and Marshfield-Bunker Hill Sections of the Oregon Coast Highway, in Coos County. 1.25 miles grading and paving. Roy L. Houck, Salem, was the low bidder for this work, his bid being in the sum of \$101,373.30. The Coos Bay Dredging Company of Marshfield submitted the next-low bid in the amount of \$108,443.95. There were 2 higher bidders. The Commission has referred all bids received on this project to the Engineer with power to award the contract to the low bidder when certain conditions have been fulfilled.

"Mud Hollow-Oak Creek Section of North Umpqua County Road, in Douglas County. 1.24 miles grading and 1.65 miles surfacing and oiling. A. Milne, Portland, submitted the low bid on this project in the amount of \$27,774.00. Coos Bay Dredging Company, Marshfield, submitted the next-low bid in the amount of \$28,713.00. There were 2 higher bidders. The Commission awards this contract to the low bidder, A. Milne, at his bid of \$27,774.00.

"Blalock-Lang Canyon Section of the Columbia River Highway, in Gilliam County. 2.80 miles grading, surfacing, and bituminous macadam wearing surface; also widening of a concrete bridge. The low bid for this project was that of Roy L. Houck, Salem, in the amount of \$118,530.00. The second-low bid was that of K. L. Goulter, Seattle, Washington, in the amount of \$127,699.00. There were 9 higher bidders. This contract is awarded to the low bidder, Roy L. Houck, at his bid of \$118,530.00.

"Construction of maintenance patrolmen's headquarters on the John Day Highway, at Seneca, Grant County. The bid of Fife & Company, Nyssa, in the amount of \$19,532.25, was the low one received for this work. Babler Bros., Portland, submitted the next-low bid in the amount of \$21,287.75. There were 2 higher bidders. This contract is awarded to the low bidder, Fife & Company, at its bid of \$19,532.25.

"Burns Section of the Central Oregon Highway, in Harney County. 0.40 mile grade widening and surfacing. Only 2 bids were received for this work, that of Chester T. Lackey, Ontario, being the low one, in the amount of \$9,168.00. The other bid was that of A. Milne, Portland, in the amount of \$10,433.00. The Commission awards the contract for this work to the low bidder, Chester T. Lackey, at his bid of \$9,168.00.

"Wasco County Line-Madras Rock Production Project on The Dalles-California Highway, in Jefferson County. Furnish approximately 8,400 cubic yards crushed rock in stock piles. M. L. O'Neil & Son submitted the low bid for this project in the amount of \$10,539.00. Rogers Construction Company, Dayton, Washington, submitted the second-low bid in the amount of \$11,460.00. There were 7 higher bidders. The Commission awards this contract to M. L. O'Neil & Son, the low bidders, at their bid of \$10,539.00.

"Ironsides-Brogan Rock Production Project on the John Day Highway, in Malheur County. Furnish approximately 7,500 cubic yards crushed rock in stock piles. The low bid received for this project was that of M. L. O'Neil & Son, Eugene, in the amount of \$12,144.00. The second-low bid was that of A. S. Wallace, Roseburg, at \$13,260.00. There were 3 higher bidders. The Commission has referred all bids received on this project to the Engineer with power to award the contract to the low bidder when certain conditions have been fulfilled.

"Troutdale-Coeur d'Alene Section of the Columbia River Highway, in Multnomah County. 4.2 miles rock roadbed topping and 2.8 miles rock embankment slope protection. The bid of K. L. Goulter, Seattle, Washington, in the amount of \$67,935.00, was the low one received for this work. That of Berke Bros., Portland, in the amount of \$72,938.00, was the second-low bid received on this project. There were 11 higher bidders. This contract is awarded to K. L. Goulter, the low bidder, at his bid of \$67,935.00.

"Construction of three culverts on the Lower Columbia River Highway, the Tualatin Valley Highway, and the Beaverton-Aurora Highway, respectively, in Multnomah and Washington Counties. G. L. Potts, Portland, submitted the low bid for this work in the amount of \$5,615.00. Lindstrom Bros., Portland, submitted the second-low bid in the amount of \$5,779.00. There were 6 higher bidders. All bids for this project have been referred by the Commission to the Engineer with power to award the contract to the low bidder when certain conditions have been fulfilled.

"Installation of traffic signal system in the City of Klamath Falls, Klamath County. Three bids were received for this installation. The bid of Trowbridge & Flynn Electric Company, Medford, was the low bid received, being in the amount of \$17,324.00. Tinling & Powell, of Spokane, Washington, submitted the second-low bid in the sum of \$19,482.00. The other bidder was Clifford A. Dunn, of Klamath Falls. The Commission rejects all the bids received for this work and has ordered the project readvertised."

Mr. Henry S. Coleman, Portland, came before the Commission in regard to the purchase of a small parcel of state-owned property situate between the old highway and the new highway near the Abernethy Creek Bridge, in Oregon City, and particularly situate in Block 14. He said that he has it in mind to purchase the privately-owned property which lies between the state's property and Main Street but before doing so must know whether or not he can obtain the state property because he needs both parcels in his plan of development, which includes the construction of a service station thereon with display rooms, et cetera. After considerable discussion Mr. Coleman was informed that the Commission would sell to him the desired property provided he would relinquish any rights that he might have to access to the new highway

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at this point. The Engineer pointed out a possible approach to the property via 15th Street, which would probably serve the purpose and would avoid the necessity of construction of a special approach across property that the Highway Commission plans to landscape. Chairman Cabell explained the plan of the Commission for the landscaping project. Mr. Coleman asked for time to study the matter. The Commission approved and instructed the Engineer to prepare a map of the situation and have the outline staked on the ground for Mr. Coleman's benefit. The action of the Commission in this matter was based upon the assumption that the owner of the private property situate between the highway right of way and Main Street was of the opinion, when he sold the rest of his property to the state, that he would have access to the highway as well as to Main Street, which places the matter in a different category from the Woerndle matter previously discussed at this meeting, in view of the fact that Mr. Woerndle's property was not disturbed and was not affected by the highway improvement.

Consideration was given by the Commission at this time to recommendations made by the Advisory Board on Publicity Matters at the noon conference. After discussion the Commission approved the recommendations by majority vote, subject to confirmation by Commissioner Oliver.

The matter of renewing of contracts with the several hospital associations that serve state highway department employees had the attention of the Commission. In connection therewith the Assistant Attorney reported receipt of a letter from the National Hospital Association wherein such association proposes to revise its agreement with the Commission covering the ensuing year so as to provide for the elimination of its obligation to furnish medicine, except in hospitalization cases, because of the losses that it has suffered in the past on this account. He advised that similar action is being taken by the other associations, and recommended renewal of the contracts for another year on such basis. The Commission approved the recommendation.

The Engineer requested instructions relative to the display of the American flag over highway department buildings. He advised that at the present time flags are flown only over the main shop buildings. He gave as his thought that they should also be displayed over the other buildings. The Commission concurred in the viewpoint of the Engineer and authorized him to make arrangements for the display of the flag over all highway department buildings, except the maintenance sheds.

A letter was presented from the Edward Hines Lumber Company in which the Commission was requested to authorize one of the state's oiling crews to do certain patching work on the runways of the Edward Hines Lumber Company's mill at Burns, at the company's expense. The Commission denied the request as a matter of policy.

Reconsideration was given by the Commission to the matter of reconstructing the Oregon Coast Highway through the town of Gold Beach. It was the Commission's decision, in view of the fact that objections have been raised by the local people to the proposed change in the highway route through this town, that it would be inadvisable to improve the highway on permanent alignment west of the present highway at this time, but to limit the new construction to a minimum highway project that would not involve the rerouting

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through the business district. The Engineer was instructed to prepare alternate plans for this improvement on such basis and report the same to the Commission at a future meeting together with an estimate of cost involved.

The Commission discussed the claim of Mrs. E. J. Wright, Sams Valley, Oregon, in the amount of \$15.00, covering the loss of ten turkeys which she alleges were trapped in road oil dumped by highway department forces in a borrow pit adjacent to the Sams Valley Secondary Highway near her home. The Engineer advised that this matter has been investigated and the allegations made by Mrs. Wright found to be correct. However, he explained that the oil was dumped in the borrow pit a number of years ago when the Department was not as careful about covering up waste oil deposits, and that it could not happen again under present rules and regulations. He recommended payment of the claim. The Commission approved the recommendation.

The advisability of adopting a policy with respect to the use of the Highway Department's scales in isolated districts for the weighing of privately owned trucks in determining the weight of such vehicles for use in obtaining licenses, was discussed by the Commission. The Engineer explained that, according to law, the license fee that must be paid for the registration of a truck is based upon the light weight of the vehicle, and it appears that in some isolated districts where no privately owned scales are immediately available, trucks must be driven a considerable distance to be weighed if the state's scales cannot be used for this purpose. He cited an instance in Curry County where it appears that the State Police refuse to weigh privately owned trucks on the state scales south of Bandon, and advised that when a truck is driven to a private scale the operator must pay the regular P.U.C. ton-mile tax for the trip, even though the truck is not loaded and the trip is entirely without profit to the owner. He requested instructions from the Commission as to the use of the state's scales in cases of this kind. A decision in the matter was deferred by the Commission pending consultation with Superintendent Charles P. Pray of the Department of State Police. The Engineer was instructed to discuss the matter with Mr. Pray.

The Engineer reported that, in conformance with authority previously granted him by the Commission, he has awarded the following contracts, the conditions of the awards having been satisfied:

Grading and bituminous macadam surfacing on the Troy Ranch Section of the Old Oregon Trail, in Baker County. Bids taken August 23, contract awarded September 10, 1940, to McNutt Bros., the low bidders.

Furnishing crushed gravel in stock piles for the Gold Hill Rock Production Project on Sams Valley and Pacific Highways, in Jackson County. Bids taken August 22, contract awarded August 28, 1940, to R. I. Stuart & Sons, low bidders.

The Commission confirmed the awards as reported.

The matter of changing the hour of opening of bids from 9:00 a. m. to 10:00 a. m. or 11:00 a. m. was discussed by the Commission. The Commission

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decided to make no change in the present practice of opening bids at 9:00 a.m.

The Engineer requested authority to purchase the following equipment:

- 1 electric lighting plant for Meacham maintenance headquarters. Estimated cost \$800.00.
- 1 jackhammer and auger, with necessary bits, for use in tunnel construction. Estimated cost \$240.00.
- 1 electric bench grinder. Estimated cost \$100.00.
- 1 electric drill for sign crew. Estimated cost \$45.00.
- 2 automobiles of Buick type for Construction Engineer H. G. Smith and Division Engineer K. D. Lytle, replacing worn-out cars. Estimated total cost, with trade-in allowance, \$1,600.00.

Also, radio equipment as follows:

- 1 50-watt radio transmitter for the Odell Lake maintenance headquarters. Estimated cost \$500.00.
- 14 new receiving sets, 14 old-type station receiving sets to be traded in. Estimated total cost \$1,820.00.
- 1 Hickok Model No. 155 Traceometer, for measuring defects in receiving sets. Estimated cost \$125.00.
- 1 R.C.A. model 312A portable field strength meter for measuring and comparing efficiency of transmitters, locations, and antennas. Estimated cost \$200.00.

The Commission authorized the purchase of all of such equipment and ordered that the purchases be made through the offices of the State Purchasing Agent in accordance with the usual practice.

In this connection the Engineer reported serious damage to two of the Highway Department's trucks engaged in work on the Wolf Creek Highway. One of them, he said, was tipped over a bank, completely wrecking the cab and the instrument board; and the other was damaged by fire which burned the entire cab and the instrument board. He estimated that it would cost about \$1,800 to rehabilitate the first of these trucks and about \$1,500 to rehabilitate the second one, and that it would require about 90 days to put them back in workable condition. He suggested that it would be advisable to trade in one of these trucks as part purchase price on a new one and that an attempt be made to collect from the Board of Control, under the provisions of the Restoration Act, the value of the one that was burned. The Commission approved the suggestion and so ordered.

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The Engineer rendered a brief report on the cost to construct the Wilson River Highway tunnel under contract, as compared with construction as a W.P.A. project. The Commission deferred a decision in the matter until next year.

A letter was presented from G. R. Van Vleet requesting permission to truck-haul logs on the state highway from Arch Cape, south of Cannon Beach, to Youngs River, south of Astoria. The Engineer reported that investigation has been made of the highway that Mr. Van Vleet must use in this operation and it appears that it would be possible, with care, to truck haul logs 40 feet overall in length over this route, which includes the section between Cannon Beach Junction and the town of Cannon Beach, where the highway contains many sharp curves. He recommended the granting of a permit to Mr. Van Vleet with the understanding that his loads will not exceed in length the 40-foot overall limit and that he will do no hauling whatsoever over the section between Cannon Beach and the Cannon Beach Junction during the period June 1 to September 15 of any year, when beach traffic is heavy. After discussion the Commission approved the recommendation unanimously and so ordered.

The Engineer reported the results of investigations to improve the parking area adjacent to the Oregon Coast Highway at the mouth of Devils Lake, in Lincoln County, which involves the construction of a sea wall. He estimated the cost of a timber sea wall and parking area at \$30,000 and a sea wall of concrete at \$47,000. In view of the cost involved the Commission decided unanimously not to assume any responsibility in connection with this matter and thereupon denied the request of local citizens for this improvement.

The Engineer reported on investigations for the proposed extension of the Odell Secondary State highway, in Hood River County. He said that traffic counts taken over two main routes between Odell and the Hood River Secondary State Highway, one of which passes through a place known as Summit and the other joins the Hood River Secondary Highway at Tucker Bridge, reveal that the Odell-Tucker Bridge route carries more than twice as much traffic as the other. He recommended adoption of the Tucker Bridge route when the Commission is ready to extend this secondary state highway. The Commission approved the report and indicated that it would place this road on the state secondary highway system in the near future when all commissioners are present.

The Commission discussed a proposed revision in the plans for the ultimate routing of the Pacific Highway through Eugene, particularly the suggestion for two-way traffic along High Street between East Broadway and Sixth Avenue, along which section the original plan provided for one-way traffic. The Engineer advised that the proposed change has been investigated and it is estimated that the right of way for the same will cost approximately \$75,000, whereas the estimated cost of construction is about \$30,000. He recommended against the change. The Commission approved the recommendation unanimously and decided not to make any change unless that is considered advisable after the one-way traffic arrangement has been given a trial.

The Engineer reported the cost to reconstruct the Crater Lake Highway through the town of Fort Klamath, as has been requested by the Civic

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Improvement Club of that place. He said that drainage conditions in Fort Klamath have been bad for a number of years and many complaints and requests for improved conditions have been received from local people. He estimated that to entirely remedy the condition would cost about \$10,000.00, which would include raising and widening the present oiled surface and installing suitable drainage facilities. Temporary relief from the condition, he said, would be obtained by the installation of three culverts, which would cost about \$400.00. He recommended that he be authorized to proceed with the construction of the culverts. The Commission approved the recommendation.

The Commission discussed briefly a report from the Engineer on investigations that have been made of the ocean beach areas in Lincoln County, between Waldport and Roads End, for the establishment by the Commission of a policy with respect to the removal of sand and gravel from such areas. The Commission deferred a decision in the matter until a later meeting when all commissioners are present. The Secretary was instructed in the meantime to send a copy of the report to each commissioner for his advance information.

A request was presented from the office of Governor Charles A. Sprague for the installation of a traffic signal on the Oregon Coast Highway at its intersection with the road leading to Camp Clatsop, in Clatsop County, as a safeguard for highway traffic during the time that troops are concentrated at this camp. The Engineer recommended the installation of a flashing beacon at this point, which he estimated would cost about \$130.00. The Commission approved the recommendation.

The Engineer also recommended the installation of a fixed time signal at the intersection of First and Ellsworth Streets in the city of Albany, provided the city will pay one-half the cost of the equipment and installation and the entire cost of operating the same. He estimated the cost of the installation at \$1,400.00. He explained that this intersection is at the Albany end of the Willamette River Bridge and is near the center of the Albany business district where there is very heavy traffic congestion, hence, in the opinion of the Traffic Engineer, the signal is really needed. He also advised that the proposed installation has been approved by the city authorities and that the city has tentatively budgeted sufficient funds to pay its share of the cost. After discussion the Commission approved, by unanimous vote, the installation of this signal as recommended by the Engineer and ordered that the matter be covered by appropriate agreement between the city and the state.

A letter was presented from the Lake of the Woods Summer Home Association, Klamath Falls, urging the Commission to complete, at an early date, construction of the highway extending from Eagle Point, in Jackson County, through the Lake of the Woods district, to Klamath Falls. The Commission deferred action on this matter pending its inspection of the road.

The Commission discussed a request from the City of Amity for a traffic-controlled school crossing and an overhead flashing beacon installation at the intersection of the Pacific Highway West with the secondary state highway in Amity, and for fill widening and footpath construction along the Pacific Highway West in the northern part of their town. The Engineer

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advised that the Traffic Engineer, Mr. John Beakey, has been in consultation with the city officials relative to the installation of the traffic signals and it now appears that they have changed their attitude with respect thereto. He further advised that the matter of constructing the fill and footpath has been investigated by Division Engineer, F. D. Eason, who estimates that such improvement would cost about \$1,500.00. He requested instructions. The Commission deferred a decision in this matter pending study of the Engineer's report on a state-wide footpath or sidewalk construction program. The Engineer was instructed to render such report at the next meeting, when the Commission will consider the selection of a few of such projects for construction in 1941.

A petition was presented from residents of Creswell, Oregon, and vicinity, requesting the oiling of the Springfield-Creswell Secondary State highway from the Coast Fork Bridge to the Cloverdale Bridge, east of Creswell. The Engineer advised that investigation indicates that such improvement will cost about \$32,000.00. In view of the expense involved and the shortage of funds available, the Commission decided that it could not undertake this improvement now, and thereupon denied the request.

A request was presented from the Warner Timber Company for the improvement of a 5-mile section of the Siletz Secondary Highway, in Lincoln County, from Kernville southerly toward the town of Siletz, so as to provide road facilities over which to truck-haul logs from this district. The Commission decided to consider this project in the formulation of its next construction program and instructed the Engineer to bring it to the Commission's attention at that time.

A letter was presented from South Tillamook County Chamber of Commerce, Cloverdale, Oregon, requesting the improvement of the 1½-mile section of the Little Nestucca Secondary Highway from its junction with the Meda Loop County Road to its junction with the Oregon Coast Highway. The Engineer advised that this road carries a large volume of traffic consisting mostly of logging trucks, and that the present road is not in condition to withstand such traffic. The Commission decided to give this road consideration in the formulation of future highway construction programs.

The Engineer requested authority to enter into a contract agreement with the Burroughs Adding Machine Company with respect to the servicing of a special type of bookkeeping machine that is in use at the State highway Department's Shops in Salem. He advised that the annual rate of furnishing such service is \$45.80. The Commission approved the request and authorized the Engineer to sign the contract in behalf of the Commission.

A letter was presented from the Waterford Lumber Company, Marshfield, requesting reimbursement in the amount of \$283.92 for cash expended in connection with the maintenance of the 5-mile section of the Coos River Secondary Highway north of Allegany, which section was added to this highway some time ago pursuant to agreement with Coos County when the county decided to the state certain property now known as Golden Falls State Park. The Company alleges that when this property was conveyed to the state the state

agreed, in writing, to spend approximately \$10,000.00 for the improvement of this 5-mile section but has not fulfilled its obligation. The Engineer advised that the company's statement is erroneous because the records disclose that the Highway Department spent \$10,054.84 on this section during the winter of 1936-37, and additional sums for maintenance during subsequent years. He recommended, in view thereof, that the Commission refuse to pay this claim. The Commission considered that its obligation in this matter has been fulfilled and instructed the Secretary to so inform the company.

The Commission discussed a petition signed by 94 employees of the State Highway Department residing in Coos and Curry Counties, requesting a 10% increase in wages per hour because of the excessive costs of living in that part of the state. The Engineer advised that according to a survey conducted by the National Youth Association some time ago there are six localities in the state where living costs are higher than they are at Marshfield; further, that it would be practically impossible to adjust wages throughout the state on the basis of living costs. If any increase in wages is allowed at all, he said, it should be state-wide in character and not for the benefit of any particular locality. However, he recommended against such increase at this time. After due consideration of the matter the Commission approved the recommendation and instructed the Secretary to inform the petitioners that their request had been denied by the Commission because investigation of living conditions throughout the state indicates that those in Coos and Curry Counties compare favorably with those in other parts of the state.

A request was presented from the Corvallis Park Board for assistance from the State Highway Department in the design of a bridge to span Marys River, which will provide a connection along 15th Street in Corvallis with the city park, known as Avery Park. The Engineer explained that the Board is simply asking the Highway Department to design this structure, which he estimated would cost about \$75.00. He recommended approval of the request. The Commission approved the recommendation if an expenditure of state funds for the purpose is legal.

The Commission authorized the Secretary to sign permits in favor of the Avondale Construction Company and Drake, Wyman & Voss, authorizing each of these contracting firms to occupy narrow strips along the north side of Court Street, between Liberty Street and Commercial Street, in Salem, during the reconstruction of certain business buildings at this location, such areas being required by these contractors upon which to maintain a sidewalk for the use of pedestrians during the time that construction work is under way. In this connection the Engineer gave as his thought that the Commission should adopt a policy to be followed hereafter when cases such as the two now being considered arise, and suggested that blanket authority be granted to issue permits for the occupation of space that is used in the parking of automobiles parallel with the curb. The Commission approved the suggestion and so ordered.

The Commission discussed a complaint from Warren-Northwest, Inc., protesting the assessment of the engineering penalty imposed upon them for failure to complete their contract No. 2180 covering the construction of the

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Deschutes Oiling Project within the specified time limit. The Engineer advised that the penalty amounts to \$215.80 and represents extra engineering expense incurred by the state on this job between August 1 and August 19, 1939, after the expiration of the completion date, July 31, 1939, specified in the contract. He further advised that he has investigated this complaint and is satisfied that the contractor did everything possible to complete the job on time and does not deserve the penalty, although the Public Roads Administration, which is concerned because federal funds are being used to assist in financing the work, insists that the penalty be imposed. Otherwise, the state will have to assume the expense without any possibility of securing reimbursement from the Government. After discussion the Commission decided to reduce the penalty 50 per cent and to take its chances on securing reimbursement from the Government.

The matter of granting to the Standard Stations, Inc., an extension of time for the removal of its buildings from the right of way of the Pacific Highway West at the Denver and Union Avenue intersection in Portland, had the attention of the Commission. The Engineer pointed out that no decision has yet been reached as to whether the proposed highway revision at this point will be in the form of channelization of traffic or grade traffic separation, so the company is at a loss to know just how to reestablish its buildings and hesitates to do anything about the matter until a definite plan for the highway improvement has been adopted. He gave as his thought that a final decision will be reached by the Commission within the next six months and recommended, in view thereof, that the Standard Stations, Inc., be granted an extension of time of six months, or until March 29, 1941, in which to move its buildings. The Commission approved the recommendation and so ordered.

The Commission discussed, but deferred action on, the matter of allowing so-called "soap-box Derby" contests to be conducted along 82nd Street, in Portland, the route of the Cascade Secondary Highway.

A letter was presented from Mr. Walter E. Koch, Brightwood, Oregon, requesting the privilege of trucking logs over the new highway in Oregon City from 14th Street to Main Street, enroute to the paper mills at this place, because he has been prohibited by the city from hauling logs along Main Street between these points. It was the thought of the Commission that the truck-hauling of logs over either of these routes is very objectionable from the public safety standpoint and that an undesirable hazard would be introduced to highway traffic if logging trucks were allowed to enter the new highway at 14th Street. However, the Commission recognized the necessity of delivering the logs to the mill. The suggestion was made that the hazard created by trucks entering the highway at 14th Street could be avoided by the installation of a traffic signal at such intersection. After discussion the Commission approved the suggestion and instructed the Engineer to install the signal as soon as possible. The Secretary was instructed to inform Mr. Koch of the action taken and to advise him that the Commission would authorize him to haul logs over this highway between 14th Street and Main Street after the traffic light has been installed; but in the meantime he must endeavor to make arrangements for the use of Main Street.

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A letter was presented from Ralph E. Ray, Coburg, Oregon, requesting the reinstatement of his permit allowing him to transport logs over the Pacific Highway south of Springfield, Lane County, which permit was canceled because of Mr. Ray's failure to remove from the state highway right of way some logs dropped from his truck. The Secretary advised that Mr. Ray has now removed the logs, so has complied with the ruling of the Commission in that respect; further, that Mr. Ray's truck has been out of service for 26 days. The Commission considered that Mr. Ray has been punished sufficiently for this first offense and thereupon authorized reinstatement of the permit.

The matter of continuing the W.P.A. landscaping project on the Canyon Road, in Portland, was considered by the Commission. The Commission approved the project, providing for a total expenditure of \$28,467.00, of which amount \$21,037.00 represents the contribution to be made by the W.P.A. for labor and miscellaneous supplies, and authorized the Engineer to sign the necessary papers.

The Commission approved the granting of a permit to the Arrow Transportation Company to move one combination tank truck and trailer, 60 feet overall in length, over state highways enroute from the State of Washington to the State of California and return, provided the company will furnish insurance coverage in the customary amounts.

A request from the Arrow Transportation Company, Portland, for renewal of the permit granted by the Commission last winter authorizing an overload of 700 pounds on each of its trucks, being the weight of certain equipment that is used in the sanding of pavements when slippery, was discussed and referred to the Engineer for investigation and recommendation.

The Engineer presented a list of surveys that he has ordered since the last meeting of the Commission and asked the Commission to confirm them and the amounts allocated for each. After due consideration the Commission authorized and instructed the Engineer to make such location surveys on various sections of the highways of this state, which said sections of highways, together with their identifying location survey numbers and the amounts authorized and allocated for such survey expenditures are as follows:

Plans - - - -	2-1422 -	Blodgett Section, Newport-Corvallis Highway, Benton County	1st authorization - \$600.00
Quarry - - - -	103-1427 -	Marion County Line-Kaylor Corner Section, Cascade Highway, Clackamas Co.	1st authorization - \$105.00
Plans - - - -	103-1424 -	Clackamas Grade Separation, Cascade Highway, Clackamas County.	2nd authorization - \$500.00
			Total to date \$1,500.00
Bench mark - -	4-1437 -	Warrenton-Hebo Section, Oregon Coast Highway, Clatsop County.	1st authorization - \$185.00
Plans - - - -	4-1436 -	Hug Point-Manzanita Junction Section, Oregon Coast Highway, Clatsop Co.	1st authorization - \$460.00

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Plans - - - - 4-1438 - Mecanicum Maintenance Headquarters, Mecanicum Highway, Clatsop County. 1st authorization - \$150.00

Plans - - - - 4-2821 - Sunset Camp-Nehalem Section, Wolf Creek Highway, Clatsop County. 3rd authorization - \$500.00
Total to date \$1,600.00

Plans - - - - 4-1439 - Valmer Creek Section, Wolf Creek Highway, Clatsop County. 1st authorization - \$300.00

Plans - - - - 104-1440 - Truck Scales Site, Nehalem Highway, Clatsop County. 1st authorization - \$100.00

Location - - - 4-1441 - Cannon Beach Junction-Hug Point Section, Oregon Coast Hwy, Clatsop Co. 1st authorization - \$2,150.00

Plans - - - - 4-1442 - Astoria-Svenson Section, Columbia River Highway, Clatsop County. 1st authorization - \$92.00

Plans - - - - 5-1422 - Columbia City-St. Helens Section, Columbia River Hwy, Columbia County. 1st authorization - \$500.00

Reconn. - - - - 7-1413 - Sisters-Redmond-Prineville Section, McKenzie & Ochoco Highways, Crook Co. 1st authorization - \$1,950.00

Reconn. - - - - 8-1414 - Gold Beach-Brookings Section, Oregon Coast Highway, Curry County. 1st authorization - \$4,810.00

Right of Way - 9-1434 - Redmond-Bend Section, The Dalles-California Hwy, Deschutes County. 1st authorization - \$500.00

Tests - - - - 109-1435 - Lava Falls-East Forest Boundary Section, Century Drive Hwy, Deschutes Co. 1st authorization - \$200.00

Plans - - - - 109-1436 - Lava Falls-East Forest Boundary Section, Century Drive Hwy, Deschutes Co. 1st authorization - \$480.00

Tests - - - - 9-1437 - Millican-Brothers Section, Central Oregon Highway, Deschutes County. 1st authorization - \$350.00

Right of Way - 9-1438 - Sisters Scale Site, McKenzie Highway, Deschutes County. 1st authorization - \$75.00

Location - - - 10-1428 - Glendale Junction - Wolf Creek Section, Pacific Highway, Douglas County. 1st authorization - \$8,500.00

Plans - - - - 11-1411 - Maintenance Headquarters at Condon, John Day Highway, Gilliam County. 1st authorization - \$50.00

Plans - - - - 114-1416 - Dee-Parkdale Section, Hood River Highway, Hood River County. 1st authorization - \$4,200.00

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Plans - - - - 18-2848 - Klamath Agency-Hodoc Point Section, The Dalles-California Hwy., Klamath Co.
1st authorization - \$800.00

Aero - - - - 18-1450 - Klamath Falls and vicinity, Klamath County.
1st authorization - \$450.00

Tests - - - - 18-1451 - Klamath Falls Vicinity, Various Highways, Klamath County.
1st authorization - \$600.00

Location - - - 18-1452 - Hodoc Point-Barclay Springs Section, The Dalles-California Hwy., Klamath Co.
1st authorization - \$3,200.00

Plans - - - - 21-1440 - Yachats-Lane County Line Section, Oregon Coast Hwy., Lincoln County.
1st authorization - \$50.00

Plans - - - - 21-1441 - Scott Creek-Benton County Line Section, Alsea Highway, Lincoln County. 1st authorization - \$5,650.00

Lighting - - - 26-1446 - Union Avenue, Portland; Pacific Highway, Multnomah County.
1st authorization - \$150.00

Plans - - - - 26-1438 - East End Steel Bridge, Portland; Pacific Highway West, Multnomah Co. 2nd authorization - \$2,000.00
Total to date \$4,000.00

Location - - - 31-1418 - Cricket Flat-Minam Section, Wallowa Lake Highway, Union County. 3rd authorization - \$1,500.00
Total to date \$6,500.00

Location - - - 33-1427 - Big Eddy-Dune Section, Columbia River Highway, Wasco County.
1st authorization - \$1,950.00

Right of Way - 135-1415 - Service Creek-Mitchell Section, Service Creek-Mitchell Highway, Wheeler Co. 1st authorization - \$100.00

Right of Way - 35-1414 - Mitchell-Grant County Line Section, Ochoco Highway, Wheeler County. 1st authorization - \$100.00

The Commission considered the following requests for extensions of time within which to complete highway construction projects:

E. C. Gerber, Contract No. 2155, for bituminous macadam surfacing on the Mecanicum-Mehalem River Section of the Wolf Creek Highway, in Clatsop County, requested an extension of time from September 30, 1939, to July 14, 1940, within which to complete this project. He gave no reason for failure to complete the work within the specified time limit. The Engineer advised that this contract was awarded to Mr. Gerber on January 26, 1939, and that the date of

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completion specified was September 30, 1939. He further advised that in his estimation there is no valid reason why the contract should not have been completed within the time limit specified. He recommended, in view thereof, that the extension of time now requested be granted but that Mr. Gerber be charged with all engineering supervision expense incurred by the state subsequent to the date of completion specified in the contract except that incurred during the period October 13, 1939, to May 31, 1940, when, because of adverse weather conditions, the work was shut down on orders from the State Highway Department. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation unanimously.

Porter W. Yett, Contract No. 2220, for grading and paving the Warren-Scappoose Section of the Columbia River Highway, in Columbia County, requested an extension of time of 30 days, from August 31 to September 30, 1940, within which to complete this project. Mr. Yett stated that the paving work, including the shoulder construction, was finished on August 24 and that the road was completely open for traffic on that date. However, the Engineer subsequently ordered additional paving on the North Scappoose Bridge, which operation required until September 6 to complete, and that the only other work remaining is the burning of some brush, which will be accomplished as soon as he can obtain a fire permit. The Engineer advised that this contract was awarded on September 28, 1939, and the date of completion specified was August 31, 1940. The grading and paving work, he said, was completed on August 24, prior to the specified date of completion, and the road has been open to traffic throughout since that time. All of the work on the job, he said, was completed on September 17, 1940, the overrun in time limit being required to install sight posts and mail boxes, place additional pavement material on the North Scappoose Bridge, and clean up brush and ditches, which clean-up work could not be done until a fire permit had been obtained. He asserted that he knew of no valid reason why the contract should not have been completed within the specified period and accordingly recommended that the extension of time requested be granted subject to the condition that the contractor reimburse the state for engineering supervision expense incurred by the state subsequent to the specified date of completion. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation unanimously.

Gus Reichow, Contract No. 2238, for rock production on the Waldport Section of the Oregon Coast and Alsea Highways, in Lincoln County, requested an extension of time from May 31, 1940 to June 8, 1940, within which to complete this contract. He gave no reason for failure to complete the work within the specified time limit. The Engineer advised that this contract was awarded on November 2, 1939, and that May 31, 1940, was specified as the date of completion of the project. He pointed out that the extension of time requested amounts to only 8 days and recommended, in view of the fact that

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failure of the contractor to complete the contract within the specified time limit did not inconvenience or discommode traffic and did not materially increase the state's expense for engineering supervision, that the extension of time requested be granted without penalty. The Commission approved the recommendation unanimously.

R. I. Stuart & Sons, Contract No. 2254, for grading and paving the Reedsport (12th Street to 15th Street) Section of the Umpqua Highway, in Douglas County, requested an extension of time of 3 days, from July 31 to August 3, 1940, within which to complete this project. They alleged that the job was actually completed within the specified time period but they could not perform the necessary clean-up until the pavement had properly cured, which necessitated an over-run of time of 3 days. The Engineer advised that the principal reason for failure of the contractor to complete the project within the specified time was the difficulty in securing prompt shipments of cement. He recommended, in view thereof, that the extension of time requested be granted without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

Tidepoint Company, Contract No. 2264, for surfacing and oiling the Summit-Mist Section of the Mist-Clatskanie Secondary Highway, in Columbia County, requested an extension of time of 30 days, from August 31 to September 30, 1940, within which to complete this project. They attributed their failure to complete the project within the specified time limit to adverse weather conditions which interfered with the oiling operations. The Engineer advised that this contract was awarded on January 11, 1940, but work was not started until a considerable period of time had elapsed after the award, which is the principal reason that the contract was not completed within the specified time. He recommended, in view of the circumstances, that the extension of time requested be granted but that the contractor be charged with the expense incurred by the state for engineering supervision subsequent to the specified date of completion. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

Barham Bros., Contract No. 2269, for construction of a partial viaduct on the Water Street route of the Pacific Highway East, in Oregon City, Clackamas County, requested an extension of time of 35 days, from August 31 to October 5, 1940, within which to complete this project. They attributed their failure to complete the job within the specified time limit to the fact that they were not permitted to commence work until March 13, 1940, and that there were several changes made in the retaining wall and sidewalks which caused additional delay. The Engineer advised that the contract was awarded on January 12, 1940, but that the contractor was not allowed to commence work until March 13, 1940, because of the failure of the house-moving contractor to remove several buildings which occupied the site, over which work Barham Bros. had absolutely no

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control. He recommended, in view of the circumstances, that the extension of time requested be granted without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

R. O. Dail & Warren Bros., Inc., Contract No. 2282, for surfacing and oiling the Warm Springs Agency-Vanora Section of the Warm Springs Secondary Highway, in Jefferson County, requested an additional extension of time of 30 days, from August 30 to September 30, 1940, within which to complete this project. They attributed their failure to complete the project within the specified time limit to the fact that it took a little longer to complete their contract, No. 2277 (surfacing and oiling the Miles Bridge-Baker and Baker-Salisbury Sections of the Medical Springs Secondary and Baker-Unity Highways, in Baker County), than was anticipated, and that they lost an additional 4 days of time in doing a small oiling job for Mr. Guy Norris at Joseph, Oregon, all of which work the Division Engineer in that district desired completed as soon as possible. The Engineer advised that the reasons given by the contractor for failure to complete the project within the specified time limit are correct and that it was with his approval that the contractor completed the Baker County work before finishing the Warm Springs Highway project. He pointed out that the Commission, at its meeting on August 22, 1940, extended the time limit on the project from July 31, the specified date of completion, to August 30, 1940, subject to the condition that the contractor reimburse the state for engineering expense incurred subsequent to the specified date of completion. However, at that time the real reason for the delay was unknown inasmuch as the work upon which the contractor was employed was located in two different divisions. He recommended, in view of the circumstances, that the penalty previously imposed be canceled and that the extension of time from July 31 to September 30, 1940, be granted without penalty. The Commission approved the recommendation.

J. C. Compton, Contract No. 2286, for oiling the Service Creek-Branson Creek Section of the John Day Highway, in Grant and Wheeler Counties, requested an extension of time of 3 days, from July 31 to August 3, 1940, within which to complete this job. He gave no reason for failure to complete the project within the specified time limit. The Engineer advised that the 3-day overrun of time limit was occasioned by the fact that he ordered the contractor to place the binder course on the Union-Catherine Creek project, in Baker County, where the roadbed was raveling badly, before doing the oiling work on the Service Creek-Branson Creek project. He recommended, in view of the circumstances and for the further reason that the traveling public has not been inconvenienced by the delay, that the extension of time now requested be granted without penalty. The Commission approved the recommendation.

Norris Bros., Contract No. 2287, for surfacing and oiling the

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Lick Creek-Salt Creek Section of the Little Butte Secondary Highway, in Jackson County, requested an extension of time of 45 days, from July 31 to September 14, 1940, within which to complete this job. They attributed their failure to complete the project within the specified time limit to difficulty encountered by Rogers Construction Company, subcontractors, in working their gravel pit in connection with the Butte Falls Project, State Highway Contract No. 2223, and to bad weather conditions during April and May which prohibited the moving of heavy crushing equipment to the job. The Engineer advised that this contract was awarded on February 16, 1940, and provided that the work should be done by July 31, 1940. However, the contractors did not start operations until July 8, 1940, the reason being that they contracted to do more work than they could handle expeditiously. He said that he knows of no reason why the contract should not have been completed within the specified time limit and recommended the granting of the extension of time now requested subject to the condition that the contractor reimburse the state for engineering expense incurred subsequent to the specified date of completion. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

J. C. Compton, Contract No. 2289, for oiling the Union-Catherine Creek Section of the Medical Springs Secondary Highway, in Union County, requested an extension of time of 30 days, from July 15 to August 15, 1940, within which to complete this project. He gave no reason for failure to complete the project within the specified time limit. The Engineer advised that the failure of the contractor to complete this project within the specified time was due to the fact that he had several other oiling jobs under way which had to be completed before he could move his equipment onto this job. The traveling public, he said, has been caused some inconvenience, as it was necessary to travel a gravel road a month longer than if the project had been oiled within the specified time; also, the state has incurred a small amount of extra expense for engineering supervision on account of the delay. He recommended, in view of the circumstances, that the extension of time requested be granted but that the contractor be charged with the engineering costs incurred by the state subsequent to the specified date of completion. The Commission approved the recommendation.

Norris Bros., Contract No. 2299, for grading, surfacing, and oiling the Castor Ranch-Joseph Section of the Hurricane Creek County Road, in Wallowa County, requested an extension of time of 7 days, from August 31 to September 7, 1940, within which to complete this project. They attributed their failure to complete the project within the specified time limit to the nature of the material pit, which proved to be much more difficult to work than was anticipated, and uncertainty as to when the oiling work could be performed. The engineer advised that in his opinion the material pit, while difficult to handle, was no more so than should have been anticipated inasmuch as test holes were excavated to show the nature of the pit;

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further, that no uncertainty should have resulted as to the time of the oiling if the grading and surfacing work had been completed on time. It was his thought that the real reason for the failure of the contractors to complete the project within the specified time was negligence on their part in failing to commence the work at an earlier date. He recommended, in view thereof, that the extension of time requested be granted but that the contractors be required to reimburse the state for extra engineering expense incurred subsequent to the specified date of completion. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation unanimously.

Jacobsen-Jensen Company, Contract No. 2303, for grading and paving the Astoria (Taylor Avenue-Astor Street) Section of the Oregon Coast Highway, in Clatsop County, requested an extension of time of 35 days, from August 31 to October 5, 1940, within which to complete this project. They attributed their failure to complete the project within the specified time limit to labor problems and to difficulties in handling materials. The Engineer advised that the difficulties encountered by the contractors, necessitating an extension of time, in his estimation could have been overcome if handled properly. Furthermore, the contractors could have avoided the overrun in the time limit had they started the work sooner, the records showing that the contract was awarded on May 2 but that work was not started until May 19. He recommended that an extension of time of 30 days, from August 31 to September 30, be granted subject to the condition that the contractors reimburse the state for extra engineering expense incurred subsequent to the specified date of completion. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

E. L. Rigdon, Contract No. 2305, for grading, surfacing, and oiling the Horse Ranch Section of the Fremont Highway, in Lake County, requested an extension of time of 15 days, from August 31 to September 15, 1940, within which to complete this job. He attributed his failure to complete the project within the specified time limit to trouble in securing an oiling crew. The Engineer advised that the reason given by Mr. Rigdon for failure to complete the project within the specified time limit is correct, that the oiling work was to have been done by contractor J. C. Compton, who had several other oiling jobs in this vicinity and who was obliged to complete them before starting on Mr. Rigdon's project. The delay, he said, has not inconvenienced the traveling public and has not caused the state any appreciable extra cost for engineering supervision. He recommended that the extension of time requested be granted without penalty; however, pointed out that the Public Roads Administration does not concur therein because it does not feel that there is justification for not invoking the penalty clause. A letter was presented from the Public Roads Administration approving the extension of time subject to the payment by the contractor of the

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engineering costs incurred subsequent to the completion date specified in the contract. After discussion the Commission voted unanimously to approve the extension of time subject to the penalty, as recommended by the Public Roads Administration.

Averill & Corbin, Contract No. 2323, for construction of the Fishers Millrace Bridge on the Pacific Highway West, south of Corvallis, in Benton County, requested an extension of time of 30 days, from September 30 to October 30, 1940, within which to complete this project. They attributed their failure to complete the project within the specified time limit to the fact that they were required to place the foundations for this structure much deeper than was anticipated and in so doing encountered materials that were extremely difficult to handle. The Engineer advised that the reason given by the contractor for failure to complete the project within the specified time limit is correct. He recommended that the extension of time requested be granted without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

Babler Bros., Contract No. 2329, for bituminous macadam surfacing on the Rock Creek-Molalla Section of the Woodburn-Sandy Secondary Highway, in Clackamas County, requested an extension of time of one day, from August 31 to September 1, 1940, within which to complete this project. They attributed their failure to complete the project within the specified time limit to the fact that the original quarry which they planned to use proved to be unsatisfactory and that the quantities of material actually furnished were in excess of the amounts mentioned in the contract. The Engineer advised that the work that necessitated this one-day extension of time consisted of sanding work and cleanup, which has not inconvenienced the traveling public nor increased the state's expense for engineering supervision. He recommended the granting of the extension of time requested without penalty. The Commission approved the recommendation.

City Motor Trucking Company, Contract No. 2331, for grading and paving the Rainier (6th Street East-3rd Street West) Section of the Columbia River Highway, in Columbia County, requested an extension of time of 30 days, from August 31 to September 30, 1940, within which to complete this project. They attributed their failure to complete the project within the specified time limit to the following: (1) delays caused by the local water company in repairing and renewing water mains and private house connections; (2) delay caused by the power company in the removal and reconstruction of its pole lines. The Engineer advised that he knows of no reason why this contract could not have been completed within the specified time limit, had the contractor started his operations within a reasonable length of time after having been awarded the contract. He recommended, in view of the circumstances, that the extension of time requested be granted but that the contractor be charged with the extra engineering costs incurred by the state subsequent to the specified

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date of completion. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation unanimously.

Contracting & Sales Company, Inc., Contract No. 2336, for replacement of wire rope on the Interstate Bridge over the Columbia River between Portland and Vancouver, Washington, requested an extension of time of 45 days within which to complete this project. They attributed their failure to complete the project within the specified time limit to reasons beyond their control, particularly delay in receiving a shipment of cables from factories in the East, such delay being caused by the urgency to fill the Government's orders in connection with its preparedness program. The Engineer pointed out that the contract calls for the furnishing and replacement of some special cables which had to be ordered from the East, and there was delay in receiving this material, due, as alleged by the contractor, to large orders placed by the Federal Government for war materials. It was his thought that the replacement of the cables would be entirely complete by October 15, which is the date to which the contractor desires an extension of time, and he recommended the granting of an extension of time to that date without penalty. The Commission approved the recommendation unanimously.

Jacobsen-Jensen Company, Contract No. 2338, for grading and paving the Warrenton (Massachusetts Avenue-Market Street) Section of the Fort Stevens County Road, in Clatsop County, requested an extension of time of 35 days, from August 31 to October 5, within which to complete this project. They attributed their failure to complete the project within the specified time limit to delay in the award of the contract, right of way difficulties, and difficulties encountered in holding certain equipment in waiting until they were allowed to proceed with construction. The Engineer advised that the Commission took bids on this project on June 13 but that the contract was not awarded until July 12, 1940, because of right of way settlements. The contractor started operations, he said, on July 22, 1940. He recommended that the extension of time requested be granted but that the contractor be required to reimburse the state for extra engineering expense incurred during the last 16 days of such extension, the first 19 days of the extension to be granted without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation unanimously.

The Engineer reported that Contracts Nos. 2155, 2207, 2209, 2210, 2220, 2234, 2236, 2239, 2246, 2254, 2264, 2268, 2269, 2280, 2282, 2285, 2286, 2289, 2291, 2298, 2299, 2303, 2305, 2316, 2322, 2329, 2330, 2331, and 2332, for the construction of state highway projects, have been completed according to the requirements of the contracts or modifications thereof, and that said jobs are now ready for acceptance. The following resolution acceting, the

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above projects was offered and was adopted by the unanimous vote of the Commission:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts and said jobs are now ready for acceptance:

Contract No. 2155, with Edwin C. Gerber, for bituminous macadam surfacing on the Necanicum-Nehalem River Section of the Wolf Creek Highway, in Clatsop County. Completed July 13, 1940.

Contract No. 2207, with O. C. Yocom, for surfacing, oiling, and furnishing crushed rock on the Jewell-Banzer Bridge Section of the Nehalem Secondary Highway, in Clatsop and Columbia Counties. Completed July 27, 1940.

Contract No. 2209, with Roy L. Houck, for grading the North Unit, Siskiyou-Bear Canyon Section of the Pacific Highway, in Jackson County. Completed June 30, 1940.

Contract No. 2219, with McNutt Bros., for grading and paving the Dundee-West Dayton Section of the Pacific Highway West, in Yamhill County. Completed August 24, 1940.

Contract No. 2220, with Porter W. Yett, for grading and paving the Warren-Scappoose Section of the Columbia River Highway, in Columbia County. Completed September 17, 1940.

Contract No. 2234, with Leonard & Slate, for grading, surfacing, and construction of bituminous macadam, also furnishing crushed rock in stock piles on the Lang Canyon-Arlington Section of the Columbia River Highway, in Gilliam County. Completed August 20, 1940.

Contract No. 2236, with Chester T. Lackey, for furnishing crushed rock in stock piles on the Brothers-Harney County Line Section of the Central Oregon Highway, in Deschutes and Lake Counties. Completed July 16, 1940.

Contract No. 2239, with Roy L. Houck, for paving the Butteville Road-White School Section of the West Portland-Hubbard Highway, in Marion County. Completed August 31, 1940.

Contract No. 2246, with E. C. Hall Company, for grading, surfacing, and oiling the Muddy Creek-Haines Section of the Old Oregon Trail, in Baker County. Completed August 23, 1940.

Contract No. 2254, with R. I. Stuart & Sons, for paving the Reedsport (12th Street-15th Street) Section of the Uapqua Highway, in Douglas County. Completed August 3, 1940.

Contract No. 2264, with Tidepoint Company, for surfacing, oiling, and furnishing crushed rock in stock piles on the Summit-Mist Section of the Mist-Clatskanie Secondary Highway, in Columbia County. Completed September 23, 1940.

Contract No. 2268, with Edlefsen-Weygandt Company, for grading and paving the South Unit, Oregon City Section of the Pacific Highway East, in Clackamas County. Completed September 4, 1940.

Contract No. 2269, with Barham Bros., for construction of a partial viaduct and retaining wall on the South Unit, Oregon City Section of the Pacific Highway East, in Clackamas County. Completed September 30, 1940.

Contract No. 2280, with A. S. Wallace, for furnishing crushed rock in stock piles on the Mussel Creek-Myers Creek Section of the Oregon Coast Highway, in Curry County. Completed August 31, 1940.

Contract No. 2282, with R. O. Dail & Warren Bros., Inc., for surfacing, oiling, and furnishing crushed rock in stock piles on the Warm Springs Agency-Vanora Section of the Warm Springs Secondary Highway, in Jefferson County. Completed September 15, 1940.

Contract No. 2285, with J. C. Papin, for grading, surfacing, and oiling the Bend-Butler Ranch Section of the Butler County Road, in Deschutes County. Completed August 15, 1940.

Contract No. 2286, with J. C. Compton, for oiling the Service Creek-Branson Creek Section of the John Day Highway, in Grant and Wheeler Counties. Completed August 3, 1940.

Contract No. 2289, with J. C. Compton, for oiling and furnishing crushed gravel in stock piles on the Union-Catherine Creek Section of the Medical Springs Secondary Highway, in Union County. Completed August 10, 1940.

Contract No. 2291, with Jacobsen-Jensen Company, for construction of the Tigard Overcrossing and the Fanno Creek Bridge on the Pacific Highway West, at Tigard, in Washington County. Completed October 5, 1940.

Contract No. 2298, with Denten & Young, for construc-

tion of the Catherine Creek Bridge Section of the Medical Springs Secondary Highway, in Union County. Completed August 31, 1940.

Contract No. 2299, with Norris Bros., for grading, surfacing, and oiling, also construction of bridges, on the Castor Ranch-Joseph Section of the Hurricane Creek County Road, in Wallowa County. Completed September 7, 1940.

Contract No. 2303, with Jacobsen-Jensen Company, for grading and paving the Astoria (Taylor Avenue-Astor Street) Section of the Oregon Coast Highway, in Clatsop County. Completed September 26, 1940.

Contract No. 2305, with E. L. Rigdon, for grading, surfacing, and oiling the Horse Ranch Section of the Fremont Highway, in Lake County. Completed September 15, 1940.

Contract No. 2316, with Leonard & Slate, for grading and paving the East Unit, Grants Pass-Green Creek Section of the Pacific Highway, in Josephine County. Completed October 3, 1940.

Contract No. 2322, with A. Milne, for surfacing and oiling the Fir Grove-Albany Section of the Independence-Albany County Road, in Benton County. Completed September 30, 1940.

Contract No. 2329, with Babler Bros., for bituminous macadam surfacing on the Rock Creek-Molalla Section of the Woodburn-Sandy Secondary Highway, in Clackamas County. Completed September 1, 1940.

Contract No. 2330, with A. Milne, for surfacing and oiling the Elsie-Sunset Tunnel Section of the Wolf Creek Highway, in Clatsop County. Completed August 31, 1940.

Contract No. 2331, with City Motor Trucking Company, for grading and paving the Rainier (6th Street E.-3rd Street W.) Section of the Columbia River Highway, in Columbia County. Completed September 21, 1940.

Contract No. 2332, with Birkemeier & Saremal, for the North Canal Bridge Widening Project on The Dalles-California Highway at the north city limits of Bend, in Deschutes County. Completed August 7, 1940.

THEREFORE, BE IT RESOLVED that the work covered by said state highway contracts for the construction of said state highway projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

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The Engineer reported delivery by the Feenaughty Machinery Company on June 17, 1940, of a Bay City power shovel. He recommended acceptance of the same by the Commission at this time, in order to establish a definite date for the termination of the bond which was furnished by the company, guaranteeing the shovel for a period of one year from and after its delivery to the State Highway Commission and its acceptance by the Commission. The Commission approved the recommendation.

The Engineer also reported completion of the state force work on the John Day Highway in the town of John Day, in connection with which certain equipment was rented from Mr. Elmer Powell, La Grande. He said that this particular work was completed on August 15, 1940, and that the rented equipment was returned to the owner on that day. He asked the Commission to accept the project in order to establish a definite date for the release of the bond which was furnished by Mr. Powell for the protection of the Commission in the event that claims should arise out of the use of this equipment on this work. The Commission thereupon declared August 15, 1940, as the date of completion of the project and acceptance of the same by the Commission.

The Commission considered and signed agreements, et cetera, as follows:

Agreement with the Estate of Bettie La Frenz, deceased, providing for payment of damages to property situate in Lots A and B, Block 12, original townsite of Nyssa, by reason of change in grade of the Old Oregon Trail at this place. Real Property Transaction No. 7459.

Agreement with Douglas County providing for the maintenance by the county of the North Umpqua County Road between a point 8.17 miles east of Roseburg and a point 9.41 miles east of Roseburg after construction of the same by the state as a federal aid secondary highway, same being designated as Project PAS 14-C(1).

Agreement with contractor Clifford A. Dunn, Klamath Falls, disposing of his claim for extra compensation arising out of his contract No. 2310 for the construction of a bridge over the Warm Springs River on the Warm Springs Highway, in Wasco County.

Agreement with A. I. Johnson, Prairie City, relating to the moving of Mr. Johnson's garage adjacent to the John Day Highway, in the town of Prairie City. Right of Way Transaction No. 8384.

Agreement with Mrs. Hazel Breshears, et al, providing for condemnation under one action in circuit court of six parcels of land that are needed as right of way for the Scotts Butte-Jordan Valley Section of the I.O.N. Highway, in Malheur County.

Agreement with the United Railways Company covering construction of the Davies Overcrossing Project on the Wolf Creek Highway, in Washington County.

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Permit granting to the Bonneville Power Administration authority to construct its pole lines over certain state highways.

Agreement with Northwest Telephone Company providing for use of one of the company's poles in the city of Willamina, Yamhill County, in connection with the suspension of a traffic signal cable attachment.

Bargain and Sale Deed conveying unto Ed Capps and Claud L. Capps 1372 square feet of land situate in Lots 8 and 9, Block 8, Woodland Addition to Bandon. Right of Way Transaction No. 8145.

Bargain and Sale Deed conveying unto Pearl Burton, Trustee, 3045 square feet of land situate in Lots 3 and 4, Block 22, South Albany Addition to Albany. Right of Way Transaction No. 6396.

Bargain and Sale Deed conveying unto Standard Oil Company of California certain state-owned property situate in Lots 12 and 13 of Block 7, Woollen Mills Addition to Bandon. Right of Way Transaction No. 8174.

Agreement with R. R. Clark providing for the renewal of a lease of certain property in Douglas County which is needed as a source of roadbuilding materials. Real Property Transaction No. 4424.

There being no further business to come before the Commission at this time, the meeting was adjourned at 6:00 p. m.

W. H. Seavoy
State Highway Engineer

W. H. Seavoy
Secretary

Henry F. Cabell
Chairman

Thos. M. Elmer
Commissioner

Portland, Oregon, October 18, 1940

The State Highway Commission met at 2:00 p. m. in Room 415, Imperial Hotel. Present were:

Henry F. Cabell, Chairman
Huron W. Clough, Commissioner
Herman Oliver, Commissioner
R. H. Baldock, State Highway Engineer
J. H. Devers, Attorney
E. B. Glaisyer, Secretary

The Commission conferred with Messrs. W. H. Lynch, District Engineer, T. M. Davis, Senior Highway Engineer, and H. D. Farmer, Senior Highway Engineer, of the Public Roads Administration, relative to the selection of state highways for a strategic military highway system. The Engineer exhibited a map prepared by the Public Roads Administration outlining in color certain highways recommended by the federal government as being highways of first priority, second priority, and third priority from a military standpoint. He advised that in certain instances the routes recommended by the government officials do not represent the best strategic military routes in this state and suggested certain changes which, he said, are being recommended for adoption after very careful study, considering the value of the routes from the peacetime and motor users' standpoint as well as from the military standpoint. He exhibited a map, prepared in his office, showing the routes recommended by him. After a lengthy discussion of this matter the Commission approved the routes recommended by the Engineer and thereupon authorized him to recommend to the federal authorities the adoption of such routes as the strategic military highway system in Oregon. The Engineer was instructed to forward a copy of the map to the Public Roads Administration with a letter of transmittal, giving reasons for the suggested changes. (See map filed in general files under caption "Construction, Federal Aid, Strategic Military Highways")

The Commission discussed the question whether to readvertise the Sexton Mountain Project, for which bids were taken at the last meeting, or to award the contract to the second-low bidder, Roy L. Houck, Salem, on the basis of his bid submitted on October 10, 1940. The Engineer explained that the Commission, at such meeting, awarded this contract to H. L. O'Neil & Son, the low bidder, at their bid price of \$194,922.50 which was \$51,860.00 lower than the bid submitted by Mr. Houck, but H. L. O'Neil & Son have refused to enter into the contract for the work and have paid into the state highway fund the amount of their bid bond, \$9,746.13, because they feel that their bid is entirely too low and that they will suffer serious loss if they undertake to do the work at such bid price. The Commission decided unanimously after careful consideration that it would be inadvisable and unwise to award the contract to the second-low bidder because it would establish a very undesirable precedent, and thereupon ordered the Engineer to readvertise the project for new bids.

Matters pertaining to the proposed Front Avenue Project in Portland were discussed by the Commission. Present and entering into the discussion of this matter were Messrs. Ben Morrow, City Engineer, and Ralph Regan, City Right

of Way Buyer, representing the Portland City Council. The Attorney advised that the city council contemplates taking action on Thursday, October 24, 1940, as may be necessary to authorize the condemnation of certain properties that are needed for right of way for this improvement and the principal matter before the Highway Commission at this time is the approval of the options heretofore taken and the amount of damages that have been allowed in connection therewith. The city wants to proceed as rapidly as possible, he said, to close the options and will authorize the sending of notification to each of the grantors as soon as the amounts of the options and the settlements have been approved by the Highway Commission and the city council. The State Highway Engineer presented a written report from the City Engineer on this subject which included a tabulation of all the settlements agreed upon. After considerable discussion, the matter of approval of such settlements was referred by Commissioners Clough and Oliver to Chairman Cabell to pass on the individual items, it being understood that the Commission would confirm the action taken by Chairman Cabell on such matters at the Commission's next regular meeting.

Chairman Cabell advised that in his study of this matter he would consider claims for damages entirely separate from the claims for land and buildings, and would allow damages only in cases where land and buildings are not concerned and where lease tenants occupy buildings with long-term leases and will suffer real damage by reason of the highway improvement. He explained that a standard price has been set for land at one and one-fourth times the assessed value thereof and that a standard price of one and one-half times the assessed value of buildings has been established for such property. Commissioners Clough and Oliver approved this method of classification.

The Engineer reported receipt of a letter from the Union Pacific Railroad Company and the Southern Pacific Company, joint owners of the Steel Bridge over which it is proposed to route Front Avenue traffic when the Front Avenue project has been completed, which letter sets forth certain conditions under which the railroad companies are willing to allow the use of the upper deck of this bridge as a state highway route. He read this letter aloud. (See letter dated October 2, 1940, from F. N. Finch, General Manager, Union Pacific Railroad Company and E. L. King, Superintendent, Southern Pacific Company, directed to Mr. Henry F. Cabell, Chairman of the Oregon State Highway Commission, for details). He particularly pointed out that the railroad companies are willing to grant to the state the right to use the upper deck of this bridge for highway purposes for a period of 30 years at an annual rental of \$75,000 and if, in addition thereto, the state will maintain the upper deck surface, sidewalks and appurtenances down to the supporting steel and will maintain the streetcar tracks; further, will pay the cost of lighting the upper deck, wages of gatemen and other employees required in connection with the use of the upper deck for highway purposes, and provided the state shall also defend and hold the owners of the bridge harmless on account of personal injuries and property damage resulting from the use of the upper deck by vehicles and pedestrians. The Engineer also pointed out that the railroad companies are willing for the state to retain all payments made for the use of the upper deck by holders of franchises such as streetcar companies and companies operating trackless trolleys.

The Engineer gave as his opinion that the conditions and stipulations set forth in this letter, with two exceptions, are satisfactory in principle, the two exceptions being, first, the annual rental of \$75,000.00, and, second, the obligation that the state shall defend and "hold harmless the owners on account of personal injuries and property damage resulting from the use of the upper deck by vehicles and pedestrians". He said that he has gone very carefully into the history of this bridge, including costs, et cetera, and is unable to justify a rental in excess of \$65,000.00 plus the obligation of maintenance of the upper deck surface, et cetera. He recommended acceptance of the proposition offered by the railroad companies if they will agree to a reduction of the annual rental charge from \$75,000.00 to \$65,000.00 and will modify their requirements with respect to protection against personal injury and property damage, and will accept such protection as the Commission may lawfully offer. He read aloud a suggested form of letter directed to the railroad companies to that effect. After considerable discussion the Commission approved the letter by unanimous vote and thereupon signed the same. (See letter dated October 18, 1940, directed to Mr. Finch and Mr. King.)

The Engineer requested authority for Mr. Harold Say, Director of the Travel and Information Department, to attend at state expense the annual meeting of the Pacific Northwest Tourist Association which is to be held in Spokane, Washington, on November 1, 1940. He said that Mr. Say's expenses would probably not exceed \$15.00. The Commission approved the request subject to confirmation by Governor Charles A. Sprague.

Mr. L. A. McClintock, Fendleton, was present and discussed with the Commission matters pertaining to the proposed revision of the Old Oregon Trail between Stanfield, in Umatilla County, and Boardman, in Morrow County. Mr. McClintock stated that he owns considerable property that would be severed by this proposed cutoff, and suggested a revision in the proposed alignment, which, in his estimation, would serve the purpose equally as well as that adopted by the Commission and would increase the distance between Stanfield and Boardman by only 0.4 of a mile. He particularly pointed out that he grazes a lot of cattle on his property and if the alignment is not changed he will be forced to make a demand for a number of cattle passes as a right of way consideration; further, that the alignment adopted by the Commission disrupts his system of irrigation canals and ditches, whereas that feature could be avoided by adopting the plan that he suggests. He urged the Commission to make the change and offered to give free right of way across his property if the Commission will approve the same. After considerable discussion the Commission instructed the Engineer to investigate the matter thoroughly at once and report his findings to the Commission at the next meeting.

A letter was presented from Mr. Fred A. Williams, Attorney, Salem, renewing his offer to sell to the state 22 acres of ocean frontage between Agate Beach and the Yaquina Head Lighthouse Reservation in Lincoln County. Mr. Williams states in his letter that a short time ago he refused a very attractive offer for a portion of this property which was desired as a quarry site and he did not sell it because he felt that the entire tract should be preserved as a state park. He offered to sell the tract to the state at the rate of \$200.00 per acre and advised that he would accept from \$500.00 to

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\$1,000.00 as down payment, the balance to be paid over a period of two or three years, to suit the convenience of the state. The Commission expressed appreciation of Mr. Williams's offer but decided not to purchase the property at this time in view of its many park obligations. The Attorney was instructed to so inform Mr. Williams.

Reconsideration was given by the Commission to the action taken on August 22, 1940, with respect to placing on the federal aid system the proposed cutoff highway between Boardman and Stanfield. The Engineer recalled that the Commission at such meeting directed a letter to the Public Roads Administration requesting the rerouting of federal aid road No. 1 from Boardman to a point near Stanfield, and further requesting that the present route of federal aid road No. 1 between Boardman and Umatilla be renumbered federal aid road No. 18, and that the section of the present federal aid road No. 1 between Umatilla and Stanfield be retained on the federal aid system and be given an entirely new number. He advised that in response to such communication a letter has been received from the Public Roads Administration indicating that the proposed revision of federal aid road No. 1 from Boardman to Stanfield, and the extension of federal aid road No. 18 from Umatilla to Boardman would be approved but that the Public Roads Administration objects to the retention of the Umatilla-Stanfield Section on the federal aid system because, after the construction of the Boardman-Stanfield revision, the Umatilla-Stanfield road would be of secondary importance and also because of its close proximity to federal aid road No. 36 between Pendleton and Cold Springs.

The Commission discussed the matter at considerable length and decided, by unanimous vote, in view of the objections offered by the Public Roads Administration, that it would be inadvisable to retain the Umatilla-Stanfield Section as a federal aid highway and agreed to its removal therefrom. The Engineer was instructed by the Commission to convey such information to the Public Roads Administration.

The Commission discussed the matter of dedicating for certain specific uses certain lands acquired by the Commission in connection with the securing of right of way for the Water Street Section of the Pacific Highway East in Oregon City between 11th Street and 16th Street. It was the Commission's decision that all of those certain portions of Blocks 10, 11, 12, 13, and 14 of Oregon City, lying westerly of the line parallel to and 40 feet distant easterly from the reconstructed center line of this highway, should be dedicated and set apart as right of way and that all of the remaining land acquired by the state in said blocks be set aside and dedicated for roadside development and landscaping purposes. The following resolution in regard thereto was adopted by the Commission by unanimous vote:

WHEREAS, for the purpose of making possible a proper location of the highway through Oregon City the Highway Commission found it advisable and necessary to acquire many parcels of real property; and

WHEREAS, in many instances it was deemed to be in the interests of the public and to the advantage of the owner, where

a lot or separate tract was severed, to acquire the entire lot or tract; and

WHEREAS, the acquisition of whole tracts or lots resulted in the state having possession of and title to a greater area than is necessary for right of way purposes; and

WHEREAS, it is the established policy of the Highway Department wherever practicable or advisable to landscape, improve and otherwise develop roadside strips or areas; and

WHEREAS, it is deemed wise that the areas acquired in Oregon City be segregated and that portion necessary and desirable for right of way purposes be so dedicated and the portion or area outside of the established right of way be dedicated to and for landscape and other roadside development:

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the Commission, all members being present and voting affirmatively, as follows:

1. That the following described real property be and the same hereby is declared to be necessary for right of way purposes and the same hereby is set apart and dedicated as a part of the right of way of Water Street in the City of Oregon City, and the same shall be available for such purpose, to wit:

All those certain portions of Blocks 10, 11, 12, 13 and 14 of Oregon City, lying westerly of a line parallel to and 40 feet distant easterly from the reconstructed center line of the Pacific Highway East.

2. That the following described parcels of real property which border upon the above described right of way be and the same hereby are declared to be useful for roadside development and landscaping and said parcels of land hereby are set aside and dedicated for such use and purpose:

All those certain parcels of land to be used for roadside development in Blocks 10, 11, 12, 13 and 14 of Oregon City, and lying easterly of a line 40 feet distant easterly from and parallel to the center line of said highway, the location of said parcels being more particularly described as follows:

Parcel No. 1:

Beginning at the most westerly corner of said Block 10; thence southeasterly along the southwestern line of said block 45 feet; thence running in a straight line northeasterly through said block to a point 90 feet southeasterly of the most northerly

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corner of said block 10; thence northwesterly along the northeasterly line of said block to a point which is 40 feet distant easterly from (when measured at right angles to) the center line of said highway; thence southwesterly parallel to and 40 feet distant from said center line to the northwesterly line of said Block 10; thence southwesterly to the point of beginning.

Parcel No. 2:

Beginning at the most southerly corner of Lot 5, Block 11; thence northeasterly along the southeasterly line of Lots 5, 6, 7 and 8 of said block to the most easterly corner of said Lot 8; thence northwesterly along the northeasterly line of Block 11 to a point which is 40 feet distant easterly from (when measured at right angles to) the center line of the said highway; thence southwesterly parallel to and 40 feet distant from said center line to the southwesterly line of said Block 11; thence southeasterly to the point of beginning.

Parcel No. 3:

Beginning at the most southerly corner of Lot 7 of the Tooze Subdivision of Block 12, Oregon City; thence northeasterly along the southeasterly line of Lots 7, 9 and 10 of said subdivision to the most easterly corner of said Lot 10; thence northwesterly along the northeasterly line of said Block to a point which is 40 feet distant easterly from (when measured at right angles to) the center line of the said highway; thence southwesterly parallel to and 40 feet distant from said center line to the southwesterly line of said block; thence southeasterly to the point of beginning.

Parcel No. 4:

Beginning at the most southerly corner of Lot 5, Block 13, Oregon City; thence northeasterly along the southeasterly line of Lots 5, 6, 7 and 8 of said Block 13 to the most easterly corner of said Lot 8; thence northwesterly along the northwesterly line of said block to a point which is 40 feet distant easterly from (when measured at right angles to) the center line of the said highway; thence southwesterly parallel to and 40 feet distant from said center line to the southwesterly line of said block; thence southeasterly to the point of beginning.

Parcel No. 5:

Beginning at the most southerly corner of Lot 5, Block 14, Oregon City; thence northeasterly through Lots 5 and 6 to a point on the southwesterly line of Lot 7, and 15 feet westerly from the most southerly corner of said Lot 7; thence southeasterly along the southwesterly line of Lot 7 and Lot 2 to a point on the westerly right of way line of the existing highway; thence northerly along said westerly right of way line to a point which is 40 feet distant easterly from (when measured at right angles

to) the center line of said highway; thence southwesterly parallel to and 40 feet distant from said center line to the southwesterly line of said block; thence southeasterly to the point of beginning.

3. That there is attached hereto and made a part hereof a map marked "Exhibit A", on which map is shown shaded in green the area first herein described, and shaded in orange the area second herein described, which said exhibit by this reference is made a part of this resolution.

4. That the Engineer be and he hereby is instructed to properly mark upon the ground by stakes or other monuments the several areas herein described so that their boundaries may be easily ascertained.

5. That the Engineer and the Landscape Engineer be and they hereby are instructed to prepare and submit to the Highway Commission for approval a plan and scheme for roadside development or landscaping appropriate for said location or surroundings.

The Commission considered the matter of acquiring timber strips along the Pendleton-John Day Highway but deferred a definite decision thereon until it has been informed of the Government's requirements with respect to the expenditure of federal aid funds for the purchase of such wayside strips. The Commission instructed the Engineer to secure a copy of the Government's regulations pertaining thereto.

In this connection the State Parks Superintendent, who was present, requested authority to employ a cruiser to cruise the timber standing on these strips. The Commission granted the request.

The Commission also approved the employment of a cruiser to cruise the timber on the Salmon River Highway strips that the Commission proposes to acquire from the Miami Timber Company.

The Engineer reported that on October 15, 1940, in accordance with authority previously granted him by the Commission, he awarded to M. L. O'Neil & Son the contract for the Ironsides-Brogan Rock Production Project on the John Day Highway, in Malheur County, for which work this contractor submitted the low bid on October 11, 1940, the conditions of the award having been satisfied. The Commission by unanimous vote approved the award of this contract as reported.

The Commission by unanimous vote approved and confirmed the resolutions adopted by the Commission on June 13, 1940, permanently routing the Pacific Highway through the city of Eugene, and the routing of the Front Avenue Highway in Portland, and authorized the Secretary to forward certified copies of such resolutions to the cities concerned.

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The Commission considered the request of the Arrow Transportation Company for authority to transport a 700-pound overload, consisting of special sanding equipment, on each of its trucks operating on state highways during the coming winter, as they were permitted to do last winter. The Engineer explained that the special equipment referred to is an attachment for the carrying and sprinkling of sand on the highway under the wheels of the truck when the pavement is slippery from ice or snow, and the company wants to use this equipment as a safeguard against accidents but cannot do so without the Commission's approval unless they cut down their pay load, which they do not like to do because they would lose certain profits. He gave as his thought that the sanding equipment is a good one and will aid greatly in reducing the number of accidents that occur due to slipperiness of the highway. After discussion of this matter the Commission voted unanimously to grant the Arrow Transportation Company the permit requested as a temporary emergency proposition only, to be effective until adjournment of the 1941 Oregon Legislature.

Reconsideration was given by the Commission to the application of Barkheimer Manufacturing Company of Seattle, Washington, to move over state highways certain truck equipment the overall length of which exceeds the statutory limit by about $2\frac{1}{2}$ feet. It was explained that the Commission, at its meeting in Pendleton on October 1, 1940, granted this company permission to use this equipment over a limited number of state highways during the month of October only, it being understood at that time that the company was hard pressed to make some emergency deliveries of its products, and that as soon as these deliveries were made the company would make certain alterations in its equipment to comply with the state law. However, it now appears that the company wants a blanket permit authorizing the use of this equipment without alteration for the balance of the year. The Commission considered that it does not have legal authority to grant such permit and thereupon denied the request.

The Engineer presented to the Commission a legend prepared and recommended by the Old Oregon Trail Historic Marker Committee for use on certain markers that are to be installed on the Pacific Highway at Oregon City for the benefit of people who are interested in the historic McLoughlin Memorial Home located at that place. He inquired whether or not the wording of the legend meets with the Commission's approval and if so whether or not he should proceed with the erection of the markers and the fingerboard signs, pointing the way to the Home. After discussion the Commission instructed the Engineer to present the legend to the committee in charge of the McLoughlin Memorial Home for its approval. He was authorized by the Commission to erect the markers and signs as soon as such approval has been obtained.

The Secretary requested instructions whether or not to order the cancellation of the special carrier permit of Emil Waldkirch who has been arrested on four different occasions for transporting over state highways loads of logs weighing in excess of the statutory weight limits, the overload in each instance being 1165 pounds, 2460 pounds, 5200 pounds, and 2300 pounds, respectively. He said that in each instance the penalty of suspension of the permit was imposed. However, it now appears that Mr. Waldkirch, in order to avoid the 20-day penalty for the last offense, has transferred title to his

equipment from himself to Mrs. Waldkirch, who tried to secure a new permit from the Public Utilities Commissioner, but was denied. It appeared to the Commission from the evidence submitted that Mr. Waldkirch has little or no regard for the law covering his operations and that he is a habitual violator of the same and of the rules and regulations promulgated by the Commission pertaining thereto, and, in view thereof, the Commission decided unanimously that the permit should be cancelled and that the use of Mr. Waldkirch's equipment should not be allowed in this class of service hereafter, and it was so ordered.

The Secretary presented a resolution from the Hood River County Court requesting the designation of an extension of the Odell Secondary Highway No. 282 from its present terminus near the town of Odell westerly and northerly via Market Roads 1, 4, and 9, a distance of about 2.6 miles, to a connection with the Hood River Secondary Highway at a point known as Tucker Bridge. The Commission approved the request and thereupon by unanimous vote adopted the following resolution so designating this extension:

WHEREAS, under the provisions of Chapter 248, Laws of 1931; Chapter 196, Laws of 1935; and Chapter 529, Laws of 1939; the State Highway Commission, by mutual agreement with the respective county courts of the several counties of the State, is authorized and empowered to select, locate, and designate a system of secondary state highways, which highways shall be selected from the market roads or other county roads, or available locations or routes of the several counties; and

WHEREAS, the State Highway Commission, by mutual agreement with the Hood River County Court of the State of Oregon, has selected the road or highway hereinafter named, and it is the purpose of the Commission to officially and regularly designate and adopt said highway as a highway to constitute, together with other highways heretofore adopted and/or which may hereafter from time to time be added, the system of secondary state highways under the provisions of said acts;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission, all members being present and affirmatively voting and participating, as follows:

1. That the following described market road, county road, highway, route, or location of a highway in Hood River County be and the said market road, county road, highway, location, or route, hereby is selected, designated, established, adopted and approved as a secondary state highway and shall be and hereby is designated as a part of the secondary state highway system, to wit:

An Extension of the Odell Secondary Highway No. 282:

Beginning at a point approximately 0.9 mile westerly from the Mt. Hood Highway near Odell; thence westerly

and northerly via Market Roads 1, 4, and 9, to a connection with the Hood River Secondary State Highway at a point near Tucker Bridge, a distance of approximately 2.6 miles.

2. That the said highway shall be and hereby is qualified for improvement under the provisions of said Chapter 248, Oregon Laws of 1931; Chapter 196, Oregon Laws of 1935; and Chapter 529, Oregon Laws of 1939; and amendments thereof.

The Commission discussed the matter of extending the Corvallis-East-side Secondary Highway, in Linn County, a distance of approximately 0.2 mile from its junction with the Pacific Highway East (old route) to a connection with the new route of this highway in Albany but deferred a definite decision in the matter pending a report from the Attorney as to the width of the right of way on this section, and inspection of the proposed extension by the Commission.

The matter of designating the Fort Stevens County Road, Clatsop County, a state secondary highway had the attention of the Commission but action thereon was deferred pending the ascertaining of the status of this highway from the strategic military standpoint.

The Commission also discussed the matter of designating as a state secondary highway the old route of The Dalles-California Highway between Modoc Point and Klamath Agency, in Klamath County. It was pointed out in the discussion of this matter that the Commission previously promised the Klamath County Court that it would so designate this road when the new road between Modoc Point and Klamath Agency was completed. In view thereof the Commission decided unanimously to approve such designation in the event Klamath County Court will make proper application for the same.

The matter of designating a state secondary highway connecting the Wolf Creek Highway at Elsie with the Nehalem Secondary State Highway at Fish Hawk Falls, in Clatsop County, was discussed. Action on this matter was deferred by the Commission pending a report from the Engineer on the cost to reconstruct to proper standards the Nehalem Secondary Highway from Fish Hawk Falls to Astoria.

The Commission also deferred definite action on the request of the Tillamook County Court for the designation as a state secondary highway of the county road which extends westerly from Tillamook City to Netarts and Ocean-side, in Tillamook County. It was the thought of the Commission that an investigation should be made to ascertain the width of the right of way of this section before jurisdiction over the road is assumed by the state. The Attorney was thereupon instructed to make such investigation.

A letter was presented from Mr. A. B. Sanders, Manager of the Oregon Coast Highway Association, inviting the members of the Commission and its

staff to be present at the annual convention of the association which is to be held in Tillamook on October 20 and 21, 1940. Chairman Cabell stated that he would represent the Commission at this meeting inasmuch as he has accepted an invitation to speak to the group. The Secretary was instructed to thank Mr. Sanders for the invitation.

An invitation was also presented from the Redwood Empire Association in which the Commission and its staff were asked to be the guests of the association at its annual meeting in Ukiah, California, on Saturday, October 26, 1940. The Commissioners expressed regrets that they could not attend this function; however, authorized Mr. Harold Say, Director of the Travel and Information Department, to represent them. The Secretary was instructed to so inform the association.

The Commission discussed the matter of the exchange of properties with the State Board of Control at the highway department shops in Salem so as to permit proper development of the highway department facilities at this location. Such transfer of property was recommended by the Engineer and the Attorney. The Commission approved the recommendation and thereupon adopted and signed a resolution providing for the transfer of 12,802 square feet of state highway property to the Board of Control upon receipt from the State Board of Control of a corresponding or companion resolution transferring 12,820 square feet of property under the control of said Board. The Secretary was instructed not to enter the Commission's resolution in the minutes of the Commission until delivery has been made to the Commission of a certified copy of the said resolution adopted by the State Board of Control.

The Secretary presented a request from the South Bay Logging Company, Charleston, Oregon, to transport logs over the Cape Arago Secondary Highway from a point 3 miles south of Charleston to the company's mill about 3 miles north of Charleston during Saturday afternoons and Sundays. The Engineer recommended the granting of this request. The Commission approved the recommendation.

The Commission had under discussion the following requests for extensions of time within which to complete highway construction projects:

R. O. Dail & Warren Bros., Inc., Contract No. 2277, for surfacing and oiling the Miles Bridge-Baker and Baker-Salisbury Sections of the Medical Springs Secondary Highway and the Baker-Unity Highway, in Baker County, requested an extension of time from July 15 to August 23, 1940, within which to complete this job. They attributed their failure to complete the project within the specified time limit to the following: high water in the gravel pit used on the Medical Springs Highway and difficulties in obtaining clean rock for the crusher because of clay content of the pit. The Engineer advised that the statements given by the contractor for failure to complete the project within the specified time limit are correct; that the contractor started the work early enough to complete it within the specified time but spent over a month trying to get the pit in a workable condition to produce acceptable material. The

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traveling public, he said, has not been unduly inconvenienced by the delay and the state has incurred no extra expense for engineering supervision. He recommended, in view thereof, that the extension of time requested be granted without penalty. The Commission approved the recommendation.

Mid-Columbia Sand & Gravel Company, Contract No. 2296, for grading and surfacing the South Unit of the Fulton Canyon Section of the Fulton Canyon-Wasco County Road, in Sherman County, requested an extension of time of 10 days, from July 31 to August 10, 1940, within which to complete this job. They attributed their failure to complete the project within the specified time limit to delays in securing certain materials for construction of cable guard fence. The Engineer advised that the reason given by the contractor for failure to complete this project within the specified time is correct and recommended the granting of the extension requested without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

The Engineer reported that Contracts Nos. 2238, 2240, 2245, 2277, 2296, and 2310, for the construction of state highway projects, have been completed according to the requirements of the contracts or modifications thereof, and that said jobs are now ready for acceptance. The following resolution accepting the above projects was offered and was adopted by the unanimous vote of the Commission:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts and said jobs are now ready for acceptance:

Contract No. 2238, with Gus Reichow, for furnishing crushed rock in stock piles for the Waldport Rock Production Project on the Oregon Coast and Alsea Highways, in Lincoln County. Completed June 8, 1940.

Contract No. 2240, with G. D. Lyon Company, for rock embankment construction on the Multnomah Falls-Oneonta Section of the Columbia River Highway, in Multnomah County. Completed October 4, 1940.

Contract No. 2245, with Leonard & Slate, for grading and paving the West Unit, Grants Pass-Green Creek Section of the Pacific Highway, in Josephine County. Completed October 3, 1940.

Contract No. 2277, with R. O. Dail & Warren Bros., Inc., for surfacing and oiling the Miles Bridge-Baker and Baker-Salisbury Sections of the Medical Springs

Secondary and Baker-Unity Highways, in Baker County. Completed August 23, 1940.

Contract No. 2296, with Mid-Columbia Sand & Gravel Company, for grading, surfacing, and construction of culverts on the South Unit, Fulton Canyon Section of the Fulton Canyon-Wasco County Road, in Sherman County. Completed August 10, 1940.

Contract No. 2310, with Clifford A. Dunn, for construction of a bridge on the Warm Springs River Bridge Section of the Warm Springs Secondary Highway, in Wasco County. Completed September 26, 1940.

THEREFORE, BE IT RESOLVED that the work covered by said state highway contracts for the construction of said state highway projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

The Commission considered and signed agreements, et cetera, as follows:

Agreement with Pacific Power & Light Company providing for the use of two of the company's poles in the suspension of an overhead flashing beacon at the intersection of the Oregon Coast Highway with the road leading to Camp Clatsop, in Clatsop County.

Agreement with Eugene F. Hugg, Sr., providing for the lease of certain property at Elgin which is to be used as a site for the maintenance headquarters.

Agreement with the Portland Gas & Coke Company wherein the company agrees to reimburse the State Highway Commission for additional costs due to changes in design of the culvert at Mile Post 05.80 on the Lower Columbia River Highway, which changes are being made to accommodate existing gas mains.

Letter directed to Thomas H. McDonald, Commissioner of Public Roads, Washington, D. C., authorizing each of the following: R. H. Baldock, State Highway Engineer; C. B. McCullough, Assistant State Highway Engineer; S. H. Probert, Office Engineer; and J. W. Nash, Assistant Office Engineer, to bind the State Highway Department by his signature to reimbursement vouchers submitted to the United States Bureau of Public Roads for federal highway funds as fully as if said vouchers were signed by the majority of the members of the State Highway Commission.

Resolution providing for exchange of properties with the State Board of Control at the Highway Department shops, in Salem.

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Petition directed to Columbia County Court for vacation of a portion of the alley in Block 4, West Rainier; also, in connection with such matter, Order for Consent to Vacation of said alley; also Notice of Application to Vacate said alley; vacation of said alley being necessary to facilitate the use by the state of adjacent property for the storing of machinery, crushed rock, and other road materials.

Certificate with respect to the payment of \$25.00 by the Government for an easement over some state-owned property known as the Lawler property, in Hood River County.

The meeting was adjourned at 5:15 p. m.

[Signature]
State Highway Engineer

[Signature]
Secretary

Henry F. Cabell
Chairman

Huron W. Clough
Commissioner

Herman Oliver
Commissioner

Portland, Oregon, November 12, 1940

The State Highway Commission met in regular session at 9:00 a.m. in the auditorium of the Public Service Building. Present were:

Huron W. Clough, Acting Chairman
Herman Oliver, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

Chairman Cabell was excused from attending this meeting.

Bids, as follows, for highway construction projects and sale of buildings, were opened and read in conformance with previously published notice following which Commissioner Clough, as Acting Chairman, announced that the award of contracts would be made at 3:00 p. m. in the same room:

ALSEA HIGHWAY
LINCOLN COUNTY LINE-ALSEA MOUNTAIN ROCK PRODUCTION

F. C. Dillard	\$11,920.00
A. O. Ekstrom	12,800.00
Loyd Calkins	13,120.00
A. S. Wallace	13,375.00
Homer G. Johnson	15,775.00

OREGON COAST HIGHWAY
HUG POINT-MANZANITA SECTION - BITULINOUS MACADAM SURFACING

Rogers Construction Company	\$110,107.50
Fisher Bros.	110,351.00
Roy L. Houck	115,632.50
Babler Bros.	116,801.50
E. C. Hall Company	120,604.00
Edwin C. Gerber	121,170.55
R. O. Dail & Warren Bros., Inc.	129,166.60
A. C. Greenwood Company, Inc.	129,758.90
Newport Construction Company	139,411.11
Homer G. Johnson	140,461.50
A. Milne	141,886.50
McNutt Bros.	143,487.80
C. J. Eldon	143,665.00

JOHN DAY HIGHWAY
EAST UNIT, DIXIE SUMMIT-AUSTIN SECTION - GRADING, SURFACING AND OILING

Leonard & Slate	\$115,532.00
E. L. Gates	125,236.75
E. C. Hall Company	130,347.00
McNutt Bros.	131,916.80
Clifton & Applegate	148,176.50

JOHN DAY HIGHWAY
GOOSE ROCK BRIDGE SECTION

C. J. Eldon	\$ 44,651.00
McNutt Bros.	45,125.50
Clifford A. Dunn	45,671.50
Leonard & Slate	47,293.00
E. C. Hall Company	48,680.00
Barham Bros.	48,971.00
Birkemeier & Sarnel	51,035.00

PACIFIC HIGHWAY
SEXTON MOUNTAIN SECTION - GRADING

McNutt Bros.	\$236,390.00
M. L. O'Neil & Son	239,261.00
Sam Orino	243,627.50
K. L. Goulter	244,518.00
Roy L. Houck	250,822.50
Berke Bros.	263,572.50
Frank Penepacker	276,828.50
J. A. Lyons	290,799.50

**KLAMATH FALLS-LAKEVIEW HIGHWAY
FOREST BOUNDARY-COTTONWOOD CREEK SECTION - GRADING, SURFACING AND
OILING, AND BRIDGES AND CULVERTS**

Jacobsen-Jensen Company	\$127,173.00
E. C. Hall Company	129,944.50
Berke Bros.	132,285.00
Clifford A. Dunn	132,987.00
E. L. Gates	134,438.00
McNutt Bros.	137,869.00
Homer G. Johnson	152,795.00
Kuckenberg Construction Company	163,760.00

**PACIFIC HIGHWAY
COTTAGE GROVE SECTION - ROADSIDE IMPROVEMENT**

E. L. Gates	\$ 2,811.50
Blair T. Alderman	3,352.60
Leonard & Slate	3,987.00
D. L. Ashton	4,103.00

**EDDYVILLE-BLODGETT SECONDARY HIGHWAY
NASHVILLE BRIDGE SECTION**

J. F. Johnston	\$14,032.80
Edlefsen-Weygandt Company	14,479.75
Averill & Corbin	14,576.55
Birkemeier & Saremal	14,840.00
E. C. Hall Company	15,052.50
C. J. Eldon	15,095.00
McNutt Bros.	15,293.50
Barham Bros.	16,250.50
A. Milne	16,544.75
Babler Bros.	16,732.50
J. W. & J. R. Hillstrom	17,119.50

**WEST PORTLAND-HUBBARD HIGHWAY
BARBUR BOULEVARD-BOONES FERRY ROAD SECTION - GRADING AND SURFACING**

Jacobsen-Jensen Company	\$88,792.50
Leonard & Slate	91,424.00
Berke Bros.	92,502.50
Roy L. Houck	93,509.50
J. A. Lyons	99,745.00
McNutt Bros.	99,833.00
Frank Penepacker	99,995.00
Edlefsen-Weygandt Company	108,168.50
Babler Bros.	109,899.50
E. L. Gates	113,755.50

(Continued on next page)

(Barbur Boulevard-Boones Ferry Road Section continued)

C. J. Eldon	\$118,009.00
A. C. Greenwood Company, Inc.	123,420.00
Homer G. Johnson	128,428.50

WALLOWA LAKE AND OLD OREGON TRAIL HIGHWAYS
LA GRANDE ROCK PRODUCTION

D. C. & A. L. Williams	\$10,236.40
Hart Construction Company	13,454.90
Rogers Construction Company	13,558.00
A. S. Wallace	14,546.40
A. O. Ekstrom	15,046.00
R. O. Dail & Warren Bros. Inc.	15,075.00
Homer G. Johnson	15,088.00

SALE OF BUILDINGS IN BROOKINGSBUILDING NO. 7700 (former owner Brookings Land & Townsite Company)

Kenneth Dodd	\$26.55
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BUILDING NO. 7701 (former owner Leavenworth Kyle)

Fred W. Flynn	\$110.00
Kenneth Dodd	20.00

BUILDING NO. 7707 (former owner Fanny T. Pedriole)

Jim Jarvis (will wreck building for salvage)	\$00.00
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SALE OF BUILDINGS IN MARSHFIELDBUILDING NO. 8086 (former owner Lillian Madden)

Kenneth Dodd	\$106.55
Ed Loring	76.00

BUILDING NO. 8091 (former owner G. W. Curtiss and Elisa E. Condon)

Glen Wm. Curtis	\$40.00
Kenneth Dodd	16.00

SALE OF BUILDING AT SISKIYOU SUMMITBUILDING NO. 7183 (former owner Wm. B. Norris)

Kenneth Dodd	\$26.55
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The County Court of Jackson County, represented by County Judge J.B. Coleman and County Engineer Paul E. Rynning, came before the Commission in the interests of the Little Butte Creek Secondary Highway. They renewed their previous request for the improvement of a 4-mile section of this highway beyond the Lake Creek Junction rather than the proposed extension of the improvement heretofore made on this highway west of this junction. The Commission took the matter under advisement, however, advised that it is questionable whether or not the Federal Government would approve the project for federal secondary highway funds because it is beyond the limits of the agricultural district.

A delegation from Deschutes County, consisting of the members of the County Court, Judge Charles L. Allen and Commissioners Wm. Baer and E. E. Varco; M. A. Lynch of Redmond, and D. F. Dyrsmid, Chief Engineer of the Oronite Company, came before the Commission relative to the improvement of the county road between Terrebonne and Lower Bridge. They asked the Commission to authorize a location survey of this road to determine a close estimate of cost of the work. They recalled that the Commission previously indicated that it would approve such project if the County would cooperate in the cost thereof and if the Oronite Company would rebuild its plant that was recently destroyed by fire. Judge Allen stated that the County would grade and surface the road and would contribute county funds in the amount of \$5,000 to help defray the cost of the oiling; furthermore, would acquire right of way as may be needed for the improvement.

Mr. Dyrsmid advised that the Oronite Company has already awarded a contract for the rebuilding of its plant and has ordered equipment for the same from manufacturers in the East, so there is no uncertainty that the Highway Commission's requirements will be met in that respect. The State Highway Engineer recommended that the Commission authorize the survey if the County Court and the Oronite Company will confirm their statements, in writing. Commissioners Clough and Oliver approved the recommendation subject to confirmation by Chairman Cabell. (Commissioner Cabell on the following day approved the action taken, thereby making the decision unanimous.)

Judge Allen then asked the Commission to oil the unoiled section of the Cline Falls Secondary Highway north of the town of Tumalo. The Commission took the matter under advisement.

The County Court of Klamath County, represented by County Judge U.E. Reeder and County Commissioners William F. B. Chase and Jack E. Benner, and County Engineer Frank Z. Howard, was present and asked the Commission to conduct snow removal operations on the Crescent Lake County Road from the Willamette Highway Junction to Crescent Lake so as to maintain travel over this road during the winter season. They said that the road is isolated from other County roads and that the County could not do the work economically, hence their request; also, that the County would reimburse the State for the expense thereof. The Commission approved the request subject to the condition that the County Court will confirm, in writing, its offer to reimburse the State for expenditures made in this connection.

The Engineer requested approval of a WPA project for development of a parking area adjacent to the Wolf Creek Highway at a place known as Bear Springs. He estimated the total cost involved at approximately \$5,000, of which amount the State's share would be about \$1,100. He advised that the Commission previously approved this project in the blanket WPA authorization for the Wolf Creek Highway and his object in bringing the matter to the Commission's attention at this time is simply to secure the Commission's approval of the detail. The Commission authorized the improvement.

The matter of caring for street-car traffic on the Hawthorne Avenue bridge, in Portland, during the reconstruction of the approach to this structure incident to the proposed Front Avenue improvement, had the attention of the Commission. The Engineer advised that in a recent conference with the Portland Traction Company with respect to the Hawthorne Bridge Project, the Commission agreed to take care of the trolley bus traffic during the construction period, however, no mention was made of the additional cost to carry streetcar traffic during such period, and to provide for such traffic would require the shifting of the company's tracks on the existing approach structure and the installation of a pipe handrail. The extra cost of such rail over an ordinary timber rail, he said, is about \$130.00. He recommended that the Highway Commission assume this expense, provided the trustees of the streetcar line will assume the responsibility and cost of shifting the tracks to provide the necessary additional clearance. The Commission approved the recommendation.

The Engineer reported that in connection with the proposed realignment of the Madras-Terrebonne Section of The Dalles-California Highway, inquiry has been made of the U. S. Reclamation Service as to its plans with respect to the definite location of the irrigation canals, and it appears that nothing definite in this regard is available and the Reclamation Service is of the opinion that it will be at least two years before their work is sufficiently advanced to provide such information. He suggested, in view of the fact that the proposed highway improvement would be undertaken before the final plans of the Reclamation Service have been adopted, that it would be advisable for the Commission to proceed with the acquisition of the right of way needed for the highway. The Commission approved the suggestion and authorized the Attorney to proceed with the securing of options for such right of way.

Letters were presented from Messrs. Ed Potter, Waterman, Oregon, and George Dukek, attorney, Fossil, Oregon, requesting repairs to the bridge over the John Day River on the Service Creek-Mitchell Secondary Highway, so as to permit transportation thereover of loads weighing up to the legal weight limit, such bridge being now posted for a 10-ton limit. The Engineer advised that this bridge was built about 35 years ago and consists of timber and steel combination spans; further, that the timbers are badly decayed and that three years ago certain repair work was done but it still is unsafe for loads weighing more than the limit for which it is posted. He also said that there is considerable traffic over the bridge, consisting of logging and lumber trucks, and that incident to the trucking of cattle and stock, and it is alleged that it will be impossible to reduce the weight of the loads to the 10-ton limit.

He recommended, in view of the circumstances, a temporary improvement to the structure, costing about \$2,000, which would serve the purpose until the Commission is able to finance the construction of an entirely new bridge at this point. The Commission approved the recommendation.

The Commission also discussed the repair of the Nehalem River Bridge on the county road at Elsie, in Clatsop County. The Engineer advised that this road, including the bridge, was used as a detour for state highway traffic during the construction of the Wolf Creek Highway in this vicinity but state maintenance of the bridge was stopped about February 1st of this year, when the Wolf Creek Highway was opened to travel; further, that the bridge was inspected by one of the Bridge Engineers on June 27, 1940, at which time there was no indication that there was any particular disintegration of the structure, but a more recent inspection made on September 27th revealed that the ends of several of the floor beams are in bad condition and that a number of the stringers are cracked rendering the structure unsafe for travel and necessitating the closing of the same to public use. Request has been made, he said, that the State repair this structure. He estimated the cost of the new structure at \$10,000 and the cost to rehabilitate the present structure so that it can be reopened to traffic at about \$6,200. He recommended against any expenditure whatsoever because evidence shows that the bridge was in good condition when it was turned back to the County and that its condition at the present time is due to overloading by logging trucks since the County reassumed maintenance of the structure. The Commission concurred in the viewpoint of the Engineer and thereupon decided to let the matter rest in status quo unless and until the Clatsop County Court revives it.

The Commission discussed briefly matters pertaining to the reconstruction of the Ochoco Highway between Prineville and Mitchell and decided that the persons inquiring as to the Commission's plans with respect to such improvement should be informed that the Commission intends to continue the improvement from the westerly end rather than from the Mitchell end.

The matter of providing electrical energy for operating the Interstate Bridge between Portland and Vancouver was discussed. The Engineer advised that for many years electrical service for the operation of this bridge has been furnished by the Portland Electric Power Company, this being possible by reason of the Company's facilities installed and operated in connection with its street-car service over this bridge. However, the street-car service has been stopped and the company wants to discontinue the service for the bridge operation and alleges that if it were to provide such service it would necessitate either the maintenance of 8,000 feet of trolley wire, at a cost that is not justified, or the construction of new facilities, which are estimated to cost about \$10,325. The motors for operating the movable span of the structure, he said, are all of the direct current type and upon discontinuance of the service now rendered by the street-car company, no such current will be available and to replace them with alternating current motors would cost about \$50,000, whereas, it would be possible to convert the available alternating current with a motor generator set at a cost of about \$10,000. He referred to a letter from T. O. Russell, Chief Engineer for the Public Utilities Commissioner, in which Mr. Russell advises

that in the opinion of the Public Utilities Commissioner the street-car company cannot be required to maintain the present service because of the expense thereof and the small return that it would receive. He recommended, in view of the circumstances, that the Commission authorize the expenditure of \$10,000 for the purchase and installation of a motor generator set to convert the available alternating current energy to direct current. The Commission approved the recommendation under the condition that the State of Washington, joint owner of this bridge, will pay one-half the cost.

The Commission discussed the claim of J. E. Johnson, Milton, who alleges that the operation by the State of a gravel pit near his residence property has caused the well which supplied water for domestic use in his home, to dry up, necessitating the drilling of a new well at a cost of \$105.00. He asked the Commission to reimburse him for such expense. The Engineer advised that investigation of this matter reveals that the allegations of J. E. Johnson are substantially correct. He recommended approval of the claim. The Commission approved payment of the claim provided it is a legal expenditure of state funds.

The Engineer rendered a brief report on profits and losses incurred by contractors on state highway work during the past two years which indicated that the total net profit realized by 41 contractors on 124 contract jobs during such period amounted to only \$765.00. The Commission took no action on this matter.

The Attorney reported the results of his efforts to secure reimbursement from the City of Roseburg for the cost of electrical energy to operate the flashing beacon at the crossing of the Pacific Highway with the Southern Pacific Railroad, in Roseburg. He advised that, as instructed by the Commission, he contacted the City Attorney, Mr. E. L. Eddy, relative thereto and ascertained that Mr. Eddy, who appeared on behalf of the City at the Public Utilities Commissioner's hearing on this grade crossing matter when it was agreed that the City should pay the cost of operating this light, had no authority to bind the City in the matter, hence the City Council feels that it is not obligated to pay this expense. The Attorney advised that while the City is morally obligated to pay such costs the Highway Commission has no way to collect if the city refuse to do so. The Engineer suggested that the state pay the account but that an effort be made to secure the benefit of the city's electric light rate from the Power Company. The Commission approved the suggestion and so ordered.

The Commission adjourned at 12:30 p. m. and reconvened at 1:30 p. m. in the same room with the same persons present and participating.

A delegation was present from the town of Cottage Grove in regard to the closing of certain city streets that connect with the newly-constructed highway in this town, particularly the connections at 7th and Jefferson Streets and at 8th and Washington Streets. The delegation was headed by Mr. H. W. Lombard, City Attorney, and included the following: L. W. Coiner, City Recorder; Loren Schroeder, President, Chamber of Commerce; Jess Lansing,

Mr. Thumb, George Mathews, W. L. Workman, and Joseph Saflev, all city councilmen; Mrs. Laura Turner; Mr. Fred E. Smith, attorney for the property owners; and Mr. Brown and Mrs. Julia Brown.

Mr. Lombard recited the history of the Cottage Grove improvement case and particularly stated that the City Council, in adopting the resolution approving the Highway Commission's plans for the improvement, had no idea that it was obligating itself by such resolution to vacate and close certain streets entering the new highway, and would not have assumed any such obligation had it known that the highway improvement was contingent upon such action by the council. He pointed out that, according to the city charter, the city council cannot act on the vacation of any street unless two-thirds of the property owners abutting on such street agree thereto and, in this instance, the people affected do not want the streets closed. Furthermore, the members of the city council, even if they had the authority, are not inclined to order the closing of the streets in view of the objections offered by the local citizens. He urged the Commission to revise its plans for this improvement so as to allow traffic to enter the highway at the points mentioned. Mr. Smith read aloud a copy of the resolution which was adopted by the city on April 1, 1940, approving the Highway Commission's plans for this project. He gave as his legal opinion that the resolution does not bind the city or the property owners with respect to the closing of the streets and, in view thereof, asked the Commission to remove the barricades now in place, which barricades, he said, are causing all the trouble. He also said that the city would pay part of the costs involved. Mr. Brown stated that he is appearing before the Commission as a property owner and also as a representative of the Union Oil Company, with whom he is negotiating for the lease of his property, which is located at the intersection of 8th and Washington Streets. The completion of the lease, he said, is being held up pending the Commission's final decision on the matter of the street closure. He urged an early decision in the matter and stated that he personally would be satisfied if only the Washington Street connection were left open. Mr. Schroeder stated that he was present at the conference when an agent of the State Highway Commission told the city council that the state would prepare necessary papers to secure the vacation of the streets under discussion but the State has not as yet fulfilled its obligation in that regard. His remarks were confirmed by Mr. Lansing. Mr. Thumb stated that, if the Commission cannot see its way clear to leave all of these street connections open, he would be satisfied if the Commission would allow one opening along Washington Street. He also endorsed the remarks of the other speakers.

Mrs. Brown recommended the closing of all of the streets except 8th Street. Mr. Lombard concluded the presentation by again urging the Commission to leave all of the streets open.

Commissioner Clough closed the discussion by stating that the State Highway Commission is a public body and in making its decisions tries to be fair and equitable in every way and to act in accordance with what it considers the best interests of the general public and, in this particular instance, it was the opinion of the Commission that the closing of the streets in question was necessary from the standpoint of the general public safety. He also said

that the Commission will be pleased to give the arguments presented at this meeting fair consideration in the further discussion of the matter, but no decision can be given at this time because of Chairman Cabell's absence. He told the delegation that it could expect an early decision.

At 3:30 p. m. Commissioner Clough announced the following awards of contracts and sale of buildings for which bids were taken at the morning session, such awards having been previously approved by the unanimous vote of the Commissioners present:

"Lincoln County Line-Alsea Mountain Rock Production Project on the Alsea Highway, in Benton County. Furnish approximately 8,000 cu. yds. crushed material in stock piles. F. C. Willard of Eugene, submitted the low bid for this work, his bid being in the amount of \$11,920.00. A. O. Skstrom of Portland, submitted the second-low bid in the amount of \$12,800.00. There were 3 higher bidders. The Commission awards this contract to the low bidder, F. C. Willard, at his bid of \$11,920.00.

"Hug Point-Manzanita Section of Oregon Coast Highway, in Clatsop and Tillamook Counties. 9.07 miles bituminous macadam surfacing. The low bid received for this project was that of Rogers Construction Company, Dayton, Washington, in the sum of \$110,107.50. The next low bid was that of Fisher Bros., Oregon City, in the amount of \$110,351.00. There were 11 higher bidders. The Commission awards this contract to Rogers Construction Company, the low bidder, at its bid of \$110,107.50.

"East Unit, Dixie Summit-Austin Section of the John Day Highway, in Grant County. 4.3 miles grading, surfacing and oiling. The low bid submitted for this work was that of Leonard & Slate, Multnomah, in the amount of \$115,532.00. The next low bid was that of E. L. Gates, Trail, in the amount of \$125,236.75. There were 3 higher bidders. The Commission rejects all bids received on this project and has ordered it re-advertised.

"Goose Rock Bridge Section of the John Day Highway, in Grant County. Bridge construction over John Day River. C. J. Eldon of Portland submitted the low bid for this work, his bid being in the amount of \$44,651.00. McNutt Bros., Eugene, submitted the second-low bid, in the amount of \$45,125.50. There were 5 higher bidders. The Commission has rejected all bids for this work and has ordered the project re-advertised.

"Sexton Mountain Section of the Pacific Highway, in Josephine County. 1.91 miles grading. The bid of McNutt Bros., Eugene in the amount of \$236,390.00, was the low one received for this work. That of M. L. O'Neil & Son, Eugene, was the second-low bid, being in the amount of \$239,261.00. There were 6 higher bidders. This project is awarded to the low bidders, McNutt Bros., at their bid of \$236,390.00.

"Forest Boundary-Cottonwood Creek Section of the Klamath Falls-Lakeview Highway, in Lake County. 4.3 miles grading, surfacing and oiling; also construction of two composite type pile trestle bridges and three concrete culverts. The low bid received for this work was that of Jacobsen-Jensen Company, Portland, in the amount of \$127,173.00. The next low bid was that of E. C. Hall Company, Eugene, in the amount of \$129,944.50. There were 6 higher bidders. All bids have been rejected on this project and the Commission has ordered it re-advertised.

"Cottage Grove Section of the Pacific Highway, in Lane County. 0.80 mile roadside improvement. E. L. Gates, Trail, submitted the low bid for this project, in the amount of \$2,811.50. Blair T. Alderman, Eugene, submitted the next low bid in the amount of \$3,352.60. There were 2 higher bidders. The Commission awards this contract to the low bidder, E. L. Gates, at his bid of \$2,811.50.

"Nashville Bridge Section of the Eddyville-Blodgett Secondary Highway, in Lincoln County. Bridge construction over the Yaquina River at Nashville. J. F. Johnston, Newberg, submitted the low bid for this work, in the amount of \$14,032.80. Edlefsen-Weygandt Company, Portland, submitted the next low bid in the amount of \$14,479.75. There were 9 higher bidders. This contract is awarded by the Commission to the low bidder, J. F. Johnston, at his bid of \$14,032.80.

"Barbur Boulevard-Boones Ferry Road Section of the West Portland-Hubbard Highway, in Multnomah, Washington, and Clackamas Counties. 3.55 miles grading and surfacing. Jacobsen-Jensen Company, Portland, submitted the low bid for this work, in the amount of \$88,792.50. Leonard & Slate of Multnomah, submitted the next low bid in the amount of \$91,424.00. There were 11 higher bidders. The Commission has referred all bids received for this work to the Engineer with power to award the contract to the low bidder when certain conditions have been fulfilled.

"La Grande Rock Production Project on the Wallowa Lake and Old Oregon Trail Highways, in Union County. Furnish approximately 8,000 cu. yds. of crushed gravel in stock piles. D. C. & A. L. Williams, Condon, submitted the low bid for this work, with their bid of \$10,236.40. Hart Construction Company of La Grande, submitted the next low bid, in the amount of \$13,454.90. There were 5 higher bidders. This contract is awarded to D. C. and A. L. Williams at their low bid of \$10,236.40."

Buildings at Brookings

"Building No. 7700 (formerly owned by Brookings Land & Townsite Company). The only bid submitted for the purchase of this building was that of Kenneth Dodd of Eugene, who bid .26.55. The Commission rejects this bid.

"Building No. 7701 (formerly owned by Leavenworth Kyle). Fred W. Flynn, of Harbor, submitted the high bid for the purchase of this building, his bid being in the amount of \$110.00. Kenneth Dodd of Eugene submitted the next high, and only other bid, in the amount of \$20.00. The Commission accepts the bid of Fred W. Flynn and sells this building to him at his high bid of \$110.00.

"Building No. 7707 (formerly owned by Fanny T. Pedriele). The only bidder for the purchase of this building was Jim Jarvis of Brookings who bids for the salvage value only. This bid is rejected by the Commission.

Buildings at Marshfield:

"Building No. 8086 (formerly owned by Lillian Madden). Two bids were received for the purchase of this building, that of Kenneth Dodd of Eugene being the high one, in the amount of \$106.55. Ed Lorsung, Marshfield, was the other bidder. His bid was in the amount of \$76.00. The Commission rejects both these bids.

"Building No. 8091 (formerly owned by G. L. Curtiss and Eliza E. Condron). Only two bids were received for the purchase of this building, that of Glen Wm. Curtis of Marshfield, being the high one, in the amount of \$40.00 and that of Kenneth Dodd, Eugene, in the amount of \$16.00, the second high. The Commission rejects both these bids.

Lodge and Service Station Buildings at Siskiyou Summit:

"Building No. 7183 (formerly owned by Wm. B. Norris). The only bid received for the purchase of this building was that of Kenneth Dodd, in the amount of \$26.55. The Commission sells this building to Mr. Dodd at this price."

Mr. Lawrence Nelson and his attorney, Irving C. Allen, Seaside, came before the Commission and requested the reinstatement of Mr. Nelson's permit for truck hauling logs over state highways, which permit was previously cancelled because of traffic law violations committed by Mr. Nelson, including the hauling of logs during the hours of darkness, the overloading of his truck, and failure to respect and obey certain orders given him by the State Police officer who caused his arrest. Mr. Allen stated that Mr. Nelson's permit was revoked on October 3, some 6 weeks ago, and that his truck has not been in operation since that time, causing loss to him up to the present time of more than \$1,000. It was his thought that Mr. Nelson has been sufficiently penalized for this offense. After discussion, the Commission authorized the reinstatement of Mr. Nelson's permit under the condition that he would not violate the laws, rules and regulations again, and with the warning that if he is again arrested the penalty imposed will be more severe.

The following members of the Eugene Junior Chamber of Commerce were present and urged the Commission to conduct snow removal operations on the McKenzie Highway this winter up to a point known as Pole Bridge, for the benefit of winter sports enthusiasts: Hal G. Thompson, President; Dr. Norman Lee, and Robert Swenness. Mr. Thompson headed the group. He presented, in support of his oral arguments, a communication from the Winter Sports Committee of the Junior Chamber of Commerce urging the Commission to spend for snow removal on this highway this winter at least as much as was spent for the same purpose last winter. Mr. Swenness advised that their committee has made an exhaustive investigation for suitable skiing grounds adjacent to the Willanette Highway but has been unsuccessful in finding anything that would serve the purpose within 6 miles of the highway and, unless the Commission will keep the McKenzie Highway open up to the point requested, they will be forced to either give up their snow sports or go excessive distances to other winter playgrounds. The Commission deferred a decision in the matter pending consideration of its proposed state-wide snow removal program.

Messrs. P. H. Sayre, Aurora, and Dr. C. P. Shewey, Canby, members of Aurora Post, American Legion, were present and inquired as to the possibilities of purchasing a small parcel of state-owned property situate between the old and new routes of the Pacific Highway East just north of the Pudding River Bridge, Aurora. They stated that Aurora Post is considering the construction of a Legion Home for the benefit of its members and they will need about one-half acre of ground for such purpose and that the tract above-described would suit their requirements admirably. The Engineer pointed out that the Commission has plans to revise the alignment of this highway at this point when the proposed new bridge over the Pudding River is constructed and, in all probability, will need in connection therewith at least a portion of the ground desired by the American Legion. He suggested, in view thereof, that the Commission defer its decision in the matter pending completion of the highway project, when it will be known definitely just how much land there is available for disposal. This arrangement was approved by all concerned and it was understood that the Aurora Post, American Legion, would be given the first opportunity to purchase the tract when the highway work is done.

Messrs. Donald Rogers of the Rogers Construction Company, highway contractors, and Russell Olsen, of Norris Bros., contractors, came before the Commission in regard to the penalty imposed by the Commission on Norris Bros. for failure to complete two highway contracts within the time limit specified; viz., contract No. 2287 for surfacing and oiling the Lick Creek-Salt Creek Section of Little Butte Secondary Highway, in Jackson County, and contract No. 2223, for surfacing and oiling the Butte Falls Section of Butte Falls County Road, in Jackson County.

The Engineer advised that contract No. 2287 was awarded to Norris Bros. on February 16, 1940, and the specified date of completion was July 31, 1940. However, the work was not completed until October 5, 1940, which resulted in the increase in engineering expense amounting to \$842.85. Contract No. 2223, he said, was awarded on September 28, 1939, and the date of comple-

tion specified was June 30, 1940, although the work was not completed until July 17, 1940, resulting in extra engineering expense amounting to \$380.13. In both instances, he said, the Commission granted extensions of time subject to payment by Norris Bros. of the extra expense incurred by the State for engineering supervision subsequent to the specified date of completion.

Mr. Rogers stated that Rogers Construction Company subcontracted certain work in connection with both of these jobs and the reason that they failed to complete the projects within the specified time limit was due to the fact that they encountered difficulties in connection with the Lick Creek-Salt Creek project which not only prevented their completing this job within the specified time limit but also made it impossible for them to move onto the other job and, as a result, they encountered bad weather. He urged the Commission to reconsider previous action and to relieve them from payment of at least a portion of the penalty. The Engineer explained the purpose of the setting of a definite time for the completion of a project and the reasons why the Commission feels it necessary to exact a penalty from the contractor for overrunning the specified time limit. He further stated that a study of the field engineer's reports on both of these jobs indicates that bad weather was not responsible for the contractor's failure to complete the projects on time but, on the other hand, the reports do show that the contractor had difficulty in operating one of the quarries. He expressed the thought that the penalties imposed may be somewhat excessive for jobs of this kind and recommended that they be reduced 50 per cent in each instance. Mr. Rogers expressed himself as satisfied with such compromise, whereupon the Commission approved the recommendation and so ordered.

Mr. Arch B. Sanders, Manager of the Coast Highway Association, was present and presented a resolution from the Association endorsing the policy of the Commission which prohibits the truck-hauling of logs on state highways during Saturday afternoons, Sundays, holidays, and during the hours of darkness. Mr. Sanders also asked the Commission to provide rest room facilities along the Oregon Coast Highway at Otter Crest and Depoe Bay, particularly at Depoe Bay where many people congregate. The matter was referred to the Engineer for investigation and report.

Mr. Sanders also suggested that if the Commission has it in mind to complete the reconstruction of the Oregon Coast Highway between Marshfield and North Bend in the near future, in his estimation, considerable saving in right of way costs could be realized if the right of way were purchased now. He was informed that this project has not advanced far enough to authorize right of way negotiations.

The matter of reconstructing the Oregon Coast Highway through Gold Beach was also discussed briefly but no action was taken.

Mr. I. C. Nealeigh, Oregon City, came before the Commission and asked for the filling in of the highway right of way in front of his property in block 11, Oregon City, so as to eliminate the depression between his property and the highway. He said that he is not seeking an entrance to

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the highway, inasmuch as he now has a connection via an existing alley, but he has a buyer for his property who intends to erect a two-story, fire-proof building and the filling in of the highway in front of it would make for a more attractive appearance. He also agreed to furnish material for the fill if the State would do the construction work. The matter was referred by the Commission to Chairman Cabell with power to act. Mr. Nealeigh agreed to write the Commission and state fully all the facts in the case so that the Commission would know clearly just what he wants done.

A delegation from Albany, representing the city council and consisting of Messrs. Victor Olliver, city attorney; A. B. Coates and Fred Forrester, city councilmen; G. M. Junkin, superintendent of streets, and Mr. Clark, log hauler, came before the Commission with regard to the routing of logging trucks through the city to dumps in the Willamette River. Mr. Olliver headed the group. He said that continuous heavy pounding that is being given their city streets by logging trucks is causing considerable damage and that the city is unable financially to pay the cost to maintain them, hence they feel that the State should take over these streets as state highway routes and assume maintenance obligations. He particularly referred to Lyons Street from the new highway to the dumps at the foot of this street and at the foot of Montgomery Street; First Street from Ellsworth Street to Main Street, and Main Street from First Street to a connection with the new highway near 8th Street. The Engineer advised that the Commission has not yet abandoned First Street and Main Street as the state highway route, hence such streets are still under state maintenance. He recommended that Lyons Street from the new highway to First Street be designated an alternate state highway route if the city will adopt an ordinance making this a through street requiring traffic to stop before entering the same, which is in conformity with the Commission's policy with regard to such matters. He pointed out that a designation of Lyons Street as a state highway route would require the installation of a flashing beacon at its intersection with First Street for the protection of traffic. After considerable discussion, the delegation stated its approval of the arrangement suggested by the Engineer and agreed to have the necessary ordinance adopted at the next council meeting with respect to both the designation of Lyons Street as a through street and the installation of the beacon toward which the city will contribute one-half the cost.

Mr. Jess Dawes, Gladstone, came before the Commission and requested authority to transport logs over certain state highways in the vicinity of Molalla. He explained that he has purchased the truck of a Mr. Emil Waldkirch whose log hauling permit was cancelled by the Public Utilities Commissioner upon request of the State Highway Commission on account of violation of traffic laws, and he expects to engage in the business of log hauling himself. However, request for a permit to transport extra long loads, using Mr. Waldkirch's equipment, and the engaging of Mr. Waldkirch as the driver of the same, has been refused on the grounds that the Commission is penalizing the equipment as well as the owner of the same. He said that the purchase of Mr. Waldkirch's equipment by him is a bona fide transaction and is not simply for the purpose of avoiding the penalty imposed. After considerable discussion, the Commission approved the granting of the permit to Mr. Dawes and the employ-

ment by him of Mr. Emil Waldkirch to operate the truck, with the understanding that two of the previous violations committed by Mr. Waldkirch should be charged to this equipment, in the event of future violations.

The Commission adjourned at 6:00 p.m. to reconvene at 8:00 p.m. in the Imperial Hotel.

The Commission reconvened at 8:00 p.m. in Room 415, Imperial Hotel, with all members, the State Highway Engineer, the Attorney, and the Secretary present.

The Commission discussed the employment of Mr. Samuel Lancaster and decided, in view of the fact that Mr. Lancaster's services cannot be used to good advantage on account of his age and health, that there was no justification for continuing him on the State's payroll and it was ordered that his services be terminated.

The Assistant Attorney reported the status of the right of way budget for 1940, stating that of the \$600,000 which the Commission budgeted for expenditure for real property purchases this year, \$356,450.00 has been obligated and it appears that the expenditures for such purposes this year will not exceed the amount of the budget.

The Commission approved the minutes of the meetings held on June 13 and 14, June 20, July 18 and 19, August 16 to 23, incl., and September 30 to October 4, 1940, inclusive.

The Attorney requested authority to purchase certain parcels of real property that are needed for various highway improvements throughout the State. He submitted a list of such properties together with prices that he recommended be paid for each. After careful consideration the Commission approved the request and, by unanimous vote, adopted the following resolution with regard thereto:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth, and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon, and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, trwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>West Portland-Tualatin Section-West Portland-Hubbard Highway</u>				
4819-7-Myers, Murray W.	R/W	1.122	\$200 per a. + \$225 + drilling well	Benson
4826-Bredemeyer, Edw. N.	R/W	0.87	\$200 per a. + \$356	"
4828-Lane, Gail	R/W	0.207	\$200 per a. + \$18.60	"
4820-4821-Noles, Stella H.	R/W	2.08	\$200 per a. + \$2084 + moving bldg. & drilling wells (Est'd \$1500)	"
4033-Kaden, Wm. F.	R/W	0.379	\$200 Lump Sum	"
4830-Lauer, Arthur E.	R/W	0.773	\$200 per a. + \$100	"
4838-Jacobson, Oscar	R/W	1.30	\$200 per a. + \$200	"
4839-Blunt, Alfred I.	R/W	2.55	\$150 per a.	"
4823-Wade, W. H.	R/W	0.873	\$150 per a.	"
4822-Lindholm, Oscar W.	R/W	0.20	\$150 per a. + \$20	"
4831-Shultz, Vincent R.	R/W	0.405	\$200 per a. + \$160 + moving bldg. (Est. \$750)	"
4832-Hermesen, Ivan J.	R/W	1.14	\$300 per a. + \$1097 + low moving bldgs. (Est. \$600)	"
4835-Brock, Opal Alma	R/W	0.455	\$150 per a. + \$81.75	"
4082-A Geiger, Jeanette E.	R/W	0.08	\$40 Lump Sum	"
<u>Sunset Tunnel-Buxton Section-Wolf Creek Highway</u>				
8472-Boos, E. J. and Henry	Easement	80.0	To prospect for rock \$1.00 Lump Sum	McChesney
8474-Gribner, Edward et al	Easement	160.0	To prospect for rock \$1.00 Lump Sum	"
8475-Washington County	Easement	120.0	To prospect for rock \$1.00 Lump Sum	"
<u>Manning-Davis Section-Wolf Creek Highway</u>				
8557-Gaddy, Marion	R/W	2.34	\$450.00 Lump Sum	"
<u>Davies-Vadis Section-Wolf Creek Highway</u>				
6276-(Lester) Sell	R/W	1.68	\$150 per a. + \$792.40	"
<u>Houlton-Warren Section-Columbia River Highway</u>				
7433-Turnham, W. G.	R/W	2162 sq.ft.	3¢ sq.ft. + \$95.14	"

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
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(Olney Section) Astoria-Jewell Section-Nehalem Highway

8553-McCoy, John E.	Scale Site	0.81	Gratis	Eason
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Vernonia-Mist Section-Nehalem Highway

8216-Clark and Wilson Lbr.Co.	Stock Pile	2.01	\$25.00 per a.	"
(Correction)				

Multnomah County Line-Seapoose Section-Columbia River Highway

8327-Pomeroy, Clay J.	R/W	0.07	\$200 per a. + \$277	McChesney
8319-Kaschke, Blanche	R/W	0.10	\$200 per a. + \$102	"
8320-Miller, C. H.	R/W	0.04	\$200 per a. + \$12	"
8321-Miller, C. H.	R/W	0.05	\$200 per a. + \$63	"
8182-Frakes, G. E.	R/W	3.7	\$200 per a. + \$410	"
8342-Uhlman, Fredrick	R/W	0.22	\$500 per a. + \$15	"
8324-Parke, Roy	R/W	0.16	\$200 per a. + \$388	"
8318-Saxton, Charles	R/W	0.10	\$200 per a. + \$30	"
8347-Seapoose, City of	R/W	12,600 sq.ft.	\$75 Lump Sum	"
8354-Larsen, Aaron B.	R/W	292 sq.ft.	5¢ sq.ft.	"
8322-Nense, Henry J.	R/W	0.20	\$200 per a. + \$439	"
8339-Stasna, August	R/W	1.33	\$200 per a. + \$1734 + moving bldg. etc. (Est'd at \$450)	"
8346-Dutler, Anna	R/W	3050 sq.ft.	2¢ sq.ft. + \$314	"
8325-Allen, Eva M.	R/W	0.09	\$200 per a. + \$40	"
8348-Novak, Joe	R/W	2614 sq.ft.	3¢ sq.ft. + \$71.60	"
8343-Kocarnik, Louis C. and Riley, Leon	R/W	1307 sq.ft.	2¢ sq.ft. + \$14	"
8352-Holstine, T. V.	R/W	2000 sq.ft.	5¢ sq.ft.	"
8330-Koutek, Alois	R/W	0.32	\$200 per a. + \$96	"
8328-Koutek, Alois	R/W	1.26	\$200 per a. + \$1348	"
8341-Turner, G.B. Estate	R/W	9583 sq.ft.	2¢ sq.ft. + \$808.34	"
8349-Novak, Frank	R/W	2178 sq.ft.	5¢ sq.ft. + \$1391.10	"
8344-Watts Estate	R/W	2614 sq.ft.	5¢ sq.ft.	"
8345-Hein, H. A.	R/W	2613.6 sq.ft.	2¢ sq.ft. + \$197.73	"
8333-Parish, St. Wendeslaus	R/W	0.17	\$200 per a. + \$66	"

Nehalem Spit Section-Oregon Coast Highway

7316-Turner, Julia	Park	2 lots	\$10 each - State to pay taxes (Est'd \$5)	Martin
7320-Abendroth, F.	Park	1 lot	\$10 - State to pay taxes (Est'd. 22¢ + 2 recording fees)	"
7315-Heinges, Nick J.	Park	1 lot	\$10 Lump sum + taxes	"

Ramsey-Ballock Section-Columbia River Highway

8399-Helms, Jas. H. Estate	R/W, haul road, stock pile site	0.66 1.96 2.62	\$100 per a. \$20 per a.	Landon
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Section, Hwy. and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>(Hamsey-Blalock Section-Columbia River Highway, continued)</u>				
8402-Walters, Frank and Shane, A. C.	Talus Pit.	2.53	2-yr. lease, \$10 + fencing \$5.50	Landon
8400-Erickson, Fred	R/W	4.73	\$100 per a. + fencing \$165.50	"
<u>Quartz Creek-Bear Creek Section-Wolf Creek Highway</u>				
7043-Ruth Realty Company	R/W		Authority to fell danger trees. Gratis	Parker
<u>North Bend-Marshfield Section-Oregon Coast Highway</u>				
8073-Arnis, G. P. and Shamonis, Tom	R/W	1075 sq. ft.	10¢ sq. ft.	Collins
8059-Mayer, Elva	R/W	1696 "	10¢ sq. ft.	"
8067-Bowe, Thos.	R/W	4252 "	15¢ sq. ft.	"
8071-Lloyd, T. J. (Correction)	R/W	2375 "	7.36¢ sq. ft. + payment by State of 1940 taxes (Est. \$8)	"
8072-Lloyd, Annie E. (Correction)	R/W	2375 "	7.36¢ sq. ft. + payment by State of 1940 taxes (Est. \$8)	"
<u>Coquille Section-Oregon Coast Highway</u>				
8508-Alley, Lena V.	Easement	828 "	Gratis	Lytle
<u>Brookings Section-Oregon Coast Highway</u>				
7704-Chadwick, Helen Louise	R/W		For cancellation of lease - State to give title of restaurant bldg. & fixtures to Helen Louise Chad- wick, who will remove bldg. from R/W. (Estimated salvage value \$300)	Collins
7705-Hoar, Ed	R/W		Low bid for removing service sta- tion equipment from R/W (Lots 1 & 2, Block 15, Brookings) - \$290	"
7710-Weter, H. P. (Correction)	R/W	1851 sq. ft.	Gratis + moving bldgs. \$1310, low bid	"
8548-Brookings Land & Town- site Company	Stock Pile	1.29	\$200 Lump Sum	Lytle
7703-Harris, Jas. A. (Correction)	R/W	2022 sq. ft.	Land Gratis + \$1381	Collins
<u>Black Canyon-Oakridge Section-Willamette Highway</u>				
8511-Kraus, Lena	Stock Pile	1.0	\$100 per a. + fencing	Lytle
<u>DePoe Slough Section-Siletz Highway</u>				
8437-Grave, W. L.	R/W	0.78	\$200 per a. + \$96.50	Parker
8432-St. Clair, Geo. L.	R/W	0.82	\$25 per a. + \$85.15	"
8431-Murty, Ralph	R/W	0.52	\$25 per a. + \$17.50 fee F.H.A. loan	"

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Section, Hwy. and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>(DePoe Slough Section-Silets Highway continued)</u>				
8434-Thompson, Martin O.	R/W	0.56	\$25 per a. + \$35	Parker
8436-Grave, Estate Emma T.	R/W	0.94	0.23 a. at \$200 per a. 0.71 a. at \$10 per a. + \$46.50	"
8428-Strang, Earl O.	R/W	2.25	1.0 a. at \$100 per a. 1.25 a. at \$125 Lump Sum + \$95.	"
8458-Loe, Alfred O.	R/W	0.19	\$200 per a. + \$58.50	"
8429-C.D. Johnson Lbr. Corp.	Slope Easement	3223 sq. ft.	\$1.00 Lump Sum	"
8430-Murray, Hugh and Richards, John I.	R/W	1.25	0.13 a. at \$100 per a. 0.98 a. at \$25 per a. 0.14 a. at \$1 Lump Sum + \$5 fencing	"
8438-Gray, Frank C.	R/W	1.35	\$25 per a.	"
8448-Riggs, H. H.	R/W	0.06	\$5.00 Lump Sum	"
8452-Preston, M. V.	R/W	0.08	\$5.00 Lump sum	"
8449-Jenkins, Ray L.	R/W	0.08	\$1.00 Lump Sum	"
8450-Abraham, Guy	R/W	0.08	\$5.00 Lump sum	"
8450A-Lingo, Jerry and Abraham, Guy	R/W	0.08	\$5.00 Lump Sum	"
8453-Larsen, Christian	R/W	1.52	\$100 per a. + \$140.75	"
6006-Dickenson, Lee L.	R/W	0.46	Land \$2 Lump Sum + fencing \$64.50	"
8454-C.D. Johnson Lbr. Corp.	Easement	13,806 sq. ft.	\$1.00 Lump Sum	"
5667A-C.D. Johnson Lbr. Corp.	R/W	1.39	\$1.00 Lump Sum	"
5667-C.D. Johnson Lbr. Corp. (Correction)	R/W	0.61	\$1.00 Lump Sum	"
8433-Erickson, Emma	R/W	0.44	\$25 per a.	"
8427-Dudley, G. J.	R/W	0.46	\$25 per a.	"
8451-Judd, Edith	R/W	0.18	\$5 Lump Sum	"
8428A-Miles, C. E.	R/W	0.27	\$100 per a. + \$38.25	"
8428D-Strang, E.O.	R/W	0.08	\$100 per a. + fencing \$10.88	"
8428C-Allen, Alex	R/W	0.41	\$100 per a. + fencing \$75	"
5668-Bahrke, Eric	R/W		Moving 22 rods fence - \$16.50	"
8428E-Bahrke, Eric	R/W	0.12	\$100 per a. + moving fence \$31.50, + moving radio pole	"
8457A-Stiffler, A. M. and J.W. (Bryant estate)	R/W	60 sq. ft.	\$5 Lump Sum	"
8456-Brassfield, Jessie	R/W	0.41	\$200 per a. + \$268	"
8455-Logan, John - John Logan Estate	R/W	2.28	\$100 per a. + fencing \$168	"

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Section, Hwy. and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>(DePoe Slough Section-Siletz Highway continued)</u>				
8457B-Fosard, M. L. & Mary Alice Bryant Estate	R/W	200 sq.ft.	5¢ sq.ft.+ \$140	Parker
8435-Dean, E. L. et al	R/W	1.93	0.65 a. at \$200 per a. 1.28 a. at \$10 per a. + \$200	"
<u>Siletz Ray-Newmort Section-Oregon Coast Highway</u>				
4054-Siletz Investment Company	R/W	4.19	2.02 a. at \$300 per a. 8 lots at \$175 per lot 4 lots at \$137.50 per lot	McCallister
4055-Carey, W. F. and Val E.	R/W	1.48	\$300 per a.	"
<u>Nashville Section-Eddyville-Blodgett Highway</u>				
8556-Hogevoll, Ben H.	R/W	0.20	0.09 a. at \$100 per a. 1800 sq.ft. minus 2¢ sq.ft. 0.05 a. at \$25 per a.+ \$55	Parker
<u>Albany Section-Pacific Highway East</u>				
5834-Dailey, Frank F.	Grade Change		Damage to 85 feet - on acct.change in grade \$1.00 front foot	Gardiner
7186-Bramley, Gertrude and McLeod, Gertrude	Grade Change		Damage acct.grade change \$100, credit payment of \$25 previously made	"
<u>Albany-Lebanon Section-Santiam Highway</u>				
8470-Steckley, Daniel	Scale Site	0.47	\$150 Lump Sum for land, + \$35.75	"
<u>Willamette Street-Augusta Street Section-Pacific Highway, Eugene</u>				
7559-Hollenbeck, Rose M.	R/W and Easement	601 sq.ft.	At 30¢ sq.ft.+ \$462	Parker
<u>Grants Pass-Medford Section-Pacific Highway</u>				
8478-Gold Ray Realty Co.	Stock File	0.98	3 year lease - \$3 per year	Lytle
<u>Blalock-Arlington Section-Columbia River Highway</u>				
8386-Erickson, Fred J.	Gravel Pit	3.29	10 yr.lease at \$5 per yr.	Gardiner
8387-Woelpern, W. F.	Quarry	3.34	\$5 per a.	"
<u>Pendleton-Adams Section-Oregon-Washington Highway</u>				
5908-Bemus, Pauline F.	R/W	10.78	\$125 per a.+ \$2239.50	Parker
5909-Adams, Susan F.	R/W	7.72	\$125 per a.+ \$1149.00	"
5884-White, Charles L.	R/W	0.045	\$1,000 per a.+ \$305	"

Section, Hwy. and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Pendleton-Rye Junction Section-Pendleton-John Day Highway</u>				
8466-Hawke, Everett J. and Gisbela, Eva Hawke	Stock Pile	1.26	\$100 per a. + \$23.50	Landon
<u>Sexton Mountain Section-Pacific Highway</u>				
8370-Chilecott, Sidney E.	R/W	38.95	\$1789.50 Lump Sum for land + fencing \$75 + \$22.50	"
<u>Lone Rock Junction-Rock Creek Section-Wasco-Hepburn Highway</u>				
8010-Monahan, John J.	Quarry	3.14	Lease for road mat- erials - \$100 Lump sum - 1 yr. lease	Gardiner
<u>Rhea Creek-Hepburn Section-Rhea Creek-Hepburn Highway</u>				
7534-Wright, Harold A.	R/W	0.10	Land Gratis, + fenc- ing \$20	" "
7533-Rugg, Edward E. (Correction)	R/W	0.10	Land Gratis, + \$781.25	" "
<u>Millican-Brothers Section-Central Oregon Highway</u>				
8549-Settlemyer, Jacob	Stock Pile	3.0	\$1.00 per acre	" "
<u>Kimberly-Monument Section-Monument Highway</u>				
7925-Murphy, Elizabeth C.	R/W	2.31 1.08 3.39	\$5.00 per acre \$100.00 per acre, + fencing \$52.50	" "
<u>Kimberly-Dry Creek Section-Monument Highway</u>				
8396-Fleming, Walter W.	R/W	5.23	\$5.00 per a. + fenc- in \$152.50	" "
7923-Vinson, Elsa H.	R/W	6.04 4.15 10.19	\$5.00 per a. \$100.00 per a. + \$637.50	" "
<u>West Unit-Kimberly Section-Monument Highway</u>				
8397-Batty, J. N.	R/W & Filler Pit	19.31	11.35 a. at \$5 per a. " 5.26 a. at \$10 per a. 2.7 a. at \$100 per a. plus \$1583.75	" "
<u>La Grande-Elgin Section-Wallowa Lake Highway</u>				
8500-Friswold, Iva	Stock Pile	1.0	\$125 per a. + \$25	Landon
8501-Zurbrick, Elva	" "	1.0	\$100 per a.	"
8499-Pioneer Flouring Mill Company	Gravel Pit & Haul Rd.	5.59 0.16 5.75	\$75 per a. Gratis	"

Section, Hwy. and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Cricket Flat-Minam Section-Wallowa Lake Highway</u>				
8392-Bowman-Hicks Lumber Co.	R/W	4.7	\$4 per acre	Gardiner
<u>Ironside-Brogan Section-John Day Highway</u>				
8441-Eastern Oregon Land Co. Quarry		0.61	\$100 Lump Sum	"

The Attorney also requested authority to purchase certain properties that are needed as right of way for the proposed Front Avenue project in Portland. After careful consideration, the Commission approved the request and, by unanimous vote, adopted the following resolution pertaining thereto:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth, and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon, and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy. and Owner	Area	Approximate Amounts	Agent
<u>Front Avenue Project-Portland Section-Pacific Highway West</u>			
7963-Portland Trust & Savings Bank	70,750 sq.ft.	\$67,275.00	McCallister
7964-Portland Trust & Savings Bank	44,084 "	30,764.25	"
7965-Larde Steel Company	14,166 "	28,325.00	"
7966-Bissinger, Adolph, Heirs	19,286 "	24,025.00	"
7967-Jem Investment Company	13,188 "	10,987.50	"
7969-Stephens, Mrs. H. L., Heirs	6,825 "	5,357.50	"
7971-Fuller, W. P. Company	22,757 "	61,948.00	"
7973-Meier, Allen E.	22,642 "	44,462.00	"

(Continued on next page)

Section, Hwy. and Owner	Area	Approximate Amounts	Agent
(Front Avenue Project-Portland Section-Pacific Highway West continued)			
7974-Page Investment Company and Estelle Kisner	11,661 sq.ft.	27,046.56	McCallister
7976-Buttels, Jesse and James W.	5,792 "	10,000.00	"
7977-Webb, Mary E.	5,781 "	10,000.00	"
7984-Cabell, Henry F. et al	24,022 "	45,585.00	"
7985A-The Reed Institute	24,108 "	46,276.00	"
7992-McMahon, L. T.	11,892 "	19,375.00	"
7994-Dolph, John M.	46,640 "	26,605.00	"
7994A-Thompson, D. P. Company	46,640 "	26,605.00	"
7994B-Dolph, John N.	46,640 "	26,605.00	"
7996-Stark-Davis Company	2,366 "	5,500.00	"
8002-Johnson, R. F. J.	2,802 "	5,815.00	"
8004-Burke, H.R. and Isabel	1,952 "	2,870.00	"
8006-Crumpacker, Cully C. and Menefee, Cornelia C.	1,952 "	3,305.00	"
8007-Dodd, Corinth E.	6,157 "	13,505.00	"
8011-The Spalding Company	10,228 "	18,820.00	"
8014-Pioneer Real Estate Co.	12,500 "	48,401.25	"
	28,287 "		
8015-Couch, Caroline, Inc., Estate	10,500 "	16,193.75	"
8016-Lewis Investment Company	27,395 "	9,925.00	"
8017-Flanders, Inc., Estate	27,395 "	35,675.00	"
	31,473 "		
8020-Ore.-Washington RR & Navigation	61,840 "	48,325.00	"
8020-Ore.-Washington RR & Navigation	60,000 "	3,587.50	"
8001-Ore.-Washington RR & Navigation	96,788 "	73,325.00	"
8018-Southern Pacific Company	36,425 "	31,671.00	"
8019-Portland Gas & Coke Co.	43,243 "	35,135.00	"
7970-Public Market Company of Portland	122,761 "	61,576.60	"

The Attorney requested authority to condemn certain parcels of real property that are needed for various highway improvements and recommended the following offers for purposes of condemnation:

Name	Purpose Required	Recommended Offer
C. R. Gillette	R/W	\$ 200.00
Sarah Agnes Young	"	4,250.00
Rosa Goldberg	"	240.00

(Continued on next page)

W. R. Lacey)	R/W	\$ 170.00
W. R. Lacey)	"	290.00
S. H. Forshaw	"	125.00
J. H. Davies	"	30.00
John W. Roppel	"	28.75
R. A. Dorcheus	"	83.80
Bessie Enyart	"	1,000.00
C. O. Anderson	"	1,000.00
Alberta L. Thomas	"	135.00
G. F. Neff and E. A. Newton	"	450.00
School District No. 1	"	441.20
First Congregational Church	"	450.00
Union High School District No. 4	"	239.83
Elwood W. Roberts	"	46.30
H. H. Harker	"	1,635.00
Roy Earwood	"	1,543.50
Mike McCabe	"	1,244.20
Paul Studenski	"	220.00

The Commission approved the request and, by unanimous vote, adopted the following resolution covering the matter:

WHEREAS, the State Highway Commission under the provisions of Chapter 529, Oregon Laws, 1939, is authorized to locate, relocate, construct, reconstruct, maintain, widen, straighten, and otherwise improve state highways, both primary and secondary, and said Commission is also authorized to construct shops, equipment sheds, office buildings, maintenance sites, patrolmen accommodations, and snow fences, and is authorized to acquire quarry sites, gravel pits, storage sites, stockpile sites, weighing stations, and broadcasting stations, and is further authorized to develop, construct, improve, operate, and maintain parks, parking places, auto camps, camp sites, roadside development, recreational grounds or resorts, and other places of attraction and scenic value; and

WHEREAS, said Highway Commission is authorized to acquire by purchase, agreement, donation, or by the exercise of the power of eminent domain real property, or any interest therein, necessary or deemed by the Highway Commission necessary for the accomplishment of any and all of the foregoing things; and

WHEREAS, in the judgment of the Highway Commission the several tracts or parcels of land hereinafter described are each and all necessary for the specific and particular purposes hereinafter specifically set forth;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the Commission does hereby find and declare that

the several parcels of real property hereinafter described are each and all necessary for the accomplishment of the purposes hereinafter expressly and specifically set forth, which said real properties and the specific purposes for which the same are being acquired are described as follows, to-wit:

Real property owned by the heirs of Sarah Agnes Young, deceased, which property is located in the northeast quarter (NE $\frac{1}{4}$) of the southeast quarter (SE $\frac{1}{4}$) of Section 36, Township 1 South, Range 1 West, W.M., Washington County, Oregon, which property is more particularly described on the attached sheet and designated as Parcel No. 1 and is further identified in the records of the Highway Commission as file R 3645, and which property is being acquired for right of way purposes in connection with the West Portland-Tualatin Section of the West Portland-Hubbard Highway;*

Real property owned by Rosa Goldberg, which property is located in Lots 19 to 26, inclusive, Block 15, West Portland Heights, Washington County, Oregon, which property is more particularly described on the attached sheet and designated as Parcel No. 2 and is further identified in the records of the Highway Commission as file R 5475, and which property is being acquired for right of way purposes in connection with the West Portland-Tualatin Section of the West Portland-Hubbard Highway;*

Real property owned by Wm. R. Lacey, which property is located in Block 5, Lake Forest, in Section 7, Township 2 South, Range 1 East, W. M., Clackamas County, Oregon, which property is more particularly described on the attached sheet and designated as Parcels Nos. 3, 4, and 5 and is further identified in the records of the Highway Commission as files R 4643 and R 4084, and which property is being acquired for right of way purposes in connection with the West Portland-Tualatin Section of the West Portland-Hubbard Highway;*

Real property owned by S. H. Forshaw, which property is located in Lot 8, Kable Acres, situated in Section 12, Township 2 South, Range 1 West, W. M., Washington County, Oregon, which property is more particularly described on the attached sheet and designated as Parcel No. 6 and is further identified in the records of the Highway Commission as file R 4086, and which property is being acquired for right of way purposes in connection with the West Portland-Tualatin Section of the West Portland-Hubbard Highway;*

Real property owned by Paul Studensky and Esther Studensky, which property is located in Lot 80, Tualatin Valley Homes, of Section 13, Township 2 South, Range 1 West, W. M., Washington County, Oregon, which property is more particularly described on the attached sheet and designated as Parcel No. 7 and is

further identified in the records of the Highway Commission as file R 4827, and which property is being acquired for right of way purposes in connection with the West Portland-Tualatin Section of the West Portland-Hubbard Highway;*

Real property owned by John H. Davies, which property is located in Lot 4, Block 25, West Portland Heights, Washington County, Oregon, which property is more particularly described on the attached sheet and designated as Parcel No. 8 and is further identified in the records of the Highway Commission as file R 5478, and which property is being acquired for right of way purposes in connection with the West Portland-Tualatin Section of the West Portland-Hubbard Highway;*

Real property owned by John W. Roppel, which property is located in Lot 3, Block 25, West Portland Heights, Washington County, Oregon, which property is more particularly described on the attached sheet and designated as Parcel No. 9 and is further identified in the records of the Highway Commission as file R 7222, and which property is being acquired for right of way purposes in connection with the West Portland-Tualatin Section of the West Portland-Hubbard Highway;*

Real property owned by Robert A. Dorcheus and Mildred Dorcheus, which property is located in Lot 6, Block 5, Lake Forest, in Section 7, Township 2 South, Range 1 East, W. M., Clackamas County, Oregon, which property is more particularly described on the attached sheet and designated as Parcel No. 10 and is further identified in the records of the Highway Commission as file R 6712, and which property is being acquired for right of way purposes in connection with the West Portland-Tualatin Section of the West Portland-Hubbard Highway;*

Real property owned by Bessie Enyart, which property is located in the southeast quarter (SE $\frac{1}{4}$) of Section 24, Township 3 North, Range 2 West, W. M., Columbia County, Oregon, which property is more particularly described on the attached sheet and designated as Parcel No. 11 and is further identified in the records of the Highway Commission as file R 8316, and which property is being acquired for right of way purposes in connection with the Multnomah County Line-Scappoose Section of the Columbia River Highway;*

Real property owned by C. O. Anderson and Madeliene Anderson, which property is located in the southeast quarter (SE $\frac{1}{4}$) of Section 24, Township 3 North, Range 2 West, W. M., Columbia County, Oregon, which property is more particularly described on the attached sheet and designated as Parcel No. 12 and is further identified in the records of the Highway Commission as file R 8317, and which property is being acquired for right of way purposes in connection with the Multnomah County Line-

Scappoose Section of the Columbia River Highway;*

Real property owned by Alberta L. Thomas and Herbert Thomas, which property is located in the southeast quarter (SE $\frac{1}{4}$) of Section 24, Township 3 North, Range 2 West, W.M., Columbia County, Oregon, which property is more particularly described on the attached sheet and designated as Parcels Nos. 13 and 14 and is further identified in the records of the Highway Commission as file R 8323, and which property is being acquired for right of way purposes in connection with the Multnomah County Line-Scappoose Section of the Columbia River Highway;*

Real property owned by G. F. Neff and Anna Neff, which property is located in the southwest quarter (SW $\frac{1}{4}$) of the southeast quarter (SE $\frac{1}{4}$) of Section 13, Township 3 North, Range 2 West, W. M., Columbia County, Oregon, which property is more particularly described on the attached sheet and designated as Parcel No. 15 and is further identified in the records of the Highway Commission as file R 8389, and which property is being acquired for right of way purposes in connection with the Multnomah County Line-Scappoose Section of the Columbia River Highway;*

Real property owned by The Board of Directors of School District No. 1 Joint of Columbia and Multnomah Counties, which property is located in the southwest quarter (SW $\frac{1}{4}$) of the southeast quarter (SE $\frac{1}{4}$) of Section 12, Township 3 North, Range 2 West, W. M., Columbia County, Oregon, which property is more particularly described on the attached sheet and designated as Parcel No. 16 and is further identified in the records of the Highway Commission as file R 8350, and which property is being acquired for right of way purposes in connection with the Multnomah County Line-Scappoose Section of the Columbia River Highway;*

Real property owned by Union High School District No. 4 of Columbia County, Oregon, which property is located in Block 1 of Wathome Addition to Scappoose, in Section 12, Township 3 North, Range 2 West, W. M., Columbia County, Oregon, which property is more particularly described on the attached sheet and designated as Parcel No. 17 and is further identified in the records of the Highway Commission as file R 8351, and which property is being acquired for right of way purposes in connection with the Multnomah County Line-Scappoose Section of the Columbia River Highway;*

Real property owned by First Congregational Church of Scappoose, which property is located in Wathome Addition to Scappoose, situated in Section 12, Township 3 North, Range 2 West, W. M.,

Columbia County, Oregon, which property is more particularly described on the attached sheet and designated as Parcel No. 18 and is further identified in the records of the Highway Commission as file R 8353, and which property is being acquired for right of way purposes in connection with the Multnomah County Line-Scappoose Section of the Columbia River Highway;*

Real property owned by Howard H. Harker and Elsie Harker, which property is located in the southwest quarter ($SW\frac{1}{4}$) of Section 25, Township 14 South, Range 15 East, W. M., Crook County, Oregon, which property is more particularly described on the attached sheet and designated as Parcel No. 19 and is further identified in the records of the Highway Commission as file R 7733, and which property is being acquired for right of way purposes in connection with the Jefferson County Line-Prineville Section of the Warm Springs Highway;*

Real property owned by Roy E. Earwood and Mae M. Earwood, which property is located in the southeast quarter ($SE\frac{1}{4}$) of Section 9, Township 14 South, Range 15 East, W. M., Crook County, Oregon, which property is more particularly described on the attached sheet and designated as Parcel No. 20 and is further identified in the records of the Highway Commission as file R 7836, and which property is being acquired for right of way purposes in connection with the Jefferson County Line-Prineville Section of the Warm Springs Highway;*

Real property owned by Oregon & Western Colonization Company, with a contract to purchase held by Mike McCabe, which property is located in the southeast quarter ($SE\frac{1}{4}$) of the southeast quarter ($SE\frac{1}{4}$) of Section 5, Township 14 South, Range 15 East, W. M., Crook County, Oregon, which property is more particularly described on the attached sheet and designated as Parcel No. 21 and is further identified in the records of the Highway Commission as file R 7670A, and which property is being acquired for right of way purposes in connection with the Jefferson County Line-Prineville Section of the Warm Springs Highway;*

Real property owned by Elwood W. Roberts and the Unknown Heirs of Walter E. Litsey, deceased, which property is located in the north half ($N\frac{1}{2}$) of the northeast quarter ($NE\frac{1}{4}$) of the northwest quarter ($NW\frac{1}{4}$) of Section 21, Township 39 South, Range 19 East, W. M., Lake County, Oregon, which property is more particularly described on the attached sheet and designated as Parcel No. 22 and is further identified in the records of the Highway Commission as file R 7590, and which property is being acquired for right of way purposes in connection with the Forest Boundary-Cottonwood Creek Section of the Klamath Falls-Lakeview Highway;*

Real property owned by Clyde R. Gillette and Mary A. Gillette, which property is located in the south half (S $\frac{1}{2}$) of the southeast quarter (SE $\frac{1}{4}$) of Section 36, Township 10 South, Range 8 West, W. M., Lincoln County, Oregon, which property is more particularly described on the attached sheet and designated as Parcel No. 23 and is further identified in the records of the Highway Commission as file R 8555, and which property is being acquired for right of way purposes in connection with the Nashville Section of the Eddyville-Blodgett Highway No.180.*

2. That the Commission does hereby find and declare that each of the said described parcels of real property is necessary and acquisition of the same by the State is required for the specific purposes hereinabove set forth, and the said properties are being acquired for the express and specific purposes in this resolution set forth.

3. That the State Highway Engineer be and he hereby is instructed and directed to make or cause to be made all surveys necessary in connection with the determination, description, and acquisition of said real properties, and said Engineer is further instructed to prepare and submit to the Legal Department necessary and adequate descriptions of the said real properties, which said descriptions shall be available for the preparation of any deed or deeds or other instrument or instruments necessary to complete the acquisition of said property or properties, whether said properties be acquired by purchase, donation, agreement, or by the exercise of the power of eminent domain.

4. That I. H. Van Winkle, Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they are hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby further resolved that the Attorney General of the State of Oregon and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they hereby are requested to commence and prosecute to a final determination such suit or action, or suits or actions, as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

*(The detailed descriptions of the respective parcels of real property mentioned in this resolution are attached to the original re-

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solution on file in the office of the State Highway Commission, Sales, being Resolution No. 5, under the heading "Real Property Condemnation Resolutions", and said descriptions by this reference are made a part of this minute entry to the same extent as if copied in full herein.)

The Attorney reported a compromise settlement with Mrs. Delma Prewett disposing of her claim for extra compensation for damages to her property at Toledo arising out of the reconstruction of the Corvallis-Newport Highway at that place. He said that the Commission previously offered to pay Mrs. Prewett \$75.00 as settlement in full, which amount was refused. Also, that the Commission owes Mrs. Prewett an additional \$10.00 for some right of way. He stated, however, that Mrs. Prewett is now willing to settle both claims with the Commission for the sum of \$100.00. The Commission voted unanimously to pay her such sum as settlement in full for both claims.

The Commission discussed the Engineer's report on the changes proposed by Mr. L. A. McClintock, Pendleton, for the proposed Stanfield-Boardman project to avoid cutting up his cattle range and the reconstruction of the irrigation ditches and canals. The Engineer recommended against the change because it would introduce inferior alignment in the highway and would cost the State considerably more than construction on the originally-proposed alignment. The Commission indicated approval of the Engineer's recommendation but deferred a definite decision until the next meeting.

In this connection Chairman Cabell presented a letter from Donald T. Robinson, President of the Pendleton Chamber of Commerce, suggesting that the Commission carefully consider before adopting the route for this highway, the plans of the U. S. War Department to establish a munitions dump and a bombing range in this vicinity. It was the thought of the Commission that construction of the highway, as proposed, would act as a benefit to the munitions dump rather than as a detriment. Also, that the bombing range should not have to be taken into consideration because, according to information available, the site for the same is located many miles south of the proposed highway. However, the Commission ordered that right of way options for this project should not be closed until these matters have been studied thoroughly.

The Commission adjourned at 11:45 p.m. to reconvene on the following morning in the auditorium of the Public Service Building.

Portland, Oregon, November 13, 1940

The State Highway Commission reconvened in regular session at 9:00 a. m. in the auditorium of the Public Service Building. Present were:

Henry F. Cabell, Chairman
Huron W. Clough, Commissioner
Herman Oliver, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

Bids as follows for highway construction projects and for the lease of riparian rights along the Willamette River in Oregon City were opened and read in conformance with previously-published notice, following which Chairman Cabell announced that the award of contracts would be made at 3:30 p. m. in the same room:

WOODBURN-MOLALLA-SILVERTON ROCK PRODUCTION

A. S. Wallace	\$12,245.00
E. H. Itschner	12,798.00
A. O. Ekstrom	16,906.00

COLUMBIA RIVER HIGHWAY
SCAPPOOSE-MULTNOMAH COUNTY LINE SECTION
GRADING AND PAVING

Roy L. Houck	\$87,492.00
Porter W. Yett	94,603.30
Babler Bros.	102,027.00
Edlefsen-Weygandt Company	102,967.60
McNutt Bros.	125,414.50

CENTRAL OREGON HIGHWAY
MILLICAN-BROTHERS ROCK PRODUCTION

A. S. Wallace	\$9,030.00
Rogers Construction Company	10,801.00
Bend Sand & Gravel Company	11,900.00

THE DALLES-CALIFORNIA HIGHWAY
THIRD STREET (BEND) UNDERCROSSING SECTION
ROADSIDE IMPROVEMENT

Blair T. Alderman	\$2,732.50
E. L. Gates	2,775.00
Bend Sand & Gravel Company	3,093.00
Rich & Son Nursery	6,097.00

SILETZ SECONDARY HIGHWAY
SILETZ-TOLEDO SECTION - GRADING, SURFACING AND OILING

	<u>Using Asphalt</u>	<u>Using Tar</u>
Homer G. Johnson	- - - -	\$90,320.00
Berke Bros.	- - - -	91,569.60
E. C. Hall Company	- - - -	93,140.00
Babler Bros.	- - - -	98,208.00
Leonard & Slate	- - - -	99,796.00
Newport Construction Company	\$111,807.20	111,648.20
A. Milne	119,436.00	- - - -

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PENDLETON-JOHN DAY HIGHWAY
PENDLETON-PILOT ROCK ROCK PRODUCTION

Rogers Construction Company	\$8,747.50
A. S. Wallace	9,000.00
D. C. & A. L. Williams	10,267.50
A. O. Ekstrom	10,320.00
R. O. Dail & Warren Bros.	10,336.00
Babler Bros.	10,425.00
Homer G. Johnson	11,560.00

WALLOWA LAKE HIGHWAY
MINAM HILL VIADUCT

Colonial Construction Company	\$26,425.00
Lindstrom Bros.	28,557.00
McNutt Bros.	33,901.00

LEASE OF RIPARIAN RIGHTS AT
OREGON CITY

<u>Lease of Location "A"</u>	<u>Yearly Rate</u>
Hawley Pulp & Paper Company	\$80.00
<u>Lease of Location "B"</u>	<u>Yearly Rate</u>
Crown Zellerbach Corporation	\$250.00

W. H. Lynch, District Engineer, Public Roads Administration, was present in regard to the financing of the oiling on the I. O. N. Highway, in Malheur County. He particularly referred to the State Highway Engineer's letter dated October 21, 1940, suggesting an arrangement for the financing of the bituminous surface treatment on the Owyhee-Nevada State Line Section of this highway by the advancement of state funds to pay the initial cost of the work, with the understanding that reimbursement would be received later from the Federal Government for the cost of the work performed on public lands if and when additional Public Lands Funds are provided by Congress for such purpose, such arrangement being similar to the arrangement heretofore effected for work on this highway in 1939. He said that the proposal is acceptable to the Public Roads Administration and that he would approve the allocation of all or any part of the balance of the 1940 Federal Lands Funds that may be appropriated by Congress and apportioned to Oregon, and such part of the 1942 Federal Lands Funds that may likewise be apportioned to Oregon, as are necessary for the proposed work on this project, subject to the condition that the Federal Government would not be called upon to reimburse the State for expenditures if the Federal funds are not appropriated and apportioned. Subject to written acceptance of these

conditions by the State Highway Commission, he said, the proposed work may be tentatively programmed for the 1941 fiscal year funds and construction of the project may be authorized, with the understanding that the project agreement will not be executed until the federal funds have been appropriated and are available for disbursement. He pointed out that of the 1941 fiscal year Public Lands Funds authorized by Congress only about one-half has as yet been appropriated, leaving a balance yet to be provided amounting to \$64,601.00.

After discussion, the Commission voted unanimously to accept Mr. Lynch's proposition and thereupon authorized the Engineer to proceed with the advertising of this project for bids to be received at the December meeting of the Commission.

Mr. Lynch also brought up for discussion the matter of revising the program for 1941 Forest Highway Funds insofar as it pertains to additional construction on the Santiam Highway. He pointed out that the program now contains an item of \$100,000 for the North Santiam Highway where it was contemplated work would be done between Detroit and Niagara in cooperation with the U. S. War Department, but it now appears that the funds will not be required on this highway until the fiscal year 1942. He suggested, in view thereof, that this amount be reallocated for additional work on the Santiam Highway between Hogg Pass and Suttle Lake so as to expedite the completion of the oiling on this highway. He also suggested that the State contribute toward this work an additional sum of \$50,000 which is needed to finance certain widening work on this section in order to provide a standard improvement, inasmuch as there are no Forest Highway Funds available to pay such expense. After considerable discussion, the Commission approved the arrangement proposed by Mr. Lynch and it was agreed that the matter would be covered by joint letter to the Chief of the Forest Service and the Commissioner of Public Roads. (Letter signed later in this session.)

Mr. Lynch also brought up for discussion the matter of conducting surveys for access roads at Fort Stevens. He asked the Commission to authorize such surveys and advised that the Federal Government would reimburse the State for the cost thereof from federal aid funds. The Commission, by unanimous vote, authorized the State Highway Engineer to make such surveys and also authorized him to confer with the U. S. Army Engineers relative to the proposed roads under discussion.

The Commission discussed the proposed landscaping project along the Pacific Highway East within the city limits of Oregon City and authorized the Engineer to proceed with the preparation of plans for this project and to advertise the same for bids as soon as plans are completed, omitting therefrom landscaping work in front of property owned by Mr. Jerry Hemingway, in Block 11, because it appears that when right of way was acquired from Mr. Hemingway he was given to understand that he would have right of access to the highway from his property.

The matter of the sale of certain property in Oregon City to Mr. Harry S. Coleman, which property is located on the easterly side of the highway near the Abernethy Creek Bridge was reconsidered by the Commission. The

Attorney advised that the arrangement suggested by the Commission to Mr. Coleman at the previous meeting for entrance to this property, if purchased by him, apparently is not satisfactory to Mr. Coleman and, unless the Commission will grant him right of access to the highway at the place that he wants, the probabilities are that he will not complete his deal for the purchase of the remaining property in this block, which is owned by the Crown Willamette Paper Company. Further, that in conversation with Mr. Frumm, of such company, Mr. Frumm asked that, if the Commission will not permit access to the highway, the State buy the company's property for \$7,000, which is the amount that Mr. Coleman previously agreed to pay for it. The Commission considered that \$7,000 is far more than it is justified in paying to bar access to the highway and decided to let the entire matter rest in status quo. However, the Engineer was instructed to set right of way stakes clearly outlining the State's property at this location.

The Secretary presented resolutions from the County Courts of Klamath County, Lane County, Tillamook County, and Linn County, requesting the following secondary state highway designations:

1. Old route of The Dalles-California Highway between Klamath Agency and Modoc Point, in Klamath County.
2. Connecting road between the Pacific Highway and Route "F" Highway near the westerly city limits of Eugene, being more particularly between extensions of 6th Street and 11th Street, Eugene, Lane County.
3. Netarts County Road between the City of Tillamook and the town of Oceanside, in Tillamook County.
4. Extension of the Corvallis-Eastside Secondary Highway from the old Pacific Highway route to the new Pacific Highway route in Albany, Linn County.

The Commission approved the requests inasmuch as they are in conformity with understandings previously had with the respective County Courts and thereupon adopted the following resolutions with regard thereto:

WHEREAS, under the provisions of Chapter 248, Laws of 1931; Chapter 196, Laws of 1935; and Chapter 529, Laws of 1939; the State Highway Commission, by mutual agreement with the respective county courts of the several counties of the State, is authorized and empowered to select, locate, and designate a system of secondary state highways, which highways shall be selected from the market roads or other county roads, or available locations or routes of the several counties; and

WHEREAS, the State Highway Commission, by mutual agreement with the Klamath County Court of the State of Oregon, has selected the road or highway hereinafter named, and it is the purpose

of the Commission to officially and regularly designate and adopt said highway as a highway to constitute, together with other highways heretofore adopted and/or which may hereafter from time to time be added, the system of secondary state highways under the provisions of said acts;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission, all members being present and affirmatively voting and participating, as follows:

1. That the following described market road, county road, highway, route, or location of a highway in Klamath County be and the said market road, county road, highway, location, or route, hereby is selected, designated, established, adopted and approved as a secondary state highway and shall be and hereby is designated as a part of the secondary state highway system, to wit:

Klamath Agency-Modoc Point Secondary State Highway No. 427:

Beginning at the intersection of the formerly located, constructed and traveled Dalles-California Highway with the relocated and reconstructed Dalles-California Highway near the Klamath Agency; thence in a southerly direction via the formerly located, constructed and traveled Dalles-California Highway to an intersection of the formerly located, constructed and traveled Dalles-California Highway with the relocated and reconstructed Dalles-California Highway at Modoc Point, a distance of 12.66 miles.

2. That the said highway shall be and hereby is qualified for improvement under the provisions of said Chapter 248, Oregon Laws of 1931; Chapter 196, Oregon Laws of 1935; and Chapter 529, Oregon Laws of 1939; and amendments thereof.

WHEREAS, under the provisions of Chapter 248, Laws of 1931; Chapter 196, Laws of 1935; and Chapter 529, Laws of 1939; the State Highway Commission, by mutual agreement with the respective county courts of the several counties of the State, is authorized and empowered to select, locate, and designate a system of secondary state highways, which highways shall be selected from the market roads or other county roads, or available locations or routes of the several counties; and

WHEREAS, the State Highway Commission, by mutual agreement with the Lane County Court of the State of Oregon, has selected the road or highway hereinafter named, and it is the purpose of the Commission to officially and regularly designate and adopt said highway as a highway to constitute, together with other highways

heretofore adopted and/or which may hereafter from time to time be added, the system of secondary state highways under the provisions of said acts;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission, all members being present and affirmatively voting and participating, as follows:

1. That the following described market road, county road, highway, route, or location of a highway in Lane County be and the said market road, county road, highway, location, or route, hereby is selected, designated, established, adopted and approved as a secondary state highway and shall be and hereby is designated as a part of the secondary state highway system, to wit:

Secondary State Highway No. 224:

Beginning at a point in the Pacific Highway approximately 1,130 feet southerly from the south end of the viaduct crossing over the Coos Bay Branch of the S.P.R.R.Co.; thence in a southerly direction to the extension of West 11th Street at a point approximately 1,000 feet westerly of the west city limits of Eugene and near the intersection of Hayes Street with the extension of West 11th Street, a distance of approximately 0.821 miles.

2. That the said highway shall be and hereby is qualified for improvement under the provisions of said Chapter 248, Oregon Laws of 1931; Chapter 196, Oregon Laws of 1935; and Chapter 529, Oregon Laws of 1939; and amendments thereof.

WHEREAS, under the provisions of Chapter 248, Laws of 1931; Chapter 196, Laws of 1935; and Chapter 529, Laws of 1939; the State Highway Commission, by mutual agreement with the respective county courts of the several counties of the State, is authorized and empowered to select, locate, and designate a system of secondary state highways, which highways shall be selected from the market roads or other county roads, or available locations or routes of the several counties; and

WHEREAS, the State Highway Commission, by mutual agreement with the Tillamook County Court of the State of Oregon, has selected the road or highway hereinafter named, and it is the purpose of the Commission to officially and regularly designate and adopt said highway as a highway to constitute, together with other highways heretofore adopted and/or which may hereafter from time to time be added, the system of secondary state highways under the provisions of said acts;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission, all members being present and affirmatively voting and participating, as follows:

1. That the following described market road, county road, highway, route, or location of a highway in Tillamook County be and the said market road, county road, highway, location, or route, hereby is selected, designated, established, adopted and approved as a secondary state highway and shall be and hereby is designated as a part of the secondary state highway system, to wit:

Netarts Secondary Highway No. 131:

Beginning at a point on the Oregon Coast Highway in the City of Tillamook; thence westerly via Netarts to Oceanside, a distance of approximately 9.8 miles.

2. That the said highway shall be and hereby is qualified for improvement under the provisions of said Chapter 248, Oregon Laws of 1931; Chapter 196, Oregon Laws of 1935; and Chapter 529, Oregon Laws of 1939; and amendments thereof.

WHEREAS, under the provisions of Chapter 248, Laws of 1931; Chapter 196, Laws of 1935; and Chapter 529, Laws of 1939; the State Highway Commission, by mutual agreement with the respective county courts of the several counties of the State, is authorized and empowered to select, locate, and designate a system of secondary state highways, which highways shall be selected from the market roads or other county roads, or available locations or routes of the several counties; and

WHEREAS, the State Highway Commission, by mutual agreement with the Linn County Court of the State of Oregon, has selected the road or highway hereinafter named, and it is the purpose of the Commission to officially and regularly designate and adopt said highway as a highway to constitute, together with other highways heretofore adopted and/or which may hereafter from time to time be added, the system of secondary state highways under the provisions of said acts;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission, all members being present and affirmatively voting and participating, as follows:

1. That the following described market road, county road, highway, route, or location of a highway in Linn County be and the said market road, county road, highway, location, or route, hereby is selected, designated, established, adopted and approved

as a secondary state highway and shall be and hereby is designated as a part of the secondary state highway system, to wit:

An Extension of the Corvallis-East Side Secondary State Highway No. 210:

Beginning at the intersection of the former Pacific Highway (East) southwest of Albany with the Corvallis-East Side Secondary State Highway No. 210; thence in an easterly direction to an intersection with the reconstructed Pacific Highway (East), a distance of approximately 0.20 mile.

2. That the said highway shall be and hereby is qualified for improvement under the provisions of said Chapter 248, Oregon Laws of 1931; Chapter 196, Oregon Laws of 1935; and Chapter 529, Oregon Laws of 1939; and amendments thereof.

The Commission discussed, and referred to the State Parks Superintendent, a letter from R. M. Nance, Portland, urging the Commission to purchase certain timber strips along the newly-designated secondary highway known as the Metarts Road, in Tillamook County.

The Secretary presented a request from the County Court of Columbia County for the designation as a state secondary highway of the county road which extends from the Nehalem Highway at Treharne to a connection with the Wolf Creek Highway at Sunset Camp. The Commission denied the request.

The matter of allowing a Mrs. E. Martin to continue occupancy of certain state-owned property adjacent to the Salmon River Highway in the vicinity of Boyer had the attention of the Commission. It was reported that Mrs. Martin is now occupying the property under arrangement made by her late husband with the Miami Corporation which owned the property before it was acquired by the State, such arrangement allowing him occupancy of the premises during his lifetime. Further, that Mr. Martin died some time ago but Mrs. Martin, who is elderly, continues to occupy the premises under the belief that she has such right to do so under the arrangement made by her husband with the Miami Corporation. It was also reported that Mrs. Martin is conducting a service station business on the property and that a number of her relatives are also maintaining their residences on state property nearby, although they have obtained no special permission so to do. The Attorney advised that he contacted Mrs. Martin relative to vacating the premises and the purchase of her service station but she stated her unwillingness to move unless paid the sum of \$500.00. He also said that he contacted the other people who are maintaining homes on the state's property and all have indicated that they will vacate as soon as ordered to do so by the State Highway Commission.

After full discussion of this matter the Commission decided to allow Mrs. Martin to maintain her residence and service station on the property dur-

ing the balance of her lifetime, limiting the space to be occupied to the area necessary for this purpose, and it was also decided to order the other people to vacate the premises within a period of six months.

The Attorney presented a provision which the State of Michigan incorporates in its deeds and easements controlling advertising signs on private property adjacent to highway rights of way where portions of such property have been acquired for highway right of way purposes. The Commission evidenced approval of the provision for inclusion in deeds and easements for highway right of way in Oregon but decided not to take definite action on the same until after the meeting of the 1941 Legislature.

The Commission discussed an exchange of properties south of Waldport in Lincoln County with a Mr. J. A. Davenport. The Attorney advised that a 10-foot strip of Mr. Davenport's land is needed for widening the highway right of way and that Mr. Davenport is willing to deed this property to the state provided the state will deed to him, as consideration, a short section of the right of way of the old Spruce Production Railroad at the rear of his premises which same is 30 feet wide, and that Mr. Davenport has agreed to move the buildings from the strip that is to be deeded to the state. He recommended approval of the transaction as did also the State Highway Engineer. The Commission approved the recommendation by unanimous vote subject to the condition that Mr. Davenport will move the buildings at his own expense and will re-establish them at a location that will not require people to park their cars on the highway right of way when doing business in his establishment.

The matter of selling to Mr. O. D. Keiffer certain state-owned property adjacent to the Salem-Dayton Secondary Highway near Grubb College was also discussed by the Commission. The Engineer advised that he has inspected this property and that it is his recommendation that the tract be sold to Mr. Keiffer, except a 10-foot strip along the front of the same which should be retained by the state for future highway development. The Commission approved the recommendation.

The Commission considered a request from Mrs. Wm. Wamsley, Eugene, to either purchase or rent a residence building owned by the State Highway Department adjacent to the maintenance headquarters in Eugene. The Engineer recommended denial of the request because the building can be used to good advantage as headquarters for the sign painting crew. The Commission approved the recommendation.

The Attorney reported receipt of two offers to purchase the residence building on the T. B. Garrison property north of Oakland which building was advertised for sale at the last meeting of the Commission but no bids were received. The present offers, he said, are those of Mrs. Bert Pound, Oakland, at \$25.00, and Mr. Kelly Cooper, Oakland, at \$20.00. He recommended acceptance of the offer of Mrs. Pound. The Commission approved the recommendation.

The Attorney reported receipt of a letter from the Southern Pacific

Company requesting early settlement with the company for right of way needed for the proposed Front Avenue Project in Portland. The Commission denied the request because it does not fit in with the method adopted for financing of right of way for this project.

The matter of purchase of the Elisabeth C. Coleman property adjacent to the Oregon Coast Highway at the north end of the Coos Bay Bridge had the attention of the Commission. The Attorney explained that Mrs. Coleman's building burned some time ago and in all probability the Commission now would be able to purchase her land at reasonable cost. He recommended negotiations because the property is desirable for protection of the bridgehead. The Commission authorized the Attorney to secure options for the purchase of the tract and report the same at the next meeting.

Mr. W. C. Calder, Baker, and his attorney, Mr. W. M. Huntington, Portland, came before the Commission in regard to Mr. Calder's land situate at Arch Cape which was damaged by reason of the sliding of the highway embankment at this location. Mr. Calder stated that he was present when the highway department's engineer made a survey of the damaged area and is personally satisfied with the same. The slide area, he said, contains about three acres of land. He gave as his thought that the state should not only purchase such area but sufficient land beyond the toe of the slide to insure against future damage to his property. He also said that he would like to retain the level land along the south side of the surveyed tract because it is the only level land in the vicinity suitable for building sites. He presented a statement of recent sales of real property in the vicinity of Arch Cape and advised that on the basis of such sales he would deed to the state the land included in the slide area for the sum of \$5,000 provided the Commission would clean up the fallen timber and other debris that resulted from the slide. The Commission took the matter under advisement, however indicated to Mr. Calder that it considers his offer exorbitant.

Messrs. Ed Turnbull and Fred Brenne of the Eugene Chamber of Commerce came before the Commission and inquired as to the probabilities of securing early construction on the proposed realignment of the Pacific Highway between Eugene and Springfield. They were informed that uncertainty still exists relative to the federal funds with which the Commission proposes to finance this work, hence no new information is available.

Mr. Turnbull asked the Commission to proceed with the acquisition of right of way for the proposed 7th Street approach of the Pacific Highway into Eugene from the north. The Commission, after discussion, authorized the Attorney to proceed with the securing of options for such right of way and for right of way needed for the newly designated secondary highway between 6th Street and 11th Street, including sufficient area at 11th Street to accommodate a traffic grade separation structure.

The Assistant Attorney presented the request of Monrad Underland that settlement be made for certain lots belonging to him which had been isolated by the slide occurring on the Bunker Hill project near Marshfield. The

Commission authorized the taking of an option for the purchase of these lots if a satisfactory price can be secured.

The Commission reconsidered and confirmed its previous action approving renewal of agreements with the several hospital associations providing service to state highway department employees during 1941, with a modification eliminating therefrom the obligation to furnish medicine in all but hospitalization cases. In this connection the Attorney advised that the Multnomah Medical Service Bureau desires to substitute its standard contract agreement for the form prepared by the state highway department. He recommended against the substitution because it is inconsistent with the agreements with the other hospital associations and would place the responsibility for the payment of the monthly premiums on the state highway department. The Commission approved the recommendation.

The Engineer recommended the abandonment of a portion of the Tiller-Trail Highway, in Jackson County, and the Pendleton-Adams Section of the Oregon-Washington Highway, in Umatilla County, where these highways have been reconstructed on new alignment rendering the old sections valueless from the state highway standpoint. The Commission approved the recommendation and by unanimous vote adopted the following resolutions in regard thereto:

WHEREAS, in order to afford a better alignment and a more satisfactory, safe and convenient highway for the traveling public, the Commission found it necessary to relocate a portion of the Tiller-Trail Highway in Jackson County; and

WHEREAS, by reason of said relocation and reconstruction of the said section of said highway there was eliminated and made unnecessary as a part of the permanent highway a certain section or part thereof, which section is more specifically defined and designated hereinafter in this resolution; and

WHEREAS, it is the judgment and opinion of the Commission that there should be recorded in the minutes and records of the Commission its purpose and plan to abandon as a part of the said state highway the fragment or portion of right of way hereinafter designated and heretofore included within the area of the right of way of the said highway as formerly located, improved and used;

NOW, THEREFORE, the premises being in general as above stated, it hereby is resolved by this Commission, all members being present and affirmatively participating, as follows:

1. That the fragment of land confined within the area of land hereinafter designated, which fragment or parcel of land was formerly within the limits of the right of way of the Trail Creek-Trail Section of the Tiller-Trail Highway but is now without the limits of the right of way of said highway as said highway has been relocated and constructed, be and said fragment or parcel of land

or portion of the old right of way abandoned as a part of the right of way of said highway, and said fragment or parcel of land or old right of way is, so far as control and supervision by this Commission is concerned, eliminated and left to revert to the adjoining and abutting property owners or to the control and supervision of the County Court of Jackson County for highway or other public purposes as the Court may determine. The fragment or parcel of land affected by this resolution is defined and described as follows, to wit:

All that portion of the sixty-foot right of way of the Tiller-Trail Highway (as originally established by resolution) between a point on said highway approximately 800 feet north of the south line of Section 17, Township 33 South, Range 1 West, W. M., and the westerly right of way line of the Crater Lake Highway in the northwest quarter (NW $\frac{1}{4}$) of Section 3, Township 34 South, Range 1 West, W. M., lying outside of the limits of the right of way as established on the revised alignment of said highway in 1939 and 1940.

The location of said abandoned right of way may be more definitely and particularly ascertained and determined by reference to a map or blueprint, marked "Exhibit A", attached hereto and by this reference made a part hereof, which said exhibit for identification purposes bears the signatures of K. D. Lytle, Division Engineer, H. G. Smith, Construction Engineer, and C. B. McCullough, Assistant State Highway Engineer, and is dated October 11, 1940, upon which map or exhibit there is reflected the above described parcel of land by showing the same shaded in red.*

2. In the event there remains any physical connection between any portion of said abandoned right of way or highway and the present highway, and by reason of such physical connection traffic from the existing highway may enter or use the said abandoned portion of the said old road to the possible damage or injury of such traffic by reason of any unsafe condition existing with respect to said old or abandoned road, then the State Highway Engineer is hereby authorized and directed to erect such barricade or other safeguards as may be necessary to protect and safeguard traffic using and employing said newly located, constructed, and dedicated section of said highway.

3. That this resolution be entered in the minutes and records of the Commission and a certified copy thereof promptly delivered to the County Court of Jackson County, together with a copy of said map or exhibit, for such action as said County Court may desire to take with respect to said fragment of land, and should said abandoned portion of the right of way of said highway be further employed for public or private highway purposes such use shall be entirely under the control and supervision of the County Court of Jackson

*Map filed Right of Way Abandonment and Retention File - No. 80

County and beyond any responsibility or supervision by the State Highway Commission.

WHEREAS, in order to afford a better alignment and a more satisfactory, safe and convenient highway for the traveling public, the Commission found it necessary to relocate the Pendleton-Adams Section of the Oregon-Washington Highway in Umatilla County; and

WHEREAS, by reason of said relocation and reconstruction of the said section of said highway there was eliminated and made unnecessary as a part of the permanent highway a certain section or part thereof, which section is more specifically defined and designated hereinafter in this resolution; and

WHEREAS, it is the judgment and opinion of the Commission that there should be recorded in the minutes and records of the Commission its purpose and plan to abandon as a part of the said state highway the fragment or portion of right of way hereinafter designated and heretofore included within the area of the right of way of the said highway as formerly located, improved and used;

NOW, THEREFORE, the premises being in general as above stated, it hereby is resolved by this Commission, all members being present and affirmatively participating, as follows:

1. That the fragment of land confined within the area of land hereinafter designated, which fragment or parcel of land was formerly within the limits of the right of way of the Pendleton-Adams Section of the Oregon-Washington Highway in Umatilla County, but is now without the limits of the right of way of said highway as said highway has been relocated and constructed, be and said fragment or parcel of land or portion of the old right of way is abandoned as a part of the right of way of said highway. The portion of the right of way of said highway within the corporate limits of the City of Adams and which by this resolution is abandoned is left to revert to the abutting owners or to the City of Adams for such public use as the City may elect to make of the same, and the portion of the right of way which by this resolution is abandoned and which is not within the city limits of the City of Adams is left to revert to the abutting property owners or to the control and supervision of the County Court of Umatilla County for highway or other public purposes, as the Court may determine. The fragment or parcel of land affected by this resolution is defined and described as follows, to wit:

All that certain section of the old right of way of the Pendleton-Adams Section of the Oregon-Washington Highway lying on the northerly side of the right of way required for

the reconstructed Oregon-Washington Highway; the beginning and ending points with reference to the engineer's stations of the said reconstructed highway being Station 37+00 on the westerly end and Station 640+00 on the easterly end.

The location of said abandoned right of way may be more definitely and particularly ascertained and determined by reference to a map or blueprint, marked "Exhibit A", attached hereto and by this reference made a part hereof, which said exhibit for identification purposes bears the signatures of W. C. Williams, Division Engineer, H. G. Smith, Construction Engineer, and C. B. McCullough, Assistant State Highway Engineer, and is dated October 15, 1940, upon which map or exhibit there is reflected the above described parcel of land by showing the same shaded in red *

2. Since the highway as now located does not traverse any of the existing streets of said City and especially does not traverse any portion of Preston Street, Main Street or Commercial Street, which heretofore were designated by the Highway Commission as streets of the City of Adams over which there was routed traffic using the Oregon Washington Highway. Said original designation hereby is vacated and annulled and state traffic will no longer by order of the Highway Commission be directed or routed over any of said streets.

3. In the event there remains any physical connection between any portion of said abandoned right of way or highway and the present highway, and by reason of such physical connection traffic from the existing highway may enter or use the said abandoned portion of the said highway to the possible damage or injury of such traffic by reason of any unsafe condition existing with respect to said old or abandoned highway, then the State Highway Engineer is hereby authorized and directed to erect such barricade or other safeguards as may be necessary to protect and safeguard traffic using and employing said newly located, constructed and dedicated section of said highway.

4. That this resolution be entered in the minutes and records of the Commission and a certified copy thereof promptly delivered to the County Court of Umatilla County, together with a copy of said map or exhibit, for such action as said County Court may desire to take with respect to said fragment of land which lies outside the city limits of the City of Adams, and a certified copy thereof promptly delivered to the Mayor of the City of Adams, together with a copy of said map or exhibit, for such action as the City authorities may desire to take with respect to said abandoned section of highway within said City of Adams; and should said abandoned portion of the right of way of said highway be further employed for public or private highway purposes such use shall be entirely under the control and supervision of the County Court of

*Map filed Right of Way Abandonment and Retention File - No. 81

Umatilla County or the municipal authorities of the City of Adams, as the case may be, and beyond any responsibility or supervision by the State Highway Commission.

The Commission also considered and by unanimous vote adopted the following resolution outlining the activities and authority of the State Parks Superintendent:

WHEREAS, as a part of the powers and responsibilities imposed upon the Highway Commission by the provisions of Chapter 529, Oregon Laws, 1939, and acts prior thereto, the Commission is authorized to acquire by purchase, agreement, donation or by the exercise of the power of eminent domain real property necessary or deemed necessary for the maintenance and development of parks, parking places, auto camps, campsites, roadside development, recreational grounds or resorts, forest or timbered areas, or other places of attraction and scenic value which in the judgment of the Commission are necessary for the convenience of the public and which will contribute to the general welfare and pleasure of the motoring public or road user; and

WHEREAS, by said statute the Commission is authorized to determine and adopt the general policy of the Highway Department, to decide all questions relating to the administration of the Department and to make such rules and regulations as it may deem necessary for the accomplishment of the purposes of said law; and

WHEREAS, the Commission is authorized to appoint an engineer to be known as the Highway Engineer, and said Highway Commission is also authorized to employ such other engineers, technical assistants and such other help as may be deemed necessary for the proper administration of the act; and

WHEREAS, the Commission has heretofore, pursuant to the recommendation of the Engineer, employed S. H. Boardman and has designated him as State Parks Superintendent; and

WHEREAS, it has been and still is the policy of the Oregon State Highway Commission to cooperate with the Federal Government in the acquisition and development of parks, recreational grounds, camps and other places of recreation and amusement; and

WHEREAS, under the law, the Highway Commission is authorized to develop, construct, improve, operate and maintain its parks, parking places, recreational areas, resorts and other places of attraction and amusement and pay the cost thereof out of state highway funds; and

WHEREAS, for the purpose of expediting some of the work connected with state parks and state recreational areas it is the desire and purpose of the Commission to vest in the said S. H. Boardman certain authority and responsibility:

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by this Commission, all members being present and affirmatively voting, as follows:

1. That S. H. Boardman in his capacity as State Parks Superintendent hereby is, subject to the conditions and limitations hereinafter stated, instructed to cooperate with the Federal Government in matters having to do with the construction, improvement and maintenance of state parks and other recreational grounds or places, and in such capacity may cooperate with representatives of the Federal Government in the selection and designation of locations for C. C. C. Camps, and may recommend for improvement with C. C. C. forces or other government forces or funds the state parks or recreational areas to be developed with such forces and such funds.

2. Upon selection or designation of a location for the establishment of a C. C. C. camp and upon the selection or designation of a state camp or state recreational area recommended for any type of improvement or development, whether the same be with state funds alone or with state and/or federal funds, he shall submit such project to the Highway Commission for approval and ratification.

3. The said State Parks Superintendent shall prepare and submit to the Highway Commission quarterly a general report of the work accomplished during the period covered by such report, including the funds disbursed, whether state or federal, which report shall be made with sufficient detail to give to the Commission a comprehensive understanding of the work done, the location of the same, and the amount of funds expended in connection therewith.

4. In the event of an emergency requiring a prompt decision on the part of said superintendent with respect to any matter coming under his jurisdiction he shall contact the Chairman of the State Highway Commission by telephone or otherwise for instructions, and in the event the matter or matters submitted are deemed by the Chairman of sufficient importance to require immediate decision the Chairman may instruct the said Superintendent in the premises, and thereafter the matter shall come to the attention of the Highway Commission for ratification at its next meeting.

5. This resolution may be rescinded, modified, enlarged or otherwise changed from time to time as in the opinion of the Commission the circumstances warrant.

6. This resolution shall be entered in the minutes and records of the Commission and a certified copy thereof shall be furnished to the Public Roads Administration and other federal agencies having to do with the supervision of C. C. C. camps, and state parks or other recreational areas.

The Attorney brought up for discussion a controversy with the Hartman Abstract Company, Pendleton, with respect to charges made for the furnishing of title reports on real property that is to be purchased by the state highway department for right of way and other purposes. He said that he has gone over thoroughly the several items making up the claim of this company and is recommending for payment every item that he could find any reasonable justification for payment which reduces the aggregate of the Company's claim from \$179 to \$88. He submitted a list of the several claims (see letter dated November 9, 1940, directed to Oregon State Highway Commission) and explained the circumstances surrounding each item listed thereon. It was his recommendation that settlement be made with the company on the basis of the reduction in the aggregate amount. The Commission approved the recommendation unanimously.

The Commission adjourned at 12:00 noon and reconvened at 1:30 p.m. in the same room with all Commissioners present and participating. Also present were the State Highway Engineer, the Attorney, and the Secretary.

The Engineer discussed with the Commission matters pertaining to the proposed improvement of the Oregon Coast Highway between North Bend and Marshfield, particularly the relocation of the Southern Pacific Railroad Company's tracks along Railroad Avenue and Tremont Avenue in North Bend, and along Front Street and Tremont Street in the district between North Bend and Marshfield. He exhibited a map showing the proposed alignment which necessitates removal of the railroad tracks so as to provide a highway of sufficient width to carry traffic conveniently and with safety. He explained the plans for the project in detail and suggested that inasmuch as the railroad company is occupying its present location by reason of a limited franchise, an equitable method of handling the moving of the tracks would be for the State to purchase new right of way for the railroad and construct a suitable grade thereon for the tracks, giving to the railroad company a perpetual easement for the use of the same. Under this arrangement, he said, the railroad company would be required to do the actual work of re-establishing its tracks on the new right of way. He requested authority from the Commission to submit the maps and plans to the railroad company for its approval in view of the fact that the reconstruction of the Oregon Coast Highway between North Bend and Marshfield is scheduled for the not distant future. After discussion, the Commission approved the Engineer's request by unanimous vote.

The Commission discussed its proposed inspection trip to Klamath Falls and decided to make such trip during the week starting December 2, 1940.

The Commission also discussed an invitation from the Ashland Chamber of Commerce to be the Chamber's guests at a celebration, either during the last week in November or during the first week in December, 1940, to dedicate the recently completed Siskiyou Section of the Pacific Highway. Chairman Cabell and Commissioner Oliver expressed regrets that they could not attend this function if it is held any time before the week following the Klamath Falls Trip. Commissioner Clough stated that he would be pleased to represent the Commission if the celebration is held before the week of the Klamath Falls trip. The Engineer was instructed to so inform the Chamber of Commerce.

The Engineer reported on investigations that have been made of conditions which have contributed to a controversy among people in Lincoln County relative to the taking of gravel from the ocean beaches. (Written report dated September 30, 1940, directed to F. D. Eason, Division Engineer, and signed by Paul Van Scoy and F. D. Thompson, representing the construction and parks departments). He stated that this matter has been given very careful study and that numerous local citizens have been interviewed with respect thereto and it is the consensus of opinion of nearly all that, if the Commission would prohibit the taking of gravel and sand in large quantities necessitating the use of power loaders and scraping equipment, the main objections would be satisfied. He read aloud the report of Messrs. Van Scoy and Thompson on this subject and pointed out that these Engineers recommend the maintenance of signs at the following locations: Roads End, Oregon Coast Highway Mile Posts 127.0, 128.8, 137.3, 146.7, 150.3, 152.03, and 165.5, prohibiting the use of power loading or scraping equipment in the taking of gravel or sand from the beaches at these points and further prohibiting the taking of rock larger than 5" in diameter. He also pointed out the recommendation that no gravel be taken from the beaches at these locations for use either in state highway contract work or state force account work and advised that he concurs in the recommendation. After discussion the Commission approved the recommendation unanimously and instructed the Engineer to see that the signs are erected in accordance therewith.

A letter was presented from the Farmers' Union, Pedee, Oregon, requesting the oiling of the uncompleted two-mile section of Secondary Highway No. ~~223~~¹⁹⁰, in Polk County, so as to connect up sections previously oiled. The Engineer advised that this project is already included in the tentative budget for next year's construction. The Secretary was instructed to so inform the Union.

A letter was also presented from the North Bend Chamber of Commerce asking for the early completion of the Deadman's Curve Project on the Cape Arago Secondary Highway. The Engineer advised that this work was started during the past summer but was not completed because of adverse weather conditions, however it is planned to finish it as early as possible next year with state forces. The Secretary was instructed to so inform the Chamber of Commerce.

A request from Cottage Grove School District No. 25J for the con-

struction of a turn-around for school busses on the Pacific Highway near the Lane-Douglas County line had the attention of the Commission. The Engineer advised that this matter has been investigated by Division Engineer Lytle who advises that in order to provide for the turn-around additional right of way will have to be acquired. He estimated the cost of the right of way at about \$75 and construction of the turn-around, including re-establishment of property fences, at \$248. The Commission deferred a decision in the matter until the next meeting and instructed the Attorney in the meantime to secure an option for the right of way.

The Secretary presented requests as follows for sidewalk construction on state highway rights of way: (1) request of the City of Amity for sidewalk construction on the Pacific Highway West; (2) request of the City of Reedsport for sidewalk construction along Winchester Avenue from Scholfield Bridge to the city limits; (3) request from residents of Toledo for sidewalk construction along the Corvallis-Newport Highway in Toledo for a distance of about one-half mile. Action on these requests was deferred by the Commission until the next meeting. The Engineer was instructed to submit his report on the state-wide program of sidewalk construction at that time.

A delegation from Cascade Locks, consisting of Mayor L. L. Amoth, W. N. Keller, President of the Chamber of Commerce, J. Flaucher, Manager of the City Light Plant, and S. P. Ness, City Attorney, was present. Mr. Flaucher headed the group. They stated that the City of Cascade Locks has been severely criticised by newspapers of the state for causing the arrest of autoists who drive their cars through their city at a rate of speed in excess of 40 miles per hour; also that, while they do not want to appear to be too harsh on traffic, in their opinion 40 miles per hour is too fast to travel through a built-up community such as theirs. He asked the assistance of the Commission in solving this problem and particularly requested the maintenance of 35-miles-per-hour speed-limit signs and the installation of two flashing beacons over the highway, one at the school and the other at the intersection leading to the fire station. He said that the city would pay for the traffic lights if the Commission would authorize them to be maintained over the highway. They also asked for the painting of pedestrian lanes across the highway at certain locations, and that the sight distance at a curve near the east city limits be improved by the removal of brush from the highway right of way. After considerable discussion the Commission advised that it would have the signs erected if the city would adopt an ordinance establishing a 35-mile-per-hour speed limit through the city. The Engineer was instructed to investigate the justification for installing flashing signals and the painting of the pedestrian lanes. He was also instructed to investigate the matter of improving the sight distance at the curve east of town.

Mr. Keller then requested authority for the city to do certain work on the state highway right of way as may be required in connection with the construction of new street connections. He requested particularly that the city be given authority to cut the concrete curb at such intersections, all

of which work is to be done as a WPA project. The Commission approved the request unanimously provided the work is done in conformance with state highway standards and without interference with highway traffic and under the condition that the city would assume responsibility for any obligation that might be incurred by reason of traffic accidents that might occur as a result of its operation, and will clean up the premises when the work is completed. The Secretary was instructed to confirm the approval in writing.

Dr. F. W. Starring, Dr. C. S. Tunnell, and W. O. Sias, members of the Baptist Church Conference, appeared before the Commission relative to the removal of the Baptist Church recreational facilities from land that the State Highway Commission has in mind to purchase from a Mr. Giesendorfer at Cascadia for state park purposes. They advised that since discussing this matter with the Commission at a previous meeting they made diligent search in the vicinity of Cascadia for a suitable site on which to re-establish their facilities but have been unsuccessful although they did find a suitable site about 40 miles from Portland. The objection to this site, they said, is that it is so far removed from Cascadia which would prevent them from moving their facilities from that point unless the Commission would allow them an extra payment of \$500 over and above the \$4,000 heretofore tentatively agreed upon. The Commission took the matter under advisement and informed them that they would be notified within a few days as to the action the Commission may take. (This matter was reconsidered by the Commission later in the session at which time the Commission decided in view of the complications involved in this transaction to make an offer of a flat sum of \$20,000 for the property free and clear of all incumbrances including the Baptist Church recreational facilities and the caring for Mr. Giesendorfer in his old age. In the event an offer on such basis is refused then the matter is to be dropped entirely.)

Mr. R. L. Sprague, representing the Waitsburg Welding Company of Waitsburg, Washington, and Mr. L. S. Kuhn, representing the Bethlehem Steel Company, Portland, came before the Commission on behalf of the request of the Waitsburg Welding Company to operate over a short section of the Old Oregon Trail between the Washington State Line, near Wallula, and Maryhill Ferry, truck and semi-trailer equipment having an overall length in excess of the 35-foot limit specified by Oregon statutes for such equipment. Mr. Sprague stated that his company frequently has occasion to transport structural steel from Portland to Waitsburg and, in order to avoid a roundabout route and to save many miles of travel over highways in the State of Washington, they have been entering the State of Oregon on the Columbia River Highway near Wallula and using the Oregon highways as far as Maryhill Ferry, where they cross back into the State of Washington. Their equipment, he said, is legal in the State of Washington but it is not legal in the State of Oregon and he has been refused a permit from the Salem office of the Commission to operate the same in Oregon. He urged the Commission to authorize the granting of this privilege. Otherwise, he said, it would be necessary for them to do business in Seattle and advised that they would not haul more than one or possibly two loads per month. The Commission approved the request at least until the 1941 Legislature meets.

County Judge Bert Johnson of Morrow County was present and inquired whether or not the Commission has as yet made a decision with respect to the oiling of the section of the Oregon-Washington Highway between Heppner and Lena. He was informed that the Commission has not had an opportunity to discuss this matter but would do so at the next meeting.

Inquiry was made of Judge Johnson as to how the Heppner-Lena reconstruction project rates with other proposed highway projects in Morrow County. Judge Johnson replied that the Heppner-Lena improvement is first in priority insofar as the County Court is concerned and he urged the Commission to give it every consideration in the next program.

The matter of adopting a permanent route for the Oregon-Washington Highway between Milton and the Washington State Line was brought up for discussion by the Engineer who recommended the following described route which, he said, connects with the Washington Section of this highway as surveyed by the Washington Highway Department:

Beginning at the intersection of the North and South center line of the West $\frac{1}{2}$ of Section 12, T. 5 N., R. 35 E., W. M., and the center line of Main Street, in the Town of Milton; thence North along the North and South center line of the West $\frac{1}{2}$ of Sections 12 and 1 of T. 5 N., R. 35 E., and Sections 36, 25, 24 and 13 of T. 6 N., R. 35 E., to the boundary line between the State of Oregon and the State of Washington.

He presented a map showing the proposed alignment, which map is dated November, 1940, and bears the signature of himself and that of James A. Davis, Acting Director of Highways for the State of Washington. After discussion, the Commission approved the recommendation and thereupon, by unanimous vote, adopted the following resolution in regard thereto:

WHEREAS, the Oregon-Washington Highway is defined and located as follows: Beginning at a junction of the Old Oregon Trail in Pendleton, northeasterly by way of Adams, Athena, Weston, Milton and Freewater to the Oregon-Washington state line; and

WHEREAS, it is the purpose of the Highway Commission to relocate a portion of said highway so that there may be made possible the construction of a highway having a better alignment and one that will be more serviceable for the general public.

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED, all members being present and affirmatively voting, as follows:

1. That the route and location of the Oregon-Washington Highway between Milton and the Oregon-Washington state line shall be as follows:

Beginning at the intersection of the north and south

center line of the West one-half of Section 12, Township 5 North, Range 35 East, W. K., and the center line of Main Street in the Town of Milton; thence north along the north and south center line of the West one-half of Sections 12 and 1 of Township 5 North, Range 35 East and Sections 36, 25, 24 and 13 of Township 6 North, Range 35 East to the boundary line between the State of Oregon and the State of Washington.

2. That the above defined and described route and location shall be and the same hereby is adopted as the permanent route and location of the Oregon-Washington Highway between said termini.

3. That until a highway over the said new route has been constructed and made available for public travel the present or existing highway route between said termini shall be continued and maintained by the Highway Department for public use.

4. When a highway over the new and permanent route has been constructed and thrown open for public traffic, then an appropriate resolution shall be adopted and entered in the minutes and records of the Commission by which the Commission will declare and define the future status of the present existing route.

5. That the blueprint bearing the date of November 13, 1940, and the signatures of R. H. Baldock, State Highway Engineer of the State of Oregon, and Jas. A. Davis, Acting Director of Highways for the State of Washington, be and said map hereby is approved and adopted as a map showing in detail the location of said highway as relocated and defined.*

6. That this resolution be entered in the minutes and records of the Commission and a duly certified copy thereof delivered to the Public Roads Administration and a like copy to Umatilla County, and a like copy to the Director of Highways in the State of Washington, together with a copy of the above mentioned map.

The Engineer also brought up for discussion the matter of allowing vacations to Highway Department employees who are paid on the hourly basis. He gave as his thought that such employees are entitled to a certain amount of time off each year, with pay, as are allowed employees who are paid on a monthly basis, and recommended approval of such an arrangement for the benefit of employees who have worked a total of 1500 hours or more during the year, the number of hours allowed off with pay to be computed at the rate of 4 per cent of the total hours worked. Also, in view of the fact that some of these employees are paid at several different rates during the year, that the rate to be used in computing the amount due each such employee be determined by using the average of his hourly rates. The Commission approved the Engineer's recommendation and set July 1, 1940, as the starting date for the recording of hours worked, so as to give the employees an opportunity to

*Map filed Adoption of New Highway Routes File - No. 16

secure vacations after July 1, 1941.

The Commission discussed the matter of payment of the proposed sewer assessment against state-owned property in the town of Ontario and authorized the payment of such assessment in the event investigation reveals that the State Highway Department will receive benefits from the sewer.

Consideration was given by the Commission to the claim filed by a Mr. Dage, Canyonville, who alleges that the highway department maintenance crew damaged his fence and deposited debris on his land. Commissioner Clough advised that he is personally familiar with this claim but considers it entirely out of proportion to the damage, although Mr. Dage is entitled to some consideration. After discussion, the Commission authorized the Engineer to negotiate a settlement with Mr. Dage on the basis of cleaning up the material deposited on his land by state highway forces and the repairing of his fence to the extent necessary to place it in as good condition as it was before the damage was done.

The Commission discussed and approved a form letter presented by the Attorney for distribution to property owners who maintain electrified fences along highway rights of way, and authorized the Secretary to sign such letters on behalf of the Commission. (See copy of letter in general correspondence file dated December 5, 1940)

A letter was presented from the Honorable Walter E. Pearson, State Treasurer, suggesting a cooperative arrangement between his office and the State Highway Department for the employment of a man to investigate the collection of delinquent traffic fines and the determination of the liability for such fines in cases of doubt. He suggested a renewal of the arrangement previously in effect between these departments, which provided for the payment of the salary of the employee 50 per cent by the State Treasurer and 50 per cent by the State Highway Department, and for payment by the State Highway Department of that part of his traveling expenses which are incurred entirely in connection with the examination of dockets of Justices of the Peace, Circuit Court journals, and other records in connection with accountability of Justices of the Peace of all counties for traffic fines owing the State. He proposed that the salary of such employee be set at \$200 per month. The Engineer recommended approval of this arrangement. The Commission approved the recommendation by unanimous vote subject to the condition that it may be terminated at any time that the Highway Commission deems advisable and will be reconsidered under any law bearing on the matter that may be enacted by the State Legislature.

Consideration was given by the Commission to the matter of continuing the arrangement had during the past summer with Oregon State College for broadcasting highway information over Radio Station KOAC. The Engineer recommended renewal of this arrangement for the summer 1941 but that the College's request for State Highway Department participation in broadcasting during the winter season be denied. The Commission approved the recommendation.

The Commission discussed a request from contractor S. S. Montague for relief from the payment of penalty assessed against him for failure to complete his contract No. 2184, construction of the Read Creek-Wren Creek Section of the Kings Valley Secondary Highway, in Polk County, within the specified time limit. The Engineer advised that this contract was awarded on May 26, 1939, and that the date of completion specified therein was September 30, 1939. However, Mr. Montague was unable to finish the job during 1939 on account of adverse weather conditions which did not permit oiling operations until the spring of 1940. Further, that the Commission previously approved an extension of time subject to the condition that the contractor reimburse the State for extra engineering expense incurred subsequent to the specified date of completion and would also pay \$50.00 per month for maintenance operations during the shut-down period. Investigation discloses, he said, that very little engineering work was performed on the job during the winter season although the cost records indicate an expenditure of \$197.50 for the month of November, 1939, which was determined by pro-rating engineering expenses for this month over several different jobs, whereas, such expense, in his estimation, should have been charged only to the jobs that were actually under way. He recommended, in view thereof, that Mr. Montague be relieved of the payment of the engineering expense, amounting to \$197.50, incurred during the month of November. The Commission approved the recommendation and so ordered.

The Engineer reported receipt of a letter from Dr. Warren D. Smith, Head of the Department of Geology, University of Oregon, relative to the securing of concise descriptions of interesting geological features along various state highways for general public information. He said that if the Commission desired to cooperate in this matter it would be necessary to employ an extra man to do the work because he could not spare anyone from his present force, and inquired whether or not the Commission is sufficiently interested to authorize the payment of the cost involved. The Commission deferred a decision in the matter pending further report from the Engineer after consulting with Dr. Smith.

The Commission discussed a letter from the City of Salem requesting ratification of its resolution No. 4444, passed by the City Council on October 7, 1940, designating North Capitol Street and 12th Street, in Salem, a through route for truck traffic. Also, requesting the State Highway Department to furnish and maintain appropriate signs along such route from the intersection of North Capitol Street with the Fairgrounds Road, to the junction of South 12th Street with the Pacific Highway West, south of Salem. The Engineer advised that this route described comes under three classifications; viz.: (1) State highway along North Capitol Street southerly to Court Street, thence easterly to 12th Street, thence southerly to State Street; (2) City Street along South 12th Street from State Street to the city limits; (3) County road, being an extension of South 12th Street, from the city limits to the junction with the Pacific Highway West.

He pointed out that the City's resolution has no legal standing until ratified by the State Highway Commission, insofar as it pertains to the state highway, and by the County Court with respect to the county road. He

recommended approval of the request and that he be authorized to erect signs in conformance therewith, provided Marion County Court will also ratify the City's resolution. The Commission approved the recommendation unanimously.

The Engineer requested authority to purchase the following equipment:

12 automobiles of Ford and Chevrolet type to replace 12 old cars - estimated cash outlay with trade-in of old cars, \$7,500

1 forward-dump truck, with drum attachment, for use on Wolf Creek Highway - estimated cost \$1,800

1 long-wheelbase truck chassis for sign crew - estimated cost \$900 plus \$400 to construct special body

5 hand-operated, $\frac{1}{2}$ H.P. spray paint machines for sign crew - estimated total cost \$750

1 cab-over-engine truck for traffic line crew - estimated cost \$1,000 plus \$100 to construct body

1 long-wheelbase truck for bridge crew - estimated cost \$850 plus \$100 to construct body

1 long-wheelbase truck for bridge crew - one old truck to be traded in as part purchase price - estimated cost \$850

2 4-H.P. dragsaws for use at Santiam Junction and Odell Lake maintenance headquarters - estimated total cost \$220

After discussion, the Commission approved the request by unanimous vote and instructed the Engineer to make the purchases through the State Purchasing Agent in accordance with the usual practice.

The Engineer reported that in conformance with authority previously granted him by the Commission he awarded to contractor G. L. Potts, on October 21, the contract for the construction of three culverts on the Lower Columbia River Highway, the Beaverton-Aurora Highway and the Tualatin Valley Highway, the conditions of the award having been satisfied, and Mr. Potts' bid being the low one submitted to the Commission on October 11, 1940, for such work. He also reported that on November 9, 1940, he awarded to contractor Roy L. Houck the contract for the construction of the North Marshfield and Marshfield Bunker Hill Sections of the Oregon Coast Highway, the conditions of the award having been satisfied and Mr. Houck's bid being the low one submitted for this work on October 11, 1940. The Commission, by unanimous vote, approved the awards as reported by the Engineer.

The Commission considered the request from J. R. Morris for a per-

mit authorizing him to transport logs over the Columbia River Highway between Mosier and Hood River, necessitating the use of Mosier Tunnel. The Engineer recommended that the request be denied. The Commission approved the recommendation.

The Commission also considered the application of the J. E. Flurry Lumber Company, Ashland, for permission to truck-haul logs over the $\frac{1}{2}$ -mile section of the Green Springs Highway near its junction with the Pacific Highway, during Saturday afternoons and Sundays. The Engineer recommended the granting of the request until May 1, 1941. The Commission approved the recommendation.

A request from Wentworth and Irwin, Portland, to operate over the Old Oregon Trail from Ontario to Portland, trucks carrying loads having an overhang of 2 feet in excess of the limits permitted by statute, had the attention of the Commission. The Commission granted the request as an emergency proposition until the 1941 Legislature convenes.

The Commission considered the request from Mr. Stanley Currington for reinstatement of his log hauling permit which was recently suspended for a period of 15 days because of three arrests for overloading. The Commission denied the request and ordered that the State Police Department be instructed to retain Mr. Currington's PUC plates until November 19, 1940, when the 15-day period expires.

The Commission also considered a request from Mrs. Daisy M. Whitlow for reinstatement of her log hauling permit which was recently cancelled because of transporting logs during hours of darkness, which is in violation of the rules and regulations covering operations of this kind. The Secretary advised that Mrs. Whitlow's permit was cancelled by the Public Utilities Commissioner on October 18 and that her truck has not been used in log hauling since that time. Further, that her truck has been involved only once previously in a traffic-law violation, that being for a slight axle overload. After discussion, the Commission considered that Mrs. Whitlow has been sufficiently punished for the present offense and authorized the reinstatement of her permit on Monday, November 18, 1940.

The Engineer requested authority for Assistant State Highway Engineer C. B. McCullough to attend, at state expense, the meeting of the Highway Research Board which is to be held in Washington, D. C., during the week of December 2, 1940. He estimated the expense involved would not exceed \$200. After discussion the Commission approved the request by unanimous vote subject to concurrence by Governor Charles A. Sprague.

At 3:30 p. m. Chairman Cabell announced the award of contracts as follows, bids for which were taken at the morning session, such awards having been previously approved by the Commission by unanimous vote:

"Woodburn-Molalla-Silverton Rock Production Project in Clackamas and Marion Counties. Furnish approximately 7,900 cu.yds. crush-

ed rock or crushed gravel in stock piles. A. S. Wallace of Roseburg submitted the low bid for this project, being in the amount of \$12,245.00. E. H. Itschner of Molalla submitted the next low bid in the amount of \$12,798.00. There was only 1 higher bidder. The Commission refers all bids received for this work to the Engineer with power to award the contract to the low bidder, A. S. Wallace, when certain conditions have been fulfilled.

"Scappoose-Multnomah County Line Section of the Columbia River Highway, in Columbia County. 3.09 miles grading and paving. The low bid received for this work was that of Roy L. Houck of Salem, in the amount of \$87,492.00. The next low bid was that of Porter W. Yett, Portland, in the amount of \$94,603.30. There were 3 higher bidders. The Commission has referred all bids on this project to the Engineer with power to award the contract to the low bidder when certain conditions have been fulfilled.

"Millican-Brothers Rock Production Project on the Central Oregon Highway, in Deschutes County. Furnish approximately 7,000 cu. yds. crushed gravel in stock piles. The low bid submitted on this work was that of A. S. Wallace, Roseburg, in the amount of \$9,030.00. Rogers Construction Company of Dayton, Washington, submitted the next low bid, in the amount of \$10,801.00. There was only 1 other bid received on this project. The Commission refers all three bids to the Engineer with power to award the contract to the low bidder when certain conditions have been fulfilled.

"Third Street (Bend) Undercrossing Section of The Dalles-California Highway, in Deschutes County. 0.22 mile roadside improvement. The low bidder on this project was Blair T. Alderman, Eugene, with his bid of \$2,732.50. The next low bidder was E. L. Gates of Trail, with his bid of \$2,775.00. There were 2 higher bidders. This contract is awarded to Blair T. Alderman, the low bidder, at his bid of \$2,732.50.

"Siletz-Toledo Section of the Siletz Secondary Highway, in Lincoln County. 5.4 miles grading and 7.8 miles surfacing and ciling. The bid of Homer G. Johnson, Portland, in the amount of \$90,320.00, using tar, was the low one received for this project. That of Berke Bros., Portland, in the amount of \$91,569.60, also based on the use of tar, was the second-low bid. Neither of these contractors bid on the use of asphalt. There were 5 higher bidders. The Commission awards this contract to the low bidder, Homer G. Johnson, at his bid of \$90,320.00, using tar.

"Pendleton-Pilot Rock Rock Production Project on the Pendleton-John Day Highway, in Umatilla County. Furnish approximately 6,000 cu. yds. crushed rock in stock piles. Rogers Construction Company of Dayton, Washington, submitted the low bid for this project, their bid being in the amount of \$8,747.50. A. S. Wallace,

Roseburg, submitted the next low bid which was in the amount of \$9,000.00. There were 5 higher bidders. This contract is awarded to the low bidders, Rogers Construction Company, at their bid of \$8,747.50.

"Minam Hill Viaduct on the Wallowa Lake Highway, in Union County. The bid of the Colonial Construction Company of Spokane, Washington, in the amount of \$26,425.00, was the low one received on this project. That of Lindstrom Bros., Portland, was the second low bid received, being in the sum of \$28,557.00. There was only 1 higher bidder. The Commission awards this contract to the Colonial Construction Company, the low bidders, at their bid of \$26,425.00.

"Lease of Riparian Rights in Oregon City. The only bid for the lease of Location "A" was that of Hawley Pulp & Paper Company of Oregon City, in the amount of \$60.00, yearly rate. This bid is rejected by the Commission. Crown Zellerbach Corporation of Portland was the only bidder for the lease of Location "B", its bid being in the amount of \$250.00, yearly rate. The Commission also rejects this bid."

Consideration was given by the Commission to the matter of granting a lease of the riparian rights in the Willamette River in Oregon City, particularly locations "A" & "B", as described in the proposal form covering the sale of such leases, in connection with which bids were received at this meeting. The Commission decided, in view of the fact that the bids received at this letting were unsatisfactory and were rejected, it would be advisable to negotiate the sale of such leases privately rather than to readvertise for bids for the same. The Attorney was thereupon authorized to carry on such negotiations privately with interested parties with the understanding that the Commission will not accept less than \$125.00 annually for the lease of Tract "A" and not less than \$650.00 annually for the lease of Tract "B".

Mr. H. D. Farmer, Senior Highway Engineer, Public Roads Administration, was present and conferred with the Commission in regard to revision of the Forest Highway Program for 1941 Forest Highway funds, as was suggested by W. H. Lynch, District Engineer, earlier in the session. After careful consideration of this matter, the Commission approved the revisions suggested, and thereupon signed the following joint letter with Mr. Lynch and the Regional Forester, directed to the Chief of the Forest Service and the Commissioner of Public Roads, Washington, D. C., relative thereto:

November 13, 1940

Gentlemen:

The following changes in the fiscal year 1941 Oregon Forest Highway Program approved by the Secretary March 28, 1940, are submitted with recommendation for approval. Funds to finance the

changes are available by virtue of elimination of certain projects as hereinafter noted, by additional cooperation proffered by the State Highway Department and from the Oregon Forest Highway contingent fund.

Projects in the approved program which are now to be revised

<u>No.</u>	<u>Project</u>	<u>Length</u>	<u>Funds</u>		<u>Remarks</u>
			<u>F.H.</u>	<u>Coop.</u>	
10-D1	Oregon Coast Hwy. Reconstr. Grad.	2.0	\$20,000	\$50,000	
17-B3	Crater Lake Hwy. Trail Cr.Br.Reconstr.	.03	35,000		
24-A2	North Santiam Hwy. Reconstr.Grad.,Surf.,& Br.	2.0	100,000		
	Surveys		<u>10,000</u>	<u> </u>	
			\$165,000	\$50,000	

Recommended revisions and additions

<u>No.</u>	<u>Project</u>	<u>Length</u>	<u>Funds</u>		<u>Remarks</u>
			<u>F.H.</u>	<u>Coop.</u>	
10-D1,E	Oregon Coast Hwy. Reconstr.Grad. & Surf.	1.3	\$70,000	\$50,000	
17-B3	Crater Lake Hwy. Trail Cr.Br.Reconstr.	.03	(35,000)		To be eliminated
23-E2,G4	Santiam Hwy. Reconstr. Gr. & Surf.	7.0	100,000	50,000	
24-A2	North Santiam Reconstr. Grad., Surf., & Bridges	2.0	(100,000)		To be eliminated
	Post Construction		4,000		
	Surveys		<u>30,000</u>	<u> </u>	
	TOTAL		\$204,000	\$100,000	

Oregon Coast Hwy., Reconstr. Grad. & Surf. Proj. 10-D1,E 1.3 mi.

Upon completion of surveys the construction on the first unit to be improved proved to be heavier than preliminary estimates had indicated, and the length involved in the project to be less than estimated. The project is on the military strategic system, and it is considered important to make it available for use with a minimum of delay. Accordingly, it is recommended that additional funds

be allocated to complete the improvement between termini which will permit connection to be made with the existing road. In order to make the road immediately usable, we have now included in the project the item of surfacing which accounts for a part of the increased cost. It becomes necessary to extend the project slightly beyond the limits of Section D in order to make a proper contact with the existing road. For this reason the designation has been changed from that in the originally approved program.

Crater Lake Hwy., Trail Creek Bridge, Reconstruction, Proj. 17-B3 .03 mi.

It is recommended that the above project be cancelled and the funds be returned to the State Contingent Fund, thus making it possible to program additional funds to project 10-D1, E.

Santiam Hwy., Reconstr., Grad. and Surf., Proj. 23-E2, G4 7 mi.

Our recommendations for the fiscal year 1941 program cited a possible transfer of funds from the North Santiam to the Santiam Highway to finance a second unit on the latter route in the event that the money was not required this year to finance a proposed improvement of the North Santiam Highway in cooperation with the War Department. On the basis of the terms of the tentative cooperative agreement locally agreed upon and recently submitted for approval, it now appears that Forest Highway funds will not be required on the North Santiam Highway until the fiscal year 1942. It is, therefore, recommended that the sum of \$100,000 Forest Highway Funds and an additional \$50,000 cooperative funds be approved to finance the improvement of the Santiam Highway from Hogg Rock to a point in the vicinity of Suttle Lake. The grading work contemplated is stabilization of slopes and widening the subgrade sufficiently to obtain a 20 ft. paved surface with two foot minimum shoulders on top of surfacing. Provision will also be made to obtain 8 ft. shoulders alternating at approximate two mile intervals. This project is on the strategic system (third priority).

North Santiam Hwy., Reconstr. Grad., Surf. & Bridges, 24-A2, 2 mi.

It is recommended that this project be cancelled and fund returned to the State Contingent fund making it possible to program the improvement of Project 23-E2, G4.

Post Construction and/or Betterments

It is recommended that \$4,000 be allocated from the State Contingent for Post Construction and/or Betterments on projects now under maintenance. Authority is requested to allot \$2,500 of this sum to complete the program of cutting dangerous trees and snags on the North Santiam Route. Funds previously approved for this purpose were diverted to items of greater emergency on the same route,

leaving the original approved work incomplete. The balance of \$1,500 would be held as a contingent to be used if and when emergencies demand items of work classifying as Post Construction or Betterments which would be authorized only on specific written authority.

Location Surveys

Funds recommended are planned to finance the necessary surveys and P.S. & E. on routes listed in the fiscal year 1941 program as well as on routes which have been approved in earlier programs and which are as yet incomplete. In addition, it is planned to use the funds in conducting location surveys on the following routes on the strategic system on which data may be required.

McMinnville-Tillamook Hwy.
Oregon Coast Hwy.
Siuslaw Hwy.
Redwood Hwy.
Pacific Hwy.
Dalles-California Hwy.
Ochoco Hwy.
Columbia Hwy.
Warm Springs Hwy.

ANALYSIS OF FUNDS

Funds to finance the increase in the program are available as follows:

Unobligated contingent balance old Forest Highway	
Funds (prior to F.Y. 1941)	\$21,379.31
(1) Unobligated contingent balance F.Y. 41 funds	<u>63,067.12</u>
Total State Contingent	\$84,446.43
Net increase in program recommended above	<u>39,000.00</u>
Remaining Contingent	\$45,446.43
(1) F.Y. 41 10% A & E	\$116,755.00
Present obligations	<u>53,687.88</u>
Balance	\$63,067.12

The State Parks Superintendent was present and discussed with the Commission the matter of creation of two State game reserves, one located on Saddle Mountain, in Clatsop County, embracing Saddle Mountain State Park and

adjoining privately-owned lands, and the other located adjacent to the Oregon Coast Highway near Yachats and being an addition to the present game reserve, known as the Grass Mountain Game Reservation. The Commission considered that it is not within its province to initiate the creation of game reserves, it being the Commission's thought that such matter is the function of the State Game Commission, which should secure the necessary legislation. The Parks Superintendent was instructed to so inform the State Game Commission and advise that body that the Highway Commission is in sympathy with such movement and will give its moral support thereto, although it cares not to take the initiative in the matter.

The Parks Superintendent reported on investigations for the establishment of wayside picnic areas along the Mount Hood Highway, as has previously been requested by the Hood River Garden Club. He said that he found two places that would be suitable for this purpose, one of which is exceptionally good and is located opposite Highway Engineer's Station 628, about 10 miles south of Hood River, where an excellent view of Mount Hood may be obtained. He estimated that it would cost about \$750.00 to acquire this one tract and to develop the same, and he recommended approval of the expenditure. After discussion, the Commission approved the recommendation as a trial proposition and authorized the Attorney to negotiate for the acquisition of the property, it being understood that the cost of acquiring it and developing it should be charged to the state park budget and that the maintenance of the site thereafter should be charged to the maintenance budget.

The Parks Superintendent asked the Commission to approve four state park CCC camps located as follows:

1. Silver Creek Falls Park, in Marion County, being a renewal of the existing camp.
2. Saddle Mountain Park, in Clatsop County, being a renewal of an old camp.
3. Crooked River State Park, in Jefferson County. (new camp)
4. Umpqua Lighthouse Park, in Douglas County. (new camp)

The Commission referred this matter to Chairman Cabell with full power to act.

The Engineer reported the cost to channelize the intersection of Denver and Union Avenues, Portland, in order to provide greater safety to traffic at this point. He estimated such cost, which includes construction of channel islands and the installation of traffic lights, to be approximately \$6,000 and recommended the expenditure in the interests of traffic safety. The Commission approved the recommendation unanimously. In this connection, the Engineer pointed out that provision would have to be made for the removal of the service station buildings owned by the Standard Stations, Inc., on the highway right of way on the Denver Avenue approach, which matter has been pending for some time. He suggested an exchange of properties with Standard

Stations, Inc., which would satisfactorily dispose of this matter. After discussion, the Commission authorized negotiations with the Standard Stations, Inc., to that end and ordered that the outcome thereof be reported to the Commission before any deal is closed.

County Judge David F. Graham, of Malheur County, was present and renewed his previous request for certain highway improvements in Malheur County. The Commission agreed to bear the projects in mind in preparation of future construction programs.

County Judge A. R. Bowman of Crook County was present and urged early construction of the Marks Creek Section of the Ochoco Highway. He asked the Commission to place the work under contract so that it can be completed during the 1941 season. He was informed by the Engineer that surveys are now being made of this highway west from Mitchell to a connection with the Forest Highway Section and that he intends to recommend to the Commission the building of the west end of the uncompleted section as the Commission's next project on this road.

The Commission discussed the matter of snow removal projects on various state highways throughout the State. After careful consideration, the Commission, by unanimous vote, took action as follows on such matter:

1. Sumpter Valley Secondary State Highway in Baker County and its extension over the county road to the town of Granite, in Grant County:- This project approved subject to the willingness of Baker and Grant Counties to reimburse the State for the cost of the operations beyond the limits of the secondary state highway. The Secretary was instructed to inform the County Courts of Baker and Grant Counties and interested mining people of Granite of the action taken.
2. Anthony Lakes Road, in Baker County:- The Commission considered that snow removal operations on this road are not its responsibility in view of the fact that the road is not a state highway. However, the Commission authorized snow removal operations on the secondary state highway that connects with this road, provided Baker County removes snow from the county road section. The Secretary was instructed to so inform the Baker County Court and the winter sports organization in Baker.
3. Oregon Caves Road:- The Commission decided not to conduct snow removal operations on this road beyond the farming area; however, agreed to allow the National Parks Service or the operators of the Oregon Caves Resort to conduct such operations beyond the limits of the farming area if the State is relieved of all responsibility and liability in connection therewith and, provided further, that a gate will be maintained across the highway at the limits of the farming area so as to stop traffic at this point when the highway beyond is not suitable for travel.

4. McKensie Highway:- The Commission denied the request of the Eugene Junior Chamber of Commerce for snow removal on this highway for the benefit of winter sports enthusiasts because, according to the records, the cost to repair the highway in the spring as a result of such operations is far in excess of the cost of removing the snow. The Secretary was instructed to so inform the Chamber of Commerce and to suggest that the Chamber endeavor to find a suitable place along the Willamette Highway which highway the Commission proposes to keep open for travel the year round.

5. Diamond Lake Secondary Highway, particularly from Union Creek junction with the Crater Lake Highway to the junction with The Dalles-California Highway. The Commission considered that the cost of keeping this highway open during the winter season is not justified by the amount of traffic that it carries, hence denied the request.

6. Weston-Elgin Secondary Highway, in Umatilla and Union Counties:- The Commission decided, as an experiment, to keep this road open for travel throughout the coming winter season and over its entire length. The Engineer was thereupon authorized to proceed accordingly. The question of whether or not the road would be kept open during future winters will be determined after the experience of the coming winter has been studied.

The Engineer requested authority to advertise for bids for construction of a laboratory building, to be erected on the Highway Department's shop premises at Salem. He explained the urgent need for the building and estimated the cost of a suitable building at approximately \$95,000. After discussion the Commission approved the request by unanimous vote.

Chairman Cabell presented a letter from the Housing Authority of Clackamas County advising that application has been filed with the U. S. Housing Administration for a housing project on a tract of land situate between the Southern Pacific railroad tracks and 32nd Street, Milwaukie, about 2 blocks north of Harrison Street, and further advising that, in order to protect their project it would be necessary for them to acquire from the State Highway Department one acre of land bordering on their project, which land is now being used by the state as a gravel pit and source of materials for highway construction. The Engineer advised that this gravel pit contains a lot of fine material which could be used to good advantage in connection with the construction of the Front Avenue project in Portland and other projects in this vicinity. He questioned the advisability of disposing of the pit because of the possibilities of increasing the cost of highway construction. After discussion, the Commission referred this matter to Chairman Cabell with full power to act.

Commissioner Oliver presented a request from Baker County for state aid in a proposed WPA project for the improvement of the Sumpter Valley Secondary Highway in Baker County. He said that the County Court is asking the

Highway Department to sponsor this project and to pay 25 per cent of the cost, including the furnishing of powder, that is required by the Federal Government as the sponsor's contribution. The County is willing to assign county equipment, he said, as may be necessary to carry on the work. The Commission took the matter under advisement.

Chairman Cabell reported receipt of a letter signed by F. N. Finch, General Manager, Union Pacific Railroad Company, and E. L. King, Superintendent of the Southern Pacific Company, accepting the Highway Commission's proposal of October 18, 1940, with respect to the amount that the Highway Commission is willing to pay the railroad companies for the use of the Steel Bridge in Portland as a route for state highway traffic. The letter was referred to the Engineer for acknowledgment.

The Commission had under consideration the following requests for extensions of time within which to complete highway construction projects:

Roy L. Houck, Contract No. 2227, for grading and paving the Salem-Pringle Creek Section of the Pacific Highway East, in Marion County, requested an extension of time, from August 31 to October 23, 1940, within which to complete this project. He alleged that his failure to complete the job within the specified time limit was occasioned by orders from the Engineer to complete the Albany grading and paving project before starting the work at Salem; also the failure of the gravel company to furnish crushed material for shoulder construction. The Engineer advised that the reasons given by the contractor for failure to complete the project within the specified time limit are correct. He recommended in view thereof that the extension of time requested be granted without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation unanimously.

Rogers Construction Company, Contract No. 2237, for surfacing and oiling the Klamath Agency-Medoc Point Section of The Dalles-California Highway, in Klamath County, requested an extension of time of 20 days, from August 31 to September 20, 1940, within which to complete this project. They attributed their failure to complete the project within the specified time limit to an increase in the quantities of materials required. The Engineer advised that the overrun in time limit amounted to 6.6 per cent of the total time, and that the increase in quantities amounted to 7.09 per cent of the quantities estimated. He recommended in view of the fact that the quantities were increased after the contract was awarded that the extension of time requested be granted without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation unanimously.

E. C. Hall Company, Contract No. 2242, for the Mt. Hood Rock Production Project on the Mt. Hood and Wapinitia Highways, in Clack-

amas and Wasco Counties, requested an extension of time, from October 31, 1940, to June 30, 1941, within which to complete this job. They stated that when this job was awarded to them they had several contracts under way, requiring the production of crushed rock, which utilized all of their crushing equipment, so in order to expedite this particular project they leased equipment from contractor H. L. Rice, who failed during the progress of the work and was adjudged bankrupt, necessitating the discontinuance of the use of his equipment. As a result, these operations were slowed down to such an extent that they could not be completed before bad weather set in and it will be necessary to extend the time limit until next year when weather conditions are favorable. The Engineer advised that this contract was awarded on November 3, 1939, but the contract provided that the work need not be commenced before April 15, 1940, and that all material for the Mt. Hood Highway should be produced and stockpiled not later than June 30, 1940, and that all work under this contract should be completed not later than October 31, 1940. He further stated that the contractor did not get a very early start on the work—in fact the first rock was produced from the Brightwood quarry on August 19; however, production from this quarry was completed on October 19. Due to sickness of both subcontractors Harry L. Rice and Knute Lien and to financial embarrassment of these men it was necessary for Mr. Hall to take over the subcontractors' equipment early in October which was too late for him to make any progress from the other quarry that was provided for his use, known as the Bear Paw Quarry, before bad weather set in but he has agreed to expedite the work early next spring so as to complete the job not later than June 30, 1941. He recommended in view of the adverse conditions surrounding this contract that the extension of time be granted without penalty. The Commission approved the recommendation unanimously.

Leonard & Slate, Contract No. 2260, for grading, surfacing and oiling the West Unit, Petersburg-Fairbanks Section of the Fifteen Mile Creek County Road, in Wasco County, requested an extension of time of 14 days, from July 31, to August 14, 1940, within which to complete this contract. They stated that this project could have been graded at an earlier date but was purposely delayed in order that the oiling could be done immediately following the grading, thus insuring a better finished road; also that there was a substantial amount of oiling remaining to be done on their contract for the construction of the Lang Canyon-Arlington Section of the Columbia River Highway which highway carries heavy traffic. They felt that the public interests would be better served by completing the oiling on this job rather than the oiling of the Petersburg-Fairbanks Project which carries a comparatively small amount of traffic. The Engineer advised that he knows of no good reason why this job could not have been completed within the specified time limit and accordingly recommended that the extension of time requested be granted but that the contractor be required to reimburse the state for extra

engineering costs incurred for engineering supervision subsequent to the specified date of completion. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

S. S. Montague, Contract No. 2312, for construction of abutments to the Strassel Undercrossing on the Wolf Creek Highway, in Washington County, requested an extension of time of 30 days, from September 30 to October 30, 1940, within which to complete this job. He alleged that his failure to complete the project within the specified time limit was occasioned by intermittent delays caused by the Southern Pacific Company in the performance of certain work that the railroad company is doing in connection with this job. The Engineer advised that the contractor could not start his operations until the railroad company had driven false work which work was not commenced by the railroad company until about six weeks after the contract was awarded to Mr. Montague. He recommended in view of the circumstances that the extension of time requested be granted without penalty notwithstanding that the Public Roads Administration will not concur therein. A letter was presented from the Public Roads Administration setting forth its views in the matter and explaining why they could not approve the extension of time without penalty. After discussion the Commission voted unanimously to extend the time limit as requested without penalty in conformance with the Engineer's recommendation.

O. C. Yocum, Contract No. 2315, for surfacing and oiling the Canyonville-Days Creek Section of the Tiller-Trail Secondary Highway, in Douglas County, requested an extension of time of 15 days, from September 30 to October 15, 1940, within which to complete this project. He alleged that his failure to complete the project within the specified time limit was due to unsatisfactory weather conditions prevailing at the time that the final surfacing and oiling work was being done. The Engineer advised that this contract was awarded on May 3, 1940, but the contractor did not commence operations until July 22, 1940; further that the principal reason for the delay in completing the project in time was due to the delay in commencing the work. He recommended in view thereof that the extension of time requested be granted but that the contractor be charged with the extra engineering expense incurred by the state subsequent to the specified date of completion. The Commission approved the recommendation.

M. L. O'Neil & Son, Contract No. 2321, for grading and surfacing the Lone Rock Junction-Rock Creek Section of the Wasco-Heppner Secondary Highway, in Gilliam County, requested an extension of time, from July 31 to August 24, 1940, within which to complete this job. They attributed their failure to complete the project within the specified time limit to delay in award of the contract which did not permit the commencement of operations until late in

the season when dust conditions were very bad which interfered greatly with the progress of the work. The Engineer advised that bids on this project were taken by the Commission on May 3 but the contract was not awarded until May 28; further that operations were not commenced until June 13 which was two weeks after award of the contract. He recommended that the extension of time requested be granted and that no penalty be imposed on the contractor for the first 15 days of the overrun of the time limit so as to offset the period of time elapsed between the taking of bids and the award of the contract, but that the contractor be charged with the extra engineering expense incurred by the state from the end of such period, August 16, to the time that the job was completed on August 24, 1940. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

Homer G. Johnson, Contract No. 2324, for grading, surfacing and oiling the Prineville Section of the Ochoco Highway, in Crook County, requested an extension of time of 30 days, from September 30 to October 30, 1940, within which to complete this job. He attributed his failure to complete the project within the specified time limit to bad weather conditions and unexpected breakdowns of his equipment. The Engineer advised that he knows of no good reason that could be given by the contractor for failure to complete the job within the specified time. He recommended in view thereof that the extension of time requested be granted but that the contractor be charged with the costs of engineering incurred by the state subsequent to the specified date of completion. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation unanimously.

Warren Northwest, Inc., Contract No. 2334, for surfacing, paving and construction of bituminous macadam on the Albany-Crabtree Corner Section of the Santiam Highway, in Linn County, requested an extension of time of 10 days, from September 30 to October 10, 1940, within which to complete this job. They alleged that the overrun of time limit was primarily caused by an increase of the subbase gravel material of 50 per cent over the estimated amounts, and also because of an increase of the contract amount of approximately 11½ per cent over the original bid items. The Engineer reported that the reasons given by the contractor for failure to complete the project within the specified time limit are correct. He recommended that the extension of time requested be granted without penalty. The Commission approved the recommendation unanimously.

Contracting and Sales Company, Inc., Contract No. 2336, for replacement of wire rope on the Interstate Bridge over the Columbia River on the Pacific Highway between Portland, Oregon, and Vancouver, Washington, requested an additional extension of time, from October 15 to November 14, 1940, within which to complete this job. They alleged that their failure to complete the project within the

specified time limit was due to conditions over which they had no control, particularly the following: The federal government commandeered their superintendent who was particularly familiar with the work and who could not be replaced on short notice; union labor on the job could not be employed more than 5 days a week; and difficulties encountered in fitting the new diaphragms with the old gears, et cetera. The Engineer advised that the specified date of completion was August 31, 1940, but the Commission extended this time limit to October 15, 1940, without penalty because of the delay incurred by the contractor in securing the necessary cable from the factory. He further stated that since the Commission took action extending the time limit to October 15 there has been added to the work an item of replacement of guide rollers which installation took about three days' time. He gave as his thought that, except for the three days' time in installing the guide rollers, the contractor should have completed the job by October 15 and recommended that the extension of time now requested be granted subject to the condition that the first three days thereof be without penalty but the contractor be charged with the engineering expense incurred by the state subsequent to such three-day period. The Commission approved the recommendation.

The Engineer reported that Contracts Nos. 2227, 2232, 2237, 2249, 2260, 2267, 2294, 2301, 2312, 2315, 2321, 2323, 2324, 2334, and 2337, for the construction of state highway projects, have been completed according to the requirements of the contracts or modifications thereof, and that said jobs are now ready for acceptance. The following resolution accepting the above projects was offered and was adopted by the unanimous vote of the Commission:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts and said jobs are now ready for acceptance:

Contract No. 2227, with Roy L. Houck, for grading and paving the Salem-Pringle Creek Section of the Pacific Highway East, in Marion County. Completed October 22, 1940.

Contract No. 2237, with Rogers Construction Company, for grading, surfacing and oiling the Klamath Agency-Modoc Point Section of The Dalles-California Highway, in Klamath County. Completed September 9, 1940.

Contract No. 2249, with Roy L. Houck, for bituminous macadam surfacing on the Siskiyou-State Line Section of the Pacific Highway, in Jackson County. Completed October 31, 1940.

Contract No. 2260, with Leonard & Slate, for grading, surfacing and oiling the West Unit, Petersburg-Fairbanks Section of the Fifteen Mile Creek County Road, in Wasco County. Completed August 14, 1940.

Contract No. 2267, with Roy L. Houck, for grading and paving the Albany Section of the Pacific Highway East, in Linn County. Completed October 26, 1940.

Contract No. 2294, with Barham Brothers, for construction of a maintenance patrolmen's headquarters on the Willamette Highway near Odell Lake, in Klamath County. Completed November 12, 1940.

Contract No. 2301, with Fisher Brothers, for grade widening, surfacing and oiling the Low Pass Section of the Siuslaw Highway, in Lane County. Completed September 21, 1940.

Contract No. 2312, with S. S. Montague, for construction of the Strassel Undercrossing abutments on the Wolf Creek Highway, in Washington County. Completed October 5, 1940.

Contract No. 2315, with O. C. Yocum, for surfacing and oiling the Canyonville-Days Creek Section of the Tiller-Trail Secondary Highway, in Douglas County. Completed October 15, 1940.

Contract No. 2321, with E. L. O'Neil & Son, for grading and surfacing the Lone Rock Junction-Rock Creek Section of the Wasco-Hepner Secondary Highway, in Gilliam County. Completed August 24, 1940.

Contract No. 2323, Averill and Corbin, for construction of the Fischers Lillrace Bridge on the Pacific Highway West, south of Corvallis, Benton County. Completed October 15, 1940.

Contract No. 2324, with Homer G. Johnson, for grading, surfacing and oiling the Prineville Section of the Ochoco Highway, in Crook County. Completed October 28, 1940.

Contract No. 2334, with Warren Northwest, Inc., for surfacing, cement stabilization, paving, oil surface treatment, and bituminous macadam wearing surface, on the Albany-Crabtree Corner Section of the Santiam Highway, in Linn County. Completed October 10, 1940.

Contract No. 2337, with Fife & Company, for construction of a maintenance patrol station at Blue Mountain on the I.O.N. Highway, in Malheur County. Completed October 23, 1940.

THEREFORE, BE IT RESOLVED that the work covered by said state highway contracts for the construction of said state highway projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

The Commission considered and signed agreements, et cetera, as follows:

Petition directed to Public Utilities Commissioner for placing reflectorized signs at crossing of Portland and Southwest Railroad near Scappoose.

"Consent to Vacation", having to do with vacation of alley in West Rainier, previously approved by Commission.

Agreement with Hunt Livestock Company providing for lease of property for maintenance station at Maupin.

Quitclaim deed conveying unto Douglas County a portion of the old county road adjacent to Pacific Highway in Jones Addition to Roseburg. Right of way transaction No. 8219.

Warranty deed conveying unto Northern Pacific Railway Company certain property at Scappoose. Right of way transaction No. 7696.

Bargain and sale deed conveying unto Albert Hoffarber 344 square feet of land in Lots 16 and 17, Hoffarber Tracts, adjacent to Pacific Highway West in Washington County. Right of way transaction No. 6951.

Bargain and sale deed conveying unto James A. Harris 4728 square feet of land adjacent to Oregon Coast Highway at Brookings, Curry County. Right of way transaction No. 7702.

"Agreement for sale of real estate" covering acquisition of property from Home Owners Loan Corporation situate adjacent to the Cascade Highway, in Clackamas County. Right of way transaction No. 8242.

Agreement with Frank F. Dailey and wife providing for slope easement along the Pacific Highway East in Albany. Right of way transaction No. 5834.

Agreement with Gertrude Bramley and Gertrude McLeod providing for slope easement along the Pacific Highway East in Albany. Right of way transaction No. 7186.

Bargain and sale deed conveying unto Walter W. Russell, et al, Trustees of Bellevue Community Hall, certain property outside of the standard highway right of way along the Salmon River Highway, in Yamhill County. Right of way transaction No. 4313 and 8205.

The meeting was adjourned at 5:45 p. m.

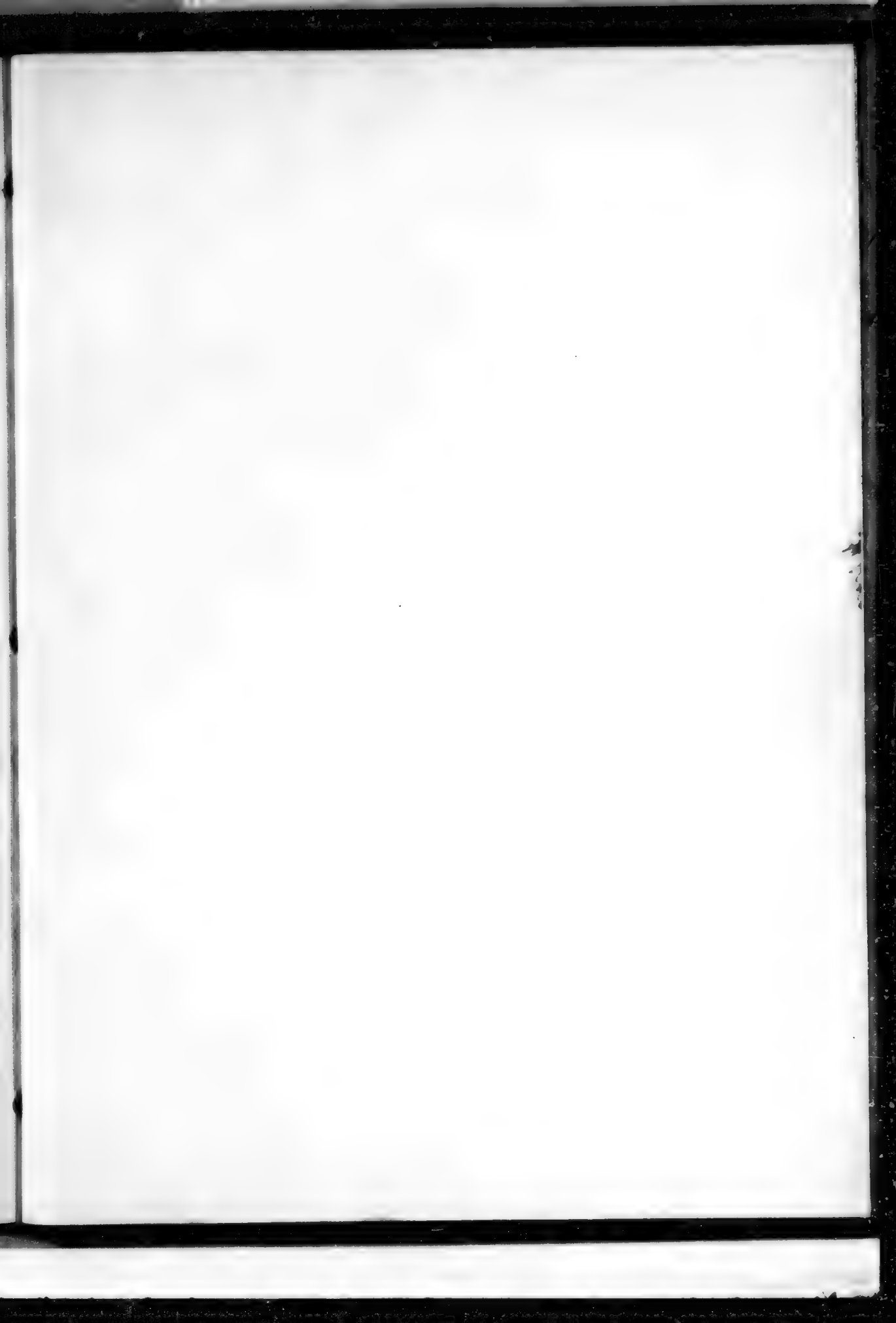
David M. ...
State Highway Engineer

W. S. ...
Secretary

Henry F. Cabell
Chairman

John W. ...
Commissioner

Herman Oliver
Commissioner



VOLUME 25

PART III

PART 3
OF
VOLUME XXV
MINUTES OF OREGON STATE HIGHWAY COMMISSION
COVERING PERIOD
FROM
NOVEMBER 14, 1940
THROUGH
MARCH 31, 1941

OREGON STATE HIGHWAY COMMISSION

Henry F. Cabell, Chairman
Huron W. Clough, Commissioner
Herman Oliver, Commissioner

R. H. Baldock, State Highway Engineer
H. B. Glaisyer, Secretary

HEADQUARTERS AND GENERAL OFFICE OF DEPARTMENT
LOCATED AT SALEM, OREGON.

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9935	Dec. 3	<p>Park matter. Commission inspects "The Cove".</p> <p>Portland. Steel Bridge. Agreement between railroad companies and Commission covering use of bridge approved.</p> <p>Agreement with Multnomah County with respect to use of Steel Bridge also approved.</p> <p>Claim. Arch Cape slide. Previous offer to W. C. Calder for damages caused by slide considered final.</p> <p>Park matter. Negotiations for purchase of 68-acre tract from W. C. Calder at Arch Cape authorized.</p>
9936		<p>Tongue Point Naval Base. Park property, but not right of way, to be transferred to Navy Department.</p> <p>Albany. Portion of Pacific Highway right of way in front of school grounds to be leased to School District No. 5.</p> <p>Scappoose. Claim of School Board arising out of acquisition of right of way across school grounds approved.</p>
9937		<p>Congregational Church property needed for improvement of Columbia River Highway to be condemned if settlement not reached.</p> <p>Wolf Creek Highway. Manning-Portland Section. Negotiations for acquisition of right of way authorized.</p> <p>Timber strips. Willamette Highway. Offer of Penn Timber Company to sell strips adjacent to highway denied.</p> <p>Santiam Highway. Parks Superintendent to investigate matter of acquiring burned timber strips in vicinity of Sisters.</p> <p>Options to be secured for strips between Oregon Coast Highway and Ocean from Newport to Yachats.</p> <p>Oregon City. Mrs. Miller granted right of access to Pacific Highway East, in Block 13.</p>
9938		<p>Salem. State Board of Control resolution re exchange of properties adjacent to Highway Department Shops approved.</p>
9940		<p>Corvallis-Newport Highway. Resolution abandoning portion of highway in city of Toledo.</p>
9941		<p>Game refuge. Albany. Establishment of game refuge in area including artificial lake approved.</p> <p>Rest room facilities. Such facilities not to be established at Depoe Bay.</p> <p>Park matter. Previous action authorizing picnic area along Mount Hood Highway south of Hood River confirmed. (Page 9924)</p>
9942		<p>Advertising signs. Illegal signs maintained on private property adjacent to state highways discussed.</p> <p>Right of way. Payment of \$250 to Clyde R. Gillette, Nashville, for land needed for right of way approved.</p> <p>Huntington. Construction of culverts to prevent waterspouts causing damage to property along Old Oregon Trail approved.</p> <p>CCC Camp. Establishment of camp for construction of irrigation canals and ditches between Terrebonne and Madras discussed.</p> <p>The Dalles-California Highway. Terrebonne-Madras Section. Engineer's report on reconstruction.</p>

<u>Page</u>	<u>Date</u>	<u>Subject</u>
9943	Dec. 3	<p>1940</p> <p>Warm Springs Highway. Prineville-Madras Section. Surfacing of 6-mile unit graded last summer to be deferred. Expenditure of \$1500 for graveling weak spots approved.</p> <p>Coos River Secondary Highway. Improvement of one-half mile section north of Enegren Ferry crossing discussed.</p> <p>Survey. Coos River Secondary Highway. Location survey authorized of one-half mile section north of Enegren Ferry.</p> <p>Pacific Highway. Ashland. Cost of modernizing along present route discussed.</p> <p>Survey. Pacific Highway in Ashland. Location survey authorized. Report on past expenditures to be included.</p> <p>Alsea-Deadwood Secondary Highway. Request for modernization denied.</p>
9944		<p>Swishhome Secondary Highway. Walton-Swishhome Section. Lane County Court to assume portion of expense of improvement. Lane County agrees to elimination of this section from secondary system if highway is extended from Veneta to Eugene.</p> <p>Equipment. Purchase of following authorized:</p> <ul style="list-style-type: none"> 25 trucks with dump bodies; 14 $3\frac{1}{2}$-ton, 2-wheel drive trucks; 1 fire pump for use in state parks during fire season. <p>Cement. Engineer authorized to sell to Marshfield Cement Company cement purchased for Cape Arago Secondary Highway improvement.</p> <p>Publicity matters. 1941 agreement with Botsford, Constantine and Gardner to be identical with 1940 agreement.</p> <p>Police Department. Increasing revenues of State Police Department discussed.</p>
9945		<p>Claim. Action deferred on claim of Melvin Sorrel for damages arising out of accident on Pacific Highway south of Salem.</p> <p>Claim of I. L. Darby arising out of accident on Pacific Highway at Brooks denied.</p> <p>Log hauling. Arthur Langguth presents request of Albert Graff to transport logs from Larch Mountain to Portland without being apprehended by State Police. Referred to P.U.C.</p>
9946	Dec. 4	<p>Lake County. Delegation confers with Commission in Lakeview relative to several highway improvements. No definite action.</p> <p>Gravel. Lake County requests permission to secure gravel from state's pit for county road work in vicinity of Silver Lake.</p> <p>Historical monument. Erection of monument at intersection of Fremont and Lakeview-Burns Highways at Valley Falls discussed.</p>
9947	Dec. 5	<p>Inspection of roads. Commission inspects roads in Lake and Klamath Counties.</p> <p>Klamath County and City of Klamath Falls. Delegation confers with Commission in Klamath Falls relative to several city and county highway matters.</p> <p>Signals. Installation of traffic signal system in Klamath Falls and railroad grade crossing signals at Hager, Summers Lane and Olene discussed.</p>

Page	Date	Subject
9948	Dec. 5	1940 Sign. Insertion of mileage to San Francisco on sign at Goshen requested. Standard Oil Company's station. Investigation requested of approach to station at Bonanza junction.
9949		Sidewalk. Klamath Falls. Construction along South Sixth Street requested. Military strategic highways. Modifications and additions to system discussed. Wage rates. Minimum wage rates and labor classification approved. To be effective January 1, 1941.
9950		Bridges. Cost of construction discussed. Buildings. Cost of construction discussed. New maintenance building at Seneca to be inspected in near future. Boardman-Stanfield Highway. Resolution adopted placing route on state highway system.
9951		Projects. List of projects to be contracted in near future. Heppner-Condon Road. Morrow County Court to meet with Commission on December 17 for discussion of improvement. Oregon-Washington Highway. Jones Hill-Lena Section. Morrow County Court to discuss plans for oiling with Commission.
9952		Cottage Grove. Request for removal of barricades denied. Log hauling. Pilot Rock Lumber Company renews request to haul logs on Pendleton-John Day Highway during hours of darkness. Traffic signal. Marshfield. Installation of lights approved. Sidewalk. Sisters. Construction along McKenzie Highway approved.
9953		Awards. Commission confirms following awards: Barbur Boulevard-Boones Ferry Road Section, Jacobsen-Jensen Co; Woodburn-Molalla-Silverton Rock Production, A. S. Wallace; Millican-Brothers Rock Production Project, A. S. Wallace. Cascade Secondary Highway (Federal Aid Road No. 41). Revised description of route approved.
9954		Load limit. Resolution lifting reduced load limit on Cottonwood Bridge over the John Day River on Wasco-Heppner Secondary Hwy.
9955		Pole line. Salem Electric Cooperative Association requests permission to construct pole line at West Salem. Oregon Coast Highway. Gold Beach. Report ordered on cost of proposed improvement on 60-ft. as compared with 80-ft. right of way. Terrebonne-Lower Bridge Road. Proposed improvement discussed. Survey. Terrebonne-Lower Bridge Road. Survey authorized. Pacific Highway. West Springfield-Eugene Section. George T. Hall suggests postponement of proposed improvement.
9956		Signs. Old Oregon Trail signs. Resolution from Baker County Chamber of Commerce relative to maintenance of signs. Oregon Coast Highway. Resolutions protesting use of highway by large trucks presented from several chambers of commerce. Highway improvements. Letter from Dr. Prophet thanking Commission for improvements in vicinity of John Day. Coos River Secondary Highway. Allegany Section. Waterford Lumber Company renews claim for amount expended for improvement.

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1940

Subject

9956 Dec. 5

Corbett Road. Connection to be made between this road and new Columbia River Highway.
Traffic signal. Installation on new Columbia River Highway at Corbett Road intersection authorized.
Pacific Highway. Request for certain changes near junction with Redwood Highway denied.
Grants Pass. E. E. Smith, owner of Rogue Motor Court, requests improvement of driveway into his auto camp.
Driveway. E. E. Smith, owner of Rogue Motor Court, requests improvement of driveway into his auto camp at Grants Pass.
Highway system. Letter from Director of Northwestern Observatory expressing favorable comment on Oregon highway system.
Signs. Maintenance of signs on ocean beach at Gearhart re danger of standing on logs in surf. Referred to Attorney.
Klamath Falls. Letters requesting re-examination of traffic conditions, construction of four-lane highway within city, betterment of traffic conditions, and improvement of South Sixth Street.
Siuslaw Highway. Summit Section. Lions Club of Junction City thanks Commission for improvement.
Snow removal. Sumpter-Granite Road. County Courts of Grant and Baker Counties agree to pay cost of operations beyond limits of Sumpter Valley Secondary Highway.
Sumpter Valley Secondary Highway. Operations authorized.
Bridge. Marion and Linn County Courts request Engineer to advertise bridge over Santiam River at Gates for bids.
Survey. Request for survey of Camp Clatsop-Fort Stevens Road and for roads connecting Camp Clatsop and Fort Stevens with Oregon Coast Highway approved.
Oregon City. City to enter into agreement with Commission relative to maintenance of float in Willamette River.
Oregon Coast Highway. Ocean Lake District. Inquiry as to plans of Commission for improvement.
Wilson River Highway. Glenwood-Banks Section. Tillamook Chamber of Commerce suggests WPA project for construction.
Pacific Highway. Ashland. Letter suggesting entirely new route.
Signal. Request for installation of bell and light signal at East Springfield Railroad Crossing denied.
Snow removal. Oregon Caves Road. E. P. Leavitt complains of conditions imposed by Commission.
County equipment. Services of Department offered to counties in purchase of county equipment, if requested.
Portland. J. W. Harrison requests right of access to Union Avenue, including building of approach thereto by state.
Salem. Lions Club proposes construction of overhead pedestrian crossing on South Commercial Street.
Surveys. Following authorized in Klamath Falls: South Sixth Street entrance of Klamath Falls-Malin Highway; Green Springs Highway entrance, and entrance of West Side Klamath Lake Hwy.

9957

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<u>Page</u>	<u>Date</u>	<u>Subject</u>
	1940	
9960	Dec. 5	Park matter. The Cove. Options to be secured for purchase of private property as addition to park.
		Pacific Highway East. Albany. Resolution designating new route
9961		Resolution abandoning old route in Albany.
9963		Santiam Highway. Albany. Resolution abandoning portion of old route.
9964		Albany-Corvallis Highway. Albany. Resolution extending route.
9965		Cascade Secondary Highway. Oregon City. Resolution designating certain streets as connection with Pacific Highway East.
9966		Oswego Highway. Oregon City. Resolution extending route.
9967		Havana-Helix Secondary Highway. Construction of connection with Pendleton-Adams Highway requested.
		Old Oregon Trail. Hermiston-Umatilla Section. Request for straightening and elimination of railroad grade crossing denied.
		Survey. Old Oregon Trail. Location survey through Hermiston authorized.
		Joseph-Wallowa Lake Secondary Highway. One-mile extension at head of Wallowa Lake requested. Decision deferred.
		Surveys. Resolution adopted approving surveys completed.
9969		Extensions of time, as follows:
		K. L. Goulter, Necarney Creek-Neahkahnie Mountain Section;
		Rogers Construction Co., Chemult-Port Klamath Section;
9970		Rogers Construction Co., Dairy Section;
		Mid-Columbia Sand & Gravel Co., Seufert-Dufur Section;
9971		Jacobsen-Jensen Company, Warrenton Section;
		Coos Bay Dredging Company, Bandon Section;
		William Zickler, bridge over Canyon Creek;
		Martin Petersen, Bunker Hill Section;
9972		Contracts completed and accepted, as follows:
		Chemult-Port Klamath Section, Rogers Construction Company;
		Dairy Section, Rogers Construction Company;
		Seufert-Dufur Section, Mid-Columbia Sand & Gravel Company;
		Warrenton Section, Jacobsen-Jensen Company;
		Bunker Hill Section, Martin Petersen.
		Date of meeting for January advanced to the 21st and 22nd.
9973		Agreements, et cetera, signed as follows:
		Newport Construction Company, claim for extra compensation arising out of Contract No. 2196;
		State Game Commission, establishment of game refuge at Albany;
		Public Roads Administration, letter regarding improvement of Cascade Highway between Clackamas and Oregon City;
		W. H. Lynch, program letter covering allocation of one-half of 1941 Federal Lands Highway Funds;
		Bargain and sale deed conveying unto Faith M. Larios land in Clackamas County;
		Quitclaim deed conveying unto Clatsop County, for reconveyance to U. S. Navy Department, park property at Tongue Point Park.
9974	Dec. 17	Bids received on following projects:
		Seaside-Wheeler Rock Production;
		East Unit, Dixie Summit-Austin Section, grad., surf., and oil;

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	1940	
9975	Dec. 17	Bids received on projects (cont.): Deception Creek-Salt Creek Falls Rock Production; Depoe Bay Section, grading and surfacing; Cairo Junction-Adrian Rock Production; Owyhee River-McDermitt Section, surfacing and oiling;
9976		North Santiam River Bridge at Gates; North Powder-Davis Ranch Section, surfacing and oiling; Davies Grade Separation Project; Sale of buildings at Brookings, Marshfield and Scappoose.
9977		Paterson Ferry County Road. Improvement to be covered by agreement with Morrow County Court. Heppner Highway. Jones Hill-Lena Section. To be improved after Gilliam County Line-Zinter Ranch Section is improved. Wasco-Heppner Secondary Highway. Gilliam County Line-Zinter Ranch Section. Improvement to be given priority over Jones Hill-Lena Section. Eightmile-Rhea Creek Section. Widening of curve above Ruggs to be done as Minor Betterment order.
9978		Ione-Morgan County Road. State to oil road for county. Columbia River Highway. The Dalles. Delegation requests relocation of highway within city limits. Central Point-Crater Lake Highway Road. Delegation requests that road be designated state secondary highway. Central Point. Pacific Highway. City offers right of way for straightening "S" curve at north city limits. Portland. Front Avenue Project. Agreement with O.W.R.R. & N. Company, Multnomah County and Port of Portland approved. Report on status of railroad franchise controversy. Public Market property discussed.
9979		Deeds covering Front Avenue right of way to be executed in duplicate suggested by Attorney. Deeds. Execution of deeds in duplicate covering Front Avenue Project in Portland discussed. Publicity matters. Agreement covering distribution and editing of film "The New Oregon Trail" approved. Hospital associations. Agreements for 1941 with National Hospital Association and Physicians and Surgeons Association approved. Multnomah Medical Service Bureau agreement not ready. Clackamas Overcrossing. Delegation confers relative to contracting of project.
9980		Poster Road Extension. Delegation renews request for placing on state highway system and on improvement program. Crooked River Secondary Highway. Paulina-Prineville Section. Delegation requests straightening of some curves and graveling of worst spots. Expenditure of \$2,500 authorized. Siletz Secondary Highway. Siletz-Kernville Section. Delegation requests grading and widening. Awards. Chairman announces award of contracts and sale of buildings.

<u>Page</u>	<u>Date</u>	<u>Subject</u>
	1940	
9983	Dec. 17	American Association of State Highway Officials. Payment of 1941 dues approved.
		Western Association of State Highway Officials. Payment of 1941 dues approved.
		Financial statement. Report dated December 13, 1940, discussed.
		Portland. Ivan F. Phipps confers relative to construction of service station on Denver Avenue approach to Interstate Bridge.
		Permit. W. H. Zuber requests permission to operate overlength truck transporting school exhibit.
		Hood River Bridge. Delegation asks Commission to acquire bridge.
9984		Henry F. Cabell. To represent Commission at meeting of Western Association of State Highway Officials in Denver.
	Dec. 18	Bids received on following projects:
		Svensen-Goble Rock Production;
		Hoffman Bridge-Grants Creek Section, surfacing and ciling;
		Gooserock Bridge over John Day River;
9985		Kerby Rock Production;
		South Unit, Algoma-Terminal City Section, grading and topping;
		Forest Boundary-Cottonwood Creek Section, grading, surfacing, oiling, also bridges and culverts;
		Hendricks Bridge-Silver Creek Rock Production;
9986		Materials testing laboratory building at Salem;
		Boardman-Umatilla County Line Section, grading and topping;
		Hawthorne Bridge Approach, Portland.
9987		Rome-Princeton Secondary Highway. Delegation requests placing of maintenance rock near Follyfarm.
		Burns-Crane Highway. Transfer of funds, heretofore budgeted for improvement, to John Day-Burns Highway discussed.
		John Day-Burns Highway. Transfer of funds from Burns-Crane Highway for improvement of this road discussed.
		Frenchglen Secondary Highway. Hanley Lane Section. Proposed improvement and transfer of funds from other projects discussed.
		Survey. Survey and estimate of cost ordered for project from Burns to Hanley Lane, thence to The Narrows.
		Pacific Highway. Ashland. Report submitted on previous expenditures and estimate of cost to complete work.
		House movers. Attorney's report on refusal of house-moving contractors to abide by terms of bids.
		Real property. Resolution authorizing acquisition.
9995		Condemnation. Recommended offers. Resolution adopted:
		Right of way for: Algoma-Terminal City Section; Siletz Bay-Newport Section; Port Orford-Brush Creek Section; Boiler Bay-Rocky Creek Section; and Multnomah County Line-Scappoose Sec.
		Gravel pit and hauling road: Port Orford-Hubbard Creek Sec.
		Park: Tillamook County, adjacent to Oregon Coast Highway.
		Storage of maintenance materials: Powers Secondary Highway.
		Road building materials: Springfield-Blue River Section.
10001		Port Orford. Knapp Hotel property. Settlement discussed.
		Cascadia Park property. Attorney authorized to settle with Mr. Geisendorfer and Baptist Church Convention for \$21,500.

Page	Date	Subject
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10001	Dec. 18	Albany. Joseph D. Sternberg property. Settlement approved. Resolution adopted covering maintenance of property between old and new highways in front of Sternberg property.
10002		Equipment. Wilson River Highway project. Purchase of crusher and several trucks authorized.
10003		Survey. Fish Hawk Falls Cut-off. Location survey authorized. Ochoco Highway. Report on cost to complete highway ordered. John Day Highway. Report ordered on cost of improvement east of John Day and between John Day and Arlington. Mr. Oliver suggests placing Dixie Mountain Section in priority status. Prineville-Madras Secondary Highway. Estimate of cost to complete highway ordered. Antelope-Mitchell Road. Estimate of cost to construct ordered. Federal aid funds. Don Peoples inquires as to expenditure of current funds. Bonneville Power Administration. Easement granted for additional right of way for pole line at Hood River. Oregon City. City authorized to construct public dock to be moored to highway property. Matter to be covered by lease. Cattle guards. Construction on highways discussed. Attorney to prepare legislative bill for Commissioners' study. Title reports. Bill presented by Hartman Abstract Company discussed. (See page 9909) Newspaper boxes. Name of newspaper on box not considered advertising. Attorney General's report. Property at Coos Bay Bridge. Purchase of Coleman property for protection of bridgehead approved. Scappoose. Request of George W. Rhoades for third point of access to highway approved. Price of right of way to be reduced. Claim. Maurice G. Roy presents claim for damage to property at Pilot Rock. Expenditure authorized.
10004		
10005		Property, state-owned. Lease of property at Grub College to O. D. Keiffer approved. Charge to include payment of taxes. Timber strips. Citizens suggest state purchase strips located within forest reserves along Willamette, Santiam and Netarts Highways. Not considered obligation of state. Property, privately-owned. Offer of Chester T. Ireland to sell property south of Ecola State Park declined. Park matter. The Cove. Acquisition of property discussed. Purchase of 83-acre tract near Arch Cape Tunnel from W. C. Calder for park purposes authorized. Arch Cape slide area. W. C. Calder refuses state's offer of settlement for damage to property by sliding of embankment.
10006		Park matter. Newton B. Drury, Director of National Park Service, to confer with Mr. Cabell and Mr. Boardman in Portland. Timber strips. Requirements governing expenditure of federal aid money for purchase of strips to be secured. Christmas trees. Trees cut by Indians near Grand Ronde given to Salvation Army.

<u>Page</u>	<u>Date</u>	<u>Subject</u>
10006	Dec. 18	<p>Park matter. Financial statement showing status of park budget to be presented at each Commission meeting.</p> <p>Awards. Chairman announces award of contracts.</p>
10008		<p>Swisshome Secondary Highway. To be removed from state secondary highway system. Eugene-Veneta Section of Route F Highway to be substituted therefor. (See page 9944)</p> <p>Route F Highway. Eugene-Veneta Section. To be placed on state secondary system in lieu of Swisshome Secondary Highway.</p> <p>The Dalles-California Highway. Power company to pay cost of new embankment near Algoma necessitated by breaking of company's dikes.</p> <p>Claim. Power Company to be sued for cost of constructing new embankment on The Dalles-California Highway near Algoma.</p> <p>Snow removal. Tiller-Trail Highway. Operations authorized for one month as trial.</p>
10009		<p>Load limit. Tiller-Trail Highway. Resolution reducing load limit between M.P. 38.55 and M.P. 45.53.</p>
10010		<p>Oregon Coast Highway. Report on cost of improvement through Ocean Lake.</p> <p>Boardman-Stanfield Highway. Proposed government ammunition dump south of Umatilla not to interfere with highway construction.</p> <p>Permit. Log hauling permit of Dale Lloyd Dixon reinstated.</p> <p>Patching plants. Report on operations for year.</p>
10011		<p>Drift fences. Report on fences along John Day Highway, in Baker County. Maintenance of fences along public lands discussed.</p> <p>Log hauling. Special regulations formulated by representatives of state departments adopted.</p> <p>After-dark hauling requested by loggers. Investigation of State of Washington regulations ordered.</p> <p>Radio equipment. Purchase of stand-by motors and generators for Salem, La Grande and Klamath Falls stations deferred.</p> <p>Fife Undercrossing in Hood River County. To be included in future programs.</p> <p>Survey. Survey and estimate of cost ordered of Fife Undercrossing in Hood River County.</p> <p>Sidewalk. Cannon Beach. State to continue to maintain board sidewalk.</p> <p>Tolovana Park. Construction to be included in general survey.</p> <p>Toledo. Construction to be included in general survey.</p> <p>Alsen-Deadwood Highway. Transfer of this highway to county and substitution of more worthy road discussed.</p>
10012		<p>Sumpter Valley Secondary Highway. Boulder Gorge Section. Request for widening denied.</p> <p>Wilson River Highway. Additional allocation for oiling fifteen-mile section approved.</p> <p>September 15, 1941, set as tentative date for dedication.</p> <p>Wolf Creek Highway. Additional allocation for oiling authorized.</p> <p>Timberline Lodge Road. Agreement with U.S. Forest Service covering maintenance to be renewed.</p>

<u>Page</u>	<u>Date</u>	<u>Subject</u>
	1940	
10012	Dec. 18	<p>Memorial plaque. Request of D.A.R. to erect plaque to Madam Dorion in Vista House approved.</p> <p>Historical markers. Oregon City. Expenditure for erection of three markers approved.</p> <p>Monument. State Music Teachers Association requests permission to erect monument honoring H. Theophilus Finck in Aurora.</p> <p>Lacquer. Purchase of traffic-line lacquer for 1941 approved.</p> <p>Pole line. Request of Salem Electric Cooperative Association to construct line along Salem-Dallas Highway in West Salem.</p> <p>National Institute for Traffic Safety Training. Two delegates authorized to attend meeting at University of California.</p>
10013		<p>Sign. Parkrose Lions Club requests permission to erect club sign at intersection of N. E. 122nd and Sandy Boulevard.</p> <p>Drain tile. John Ediger installs 10-inch drain tile on approach road to Salem-Dallas Highway. Information to be obtained from other state departments regarding installation.</p> <p>Timber strips. Penn Timber Company suggests purchase of its wayside strips along Willamette Highway, Goshen to Oakridge.</p> <p>Coos Bay-Roseburg Highway. Request for straightening denied.</p> <p>Gravel. Commission urged to prohibit removal from beaches.</p> <p>Beaches. Attorney to prepare legislative bill giving Commission regulatory control over beaches.</p> <p>Fletcher Oil Company. Permission granted to attach sanding equipment to oil tanks.</p> <p>Oregon Coast Highway. Construction through Gold Beach discussed.</p> <p>Ochoco Highway. Prineville-Marks Creek Section. Abandonment resolution.</p>
10017		Pacific Highway East. Salem-Pringle Creek Section. Abandonment resolution.
10018		<p>Award. Commission confirms following award:</p> <p>Scappoose-Multnomah County Line Section, Roy L. Houck.</p> <p>Oregon-Washington Highway. Action designating new route between Milton and Oregon-Washington state line confirmed.</p> <p>Present route to be maintained pending completion of reconstruction.</p> <p>Extensions of time, as follows:</p> <p>Norris Bros., Lick Creek-Salt Creek Section;</p> <p>The United Contracting Company, Corvallis-Lincoln School Sec..</p>
10019		Contracts completed and accepted, as follows:
10020		<p>Lick Creek-Salt Creek Section, Norris Brothers;</p> <p>East Birch Creek Bridge, McNutt Bros.;</p> <p>Replacement of cable on Interstate Bridge, Contracting and Sales Company;</p> <p>Ironsides-Brogan Section, M. L. O'Neil & Son.</p> <p>Date for February meeting scheduled for 27th and 28th.</p> <p>Agreements, et cetera, signed as follows:</p> <p>National Hospital Association, Salem Physicians and Surgeons Association and Multnomah Medical Bureau Service, medical care of employees for 1941.</p>

<u>Page</u>	<u>Date</u>	<u>Subject</u>
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10021	Dec. 18	Agreements, et cetera, (cont.):
		Southern Pacific Company, construction of Davies Overcrossing.
		O.W.R. & N. Company, Union Pacific Company, State of Oregon, and Gilliam County, easement for encroachment of Columbia River Highway on railroad property, in Gilliam County;
		Portland Electric Power Company, installation of grade crossing signal near Kendall, Multnomah County;
		Castle Films, Inc., distribution and editing of film "New Oregon Trail";
		Botsford, Constantine and Gardner, extending advertising agreement for one year;
		Ontario, City of. Furnishing water for irrigation of Ontario landscaping project;
		Marion County, snow removal operations on North Santiam Highway during 1940-1941 season;
		Mrs. Maud Moon, leasing of property in North Portland for maintenance headquarters site;
		Bill of sale, selling to Helen Louise Chadwick building in Brookings;
		Bargain and sale deed conveying unto Glen William and Mabel A. Curtis property in Marshfield;
10022		Consent to Vacate, alley in Eugene;
		Application for public highway right of way across Warm Springs Indian Agency on He He Butte Section.
	1941	
10023	Jan. 10	Bridge. Independence. Senator Dean Walker confers relative to state cooperating in replacement of Willamette River Ferry with bridge. Estimate of cost ordered.
		South River Road. Senator Walker suggests designation as secondary state highway. Estimate of cost ordered.
		Programs. Following partial programs selected:
10024		1942 regular federal aid projects.
10025		1942 secondary or feeder road projects.
		1941 program for state projects on primary highways.
10027		1941 program for state projects on secondary highways.
10028		1942-1943 grade separation program.
10029		Wallowa Lake Highway. Elgin-Minam Hill Section. To be improved as state project.
		John Day-Burns Highway. Funds set up for Seneca-South Project to be transferred to Vance Creek-Seneca Section.
10030		Grade separation program. Railroad crossing on Old Oregon Trail at Durkee to be considered desirable project.
		Moorman, W. L. Attorney General's opinion relative to recovery of funds from Ladd and Bush Bank as result of Mr. Moorman's defalcations.
		Cattle guards. Attorney to prepare legislative bill authorizing Commission to construct cattle guards on state highways.
		Log hauling. Night hauling. Requests for such privilege, including request of Pilot Rock Lumber Company, to be denied.

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	1941	
10030	Jan. 10	Right of way budget. Attorney's report on present status. Real property. Resolution authorizing acquisition.
10033		Sale of building. Brookings. No. 7707 sold to Fannie Pedrioli. Tom B. Page, former high bidder, released from obligation. Submerged and tide lands. Control and sovereignty over such lands discussed, including bills in U. S. Senate.
10034		Sidewalk. Request of Mrs. James H. Ross to construct sidewalk across state-owned property in Albany approved. Property, state-owned. Sale of property adjacent to Grants Pass-Green Creek Section to Newell Wright approved.
10035		Buildings. Scappoose. Kenneth Pedersen to be paid additional amount for moving buildings on Henze property. State to do grading and surfacing work. Scappoose. Buildings on Henze property to be moved by Kenneth Pederson. State to do grading and surfacing work. Portland. Front Avenue Project. Charles W. Ertz presents claim for loss of income as result of inability to rent building on proposed improvement. Building. Removal of buildings by state from Glenwood-Balm Grove Section of Wilson River Highway discussed.
10036		Portland. Front Avenue Project. Offer of Mary Gaboni to convey to state property owned by her accepted. Pacific Highway. Cottage Grove. Abandonment resolution. Right of way to revert to Frank and Mary Heck.
10038		Warm Springs Highway. Settlement with Mike McCabe for right of way in vicinity of Prineville approved, involving movement of sheep across highway. Signs. Gearhart. Signs to be erected re danger of logs on beach and in surf.
10039		Park matter. The Cove. Acquisition of privately-owned lands discussed. Appraiser to set value on land. Newport roadside development. Allocation for planting of area approved. Sidewalks. Budget of \$30,000 for sidewalk construction approved. List of projects to be submitted. Traffic signals. Corvallis. Request denied. Installations at following places approved: Cottage Grove, North Bend, Seaside, intersection of Columbia River Highway and Fairview Road near Portland, and Otis. Installations at following places denied: Cascade Locks, Springfield, Necanicum Junction, intersection of Oregon Coast Highway and road to Cannon Beach, Gaston, and Klamath Agency.
10040		
10041		Awards. Commission confirms following awards: Svensen-Goble Rock Production, Tidepoint Company; Owyhee River-McDermitt Section, Norris Bros.; Boardman-Umatilla County Line Section, Frank Penepacker. Meadowbrook Bridge. Starkey Secondary Highway. Construction approved. To be advertised for bids at next meeting.

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	1941	
10041	Jan. 10	Equipment. Purchase of following authorized: 2 10-ton rollers; 15 power mowing machines; 10 asphalt kettles; 6 patrol graders; 6 pull-type graders; 20 light-type dump trucks; 2 power hoists.
10042		1 oil and asphalt retort. Claims. Collection of long-standing obligations of cities and counties discussed. Deposits. Special account with State Treasurer to care for deposits made by cities, counties, contractors, et cetera. Plans. Charge of \$1.00 for highway construction plans approved. Load limit. Stillwell Bridge. Resolution reducing load limit.
10043		Bridge. Drawings of county bridge over Nestucca River at Pacific City approved.
10044		Permit. Lang Transportation Company granted permission to operate oversized equipment.
10045		Tiller-Trail Highway. Lifting of reduced load limit requested. Load limit. Request for lifting of limit on Tiller-Trail Hwy. Signs. Load limit signs on Tiller-Trail Highway to be removed. Wolf Creek Highway. Sponsoring of new WPA Project discussed. Ranger Station-Fish Hawk Falls cutoff. State will sponsor WPA project and cooperate in cost.
10046		Survey. Ranger Station-Fish Hawk Falls cutoff. Definite location survey authorized. Albany. Request of Albany School District for use of area between highway and school grounds approved. Portland. Request of J. W. Harrison for access to highway at Union Avenue viaduct approved. Deposit covering cost to be made.
10047		Enegren Ferry. Operation of powerboat during high water periods. No change to be made in present contract. Mr. Stambuck authorized to erect signs re operation of ferry. Signs. Erection of signs regarding operation of Enegren Ferry during high water periods. Astoria. Request for state cooperation in cost of street lighting system denied. Portland. Award of contract for Hawthorne Bridge approach discussed. Deposit of low bidder to be returned.
10048		Surveys. List of surveys ordered since last meeting.
10052		Extensions of time, as follows: McNutt Bros., bridges on Water Street Section, Oregon City; Washington Hauling Company, Hebo-Oceanlake Section;
10053		Odom Construction Company, widening bridge over Depoe Bay; Willamette Iron & Steel Corporation, steel for Strassel Undercrossing; William Zickler, bridge over Canyon Creek in John Day.
10054		Contracts completed and accepted, as follows: Bridges on Water Street Section, Oregon City, McNutt Bros.; Hebo-Oceanlake Section, Washington Hauling Company; Widening bridge over Depoe Bay, Odom Construction Company; Strassel Undercrossing, Willamette Iron & Steel Corporation;
10055		Bridge over Canyon Creek in John Day, William Zickler.

<u>Page</u>	<u>Date</u>	<u>Subject</u>
	1941	
10055	Jan. 10	<p>Agreements, et cetera, signed as follows:</p> <p>Maurice G. Roy and wife, right of way settlement at Pilot Rock;</p> <p>Northern Pacific Railroad Company, slope encroachment on railroad property at Goble;</p> <p>First National Bank of Portland, cancelling lease of gravel pit in Curry County;</p> <p>Sherman County, improvement of Maryhill Ferry Road;</p> <p>Pacific Telephone and Telegraph Company, right of way for company's pole line on Sexton Mountain Project;</p> <p>United States of America, construction of fence by Federal Grazing Administration along Powder River Canyon Section;</p> <p>O. D. Keiffer, use of state-owned land adjacent to Wallace Road Secondary State Highway;</p> <p>Port of Umpqua, construction of roadway under Umpqua River Bridge at Reedsport;</p> <p>Ground lease providing for maintenance of snow fence adjacent to John Day Highway near Unity;</p> <p>Bargain and sale deed conveying unto T. R. Maxwell land in Enterprise;</p>
10056		<p>Bargain and sale deed conveying unto Lars P. Peterson and wife land in Marshfield;</p> <p>Bargain and sale deed conveying unto A. B. Reese land in Brookings;</p> <p>Bargain and sale deed conveying unto Sunset Logging Company land in Tillamook County;</p> <p>Bargain and sale deed conveying unto W. L. Crissey land in Brookings;</p> <p>Bargain and sale deed conveying unto James A. Davenport and wife land in Lincoln County.</p>
10057	Jan. 21	<p>Bids received on following projects, buildings and tract of land:</p> <p>Flagstaff Hill-Ruckles Creek Section, grad., top., surf., oil;</p> <p>Plunkett Creek-Read Creek Sec., grad., surf., and oil;</p> <p>Scappoose-St. Helens Section, remodeling bridges;</p>
10058		<p>Endicott Creek-Bear Creek Rock Production;</p> <p>Bend-Forest Boundary Section, grad., surf., and oil.</p> <p>Bear Creek-Coos Junction Rock Production;</p> <p>Lake Creek-Hanley Ranch Section, grading and bridge;</p> <p>Klamath Agency-Modoc Point Section, roadside improvement;</p> <p>Interstate Bridge, installing electrical equipment;</p>
10059		<p>Sale of buildings in Bandon and Salem and tract of land in Salem.</p> <p>Cape Arago Secondary Highway. Delegation urges construction to Cape Arago State Park.</p> <p>Warm Springs Highway. Delegation asks for additional improvements.</p>
10060		<p>O'Neil Secondary Highway. Improvement requested.</p> <p>Cascade Lakes Forest Highway (Century Drive Highway). Inquiry regarding construction.</p>

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10060	Jan. 21 1941	<p>Shaniko-Fossil Secondary Highway. Delegation confers relative to survey being made in vicinity of Clarno.</p> <p>Ontario. Sewer assessment. Payment tentatively authorized.</p> <p>Slide Irrigation District. Payment of assessment against property owned by Commission denied.</p> <p>Assessment. Slide Irrigation District. Payment of claim against state property denied.</p>
10061		<p>Permit. Sam Browne, Jr., Texas, granted permit to operate oversized equipment in hauling fern.</p> <p>Mining operation. Request of Chas. E. Blaess to conduct mining operations near Casey State Park, Jackson County, denied.</p> <p>Park matter. Eviction of Mrs. Van Dyke from Casey State Park discussed. Attorney to take legal steps.</p> <p>Canals and irrigation ditches. West Extension of Umatilla Irrigation Project. Commission agrees to keep ditches and canals open on state property only.</p>
10062		<p>Claim. Action deferred on claim of John O'Gorman for sheep killed by department truck on Klamath Falls-Lakeview Highway.</p> <p>Portland. Steel Bridge. Insurance coverage to protect railroad companies only.</p> <p>Insurance. Coverage in connection with Steel Bridge, Portland, to cover railroad companies only.</p> <p>Moorman, W. L. Proposed suit against Ladd & Bush Bank to recover loss resulting from Moorman forgery discussed.</p> <p>Klamath Falls. Main Street Undercrossing. State to pay engineering expense. Commission to accept city's \$1000 deposit.</p>
10063		<p>Portland. Acquisition of land for widening intersections at Union and Couch and at Union and Ankeny approved.</p> <p>Sherars Bridge Secondary Highway. Request for oiling from Tygh Valley to top of Sherars Grade denied.</p> <p>Load limit. Following sections to be posed for reduced load limit, when necessary: Nye Junction-Long Creek; Prairie City-Brogan; and entire length of Weston-Elgin Secondary Highway.</p>
10064		<p>Signs. Abert Rim in Lake County. Erection of two signs approved.</p> <p>Ontario. Old Oregon Trail. Requests for improvement denied.</p> <p>Snow removal. Bridge of the Gods. State to remove snow.</p>
10065		<p>Lake. Artificial lake near Albany named "Waverly Lake".</p> <p>Logging road. Kinzua Pine Mills Company authorized to construct road across Heppner-Spray Secondary Highway, Wheeler County.</p> <p>No flagmen to be required during daylight operations.</p> <p>Awards. Commission confirms following awards:</p>
10066		<p>Depoe Bay Section, Sam Orino;</p> <p>Hoffman Bridge-Grants Creek Section, O. C. Yocom;</p> <p>Kerby Rock Production Project, M. C. Lininger & Son;</p> <p>Hendricks Bridge-Silver Creek Rock Production, M.L.O'Neil & Son;</p> <p>Algoma-Terminal City Section, Frank Penepacker.</p> <p>Hospital association. Eugene Hospital and Clinic inquires regarding furnishing of medical care to department employees.</p> <p>Policy regarding contracts with associations discussed.</p>

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10067	Jan. 21	<p>Bridge. Communication regarding plans for bridge across Columbia River and The Dalles-Celilo Canal. Ordered filed.</p> <p>Ridge Route. Hattie Henderson objects to expenditure for survey and for construction.</p> <p>Albany Landscaping Project. Employment of landscaping crew, purchase of equipment, and construction of frame building authorized.</p> <p>Equipment. Purchase of following for Albany Landscaping Project: 1 30-inch power mowing machine; 1 long-wheel-base, light-type truck and tank, and miscellaneous tools and equipment.</p> <p>Building. Albany Landscaping Project. Construction of frame building authorized.</p> <p>Truck. Purchase of truck to replace one wrecked by Bonneville Power Administration truck authorized.</p> <p>Extensions of time, as follows:</p>
10068		<p>Parker-Schram Company, Lombard Street Section, Portland;</p> <p>M. E. Meyers & Son, Ontario-Snake River Section;</p> <p>Parker-Schram Company, Oregon Slough-Columbia Slough Section;</p>
10069		<p>Contracts completed and accepted, as follows:</p> <p>Lombard Street Section, Portland, Parker-Schram Company;</p> <p>Ontario-Snake River Section, M. E. Meyers & Son;</p> <p>Oregon Slough-Columbia Slough Section, Parker-Schram Co.;</p> <p>Cox Creek Bridge, Barham Bros.;</p> <p>Bridge over Beaver Creek, Birkemeier & Sarnel.</p>
10070		<p>Western States Highway Defense Conference. Mr. Fred Brenne reports on conference held in San Francisco, Jan. 17, 1941.</p> <p>Park matter. Delegation representing Western Federation of Outdoor Clubs opposes national park in Curry County.</p> <p>Netarts Secondary State Highway. Netarts-Oceanside Section. Oiling requested by delegation. Project authorized.</p> <p>Wilson River Highway. Glenwood-Banks Section. Delegation requests construction. Traffic study to be made.</p>
10071		<p>Little Nestucca Secondary Highway. Delegation requests improvement.</p> <p>Awards. Commission announces award of contracts and sale of buildings and tract of land.</p>
10073		<p>Pacific Highway. Ashland. Delegation requests reconstruction of highway, eliminating bottleneck at Plaza Corner.</p>
10074		<p>Portland. Request of Ivan Phipps to purchase or lease right of way at Interstate Bridge denied.</p> <p>Ivan Phipps suggests new route for highway from Super Airport to business center of Portland.</p> <p>Oregon Coast Highway. Gardiner. Delegation confers relative to improvement. Right of way negotiations authorized.</p>
10075		<p>Gardiner Mill Company. Land acquired from company for detour in Gardiner to be reconveyed to company.</p> <p>Pole line. J. D. Langman confers relative to construction of his telephone line between Fishers Point and Brighton.</p>

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10076	Jan. 21	1941 Columbia River Highway. Astoria. Conference with government officials relative to relocation on Cedar Street to accommodate Tongue Point Naval Base. State to sponsor WPA Project and cooperate in cost. Existing right of way to be transferred to United States Navy Department.
10078		Survey. Columbia River Highway, Cedar Street revision, Astoria. Access roads. Fort Stevens and Camp Clatsop. Plans covering responsibility in construction discussed with officials of government.
10079		Ranger Station-Fish Hawk Falls Cut-off. Construction discussed. Wilson River Highway. Glenwood-Banks Section. Construction discussed.
10080	Jan. 22	Bids received on following projects: Catherine Creek-Miles Bridge Section, surfacing and oiling; Ochoco Creek Section, grading and two bridges; Dean Creek-Parker Creek Rock Production; Florence Rock Production; Kernville-Forest Boundary Section, grading and surfacing; Boardman-Stanfield Section, reinforced concrete siphons.
10081		Right of way budget. Assistant Attorney's report. Real property. Resolution authorizing acquisition.
10085		Portland. Front Avenue Project. Attorney's report on right of way settlements. Approval deferred. Condemnation. Recommended offers. Resolution adopted: Right of way: Clackamas Grade Separation Project and Jefferson County Line-Prineville Section.
10087		Wilson River Highway. Moving of buildings belonging to G. L. McCutcheon at Glenwood discussed. Buildings. Moving of buildings belonging to G. L. McCutcheon on right of way for Wilson River Highway discussed. Harold Say. Authorized to go to Los Angeles to supervise editing and voicing of film "The New Oregon Trail".
10088		Route F Highway. Delegation confers relative to trade of Eugene-Veneta Section for Walton-Swisshome Section. Swisshome Secondary Highway. Delegation confers relative to exchange of Eugene-Veneta Section for Walton-Swisshome Section. Route F Highway. Delegation inquires as to plans for construction of Eugene-Veneta Section across Fern Ridge Dam site. Ochoco Highway. Delegation urges additional improvement. Oregon Coast Highway. North Bend-Coquille Section. Delegation confers relative to further improvement.
10089		Bridge. Independence. Delegation confers relative to construction of bridge to replace ferry.
10090		North Santiam Highway. Delegation asks Commission to maintain and place on secondary highway system section east of Detroit. Claim. Polk County. Delegation confers relative to state's long-standing claim against county. Awards. Chairman announces award of contracts.

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10092	Jan. 22	Funds. Delegation representing Oregon Counties Association requests increase in counties' share of state highway fund. Law. Delegation suggests change in law to eliminate state-exempt cars from participating in distribution of gasoline tax funds. Oregon Coast Highway. Gold Beach Section. Grade stakes to be set.
10093		Legislative bill. Delegation confers relative to proposed bill for increase of maximum weight and length of loads. Cascade Secondary Highway. Silverton Section. Delegation confers relative to proposed improvement as WPA project. State cooperation authorized.
10094		Claim. Tillamook. Delegation confers relative to state's long-standing claim against city. Scholls Secondary Highway. Delegation urges oiling of uncompleted section north of Newberg. Newberg-Butteville Road. Delegation urges designation as state secondary highway. Portland. Front Avenue project. Wrecking of buildings to be done by general contractor. Appraisers to be employed to set value on salvaged material.
10095		Timber strips. Pendleton-John Day Highway. Expenditure of part of federal aid funds for purchase of strips between Ukiah and Dale Ranger Station discussed. Salmon River Highway. Expenditure of part of federal aid funds for strips adjacent to highway discussed. Columbia River Highway. Acquisition of area between Summit and Lindsey Creek discussed.
10096		Park matters. The Cove. Acquisition of tracts and securing of leases to other tracts from Bureau of Reclamation and United States Department of Agriculture authorized. Timber strips. Salmon River Highway. Acquisition of tracts in vicinity of Boyer authorized. Spruce Production Railroad right of way. Request of Lincoln County for state cooperation in acquisition of old right of way near Newport denied.
10097		Agreements, et cetera, signed as follows: S. P. & S. Railway Company, permit authorizing installation of culvert adjacent to Lower Columbia River Highway. Bonneville Power Administration, construction of power line across state property in Hood River County. Peoples Water & Gas Company, re-establishment of company's water mains in Marshfield. Southern Pacific Company, construction of Clackamas Overcrossing in Clackamas. Elton McBride, lease of maintenance headquarters site in Long Creek. Ida Williams, administratrix of estate of William Williams, acquisition of maintenance headquarters site in Lane County.

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	1941	
10097	Jan. 22	<p>Agreements, et cetera, signed as follows (cont.):</p> <p>Sam Likens, cutting and removal of fallen trees in vicinity of Otter Crest.</p> <p>Date for regular meeting in April scheduled for 3rd and 4th.</p> <p>Interim meeting in Salem scheduled for February 14, 1941.</p>
10098	Feb. 14	<p>Military highway system. Engineer authorized to write Public Roads Administration relative to changes in system.</p> <p>Baker-Homestead Highway. Delegation confers relative to routing highway from Halfway to Cornucopia and elimination of Pine Creek Section. Changes approved.</p>
10099		<p>Snow removal. Anthony Lakes District. Request for state co-operation denied.</p> <p>McKenzie Highway. Request for snow removal operations denied.</p> <p>Oregon Coast Highway. Port Orford South Section. Funds transferred to this project from Willamette Highway project.</p> <p>Forest highway funds. Changes in 1941 program involving allocations to Oregon Coast, Willamette and John Day Highways.</p>
10100		<p>Oregon Coast Highway. Port Orford project. Right of way across Captain Harold Roche property to be condemned.</p> <p>Secondary Highway System. Delegation from Clackamas County requests placing of Market Road No. 10 and Molalla River Road on system.</p> <p>Clackamas County. Delegation requests that Market Road No. 10 and Molalla River Road be placed on secondary highway system.</p>
10101		<p>Canby. Delegation requests elimination of right-angle turns on route used by loggers from Canby to river.</p> <p>North Santiam Highway. Delegation requests designation of section east of Detroit a state secondary highway.</p> <p>Log hauling. Hauling until 8:00 p. m. allowed on Ukiah-Pilot Rock Section of Pendleton-John Day Highway. State-wide policy to be formulated as result of trial on Pendleton-John Day Hwy.</p>
10102		<p>McMinnville. Main Street designated as connection between Pacific Highway West and Three Mile Lane Secondary Highway.</p> <p>Center stripe. McMinnville. Yellow center line stripe to be painted and maintained along Main Street.</p> <p>Wolf Creek Highway. Application for WPA project covering remaining portion of highway approved.</p>
10103		<p>North Santiam Highway. Niagara-Detroit Section. Proposed plans with War Department for financing construction discussed.</p> <p>Enterprise-Lewiston Highway. Oregon Section. To be completed by time Washington Section is completed.</p> <p>Minutes approved of meetings held October 9, 10 and 11, October 18, and November 12 and 13, 1940.</p> <p>Real property. Resolution authorizing acquisition.</p>
10107		<p>Portland. Front Avenue Project. Report on additional settlements for right of way.</p>
10108		<p>Bridge. Nehalem River near Elsie. Clatsop County asks Commission to cooperate in repairing bridge or building new one.</p> <p>Standard Oil Company. Randon. State to assume cost of furnishing company with title to property.</p>

Page	Date	Subject
10108	Feb. 14	<p>Bandon. State to pay cost of furnishing Standard Oil Company title to certain property.</p> <p>Bridgeheads. Rogue River Bridge at Gold Beach. Acquisition of land to protect bridgeheads discussed.</p> <p>Connecting road. Construction of road between Helix Secondary Highway and new Pendleton-Adams Highway requested.</p> <p>Umatilla County. Construction of road between Helix Secondary Highway and new Pendleton-Adams Highway requested.</p>
10109		<p>Park matter. Mrs. Inez Van Dyke to be forced to vacate Casey State Park.</p> <p>Oregon City. I. C. Nealeigh requests filling in of highway in front of his property adjacent to Pacific Highway.</p> <p>Building. Request of Harold Nelson to maintain building on state property at north end of Depoe Bay Bridge denied.</p> <p>Park matter. "Rogers Park" suggested as name for The Cove.</p> <p>Legislative bill. Organizations of Silverton object to bill permitting withdrawal of water from Silver Creek.</p> <p>Signs. Erection of signs along highways advising that right of access not allowed considered inadvisable.</p>
10110		<p>Logging road. Request of L. E. Bierce to construct road across park property adjacent to Salmon River Highway approved.</p> <p>Gasoline tax revenues. Comparison of revenues for 1940 and 1939.</p> <p>Lights at scale sites. Installation of flood lights at four truck scale sites in Division 5 approved.</p> <p>Little Nestucca Secondary Highway. Stabilization to withstand logging traffic requested.</p> <p>South Santiam Highway. Bids to be received for furnishing crushed rock to maintain uncoiled section near Sweet Home.</p> <p>Portland. Set back of curbs on Sandy Boulevard between 12th and 15th Avenues approved.</p>
10111		<p>Lower Columbia River Highway. Designation as strategic military highway requested. No action.</p> <p>Old Oregon Trail. Appreciation expressed of improvement near Arlington. Modernization of Boardman-John Day River Section and straightening in town of Arlington requested.</p> <p>Tualatin Valley Highway. Early reconstruction for four lanes of traffic requested.</p> <p>Claim. Payment of claim of John O'Gorman for loss of sheep killed on Klamath Falls-Lakeview Highway authorized.</p>
10112		<p>Hospital associations. Policy adopted re applications of associations.</p> <p>Awards. Following awards confirmed:</p> <ul style="list-style-type: none"> Lake Creek-Hanley Ranch Section, E. L. Gates; Ochoco Creek Section, Morris Bros.; Florence Rock Production Project, M. L. O'Neil & Son; Plunkett Creek-Read Creek Section, M. L. O'Neil & Son; Bear Creek-Coos Junction Rock Production, A. S. Wallace.
10113		<p>Load limit. Resolution lifting reduced load limit on Service Creek Bridge over John Day River.</p>

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	1941	
10113	Feb. 14	Ferry service. Coos River Ferry. Andrew Stambuck to be reimbursed for furnishing motor boat service when ferry not operating.
10114		Salem-Dayton Secondary Highway. Resolution designating as through highway.
10115		Permit. Request of Vincent Mendiola for permission to haul overwidth loads of hay in vicinity of Ontario denied.
		Claim. Melvin Sorell's claim for damages resulting from accident on Pacific Highway near Salem denied.
		Permit. Application of Lathrop Hay & Grain Company for permission to transport oversized equipment on The Dalles-California Highway in transportation of cattle denied.
10116		Permit. Request of Paul Wampler to drag logs across Klamath Lake Secondary Highway denied.
		Permit. Request of Bonneville Power Administration for blanket permit to operate oversized equipment between Vancouver and Bonneville Substation denied. Individual permits authorized.
		Equipment. Purchase of following authorized: 22 light-type trucks for Wilson River WPA Project; 2 RD-8 caterpillar tractors and 2 12-yard Isaackson scrapers for Wilson River WPA Project; 6 light-type cars; 6 105-cubic foot air compressors; 4 power sweepers for oiling crews; 1 truck for electrical crew; 2 air-operated grease guns for LaGrande Shops; 2 power-barrel hoists; 1 line-boring machine for Coquille Shops; 2 chipping hammers for Canyon Road WPA Project; 1 drafting machine for Salem Shops; submarine cable now installed at Interstate Bridge.
10117		Equipment. Sale of one traffic-line cart to Multnomah County and one 1000-gallon gasoline tank to Lane County Court authorized.
		Portland. Steel Bridge. Proposed agreement with railroad companies regarding use of upper deck of bridge approved.
		Clauses regarding toll charges and provision for crossing of River in case lease of Steel Bridge is terminated to be inserted in proposed agreement at request of W. H. Lynch.
		Extensions of time, as follows: A. C. Greenwood Company, Arch Cape-Beach Creek Section; E. C. Hall Company, Warren Creek Section; George F. Anderson, Bridge over Necanicum River;
10118		Berke Bros., Cottage Grove Section;
10119		Edwin C. Gerber, Pendleton-Adams Section;
10120		R. I. Stuart & Sons, Gold Hill Section.
		Contracts completed and accepted, as follows: Arch Cape-Beach Creek Section, A. C. Greenwood Company; Warren Creek Section, E. C. Hall Company; Bridge over Necanicum River, George F. Anderson; Cottage Grove Section, Berke Bros.;
10121		Pendleton-Adams Section, Edwin C. Gerber; Mosier-Seufert Section, Rogers Construction Company.

Page	Date	Subject
	1941	
10121	Feb. 14	<p>Agreements, et cetera, signed as follows:</p> <p>United States of America, easement covering siphon construction on Boardman-Stanfield Section;</p> <p>S.P. & S. Railroad Company, installation of drainage culvert near Scappoose;</p> <p>O.W.R. & N. Company, extension rider agreement renewing lease of stock pile site at Albina, in Portland;</p> <p>Pacific Power & Light Company, lighting scales at Biggs;</p> <p>Southern Pacific Company, construction of Clackamas Overcrossing;</p> <p>Bargain and sale deed conveying unto Lars P. Peterson and wife land in Marshfield;</p>
10122		<p>Bargain and sale deed conveying unto Freeman Youmans and wife land in Clackamas County;</p> <p>Bargain and sale deed conveying unto Gardner Mill Company land in Gardner, heretofore used as shoofly detour;</p> <p>Bargain and sale deed conveying unto Brookings Land and Townsite Company land in Brookings;</p> <p>Quitclaim deed conveying unto Frank Heck and wife land in Cottage Grove;</p> <p>Bargain and sale deed conveying unto Nathan Cole and wife land in Marion County;</p> <p>Bargain and sale deed conveying unto Virgil T. Golden and wife land in Marion County.</p>
10123	Feb. 27	<p>Bids received on following projects and sale of building:</p> <p>St. Helens Section, grading and paving;</p> <p>Lytle Creek-Ochoco Creek Section, grading and topping;</p> <p>Ramsay-Blaclock Section, grad., surf., and bridge;</p>
10124		<p>Quinton-Ramsey Section, grad., surf., and bridge widening;</p> <p>Henley Section, grad., surf., and oil;</p> <p>South Newport Section, roadside improvement;</p> <p>Tunnel Point-Rooster Rock Section, grading and topping;</p> <p>Donaldson Creek-Mills Bridge & McNamars Camp-Washburn Sections, surfacing and oiling;</p> <p>Building in Hubbard.</p>
10125		<p>Baker-Homestead Highway. Halfway-Homestead Section. Delegation confers relative to rerouting.</p> <p>Rerouting from foot of Timber Canyon Grade to Homestead authorized. Timber Canyon Grade-Halfway Section to be retained on primary highway system.</p> <p>Pine Valley Road. Three-mile section to be placed on secondary highway system.</p> <p>Halfway-Cornucopia Road. Designation as state secondary highway approved.</p> <p>Baker County. Section of Pine Valley Road and Halfway-Cornucopia Road to be placed on secondary highway system.</p> <p>Strategic military highway system. Delegation confers relative to roads to be placed on system.</p> <p>The Dalles-California Highway. Madras-Terrebonne Section. Delegation inquires as to plans for reconstruction.</p>

Page	Date	Subject
10125	Feb. 27	1941 Automobiles. Report of automobiles owned by department and to whom assigned. Load limit. Fremont Highway. To be posted for reduced load limit when necessary.
10126		Authority previously granted engineer to post highways for reduced load limits when necessary confirmed. Pendleton-John Day Highway. Beech Creek Section. Report on cost to grade and surface.
		Roy L. Houck. Requests withdrawal of bid submitted for St. Helens Section. Attorney to submit legal opinion. Contract awarded to Mr. Houck.
		Columbia River Highway. St. Helens Section. Contract awarded to Roy L. Houck.
		Old Oregon Trail. Ontario. Delegation requests rerouting along First Street.
		Ontario. Delegation requests improvement of city streets.
		Engineers' services. Request of City of Ontario and request of Grant County for loan of services of engineers denied.
10127		Tillamook County. Arrangement with county for services of locating engineer to be terminated.
		Newport. Painting of traffic lines and installation of traffic signal at Sixth Street intersection requested.
		Portland. Report on abandonment of car tracks and service along Front Avenue.
		Right of way buyers. Employment of two additional men authorized. Mr. McCallister to be transferred to Gold Beach.
10128		Pacific Highway. Josephine County Line-Central Point Section. Delegation requests nonskidding.
		Crater Lake Highway. Trail-McLeod Bridge Section. Delegation requests removal of excessive curvature.
		Quarry. Bandon. State to pay taxes on quarry, county to give state deed to area.
		Rock. Jetty work at Bandon. Contractor inquires re securing rock from state's quarry. To be charged \$0.05 per ton.
		Access roads. Umatilla Ordnance Depot. Construction discussed.
		Survey. Vicinity survey of access roads to Umatilla Ordnance Depot authorized.
10129		Tualatin Valley Highway. Multnomah-Yamhill County Line Section. Request for reconstruction for four lanes of traffic denied.
		Four-lane pavement between Sylvan and West Slope favored.
		Woodburn-Sandy Secondary Highway. Delegation requests straightening and surfacing Eagle Creek-Sandy Section and reconstruction of uncompleted section between Estacada and Springwater.
		Right of way settlement. Mrs. Caswell property at Tigard. Settlement referred to Chairman Cabell. Maximum offer \$1,750.
		Lincoln County. Settlement of county's indebtedness to state.
10130		Awards. Chairman announces awards of contracts and sale of bldg.
10131		Nyssa. Delegation requests improvement of Main Street.
10132		Bridge. Delegation requests replacement of bridge over Snake River east of Nyssa.

Page	Date	Subject
10132	Feb. 27 1941	<p>Homedale-Spur Secondary Highway. Delegation requests rebuilding and oiling.</p> <p>Pacific Highway. Charles R. Cooley requests additional compensation for right of way. New settlement authorized.</p> <p>Tualatin Valley Highway. Portland-Forest Grove Section. Delegation urges reconstruction and widening for four lanes of traffic from Portland to Beaverton.</p>
10133		<p>Cornelius Pass county road. Delegation asks state to oil.</p> <p>Sherwood. Delegation requests state acquire right of way for connecting road between old and new Pacific Highway.</p>
10134		<p>Railroad. Delegation suggests revision in alignment of Southern Pacific railroad at Cook's Station.</p> <p>Territorial Secondary Highway. Gillespie Corners-Douglas County Line Section. Delegation urges oiling.</p> <p>Waverly Lake. Request of delegation from Albany to conduct log-rolling contest on lake on Fourth of July approved.</p> <p>Mt. Hood Highway. Joint letter with Public Roads Administration to Chief, Forest Service, re survey of bridges and realignment of forest section.</p> <p>Surveys. Mt. Hood Highway. Authority requested of Washington officials to conduct surveys on forest highway section.</p>
10135		<p>Forest highway funds. Reallocation of funds for Port Orford Section considered. No action.</p> <p>Federal lands highway funds. Allocation of funds apportioned to Oregon. Letter to Commissioner of Public Roads signed with W. H. Lynch.</p>
10136		<p>Claim. Wm. Van Cleave's claim against Dolan Construction Company under contracts Nos. 1933 and 2204.</p>
10137		<p>Projects. Approved for advertising at meeting on April 3 & 4.</p> <p>Bridge. Davton Bridge over Yamhill River. Bids for repairs to be received at next meeting.</p> <p>Maintenance headquarters at Newport. Expenditure for improvement of grounds, et cetera, approved.</p>
10138	Feb. 28	<p>Bids received on following projects:</p> <p>Lapine Rock Production;</p> <p>Foster-Cascadia Section, surfacing;</p> <p>Gilliam County Line-Winter Ranch Section, grad. & bridges;</p> <p>Jones Hill-Lena Section, grad., surf., and oil;</p> <p>Morrow County Line-Stanfield Section, grade and top;</p> <p>Bridge over Meadowbrook Creek near Starkey;</p> <p>Deer Creek-Bellevue Section, grad., pave & bridge;</p> <p>West Sheridan Section, grading and paving.</p>
10139		
10140		<p>Charles H. Leonard. Request denied for reimbursement of portion of cost of trial resulting from action brought by laborers under contract No. 1754.</p> <p>Claim. U. S. Forestry Department requests reimbursement for trees destroyed in reconstruction of Low Pass Section.</p> <p>Klamath Falls Shops. Payment of irrigation and drainage assessments authorized.</p>

Page	Date	Subject
10140	Feb. 28	Sign rack. Request of Parkrose Lions Club, Portland, for installation of rack approved.
10141		Irrigation canal. Cooperation in cost of construction across The Dalles-California Highway near Bend approved.
10141		Interstate Bridge. Payment of cost of constructing short line to provide temporary electrical service approved.
10142		Bonneville Power Administration. Application for permission to construct line across Secondary Highways Nos. 334 and 335.
10142		Boardman-Stanfield Highway. Morrow County Line-Stanfield Section. Bids to be received, award of contract to be deferred.
10142		Sheridan. Requests of Lee Pratt and E. J. Hermans to maintain gasoline pumps on Salmon River Highway right of way denied.
10142		E. J. Hermans requests deposit of waste materials from construction on his property.
10143		Oregon-Washington Highway. Jones Hill-Lena Section. Mrs. Stella Jones Bailey requests construction of entrance roadway in exchange for right of way. Settlement for gravel pit on Mrs. Bailey's property discussed.
10143		Gravel pit. Settlement with Mrs. Bailey for pit needed for improvement of Jones Hill-Lena Section discussed.
10143		Bridge. Willamette River Bridge at Independence. Cost of construction discussed.
10143		Bridge. Delegation confers relative to cost of construction of bridge at Independence.
10144		South River Road. Delegation confers relative to construction of standard highway between Salem and Independence.
10144		Claim. Claim of Melvin Sorell for damages sustained on Pacific Highway near Salem denied.
10144		Crooked River Secondary Highway. Request of delegation for rock on unimproved section near Paulina approved.
10144		Shovel. Request of delegation for use of state's power shovel in loading county trucks near Prineville approved.
10145		Wages. Delegation confers relative to introducing legislative bill to increase wages of maintenance men at Gold Beach.
10145		Employees. Delegation confers relative to working arrangement of maintenance men in Gold Beach.
10146		Awards. Chairman announces awards of contracts.
10146		Territorial Secondary Highway. Veneta-Crow Section. Delegation suggests oiling of this section.
10147		Route F Highway. Request of delegation for state cooperation on WPA project east of Linslaw denied. Delegation inquires as to when road will be placed on state highway system.
10151		Right of way budget. Assistant Attorney's report.
10151		Real property. Resolution authorizing acquisition.
10151		Condemnation. Recommended offers. Resolution adopted:
10151		Right of way: Glenwood-Washburn Section; St. Helens Section; West Sheridan Section; Boardman-Stanfield Highway; Quinton-Ramsey Section; Gilliam County Line-Zinter Ranch Section; and Nyssa Undercrossing Section.
10151		Gravel pit: Boardman-Stanfield Highway.

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10156	Feb. 28	North Santiam Highway. Detroit-South Santiam Highway Junction Section. To be placed on secondary system when 80-ft. right of way acquired. State to maintain road. Bridge. Independence. State to contribute funds received from Polk County, on old debt, toward cost of bridge.
10157		Pacific Highway. Eugene-Springfield Section. Options for right of way to be acquired from Mrs. Katherine Stewart. Oregon Coast Highway. Gold Beach Section. Report on progress being made in acquiring right of way. Defense road fund. Telegram to Manager, Pacific Highway Association re appropriation of federal funds. Award. Following award confirmed: Bond-Forest Boundary Section, Bahler Bros. Route F Highway. Eugene-Veneta Section. Placed on secondary highway system as extension of Eugene-Swisshome Sec. Hwy. Eugene-Swisshome Secondary Highway. Richardson-Siuslaw Junction Section. Resolution removing section from secondary highway system.
10159		Eugene-Veneta Section of Route F Road. Placed on secondary system as extension of Eugene-Swisshome Highway. Resolution. Load limit. Weston-Elgin Secondary Highway. Resolution reducing maximum load limit.
10161		Log hauling. Request of Van Vleet Logging Company to truck logs on Cannon Beach Road during summer months denied. Santiam Highway. Cascadia-Foster Section. Hauling of over-length loads. Regulations adopted. Operators to furnish affidavits that logs are not to be re-saved. Equipment. Purchase of following authorized: 1 power pump for drainage tunnel construction; 1 powered lawn mower for Portland division.
10162		Oversized equipment. Request of Arthur Ervin to operate oversized equipment approved. Alkali Lake. Construction of maintenance headquarters and oasis requested. Action deferred. Lakeview-Burns Highway. Stabilization of 15-mile section north of Wagontire requested. Action deferred. Fence. Request of Aleutian Livestock Company to construct fence adjacent to Wolf Creek Highway denied. State property. Stakes. Wolf Creek Highway. State to set guide stakes for use of Aleutian Livestock Company in constructing fence. Surveys. List of surveys ordered by Engineer.
10164		Extension of time, as follows: Arthur T. Fox, landscaping at Medford maintenance station. Contract completed: Medford maintenance station landscaping, Arthur T. Fox.
10165		Date for May meeting scheduled for 8th and 9th. Interim meeting in Portland scheduled for March 24, 1941.

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10165	Feb. 28 1941	<p>Agreements, et cetera, signed as follows:</p> <ul style="list-style-type: none"> > Lane County, improvement of Richardson-Sinslaw Junction Section as cooperative project; > Pacific Telephone and Telegraph Company, use of poles at intersection of Kingwood Avenue and Edgewater St., West Salem; > Pacific Telephone and Telegraph Company, use of pole for traffic signal installation in West Salem; > Northern Pacific Terminal Company of Oregon, installation of grade crossing signal at Broadway Bridge, Portland; > O.W.R. & N. Company, Union Pacific Company and Southern Pacific Company, use of upper deck of Steel Bridge, Portland; > Board of County Commissioners, Multnomah County, use of upper deck of Steel Bridge, Portland; > Bonneville Power Administration, construction of pole line in Clackamas and Washington Counties;
10166		<ul style="list-style-type: none"> > Bonneville Power Administration, construction of pole line over and across O'Neil Secondary State Highway; - United States of America, Department of Agriculture, Forest Service, snow removal on Timberline Lodge Road; Mary C. Hale, et al, lease of stock pile site in Lane County; Andrew Smith heirs and Department of Interior, Indian Affairs, lease of stock pile site near Roads End, Lincoln County; L. E. Bierce, construction of logging road across state property adjacent to Salmon River Highway; W. W. Harris, construction of logging road across state property adjacent to Salmon River Highway; Paul Borg, permission to use water from state spring in Columbia County; Strong and McDonald, removal of rock from state quarry at Bandon; G. M. Giesendorfer, acquisition of property in Cascadia Park; Oregon Baptist State Convention, surrender of right, title, and interest with respect to use of Cascadia Park property; United States of America, right of way and fence construction on Central Oregon Highway, Malheur County; California-Oregon Power Company, use of pole for suspension of flashing beacon in Drain; Drain, City of, use of poles for suspension of signal suspension cable guy attachments in Drain;
10167		<ul style="list-style-type: none"> Portland General Electric Company, use of poles for suspension of traffic signals in West Salem; Portland General Electric Company, use of poles for suspension of traffic signals in West Salem; Bargain and sale deed conveying unto Coos Bay Dredging Company property in Marshfield; Bargain and sale deed conveying unto Lester Sell property in Washington County; Bargain and sale deed conveying unto Leon and Edith M. Mix property at Depoe Bay.

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10168	Mar. 24	Real property. Resolution authorizing acquisition.
10174		Condemnation. Recommended offers. Resolution adopted: Right of way: Pacific Highway; Secondary Hwy. No. 224. Gravel pit: Boardman-Stanfield Highway.
10176		Boardman-Stanfield Highway. Settlement with L.A. McClintock for right of way approved. Nelscott. Old right of way fronting on Mr. Lampman's property and on Nelscott business buildings to be retained. Abandonment of parcel fronting on Chas. P. Nelson property approved. Oiling of area between pavement and business buildings approved. Mr. VanDuzer to be consulted re Lampman property.
10177		Forest Highway Program for 1941. Appropriations cut. Program to be revised. Strategic military system. Allocation of forest highway funds to military highway system discussed. Oregon Coast Highway. Port Orford South Section. Acquisition of Orris B. Knapp property and contracting of project discussed.
10178		Portland. Request of Consolidated Supply Company to rent storage site on Front Avenue right of way approved. Heppner Highway. Jones Hill Section. Construction of road-way approach to property of Mrs. Bailey approved. Columbia River Highway. St. Helens Section. Reaward of contract to United Contracting Company considered. Claim. Joseph P. Parker, et al. Payment of interest charge in connection with right of way condemnation case discussed.
10179		Timber strips. Salmon River Highway. Purchase deferred pending report on expenditure of federal funds. Park matter. Casey State Park. Eviction of Mrs. VanDyke. Wilson River Highway. Glenwood-Washburn Section. Chas. R. Bateman requests conference re right of way settlement.
10180		Multnomah Falls. Illumination of falls discussed. Timber. Tiller-Trail Secondary Highway. Cutting of timber discussed. Decision deferred. Pacific Highway East. Albany Section. Exchange of property with Theodore Hoflich approved. Pole line. Request of Nehalem Telephone & Telegraph Company to extend line along ocean side of highway near Brighton denied. Bonneville Power Administration. Construction of pole line along State Secondary Highways Nos. 334 & 335, involving joint use of poles of Pacific Power & Light Company.
10181		Scales. Use of state-owned scales for weighing privately-owned trucks, re obtaining licenses, denied. Ontario. Improvement of First Street as alternate route for Old Oregon Trail discussed. Survey. Ontario. First Street as route of Old Oregon Trail to be surveyed.

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10181	Mar. 24	Old Oregon Trail. Newspaper item relative to rerouting. Survey. Old Oregon Trail. Survey of alternate routes from Idaho line to Huntington authorized.
10182		Nyssa-Adrian Highway. Adrian-Homedale Junction and Homedale-Spur Sections. Oiling requested. Action deferred. Woodburn-Sandy Secondary Highway. Eagle Creek-Sandy Section. Report on cost of improvement. Approval of Clackamas County re substitution of Boring Road for Eagle Creek-Sandy Section on secondary highway system. Boring Road. Placing on secondary system and removal therefrom of Eagle Creek- Sandy Section considered. Woodburn-Sandy Secondary Highway. Springwater-Estacada Section. Report on cost of improvement. Pacific Highway. Jackson County Line-Central Point Section. Nonskidding approved. Dolph-Boyer Section. Grading and bridge construction disapproved. West Portland-Hubbard Highway. Request for change in plans for proposed improvement near 64th Avenue denied. Portland. Ivan Phipps matter re use of state property at Vancouver Avenue approach to Interstate Bridge reconsidered.
10183		Washington County. County to construct road connection to Pacific Highway West near Sherwood. State to furnish right of way. Pacific Highway West. Sherwood. County to build connecting road to relocated highway. Present connection near Votan Undercrossing to be closed. Baker-Homestead Highway. Keating Road-Ruckles Creek Section. Completion of oiling work deferred. Pipe. Report on purchases of concrete culvert pipe and corrugated metal pipe. John Day Highway. Austin-Spur Section. Request for resurfacing denied.
10184		Oregon Coast Highway. Ocean Lake District. Improvement discussed. Crater Lake Highway. Medford-Trail Section. Stabilizing of river-run gravel base approved. Tiller-Trail Secondary Highway. Tiller-Drew Section. Request for improvement denied. Wolf Creek Highway. Necanicum Junction Section and Vollmer Creek Section. To be advertised for bids. Rock for surfacing to be secured from Babler Bros. at Hjortland quarry. Rock. Necanicum Junction and Vollmer Creek Sections. Rock for surfacing to be secured from Babler Bros. Cattle pass. Construction under Fremont Highway near Paisley approved.
10185		Log hauling. Hauling on state highways discussed. Maps. 25,000 maps to be furnished Oregon State Motor Association free of cost. Nehalem Secondary Highway. Forest Grove-Astoria Section. Resolution designating a through highway.

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10186	Mar. 24	Boat. C. I. Good, Eugene, requests permission to transport boat over Sisulaw Highway from Eugene to Cushman. Equipment. Purchase of following authorized: 21 4-wheel-drive trucks; 10 station wagons; 1 Buick car for Assistant Attorney; 2 portable compressors; 2 chipping hammers; 4 brushes for cleaning bridges.
10187		Bridge. Application of The Dalles Bridge Company to construct bridge across Columbia River near The Dalles discussed. Survey. Comprehensive economic survey of prospective interstate bridge sites along Columbia River authorized. Agreements, et cetera, considered and signed: Bonneville Power Administration, certificate to secure \$10 payment for maintenance of guy wire and anchor in Hood River County; Anderson Brothers, construction of logging road adjacent to Salmon River Highway, Lincoln County; Albany School District No. 5, lease of portion of right of way of Pacific Highway East;
10188		Bonneville Power Administration, encroachment of power line on right of way of Lower Columbia River Highway; United States Bureau of Reclamation, construction of North Unit, Main Canal in Deschutes County; Earl Halley, et al, lease of maintenance headquarters site at Richland; County Courts of Marion and Linn Counties, designation of North Santiam Highway a state secondary highway; United States of America, granting government permission to construct stock fences on right of way of Central Oregon Highway, Old Oregon Trail, and John Day Highway; Bargain and sale deed conveying unto Newell Wright land in Josephine County.
10189	Mar. 26	Umatilla County. Delegation confers with Commission in Stanfield relative to resurfacing and oiling county road from Stanfield to connection with Stanfield-Boardman Highway. Survey. Survey of proposed railroad grade separation structure at Morrow-Umatilla County line near U.S. Army Ordnance Depot.
	Mar. 27	Strategic military highway system. Discussed with representatives of Public Roads Administration.
10190		Old Oregon Trail. Delegation confers in Pendleton relative to proposed plans for rerouting which will bypass Ontario. Boardman-Stanfield Highway. Morrow County Line-Stanfield Section. Contract awarded to M. L. O'Neil & Son. Contractors agree to file no claim for extra compensation. Columbia River Highway. St. Helens Section. Re-awarded to United Contracting Company. Award of contracts, as follows: Morrow County Line-Stanfield Section, M.L.O'Neil & Son; St. Helens Section, United Contracting Company; Airport Secondary Highway No. 336. Reconstruction authorized.

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10191	Mar. 27	<p>Survey. Airport Secondary Highway. Survey authorized.</p> <p>Old Oregon Trail. Delegation requests construction of revision between Ontario and Huntington.</p> <p>Railroad underpass. Reconstruction near Durkee requested by delegation from Ontario.</p> <p>Grade separation structures. Delegation from Baker requests improvement of structures on each side of town of Durkee.</p> <p>Old Oregon Trail. Union-North Powder Section. Delegation requests modernization.</p> <p>Columbia River Highway. Delegation requests elimination of bottle-neck between The Dalles and Portland.</p> <p>Pendleton. Delegation requests widening of Court Street.</p> <p>Old Oregon Trail. Blue Mountain Section. Delegation requests straightening.</p> <p>Columbia River Highway. Delegation requests reconstruction of section from Quinton to John Day River crossing and from Arlington to Heppner Junction.</p>
10192		<p>Delegation from The Dalles requests several improvements to highway, including improvements in city of The Dalles.</p> <p>Delegation from Hood River also requests several improvements.</p> <p>Vista House. Crown Point. Delegation suggests maintenance of highway approaches when new highway is completed.</p> <p>Historic signs and markers. Ray Conway speaks on matter of signs and markers.</p> <p>Funds. Ray Conway speaks on diversion of state highway funds.</p> <p>Old Oregon Trail. Oregon Trail Association approves program for improvement as outlined by delegations.</p> <p>Columbia River Highway. Portland-The Dalles Section. Suggestion made by delegation that section be built as toll road.</p> <p>Oregon Trail Association approves program of improvement as outlined by several delegations.</p> <p>Bridges. Delegations confer relative to legislation re interstate bridges.</p>
10193		<p>Maryhill ferry. Report on annual profit to owners.</p> <p>Old Oregon Trail. Delegation urges reconstruction of present route between Union and North Powder rather than rerouting via Ladd Canyon.</p>
10194		<p>Union. City favors parallel parking along Old Oregon Trail.</p> <p>City considering ordinance prohibiting "U" turns along hwy.</p> <p>Cut-off road. Delegation suggests construction of cut-off road between Union and connection with Tollgate Road at Elgin.</p>
10195	Mar. 28	<p>John Day Highway. Butte Creek-Service Creek Section. Oiling authorized.</p> <p>Pendleton-John Day Highway. Mountain Rest-Mt. Vernon Section. Oiling authorized.</p> <p>Wolf Creek Highway. Sunset Tunnel-Davies Section. Increase in allotment for oiling work authorized.</p> <p>Baker-Homestead Highway. Flagstaff-Ruckles Creek Section (west end). Additional allocation for surfacing and oiling 3.38-mile section approved.</p>

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John Day-Burns Highway. Seneca Section. Request of Hines Lumber Company for change in alignment of highway in Seneca denied. Right of way correction. Error in right of way resolution adopted October 9, 1940, Item 3038-A, to be corrected. Three Flags Highway Association. Delegation confers with Commission in John Day regarding highway matters. No requests.

Bend, Oregon, December 3, 1940

The State Highway Commission met in special session at 8:00 p. m. in the Pilot Butte Inn, following inspection of "The Cove" State Park, at the confluence of the Deschutes River, Crooked River, and Metolius River, Jefferson County, in company with the State Parks Superintendent, S. H. Boardman, who pointed out the attractive features of the present park and presented arguments in favor of enlarging the park by the purchase of adjoining privately-owned land. Present were:

Henry F. Cabell, Chairman
Huron W. Clough, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

This meeting was held enroute the inspection trip in Lake and Klamath Counties. Commissioner Herman Oliver joined the party at Lakeview on the following day.

The Attorney presented a form of agreement between the Oregon-Washington Railroad and Navigation Company, the Union Pacific Railroad Company, the Southern Pacific Company, and the State Highway Commission, covering the use of the Steel Bridge, in Portland, for state highway traffic upon completion of the proposed Front Avenue project. He read aloud the provisions of the proposed agreement which the Commission discussed at length and approved.

The Attorney was instructed to discuss the matter with the attorneys for the railroad companies. If the form is approved by such attorneys, then copies of the agreement are to be delivered to the railroad companies by Chairman Cabell for execution.

The Commission also discussed and approved a form of agreement with Multnomah County with respect to the use of such bridge. The Attorney was instructed to discuss the same with the County's attorney and, if approved by such attorney, to deliver the forms to Chairman Cabell for transmittal to the Board of County Commissioners for execution.

The Commission discussed the controversy with Mr. W. C. Calder arising out of a slide that occurred on the Oregon Coast Highway in front of Mr. Calder's property near Arch Cape, in northern Tillamook County. The Commission decided that the offer previously made to Mr. Calder as settlement of this matter, which offer provided for the payment of \$1,500 to Mr. Calder as damages and the removal of debris from his land and the general clean-up of the premises, was sufficient. The Attorney was instructed to so inform Mr. Calder and to advise him that the Commission considers such offer of settlement as final.

In this connection the Attorney read aloud a letter from Mr. Calder offering to sell to the State for park purposes, at the rate of \$25.00 per

acre, 68 acres of land situate on the east side of the highway at this location. The State Parks Superintendent who was present recommended purchase of the tract because it would connect up wayside strips previously acquired by the Commission at this point. The Commission authorized the Attorney to negotiate for the purchase of this tract; however, instructed him to keep the two transactions absolutely separate.

The Engineer presented a letter from C. S. Freeman, Rear Admiral, U. S. Navy Commandant, U. S. Naval Department, in regard to the proposed acquisition by the Navy Department of additional land adjacent to the naval air station at Tongue Point to permit the expansion of this station. Admiral Freeman advised that the Naval Department will need certain land, including the highway right of way, extending from the city limits of Astoria north to the present boundary of the station and will also need certain land lying north and west of the highway right of way which was formerly embraced in what was known as Tongue Point State Park. He inquired as to how much the State would require the Naval Department to pay for this property and advised that if the title to the land is taken by the United States that the state highway would be left open to public traffic until such time as military considerations necessitate closing it; also, that the Navy Department does not have funds at the present time to pay the cost of relocating the highway. The Engineer read aloud his letter of reply, dated November 28, 1940, in which he advised that the State Highway Commission is willing to transfer to the Navy Department the land beyond the limits of the highway right of way but is not willing to relinquish the right of way at this time, although the Commission is agreeable to conveying it to the Navy Department when it is urgently needed for military purposes and provided the Navy Department will pay the cost of constructing a satisfactory substitute therefor. After discussion, the Commission approved the Engineer's letter and authorized the transfer of the park property to the United States Naval Department at once through Clatsop County Court, inasmuch as it was acquired by the State from the County as a gift for park purposes. Deed conveying the area to the County was signed by the Commission later in the session.

The Attorney presented a request from Albany School District No. 5 for the use of a portion of the right of way of the Pacific Highway in front of the school grounds in Albany. He advised that the area in question is a narrow strip of land lying between the sidewalk and the school-ground fence, and that the School District would like to have the use of it for school playground purposes, and, if the Commission will grant them that privilege, the School District will remove the existing board fence and replace it with a new woven wire fence at the sidewalk line at no expense whatsoever to the State. The Commission indicated that it would have no objection to leasing the property to the School District temporarily if the District will vacate the property whenever the area is needed for highway purposes. However, a definite decision was deferred pending further investigation by the Engineer, to whom the matter was referred for report.

The Attorney also presented a right of way settlement with the School Board at Scappoose. It appears that in connection with the improve-

ment of the Columbia River Highway at this place it was necessary to acquire a strip of land 10 feet wide across the front of the High School grounds and another strip 10 feet wide across the front of the Grade School grounds and that in the negotiations the depreciated value of the school property was overlooked and the School Board will not now complete the deal unless allowed an extra payment of \$228.00. The Attorney gave as his opinion that the claim is justified and recommended payment of the same in order to avoid a law suit. The Commission approved the recommendation unanimously.

The Attorney requested instructions relative to the acquisition of right of way across the front of the Congregational Church property in Scappoose. He advised that the improvement of the Columbia River Highway at this place necessitates taking some of the Church land which places the Church building nearer the highway than heretofore, and for that reason he is unable to reach a satisfactory settlement with the Church people, who will not deed the property to the state unless the Commission will agree to move the Church building back. He gave as his opinion that the Church has not been hurt in the least and accordingly recommended condemnation to acquire the right of way if a satisfactory settlement cannot be made otherwise. The Commission approved the recommendation.

The Engineer requested authority for the Right of Way Department to negotiate for right of way needed for the Wolf Creek Highway between Manning and Portland, inasmuch as this improvement is scheduled for construction in the near future as a WPA project. The Commission approved the request.

The Commission considered the offer of the Penn Timber Company to sell to the state wayside timber strips along the Willamette Highway. The State Parks Superintendent advised that these strips are within the boundaries of the Willamette National Forest and, in his estimation, such acquisitions are the function of the U. S. Forest Service. He recommended that the offer be declined. The Commission approved the recommendation.

The Commission discussed and referred to the State Parks Superintendent, for investigation and report, the matter of acquiring burned timber strips along the Santiam Highway in the vicinity of Sisters.

The Commission also discussed the matter of acquiring the land lying between the Oregon Coast Highway and the Pacific Ocean south from Newport to Yachats, in Lincoln County. The State Parks Superintendent recommended the purchase of these strips which, he said, are quite narrow and will provide a freeway six miles in length at this location, inasmuch as the state already owns the land on the opposite side of the highway. The Commission instructed the Attorney to secure options on the property.

A request from a Mrs. Miller, Oregon City, for right of access to the Pacific Highway East, in Block 13, Oregon City, had the attention of the Commission. The Attorney advised that when the highway right of way was acquired at this point the grantors were assured that they would be given access to the highway when it was completed, which was in conformity with the

Highway Commission's policy at that time. In view of the Attorney's statement, the Commission approved Mrs. Miller's request with the understanding that access to the highway would not be continuous but would consist of two openings, each not more than 25 feet wide, one to allow ingress to her property and the other egress therefrom. The Engineer was instructed to have Landscape Engineer George Otten and Traffic Engineer John Beakey contact Mrs. Miller at the earliest possible time and explain in detail the Commission's plans for landscaping along this section.

The Secretary presented a resolution adopted by the State Board of Control with respect to an exchange of properties adjacent to the Highway Department Shops in Salem. The Commission approved the resolution by unanimous vote and authorized the Secretary to enter in the minutes of this meeting the following resolution covering the same subject which was approved by the Commission at the previous meeting:

WHEREAS, the State of Oregon, by and through its State Highway Commission, is the owner and is in possession of the following described real property situated in Marion County, Oregon, to wit:

A parcel of land lying in the Samuel Parker D.L.C. and in the A. F. Waller D.L.C. in Section 25, Township 7 South, Range 3 West, W. M., Marion County, Oregon, the said parcel being a strip of land 25 feet in width and being described as follows:

Beginning at the southwest corner of the Samuel Parker D.L.C.; thence North $0^{\circ} 43'$ East along the west line of said D.L.C. a distance of 499.75 feet to the southerly right of way line of the Southern Pacific Co.; thence along said right of way line on a 3871.06 foot radius curve to the left (the long chord of which bears North $71^{\circ} 49'$ East 14.5 feet) a distance of 14.5 feet; thence North $39^{\circ} 11'$ East a distance of 18.14 feet; thence South $0^{\circ} 43'$ West parallel to and 25 feet distant easterly from said D.L.C. line a distance of 524.22 feet to the southerly line of the Oregon State Highway Department property; thence South $89^{\circ} 57'$ West along said southerly line a distance of 25 feet; thence North $0^{\circ} 43'$ East a distance of 5.9 feet to the point of beginning, containing 12,802 square feet.

AND, WHEREAS, the State of Oregon, by and through its State Board of Control, is the owner of and is in possession of the following described real property situated in Marion County, Oregon, to wit:

A parcel of land lying in the Samuel Parker D.L.C. and in the A. F. Waller D.L.C. in Section 25, Township 7 South, Range 3 West, W.M., Marion County, Oregon, the said parcel being a strip of land 10.5 feet in width and being

described as follows:

Beginning at the southeast corner of the Oregon State Highway Department Highway Shops Grounds, said corner being South $0^{\circ} 43'$ West 5.9 feet and North $89^{\circ} 57'$ East 1246.05 feet from the southwest corner of the said Samuel Parker D. L. C.; thence South $0^{\circ} 10'$ East along the westerly right of way line of the Airport Road a distance of 10.5 feet; thence South $89^{\circ} 57'$ West parallel to and 10.5 feet distant from the said Highway Shops Grounds a distance of 1221.1 feet; thence North $0^{\circ} 43'$ East a distance of 10.5 feet; thence North $89^{\circ} 57'$ East along the southerly line of said shops grounds a distance of 1221.05 feet to the point of beginning, containing 12,820 square feet;

AND, WHEREAS, the State Highway Commission and the State Board of Control desire to exchange said real properties because of the fact that such exchange will be to the material benefit and advantage of said respective departments; and

WHEREAS, it is the judgment of the Highway Commission that the said properties are of equal value and that public interest will be furthered by such proposed exchange;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the Oregon State Highway Commission, all members being present and voting affirmatively, as follows:

1. That the State Highway Commission does hereby transfer to the State Board of Control all of the interest of the State Highway Commission in and all of its control over the real property first above described, upon the express condition, however, that the State Board of Control shall by appropriate resolution or action transfer to the State Highway Commission all of the interest of the State Board of Control in and all of its control over the real property second above described. The Highway Commission, however, reserves the right to maintain the sewer line which has been constructed and installed beneath the surface of said tract and reserves the right to go upon said tract for the purpose of repairing and/or renewing said sewer line.

2. That upon the adoption of this resolution by the State Highway Commission and the adoption of an appropriate and corresponding resolution by the State Board of Control and the delivery of a certified copy of this resolution to the State Board of Control, and the delivery of a certified copy of the State Board of Control resolution to the State Highway Commission, the exchange of said properties shall be deemed complete, and thereafter this resolution shall be entered in the minutes and records of the State Highway Commission.

The Commission, by unanimous vote, and upon recommendation of the Engineer adopted the following resolution abandoning a portion of the Corvallis-Newport Highway in the City of Toledo, which portion is no longer of value for state highway purposes, inasmuch as the highway has been reconstructed on other alignment:

WHEREAS, in order to afford a better alignment and a more satisfactory, safe and convenient highway for the traveling public the Commission found it necessary to relocate a portion of the Corvallis-Newport Highway and particularly the section within the corporate limits of the City of Toledo; and

WHEREAS, by reason of said relocation and reconstruction of said section of said highway, which section is sometimes known as the Toledo or Olalla Creek-Toledo section, there was eliminated and made unnecessary as a part of the right of way of the permanent highway a certain tract or parcel of land, which tract or parcel is more specifically defined hereinafter in this resolution; and

WHEREAS, it is the judgment and opinion of the Commission that there should be recorded in the minutes and records of the Commission its purpose and plan to abandon as a part of said state highway the fragment or portion of land hereinafter designated and heretofore included within the area of the right of way of said highway as formerly located, improved and used.

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by this Commission, all members being present and affirmatively participating, as follows:

1. That the fragment of land hereinafter designated, which fragment or parcel was formerly within the limits of the right of way of the Corvallis-Newport Highway but is now eliminated from the right of way of said highway as said highway has been relocated in the City of Toledo, be and said fragment or parcel of land is abandoned as part of said highway, and said parcel of land being within the corporate limits of the City of Toledo is left to revert to the City of Toledo for such public purpose as the said municipality may elect to make of the same, and in the event the municipality does not elect to preserve said fragment of land for public purposes, then the same is left to revert to the abutting owners according to their legal rights. The fragment or parcel of land affected by this resolution is defined and described as follows, to wit:

All that certain section of the old right of way of the Toledo Section of the Corvallis-Newport Highway, in Sections 8 and 17, Township 11 South, Range 10 West, W.M., Lincoln County, lying on the easterly side of the right of way required for the reconstructed Corvallis-Newport Highway, the beginning and ending points with reference

to the engineer's stations of said reconstructed highway being Station 2549+52 on the northerly end and Station 2554+10 on the southerly end.

The said fragment or parcel of land is more particularly ascertained and determined by reference to a map or blueprint marked "Exhibit A", attached hereto and by this reference made a part hereof, which said map for identification purposes bears the signatures of F. D. Eason, Division Engineer, H. G. Smith, Construction Engineer, and C. E. McCullough, Assistant Highway Engineer, and is dated October 30, 1940, upon which map or print there is reflected the above described parcel of land by showing the same shaded in red.*

2. That this resolution be entered in the minutes and records of the Commission and a certified copy thereof delivered to the municipal authorities of the City of Toledo for such action as said municipal authorities may desire to take with respect to said fragment of land, and that a certified copy be mailed to the County Court.

3. In the event there remains any physical connection between any portion of said abandoned right of way or highway and the present highway, and by reason of such physical connection traffic from the existing highway, may enter or use the said abandoned portion of the said highway to the possible damage or injury of such traffic by reason of any unsafe condition existing with respect to said old or abandoned highway, then the State Highway Engineer is hereby authorized and directed to erect such barricade or other safeguards as may be necessary to protect and safeguard traffic using and employing said newly located, constructed and dedicated section of said highway.

The Commission discussed the advisability of establishing a game refuge on State Highway Department property at Albany, particularly the area that includes the artificial lake formed by the impounding of the water of Cox Creek. The Commission approved establishment of such game refuge and, thereupon, signed a game refuge contract form furnished by the Oregon State Game Commission for such purpose.

The Commission discussed a report from the State Parks Superintendent on the suggestion made by Mr. A. B. Sanders, Manager of the Oregon Coast Highway Association, that the Commission maintain latrines adjacent to the Oregon Coast Highway at Depoe Bay. The Parks Superintendent recommended against the establishment of such facilities. The Commission approved the recommendation.

Reconsideration was given by the Commission to the matter of establishing wayside picnic areas along the Mount Hood Highway, in Hood River County. The Commission confirmed its action taken at the meeting on November 13 when the establishment of one wayside area was approved as a trial

*Map filed Right of Way Abandonment and Retention File - No. 82

proposition, same to be located at Highway Engineer's Station 628+00, about 10 miles south of Hood River.

The Commission discussed the action to be taken with respect to illegal advertising signs that are being maintained on privately-owned property adjacent to state highways but deferred its decision thereon until the next meeting. The Engineer was instructed to give the matter study in the meantime and to offer at such meeting suggestions and recommendations for handling the matter.

The Attorney brought up for discussion a right of way controversy with Mr. Clyde R. Gillette, Nashville, Oregon. He advised that Mr. Gillette has been offered \$225.00 for the land required of him, which offer Mr. Gillette has refused although he has stated his willingness to settle for \$250.00. The Attorney requested instructions as to whether to pay the sum demanded or to acquire the property by condemnation. The Commission decided to pay the \$250.00 in order to avoid condemnation and the expense incident thereto.

The Engineer reported on investigations conducted along the Old Oregon Trail at Huntington to ascertain the extent of the improvements that will be necessary to prevent waterspouts from causing damage to property at this place. He said that a joint inspection of the situation was made by Division Engineer Williams in company with engineers representing the Union Pacific Railroad Company and it is their thought that the main trouble could be eliminated by diverting waters from Waterspout Gulch into Durbin Creek, which flows under the highway and the railroad at the north side of the town, and by enlarging certain culverts under the highway and the railroad tracks at certain points in the town, all of which work is estimated to cost about \$5,174.00, and is to be paid approximately 50 per cent by the state and 50 per cent by the railroad company. He gave as his personal opinion that the diversion of the waters from Waterspout Gulch would not prove entirely satisfactory because waterspouts carry a lot of debris which would probably collect at the point where the diversion canal enters Durbin Creek and form a dam that would force the water to flow over private property, inviting damage claims. However, he said that the reconstruction of the culverts would materially assist in caring for the excess water. He recommended approval of the proposed plan insofar as the culvert construction is concerned and that further study be made with respect to the diversion of the waters from Waterspout Gulch before the expense is incurred in connection with that part of the improvement. The Commission approved the recommendation and authorized the Engineer to proceed in accordance therewith.

The Engineer reported that as previously instructed by the Commission he has made inquiry as to the plans of the U. S. Reclamation Service to establish a CCC camp along The Dalles-California Highway between Terrebonne and Madras in connection with the construction of irrigation canals and ditches in this vicinity, and has ascertained that there is no immediate plan for the establishment of such a camp, hence there appears to be no particular hurry from that standpoint for the reconstruction of the highway between these points. The Commission approved the report.

The Engineer discussed with the Commission the matter of surfacing a 6-mile unit of the Prineville-Madras Section of the Warm Springs Highway which was graded during the past summer. He said that the only surfacing material available in this vicinity is crushed rock and due to the high cost of producing such material, in his estimation, it would be inadvisable to place a standard surfacing on this section until the entire unit between Madras and Prineville is graded several years hence, when a larger surfacing project can be contracted at lesser unit cost. He accordingly recommended deferment of such surfacing project and that in the meantime he be authorized to expend about \$1,500 for graveling the weak spots on the new grade as they develop, such work to be done with state forces. The Commission approved the recommendation.

The Commission discussed a letter from Mr. G. H. O'Conner, Larshfield, in which the Commission was urged to improve a one-half mile section of the Coos River Secondary Highway just north of the Enegren Ferry crossing. Mr. O'Conner alleges that this road is narrow and crooked and is a death trap, and that many accidents have occurred thereon. Further, that the road carries a large volume of traffic and its improvement is more than justified. The Engineer estimated that it would cost about \$10,000.00 to improve the present road as requested. He pointed out that the road is not now on permanent alignment and will probably have to be moved in order to accommodate a bridge across Coos River to replace the present ferry, although as to that he cannot say definitely until a survey has been made. The Commission discussed the matter but deferred a decision pending the securing of an accurate estimate of cost to provide a permanent improvement. The Engineer was thereupon authorized to conduct a location survey of the section in order to secure such information.

The Commission discussed a resolution from the Ashland Chamber of Commerce in which request was made for a survey to determine just what is required to modernize the Pacific Highway along its present route through the city of Ashland, including resurfacing and widening where necessary, extension of concrete surfacing to the curbs at all points, and the elimination of the turn at the Plaza Corner. After discussion, the Commission approved the request and instructed the Engineer to make such investigations as may be necessary to determine what it will cost to do the work requested. He was further instructed to include in his report a statement of expenditures heretofore made by the Commission in the improvement of the Pacific Highway within the city limits of Ashland and an estimate of cost of acquiring the necessary right of way, removal of buildings, etc.

A letter was presented from the County Court of Lane County transmitting and endorsing a petition signed by numerous users of the Deadwood-Alsea Secondary Highway in which the Commission was urged to modernize this highway at the earliest possible time by widening, straightening, graveling and eliminating dangerous curves. The Commission denied the request on account of lack of funds to finance the work and for the further reason that there are so many other projects throughout the State that have a priority rating.

The Engineer reported that, as previously instructed by the Commission, he contacted the County Court of Lane County relative to the proposed improvement of the Swisshome Secondary State Highway between Walton and Swisshome, and the Court stated its willingness to pay one-third of the cost of this work, the balance to be paid one-half by the State and one-half by the logging company, and further agreed to the elimination of this section from the Secondary State Highway System when the proposed improvements have been completed, if the Highway Commission will extend this secondary state highway easterly from Veneta to Eugene. The Commission approved such arrangement and authorized the Engineer to proceed with the improvements.

The Engineer requested authority to purchase the following equipment:

- 25 trucks with dump bodies, of Ford and Chevrolet type,
25 old trucks to be traded in as part purchase price.
Estimated total cash outlay \$22,500.00.
- 14 $3\frac{1}{2}$ -ton, 2-wheel drive trucks, 14 old trucks to be
traded in as part purchase price. Estimated total
cash outlay \$47,600.00.
- 1 fire pump for use in state parks during fire season.
Estimated cost \$310.00.

After discussion, the Commission approved the request by unanimous vote and ordered that the purchases be made through the State Purchasing Agent in accordance with the usual practice.

The Engineer requested authority to sell to the Marshfield Cement Company, of Marshfield, 335 bbls. of cement which was purchased from the company for use in connection with the state force stabilization project on the Cape Arago Secondary State Highway near the town of Empire. He explained that bad weather conditions forced the closing down of this job before completion, necessitating the storing of the cement until spring, with probabilities of loss. In order to avoid any loss, he said, it was thought advisable to sell the cement back to the company if the company would buy it, which it has agreed to do at the same price that the state paid for it: viz., 136 barrels at \$2.94 per barrel and 199 barrels at \$2.65 per barrel, totaling \$927.19. He recommended acceptance of the offer. The Commission approved the recommendation.

The Commission had under discussion the form of agreement with Botsford, Constantine and Gardner covering the services of this company in connection with publicity matters during 1941. The Commission ordered that the form of the 1941 agreement shall be identical with the 1940 agreement.

The Commission discussed briefly matters pertaining to revenues of the State Police Department, particularly the desire of Superintendent Charles .. Pray for an increase of \$55,000 to finance his operations during

the next biennium. The matter was referred to Chairman Cabell to discuss with Governor Charles A. Sprague.

Consideration was given by the Commission to the claim of Melvin Sorell of Salem for injuries and damage suffered in an automobile accident on the Pacific Highway south of Salem. It appears that Mr. Sorell was driving his car on the old pavement just south of Salem, notwithstanding that the new highway was open for traffic at the time, and unfortunately drove his car through a barricade at a point where the old highway connects with the new highway, injuring himself and a companion and damaging his car. He asks reimbursement in the amount of \$150.00 to pay the cost of repairing his car. The Engineer gave as his thought that there was no excuse for the accident because the highway was properly barricaded, and that the State is not liable. The matter was discussed at considerable length but action thereon was deferred pending inspection of the premises by Chairman Cabell.

The Commission also considered the claim of I. L. Darby, Salem, for reimbursement for the cost of repairing his car, which was damaged when he backed into a "fog post" on the Pacific Highway just south of the intersection at Brooks, Marion County. Mr. Darby alleges that the fog post was improperly located and, in view thereof, that his claim is a just one. The Engineer advised that the fog post referred to serves to keep traffic on the surfaced road and is properly located, being 22 ft. distant from the center line of the highway and 10 ft. from the edge of the non-skid surfacing. He further stated that only carelessness on the part of the driver of an automobile could cause a collision with this post, hence, in his estimation, the state is not liable. He recommended denial of the claim. The Commission approved the recommendation.

A letter was presented from Arthur Langguth, attorney, Portland, requesting, on behalf of Albert C. Graff, Corbett, Oregon, assurance from the State Highway Commission that Mr. Graff will not be apprehended by State Police for transporting over state highways enroute from Larch Mountain to Portland, five or six loads of short-length logs weekly, the logs being not in excess of eight feet in length and loaded crosswise on the truck bed. Mr. Langguth stated that Mr. Graff is a farmer and that the timber from which the logs are cut belongs to him. Further, that he considers the logs an agricultural product and, under his interpretation of the law, it would not be necessary for Mr. Graff to secure a special carrier permit. The Commission considered that this matter is outside its jurisdiction and ordered that Mr. Langguth be so informed and that he be referred to the Public Utilities Commissioner.

The Commission adjourned at 10:30 p. m.

Mr. [Signature]
State Highway Engineer

Mr. [Signature]
Secretary

Henry T. Cabell
Chairman

Mr. [Signature]
Commissioner

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Lakeview, Oregon, December 4, 1940

The State Highway Commission met informally with the Lake County Court and a number of local citizens in the dining room of the Hot Springs Hotel, for a discussion of several matters of mutual interest. Present were:

Henry F. Cabell, Chairman
Huron W. Clough, Commissioner
Herman Oliver, Commissioner
R. H. Baldock, State Highway Engineer
H. B. Glaisyer, Secretary

Among the local people present were County Judge J. R. Heckman; County Commissioners E. J. Egli and W. P. Vernon; and County Clerk Carl W. Pendleton; Forrest Cooper, Secretary of the Lakeview Chamber of Commerce, who presided; Fred Reynolds, and Mr. Utley.

Judge Heckman asked for the improvement of the section of the Goose Lake County Road which extends southerly from the Klamath Falls-Lakeview Highway along the west side of Goose Lake. He also asked the Commission to expedite the oiling of the uncompleted portions of the Klamath Falls-Lakeview Highway. His request was endorsed by other members of the local group. The Commission agreed to inspect both projects on the following day enroute to Klamath Falls. Judge Heckman also asked the Commission to improve the Warner Valley Secondary Highway, which highway the Commission inspected early in the afternoon of this day. The Commission took the matter under advisement.

Commissioner Egli asked for permission to secure gravel from the state's gravel pit situate in the Southeast Quarter of the Northwest Quarter of Section 21, Township 28 South, Range 14 East, W. 12., Lake County, for use in surfacing county roads in the vicinity of Silver Lake. The Commission approved the request subject to investigation by the Engineer to determine whether or not the County's use of this gravel pit will react adversely to the best interests of the state. The Engineer was instructed to notify the County Court as soon as possible.

Mr. Utley brought up the matter of erection of an historical monument at the intersection of the Fremont Highway and the Lakeview-Turns Highway at Valley Falls. He said that the Flavell-Utley Company, which he represents, owns land at this location and will be pleased to deed sufficient area to the state, without cost, if the Highway Commission will erect the monument. The Commission took the matter under advisement.

The meeting was adjourned at 9:00 o'clock p. m.

Klamath Falls, Oregon, December 5, 1940

The State Highway Commission, all members being present, inspected the Goose Lake County Road, in Lake County, in company with the Lake County

Court, enroute from Lakeview to Klamath Falls. The Commission also inspected the uncompleted portions of the Klamath Falls-Lakeview Highway and certain county roads in the vicinity of Bonanza and Malin, in company with the County Court of Klamath County, following which the Commission conferred with members of the County Court and the Klamath Falls Chamber of Commerce, in the Chamber of Commerce Assembly Room. Present were:

Henry F. Cabell, Chairman
 Huron W. Clough, Commissioner
 Herman Oliver, Commissioner
 R. H. Baldock, State Highway Engineer
 H. B. Glaisyer, Secretary

Also present were about 20 members of the Chamber of Commerce. Mr. T. B. Watters, Chairman of the Highway Committee presided. He asked for the following improvements:

(1) Additional improvement of The Dalles-California Highway north from Terminal City. He was informed that the Commission expects to take bids for the grading of the $3\frac{1}{2}$ -mile section of this highway between Algona and Terminal City at its meeting on December 17. Also, that the surfacing of the section will not be included in the contract because such work will involve the obligating of funds in the new highway program which has not yet been arranged due to uncertainties of federal requirements with respect to the federal monies.

(2) Adopt a program to properly care for state highway traffic through the city of Klamath Falls. Mr. Watters was informed by the Engineer that this matter is now being studied.

(3) Improve the Westside-Klamath Lake Secondary Highway both inside and outside of the city limits of Klamath Falls and up to a point known as Geary Marsh. He particularly asked for the straightening of this highway at the Link River Bridge inside the city limits. The Commission agreed to inspect this latter project following the meeting.

(4) Improve the Westside-Klamath Lake Secondary Highway north of Geary Ranch, particularly the eight-mile section within the national forest boundaries. He was informed by Chairman Cabell that this road qualifies for only state money and there are no state moneys available to finance the work. Mr. Paul Landry, who was present, also urged the oiling of the eight-mile section within the forest boundary. He said that they would be perfectly satisfied with the oiling of the present road and urged an allocation of forest highway funds to finance it. The Commission took the matter under advisement.

(5) Installation of traffic signals on city streets in Klamath Falls, which project has previously been approved by the

Commission and is covered by cooperative agreement between the Highway Commission and the city. Mr. Watters urged the early installation of this signal system as did also City Engineer E. A. Thomas. Mr. Thomas stated that the city council would secure the funds to pay the city's share of the expense involved, hence there is no need for delay from that standpoint. The State Highway Engineer explained that the Commission at one time took bids for this work but rejected all of them because they were too high and the reason the project has not been readvertised is because it was thought inadvisable to open up the city streets during the winter season. Bids will be called again for this work, he said, as soon as weather conditions are favorable.

(6) Mr. Watters urged the Commission to install a railroad grade crossing signal on the Klamath Falls-Malin Highway at a place known as Hager. Mr. Budd, representing the Oregon, California and Eastern Railway Company, who was present, also urged the installation of such signal, stating that the traffic at this point is extremely heavy and that the signal is badly needed as a safety measure. The Engineer estimated the cost of the installation at \$2,500. He was instructed by the Commission to investigate the priority rating of this installation in the grade crossing signal program and to advise Mr. Earl Reynolds, Manager of the Klamath County Chamber of Commerce, relative thereto.

In this connection a letter was presented from Klamath County School District quoting a resolution adopted by the Board in which the Highway Commission was urged to install warning signals at the Hager, Summers Lane, and Olene highway crossings of the Oregon, California and Eastern Railroad for the benefit and safety of the many school children who are required to cross the railroad at these points. The Engineer was instructed to investigate the priority rating of all of these crossings.

(7) Widen and reconstruct the Green Springs Highway from its junction with The Dalles-California Highway to the west city limits of Klamath Falls. The Engineer advised that this matter is now being studied, surveys for the project having already been made.

(8) Insert on the new highway sign erected by the Highway Commission at the junction of the Willamette Highway and the Pacific Highway, at Goshen, the mileage to San Francisco from such point via the Pacific Highway and via the Willamette Highway. The Commission took the matter under advisement.

(9) Investigate the condition of the approaches to the Standard Oil Company's service station at Bonanza junction. The Engineer was instructed by the Commission to make such investigation.

(10) Improve the South Sixth Street entrance of the Klamath Falls-Malin Highway into Klamath Falls. The State Highway Engineer

explained the status of investigations that are being made of this matter which include not only the improvement of the present route but also the construction of alternate routes bypassing the congestion district along South Sixth Street. He gave as his thought that the present route should be improved regardless of whether or not the Commission adopts it as the main highway route, because it carries a large volume of local traffic, although the standard of construction could be lower than if it were to be used by both through traffic and local traffic. Mr. A. M. Collier suggested the adoption of a route paralleling the Oregon, California and Eastern Railway which would provide a freeway.

Mr. Watters brought up the matter of sidewalk construction along South Sixth Street. He suggested that the City of Klamath Falls could probably provide funds for the sidewalk construction within the city limits if the state would build the walks outside the city limits and he urged such work at the earliest possible time for the benefit of pedestrians.

Chairman Cabell closed the conference by stating that the South Sixth Street project is one of the Highway Commission's major problems and that it is being very carefully studied by the Commission to the end that when the improvement is made it will be satisfactory for all time to come.

The meeting was adjourned at 2:00 p. m., following which the Commission inspected the Westside-Klamath Lake Secondary Highway at the city limits; the approach to the Green Springs Highway between The Dalles-California Highway junction and the west city limits of Klamath Falls, and conditions along South Sixth Street.

At 4:00 p. m. the Commission met privately in the office of the District Maintenance Superintendent, George Sothman, at the Highway Department's Shops, to discuss the following matters, all members being present and participating, as were also the State Highway Engineer and the Secretary:

The Commission discussed a letter from Mr. W. H. Lynch, District Engineer, Public Roads Administration, dated November 25, 1940, relative to the modifications and additions to the military strategic highway system of Oregon contained in the State Highway Engineer's letter directed to Mr. Lynch under date of October 25, 1940. Mr. Lynch suggested certain additional alterations. These were given very careful consideration by the Commission and were approved by the Commission with the exception of the elimination of the John Day and Ochoco Highways from Vale to Redmond. The Commission considered that such section should be retained on the strategic highway system as a second priority route. The Engineer was instructed to convey such information to Mr. Lynch and to secure approval of the exception if at all possible. (See State Highway Engineer's letter dated December 9, 1940)

The matter of revising the minimum wage rates to be paid labor engaged in the performance of work under state highway contracts had the atten-

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tion of the Commission. The Engineer recommended minimum wage rates for four classifications of labor as follows: unskilled labor \$0.62½ per hour; intermediate grade labor, group one, \$0.75 per hour; intermediate grade labor, group two, \$0.90 per hour; skilled labor \$1.20 per hour. He presented a tabulation showing the various operations covered for each labor classification. He also recommended that all time worked by any employee in excess of eight hours per day be paid at double the minimum rate. After considerable discussion of this matter the Commission by unanimous vote adopted the minimum wage rates as recommended by the Engineer, including the payment of double time for time worked in excess of eight hours per day. The Commission also approved the labor classification prepared by the Engineer. The Engineer was instructed to put these minimum wage rates into effect on all new contracts awarded after January 1, 1941. (See tabulation of labor classification and minimum wage rates on file in "special matters.")

The Commission discussed at some length matters pertaining to the cost of constructing buildings and bridges but no action was taken thereon except that it was agreed that the Commission would inspect the new maintenance building now being constructed at Seneca in Grant County at the earliest convenient time.

Reconsideration was given by the Commission to the designation as a state highway of the proposed road or route extending from a point on the Columbia River Highway near the town of Boardman, in Morrow County, to a point on the Old Oregon Trail near the town of Stanfield, in Umatilla County. The Commission approved the placing of such route on the state highway system and by unanimous vote adopted the following resolution with regard thereto:

WHEREAS, the Old Oregon Trail as defined and described by statute connects with the Columbia River Highway at or near Umatilla; and

WHEREAS, in the judgment of the Highway Commission traffic having occasion to use the Old Oregon Trail from the Columbia River Highway easterly will be better served and more thoroughly accommodated by the location and construction of a highway having for its terminus on the Columbia River the place designated as Boardman and its terminus on the Old Oregon Trail the city or place designated as Stanfield.

THEREFORE, BE IT AID IT HEREBY IS RESOLVED, all members of the Commission being present and voting affirmatively, as follows:

1. That there be and there hereby is located and adopted as a state highway a route or location extending from Stanfield on the Old Oregon Trail to Boardman on the Columbia River Highway.

2. That the survey, map, field notes and other data made and prepared by the Engineer and filed with the State Highway Commission at Salem, Oregon, be and said survey, field notes, map and

other engineering data hereby are approved and said survey is hereby adopted as the survey of the route of said highway.

3. That said route and location hereby is approved and the construction of a highway thereover is hereby authorized.

4. That said highway shall be known and designated as the Boardman-Stanfield Highway and shall be given the number 54.

5. That this resolution shall be entered in the minutes and records of the Commission and a duly certified copy thereof delivered to the Public Roads Administration and a like copy to the County Court of Umatilla County and also to the County Court of Morrow County.

The Engineer requested authority from the Commission to advertise for bids for certain projects heretofore tentatively approved by the Commission in the 1941 construction program. He explained that the contracting of projects is behind schedule and that it is quite imperative that the Commission take action on this matter at this meeting so that the work can go forward without delay. He presented a list of such projects, as follows, which the Commission approved for contracting at the earliest possible time.

STATE PROJECTS ON PRIMARY HIGHWAYS

County	Highway	Section and Kind of Work	Estimated Cost
Harney	Burns-Crane	West Unit, Surface & Oil	\$ 40,000
Baker	Baker-Homestead	Flagstaff Hill-Keating Road, Grade, Surface & Oil	25,000
Grant	John Day-Burns	Seneca-South, surface & Oil	100,000

STATE PROJECTS ON SECONDARY HIGHWAYS

County	Highway	Section and Kind of Work	Estimated Cost
Benton	Kings Valley	Plunkett Section, Grade, Surf., Oil	\$ 60,000
Hood River	Hood River Secondary	Hood River Secon., Grade, Surf., Oil	40,000*
Malheur	Vale-West	All, Grade, Surface and Oil	40,000 T
Wheeler	Shaniko-Fossil	Clarno-Chichester, Grade & Surface (Intermittent)	20,000
Union	Starkey Secondary	Meadowbrook-Grande Ronde River, Grade & Surface (Intermittent)	20,000

* Authorized subject to approval of Hood River County Court
T Approved tentatively only

In this connection the Commission was undecided whether to approve additional work on the Hoppner-Cordon Road, in Morrow County, or to surface

and oil a section of the Oregon-Washington Highway between Jones Hill and Lena, east of Heppner. The Secretary was instructed to invite the County Court of Morrow County to the next meeting of the Commission on December 17 for discussion of the matter.

The Commission discussed the request of citizens of Cottage Grove for the removal of barricades which have been erected across certain streets in this town, particularly at Eighth and Washington Streets and at Seventh and Jefferson Streets so as to prevent local traffic from entering the newly constructed state highway at such locations. The Commission considered that it would be to the best interests of the general traveling public and to local traffic if the barricades are maintained as constructed and particularly would it eliminate the hazard of traffic entering the highway at these points. The request was accordingly denied and the Engineer was instructed to maintain the barricades in accordance with the original plans for this project.

A letter was presented from the Pilot Rock Lumber Company, Pilot Rock, Oregon, requesting a decision by the Commission on its previous request for permission to transport logs over the Pendleton-John Day Highway during hours of darkness, at least for two or three hours after sunset, so as to permit truckers to reach their destination on the same day that their trucks are loaded. The Commission deferred its decision in this matter pending consultation with Mr. Ormond R. Bean, Public Utilities Commissioner. The matter was referred to Chairman Cabell to discuss with Mr. Bean.

The Commission adjourned at 6:00 p. m. and reconvened at 8:00 p. m. in Room 208, Willard Hotel, Klamath Falls, with all Commissioners, the State Highway Engineer and the Secretary present and participating.

The Commission discussed a request from the City of Marshfield for the installation of traffic signals at the intersections of Broadway Street with Central Avenue, Anderson Avenue and Curtis Avenue, in that city. In this connection a letter was presented from the city recorder, Mr. John W. Butler, stating that the city has cash on hand in the amount of \$1,100 to pay a portion of its share of the cost and has included in its 1941 budget an item of \$1,500 to pay the balance. The Engineer advised that this matter has been investigated by Traffic Engineer John Beakey who has given as his opinion that the traffic lights are warranted and who estimates that the complete installation will cost about \$4,500. The Engineer recommended approval of the city's request provided the city will deposit with the Commission, before bids are taken for the work, its certified check in the amount of \$2,250 which represents 50 per cent of the cost of the installation and is in conformity with the Commission's policy with respect to such matters. The Commission approved the recommendation unanimously and authorized the Engineer to advertise the project for bids at the proper time.

A letter was presented from the County Court of Deschutes County requesting permission to construct sidewalks along the right of way of the McKenzie Highway through the town of Sisters which work is to be done as a WPA project under sponsorship of the county. The Engineer advised that the

plans for this work have been checked by Division Engineer Chandler who recommends approval of the request, in which approval he concurs. The Commission approved the recommendation by unanimous vote and instructed the Secretary to issue the customary permit covering the matter and to notify the county court and the WPA officials that the Commission has no objections to such sidewalk construction if carried on in conformance with the requirements of the State Highway Department.

The Engineer reported that in conformance with authority previously granted him by the Commission he has awarded contracts as follows for highway construction work for which bids were taken by the Commission on November 12 and 13, 1940, the awards in each instance being made to the low bidder and the conditions of the awards having been satisfied:

Barbur Boulevard-Boones Ferry Road Section of the West Portland-Hubbard Highway, in Multnomah, Washington, and Clackamas Counties. Bids taken November 12, contract awarded November 28, 1940, to Jacobsen-Jensen Company, low bidders.

Woodburn-Molalla-Silverton Rock Production Project in Clackamas and Marion Counties. Bids taken November 13, contract awarded November 28, 1940, to A. S. Wallace, low bidder.

Millican-Brothers Rock Production Project on the Central Oregon Highway, in Deschutes County. Bids taken November 13, contract awarded November 28, 1940, to A. S. Wallace, low bidder.

The Commission by unanimous vote approved the awards as reported.

The Commission had under discussion the adoption of a permanent route for a short section of Federal Aid Road No. 41 near the town of Clackamas, in Clackamas County. The Engineer advised that this road is now described as being "via East 82nd Street and Meridian Road to a point on Federal Aid Road No. 26 near Gladstone", whereas subsequent studies lead to the conclusion that a more direct and more serviceable route for the southern portion of the road would depart from the Meridian Road and would join Federal Aid Road No. 26 at or near Oregon City. He pointed out that the Commission plans to construct a railroad grade separation structure at the point where 82nd Street crosses the Southern Pacific Railroad tracks north of the town of Clackamas and that it is necessary that the Highway Commission adopt a permanent route for the highway at this point in order to secure the benefits of the federal funds that are being allocated for projects of this kind. He also pointed out that a controversy exists as to the permanent location of the highway south of the proposed railroad crossing and advised that it is not intended to make a selection now that will be final between this crossing and Oregon City; however, the location of the structure will fit any line that the Commission may later select. After discussion the Commission approved the following revised description for this highway, "No. 41: from a point on Federal Aid Road No. 1 at the intersection of East 82nd Street and Sandy Boulevard at the northeast limits of Portland to

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a point on Federal Aid Road No. 26 at or near Oregon City", and thereupon signed a letter directed to the Public Roads Administration requesting approval of such revised description. (See letter dated November 13, 1940, directed to Public Roads Administration, Portland, Oregon.)

The Engineer reported that repairs have been made to the bridge over the John Day River known as the Cottonwood Bridge on the Wasco-Heppner Secondary State Highway No. 300 at the Sherman-Gilliam County line, and it is no longer necessary to maintain the reduced load limit for which this bridge has been previously posted. He recommended the lifting of the reduced load limit. The Commission approved the recommendation and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, on the 30th day of August, 1938, at a meeting of the Oregon State Highway Commission, two members being present and participating, the Commission passed and adopted a resolution limiting the maximum permissible load limit to ten (10) tons on the following state highway bridge, to-wit:

300-18.84 Bridge over John Day River (commonly known as the Cottonwood Bridge) on the Wasco-Heppner Secondary Highway No. 300, at the Sherman-Gilliam County line . . . 10 tons

and

WHEREAS, subsequent to the passage of said resolution the said above-named bridge has been repaired so that it is no longer necessary or desirable to maintain the reduced load limit set out in said resolution;

NOW, THEREFORE, BE IT RESOLVED that the action of the State Highway Commission reducing the maximum permissible load limit on the following bridge, to-wit:

300-18.84 Bridge over John Day River (commonly known as the Cottonwood Bridge) on the Wasco-Heppner Secondary Highway No. 300, at the Sherman-Gilliam County line

be and the same hereby is rescinded and vacated as of this date, and the maximum load limit permissible on the said bridge shall hereafter be the maximum load limit provided by law.

IT IS FURTHER ORDERED that certified copies of this resolution be furnished to the county clerks of Sherman and Gilliam Counties, and that a certified copy of this resolution also be furnished the Superintendent of the Department of State Police for his information.

Consideration was given by the Commission to an application of the Salem Electric Cooperative Association for permission to construct a power pole line along the Salem-Dallas Highway near the Willamette River Bridge at West Salem. Action on this matter was deferred by the Commission for investigation and report.

The Commission reconsidered the proposed improvement of the Oregon Coast Highway through the town of Gold Beach but deferred action pending additional report from the Engineer as to how much it will cost to reconstruct the present highway through this town on a 60-foot right of way as compared to the improvement on an 80-foot right of way, considering both construction and right of way costs.

The Secretary presented letters from the Deschutes County Court and the Oromite Company with respect to the proposed improvement of the Terrebonne-Lower Bridge Road, in Deschutes County. The County Court's letter stated that, if the State Highway Commission will designate and improve this road as a federal aid secondary highway, the county will provide, at county expense, necessary right of way, construct the grade, and surface the same to the required standard and will contribute the sum of \$5,000 toward the cost of oiling. The Oromite Company in its letter assured the Commission that it intends definitely to rebuild its plant which was recently burned, which plant is located adjacent to the road that it is proposed to improve. Further, that reconstruction of their plant is now under way and they expect to resume operations about the first of February, 1941. In view of these letters the Commission authorized the Engineer to proceed with the location survey of the project which is in conformance with previous understanding and agreement with the county and the company.

The Commission ordered filed, without action, a letter from George T. Hall, Eugene, suggesting postponement of the proposed improvement of the Pacific Highway between West Springfield and Eugene, and expenditure of the funds budgeted for such improvement in constructing a highway on eventual permanent alignment west of Eugene from the Pacific Highway overcrossing of the Southern Pacific tracks to a junction with the Pacific Highway at or near Goshen.

The Secretary presented a resolution from the Baker County Chamber of Commerce relative to the maintenance of "Old Oregon Trail" signs along the Old Oregon Trail as directed by the Legislature in 1923 in a bill designating certain east and west highways across the State of Oregon, from the Idaho line to Seaside, as the Old Oregon Trail. The Engineer advised that signs have already been erected in conformance with this legislative order. In view thereof the Commission ordered the resolution filed without action.

The Commission also considered and ordered filed resolutions from the Gold Beach Chamber of Commerce, Manzanita Chamber of Commerce, Brookings Harbor Chamber of Commerce, and the Port Orford Chamber of Commerce, offering objections to the increased use of the Oregon Coast Highway by large trucks and trailers because in their belief such use will be dangerous, discouraging and otherwise inimical to tourist use of this road; and a letter

from Dr W. B. Prophet, Mayor of John Day, Oregon, thanking the Commission for highway improvements completed at that place.

The Secretary presented a letter from the Waterford Lumber Company, Marshfield, in which the Commission was urged to reconsider its previous decision denying the company's request for reimbursement for amounts expended by the company in 1936 and 1937 for improvements on the Allegany Section of the Coos River Secondary State Highway, in Coos County. The Commission considered that it has completely fulfilled its obligation and accordingly confirmed its previous decision.

The Commission discussed a letter from C. A. Bigelow, Chairman, Board of County Commissioners of Multnomah County, in regard to the Corbett Road which intersects the new Columbia River Highway at Corbett. According to Mr. Bigelow this road has been in existence for over half a century and is recognized by the O. W. R. R. & N. Company which has maintained a crossing signal at the place where the road crosses the railroad tracks for a long period of time. He also pointed out that the road affords the only access to the Columbia River for many miles and gave as his opinion that the road should never be alienated from general public use. In view of this letter the Commission decided that it has no alternative but to construct and maintain a connection between this road and the new Columbia River Highway when it is constructed. The Engineer was authorized and instructed to install a traffic actuated signal at the railroad crossing at the proper time.

The Commission considered and denied a request from the Redwood Empire Association suggesting certain changes in the Pacific Highway near its junction with the Redwood Highway just south of Grants Pass.

A letter was presented from E. E. Smith, owner of the Rogue Motor Court, Grants Pass, requesting an improved entrance driveway into his auto camp which is located adjacent to the Redwood Highway near its junction with the Pacific Highway at Grants Pass. The Engineer advised that he personally investigated this complaint and is of the opinion that Mr. Smith has an honest grievance. Further, that he has ordered certain things done which, he thought, would correct the situation to the satisfaction of Mr. Smith. The Commission approved the report.

The Commission read and ordered filed a letter from Oliver Justin Lee, Director of the Northwestern Observatory, Northwestern University, expressing favorable comment on the Oregon state highway system.

The Commission discussed a letter from Senator F. M. Franciscovich, Astoria, in which the Commission was requested to maintain signs on the ocean beach at Gearhart warning the public that it is dangerous to stand near or on logs that may be in or near the surf because of the possibility of the logs rolling and causing injury. The Commission referred this matter to the Attorney for advice as to whether or not it has jurisdiction over the beach at this location.

The Commission discussed and ordered filed, without action, communications as follows:

Resolution from Shasta View Grange, Klamath Falls, requesting re-examination of traffic conditions on South Sixth Street, Klamath Falls, and construction of four-lane highway from Lakeview-Merrill Junction to east end of Main Street, thence northwesterly through Hot Springs Addition to junction with The Dalles-California Highway north of Klamath Falls.

Letter from Alba Lewis, Chairman, Legislative Committee, Shasta View Grange, suggesting changes for the betterment of traffic conditions in Klamath Falls.

Newspaper clippings from Klamath Falls papers regarding accidents that have occurred on South Sixth Street, and urging improvement of this section.

Letter from Lions Club of Junction City thanking Commission for improvement of Summit Section of Siuslaw Highway.

The Secretary presented letters from the Grant County and Baker County Courts stating their willingness to pay the cost of snow removal operations on the Sumpter-Granite Road in Baker and Grant Counties beyond the limits of the Sumpter Valley Secondary State Highway. In view of these letters the Commission authorized the Engineer to conduct snow removal operations on this road during the present winter season so as to maintain travel to the town of Granite. He was further instructed to bill the counties monthly for the expense of such operations on the county road section. The Commission decided that it would not be necessary, in view of these letters, to enter into formal agreements with the counties covering the matter.

A joint resolution was presented from Marion and Linn County Courts in which the Commission was requested to authorize the Engineer to prepare plans and specifications as may be necessary for a bridge over the Santiam River on a county road near Gates, Oregon, and to advertise this project for bids, on behalf of the counties, at the meeting on December 17. The Commission approved the request by unanimous vote.

The Commission discussed a letter from Clatsop County Court requesting the survey of a proposed road between Camp Clatsop and Fort Stevens, in Clatsop County; also, requesting a survey for roads connecting Camp Clatsop and Fort Stevens with the Oregon Coast Highway. The Engineer advised that the cost of such surveys will be paid with federal moneys and he recommended approval of the request. The Commission approved the recommendation unanimously.

A letter was presented from the city manager of Oregon City stating the desire of the city commission to enter into an agreement with the Highway Commission with respect to the maintenance of a float in the Willa-

mette River between 8th and 9th Street, Oregon City, for the benefit of fishermen in mooring their boats. The Commission approved the request and instructed the Attorney to prepare an appropriate form of agreement covering the matter.

A letter from the Progressive Civic Club of Ocean Lake, inquiring as to the plans of the Commission for the improvement of the Oregon Coast Highway through the Ocean Lake District, had the attention of the Commission. Action on the matter was deferred by the Commission pending report from the Engineer as to how much it would cost to make a permanent improvement of the highway at this place.

The Commission discussed a letter from the Tillamook Chamber of Commerce suggesting that a WPA project be set up for the construction of the easterly end of the Wilson River Highway between Glenwood and its junction with the Wolf Creek Highway in the vicinity of Banks, Washington County. The Engineer read the letter aloud and also his reply thereto, in which he informed the Chamber of Commerce that it is the intention of the Highway Commission to build a road from Tillamook to Glenwood and to utilize the Gales Creek Road connection via Forest Grove for some time before proceeding with the construction of the section between Glenwood and Banks. The Commission approved the reply, it being the Commission's thought that it would be inadvisable to proceed with the Glenwood-Banks project in the near future. However, the Engineer was instructed to bring to the Commission's attention full information on this subject at the next meeting.

The Commission considered, and ordered filed, a letter from W. R. Winkler, Ashland, pointing out that the present Pacific Highway through the City of Ashland passes through four school zones, and giving as his opinion that, because of this fact, the route is entirely unsatisfactory as a permanent highway and suggesting an entirely new route through this city.

A resolution was presented from Thurston Grange No. 833, Lane County, requesting the immediate installation of a bell and light signal at the Southern Pacific Railroad crossing of the McKenzie Highway just east of Springfield, locally known as the "East Springfield Railroad Crossing". The Engineer advised that this matter was investigated by Traffic Engineer John Beakey who states that the priority of this signal does not fall within the first 100 crossings on the Commission's approved list, and who points out that there are no funds available to pay the cost involved, unless the Commission wishes to make a special appropriation. He recommended that the funds available to the Commission be expended on such other crossings (in the order of their priority) as have a higher hazard rating than this one. The Commission approved the recommendation and instructed the Secretary to so inform the Grange.

The Engineer read aloud a copy of a letter dated November 30, 1940, directed by E. P. Leavitt, Superintendent of Crater Lake National Park and the Oregon Caves National Monument, to Richard L. Sabin, Manager of the Oregon Caves Resort, in which Mr. Leavitt complains of the conditions imposed

by the State Highway Commission with respect to snow removal operations on the Oregon Caves Road, particularly the condition which requires a gate to be maintained across the road to stop general public travel. The Commission took no action on this matter.

The Engineer reported a suggestion from Governor Charles A. Sprague that it might work to the benefit of the several counties of the state if the Highway Commission would loan its services and facilities to the counties in connection with the purchase of county equipment. The Commission discussed the matter at some length and approved the Governor's suggestion. The Engineer was instructed to direct a letter to Mr. F. L. Phipps, Secretary of the Association of County Judges and Commissioners, offering the services of the State Highway Department in such matter if any of the counties want them.

A request was presented from J. W. Harrison, Portland, that he be allowed right of access to Union Avenue, Portland, between Harrison Street and Stevens Street, particularly in front of the Harrison Trucking Company's building on Block 7, Lot 45, where he wants to build an approach 14 ft. wide through the concrete curb and guard rail of the highway viaduct. Mr. Harrison wants the state to build this approach for him. The Engineer advised that it would cost about \$200 to build such an approach. The Commission decided to oppose the opening if it has legal authority to prevent it. The Attorney was instructed to advise the Commission of its legal power in the matter. In the event it is the Attorney's opinion that the Commission does not have legal authority to prevent right of access at this point, then the Commission will approve the opening subject to the condition that Mr. Harrison will pay, in advance, the estimated cost of the work, and that the work is done with state forces.

The Commission discussed a plan proposed by the Lions Club of Salem for the construction of an overhead pedestrian crossing on South Commercial Street, route of the Pacific Highway through Salem, near its intersection with Hoyt Street. The Engineer advised that the Lions Club is simply asking the State Highway Commission to approve the project which the club will build at its own cost and expense. The Commission questioned the advisability of permitting such structure to be built over the highway, because it probably would not be used by pedestrians and would not add to the attractiveness of the highway. Accordingly, the Engineer was instructed to explain the situation to the Lions Club and get them to change their plans, if possible.

Reconsideration was given by the Commission to the projects requested by the Klamath County Chamber of Commerce at its meeting with the Commission earlier in the day. After discussion, the Engineer was authorized to conduct location surveys of the several projects requested, including the proposed revision of the South Sixth Street entrance of the Klamath Falls-Malin Highway into Klamath Falls; proposed revision of the Green Springs Highway entrance into Klamath Falls; and the proposed revision of the entrance of the West Side Klamath Lake Secondary Highway into Klamath Falls.

The Commission also reconsidered the purchase of private property which is needed to fill out the state park at a place known as The Cove, in Jefferson County, which property was inspected by the Commission on December 3, 1940. The Commission, by unanimous vote, authorized the Right of Way Department to secure options for such property.

The matter of designating certain city streets in Albany as state highway routes and the abandoning of certain other streets that heretofore have been maintained by the state as state highway routes in this city had the attention of the Commission in view of the completion of the Pacific Highway revision through this place. After full discussion the following resolutions with regard thereto were adopted by the Commission by unanimous vote:

WHEREAS, for the purpose of making possible a better alignment and a more satisfactory, safe and convenient highway and thoroughfare for the traveling public, the Highway Commission finds it necessary to relocate and reroute the Pacific Highway East where it enters, passes through and leaves the city of Albany, Linn County, and including portions without the city limits; and

WHEREAS, it is deemed by the Highway Commission advisable that a route and location heretofore selected should be more definitely and accurately defined and described; and

WHEREAS, the route and location of said highway into, through and out of the said city of Albany as modified by this resolution shall be duly and regularly adopted as the route and location of said highway where it enters, passes through and leaves the said city, including portions of said route immediately outside the corporate limits of said city;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the Highway Commission, all members being present and affirmatively voting, as follows:

That the route of the Pacific Highway East through and adjacent to the city of Albany be as follows:

Beginning at the intersection of the former Pacific Highway East with the relocated and reconstructed Pacific Highway East at Engineer's Station 307+50, new route, which is Engineer's Station 333+90 of the old route; thence in a southwesterly direction along the relocated and reconstructed Pacific Highway East to the intersection of said highway with the east city limits of the city of Albany at Engineer's Station 389+15 (new route) near the intersection of Eighth Street and Geary Street; thence westerly along Eighth Street to the west end of the overhead structure near the west line of Railroad Street; thence in a southwesterly direction along the relocated and reconstructed route of the Pacific Highway East

to the intersection of said route with the south city limits of Albany at Engineer's Station 468+14.3 (new route); thence continuing in a southwesterly direction along the relocated and reconstructed Pacific Highway East to the intersection of said highway with the former Pacific Highway East at Engineer's Station 513+37.4, new route, which is Engineer's Station 48+15 of the old route; and including the ramps and approaches known as the North and South Thurston Street ramps, the Jackson Street ramp, the North and South Lyon Street ramps, the civic center ramp, the Ellsworth Street ramp, and that section of street connecting Lyon Street with the civic center ramp and South Lyon Street ramp; and including the section of the former Pacific Highway East to be used as a service road, between Engineer's Stations 333+90 (old route) and 349+20 (old route); and including that portion of the old Pacific Highway East between Engineer's Stations 48+15 (old route) and Engineer's Station 0+00 (old route) at the south city limits of Albany.

The route and streets hereinabove described may be more definitely and particularly ascertained and determined by reference to a map or blueprint attached hereto and by this reference made a part hereof, which for identification purposes bears the signatures of F. D. Eason, Division Engineer, H. G. Smith, Construction Engineer, and C. B. McQuilough, Assistant State Highway Engineer, and is dated December 5, 1940, upon which map there is reflected the above described route by showing the same shaded in red.*

That this resolution be entered in the minutes and records of the State Highway Commission and a duly certified copy thereof be delivered to the municipal authorities of the city of Albany, to the County Court of Linn County, and to the Public Roads Administration.

WHEREAS, the Highway Commission is authorized and directed, whenever the route of any state highway passes through the corporate limits of any incorporated city or town of this state, to select and designate the street or streets of such incorporated city or town over which the state highway shall be routed, and the Commission is further authorized to alter or change such routing when in its opinion the interests of the traveling public will be better served; and

WHEREAS, for the purpose of affording a more serviceable, convenient and safe highway and thoroughfare through the city of Albany, a new location has been adopted and a permanent four-lane highway constructed thereover; and

* - Map filed in New Highway Routes File - No. 24

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WHEREAS, by reason of the said relocation of the highway and the construction of a four-lane highway, the former route of the Pacific Highway East through the city of Albany is no longer needed as a route for the general traveling public into, within, and out of the said city and the streets formerly designated and used as a part of the said routes are no longer needed for such purposes:

THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the Commission, all members being present and affirmatively voting, as follows:

1. That the former route of the Pacific Highway East, entering the city of Albany from the north and east, passing through said city and leaving at the south and west, and including such portions as are described without the city limits, be and the same hereby is abandoned as a section or segment of the said highway; and said route, and the streets or roads involved therein, are left to revert to the authority having original jurisdiction thereover. The description of the sections to be abandoned by this resolution as a part of the route of the Pacific Highway East is as follows:

Beginning at the intersection of the relocated and reconstructed Pacific Highway East with the former route of the Pacific Highway East at Engineer's Station 307+50 of the new route which is Engineer's Station 333+90 of the old route; thence in a southwesterly direction on the former route of the Pacific Highway East to the east city limits of Albany at the intersection of Geary Street and Salem Road at Engineer's Station 408+18.0 (old route), except that portion between Engineer's Stations 333+90 (old route) and 360+00 (old route); thence westerly on Salem Road to the intersection of Main Street and Salem Road; thence north on Main Street to the intersection of First Street and Main Street; thence west on First Street to the intersection of Washington Street and First Street; thence south on Washington Street to the intersection of Sixth Street and Washington Street; thence west on Sixth Street to the intersection of Sixth and Elm Streets; thence southerly on Elm Street and an extension thereof to the south city limits of Albany at the intersection of Klamath and Elm Streets at Engineer's Station 0+00, thence southerly on the route of the former Pacific Highway East to an intersection with the relocated and reconstructed Pacific Highway East at Engineer's Station 48+15 (old route), except that portion between said Engineer's Stations 0+00 and 48+15 (old route).

2. That the section of the former route of the Pacific Highway East, beginning at Engineer's Station 360+00 (old route) and extending thence in a southwesterly direction on the former route of the Pacific Highway East to the east city limits of Albany at the intersection of Geary Street and Salem Road is left to revert to the jurisdiction

tion of the County Court of Linn County for such use and purpose as said route may serve as a county road.

3. That the section of the former route of the Pacific Highway East through the city beginning at the east city limits at the intersection of Salem Road and Geary Street at Engineer's Station 408+18 and proceeding west and south over the former described route of the Pacific Highway East through the city of Albany to the south city limits at the intersection of Elm Street extension and Klamath Street at Engineer's Station 0+00 shall no longer be designated as streets or sections of streets of the city of Albany over which the Pacific Highway East shall be routed, and jurisdiction over said streets for every and all purposes is hereby surrendered to the municipal authorities of the city of Albany.

4. That for the purpose of further describing the route and location under discussion in this resolution there is attached hereto and made a part hereof a blueprint or map on which is shown colored in red the route or routes herein described.*

5. That this resolution be entered in the minutes and records of the State Highway Commission and a duly certified copy thereof be delivered to the municipal authorities of the city of Albany, to the County Court of Linn County, and a like copy to the Public Roads Administration.

WHEREAS, for the purpose of making possible a better alignment and a more satisfactory, safe and convenient highway and thoroughfare for the traveling public, the Highway Commission finds it necessary to make a new junction of the Santiam Highway and the new route of the Pacific Highway East at or near the east city limits of Albany, which relocation involves the abandonment of certain sections of the former route of the Santiam Highway;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission, all members being present and affirmatively voting, as follows:

1. That that portion of the former route of the Santiam Highway between the north right of way line of the new location of the Pacific Highway East at State Street and the east city limits of Albany at Geary Street (Highway Engineer's Station 64+23.5, old route), be abandoned as a portion of the route of the Santiam Highway and left to revert to the jurisdiction of the County Court of Linn County for such use and purpose as said road may serve as a county road.

2. That the former route of the Santiam Highway from the east city limits of Albany at Geary Street at Engineer's Station

* - Map filed in Abandonment and Retention File - No. 85

64+23.5 (old route) and extending along the former route of the Santiam Highway to an intersection with Main Street and thence on Main Street to an intersection with the Salem Road, or the former route of the Pacific Highway East, be and hereby is abandoned as the route of the Santiam Highway and the jurisdiction over said described streets for every and all purposes is surrendered by the Highway Commission to the municipal authorities of the City of Albany.

3. That for the purpose of further describing the route and location under discussion in this resolution there is attached hereto and made a part hereof a blueprint or map on which is shown colored in red the route or routes herein described.*

4. That this resolution be entered in the minutes and records of the State Highway Commission and that a duly certified copy thereof be delivered to the municipal authorities of the city of Albany, to the County Court of Linn County, and to the Public Roads Administration.

WHEREAS, for the purpose of making possible a connection between the present route of the Albany-Corvallis Highway and the newly relocated and constructed route of the Pacific Highway East in the city of Albany, the Highway Commission finds it necessary to extend the route of the Albany-Corvallis Highway to this new connection; and

WHEREAS, it is deemed by the Commission appropriate that the route and location of this extension should be duly and regularly adopted as a portion of the route of the Albany-Corvallis Highway within the city of Albany;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the Highway Commission, all members being present and affirmatively voting, as follows:

That the route of the extension of the Albany-Corvallis Highway be and is described as follows:

Beginning at the intersection of Ellsworth and First Streets; thence south on Ellsworth Street to the intersection with the newly relocated and constructed Pacific Highway East near Eleventh Street, and including that portion of Ninth Street between Ellsworth Street and Lyon Street and that portion of Lyon Street between Ninth Street and First Street and that portion of First Street between Lyon Street and Ellsworth Street.

That for the purpose of further describing the route and location under discussion in this resolution there is attached hereto

* - Map filed in Right of Way Abandonment and Retention File - No. 86

and made a part hereof a blueprint or map on which is shown colored in red the route or routes herein described.*

That this resolution be entered in the minutes and records of the State Highway Commission and that a duly certified copy thereof be delivered to the municipal authorities of the city of Albany and to the Public Roads Administration.

The Commission also discussed the matter of rerouting state highways through Oregon City in view of the completion of the new highway along the waterfront at this place. The following resolutions with regard thereto were adopted by the Commission by unanimous vote:

WHEREAS, for the purpose of making possible certain connections between the present route of the Cascade Secondary Highway and the newly relocated and constructed route of the Pacific Highway East in the city of Oregon City, the Highway Commission finds it necessary to designate certain streets as connecting routes between these state highways; and

WHEREAS, it is deemed by the Commission appropriate that these connecting routes should be duly and regularly adopted as a portion of the route of the Cascade Secondary Highway within the city of Oregon City;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the Highway Commission, all members being present and affirmatively voting, as follows:

1. That the route of the Cascade Secondary Highway within the city of Oregon City shall also include the connections described as follows:

Beginning at Engineer's Station 10+97.5 on the newly relocated and constructed route of the Pacific Highway East; thence southerly to the intersection of 14th Street and Main Street; thence easterly on 14th Street to Washington Street to a connection with the route of the Cascade Secondary Highway; and westerly on 14th Street between Main Street and the new route of the Pacific Highway East.

2. That these connections be and they hereby become connections between the Cascade Secondary Highway and the route of the Pacific Highway East.

3. That for the purpose of further describing the route and location under discussion in this resolution there is attached

* - Map filed in New Highway Routes File - No. 25

hereto and made a part hereof a blueprint or map on which is shown colored in red the route or routes herein described.*

4. That this resolution be entered in the minutes and records of the Commission and a duly certified copy thereof be delivered to the municipal authorities of the city of Oregon City and to the Public Roads Administration.

WHEREAS, the Highway Commission is authorized and directed, whenever the route of any state highway passes through the corporate limits of any incorporated city or town of this state, to select and designate the street or streets of such incorporated city or town over which the state highway shall be routed; and the Commission is further authorized to alter or change such routing when in its opinion the interests of the traveling public will be better served; and

WHEREAS, the Highway Commission has recently relocated and reconstructed the Pacific Highway East through Oregon City, which has made necessary an extension of the route of the Oswego Highway to a connection with the newly located and constructed route of the Pacific Highway East in Oregon City;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the Commission, all members being present and affirmatively voting, as follows:

1. That the route of the extension of the Oswego Highway is described as follows:

- (1) Beginning at the intersection of Main and 7th Streets, thence southerly along Main Street to a connection with the route of the Pacific Highway East at Main and 5th Streets;
- (2) Beginning at the intersection of Main and 7th Streets, thence northerly along Main Street to 8th Street, thence westerly on 8th Street to Water Street, the new route of the Pacific Highway East.

2. That this connection be, and it hereby becomes, an extension of the Oswego Highway to connections with the route of the Pacific Highway East.

3. That for the purpose of further describing the route and location under discussion in this resolution there is attached hereto and made a part hereof a blueprint or map on which is shown colored in red the route or routes herein described.*

4. That this resolution be entered in the minutes and records of the Commission and a duly certified copy thereof be delivered to the municipal authorities of the city of Oregon City and to the Public Roads Administration.

* - Maps filed in New Highway Routes File - Nos. 26 and 27

The Commission discussed several projects that were brought to its attention by delegations during its inspection trip in Eastern Oregon, September 30 to October 4, 1940, particularly the following:

1. Request of Umatilla County Court for the construction of a connection between the Havana-Helix Road and the new highway between Pendleton and Adams, in Umatilla County.
2. Request of Hermiston delegation for the straightening of the Old Oregon Trail between Hermiston and Umatilla and the elimination of existing railroad grade crossings, especially the elimination of the numerous right-angle turns in the present highway route through Hermiston.
3. Request of Wallowa County Court for a one-mile extension of the Joseph-Wallowa Lake Secondary State Highway at the head of Wallowa Lake.

The Commission deferred its decision as to the first of these projects pending inspection of the same in company with the Chief Engineer of the office of the Public Utilities Commissioner. The Commission denied the request of the Hermiston delegation for the straightening of the Old Oregon Trail between Hermiston and Umatilla, however, authorized the Engineer to make a location survey of this highway to determine a permanent location through the town of Hermiston eliminating the turns in the existing highway. With respect to the extension of the Joseph-Wallowa Lake Secondary State Highway, the Commission deferred a decision pending investigation of the right of way status. The Attorney was instructed to make such investigation and report his findings to the Commission.

The Engineer reported that a number of surveys heretofore authorized by the Commission have been completed. He presented a list of such surveys and reported briefly on each survey listed thereon. After due consideration, the Commission approved the respective surveys, as reported, and adopted the following resolution in regard thereto:

WHEREAS, the State Highway Commission heretofore has authorized and instructed the State Highway Engineer to make surveys on certain sections or portions of the highways of the State of Oregon; and

WHEREAS, pursuant to said authorization the State Highway Engineer has made and completed the said surveys and has filed the maps and plans of the said surveys in the files of the State Highway Commission, in Salem, Oregon; and

WHEREAS, the maps and plans of the said surveys have been examined by the State Highway Commission and have been found suitable in all respects for approval and adoption by the State Highway Commission;

NOW, THEREFORE, BE IT RESOLVED that the surveys hereinafter designated and described, together with their identifying location map file numbers, as shown in the map filing records of the State Highway Commission in its Salem office, be and they are hereby adopted and approved as the location surveys of the various portions or sections of highways involved:

File No.	Prefix	County	Type of Survey	Section	Highway
5B-29-17	202-2821	Benton	Reconn.	Lobster Mt.-Five Rivers Junction	Benton Co.Rd.
5B-25-18	204-2826	Clatsop	Location	Coast Hwy.-Ft.Stevens	Clatsop Co.Rd.
9C-12-7	6-2820	Coos	Reconn.	Reedsport-Coos Bay	Oregon Coast
5B-26-9) 8-2801	Curry	Reconn.&	Port Orford-Euchre Crk.	" "
5B-2-15			Location		
5B-1-19&20)					
9C-12-11	9-2830	Deschutes	Reconn.	Bend-Lapine	The Dalles-Calif.
5B-25-17	112-2819	Grant	Location	Kimberly-Dry Creek	Monument
5B-25-9	113-2810	Harney	"	Wrights Point-The Narrows	Frenchglen
5B-29-19	114-2814	Hood River	Reconn.	Dee-Parkdale	Hood River
5B-29-14	18-2841	Klamath	Location	Algoma-Terminal City	The Dalles-Calif.
9C-12-9	18-2846	"	Reconn.	Crescent-Diamond Lake Junction	" " "
5B-24-4	220-2832	Lane	Location	Walton-Veneta	Eugene-Florence
5B-27-16&17					
5B-29-18	22-2820	Linn	Reconn.	Sweet Home-Foster	Santiam
5B-27-14	122-2823	"	Location	Crabtree-Scio	Albany-Lyons
5B-25-6	23-2817	Malheur	"	Brogan-Jamieson	John Day
1A-8-35	23-2816	"	Reconn.	Baker Co.Line-Ontario	Old Ore.Trail
4F-6-1	24-2815	Marion	Location	Gates-Niagara	N. Santiam
9C-3-4&5	111-2808	Sherman	Reconn.	Wasco-Condon	Wasco-Heppner
9C-12-8	233-2824	Wasco	"	Wamic-Bear Paw Springs	Wasco Co. Rd.
5B-27-1	235-2812	Wheeler	Location	John Day Hwy. Jct.-Kinzua	Wheeler Co.Rd.
9C-7-11	5-2819	Columbia	Reconn.	Rainier-Goble	Columbia Riv.
5B-26-15	33-2823	Wasco	Location	Cow Canyon	Sherman
5B-23-5	12-2814	Grant	"	Prairie City	John Day
1A-8-30	26-2829	Multnomah	"	Front Ave.-Yeon Ave.	
5B-10-2	220-2814	Lane	"	Mapleton-Richardson	Eugene-Mapleton
Pt. 2 &					
5B-10-3 Pt.3					
5B-21-15	120-2811	Lane	"	Richardson-Walton	Eugene-Swiss-home (Rt.F)
& 16					
5B-29-1	101-2822	Baker	"	Sumpter	Sumpter-Valley

BE IT FURTHER RESOLVED that the State Highway Engineer be and he hereby is authorized to make such minor changes in the said loca-

tions as may improve the standards of alignment and grades not inconsistent with the general location of the section of highway involved.

Consideration was given by the Commission to the following requests for extensions of time within which to complete highway construction projects:

K. L. Goulter, Contract No. 2259, for grading and construction of concrete structures on the Necarney Creek-Neahkahnie Mountain Section of the Oregon Coast Highway, in Tillamook County, requested an extension of time of four months, from November 30, 1940, to April 1, 1941, within which to complete this job. He attributed his failure to complete the job within the specified time limit to a large overrun of the quantities involved. The Engineer advised that, according to the last revised estimate for this work, there has been an increase of 28.4 per cent in the quantity of material that Mr. Goulter was required to move. This would automatically entitle Mr. Goulter, he said, to an extension of time of 101 days, or until March 10, 1941, without penalty. He recommended the granting of the extension of time requested by Mr. Goulter up to April 1, 1941, but that he be required to reimburse the state for extra engineering expense incurred on this job after March 10, 1941. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

Rogers Construction Company, Contract No. 2266, for furnishing crushed rock, in stock piles, for the Chemult-Fort Klamath Section of The Dalles-California Highway, and Sand Creek Secondary Highway, in Klamath County, requested an extension of time of three months, from June 30, to October 7, 1940, within which to complete this project. They alleged that their failure to complete the project within the specified time limit was due to bad weather conditions. The Engineer advised that the contractor did experience some bad weather but it was not unusual nor exceptional and this is not the reason for failing to complete the project within the specified time limit. He gave as his thought that the main reason for overrunning the time limit was because the contractor had additional highway work under way in other parts of the state which did not permit starting of this project as early as was expected. He recommended the granting of the extension of time requested subject to the condition that the contractor be charged with the extra engineering expense incurred by the state on this job subsequent to the specified completion date. The Commission approved the recommendation.

Rogers Construction Company, Contract No. 2273, for grading, surfacing, and oiling the Dairy Section of the Klamath Falls-Lakeview Highway, in Klamath County, requested an extension of time, from July 15 to October 21, 1940, within which to complete this job. They attributed their failure to complete the project within the

specified time limit partly to bad weather conditions and partly to other state highway work which they had under way at Modoc Point, which work, they declared, was retarded because of a flood at Algoma. The Engineer advised that the contract for this work was awarded on January 12, 1940, and it was specified that the work should be completed by July 15, 1940, which allowed ample time. However, the work was not completed until October 21, 1940. He recommended that the extension of time be granted with the understanding that the contractor would reimburse the state for extra engineering expense incurred on the job subsequent to the specified date of completion. The Commission approved the recommendation.

Mid-Columbia Sand & Gravel Company, Contract No. 2290, for the furnishing of crushed rock in stock piles for the Seufert-Dufur Section of The Dalles-California Highway, in Wasco County, requested an extension of time from July 31 to October 21, 1940, within which to complete this project. They attributed their failure to complete the project within the specified time limit to rainy weather which did not permit them to prepare the sites for the stock piles. The Engineer advised that the principal reason for the contractor's failure to complete the job on time was lack of experience in carrying on this type of work and the use of old equipment which was constantly in need of repair. If the job had been handled properly and if the contractor had used good equipment, he said, the project could have been completed easily within the specified time limit. He recommended, in view of the circumstances, that the extension of time requested be granted but that the contractor be charged with the extra engineering expense incurred by the state subsequent to the specified date of completion. The Commission approved the recommendation.

Jacobsen-Jensen Company, Contract No. 2338, for grading and paving the Warrenton (Massachusetts Ave.-Market Street) Section of the Fort Stevens County Road, in Clatsop County, requested an additional extension of time, from October 5 to October 26, 1940, within which to complete this project. They attributed their failure to complete the project within the specified time limit to difficulties in securing crushed material for base and shoulder work, alleging that the Astoria firm that was to supply this material was greatly handicapped in doing so by reason of the fact that they were required to furnish similar materials for the Tongue Point Naval Base project. The Engineer advised that the reason given by the contractor for failure to complete this project on time is correct. He recommended, in view thereof, that the extension of time requested be granted without penalty. Also, that the penalty previously imposed on the contractor in connection with the first extension of time be cancelled. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

Coos Bay Dredging Company, Contract No. 2339, for grading and construction of bituminous macadam on the Bandon Section of the Oregon Coast Highway, in Coos County, requested an extension of time of nine months, from October 31, 1940, to July 31, 1941, within which to complete this project. They alleged that their failure to complete the project within the specified time limit was due to adverse weather conditions which did not permit the performance of the oiling work. The Engineer advised that the Commission took bids for this job on June 14, 1940, but the contract was not awarded until July 12, 1940. Also, that the contractor started operations on July 15, 1940, and did everything possible to expedite completion of the work within the specified time limit but failed to do so because of early rains that made it inadvisable to do the oiling. He also said that he informed the contractor on September 10 that he would not be permitted to do the oiling work this fall. He recommended, in view of the circumstances, that the extension of time requested be granted without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

William Zickler, Contract No. 2341, for the construction of a bridge over Canyon Creek, on the John Day Highway, in the town of John Day, requested an extension of time of 30 days, from October 31 to November 30, 1940, within which to complete this job. He gave no reason for failure to complete the project within the specified time limit. The Engineer advised that the quantities on this job were increased somewhat over the original estimate and, in his estimation, the contractor is entitled to a 7-day extension of time without penalty on this account. He recommended the granting of the extension of time for 7 days without penalty; also, that the Commission grant the balance of the extension requested, to November 30, 1940, with the understanding and condition that the contractor be charged for the extra engineering expense incurred by the state subsequent to such 7-day period. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

Martin Peterson, Contract No. 2351, for construction of a slide drainage ditch on the Bunker Hill Section of the Oregon Coast Highway, in Coos County, requested an extension of time of 31 days, from September 30 to October 31, 1940, within which to complete this project. He alleged that his original contract for this work was completed before the expiration of the specified time limit and that the extension of time required is simply to allow him time to complete other work ordered by the Engineer. The Engineer advised that the reason given by the contractor for failure to complete this project within the specified time limit is correct. He recommended, in view thereof, that the extension of time requested be granted without penalty. The Commission approved the recommendation.

The Engineer reported that contracts Nos. 2266, 2273, 2290, 2338, and 2351, for the construction of state highway projects, have been completed according to the requirements of the contracts, or modifications thereof, and that said jobs are now ready for acceptance. The following resolution accepting the above projects was offered and was adopted by the unanimous vote of the Commission:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts and said jobs are now ready for acceptance:

Contract No. 2266, with Rogers Construction Company for furnishing 12,000 cu. yds. of crushed rock, in stock piles, on the Chemult-Fort Klamath Section of The Dalles-California and Sand Creek Secondary Highways, in Klamath County. Completed October 7, 1940.

Contract No. 2273, with Rogers Construction Company, for grading, surfacing, and oiling the Dairy Section of the Klamath Falls-Lakeview Highway, in Klamath County. Completed October 21, 1940.

Contract No. 2290, with Mid-Columbia Sand & Gravel Company, for furnishing 9,100 cu. yds. of crushed materials in stock piles on the Seufert-Dufur Section of The Dalles-California Highway, in Wasco County. Completed October 21, 1940.

Contract No. 2338, with Jacobsen-Jensen Company, for grading and paving the Warrenton (Massachusetts Avenue-Market Street) Section of Fort Stevens County Road, in Clatsop County. Completed on October 26, 1940.

Contract No. 2351, with Martin Petersen, for construction of a slide drainage ditch on the Bunker Hill Section of the Oregon Coast Highway, in Coos County. Completed October 22, 1940.

THEREFORE, BE IT RESOLVED that the work covered by said state highway contracts for the construction of said state highway projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

Consideration was given by the Commission to the date for its January, 1941, regular meeting heretofore scheduled for Thursday and Friday, Jan-

uary 23 and 24. The Engineer advised that this date conflicts with the date of the Annual Meeting of the Associated General Contractors in Seattle, Washington, and that the contractors' association has asked that the Commission meeting date be changed. The Commission decided in view thereof to advance its meeting date to Tuesday and Wednesday, January 21 and 22, 1941. The Secretary was instructed to make the usual arrangements for the use of the auditorium in the Public Service Building, Portland, for such meeting.

The Commission considered and signed agreements, et cetera, as follows:

Agreement with Newport Construction Company disposing of its claim for extra compensation arising out of its contract No. 2196 with the Commission for construction of the Provolt-Williams Section of Williams Secondary State Highway, in Josephine County.

Agreement with State Game Commission establishing a game refuge at Albany.

Letter directed to Public Roads Administration regarding proposed improvement of Cascade Highway between Clackamas and Oregon City.

Joint letter with W. H. Lynch, District Engineer, Public Roads Administration, being Program Letter covering allocation of one-half of 1941 Federal Lands Highway Funds.

Bargain and Sale Deed conveying unto Faith M. Larios 0.2 acre of land situate adjacent to Cascade Highway in the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 4, Township 2 South, Range 2 East, W. M., Clackamas County.

Quitclaim Deed conveying unto Clatsop County, for reconveyance to the U. S. Navy Department, 6.99 acres of land situate in Lots 4 and 5, Section 22, Township 8 North, Range 9 West, W. M., Clatsop County, being a portion of Tongue Point State Park, which is needed by the Navy Department in connection with the development of Tongue Point Naval Air Base, Real Property File No. 8189.

The meeting was adjourned at 10:30 p. m.

Commissioner
State Highway Engineer

Secretary
Secretary

Henry F. Cabell
Chairman

Wm. H. Lynch
Commissioner

Herman O. Lane
Commissioner

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Portland, Oregon, December 17, 1940

The State Highway Commission met in regular session at 9:00 a.m. in the auditorium of the Public Service Building. Present were:

Henry F. Cabell, Chairman
Huron W. Clough, Commissioner
Herman Oliver, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
D. G. DeSart, Acting Secretary

Secretary H. B. Glaisyer was absent on account of illness.

Bids as follows for highway construction projects and the sale of buildings were opened and read in conformance with previously published notice, following which Chairman Cabell announced that the award of contracts would be made at 3:00 p. m. in the same room:

OREGON COAST, WOLF CREEK, AND MECANICUM HIGHWAYS
SEASIDE-WHEELER ROCK PRODUCTION

Babler Bros.	\$14,510.00
R. O. Dail & Warren Bros.	14,870.00
A. S. Wallace	15,200.00
Gus Reichow,	15,220.00
Homer G. Johnson	15,490.00
F. C. Feldschau & Son	15,591.00
Jacobsen Jensen Co.	15,825.00
A. T. Dolan	16,350.00
M. L. O'Neil & Son	16,436.00
Rogers Construction Co.	16,440.00
Tidepoint Co.	18,187.00
A. O. Ekstrom	18,782.00
O. C. Yocom	19,505.00
C. J. Eldon	20,110.00

JOHN DAY HIGHWAY
EAST UNIT, DIXIE SUMMIT-AUSTIN SECTION
GRADING, SURFACING AND OILING

Fisher Bros.	\$117,479.00
Leonard & Slate	118,861.00
McNutt Bros.,	125,302.40
Tony Marrasso	126,546.50
M. L. O'Neil & Son	129,959.50

WILLAMETTE HIGHWAY
DECEPTION CREEK-SALT CREEK FALLS ROCK PRODUCTION

Clifford A. Dunn	\$17,214.00
A. O. Ekstrom	17,319.00
Homer G. Johnson	20,004.50
Eugene Sand & Gravel Co.	23,213.00
A. S. Wallace	24,099.00

OREGON COAST HIGHWAY
DEPOE BAY SECTION - GRADING AND SURFACING

Sam Orino	\$81,590.00
Leonard & Slate	84,110.00
Edlefsen-Weygandt Co.	86,736.80
C. J. Montag & Son	86,910.80
C. J. Eldon	88,319.50
Clifford A. Dunn	90,354.00
A. Milne	90,905.50
E. C. Hall Co.	93,092.00
A. C. Greenwood Co., Inc.	110,182.50
McNutt Bros.	112,421.50

OLD OREGON TRAIL, NYSSA-ADRIAN, AND ADRIAN-PARMA HIGHWAYS
CAIRO JUNCTION-ADRIAN ROCK PRODUCTION

Chester T. Lackey	\$9,355.00
Rogers Construction Co.	11,844.00
Tony Marrazzo	12,374.00
M. L. O'Neil & Son	12,936.00
Quinn Robbins Co., Inc.	15,205.00
A. S. Wallace	15,597.00

I. O. N. HIGHWAY
OWYHEE RIVER-McDERMITT SECTION
SURFACING AND OILING

Norris Bros.	\$136,556.00
E. C. Hall Co.	149,069.40
Triangle Construction Co. & J. C. Compton	154,315.40
Babler Bros.	157,391.00
Clifford A. Dunn	159,241.00
R. O. Dail & Warren Bros.	163,873.00
Morrison-Knudsen Co.	164,410.60
McNutt Bros.	167,461.00
Hoops Construction Co.	167,916.00
Carl E. Nelson	171,031.00

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NORTH SANTIAM RIVER BRIDGE AT GATES

J. F. Johnston	\$15,988.25
J. W. & J. R. Hillstrom	17,633.00
Averill & Corbin	18,155.50
C. J. Eldon	18,450.50
Birkemeier & Saremal	18,690.00
McNutt Bros.	24,100.00

NORTH POWDER RIVER COUNTY ROAD
NORTH POWDER-DAVIS RANCH SECTION - SURFACING AND OILING

R. O. Dail & Warren Bros.	\$18,304.80
M. L. O'Neil & Son	18,920.00
Babler Bros.	19,585.00
Norris Bros.	19,800.00

WOLF CREEK HIGHWAY
DAVIES GRADE SEPARATION PROJECT

C. J. Eldon	\$65,285.00
C. J. Montag & Son	66,602.50
Averill & Corbin	69,347.50
Birkemeier & Saremal	70,366.50
McNutt Bros.	70,706.50
Julius Johnson	77,780.00
Sig Ash	79,899.50

SALE OF BUILDINGS IN BROOKINGSBuilding No. 7700 (former owner Brookings Land & Townsite Co.)

Kenneth Dodd	\$36.50
Everett Isenhart	15.00

Building No. 7707 (former owner Fanny T. Pedriole)

Tom B. Page	\$50.00
Jarvis Automotive Service (remove for salvage)	00.00
Everett Isenhart	Credit \$150, plus salvage
J. W. Mosier	Credit \$250, plus salvage

SALE OF BUILDINGS IN MARSHFIELDBuilding No. 8086 (former owner Lillian Madden)

Harold Potts	\$352.00
J. L. Gaunt	180.00
W. I. Briggs	176.75
N. L. Loftin	152.00
(Continued on next page)	

(Bldg. 8086, Marshfield continued)

Kenneth Dodd	\$146.50
Ed Lorsung	126.00
August Brann	76.00

Building No. 8091 (former owners G. W. Curtiss and Eliza E. Condron)

W. J. Conrad Lumber Co.	\$40.00
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SALE OF BUILDING IN SCAPOOSE

Building No. 8341 (former owner Mrs. G. B. Turner)

H. G. Palmberg	\$32.00
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The Morrow County Court, represented by County Judge Bert Johnson, County Commissioner George N. Peck, and County Commissioner L. D. Neill, conferred with the Commission in regard to the improvement of the Patterson Ferry County Road, the improvement of the Jones Hill-Lena Section of the Heppner Highway, and the Gilliam County Line-Zinter Ranch Section of the Wasco-Heppner Secondary Highway. The Commission instructed the Engineer to furnish the Attorney with data necessary for drawing up an agreement with the county for the improvement of the Patterson Ferry Road, it being understood that the county would provide a 60-foot right of way and that the state will oil the roadway at state expense; also that the county will maintain the road thereafter or pay the state for maintaining it.

Judge Johnson gave as his thought that the improvement of the Jones Hill-Lena Section is more important to the county than the construction of the Gilliam County Line-Zinter Ranch Section, due to the fact that much log hauling is being carried on thereover. However, discussion brought out the fact that the Gilliam County Line-Zinter Ranch Section should be improved as a unit, whereas the Jones Hill-Lena Section is of such nature that it would readily lend itself to adjustment to the Commission's finances. The county court approved the Commission's plan to contract the Gilliam County Line-Zinter Ranch Section, for which there is set up in the program an amount of \$65,000, and to contract later the Jones Hill-Lena work in the amount of \$45,000 plus any saving that might accrue from the amount set up for the Gilliam County Line-Zinter Ranch project.

Judge Johnson said he also had a petition for widening the bad curve on the Eightmile-Rhea Creek Section of the Wasco-Heppner Secondary near the Hilma Anderson place above Ruggs, but that he would not present it now inasmuch as he had had a letter from Division Engineer W. C. Williams stating that this work had been approved as a Minor Betterment order.

The Commission then approved Judge Johnson's request that the state perform the oiling for the county on the Ione-Morgan County Road, for which

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the county is producing and stock-piling rock. The Engineer was instructed to furnish the county court with an estimate for this state work that the court might draw an order on the Secretary of State against its share of the gasoline tax funds to pay for the work.

A delegation from The Dalles, represented by County Judge J. B. Kirk and County Commissioner Mace Fulton, requested of the Commission the relocation of the Columbia River Highway through The Dalles, by constructing a new route along the water front where traffic could enter the highway without crossing the railroad tracks at grade. They said that the highway so located would relieve their narrow main street of congestion, which would be of great help in cases of fire. Judge Kirk pointed out that grain elevators, tank farms and all industrial development will always be on the river side of the railroad tracks. The Commission refused the request of the delegation because the project is too large and costly to construct at this time. Chairman Cabell suggested the designation and improvement of two routes through the city, one for trucks, and one for other traffic. This suggestion was looked upon with favor by the other members of the Commission but no action was taken.

Mr. Arthur E. Powell, Mayor of Central Point, requested that the Commission take over and maintain as a state secondary highway the road that connects Central Point with the Crater Lake Highway. He informed the Commission that the bulk of the traffic carried by this county road within the City of Central Point is through traffic traveling between the Pacific Highway and the Crater Lake Highway and that the city has no money to maintain the section through their town, which is badly in need of repair. He gave as his thought that it is not fair to require small country towns to build and maintain streets for through traffic. The Commission promised to investigate this project and consider it in relation to other projects in that county.

Mr. Powell offered to the Highway Commission, in behalf of the City of Central Point, sufficient right of way to straighten the "S" curve on the Pacific Highway at the north entrance to the city. The Commission promised to investigate this improvement and advise the city at a later date.

The Attorney submitted a form of agreement with the O.W.R. & N. Company, Multnomah County, and the Port of Portland, covering the Front Avenue project in Portland. The Commission approved the form with minor corrections.

The Attorney reported on the status of the Front Avenue railroad franchise controversy in Portland, which has been referred to the Interstate Commerce Commission by Public Utilities Commissioner Bean. He also reported on the question of whether or not the City of Portland shall take over the Public Market, saying that ownership will probably be settled at a meeting to be held January 6. If the City of Portland does not take over the Market property, there will probably be several months' delay in reaching a right of way settlement with the owners of the Market. The Commission thought it advisable not to award any contracts on the Front Avenue project until it is definitely assured that nothing could interfere with the completion of the whole project.

The Attorney suggested, as a plan for furnishing the Secretary of State with proof of claim for right of way vouchers on the Front Avenue project on which the state is to pay 40%, that the deeds be executed in duplicate, one copy to go to the city for recording, the other to be attached to the Highway Commission's vouchers for the satisfaction of the Secretary of State. A suggestion by Chairman Cabell that the Attorney work out this routine with the city and submit it to the Commission at a later date was approved.

Harold Say, Director of the Travel and Information Department, submitted an agreement with the Castle Films, Inc., for distribution of the State Highway Department's motion picture film entitled "The New Oregon Trail", in black and white, and for editing a colored film under the same title. This agreement is essentially the same in regard to the black and white film as that under which the state's films were distributed during 1940. The agreement was approved, but the Commission refrained from executing it until it is signed by Castle Films, Inc.

The Assistant Attorney submitted agreements with the National Hospital Association and the Physicians and Surgeons Association covering medical care for the employees of the State Highway Commission during 1941. These contracts are essentially the same as those under which similar service has been rendered in the past, the main difference being that the medical associations will no longer furnish medicines except in hospitalization cases. The Assistant Attorney said that another agreement with the Multnomah Medical Service Bureau would be ready for signatures the next day. The Commission approved the form of these contracts.

The Southeast Portland Chamber of Commerce, represented by M. Petrie of the Mount Scott Funeral Home; H. W. Phillips, L. A. Matthiesen, S. A. Felinlig, Harry Black, and Chas. H. Jones, conferred with the Commission in the matter of the Clackamas Overcrossing. The Engineer advised that this project is tentatively listed for contracting in February. Upon Mr. Phillips' request for assurance that money set up for this project would not be used for any other purpose, Chairman Cabell said that, barring any great emergency, it would be spent there and nowhere else.

Mr. Matthiesen then renewed their request for placing the proposed Foster Road extension on the state highway system and on the improvement program. The Engineer admitted that this road would be better than the Mt. Hood Highway through Gresham if both were equally improved. Chairman Cabell gave as his thought that the State has too much of an investment in the present road through Gresham to drop it now in favor of an entirely new route. Mr. Matthiesen advised that Multnomah County will build the Barbur-Welch Gap Section and other small sections with W.P.A. forces if the Commission will place this road on the state highway system; also, that the county will start work immediately, and that the owners will give the right of way.

Chairman Cabell said that if this road were less meritorious it could be placed on the state secondary system, but in view of its strategic location it could only be placed on the primary system, necessitating such

high-type construction as to preclude the county's improvement to that standard. He then asked the Engineer to furnish copies of his report on this subject to the new Commissioners for study, and suggested that they inspect this section with Mr. Matthiesen at a later date.

Mr. Melvin Weiberg, Paulina, was present and asked the Commission to straighten some of the curves on the Crooked River Secondary State Highway between Paulina and Prineville. He also requested the graveling of some of the worst spots that are now nearly impassable. He advised that state forces were in this vicinity about two weeks ago with the intention of placing some gravel but were called away when it was learned that the owners of the gravel deposits would not let them take the material unless paid about \$500. The Engineer recommended that the Commission authorize an expenditure of \$2,500 for the removal of the rocky points and for graveling where necessary to maintain travel. The Commission approved the recommendation and instructed the Attorney to negotiate for the gravel deposit.

Ruth K. Jens, M. D., representing the U. S. Indian Service at Siletz, came before the Commission in the interests of the Siletz Secondary Highway in Lincoln County. She declared that this road, especially between Siletz and Kernville, is in almost an impassable condition and urged the Commission to grade and widen the road throughout its entire length. The Engineer stated that the Public Roads Administration would not accept this highway as a federal aid secondary highway, so it could not be financed with federal moneys. Chairman Cabell advised that the state's money has already been allocated to other projects; hence the Commission is not in position to make any commitment to this project today; however, the Commission will consider the matter next fall in the formulation of the 1942 program. Dr. Jens stated that she would reappear before the Commission at that time.

At 3:00 p. m. Chairman Cabell announced the following awards of contracts and sales of buildings, for which bids were taken at the morning session, such awards having been previously approved by the Commission by unanimous vote:

"Seaside-Wheeler Rock Production Project on the Oregon Coast, Wolf Creek, and Mecanicum Highways, in Clatsop and Tillamook Counties. Furnish approximately 10,300 cu. yds. of crushed rock in stock piles. Babler Bros., Portland, submitted the low bid for this work, in the amount of \$14,510.00. R. O. Dail & Warren Bros., Portland, submitted the next-low bid in the amount of \$14,870.00. There were 12 higher bidders. This contract is awarded by the Commission to the low bidder, Babler Bros., at their bid of \$14,510.00.

"East Unit, Dixie Summit-Austin Section of the John Day Highway, in Grant County. 4.3 miles grading, surfacing and oiling. Fisher Bros., Oregon City, submitted the low bid on this work, in the amount of \$117,479.00. Leonard & Slate, Multnomah, submitted the next-low bid, in the amount of \$118,861.00. There were three

higher bidders. This contract is awarded by the Commission to Fisher Bros., at their low bid of \$17,479.00.

"Deception Creek-Salt Creek Falls Rock Production Project on the Willamette Highway, in Lane County. Furnish approximately 8,900 cu. yds. crushed rock or gravel in stock piles. Clifford A. Dunn, Klamath Falls, submitted the low bid for this work, in the amount of \$17,214.00. A. O. Ekstrom, Portland, submitted the next-low bid, in the amount of \$17,319.00. There were three higher bidders. This contract is awarded to the low bidder, Clifford A. Dunn, at his bid of \$17,214.00.

"Depoe Bay Section of the Oregon Coast Highway, in Lincoln County. 1.11 miles grading and 1.17 miles bituminous macadam surfacing. Sam Orino, Portland, submitted the low bid for this work, in the amount of \$81,590.00. Leonard & Slate, Multnomah, submitted the next-low bid, in the amount of \$84,110.00. There were eight higher bidders. The Commission refers all bids received for this work to the Engineer with power to award the contract to the low bidder, Sam Orino, when certain conditions have been fulfilled.

"Cairo Junction-Adrian Rock Production Project on the Old Oregon Trail, Nyssa-Adrian, and Adrian-Parma Highways, in Malheur County. Furnish approximately 7,300 cu. yds. crushed gravel in stock piles. Chester T. Lackey, Ontario, submitted the low bid for this work, in the amount of \$9,355.00. Rogers Construction Company, Dayton, Washington, submitted the next-low bid for this work, in the amount of \$11,844.00. There were four higher bidders. This contract is awarded by the Commission to the low bidder, Chester T. Lackey, at his low bid of \$9,355.00.

"Owyhee River-McDermitt Section of the I.O.N. Highway, in Malheur County. 68.36 miles surfacing and oiling. Norris Bros., Burlington, Washington, submitted the low bid for this work, in the amount of \$136,556.00. E. C. Hall Company, Eugene, submitted the next-low bid, in the amount of \$149,069.40. There were eight higher bidders. The Commission refers all bids received for this work to the Engineer with power to award the contract to the low bidder, Norris Bros., when certain conditions have been fulfilled.

"North Santiam River Bridge at Gates, in Marion and Linn Counties. County Project. J. F. Johnston, Newberg, submitted the low bid for this work, in the amount of \$15,988.25. J. W. & J. R. Hillstrom, Marshfield, submitted the next low bid in the amount of \$17,633.00. There were four higher bidders. These bids were taken for and on behalf of Marion and Linn Counties and are referred to the County Courts of Marion and Linn Counties for action.

"North Powder-Davis Ranch Section of the North Powder River County Road, in Union County. 4.65 miles surfacing and oiling. R. O. Dail and Warren Bros., Portland, submitted the low bid for this work, in

the amount of 18,304.80. M. L. O'Neil & Son, John Day, submitted the next low bid, in the amount of 18,920.00. There were two higher bidders. This contract is awarded to R. O. Dail & Warren Bros., the low bidders, at their bid of 18,304.80.

"Davies Grade Separation Project on the Wolf Creek Highway, in Washington County. C. J. Eldon, Portland, submitted the low bid for this work, in the amount of \$65,285.00. C. J. Montag & Son, Portland, submitted the next low bid, in the amount of \$66,602.50. There were five higher bidders. This contract is awarded to C. J. Eldon, the low bidder, at his bid of \$65,285.00."

Buildings at Brookings:

"Building No. 7700 (formerly owned by Brookings Land & Townsite Company) Kenneth Dodd, Eugene, submitted the high bid for the purchase of this building, his bid being in the amount of \$36.50. Everett Isenhardt, Brookings, submitted the next-high and only other bid, in the amount of \$15.00. The Commission accepts the bid of Kenneth Dodd, and sells this building to him at his high bid of \$36.50.

"Building No. 7707 (formerly owned by Fanny T. Pedriole) Tom B. Page, Brookings, submitted the high bid for this building, his bid being in the amount of \$50.00. Jarvis Automotive Service, Brookings, bid for the salvage value only, and there were two other bidders who asked payment for removing the buildings. The Commission accepts the bid of Tom B. Page, and sells this building to him at his high bid of \$50.00."

Buildings at Marshfield:

"Building No. 8086 (formerly owned by Lillian Madden) Harold Potts, Eastside, submitted the high bid for the purchase of this building, his bid being in the amount of \$352.00. J. L. Gaunt, North Bend, submitted the next high bid, in the amount of \$180.00. There were five lower bidders. The Commission accepts the bid of Harold Potts, and sells this building to him at his high bid of \$352.00.

"Building No. 8091 (formerly owned by G. W. Curtiss and Eliza E. Condron) The only bid received for the purchase of this building was that of the W. J. Conrad Lumber Company, Marshfield, in the amount of \$40.00. The Commission sells this building to the W. J. Conrad Lumber Company at the price offered."

Building at Scappoose:

"Building No. 8341 (formerly owned by Mrs. G. B. Turner) H. G. Palmberg, Scappoose, submitted the only bid for the purchase of this building, in the amount of \$32.00. The Commission sells this building to Mr. Palmberg at such price."

The Engineer submitted an invoice for 1941 dues in the American Association of State Highway Officials, in the amount of \$350.00, and an invoice for 1941 dues in the Western Association of State Highway Officials, in the amount of \$25.00. The Commission approved payment of both invoices.

The Engineer submitted a financial statement dated December 13, 1940, which the Commission discussed and ordered filed.

Ivan F. Phipps, Portland, was present and asked the Commission to either grant him authority to construct a service station partially on the right of way of the Denver Avenue approach to the Interstate Bridge, Portland, just north of Schmeer Road, or to convey to him title to the area that he needs, for which he offered, as consideration, to deed to the state a like area on the opposite side of the highway. He contended that the state's right of way is so much wider than the pavement at this point that a service station erected entirely on his property, in accordance with the Commission's regulations, would be so far from the pavement and shoulder as to have little value. The Commission deferred its decision pending inspection by the Engineer and receipt of his report. The Engineer was instructed to make such inspection in company with Mr. Phipps and to set right of way stakes along the section for Mr. Phipps' guidance.

W. H. Zuber, Portland, came before the Commission and requested permission to operate his overlength truck on state highways. He explained that his truck is 42'6" in length and is used to transport a scientific exhibit from school to school and is more or less a display or class room. Chairman Cabell suggested, in view of pending legislation which would legalize vehicles up to 45' in length, that permits be granted Mr. Zuber for isolated movements, i. e., of about a week's duration, if it appears upon investigation that the vehicle can be and is properly licensed by the Secretary of State. The Commission approved this recommendation and instructed the Secretary to investigate the license feature at once.

Mr. Howard Shoemaker headed a delegation from Hood River composed of C. C. Lindley, City Councilman; Arthur C. Lofts, Jr., President of the Chamber of Commerce; C. M. Sheppard, Tom Scott and E. Riddell Lage, who asked the Highway Commission to acquire the bridge that spans the Columbia River, between Hood River, Oregon, and White Salmon, Washington. He submitted historical information relative to this structure and a financial audit of the bridge operations, together with a printed outline of the "Free Bridge Movement," by the "Free Bridge Committee of Oregon and Washington." He advised that their primary object in coming before the Commission at this time is to secure the Commission's approval to a legislative enabling act that would authorize the Commission to join with the State of Washington in purchasing this bridge. Chairman Cabell informed the delegation that the Commission is reluctant to take over this bridge because of the dangerous precedent that would be established; that the Commission could not go to the Legislature with recommendations, but would be pleased to make such investigations and submit such report as the Legislature might request. The matter was discussed at considerable length but no action was taken.

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The Engineer presented a letter from General Robert Lee Bobbitt of the Texas Highway Commission, requesting that Oregon send a delegate to the meeting of the Western Association of State Highway Officials in Denver, on January 6 and 7, 1941. It was decided that Chairman Cabell should represent the Commission at such meeting.

The Commission adjourned at 5:00 p. m. to reconvene on the following morning in the same room.

Portland, Oregon, December 18, 1940

The State Highway Commission reconvened in regular session at 9:00 a. m. in the auditorium of the Public Service Building. Present were:

Henry F. Cabell, Chairman
Huron W. Clough, Commissioner
Herman Oliver, Commissioner
R. F. Baldock, State Highway Engineer
J. M. Devers, Attorney
D. G. DeSart, Acting Secretary

Bids as follows for highway construction projects were opened and read in conformance with previously published notice, following which Chairman Cabell announced that the awards of contracts would be made at 3:00 p. m. in the same room:

COLUMBIA RIVER HIGHWAY
SVENSEN-GOBLE ROCK PRODUCTION

Tidepoint Co.	\$15,200.00
A. S. Wallace	16,800.00
Frank Penepacker	17,047.00
A. O. Ekstrom	17,520.00
Homer G. Johnson	18,800.00

POWERS SECONDARY HIGHWAY
HOFFMAN BRIDGE-GRANTS CREEK SECTION - SURFACING AND OILING

O. C. Yocum	\$30,000.00
Babler Bros.	30,555.00
Coos Bay Dredging Co.	32,944.00
R. O. Dail & Warren Bros.	36,543.00
A. Milne	39,965.00

JOHN DAY HIGHWAY
GOOSEROCK BRIDGE OVER JOHN DAY RIVER

Averill & Cortin	\$42,840.00
Vernon Bros. Co.	43,329.00

(Continued on next page)

(Gooserock Bridge - Continued)

Clifford A. Dunn	\$43,820.50
C. J. Eldon	44,781.00
McNutt Bros.	45,075.50
J. W. & J. R. Hillstrom	47,217.00

REDWOOD AND OREGON CAVES HIGHWAYS
KERBY ROCK PRODUCTION

M. C. Lininger & Son	\$14,670.00
A. S. Wallace	15,680.00
M. L. O'Neil & Son	15,766.50
R. O. Dail & Warren Bros., Inc.	15,795.00

THE DALLES-CALIFORNIA HIGHWAY
SOUTH UNIT, ALGOMA-TERMINAL CITY SECTION
GRADING & TOPPING

Frank Penepacker	\$92,428.00
Sam Orino	100,031.00
Roy L. Houck	100,158.00
E. L. Gates	104,743.00
Leonard & Slate	106,472.00
E. C. Hall Co.	110,552.50
G. D. Lyon & Co.	111,715.00
Berke Bros.	120,478.00
J. C. Papin	121,433.00
Clifford A. Dunn	122,381.00
McNutt Bros.	127,274.00
K. L. Goulter	137,663.00

KLAMATH FALLS-LAKEVIEW HIGHWAY
FOREST BOUNDARY-COTTONWOOD CREEK SECTION
GRADING, SURFACING AND OILING; ALSO CONSTRUCT BRIDGES & CULVERTS

Fisher Bros.	\$116,994.00
M. L. O'Neil & Son	121,611.00
Babler Bros.	121,997.00
Leonard & Slate	124,737.00
McNutt Bros.	125,152.00
E. C. Hall Co.	125,352.50
Clifford A. Dunn	125,382.00
Berke Bros.	125,704.00
Homer G. Johnson	127,408.00
Jacobsen-Jensen Co.	128,361.50

MCKENZIE HIGHWAY
HENDRICKS BRIDGE-SILVER CREEK ROCK PRODUCTION

M. L. O'Neil & Son	\$12,663.60
Ransom Sand & Gravel Co.	14,071.80

(Continued on next page)

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(Hendricks Bridge-Silver Creek Rock Production - Continued)

A. S. Wallace	\$14,112.00
A. O. Ekstrom	14,224.00
R. O. Dail & Warren Bros., Inc.	14,571.00
Inter-City Sand & Gravel Co., Inc.	17,730.24

MATERIALS TESTING LABORATORY BUILDING AT SALEM

L. B. James	\$88,918.00
Birkemeier & Saremal	89,359.00
Viesko & Hannaman	91,319.00
Sig Ash	98,290.00
E. E. Settergren	92,380.00
O. R. Wayman	92,688.00
Tri-State Construction Co.	92,914.00
Malarkey & Kallander	96,908.00

OLD OREGON TRAIL

BOARDMAN-UMATILLA COUNTY LINE SECTION - GRADING AND TOPPING

Frank Penepacker	\$97,365.00
Clifton & Applegate	97,948.00
Roy L. Houck	98,382.00
Triangle Construction Co.	99,636.50
Dan J. Cavanagh	101,805.00
E. L. Gates	103,427.00
F. R. Hewett	106,612.00
Roy L. Bair	107,115.50
Berke Bros.	111,439.00
M. L. O'Neil & Son	114,130.50
K. L. Goulter	114,514.50
Leonard & Slate	116,485.50
G. D. Lyon & Co.	117,830.50
McNutt Bros.	119,664.50
C. E. Oneal	121,393.00
Carl Nyberg	125,054.50
E. C. Hall Co.	125,840.50
Parker-Schram Co.	127,850.50
A. C. Greenwood Co., Inc.	128,096.00
C. J. Eldon	132,770.00
Porter W. Yett	134,283.50

HAWTHORNE BRIDGE APPROACH - PORTLAND

Frank Watt Construction Co.	\$25,670.00
Birkemeier & Saremal	29,115.00
O. R. Wayman	31,087.40
Lindstrom Bros.	33,750.00
Parker-Schram Co.	38,450.00
Geo. Isackson Co.	39,475.00
McNutt Bros.	50,180.00

County Judge Nelson B. Higgs, Harney County, appeared before the Commission and requested the placing of some maintenance rock on the Rome-Princeton Secondary State Highway where it passes over the summit southeast of Princeton, near Follyfarm. The Commission referred the matter to the Engineer for investigation and report on how much it would cost to do the work.

Commissioner Oliver asked Judge Higgs what would be the county's reaction if the Commission transferred the \$40,000 heretofore budgeted by the Commission for the improvement of the Burns-Crane Highway to the John Day-Burns Highway where, he said, it could be used to advantage in conjunction with other funds in financing the construction of the Seneca-South Section. Judge Higgs asked for time to consult his constituents before replying.

He reappeared before the Commission later in the session and advised that Harney County would have no objection to such transfer of funds. However, they would like the Burns-Hanley Lane Section of the Burns-Crane Highway improved in lieu thereof as an extension to the proposed improvement of the Hanley Lane Section of the Frenchglen Secondary Highway, omitting for the time being the bridge construction work. The Engineer suggested that, since it appears reasonably certain that the Wrights Point-Narrows Project on the Frenchglen Secondary Highway will be approved as a federal aid secondary project, a portion of the \$15,000 of state money heretofore budgeted for such improvement could be released to finance the Hanley Lane Section. He recommended deferment of any work over Wrights Point at this time and that the proposed federal aid secondary highway project be confined to the construction of a road across the flat to the point known as The Narrows. The Commission appeared favorably inclined toward the Engineer's suggestion but deferred a definite decision pending further information. The Engineer was instructed to make a survey and prepare cost estimates for a project extending from Burns to Hanley Lane, thence south on the Frenchglen Secondary Highway to The Narrows, excepting the section over Wrights Point.

The Engineer submitted a report on amounts heretofore expended by the Commission for the construction of the Pacific Highway through the City of Ashland, and an estimate of cost to complete the work through this city. No action was taken by the Commission on this matter.

The Assistant Attorney reported the refusal of certain house-moving contractors to remove buildings from the highway rights of way in accordance with the terms of low bids submitted by them for such work. He explained that the bids are taken informally and no performance bond is required. He was instructed to bring the next such offense to the attention of the Commission, which would take action precluding such defaulter from further bidding on state highway work.

The Attorney requested authority to purchase certain parcels of real property that are needed for various highway improvements throughout the state. He submitted a list of such properties together with prices that he recommended be paid for each. After careful consideration the Commission approved the request and by unanimous vote adopted the following resolution with regard thereto:

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WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as herein-after more definitely set forth, and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon, and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Multnomah County Line-Scappoose Section, Columbia River Highway</u>				
8326-Dryer, H. A.	R/W	0.51	\$200 per a. plus \$598,	McChesney
8494-McClements, H. A.	"	0.10	\$200 per a. " \$80	"
8322-Henza, Henry J.	"	0.20	\$200 per a. " \$1207	"
(Correction)				
8353-First Congregational Church of Scappoose	"	1539 sq.ft. 5¢ sq.ft. plus	\$473.05	"
8339-Stasna, August	"	1.33	\$200 per a. plus \$2518	"
(Correction)				
8317-Anderson, C. O.	"	0.35	\$200 per a. plus \$930	"
8323-Thomas, Herbert L.	"	0.19	\$200 per a. " \$212	"
<u>Fisher's Point-Manzanita Junction Section, Oregon Coast Highway</u>				
6069-Tillamook County	R/W	17,843 sq.ft.	GRATIS	Collins
<u>Clatsop County-Columbia River Highway</u>				
8464-Bradley-Woodard Lbr.Co. Stock Pile		8.04	99 yr. lease, \$1.00 Lump Sum	McChesney
<u>Deer Island Section, Columbia River Highway</u>				
3502-Meehan, Mrs. J. E.	R/W	3 lots (15,000 sq.ft.)	\$60 per lot, plus \$20	Parker

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Clatsop County Line-Mohler Section, Oregon Coast Highway</u>				
800-A-Hunt, Verna Tubbesing	Stock Pile	0.202	4 yr. lease, \$10 per year	Benson
<u>Tigard Section-Pacific Highway West</u>				
6978-B-Johnson, Emil A.	Easement	317 sq.ft.	GRATIS	Collins
<u>Bear Creek Camp Section, Wolf Creek Highway</u>				
7042-Oregon-American Lbr.Co.	Park		Authority to cut danger trees. GRATIS	Parker
<u>McNamers Camp Section, Wilson River Highway</u>				
8567-Consolidated Timber Co.	Park		Authority to cut danger trees. GRATIS.	Parker
<u>Donald Creek-Mills Bridge Section, Wilson River Highway</u>				
8309-Tillamook County	R/W	1.32	\$1.00 Lump Sum	Parker
8308-Riegers, I. R.	"	0.73	\$500 per a.	"
		4.00	\$40 per a.plus \$75	
<u>Nehalem Spit Section, Oregon Coast Highway</u>				
7319-Hays, Stella	Park	2 lots	\$10 per lot (State to pay taxes)	Martin
<u>Olney Section, Nehalem Highway</u>				
8553-McCoy, John E.	Scale Site	0.81	\$50.00 Lump Sum	Eason
<u>Nehalem Spit Section, Oregon Coast Highway</u>				
7324-Gordon, Margaret M., Heirs	Park	3 lots	\$9 per lot (State to pay taxes. Est'd \$7	Martin
7386-Johnson, Fred J. Nassa, Caroline	"	10.0	\$125 Lump Sum (State to pay taxes)	"
7365-Smith, D. B., Heirs	"	1 lot	\$10 Lump Sum (State to pay taxes)	"
7313-Smith, A. V.	"	3 lots	\$10 per lot (State to pay taxes)	"
<u>Siletz-DePoe Bay Section, Oregon Coast Highway</u>				
4191-Braly, J. C.	R/W	6475 sq.ft.	9¢ sq.ft.plus \$125	Collins
4190-Braly, Katherine P.	"	9856 "	9¢ " " \$149.90	"
4189-Braly, J. C.	"	2135 "	9¢ " " \$ 63.16	"

(Continued on next page)

Section, Hwy., and Owner Purpose Acres Approximate Amounts Agent

(Siletz-DePoe Bay Section, Oregon Coast Hwy. - Continued)

5815-A-Schroeder, John	Slope	750 sq.ft.	GRATIS	Collins
	Easement			
4135-Schoonmaker, May M.	R/W	1446 sq.ft.	10¢ sq.ft.	"
	Easement			
4112C-Austin, Graham	R/W	235 sq.ft.	10¢ sq.ft.	"
	Easement			
4136-Schoonmaker, Bert E.	R/W	403 sq.ft.	10¢ sq.ft.	"
	Easement			

Siletz Bay-Newport Section, Oregon Coast Highway

8644-Sunset Investment Co.	R/W	2500 sq.ft.	\$183 Lump Sum	Collins
8645-Runciman, Alex, and Runciman, John Kedd	"	5000 "	\$225 Lump Sum	"
4193-Kirsch, G. H.	"	1612 "	5¢ sq. ft.	"
4116-Post, Clara K.	R/W			
	Slope Easem't	900 "	25¢ sq. ft.	"
4194-Jones, Ona Dell and T. A.	R/W	3750 "	5¢ sq. ft.	"
		1.2 acre	\$100 per a. plus \$92.50	
4112-A-McDuffee, S. V.	R/W			
	Slope Easem't	820 sq.ft.	24.39¢ sq. ft.	Collins
4187-Horning, Jessie	R/W	1460 "	15¢ sq. ft. plus \$81	"
Richards & Grace Slope Easem't Richards			plus leveling lots	

Norton Section, Eddyville-Blodgett Highway

8462-Tripp, R. W.	R/W	0.84	GRATIS	Eason
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Boyer-Otis Section, Salmon River Highway

2377-Stone, Sarah B. (Correction)	R/W	1.02	\$100 per acre	McCallister
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Boiler Bay-Rocky Creek Section, Oregon Coast Highway

5822-Hellenbrand, Oscar, Es- tate	R/W	5000 sq.ft.	8¢ sq. ft.	Collins
6192-Sunset Investment Co. and L. D. Mix	R/W	6060 "	10¢ sq.ft. plus \$750 less credit by deduc- tion of \$606 for 2 lots in Crescent Add. to be conveyed by State.	"

Albany Section, Pacific Highway East

5831-Holme, Emil and Evelyn	Slope Easement	106.2 ft.	\$1.00 per foot (frontage)	Gardiner
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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
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Lincoln County Line-Philomath Section, Alsea Highway

3689-Compton, V. and Seely, Chas. S.	Stock Pile	1.10	\$175 Lump Sum	Eason
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Newport Section, Oregon Coast Highway

8503-Mackey, C. A.	Slope Easem't 10-foot	Slope easement.	GRATIS	Collins
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Port Orford-Hubbards Creek Section, Oregon Coast Highway

2559-Dorner, Perle E.	R/W	2.58	\$130 per a. plus \$667	Parker
2560A-Knapp, Louis	"	1.4	\$50 Lump Sum	"
2562-Knapp, Ella	"	17.76	\$150 per acre	"
2560-Knapp, Louis	"	2.16	\$130 per acre	"

West Portland-Tualatin Section, West Portland-Hubbard Highway

4818-Godell, Marjorie	R/W	200 sq.ft.	\$5 Lump Sum plus \$15	Benson
4834-O'Neill, Mildred Chapin	"	184 "	\$5 " " " \$15	"
4086-Forshaw, S. H.	"	0.384	\$125 Lump Sum	"
4820-Noles, Stella M. (Correction)	"	2.08	\$200 per a. + \$2084 + low bid \$1890 for moving & reestablishing bldgs. plus 2 wells (Estd. \$375)	"
4083-Mourens, Gene	"	0.491	\$325 Lump Sum	"

Forest Boundary-Cottonwood Creek Section, Klamath Falls-Lakeview Hwy.

7575-Campbell, Wm. E.	R/W	39.5	\$50 Lump Sum	Devers
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North Bend-Marshfield Section, Oregon Coast Highway

8063-Snyder, E. A.	R/W	821 sq.ft.	10,244 sq.ft.	Collins
8083-Coos County	"	10345 "	GRATIS	"

Brookings Section, Oregon Coast Highway

8292-McVay, B. W. (Correction)	Plant Site	1.10	\$545.45 per a. plus fencing	Collins
7715-Hogan, R. R. (Correction)	R/W	2007 sq.ft.	44 sq.ft. plus \$520	"
8031-Clark, F. L. (Correction)	Gravel Bar- Haul Road	6.34	\$157.73 per a. plus \$200	"
7710-Weter, H. P. (Correction)	R/W	1851 sq.ft.	Plus moving bldg. \$1310 (low bid) plus \$150 Land Gratis	"

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Silverton-Silver Creek Falls Section, Silver Creek Falls Highway</u>				
8514-Hall, Alta	Stock Pile	1.07	\$100 per a. plus \$5 plus fencing	Collins
<u>Silverton-Pine Tree Corner Section, Cascade Highway</u>				
8515-Fennimore, Roy	Stock Pile	0.78	\$128.20 per a. plus fencing	"
<u>Drain Section, Pacific Highway</u>				
8356-Texas Company	R/W	130 sq.ft.	Land Gratis. State will construct sidewalk	McCullough
<u>Springfield-Blue River Section, McKensie Highway</u>				
8686-Lane County	Stock Pile	0.59	GRATIS	Benson
<u>Hendrick's Bridge Section, McKensie Highway</u>				
2531-Kramer, Carl B. et al	Stock Pile	0.54	Land \$125, plus \$5	Benson
<u>Selma-California State Line Section, Redwood Highway</u>				
8635-Judd, Frank	Stock Pile	1.04	\$40 Lump Sum	Benson
8634-Schmitt Bros. Lumber Co., Inc.	" "	1.00	\$50 " "	"
<u>Klamath Falls-Merrill Section, Klamath Falls-Malin Highway</u>				
7560-Great Northern RR Co.	R/W	0.15	\$1 Lump Sum	Parker
<u>Juniper Butte-Crooked River Section, The Dalles-California Highway</u>				
8481-Jefferson County	R/W	1.35	GRATIS	Gardiner
<u>Algona-Terminal City Section, The Dalles-California Highway</u>				
8535-McCray, J.E. and Hopper, E. E.	R/W	14 sq.ft.	GRATIS	Gardiner
8536-Chidester, L. E.	"	0.29	\$200 per a. + \$467	"
8640-Klamath County	"	1.84	GRATIS	"
8540-Klamath Development Co. and F. E. McGee	"	0.03	\$200 per a. + \$4	"
8539-Klamath Development Co. and Paul Buck	"	0.23	\$200 per acre	"

(Continued on next page)

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
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(Algoma-Terminal City Section, The Dalles-Calif. Hwy. - Continued)

8538-Klamath Development Co., R/W Viola Blackman and H.C. Blackman		0.09	\$200 per acre	Gardiner
8537-Klamath Development Co. and L.E.Chidester	"	0.15	\$200 per acre	"
8534-Melvin Vanderhoff and Alpheld Vanderhoff	"	0.41	\$250 per a. plus \$10	"
8533-Jennings, Geo. David	"	0.37	\$250 per a. + \$37.50	"
8545-Ambers, Clifford L.	"	1.09)	\$150 per acre	"
		0.48)	\$50 per a. plus \$87 plus	
		1.57	drilling well (Est'd \$250)	
8641-Uhrman, Hans	"	4.29	\$15 per acre	Gardiner
8532-Randolph, C. C.	"	1.48	\$200 per a. plus \$187	"

Pilot Butte Section, Central Oregon Highway

8496-Owens, Elmer B.	Park	0.26	\$461.54 per a. + \$50	McChesney
8497-Forbes, Smith R.	"	0.48	\$10.50 per acre	"

Wheeler County Section, Ochoco Highway

8510-Sigfrit, Lena	Stock Pile	2.06	\$48.55 per a. + \$5	McChesney
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Madras-Crooked River Bridge Section, The Dalles-California Highway

6607-Jefferson County	R/W	11.47	GRATIS	Benson
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North Pilot Rock Section, Pendleton-John Day Highway

7557-Horn, Zylph	R/W	385 sq.ft.	2.6¢ approx. + \$590	DeSouza
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Sage Hen Hill-Harney County Section, Central Oregon Highway

8306A-Caldwell, John L., Trustee	Stock Pile	1.50	\$33.33 per acre	Williams
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Millican-Brothers Section, Central Oregon Highway

8551-Deschutes County	Gravel Pit	20.0	GRATIS	Gardiner
8550-McConnell, Gert- rude A.	" "	20.0	\$7.00 per acre	"

Union County Section, Old Oregon Trail Highway

4989-Union County	Maint.Site	0.10	2 yr. lease @ \$10 per month	Williams
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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Boardman-Stanfield Section, Old Oregon Trail Highway</u>				
8417-Federal Land Bank and Rippee, T. W.	R/W	2.35	\$50 per a. + \$143.90	Landon
8421-Jenkins, J. L.	"	0.91	\$5 per a. plus \$7.50	"
8423-Clark, Malcom D.	"	6.23	\$5 per acre	"
8416-E. R. Ash and Federal Land Bank	"	3.14	\$100 per a. plus \$276, plus \$7.50	"
8419-Hadley, Glen R. and Raymond Pettyjohn	"	1.59	\$100 per acre, plus \$205.50	"
8418-Root, Leo V. and Mae Morrison	"	1.59	\$100 per a.	"
		4.0	\$60 per a., plus \$43	
		5.59		
8413-Boardman School Dist. #25	"	0.58	Land Gratis, plus \$25, fencing	"
8415-Hunt, T.E. and M.H. Ekker	"	2.00	\$50 per a. plus \$370.30	"
		1.14	\$5 per acre	
		3.14		
8422-Morrow County	"	25.59	GRATIS	"
<u>Ramsey-Blalock Section-Columbia River Highway</u>				
8398-Northern Pacific Ry. Co.	R/W and Talus Pit	40.21	\$100 Lump Sum	DeSouza
<u>La Grande-Elgin Section, Wallowa Lake Highway</u>				
8498-U.S. Nat'l. Bank of Portland	Stock Pile	0.81	\$100 per acre	Landon
<u>Kimberly-Dry Creek Section, Monument Highway</u>				
8461-Amis, Clarence W.	R/W and Gravel Pit	6.25 1.75 8.0	\$5.20 per acre, \$50 per a. + \$123.75	Landon
<u>Flora Section, Enterprise-Lewiston Highway</u>				
7786-Bodner, Twain	R/W	20.64	\$500 Lump Sum	Williams
<u>Ironside-Brogan Section, John Day Highway</u>				
8547-Malheur County	Stock Pile	0.99	GRATIS	Landon
<u>Cairo Junction-Adrian Section, Nyssa-Adrian Highway</u>				
8506-Beaumont, Clifton H.	Stock Pile & Gravel Site	4.0	\$100 per acre, plus fencing	Landon
8507-Holly, John E. and Mabel Huffstetter	Stock Pile	0.73	\$100 per acre, plus fencing	"

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Port Orford Section, Oregon Coast Highway</u>				
2557A-Lewis Investment Co.	R/W	15.38	\$35 per acre	Parker
<u>McNamers Camp-County Line Section, Wilson River Highway</u>				
8566-Properties Corporation	R/W	75.45	\$50 Lump Sum	Parker
<u>Springfield-Blue River Section, McKenzie Highway</u>				
8682-8683-Baker, Carl R.	Stock Pile- Plant Site	1.51	\$500 per a.+ \$245 + fencing to be moved by the State	Benson
<u>Boiler Bay-Rocky Creek Section, Oregon Coast Highway</u>				
5819-Sunset Investment Co. and Frank China	R/W	1965 sq.ft. 104 sq. ft.		Collins
<u>Valley Junction-Tillamook County Line Section, Salmon River Highway</u>				
8274-Polk Operating Co. (Miami Corporation)	Park	50 430 480	\$40 per acre \$5 per acre	Devers

The Attorney also requested authority to condemn certain parcels of real property for various highway improvements and recommended the following offers for purposes of condemnation:

File No.	Name	Purpose Required	Recommended Offer
8530	A. H. Pierce, et al.	R/W	\$ 210.00
8530-A	Frank Cunningham, et al.	"	40.00
8531)			
8541)	Klamath Development Co.	"	2,500.00
8542)			
8544	Alfreda Steinmets	"	180.00
4125	H. B. Hopkins	"	125.00
8684	Frasier Real Estate Hold- ing & Loan Co.	Road Bldg. Materials	1,000.00
8696	Harold Roche	R/W	424.20
8694	David McKenzie	Gravel Pit & Haul. Road	924.00
2561-A	Orris Knapp	R/W	9,000.00
2561-B	Orris Knapp, et al.	"	461.60
8344	James G. Watts, et al.	"	130.71
3902	Alex M. Donaldson, et al.	Park	7,500.00
5822	Hellenbrand Estate	R/W	400.00
8701	Thomas V. Johnson and wife	Stock Pile Site	207.50

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The Commission approved the request and by unanimous vote, adopted the following resolution covering the matter:

WHEREAS, the State Highway Commission under the provisions of Chapter 529, Oregon Laws, 1939, is authorized to locate, relocate, construct, reconstruct, maintain, widen, straighten, and otherwise improve state highways, both primary and secondary, and said Commission is also authorized to construct shops, equipment sheds, office buildings, maintenance sites, patrolmen accommodations, and snow fences, and is authorized to acquire quarry sites, gravel pits, storage sites, stockpile sites, weighing stations, and broadcasting stations, and is further authorized to develop, construct, improve, operate, and maintain parks, parking places, auto camps, camp sites, roadside development, recreational grounds or resorts, and other places of attraction and scenic value; and

WHEREAS, said Highway Commission is authorized to acquire by purchase, agreement, donation, or by the exercise of the power of eminent domain real property, or any interest therein, necessary or deemed by the Highway Commission necessary for the accomplishment of any and all of the foregoing things; and

WHEREAS, in the judgment of the Highway Commission the several tracts or parcels of land hereinafter described are each and all necessary for the specific and particular purposes hereinafter specifically set forth;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the Commission does hereby find and declare that the several parcels of real property hereinafter described are each and all necessary for the accomplishment of the purposes hereinafter expressly and specifically set forth, which said real properties and the specific purposes for which the same are being acquired are described as follows, to wit:

Real property owned by The Klamath Development Company, which property is located in the northeast quarter (NE $\frac{1}{4}$) of the northwest quarter (NW $\frac{1}{4}$) of Section 18, Township 38 South, Range 9 East, W.M.; the southeast quarter (SE $\frac{1}{4}$) of the southwest quarter (SW $\frac{1}{4}$) and the west half (W $\frac{1}{2}$) of the southwest quarter (SW $\frac{1}{4}$) of Section 7, Township 38 South, Range 9 East, W.M.; the east half (E $\frac{1}{2}$) of the east half (E $\frac{1}{2}$) of Section 1, Township 38 South, Range 8 East, W. M.; the northwest quarter (NW $\frac{1}{4}$) of the northwest quarter (NW $\frac{1}{4}$) of Section 7 and the southwest quarter (SW $\frac{1}{4}$) of the southwest quarter (SW $\frac{1}{4}$) of Section 6, Township 38 South, Range 9 East, W. M.; the northeast quarter (NE $\frac{1}{4}$) of the northeast quarter (NE $\frac{1}{4}$) of the southeast quarter (SE $\frac{1}{4}$)

of Section 1, Township 38 South, Range 8 East, W.M.; and the southwest quarter (SW $\frac{1}{4}$) of the northwest quarter (NW $\frac{1}{4}$) of Section 7, Township 38 South, Range 9 East, W.M., all in Klamath County, Oregon; which property is more particularly described on the attached sheets and designated as Parcels Nos. 1, 2, 3, 4, 5, and 6 and is further identified in the records of the Highway Commission as files R8531, R8541, and R9541; and which property is being acquired for right of way purposes in connection with the Algoma-Terminal City Section of The Dalles-California Highway;*

Real property owned by Alfreda Steinmetz, which property is located in Lots 5, 6, and 7, Block 2, of Upper Lake Garden Acres, situated in Section 1, Township 38 South, Range 8 East, and in Section 6, Township 38 South, Range 9 East, W.M., Klamath County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 7 and is further identified in the records of the Highway Commission as file R8544, and which property is being acquired for right of way purposes in connection with the Algoma-Terminal City Section of The Dalles-California Highway;*

Real property owned by Albert Hopkins Pierce, et al., which property is located in Lots 1, 2, 3, and 4, Block 27; Lots 7, 8, and 9, Block 27; Lots 3 and 4, Block 36; Lots 7 and 8, Block 36; Lot 4, Block 46; Lot 5, Block 46; and Lot 4, Block 47; all situated in First Addition to Terminal City, in Section 18, Township 38 South, Range 9 East, W.M., Klamath County, Oregon; which property is more particularly described on the attached sheets and designated as Parcels Nos. 8, 9, 10, 11, 12, 13, and 14 and is further identified in the records of the Highway Commission as file R8530; and which property is being acquired for right of way purposes in connection with the Algoma-Terminal City Section of The Dalles-California Highway;*

Real property owned by Frank Cunningham, et al., which property is located in Lots 3 and 4, Block 37, and Lot 7, Block 37, First Addition to Terminal City, situated in Section 18, Township 38 South, Range 9 East, W.M., Klamath County, Oregon, and is more particularly described on the attached sheets and designated as Parcels Nos. 15 and 16 and is further identified in the records of the Highway Commission as file R8530A, and which property is being acquired for right of way purposes in connection with the Algoma-Terminal City Section of The Dalles-California Highway;*

Real property owned by Harriett Beatrix Hopkins, et al., which property is located in Lot 8, Block 6, of Depoe Bay, situated in Section 5, Township 9 South, Range 11 West, W.M., Lincoln County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 17 and is further identified in the records of the Highway Commission as file R4125, and which property is being acquired for right of way purposes in connection with the Siletz Bay-Newport Section of the Oregon Coast Highway;*

Real property owned by Harold Roche, which property is located in Government Lot 2 of Section 9, Township 33 South, Range 15 West, W.M., Curry County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 18 and is further identified in the records of the Highway Commission as file R8696, and which property is being acquired for right of way purposes in connection with the Port Orford-Brush Creek Section of the Oregon Coast Highway;*

Real property owned by Orris Knapp, which property is located in Government Lot 1 of Section 4 and in Lot 3 and the south 20 feet of Lot 4 of Block B. B. of Port Orford in Section 4, all in Township 33 South, Range 15 West, W.M., Curry County, Oregon, which property is more particularly described on the attached sheets and designated as Parcels Nos. 19 and 20 and is further identified in the records of the Highway Commission as file R2561 A, and which property is being acquired for right of way purposes in connection with the Port Orford-Brush Creek Section of the Oregon Coast Highway;*

Real property owned by Orris Knapp and Lloyd Knapp, which property is located in Government Lot 2 and in the southwest quarter (SW $\frac{1}{4}$) of the southeast quarter (SE $\frac{1}{4}$) of Section 4 and in Government Lot 1 of Section 9, Township 33 South, Range 15 West, W.M., Curry County, Oregon, which property is more particularly described on the attached sheets and designated as Parcel No. 21 and is further identified in the records of the Highway Commission as file R 2561 B, and which property is being acquired for right of way purposes in connection with the Port Orford-Brush Creek Section of the Oregon Coast Highway;*

Real property owned by David McKenzie, which property is located in the east half (E $\frac{1}{2}$) of Section 21 and the north half (N $\frac{1}{2}$) of the south half (S $\frac{1}{2}$) of Section 21, all in Township 32 South, Range 15 West, W.M., Curry County, Oregon, which property is more particularly described on the attached sheets and designated as Parcel No. 22 and is

further identified in the records of the Highway Commission as file R8694, and which property is being acquired for gravel pit and hauling road purposes in connection with the Port Orford-Hubbard's Creek Section of the Oregon Coast Highway;*

Real property owned by the heirs of Oscar Hellenbrand, which property is located in Lot 1, Block 5, Breaker's Addition to Depoe Bay, situated in Government Lot 4 of Section 8, Township 9 South, Range 11 West, W.M., Lincoln County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 23 and is further identified in the records of the Highway Commission as file R5822, and which property is being acquired for right of way purposes in connection with the Boiler Bay-Rocky Creek Section of the Oregon Coast Highway;*

Real property owned by Alex M. Donaldson, et al., which property is located in Government Lot 1 of Section 36, Township 2 South, Range 11 West, W.M., Tillamook County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 24 and is further identified in the records of the Highway Commission as file R3902, and which property is being acquired for a park or recreational area which is adjacent to the Oregon Coast Highway;*

Real property owned by Thomas V. Johnson and Ethel B. Johnson, which property is located in the northwest quarter (NW $\frac{1}{4}$) of the northwest quarter (NW $\frac{1}{4}$) of Section 8, Township 30 South, Range 12 West, W.M., Coos County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 25 and is further identified in the records of the Highway Commission as file R8701, and which property is being acquired for the storage of maintenance materials in connection with the Powers Secondary Highway at or near Mile Post 5.4;*

Real property owned by The Frasier Real Estate Holding and Loan Company, et al., which property is located in Government Lot 7 (Northwest quarter of the Northeast quarter) of Section 11, Township 17 South, Range 1 East, W.M., Lane County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 26 and is further identified in the records of the Highway Commission as file R8684, and which property is being acquired as a source from which to procure road-building materials in connection with the Springfield-Blue River Section of the McKenzie Highway;*

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Real property owned by James G. Watts, et al., which property is located in the southwest quarter (SW $\frac{1}{4}$) of the southeast quarter (SE $\frac{1}{4}$) and in the southeast quarter (SE $\frac{1}{4}$) of the southwest quarter (SW $\frac{1}{4}$) of Section 12, Township 3 North, Range 2 West, W.M., Columbia County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 27 and is further identified in the records of the Highway Commission as file R8344, and which property is being acquired for right of way purposes in connection with the Multnomah County Line-Scappoose Section of the Columbia River Highway.*

2. That the Commission does hereby find and declare that each of the said described parcels of real property is necessary and acquisition of the same by the State is required for the specific purposes hereinabove set forth, and the said properties are being acquired for the express and specific purposes in this resolution set forth.

3. That the State Highway Engineer be and he hereby is instructed and directed to make or cause to be made all surveys necessary in connection with the determination, description, and acquisition of said real properties and said Engineer is further instructed to prepare and submit to the Legal Department necessary and adequate descriptions of the said real properties, which said descriptions shall be available for the preparation of any deed or deeds or other instrument or instruments necessary to complete the acquisition of said property or properties, whether said properties be acquired by purchase, donation, agreement, or by the exercise of the power of eminent domain.

4. That I. H. Van Winkle, Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they are hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby further resolved that the Attorney General of the State of Oregon and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they hereby are requested to commence and prosecute to a final determination such suit or action, or suits or actions, as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

*The detailed descriptions of the respective parcels of real property mentioned in this resolution are attached to the original resolution

on file in the office of the State Highway Commission, Salem, being Resolution No. 7, under the heading "Real Property Condemnation Resolutions", and said descriptions by this reference are made a part of this minute entry to the same extent as if copied in full herein.)

The Attorney reported on the status of negotiations for purchase of the Knapp Hotel property at Port Orford, stating that the owners ask \$15,000, whereas the state's right of way buyers appraise the property at \$9,000. The Commission authorized the Attorney to offer \$9,000 for the property; however gave him authority to settle for as much as \$10,000, but authorized him to start condemnation proceedings if he could not settle on these terms.

The Attorney also reported the status of negotiations for the purchase of Cascadia Park, for which the Commission previously authorized him to pay a top figure of \$20,000. He advised that the Honorable Willard Marks, Attorney for the holders of a \$15,000 mortgage on this property, is unable to obtain any discount on this mortgage. However, the Baptist Church Convention will settle its claim for \$4,000 and will remove its buildings from the property if the transaction is completed at once, so they can take up their option on another piece of property, which option will expire at the end of December. In addition to these two amounts, he said, it will be necessary for the Commission to pay to Mr. Giesendorfer, the owner of the park, the sum of \$75.00 per month during his life time. The Commission favored an annuity policy paying Mr. Giesendorfer \$75.00 per month, which can be purchased for \$2,500, making the total cost for the park \$21,500. The Commission authorized the Attorney to close the transaction at this increased figure of \$21,500.

The Attorney reported that Mr. Joseph D. Sternberg will accept \$375 for right of way through his property at the north entrance to Albany, provided the Commission will maintain the old road in front of his property as a service road, and will also maintain the strip of property between the old road and the new road as a park area. The Commission approved this offer and adopted the following resolution with regard thereto:

WHEREAS, in connection with the relocation of the Pacific Highway in the vicinity of and through the City of Albany the alignment of the said highway between engineer's station 341+00 (old route) on the north and engineer's station 349+20 (old route) on the south was changed, by which change or alteration the portion of the old highway between said stations will no longer be a part of the right of way of the Pacific Highway East proper; and

WHEREAS, in connection with the said change of alignment the State acquired from Joseph D. Sternberg some real property; and

THUS, as a part of the consideration and agreement with respect to the acquisition of said real property the said Joseph D. Sternberg was assured that the section of the Pacific Highway East

between said termini would be maintained for the service of property abutting thereon, and it was further agreed that the land lying between the right of way of the old section of the Pacific Highway East and the right of way of the new alignment would be preserved by the State for public use only.

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the Commission, all members being present and affirmatively voting, as follows:

1. That the section of the Pacific Highway East as heretofore located, improved, and used for public traffic between said highway engineer's station 341+00 and said highway engineer's station 349+20 be and said section of highway shall be maintained by the State as a service road to serve the properties abutting thereon and which do not have direct access to the new highway, and that said service road shall be properly and adequately connected with the new alignment of the Pacific Highway East.

2. That the land or area lying between the westerly right of way line of the former location of said highway between said stations and the easterly boundary right of way line of the new Pacific Highway East location shall be landscaped and maintained for public use only and shall not be devoted to or used for any private or commercial use or purpose.

3. That this resolution be entered in the minutes and records of the Commission and the Secretary be instructed to mail to Joseph D. Sternberg a duly certified copy thereof.

4. That there is attached hereto and made a part hereof a blueprint on which is shown the Pacific Highway East as now located between said engineer's stations and the Pacific Highway East as formerly located between said stations, and there is also shown on the said map the area between said two highway right of way lines.*

The Commission adjourned at 12:15 p. m. and reconvened in the same room at 1:30 p. m. with the same persons participating.

The Engineer requested authority to purchase a crusher for use on the Wilson River Highway W.P.A. project and several trucks for use on the Wolf Creek Highway W.P.A. project. It was his thought that small trucks would suffice because they could be used by the state later on when the W.P.A. no longer requires them. The Commission authorized the Engineer to secure bids for a crusher costing between \$6,000 and \$12,000 and the necessary trucks; the type, kind and number of trucks to be left to Chairman Cabell's decision.

*Map filed Right of Way Abandonment and Retention File - No. 87

The Engineer requested authority to make a location survey for the Fish Hawk Falls cut-off, between the Wolf Creek Highway and the Nehalem Secondary Highway, in Clatsop County, in which project, he said, the W.P.A. and the Army are very interested. The survey was authorized.

Commissioner Oliver requested estimates of cost to complete the Ochoco Highway and the John Day Highway east of John Day; also, the cost to complete the Prineville-Madras Secondary Highway and the John Day Highway between John Day and Arlington. He suggested that the Dixie Mountain Section of the John Day Highway should be given priority status in the construction program. Mr. Oliver also asked for an estimate of cost to construct a road between Antelope and Mitchell. The Engineer was instructed to submit to the Commission estimates of the cost for each of these sections.

Don Peoples, Secretary of the Bend Chamber of Commerce, was present and inquired whether or not the Commission has received any definite information with respect to the expenditure of current federal aid funds, and was informed by the Chairman that the Commission has had no word from the government as yet.

The Attorney reported that the Bonneville Power Administration has requested an easement from the Commission for additional right of way needed for a power line in the vicinity of Hood River, stating that there is a small fragment of land severed from the state's park property by the first easement given the Bonneville Authority, and that they wish to include this piece in their right of way. Upon the Attorney's recommendation and that of the State Parks Superintendent the Commission approved the granting of such easement.

The Attorney read aloud a letter from City Manager J. L. Franzen, of Oregon City, requesting authority for the city to construct a public dock in the Willamette River, to be moored to state highway property in that city. Mr. Franzen's letter suggested a floating dock about 12' wide and 50' to 100' long, constructed of logs floored with timbers and tied to the bank with ropes or cables. The Engineer advised that this letter is evidently an answer to his letter of inquiry to Mr. Franzen on this subject and recommended that the Commission give the city authority to construct and maintain this dock for an indefinite period. He also suggested that the Attorney be instructed to draw a lease covering the matter and permitting the city to make a small charge for the mooring of pleasure boats but prohibiting the mooring of house boats, and including a stipulation that the type and design of the dock must fit in with the surroundings. The Commission approved the granting of the request as outlined by the Engineer.

The Commission discussed the matter of constructing cattle guards on state highways in the stock districts, and the advisability of securing legislation authorizing the Commission to construct such cattle guards if needed for public protection. The Attorney advised that the counties now have such authority on county roads, and that the government grazing officials are asking the privilege of building them on state highways. Commissioner Oliver gave as his opinion that cattle guards painted on the highway

are of no value, and pointed out that if legislation permitting construction of such cattle guards existed, the demand for them might be quite large. Chairman Cabell questioned the advisability of the Commission assuming sponsorship of needed legislation. After discussion the Commission instructed the Attorney to prepare a bill covering the matter and to submit a copy of the same to each of the Commissioners for study.

The Attorney reported on the Hartman Abstract Company's bill for furnishing title reports, which matter has been before the Commission previously, and recommended that the bill be returned to them. The Commission instructed the Attorney that its previous decision is final and to settle the account on the basis of \$7.50 per title search.

The Attorney reported that an opinion rendered by the Attorney General states that where only the names of the newspapers, such as "Journal" and "Oregonian", appear on tube boxes and other receptacles used for the convenience of subscribers to newspapers, such names do not constitute advertising within the prohibitory provisions of Section 14-8, 131, Oregon Code, 1930. He emphasized, however, that the opinion is limited to the use of such containers for the purposes and in the manner only stated above. No action was taken by the Commission.

The Attorney brought up for discussion the purchase of the Coleman property at the north end of the Coos Bay Bridge. After discussion the Commission authorized purchase of this property for the protection of the bridgehead, if it can be obtained at reasonable cost.

The Attorney reported a request from Mr. George W. Rhoades for a third point of access from his property to the highway at Scappoose. He explained that Mr. Rhoades understood, in the right of way negotiations, that he was to have three points of access, whereas the state has allowed him only two, and he has offered to reduce the price of right of way taken from him in the amount of \$25 if the Commission will let him have access at the third point. The Commission approved the request on such basis.

The Attorney presented a claim from Maurice G. Roy, Pilot Rock, for damage to his property by reason of a change in grade of the Oregon-Washington Highway at Pilot Rock. Mr. Roy alleges that when the highway was rebuilt at this place the grade line was set several feet above the grade line of the old highway which rendered his property valueless for service station purposes for which it was being used, and he found it more economical to move his station across the street than to fill in the old location; further, that in order to provide satisfactory access to such new location the highway drainage ditch must be filled in, which will necessitate the installation of 105 feet of culvert pipe and a concrete catch basin. The Engineer advised that this matter has been investigated by Division Engineer Williams who reports that Mr. Roy's property was considerably damaged by reason of the change in the highway grade and that access to his garage was rendered very difficult; further that Mr. Williams is of the opinion that Mr. Roy's claim is a just one and recommends approval of the things requested by Mr. Roy, in which recommendation he concurs.

He estimated the cost of the work at \$277.50. After discussion the Commission approved by unanimous vote the recommendation for such expenditure subject to the condition that Mr. Roy will sign a statement relieving the state from any further liability in the matter.

The Attorney reported that Mr. O. D. Keiffer, who resides near Grubb College, Polk County, wishes to lease approximately six acres of state-owned land adjoining his farm for a period of three years beginning next fall, and has offered to pay \$25 per year rental for the same. The Engineer recommended acceptance of the offer if the amount thereof is equivalent to the tax that would have to be paid on the property if it were on the tax roll. The Commission authorized the leasing of the property to Mr. Keiffer at \$25 per year if such amount meets the condition suggested by the Engineer.

The State Parks Superintendent reported that he has received requests from various public-spirited citizens and civic organizations that the State Highway Commission acquire certain privately-owned wayside timber strips located within forest reserves. One of these tracts, he said, lies adjacent to the Willamette Highway, one is along the South Santiam Highway, and another is along the Netarts Secondary Highway. He gave as his thought that it is an obligation of the Federal Government to acquire privately-owned tracts within the government reserves and recommended denial of the requests. The Commission concurred in this thought and instructed the State Parks Superintendent to so reply to all such requests received hereafter.

The State Parks Superintendent presented an offer from Mr. Chester J. Ireland to sell to the state, for the sum of \$400, a nine-acre tract of cut-over land just south of Ecola State Park in Clatsop County. The Commission refused the offer.

The State Parks Superintendent reported on the proposed enlargement of "The Cove" Park area, near Metolius, in Jefferson County. He said that Jefferson County asks \$3.00 per acre for one county-owned tract containing 160 acres, and \$2.00 per acre for another tract; the State Land Board asks \$2.50 per acre, which is their minimum price, for a 320-acre tract. He pointed out that the Commission now has 4,000 acres leased from the government, for which it is paying \$10 per year, and advised that it would be necessary, in order to control the whole rim, to purchase the privately-owned property of a Mr. Boegli, located on the Crooked River. He estimated that a total expenditure of \$20,000 would be required to give the state control of the entire rim. The Commission deferred a decision on this matter until it knows approximately how much it will have to pay for the privately-owned property.

The Commission authorized the purchase of an 83-acre tract, situate adjacent to the Oregon Coast Highway, near Arch Cape Tunnel, in Clatsop County, from W. C. Calder, of Baker, Oregon, at his price of \$25 per acre, or a total of \$2,075, such purchase being recommended by the Parks Superintendent.

In this connection the Engineer reported that Mr. Calder has refused the state's offer of \$1,500 to settle the controversy between him and the Commission with respect to land he owns below the highway at this point, which

land was damaged by the sliding of a highway embankment. The Commission decided to take no action on this matter, believing that the next move is up to Mr. Calder.

The State Parks Superintendent submitted a letter from the U. S. Department of the Interior in which Mr. Newton B. Drury, Director of the National Parks Service, advises that he expects to be in Portland on January 2, and would like to discuss park matters with Mr. Boardman and Chairman Cabell. Chairman Cabell stated that he would be pleased to talk to Mr. Drury and asked the Parks Superintendent to contact him a day or two before Mr. Drury's visit.

The Engineer reported that he has written the Public Roads Administration asking for its requirements that are to govern the expenditure of federal aid moneys for the purchase of timbered wayside strips, but to date has received no reply. He was instructed by the Commission to again write for the regulations.

The State Parks Superintendent reported the cutting of some fifty or more Christmas trees on the wayside strip of cut-over lands on the Salmon River Highway by several Grand Ronde Indians. He advised that the caretaker stopped this destruction and, at the Park Superintendent's instruction, gave the Christmas trees already cut to the Salvation Army. No action was taken by the Commission on this matter.

The Engineer recommended that the State Parks Superintendent submit a financial statement at each Commission meeting showing the status of the park budget, as is done by the right of way department. This recommendation met with the approval of the Commission and it was so ordered.

At 3:00 p. m. Chairman Cabell announced the following awards of contracts, bids for which were taken at the morning session, such awards having been previously approved by the Commission by unanimous vote:

"Svensen-Goble Rock Production Project on the Columbia River Highway in Clatsop and Columbia Counties. Furnish approximately 8,000 cu. yds. crushed rock in stock pile. Tidepoint Company, Astoria, submitted the low bid for this work in the amount of \$15,200.00. A. S. Wallace, Roseburg, submitted the next low bid in the amount of \$16,800.00. There were three higher bidders. The Commission refers all bids received for this work to the Engineer with power to award the contract to the Tidepoint Company, the low bidder, when certain conditions have been fulfilled.

"Hoffman Bridge-Grants Creek Section of the Powers Secondary Highway, in Coos County. 8.0 miles surfacing and oiling. O. C. Yocom, Willamina, submitted the low bid for this work, in the amount of \$30,000. Babler Bros., Portland, submitted the next low bid, in the amount of \$30,555. There were three higher bidders. The Commission refers all bids received for this work to the Engineer with power to award the contract to the low bidder, O. C. Yocom, when certain conditions have been fulfilled.

"Gooserock Bridge over the John Day River on the John Day Highway, in Grant County. Averill & Corbin, Portland, submitted the low bid for this work, in the amount of \$42,840. Vernon Bros. Co., Boise, Idaho, submitted the next low bid, in the amount of \$43,329. There were four higher bidders. This contract is awarded to Averill & Corbin, the low bidders, at their bid of \$42,840.

"Kerby Rock Production Project on the Redwood and Oregon Caves Highways, in Josephine County. Furnish approximately 11,700 cu. yds. crushed gravel in stock pile. M. C. Lininger & Son, Ashland, submitted the low bid, in the amount of \$14,670. A. S. Wallace, Roseburg, submitted the next low bid, in the amount of \$15,680. There were two higher bidders. The Commission refers all bids received for this work to the Engineer with power to award the contract to the low bidder, M. C. Lininger & Son, when certain conditions have been fulfilled.

"South Unit, Algoma-Terminal City Section of The Dalles-California Highway, in Klamath County. 3.56 miles grading and 0.64 mile topping. Frank Penepacker, Portland, submitted the low bid for this work, in the amount of \$92,428. Sam Orino, Portland, submitted the next low bid, in the amount of \$100,031. There were ten higher bidders. The Commission refers all bids received for this work to the Engineer with power to award the contract to the low bidder, Frank Penepacker, when certain conditions have been fulfilled.

"Forest Boundary-Cottonwood Creek Section of the Klamath Falls-Lakeview Highway, in Lake County. 4.3 miles grading, surfacing and oiling; also construction of two composite type pile trestle bridges and three concrete culverts. Fisher Bros., Oregon City, submitted the low bid for this work, in the amount of \$116,994. M. L. O'Neil & Son, John Day, submitted the next low bid, in the amount of \$121,611. There were eight higher bidders. This contract is awarded to Fisher Bros., the low bidders, at their bid of \$116,994.00.

"Hendricks Bridge-Silver Creek Rock Production Project on the McKenzie Highway, in Lane County. Furnish approximately 8,000 cu. yds. crushed gravel in stock pile. M. L. O'Neil & Son, John Day, submitted the low bid for this work, in the amount of \$12,663.60. Ransom Sand & Gravel Company, Eugene, submitted the next low bid, in the amount of \$14,071.80. There were four higher bidders. The Commission refers all bids received for this work to the Engineer with power to award the contract to the low bidder, M. L. O'Neil & Son, when certain conditions have been fulfilled.

"Materials Testing Laboratory Building at Salem, in Marion County. Construct 2-story, reinforced concrete building, including heating plant and appurtenances. Approximate size, 112'x 120'. L. B. James, Portland, submitted the low bid for this work, in the

amount of \$88,918. Birkemeier & Saremal, Portland, submitted the next low bid, in the amount of \$89,359. There were six higher bidders. This contract is awarded to L. B. James, the low bidder, at his bid of \$88,918.

"Boardman-Unatilla County Line Section of the Old Oregon Trail, (Boardman-Stanfield cutoff), in Morrow County. 13.94 miles grading and topping. Frank Penepacker, Portland, submitted the low bid for this work, in the amount of \$97,365. Clifton & Applegate, Spokane, Washington, submitted the next low bid, in the amount of \$97,948. There were nineteen higher bidders. The Commission refers all bids received for this work to the Engineer with power to award the contract to the low bidder, Frank Penepacker, when certain conditions have been fulfilled.

"Hawthorne Bridge Approach, in Multnomah County. Frank Watt Construction Company, Portland, submitted the low bid for this work, in the amount of \$25,670. Birkemeier & Saremal, Portland, submitted the next low bid, in the amount of \$29,115. There were five higher bidders. The Commission refers all bids received for this work to the Engineer with power to award the contract to the low bidder, Frank Watt Construction Company, when certain conditions have been fulfilled."

The Engineer read aloud his letter directed to the Lane County Court in regard to removing the lower end of the Swisshome Secondary Highway from the state secondary highway system and substituting therefor a portion of Route "F", between Eugene and Veneta. He recalled that the Commission some time ago agreed to pay one-third of the cost of improving the Swisshome-San Antone Creek Section of this highway to make it usable by logging traffic, if the county and the logging company would pay the balance, and provided further that the county would agree to such substitution of sections. He asked the Commission to confirm such action so the exchange of roads can be made at once, as the county is anxious to proceed with the improvement work. The Commission approved the letter with a slight revision, and confirmed the arrangement previously made with respect to this project.

The Engineer reported that the cost of constructing and maintaining a new embankment on The Dalles-California Highway, near Algoma in Klamath County, necessitated by the breaking of the power company's dikes, amounted to \$43,188.15. As a part of this cost might be considered an investment in better location, he requested advice as to the Commission's attitude in regard to instituting suit against the power company for the full amount of the expenditure. The Commission approved claiming the full amount and instructed the Engineer to furnish the Attorney proper data for instituting this suit.

The Engineer reported on a request from the Tiller Lumber Company that the Commission keep the Tiller-Trail Highway open for traffic during the

winter season. He estimated the number of cars that would use this highway at twenty per day, and the cost to remove snow during the months of December, January, February and March at \$616. He recommended approval of the company's request and the posting of the road for a 50% reduced load limit between M.P. 38.55 and M.P. 45.53. After discussion the Commission authorized the Engineer to conduct snow removal operations on this highway for a period of one month, after which time Division Engineer Lytle and Commissioner Clough are to inspect the road and ascertain whether or not they should be continued. The Commission also ordered a 50% reduced load limit for the section between M.P. 38.55 and M.P. 45.53. The following resolution in regard thereto was adopted by the Commission by unanimous vote:

WHEREAS, the following road or highway has been designated and declared to be and is a state highway, and has been improved and is being maintained by the State Highway Commission pursuant to the laws of the State of Oregon as a state highway, to-wit:

TILLER-TRAIL SECONDARY STATE HIGHWAY

AND WHEREAS, the said above-named state highway is, in the judgment of the State Highway Commission, being subjected to a kind and character of traffic which is damaging and injuring the said highway, and, in order to protect said highway against such damage and injury, it is deemed and is the judgment of the Highway Commission and said Commission finds that it will be for the best interests of the said highway that the maximum weights permitted and authorized by law be reduced:

NOW, THEREFORE, the premises being in part as above stated, and the State Highway Commission having, as a result of due investigation, found that the road above mentioned and hereinafter designated is being damaged and injured on account of the kind and character of traffic now being hauled over and upon said road; and, by reason of the fact that vehicles carrying maximum loads moved at the maximum speeds specified by the provisions of the laws of the State of Oregon are breaking up, damaging and deteriorating the said road,

IT IS HEREBY ORDERED, that the maximum weight of combined load and vehicle which shall be permitted upon the within-named road shall not exceed the weight herein fixed.

The maximum weights which shall apply to the following highway, to-wit:

TILLER-TRAIL SECONDARY STATE HIGHWAY between mile post 38.55 and mile post 45.53, in Jackson County,

shall be as follows: the combined weight in pounds bearing on the surface of the highway at contact with the tread of the wheels of the front axle of a truck or truck-tractor shall not exceed the

product of four hundred (400) multiplied by the sum in inches of the tire width of the wheels of such axle; and, the combined weight in pounds bearing on the surface of the highway at contact with the tread of the wheels of any one axle of a vehicle or combination of vehicles, other than the front axle of a truck or truck-tractor, shall not exceed the product of three hundred (300) multiplied by the sum in inches of the tire width of the wheels of such axle; but, in no event shall the combined weight in pounds bearing on the surface of the highway at contact with the tread of the wheels of any one axle of a vehicle exceed the maximum limit set by law for any one axle.

IT IS FURTHER ORDERED, that these rules and regulations as made and found by the State Highway Commission under the provisions of Section 55-2707, Oregon Code 1935 Supplement, shall be in full force and effect until modified, annulled or voided by the order of the State Highway Commission.

AND IT IS FURTHER ORDERED, that a notice be posted in a conspicuous manner and place at each end of the above-named section of said highway and at important crossroads on said highway so that said notice can be readily seen and read, which said notice shall state plainly the limitations and prohibitions of traffic hereby in this order determined and fixed.

AND BE IT FURTHER ORDERED, that certified copies of this order be furnished the County Clerk of Jackson County, in which county said section of said highway is located, and the Superintendent of the Department of State Police for his information.

The Engineer reported on the cost to improve the Oregon Coast Highway through the town of Ocean Lake. He estimated such cost, based on a 60-foot right of way, at \$24,233. No action was taken by the Commission on this matter.

The Engineer reported that he had contacted Stevens & Koon, Consulting Engineers of Portland, who are in charge of the survey work for the proposed government ammunition dump south of Umatilla, and found no conflict with the state's plans for construction of the proposed highway between Boardman and Stanfield.

The Commission reinstated the log hauling permit of Dale Lloyd Dixon on the recommendation of the Secretary.

The Engineer reported on the operations of the pavement patching plants for the year, and pointed out that the new equipment purchased is much safer than the old. The report was ordered filed.

The Engineer reported that investigation of the drift fences along the John Day Highway, in Baker County, which the grazing men of that section are asking the Highway Commission to maintain, are nearly all located along private lands. However, there is one section 250 rods in length within the National Forest which needs rebuilding at once, the estimated expenditure being \$250. He recommended that the state continue to maintain the fences along public lands. The Commission asked that the Engineer furnish Commissioner Oliver with a resume of this subject, that he might make an investigation and recommendations to the Commission at a later date.

The Traffic Engineer read aloud and explained the special regulations, governing the transportation of logs, poles or piling, by motor trucks, formulated by representatives of the State Highway Commission and the Public Utilities Commissioner, and approved by the Department of State Police, the Industrial Accident Commission and the State Labor Commissioner. The Commission adopted the regulations and instructed the Engineer to see that each holder of a log-hauling permit was furnished with several copies.

The Engineer reported that log haulers are asking that the Commission include in the new log-hauling regulations provisions for hauling after dark. The Commission instructed the Engineer to investigate the manner in which hauling after dark is being regulated by the State of Washington, and make a report at the next meeting.

The Engineer reported that stand-by motors and generators, diesel-powered, for the operation of the Highway Commission's radio stations at Salem, La Grande and Klamath Falls, are estimated to cost \$2,250 each, or a total of \$6,750. The Commission decided against purchase of such equipment at this time.

The Engineer reported that no recent survey has been made for the Fike Undercrossing in Hood River County, and that the lowest estimate, based on an old report, is \$100,000. Mr. Lynch, of the Bureau of Public Roads, thought that probably this work would be eligible for federal aid money. The Engineer recommended that the project be included either in the grade crossing elimination program for the next two years or in the next state program. The Commission instructed the Engineer to make a new survey and estimate as soon as possible at which time action would be taken.

The Engineer recommended that the board sidewalks in Cannon Beach be maintained until such time as it is determined that the Highway Commission's liability no longer exists. He also recommended that the requests for walks through Tolovana Park and within the city of Toledo be included in the Traffic Engineer's general survey and estimate for sidewalks throughout the state. The Engineer's recommendation was approved by the Commission.

The Engineer reported on the cost to improve the Alsea-Deadwood Highway. He said that this is a very expensive project and suggested that an attempt be made to trade this secondary highway back to the county for a more worthy road. The Commission approved this suggestion and instructed the Engineer to contact the county court in regard thereto.

The Commission denied the application of the Sumpter Woman's Club for widening of the Boulder Gorge Section of the Sumpter Valley Secondary Highway in Baker County.

The Engineer recommended that the Highway Commission allocate an additional \$70,000 for oiling a fifteen-mile section of the Wilson River Highway, there being \$30,000 already set up for this section, and that an additional sum of \$45,000 be allocated for oiling work on the Wolf Creek Highway, for which there is nothing set up at present. He placed the tentative date for the dedication of the Wilson River Highway at September 15, 1941, and advised that the W.P.A. organization will spend no money on a section of highway after it is dedicated. The Commission approved the allocation of \$115,000, as detailed above.

The Commission approved renewal of last year's agreement with the U. S. Forestry Department for maintenance of the Timberline Lodge Road.

The Commission approved the request of the D.A.R. for permission to erect a memorial plaque to Madam Dorian, in the Vista House, upon the Engineer's report that Mr. Walter Meacham and Mr. Lewis A. McArthur had approved this request.

The Assistant Chief Engineer reported that the three historical markers for Oregon City would cost about \$200 each. The Commission approved an expenditure for the erection of these markers.

The Commission referred the request of the State Music Teachers Association, for permission to erect a monument to the memory of H. Theophilus Finck in the city of Aurora, to the State Historical Society for recommendation.

The Commission approved an expenditure of \$92,000 for the purchase of traffic-line lacquer as follows for the 1941 season: 5,500 gallons of beaded traffic-line lacquer at \$3.20 per gallon, or a total of \$17,600; 58,000 gallons of standard yellow lacquer at \$1.20 per gallon, or a total of \$69,600; 4,000 gallons of standard white lacquer at \$1.20 per gallon, or a total of \$4,800; 1,500 gallons of thinner at 60¢ per gallon, \$900.

The Commission approved the request of the Salem Electric Cooperative Association to construct a pole line along the Salem-Dallas Highway near the Willamette River bridge, in West Salem, on the basis of their Plan #1, which contemplates the placement of poles on the northerly right of way line of the highway up to the west bank of the river, where it will cross the river with a long span on high poles, and connect with another pole line on Marion Street, Salem. The Secretary was authorized to issue a permit as soon as an 80-foot right of way along this section has been obtained. The Attorney was instructed to negotiate for a right of way of such width.

The Engineer recommended that the Commission permit two delegates to attend the National Institute for Traffic Safety Training, to be held on the campus of the University of California for a period of about two weeks

during July and August, 1941, the student delegates to pay their own expenses but to receive their regular salaries while in attendance. The Commission approved this recommendation.

No action was taken by the Commission on the request of the Parkrose Lions Club for permission to place a Lions Club sign near N. E. 122d and Sandy Boulevard; however the Engineer was instructed to investigate the desirability of placing signs near this intersection and report to the Commission at a later date.

The Commission deferred action in regard to a 10-inch farm drain tile installed by a Mr. John Ediger under a farm road approach to the Salem-Dallas Highway pending receipt of information from other state highway departments as to the practice followed by them in such matters. The Engineer was instructed to obtain such information as soon as possible.

The Commission discussed but took no action on the suggestion of the Penn Timber Company that the Highway Commission purchase portions of their holdings along the Willamette Highway, between Goshen and Oakridge, as wayside strips.

A request from Goodwin and Briggs, logging contractors, Myrtle Point, for the straightening of a number of bad curves on the Coos Bay-Roseburg Highway, was denied by the Commission. Chairman Cabell instructed the Secretary to inform these gentlemen that the Commission is improving the more deserving highways first, and that it might become necessary for the Commission to prohibit log hauling on this highway, in the interests of public safety, if conditions are such as they allege.

The Engineer presented a letter from the Gem Collectors Club, Seattle, Washington, in which the Highway Commission was asked to discontinue the taking of gravel from Oregon beaches for construction projects, and to prohibit others from doing so, because of the value of the agate-bearing gravels from the tourist standpoint. Discussion of this subject brought out the fact that jurisdiction of the Highway Commission over the beaches is in doubt. The Commission asked the Attorney to prepare a legislative bill giving the Highway Commission regulatory control over the Oregon beaches but vesting proprietary interest in the State Land Board.

A request from the Fletcher Oil Company for permission to attach sanding equipment to their oil trucks without reducing their transported load to offset the weight of the equipment was granted by the Commission, in view of pending legislation that will take care of this matter hereafter.

The Engineer reported briefly on matters pertaining to the construction of the Oregon Coast Highway through the town of Gold Beach, but no action was taken thereon by the Commission.

The Engineer recommended the abandonment of portions of the Prineville-Marks Creek Section of the Ochoco Highway, in Crook County, and a

portion of the Salem-Pringle Creek Section of the Pacific Highway East, in Marion County, where these highways have been reconstructed on new alignment rendering the old sections valueless from the state highway standpoint. The Commission approved the recommendation, and by unanimous vote adopted the following resolutions in regard thereto:

WHEREAS, in order to afford a better alignment and a more satisfactory, safe and convenient highway for the traveling public the Highway Commission found it necessary to relocate portions of the Prineville-Marks Creek Section of the Ochoco Highway in Crook County; and

WHEREAS, by reason of said relocation and reconstruction of said section of said highway there have been eliminated from the main travelled portion of said highway certain sections or fragments of land, which said sections or fragments of land are more specifically defined and described hereinafter in this resolution and are reflected on a print, marked "Exhibit A", a copy of which is attached hereto and made a part hereof; and

WHEREAS, while those sections hereinafter described as the parcels to be retained and shown in yellow on the attached print are not required for use as a part of the main or travelled section of the highway, nevertheless the same are required, can be used, and are essential for other public purposes, to wit: storage purposes, parking area and other public uses in connection with said highway; and

WHEREAS, it is the judgment and opinion of the Commission that there should be recorded in the minutes and records of the Commission its purpose and plan to preserve for public use in connection with said highway the fragments or parcels of land hereinafter described as the parcels to be retained and shown in yellow on the attached print; and

WHEREAS, it is the judgment and opinion of the Commission that there should be recorded in the minutes and records of this Commission the purpose and plan of the Commission to abandon as parts of the state highway system certain portions of the highway eliminated from the main travelled portion of said highway, which sections are made unnecessary as a part of the completed highway and are shown shaded in red on the attached print or map.

NOW, THEREFORE, the premises being in general as above stated, it hereby is resolved by this Commission, all members being present and affirmatively participating, as follows:

1. The fragments or parcels of land which heretofore were within the right of way proper of the Prineville-Marks Creek Section of the Ochoco Highway but which by reason of a relocation or realignment of said highway are now without the area improved and used by

the traveling public, but are adjacent to and abut upon the said right of way, which parcels are shown shaded in yellow on the attached print, shall be preserved by the Highway Commission for such other public use as said land may serve in connection with the construction, improvement, and maintenance of said highway or the use of the same, which said parcels or fragments of land are described as follows, to wit:

All those certain parts of the old right of way of the Prineville-Marks Creek Section of the Ochoco Highway, lying on each side of the right of way required for the reconstructed Ochoco Highway from the east city limits of Prineville located on the north and south center line of Section 5, Township 15 South, Range 16 East to the east line of Section 21, Township 14 South, Range 18 East, W.M., Crook County, Oregon. The beginning and ending points of each section to be retained with reference to the location and the engineer's stations of the reconstructed highway are described as follows:

Station 121+00 to Station 136+00 on the northerly side of center line
 Station 255+00 to Station 262+00 on the northerly side of center line
 Station 78+00 to Station 117+00 on the southerly side of center line
 Station 118+00 to Station 126+00 on the northerly side of center line
 Station 132+00 to Station 145+00 on the southerly side of center line
 Station 327+00 to Station 345+00 on the northerly side of center line

2. That the fragments of land confined within the area hereinafter described and designated as the parcels of land to be abandoned, which fragments were formerly within the limits of the right of way of the Prineville-Marks Creek Section of the Ochoco Highway, be and said fragments of land are abandoned as a part of the right of way of said highway, and said fragments of right of way are, so far as control and supervision of this Commission are concerned, left to revert to the adjoining and abutting property owners or to the control and supervision of the County Court of Crook County. The fragments of land to be abandoned are described as follows, to wit:

All those certain parts of the old right of way of the Prineville-Marks Creek Section of the Ochoco Highway, lying on each side of the right of way required for the reconstructed Ochoco Highway from the east city limits of Prineville located on the north and south center line of Section 5, Township 15 South, Range 16 East to the east line of Section 21, Township 14 South, Range 18 East, W.M., Crook County, Oregon, the beginning and ending points of which sections to be abandoned with reference to the location and the engineer's stations of the reconstructed highway are described as follows:

Station 25+00 to Station 29+00 on the northerly side of center line
 Station 28+50 to Station 36+25 on the northerly side of center line

Station 40+00 to Station 43+50 on the northerly side of center line
 Station 52+00 to Station 57+25 on the northerly side of center line
 Station 216+00 to Station 255+00 on the northerly side of center line
 Station 259+00 to Station 272+00 on the southerly side of center line
 Station 273+25 to Station 287+00 on the northerly side of center line
 Station 296+00 to Station 327+00 on the northerly side of center line
 Station 345+00 to Station 569+00 on the northerly side of center line
 Station 571+50 to Station 579+00 on the southerly side of center line

3. In addition to the foregoing descriptions of said fragments or parcels of land there is attached hereto a print or map, marked "Exhibit A", which by this reference is made a part hereof, and upon which map there are shown shaded in yellow the parcels of land formerly within the old right of way, but which are now by this official act preserved for public purposes, and upon which map there are shown shaded in red the abandoned sections of said right of way. Said exhibit or map for identification purposes bears the signatures of W. E. Chandler, Division Engineer, H. G. Smith, Construction Engineer, and R. H. Baldock, State Highway Engineer, and bears date of September 19, 1940.*

4. The Engineer hereby is instructed to properly and completely mark on the ground the boundaries of the fragments of land to be retained by the Highway Commission by erecting and maintaining thereon proper monuments or posts upon which shall be inscribed the words "State Property."

5. In the event there remains any physical connection between any portions of said abandoned right of way or highway and the present highway, and by reason of such physical connection traffic from the existing highway may enter or use the said abandoned portions of the old road to the possible damage or injury of such traffic by reason of any unsafe condition existing with respect to the said old or abandoned road, then the State Highway Engineer is hereby authorized and directed to erect such barricade or other safeguards as may be necessary to protect and safeguard traffic using and employing said newly located, constructed, and dedicated section of said state highway.

6. That this resolution be entered in the minutes and records of the Commission and a certified copy thereof promptly delivered to the County Court of Crook County, together with copies of said exhibit or map, for such action as said County Court may desire to take with respect to the fragments of land to be abandoned, and should said abandoned portions of the right of way of said Ochoco Highway be further employed for public or private highway purposes such use shall be entirely under the control and supervision of the County Court of Crook County and beyond any responsibility or supervision by the State Highway Commission.

*Map filed in Right of Way Abandonment and Retention File - No. 83

WHEREAS, in order to afford a better alignment and a more satisfactory, safe and convenient highway for the traveling public, the Commission found it necessary to relocate a portion of the Salem-Pringle Creek Section of the Pacific Highway East in Marion County; and

WHEREAS, by reason of said relocation and reconstruction of the said section of said highway there was eliminated and made unnecessary as a part of the permanent highway a certain section or part thereof, which section is more specifically defined and designated hereinafter in this resolution; and

WHEREAS, it is the judgment and opinion of the Commission that there should be recorded in the minutes and records of the Commission its purpose and plan to abandon as a part of the said state highway the fragment or portion of right of way hereinafter designated and heretofore included within the area of the right of way of the said highway as formerly located, improved and used;

NOW, THEREFORE, the premises being in general as above stated, it hereby is resolved by this Commission, all members being present and affirmatively participating, as follows:

1. That the fragment of land confined within the area of land hereinafter designated, which fragment or parcel of land was formerly within the limits of the right of way of the Salem-Pringle Creek Section of the Pacific Highway East in Marion County but is now without the limits of the right of way of said highway, as said highway has been relocated and constructed, be and said fragment or parcel of land or portion of the old right of way is abandoned as a part of the right of way of said highway, and said fragment or parcel of land or old right of way is, so far as control and supervision by this Commission is concerned, eliminated and left to revert to the adjoining and abutting property owners or to the control and supervision of the County Court of Marion County for highway or other public purposes, as the Court may determine. The fragment or parcel of land affected by this resolution is defined and described as follows, to-wit:

All that certain section of the old right of way of the Salem-Pringle Creek Section of the Pacific Highway East lying on the westerly side of the right of way required for the reconstructed Pacific Highway, the beginning and ending points with reference to the Engineer's Stations of the said reconstructed highway being Station 20+00 on the northerly end and Station 57+50 on the southerly end.

The location of said abandoned right of way may be more definitely and particularly ascertained and determined by reference to a map or blueprint, marked "Exhibit A", attached hereto and by this

reference made a part hereof, which said exhibit for identification purposes bears the signatures of F. D. Eason, Division Engineer, H.G. Smith, Construction Engineer, and C. B. McCullough, Assistant State Highway Engineer, and is dated November 4, 1940, upon which map or exhibit there is reflected the above described parcel of land by showing the same shaded in red.*

2. In the event there remains any physical connection between any portion of said abandoned right of way or highway and the present highway, and by reason of such physical connection traffic from the existing highway may enter or use the said abandoned portion of the said old road to the possible damage or injury of such traffic by reason of any unsafe condition existing with respect to said old or abandoned road, then the State Highway Engineer is hereby authorized and directed to erect such barricade or other safeguards as may be necessary to protect and safeguard traffic using and employing said newly located, constructed and dedicated section of said highway.

3. That this resolution be entered in the minutes and records of the Commission and a certified copy thereof promptly delivered to the County Court of Marion County, together with a copy of said map or exhibit, for such action as said County Court may desire to take with respect to said fragment of land, and should said abandoned section of the right of way of said highway be further employed for public or private highway purposes such use shall be entirely under the control and supervision of the County Court of Marion County and beyond any responsibility or supervision by the State Highway Commission.

The Commission confirmed the Engineer's award of the contract for grading and paving the Scappoose-Multnomah County Line Section of the Columbia River Highway in Columbia County, bids for which were received on November 13, 1940, to Roy L. Houck, Salem, at his low bid of \$87,492.00.

The Commission confirmed the action taken at its meeting on November 13, 1940, designating the new route for the Oregon-Washington Highway between Milton and the Oregon-Washington state line, in Umatilla County, and authorized the Engineer to maintain the present route until the highway is constructed on the new location. The Secretary was instructed to send Mr. James Davis, Acting Director of Highways, State of Washington, a copy of the resolution adopted on November 13, 1940, together with maps and other pertinent data.

The Commission considered the following requests for extensions of time in which to complete highway construction projects:

Norris Bros., contract No. 2287, for surfacing and oiling the Lick Creek-Salt Creek Section of the Little Butte Secondary Highway,

*Map filed in Right of Way Abandonment and Retention File - No. 84.

in Jackson County, requested an extension of time from September 15, 1940, to October 10, 1940, within which to complete this project. They gave unfavorable weather as the reason for failure to complete the work within the specified time limit. The Engineer advised that this project was let on February 16, 1940, and the completion date was designated as July 31, 1940; however, the contractor did not begin operations until July 8, 1940. An extension of 45 days was granted by the Commission on October 11, 1940, subject to the payment of all engineering costs incurred after the specified date of completion. The Engineer recommended, in accordance with an understanding reached with Norris Brothers at a previous Commission meeting, that they be charged with 50% of the engineering expense incurred on the project subsequent to the original date of completion, July 31, 1940. A letter was presented from the Public Roads Administration agreeing to this second extension, with the understanding that the full engineering penalty be assessed against the contract. The Commission approved the Engineer's recommendation unanimously.

The United Contracting Company, contract No. 2340, for grading and surfacing the Corvallis-Lincoln School Section of the Pacific Highway West, in Benton County, requested an extension of time from September 30, 1940, to June 1, 1941, within which to complete this project. They gave as their reason for failure to complete this project within the specified time limit the fact that all bids received in June were rejected, and the contract, after being readvertised, was awarded to them on July 18, 1940. The late award of this contract, they said, placed the work too near the winter season, necessitating a shut-down order by the Engineer until suitable paving weather in the spring. The Engineer advised that he ordered the work closed down on December 5th, 1940. He recommended that the extension of time to June 1, 1941, be granted subject to payment by the contractor of all engineering costs incurred by the state subsequent to the specified completion date, except that incurred during the shut-down period. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

The Engineer reported that contracts Nos. 2287, 2317, 2336 and 2380, for construction of state highway projects, have been completed according to the terms of the contracts or modifications thereof, and that said jobs are now ready for acceptance. The following resolution accepting the above projects was offered and was adopted by the unanimous vote of the Commission:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts and said jobs are now ready for acceptance:

Contract No. 2287, with Norris Brothers, for surfacing and oiling on the Lick Creek-Salt Creek Section of the Little Butte Secondary Highway, in Jackson County. Completed October 5, 1940.

Contract No. 2317, with McNutt Brothers, for construction of the East Birch Creek Bridge on the Pendleton-John Day Highway, in Umatilla County. Completed on October 12, 1940.

Contract No. 2336, with the Contracting & Sales Company, Inc., for the Interstate Bridge cable replacement, on the Pacific Highway, in Multnomah County. Completed October 31, 1940.

Contract No. 2380, with M. L. O'Neil & Son, for furnishing 7,500 cubic yards of crushed rock in stock piles, on the Ironsides-Brogan Section of the John Day Highway, in Malheur County. Completed December 10, 1940.

THEREFORE, BE IT RESOLVED that the work covered by said state highway contracts for the construction of said state highway projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

The Commission set Thursday and Friday, February 27 and 28, 1941, as the date for its first regular meeting for receiving bids for highway construction projects following that scheduled to be held in January. The Secretary was instructed to make the usual arrangements to hold such meeting in the auditorium of the Public Service Building, Portland.

The Commission considered and signed agreements, etc., as follows:

Agreements with the National Hospital Association, the Salem Physicians and Surgeons Association, and the Multnomah Medical Service Bureau, covering medical care of certain state highway employees during 1941.

Supplemental agreement with the Southern Pacific Company, in regard to construction of the Davies Overcrossing project on the Wolf Creek Highway, in Washington County.

Agreement with the Oregon-Washington Railroad and Navigation Company, the Union Pacific Company, the State of Oregon, and Gilliam County, being an easement for encroachment of the Columbia River Highway on railroad company property, between Ramsey and Blalock, in Gilliam County.

Agreement with the Portland Electric Power Company, covering installation of an automatic grade crossing signal at the crossing of 82nd Avenue, near Kendall, 0.3 mile south of the incorporated limits of the city of Portland.

Agreement with Castle Films, Inc., covering the distribution of the two-reel motion picture, in black and white, entitled the "New Oregon Trail", and the editing of a two-reel motion picture in color, entitled the "New Oregon Trail."

Agreement with Botsford, Constantine and Gardner, extending the advertising agreement entered into on February 16, 1940, for a period of one year ending September 1, 1941.

Agreement with the City of Ontario for furnishing water for irrigation of a portion of the Ontario Landscaping Project.

Agreement with Marion County covering snow removal operations on the North Santiam Highway during the winter season of 1940-1941.

Agreement with Mrs. Maud Moon covering the leasing of property in North Portland for use as a maintenance headquarters site.

Bill of Sale by the State Highway Commission selling to Helen Louise Chadwick a one-story, wooden building on Lots 3 and 4, Block 15, Brookings, Oregon. File No. 7704.

Bargain and Sale Deed by the State Highway Commission, conveying lands in Lot 12, Block 42, Bennett's

Addition to the town of Marshfield, to Glen William Curtis and Mabel A. Curtis.

"Consent to Vacate" an alley in Eugene, through Lots 1, 2, 3, 5 and 6, and the East 50 feet of the West $\frac{1}{2}$, Block 9, Fairmount Addition to Eugene.

Application for a public highway right of way across the Warm Springs Indian Agency, on the He He Butte Section of the Warm Springs Highway.

There being no further business coming before the Commission at this time, the meeting adjourned at 5:00 p. m.

James H. ...
State Highway Engineer

E. G. DeLoach
Acting Secretary

Henry F. Labell
Chairman

Samuel H. ...
Commissioner

Herman Oliver
Commissioner

Salem, Oregon, January 10, 1941

The State Highway Commission met in special session at 10:30 a.m. in the office of the State Highway Engineer, Room 325, State Office Building. Present were:

Henry F. Cabell, Chairman
Huron W. Clough, Commissioner
Herman Oliver, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

Senator Dean H. Walker, President of the 41st Legislative Assembly of Oregon came before the Commission and requested state cooperation in the replacement of the Willamette River Ferry, which serves traffic between Independence and East Independence, with a bridge. Senator Walker stated that the present ferry carries a large volume of traffic, particularly during the hop season, and many times it is necessary for traffic to wait half an hour or more to secure ferry accommodations. He pointed out that this ferry connects with the South River Road, from Salem, a portion of which has already been approved as a Federal Secondary Highway and which is under consideration at the present time for improvement as a WPA project. He pointed out that the ferry is owned and operated jointly by Marion and Polk Counties and gave as his thought that the counties would contribute toward the cost of the bridge at least as much money as they are now paying for operation and maintenance of the ferry. He suggested an agreement between the counties and the Highway Commission covering the bridge construction and that the South River Road between Salem and Independence, including the river crossing, be designated a state secondary highway. He offered to secure, if possible, legislative action as may be necessary to secure state aid in this matter.

After discussion, the Commission instructed the Attorney to investigate the laws and ascertain whether or not any additional legislation is needed and to confer with Senator Walker in regard thereto. The Engineer was instructed to investigate the cost to build a suitable bridge and to construct a standard type road from Salem to Independence via the South River route and to report to the Commission.

The Commission had under consideration the adoption of partial programs for the 1942 Regular Federal Aid Funds and other funds. The Engineer submitted a list of projects from which the Commission selected the following for such programs:

PARTIAL PROGRAM OF 1942 REGULAR FEDERAL AID PROJECTS

County	Highway	Section	Kind of Work	Length	Estimated Cost
Clatsop	Oregon Coast	Astoria	G. & P.	0.40	\$30,000
Columbia	Columbia River	St. Helens	G. & P.	0.61	40,000
Coes	Oregon Coast	N. Bend-Port Dock	G. & P.	1.50	129,000
Gilliam	Old Ore. Trail	Quinton-Ramsey	G., S., Bit. Mac. & Bridges	2.24	80,000
Grant	John Day	Rock Creek Bridge	Bridge	0.02	22,000
Grant	John Day	W. Unit, Dixie Summit-Austin	G., S. & Bit. Macadam	5.11	160,000
Grant	Pendleton-John Day	Long Creek-Beach Creek	G., S. & Oil.	8.0	96,000
Jefferson	The Dalles-Cal.	Madras-Culver	Grading	10.4	85,000
Josephine	Pacific	Sexton Mtn.(1 of 3)	G., S. & Bit.M.	0.6	60,000
Josephine	Pacific	Sexton Mtn.(2 of 3)	" " "	1.91	75,000
Josephine	Pacific	Sexton Mtn.(3 of 3)	" " "	0.90	90,000
Klamath	The Dalles-Cal.	Algoma-Terminal City	Surf. & Oil.	4.70	60,000
Klamath	" " "	N. Unit, Algoma- Terminal City	G. & T.	1.50	59,000
Lane	Willamette	Coast Fork Bridge	Bridge	0.09	90,000
Lincoln	Oregon Coast	Otter Rock-Spencer Creek	Grading	1.20	90,000
Linn	Pacific-East	Halsey-Muddy Creek	G. & P.	3.00	90,000
Linn	Santiam	Canyon Creek-Bryant Hill	G., S. & O.	3.10	90,000
Malheur	John Day	Brogan-Jamieson	G., S. & O.	4.83	65,000
Marion	Pacific-East	Pudding River Bridge	Bridge	0.11	89,000
Marion	Pacific-East	Illaha-Miller Creek	G. P. & Bridge	1.25	70,000
Multnomah	Columbia River	Corbett-Rooster Rock	Grading	2.46	335,000
Multnomah	Front Avenue	Front Avenue	G. & P.	0.70	250,000
Umatilla	Boardman-Stan- field	E. Unit, Boardman- Stanfield	G., S. & Br.	11.63	220,000
Wasco	Sherman	W. Unit, Shaniko- Gow Canyon	G. S. & Oil.	5.12	70,000
Wasco	Warm Springs	Warm Springs River- Mill Creek	Grading	5.00	75,000
Washing- ton	Pacific-West	Onion Flat	G. & P.	0.76	40,000
Yamhill	Salmon River	Sheridan	G. & P.	0.60	40,000
Yamhill	Salmon River	Deer Creek-Bellevue	G. P. & Bridge	2.15	100,000
State-wide Planning Survey					<u>42,000</u>
					\$2,742,000

PARTIAL PROGRAM OF 1942 SECONDARY OR FEEDER ROAD PROJECTS

County	Highway	Section	Kind of Work	Length	Estimated Cost
a. Projects on State Highway System:					
Columbia	Nehalem Sec. #102	Banser Bridge-Mist	G.,S.& O.	3.3	\$60,000
Crook	Prineville-Madras Sec. #360	Lytle Crk.-Ochoce Crk. (1 of 2)	G. & S.	2.2	37,500
Crook	Prineville-Madras Sec. #360	Lytle Crk.-Ochoce Crk. (2 of 2)	Surf.	1.9	2,500
Wallowa	Enterprise-Lewis-ton, #11	Enterprise-Forest Boundary	G.,S.& O.	7.0	47,000
Washing-ton	Nehalem Sec. #102	Forest Grove-Banks	G.,S.& O.	0.8	25,000
Subtotal					\$172,000

b. Projects Not on State Highway System:

Douglas	h. Umpqua Co.Rd.	Oak Crk.-Marks Ranch	G.,S.& O.	3.0	\$60,000
Malheur	Vale-Adrian Co. Rd.	Cow Hollow-Adrian (1 of 2)	S. & Oil	4.1	16,500
Malheur	Vale-Adrian Co. Rd.	Cow Hollow-Adrian (2 of 2)	S. & Oil	2.0	8,500
Marion	Salem-Silverton Co. Rd.	Central Howell-Brush Creek	G. & P.	3.5	45,000
Tillamook	Fairview-Clements Corner Co. Rd.	Trask River-Clements Corner	G.,S.& O.	3.0	20,000
Union	Hunters Lane Co.Rd.	West Ranch-Island City	S. & Oil	8.35	45,000
Subtotal					\$195,000
State-wide Planning Survey					7,017
Total					\$374,017

1941 PROGRAM - STATE PROJECTS ON PRIMARY HIGHWAYS

County	Highway	Section	Kind of Work	Est. Cost
<u>DIVISIONS 1 AND 2</u>				
Clatsop	Columbia River	Astoria-Tongue Point	Pav.& Bridge	\$60,000
Lincoln	Alsea	Five Rivers Section	G.,S. & Oil	50,000
Benton	Corvallis-Newport	Blodgett	O'crossing & Bridge	50,000
Linn	South Santiam	Cascadia-Bryant Hill (Addition to Federal Aid)	G., S. & Oil.	30,000

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(1941 Program - State Projects on Primary Highways, continued)

County	Highway	Section	Kind of Work	Est. Cost
<u>DIVISIONS 1 AND 2 (Cont.)</u>				
Linn	South Santiam	Albany-Lebanon	Grade Stabil- ization	\$75,000 T
Tillamook) Washington)	Wilson River	Donaldson Cr.-Mills Br., S. & Bit. Mac.		134,000
Washington	Wolf Creek	& McNamars Camp-Washburn		45,000
Linn	Santiam	Sunset Tunnel-N. Plains, Bit. Mac.		11,000
		Foster-Cascadia	Surfacing	
Total, Divisions 1 & 2				\$455,000
<u>DIVISION 3</u>				
Douglas	Pacific	Umpqua River Bridge at Dillard	Bridge	\$150,000
Lane	Pacific	Eugene Section	Grad. & Pav.	70,000
Total, Division 3				\$220,000
<u>DIVISION 4</u>				
Lake	Klamath Falls- Lakeview	Cottonwood Crk.-Forest G., S. & Oil. Boundary		\$129,000c
Klamath	Klamath Falls- Lakeview	Klamath Falls (6th St.)		86,000 T
Klamath	State Hwy. Routes	Klamath Falls	Traf. Signals	16,000
Total, Division 4				\$231,000
<u>DIVISION 5</u>				
Harney	Central Oregon	Burns Section	Grad. & Surf.	\$ 10,000c
Harney	Central Oregon	Burns Section	Oiling (St. Force)	2,500
Baker	Baker-Homestead	Flagstaff Hill-Ruckles Creek	G., S. & Oil	73,500c
Baker	Baker-Homestead	Keating Road-Ruckles Creek	Br. & Grad.	57,000c
Grant	John Day-Burns	Bear Gulch Summit, Seneca	Surf. & Oil.	140,000
Morrow	Heppner	Jones Hill-Lena	Surf. & Oil.	50,000
Total, Division 5				\$333,000

"c" under contract.

"T" indicates project approved tentatively

1941 PROGRAM - STATE PROJECTS ON SECONDARY HIGHWAYS

County	Highway	Section	Kind of Work	Est. Cost
<u>DIVISIONS 1 AND 2</u>				
Lincoln	Silets	Kernville-Forest Bdry.	G., S. & Bit. Mac.	\$42,000
Benton	Kings Valley	Plunkett-Read Creek	G., S. & Oil.	52,000
Lincoln	Eddyville- Blodgett	Yaquina River Bridge at Nashville	Bridge	<u>20,000</u>
Total, Divisions 1 and 2				\$114,000
<u>DIVISION 3</u>				
Benton	Territorial	Monroe-South	G., S. & Oil	\$20,000
Douglas	Tiller-Trail	Days Creek-Milo	G., S. & Oil	40,000
Douglas	Powers Road	Hoffman Bridge- Grants Creek	G., S. & Oil	<u>35,000</u>
Total, Division 3				\$95,000
<u>DIVISION 4</u>				
Deschutes	Century Drive	Bend-Forest Boundary	S. & Oil	27,000
Lake	Adel Secondary	Intermittent	G. & Surf.	30,000
Hood River	Hood River Sec- ondary	Hood River Sec. & Odell Secondary	G., S. & Oil	<u>40,000</u>
Total, Division 4				\$97,000
<u>DIVISION 5</u>				
Baker	Medical Springs	Catherine Creek-Miles Bridge	G., S. & Oil	65,000
Malheur	Vale-West	All	G., S. & Oil	40,000
Morrow	Wasco-Hoppner	Gilliam Co. Line-Zinter Ranch	G. & S.	65,000
Harney	Frenchglen	Hanley Lane-Wrights Point	G., S. & Oil	50,000
Wheeler	Shaniko- Fossil	Clarno-Chichester (Intermittent)	G. & S.	20,000
Union	Starkey	Meadowbrook Bridge		6,000
Union	Starkey	Meadowbrook-Grande Ronde River (Intermittent)	G. & S.	<u>20,000</u>
Total, Division 5				\$266,000

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1942-1943 GRADE SEPARATION PROGRAM

Highway	Railroad	Project	Estimated Costs	
			1942 Funds	1943 Funds
<u>DIVISIONS 1 & 2</u>				
Wolf Creek	S.P. & S.	North Plains UnderXing	\$ --	\$ 55,000
Wilson River	"	Washburn UnderXing	--	22,000
--	Sou. Pac.	Automatic Signals (Salem & Tillamook)	--	4,500
--	S.P. & S.	" " (Salem)	--	1,500
Sub-totals				\$ 83,000
Planning Survey			1,700	1,700
Totals, Divisions 1 & 2			\$ 1,700	\$ 84,700
<u>DIVISION 3</u>				
Pacific	Sou. Pac.	Eugene Relocation	\$300,000	\$ --
Route "P"	" "	Oak Hill OverXing	45,000	--
Sub-totals			\$345,000	\$ --
Planning Survey			600	600
Totals, Division 3			\$345,600	\$ 600
<u>DIVISION 4</u>				
Mt. Hood	Mt. Hood	Fikes UnderXing	\$ --	\$ 22,000
--	Union Pac.	2 Automatic Signals (The Dalles)	--	6,000
--	Great Nor.	Automatic Signals (Klam.Falls)	--	3,000
--	Sou. Pac.	" " (Lakeview)	--	3,000
--	O. C. & E.	" " (Klam. Falls & Hager)	--	6,000
Sub-totals			\$ --	\$ 40,000
Planning Survey			500	500
Totals, Division 4			\$ 500	\$ 40,500
<u>DIVISION 5</u>				
Old Ore. Trail	U. P. & Sumpter Val.	Baker Grade Separation	\$ --	\$115,500
Edman.-Stand.	Union Pac.	Stanfield OverXing	11,000	--
--	Union Pac.	Automatic Signals (Milton & Pendleton)	--	6,000
Sub-totals			\$11,000	\$121,500
Planning Survey			700	700
Totals, Division 5			\$11,700	\$122,200

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1942-1943 GRADE SEPARATION PROGRAM (Cont.)SUMMARY BY DIVISIONS

	<u>Estimated Costs</u>	
	<u>1942 Funds</u>	<u>1943 Funds</u>
Divisions 1 & 2	\$ 1,700	\$ 84,700
Division 3	345,600	600
Division 4	500	40,500
Division 5	<u>11,700</u>	<u>122,200</u>
Total	\$359,500	\$248,000

SUMMARY BY RAILROADS

	<u>Estimated Cost</u>
Southern Pacific - - - - -	\$352,500
Union Pacific - - - - -	100,000
S. P. & S. and Affiliates - - - - -	78,500
Great Northern - - - - -	3,000
Northern Pacific - - - - -	-
Mt. Hood - - - - -	22,000
Sumpter Valley- - - - -	38,500
Ore., Cal. & Eastern- - - - -	<u>6,000</u>
Sub-total- - - - -	\$600,500
Planning Survey- - - - -	<u>7,000</u>
Total- - - - -	\$607,500

The Engineer was authorized and instructed by the Commission to submit a list of the selected projects to the Public Roads Administration for its approval.

In this connection the Commission expressed a desire to extend the improvement of the Wallowa Lake Highway between Elgin and Minam Hill, which project is estimated to cost about \$80,000, and it was decided to do this work as a state project, using state funds to finance it in the event sufficient savings accrue in the maintenance operations this winter. It was also decided to use the state funds set up for the Seneca-South project to finance the construction of the Vance Creek-Seneca Section of the John Day-Burns Highway within the National Forest Boundaries, which work is now scheduled to be done as a forest highway project, using federal moneys, in the event it develops that the federal moneys will not be available so the Vance Creek-Seneca project can be contracted early in the spring.

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With respect to the railroad grade separation program, the Commission instructed the Engineer to bear in mind the elimination of the grade crossing on the Old Oregon Trail at Durkee as a desirable project.

The Commission adjourned at 12:00 noon and reconvened at 1:00 p. m. in the same room with all Commissioners present and participating. Also present were the State Highway Engineer, the Attorney, and the Secretary.

The Attorney brought up for discussion an opinion from the Attorney General which states that it is the obligation of the State Highway Commission to pursue action through the Courts, in an endeavor to recover from the Ladd and Bush Bank, Salem, the difference between the amounts lost by the State Highway Department as a result of defalcations by a former employee by the name of W. L. Moorman, and the amount recovered on Mr. Moorman's bonds, such difference amounting to approximately \$2,000. The matter was given careful consideration by the Commission but action thereon was deferred pending further information. The Attorney was instructed to furnish each Commissioner with full facts of the case prior to the next meeting, when the matter is to be reconsidered.

The Attorney requested instructions whether or not to prepare for submission to the State Legislature, which convenes the following week, a bill, which, if enacted into law, would authorize the State Highway Commission to construct cattle guards on state highways if and when considered advisable by the Commission. The Commission considered that it would be to its advantage to have such authority whether or not cattle guards were actually constructed and, accordingly, instructed the Attorney to prepare the bill and submit it to Governor Charles A. Sprague for approval.

Commissioner Clough brought up for discussion the question of night hauling of logs over state highways. It was decided to deny requests for such privilege for the time being in view of the possibilities that the Legislature will take some action with respect thereto, and it was the thought of the Commission that any rules or regulations covering the hauling of logs during hours of darkness should be decided by joint action of the Superintendent of the Department of State Police, the Public Utilities Commissioner, and the State Highway Commission. The Secretary was instructed to inform the Pilot Rock Lumber Company, Pilot Rock, Oregon, that the Commission has considered its request for a permit to haul logs over a section of the Pendleton-John Day Highway during the hours of darkness and has denied the same.

The Attorney reported the status of the right of way budget for 1941. He advised that the amount budgeted for this purpose is \$600,000 and that up to the present time there has been obligated \$124,500, such amounts being in addition to \$800,000 which has been set up for the Front Avenue project in Portland.

The Attorney requested authority to acquire certain parcels of real property that are needed for various highway improvements throughout the state. He submitted a list of such properties together with prices that he recommended.

be paid for each. After careful consideration the Commission approved the request and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth, and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon, and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Ramsey-Blalock Section-Columbia River Highway</u>				
8527-Hoag, H. L.	Cancellation of a grazing lease		Gratis	Landon
<u>Multnomah County Line-Scappoose Section-Columbia River Highway</u>				
8329-Neff, G. F.	R/W	1.35	\$200 per a. + \$230	McChesney
<u>West Portland-Tualatin Section-West Portland-Hubbard Highway</u>				
4826-Bredemeyer, Edw. N. (Correction)	R/W	0.87	\$200 per a. + \$391	Benson
<u>Beaver Creek Canyon Section-Columbia River Highway</u>				
8700-Columbia County	Rock Quarry	40.0	\$1 Lump Sum	McChesney
<u>Vollmer Creek Section-Wolf Creek Highway</u>				
8691-Drawbaugh, Robert	R/W	0.71	\$100 per a. + \$85	"
8693-Berg, Herbert V.	"	0.25	\$100 per a. + \$21	"

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Nehalem River-Davies Section-Wolf Creek Highway</u>				
7402-A Pihl, H. M.	Crusher Site	1.06	\$94.34 per a. + 0.35 a. for pipe line ease- ment Gratis	McChesney
<u>Lincoln County Line-Corvallis Section-Newport-Corvallis Highway</u>				
8751-Green, W. H.	Scale Site	0.35	\$357.85 per a. + \$24.75	Collins
<u>Siletz Bay-Newport Section-Oregon Coast Highway</u>				
4112-Combs, Bertha M.	R/W	526 sq.ft.	25¢ sq. ft.	"
4186A-McWilliams, Ernest, Jr.	Slope Basement	750 sq.ft.	Gratis	"
<u>Depoe Bay Section-Oregon Coast Highway</u>				
7191-Archer, P. H.	R/W	1521 sq.ft.	25¢ sq.ft. Lump Sum for land \$380 + \$250	Collins
<u>Boiler Bay-Rocky Creek Section-Oregon Coast Highway</u>				
5819-Sunset Investment Co., and Frank China	R/W	1965 sq.ft.	10¢ sq.ft.	Collins
5817-Wiggen, Vera C.	R/W	2850 sq.ft.	18¢ sq.ft. + \$87	"
6188-Sunset Investment Co. and John Olsen	"	3789 sq.ft.	5¢ sq.ft. + \$210.55	"
<u>Bandon Section-Oregon Coast Highway</u>				
7807-John, Ola	R/W	530 sq.ft.	5¢ sq.ft.	Gardiner
<u>Donaldson Creek-Mills Bridge Section-Wilson River Highway</u>				
8310-Martin, D. S.	R/W	0.72	0.43 a. @ \$500 per a. 0.29 a. @ \$300 per a. plus \$198	Parker
<u>Springfield-Blue River Section-McKenzie Highway</u>				
8682)-Baker, Carl R. 8683)	Stock Pile & crushing plant	1.51	0.32 a.) Land \$500 + 1.19 a.) \$245 + mov- ing fence	Benson
8562-McKenzie River Power Company	Stock Pile	1.02	Land \$10-State to as- sume pmt. of taxes (few cents, estim.)	"
<u>Cheshire-Territorial Road Section-Siuslaw Highway</u>				
8504-Allen, Roscoe C.	Scale Site	0.68	\$60 Lump Sum	Gardiner
<u>Selma-California Line Section-Redwood Highway</u>				
8636-Lackey, A. F. & Stevens, R. L.	Gravel Pit Stock Pile Haul Road	10.0 1.0	\$35 per a. \$50 Lump Sum. Permanent ease- ment on 0.38 a. Gratis	Benson
<u>Algoma-Terminal City Section-The Dalles-California Highway</u>				
8543-Riniker, Adolph	R/W	1.59	\$150 per a.	Gardiner
8546-Carroll, H. H.	"	0.66	\$150 per a.	"

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Madras Section-The Dalles-California Highway</u>				
8774-Jefferson County	Maintenance	5,000 sq.ft.	\$20.00 Lump Sum	Chandler
Headquarters				
<u>Condon Section-Wasco-Heppner Highway</u>				
4795-Knox, Floyd	Park	6 lots	Gratis	Geo. Otten
4794-Gilliam County	"	" "	"	" "
<u>Rhea Creek-Heppner Section-Wasco-Heppner Highway</u>				
6686-Griffin, Julia	R/W	0.10	\$5.00 Lump Sum	Parker
<u>Boardman-Stanfield Section-Old Oregon Trail Highway</u>				
3414-Northern Pacific Ry. Co.	R/W	49.29	\$5.00 per acre	Landon
3415-Hunt, T. E.	R/W	2.37	\$50.00 per acre	"
(Correction)		1.14	\$5.00 per a. + \$370.30	
<u>Kiuberly-Dry Creek Section-Monument Highway</u>				
3396-Fleming, Walter W. and Fleming, A. D.	R/W	1.33	\$5.00 per a. plus \$110.00	"
(Correction)				
<u>Unity Section-John Day Highway</u>				
3057-Elms, Sidney	Snow Fence Lease	2.12	1 yr. lease + \$10.00 per year	"
<u>Meadowbrook Creek Section-Starkey Highway</u>				
3561-Cunha, Jos., Sr.	R/W	0.31	\$16.13 per a.	"
8560-Mt. Emily Lbr. Co.	Easement	0.10	Gratis	"
	R/W			
<u>Front Avenue Project-Columbia St. to Washington St. (Portland)-Pacific Hwy. W.</u>				
7978-Chinook Investment Co.	R/W	4800 sq.ft.	\$15,000.00	McCallister

The Assistant Attorney reported an offer from Fannie Trimble Pedrioli to purchase a state-owned building at Brookings, being building designated as No. 7707 in the Highway Department's records. He explained that some time ago the Commission took bids for the purchase of this building, the high bid being submitted by Tom B. Page of Brookings. However, subsequent to the acceptance of Mr. Page's bid it developed that thieves entered the building and removed certain facilities and now Mr. Page is not inclined to complete the purchase except at a discount. The price offered by Mr. Page, he said, was \$50.00, compared to \$60.00 offered by Mrs. Pedrioli for the building as is. He recommended release of Mr. Page from his obligation and the return of his bid deposit and the acceptance of Mrs. Pedrioli's offer. The Commission approved the recommendation unanimously.

The Commission had under discussion a letter from Mr. Philip H. Carroll, Executive Secretary of the Public Docks Commission, Portland, calling

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attention to certain legislation now pending in Congress which has for its object the transfer to the federal government from the states sovereignty over submerged lands below the low-water mark along the coast. The Attorney advised that investigation reveals that two bills with respect to such matter have been offered in the U. S. Senate, both of which seek to transfer jurisdiction over the submerged lands from the State of California to the federal government under a pretext of preserving petroleum deposits and as against such revision there has been offered in the House of Representatives a bill the purpose of which is to have the federal government re-announce and re-declare the doctrine that the title to submerged and tidelands is and ought to be vested in the respective states within whose boundaries such lands are situate. He pointed out that when the State of Oregon was admitted to the Union its admission carried with it as one of the attributes of state sovereignty ownership and control over tidelands and also title to lands under navigable waters within the state; also, the boundaries of the state were fixed by Congressional Act as "Beginning one marine league at sea, due west from the point where the forty-second parallel of north latitude intersects the same; thence northerly, at the same distance from the line of the coast lying west and opposite the state, including all islands within the jurisdiction of the United States, to a point due west and opposite the middle of the north ship-channel of the Columbia River****." He said that it appears to him that the purpose of the legislation in Congress is to destroy the principle of sovereignty and vest in the federal government control over such submerged lands in so far as the State of California is concerned; and he suggested that, in the interests of the people of Oregon, a protest should be made against such legislation for, if it is accomplished with respect to the State of California, it would not be difficult to do the same in the State of Oregon.

The Commission thought this a matter that should have the attention of the Governor and the Legislature. The Attorney was instructed to so inform Mr. Carroll.

A request was received from Mrs. James H. Ross, Albany, for permission to construct and maintain a sidewalk across a small parcel of state-owned property in Lot 3 of Block 4, Bryan's Addition, Albany, so as to permit prospective customers to patronize a business establishment which she proposes to conduct on adjacent property, this being the only direct means of access to her property from the highway. After considerable discussion the Commission authorized granting Mrs. Ross such privilege subject to the condition that no vehicular traffic shall be allowed to cross the highway curb and sidewalk, and with the understanding that the Highway Commission will not relinquish the right to make such future use of its property as may be necessary for highway purposes, and reserves the right to devote the property to such purposes at any time that the same may appear necessary without obligation to Mrs. Ross or her successors, even though such action may prevent Mrs. Ross having access to the highway at this point.

The Attorney requested instructions from the Commission whether or not to sell to Mr. Newell Wright, Grants Pass, a small parcel of state-owned property adjacent to the Grants Pass-Green Creek Section of the Pacific Highway

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in Josephine County. He said that Mr. Wright owns land adjacent to the state property but does not have access to the highway at this particular point. Further, that Mr. Wright alleges that the state's property is continually covered with weeds and obnoxious plant growth which he has to control so as to prevent its spread to his own fields. He pointed out that an irrigation flume is now being maintained along the edge of the property and that the state is also maintaining a siphon at the end of the property, which siphon crosses the highway right of way. The area desired by Mr. Wright, he said, lies beyond the limits of the standard-width highway right of way and is of value for highway purposes only insofar as it concerns the maintenance of the flume and the siphon. He recommended the sale of the property to Mr. Wright for the sum of \$50.00, which is approximately the amount the state paid for it in connection with right of way negotiations, provided however that Mr. Wright will permit the state to reserve the right to maintain the flume and the siphon in their present locations. The Commission approved the recommendation.

The Assistant Attorney reported that Kenneth Pedersen, who submitted the low bid for the moving of buildings on the Henry J. Henze and Laura Henze property at Scappoose, has elected not to proceed with the job for the reason that he made an error in estimating the quantities of excavation and surfacing work required and, therefore, could not do the work at the price quoted. Mr. Pedersen's bid, he said, totaled \$768.00, and included \$227.50 for grading and surfacing, which work he now estimates will cost him \$605.00; also, that Mr. Pedersen has agreed to reduce his bid in the amount of \$227.50 if the state will do the grading and surfacing work, leaving a net of \$540.50 for the moving of the buildings. He added that Division Engineer E. A. Collier estimates that the grading and surfacing work, if performed under an Extra Work Order on the construction contract, will cost about \$431.25, which would make a total cost of \$971.75 compared with \$1051.00, the amount of the second-low bid submitted for this work. After consideration, the Commission authorized approval of the price of \$540.50 for the moving of buildings, leaving the grading and surfacing work to be done by the state's contractor.

A letter was presented from Ralph A. Coan, Attorney for Mr. Charles W. Ertz, Portland, in regard to certain property that Mr. Ertz owns adjacent to the proposed Front Avenue project in Portland. It appears that a portion of this property will be needed for right of way for the highway improvement and, because this fact is known to tenants of the building located on the property, Mr. Ertz is having difficulty in securing tenants and is suffering loss of income thereby and, in view of the circumstances, feels that he is entitled to damages from the state. After discussion, the Commission referred this matter to the Attorney with instructions to secure an option from Mr. Ertz providing for the purchase of his property or the portion that will be needed for the Front Avenue improvement.

The Engineer requested instructions with regard to the removal of buildings from a one-mile section of the right of way of the Wilson River Highway between Glenwood and Balm Grove, which right of way was purchased by Washington County. He said that, while the county purchased the right of way,

it is evident that no provision was made by the county for the removal of buildings and there is doubt in his mind that the county has made any such provision in its budget for 1941. He suggested that, since the State Highway Department has purchased all right of way for state highways during the past several years, the Commission might authorize removal of the buildings at state expense which would expedite the matter considerably and would be in line with the Commission's present policy with respect to such matters. The Commission indicated approval of the suggestion but deferred a decision pending investigation to determine the amount involved. The matter was referred to the Attorney to make such investigation.

The Assistant Attorney advised that Mary Gaboni, through her attorney, Mr. Charles Kosten, Portland, has offered to convey to the state by quitclaim deed, if paid the sum of \$25.00, certain property owned by her along the Front Avenue project in Portland, consisting of the south half of Lot 3 and the north half of Lot 4, in Block 73, being waterfront property against which there are assessments amounting to \$16,404.05, and delinquent taxes and penalties amounting to \$10,862.89. He said that the appraised valuation of the property, in accordance with the standards adopted by the Commission and the City of Portland, is \$12,773.75, so that Mrs. Gaboni's equity in the property is valueless. He recommended acceptance of Mrs. Gaboni's offer, subject to approval of the City of Portland, in order to eliminate all possible future question as to the validity of the assessment foreclosure proceedings, the tax foreclosure proceedings, or the condemnation proceedings by the City of Portland. The Commission approved the recommendation.

The Commission had under discussion the abandonment of a portion of the right of way of the old Pacific Highway in the City of Cottage Grove. The Attorney explained that, in acquiring right of way for the new highway in Cottage Grove, it was necessary to purchase land from Mr. Frank Heck and, as a part of this transaction, it was agreed that the Highway Commission would allow the old highway in front of Mr. Heck's property to revert to Mr. Heck, it being understood at the time that the deal was closed that the Commission's resolution abandoning the area would not be placed on record until the new highway was completed and opened to travel. He advised that the job is now done and that the general public has the use of the road, which is the reason for asking the Commission to act on the matter at this time. After considerable discussion and careful inspection of the map showing the property in question, and particularly because the abandonment of the area for state purposes is necessary in order to fulfill the terms of the option secured from Mr. Heck for the new right of way, the Commission approved the abandonment of the area in favor of Mr. Heck and, thereupon, by unanimous vote, adopted the following resolution with regard thereto:

WHEREAS, in order to afford a better alignment and a more satisfactory, safe and convenient highway for the traveling public the Highway Commission found it necessary to relocate a portion of the Pacific Highway in Lane County, and particularly that portion through the City of Cottage Grove; and

WHEREAS, by reason of said relocation and the reconstruction of said section of said highway there will be eliminated and made unnecessary as a part of the permanent right of way a certain section or part of the old location, which said section or part of the right of way hereinafter to be eliminated from the new right of way is more specifically defined and described hereinafter in this resolution; and

WHEREAS, the area hereinafter described will, after the highway has been constructed, with respect to the new location be no longer needed by the state for highway purposes; and

WHEREAS, as a part of the transaction with Frank Heck and Mary E. Heck, by which the state acquired real property for right of way purposes, it was agreed that the real property hereinafter described should be permitted to revert to the said Frank Heck and Mary E. Heck as owners of the property abutting upon said abandoned right of way; and

WHEREAS, it is the judgment and opinion of the Commission that there should be recorded in the minutes and records of the Commission its purpose and plan to abandon and eliminate as a part of the right of way of said highway in Cottage Grove the fragment or portion of right of way hereinafter described and which heretofore and at this time is included within the area of the right of way of said highway as now located and used.

NOW, THEREFORE, the premises being in general as above stated, it hereby is resolved by this Commission, all members being present and affirmatively participating, as follows:

1. That the fragment of real property confined within the area hereinafter designated and described, which fragment or parcel of land heretofore was and now is within the limits of the right of way of the Pacific Highway in Cottage Grove, but is not within the limits of the right of way of said highway as the same has been relocated and reconstructed within the corporate limits of said City, be and said fragment or parcel of land or portion of the old right of way is abandoned as a part of the right of way of said highway, and said fragment or parcel of land or old right of way is, so far as control and supervision of this Commission is concerned, eliminated from the right of way of said highway and is left to revert to the adjoining and abutting property owners, Frank Heck and Mary E. Heck.

2. The fragment or parcel of land affected by this resolution is defined and described as follows, to wit:

A parcel of land lying in the northwest quarter (NW $\frac{1}{4}$) of Section 33, Township 20 South, Range 3 West, W.M., Lane

County, Oregon; the said parcel being described as follows:

Beginning at a point on the westerly right of way line 30 feet distant from (when measured at right angles to) Engineer's Station 805+94.5 of the existing Pacific Highway; said point also being 458 feet south and 127 feet west of the southwest corner of Block 22, Long and Landess Addition to Cottage Grove; thence South $61^{\circ} 15'$ East a distance of 60.0 feet to the westerly right of way line of the Southern Pacific Company; thence along the easterly right of way line of said highway on a 603 foot radius curve to the left (the long chord of which bears North $19^{\circ} 57' 30''$ East 184.3 feet) a distance of 185.1 feet; thence North $89^{\circ} 52'$ West a distance of 36.2 feet; thence South $28^{\circ} 45'$ West a distance of 164.8 feet to the point of beginning; containing 8965 square feet; said parcel being a portion of the abandoned Pacific Highway.

3. That the area of real property lying west of the tract of land described in paragraph two of this resolution shall be retained by the State for public highway purposes so that in so far as consistent with the public interests members of the general public, including the abutting property owners Frank Heck and Mary E. Heck, may have free passage thereover. In other words, said area shall at all times be treated and used as a part of the right of way of the said highway with like privileges and restrictions.

4. This resolution shall be entered in the minutes and records of the Commission and a certified copy thereof delivered to Frank Heck and Mary E. Heck for their special use and benefit.

The Commission discussed a settlement with Mr. Mike McCabe for right of way needed for the Warm Springs Highway in the vicinity of Prineville and, by unanimous vote, approved settlement for the amount stated in the original option secured from him; viz., \$1,444.20, with the understanding that Mr. McCabe does not intend to continuously nor generally transport lambs and ewes across the highway during lambing season. It was considered advisable to bring the conditions to Mr. McCabe's attention by letter, rather than by inserting them in the deed of conveyance, and the Attorney was so instructed.

The Commission discussed an opinion from the Attorney as to its authority to erect and maintain signs on the beach at Gearhart informing the public of the danger of logs on the beach and in the surf. According to this opinion the State Highway Commission, which is the owner of the beach area at this location, has authority to erect and maintain such warning signs if it considers them necessary as an aid in the prevention of accidents. In view of the opinion, the Commission authorized and instructed the Engineer to erect a number of warning signs on the beach at this location.

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The Attorney presented a status report on negotiations for the acquisition of privately-owned lands bordering the state park known as "The Cove" at the confluence of the Deschutes, Metolius, and Crooked Rivers, in Jefferson County. He said that the owner of the orchard property near the point where the county road crosses Crooked River, which is the key property to this situation, has been contacted and has indicated a willingness to sell his property to the state for the sum of \$16,000, with certain restrictions and regulations, including the right to occupy the premises for a period of six months. Action on this matter was deferred by the Commission until the next meeting. The Attorney was authorized in the meantime to employ the services of a competent appraiser to set a value on the property.

The Engineer brought up for discussion the roadside development project at Newport. He advised that the contract for this improvement, amounting to \$23,967.50, was awarded on August 23, 1940, as a Federal Aid project but no provision was made for the planting of the area, which is estimated to cost an additional \$3,200.00. He gave as his thought that it would be impossible to secure federal funds to finance such planting work, and suggested an allocation of state funds for the purpose, because it is needed to provide a finished job. The Commission, by unanimous vote, approved the project but instructed the Engineer to secure federal funds to finance it, if possible.

The Engineer submitted a list of sidewalk projects for the Commission's information in formulating a construction program for such work. He explained that the list has been prepared in accordance with the priority rating of each project based upon "Index of Hazard and Relative Warrant Formulas" developed by the Traffic Engineering Department after exhaustive study. He gave as his thought that the Commission should approve a budget for sidewalk construction and suggested the setting up of \$30,000 for such purpose as a start. After discussion, the Commission approved the suggestion by unanimous vote and instructed the Engineer to submit to the Commission at the next meeting a list of projects to take up the amount.

The Engineer reported on the request of the City of Corvallis for the installation of ten railroad-crossing type signals on Sixth Street, Corvallis, at all intersections from A Street (Western Avenue) to Tyler Street. He estimated the cost of such installations at \$25,000 and advised that only two of these intersections; viz., "A" Street and Van Buren Street are on state highway routes. A study of the accident record at these intersections, he said, indicates that the installations are not warranted and he accordingly recommended that the request be not approved, at least not until there appears to be more justification for the same. The Commission approved the recommendation unanimously.

The Engineer also reported on requests for traffic lights at the following locations:

1. Installation of a fixed time signal on the Pacific Highway at the intersection of Ninth and Main Streets and the installation of an overhead flashing beacon on the Pacific Highway at the

intersection of Sixth and Madison Streets, all in Cottage Grove. He estimated the cost of the fixed time signal at \$1,500 and the flashing beacon at \$150, and recommended approval of both lights, the entire cost of both installations to be paid by the state. The Commission approved the recommendation.

2. Installation of a flashing beacon at the intersection of Sherman Avenue and Washington Avenue on the route of the Oregon Coast Highway in the City of North Bend. He estimated the cost of such installation at \$150 and recommended approval of the same at state expense. The Commission approved the recommendation.

3. Installation of an overhead flashing beacon at the intersection of the Oregon Coast Highway and Roosevelt Drive, near the Wahanna Creek Bridge in Seaside. He estimated the cost of such installation at \$175 and recommended approval of the same at state expense. The Commission approved the recommendation.

4. Installation of an overhead flashing beacon at the intersection of the Columbia River Highway and Fairview Road, near Portland. He estimated the cost of such installation at \$150 and recommended approval of the same at state expense. The Commission approved the recommendation.

5. Installation of an overhead flashing beacon at the intersection of the Salmon River Highway with the Oregon Coast Highway at Otis. He estimated the cost of such installation at \$200 and recommended approval of the same at state expense. The Commission approved the recommendation.

The Engineer also recommended denial of the requests for traffic signals at the following locations, it being his opinion, after investigation, that traffic lights at these points are unwarranted at this time

1. Flashing beacons on the Columbia River Highway in the town of Cascade Locks.

2. Signals and flashing beacons in the town of Springfield.

3. Flashing beacon at the intersection of the Oregon Coast Highway and the Wolf Creek Highway at Necanicum Junction.

4. Flashing beacon at the intersection of the Oregon Coast Highway and the road to Cannon Beach.

5. Flashing beacon on the Tualatin Valley Highway at Gaston.

6. Flashing beacon on The Dalles-California Highway at Klamath Agency.

The Commission, by unanimous vote approved the Engineer's recommendation.

The Engineer reported that in accordance with authority previously granted him by the Commission he has awarded contracts, as follows, based on bids received by the Commission at its meeting on December 17 & 18, 1940, the awards in each instance being made to the low bidder and the conditions of the awards having been satisfied:

Svensen-Goble Rock Production Project on the Columbia River Highway, in Clatsop and Columbia Counties. Bids taken December 18, 1940, contract awarded January 4, 1941, to Tidepoint Company.

Surfacing and oiling Owyhee River-McDermitt Section of the I.O.S. Highway, in Malheur County. Bids taken December 17, 1940, contract awarded to Norris Bros., January 4, 1941.

Grading and topping the Boardman-Umatilla County Line Section of the Boardman-Stanfield Highway. Bids taken December 18, 1940, contract awarded December 21, 1940, to Frank Penepacker.

The Commission approved the awards as reported.

The Engineer requested authority to advertise for bids for the construction of what is known as the Meadowbrook Bridge on Starkey Secondary Highway, in Union County. He explained that this job was included in last year's budget for state forces but he is now of the opinion that it would be better to have the work done by contract. The Commission approved the request and authorized the advertising of this project for bids to be received at the next meeting.

The Engineer requested authority to purchase the following equipment:

2 10-ton rollers for oiling crews (1 old roller to be traded in as part purchase price.) Estimated net cash outlay \$8,600

15 Power mowing machines. Estimated total cost \$16,500

10 Asphalt kettles. Estimated total cost \$6,500

6 Patrol graders (6 old graders to be traded in as part purchase price.) Estimated cash outlay \$26,790.

6 Pull-type graders (6 old graders to be traded in as part purchase price) Estimated total cash outlay \$6,000.

20 Light type-dump trucks of Ford or Chevrolet Class (20 old trucks to be traded in as part purchase price.) Estimated cash outlay \$18,000.

2 Power hoists for use of bridge crews. Estimated total cost \$750.

After discussion the Commission approved the request by unanimous vote and ordered that the purchases be made through the State Purchasing Department in accordance with the usual practice.

In this connection the Engineer discussed with the Commission the advisability of purchasing a new type oil and asphalt retort manufactured by the Dallas Machine and Locomotive Works, Dallas, Oregon, known as "The Gerlinger Rotary Oil Retort." He explained that the company has made a special effort to manufacture a retort that will stand up under all conditions of operation and, in his estimation, after having tried out one of the retorts which the company loaned for the purpose without charge, he is convinced that the company has a machine that is better than any similar machine on the market. The regular price of this equipment, he said, is \$4,950, but the company has stated its willingness to sell the retort that it now has on hand for the sum of \$4,450. He pointed out particularly that, in the operation of this retort, an auxiliary boiler is not necessary so it will be possible to save considerable expense to the state from that standpoint; also, that the cost of the machine is less than the cost of similar machines that are now being used on highway work. He requested authority to purchase this machine. After due consideration, the Commission approved the request by unanimous vote.

The Attorney requested instructions relative to the collection of a number of unsatisfied obligations of several cities and counties which obligations are long past due. After discussion, the Commission instructed the Attorney to ascertain the intention of such cities and counties with respect to the payment of the claims and report his findings to the Commission for further action.

The Engineer presented a plan for safeguarding and simplifying the handling of deposits made by cities, counties, and others to guarantee payment for work to be performed by them. Briefly, such plan provides for the setting up of a special account with the State Treasurer placing therein all amounts deposited and withdrawing the amounts by check signed by the State Highway Engineer when final disposition of the deposits is to be made. He said that there is a provision in the state law which gives the State Treasurer authority to handle accounts of this kind and that it is the suggestion of the Secretary of State's office that the Highway Commission take advantage of such law, as many other state departments have done. He further advised that he discussed this matter with the Commission's Attorney, who examined the statute, and has given as his opinion that there is nothing irregular about the proposed plan. He recommended adoption of this plan and that he be authorized to establish such an account with the State Treasurer. The Commission approved the recommendation unanimously.

The Engineer also brought up for discussion the matter of charging contractors for plans furnished for highway work that is being advertised for bids. He advised that for many years it has been the practice of the Highway Department to require contractors and others receiving plans to make a \$5.00 deposit for each set, which amount is returned to the depositor when he returns the plans or, in any event, after a period of six months or so has

elapsed. He gave as his thought that it would prove more satisfactory to make a definite charge of \$1.00 for each set of plans regardless of whether or not the plans are returned, the amounts received to be deposited in the State Highway Fund. Such arrangement, he said, would not only do away with considerable routine in the handling of deposits of this kind but would help defray the cost of preparing the plans, which amounts to a considerable sum. He recommended approval of such method of handling these accounts. The Commission approved the recommendation unanimously.

The Engineer reported that the Stillwell Bridge over the Trask River on the Netarts Secondary Highway, in Tillamook County, is in serious condition due to the decay of timbers. He recommended the placing of a 10-ton maximum load limit on the structure pending replacement of the same with a new one, as a safeguard to traffic. The Commission approved the recommendation and, by unanimous vote, adopted the following resolution in regard thereto:

WHEREAS, the road or highway hereinafter named has been designated and declared to be and is a state highway and has been improved and is being maintained by the State Highway Commission, pursuant to the laws of the State of Oregon, as a state highway;

AND WHEREAS, on the said state highway there is located a certain bridge structure, known as "Stillwell Bridge", which, in the judgment of the State Highway Commission is incapable of safely carrying the traffic to which it is being subjected, and in order to protect said bridge structure against damage and injury and in order to safeguard traffic over said bridge structure it is deemed and is the judgment of the Highway Commission and said Commission finds that it will be for the best interests of the said bridge structure and of the traffic which uses the said bridge structure that the maximum weights now permitted and authorized by law be reduced;

AND WHEREAS, the State Highway Commission has, after due investigation, determined and found and it is the judgment of the Commission that the maximum gross loads which shall be permitted upon any single span of the said structure at any time shall be reduced and fixed as in this order provided;

NOW THEREFORE, the premises being in part as above stated and the State Highway Commission having, as a result of due investigation, found that the bridge structure above referred to and hereinafter designated is incapable of safely sustaining or supporting a total gross load in excess of that specified hereinbelow;

IT IS HEREBY ORDERED, that the total gross weight of combined load and vehicle which at any one time shall be permitted upon any single or individual span of the said bridge structure shall not exceed the limits given and set forth hereinbelow. In computing the total weight of any single vehicle, the total gross weight of any

trailer or trailers attached to said vehicle shall be considered as a component part of the total gross load and shall not be considered as a separate vehicle. This combined gross weight shall not exceed the limits given hereinbelow, to wit:

STARTS SECONDARY STATE HIGHWAY, No. 131, Tillamook County

Mile Post 00.77	Stillwell Bridge	10 tons
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IT IS FURTHER ORDERED, that these rules and regulations as made and found by the State Highway Commission under the provisions of Section 55-2707, Oregon Code 1935 Supplement, shall be in full force and effect until rescinded, modified or revoked by order of the State Highway Commission.

AND IT IS FURTHER ORDERED, that a notice be posted in a conspicuous manner and place at each end of the above-named bridge structure, so that said notice can be readily seen and read, which notice shall state plainly the limitations and prohibitions of the traffic hereby in this order determined and fixed.

AND BE IT FURTHER ORDERED, that a certified copy of this resolution be furnished to the County Clerk of Tillamook County in which county said bridge structure is located, and that a certified copy of said resolution be furnished the Superintendent of the Department of State Police for his information.

The Engineer presented drawings for a county bridge over the Nestucca River on the county road at Pacific City, Tillamook County, approval of which by the Commission is required by law as a prerequisite to the county securing permission from the United States War Department to erect the structure. He explained that, while this structure is not on a state highway and is one in which the State Highway Commission has no particular interest, nevertheless it is necessary for the Commission to give its perfunctory approval of the plans in order to comply with the statute, particularly paragraph 12, Chapter 189, of the General Laws of Oregon, 1925, which provides that "no bridge shall be constructed over or across any navigable water wholly or in part within this state or over lands lying between high and low water on any navigable stream within or forming the boundary of this state unless and until the plans of such bridge and the elevation and clearance thereof shall be first approved by the State Highway Commission." He said that the bridge under discussion has already been erected by the county and that it has been examined by the bridge engineer who declares it to be structurally sound. He recommended approval of the drawings. After discussion the Commission, by unanimous vote, approved the recommendation and authorized the Engineer to sign, in behalf of the Commission, the certificate on each drawing.

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A letter was presented from the Lang Transportation Company, San Pablo, California, requesting authority to operate over Oregon state highways from the California line to Ashland, Medford, and Klamath Falls, certain equipment consisting of truck and trailer, the overall length of which is 52' 8", or 2' 8" in excess of the length limit authorized by the Oregon statutes. The company advised that it is arranging for the purchase of equipment that complies with the Oregon laws but, pending the outcome of their studies of a satisfactory type of equipment, they would like to have authority to operate the equipment that they now own. Further, that they anticipate making about five trips per month to the points mentioned and are only requesting a permit of 90 days' duration. After due consideration, upon recommendation of the Engineer, the Commission approved the granting of such permit as requested.

The Secretary presented a letter from the J. E. Flurry Lumber Company, Ashland, in which the Commission was urged to lift the reduced load limit recently placed on the Tiller-Trail Highway because it interferes greatly with filling of orders for lumber purchased for use in connection with the National Defense Program. The Engineer advised that the road is now in good condition, but has only a light oil surface which may not stand up throughout the winter under heavy log-hauling traffic. He added that the road was built by the Public Roads Administration as a forest highway project and that it is still being maintained by that department at whose request the road was posted for reduced loads. After considerable discussion, the Commission instructed the Engineer to secure a report from Division Engineer K. D. Lytle on this subject and in the meantime to take down the reduced load limit signs temporarily to see what effect full weight loads will have on the section.

The Commission discussed matters pertaining to the Wolf Creek Highway WPA project and particularly the advisability of sponsoring a new project to include all work remaining to be done. In the discussion it was pointed out that the WPA funds that have been provided for the project now under way will be exhausted about the first of April; also, that a new project embracing a portion of the remaining work has already been authorized by the Commission but has not as yet been approved by the government officials, which project calls for 25 per cent contribution by the sponsor. The Engineer advised that it now appears possible under the National Defense Program to secure a project embracing all of the remaining work without obligation on the part of the sponsor to pay more than 16 per cent of the cost, although detailed information in regard thereto has not as yet been received. It was the Commission's decision that the work should proceed under the present project and under a project that is now in Washington for approval, until the final project can be prepared when the old projects can be cancelled. The Engineer was instructed to discuss the matter further with Mr. E. J. Griffith, State Administrator for the WPA.

The Engineer reported receipt of a letter from the WPA pointing out that the Ranger Station-Fish Hawk Falls cutoff project connecting the Wolf Creek Highway and Nehalem Highway, in Clatsop County, is an important access road in the national defense program and inquiring what progress is being

made by the State Highway Department in the survey of this road and the survey of the Nehalem Highway between Fish Hawk Falls and Astoria, all of which work it is proposed to perform with WPA forces. The Engineer advised that a reconnaissance survey only has been made of this project and it is estimated that the work between Ranger Station and Fish Hawk Falls can be done by contract for about \$370,000 whereas it will cost approximately \$750,000 to do the work as a WPA project, of which amount the state's share is estimated approximately \$60,000. The Engineer was instructed to contact the WPA officials and inform them that this project is one that would not normally be undertaken by the State Highway Commission for several years; however, in view of the importance and urgency of the project for national defence the Commission is willing to sponsor the same at this time but cannot contribute more than \$60,000 of state funds to finance it. Also, that the state will make the survey of the project and will purchase the right of way. The Commission thereupon authorized the Engineer to make a definite location survey of the road.

The Engineer reported on the request of Albany School District No. 5 for permission to use the area between the sidewalk and the school-ground fence along the Pacific Highway East in Albany. He said that the area in question is lune-shaped being about 200 feet long and about ten feet wide at the center, tapering to nothing at each end; further, that it is two or three feet lower than the highway roadside shoulders and, while the slope has been planted to shrubbery, the lune itself is undeveloped. At the present time, he said, the school district maintains an unsightly board fence approximately eight feet high along the right of way line, but it is the plan of the school district, if the Highway Commission will grant the necessary permission, to replace this fence with an industrial tight-woven wire fence with steel posts set in concrete and to plant fast-growing shrubbery along the same to act as a screen. They would like to erect this fence on the highway right of way so as to give the school grounds a little more room. He recommended the granting of the request subject to the condition that the fence do not encroach on the highway more than six feet at the widest point and that the school district will agree to remove the fence any time in the future that the area is needed for highway purposes or if it interferes with traffic requirements. The Commission approved the recommendation and ordered that the matter be covered by appropriate agreement.

Reconsideration was given by the Commission to the request of J. W. Harrison, Portland, for access to the Pacific Highway East at the Union Avenue viaduct in Portland, involving the cutting of the viaduct handrail. The Engineer recalled that the Commission, at a previous meeting, indicated that it would not grant this request in the event it had legal authority to prevent right of access at this point. The Attorney advised that he has read the law covering such matters and has also read court rulings on the subject and it is his opinion that the Commission cannot deny Mr. Harrison right of access to the highway although he can be required to pay whatever cost or expense may be incurred in providing such access. In view of the Attorney's opinion the Commission decided unanimously to permit Mr. Harrison right of access as requested provided he will deposit with the Commission, in advance of construction, the estimated cost of doing the work which is about \$200, and provided further that the work be done by state forces.

A letter was presented from Mr. Andrew Newhouse, attorney for Andrew Stambuck, operator of the Enegren Ferry on the Coos River Secondary Highway in Coos County, in which letter Mr. Newhouse points out that it has been the practice of Mr. Stambuck and former operators of this ferry, to provide powerboat service for foot passengers during the times when ferry service had to be discontinued by reason of high water. Mr. Newhouse gave as his interpretation of the contract that Mr. Stambuck would not be obligated to furnish such powerboat service. However, should he discontinue it he would undoubtedly incur the ill feeling of the persons who are benefited thereby and for that reason is asking the Commission to waive the deductions provided for in the contract during periods when the ferry is not operating on account of high-water conditions and when he operates his powerboat, and, if the Commission cannot see fit to modify the contract in such regard, that the Commission provide suitable signs at the approaches to the ferry informing the public that Mr. Stambuck is not obligated to furnish powerboat service when the ferry cannot run during high-water periods. After discussion of this matter the Engineer recommended that the Commission do not modify the provisions of the contract, but in lieu thereof give Mr. Stambuck authority to erect signs as suggested by Mr. Newhouse stating that the ferry will not be operated during periods of high water. The Commission approved the recommendation unanimously.

A letter was presented from G. T. McClean, City Manager of Astoria, requesting financial assistance from the State Highway Commission in paying for the city's proposed street-lighting system which is estimated to cost about \$3,000.00. He advised that the city does not have funds available to pay the entire cost and that it is the thought of the city commissioners that the state highway department might pay a portion of the expense in view of the fact that the poorly lighted portion of the city is along the new route of the state highway. The Commission denied the request for the following reasons: lack of established policy with respect to such matters, and the inability of establishing a policy at this time because of pressing demands for funds for other purposes. The Engineer was instructed to so inform the city manager.

The Commission discussed matters pertaining to the Front Avenue project in Portland, particularly the matter of the award of the contract for reconstruction of the west approach to the Hawthorne Bridge, bids for which were taken by the Commission on December 18, 1940, the low bid being submitted by Frank Watt Construction Company. The Engineer advised that Public Utilities Commissioner Ormond R. Bean expects to hold a hearing on the Front Avenue project about the middle of February and gave as his thought that it would be inadvisable to award the contract for the Hawthorne Bridge project until after this hearing. He pointed out that according to the provisions of the proposal the Commission cannot hold the proposal of the Frank Watt Construction Company longer than 30 days after bids are received, and in this case that would mean not longer than January 18, 1941, unless the contractor will agree to take the job after that date. He was instructed by the Commission to contact the Frank Watt Construction Company and ascertain its attitude in regard thereto. Mr. Watt was contacted by telephone and

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stated his willingness to accept the contract even if the award is delayed until after January 18, 1941, provided he is assured by his bondsmen that they would write the contract bond. In view of this report the Commission instructed the Secretary to return to the Frank Watt Construction Company its certified check bid deposit on January 18, 1941.

The Engineer presented a list of surveys that he has ordered since the last meeting of the Commission and asked the Commission to confirm them and the amounts allocated for each. After due consideration the Commission authorized and instructed the Engineer to make such location surveys on various sections of the highways of this state, which said sections of highways, together with their identifying location survey numbers and the amounts authorized and allocated for such survey expenditures are as follows:

Plans	- - - -	1-1424	- Huntington Section, Old Oregon Trail, Baker County.	1st authorization - \$200.00
Plans	- - - -	1-1425	- Unity Scale Site, John Day Highway, Baker County.	1st authorization - \$60.00
Plans	- - - -	102-1423	- Plunket Creek-Read Creek Section, Kings Valley Highway, Benton County.	1st authorization - \$500.00.
Quarry	- - - -	102-1423	- Plunket Creek-Read Creek Section, Kings Valley Highway, Benton County.	2nd authorization - \$400.00 Total to date \$900.00
Plans	- - - -	2-1424	- Corvallis Section, Corvallis-Newport Highway, Benton County.	1st authorization - \$100.00
Plans	- - - -	3-1428	- Oswego Section, Oswego Highway, Clackamas County.	1st authorization - \$1,000.00
Plans	- - - -	3-1429	- N. Unit, Oregon City Section, Pacific Highway East, Clackamas County.	1st authorization - \$225.00
Plans	- - - -	4-2829	- Gearhart-Seaside Section, Oregon Coast Highway, Clatsop County.	2nd authorization - \$200.00 Total to date \$400
Plans	- - - -	4-1443	- Astor St.- Bond St. Section, Oregon Coast Highway, Clatsop County.	1st authorization - \$150.00
Plans	- - - -	204-1444	- Warrenton Section, Ft. Stevens County Road, Clatsop County.	1st authorization - \$400.00
Plans	- - - -	4-1445	- Necanicum Jet.- Nehalem Riv. Section, Wolf Creek Highway, Clatsop Co.	1st authorization - \$150.00
Location	- - -	204-1446	- Camp Clatsop-Ft. Stevens Section, Ft. Stevens County Road, Clatsop County.	1st authorization - \$3000.00

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Stock Pile - - 4-1447 - Mile Post 3.0, Necanicum Highway, Clatsop County.
1st authorization - \$100.00

Plans - - - - 105-1423 - Banzer Bridge-Mist Section, Nehalem Highway, Colum-
bia County. 1st authorization - \$650.00

Plans - - - - 9-2826 - Bend-Chemult Section, The Dalles-California Highway,
Deschutes County. 2nd authorization - \$700.00
Total to date \$1,400

Plans - - - - 209-1439 - Terrebonne-Lower Bridge Section, Deschutes County
Road, Deschutes County. 1st authorization - \$800.00

Sidewalk - - - 9-1440 - Sisters Section, McKenzie Highway, Deschutes County.
1st authorization - \$100.00

Plans - - - - 110-1429 - Days Creek-Milo Section, Tiller-Trail Highway,
Douglas County. 1st authorization - \$4800.00

Plans - - - - 10-1422 - Dillard Bridge Section, Pacific Highway, Douglas
County. 3rd authorization - \$250.00
Total to date \$1,050.00

Plans - - - - 12-1425 - Prairie City-Dixie Summit Section, John Day Highway,
Grant County. 1st authorization - \$2250.00

Plans - - - - 14-1417 - Mitchell Point Section, Columbia Highway, Hood River
County. 1st authorization - \$100.00

Plans - - - - 15-1426 - Prospect-Cascade Gorge Section, Crater Lake Highway,
Jackson County. 1st authorization - \$100.00

Location - - - 115-1425 - Lake Creek-Little Butte Creek Section, Little Butte
Highway, Jackson Co. 2nd authorization - \$725.00
Total to date \$2,100.00

Stock Pile - - 17-1412 - California Line-Waters Creek Section, Redwood High-
way, Josephine County. 1st authorization - \$250.00

Quarry - - - 17-1413 - Graves Creek-Jump-off Creek Section, Pacific High-
way, Josephine County. 1st authorization - \$1000.00

Aero - - - - 18-1450 - Klamath Falls Vicinity, Klamath County.
1st authorization - \$275.00

Location - - - 18-1452 - Modoc Point-Barclay Springs Section, The Dalles-
Calif. Hwy., Klamath Co. 2nd authorization - \$1600.00
Total to date \$4800.00

Right of Way - 18-1453 - Sun Mt. Viewpoint, The Dalles-California Highway,
Klamath County. 1st authorization - \$50.00

Location - - - 119-1425 - Warner Canyon-Summit Section, Warner Highway, Lake
County. 1st authorization \$2100.00

Quarry - - - - 19-2819 - Forest Boundary-Cottonwood Creek Section, Klamath
Falls-Lakeview Highway, Lake County.
4th authorization \$200.00
Total to date \$1300.00

Plans - - - - 20-1443 - Cottage Grove Section, Pacific Highway, Lane County.
1st authorization \$200.00

Plans - - - - 20-1437 - Goshen-Lowell Section, Willamette Highway, Lane
County. 2nd authorization \$1112.50
Total to date \$10,912.50

Plans - - - - 20-1437 - Goshen-Lowell Section, Willamette Highway, Lane
County. 3rd authorization \$727.50
Total to date \$11,640.00

Right of Way - 21-1442 - Waldport-Yachats Section, Oregon Coast Highway,
Lincoln County. 1st authorization \$500.00

Plans - - - - 22-1426 - Crabtree Cor.-Lebanon Section, Santiam Highway,
Linn County. 1st authorization \$1860.00

Plans - - - - 22-1427 - Canyon Creek-Bryant Hill Section, Santiam Highway,
Linn County. 1st authorization \$1200.00

Plans - - - - 22-1428 - Albany-Jefferson Section, Pacific Highway East,
Linn County. 1st authorization \$100.00

Stock Pile - - 124-1433 - Silverton-Silver Creek Falls Section, Silver Crk.
Falls Hwy., Marion Co. 1st authorization \$60.00

Plans - - - - 224-1434 - Middle Grove-Silverton Section, Silverton County
Road, Marion County. 1st authorization \$3000.00

Plans - - - - 124-1435 - Silverton-Pine Tree Corner Section, Cascade Highway,
Marion County. 1st authorization \$65.00

Plans - - - - 24-1436 - Illahee-Miller Creek Section, Pacific Highway East,
Marion County. 1st authorization \$900.00

Plans - - - - 26-1447 - Interstate Bridge Section, Pacific Highway, Multno-
mah County. 1st authorization \$500.00

Stock Pile - - 27-1416 - Rickreall Section, Salem-Dallas Highway, Polk County
1st authorization \$100.00

Location - - - 128-1411 - N.Unit, Fulton Canyon Sec., Fulton Canyon-Wasco Hwy.,
Sherman County. 1st authorization \$750.00

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Plans - - - - 229-1433 - Johnson Bridge-Peltz Cor. Sec., Trask River Loop Co.
Road, Tillamook Co. 1st authorization - \$1080.00

Location - - - 33-1428 - Celilo Indian Village Sec., Columbia River Highway,
Wasco County. 1st authorization - \$980.00

Plans - - - - 34-1427 - Davies-Barnes Road Section, Wolf Creek Highway,
Washington County. 1st authorization - \$3700.00

Scales - - - - 35-1416 - Kinzua Scale Site, John Day Highway, Wheeler County
1st authorization - \$60.00

Test Holes - - 1-1426 - Keating Road-Ruckles Creek Section, Baker-Homestead
Highway, Baker County. 1st authorization - \$300.00

Location - - - 4-1449 - Astoria-Tongue Point Section, Columbia River High-
way, Clatsop County. 1st authorization - \$1000.00

Location - - - 204-1448 - Humbug-Fishhawk Falls Sec., Wolf Creek-Nehalem High-
way, Clatsop County. 1st authorization - \$3600.00

Reconn. - - - 6-1422 - Noble Creek-Bear Creek Sec., Oregon Coast Highway,
Coos County. 1st authorization - \$1500.00

Plans - - - - 12-1426 - Seneca-Harney County Line Section, John Day-Burns
Hwy., Grant County. 1st authorization - \$3070.00

Plans - - - - 113-1416 - Hanley Lane Section, Frenchglen Highway, Harney
County. 1st authorization - \$1840.00

Plans - - - - 17-1414 - Grants Pass-South Section, Pacific Highway, Joseph-
ine County. 1st authorization - \$500.00

Plans - - - - 20-1445 - Divide-Douglas Co. Line Section, Pacific Highway,
Lane County. 1st authorization - \$50.00

Right of Way - 21-1444 - Otis Junction-Ocean Lake Section, Oregon Coast Hwy.,
Lincoln County. 1st authorization - \$14.00

Location - - - 123-1422 - Jordan Valley Section, I.O.N. Highway, Malheur
County. 2nd authorization - \$300.00
Total to date \$800.00

Plans - - - - 223-1423 - Cow Hollow-Mysa-Adrian Jct. Sec., Vale-Adrian Hwy.,
Malheur County. 1st authorization - \$300.00

Plans - - - - 24-1436 - Illahee School-Albany Section, Pacific Highway East,
Marion County. 2nd authorization - \$4625.00
Total to date \$5525.00

Plans - - - - 25-1409 - Jones Hill-Lena Section, Heppner Highway, Morrow
County. 1st authorization - \$400.00

Test - - - - 26-1448 - Rooster Rock Section, Columbia River Highway, Multnomah County. 1st authorization - \$146.00

Right of Way - 27-1417 - W. Approach Willamette River Bridge, Salem-Dallas Hwy., Polk County. 1st authorization - \$100.00

Plans - - - - 129-1434 - Trask River Bridge Crossing, Netarts Highway, Tillamook County. 1st authorization - \$100.00

Plans - - - - 30-1431 - Pendleton-Adams Section, Oregon-Washington Highway, Umatilla County. 1st authorization - \$150.00

Plans - - - - 131-1422 - Meadowbrook Section, Starkey Highway, Union County. 1st authorization - \$900.00

Plans - - - - 135-1417 - Chichester Gulch-West Section, Shaniko-Fossil Highway, Wheeler County. 1st authorization - \$1,150.00

The Commission had under discussion the following requests for extensions of time within which to complete highway construction projects:

McNutt Bros., contract No. 2232, for construction of bridges on the Water Street Section of the Pacific Highway East in Oregon City, Clackamas County, requested an extension of time from June 30 to November 2, 1940, within which to complete this job. They gave no reason for failure to complete the project within the specified time limit. The Engineer advised that this contract was awarded on October 4, 1939, and the date of completion specified was June 30, 1940. However, on account of high water in the Willamette River the contractors were directed to discontinue work on the stairway leading under the viaduct on May 20, 1940, and were not allowed to resume operations until August 5, 1940. All work on the original contract, he said, was completed on September 12, 1940; however, it was not until November 2, 1940, that the contractors completed the work under extra work orders. He recommended, in view of the fact that the overrun in time was due entirely to closing down of the work by the State Highway Department and to the extra work, that the extension of time requested be granted without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation by unanimous vote.

Washington Hauling Company, contract No. 2250, for furnishing crushed rock in stock piles for the Hebo-Oceanlake Section of the Oregon Coast and Salmon River Highways, in Lincoln and Tillamook Counties, requested an extension of time of 15 days, from May 31 to June 15, 1940, within which to complete this job. They attributed their failure to complete the project within the specified time limit to additional work ordered by the Engineer. The Engineer

advised that the reason given by the contractor for overrunning the time limit is correct; that the contractor was required to furnish additional materials needed for oiling operations by the state oiling crew on the Oregon Coast Highway during the past oiling season and that the 15-days' time was required to produce this material. He recommended in view thereof that the extension of time requested be granted without penalty. The Commission approved the recommendation unanimously.

Odom Construction Company, contract No. 2257, for widening the bridge over Depoe Bay on the Oregon Coast Highway, in Lincoln County, requested an extension of time from August 31 to November 15, 1940, within which to complete this job. They gave no reason for failure to complete the project within the specified time limit. The Engineer advised that the date of completion specified in the contract was August 31, 1940; and that certain changes were made in the plans for the work which involved an increase in quantities. The entire project, he said, should have been completed by September 14, 1940. He recommended the granting of a 14-day extension of time, from August 31 to September 14, without penalty; and the granting of a further extension, from September 15 to November 15, 1940, inclusive, subject to the condition that the contractor shall reimburse the state for extra engineering expense incurred by the state during such period. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation unanimously.

Willamette Iron and Steel Corporation, contract No. 2313, for furnishing of steel for the Strassel Undercrossing on the Wolf Creek Highway, in Washington County, requested an extension of time from August 10 to November 30, 1940, within which to complete this project. They attributed their failure to complete the project within the specified time limit to the fact that their shops were too busily engaged in other work to permit the fabrication of the steel for this job. The Engineer advised that the contract called for the steel to be ready for shipment to the job 100 days after the award of the contract. Further, that the contractor had the steel ready for delivery within such period but did not ship it until November 30, 1940, because the Southern Pacific Company, which was responsible for the installation of the steel, did not have a crew available to do the work. He recommended in view of the circumstances that the extension of time requested be granted without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

William Zickler, contract No. 2341, for construction of a bridge over Canyon Creek on the John Day Highway, in the town of John Day, Grant County, requested an additional extension of time, from November 30 to December 7, 1940, within which to complete this

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job. He gave no reason for failure to complete the job within the specified time limit but stated that the work remaining to be done after October 31 simply consisted of cleaning up the site and removal of the old bridge. The Engineer advised that the Commission previously granted a 30-day extension of time within which to complete this job, the first seven days of which were without penalty because of an increase in quantities, although the Commission ordered that the contractor be charged with the extra engineering expense incurred by the state subsequent to such seven-day period. He further advised that he knows of no reason why this penalty should be modified and why the contractor should not be charged the extra engineering expense incurred by the state during this additional extension of time. He accordingly recommended the granting of the extension of time now requested subject to the contractor being charged for all engineering expense incurred by the state subsequent to November 7, 1940. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

The Engineer reported that contracts Nos. 2232, 2250, 2257, 2313, and 2341, for the construction of state highway projects, have been completed according to the requirements of the contracts or modifications thereof, and that said jobs are now ready for acceptance. The following resolution accepting the above projects was offered and was adopted by the unanimous vote of the Commission:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts and said jobs are now ready for acceptance:

Contract No. 2232, with McNutt Brothers, for remodeling the approach to an existing bridge over the Willamette River and construction of a concrete viaduct on the Water Street Section of the Pacific Highway East, in Oregon City, Clackamas County. Completed November 2, 1940.

Contract No. 2250, with Washington Hauling Company, for furnishing crushed rock in stock piles on the Hebo-Ocean-lake Section of the Oregon Coast and Salmon River Highways, in Lincoln and Tillamook Counties. Completed June 15, 1940.

Contract No. 2257, with Odom Construction Company, for remodeling and widening the concrete bridge over Depoe Bay and construction of approaches thereto, in Lincoln County. Completed November 15, 1940.

Contract No. 2313, with Willamette Iron & Steel Corporation, for furnishing structural steel for the Strassel Grade Separation Project on the Wolf Creek Highway, in Washington County. Completed November 30, 1940.

Contract No. 2341, with William Zickler, for construction of a bridge over Canyon Creek in John Day on the John Day Highway, Grant County. Completed December 7, 1940.

THEREFORE, BE IT RESOLVED that the work covered by said state highway contracts for the construction of said state highway projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

The Commission considered and signed agreements, et cetera, as follows:

Agreement with Maurice G. Roy and wife regarding right of way settlement at Pilot Rock. Right of way transaction No. 8516.

Agreement with Northern Pacific Railroad Company providing for slope encroachment on railroad property at Goble. Right of way transaction No. 8525.

Agreement with First National Bank of Portland cancelling lease on parcel of land used as a gravel pit in Curry County. Right of way transaction No. 1947.

Agreement with Sherman County providing for improvement of the Maryhill Ferry Road.

Agreement with the Pacific Telephone and Telegraph Company covering right of way for the company's telephone pole line in connection with the Sexton Mountain project.

Agreement with the United States of America covering construction of a fence by Federal Grazing Administration along the Powder River Canyon Section of the Baker-Homestead Highway.

Lease agreement with O. D. Keiffer providing for use by Mr. Keiffer of 6.14 acres of state-owned land adjacent to the Wallace Road Secondary State Highway, in Polk County, at the rate of .25 annually.

Roadway easement authorizing Port of Umpqua to construct a roadway under the Umpqua River Bridge at Reedsport.

Ground lease providing for maintenance of a snow fence adjacent to the John Day Highway near Unity.

Bargain and Sale Deed conveying unto T. R. Maxwell 1.19 acres of land in Enterprise. Right of way transaction No. 2633.

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Bargain and Sale Deed conveying unto Lars P. Peterson and wife certain lots in Block 18, Hasburg's Addition to Marshfield. Right of way transactions Nos. 8250, 8251, 8252, and 8253.

Bargain and Sale Deed conveying unto A. B. Reese 1,624 sq. ft. of land in Brookings. Right of way transaction No. 8022.

Bargain and Sale Deed conveying unto Sunset Logging Company 80 acres of land in Tillamook County, being in exchange for other property. Right of way transaction No. 2069.

Bargain and Sale Deed conveying unto W. L. Crissey 5,771 square feet of land situate in Lots 1, 2, 3 and 4, Block 15, Brookings. Right of way transactions Nos. 7700, 7705, and 7706.

Bargain and Sale Deed conveying unto James A. Davenport and wife 0.41 acre in the Southeast Quarter of the Southeast Quarter of Section 24, Township 13 South, Range 12 West, W.M., Lincoln Co. Right of way transaction No. 4475-A.

There being no further business to come before the Commission at this time the meeting was adjourned at 5:00 p. m.

Thurman
State Highway Engineer

H. B. Seay
Secretary

Henry F. Cabell
Chairman

John M. Clough
Commissioner

Thurman Olson
Commissioner

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Portland, Oregon, January 21, 1941

The State Highway Commission met in regular session at 9:00 o'clock a. m. in the auditorium of the Public Service Building. Present were:

Henry F. Cabell, Chairman
Huron W. Clough, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

Commissioner Herman Oliver was excused from attending this meeting.

Bids as follows for highway construction projects and for the sale of buildings were opened and read in conformance with previously published notice, following which Chairman Cabell announced that the award of contracts would be made at 3:30 p. m. in the same room:

BAKER-HOMESTEAD HIGHWAY
FLAGSTAFF HILL-RUCKLES CREEK SECTION
GRADING, TOPPING, SURFACING AND OILING

R. O. Dail & Warren Bros., Portland	\$66,747.10
E. C. Hall Company, Eugene	73,275.00
Leonard & Slate, Multnomah	74,260.00
Triangle Construction Co., Boise, Idaho	74,497.00
Babler Bros., Portland	74,550.00
M. L. O'Neil & Son, John Day	80,254.50
McNutt Bros., Eugene	84,241.50

KINGS VALLEY SECONDARY HIGHWAY
PLUNKETT CREEK-READ CREEK SECTION - GRADING, SURFACING AND OILING

	Using Asphalt	Using Tar
M. L. O'Neil & Son, John Day	- - -	\$46,717.30
E. C. Hall Co., Eugene	- - -	47,468.00
Babler Bros., Portland	- - -	52,048.00
Berke Bros., Portland	\$52,256.50	52,194.90
E. H. Itschner, Molalla	- - -	54,341.50
E. L. Gates, Trail	56,956.90	56,980.90
McNutt Bros., Eugene	58,586.40	58,586.40
E. J. Eldon, Portland	65,280.00	65,188.00
Edlefsen-Weygandt Co., Portland	66,551.00	- - -

COLUMBIA RIVER HIGHWAY
SCAPPOOSE-ST. HELENS SECTION - REMODELING BRIDGES

R. G. Barnes, Astoria	\$29,744.00
A. Milne, Portland	29,998.00
McNutt Bros., Eugene	35,162.50

(Continued on next page)

(Scappoose-St. Helens Section continued)

Babler Bros., Portland	\$35,587.50
C. J. Montag & Son, Portland	36,979.50
Birkemeier & Saremal, Portland	37,147.50
Frank Watt Construction Co., Portland	37,431.20

COOS BAY-ROSEBURG HIGHWAY
ENDICOTT CREEK-BEAR CREEK ROCK PRODUCTION

A. S. Wallace, Roseburg	11,787.50
Gus Reichow, Forest Grove	14,097.00
C. J. Eldon, Portland	16,317.50
Homer G. Johnson, Portland	17,320.00

CENTURY DRIVE SECONDARY HIGHWAY
BEND-FORST BOUNDARY SECTION - GRADING, SURFACING, OILING

Babler Bros., Portland	\$39,549.00
Joslin & McAllister, Spokane, Wash.	43,117.75
R. O. Dail & Warren Bros., Portland	47,474.50
A. Milne, Portland	51,211.00
Clifford A. Dunn, Klamath Falls	54,579.50

COOS BAY-ROSEBURG HIGHWAY
BEAR CREEK-COOS JUNCTION ROCK PRODUCTION

A. S. Wallace, Roseburg	\$16,000.00
C. J. Eldon, Portland	20,900.00
Homer G. Johnson, Portland	23,137.50

LITTLE BUTTE SECONDARY HIGHWAY
LAKE CREEK-HANLEY RANCH SECTION - GRADING AND BRIDGE

E. L. Gates, Trail	\$25,509.50
Leonard & Slate, Multnomah	28,071.50
Coos Bay Dredging Co., Marshfield	28,133.95
E. C. Hall Co., Eugene	30,009.00
McNutt Bros., Eugene	35,663.50
R. I. Stuart & Son, Medford	36,158.00

THE DALLES-CALIFORNIA HIGHWAY
KLAMATH AGENCY-MODOC POINT SECTION - ROADSIDE IMPROVEMENT

E. L. Gates, Trail	\$10,625.00
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PACIFIC HIGHWAY
INTERSTATE BRIDGE - INSTALLING ELECTRICAL EQUIPMENT

Dimitre Electric Co., Portland	\$2,850.00
W. R. Grasse Co., Portland	3,740.00

SALE OF BUILDING IN BANDONBuilding No. 7857-A (Known as Koffee Kup Cafe)

L. S. Bernetz, Bandon	\$500.00
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SALE OF BUILDING AND TRACT OF LAND
IN SALEMBuilding No. 5785 (Former owner Duane Gibson)

F. J. Tschaner, Salem	\$210.30
Clinton Perkins, Salem	190.00
Jack Henningsen, Salem	186.00
Otto H. Timm, Salem	176.00
Kenneth Dodd, Eugene	163.00

Tract "A" (Former owners E. A. Jackson and Duane Gibson)

Virgil T. Golden, Salem	\$950.00
L. V. Benson, Salem	650.00
Otto F. Johnson, Salem	527.50
Wm. Clinton Davisson, Lake Grove	355.50

Mr. L. J. Simpson, Empire, Oregon, was present and presented a petition signed by the following: Coos Bay Gateway Chamber of Commerce, City of Empire, City of North Bend, North Bend Chamber of Commerce, City of Marshfield, and the Marshfield Chamber of Commerce, in which petition the Commission was urged to complete construction of the Cape Arago Secondary State Highway to Cape Arago State Park, a distance of about three miles. Mr. Simpson advised that they are asking for the same type of construction as has been provided on the adjoining section of this road, and that they will not be satisfied with a temporary job. He offered to donate right of way across his holdings for this purpose. He advised that rock for the improvement of the south jetty at Coos Bay is being secured from a quarry near his "Shore Acres" home and that about 100,000 tons of rock are to be taken from this place, all of which will have to be transported over the Cape Arago Secondary Highway which in his estimation is another argument in favor of the improvement of the road. Mr. Simpson was informed by the Commission that highway construction in Coos County is quite expensive and that the Commission is now spending considerable sums in that district; further, that the Commission is glad to have been able to improve the Cape Arago Secondary Highway as far as it is completed but cannot see its way clear at the present time to order additional work as it is a question of finances and the funds available to the Commission are limited.

County Commissioner E. E. Varco, Deschutes County, and Mr. Don Peoples, Secretary of the Bend Chamber of Commerce, came before the Commission

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in the interests of the Warm Springs Highway. They asked for additional improvements thereon and urged the early completion of this road so that it will be available for general public use at the earliest time. The Commission agreed to inspect the road some time next summer when it is in that vicinity.

Mr. Varco presented a petition signed by numerous property owners and a letter from the Deschutes County Court requesting the improvement of the O'Neil Secondary State Highway No. 370. The Commission took the matter under advisement.

Mr. Varco also asked for information in regard to the construction of the Cascade Lakes Forest Highway (Century Drive Highway) west of Bend. He was given no definite information in regard thereto.

Mr. C. E. Burgess, Fossil, conferred with the Commission in regard to the survey that is being made for the improvement of the Shaniko-Fossil Secondary Highway in the vicinity of Clarno. He stated that engineers are now making the survey and, according to the stakes that have been set, it appears that the road is to be located across bottom lands that are the only lands in the vicinity of any value and, if such route is adopted by the Commission, it will ruin the property owners. He urged the Commission not to adopt such location and offered to give right of way across his holdings if the Commission would place the road at a higher elevation; otherwise, he said, he and the other property owners would expect to be paid heavy damages. The Engineer advised that the surveys now being made are not final and that before a definite alignment has been decided he would give the matter very careful study. Chairman Cabell assured Mr. Burgess that one of the engineers would inspect the proposed location with him before the Commission takes final action.

The Attorney brought up for discussion the question of payment of a sewer assessment in the city of Ontario. He explained that this matter had the attention of the Commission at a previous meeting at which time the Commission decided not to pay this sewer assessment unless it could be shown that the State Highway Department would receive benefits therefrom. He read aloud a letter from the city stating that the new sewer now being installed is to replace an old sewer that serves the State Highway Department premises, and that upon completion of the new sewer the city does not intend to maintain the old one. He advised that the assessment amounts to \$210.00. It was the opinion of the Commission that the State Highway Department should pay assessments of this kind the same as do other property owners. It appeared to the Commission from the information at hand that the state would receive benefits in this particular instance and accordingly the Commission authorized payment of the assessment in the event that further investigation confirms its conclusions. The matter was referred to the Engineer for such further investigation.

The Attorney also brought up for discussion the matter of payment of an assessment against property owned by the State Highway Commission in

what is known as the Slide Irrigation District. He advised that the Highway Commission purchased this property in good faith with the understanding that all assessments against the property had been paid. However, it now appears that there are \$88.00 due now as an assessment to pay certain bonded indebtedness which is in default, the authority for the assessment having been granted the bond committee by the circuit court, which committee is composed of certain persons who are not original bond holders and do not represent original bond holders. He gave as his thought that this assessment is not a legal claim against the state, hence the Commission cannot be forced to pay it. After considerable discussion and in view of the Attorney's report, the Commission decided not to pay the claim.

Mr. Sam Browne, Jr., Tyler, Texas, came before the Commission and requested authority to operate over certain state highways truck and semi-trailer equipment which exceeds in dimension the limits provided by the Oregon statute, being 12 feet 6 inches high and 42 feet long. He advised that he is making arrangements to purchase fern in the state of Oregon and also in the state of Washington for transportation to Texas; that his equipment, which is refrigerated equipment, is legal in the state of Texas but is apparently a little higher and a little longer than is permitted in Oregon; also, that he plans to make two trips per month into Oregon with this equipment and that at the present time his operations will be confined to the Pacific Highway although at some future time he will probably want permission to extend his operations across the state of Oregon into the state of Washington. He further advised that he has already secured permission to operate this equipment across the intervening states and that the only barrier at the present time is the securing of a permit from the state of Oregon to operate in that state. After discussion the Commission authorized the granting of such permit until the Oregon Legislature, which is now in session, adjourns, at which time the matter is to be reconsidered, provided Mr. Browne will furnish the customary amount of public liability and property damage insurance.

The Commission discussed a communication from Mr. Charles E. Blaess, Shady Grove, Oregon, requesting the privilege to conduct mining operations on state-owned property adjacent to the Crater Lake Highway near Casey State Park, in Jackson County, and decided to adhere to its present policy in regard to such matters, which prohibits such operations on property owned by the state.

The Attorney requested instructions relative to the occupation of Casey State Park by a Mrs. Inez Van Dyke. He recited the history of this case and advised that, as previously instructed by the Commission, he has ordered Mrs. Van Dyke to vacate the state's premises but she refuses to do so. The Commission instructed the Attorney to take necessary legal steps to evict her from the premises.

The matter of maintaining a free flow of water in the irrigation canals and siphons of the West Extension of the Umatilla Irrigation Project, where such canals and siphons are crossed by the new highway between Boardman and Stanfield, had the attention of the Commission. The Attorney advised that

an agreement had been prepared by the government covering this matter which was acceptable to the Highway Engineer in all respects except that the district demands that the State Highway Department assume the responsibility for keeping the canals and siphons free of debris, and guarantee that the free flow of water through these facilities will not be interfered with or interrupted. The Commission stated its willingness to keep the canals and siphons clear of debris so far as they are located on state highway rights of way but refused to guarantee that there would be no interference with the free flow of water beyond such limits. The Commission instructed the Attorney to so advise the government.

The Commission discussed briefly and deferred action, until Commissioner Oliver is present, on the claim of Mr. John O'Gorman for damages in the amount of \$100.00 which he alleges is the value of a number of sheep that were killed by a state highway department truck operating on the Klamath Falls-Lakeview Highway on November 7, 1940.

The Attorney requested instructions with respect to the insurance coverage to be furnished in connection with the use of the Steel Bridge in Portland as a state highway route. He advised that, according to the agreement with the railroad companies, the Commission is required to protect the railroad companies by certain insurance which can be purchased at an annual premium of \$488.00 if protection is offered the railroad companies only. However, if the Commission wishes the state, the State Highway Commission, and its employees also protected by this insurance the annual premium will be \$1,221.88. The Commission decided to purchase insurance protecting the railroad companies only.

The Attorney reported the status of investigations with respect to the proposed suit against Ladd and Bush Bank, Salem, to collect the balance of the amount lost by reason of forgery committed by a former employee named W. L. Moorman. He was instructed by the Commission to discuss this matter with the Attorney General when the Legislature adjourns and ascertain whether or not the Attorney General is of the opinion that there is a chance to recover from the bank the amount of the loss which is approximately \$2,000.00.

The Commission adjourned at 12:00 noon and reconvened at 1:30 p. m. in the same room with the same persons present and participating.

The Engineer reported receipt of the final audit of the Public Roads Administration relative to reimbursement for expenditures made in connection with the construction of the Main Street Undercrossing in Klamath Falls, state highway contract No. 2120. He explained that this project is not on the state highway system but is on a city street in Klamath Falls which is not under the jurisdiction of the State Highway Commission or the Klamath County Court. Further, that it was financed with railroad grade separation funds provided by the federal government. According to the audit, he said, the Public Roads Administration rules nonreimbursable certain claims totaling \$2,925.87 of which amount \$1,441.49 represents preliminary engineering costs, \$712.30 extra work performed in cleaning up excavation in the abutment sections, \$44.60 for

name plates, \$695.63 claims presented by the California-Oregon Power Company for rearranging its water and power lines in the vicinity of the undercrossing, and \$31.85 for claims presented by the Southern Pacific Company.

The expenditures of the California-Oregon Power Company and the Southern Pacific Company, he said, do not enter into the final settlement with the City of Klamath Falls. However, according to the agreement between the Commission and the city, the city is required to pay all items for which reimbursement cannot be secured from the federal government; hence the city, under such agreement, could be required to pay expenses totaling \$2,198.39 which represents expenditures made by the state for which reimbursement cannot be obtained from the government. He pointed out that the law authorizes the Commission to perform certain engineering services to counties and cities at state expense and he also pointed out that the city of Klamath Falls has deposited with the Commission the sum of \$1,000.00 as a guarantee that it would pay the nonreimbursable items. He suggested, in order to close the books on this project, that the Commission assume the payment of the engineering expense and accept the \$1,000.00 deposited by the city of Klamath Falls as payment in full of its obligation in connection with this project. After discussion the Commission approved the suggestion by unanimous vote of the members present and instructed the Engineer to inform the Klamath Falls city council.

The Engineer reported that the city of Portland has plans for the diversion of traffic on Union Avenue between Couch Street and Ankeny Street whereby it is proposed to route north-bound traffic between these points along Union Avenue, and south-bound traffic via Couch Street and N. E. Third Street and Ankeny Street; and in this connection the city is asking that the State Highway Commission acquire small parcels of land for widening the intersections at the northwest corner of Union Avenue and Couch Street and at the southwest corner of Union Avenue and Ankeny Street to facilitate the free flow of traffic at such points. He gave as his thought that the plan is a good one and would relieve considerably the traffic congestion on Union Avenue which is a state highway route. He recommended approval of the city's request and that the Attorney be authorized to negotiate for the small parcels of land required. The Commission concurred in the viewpoint of the Engineer and thereupon authorized the Attorney to negotiate for necessary land.

A petition was presented from taxpayers and residents of Wasco, Sherman and Gilliam Counties requesting the oiling of the Sherars Bridge Secondary State Highway from its intersection with The Dalles-California Highway near Tygh Valley to the end of the graveled and graded section at the top of Sherars Grade. The Engineer estimated that it would cost about \$26,000.00 to do the work. On account of the expense involved and the limited amount of funds available to finance the work, the Commission decided against the improvement at the present time; however, instructed the Secretary to inform the petitioners that the Commission will consider the project in the formulation of future construction programs.

The Engineer requested authority to post the following highways in Eastern Oregon for 50 per cent reduced load limits when such action becomes

necessary: Nye Junction-Long Creek Section of the Pendleton-John Day Highway; Prairie City-Brogan Section of the John Day Highway, and the Weston-Elgin secondary Highway through its entire length. He said that inspection of these roads reveals that, due to the many extreme cold and thawing spells, the oiled roads are in much worse condition this winter than they have been for years and in his estimation it will be necessary to reduce the maximum weight of loads that can be transported over them, otherwise they are very likely to break up during the period of thaw. He recommended adoption of the 50 per cent reduced load limit and the posting of signs at such time as investigations reveal that absolutely necessary, which he thought would be about the first of February. He also recommended that notification be given to the various mill owners in the meantime that reduced load limits are anticipated and that the suggestion be made to them that they could deck a sufficient supply of logs at their mills so that mill operations will not be interrupted during the time that the reduced load limit is in effect. The Commission, by unanimous vote, approved the posting of the roads when necessary and instructed the Secretary to notify the mill owners of the action taken so they can arrange to have sufficient logs on hand to keep their mills running without interruption.

The Engineer reported on investigations relative to the maintenance of a sign at the junction of the Lakeview-Burns and Fremont Highways calling the public's attention to "Abert Rim," which matter has been urged by people of Lakeview. He said that several sites have been investigated but he is not yet ready to make a recommendation with respect to any of them although he does recommend the erection of two signs, one at this junction and the other at the east end of the rim for the benefit of tourists enroute from Burns to Lakeview. He estimated the cost of both signs at approximately \$450.00. After discussion the Commission authorized the expenditure for both signs and referred to the Engineer the matter of selection of sites for the same and the wording that is to go on them.

The Engineer also reported on the cost to improve West First Street in the town of Ontario as a route for Old Oregon Trail truck traffic through this town; also the cost to widen the existing route of the Old Oregon Trail along Fourth Avenue from West First Street to Maple Street near the city hospital, all of which has been requested by Mr. George Aiken, Mayor of Ontario. The cost to improve West First Street from Fourth Avenue to a connection with the Old Oregon Trail, a distance of about 0.95 mile, is \$28,500 and the cost to widen the existing Old Oregon Trail along Fourth Avenue from West First Street to Maple Street is \$16,000. The Commission considered that the time is not propitious to make such improvements in view of the high costs involved and the limited amount of funds available for purposes of this kind. For these reasons the request for the improvement was denied.

The Commission had under discussion a request from the Wauna Toll Bridge Company for state aid in removing snow from the Oregon end of the "Bridge of the Gods" at Cascade Locks, including the approach thereto from the Columbia River Highway. The company suggested that this work could best be done by state highway forces since the highway department has necessary equipment conveniently located and is experienced in this class of work. The company

agreed to reimburse the state for the expense incurred in connection therewith. The Engineer recommended approval of the request if there are no legal obstacles and provided the company will deposit with the Commission its certified check in the amount of the estimated cost of the work, which he thought would not exceed \$150 annually. The Commission approved the Engineer's recommendation subject to the condition that advance payments of the estimated expense be deposited with the Commission and that the work do not extend beyond the point where the bridge crosses the state line.

The Commission discussed a letter from State Senator Charles Childs, Albany, in which suggestion was made that the artificial lake in the state's borrow pit located near the north city limits of Albany be named "Waverly Lake" in view of the fact that the tract of land on which the lake is situated was formerly known as "Waverly Orchard" tracts. The Engineer advised that Senator Childs also wrote Mr. Lewis A. McArthur, Secretary of the Oregon Geographic Board, regarding this matter and that he has received a copy of Mr. McArthur's reply in which Mr. McArthur advises that he personally can see no objection to so naming this lake, particularly in view of the fact that so far as he knows the name has not been used elsewhere in Oregon. He gave as his personal opinion that the name "Waverly Lake" is very appropriate and recommended adoption of the same. The Commission approved the recommendation and authorized the Engineer to erect appropriate signs for public information.

The Commission discussed the application of Kinzua Pine Mills Company for permission to construct a private logging road across the Heppner-Spray Secondary Highway, in the Northeast Quarter (NE $\frac{1}{4}$) of Section 35, Township 6 South, Range 25 East, W. M., Wheeler County.

The Engineer advised that this matter has been investigated by Division Engineer Williams who reports that the company is building a high type logging road which they expect to use for many years and is very desirous of securing a convenient crossing that would be satisfactory in every respect and would not require maintenance of flagmen on the highway when logging trucks are crossing over it. The sight distance along the highway south of the point of crossing, he said, is unlimited, but is limited to the north due to the lower grade line of the highway. However, the company has agreed to reconstruct the highway grade along such section to provide at least 900 feet sight distance to the north, the work to be done at no expense to the state provided the Highway Commission will relieve the company of the responsibility of maintaining flagmen at the crossing. After considerable discussion the Commission approved the company's proposition with the understanding that no flagmen will be required during daytime operations but that the company will maintain flagmen at the crossing to warn highway traffic if and when logging operations are carried on at this point during hours of darkness, and provided further that the company will furnish public liability and property damage insurance in the customary amounts.

The Engineer reported that in accordance with authority previously granted him by the Commission he has awarded the following contracts, bids for which were taken by the Commission at its meeting on December 17 and 18, 1940, the conditions of the awards having been satisfied:

Grading and surfacing Depoe Bay Section of the Oregon Coast Highway, in Lincoln County. Bids taken December 17, 1940. Contract awarded January 10, 1941, to Sam Orino, the low bidder.

Surfacing and oiling the Hoffman Bridge-Grants Creek Section of the Powers Secondary Highway, in Coos County. Bids taken December 18, 1940. Contract awarded January 10, 1941, to O. C. Yocom, the low bidder.

Furnish crushed gravel in stock piles for the Kerby Rock Production Project on the Redwood and Oregon Caves Highways, in Josephine County. Bids taken December 18, 1940. Contract awarded to M.C. L'ninger & Son, the low bidder, on January 16, 1941.

Furnish crushed gravel in stock pile for the Hendricks Bridge-Silver Creek Rock Production Project on the McKenzie Highway, in Lane County. Bids taken December 18, 1940. Contract awarded January 16, 1941, to M. L. O'Neil & Son, the low bidders.

Grading and topping, South Unit, Algoma-Terminal City Section of The Dalles-California Highway, in Klamath County. Bids taken December 18, 1940. Contract awarded January 16, 1941, to Frank Penepacker, the low bidder.

The Commission by unanimous vote confirmed such awards as reported by the Engineer.

A letter was presented from the Eugene Hospital and Clinic inquiring whether or not arrangements could be made with the State Highway Commission for the furnishing of medical and hospital service for state highway department employees who may desire to accept coverage by their clinic as numerous employees are now covered by the National Hospital Association and other associations. It was the decision of the Commission that no additional contracts be entered into during the year 1941, and that all such contracts must be effective on January 1 of any year and expire on December 31 of any year unless continued. Further that contracts with the various hospital associations must be on standard forms prepared by the State Highway Department and that no consideration shall be given to the application of any company to furnish such service unless the company files along with its application a substantial list of employees who have stated a desire to accept service by such company. The Assistant Attorney was instructed to so inform the Eugene Hospital and Clinic.

In this connection the Engineer pointed out that, since the Commission approved the revision of the terms of the contracts with the National Hospital Association, the Salem Physicians and Surgeons Association, the Multnomah Medical Service Bureau, whereby these companies are not required to furnish medical supplies except in hospitalization cases, a number of requests have been received from employees who wish to withdraw and some of these employees, he said, want to change over from one company to another. The question now arises whether or not it would be advisable to permit employees to transfer from one company to another. After considerable discussion

the Commission decided that any employee who cancels his protection in one company shall not be permitted to reinstate himself either in the same company or in any other company prior to the beginning of the next calendar year, and no employee will be permitted to cancel his protection at the end of the year without first notifying the State Highway Department at least 60 days in advance.

The Commission considered and ordered filed a communication from the District Engineer, United States War Department, Portland, advising that application has been made to his office by The Dalles Bridge Company, Olympia, Washington, for approval of a plan for a bridge to be constructed across the Columbia River Highway and The Dalles-Celilo Canal near The Dalles, Oregon, it being considered that the Commission is not particularly interested in this matter at the present time.

The Commission discussed a letter from Hattie L. Henderson, Nehalem, in which objections were offered to expenditure of additional funds for the survey and construction of a county road which extends up Cook Creek from the Oregon Coast Highway in Tillamook County, commonly known as the Ridge Route. The Commission ordered the letter filed inasmuch as this is a county road project in which the Commission is not particularly interested.

The Engineer reported that in order to properly maintain the eight or ten acres of lawn, shrubbery and parking areas which have been constructed by the State Highway Department adjacent to the new route of the Pacific Highway East in Albany it will be necessary to employ a landscape crew with appropriate equipment, consisting of one 30-inch power mowing machine estimated to cost \$300, one long-wheel-base, light-type truck and tank for irrigating the trees estimated to cost \$1,000, and miscellaneous small tools and equipment including pruners, et cetera, estimated to cost \$100. He also reported that it will be necessary to provide storage space for this crew and the equipment and for one bridge crew that is working out of the Albany headquarters. He requested authority to purchase the equipment and to construct a frame building 28 feet by 55 feet in dimension, estimated to cost \$1,800. After discussion the Commission approved the request by unanimous vote.

The Engineer also reported that one of the highway department trucks, being a 1935 model Chevrolet dump truck, 1½-ton capacity, was recently involved in an accident and was wrecked beyond repair, being practically a total loss. The accident, he said, was a rather peculiar one and involved three trucks, one belonging to the Bonneville Power Administration, another belonging to the Asberry Transportation Company, and the third a State Highway Department truck, and it has been determined that the Bonneville Power Administration truck was the cause of the accident. He requested authority to purchase a new light-type truck with dump body to replace the one destroyed and estimated the cost of the same at about \$900. The Commission approved the request and instructed the Engineer to endeavor to collect damages from the Bonneville Power Administration for the truck destroyed.

The Commission considered the following requests for extensions of time within which to complete highway construction projects:

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Parker-Schram Company, contract No. 2326, for paving the Lombard Street (Alma Avenue-Interstate Avenue) Section in the city of Portland, Multnomah County, requested an extension of time of ten days, from September 30 to October 10, 1940, within which to complete this job. They attributed their failure to complete the project within the specified time limit to adverse weather conditions. The Engineer advised that this contract was first considered complete on September 13, 1940. However, rainy weather revealed poor drainage in some of the gutters and the contractor was requested to remedy this condition which accounted for the overrun in time limit. He recommended in view of the fact that it was no fault of the contractor that the work was not completed within the specified time that the extension of time requested be granted without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation unanimously.

M. E. Meyers & Son, contract No. 2335, for construction of a roadside improvement project on the Ontario-Snake River Section of the Old Oregon Trail, in Malheur County, requested an extension of time of ten days, from November 30 to December 10, 1940, within which to complete this project. They alleged that their failure to complete the project within the specified time limit was due to early freezing weather and the inability to secure plant materials at the proper time. The Engineer advised that the reasons given by the contractor for failure to complete the project within the specified time limit are correct. He recommended in view thereof that the extension of time requested be granted without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

Parker-Schram Company, contract No. 2347, for pavement resurfacing on the Oregon Slough-Columbia Slough Section of the Pacific Highway West, in Multnomah County, requested an extension of time of 63 days, from August 15 to October 17, 1940, within which to complete the job. They attributed their failure to complete the project within the specified time limit to failure of the state highway forces to perform certain necessary planing work on the existing pavement, the highway department's planing equipment being in use elsewhere, and additional work required to remove a high joint in the new surfacing near the north end of the project, which condition could not be corrected until October 17 because of interference with heavy traffic, resulting from the International Livestock Show which was in progress at the time. The Engineer advised that this contract was awarded contingent upon certain planing work being done by state forces; however, due to the fact that the planing equipment was under repair, such work was not completed until September 3, several weeks after completion date specified in the contract. As soon as this planing work was done, he said, Parker-Schram Company finished their portion of the contract expeditiously except for the touching up of the low spot which was disclosed by subsequent rains. He recommended,

inasmuch as such remedial work could not be anticipated during the progress of the contract and for the further reason that the planning work was not done by state forces earlier, that the extension of time now requested be granted without penalty. The Commission approved the recommendation.

The Engineer reported that contracts Nos. 2326, 2335, 2347, 2355, and 2363, for the construction of state highway projects, have been completed according to the requirements of the contracts or modifications thereof, and that said jobs are now ready for acceptance. The following resolution accepting the above projects was offered and was adopted by the unanimous vote of the Commission:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts and said jobs are now ready for acceptance:

Contract No. 2326, with Parker-Schram Company, for paving on Lombard Street (Alma Avenue-Interstate Avenue) Section in Portland, Multnomah County. Completed October 10, 1940.

Contract No. 2335, with M. E. Meyers & Son, for road-side improvement on the Ontario-Snake River Section of the Old Oregon Trail Highway, in Malheur County. Completed December 10, 1940.

Contract No. 2347, with Parker-Schram Company, for pavement resurfacing on the Oregon Slough-Columbia Slough Section of the Pacific Highway West, in Multnomah County. Completed October 17, 1940.

Contract No. 2355, with Barham Brothers, for construction of the Cox Creek Bridge on the Pacific Highway at Albany, in Linn County. Completed December 17, 1940.

Contract No. 2363, with Birkemeier & Saremal, for widening the existing bridge over Beaver Creek, at Beaver, on the Oregon Coast Highway, in Tillamook County. Completed December 6, 1940.

THEREFORE, BE IT RESOLVED that the work covered by said state highway contracts for the construction of said state highway projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

Mr. Fred Brenne, Secretary of the Eugene Chamber of Commerce, was present and presented a written report on the Western States Highway Defense Conference which was held in the Palace Hotel, San Francisco, on January 17, 1941. The Secretary was instructed to send copies of the report to the individual members of the Commission.

Mr. Ed. J. Hughes, President of the Western Federation of Outdoor Clubs, Portland, came before the Commission in regard to acquisition of state parks. He said that the Federation of Outdoor Clubs is a strong believer in conservation of primitive areas and favors small state parks of historical or scenic beauty along the coast line and throughout the state but is strongly opposed to the establishment of a park such as has been proposed by the National Parks Service along the Oregon Coast Highway, in Curry County, in fact this club was directly responsible for defeating legislation in Congress that would have provided for such park, and it is their intention to continue to oppose the establishment of parks of that type. The Commission took no action.

A delegation from Tillamook, including the members of the County Court, Messrs. Harland M. Woods, E. H. Lindsey, and E. G. Anderson; John Aschim, Secretary-Manager of the Tillamook Chamber of Commerce; M. D. Ackley; A. B. Sanders, Manager of the Oregon Coast Highway Association, Marshfield; and Robert Brady, Oceanside, came before the Commission in regard to the oiling of the Netarts Secondary State Highway between Netarts and Oceanside, a distance of about two miles. Judge Woods headed the delegation. He urged the Commission to authorize the oiling of this section which would provide an oiled road throughout the entire length of this highway. The Engineer estimated that such improvement would cost about \$5,700 and recommended approval of the project for construction during the coming summer by state forces. The Commission approved the recommendation.

The delegation then brought up for discussion the matter of constructing the Wilson River Highway connection between Glenwood and Banks, a distance of about twelve miles. They gave as their understanding that the Commission intends to complete the Wolf Creek Highway across the Tualatin Valley plains into Portland at an early date, and urged the Commission to program the construction of a twelve-mile section of the Wilson River Highway between Glenwood and Banks so as to assure its completion at the same time, otherwise, they said, Tillamook County will very likely lose the benefits of travel to the coast. They advised, however, that, if it is not the intention of the Commission to finish the Wolf Creek Highway at once, they would be perfectly satisfied for the time being with the use of the Gales Creek Road and the Tualatin Valley Highway from Glenwood to Portland via Forest Grove.

The delegation was informed by Chairman Cabell that the Commission considers the logical thing to do is to complete the Wolf Creek Highway into Portland first before constructing the connection between Glenwood and Banks, particularly because the Commission understood that people of Tillamook and Washington Counties wanted the Wilson River Highway routed through Forest Grove. The Commission is not in position today, he said, to make any commitment but will bear the matter in mind and will carefully observe traffic

conditions this fall when it is anticipated that both highways will be open for general public use. Whether or not the Commission should construct the twelve-mile section between Glenwood and Banks, he said, will depend upon results of traffic investigations.

The County Court also asked the Commission for the improvement of the Little Nestucca Secondary Highway. They were informed that this is a costly project, estimated at about \$226,000, and the Commission does not have funds available at this time to allocate to it. Furthermore, the Commission thought it was doing what the people of Tillamook County wanted when it allocated funds for the improvement of other county roads from which quick benefits from the expenditure would be received.

At 3:30 p. m. Chairman Cabell announced the following awards of contracts and sale of buildings, bids for which were taken at the morning session, such awards having been previously approved by the Commission by unanimous vote:

"Flagstaff Hill-Ruckles Creek Section of the Baker-Homestead Highway, in Baker County. 3.38 miles grading, 8.17 miles topping, and 4.79 miles surfacing and oiling. R. O. Dail & Warren Bros., Portland, submitted the low bid for this project in the amount of \$66,747.10. F. C. Hall Company, Eugene, submitted the second-low bid in the amount of \$73,275.00. There were five higher bidders. The Commission has awarded the contract to R. O. Dail & Warren Bros., at their low bid of \$66,747.10.

"Plunkett Creek-Read Creek Section of the Kings Valley Secondary Highway, in Benton County. 2.84 miles grading, surfacing and oiling. Nine bids were received for this project, the low one being that of M. L. O'Neil & Son, John Day, at \$46,717.30 based on the use of tar. They did not submit a bid based on the use of asphalt. The second-low bid was submitted by E. C. Hall Company, Eugene, at \$47,468.00, using tar. It did not submit a bid based on the use of asphalt. The Commission has referred all bids received to the Engineer with power to award the contract to the low bidder when certain conditions have been satisfied.

"Scappoose-St. Helens Section of the Columbia River Highway, in Columbia County. Remodel and widen existing bridges over McNulty Creek, North Fork Scappoose Creek, and South Fork Scappoose Creek. The low bid for this project was submitted by R. G. Barnes, Astoria, at \$29,744.00. The second-low bid was submitted by A. Milne, Portland, at \$29,998.00. There were five higher bidders. The Commission has awarded this contract to R. G. Barnes at his low bid of \$29,744.00.

"Endicott Creek-Fear Creek Rock Production Project on the Coos Bay-Roseburg Highway, in Coos and Douglas Counties. Requires approximately 7,350 cu. yds. crushed rock in stock pile. A. S. Wallace,

Roseburg, submitted the low bid for this project in the amount of \$11,787.50. Gus Reichow, Forest Grove, submitted the second-low bid in the amount of \$14,097.00. There were two higher bidders. The Commission has awarded this contract to the low bidder, A. S. Wallace, at \$11,787.50.

"Bend-Forest Boundary Section of the Century Drive Secondary Highway, in Deschutes County. 0.93 mile grading, 6.85 miles roadbed shaping, 6.85 miles surfacing, and 9.85 miles oiling. The low bid for this project was submitted by Babler Bros., Portland, at \$39,549.00. The second-low bid was submitted by Joslin & McAllister, Spokane, Wash., at \$43,117.75. There were three higher bidders. The Commission has referred all bids received for this project to the Engineer with power to award the contract to the low bidder when certain conditions have been satisfied.

"Bear Creek-Coos Junction Rock Production Project on the Coos Bay-Roseburg Highway, in Douglas County. Requires approximately 10,000 cu. yds. crushed rock or crushed gravel in stock pile. Three bids were received for this project, the low one being that of A. S. Wallace, Roseburg, at \$16,000.00 and the second-low bid being that of C. J. Eldon, Portland, at \$20,900.00. The Commission has referred all bids received for this project to the Engineer with power to award the contract to the low bidder when certain conditions have been satisfied.

"Lake Creek-Hanley Ranch Section of the Little Butte Secondary Highway, in Jackson County. 2.83 miles grading and construction of one reinforced concrete bridge. E. L. Gates, Trail, submitted the low bid for this project in the amount of \$25,509.50. Leonard & Slate, Multnomah, submitted the second-low bid in the amount of \$28,071.50. There were four higher bidders. The Commission has referred all bids for this project to the Engineer to award the contract to the low bidder when certain conditions have been satisfied.

"Klamath Agency-Modoc Point Section of The Dalles-California Highway, in Klamath County. 12.66 miles roadside improvement. Only one bid was received for this project, it being that of E. L. Gates, Trail, in the amount of \$10,625.00. The Commission has awarded this contract to Mr. Gates at his bid of \$10,625.00.

"Installation of transformers and other electrical equipment for the Interstate Bridge between Portland and Vancouver, in Multnomah County. Two bids were received for this project, the low one being that of the Dimitre Electric Company, Portland, at \$2,850.00, and the second-low bid being that of W. R. Grasle Company, Portland, at \$3,740.00. The Commission has awarded this contract to Dimitre Electric Company at its low bid of \$2,850.00."

Sale of Building at Bandon:

"Building No. 7857-A (known as Koffee Kup Cafe). The only bid submitted for the purchase of this building was that of L. S. Bernetz, Bandon, at \$500.00. The Commission has rejected this bid."

Sale of Building and Tract of Land at Salem:

"Building No. 5785 (formerly owned by Duane Gibson). Five bids were received for the purchase of this building, the high one being that of F. J. Tschauer, Salem, at \$210.30, and the second-high being that of Clinton Perkins, Salem, at \$190.00. The Commission has accepted the bid of F. J. Tschauer and accordingly has sold the building to him at his high bid of \$210.30.

"Tract 'A' (formerly owned by E. A. Jackson and Duane Gibson). Virgil T. Golden, Salem, submitted the high bid for this tract of land at \$950.00. L. V. Benson, Salem, submitted the second-high bid at \$650.00. There were two lower bidders. The Commission has sold the tract to Virgil T. Golden at his high bid of \$950.00."

A delegation from Ashland, consisting of T. S. Wiley, Mayor; F. J. Van Dyke, City Attorney; G. M. Green, representing the Ashland Tidings; and R. E. Koozer, was present and urged the Commission to reconstruct the Pacific Highway through the city of Ashland, particularly the elimination of the bottleneck at the Plaza Corner. They were informed by Chairman Cabell that the approval of this project by the Commission has been dependent upon two things: the right of way costs, which matter it appears has now been overcome; and the priority of the project on the Commission's program. He pointed out that the Commission is now spending large sums for realigning the Pacific Highway over Sexton Mountain and until such work is completed the Commission does not feel that it can commit additional funds for other projects in this vicinity. However, the Commission will keep the Ashland project in mind and, if it develops later on that the Sexton Mountain work is not to cost as much as has been budgeted for the same, the Commission will give serious consideration to the reallocation of at least a part of the savings for the construction of the Ashland project. The Engineer explained that preliminary studies indicate that it might be possible to reduce the high cost of right of way and of moving buildings by shifting the center line somewhat. Such change, he said, would introduce a slight reverse curve in the alignment but he did not believe that would be objectionable. The members of the delegation expressed satisfaction with such revision.

Mr. Green called the Commission's attention to the slippery condition of the highway between the Plaza Corner and the north city limits of Ashland. He said that the pavement on this street is of black-top type constructed by the city years ago, and when the pavement is wet or frosty it becomes very slippery and as a result numerous accidents occur. He urged the Commission to construct a non-skid surface on this section. He also asked for the widening of the one-way lanes along the Siskiyou Boulevard section,

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south of the civic center. Mr. Van Dyke advised that these two projects are included in the city's general scheme for the improvement of the highway through their city, but the project they are most particularly interested in is the reconstruction at the Plaza Corner. The Commission agreed to keep the projects in mind.

Mr. Ivan F. Phipps, Attorney, Portland, came before the Commission in regard to the use of a 10-foot strip of highway right of way on the west-erly side of the Denver Avenue approach to the Interstate Bridge, Portland, a short distance north of Columbia Boulevard. He said that he plans to build a service station on property that he owns adjacent to the highway at this loca-tion and requested the privilege of installing his gasoline pumps on the high-way right of way which is extra wide at this point. He offered to purchase a 10-foot strip of right of way if the Commission preferred not to lease the property to him or to let him occupy the property. He alleged that the pave-ment has not been constructed along the center of the right of way and if he is required to place his pumps at the right of way line they will be too far away to conveniently serve the public. The Engineer advised that the extra width right of way will ultimately be used for highway purposes in the con-templated improvement of the Denver Avenue approach to the Interstate Bridge and pointed out that it is strictly contrary to the established policy of the Commission to permit encroachments upon the state's property. He recommended against either the sale or lease of any portion of the right of way to Mr. Phipps; also that Mr. Phipps be not allowed to place his pumps in a location that would necessitate the parking of cars on the highway right of way when being serviced. After discussion the Commission denied Mr. Phipps' request; however informed him that by such action the Commission is not saying that it will not reconsider the matter at some future date.

Mr. Phipps then brought to the Commission's attention a proposed short-cut route for a highway leading from the Portland Columbia Super Airport to the business center of Portland, which route extends from the intersection of Union Avenue and Vancouver Avenue northeasterly to a connection with the Bridgeton County Road near its junction with N. E. Gertz Road. Mr. Phipps stated that he owns most of the property across which this road is projected and would probably donate right of way for the same across his holdings. In any event so far as he was concerned the right of way would not be very cost-ly. He presented a map showing the proposed route. The Commission thanked him for the suggestion and agreed to give the matter some study.

A delegation from Gardiner, consisting of O. H. Hinsdale, J. W. Ford, and Earl Hill, came before the Commission in regard to the improvement of the Oregon Coast Highway through that town. Mr. Hinsdale headed the group and ad-vised that his company has prospects of a sale of certain property that will be needed by the State Highway Commission as right of way for the proposed re-alignment of the highway at this place. He asked the Commission to acquire the right of way at this time so the company can proceed with the sale of its prop-erty in conformity therewith. The Engineer said that the highway needs widen-ing and that it will be necessary to secure the extra width on the bay side. He recommended that the right of way department be authorized to negotiate for

the right of way and that the highway improvement be given serious consideration by the Commission in the formulation of its next construction program. He declared this project to be one of the most pressing projects along the Oregon Coast Highway. After discussion the Commission approved the Engineer's recommendation and authorized the Attorney to negotiate for right of way which is to be 80 feet wide within the city and 100 feet wide outside the city.

Mr. Ford brought up for discussion an agreement entered into by the State Highway Commission and the Gardiner Mill Company at the time the approach to the Umpqua River Bridge was built. It appears that, in order to maintain traffic at a certain point in Gardiner, it was necessary to acquire from the Gardiner Mill Company, for temporary use as a detour, a small parcel of land which it was agreed would be reconveyed to the company when it was no longer needed for detour purposes. Mr. Ford stated that the company would like to secure this property if the Commission has no more need for it, and is willing to pay the state the same amount that the state paid the company. The Commission approved.

Mr. J. D. Langman, representing the Oregon Utilities Company, came before the Commission in regard to an extension of his telephone pole line along the Oregon Coast Highway between Fishers Point and Brighton, in Tillamook County. He said that his present pole line ends at a point about one mile from Brighton and that he has been ordered by the Public Utilities Commissioner to extend it into the town of Brighton in order to serve several applicants. However, his pole line construction has been held up by reason of the rules and regulations of the State Highway Commission which prohibit the construction of a pole line on the westerly side of the highway where the poles and wires will interfere with scenic view. The opposite or easterly side of the highway, he said, is now occupied by a power pole line which carries high voltage and it would not be practicable for him to build on that side. Furthermore, it is contrary to the policy of the Commission to allow two pole lines on the same side of the highway. The cost to construct a pole line on private right of way to the east of the highway, he said, is prohibitive. He suggested that he be allowed to build the pole line on the westerly side of the highway where in his opinion it would not interfere with scenic views because along this section the highway is built up quite high and only the tops of the poles would be seen by anyone traveling on the highway.

The Engineer explained the policy of the Commission in regard to pole-line construction. He also read aloud a letter from Division Engineer F. D. Eason pointing out that Mr. Langman some time ago secured a permit to extend his pole line on the easterly side of the highway south of Fishers Point but disregarded instructions given therein and built his line on the westerly side of the highway notwithstanding that the permit called for the easterly side. It was his thought that the Commission should have an understanding with Mr. Langman with regard to such matters before making its decision with respect to the new application. In this connection Mr. Langman stated that he appreciated the fact that his permit called for the easterly side of the highway but that he discussed the matter of location with a representative of the State Highway Department at the time that he commenced

construction and was told by such person that it would be satisfactory to place his pole line on the westerly side of the highway. After considerable discussion the Commission referred the matter back to the Engineer with instructions to have Division Engineer Eason and Landscape Engineer Otten make a joint inspection of the premises and submit a joint recommendation to the Commission for consideration at the next meeting.

The Commission adjourned at 5:15 p. m. to reconvene at 8:00 p. m. in the Imperial Hotel for a conference with representatives of the United States Navy Department, Public Roads Administration, Work Projects Administration and the Clatsop County Court in regard to access roads to army and naval bases in the vicinity of Astoria.

The State Highway Commission reconvened at 8:00 p. m. in Room 415 (Imperial Room) Imperial Hotel. Present were:

Henry F. Cabell, Chairman
 Huron W. Clough, Commissioner
 R. H. Baldock, State Highway Engineer
 C. B. McCullough, Asst. State Highway Engineer
 J. M. Devers, Attorney
 H. B. Glaisyer, Secretary

Others present were: Lt. Comdr. G. H. Hasselman, Lt. R. M. Latimer, Lt. W. A. Zobel, and Lt. (J. G.) R. W. Hollis, representing the United States Navy; E. J. Griffith, Administrator, Harrison E. Devereaux, Director of Operations, and B. W. Sewell, Office Engineer, representing the Work Projects Administration; W. H. Lynch, District Engineer, T. M. Davis, Senior Highway Engineer, and R. T. Bloodworth, Office Engineer, representing the Public Roads Administration; County Judge Guy Boyington and County Commissioners James Elliott and John Slotte, representing the County Court of Clatsop County; and H. G. Smith, Construction Engineer, G. S. Paxson, Bridge Engineer, H. W. Libby, Chief Locating Engineer, and Edward Clymer, Chief Cost Analyst, of the State Highway Department.

The matter of relocating a section of the Columbia River Highway along Cedar Street in Astoria to accommodate the Tongue Point Naval and Airplane Base, which the Government is constructing at this place, was first discussed. Lt. Comdr. Hasselman stated that the Navy Department needs very badly, in the development of the Tongue Point Base, all of the land included within the right of way of the existing Columbia River Highway between 53rd Street and 60th Street and in addition thereto lands abutting on the northerly side of the highway heretofore embraced in what was known as Tongue Point State Park, and is very anxious to have the matter settled at an early date inasmuch as development work is now under way and a definite answer is needed so they can proceed with their plans accordingly. He advised that another site adjoining the present base is available but it contains much low ground that would have

to be filled in and even then would not be as desirable from their standpoint as the state's property. Furthermore, it would cost an excessive amount to prepare the site. He also advised that the Clatsop County Court has already given the Navy Department permission to occupy county-owned lands at this location and the only thing that is holding them up now is the question of whether or not they can secure the highway right of way and the balance of Tongue Point State Park, which is still owned by the state. He suggested that the rerouting of the highway along Cedar Street would provide an equally good or probably better route for highway traffic.

The State Highway Engineer estimated the cost to construct the Cedar Street route with W.P.A. forces at \$250,000.00. He explained that the State Highway Commission has already reconveyed to Clatsop County all of Tongue Point State Park, so the county in turn could deed it to the federal government in connection with the Tongue Point Base, and that the Highway Commission has also agreed to take similar action with respect to the highway right of way, provided the Navy Department would pay the cost of constructing a new road in lieu thereof.

Chairman Cabell pointed out that the state moneys available to the Highway Commission are trust moneys provided by motorists, hence the Commission must be very careful in the expenditure of the same. He gave as his thought that the state should not be required to pay the cost of constructing the highway along Cedar Street, inasmuch as the change is for national military defense purposes and is not a necessity at the present time from the state's standpoint. However, he added, the state will receive some benefit from the improvement and in view thereof the Commission might be justified in contributing a limited amount of state funds toward the costs.

Mr. Bloodsworth pointed out that the government has as yet provided no special funds that can be used to finance such project or any project on the proposed military strategic highway system and the question now arises--who is to provide the funds that are needed in this instance.

Mr. Griffith stated that the Work Projects Administration is interested in this project and will pay a portion of the costs of construction if the United States War Department designates it as being necessary for national defense. However, final approval of the project must be secured from the W.P.A. office in Washington. He gave as his thought that the Washington officials would not hesitate to approve it if they were convinced that it is necessary for defense purposes because he has been instructed to expedite this class of project.

Lt. Comdr. Hasselman then presented to the Commission a written request: " * * * that the authorized governmental agencies undertake construction of and expedite the rerouting of such portion of U. S. Highway No. 30 as lies south of the Naval Air Station, in order that a normal highway passage might be effected through Cedar Street--vicinity of Astoria, Oregon." (See Lt. Comdr. Hasselman's letter to Mr. Baldock, dated January 17, 1941.)

Mr. Lynch stated that, inasmuch as there are no Federal Aid funds available to finance this work, it appears to him necessary to use W.P.A. moneys exclusively unless the State Highway Commission can see its way clear to contribute some state money.

Chairman Cabell again gave as his thought that the project would be of some benefit to the state, so the state might be justified in contributing toward the cost.

Judge Boyington advised that Clatsop County owns nearly all of the land that will be needed as right of way along Cedar Street and will donate this property for such purpose. County Commissioners Elliott and Slotte concurred.

After further discussion the following agreement was reached, by mutual consent: the State Highway Department will make preliminary surveys as may be necessary for this project and submit the same to the Public Roads Administration for approval; and the State Highway Department will sponsor a W.P.A. project covering the construction of a new highway along Cedar Street about one mile in length, and as its contribution toward such project will construct, at state expense, certain culverts and a pavement on a grade to be built by W.P.A. forces, and will also furnish engineering supervision and acquire such right of way as cannot be obtained by the county, all of which it is estimated will cost about \$50,000.00. All other work in connection with the project is to be performed by W.P.A. forces and paid for with W.P.A. funds.

Mr. Griffith stated that he would forward to Washington, D.C., immediately, the state's application for W.P.A. funds for this job.

The State Highway Engineer was instructed by the Commission to expedite the matter of surveys and acquisition of right of way. The Attorney was instructed to prepare a deed to transfer the existing highway right of way to the United States Navy Department through Clatsop County. This concluded the discussion of the Tongue Point Naval Base matter.

Consideration was next given to the construction of access roads to Fort Stevens and Camp Clatsop. The State Highway Engineer estimated the cost to construct such roads by W.P.A. forces, aggregating some 16 miles of highway both within and without the reservations, at \$1,000,000.00, based on a tentative design for heavy-type roads capable of carrying equipment weighing 70 tons. He advised that the State Highway Department is now spending state money to finance necessary surveys but expects Clatsop County to sponsor the construction work as a W.P.A. project and to furnish rights of way, since the roads are not state highways.

Judge Boyington stated that Clatsop County will furnish right of way free of cost across county-owned lands but is not in position at this time to make a definite statement in regard to the furnishing of right of way across privately-owned lands, although the court will give an immediate answer upon receipt of additional information and a map showing right of way required.

(The members of the County Court consulted among themselves later and agreed to provide county funds up to a maximum amount of \$6,500.00 for right of way. Announcement to that effect was made by Judge Boyington.)

The Engineer was thereupon instructed by the Commission to expedite the completion of the surveys and to send to Judge Boyington as soon as possible a map of the layout together with descriptions of the right of way needed.

Chairman Cabell approved of the state assuming the responsibility for furnishing the engineering for location and construction of roads outside of the army reservation boundaries but questioned whether or not it is the state's obligation to furnish such service for those situated within the reservation boundaries. He was informed by Mr. Griffith that the Work Projects Administration would assume such obligation. After further discussion the following decision was reached and mutually agreed upon with respect to this project: the state will assume the responsibility for all preliminary engineering and for engineering on construction outside of the reservation boundaries, and the W.P.A. will be responsible for such construction engineering work within the reservation boundaries; Clatsop County will acquire, at county expense, right of way as may be required up to a maximum cost of \$6,500.00, the state to purchase the balance; and the county will sponsor a W. P. A. project covering all construction work outside of the reservation boundaries.

This concluded discussion of this subject.

The Engineer brought up for discussion matters pertaining to the proposed W.P.A. project for construction of a new highway connecting the Wolf Creek Highway and the Nehalem Secondary Highway, particularly between the Ranger Station and Fish Hawk Falls, and the proposed W.P.A. project for the construction of the Wilson River Highway between Glenwood and its junction with the Wolf Creek Highway at Banks. He recalled a letter received from the Work Projects Administration advising that the Ranger Station-Fish Hawk Falls project has been declared important from the national defense standpoint and advised that if the Commission decides to undertake this project and sponsor the same the state would be required to contribute only 10 per cent of the cost as compared with 25 per cent under present rules and regulations.

Chairman Cabell stated that he considers the Ranger Station-Fish Hawk Falls job to be of secondary importance to the Wolf Creek Highway project because, under ordinary circumstances, it would not be constructed for several years and if it is to be advanced in priority it must be on the national defense basis; further, that if the United States Army wants construction of this road to proceed along with the Wolf Creek Highway W.P.A. project the Commission will consider its request if presented through the Public Roads Administration in accordance with previous understanding. Mr. Griffith stated that he would ask the army engineers for an expression of their attitude in regard thereto.

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After further discussion the Commission approved the following W.P.A. projects under discussion at this meeting: construction of the Cedar Avenue revision of the Columbia River Highway to accommodate Tongue Point Naval Base; and construction of access roads at Fort Stevens and Camp Clatsop. The Commission deferred a definite decision in regard to other prospective W.P.A. projects pending determination whether or not there will be sufficient moneys available to finance them, and sufficient W.P.A. labor to undertake all of the projects simultaneously. The Commission ordered that the two approved W.P.A. projects be expedited as much as possible. It was again pointed out by Chairman Cabell that all military highway projects must be cleared through the Public Roads Administration. This concluded the conference.

The meeting was adjourned at 9:40 p. m., to reconvene the following morning in the Public Service Building.

Portland, Oregon, January 22, 1941

The State Highway Commission reconvened in regular session at 9:00 a. m. in the auditorium of the Public Service Building. Present were:

Henry F. Cabell, Chairman
Huron W. Clough, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

Bids as follows for highway construction projects were opened and read in conformance with previously published notice, following which Chairman Cabell announced that the award of contracts would be made at 3:00 p. m. in the same room:

MEDICAL SPRINGS SECONDARY HIGHWAY
CATHERINE CREEK-MILES BRIDGE SECTION - SURFACING AND OILING

E. C. Hall Co., Eugene	\$58,692.50
Babler Bros., Portland	61,710.00
Joslin & McAllister, Spokane, Wash.	64,114.50
R. O. Dail & Warren Bros., Portland	64,761.00
McNutt Bros., Eugene	73,000.00

MADRAS-PRINEVILLE SECONDARY HIGHWAY
OCHOCO CREEK SECTION - GRADING AND TWO BRIDGES

Norris Bros., Burlington, Wash.	\$28,429.00
Leonard & Slate, Multnomah	30,024.50
Berke Bros., Portland	31,622.50
E. L. Gates, Trail	32,087.50
Jacobsen-Jensen Co., Portland	32,614.00

(Continued on next page)

(Ochoco Creek Section continued)

Vernon Bros. Boise, Idaho	\$32,636.00
M. L. O'Neil & Son, John Day	32,875.00
E. C. Hall Co., Eugene	32,953.40
A. Milne, Portland	33,788.00
Babler Bros., Portland	34,751.50
McNutt Bros., Eugene	35,300.00
C. J. Eldon, Portland	36,058.00
Homer G. Johnson, Portland	36,177.00
C. J. Montag & Son, Portland	36,485.50
A. C. Greenwood Co. Inc., Portland	39,687.00
Clifford A. Dunn, Klamath Falls	41,742.00

UMPQUA HIGHWAY

DEAN CREEK-PARKER CREEK ROCK PRODUCTION

A. S. Wallace, Roseburg	\$33,400.00
McNutt Bros., Eugene	35,404.00
Umpqua River Navigation Co., Gardiner	39,579.00

OREGON COAST AND SIUSLAH HIGHWAYS

FLORENCE ROCK PRODUCTION

M. L. O'Neil & Son, John Day	\$13,294.00
Edward F. Altree, Agate Beach	13,973.00
Gus Reichow, Forest Grove	14,151.00
A. S. Wallace, Roseburg	15,533.00
Eugene Sand & Gravel Co., Eugene	19,491.00
Homer G. Johnson, Portland	19,580.00

SILETZ SECONDARY HIGHWAY

KERNVILLE-FOREST BOUNDARY SECTION - GRADING AND SURFACING

	<u>Using Asphalt</u>	<u>Using Tar</u>
A. T. Dolan, Tillamook	\$38,424.00	\$37,793.50
E. C. Hall Co., Eugene	- - -	38,909.50
Homer G. Johnson, Portland	- - -	51,793.50
C. J. Eldon, Portland	- - -	54,959.70

OLD OREGON TRAIL HIGHWAY

BOARDMAN-STANFIELD SECTION - REINFORCED CONCRETE SIPHONS

A. Milne, Portland	\$7,182.50
Harry I. Hamilton, Eugene	7,580.00
W. H. Philpott, Portland	7,840.00
Tri-State Construction Co., Portland	8,455.60
McNutt Bros., Eugene	8,935.00
Tower Sales & Erecting Co., Portland	9,620.00

The Assistant Attorney reported that of the \$600,000 budgeted by the Commission for acquisition of right of way during 1941 a total of \$129,500 has been obligated to date. This is in addition to the sum of \$800,000 budgeted for the Front Avenue Project in Portland of which \$375,000 has been obligated to date. The Commission approved the report.

The Attorney requested authority to acquire certain parcels of real property that are needed for various highway improvements throughout the state. He submitted a list of such projects together with a list of prices that he recommended be paid for each. After careful consideration of each item, the Commission approved the request and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth, and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon, and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Rooster Rock Section-Columbia River Highway</u>				
7739-Dabney, Martha A.	R/W	10.43	2.0 a. @ \$42.50 per a.	Parker
	(Preservation Strip)		8.43 a. @ \$15.00 "	
<u>Multnomah County Line-Scappoose Section - Columbia River Hwy.</u>				
8525-North.Pac.Ry. Co.	Slope		Expense incidental to giving	
	Easement		slope easement - \$10.00	McChesney

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Glenwood-Washburn Section - Wilson River Highway</u>				
8674-Swanson, Charles H.	R/W	0.12	\$233 per a. plus \$22.04	Benson
8658-Abendroth, Adolph	"	2.0	\$100 per acre	"
		3.93	\$50 per a. + \$148 + cost	
		5.93	of septic tank	
8657-Abendroth, Elsa	"	0.31	\$100 per a. + \$14 +	"
			moving bldgs. (Est. \$600)	

<u>Nehalem Spit Section - Oregon Coast Highway</u>				
7323-Drake, Emma	Park	1 lot	\$10 per lot, state to Martin	
			assume payment of taxes	

<u>Depoe Bay Section - Oregon Coast Highway</u>				
5814A-Kent, H.T. and Collins, H.L.	Slope Easement	1185 sq.ft.	GRATIS	Collins

<u>Plunkett Creek-Wren Section - Kings Valley Highway</u>				
8718-Murphy, John S.	R/W	0.47	\$100 per acre	Collins
		0.47	\$50 " " + \$132.50	
		0.94		
8719-Plunkett, Henry	"	2.85	\$100 per a. + \$241.50,	"
			- moving power poles	
8720-Read, W. R.	"	1.78	\$100 per a. + \$172.00	"
8721-Vincent, Ira L.	"	1.9	\$100 per a.	"
		0.29	\$50 per a. + \$315.00	"
		2.19		
8723-Stoner, Ray H.	"	1.5	\$50 per a. + \$99.75	"
8724-Bell, Curtis	"	2.5	\$100 per a.	"
		0.87	\$50 per a. + \$414.00	"
		3.37		
8772-Price, Johnnie	Quarry Site	5.05	\$500 Lump Sum + fencing	Eason

<u>Main Street-Geary Street Section-Pacific Highway East</u>				
5833-Cheever, Gilbert S.	Slope Easement		Const. 53.1 feet rock or cement wall across frontage, @ \$2 per ft. plus \$27.30	Gardiner

<u>Lincoln County Line-Corvallis Section, Newport-Corvallis Highway</u>				
8751-Green, W. H. (Correction)	Scale Site	0.35	\$400.35 per a. + \$24.75	Collins

<u>Bear Creek-Coos Junction Section, Coos Bay-Roseburg Highway</u>				
8823-Douglas County	Stock Pile	1.57	\$1.00 Lump Sum	Lytle

<u>Springfield-Blue River Section, McKenzie Highway</u>				
8685B-Sylvester, Arthur P.	Haul Road Easement	0.49	\$25.00 Lump Sum	Toole
8685A-Tucker, Lloyd M.	Stock Pile	1.50	\$174 per a. + \$45 for fencing	"

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Wilson Ranch-Scottsburg Section, Umpqua Highway</u>				
4520-Murphy, Kenneth J.	Gravel Plant Site	0.63	Lease, @ 0.01 cu.yd. basis	Parker
<u>Elkton-Drain Section, Umpqua Highway</u>				
4592-Moore, R. A.	Stock Pile	1.02	\$250 Lump Sum	Parker
<u>Scottsburg-Elkton Section, Umpqua Highway</u>				
300A-Hedrick, Ruth	Stock Pile Lease	2.41	10-year lease, \$100 Lump Sum	Parker
<u>Kerby-California Line Section, Redwood Highway</u>				
8637-Barton, W. B.	Stock Pile	1.0	\$50 Lump Sum	Benson
<u>Catherine Creek-Miles Bridge Section, Medical Springs Highway</u>				
8748-Kennedy, George	Gravel Pit	2.04	5 yr. lease on 2.04 a. @ \$50 per acre	Landon
8747-Wanker, J. R.	Stock Pile	0.67	\$7.46 per acre	"
<u>Flagstaff Hill-Middle Bridge Section, Baker-Homestead Highway</u>				
8208-King, E. A. Estate	Gravel Pit	617.70	\$0.69 per a. plus \$50 Landon cost administrator's deed	Landon
<u>Cove Section, The Dalles-California Highway</u>				
8697-Boegli, Wm. and Amanda	Park	215.0	\$16,000 Lump Sum	DeSouza
<u>Algoma-Terminal City Section, The Dalles-California Highway</u>				
8558-Lewis, George E.	R/W	0.21	Land \$10 Lump Sum plus \$25	Gardiner
<u>West Portland-Tualatin Section, West Portland-Hubbard Highway</u>				
4820-Noles, Stella M. (Correction)	R/W	2.08	\$200 per a. + \$2534, Benson + \$1890, low bid for moving buildings	Benson
<u>Elkton Section, Umpqua Highway</u>				
8813-Beckley, Orval S.	Gravel Bar & Plant Site	13.33	10 year lease, 3¢ cubic yard	Parker
<u>Front Ave. Project-Columbia St. North (Portland), Pacific Highway West</u>				
7979-City of Portland		6,729 sq.ft.	\$9,594.00	McCallister
7995-Moskee Investment Co.		4,703 "	11,005.00	"
7972-The Maccabees		22,819 "	40,582.00	"
3838-City of Portland		216,000 "	1.00	"
3839-Southern Pacific Co.		3,495 "	2,625.00	"
8837-Oregon Electric RR Co.		21,540 "	9,423.75	"

The Attorney also presented for the Commission's approval certain additional right of way settlements in connection with the proposed Front Avenue Project in Portland. After careful consideration the Commission tentatively approved them but deferred definite action until its next meeting. The settlements were referred to Chairman Cabell for investigation in the meantime.

The Attorney also requested authority to institute condemnation proceedings to acquire certain properties that are needed for highway improvements and concerning which he has been unable to reach satisfactory settlements. He submitted a list of such properties together with prices that he recommended be offered in condemnation, as follows:

<u>File No.</u>	<u>Name</u>	<u>Purpose Required</u>	<u>Recommended Offer</u>
R 8240	James T. Erickson, et al	Right of Way	\$1000 to \$1250
R 7671	George W. Slayton and wife	Right of Way	\$1550

After discussion the Commission approved the offers recommended and authorized the Attorney to condemn the properties. The following resolution in regard thereto was adopted by the Commission by unanimous vote:

WHEREAS, the State Highway Commission under the provisions of Chapter 529, Oregon Laws, 1939, is authorized to locate, relocate, construct, reconstruct, maintain, widen, straighten, and otherwise improve state highways, both primary and secondary, and said Commission is also authorized to construct shops, equipment sheds, office buildings, maintenance sites, patrolmen accommodations, and snow fences, and is authorized to acquire quarry sites, gravel pits, storage sites, stockpile sites, weighing stations, and broadcasting stations, and is further authorized to develop, construct, improve, operate, and maintain parks, parking places, auto camps, camp sites, roadside development, recreational grounds or resorts, and other places of attraction and scenic value; and

WHEREAS, said Highway Commission is authorized to acquire by purchase, agreement, donation, or by the exercise of the power of eminent domain real property, or any interest therein, necessary or deemed by the Highway Commission necessary for the accomplishment of any and all of the foregoing things; and

WHEREAS, in the judgment of the Highway Commission the several tracts or parcels of land hereinafter described are each and all necessary for the specific and particular purposes hereinafter specifically set forth;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the Commission does hereby find and declare that the several parcels of real property hereinafter described are each

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and all necessary for the accomplishment of the purposes hereinafter expressly and specifically set forth, which said real properties and the specific purposes for which the same are being acquired are described as follows, to wit:

Real property owned by James T. Erickson and the Heirs of Peter Erickson, Deceased, which property is located in the northwest quarter (NW $\frac{1}{4}$) of Section 4, Township 2 South, Range 2 East, W. M., and in the southwest quarter (SW $\frac{1}{4}$) of the northwest quarter (NW $\frac{1}{4}$) of Section 4, Township 2 South, Range 2 East, W. M., Clackamas County, Oregon, and is more particularly described on the attached sheets and designated as Parcels Nos. 1 and 2 and is further identified in the records of the Highway Commission as file R 8240, and which property is being acquired for right of way purposes in connection with the Clackamas Grade Separation Section of the Cascade Highway;*

Real property owned by George W. Slayton and Mary Slayton, which property is located in the southwest quarter (SW $\frac{1}{4}$) of Section 15, Township 14 South, Range 15 East, W. M., in the southeast quarter (SE $\frac{1}{4}$) of the southwest quarter (SW $\frac{1}{4}$) of Section 15, Township 14 South, Range 15 East, W. M., and in the northwest quarter (NW $\frac{1}{4}$) of Section 22, Township 14 South, Range 15 East, W. M., Crook County, Oregon, and is more particularly described on the attached sheets and designated as Parcels Nos. 3, 4, and 5, and is further identified in the records of the Highway Commission as file R 7671, and which property is being acquired for right of way purposes in connection with Jefferson County Line-Prineville Section of the Warm Springs Highway.*

2. That the Commission does hereby find and declare that each of the said described parcels of real property is necessary and acquisition of the same by the State is required for the specific purposes hereinabove set forth, and the said properties are being acquired for the express and specific purposes in this resolution set forth.

3. That the State Highway Engineer be and he hereby is instructed and directed to make or cause to be made all surveys

*The detailed descriptions of the respective parcels of real property mentioned in this resolution are attached to the original resolution on file in the office of the State Highway Commission, Salem, being Resolution No. 6, under the heading "Real Property Condemnation Resolutions", and said descriptions by this reference are made a part of this minute entry to the same extent as if copied in full herein.

necessary in connection with the determination, description, and acquisition of said real properties, and said Engineer is further instructed to prepare and submit to the Legal Department necessary and adequate descriptions of the said real properties, which said descriptions shall be available for the preparation of any deed or deeds or other instrument or instruments necessary to complete the acquisition of said property or properties, whether said properties be acquired by purchase, donation, agreement, or by the exercise of the power of eminent domain.

4. That I. H. Van Winkle, Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they are hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby further resolved that the Attorney General of the State of Oregon and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they hereby are requested to commence and prosecute to a final determination such suit or action, or suits or actions, as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

The Attorney reported the cost to remove from the right of way of the Wilson River Highway at Glenwood certain houses belonging to a Mr. G. L. McCutcheon. He said that according to an estimate made by a Mr. Baumbach, an experienced house mover, it would cost about \$2,000 to move the buildings and appurtenances of which amount about \$550 represents the cost to move the buildings that were constructed on the right of way after the right of way had been acquired by Washington County. He further advised that the Washington County Court has stated its willingness to pay the cost of removing the buildings that were on the right of way when it was acquired by the county but will not pay for the moving of the buildings that have been erected since that time. After discussion and in view of the fact that it is proposed to construct the highway across the McCutcheon property in the not distant future, the Commission instructed the Attorney to tell Mr. McCutcheon that the buildings must be moved and that either the county or the state would pay the cost of moving those that were on the right of way when he sold it to the county but that he would be expected to pay the cost of moving the buildings that have been erected by him since that time.

The Engineer requested authority for Harold Say, Director of the Travel and Information Department, to go to Los Angeles at state expense to supervise the final editing and voicing of the highway department's new

talking film "The New Oregon Trail." He advised that it is quite essential that Mr. Say make this trip in order to secure a satisfactory film, and estimated the expense would not exceed \$125. The Commission approved the request subject to further approval by Governor Sprague.

A delegation from Lane County, composed of County Commissioners Walter J. Holland and Allen P. Wheeler, County Engineer P. M. Morse, Walter Ransom, and Hugh Ford, came before the Commission in the interests of the "Route F" Highway. They reported briefly on the progress that is being made by W.P.A. forces in constructing the westerly end of this road and inquired concerning the proposed trade of the Eugene-Veneta Section of the "Route F" Highway for the Walton-Swisshome Section of the Swisshome Secondary State Highway. They were informed by Chairman Cabell that the Commission hopes to be able to make this exchange in the near future and that the matter will be given consideration as soon as possible when all three members of the Commission are present.

Commissioner Holland inquired as to when the Commission proposes to construct the Eugene-Veneta Section across the Fern Ridge Dam site and was informed that the Commission expects to award a contract for such work some time this year.

County Judge A. R. Bowman of Crook County was present and urged additional improvements on the Ochoco Highway. He was informed that the Commission's plans for this project are to use forest highway funds to finance the construction of the westerly end and to use federal aid funds to finance work at the easterly end, but the Commission is not in position at the present time to make any definite commitment in regard thereto because of the uncertainties that exist with respect to the use of federal moneys inasmuch as the federal government may require that such moneys be expended to finance certain projects on the strategic military system.

The Commission adjourned at 12:00 M. and reconvened at 2:00 p. m. in the same room with the same persons present and participating.

A delegation from Marshfield, representing the city council and the Chamber of Commerce, was present in regard to the further improvement of the Oregon Coast Highway between North Bend and Coquille. The delegation consisted of the following: E. T. Steele, President of the Chamber of Commerce; James Bedingfield, City Attorney, Clarence Coe, A. B. Sanders, Secretary of the Oregon Coast Highway Association and Walter Chiens, all of Marshfield; and Elmer Russel and Lloyd Nollner of North Bend. Mr. Steele headed the group and Mr. Bedingfield presented the principal arguments. He referred to the proposal made to the Commission in 1939 by a group from southwestern Oregon which was that the Highway Commission consider the improvement of the North Bend-Coquille Section as one project, and advised that they were led to believe at that time that the Commission was enthusiastic over their plan and would give it a fair share of the funds in future allocations. However, it appears to them that the Commission is not giving this project the attention that it reserves, hence their appearance before the Commission at this time.

He alleged that traffic over this section is increasing rapidly and additional improvements to the highway are essential for the efficient and safe use of the road. He particularly referred to the unit between North Bend and Marshfield and urged the Commission to make an announcement of its plans regarding alignment and grade along this section because such information is essential in the development of this district. Under present circumstances, he said, the property owners cannot make plans to improve their holdings and numerous improvements are being held up. He urged the Commission to expedite the improvement on the entire section between North Bend and Coquille and to allocate this year a generous portion of the funds available for the early elimination of this bottleneck.

Chairman Cabell explained the policy of the Commission with respect to the funds at its disposal and gave reasons why faster progress has not been made on this project. He pointed out that the Commission has already awarded one contract between Marshfield and North Bend but further progress has been delayed because of interference by the railroad. He also said that surveys have been made of alternate routes between these points and that the Commission intends to give the alternate routes very careful consideration and will expedite construction as much as it can although no definite commitment or promise of funds will be made at this time.

Chairman Cabell also advised that the Commission is reluctant to announce the location of a highway before it is ready to undertake construction because it is the Commission's past experience that as soon as a location is announced people insist that the construction go forward regardless of whether or not the Commission is able to finance it and because the announcement of a location by the Commission a long time in advance of construction is not binding and may be changed by the successors of the Commission adopting such location.

A delegation from Marion and Polk Counties headed by County Judge Leroy Hewlett, Marion County, discussed with the Commission the matter of construction of a bridge across the Willamette River to replace a county-owned ferry between Independence and East Independence. Others in the delegation were: County Commissioners James Smith and Ralph Girod, Marion County; County Engineer N. C. Hubbs, Marion County; Herman Van Well, County Judge, and Commissioners Fred Gibson and H. H. Brant, Polk County; E. L. Gray, representing the Salem-Independence-Kings Valley Highway Association; M. Nelson and R. M. Walker, Independence, F. H. Spears, John J. Roberts, D. P. McCarthy, and Ernest A. Miller, Salem; and District Attorney Bruce Spaulding, Dallas. Speaking in behalf of this project were Judge Hewlett and Judge Van Well, Mr. Miller and Mr. Walker. Judge Van Well gave as his understanding that the proposed bridge will cost approximately \$250,000 and advised that on such basis the county courts of both counties are willing to assume together one-half the total cost involved and are making such offer at this time provided the Commission will consent to the payment of the counties' share over a period of years at the rate of \$5,000 annually, which amount the counties are willing for the state to retain from the counties' share of the gasoline tax funds due and payable to the counties each year. The Commission

deferred its decision in the matter pending investigation to ascertain more closely just how much the project will cost. The Engineer was thereupon authorized and instructed to make such investigation and report his findings to the Commission.

The Marion County Court then brought up for discussion the matter of maintenance of the North Santiam Highway. They stated that it is very inconvenient and uneconomical for the county to maintain the completed section east of Detroit and asked the Commission to assume jurisdiction and to place the section on the state secondary highway system. The Commission took the matter under advisement.

The County Court of Polk County and its District Attorney, Bruce Spaulding, discussed with the Commission the state's claim against the county for advancement of state funds to pay for highway pavement construction in Polk County many years ago, which claim is in the amount of \$106,463.03. Mr. Spaulding stated that, while he has not had an opportunity to give this subject much study, it is his understanding that the circuit court a number of years ago enjoined the county from paying this claim and that the decision was appealed to the supreme court which, so far as he knows, made no change in the decision of the circuit court; hence he is of the belief that the circuit court's action still stands. The Commission's Attorney, Mr. J. M. Devers, recited the history of this case, going into considerable detail. He particularly pointed out that the obligation was incurred in connection with construction of three projects, viz., completion of bridges on the Salem-Dallas Highway and construction of two sections of the Pacific Highway West, in Polk County. He said that the county intended to use its market road money to pay the county's share of the cost of such work but the circuit court held that it could not do so because the county did not have sufficient funds available for the purpose, and thereafter, in 1923, the county voted a bond issue of \$265,000 for the purpose of paying for this work and for other work. The legality of this bond issue, he said, was challenged and the case went to the supreme court, which upheld it. It appeared to him that, in view of the fact that the bond issue was authorized after the debt was incurred by the county and was for the purpose of paying the county's indebtedness to the state, and for the further reason that the supreme court in its decision upheld the action of the county in making provision for the payment of these obligations, the state's claim is still valid. Mr. Spaulding apologized for not being sufficiently informed to discuss the matter thoroughly at this time and suggested that the matter be referred to the Commission's Attorney and himself to discuss the legal technicalities involved and if possible to arrange a satisfactory settlement. The Commission approved the suggestion.

At 3:00 p. m. Chairman Cabell announced the following awards of contracts, bids for which were taken at the morning session, the awards having previously been approved by the Commission by unanimous vote:

"Catherine Creek-Miles Bridge Section of the Medical Springs Secondary Highway, in Baker and Union Counties. 19.50 miles surfacing and oiling. The low bid submitted for this work was that

of E. C. Hall Company, Eugene, in the amount of \$58,692.50. The next-low bid was that of Babler Bros., Portland, in the amount of \$61,710.00. There were three higher bidders. The Commission has awarded this contract to E. C. Hall Company, the low bidder, at its bid of \$58,692.50.

"Ochoco Creek Section of the Madras-Prineville Secondary Highway, in Crook County. 1.81 miles grading and construction of two composite type pile trestle bridges. Norris Bros., Burlington, Washington, submitted the low bid for this work, in the amount of \$28,429.00. Leonard & Slate, Multnomah, submitted the second-low bid in the amount of \$30,024.50. There were fourteen higher bidders. All bids for this project have been referred by the Commission to the Engineer with power to award the contract to the low bidder when certain conditions have been fulfilled.

"Dean Creek-Parker Creek Rock Production Project on the Umpqua Highway, in Douglas County. This project requires the furnishing of approximately 16,700 cu. yds. crushed gravel in stock pile. Three bids were submitted for this project, the low bid being that of A. S. Wallace, Roseburg, in the amount of \$33,400.00, and the second-low being that of McNutt Bros., Eugene, in the amount of \$35,404.00. All bids were rejected and the project ordered re-advertised.

"Florence Rock Production Project on the Oregon Coast and Siuslaw Highways, in Lane County. Requires approximately 8,300 cu. yds. crushed rock or crushed gravel in stock piles. M. L. O'Neil & Son, John Day, submitted the low bid for this work, in the amount of \$13,294.00. Edward F. Altree, Agate Beach, submitted the second-low, in the amount of \$13,973.00. There were four higher bidders. The Commission has referred all bids received on this project to the Engineer with power to award the contract to the low bidder when certain conditions have been satisfied.

"Kernville-Forest Boundary Section of the Siletz Secondary Highway, in Lincoln County. 0.14 mile grading and 5.55 miles bituminous macadam surfacing. The bid of A. T. Dolan, Tillamook, was the low one received for this work, in the amount of \$38,424, using asphalt, and in the amount of \$37,793.50, using tar. The bid of E. C. Hall Company, Eugene, was the second-low one received for this work. They submitted no bid using asphalt; \$38,909.50 was submitted using tar. There were two higher bidders. The Commission has awarded this contract to A. T. Dolan, the low bidder, at his bid of \$37,793.50, using tar.

"Boardman-Stanfield Section of the Old Oregon Trail Highway, in Morrow County. Construct two reinforced concrete siphons. A. Milne, Portland, was the low bidder for this work in the amount of \$7,182.50. Harry I. Hamilton, Eugene, was the next-low bidder

for this work in the amount of \$7,580.00. There were four higher bidders. The Commission has awarded this contract to the low bidder, A. Milne, at his bid of \$7,182.50."

Mr. Frank L. Shull, Chairman of the Board of County Commissioners, Multnomah County, County Judge A. H. Boice of Curry County, and County Judge J. J. Barrett of Linn County, comprising a committee representing the Oregon Counties Association, were present and asked the Commission to approve an increase in the amount that is paid to the counties from the state highway fund annually for road purposes. Mr. Shull headed the group. He alleged that 98 per cent of the roads in the state are off the state highway system and must necessarily be constructed and maintained by the several counties, which do not have sufficient funds for the purpose. It was his thought that the State Highway Commission could spare a greater share of the highway funds because highway revenues are increasing and the debt obligation for bonds is decreasing. His remarks were endorsed by Judge Boice and Judge Barrett, both of whom stated that the counties do not now have money enough to pay for keeping the county roads in proper condition and if the bill now pending before the State Legislature, which has for its purpose increasing the maximum load limit, is passed the counties will be in much worse condition.

Chairman Cabell stated that the Commission appreciates the predicament that the counties are in and the counties' desire for additional funds, however, the State Highway Commission does not have sufficient funds available even with the increased revenues to pay for the things that it would like to do and in view thereof the Commission considers that no change should be made at this time in the present basis of allocation.

Judge Barrett suggested that the present law should be amended to eliminate state exempt cars from participating in the distribution of the gasoline tax funds. He pointed out that, under the present law, the distribution is made to the counties on the basis of car registrations and that the counties in which the exempt cars are registered receive certain benefits that in his estimation they are not really entitled to and it was his thought that if the law were changed to eliminate such exempt cars in the distribution of the funds it would make for a fairer distribution of the funds. All present concurred in the remarks of Judge Barrett. However, no action was taken on the matter.

Judge Boice brought up the matter of the improvement of the Oregon Coast Highway through the town of Gold Beach. He advised that the county court has plans for the immediate widening of the present highway to 80-foot width in front of the courthouse property regardless of where the highway will be located ultimately, but cannot proceed with the proposed improvement until the highway grade line has been established. The Engineer was instructed to have grade stakes set as soon as possible.

Matters pertaining to the bill now before the Legislature, which has for its purpose increasing the maximum weight of loads and the maximum length of loads which may be transported over public roads of this state, was

discussed. Technical features of the bill were explained and the effect of the bill if enacted into law was discussed. It appeared from the discussion that the county courts do not fully understand the meaning of the law and are fearful that the roads on the county system will fail if the bill passes. The Engineer was instructed to direct a letter to Mr. F. L. Phipps, Executive Secretary of the County Judges and Commissioners Association, explaining fully the purpose and intent of the proposed law and how it will affect the county roads if adopted.

Mr. R. A. McClanathan, City Engineer, and Mr. Glen Gridwell, representing the City of Silverton, came before the Commission in regard to the proposed improvement of the Cascade Secondary State Highway from the Silverton business district to the top of the hill near the north city limits. They inquired whether or not the Commission has made any definite decision with respect to the city's request for state cooperation in this work which the city anticipates doing as a W.P.A. project. The Engineer advised that it has been ascertained from the office of the Work Projects Administration that the expense incurred by the state for paving work in connection with this project will be considered as part of the sponsor's contribution toward the total cost of the improvement which involves not only paving work but also certain grading, surfacing, et cetera. He estimated the cost of the paving work at \$8,000.00. After discussion the Commission voted unanimously to cooperate with the city in this project by furnishing engineering supervision and by paying for such paving work as may be necessary after the city has completed the grading work, rock surfacing, and has constructed curbs, gutters, sidewalks, et cetera. The Engineer was instructed to assist the city in securing its W.P.A. project.

The City Council of Tillamook, represented by Mayor D. E. Steinbach, City Attorney C. W. Barrick, Councilman George D. Riechers, and Thomas Odkirk, came before the Commission for a discussion of the state's claim against the city in the amount of \$10,750.00 for certain highway improvements made in behalf of the city some years ago. Mr. Barrick was spokesman for the group. Chairman Cabell advised that this account is of long standing and the Secretary of State and the Highway Commission are anxious that it be disposed of along with a number of others that are in the same category so as to clear the records, and the Commission at this time simply wants to know the attitude of the city with respect to this claim. Mr. Barrick stated that the city is not disputing the amount of the claim but understood that the claim was cancelled a number of years ago when the city performed certain work on the highway in Tillamook at the Highway Department's request, there being no highway department equipment available at that time. The city's expense for such work, he said, was in excess of \$11,000.00, and while the city's record of the arrangement is not clear he has been told by a number of people who understood the situation that the State Highway Department was agreeable to applying the city's expenditure on its debt. Mr. Riechers stated that he recalls that there was some such an agreement which provided that the city would do certain maintenance work on the highway and would be given credit by the state on its claim against the city.

The group was informed that so far as the State Highway Department knows there was no agreement or understanding, either written or otherwise, with respect to maintenance work performed by the city upon the state highway and so far as is known by anyone now connected with the State Highway Department there was no understanding that the city would be given credit for expenditures made for such maintenance work.

Mr. Riechers then stated that the city appreciates that the records are not clear with respect to the matter and in view thereof is willing to compromise a settlement. He pointed out that the original claim was for \$15,750.00 of which the city has paid \$5,000.00, and inquired whether or not the Commission would accept an additional payment of \$5,000.00 in two installments as payment in full of the balance. The Commission took the matter under advisement.

A delegation from Newberg, headed by C. H. Baynard, and including E. L. Morton, George Larkin, S. L. Parrett, and C. A. Morris, conferred with the Commission in regard to State Secondary Highway No. 143 north of Newberg. They urged the Commission to allocate funds to oil the uncompleted section, which is eight miles long, so as to provide an oiled highway all the way from Newberg to Hillsboro. The Engineer estimated that the work would cost about \$43,000.00. He pointed out, however, that this does not include realignment of the highway over Chehalem Mountain but is simply the cost of improving the present road; also that the Commission has not as yet budgeted any money for this work. After discussion the group was informed that the Commission appreciates the need for the improvement and will give the matter serious consideration although no definite commitment or promise can be made at this time.

The delegation then asked that the county road which extends from Newberg to Butteville along the north side of the Willamette River be designated as a state secondary highway. The Commission took the matter under advisement.

The Engineer brought up for discussion matters pertaining to the wrecking of buildings on the right of way acquired for the Front Avenue Project, Portland. He advised that this work can be done either as a W.P.A. project or by the general contractor in connection with the road work and recommended the adoption of the latter method. He also recommended the employment of an expert appraiser from Spokane or Seattle to set a value on the salvaged materials so as to obtain a fair comparison between such value and the actual cost involved in the wrecking operations. After discussion the Commission approved the Engineer's recommendations and authorized Chairman Cabell to discuss the matter with the Portland city officials.

The State Parks Superintendent, Mr. S. H. Boardman, was present and reported on the following matters:

Acquisition of timbered wayside strips along the Pendleton-John Day Highway between Ukiah and Dale Ranger Station:- He advised that federal aid funds, in the amount of about \$50,000.00, are available for the purchase of

wayside strips and inquired if it is the desire of the Commission to spend all of this money in one place or to divide it for purchase of strips in several different localities. Mr. W. H. Lynch, District Engineer of the Public Roads Administration, was present and stated that he has not yet received the rules with respect to the expenditure of the federal moneys for this purpose. The suggestion was made that some of the money be spent for purchase of strips along the Pendleton-John Day Highway and the balance for acquisition of additional strips along the Salmon River Highway. The matter was discussed but a definite decision with regard thereto was deferred until all Commissioners are present.

Timbered wayside strips along the Columbia River Highway, in Hood River County:- The Parks Superintendent advised that Governor Charles A. Sprague has referred to the Highway Commission a letter from Mr. George M. Knox, Assessor of Hood River County, in which Mr. Knox advises that plans are being formulated to cut the timber from a large tract of land adjacent to the Columbia River Highway between Summit and Lindsey Creek, embracing an area which is valuable to the state and the county from the historic and scenic standpoint, and suggesting acquisition of the same by the state in order to preserve it. The Parks Superintendent advised that this property is owned by the Gantenbein Estate and C. Lewis Mead, Portland, and contains approximately 550 acres of land and is important from the historic standpoint. He exhibited a map showing the property under discussion and also showing the location of the Bonneville power pole line which is to cross the property. He recommended purchase of the property if it can be obtained at reasonable cost. The matter was discussed at considerable length during which the Commission indicated that it is interested in the purchase of at least a part of the property in view of its historic importance and to preserve the natural scenic features of the highway. The Parks Superintendent was authorized and instructed to make further investigation relative to the acquisition of the area between the Bonneville power line right of way and the highway right of way and report his findings at the next meeting.

Addition to state park at The Cove:- The Parks Superintendent requested authority to purchase properties as follows, which properties, he said, are needed for the proposed development of this park:

520 acres owned by Jefferson County at prices ranging from \$2.00 to \$3.00 per acre, total \$1,300.00

320 acres from the State Land Board at \$2.50 per acre, total \$800.00

Privately-owned lands from Mary Kennan, Minnie Henske, Oregon-Washington Joint Stock Land Bank, Fred and Minnie Degner, Laura Degner, and Emil Zenke, aggregating 400 acres, at \$3.00 per acre, total \$1,200.00

He also requested authority to negotiate for the purchase of the following additional properties which are needed at this park:

120 acres from Jefferson County
40 acres from Pacific Power and Light Company

He further requested authority to negotiate leases for the following properties from the Bureau of Reclamation and the United States Department of Agriculture:

40 acres from the Bureau of Reclamation
1,980 acres from the Department of Agriculture

After discussion the Commission voted unanimously to acquire all of the properties mentioned by the State Parks Superintendent provided they can be purchased at not to exceed \$3.00 per acre. The matter was referred to the Attorney to handle the details. The State Parks Superintendent was authorized to secure the leases from the Bureau of Reclamation and the Department of Agriculture.

Cutover strips along the Salmon River Highway:- The Parks Superintendent reported that there is considerable cutover timber land along the Salmon River Highway in the vicinity of Boyer which would make a desirable addition to the state's wayside purchases in this vicinity, which property, he said, is owned by James Churchill of Centralia, Washington, and by the Miami Corporation. He requested authority to negotiate for the same. The Commission approved the request with the understanding that the price to be paid for the land is not to exceed \$5.00 per acre.

Spruce Production Railroad right of way in Lincoln County:- The Parks Superintendent presented a request from the Lincoln County Court for a state contribution of \$100.00 to assist the county in acquiring some of the old Spruce Production Railroad right of way, about one mile south of Newport. He said that the state now owns a short section of this right of way, containing two acres of land, which the county deeded to the state without cost some time ago for a wood lot, and that the county is now negotiating for the purchase of an adjoining section for which the owner, the Southern Pacific Company, is asking the sum of \$500.00, and wants the state to pay one-fifth of the expense. The Commission considers that the price is exorbitant and thereupon denied the request.

The Commission considered and signed agreements, et cetera, as follows:

Permit from the Spokane, Portland and Seattle Railway Company authorizing installation by the state of a culvert across railroad company property adjacent to the Lower Columbia River Highway.

Agreement with Bonneville Power Administration providing for construction of a power line across state highway property in Hood River County.

Agreement with Peoples Water and Gas Company covering the re-establishment of the company's water mains and facilities in

Marshfield so that they will be outside of the limits of the new highway pavement.

Agreement with the Southern Pacific Company covering the matter of construction of the Clackamas overcrossing on the 82nd Street Highway near the town of Clackamas.

Lease agreement with Elton McBride and wife covering property in the town of Long Creek which is to be used as a site for a highway maintenance headquarters.

Agreement with Ida Williams, administratrix of the estate of William Williams, covering acquisition of 0.41 acre of land in the NW¹₄ of the SE¹₄ of Section 16, Township 19 South, Range 1 West, Lane County, which property is to be used as a site for maintenance headquarters.

Agreement with Sam Likens covering the cutting and removal of fallen trees on land across which it is proposed to relocate the Oregon Coast Highway in the vicinity of Otter Crest, Lincoln County.

The Commission discussed the setting of a date for its first regular meeting following that scheduled for February 27 and 28, 1941, and decided to hold such meeting in Portland on Thursday and Friday, April 3 and 4, 1941. The Secretary was instructed to make the usual arrangements for the use of the auditorium of the Public Service Building. The Commission also set Friday, February 14, 1941, as the date for an interim meeting in Salem.

There being no further business to come before the Commission at this time, the meeting was adjourned at 5:15 p. m.

[Signature]
State Highway Engineer

[Signature]
Chairman

[Signature]
Secretary

[Signature]
Commissioner

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Salem, Oregon, February 14, 1941

The State Highway Commission met in special session at 10:00 a. m. in the office of the State Highway Engineer, Room 325, State Office Building, Salem. Present were:

Henry F. Cabell, Chairman
Huron W. Clough, Commissioner
Herman Oliver, Commissioner
R. H. Baldock, State Highway Engineer
J. W. DeSouza, Assistant Attorney
H. B. Glaisyer, Secretary

Also present were H. D. Farmer and T. M. Davis, Senior Highway Engineers, representing the Public Roads Administration.

The Engineer discussed with the Commission matters pertaining to the proposed strategic military highway system in Oregon, particularly certain changes desired by the U. S. War Department. After considerable discussion the Engineer was instructed to write the Public Roads Administration to the effect that the Commission will agree to some of the changes on the condition that the War Department will approve the retention in this system of certain highways that the Commission feels are especially desirable from the local standpoint as well as from the military standpoint. Otherwise, the Commission feels that it will be necessary to adhere to its original recommendation as disclosed in its letter to Mr. Lynch, District Engineer, Public Roads Administration, dated December 21, 1940.

The Honorable R. C. Frisbie, State Representative from Baker County, came before the Commission in regard to the Baker-Homestead Highway. He recalled that the State Legislature a few years ago changed the route of this highway beyond the town of Halfway by eliminating the Halfway-Cornucopia Section and substituting in lieu thereof a road from Halfway down Pine Creek to the town of Homestead. However, the people of his district have changed their attitude with respect thereto and now feel that a mistake was made, particularly in view of the fact that the town of Homestead is now served by the State Secondary Highway which extends down the Snake River from the town of Robinette. They are asking, he said, that the Pine Creek Section from Homestead to the top of Pine Creek Canyon be eliminated from the State Highway system and that the highway be routed from Halfway to Cornucopia in accordance with the original designation. He pointed out that a bill is now pending in the Legislature to effect such change but will be withdrawn in the event the Highway Commission will make the change which, he understands, the Commission has legal authority to do. The Engineer advised that he discussed this matter with the Commission's Attorney who is of the opinion that the Commission has such legal authority. After discussion, the Commission approved the changes requested by Mr. Frisbie under the condition that it has the backing of the local residents and is in conformity with general public opinion. Mr. Frisbie advised that he would ascertain the attitude of the people concerned, including Baker County Court and the people of the town of Halfway.

Commissioner Oliver brought up for discussion the matter of snow removal on the roads leading to the Anthony Lake recreational area, Baker County. He advised that inquiry has been made by Mr. Blaine Hallock, Baker, as to whether the Highway Commission would cooperate in such work if Baker County will assume a portion of the expense involved. The Commission decided that it could not enter into such a cooperative arrangement without establishing a very undesirable precedent and without inviting adverse criticism from people who do not have good road facilities at the present time. This decision is also to apply to the McKenzie Highway in Lane County, concerning which the Commission has been requested to conduct snow removal operations to enable the people of Eugene and vicinity to reach the winter sports recreational area adjacent thereto.

Mr. Farmer brought up for discussion the matter of constructing the forest highway project on the Oregon Coast Highway south of Port Orford, Curry County. He advised that at the present time this is the only forest highway project in Oregon that has been approved for contracting and that revised estimates indicate that it is going to cost about \$15,000 more than the amount that has been allocated for the same. He suggested that it would be advisable to transfer such amount of funds from some other forest highway project and mentioned the Willamette Highway surfacing project as being a convenient source. He pointed out that under the present program \$100,000 has been allocated to surface a 7.5 mile section of the Willamette Highway and that if the \$15,000 is taken from this project it would not have a serious effect but would simply reduce the length of the improvement about .8 mile. After considerable discussion the Commission approved such transfer of funds and thereupon signed the following joint letter with W. H. Lynch, District Engineer, Public Roads Administration and F. H. Brundage, Acting Regional Forester, with regard thereto, which letter also requests the transfer of \$75,000 of forest highway funds heretofore budgeted for the improvement of the John Day Highway from Dixie Summit toward Prairie City to the improvement of the section of this highway extending easterly from Prairie City, such transfer having been previously approved by the Commission:

"Changes in the Fiscal Year 1941 Forest Highway Program are recommended for approval as follows:

No.	Project	Present Approved Status		Recommended Revision Funds		
		Length	Funds	Length	F. H.	Coop.
10-D2	Oregon Coast Hwy. Hubbard Creek Bridge Reconst.	.03 mi.	25,000	.03 mi.	40,000	
21-F5, G3,H4	Willamette Hwy. Surfacing	7.5 mi.	100,000	6.7 mi.	85,000	
36-A1	John Day Hwy. Reconst. Grad.	4.0 mi.	75,000	5.7 mi.	75,000	25,000

(Continued on next page)

Oregon Coast Highway, Hubbard Creek Bridge Reconstruction, 10-D2, .03 Mi.

"The estimate included in the previous program was promised on preliminary data. Upon completion of the surveys and design, it became evident that the present approved funds were insufficient to finance the construction. It is necessary, therefore, to recommend the allocation of additional funds as cited above.

Willamette Highway, Surfacing, 21-F5, G3, H4, 6.7 Miles.

"In order to finance the reconstruction of the Hubbard Creek bridge, the funds therefor are to be released from the Willamette Surfacing Project by reducing the length of the proposed improvement.

John Day Highway, Reconstruction Grading, 36-A1, 4.0 Miles.

"The program previously approved provided for the improvement of the project from Dixie Summit toward Prairie City. Since that time the State has decided to finance the section adjacent to Dixie Summit with Federal Aid funds, and it is now desirable to change location of the proposed Forest Highway improvement to extend from Prairie City easterly and to add sufficient additional funds to complete the grading to a connection with the proposed Federal Aid project. The State Highway Department proffers the additional funds as cooperation."

In the discussion of the Port Orford project it was pointed out that difficulties have been encountered in securing right of way across certain property owned by Captain Harold Koche. The Attorney was authorized and instructed to proceed with the condemnation of this right of way immediately so as to avoid delays in contracting the construction.

A delegation from Clackamas County, headed by the Honorable Howard C. Belton, State Senator, and including County Judge E. L. Pope and County Commissioner George G. Randall; County Engineer D. T. Meldrum; J. R. Vinyard, Mayor of Canby; Roy L. Mangus, City Recorder; and George Koehler, Councilman, came before the Commission and requested the designation as state secondary highways of the following county roads:

Market Road No. 10, extending from the south city limits of Canby to a junction with State Secondary Highway No. 160, near Marquam, a distance of about 13.7 miles.

Molalla River Road beginning at the east city limits of Molalla and extending southeasterly therefrom to a point near the confluence of the Molalla River with the north fork of the Molalla River, a distance of about 7.6 miles.

They filed with the Commission formal requests for such designations from the Clackamas County Court. Senator Belton made an urgent plea for such designations

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pointing out that these roads are now in bad condition due to heavy log-hauling traffic which, they anticipate, will continue probably twenty years, and Clackamas County is not financially able to maintain them. However, the county will maintain at county expense the road that the loggers are using in transporting their logs between Canby and the Willamette River.

Chairman Cabell explained that due to scarcity of available funds the Commission has been reluctant to add new roads to the state secondary highway system, it being considered advisable by the Commission to improve the roads now on such system before taking on new obligations. However, there are exceptional cases to which the Commission gives special consideration if conditions warrant and, in the present instance, the Commission will take the request under advisement and will probably have investigations made.

Mayor Vinyard asked the Commission to give consideration to the removal of several right-angle turns in the town of Canby along the route used by loggers from Canby to the river. He said that the rerouting of the highway to eliminate these turns would not only shorten the distance between the town and the river but would also provide greater safety to local citizens. Right of way required for such change, he said, can be obtained at small expense. The Engineer was instructed by the Commission to investigate this matter when investigating the other projects requested by this delegation.

The County Court of Marion County, represented by County Commissioners Jim Smith and Ralph Girod and County Engineer N. C. Hubbs, was present and presented formal requests from Marion County Court and Linn County Court for the designation, as a state secondary highway, of the road commonly known as the North Santiam Highway from the town of Detroit southeasterly to a connection with the South Santiam Highway. The Commission took the matter under advisement.

The Honorable Rex Ellis, State Senator from Umatilla County, came before the Commission and requested, on behalf of the logging operators of Pendleton and Pilot Rock, permission to transport logs over the Pendleton-John Day Highway for a short time after dark so as to enable them to deliver two loads of logs daily to the mill at Pilot Rock from their timber stand near Ukiah, about fifty miles distant. He alleged that, on account of the shortness of daylight hours and the long haul, it is not possible for loggers to deliver two loads of logs during daytime and, if the Commission will not grant the permission requested, it will necessitate the parking of the loads at the side of the highway overnight which, during this season of the year, will work extreme hardship on the truck drivers because traffic on the highway is very light and they have no other transportation available to reach their destination. He said the drivers do not want to violate the laws but, unless some concession is made, they will have to, so far as speed is concerned, if they are to deliver their loads before darkness sets in.

Chairman Cabell pointed out that this condition is not confined to the Pilot Rock area but is general throughout the state; that the Commission is aware of the condition and is giving the matter study and it is hoped that

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by next fall the Commission will be in position to establish a definite rule pertaining thereto. In the meantime, he added, the Commission will discuss the request and will let Senator Ellis know as soon as possible what, if anything, can be done to relieve the present situation.

Following Senator Ellis' appearance the Commission discussed the matter at further length and decided to permit loggers to operate until 8:00 p. m. provided they equip their loads with proper lights extending the length of the load. This was approved by the Commission as a trial proposition on the Pendleton-John Day Highway between Ukiah and Pilot Rock and a state-wide policy with respect to such matter is to be formulated from the results of this trial. The Engineer was instructed to conduct the experiment at once.

The Commission adjourned at 12:10 p. m. and reconvened at 1:15 p.m. in the same room.

The Commission discussed the request from the City of McMinnville for a decision with respect to the adoption of a permanent connection between the Pacific Highway West and the Three Mile Lane Secondary State Highway in McMinnville. The Engineer advised that the permanent route for the Pacific Highway West, through McMinnville, was adopted by the Commission some time ago but there is still a question as to the route of the secondary highway connection; whether it should be routed along Main Street or along one of the streets south of Main Street. He pointed out that the adoption of a permanent route for this connection involves the location for a new bridge over the South Yamhill River, which bridge is estimated to cost approximately \$300,000. He suggested, in view of the fact that funds are not available to finance the work, that the Commission designate the Main Street route as a temporary connection for this highway until such time as the Commission is in a position to adopt and construct the permanent route. The Commission approved the suggestion and instructed the Engineer to so inform the Honorable Eugene Marsh, State Representative from Yamhill County. He was also instructed to paint and maintain a yellow center line stripe along Main Street.

The Engineer brought up for discussion the matter of filing an application for a new WPA project on the Wolf Creek Highway superseding all projects now in effect and those for which applications have previously been filed. He recommended approval of such project covering the construction of the remaining portion of this highway between the Nehalem River, east of Elsie, and the junction with the Canyon Road, Portland, the work to consist of clearing, grubbing, grading, and all other necessary work except the construction of pavement between North Plains and Portland and railroad grade crossing elimination structures. He estimated the total cost of the project at \$2,129,503 of which amount, he said, the state's share would be approximately 18.3 per cent, the balance to be paid with WPA funds. He also said that the approval of this project would not affect this year's budget and that the WPA would furnish powder and culvert pipe and a considerable portion of the equipment. He pointed out that this is a National Defense project and, accordingly, is in a priority status. After discussion the Commission approved the project as outlined and authorized the Engineer to sign the application for the same.

Mr. Farmer brought up for discussion the proposed plan for financing construction of the North Santiam Highway between Niagara and Detroit where the present road will be flooded by the proposed dam across the North Santiam River. He pointed out that according to the original plan the War Department is to advance the funds to build the new road from the dam site to a point about three miles above Detroit and is to receive reimbursement at the rate of \$100,000 per year from Forest Highway funds. However, it has since been deemed advisable to include in this arrangement construction of the new road down stream from the dam to the foot of the six per cent grade, which is outside of the zone directly affected by the dam and was originally considered by the War Department to be entirely beyond the scope of the agreement. The War Department, he said, is now agreeable to financing this construction on the same basis - that is, the War Department will advance funds for construction in the first instance with the understanding that it will receive reimbursement at the rate of \$100,000 per year from Forest Highway funds. The agreement with the War Department, he said, has been prepared on such basis and he asked the Highway Commission to approve the arrangement before the papers are executed. After discussion the Commission approved the arrangement by unanimous vote and thereupon signed a letter directed to W. H. Lynch, District Engineer, Public Roads Administration, in regard thereto. (See letter dated February 14, 1941, signed by all three members of the Commission.)

The Engineer reported receipt of a letter from W. P. Hewes, City Engineer, Lewiston, Idaho, inquiring as to the plans for the completion of the Oregon section of the Enterprise-Lewiston Highway, in Wallowa County. He was instructed by the Commission to inform Mr. Hewes that the Commission has obligated itself to complete this section by the time the Washington Section of this highway is completed.

The Commission considered and, by unanimous vote, approved the minutes of the meetings held on October 9, 10 & 11, October 18, and November 12 and 13, 1940.

The Assistant Attorney requested authority to acquire certain parcels of real property that are needed for various highway improvements throughout the state. He submitted a list of such properties together with the prices that he recommended be paid for each. After careful consideration of each item the Commission approved the request and, by unanimous vote, adopted the following resolution in regard thereto:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as herein-after more definitely set forth, and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon, and

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WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Vollmer Creek Section, Wolf Creek Highway</u>				
8692-Weathers, Lou H.	R/W	2.64	In exchange for lands lying outside R/W & right to remove gravel from river bed	McChesney
<u>Summit Section, Necanicum Highway</u>				
8744-Crown Zellerbach Corporation	Stock Pile	1.25	\$20 per acre	Devers
<u>St. Helens Section, Columbia River Highway</u>				
8738-First Nat'l. Bank of Portland	R/W	14,761 sq.ft.	@ \$0.01694 per sq.ft.	McChesney
8735-Morefield, J. W and Mary E. Robertson Estate	"	21,708 "	@ 10¢ sq.ft. plus \$829.20	"
<u>Multnomah County Line-Scappoose Section, Columbia River Highway</u>				
8344-Watts Estate (Correction)	R/W	0.06	\$155.50 Lump Sum	Devers
<u>Glenwood-Tashburn Section, Wilson River Highway</u>				
3671-Van Loo, Iola Annabelle	R/W	1.0	\$300 Lump Sum for land, Plus \$1300	Benson
8663-Ackerson, Minnie M.	"	0.07	\$10 Lump Sum	"
8670-Rowe, Freeman	"	0.07	\$5 Lump Sum	"
8675-Drake, Sherman T.	"	1.72	\$100 per a. plus \$76, plus moving bldg. (Est'd at \$200)	"
8666-Johnston, Willard	"	0.09	\$10 Lump Sum	"
8668-Johnston, Nettie	"	0.002	\$250 per a. plus \$29.50	"
8672-Consolidated Timber Co.	"	0.30	GRATIS	"
8717-Consolidated Timber Co.	"	160 sq.ft.	GRATIS	"
<u>Otis-Polk County Line, Salmon River Highway</u>				
8526-Boyer, Gladys M.	Park	3-5/6	\$500 Lump Sum	Benson

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Section, Hwy. and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Lincoln County Line-Florence Section, Oregon Coast Highway</u>				
8821-Stonefield, Rufus C. Stock Pile		0.29	\$100 Lump Sum	Collins
8822-Stonefield, Mary E.	" " Approx.	1.0	\$250 per acre	Lytle
<u>Depoe Bay Section, Oregon Coast Highway</u>				
4126-Neely, Martha	Slope Esm't.	250 sq.ft.	EASEMENT GRATIS	Collins
<u>Nehalem Spit Section, Oregon Coast Highway</u>				
7332-Kohler, John	Park	1 lot	\$10 + 50¢ (+ taxes which state will assume)	Martin
<u>West Portland-Tualatin Section, West Portland-Hubbard Highway</u>				
4599A-Henricks, J.A.	Slope	341 sq.ft.	\$25 Lump Sum	Benson
Estate	Esm't			
4827-Studensky, Paul	R/W	43,183 "	\$150.45 Land, plus \$125.00	Devers
<u>Under West Approach to Willamette River Bridge, Salem-Dallas Highway</u>				
8749-Wallace, Paul B.	R/W Esm't	0.54	Permanent Esm't. GRATIS	Gardiner
<u>Blodgett Section, Corvallis-Newport Highway</u>				
8739-Thompson, J. A.	R/W	0.03	GRATIS	Collins
8740-Thompson, J. R.	"	0.06	Land GRATIS, + \$200	"
<u>Plunkett Creek-Wren Section, Kings Valley Highway</u>				
8722-Thomas, Ira W.	R/W	1.22	\$25 per a. + \$75	Collins
8725-Johnson, C. E.	"	1.00	\$100 per acre	"
		0.24	\$ 50 per acre + \$188.50	
		1.24		
<u>Eugene Section, Pacific Highway</u>				
8862-Thompson, Elizabeth N.	R/W	15.95	\$300 per acre	Parker
Estate				
<u>Cottage Grove-Yoncalla Section, Pacific Highway</u>				
8690-Brown, Julia M.	R/W	0.63	\$158.73 per acre	Gardiner
<u>Lake Creek-Hanley Ranch Section, Little Butte Highway</u>				
3713-Damon, Lloyd L.	R/W	11.1	2.0 @ \$50 per acre 9.1 @ \$150 " " plus \$1985	Gardiner
3714-Farlow, T. L., Earl and Fred	R/W	3.64	\$50 per acre, plus \$432.13	"
3712-Sidley, Mike, Jr.	R/W	3.17	\$50 per a. + \$220	"
3710-Meyer, Ella E.	R/W	5.7	\$150 per a. + \$2742.25	"

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Section, Hwy. and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Cove Section, The Dalles-California Highway</u>				
8909-Jefferson County	Park	280.0	\$3.00 per acre	Devers
		160.0	\$2.00 " "	
		200.0	\$2.50 " "	
		640.0		
8908-State Land Board	Park	320.0	\$2.50 per acre	Devers
<u>Davis Ranch-Paulina Section, Crooked River-Paulina Highway</u>				
8782-Post, J. R. and Federal Land Bank	Gravel Pit	3.51	\$30 per a. plus \$99	Chandler
<u>O'Neil Section, O'Neil Secondary</u>				
8780-Livingston, Florence	Gravel Pit	3.09	\$100 per a. plus \$77	Forrest Cooper
<u>Jefferson County Line-Prineville Section, Warm Springs Highway</u>				
7678-Aschbacher, J.	R/W	2.35	\$100 per a. plus \$515	Benson
7733-Harker, Howard H.	"	9.28	\$100 per a. " \$707	"
8460-City of Prineville Railroad	R/W Easement	0.40 & 3590 sq. ft. GRATIS		"
<u>Coos County Section, Powers Secondary</u>				
8701-Johnson, Thomas V.	Stock Pile	1.54	\$113 per a. plus \$26	Gardiner
<u>Coos County Section, Coos Bay-Roseburg Highway</u>				
8727-Huling, Katherine D.	Scale Site	0.25	\$1200 per acre	Gardiner
<u>Bear Creek-Coos Junction Section, Coos Bay-Roseburg Highway</u>				
8814-Croucher, Geo. W.	Gravel Bar	0.62	10 year lease, \$0.03 per cu. yard	Parker
8815-Wilson, W. P.	" "	1.71	10 year lease, \$0.03 per cu. yard	"
8816-Hodges, Albert E.	" "	5.11	10 year lease, \$0.03 per cu. yard	"
<u>Boardman-Stanfield Section, Old Oregon Trail Highway</u>				
8827-Moyer, J. D. and Flora Moyer	R/W	1.0	\$40 per acre	Landon
		2.98	\$3.35 per a. + \$38.25	"
		3.98		"
8831-Klinehan and Fred Mc- Murray	"	0.01	GRATIS	"
8829-McMurray, Fred	"	3.20	\$100 per a. plus \$480	"
8832-Federal Land Bank & Sherman Thos. Roberts	"	0.09	\$100 per a. " \$28.40	"
8828-Federal Land Bank & J.C.F. Lee	"	3.19	2.0 acres @ \$75 per acre " 1.19 " @ \$50 " " Plus \$690.50	"
<u>Grant Co. Section, Pendleton-John Day Highway</u>				
7962-Gill, B. F. and J. M. Gilbert	R/W	6.32	\$7.25 per acre	Landon

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Jefferson County Line-Prineville Section, Warm Springs Highway</u>				
7836-Earwood, Roy	R/W	5.03	\$100 per acre	Benson
		1.15	\$10 per acre, plus	
		6.18	\$1135.50	
7672-Williams, Claude F.	"	2.99	\$100 per acre, plus	"
		0.39	\$233.50	
		3.38		
7673-Williams, Elisabeth	"	7.77	\$100 per acre, plus	"
			\$1970.25	
<u>Bend-Forest Boundary Section, Century Drive Highway</u>				
8702-Shevlin-Hixon Co.	Gravel Pit	.40	For Hauling Road, GRATIS	
		24.28	\$10 per acre	
		55.72	\$2.50 per acre	DeSouza
<u>Lava Butte-Crescent Section, The Dalles-California Highway</u>				
8927-Shevlin-Hixon Co.	Gravel Pit	53.94	\$10 per acre	
		66.06	\$2.50 per acre	"
		120.00		
<u>Front Ave. Project-Columbia St. South (Portland), Pacific Highway West</u>				
8268-First Natl. Bank of Portland	R/W	13,680	sq. ft. \$2,500.00	McCallister
8267-Henry, Etta	"	5,000	" " 900.00	"
8263-Baun, Elsbeth	"	5,000	" " 2,500.00	"
8255-Ilge, Henrietta	"	2,070	" " 1,000.00	"
8223-Bloom, Mary & Matilda	"	10,000	" " 2,000.00	"
8160-Pacific University	"	5,000	" " 5,000.00	"
8161-Steinforth, Mary J.	"	7,500	" " 7,500.00	"
8191-Viceri, Angelo	"	2,500	" " 1,000.00	"
8195-Peluso, Guiseppo and Concetta	"	2,500	" " 750.00	"
8197-Raden, Catherine	"	3,000	" " 1,250.00	"
8230-Hodges, H. H. & Dixie	"	10,000	" " 1,250.00	"
8231-Cook, Florence Fuston	"	5,000	" " 2,000.00	"
8563-Bank of California	"	10,650	" " 6,000.00	"
8648-Klonoff, H. B.	"	2,800	" " 1,600.00	"
8232-Steinlen, Charles T.	"	5,000	" " 2,000.00	"
8265-Cimbolo, Ralph	"	2,500	" " 1,250.00	"
8565-Knecht, Fred and Catherine	"	5,000	" " 3,500.00	"
8840-Goldstein, B. and Margaret C. Jones	"	2,200	" " 885.00	"

The Assistant Attorney also brought up for discussion additional settlements for right of way needed for the proposed Front Avenue project in Portland. Action on these properties was deferred pending personal inspection of the premises by Chairman Cabell.

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Mr. James Elliott, County Commissioner of Clatsop County, was present in regard to the bridge over the Nehalem River on the county road that connects with the Wolf Creek Highway near Elsie. He said that this bridge is badly in need of repair or replacement with a new structure; further, that the county court is not particularly interested in the bridge and had it in mind to dismantle it, in fact, has already closed it to all traffic, but recently received a petition signed by numerous loggers requesting the repair of the structure so that it can be used in their logging operations, it being their contention that unless the bridge is repaired they will be forced to use the Wolf Creek Highway as a turn-around for their equipment, which would present a serious hazard to Wolf Creek Highway traffic, and, as far as the county court is concerned, that is the only justification for the rebuilding of the bridge.

The Engineer advised that the bridge is on the county road that was used as a detour during the construction of the Wolf Creek Highway and when it was turned back to the county it was carefully inspected by the Bridge Engineer who reported it in good condition; however, since that time it has been used extensively by log haulers who have severely damaged it by hauling overweight loads. He estimated the cost to repair the damage at \$6,200, and to construct an entirely new bridge at \$10,000. Mr. Elliott inquired whether the Commission would pay 50 per cent of the cost of repairing the existing bridge or for building a new one, if the county would pay the balance. It was the Commission's contention that the loggers should pay at least a portion of the expense in view of the fact that they were responsible for the present condition of the structure. After discussion, it was agreed that Mr. Elliott would contact the loggers with regard thereto and report his findings to the Commission when the Commission will make its decision.

The Assistant Attorney brought up for discussion a request from the Standard Oil Company for merchantable title to certain property in Bandon which the company is obtaining from the state in connection with a highway right of way transaction. He estimated that to furnish such title would cost not to exceed \$150 and gave as his thought that the state should assume this expense. The Commission voted unanimously to pay the costs involved in furnishing a satisfactory title to the company.

The matter of acquisition of land at Gold Beach to protect the bridgeheads of the Rogue River Bridge was discussed briefly but action thereon was deferred until the State Parks Superintendent is present.

Commissioner Oliver presented a letter from Mr. Lowell Stockman, Pendleton, in regard to the construction of a connecting link between the Helix Secondary Highway and the new state highway between Pendleton and Adams, in Umatilla County. The Engineer advised that this connection involves a crossing of the O.W.R. & N. Company Railroad at grade, at a point where there appears to be somewhat of a hazard, and there is a question whether the Public Utilities Commissioner would permit the improvement without provision being made for the separation of highway and railroad traffic. This feature, he said, vitally affects the cost of construction and should be known before the

Commission makes a decision in the matter. The Engineer was instructed to convey such information to Mr. Stockman and to make a joint inspection of the project in company with the Chief Engineer for the Public Utilities Commissioner and to report his findings to the Commission.

The question whether or not to take legal proceedings to evict Mrs. Inez Van Dyke who is maintaining a cottage on state property known as Casey State Park, adjacent to the Crater Lake Highway in Jackson County, had the attention of the Commission. The Secretary presented a letter from the Attorney regarding this subject. After discussion the Commission ordered that legal proceedings to force Mrs. Van Dyke to vacate the premises be undertaken unless the Attorney knows of some good reason why this should not be done.

The Commission discussed briefly the request heretofore made by I. C. Nealeigh of Oregon City for the filling in of the highway right of way in front of property that he owns adjacent to the new highway at this place. The Secretary recalled that Mr. Nealeigh agreed to write the Commission explaining in detail just what he wanted done but no such letter has been received to date. The Commission decided to let the matter drop until hearing from Mr. Nealeigh.

The Commission discussed and denied the request from Harold Nelson, Portland, for permission to maintain a small building on the right of way of the Oregon Coast Highway at the north end of the Depoe Bay Bridge, in Lincoln County, it being strictly contrary to the Commission's long-established policy to permit such encroachments.

The Secretary presented letters from Mrs. Fay Lamson Ray, of Vancouver, Washington, and Mrs. Frances L. Barnes, Portland, suggesting that the state park which has been established at a place known as "The Cove", in Jefferson County, be named "Rogers Park" in honor of Clark Green Rogers who homesteaded the area in 1879. It was the thought of the Commission that the time is not propitious to name this park in view of the fact that all of the land for the park has not as yet been acquired. The Secretary was instructed to so inform Mesdames Ray and Barnes and to state that the Commission appreciates their interest in the matter and will be pleased to bear their suggestion in mind when the naming of this park comes up for discussion.

The Commission considered and ordered filed a petition signed by a number of organizations of Silverton in which objections were offered to House Bill No. 298 now before the Oregon Legislature, which bill proposes to permit withdrawal of water from Silver Creek for irrigation purposes.

The question of whether to maintain signs along state highways at locations where freeways have been obtained advising prospective purchasers of abutting property that right of access at such locations will not be allowed, had the attention of the Commission. The Commission decided that it would be inadvisable to maintain such signs at the present time, particularly in view of the fact that this information is available to prospective purchasers in the county deed records.

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The Commission discussed a request from L. E. Bierce, Grande Ronde, Oregon, for permission to construct a plank logging road across certain state park property adjacent to the Salmon River Highway, in Polk County, for use in connection with the truck hauling of logs from an adjacent privately-owned tract. The Commission approved the request subject to the condition that the connection with the Salmon River Highway is constructed in a satisfactory location so as to minimize the hazard to Salmon River Highway traffic.

The Commission discussed briefly and ordered filed the report from the Engineer relative to revenues derived from the state tax on gasoline during the calendar year 1940 as compared with that for the calendar year 1939.

The Engineer requested authority to install flood lights at four truck scale sites in Division No. 5, particularly at the scales located at Mile Post 1.05 on the Wallowa Lake Highway; at a point on the Old Oregon Trail about one mile east of La Grande; at the north city limits of Ontario; and at the Cairo Junction, south of Ontario. He explained that these lights have been requested by the Department of State Police to facilitate the activities of that department. He estimated that the cost to furnish such lights at all four points would be approximately \$570. The Commission approved the request by unanimous vote.

The Commission discussed a complaint from County Commissioner E. G. Anderson, Tillamook County, with regard to the condition of the Little Nestucca Secondary Highway. Mr. Anderson asked for the stabilization of this road so as to make it passable for log-hauling traffic. The Engineer advised that this road was constructed for local, light traffic only and absolutely will not stand up if subjected to log hauling; also, that to strengthen it sufficiently so that it will withstand logging traffic is a very expensive undertaking. It was his thought that the expense is not justified at the present time. The Commission concurred in the viewpoint of the Engineer and thereupon decided not to make any commitment to the project at this time.

The Engineer reported that due to weather conditions and increased log hauling on the South Santiam Highway it has been very difficult this winter to maintain the road in proper condition, particularly the 12-mile section easterly from the end of the oiled section near Sweet Home. He estimated that it would take about 2,000 cubic yards of rock to properly maintain the road during the next three months and requested authority from the Commission to advertise for bids for the furnishing of such amount of material and to include an additional 3,000 cubic yards to be placed in stock piles for future use. He estimated that this material would cost about \$7,500. The Commission approved the request by unanimous vote.

The Commission discussed a letter from F. T. Fowler, Traffic Engineer for the City of Portland, in which it was pointed out that, in connection with the traffic signal installation on East Burnside Street and 12th Avenue from Sandy Boulevard, it is essential that the curbs on Sandy Boulevard between 12th Avenue and 15th Avenue be set back a distance of two feet to provide a roadway of the same width as the balance of Sandy Boulevard. Mr. Fowler

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gave as his thought that this is a state obligation and requested an early decision by the Commission.

The Engineer estimated that the work involved would cost about \$2,500 and recommended approval of the request in view of the fact that the lighting project is part of the main project of safety control along Sandy Boulevard heretofore approved by the Commission. After discussion the Commission, by unanimous vote, authorized the improvement at state expense with the understanding that the city would do the work.

The Secretary presented a resolution from the Lower Columbia Associated Chambers of Commerce requesting designation of the Lower Columbia River Highway as a strategic military highway and the reconstruction of the same to modern standards. The Commission ordered the resolution filed without action, there being no funds available to finance the work at this time.

A letter was also presented from Charles H. Reynolds, President of the Oregon Trail Association, expressing appreciation for the improvements heretofore made by the State Highway Department along the Old Oregon Trail in the vicinity of Arlington, and expressing the hope that this highway will be modernized between the town of Boardman and the John Day River in the near future; also requesting the straightening of this highway through the town of Arlington. The Commission decided that it would be best to defer the construction of the proposed Arlington revision until the Old Oregon Trail has been completely reconstructed on both sides of Arlington, particularly in view of the fact that the improvement of the Arlington Section is a very expensive undertaking involving the construction of a railroad grade crossing elimination structure for which no funds are available at this time.

The Secretary also presented numerous petitions and resolutions from various organizations along the Tualatin Valley Highway in which the Commission was requested to provide for the early reconstruction of this highway for four lanes of traffic between the Multnomah County Line and the Yamhill County Line. The Engineer estimated that it would cost about \$172,000 to construct a pavement 44 feet wide on a 66-foot width grade, with standard shoulders, between Sylvan and Beaverton, a distance of four miles, and that to construct such pavement without the shoulders would cost about \$152,000. To construct a 44-foot pavement with rock shoulders along the section between Beaverton and Forest Grove, he said, a distance of 14½ miles, is estimated to cost \$631,000. It was the thought of the Commission that if and when this improvement is made it should be done properly and should include shoulder work notwithstanding the fact that it would cost somewhat more than if the shoulders were omitted. The Commission made no commitment to the project but decided to bear it in mind in the formulation of future construction programs.

Reconsideration was given by the Commission to the claim of John O'Gorman for the loss of ten sheep which were killed by a State Highway Department truck on the Klamath Falls-Lakeview Highway in the vicinity of Bly, in November, 1940. The details of the accident were explained by the Engineer

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After considerable discussion the Commission concluded that it is liable for the payment of the claim, which is in the amount of \$100, and thereupon authorized payment of the same in the event that it is not a just charge against the insurance company that furnished the insurance covering the state equipment. The matter was referred to the Attorney to handle.

The Commission discussed the establishment of a policy to be followed hereafter in passing on applications of hospital associations for permission to provide group hospital insurance covering Highway Department employees, involving deductions from the Highway Department's monthly pay rolls. The Commission confirmed its decision reached on January 22, 1941, not to authorize additional contracts during the year 1941 and to require that all contracts of this nature be on an annual basis, becoming effective on January 1st of any year and expiring on December 31st of the same year, unless continued; also, that all contracts with hospital associations shall be a standard form heretofore approved by the Commission, and that before consideration is given to the application of any hospital association for such a contract that association shall be required to submit to the Commission the names of at least thirty employees who desire to receive the benefits of the service by such company. Further, that before the Commission will approve the renewal or continuation of a contract in effect the company concerned shall file with the Commission evidence to the effect that it is serving at least thirty Highway Department employees, otherwise, the contract will not be continued.

The Engineer reported that as previously authorized by the Commission, he has awarded contracts as follows to the low bidder in each instance, the conditions of the awards having been satisfied:

2.33 miles grading and construction of a bridge on Lake Creek-Hanley Ranch Section of the Little Butte Secondary Highway, in Jackson County. Bids taken January 21, 1941, contract awarded February 12, 1941, to E. L. Gates.

Grading and bridge construction on the Ochoco Creek Section of the Madras-Prineville Secondary Highway, in Crook County. Bids taken January 22, 1941, contract awarded February 6, 1941, to Norris Bros.

Florence Rock Production Project on the Oregon Coast and Siuslaw Highways, in Lane County. Bids taken January 22, 1941, contract awarded February 6, 1941, to M. L. O'Neil and Son.

Grading, surfacing and oiling Plunkett Creek-Read Creek Section of Kings Valley Secondary Highway, in Benton County. Bids taken January 21, 1941, contract awarded January 27, 1941, to M. L. O'Neil & Son.

Bear Creek-Coos Junction Rock Production Project on Coos Bay-Roseburg Highway, in Douglas County. Bids taken January 21, 1941, contract awarded January 27, 1941, to A. S. Wallace.

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After due consideration, the Commission by unanimous vote, approved the awards as reported by the Engineer.

The Engineer also reported that repairs have been made to the Service Creek Bridge over the John Day River, on the Service Creek-Mitchell Secondary State Highway, in Wheeler County, and the 10-ton reduced load limit for which this bridge heretofore has been posted is no longer required. He recommended appropriate action by the Commission restoring legal weight loads. The Commission approved the recommendation and thereupon, by unanimous vote, adopted the following resolution in regard thereto:

WHEREAS, on the 18th day of May, 1937, at a meeting of the State Highway Commission, all members being present and participating, the Commission passed and adopted a resolution ordering a reduction of the maximum permissible load limit on certain state highway bridges, including the following, to-wit:

SERVICE CREEK-MITCHELL SECONDARY STATE HIGHWAY

390-00.5 John Day River Bridge 10 tons

and

WHEREAS, subsequent to the passage of said resolution the said above-named bridge has been repaired so that it is no longer necessary or desirable to maintain the reduced load limit set out in said resolution;

NOW, THEREFORE, BE IT RESOLVED that the action of the State Highway Commission reducing the maximum permissible load limit on the following bridge, to-wit:

SERVICE CREEK-MITCHELL SECONDARY STATE HIGHWAY

390-00.5 Service Creek Bridge over John Day River

be and the same hereby is rescinded and vacated as of this date, and the maximum load limit permissible on the said bridge shall hereafter be the maximum load limit provided by law.

IT IS FURTHER ORDERED that certified copies of this resolution be furnished to the county clerk of Wheeler County, in which county said bridge is located, and to the Superintendent of the Department of State Police for his information.

Reconsideration was given by the Commission to the matter of providing auxiliary service at Coos River Ferry during periods of high water, when ferryboat service has to be discontinued. The Engineer advised that

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ferry service at this point is now being rendered by Andrew Stambuck under contract with the State Highway Commission and that the original contract provided for the furnishing of free ferry service each day at the rate of \$784.60 per month, which is at the rate of \$1.30 per hour, and provided further that deductions at the rate of \$1.30 per hour shall be made from the amounts due the contractor for each hour that the ferryboat is out of service. During the time that the ferry cannot be operated, he said, Mr. Stambuck has furnished a small power boat for the accommodation of pedestrians and he has rendered such service free of cost, although he does not believe that he is required to do so under the terms of his contract, and now wants the state to either permit him to discontinue such extra service or to pay him for rendering it and has agreed to accept the sum of \$1.30 per hour, the amount that would be deducted from his payments when the regular ferry is out of service. He recommended payment to Mr. Stambuck for rendering such power-boat service at the rate stated. In view of the volume of pedestrian traffic that will be accommodated by such service the Commission approved the recommendation subject to the condition that the insurance coverage provided by Mr. Stambuck in connection with the operation of the ferry is extended to cover the operation of the power boat.

The Engineer brought up for discussion the matter of designating the Salem-Dayton Secondary Highway a through highway. He said that traffic along this highway is steadily increasing and in his estimation side-road traffic should be required to stop before entering the same and he so recommended. After discussion the Commission approved the recommendation and authorized the Engineer to erect stop signs at all intersecting roads. The following resolution designating this highway a through highway was adopted by the Commission by unanimous vote:

WHEREAS, that certain highway known as the Salem-Dayton Highway, otherwise defined as State Secondary Highway No. 150, is a duly established state secondary highway; and

WHEREAS, the Salem-Dayton Highway joins the Salem-Dallas Highway at West Salem and joins Three Mile Lane Highway at Dayton, and by reason of said connections carries a large volume of traffic; and

WHEREAS, because of the importance of said highway and the volume of traffic which now moves thereover said highway should be designated as a main-travelled or through highway;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the Commission, all members being present and affirmatively voting, as follows:

1. That the Salem-Dayton Highway, otherwise defined as state secondary highway No. 150, from its connection with the Salem-Dallas Highway to its connection with the Three Mile Lane Highway at Dayton be and said highway hereby is designated and declared to be a

main-travelled or through highway.

2. That the Highway Engineer be and he hereby is instructed to place along said highway at all points where roads or highways intersect the Salem-Dayton Highway appropriate signs or markers notifying drivers of vehicles to stop before entering or crossing the said Salem-Dayton Highway. The Engineer is further instructed to place such signs or markers as nearly as practicable at the place where said cross or intersecting road or roads meet the prolongation of the nearest property line of such through highway, and the place or places where such signs are installed shall designate to the drivers of motor vehicles entering said through highway from any of said cross or intersecting roads the place where the stop shall be made.

3. This resolution shall be entered in the minutes and records of the Commission as of the fourteenth day of January, 1941, and a duly certified copy thereof delivered to the Public Roads Administration and a copy to the County Court of Polk County and a copy to the County Court of Yamhill County.

A letter was presented from Mr. Anthony Yturri, Attorney, Ontario, Oregon, in behalf of Mr. Vincent Mendiola, also of Ontario, requesting a blanket permit to operate over state highways, located a few miles south and west of the City of Ontario, a truck fitted for the hauling of loose hay, the overall width being approximately 14 feet. The Commission considered that it has no legal authority to grant such permit and instructed the Secretary to so inform Mr. Yturri.

Reconsideration was given by the Commission to the claim of Melvin Sorell, Salem, in the amount of \$25.00 for expense incurred by him as a result of an accident to his car on the Pacific Highway (old route) a short distance south of Salem. Mr. Sorell states that the accident occurred at the point where the old highway joins the new highway and he alleges that due to improper signing he was not given sufficient advance warning that the old route was barricaded and as a consequence drove his car through the barricade causing injuries to himself and others and damage to the car. The Engineer advised that the barricade was properly placed across the highway and could be easily seen for a distance of about one-half mile and in his estimation there was absolutely no reason for the accident other than carelessness on the part of the driver of the car. He recommended that the claim be denied. The Commission approved the recommendation.

The Commission discussed an application from the Lathrop Hay and Grain Company, Tres Pinos, California, for blanket permission to operate over The Dalles-California Highway, from the California state line to Fort Klamath, certain equipment consisting of a truck and trailer 60 feet overall in length which is to be used in the transportation of cattle. The Commission denied the request because it considers that it does not have legal authority to grant permits of this kind.

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The Commission also discussed the application of Mr. Paul Wampler, Klamath Falls, for permission to drag logs across the Klamath Lake Secondary Highway No. 421 in Klamath County, at a point between mile post 21.69 and mile post 22.00. The Engineer advised that investigation reveals that the place where Mr. Wampler desires to operate across the highway is on a section where travel is maintained throughout the winter season. He recommended, in view thereof, that the request be denied. The Commission approved the recommendation.

A request from the Bonneville Power Administration for a blanket permit of thirty-day's duration to operate over state highways between Vancouver, Washington, and the Bonneville Substation, two miles west of West Salem, certain truck and semi-trailer equipment 9' 8" wide and 50' long, had the attention of the Commission. The Commission denied the application for blanket permit; however, confirmed action previously taken authorizing the secretary to issue individual permits for the movement of this equipment between these points.

The Engineer requested authority to purchase the following equipment:

- 22 light-type trucks for use on the Wilson River Highway WPA project; 22 old trucks to be traded in as part purchase price. Estimated total cash outlay \$19,800.00
- 2 RD-8 Caterpillar tractors and 2 12-yard Isaackson scrapers for use on Wilson River Highway WPA project; 2 old tractors and 2 old scrapers to be traded in as part purchase price. Estimated total cost of tractors \$8,548.00. Estimated total cost of scrapers \$5,000.00
- 6 light-type cars. Estimated total cost \$4,800.00
- 6 105-cubic foot air compressors. Estimated cost \$4,200.00
- 4 power sweepers for oiling crews. Estimated total cost \$4,200.00
- 1 long wheel-base, light-type truck, chassis only, for use of electrical crew in connection with repair and installation of signs, signals, et cetera. Estimated cost \$800.00
- 2 air-operated grease guns for La Grande Shops. Estimated total cost \$600.00
- 2 power-barrel hoists. Estimated total cost \$500.00
- 1 line-boring machine for Coquille Shops. Estimated cost \$350.00

2 chipping hammers for use on Canyon Road WPA project.
Estimated total cost \$100.00

1 drafting machine for use of mechanical draftsmen at
Salem Shops. Estimated cost \$85.00

Submarine cable now installed across channel opening at
Interstate Bridge. Cost \$10.00

After discussion the Commission approved the request by unanimous vote and instructed the Engineer to make the purchases through the State Purchasing Agent in accordance with the usual practice.

The Engineer reported an offer from Multnomah County to purchase one traffic-line cart for the sum of \$125.00, and an offer from the Lane County Court to purchase one 1000-gallon gasoline tank located at Oakridge for the sum of \$49.00. He recommended acceptance of these offers. The Commission approved the recommendation.

The Commission discussed and approved the proposed form of agreement with the O.W.R. & N. Company, the Union Pacific Railway Company, and the Southern Pacific Company, covering the use of the upper deck of the Steel Bridge over the Willamette River in Portland by state highway traffic. The Attorney was instructed to prepare the final form of agreement in conformity therewith for execution later by the Commission and the railroad companies.

In this connection the Engineer reported receipt of a letter from W. H. Lynch, District Engineer, Public Roads Administration, pointing out that the proposed agreement provides for the leasing of the upper deck of this bridge for a term of 30 years at the rate of \$65,000 a year, payable in monthly installments out of the state highway fund; and also pointing out that the agreement contains provision that nothing therein shall commit the railroad companies to any renewal or extension of the agreement. Mr. Lynch advised that, if the Highway Commission is willing to enter into the proposed agreement, he would approve the use of federal aid funds to assist in financing the construction of the approaches to the bridge, provided the project agreement covering the matter includes clauses to the effect that no tolls will be charged highway traffic for the use of the bridge and that the state will provide a proper crossing of the Willamette River for such traffic if for any reason the lease of the Steel Bridge is terminated. After discussion the Commission approved Mr. Lynch's suggestions and thereupon authorized and instructed the Engineer to include in the project agreement with the Public Roads Administration the clauses requested by Mr. Lynch.

Consideration was given by the Commission to the following requests for extensions of time within which to complete highway construction projects:

A. C. Greenwood Company, contract No. 2098, for grading the Arch Cape-Beach Creek Section of the Oregon Coast Highway, in Clatsop and Tillamook Counties, requested an additional extension of

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time from August 15 to September 21, 1940, within which to complete this project. They attributed their failure to complete the project within the specified time limit to extra work in removing slide material. The Engineer advised that this contract was awarded on August 4, 1938, and provided that the job should be completed by October 31, 1939. On the expiration date, he said, considerable work remained to be done and due to adverse weather conditions he ordered the work closed down, on November 1, 1939, until suitable weather prevailed in the spring. Grading work was started again, he said, on May 9, 1940, but was not completed until September 21, 1940, for reasons given by the contractor. He pointed out that the total quantities of material moved by the contractor were 23.8 per cent more than that originally estimated and for this reason and for the further reason that the increased work was due in great part to slides which were difficult to handle, he recommended that the extension of time requested be granted without penalty. He also recommended that the penalty previously imposed on the contractor for failure to complete the project within the specified time limit be waived. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation unanimously.

E. C. Hall Company, contract No. 2204, for grading, surfacing and oiling the Warren Creek Section of the Columbia River Highway, in Hood River County, requested an extension of time from July 31 to September 21, 1940, within which to complete this job. They alleged that their failure to complete the project within the specified time limit was due to the fact that they were required to postpone construction of guard fence until oiling work had been completed in order to eliminate any possibility of oiling operations discoloring the white guard rail. The Engineer advised that bids were taken for this project on July 27, 1939, but the contract was not awarded until September 9, 1939, at which time the date of completion was changed to July 31, 1940, due to delay in the award. The contractor did not commence construction operations until October 2, 1939, and the work was not completed until September 21, 1940. It was his thought that the contractor should have had no difficulty in completing the job within the specified time limit and accordingly recommended that the extension of time requested be granted but that the contractor be required to reimburse the state for expense incurred for engineering supervision subsequent to July 31, 1940. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

George F. Anderson, contract No. 2235, for construction of a bridge over the Necanicum River on the Oregon Coast Highway, in Clatsop County, requested an additional extension of time from August 31 to November 22, 1940, within which to complete this job. He alleged that the extension is necessary because of extra work involved in cleaning up the premises to the satisfaction of the adjacent property owners. The Engineer advised that he knows of no reason why this

contract should not have been completed within the specified time limit and recommended in view thereof that the extension of time requested be granted but that the contractor be required to reimburse the state for all engineering costs incurred in connection with the job subsequent to July 31, 1940, the original specified date of completion. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

Berke Pros., contract No. 2306, for grading and paving the Cottage Grove Section of the Pacific Highway, in Lane County, requested an extension of time of 30 days, from October 15 to November 15, 1940, within which to complete this job. They alleged that their failure to complete the project within the specified time limit was due to extra work such as construction of additional curbs, sidewalks, gutters, driveways, et cetera, and because they were not allowed to remove the old concrete pavement at the south end of the job, as contemplated, until after the new pavement had been constructed. The Engineer advised that this contract was awarded on May 2, 1940, and that work was commenced by the contractors on May 17, 1940, and was completed on November 15, 1940, 30 days after the expiration of the specified time limit. The principal reason for failure of the contractors to complete the job on time, he said, was their inability to secure equipment necessary for the paving work which necessitated the giving of orders to the contractor not to disrupt the old pavement at the south end of the job until they were ready to lay new pavement at this point. Another reason for the delay, he said, was the fact that the City of Cottage Grove would not let the contractors install barricades closing certain streets where they intersected the new highway. He recommended in view of the circumstances and the fact that the contractors were not responsible for the delay that the extension of time now requested be granted without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

Edwin C. Gerber, contract No. 2308, for surfacing and construction of bituminous macadam on the Pendleton-Adams Section of the Oregon-Washington Highway, in Umatilla County, requested an extension of time of 36 days, from October 15 to November 20, 1940, within which to complete this job. He attributed his failure to complete the job within the specified time limit to adverse weather conditions and to the fact that he produced certain surfacing materials for Umatilla County. The Engineer advised that the contractor did experience bad weather conditions between September 10 and October 10, 1940; however, the principal reason for his failure to complete the project within the specified time limit was negligence in starting the work. He pointed out that the contract was awarded on May 2, and advised that Mr. Gerber did not deliver any material from his crushing plant until July 22, two months after setting up his

crusher. He recommended in view of the circumstances that the extension of time now requested be granted subject to the condition that Mr. Gerber be charged with the extra engineering expense incurred by the state subsequent to the specified date of completion. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

R. I. Stuart & Sons, contract No. 2364, for furnishing crushed rock in stock piles for the Gold Hill Section of the Pacific Highway and Sams Valley Secondary Highway, in Jackson County, requested an extension of time of 30 days, from January 31 to March 2, 1941, within which to complete this job. They attributed their failure to complete the project within the specified time limit to excessive amount of dirt and sand in their gravel pit requiring the handling of much more material than would have been necessary otherwise. The Engineer stated that the pit used by the contractor had been used before and that the contractor should have known what to anticipate; therefore, in his estimation, the excuse given by the contractor for failure to complete the job on time is not a valid one. He recommended, in view thereof, that the extension of time requested be granted, subject to the condition that the contractor reimburse the state for extra engineering expense incurred subsequent to the specified completion date. The Commission approved the recommendation.

The Engineer reported that Contracts Nos. 2098, 2204, 2235, 2306, 2308, and 2373, for the construction of state highway projects have been completed according to the requirements of the contracts or modifications thereof, and that said jobs are now ready for acceptance. The following resolution accepting the above projects was offered and was adopted by the unanimous vote of the Commission:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts and that said jobs are now ready for acceptance:

Contract No. 2098, with A. C. Greenwood Company, Inc., for grading the Arch Cape-Beach Creek Section of the Oregon Coast Highway, in Clatsop and Tillamook Counties. Completed September 21, 1940.

Contract No. 2204, with E. C. Hall Company, for grading, surfacing, oiling and bridge construction on the Warren Creek Section of the Columbia River Highway, in Hood River County. Completed September 21, 1940.

Contract No. 2235, with George F. Anderson for construction of a bridge and roadway approaches over the

Necanicum River at Black Bridge south of Seaside on the Oregon Coast Highway, in Clatsop County. Completed November 22, 1940.

Contract No. 2306, with Berke Bros., for grading and paving the Cottage Grove Section of the Pacific Highway, in Lane County. Completed November 15, 1940.

Contract No. 2308, with Edwin C. Gerber, for 11.51 miles surfacing and 12.02 miles bituminous macadam wearing surface on the Pendleton-Adams Section of the Oregon-Washington Highway, in Umatilla County. Completed November 20, 1940.

Contract No. 2373, with Rogers Construction Company, for furnishing crushed rock in stock piles on the Mosier-Seufert Section of the Columbia River Highway, in Wasco County. Completed December 19, 1940.

THEREFORE, BE IT RESOLVED, that the work covered by said state highway contracts for the construction of said state highway projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

The Commission considered and signed agreements, et cetera, as follows:

Easement with United States of America covering siphon construction on the Boardman-Starfield Section.

Agreement with S.P. & S. Railway Company providing for installation of a highway drainage culvert across railroad property near Scappoose.

Extension rider agreement with the O.W.R. & N. Company renewing lease of stock pile site on Union Pacific Railway Company property at Albira, in Portland.

Agreement with Pacific Power and Light Company providing for the lighting of the scale house at Biggs.

Agreement with the Southern Pacific Company covering construction of the railroad grade elimination structure on the 82nd Street Highway near the town of Clackamas, Clackamas County.

Bargain and sale deed conveying unto Lars. P. Peterson and wife a portion of Block 18, Nasburg's Addition to Marshfield, and a portion

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of Block 3 of Plat "H" Addition to Marshfield. Right of way file No. 8058.

Bargain and sale deed conveying unto Freeman Youmans and wife 0.29 acre of land situate in the northwest quarter (NW $\frac{1}{4}$) of the southwest quarter (SW $\frac{1}{4}$) of Section 4, Township 2 South, Range 2 East, W.M., Clackamas County. Right of way file No. 8244.

Bargain and sale deed conveying unto Gardner Mill Company, for the consideration of \$59.16, 0.51 acre of land in the town of Gardner, Douglas County, heretofore used as a temporary shoofly detour in connection with the construction of the approach to the Umpqua River Bridge. Right of way file No. 1243.

Bargain and sale deed conveying unto the Brookings Land and Townsite Company 2,422 square feet of land situate in Lot 3, Block 4, town of Brookings, Curry County. Right of way file No. 7700.

Quitclaim deed conveying unto Frank Heck and wife a portion of the abandoned Pacific Highway in the town of Cottage Grove, Lane County. Right of way file No. 5697.

Bargain and sale deed conveying unto Nathan Cole and wife 0.16 acre of land situate in the northeast quarter (NE $\frac{1}{4}$) of the northwest quarter (NW $\frac{1}{4}$) of Section 14, Township 4 South, Range 1 West, W. M., Marion County. Right of way files Nos. 3208 and 3209.

Bargain and sale deed conveying unto Virgil T. Golden and wife 21,260 square feet of land situate in Lot 33 of Smith Fruit Farms No. 2, Marion County. Consideration \$950.00. Right of way file No. 5785.

The meeting adjourned at 5:15 p. m.

James E. ...
State Highway Engineer

W. S. ...
Secretary

Henry F. Cabell
Chairman

John W. ...
Commissioner

Hermon Olson
Commissioner

Portland, Oregon, February 27, 1941

The State Highway Commission met in regular session at 9:00 a. m. in the auditorium of the Public Service Building. Present were:

Henry F. Cabell, Chairman
Huron W. Clough, Commissioner
Herman Oliver, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

Bids as follows for highway construction projects and for the sale of a building were opened and read in conformance with previously published notice, following which Chairman Cabell announced that the awards would be made at 3:00 p. m. in the same room:

COLUMBIA RIVER HIGHWAY
ST. HELENS SECTION - GRADING AND PAVING

Roy L. Houck	\$17,188.50
United Contracting Co.	26,459.50
Babler Bros.	27,905.00
Porter W. Yett	28,574.00

MADRAS-PRINEVILLE SECONDARY HIGHWAY
LYTLE CREEK-CHOCO CREEK SECTION - GRADING AND ROADBED TOPPING

Berke Bros.	\$37,083.50
Roy L. Houck	37,507.50
Norris Bros.	37,851.00
Leonard & Slate	38,229.00
E. L. Rigdon	38,428.00
M. L. O'Neil & Son	38,517.00
E. C. Hall Co.	43,830.50
Vernon Bros. Co.	43,848.00
A. C. Greenwood Co., Inc.	45,624.50
Frank Penepacker	45,870.50
C. H. Grimstad and T. Vanderveldt	46,064.00

COLUMBIA RIVER HIGHWAY
RAMSAY-BLALOCK SECTION - GRADING, SURFACING AND BRIDGE

Leonard & Slate	\$85,031.00
Roy L. Houck	98,461.00
E. C. Hall Co.	128,544.00
A. C. Greenwood Co., Inc.	138,824.00

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COLUMBIA RIVER HIGHWAY
QUINTON-RAMSEY SECTION - GRADING, SURFACING AND WIDENING BRIDGE

Leonard & Slate	\$73,972.50
Roy L. Houck	93,417.00
E. C. Hall Co.	99,319.00
A. C. Greenwood Co., Inc.	112,729.10

KLAMATH FALLS-MALIN HIGHWAY
HENLEY SECTION - GRADING, SURFACING AND OILING

Clifford A. Dunn	\$19,307.50
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OREGON COAST HIGHWAY
SOUTH NEWPORT SECTION - ROADSIDE IMPROVEMENT

Edward F. Altree	\$4,354.00
E. L. Gates	4,747.50
Leonard & Slate	5,124.00
M. E. Meyers & Son	5,200.00
A. Milne	5,511.00
Blair T. Alderman	7,009.00

COLUMBIA RIVER HIGHWAY
TUNNEL POINT-ROOSTER ROCK SECTION - GRADING AND TOPPING

General Construction Co.	\$338,755.00
K. L. Goulter & Puget Sound Bridge & Dredging Co.	376,945.00

WILSON RIVER HIGHWAY
DONALDSON CREEK-MILLS BRIDGE & McNAMARS CAMP-WASHBURN SECTIONS
SURFACING AND OILING

	<u>Using Asphalt</u>	<u>Using Tar</u>
Roy L. Houck	-	\$112,510.00
Babler Bros.	-	113,285.00
R. O. Dail & Warren Bros.	\$118,390.60	117,889.20
E. C. Hall Co.	-	118,957.50
Norris Bros.	-	121,081.90
Rogers Construction Co.	125,432.00	-
Homer G. Johnson	-	130,676.00
A. Milne	-	131,204.50

SALE OF BUILDING IN HUBBARD

BUILDING NO. 3198 (Former owner Bertha Heisig)

Carl R. Beeson	\$12.50
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Mr. F. Wahley Watson, Secretary of the State Mining Board, was present in regard to the rerouting of the Baker-Homestead Highway from the town of Halfway to Homestead. He was informed that the Commission has not as yet made its decision in regard to this matter but expects to do so later in the meeting.

Following the departure of Mr. Watson the Commission reconsidered the matter and decided as follows: The Highway Commission will reroute the Baker-Homestead Primary State Highway from the foot of Timber Canyon Grade to Homestead, via Robinette and Brownlee; and will retain on the primary state highway system the section of the present Baker-Homestead Highway from the foot of Timber Canyon Grade to the town of Halfway. The Highway Commission will also designate as a state secondary highway, upon receipt of appropriate resolution from the Baker County Court, a section of the Pine Valley Road, approximately three miles in length, which extends easterly from Halfway toward Homestead; and will designate as a state secondary highway, upon receipt of appropriate resolution from the Baker County Court, the county road which extends from the town of Halfway to the town of Cornucopia. The above arrangement is contingent upon the willingness of Baker County to accept and assume future jurisdiction of the section of the Pine Valley Road between Halfway and Homestead, beyond the three-mile section which the Highway Commission is willing to place on the state secondary highway system. A letter directed to the Baker County Court, outlining the above arrangements, was signed by the Commission the following day.

Mr. Don Peoples, Secretary of the Bend Chamber of Commerce, was present and discussed briefly with the Commission matters pertaining to the proposed military strategic highway system. He particularly inquired whether or not the Warm Springs Highway between Madras and the Wapinitia Highway Junction would be included in such system. He was informed that the final designation of roads for this system will be decided by the United States War Department.

Mr. Peoples also inquired as to the plans of the Commission for the reconstruction of The Dalles-California Highway between Madras and Terrebonne and was informed that the Commission has not as yet made a definite commitment to this project.

The Engineer reported on the number of automobiles that are owned by the State Highway Department. He submitted a list of the same together with the names of the department employees to whom they have been assigned. Action on this matter was deferred by the Commission pending study of the list.

The Engineer reported receipt of information to the effect that extensive log-hauling operations are to be commenced shortly on the Fremont Highway between Paisley and Lakeview. He requested instructions in view of the fact that this road is light-type construction and probably will be severely damaged if subjected to log-hauling traffic. After discussion the Commission authorized the Engineer to post this road for a reduced load limit if he finds that necessary when log hauling operations get under way.

In this connection the Commission confirmed the authority previously given the Engineer to post any state highway for a reduced load limit at any time if in his opinion such posting is required in order to preserve the road surface. However, he was instructed to notify the Commission of such posting at the first meeting of the Commission after the reduced load limit signs have been placed, when the Commission will confirm the action by appropriate resolution.

The Engineer reported briefly on the cost to grade and surface the Beech Creek Section of the Pendleton-John Day Highway, in Grant County. He advised that this section is four miles in length and that the survey for the same has already been made by the Public Roads Administration for improvement as a forest highway project although the quantities have never been computed or an estimate prepared. The Public Roads Administration, he said, roughly estimates that the work will cost about \$60,000 per mile or a total of \$240,000. After discussion the Engineer was instructed to secure from the Public Roads Administration an accurate estimate of the cost to do this work.

The Secretary presented a letter from contractor Roy L. Houck, which letter is dated February 27, 1941, 10:30 a. m., and concerns his bid submitted this day for grading and paving the St. Helens Section of the Columbia River Highway, in Columbia County. Mr. Houck alleges that he made a mistake in bidding Item No. 4, 6,000 cu. yds. general excavation, unclassified, his bid being 14¢ per cu. yd. whereas it should have been 51¢ per cu. yd., and in view thereof he asks the privilege of withdrawing his bid. The Attorney advised that Mr. Houck is strictly within his legal rights in withdrawing his bid, inasmuch as the bid has not as yet been accepted by the State Highway Commission, provided, however, that he prove conclusively that he made a mistake in submitting his bid for this particular item. After considerable discussion of this matter the Commission decided to award the contract to Mr. Houck notwithstanding his request. The Attorney was instructed to search the statutes and submit to the Commission his legal opinion in regard to Mr. Houck's rights, taking into consideration not only the legality of the procedure but also the effect that approval of Mr. Houck's request would have on the Commission from the general public standpoint.

A delegation was present from the city of Ontario. Mayor Elmo E. Smith headed the group which also included City Councilman Thomas T. Ennor and City Engineer C. Frank Trow. They asked the Commission to reroute the Old Oregon Trail along First Street, which is one block west of the present location on Oregon Street, from Fourth Avenue to the north city limits. The matter was referred by the Commission to the Engineer for investigation and report at the next meeting.

Mayor Smith also asked the Commission to improve some of their city streets. He said that, if the State Highway Department would do this work for the city, the city would submit a certified check in advance to pay the cost. The Commission referred this matter also to the Engineer for investigation and report.

The Engineer reported receipt of a letter from F. P. Ryan, City Recorder, Ontario, requesting the services of one of the Highway Department's

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engineers to outline a program for drainage and oiling of the city streets. He reported also a similar request from County Judge J. H. Allen of Grant County for the loan of the services of an engineer to perform part-time engineering work for Grant County. He advised that there is a shortage of engineers at the present time because the army is calling so many of them in the draft, and he did not believe that he could spare anyone to do this work. In view of the circumstances he recommended that the requests be denied. The Commission approved the recommendation.

In this connection the Engineer brought up for discussion the question whether or not to continue the arrangement with Tillamook County for furnishing a locating engineer to have charge of a location survey of a county road in northern Tillamook County, known as the Ridge Route. He said that the Highway Department has been carrying this locating engineer on its pay roll for the last year and one half although the county has been paying the salaries of the rest of the crew and the other expenses. He recommended termination of this arrangement, it appearing to him that the Commission has fulfilled any obligation it might have had to the county. The Commission approved the recommendation, effective April 1, 1941.

The Attorney reported receipt of a complaint from Mr. Frazier, Constable, Newport, who alleges that motorists drive through Newport at wild and excessive speeds and asks that the State Highway Commission do something to remedy the situation before serious accidents occur. He suggests the painting of traffic lines across the highway at two intersections and the installation of a traffic control signal on the highway at its intersection with Sixth Street. The matter was referred to the Engineer for investigation and report.

The Attorney also reported on the hearing recently held by Mr. Ormond R. Bean, Public Utilities Commissioner, with respect to the petition made by the Oregon Electric Railroad and the United Railroad to the Interstate Commerce Commission for permission to abandon certain car tracks and certain service along Front Avenue, Portland. He advised that he has every reason to believe that this matter will be adjusted satisfactorily in the not distant future and suggested an early conference with officials concerned which would probably enable the Commission to reach a decision at its next meeting whether or not to award the contract for the revision of the Hawthorne Avenue bridge, bids for which were taken on December 18, 1940; and whether or not to advertise for bids for additional work in connection with the Front Avenue project. The Commission approved the suggestion but deferred the setting of a date for such conference until later.

The Attorney discussed with the Commission the advisability of employing additional right of way men in order to expedite right of way purchases and to clear projects from the right of way standpoint so as to avoid unnecessary delays in advertising projects for bids. He advised that at present all of his right of way men are busily engaged on special assignments and there are a number of projects that have not as yet been assigned because he has no one to assign them to, and unless he can employ additional men to do this work the probabilities are that the projects cannot be advertised for

bids as planned. After discussion the Commission authorized the Attorney to employ two additional right of way men on a temporary basis and instructed him to transfer Mr. Mark McCallister, who has been carrying on negotiations for the right of way for the Front Avenue Project in Portland, to Gold Beach in an endeavor to expedite the acquisition of right of way that is needed for the revision of the Oregon Coast Highway at that place.

Mr. Paul B. Rynning, County Engineer, Jackson County, appeared before the Commission in behalf of the Jackson County Court and requested the following improvements: (1) Non-skidding of the Pacific Highway between the Josephine County line and Central Point, particularly the first four miles south of Gold Hill; (2) removal of excessive curvature from the Crater Lake Highway between Trail and McLeod Bridge, a distance of about seven miles. The Engineer was instructed to investigate both of these projects and to report to the Commission at its next meeting how much it will cost to do the work involved.

The Commission discussed a letter from J. Arthur Berg, Coquille, Attorney for Strong and McDonald, a Washington corporation, which has a contract with the federal government for the improvement of the jetty at Bandon. Mr. Berg advises that the contractor intends to secure rock from a government-owned quarry at Bandon, which quarry joins a state-owned quarry, and would like to obtain rock from the state's quarry as well as from the other. However, investigation of the records shows that the state does not have clear title to the same and that it is being claimed by Coos County as the result of a tax foreclosure proceeding in 1935. Mr. Berg further states that his clients are very anxious to start work and would like authority to enter the state's quarry at once, pending settlement of the question of ownership. The Attorney advised that the delinquent taxes on this property amount to \$84.17 and that Coos County is willing to quitclaim any interest that it has in the area if the state will pay the taxes. The Commission authorized the payment of the taxes in such amount under the condition that the county will give the state a deed to the area.

In this connection the question arose how much to charge the jetty contractor for rock taken from this quarry. After discussion it was agreed to charge the contractor at the rate of \$0.05 per ton for the same, using as a basis of measurement the actual tonnage determined by the army engineers. The Commission ordered the matter covered by appropriate written agreement.

The Engineer reported briefly on the conference held in the office of Captain Robert C. Williams, Quartermaster Corps, at Hermiston, on Wednesday, February 19, and Thursday, February 20, 1941, for a discussion of matters pertaining to the construction of access roads to the Umatilla Ordnance Depot which is situated about five miles west of Hermiston. (See report of H. W. Libby, Chief Locating Engineer, dated February 24, 1941.) It appears from the report, among other things, that a road connection is desired between the Ordnance Depot and the Stanfield-Boardman Highway near the Morrow-Umatilla County line, which roadway involves the construction of a railroad grade separation structure over the O.W.R. & N. Company's tracks. After discussion of this entire matter the Commission authorized the Engineer to make a vicinity survey of the project.

The Secretary presented a letter from S. E. Anzalone, Hubbard, Oregon, and a resolution from the Washington County Farmers Union and the Legislative Committee of Pomona Grange, Washington County, urging the reconstruction of the Tualatin Valley Highway for four lanes of traffic between the Multnomah County line and the Yamhill County line. The Commission found it necessary to deny the request due to lack of funds with which to finance the work. However, Chairman Cabell expressed himself as being favorable to the building of a four-lane pavement between Sylvan and West Slope, which in his estimation is the most important section, when the Commission is financially able to do it.

The Commission adjourned at 12:00 noon and reconvened at 2:00 p. m. in the same room with the same persons present and participating.

A delegation from Estacada and Sandy, consisting of B. Schoenberg; S. C. Wooster, Mayor of Estacada; Charles Sharnke, Mayor of Sandy; George Anderson, President, Sandy Chamber of Commerce; and Bob Smith, Sandy, came before the Commission and asked for the following improvements: (1) straightening and surfacing of the Woodburn-Sandy Secondary Highway No. 161 between Eagle Creek and Sandy, a distance of about six miles; (2) reconstruction of the uncompleted section of the Woodburn-Sandy Secondary Highway between Estacada and Springwater, a distance of about three miles. Mr. Schoenberg headed the group. He presented petitions signed by numerous residents and property owners of Clackamas County urging these improvements. They were informed that the Commission is not in position today to make any definite commitment to the projects but will be pleased to inspect them again and will let them know as soon as possible what can be expected.

Mr. Theodore Jensen, Portland, representing Mrs. A. Caswell, also of Portland, appeared before the Commission in regard to the settlement for right of way through Mrs. Caswell's property near Tigard. Mr. Jensen stated that Mrs. Caswell owns a five-acre tract at the northwest corner of the Metzger Road and Capitol Highway intersection and that the state is taking 0.77 acre of this property for right of way and has offered to pay for the same the sum of \$1,250, which amount Mrs. Caswell feels is far less than the property is worth; further, that Mrs. Caswell is of the opinion that she is entitled to \$2,250, although she has stated a willingness to accept the sum of \$1,750 as a compromise settlement. Since making this compromise offer, he added, the state's representative has offered to pay Mrs. Caswell the sum of \$1,500, which she has refused. The Commission's Attorney advised that he has had the property appraised by three different appraisers all of whom have set a value of \$1,750 for the property. After discussion the matter was referred by the Commission to Chairman Cabell with full power to act. He was authorized to pay a maximum of \$1,750 for the property if he thinks it is worth such amount after inspection of the same.

The County Court of Lincoln County, represented by County Judge F. E. Gilkey and County Commissioners E. G. Calkins and J. C. Barclay, was present and discussed with the Commission Lincoln County's indebtedness to the state for road building purposes, amounting to \$15,500. Judge Gilkey asked the Commission to approve a compromise settlement of this account if

the Commission could not see its way clear to cancel it outright. He was informed by Chairman Cabell that the Commission could not cancel the claim in fairness to other counties with whom the Commission has reached satisfactory settlements. However, the Commission will be pleased to receive a compromise offer from the county. He inquired whether or not the county court has any proposition to make with respect thereto. Judge Gilkey replied that the county is willing to pay the state \$7,500 to clean up this account if the Commission will spend this money for the improvement of the Siletz Secondary State Highway between the towns of Kernville and Siletz and will contribute at least an equal amount of other state funds in conjunction therewith, making a project costing \$15,000. The Commission took the matter under advisement and advised that the county would be given an answer after the next meeting of the Commission.

At 3:00 p.m. Chairman Cabell announced the following awards of contracts and sale of building, bids for which were taken at the morning session, such awards having been previously approved by the Commission by unanimous vote:

"St. Helens Section of the Columbia River Highway, in Columbia County. 0.52 mile grading and 0.64 mile paving. Roy L. Houck, Salem, submitted the low bid for this project in the amount of \$17,188.50. The United Contracting Company, Portland, submitted the second-low bid in the amount of \$26,459.50. There were two higher bids. The Commission awards this contract to Roy L. Houck at his low bid of \$17,188.50.

"Lytle Creek-Ochoco Creek Section of the Madras-Prineville Secondary Highway, in Crook County. 2.24 miles grading and 4.05 miles roadbed topping. Eleven bids were received for this project, the low one being that of Berke Bros., Portland, at \$37,083.50, and the second-low bid being that of Roy L. Houck, Salem, at \$37,507.50. The Commission refers all bids received for this project to the Engineer with power to award the contract to the low bidder when certain conditions have been satisfied.

"Ramsay-Elalock Section of the Columbia River Highway, in Gilliam County. 3.06 miles grading and bituminous macadam surfacing; also construction of a reinforced concrete bridge. The low bid for this project was submitted by Leonard & Slate, Multnomah, at \$85,031.00. The second-low bid was submitted by Roy L. Houck, Salem, at \$98,461.00. There were two higher bidders. The Commission awards this contract to Leonard & Slate at their low bid of \$85,031.00.

"Quinton-Ramsay Section of the Columbia River Highway, in Gilliam County. 2.24 miles grading and bituminous macadam surfacing, also widening of a concrete bridge. Leonard & Slate, Multnomah, submitted the low bid for this project at \$73,972.50. Roy L. Houck, Salem, submitted the second low bid in the amount of \$93,417.00. There were two higher bidders. The Commission awards this contract to Leonard & Slate at their low bid of \$73,972.50.

"Henley Section of the Klamath Falls-Malin Highway, in Klamath County. 0.55 mile grading, surfacing and road mix oiling. Only one bid was received for this project, it being that of Clifford A. Dunn, Klamath Falls, at \$19,307.50. The Commission awards this contract to Clifford A. Dunn at his bid of \$19,307.50.

"South Newport Section of the Oregon Coast Highway, in Lincoln County. 0.58 mile roadside improvement. Six bids were received for this project, the low one being that of Edward F. Altree, Agate Beach, at \$4,354.00, and the second-low being that of E. L. Gates, Trail, at \$4,747.50. The Commission awards this contract to Edward F. Altree at his low bid of \$4,354.00.

"Tunnel Point-Rooster Rock Section of the Columbia River Highway, in Multnomah County. 1.7 miles grading and roadbed topping. Only two bids were received for this project, the low one being that of General Construction Company, Seattle, Wash., at \$338,755.00, and the other being that of K. L. Goulter and Puget Sound Bridge & Dredging Company, Portland, at \$376,945.00. The Commission awards this contract to the General Construction Company at its low bid of \$338,755.00.

"Donaldson Creek-Mills Bridge and McNamars Camp-Washburn Sections of the Wilson River Highway, in Tillamook and Washington Counties. 14.21 miles surfacing and 15.22 miles oiling. Roy L. Houck, Salem, submitted the low bid for this project, based on the use of tar, at \$112,510.00. He did not submit a bid based on the use of asphalt. The second-low bid was submitted by Babler Bros., Portland, at \$113,285.00, based on the use of tar. They also did not submit a bid based on the use of asphalt. There were six higher bidders. The Commission has referred all bids received for this project to the Engineer with power to award the contract to the low bidder when certain conditions have been satisfied."

Sale of Building:

"Sale of residence building, No. 3198, formerly owned by Bertha Heisig, at Hubbard. Only one bid was received for the purchase of this building being that of Carl R. Beeson, Hubbard, at \$12.50. The Commission considers the bid of Mr. Beeson satisfactory and accordingly the building is sold to him at his bid price."

A delegation from Nyssa, headed by Mr. Frank Morgan, Secretary of the Nyssa Commercial Club, came before the Commission and requested the improvement of Main Street, Nyssa, (state highway route) from the railroad underpass to their school, a distance of five blocks. Others in the delegation were: L. Thompson, Jim Olson, Mayor; Fred Burgerson, representing the

Amalgamated Sugar Company; Herschel Thompson, Councilman; and L. P. Thomas, Editor of the local newspaper. They particularly requested construction of curbs on both sides of the street, paving full width between curbs, and installation of a storm sewer. The Commission referred this matter to the Engineer for investigation and report at the next meeting.

Mr. Morgan also asked for replacement of the old bridge across the Snake River just east of Myssa. He said that the existing bridge is an old two-lane structure built in 1911 and is entirely inadequate for present day use. The Commission took no action on the matter.

The Commission was also asked to rebuild and oil the secondary state highway which extends south and east from Adrian to the Idaho state line opposite Homedale, a distance of about ten miles. Mr. Morgan said that this is a heavily-traveled road and is badly in need of improvement; further, that the Idaho section of the road is now paved up to the state line. The matter was referred by the Commission to the Engineer for investigation and report.

Mr. Charles R. Cooley and his attorney, Mr. Porter J. Neff, Medford, conferred with the Commission in regard to settlement for right of way needed for a revision of the Pacific Highway across Mr. Cooley's land adjacent to the Rogue River between Grants Pass and Medford. Mr. Neff stated that the state took a strip 25 feet wide across the front of Mr. Cooley's property, and when negotiations were under way for the purchase of the same Mr. Cooley was given to understand that the grade of the new highway would be only 2½ feet higher than the old road and that the highway improvement would not necessitate the destroying of nine trees, so under such supposition Mr. Cooley executed a deed conveying the property to the state. However, when the highway was built, it was found that the grade line was six feet above the natural ground surface, which eliminated the use of Mr. Cooley's property for business purposes, and that the trees had been cut. Mr. Cooley, he said, feels that his property has been greatly depreciated by reason thereof, and is now asking additional compensation for his loss.

The Assistant Attorney confirmed the statement made by Mr. Neff as to the grade of the highway and removal of the trees. He also advised that the price originally agreed upon for the land was \$119, and that Mr. Cooley is now asking an additional sum of \$1,000 as damages. Chairman Cabell advised that the Commission is reluctant to reopen settlements when they have once been concluded, although it does so occasionally when it is convinced that an honest mistake has been made. Attorney Devers gave as his opinion that an honest mistake was made in this instance. After further discussion Commissioner Clough recommended the reopening of this settlement. Commissioner Oliver concurred, as did also Chairman Cabell, making the decision unanimous. The Attorney was thereupon instructed by the Commission to negotiate a new settlement with Mr. Cooley disregarding entirely the original settlement.

A delegation from Washington County, consisting of members of the County Court, Judge H. D. Kerkman and Commissioners James Lewis and J. W. Hughes; Charles O. Roe, Secretary of the Forest Grove Chamber of Commerce;

Fred Gardiner, President of the Forest Grove Chamber of Commerce, W. E. Woodford, J. A. Thornberg, and Loyal M. Graham, all of Forest Grove; J. W. Barney, City Manager of Hillsboro; and Mr. McMahan, came before the Commission and urged the reconstruction of the Tualatin Valley Highway between Portland and Forest Grove for four lanes of traffic. Judge Kerkman headed the group. They alleged that this highway is the second-heaviest-traveled highway in the state and particularly urged the Commission to construct a highway of such width this year between Portland and Beaverton.

Chairman Cabell advised that heavy travel on this road is accounted for by the opening to public use of the Wolf Creek Highway west of Sunset Camp, and gave as his thought that this would be greatly reduced when the Wolf Creek Highway is completed into Portland, which he predicted would be in the not distant future. He also advised that pressure is being brought on the Commission to construct the section of the Wilson River Highway between Glenwood and Banks, which would also have a tendency to relieve the traffic on the Tualatin Valley Highway. He pointed out that the Tualatin Valley Highway closely parallels the Wolf Creek Highway at the eastern end and in the opinion of the Commission it is not good business to build to high standards two such highways that are in such close proximity to each other. The Commission has made no commitment, he said, relative to the construction of the Glenwood-Banks cutoff but is waiting to see what effect the completion of the Wolf Creek Highway into Portland will have on the volume of traffic that uses the Tualatin Valley Highway.

Judge Kerkman repeated their request for a four-lane highway between Portland and Beaverton this year and was informed by Chairman Cabell that the Commission will bear the project in mind but is not in position to make any definite statement or promise in regard thereto at this time.

Judge Kerkman also asked the Commission to improve another section of the Cornelius Pass county road as a federal aid secondary highway project. He advised that Washington County will grade and surface the section if the state will oil it. It was pointed out to him that the Commission has already completed two contracts on this road; also that federal aid secondary highway funds available to the Commission are very limited, being insufficient to distribute to all of the counties in any one year, so the Commission has made a practice to allocate these funds to certain counties in one year and to other counties the next year, and in view thereof the prospect for applying any of the current year's funds to the Cornelius Pass road is not very promising.

Commissioner Hughes asked the Commission for cooperation in constructing a short section of a road connecting the new Pacific Highway with the old highway at Sherwood. He said that the new highway intersects the old highway near the Votaw Undercrossing of the Southern Pacific Railroad where the old highway is in a deep cut and sight distance is very limited, introducing a serious traffic hazard. The people of Sherwood, he said, have asked for a new connection about 500 feet long, which would eliminate this hazard, and the county court has agreed to build this connection, including the grading, surfacing and oiling of the same, if the state will purchase the right

of way which is estimated to cost \$650.00. The matter was referred to the Engineer for investigation and report at the next meeting.

A Mr. Nyberg, who was present, suggested a revision in the alignment of the Southern Pacific Railway near Cook's Station, which he said would eliminate five railroad grade crossings on county roads. The matter was referred by the Commission to the Engineer for investigation.

A delegation from Lane County, representing the Lorane Road Committee, was present and asked the Commission to oil the Territorial Secondary State Highway between Gillespie Corners and the Douglas County Line. This delegation was headed by Thomas B. Mitchell and included Mrs. Marie Mitchell, H. S. Addison, and Mrs. Charles B. Mitchell. They stated that the road is breaking up badly due to the hauling of logs thereover from a new timbered area which has just been opened up west of the road and that logging operations will be carried on in this district for many years. The Engineer advised that the Commission has budgeted \$20,000 for improvement of this highway south of Monroe which is the section requested by the county court. After discussion the Commission instructed the Engineer to investigate this entire highway and report his findings to the end that the Commission will be in a position to decide definitely where the moneys budgeted for this highway should be spent.

Mr. Carl Curlee, Secretary of the Albany Chamber of Commerce, was present and requested permission to conduct a log rolling contest on Waverly Lake at Albany during the Fourth of July celebration that the Chamber of Commerce is sponsoring at this place. He said that the celebration is to be a nonprofit affair, promoted and staged by the united civic clubs and business people of Albany. The Commission approved the request subject to the condition that the Chamber of Commerce will repair any damage that might be done to the state's property, will clean up the premises to the satisfaction of the Engineer after the celebration is over, and will see that the highway is properly policed so that cars are not parked on the highway. The Commission ordered the matter covered by written agreement.

Mr. W. H. Lynch, District Engineer, Public Roads Administration, was present and reported that several bridges on the forest highway section of the Mt. Hood Highway, near Government Camp, are badly in need of replacement and that the highway itself should be realigned to eliminate numerous sharp curves. He asked the Commission to join with the regional forester and himself in requesting authority from the officials in Washington, D. C. to make surveys as may be necessary with regard thereto. He explained that funds to finance the surveys are available from a lump sum for surveys already approved. After discussion the Commission approved Mr. Lynch's request and thereupon signed with him the following letter directed to the Chief, Forest Service, and the Commissioner of Public Roads, Washington, D. C.:

Authority is requested to make surveys looking to the reconstruction of several deficient bridges and the approach grading there-to on the Mt. Hood Highway, Oregon Forest Highway Route 25.

Funds for this work are available from the Lump Fund Survey already approved by the Secretary.

Mr. Lynch also discussed with the Commission the advisability of reallocating the forest highway funds heretofore budgeted for the improvement of the Oregon Coast Highway south of Port Orford but no definite action was taken thereon.

Mr. Lynch also brought up for discussion the allocation of federal lands highway funds apportioned to the State of Oregon. After discussion the Commission by unanimous vote approved and signed with Mr. Lynch the following letters directed to the Commissioner of Public Roads, Washington, D.C., with respect to such funds:

An Act approved June 8, 1938, described as "An Act to amend the Federal Aid Act approved July 11, 1916, as amended and supplemented and for other purposes," authorizes that funds be made available for the survey, construction, reconstruction and maintenance of main roads through unappropriated or unreserved public lands, non-taxable Indian lands, and other Federal reservations other than Forest reservations.

The apportionment to the State of Oregon of \$60,542 for the fiscal year 1940 was recommended on May 17, 1939, for allocation to Oregon Federal Lands Highway Project FLH 3-G(1). This was approved on June 3, 1939.

The final voucher on FLH 3-G(1) has now been paid in the amount of \$54,041.00, leaving a balance of \$6,501.00. We recommend that this balance be now applied to Oregon Federal Lands Highway Projects Nos. SN-FLH 3-A(2), B(2), C(2), F(2) and G(2), and the revised allocation of 1940 funds is as follows:

FLH 3-G(1), Owyhee River-Tudor Ranch Section of the I.O.N. Highway, in Malheur County. Extends from the end of construction 1,500 ft. west of the crossing of the Owyhee River, South and West to the North end of Project FLH 3-F(1), near the Tudor Ranch. Work to be done consists of grading and topping, of which 9.6 miles are on public land. Estimated cost is \$133,000.00, of which \$54,041.00 is to come from 1940 FLH funds. - - - - - \$54,041.00

SN-FLH 3-A(2), B(2), C(2), F(2) and G(2), Oregon-Nevada State Line-Owyhee River Section of the Idaho-Oregon-Nevada Highway, in Malheur County. Extends from the Oregon-Nevada State Line northerly to 1,000 ft. south of the Owyhee River Bridge. Work to be done consists of approximately 68 miles of surfacing and oiling. Estimated cost \$150,211.60, of which \$6,501.00 is to come from 1940 FLH funds. - - - - - \$6,501.00

Total \$60,542.00

An Act approved June 8, 1938, described as "An Act to amend the Federal Aid Act approved July 11, 1916, as amended and supplemented and for other purposes", authorizes that funds be made available for the survey, construction, reconstruction and maintenance of main roads through unappropriated or unreserved public lands, non-taxable Indian Lands and other Federal reservations other than Forest reservations.

The apportionment to the State of Oregon under the provisions of this Act for the 1942 fiscal year is in the amount of \$96,839.00.

In accordance with previous correspondence and commitments for the purpose of allocating \$47,115.57 or approximately 50% of the amount apportioned to the State of Oregon, we recommend the following project and allocation of funds:

SN-FLH 3-A(2), B(2), C(2), F(2) and G(2), the Oregon-Nevada State Line-Owyhee River Section of the Idaho-Oregon-Nevada Highway, in Malheur County. Extends from the Oregon-Nevada State Line north-erly to 1,000 ft. south of the Owyhee River Bridge. Work to be done consists of approximately 68 miles of surfacing and oiling. Funds to be used in conjunction with 1940 and 1941 Federal Lands Highway funds. Estimated cost is \$150,211.60, of which \$47,115.57 is to come from the 1942 FLH funds, - \$47,115.57.

The Attorney brought up for discussion the claim of Wm. Van Cleave against the Dolan Construction Company arising out of the Dolan Construction Company's contract No. 1933 with the Commission for the construction of a bridge over the North Fork of the Nehalem River and contract No. 2204 with the Commission for certain oiling work in Tillamook County on which contract the Dolan Construction Company was a subcontractor. The Attorney advised that on several occasions Mr. Van Cleave had requested a conference to be attended by the interested parties and the Attorney stated that a date several times was fixed and the parties notified but at no time did Mr. Van Cleave attend the conference. The last conference was fixed for January 30 and there appeared at that time Mr. W. H. Lynch and Mr. Tom Davis, representing the Public Roads Administration; Mr. Dolan and his attorney, Mr. Winslow; Mr. Ray Webber, representing the State Highway Department, and a representative of the surety company. The Attorney further advised that the projects involved are federal aid projects and that the Public Roads Administration will not reimburse the state for advancing state funds to finance the work until the Van Cleave claim has been disposed of. He recommended in view of the circumstances that this transaction or controversy be deemed closed so far as the State Highway Commission is concerned and that the Commission so inform the Public Roads Administration and make application for final payment of the money due the state under such contracts with the understanding that the state would assume any responsibility with respect to the denial of Mr. Van Cleave's claim. After discussion the Commission approved the recommendation and instructed the Attorney to direct a letter to Mr. Lynch, District

Engineer of the Public Roads Administration, in conformity therewith.

The Commission discussed projects for contracting at its next regular meeting on April 3 and 4, 1941, and authorized the Engineer to advertise the following projects for bids to be received at that time, and to include in the advertisement other projects heretofore approved by the Commission for contracting if they have been cleared from the right of way standpoint:

Clackamas Grade Separation, Bridge & Box Culvert.....	41 OS	\$ 30,000
Taylor Creek Section (Ochoco), Grading.....	41 FA	74,000
Pendleton-Adams, Roadside Improvement	41 FA	9,000
Dixie Summit Section, Grad., Surf. & Bit. Mac.....	42 FA	169,000
Long Creek-Fox, Grad., Surf. & Oil (2 Bridges).....	42 FA	113,500
Morrow Co. Line-Stanfield, 2 Bridges	42 FA	8,000
Warrenton Section, Grad. & Pav.....	41 FAS	25,000
Banzer Bridge-Mist, Grad., Surf. and Bit. Mac.....	42 FAS	82,000
Vandehey & Van Dyke Sections (Nehalem), Grad., Surf. & Oil.....	42 FAS	29,000
Cow Hollow Cr.-Adrian Jet., Bridge, Gr., Surf. & Oil...	42 FAS	24,400
Trout Creek Section (Hood River Hwy.), Gr., Surf. & Oil.	41 State	41,300
West Fork of Dairy Creek (Wolf Cr.), Bridge.....	41 State	5,000
Yamhill River Bridge at Dayton, Reconstruction.....	41 State	22,600
Interstate Bridge, Reconst. Exp. Jts. & Resurface.....	41 State	12,000
Seaside-Gearhart, Oiled Footpath.....	41 State	8,200
		<u>\$653,000</u>

In this connection the Engineer advised that the Dayton Bridge over the Yamhill River, which consists of a 200-foot steel span and an 884 lin. ft. untreated frame trestle, is badly in need of repair, particularly the timbered portion of the bridge. He estimated the cost of the repairs at \$22,650 and requested authority to advertise this project for bids to be received at the next meeting. The Commission approved the request.

The Engineer also requested an authorization for an expenditure of about \$3,300 for improvements to the maintenance headquarters at Newport. He explained that the Commission some time ago authorized construction of a building at this headquarters when it is needed; but the improvement proposed now is simply the preparation of the site and the grounds, including the fencing of the area and the installation of gasoline and kerosene pumps which can be used to good advantage by the construction and maintenance crews working out of such place. The Commission approved the request.

The Commission adjourned at 5:30 p. m. to reconvene the following morning in the same room.

Portland, Oregon, February 28, 1941

The State Highway Commission reconvened at 9:00 a. m. in the auditorium of the Public Service Building with all Commissioners present and participating. Also present were the State Highway Engineer, the Attorney and the Secretary.

Bids as follows for highway construction projects were opened and read in conformance with previously published notice, following which Chairman Cabell announced that the award of contracts would be made at 3:00 p. m. in the same room:

THE DALLES-CALIFORNIA AND FREMONT HIGHWAYS
LAPINE ROCK PRODUCTION

Chester T. Lackey	\$17,700.00
A. S. Wallace,	25,440.00

SANTIAM HIGHWAY
FOSTER-CASCADIA SECTION - SURFACING

River Bend Sand & Gravel Co.	\$13,504.00
O. C. Yocom	14,195.00
Salem Supply Co.	14,625.00
R. O. Dail & Warren Bros., Inc.	14,980.00

WASCO-HEPPNER SECONDARY HIGHWAY
GILLIAM COUNTY LINE-ZINTER RANCH SECTION
GRADING, TOPPING, AND 2 BRIDGES

M. L. O'Neil & Son	\$49,896.50
E. C. Hall Co.	51,730.00
Roy L. Houck	51,860.50
Leonard & Slate	58,833.00
H. B. Klineline	67,143.00
C. J. Eldon	68,799.60
A. C. Greenwood Co., Inc.	69,643.50
San Orino	71,299.00

HEPPNER HIGHWAY
JONES HILL-LENA SECTION - GRADE, SURFACE & OIL

R. O. Dail & Warren Bros.	\$42,677.00
E. C. Hall Co.	43,634.00
Babler Bros	43,960.00
F. R. Hewett	45,478.50
A. Milne	50,691.00

**BOARDMAN-STANFIELD HIGHWAY
MORROW COUNTY LINE-STANFIELD SECTION - GRADING AND TOPPING**

M. L. O'Neil & Son	\$109,749.00
Roy L. Houck	123,521.50
Leonard & Slate	137,044.50
Berke Bros.	137,500.00
A. C. Greenwood Co., Inc.	140,565.00
Frank Penepacker	151,454.00

**STARKEY SECONDARY STATE HIGHWAY
BRIDGE OVER MEADOWBROOK CREEK NEAR STARKEY**

W. H. Philpott	\$6,290.00
Chaffeur & Klatt	6,488.50
Harry I. Hamilton	7,055.50

**SALMON RIVER HIGHWAY
DEER CREEK-BELLEVUE SECTION - GRADING, PAVING AND BRIDGE**

	<u>Using Asphalt</u>	<u>Using Tar</u>
*Roy L. Houck	- - -	\$100,895.25
Berke Bros.	- - -	107,457.00
C. J. Montag & Son	- - -	113,045.00
*Edlefsen-Weygandt	- - -	125,956.25
E. C. Hall Co.	- - -	127,286.00

**SALMON RIVER HIGHWAY
WEST SHERIDAN SECTION - GRADING AND PAVING**

**C. J. Montag & Son	\$47,388.70
Berke Bros.	48,000.70
E. C. Hall Co.	53,333.50
**Edlefsen-Weygandt Co.	60,161.70

**COMBINATION BIDS FOR THE
DEER CREEK-BELLEVUE AND WEST SHERIDAN SECTIONS**

	<u>Deer Creek- Bellevue</u>	<u>West Sheridan</u>	<u>Total</u>
Berke Bros.	\$107,457.00 (tar)	\$48,000.70	\$155,457.70
C. J. Montag & Son	113,045.00 "	47,388.70	160,433.70
E. C. Hall Co.	127,286.00 "	53,333.50	180,619.50
Edlefsen-Weygandt Co.	125,956.25 "	60,161.70	186,117.95
Roy L. Houck	100,895.25 "	Disqualified	- - -

*Bidder will not accept award of this contract unless also awarded W. Sheridan project.

**Bidder will not accept award of this contract unless also awarded Deer Creek-Bellevue project.

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The Attorney brought up for discussion a request from contractor Charles H. Leonard for reimbursement of one half of the expense incurred by him in defense of an action brought by laborers employed by him on his state highway contract, No. 1754, for grading the Brooks-Jordan Creek Section of the Wilson River Highway, in Tillamook County. The Attorney recalled that the trial court in this case decided against Mr. Leonard and that the State Highway Commission authorized its attorney to aid Mr. Leonard in the prosecution in an appeal to the Supreme Court, which was done and the Supreme Court reversed the decision of the trial court, the cost to the state in such appeal amounting to approximately \$1,100, which represents the cost of preparing the transcript of testimony. The Attorney advised that Mr. Leonard claims that he spent, in connection with the litigation in carrying the case through the trial court, something in excess of \$4,000, and he has requested the state to reimburse him for one half such amount. He gave as his opinion that there are no legal barriers to the Commission reimbursing Mr. Leonard if the Commission so desires and feels that is the proper thing to do in view of the benefits that the state derived from the litigation. It was the Commission's thought that Mr. Leonard should have presented this matter to the Commission at the same time that he asked the Commission to join with him in making his appeal to the Supreme Court, and that the Commission could not now approve the additional expenditure without establishing a very dangerous precedent. In view thereof the Commission denied the request; however, indicated that it would not oppose payment of the claim if it were presented to the Legislature. The Attorney was instructed to so inform Mr. Leonard.

The Commission discussed a claim in the amount of \$55.30 from the United States Forestry Department for reimbursement for trees destroyed in connection with the reconstruction of the Low Pass Section of the Siuslaw Highway in Lane County. The Commission considered that the filing of the claim is a departure from the usual practice in connection with construction of highways through national forests and in view thereof decided not to pay it unless it cannot be avoided. The matter was referred to the Attorney to handle.

The Attorney brought up for discussion the matter of payment of irrigation and drainage assessments at the State Highway Department shops at Klamath Falls. The Commission authorized payment of such assessments provided they represent payments in connection with bonded indebtedness and do not represent payments for water supply, and provided further that the Commission has legal authority to spend state highway funds for such purpose. The matter was referred to the Attorney to pass on the legal features.

The Commission considered a request from the Parkrose Lions Club for permission to either attach a small metal sign to the large Parkrose signboard on Sandy Boulevard near Northeast 122nd Avenue, Portland, or to maintain a separate signpost on the highway right of way near such location for the common use of clubs and lodges of Parkrose. The Commission approved the installation of a standard service-club sign rack.

The Attorney brought up for discussion a request from the United States Reclamation Service that the state pay a portion of the cost of certain

irrigation canal construction across The Dalles-California Highway near Bend. It appears that a structure is involved which is estimated to cost approximately \$10,000 and that the Bureau of Reclamation is asking the state to pay one half of this expense, basing its request on the Federal Reclamation Law of August 30, 1890. After discussion the Commission authorized the payment of one half of the cost of this structure with state highway funds if absolutely necessary.

The Engineer brought up for discussion the matter of providing temporary electric service for operation of the Interstate Bridge between Portland and Vancouver. He recalled that some time ago the Commission authorized an expenditure to provide a new motor generator set for this purpose in view of the discontinuance of electrical facilities by the Portland General Electric Company, and it was thought at that time that the installation would be completed early this year, and the Portland General Electric Company agreed to continue servicing this structure in the meantime. However, delivery of the new motor generator set has been delayed by the manufacturers because of priority orders for defense purposes. It is evident, he said, that the power company has overlooked this feature and has disposed of a portion of its trestle on which its power line was carried and the purchaser plans to remove the trestle at once, and if he does so it will mean discontinuance of the electrical service to the bridge. It is possible, he said, to provide temporary service by constructing a short line from the end of the power company's trestle that is still standing but this will cost about \$400.00, which amount the power company is asking the Highway Commission to pay. The Commission approved the expenditure if it cannot be avoided. The Attorney was instructed to consult the Public Utilities Commissioner in regard thereto.

The Commission discussed and approved the application of the Bonneville Power Administration for permission to construct a power pole line across State Secondary Highways No. 334 and No. 335, in Umatilla County, which is necessary in connection with the construction of the power administration's transmission line between Walla Walla and Pendleton. (Decision reconsidered at meeting on March 24, 1941.)

The Engineer reported difficulties in securing right of way from Mr. L. A. McClintock for the Morrow County Line-Stanfield Section of the Boardman-Stanfield Highway, in Umatilla County, bids for which were received today. The Commission decided to consider the bids for this job, notwithstanding the right of way difficulty, but to postpone the award of the contract until the right of way is cleared. The Assistant Attorney was instructed to give this right of way matter his personal attention at once.

Messrs. Lee Pratt and E. J. Hermans, property owners of Sheridan, Oregon, came before the Commission in regard to the proposed improvement of the Salmon River Highway through the town of Sheridan. Mr. Pratt stated that the plans call for the taking of some of his business property for right of way purposes, which he cannot afford to give up entirely because it is on the river side of the highway and there will not be sufficient room between the highway and the river on which to reestablish his buildings. In view thereof he asked authority from the Commission to use the highway shoulder and the

sidewalk area for private purposes, particularly the privilege of maintaining his gasoline pumps in their present location which would be on the highway right of way. Mr. Hermans asked a similar privilege. The State Highway Engineer advised that the Commission has an established policy which prohibits encroachments on highway right of way and unless the highway is entirely cleared of such encroachments the improvement could not proceed. Mr. E. J. Bayliss, Mayor of Sheridan, who was present, advised that the people of Sheridan are very anxious for a sidewalk. He guaranteed full width right of way, free and clear of all encroachments. Chairman Cabell advised that the Commission must adhere to its established policy and accordingly must require that all encroachments be eliminated.

Mr. Hermans then requested that all waste material from the highway improvement be deposited on his property in order to raise it to the proper level. The Commission approved the request provided there is any waste material available and provided the contractor is willing to deposit it on Mr. Hermans' property. The Engineer was instructed to bear this in mind.

Mrs. Stella Jones Bailey and her attorney, R. W. Wilbur, Portland, came before the Commission in regard to settlement for a gravel pit and a small parcel of land containing 0.23 acre that the state needs as right of way in connection with the improvement of the Jones Hill-Lena Section of the Oregon-Washington Highway, in Morrow County. Mr. Wilbur stated that Mrs. Bailey is willing to deed the right of way to the state without cost, but she wants the Commission to construct for her a new entrance roadway to her property from the highway. The matter was referred by the Commission to the Engineer for investigation and report.

Mr. Wilbur advised that the gravel pit site contains $7\frac{1}{2}$ acres and is part of an 80-acre tract of land that Mrs. Bailey is renting to a third party who contemplates purchasing the same, and if the state is determined to take the $7\frac{1}{2}$ acres it very likely will spoil Mrs. Bailey's chances of disposing of the balance, wherefore she would rather that the state secure a site at some other location or pay her extra as damages. The Attorney advised that the $7\frac{1}{2}$ -acre tract is scab rock land and practically worthless for anything but for the purpose that the state wants it, and that he has offered to pay Mrs. Bailey \$20 per acre for it and to fence the area, which he thought was quite generous. This matter was discussed at some length but no decision reached. Mrs. Bailey agreed to give the state right of entry onto her property until negotiations are completed. The Engineer was instructed to ascertain whether or not a suitable quarry can be obtained elsewhere.

The Engineer reported the cost to construct a bridge over the Willamette River between Independence and East Independence to replace a county-owned ferry; also the cost to construct a standard-type road from East Independence to Salem. He estimated the cost of the bridge at \$281,000 and the cost of the road at \$369,000, or a total of \$650,000. The Commission took no action on this matter but indicated that it could not cooperate in the undertaking unless Marion and Polk Counties would contribute a very substantial portion of the cost involved.

The Commission adjourned at 12:10 p. m. and reconvened at 2:00 p. m. in the same room with the same persons present and participating.

A delegation from Marion and Polk Counties appeared before the Commission in regard to construction of a bridge over the Willamette River at Independence and a standard highway between Independence and Salem via what is known as the South River Road, Salem. The group was headed by E. L. Gray, President of the Salem-Independence-Kings Valley Highway Association, and included the following: County Court of Marion County, represented by County Judge Leroy Hewlett and County Commissioner Ralph Girod; County Court of Polk County, represented by County Judge Herman Van Well and Commissioners Fred Gibson and H. H. Brant; County Engineer N. C. Hubbs of Marion County; Henry C. Crawford and Oscar D. Olson, representing the Highway Committee, Salem Chamber of Commerce; Lee Eyerey, Vice President Salem-Independence-Kings Valley Highway Association; John J. Roberts, Secretary-treasurer of such association, E. A. Miller, Director of the association; Dr. George Hurley, President, Independence Chamber of Commerce; Dr. M. J. Butler, Mayor of Independence; James H. Hart, Milford M. Nelson, D. P. McCarthy, and R. M. Walker, all of Independence. Speaking in behalf of this project were Messrs. Gray, Walker and Miller. Mr. Walker presented resolutions from the chambers of commerce of Corvallis, Monmouth, and Independence in support of their oral request.

The Engineer reported the estimated cost of the bridge and the road, and pointed out that a traffic analysis indicates that there is insufficient travel over the road to amortize the investment. Chairman Cabell pointed out that the proposed route would provide no appreciable saving in distance over the old route; also that the Highway Commission has received numerous requests for other improvements in the territory served by this road. He gave as his opinion that it would not be right or fair to postpone such improvements, for which the people have waited for many years, in behalf of this new project, and predicted that the Commission would be severely criticized if it should make such substitution in projects. He also called attention to the fact that the federal government is considering an allocation of funds for the construction of highways on a strategic military highway system and if such funds are made available regulations covering the expenditure of the same will probably require matching with state moneys, so there would be little, if any, state money that could be used to finance the bridge work. He doubted that it would be good business anyway for the Highway Commission to assume this new undertaking which is not now a state obligation. Commissioners Oliver and Clough concurred in the remarks of Chairman Cabell.

Mr. Gray stated that the counties are willing to contribute toward the expense involved and in reply thereto Chairman Cabell advised that the Highway Commission is not trying to evade the project altogether but is willing to consider it if the counties will contribute a considerable amount as cooperation, and will let the delegation know within the next few weeks just what it may expect.

Melvin R. Sorell, Salem, was present in regard to his claim for damages and injuries arising out of an automobile accident on the Pacific

Highway (old route) just south of Salem. He alleged that the accident occurred through no fault of his own but was the direct result of improper signing of the highway. He said that his original claim was in the amount of \$150 but since presenting the claim his insurance company has paid all of the expense except \$25 which he is asking the Commission to pay. The Engineer advised that the highway was properly signed and in addition the old road at the point where the accident occurred was closed by a barricade which could be seen for one-half mile, and in his estimation the reason for the accident was simply carelessness on the part of the driver of the car. Furthermore, the new highway was open and was being used by Pacific Highway traffic at the time of the accident and there was absolutely no reason for Mr. Sorell to use the old road in going to the roadhouse south of Salem which was his objective. After discussion the Commission concluded that the state is not liable for the payment of the claim and thereupon denied it by unanimous vote.

A delegation from Crook County, including County Judge A. R. Bowman and Messrs. Harry Severance and Robert Lester Palino, was present and asked the Commission to authorize an expenditure of additional funds to complete the rocking of the Crooked River Secondary Highway from the end of the improved section, easterly to Paulina, a distance of about six or seven miles. Judge Bowman advised that the state's maintenance crew has been working on this road for some time past but was recently called off the job when the funds budgeted for this work became exhausted, so the people of the Paulina district cannot use the easterly end of the road without a lot of inconvenience and delay. It was his thought that it would not cost more than \$2,000 to gravel the worst places along the remaining seven-mile section. The Engineer recommended approval of the request. The Commission approved the recommendation by unanimous vote.

Judge Bowman also asked the Commission if there are any objections to the state's power shovel, that is loading state trucks on road work in the vicinity of Prineville, also loading some of the county's trucks at this location. He said that Crook County heretofore has performed similar service for the state and he thought perhaps the Commission would have no objection in evening up the account in this instance. The Commission approved by unanimous vote.

Representative Roy E. Carter, Gold Beach, was present in the interests of state highway department maintenance men located at Gold Beach. He said that he has it in mind to introduce a bill in the legislature requiring the Highway Commission to pay these men a higher wage because they are now receiving only \$0.50 per hour for their services, which is less than any other men in the county receive, but he wanted to talk the matter over with the Highway Commission first to ascertain definitely whether or not the Commission would approve a wage increase for these men without such legislative action. He was informed by Chairman Cabell that the rules and regulations governing employees must be uniform throughout the state, particularly so far as a general wage scale is concerned and that the Commission is not ready at this time to discuss whether or not employees are entitled to any increase in wages because it will take a lot of time to assemble and prepare pertinent information. He further advised that if Mr. Carter presented this matter to

the legislature he must do so independently because the Commission is not ready, for the reasons given, to join with him in the matter.

Mr. Carter also complained of the arrangement set up for the men that live in Gold Beach, alleging that these men now have to report to a maintenance headquarters which is located 16 miles from Gold Beach, using their own private cars and on their own time, notwithstanding that they are immediately required to retrace their steps to Gold Beach in state equipment. It was his thought that a much more satisfactory arrangement could be worked out and he asked the Commission to look into it. The matter was referred to the Engineer.

At 3:30 p. m. Chairman Cabell announced the awards of contracts as follows, such awards having been previously approved by the Commission by unanimous vote:

"Lapine Rock Production Project on The Dalles-California and Fremont Highways, in Deschutes and Klamath Counties. Requires approximately 12,000 cu. yds. crushed gravel in stock piles. Two bids were received for this project, the low one being that of Chester T. Lackey, Ontario, in the amount of \$17,700 and the other being that of A. S. Wallace, Roseburg, in the amount of \$25,440.00. The Commission awards the contract to Chester T. Lackey at his low bid of \$17,700.00.

"Foster-Cascadia Section of the Santiam Highway, in Linn County. 10.39 miles surfacing. The River Bend Sand & Gravel Company, Salem, submitted the low bid for this project in the amount of \$13,504.00. O. C. Yocom, Willamina, submitted the second-low bid in the amount of \$14,195.00. There were two higher bidders. The Commission has rejected all bids received for this project and has ordered the project readvertised.

"Gilliam County Line-Zinter Ranch Section of the Wasco-Heppner Secondary Highway, in Morrow County. 6.92 miles grading and topping, also construction of two untreated timber bridges. Eight bids were received for this project, the low one being that of M. L. O'Neil & Son, John Day, in the amount of \$49,896.50, and the second-low being that of E. C. Hall Company, Eugene, in the amount of \$51,730.00. The Commission refers all bids received for this project to the Engineer with power to award the contract to the low bidder when certain conditions have been satisfied.

"Jones Hill-Lena Section of the Heppner Highway, in Morrow County. 0.16 mile grading and 9.2 miles surfacing and oiling. The low bid for this project was submitted by R. O. Dail & Warren Bros., Portland, in the amount of \$42,677.00. The second-low bid was submitted by E. C. Hall Company, Eugene, in the amount of \$43,634.00. There were three higher bidders. The Commission refers all bids received for this project to the Engineer with power to award the contract to the low bidder when certain conditions have been satisfied.

"Morrow County Line-Stanfield Section of the Boardman-Stanfield Highway, in Umatilla County. 11.54 miles grading and topping. Six bids were received for this project, the low one being that of M. L. O'Neil & Son, John Day, in the amount of \$109,749.00, and the second-low being that of Roy L. Houck, Salem, in the amount of \$123,521.50. The Commission refers all bids received for this project to the Engineer with power to award the contract to the low bidder when certain conditions have been satisfied.

"Bridge over Meadowbrook Creek near Starkey, on the Starkey Secondary State Highway, in Union County. W. H. Philpott, Portland, submitted the low bid for this project in the amount of \$6,290.00. Chaffeur & Klatt, Spokane, Washington, submitted the second-low bid in the amount of \$6,488.50. There was one higher bidder. The Commission has rejected all bids received for this project and has ordered the project readvertised.

"Deer Creek-Bellevue Section of the Salmon River Highway, in Yamhill County. 2.12 miles grading and paving; also construction of 150-foot concrete bridge. Five bids were received for this job, that of Roy L. Houck, Salem, being low at \$100,895.25, based on the use of tar, and that of Berke Bros., Portland, being the second-low bid at \$107,457.00, also based on the use of tar. Neither of these contractors submitted a bid on the asphalt alternate. Mr. Houck qualified his bid by stating that he would not accept the award of the contract unless also awarded the contract for the West Sheridan project, bids for which were received at this letting. He failed to sign his bid on the West Sheridan project, so it could not be considered. The combination bid of Berke Bros., for this project and for the West Sheridan project, was the low combination bid received by the Commission, and in view thereof the Commission awards this contract to Berke Bros. at their bid price of \$107,457.00.

"West Sheridan Section of the Salmon River Highway, in Yamhill County. 0.57 mile grading and paving. The low bid on this project was submitted by C. J. Montag and Son, Portland, at \$47,388.70. They qualified their bid by saying that they would not accept this contract unless they were also awarded the contract for the Deer Creek-Bellevue project; hence, in view of the fact that the Commission has awarded the Deer Creek-Bellevue project to Berke Bros., on their combination low bid, the bid of C. J. Montag and Son cannot be considered for the West Sheridan project. Berke Bros., Portland, submitted the second-low bid at \$48,000.70. There were two higher bidders. The Commission has referred the bids for this job to the Engineer with power to award the contract to the low qualifying bidders, Berke Bros., when certain conditions have been satisfied."

County Commissioner W. J. Holland and County Engineer P. M. Morse of Lane County were present in the interests of the Territorial Secondary

Highway. They advised that, if the Highway Commission intends to spend some money this year for oiling on this road, the section most in need of improvement from the county's standpoint is that between Veneta and Crow inasmuch as the county expects to oil this year the uncoiled portion of the county road which extends from Eugene to Gillespie Corners and also expects to oil this year the county road between Eugene and Crow. The Commission took the matter under advisement.

The matter of additional WPA construction on the "Route F" Highway was also discussed. Mr. Morse advised that the county is ready to start the construction of another section east of Linslaw and is wondering whether or not the state will cooperate as it did three years ago in furnishing culvert pipe and powder. The Commission denied the request. Mr. Holland inquired how much more work the county will have to do on this road before the state will take over jurisdiction. He was informed by Chairman Cabell that the Commission is not yet ready to place this road on the state highway system and in all probability greater progress would be made if the work were continued as a county road project than as a state highway improvement.

The Assistant Attorney reported the status of the 1941 right of way budget. He advised that of the \$600,000 budgeted this year for right of way purposes \$166,000 has been obligated to date. Further, that of the \$800,000 budgeted for the purchase of right of way on the Front Avenue Project in Portland \$27,000 has been obligated to date. The Commission approved the report and ordered it filed.

The Attorney requested authority to acquire certain parcels of real property that are needed for various highway improvements throughout the state. He submitted a list of such properties together with prices that he recommended be paid for each. After careful consideration the Commission approved the request and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth, and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon, and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission, be and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Clatskanie-Goble Section, Columbia River Highway</u>				
8860-Columbia County	Stock Pile	2.0	GRATIS	McChesney
8923-Columbia County	" "	1.75	GRATIS	"
<u>St. Helens Section, Columbia River Highway</u>				
8736-Watters, Leslie	R/W	2962	sq.ft. In exchange by State for Lots 9,10 & $\frac{1}{2}$ of Lot 11, Blk. 2, Georgetown	McChesney
<u>Nehalem Spit Section, Oregon Coast Highway</u>				
7314-Sandberg, Lawrence	Park	12 lots	\$5.00 per lot	Martin
<u>North of Port Orford (Elk Creek) Section, Oregon Coast Highway</u>				
8694-McKenzie, Donald R.	Gravel pit	7.96		
	Stock pile	1.20		
		9.16		
	Haul road Easement		\$100 per a. plus \$37 Parker for hauling road easent. on 0.37 acre	
<u>North Bend-Marshfield Section, Oregon Coast Highway</u>				
8080-Coos Bay Dredging Co. (Correction)	R/W	1592	sq.ft. 10¢ sq. ft. plus low bid \$1162.88 for moving bldg.; state to convey lots 17,18, Blk. 33, Nasburg Add. to Marshfield, contg. approx. 4750 sq.ft. for consideration of \$159.20	Collins
<u>Glenwood-Washburn Section, Wilson River Highway</u>				
8660-Harris, Ralph A.	R/W	0.08	\$200 per a. plus \$75	Benson
8662-Mathorn, Wm.	"	0.08	\$10 Lump Sum for land plus \$222.50	"
8676-Heisler, Thos., Heirs	"	0.23	\$5.00 Lump Sum	"
8659-Davis, Mildred Ella Bartell	"	0.78	\$700.00 Lump Sum	"
8665-Bateman, Joseph E.	"	3.87	\$5,500.00 Lump Sum	"
<u>Jordan Creek-Mills Bridge Section, Wilson River Highway</u>				
8317-Reeher, G. A.	Permission to cut danger trees		- GRATIS	Martin
8901-Reeher, G. A.	Permission to cut danger trees		- GRATIS	"

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>West Portland-Tualatin Section, West Portland-Hubbard Highway</u>				
4819A-Myers, Murray W.	Slope	682 sq.ft.	\$25 Lump Sum	Benson
	Easement			
5478-Davies, John	R/W	1 lot	\$30 Lump Sum	Martin
<u>Poster-Cascadia Section, Santiam Highway</u>				
9011-Peck, Charles A.	Gravel	40.0	1 yr. lease at 3¢	Eason
	Pit		cu. yd.	
<u>Wiley Creek-Cascadia Section, Santiam Highway</u>				
9033-Fisher, Roy C.	Quarry &	4.97	\$80+ per a. (\$400)	Eason
	Stock pile site			
<u>East Sheridan Section, Salmon River Highway</u>				
8939-Harty, William	R/W	1.31	\$114.50 per a. + \$150	Collins
<u>East Broadway-Eugene Section, Pacific Highway</u>				
8771-Earle, Kathryn	R/W	600 sq.ft.	30¢ sq.ft. + \$120	Parker
<u>North Roseburg Section, Pacific Highway</u>				
8554-Edwards, Ivan P.	R/W	90 sq.ft.	Given in exchange by State of 1842 sq.ft.	Lytle
<u>Lake Creek-Hanley Ranch Section, Little Butte Highway</u>				
8711-Hanley, M. F., Jr.	R/W	5.15	\$50 per acre	Gardiner
		7.76	\$150 per acre, + \$1266.25	
		12.91		
<u>Chemult Section, The Dalles-California Highway</u>				
8981-Palmer G. C.	R/W	2.58	GRATIS	R.M. Smith
<u>Muddy Creek-Lakeview Section, Klamath Falls-Lakeview Highway</u>				
4157-Sedgwick, C. B. and Maud P. Kingman	R/W	0.26	\$50 per acre	Martin
<u>Post-Paulina Section, Crooked River Secondary Highway</u>				
8633-Morris, Arthur L.	Gravel	4.17	\$24 per a. plus \$63	Chandler
	Pit			
<u>Boardman-Stanfield Section, Old Oregon Trail Highway</u>				
8826-Alplanalp, Silas P. & O. G. Oldfield	R/W	0.02	\$250 per acre	Landon
	"	3.35)	\$80 per acre	
8841-Attebury, Roy O.	"	3.82)	\$5 per a. + \$345.65	"
		7.17)		
8830-Richards, Ralph and Patricia	"	3.19	\$100 per a. + \$577.50	"
8833-First National Bank of Hermiston, and C. J. Mathews	"	2.90	\$100 per a. + \$202	"

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Boardman-Stanfield Section, Old Oregon Trail Highway (Continued)</u>				
8832-C-Westland Irrigation District	Rock Quarry	55.0	\$5 per acre	Landon
8842-Westland Irrigation District	R/W	80.0	\$5 per acre	"
8846-Allen, Rilla Thompson and Delbert Emert	R/W	2.88	\$100 per a. plus \$271.25	"
8834-Western Irrigation Company	R/W	10.91	\$5 per acre	"
<u>Jones Hill-Lena Section, Heppner Highway</u>				
8914-Francis, W. E.	Stock Pile	1.45	\$17.24 per acre	Gardiner
<u>Gilliam County Line-Zinter Ranch Section, Wasco-Heppner Highway</u>				
8934-Ayres, Ada M.	R/W	11.54	\$25 per a. plus \$904	Gardiner
8935)-Zinter, Irene E. and)	"	10.38	\$25 per a. plus \$897	"
8937)-Getty, Nellie M.)	"			
8936-Federal Land Bank of Spokane & Sidney C. Zinter	"	11.77	\$25 per a. plus \$1077	"
8929)-McClintock, Frank, and)	"	29.46	\$10 per a. plus \$1313	"
8930)-Gerald A. Jackson)	"			
8932-Wilson, Helen Peters, and Frank McClintock	R/W and haul road	19.6	\$10 per a. plus \$1008	"
<u>Cape Lookout Section, Oregon Coast Highway</u>				
8524-Smith, W. K., Jr. Estate	Park	19.89	\$22.62 per a. approx. \$450 Lump Sum	Parker
<u>West Sheridan Section, Salmon River Highway</u>				
8893-Wineberg, William J.	Slope Easement	14,735 sq.ft.	\$200 Lump Sum	Collins
9031-Huntley, E. M.	Slope Easement	2,105 sq.ft.	GRATIS	"
<u>Glenwood-Washburn Section, Wilson River Highway</u>				
8664-Gales Creek & Wilson River RR Co.	R/W Easement	0.23	GRATIS	Benson
6244A-Gretchen Cormany	R/W	0.34	\$50 Lump Sum	"
<u>St. Helens Section, Columbia River Highway</u>				
8737-Van Gilder, E. L. & Chas. Goodnough	R/W	5,755 sq.ft.	2 1/2 sq.ft. plus \$540, plus moving bldgs. (Est'd \$1000), plus \$120 (filling)	McChesney
<u>West Portland-Tualatin Section, West Portland-Hubbard Highway</u>				
4820-Holes, Stella M. (Supplemental)	R/W		Demolishing stone garage on R/W, \$86; moving & reestablishing hand-pump, etc. \$38.	Benson

Section, Hwy., and Owner Purpose Area Approximate Amounts Agent

Front Avenue Project-Columbia St. South (Portland), Pacific Highway West

Referred to Mr. Cabell

8190-Eugene Lumber Co.	R/W	7,304 sq.ft.	\$1,826.00	McCallister
8677-Austin, Graham and Bertha Pauline	"	10,000 "	2,000.00	"
8652-Zanello, Fred, Emmalita Write and Ruth Hefty	"	10,000 "	2,250.00	"
8163-Allessandro, Alfonso	"	3,000 "	1,800.00	"
8013-City of Portland	"	40,000 "	2,025.00	"
8917-City of Portland	"	14,344 "	1,031.25	"
8916-City of Portland	"	12,783 "	682.50	"
8915-City of Portland	"	5,000 "	468.75	"
8200-Rosenthal, Jennie and H. I.	"	7,000 "	4,000.00	"
8159-Cevurtz, Cecilie	"	4,950 "	4,500.00	"

Front Avenue Project-Columbia St. North (Portland), Pacific Highway West

Referred to Mr. Cabell

7964A-Stevens, Georgia, Estate R/W		44,084 sq.ft. undivided $\frac{1}{4}$ interest	\$10,254.75	McCallister
7997-Zidell, S. and Steinberg	R/W	4,180 sq.ft.	7,872.00	"
7998-U.S. Nat'l Bank	"	7,020 "	14,161.00	"

The Attorney also requested authority to condemn certain parcels of real property that are needed for highway improvements. He submitted a list of such properties and offers that he recommends, as follows:

<u>File No.</u>	<u>Name</u>	<u>Purpose Required</u>	<u>Recommended Offer</u>
8942	Leonora L. Jack Schmidt	R/W	\$5 per a. - fencing if fencing necessary
8943	Roy Phillippi	R/W	\$5 per a. - fencing if fencing necessary
8669	Charles Bateman	R/W	\$5,000.00
8667	Irene Hankins	R/W	\$150 plus moving
8661	Ruby Hayden	R/W	\$10
8673	William H. Lyda, et al.	R/W	\$500
8734	Edward O. Lessard, et ux.	R/W	\$1,500.
8891	E. J. Miller	R/W	\$50
8834	Western Irrigation Company	Gravel Pit	\$450

(Continued on next page)

<u>File No.</u>	<u>Name</u>	<u>Purpose Required</u>	<u>Recommended Offer</u>
8832	W. P. Smith & E.P. Smith	R/W	\$800.00
8931	Pay Ward	R/W	\$250.00 plus severance, if applicable
8933	George Parman, et al.	R/W	\$225.00
8928	Carl Schneider	R/W	\$600.00
8910)	Stella Jones Bailey	R/W and	\$154.60
8913)		Quarry Site	
7647	Edward Hillier	Grade Change	\$800.00
		Damages	
3843	L. A. McClintock	R/W	\$3,500.00 plus cattle pass

After careful consideration of each item, the Commission approved the request and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, the State Highway Commission is authorized to locate, relocate, construct, reconstruct, maintain, widen, straighten, and otherwise improve state highways, both primary and secondary, and said Commission is also authorized to construct shops, equipment sheds, office buildings, maintenance sites, patrolmen accommodations, and snow fences, and is authorized to acquire quarry sites, gravel pits, storage sites, stockpile sites, weighing stations, and broadcasting stations, and is further authorized to develop, construct, improve, operate, and maintain parks, parking places, auto camps, camp sites, roadside development, recreational grounds or resorts, and other places of attraction and scenic value; and

WHEREAS, said Highway Commission is authorized to acquire by purchase, agreement, donation, or by the exercise of the power of eminent domain real property, or any interest therein, necessary or deemed by the Highway Commission necessary for the accomplishment of any and all of the foregoing things; and

WHEREAS, in the judgment of the Highway Commission the several tracts or parcels of land hereinafter described are each and all necessary for the specific and particular purposes hereinafter specifically set forth;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the Commission does hereby find and declare that the several parcels of real property hereinafter described are each and all necessary for the accomplishment of the purposes hereinafter expressly and specifically set forth, which said real properties and

the specific purposes for which the same are being acquired are described as follows, to wit:

Real property owned by Charles S. Bateman, which property is located in the southwest quarter ($SW\frac{1}{4}$) of the southeast quarter ($SE\frac{1}{4}$) and in the southeast quarter ($SE\frac{1}{4}$) of the southeast quarter ($SE\frac{1}{4}$) of Section 26, Township 2 North, Range 5 West, W. M., Washington County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 1 and is further identified in the records of the Highway Commission as file R 8669, and which property is being acquired for right of way purposes in connection with the Glenwood-Washburn Section of the Wilson River Highway;*

Real property owned by Ruby Hayden, which property is located in the southwest quarter ($SW\frac{1}{4}$) of the northeast quarter ($NE\frac{1}{4}$) of Section 26, Township 2 North, Range 5 West, W. M., Washington County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 2 and is further identified in the records of the Highway Commission as file R 8661, and which property is being acquired for right of way purposes in connection with the Glenwood-Washburn Section of the Wilson River Highway;*

Real property owned by Elmer E. Lyda and William H. Lyda, which property is located in the north half ($N\frac{1}{2}$) of the northwest quarter ($NW\frac{1}{4}$) of Section 36, Township 2 North, Range 5 West, W. M., Washington County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 3 and is further identified in the records of the Highway Commission as file R 8673, and which property is being acquired for right of way purposes in connection with the Glenwood-Washburn Section of the Wilson River Highway;*

Real property owned by Edward O. Lessard and Hazel Lessard, which property is located in Government Lots 1 and 2 ($NW\frac{1}{4}$), Section 4, Township 4 North, Range 1 West, W. M., in Government Lot 1 ($N\frac{1}{2}$ of $NW\frac{1}{4}$) of Section 4, Township 4 North, Range 1 West, W. M., in Lot 5, Block 4, Georgetown, in the City of St. Helens, and in Lot 5, Block 5, Georgetown, in the City of St. Helens, all in Columbia County, Oregon, and is particularly described on the attached sheets and designated as Parcels Nos. 4, 5, 6, and 7 and is further identified in the records of the Highway Commission as file R 8734, and which property is being acquired for right of way purposes in connection with the St. Helens Section of the Columbia River Highway;*

Real property owned by E. J. Miller, which property is located in the Town of Sheridan and situated in the A. B. Falconer D.L.C. No. 43 in Section 35, Township 5 South, Range 6 West, W. M., Yamhill County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 8 and is further identified in the records of the Highway Commission as file R 8891, and which property is being acquired for right of way purposes in connection with the West Sheridan Section of the Salmon River Highway;*

Real property owned by W. P. Smith and E. P. Smith, husband and wife, and Gordon Smith, which property is located in the southwest quarter (SW $\frac{1}{4}$) of Section 34, Township 4 North, Range 28 East, W. M., Umatilla County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 9 and is further identified in the records of the Highway Commission as file R 8832B, and which property is being acquired for right of way purposes in connection with the Boardman-Stanfield Highway;*

Real property owned by The Western Irrigation Company, which property is located in the northeast quarter (NE $\frac{1}{4}$) of the southwest quarter (SW $\frac{1}{4}$) of Section 33, Township 4 North, Range 28 East, W. M., and in the northeast quarter (NE $\frac{1}{4}$) of the southwest quarter (SW $\frac{1}{4}$) of Section 33, Township 4 North, Range 28 East, W. M., Umatilla County, Oregon, and is more particularly described on the attached sheets and designated as Parcels Nos. 10 and 11 and is further identified in the records of the Highway Commission as file R 8834, and which property is being acquired for gravel pit purposes (Parcel No. 10) and for right of way purposes (Parcel No. 11) in connection with the Boardman-Stanfield Highway;*

Real property owned by L. A. McClintock, which property is located in the northwest quarter (NW $\frac{1}{4}$) of Section 1, Township 3 North, Range 28 East, W. M., and in the southwest quarter (SW $\frac{1}{4}$) of the southwest quarter (SW $\frac{1}{4}$) of Section 35, Township 4 North, Range 28 East, W. M., Umatilla County, Oregon, and is more particularly described on the attached sheets and designated as Parcels Nos. 12 and 13 and is further identified in the records of the Highway Commission as file R 8843, and which property is being acquired for right of way purposes in connection with the Boardman-Stanfield Highway;*

Real property owned by Lenora L. Jack Schmidt, which property is located in Government Lot 1 of Section 6, Township 2 North, Range 19 East, W. M., Gilliam County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 14 and is further

identified in the records of the Highway Commission as file R 8942, and which property is being acquired for right of way purposes in connection with the Quinton-Ramsey Section of the Columbia River Highway;*

Real property owned by Fay E. Ward and Wilfred A. Ward, which property is located in the southwest quarter (SW $\frac{1}{4}$) of the southeast quarter (SE $\frac{1}{4}$) of Section 20, Township 3 South, Range 23 East, W. M., Morrow County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 15 and is further identified in the records of the Highway Commission as file R 8931, and which property is being acquired for right of way purposes in connection with the Gilliam County Line-Zinter Ranch Section of the Wasco-Heppner Highway;*

Real property owned by Edward Hillier, et al., which property is located in Lots 3, 4, and 5, and a fractional lot adjoining Lot 5 in Block 1, as shown on J. L. Lee's Plat of the Town of Nyssa, Malheur County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 16 and is further identified in the records of the Highway Commission as file R 7647, and which property is being acquired for right of way purposes in connection with the Nyssa Undercrossing Section of the Old Oregon Trail.*

2. That the Commission does hereby find and declare that each of the said described parcels of real property is necessary and acquisition of the same by the State is required for the specific purposes hereinabove set forth, and the said properties are being acquired for the express and specific purposes in this resolution set forth.

3. That the State Highway Engineer be and he hereby is instructed and directed to make or cause to be made all surveys necessary in connection with the determination, description, and acquisition of said real properties, and said Engineer is further instructed to prepare and submit to the Legal Department necessary and adequate descriptions of the said real properties, which said descriptions shall be available for the preparation of any deed or deeds or other instrument or instruments necessary to complete the acquisition of said property or properties, whether said properties be acquired by purchase, donation, agreement, or by the exercise of the power of eminent domain.

*The detailed descriptions of the respective parcels of real property mentioned in this resolution are attached to the original resolution on file in the office of the State Highway Commission, Salem, being Resolution No. 8, under the heading "Real Property Condemnation Resolutions", and said descriptions by this reference are made a part of this minute entry to the same extent as if copied in full herein.

4. That I. H. Van Winkle, Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they are hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby further resolved that the Attorney General of the State of Oregon and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they hereby are requested to commence and prosecute to a final determination such suit or action, or suits or actions, as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

The Engineer reported on investigations as to the width of the North Santiam Highway between Detroit and the South Santiam Highway junction. He advised that, in general, the right of way is 80 feet wide, although at one or two points between Detroit and the Linn County line the right of way is only 70 feet wide. Further, that there are a number of encroachments near Detroit. He recommended that the Commission designate the Detroit-Santiam Junction Section a state secondary highway at such time as a full 80-foot right of way has been obtained throughout and the encroachments eliminated. After discussion the Commission approved the recommendation and instructed the Engineer to so inform the County Courts of Marion and Linn Counties which have requested that this section be placed on the state secondary highway system. The Commission ordered the matter covered by written agreement.

The Engineer also recommended that the state take over the maintenance of the North Santiam Highway from the Public Roads Administration at such time as it is designated a state secondary highway. He said that state forces operating out of the Santiam maintenance headquarters can handle such work much more economically than can the government, and the state would not lose any federal funds thereby, because the savings accruing to the government thereby could be spent for forest highway construction elsewhere. The Commission approved the recommendation.

The Commission reconsidered the matter of construction of a bridge over the Willamette River at Independence and decided unanimously to contribute toward the cost of such construction all money received from Polk County on its old debt to the state for highway construction work in that county, but no more. This decision is subject to approval by Governor Charles A. Sprague and Senator Dean Walker. It was left with Chairman Cabell to discuss the matter with the Governor and Mr. Walker.

The Commission authorized the Attorney to secure an option for acquisition of right of way needed for the Eugene-Springfield Section of the Pacific Highway East across property owned by Mrs. Katherine Stewart of Eugene, in view of the fact that this property is on a section of the highway which the Commission anticipates building in the near future.

The Secretary presented a letter from the Gold Beach Chamber of Commerce reporting progress that is being made by a local committee in its investigation with respect to securing of land needed for widening the present Oregon Coast Highway through the town of Gold Beach. The Commission ordered the communication filed.

The Commission discussed a letter from Mr. Carl Rynearson, Manager of the Pacific Highway Association, Inc., who is now in Washington, D. C., in the interest of legislation having to do with the appropriation of federal funds for defense highway construction. The Commission approved the following telegraphic reply thereto:

RE LETTER COMMISSION FAVORS DISTRIBUTION OF DEFENSE ROAD FUND BY SOME FORMULA, PREFERABLY ONE WHICH GIVES CONSIDERABLE WEIGHT TO RATIO OF DEFENSE MILEAGE IN EACH STATE TO TOTAL IN NATION, PROBABLY UNFAIR TO MAKE THIS THE ONLY FACTOR. ALSO SUGGESTS NEED OF STATES MATCHING PART OF FUND TO PRESERVE FEDERAL AID PRINCIPLE.

The Engineer reported that in conformance with previous authority granted him by the Commission he awarded to Babler Bros. on February 18, 1941, the contract for grading, surfacing and oiling the Bend-Forest Boundary Section of the Century Drive Secondary Highway, in Deschutes County, bids for which were taken by the Commission on January 21, 1941, the bid of this contractor being the low bid received and the conditions of the award having been satisfied. The Commission by unanimous vote confirmed the award as reported.

The Secretary presented resolutions from the Lane County Court requesting removal from the state secondary highway of the Richardson-Siuslaw Junction Section of the Eugene-Swisshome Secondary Highway No. 220, and requesting that the Eugene-Veneta Section of the "Route F" Highway be placed on the state secondary highway system in lieu of the Richardson-Siuslaw Junction Section of the Eugene-Swisshome Secondary Highway. The Engineer advised that this is in conformance with previous understanding with the county court. After discussion the Commission approved the county court's requests and thereupon by unanimous vote adopted the following resolutions with respect thereto:

WHEREAS, under the provisions of Chapter 248, Laws of 1931, and Chapter 196, Laws of 1935, and Chapter 529, Laws of 1939, the State Highway Commission, by mutual agreement with the respective county courts of the several counties of the State, is authorized and empowered to select, locate and designate a system of secondary state highways, which highways shall be selected from the market roads or other county roads, or available locations or routes of the several counties; and

WHEREAS, the State Highway Commission, by mutual agreement with the Lane County Court of the State of Oregon, has heretofore selected and regularly adopted, as provided by law, the Eugene-Swisshome Secondary Highway No. 220, and

WHEREAS, it is now the intention of the State Highway Commission, by mutual agreement with the Lane County Court of the State of Oregon, to eliminate and remove from the system of secondary state highways, under the provisions of Chapter 196, Oregon Laws of 1935, and Chapter 529, Laws of 1939, the hereinafter described section of the Eugene-Swisshome Secondary Highway No. 220, and

WHEREAS, it is mutually understood and agreed by the State Highway Commission and the Lane County Court of the State of Oregon, that from and after the adoption of this resolution by the State Highway Commission the hereinafter described section of the Eugene-Swisshome Secondary Highway No. 220 shall, under the provisions of the Laws of Oregon, become a county road, and the construction, repair, maintenance or improvement, and the jurisdiction thereof, shall be exclusively under the County Court of Lane County;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission, all members being present and affirmatively voting and participating as follows:

1. That the following described section of the Eugene-Swisshome Secondary State Highway No. 220 is hereby eliminated and removed from the Secondary State Highway System, to wit:

A Section of the Eugene-Swisshome Secondary Highway No.220:

Beginning at the junction of the Siuslaw Highway No. 34 with the Eugene-Swisshome State Secondary Highway near Swisshome; thence in a southeasterly direction along the Siuslaw River to Richardson, a distance of approximately 12.3 miles.

2. That the said above described section is hereby declared to be eliminated and removed from the secondary system of highways and from and after the adoption of this resolution shall become a county road, and the construction, repair, maintenance or improvement, and the jurisdiction thereof, shall be exclusively under the County Court of Lane County, as provided by law.

3. That this resolution be entered in the minutes of the Commission and a duly certified copy thereof mailed to the County Court of Lane County.

WHEREAS, under the provisions of Chapter 248, Laws of 1931; Chapter 196, Laws of 1935; and Chapter 529, Laws of 1939; the State Highway Commission, by mutual agreement with the respective county courts of the several counties of the State, is authorized and empowered to select, locate, and designate a system of secondary state highways, which highways shall be selected from the market roads or other county roads, or available locations or routes of the several counties; and

WHEREAS, the State Highway Commission, by mutual agreement with the Lane County Court of the State of Oregon, has selected the road or highway hereinafter named, and it is the purpose of the Commission to officially and regularly designate and adopt said highway as a highway to constitute, together with other highways heretofore adopted and/or which may hereafter from time to time be added, the system of secondary state highways under the provisions of said acts;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission, all members being present and affirmatively voting and participating, as follows:

1. That the following described market road, county road, highway, route, or location of a highway in Lane County be and the said market road, county road, highway, location, or route, hereby is selected, designated, established, adopted and approved as a secondary state highway and shall be and hereby is designated as a part of the secondary state highway system, to wit:

An Extension of the Eugene-Swisshome Secondary State Highway No. 220:

Beginning at the junction of the Territorial State Secondary Highway No. 200 at Veneta with the road or highway known as Route "F"; thence easterly via the road or highway known as Route "F" to Eugene, a distance of approximately 12.5 miles.

2. That the said highway shall be and hereby is qualified for improvement under the provisions of said Chapter 248, Oregon Laws 1931; Chapter 196, Oregon Laws of 1935; and Chapter 529, Oregon Laws of 1939; and amendments thereof.

The Engineer reported the need to place a 50 per cent reduced load limit on the Weston-Elgin Secondary State Highway throughout its entire length in Umatilla and Union Counties. The Commission by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, the following road or highway has been designated and declared to be and is a state highway, and has been improved and is being maintained by the State Highway Commission pursuant to the laws of the State of Oregon as a state highway, to-wit:

WESTON-ELGIN SECONDARY STATE HIGHWAY

AND WHEREAS, the said above-named state highway is, in the judgment of the State Highway Commission, being subjected to a kind and character of traffic which is damaging and injuring the said highway, and, in order to protect said highway against such damage and injury, it is deemed and is the judgment of the Highway Commission and said Commission finds that it will be for the best interests of the said highway that the maximum weights permitted and authorized by law be reduced;

NOW, THEREFORE, the premises being in part as above stated, and the State Highway Commission having, as a result of due investigation, found that the road above mentioned and hereinafter designated is being damaged and injured on account of the kind and character of traffic now being hauled over and upon said road; and, by reason of the fact that vehicles carrying maximum loads moved at the maximum speeds specified by the provisions of the laws of the State of Oregon are breaking up, damaging and deteriorating the said road,

IT IS HEREBY ORDERED, that the maximum weight of combined load and vehicle which shall be permitted upon the within-named road shall not exceed the weight herein fixed.

The maximum weights which shall apply to the following highway, to-wit:

WESTON-ELGIN SECONDARY STATE HIGHWAY from Weston, in Umatilla County, to Elgin, in Union County,

shall be as follows: the combined weight in pounds bearing on the surface of the highway at contact with the tread of the wheels of the front axle of a truck or truck-tractor shall not exceed the product of four hundred (400) multiplied by the sum in inches of the tire width of the wheels of such axle; and, the combined weight in pounds bearing on the surface of the highway at contact with the tread of the wheels of any one axle of a vehicle or combination of vehicles, other than the front axle of a truck or truck-tractor, shall not exceed the product of three hundred (300) multiplied by the sum in inches of the tire width of the wheels of such axle; but, in no event shall the combined weight in pounds bearing on the surface of the highway at contact with the tread of the wheels of any one axle of a vehicle exceed the maximum limit set by law for any one axle.

IT IS FURTHER ORDERED, that these rules and regulations as made and found by the State Highway Commission under the provisions of Section 55-2707, Oregon Code 1935 Supplement, shall be in full force and effect until modified, annulled or voided by the order of the State Highway Commission.

AND IT IS FURTHER ORDERED, that a notice be posted in a conspicuous manner and place at each end of the above-named section of said highway and at important crossroads on said highway so that said notice can be readily seen and read, which said notice shall state plainly the limitations and prohibitions of traffic hereby in this order determined and fixed.

AND BE IT FURTHER ORDERED, that certified copies of this order be furnished the county clerks of Umatilla and Union Counties, in which counties said highway is located, and the Superintendent of the Department of State Police for his information.

The Commission considered a letter from the Van Vleet Logging Company requesting permission to truck logs over the Cannon Beach Road during the summer months as well as during the winter months, which operations are now being prohibited during the beach season which extends from June 1 to September 15. The Commission denied the request in the interests of safety to the beach traffic which is extremely heavy at that time of the year.

The matter of hauling overlength loads of logs on the Santiam Highway between Cascadia and Foster had the attention of the Commission. The Commission authorized such movements if the logs are not to be resawed later and provided hand-operated steering devices are used on the trailers and that no part of the load or hauling equipment will extend across the center line of the road. The Engineer was instructed to conduct a trial run to determine the extreme length of load that can be hauled over this section of highway under such conditions. The Secretary was instructed hereafter, before granting permits for overlength log movements, to secure an affidavit from the operator to the effect that the logs are not to be resawed after delivery.

The Engineer requested authority to purchase the following equipment:

1 gasoline-powered centrifugal portable pump for use in connection with drainage tunnel construction. Estimated cost \$140.00

1 powered lawn mower for Portland division. Estimated cost \$300.00

The Commission approved the request by unanimous vote and ordered that the purchases be made through the State Purchasing Agent in accordance with the usual practice.

The Commission considered and approved the request of Arthur Ervin, Los Angeles, California, for permission to operate over certain state highways in Oregon a truck van having an overall height not to exceed 11' 6", subject to the condition that the equipment be properly licensed in the State of Oregon and there be sufficient vertical clearance to allow the movement without endangering highway structures, et cetera.

The Engineer reported a request from Representative Burt K. Snyder, Lakeview, for the construction of a maintenance headquarters and oasis at Alkali Lake on the Lakeview-Burns Highway in Lake County, and for the stabilization of the 15-mile section of this highway north from a place known as Wagontire, which section, he alleges, is in an extremely bad state of repair. He estimated the cost of the maintenance buildings and oasis at Alkali Lake at approximately \$25,000, and the improvement of the highway at \$226,000. The Commission discussed but deferred action on both of these projects pending personal inspection of each, which is to be made as soon as possible.

A letter was presented from the Aleutian Livestock Company, Inc., Salt Lake City, Utah, requesting permission to construct a fence across certain state-owned property adjacent to the Wolf Creek Highway, Clatsop County, and inquiring whether or not the State Highway Commission would join with them in paying the cost of such fence construction. The Commission decided not to grant the company permission to construct its fence on the state property in view of the Commission's established policy in regard to such matters, and also refused to cooperate in the cost of the fence. The Secretary was instructed to inform the company that it is strictly contrary to the Commission's policy to permit fence construction on or across state land; however, the Commission would be pleased to see that right of way stakes are set as a guide to the company in building its own fences; further, that the Commission does not feel obligated to spend state funds for the construction of the fences because it considers this is strictly a private undertaking.

The Engineer presented a list of surveys that he has ordered since the last meeting of the Commission and asked the Commission to confirm them and the amounts allocated for each. After due consideration the Commission authorized and instructed the Engineer to make such location surveys on various sections of the highways of this state, which said sections of highways, together with their identifying survey numbers and the amounts authorized and allocated for such survey expenditures are as follows:

Right of Way - 102-1425	- Pacific Highway West-Polk County Line Section, Tampico Highway, Benton County. 1st authorization \$75.
Right of Way - 102-1425	- Pacific Highway West-Polk Co. Line Section, Tampico Highway, Benton Co. 2nd authorization \$125.
	Total to date \$200.
Scale Site - - - 2-1426	- Philomath Section, Corvallis-Newport Highway, Benton County. 1st authorization \$75.
Right of Way - - 4-1450	- Svensen-Goble Section, Columbia Highway, Clatsop County. 1st authorization \$400.
Plans - - - - 4-1432	- Necanicum Junction Section, Wolf Creek and Necanicum Hwys. 2nd authorization \$400. Total to date \$500.

Right of Way - 105-1423 - Banzer Bridge-Mist Section, Nehalem Highway,
 Columbia County. 2nd authorization \$800.00
 Total to date \$1,450.
 Plans - - - - 106-1423 - Enegren Ferry Section, Coos River Highway, Coos
 County. 1st authorization \$400.00
 Right of Way - 107-1414 - Powell Butte Section, Powell Butte Highway, Crook
 County. 1st authorization - \$50.00
 Right of Way - 107-1415 - Riverside Ranch Section, Crooked River Highway,
 Crook County. 1st authorization - \$300.00
 Plans - - - - 209-1439 - Terrebonne-Lower Bridge Section, Deschutes Market
 Rd. No. 4, Deschutes Co. 2nd authorization - \$800.
 Total to date \$1,600.
 Location - - - 10-1431 - Glendale Junction-Canyonville Section, Pacific Hwy.
 Douglas County. 1st authorization \$17,000.
 Test - - - - 12-1424 - Long Creek-Fox Section, Pendleton-John Day Highway,
 Grant County. 2nd authorization - \$300.00
 Total to date \$2,150.
 Right of Way - 14-1418 - Sam Boardman Park Section, Mt. Hood Highway, Hood
 River County. 1st authorization - \$90.00
 Right of Way - 17-1410 - Wolf Creek-Grants Pass Section, Pacific Highway,
 Josephine County. 2nd authorization - \$2500.00
 Total to date \$35,100.
 Location - - - 18-1441 - Barclay Springs-Terminal City Section, The Dalles-
 California Highway. 2nd authorization - \$2250.00
 Total to date \$7650.
 Plans - - - - 20-1437 - Goshen-Lowell Section, Willamette Highway, Lane
 County. 2nd authorization - \$727.50.
 Total to date \$12,367.50.
 Testing - - - 20-1437 - Goshen-Lowell Section, Willamette Highway, Lane
 County. 2nd authorization - \$250.00.
 Total to date \$12,617.50.
 Plans - - - - 21-1445 - Otter Rock-Agate Beach Section, Oregon Coast High-
 way, Lincoln Co. 1st authorization - \$300.00.
 Right of Way - 122-1429 - Albany West Section, Corvallis Eastside Highway,
 Linn County. 1st authorization - \$200.00
 Plans - - - - 22-1426 - Albany-Lebanon Section, Santiam Highway, Linn
 County. 2nd authorization - \$360.00
 Total to date \$2,220.
 Testing - - - 22-1430 - Foster-Bryant Hill Section, Santiam Highway, Linn
 County. 1st authorization - \$150.00
 Stock Pile - - 22-1431 - Foster-Cascadia Section, Santiam Highway, Linn
 County. 1st authorization - \$50.00
 Bridge - - - - 224-1437 - Independence Bridge Section, Marion County Road
 (Slough Rd.), Marion Co. 1st authorization \$1000.00
 Testing - - - 25-1409 - Jones Hill-Lena Section, Heppner Highway, Morrow
 County. 2nd authorization - \$100.00
 Total to date \$500.
 Plans - - - - 26-1444 - Front Ave.-West End Steel Bridge, Pacific Hwy. West,
 Multnomah County. 2nd authorization \$4,500.00
 Total to date \$13,000.

Plans - - - - 128-1412 - Fulton Canyon-Locust Grove Section, Fulton Canyon-Wasco Hwy., Sherman Co. 1st authorization \$1,500.
 Plans - - - - 231-1423 - West Ranch-Island City Section, Island City-Summer-ville Co.Rd., Union Co. 1st authorization - \$400.
 Plans - - - - 32-1407 - Enterprise-Forest Boundary Section, Unit 1, Enterprise-Lewiston Highway, Wallowa County. 1st authorization \$1,400.
 Plans - - - - 134-1428 - Forest Grove-Banks Section, Nehalem Highway, Wash-ington County. 1st authorization - \$400.
 Plans - - - - 34-1429 - Sylvan-West Slope Section, Tualatin Highway, Wash-ington County. 1st authorization - \$700.
 Right of Way - 36-1426 - Lafayette-Dayton Junction Section, Pacific Highway West, Yamhill County. 1st authorization - \$25.

The Commission considered a request from contractor Arthur T. Fox for an extension of time of 22 days, from November 15 to December 7, 1940, within which to complete his contract No. 2333 with the State Highway Commission for landscaping work at the Medford maintenance station on the Pacific Highway, in Jackson County. He alleged that his failure to complete the project within the specified time limit was due to adverse weather conditions and orders from the Landscape Engineer to postpone the planting of certain shrubs. The Engineer advised that the reasons given by Mr. Fox for failure to complete the job within the specified time limit are correct. He recommended the granting of the extension of time requested without penalty. The Commission approved the recommendation.

In connection with this matter the Engineer reported that Mr. Fox completed the job on December 7, 1940, in accordance with the provisions of the contract or modifications thereof. He recommended acceptance of the project at this time. The Commission approved the recommendation and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, the Engineer has reported that the following State Highway Commission contract for the construction of a state highway project has been completed according to the terms and provisions of the contract and said job is now ready for acceptance:

Contract No. 2333, with Arthur T. Fox, for land-scaping work at the Medford maintenance station on the Pacific Highway, in Jackson County. Completed December 7, 1940.

THEREFORE, BE IT RESOLVED that the work covered by said state highway contract for the construction of said state highway project be declared completed according to the terms of the contract, and said job is hereby accepted and final payment in connection therewith is hereby authorized.

The Commission had under discussion the setting of a date for its first regular meeting following that scheduled for April 3 and 4, 1941, and decided to hold such meeting on Thursday and Friday, May 8 and 9, 1941, in Portland. The Secretary was instructed to make the usual arrangements to hold this meeting in the auditorium of the Public Service Building. The Commission also tentatively set Tuesday, March 18, 1941, as the date for an interim meeting to be held in Portland to dispose of accumulated routine matters and to confer with the City of Portland Commission regarding the Front Avenue Project. (It was later decided to hold the interim meeting on Monday, March 24, when it is expected that the order of the Public Utilities Commissioner relative to the Front Avenue Project will be available.)

The Commission considered and signed agreements, et cetera, as follows:

Agreement with Lane County providing for improvement of the Richardson-Siuslaw Junction Section of the Eugene-Swisshome Secondary Highway, in Lane County, as a cooperative project between the county and the state, the state's share of the cost to be one-third of the estimated total cost of \$4,000; the work to be done by county forces.

Agreement with The Pacific Telephone and Telegraph Company providing for the use of two telephone poles for the suspension of a traffic signal at the intersection of Kingwood Avenue and Edgewater Street, in West Salem.

Agreement with The Pacific Telephone and Telegraph Company providing for the use of one telephone pole for the suspension of a traffic signal at the intersection of Clark and Edgewater Streets, in West Salem.

Agreement with The Northern Pacific Terminal Company of Oregon, providing for the installation of an automatic grade crossing signal at Crossing 7A-0.59 on Northwest Front Avenue, Portland, more particularly at the Broadway Bridge crossing.

Agreement with the O.W.R. & N. Company, Union Pacific Company, and Southern Pacific Company, pertaining to the use and maintenance of the upper deck of the Steel Bridge in Portland for state highway traffic.

Agreement with the Board of County Commissioners, Multnomah County, relative to the use and maintenance of the upper deck of the Steel Bridge in Portland as a state highway.

Agreement with the Bonneville Power Administration providing for construction of a power transmission pole line over and across certain state highways in Clackamas and Washington Counties, being in connection with the Bonneville-Oregon City transmission line.

Agreement with Bonneville Power Administration authorizing construction of a power transmission pole line over and across the O'Neil Secondary State Highway No. 370 in Deschutes County.

Agreement with the United States of America, Department of Agriculture, Forest Service, providing for snow removal operations on the Timberline Lodge Road.

Lease agreement with Mary C. Hale, et al, providing for lease of 0.35 acre of land in Lane County for stock pile purposes. Right of way file R 8809.

Lease agreement with the heirs of Andrew Smith and Department of Interior, Indian Affairs, providing for lease of a stock pile site near Roads End, in Lincoln County.

Agreement with L. E. Bierce authorizing construction and operation of a logging road across state-owned property adjacent to the Salmon River Highway.

Agreement with W. W. Harris authorizing construction and operation of a logging road across state property adjacent to the Salmon River Highway.

Agreement with Paul Borg granting Mr. Borg permission to use water from a spring located on state-owned property in Columbia County.

Agreement with Strong and McDonald relative to the removal of rock from a state-owned quarry at Bandon.

Agreement with G. M. Giesendorfer covering acquisition from Mr. Giesendorfer of certain property known as Cascadia Park situate adjacent to the Santiam Highway at Cascadia, Linn County.

Agreement with Oregon Baptist State Convention providing for the surrendering of all its right, title, and interest with respect to the use of a portion of Cascadia park property.

Agreement with United States of America for an easement for right of way and for fence construction on the Central Oregon Highway, in Malheur County.

Agreement with the California-Oregon Power Company for the use of a power pole in connection with the suspension of a flashing beacon in the city of Drain.

Agreement with the City of Drain providing for the use of two power poles for the suspension of two traffic signal suspension cable guy attachments near Fourth and B Streets, in Drain.

Agreement with The Portland General Electric Company providing for the use of two of the company's poles for the suspension of traffic signals at Edgewater Street and Clark Street, in West Salem.

Agreement with The Portland General Electric Company providing for the use of three of its poles for the suspension of traffic signals at the intersection of Edgewater Street and Kingwood Avenue in West Salem.

Bargain and sale deed conveying unto Coos Bay Dredging Company Lots 17 and 18 in Block 33, Asburg's Addition to Marshfield. Right of way files No. 8080 and No. 8254.

Bargain and sale deed conveying unto Lester Sell 2.36 acres of land situate in the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 23, Township 2 North, Range 4 West, Washington County. Right of way files Nos. 8557 and 6276.

Bargain and sale deed conveying unto Leon V. Mix and Edith M. Mix lots 7 and 9, Block 13, Crescent Addition to Depoe Bay. Right of way files Nol 8644 and No. 6192.

There being no further business to come before the Commission at this time the meeting was adjourned at 6:00 p. m.

[Signature]
State Highway Engineer

[Signature]
Secretary

Henry F. Cabell
Chairman

William M. Clary
Commissioner

William O. Clary
Commissioner

Portland, Oregon, March 24, 1941

The State Highway Commission met in regular session at 9:00 a. m. in Room 415 (Imperial Room) of the Imperial Hotel. Present were:

Henry F. Cabell, Chairman
Huron W. Clough, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

Commissioner Herman Oliver was excused from attending this meeting. Also present were: W. H. Lynch, District Engineer, T. M. Davis, Senior Highway Engineer, H. D. Farmer, Senior Highway Engineer, and R. T. Bloodsworth, representing the Public Roads Administration.

The Attorney requested authority to acquire certain parcels of real property that are needed for various highway improvements throughout the state. He submitted a list of such properties together with prices that he recommended be paid for each. After careful consideration the Commission approved the request and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as herein-after more definitely set forth, and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon, and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Sunset Tunnel-Buxton Section, Wolf Creek Highway</u>				
9925-Forrest, Rose	Quarry	5.50	\$72.73 per acre	McChesney
<u>Davies-Vadis Section, Wolf Creek Highway</u>				
9012-Peterson, Carl O.	R/W	3.74	\$150 per a. + \$187	Benson
6516-Cuene, Martine	"	2.29	\$50 per a. + \$53.75 fencing	"
<u>Multnomah County Line-Scappoose Section, Columbia River Highway</u>				
8350-School District #1	R/W	4600 sq.ft.	5¢ sq.ft., + \$270 + fencing	McChesney
8351-Union High School District #4	R/W	3069 " "	5¢ sq.ft. + \$202.38	"
<u>Quinton-Ramsey Section, Columbia River Highway</u>				
8943-Philippi, Roy	R/W	42.57	\$12 per a. + fencing \$165	DeSouza
<u>Columbia City-St. Helens Section, Columbia River Highway</u>				
8743-Northern Pacific Ry. Co.	Slope Easement		\$10 Lump Sum	McChesney
<u>Vandehey Section, Nehalem Highway</u>				
9072-Derzanden, Edw. H.	R/W	0.27	\$150 per a. + \$35	McChesney
9071-McBeth, Denna W. and Margaret A.	R/W	0.23	\$150 per a. + \$42.50	"
9067-Vandehey, Wm. E.	R/W	0.10	\$150 per a. + fenc- ing \$27	"
9069-Smith, Wilhelmina	R/W	0.51	\$150 per a. plus \$108.75	"
<u>Banzer Bridge-Mist Section, Nehalem Highway</u>				
8965-Banzer, J. P.	R/W	0.001	\$2 Land plus \$3	McChesney
8964-Banzer, Frank	R/W	0.41	\$100 per a. + \$54	"
8963-Banzer, Peter	R/W	3.42	\$100 per a. + \$85.80	"
8962-Berg, Norman L. et al	R/W & Stock Pile	1.73	0.5 a. @ \$100 per a. 1.23 a. @ \$50 per a. plus \$79.20	"
8968-Libel, John O.	R/W	2.13	1.33 a. @ \$100 per a. .55 a. @ \$50 per a. .25 a. @ \$21 per a. Plus \$249.80	"
<u>Glenwood-Washburn Section, Wilson River Highway</u>				
8667-Hankins, Irene	R/W	0.19	\$700 Lump Sum	Benson
8675-Drake, Sherman T. (Correction)	R/W	1.72	\$100 per a. plus fencing \$76.50, plus moving bldg. \$390	"

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Ramsey-Blalock Section, Columbia River Highway</u>				
8404-O.W.R. & N. Co.	R/W Encroachment		\$35	DeSouza
	Easement	Easement		
<u>Hood River Section, Hood River Secondary #281</u>				
9175-Hood River County	R/W Quarry	46.67	GRATIS	Chandler
<u>Buxton-Manning Section, Wolf Creek Highway</u>				
7402A-Pihl, H. M.	Easement	0.82	Road & Pipe Line Easement for 1 yr. GRATIS	McChesney
<u>West Portland-Tualatin Section, West Portland-Hubbard Highway</u>				
3645-Agnes Young Estate (and Merie Shearer et al)	R/W	20.0	\$8000 Lump Sum	Benson
<u>Siletz Bay-Newport Section, Oregon Coast Highway</u>				
4190-Braly, Katherine P. (Correction)	R/W	9856 sq.ft.	9¢ sq. ft. + \$649.90	Collins
<u>Roads End, Oregon Coast Highway</u>				
9066-Smith, Andrew, Heirs	Stock Pile	0.74	2 yr. lease @ \$25 per year plus \$1	DeSouza
<u>Bandon Section, Oregon Coast Highway</u>				
5358-B-Panter, T. W. (Correction)	R/W		Damages by reason of grade change, \$3,997.40	Parker
<u>Tupper Quarry-Bandon Section, Oregon Coast Highway</u>				
9034-Coos County	Quarry	0.92	\$84.17	Schannep
<u>Depoe Bay Section, Oregon Coast Highway</u>				
4137-Schoonmaker, Matilda	R/W Slope Esmt.	375 sq.ft.	10¢ sq. ft.	Collins
<u>Port Orford-Brush Creek Section, Oregon Coast Highway</u>				
8696-Roche, Harold	R/W	2.34	\$130 per a. + \$120.80	Devers
<u>Walton-Noti Section, Eugene-Swisshome Highway</u>				
8809-Hale, Mary C. et al	Stock Pile	0.35	3 yr. lease @ \$5 per year	Stiffler
<u>Yamhill-Newberg Section, Yamhill-Newberg Highway</u>				
9085- Goodburn, Mae, Anderson, Margaret and Anna	Stock Pile	0.89	\$112 - per acre	Cozad Collins

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Union Flat Section, Pacific Highway West</u>				
9103-Eisinger, Morris	R/W	0.18	\$133.33 per a. plus fencing \$36, plus \$7.50	Cozad Collins
9107-Weckert, Ella L.	R/W	0.11	\$431.81 per a. plus \$50	"
<u>Rickreall Section, Salem-Dallas Highway</u>				
8806-Dempsey, Harry A. et al.	Stock Pile	4.86	\$164.60 + per acre	Cozad Collins
<u>Albany-Lebanon Section, Santiam Highway</u>				
9134-Rogers, J. L. and Ralph D. Erner	Stock Pile	1.5	\$225 Lump Sum for Land, plus fencing	Eason
<u>West Sheridan Section, Salmon River Highway</u>				
9031-Huntley, E. M.	Slope Easement	2100 sq.ft.	GRATIS	Collins
8892-Yamhill County	R/W	6400 sq.ft.	GRATIS	"
<u>West Side Pacific Junction-Soap Creek Section, Tampico-Lewisville Highway</u>				
9084-George, M. S.	Stock Pile	1.0	\$100 per a. plus fencing	Eason
<u>Eugene Section, Pacific Highway</u>				
9050-Saville, Clarence	R/W	714 sq.ft.	1 $\frac{1}{2}$ sq.ft., plus	Parker
8805-Richardson, Jason Ellis	"	5555 "	1 $\frac{1}{2}$ sq.ft.	"
8863-Seal, Frank	"	1.40	\$653.40 per a., plus \$70	"
8801-Wintermeier, G. A.	"	6970 sq.ft.	1 $\frac{1}{2}$ per sq. ft.	"
8864-Seal, Frank and A. D. Clink	"	1.03	\$653.40 per acre	"
8800-Dunsmore, Rant E.	"	6970 sq.ft.	1 $\frac{1}{2}$ sq.ft. plus	"
8799-Seal, Frank H.	"	8921 "	(Approx.) \$180 Lump Sum	"
	"	20,910 "	1 $\frac{1}{2}$ sq. ft. - State to convey approx. 8921 sq. ft. consideration \$180	"
8866A-Collins, P. C.	"	20,100 "	1 $\frac{1}{2}$ sq. ft.	"
8867-Ives, Harold W.	"	19,650 "	1 $\frac{1}{2}$ sq. ft.	"
8979-Fenn, R.	"	61,350 "	1 $\frac{1}{2}$ sq. ft.	"
8978-Olsen, Emil M.	"	22,226 "	1 $\frac{1}{2}$ sq. ft. plus \$269.17	"
8792-Peters, H. H.	"	5,000 "	4 sq.ft., plus lawn	"
	"	2,000 "	2 sq. ft. plus \$2260	"
8790-Siglo-Sawyer Company	"	7,831 "	4 sq.ft.	"
8785-Foreman, John T. et al.	"	4.795 acre	\$500 per acre	"
8948-Stewart, Katherine	"	(18,000 sq.ft.)	\$350 per lot, + \$4000	"
8976-Landon, H. L.	"	2 Lots 8,384 sq.ft.	1 $\frac{1}{2}$ sq.ft., plus moving bldgs. (Est. \$150)	"

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Algoma-Terminal City Section, The Dalles-California Highway</u>				
8544-Steinmetz, Alfreda	R/W	0.70	\$227 per a. plus \$76, plus fencing	Gardiner
8531)				
8542)-Klamath Development Co.	"	13.83	\$100 per a.	Parker
8541)		0.51	\$50 per a.	
		5.28	\$25 per a., plus	
		19.62	fencing \$640, plus \$319.50	
<u>Lake Creek-Hanley Ranch Section, Little Butte Highway</u>				
8713-Damon, Lloyd L. (Correction)	R/W	9.66	\$150 per a., plus \$2001	Gardiner
<u>Lava Falls-East Forest Boundary Section, Century Drive Highway</u>				
8703-Great Northern Ry. Co. Stock Pile		1.14	\$65 Lump Sum	Devers
<u>Ramsey-Blalock Section, Columbia River Highway</u>				
8398A-Northern Pacific Ry. Co.	R/W	0.15	\$5 Lump Sum	Landon
<u>Jefferson County Line-Prineville Section, Warm Springs Highway</u>				
7829-Furuset, Oscar	R/W	8.16	\$20 per a. + fencing \$344, + \$40, + moving bldgs (Est'd at \$650) + drilling well (Est'd at \$360), plus reestab. pump & windmill tower (Est'd \$75)	Benson
7672-Williams, Claude F. (Supplemental)	R/W	4.113	\$100 per a. + \$254.50	Benson
<u>Gilliam County-Zinter Ranch Section, Wasco-Heppner Highway</u>				
8928-Schneider, Carl	R/W	7.53	\$25 per a. + \$550	Gardiner
8933-Parman, Kate	"	1.24	\$52.42 per a., plus \$153.15	"
<u>Jones Hill-Lena Section, Heppner Highway</u>				
8913-Bailey, Stella Jones	Quarry & R/W	7.73	\$48.50 + per acre, + fencing	Gardiner
<u>Catherine Creek Section, Medical Springs Highway</u>				
8746-Hall, G. E. & Oregon State Board Higher Education	Gravel Pit Stock Pile	6.74	\$10 per a., plus \$95, plus fencing	Landon

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
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Boardman-Stanfield Section, Old Oregon Trail Highway

8824-Umatilla County	R/W	4.97) 1.58) 6.55)	GRATIS	Landon
8858-Wattenberger, Wm. J. Estate & Harry J. Andrews	R/W	1.20	\$50 per a., plus fencing \$34.50	"
8847-Andrews, Harry J. and Edna Banister Fisk	R/W	1.56	\$75 per a. plus \$103	"
8848-Coffman, Ed & Gerald Coffman	R/W	3.07) 0.63) 3.70)	\$50 per acre \$80 per acre, plus \$72 fencing; plus \$7.50	"
8844-Andrews, Fred and Joe Andrews	R/W	11.31	\$50 per a., plus fencing \$823	"
8773-Northern Pacific R. Co.	R/W	12.48) 11.48) 23.96	\$5 per acre \$10 per acre	"
8856-Rueber, A. J.	R/W	3.22	\$175 per a. plus fenc- ing \$19.50, plus \$75	"
8857-Rueber, R. J. (Estate)	R/W	1.55	\$25 per acre	"
8855-Furnish Investment Co. & Stanfield Irrigation District	R/W Easement	-	Easement Gratis, plus \$105	"
8832-A-Denney, John, and Federal Land Bank of Spokane	R/W Gravel Pit	2.94) 3.43) 6.37)	\$75 per acre \$25 per a. plus \$248.60	"
8849-Bell, J. V. and Albert N. Boggs	R/W	1.24	\$75 per a. plus \$48.50	"
8852-Correa, Jesse, Jr.	R/W	3.18	\$125 per a., plus \$992	"
8851-Correa, Jesse	R/W	3.17	\$125 per a. plus \$1065	"

Front Avenue Project-Columbia Street South (Portland), Pacific Hwy. West

8198-Jewish Ladies Endeavor Society	R/W	2,500 sq.ft.	\$3,500	McCallister
8192-Griep, George	"	2,500 "	1,500	"
8226-Kimmel, Robt. G. and Fred Nunnenkamp	"	6,650 "	3,200	"
9089-Smith, Flora A.	"	10,700 "	1,750	"
8013-City of Portland	"	21,436 "	17,150	"
8264-Bonaro, L. P.	"	2,500 "	1,750	"
8733-Rogoway, Toge and David Friedman	"	5,325 "	3,100	"
8649-Wade, Amelia E.	"	15,975 "	11,500	"

The Attorney also requested authority to institute condemnation proceedings to acquire other properties that are needed for highway purposes, in connection with which he has been unable to reach satisfactory settlements. He submitted the following list of properties to be condemned, together with offers that he recommended for each item:

<u>File No.</u>	<u>Name</u>	<u>Purpose Required</u>	<u>Recommended Offer</u>
8859	Dan Bowman	Gravel Pit	\$750.00 Maximum
8832	*Federal Land Bank of Spokane (Sold to W. P. Smith)	R/W	\$1500.00 "
8803	Laurence Bauman	R/W	\$550.00
8794	Olga Victoria Johanson	R/W	\$350.00

After discussion the Commission approved the Attorney's request and the recommended offers and thereupon adopted the following resolution relative thereto:

WHEREAS, the State Highway Commission is authorized to locate, relocate, construct, reconstruct, maintain, widen, straighten, and otherwise improve state highways, both primary and secondary, and said Commission is also authorized to construct shops, equipment sheds, office buildings, maintenance sites, patrolmen accommodations, and snow fences, and is authorized to acquire quarry sites, gravel pits, storage sites, stockpile sites, weighing stations, and broadcasting stations, and is further authorized to develop, construct, improve, operate, and maintain parks, parking places, auto camps, camp sites, roadside development, recreational grounds or resorts, and other places of attraction and scenic value; and

WHEREAS, said Highway Commission is authorized to acquire by purchase, agreement, donation, or by the exercise of the power of eminent domain real property, or any interest therein, necessary or deemed by the Highway Commission necessary for the accomplishment of any and all of the foregoing things; and

WHEREAS, in the judgment of the Highway Commission the several tracts or parcels of land hereinafter described are each and all necessary for the specific and particular purposes hereinafter specifically set forth;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the Commission does hereby find and declare that the several parcels of real property hereinafter described are each and all necessary for the accomplishment of the purposes hereinafter expressly and specifically set forth, which said real properties and the specific purposes for which the same are being acquired are described as follows, to wit:

*See Condemnation Resolution No.8, February 28, 1941.

Real property owned by Laurence Bauman and Winifred Bauman, which property is located in the Prior F. Blair D.L.C.#39 in Section 36, Township 17 South, Range 4 West, W. M., Lane County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 1 and is further identified in the records of the Highway Commission as file R 8803, and which property is being acquired for right of way purposes in connection with the Pacific Highway;*

Real property owned by Olga Victoria Johanson and Hans Johanson, which property is located in Lots 1 and 2, Block 3, West-Moreland Addition to Eugene, Lane County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 2 and is further identified in the records of the Highway Commission as file R 8794, and which property is being acquired for right of way purposes in connection with Secondary Highway No. 224;*

Real property owned by Dan Bowman, which property is located in the northwest quarter (NW $\frac{1}{4}$) of the northeast quarter (NE $\frac{1}{4}$) of Section 8, Township 3 North, Range 29 East, W. M., Umatilla County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 3 and is further identified in the records of the Highway Commission as file R 8859, and which property is being acquired for the purpose of securing roadbuilding materials therefrom in connection with the Boardman-Stanfield Highway.*

2. That the Commission does hereby find and declare that each of the said described parcels of real property is necessary and acquisition of the same by the State is required for the specific purposes hereinabove set forth, and the said properties are being acquired for the express and specific purposes in this resolution set forth.

3. That the State Highway Engineer be and he hereby is instructed and directed to make or cause to be made all surveys necessary in connection with the determination, description, and acquisition of said real properties, and said Engineer is further instructed to prepare and submit to the Legal Department necessary and adequate descriptions of the said real properties, which said descriptions shall be available for the preparation of any deed or deeds or other instrument or instruments necessary to complete the acquisition of said property or properties, whether said properties be acquired by purchase, donation, agreement, or by the exercise of the power of eminent domain.

4. That I. H. Van Winkle, Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney

for the State Highway Commission, be and they are hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby further resolved that the Attorney General of the State of Oregon and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they hereby are requested to commence and prosecute to a final determination such suit or action, or suits or actions, as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

*(The detailed descriptions of the respective parcels of real property mentioned in this resolution are attached to the original resolution on file in the office of the State Highway Commission, Salem, being Resolution No. 9, under the heading "Real Property Condemnation Resolutions", and said descriptions by this reference are made a part of this minute entry to the same extent as if copied in full herein.)

The Attorney reported results of a conference with Mr. L. A. McClintock relative to the purchase of right of way needed for the Boardman-Stanfield Highway across Mr. McClintock's property in Umatilla County. He gave as his thought that Mr. McClintock would settle for the sum of \$3,500 if the state would construct for him a cattle pass and do other things of a minor nature. The Commission approved settlement on such basis subject to further investigation by the Engineer relative to the probable cost of doing the extra things that Mr. McClintock demands.

Reconsideration was given by the Commission to the matter of abandoning three small parcels of the former right of way of the Oregon Coast Highway near Nelscott, Lincoln County, particularly two parcels fronting on property owned by Mr. Charles P. Nelson, Nelscott, and one fronting property owned by Mr. Ben Hur Lampman, Portland. The Commission decided to abandon in favor of Mr. Nelson one of the parcels desired by him, described as follows:

That portion of property lying on the westerly side of the reconstructed center line of the Oregon Coast Highway between mile post 979+50 and 988+50

but decided to retain the other, which is situate in front of the Nelscott business buildings, at the intersection of the highway with Washington Street.

At Chairman Cabell's suggestion the Commission approved an expenditure of \$600 for oiling the area between the highway pavement and the business buildings so as to provide a suitable place for the parking of automobiles, except the center portion of such area which is to be landscaped.

The Commission referred to the Attorney Mr. Lampman's request for the vacation of the third parcel with instructions to discuss the same with Mr. H. B. Van Duser, former chairman of the State Highway Commission, inasmuch as Mr. Lampman alleges that he was informed by Mr. Van Duser, at the time that the highway alignment was revised, that all of the land between his property and the new highway would be abandoned by the Commission in his favor. The Attorney was instructed to secure a written statement from Mr. Van Duser with respect to this matter, if possible.

The Commission discussed with Messrs. Lynch, Davis, Farmer and Bloodsworth matters pertaining to the forest highway program and the proposed strategic military highway system. Mr. Lynch advised that indications now are that Congress will not appropriate the full amount recommended for the 1941 forest highway program, the House of Representatives having already taken action reducing the total amount of the appropriation from \$11,000,000 to \$9,000,000, and it now appears that the forest highway program must be revised somewhat to harmonize with this reduction. He recalled that Oregon's share of the recommended appropriation was approximately \$1,119,000, and pointed out that under the new setup the amount would be reduced by about \$375,000, which means that certain projects heretofore approved for such program must be deleted therefrom, at least temporarily. Mr. Lynch also pointed out the possibilities of the government requiring that forest highway funds be expended on the strategic military highway system, and that there is a question whether or not the funds heretofore tentatively approved for the Timberline Lodge and the Cascade Lakes forest highway projects will be eligible inasmuch as they are not in this class. After considerable discussion the Commission agreed to revise the program to fit the moneys available, it being understood that the projects eliminated are to be given priority in the next forest highway program. Due to the absence of Commissioner Oliver a final decision in the matter was deferred until the April 3rd meeting of the Commission at which time it is proposed to confer with the Public Roads Administration officials and officials representing the United States Forest Service to select the projects which are to be deferred.

The Attorney reported the status of the acquisition of right of way that is needed for the reconstruction of the Port Orford South Section of the Oregon Coast Highway, in Curry County. He advised that satisfactory settlements have been reached with all of the property owners except Mr. Knapp, who owns the hotel property. He read aloud a letter from Mr. Collier H. Buffington, Gold Beach, Attorney for Mr. Knapp, in which the Commission is advised that Mr. Knapp values his property at \$15,000, but will accept the sum of \$12,500 as a compromise settlement. He recalled that the Commission previously authorized an offer of \$10,000. Mr. Lynch stated that he is ready to proceed with the contracting of this project as soon as he is assured by the Commission that the contractor can enter upon all of the right of way at once,

excepting the Knapp property, which is in controversy, and that the contractor can enter upon the Knapp property by June 1, 1941. The Commission authorized the Engineer to give Mr. Lynch such assurance by letter.

A communication was presented from the Consolidated Supply Company, Portland, requesting permission to utilize for a period of two or three months as a storage site, a small parcel of property that the state acquired for the Front Avenue improvement, Portland, same being 50 feet by 100 feet in dimension and situate at the southeast corner of Front Avenue and Everett Street. The Company advised that it previously rented this property from the former owner, the Southern Pacific Company, and that it simply wants to continue the use of it until they can make arrangements for another site. The Commission appeared favorably inclined to grant the request if the company will pay a rental charge equal to that heretofore paid the Southern Pacific Company. The matter was referred to the Attorney for handling. The Attorney reported later in the session, at which time the Commission authorized the renting of the property to the Consolidated Supply Company at the rate of \$25 per month.

The Commission adjourned at 12:30 p. m. and reconvened at 2:30 p. m. in the same room with the same persons present and participating.

Mrs. Stella Jones Bailey, Portland, came before the Commission in regard to the construction of a private roadway approach to the Heppner Highway, in Morrow County, from her property fronting on the Jones Hill Section, which matter has previously had the attention of the Commission. She asked the Commission for a decision in the matter. The Engineer advised that a roadway suitable for Mrs. Jones's purposes can be graded and rocked for about \$400. He recommended approval of the expenditure to fulfill an obligation inherited from Morrow County whereby the County agreed to build such roadway as a right of way consideration when it acquired the right of way for the highway. After discussion the Commission approved the recommendation on the basis of a maximum expenditure of \$400.

Messrs. M. J. Lynch and R. D. Hoyt, representing the United Contracting Company, Inc., came before the Commission in regard to the reaward of the contract for the St. Helens Section of the Columbia River Highway in Columbia County, bids for which were taken by the Commission on February 27, 1941. They gave as their understanding that contractor Roy L. Houck, who was the low bidder for this project and to whom the Commission awarded the contract, has defaulted and has paid into the state highway fund the amount of his bid bond, and accordingly urged the Commission to reaward the contract to the United Contracting Company which submitted the second-low bid for the work. They were informed that the award of a contract to the second-low bidder involves a policy of the State Highway Commission and the Commission wants a little time to think the matter over before establishing such policy. Furthermore, it involves an expenditure of federal funds, so the Commission must of necessity discuss the matter with the Public Roads Administration officials. The Commission agreed to make its decision within the next few days.

The Attorney requested instructions relative to the payment of an interest charge in connection with a settlement for right of way acquired by

condemnation from Joseph Puzanowski Parker, et al. He stated that the attorney for the owner of the property demands interest payment of \$78.58; further, that the United States Supreme Court has decided that interest payments in connection with purchases of this kind are a legitimate expense if the property is occupied by the plaintiff before the trial is conducted. However, the Oregon Supreme Court holds that the state cannot be required to pay interest unless there is statutory authority for the same. He recommended, if the Commission approved payment of the claim, that a voucher in the amount of the charge be submitted to the Secretary of State along with a statement of the facts involved. The Commission decided in view of the Attorney's report that it has no alternative but to pay the charge, and accordingly approved the same for payment. The Commission thereupon signed a letter containing a statement of the facts in the case and ordered that it be attached to the voucher for the information of the Secretary of State.

The Commission discussed the purchase of timber strips along the Salmon River Highway, from the Miami Corporation. Chairman Cabell advised that when this matter was last discussed it appeared that the Miami Corporation had raised its price for certain timber stumpage; however, a more thorough study of the facts reveals that such is not the case and that the company's most recent statement is in accordance with its original offer. In the discussion of this matter the question arose whether to proceed with the acquisition of this property, using state funds, or to wait until it is known definitely whether or not it will be possible to secure federal aid funds for the purpose. It was decided to defer the purchase until the rules and regulations governing the expenditure of the federal moneys is received and it is known whether or not they can be used for this purpose. In the event that federal funds cannot be obtained then the purchase is to be made with state funds. The Attorney was instructed to inform Mr. Mills, who represents the Miami Corporation, of the facts and to assure Mr. Mills that the State Highway Commission intends to purchase these timber strips regardless of whether or not the Public Roads Administration will approve an expenditure of federal aid funds for the same.

The Attorney submitted a status report on the controversy concerning the removal of a privately-owned cottage from Casey State Park, in Jackson County. He said that the owner of this cottage, a Mrs. Van Dyke, alleges that she has been assured by Governor Charles A. Sprague that she will not be evicted from the premises and her representative, a Mr. Lamport, Salem, suggests that the Commission confer with the Governor relative thereto. Chairman Cabell stated that he would speak to the Governor about the matter.

The Attorney presented a letter from Wm. G. Hare, Lawyer, Hillsboro, in regard to a right of way purchase from Charles S. Bateman, in which Mr. Hare advises that Mr. Bateman desires to make a settlement outside of court, if possible, and suggests a hearing in his office for the purpose of ascertaining whether or not an agreement can be reached. The Attorney advised that the right of way is needed for the Glenwood-Washburn Section of the Wilson River Highway. The Commission approved the conference with the understanding that Chairman Cabell would inspect the property prior thereto. The Attorney was instructed to secure, if possible, a permit of entry so that the

award of the contract need not be deferred.

The Secretary presented a resolution from Bonneville Post No. 88, American Legion, setting forth its intention to petition the United States National Forest Service to undertake the illumination of Multnomah Falls in connection with its program for beautifying Multnomah Falls Park, so that the falls may be viewed by tourists passing the same during hours of darkness as well as during daylight hours. The Commission considered this a matter entirely out of its jurisdiction, inasmuch as the property belongs to the United States Forest Service, and thereupon ordered the resolution filed.

The Commission discussed briefly a report by Division Engineer K. D. Lytle of Roseburg relative to the cutting of timber along the right of way of the Tiller-Trail Secondary Highway but deferred a decision in the matter pending a study of the report by Commissioner Clough and a recommendation from him and the State Parks Superintendent.

The Engineer reported a request from Mr. Theo. Hoflich for the exchange of certain property that the state acquired from John W. Quattlebaum, et ux., as a borrow pit to be used in connection with the construction of the Albany Section of the Pacific Highway East. The Engineer advised that Mr. Hoflich wants this property to fill out other property that he owns at this location, and has offered to deed to the state, in exchange for the same, certain property containing a quarry site. He recommended approval of such exchange of properties subject to the condition that Mr. Hoflich will allow the state to remove from the property that he wants certain top soil material that is needed in connection with the Albany landscaping project. The Commission approved the recommendation.

The Engineer reported on investigations relative to the application of the Nehalem Telephone and Telegraph Company for a permit to extend its telephone pole line along the ocean side of the Oregon Coast Highway near the town of Brighton, in Tillamook County. He said that this matter was investigated by Division Engineer F. D. Eason and Landscape Engineer George Otten, who recommend that the pole line be not allowed on the ocean side of the highway because it will interfere with the ocean view, and that the company be required either to build its line on the opposite side of the highway, where it could use jointly with the Mountain States Power Company poles now existing on that side of the highway, or to place its wires in an underground cable on the westerly side where they cannot be seen. The Engineer advised that he concurs in this recommendation, whereupon the Commission decided not to authorize the permit. The question arose whether or not the poles already installed should be allowed to remain in place. The Engineer was instructed to ascertain if they interfere with the scenic view and to report his findings, when the Commission will make its decision whether or not to order the removal of the same.

The Attorney brought up for discussion the application of the Bonneville Power Administration to construct its power transmission pole line along and across Secondary State Highways No. 334 and No. 335, Umatilla County. It

was pointed out in the discussion that permits have already been issued for power and telephone pole line construction on these highways; that of the Pacific Power and Light Company occupying the westerly side of the right of way one foot distant from the westerly right of way line, and the other side of the highway being reserved for telephone pole line construction. It was also brought out that the permit issued to the Pacific Power and Light Company contains provision for joint use of poles of the company by any company hereafter applying for a location on this highway, but upon terms mutually agreed upon, and if a mutual agreement cannot be reached by both, then upon such terms and conditions as the Oregon Public Utilities Commissioner may prescribe. The Commission offered no objections to the occupation of the highway right of way by the poles of the Bonneville Power Administration provided a mutual agreement can be reached with the Pacific Power and Light Company for the joint use of poles along sections covered by permits heretofore issued to the Pacific Power and Light Company. The Commission instructed the Attorney to inform the Bonneville Power Administration of its findings and to prepare for the Commission's signature a letter directed to the Pacific Power and Light Company requesting its cooperation in arranging for a joint use of poles with the Bonneville Power Administration. (Such letter was prepared by the Attorney and was signed by the Commission later in the session. See letter dated March 24, 1941. Legal Department file R 9182)

The Engineer brought up for discussion the matter of permitting the use of state-owned scales for weighing privately-owned trucks to determine the weight of such vehicles for use in obtaining licenses. He advised that he discussed this matter with Mr. Charles P. Pray, Superintendent of the Department of State Police, who gave as his opinion that the use of the scales for such purpose would establish a bad precedent and would constitute unfair competition with privately-owned scales; further, that Mr. Pray does not believe that commercial weighing of trucks is a proper function for the state police—in any event his men are not equipped to certify truck weights—and under present conditions he has insufficient force to guarantee that he can assign police officers to do such work upon call. In view of this report the Commission decided not to permit the use of state-owned scales for this purpose.

The Engineer reported on the cost to improve First Street West in the city of Ontario as an alternate route for the Old Oregon Trail through this town, which rerouting has been requested by the city officials. He estimated that it would cost about \$34,000 to put this street in condition for state highway traffic, and gave as his opinion that the change is a good one and will provide better routing than is available at the present time. After discussion the Engineer was instructed to inform Mayor Elmo E. Smith that the Commission looks with favor on this change for some time in the future when funds are available to finance the work involved and that in the meantime a detailed survey of the project will be made. The Engineer was thereupon authorized by the Commission to make such detailed survey.

In this connection the Engineer reported receipt of a letter from H. C. Boyer, Ontario, transmitting a newspaper clipping from an Idaho newspaper, having to do with the rerouting of the Old Oregon Trail between Boise, Idaho, and Huntington, Oregon, so as to bypass the town of Ontario. This

matter was discussed at some length and in view of its importance the Commission authorized the Engineer to make a location survey of alternate routes for a revised location of this highway within the State of Oregon.

The Engineer reported that it would cost about \$34,000 to surface and oil the Adrian-Homedale Junction and Homedale-Spur Sections of the Nyssa-Adrian Highway, in Malheur County, 9.9 miles in length, which improvement was requested by a delegation which appeared before the Commission at its previous meeting. The Commission decided, in view of the fact that the construction budget has already been prepared for all available funds, that it has no alternative but to defer this improvement for some future time, and it so ordered.

Reports were also filed by the Engineer on the cost to construct the following improvements;

Eagle Creek-Sandy Section of the Woodburn-Sandy Secondary Highway, in Clackamas County. Estimated cost \$105,000

Springwater-Estacada Section of the Woodburn-Sandy Secondary Highway, in Clackamas County. Estimated cost \$45,000

Nonskidding of the Jackson County Line-Central Point Section of the Pacific Highway, in Jackson County. Estimated cost \$38,600

Grading and construction of bridges on the Dolph-Boyer Section of Federal Aid Route No. 34, in Polk and Yamhill Counties. Estimated cost \$298,983

The Commission deferred a decision in regard to the first two projects mentioned above, pending an inspection by Chairman Cabell and the Engineer some time this coming spring. The Engineer was instructed in the meantime to ascertain whether or not Clackamas County will approve the elimination of the Eagle Creek-Sandy Section from the state secondary highway system if the Commission will designate as a state secondary highway a county road known as the Boring Road. The Commission by unanimous vote approved the nonskidding of the Pacific Highway between the Jackson-Josephine County Line and Central Point, but disapproved the grading and bridge construction on the Boyer-Dolph Cutoff, this being a forest highway project and there being no forest highway funds available to finance it.

The Commission discussed and denied a request from several property owners along the West Portland-Hubbard Highway near 64th Avenue, for a change in plans for the proposed improvement of this highway so as to provide more satisfactory approaches from their property to the highway, it being the thought of the Commission that the plan proposed by the Engineer, which was formulated after careful study, is the best that could be arranged from the standpoint of all parties concerned.

The Engineer reported receipt of a communication from Mr. Ivan F. Phipps, attorney, Portland, regarding the use of a portion of the right of way

of the Vancouver Avenue approach to the Interstate Bridge in connection with a service station business which he proposes to establish at this point, in which Mr. Phipps alleges that the deed whereby he conveyed the right of way to Multnomah County contains provision for the use of a portion of the right of way if he wants it. The Engineer recalled that the Commission previously denied Mr. Phipps' request for such use of the highway. After discussion the Commission referred the matter to the Attorney to investigate the deed and advise the Commission as to whether or not it has legal authority to prohibit Mr. Phipps from encroaching upon the highway.

The Engineer reported on investigations conducted relative to the construction of the county road connection to the relocated Pacific Highway West near the town of Sherwood and recalled that the Washington County Court, at a previous meeting, offered to build this connection which is about 500 feet long if the state would purchase the right of way. He recommended acceptance of the county's offer provided the county will approve the closing of the present connection of the new highway with the old highway near the Votaw Undercrossing, which is a dangerous intersection because of impaired sight distance. The Commission approved the recommendation subject to such condition and ordered the matter covered by appropriate written agreement between the county and the state.

The Commission discussed briefly the matter of completing the oiling work on the Keating Road-Ruckles Creek Section of the Baker-Homestead Highway. The Engineer advised that the Commission awarded a contract last fall for grading work and bridge construction on the section 4.79 miles in length and this spring awarded another contract for oiling this section, together with grading and topping of an additional 3.38 miles. Further, that savings in contracting these two projects amount to \$8,342.60, which is more than half enough to complete the oiling on the entire section, which is 8.2 miles in length, the extra work being estimated to cost \$14,977.30. He gave as his thought that it would be advisable to complete the oiling on the entire section at one time, rather than in increments, notwithstanding that it would necessitate an additional allocation of \$6,634.70. The Commission concurred in the viewpoint of the Engineer but deferred a definite decision in the matter until later when all three members of the Commission are present.

A brief report was submitted by the Engineer on the purchases of concrete culvert pipe as compared to purchases of corrugated metal pipe which indicates that of total purchases between October 15, 1933, and December 31, 1940, those of corrugated metal pipe exceed those of concrete metal pipe by only 2.1 per cent. The Commission considered this a satisfactory showing and ordered the report filed.

A letter was presented from the Blue Mountain Stage Company complaining of the condition of the Austin-Spur Section of the John Day Highway, in Grant County, and urging repairs to improve traffic conditions. The Engineer advised that this road is inadequately surfaced to afford stability during the spring breakup, and when frost rolls begin to break in the spring many mud holes develop. The condition, he added, is no worse this spring

than it has been for years past and maintenance is being carried on in the best manner possible. He estimated that to resurface the entire highway would cost about \$12,000. The Commission decided not to resurface the road at this time.

The matter of improving the Oregon Coast Highway through the Ocean Lake district in Lincoln County was discussed briefly but action thereon was deferred by the Commission until the next meeting.

The Engineer requested authority for an expenditure of approximately \$12,000 for the stabilizing of the river-run gravel base on a one-mile section of the Crater Lake Highway, between Medford and Trail, using 12 per cent of cement with a bituminous concrete wearing surface. He gave as his thought that such type of base would provide a stable roadway comparable to the more expensive heavy concrete base on an adjoining section. The Commission approved the request.

The Secretary presented a petition from residents of Drew and vicinity, in Douglas County, requesting improvements to the Tiller-Drew Section of the Tiller-Trail Secondary Highway. The Commission denied the petition on account of lack of funds with which to finance the work.

The Engineer requested authority to advertise for bids for the grading, surfacing and construction of bituminous wearing surface on two short sections of the Wolf Creek Highway near Necanicum, heretofore tentatively approved by the Commission. The Necanicum Junction Section, he said, is 0.54 mile in length and will require \$16,500 of state funds, and the Vollmer Creek Section, located about seven miles west of Necanicum Junction, is 0.34 mile in length and will also cost about \$16,500 of state funds. The Commission approved both projects.

In this connection the Engineer advised that it would be advisable to secure the surfacing rock for these two sections, estimated to cost \$2,900, under the existing contract with Babler Bros., who are now producing maintenance material at the Hjortland quarry for the state, inasmuch as there is not sufficient material needed in these two sections to justify a contractor making a special plant setup. He requested authority from the Commission to purchase material from Babler Bros. The Commission approved the request.

A letter was presented from W. B. Snider and others, Paisley, Oregon, requesting construction of a cattle pass under the Fremont Highway near a place known as the "Bathhouse", about five miles north of Paisley, Lake County, for use of stockmen in driving stock out of the mountains at the south end of Summer Lake, to the home ranches in and around Paisley. They advised that the Division of Grazing of the Department of Interior has decided to construct fences on both sides of the highway between the "Bathhouse" and Paisley in order to utilize the adjacent land for grazing units, and upon completion of these fences the former route taken by the stock will be closed. Due to the fact that it is absolutely essential that the stock have some way of crossing from the upper, or hill side, to the lower side of the highway and to drift on down to their home ranches, some means must be provided for

the stock to cross the highway and in their estimation the cattle pass is the proper means and its location should be at the upper, or "Bathhouse", end of the section involved. They also advised that the highway is not now fenced, and each year when stock are driven across the highway numerous accidents occur in which cattle are killed and automobiles are wrecked or damaged, and in their estimation these accidents could be avoided by the use of a cattle pass. The Engineer estimated that the cattle pass would cost about \$1,400. After discussion the Commission approved construction of the same, provided it is requested by the Taylor Grazing Service.

The matter of log hauling on state highways was discussed briefly by the Commission, but action thereon was deferred pending the Engineer's detailed report on this subject which, he said, would probably be ready for the Commission at its meeting on April 3, 1941.

The Commission discussed the matter of furnishing state highway maps free of cost to the Oregon State Motor Association, for general distribution. The Engineer advised that the Association has requested about 35,000 maps and has agreed not to print any special advertising matter on them. He estimated that such quantity of maps would cost about \$850.00. The Commission authorized the furnishing of 25,000 maps as a start.

The Commission discussed the designation of the Nehalem Secondary State Highway as a through highway from Forest Grove to Astoria, and decided to so designate this road in view of the large volume of traffic that it carries. The following resolution in regard thereto was adopted by the Commission by unanimous vote:

WHEREAS, that certain highway known as the Nehalem Highway, and otherwise defined as State Secondary Highway No. 102, is a duly established state secondary highway; and

WHEREAS, said highway begins at Forest Grove in Washington County and extends thence northerly through Buxton, Vernonia and Mist, thence northwesterly through Jewell to a connection with the Oregon Coast Highway at the north end of the Young's Bay Bridge in the City of Astoria, and by reason of the fact that said highway connects with the Tualatin Valley Highway at Forest Grove and with the Oregon Coast Highway at Astoria, said highway now carries a large volume of traffic; and

WHEREAS, because of the importance of said highway and the volume of traffic which now moves thereover, it is the judgment of the Commission that said highway should be designated as a main-traveled or through highway;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the Commission, all members being present and affirmatively voting, as follows:

1. That the Nehalem Highway, otherwise defined and known as State Secondary Highway No. 102, from its connection with the Tualatin Valley Highway at Forest Grove to its connection with the Oregon Coast Highway at the north end of the Young's Bay Bridge in Astoria be and said highway hereby is designated and declared to be a main-traveled or through highway.

2. That the Highway Engineer be and he hereby is instructed to place along said highway at all points where roads or highways intersect the said secondary highway appropriate signs or markers notifying drivers of vehicles to stop before entering or crossing the said Nehalem Secondary Highway; provided, however, that where said highway intersects the Wolf Creek Highway and the Wilson River Highway traffic entering the Wolf Creek Highway and the Wilson River Highway from the said Nehalem Secondary Highway shall be required to stop.

3. The Engineer is further instructed to place such signs or markers as nearly as practicable at the place where said cross or intersecting roads or highways meet the prolongation of the nearest property line of such through highway, and the place or places where such signs are installed shall designate to the drivers of motor vehicles entering said through highway from any of said cross or intersecting highways the place where the stop shall be made.

4. This resolution shall be entered in the minutes and records of the Commission as of the twenty-fourth day of March, 1941, and a duly certified copy thereof delivered to the Public Roads Administration and a copy to the County Court of Washington County, the County Court of Columbia County and the County Court of Clatsop County.

Consideration was given by the Commission to the application of Mr. C. I. Good, Eugene, for permission to transport over the Siuslaw Highway, from Eugene to Cushman, a boat 12 feet wide overall, 12 feet 6 inches high overall, and 65 feet long overall. The Engineer was instructed to investigate other means of transportation that might be available, such as the Willamette River and the Southern Pacific Railroad, and if it is determined that the boat cannot be transported by any other method, then a permit to move it over the highway is to be granted, if there is sufficient clearance at bridges and if the movement is properly flagged.

The Engineer requested authority to purchase the following equipment:

- 21 4-wheel-drive trucks of type similar to FWD CU model and trade-in of 21 old trucks as part purchase price. Estimated total cash outlay \$4,500 each, or a total of \$94,500.

10 station wagons. Estimated total cost \$9,000.

1 touring car, light-type Buick for use of Assistant Attorney, estimated cost \$1,200.

2 105-cu. ft. portable compressors. Estimated total cost \$2,500.

2 chipping hammers. Estimated total cost \$120.

4 brushes for use in cleaning and painting bridges. Estimated total cost \$480.

After careful consideration the Commission approved the request and instructed the Engineer to make the purchases through the State Board of Control in the usual manner.

A letter was presented from James A. Davis, Acting Director of Highways of the State of Washington, calling attention to the fact that an application has been filed by The Dalles Bridge Company with the District Engineer of the War Department, Portland, for the construction of a bridge across the Columbia River in the vicinity of The Dalles and suggesting, in view of the fact that the Legislatures of the States of both Oregon and Washington have taken action with respect to the acquisition of existing structures and the construction of new bridges over this river between these states, that the highway departments of both states give consideration to the type of structures which may be erected by private operators and which may at some future time affect the operations of the highway departments. The Engineer was instructed to invite Mr. Davis to attend the meeting of the Commission on April 3 for a discussion of this matter. The Engineer was also authorized and instructed to make a comprehensive economic survey of all prospective interstate bridge sites along the Columbia River throughout its entire length in the state of Oregon. The Assistant Engineer, Mr. C. B. McCullough, was instructed to discuss the matter with the United States Army Engineers on the following day.

The Commission considered and signed agreements, et cetera, as follows:

Certificate to secure \$10 payment from Bonneville Power Administration for right to maintain a guy wire and anchor on state property in Hood River County.

Agreement with Anderson Brothers covering construction and maintenance of a logging road across state property adjacent to the Salmon River Highway, in Lincoln County.

Agreement with Albany School District No. 5, whereby the District leases from the state a portion of the right of way of the Pacific Highway East, in College Square, Monteiths Southern Addition to Albany.

Agreement with Bonneville Power Administration authorizing encroachment of a power line on the right of way of the Lower Columbia River Highway, in the Southwest Quarter ($SW\frac{1}{4}$) of the Northwest Quarter ($NW\frac{1}{4}$) of Section 28, Township 2 North, Range 1 West, W. M., Multnomah County.

Agreement with the United States Bureau of Reclamation providing for the construction of the North Unit Main Canal across The Dalles-California Highway, in Deschutes County.

Agreement with Earl Halley, et al, covering the lease of a maintenance headquarters site at Richland, in Baker County.

Agreement with the County Courts of Marion and Linn Counties relative to the designation of the North Santiam Highway as a state secondary highway.

Agreement and easement for right of way granting the United States of America permission to construct stock fences on the right of way of the Central Oregon Highway, Old Oregon Trail, and John Day Highway.

Bargain and sale deed conveying unto Newell Wright 7920 square feet of land situate adjacent to the Pacific Highway, in Government Lot 7, Northwest Quarter ($NW\frac{1}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$) of Section 20, Township 36 South, Range 5 West, W. M., Josephine County. Right of way files No. 7213 and No. 7736.

There being no further business to come before the Commission at this time the meeting was adjourned at 5:30 p. m.

[Signature]
State Highway Engineer

[Signature]
Secretary

[Signature]
Chairman

[Signature]
Commissioner

Stanfield, Oregon, March 26, 1941

The State Highway Commission met with a group of local citizens at 3:00 o'clock p. m. in the lobby of the Stanfield Bank, enroute from Portland to Pendleton. Representing the State Highway Department were:

Henry F. Cabell, Chairman
R. H. Baldock, State Highway Engineer
H. B. Glaisyer, Secretary-

There were twelve local citizens, including Mr. N. D. Bard, Southern Pacific Agent, and R. A. McLain.

Mr. Bard headed the group, which asked the Commission to resurface and oil the county road which extends westerly from the town of Stanfield a distance of about seven miles to a connection with the Stanfield-Boardman Highway, near the site of the U. S. Army Ordnance Depot. They gave as their understanding that it will be quite some time before the easterly end of the Stanfield-Boardman Highway, including the bridge over the Umatilla River, is completed and opened for traffic, and urged the Commission to construct the county road section so as to provide a suitable detour for the main-highway traffic, pending completion of the new highway. The present road, they said, is of light-type construction and not capable of standing up under the large volume of traffic that is bound to use it during and after the construction of the Ordnance Depot and the completion of the westerly end of the Stanfield-Boardman Highway. The Commission took the matter under advisement and authorized the Engineer to make investigations as may be necessary.

Enroute to Stanfield the Commission inspected the site of the railroad grade-separation structure on a proposed roadway connecting the Stanfield-Boardman Highway with the U.S. Army Ordnance Depot, at the Morrow-Umatilla County Line. The Commission confirmed action taken at the previous meeting authorizing the Engineer to make surveys as may be necessary for this structure.

Pendleton, Oregon, March 27, 1941

The State Highway Commission held a short session in Room 411, Pendleton Hotel, at 9:00 a. m., and discussed with representatives of the Public Roads Administration matters pertaining to the proposed strategic military highway system in Oregon. Present were: Henry F. Cabell, Chairman; Herman Oliver, Commissioner; R. H. Baldock, State Highway Engineer; H. B. Glaisyer, Secretary, representing the State Highway Department; and W. H. Lynch, District Engineer, and T. M. Davis, Senior Highway Engineer, representing the Public Roads Administration.

The matter was discussed at some length, but final decision in regard thereto was deferred until the meeting of the Commission on April 3 and 4, due to the absence of Commissioner Huron W. Clough.

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Messrs. H. C. Boyer, and H. L. Petersen, Ontario, appeared before the Commission in regard to the routing of U. S. Highway No. 30, between Boise, Idaho, and Huntington, Oregon. They stated that a movement is on foot in the State of Idaho to reroute this highway via Weiser, Idaho, by-passing the town of Ontario, Oregon, and urged the Commission to do what it considers necessary and advisable to maintain the present routing through their city. They were informed that the Engineer has already been authorized to make surveys as may be necessary to determine a proper location for a permanent route for this highway in Oregon, and were assured that the Commission will protect the interests of the State of Oregon and the City of Ontario to the fullest extent.

The Commission discussed the award of contract for the grading and topping of the Morrow County Line-Stanfield Section of the Boardman-Stanfield Highway, in Umatilla County, bids for which were received by the Commission at its meeting on February 28, 1941. The Engineer advised that M. L. O'Neil & Son were the low bidders on this project, with their bid of \$109,749.00, but the Commission deferred the award of the contract pending certain conditions which, he said, have now been fulfilled, and a letter has been received from M. L. O'Neil & Son agreeing to defer construction on certain sections until the right of way for such sections has been acquired, and also agreeing that they will file no claim for extra compensation or allowance of any kind, for any losses or expenses incurred by them by reason of the limiting of their operations on account of right of way difficulties. He recommended the award of the contract at this time to M. L. O'Neil & Son, at their bid price. The Commission approved the recommendation.

The Commission also discussed the re-award of the contract for the grading and paving of the St. Helens Section of the Columbia River Highway, in Columbia County, bids for which were taken by the Commission on February 27, 1941, that of Contractor Roy L. Houck being the low one, at \$17,188.50, and that of the United Contracting Company being second-low, at \$26,459.50. The Engineer recalled that the Commission awarded this contract to Mr. Houck, notwithstanding that he had filed a written request for the withdrawal of his bid, asserting that a mistake was made in entering the unit price for one of the items. Since then, he said, Mr. Houck has refused to accept the award, and has paid into the State Highway Fund the amount of his bid bond, so the Commission is now at liberty to either award the contract to the second-low bidder, United Contracting Company, or to re-advertise the project for new bids. He recommended acceptance of the bid of the United Contracting Company. After discussion, the Commission approved the Engineer's recommendation and thereupon re-awarded the contract to the United Contracting Company at its bid price.

At 10:00 o'clock a. m. the Commission made an inspection of the new Government Airport at Pendleton, in company with Colonel C. R. Moore, District Engineer, and Colonel Frank W. Wright, Commander of the Pendleton Airport Base, and particularly discussed a proposed revision in the route of the present Airport Secondary State Highway No. 336, to accommodate and harmonize with the improvements being made by the Federal Government at this place. Representing the State Highway Department on such inspection trip were: Henry F. Cabell,

Chairman of the Commission; Herman Oliver, Commissioner; R. H. Baldock, State Highway Engineer; H. B. Glaisyer, Secretary, and others.

As a result of such inspection the Commission decided to reconstruct this highway on new alignment for three lanes of traffic, which is estimated to cost approximately \$35,000, including the grading, surfacing and oiling, and authorized the Engineer to make surveys as may be necessary for the same. He was also authorized to prepare detailed plans and specifications for the project and to advertise it for bids to be received at the May meeting of the Commission. The Commission authorized state funds to finance the work.

At 12:00 o'clock noon the Commissioners were guests of the Oregon Trail Association at luncheon at the Pendleton Golf Clubhouse, following which a number of delegations appeared before the Commission and presented highway projects in which they are particularly interested. Mr. Charles H. Reynolds, President of the Oregon Trail Association, presided.

A delegation of five members from Ontario, headed by George M. Merritt, Manager of the Moore Hotel, asked the Commission to construct a proposed revision of the Old Oregon Trail, between Ontario and Huntington, and to also reconstruct the railroad underpass near Durkee.

A delegation from Baker, headed by Mr. John Jenkins, President of the Chamber of Commerce, and including County Judge A. R. Baird and four other members, asked for improvements at two grade separation structures, between Baker and Huntington, being one on each side of the town of Durkee.

A delegation from the town of Union, consisting of seven members, and headed by Mr. Glenn Sams, President of the Chamber of Commerce, was present. Mr. G. I. Hess acted as spokesman for the group, and asked for the modernization of the present highway between Union and North Powder.

A delegation from La Grande, consisting of eight members, was introduced, but presented no specific requests.

A delegation from Pendleton, consisting of seven members, and headed by County Judge Carl W. Chambers, who is also President of the Chamber of Commerce, asked for the elimination of the "bottle-neck" on the Columbia River Highway, between The Dalles and Portland. They also asked for the widening of Court Street (state highway route), in Pendleton, and ultimately the straightening of the Blue Mountain Section of the Old Oregon Trail. Mr. Roy Raley, Chairman of the Highway Committee of the Chamber of Commerce, presented the projects in behalf of the delegation.

Mr. D. L. Lemon headed a delegation of three members from the town of Arlington, which requested the reconstruction of the nine-mile section of the Columbia River Highway from the end of the present, improved section at Quinton to the John Day River crossing, and the reconstruction of the highway easterly from Arlington to Heppner Junction, a distance of eleven miles.

Mr. F. M. Sexton, headed a group, consisting of four members, from The Dalles. The following improvements of the Columbia River Highway desired by this delegation were presented by W. S. Nelson, Secretary of The Dalles Chamber of Commerce:

Reconstruction of the Columbia River Highway, between The Dalles and Portland.

Improvements to facilitate the free flow of traffic through The Dalles. In this connection it was suggested that a belt-line highway around the business district would solve the problem.

Improvement of the highway from The Dalles to the junction with The Dalles-California Highway.

Mr. E. E. Lage headed a delegation from the town of Hood River. The group consisted of four members. They asked for the improvement of the Columbia River Highway between The Dalles and Portland by elimination of curves and reconstruction of bridges. They also asked the Commission to preserve the facilities at the Vista House at Crown Point, and to maintain highway approaches thereto for the benefit of tourists when the new highway is completed.

Mr. Ray Conway, Manager of the Oregon State Motor Association, Portland, was present and spoke on the matter of historic signs and markers, and the diversion of state highway funds.

Mr. Reynolds concluded the presentation of the group by suggesting that if the Highway Commission is unable to finance the construction of the new highway between The Dalles and Portland by any other means, it might be advisable to build this section as a toll road. The Oregon Trail Association at this time voted unanimously to approve the program for the improvement of the Old Oregon Trail and the Columbia River Highway, as outlined by the several delegations.

Following this meeting the Highway Commission conferred further with the Hood River delegation and with the delegation from the town of Union. The Hood River delegation was represented by E. E. Lage; R. E. Steele, Secretary of the Chamber of Commerce, and H. L. Shoemaker. Mr. W. S. Nelson, Secretary of The Dalles Chamber of Commerce, and Mr. F. M. Sexton, also of The Dalles, were included in the group. Mr. Shoemaker brought up for discussion a bill now before Congress, which authorizes the Administration of the Bonneville Project to acquire, on behalf of the United States, either by purchase or condemnation, the interstate bridges, (including the approaches thereto), across the Columbia River at Cascade Locks and Hood River. He asked the Commission to endorse such legislation and to help in securing the passage of the bill, which, he says, is now in the Committee on Commerce. Mr. Shoemaker also asked the help of the Commission in securing an additional bridge across the Columbia River at The Dalles. It was his thought that this bridge would be a paying investment and that the Federal Government might approve an expenditure of federal funds to pay one half of the cost. This matter, he said,

has been discussed with Governor Charles A. Sprague, who has indicated a willingness to cooperate, and like assurance has been received from Mr. James Davis, Acting Director of Highways in the State of Washington.

Mr. Nelson stated that there is a lot of complaint concerning the operation of the Columbia River Ferry at Maryhill, which, he has been informed, returns to the owners about \$50,000.00 annually. He said that The Dalles Chamber of Commerce will collaborate with the Commission in any way to further the construction of a new bridge.

Mr. Lage suggested that it would be advisable to send some one to Washington, D. C., if necessary, to ascertain whether or not it would be possible to secure financial assistance from the Federal Government for the projects under discussion.

Chairman Cabell advised that the Highway Commission has been given certain instructions by the 1941 Oregon Legislature, and that the Commission expects to follow these instructions and to give this bridge matter very careful consideration; further, that the Commission has already taken steps to consult with Mr. Davis, Acting Director of the Washington Highway Department, with respect thereto. He pointed out that there is a question as to the proper location for the bridge near The Dalles; also, as to what benefits the motorists of the state, who provide the funds, will receive by this bridge construction. The Commission, he added, intends to give this matter very careful study and cannot make its decision until all factors involved, including the possibilities of bridge construction at Astoria, and other places, have been considered. He concluded the conference by stating that one of the first things to be done is to consult with the highway authorities of the State of Washington, and that these officials will be contacted as soon as possible.

The Union delegation was headed by Mr. G. I. Hess, and included M. A. Davis, D. E. Richards, Glenn Sams, N. I. Morrison, A. R. Galle, and Lester Bramwell. This delegation asked the Commission to reconstruct the present route of the Old Oregon Trail, between Union and North Powder, as the permanent route for this highway, rather than to reroute the highway via Ladd Canyon, as has been proposed.

Mr. Hess presented resolutions from the County Court of Union County, and from Catherine Creek Grange No. 841, requesting the modernization of this highway in its present location from La Grande, through Union and Telocaset, to North Powder. He also presented pictures showing snow conditions along the Ladd Canyon route, and additional pictures showing snow conditions along the present route. He advised that the elevation at the summit on the Ladd Canyon route is 3,806 feet, as compared with the 3,496-foot elevation on the present route. The distance from North Powder to La Grande, via the proposed Ladd Canyon route, he said, is twenty-five miles, which is only 2.95 miles shorter than the distance along the present route and it was his thought that this difference in distance could be reduced by elimination of excessive curvature in the present route. He gave as his belief that the saving in distance alone would not justify any change in the present routing. He expressed his approval of the construction of a market road along the Ladd

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Canyon route, but emphatically opposed the construction of an arterial highway in such location, because it would so adversely affect the towns along the present route.

David I. Stoddard, Secretary of the La Grande Chamber of Commerce, who was present, advised that the Board of Directors of the La Grande Chamber of Commerce favors adoption by the Commission of the present route of the Old Oregon Trail, between La Grande and North Powder, as a permanent route for this highway, because the members of the board are of the opinion that snow conditions in Ladd Canyon are much worse than they are along the present route of this highway.

Mr. Bramwell stated that the City Council of Union has gone on record as favoring an ordinance requiring the parallel parking of vehicles along the Old Oregon Trail, through the town of Union, if the Highway Commission wants such method of parking; further, that the City Council is now considering the adoption of an ordinance prohibiting "U" turns at street intersections along the highway.

Mr. Galle urged retention of the present route of the highway and modernization of the same to eliminate curves. He advised that he is in the insurance business and that the companies he represents pay excessive amounts for accident claims, which are directly attributable to the present condition of this road. He also advised that the proposed Ladd Canyon route passes through some of the worst farming districts in Union County, which will have a very bad effect on tourists.

Mr. Davis endorsed the remarks of the other speakers and pointed out that the schools will be very much benefited by the improvement of the existing highway, because it will facilitate the movement of school busses.

Mr. Morrison declared that changing of the route of the present highway will "kill" the towns of Union and North Powder.

The State Highway Engineer advised that investigations are now under way to determine the facts with respect to the alternate routes under discussion, including the route through what is known as "Pyle Canyon." Chairman Cabell advised that the matter under discussion is one of the hardest problems that the Highway Commission has to decide; that the Commission is not committed to any route at the present time, and will not make its decision until it has had an opportunity to study all of the facts. The Commission wants to make certain, he said, that it does not make a wrong decision knowingly. He suggested deferment of any action until the surveys are completed and studied, at which time the Commission will report its findings to the Union County group.

Mr. Galle then asked the Commission to consider, in arriving at its decision, the construction of a cut-off road between the town of Union and a connection with the Tollgate Road at Elgin. It was his thought that the Commission should look into this matter for the benefit of through traffic to Spokane.

This concluded the conference, whereupon the meeting was adjourned at 3:00 o'clock p. m. The Commission motored to John Day the same evening.

John Day, Oregon, March 28, 1941

The State Highway Commission held a brief session at 9:30 o'clock a. m. in the lobby of the John Day Hotel. Present were:

Henry F. Cabell, Chairman
Herman Oliver, Commissioner
R. H. Baldock, State Highway Engineer
H. B. Glaisyer, Secretary

The Commission discussed the oiling of the Butte Creek-Service Creek Section of the John Day Highway, fourteen miles in length, and the oiling of a thirteen-mile section of the Pendleton-John Day Highway, between Mountain Rest and Mt. Vernon. The Engineer recommended the construction of an O-30 type oiling on both of these projects, with an SC-2 prime coat, which he estimated would cost about \$600 per mile, or a total of \$17,800 for both projects, including 10% for engineering and contingencies. After discussion the Commission approved both projects, and authorized the Engineer to advertise them for bids to be received at the next meeting.

The Engineer brought up for discussion the oiling of the Sunset Tunnel-Davies Section of the Wolf Creek Highway, for which the Commission has budgeted \$45,000. He advised that when this matter was previously discussed with the Commission it was thought that the surfacing work would be done by WPA forces, and that the state's contribution would consist only of oiling work. However, he has been unable to find a suitable quarry in the vicinity, so it is going to be necessary to secure oil rock from the old Wolf Creek quarry, where suitable material may be obtained, but at extra cost. He estimated that the project will now cost the state \$111,500; however, he explained that this amount includes additional expense for a leveling course of rock 2 inches thick over the entire section, and a 3-inch rock base between Sunset Tunnel and the crossing of the P.R. & N. Railroad, which was not included in the original estimate. He recommended approval of the increased allotment for this work, so that the project may proceed in accordance with the plans scheduled. The Commission approved the recommendation and authorized the contracting of the work at the earliest opportunity.

Reconsideration was given by the Commission to the matter of extending construction work on the Baker-Homestead Highway to take up the savings that have accrued by reason of contracting last fall the grading and bridge work on the Keating Road-Ruckles Creek Section, 4.79 miles in length, and the contracting this spring of the oiling of the Flagstaff Hill-Ruckles Creek Section, including the grading and topping of an additional 3.38 miles. The Engineer advised that when the latter-mentioned contract was awarded, it was considered that the funds set up for the work were not sufficient to pay for surfacing and oiling the 3.38 mile section. However, it now develops that a saving has accrued, amounting to about \$8,300, on both projects, which is more than one half of the estimated cost of the remaining work. The

estimated cost to surface and oil the remaining section, he said, is approximately \$15,000, so it would be necessary to allocate only \$6,700 additional funds to complete the entire section. He recommended approval of the additional allocation so that the entire 8.2 mile section may be completed and opened to traffic at one time, instead of in increments. The Commission approved the recommendation.

The Engineer reported a communication from the Hines Lumber Company requesting a revision in the alignment of the John Day-Burns Highway, in the town of Seneca, so as to avoid a site upon which they propose to erect an auditorium. They pointed out that the auditorium site is situate across the highway from their grade school, and advised that their object in having the highway alignment revised is in the interests of safety to pedestrians who will be obliged to cross the highway in going from one building to the other. It was the thought of the Commission, inasmuch as the auditorium has not yet been constructed, that it would be better if another site for the same were selected, which would obviate the necessity to cross the highway. Accordingly, the Commission denied the request.

The Secretary presented a letter from the Assistant Attorney, pointing out a typographical error in the right of way resolution adopted by the Commission on October 9, 1940, particularly under item 8088-A, wherein it was stated that the settlement was for an "undivided 7/12 interest in 909 sq. ft. of land at 7/12¢ a square foot", whereas the consideration should have been shown as "7/12 of 20¢ a square foot", the total consideration for this item being \$106.05. The Commission authorized the Secretary to correct the record accordingly.

At 10:00 o'clock a. m. the Commission met with representatives of the Three Flags Highway Association, in the John Day Theater. Representing the Commission were:

Henry F. Cabell, Chairman
Herman Oliver, Commissioner
R. H. Baldock, State Highway Engineer
H. B. Glaisyer, Secretary

There were about fifty members of the association present, including County Judge J. H. Allen, Grant County, who acted as Chairman; President J. C. Jarman, Alturas, California; Forest Cooper, Secretary, Lakeview; and members from the following communities: Burns, Pendleton, Lakeview, Seneca, Canyon City, John Day, Prairie City, Dayville, Portland, and Modoc County, California.

Dr. W. B. Prophet, Mayor of John Day, welcomed the group, following which Judge Allen called upon the Chairman of each delegation to introduce the members thereof. The meeting was unique in that no requests were filed with the State Highway Commission for State Highway improvements.

The meeting was adjourned at 12:00 o'clock noon, following which the Commission and its party were the guests of the John Day Chamber of Commerce for luncheon.

W. H. H. H. H.
State Highway Engineer

Henry F. Cabell
Chairman

W. H. H. H. H.
Secretary

Glenn Olson
Commissioner

VOLUME 26

PART I

PART 1
OF
VOLUME XXVI
MINUTES OF OREGON STATE HIGHWAY COMMISSION
COVERING PERIOD
FROM
APRIL 1, 1941
THROUGH
JULY 18, 1941

OREGON STATE HIGHWAY COMMISSION

Henry F. Cabell, Chairman
Huron W. Clough, Commissioner
Herman Oliver, Commissioner

R. H. Baldock, State Highway Engineer
H. B. Glaisyer, Secretary

HEADQUARTERS AND GENERAL OFFICE OF DEPARTMENT
LOCATED AT SALEM, OREGON

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10200		Military strategic highways. List of highways selected.
10202		Letter transmitting signed copies of Mr. Lynch's map.
10203		Wheeler and Crook Counties. Marks Creek-Mitchell Section, Ochoco Highway. Federal aid and state funds to be used if forest funds not available. Clackamas County. Delegation requests designation of Market Roads Nos. 10 and 25 as secondary highways. Deschutes County. Tumalo-Deschutes Secondary Highway. Dele- gation requests oiling of 3.9-mile section. Cline Falls Secondary Highway. Delegation requests oiling of section north of Tumalo O'Neil Secondary Highway. Delegation requests improvement. Log hauling. Delegation confers relative to issuance of con- tinuous permits.
10204		Klamath County. Crater Lake Park. Payment of park fee dis- cussed. Payment of portion of cost of maintenance of high- way by state discussed. Lane County. Eugene-Springfield Junction Section, Pacific Highway. Recommended procedure for contracting of work.
10205		Forest highway program, 1941. Revision discussed. Following projects to be deferred: Section of John Day-Burns Highway; Flora-Enterprise Highway; Wapinitia Highway; and Klamath Falls-Lakeview Highway. Lane and Klamath Counties. Willamette Highway. Resurfacing at Summit near Odell Lake approved. Oakridge Section in need of repair.
10206		Forest highway program, 1941. Revisions approved. List pre- sented and approved.
10207		Letter to Washington officials approving revisions. Lincoln County. Newport. Request for angle parking on Ore- gon Coast Highway denied. Newport. Traffic signal. Installation at intersection of Oregon Coast Highway and Hulbert Street approved. Marion County. Salem. Installation of traffic signal at in- tersection of Pacific Highway East and Center St. approved.
10208		Grade crossing program. Substitution of crossing in Salem for one in Beaverton denied.

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10208	Apr. 3	Washington County. Beaverton. Grade crossing signal installation denied.
		Douglas County. Roseburg. Commission invited to attend banquet honoring W. C. Harding.
10209		Multnomah County. Traffic signals. Delegation from Parkrose requests installation at intersections along Sandy Blvd. Columbia River Highway. Delegation requests widening through Parkrose district.
		Awards. Chairman announces award of contracts and sale of property.
10210		Funds. Delegation representing Coast Highway Association confers relative to allocation of state highway funds.
10211		Coos County. North Bend-Bunker Hill Section, Oregon Coast Highway. Delegation confers relative to right of way.
		Lincoln County. Depoe Bay. Delegation confers relative to providing sanitary facilities. Matter previously denied.
		Jackson County. Ashland. Delegation confers relative to elimination of bottleneck at Plaza Corner.
10212		Tillamook County. Boyer-Dolph Cutoff. Delegation requests construction.
		Little Nestucca Secondary Highway. Delegation requests construction between Dolph and Meda.
		Permit. Request of Bonneville Power Administration to move oversized equipment from Hood River to The Dalles granted.
		Crook County. Prineville. Glen W. Berry confers relative to damage to property.
10213		Linn County. Halsey Section. Pacific Highway East. Delegation confers relative to plans for improvement.
		Clackamas County. Oswego Highway. Delegation confers relative to plans for proposed improvement through Oswego.
10214		Lincoln County. Alsea-Deadwood Secondary Highway. Delegation requests improvement of 1.3-mile section.
		Multnomah County. Portland. Front Avenue Project. Letter signed re abandonment of United Railway Company's rail service and removal of tracks.
		Sidewalks. Expenditure of funds for proposed program of projects approved, including construction between Burns and Hines Mill.
		Project in Division 4, (Central Oregon), included in program.
		Harney County. Sidewalk. Construction between Burns and Hines Mill approved.
		Malheur County. Nyssa. Construction of storm sewer on Main Street discussed. (See P.10257, 10282, and 10283)
10215		Multnomah County. Portland. Front Avenue Project. Delegation confers relative to right of way for re-establishment of railway facilities. Method of payments discussed.
		Right of way budget. Attorney's report.
10216		Real property. Resolution authorizing acquisition.

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10220	Apr. 3	Condemnation. Recommended offers. Resolution adopted. Gravel pit: Santiam Highway; Right of way: Secondary Highway No. 224, Oregon Coast Highway, and Wolf Creek Highway. Quarry: Wolf Creek Highway.
10229		Curry County. Port Orford Section. Orris Knapp property. Amended complaint to be filed with court with offer of \$6,000. Umatilla County. Duck Lake. Boardman-Stanfield Highway. Right of way settlement with Gordon H. Smith, involving duck lake, discussed. (See P. 10270) Wasco County. Celilo Indian Village. Value of property discussed. Settlement authorized.
10230		Jefferson County. Madras-Prineville Secondary Highway. Lamonta Section. Abandonment resolution.
10232		Sherman County. Columbia River Highway. Grant-Rufus Section. Abandonment resolution.
10233		Klamath County. Klamath Falls-Lakeview Highway. Dairy Section. Abandonment and retention resolution.
10236		Lincoln County. Oregon Coast Highway. Oceanlake District. Report on cost of improvement. Survey. Oceanlake District. Oregon Coast Highway. Location survey authorized. Benton County. Monroe-South Section, Territorial Secondary State Highway to be oiled in 1941 program. Lane County. Territorial Secondary State Highway. Oiling of Lane County Section deferred. Deschutes County. Terrebonne-Lower Bridge County Road. Improvement requested. State to do oiling. Clatsop County. Proposed bridge over Columbia River at Astoria. Letter from Oregon-Washington Bridge Board of Trustees considered.
10237		Jackson County. Crater Lake Highway. Reconstruction requested. Umatilla County. Pendleton Airport Road. Construction of highway from Old Oregon Trail to U. S. Army Airbase approved. Benton County. Alsea-Deadwood Secondary Highway. Improvement requested. Lincoln County. Taft. Request for improvement of Oregon Coast Highway through Taft. Survey. Taft Section, Oregon Coast Highway. Authorized. Clatsop County. Construction of bridge over North Fork of Necanicum River near fish hatchery authorized. Multnomah County. Skyline Boulevard. Improvement with federal aid secondary funds authorized. Umatilla County. Request for improvement of secondary highway from Unapine, to Gardina, Washington, denied. Klamath County. Midland Secondary Highway. Request for oiling denied.

Page	Date	Subject
10238	Apr. 3	<p>Lake County. Request for landing field on Fremont Highway near Paisley referred to State Board of Aeronautics.</p> <p>Union County. Minam Hill Section of Wallowa Lake Highway. Request for additional improvements discussed.</p> <p>Deschutes County. O'Neil Secondary Highway. Request for oiling from The Dalles-California Highway to O'Neil denied.</p> <p>Union County. Old Oregon Trail. Request for improvement as permanent route from La Grande to North Powder, via Union.</p> <p>Douglas County. Myrtle Creek. Request of Charles R. Dyer for cattle pass across Pacific Highway denied.</p> <p>Harney County. Central Oregon Highway. Request of U.S. Grazing Service for permit to construct cattle guard granted.</p> <p>Lane County. Veneta-Crow Section of Territorial Secondary Highway. Request for oiling denied.</p> <p>Fond. Method of renewal of State Highway Engineer's official bond discussed.</p> <p>Wasco County. Proposed bridge across Columbia River at The Dalles. Legislation re construction of bridge discussed.</p> <p>Clackamas County. Oregon City. Parking meters. Request for permission to install on highway along Water street denied.</p> <p>Jackson County. Tiller-Trail Highway. Jackson County to maintain portion abandoned by state November 13, 1940.</p> <p>Marion County. Salem-Pringle Creek Section of Pacific Highway. County to maintain portion abandoned by state December 18, 1940.</p> <p>Load limit. Bridges. Resolution lifting load limit on following bridges: Eugene-Swisshome Secondary Highway No. 220; Little Nestuccas River bridges; Neahkahnie Mountain Chasm bridge.</p>
10239		
10240		<p>Load limit. Highway. Resolution lifting load limit on Tiller-Trail Secondary Highway.</p> <p>Grant County. Seneca. Request of city to construct underpass under John Day-Burns Highway, near schoolhouse, approved.</p>
10242		
10243		<p>Crook County. Prineville undercrossing. City of Prineville Railroad. Furnishing railroad ties discussed.</p> <p>Linn County. Albany. Construction of stairway and sidewalk at overcrossing approved. Railroad company to pay half of cost.</p> <p>Multnomah County. Interstate Bridge, Portland. State to remove trolley wires.</p>
10244		<p>Hood River County. Signs. Use of silhouette school signs designed by Hood River citizens prohibited.</p> <p>Permit. Waitsburg Welding Company granted overlength permit. Secretary authorized to grant 50' overall length permits.</p> <p>Linn County. Stayton. Sign. Request of Lions Club to place city entrance sign outside city limits denied.</p> <p>Permit. Willamette Hauling Company granted permit to transport oversized equipment from Cascade Locks to Viento.</p>
10245		<p>Log hauling. Request of Campbell Conro Lumber Co. to transport overlength piling from Camas Mt. to Roseburg denied.</p>

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10245	Apr. 3 1941	<p>Log hauling. Request of Parker Lumber Company to haul over-length logs over Crater Lake Highway near Prospect, denied. Request of Alex La Voy to drag logs across Coos River Secondary Highway near Allegany denied.</p> <p>Coos County. Coos River Secondary Highway. Alex La Voy granted permit to construct roadway over highway near Allegany.</p> <p>Awards. Commission confirms following awards: Donaldson Creek-Mills Bridge and McNamar's Camp-Washburn Sections, Roy L. Houck; Lytle Creek-Ochoco Creek Section, Berke Bros.; West Sheridan Section, Berke Bros.; Jones Hill-Lena Section, R. O. Dail & Warren Bros.; Gilliam County Line-Zinter Ranch Section, M. L. O'Neil and Son.</p>
10246		<p>Permit. Log hauling. Fremond Bean's permit reinstated.</p> <p>Klamath County. Klamath Falls. South 6th Street. Engineer recommends improvement on 60' right of way. (See P. 10262) Construction of highway for through traffic, along irrigation canal in Klamath Falls, recommended.</p> <p>Surveys. Klamath Falls. Following surveys authorized: South Sixth Street route; New route along north bank of irrigation canal.</p> <p>Ambulance Service. Oregon Association of Trade Executives, Portland, suggests adoption of ambulance service.</p> <p>Wallowa County. Lostine. Sale of material from state's stock pile to School Dist. #7 approved.</p> <p>Hood River County. Snow removal on Mt. Hood Highway. Request of Hood River Chamber of Commerce. Engineer to report.</p> <p>Biennial Report. Letter from Thomas H. MacDonald, complimenting Commission on 14th report.</p> <p>Jackson County. Cattle guard. Little Butte Secondary Highway. Permission granted Forest Service to construct cattle guard at own expense.</p>
10247		<p>Bridle paths. Request for bridle paths along Columbia River Highway between Multnomah Falls and Eagle Creek.</p> <p>Carmody Report on Highways. Commissioners to be furnished copies of letter from A.A.S.H.O. re status of report.</p> <p>Baker County. Sumpter Valley Secondary Highway. Complaint of Cougar Independence Lessees, Baker, relative to condition. Engineer instructed to continue maintenance.</p> <p>Lane County. Snow removal. McKentia Highway. Request of Eugene Obsidians for snow removal up to Hand Lake.</p> <p>Jefferson County. The Cove State Park. Editorial from Redmond Spokesman expressing approval of purchase for state park.</p> <p>Strategic military highways. Central Oregon Highway. Judge Sawyer, Bend, requests substitution for John Day Highway.</p>
10248		<p>Labor. Central Labor Council objects to state purchasing material from Collins Concrete and Steel Pipe Company.</p>

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10248	Apr. 3	<p>Labor. Southwestern Oregon Central Labor Trades Council protests regard wage rates paid by Houck Construction Company.</p> <p>Survey. Airports. State Board of Aeronautics requests cooperation in preliminary survey.</p>
10249		<p>Lane County. Sign racks. Eugene. Request of United Commercial Travelers of America for representation on racks denied.</p> <p>Coos County. Oregon Coast Highway. Letter from Arthur Podell, Multnomah, complaining of condition south of Bandon.</p> <p>Josephine County. Letter from Josephine County Court expressing approval of present method of allocating funds.</p> <p>Hood River County. Lost Lake. Letters from Hood River Chamber of Commerce and Senator Holman re construction of road to lake.</p> <p>Lincoln County. Letter from North Lincoln County Chamber of Commerce commending Commission for roadside beautification.</p> <p>Labor. George E. Lewis, Algoma, objects to employment of all-union labor on project north of Klamath Falls.</p> <p>Hood River County. Bridges. Cascade Locks and Hood River. Bill for toll-free operation by U. S. government discussed.</p> <p>Lane County. Eugene. Pacific Highway. Resolution of city council approving routing through Eugene.</p> <p>Clatsop County. Lunch stand. Wolf Creek Highway at Elsie. Request to operate lunch stand on right of way denied.</p>
10250		<p>Lane County. Territorial Secondary Highway. Veneta South Section. Request of county court for oiling denied.</p> <p>Monroe South Section. \$20,000 to be allotted for oiling.</p> <p>Douglas County. County-owned land problem discussed, and referred to Commissioner Clough for study and report.</p> <p>Josephine County. Happy Camp-O'Brien Road. Request for reclassification as No. 3 Forest Road.</p> <p>Equipment. Purchase of small centrifugal pump approved.</p> <p>Surveys. List of surveys ordered since last meeting.</p>
10251		<p>Extensions of time, as follows:</p> <p>Roy L. Houck, Albany Overcrossing Project;</p> <p>Tom Lillebo, pier fenders for Yaquina Bay Bridge, Newport;</p>
10252		<p>K. L. Goulter, Necarney Creek-Neahkahnie Mountain Section;</p>
10253		<p>E. C. Hall Company, Warren Creek Section.</p> <p>Contracts completed and accepted as follows:</p> <p>Albany Overcrossing Section, Roy L. Houck;</p> <p>Necarney Creek-Neahkahnie Mountain Section, K. L. Goulter;</p> <p>Yaquina Bay Bridge pier fenders, Newport, Tom Lillebo;</p>
10254		<p>Wasco County Line-Madras Rock Prod., M. L. O'Neil & Son;</p> <p>Third St.(Bend) Undercrossing Section, Roadside Improvement, Blair T. Alderman;</p> <p>Pendleton-Pilot Rock Rock Production, Rogers Construction Co.;</p> <p>Woodburn-Molalla-Silverton Rock Production, A. S. Wallace.</p> <p>Date for June meeting scheduled for 12th and 13th. Special meeting scheduled for May 22.</p> <p>Multnomah County. Portland, Front Avenue project. Bids to be taken May 22.</p>

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10255	Apr. 4	Bids opened and read on the following projects: Clackamas Grade Separation Project; Long Creek-Fox Section, grad., surf., oiling and 2 bridges; Warner Summit-Camas Creek Section, surf. and oiling; Miner Creek-Spencer Creek Section, grading; Cow Hollow Creek-Adrian Junction Sec., surf., oil and bridge;
10256		Interstate Bridge, placing new expansion plates; Onion Flat Section, grading and paving; Yamhill River Bridge at Dayton, reconstruct timber approaches. Harney County. Request for improvement of Burns-Crane Highway and Hanley Lane Section of Frenchglen Secondary Highway. Hanley Lane Section. Transfer of funds from other sections approved. Burns-Crane Highway to Wright's Point. Savings from other projects to be applied to construction of this section.
10257		Buchanan-Juntura Section. Central Oregon Highway. Request for improvement denied. Burns Airport Road. Request for improvement denied. Malheur County. Nyssa. Old Oregon Trail. Delegation requests paving of Main St. and installation of storm sewer. (See also P. 10214, P. 10282, and P. 10288)
10258		Municipal projects. Engineer to prepare report on cities in which drainage facilities have been installed by state. Malheur County. Nyssa. State to install 24" pipe line along 1st Street to Snake River in connection with underpass. Adrian-Idaho State Line Section, Secondary Highway No. 455. Delegation requests oiling. Bridge over Snake River at Nyssa. Delegation requests new bridge. Baker County. Baker-Homestead Highway. Request for rerouting. Baker-Homestead Highway. Resolution adopted rerouting highway from Baker to Homestead, via Robinette.
10259		Halfway-Cornucopia Secondary State Highway No. 413. Resolution designating as secondary highway adopted.
10260		Pine Creek Secondary State Highway No. 414. Resolution designating as secondary highway adopted.
10261		Klamath County. Delegation requests following improvements: Sprague River County Road. Oiling of 9-mile section;
10262		Malin-Bonanza Road. Improvement of Poe Valley Section; County Road North of Midland. Oiling of 2 3/4 miles; Midland Secondary State Highway. Improvement. Klamath Falls. Improvement of South 6th Street. Construction of Main Street route, by-passing South 6th St. discussed. (See P. 10246) Question of title to small area at junction of Green Springs Highway and The Dalles-California Highway. Polk County. Independence Bridge. Request for state cooperation denied.

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10263	Apr. 4	<p>Permit. Boat. C. I. Goode, Eugene, requests permit to transport boat on state highway from Eugene to Mapleton.</p> <p>Permit. Fruehauf Trailer & Equipment Company requests permit to operate overlength equipment over Oregon highways.</p> <p>Sale of buildings, as follows:</p> <p>Columbia County. St. Helens. Building sold to Leslie Waters;</p> <p>Clackamas County. West Portland-Cooke Overcrossing Section of West Portland Highway. Shack sold to Glenn S. Ehle.</p> <p>Log hauling. Resolution covering rules and regulations for permits for continuous hauling presented for consideration.</p>
10264		<p>Permit. Request of Chet Goode and W. H. Tugman for permit to transport boat from Eugene to Mapleton granted.</p> <p>Consolidated Freightways requests permit to operate oversized equipment between California state line and Medford, and between Medford and Klamath Falls.</p> <p>Malheur County. Ontario. City requests rerouting of Old Oregon Trail from Oregon Street to First Street; estimate of cost of oiling to be furnished city.</p>
10265		Awards. Commission announces awards of contracts.
10266		<p>Linn County. Delegation.</p> <p>Santiam River Bridge at Cascadia Park. County requests state to assume jurisdiction.</p> <p>Cascadia State Park Road. Designation as state secondary highway discussed.</p>
10267		<p>Farm-to-market roads. County court informed no federal aid funds available for feeder roads in Linn County.</p> <p>Albany-Brownsville Road. County's 1st choice for improvement.</p> <p>Shady Hill Section, Santiam Highway. Improvement discussed.</p> <p>Log hauling. Ford Harvey granted permit to haul overlength piling on South Santiam Highway.</p> <p>Marion County. Silver Creek Falls Park. Roman Kintz requests renewal of lease of park property for lunch room.</p>
10268		<p>Linn County. Albany. City requests state maintain streets damaged by log hauling; old highway route to be repaired.</p> <p>City streets. State-wide policy of maintenance discussed.</p> <p>Hood River County. City of Hood River requests rerouting of Hood River Secondary Highway through city.</p> <p>Hood River Secondary Highway. Resolution rerouting highway through Hood River adopted.</p>
10269		<p>Tillamook County. Telephone pole line. Request of Nehalem Telegraph & Telephone Co. to construct line along Oregon Coast Highway near Brighton denied. Existing poles on westerly side of highway ordered removed.</p>
10270		<p>City streets other than state highways. Pacific Highway Association requests that state maintain.</p> <p>Umatilla County. Duck Lake. Boardman-Stanfield Highway. Gordon H. Smith requests extra compensation for right of way on account of loss of lake.</p>

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10270	Apr. 4	State of Idaho. Requests designation of 2 roads in Malheur County as state secondary highways to match Idaho connecting roads.
		Wolf Creek Highway. Resolution re access roads adopted.
10273		Curry County. Acquisition of property at Rogue River Bridge-heads, Gold Beach, disapproved.
		Wayside strips. Use of federal funds for acquisition discussed.
		Salmon River Highway timber strips. Purchase with state funds discussed.
		Marion County. Silver Falls State Park. Request of Roman Kints for renewal of lease for concession discussed.
		Taking of bids for concession privilege discussed.
		Plaques. Installation in park of plaques honoring C.C.C.s and Elmer Bankus suggested.
10274		Josephine County. Del Rogue tract at Grants Pass. Request for return of tract to county approved.
		Douglas County. Camas Mountain N.Y.A. Camp. Request of OSC for permission to establish camp in park approved.
		Jefferson County. The Cove. Purchase of 40 acres additional for park from Pacific Power & Light Company approved.
		Hood River County. Shell Rock Mountain. Purchase of Mead-Gantenbein property for park disapproved.
		Jackson County. Timber strips. Tiller-Trail Secondary. Purchase considered. Action deferred.
10275		Columbia County. Warrior Rock at St. Helens. Purchase of island disapproved.
		Lincoln County. County's request for state cooperation in purchase of Spruce Production Railroad right of way discussed.
		C.C.C. Camps. Short Sand Beach and Silver Creek Falls only camps allotted to Oregon by government.
		Agreements, etc., signed as follows:
		U. S. Bureau of Reclamation. Irrigation canal encroachment on Old Oregon Trail, Umatilla County.
		Bonneville Power Administration. Power line construction on Pendleton-Cold Springs Highway, Umatilla County.
		Bonneville Power Administration. Transmission power pole line on Columbia River Highway, Multnomah County.
		Northern Pacific Railway Company. Slope encroachment on Lower Columbia River Highway at St. Helens.
10276		Sunset Logging Company. Easement for logging road, in Tillamook County.
10277	May 8	Bids opened and read on following projects and buildings:
		Willamette River Bridge at Corvallis, pier protection;
		Clackamas Overcrossing Sec., grad., pav. and 2 bridges;
		Dee-Woodworth Acres Section, grad., surf. and oiling;
		Josephine County Line-Central Point Section, widening and nonskid oiling;
		Traffic Signal System, City of Klamath Falls;
10278		Rock Creek-Benton Co. Line Section, grad., surf. & bit.mac;

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- Bids received on following projects and buildings (cont.):
 Canyon Creek-Bryant Hill Section, grad., surf. and bit. mac.;
 Bully Creek-Vale Section, grad., surf., and oiling;
 Cow Hollow Creek-Adrian Junction Section, grad., surf., oil.
 and bridge;
 Hawthorne Bridge, Portland, reconstructing approaches;
 Sunset Camp-Davies Section, surf., bit. mac., and oiling;
 Buildings at Glenwood. Sale of two buildings.
- 10279 Warm Springs Highway. Don Peoples, Bend, inquires regarding
 inspection trip. No date set. (See P. 10439)
 Jackson County. Crater Lake Highway. Delegation requests:
 Prospect to Trail, widening and straightening. \$30,000 ap-
 proved for this project.
 Agate Station, elimination of curve requested.
 Benton County. Corvallis. Delegation requests following:
 North 9th Street, widening.
 Third Street, widening from Adams St. to Mary's River Bridge.
- 10280 Survey. Corvallis. Third Street from Adams Street to Mary's
 River Bridge approved.
 Benton County. Corvallis. Parking cars on only one side of
 3rd St. to be investigated as temporary relief of traffic
 problem.
 Tillamook County. Trask River Bridge approaches. Delegation.
 State to do approach work. County to reimburse state for
 expense. Bids to be received at June meeting.
- 10281 Wilson River Highway. Request of delegation for early opening
 denied. September 15 tentatively set.
 Washington County. Glenwood-Banks Section, Wilson River High-
 way. Delegation's request for reconstruction denied.
 Douglas County. Port of Umpqua. Delegation requests permit
 to store logs at south end of Umpqua River Bridge.
- 10282 Josephine County. Intersection of Redwood and Pacific High-
 ways at Grants Pass. Installation of better lights and
 signs approved. (See P. 10284)
 Clatsop County. Seaside. Re-establishment of water pipe line
 affected by Vollmer Creek line change authorized.
 Malheur County. Nyssa. Paving of Main Street and construc-
 tion of storm sewer approved. (See P. 10288)
- 10283 Klamath County. Crater Lake National Park. Relief from pay-
 ment of fee charged motorists discussed.
 Deschutes County. Bend. The Dalles-California Highway. Re-
 quest of General Grocery Co. for full-width pavement in
 front of company's building denied.
 Road approaches. Oiling of road approaches on all state high-
 ways approved.
 Klamath County. Klamath Falls Traffic Signal System. Dimitre
 Electric Co. confers relative to disqualification of its bid.
- 10284 Josephine County. Redwood Highway, intersection with Pacific
 Highway, Grants Pass. Redwood Empire Association delegation
 requests revision and traffic signs.

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10284	May 8	Lane County. Pacific Highway at Goshen. Delegation requests change in wording on sign.
10285		Multnomah County. Mt. Hood Highway. Delegation requests improvement between Portland and Gresham. (Powell Valley Road.) Awards. Commission announces award of contracts and sale of buildings.
10288		Malheur County. Nyssa. Delegation informed state to pave Main Street and install storm sewer. (See P. 10282). Umatilla County. Oregon-Washington Highway. Delegation requests improvement of Milton-Washington State Line Section. Engineer instructed to contact State of Washington re completion of highway. Milton. Delegation requests extension of improvement at south city limits; also improvement of Union Street and South Main Street. No action taken. Log hauling. R. A. Weiser granted permit to transport logs from Cannon Beach to Astoria.
10289		Multnomah County. Corbett. Delegation requests construction of new landing slip in Columbia River. Timber strips. Engineer instructed to file applications for federal funds for purchase of following: Salmon River Highway, and Pendleton-John Day Highway between Dale and Camas Creek Junction.
10290		Multnomah County. Talbot State Park. Bridal Veil Pioneers Assn. granted permit to erect drinking fountain in park. Hood River County. Herman Creek, Columbia River Highway. Offer of H. L. Edmunds to donate land for park declined. Marion County. Mehama. North Santiam Highway. Offer of Albert R. Meyers to sell land for park declined. Klamath County. Offer of Geo. P. Taylor to donate park site near Klamath Falls declined. Timber strips. Tiller-Trail Secondary Highway. Negotiations for O & C and county land authorized; cost of private land to be investigated.
10291		Lincoln County. State to cooperate with county in purchase of Spruce Production Railroad right of way; county to deed state portion of right of way in state's wood lot. Agate Beach. Request for erection of speed-limit signs on beach granted.
10292		Linn County. Cascadia State Park. Request of Messrs. Pfeiffer and Poling to continue building encroachment denied. Options for two additional parcels of land for park authorized. Hood River County. Shell Rock Mountain, Columbia River Highway. Mrs. Mead's offer to sell 112 acres for park considered. Douglas County. Umpqua Lighthouse State Park. Purchase of 65 acres of additional land recommended. Linn County. Cascadia State Park. Spur road to park to be acquired by deed from county. Lincoln County. Waldport. Request for additional rock to enlarge parking area south of Waldport. Action deferred.

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10293	May 8	<p>Weighmasters. Employment of weighmasters to check weighing of logging trucks authorized.</p> <p>Cancellation of permit ordered for refusal to weigh trucks.</p> <p>Log hauling. Rules and regulations for overlength permits. Resolution adopted.</p>
10296		Special regulations adopted December 18, 1940, modified.
10300		<p>Union County. Minam Hill Section of Wallowa Lake Highway.</p> <p>Allocation of \$80,000 authorized. Additional section to be contracted next meeting.</p>
		Grant and Baker Counties. Sumpter-Granite County Road. Request of Grant County for designation as secondary highway considered.
		Association of State Highway Employees. W. W. Currier's letter proposing such organization discussed. (See P. 10350)
10301		<p>Wage increase. Revised schedule for hourly-paid employees approved. Salem Shop employees request monthly-basis pay.</p> <p>Wasco County. The Dalles. Delegation requests state-owned ferry service across Columbia River. Engineer to report.</p> <p>Curry County. Port Orford. Orris Knapp right-of-way controversy. Offer of \$6,000 authorized; if refused, condemnation authorized.</p>
10302		Real property. Resolution authorizing acquisition.
10308		Washington County. Wilson River Highway. Charles Bateman offered \$5,750 for right of way.
10309	May 9	<p>Bids opened and read on the following construction projects:</p> <p>Vollmer Creek and Necanicum Junction Sections, grad., surf., and bituminous macadam;</p> <p>Days Creek-Wright Ranch Section, grad., surf., and oiling;</p> <p>Dean Creek-Parker Creek Rock Production;</p> <p>Oak Creek-Marks Ranch Sec., grad., surf., oil. and bridge;</p> <p>Mountain Rest-Mt. Vernon and Butte Creek-Service Creek Section, oiling;</p> <p>Hanley Lane Section, grading, surfacing and oiling;</p> <p>Eugene Overcrossing-7th Avenue Section, grading and paving;</p> <p>Pendleton Airport Highway Section, grad., surf., and bituminous macadam;</p> <p>West Dairy Creek Bridge.</p>
		Harnsey County. Burns Section of Central Oregon Highway. Delegation requests improvement. Work to be done with state forces.
		Coos County. Marshfield-Coquille Section, Oregon Coast Highway. Request for tidegates instead of bridges over sloughs, when highway is reconstructed, approved.
		North Slough. Request for tide box near highway bridge at Hauser. Engineer to report. (See P. 10381 and 10424)
10311		<p>Polk County. Monmouth. Pacific Highway West. Request for improvement of Knox Street approved.</p> <p>Jackson County. Birdseye Springs State Park. Request for lavatory facilities at park denied.</p> <p>Washington County. Farmington Secondary Highway. Request for improvement of unoled section denied.</p>

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10311	May 9	Clatsop County. Tongue Point WPA project, Astoria. State limits contribution to \$60,000.
		Multnomah County. Bonneville Fish Hatchery. Request for oiling of driveway and parking area approved.
10312		Jackson County. Central Point. Pacific Highway. Request for elimination of curve at north city limits denied.
		Central Point to Gold Hill. Nonskid surfacing requested. Work already under way.
		Union County. Hunter Lane County Road north of Island City. Request for oiling approved. Bids to be received in June.
		Douglas County. Reedsport-Scottsburg Section, Umpqua Highway. Request for immediate construction denied.
		Klamath County. Klamath Falls. South 6th Street. Letter re improvement. Action deferred.
		Midland Secondary Highway. Oiling of portion authorized.
		Wasco and Sherman Counties. Sherars Secondary Highway, Buck Hollow Sec. \$15,000 to be transferred to Midland Secon. Hwy.
10313		Clatsop and Columbia Counties. St. Helens-Astoria Section. Request for immediate improvement denied.
		Multnomah County. Base Line Road. Request for improvement and designation as secondary highway. No action.
		Request for improvement of 39th Ave. as state highway.
		Josephine County. Cave City, Redwood Highway. Oiling of rock shoulders with state forces approved.
		Wasco County. The Dalles. Construction of sidewalk in front of natatorium approved.
		Tillamook County. Arch Cape Tunnel, Oregon Coast Highway. Installation of lighting system approved.
		Douglas County. Elkton Tunnel, Umpqua Highway. Installation of lighting system approved.
		Benton County. Corvallis. Flood lights. Installation at two highway intersections approved. RR Company to pay half.
10314		Survey. Havana-Helix railroad grade crossing, Umatilla County. Location survey authorized.
		Columbia County. Scappoose. Agreement with city covering installation of water pipe line approved.
		Award. Following award confirmed:
		Onion Flat Section, Roy L. Houck.
		Log hauling. Elkton Tunnel, Umpqua Highway. Loads of logs to be flagged through tunnel; lanterns to be required on all loads of logs using tunnel.
10315		Load limit. Bridges. Tiller-Trail Secondary Highway No. 230. Resolution adopted lifting load limit.
		Umatilla County. Sign racks. Weston. Approved subject to certain requirements.
10316		Sign racks. Previous requirements covering installations modified.
		Benton County. Corvallis. Oak Creek Bridge widening. Advertising for bids approved.

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10316	May 9 1941	Claim. Settlement of claim against Swift & Company for damage to highway equipment approved. Cascade Secondary Highway. Resolution designating as through highway adopted.
10317		Penalty reduction. Homer G. Johnson requests relief from penalty imposed on contract No. 2324, Prineville Section. Porter W. Yett requests relief from penalty imposed on contract No. 2220, Warren-Seappoose Section.
10318		Curry County. Oregon Coast Highway. Request of Koblenzer Brothers to construct temporary roadway across state property. Agreement to be prepared. Linn County. Delegation requests following: Airport Road. Designation as secondary highway. Albany-Brownsville County Road. Improvement and designation as secondary highway. Mehama-Mill City County Road, via Lyons. Designation as secondary highway. Encroachments and right of way widths to be investigated.
10319		Douglas County. Oak Creek-Marks Ranch Section, North Umpqua Highway. Delegation advises right of way acquired by county. Gravel bar. County requests state cooperate in purchase from R. T. Blakley. Condemnation cases. County's request for services of Commission's attorney in certain cases approved.
10320		Curry County. Port Orford. Orris Knapp re settlement for right of way through Knapp Hotel property (See P. 10321). Gold Beach. Width of right of way discussed. Delegation urges immediate adoption of permanent line through town. Lane County. Eugene-Veneta Section of Eugene-Swiss Home Secondary. Delegation confers re construction of overcrossing. Veneta South Section of Territorial Secondary Highway. Delegation requests improvement. (See P. 10236) "Route F" Highway. Delegation re construction. Log hauling. Request of Mrs. W. S. Pratt to transport overlength piling across Pacific Highway East at Milwaukie.
10321		Curry County. Port Orford. E. L. Philpott requests fill at tourist cabins on account of grade change. Port Orford. Orris Knapp appears re settlement for right of way across Knapp Hotel property. (See P. 10319) Bid. Request of C. J. Eldon for reconsideration of bid for construction of West Dairy Creek Bridge, Washington County.
10322		Marion County. Silverton. City requests services of engineer in preparation of plans for bridge across Silver Creek. Log hauling. Request of Oregon Lumber Co. to eliminate flagman at Austin-Spur crossing of John Day Highway. Washington County. Devils Fork Bridge, Wilson River Highway. Name of "Graham Bridge" approved. Equipment. Purchase of following approved: 6 pickup trucks for weighmasters; 1 coupe for Supervisor of weighmasters; 2 pickup trucks for Parks Superintendent;

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Equipment. Purchase of following approved (cont.):
1 buzz saw for Parks Department; 1 power lawn mower
for Silver Creek Falls Park.

Permit. Request of Petroleum Heat & Burner Company of California, for permit to operate overlength equipment denied.

Claims. Payment authorized by 1941 Legislature as follows:
Baker County. Reimbursement for damages to Sumpter Valley Railroad.

M. L. O'Neil & Sons. Reimbursement for bid deposit.

Insurance. Acceptance of blanket-form insurance policies covering movements of special equipment authorized.

Umatilla County. Request for designation of Pendleton Airport Road as secondary highway considered.

G. S. Paxson authorized to attend meeting of Bridge Committee, Western Association of State Highway Officials.

Permit. Request of B. E. Maling for permit to transport peaviners over certain state highways approved.

Tillamook County. Oceanside. Request to use beach as landing field during celebration denied.

Columbia County. Longview Bridge. Request for immediate purchase of bridge discussed.

Labor. Newspaper clipping re new labor agreement between highway contractors and labor union.

Sherman County. Fulton Canyon-Locust Grove Section. Contracting of project with 1941 and 1942 funds approved.

Multnomah County. Portland. Report of accident on Sandy Boulevard at intersection with Northeast 105th Street.

Linn County. Scio-Lyons Section, Albany-Lyons Secondary Highway. Preparation of plans and specifications authorized.

Jackson County. Salt Creek-Farlow Ranch Section, Little Butte Secon. Highway. Preparation of plans and specifications authorized.

Umatilla County. Athena-Cold Springs Section, Athena-Holdman Highway. Preparation of plans and specifications authorized.

Klamath County. South Sixth Street Section, Klamath Falls. Preparation of plans and specifications approved.

Awards. Chairman announces award of contracts.

Umatilla County. Pendleton. Sale of state-owned property to Grover Pound authorized.

Clackamas County. Gladstone. Request of Mrs. Delilah Jones Jeffries to lease state-owned property approved.

Marion County. Silver Creek Falls State Park. Sale of concession to be advertised for bids at June meeting.

Roman Kintz' offer to relinquish lease accepted. Payment for lease authorized.

Columbia County. Fairview Cemetery near Scappoose. Request for removal of graves to opposite side of highway denied.

Lincoln County. Toledo. Corvallis-Newport Highway. Resolution of City of Toledo with respect to abandoned portion.

Lane County. City of Cottage Grove. Resolution abandoning old route of Pacific Highway adopted.

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10328	May 9	<p>Sale of Timber. Down timber along Wolf Creek Highway to be sold to highest bidder at next meeting.</p> <p>Douglas County. Camas Mountain State Park. Request for improvement referred to Parks Superintendent.</p>
10329		<p>Permit. Request of Salem Electric Cooperative Assn. to install power cable on Willamette River Bridge at Salem approved.</p> <p>Condemnation. Recommended offers. Resolution adopted: Right of way for Hood River Secondary Highway No. 281; Tiller-Trail Highway; Pacific Highway; and Oregon Coast Highway.</p>
10332		<p>Wolf Creek Highway. Right of access from abutting properties included in condemnation.</p>
10350		<p>Lincoln County. Depoe Bay. Damage claim of H. D. Ritchey due to grade change. Settlement authorized.</p> <p>Klamath County. Klamath Falls. Irrigation assessment on highway department's shop property. Payment authorized.</p> <p>Association of State Highway Employees. To be discussed with W. C. Currier personally. Letter outlining Commission's policy to be sent to all employees.</p>
10351		<p>Curry County. Port Orford. Offer of 60 residents to help pay cost of right of way across Orris Knapp property.</p>
10352		<p>Surveys. List of surveys ordered by Engineer.</p>
10353		<p>Extension of time: Leonard & Slate, Middleton-Newberg Roadside Improvement.</p>
10354		<p>Contracts completed and accepted, as follows:</p> <p>Middleton-Newberg Section, Leonard & Slate;</p> <p>Corvallis-Lincoln School Section, The United Contracting Co.;</p> <p>Keating Road-Ruckles Creek Section, Leonard & Slate;</p> <p>Cottage Grove Section, E. L. Gates;</p> <p>Klamath Agency-Modoc Point Section, E. L. Gates;</p> <p>Florence Section, M. L. O'Neil & Son.</p>
10355		<p>Agreements, et cetera, signed as follows:</p> <p>Douglas County, maintenance by county of section of North Umpqua Highway, after constructed by state;</p> <p>Morrow County, oiling of section of Ione-Gooseberry Road, cost to be paid by county;</p> <p>Nettie E. Baker, lease of maintenance site at Dufur, Wasco Co.;</p> <p>O.W.R. & N. and Union Pacific Railroad Company, construction of overcrossing on Boardman-Stanfield Highway, at Stanfield;</p> <p>Taylor Grazing Administration, construction of pipe line and concrete troughs on Baker-Homestead Highway, Baker County;</p> <p>Portland General Electric Company, furnishing electric service at Silver Creek Falls;</p> <p>James W. Ford, Jr., extending lease of CCC headquarters at Honsyman State Park, Lane County;</p> <p>Scappoose, City of, construction of water pipe line necessitated by improvement of Columbia River Highway;</p> <p>Portland General Electric Company, re sale of parcel of land which state is purchasing from company;</p> <p>O.W.R. & N. and Union Pacific Railroad Company, renewing lease of oil storage location at Island City;</p>

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10355	May 9	<p>Agreements, et cetera, signed as follows: (cont.)</p> <p>City of Klamath Falls, installation and financing of traffic signals;</p> <p>U. S. of America, covering crossing of Stanfield-Boardman Highway over irrigation canal in Umatilla County;</p>
10356		<p>Tum-A-Lum Lumber Company, lease of maintenance site, in Hermiston;</p> <p>Huber Ray and Ralph Adams, Jr., covering log hauling across state property adjacent to Salmon River Highway;</p> <p>Willard Ross, covering log hauling across state property adjacent to Salmon River Highway, Tillamook County;</p> <p>Southern Pacific Company, storage site at Central Point;</p> <p>Public Roads Administration and Forest Service, improvement of Wapinitia Highway, as forest highway project;</p> <p>Bargain and sale deed conveying unto Josephine County 0.53 acres of land.</p> <p>Bargain and sale deed conveying one acre in Baker County to Ruby R. Bowman;</p> <p>Bargain and sale deed conveying unto Leslie Watters 9,084 sq.ft. in St. Helens, Columbia County;</p> <p>Bargain and sale deed conveying unto Alfred M. Peterson 10 acres in Marion County;</p> <p>Bargain and sale deed conveying unto T. L. Kuhns 9,219 sq.ft. in Cottage Grove.</p>
10357	May 22	<p>Bids received on following projects:</p> <p>Astoria (Astor Street-Bond Street) Sec., grad. and paving;</p> <p>Vollmer Creek and Necanicum Junction Sections, grad., surf., and bituminous macadam;</p> <p>Day Creek-Wright Ranch Section, grad., surf., and oiling;</p> <p>Oak Creek-Marks Ranch Section, grad., surf., oil. & bridge;</p>
10358		<p>Dee-Woodworth Acres Section, grad., surf. and oiling;</p> <p>Crabtree Corner-Lebanon Section, grade widening and paving;</p> <p>Front Avenue (Washington St.-Clay St.) Section, grad. & pav.;</p> <p>Morrison Street Bridge, approaches and retaining walls;</p> <p>Umatilla River Overcrossing and other structures near Stanfield.</p>
10359		<p>Multnomah County. Front Avenue Project, Portland. Removal of car tracks discussed. S.P. & S. Railroad Co.'s request to salvage rails approved. Company to replace pavement.</p> <p>Harney County. Rome-Princeton Secondary Highway. Request for state contribution for construction approved.</p> <p>Klamath County. Klamath Falls. S. 6th St. improvement discussed. Estimates of cost of 60' and 80' right of way to be presented at June 12 meeting.</p> <p>Malheur County. Ontario. Delegation re improvement of First Street as highway route. Public hearing set for July.</p>
10360		<p>Umatilla County. Pendleton Air Base. U. S. Engineer's office re purchase of state-owned land for radio station.</p>

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- Jackson County. Crater Lake Highway. Delegation re improvement of highway through site of proposed army cantonment, north of Medford.
- Permit. Request of Pierce Auto Freight Lines to transport overweight loads between California State Line and Medford.
- Clackamas County. Canby-Marquam Road. Designation as secondary highway approved. Improvement authorized.
- Molalla-North Fork Road. Request for designation as secondary highway denied.
- Canby. Repair of existing road authorized.
- 10361 Wasco County. The Dalles. Matter of free ferry service discussed. Action deferred. (See P. 10426)
- City streets other than state highways. Adoption of statewide policy for improvement discussed. (See P. 10426)
- Columbia County. Lower Columbia River Highway. Additional settlement with Frank Golse for right of way approved.
- 10362 Klamath County. South 6th Street Klamath Falls. Delegation confers re improvement. City to secure right of way options.
- 10364 The Dalles-California Highway. Delegation urges reconstruction between Graham Marsh and Algoma, and between Terminal City and foot of Algoma Hill.
- Permit. Request of Consolidated Timber Co. to conduct log hauling on closed section of Wilson River Highway approved.
- Forest Highway Projects discussed with Public Roads Administration as follows:
- 10365 North Santiam Highway. State to maintain between Detroit and Santiam Highway junction. Government to pay for work.
- Willamette Highway, vicinity of Odell Lake. Project to be reduced to five miles and readvertised for bids.
- Fox Valley Section, Pendleton-John Day Highway. Funds to be transferred from Port Orford South Section, and work readvertised for bids.
- Port Orford South Section. Funds to be transferred to Fox Valley Section, Pendleton-John Day Highway.
- 10366 Tiller-Trail Secondary Highway. Construction of bridge near junction with Crater Lake Highway approved. Funds to be transferred from Port Orford South Section.
- Port Orford South Section. Funds to be transferred to bridge on Tiller-Trail Secondary Highway.
- Wapinitia-Warm Springs Forest Highway. To be advanced in construction program.
- Oregon Coast Highway. Remaining funds from Port Orford South Section to be used on some section.
- Awards. Chairman announces award of contracts.
- 10368 Clackamas County. Canby-Marquam Road. Delegation informed designation as secondary highway has been approved.
- Molalla-North Fork Road. Delegation informed request for designation as secondary highway denied.
- Canby. Delegation informed request for improvement approved.

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10368	May 22	Oalliam County. Arlington. Request of delegation for construction of road to U. S. Army Airport denied.
10369		Benton County. Corvallis. Delegation re improvement of North 9th St. and widening of 3rd St.
		Survey. Corvallis. North Ninth St. and Third St. South from Adams St. to Mary's River Bridge approved.
		Log hauling. Delegation requests permit to haul overlength logs over Alsea Highway for construction of bridge at Corvallis. Request approved.
		Equipment. Purchase of following authorized: 1 electrically-operated pump; 1 diesel power plant for Santiam Headquarters; 1 concrete vibrator, and 1 three-beam platform wheelbarrow scales for Bridge Department; 3 concrete carts.
10370		Irene Payne. Authorized to attend travel show at Walla Walla, Washington, May 21 to 24.
		George Otten, Landscape Engineer. Authorized to attend meeting of Roadside Improvement Committee, P.R.A., in June.
		Commissioners and R. H. Baldock authorized to attend meeting of Western Assn. of State Highway Officials, June 17 to 20.
		Interstate Bridges. Columbia River. Joint investigation of prospective bridge sites with State of Washington authorized.
		Washington County. Devils Fork Bridge. Loyal M. Graham expresses appreciation for naming "Graham Bridge".
		Glenwood-Sunset Camp County Road. Request for continued maintenance after Wolf Creek Highway is opened.
10371		U. S. Travel Bureau. Request for assistance in securing appropriation for bureau. Referred to Harold B. Say.
		Log hauling. Request of Oregon Lumber Company for permit to haul logs across John Day Highway and Austin Spur Section on Saturdays, Sundays and holidays granted.
		Awards. Commission confirms following awards: Miner Creek-Spencer Creek Section, Berke Bros.; Canyon Creek-Bryant Hill Section, Leonard & Slate; Eugene Overcrossing-7th Avenue Section, E. C. Hall Co.; Rock Creek-Benton County Line Section, E. L. Gates; Bully Creek-Vale Section, Tony Marrazzo; Cow Hollow Creek-Adrian Junction Section, Tony Marrazzo.
10372		Marion County. Request of Detroit Power Company for permit to maintain power line along North Santiam Highway.
		Washington County. East Fork Dairy Creek Bridge. Engineer authorized to advertise for bids.
		Coos County. Myrtle Point-Powers Secondary Highway north of Powers. Request for improvement. Action deferred.
		Lane County. Springfield-Creswell Secondary Highway near Natron. Elimination of two sharp curves requested.
		Right of Way Budget. Assistant Attorney's report.
		Real property. Resolution authorizing acquisition.

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10376	May 22	Condemnations. Recommended offers. Resolution adopted;
10377		Right of way for: Oregon Coast Highway; Pacific Highway. Gravel Pit: Burns-Crane Highway.
10379		Washington County. Wilson River Highway. Chas. S. Bateman. property. Condemnation authorized if settlement cannot be reached. Linn County. Spur road from Santiam Highway to Cascade Park. Deed from County Court conveying right of way accepted. Curry County. Port Orford. Orris Knapp right of way contro- versy discussed. Wolf Creek Highway. Access roads. Attorney authorized to re- vise resolution of April 4, 1941, with respect to width of right of way. (See P. 10270) Umatilla County. Duck Lake on Boardman-Stanfield Highway. Acquisition of 160 acres from Gordon H. Smith approved. 10380 Voucher. Joseph P. Parker, et al, condemnation case. Not approved by Secretary of State. (See P. 10414) Lane County. Port of Siuslaw, Florence. Request for planting of Holland Grass on sand dunes south of Siuslaw River denied. Linn County. Lebanon. Request to detour traffic from Main St. during Strawberry Festival approved. Multnomah County. Insurance. Steel Bridge, Portland. Date insurance to be provided railroad companies discussed. 10381 Coos County. Oregon Coast Highway. Request for cooperation in construction of tidegates at North Slough discussed. (See P. 10424) Federal Aid Secondary Highway Program. Revisions discussed. Harney County. Wright's Point-Narrows Section. To be dropped from federal aid secondary highway program. Marion County. Woodburn-Rock Creek Section. To be dropped from federal aid secondary highway program. Grant County. Kimberly East Section. To be transferred to 1941 federal aid secondary highway program. Sherman County. Buck Hollow Section of Sherars Secondary Highway. To be constructed with state funds next year. Umatilla County. Athena-Cold Springs Section of Athena Cold Springs Secondary Highway. To be constructed with state funds next year. Linn County. Scio-Lyons Section of Albany-Lyons Secondary Highway. To be dropped from all programs. 10382 Columbia County. Scappoose. Letter to city re controversy involving sidewalk construction in front of Wikstrom property. Contracts completed and accepted as follows: 10383 Millican-Brothers Section, A. S. Wallace; Seaside-Wheeler Section, Babler Bros. Agreements, et cetera, signed as follows: Southern Pacific Company, correcting erroneous reference in Clackamas Overcrossing agreement; J. H. Chambers, construction of spur railroad track over state property in Cottage Grove;

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10383	May 22	<p>Agreements, et cetera, signed as follows:</p> <p>J. W. and J. R. Hillstrom, re removal of old bridge over Coalbank Slough, Marshfield, after new bridge is completed;</p> <p>State Board of Higher Education, relative to radio programs;</p> <p>Morrow County, re Paterson Ferry Road;</p> <p>T. W. Panter and Tidewater Assoc. Oil Company, re property at Bandon;</p> <p>T. W. Panter, quitclaim deed to Panter for portion of old Oregon Coast Highway right of way, at Bandon;</p>
10384		<p>Public Roads Administration, special maintenance work on North Santiam Highway;</p> <p>Public Roads Administration, joint letter re allocation of 1942 Federal Lands Highway Funds.</p>
	June 12	<p>Bids received on following projects:</p> <p>Woodburn-Rock Creek Section, surf. and oiling;</p> <p>Maintenance building at Condon;</p> <p>Viaduct on Rock Creek Section;</p> <p>Dee-Woodworth Acres Section, surf. and oiling;</p> <p>Grave Creek-Jumpoff Joe Creek Section, grading;</p> <p>Warner Summit-Mud Creek Section, grading and surfacing;</p> <p>Morrison Street Bridge approaches and retaining walls;</p> <p>Trask River-Pelts Corner Section, grad., surf., bituminous macadam and two bridges;</p>
10385		
10386		<p>Pendleton-Adams Section, roadside improvement;</p> <p>Boswell Ranch-Follett Ranch Section, grad., surf. and oil;</p> <p>Silver Creek Falls State Park, concession privileges;</p> <p>Bandon restaurant property;</p> <p>Wolf Creek Highway down timber.</p> <p>Bond. Official bond of State Highway Engineer to be renewed with same companies this year.</p> <p>Public drawing to be held in 1942.</p>
10387		<p>Advisory Board on Publicity Matters. E. B. Aldrich appointed member.</p> <p>Hollis W. Libby. Authorized to attend Natl. Congress on Surveying and Mapping, Washington, D. C., June 16 to 18, 1941.</p> <p>Salary schedules. Revision of classification for engineering positions and salary schedules approved.</p>
10389		<p>Marion County. Mehama-Mill City County Road. Request of delegation for designation as secondary highway.</p>
10390		<p>Salem-Silverton County Road. Middle Grove-Central Howell Section. Delegation requests improvement; also survey from Central Howell to Silverton.</p> <p>Survey. Salem-Silverton County Road. Completion authorized.</p> <p>Marion and Linn Counties. N. Santiam Highway. Detroit to South Santiam Highway junction. Delegation re designation as secondary highway.</p> <p>Tillamook County. Nehalem River Bridge. State to repair. County to pay cost. Agreement signed.</p> <p>Trask River Bridge. State to repair. County to pay cost. Agreement signed covering increased cost.</p>

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10391	June 12 1941	Wapinitia Forest Highway Project. Public Roads Administration request project be deferred. Warm Springs Highway. Public Roads Administration requests transfer of funds from Wapinitia Forest Highway. Approved. Lane County. "Route F" Highway. Eugene to coast. Delegation requests improvement. Clatsop County. Warrenton Section, Ft. Stevens County Road. Delegation re construction of grade crossing at Warrenton. Project deferred until P.U.C. holds hearing.
10392		Lane County. Eugene. Union Oil Company to be allowed temporary use of area up to 11 ft. from curb, rather than 16-ft. setback line ordered by city along Sixth Street. Deschutes County. Terrebonne-Lower Bridge County Road. Delegation requests improvement. County to pay for work.
10393		Shevlin Park Road. Delegation requests oiling. County to pay for work. Tumalo-Deschutes Secondary Highway. Delegation requests oiling of 3 $\frac{1}{4}$ -mile section. Tumalo-Cline Falls Secondary Highway. Delegation requests oiling of 3.4 mile section.
10394		Warm Springs Highway. Don Peoples inquires regarding inspection trip. Request for status map granted. Clackamas County. Timberline Road. Agreement with Public Roads Administration re improvement signed. Awards of contracts. Exception made in today's letting, re policy covering projects on which only one bid is received. Chairman announces awards of contracts, concession privilege at state park, sale of property and sale of down timber.
10396		Multnomah County. Corbett. Log dump. Request of John A. Brix to maintain temporary log dump on state property granted.
10397		Log hauling. Permit to haul logs over Columbia River Highway from junction with Brower Road to road leading to Corbett Station granted to Mr. Brix. Washington County. Private road extending from Wilson River Highway, near Glenwood, toward Timber. Delegation's request for designation as state highway denied. Permits. Regulations covering temporary permits for isolated movements of oversized equipment approved.
10398		Multnomah County. Barbur Blvd., Portland. Removal of advertisement approved.
10399		Equipment. Purchase of hydraulic floor jack for use of Portland Division headquarters approved. Baker County. Halfway-Cornucopia Secondary State Highway. Improvement authorized. Linn County. Santiam Highway between Foster and Cascadia. Construction of oil mat authorized. Linn and Marion Counties. N. Santiam Highway between Detroit and S. Santiam Highway junction. Reoiling authorized. Klamath County. South Sixth Street, Klamath Falls. Report on proposed improvement. Further report ordered.

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10399	June 12 1941	Parks Department. Financial report of Parks Superintendent.
10400		Multnomah County. Talbot State Park County Road. Request for improvement and designation as secondary highway.
		Hood River County. Wayside park on Mt. Hood Highway. Purchase of 20-acre tract for park approved.
		Linn County. Cascadia State Park. Request to operate store and post office concession within park denied.
		C.C.C. Camps. Status of camps in state parks reported on.
		Curry County. Proposed joint state park at California state line discussed.
		Clatsop County. Tillamook Head. Purchase of two tracts from federal government authorized.
10401		Big Tree Park. Request for park denied.
		Coos County. Cape Arago State Park. Agreement re removal of timber from park signed.
		Linn County. Halsey-Sweet Home Secondary Highway near Crawfordville. Request for wayside park denied.
		Douglas County. Tiller-Trail Secondary Highway. Timber strips. Report re preservation of strips approved.
10402		Baker County. Anthony Lakes. Snow removal. Request of delegation to be considered on inspection trip to Ontario.
10403	June 13	Bids received on following projects:
		Oak Creek Bridge widening;
		Gearhart-Seaside Section, oiled rock footpath;
		Algoma-Terminal City Section, grading, topping, surfacing, and bituminous macadam;
		Hiner Creek-Spencer Creek Section, Spencer Creek Bridge;
		Fulton Canyon-Locust Grove Section, grad., surf., and oiling;
10404		Meadow Brook Section, grading and topping;
		West Ranch-Island City Section, surfacing and oiling.
		Minutes approved. December 3, 4 and 5; December 17 and 18, 1940; and January 10, 1941.
		Clackamas County. Oswego. Widening of highway, including revision of Southern Pacific Company's facilities, approved.
		Agreement with railroad company re property between highway and railroad to be secured.
		Right of Way Budget. Assistant Attorney's report on status.
10405		Real Property. Resolution authorizing acquisition.
10408		Clatsop County. Tongue Point. Attorney instructed not to close options until project approved by federal government.
10409		Condemnations. Recommended offers. Resolution adopted:
10410		Right of Way for: Columbia River Highway, Newport-Corvallis Highway, and Pacific Highway.
10412		Lane County. Eugene-Springfield Section, Pacific Highway. Settlement of right of way controversy with Southern Pacific Company approved.
		Klamath County. Klamath Falls-Weed Section. Decision re right of way involving property of Mrs. Hecker deferred.
		Multnomah County. Front Avenue Project, Portland. Rentals collected by Edlefsen-Weygandt Co. to be returned to tenants. Tenants to be notified to vacate at once.

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10412	June 13 1941	Right of Way. Policy adopted relative to expenditure of state funds for right of way not paid for by counties in first instance.
10413		Lincoln County. Waldport. Right of way encroachment near bridge. Frank H. Hilton agrees to remove building within 30 days. Clackamas County. Oregon City. Lease of moorage rights in Willamette River to Crown Zellerbach Company discussed. Klamath County. Klamath Falls. Controversy re Matt property at junction of The Dalles-Calif. Highway and Green Springs Highway discussed. Jefferson County. Lamonta Section, Madras-Prineville Secondary Highway. County to allow abandoned sections to revert to abutting property owners.
10414		Voucher. Joseph P. Parker, et al., condemnation case. Revised statement to be sent to Secretary of State. Multnomah County. Denver Ave. approach to Interstate Bridge. Request of Ivan Phipps for use of portion of right of way for service station denied. Clackamas County. Mt. Hood Highway near Rhododendron. Claim of Paul Gilbaugh for damages to property discussed. Douglas County. Gravel bar adjacent to North Umpqua Highway. County's request for state cooperation in purchase approved. Timber Strips. Salmon River Highway. Resolution covering proposed purchase from Miami Corporation adopted.
10415		Curry County. Gold Beach. Improvement on 60-ft. right of way approved, if satisfactory to townspeople.
10416		Pole line. Removal from highway through town approved.
10417		Port Orford. Orris Knapp condemnation case. Attorney's report on right of way situation.
10418		Lincoln County. Nelscott. Abandonment of portion of Oregon Coast Highway in front of Lampman property reconsidered. Washington County. Wolf Creek Highway near Sunset Camp. Building encroachments on right of way ordered removed. Jefferson County. The Cove State Park. Matter of encroachment of Mrs. Violet McNeal referred to Parks Superintendent. Polk County. Rickreall. Request of Warren Burch to rent stock pile granted. Yamhill County. Sheridan-McMinnville Section. Settlement with Mrs. Nora Mae Branson Moe for destruction of trees.
10419		Right of way settlements. Policy adopted of purchasing out-right trees, etc., occupying property at time of purchase.
10420		House moving. Policy discussed relative to allowance to be made low bidder, if not awarded job of moving. Awards. Commission announces award of contracts. Log hauling. Resolution adopted May 8, 1941, re granting of permits for overlength loads reconsidered and approved. Insurance. Reduction of amount of public liability and property damage insurance required discussed. Night hauling of logs to be permitted under certain conditions

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10420	June 13	Clackamas County. Canby-Marquam Secondary State Highway No. 170. Resolution adopted designating as secondary highway.
10422		Umatilla County. Section of Airport Secondary Highway No. 336. Resolution adopted designating as secondary highway.
10423		Linn County. Albany Airport Road. Resolution adopted designating as secondary highway.
10424		Linn and Marion Counties. Mehama-Mill City County Road, via Lyons. Request for designation as secondary highway. Linn County agrees to furnish proper right of way for road. North Santiam County Road. from Detroit to junction with Santiam Highway. Designation as secondary highway requested. Marion County. Woodburn, Hillsboro-Silverton Secondary Highway. Request for rerouting along Young Street extension. Equipment. Purchase of two portable boilers authorized unless faster delivery of asphalt can be secured from Railroad Co. Coos County. North Slough dike and tidegate. Request for contribution for construction denied.
10425		Umatilla County. Milton. Main St. improvement considered. Traction Co.'s obligation to maintain street to be investigated. (See P. 10477)
		Polk County. Independence. Request of city for improvement of short section through town approved.
10426		Wasco County. The Dalles. Proposed establishment of free ferry service across Columbia River discussed. City streets not on state highway routes. Adoption of policy for maintenance discussed. Linn County. Albany. Maintenance of certain streets damaged by log hauling authorized. Clackamas County. Canby. Maintenance of certain streets damaged by log hauling authorized. Lincoln County. Bridge over Millport Slough on Oregon Coast Highway. Engineer authorized to advertise for bids. Klamath County. Sprague River County Road. Request for state funds to match federal appropriation for improvement. Tillamook County. Dolph-Yach Ranch Section, Little Nestucca Secondary Highway. Request for improvement discussed.
10427		Clatsop County. Bridge on Jewell-Elsie County Road, (temporary state highway detour). Repair authorized. Tillamook County. Stillwell Bridge, Netarts Secondary Highway. Repair authorized. Umatilla County. Weston-Elgin Secondary Highway between Camp McDougall and E. E. Tucker farm. Request for improvement denied. Maintenance authorized. Multnomah County. Skyline Boulevard. Surfacing of northerly extension of project approved. Union Avenue, Portland. Request for installation of lighting system deferred.
10428		Interstate and Denver Avenues. Plans to be prepared for completion of lighting system.

Page	Date	Subject
10428	June 13 1941	Multnomah County. Interstate Bridge, Portland. Request of PGE Co. for reduction in rental for use of bridge denied. Forest Service. Request for list of equipment available for fighting forest fires granted. Equipment. Request of forest service for list of equipment available for fire fighting in case of emergency. Douglas County. Pole line, Tiller-Trail Secondary Highway. South Umpqua Telephone Co.'s request re moving of telephone poles.
10429		Claim. Liability of Charles Rohkonen for damage to asphalt kettle, caused by car, discussed. Permits. Oversized equipment. Combines, pea dusters, farm equipment, etc. 30-day permits authorized.
10430		Log hauling. Request for permit to transport logs on Ochoco Highway on Saturday afternoons granted. Request for permit to transport logs over Ochoco Highway on Sunday, June 15, denied. Equipment. Offer of I. A. Johnson to purchase three old vats accepted. Washington County. 12-mile connecting link between Wilson River and Wolf Creek Highways. Construction discussed. Lane County. Eugene. 11th Ave. from junction with Frankland Ave. to west city limits. Request for designation as secondary highway. Action deferred.
10431		Clatsop County. Gearhart. Beach signs prohibiting vehicular traffic and horseback riding approved. Workmen's Compensation Act. Babler Bros., contractors, request relief from provisions of act. Decision deferred. Multnomah & Clackamas Counties. Oswego Highway. Request for landscaping, and removal of railroad tracks from district. Umatilla County. Pendleton Airport Road. Letter from Chas. Reynolds re allocation of funds for construction. Oregon Trail Association. Maps presented showing projects on Old Oregon Trail and Columbia River Highway recommended for construction by association. Gas tax. State Highway Commissions of South Dakota and Texas voice protest of any increase in tax by Congress.
10432		Truck scales. Secretary of State requests use of scales in connection with licensing of trucks. Decision deferred. Marion County. North Santiam Highway between Mill City and Detroit. Request for immediate improvement discussed. Roadside improvement program for 1942. List of projects for improvement with federal aid funds approved.
10433		Lincoln County. Siletz Secondary Highway near Kernville. Improvement of 3.2-mile section authorized. Survey. Siletz Secondary Highway near Kernville. Authorized. Extensions of time: Dimitre Electric Company, Interstate Bridge, electrical work; R. I. Stuart & Son, Pacific Highway and Sams Valley Secondary Highway, crushed gravel in stock piles.

<u>Page</u>	<u>Date</u>	<u>Subject</u>
10433	June 13	Contracts completed and accepted, as follows: Eightmile-Dry Creek Section, Babler Bros.; Gold Hill Section, R. I. Stuart & Sons; Blalock-Lang Canyon Section, Roy L. Houck; Boardman-Stanfield Section, A. Milne; Lake Creek-Hanley Ranch Section, E. L. Gates; Bend-Forest Boundary Section, Babler Bros.
10434		Meeting date. Set for July 17 and 18, 1941.
10435		Agreements, et cetera, signed as follows: Public Roads Administration, covering Front Avenue Project, Portland, between Washington and Clay Streets; Forest Service and P.R.A., joint letter to Washington, D.C., recommending revisions in 1941 Forest Highway Program; Tillamook County, providing for repairs to Nehalem River Bridge; Cape Arago Park Commission, regarding removal of timber; Tillamook County, maintenance of Fairview School Corner-Eberhardt Corner Section, after improvement; L. E. Bierce, construction of logging road across state property adjacent to Salmon River Highway. Linn County, Nehama-Mill City Section. County to acquire 60-ft. right of way, before state takes it over; Bureau of Reclamation, construction of power pole line across The Cove State Park, in Jefferson County; W. W. Harris, construction of logging road across state property adjacent to Salmon River Highway, Tillamook Co.; Pendleton Board of Park Commissioners, landscaping at intersection of Old Oregon Trail and Oregon-Washington Highway; Union County, maintenance of Island City-West Ranch Section, after improvement as federal aid secondary highway; Midway Lumber Company, construction of logging road adjacent to Salmon River Highway, in Tillamook County; City of Seaside, installation of new water pipe line at Vollmer Creek revision, Oregon Coast Highway, Clatsop County; Tillamook County, re payment of county's share of cost of Trask River Bridge approaches; Bonneville Power Administration, construction of power line across highway near St. Johns Bridge, Portland; Bonneville Power Administration, construction of pole line across right of way of Pendleton Airport Highway, Umatilla Co; U. S. of America, transmission line easement over state-owned land in Multnomah County; U. S. of America, guy and anchor easement on state-owned property, Upper Columbia River Highway, Hood River County; Bargain and sale deed conveying unto Sven and Henry S. Longberg land in Astoria, Clatsop County; Bargain and sale deed conveying unto F. W. Southwick land in Josephine County;
10436		

<u>Page</u>	<u>Date</u>	<u>Subject</u>
10437	July 16 1941	Columbia Gorge Highway. Portland-The Dalles Section. Delegation confers relative to construction. Method of financing and use of equipment owned by Port of Portland discussed.
10438		Pacific Highway. Eugene-Grants Pass Section. Delegation suggests sale of bonds to finance reconstruction.
10439		Old Oregon Trail. Delegation re projects for improvement recommended by Oregon Trail Association.
		Warm Springs Highway. July 23 set for inspection trip.
		Malheur County. Ontario. July 24 date set for hearing.
		City streets not on state highway routes. Maintenance of streets damaged by log hauling discussed.
		Oregon Trail Centennial Celebration. Administration of funds set up by Legislature for 1943 celebration discussed.
		Phil Parrish authorized to attend meeting of Pioneer Trail Association, at Denver.
		Centennial Commission to be invited to meet with Commission at next regular meeting.
10440	July 17	Bids received on following projects:
10441		Monroe-Lane County Line Section, grad., surf., and oiling;
		Warrenton-Skipanon Section, grading and paving;
		Bridge over North Fork Necanicum River;
		Kimberly-Simas School Section, grading and surfacing;
		North Unit, Wrights Point-Narrows Section, grad. & topping;
		Warner Summit-Mud Creek Section, grad. and surfacing;
		Fisher Road-Oak Hill Section, grad., surf. and oiling;
10442		Bridge over Millport Slough near Kernville;
		Detroit-South Santiam Junction Rock Production;
		Front Avenue, Portland (Clay St.-Sheridan St.) Section; grading, paving and two subway structures;
		Independence (B Street-Monmouth Street) Section, paving;
		Meadowbrook Section, grading and topping;
		Bridge over East Dairy Creek near North Plains.
10443		Harney County. Rome-Princeton Secondary Highway. Delegation requests state funds for project.
		Right of way budget. Assistant Attorney's report.
		Real property. Resolution authorizing acquisition.
10450		Condemnation. Recommended offers. Resolution adopted:
		Right of way and maintenance site, Columbia River Highway;
		Right of way for Willamette Highway and Shearers Bridge Highway.
10453		Washington County. Wolf Creek Highway. Condemnation resolution covering Mary E. Ibach property, showing title now vested in Catherine Fowles.
10457		Condemnation proceedings authorized. List of properties on Davies-Gardner Section of Wolf Creek Highway.
		Washington County. Davies-Gardner Section, Wolf Creek Highway. List of properties authorized for condemnation.
		Clatsop County. Tongue Point, Astoria. Offer of Mrs. W. E. Blackstock to sell property for right of way declined.

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10457	July 17	Polk County. Monmouth. Delegation requests rerouting of highway through town.
10458		Klamath County. Sprague River County Road. Delegation confers re improvement. Engineer authorized to investigate re construction and financing with federal match-money.
10459		Chiloquin. Delegation requests oiling of two county roads entering town. County to pay cost of work.
		Marion and Linn Counties. North Santiam Highway. Delegation requests designation as secondary highway between Detroit and South Santiam Highway junction.
		Marion County. Salem-Silverton County Road. Delegation urges additional improvement. Action deferred until surveys are completed.
		Curry County. Brookings. Resolution abandoning short section of Oregon Coast Highway.
10461		Port Orford. Settlement with Orris Knapp for right of way discussed. Port Orford Chamber of Commerce urges settlement.
		Klamath County. Klamath Falls. Investigation re title to property at intersection of The Dalles-California and Green Springs Highways. Commission decides to retain title.
		Malheur County. Nyssa. Grade change damage claim of J. W. Hughoy. Settlement approved.
10462		Curry County. Gold Beach. Improvement on 60' right of way approved. Bids to be received in fall. Specifications to include removal of utility poles.
		Clatsop County. Camp Clatsop-West Lake Section, Oregon Coast Highway. Acquisition of 80' right of way approved.
		House movers. Performance bond to be required. Policy adopted re allowance to be made low bidder, if not awarded job.
10463		Multnomah County. Front Avenue Project, Portland. Rentals collected by Edlefsen-Weygandt to be turned over to City. City to be asked to verify receipt of payment.
		Klamath County. Klamath Falls. Consideration of right of way matter involving subdivision of Hecker property deferred.
		Clackamas County. Rhododendron. Paul Gilbaugh damage claim. Settlement deferred pending proof of ownership of land.
10464		Jackson County. Tiller-Trail Secondary Highway near Trail. Proposal to sell portion of Vaughn property discussed.
		Lincoln County. Agate Beach. Commission decides not to sell state-owned property lying between old and new highways.
		Nelscott. Resolution adopted abandoning portion of old highway fronting on Charles P. Nelson property.
10466		Columbia County. St. Helens. Henry J. Henze, claim for damages. Settlement approved.
10467		Claim. S.P. & S. Railroad Company. Claim for damages to asphalt tank car by highway employees. Settlement approved.
		Military highway. Rainier to Corvallis. Delegation suggests construction of state highway for movement of troops.
10468		Columbia County. Delegation re construction of highway from Rainier to connect with Nehalem Secondary Hwy. near Vernonia.

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- 10468 July 17 Columbia and Washington Counties. Sunset Camp-Treharne County Road. Delegation requests designation as secondary highway. Lincoln County. Silets Secondary Highway. Werner Timber Co. offers to contribute funds toward cost of improvement. Delegation requests posting of speed signs. Speed limits. Standard form covering matter of reducing speed limits on state highways to be prepared. Awards. Chairman announces award of contracts.
- 10470 Lane County. Territorial Secondary Highway. Delegation requests oiling between Elmira and Wiper Station.
- 10471 Linn County. Scio. Delegation requests repair of main street damaged by log hauling. Repair authorized. Santiam Highway. Scio. Delegation requests oiling of shoulders full width along two-block section. Sherman County. Sherars Bridge Secondary Highway, easterly from Wasco County Line. Delegation requests improvement. Contracting of work authorized.
- 10472 Wasco County. Sherars Bridge Secondary Highway, Wasco Section. Delegation requests improvement. No action taken. Chenoweth Creek County Road. Delegation requests surf. & oil. Fifteenmile Creek Road. Delegation requests oiling. Mill Creek County Road. Delegation requests oiling. Kuykendal Hill Road and Fifteenmile Creek Road. Request for traffic count approved. Quarry. County Court requests authority to secure rock from Craigs Point quarry, west of The Dalles. Approved.
- 10473 Lane County. Grade crossing, Eugene-Swisshome Secondary Highway. S.P. Co. requests provision be made for double track. Curry County. Brookings. J. Driskell claims damages due to grade change. Court ruling to be secured. Fire hydrant. Driskell requests resetting of hydrant.
- 10474 Port Orford. Delegation re Orris Knapp right of way settlement. Multnomah County. Portland. Delegation confers re following: Sandy Blvd. and 89th Ave. intersection. Investigation of traffic conditions requested; Sandy Blvd. Widening between 82nd and 122nd Aves., and construction of concrete curbs, oiling of shoulders, requested; Deschutes County. Cascade Lakes Forest Highway Project west of Bend. Public Roads Administration's request for extra contribution from state approved. Forest Highway Program. Proposed revisions discussed.
- 10475 Curry County. Port Orford project to be reinstated. Funds to be transferred from Wapinitia Highway project. Warm Springs Highway. Clearing project to receive funds transferred from Wapinitia Highway project. Wapinitia Highway project. Funds to be transferred to Port Orford and Warm Springs Highway projects. Klamath and Lake Counties. Klamath Falls-Lakeview Forest Highway project. Expenditure of state funds authorized.

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	1941	
10475	July 17	Forest Highway Program. Conference to be held August 14 for formulation of program for 1942.
	July 18	Bids to be received for forest highway projects, August 14.
10476		Linn County. Albany. Tom Gilchrist requests access road to property on Pacific Hwy. East near Santiam Hwy. junction.
10477		Yamhill County. Amity-Dayton Secondary Highway. Delegation requests reconstruction.
		Multnomah County. Columbia Gorge Highway. Request for revision of plans for highway through Janita Starr's property.
		Marion County. Salem Lodge No. 4 A.F. & A.M. Request for directional signs for special meeting August 9, 1941, approved.
		Douglas County. Tiller-Trail Highway. Settlement with South Umpqua Telephone Co. for moving poles approved.
		Umatilla County. Milton. Reconstruction of main street approved. Walla Walla Traction Co. to cooperate.
10478		Maintenance expenditures. Primary and secondary highways. Reports approved.
		Wolf Creek Highway. Connection with Nehalem Secondary Highway. Alternate routes discussed.
		Nehalem Secondary Highway. Connection with Wolf Creek Highway. Alternate routes discussed.
		Yamhill County. McMinnville. Delegation requests improvement and designation as secondary highways of Third Street and Lafayette Avenue. Maintenance and repair authorized. Court asked to present formal resolution re designation as secondary highways.
10479		Baker Street Section. Delegation requests improvement.
		Survey. McMinnville. Baker Street Section of Pacific Highway West. Survey authorized.
		Tillamook County. Wilson River Highway W.P.A. project. Delegation requests that work be expedited.
		Wilson River Highway. Delegation requests construction of connecting link with Wolf Creek Highway east of Glenwood.
10480		Multnomah County. Portland. Report on cost to reconstruct Sandy Boulevard between 82nd and 108th Avenue.
		Survey. Reconstruction of Sandy Blvd., Portland, between 82nd Avenue and 108th Avenue. Survey authorized.
		Malheur County. Nyssa. Claim of Mrs. John Thomson, for damages to property due to highway construction.
		Log hauling. Delegations, representing log haulers of Coos, Curry, Douglas and Klamath Counties, request permission to haul logs during hours of darkness, and Saturday afternoons.
10481		Clackamas County. Oregon City. A. W. Bryant re purchase of state-owned land lying between Pacific Highway East and Willamette River.
10482		Strategic Military Highways. Letter from various organizations endorsing bill now before Congress.

Page	Date	Subject
10482	July 18	Jackson and Josephine Counties. Sams Valley Secondary Highway. Temporary closing of portion to accommodate proposed Medford cantonment approved.
10483		Lane County. Eugene-Springfield Section. Agreement with S.P. Co. re reconstruction of highway discussed. Revisions made. Right of way for double track to be provided railroad company.
10484		Clatsop County. Tongue Point. Reconstruction of Columbia River Hwy. at Tongue Point approved by WPA. Attorney authorized to close options for right of way.
		Multnomah County. Columbia Gorge Highway. Juanita Starr right of way controversy. Recommended offer approved.
		Awards. Commission confirms following awards:
		Astoria (Astor St.-Bond St.) Section, The United Contracting Company;
		Umatilla River Overcrossing and other structures near Stanfield, C. J. Montag & Sons;
		Fulton Canyon-Locust Grove Section, O. C. Yocom;
		Grave Creek-Jumpoff Joe Creek Section, Frank Penepacker.
		Equipment. Purchase of following authorized:
		3 Buick cars for Maintenance Engineer, Division Engineer and Parks Superintendent; 2 cars for use of Traffic Dept.; laboratory equipment to be installed in new laboratory building at Salem; 1 model 92 mimeograph machine.
10485		Load limit. Weston-Elgin Secondary Highway. Resolution adopted lifting load limit.
10486		Coos County. Enegren Ferry. Alterations to approaches to accommodate 15-ton loads approved.
		Ferry operation to be advertised for bids in September.
		Pendleton-John Day Highway. Timber strips. Employment of cruiser to cruise standing timber authorized.
		Multnomah County. Portland. Purchase of small parcel of land at Union Ave. and East Couch Street authorized.
10487		Purchase of right of way at Union Ave. and East Ankeny St. deferred until further investigation.
		Portland to be asked to give assurance that proposed route will be permanent.
		Clatsop County. Proposed Columbia River Bridge. U.S. Army Engineers to hold public hearing July 16, at Astoria.
		Malheur County. Nyssa. Invitation to attend celebration July 24 for completion of underpass and new U.P. depot accepted.
		Clatsop County. Seaside. Invitation to attend Loggers Carnival, August 9 and 10, declined.
		Douglas County. Drain. Request for state aid in design for bridge over Pass Creek approved.
		Workmen's Compensation Act. Request of Babler Bros., contractors, for relief from provisions of act. Decision deferred.
10488		Log hauling. Request of Sen. Franciscovich for modification of rule requiring log trucks to stop at railroad crossings.
		Salmon River Highway. Timber strips. State funds authorized for purchase from Miami Corporation.

<u>Page</u>	<u>Date</u>	<u>Subject</u>
10488	July 18 1941	<p>Meeting dates. September 4 and 5, 1941, set for next regular meeting. Special meeting set for August 14, 1941.</p> <p>Agreements, et cetera, signed as follows:</p> <p>Gales Creek & Wilson River Railroad Co., Glenwood Overcrossing, Washington County;</p> <p>Charles S. and Rosa M. Bateman, purchase of property for right of way, Washington County;</p> <p>Ernest D. and Zoa E. Wade, lease of maintenance headquarters site at Elkton, Douglas County;</p> <p>Deschutes County, construction of Terrebonne-Lower Bridge Road;</p> <p>Deschutes County, oiling of Shevlin Park Road, Bend;</p> <p>Elmer C. Manning, exchange of lands under Taylor Grazing Act, in Klamath County;</p> <p>Portland Mortgage Company, vacation of portion of Southwest Government Street, Newport;</p> <p>Woahink Lake C.C.C. camp site, rental agreement with U. S.;</p> <p>Southern Pacific Company, re Elodgett Overcrossing;</p> <p>Lexington Lodge No. 168, I.O.O.F., lease of maintenance site at Lexington, Morrow County;</p> <p>City of Seaside, easement for pipe line on revised location of Wolf Creek Highway at Vollmer Creek;</p> <p>Southern Pacific Co., termination of lease of private road crossing near Strassel, Washington County;</p> <p>Bargain and sale deed conveying unto Housing Authority of Clackamas County 1.029 acre of land and road easement.</p>
10489		

Portland, Oregon, April 3, 1941

The State Highway Commission met in regular session at 9:00 a. m. in the auditorium of the Public Service Building. Present were:

Henry F. Cabell, Chairman
Huron W. Clough, Commissioner
Herman Oliver, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

Bids, as follows, for highway construction projects and sale of a building in West Portland and real property in Cottage Grove were opened and read in conformance with previously-published notice, following which Chairman Cabell announced that the award of contracts and sales of property would be made at 2:30 p. m. in the same room:

JOHN DAY HIGHWAY
DIXIE SUMMIT SECTION - GRADING AND SURFACING

Leonard & Slate	\$161,540.00
Max J. Kuney Co.	164,783.00
Whites Trucking Co.	169,850.00
Triangle Construction Co.	178,804.00
McNutt Bros.	178,886.50
E. C. Hall Co.	179,708.00
Tony Marrasso	180,339.00
G. D. Lyon & Co.	215,546.00

JOHN DAY-BURNS HIGHWAY
VANCE CREEK-SODA MOUNTAIN SECTION - GRADING, SURFACING AND OILING

Babler Bros.	\$120,788.00
Norris Bros.	127,798.50
E. C. Hall Co.	128,498.50
A. Milne	128,950.50
McNutt Bros.	145,561.00

SANTIAM HIGHWAY
FOSTER-CASCADIA SECTION - SURFACING

O. C. Yocom	\$12,637.00
Salem Supply Co.	13,180.00
River Bend Sand & Gravel Co.	13,504.00
A. S. Wallace	14,980.00

BOARDMAN-STANFIELD HIGHWAY
MORROW COUNTY LINE-STANFIELD SECTION BRIDGES

A. Milne	\$7,360.00
McNutt Bros.	7,900.00
Norris & Philpott	8,722.50

10199

STARKEY SECONDARY HIGHWAY
BRIDGE OVER MEADOWBROOK CREEK NEAR STARKEY

Norris & Philpott
A. Milne
McNutt Bros.

\$5,030.00
5,224.00
5,571.00

NEHALEM SECONDARY HIGHWAY
VANDEHEY AND VANDYKE SECTIONS - GRADING, SURFACING AND OILING

Gales Creek Sand & Gravel Co.
C. J. Eldon
Babler Bros.

Using Asphalt	Using Tar
- - -	\$23,447.00
\$27,776.00	27,741.00
- - -	29,050.00

OCHOCO HIGHWAY
TAYLOR CREEK SECTION - GRADING

M. L. O'Neil & Son
Leonard & Slate
J. C. Papin
Colonial Construction Co.
E. L. Rigdon
A. C. Greenwood Co. Inc.
Triangle Construction Co.
Max J. Kuney Co.
Ray L. Houck
McNutt Bros.
Frank Penepacker

\$52,940.00
58,130.00
65,397.00
73,786.00
75,708.00
78,562.00
78,606.00
78,892.00
86,829.00
90,990.00
92,406.00

SALE OF BUILDING IN WEST PORTLAND

Building No. 3645 (former owner Sarah Agness Young Estate)

Florence W. Ehle
Lester H. Colson

\$77.00
30.55

SALE OF TRACTS IN COTTAGE GROVE

Tract "A" (former owners A. W. Helliwell & Geo. M. Hawley)

T. L. Kuhns
Martin Heerdl
Irene Boyd

\$2,026.00
1,582.50
51.00

Tract "B" (former owners A. W. Helliwell & 1st Free Methodist Church)

Irene Boyd

\$51.00

Combination of Both Tract "A" and Tract "B"

Irene Boyd

\$102.00

The Commission discussed the selection of the military strategic network of highways for Oregon, particularly the map prepared by W. H. Lynch, District Engineer, Public Roads Administration, on which were shown in colors the highways originally proposed for such system and suggested changes and eliminations. After careful consideration of this matter the Commission approved, with certain reservations and qualifications, the revised system, which includes the following highways:

STRATEGIC HIGHWAY SYSTEM OF OREGON

First Priority Highways

1. Pacific Highway (US 99) and Pacific Highway East (US 99E), from the Oregon-Washington state line north of Portland to the Oregon-California state line south of Ashland.
2. Columbia River Highway (US 30 and US 730), from Portland to the Oregon-Washington state line, near Wallula, Washington.
3. Old Oregon Trail (US 30), from its junction with the Columbia River Highway (US 30) at Umatilla to its junction with the Central Oregon Highway (US 28) near Ontario, including the spur section which extends easterly from Ontario to the Oregon-Idaho state line.
4. Boardman-Stanfield Highway, from its junction with the Columbia River Highway (US 30) near Boardman, to its junction with the Old Oregon Trail (US 30), near Stanfield.
5. Sherman Highway (US 97), from its junction with the Columbia River Highway (US 30), near Biggs, to its junction with The Dalles-California Highway (US 97 and ORE 50) at the head of Cow Canyon, in Wasco County.
6. The Dalles-California Highway (US 97), from its junction with the Sherman Highway (US 97) at the head of Cow Canyon, to the Oregon-California state line near Dorris, California.
7. Klamath Falls-Lakeview Highway (ORE 66), from Klamath Falls to its junction with the Klamath Falls-Malin Highway (ORE 39).
8. Klamath Falls-Malin Highway (ORE 39), from its junction with the Klamath Falls-Lakeview Highway (ORE 66), to its junction with the Hatfield Secondary Highway (ORE 39) near Merrill.
9. Hatfield Secondary Highway (ORE 39), from its junction with the Klamath Falls-Malin Highway (ORE 39) to the Oregon-California state line.
10. Redwood Highway (US 199), from Grants Pass to the Oregon-California state line southwest of Kerby, in Josephine County.

11. Willamette Highway (ORE 58), from Goshen, Lane County to its junction with The Dalles-California Highway (US 97) south of Crescent, Klamath County.

12. Mt. Hood Highway (ORE 50), from Portland to its junction with the Wapinitia Highway (ORE 50).

13. Wapinitia Highway (ORE 50), from its junction with the Mt. Hood Highway (ORE 50) to its junction with the Warm Springs Highway (ORE 27).

14. Warm Springs Highway (ORE 27), from its junction with the Wapinitia Highway (ORE 50) to Madras.

15. Wolf Creek Highway (ORE 2), from Portland to its junction with the Oregon Coast Highway (US 101) at Cannon Beach Junction.

16. Oregon Coast Highway (US 101), from its junction with the Wolf Creek Highway (ORE 2) at Cannon Beach Junction to its junction with the Fort Stevens Road.

Second Priority Highways

1. Oregon Coast Highway (US 101), from Astoria to its junction with the Fort Stevens Road, and from its junction with the Necanicum Highway near Wheeler to the Oregon-California state line south of Brookings.

2. Necanicum Highway, from its junction with the Oregon Coast Highway (US 101) near Wheeler to its junction with the Wolf Creek Highway (ORE 53) at Necanicum Junction.

3. Umpqua Highway (ORE 38), from Drain to Reedsport.

4. Salmon River Highway (ORE 18), from its junction with the Pacific Highway West (US 99W) near McMinnville to Otis.

5. Pacific Highway West (US 99W), from its junction with the Pacific Highway (US 99) in Portland to its junction with the Pacific Highway East (US 99E) at Junction City.

6. Three Rivers Highway (ORE 14), from Valley Junction to Hebo.

7. Wilson River Highway (ORE 6), from Tillamook to its junction with the Wolf Creek Highway (ORE 2) near North Plains.

8. Columbia River Highway (US 30), from Portland to Astoria.

9. Santiam Highway (US 20), from Albany to Sisters.

10. McKenzie-Bend Highway (US 20), from Sisters to its junction with The Dalles-California Highway (US 97) near Bend.

11. Central Oregon Highway (US 20 and US 28), from Bend to its junction with the Old Oregon Trail near Ontario.

12. I.O.N. Secondary Highway (US 95), from its junction with the Jordan Valley Secondary Highway, west of Jordan Valley, to the Oregon-Nevada state line, near McDermitt, Nevada, and from its junction with the Jordan Valley Highway north of Jordan Valley to the Oregon-Idaho state line near Malloy Ranch.

13. Jordan Valley Secondary Highway, from its junction with the I.O.N. Secondary Highway (US 95), north of Jordan Valley, to its junction with the I.O.N. Secondary Highway (US 95), west of Jordan Valley.

Third Priority Highways

1. Albany-Corvallis Highway (ORE 26), from Albany to Corvallis.
2. Corvallis-Newport Highway (ORE 26), from Corvallis to Newport.

The Commission thereupon signed four copies of Mr. Lynch's map* which were then delivered to Mr. Lynch with the following letter of transmittal, said letter being signed by R. H. Baldock, State Highway Engineer, upon approval of the Commission:

Pursuant to our conversation last week in Pendleton, the Highway Commission has carefully studied the routes suggested by the Public Roads Administration for the selection of the military strategic network in Oregon. The Commission has approved the map which you submitted, with the following reservations and qualifications:

1. The Commission is willing to eliminate the designation of its John Day-Ochoco Highway, Federal Route 28, provided the Public Roads Administration is willing to permit the allocation of reasonable sums annually of federal aid and forest funds to this road; provided, of course, there are no mandatory restrictions imposed by the Congress nor administrative orders to prevent such allocation.

2. In the event Congressional or administrative orders prevent the allocation of federal aid and/or forest funds to this road, the Commission reserves the right to again present its reasons for the inclusion of US 28 in the military strategic system.

3. Attention is called to the fact that the final location of that section of US 97 from Shaniko Junction to Biggs is dependent upon the selection of the location of the bridge crossing the Columbia River.

* See map in file No. 1 - Strategic Highway System of Oregon.

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All other changes and designations of the strategic military network as shown by the map signed by the Commission on April 3 are hereby agreed to without reservations of any kind.

The matter of financing the reconstruction of the Ochoco Highway between Marks Creek and Mitchell was discussed. It was pointed out that federal requirements may prohibit the expenditure of forest highway funds for the improvement of roads that are not on the strategic military system and the probabilities are that funds heretofore allocated to the forest section east of Marks Creek will have to be reallocated. The Commission decided, if forest highway funds cannot be used for such project, to use federal aid funds along with state funds to finance it, so as to insure that the work will proceed as planned.

Senator Howard C. Belton, Clackamas County, headed a delegation, including County Judge E. L. Pope and County Commissioners C. W. Kruse and George G. Randall, County Engineer D. T. Meldrum, and Mayor J. R. Vinyard of Canby, which came before the Commission relative to the designation and improvement, as state secondary highways, of the following county roads:

Market Road No. 10, from Canby to the junction with the Woodburn-Mt. Hood Loop Secondary Highway at a place known as Erickson's Corner.

Market Road No. 25 from Molalla southeasterly to a point near the confluence of the Molalla River with the North Fork Molalla River.

Chairman Cabell expressed regrets that the Commission is not in a position today to decide this matter, but promised that a decision would be made at the May meeting of the Commission. It was agreed that a joint inspection of the roads would be made with Senator Belton and the County Court in the meantime.

County Judge C. L. Allen and County Commissioner Ole Grubb of Deschutes County were present and requested the following improvements: Oiling of the Tumalo-Deschutes Secondary Highway 3.9 miles in length; oiling of the Cline Falls Secondary Highway, from Tumalo north 3.6 miles. They expressed a preference for the Tumalo-Deschutes improvement. They also asked for the improvement of the O'Neil Secondary Highway. The Engineer estimated the Tumalo-Deschutes project would cost about \$16,000, and the Tumalo-Cline Falls project about \$17,000. The County Court was informed that the projects requested are not programmed as yet but that the Commission will consider them in the formulation of the next program.

Representative J. S. Greenwood, of Clackamas County, conferred with the Commission regarding the issuance of continuous permits for log hauling on state highways. He was informed that the Commission is now revising its

rules and regulations in that regard and hopes to be able to publish them in the not distant future.

The Commission discussed a letter from Honorable Robert W. Sawyer, Bend, in regard to the \$1.00 fee that travelers through Crater Lake Park are required to pay regardless of whether or not they drive to the lake or make use of the park facilities. Mr. Sawyer gave as his understanding that a similar condition exists at Rainier National Park in the State of Washington, and that people are relieved from payment of any fee for simply passing through one side of this park. It was his suggestion that this matter be investigated and, if found to be true, that the park authorities be requested to permit travel through Crater Lake Park without charge if the lake is not visited. The Engineer was instructed to inform Mr. Sawyer that the Commission is considering a procedure for the elimination of this \$1.00 fee at this place.

In this connection Chairman Cabell suggested, as an inducement for the elimination of the \$1.00 fee, that it might be advisable for the State to pay a portion of the cost of maintaining the highway through the park, the amount of such cooperation to be in the same proportion that the volume of traffic that simply passes through the park without viewing the lake bears to the total traffic that enters the park. After discussion the Commission voted unanimously in favor of the Chairman's suggestion. The Engineer was instructed to offer this proposition to Mr. E. P. Leavitt, Superintendent of the Park. He was instructed to study Mr. Leavitt's report heretofore filed with the Commission on this subject and to bring the matter up again for further discussion at the next meeting.

The Engineer discussed with the Commission matters pertaining to the proposed reconstruction of the Pacific Highway between Eugene and Springfield Junction. He advised that the improvement as proposed contemplates shifting the Southern Pacific Railroad tracks to a location near the Willamette River and the utilization of the present railroad grade for the highway, and that the plans call for a certain type of construction with respect to the new railroad line; however, the railroad company is experiencing considerable trouble with high water in its California division and is fearful that similar trouble will be encountered between Eugene and Springfield unless special precautions are taken to avoid it, and accordingly, the railroad company officials have stated that they will not approve the specifications unless certain changes are made, which will increase the cost of the project about \$90,000, including \$21,000 for signal installation, and \$5,000 for a Kirkbride fishplate. He also said that there is some difference of opinion relative to the value of the property that the Commission is obtaining from the railroad company, compared with the property that the Commission is purchasing for the new railroad line. He recommended the following procedure for the contracting of this work: Grading of the railroad line change costing about \$150,000, bids to be taken in June if the right of way situation is cleared; taking of bids for the construction of the grade separation structure in January of 1942, and the contracting of the balance of the work later. The Commission indicated approval of the Engineer's recommendation but deferred a decision pending inspection of the premises. It was decided to make

such inspection some time during the week commencing April 14. The Engineer was instructed to invite representatives of the railroad company to be present on such inspection. The Attorney was instructed to re-appraise the properties that the state is receiving from the railroad company, and those which are being acquired by the state for the new railroad line, and to have these figures available at that time.

The Commission conferred with W. H. Lynch, District Engineer, and H. D. Farmer, Senior Highway Engineer, representing the Public Roads Administration; and F. H. Brundage, representing the U. S. Forest Service, in regard to revising the 1941 Forest Highway Program, in view of the probabilities that Congress will not appropriate the full amount of federal funds heretofore recommended for the 1941 program. Mr. Lynch recalled that the program, as originally proposed, necessitates the appropriation of \$11,000,000; however, according to latest information available, the House of Representatives has reduced the amount to \$9,000,000, so it will be necessary to delete a number of projects in the original setup. After full discussion of this matter, it was mutually agreed to defer the construction of the following projects:

Reconstruction and surfacing of the seven-mile section of the John Day-Burns Highway, in Grant County - estimated cost, \$60,000.

Grading of 0.8-mile section of the Flora-Enterprise Highway, in Wallowa County - estimated cost, \$80,000.

It was also agreed that these projects should be given priority consideration in the 1942 Forest Highway Program.

It was decided to defer the contracting of the Wapinitia Highway project, costing \$115,000, and the Klamath Falls-Lakeview Highway project, costing \$100,000, as the last projects to be contracted in the 1941 program; the contract for the Klamath Falls-Lakeview project to be awarded in the program for 1942, rather than this year, when it is proposed to include additional funds to finish the entire project.

The Engineer reported that recent inspection of the Willamette Highway indicates that there are two sections badly in need of resurfacing, one of which is at the summit, and the other near Oakridge. He recommended that the \$85,000 of Forest Highway Funds programmed for this highway be expended for the resurfacing of the seven-mile section at the summit, starting at the Highway Department's maintenance station, near Odell Lake. His recommendation was approved by all concerned. After further discussion, the following revisions in the Fiscal Year 1941 Forest Highway Program were approved by mutual consent:

No.	Project	Present Approved Program Amount		Recommended Revisions	
		Forest Hwy.	Coop.	Forest Hwy.	Coop.
SN 10-D1,E	Oregon Coast Hwy. Reconst. Grad. & Surf., 1.3 mi.	\$70,000	\$50,000	\$110,000	\$10,000
21-F5,Q3,H4	Willamette Hwy. Surf., 7.5 mi.	85,000		designation revised as indicated below	
21-M	Willamette Hwy. Surf., 7 mi.			85,000	
SN 23-E2,G4	Santiam Hwy. Reconst. Grad. & Surf., 7 mi.	100,000	50,000	150,000	
26-C5	Wapinitia Hwy. Reconst. Grad., Surf. & Br., 2.5 mi.	65,000	50,000	115,000	
35-A7	John Day-Burns Hwy. Reconst. Surf., 7.0 mi.	60,000		to be eliminated	
38-E	Flora-Enterprise Hwy. Grad., .8 mi.	80,000		to be eliminated	
46-C1,D	Cascade Lakes Hwy. Grad. & Adv. Clear., 13 mi.	50,000		10,000	40,000
50-A1,B	Timberline Hwy. Grad., Surf. & Adv. Clear., 5 mi.	125,000		25,000	100,000
	Location Survey	30,000		70,000	
	Maintenance	25,000		55,000	
		\$690,000	\$150,000	\$620,000	\$150,000

The readjustments in the financing above cited releasing Forest Highway Funds from two of the Class 3 highways and substituting therefor state cooperative funds is recommended due to the urgent solicitation of the highway department that improvement on these projects be carried out this season. They had previously proffered cooperation on other projects, but now request that their funds be released from those projects and substituted on the Class 3 routes.

Traffic during the past winter has demonstrated that the section of the Willamette Highway in the vicinity of Odell Lake is in greater need of immediate improvement than is the section cited in the present approved program. The revision is recommended in order that the more urgent work may be carried out first.

Due to the fact that we were delayed in advertising the program to such an extent that it seemed impossible to place the bituminous surfacing this season on the John Day-Burns Project 35-A7, the state desired to take over the obligation, and has already put the project under contract with its own funds. There is thus released the \$60,000 programmed to that project. The funds released will finance increases in other items of the program.

It is now found that the State of Washington is not making as rapid progress as had been anticipated on the section of the Flora-Enterprise Route approaching the Oregon line from the north. It is, therefore, unnecessary for us to complete our section this season. It is recommended that the project be eliminated from the current program; thus releasing funds which will be needed to finance overhead and to increase the contingent fund.

Funds requested for location surveys are required to finance surveys on routes which have already been approved.

The sum recommended for lump fund maintenance is planned to cover maintenance obligation on Forest Highways for which the Federal Government is obligated in the fiscal year 1942.

A letter directed to the Chief of the Forest Service and the Commissioner of Public Roads, Washington, D. C. recommending such revisions was signed by the Commission on the following day.

The Commission discussed the application of the City of Newport for the substitution of angle parking for parallel parking along the Oregon Coast Highway through their city, and for the installation of a flashing beacon at the intersection of the Oregon Coast Highway with Hulbert Street. The Engineer recommended the installation of the flashing beacon, which is estimated to cost \$150.00, but that the city's request for the angle parking be denied. The Commission approved the recommendation by unanimous vote.

The Commission also discussed the request from the City of Salem for state cooperation in the installation of traffic signals at the intersection of Capitol Street (Pacific Highway East) and Center Street, in Salem. The Engineer advised that this matter was investigated about a year ago and it was found that the installation is warranted and that the city was so advised but, due to the fact that the city was unable to provide its share of the cost, nothing was done. He estimated the cost of installing semi traffic-actuated signals which, in his estimation, are best adapted to this intersection, at \$2,500, one-half of which, or \$1,250, would be the state's share, in

accordance with the Commission's present policy. He recommended approval of the project provided the city will contribute one half the expense. The Commission approved the recommendation.

A request from Mr. A. J. Witchel, Chief Engineer, S.P. & S. Railroad Company, Portland, for a revision in the grade crossing signalization program had the attention of the Commission. Mr. Witchel asked that the program be revised by deleting therefrom the signalization project heretofore approved on Front Street, in Salem, and substituting therefor a crossing of the Oregon Electric Railway in the town of Beaverton. The Engineer advised that the signalization program has already been prepared and it is now too late to make any changes so, if the Commission wants to install the signal at Beaverton, state funds will have to be used to finance it. He estimated the cost of such installation between \$2,500 and \$3,000. After discussion, the Commission denied the request. However, the Engineer was instructed to bear Mr. Witchel's request in mind in preparing the next program for grade crossing signalization projects and to include in that program at least one installation on the Northern Pacific System, if necessary to secure the approval of that company.

The Commission recessed at 12:00 noon, and reconvened at 2:00 p. m. in the same room with all Commissioners, the State Highway Engineer, the Attorney, and the Secretary present.

The Secretary presented a letter from the Roseburg Chamber of Commerce inviting the members of the Commission and its staff to a banquet in Roseburg on Tuesday evening, April 8, 1941, honoring Mr. W. C. Harding, retiring Secretary of the Chamber. Chairman Cabell and Commissioner Oliver expressed regrets that they would not be able to attend this function and it was decided that Commissioner Clough and the State Highway Engineer should represent the Commission on this occasion.

A delegation from Parkrose, representing the Parkrose Chamber of Commerce and headed by Carl W. Helwage, Secretary, came before the Commission in regard to the installation of "stop" and "go" signals along Sandy Boulevard (Columbia River Highway) at the following intersections: 105th Avenue, 89th and Prescott Streets, and at Columbia Boulevard. Others in the delegation were Frank McQuilkin, Harry H. Pearce, Member of the Parkrose School Board, and Paul Jarrett, Chief of the Fire Department. Mr. Helwage read aloud and presented a letter signed by himself, as Clerk of the Parkrose Public Schools, urging the installation of the signals. The Engineer advised that the signals might help but, in his estimation, the most pressing need is for better police protection. He pointed out that according to the present policy of the Commission, installations of this type are to be paid 50 per cent by the state and 50 per cent by the local community and, in view thereof, he suggested that it would be advisable for the people of Parkrose to incorporate so they can comply with the Commission's requirements in this regard and also secure the benefits of protection offered by police. Mr. Pearce advised that the people of Parkrose are opposed to incorporation. After discussion, the Engineer was instructed by the Commission to make another investigation of traffic volume and accidents at this location.

Mr. Pearce also asked for the widening of the present highway for four lanes of traffic through their community. He declared that the present three-lane highway is too narrow and that if the Commission would approve the widening of the pavement full width between existing curbs, it would not only increase the safety factor but would also eliminate a very bad dust condition along the highway shoulders. Mr. Helwage offered the services of the Parkrose Chamber of Commerce in securing right of way for the widening project, particularly at the point where the land is needed from the Cemetery Association. The Commission took the matter under advisement.

At 2:30 p. m. Chairman Cabell announced the following awards of contracts and sale of property, bids for which were received by the Commission at the morning session, such awards having been previously approved by the Commission by unanimous vote:

"Dixie Summit Section of the John Day Highway, in Grant County. 5.10 miles grading and 2.23 miles bituminous macadam surfacing. Leonard & Slate, Multnomah, submitted the low bid for this work in the amount of \$161,540.00. Max J. Kuney Co., Spokane, Washington, submitted the next low bid in the amount of \$164,783.00. There were six higher bidders. The Commission has referred all bids on this project to the Engineer with power to award the contract to the low bidder when certain conditions have been fulfilled. (Awarded the following day.)

"Vance Creek-Soda Mountain Section of the John Day-Burns Highway, in Grant County. 4.02 miles grading and 18.02 miles surfacing and oiling. The low bid received for this project was that of Babler Bros., Portland, in the amount of \$120,788.00. The second-low bid was that of Norris Bros., Burlington, Washington, in the amount of \$127,798.50. There were three higher bidders. The Commission refers all bids received for this work to the Engineer with power to award the contract to the low bidder when certain conditions have been fulfilled. (Awarded to Babler Bros. the following day).

"Foster-Cascadia Section of the Santiam Highway, in Linn County. 10.39 miles surfacing. Four bids were submitted for this project, the low one being that of O. C. Yocom, Willamina, in the amount of \$12,637.00 and the second-low being that of Salem Supply Company, Salem, at \$13,180.00. The Commission awards this contract to O. C. Yocom, the low bidder, at his bid of \$12,637.00.

"Morrow County Line-Stanfield Section Bridges on the Boardman-Stanfield Highway, in Umatilla County. One 30-foot reinforced concrete span over Butter Creek and one 30-foot reinforced concrete span over the irrigation canal at Station 989+00. A. Milne, Portland, submitted the low bid for this work in the amount of \$7,360.00 and McMutt Bros., Eugene, submitted the second-low bid in the amount of \$7,900.00. The only other bid submitted was that of Norris & Philpott, Portland. The Commission awards this contract to the low bidder, A. Milne, at his bid of \$7,360.00.

"Bridge over Meadowbrook Creek near Starkey on the Starkey Secondary Highway, in Union County. Three 35-ft. untreated timber spans. Three bids were received for this work, the low one being that of Norris and Philpott, Portland, at \$5,030.00 and the second-low being that of A. Milne, Portland, at \$5,224.00. The Commission awards this contract to Norris and Philpott at their low bid of \$5,030.00.

"Vandehey and Van Dyke Sections of the Nehalem Secondary Highway, in Washington County. 1.08 miles grading, surfacing and oiling. Three bids were received for this job, the low one being that submitted by Gales Creek Sand and Gravel, Forest Grove, at \$23,447.00, based on the use of tar. They did not submit a bid based on the use of asphalt. The second-low bid was submitted by C. J. Eldon, Portland, at \$27,741.00 based on the use of tar, and \$27,776.00, based on the use of asphalt. The Commission has referred all bids for this project to the Engineer with power to award the contract to the low bidder when certain conditions have been fulfilled. (Awarded to Gales Creek Sand and Gravel, using tar, on April 4, 1941.)

"Taylor Creek Section of the Ochoco Highway, in Wheeler County. 0.80 mile grading. M. L. O'Neil & Son, Stanfield, submitted the low bid for this project in the amount of \$52,940.00. Leonard & Slate, Multnomah, submitted the second-low bid in the amount of \$58,130.00. There were nine higher bidders. The Commission has referred all bids received for this project to the Engineer with power to award the contract to the low bidder when certain conditions have been satisfied. (Awarded the following day to M. L. O'Neil & Son.)

Sale of Buildings and Property

"Sale of Building No. 3645, formerly owned by Sarah Young Estate, in West Portland. The Commission has rejected both bids received for the purchase of this building. The Commission also rejects the bid of Irene Boyd for the purchase of Tract B in Cottage Grove, which was the only bid received. Tract A in Cottage Grove, former owners A.M. Helliwell and G.M. Hawley, is sold to T.L. Kuhns, at his high bid of \$2,026.00"

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A delegation representing the Oregon Coast Highway Association and including Arch B. Sanders, Manager; County Judge E. L. Peterson and County Commissioner Lars Peterson, of Coos County; Ora E. Wilson, President, Gold Beach Chamber of Commerce; Lefe Compton of Coquille; A. A. Hall and C. H. Coe of Marshfield, and Frank Taylor of Reedsport, came before the Commission in regard to the allocation of state highway funds. Mr. Sanders headed the group and Mr. Hall was chief spokesman. He said that the Coast Highway Association approves the Commission's method of allocating highway funds to the various districts of the state, as the normal procedure, but during abnormal times such as now obtain, when the Federal Government is seriously considering the appropriation of special funds with which to finance the improvement of highways on the strategic military highway system, they are of the belief that the Commission should modify its method of allocating the moneys at its disposal so as to provide a more equitable and fair distribution of such funds. He gave as their understanding that the Pacific Highway is to receive a considerable amount of special funds and gave as their feeling that, if such is to be the case, it is only fair and proper that the State Highway

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Commission transfer the regular funds heretofore budgeted for the Pacific Highway improvement to the Oregon Coast Highway where they can be used to finance the work that is badly needed to take care of civilian traffic.

Chairman Cabell advised that Congress has not yet provided the special funds referred to by Mr. Hall although the appropriation has been recommended by Mr. John M. Carmody, Federal Works Administrator, and by Mr. Thomas H. MacDonald, Commissioner of Public Roads. He also said that the Commission is sympathetic to the tenor of the delegation's request, but is not in a position at this time to make any statement relative thereto. Further, that the Commission has three major projects that it is now undertaking; viz., the reconstruction of the Columbia River Highway, between Troutdale and The Dalles, the improvement of the Pacific Highway, between Roseburg and Grants Pass, and several problems on the Oregon Coast Highway and, if the Commission is able to secure special financial relief in connection with any of these projects, then perhaps it can give consideration to the redistribution of funds for other improvements.

Judge Peterson then brought up for discussion the matter of additional right of way needed for the improvement of the Oregon Coast Highway, between North Bend and Bunker Hill. He said that the county owns considerable property at this location, and has received offers from private parties to purchase some of it. However, the county court will not make any sales until it knows just what the state needs. He asked the Commission to send a right of way man to Marshfield to discuss the matter with the county court. The Commission thanked him for his suggestion and instructed the Attorney to see that a right-of-way man contacts the county court as soon as possible.

Mr. Sanders brought up again the matter of providing sanitary facilities for the general public at Depoe Bay. He was informed that the Commission denied the previous request for such facilities upon recommendation of the State Parks Superintendent, and that it is not inclined to alter its decision at this time.

A delegation from Ashland, consisting of Mayor T. S. Wiley, R. E. Koozer, Councilman; and Frank J. Van Dyke, City Attorney, was present and discussed with the Commission the matter of the elimination of the bottleneck on the Pacific Highway at what is known as Plaza Corner, in Ashland, which matter has heretofore been brought to the attention of the Commission. They urged the improvement at the earliest possible time as a national defense item to facilitate the movement of troops and advised that they are very anxious for the Commission's decision and a definite commitment to the project as soon as possible. The Engineer advised that final plans for the project have not yet been completed, particularly the traffic channelization feature, but he expects to make his report to the Commission on this matter in the near future.

Chairman Cabell advised that approval of this project is dependent on availability of funds, and that the Commission is not in a position at the present time to make a promise, but expects to decide the matter soon. The Commission discussed this matter further after the group departed, and authorized the Engineer at that time to complete the plans and to prepare right of

way descriptions. Mr. Van Dyke reappeared before the Commission later and asked the Commission to authorize negotiations for the right of way. The Commission approved the request and so ordered.

A delegation representing the South Tillamook County Chamber of Commerce came before the Commission and urged the construction of a highway connecting the Salmon River Highway and the Three Rivers Highway, between Boyer and Dolph, and the construction of the Little Nestucca Secondary Highway, between Dolph and the junction with the Oregon Coast Highway near Meda. The delegation was headed by Mr. Mervin Boyer and included the following: James T. Young, S. D. Hammond, Harry Hammell, Jake Reddikopp, Norman Reddikopp, Frank Dordan, Wes. Schulmerich, Howard Owens, Dave Nelson, and former County Judge E. Belts. They urged the above improvements from the national defense standpoint and for the benefit of ranchers. Mr. Boyer filed petitions bearing the names of some 800 citizens of this district urging the construction of the Boyer-Dolph cutoff.

Chairman Cabell advised that the Boyer-Dolph project is an expensive one and the Commission is faced with the problem of balancing this cost against other projects in the Tillamook district and it appears to the Commission that the benefits that would be derived from the construction of this project would not be as great as the benefits derived from other projects costing the same amount of money. Mr. Belts declared that this project is a meritorious one and that Tillamook County is entitled to it because the county up to the present time has not had its share of state secondary money. He was informed by Chairman Cabell that the Commission has spent a considerable amount of Federal Aid Secondary Highway Funds on county roads in Tillamook County. Mr. Young, Secretary of the Association, alleged that the purpose of roads is to develop communities and, in his estimation, improvement of this road will be very beneficial from that standpoint. Mr. Hammond urged construction of the road as a safety measure, stating that the present road between Valley Junction and Dolph is very crooked and dangerous. Mr. Boyer concluded the presentation by a few remarks from the maintenance standpoint, giving as his thought that the state would save considerable sums in maintenance operations by reason of lessening the mileage of highway to be maintained. The Commission took no action on the matter.

Messrs. H. H. McCowan and V. F. Harper, representing the Bonneville Power Administration, were present and asked permission to move, without load, over the Columbia River Highway from Hood River to The Dalles, a truck and semi-trailer attachment weighing 26 tons and being 9'8" wide and 61'6" in length; and to transport on such equipment, from The Dalles to a point two miles westerly thereof, one transformer weighing twenty tons, which is to be used in connection with the Bonneville power project. The Commission granted the request subject to the condition that the movement is accompanied by three flagmen, one to proceed in front of the truck, one to follow in the rear, and one to be stationed on the truck as protection against the side-swiping of passing traffic.

Mr. Glen W. Berry, Prineville, came before the Commission in regard to a settlement for right of way which was acquired for the improvement

of the Ochoco Highway in Prineville. Mr. Berry alleged misrepresentation by the Highway Department right-of-way agent as to the grade line of the highway, and advised that at that time it was his thought that the highway would not adversely affect his property; however, since the highway has been constructed, he finds that it leaves his property in a hole. He further stated that he has already paid \$175.00 for filling in a portion of his lot but believes that he should not be required to go to further expense, and accordingly, is asking the state to raise his house to the proper elevation and fill in the balance of his lot.

The Assistant Attorney explained that the grade of the constructed highway is actually 0.82 of a foot lower than the original plans called for, and that the sidewalk was constructed lower than the concrete curb, rather than on a level with the curb, in order to accommodate Mr. Berry's premises. It was his thought that Mr. Berry has no cause for complaint because, in his estimation, the property is worth more now than it would have been had the original plans been followed. The Commission's Chief Counsel advised that, in his estimation, the Commission has done more for Mr. Berry than it really was obligated to do, and is not legally liable to do anything further for Mr. Berry. The matter was discussed at some length, but decision was deferred pending personal inspection of the premises by Chairman Cabell. Mr. Berry stated his approval of this arrangement.

Messrs. George Cross, City Recorder, and L. D. Taylor, Councilman, representing the City Council of Halsey, were present and inquired as to the plans of the Commission for the improvement of the Pacific Highway East through their city. They were informed that the Commission has this project in mind and expects to undertake it as soon as funds are available to finance the work but it is not likely that it can be contracted until some time this fall. Mr. Taylor inquired as to the obligation of the city with respect to the clearing of the right of way of encroachments and whether the Commission has any record of an agreement with the city covering such matter. He was informed by the Engineer that a written agreement was entered into by the city and the state covering such matter, which obligates the city to remove all encroachments at city expense.

A large delegation from Oswego, headed by Fred C. Inkster, President of the Oswego City Council, came before the Commission in the interests of the improvement of the Oswego Highway through their town. The delegation included the following: Mayor O. C. Roehr, Mesdames V. H. Sadilek, Claude A. Smith, F. C. Inkster, I. J. Vinson, Elizabeth Salway, R. M. Gifford, A. G. Persels, and E. L. Soule; also Messrs. Earl G. Goss, I. J. Vinson, Ed Bartels, Dr. R. E. Walstrom, W. H. Persels, Paul Murphy, Ben F. Walling, Charles Needham, A. J. Huddleston, Allen Morris, E. L. Gray and Ray L. Martin.

The Engineer explained the plans for the proposed improvement which provides for four lanes of traffic along the section that begins at Kirkham Street on the south and ends at "B" Street on the north. Such improvement, he said, involves the widening of the present three-lane highway and considerable landscaping in the area between the highway and the railroad. The road

work, he said, is estimated to cost about \$25,000 and the landscaping work about \$5,000. He further advised that the Commission considers this a priority project for federal aid funds. Mayor Roehr reported that arrangements have already been made for the removal of utility poles from the highway, and for the parallel parking of automobiles through the business district. There followed a general discussion of the project and inspection of the plans, which were exhibited by the Engineer. Chairman Cabell advised that if the plans appear to be satisfactory to the people of Oswego, then, in his estimation, the project should go forward without delay. Commissioners Clough and Oliver approved Chairman Cabell's statement. The group was then informed by Chairman Cabell that the project will be placed in the Commission's program for early construction and, while there is still a question as to just when the Commission will contract the work, he anticipates that bids will be taken within a reasonable time.

Mr. D. F. Moehnke, Alsea, was present and asked the Commission to improve the 1.3-mile section of the Alsea-Deadwood Secondary Highway, in Lincoln County, so as to facilitate log hauling operations in that district. He was informed that there are no funds available to finance such improvement at the present time, but the Commission will keep the project in mind, and will inspect it when in that vicinity.

The Attorney brought up for discussion matters pertaining to the proposed Front Avenue project in Portland, particularly a letter directed to Ormond R. Bean, Public Utilities Commissioner, with respect to a petition that is now pending before him as Public Utilities Commissioner for Oregon and as Examiner for the Interstate Commerce Commission with respect to the abandonment by the United Railways Company of certain rail service from Front Avenue and the removal of the Company's tracks and other rail facilities therefrom. (For details see letter dated April 3, 1941.) He read aloud such letter, which the Commission approved and thereupon signed.

The Engineer presented a list of proposed sidewalk projects covering the entire state, as previously instructed by the Commission, consisting of projects which he considered to be of first importance among those that have been requested. After discussion, the Commission authorized an expenditure of \$35,000 of state funds to finance such program which shall include the construction of the walk along the Central Oregon Highway, between Burns and Mines Mill, in Harney County, and a sidewalk project in Division No. 4, (Central Oregon), the balance to be made up of projects at other points throughout the state, selected from the priority list prepared by the Engineer, to make up the total of \$35,000.

The Engineer read aloud a report from Bridge Engineer G. S. Paxson in regard to the construction of a storm sewer on Main Street in Nyssa, heretofore requested by the Nyssa City Council. According to the report, in order to handle this drainage through the pump located in the undercrossing at the south end of Main Street, a pump having a capacity of about 8 cu. ft. per second will be required and, in view thereof, it is considered that the handling of the drainage in this manner is not feasible. On the other hand, it

has been found possible and practicable to serve the area by the use of a gravity sewer line which is estimated to cost about \$14,000, including the pipe, manholes, inlets, connections, et cetera. The report also indicated that, if the gravity sewer line is constructed, it will be possible to make a saving of approximately \$1,550 by changing the present proposed drainage system for the underpass. The matter was discussed at some length but no decision reached. (Reconsideration was given to the matter on the following day, when a delegation from Nyssa was present.)

The Honorable R. E. Riley, Mayor of Portland; City Commissioner Wm. A. Bowes; Ben Morrow, City Engineer; and R. G. Regan, City Right-of-Way Buyer, appeared before the Commission in regard to the Front Avenue project, particularly with respect to right of way needed to reestablish certain railway facilities. They discussed the purchase of some additional properties to be used for the construction of spur tracks or service tracks to serve industries which are now served by the tracks on Front Avenue. Representatives of the city said that the city is without funds to pay for the right of way, but offered to use funds available to the city for street purposes to reimburse the state for funds spent by the state in the acquisition of the properties needed for the service or spur tracks. It was agreed that any properties purchased for the spur or service tracks would be purchased on the same percentage of allocation as other real properties purchased for Front Avenue; viz., 60 per cent by the city, and 40 per cent by the state. It was also agreed and understood that properties purchased would be dedicated for street purposes and then franchise given to the railways to operate thereover. The city asked the state to pay all of the cost of real properties for the spur or switch tracks in the first instance, and then the city would reimburse the state in connection with some other project, toward the cost of which both the city and the state would be obligated.

The Attorney advised the Commission that it has legal authority to handle the matter in this manner. Commissioner Bowes advised that the industries along this street will withdraw their objections if such right of way is acquired and physical connections provided for the railroad at both ends of the project. The Commission, by unanimous vote, approved acquisition of this property on the basis outlined.

In the discussion it was pointed out that Public Utilities Commissioner Ormond R. Bean is now in Washington, D. C. in the interests of the Front Avenue project and that it is his intention to wire the action taken by the Interstate Commerce Commission relative thereto. The Engineer was instructed, when such wire has been received, to 'phone the same to the individual members of the Commission who would authorize him to advertise the Front Avenue project for bids, and to readvertise the Hawthorne Bridge reconstruction project, for which the Frank Watt Construction Company submitted the low bid, on December 18, 1940, in the event that this company will not agree to take the job on the basis of such bid. Chairman Cabell recommended approval of the options taken for the property in question, but suggested that Commissioners Clough and Oliver defer their approval pending study of the details at the evening session. It was agreed by all that title to the properties should be taken in the name of the city when the options are closed.

The Commission adjourned at 5:30 p. m. and reconvened at 7:30 p.m. in Room 415 (Imperial Room) of the Imperial Hotel. Present at such meeting were Huron W. Clough, Commissioner; Herman Oliver, Commissioner; R. H. Baldock, State Highway Engineer; J. M. Devers, Attorney; and H. B. Glaisyer, Secretary. Chairman Cabell was excused on account of illness.

The Assistant Attorney reported the status of the right of way budget, pointing out that of the \$600,000 budgeted by the Commission for real property purchases in 1941, \$231,000 has been obligated, and that out of the \$800,000 budgeted by the Commission for the purchase of right of way along Front Avenue, Portland, \$466,000 has been obligated. The Commission approved the report.

The Attorney requested authority to purchase certain parcels of real property that are needed for various highway improvements throughout the state. He submitted a list of such properties together with the prices that he recommended be paid for each. After careful consideration the Commission approved the request and, by unanimous vote, adopted the following resolution with respect thereto:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth, and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon, and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy. and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Houlton-Warren Section, Columbia River Highway</u>				
7435-Carlson, Otto, Estate	R/W	1541 sq.ft.	\$0.025 sq.ft. + \$19	McChesney

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Vandehey Section, Nehalem Highway</u>				
9070-Vandehey, Wm. M.	R/W	1.19	\$150 per a.+ \$181.25	McChesney
9068-Vandehey, Geo.	"	3.51	\$150 per a.+ \$1739.00	"
<u>Van Dyke Section, Nehalem Highway</u>				
9057-White, Emma G.	R/W	0.38	\$150 per a.+ \$30	McChesney
9056-Van Dyke, Adalaide	"	0.90	\$150 per a.+ \$34.50	"
9059-Gordon, William S.	"	0.29	\$150 per a.+ \$100	"
9058-Heesacker, Theresa, Admr.	"	0.19	\$150 per a.+ fencing \$20	"
<u>Arch Cape-Mansanita Section, Oregon Coast Highway</u>				
8100-Noble Holding Co.	Park	40.0	\$2,000 Lump Sum	Benson
<u>Marion County Section, Hillsboro-Silverton Highway</u>				
9114-State Land Board and Lars M. Herigstad	Stock Pile	1.13	\$10 per year, 7 year lease	Eason
<u>West Sheridan Section, Salmon River Highway</u>				
8891-Miller, E. J.	R/W	22,062 sq.ft.	\$50 Lump sum for land. State to assume payment of taxes due (Estd. \$5)	Collins
<u>Union Flat Section, Pacific Highway West</u>				
9102-Adolph, Henry and Frank P. Uts	R/W	0.05	\$220 per a.+ \$21.50	Cosad Collins
9104-Kee, Ruth & Harold W. Fong	R/W	0.17	\$300 per acre	"
9105-Borchers, Geo.	R/W	0.42	\$350 per a.+ \$60	Witt Collins
9106-Wilson, Anna M. Estate	R/W	0.25	\$400 per acre	"
9108-Borchers, Peter	R/W	0.51	\$350 per a.+ \$60	"
<u>Foster-Cascadia Section, Santiam Highway</u>				
9010-Webster, Ramsay, Estate	Gravel Pit	Approx. 20	\$15 per acre	Parker
<u>Alsea-Philomath Section, Alsea Highway</u>				
8688-Federal Land Bank and J. E. Porter	Stock Pile	0.94	\$226+per acre + \$37.50	Cosad Collins
<u>Sand Creek-Fort Klamath Junction Section, The Dalles-California Highway</u>				
8523-Yawkey, Thos A. et al	R/W	1.73	GRATIS	Parker
<u>Ochoco Creek Section, Madras-Prineville Highway</u>				
9197-White, James Hudson	Drainage Ditch	0.78	GRATIS	Chandler

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Post-Paulina Section, Crooked River Secondary Highway</u>				
9198-McCullough, J. A.	Talus Pit		\$50 Lump Sum, 10 year Lease	F. Cooper
<u>Riverside Ranch Section, Crooked River Secondary Highway</u>				
9174-State Land Board, Alvin H. and Maggie L. Brown	Gravel Pit	4.50	\$33.33+ per a.+ fencing, \$48.50.	Chandler
<u>Boardman-Stanfield Section, Old Oregon Trail</u>				
8844-Andrews, Fred, Jr. and Joe Andrews	R/W	11.74	\$50 per a. + \$823	Landon
8850-Mendenhall, Anna, Emily and Minerva	R/W	7.86	\$50 per a. + \$660 + moving bldgs. etc., & building & construct- ing water trough & pump. system (est. at \$317.60) + fencing & bridges over drain ditch.	"
8843-McClintock, L. A.	R/W	4.50 9.791 14.291	\$100 per acre \$50 per a. + \$2560.45	DeSouza
<u>Seneca-Harney County Line Section, John Day Highway</u>				
9178-Hankins, Merle	Quarry & Stock Pile	8.84	\$8.50 per acre	Landon
<u>Central Oregon Highway Junction Section, Lakeview-Burns Highway</u>				
4581-Summers, C. A.	R/W	1.02	\$343.13+ per acre	DeSouza
<u>Long Creek-Fox Section, Pendleton-John Day Highway</u>				
9110-Carter, J. L.	R/W	1.7	\$14.73 per a.+ fence	Gardiner
9112-McGirr, Albert	"	0.72	\$25 per a.	"
9109-McGirr, Frank B.	R/W and Quarry	3.27	\$39.44, + \$49.28 + fencing	"
<u>Ricco Pass-Dixie Summit and Prairie City-Dixie Summit Sec., John Day Highway</u>				
8883-Sumpter Valley RR Co.	R/W	4.77	\$10.48 per a.	Landon
<u>Prairie City-Dixie Summit Section, John Day Highway</u>				
8885-Ricco, Henry E. et al	R/W	25.49	18.75 a. at \$10 per 6.74 a. at \$50 per, + fencing \$1002.50, + \$30	Landon
8889-Meador, H. O.	"	3.12	\$10 per acre	"
8887-Velvin, Emma M.	"	13.26	\$10 per acre, + fenc- ing \$497	"
8880-Grabner, Harold M.	"	1.0	\$50 per a.+ fencing \$190	Cozad

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Prairie City-Dixie Summit Section, John Day Highway (Continued)</u>				
8888-Griffin, E. R., and	R/W	0.25	\$100 per a.	Cozad Landon
State Land Board		4.80	\$25 per a. + \$344.40	
		5.05		
<u>Forest Boundary-Jones Ranch Section, Ochoco Highway</u>				
9075-Howard, L. T.	R/W	61.89	\$10 per a. + fencing \$1600, + \$781.10	Gardiner
9076-Jones, Annie P.	R/W,	5.68	\$100 per a.	"
	Talus	14.74	\$10 per a. + \$1784.60,	
		20.42	plus fencing	
<u>Gilliam County-Zinter Ranch Section, Wasco-Heppner Highway</u>				
8931-Ward, Fay	R/W	3.16	\$25 per a. + \$285	Gardiner
<u>Marshfield-Bay Park Section, Oregon Coast Highway</u>				
8259-Chesik, Anastasia B. et al (Correction)	R/W	18,377 sq.ft.	4¢ sq. ft. + \$1822.50	Collins
<u>Oregon City (Undercrossing) Section, Pacific Highway East</u>				
9029-Portland General Electric Company	R/W	24,167 sq.ft.	\$0.004 + per sq.ft.	McCallister
<u>Front Avenue Project-Columbia Street South (Portland), Pacific Highway West</u>				
8650-Palandri, Mary	R/W	5,000 sq.ft.	\$3,903.00 (Based on cash payment of \$2,903 and exchange of 1 lot, cost price \$1,000)	McCallister
<u>North Bend-Marshfield Section, Oregon Coast Highway</u>				
8058-Peterson, L. P.	R/W	7,571 sq.ft.	12¢ sq.ft. plus \$8550.70, less cred- it by deduction of \$908.52 for land being deeded by the state.	Collins Landon

The Commission also discussed the acquisition of the following properties:

<u>Klamath Falls Section, Midland Highway</u>				
8876-Kelley, C. C. Trustee	Quarry	Approx. 21 a.	\$4,000 Lump Sum	Parker
<u>Sisters-Redmond Section, McKenzie Highway</u>				
8642-Hill, Louis W.	Scale Site	2.52	\$625 Lump Sum	Benson

The Commission approved the purchase of the quarry for the sum of \$4,000, if a test of the rock therefrom reveals that it is satisfactory for highway construction purposes. The Commission also approved the purchase of the scale site of Louis W. Hill, for the sum of \$625, subject to inspection and approval of the site by the Engineer.

The Attorney requested authority to institute condemnation proceedings to acquire certain properties concerning which he has been unable to reach satisfactory settlements. He submitted a list of such properties, together with the amounts that he recommended be offered in condemnation, as follows:

<u>File No.</u>	<u>Name</u>	<u>Purpose Required</u>	<u>Recommended Offer</u>
*9010	Ramsay Webster Estate	Gravel Pit	\$ 300.00
*8862	H. C. Thompson	Right of Way	4,785.00
8875	Oliver Jack	Quarry	500.00
9016	B. F. Friday	Right of Way	200.00
6515	(W. O. Galaway, et ux. and (B. F. Friday	" "	400.00
**4248	Marguerite C. Kaufman	" "	7,575.00

*For the purpose of clearing title

**Subject to further inspection by Mr. Cabell

After discussion the Commission approved the recommended offers and thereupon authorized the Attorney to condemn the several parcels. The following resolutions with respect thereto were adopted by the Commission by unanimous vote:

WHEREAS, the State Highway Commission is authorized to locate, relocate, construct, reconstruct, maintain, widen, straighten, and otherwise improve state highways, both primary and secondary, and said Commission is also authorized to construct shops, equipment sheds, office buildings, maintenance sites, patrolmen accommodations, and snow fences, and is authorized to acquire quarry sites, gravel pits, storage sites, stockpile sites, weighing stations, and broadcasting stations, and is further authorized to develop, construct, improve, operate, and maintain parks, parking places, auto camps, camp sites, roadside development, recreational grounds or resorts, and other places of attraction and scenic value; and

WHEREAS, said Highway Commission is authorized to acquire by purchase, agreement, donation, or by the exercise of the power of eminent domain real property, or any interest therein, necessary or deemed by the Highway Commission necessary for the accomplishment of any and all of the foregoing things; and

WHEREAS, in the judgment of the Highway Commission the several tracts or parcels of land hereinafter described are each and all necessary for the specific and particular purposes hereinafter specifically set forth;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the Commission does hereby find and declare that the several parcels of real property hereinafter described are each and all necessary for the accomplishment of the purposes hereinafter expressly and specifically set forth, which said real properties and the specific purposes for which the same are being acquired are described as follows, to wit:

Real property owned by the unknown heirs of Ramsay Webster, deceased, which property is located in the west half (W $\frac{1}{2}$) of the southeast quarter (SE $\frac{1}{4}$) of Section 28, Township 13 South, Range 2 East, W.M., Linn County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 1, and is further identified in the records of the Highway Commission as file R 9010, and which property is being acquired for the purpose of securing roadbuilding materials therefrom in connection with the Santiam Highway;*

Real property owned by the heirs of Lizzie N. Thompson, deceased, which property is located in the Prior F. Blair D.L.C. No. 39, in Sections 35 and 36, Township 17 South, Range 4 West, W.M., Lane County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 2 and is further identified in the records of the Highway Commission as file R 8862, and which property is being acquired for right of way purposes in connection with Secondary Highway No. 224;*

Real property owned by Oliver Jack, which property is located in the southwest quarter (SW $\frac{1}{4}$) of the northeast quarter (NE $\frac{1}{4}$) of Section 23, Township 2 North, Range 4 West, T.M., Washington County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 3 and is further identified in the records of the Highway Commission as file R 8875, and which property is being acquired for the purpose of securing roadbuilding materials therefrom in connection with the Wolf Creek Highway;*

Real property owned by Marguerite C. Kauffman, which property is located in Government Lot 3 of Section 5, Township 10 South, Range 11 West, W.M., Lincoln County, Oregon, and is more particularly described on the attached sheets

and designated as Parcel No. 4 and is further identified in the records of the Highway Commission as file R 4248, and which property is being acquired for right of way purposes in connection with the Oregon Coast Highway.*

2. That the Commission does hereby find and declare that each of the said described parcels of real property is necessary and acquisition of the same by the State is required for the specific purposes hereinabove set forth, and the said properties are being acquired for the express and specific purposes in this resolution set forth.

3. That the State Highway Engineer be and he hereby is instructed and directed to make or cause to be made all surveys necessary in connection with the determination, description, and acquisition of said real properties, and said Engineer is further instructed to prepare and submit to the Legal Department necessary and adequate descriptions of the said real properties, which said descriptions shall be available for the preparation of any deed or deeds or other instrument or instruments necessary to complete the acquisition of said property or properties, whether said properties be acquired by purchase, donation, agreement, or by the exercise of the power of eminent domain.

4. That I. H. Van Winkle, Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they are hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreements can be reached, then it is hereby further resolved that the Attorney General of the State of Oregon and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they hereby are requested to commence and prosecute to a final determination such suit or action, or suits or actions, as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

*(The detailed descriptions of the respective parcels of real property mentioned in this resolution are attached to the original resolution on file in the office of the State Highway Commission, Salem, being Resolution No. 10, under the heading "Real Property Condemnation Resolutions", and said descriptions by this reference are made a part of this minute entry to the same extent as if copied in full herein.)

WHEREAS, the State Highway Commission is authorized to locate, relocate, construct, reconstruct, maintain, widen, straighten, and otherwise improve state highways, both primary and secondary, and said Commission is also authorized to construct shops, equipment sheds, office buildings, maintenance sites, patrolmen accommodations, and snow fences, and is authorized to acquire quarry sites, gravel pits, storage sites, stockpile sites, weighing stations, and broadcasting stations, and is further authorized to develop, construct, improve, operate, and maintain parks, parking places, auto camps, camp sites, roadside development, recreational grounds or resorts, and other places of attraction and scenic value; and

WHEREAS, said Highway Commission is authorized to acquire by purchase, agreement, donation, or by the exercise of the power of eminent domain real property, or any interest therein, necessary or deemed by the Highway Commission necessary for the accomplishment of any and all of the foregoing things; and

WHEREAS, that certain highway known and designated as State Highway No. 47, and otherwise known as the Wolf Creek Highway, is a duly designated and adopted state highway; and

WHEREAS, the Highway Commission has heretofore, by resolution duly adopted and entered in the minutes of the Commission, declared said highway to be a highway of major importance and did further find and declare that in connection with the acquisition of real properties for rights of way for said highway there should be acquired also all rights of access from the abutting property to said highway, to which said resolution reference is now made; and

WHEREAS, B. F. Friday and W. O. Galaway and DeEtte Galaway are the owners of the following described real property, to wit:

The south half ($S\frac{1}{2}$) of the northwest quarter ($NW\frac{1}{4}$) of the northeast quarter ($NE\frac{1}{4}$) of Section 30, Township 2 North, Range 3 West of the Willamette Meridian, Washington County, Oregon;

and

WHEREAS, it is the judgment of the Highway Commission that the real property hereinafter described, which is a part or portion of the above described real property, is necessary and needed for right of way and other highway purposes in connection with the construction and maintenance of the said Wolf Creek Highway;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. The Commission does hereby find and declare that the real property hereinafter described, and which real property is a

part or portion of the above described real property, is necessary and is needed in connection with the construction and maintenance of the Wolf Creek Highway, which said real property is described as follows, to wit:

Parcel No. 1

A parcel of land lying in the south half ($S\frac{1}{2}$) of the northwest quarter ($NW\frac{1}{4}$) of the northeast quarter ($NE\frac{1}{4}$) of Section 30, Township 2 North, Range 3 West, W. M., Washington County, Oregon, and being a portion of the following described property: that tract of land which was conveyed by that certain deed to B. F. Friday and W. O. Galaway and DeEtte Galaway recorded in Book 185, Page 105, of Washington County Record of Deeds; the said parcel being all that portion of the foregoing described property included in a strip of land of variable width on each side of the center line of the Wolf Creek Highway as said highway has been located over and across or adjacent to the said property; the location of the said strip of land (in so far as it encroaches upon said property) being determined by the said center line from Station 2238+92.4 to Station 2251+46.8, which portion of center line is described as follows:

Beginning at a point which is Engineer's center line Station 2238+92.4, opposite and 100 feet distant from which point the northerly line of the said strip of land intersects the north and south center line of said Section 30; said point being 879 feet south and 58 feet west of the north quarter corner of Section 30, Township 2 North, Range 3 West, W. M.; thence South $62^{\circ} 45'$ East a distance of 1254.4 feet to Engineer's Station 2251+46.8, opposite and 80 feet distant from which station the northeasterly line of the said strip of land intersects the south line of said property.

The widths (in feet) of the strip of land above referred to are as follows:

Station	to Station	Total Width	Width on Northerly Side of Center Line	Width on Southerly Side of Center Line
2238+92.4	to 2242+00	180 feet	100 feet	80 feet
2242+00	to 2246+00	160 feet	80 feet	80 feet
2246+00	to 2251+46.8	190 feet	80 feet	110 feet

The parcel of land to which this description applies contains 4.1 acres.

Parcel No. 2

A parcel of land lying in the south half ($S\frac{1}{2}$) of the northwest quarter ($NW\frac{1}{4}$) of the northeast quarter ($NE\frac{1}{4}$) of Section 30, Township 2 North, Range 3 West, W. M., Washington County, Oregon, and being a portion of the following described property: that tract of land which was conveyed by that certain deed to B. F. Friday and W. O. Galaway and DeEtte Galaway recorded in Book 185, Page 105, of Washington County Record of Deeds; the said parcel being described as follows:

Beginning at the southwest corner of the northwest quarter ($NW\frac{1}{4}$) of the northeast quarter ($NE\frac{1}{4}$) of said Section 30, Township 2 North, Range 3 West, W. M.; thence North $0^{\circ} 52'$ East along the north and south center line of said section a distance of 372.5 feet to a point which is 80 feet distant southwesterly from (when measured at right angles to) the center line of the Wolf Creek Highway at Engineer's Station 2239+81.7; thence South $62^{\circ} 45'$ East parallel to said highway center line a distance of 618.3 feet; thence South $27^{\circ} 15'$ West a distance of 30 feet to a point which is 110 feet southwesterly from (when measured at right angles to) the said highway center line at Engineer's Station 2246+00; thence South $62^{\circ} 45'$ East parallel to said highway center line a distance of 162.1 feet to the south line of said northwest quarter ($NW\frac{1}{4}$) of the northeast quarter ($NE\frac{1}{4}$); thence North $89^{\circ} 02'$ West along said south line a distance of 685.8 feet to the point of beginning, containing 3.1 acres.

2. The Commission does hereby further find and declare that the last above described parcels of real property are needed and required, and the appropriation and acquisition of the same is sought under these proceedings, for right of way and other highway purposes in connection with the construction, improvement, and maintenance of the said Wolf Creek Highway.

3. The Commission does further find and declare that, in addition to the acquisition of the said last described tracts of real property for the purposes herein stated, it is likewise necessary that there be acquired all right of access from the remaining property of the said B. F. Friday and W. O. Galaway and DeEtte Galaway, which said remaining real property abuts upon or joins the real property last above described and will, when said highway is constructed, abut upon said highway.

4. That the State Highway Engineer be and he hereby is instructed and directed to make or cause to be made all surveys necessary in connection with the determination, description, and acquisition of said real property, and said Engineer is further

instructed to prepare and submit to the Legal Department necessary and adequate descriptions of the said real property, which said descriptions shall be available for the preparation of any deed or deeds or other instrument or instruments necessary to complete the acquisition of said property, whether said property be acquired by purchase, donation, agreement, or by the exercise of the power of eminent domain.

5. That I. H. Van Winkle, Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they are hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcels of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement can be reached, then it is hereby further resolved that the Attorney General of the State of Oregon and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they hereby are requested to commence and prosecute to a final determination such suit or action as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated, together with all right of access from adjoining or abutting property to said highway.

6. That this resolution be entered in full in the minutes and records of this Commission.

WHEREAS, the State Highway Commission is authorized to locate, relocate, construct, reconstruct, maintain, widen, straighten, and otherwise improve state highways, both primary and secondary, and said Commission is also authorized to construct shops, equipment sheds, office buildings, maintenance sites, patrolmen accommodations, and snow fences, and is authorized to acquire quarry sites, gravel pits, storage sites, stock pile sites, weighing stations, and broadcasting stations, and is further authorized to develop, construct, improve, operate, and maintain parks, parking places, auto camps, camp sites, roadside development, recreational grounds or resorts, and other places of attraction and scenic value; and

WHEREAS, said Highway Commission is authorized to acquire by purchase, agreement, donation, or by the exercise of the power of eminent domain real property, or any interest therein, necessary or deemed by the Highway Commission necessary for the accomplishment of any and all of the foregoing things; and

WHEREAS, that certain highway known and designated as State Highway No. 47, and otherwise known as the Wolf Creek Highway, is a duly designated and adopted state highway; and

WHEREAS, the Highway Commission has heretofore, by resolution duly adopted and entered in the minutes of the Commission, declared said highway to be a highway of major importance and did further find and declare that in connection with the acquisition of real properties for rights of way for said highway there should be acquired also all rights of access from the abutting property to said highway, to which said resolution reference is now made; and

WHEREAS, B. F. Friday is the owner of the following described real property, to wit:

The northwest quarter (NW $\frac{1}{4}$) of Section 30, in Township 2 North, Range 3 West, of the Willamette Meridian, Washington County, Oregon, containing 156.01 acres;

and

WHEREAS, it is the judgment of the Highway Commission that the real property hereinafter described, which is a part or portion of the above described real property, is necessary and needed for right of way and other highway purposes in connection with the construction and maintenance of the said Wolf Creek Highway;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. The Commission does hereby find and declare that the real property hereinafter described, and which real property is a part or portion of the above described real property, is necessary and is needed in connection with the construction and maintenance of the Wolf Creek Highway, which said real property is described as follows, to wit:

A parcel of land lying in the north half (N $\frac{1}{2}$) of the northwest quarter (NW $\frac{1}{4}$) of Section 30, Township 2 North, Range 3 West, W. M., Washington County, Oregon, and being a portion of the following described property: that tract of land which was conveyed by that certain deed to B. F. Friday recorded in Book 131, Page 626, of Washington County Record of Deeds; the said parcel being all that portion of the foregoing described property included in a strip of land of variable width on each side of the center line of the Wolf Creek Highway as said highway has been located over and across or adjacent to the said property; the location of the strip of land above mentioned (in so far as it encroaches upon said property) being determined by the said center line from Station 2217+07.9 to Station 2239+81.7, which portion of center line is described as follows:

Beginning at a point which is Engineer's center line Station 2217+07.9, opposite and 100 feet distant from which

point the southwesterly line of the said strip of land intersects the north line of said Section 30; said point being 90 feet north and 570 feet east of the northwest corner of Section 30, Township 2 North, Range 3 West, W. M.; thence South $62^{\circ} 45'$ East a distance of 2273.8 feet to Station 2239+81.7, opposite and 80 feet distant from which station the southerly line of said strip of land intersects the north and south center line of said Section 30.

The widths (in feet) of the strip of land above referred to are as follows:

Station	to Station	Total Width	Width on North- erly Side of Center Line	Width on South- erly Side of Center Line
2217+07.9	to 2224+00	240 feet	140 feet	100 feet
2224+00	to 2228+00	290 feet	140 feet	150 feet
2228+00	to 2236+00	250 feet	100 feet	150 feet
2236+00	to 2239+81.7	180 feet	100 feet	80 feet

The parcel of land to which this description applies contains 11.06 acres, of which 8.08 acres were acquired by the State and recorded in Book 161, Page 461, Washington County Records, title to which hereby is acknowledged to be in the public, and 2.98 acres lie outside of said right of way.

2. The Commission does hereby further find and declare that the last above described parcel of real property is needed and required and the appropriation and acquisition of the same is sought under these proceedings for right of way and other highway purposes in connection with the construction, improvement, and maintenance of the said Wolf Creek Highway.

3. The Commission does further find and declare that, in addition to the acquisition of the said last described tract of real property for the purposes herein stated, it is likewise necessary that there be acquired all right of access from the remaining property of the said B. F. Friday, except access at approximately state highway engineer's station 2220+00, which said remaining real property abuts upon or joins the real property last above described and will, when said highway is constructed, abut upon said highway.

4. That the State Highway Engineer be and he hereby is instructed and directed to make or cause to be made all surveys necessary in connection with the determination, description, and acquisition of said real property, and said Engineer is further instructed to prepare and submit to the Legal Department necessary and adequate descriptions of the said real property, which said descriptions shall be available for the preparation of any deed

or deeds or other instrument or instruments necessary to complete the acquisition of said property, whether said property be acquired by purchase, donation, agreement, or by the exercise of the power of eminent domain.

5. That I. H. Van Winkle, Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they are hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement can be reached, then it is hereby further resolved that the Attorney General of the State of Oregon and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they hereby are requested to commence and prosecute to a final determination such suit or action as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated, together with all rights of access from adjoining or abutting property to said highway, except as provided herein.

6. That this resolution be entered in full in the minutes and records of this Commission.

The Attorney brought up for discussion the controversy with Orris Knapp with respect to the purchase of right of way needed for the improvement of the Port Orford South Section of the Oregon Coast Highway in Curry County. He recalled that the Commission at one time authorized him to offer Mr. Knapp \$10,000 for his property, including the Knapp Hotel, but Mr. Knapp is demanding \$12,500. He further advised that since this offer was made he has been informed by reliable parties that Mr. Knapp has had his property for sale for a couple of years at \$6,000 and he recommended, in view of this information, that the State's offer of \$10,000 be withdrawn and that an amended complaint be filed with the court with an offer of \$6,000. The Commission approved the recommendation.

The Commission also discussed the controversy with Gordon H. Smith regarding the right of way settlement in Umatilla County involving a duck lake. Action on this matter was deferred by the Commission until the following day when Mr. Smith will be present.

The Engineer reported the results of investigations to determine the value of buildings located on property required by the Commission in connection with the widening of the Columbia River Highway at Celilo Indian Village, Wasco County. He said that two estimates were prepared, one based upon the actual value of the buildings and the grounds and the other on the present usage of the buildings by the Indians. The land on which the buildings are situated, he said, was appraised at the rate of \$1,000 an acre and the balance

of the land, consisting for the most part of a rocky ledge, was appraised at \$100 an acre. He estimated the total value of the buildings under the first-mentioned alternate at \$1,160 and on the basis of the second alternate at \$1,860 and the total appraised value under the first alternate, including both land and buildings, at \$2,095, as compared to \$2,795 under the second alternate. He recommended settlements based on the second alternate totaling \$2,795 at such time as the Commission authorizes right of way negotiations. The Commission approved the recommendation.

The Commission had under discussion the abandonment of portions of the Lamonta Section of the Madras-Prineville Secondary Highway, in Jefferson County, a portion of the Grant-Rufus Section of the Columbia River Highway, in Sherman County, and the abandonment and retention of portions of the Dairy Section of the Klamath Falls-Lakeview Highway, in Klamath County. The Engineer advised that the alignment of the above-mentioned highways has been revised, and with the exception of a portion of the Dairy Section of the Klamath Falls-Lakeview Highway, the parcels referred to are no longer of value for state highway purposes. He recommended that such parcels be abandoned in favor of the respective counties in which they are situate and that such portions of the Dairy Section of the Klamath Falls-Lakeview Highway as can be used for state highway purposes be retained under the control of the Commission. The Commission approved the recommendation and thereupon adopted the following resolutions in regard thereto:

WHEREAS, in order to afford a better alignment and a more satisfactory, safe and convenient highway for the traveling public, the Commission found it necessary to relocate a portion of the Madras-Prineville Highway in Jefferson County; and

WHEREAS, by reason of said relocation and reconstruction of the Lamonta Section of said highway there were eliminated and made unnecessary as parts of the permanent highway certain sections or parts thereof, which sections are more specifically defined and designated hereinafter in this resolution; and

WHEREAS, it is the judgment and opinion of the Commission that there should be recorded in the minutes and records of the Commission its purpose and plan to abandon as a part of the said state highway the fragments or portions of right of way hereinafter designated and heretofore included within the area of the right of way of the said highway as formerly located, improved and used;

NOW, THEREFORE, the premises being in general as above stated, it hereby is resolved by this Commission, all members being present and affirmatively participating, as follows:

1. That the fragments of land confined within the areas of land hereinafter designated, which fragments or parcels of land were formerly within the limits of the right of way of the Madras-Prineville Highway in Jefferson County but are now without the

limits of the right of way of said highway, as said highway has been relocated and constructed, be and said fragments or parcels of land or portions of the old right of way are abandoned as parts of the right of way of said highway, and said fragments or parcels of land or old right of way are, so far as control and supervision by this Commission is concerned, eliminated and left to revert to the adjoining and abutting property owners or to the control and supervision of the County Court of Jefferson County for highway or other public purposes as the Court may determine. The fragments or parcels of land affected by this resolution are defined and described as follows, to wit:

All those certain parts of the old right of way of the Lamonta Section of the Madras-Prineville Highway in Section 34, Township 12 South, Range 14 East, and in Sections 3, 10, 15, 22, 23, and 26, Township 13 South, Range 14 East, W.M., Jefferson County, Oregon, lying on the easterly and westerly side of the right of way required for the reconstructed Madras-Prineville Highway between Engineer's Station 663+00 on the northerly end and Station 928+00 on the southerly end.

The location of said abandoned right of way may be more definitely and particularly ascertained and determined by reference to a map or blueprint, marked "Exhibit A", attached hereto and by this reference made a part hereof, which said exhibit for identification purposes bears the signatures of W. E. Chandler, Division Engineer, H. G. Smith, Construction Engineer, and C. B. McCullough, Assistant State Highway Engineer, and is dated March 26, 1941, upon which map or exhibit there are reflected the above described parcels of land by showing the same shaded in red.*

2. In the event there remains any physical connection between any portion of said abandoned right of way or highway and the present highway, and by reason of such physical connection traffic from the existing highway may enter or use the said abandoned portions of the said old road to the possible damage or injury of such traffic by reason of any unsafe condition existing with respect to said old or abandoned road, then the State Highway Engineer is hereby authorized and directed to erect such barricade or other safeguards as may be necessary to protect and safeguard traffic using and employing said newly located, constructed and dedicated section of said highway.

3. That this resolution be entered in the minutes and records of the Commission and a certified copy thereof promptly delivered to the County Court of Jefferson County, together with a copy of said map or exhibit, for such action as said County Court

*Map filed Right of Way Abandonment and Retention File - No.89.

may desire to take with respect to said fragments of land, and should said abandoned sections of the right of way of said highway be further employed for public or private highway purposes such use shall be entirely under the control and supervision of the County Court of Jefferson County and beyond any responsibility or supervision by the State Highway Commission.

WHEREAS, in order to afford a better alignment and a more satisfactory, safe and convenient highway for the traveling public, the Commission found it necessary to relocate a portion of the Columbia River Highway in Sherman County; and

WHEREAS, by reason of said relocation and reconstruction of the Grant-Rufus Section of said highway there was eliminated and made unnecessary as a part of the permanent highway a certain section or part thereof, which section is more specifically defined and designated hereinafter in this resolution; and

WHEREAS, it is the judgment and opinion of the Commission that there should be recorded in the minutes and records of the Commission its purpose and plan to abandon as a part of the said state highway the fragment or portion of right of way hereinafter designated and heretofore included within the area of the right of way of the said highway as formerly located, improved and used;

NOW, THEREFORE, the premises being in general as above stated, it hereby is resolved by this Commission, all members being present and affirmatively participating, as follows:

1. That the fragment of land confined within the area of land hereinafter designated, which fragment or parcel of land was formerly within the limits of the right of way of the Columbia River Highway in Sherman County but is now without the limits of the right of way of said highway, as said highway has been relocated and constructed, be and said fragment or parcel of land or portion of the old right of way is abandoned as a part of the right of way of said highway, and said fragment or parcel of land or old right of way is, so far as control and supervision by this Commission is concerned, eliminated and left to revert to the adjoining and abutting property owners or to the control and supervision of the County Court of Sherman County for highway or other public purposes as the Court may determine. The fragment or parcel of land affected by this resolution is defined and described as follows, to wit:

All that certain section of the old right of way of the Grant-Rufus Section of the Columbia River Highway in Sections 1 and 2, Township 2 North, Range 16 East, in Section 6, Township 2 North, Range 17 East, and in Section

31, Township 3 North, Range 17 East, W. M., Sherman County, lying on the southerly side of the right of way required for the reconstructed Columbia River Highway, the beginning and ending points with reference to the engineer's station of the said reconstructed highway being Station 8+00 on the easterly end and Station 153+00 on the westerly end.

The location of said abandoned right of way may be more definitely and particularly ascertained and determined by reference to a map or blueprint, marked "Exhibit A", attached hereto and by this reference made a part hereof, which said exhibit for identification purposes bears the signatures of W. E. Chandler, Division Engineer; H. G. Smith, Construction Engineer; and C. B. McCullough, Assistant State Highway Engineer, and is dated March 27, 1941, upon which map or exhibit there is reflected the above described parcel of land by showing the same shaded in red.*

2. In the event there remains any physical connection between any portion of said abandoned right of way or highway and the present highway, and by reason of such physical connection traffic from the existing highway may enter or use the said abandoned portion of the said old road to the possible damage or injury of such traffic by reason of any unsafe condition existing with respect to said old or abandoned road, then the State Highway Engineer is hereby authorized and directed to erect such barricade or other safeguards as may be necessary to protect and safeguard traffic using and employing said newly located, constructed and dedicated section of said highway.

3. That this resolution be entered in the minutes and records of the Commission and a certified copy thereof promptly delivered to the County Court of Sherman County, together with a copy of said map or exhibit, for such action as said County Court may desire to take with respect to said fragment of land, and should said abandoned section of the right of way of said highway be further employed for public or private highway purposes such use shall be entirely under the control and supervision of the County Court of Sherman County and beyond any responsibility or supervision by the State Highway Commission.

WHEREAS, in order to afford a better alignment and a more satisfactory, safe and convenient highway for the traveling public: the Highway Commission found it necessary to relocate portions of the Dairy Section of the Klamath Falls-Lakeview Highway in Klamath County; and

WHEREAS, by reason of said relocation and reconstruction of said section of said highway there have been eliminated from the main

*Map filed Right of Way Abandonment and Retention File - No. 91

traveled portion of said highway certain sections or fragments of land, which said sections or fragments of land are more specifically defined and described hereinafter in this resolution and are reflected on a print, marked "Exhibit A", a copy of which is attached hereto and made a part hereof; and

WHEREAS, while those sections hereinafter described as the parcels to be retained and shown in yellow on the attached print are not required for use as a part of the main or traveled section of the highway, nevertheless the same are required, can be used, and are essential for other public purposes, to wit: storage purposes, parking area and other public uses in connection with said highway; and

WHEREAS, it is the judgment and opinion of the Commission that there should be recorded in the minutes and records of the Commission its purpose and plan to preserve for public use in connection with said highway the fragments or parcels of land hereinafter described as the parcels to be retained and shown in yellow on the attached print; and

WHEREAS, it is the judgment and opinion of the Commission that there should be recorded in the minutes and records of this Commission the purpose and plan of the Commission to abandon as a part of the state highway system a certain portion of the highway eliminated from the main traveled portion of said highway, which section is made unnecessary as a part of the completed highway and is shown shaded in red on the attached print or map.*

NOW, THEREFORE, the premises being in general as above stated, it hereby is resolved by this Commission, all members being present and affirmatively participating, as follows:

1. The fragments or parcels of land which heretofore were within the right of way proper of the Dairy Section of the Klamath Falls-Lakeview Highway but which by reason of a relocation or realignment of said highway are now without the area improved and used by the traveling public, but are adjacent to and abut upon the said right of way, which parcels are shown shaded in yellow on the attached print, shall be preserved by the Highway Commission for such other public use as said land may serve in connection with the construction, improvement, and maintenance of said highway or the use of the same, which said parcels or fragments of land are described as follows, to wit:

All those certain parts of the old right of way of the Dairy Section of the Klamath Falls-Lakeview Highway, lying on the northerly side of the right of way required for the reconstructed Klamath Falls-Lakeview Highway over and across Sections 33 and 34, Township 38 South, Range

*Map filed Right of Way Abandonment and Retention File - No. 90

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11½ East, W. M., Klamath County, the beginning and ending points with reference to the engineer's stations of the reconstructed highway being as follows: between Engineer's Stations 889+00 to 895+00, Stations 901+50 to 904+00, Stations 907+20 to 912+40, and Stations 935+00 to 941+00.

2. That the fragment of land confined within the area hereinafter described and designated as the parcel of land to be abandoned, which fragment was formerly within the limits of the right of way of the Dairy Section of the Klamath Falls-Lakeview Highway, be and said fragment of land is abandoned as a part of the right of way of said highway, and said fragment of right of way is, so far as control and supervision of this Commission are concerned, left to revert to the adjoining and abutting property owners or to the control and supervision of the County Court of Klamath County. The fragment of land to be abandoned is described as follows, to wit:

All that certain part of the old right of way of the Dairy Section of the Klamath Falls-Lakeview Highway, lying on the northerly side of the right of way required for the reconstructed Klamath Falls-Lakeview Highway over and across Sections 33 and 34, Township 38 South, Range 11½ East, W. M., Klamath County, the beginning and ending points with reference to the engineer's stations of the reconstructed highway being Station 921+30 on the westerly end and 935+00 on the easterly end.

3. In addition to the foregoing descriptions of said fragments or parcels of land there is attached hereto a print or map, marked "Exhibit A", which by this reference is made a part hereof, and upon which map there are shown shaded in yellow the parcels of land formerly within the old right of way, but which are now by this official act preserved for public purposes, and upon which map there is shown shaded in red the abandoned section of said right of way. Said exhibit or map for identification purposes bears the signatures of W. E. Chandler, Division Engineer; H. G. Smith, Construction Engineer; and C. B. McCullough, Assistant State Highway Engineer, and bears date of March 18, 1941.*

4. The Engineer hereby is instructed to properly and completely mark on the ground the boundaries of the fragments of land to be retained by the Highway Commission by erecting and maintaining thereon proper monuments or posts upon which shall be inscribed the words "State Property".

5. In the event there remains any physical connection between any portion of said abandoned right of way or highway and the present highway, and by reason of such physical connection traffic

*Map filed Right of Way Abandonment and Retention File - No. 90

from the existing highway may enter or use the said abandoned portion of the old road to the possible damage or injury of such traffic by reason of any unsafe condition existing with respect to the said old or abandoned road, then the State Highway Engineer is hereby authorized and directed to erect such barricade or other safeguards as may be necessary to protect and safeguard traffic using and employing said newly located, constructed, and dedicated section of said state highway.

6. That this resolution be entered in the minutes and records of the Commission and a certified copy thereof promptly delivered to the County Court of Klamath County, together with copies of said exhibit or map, for such action as said County Court may desire to take with respect to the fragment of land to be abandoned, and should said abandoned portion of the right of way of said Klamath Falls-Lakeview Highway be further employed for public or private highway purposes such use shall be entirely under the control and supervision of the County Court of Klamath County and beyond any responsibility or supervision by the State Highway Commission.

The Commission discussed briefly the Engineer's report on the cost to improve the Oregon Coast Highway through the Oceanlake district, in Lincoln County. The Engineer was instructed to submit an estimate of cost based on 60-Foot right of way as compared with right of way 80 feet wide. He was also authorized by the Commission to make a location survey of the project.

The Engineer reported on investigations to determine which section of the Territorial Secondary State Highway should be oiled in the 1941 construction program for which the sum of \$20,000 has already been budgeted. The Commission decided to spend this money for the improvement of the section south of Monroe, in Benton County, as originally proposed, and to consider the oiling of a section in Lane County later on when additional funds become available.

A letter was presented from the Oromite Company, Los Angeles, California, requesting the early improvement of the Terrebonne-Lower Bridge County Road in Deschutes County, which road the Commission heretofore agreed to oil using Federal Aid Secondary Highway Funds when Deschutes County has completed the grading and surfacing of the same. The Secretary was instructed to inform the company that the Commission is committed to the project and will do the oiling work as soon as the grading and surfacing have been completed by the county, provided the federal authorities will approve it as a federal aid secondary highway project.

The Commission considered and ordered filed a letter from the Oregon-Washington Bridge Board of Trustees, Washington, D. C. with reference to a proposed bridge across the Columbia River at Astoria.

A letter was presented from Elk Creek School District No. 74, Trail, Oregon, requesting the reconstruction of the Crater Lake Highway and the elimination of curves. The Commission deferred action on the matter pending inspection of the road by Commissioner Clough.

The Commission discussed the matter of constructing a new highway from the Old Oregon Trail to the new U. S. Army Airbase at Pendleton, as a substitute for the present secondary highway leading to the Pendleton airport. The Engineer estimated that such highway, providing a roadway for three lanes of traffic, would cost about \$50,000. The Commission approved the project as a national defense measure, confirming the tentative decision reached at its meeting in Pendleton on March 26, 1941. The Engineer was instructed to secure if possible federal aid secondary highway funds to finance the work.

A petition was presented from Hope Grange, Mary's River Grange, Benton County Pomona Grange, and others, requesting improvement of the Alsea-Deadwood Secondary Highway. The Secretary was instructed to inform the petitioners that the Commission is not in a position to undertake such improvement at the present time on account of lack of funds to finance the work, but the Commission will inspect the road to secure first-hand information as to its present condition when it is in that vicinity.

A petition was presented from the residents of Taft, Oregon, requesting the improvement of the Oregon Coast Highway through this town by constructing concrete curbs and paving full width between curbs. The Engineer was instructed to make a survey of the project and report how much it will cost.

The Engineer requested authority to take bids for the construction of a concrete bridge, costing \$10,000, over the North Fork of the Necanicum River near the fish hatchery, in Clatsop County, to replace the existing pile trestle bridge which is badly decayed. The Commission approved the request. This action was confirmed by Chairman Cabell on the following day.

A request was presented from the Board of County Commissioners of Multnomah County for additional improvement on the Skyline Boulevard project in the 1941 Federal Aid Secondary Highway Program. The Engineer estimated that the next project on this road would cost about \$30,000 and recommended approval of the request. The Commission approved the recommendation and authorized the Engineer to make application for federal aid secondary highway funds to finance the work, notwithstanding that there is a possibility that the project will not be approved by the Public Roads Administration.

A letter was presented from Fred S. Groth, Freewater, Oregon, requesting the improvement of the Oregon Section of the secondary highway which extends from Umapine, Oregon, to Gardina, Washington. The Commission denied the request in view of its decision to construct the new airport road at Pendleton, there being no further funds available.

A request from John A. McCall, Klamath Falls, for the oiling of the Midland Secondary Highway, in Klamath County, had the attention of the Commission.

The Engineer advised that this is a meritorious project but there are no funds available to finance it. In view thereof the Commission denied the request; however, instructed the Engineer to keep the project in mind for future consideration.

A letter was presented from Mayor G. H. Hanson of Paisley requesting the construction of an airplane landing field adjacent to the Fremont Highway about one mile north of Paisley, as authorized by the 1941 Legislature. The Commission ordered that Mr. Hanson be informed that the State Highway Commission has nothing to do with the selection or designation of landing fields under such authority, that function being a responsibility of the Oregon State Board of Aeronautics.

A letter was presented from Charles H. Reynolds, President, Oregon Trail Association, urging additional improvements to the Minam Hill Section of the Wallowa Lake Highway. The Commission made no definite commitment to the project, but indicated that it would authorize additional work at this location if savings accrue from the contracting of other work. The Engineer was instructed to bear this in mind.

The Commission considered a petition from 42 property owners residing along the O'Neil Secondary Highway, in Deschutes County, in which request was made for the oiling of this road at the earliest opportunity, particularly the section between The Dalles-California Highway junction and the crossroad at O'Neil. The request was denied because there are no funds available to finance the work, and for the further reason that the County Court has asked for the oiling of the Tumalo-Deschutes Secondary Highway as the project of most importance to Deschutes County for any funds that the Commission may have available for expenditure in this county.

A resolution was presented from Catherine Creek Grange No. 841, Union County, urging the Commission to maintain and improve U. S. Highway No. 30 (Old Oregon Trail) from La Grande to North Powder, via the town of Union, as the permanent route of this highway between these points. The Secretary was instructed to inform the Grange that the Commission is now investigating alternate routes for the permanent location of the highway at this point and is not in a position at the present time to make a definite statement in regard thereto.

Consideration was given by the Commission to the request of Charles R. Dyer, Myrtle Creek, Oregon, for the construction of a cattle pass across the Pacific Highway at his home, about two miles south of the town of Myrtle Creek. The Engineer advised that a 10' cattle pass constructed at such location would cost about \$1,000. He recommended that the request be denied because there are many places throughout the state where similar conditions obtain, and if the Commission should embark on a program of this kind it would eventually mean an expenditure of a large sum of money which the Commission can ill-afford under present conditions. The Commission thereupon denied the request.

The Engineer reported receipt of a request from Mic Monte, Regional Grazier, U. S. Department of the Interior, for permission to construct a standard cattle guard across the Central Oregon Highway, in Harney County, under the provisions of the new law enacted by the 1941 Legislature. He said that Mr. Monte is simply asking the Commission's approval to build this cattle guard, which will be paid for with funds under his control, and he recommended approval of the request. The Commission approved the project subject to the condition that the work is done under the general supervision and to the entire satisfaction of the State Highway Engineer and in a location approved by him.

The Secretary presented several requests from residents of Lane County for the oiling of the Veneta-Crow Section of the Territorial Secondary State Highway. He was instructed to inform the petitioners that the Commission does not have funds available at the present time to finance such improvement but will bear it in mind in the formulation of future construction programs.

Matters pertaining to the renewal of the State Highway Engineer's official bond were discussed by the Commission, particularly the question whether the bond should be renewed in the companies in which it is now written or be given to other companies. The Engineer advised that the total amount of the bond is \$200,000 and at the present time this is divided among ten different companies, each of whom carries \$20,000; further, that the selection of the various companies was made by drawing names from a hat. The Commission considered this method of selecting the various agents fair, and ordered that the same procedure be followed when the bond comes up for renewal this year.

The Commission discussed a bill now before Congress extending the time limit for the construction of a bridge across the Columbia River near The Dalles, Oregon, three years, from March 4, 1942. The Commission considered that the Oregon delegation in Congress should be notified of the action taken by the Oregon Legislature, which authorizes and empowers the Highway Commission to construct, reconstruct, purchase, rent, lease, or otherwise acquire, improve, operate, and maintain a bridge or bridges over the Columbia River connecting the states of Oregon and Washington, so that they will have this information when the bill comes up for discussion. The Commission also considered it advisable to further inform the Congressmen that the Commission feels that it would be the part of wisdom to defer the construction of a privately-owned interstate bridge across the Columbia River near The Dalles, or at any other point, until a cooperative survey of the entire river has been completed by the highway departments of the states of Oregon and Washington, which survey has already been authorized. The matter was referred to Chairman Cabell with authority to send a letter containing such information to each of the Oregon senators and representatives in Congress, with a carbon copy of such letter to the U. S. War Department. (See letter directed to Senator Charles L. McNary, dated April 14, 1941, for details.)

The Engineer reported receipt of information to the effect that the City of Oregon City contemplates the installation of parking meters on its city streets and has inquired whether or not the State Highway Department

would object to the installation of such meters on the newly constructed highway on Water Street. The Commission voted unanimously to oppose such installations on this state highway route. W. H. Lynch, District Engineer, Public Roads Administration, who was present, also voiced his disapproval of the same. This action was confirmed by Chairman Cabell on the following day.

The Commission considered and approved a resolution from the Jackson County Court in which the court declared its intention to reestablish and maintain as a county road the portion of the Tiller-Trail Highway in Jackson County which was abandoned by the State Highway Commission as a state highway on November 13, 1940, because of the reconstruction of the highway on other alignment.

The Commission also considered and approved a resolution from the County Court of Marion County in which the county declared its intention to preserve as a county road a portion of the Salem-Pringle Creek Section of the Pacific Highway which was abandoned by the State Highway Commission on December 18, 1940, in view of the reconstruction of this highway on other alignment.

The Engineer reported that the Lake Creek Bridge, No. 220-36.70, on the Eugene-Swisshome Secondary Highway, in Lane County, has been repaired and that twenty-five other small bridges on the Eugene-Swisshome Secondary Highway have been repaired and that it is no longer necessary to maintain the reduced load limit heretofore placed on them. Also, that the old Neahkahnie Chasm Bridge, on the Oregon Coast Highway, has been replaced with a new structure, and that the bridges on the Little Nestucca Secondary Highway, at Mile Posts 05.30 and 06.40, have been repaired, so that the reduced load limits for which these bridges have been posted are no longer necessary. He also reported that it is no longer necessary to maintain the 50 per cent reduced load limit on the Tiller-Trail Secondary Highway in Douglas County. He accordingly recommended appropriate action by the Commission restoring the bridges and the road for statutory weights. The Commission approved the recommendation and, by unanimous vote, adopted the following resolutions with respect thereto:

WHEREAS, on the 2nd day of July, 1934, at a meeting of the State Highway Commission, two members being present and participating, the Commission passed and adopted a resolution ordering a reduction of the maximum permissible load limit on certain state highway bridges, including the following, to-wit:

EUGENE-SWISSHOME SECONDARY HIGHWAY NO. 220

25 small bridges between Mile Post 27.3 and	
Mile Post 35.4	5 tons
220-36.7 covered wooden bridge across Lake	
Creek	10 tons

and

WHEREAS, on the 18th day of May, 1937, at a meeting of the State Highway Commission, all members being present and

participating, the Commission passed and adopted a resolution ordering a reduction of the maximum permissible load limit on certain state highway bridges, including the following, to-wit:

LITTLE NESTUCCA SECONDARY HIGHWAY

130-05.3	Little Nestucca River Bridge	5 tons
130-06.4	Little Nestucca River Bridge	5 tons

and

WHEREAS, on the 19th day of September, 1938, at a meeting of the State Highway Commission, two members being present and participating, the Commission passed and adopted a resolution ordering a reduction of the maximum permissible load limit on the following state highway bridge, to-wit:

OREGON COAST HIGHWAY (NEAHKAHNIE ROUTE)

9A-40.0 Neahkahnie Mountain Chasm Bridge 10 tons

and

WHEREAS, subsequent to the passage of said resolutions the said above-named bridges have been repaired so that it is no longer necessary or desirable to maintain the reduced load limits set out in said resolutions;

NOW, THEREFORE, BE IT RESOLVED that the action of the State Highway Commission reducing the maximum permissible load limit on the following bridges, to-wit:

EUGENE-SWISSHOME SECONDARY HIGHWAY NO. 220

25 small bridges between Mile Post 27.3 and Mile Post 35.4
220-36.7 covered wooden bridge across Lake Creek

LITTLE NESTUCCA SECONDARY HIGHWAY

130-05.3	Little Nestucca River Bridge
130-06.4	Little Nestucca River Bridge

OREGON COAST HIGHWAY (NEAHKAHNIE ROUTE)

9-40.0 Neahkahnie Mountain Chasm Bridge

be and the same hereby are rescinded and vacated as of this date, and the maximum load limit permissible on the said bridges shall hereafter be the maximum load limit provided by law.

IT IS FURTHER ORDERED that certified copies of this resolution be furnished to the county clerks of each county in which said

above-named bridges are located, and to the Superintendent of the Department of State Police for his information.

WHEREAS, on the 18th day of December, 1940, at a meeting of the Oregon State Highway Commission, all members being present and participating, the Commission passed and adopted a resolution reducing the maximum load limit on the

TILLER-TRAIL SECONDARY HIGHWAY between mile post 38.55 and mile post 45.53, in Jackson County,

and

WHEREAS, subsequent to the passage of said resolution, conditions have changed so that it is no longer necessary or desirable, and the Commission hereby finds that it is no longer necessary or desirable to maintain the reduced load limit set out in said resolution on the said above-named highway;

NOW, THEREFORE, BE IT RESOLVED that the action of the State Highway Commission, reducing the maximum permissible load limit on the

TILLER-TRAIL SECONDARY HIGHWAY between mile post 38.55 and mile post 45.53, in Jackson County,

be and the same hereby is rescinded and cancelled as of this date, and the maximum load limit permissible on the said section of said highway hereafter shall be the maximum load limit provided by law.

IT IS HEREBY ORDERED that certified copies of this resolution be furnished to the county clerk of Jackson County, in which county said section of said highway is located, and to the Superintendent of the Department of State Police for his information.

The Engineer reported receipt of a letter from Roy Kilpatrick, lawyer, Canyon City, advising that the people of Seneca have changed their minds with respect to their previous request for the revision of the alignment of the John Day-Burns Highway through their city to accommodate an auditorium which they propose to build, and that these people now propose to construct a passageway under the highway between their school house and the proposed auditorium and expect to raise funds to pay the cost thereof by subscription. The Commission approved the construction of the underpass subject to the condition that the design of the same be made by Highway Department engineers and that the work be carried on in a manner satisfactory to such engineers, and with the further understanding

that local authorities will assume responsibility for policing the underpass. This action by the Commission was approved by Chairman Cabell the following day.

The Engineer requested instruction relative to the furnishing of new railroad ties that are needed in connection with the construction of the proposed undercrossing of the City of Prineville Railroad north of Prineville. He said that it was intended to build this structure in accordance with the Public Roads Administration rules and regulations covering grade separation projects, which provide that the railroad company shall furnish all new ties that are needed and have the privilege of salvaging the existing ties from the abandoned section of the road; however, the manager of the railroad objects to this provision because, he alleges, in practice a tie which has once been used is valueless from the railroad standpoint, and accordingly he wants the state to furnish the new ties. He estimated the cost of the ties on this project at approximately \$1,000 and inquired whether or not an exception should be made in this case and the ties be paid for with state funds. The Commission decided to let the Public Utilities Commissioner pass on the matter when the hearing is held with respect to this grade separation project, in the event that the owners of the railroad will not recede from their present stand in the matter.

The Commission discussed a communication from the Southern Pacific Railroad Company suggesting the construction of a stairway at the south end of the Albany overcrossing for the use of school children and other pedestrians who persist in using some of the abandoned railroad crossings, particularly one at Jackson Street. They advised that school children have formed the habit of crossing the tracks at grade and climbing through trains, which is very hazardous, and refuse to use the steps already constructed at the easterly end of the structure because it takes them several blocks out of their way; also, that the same practice is followed during the summer months when people cross the tracks at grade in going to and from the city swimming pool. They suggested the construction of steps at the westerly end and on the northerly side of the structure, so that pedestrians could cross over the tracks on the structure and then descend to the ground level in the vicinity of their destination, would be a satisfactory solution of this problem, provided a walk were constructed from the steps to the existing walk on Seventh Street. The Engineer gave as his thought that such solution would prove satisfactory if the railroad company would build a fence across Jackson Street to prevent people crossing the tracks at such point. He estimated the cost of the stairway and the sidewalk at \$2,600 and recommended approval of the project if the railroad company will pay one-half the cost thereof. The Commission approved the recommendation subject to the condition that no state funds shall be expended in connection therewith until the railroad company has built the fence, and ordered the matter covered by written agreement.

The Engineer requested instructions relative to the removal of certain trolley wires from the Interstate Bridge between Portland and Vancouver. He advised that under the Commission's agreement with the Portland Traction Company the Company was to remove the wires from the structure and

pay the state the salvage value of the materials, less the cost of removal, which the company now estimates will cost about \$1,325.50, whereas the estimated salvage value of the material is only \$437.00. He gave as his thought that some expense could be avoided if the state would assume the responsibility for the removal of the wires and, accordingly, requested authority to advertise the material for sale and removal at the next meeting, and to do the work with state forces in the event a satisfactory bid is not received. The Commission approved the request and so ordered.

The Commission discussed the use of a new type silhouette school crossing sign designed by a citizen of the town of Hood River, which sign not only cautions the public about the school zone but also contains advertising matter and, in the case of Hood River, shows children holding fruit grown in that locality. The Engineer gave as his thought that there is no justification for this type of sign, inasmuch as the State Highway Department furnishes free of charge silhouette type school signs and, furthermore, the law prohibits advertising on state highway rights of way. The Commission concurred in the viewpoint of the Engineer and thereupon instructed him to notify the Hood River authorities to discontinue the use of the signs, as they are unconventional and contrary to the Commission's policy, and to suggest to them that they secure school signs as they may need from the State Highway Department.

The Commission discussed and approved the granting of a permit to the Waitsburg Welding Works, Waitsburg, Washington, to operate truck and semi-trailer equipment, having an overall length of 44'10", over the Pacific Highway from Portland to the Interstate Bridge, and over the Columbia River Highway from The Dalles to the Oregon-Washington State Line near Wallula, Washington, in view of the action of the 1941 Legislature which increased the allowable overall length of such equipment from 35' to 50'. In the discussion it was pointed out that the new law will not go into effect until June, 1941. The Secretary was authorized to grant permits in the meantime up to the 50' overall length limit, provided the applicant will furnish the customary insurance.

The Commission considered and denied as a matter of policy the request of the Stayton Lions Club to place a city entrance sign on the right of way of the North Santiam Highway just east of Stayton, being outside of the city limits.

A request was presented from the Willamette Hauling Company, Portland, for a permit to transport over the Columbia River Highway, from the Bridge of the Gods at Cascade Locks to Viento, a distance of twelve miles, one power shovel having an overall width of 9'6" and an overall height of 12'6". The Commission authorized the granting of the permit subject to the condition that the Willamette Hauling Company will furnish the customary insurance protecting the Commission, and will provide three flagmen to accompany the movement, one to proceed in advance, one to follow in the rear, and the third to ride on the truck to protect passing traffic.

The Commission considered and denied the request of the Campbell Conro Lumber Company, Eugene, for permission to transport piling 110 feet long over the Coos Bay-Roseburg Highway enroute from Camas Mountain to Roseburg, investigations having revealed that loads in excess of 95 feet in length cannot be transported over this highway without taking up more than one-half the roadway.

The Commission also denied the request from the Parker Lumber Company, Eugene, for permission to transport over the Crater Lake Highway near the town of Prospect loads of logs having an overall length in excess of 70 feet, investigations having revealed that this section of highway is very crooked and that loads of such length cannot be transported thereover without taking up more than one-half the traveled roadway.

The Commission considered a request from Alex La Voy, Allegany, to drag logs across the Coos River Secondary Highway about three miles above the town of Allegany. The Commission was of the opinion that it has no authority to permit the dragging of logs across any state highway and accordingly denied the request. However, the Secretary was instructed to inform Mr. La Voy that, if he cares to go to the expense of constructing a roadway over the highway, the Commission will offer no objections thereto, provided the structure is built in conformance with plans approved by the State Highway Engineer.

The Commission confirmed the Engineer's award of the following contracts, bids for which were taken by the Commission at its meeting on February 27 and 28, 1941, the Engineer having reported the conditions of the awards satisfied:

Surfacing and oiling Donaldson Creek-Mills Bridge and McNamar's Camp-Washburn Sections of Wilson River Highway. Bids taken February 27; contract awarded March 25, 1941, to Roy L. Houck, the low bidder.

Grading and topping Lytle Creek-Ochoco Creek Section of Madras-Prineville Secondary Highway. Bids taken February 27; contract awarded March 25, 1941, to Berke Bros., the low bidders.

Grading and paving West Sheridan Section of the Salmon River Highway. Bids taken February 28; contract awarded to Berke Bros., the low bidders, on March 25, 1941.

Grading, surfacing and oiling Jones Hill-Lena Section of the Heppner Highway. Bids taken February 28; contract awarded March 25, 1941, to R. O. Dail & Warren Bros., Inc., the low bidders.

Grading, topping and bridge construction on Gilliam County Line-Zinter Ranch Section of the Wasco-Heppner Secondary Highway. Bids taken February 28; contract awarded March 25, 1941, to M. L. O'Neil & Son, the low bidders.

A request was received from Fremond Bean for reinstatement of his log hauling permit which was revoked on December 11, 1940, because he was

operating his truck with switched P.U.C. plates. The Secretary advised that Mr. Dean's truck was demolished in a collision with a freight train and that he has not been hauling logs since the accident, but he has now purchased a new truck and would like to resume his log hauling business if the Commission will approve reinstatement of his permit. After discussion, the Commission granted the request subject to the condition that if Mr. Dean again violates the law in any respect his permit will be cancelled permanently.

The Engineer discussed with the Commission matters pertaining to the proposed improvement of South Sixth Street in Klamath Falls. He reported that it would cost about \$43,000 for land to provide a 60-foot right of way, and \$89,000 to provide a right of way 80 feet wide. He recommended improvement of this street for local traffic on 60-foot right of way, and the construction of a new highway along the north bank of the irrigation canal in Klamath Falls, for through traffic. The Commission tentatively approved the Engineer's recommendation, but deferred final action and the adoption of a resolution relative thereto until a later meeting. The Engineer was authorized to conduct surveys as may be necessary to complete plans for both projects and to report to the Commission at the next meeting the estimated cost to construct each so the Commission can order the Sixth Street project advertised for bids at that time, if it so desires.

The Commission discussed a letter from the Oregon Association of Trade Executives, Portland, suggesting the adoption in Oregon of ambulance service similar to that now being offered by the State Police Department in the State of Washington. The Commission considered such matter to be a function of the State Police Department and accordingly ordered the communication filed without action.

A letter was presented from School District No. 7, Lostine, Oregon, requesting the privilege of purchasing about 20 cubic yards of sand and gravel from State Highway Department stock pile for use in connection with construction of a concrete tennis court. The Commission authorized the sale of this material to the School District at actual cost if investigation reveals no commercial plant in the vicinity that is able to furnish such material.

A letter from the Hood River Chamber of Commerce, requesting snow removal operations on the Mount Hood Highway, so as to open this road for tourist travel, had the attention of the Commission. The matter was referred to the Engineer for investigation and report as to how much it will cost to open the road.

The Commission considered and ordered filed a letter from Thomas H. MacDonald, Commissioner of Public Roads, Washington, D. C., complimenting the Commission on its Fourteenth Biennial Report.

A letter was presented from the Forest Supervisor of the Rogue River National Forest, Medford, Oregon, requesting state cooperation in the construction of a cattle guard across the Little Butte Secondary State Highway in Section 4, Township 37 South, Range 3 East, W. M., Jackson County. The

Commission authorized granting of the permit for the construction of such cattle guard provided the Forest Service will pay all of the costs involved and will construct the guard in accordance with plans approved by the State Highway Engineer and will carry on the work under the general supervision of such Engineer.

A letter was presented from H. I. Kibler, Portland, suggesting the construction of bridle paths along the old Columbia River Highway between Multnomah Falls and Eagle Creek when the new water-grade highway has been constructed between these points. The Secretary was instructed to inform Mr. Kibler that there is a question whether or not the Commission can use for such purpose funds that are provided by the motorists. In any event, the new highway is not scheduled for early completion, so there will be sufficient time in the interim for the Commission to give the matter the study that it deserves.

The Commission discussed briefly and ordered filed a communication from W. C. Markham, Secretary, American Association of State Highway Officials, advising the status of the "Carmody Report on Highways." The Secretary was instructed to send a copy of this letter to each member of the Commission.

The Engineer reported on the complaint of the Cougar Independence Lessees, Baker, Oregon, relative to the condition of the Sumpter Valley Secondary Highway. He said that during the recent period of thaw a few bad frost rolls developed and broke, causing a muddy condition; however, the maintenance forces have repaired these, and the entire section up to Sumpter is now dry and in fair condition, but from Sumpter to the end of the secondary highway at McCully's Forks the road is unsurfaced and is quite muddy, although the maintenance forces are doing their best to keep it travelable. Until such time as the road is surfaced, he said, it will be practically impassable during each spring breakup. The Engineer was instructed by the Commission to continue the maintenance of the section as best he can under prevailing conditions, as there are no funds available to finance surfacing work at this time.

The Commission discussed a letter from Sterling J. Behnke, Eugene, on behalf of the Eugene Obsidians, which letter was forwarded from the office of Governor Charles A. Sprague and in which request was made for snow removal operations on the McKenzie Highway up to the winter sports recreational area at Hand Lake. The Commission ordered the communication filed because the season is so far advanced and there is no apparent reason for an expenditure at this time.

The Commission also discussed and ordered filed a letter from M. A. Lynch, former State Highway Commissioner, Redmond, transmitting an editorial from the Redmond Spokesman expressing approval of the Commission's purchase of "The Cove" area in Jefferson County for state park purposes.

The Secretary presented a letter from the Honorable Robert W. Sawyer, Bend, former State Highway Commissioner, recommending the selection of

the Central Oregon Highway as one of the roads in the strategic military highway system rather than the John Day Highway, and offering the services of the people of Bend to effect such designation. The Commission took no action, this matter having been disposed of earlier in the session.

The Commission discussed a letter from the Central Labor Council, Portland, in which the Commission was requested to withdraw its support from the Collins Concrete and Steel Pipe Company of Portland, because this company employs non-union workers in its various departments, is paying a lower scale of wages than is being paid by other pipe companies, and is on the Labor Council's unfair list. The Commission instructed the Secretary to inform the Central Labor Council that the State Highway Commission makes its purchases through the State Board of Control which takes bids for materials on a competitive basis; further, that it is the long-established policy of the Commission to recommend to the Board of Control acceptance of the low bid in each instance, provided the material being furnished meets the specifications, and in any event, such procedure must be followed in order to meet the federal requirements in connection with purchases where federal funds are involved.

The Commission's attention was also brought to the letter from the Southwestern Oregon Central Labor Trades Council advising that the Houck Construction Company of Salem, which has a contract with the Commission for highway construction at Marshfield, is on the Council's unfair list and its operations are picketed, because it is paying its employees wages that are below the prevailing wage in that district. They urged the Commission to force Mr. Houck to pay the prevailing wage. The Commission instructed the Secretary to inform the Council that the work being done by the Houck Construction Company at this place is contract work which was awarded to the company as a result of competitive bidding, this company being the low bidder, and further, that the contract contains a certain wage scale which must be paid by the contractor and if he pays his men according to this scale the Commission cannot force him to pay more, in fact, the Commission cannot make any contractor do anything outside of the limits of his contract.

A letter was presented from Mr. Lee U. Eyerly, member of the Oregon State Board of Aeronautics, requesting the appointment of some members of the Highway Department's organization to confer with the State Director of the State Board of Aeronautics, relative to the making of a preliminary survey for a tentative program to establish airports, as authorized by the 1941 Legislature. The Engineer advised that he has already informed Mr. Eyerly that he would be glad to discuss the general situation with the Director of Aeronautics at any convenient time, and that he would recommend to the Commission that the Commission cooperate with the board in conformance with the provisions of this new statute, although there is a question whether or not there can be very much correlation between airport and highway construction except under unusual conditions wherein the spoil or waste materials from the one facility can be used by the other. The Commission approved the reply.

The Commission discussed a letter from Loy W. Rowling, Chairman, Executive Committee, United Commercial Travelers of America, Eugene, requesting representation for this organization on the service club sign racks

recently installed at Eugene. The Commission considered that the Commercial Travelers of America does not meet the Commission's requirements for representation on such racks and, accordingly, denied the request.

The Commission considered and ordered filed a letter from Arthur Podell, Multnomah, Oregon, complaining of the condition of the Oregon Coast Highway south of Bandon, in Coos County.

The Commission also discussed and ordered filed communications as follows:

Letter from Josephine County Court expressing confidence in the State Highway Commission and approval of its present method of allocating the funds at its disposal

Letters from Senator Rufus Holman and Hood River Chamber of Commerce, forwarded through the Public Roads Administration, relative to construction of a road leading to Lost Lake, in Hood River County

Letter from North Lincoln County Chamber of Commerce thanking the Commission for roadside beautification accomplishments in North Lincoln County

A letter was presented from Mr. George E. Lewis, Algoma, Oregon, objecting to the employment of Union labor exclusively on the state highway project north of Klamath Falls. Mr. Lewis advised that local people desiring employment on this project are being refused work because they do not belong to the Union, and he enclosed in his letter a clipping from the Klamath Falls paper which quoted the Oregon State Employment Service as saying: "***** labor on the project will be entirely Union and will be hired through the Employment Service Office. He cautioned men against attempting to find work by going out to the job.*****" The Secretary was instructed to inform Mr. Lewis that no one is required to belong to the Union in order to secure employment on any state highway contract, inasmuch as the contract does not contain provision to that effect. However, if the contractor is signed up with the Union and demands Union labor, he is within his rights in so doing, and the Commission is not in any position to object.

The Commission discussed briefly and ordered filed a copy of Senate Bill No. 812 of the 77th Congress, First Session, providing for the acquisition and toll-free operation by the United States of the interstate bridges at Cascade Locks and Hood River.

The Secretary presented a certified copy of the resolution adopted by the Eugene City Council approving the routing of the Pacific Highway through the City of Eugene, as heretofore adopted by the Commission. The Commission ordered the resolution filed for future reference.

The Commission considered and denied the request from Anthony Schaffer, Elsie, Oregon, for permission to operate a luncheon stand on the Wolf

Creek Highway right of way near the Nehalem River Bridge at Elsie.

The Secretary presented a letter from the Lane County Court recommending the oiling of the Veneta South Section of the Territorial Secondary Highway, Lane County, in preference to other sections of this highway. The Commission confirmed the action previously taken at this meeting in which it was decided to make no change in the present construction program so far as it relates to the Territorial Secondary Highway, and to retain in the program a \$20,000 allotment for the oiling of the Monroe South Section. However, the Commission agreed to give consideration to the oiling of other sections of this highway in the formulation of future programs.

The Commission discussed briefly, and referred to Commissioner Clough, for study and report, a communication from H. J. Andrews, Assistant Regional Forester, Division of State and Private Forestry, relative to the county-owned land problem of Douglas County.

Letters were presented from the Honorable W. J. Johnson, County Judge of Josephine County, and from the Cave City Chamber of Commerce, in which the Highway Commission was requested to assist in securing a reclassification of the Happy Camp-O'Brien Road in Josephine County, from a forest trail to a No. 3 Forest Road. Judge Johnson advised that if the Highway Commission would request such reclassification the probabilities are that the U. S. Forest Service would grant the request, because it would enable the Forest Service to spend federal funds for the improvement of the road. He further advised that the district served by this road is now practically isolated and, if improved, would be available for year-round traffic, which would make it possible to market timber products, farm products and mine products that cannot be taken to market under present road conditions. The Engineer advised that this road lies partly in the State of California. He was instructed by the Commission to inform Judge Johnson that the Commission feels that it is obligated to spend the moneys under its control for the improvement of highways on the strategic military highway system and for the improvement of other state highways, rather than for the construction of an entirely new project such as the road under discussion.

The Engineer requested authority to purchase, at an estimated cost of \$100.00, a small centrifugal pump for use in connection with irrigating the landscaped area around the historical monument situate adjacent to the Fremont Highway at Summer Lake. The Commission approved the purchase of this pump through the State Board of Control.

The Engineer presented a list of surveys that he has ordered since the last meeting of the Commission and asked the Commission to confirm them and the amounts allocated for each. After due consideration the Commission authorized and instructed the Engineer to make such location surveys on various sections of the highways of this state, which said sections of highways, together with their identifying location survey numbers and the amounts authorized and allocated for such survey expenditures are as follows:

Plans - - - - 1-1427 - Baker Undercrossing Section, Baker-Unity Highway,
Baker County. 1st authorization - \$1500

Plans - - - - 204-1446 - Camp Clatsop-Ft. Stevens Section, Military Access
Road. Clatsop County. 2nd authorization - \$3780
Total to date \$6780.

Right of Way - 107-1415 - Riverside Ranch Section, Crooked River Highway,
Crook County. 1st authorization - \$300

Right of Way - 21-1446 - Otter Rock Section, Oregon Coast Highway, Lincoln
County. 1st authorization - \$50

Level - - - - 22-1432 - Various sections, various highways, Linn County.
1st authorization - \$150

Plans - - - - 22-1433 - Marion County Line-Junction Pacific Highway West,
Pacific Highway East, Linn and Lane Counties
1st authorization - \$150

Plans - - - - 124-1438 - East Oak Street, Silverton Section, Cascade Highway,
Marion County. 1st authorization - \$100

Plans - - - - 24-1439 - Clackamas County Line-Linn County Line, Pacific
Highway East, Marion Co. 1st authorization - \$100

Plans - - - - 136-1427 - Dayton Bridge Section, Three Mile Lane Highway,
Yamhill County. 1st authorization - \$100

The Commission had under consideration the following requests for extensions of time within which to complete highway construction projects:

Roy L. Houck, contract No. 2159, for grading and paving the Albany Overcrossing Project on the Pacific Highway East, in Linn County, requested an additional extension of time, from July 23 to October 26, 1940, within which to complete this job. He alleged that he failed to complete the project within the specified time limit for the following reasons: unsuitable weather conditions during the spring of 1940 which necessitated closing down the work at the request of the engineer; award to him of the contract for grading and paving the Albany Section, resulting in the necessity to work both jobs simultaneously; and extra time needed for the drying-up of soft spots that developed in the grade. The Engineer advised that this contract was awarded by the Commission on January 31, 1939, and the date of completion specified in the contract was December 31, 1939. Further, that the Commission previously extended the time limit to July 23, 1940, without penalty, because of bad weather conditions which necessitated the closing down of the work in the spring. At the time of resuming the work in 1940 it was

concluded that better results would be obtained if the finishing of the fills of the grading project were deferred until the pavement had been laid, and as a consequence the overcrossing project was not completed within the extended time limit. He further advised that the state received a better job by reason of delaying the finishing of the fills until the pavement was completed and, in view thereof, he recommended that the extension of time now requested be granted without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation unanimously.

Tom Lillebo, contract No. 2361, for construction of fenders on the Yaquina Bay Bridge piers on the Oregon Coast Highway at Newport, Lincoln County, requested an extension of time of 20 days, from January 31 to February 20, 1941, within which to complete this job. He attributed his failure to complete the project within the specified time limit to bad weather conditions which did not permit work on certain days without endangering the lives of his crew. The Engineer advised that the main reason that the contractor failed to complete the project within the specified time limit was the fact that he rented a pile driver for the work and the owner of the same took it off the job on December 1 and did not return it to Mr. Lillebo until January 9, 1941. He gave as his thought that this is no valid reason for granting the extension of time without penalty, and he accordingly recommended approval of the request for an extension of time subject to the condition that the contractor reimburse the state for engineering expense incurred on the job subsequent to January 31, 1941, the specified date of completion. The Commission approved the recommendation unanimously.

The Engineer brought up for discussion the question whether or not to penalize contractor K. L. Goulter for failure to complete, within the specified time limit, contract No. 2259 for grading and construction of structures on the Necarney Creek-Neahkahnie Mountain Section of the Oregon Coast Highway, in Tillamook County. He advised that the date of completion specified in the contract was November 30, 1940; however, on December 5, 1940, the Commission granted an extension of time to April 1, 1941, with a proviso that Mr. Goulter be charged with the engineering costs incurred by the state in connection with the job after March 10, which is the date covered by an automatic extension of time due to increased work authorized on the project. All work in connection with this job, he said, was completed on March 10; however, due to a change in the plans, the contractor was required to remove the temporary crib from the bottom of the Chasm Bridge, which required an additional five-days time. He gave as his thought that the contractor should not be charged with the engineering expense incurred during this five-day period and accordingly recommended that the penalty be waived. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

The Commission discussed a letter from E. C. Hall Company requesting release from payment of a portion of the penalty charged it for failure to complete its contract with the state for grading, surfacing, oiling and construction of a structure on the Warren Creek Section of the Columbia River Highway, in Hood River County, contract No. 2204. Mr. Hall alleged that bids for this job were taken by the Commission on July 27, 1939, but the contract was not awarded to him until September 9, 1939, necessitating an automatic extension of the time limit to July 31, 1940; further, that owing to a serious traffic condition he was not able to start the grading work until July 15, 1940, and even at that late date the material handled was so wet that it had to be mixed with other material so as to maintain traffic over the road. It was his thought that he would be entitled to an extension of time without penalty up to September 1, 1940, for such reason. The Engineer advised that the reasons given by Mr. Hall for his failure to complete this job within the specified time limit are substantially correct—that July 15 was about the earliest that this section could be worked satisfactorily without interfering with free flow of traffic on the Columbia River Highway. He recommended in view of the circumstances that the E. C. Hall Company be relieved of the payment of the extra engineering expense incurred by the state prior to September 1, 1940, but that it be charged with the cost of engineering supervision incurred by the state subsequent thereto. The Commission approved the recommendation and so ordered.

The Engineer reported that contracts Nos. 2159, 2259, 2361, 2378, 2389, 2391, and 2394, for the construction of state highway projects, have been completed according to the requirements of the contracts or modifications thereof, and that said jobs are now ready for acceptance. The following resolution accepting the above projects was offered and was adopted by the unanimous vote of the Commission:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts and said jobs are now ready for acceptance:

Contract No. 2159, with Roy L. Houck, for grading and paving the Albany Overcrossing Section of the Pacific Highway, in Linn County. Completed October 26, 1940.

Contract No. 2259, with K. L. Goulter, for grading and structures on the Necarney Creek-Neahkahnie Mountain Section of the Oregon Coast Highway, in Tillamook County. Completed March 15, 1941.

Contract No. 2361, with Tom Lillebo, for redriving pier fenders on the Yaquina Bay Bridge on the Oregon Coast Highway at Newport, in Lincoln County. Completed February 19, 1941.

Contract No. 2378, with M. L. O'Neil & Son, for the Wasco County Line-Madras Rock Production Project on The Dalles-California Highway, in Jefferson County. Completed February 3, 1941.

Contract No. 2389, with Blair T. Alderman, for roadside improvement on the Third Street (Bend) Undercrossing Section of The Dalles-California Highway, in Deschutes County. Completed March 28, 1941.

Contract No. 2391, with Rogers Construction Company, for the Pendleton-Pilot Rock Rock Production Project on the Pendleton-John Day Highway, in Umatilla County. Completed February 22, 1941.

Contract No. 2394, with A. S. Wallace, for the Woodburn-Molalla-Silverton Rock Production Project on the Pacific, Woodburn-Sandy, Cascade, Hillsboro-Silverton and Silver Creek Falls Highways, in Clackamas and Marion Counties. Completed March 13, 1941.

THEREFORE, BE IT RESOLVED that the work covered by said state highway contracts for the construction of said state highway projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

The Commission discussed a date for its next regular meeting for receiving bids for construction work, following that scheduled for May 8 and 9, 1941, and decided to hold such meeting in Portland on Thursday and Friday, June 12 and 13, 1941. It was also decided to hold a special meeting on Thursday, May 22, in Portland, to receive bids on the Front Avenue project, Portland, and to dispose of routine matters. The Secretary was instructed to make the usual arrangements to hold these meetings in the auditorium of the Public Service Building.

The Commission adjourned at 10:45 p. m. to reconvene at 9:00 o'clock the following morning in the auditorium of the Public Service Building.

Portland, Oregon, April 4, 1941

The State Highway Commission reconvened at 9:00 a. m. in the auditorium of the Public Service Building. Present were:

Henry F. Cabell, Chairman
Huron W. Clough, Commissioner
Herman Oliver, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

Bids, as follows, for highway construction projects were opened and read in conformance with previously-published notice following which Chairman Cabell announced that the award of contracts would be made at 2:30 p.m. in the same room:

CASCADE SECONDARY HIGHWAY
CLACKAMAS GRADE SEPARATION

Frank Watt Construction Co.	\$25,954.00
Birkemeier & Saremal	26,954.00
C. J. Montag & Sons	28,071.00
McNutt Bros.	28,108.00
C. J. Eldon	30,049.00
Barham Bros.	31,158.20

FENDLETON-JOHN DAY HIGHWAY
LONG CREEK-FOX SECTION
GRADING, SURFACING, OILING AND TWO BRIDGES

A. Milne	\$115,600.80
E. C. Hall Co.	126,318.00
Babler Bros.	149,889.00
McNutt Bros.	153,965.00

WARNER SECONDARY HIGHWAY
WARNER SUMMIT-CAMAS CREEK SECTION - SURFACING AND OILING

No bids received on this project

OREGON COAST HIGHWAY
MINER CREEK-SPENCER CREEK SECTION - GRADING

Berke Bros.	\$56,303.00
A. C. Greenwood Co., Inc.	63,065.00
Leonard and Slate	64,226.00
Frank Penepacker	69,945.00
E. C. Hall Co.	70,458.00
C. J. Eldon	70,686.00
E. L. Gates	72,185.00
Sam Orino	72,459.00
Coos Bay Dredging Co.	73,414.25
McNutt Bros.	77,990.00
Roy L. Houck	85,845.00

VALE-ADRIAN COUNTY ROAD
COT HOLLOW CREEK-ADRIAN JUNCTION SECTION
SURFACING, OILING AND BRIDGE

No bids received on this project

PACIFIC HIGHWAY
INTERSTATE BRIDGE - PLACING NEW EXPANSION PLATES

Birkemeier & Saremal	\$7,770.00
Curtis Gardner	12,994.00

PACIFIC HIGHWAY WEST
ONION FLAT SECTION - GRADING AND PAVING

Roy L. Houck	\$45,329.00
Berke Bros.	45,605.50
Porter W. Yett	47,031.50
McNutt Bros.	49,183.50
United Contracting Co.	58,575.50

THREE MILE LANE SECONDARY HIGHWAY
YAMHILL RIVER BRIDGE AT DAYTON
REDECK AND RECONSTRUCT TIMBER APPROACHES

J. F. Johnston	\$26,684.50
Frank Watt Construction Co.	26,746.00
Harry I. Hamilton	26,839.50
Averill & Corbin	26,997.25
C. J. Eldon	27,207.00
Barham Bros.	27,743.50
Curtis Gardner	29,140.00
Birkemeier & Saremal	30,248.00
McNutt Bros.	32,532.50
Babler Bros.	32,798.00

County Judge Nelson B. Higgs of Harney County was present in regard to the improvement of the Burns-Crane Highway and the Hanley Lane Section of the Frenchglen Secondary Highway. He gave as his understanding that the Commission has budgeted \$50,000 for the Hanley Lane Section and \$15,000 for the improvement of the section south of Wright's Point. The Engineer estimated that it would cost about \$85,000 to improve the Burns-Crane Highway from Burns to the Hanley Lane junction and the Hanley Lane-Wright's Point Section of the Frenchglen Secondary Highway. Judge Higgs suggested that the \$15,000 set up for the section south of Wright's Point be transferred to the Hanley Lane project, making a total of \$65,000 available for the improvement of this section, and that additional funds be appropriated for the oiling of the 1½-mile section from Burns to the Hanley Lane junction. Chairman Cabell said that it would be advisable to make such transfer and suggested that the \$10,000 savings accruing on the previous day from the contracting of the Vance Creek project on the Pendleton John Day Highway could be reallocated to the Hanley Lane Section, making a total of \$75,000 available for this work, and to augment such sum with additional savings as may accrue on other projects in this vicinity so as to finance the entire improvement from the Burns-Crane Highway to Wright's Point. Also, that if savings accrue from the contracting of this work such savings could be applied to the oiling of

the 1½-mile section between Burns and Hanley Lane junction. This arrangement was satisfactory to Judge Higgs and was thereupon approved by the Commission by unanimous vote. The Engineer was authorized to advertise this project for bids to be received at the meeting on May 8, if the plans and specifications can be prepared in time.

Judge Higgs also asked for the improvement of the Buchanan-Juntura Section of the Central Oregon Highway which, he said, is going to pieces under heavy traffic. He was informed that the Commission does not have funds available to finance a standard improvement, but will do what it can by way of maintenance to keep it in passable condition.

Judge Higgs also asked the Commission to bear in mind improvement of a roadway from the town of Burns to the Burns airport, which is now being surveyed, a distance of four miles. He was informed by the Engineer that there are only two recognized Government airports in Oregon, being those situated at Portland and Pendleton, and it is doubtful whether the Commission would have funds that could be applied to the construction of a road leading to any other airport.

A delegation from the town of Nyssa, headed by Frank Morgan, and including L. P. Thomas, R. G. Whitaker, and Herschel Thompson, all members of the Nyssa City Council, came before the Commission in regard to the improvement of Main Street through their town (route of the Old Oregon Trail). They asked for the paving of this street from curb to curb from a point near the public school building to the crossing of the O.W.R. & N. Railroad, and also asked for the construction of a storm sewer to drain the surface water from this street, both of which projects have been previously requested by the city. The Engineer advised that investigations of the drainage problem reveal that it would not be feasible to install a pump at the undercrossing to take care of drainage water, because it would take a pump of a capacity of 8 cubic feet per second. He suggested a gravity sewer line to serve the area which, he said, would cost about \$14,000. If the Commission decides to do this work, he said, a saving of about \$1,550 could be realized by changing the plans for the drainage system for the underpass now under construction, which would reduce the cost of the gravity system from \$14,000 to \$12,500. The Attorney advised that the Commission can legally expend state funds for this work provided it is confined to the street that is the state highway route, but not beyond those limits. The Engineer advised further that it would cost about \$35,000 to construct the sewer facilities and to pave the street, which estimate includes the construction of a good type of pavement through the business district. Mr. Thompson advised that the city is not in a position financially to do this work on its own account.

Chairman Cabell pointed out that the project involves a policy of the Commission and it was his thought that the Commission should adopt a standard policy to apply to all cities and towns before giving a definite answer to this particular request. After discussion, the Commission instructed the Engineer to report at the next meeting the localities where the state has constructed sewers and other drainage facilities. Chairman Cabell then advised that there is a question whether the state will pay for the sewer

construction, but stated definitely that the state would pave the street if some other agency would finance the sewer work. The Engineer suggested that it would be advisable, pending the Commission's decision in the matter, to install the 24" pipe line along First Street to the Snake River and construct a manhole in connection therewith, now, so that this feature will be taken care of in the event the Commission decides to go ahead with the sewer construction. He explained that such work can be done much cheaper at the present time than later, because of the underpass structure which is now being built, and added that this part of the work would have to be done regardless of who pays for the sewer. The Commission approved such installation. The delegation was informed that the Commission would render a decision in the matter as soon as possible.

The delegation also renewed its request for the oiling of the secondary state highway between Adrian and the Idaho State Line, opposite Homedale, Idaho, and for the construction of a new bridge across the Snake River at Nyssa. The Commission agreed to inspect these projects the next time it is in that vicinity.

The Commission discussed the matter of rerouting the Baker-Homestead Highway and, in connection therewith, considered resolutions from the Baker County Court requesting the following:

1. Rerouting the Baker-Homestead primary highway from Baker to Homestead, via Robinette.
2. Designating the road from the town of Halfway to Cornucopia a secondary state highway.
3. Eliminating from the primary highway system all but approximately the westerly 3-mile section of the highway which extends from Halfway to Homestead.

After discussion the Commission approved the county's resolutions and thereupon, by unanimous vote, adopted resolutions as follows, effecting the changes requested:

WHEREAS, the Baker-Homestead Highway as now located extends from Baker easterly by way of Richland to the foot of Timber Canyon Grade, thence northerly to Halfway, thence northeasterly to Homestead and Ballards Bridge over the Snake River, and

WHEREAS, it is the judgment and opinion of the State Highway Commission that a relocation of the section of said highway extending from Halfway to a point approximately 6.5 miles southerly from Ballards Bridge over the Snake River will result in better alignment, more economical highway construction and maintenance and will better serve the motoring public.

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the Highway Commission, all members being present and affirmatively

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voting, as follows:

1. That the section of the Baker-Homestead Highway extending from the foot of Timber Canyon Grade northerly to Halfway and thence northeasterly to a point approximately 6.5 miles southerly from Ballards Bridge be and said section of said highway hereby is relocated so that the same shall follow a route and course beginning at the foot of Timber Canyon Grade thence easterly to Robinette, thence northerly via Brownlee to a connection with the present Baker-Homestead Highway at a point approximately 6.5 miles southerly from Ballards Bridge, thence northerly to Ballards Bridge over Snake River.
2. Said route and location hereby is designated and adopted as a part of the route and location of the Baker-Homestead Highway.
3. That the Engineer be and he hereby is instructed to appropriately mark on the ground with permanent posts or other monuments the course and right of way boundaries of said new location.
4. That the field notes and other engineering data made and prepared by the Engineer in making said location be and the same hereby are adopted as the field notes and engineering data establishing the said location and route.
5. From and after the adoption of this resolution that portion of the Baker-Homestead Highway extending from Halfway to a point approximately 6.5 miles southerly from the said Ballards Bridge shall no longer be a part of said state highway but shall revert to Baker County and thereafter shall be a county road under the jurisdiction and control of said Baker County.
6. That the section of the Baker-Homestead Highway as heretofore located, beginning at the foot of Timber Canyon Grade east of Richland, thence northerly to Halfway, shall continue to be a state primary highway but shall be known as the Halfway Highway.
7. That this resolution be entered in the minutes and records of the State Highway Commission and that a duly certified copy thereof be delivered to the County Court of Baker County and to the Public Roads Administration.

WHEREAS, under the provisions of Chapter 248, Laws of 1931; Chapter 196, Laws of 1935; and Chapter 529, Laws of 1939; the State Highway Commission, by mutual agreement with the respective county courts of the several counties of the State, is authorized and empowered to select, locate, and designate a system of secondary

state highways, which highways shall be selected from the market roads or other county roads, or available locations or routes of the several counties; and

WHEREAS, the State Highway Commission, by mutual agreement with the Baker County Court of the State of Oregon, has selected the road or highway hereinafter named, and it is the purpose of the Commission to officially and regularly designate and adopt said highway as a highway to constitute, together with other highways heretofore adopted and/or which may hereafter from time to time be added, the system of secondary state highways under the provisions of said acts;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission, all members being present and affirmatively voting and participating, as follows:

1. That the following described market road, county road, highway, route, or location of a highway in Baker County be and the said market road, county road, highway, location, or route, hereby is selected, designated, established, adopted and approved as a secondary state highway and shall be and hereby is designated as a part of the secondary state highway system, to wit:

Halfway-Cornucopia Secondary State Highway No. 413:

Beginning at the junction of the former Baker-Homestead Primary State Highway with the county road extending from Halfway to Cornucopia in the Town of Halfway; thence in a northerly direction along Pine Creek to Cornucopia, a distance of approximately 11.0 miles.

2. That the said highway shall be and hereby is qualified for improvement under the provisions of said Chapter 248, Oregon Laws 1931; Chapter 196, Oregon Laws of 1935; and Chapter 529, Oregon Laws of 1939; and amendments thereof.

WHEREAS, under the provisions of Chapter 248, Laws of 1931; Chapter 196, Laws of 1935; and Chapter 529, Laws of 1939; the State Highway Commission, by mutual agreement with the respective county courts of the several counties of the State, is authorized and empowered to select, locate, and designate a system of secondary state highways, which highways shall be selected from the market roads or other county roads, or available locations or routes of the several counties; and

WHEREAS, the State Highway Commission, by mutual agreement with the Baker County Court of the State of Oregon, has selected the road or highway hereinafter named, and it is the purpose of the Commission to officially and regularly designate and adopt said highway as a highway to constitute, together with other highways heretofore adopted and/or which may hereafter from time to time be added, the system of secondary state highways under the provisions of said acts;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED, by the State Highway Commission, all members being present and affirmatively voting and participating, as follows:

1. That the following described market road, county road, highway, route, or location of a highway in Baker County be and the said market road, county road, highway, location, or route, hereby is selected, designated, established, adopted and approved as a secondary state highway and shall be and hereby is designated as a part of the secondary state highway system, to wit:

Pine Creek Secondary State Highway No. 414:

Beginning at a point in the Town of Halfway at the Junction of the Halfway-Cornucopia County Road with the former Baker-Homestead Highway; thence easterly to a point near the crossing of Dry Creek; a distance of approximately 3.0 miles.

2. That the said highway shall be and hereby is qualified for improvement under the provisions of said Chapter 248, Oregon Laws 1931; Chapter 196, Oregon Laws of 1935; and Chapter 529, Oregon Laws of 1939; and amendments thereof.

The County Court of Klamath County represented by County Judge U. E. Reeder and County Commissioners E. E. Benner and John R. Reber; also County Engineer Frank Z. Howard, came before the Commission and urged improvement of the Sprague River County Road which passes through the Klamath Indian Reservation. They particularly urged the oiling of the nine-mile section between the town of Sprague River and the junction with the Klamath Falls-Lakeview Highway, although they alleged that the improvement of the entire road is important from the standpoint of providing a detour for The Dalles-California Highway traffic in the event of interruption of traffic on this highway between Klamath Falls and Chiloquin because of floods, or for other reasons. The Engineer estimated that it would cost about \$30,000 to oil the nine-mile section. Chairman Cabell pointed out that the improvement of this road is a costly undertaking and one which the Highway Commission could not very well undertake at this time in view of the many obligations of the Commission that

are as yet unfulfilled. Judge Howard advised that the county plans to spend some county money for grading and surfacing the worst sections of the road, but the county is absolutely unable to finance the entire improvement. He said that the county endeavored to secure Federal funds that have been allocated for the improvement of roads within Indian reservations to finance this work, but failed. He urged the Commission to give the project serious consideration.

Judge Reeder also asked the Commission to continue the improvement of the county road between Malin and Bonanza, particularly the Poe Valley Section. He requested the oiling of the three-mile section that was graded and surfaced by the state in 1939, which section, he said, is now in good condition but is very difficult to maintain. He also asked for the oiling of a two- and three-quarters-mile section of the county road north from Midland, which the county has graded and graveled. Request was also made by the County Court for the improvement of the Midland Secondary State Highway. The Engineer estimated that oiling work on the Malin-Bonanza Road would cost about \$6,000 per mile and that the surfacing, oiling, and bridge construction on the Midland road would cost a total of approximately \$65,000. The Commission took the request under advisement.

The matter of the improvement of South Sixth Street, Klamath Falls, was next discussed. The Engineer estimated that it would cost more to modernize South Sixth Street, including acquisition of right of way and incidental expense than to construct an entirely new highway bypassing the South Sixth Street congested district and entering Klamath Falls by the Main Street underpass. He gave as his thought that it would be advisable to construct the permanent highway on such revised alignment and to improve South Sixth Street on the present 60' right of way for local use. He estimated the cost of extra right of way along South Sixth Street, to provide 80' width, at \$100,000, and gave as his thought that it would be logical to expend this sum of money for construction of the bypass route, which would not only conserve funds but would provide a shorter route for motorists in passing through Klamath Falls. After discussion the County Court indicated approval of the arrangement mentioned by the Engineer.

The County Court brought up for discussion a local controversy with respect to a small area of land at the junction of The Dalles-California Highway and the Green Springs Highway. It appears that Klamath County acquired the right of way at this point with the intention of conveying it to the state, but there seems to be no record of the transfer. The question arises whether or not the property was ever deeded to the State, because there is a clause in the county's deed which provides that any portion of the property that is not utilized for highway right of way within a reasonable length of time shall revert to the former owners, and such former owners are now demanding the return of such portion of this area. After discussion, the Commission referred the matter to the Attorney with instructions to assist the county in any way possible, to iron out the difficulty.

Chairman Cabell brought up the matter of the state cooperating in the construction of a bridge over the Willamette River at Independence. After

discussion the Commission decided not to cooperate in the cost of this structure because the project is not of military importance and the Commission cannot spare the funds. The Engineer was instructed to so inform the sponsors of the project.

The Commission discussed the matter of permitting Mr. Chat Goode of Eugene to transport a boat 12' wide, 65' long overall, and 13' high over state highways from Eugene to Mapleton, and decided to grant Mr. Goode such authority provided there is sufficient vertical clearance to permit the movement across bridges enroute, and provided further that Mr. Goode will furnish public liability and property damage insurance in the customary amounts and will arrange for a state police escort. The Engineer was instructed to investigate the matter of clearances.

Messrs. Marshall E. Nauman and L. J. Cronkhite, representing the Fruehauf Trailer and Equipment Company, came before the Commission with respect to operating truck and semi-trailer equipment 50' overall in length over Oregon highways pending the date when the law passed by the 1941 Legislature authorizing such movements goes into effect. The Attorney advised that the Commission has authority to grant such permits if it so desires. The Commission considered that the enactment of the law by the Legislature is indicative of the Legislature's approval of the movement of such length vehicles over the highways of this state and, thereupon, authorized the granting of the permit.

The Attorney brought up for discussion the offer of Leslie Watters to pay the sum of \$200.00 for certain residence buildings owned by the state on property acquired from J. W. Morefield, at St. Helens. He recommended acceptance of this offer without advertising the property for sale, particularly because, in his estimation, the offer is very fair, and also for the reason that the contract for the improvement of the Columbia River Highway, at St. Helens, involving this property, has already been awarded. The Commission approved the recommendation.

The Commission also authorized the sale of a shack located on state-owned property on the West Portland-Cooke Overcrossing Section of the West Portland-Hubbard Highway, in Clackamas County, to Mr. Glenn S. Ehle, for the sum of \$5.00, upon advice from the Attorney that the building is of no value whatsoever, and that it would cost the state more to demolish it than could be salvaged.

The Commission adjourned at 12:20 p. m. and reconvened at 1:30 p.m. in the same room with the same persons present and participating.

The Engineer discussed with the Commission matters pertaining to the granting of permits for the continuous hauling of logs over state highways. He presented for adoption by the Commission a form of resolution containing rules and regulations with respect thereto. A decision in the matter was deferred by the Commission until a future meeting. A copy of the resolution was furnished each Commissioner for study in the meantime.

Messrs. W. H. Tugman and Chet Goode, Eugene, appeared before the Commission with respect to Mr. Goode's application for a permit to transport a boat over state highways from Eugene to Mapleton, the overall dimensions being 12' wide, 65' long, and 13' high. They agreed to comply with all rules and regulations that the Highway Commission might make with respect to this movement and presented a letter from the Sheriff of Lane County offering the services of his department in safeguarding traffic during progress of the movement.

The Engineer pointed out that there are several structures on this section of highway that have restricted vertical clearance and there is a question whether the boat will pass through them. After considerable discussion the Commission voted unanimously to approve the granting of the permit in the event investigation reveals that clearances are satisfactory and provided further that Mr. Goode will furnish public liability insurance in the amount of \$50,000/100,000 and property damage insurance in the amount of \$10,000, protecting the state and the State Highway Commission in the event of accidents and, provided further, that the movement is accompanied by at least one State Police Officer and by at least two deputy sheriffs to safeguard other traffic, it being understood that Mr. Goode would make the necessary arrangements for the police escort. The Engineer was instructed to investigate the clearances.

Mr. James Morrell, representing Consolidated Freightways, was present and requested permission to operate over The Dalles-California Highway between the California State Line and Klamath Falls, and over the Pacific Highway between the California State Line and Medford, freight-hauling equipment having an overall height of 12' 6", and to operate over other state highways, equipment having an overall height of 12'. The Attorney advised that the Commission has legal authority to issue continuous permits up to a maximum height of 12' 6", if it so desires. After discussion the Commission approved the granting of the permits requested if investigation reveals that vertical clearances of bridges and other overhead facilities are satisfactory.

Mr. Elmo Smith, Mayor of Ontario, was present and discussed with the Commission the city's proposal for rerouting the Old Oregon Trail through the city of Ontario from Oregon Street to First Street, and inquired as to the possibility of securing such change this year. The Engineer advised that it would cost about \$34,000 to improve First Street, using an oiled pavement, and that it would cost about \$80,000 if the pavement were constructed of Portland cement concrete. Chairman Cabell advised the status of the Commission's funds and stated that the outlook for performance of this work this summer is not very promising but the change appears to be a good one and, if the Commission cannot finance it this year, it will probably be included as a priority project in next year's program, if the Commission has funds available at that time. He added that the Commission will consider it for this year's construction if funds can be spared. Chairman Cabell's remarks were endorsed by Commissioners Clough and Oliver. The Secretary was instructed to forward to Mr. Smith a copy of the Engineer's estimate based upon the use of the oil type pavement.

At 3:00 p. m. Chairman Cabell announced the following awards of contracts, bids for which were taken on the previous day, such awards having been previously approved by the Commission by unanimous vote:

"Dixie Summit Section of the John Day Highway, in Grant County. 5.10 miles grading and 2.23 miles bituminous macadam surfacing. Leonard & Slate, Multnomah, submitted the low bid for this work, in the amount of \$161,540.00. Max J. Kuney Company, Spokane, Washington, submitted the next-low bid in the amount of \$164,783.00. There were six higher bidders. The Commission awards this contract to the low bidders, Leonard & Slate, at their bid of \$161,540.00.

"Vance Creek-Soda Mountain Section of the John Day-Burns Highway, in Grant County. 4.02 miles grading and 18.02 miles surfacing and oiling. Babler Bros., Portland, were the low bidders with their bid of \$120,788.00. Morris Bros., Burlington, Washington, submitted the next-low bid, in the amount of \$127,798.50. There were three higher bidders. The Commission has awarded this contract to the low bidders, Babler Bros., at their bid of \$120,788.00.

"Vandehey and Van Dyke Sections of Nehalem Secondary Highway, in Washington County. 1.08 miles grading, surfacing, and oiling. Gales Creek Sand & Gravel Co., Forest Grove, were the low bidders for this work with their bid of \$23,447.00, based on the use of tar. They did not submit a bid using asphalt. C. J. Eldon, Portland, was the second-low bidder, with his bid of \$27,776.00, based on the use of asphalt, and \$27,741.00, using tar. There was one higher bidder. The Commission awards this contract to the Gales Creek Sand & Gravel Company at their low bid of \$23,447.00, using tar.

"Taylor Creek Section of the Ochoco Highway, in Wheeler County. 0.80 mile grading. M. L. O'Neil & Son, Stanfield, were the low bidders for this work with their bid of \$52,940.00. Leonard & Slate, Multnomah, were the second-low bidders with their bid of \$58,130.00. There were nine higher bidders. The Commission awards this contract to the low bidders, M. L. O'Neil & Son, at their bid of \$52,940.00."

Chairman Cabell also announced the awards of the following contracts, bids for which were taken at the morning session, such awards having been previously approved by the Commission by unanimous vote:

"Clackamas Grade Separation Project on the Cascade Secondary Highway, in Clackamas County. Six bids were received for this project, the low one being that of Frank Watt Construction Company, Portland, in the amount of \$25,954.00, and the second-low being that of Birkemeier & Saremal, Portland, at \$26,954.00. The Commission awards the contract to Frank Watt Construction Company at its low bid of \$25,954.00.

"Long Creek-Fox Section of the Pendleton-John Day Highway, in Grant County. 9.18 miles grading, surfacing and oiling; also construction of two concrete bridges. A. Milne, Portland, submitted the low bid in the amount of \$115,600.80 and E. C. Hall Company, Eugene, submitted the second-low bid in the amount of \$126,318.00. There were two higher bidders. The Commission awards the contract to A. Milne at his low bid of \$115,600.80.

"Warner Summit-Camas Creek Section of the Warner Secondary Highway, in Lake County. 4.07 miles surfacing and oiling. No bids were received on this project.

"Miner Creek-Spencer Creek Section of the Oregon Coast Highway, in Lincoln County. 1.17 miles grading. The low bid for this project was submitted by Berke Bros., Portland, at \$56,303.00. The second-low bid was submitted by A. C. Greenwood Company, Inc., Portland, at \$63,065.00. There were nine higher bidders. The Commission has referred all bids received for this project to the Engineer with power to award the contract to the low bidder when certain conditions have been satisfied.

"Cow Hollow Creek-Adrian Junction Section of the Vale-Adrian County Road, in Malheur County. 0.25 mile grading and 6.01 miles surfacing and oiling; also construction of a concrete bridge. No bids were received for this project.

"Placing new expansion plates on the Interstate Bridge, in Multnomah County. Two bids were received for this project, the low one being that of Birkemeier & Saremal, Portland, at \$7,770.00, and the other bid being that of Curtis Gardner, Portland, at \$12,994.00. The Commission awards the contract to Birkemeier & Saremal at their low bid of \$7,770.00.

"Onion Flat Section of the Pacific Highway West, in Washington County. 0.76 mile grading and paving. Five bids were received for this project, the low one being that of Roy L. Houck, Salem, at \$45,329.00, and the second-low being that of Berke Bros., Portland, at \$45,605.50. The Commission has referred all bids received for this project to the Engineer with power to award the contract to the low bidder when certain conditions have been satisfied.

"Reconstruction of timber approaches and timber deck to steel span over the Yamhill River on the Three Mile Lane Secondary Highway, in Yamhill County. J. F. Johnston, Newberg, submitted the low bid in the amount of \$26,684.50, and Frank Watt Construction Company, Portland, submitted the second-low bid in the amount of \$26,746.00. There were eight higher bidders. The Commission awards the contract to J. F. Johnston at his low bid of \$26,684.50."

The County Court of Linn County, represented by County Judge J. J. Barrett and County Commissioner H. A. Renninger and County Engineer Walter

W. Larsen was present. They advised that the Santiam River Bridge on the spur road leading from the Santiam Highway to Cascadia State Park is in a bad state of repair and asked the Commission to assume jurisdiction over this bridge in view of the fact that the Commission has recently acquired the state park there and this bridge is the only means of access to the park. The Engineer advised that the road from the highway to the park is only about 600 ft. long, and gave as his thought that it should be under state control. He suggested the designation of the road as a state secondary highway. The Commission approved the suggestion subject to the condition that the County Court will make proper application for such designation. The Engineer was instructed to have the bridge inspected to ascertain just what is needed to put it in proper condition.

Judge Barrett then inquired whether or not the Commission intends to spend any money this year for the improvement of farm-to-market roads. He was informed that due to the limited amount of federal aid secondary highway funds available to the Commission and the fact that such funds must be distributed to the counties of the state in an equitable manner, it has not been possible to allocate any of them this year to Linn County, and the best the Commission can do is to consider Linn County's needs in the allocation of the next allotment of such funds. Judge Barrett advised that the County's first choice for improvements under this program is the Albany-Brownsville Road. The Commission agreed to bear this project in mind and to ascertain whether or not it is eligible for the funds under discussion.

Improvement of the Shady Hill Section of the Santiam Highway was also discussed briefly and the County Court was informed of the Commission's plans in regard thereto.

Judge Barrett asked the Commission to grant a Mr. Ford Harvey permission to transport piling 42' long over the South Santiam Highway, which piling is to be used in county bridge construction. He said the overall length of the piling and equipment would not exceed 60', and that there would be only a few loads. The Commission authorized the granting of the permit.

Mr. Roman Kintz and his Attorney, Fred Williams, Salem, came before the Commission in regard to the renewal of Mr. Kintz' lease of state-owned property at the entrance to Silver Creek Falls State Park. Mr. Williams explained that Mr. Kintz has a five-year lease on this property from the previous owner, which lease expires in June, 1941, and that he would like to have this privilege renewed by the state for another five-year period. He also explained that Mr. Kintz conducts a soft drink and lunch business on the premises and that the Marion County Court has declared that such business is a public necessity and convenience. The Commission deferred a decision in the matter pending consultation with the State Parks Superintendent and the formulation of a policy with respect to the sale of a concession in this state park.

The Commission discussed a letter from the City Attorney of Albany relative to state maintenance of city streets over which logs are transported.

The City Attorney advised that logging traffic is seriously damaging their city streets and the city is without funds to maintain them and believes that such maintenance work is an obligation of the State. The Engineer advised that similar situations exist in Lebanon and in Canby. He suggested the adoption of a policy by the Commission which would permit maintenance of such logging routes within cities by the state at state expense, the arrangements to be covered by written agreement between the state and the city concerned. He further suggested that it might be advisable for the Commission to assume full responsibility for maintenance of city streets, outside of Portland, over which general trucking operations are carried on. The Commission deferred a decision in the matter; however, indicated that the suggestions were well worth considering. As to the situation in Albany, the Commission instructed the Engineer to inform the City Attorney that the problem is now being considered by the Commission, but decision cannot be reached until the Commission has had an opportunity to discuss it from a statewide standpoint. The Engineer was also instructed to investigate the condition of the old highway route in Albany and to make repairs as may be necessary to the same, in the event investigation reveals that it is the state's obligation.

The Engineer reported on the request of the City of Hood River for the rerouting of the Hood River Secondary Highway within the Hood River city limits, as follows:

Beginning at the intersection of 12th Street and May Street, thence west a distance of one block to 13th Street, thence north along 13th Street to Oak Street, the present route of the Columbia River Highway.

The Engineer advised that the proposed routing has been investigated and it was found that the adoption of the same will eliminate two right-angle turns in the present route, which intersects the Columbia River Highway at 9th Street. Furthermore the proposed route will avoid two schools and will provide a much easier grade for traffic and is on a wider paved street that is improved with penetration type macadam in excellent condition. He recommended approval of the change. After discussion the Commission approved the recommendation and thereupon, by unanimous vote, adopted the following resolution in regard thereto:

WHEREAS, the Highway Commission is authorized and directed whenever the route of a state highway passes through the corporate limits of any incorporated city or town to select and designate the street or streets of such city or town over which said highway shall be routed, and the Commission is given authority to alter or change such routing whenever in its opinion the interests of the motoring public will be better served; and

WHEREAS, the Commission has heretofore routed the Hood River Secondary Highway from the point where said highway enters the city at or near the terminus of 12th Street over the following streets: 12th Street from the city limits to Eugene Street, thence

over Eugene Street to 9th Street, thence over 9th Street to Oak Street; and

WHEREAS, the municipal authorities of the City of Hood River have requested that said routing be changed so that the streets selected shall be 12th Street to May Street, thence over May Street to 13th Street, thence over 13th Street to Oak Street; and

WHEREAS, it is the judgment and opinion of the Commission that the request and application of the municipal authorities of Hood River can be granted without in any way interfering with the interests of the motoring public;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the Commission, all members being present and affirmatively voting, as follows:

1. That Hood River Secondary Highway from the point where said highway enters the city limits of Hood River shall be routed over the following streets: 12th Street from the city boundary to May Street, May Street to 13th Street, and 13th Street to Oak Street.

2. That from and after the adoption of this resolution the following streets shall no longer be deemed a part of the route of the Hood River Secondary Highway within the corporate limits of the City of Hood River, to wit: 12th Street from May Street to Eugene Street, Eugene Street from 12th Street to 9th Street and 9th Street from Eugene Street to Oak Street, and that said last named streets, or sections thereof, shall no longer be a part of the route of said Hood River Secondary Highway but said streets, or sections thereof, shall be and hereby are released and surrendered back to the jurisdiction of the municipal authorities of the City of Hood River.

3. That the Engineer be instructed to erect the necessary and appropriate signs along said newly designated route so that the traveling public may be properly advised with respect to said route.

4. That this resolution be entered in the minutes and records of the Commission and a duly certified copy thereof delivered to the municipal authorities of the City of Hood River and a duly certified copy thereof delivered to the Public Roads Administration.

The Engineer reported on the application of the Nehalem Telegraph and Telephone Company to construct a telephone pole line along the west side of the Oregon Coast Highway in the vicinity of Brighton. He said that Division Engineer F. D. Eason and Landscape Engineer George Otten made a careful

inspection of the premises and it is their recommendation that the application be denied because the existence of the poles and telephone facilities on the ocean side of the highway will interfere with the scenic view, and for the further reason that it is possible for the company to arrange for the joint use of poles with either the Mountain States Power Company, on the easterly side of the highway, or with the Western Union Telegraph Company, which now maintains a pole line on the Southern Pacific Railroad right of way. In the event that such arrangements could not be effected, the Telephone Company could install an inexpensive underground cable on the westerly side of the highway for the limited service required in the Brighton area. After discussion, the Commission decided not to grant the permit, and ordered the removal of the telephone poles already installed on the westerly side of the highway that are not now covered by permit from the State Highway Department.

A letter was presented from Mr. Howard Merriam, President, Oregon Pacific Highway Association, suggesting, in view of the fact that the 1941 Legislature voted down a bill which provided that a portion of the highway funds should be set aside for the improvement of city streets, that it might be advisable for the Commission to investigate the matter of maintenance of city streets other than state highway routes. The Commission approved the suggestion, and authorized the Engineer to make such investigation and to hire a special man for this work, if necessary.

Mr. Gordon H. Smith, Umatilla, Oregon, was present in regard to settlement for right of way needed for the Boardman-Stanfield Highway, near Stanfield. Mr. Smith stated that he has been offered \$800.00 for his property, but he is not inclined to settle on such basis because the construction of the highway in the proposed location will render valueless from a hunting standpoint a certain duck lake that he owns and from which he derives considerable annual income in rentals. He said that he acquired this property principally on account of the duck lake, which he considers more valuable than the adjacent land. He asked the Commission to pay him the sum of \$1,600, which is the amount of the Federal Land Bank's mortgage against the property, and \$1,000 as damages for the loss of his income from the duck lake, or, he said, he would accept the sum of \$4,000 for his entire holdings consisting of about 160 acres. The matter was discussed at considerable length but no decision was reached, the Commission desiring to give the matter further study.

The Engineer reported that the State of Idaho would like to have two roads in the State of Oregon placed on the Federal Secondary Highway System so they can be improved with federal funds to a standard comparable with connecting roads in the State of Idaho. He advised that the roads in question are in Malheur County, but are located on the east side of the Snake River, the Idaho-Oregon boundary line being east of the Snake River at this particular point. The Commission deferred action on this matter; however, instructed the Engineer to inform the Idaho authorities that the Commission will give the matter consideration.

The Attorney brought up for discussion the matter of granting right of access to the Wolf Creek Highway. He read aloud the provisions of a form of resolution prepared with respect thereto. After discussion, the Commission by unanimous vote adopted said resolution, as follows:

WHEREAS, there has heretofore been definitely located and established a route over which to construct and thereafter maintain a state highway, which highway has been designated as State Highway No. 47, and is otherwise known as the Wolf Creek Highway, the western terminus of which is at the intersection of said highway with the Oregon Coast Highway at Cannon Beach Junction, and the eastern terminus of which is at the intersection of said highway with the Pacific Highway West at Fourth Avenue and Jefferson Street in Portland, Oregon; and

WHEREAS, the section of said highway extending from Cannon Beach Junction to Sunset Camp has been constructed and is now in general use, and the section of said highway extending from Sunset Camp to the eastern terminus of said highway at Portland is now under consideration for construction in the immediate future, and therefore necessary rights of way for the same must be acquired at the earliest possible date; and

WHEREAS, it is the judgment of the Commission that the type, character and volume of traffic which will use said highway when completed warrant and make necessary the acquisition of a wide right of way and make advisable and necessary as well the acquisition not only of title in fee simple to the real property needed for right of way purposes but the acquisition of all rights of access from abutting properties to said highway so that the Commission may control the points at which traffic may leave said highway and the points at which traffic may enter said highway; and

WHEREAS, in order to provide sufficient land for the proper and adequate construction and maintenance of said highway and for appropriate and proper landscape and roadside development it is necessary that with respect to a portion of said highway the right of way shall be not less than two hundred feet in width and over other portions of said highway the right of way shall be not less than one hundred feet in width, with in each instance necessary additional widths for embankment and cut slopes and other highway purposes; and

WHEREAS, the estimated cost of the construction of said highway, including rights of way, is \$9,500,000.00, and, therefore, because of the large amount of motorists' money which will be invested in said highway, it is the judgment of the Commission that a right of way of the widths hereinafter fixed should be acquired for the construction and maintenance thereover of said Wolf Creek Highway and that there should be acquired also all rights of access thereto; and

WHEREAS, one of the main purposes governing the location and construction of said highway is to make available to the motoring public a fast, safe, convenient and practicable short route from valley points to ocean beaches, and unless public authorities having jurisdiction over said highway can control access to and from the same, a large portion of the value of the highway will be destroyed by the construction, maintenance and operation of all sorts of small commercial activities of various types and designs on abutting properties, thus resulting in a destruction of the beauty and value of said highway.

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the Commission, all members being present and affirmatively voting, as follows:

1. The Commission does hereby find and declare that with respect to the portion of the Wolf Creek Highway lying between the Barnes Road and the Wilson River Highway junction the minimum width of right of way procured shall be two hundred feet with such additional widths as may be necessary to provide for cuts, fills and other highway purposes, and that the section of said Wolf Creek Highway from its junction with the Wilson River Highway to the westerly terminus thereof shall have a minimum right of way width of not less than one hundred feet, plus such additional widths as may be necessary to provide for cuts, fills, borrow and other highway purposes.

2. The Commission does further find and declare that said established minimum widths of rights of way shall prevail throughout the entire length of said highway except at such places where the Commission may by order approve and establish a lesser width.

3. The Commission does further find and declare that the existing and potential volume of traffic which will use said highway and the purposes for which said highway will be used when completed make necessary the acquisition of a right of way of such width throughout the entire length of the same and make necessary also certain additional widths at appropriate places for borrow, for embankment and for slope purposes.

4. The Commission does further find and declare that, in order to make available to the traveling public the maximum degree of safety, convenience and accommodation and in order to make possible proper and adequate landscaping and roadside development, it is necessary that there be acquired, along with title in fee simple to the real properties needed for right of way purposes, all rights of access from abutting properties to said highway so that the Commission may for the convenience, safety and accommodation of the traveling public control the points of access from abutting properties to said highway and the points at which traffic may leave said highway to reach abutting properties or to reach connecting roads.

5. The Commission does further find and declare that for the purposes herein stated the acquisition of title in fee simple to the real properties required in connection with the location and construction of said highway and the acquisition of all rights of access from abutting properties to the properties acquired for right of way purposes is necessary for the proper construction, maintenance and use of said highway, for the control of access thereto, and for proper and appropriate landscaping and roadside development.

6. The Commission does hereby order and direct the Engineer to properly survey, locate and mark upon the ground by permanent monuments the limits and boundaries of said right of way and the limits and boundaries of real properties necessary for the purposes announced and declared in this resolution, and said Engineer is further authorized and instructed to prepare appropriate and correct descriptions of all of the real properties needed for the purposes herein set forth and to furnish the Commission's Chief Counsel with correct copies thereof.

7. The Commission does further order and direct its Chief Counsel to negotiate with the owners of the several parcels of real property required for the purposes herein set forth and to take appropriate options or offers for which such real properties can be purchased, together with all rights of access thereto, and to submit such options or offers to the Commission for approval.

The State Parks Superintendent was present and reported on the following matters:

Acquisition of property to protect the Rogue River bridgeheads at Gold Beach:- He estimated that it would cost about \$16,000 to purchase the necessary property, which is owned by Collier H. Buffington, Lawyer, Gold Beach, and gave as his thought that the expenditure is not justified. The Commission decided not to buy this property.

Use of federal aid funds to finance acquisition of wayside strips:- Mr. Boardman inquired as to whether or not the rules and regulations have as yet been received for the use of federal funds for purchases of this kind. He was informed by W. H. Lynch, District Engineer, Public Roads Administration, that the rules have not yet been received.

Superintendent Boardman then requested instructions relative to the purchase of timber strips along the Salmon River Highway from the Miami Corporation, involving an expenditure of \$23,800. He recalled that the Commission previously agreed to use state funds for this purpose if it were impossible to secure the federal funds within a reasonable length of time. The Commission confirmed such action provided an extension of time to complete the purchase, using federal funds, will not be granted by the Miami Corporation. The Attorney was instructed to assure the Miami Corporation, by letter, that the Highway Commission will purchase these wayside strips, using state funds, if approval of the expenditure of federal funds for this purpose cannot be obtained.

Concession at Silver Falls State Park:- The Parks Superintendent recommended denial of the request of Mr. Roman Kintz for the renewal of his lease of state property at the entrance to the South Falls, because, he said, the business conducted by Mr. Kintz is principally the sale of beer, which detracts from the park. He pointed out that the concession house that is now being constructed in the park will be completed about June 1st, and gave as his thought that the public could be served by a concession in this building very satisfactorily. He recommended the advertising for bids for the purchase of this concession, and that it be awarded to the highest bidder therefor. The Commission deferred action on the matter pending inspection of the park.

In this connection the Parks Superintendent suggested that it would be appropriate to install in this park two bronze plaques, one honoring the C.C.C. veterans who constructed the building, and the other honoring Mr. Elmer Bankus of Brookings, who donated the myrtlewood from which the furniture in the buildings was constructed. Action on this matter was also deferred by the Commission pending adoption of a policy with respect thereto.

Del Rogue tract at Grants Pass:- The Parks Superintendent advised that when the Pacific Highway was reconstructed south of Grants Pass the county donated to the state for park purposes a certain tract situate about four miles south of the city, which tract has not yet been developed. The county, he said, would like to develop this property, and has asked that it be deeded back to the county for park purposes. The Commission approved the request subject to the condition that the property be held for general public use.

N.Y.A. Camp on Camas Mountain, in Douglas County:- The Parks Superintendent advised that the Forestry Department at Oregon State College is sponsoring a National Youth Administration project and would like to institute such a project in the state park on Camas Mountain adjacent to the Coos Bay-Roseburg Highway. He said that they will establish their own camp and do everything in connection with it; furthermore, the development work that is done will be in conformance with the state's plans for this park. The state's sole obligation, he said, would be to furnish certain materials costing about \$150.00. He recommended approval of the project. The Commission approved the recommendation as a trial proposition.

Addition to the State Park at The Cove, in Jefferson County:- The Parks Superintendent recommended the purchase of a 40-acre tract from the Pacific Power and Light Company, for which the owners are asking \$3.75 per acre, which is 75 cents more per acre than the Commission has authorized for payment of land at this location. The Commission approved the purchase and referred the matter to the Attorney to negotiate with the Power Company on the basis of paying not in excess of \$3.00 per acre for this land.

Purchase of the Mead-Gantenbren property adjacent to the Upper Columbia River Highway, near Shell Rock Mountain, in Hood River County:- The Parks Superintendent advised that, as previously instructed by the Commission, he has investigated this property and finds that it will fit in very nicely in the state park program; that the tract contains ninety-three acres lying between the Bonneville Power Administration right of way and the Columbia River, exclusive of the railroad right of way, and is owned by four different people. It was his thought that the purchase of the tract would be quite costly. After discussion the Commission decided not to purchase the tract at this time; however, agreed to reconsider the matter later when an additional appropriation is made for the purchase of land for parks.

Timbered wayside strips along the Tiller-Trail Secondary Highway:- The Parks Superintendent reported receipt of a letter recommending that the state purchase strips along this highway so as to prevent the removal of timber standing thereon, it being pointed out that extensive logging operations are now under way in this

vicinity and it will not be long before the timber along the highway is cut. The Commission deferred action on the matter pending inspection of the premises by Commissioner Clough and the Parks Superintendent.

Warrior Rock at St. Helens:- The Parks Superintendent requested instructions relative to the acquisition of an island known as "Warrior Rock", located in the Columbia River opposite the town of St. Helens, containing $1\frac{1}{2}$ acres. The Commission decided not to acquire this tract.

Cooperation with Lincoln County in the purchase of the Spruce Production Railroad right of way:- The Parks Superintendent advised that Lincoln County is acquiring a considerable portion of the old Spruce Production Railroad's right of way, for which the county is paying \$500.00, and the county feels that the state should contribute \$100.00 toward the expense, in view of the fact that a portion of the right of way lies within the boundaries of a 40-acre tract that the county deeded the state free of cost as a wood lot. He gave as his thought that it is only fair that the state should pay a share of the expense involved. The Commission instructed the Parks Superintendent to discuss the matter with County Judge Gilkey.

C.C.C. Camp operations:- The Parks Superintendent reported that only two C.C.C. camps have been allotted to the State of Oregon for the coming summer, being those at Short Sand Beach and at Silver Creek Falls. The Commission took no action on this matter.

The Commission considered and signed agreements, et cetera, as follows:

Agreement with United States Bureau of Reclamation providing for an irrigation canal encroachment across the Old Oregon Trail, in Umatilla County.

Agreement with Bonneville Power Administration covering power line construction on the Pendleton-Cold Springs Highway, in Umatilla County.

Agreement with Bonneville Power Administration covering location of transmission power pole line on the Columbia River Highway, in Multnomah County.

Agreement with the Northern Pacific Railway Company for slope encroachment on the Lower Columbia River Highway, at St. Helens.

Agreement with Sunset Logging Company granting the Company an easement for the construction, operation, and maintenance of a truck logging road over and upon state-owned property described as the north one-half ($N\frac{1}{2}$) of the southwest quarter ($SW\frac{1}{4}$) of Section 2, Township 3 North, Range 6 West, W. M., Tillamook County.

There being no further business to come before the Commission at this time the meeting was adjourned at 5:15 p. m.

R. H. Baldock
State Highway Engineer

H. B. Glaisyer
Secretary

Henry F. Cabell
Chairman

Huron W. Clough
Commissioner

Herman Oliver
Commissioner

Portland, Oregon, May 8, 1941

The State Highway Commission met in regular session at 9:00 a. m. in the auditorium of the Public Service Building. Present were:

Huron W. Clough, Acting Chairman
Herman Oliver, Commissioner
R. H. Baldock, State Highway Engineer
H. B. Glaisyer, Secretary

Chairman Cabell was absent due to attendance at the special committee meeting of the American Association of State Highway Officials in Chicago, Illinois.

Bids, as follows, for highway construction work, and for the sale of buildings at Glenwood, were opened and read in conformance with previously published notice, following which Commissioner Clough announced that the award of contracts would be made at 3:00 p. m. in the same room:

MAY 8 1941

CORVALLIS-EASTSIDE HIGHWAY
WILLAMETTE RIVER BRIDGE AT CORVALLIS - PLACING
PIER PROTECTION

Babler Bros.	\$7,025.00
J. F. Johnston	7,150.00
C. J. Eldon	7,250.00
LeRoy D. Mason	8,000.00
Harry I. Hamilton	12,750.00

CASCADE SECONDARY HIGHWAY
CLACKAMAS OVERCROSSING SECTION - GRADING, PAVING & TWO BRIDGES

Roy L. Houck	\$97,016.00
Leonard & Slate	97,342.20
Edlefsen-Weygandt Co.	102,949.50
A. C. Greenwood Co., Inc.	104,569.20
Porter W. Yett	108,641.70
E. L. Gates	110,122.20
McNutt Bros.	114,608.00
Frank Penspacker	119,205.70

HOOD RIVER SECONDARY HIGHWAY
DEE-WOODWORTH ACRES SECTION - GRADING, SURFACING AND OILING

No bids received - Project ordered readvertised

PACIFIC HIGHWAY
JOSEPHINE COUNTY LINE-CENTRAL POINT SECTION
PAVEMENT WIDENING AND NONSKID OILING

J. C. Compton	\$18,863.20
Norris Bros.	19,064.45
Babler Bros.	22,008.00
Clifford A. Dunn	24,761.50

CITY OF KLAMATH FALLS
INSTALLATION OF TRAFFIC SIGNAL SYSTEM

Dimitre Electric Co.	\$15,474.00
Trowbridge & Flynn Electric Co.	15,703.00
Bosler Electric Co.	15,999.00
East Side Electric Co.	16,487.00
Mark Smith & Co.	18,442.50
Tinling & Powell	18,520.00
Clifford A. Dunn	20,469.00

*Irregular Bid

ALSEA HIGHWAY
ROCK CREEK-BENTON COUNTY LINE SECTION
GRADING, SURFACING AND BITUMINOUS MACADAM

E. L. Gates		\$68,164.00
C. J. Eldon		93,348.00

SANTIAM HIGHWAY
CANYON CREEK-BRYANT HILL SECTION
GRADING, SURFACING AND BITUMINOUS MACADAM

	<u>Using Asphalt</u>	<u>Using Tar</u>
Leonard & Slate	- - -	\$136,542.50
E. C. Hall Co.	\$150,375.00	149,761.00

VALE-WEST SECONDARY HIGHWAY
BULLY CREEK-VALE SECTION - GRADING, SURFACING & OILING

Chester T. Lackey	\$37,352.60
Triangle Construction Co.	39,992.00
Tony Marrazzo	40,353.10

VALE-ADRIAN COUNTY ROAD
COW HOLLOW CREEK-ADRIAN JUNCTION SECTION
GRADING, SURFACING, OILING & BRIDGE

Tony Marrazzo	\$28,918.50
Triangle Construction Co.	31,112.00
Chester T. Lackey	32,353.50

COMBINATION BIDS ON THE BULLY CREEK-VALE SECTION
AND THE COW HOLLOW CREEK-ADRIAN SECTION

	<u>Bully Creek- Vale Section</u>	<u>Cow Hollow Creek- Adrian Section</u>	<u>Total</u>
Tony Marrazzo	\$40,353.10	\$28,918.50	\$69,271.60
Chester T. Lackey	37,352.60	32,353.50	69,706.10
Triangle Construction Co.	39,992.00	31,112.00	71,104.00

PACIFIC HIGHWAY WEST
HAWTHORNE BRIDGE IN PORTLAND
RECONSTRUCT APPROACHES

Lindstrom Bros.	\$31,120.00
George H. Buckler Co.	35,054.00
Birkemeier & Saremal	36,750.00

WOLF CREEK AND NEHALEM HIGHWAYS
SUNSET CAMP-DAVIES SECTION
SURFACING, BITUMINOUS MACADAM AND OILING

Babler Bros.	\$127,418.00
Norris Bros.	129,679.00
E. C. Hall Co.	133,038.00
C. J. Eldon	155,206.00
J. C. Compton	166,283.00

SALE OF BUILDINGS AT GLENWOOD

Building No. 8659 (former owner Mrs. Mildred Bartell Davis)

Earl Bateman	\$204.00
Elmer E. Lyda	50.00

Building No. 8671 (former owner Wm. F. Van Loo)

Elmer E. Lyda	\$210.00
C. S. Bateman	178.00
Earl Bateman	160.00

Mr. Don Peoples, Secretary of the Bend Chamber of Commerce, was present and inquired when the Commission contemplates inspecting the Warm Springs Highway. He was informed that a date has not as yet been set for such inspection, but that he will be advised when it is set.

Mr. Paul B. Rynning, County Engineer of Jackson County, was present representing the Jackson County Court. He asked the Commission to widen and straighten the Crater Lake Highway, between Prospect and Trail, and to eliminate the curve at a place known as Agate Station. The Engineer advised that to widen the curves between Prospect and Trail would cost about \$30,000. He recommended the budgeting of such amount for this purpose, together with additional sums for widening sharp curves at other points on this highway, and that the work be contracted this coming fall and, in the meantime, that the present road be maintained as well as possible under the existing conditions. The Commission approved the recommendation.

The Commission instructed the Engineer to investigate the curve mentioned by Mr. Rynning at Agate Station to ascertain what is necessary to improve the conditions at this point, the idea being that the Commission would authorize the work if it is not too costly.

A delegation from Corvallis, representing the City Council, and consisting of Mayor H. W. Hand; Ralph P. Schindler, City Recorder; Mr. Beck, Park Superintendent; C. L. Willey, City Engineer, was present in regard to the improvement of North 9th Street (route of the Pacific Highway West). Mayor Hand

was spokesman. He alleged that the present pavement is too narrow for the large volume of traffic that uses this road and that the improvement is very important to the City of Corvallis, because the district through which the road extends is building up rapidly. The Engineer advised that to improve this highway to proper standards on the present 60-foot right of way would cost about \$30,000. He recommended the improvement as desirable, feasible, and economical, and that it be constructed as soon as funds are available. He questioned whether it would be possible to place the work under contract before 1942, although, in his estimation, it is a priority project and should be done this year if it can be financed. The Commission indicated a favorable attitude with respect to the project, but deferred definite action until its meeting on May 22, when Chairman Cabell will be present.

Mayor Hand also asked for the widening of the highway on Third Street, south from Adams Street to the Mary's River Bridge. He said that this street is quite wide north of Adams Street, but narrows down at Adams Street, producing a bottleneck condition. He urged the Commission to do the widening work as soon as possible and declared it to be the city's second priority choice of projects. The Engineer was instructed by the Commission to make a survey of the project and work up the plans for the same. He was also instructed to investigate the possibilities of ordering the parking of cars on only one side of the street, which might solve the city's problem as a temporary expedient.

The County Court of Tillamook County, represented by County Judge Harland M. Woods and County Commissioners E. H. Lindsey and E. G. Anderson, and County Engineer Stanley Coates, was present with respect to the Trask River Bridge approaches on the Fairview-Clements Corner County Road. The Engineer advised that it is proposed to reconstruct a section of this road as a federal aid secondary highway project, and that the plans for the project call for the replacement of a portion of the bridge approaches with a fill, which would necessitate the raising of the grade and probably the balance of the approaches, which are in bad condition. He further stated that no provision has been made in the budget for the reconstruction of the approaches; hence it would not be possible to use federal funds to finance the work, so, in view of the fact that this is a county road, the expense would have to be paid by the county. He estimated the cost at \$6,000, and suggested that the state advance the necessary funds provided the county will reimburse the state later on by assigning a portion of its share of the state gasoline tax funds. Judge Woods advised that it would not be possible for the county to pay for the work this year. After discussion, the Commission agreed to include the approach work in the contract for construction of the balance of the road and to advance the funds to pay the cost thereof, if the county will reimburse the state in 1942 by assignment of its share of the gasoline tax funds, \$3,000 to be paid in June, 1942, and the balance to be paid when the Secretary of State makes the final distribution of such funds. The Commission ordered the matter covered by appropriate agreement and authorized the Engineer to advertise the project for bids to be received at the June meeting of the Commission.

The County Court then inquired as to the possibilities of opening the Wilson River Highway to traffic throughout its entire length between Tillamook and Glenwood at an early date. The Engineer recommended against such proposal because it would interfere with construction operations, and said it is hoped that the highway can be opened by September 15. The Commission approved the recommendation; however, informed the County Court that traffic would be allowed to use the highway before that time if at all possible.

Commissioner Lindsey also brought up for discussion the matter of reconstruction of the twelve-mile section between Glenwood and Banks, where it connects with the Wolf Creek Highway, and was informed that the Commission considers it inadvisable to construct such section before the main highway between Banks and Portland has been completed and a study of traffic conditions has been made.

Mr. W. A. Lovelace, member of the Port of Umpqua Commission, was present in regard to the storage of logs in the Umpqua River at the south end of the Umpqua River Bridge, at Reedsport. He was accompanied by Messrs. C. A. Manschreck and Lawrence Lindquist, of Seattle, who are negotiating for the lease of some of the Port's property on the upstream side of the bridge and between the main channel of the Umpqua River and MacIntosh Slough, on which to conduct a sawmill business. Mr. Lovelace explained that the operators propose to store logs in MacIntosh Slough, and also in the river below the highway bridge, which are the only convenient places available, and in order to get the logs to the mill they will have to be pushed under the bridge through an opening between piers. Also, that it is proposed to cut the logs into shorter lengths and to store them temporarily in the river under the bridge and opposite the sawmill, for use as occasion demands. He asked the Commission to approve such arrangement. The Engineer advised that this matter was investigated on the ground by engineers of the Bridge Department and the Maintenance Department, who offer no objection to the use of the state's property for this purpose, provided the operators would assume all the responsibility for damage that might occur to the state's property, including the bridge. He recommended approval of the request, subject to the condition that the sawmill operators protect the bridge piers by the installation of fender piles as may be required, and that they furnish the state with a surety bond in the amount of \$1,000, as a guarantee for the repair of damage that may occur, and that the operators pay to the state a rental charge of \$100 per year for the first five years of operation, and \$50 per year thereafter for the use of the state's property. Mr. Lovelace assured the Commission that the Port of Umpqua Commission would assume the responsibility for any damage that might be done to the bridge. After discussion the Commission approved the granting of the permit as outlined by the Engineer, provided, in the opinion of the Engineer and the Attorney after further study, there is no objection from the state's standpoint. The Commission ordered the matter covered by written agreement, which is to be signed by the operators and then presented to the Commission for execution. The Engineer was thereupon instructed by the Commission to prepare plans as may be necessary to show what has to be done to protect the state's property.

The Engineer reported briefly the results of investigation made by Traffic Engineer John Beakey and Division Engineer K. D. Lytle of conditions at the intersection of the Pacific Highway and the Redwood Highway at Grants Pass concerning which a delegation, representing the Redwood Empire Association, is to appear before the Commission during the afternoon session. He said that Messrs. Beakey and Lytle met with members of the Redwood Empire Association at Grants Pass, and discussed thoroughly the matters complained of, and it is their recommendation that no change whatsoever be made in the highway as constructed, although they do recommend the installation of larger signs and better lights, as an accommodation to the traveling public. He said that he concurred in this recommendation. The Commission approved the recommendation and decided to discuss the matter with the delegation from that standpoint.

The Engineer reported that in connection with the Vollmer Creek line change, on the Wolf Creek Highway, in Clatsop County, it has been found that the present state highway is occupying certain land that is under lease to the City of Seaside for maintenance of the city's water pipe line, and that the city is insisting that the pipe line be re-established so as to avoid crossing the same with the highway. It was thought at first, he said, that the highway right of way easement was of longer standing than the pipe-line easement; however, a study of the facts reveals that assumption to be in error, and it is evident that the city has prior rights and is in a position to dictate a settlement. He further stated that after a conference with Aldermen Gray and Waterhouse, and City Attorney Irving C. Allen, of Seaside, it was agreed that the state would reconstruct the pipe line in the location desired by the city, and that the city would contribute the sum of \$500 toward the cost thereof, which is estimated at \$2,500. He pointed out that the cost to the state would really be only about \$700, because it would eliminate the necessity for the installation of 200 lineal feet of 42" half-round culvert, estimated to cost \$1,000, and extra right of way costing about \$300. The Commission considered this a good settlement, and thereupon approved the same.

The Engineer reported on the cost to surface Main Street (state highway route), in the town of Nyssa, Malheur County, full width between curbs, as has been requested by the City Council. He estimated that a B2 bituminous macadam surfacing would cost about \$31,500, and concrete pavement about \$45,000, both amounts including the cost of installing a storm sewer along this street, as has also been requested. He recommended construction of the concrete pavement, notwithstanding the extra cost involved, because it is through the business section of the town and would be much easier and less costly to maintain. He also recommended approval of the storm sewer construction, because investigation reveals that the Commission, during recent years, has approved such type of work in numerous localities throughout the state. He submitted a list of the towns in which the Commission has paid for this type of sewer construction. After discussion, the Commission approved the Engineer's recommendation unanimously, and agreed to do the work when there are funds available to finance it. It was decided to so inform the delegation from Nyssa, which is to appear before the Commission at this meeting.

The Engineer submitted a status report on the matter of securing relief from the payment of the \$1.00 fee that the National Park Service charges the motoring public for the privilege of passing through Crater Lake National Park, on the Crater Lake Highway, when the lake is not visited. He said that he wrote the Superintendent of the park, Mr. E. P. Leavitt, concerning this matter, and outlined to Mr. Leavitt the proposition authorized by the Commission at the previous meeting, and that reply has been received from Mr. Leavitt to the effect that he is submitting the matter to the National Park officials in Washington, D. C. for instructions. The Commission approved the report.

A request from the General Grocery Company, Portland, for the oiling or paving of the shoulders adjacent to The Dalles-California Highway, in front of its wholesale grocery building in Bend, had the attention of the Commission. The Engineer advised that investigation reveals that the building is in a district that was not built up when the highway was first constructed, and consisted simply of vacant lots; however, since that time, considerable development has taken place, and the district is now built up with warehouses and tourist camps, so it really needs a full width pavement. To oil or pave the area in front of the General Grocery Company property, he said, would not be very costly in itself, however, if such work were undertaken, it would invite requests from the other property owners, which in fairness could not be denied, so the ultimate expense would be a considerable sum. He recommended that the company's request be denied as a matter of policy, until such time as the Commission is financially able to undertake the entire project. The Commission approved the recommendation.

The Engineer reported the cost to oil private driveways and road approaches to the Pacific Highway and the Old Oregon Trail. He estimated the cost to oil such roadways along the Pacific Highway at \$121,747, and along the Old Oregon Trail at \$55,208. He recommended approval of such oiling work on all state highways as funds are available to pay the costs involved, and when the state's oiling crews are available to do the work. He also recommended that hereafter, when contracts are awarded for oiling work, the oiling of all approach roads up to the edge of the highway right of way be included in the contracts. The Commission considered that the oiling of public and private road approaches to state highways is highly desirable from the state's standpoint and, accordingly, approved the Engineer's recommendation with respect thereto. The Engineer was thereupon authorized to oil such road approaches now existing, as soon as oiling crews are available to do the work.

The Commission adjourned at 12:00 noon, and reconvened at 1:30 p.m. in the same room with the same persons present and participating.

The Commission discussed with Messrs. James Dimitre and (name unknown) representing the Dimitre Electric Company of Portland, the low bid submitted by them at the morning session for the installation of a traffic signal system in Klamath Falls. They were informed that inspection of the bid reveals that it was not signed by any representative of the Company so, as a matter of policy, the Commission had no alternative but to disqualify it. The bid was

submitted for inspection and verification of this statement. Regrets were expressed by the Commission that the bid could not be considered.

A delegation representing the Redwood Empire Association, and headed by Mr. C. H. Demaray of Grants Pass, President, was present and requested certain revisions in the Redwood Highway at its intersection with the Pacific Highway at Grants Pass. Others in the delegation were Mr. Pete Fredrickson, County Commissioner of Josephine County, Oregon; Earl Smith, Chas. Cooley, A. J. Draws, Louis Hammer, Wm. A. Brown, and Wilford Allen, Jr., all of Grants Pass; A. R. Trombley, Portland, representing the Portland Chamber of Commerce; Art Luce, President, Cave City Chamber of Commerce; Clyde Edmondson, Manager of the Redwood Empire Association, San Francisco; and the following supervisors of the Association from California: Dewey Mean, John McGowan, Alfred Roncovieri, of San Francisco; Duane Bittenbender and Walter Severance, of Mendocino County. Mr. Demaray introduced County Commissioner Fredrickson, who presented the opening remarks on behalf of the delegation and introduced the speakers. The following improvements were requested:

Removal of the traffic island at the apex of the intersection

Filling in of the dip on the Redwood Highway leg, and paving this section full 22-ft. width with cement concrete pavement

Paint traffic stripe on center of the Redwood Highway leg, so as to make this section comparable in all respects to the Pacific Highway leg, and to provide two-way traffic

Transfer traffic signs from the present location in apex island to the next adjoining island, and install two new, large reflectorized directional markers on each side of said sign, one pointing right and bearing the words "Redwood Empire", and the other pointing left and bearing the words "Shasta Cascade"

Change the wording on the existing sign, as follows: Eliminate the name "Kerby" and substitute "San Francisco, 461 Miles"

They also asked that the following wording be added to the large sign now being maintained on the Pacific Highway at Goshen:

On the left side of the sign add "Crater Lake, Shasta Cascade", with an arrow pointing to the left, and on the right side of the sign add "Redwood Empire, Shasta Cascade", with an arrow pointing to the right.

Speaking on behalf of the proposed improvements were Messrs. Demaray, Fredrickson, Edmondson, Smith, Cooley, Allen, Hammer, Trombley, Roncovieri, Mead, McGowan, Bittenbender, Luce, and Brown. Mr. Edmondson filed with the Commission a brief in support of their oral arguments, together with photographs and map. Mr. Smith filed a petition signed by numerous residents of Grants Pass and vicinity urging such improvements.

Acting Chairman Clough thanked the delegation for its appearance, and advised that the Commission will give their request honest study and will authorize the changes if, in its best judgment, that appears the thing to do. The Commission thereupon referred the matter to the Engineer for investigation and report.

The Gresham Chamber of Commerce, represented by Messrs. E. R. Wright, A. Dewartt, F. J. Becker, Earl Abbott, E. P. Christensen, and Howard Kelley, was present in the interests of the Mount Hood Highway (Powell Valley Road), between Portland and Gresham. Mr. Wright headed the group. He urged the Commission to reconstruct this highway and particularly to eliminate sharp curvature at the following points: Metzger Corner, Lindeman Station, and at the Six Mile Poultry Farm. Speaking on behalf of this project were Messrs. Wright, Dewartt, Abbott, and Kelley. Mr. Kelley alleged that traffic has greatly increased on Powell Boulevard since the traffic island was installed at the east end of the Ross Island Bridge, and gave that as an argument in favor of the improvement of this thoroughfare. The Commission deferred a decision in this matter until Chairman Cabell is present.

At 3:00 p. m. the State Highway Engineer, at the request of the Acting Chairman, announced the following awards of contracts and sale of buildings, bids for which were taken at the morning session, such awards having been previously approved by the unanimous vote of the Commissioners present:

"Placing pier protection for swing span pier for the bridge over the Willamette River at Corvallis, on the Corvallis-Easide Highway, in Benton County. Babler Bros., Portland, submitted the low bid for this work, in the amount of \$7,025.00. J. F. Johnston, Newberg, submitted the next-low bid, in the amount of \$7,150.00. There were three higher bidders. This contract is awarded by the Commission to the low bidders, Babler Bros., at their low bid of \$7,025.00.

"Clackamas Overcrossing Section of the Cascade Secondary Highway, in Clackamas County. 0.91 mile grading and paving, and construction of two timber bridges. Roy L. Houck, Salem, submitted the low bid for this work, in the amount of \$97,016.00. Leonard & Slate, Multnomah, submitted the second-low bid, in the amount of \$97,342.20. There were six higher bidders. This contract is awarded to Roy L. Houck, the low bidder, at his bid of \$97,016.00.

"Dee-Woodworth Acres Section of the Hood River Secondary Highway, in Hood River County. 1.95 miles grading and 3.15 miles surfacing and oiling. No bids having been received for this project, it is hereby ordered readvertised.

"Josephine County Line-Central Point Section of the Pacific Highway, in Jackson County. 20.33 miles pavement widening and non-skid oiling. J. C. Compton, McMinnville, submitted the low bid for this work, in the amount of \$18,863.20. The next-low bid was submitted by Norris Bros., Burlington, Washington, in the amount of

\$19,064.45. There were two higher bidders. The Commission awards this contract to J. C. Compton, at his low bid of \$18,863.20.

"Installation of a flexible progressive traffic signal system in the City of Klamath Falls, Klamath County. The Dimitre Electric Co., Portland, submitted the low bid for this work, in the amount of \$15,474. However, inspection of the bid disclosed that it was not signed by any representative of the company, and the bid was therefore disqualified. Trowbridge & Flynn Electric Co., Medford, submitted the next-low bid, in the amount of \$15,703.00, and Bosler Electric Co., Salem, submitted the third-low bid, in the amount of \$15,999.00. There were four higher bidders. Inasmuch as the low bid of the Dimitre Electric Company was disqualified, the Commission awards this contract to Trowbridge & Flynn Electric Company, the second-low bidder, at its bid of \$15,703.00.

"Rock Creek-Benton County Line Section of the Alsea Highway, in Lincoln County. 2.4 miles grading, surfacing and bituminous macadam. Only two bids were received for this project, the low one being that of E. L. Gates, Packwood, Washington, in the amount of \$68,164.00; the other being that of C. J. Eldon, Portland, in the amount of \$93,348. The Commission refers both bids received for this work to the Engineer with power to award the contract to the low bidder E. L. Gates, when certain conditions have been fulfilled.

"Canyon Creek-Bryant Hill Section of the Santiam Highway, in Linn County. 3.33 miles grading, surfacing and bituminous macadam. Leonard and Slate, Multnomah, submitted the low bid for this work, in the amount of \$136,542.50, using tar. They did not submit a bid based on the use of asphalt. E. C. Hall Company, Eugene, submitted the second-low and only other bid, in the amount of \$149,761.00, using tar, and \$150,375, using asphalt. The Commission refers these bids to the Engineer with power to award the contract to the low bidder, Leonard & Slate, when certain conditions have been fulfilled.

"Bully Creek-Vale Section of the Vale-West Secondary Highway, in Malheur County. 3.76 miles grading, surfacing and oiling. Chester T. Lackey, Ontario, submitted the low bid, in the amount of \$37,352.60. Triangle Construction Co., Boise, Idaho, submitted the second-low bid in the amount of \$39,992.00, but qualified its bid by stating that it would not accept this project unless also awarded the contract for the Cow Hollow Creek-Adrian Junction Section of the Vale-Adrian County Road, bids for which were also received at this meeting. Tony Marrazzo submitted the third-low, and only other bid for this work, in the amount of \$40,353.10, and also qualified his bid by stating he would not accept the contract unless awarded the Cow Hollow Creek-Adrian Junction Section job. The Commission advertised that bids for both projects would be received in combination. Accordingly, the results of the bidding on the Cow Hollow Creek-Adrian Junction Section will be announced next, followed by the results of the combination bids.

"Cow Hollow Creek-Adrian Junction Section of the Vale-Adrian County Road, in Malheur County. 0.25 mile grading and 6.01 miles surfacing and oiling; also construction of a concrete bridge. Tony Marrazzo, Boise, Idaho, submitted the low bid for this work, in the amount of \$28,918.50, and the Triangle Construction Co., Boise, Idaho, submitted the second-low bid, in the amount of \$31,112.00. Both bidders qualified their bids by stating that they would not accept this contract unless also awarded the Bully Creek-Vale Section of the Vale-West Secondary Highway, in Malheur County. Chester T. Lackey, Ontario, submitted the third-low and only other bid, in the amount of \$32,353.50.

"Combination bids on the Bully Creek-Vale Section and the Cow Hollow Creek-Adrian Section, in Malheur County. Tony Marrazzo, Boise, Idaho, submitted the low combination bid, in the amount of \$69,271.60. Chester T. Lackey, Ontario, submitted the next-low combination bid, in the amount of \$69,706.10. The Triangle Construction Co., Boise, Idaho, submitted the only other combination bid, in the amount of \$71,104.00. The Commission refers all bids received for this work to the Engineer with power to award the contracts to the low bidder, Tony Marrazzo, on his low combination bid of \$69,271.60, when certain conditions have been satisfied.

"Reconstruction of Hawthorne Bridge approaches, on the Pacific Highway West, in Portland, Multnomah County. Lindstrom Bros., Portland, submitted the low bid for this work, in the amount of \$31,120.00, and George H. Buckler Co., Portland, submitted the second-low bid, in the amount of \$35,054.00. There was only one other bidder. The Commission awards this contract to the low bidders, Lindstrom Bros., at their bid of \$31,120.00.

"Sunset Camp-Davies Section of the Wolf Creek and Nehalem Highways, in Washington County. 9.53 miles surfacing and bituminous macadam and 3.15 miles oiling. Babler Bros., Portland, submitted the low bid for this work, in the amount of \$127,418.00. Norris Bros., Burlington, Washington, submitted the next low bid, in the amount of \$129,679.00. There were three higher bidders. The Commission awards the contract to Babler Bros., at their low bid of \$127,418.00."

Buildings at Glenwood:

"Building No. 8659 (former owner Mrs. Mildred Bartell Davis). Earl Bateman, Gales Creek, submitted the high bid for the purchase of this building, in the amount of \$204.00. Elmer E. Lyda, Gales Creek, submitted the second-high and only other bid, in the amount of \$50.00. The Commission accepts the bid of Earl Bateman, and sells this building to him at his high bid of \$204.00.

"Building No. 8671 (former owner Wm. F. Van Loo). Elmer E. Lyda, Gales Creek, submitted the high bid for the purchase of this

building, in the amount \$210.00. C. S. Bateman, Gales Creek, submitted the second-high bid, in the amount of \$178.00, and Earl Bateman, Gales Creek, submitted the third-high and only other bid, in the amount of \$160.00. The Commission sells this building to Elmer E. Lyda, at his high bid of \$210.00."

Messrs. Frank Morgan and Herschel Thompson, representing the Nyssa Chamber of Commerce, came before the Commission for an answer with regard to their previous request for the paving of Main Street in their town (route of the Old Oregon Trail) full width between curbs, and the installation of a storm sewer on this street. They were informed by Commissioner Clough that the Commission has approved this project both as to the paving work and the sewer construction, but the Commission is not in a position today to say just when the work will be done, as it depends entirely upon the availability of funds.

Mr. H. H. Kramer, City Manager of Milton, Oregon, was present. He asked the Commission to consider in the formulation of its next construction program the building of the Milton-Washington State Line Section of the Oregon-Washington Highway on the recently adopted permanent alignment. He was informed that the construction of this section is dependent upon when the State of Washington builds its portion in that state. The Engineer was instructed to ascertain from the Washington highway authorities when they expect to undertake this improvement.

Mr. Kramer also asked that the improvement recently completed at the south limits of Milton be extended so as to eliminate a very bad condition that now obtains where the highway is occupied by railroad tracks. He said that Division Engineer Williams is of the opinion that the state should do at least a portion of this work if the railroad company will cooperate by taking care of the portion occupied by its tracks. The Engineer was instructed by the Commission to secure a report from Mr. Williams on this subject.

The improvement of Union Street and South Main Street, in Milton, was also requested by Mr. Kramer. He gave as his understanding that the state has certain funds for expenditure in the improvement of city streets and, if such is the case, they would like very much to have these two streets, which are not on the state highway system, improved. He was informed that the Commission now has under advisement the matter of allocating a certain amount of state funds for improvements of this kind, but the studies in connection therewith have not yet been completed, and the Commission has not as yet determined a definite policy with respect thereto.

Mr. R. A. Weiser, Seaside, was present and asked the Commission to authorize the transportation of short logs, not exceeding fifteen feet in length, over the Oregon Coast Highway from a point two miles south of Cannon Beach to Astoria, during the summer months. He said that he has purchased a stand of timber south of Cannon Beach and, according to his contract, this

timber must be marketed before January 1, 1942, and in order to comply with this arrangement, he must haul logs during the restricted summer months, as well as during the winter months. He said that the logs would not exceed fifteen feet in length, and that the overall length of the equipment and load would not exceed twenty-six feet. Further, that he is operating only one truck, and would carry not more than two logs at one time. The Engineer stated that loads not over twenty-six feet in length could be transported over this highway without taking up more than one-half the traveled portion of the road and, in his estimation, Mr. Weiser's operations would cause no more hazard to other traffic than do freight trucks. After discussion, the Commission authorized the granting of a permit to Mr. Weiser, as requested, subject to the condition that the logs to be hauled would not be longer than fifteen feet and that the overall length of truck and load will not be in excess of twenty-six feet, and provided further that no more than two logs are hauled at any one time.

Mr. J. T. Ellis, of Corbett, Oregon, was present in regard to the Corbett Road, which extends from the Columbia River Highway to the Columbia River at Corbett. He particularly inquired as to the plans of the Commission for maintaining a landing slip in the river for the use of vehicular traffic when the new Columbia River Highway has been constructed at this point. He gave as his understanding that the new highway is to be built very close to the river, and that it will destroy the present landing facilities. He urged the Commission to make provision for a new landing slip. The matter was referred by the Commission to the Engineer and the Attorney for investigation and report.

The State Parks Superintendent, Mr. S. H. Boardman, was present and reported on the following park matters:

Use of federal aid funds for the purchase of wayside strips:- The Parks Superintendent reported receipt of a letter from Representative James W. Mott, the author of the bill that provides three per cent of the federal aid allotment for wayside purchases, in which Mr. Mott advises that it is the function of the State Highway Commission to select the sites and present them to the Public Roads Administration for approval. He recommended, in view of this letter, that the applications be filed for the purchase of timber strips along the Salmon River Highway and along the Pendleton-John Day Highway, between Dale and Camas Creek Junction. W. H. Lynch, District Engineer, Public Roads Administration, stated that he has not yet received instructions relative to the expenditure of federal aid funds for such purpose. After discussion, the Commission instructed the Engineer to file applications for federal aid funds for the purchase of the strips mentioned by the Parks Superintendent.

Request of Bridal Veil Pioneers Association for permission to erect a drinking fountain in Talbot State Park:- The Parks Superintendent advised that Mr. S. J. Hammel, President of this

Association, has asked the privilege of constructing a drinking fountain in this park as a memorial to Bridal Veil pioneers, and that the Association will pay the entire cost involved and will furnish a suitable plaque. He recommended approval of the request if the fountain is constructed in conformance with plans prepared by the Parks Department, and if the Parks Department is allowed to superintend construction. The Commission approved the recommendation.

Offer of H. L. Edmunds, Eugene, to donate land adjacent to the Columbia River Highway at Herman Creek for state park purposes:- The Parks Superintendent advised that Mr. Edmunds owns thirteen acres of land situate in Section 6, Township 2 North, Range 8 East, W.M., three miles east of Cascade Locks, and has offered to donate this property to the state if the state wants it. He further advised that he has investigated the area and finds that it has 1,320-ft. frontage on the highway, but there is no frontage on Herman Creek; further, that the area is principally hill land and is situate about one hundred feet above the highway, with no level land bordering the highway. He recommended against acceptance of this site, inasmuch as it does not fit into the state park picture. The Commission approved the recommendation.

Meyers property along the North Santiam Highway:- The Parks Superintendent presented the offer of Albert R. Meyers, Mehama, Oregon, to sell to the Commission for the sum of \$1,000, a twenty-acre tract of land situate in Section 13, Township 9 South, Range 1 East, being located near the fish hatchery at Mehama. He advised that he has investigated the area and, in his estimation, it is not suitable for state park purposes. In view thereof the Commission decided not to purchase the tract.

Offer of George P. Taylor of Portland to donate a park site in Klamath County:- The Parks Superintendent advised that Mr. Taylor has offered to present to the state as a gift a 120-acre tract located in Section 20, Township 39 South, Range 8 East, W.M., Klamath County. He said that this tract is located about two miles north of the Green Springs Highway, at a point about six miles west of Klamath Falls, and that he has investigated the area and found it to be unsuitable for state park purposes, particularly in view of the fact that it is cutover hill land with no water available, and no road leading to it. He recommended that the offer be declined. The Commission approved the recommendation.

Timber strips along the Tiller-Trail Secondary Highway:- The Parks Superintendent reported considerable O & C lands and county lands, as well as privately-owned land, along this highway. Commissioner Clough gave as his thought that if the state could obtain the O & C lands and the county-owned lands, where the highway passes through them, and could purchase the privately-owned

cutover lands at reasonable cost, that would be advisable. The Parks Superintendent was instructed to negotiate with the federal government and the county court with respect to the acquisition of the O & C lands and the county-owned land; also, to ascertain how much it will cost to purchase the cutover lands belonging to the private parties.

Request of Lincoln County for state cooperation in the purchase of Spruce Production Railroad right of way:- The Parks Superintendent advised that Lincoln County is purchasing a considerable portion of the old Spruce Production Railroad right of way, for which it is paying the Southern Pacific Company the sum of \$500 and has asked the state to contribute the sum of \$100 toward this expense, in view of the fact that the right of way passes through a forty-acre tract which the county deeded to the state, without charge, as a wood lot. He recommended approval of this payment, in view of the county's donation, and for the further reason that the forty-acre tract contains at least \$5,000 worth of cordwood, notwithstanding that the price to be paid would average about \$50.00 per acre, there being only two acres of the railroad right of way in the forty-acre tract received from the county. After discussion the Commission approved the recommendation, subject to the condition that the county will deed to the state that portion of the railroad right of way that lies within the borders of the above-mentioned forty-acre tract.

Letter from the Agate Beach Community Club requesting signs on the beach at Agate Beach, prohibiting speeding, et cetera:- The Parks Superintendent advised that request has been received from the Agate Beach Community Club for the erection of appropriate signs prohibiting speeding, stunt driving, and other objectionable activities, on the ocean beach at Agate Beach, as a possible safety measure. The Commission considered that the people who use this beach are entitled to protection, and thereupon instructed the Engineer to see that appropriate signs are erected at this location.

Building encroachments in Cascadia State Park:- The Parks Superintendent advised that since the Commission has acquired this park, it has been found that Reverend D. V. Poling of Corvallis, and a Mr. F. H. Pfeiffer, of Albany, are maintaining summer homes within the boundaries of the park, and these gentlemen have requested permission to continue to maintain their summer homes at this place. The Commission denied the request as a matter of policy, and to avoid the establishment of an undesirable precedent. The Attorney was instructed to notify the owners that they must vacate the premises.

Addition to Cascadia State Park:- The Parks Superintendent recommended the purchase of a narrow strip of land lying between the Santiam Highway and the Santiam River, in front of Cascadia Park. He said that the original park purchase extended only to the river,

leaving a narrow strip between the river and the highway. This strip, he said, has a frontage on the river for one-half mile, and contains about seven acres of land which the state should control as a protection to the park. He recommended purchase of the same. He also recommended the acquisition of a fifty-foot strip on the opposite side of the highway as an added protection to the park. After discussion, the Commission authorized the Attorney to secure options for both strips.

Proposed park adjacent to the Columbia River Highway, east of Shell Rock Mountain:- The Parks Superintendent reported a communication from George W. Mead, Portland, offering, in behalf of Mrs. Ruby Mead, to sell to the state for park purposes 112 acres of land situate adjacent to the Columbia River Highway about one-half mile east of Shell Rock Mountain. He was instructed by the Commission to contact Mrs. Mead and ascertain just how much she wants for this property.

Addition to Umpqua Lighthouse State Park:- The Parks Superintendent recommended the purchase of about sixty-five acres of land, consisting mostly of sand dunes, adjacent to the present park and being described as Lot 4, in the east one-half of the southwest quarter of Section 24; Lots 1 and 2 in the east one half of the northwest quarter, and the southwest quarter of the northeast quarter of Section 25, Township 22 South, Range 13 West, W.M., Douglas County. He recommended purchase of this property and the planting of the area to Holland grass, in order to stop "sand blow", which, he said, is not only detrimental to the present park but also to the highway. It was his thought that the purchase price would not exceed \$5.00 per acre. The State Highway Engineer concurred in the recommendation as a protection to the highway. After discussion, the Commission authorized the Right of Way Department to secure options on this property and ordered, if the property is purchased, that the expense be charged partly to the park budget and partly to the right of way budget.

The matter of designating the county road, which extends from the Santiam Highway to Cascadia State Park, a state secondary highway was discussed. The Attorney advised that this road lies entirely within the borders of the state park, so it would not be necessary for the Commission to designate it a secondary state highway if the county will deed it to the state, which it has agreed to do. The Commission approved the disposition of this matter in such manner, and instructed the Attorney to secure the deed.

A telegram was presented from the Waldport Chamber of Commerce, in which the Commission was urged to authorize the placing of additional large rock to enlarge the parking area adjacent to the Oregon Coast Highway, at the south limits of Waldport. The Engineer advised that the State Parks Superintendent is opposed to the placing of more rock at this place. In view of the report, the Commission deferred action in the matter until it has had an opportunity to view the premises.

The Engineer requested authority to employ six two-man crews to act as "weighmasters" in the weighing of logging trucks. He said that the log hauling business has been growing rapidly, and that it is known that a large percentage of these trucks are transporting loads weighing in excess of the legal weight limits; however, it is impossible for the State Police to apprehend all of them. It was his thought that the operations of the weighmasters, in conjunction with the State Police, would greatly reduce overloading, and would save the state many thousands of dollars in highway maintenance expense. He estimated the annual expense of the weighmaster crews and one supervisor at about \$30,000, and advised that the project has been approved by Chairman Cabell, with whom he has discussed it. After discussion, the Commission approved the request by unanimous vote.

In this connection the Engineer advised that weighmasters would not have police authority, so some provision would have to be made for penalizing operators of trucks, if they refused to allow their trucks to be weighed. During the progress of weighing, he said, the weighmasters will be stationed near the state highway scales, and appropriate signs will be maintained on the highway near the scales notifying the operators of logging trucks to stop at the scales for weighing. He suggested, in the event of refusal of any operator to allow his truck to be weighed, that the permit of such operator be cancelled. The Commission approved the suggestion.

The Commission discussed the adoption of rules and regulations relative to the issuance of permits for continuous operation of logging trucks having an overall length of load and vehicle in excess of fifty feet. After discussion, the following resolution pertaining thereto was adopted by the Commission by unanimous vote:

WHEREAS, the 1941 legislative assembly enacted Chapter 55, Oregon Laws, 1941, by which the Highway Commission is authorized to grant written permits for the continuous operation of vehicles and/or combinations of vehicles engaged in the transportation of logs, poles or piling having an overall length of load and vehicle or combination of vehicles exceeding fifty feet, but no such permit may be granted by the Commission unless and until the Commission has found that such movement will not be detrimental to the highway or destructive of the interests of the general public; and

WHEREAS, based on experience and engineering data, it is the judgment of the Commission that permits for such purpose should not be issued with respect to any state highway or section of state highway, unless it be found and determined that the design of the highway or section of highway over which it is proposed to operate any such vehicle is such as to permit the vehicle and load or combination of vehicle and load to operate at all times on the right-hand side of the center line of the traveled way without at any time or place making necessary encroachment by any part of the vehicle or

load on the opposite traffic lane, and no such permit shall be issued unless the highway or section of highway concerning which the permit is applied for affords safe passing zones at reasonable intervals; and

WHEREAS, it is the purpose of the Highway Commission to afford all privileges possible to the logging and lumber industry of the state consistent with public safety, convenience and necessity;

NOW, THEREFORE, BE IT RESOLVED BY THE HIGHWAY COMMISSION that the following rules, regulations and declaration of policy shall govern with respect to the issuance of permits for the transportation by motor vehicle of logs, poles and/or piling over primary or secondary state highways:

1. Permits for the continuous operation of vehicles or combinations of vehicles engaged in the transportation of logs, poles or piling may be issued for the movement of such commodities having an overall length of vehicle and load or combination of vehicles and load of not to exceed sixty feet; provided, however, that the geometric design of the particular highway or section of highway is such as to permit the movement of the vehicle and load or combination of vehicles and load on the right-hand side of the center line of the traveled way without encroachment by either vehicle or load at any time or place on the opposite traffic lane.
2. Permits for the continuous operation of motor vehicles engaged in the transportation of logs, poles or piling having overall length of vehicle and load or combination of vehicles and load not in excess of seventy-five feet may be granted; provided, however, the geometric design of the highway or section of highway over which such movement is to take place is such as to permit the movement and operation of vehicle and load at all times and at all places on the right-hand side of the center line of the traveled way without encroachment by either vehicle or load on the opposite traffic lane; and, provided further, that the geometric design of the highway is such as to provide safe passing zones not over 8,000 feet apart.
3. Permits may be issued for temporary isolated movements by motor vehicles engaged in the transportation of logs, poles, and/or piling having an overall length of load and vehicle or load and combination of vehicles in excess of seventy-five feet; provided, however, the highway or section of highway over which such movement is proposed to take place has a geometric design such as to permit the movement and operation of the vehicle and load, or combination of vehicle and load, at all times and at all places on the right-hand side of the center line of the traveled way, so that no part of the vehicle and load need at any time or place encroach

on the opposite traffic lane. Such permits shall be issued for a period of not to exceed thirty days and shall not be issued unless the vehicle is equipped with hand steering device on the trailer axle, which steering device shall be manned at all times and be of such character as to permit the trailer axle to approximately track the rear truck axle. Such permits shall be revocable at any time.

4. Permits may be granted for the operation of motor vehicle and load or combination of vehicles and load engaged in the transportation of logs, poles and/or piling having an overall length in excess of seventy-five feet with respect to highways or sections of highways wherein the geometric design does not permit the vehicle and load to stay on the right-hand side of the center line of the traveled way at all places; provided, however, that operations under such permits shall not exceed ten movements in any thirty-day period and shall be issued only with respect to highways or sections of highways where the traffic is light; and provided that the vehicle is equipped with hand steering device on the trailer axle, which steering device shall be manned at all times and be of such character as to permit the trailer axle to approximately track the rear truck axle; and provided that cars with flagmen operate in advance and in the rear of the logging trucks; and provided that the movement shall be subject to such special rules and regulations as the Commission may deem proper.

5. Permits issued under Sections 3 and 4 hereof shall be issued only upon application disclosing the purpose for which the logs, poles and/or piling are to be used, which application shall be supported by the affidavit of the applicant or the owner of the logs, poles and/or piling, or the consignee, declaring that such logs, poles and/or piling are to be used for the purpose stated in the application and are not, after being delivered to the point or place of destination, to be cut into shorter lengths or used for some other purpose than the purpose stated in the application. Any permit issued under sections 3 and 4 shall terminate thirty days from date of the issuance of said permit.

6. Public liability and property damage insurance in the sum of \$ for public liability, and \$ for property damage shall be required for permits issued for the operation of motor vehicles engaged in the transportation of logs, poles or piling, having an overall length in excess of sixty feet.

7. The State Highway Engineer hereby is directed to make or cause to be made an inspection of each state highway and section of state highway for the purpose of ascertaining the design and character of the same and the maximum length of vehicle or combination of vehicles and load which can, with due regard to the interests of the general public and without unnecessary damage to the highway, move thereover. The Engineer shall at the same time determine and set

the available passing zones on each such highway over which it is proposed to transport by motor vehicle logs, poles and/or piling.

8. The Engineer is further instructed to make and file in the Commission's office at Salem, Oregon, a complete report of his findings and recommendations for the use and benefit of the Commission when considering applications for permits for the transportation by motor vehicle of logs, poles and/or piling.

9. These rules and regulations and this declaration of policy shall apply to all primary and secondary state highways, or any part thereof, over which operators propose to move or transport logs, poles or piling.

10. This resolution shall be entered in the minutes and records of the Commission and shall be in full force and effect until rescinded, modified or otherwise changed by official action of the Commission.

The Commission also discussed the special regulations adopted at its meeting on December 18, 1940, governing the transportation over state highways of logs, poles or piling by motor truck. The Engineer suggested certain modifications of such regulations, which the Commission approved. The Commission thereupon adopted the following regulations covering such movements and ordered that a certified copy of the same be forwarded to the Public Utilities Commissioner, with a recommendation that they be made a part of the log hauling permits issued from his office after June 15, 1941:

SPECIAL REGULATIONS GOVERNING THE TRANSPORTATION OF
LOGS, POLES, OR PILING BY MOTOR TRUCK

Effective June 15, 1941

The following special regulations governing the transportation of logs, poles or piling by motor truck prepared by a committee representing the Oregon State Highway Commission, the Secretary of State, Department of State Police, State Industrial Accident Commission, Bureau of Labor and Public Utilities Commissioner are approved and are the recommendations made by the Oregon State Highway Commission to the Public Utilities Commissioner pursuant to the provisions of Sections 115-509 and 115-513 (O.C.L.A.), and acts amendatory thereto.

These special regulations are in addition and supplemental to the requirements of the Oregon Motor Vehicle Laws and Oregon Motor Transportation Act; also the Logging Safety Code of the Oregon State Industrial Accident Commission.

The term "logs" as used herein shall be construed to include logs, poles or piling.

A. Disposal and Reporting of Lost Logs or Log Loads

If any log be dropped from any load during its transportation over any of the highways of this state, it shall be the duty of the person, firm, or corporation hauling said logs, immediately to remove the same from the traveled portion of the roadway, and within a period of not more than 48 hours (holidays excluded) to remove the same from the right of way at his or its own expense. The repeated dumping or loss of logs upon the highway right of way, or the neglect or refusal of any log hauler to remove any log or logs so unloaded or lost in transit shall be considered as an indication of laxity in conforming to loading requirements and shall be cause for the immediate suspension or cancellation of the permit under which said log hauler is operating.

If any log or logs be dropped or lost upon the highway it shall be the duty of the log hauler to report said fact to the Highway Commission within 48 hours thereafter. Said report shall state, among other things:

1. The time the log or logs were lost.
2. The exact location.
3. The number of logs on the truck at the time of the accident.
4. The length of the respective logs.
5. The number of board feet contained on the load.
6. The speed of the truck at the time of the accident.
7. If on a curve, a full description of the curve and surrounding country.
8. What portion of the equipment broke, if any, prior to the loss of said logs.
9. The type and age of equipment, both truck and trailer and the number and size of chains or fastenings used.
10. The date of the last checkup or inspection of the equipment involved.
11. Time logs were removed from highway.

The neglect or refusal of any log hauler to render the above report within the time specified may be considered cause for the immediate suspension or cancellation of the permit under which said log hauler is operating.

The filing of a report as required by these special regulations shall not be construed as relieving the driver of any vehicle from filing an accident report as required by Section 115-316, O.C.L.A., and acts amendatory thereto.

B. Method of Loading

1. The bunks or bolsters of any truck or trailer shall be either straight or concave upward. Bunks with the ends lower than their centers will

not be permitted. Sufficient frame clearance shall be maintained to prevent "bunk binding."

2. The ends of the bunks or bolsters shall be provided with chock blocks which can be securely locked in position; and, when the vehicle is loaded and chock blocks are in position, each block shall have a height of not less than eight inches above the top of the bunk. Chock blocks shall not extend beyond the end of the bunk. Open V-type blocks shall be one inch or more from the end of the bunk and shall not be turned over. Bunk chains or cables shall have a minimum breaking strength of not less than 15,000 pounds. If chains are used, they shall be made of welded links and at least one link in every five (5) feet of chain shall be stamped with the manufacturer's mark or symbol guaranteeing that the minimum breaking strength of the chains is not less than 15,000 pounds. No chain shall be used that does not contain at least one link so stamped. Cut, cracked, excessively worn or otherwise defective links shall be removed and the chain properly repaired immediately. The use of molles or cold shuts in such chains will not be permitted. If cables are used, they shall consist of one-half-inch wire rope. The use of frayed or stranded wire rope will not be permitted.

3. The method of loading shall be such that the outer logs in any upper tier or layer shall have their centers inside of the centers of the outer logs of the next lower tier or layer so that the load is stable without the aid of ties or binders. Ties or binders shall be considered as precautionary measures to insure stability of the load while the vehicle is rounding curves or upon supersaturated or sloping surfaces. Loads shall be well balanced on the truck and trailer center plates. Not more than one-third of the weight of any log shall extend to the rear of the last point of support.

4. Loads shall be tied with not less than three binders, the rear-most of which shall be securely fastened to the bunk of the trailer. Any binder used at the bunk shall be wrapped around at least the two sides and top of the load and shall be securely fastened to the bunk. Any binder not placed at a bunk shall entirely surround the load. In case any log is of insufficient length to rest over both the front and rear bunks, one of the three binders shall be used for the purpose of securely fastening the unsupported end of such log to the remainder of the load, but in no event shall any bottom log of any load not rest securely on both bunks; provided, that in the case of one-log loads, one binder attached to the bunk of the trailer shall be sufficient.

Binders shall be so arranged that they may be released from the side of the vehicle away from the dump in unloading, but no loose end of any binder shall be permitted to swing free from the load or vehicle. All such loose ends shall be securely fastened to the load or vehicle so as to prevent their swinging free or striking any person, vehicle or object, on or adjacent to the roadway while the vehicle is in operation. For this purpose one end of the binder shall be equipped with a suitable clamp or fastening device.

5. In the case of short logs transported on solo trucks and loaded lengthwise, the following method of loading may be substituted in lieu of that set forth in paragraphs 3 and 4 above: The logs may be loaded between rigid standards attached to the bed of the truck at the bottom and tied across above

the load with cable or chain ties. There shall be a standard on each side of the load within two feet of each end of the logs, and a sufficient number of standards shall be provided so that they are spaced not more than eight feet apart on each side of the load. The standards shall be rigidly connected to the bed of the truck or shall be placed in tight-fitting sockets at least twelve inches in depth. The chain or cable tie above the load shall have a minimum breaking strength of not less than 15,000 pounds. The standards shall be of such size and dimension that when supported at each end a load of 15,000 pounds applied at the center of the standard shall not cause failure.

6. In the case of short logs loaded crosswise, the following method of loading shall be used if the truck or trailer is not provided with solid ends of a height sufficient to prevent any log in the load from rolling off: Not less than two chock blocks shall be used at each open end of the vehicle and the load shall be held with at least two binders for each row of logs. The binders shall be firmly attached to the ends of the truck or trailer. Rigid standards or stakes may be used in lieu of chock blocks but each such stake shall be either rigidly connected to the bed of the truck or trailer or shall be placed in a tight-fitting socket at least twelve inches in depth.

7. Any binder or fastening thereof required by these regulations shall have a minimum breaking strength of not less than 15,000 pounds. If chains are used as binders, they shall be made of welded links and at least one link in every five (5) feet of chain shall be stamped with the manufacturer's mark or symbol guaranteeing that the minimum breaking strength of the chain is not less than 15,000 pounds. The use of molles or cold shuts in such chains will not be permitted. Cut, cracked, excessively worn or otherwise defective links shall be removed and the chain repaired immediately. Tighteners shall be fitted with hooks which hook over the chain links and shall be used in that manner. If cables are used as binders, they shall consist of one-half-inch wire rope. The use of frayed or stranded wire rope will not be permitted. All binders and fastenings thereof shall be inspected frequently and any necessary repairs indicated by such inspection shall be made immediately.

8. Logs with large limbs, knots, bark slabs or other hazardous projections shall not be transported.

9. Braking equipment shall be maintained in good condition. Hose lines and couplings thereof of vehicles equipped with air brakes shall be immediately repaired or replaced when found defective. Sufficient slack shall be maintained in air brake hose lines to prevent uncoupling when the trailer reach is extended. A brake test shall be made before the start of any trip.

10. Trailer couplings shall be securely locked or the pin shall be keyed. Wooden reaches shall be of good, straight-grained material.

11. Trailers loaded on trucks shall be securely fastened to the truck in such manner that they will not fall, roll or slide off while in transit.

12. All bunk blocks, loose ends of binders, or other equipment shall not be permitted to swing free from loaded or unloaded vehicles.

13. Unless special permission is obtained from the State Highway Commission, the hauling of logs, poles or piling is prohibited on Saturday afternoons, Sundays, during hours of darkness, and on the following holidays: January 1st, May 30th, July 4th, Labor Day, November 11th, December 25th, also any holidays designated by the President of the United States or the Governor of the state of Oregon; also the Monday immediately following the above mentioned holidays when they fall on Sunday.

14. All axles on logging trucks and trailers shall be equipped with springs.

15. Approaches to state highways from private logging roads must be approved as to location and type of construction by the Oregon State Highway Commission before being constructed. Mud and debris must be removed from wheels of logging equipment before entering state highways.

16. All trucks carrying logs must come to a complete stop before crossing any railroad track at grade.

17. Operators of all logging trucks shall consent to the weighing of their loads on state-owned scales whenever requested by "weigh-masters" in the employ of the State Highway Commission. Signs will be erected at the scale sites requesting all logging trucks to stop at the scales. The refusal of any operator to allow his truck to be weighed shall be cause for the immediate suspension or cancellation of the permit under which he is operating.

The Engineer brought up for discussion the matter of extending the improvement of the Minam Hill Section of the Wallowa Lake Highway, in Union County. He recalled that the Commission at one time budgeted \$80,000 for this work, but transferred the money to another project which was more pressing. He suggested an allocation of approximately \$80,000 of state funds at this time, and the contracting of an additional section at the next meeting. The Commission approved the suggestion and so ordered.

Commissioner Oliver reported a request from the Grant County Court for the designation as a state secondary highway of the county road between Sumpter, Baker County, and Granite, in Grant County. He advised that the County Court has selected this road as its first choice for secondary highway designations. The Commission agreed to keep the project in mind.

The Engineer brought up for discussion a letter written by W. W. Currier, Highway Section Foreman, Grants Pass, directed to all state highway employees, suggesting the formulation of an association to be named the "Association of State Highway Employees," the purpose of which organization "would be to work through peaceful means to improve working conditions, as well as promote a better understanding by the public of the character and duties of the men who have as their responsibility the care of Oregon's fine highway system", and to "have a paid representative of our Association at all Legislative meetings armed with comprehensive and practical suggestions for the benefit of our members."

The Engineer gave as his thought that the formulation of such an organization would work to the detriment of the employees of the State Highway Department rather than to their benefit, and suggested that a letter be sent to each employee advising him of the attitude of the State Highway Commission relative to an organization of this kind. He read aloud a form of circular letter prepared for the purpose which, he said, had been approved by Chairman Cabell. The matter was discussed by the Commission at some length but a decision was deferred until the following day in order to give the Commissioners an opportunity to study the letter in the meantime. (See decision on following day).

The Engineer also brought up for discussion the matter of increasing by 10 per cent the wages of hourly rate employees, particularly referring to a petition signed by fifty employees at the Salem Shops requesting that they be paid on a monthly basis and that they be granted the same privileges that are now enjoyed by other monthly-paid employees. The Engineer advised that he has taken care of the matter by revising the schedule for hourly-paid employees. Under the new schedule, he said, the men will work an additional four hours each week (10% increase from forty hours to forty-four hours) at the same rate of pay, and will report to their respective jobs on state time instead of on their own time, as in the past. It was his thought that the new schedule would meet with the approval of the employees concerned without increasing the payroll expense. He asked the Commission to approve the new procedure. After discussion the Commission approved the revised schedule as reported.

The Commission adjourned at 6:00 p.m. to reconvene at 8:00 p.m. in the Imperial Hotel to dispose of additional routine matters.

The State Highway Commission reconvened at 8:00 p. m. in Room 415, (Imperial Room), Imperial Hotel, with the same persons present and participating.

A delegation from The Dalles, including Messrs. J. C. Davies, F. V. Galloway, and W. S. Nelson, Manager of the Chamber of Commerce, was present and discussed with the Commission the matter of providing state-owned ferry service across the Columbia River at The Dalles. Mr. Nelson headed the group. He presented arguments in favor of state-owned ferry operations at this point, which he suggested could be conducted on a toll fee basis, and urged the Commission to give the matter careful consideration. He also filed a written brief in support of the oral arguments. After discussion the Commission instructed the Engineer to make investigations as may be necessary, and report his findings to the Commission at the next meeting.

The Attorney brought up for discussion the Orris Knapp right-of-way controversy at Port Orford. He advised that the Public Roads Administration is anxious to proceed with the contracting of the Port Orford South Section, but cannot do so until the right of way, of which the Orris Knapp property is a portion, has been cleared. He also advised that certain Port Orford citizens, who are very anxious for the highway improvement, have submitted a petition stating that they would pay the cost of the right of way needed from Mr. Knapp over and above the amount of the state's offer of \$10,000. He recalled

that at a previous meeting he reported to the Commission information received from several parties to the effect that Mr. Knapp has had his property listed for sale for a couple of years at \$6,000, and requested instructions. After discussion, the Commission authorized the Attorney to withdraw the previous offer to Mr. Knapp and to make him a new offer of \$6,000, and if he refuses the same to proceed with condemnation.

The Attorney requested authority to purchase certain parcels of real property that are needed for various highway improvements. After careful study of the list submitted and the prices recommended, the Commission approved the same, and by unanimous vote adopted the following resolution authorizing such purchases:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth, and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon, and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Astoria Section, Oregon Coast Highway</u>				
5864-Clatsop County	R/W	2,153	sq.ft. GRATIS	McCallister
5868-Clatsop County	R/W	1,271	" GRATIS	"
5862-Lonberg, Henry S.	R/W	720	" GRATIS	"
5869-Yick Land Co., Quong	R/W	4,500	" 45¢ sq.ft.+ \$500	"
5872-Clatsop County	R/W	32,775	" GRATIS	"
5865-Seafeldt, Albert, Estate	R/W	4,750	" 30¢ sq. ft.+ \$900	"
5863-Lonberg, Sven	R/W	1,283	" In exchange for 2003 sq.ft. lying outside R/W, + \$100	"

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Astoria Section, Oregon Coast Highway (Cont.)</u>				
9303-Clatsop County	R/W	6,637 sq.ft.	GRATIS	McCallister
5870-Endicott, J. C.	R/W	105 "	In exchange for lands lying outside R/W, in lot 5, Blk. 10, McClures Add. + alterations, etc., (Est. \$128)	"
	Slope Esm't.			
5867-Lum, Evan	R/W	4,750 "	In exchange for 3490 sq.ft., outside R/W plus \$830.	"
5871-Parker, Eben P.	R/W	5,000 "	Lump Sum for land \$3000 + \$650	"
<u>Gearhart-Seaside Section, Oregon Coast Highway</u>				
9192-Degges, Effie	R/W	3,796 sq.ft.	1 $\frac{1}{2}$ sq. ft.	Witt
9100-Byrd, Nellie	R/W	0.76	\$500 per acre	"
9101-Smith, Edward	R/W	0.11	\$1,000 per acre + \$240	"
<u>Siletz Bay-Newport Section, Oregon Coast Highway</u>				
4251-Salway, F. R.	R/W	4.07	\$307.12 per acre	Witt Collins
4250-Kuhl, H. L.	R/W	1.93	\$500 per a. + \$2535	"
4248-Kauffman, Marguerite C.	R/W	16.0	\$450 per a. + \$7800	"
<u>Minor Creek-Spencer Creek Section, Oregon Coast Highway</u>				
9332-Atlantic Western Co.	R/W	1.53	\$163 + per acre	Collins
<u>Bandon Section, Oregon Coast Highway</u>				
8773-Cotter, S. R.	Channel Change Easement	6607 sq.ft.	\$0.0092 sq. ft.	Gardiner
8779-Coos County and T.M. Lewis	Channel Change Esm't.	113 sq.ft.	GRATIS	"
<u>Tigard Section, Pacific Highway West</u>				
7002-Caswell, Katherine	R/W	7475 sq.ft.	8 $\frac{1}{2}$ sq.ft.	Collins
		0.60 acre	\$1,000 per acre + \$552	
6991-Washington County	R/W	Approx. 10,000 sq.ft.	Lump Sum \$75	Martin
<u>Necanicum Junction Section, Wolf Creek and Necanicum Highways</u>				
9133-Lemke, Emil	R/W	0.13	GRATIS	McCallister
<u>Davies-Vadis Section, Wolf Creek Highway</u>				
9014-Shipley, Clarence E	R/W	1.12	\$1500 Lump Sum	Benson
<u>S. P. Overcrossing, Cascade Highway</u>				
8240-Erickson, James T.	R/W	3.3	\$400 per a. + \$680	Gardiner
<u>Plyant Hill-Trout Creek Section, Santiam Highway</u>				
9229-Oregon & Western Colon- ization Co.	Quarry	1.15	1 year lease - GRATIS	Eason

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Cascadia-Bryant Hill Sec., South Santiam Highway</u>				
9259-Scroggin, Ralph	R/W	264 sq. ft.	15¢ sq. ft., + \$5.00	Witt
9254-Conn, Rova E.	"	1.30	\$38.46 per a. + \$100	"
9260-Oregon & Western Colon- ization Co.	"	12.95	\$25.00 per a. + \$750	"
9256-Lyon Lumber Company	"	0.05	\$200 per acre	"
9261-McGhee, Laura M.	"	2.97	\$15 per a. + \$133.65	"
9257-Miller, Leora R.	"	4.80	\$25 per a.	"
		3,645 sq. ft.	560 sq. ft. at 15¢ sq. ft. 3085 " at 2¢ "	
			+ \$132.50	
9255-Ward, Emily Hill	"	2.79	\$25 per a. + \$780.25	"
<u>Foster-Cascadia Section, Santiam Highway</u>				
9010-Webster, Ramsey, Estate (Correction)	Gravel Pit	80.0	\$11.25 per acre	DeSousa
<u>Plunkett Creek-Read Creek Section, Kings Valley Highway</u>				
9330-Federal Land Bank, and Israel Eddy	Stock Pile	1.08	Land \$100 Lump Sum, + fencing	Eason
<u>Scott Creek-Benton County Line Section, Alsea Highway</u>				
9270-Nyhus, Gilbert	R/W	0.10) 0.14) 0.24)	\$15 per acre \$25 per a. + \$72.75	Gardiner
9272-Cole, J. W.	"	0.58	\$15 per a. + \$31.20	"
9274-Boysen, Paul	"	0.19	\$15 per a. + \$127.50	"
9278-Fitzcharles, William	"	1.12	\$50 per acre	"
<u>Scott Creek-Benton County Line Section, Alsea Highway</u>				
9276-Dieckhoff, Otto	R/W	2.02	\$150 per a. + \$489.50	Gardiner
9290-Gengler, John and Nellie Westphal, et al	Quarry	17.83	\$15 per a. + fencing	"
9280-)Stouder, Charles E. 9279-)	R/W	2.94) .60) 3.54)	\$15 per a. + \$350	"
<u>Eugene Section, Pacific Highway</u>				
8804-Powell, D. F.	R/W	4286 sq. ft.	1 1/2 sq. ft.	Parker
9266-Bettis, Hugh S.	"	2850 "	25¢ sq. ft. + \$2287.50	"
9115-Conger, Sarah E.	R/W	1.02	\$250 cost of perm.	"
	Drainage Ditch Easement		easent. 1.02 a. + \$100	
8784A-Conger, Sarah E.	R/W	0.715	\$500 per a. + \$250 + low bid moving cafe (Est'd \$500)	"
8784-Conger, Sarah E.	R/W	0.867	\$500 per a. + \$18.75	"
9386-Reid, Frank B.	"	70,817 sq. ft.	1 1/2 sq. ft.	"
8802-Walkinshaw, S. A.	"	13,733 " "	1 1/2 "	"

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Days Creek-Milo Section, Tiller Trail Highway</u>				
9204-Weaver, Clara A.	R/W	0.005	\$1.00 Lump Sum	McChesney
9207-Perdue, Alva	"	0.43	\$50.00 per a. + \$111	"
9200-Raymond, Wallace H.	"	1.72	GRATIS	"
9209-Widrig, Mandie	"	0.35	\$50 per a. + \$66.50	"
9208-Culbertson, Gladys	"	0.35	\$50 per a. + \$71.50	"
9212-Ulam, P. E.	R/W	1.43)	\$100 per acre	"
	Stock Pile	1.00)	\$50 per acre	
		.45)	\$10 per a. + \$283.50	
		2.88)		
9287-Ulam, P. E.	Gravel Pit-	17.74	\$28.185 per acre	"
	Haul Road	0.95	\$100 per acre + \$57.50	
	Easement	18.69		
9211-Wright, J. D.	R/W	0.65	\$20 per a. + \$60	"
9213-Poole, Delbert N.	"	2.00)	\$110 per acre	"
		2.00)	\$25 per acre	
		6.23)	\$10 per acre + \$448	
		10.23		
9210-Sore, Raymond L.	"	0.64)	\$100 per acre	"
		0.58)	\$75 per acre + \$263	
		1.22		
9304-DeWald, Jennie	"	0.28	\$50 per a. + \$46	"
9288-Fenn, J. A.	Gravel Bar	1.47	\$28.20 per acre	"
9200-Raymond, Ada Lillie	R/W	0.02	\$50 per a. + \$40	"
9214-Ferguson, Archie N.	"	0.6)	\$150 per acre	
		0.41)	\$25 per acre + \$92.50	"
		1.01		
<u>Grave Creek-Jump Off Joe Section, Pacific Highway</u>				
8873-Pinaire, L. C.	R/W	0.07	\$5.00 Lump Sum for land, + \$7.50	Collins
8871-Priebs, F. W.	"	0.18	\$150.00 per acre	"
8708-Josephine County	"	10.94	GRATIS	"
8707-Sexton, Tarris	"	0.26	\$40 per a. + \$7.50	"
8704-Howard, Gleadowe V.	"	6.18	\$20 per acre	"
<u>Warner Mountain-Mud Creek Section, Warner Highway</u>				
9216-Lake County	R/W	3.55	GRATIS	Cosad
<u>Warner Canyon Summit-Mud Creek Section, Warner Highway</u>				
9118-Lynch, Cornelius	Stock Pile	2.12	\$10 per acre	Cosad
9117-Warner Mt. Lumber Co.	Quarry	5.45	\$5 per acre	"
9220-Bradley, Reginald A.	R/W	2.29	\$10 per a. plus \$230	"
9217-Lynch, Cornelius	R/W	1.35	\$10 per acre	"
<u>Cove Park Section, The Dalles-California Highway</u>				
8953-Henske, Minnie	Park	88.0	\$5 per acre	Boardman

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Dee-Parkdale Section, Hood River Highway</u>				
9125-Hill, Calvin J. and Hood River County	R/W	0.24	\$20 per a. plus \$6	Cosad
9124-Wright, Grace I. and Hood River County	R/W	2.76	\$20 per a. + \$61	"
9123-Severson, Olaf J.	R/W	0.51	GRATIS	"
9121-Thomas, George H.	R/W	0.02	Land Gratis + \$7.50	"
9120-Hood River County	R/W	0.08	GRATIS	"
9128-Johnson, Oscar	R/W	0.95	\$75 per a. + \$108.75	"
9127-Krumenacher, Julius J.	R/W	0.94	\$75 per a. + \$198.50	"
9126-Ted Lowe and Fred Maurer	R/W	0.53	\$75 per a. + \$13.25	"
9122-Oates, George	R/W	0.60	\$100 per a. + \$515	"
9119-Oregon Lumber Co.	R/W	0.77	\$100 per a. + moving water tank	"
<u>Shaniko-The Dalles Section, Sherman Highway</u>				
8484-Schmidt, Arthur A. and W.W.V.S.A.	R/W	4.93	\$10 per a. + fencing \$304.50	Cosad
8486-Obarr, Geo. A.	R/W	0.39)	\$50 per acre	"
		24.76)	\$10 per a. + fencing	
		25.15	\$679.50	
8487-Cooke, H. A.	R/W	17.24	\$10 per a. + \$252	"
8489-Schmidt, Ernest C.	R/W	1.98	\$10 per a. + \$118	"
<u>Boardman-Stanfield Section, Old Oregon Trail</u>				
8859-Bowman, Dan	Gravel Pit	10.1	5 yr. lease. \$50 per acre, + \$87.50 + \$100 per acre, if erosion takes place.	Landon
8848-Coffman, Ed and Gerald Coffman (Supplemental)	R/W	1.31) 3.07) 4.38	\$80 per acre \$50 per a. + \$87.50	"
<u>Pendleton-Adams Section, Oregon-Washington Highway</u>				
9113-Sophie Byers & Fletcher Oil Company	R/W	0.058	GRATIS	Landon
<u>Pendleton Airbase Section, Pendleton Airbase Highway</u>				
931-Hartung, E. H.	R/W	3.50	\$70 per a. + \$123.50	Landon
9300-Ganney, Alexander (and O. Jay Brogoitti)	R/W	74.7) 24.3) 4.0) 103.0	\$70 per acre \$50 per acre \$10 per acre, plus \$1016	"
<u>Forest Boundary-Jones Ranch Section, Ochoco Highway</u>				
9074-Drowatzky, Dora	R/W and Quarry	32.96	\$5 per a. + \$693	Gardiner
<u>Catherine Creek-Miles Bridge Section, Medical Springs Highway</u>				
9284-Federal Land Bank and Jas. L. Southard	Quarry Stock Pile	4.02	\$18.75+ per acre	Williams

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Prairie City-Dixie Summit Section, John Day Highway</u>				
8884-Meador, George T.	R/W	1.97	\$10 per a. + \$191.60	Cosad Landon
8879-Deardorff, Nettie and Cora Buchanan	R/W	0.08	\$100 per a. + \$9.50 + moving bldg. (Est. at \$130.50)	Landon
8882-Forrest, Orrin	R/W	0.25) 6.39) 7.64	\$100 per acre \$10 per a. + \$462.80	"
8886-Horrell, John H.	R/W	0.61	\$20 per a. + \$41.40	"
<u>Long Creek-Fox Section, Pendleton-John Day Highway</u>				
9111-Hewitt Land Co.	R/W	1.94	\$15 per a. + \$87.77	Gardiner
9109A-McGirr, Frank B.	R/W	0.10	\$25 per a. + moving fence	Landon
<u>Hanley Lane Section, Frenchglen Highway</u>				
9285-Hotchkiss, Harley S.	Gravel Pit	10.67	\$10 per a. + fencing	Landon
<u>Front Street Project-Columbia Street South (Portland), Pacific Highway West</u>				
8248-White, Nora, Estate	R/W	8,625 sq.ft.	\$1,600.00	McCallister
8731-Harr, Ellen	"	5,325 "	1,331.25	"
8247-Coursen, Francis A.	"	4,189 "	700.00	"
9080-Green, Mary L.	"	12,200 "	2,100.00	"
9388-Sunset Fuel Company	"	4,800 "	In exchange for property in Lot 1,2,3,4, Blk. 8, lying outside R/W, + \$100	"
9389-Leppert, Wm.H. and Ruth N.	"	20,000 "	4,800.00	"
9390-Weisgerber, Edwin H.	"	3,700 "	3,625.00	"
9391-Best, Hattie L.	"	550 "	75.00	"
9392-Willman, Rosalie S.	"	30,200 "	4,400.00	"
9393-Jones, L. L. and Son	"	880 "	In exchange for which state is to convey strip of land 50 ft. in width, lying outside R/W, + \$200	"
8564-Harrington, Frances G.	"	10,650 "	8,500.00	"
<u>Vadis-Gardner Ranch Section, Wolf Creek Highway</u>				
6542-Washington County	R/W	2.0	\$600 Lump Sum	Benson
<u>Days Creek-Wright Ranch Section, Tiller-Trail Highway</u>				
9210-Spore, Raymond L.	R/W	0.39	\$125 Lump Sum	McChesney
9201-Hill, C. C.	"	0.03	\$100 per a. + \$20	"
9206-School Dist.#15 and Union High School #10	"	165 sq.ft.	1/4 sq.ft. + \$48.35	"

Section, Hwy., and Owner	Purpose	Approximate Amounts	Agent
<u>East Portland-Clackamas County Line Section, Pacific Highway East</u>			
9396-McPherson, G. J.	Quarry		McCallister

This is an exchange on a quarry pit, whereby the state is to convey to the Housing Authority of the County Court of Clackamas County a tract of land covered by deed from Nathan B. Harvey and the First State Bank of Milwaukie, to the State Highway Commission, in Section 25, Township 1 South, Range 1 East, W.M., Clackamas County, for the price of \$850.00. In return for this they have secured an option from G. J. McPherson to the State Highway Commission covering gravel pit and hauling road in that immediate vicinity, for the same consideration of \$850.00

The Attorney brought up for discussion the settlement for right of way needed for the Wilson River Highway across property owned by Charles Bateman, in Washington County. The Commission tentatively approved an offer of \$5,750 in condemnation for this property, in the event that a satisfactory settlement cannot otherwise be reached. The Attorney was instructed to discuss the matter further with Mr. William Hare, Hillsboro, attorney for Mr. Bateman. (This matter was reconsidered on the following day, at which time the Attorney advised that he discussed the matter with Mr. Hare, who stated his desire to inspect the premises before making a decision. The Commission thereupon confirmed its previous offer to pay \$5,750.00 for this property, and authorized the Attorney to close the deal at such figure if Mr. Hare is satisfied.)

The Commission adjourned at 10:30 p. m. to reconvene the following morning.

Portland, Oregon, May 9, 1941

The State Highway Commission reconvened at 9:00 a. m. in the auditorium of the Public Service Building. Present were:

Huron W. Clough, Commissioner
 Herman Oliver, Commissioner
 R. H. Baldock, State Highway Engineer
 H. B. Glaisyer, Secretary

Bids as follows for highway construction projects were opened and read in conformance with previously published notice, following which Commissioner Clough, Acting Chairman, announced that the award of contracts would be made at 3:00 p. m. in the same room:

1140

WOLF CREEK HIGHWAY
VOLLMER CREEK AND MECANICUM JUNCTION SECTIONS
GRADING, SURFACING AND BITUMINOUS MACADAM

	<u>Using Asphalt</u>	<u>Using Tar</u>
Babler Bros.	- - -	\$33,587.50

TILLER-TRAIL SECONDARY HIGHWAY
DAYS CREEK-WRIGHT RANCH SECTION - GRADING, SURFACING AND OILING

E. L. Gates	\$47,651.15
C. J. Eldon	49,835.05

UMPQUA HIGHWAY
DEAN CREEK-PARKER CREEK ROCK PRODUCTION

A. S. Wallace	\$35,998.00
Umpqua River Navigation	43,811.00

NORTH UMPQUA COUNTY ROAD
OAK CREEK-MARKS RANCH SECTION
GRADING, SURFACING, OILING AND BRIDGE

E. L. Gates	\$65,681.75
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PENDLETON-JOHN DAY, BEECH CREEK, AND JOHN DAY HIGHWAYS
MOUNTAIN REST-MT. VERNON AND BUTTE CREEK-SERVICE CREEK SECTIONS
OILING

J. C. Compton	\$14,635.28
R. O. Dail & Warren Bros.	16,097.25
Babler Bros.	16,601.50
Norris Bros.	16,883.00
A. Milne	19,283.00

FRENCHGLEN SECONDARY HIGHWAY
HANLEY LANE SECTION - GRADING, SURFACING AND OILING

Norris Bros.	\$74,332.00
E. L. Rigdon	79,643.00
M. L. O'Neil & Son	81,455.75
J. C. Compton	89,105.00

PACIFIC HIGHWAY
EUGENE OVERCROSSING-7TH AVENUE SECTION - GRADING AND PAVING

E. C. Hall Co.	\$70,851.00
Ed Walder	95,089.10

AIRPORT SECONDARY HIGHWAY
FENDLETON AIRPORT HIGHWAY SECTION
GRADING, SURFACING AND BITUMINOUS MACADAM

C. E. Oneal	\$53,885.00
J. C. Papin	55,794.00
M. L. O'Neill & Son	66,598.60

WOLF CREEK HIGHWAY
WEST DAIRY CREEK BRIDGE

J. F. Johnston	\$7,982.25
Harry I. Hamilton	8,644.00
C. J. Eldon	25,266.45

County Judge Nelson B. Higgs, Harney County, was present and discussed briefly with the Commission the matter of the improvement of the City of Burns Section of the Central Oregon Highway. He was informed that it is planned to do this work with state forces as soon as there is a crew available in that vicinity.

The Commission discussed a letter from Mr. George H. Jenkins, Coos County Agriculture Agent and Secretary of the Land Use Committee of Oregon State College Extension Service, in which the Commission is requested to consider the construction of dikes and the installation of tide boxes instead of bridges at Shingle House Slough, Southport Slough, Davis Slough, and other points, when and if the Oregon Coast Highway is reconstructed between Marshfield and Coquille. He advised that in the minds of the committee members, the installation of dikes and tide boxes would make it possible to reclaim several hundred acres of land which would be excellent for agricultural use if properly drained, would increase agricultural income, and would add property to the tax rolls of Coos County. The Engineer recommended approval of this request, predicated upon the property owners involved paying the actual cost of the tide gates, and organizing a district having power to contract with the Highway Commission for the maintenance of the gates. The Commission approved his recommendation unanimously, with the understanding that the State Highway Department would assume the responsibility of securing necessary permits from the United States War Department. The Commission ordered that the matter be covered by appropriate agreement.

In this connection, the Commission also discussed a letter from Mr. Ben Flaxel, District Attorney of Coos County, in regard to the construction of a tide box at North Slough, about one mile southwest of the highway bridge over North Slough, at Hauser, so as to reclaim some 340 acres of land. Mr. Flaxel alleged that a dike and tide gate constructed at this point would be of benefit to the state highway, because it would eliminate the necessity for the existing state's tide gate and trestle, at North Slough, and would save the state considerable expense in maintaining such gate. The Engineer advised

that this matter has been investigated by Division Engineer Lytle, who ascertained that the estimated cost of the dike and gate is between \$5,000 and \$6,000, of which amount it is likely that the Dike District will ask the state to contribute from \$1,000 to \$1,500, although he is not able to get anyone to make a definite commitment in that regard. Mr. Lytle also stated that in his estimation the dike and tide gate will be of material benefit to the state because it will permit the shortening of the trestle at North Slough Bridge, which consists of twenty 19-foot spans and one 40-foot hinged span, from 420 feet to 120 feet, which trestle is now costing the state about \$1.59 per foot annually to maintain. This matter was discussed by the Commission at some length, but action thereon was deferred by the Commission pending an additional report from the Engineer to clarify a number of questions that arose.

A letter was presented from Mayor F. R. Bowersox, Monmouth, requesting the oiling or paving of Knox Street (route of the Pacific Highway West), in Monmouth, from its intersection with Main Street southerly a distance of one block to Clay Street, full width between curbs. The Engineer estimated that such improvement would cost about \$2,600, including the grading, surfacing, construction of oil mat, and a 12-inch sewer with catch basins. He recommended approval of the request. The Commission approved the recommendation, and ordered that the work be done with state forces.

The Commission discussed a petition from residents of Gold Hill and vicinity, in which request was made for the construction of lavatory facilities at Birdseye Springs State Park situate adjacent to the Pacific Highway, about twelve miles south of Grants Pass. The Commission denied the request as a matter of policy, previous experience having revealed that it is uneconomical to maintain such facilities in the roadside park areas.

The Secretary presented a letter from C. F. Lange, requesting the surfacing and oiling of the unsealed section of the Farmington Secondary Highway, in Washington County. The Engineer advised that this is a meritorious project, but would cost about \$30,000, and there are no funds in sight with which to finance it. The Commission thereupon denied the request; however, agreed to consider it in the formulation of the next construction program.

The Engineer reported that the Work Projects Administration has disapproved the proposed Tongue Point WPA Project at Astoria, because of the high WPA nonlabor cost, which amounts to \$75.59 per-man month, although indications are that a proposal that would require only \$15.00 per-man month, for WPA nonlabor cost, would be approved. Under such a setup, he said, the state would be required to pay approximately \$130,000, which in his estimation is not justified. He advised that, according to the original proposal, the state's share of the expense would be about \$60,000. He suggested that the Highway Commission withdraw its offer of cooperation under the original proposal, if the WPA will not accept the state's contribution of \$60,000, provided in the original proposal. The Commission voted unanimously not to contribute more than \$60,000 toward the cost of this work.

The Commission discussed a letter from Mr. John C. Veatch, Chairman of the State Fish Commission, in which the Highway Commission is asked to oil

the driveway and parking area at the Bonneville Fish Hatchery for the convenience of the many visitors to this place, the cost thereof to be paid with state highway funds, because the Fish Commission has no funds available. The Attorney advised that the Commission has legal authority to spend state money for this project if it so desires, in view of the fact that the property is state owned. The Engineer estimated that the work would cost about \$1500.00. The Commission approved the expenditure.

A letter was presented from the City of Central Point requesting the elimination of a dangerous curve on the Pacific Highway, at the north city limits of Central Point; also requesting the construction of a nonskid surface on the Pacific Highway, from Central Point to Gold Hill. The Engineer pointed out that the Commission has plans to construct a major line change in the Pacific Highway, in the vicinity of Central Point, which will do away with the curve mentioned by the city, and in his estimation it will be wasteful to spend money for any improvement that would ultimately be included in the major project. He recommended the request be denied. The Commission approved the recommendation. The Engineer also pointed out that the Highway Commission is now placing a nonskid surface on a portion of the Central Point-Gold Hill Section, so the city's request in that respect is at least partially under way. The Secretary was instructed to so inform the city.

Letters were presented from the Union County Court and the La Grande Commercial Club requesting the oiling of the Hunter Lane County Road, north of Island City. The Engineer advised that the Commission has already approved this project for federal aid secondary highway funds, and that request has been made of the Public Roads Administration for the approval of the same in the 1942 program. He requested authority from the Commission to advertise the project for bids to be received at the June meeting of the Commission, if federal approval has been secured. The Commission approved the request.

A resolution was presented from the Reedsport Chamber of Commerce urging the immediate construction of the Reedsport-Scottsburg Section of the Umpqua Highway, Douglas County. The Commission denied the request for immediate construction, due to lack of funds to finance it; however, instructed the Secretary to inform the Chamber of Commerce that the Commission will keep the project in mind in the formulation of future construction programs.

A letter from Frank Z. Howard, County Engineer of Klamath County, regarding the improvement of South Sixth Street, Klamath Falls, and requesting the improvement of state secondary highway No. 420 (Midland Secondary Highway), had the attention of the State Highway Commission. The Commission deferred action on the Sixth Street Project until later. The Engineer advised that the unoiled portion of the Midland Secondary Highway is 3.8 miles in length and that to surface and oil this unit would cost about \$20,000; further, that to rebuild the entire road would cost about \$65,000. He recommended approval of the \$20,000 project and suggested, as a means of financing the same, the transfer of \$15,000 of federal aid secondary highway funds from the Buck Hollow Section of the Sherars Secondary Highway, inasmuch as

the federal authorities will not approve an expenditure of federal aid secondary funds for the improvement of this road. After discussion the Commission approved the recommendation, and authorized an expenditure of state funds in the amount of \$5,000, to make up the difference.

A resolution was presented from St. Helens Aerie 2153, FOE, requesting the immediate widening and straightening of the Lower Columbia River Highway, from St. Helens to Astoria. The Commission denied the request, because it considered that the time is not propitious to undertake such improvement, and for the further reason that there are no funds available with which to finance it.

The Commission discussed and ordered filed two letters from the Eastside Commercial Club, Portland, in one of which the Commission is urged to designate and improve as a state secondary highway the Base Line Road, Portland, from Union Avenue to the Sandy River Bridge crossing, and particularly to widen the section east of the Barker Road junction; and in the other, to improve 39th Avenue, Portland, as a state highway route.

The Commission discussed and approved an expenditure of \$2,100, for oiling the rock shoulders adjacent to the highway pavement on the Redwood Highway, through the town of Cave City, Josephine County; the work to be done this summer with state oiling forces, when operating in that vicinity.

A request was presented from the Chamber of Commerce of The Dalles for the construction of a sidewalk along the Columbia River Highway, in front of the city's natatorium and chamber of commerce building, at the west limits of The Dalles. The Engineer estimated the cost at about \$700, and recommended approval of the expenditure, on account of the large volume of pedestrian and bicycle traffic which, under present conditions, is using the highway pavement going to and from these places. The Commission approved the recommendation.

The Engineer reported the cost to install a lighting system in the Arch Cape Tunnel, on the Oregon Coast Highway, Tillamook County. He estimated the cost of installing the facilities at \$17,000, and the operating cost at about \$200 per month, and recommended approval of the expenditure in the interest of providing greater safety for the traveling public. He also recommended a similar installation in the Elkton Tunnel, on the Umpqua Highway, Douglas County. The Commission approved both installations.

Reconsideration was given by the Commission to the request of the City of Corvallis for the installation of traffic signals at ten street intersections, in Corvallis, which are crossed by the Southern Pacific Company's tracks on Sixth Street, particularly a recent letter from the Corvallis City Attorney on this subject, in which he advises that several accidents have recently occurred at some of these crossings, and the city council is anxious that the traffic signals be installed, particularly at Sixth and Van Buren Streets, and at Sixth and A Streets, which are on state highway routes. The Engineer advised that only two of the ten crossings are on the state highway route, also that there are no federal railroad grade crossing funds available

to finance the installation, so if the Commission approves them, they will have to be paid for with state funds. Investigation reveals, he said, that traffic signals are not absolutely needed, and that flood lights would serve the purpose very satisfactorily. He recommended installation of flood lights at the two highway intersections, provided the railroad company will pay one-half of the cost of installing them, and the city will furnish the electricity free of cost for operating them. The Commission approved the recommendation.

The Engineer requested authority to conduct a definite location survey for the Havana-Helix railroad grade crossing, in Umatilla County. The Commission approved the request, and also authorized the Engineer to submit the matters to the Public Utilities Commissioner for a hearing.

The Engineer brought up for discussion the matter of installing a new wooden water pipe line at Scappoose, necessitated by reason of the improvement of the Columbia River Highway at such place. He said that the highway improvement will cover over one of the city's existing water mains, which is about eighteen years old, and that an agreement was reached with the city officials for replacement of this old main with new pipe, same to be installed in a location outside of the proposed pavement area, and that the city has agreed to pay 75 per cent of the cost, or about \$750.00, the state's share being estimated at \$250. The state is to pay the entire cost in the first instance, and the city is to reimburse the state later for its share, when the work has been done. After discussion, the Commission approved the arrangement, and thereupon signed an agreement with the city covering the matter.

The Engineer reported that, in accordance with authority previously granted him by the Commission, he awarded to contractor Roy L. Houck, on April 11, 1941, the contract for grading and paving the Onion Flat Section of the Pacific Highway West, in Washington County, Mr. Houck's bid being the low bid received for such work on April 4, 1941, and the conditions of the award having been satisfied. The Commission by unanimous vote confirmed the award of this contract, as reported.

The Commission discussed the matter of truck hauling of logs through the Elkton Tunnel, on the Umpqua Highway, Douglas County, and decided, in view of the fact that this tunnel is more than 1,100 feet long, is not lighted, and has curves at each end, to require the flagging of all loads of logs that are transported therethrough—one flagman to be stationed at each end of the tunnel, and each to be in communication with the other by means of a buzzer system. It shall be the duty of the flagmen to prohibit the use of the tunnel by other traffic, when the tunnel is occupied by a truck load of logs, and other traffic shall not be allowed in the tunnel until an appropriate signal has been given by the flagmen that the tunnel is free and clear of loaded logging trucks. The Commission referred this matter to the Engineer and the Secretary to work out the details. The Commission approved the requirement that all loads of logs passing through this tunnel shall be lighted with a special red lantern, on the left side, and at the rear of the load, in addition to the regular truck lights, pending formulation of the new rules and regulations.

The Engineer reported completion of the repairs on all of the bridges on the Tiller-Trail Secondary Highway No. 230, between the Douglas-Jackson County line and Trail, and recommended the lifting of the 8-ton load limit for which these bridges have heretofore been posted. The Commission approved the recommendation, and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, on the 27th day of September 1932, at a meeting of the State Highway Commission, all members being present and participating, the Commission passed and adopted a resolution ordering a reduction of the maximum permissible load limit on certain state highway bridges, including the following, to-wit:

TILLER-TRAIL SECONDARY HIGHWAY NO. 230

All bridges from Douglas-Jackson County Line
to Trail 8 tons

and

WHEREAS, subsequent to the passage of said resolution the said above-named bridges have been repaired so that it is no longer necessary or desirable to maintain the reduced load limit set out in said resolution;

NOW, THEREFORE, BE IT RESOLVED that the action of the State Highway Commission reducing the maximum permissible load limit on the following bridges, to-wit:

TILLER-TRAIL SECONDARY HIGHWAY NO. 230

All bridges from Douglas-Jackson County Line
to Trail

be and the same hereby is rescinded and vacated as of this date, and the maximum load limit permissible on the said bridges shall hereafter be the maximum load limit provided by law.

IT IS FURTHER ORDERED that certified copies of this resolution be furnished to the county clerk of Jackson County, in which county said bridges are located, and to the Superintendent of the Department of State Police for his information.

The Secretary reported a request from the Weston Chamber of Commerce for the installation of standard service club sign racks at the entrances of state highways into Weston. He pointed out that the population of Weston is considerably less than the 700 limit established by the Commission as a basis for the installation of such racks, and that so far as is known at the present time there is only one organization in Weston that is eligible for representation on the racks.

After discussion the Commission modified its previous requirements as follows: sign racks may be installed at state highway entrances into all cities and towns having a population of 400 or more provided there are three or more eligible organizations desiring representation on the racks. No racks are to be installed containing less than three panels. The Commission removed the limit of seven as the number of panels that may be installed on any one rack, and authorized additional panels, if, in the judgment of the Engineer, they may be installed without interfering with the highway maintenance or with the general public safety. The Commission thereupon approved the request of the City of Weston, if it can meet the Commission's requirements.

The Engineer requested authority to advertise for bids the widening of the Oak Creek Bridge at Corvallis, which work is estimated to cost \$8,000. He explained that the Commission previously approved such expenditure as one item in the betterment budget for 1941 to be done with state forces, but in his estimation it would be better to have the work done by contract. The Commission concurred, and thereupon approved the request.

The Commission approved the settlement of its claim against Swift and Company, in the amount of \$87.56, for repairs to highway equipment that was damaged in a collision with a truck owned and operated by the company, and authorized the Attorney to accept payment of such sum from the company, and to sign a receipt for the same.

The Engineer reported that travel over the Cascade Secondary Highway, between Silverton and Portland, is increasing rapidly, and there have been a number of traffic accidents at road entrances. It was his thought that accidents could be avoided if this highway were designated a through highway, thereby requiring all traffic to stop before entering the same. He recommended appropriate action by the Commission to that effect. The following resolution relative thereto was adopted by the Commission by unanimous vote:

WHEREAS, that certain highway known as the Cascade Highway, and otherwise designated as Secondary State Highway No. 160, is a duly established state secondary highway; and

WHEREAS, said highway connects with the Silver Creek Falls Highway No. 163 and the Hillsboro-Silverton Highway No. 140 in Silverton and connects also with the Columbia River Highway at 82nd and Sandy Boulevard in Portland; and

WHEREAS, because of the importance of said highway and the volume of traffic which now moves thereover said highway should be, in the opinion of the Highway Commission, designated as a main-traveled or through highway;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the Highway Commission, a majority being present and affirmatively voting, as follows:

1. That the Cascade Highway, otherwise designated as Secondary State Highway No. 160, from its connection with the Silver Creek Falls Highway and the Hillsboro-Silverton Highway in Silverton to its connection with the Columbia River Highway at 82nd and Sandy Boulevard in Portland, be and said highway hereby is designated and declared to be a main-traveled or through highway.

2. That the Highway Engineer be and he hereby is instructed to place along said highway at all points where roads or highways intersect the Cascade Highway appropriate signs or markers notifying the drivers of vehicles to stop before entering or crossing the said Cascade Highway. The Engineer is further instructed to place such signs or markers as nearly as practicable at the place where said cross or intersecting road or roads meet the prolongation of the nearest property line of such through highway, and the place or places where such signs are installed shall designate to the drivers of motor vehicles entering said through highway from any of said cross or intersecting roads the place where the stop shall be made.

3. This resolution shall be entered in the minutes and records of the Commission as of the ninth day of May, 1941, and a duly certified copy thereof delivered to the Public Roads Administration and a copy to the County Court of Marion County and a copy to the County Court of Clackamas County.

A letter was presented from contractor Homer G. Johnson requesting relief from payment of the full amount of the penalty assessed against him for failure to complete his contract, No 2324, for grading, surfacing and oiling the Prineville Section of the Ochoco Highway, in Crook County, within the specified time limit. Mr. Johnson states that the time limit to complete this job was unreasonably short for a job requiring so many types of construction, and such a coordination of the various steps which necessarily occasioned loss of time. The Engineer advised that the penalty, which consisted of extra engineering expense incurred by the state subsequent to the expiration date specified in the contract, amounted to \$506.19, and there is some justification for Mr. Johnson's contention that the actual increase in engineering expense was not more than 50 per cent of that assessed. He recommended a 50 per cent reduction in the amount of the penalty. The Commission approved the recommendation, and so ordered.

For similar reasons the Engineer also recommended a like reduction in the penalty, amounting to \$125.90, assessed against contractor Porter W. Yett for failure to complete, within the specified time limit, contract No. 2220, for grading and paving the Warren-Seappoose Section of the Columbia River Highway, in Columbia County. The Commission approved a 50 per cent reduction in the penalty.

Koblenzer Brothers, operators of the Oceanview Auto Camp, adjacent to the Oregon Coast Highway, midway between Gold Beach and Port Orford, came before the Commission in regard to the construction of a private roadway extending from their campground to the ocean shore line, which roadway will cross certain property which the state has under option for use as right of way for a proposed revision of the Oregon Coast Highway at this point. They stated that the state secured its option for this right of way in 1937, but has not closed it, because title was not clear; also, that they realize that their campground will be destroyed when the new highway is built, but in the meantime they want to give their patrons an opportunity to drive down to the beach if they so desire. Accordingly, they are asking the Highway Commission for permission to maintain a temporary roadway across the property on which the state has the option. The Commission questioned its authority to grant such permission over property which the state does not own. However, after considerable discussion, the Commission agreed to enter into an agreement with Koblenzer Brothers to the effect that such privilege would be granted as soon as the state has secured title to the new right of way, it being understood that Koblenzer Brothers would immediately abandon the roadway upon being advised by the Commission so to do. The Engineer was instructed to have the Attorney prepare an appropriate agreement covering the matter, in accordance with such decision.

The County Court of Linn County, represented by County Judge J.J. Barrett, County Commissioners H. A. Renninger and Claude G. Smith, and County Engineer W. W. Larsen, was present. They asked the Commission to designate, as a state secondary highway, the county road known as the Airport Road, which extends from the Pacific Highway East, north of Albany, to a connection with the Santiam Highway, east of Albany. They also asked for the oiling of the county road from Albany to Brownsville, and urged its improvement this year as a federal aid secondary highway project. A further request was for the designation, as a state secondary highway, of the county road between Mehama, in Marion County, via Lyons to Mill City. They declared this to be the county's first choice of secondary highway designations, in Linn County, and the Airport Road to be their second choice. The Court was informed that the Commission is not in position to oil the Albany-Brownsville Road this year, because it has not as yet been approved as a federal aid secondary highway. However, the Engineer was instructed to investigate the road, to ascertain what it would cost to do the work. As to the other two projects, the Engineer was instructed by the Commission to investigate them, and report whether or not they qualify for designation as state secondary highways, and to particularly investigate the matter of right of way widths and encroachments. Judge Barrett advised that all of the right of way is not full 60-foot width, but the county could acquire the necessary width by appropriate resolution. After further discussion, the Engineer was instructed to prepare the customary resolutions for the county to adopt, requesting the designations, for consideration at the next meeting. It was suggested to the county court that it take no action with respect to acquiring the extra right of way until the Commission has decided definitely whether or not to place these roads on the state secondary highway system.

Mr. H. B. Roadman, County Commissioner of Douglas County, was present and reported that the county has acquired right of way for a relocation of the North Umpqua Highway between Oak Creek and Marks Ranch so, insofar as the right of way is concerned, the state can proceed with the construction of this section as soon as it desires. He filed with the Commission a copy of the county's right-of-way resolution covering the matter.

Mr. Roadman also reported that the county has secured an option to purchase from R. T. Blakley a gravel bar in the North Umpqua River along the North Umpqua Highway, being situate particularly in the East Half (E $\frac{1}{2}$) of Section 15, Township 26 South, Range 4 West, W. M. He said that there are 12.14 acres in the gravel bar, and that the county is paying \$3,000 for the same, including right of way for a hauling road and certain right of way for the North Umpqua Highway. He asked the Commission to contribute \$1,000 of state funds toward this expense and offered in behalf of the county to give the state a 20-year lease to the use of the gravel bar, which, he said, is the only gravel bar in this vicinity. Furthermore, he said that the county will be glad to let the state use any of its gravel bars and quarry sites at any time, without cost. He filed with the Commission a certified copy of the option obtained from Mr. Blakley for the purchase of this property. The Commission deferred a decision in the matter pending advice from the Attorney as to whether or not the Commission has legal authority to spend state funds for such purpose, and pending consultation with Chairman Cabell.

Mr. Roadman advised that the county is now engaged in several right-of-way condemnation cases, and inquired whether or not it would be possible to secure the services of the Commission's Attorney to help out in the matter. The Commission approved the request, if the Attorney has sufficient time to give to this work without interfering with his regular duties.

Mr. Orris Knapp, Port Orford, and his attorney, Mr. Collier H. Buffington, Gold Beach, were present regarding right of way required from Mr. Knapp for the improvement of the Port Orford South Section of the Oregon Coast Highway, in Curry County. The highway location crosses Mr. Knapp's property, consisting of four acres of land, and passes directly through the Knapp Hotel situate thereon. Mr. Knapp stated that he originally asked \$15,000 for this property, but the Commission refused to pay more than \$10,000, so he has since reduced the price to \$12,500. Mr. Buffington suggested that perhaps the state does not need the entire four acres, and would let Mr. Knapp retain some of the property, which he might utilize for business purposes. The matter was discussed at some length, but a decision was deferred until the afternoon session. The Engineer was instructed to ascertain in the meantime whether or not the entire four-acre tract is needed for the highway improvement. (Mr. Buffington reappeared before the Commission at 1:30 p.m.)

The Engineer brought up for discussion at this time the matter of width of right of way for the proposed improvement of the Oregon Coast Highway through the town of Gold Beach. He estimated the cost of right of way 80 feet wide throughout the entire project at \$47,000, and 60-foot right of way at about \$5,000, and the cost of an 80-foot right of way south of Dean Creek and

a 60-foot right of way north of Dean Creek at \$19,000. Cost of construction on 80-foot right of way, he said, is about \$55,000, compared with \$42,000 on a 60-foot right of way. Mr. Buffington urged the Commission to adopt a permanent line through Gold Beach as soon as possible, and gave as his thought that the people of Gold Beach would be satisfied with such designation, notwithstanding that construction would be deferred for some time. He suggested that a right of way 60 feet wide would be satisfactory for many years. The matter was discussed at some length, but a decision was deferred until Chairman Cabell is present.

The County Court of Lane County, represented by County Commissioners W. J. Holland and Allen P. Wheeler, and County Engineer P. M. Morse were present. They inquired as to the Commission's plans for the construction of an overcrossing on a section of the secondary highway between Eugene and Veneta, and were informed that such project is in the program, but the Commission is not able to proceed with the work until the Public Utilities Commissioner's hearing on the railroad crossing matter has been held.

The County Court also inquired as to the Commission's plans for oiling a section of the Territorial Secondary Highway, in Lane County, and urged the oiling of the Veneta South Section, as the county's preference for the first moneys available. They were informed that when the Commission discussed this matter with the county court at a previous meeting the court was told that the Commission had budgeted \$20,000 for this highway, and it was thought at the time that the work would be in Lane County. However, subsequent investigation revealed that the money was allocated to the Benton County end of the highway, from Monroe south, and the Commission does not feel inclined to change this allocation. The Commission expects, however, to spend some money on the Lane County Section as soon as it can spare the funds.

The County Court also discussed briefly with the Commission matters pertaining to the construction of the "Route F" Highway, but no action was taken thereon.

The Commission discussed a request from Mrs. W. S. Pratt, Milwaukie, for permission to transport directly across the Pacific Highway East, in the town of Milwaukie, one load of piling having an overall length of 132 feet. The Commission authorized the movement subject to the condition that it is properly flagged to safeguard traffic, and provided insurance in the customary amounts is furnished.

The Commission adjourned at 12:00 noon, and reconvened at 1:30 p.m. in the same room with the same persons present and participating.

Mr. and Mrs. E. L. Philpott, Port Orford, came before the Commission in regard to the improvement of the Oregon Coast Highway at Port Orford. They advised that they operate a tourist camp overlooking the ocean adjacent to the existing highway, and, according to information available to them, the new highway is to be constructed on a high fill, between their camp and the ocean, and if that is true their view of the ocean will be entirely cut off.

They asked the Commission to fill in their property to a level with the new highway, except the space directly under the cabins, and in any event to fill in this property within two or three feet of the level of the highway, so that occupants of their cabins can have a clear view of the ocean. After discussion, the Engineer was instructed to make an investigation of the premises to determine how much it will cost to fill in the property and to move and re-establish the cabins. The Attorney was instructed to advise the Commission of its legal responsibility. Both reports are to be rendered as soon as possible.

Messrs. Orris Knapp and Collier H. Buffington reappeared before the Commission in regard to right of way that is needed for the Oregon Coast Highway across the Knapp property at Port Orford. The Engineer reported that a study of the plans for this improvement has been made since the morning conference and it has been ascertained that the improvement will require all but a very small parcel of Mr. Knapp's four-acre tract, such small parcel being 125 feet by 125 in dimension, and located on the north side of the highway. Mr. Knapp then stated that he would allow the state a credit of \$500, if permitted to retain this small parcel, thereby reducing his previous offer from \$11,250 to \$10,750. The matter of whether or not Mr. Knapp had previously offered his place for \$5,000 was mentioned. Mr. Knapp stated that he has never offered his property for sale for such amount, although he did offer to sell it in 1937 for \$15,000; he also said that he receives \$900 a year rental for the hotel, and that out of such sum he is required to pay taxes, insurance, et cetera, and to keep the premises in good condition. The Commission took no definite action on the matter, preferring to consult with Chairman Cabell relative thereto before rendering a decision.

A letter was presented from C. J. Eldon, contractor, Portland, who submitted a bid at the morning session for construction of the West Dairy Creek Bridge, in Washington County, in which letter Mr. Eldon states that he inadvertently entered a unit bid of \$16 per lineal foot on Item No. 4, for furnishing untreated piling, whereas he really intended to bid only \$0.16 per lineal foot, and in view thereof he asked the Commission to reconsider his bid. The Commission denied the request as a matter of policy.

The Commission discussed a letter from the City of Silverton, requesting the services of an engineer from the State Highway Department to prepare plans and specifications for a new bridge across Silver Creek, in Silverton, to replace one that recently collapsed. The Engineer estimated that the cost would not exceed \$50 and recommended approval of the request. The Commission approved the recommendation.

A request was presented from the Oregon Lumber Company for relief from its obligation to maintain a flagman on the Austin-Spur Section of the John Day Highway, where it is crossed by the company's logging trucks. The Engineer recommended approval of the request inasmuch as the sight distance at the point of crossing is long in both directions, and highway traffic for the most part is local, consisting principally of employees of the company who are very familiar with the company's operations. The Commission approved the discontinuance of the flagmen at the Austin-Spur crossing, but not at the John Day Highway crossing.

The Commission had under discussion the matter of naming the Devils Fork Bridge, on the Wilson River Highway, in Washington County. The Commission approved the naming of this bridge "Graham Bridge", in honor of Mr. Loyal M. Graham, Forest Grove, in view of Mr. Graham's efforts during the past twenty-five years in behalf of the good roads' movement in this state.

The Commission approved by unanimous vote the purchase of the following equipment through the State Board of Control, in conformance with the usual practice:

- 6 pickup trucks for use of weighmasters. Estimated total cost \$3,600.
- 1 coupe, Ford or Chevrolet type, for use of Supervisor of Weighmasters. Estimated cost \$750.
- 2 pickup trucks for use of State Parks Superintendent. Estimated total cost \$1,200.
- 1 buzz saw for use of Parks Department, in Silver Creek Falls State Park. Estimated cost \$300.
- 1 power lawn mower for use in Silver Creek Falls State Park. Estimated cost \$300.

The Commission considered and denied a request from the Petroleum Heat and Burner Company of California for permission to operate truck and trailer equipment, 52 feet overall in length, over the Pacific Highway, between the California state line and Medford.

The Secretary presented copies of vouchers prepared by the Secretary of State covering payment by him from the state highway fund of the following claims as authorized by the 1941 Legislature:

Claim of Baker County, in the amount of \$1,982.75, for repayment in connection with a certain judgment against Baker County, in favor of the Sumpter Valley Railroad Company, for damages which the company has suffered as a result of a railroad wreck, allegedly caused by failure of the state and the county to properly maintain the state highway which parallels the company's tracks.

Claim of M. L. O'Neil & Sons, contractors, Eugene, in the amount of \$9,746.13, being the amount of a bid deposit submitted in connection with state highway contract work, which bid deposit was forfeited by failure of this contractor to enter into the contract agreement covering the work.

The Commission took no action on these claims, in view of the fact that the Legislature had authorized payment of the same.

The Commission discussed a letter from Mr. W. J. Braddock, Chief Underwriter of the Truck Insurance Exchange, Portland, suggesting approval of a blanket form of insurance policy to cover movements over state highways of special equipment owned by its clients, rather than the furnishing of separate policies covering each such movement. The Attorney advised that he can see no reason why the protection required by the Commission cannot be covered by a blanket policy. After discussion, and in view of the Attorney's advice, the Commission authorized acceptance of a blanket-form insurance policy covering such movements and instructed the Attorney to prepare an appropriate form.

The Commission discussed a resolution from the Umatilla County Court requesting the designation as a state secondary highway of a short county road which extends from the Old Oregon Trail to the Pendleton Airport siding of the O.W.R.R. & N. Railroad, near the State Hospital, in Pendleton, but deferred action thereon until Chairman Cabell is present, inasmuch as designations of this kind require affirmative action by all three members of the Commission.

The Engineer requested authority for G. S. Paxson, Bridge Engineer, to attend, at state expense, a meeting of the Bridge Committee of the Western Association of State Highway Officials, which is to be held in Casper, Wyoming, June 17 to 20, inclusive. He also requested authority for Division Engineer K. D. Lytle and Assistant Construction Engineer Paul Van Scoy to inspect, at state expense, certain horizontal drain construction which is now being installed on the Redwood Highway, near Hopland, California; and authority for Division Engineer E. A. Collier and Assistant Construction Engineer Paul Van Scoy to make an inspection trip into the state of Washington, at state expense. The Commission approved the requests subject to the confirmation of Governor Charles A. Sprague.

The Commission discussed and approved a request from B. E. Maling, Inc., Hillsboro, for permission to transport peaviners, having an overall height of 13 feet 6 inches, over certain state highways on Saturday afternoons, Sundays, holidays, and during hours of darkness, as emergencies arise in connection with the harvesting of pea crops, subject to the condition that there is sufficient vertical clearance to allow such movements without endangering lives or property.

The Commission denied a request from the Oceanside Community Club for permission to use the ocean beach near Oceanside as an aircraft landing field during the celebration which is to be held on June 27 and 28, 1941, it being contrary to the Commission's established policy to permit the use of the ocean beaches for such purpose.

The Commission considered and ordered filed a resolution from St. Helens Aerie FOC, urging the Commission to take immediate steps to purchase the Longview Bridge over the Columbia River, as authorized by the 1941 Legislature; and a clipping from the Daily Journal of Commerce, Portland, announcing the execution of a new labor agreement between highway contractors and the labor union.

The Engineer discussed with the Commission the proposed improvement of the Fulton Canyon-Locust Grove Section, of the Fulton Canyon-Wasco County Road, in Sherman County. He recalled that the 1941 federal aid secondary highway program contained an item of \$15,000 for grading and surfacing this section, and that the 1942 program of such funds contains a tentative additional appropriation of \$25,000. He suggested that it would be advisable to combine the work in one contract so as to expedite completion of the improvement, and to secure the benefit of present prices. He accordingly asked the Commission to release the 1942 funds and to authorize the contracting of a project for the full amount of both allocations. The Commission approved the request.

A letter was presented from the Parkrose Chamber of Commerce reporting an accident which occurred on Sandy Boulevard at its intersection with Northeast 105th Street, involving three automobiles, which information the Commission is asked to consider in passing on the Chamber of Commerce's request for traffic signals at this location. The Commission ordered the communication filed.

The Engineer asked the Commission to authorize the preparation of plans and specifications for several projects that have been tentatively approved by the Commission in the 1941 budget, so as to avoid delays in contracting the work this fall. He mentioned particularly the oiling of the Scio-Lyons Project on the Albany-Lyons Secondary Highway, which is estimated to cost \$15,000; the Salt Creek-Farlow Ranch surfacing and oiling project on the Little Butte Secondary Highway, in Jackson County, estimated to cost \$40,000; surfacing and oiling the Athena-Cold Springs Section of the Athena-Holdman Secondary Highway, in Umatilla County; and the improvement of South Sixth Street, Klamath Falls, estimated to cost \$85,000. The Commission approved the Engineer's request, and authorized him to prepare the projects for advertising at the proper time.

At 3:00 p. m. Commissioner Oliver announced awards of contracts as follows, bids for which were taken at the morning session, the awards having previously been approved by the Commission by unanimous vote of the members present:

"Vollmer Creek and Necanicum Junction Sections of the Wolf Creek Highway, in Clatsop County. 0.95 mile grading, surfacing and bituminous macadam. Only one bid was received for this project, being that of Babler Bros., Portland, at \$33,587.50, based on the use of tar. They did not submit a bid based on the use of asphalt. The Commission has rejected this bid and has ordered the project readvertised.

"Days Creek-Wright Ranch Section of the Tiller-Trail Secondary Highway, in Douglas County. 4.30 miles grading, surfacing and oiling. Two bids were received for this project, the low one being that of E. L. Gates, Packwood, Washington, at \$47,651.15, and the other being that of E. J. Eldon, Portland, at \$49,835.05. The Commission has rejected both of these bids and has ordered the project readvertised.

"Dean Creek-Parker Creek Section of the Umpqua Highway, in Douglas County. Requires approximately 22,700 cu. yds. crushed gravel in stock piles. A. S. Wallace, Roseburg, submitted the low bid for this project in the amount of \$35,998.00, and Umpqua River Navigation, Gardiner, submitted the only other bid received, in the amount of \$43,811.00. The Commission awards this contract to A. S. Wallace at his low bid of \$35,998.00.

"Oak Creek-Marks Ranch Section of the North Umpqua County Road, in Douglas County. 2.97 miles grading, surfacing and oiling; also construction of 25-foot concrete bridge. The only bid received for this project was that of E. L. Gates, Packwood, Washington, at \$65,681.75. The Commission has rejected this bid and has ordered the project readvertised.

"Mountain Rest-Mt. Vernon and Butte Creek-Service Creek Sections of the Pendleton-John Day, Beech Creek, and John Day Highways, in Grant and Wheeler Counties. 25.63 miles oiling. Five bids were received for this project, the low one being that of J. C. Compton, McMinnville, at \$14,635.20, and the second-low being that of R. O. Dail & Warren Bros., Portland, at \$16,097.25. The Commission awards this contract to J. C. Compton at his low bid of \$14,635.20.

"Hanley Lane Section of the Frenchglen Secondary Highway, in Harney County. 8.5 miles grading, surfacing and oiling. Norris Bros., Burlington, Washington, submitted the low bid in the amount of \$74,332.00 and E. L. Rigdon, Hampton, submitted the second-low bid in the amount of \$79,643.00. There were two higher bidders. The Commission awards this contract to Norris Bros., the low bidders, at their bid of \$74,332.00.

"Eugene Overcrossing-7th Avenue Section of the Pacific Highway, in Lane County. 1.27 miles grading and paving. The Commission received two bids for this project, the low one being that of E. C. Hall Company, Eugene, at \$70,851.00, and the other bid being that of Ed Walder, Eugene, at \$95,089.10. The Commission has referred both bids to the Engineer with power to award the contract to the low bidder when certain conditions have been satisfied.

"Pendleton Airport Highway Section of the Airport Secondary Highway, in Umatilla County. 1.42 miles grading, surfacing and bituminous macadam. Three bids were received for this project, the low one being that of C. E. Oneal, Ellensburg, Washington, at \$53,885.00, and the second-low being that of J. C. Papin, Pendleton, at \$55,794.00. The Commission awards this contract to C. E. Oneal at his low bid of \$53,885.00.

"West Dairy Creek Bridge on the Wolf Creek Highway, in Washington County. Construction of 90 feet of reinforced concrete viaduct. J. F. Johnston, Newberg, submitted the low bid in the amount of \$7,982.25, and Harry I. Hamilton, Eugene, submitted the second-low

bid in the amount of \$8,644.00. There was one higher bidder. The Commission awards the contract to J. F. Johnston at his low bid of \$7,982.25."

The Assistant Attorney presented an offer from Mr. Grover Pound, Pendleton, to purchase for the sum of \$135.00, certain state-owned property in Pendleton described as a portion of Lots 10, 11 and 12, of Block M, Reservation Addition. He said that the state paid \$175.00 for these three lots, which are situate in the eastern outskirts of Pendleton, and if the property is not needed for right of way, the price offered for the same, in his estimation, is very fair. The Engineer advised that this property was purchased in order to provide a road approach to private property, in lieu of the closing of the former approach road along Point Street, which is in a deep cut; further, that not more than a 40-foot width right of way is required, so if the price offered by Mr. Pound is satisfactory, he would recommend acceptance of the same. In view of the reports, the Commission authorized the sale of the property to Mr. Pound at the amount of his offer.

The Assistant Attorney also reported a request from Mrs. Delilah Jones Jeffries, Gladstone, to lease portions of Lots 27 and 28, of Appertons Addition to Gladstone, outside of the standard right of way limits. He advised that when the state purchased the right of way for this highway, it also acquired the extra width which was intended to be used for park purposes, and the deed of conveyance so provides; also that Mrs. Jeffries wants to plant the area to lawn and flowers which would not only improve the appearance of her property, which lies adjacent thereto, but would also add to the attractiveness of the highway and reduce the fire hazard, because, under present conditions, the area has grown up to weeds. The Engineer recommended leasing the property to Mrs. Jeffries under the condition that she would allow no advertising signs to be placed thereon, and that she would not grow flowers, et cetera, for commercial purposes. After discussion the Commission approved the recommendation, subject to the conditions suggested by the Engineer, and ordered that the leasing of the property be covered by letter, rather than by formal agreement, and that it be limited to a period of one year with right of renewal. The matter was referred to the Attorney to handle.

The matter of sale of a concession at Silver Creek Falls State Park had the attention of the Commission. The Attorney presented a form of agreement covering the matter, the provisions of which he read aloud, and advised that the sale of a concession at this park has been approved by Chairman Cabell, who opposes the renewal of the lease of Roman Kintz, who is operating a soft-drink establishment at the entrance to the park, under lease from the former owner. After discussion of this matter the Commission approved the sale of this concession, and the form of agreement presented by the Attorney, except that the daily closing hour set therein was changed from 11:00 p. m. to 12:00 midnight. The Engineer was instructed to advertise this concession for bids to be received at the June meeting of the Commission.

The Attorney then advised that Mr. Kintz is operating under two leases, one of which expires in June of this year, and the other two years

hence; however, Mr. Kintz is willing to relinquish his rights if the state will pay him \$1,000. He recommended acceptance of this offer. The Commission approved the recommendation and authorized such payment.

A letter was presented from Mrs. Mary Anderson, Warren, Oregon, in which the Highway Commission was asked to move some graves in Fairview Cemetery near Scappoose. It appears that the graves are situate in a row of lots which lie between the new highway and the Southern Pacific railroad tracks and that Mrs. Anderson wants them moved to lots that she owns on the opposite side of the highway. The Attorney advised that the Commission is without obligation to do this for Mrs. Anderson because there were no graves whatsoever in the right of way that the Commission acquired for this improvement and at the time the right of way was acquired there was no reason for any discussion about the moving of the graves. In view of this report the Commission denied the request.

The Secretary presented a resolution from the City of Toledo, with respect to a portion of the old right of way of the Corvallis-Newport Highway, in Toledo, which has been abandoned by the state as no longer of value for state highway purposes. The Commission approved the resolution and ordered it filed.

The following resolution, with respect to the abandonment of the old route of the Pacific Highway, through the city of Cottage Grove, was adopted by the Commission by unanimous vote upon recommendation of the Engineer, who advised that the new highway has been constructed through this town and the old route is no longer of value for state highway purposes:

WHEREAS, the Highway Commission is authorized and directed, whenever the route of any state highway passes through the corporate limits of any incorporated city or town of this State, to select and designate the street or streets of such incorporated city or town over which the state highway shall be routed, and the Commission is further authorized to alter or change such routing when in its opinion the interests of the motoring public will be better served; and

WHEREAS, the Highway Commission has heretofore designated as streets of Cottage Grove over which to route traffic using the Pacific Highway the following streets, to wit:

Main Street from its intersection with Ninth Street to its intersection with Fifth Street and Fifth Street from its intersection with Main Street to its intersection with Quincy Avenue;

AND, WHEREAS, for the purpose of affording a more convenient, safe and serviceable highway through the town of Cottage Grove there has been constructed and is now open for public travel a highway which begins at Main Street where Main Street and Ninth Street intersect and extends thence in a southwesterly direction to a junction with the Pacific Highway at or near Quincy Avenue; and

WHEREAS, it is the judgment of the Highway Commission that the interests of the motoring public will be better served by the discontinuance of the routing of traffic over Main Street to Fifth Street and Fifth Street to Quincy Avenue, and instead of routing said traffic over the new highway.

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the Highway Commission, all members being present and affirmatively voting, as follows:

1. That Main Street from its intersection with Ninth Street to its intersection with Fifth Street and Fifth Street from its intersection with Main Street to its intersection with Quincy Avenue be and the same are hereby eliminated as streets of the City of Cottage Grove over which to route state highway traffic.

2. That said streets between said termini shall thenceforth be no longer under the jurisdiction of the Highway Commission for any purposes.

3. That the blueprint marked Exhibit A, attached hereto and by this reference made a part hereof, on which blueprint the sections of streets eliminated as streets of Cottage Grove over which to route state highway traffic are shown in red, for identification purposes bears the signatures of K. D. Lytle, Division Engineer; H. G. Smith, Construction Engineer, and C. B. McCullough, Assistant State Highway Engineer and bears date of March 25, 1941.*

4. That this resolution be entered in the minutes and records of the Highway Commission and a duly certified copy thereof be delivered to the municipal authorities of the City of Cottage Grove, and a like copy to the Public Roads Administration.

The Engineer reported an offer from a Mr. J. F. Shields to purchase, at the rate of \$2.00 per M, about 200 M-FBM timber along the Wolf Creek Highway, between Wolf Creek Camp and Bear Creek, which timber has been felled by a WPA cleanup crew. He advised that unless the logs are sold, it will be necessary to cut them into fuel or burn them, in order to clear the right of way. After discussion the Commission decided to sell this timber to the person submitting the highest bid therefor. The Engineer was instructed to advertise the sale for bids to be received at the next meeting.

A letter from Camas Valley Garden Club, Camas Valley, Oregon, with respect to the improvement of Camas Mountain State Park on the Coos Bay-Roseburg Highway, in Douglas County, was referred to the State Parks Superintendent for reply.

*Map filed Right of Way Abandonment and Retention File - No. 93.

A telegram was presented from H. B. Read, Manager of the Salem Electric Cooperative Association, requesting permission to install an electric power transmission cable on the state highway bridge, between Salem and West Salem, for the transmission of electricity from the Bonneville Power Substation, near West Salem, into Salem. The Commission refused to grant permission for the installation of open wires on the bridge or on poles on the highway right of way; however, authorized the granting of a permit to the association to install the wires on the bridge if they are incased in a lead cable, and if, in the opinion of the Engineer, such type of construction is safe from the public standpoint, otherwise emphatically not. The Engineer advised that there would be no danger if the installation conforms with the National Electric Code. The Commission thereupon authorized the installation subject to such condition.

The Attorney requested authority to condemn certain parcels of real property that are needed for various highway improvements. He submitted a list of such properties with offers, as follows, that he recommended be made for each:

<u>File No.</u>	<u>Name</u>	<u>Purpose Required</u>	<u>Recommended Offer</u>
9129	Helen Allegre	R/W	\$350.00 to \$400.00
9305	Albert M. Rowe	"	20.00 to 25.00
9215	World War Veterans' State Aid Commission	"	53.00 to 60.00
8865	Sallie Kackley	"	290.25 to 300.00
4251A	F. R. Salway	"	558.00 to 575.00
6520	Libbie Maller Estate	"	1587.20+
6521 &	W. M. Rufener	"	576.50+
6522			
6523	Charles Ellis and Inez Maude Taylor	"	1211.00+
6526	Mary E. Ibach	"	1480.00+
6528	Anna H. Duyck, et vir	"	1877.50+
6529	Tongue and Bailey	"	1462.50+

After discussion the Commission approved the offers and adopted the following resolutions authorizing condemnation:

WHEREAS, the State Highway Commission is authorized to locate, relocate, construct, reconstruct, maintain, widen, straighten, and otherwise improve state highways, both primary and secondary, and said Commission is also authorized to construct shops, equipment sheds, office buildings, maintenance sites, patrolmen accommodations, and snow fences, and is authorized to acquire quarry sites, gravel pits, storage sites, stockpile sites, weighing stations, and broadcasting stations, and is further authorized to develop, construct, improve, operate, and maintain parks, parking places, auto camps, camp sites, roadside development, recreational grounds or resorts, and other places of attraction and scenic value; and

WHEREAS, said Highway Commission is authorized to acquire by purchase, agreement, donation, or by the exercise of the power of eminent domain real property, or any interest therein, necessary or deemed by the Highway Commission necessary for the accomplishment of any and all of the foregoing things; and

WHEREAS, in the judgment of the Highway Commission the several tracts or parcels of land hereinafter described are each and all necessary for the specific and particular purposes hereinafter specifically set forth;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the Commission does hereby find and declare that the several parcels of real property hereinafter described are each and all necessary for the accomplishment of the purposes hereinafter expressly and specifically set forth, which said real properties and the specific purposes for which the same are being acquired are described as follows, to wit:

Real property owned by Helen Allegre and C. F. Allegre, which property is located in the southeast quarter (SE $\frac{1}{4}$) of the southeast quarter (SE $\frac{1}{4}$) of Section 19, Township 1 North, Range 10 East, W. M., Hood River County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 1 and is further identified in the records of the Highway Commission as file R 9129, and which property is being acquired for right of way purposes in connection with the Hood River Secondary State Highway No. 281;*

Real property owned by Albert M. Rowe, which property is located in the southwest quarter of Section 10 and the northwest quarter of Section 15, Township 30 South, Range 4 West, W. M., Douglas County, Oregon, and is more particularly described on the attached sheets and designated as Parcels Nos. 2 and 3 and is further identified in the records of the Highway Commission as file R 9305, and which property is being acquired for right of way purposes in connection with the Tiller-Trail Highway;*

Real property owned by the World War Veterans' State Aid Commission, which property is located in the south half (S $\frac{1}{2}$) of the northeast quarter (NE $\frac{1}{4}$) and in the northeast quarter (NE $\frac{1}{4}$) of the southeast quarter (SE $\frac{1}{4}$) of Section 23, Township 30 South, Range 4 West, W. M., Douglas County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 4 and is further identified in the records of the Highway Commission as file R 9215, and which property is being acquired for right of way purposes in connection with the Tiller-Trail Highway;*

Real property owned by Sallie Kackley and H. V. Kackley, which property is located in the Prior F. Blair D.L.C. No. 39 in Section 36, Township 17 South, Range 4 West, W.M., Lane County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 5 and is further identified in the records of the Highway Commission as file R 8865, and which property is being acquired for right of way purposes in connection with the Pacific Highway;*

Real property owned by F. R. Salway, which property is located in Government Lot 4 of Section 5, Township 10 South, Range 11 West, W. M., in Lincoln County, Oregon, and is more particularly described on the attached sheets and designated as Parcels Nos. 6 and 7 and is further identified in the records of the Highway Commission as file R 4251A, and which property is being acquired for right of way purposes in connection with the Oregon Coast Highway.*

2. That the Commission does hereby find and declare that each of the said described parcels of real property is necessary and acquisition of the same by the State is required for the specific purposes hereinabove set forth, and the said properties are being acquired for the express and specific purposes in this resolution set forth.

3. That the State Highway Engineer be and he hereby is instructed and directed to make or cause to be made all surveys necessary in connection with the determination, description, and acquisition of said real properties, and said Engineer is further instructed to prepare and submit to the Legal Department necessary and adequate descriptions of the said real properties, which said descriptions shall be available for the preparation of any deed or deeds or other instrument or instruments necessary to complete the acquisition of said property or properties, whether said properties be acquired by purchase, donation, agreement, or by the exercise of the power of eminent domain.

4. That I. H. Van Winkle, Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they are hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land with respect to the compensation to be paid for the taking of the same and the damage, if there be

*(The detailed descriptions of the respective parcels of real property mentioned in this resolution are attached to the original resolution on file in the office of the State Highway Commission, Salem, being Resolution No. 11, under the heading "Real Property Condemnation Resolutions" and said descriptions by this reference are made a part of this minute entry to the same extent as if copied in full herein.)

any, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby further resolved that the Attorney General of the State of Oregon and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they hereby are requested to commence and prosecute to a final determination such suit or action, or suits or actions, as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

WHEREAS, the State Highway Commission is authorized to locate, relocate, construct, reconstruct, maintain, widen, straighten, and otherwise improve state highways, both primary and secondary, and said Commission is also authorized to construct shops, equipment sheds, office buildings, maintenance sites, patrolmen accommodations, and snow fences, and is authorized to acquire quarry sites, gravel pits, storage sites, stockpile sites, weighing stations, and broadcasting stations, and is further authorized to develop, construct, improve, operate, and maintain parks, parking places, auto camps, camp sites, roadside development, recreational grounds or resorts, and other places of attraction and scenic value; and

WHEREAS, said Highway Commission is authorized to acquire by purchase, agreement, donation, or by the exercise of the power of eminent domain real property, or any interest therein, necessary or deemed by the Highway Commission necessary for the accomplishment of any and all of the foregoing things; and

WHEREAS, that certain highway known and designated as State Highway No. 4', and otherwise known as the Wolf Creek Highway, is a duly designated and adopted state highway; and

WHEREAS, the Highway Commission has heretofore, by resolution duly adopted and entered in the minutes of the Commission, declared said highway to be a highway of major importance and did further find and declare that in connection with the acquisition of real properties for rights of way for said highway there should be acquired also all rights of access from the abutting property to said highway, to which said resolution reference is now made; and

WHEREAS, the Libbie M. Maller Estate is the owner of the following described real property, to wit:

Southwest quarter of the Southeast quarter of Section 29, Township 2 North, Range 3 West, W. M., Washington County, Oregon.

and

WHEREAS, it is the judgment of the Highway Commission that the real property hereinafter described, which is a part or portion of the above described real property, is necessary and needed for right of way and other highway purposes in connection with the construction and maintenance of the said Wolf Creek Highway;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. The Commission does hereby find and declare that the real property hereinafter described, and which real property is a part or portion of the above described real property, is necessary and is needed in connection with the construction and maintenance of the Wolf Creek Highway, which said real property is described as follows, to wit:

A parcel of land lying in the Southwest quarter (SW $\frac{1}{4}$) of the Southeast quarter (SE $\frac{1}{4}$) of Section 29, Township 2 North, Range 3 West, W.M., Washington County, Oregon, and being a portion of the following described property: that tract of land which was conveyed by that certain Will to Libbie M. Maller recorded in Probate No. 2574 of the Probate Records of Washington County, Oregon; the said parcel being all that portion of the foregoing described property included in a strip of land 140 feet in width, 70 feet on each side of the center line of the Wolf Creek Highway as said highway has been located over and across or adjacent to the said property; the location of the said strip of land (in so far as it encroaches upon said property) being determined by the said center line from Station 2302+23.2 to Station 2317+96.6 which portion of center line is described as follows:

Beginning at a point which is Engineer's center line Station 2302+23.2 opposite and 70 feet distant from which point the northeasterly line of the said strip of land intersects the west line of said property; said point being 1638.1 feet south and 37.6 feet west of the center of Section 29, Township 2 North, Range 3 West, W.M.; thence South 51° 48' East a distance of 1356.5 feet; thence along the arc of a spiral curve left (the long chord of which spiral bears South 51° 59' 45" East 216.9 feet) a distance of 216.9 feet to Engineer's Station 2317+96.6 opposite and 70 feet distant from which station the northeasterly line of the said strip of land intersects a line 60 feet distant north of and parallel to the south line of said Section 29, containing 4.58 acres.

2. The Commission does hereby further find and declare that the last above described parcel of real property is needed and required and the appropriation and acquisition of the same is sought under these proceedings for right of way and other highway purposes in connection with the construction, improvement, and maintenance of the said Wolf Creek Highway.

3. The Commission does further find and declare that, in addition to the acquisition of the said last described tract of real property for the purposes herein stated, it is likewise necessary that there be acquired all right of access from the remaining property of the said Libbie M. Maller Estate, except access at approximately engineer's station 2302+75 where there is an existing county road, at engineer's station 2318+00 where there is an existing county road, a farm crossing at a point to be mutually agreed upon by the owners and the State Highway Commission at the most feasible and practicable location, and also a seven-foot stockpass at the most feasible and practicable place to be agreed upon by the owners and the State, which said remaining real property abuts upon or joins the real property last above described and will when said highway is constructed abut upon said highway.

4. That the State Highway Engineer be and he hereby is instructed and directed to make or cause to be made all surveys necessary in connection with the determination, description, and acquisition of said real property, and said Engineer is further instructed to prepare and submit to the Legal Department necessary and adequate descriptions of the said real property, which said descriptions shall be available for the preparation of any deed or deeds or other instrument or instruments necessary to complete the acquisition of said property, whether said property be acquired by purchase, donation, agreement, or by the exercise of the power of eminent domain.

5. That I. H. Van Winkle, Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they are hereby requested, authorized and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement can be reached, then it is hereby further resolved that the Attorney General of the State of Oregon and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission be and they hereby are requested to commence and prosecute to a final determination such suit or action as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated, together with all rights of access from adjoining or abutting property to said highway, except as provided herein.

6. That this resolution be entered in full in the minutes and records of this Commission

WHEREAS, the State Highway Commission is authorized to locate, relocate, construct, reconstruct, maintain, widen, straighten, and otherwise improve state highways, both primary and secondary, and said Commission is also authorized to construct shops, equipment sheds, office buildings, maintenance sites, patrolmen accommodations, and snow fences, and is authorized to acquire quarry sites, gravel pits, storage sites, stockpile sites, weighing stations, and broadcasting stations, and is further authorized to develop, construct, improve, operate, and maintain parks, parking places, auto camps, camp sites, roadside development, recreational grounds or resorts, and other places of attraction and scenic value; and

WHEREAS, said Highway Commission is authorized to acquire by purchase, agreement, donation, or by the exercise of the power of eminent domain real property, or any interest therein, necessary or deemed by the Highway Commission necessary for the accomplishment of any and all of the foregoing things; and

WHEREAS, that certain highway known and designated as State Highway No. 47, and otherwise known as the Wolf Creek Highway, is a duly designated and adopted state highway; and

WHEREAS, the Highway Commission has heretofore, by resolution duly adopted and entered in the minutes of the Commission, declared said highway to be a highway of major importance and did further find and declare that in connection with the acquisition of real properties for rights of way for said highway there should be acquired also all rights of access from the abutting property to said highway, to which said resolution reference is now made; and

WHEREAS, Stella C. Armentrout and B. W. Armentrout are the owners and W. M. Rufener is the contract purchaser of the following described real property, to wit:

Beginning at a point in the County Road 9.25 chains west from the northeast corner of Section 32, Township 2 North, Range 3 West, Willamette Meridian, in Washington County, Oregon, thence west 10.75 chains to the northeast corner of a 40 acre tract of land now owned by Wade Armentrout; thence south on his east line 19.74 chains; thence south 48° west 8.52 chains; thence north 47° 45' West 18.24 chains; thence north 12.65 chains to the northwest corner of said 40 acre tract in the county road; thence west 1.25 chains; thence south 40.65 chains to the south line of the north half of said Section 32; thence north 89° 17' East 31.75 chains; thence north 40 chains to the place of

beginning, containing 88 acres. Also it being part of Section 32 in Township 2 North of Range 3 West of the Willamette Meridian and commencing at the quarter section corner between said Section 32 and Section 29 in said Township and Range and running thence south 12.65 chains; thence south $47^{\circ} 45'$ East 18.24 chains; thence north 48° East 8.52 chains; thence North 19.74 chains; thence west 20.09 chains to the place of beginning, containing 40 acres of land be the same more or less,

and

WHEREAS, it is the judgment of the Highway Commission that the real property hereinafter described, which is a part or portion of the above described real property, is necessary and needed for right of way and other highway purposes in connection with the construction and maintenance of the said Wolf Creek Highway;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. The Commission does hereby find and declare that the real property hereinafter described, and which real property is a part or portion of the above described real property, is necessary and is needed in connection with the construction and maintenance of the Wolf Creek Highway, which said real property is described as follows, to wit:

A parcel of land lying in the north half ($N\frac{1}{2}$) of the northeast quarter ($NE\frac{1}{4}$) of Section 32, Township 2 North, Range 3 West, W. M., Washington County, Oregon; the said parcel being all that portion of the foregoing described property included in a strip of land 140 feet in width, 70 feet on each side of the center line of the Wolf Creek Highway as said highway has been located over and across or adjacent to the said property; the location of the said strip of land (in so far as it encroaches upon said property) being determined by the said center line from Station 2318+10 to Station 2328+30.2, which portion of center line is described as follows:

Beginning at a point which is Engineer's center line Station 2318+10, opposite and 70 feet distant from which point the southwesterly line of the said strip of land intersects a line which is parallel to and 60 feet distant south of the north line of said Section 32; said point being 2.7 feet south and 122.5 feet west of the northeast corner of the northwest quarter ($NW\frac{1}{4}$) of the northeast quarter ($NE\frac{1}{4}$) of Section 32, Township 2 North, Range 3 West,

W.M.; thence along the arc of a spiral curve left (the long chord of which spiral bears South $53^{\circ} 04' 15''$ East 169.68 feet) a distance of 169.7 feet; thence along the arc of a 5729.58 foot radius curve left (the long chord of which curve bears South $56^{\circ} 51'$ East 609.74 feet) a distance of 610.0 feet; thence along the arc of a spiral curve left (the long chord of which spiral bears South $60^{\circ} 51' 40''$ East 240.5 feet) a distance of 240.5 feet to Engineer's Station 2328+30.2, opposite and 70 feet distant from which station the southwesterly line of the said strip of land intersects the east line of said property; containing 2.86 acres of land.

2. The Commission does hereby further find and declare that the last above described parcel of real property is needed and required and the appropriation and acquisition of the same is sought under these proceedings for right of way and other highway purposes in connection with the construction, improvement, and maintenance of the said Wolf Creek Highway.

3. The Commission does further find and declare that, in addition to the acquisition of the said last described tract of real property for the purposes herein stated, it is likewise necessary that there be acquired all right of access from the remaining property of the said owners and the contract purchaser, except access at Engineer's station 2318+00 where there is an existing county road, which said remaining real property abuts upon or joins the real property last above described and will, when said highway is constructed, abut upon said highway.

4. That the State Highway Engineer be and he hereby is instructed and directed to make or cause to be made all surveys necessary in connection with the determination, description, and acquisition of said real property, and said Engineer is further instructed to prepare and submit to the Legal Department necessary and adequate descriptions of the said real property, which said descriptions shall be available for the preparation of any deed or deeds or other instrument or instruments necessary to complete the acquisition of said property, whether said property be acquired by purchase, donation, agreement, or by the exercise of the power of eminent domain.

5. That I. H. Van Winkle, Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they are hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement can be reached, then it is hereby further resolved that the Attorney General of the

State of Oregon and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they hereby are requested to commence and prosecute to a final determination such suit or action as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated, together with all rights of access from adjoining or abutting property to said highway, except as provided herein.

6. That this resolution be entered in full in the minutes and records of this commission.

WHEREAS, the State Highway Commission is authorized to locate, relocate, construct, reconstruct, maintain, widen, straighten, and otherwise improve state highways, both primary and secondary, and said Commission is also authorized to construct shops, equipment sheds, office buildings, maintenance sites, patrolmen accommodations, and snow fences, and is authorized to acquire quarry sites, gravel pits, storage sites, stockpile sites, weighing stations, and broadcasting stations, and is further authorized to develop, construct, improve, operate, and maintain parks, parking places, auto camps, camp sites, roadside development, recreational grounds or resorts, and other places of attraction and scenic value; and

WHEREAS, said Highway Commission is authorized to acquire by purchase, agreement, donation, or by the exercise of the power of eminent domain real property, or any interest therein, necessary or deemed by the Highway Commission necessary for the accomplishment of any and all of the foregoing things; and

WHEREAS, that certain highway known and designated as State Highway No. 47, and otherwise known as the Wolf Creek Highway, is a duly designated and adopted state highway; and

WHEREAS, the Highway Commission has heretofore, by resolution duly adopted and entered in the minutes of the Commission, declared said highway to be a highway of major importance and did further find and declare that in connection with the acquisition of real properties for rights of way for said highway there should be acquired also all rights of access from the abutting property to said highway, to which said resolution reference is now made; and

WHEREAS, Charles Ellis Taylor and Inez Maude Taylor are the owners of the following described real property, to wit:

All the following bounded and described real property, situated in the County of Washington, and State of Oregon; being part of Section 33, Township 2 North, Range 3 West, Willamette Meridian, and bounded as follows: Beginning at

the quarter section corner on the west boundary of said section 33, running thence East 14.80 chains to western boundary of the J. L. Northrop donation claim, thence South 1° 24' East 32.22 chains to a stone the northeast corner of a tract of land heretofore conveyed to Geo. Armentrout, thence west 15.31 chains to the western boundary of aforesaid Section 33, thence north on section line 32.12 chains to place of beginning containing 48.37 acres, and also, beginning at the northeast corner of Section 32, Township 2 North, Range 3 West, Willamette Meridian, Washington County, Oregon, thence east 19.99 chains to a stake in the county road on the north line of Section 33, thence south 12.39 chains to a stake on the north line of the Donation Land Claim of John L. Northrup; thence on the north line of said claim 6.37 chains to the northwest corner of the same; thence south 2° 30' east on the west line of said claim 27.61 chains to a stake; thence south 89° 17' west 24.05 chains to a stake; thence north 40 chains to the county road on the north line of section 32; thence east 9.25 chains to the place of beginning, containing 101.31 acres.

and

WHEREAS, it is the judgment of the Highway Commission that the real property hereinafter described, which is a part or portion of the above described real property, is necessary and needed for right of way and other highway purposes in connection with the construction and maintenance of the said Wolf Creek Highway;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. The Commission does hereby find and declare that the real property hereinafter described, and which real property is a part or portion of the above described real property, is necessary and is needed in connection with the construction and maintenance of the Wolf Creek Highway, which said real property is described as follows, to wit:

A parcel of land lying in the East half ($E\frac{1}{2}$) of the Northeast quarter ($NE\frac{1}{4}$) of the Northeast quarter ($NE\frac{1}{4}$) of Section 32 and the West half ($W\frac{1}{2}$) of the Northwest quarter ($NW\frac{1}{4}$) of Section 33, Township 2 North, Range 3 West, W.M., Washington County, Oregon, and being a portion of the following described property: that tract of land which was conveyed by that certain deed to Charles Ellis Taylor and Inez M. Taylor, recorded in Book 159, Page 656 of Washington County Record of Deeds, the said parcel being all that

portion of the foregoing described property included in a strip of land 140 feet in width 70 feet on each side of the center line of the Wolf Creek Highway as said highway has been located over and across or adjacent to the said property; the location of the said strip of land (in so far as it encroaches upon said property) being determined by the said center line from Station 2327+57 to Station 2345+78, which portion of center line is described as follows:

Beginning at a point which is Engineer's center line Station 2327+57 opposite and 70 feet distant from which point the northeasterly line of the said strip of land intersects the west line of said property; said point being 305.5 feet north and 1545.4 feet west of the northwest corner of the John L. Northrup D.L.C. #44 in Township 2 North, Range 3 West, W. M.; thence along the arc of a spiral curve left (the long chord of which spiral bears South 61° 40' 30" East 232.7 feet) a distance of 232.7 feet; thence South 61° 54' East a distance of 1588.3 feet to Engineer's Station 2345+78; opposite and 70 feet distant from which station the southerly line of the said strip of land intersects the west line of the J. L. Northrup D.L.C. #44.

The parcel of land to which this description applies contains 5.61 acres.

2. The Commission does hereby further find and declare that the last above described parcel of real property is needed and required and the appropriation and acquisition of the same is sought under these proceedings for right of way and other highway purposes in connection with the construction, improvement, and maintenance of the said Wolf Creek Highway.

3. The Commission does further find and declare that, in addition to the acquisition of the said last described tract of real property for the purposes herein stated, it is likewise necessary that there be acquired all right of access from the remaining property of the Charles Ellis Taylor and Inez Maude Taylor, except right of access at approximately state highway engineer's station 2333+50, and a seven-foot stockpass beneath the surface of the highway at approximately engineer's station 2343+00, which said remaining real property abuts upon or joins the real property last above described and will, when said highway is constructed, abut upon said highway.

4. That the State Highway Engineer be and he hereby is instructed and directed to make or cause to be made all surveys necessary in connection with the determination, description, and

acquisition of said real property, and said Engineer is further instructed to prepare and submit to the Legal Department necessary and adequate descriptions of the said real property, which said descriptions shall be available for the preparation of any deed or deeds or other instrument or instruments necessary to complete the acquisition of said property, whether said property be acquired by purchase, donation, agreement, or by the exercise of the power of eminent domain.

5. That I. H. Van Winkle, Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they are hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel of land with respect to the compensation to be paid for the taking of the same and the damage, if any there be, and in the event that no satisfactory agreement can be reached, then it is hereby further resolved that the Attorney General of the State of Oregon and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they hereby are requested to commence and prosecute to a final determination such suit or action as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated, together with all rights of access from adjoining or abutting property to said highway, except as provided herein.

6. That this resolution be entered in full in the minutes and records of this Commission.

WHEREAS, the State Highway Commission is authorized to locate, relocate, construct, reconstruct, maintain, widen, straighten, and otherwise improve state highways, both primary and secondary, and said Commission is also authorized to construct shops, equipment sheds, office buildings, maintenance sites, patrolmen accommodations, and snow fences, and is authorized to acquire quarry sites, gravel pits, storage sites, stockpile sites, weighing stations, and broadcasting stations, and is further authorized to develop, construct, improve, operate, and maintain parks, parking places, auto camps, camp sites, roadside development, recreational grounds or resorts, and other places of attraction and scenic value; and

WHEREAS, said Highway Commission is authorized to acquire by purchase, agreement, donation, or by the exercise of the power of eminent domain real property, or any interest therein, necessary or deemed by the Highway Commission necessary for the accomplishment of any and all of the foregoing things; and

WHEREAS, that certain highway known and designated as State Highway No. 47, and otherwise known as the Wolf Creek Highway, is a duly designated and adopted state highway; and

WHEREAS, the Highway Commission has heretofore, by resolution duly adopted and entered in the minutes of the Commission, declared said highway to be a highway of major importance and did further find and declare that in connection with the acquisition of real properties for rights of way for said highway there should be acquired also all rights of access from the abutting property to said highway, to which said resolution reference is now made; and

WHEREAS, Mary E. Ibach, et al, are the owners of the following described real property, to wit:

Commencing at the northwest corner of the original Donation Land Claim of John L. Northrup and wife in Section 33, Township 2 North, Range 3 West, of the Willamette Meridian, Washington County, Oregon, and running thence south on west line of said claim 40 chains, thence east and parallel with north line of said claim 25 chains, thence north 40 chains to the north boundary line of said claim, thence west on said boundary line 25 chains to the place of beginning, containing 100 acres.

and

WHEREAS, it is the judgment of the Highway Commission that the real property hereinafter described, which is a part or portion of the above described real property, is necessary and needed for right of way and other highway purposes in connection with the construction and maintenance of the said Wolf Creek Highway;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. The Commission does hereby find and declare that the real property hereinafter described, and which real property is a part or portion of the above described real property, is necessary and is needed in connection with the construction and maintenance of the Wolf Creek Highway, which said real property is described as follows, to wit:

A parcel of land lying in the J. L. Northrup D.L.C. No. 44 in Section 33, Township 2 North, Range 3 West, W. M., Washington County, Oregon, and being a portion of the following described property: that tract of land which was conveyed by that certain will to Mary E. Ibach, et al, recorded in Probate No. 3948 of the Probate Records of Washington County, Oregon; the said parcel being all that portion of the foregoing described property included in a strip of land 140 feet in width, 70 feet on each side of

the center line of the Wolf Creek Highway as said highway has been located over and across or adjacent to the said property; the location of the said strip of land (in so far as it encroaches upon said property) being determined by the said center line from Station 2344+98 to Station 2364+69.3 which portion of center line is described as follows:

Beginning at a point which is Engineer's center line Station 2344+98 opposite and 70 feet distant from which point the northerly line of the said strip of land intersects the west line of the J. L. Northrup D.L.C.; said point being 510 feet south and 20 feet west of the northwest corner of said Northrup D.L.C. No. 44, Township 2 North, Range 3 West, W.M.; thence South 61° 53' East a distance of 1971.3 feet to Station 2364+69.3 opposite and 70 feet distant from which station the southerly line of said strip of land intersects the east line of the said property.

The parcel of land to which this description applies contains 6.08 acres, of which 0.08 acre lies within the existing county road right of way, title to which hereby is acknowledged to be in the public, and 6.00 acres lie outside of the existing right of way.

2. The Commission does hereby further find and declare that the last above described parcel of real property is needed and required and the appropriation and acquisition of the same is sought under these proceedings for right of way and other highway purposes in connection with the construction, improvement, and maintenance of the said Wolf Creek Highway.

3. The Commission does further find and declare that, in addition to the acquisition of the said last described tract of real property for the purposes herein stated, it is likewise necessary that there be acquired all right of access from the remaining property of the said Mary E. Ibach, et al, except access at approximately state highway engineer's station 2352+00, and a seven-foot stockpass beneath the surface of the highway at engineer's station 2348+00, which said remaining real property abuts upon or joins the real property last above described and will, when said highway is constructed, abut upon said highway.

4. That the State Highway Engineer be and he hereby is instructed and directed to make or cause to be made all surveys necessary in connection with the determination, description, and acquisition of said real property, and said Engineer is further instructed to prepare and submit to the Legal Department necessary and adequate description of the said real property, which said descriptions shall be available

for the preparation of any deed or deeds or other instrument or instruments necessary to complete the acquisition of said property, whether said property be acquired by purchase, donation, agreement, or by the exercise of the power of eminent domain.

5. That I. H. Van Winkle, Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they are hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement can be reached, then it is hereby further resolved that the Attorney General of the State of Oregon and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they hereby are requested to commence and prosecute to a final determination such suit or action as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated, together with all rights of access from adjoining or abutting property to said highway, except as provided herein.

6. That this resolution be entered in full in the minutes and records of this Commission.

WHEREAS, the State Highway Commission is authorized to locate, relocate, construct, reconstruct, maintain, widen, straighten, and otherwise improve state highways, both primary and secondary, and said Commission is also authorized to construct shops, equipment sheds, office buildings, maintenance sites, patrolmen accommodations, and snow fences, and is authorized to acquire quarry sites, gravel pits, storage sites, stockpile sites, weighing stations, and broadcasting stations, and is further authorized to develop, construct, improve, operate, and maintain parks, parking places, auto camps, camp sites, roadside development, recreational grounds or resorts, and other places of attraction and scenic value; and

WHEREAS, said Highway Commission is authorized to acquire by purchase, agreement, donation, or by the exercise of the power of eminent domain real property, or any interest therein, necessary or deemed by the Highway Commission necessary for the accomplishment of any and all of the foregoing things; and

WHEREAS, that certain highway known and designated as State Highway No. 47, and otherwise known as the Wolf Creek Highway, is a duly designated and adopted state highway; and

WHEREAS, the Highway Commission has heretofore, by resolution duly adopted and entered in the minutes of the Commission,

declared said highway to be a highway of major importance and did further find and declare that in connection with the acquisition of real properties for rights of way for said highway there should be acquired also all rights of access from the abutting property to said highway, to which said resolution reference is now made; and

WHEREAS, Emil H. Duyck and Anna H. Duyck are the owners of the following described real property, to wit:

Beginning at a point on the east line of the said John Northrup D.L.C. No.44, which beginning points bears South 0° 40' West 891.6 feet from the most easterly north-east corner of said claim, and running thence South 0° 40' West along the east line of said claim a distance of 754.7 feet to a stone at angular corner on east boundary line of said Northrup claim; thence continuing along the east boundary of said Northrup claim South 13° 45' West a distance of 1528.6 feet to the southeast corner of Henry Duyck's land in said claim, thence South 89° 58' West along the south boundary of said Duyck land a distance of 1506.0 feet to an iron pipe at the southwest corner of said Duyck land, thence North along west boundary of said Duyck land a distance of 2310.0 feet to a point in the center of County Road No. 60, thence South 87° 52' East along center of said road and along said center line extended, a distance of 1879.4 feet to the place of beginning, containing 91.67 acres.

and

WHEREAS, it is the judgment of the Highway Commission that the real property hereinafter described, which is a part or portion of the above described real property, is necessary and needed for right of way and other highway purposes in connection with the construction and maintenance of the said Wolf Creek Highway;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. The Commission does hereby find and declare that the real property hereinafter described, and which real property is a part or portion of the above described real property, is necessary and is needed in connection with the construction and maintenance of the Wolf Creek Highway, which said real property is described as follows, to wit:

A parcel of land lying in the northeast quarter ($NE\frac{1}{4}$) of the southeast quarter ($SE\frac{1}{4}$) of Section 33 and in the west half ($W\frac{1}{2}$) of the southwest quarter ($SW\frac{1}{4}$) of Section 34, Township 2 North, Range 3 West, W.M., Washington

County, Oregon, and being a portion of the following described property: that tract of land which was conveyed by that certain deed to Anna H. Duyck and Emil H. Duyck, recorded in Book 149, Page 406 of Washington County Record of Deeds; the said parcel being all that portion of the foregoing described property included in a strip of land 140 feet in width, 70 feet on each side of the center line of the Wolf Creek Highway as said highway has been located over and across or adjacent to the said property; the location of the said strip of land (in so far as it encroaches upon said property) being determined by the said center line from Station 2385+92.8 to Station 2405+22 which portion of center line is described as follows:

Beginning at a point which is Engineer's center line Station 2385+92.8 opposite and 70 feet distant from which point the northeasterly line of the said strip of land intersects the west line of said property; said point being 13 feet north and 1904 feet west of the northwest corner of the John Harrison D.L.C. No. 37 in Township 2 North, Range 3 West, W.M.; thence South 61° 53' East a distance of 1929.2 feet to Engineer's Station 2405+22 opposite and 70 feet distant from which station the southerly line of the said strip of land intersects the east line of the John L. Northrup D.L.C. No. 44.

The parcel of land to which this description applies contains 6.02 acres.

2. The Commission does hereby further find and declare that the last above described parcel of real property is needed and required and the appropriation and acquisition of the same is sought under these proceedings for right of way and other highway purposes in connection with the construction, improvement, and maintenance of the said Wolf Creek Highway.

3. The Commission does further find and declare that, in addition to the acquisition of the said last described tract of real property for the purposes herein stated, it is likewise necessary that there be acquired all right of access from the remaining property of the said Emil H. Duyck and Anna H. Duyck, except access at approximately state highway engineer's station 2389+00, a seven-foot stockpass beneath the surface of the highway at the most feasible and convenient location, and also access at highway engineer's station 2386+30 where there is now a lane or public highway, which said remaining real property abuts upon or joins the real property last above described and will, when said highway is constructed, abut upon said highway.

4. That the State Highway Engineer be and he hereby is instructed and directed to make or cause to be made all surveys

necessary in connection with the determination, description, and acquisition of said real property, and said Engineer is further instructed to prepare and submit to the Legal Department necessary and adequate descriptions of the said real property, which said descriptions shall be available for the preparation of any deed or deeds or other instrument or instruments necessary to complete the acquisition of said property, whether said property be acquired by purchase, donation, agreement, or by the exercise of the power of eminent domain.

5. That I. H. Van Winkle, Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they are hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement can be reached, then it is hereby further resolved that the Attorney General of the State of Oregon and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they hereby are requested to commence and prosecute to a final determination such suit or action as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated, together with all rights of access from adjoining or abutting property to said highway, except as provided herein.

6. That this resolution be entered in full in the minutes and records of this Commission.

WHEREAS, the State Highway Commission is authorized to locate, relocate, construct, reconstruct, maintain, widen, straighten, and otherwise improve state highways, both primary and secondary, and said Commission is also authorized to construct shops, equipment sheds, office buildings, maintenance sites, patrolmen accommodations, and snow fences, and is authorized to acquire quarry sites, gravel pits, storage sites, stockpile sites, weighing stations, and broadcasting stations, and is further authorized to develop, construct, improve, operate, and maintain parks, parking places, auto camps, camp sites, roadside development, recreational grounds or resorts, and other places of attraction and scenic value; and

WHEREAS, said Highway Commission is authorized to acquire by purchase, agreement, donation, or by the exercise of the power of eminent domain real property, or any interest therein, necessary or deemed by the Highway Commission necessary for the accomplishment of any and all of the foregoing things; and

WHEREAS, that certain highway known and designated as State Highway No. 47, and otherwise known as the Wolf Creek Highway, is a duly designated and adopted state highway; and

WHEREAS, the Highway Commission has heretofore, by resolution duly adopted and entered in the minutes of the Commission, declared said highway to be a highway of major importance and did further find and declare that in connection with the acquisition of real properties for rights of way for said highway there should be acquired also all rights of access from the abutting property to said highway, to which said resolution reference is now made; and

WHEREAS, Edmund Burke Tongue, Jr. and Robert S. Tongue, et al, are the owners of the following described real property, to wit:

Commencing at the northeast corner of the Donation Land Claim of John and Mary Harrison in Section 35, Township 2 North, Range 3 West; running thence South $12^{\circ} 30'$ West 22.85 chains; thence North $77^{\circ} 30'$ West 70 chains; thence North $12^{\circ} 30'$ East 22.85 chains; thence South $77^{\circ} 30'$ East 70 chains to the place of beginning, containing 160 acres of land in the County of Washington, State of Oregon.

and

WHEREAS, it is the judgment of the Highway Commission that the real property hereinafter described, which is a part or portion of the above described real property, is necessary and needed for right of way and other highway purposes in connection with the construction and maintenance of the said Wolf Creek Highway;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. The Commission does hereby find and declare that the real property hereinafter described, and which real property is a part or portion of the above described real property, is necessary and is needed in connection with the construction and maintenance of the Wolf Creek Highway, which said real property is described as follows, to wit:

A parcel of land lying in the south half ($S\frac{1}{2}$) of the southwest quarter ($SW\frac{1}{4}$) and in the southwest quarter ($SW\frac{1}{4}$) of the southeast quarter ($SE\frac{1}{4}$) of Section 34, Township 2 North, Range 3 West, W. M., Washington County, Oregon, and being a portion of the following described property: that tract of land which was conveyed by that certain deed to Edmund Burke Tongue, Jr., and Robert S. Tongue recorded in

Book 179, Page 683, of Washington County Record of Deeds; the said parcel being all that portion of the foregoing described property included in a strip of land 140 feet in width, 70 feet on each side of the center line of the Wolf Creek Highway as said highway has been located over and across or adjacent to the said property; the location of the said strip of land (in so far as it encroaches upon said property) being determined by the said center line from Station 2404+86.2 to Station 2430+92.6, which portion of center line is described as follows:

Beginning at a point which is Engineer's center line Station 2404+86.2 opposite and 70 feet distant from which point the northeasterly line of the said strip of land intersects the west line of the J. Harrison D.L.C.No. 37; said point being 879 feet south and 234 feet west of the northwest corner of the said D.L.C. in Township 2 North, Range 3 West, W. M.; thence South 61° 53' East a distance of 2606.4 feet to Engineer's Station 2430+92.6, opposite and 70 feet distant from which station the northeasterly line of the said strip of land intersects the south line of said property.

The parcel of land to which this description applies contains 7.48 acres.

2. The Commission does hereby further find and declare that the last above described parcel of real property is needed and required and the appropriation and acquisition of the same is sought under these proceedings for right of way and other highway purposes in connection with the construction, improvement, and maintenance of the said Wolf Creek Highway.

3. The Commission does further find and declare that, in addition to the acquisition of the said last described tract of real property for the purposes herein stated, it is likewise necessary that there be acquired all right of access from the remaining property of the said owners, except access at approximately Engineer's Station 2418+00, which said remaining real property abuts upon or joins the real property last above described and will when said highway is constructed abut upon said highway.

4. That the State Highway Engineer be and he hereby is instructed and directed to make or cause to be made all surveys necessary in connection with the determination, description, and acquisition of said real property, and said Engineer is further instructed to prepare and submit to the Legal Department necessary and adequate descriptions of the said real property, which said descriptions shall be available for the preparation of any deed or deeds or other instrument or instruments necessary to complete

the acquisition of said property, whether said property be acquired by purchase, donation, agreement, or by the exercise of the power of eminent domain.

5. That I. H. Van Winkle, Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they are hereby requested, authorized and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement can be reached, then it is hereby further resolved that the Attorney General of the State of Oregon and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission be and they hereby are requested to commence and prosecute to a final determination such suit or action as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated, together with all rights of access from adjoining or abutting property to said highway, except as provided herein.

6. That this resolution be entered in full in the minutes and records of this Commission

The Attorney reported receipt of a claim from Mr. H. D. Ritchey, owner of the Depoe Bay Service Station, for damages by reason of improvement of the Oregon Coast Highway at Depoe Bay. It appears that additional right of way was purchased from Mr. Ritchey and during negotiations he was informed that the grade of the highway would be only two feet below the level of the adjacent property; however, it now appears that the highway is six feet below, which is detrimental to Mr. Ritchey's business. The Attorney gave as his thought that Mr. Ritchey's claim is a legitimate one and suggested an adjustment. The Commission authorized the Attorney to negotiate a settlement.

The Attorney requested instructions relative to the payment of an irrigation assessment on the highway department's shop property at Klamath Falls, amounting to \$14.00. He advised that this is an original construction assessment and the Commission can pay it if it so desires. It was his thought that this is a state obligation, and recommended that the amount be paid. The Commission approved the recommendation.

Reconsideration was given by the Commission to the matter of replying to the circular letter sent to all state highway department employees by Mr. W. W. Currier, Maintenance Section Foreman, in which letter the suggestion was made that all such employees should form an association for their benefit. After discussion the Commission approved the following letter relative thereto

and instructed the Engineer to send a copy of the same to each employe of the State Highway Department; also, to discuss this matter with Mr. Currier personally:

The State Highway Commission has read and taken note of the letter recently sent you by an employe of the Maintenance Division of the State Highway Department with relation to the formation of a state employes' organization. The object of the organization, as we understand it, would be to seek to better the condition of the maintenance employes of the State Highway Department.

The State Highway Commission has directed me to advise you of the position of the State Highway Commission with relation to an organization of this kind.

The State Highway Commission has no objection to its employes joining any organization they elect to join, provided such organization is in no way subversive or inimical to the public interest, and further provided that employes do not individually or as an organization take an active part in politics. Activity in politics by State Highway Department employes is prohibited by the Federal Hatch Act and by the regulations of the State Highway Commission.

Employes are cautioned against forming an organization which has as its objective the maintenance of a lobby before the legislature, because, in the opinion of the State Highway Commission, this would be a violation of its prohibition against political activities. The Commission will not tolerate the introduction of any activity, which is deemed political in nature, into the organization of the State Highway Department. Employes should remember that for years the State Highway Department has been a nonpolitical organization which, in a large measure, is responsible for the long tenure in office of the employes.

The hiring, promotion and retention of the regular employes of the State Highway Department are controlled through the application of an honest merit system, which is a further protection to the employe who seeks to rise in the organization through the merits of his own work. Every attempt is made to keep this merit system functioning on an efficient and equitable basis. The Commission, as in the past, will employ, promote and discharge on the basis of merit and without dictation from any group.

The Commission discussed and ordered filed a letter signed by sixty residents of Port Orford in which they state their willingness to jointly subscribe to a fund to pay for new right of way for the Oregon Coast Highway across the Orris Knapp property at Port Orford, over and above the \$10,000 which the Commission has heretofore offered Mr. Knapp for this property, such offer being made so as to avoid postponement of the Port Orford South improvement.

The Engineer presented a list of surveys that he has ordered since the last meeting of the Commission, and asked the Commission to confirm them and the amounts allocated for each. After due consideration the Commission authorized and instructed the Engineer to make such location surveys on various sections of the highways of this state, which said sections of highways, together with their identifying survey numbers and the amounts authorized and allocated for such survey expenditures are as follows:

Right of Way - - 3-1430 - Milwaukie Section, Pacific Highway East, Clackamas County. 1st authorization - \$50

Plans - - - - - 6-1424 - China Creek Slide Section, Oregon Coast Highway, Coos County. 1st authorization - \$300

Plans - - - - - 8-1415 - Gold Beach Section, Oregon Coast Highway, Curry County. 1st authorization - \$600

Quarry - - - - - 9-1426 - Bend-Chemult Section, The Dalles-California Highway, Deschutes County. 3d authorization - \$1400
Total to date \$2800

Plans - - - - - 210-1432 - Oak Creek-Marks Ranch Section, North Umpqua County Road, in Douglas County. 1st authorization - \$125

Plans - - - - - 114-1419 - Odell Section, Odell Secondary Highway #282, Hood River County. 1st authorization - \$1500

Plans - - - - - 15-1428 - Ashland Plaza Section, Pacific Highway, Jackson County. 1st authorization - \$350

Plans - - - - - 18-1454 - Link River Section, The Dalles-California Highway, Klamath County. 1st authorization - \$100

Location - - - - 18-1455 - Pelican City-Henley Section, Klamath Falls-Malin Highway, Klamath Co. 1st authorization - \$9000

Quarry - - - - - 21-1447 - Lincoln County Section, Alsea, Oregon Coast & Newport Hwys, Lincoln Co. 1st authorization - \$200

Quarry - - - - - 121-1448 - Lincoln County Section, Siletz & Eddyville-Blodgett Secon. Hwys., Lincoln Co. 1st authorization - \$200

Right of Way - 21-1449 - Depoe Bay Section, Oregon Coast Highway, Lincoln County. 1st authorization - \$50

Plans - - - - - 21-1441 - Scott Creek-Benton County Line Section, Alsea Highway, Lincoln Co. 2nd authorization - \$850
Total to date \$6500.

Right of Way - 22-1434 - Albany Section, Pacific Highway East, Linn County. 1st authorization - \$350

Location - - - 23-1425 - Baker County Line-Ontario Section, Old Oregon Trail,
Malheur County. 1st authorization - \$13,000

Plans - - - - 23-1426 - Nyssa Section, Old Oregon Trail, Malheur County.
1st authorization - \$600

Right of Way - 124-1440 - Detroit-Marion Creek Section, North Santiam Highway,
Marion County. 1st authorization - \$500

Plans - - - - 26-1449 - Front Avenue Section, Pacific Highway West, Multno-
mah County. 1st authorization - \$500

Plans - - - - 130-1432 - Helix Junction-Athena Section, Athena-Holdman Second-
ary Hwy., Umatilla Co. 1st authorization - \$900

Location - - - 230-1433 - Pendleton Air Base Section, Pendleton Air Base Road,
Umatilla County. 1st authorization - \$200

Plans - - - - 230-1434 - Ordnance Depot Grade Separation, Boardman-Stanfield
Highway, Umatilla County. 1st authorization - \$400

Plans - - - - 230-1433 - Pendleton Air Base Section, Pendleton Air Base Road,
Umatilla County. 2nd authorization - \$750
Total to date \$950.

Plans - - - - 133-1429 - Antelope-Clarno Section, Shaniko-Fossil Secondary
Hwy., Wasco County. 1st authorization - \$250

Marking Non- - 5803-702 General. - Nine Highways. 1st authorization - \$2000
Passing Line

The Commission had under discussion a letter from contractors Leonard & Slate requesting an extension of time, from November 15, 1940, to March 4, 1941, within which to complete their contract No. 2328, for construction of the Middleton-Newberg Roadside Improvement Project on the Pacific Highway West, in Washington and Yamhill Counties. They attributed their failure to complete the project within the specified time limit to difficulties encountered by a subcontractor in obtaining planting material. The Engineer advised that this contract was awarded on June 13, 1940, and called for completion by November 15, 1940; however, on account of drought, it was impossible to plant evergreens until October 24, 1940. It was his thought that all of the work should have been completed by December 1, 1940, and in view thereof he recommended that the extension of time requested be granted subject to the condition that Leonard & Slate reimburse the state for extra engineering expense incurred in connection with this job subsequent to December 1, 1940. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

The Engineer reported that contracts Nos. 2328, 2340, 2358, 2386, 2417 and 2425, for the construction of state highway projects, have been completed according to the requirements of the contracts or modifications thereof, and that said jobs are now ready for acceptance. The following resolution accepting the above projects was offered and was adopted by the unanimous vote of the Commission:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts and said jobs are now ready for acceptance:

Contract No. 2328, with Leonard & Slate, for roadside improvement on the Middleton-Newberg Section of the Pacific Highway West, in Washington and Yamhill Counties. Completed March 4, 1941.

Contract No. 2340, with United Contracting Company, for grading and paving the Corvallis-Lincoln School Section of the Pacific Highway West, in Benton County. Completed April 21, 1941.

Contract No. 2358, with Leonard & Slate, for grading and bridges on the Keating Road-Ruckles Creek Section of the Baker-Homestead Highway, in Baker County. Completed April 28, 1941.

Contract No. 2386, with E. L. Gates, for roadside improvement on the Cottage Grove Section of the Pacific Highway, in Lane County. Completed April 30, 1941.

Contract No. 2417, with E. L. Gates, for roadside improvement on the Klamath Agency-Modoc Point Section of The Dalles-California Highway, in Klamath County. Completed March 29, 1941.

Contract No. 2425, with M. L. O'Neil & Son, for furnishing 8,900 cu. yds. crushed materials in stock piles on the Florence Section of the Oregon Coast and Siuslaw Highways, in Lane County. Completed April 9, 1941.

THEREFORE, BE IT RESOLVED that the work covered by said state highway contracts for the construction of said state highway projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

The Commission considered and signed agreements, et cetera, as follows:

Agreement with Douglas County providing for maintenance by the county of a section of the North Umpqua Highway, from a point 4.1 miles northeast of Dixonville to a point approximately 4 miles west of Glide, after construction of the same by the state as a federal aid secondary highway, being designated as Oregon Project PAS 14-D(1).

Agreement with Morrow County providing for the oiling of an 0.8 mile section of the Ione-Gooseberry Road, work to be done by the state, cost to be paid by the county.

Agreement with Nettie E. Baker providing for the leasing of a maintenance headquarters site at Dufur, Wasco County.

Agreement with the O.W.R. & N. Company and the Union Pacific Railroad Company covering the construction of an overcrossing structure on the Boardman-Stanfield Highway, at Stanfield.

Agreement with the United States Department of Interior, Taylor Grazing Administration, covering construction of a pipe line and concrete troughs on the Baker-Homestead Highway, Baker County, to eliminate stock pass.

Agreement with the Portland General Electric Company covering the furnishing of electric service at Silver Creek Falls State Park.

Agreement with James W. Ford, Jr., extending the lease of a C.C.C. headquarters at Honeyman State Park, Lane County.

Agreement with the City of Scappoose providing for the construction of a new wooden water pipe line necessitated by improvement of the Columbia River Highway at Scappoose.

Agreement with Portland General Electric Company covering the sale of a small parcel of land which the state is purchasing from the company. Right of way file R-9029.

Agreement (extension rider) with the O.W.R. & N. Company and the Union Pacific Railroad Company renewing the lease of an oil storage location at Island City.

Agreement with the City of Klamath Falls providing for the installation and financing of a city traffic signal system.

Agreement with the United States of America covering the crossing of the Stanfield-Boardman Highway over an irrigation feed canal in Umatilla County.

Agreement with the Tum-A-Lum Lumber Company for lease of a maintenance headquarters site in Hermiston.

Agreement with Huber Ray and Ralph Adams, Jr., covering the truck hauling of logs across state property adjacent to the Salmon River Highway.

Agreement with Willard Ross covering the truck hauling of logs across state property adjacent to the Salmon River Highway, Tillamook County.

Agreement with the Southern Pacific Company covering storage site at Central Point.

Agreement with the Public Roads Administration and the United States Forest Service covering reconstruction, grading, surfacing and bridge construction on the Wapinitia Highway, as a forest highway project, being Oregon Forest Highway Project 26-C(5). (Signed May 8, 1941)

Bargain and sale deed conveying unto Josephine County 0.53 acre of land situate in Tract 1, Block 1, Del Rogue Tracts, south of Grants Pass. Right of way file No. 7097.


Bargain and sale deed conveying unto Ruby R. Bowman one acre of land situate in the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 13, Township 9 South, Range 44 East, W. M., Baker County. Right of way file 7421.


Bargain and sale deed conveying unto Leslie Watters 9,084 sq. ft. of land situate in Lots 9, 10 and 11 of Block 2, Georgetown Addition to St. Helens, Columbia County. Right of way file 8736.

Bargain and sale deed conveying unto Alfred M. Peterson and wife ten acres of land situate in the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 14, Township 8 South, Range 1 East, W. M., Marion County. Right of way file 1926.

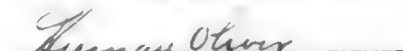
Bargain and sale deed conveying unto T. L. Kuhns 9,219 sq. ft. of land situate in Block 22, Long and Landess Addition to Cottage Grove. Right of way transaction No. 5694.

There being no further business to come before the Commission at this time the meeting was adjourned at 4:45 p. m.


State Highway Engineer


Secretary


Commissioner


Commissioner

Portland, Oregon, May 22, 1941

The State Highway Commission met in regular session at 9:00 a. m. in the auditorium of the Public Service Building. Present were:

Henry F. Cabell, Chairman
Huron W. Clough, Commissioner
R. H. Baldock, State Highway Engineer
H. B. Glaisyer, Secretary

Commissioner Oliver was excused from attending this meeting.

Bids, as follows, for highway construction projects were opened and read in conformance with previously-published notice, following which Chairman Cabell announced that awards would be made at 3:00 p. m. in the same room:

OREGON COAST HIGHWAY
ASTORIA (ASTOR STREET-BOND STREET) SECTION
GRADING AND PAVING

United Contracting Co.	\$26,931.00
Warren Northwest, Inc.	28,388.00
Parker-Schram Co.	28,721.50
Porter W. Yett	29,166.00

WOLF CREEK HIGHWAY
VOLLER CREEK AND MECANICUM JUNCTION SECTIONS
GRADING, SURFACING & BIT. MACADAM

	Using Asphalt	Using Tar
Porter W. Yett	- - -	\$32,652.50
Babler Bros.	- - -	34,080.00
E. L. Rigdon	- - -	35,889.50

TILLER-TRAIL SECONDARY HIGHWAY
DAYS CREEK-WRIGHT RANCH SECTION - GRADING, SURFACING & OILING

E. L. Rigdon	\$46,549.75
C. J. Eldon	47,360.35
Clifford A. Dunn	47,433.10
E. L. Gates	48,928.25
A. Milne	52,214.00

NORTH UMPQUA COUNTY ROAD
OAK CREEK-MARKS RANCH SECTION - GRADING, SURFACING, OILING & BRIDGE

E. L. Rigdon	\$65,442.50
O. C. Yocom	65,681.75
Clifford A. Dunn	68,979.00
A. Milne	69,297.00

HOOD RIVER SECONDARY HIGHWAY
DEE-WOODWORTH ACRES SECTION - GRADING, SURFACING AND OILING

Porter W. Yett	\$51,836.00
C. J. Eldon	53,755.00
Parker-Schram Co.	63,603.00

SANTIAM HIGHWAY
CRABTREE CORNER-LEBANON SECTION - GRADE WIDENING AND PAVING

Warren Northwest, Inc.	\$69,336.00
Parker-Schram Co.	74,697.00
Porter W. Yett	86,305.00
United Contracting Co.	89,564.75

PACIFIC HIGHWAY WEST
FRONT AVENUE (WASHINGTON STREET-CLAY STREET) SECTION
GRADING AND PAVING

Edlefsen-Weygardt Co.	\$223,790.80
Porter W. Yett	241,740.50
Parker-Schram Co.	249,625.10

HARBOR DRIVE - CITY OF PORTLAND
MORRISON STREET BRIDGE - APPROACHES & RETAINING WALLS

L. H. Hoffman	\$78,005.00
Gilpin Construction Co.	79,019.00
Parker-Schram Co.	89,805.00
Geo. H. Buckler Co.	94,155.00

BOARDMAN-STANFIELD HIGHWAY
UMATILLA RIVER OVERCROSSING AND OTHER STRUCTURES NEAR STANFIELD

C. J. Montag & Sons	\$61,627.50
Birkemeier & Saremal	61,755.00
C. J. Eldon	62,717.00
Henry L. Horn	66,532.00
L. H. Hoffman	80,282.00

The Engineer discussed with the Commission the matter of the removal of car tracks along Front Street in Portland, particularly a letter from A. J. Witchel, Chief Engineer of the S. P. & S. Railroad Company, requesting permission to remove and salvage the rails and agreeing to do the work in accordance with the wishes of the State Highway Department and with the least inconvenience to the state's contractor. The Engineer advised that the removal of the rails would necessitate the cutting of the pavement, which is of the Belgium block type, and gave as his understanding that the Railroad Company wants the privilege of salvaging the rails, but wants the state to pay the cost of

replacing the pavement. He estimated that it would cost about \$7,000 to re-establish the pavement; however, recommended that the request be granted, provided the Railroad Company will assume this expense which, he says, is an obligation that the Railroad Company assumed in securing its franchise from the City of Portland.

Mr. Wm. A. Bowes, Commissioner of Public Works, Portland, was present, and advised that the federal government is interested in the salvaging of the rails in connection with its defense program. After discussion the Commission approved the Engineer's suggestion that the railroad company be allowed to salvage the rails, if it will pay the cost of replacing the pavement in a satisfactory manner, not later than July 10, 1941, so as not to interfere with the operations of the State's contractor on the Front Avenue project. Commissioner Bowes agreed to notify the Railroad Company of the action taken.

The Engineer reported a request from Harney County Court for an additional state contribution in connection with the construction of the Rome-Princeton Secondary Highway No. 442, near Follyfarm. He said that C.C.C. forces had been constructing this road, and it was intended to build a twenty-mile section thereof; however, they had completed only eight miles when the work was closed down, leaving a twelve-mile section on which the County desires to continue operations. In connection with this work, he said, the County is furnishing two tractors and has asked the State to pay for the gasoline for the operation of one of them, which the County estimates will not exceed \$500. He recommended approval of the County's request. The Commission approved the recommendation.

The Engineer also brought up for discussion the matter of the proposed improvement of South Sixth Street, Klamath Falls. He advised that the people of Klamath Falls are demanding pavement wide enough for four lanes of traffic which will require the widening of the right of way and the purchase of considerable expensive property, whereas the improvement as planned provided for only three lanes of traffic on the present 60-ft. right of way. He suggested that these people be told that the Commission will consider their request for four lanes of traffic if they will secure options from the property owners for all of the extra right of way needed, such options to be on the Highway Department's standard option form and provided further they will also furnish the Commission with bona fide bids from house movers for the removal of buildings from the new right of way. This matter was discussed in detail at considerable length, but no definite decision was reached. The Engineer was instructed and authorized to make further investigation, and to submit estimates of cost to construct the project on a 60-ft. right of way throughout the entire length of the proposed improvement and on an 80-ft. width right of way, and to present the same to the Commission for consideration at the meeting on June 12.

Mr. F. P. Ryan, City Recorder of Ontario, Oregon, was present and presented petitions signed by numerous property owners of that town, requesting the improvement of First Street, Ontario, as a state highway route. In

the discussion of this matter the question arose whether or not the majority of the property owners approve the rerouting of the highway along First Street. It was decided to hold a public hearing in Ontario some time in July to ascertain the attitude of the people in regard thereto. A definite date for the hearing is to be set later.

Mr. Don T. Meldrum, Head of the Land Division, U. S. Engineer's Office, Portland, was present in regard to securing a small tract of state-owned land adjacent to the Old Oregon Trail in front of the new Pendleton Air Base, on which to establish a radio station. He said that unfortunately the site that they originally selected is bisected by the new state highway which extends from the Old Oregon Trail to the army cantonment area, so they revised their plans and will now require only that portion of the original site that lies east of the new highway, and have eliminated from such area 1.31 acres immediately adjoining the Old Oregon Trail, as it was understood that the State wanted to retain this small tract. He further advised that, according to the government's agreement with the City of Pendleton, the city is to furnish the land needed for this radio site, so any arrangement for the sale of the tract would have to be consummated with the city. After discussion, the Commission authorized the sale of the property to the city, provided the city will pay a fair sum for the same. The Assistant Attorney was instructed to contact the city officials relative thereto. The Commission approved his suggestion that a price of \$100 per acre be paid for the land, and that the city also assume the payment of any damage that might be demanded by the present tenant. The final decision in the matter is to be rendered when the Attorney's report has been filed.

Mr. Paul B. Rynning, County Engineer of Jackson County, came before the Commission in behalf of Jackson County Court relative to the improvement of the Crater Lake Highway for a distance of seven miles north of Medford, where it passes through the site of a proposed U. S. Army cantonment. He exhibited a map showing the proposed cantonment area and needed highway improvements, and advised that request has been made that the highway improvements be completed within the next four months, so as not to interfere with construction of the cantonment facilities, which will get underway about that time. The matter was discussed at considerable length, but a decision was deferred pending personal inspection of the premises by members of the Commission and the engineering staff on the following Saturday, when they will be in that vicinity.

Mr. Wm. P. Ellis, Attorney for the Pierce Auto Freight Lines, was present and requested authority for his client to transport over the Pacific Highway, between the California State Line and Medford, as a temporary expedient, loads weighing in excess of the statutory weight limits. The Commission denied the request in view of the action taken by the 1941 Legislature on this subject.

The Engineer brought up for discussion the request of Clackamas County Court for the designation, as state secondary highways, of the county roads known as Canby-Marquam Road and Molalla-North Fork Road. He estimated

the cost to reconstruct the Canby-Marquam Road, which is eight miles in length, to modern standards, at \$250,000, and to repair the existing road at \$35,000. He also estimated the annual maintenance cost at \$17,750. To construct the Molalla-North Fork Road, which is 7.6 miles in length, he estimated would cost about \$260,000, whereas, the cost to repair the existing road is estimated at \$58,000, and annual maintenance expense at \$20,500. In this connection he also reported on the cost to maintain the county road in the city of Canby over which truck hauling of logs is being carried on. He estimated the expense of putting the present road in good condition at \$2,400, and the annual maintenance expense at \$1,500, as compared with an estimated cost of \$25,000 to rebuild the road on new alignment, including cost of right of way, as has been suggested by the County Court and the Canby city officials. He recommended the designation of the Canby-Marquam Road as a state secondary highway, and approval of an expenditure of \$35,000 this year, to put the existing road in good condition. He also recommended the expenditure of about \$2,000 to repair the existing road in the town of Canby, however, recommended against the placing of the Molalla-North Fork Road on the secondary highway system because, in his estimation, there is only a 1.9 mile section of this road between Molalla and the North Fork Bridge that meets secondary highway requirements. After discussion, the Commission approved the Engineer's recommendation, subject to confirmation by Commissioner Oliver, the work involved to be done with state forces. Resolutions covering this matter are to be adopted by the Commission at its first meeting, when all three Commissioners are present.

The Commission discussed briefly the Engineer's report on the matter of establishing free ferry service across the Columbia River at The Dalles, but deferred action thereon until its meeting on June 12.

The Engineer reported the cost to recondition and stabilize streets, other than state highway routes, in various cities throughout the State, over which general trucking is being carried on. He estimated such cost in 111 incorporated cities and towns at \$256,199. He suggested the adoption of a state-wide policy in such matter before making any commitments thereto. The suggestion was approved by the Commission, which instructed the Engineer and the Attorney to submit a recommendation as to such policy at the June 12 meeting of the Commission, such recommendation to include a list of the streets in the various cities and towns over which logging operations are being carried on. The Engineer was instructed to inform the City Council of Albany of the action taken, and to also notify Mr. Herman Kehrli, Executive Secretary of the League of Oregon Cities, of the intentions of the Commission in this regard.

Chairman Cabell brought up for discussion the complaint of Frank Golse, with respect to settlement for right of way required for the Lower Columbia River Highway, in Columbia County. The Assistant Attorney advised that Mr. Golse is a hard man to please; that the Highway Department has done everything and more than it promised to do in connection with this settlement, except the grading of a small area which is occupied by Mr. Golse's fruit stand and which cannot be done until the fruit stand is moved. He

further advised that Mr. Golse refuses to move the stand notwithstanding that he has been ordered to do so by Division Engineer E. A. Collier.

Chairman Cabell stated that he believed that the whole trouble lies in the fact that Mr. Golse is dissatisfied with the original settlement and wants more money for his land and believes that he has been treated unfairly. He suggested paying Mr. Golse an additional sum of \$50.00 to close the matter, and to let Mr. Golse perform the work involved. The suggestion was approved and it was so ordered.

The Commission adjourned at 12:30 p. m. and reconvened at 2:00 p. m. in the same room with the same persons present and participating.

A delegation from Klamath Falls, representing the Klamath Falls Chamber of Commerce, was present and discussed with the Commission the proposed improvement of South Sixth Street, Klamath Falls, present route of the Klamath Falls-Lakeview Highway. Mr. H. P. Bosworth, President of the Chamber of Commerce, headed the group, which included Earl Reynolds, Secretary of the Chamber; T. B. Waters, Chairman of the Highways Committee; Senator E. A. Cornett; A. D. Collier; Nelson Reed; and E. A. Thomas, City Engineer. They urged the Commission to improve this street for four lanes of traffic rather than for three lanes of traffic, as has been proposed. Mr. Bosworth said that whereas the present right of way is only 60 feet wide, many of the buildings situate adjacent thereto have been set back ten feet on each side, so that really the right of way is equivalent to 80 feet in width and, if the Commission should now decide to construct only a three-lane highway on the present right of way, he is convinced that the owners of these buildings will move their buildings forward and there would be no opportunity in the future to acquire the full 80-ft. right of way, except at excessive expense. The people of Klamath Falls, he said, feel that a three-lane highway will not make for safety; furthermore, it will force development to the south and east and will adversely affect all of the property along South Sixth Street. He also said that the owners of property along this street have agreed to relinquish a ten-foot strip along the front of their properties to facilitate the improvement on a four-traffic-lane basis. He referred to certain documents previously delivered to Mr. C.W. Parker, State Right-of-Way Agent. Mr. Bosworth also said that they would be satisfied with the limiting of four traffic lanes to the section south of the railroad viaduct.

The State Highway Engineer pointed out that the existing viaduct forms a bottleneck for a four-lane highway and that to widen this viaduct would be a costly undertaking; furthermore, the approaches to the viaduct are on a seven per cent grade, which becomes very slippery and dangerous for travel, when wet or frosty. He recalled that the Commission has made studies of a bypass route which, in his estimation, would greatly surpass a four-lane improvement on South Sixth Street, and, if such bypass route were constructed, it would relieve the congestion on South Sixth Street and would render the improvement of such street of minor importance. This is a major problem, he added, and full information in regard to the situation is not yet available, but he has been instructed by the Commission to report at the next meeting, on

the cost of the alternate improvements, one of which contemplates the construction of a three-lane highway south of the railroad viaduct, the widening of the viaduct, and the improvement of a two-lane highway from the viaduct to Market Street; and also to report the cost to construct an entirely new highway along the proposed bypass route. It was his thought that the improvement of South Sixth Street should not end at the viaduct, because of the bottleneck situation, but should extend to a convenient point north of the viaduct, and his report will cover the full distance, so the Commission will have the benefit of this information and a complete picture of the problem, when it makes its decision.

Mr. Bosworth advised that the right of way, from the viaduct to a point known as Washburn Way, will be donated by the property owners. Mr. Collier advised that the right-of-way agreements which the property owners have filed were prepared by competent lawyers and, in his estimation, are binding; furthermore, the signatures are bona fide.

Chairman Cabell advised that if this project were to extend to the south side of the viaduct, the Commission's problem would be comparatively simple; however, the presence of the viaduct complicates the situation and the question arises how much money the State should spend in remodeling the viaduct, if it also constructs the proposed new route, in view of the fact that South Sixth Street must be considered a city street, and its improvement would have to be on that basis. He pointed out that South Sixth Street is not a federal aid route, so there is a question whether or not federal aid grade crossing money could be used to finance the remodeling of the viaduct. He also stated that if everyone were in agreement with respect to the improvement of South Sixth Street as a three-lane highway, then the Commission would be in a position to proceed with its improvement.

Senator Cornett alleged that the viaduct is not an immediate problem because the worst condition exists beyond East Main Street, which is south of the viaduct and where a large volume of traffic turns off to go to the business district of Klamath Falls. He also said that the city would assume the responsibility of securing the additional right of way needed for a four-lane highway on South Sixth Street.

This matter was discussed at further length in considerable detail, during which it was brought out by the State Highway Engineer that it would not be possible in any event to contract the improvement before the end of the year, because of the work involved in completing the investigations and surveys, acquiring right of way, and in preparing plans and specifications. It was mutually agreed that the City of Klamath Falls will assume the responsibility of securing right of way options, such options to be taken on standard forms furnished by the State Highway Department. The Engineer was authorized and instructed to make a complete economic study of the alternate routes and to furnish the city with option forms and right-of-way descriptions as soon as possible.

The statement was made by one of the members of the delegation that they would be willing to wait a while for the improvement of South Sixth Street

if the Commission would assure them that it would build a four-lane street, and inquiry was made whether or not the Commission will proceed with the construction of a three-lane highway at once if the Commission finds it is not feasible to construct a four-lane highway. Chairman Cabell replied that the Commission hopes to be able to contract the improvement some time this fall, but there is nothing definite about it and, of course, the Commission is not in a position at this time to state whether it will be a three-lane or a four-lane improvement. He gave as his opinion, however, that the construction of a permanent highway on the proposed bypass route would be undertaken much sooner if the South Sixth Street improvement were constructed for three lanes of traffic. This concluded the conference with respect to this project.

Mr. Bosworth inquired as to the plans of the Commission for additional improvements on The Dalles-California Highway, and gave as his understanding that the Commission intends to place two jobs under contract this year, as follows: Reconstruction between Graham Marsh and Algoma, and between Terminal City and the foot of Algoma Hill. He urged the Commission to contract these projects at an early date, so as to insure their completion this year.

The Engineer advised that the projects are scheduled for contracting at the June meeting of the Commission, but whether or not the Commission will be in a position to take bids for them at that time depends upon the outcome of negotiations with the Railroad Company with respect to encroachments on its property. Mr. Bosworth inquired whether or not the Commission would object to the city consulting with the Railroad Company with respect thereto, and was assured by the Commission that such action on the city's part would be satisfactory.

Mr. Lloyd R. Crosby, General Manager of the Consolidated Timber Company, Portland, was present and requested authority from the Commission to conduct certain log hauling operations along the closed section of the Wilson River Highway, west of the summit of the Coast Range. He said that the Company has salvaged a large quantity of logs from highway right of way clearing operations and they would like to transport these logs to market at Tillamook before the highway is opened for general public use. Further, that it would take about four weeks to do the hauling. He also said that there is no highway work under way at the point where the logs are situated, and that they would immediately cease log hauling operations when the State's oiling contractor commences the work under his contract. The Engineer recommended approval of this request provided there are no objections on the part of Mr. E. J. Griffith, Administrator of the W.P.A. and, provided further, that the log hauling operations cease when the State's contractor starts his oiling work. The Commission approved the recommendation, and instructed the Engineer to contact the W.P.A. office immediately in regard thereto.

Mr. H. D. Farmer, Senior Highway Engineer, Public Roads Administration, was present and discussed with the Commission the matter of maintenance of the North Santiam Highway, between Detroit and the Santiam Highway junction. He said that the Forest Highway budget for the fiscal year 1941 contained

provision for maintenance and betterment of forest highway sections during the maintenance period for which the Public Roads Administration is obligated under cooperative agreements, and that under such provision it is planned to reseal a portion of an existing bituminous surface on the two-mile section of the North Santiam Highway, which is estimated to cost about \$1,000. This work, he said, would ordinarily be done as a "day labor" project by the Forest Service; however, it now appears to be to the best interests of all concerned if the State will perform the work with one of its oiling crews when working in that vicinity, due to the fact that the section is isolated, and the work could be performed by the State at less expense than it could be done under the original arrangement. He inquired whether or not the Commission would authorize the State's oiling crew to do this work if the Government would pay the cost involved. After discussion, the Commission approved such an arrangement, and thereupon signed a memorandum agreement with the District Engineer of the Public Roads Administration covering the matter.

The Commission discussed with W. H. Lynch, District Engineer, Public Roads Administration, matters pertaining to several forest highway projects. Others present and participating in the discussion were H. D. Farmer and T.M. Davis, Senior Highway Engineers; and R. L. Kellogg, Highway Engineer, representing the Public Roads Administration; and James Frankland, Regional Engineer, representing the U. S. Forest Service. Mr. Lynch advised that at a recent contract letting of forest highway projects, bids were taken for the reconditioning of the section of the Willamette Highway in the vicinity of Odell Lake, for which the sum of \$85,000 of forest highway funds has been budgeted; however, inspection of the bids received reveals that the job will cost about \$20,000 more than the amount provided, in view of which, if the job is to proceed as planned, it will be necessary to provide additional funds. He suggested, as an alternate proposition, the decreasing of the mileage of the project a sufficient amount so that the work could be done at a cost not to exceed the amount now available. He also suggested, if the Commission prefers that the work proceed as planned, the transfer of \$20,000 from the Port Orford South Forest Highway project which, according to present indications, cannot go forward this year on account of right-of-way difficulties. He agreed to recommend the construction of the Port Orford South project in next year's program if such sum is taken away from this project now. Mr. Frankland said that he would concur in the recommendation. After considerable discussion it was agreed by all that it would be advisable to reduce the length of the Willamette Highway project to five miles, and to re-advertise on such basis for bids to be received at a future time.

Mr. Lynch also reported that at such contract letting bids were also received for the construction of the Fox Valley Section of the Pendleton-John Day Highway, in Grant County, the low bid being \$10,000 in excess of the funds provided for this job. He suggested the transfer of some of the money from the Port Orford South project to make up this difference because it would not be practicable to cut down the length of this work. In the discussion of this matter the question arose whether or not "choke stone" base should have been called for in the specifications, it appearing that bids were taken on a different specification. The State Highway Engineer suggested that it

would be advisable to rewrite the specifications in that regard and require such class of material to be furnished notwithstanding that it would increase the cost of the project about \$20,000. It was his thought that a road built on such specification would provide a much better job, and materially decrease the annual maintenance cost, which is a state obligation, and that the additional construction expense is fully justified. After discussion, the suggestion was approved by all concerned, and it was mutually agreed to transfer the \$20,000 needed from the Port Orford South project.

The matter of constructing a bridge on the Tiller-Trail Secondary Highway, near its junction with the Crater Lake Highway, was discussed. Commissioner Clough recalled that provision was made in a previous forest highway program for this bridge, which is estimated to cost \$35,000, but the item was subsequently deleted from the list because of the limited amount of funds available, and the need for the money on more important work. However, it was agreed at the time that the bridge would be constructed in an early program. He suggested that it would be advisable, in view of the fact that the Port Orford South project cannot proceed, that the \$35,000 needed for the bridge be secured from such project. The suggestion was approved by all concerned, and it was so ordered.

The question of where to spend the \$105,000 remaining in the Port Orford South allocation was then discussed, and it was suggested that such moneys should be transferred to the Wapinitia-Warm Springs Forest Highway project, which is estimated to cost \$120,000, and the contracting of which, it was agreed at a previous meeting, should be postponed until this fall or next spring on account of Congressional reduction in the Forest Highway appropriation. After considerable discussion it was agreed by all that the \$105,000 should be held intact to finance the improvement of some section of the Oregon Coast Highway, and that the Wapinitia-Warm Springs project should be advanced in the construction program.

At 3:00 p. m. Chairman Cabell announced the following awards of contracts, for which bids were taken at the morning session, such awards having been previously approved by the Commission by unanimous vote:

"Astoria (Astor Street-Bond Street) Section of the Oregon Coast Highway, in Clatsop County. 0.18 mile grading and 0.40 mile paving. United Contracting Co., Portland, submitted the low bid for this work, in the amount of \$26,931.00. Warren Northwest, Inc., Portland, was second-low with its bid of \$28,388.00. There were two higher bids. The Commission refers all bids to the Engineer with power to award the contract to the low bidder, United Contracting Co., when certain conditions have been fulfilled.

"Vollmer Creek and Necanicum Junction Sections of the Wolf Creek Highway, in Clatsop County. 0.95 mile grading, surfacing and bituminous macadam. Porter W. Yett, Portland, submitted the low bid for this work, in the amount of \$32,652.50, based on the use of tar. He did not submit a bid based on the use of asphalt. Babler Bros., Portland, submitted the next-low bid, in the amount of \$34,080.00, based on the

use of tar. No bid was submitted by them based on the use of asphalt. There was one higher bidder. The Commission awards this contract to Porter W. Yett, at his low bid of \$32,652.50, based on the use of tar.

"Days Creek-Wright Ranch Section of the Tiller-Trail Secondary Highway, in Douglas County. 4.30 miles grading, surfacing and oiling. E. L. Rigdon, Hampton, submitted the low bid for this project, in the amount of \$46,549.75. The second-low bid was submitted by C. J. Eldon, Portland, in the amount of \$47,360.35. There were three higher bidders. The Commission awards the contract to the low bidder, E. L. Rigdon, at his bid of \$46,549.75.

"Oak Creek-Marks Ranch Section of the North Umpqua County Road, in Douglas County. 2.97 miles grading, surfacing and oiling, and construction of a bridge. E. L. Rigdon, Hampton, submitted the low bid for this work, in the amount of \$65,442.50. O. C. Yocom, Willamina, submitted the second-low bid, in the amount of \$65,681.75. There were two higher bidders. The Commission awards this contract to E. L. Rigdon, at his low bid of \$65,442.50.

"Dee-Woodworth Acres Section of the Hood River Secondary Highway, in Hood River County. 1.95 miles grading and 3.15 miles surfacing and oiling. Porter W. Yett, Portland, submitted the low bid for this work, in the amount of \$51,836.00. C. J. Eldon, Portland, was next low, with his bid of \$53,755.00. There was one higher bidder. The Commission rejects all bids for this project, and it is hereby ordered readvertised.

"Crabtree Corner-Lebanon Section of the Santiam Highway, in Linn County. 3.17 miles grade widening and paving. Warren Northwest, Inc., Portland, submitted the low bid for this work, in the amount of \$69,336.00. Parker-Schram Co., Portland, submitted the second-low bid, in the amount of \$74,697.00. There were two higher bidders. The Commission awards this contract to the low bidder, Warren Northwest, Inc., at its bid of \$69,336.00.

"Front Avenue (Washington Street-Clay Street) Section of the Pacific Highway West, in Multnomah County. 0.50 mile grading and paving. Edlefsen-Weygandt Co., Portland, submitted the low bid for this project, in the amount of \$223,790.80. Porter W. Yett, Portland, submitted the next-low bid, in the amount of \$241,740.50. There was only one other bidder. The Commission awards the contract to Edlefsen-Weygandt Co., the low bidder, at its bid of \$223,790.80.

"Morrison Street Bridge approaches and retaining walls on Harbor Drive in the City of Portland, in Multnomah County. L. H. Hoffman, Portland, submitted the low bid for the work, in the amount of \$78,005.00. Gilpin Construction Co., Portland, submitted the next-

low bid, in the amount of \$79,019.00. There were two higher bidders. The Commission rejects all bids and hereby orders the project readvertised.

"Umatilla River Overcrossing and other structures near Stanfield, on the Boardman-Stanfield Highway, in Umatilla County. C. J. Montag & Sons, Portland, submitted the low bid, in the amount of \$61,627.50, and Birkensier & Saremal, Portland, submitted the second-low bid, in the amount of \$61,755.00. There were three higher bidders. The Commission refers all bids to the Engineer with power to award the contract to the low bidders, C. J. Montag & Sons, when certain conditions have been fulfilled."

The County Court of Clackamas County, represented by County Judge E. L. Pope and County Commissioners C. W. Kruse and George G. Randall, and County Engineer D. T. Meldrum, was present in regard to the designation as state secondary highways of the Canby-Marquam County Road and the Molalla-North Fork County Road. They inquired as to what decision the Commission has reached with respect to such designations, and also with respect to the improvement of the county road in the town of Canby over which log hauling traffic is being carried on. Chairman Cabell advised that the Commission has approved the expenditure of about \$2,000 for the improvement of the present road through Canby and has agreed to designate as a state secondary highway an 8-mile section of the Canby-Marquam Road south from Canby to a junction with the Woodburn-Mount Hood Loop Secondary Highway, and such designation will be made at the first meeting when all three Commissioners are present, that being a legal requirement. Furthermore, the Commission has authorized an expenditure of \$35,000 of state funds to repair this 8-mile section, the work to be done this year with state forces. However, the Commission does not feel that it is justified in so designating the Molalla-North Fork Road, and has gone on record as being opposed to such designation. Chairman Cabell also mentioned that the decision of the Commission to designate the Canby-Marquam Road a state secondary highway is conditioned upon the county clearing the right of way of all encroachments including fences, buildings, et cetera, within the borders of the right of way, which, it is understood, is 60 feet wide. Judge Pope asked the Commission for a letter demanding the removal of such encroachments which, he said, would be helpful to the Court in meeting the Commission's requirements. The Commission approved the request and instructed the Engineer to forward such letter.

County Commissioner Kruse suggested that the Commission might see its way clear to designate a short section of the Molalla-North Fork Road between Molalla and a place known as Dickey Bridge, 1.9 miles in length, as a state secondary highway. However, the Commission declined to do this.

Mayor Roy L. Kinsman and Councilman Raymond Crowder, of Arlington, came before the Commission and asked for the construction of a road $1\frac{1}{2}$ miles long, leading from Arlington to the U. S. Army Airport, which is to be used in

connection with the Army's ammunition dump south of Arlington. The request was denied, it appearing to the Commission that this road is not for the use of the general motoring public and it being contrary to the policy of the Commission to expend state funds for the construction or improvement of roads that are not to be used, at least partially, by such general motoring public. It was the thought of the Commission that the road requested is for defense purposes, so the Federal Government should build it at Government expense.

Messrs. Ralph P. Schindler, City Recorder, and C. L. Willey, City Engineer, of Corvallis, came before the Commission in regard to the improvement of North 9th Street (Pacific Highway West) in the north city limits of Corvallis, and the widening of Third Street (Pacific Highway West), from Adams Street to the Mary's River Bridge. The Engineer estimated the cost to construct both projects at about \$50,000, and suggested that both jobs be done under one contract, when funds are available to finance the work. He pointed out, however, that the proposed improvement north of Mary's River Bridge involves the removal of some trees. Mr. Schindler advised that the City of Corvallis will assume the responsibility of securing the consent of the property owners for the removal of the trees.

Chairman Cabell advised that the Corvallis North improvement has considerable merit and is badly needed. He gave assurance that the North 9th Street project would go forward as soon as the Commission is able to finance it, and perhaps also the widening work requested north of the bridge, although the Commission is not in a position at the present time to make a definite commitment with respect to such work. The Engineer was thereupon authorized by the Commission to make surveys as may be necessary in connection with both projects and to prepare plans and specifications for each, so they will be ready when the Commission sees its way clear to advertise the work for bids.

Mr. Schindler then asked the Commission to authorize transportation of twelve logs, sixty feet long, over the Alsea Highway, from a point on the west side of Alsea summit to Corvallis. He said there would be four loads, and that the logs are to be used in connection with the construction of a bridge at Corvallis. He also said that the city's request for this privilege was presented to the Salem office of the Commission, but was denied because the loads could not be transported over Alsea Mountain without taking up more than half the road. After discussion, the Commission authorized the granting of such permit under the condition that the party doing the hauling will furnish customary insurance in the amount of \$50,000/100,000 public liability, and \$10,000 property damage, and will move the logs under the protection of three flagmen, one to proceed in advance of the movement, one to follow in the rear of the movement, and the third to ride the truck so as to guard against the side-swiping of other traffic.

The Engineer requested authority to purchase the following equipment:

- 1 Electrically-operated pump, 25-gallon per minute capacity.
Estimated cost \$605.00

1 Diesel power plant for Santiam Headquarters. Estimated cost \$1,895.00

1 Concrete vibrator for Bridge Department, at estimated cost of \$443.00, together with 1 three-beam platform wheelbarrow scales. Estimated to cost \$165.00

3 Concrete carts. Estimated cost \$44.00 each.

The Commission approved the request, and ordered that this equipment be purchased through the State Purchasing Agent, in accordance with the usual practice.

The Commission discussed the advisability of sending Miss Irene Payne to Walla Walla, Washington, during the period May 21 to May 24, inclusive, as a representative of the Travel and Information Department, at a travel show which is to be conducted at that place. The Engineer estimated the expense involved at \$30.00 and recommended approval. The Commission approved the recommendation subject to further approval by Governor Sprague.

The Commission also approved, upon recommendation of the Engineer, an out-of-state travel authorization for Landscape Engineer George Otten to attend a meeting of District No. 1, Public Roads Administration Roadside Improvement Committee, which is to be held in Spokane, Washington, during the early part of June, provided Governor Sprague also approves the expense.

The matter of designating certain representatives of the State Highway Department to attend the meeting of the Western Association of State Highway Officials, in Casper, Wyoming, from June 17 to 20, inclusive, was discussed. It was decided that all members of the Commission and the State Highway Engineer should attend this meeting, provided Governor Charles A. Sprague will approve out-of-state travel and the expense involved.

The Engineer brought up for discussion the matter of investigating prospective bridge sites along the Columbia River, as has been authorized by the 1940 Legislature. He estimated the cost of such investigations at \$50,000, and inquired whether or not the Commission desired to go to this expense which, he said, would be paid 50 per cent by the Washington Highway Department inasmuch as this is to be a joint investigation by both departments. The Commission approved the expenditure for this purpose provided the State of Washington will pay one-half the cost involved.

The Secretary presented a letter from Loyal M. Graham, Forest Grove, expressing appreciation for naming the Devils Fork Bridge, on the Wilson River Highway, in Washington County, "Graham Bridge" in his honor. The Commission was glad to be able to pay tribute to Mr. Graham in this manner, in view of the service that he has rendered the State of Oregon in connection with the good roads movement.

The Commission considered and ordered filed, for future consideration, a petition from residents of the town of Timber and vicinity requesting

continued state maintenance of the county road between Glenwood and Sunset Camp, after the Wolf Creek Highway has been completed and opened to general public use.

A telegram was presented from Stuart C. Hawley, Manager of the Texaco Travel Bureau, requesting assistance from the Commission in securing a federal appropriation of \$75,000 for use of the U. S. Travel Bureau, it being Mr. Hawley's opinion that the appropriation will not be authorized unless extreme pressure is brought to bear on Congress. The Commission referred this matter to the Engineer to discuss with Harold B. Say, Director of the Travel and Information Department. He was authorized to ask the Oregon delegation in Congress to vote for the appropriation, if he considers that advisable, after consultation with Mr. Say.

The Commission discussed a request from the Oregon Lumber Company for permission to transport logs across the John Day Highway and the Austin Spur Section of such highway, on Saturday afternoons, Sundays, and holidays, which is not allowed under the present rules of the Commission. The Commission granted the request upon recommendation of the Engineer.

The Engineer reported that, in accordance with authority previously granted him by the Commission, he has awarded contracts as follows, the conditions of the awards in each instance having been satisfied:

Grading Miner Creek-Spencer Creek Section of the Oregon Coast Highway, in Lincoln County. Bids taken April 4. Contract awarded May 12, 1941, to Berke Bros., low bidders.

Grading, surfacing and bituminous macadam on the Canyon Creek-Bryant Hill Section of Santiam Highway, in Linn County. Bids taken May 8. Contract awarded May 12 to Leonard & Slate, the low bidders.

Eugene Overcrossing-7th Avenue Section of the Pacific Highway, in Lane County. Bids taken May 9. Contract awarded May 21, 1941, to E. C. Hall Company, low bidders.

Rock Creek-Benton County Line Section of Alsea Highway, in Lincoln County. Bids taken May 8. Contract awarded May 21, 1941, to E. L. Gates, low bidder

Bully Creek-Vale Section of Vale-West Secondary Highway, in Malheur County. Bids taken May 8. Contract awarded May 21, 1941, to Tony Marrazzo, who submitted the low combination bid for this job and for the Cow Hollow Creek-Adrian Junction Section of the Vale-Adrian County Road

Cow Hollow Creek-Adrian Junction Section of the Vale-Adrian County Road, in Malheur County. Bids taken May 8. Contract awarded to Tony Marrazzo, low bidder, on May 21, on the basis of his combination bid for this job and the Bully Creek-Vale Section.

The Commission confirmed the awards as reported.

The matter of permitting the Detroit Power Company to maintain a power line along the North Santiam Highway, between the towns of Detroit and Idanha, had the attention of the Commission. The Secretary advised that the Company has already secured a franchise from the Marion County Court authorizing such construction, which franchise was issued by the Court after the filing of the application for the designation of this road as a state secondary highway. The Commission considered that it has no authority or jurisdiction in the matter in view of the fact that the road is still a county road under the jurisdiction of the County Court.

The Engineer requested authority to advertise for bids for the construction of a 75-ft. concrete viaduct across the East Fork of Dairy Creek, on the Wolf Creek Highway, in Washington County, which structure is estimated to cost \$8,000. He said that the W.P.A. grading schedule calls for the construction of an embankment in the vicinity of this creek, and it is quite necessary that the viaduct be constructed this summer; otherwise, the grading work would have to be postponed until next year. The Commission approved the request.

A petition signed by 340 residents of Powers and vicinity asking for the graveling and oiling of that portion of the Myrtle Point-Powers Secondary Highway north from the town of Powers to the crossing of the South Fork of the Coquille River, a distance of about 1.3 miles, had the attention of the Commission. The Engineer estimated that such work would cost about \$2,500. He pointed out, however, that the Commission plans to let a contract this fall for the oiling of the entire remaining unoled portion of this highway, and suggested that the improvement now requested be deferred until the oiling of the remaining section is contracted. The Commission approved the suggestion and so ordered.

A letter was presented from Richard Shore Smith, President of the First National Bank of Eugene, requesting the elimination of two sharp curves on the Springfield-Creswell Secondary Highway No. 322, near a place known as Natron. The Engineer advised that this matter has been investigated by Division Engineer Lytle, who advises that the elimination of these curves involves a 0.2 mile revision in the highway, and who estimates the cost of the work at \$6,000, including the expense of right of way. Mr. Lytle points out, he said, that this highway contains other curves that should be eliminated, and recommends, if any revision is made, that the entire section be reconstructed, which would cost about \$27,000. The Commission decided to defer this project for the time being.

The Assistant Attorney reported the status of the right of way budget, stating that of the \$600,000 budgeted for expenditure in 1941, there has been obligated \$338,500; and, that of the \$800,000 budgeted for the purchase of right of way along Front Avenue, in Portland, \$479,000 has been obligated. The Commission approved the report.

The Attorney requested authority to purchase certain parcels of real property that are needed for various highway improvements throughout the state. He submitted a list of such properties and offers that he recommended be paid

for each. After careful consideration the Commission approved the request and, by unanimous vote, adopted the following resolution in regard thereto:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth, and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon, and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Commercial Street-Astor Street Section, Oregon Coast Highway</u>				
5865-Seafeldt, Albert, Estate (Correction)	R/W	4750 sq.ft.	30 $\frac{1}{2}$ sq.ft., plus \$1083.84	McCallister
5866-Union Oil Co. of Calif.	"	1454 "	In exchange for 1701 sq.ft. to be deeded by the state	"
<u>Gearhart-Seaside Section, Oregon Coast Highway</u>				
9193-Beacock, G. C.	R/W	5227 sq.ft.	\$175 Lump Sum	Witt
9097-Cutler, J. E.	"	0.035 a.	GRATIS	"
9098-Wonderly, Robt. M.	"	0.05 a.	\$200 per acre	"
9095-Anderson, Rhoda L.	"	2624 sq.ft.	1 $\frac{1}{2}$ sq.ft. plus \$68	"
9092-Schoenborn, Richard C.	"	1934 "	5 $\frac{1}{2}$ sq.ft. plus \$270	"
9093-9099-Midaros Lodge #16, Sons of Norway	"	0.09	GRATIS for land, plus \$25.00	"
9091-9195-Clatsop County	"	8581 sq.ft.	GRATIS	"
<u>Neskowin-Otis Section, Oregon Coast Highway</u>				
9299-Affolter, Lee	R/W	0.61	\$50 per a. + \$136.68	Witt

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Banzer Bridge-Mist Section, Nehalem Highway</u>				
8972-Melis, Emma S.	R/W	1.53	\$100 per a. + \$341	McChesney
8970-Hanson, Charles O.	"	0.29	\$100 per a. + \$219 + moving bldg. (Est. \$350)	"
8969-George, J. L.	"	0.13	\$100 per a. + \$38	"
<u>Davies-Vadis Section, Wolf Creek Highway</u>				
6527-Roeygens, Louis	R/W	50.22	\$8,700 Lump Sum	Benson
6519-Maller, Harry J. et al and Federal Land Bank	"	8.22	\$100 per a. + \$2680.50 + moving bldg. (Esti- mated \$400)	"
<u>Oregon City-Oswego Section, Oswego Highway</u>				
9308-Hollowell, H. E.	R/W	500 sq.ft.	\$10 Lump Sum	DeSouza
<u>Scott Creek-Benton County Line Section, Alsea Highway</u>				
9275-Smith, Sherl M.	R/W	0.53	\$150 per acre	Gardiner
9273-Yates, Richard B. and Wm. M. Yates	"	2.69	1.6 a. at \$200 per a. 1.09 a. at \$15 per a. plus \$465.75	"
9277-Trewett, Pearl	"	2.29	\$15 per a. + \$20	"
<u>Cascadia-Bryant Hill Section, South Santiam Highway</u>				
9258-Mitchell, Roy E.	R/W	50 sq.ft.	20¢ sq.ft.	Witt
9416-Kerr, Fred	"	359 "	15¢ sq. ft.	"
<u>Eugene Section, Pacific Highway</u>				
8794-Johanson, Olga Victoria	R/W	5000 sq.ft.	9¢ sq. ft.	Parker
8787-Larsen, Albert	"	18,582 "	3¢ sq.ft. + \$1300	"
8803-Bauman, Laurence	"	36,626 "	1¢ sq. ft. + \$75 Est. for moving house & light pole	"
<u>Days Creek-Milo Section, Tiller-Trail Highway</u>				
9205-Grether, Walter	R/W	0.27	\$50 per a. + \$36.50	McChesney
<u>Grave Creek-Jump-Off-Joe Creek Section, Pacific Highway</u>				
8870-Clark, Harmon M.	R/W	4.88	\$40 per a. + \$393.50	Collins
8869-Andes, John H.	"	0.01	GRATIS	"
9337-Groner, Wilbur C.	"	0.41	\$36.60 per acre	"
9338-Long, Lorena A.	"	0.15	\$100 per a. + \$55	"
9339-Wilson, Daisy G. and Daniel L. Long	"	1.13	\$26.54+ per acre	"
9343-Blanchard, O. S.	"	1.03	\$100 per acre	"
9335-Nelson, G. T.	"	0.20	\$100 per acre + \$80	"
9345-Moores, W. M., and Harry M. Hill	"	0.35	\$64+ per acre, plus \$27	"

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Warner-Summit-Mud Creek Section, Warner Highway</u>				
9219-Oill, Harry	R/W	0.88	\$10 per acre	Cosad
9385-Lynch, Cornelius	Talus Pit	11.04	\$10 per acre	"
9218-Nelson, Jonas P.	R/W	0.94	\$10 per acre	
<u>Bend-Lava Butte Section, The Dalles-California Highway</u>				
9173-Brooks-Scanlon Lbr. Company	Cinder Deposit	22.45	\$10 per acre	Cosad
<u>The Cove Park Section, The Dalles-California Highway</u>				
8955-Degner, Fred	Park	20.0	\$3.50 per acre	Cosad
<u>Boardman-Stanfield Section, Old Oregon Trail</u>				
8832A-Denney, John and Violet, and Federal Land Bank (Correction)	R/W and Gravel Pit	2.94 3.43 6.37	\$100 per acre \$40 per a. + \$224 + fencing	Landon
8832-Federal Land Bank and W.P.Smith and E.P.Smith	R/W	160	\$4,000 Lump Sum	"
<u>Airport Road Connection, Old Oregon Trail Highway</u>				
9302-State Board of Control	R/W	1.24	\$10 per acre	McCallister
<u>Shaniko-The Dalles-California Section, Sherman Highway</u>				
8488-Hinton, James F.	R/W	1.11	\$10 per acre + fencing \$76	Cosad
8485-Pinkston, Ray L.	"	3.04	\$10 per a. + \$207	"
<u>Meadow Brook Section, Starkey Highway</u>				
9359-Vey, Jos., Estate, Rita Hazelwood, Elizabeth Underhill	R/W	4.75	\$5.00 per acre	Landon
9362-Plunkett, Jesse	"	1.11	\$5.00 per a. + \$39	"
9361-Cunha, Joseph	R/W and Gravel Pit	4.82 4.65 9.47	\$5.00 per a. \$15.00 per a.	"
<u>Long Creek-Fox Section, Pendleton John Day Highway</u>				
9112A-McGirr, Albert	R/W	0.69	Land \$17.25 Lump Sum + moving fence	Williams
<u>McCallum Ranch-Vale Section, Vale-West Highway</u>				
9375-Courtright, Leslie S.	R/W and Gravel Pit	0.31 1.06 1.37	\$7.50 per acre \$50 per a. (gravel), + fencing gravel pit	Landon
9374-Anderson, John G.	R/W	0.08 0.23 0.31	\$50 per acre \$7.50 per a. + fencing \$40	"

(Continued on next page)

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>McCallum Ranch-Vale Section, Vale-West Highway (Cont.)</u>				
9373-Thode, Henry and Irvin Thode	R/W	0.31	\$50 per a. + fencing, + \$229	Landon
9372-Eddy, Lucy E.	"	0.62	\$50 per a. + fencing, \$38.20	"
<u>Barnhouse Ranch-Picture Gorge Section, Ochoco Highway</u>				
3692-Mascall, L. E.	Stock Pile Site	0.48	\$30 per acre	Cozad
<u>Front Street Project, Columbia Street South (Portland), Pacific Highway West</u>				
8170-Wirth, Anna	R/W	5,780 sq.ft.	\$1,750.00	McCallister

The Attorney also requested authority to condemn certain parcels of property that are needed for right of way and for which he has been unable to reach satisfactory settlements. He submitted a list of such properties, together with the amounts that he recommended be offered in condemnation, as follows:

<u>File No.</u>	<u>Name</u>	<u>Purpose Required</u>	<u>Recommended Offer</u>
2561-A	Orris Knapp	R/W	\$7,500.00
9286	Pacific Livestock Company	Gravel Pit	125.00
9336	Kenneth D. Dills	R/W	15.00
9347	Letitia J. Doughty	R/W	5.00
5861	Morris Wise (Nathan Wise, Trustee)	R/W	550.00

After careful consideration the Commission approved the offers and, by unanimous vote, adopted the following resolution authorizing the Attorney to proceed with condemnation:

WHEREAS, the State Highway Commission is authorized to locate, relocate, construct, reconstruct, maintain, widen, straighten, and otherwise improve state highways, both primary and secondary, and said Commission is also authorized to construct shops, equipment sheds, office buildings, maintenance sites, patrolmen accommodations, and snow fences, and is authorized to acquire quarry sites, gravel pits, storage sites, stockpile sites, weighing stations, and broadcasting stations, and is further authorized to develop, construct, improve, operate, and maintain parks, parking places, auto camps, camp sites, roadside development, recreational grounds or resorts, and other places of attraction and scenic value; and

WHEREAS, said Highway Commission is authorized to acquire by purchase, agreement, donation, or by the exercise of the power of eminent domain real property, or any interest therein, necessary

or deemed by the Highway Commission necessary for the accomplishment of any and all of the foregoing things; and

WHEREAS, in the judgment of the Highway Commission the several tracts or parcels of land hereinafter described are each and all necessary for the specific and particular purposes hereinafter specifically set forth;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the Commission does hereby find and declare that the several parcels of real property hereinafter described are each and all necessary for the accomplishment of the purposes hereinafter expressly and specifically set forth, which said real properties and the specific purposes for which the same are being acquired are described as follows, to wit:

Real property owned by Pacific Live Stock Company, which property is located in the northeast quarter (NE $\frac{1}{4}$) of Section 16, Township 23 South, Range 31 East, W. M., Harney County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 1 and is further identified in the records of the Highway Commission as file R 9286, and which property is being acquired for the purpose of securing roadbuilding materials therefrom for use in connection with the improvement of the Burns-Crane Highway;*

Real property owned by Kenneth D. Dills, which property is located in the Hiram Miday D.L.C. No. 40 in Section 35, Township 34 South, Range 6 West, W.M., Josephine County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 2 and is further identified in the records of the Highway Commission as file R 9334, and which property is being acquired for right of way purposes in connection with the Pacific Highway;*

Real property owned by Letitia J. Doughty, which property is located in the northwest quarter of the northwest quarter of Section 2, Township 35 South, Range 6 West, W. M., Josephine County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 3 and is further identified in the records of the Highway Commission as file R 9347, and which property is being acquired for right of way purposes in connection with the Pacific Highway;*

Real property owned by Nathan Wise, et al., which property is located in Lot 1, Block 11, McClures Astoria,

in the City of Astoria, Clatsop County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 4 and is further identified in the records of the Highway Commission as file R 5861, and which property is being acquired for right of way purposes in connection with the Oregon Coast Highway;*

Real property owned by Orris Knapp, which property is located in Government Lot 1 of Section 4 and in Lot 3 and the south 20 feet of Lot 4 of Block BB of Port Orford in Section 4, all in Township 33 South, Range 15 West, W. M., Curry County, Oregon, which property is more particularly described on the attached sheets and designated as Parcels Nos. 5 and 6 and is further identified in the records of the Highway Commission as file R 2561A, and which property is being acquired for right of way purposes in connection with the Oregon Coast Highway.*

2. That the Commission does hereby find and declare that each of the said described parcels of real property is necessary and acquisition of the same by the State is required for the specific purposes hereinabove set forth, and the said properties are being acquired for the express and specific purposes in this resolution set forth.

3. That the State Highway Engineer be and he hereby is instructed and directed to make or cause to be made all surveys necessary in connection with the determination, description, and acquisition of said real properties, and said Engineer is further instructed to prepare and submit to the Legal Department necessary and adequate descriptions of the said real properties, which said descriptions shall be available for the preparation of any deed or deeds or other instrument or instruments necessary to complete the acquisition of said property or properties, whether said properties be acquired by purchase, donation, agreement, or by the exercise of the power of eminent domain.

4. That I. H. Van Winkle, Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they are hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby further resolved that the Attorney General of the State of Oregon and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they hereby are requested to commence and prosecute to a final determination such suit or action, or suits or actions, as may be necessary

and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

*(The detailed descriptions of the respective parcels of real property mentioned in this resolution are attached to the original resolution on file in the office of the State Highway Commission, Salem, being Resolution No. 12, under the heading "Real Property Condemnation Resolutions", and said descriptions by this reference are made a part of this minute entry to the same extent as if copied in full herein.)

The controversy with Mr. Chas. S. Bateman with respect to right of way needed for the Wilson River Highway across Mr. Bateman's property, in Washington County, was brought up for discussion by the Attorney. He recalled that the Commission previously authorized him to offer Mr. Bateman \$5,750 for this right of way, but Mr. Bateman has not as yet seen fit to accept the same. He was instructed by the Commission to again contact Mr. Wm. J. Hare, Hillsboro, Mr. Bateman's Attorney, and if he is unable to reach a satisfactory agreement as to the price to be paid for this property, to proceed with condemnation.

The Attorney reported receipt of a deed from Linn County conveying unto the state the right of way included in the county road which extends from the Santiam Highway to Cascadia State Park, which road is about 600 feet in length. The Commission accepted the deed, it being in conformance with previous understanding with the County Court.

The Commission discussed briefly with the Attorney matters pertaining to the Orris Knapp right-of-way controversy at Port Orford. However, no action was taken by the Commission in the matter, due to the fact that it has been decided to postpone construction of the Port Orford South project for the time being.

The Attorney brought up for discussion the resolution adopted by the Commission at its meeting on April 4, 1941, relative to the purchase of right of way and rights of access on the Wolf Creek Highway. He said that when this resolution was presented he understood that a right of way 200 feet wide was to be acquired, and that the resolution so states, and he has used the resolution in connection with certain cases in Court. However, he is now advised that the full 200-ft. right of way is not needed. He requested authority from the Commission to revise the resolution accordingly. The Commission approved the request.

Reconsideration was given by the Commission to the matter of acquiring right of way that is needed for the Stanfield-Boardman Highway across

property owned by W. P. Smith, et al, and in connection with which controversy has arisen with respect to the value of a duck lake. The Attorney recalled that Mr. Smith at one time offered to sell his entire holdings, consisting of 160 acres, including the duck lake, for the sum of \$4,000. He also said that the property has been appraised by the Assistant Attorney at \$3,008.20, and by Mr. Landon, right-of-way buyer, at \$2,645.60, although the value of the duck lake was not considered in either of these appraisals. Mr. Smith's demand, he said, amounts to \$2,600 for the right of way alone, including damages for ruining the duck lake. He recommended, in view of the circumstances, the acquisition of the entire 160-acre tract at \$4,000. The Commission approved the recommendation.

The Secretary presented a letter from the Honorable Earl Snell, Secretary of State, returning to the Commission unapproved, a voucher covering payment to Joseph Puzanowski Parker, et al, in the amount of \$78.58, representing interest allowed by the Trial Court in the condemnation case for the acquisition of right of way from Mr. Parker, et al. Mr. Snell called attention to an apparent conflict in the Commission's statement accompanying the voucher and advised that he cannot approve the voucher unless the claim bears the unqualified approval of the Commission. The Commission referred the matter to the Attorney to iron out the difficulty.

A letter was presented from the Port of Siuslaw, Florence, Oregon, relative to the planting of Holland grass on sand dunes south of the Siuslaw River at Florence. It was alleged that the sand dunes in their present condition are a menace not only to the Siuslaw River but also to the state parks, and the highway in this vicinity, and it was proposed that a soil conservation district be organized to combat this nuisance, and that the Highway Commission assist in the matter. The Engineer advised that this matter was investigated by Division Engineer K. D. Lytle, who reports that the sand on the south bank of the river, a short distance west of the highway bridge, is drifting into the river and is interfering with navigation. Further, that the dune is estimated to cover about six square miles and, while no details are available as to how much it would cost to plant the area, judging from the experience of the Highway Department elsewhere, it would cost about \$40,000. He said that Mr. Lytle recommended against the expenditure as does also Mr. Bishop, Maintenance Engineer, in which recommendations he concurs. The Commission approved the recommendation.

A letter was presented from J. H. Irvine, Secretary of the Lebanon Strawberry Fair Committee, requesting authority to detour traffic from Main Street (route of the Santiam Highway) during the progress of their Strawberry Festival, which is to be held in the early part of June. The Engineer recommended approval of the request subject to the condition that suitable detours are provided, and that flagmen are maintained to direct traffic. The Commission approved the recommendation.

The Attorney requested instructions relative to the selection of a date upon which the insurance policy that the State is to give to the railroad companies, in connection with the use of the Steel Bridge, in Portland, as a

state highway, shall become effective. The Engineer advised that the responsibility of the State would not commence until the traffic ramps at the ends of the bridge have been constructed, which will probably not be for a year or more. In view thereof the Commission decided to defer the setting of such effective date until later. The Secretary was instructed to again bring the matter up for discussion in January of 1942.

The Commission discussed the matter of joining with the Diking District of Coos County in the cost of constructing certain dikes and tidegates adjacent to the Oregon Coast Highway at North Slough, which matter was discussed briefly by the Commission at the previous meeting. The Attorney advised that the Commission has legal authority to cooperate financially with the District if it so desires. After discussion, the Commission indicated that it would join with the District in this matter if a suitable agreement can be reached, and accordingly instructed the Attorney to draw up a form of contract with the district covering the matter, for approval by the Commission at the next meeting.

The Engineer discussed with the Commission matters pertaining to the Federal Aid Secondary Highway Program. He advised that overruns and additions in the 1940 Federal Aid Secondary Program have taken up all of the Federal funds available in such program, so it will not be possible to finance the Wright's Point-Narrows project in Harney County and the Woodburn-Rock Creek project in Marion County, which are included in such program, but for which federal approval has not yet been obtained. He recommended, in view of the circumstances, that these projects be eliminated from the program for the time being and be placed in some other program for either state or federal funds. The Commission approved the recommendation subject to the condition that these projects will be given priority status in the next program.

The Engineer also recommended the transfer of the Kimberly East project from the 1940 Federal Aid Secondary Highway Program to the 1941 Federal Aid Secondary Highway Program, and the combination of this project with another project on the Kimberly East Section that is already included in such 1941 program. The Commission approved the recommendation.

The Engineer pointed out that the 1941 and 1942 Federal Secondary Highway programs tentatively approved by the Commission contain three projects that are not eligible for federal moneys because they were not included in the Federal Aid Secondary Highway System heretofore submitted to the Public Roads Administration for approval, such projects being as follows: Buck Hollow Section of the Shearers Secondary Highway, in Sherman County; Scio-Lyons Section of the Albany-Lyons Secondary Highway, in Linn County; Athena-Cold Springs Section of the Athena-Cold Springs Secondary Highway, in Umatilla County. He suggested that the Scio-Lyons project be dropped entirely from any program and that the other two projects be included in the program for state funds for construction next year. The Commission approved the suggestion and so ordered.

The Commission discussed and, upon recommendation of the Attorney, signed the following letter with respect to a controversy with the City of Scappoose involving sidewalk construction in front of property owned by Mr. I. G. Wikstrom:

Honorable Milton J. Butler,
Mayor of Scappoose,
Scappoose, Oregon.

Dear Sir:

There is pending between the Highway Commission and the City Council of the City of Scappoose a controversy which involves property owned by Mr. I. G. Wikstrom. It appears that a sidewalk was constructed by the City in front of Mr. Wikstrom's property, the cost of which improvement was made a lien against the property, but which lien has not yet been satisfied.

The Highway Commission in connection with the further improvement of the Columbia River Highway in Scappoose, and particularly that portion of the highway upon which the said Wikstrom property abuts, has found it necessary to take up and remove said sidewalk and in its stead construct another sidewalk to serve the said Wikstrom property. The City does not want to be in a position of losing the effect and value of its lien against the said property, and the purpose of this letter is to advise and insure the City Council of the City of Scappoose that if and in the event the City, after pursuing its full legal remedy and rights to recover on said lien, fails, and such failure is legally chargeable to the action of the Highway Commission in removing and destroying the public improvement or sidewalk which is the basis of said lien, then the Highway Commission will reimburse the City in the amount of loss sustained by reason of the removal or destruction of said sidewalk.

It is expressly understood, however, that the State shall not be liable to the City until the City has exhausted its full and complete legal remedy against the said real property, and I. G. Wikstrom as owner of the same, or his heirs, executors, administrators and/or assigns.

Yours very truly,

OREGON STATE HIGHWAY COMMISSION

The Engineer reported that Contracts Nos. 2395 and 2397, for the furnishing of crushed materials in stock piles have been completed according to the requirements of the contracts or modifications thereof, and that said jobs are now ready for acceptance. The following resolution accepting the above projects was offered and adopted by the unanimous vote of the Commission:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts and that said jobs are now ready for acceptance:

Contract No. 2395, with A. S. Wallace, for furnishing 7,000 cubic yards of crushed gravel in stock piles on the Millican-Brothers Section of the Central Oregon Highway, in Deschutes County. Completed April 22, 1941.

Contract No. 2397, with Babler Bros., for furnishing 10,300 cubic yards of crushed rock in stock piles on the Seaside-Wheeler Section of the Oregon Coast, Wolf Creek and Necanicum Highways, in Clatsop and Tillamook Counties. Completed May 9, 1941.

THEREFORE, BE IT RESOLVED, that the work covered by said state highway contracts for the construction of said state highway projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

The Commission considered and signed agreements, et cetera, as follows:

Letter form of agreement correcting erroneous reference in Clackamas Overcrossing agreement with Southern Pacific Company

Agreement with J. H. Chambers granting to Mr. Chambers the right to construct and maintain a spur railroad track over certain property in Cottage Grove

Agreement with J. W. and J. R. Hillstrom relative to the removal of the old bridge over Coalbank Slough near Marshfield upon completion of new structure under state contract

Agreement with the State Board of Higher Education relative to radio broadcasting programs, from June 10 to September 10, 1941

Agreement with Morrow County relative to Patterson Ferry Road which extends from the Columbia River Highway to the Columbia River

Agreement with T. W. Panter and Tidewater Associated Oil Company with reference to the T. W. Panter Service Station property at Bandon

Quitclaim deed conveying unto T. W. Panter and wife a portion of the old Oregon Coast Highway right of way at Bandon, Right of Way Transaction No. 5358

Agreement with Public Roads Administration relative to special maintenance work on the North Santiam Highway

Joint letter with W. H. Lynch, District Engineer, Public Roads Administration, relative to the allocation of 1942 Federal Lands Highway Funds

There being no further business to come before the Commission at this time, the meeting was adjourned at 6:30 p. m.

[Signature]
State Highway Engineer

Henry F. Cabell
Chairman

[Signature]
Secretary

[Signature]
Commissioner

Portland, Oregon, June 12, 1941

The State Highway Commission met in regular session at 9:00 a. m. in the auditorium of the Public Service Building. Present were:

Henry F. Cabell, Chairman
Herman Oliver, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

Commissioner Clough was excused.

Bids, as follows, for highway construction work, sale of down timber on the Wolf Creek Highway, restaurant property at Bandon, and concession privileges at Silver Creek Falls Park, were opened and read in conformance with previously published notice, following which Chairman Cabell announced that awards would be made at 3:00 p. m. in the same room:

WOODBURN-SANDY SECONDARY HIGHWAY
WOODBURN-ROCK CREEK SECTION - SURFACING AND OILING

E. H. Itsehner
Babler Bros.

\$20,452.00
22,202.00

10385

MAINTENANCE BUILDING AT CONDON

Viesko & Hannaman	\$9,888.00
Gregoire & Kinch	9,988.00
Birkemeier & Saremal	10,918.00
Barham Bros.	11,597.00

JOHN DAY HIGHWAY
REINFORCED CONCRETE VIADUCT ON
ROCK CREEK SECTION

Averill & Corbin	\$12,550.50
A. Milne	15,669.50

HOOD RIVER SECONDARY HIGHWAY
DEE-WOODWORTH ACRES SECTION - SURFACING AND OILING

Rogers Construction Co.	\$51,858.50
Porter W. Yett	53,223.00

PACIFIC HIGHWAY
GRAVE CREEK-JUMPOFF JOE CREEK SECTION - GRADING

Frank Penepacker	\$313,317.00
McNutt Bros.	330,813.00
White Trucking Co.	335,342.50
E. L. Gates	352,143.00
Sam Orino	373,354.00
A. C. Greenwood Co., Inc.	378,922.00

WARNER SECONDARY HIGHWAY
WARNER SUMMIT-MUD CREEK SECTION - GRADING AND SURFACING

Rogers Construction Co.	\$51,963.50
Clifford A. Dunn	62,814.00

HARBOR DRIVE IN THE CITY OF PORTLAND
MORRISON STREET BRIDGE APPROACHES AND RETAINING WALLS

L. H. Hoffman	\$87,265.00
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FAIRVIEW-CLEMENTS CORNER AND LONG PRAIRIE COUNTY ROADS
TRASK RIVER-FELTZ CORNER SECTION
GRADING, SURFACING, BITUMINOUS MACADAM AND TWO BRIDGES

C. J. Eldon	\$73,356.00
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OREGON-WASHINGTON HIGHWAY
FENDLETON-ADAMS SECTION - ROADSIDE IMPROVEMENT

M. E. Myers & Sons	\$11,952.75
E. L. Gates	12,159.90

WALLOWA LAKE HIGHWAY
BOSWELL RANCH-FOLIETT RANCH SECTION
GRADING, SURFACING AND OILING

Leonard & Slate	\$86,611.00
E. L. Gates	88,854.50
Colonial Construction Co.	90,236.00
Triangle Construction Co.	93,647.00

CONCESSION PRIVILEGES AT
SILVER CREEK FALLS STATE PARK

Frank H. Chataas	6% of gross sales and receipts during period agreement is in effect
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RESTAURANT PROPERTY AT BAIDON

Building No. 7857-A (Known as Koffee Kup Cafe)

Ilo H. Heaton	151.10
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DOWN TIMBER ON WOLF CREEK HIGHWAY

J. T. Shields	\$410.00
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The matter of conducting a public drawing to select the several insurance companies that should participate in the official bond of the State Highway Engineer during the coming year, starting June 15, 1941, had the attention of the Commission. The Commission decided that it would dispense with the drawing this year and would renew the bond in the same companies that had this business last year, notwithstanding a previous decision to conduct the drawing. It was also decided that a public drawing should be made next year, a month or two before the termination of the existing bond, to determine which companies should have the bond for the year starting June 15, 1942. All bonding companies that are authorized to do business in the State of Oregon are to be included in the drawing and ten companies are to be selected,

but it will be left with the management of each company to determine which of its agents shall share in the premium commission.

The Commission had under discussion the appointment of an additional member to the Advisory Board on Publicity Matters, and decided that it would be advisable to place on this board Mr. E. B. Aldrich, former State Highway Commissioner, who is particularly interested in the proper establishment and operation of this department, and on whose judgement the Commission heretofore largely relied in connection with publicity activities. Mr. Aldrich's appointment to this board was approved by the unanimous vote of the Commission.

The Engineer requested authority for Chief Locating Engineer Hollis W. Libby to attend, at state expense, the National Congress on Surveying and Mapping, which is to be held in Washington, D. C., June 16, 17 and 18, 1941. He estimated the expense involved at approximately \$350.00. The Commission approved the request subject to confirmation by Governor Charles A. Sprague.

The Engineer discussed with the Commission the matter of revising the classification for engineering positions and the salary schedules for each such position. He advised that many employees of the department have received offers of employment commanding salaries considerably in excess of those which they are now receiving and, in his estimation, in order to hold the present engineering organization, it will be necessary to increase their rates of pay. He submitted the following classifications for such employees and recommended approval of the same:

STANDARD CLASSIFICATIONS
ENGINEERING POSITIONS

June 1, 1941

Major Classification	Salary Range	Positions	Number Employed	Salary
Classification 6	\$550-700	Chief Engineer	1	\$600
Classification 5	450-550	Assistant Chief Engineer	1	500
Classification 4	300-450	Staff Engineers	4	450
		Division Engineers	5	400
		Department Heads (Grade 4)	1	360
		" " (" 3)	1	350
		" " (" 2)	1	325
		" " (" 1)	-	300

(Standard Classifications - Engineering Positions - Continued)

Major Classification	Salary Range	Positions	Number Employed	Salary
Classification 3	\$250-325	Assist. Staff Engr's. (Grade 4)	4	\$315
		" " " (" 3)	4	300
		" " " (" 2)	3	275
		" " " (" 1)	2	250
Classification 2	200-275	Resident Engineers (Grade 4)	1	275
		" " " (" 3)	31	250
		" " " (" 2)	4	225
		" " " (" 1)	5	210
		Locating Engineers (Grade 4)	-	275
		" " " (" 3)	5	250
		" " " (" 2)	1	225
		" " " (" 1)	1	210
		District Maint. Supts. (Grade 3)	-	275
		" " " (" 2)	15	250
		" " " (" 1)	-	225
		Engineer Supervisors (Grade 6)	1	275
		" " " (" 5)	6	250
		" " " (" 4)	2	235
		" " " (" 3)	4	225
		" " " (" 2)	2	210
		" " " (" 1)	9	200
		Engineer Designers (Grade 6)	-	275
		" " " (" 5)	2	250
		" " " (" 4)	3	235
		" " " (" 3)	5	225
		" " " (" 2)	-	210
		" " " (" 1)	5	200
		Engineer Specialists (Grade 6)	1	275
		" " " (" 5)	-	250
		" " " (" 4)	-	235
		" " " (" 3)	-	225
		" " " (" 2)	-	210
		" " " (" 1)	-	200
Classification 1	\$100-200	Transitmen (Grade 2)	5	185
		" " (" 1)	40	170
		Draftsmen (Grade 4)	1	185
		" " (" 3)	5	170
		" " (" 2)	1	160
		" " (" 1)	7	150
		Engineer Assts. (Grade 4)	3	185
		" " (" 3)	8	175
		" " (" 2)	4	160
		" " (" 1)	14	150
		Laboratory Assts. (Grade 4)	-	185
		" " (" 3)	3	175
		" " (" 2)	-	160
		" " (" 1)	6	150

*(Standard Classifications - Engineering Positions - Continued)

Major Classification	Salary Range	Positions	Number Employed	Salary
Classification 1 (Cont.)	\$100-200	Office Assts. (Grade 4)	16	\$150
		" " (" 3)	-	135
		" " (" 2)	6	125
		" " (" 1)	17	110
		Field Assts. (Grade 4)	-	150
		" " (" 3)	-	135
		" " (" 2)	1	125
		" " (" 1)	-	110
		Inspectors (Grade 4)	4	175
		" (" 3)	15	150
		" (" 2)	5	135
		" (" 1)	3	120
		Checkers (Grade 2)	10	120
		" (" 1)	10	100
		Levelmen	3	150
		Topographers	2	150
		Computers	30	150
		Head Chainmen	24	135
		Chainmen	60	120
		Stakemen	5	100
		Flagman	5	100
		Axemen	2	100

After due consideration, the Commission approved the new classifications by unanimous vote, and thereupon authorized the Engineer to revise the salaries of the persons affected, in accordance therewith, provided authority for such changes is granted by Governor Sprague.

The Commission also discussed the matter of providing a 10 per cent wage increase for hourly paid men, but deferred action on such matter until some time this fall.

The County Court of Marion County, represented by County Judge Grant Murphy, and Commissioners Jim Smith and Ralph Girod, and County Engineer W. C. Hubbs, was present. Judge Murphy gave as his understanding that the Highway Commission has under contemplation the designation as a state secondary highway of the county road between Mehama and Mill City. He pointed out that a short section of each end of this road lies within the borders of Marion County and advised that Marion County Court is desirous of having these two short sections placed on the secondary highway system along with the Linn County section. He was informed by Chairman Cabell that the Commission expects to take over this road as a state secondary highway as soon as right-of-way matters have been clarified and when all three members of the Commission are present, the latter being a legal requirement.

*Filed in Special Matters File - No. 3

JUN 12 1941

The County Court also asked the Commission to extend the improvement of the Salem-Silverton County Road from Middle Grove to Central Howell. They urged such improvement for 1941 construction, and guaranteed the right of way required therefor. Judge Murphy also asked the Commission to authorize a survey for the balance of this road from Central Howell to Silverton and that this portion of the road also be constructed as soon as possible.

The Engineer advised that the Commission has 40,000 budgeted for the Middle Grove-Central Howell Section, and contemplates the contracting of the work some time this fall, or sooner, if possible. He also stated that an additional sum of \$45,000 has been budgeted for 1942 construction on this road. The Court suggested the combining of both projects and construction this year. The Commission took the matter under advisement, however, authorized the Engineer to complete the survey to Silverton and report the results thereof to the Commission, when a definite decision will be rendered with respect to the entire proposed improvement.

Judge Murphy inquired as to the plans of the Commission relative to taking over as a state secondary highway a section of the North Santiam Highway between Detroit and the South Santiam Highway junction, and was informed that the Commission intends to so designate this road when standard width right of way throughout has been furnished and has been cleared of encroachments.

The County Court of Tillamook County, represented by County Judge Harland M. Woods and County Commissioners E. H. Lindsey and E. G. Anderson, was present and asked the Commission to authorize one of the state bridge crews to repair a steel bridge over the Nehalem River on County Market Road No. 9. Judge Woods advised that the county has no bridge crew capable of doing the work but the county is willing to pay the cost involved if the Commission will let one of the state crews do the work for the county. He estimated the cost of the work at \$700.00. The Commission approved the request, whereupon the county court presented its certified check in the amount of \$700.00 as advance payment. An agreement covering the matter was thereupon signed by all parties.

The county court then discussed with the Commission the matter of repairs to the Trask River Bridge on the Fairview-Clements Corner County Road, which road, except for the bridge work, is being improved by the state as a federal aid secondary highway project. The Engineer advised that inspection of the bids received by the Commission today for this work reveals that the bridge work, which the county is required to finance, is going to cost about \$7,000 rather than the estimated amount of \$6,000. He pointed out that the county court at a previous meeting of the Highway Commission agreed to assign \$6,000 of the county's share of the 1942 gasoline tax funds to pay this expense, and inquired if the county is willing to increase the amount of its contribution to \$7,000, in view of the bids received. After discussion, the county court agreed to pay the increased amount, one-half of which is to be paid out of the June 15, 1942 apportionment of gasoline tax monies by the Secretary of State, and the balance out of the December apportionment of such funds. An agreement covering the matter and assigning to the state such amount of the gasoline tax funds belonging to the county was thereupon signed by all parties.

JUN 12 1941

Mr. W. H. Lynch, District Engineer, Public Roads Administration, was present and brought up for discussion bids recently received by him for the construction of the Wapinitia Forest Highway project. He advised that inspection of the bids reveals that the low one is considerably in excess of the amount budgeted for the work and suggested, unless the Commission considers it advisable to provide state funds to make up the difference, that this project be deferred and that the moneys provided therefor be reallocated for the construction of another section of the Warm Springs Highway. He recommended approval of the Warm Springs improvement. The State Highway Engineer concurred and, in this connection presented a letter from Major General George A. White, Commanding Officer, Headquarters 41st Division, A.P.O., recommending improvement of the Warm Springs Highway as a road of important military significance. After discussion, the Commission approved the Engineer's recommendation and so ordered.

Mr. Walter Ransom, Eugene, came before the Commission in behalf of the Eugene Chamber of Commerce and discussed briefly matters pertaining to the "Route F" Highway which extends from Eugene to the Coast. He advised that the Lane County Court plans to budget a definite amount of money for next year's use in connection with this project and is willing to turn this money over to the state for expenditure on a 25 per cent county - 75 per cent state basis, because the county feels that it can secure more for its money in this manner than it can by doing the work as a W.P.A. project. Grading work on this highway, he said, will be completed up to each end of the tunnel by July 1st, and the county would like at least some contribution from the state within the next two years. Chairman Cabell pointed out that the tunnel construction is quite expensive, and that the outlook for future cooperation on this road is not very promising, particularly in view of the fact that the Commission contemplates spending a large sum of money for the improvement of the Pacific Highway between Eugene and Springfield, so the Commission is not in a position at this time to give the Eugene people any encouragement, either in connection with the tunnel construction or any other work on the "Route F" Highway.

The Commission adjourned at 11:40 a. m. and reconvened at 1:30 p.m. in the same room with the same persons present and participating.

The County Court of Clatsop County, represented by County Judge Guy Boyington and County Commissioner James Elliott, was present and discussed with the Commission matters pertaining to the proposed construction of the Warrenton Section of the Fort Stevens County Road, involving a crossing of the S.P. & S. Railroad wye tracks at grade, in Warrenton. Mr. Clifford A. Barlow, Warrenton City Manager and Police Judge, was also present and entered into the discussion. Judge Boyington advised that the county has acquired all of the right of way needed for this improvement so, as far as the county is concerned, the project can proceed as soon as the Public Utilities Commissioner has handed down his order with respect to the railroad grade crossing. The Engineer advised that surveys for the improvement are completed and that the project could be advertised for bids were it not for the fact that the order of the Public Utilities Commissioner has not yet been made with respect to the

grade crossing mentioned by Judge Boyington. He further advised that the Public Utilities Commissioner at one time held a hearing on this subject, but the Highway Commission was not notified, so was not represented at such hearing, and that it was brought out at the hearing that it would be possible to better the alignment of the highway at this crossing. He gave as his thought that the volume of traffic that uses the road does not justify the expense of bettering the alignment, and suggested that the Public Utilities Commissioner be asked to hold another hearing on the subject when arguments could be presented for the approval of the present proposed route. After considerable discussion the Commission approved the suggestion and authorized the Engineer to advertise the project for bids to be received as soon as the grade crossing matter has been clarified. It was agreed that Judge Boyington would ask the Public Utilities Commissioner for the new hearing.

Mr. C. L. Brown, Manager of the Salem headquarters of the Union Oil Company, was present in regard to the 16-ft. setback line ordered by the City Council of Eugene along Sixth Street, route of the Pacific Highway in Eugene. He said that the Union Oil Company operates a service station at the intersection of Sixth Street with Willamette Street, in which they have a large investment; that the company has occupied this property for ten years and is now desirous of further developing it but cannot do so as they would like, because of the city's ordinance requiring improvements to be set back sixteen feet from the property line. He asked the Commission to approve the rescinding of the city's ordinance, so as to allow the company the use of the entire area up to the property line. The Engineer advised that under the new arrangement Sixth Street is to be a one-way street for northbound highway traffic, southbound highway traffic being required to use Seventh Street, which is also a one-way street. He gave as his thought that it would be unwise for the city to cancel the setback ordinance because the setting back of the buildings, et cetera, would enhance the attractiveness of the street and, in addition, there is a possibility that conditions will change at some future time which would require the widening of the street and, in that event, considerable advantage would be gained and expense saved if no buildings were in the way of the improvement.

Mr. Brown made an urgent plea on behalf of the company following which the Engineer suggested that the Union Oil Company be allowed to use the area up to a distance of eleven feet from the curb line until such time as the area is needed for highway purposes, provided, however, that the company will move its facilities back to the sixteen-foot setback line at its own cost and expense when asked to do so. Such arrangement was acceptable to Mr. Brown and was also approved by the Commission by unanimous vote. The Engineer was instructed to inform the Eugene City Council of the attitude of the Highway Commission with respect thereto, and to suggest that, if the city approves such arrangement, the matter be covered by appropriate written agreement.

A delegation from Deschutes County, including the Deschutes County Court, represented by County Judge C. L. Allen, County Commissioners E. E. Varco, and Ole Grubb, H. H. DeArmond, H. A. Lynch, Don Peoples, and McKinley Stockman, Manager of the Oromite Company, came before the Commission in the

interests of the Terrebonne-Lower Bridge County Road. Judge Allen recalled that at a previous meeting the Highway Commission signified that it would construct an oil surface on this road as a federal aid secondary highway project if the county would acquire the right of way and grade and rock surface the road, which is seven miles in length, and would contribute the sum of \$5,000 in cash as cooperation on the oiling work; however, the county now finds that it is not able to handle the work because it does not have the equipment, and for the further reason that they are behind in their schedule of county road jobs for this year, so they would appreciate it if the Highway Commission would take charge of the entire improvement. The county, he said, would pay its share of the cost to the Commission in cash, but they would like to have the work done this year. This matter was discussed at considerable length and the following decision was reached: The Highway Commission will waive the requirement that the county contribute \$5,000 in cash, and will contract the surfacing and the oiling of the road when the county completes the grading work. In the event that the county is unable to complete the grading of the entire seven-mile section this year, then the Highway Commission will surface and oil that portion thereof that is graded by the county, provided the graded section is of sufficient length (not less than three miles) to justify the award of a contract for surfacing and oiling. It was agreed that if the county completes its grading work early enough this year so that a good oiling job can be done, then the Commission will perform the oiling work this year.

Judge Allen also asked the Commission to authorize the state's oiling crew, that will be working in the vicinity of Bend soon, to oil the Shevlin Park Road, three miles in length, which extends from the city limits to the park. He said that the county has already graded and graveled this section, and it is all ready for the oil; also, that the county will pay the cost involved. The Commission approved the request subject to the condition that it will not interfere with the state's oiling program, and provided the county will assign to the state a sufficient amount of its share of the gasoline tax fund to pay the costs. This was agreeable to the county court. The Engineer was thereupon instructed to prepare an appropriate form of agreement covering the matter.

Judge Allen also asked for the oiling of a three and a quarter mile section of the Tumalo-Deschutes Secondary Highway out of Tumalo, and a three and four-tenths mile section of the Tumalo-Cline Falls Secondary State Highway. The Engineer estimated the cost of the first project at \$17,000, and the cost of the second project at \$16,000. He recommended approval of the work and that it be contracted some time this fall. The Commission took the matter under advisement for consideration when the next construction budget is prepared.

Mr. Peoples inquired when the Commission plans to make its inspection trip over the Warm Springs Highway, and was informed that no definite time has been set for such inspection, but there is a possibility that it will be some time in July. The Secretary was instructed to notify Mr. Peoples when a definite date has been set for such trip.

Mr. Peoples also asked for a map showing the status of improvement on this highway. The Engineer was instructed to see that such map is furnished him.

Messrs. W. H. Lynch, District Engineer, and H. D. Farmer, Senior Highway Engineer, Public Roads Administration, again appeared before the Commission in regard to the improvement of the Timberline Road, which extends from the Mount Hood Highway to Timberline Lodge. Mr. Lynch advised that bids have been taken for the construction of another section of this road, but it appears that the cost of construction is going to exceed the amount of federal funds that have been budgeted to finance it. The overrun, he said, amounts to about \$12,000; also, that there are federal funds in the amount of about \$4,000 to apply thereto, leaving a deficit of \$8,000, which he asked the Commission to contribute from the State Highway Fund. The Commission approved the request, and thereupon signed an agreement with the Public Roads Administration covering the matter.

The Commission at this time discussed the bids that were received at the morning session. Particular attention was given to the projects on which only one bid was submitted. The question arose whether or not the Commission should deviate from its present policy, which prohibits the award of a contract upon the submission of only one bid. It was the decision of the Commission that it would accept bids in such category in connection with projects included in this day's letting, provided the bid does not exceed the Engineer's estimate by more than ten per cent, but hereafter single bids received for any one project will not be acceptable unless they do not exceed the Engineer's estimate by more than five per cent. If more than one bid is received for any project then the low bid for such project will be considered acceptable if it does not exceed the Engineer's estimate by more than ten per cent. The Commission adopted such procedure as its general policy to be followed hereafter at all future contract lettings.

At 3:00 p. m. Chairman Cabell announced the following awards of contracts, et cetera, bids for which were received at the morning session, such awards having been previously approved by the Commission by unanimous vote:

"Woodburn-Rock Creek Section of the Woodburn-Sandy Secondary Highway, in Clackamas and Marion Counties. 5.1 mile surfacing and oiling. E. H. Itschner, Molalla, submitted the low bid for this work, in the amount of \$20,452.00. Babler Bros., Portland, submitted the second-low and only other bid, in the amount of \$22,202.00. The Commission awards this contract to E. H. Itschner, at his low bid of \$20,452.00.

"Maintenance building at Condon, in Gilliam County. Viesko & Hannaman, Salem, submitted the low bid for this work, in the amount of \$9,888.00. Gregoire & Kinch, Portland, submitted the second-low bid, in the amount of \$9,988.00. There were two higher bidders. The Commission awards this contract to the low bidders, Viesko & Hannaman, at their bid of \$9,888.00

"Rock Creek Section of the John Day Highway, in Grant County. Construction of an 80-foot reinforced concrete viaduct and .046 mile of highway roadbed. Averill & Corbin, Portland, submitted the low bid for this project, in the amount of \$12,550.50, and A. Milne, Portland, submitted the only other bid, in the amount of \$15,669.50. The Commission awards this contract to Averill & Corbin, at their low bid of \$12,550.50.

"Dee-Woodworth Acres Section of the Hood River Secondary Highway, in Hood River County. 1.95 miles grading and 3.15 miles surfacing and oiling. Rogers Construction Co., Dayton, Washington, submitted the low bid for this work, in the amount of \$51,858.50, and Porter W. Yett, Portland, submitted the only other bid, in the amount of \$53,223.00. The Commission awards this contract to the Rogers Construction Co., at its low bid of \$51,858.50.

"Grave Creek-Jumpoff Joe Creek Section of the Pacific Highway, in Josephine County. 4.70 miles grading. Frank Pene-packer, Portland, submitted the low bid for this work, in the amount of \$313,317.00. McNutt Bros., Eugene, submitted the next-low bid, in the amount of \$330,313.00. There were four higher bidders. The Commission refers all bids received for this work to the Engineer with power to award the contract to the low bidder when certain conditions have been fulfilled.

"Warner Summit-and Creek Section of the Warner Secondary Highway, in Lake County. 2.84 miles grading and 6.91 miles surfacing. Only two bids were received for this work, the low bid being that of the Rogers Construction Co., Dayton, Washington, in the amount of \$51,963.50, and the second-low being that of Clifford A. Dunn, Klamath Falls, in the amount of \$62,814.00. The Commission rejects the bids for this project, and orders the work readvertised.

"Morrison Street Bridge approaches and retaining walls on Harbor Drive, in the City of Portland, Multnomah County. L. H. Hoffman, Portland, submitted the only bid for this project, in the amount of \$87,265.00. The Commission rejects this bid and hereby orders the project readvertised.

"Trask River-Peltz Corner Section of the Fairview-Clements Corner and Long Prairie County Roads, in Tillamook County. 3.75 miles grading, surfacing and bituminous macadam, and construction of two bridges. Only one bid was received for this work, being that of C. J. Eldon, Portland, in the amount of \$73,356.00. The Commission awards this contract to C. J. Eldon, at his bid of \$73,356.00.

"Pendleton-Adams Section of Oregon-Washington Highway, in Umatilla County. 11.3 miles roadside improvement. M. E. Myers & Son, Echo, submitted the low bid for this work, in the amount of

\$11,952.75. The only other bid submitted was that of E. L. Gates, Packwood, Washington, in the amount of \$12,159.90. The Commission awards this contract to M. E. Myers & Son, at their low bid of \$11,952.75.

"Boswell Ranch-Follett Ranch Section of the Wallowa Lake Highway in Union County. 2.78 miles grading, surfacing and oiling. Leonard & Slate, Multnomah, submitted the low bid for this work in the amount of \$86,611.00. E. L. Gates, Packwood, Washington, submitted the second-low bid in the amount of \$88,854.50. There were two higher bidders. The Commission awards this contract to Leonard & Slate, at their low bid of \$86,611.00.

Concession privileges at Silver Creek Falls State Park:

"The Commission received only one bid for this concession, being that of Frank H. Chatas, Salem. However, this bid could not be considered, due to the fact that it was not submitted in accordance with the specifications, therefore is rejected.

Restaurant Property at Bandon:

"Building No. 7857-A (Known as the Koffee Kup Cafe). Ilo H. Heaton, Coquille submitted the only bid received for the purchase of this building, in the amount of \$151.10. The Commission rejects this bid.

Down Timber on Wolf Creek Highway:

"The only bid received for the purchase of this down timber was that of J. T. Shields, Timber, in the amount of \$410.00. The Commission accepts the bid of J. T. Shields, and sells this timber to him at his bid of \$410.00."

Mr. A. W. McPherson, representing the Bonneville Power Administration, and Mr. John A. Brix, contract logger, came before the Commission in regard to the maintenance of a log dump on state property in the Columbia River at Corbett, Multnomah County. Mr. McPherson stated that the Bonneville Power Administration is building a high tension power line through the timber south of the Columbia River Highway in the vicinity of Bonneville, and that Mr. Brix has a contract to do the clearing, which involves the cutting of the timber and the hauling of the logs to the Columbia River. This power line, he said, is an important one and is to supply the aluminum plant at Vancouver. Furthermore, construction of the line must be completed by August 15. He gave as his understanding that the State Highway Commission objects to the maintenance of the log dump at Corbett, which is the only place along the river where Mr. Brix can dump the logs. He explained that the dump would consist of a small wharf built on a row of piling and dolphins, which would be installed near

the low water line along a section about 300 feet in length. He also said that arrangements have already been made with all other state and federal departments concerned for permits, but they evidently overlooked the State Highway Department, so they are now appearing before the Commission to ask this privilege as a temporary proposition.

Mr. Brix assured the Commission that the arrangement would not be permanent inasmuch as it is simply for this one operation. He said that he expected to complete the log hauling part of the work by December 1, 1941, and asked the privilege of maintaining the dump at Corbett until that time. The Engineer pointed out that there are possibilities that the Commission will place under contract before December 1 the construction of another section of the new Columbia River Highway at Corbett and, in that event, the log dump would undoubtedly interfere with the highway contractors' operations. After considerable discussion the Engineer suggested that Mr. Brix be allowed to maintain the log dump until November 1st, with the privilege of remaining there a longer period of time in the event highway construction operations are not then under way. The Commission approved the suggestion.

The Commission also authorized the granting of a permit to transport the logs over the Columbia River Highway from its junction with the Brower Road to the road that leads to Corbett Station, subject to the condition that flagmen be maintained on the highway where the loads enter and leave the highway and further provided that the logs will be cut in lengths not in excess of 40 feet.

Mr. Ryder L. Cormany, Portland, was present and asked the Commission to designate as a state highway a short road which extends northerly from the Wilson River Highway, near Glenwood, toward the town of Timber. Mr. Cormany advised that the road in question is an old private logging road but was discontinued as such about fifteen years ago. Since that time, he said, a number of people have built homes adjacent to it and are using it as a public road, although it has never been dedicated as such. He also said that there is an old bridge on this road near its junction with the Wilson River Highway, that is badly in need of repair and he is fearful that if an accident should occur on this bridge he would be held responsible and liable, and that his primary object in coming before the Commission is for relief from this responsibility. He was informed that this road does not meet the requirements of a state highway so the Commission cannot place it on the state highway system. However, suggestion was made that the County Court of Washington County might take it over as a county road in view of the fact that it serves a number of families. Mr. Cormany said that he would act on this suggestion, however, he asked the Commission to intercede with the county court in his behalf. The Commission denied the request as a matter of policy.

The Engineer asked the Commission to adopt a policy covering the issuance of temporary permits for operation over state highways of vehicles that exceed the weight and dimension limits specified by statute. He particularly referred to permits for the transportation of RD-8 Caterpillar tractors and similar equipment used by highway contractors. He submitted a list of regulations covering such movements, as follows, which the Commission approved:

POLICY GOVERNING ISSUANCE OF TEMPORARY PERMITS FOR THE OPERATION
OF VEHICLES EXCEEDING LEGAL HEIGHTS AND DIMENSIONS

1. Individual axle loads may exceed 18,000 pounds but shall not exceed 19,000 pounds.
2. The gross weight of any group of axles spaced eighteen (18) feet or less apart shall not exceed that determined by the formula $715 \times (L+40)$, provided that the gross weight of any individual axle in such group shall not exceed 19,000 pounds. (This is equivalent to the gross weight provided by the formula $650 \times (L+40)$ plus ten (10) per cent.)
3. The gross weight of any vehicle or combination of vehicles having an overall wheel base of more than eighteen (18) feet shall not exceed that determined by the formula $750 \times (L+40)$, except that when "L" is less than 45 feet the formula $775 \times (L+40)$ may be used.
4. The tire width of any individual wheel or axle shall be sufficient to provide one inch of tire width (manufacturer's rating) for each 600 pounds of the gross weight of such wheel or axle.
5. The maximum height of any vehicle and load shall not exceed fifteen (15) feet, where the overhead clearance permits such height.
6. The maximum width of vehicle and load shall not exceed twelve (12) feet and the maximum length of vehicle and load, involving an overwidth, shall not exceed sixty (60) feet.
7. (Incorporate rules concerning logs heretofore adopted by the Commission on May 8, 1941.)
8. Any application to move any vehicle or combination of vehicles and loads exceeding the weights and dimensions set forth in the above rules must receive the consideration of the State Highway Commission.

The Commission authorized the issuance of permits under such regulations covering isolated movements only. Requests for permits that do not come within the scope of such regulations shall be referred to the Commission for instructions.

Chairman Cabell reported a gasoline advertisement encroachment on the right of way of the Pacific Highway West (Barbur Boulevard) near the intersection of Northwest 19th Avenue and 30th Street, Portland, said advertisement consisting of an old automobile. He said that this detracts greatly from the appearance of the highway, and in his estimation, should be destroyed. The

Engineer was thereupon instructed to ascertain the exact location of the sign and to pass the information on to the Attorney who was instructed to order the sign taken down if the Commission has control over it.

The Engineer requested authority to purchase one hydraulic floor jack, costing \$50.00, for use at the Portland Division Headquarters in greasing trucks, changing tires, et cetera. The Commission approved the request and ordered that the jack be purchased through the State Purchasing Agent.

The Engineer reported on the complaint of A. B. Quine, Manager of the Cornucopia Gold Mines, with respect to the condition of the Halfway-Cornucopia Secondary State Highway, in Baker County. He recommended an expenditure of about \$9,000 for the improvement of this road by sloping, constructing culverts and some surfacing, the work to be done this fall with state forces, when they are available. The Commission approved the recommendation.

The Engineer also reported the cost to construct a light mat oil surface on the newly resurfaced section of the Santiam Highway between Foster and Cascadia. He estimated the cost of such work at \$10,000 and recommended approval of the expenditure, the work to be done with state forces. The Commission approved the recommendation.

The matter of recoiling the Santiam Highway between Detroit and the South Santiam Highway junction was brought up for discussion by the Engineer. He advised that the present oiled surface is very thin and will not stand up under the traffic that uses the road, in fact the present surface is simply a series of patches from one end to the other and should be recoiled throughout its entire length. He pointed out that the Commission intends to designate this road as a state secondary highway as soon as the counties clear the right of way of encroachments, which it is expected will be done shortly, and recommended, in view thereof, and for the further reason that the road must be oiled next year at the latest, an expenditure of about \$12,000 to provide suitable oiling rock for the purpose. The Commission approved the recommendation and authorized the Engineer to advertise the project for bids to be received early this fall.

The Engineer reported briefly on matters pertaining to the proposed improvement of South Six Street, Klamath Falls, the route of the Klamath Falls-Lakeview Highway. The Commission ordered a full report on this matter for the next meeting.

The State Parks Superintendent, Mr. S. H. Boardman, was present and reported on the following park matters:

Parks Department financial statement:- The Parks Superintendent submitted a written report showing amounts budgeted for expenditure in 1941 for betterment and maintenance of parks, including a statement of expenditures made for acquisition of park areas up to June 1, 1941, totalling \$44,790.94. The report also included a list of authorized obligations totalling \$47,930.00. The Commission approved the report and ordered it filed.

Petition from Columbia Grange regarding the designating of the county road through Talbot State Park a state secondary highway:- The Parks Superintendent advised that this is the only roadway entrance into the state park and, in his estimation, it would be a fine thing if it were rocked and oiled and if a parking place for automobiles could be provided adjacent thereto. The Commission referred the matter to the Parks Superintendent for further investigation and report.

Addition to wayside park on Mount Hood Highway:- The Parks Superintendent recommended the purchase of a 20-acre tract described as the South half (S $\frac{1}{2}$) of Lot 16, Section 3, Township 1 North, Range 10 East, W. H., Hood River County, at \$160.00. He advised that the tract is owned by Hood River County, which acquired it for the amount of the taxes, that it adjoins a wayside parking area that the Commission is now buying and is needed for the proper future development of the park. The Commission authorized the purchase of this tract.

Petition to operate store and Post Office in Cascadia State Park:- The Parks Superintendent presented a petition from citizens of Cascadia requesting that a location be made available to persons now operating Cascadia store, for the purpose of erecting a building on the park premises to contain a store, Post Office and telephone switchboard, as an accommodation to the general public. The Commission denied the request as a matter of policy.

Status of C.C.C. camps in state parks:- The Parks Superintendent reported the termination on June 1st of two C.C.C. camps located at Woahink Lake and Saddle Mountain, leaving only two camps in operation, one being at Silver Creek Falls State Park and the other at Short Sand Beach State Park, although a spike camp of about thirty men from the Short Sand Beach Camp has been transferred to the Saddle Mountain Camp to continue road construction in this area. He further reported that he has heard a rumor to the effect that the camp at Woahink Lake is to be used as a "conscientious objectors" camp, although he has no definite information to that effect. The Commission approved the report but ordered that full reports on each camp be sent to each Commissioner for further study.

Proposed park adjacent to the Oregon Coast Highway at the California State Line:- The Parks Superintendent reported receipt of a letter from California interests reviving a plan for the establishment of a joint state park at this location. He said that the area contains about 160 acres and can be purchased from the owner, Mr. W. L. Crissey of Brookings, for \$10,000. The Commission confirmed its previous decision in the matter not to acquire this property at the present time because funds for park purposes are limited and, in the opinion of the Commission, there are other locations of more importance. The Commission agreed to reconsider the matter on its merits in the event the California interests push it.

Acquisition of government-owned property at Tillamook Head, in Clatsop County:- The Parks Superintendent requested authority to acquire from the Federal Government 109.39 acres of land at this location which, he said, can be purchased at \$1.25 per acre, or a total of \$136.74. He recalled that the Commission petitioned the government for this area a couple of years ago under

the Recreational Act and that the government has offered to sell it at the rate of \$1.25 per acre. The area, he added, consists of two separate tracts, one described as Lots 2, 3 & 4, in Section 31, Township 6 North, Range 10 West, W. M., and the other as Lot 2 in Section 1, Township 5 North, Range 11 West, W. M. The Commission authorized purchase of both areas.

Proposed park at Big Tree, in Clatsop County:- The Parks Superintendent reported that he inspected this proposed park in company with a committee of interested Seaside residents and finds that it is located in the southwest quarter of Section 7, Township 5 North, Range 9 W., W.M., about three miles south of Cannon Beach Junction; further, that to reach this site one is required to travel about five miles over a logging road. He estimated that it would cost about \$30,000 to build a suitable road to the tree, including construction of a bridge over the Necanicum River, and that it would require an additional expenditure of about \$10,000 to provide a caretaker and living quarters for him. He recommended against the project. The Commission voted unanimously not to acquire the property in view of the expense involved.

Removal of timber from Cape Arago State Park:- The Parks Superintendent recommended execution of an agreement with the County Court of Coos County and the prior owners of Cape Arago Park relative to removal of timber from this area. He explained that when the state acquired the tract provision was made in the deed that the timber should not be removed; however, since that time a forest fire ravaged a part of the tract, destroying some of the timber, and it was thought advisable at that time to sell the burned timber to a prospective purchaser, which was done, and the proceeds were deposited in the state highway fund. Recently, he said, complaint has been filed on the grounds that the state violated the provisions of the original agreement so, in order to clarify the situation, it was thought best to enter into a supplemental agreement with the parties interested, providing for the sale of the timber. He presented an agreement covering the matter which the Commission approved and signed.

Proposed wayside area near Crawfordsville, in Linn County:- The Parks Superintendent submitted a request from Mr. C. P. Bishop, Salem, for the establishment of a wayside park adjacent to the Halsey-Sweet Home Secondary Highway and the Calapooya River, about three miles east of Crawfordsville. Mr. Bishop, he said, is very interested in this area for sentimental reasons, it being near his boyhood home. He exhibited a map showing plans for the development of the tract and gave as his thought that the cost to develop the area in accordance with the plans would not exceed \$500.00. It was the opinion of the Commission that wayside park areas should be located along main arteries of travel, rather than along secondary routes, and in view thereof the Commission decided not to purchase the area.

Timber strips along the Tiller-Trail Secondary Highway, in Douglas County:- The Parks Superintendent reported that he has contacted the Government officials relative to the preservation of wayside timbered strips through the O & C lands along the Tiller-Trail Highway and has been assured fullest cooperation; also, that he has secured from County Judge D. N. Busenbark of

Douglas County an offer of fullest cooperation possible in the matter of preserving the timber standing on the property owned by the county. The Commission approved the report.

Mr. J. R. Evans, representing the Evergreen Ski Club of Baker, Oregon, and Mr. George Calderwood, Director of the Baker Junior Chamber of Commerce, and Mr. Ward Erwin, Chairman of the Oregon Winter Sports Association, Portland, was present and presented an urgent plea for snow removal operations during the winter months on the roads leading to the Anthony Lakes recreational area. They advised that neither Baker County nor the U. S. Forest Service has equipment to handle such work and it is too big a problem for local citizens to finance. He estimated the annual expense as being about \$2,000. Mr. Erwin presented a letter from Mr. F. V. Horton, Assistant District Forester, in regard to the subject, together with other material bearing on the project. He asked the privilege of their club members to confer with the Commission with regard thereto in an endeavor to work out a satisfactory solution. He urged the Commission to give favorable consideration to this request, alleging that from personal inspection of all of the skiing grounds in the northwest, the Anthony Lakes area is the best natural skiing grounds of all, not excepting Sun Valley, in Idaho.

The Engineer advised that the roads leading to the Anthony Lakes area are not all state highways, and that considerable of the road mileage is too crooked and narrow to accommodate the Highway Department's snow fighting equipment. Chairman Cabell advised that the Commission is reluctant to spend state money for such purposes on a deadend road and, while Anthony Lakes district may be outstanding, there are other areas throughout the state in the same category as far as roads are concerned. The Commission wants to treat all alike, he added, and in an endeavor to do so has under consideration the preparation of a formula or yardstick by which each can be measured. The Commission is of the opinion, he said, that expenditures for purposes of this kind must be considered from the standpoint of motorists use, and if it is determined that the snow removal costs are excessive from the automobile traffic standpoint then, of course, the Commission would not feel justified in going to the expense. However, the Commission will be glad to confer with the members of the Evergreen Ski Club some time when it is in the vicinity of Baker. Mr. Evans inquired whether or not it would be possible for the Commission to hear a delegation when the Commission holds its public hearing in Ontario. The Secretary was instructed to inform Mr. Updegraff, President of the Evergreen Ski Club, when the plans for this trip have been effected.

The Commission adjourned at 5:30 p. m. to reconvene on the following morning in the same room.

Portland, Oregon, June 13, 1941

The State Highway Commission reconvened at 9:00 a. m. in the auditorium of the Public Service Building with all Commissioners present and participating. Also present were R. H. Baldock, State Highway Engineer; J. M. Devers,

Attorney, and H. B. Glaisyer, Secretary. Bids, as follows for highway construction projects were opened and read in conformance with previously published notice following which Chairman Cabell announced that the award of contracts would be made at 2:00 p. m. in the same room:

CORVALLIS-NEWPORT HIGHWAY
OAK CREEK BRIDGE WIDENING PROJECT

C. W. Reeve	\$9,991.00
Babler Bros.	10,364.00
Birkemeier & Sarenal	11,090.00
Barham Bros.	11,191.00

OREGON COAST HIGHWAY
GEARHART-SEASIDE SECTION - OILED ROCK FOOTPATH

Jed Wilson	\$7,865.00
J. C. Compton	8,768.00
C. H. Grimstad & T. Vanderveldt	9,263.00
River Bend Sand & Gravel Co.	9,341.60
Sam Orino	9,446.00
O. C. Yocom	9,550.00
United Contracting Co.	9,719.00
Hanson Bros.	10,976.25
Fuckenberg Construction Co.	12,045.00

THE DALLES-CALIFORNIA HIGHWAY
ALGOMA-TERMINAL CITY SECTION
GRADING, TOPPING, SURFACING & BITUMINOUS MACADAM

Frank Penepacker & Clifford A. Dunn	\$172,016.00
Colonial Construction Co.	172,524.00

OREGON COAST HIGHWAY
MINER CREEK-SPENCER CREEK SECTION - SPENCER CREEK BRIDGE

Harry I. Hamilton	\$22,830.00
C. J. Eldon	23,591.00
Frank Watt Construction Co.	24,516.00
Barham Bros.	25,064.00
Birkemeier & Sarenal	26,010.00
Tom Lillebo	27,344.00

FULTON CANYON-WASCO COUNTY ROAD
FULTON CANYON-LOCUST GROVE SECTION - GRADING, SURFACING & OILING

O. C. Yocom	\$50,394.00
Leonard & Slate	52,707.00

STARKEY SECONDARY HIGHWAY
MEADOW BROOK SECTION - GRADING AND TOPPING

E. L. Gates	\$31,460.50
Triangle Construction Co.	32,378.00
Vernie Jarl	35,979.50
Leonard & Slate	37,978.00
J. C. Papin	38,970.00

SUMMERSVILLE-ISLAND CITY ROAD
WEST RANCH-ISLAND CITY SECTION - SURFACING AND OILING

Norris Bros.	\$48,251.50
J. C. Compton	50,086.00

The Commission, by unanimous vote, approved the minutes of the meetings held on December 3, 4 and 5, December 17 and 18, 1940, and January 10, 1941.

The Engineer brought up for discussion the proposed widening of the Oswego Highway through the town of Oswego. He said that a traffic problem has arisen which makes it very desirable to provide a turn-around on the east side of the highway at its intersection with "B" Street, but in order to provide such turn-around it will be necessary to encroach upon the Southern Pacific Company's station grounds. He exhibited a map showing the proposed encroachment. The utilization of the encroachment, he said, would necessitate certain revisions in the facilities of the railroad company, which he estimated would cost about \$1,090.00, and he gave as his thought that the state should pay this expense in view of the fact that it is for the benefit of the general public.

In this connection the Engineer pointed out that the railroad company owns the strip of land between the highway and the railroad tracks. It was his thought that it would be advantageous to the highway from the aesthetic standpoint if the railroad company could be induced to retain ownership of such property, particularly in view of the fact that the proposed highway improvement includes a considerable expenditure for landscaping purposes and beautification. He read aloud a letter dated June 11, 1941, and directed to Mr. E. L. King, Superintendent of the Southern Pacific Company, with respect to the entire matter. After discussion the Commission approved the improvement as outlined by the Engineer, including the expenditure of \$1,090.00 needed to revise the railroad facilities. The Engineer was instructed to secure, if possible, an agreement with the Southern Pacific Company to the effect that the company will not dispose of any of its property lying between the highway and the railroad track.

The Assistant Attorney reported the status of the right of way budget. He advised that of the general budget for this purpose, amounting to \$600,000, \$364,000 has been obligated to date, and, of the \$800,000 provided

for acquisition of right of way for Front Avenue, in Portland, \$480,000 has been obligated to date. The Commission approved the report.

The Attorney requested authority to acquire certain parcels of real property that are needed for various highway improvements throughout the state. He submitted a list of such properties together with the prices that he recommended be paid for each. After careful consideration of each item the Commission approved the request and thereupon adopted, by unanimous vote, the following resolution with respect thereto:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as herein-after more definitely set forth, and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon, and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Tongue Point Section, Columbia River Highway</u>				
9136-Astoria, City of	R/W	21,801 sq.ft.	GRATIS	Gardiner
9139-Blackstock, Grace Florence	"	3 lots	\$75.00 per lot plus \$1675.00	"
9190-Aarnie, Ruby Cederberg	"	1 lot	\$135 Land, + \$165	"
9350-Lund, Lewis	"	4,500 sq.ft.	2¢ sq.ft. + \$25	"
<u>St. Helens Section, Columbia River Highway</u>				
8737-Gilder, E. L. (Correction)	R/W	5,755 sq.ft.	2¢ sq.ft. + \$2085	McChesney
<u>Banzer Iridge-Mist Section, Nehalem Highway</u>				
8771-Moody, Rhea	R/W	0.86	\$100 per a. + \$82.80	McChesney

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Danser Bridge-Mist Section, Nehalem Highway (Continued)</u>				
8966-Doreo, A. L.	R/W	1.0	\$100 per acre	McChesney
		0.15	\$20 per acre	
		1.15		
8974-Knowles, Irving E.	"	4,356 sq.ft. 2 $\frac{1}{2}$ sq. ft.		
		0.08 a.	\$100 per a. + \$151.80	"
8973-Bachman, Louis	"	3.58	\$100 per a.	"
		2,865 sq.ft. 2 $\frac{1}{2}$ sq.ft. + fencing	\$141.60, + \$86.00, +	"
			moving bldg. (Est'd. \$300)	
<u>North Bend-Marshfield Section, Oregon Coast Highway</u>				
8052-Union Oil Co. of Cali-	R/W	10,600 sq.ft.	15 $\frac{1}{2}$ sq.ft. + \$9050.10	
fornia	Esm't.		moving costs	Collins
<u>Progress Section, Beaverton-Aurora Highway</u>				
9282-Fanno, Kate	Stock	1.40	GRATIS (In addition	Witt
	Pile		Washington Co. is to	
			deed 0.594 a. to Kate	
			Fanno)	
<u>Sunset Tunnel-Buxton Section, Wolf Creek Highway</u>				
9349-Reed, Thora A.	R/W	4.36	\$15 per acre	Witt
<u>Davies-Vadis Section, Wolf Creek Highway</u>				
6530-Beach, H. T.	R/W	10.29	\$100 per a. + \$141.25	Benson
9013-White, Geo. W.	"	2.06	\$175 per a. + \$89.50	"
6517-Thompson, Sarah J.	"	7.65	\$2,000 Lump Sum	"
6525-Behrman, Ernest	"	5.90	\$125 per a. + \$2412.50	"
<u>Glenwood-Washburn Section, Wilson River Highway</u>				
8669-Bateman, Charles S.	R/W	3.64	\$100 per a. + \$6136	Devers
<u>Blodgett Section, Corvallis-Newport Highway</u>				
8742-A-David, Edith and	R/W	2.12	\$100 per acre	Collins
L. W. Fox		2.02	\$50 per a. + \$1226.50	
		4.14		
<u>Scott Creek-Benton County Line Section, Alsea Highway</u>				
9280-Stouder, Charles E.	R/W	2.94	\$15 per a.	Gardiner
		0.29	Land - \$9.00 + \$350	
		3.23		
9280-A-Montgomery, Glen	"	0.31	\$15 per a. + \$20.35	"
<u>Oak Creek-Bridge Section, Newport-Corvallis Highway</u>				
9452-Kelleway, Cora	R/W	0.10	\$1500 per a. + \$30	Witt

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Cascadia-Bryant Hill Section, South Santiam Highway</u>				
9253-Stocker, Jacob	R/W	0.28	\$50 Lump Sum	Witt
<u>Eugene Section, Pacific Highway</u>				
8976-Landon, H. L. (Correction)	R/W	8384 sq.ft. 1 $\frac{1}{2}$ sq. ft. +	\$175	Parker
<u>Days Creek-Milo Section, Tiller-Trail Highway</u>				
9215-World War Vets. State Aid Commission	R/W	1.06	\$50 per acre	McChesney
<u>Cove Park Section, The Dalles-California Highway</u>				
8956-Degner, Laura	Park	20.0	\$5.00 per acre	Cozad
8957-Jefferson County	"	160.0	\$3.00 " "	"
8952-Keenan, Mary	"	40.0	\$3.50 " "	"
<u>Wolf Creek-Grave Creek Section, Pacific Highway</u>				
9264-Josephine County and Park	R/W	430.0	GRATIS	Lytle
<u>Grave Creek-Jump-Off Joe Creek Section, Pacific Highway</u>				
9336-Wiseman, Mary E.	R/W	0.25	\$20 per a. + \$1	Collins
9341-Kolkow, W. R.	"	0.23	\$20 per a. + \$85	"
8706-State Land Board and Bessie Greenmyer	"	76.8	\$5 per a. + fencing	"
8874-McGuire, Martha J.	"	19.99	\$20 per a. + \$575	"
9344-Webb, Henry C.	"	3.87	\$4,000 Lump Sum	"
<u>Bend Section, The Dalles-California Highway</u>				
9224-Maurer, W. A.	R/W	273 sq.ft.	4 $\frac{1}{2}$ sq.ft. + \$10	Cozad
9363-Davis, Oral L.	"	1225 "	4 $\frac{1}{2}$ "	"
9222-Deschutes County	"	2042 "	GRATIS	"
9223-Deschutes County	"	1350 "	GRATIS	"
<u>Gilliam County Line-Zinter Ranch Section, Wasco-Heppner Highway</u>				
8928-Schneider, Carl	R/W	3.11	\$10 per a. + \$160	Gardiner
<u>Madras-Me-Me Rutte Section, Warm Springs Highway</u>				
8440-Warm Springs Agency	R/W	248.738	90.845 at \$25 per a. DeSouza 157.893 at \$5 per a. plus \$734.76	
<u>Cricket Flat-Minam Section, Wallowa Lake Highway</u>				
9352-Wyatt, Sadie M.	R/W	7.75	\$50 per acre	Landon
		0.48	\$10 per acre	
		0.33	\$25 per a. + \$838.40	
		8.56	fencing, + \$278.37	

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Crickett Flat-Minam Section, Wallowa Lake Highway (Continued)</u>				
9351-Boswell, Nicha	R/W	4.65	\$50 per acre	Landon
		2.80	\$5 per acre + \$412.75	
		7.45		
9354-Briggs, A.	"	0.66	\$10 per a. + \$26.85	"
9353-Nelson, Hance C.	"	0.57	\$52.63 per a. + fencing \$45	"
9355-Rusaw, Arden, and A. Briggs	"	3.83	\$50 per a. + fencing \$293.25, + \$116	"
<u>Boswell Ranch-Follett Ranch Section, Wallowa Lake Highway</u>				
9356-Follett, Cora	R/W	5.27	\$50 per a.	Landon
		2.92	\$5 per a. + fencing	
		8.19	\$618.75, + \$189.12	
<u>Shaniko-The Dalles-California Section, Sherman Highway</u>				
8486A-Cooke, Henry A. and Geo. A. Obarr	Quarry Stockpile	10.0	\$10 per a. + fencing	Cozad
<u>Memaloose Park-Dillon Section, Columbia River Highway</u>				
4501-Wettle, Fred	Stockpile	0.95	2 year lease - \$10 per year	Cozad
<u>Barclay Springs-Graham Marsh Section, The Dalles-California Highway</u>				
9400-Uhrman, Hans	R/W	4.15	\$25 per acre	Cozad
<u>Meadow Brook Section, Starkey Highway</u>				
9360-Mt. Emily Lbr. Co.	R/W	1.89	\$5 per acre	Cozad
<u>Dixie Summit-Austin Section, John Day Highway</u>				
9291-Busby, Bert and Sam Kronenburg	Stock Pile	1.0	\$50 Lump Sum	Williams
<u>Front Avenue Project, Columbia Street (South), Portland, Pacific Highway West</u>				
8678-Howatt, F. J. and F. C. Marshall	R/W	5,000 sq.ft.	15¢ sq.ft. \$750	McCallister
8246-Janzen, D. E.,	"	5,866 "	20¢ sq.ft. \$1200	"

The Commission gave special consideration to the items contained in the above resolution with respect to right of way needed for the proposed revision of the Columbia River Highway at Tongue Point, Clatsop County. It was pointed out that federal approval has not as yet been secured for the proposed highway improvement at this place, and in view thereof, the Commission instructed the Attorney not to close the options secured for such right of way until this project has been cleared from all standpoints. It was understood that the amounts contained in the resolution with respect to such properties are satisfactory.

The Attorney also requested authority to institute condemnation proceedings to acquire certain parcels of real property that are needed for various highway improvements and concerning which he has been unable to reach satisfactory settlements. He presented a list of such properties together with offers that he recommended be made in condemnation, as follows:

<u>File No.</u>	<u>Name</u>	<u>Purpose Required</u>	<u>Recommended Offer</u>
3872	Anos Smith	Right of Way	\$500.00
9342	R. V. Plumridge	" " "	10.00
9346	Charles R. Cooley	" " "	40.00
9453	H. C. Wyatt	" " "	260.00
9188	Manna Johnson	" " "	50.00
9187	William B. Lund	" " "	1300.00

After careful consideration of each of the items the Commission approved the offers recommended, and thereupon adopted the following resolution authorizing the Attorney to proceed with condemnation:

WHEREAS, the State Highway Commission is authorized to locate, relocate, construct, reconstruct, maintain, widen, straighten, and otherwise improve state highways, both primary and secondary, and said Commission is also authorized to construct shops, equipment sheds, office buildings, maintenance sites, patrolmen accommodations, and snow fences, and is authorized to acquire quarry sites, gravel pits, storage sites, stockpile sites, weighing stations, and broadcasting stations, and is further authorized to develop, construct, improve, operate, and maintain parks, parking places, auto camps, camp sites, roadside development, recreational grounds or resorts, and other places of attraction and scenic value; and

WHEREAS, said Highway Commission is authorized to acquire by purchase, agreement, donation, or by the exercise of the power of eminent domain real property, or any interest therein, necessary or deemed by the Highway Commission necessary for the accomplishment of any and all of the foregoing things; and

WHEREAS, in the judgment of the Highway Commission the several tracts or parcels of land hereinafter described are each and all necessary for the specific and particular purposes hereinafter specifically set forth;

NOW, THEREFORE, BE IT AID IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the Commission does hereby find and declare that the several parcels of real property hereinafter described are each and all necessary for the accomplishment of the purposes hereinafter expressly and specifically set forth, which said real properties and the specific purposes for which the same are being acquired are described as follows, to wit:

Real property owned by William B. Lund and Freda Lund, which property is located in Lots 10, 11, 12, 13, 14, and 15, Block 8, Van Dusen's Astoria. Clatsop County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 1 and is further identified in the records of the Highway Commission as file R 9187, and which property is being acquired for right of way purposes in connection with the Columbia River Highway;*

Real property owned by Manne Johnson, which property is located in Lot 6, Block 10, Van Dusen's Astoria, Clatsop County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 2 and is further identified in the records of the Highway Commission as file R 9188, and which property is being acquired for right of way purposes in connection with the Columbia River Highway;*

Real property owned by H. C. Wyatt and Maude Wyatt, which property is located in the Chas. Johnson D.L.C. No. 40 in Section 3, Township 12 South, Range 5 West, W.M., Benton County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 3 and is further identified in the records of the Highway Commission as file R 9453, and which property is being acquired for right of way purposes in connection with the Newport-Corvallis Highway;*

Real property owned by Amos Smith and Charles F. Smith, which property is located in Lots 3 and 5 ($S\frac{1}{2}$ of NW $\frac{1}{4}$) of Section 11, Township 34 South, Range 6 West, W. M., in Government Lot 6 (NW $\frac{1}{4}$ of SW $\frac{1}{4}$) of Section 11, Township 34 South, Range 6 West, W.M., and in Government Lot 3 (SE $\frac{1}{4}$ of NW $\frac{1}{4}$) of Section 11, Township 34 South, Range 6 West, W.M., all in Josephine County, Oregon, and is more particularly described on the attached sheets and designated as Parcels Nos. 4, 5, 6, and 7 and is further identified in the records of the Highway Commission as file R 8872, and which property is being acquired for right of way purposes in connection with the Pacific Highway;*

Real property owned by Charles R. Colley, which property is located in the west half (W $\frac{1}{2}$) of the northwest quarter (NW $\frac{1}{4}$) of Section 2, Township 35 South, Range 6 West, W.M., Josephine County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 8 and is further identified in the records of the Highway Commission as file R 9346, and which property is being acquired for right of way purposes in connection with the Pacific Highway;*

Real property owned by Robert V. Plumridge, which property is located in the northwest quarter (NW $\frac{1}{4}$) of the northwest quarter (NW $\frac{1}{4}$) of Section 2, Township 35 South, Range 6 West, W.M., Josephine County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 9 and is further identified in the records of the Highway Commission as file R 9342, and which property is being acquired for right of way purposes in connection with the Pacific Highway.*

2. That the Commission does hereby find and declare that each of the said described parcels of real property is necessary and acquisition of the same by the State is required for the specific purposes hereinabove set forth, and the said properties are being acquired for the express and specific purposes in this resolution set forth.

3. That the State Highway Engineer be and he hereby is instructed and directed to make or cause to be made all surveys necessary in connection with the determination, description, and acquisition of said real properties, and said Engineer is further instructed to prepare and submit to the Legal Department necessary and adequate descriptions of the said real properties, which said descriptions shall be available for the preparation of any deed or deeds or other instrument or instruments necessary to complete the acquisition of said property or properties, whether said properties be acquired by purchase, donation, agreement, or by the exercise of the power of eminent domain.

4. That I. H. Van Winkle, Attorney General of the State of Oregon, and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they are hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby further resolved that the Attorney General of the State of Oregon and J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they hereby are requested to commence and prosecute to a final determination such suit or action, or suits or actions, as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

*(The detailed descriptions of the respective parcels of real property mentioned in this resolution are attached to the original resolution on file in the office of the State Highway Commission, Salem,

being Resolution No. 13, under the heading "Real Property Condemnation Resolutions" and said descriptions by this reference are made a part of this minute entry to the same extent as if copied in full herein.)

The Attorney brought up for discussion the controversy with the Southern Pacific Company relative to right of way, and other items in dispute, needed for re-establishing the railroad company's tracks between Eugene and Springfield, necessitated by improvement of the Pacific Highway between these points. This matter was discussed at considerable length and, as a result, the Commission decided to accede to the railroad company's demand with respect to the right of way and to limit its discussions with the company to other controversial items.

The Commission discussed briefly, but deferred until the next meeting, a decision with respect to right of way needed for the improvement of The Dalles-California Highway (Klamath Falls-Weed Highway) south of Klamath Falls, involving property owned by Mrs. Hecker who has plans to subdivide this property but wants the layout to conform to the permanent highway improvement.

The Engineer reported that the contractor on the Front Avenue Project in Portland (Edlefsen-Weygandt Company) has been collecting rentals from tenants of property that has been acquired as right of way for this improvement and it is his understanding that approximately \$2,000 has already been collected. He gave as his thought that this is contrary to the original plan and, in any event, if rentals are to be charged, the amounts collected should be paid over either to the city or the state. The Commission decided to secure from the contractor the moneys collected by him for this purpose and to reimburse those from whom it was secured. The Attorney was instructed to write the contractor stating that the Highway Commission is holding him accountable for all moneys collected as rentals and that in the future, when something of this nature arises, he is to take it up with the Commission before putting it into effect. The Engineer was instructed to secure the moneys from the contractor and pay it over to the parties from whom it was collected. He was also instructed to notify the tenants to vacate the premises at once.

The adoption of a policy with respect to payment for segments of right of way which were apparently not paid for by the counties in the first instance had the attention of the Commission. The Engineer advised that there is an increasing number of instances wherein the county either failed or neglected to pay for right of way and the owners are now trying to collect. In most cases, he said, the statute of limitations has expired and the question arises whether these claims should be investigated, notwithstanding the statute of limitations. He said that the payment of state funds in every instance would involve an expenditure of a large sum of money. He suggested payment of the claims with state funds as they arise, provided the amounts are small, and that in cases where the amounts involved are large they be referred to the Commission for special instructions. The Commission approved the suggestion and so ordered.

The Attorney reported that he has been endeavoring for some time to secure removal from the right of way of the Oregon Coast Highway near the bridge at Waldport a building owned by Frank H. Hilton, Portland, but, up to the present time his endeavors have been without effect, although, in a recent letter Mr. Hilton advises that he expects to have the building moved within 30 days. He requested instructions. The Commission decided to take no action unless Mr. Hilton fails to remove the building by the time he has promised to move it.

The matter of leasing the moorage rights in the Willamette River in front of state-owned property in Oregon City was discussed. The Attorney advised that the Crown Zellerbach Company wishes to lease these rights and is willing to pay for this privilege the amount specified in the proposal they submitted to the Commission some time ago for such privilege, which proposal the Commission rejected as being too low. The Attorney was instructed to inform the Crown Zellerbach Company that the Commission is willing to lease the rights at this point if the company will pay for the same the amount heretofore determined by the Commission as the value of the rights. In the event the company refuses to pay such sum, then they are to be ordered to discontinue the mooring of their logging rafts at this point, if investigation reveals that they are now using the state's property without permission. The Attorney was further instructed to investigate and secure information as to how much rental is being paid for similar moorage rights in Oregon City. The Engineer was instructed to investigate whether the state property is now being used by the company in connection with its operations.

The Attorney brought up for discussion the controversy relative to the Matt property in Klamath Falls. This property, he said, is a small triangular tract situate at the junction of The Dalles-California Highway and the Green Springs Highway near the west city limits of Klamath Falls, and was acquired by the county for right of way for the highway improvement. The grantors, he said, allege that the county has not lived up to the provisions of the deed of conveyance, and are claiming ownership to the portion that was not actually used as highway right of way. He said that he inspected the deeds and, according to his interpretation, the grantors really have no reversionary rights. However, if the state does not absolutely need all of the land, it might be advisable to deed back to the original grantors such portion as is not needed for highway purposes. The Commission referred the matter to the Engineer for investigation and report.

The Commission considered and approved a resolution from the County Court of Jefferson County with respect to the use of the section of the old state secondary highway between Madras and Prineville in the vicinity of Lamonta, which section has been abandoned by the state as a state highway because of reconstruction of the highway on other alignment. According to the resolution, the county elects to let the property revert to the adjoining and abutting property owners.

The Commission also considered and approved a resolution from the County Court of Sherman County wherein certain portions of the Grant-Rufus Section of the old Columbia River Highway are abandoned and allowed to revert

to the adjoining and abutting property owners, such portions heretofore having been abandoned by the State Highway Commission for state highway purposes on account of reconstruction of the highway on other alignment.

The Commission approved and signed a revised statement directed to the Secretary of State relative to payment of the interest charge, in the amount of \$78.58, arising out of the right-of-way condemnation case, Oregon State Highway Commission vs. Joseph P. Parker, et al. The Secretary was instructed to attach such revised statement to the voucher and resubmit it to the Secretary of State for payment.

The Engineer discussed with the Commission the controversy with Ivan Phipps, Attorney, Portland, relative to the use of a portion of the right of way of the Denver Avenue approach to the Interstate Bridge, in connection with a service station business that he proposes to establish on adjacent private property. The Engineer advised that Mr. Phipps alleges that the deed conveying rights with respect to the right of way contains a provision that gives him certain rights in the use of the property. He pointed out that it is contrary to the policy of the Highway Commission to allow encroachments on highway rights of way and, in this particular instance, he advised that the extra width right of way will be needed for the widening of the highway pavement at some future time. He recommended that Mr. Phipps be not allowed to use any portion of the right of way, and that, if investigation of the deed given by Mr. Phipps to Multnomah County really contains a provision such as he alleges, the Attorney be authorized and instructed to secure the invalidation of such rights by condemnation, if necessary. The Commission approved the recommendation and instructed the Attorney to write Mr. Phipps in accordance therewith.

The Attorney brought up for discussion the claim of Paul Gilbaugh for damages to his property situate adjacent to the Mt. Hood Highway, by reason of the construction thereon of certain cables, concrete work, et cetera, as an aid to flood prevention. He said that Mr. Gilbaugh states that such flood control devices were placed on his property without his consent and are in a location that prevents access to a stream nearby. Furthermore, should it be necessary to repair such devices, the State's employees would have trespassed upon Mr. Gilbaugh's property. Mr. Gilbaugh, he said, wants the devices removed so he can have access to the stream, although he has stated a willingness to sell the property to the state, if the Commission prefers to settle in that manner. The matter was discussed briefly, but action thereon was held pending an additional report from the Attorney as to the amount of the damages that Mr. Gilbaugh is seeking.

Reconsideration was given by the Commission to the request of Douglas County Court for a contribution of \$1,000 of state funds to apply on the purchase price of a gravel bar located in the North Umpqua River adjacent to the North Umpqua Highway (County road) which is being constructed by the state as a federal aid secondary highway. It was recalled that County Commissioner H. B. Roadman appeared before the Commission at its meeting on May 9, with respect to this matter and advised that the county has an option to purchase

the property for \$3,000; that this is the only gravel bar in this vicinity suitable for road-building purposes and that material must be secured from this bar for the further improvement of the North Umpqua Highway, and it was for that reason that the county is asking the state to assume a portion of the expense involved. A letter was presented from the county court, dated June 10, 1941, advising that the county court will execute a deed of conveyance to the state for an undivided one-half interest in and to this property, which is known as the Blakley Gravel Bar, if the State Highway Commission will pay the county the sum of \$1,000. The Engineer recommended acceptance of the county's offer. The Commission approved the recommendation.

The Attorney reported receipt of a letter from Mr. L. H. Mills, Portland, representative of the Miami Corporation, from whom the Commission is buying timber strips along the Salmon River Highway, in which letter Mr. Mills states that the Miami Corporation: " * * * is willing to extend the date of payment for the highway strip north of the road until August 1, 1941, providing you will forward a certified copy of the resolution from the Highway Commission at its next meeting in a form which would constitute a firm commitment." It was the opinion of the Commission that such request is reasonable and is in line with previous understanding with the Miami Corporation. The Commission thereupon adopted the following resolution with respect thereto, by unanimous vote:

WHEREAS, the State Highway Commission has conducted negotiations with the Miami Corporation looking toward the acquisition of some timbered areas along the Salmon River Highway; and

WHEREAS, in connection with said negotiations a cruise of the timber was made jointly by the Highway Commission and the owners of the property, as a result of which cruise it was determined that there is standing on said real property the following species of timber in the amounts herein set out:

5,421 M. feet of Fir
287 M. feet of Spruce
60 M. feet of Cedar
478 M. feet of Hemlock

AND, WHEREAS, it has been agreed by the owners and the Highway Commission that the purchase price of said timber shall be fixed at \$23,550, which sum is computed at the rate of \$4.00 per thousand for Fir, Spruce and Cedar, and \$1.00 per thousand for Hemlock; and

WHEREAS, by act of Congress the Federal Government is authorized, in cooperation with the State of Oregon, to use federal funds for the purpose of purchasing timbered areas such as the areas under negotiation between the Highway Commission and the Miami Corporation; and

WHEREAS, the Highway Commission has petitioned the Federal Government to employ federal funds in the purchase of the said tracts and timber owned by the Miami Corporation, and should the Federal Government refuse so to do, then it is the purpose of the Highway Commission to acquire the said property and pay for the same out of state highway funds;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED that the Federal Government be asked to purchase and pay for out of federal funds the wayside strips of timber owned by the Miami Corporation and located in Sections 15 and 16, Township 6 South, Range 9 West, W. M., Tillamook County, Oregon, and in Sections 20, 21 and 29, Township 6 South, Range 9 West, W. M., Lincoln County, Oregon, which are the timber strips under negotiation between the State of Oregon and said corporation.

That in the event the Federal Government refuses or fails to purchase said timber strips on or before August 1, 1941, then and in such event the said strips shall be purchased by the State with state highway funds and the consideration paid therefor shall be the sum of \$23,550.

That this resolution be entered in the minutes and records of the Commission and the Secretary be instructed to deliver a certified copy thereof to L. H. Mills, as the representative of the Miami Corporation, at his office at 1226 American Bank Building, Portland, Oregon.

The Commission discussed the matter of right-of-way width for the Oregon Coast Highway through the town of Gold Beach. The Attorney estimated that an 80-ft. right of way would cost about \$47,000; a 60-ft. right of way \$4,300; and that a combination 80-ft. right of way south of Dean Creek, narrowing to 60-ft. right of way north of Dean Creek, would cost about \$19,000. The Engineer gave as his thought that the adoption of the latter plan, costing \$19,000, would not be satisfactory to the people of Gold Beach, and would cause confusion and trouble. He suggested either an 80-ft. right of way or a 60-ft. right of way throughout the entire length of the project, and preferably a 60-ft. right of way in view of the cost involved, if that meets with the approval of the local citizens. After discussion the Commission authorized the Engineer to proceed with construction of this project on a 60-ft. right of way if the people of Gold Beach will be satisfied with such improvement. The Attorney was instructed to ascertain from the people of Gold Beach their attitude with respect to the right-of-way width. He was also instructed to arrange, if possible, for the removal of the pole line from the highway through this town, although the highway improvement is not to be considered contingent upon the removal of the poles.

The Attorney reported briefly on the right-of-way situation at Port Orford, advising that it is his intention to go to Port Orford in the near future to arrange for a jury in the Orris Knapp condemnation case.

Reconsideration was given by the Commission to the matter of abandoning a short section of the Oregon Coast Highway (old route) at Nelscott, in front of property owned by Ben Hur Lampman. In the discussion of this matter it was brought out that the old right of way is needed for state highway purposes, particularly for the parking of automobiles off the traveled roadway and for the future widening of the highway. It was also brought out that Mr. Lampman's property has not been damaged, neither has his means of ingress to and egress from his property been interfered with by reason of the reconstruction of the highway at this point. On the other hand, it appears that Mr. Lampman's property has been benefited by the highway improvement. In view of the circumstances, the Commission decided to retain ownership of the tract in question for continued use of the general public. The Attorney was instructed by the Commission to direct a letter to Mr. Lampman informing him of the action taken. However, such letter is to be submitted to Chairman Cabell before it is mailed.

The question whether to permit certain parties to maintain small dwellings on the right of way of the Wolf Creek Highway in the vicinity of Sunset Camp had the attention of the Commission. It appears that the parties occupying the buildings are employed in a logging camp nearby and that they are maintaining their buildings on the highway as a temporary proposition until the logging operations are completed, which is estimated will be sometime in September. The Commission questioned the advisability of allowing the buildings to remain on the highway until such time because of the possibility that the logging operations will not be completed then, and for the further reason that at such time of the year it would be more difficult to cause their removal and, in any event, it is strictly contrary to the policy of the Commission to allow encroachments such as this on highway rights of way. The matter was discussed at considerable length and it was the final decision of the Commission that the buildings should be removed as soon as possible, although a reasonable length of time is to be allowed the owners to make new arrangements.

The Attorney reported a communication from the State Parks Superintendent inquiring as to what legal authority the State Highway Commission possesses to evict from state parks people who are maintaining camps in such parks contrary to the established rules and regulations pertaining to park matters, and particularly referring to a Mrs. Violet McNeal who has established a camp in the new state park at The Cove, Jefferson County. It appears that Mrs. McNeal was notified that she could not maintain her camp in this park more than ten days, however, she has overstayed the allotted time and refuses to vacate the premises alleging that she is ill and that she is living at this place under doctor's orders. The Attorney advised that the Commission has legal authority to evict Mrs. McNeal if it so desires. After discussion, the Commission voted unanimously to allow Mrs. McNeal to continue her camp on the state's property if she will submit to examination by a doctor appointed by the State Highway Department and provided the doctor considers it

inadvisable that she be moved. Otherwise, she is to be notified to vacate the premises at once. The matter was referred to the State Parks Superintendent to handle, it being understood that the services of the doctor will be paid with state highway funds.

The Commission discussed a request from Mr. Warren Burch, Rickreall, for permission to rent the tillable portion of a state-owned stock pile site near Rickreall, Polk County, for which privilege Mr. Burch offers to pay \$5.00 per year. In the discussion it was pointed out that heretofore Mr. Burch has rented this property from the former owner at the rate of \$6.00 per year. The Commission voted unanimously to allow Mr. Burch to occupy this property if he will pay \$6.00 for the current season, and provided he will keep the premises cleaned of grass and weeds. The matter is to be covered by appropriate letter rather than by agreement.

The Attorney reported a request from Mrs. Nora Mae Branson Moe for additional compensation arising out of a right-of-way settlement made with her in 1937 on the Sheridan-McMinville Section of the Salmon River Highway, in Yamhill County. He explained that when the original settlement was made with Mrs. Moe she was given to understand by the right-of-way agent that two large trees growing on the property that the state is acquiring would not be disturbed and for that reason she made no charge for the trees; further, that the highway is now under construction in front of Mrs. Moe's premises and it appears that the trees are to be removed in connection with the construction of a detour for highway traffic, and Mrs. Moe is of the opinion that she is entitled to additional compensation therefor. One of the trees, he said, is a maple 18 inches in diameter, and the other is a large walnut tree about 25 years old. The Commission instructed the Attorney to investigate the records carefully and determine whether any allowance was made Mrs. Moe for the trees in the original settlement. He was authorized to pay Mrs. Moe \$50.00 for the two trees in the event the records show such allowance was not made. In this connection the Commission decided, as a matter of future policy, to purchase outright all trees and other things that are occupying property that the Commission is purchasing. It was thought that such procedure would obviate the necessity of reopening right-of-way settlements such as this.

The Attorney brought up for consideration the question of deductions on final settlements from property owners and allowances to be made to house movers where the house mover submitting the lowest quotation is not given the moving work. He pointed out that, owing to the frequency of such instances, house movers are very reluctant to make the expenditures necessary for the inspection of work and submission of price quotations unless there is more certainty that the low bidder will secure the work or at least be given a reasonable allowance to compensate him for his expense. It was suggested by Mr. Cabell that the Commission set a flat minimum sum to pay to the low bidder in such instances and the Commission fixed this minimum sum at \$15.00. The question of making a uniform deduction of ten per cent of the amount of the low bid in settlement with the property owners, if the low bidder is not given the work, was discussed and it was tentatively given approval. The matter was referred back to the Legal Department with instructions to work out a

sliding schedule of the percentage of deductions to be made and also a sliding schedule of compensation to be made to low bidders under the circumstances discussed.

The Commission adjourned at 12:20 p. m. and reconvened at 2:00 p. m. in the same room with the same persons present and participating.

Chairman Cabell announced the following awards of contracts for which bids were received at the morning session, such awards having been previously approved by the Commission by unanimous vote:

"Oak Creek Bridge Widening Project on the Corvallis-Newport Highway, in Benton County. Widen bridge and construct approximately 0.17 mile roadbed. C. W. Reeve, Salem, submitted the low bid for this work, in the amount of \$9,991.00. Babler Bros., Portland, submitted the next-low bid, in the amount of \$10,364.00. There were two higher bidders. The Commission awards this contract to C. W. Reeve, at his low bid of \$9,991.00.

"Gearhart-Seaside Section of the Oregon Coast Highway, in Clatsop County. 2.15 miles of oiled rock footpath. Jed Wilson, Seaside, submitted the low bid for this project, in the amount of \$7,865.00. The second-low bid, in the amount of \$8,768.00, was submitted by J. C. Compton, McMinnville. There were seven higher bidders. The Commission awards this contract to Jed Wilson, at his low bid of \$7,865.00.

"Algoma-Terminal City Section of The Dalles-California Highway, in Klamath County. 1.48 miles grading, 4.39 miles roadbed topping, 5.03 miles surfacing and 4.38 miles bituminous macadam. There were only two bids received for this work, that of Frank Penspacker and Clifford A. Dunn, Portland, being the low one, in the amount of \$172,016.00, and the other being that of Colonial Construction Co., Spokane, Washington, in the amount of \$172,524.00. The Commission refers both bids received for this work to the Engineer with power to award the contract to the low bidder when certain conditions have been fulfilled.

"Spencer Creek Bridge on the Miner Creek-Spencer Creek Section of the Oregon Coast Highway, in Lincoln County. Construction of 182-ft. reinforced concrete viaduct. Harry I. Hamilton, Eugene, submitted the low bid for this work in the amount of \$22,830.00. C. J. Eldon, Portland, submitted the next low bid, in the amount of \$23,591.00. There were four higher bidders. The Commission awards this contract to Harry I. Hamilton, at his low bid of \$22,830.00.

"Fulton Canyon-Locust Grove Section of the Fulton Canyon-Wasco County Road, in Sherman County. 4.25 miles grading and 6.29 miles surfacing and oiling. O. C. Yocom, Willamina, submitted the low bid for this work, in the amount of \$50,394.00. Leonard & Slate, Multnomah, submitted the only other bid, in the amount of \$52,707.00. The Commission refers both bids received for this work to the

Engineer with power to award the contract to the low bidder when certain conditions have been fulfilled.

"Meadow Brook Section of the Starkey Secondary Highway, in Union County. 2.22 miles grading and topping. E. L. Gates, Packwood, Washington, submitted the low bid for this work in the amount of \$31,460.50. Triangle Construction Co., Boise, Idaho, was next-low, with a bid of \$32,378.00. There were three higher bidders. The Commission rejects all bids for this work, and orders the project readvertised.

"West Ranch-Island City Section of the Summerville-Island City Road, in Union County. 7.79 miles surfacing and oiling. Norris Bros., Burlington, Washington, submitted the low bid for this work, in the amount of \$48,251.50, and J. C. Compton, McMinnville, submitted the next-low and only other bid, in the amount of \$50,086.00. The Commission awards this contract to Norris Bros. at their low bid of \$48,251.50."

The Commission reconsidered and approved a resolution adopted at its meeting on May 8, 1941, with respect to the granting of permits for the continuous operation of vehicles engaged in the transportation of logs, poles, or piling over state highways, involving an overall length in excess of 50 feet.

In this connection the Commission discussed the advisability of reducing the amount of public liability and property damage insurance that is to be furnished by logging operators in connection with the transportation of overlength loads. Action thereon was deferred until the next meeting. The Secretary was instructed to secure additional information for consideration at that time.

The question whether or not to permit night hauling of logs on state highways was discussed by the Commission. The Engineer recommended the granting of permits for log hauling during the hours of darkness, starting at 6:00 a. m. and ending at 8:00 p. m. on the same day, provided the hauling equipment and loads are properly lighted, in accordance with statutory requirements. The Commission approved the recommendation unanimously, it being understood that such action does not prohibit the truck hauling of logs on state highways before 6:00 a. m. or after 8:00 p. m. if daylight prevails at such times, it being the intention of the Commission to extend the period during which log hauling may be carried on rather than to restrict it.

The Secretary presented a resolution from the Clackamas County Court requesting the selection and designation as a state secondary highway of the county road known as Market Road No. 10 which extends southerly from the town of Canby to a junction with State Secondary Highway No. 161 west of Molalla, a total distance of approximately 8.1 miles. The Commission considered this

request in accordance with previous understanding with the county and thereupon approved the same. The following resolution adopting the said road as a state secondary highway was adopted by the Commission by unanimous vote:

WHEREAS, under the provisions of Chapter 248, Laws of 1931; Chapter 196, Laws of 1935; and Chapter 529, Laws of 1939; the State Highway Commission, by mutual agreement with the respective county courts of the several counties of the State, is authorized and empowered to select, locate, and designate a system of secondary state highways, which highways shall be selected from the market roads or other county roads, or available locations or routes of the several counties; and

WHEREAS, the State Highway Commission, by mutual agreement with the Clackamas County Court of the State of Oregon, has selected the road or highway hereinafter named, and it is the purpose of the Commission to officially and regularly designate and adopt said highway as a highway to constitute, together with other highways heretofore adopted and/or which may hereafter from time to time be added, the system of secondary state highways under the provisions of said acts;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission, all members being present and affirmatively voting and participating, as follows:

1. That the following described market road, county road, highway route, or location of a highway in Clackamas County be and the said market road, county road, highway, location, or route, hereby is selected, designated, established, adopted and approved as a secondary state highway and shall be and hereby is designated as a part of the secondary state highway system, to wit:

Canby-Marquam Secondary State Highway No. 170:

Beginning at Canby; thence southerly via Market Road No. 10 to a junction with State Secondary Highway No. 161, west of Molalla, a distance of approximately 8.1 miles.

2. That the said highway shall be and hereby is qualified for improvement under the provisions of said Chapter 248, Oregon Laws of 1931; Chapter 196, Oregon Laws of 1935; and Chapter 529, Oregon Laws of 1939; and amendments thereof.

A resolution was also presented from the County Court of Umatilla County requesting the designation as a state secondary highway of a short section of county road extending from the Old Oregon Trail to the Pendleton airport siding near the State Hospital at Pendleton, said road being 0.175

miles in length. The Commission considered such request to be in conformance with previous understanding with the county court and thereupon approved the same. The following resolution placing this road on the state secondary highway system was thereupon adopted by the Commission by unanimous vote:

WHEREAS, under the provisions of Chapter 248, Laws of 1931; Chapter 196, Laws of 1935; and Chapter 529, Laws of 1939; the State Highway Commission, by mutual agreement with the respective county courts of the several counties of the State, is authorized and empowered to select, locate, and designate a system of secondary state highways, which highways shall be selected from the market roads or other county roads, or available locations or routes of the several counties; and

WHEREAS, the State Highway Commission, by mutual agreement with the Umatilla County Court of the State of Oregon, has selected the road or highway hereinafter named, and it is the purpose of the Commission to officially and regularly designate and adopt said highway as a highway to constitute, together with other highways heretofore adopted and/or which may hereafter from time to time be added, the system of secondary state highways under the provisions of said acts;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission, all members being present and affirmatively voting and participating, as follows:

1. That the following described market road, county road, highway, route, or location of a highway in Umatilla County be and the said market road, county road, highway, location, or route, hereby is selected, designated, established, adopted and approved as a secondary state highway and shall be and hereby is designated as a part of the secondary state highway system, to wit:

A Section of the Airport Secondary Highway No. 336.

Beginning at a point on the Old Oregon Trail Highway west of Pendleton at Highway Engineer's Station 1282+00; thence extending in a southeasterly direction 925 ft. to a point adjacent to the Union Pacific R. R. and being 0.175 miles in length.

2. That the said highway shall be and hereby is qualified for improvement under the provisions of said Chapter 248, Oregon Laws of 1931; Chapter 196, Oregon Laws of 1935; and Chapter 529, Oregon Laws of 1939; and amendments thereof.

The matter of designating as a state secondary highway the county road known as the Albany Airport Road, which extends from the Pacific Highway East, at a point north of Albany, to a connection with the Santiam Highway, east of Albany, 1.05 miles in length, was discussed by the Commission. In this connection the Secretary presented a resolution from the County Court of Linn County requesting the selection and designation of such road as a state secondary highway. The Commission approved the request and thereupon, by unanimous vote, adopted the following resolution designating such road a state secondary highway:

WHEREAS, under the provisions of Chapter 248, Laws of 1931; Chapter 196, Laws of 1935; and Chapter 529, Laws of 1939; the State Highway Commission, by mutual agreement with the respective county courts of the several counties of the State, is authorized and empowered to select, locate, and designate a system of secondary state highways, which highways shall be selected from the market roads or other county roads, or available locations or routes of the several counties; and

WHEREAS, the State Highway Commission, by mutual agreement with the Linn County Court of the State of Oregon, has selected the road or highway hereinafter named, and it is the purpose of the Commission to officially and regularly designate and adopt said highway as a highway to constitute, together with other highways heretofore adopted and/or which may hereafter from time to time be added, the system of secondary state highways under the provisions of said acts;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission, all members being present and affirmatively voting and participating, as follows:

1. That the following described market road, county road, highway, route, or location of a highway in Linn County be and the said market road, county road, highway, location, or route, hereby is selected, designated, established, adopted and approved as a secondary state highway and shall be and hereby is designated as a part of the secondary state highway system, to wit:

Albany Airport Secondary Highway No. 214

Beginning at the junction of the Pacific Highway (East) with the Albany Airport Road; thence southerly to the junction of the Santiam Highway with the Albany Airport Road; a distance of approximately 1.05 miles.

2. That the said highway shall be and hereby is qualified for improvement under the provisions of said Chapter 248, Oregon Laws of 1931; Chapter 196, Oregon Laws of 1935; and Chapter 529, Oregon Laws of 1939; and amendments thereof.

Consideration was given by the Commission to the designation as a state secondary highway of the county road which extends from the town of Mehana, in Marion County, through Lyons in Linn County to Mill City. In this connection the Secretary presented resolutions from the Marion County Court and from the Linn County Court requesting such designations. The Commission indicated favorable consideration of this request, however, deferred definite action on the matter until such time as it has been assured of a right of way 60 feet wide and free of all encroachments. The Engineer advised that the right of way in Marion County complies with the Commission's requirements as to width and encroachment; however, this is not the case on the Linn County section of the road, although the county court has agreed to furnish the proper right of way and has executed an agreement to that effect. The agreement was thereupon submitted to the Commission and was signed by all members.

The Commission discussed the matter of designating as a state secondary highway that portion of the North Santiam county road extending from the town of Detroit southerly to a junction with the Santiam Highway, in Linn and Marion Counties. Resolutions from the Linn and Marion County Courts requesting such designation were presented by the Secretary. The Commission indicated that it would approve such designations when it is assured of standard width right of way free and clear of all encumbrances. Final action on this matter was deferred pending receipt of such assurances.

The Engineer reported a request from citizens of Woodburn, Mount Angel and Silverton for the rerouting of the Hillsboro-Silverton State Secondary Highway easterly from its junction with the Pacific Highway East, in Woodburn. He explained that the present highway enters the Pacific Highway from the west along Young Street, but leaves it one block south of Young Street, causing a jog in the alignment, and extends thence northeasterly to Mount Angel and Silverton; further, that the change contemplated provides for a direct crossing of the Pacific Highway along an extension of Young Street to a connection with the present secondary highway, a distance of about 500 feet. The Commission appeared favorably inclined to approve the change but deferred action on the matter pending a report from the Engineer as to whether the Young Street extension has been dedicated as a roadway for general public use and how much it will cost to improve the road to proper standards.

The Engineer requested authority to purchase two portable boilers estimated to cost \$2,000 each, for use in connection with the unloading of asphalt from railroad cars. He explained that it takes about eight days to secure delivery of a carload of asphalt this year and, as a consequence, the asphalt becomes quite hard and cannot be removed from the railroad cars without heating. The Commission questioned whether it is the state's obligation to provide for the heating of the asphalt. The Engineer was instructed to contact the railroad officials and ascertain if it would not be possible to secure earlier deliveries of asphalt which might obviate the necessity for heating. He was authorized to purchase the two boilers, as requested, in the event that appears absolutely necessary after consultation with the railroad officials.

The Commission discussed an opinion from the Attorney relative to its authority to contribute state funds toward the cost of constructing a

dike and tidegate at North Slough, Coos County, as has previously been requested by local interests through their attorney, Ben C. Flaxel of North Bend. According to this opinion the Highway Commission has authority to use state highway funds for such purpose if it so desires, notwithstanding that the dike and tidegate are located at some distance from the highway. However, he pointed out that there are possibilities of conditions arising that would make it inadvisable for the Commission to join with the Diking District in this proposed project. He referred particularly to the maintenance of the dike and advised that if the Diking District failed to provide such maintenance then the Highway Commission would be compelled to maintain the dike for the sake of the highway and if for any reason the dike failed, damaging private property, the Commission might be placed in an embarrassing position and liability might be fastened on the Commission which could result in considerable expense. The Commission discussed this matter at considerable length, giving careful consideration to it from all standpoints, and concluded that the benefits accruing to the highway do not justify the expense involved. The request was thereupon denied.

The Engineer brought up for discussion the improvement of the Main Street Section of the Oregon-Washington Highway in the town of Milton. He said that the portion of this street that is occupied by railroad tracks of the Walla Walla Valley Traction Company is in poor condition and should be repaired; further, that the Traction Company has stated its willingness to join in the improvement by installing new ties, ballast, and construction of a guard rail throughout the length of Main Street, at its own cost and expense, if the State Highway Department will pay for the paving work which is estimated to cost about \$5,000. He questioned the advisability of such expenditure because in his estimation the company no doubt is obligated to keep the pavement in satisfactory condition under the provisions of its franchise with the city; however, he pointed out that the company is a small one and is apparently operating without profit. Furthermore, the damage to the pavement is caused more by heavy truck hauling than by railroad traffic, trains operating very infrequently over this line. He also pointed out that the Highway Department is now maintaining all of the street except the railroad portion which extends 18 inches beyond the ends of the ties. The Commission appeared favorably inclined to assume the maintenance of the balance of the street in the event the Traction Company cannot be made to do so under the provisions of its franchise. However, decision in the matter was deferred pending a report from the Engineer as to the provisions of the franchise.

The Engineer reported the cost to improve a short section of the state highway in the town of Independence, as has been requested by the City Council, particularly the repaving of about 800 feet along Main Street and Monmouth Street which is on the highway route, and about 200 feet on Main Street beyond Monmouth Street which is not on the highway route. He estimated the cost of such improvement at \$8,700 of which amount approximately \$1,120 represents the cost of improving Main Street outside the limits of the highway. The Commission approved the expenditure unanimously subject to the condition that the City of Independence will pay the costs of the improvement beyond the limits of the highway route.

The Engineer reported briefly on the proposed establishment of free ferry service across the Columbia River at The Dalles and, in this connection, read aloud a report from Assistant State Highway Engineer C. B. McCullough dated May 17, 1941, on this subject. He advised that he concurs in the report. (See letter for details.) He also advised that he has discussed this matter with engineers of the Washington Highway Department who state that they are not interested in providing free ferry service across the Columbia River at any point. He pointed out that the highway departments of the States of Washington and Oregon are now making investigations of possible bridge sites along the Columbia River between Astoria and Umatilla and gave as his thought that the ferry matter is so closely related thereto that it could not be decided until the report on the bridge matter has been considered. The Commission concurred in the Engineer's viewpoint and deferred further consideration in the matter until it considers the report on the bridge situation. The Secretary was instructed to so reply to inquiries received on this subject.

The Commission discussed the adoption of a policy with respect to the maintenance of city streets not on state highway routes, over which streets the truck hauling of logs is being carried on. Final action on this matter was deferred pending additional information from the Engineer. However, the Commission authorized the Engineer to maintain certain streets in the cities of Albany and Canby that are in this category. Such work is to be covered by appropriate agreements between the cities and the state.

The Engineer requested authority to advertise for bids for a new bridge over Millport Slough on the Oregon Coast Highway about one-half mile south of the Siletz River crossing. He explained that the existing bridge is an old structure in a bad state of repair, particularly the underwater portion which has been severely damaged by marine bores, in fact the bridge gave way a short time ago and traffic is now being taken care of by a temporary structure pending repairs. He estimated the cost of the new structure at \$20,000 and recommended the expenditure as an emergency proposition. The Commission approved the request.

A letter was presented from Frank Z. Howard, County Engineer of Klamath County, transmitting a copy of a telegram from the Honorable Rufus C. Holman, State Senator, advising that the Senate Appropriations Committee has allowed an item of \$150,000 of federal funds for the improvement of the Sprague River County Road with the understanding that such amount would be matched with state funds. Mr. Howard advised that a delegation from Klamath County wishes to confer with the State Highway Commission on this subject in view of Senator Holman's report. The Commission stated its willingness to confer with the delegation but deferred making a definite statement as to the project until full information concerning the federal appropriation has been obtained.

The Commission discussed briefly and ordered filed a resolution from Oretown Grange, Cloverdale, requesting construction of the Little Nes-tucca Secondary Highway between Dolph and the Lawrence Yach Ranch.

The Engineer reported the need of repairs to a small bridge on the Jewell-Elsie County Road, Clatsop County, which road is being used as a temporary state highway detour and is being maintained by the state. He estimated the cost of the repairs at \$2,500 and advised that the 1941 maintenance budget provides for this work. However, what is really needed, he said, is the realignment of the highway which would cost about \$10,000. He inquired whether to provide for the major improvement or simply to take care of the bridge work. The Commission decided that inasmuch as the bridge is on a county road it would not be justified in spending state funds for the major improvement and, accordingly, limited the expenditure to the previously authorized amount of \$2,500.

The Engineer also reported the necessity to repair the Stillwell Bridge over the Trask River on the Netarts Secondary Highway, in Tillamook County. He advised that this bridge is now posted for a 10-ton load limit, investigations showing that the approach spans to the bridge are very badly decayed. He estimated the cost of repairs at \$3,250 and an entirely new structure at \$46,000 and advised that it will still be necessary to maintain the reduced load limit if the work is limited to repairs only. The Commission decided not to build a new structure at this time but to limit its expenditures to repair work only and so ordered. The expenditure of \$3,250 for this work was thereupon approved.

A letter was presented from Cecil M. Sly, President, Weston Chamber of Commerce, requesting the construction of a standard oil surface on the Weston-Algin Secondary State Highway between Camp McDougall and the E. E. Tucker farm. The Commission denied the request for immediate construction on account of lack of funds to finance the same. The Engineer was instructed to bear this project in mind for consideration in the formulation of the next construction program and to maintain the section in the best manner possible until the Commission can see its way clear to construct a standard improvement.

A letter was presented from Mr. O. V. Badley, Chairman, Board of County Commissioners of Multnomah County, inquiring as to when the Commission contemplates calling for bids for the surfacing of Skyline Boulevard northerly from the end of the project now under construction by contractor Homer G. Johnson. The Engineer advised that the tentative federal aid secondary highway budget now contains an item of \$35,000 for the continuation of such work and that it is contemplated that bids will be called for the work some time this fall in the event the Commission approves the project. He recommended such approval at this time so that plans could go forward for the work. The Commission approved the recommendation and so ordered.

Petitions were presented from numerous property owners of Portland requesting the installation of a highway lighting system on Union Avenue (route of the Pacific Highway East) in Portland, similar to the lighting system on Interstate Avenue. It was pointed out in the discussion of this matter that when the lighting system on Interstate Avenue was installed the Commission made a promise to the Public Roads Administration that it would extend such lighting system to the Interstate Bridge at some future date. The Commission

considered that it could not very well disregard such promise by advancing the Union Avenue lighting system. The Engineer was thereupon instructed to work up the final plans for completion of the lighting system on Interstate and Denver Avenues, the route of the Pacific Highway West, it being understood that the Union Avenue lighting project will be given priority over others in the consideration of next year's lighting program.

The Attorney requested instructions relative to the controversy with the California-Oregon Power Company arising out of a break in the Power Company's dam at the outlet of Upper Klamath Lake, in Klamath County, resulting in serious damage to adjacent private property and to The Dalles-California Highway near Algoma. He advised that, in accordance with the Commission's instructions, he presented the state's claim for reimbursement for the highway damage but to date has received no remittance from the company so it now appears necessary to pursue action in court to recover the amount of the state's loss. He pointed out that certain farmers in this vicinity who were damaged by the flood waters have joined in an action against the company, which action is now pending in court, and inquired whether or not he should start suit against the company now or wait for the outcome of this case. He was instructed by the Commission to await the outcome of the farmers' suit provided that by so doing the state's case will not be affected by the statute of limitations. He was also instructed to confer with the attorney in the pending actions and report progress to the Commission.

A letter was presented from the Portland General Electric Company requesting a reduction in the amount of the rental paid by the company for the privilege of maintaining its power facilities on the Interstate Bridge, from \$75.00 per month to \$50.00 per month. The Engineer advised that when the rental agreement was entered into with the company in 1927 the company considered that the use of the bridge was worth \$75.00 per month and in his estimation, if such was the case then, it certainly should be worth that much to the company at the present time because the company undoubtedly is carrying a much heavier load over its lines than it did fourteen years ago. He recommended that the request be denied. The Commission approved the recommendation.

The Commission considered a request from James C. Iler, Forest Supervisor, Malheur National Forest, John Day, for a list of equipment such as truck and trailer units, tractors, bulldozers, et cetera, that can be made available for the use of the Forest Service during the fire season for the suppression of forest fires. The Engineer advised that he did not believe there would be any equipment available for fighting forest fires inasmuch as all of it is needed to carry on routine maintenance work. However, the Highway Department has always cooperated in emergencies such as the fire at Bandon and other catastrophies of that nature and could do so again if an emergency arose. After discussion, the Commission decided to send Mr. Iler a list of the equipment that might be available in such an emergency. The matter was referred to the Engineer to handle.

The Commission discussed a letter from the South Umpqua Telephone Company with regard to moving some telephone poles on the Tiller-Trail Second-

ary Highway to accommodate a highway improvement. They gave as their understanding that thirty-nine telephone poles are required to be moved at the present time; however, pointed out that if the highway work is extended there will be about eighty-three more poles to move, some of which are located on the highway and others on adjacent private property. They suggested that it would be advisable to move all of the poles at this time and that the state pay the company \$5.00 per pole for moving the sixty poles that are not on the present highway. Division Engineer K. D. Lytle, who was present, advised that the thirty-nine poles mentioned by the company are on the present highway and that he has asked the company to move them inasmuch as that is the company's obligation under its franchise. Further, such poles are the only ones now in the way of the highway construction and there is no urgent need for moving the others. It appeared to him that the reason the company wants to move the other poles now is simply to secure financial assistance from the state to help defray the cost. The Commission deferred a decision in the matter pending further investigation and report by the Engineer as to whether any advantage or benefit would result by securing the removal of the one hundred and twenty-two poles at this time.

The Commission discussed its claim against Mr. Charles Rohkonen, Astoria, in the amount of \$68.51, being the value of an asphalt kettle which was damaged when Mr. Rohkonen drove his car into it on March 1, 1941. The Attorney advised that he billed Mr. Rohkonen for this expense and in reply thereto received a letter from Mr. Rohkonen's attorney, Mr. A. W. Norblad, Astoria, stating that Mr. Rohkonen is financially embarrassed, having recently been put to unusual expense due to serious illness to the members of his family, and he is unable to pay the claim. Furthermore, on account of this illness which is of long standing, he has been unable to afford insurance for his automobile, and for such reasons asks to be relieved of payment of the claim. The Attorney advised that under the circumstances the Commission has recourse only against Mr. Rohkonen personally, inasmuch as he does not carry insurance, and there is a question whether the Commission could recover if the matter were taken to court. The Engineer advised that, as a result of the accident, the asphalt heater is a total loss and to replace the same would cost about \$500.00. \$68.51 he added does not represent the cost of repairs but is simply the value of the heater as carried on the highway department's books at the present time and, while it was valued at only \$68.51, it was performing at the time of the accident work that is required of heaters costing \$500.00. The Commission deferred a decision in this matter pending a report from the Attorney as to whether Mr. Rohkonen is judgment proof.

The question of granting continuous permits for the operation of combines, pea dusters, and similar farm equipment, having dimensions in excess of those permitted by statute, was discussed by the Commission. The Secretary advised that the present procedure is to issue permits for each individual movement of such equipment; however, the procedure does not seem to be working out very satisfactorily because of the many moves that have to be made and the haste that is required in moving from one field to another, involving the use of state highways. The width of the equipment, he said, rarely exceeds ten feet although the overall width of combines is as much as twelve feet, depending

on the model of the machine. He suggested the granting of 30-day permits subject to the customary conditions which would eliminate delays in securing individual permits and would help the farmers out greatly in the proper care and harvesting of their crops. He pointed out that the law now authorizes farmers to move farm equipment over public roads between fields owned by them, without permit, but it is not considered that such privilege applies where the movements are made for commercial purposes, such as those under discussion, although the necessity for the movements are the same in each case. After discussion, the Commission authorized the granting of 30-day permits covering movements of this kind. The Attorney was instructed to prepare an appropriate form for use in connection therewith.

A letter was presented from Donald M. Graham, Prineville, attorney for the Ochoco Lumber Company, requesting, on behalf of the company, permission to transport logs on the Ochoco Highway from a point approximately twenty miles east of Prineville to Prineville, on Saturday afternoons commencing June 14, and ending July 5, so as to insure a sufficient supply of logs to provide continuous operation of the sawmill at Prineville, there being an under supply at the present time on account of heavy rains that have occurred in this vicinity, handicapping the hauling of logs from the woods. The Engineer recommended approval of the request, except on Saturday, July 5, which is a holiday weekend. The Commission approved the recommendation.

In this connection the Secretary reported a telephone conversation with Mr. Graham in which request was made for permission to truck haul logs over this same section of highway on Sunday, June 15, as an accommodation to the United States Forest Service which has a supply of logs available for market but is unable to secure log-hauling equipment to move them on week days. The Commission denied the request.

The Engineer reported an offer from a Mr. I. A. Johnson, Fossil, Oregon, to purchase for the sum of \$54.00, three old steel vats formerly used as dipping vats for treating bridge timbers but now stored on the highway department premises at Spray, Oregon. He said that the vats are of no value for state highway use and have not been used for many years. He recommended acceptance of Mr. Johnson's offer. The Commission approved the recommendation.

The Commission discussed briefly and ordered filed a letter from E. J. Griffith, State Administrator, Work Projects Administration, transmitting a copy of correspondence between the Tillamook Chamber of Commerce and his office relative to the construction of the 12-mile connecting link between the Wilson River Highway and the Wolf Creek Highway, in Washington County.

The Commission deferred for future consideration a resolution from the Eugene City Council requesting the designation as a state secondary highway of 11th Avenue, Eugene, from its junction with Frankland Avenue to the west city limits.

The Attorney reported receipt of a communication from F. M. Franciscovich, attorney for the City of Gearhart, requesting the erection of signs on the beach at Gearhart prohibiting vehicular traffic and horseback riding on the beach because they feel that the use of the beach for such purposes creates an undue hazard to bathers. He advised that the Commission has authority to prohibit the use of the beach for such purpose if it so desires. After discussion, the Commission approved the request subject to the condition that the city authorities really desire to prohibit the use of the beach area for such purposes. The Engineer was instructed to prepare the wording for appropriate signs and to discuss such wording and prospective sign locations with Mr. Franciscovich.

The Secretary presented a letter from Bahler Bros., contractors, requesting relief from the provisions contained in highway contracts which reads as follows: "The contractor shall accept the terms of the Workmen's Compensation Act of the State of Oregon and shall carry on his work under the provisions of the Law." They asserted that their employees are able to receive exactly the same benefits under private insurance as they now receive under the state insurance, without the necessity of deducting one cent per day from their wages; furthermore, there are certain advantages to a contractor in carrying private insurance. In the discussion of this matter it was brought out that the same concession has been requested by other contractors and there are possibilities that contractors will combine in asking the Commission to change its specifications in this regard. The Commission deferred action in the matter until a future meeting.

The Commission considered and ordered filed a petition signed by numerous property owners and residents of Riverside and vicinity, forwarded by the Riverside and Dunthorpe Improvement Association of Portland, requesting the beautification of the district traversed by the Oswego Highway on the west side of the Willamette River, particularly between the Sellwood Bridge, Portland, and Oswego; also, requesting the removal of the Southern Pacific Company's tracks from this district.

A letter from Charles H. Reynolds, President of the Oregon Trail Association, relative to the allocation of funds for the construction of the new road to the Pendleton Airport, had the attention of the Commission. Mr. Reynolds expressed his approval of the state cooperating with the federal government in projects of this nature but gave as his thought that such allocations should not be charged against any particular district but should be paid from some federal source. The Commission decided that such matter should be given due consideration in the allocation of future funds.

A letter from Mr. Reynolds, transmitting maps showing projects on the Old Oregon Trail and Columbia River Highway recommended by the Oregon Trail Association for construction, also had the attention of the Commission. The Commission ordered the communication filed for consideration in the formulation of future construction programs.

The Secretary presented a resolution from the State Highway Commission of South Dakota, and a letter from Mr. Brady Gentry, Chairman of the Texas

State Highway Commission, both of which communications protest any increase by Congress in the existing tax on gasoline. The Commission ordered them filed.

A letter was presented from the Honorable Earl Snell, Secretary of State, advising that he has received numerous complaints during recent months concerning the inconvenience that applicants for motor vehicle licenses are subjected to in localities where private scales are not available to weigh their equipment, and advising that under the provisions of the Oregon Motor Vehicle Act applicants for such licenses must furnish the Secretary of State, for the purpose of enabling him to compute the fee to be paid, a certificate of weight of such vehicle. He gave as his understanding that the Highway Commission has installed scales at many places throughout the State and suggested that, as a convenience for truck owners, the Commission allow the use of such scales to ascertain the weight of their equipment, which would necessitate modification of the Highway Commission's policy pertaining to the use of the scales. The Engineer advised that he anticipates that the weighing crews which were recently authorized by the Commission will start operating in the near future and he pointed out the possibilities of effecting some sort of an arrangement for the weighing of privately-owned trucks by these crews. In view thereof, he suggested that the Commission defer a definite decision on Mr. Snell's request until the weighmasters have had an opportunity to function. The Commission approved the suggestion.

The Commission discussed briefly and ordered filed a letter from the Ry'East Climbers, of Portland, in which the Commission was requested to undertake the immediate improvement of the North Santiam Highway between Mill City and Detroit, in Marion County.

The Commission discussed the adoption of a roadside improvement program for the fiscal year 1942 Federal funds, totalling \$29,000. The Engineer submitted a list of eligible projects from which the Commission, by unanimous vote, selected the following for such program:

<u>Divisions Nos. 1 & 2:</u>	
<u>Project</u>	<u>Estimated Cost</u>
Tigard Section	\$ 2,000
St. Helens-Multnomah County Line	4,000
<u>Division No. 3</u>	
Rice Hill-Turkey	
Hill-Chenoweth Park Sections	6,000
North Marshfield-Marshfield-Bunker Hill Sections	4,000
<u>Division No. 4</u>	
Warm Springs Cutoff from River to Madras	1,000
Redmond	2,500
<u>Division No. 5</u>	
South Entrance to Milton,	
Pendleton-Walla Walla Highway	2,000
John Day to Austin	7,500
	\$ 29,000

The Engineer reported on the cost to improve a 3.2-mile section of the Siletz Secondary Highway near Kernville so as to facilitate logging operations that are underway in that vicinity. He advised that the 5-mile section of this road, beginning at its junction with the Oregon Coast Highway, is now oiled and request has been made for the improvement of an additional 3.2-mile section. He recommended the improvement to minimum highway standards for contracting some time this fall. The Commission approved the recommendation. The Engineer was thereupon authorized to make surveys as may be necessary and to prepare plans for the improvement.

The Commission considered the following requests for extensions of time within which to complete highway construction projects:

Dimitre Electric Company, contract No. 2418, for electrical work on the Interstate Bridge between Portland and Vancouver, Washington, requested an extension of time, from May 15 to June 30, 1941 within which to complete this project. They alleged that their failure to complete the project within the specified time limit was due to delays in receiving certain electrical equipment from the State. The Engineer advised that the contract provided for the State to furnish certain electrical equipment and, on account of national defense priorities, delivery of this equipment was delayed, resulting in the overrunning of the time limit specified in the contract. He recommended, in view of the fact that the contractor was not responsible for the delay that the extension requested be granted, without penalty. The Commission approved the recommendation.

R. I. Stuart & Sons, contract No. 2364, for furnishing crushed gravel, in stock piles, for the Pacific Highway and the Sams Valley Secondary Highway near Gold Hill, in Jackson County, requested an additional extension of time of 16 days, from March 2 to March 18, 1941, within which to complete this job. They alleged that their failure to complete the project within the specified time limit was due to shortage of rock and a large amount of dirt and sand overburden in the gravel pit. The Engineer advised that this contract was awarded on August 28, 1940, and provided for the completion of the work by January 31, 1941. Further, that he knows of no good reason why the job should not have been completed within the specified time. He recommended that the extension of time requested be granted but that the contractor be charged for the extra engineering expense incurred by the State subsequent to the specified date of completion. The Commission approved the recommendation.

The Engineer reported that contracts Nos. 2356, 2364, 2375, 2421, 2426, and 2427, for the construction of state highway projects, have been completed according to the requirements of the contracts or modifications thereof, and that said jobs are now ready for acceptance. The following resolution accepting the above projects was offered and was adopted by the unanimous vote of the Commission:

WHEREAS, The Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts and said jobs are now ready for acceptance:

Contract No. 2356, with Babler Bros., for grading, surfacing and oiling on the Eightmile-Dry Creek Section of the Wasco Heppner Secondary Highway in Morrow County. Completed May 20, 1941

Contract No. 2364, with R. I. Stuart & Sons, for furnishing 15,100 cubic yards of crushed gravel in stock piles on the Gold Hill Section of the Pacific Highway and Sams Valley Secondary Highway in Jackson County. Completed March 18, 1941

Contract No. 2375, with Roy L. Houck, for grading, surfacing and bituminous macadam on the Blalock-Lang Canyon Section of the Columbia River Highway, in Gilliam County. Completed May 27, 1941

Contract No. 2421, with A. Milne, for construction of two reinforced concrete siphons on the Boardman-Stanfield Section of the Old Oregon Trail, in Morrow County. Completed April 11, 1941

Contract No. 2426, with E. L. Gates, for grading and bridge construction on the Lake Creek-Hanley Ranch Section of the Little Butte Secondary Highway, in Jackson County. Completed May 31, 1941

Contract No. 2427, with Babler Bros., for grading, surfacing and oiling on the Bend-Forest Boundary Section of the Century Drive Secondary Highway, in Deschutes County. Completed May 7, 1941

THEREFORE, BE IT RESOLVED that the work covered by said state highway contracts for the construction of said state highway projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

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The Commission set Thursday and Friday, July 17 and 18, 1941, as the date for its next regular meeting for receiving bids for highway construction work. The Secretary was instructed to make the usual arrangements to hold this meeting in the auditorium of the Public Service Building, Portland.

The Commission considered and signed agreements, et cetera, as fol-

Project agreement with the Public Roads Administration covering the Front Avenue project in Portland, particularly the section between Washington Street and Clay Street

Joint letter with W. H. Lynch, District Engineer, Public Roads Administration, and Lyle F. Watts, Regional Forester, directed to the Chief of the Forest Service and the Commissioner of Public Roads, Washington, D. C., recommending certain revisions in the 1941 Oregon Forest Highway Program, and particularly Oregon Coast Highway Project SM 10-D1, E, and Pendleton-John Day Highway Project 34-A3, B3.

Agreement with Tillamook County providing for repairs to the bridge over the Nehalem River on the county road between Mohler and Foss

Agreement with Cape Arago Park Commission, Coos County, L. J. Simpson, and Lela G. Simpson, with respect to the removal of timber from Cape Arago State Park

Agreement with Tillamook County providing for the maintenance of the Fairview School Corner-Eberhardt Corner Section of the Fairview-Clemens Corner County Road, after construction of the same as a Federal Aid Secondary Highway Project, being Project FAS 35-B (1)

Agreement with Tillamook County providing for the maintenance of the Peltz Corner-Eberhardt Corner Section of the Long Prairie County Road after improvement of the same by the State as a Federal Aid Secondary Highway Project, being Project FAS 84-A (1)

Agreement with L. E. Bierce providing for the construction and maintenance of a logging road across state-owned property adjacent to the Salmon River Highway

Agreement with Linn County Court whereby the County agrees to acquire 60-ft. width right of way for the county road between Mehama and Mill City before this road is designated a state secondary highway by the State Highway Commission

Letter directed to the Bureau of Reclamation, Bend, Oregon, authorizing construction of a power transmission pole line across the new state park at The Cove, in Jefferson County

Agreement with W. W. Harris providing for the construction and maintenance of a logging road across state property adjacent to the Salmon River Highway, in Tillamook County

Agreement with the Board of Park Commissioners of the City of Pendleton relative to the maintenance of the triangular area that is to be landscaped at the intersection of the Old Oregon Trail and the Oregon-Washington Highway just east of Pendleton

(Agreements, etc. cont.)

Agreement with Union County providing for the maintenance of the Island City-West Ranch Section of the Island City-Summersville County Road after improvement of the same by the State as a Federal Aid Secondary Highway Project, being Project FAS 75-A (1)

Agreement with Midway Lumber Company providing for the construction and maintenance of a logging road across state property adjacent to the Salmon River Highway, in Tillamook County

Agreement with the City of Seaside providing for the installation of a new water pipe line at the Volmer Creek revision of the Oregon Coast Highway, in Clatsop County

Agreement with Tillamook County providing for the payment of the County's share of the cost of reconstructing the approaches to the Trask River Bridge on the Fairview-Clemens Corner County Road. By this agreement the County assigns to the State \$7,000 of its share of the 1942 gasoline tax funds

Agreement with Bonneville Power Administration providing for the construction of a power line across the Lower Columbia River Highway near the St. Johns Bridge, Portland

Agreement with the Bonneville Power Administration providing for construction of a power pole line across the right of way of State Secondary Highway No. 336 (Pendleton Airport Highway) in Umatilla County

Transmission Line Easement conveying unto the United States of America the right to construct a power transmission line over and across a small triangular tract of state-owned land situate in Lot 1, Section 21, Township 2 North, Range 7 East, W. M., Multnomah County

Guy and Anchor Easement granting unto the United States of America the right to maintain a guy and anchor on state-owned property adjacent to the Upper Columbia River Highway in Lot 4 of Section 3, Township 2 North, Range 9 East, W. M., Hood River County

Bargain and Sale Deed conveying unto Sven Lonberg and wife and Henry S. Lonberg and wife 2,608 square feet of land situate in Lot 4, Block 11, McClures Addition to Astoria. Right of Way Transaction No. 5862

Bargain and Sale Deed conveying unto F. W. Southwick and wife 2,006 square feet of land situate in Government Lot 7 of Section 20, Township 36 South, Range 5 West, W. M., Josephine County. Right of Way Transaction No. 7213

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There being no further business to come before the Commission at this time the meeting was adjourned at 5:30 p. m.

James H. Baldock
State Highway Engineer
H. B. Glaisyer
Secretary

Henry F. Cabell
Chairman
Huron W. Clough
Commissioner
Herbert Oliver
Commissioner

Portland, Oregon, July 16, 1941

The State Highway Commission met in regular session at 8:00 p. m. in Room 415 of the Imperial Hotel. Present were:

Henry F. Cabell, Chairman
Huron W. Clough, Commissioner
R. H. Baldock, State Highway Engineer
J. H. Devers, Attorney
H. B. Glaisyer, Secretary

Commissioner Oliver was excused from attending this meeting.

The Commission conferred with a committee representing the Portland Chamber of Commerce and the Oregon Trail Association relative to construction of the new Columbia Gorge Highway between Portland and The Dalles. Mr. Charles Reynolds, President of the Oregon Trail Association, headed this group which included the following: Russell Colwell, Vice-president, First National Bank, Portland; Ray Conroy, Manager of the Oregon State Motor Association; F. B. Drinker, Manager, Lloyd's Corporation, Inc.; Walter Holman of Holman & Lutz, Inc.; Ronald Callvert of the Oregonian; Sam Jackson, Associate Publisher, Oregon Journal; A. L. Mills, Jr., Vice-president, United States National Bank of Portland; James H. Polhemus, President, Portland General Electric Company; and Frank T. Warren, Portland General Electric Company. Mr. Polhemus was chairman of the Portland committee. He recited the history of this project and urged the Commission to build the new highway up the Columbia Gorge at the earliest possible time and offered the services of his committee in every way possible to expedite the improvement. He particularly urged the construction of the Portland-Bonneville Section as the first project.

Chairman Cabell advised that in the opinion of the Highway Commission this is a very meritorious project; however, there is a question as to whether

or not it has the approval of the general public. He explained that the Highway Commission is reluctant to undertake any project that does not have general public approval and in this particular instance the Commission feels that there should be strong public sentiment in favor of the project before it definitely commits an expenditure of public funds to finance it, it being a costly undertaking.

The Engineer advised that economically the project would realize about 300 per cent on the investment involved. In other words, the project would pay for itself in ten years with three per cent money. He added that construction of the Portland-Bridal Veil Section would require more funds than the Commission has available. He suggested that it would be advisable to secure a special appropriation of federal funds, referring to the bill now before Congress which provides for funds for improvement of the highways on the strategic military highway system, and suggested the committee contact the Oregon delegation in Congress to secure such federal allotment. He estimated the cost to construct the highway to Bridal Veil at \$2,500,000, including work already completed or under contract, and \$4,500,000 to extend the improvement as far as Cascade Locks.

Mr. Colwell stated that the committee is in accord that this highway should be built. He suggested, if the project could not be financed otherwise, that it might be possible to pay for it on the toll basis. He concurred in Mr. Polhemus's suggestion that the Portland-Bonneville Section be completed first and that such improvement be undertaken within the next two or three years.

Mr. Callvert suggested the sale of bonds for this improvement and also to pay for reconstructing the Pacific Highway between Seaside and Grants Pass. In this connection Chairman Cabell advised that the consensus of opinion of the members of the Legislature is against the sale of additional bonds to finance highway improvements. The Commission also feels that bonds should not be sold simply to speed up the highway program.

Commissioner Clough pointed out the fact that the cost of highway improvements is steadily increasing. He suggested if such costs continue to increase it might be advisable to curtail expenditures and concentrate on paying off outstanding highway bonds until conditions improve when the matter of sale of additional bonds could then be given consideration.

This matter was discussed at considerable length from various standpoints, including need for the improvement and method of financing the same. Mr. Polhemus advised that the Port of Portland owns certain dredging equipment and suggested that it might be possible to make this equipment available to highway contractors in connection with this improvement. He estimated that it would cost about \$35,000 per month to dredge 1,000,000 yards of material. The Engineer was instructed to look into the possibilities of securing this equipment.

Mr. Colwell suggested as a means of financing the project the formation of a highway district, including all of the counties affected by the

highway, and the sale of district bonds with the understanding that the state would reimburse the districts in yearly installments. Chairman Cabell remarked that the suggestion sounds good but the Commission would want to study it thoroughly before acting on it.

Mr. Conway advised that the State Motor Association has always stood for no tolls, no bonds, and no increased debt for highway purposes and he did not believe that the Association would wish to deviate from such policy now. He approved the use of the Port of Portland dredging equipment if it can be obtained. He pointed out that in all probability the government tax on automobiles next year will be increased considerably and in view thereof it is the intention of the Motor Association to do what it can to lower the state tax on automobiles.

Chairman Cabell advised that there is now a bill before Congress which provides special funds for highway improvements and if this bill becomes a law Oregon will receive approximately \$1,600,000 which will probably have to be matched by \$400,000 of state funds. He pointed out that there are many candidates throughout the state for this money, and the prospects of spending more than \$350,000 per year on the Columbia Gorge improvement is not very good because of the many obligations which the Highway Commission now has.

Messrs. Hills and Holman also spoke briefly in behalf of the improvement. In conclusion Mr. Reynolds inquired if the Commission could give them any hope that the construction of the first unit between Portland and Bridal Veil will be completed within the next two years. He was informed by Chairman Cabell that the Commission cannot make a definite statement at this time, but if the Commission secures additional funds from the federal government and can spend this money in the Columbia Gorge without adverse criticism from people in other parts of the state the Commission will do all that it can to speed up the improvement. The conference was concluded at 9:30 p. m.

At the conclusion of this conference Mr. Reynolds discussed with the Commission other projects involving improvement of the Old Oregon Trail heretofore recommended by the Oregon Trail Association.

The Commission discussed the setting of a date for its inspection of the Warm Springs Highway and its public hearing in the town of Ontario with respect to the rerouting of the Old Oregon Trail along West First Street in that town. It was decided to make such inspection trip on Wednesday, July 23, and to hold the hearing in Ontario on the following day, July 24. The Secretary was instructed to notify the persons interested.

The Engineer discussed with the Commission matters pertaining to the maintenance of city streets that are not on state highway routes, particularly those over which log hauling operations are being carried on resulting in serious damage to the highway surface. The Commission deferred definite action on this matter for the time being.

Ben Titus, Acting Director of the Travel and Information Department,

was present and requested instructions relative to the administration of a bill passed by the 1941 Legislature authorizing an appropriation of 15,000 of state funds for expenditure in connection with the Oregon Trail Centennial Celebration which is to be conducted in 1943. He explained that the bill provides for a committee of five members to advise on the matter and also provides that the State Highway Commission shall administer the funds; further, that Governor Sprague has appointed on this committee Messrs. Phil Parrish, Portland; Roy Raley, Pendleton; Leo Adler, Baker; Kenneth L. Hicks, The Dalles; and Roy Meyers, Oregon City; Mr. Parrish being designated as Chairman. Mr. Parrish, he said, wishes to attend at state expense the meeting of the Pioneer Trail Association which is to be held in Denver, Colorado, on August 15 and 16, 1941, it being his thought that much good could be accomplished at such meeting in arousing enthusiasm for the Centennial; furthermore, he has requested authority for Mr. Walter Heachen to make a 30-day trip at state expense among the various cities and towns along the route of the Old Oregon Trail in the interests of the Centennial, which would mean the furnishing of a state car and the paying of Mr. Heachen's expenses. He inquired as to the wishes of the Commission in this regard. The matter was discussed at some length but a definite decision was deferred in order to give the members of the Commission an opportunity to study the legal features involved. (The Commission reconsidered this matter on the following day at which time the Commission approved Mr. Parrish's trip to Denver at state expense but deferred action on his request for Mr. Heachen's trip until the entire matter has been discussed with Governor Sprague. It was decided that Chairman Cabell would discuss the matter with the Governor in behalf of the Commission. It was also decided that the Centennial Commission should be invited to meet with the members of the Highway Commission at its next regular meeting for discussion in an endeavor to arrive at a clear understanding with respect to the responsibilities of each party with respect to the administering of the law, inasmuch as the Commission considers that the law places the responsibility in the hands of the State Highway Commission.)

The Commission adjourned at 10:45 p. m. to reconvene on the following morning in the auditorium of the Public Service Building.

Portland, Oregon, July 17, 1941

The State Highway Commission reconvened in regular session at 9:00 a. m. in the auditorium of the Public Service Building. Present were:

Henry F. Cabell, Chairman
Huron C. Clough, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

Commissioner Oliver was excused from attending the meeting.

Bids as follows for highway construction projects were opened and read in conformance with previously published notice, following which Chairman Cabell announced that the award of contracts would be made at 3:00 p. m. in the same room:

TERRITORIAL SECONDARY HIGHWAY
MONROE-LANE COUNTY LINE SECTION
GRADING, SURFACING AND OILING

	<u>Using Asphalt</u>	<u>Using Tar</u>
E. L. Gates	\$43,469.50	\$43,727.50
Coos Bay Dredging Company	- - -	55,813.05

FORT STEVENS COUNTY ROAD
WARRENTON-SKIPAWON SECTION - GRADING AND PAVING

Porter W. Yett	\$34,496.50
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WOLF CREEK HIGHWAY
BRIDGE OVER NORTH FORK NECANICUM RIVER

Frank Watt Construction Company	\$16,826.00
Babler Bros.	17,151.00
Lindstrom Bros.	17,976.50
C. J. Eldon	19,202.20
Barham Bros.	19,591.00

KIMBERLY-LONG CREEK SECONDARY HIGHWAY
KIMBERLY-SIMAS SCHOOL SECTION - GRADING AND SURFACING

E. L. Gates	\$47,915.00
Leonard & Slate	49,633.00

FRENCHGLEN SECONDARY HIGHWAY
NORTH UNIT, WRIGHTS POINT-NARROWS SECTION
GRADING AND TOPPING

Norris Bros.	\$31,492.00
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WARNER SECONDARY HIGHWAY
WARNER SUMMIT-MUD CREEK SECTION - GRADING AND SURFACING

Rogers Construction Company	\$52,961.00
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EUGENE-SWISSHOME SECONDARY HIGHWAY
FISHER ROAD-OAK HILL SECTION - GRADING, SURFACING AND OILING

No Bids Received On This Project

OREGON COAST HIGHWAY
BRIDGE OVER MILLPORT SLOUGH NEAR KERNVILLE

C. J. Eldon	\$22,954.00
J. P. Johnston	23,454.00
Harry I. Hamilton	24,484.00
Babler Bros.	25,886.00
R. G. Barnes	26,287.00
Barham Bros.	27,379.00

NORTH SANTIAM SECONDARY HIGHWAY
DETROIT-SOUTH SANTIAM JUNCTION ROCK PRODUCTION PROJECT

A. O. Ekstrom	\$35,500.00
Salem Supply Company	37,547.50

PACIFIC HIGHWAY WEST
FRONT AVENUE, PORTLAND (CLAY STREET-SHERIDAN STREET) SECTION
GRADING, PAVING AND TWO SUBWAY STRUCTURES

Edlefsen-Weygandt Company	\$244,940.00
Porter W. Yett	291,827.10
C. J. Montag & Sons	302,000.00

INDEPENDENCE SECONDARY HIGHWAY
INDEPENDENCE (B STREET-MONMOUTH STREET) SECTION - PAVING

The United Contracting Company	\$9,930.50
Warren Northwest, Inc.	10,356.50

STARKEY SECONDARY HIGHWAY
MEADOW BROOK SECTION - GRADING AND TOPPING

E. L. Gates	\$30,920.50
Vernie Jarl	33,569.00
Triangle Construction Company	35,612.00
Leonard & Slate	37,978.00

WOLF CREEK HIGHWAY
BRIDGE OVER EAST DAIRY CREEK NEAR NORTH PLAINS

Frank Watt Construction Company	\$8,933.00
Joelson & Amens	9,200.00
Norris & Philpott	9,222.00
R. G. Barnes	10,153.00
C. J. Eldon	10,370.20
O. N. Pierce	10,448.00

County Judge Nelson B. Higgs, Harney County, was present in the interests of the Rome-Princeton Secondary State Highway. He asked the Commission to allocate state funds to this project so work can be carried on during the winter months, in view of the fact that CCC forces heretofore engaged on the project have been called off and the county is unable to continue the improvement alone. Chairman Cabell advised that the Commission is committed to this project but is not in position today to state whether or not it is able to take over construction this year; however, the Commission will bear the project in mind.

The Assistant Attorney, Mr. J. T. DeSouza, reported the status of the 1941 right of way budget as follows: amount budgeted for expenditure in 1941 for general real property purchases \$600,000; amount obligated for general real property \$391,000; amount budgeted for purchase of right of way along Front Avenue, Portland, \$800,000; amount obligated to date for such purchases \$430,000. The Commission approved the report.

The Attorney requested authority to purchase certain parcels of real property that are needed for various highway improvements throughout the state. He presented a list of such properties together with prices that he recommended be paid for each. After careful consideration of each item, the Commission approved the request and by unanimous vote adopted the following resolution with respect thereto:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth, and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon, and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Tongue Point Section-Columbia River Highway</u>				
9188-Johnson, Ianne	R/W	2327 sq.ft.	\$0.0215 sq.ft.	Gardiner
9187-Lund, William B. and Clatsop County	R/W	32,200 sq.ft.	44 sq.ft.	"
9144-Clatsop County	R/W	6.94 534,246 sq.ft.	GRATIS GRATIS	"
<u>Front Street Project-Columbia Street South (Portland) Pacific Highway West</u>				
3193-Crabtree, Nollie	R/W	2,500 sq.ft.	\$350	McCallister
<u>Clackamas County-Mt. Hood Highway</u>				
U. S. Government	Park	120.0	Annual rental \$75.60 as required by lease from Government	Boardman
<u>Josephine County-Redwood Highway</u>				
U. S. Government	Park	70.0	Annual rental \$6.38 as required by lease from Government	Boardman
<u>Lane County-Siuslaw Highway</u>				
U. S. Government	Park	206.0	Annual rental \$220.20 as required by lease from Government	Boardman
<u>Douglas County-Umpqua Highway</u>				
U. S. Government	Park	200.0	Annual rental \$187.25 as required by lease from Government	Boardman
<u>Marion County-Silver Creek Falls Park</u>				
U. S. Government	Park	200.0	Annual rental \$35.00 as required by lease from Government	Boardman
<u>Jackson County-Crater Lake Highway</u>				
U. S. Government	Park	320.0	Annual rental \$166.98 as required by lease from Government	Boardman
<u>Triangle Lake Section-Siuslaw Highway</u>				
P-190-U. S. Government	Park	120.0	\$55.00 per year-1 year lease	Boardman
<u>Loon Lake Park Section-Umpqua Highway</u>				
F-191-U. S. Government	Park	51.51	\$6.44 per year-1 year lease	Boardman

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Comas Mt. Section-Coos Bay-Roseburg Highway</u>				
P-60-U. S. Government	Park	160.0	\$127.50 per year-1 year lease	Boardman
<u>Klamath County Section-Klamath Falls-Lakeview Highway</u>				
P-188-U. S. Government	Park	80.0	\$10.00 per year-1 year lease	"
<u>Near 42nd Street-Northeast Portland Highway (Portland)</u>				
9458-Jeffries, Geo. H.	Damages to well and change in drainage conditions		\$105.00	DeSouza
<u>Gearhart-Seaside Section-Oregon Coast Highway</u>				
9094-Taylor, Robert	R/W	837 sq.ft.	\$0.0598 sq.ft. Witt	
9096-Dow, Pauline C.	R/W	2828 sq.ft.	\$0.0177 sq.ft. "	
9191-Standard Oil Company of California	R/W	4144 sq.ft.	Land Gratis, plus \$239.80	"
<u>Banzer Bridge-Mist Section-Nehalem Highway</u>				
6566-Sundland, Charles	R/W	1104 sq.ft.	2 1/2 sq.ft., plus \$1760, plus fill- ing (Estd.\$422.40), plus placing 36" pipe (Estd. cost \$450) McChesney	
8975-Johnson, W. R.	R/W	1322 sq.ft.	2 1/2 sq.ft., plus \$457, + filling estd. \$307.20	"
8970-Hansen, Charles O. (Correction)	R/W	0.29	\$100 per acre, plus \$609	"
8967-Johnson, Henry and Aldon H. Ashley	R/W	3.0 0.69 3.69	\$100 per acre \$20 per acre, plus \$1636.20, plus low bid- \$1790-moving bldgs.	"
<u>Arch Cape-Manzanita Section-Oregon Coast Highway</u>				
8112-Johnson, Robert L.	Park	40.0	\$50 per acre	DeSouza
<u>Jordan Creek-Hills Bridge Section-Wilson River Highway</u>				
8903-Riechers, G. D.	Permit to fall danger trees on property abutting highway		Gratis	Martin
<u>Sunset Tunnel-Buxton Section-Wolf Creek Highway</u>				
9343-Conway, Morrison A.	R/W	0.62	In exchange for 1.0 acre to be deeded by State, lying outside R/W Witt	

Section, Hwy. and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Davies-Vadis Section-Tolf Creek Highway</u>				
6529-Tongue, Edmund B., and R. S., and J. Bailey R/W		2.66) 5.32) 8.48)	\$100 per acre \$75 per acre, plus \$897.50	Beason
9462-Bateman, J. B.	R/W	0.13	LUMP SUM - \$435	"
6531-Anderson, Christian, Estate	R/W	12.37	\$135 per acre, plus \$195.55	"
<u>Buxton-Manning Section-Tolf Creek Highway</u>				
6260-A Saxton, George D.	R/W	0.14	In exchange for 0.15 of an acre, to be conveyed by State	Eason
<u>Glenwood-Washburn Section-Wilson River Highway</u>				
2516-A McCutcheon, G. L.	R/W	0.142	LUMP SUM - \$10	Eason
<u>Commercial Street-Astor Street Section-Oregon Coast Highway</u>				
5861-Wise, Nathan (Trustee)	R/W	414 sq.ft.	204 sq.ft., plus \$417.20, and in addition State will convey 500 sq.ft. in Lot 1, Block 11, Astoria	Martin
5867-Lun, Evan (Correction)	R/W	4750 sq.ft.	In exchange for 3490 sq.ft. to be conveyed by State, plus moving building (Est'd. at \$300), plus moving store building, low bid 600, plus \$150	Martin
<u>North Bend-Marshfield Section-Oregon Coast Highway</u>				
8055-Texas Company	R/W	4620 sq.ft.	154 sq.ft., plus \$4765	Collins
<u>Langlois Section-Oregon Coast Highway</u>				
8034-Hansen, H. H.	Gravel Bar	2.02	Lease (short term)- 3 1/2 cu. yd.	Gardiner
<u>Reedsport-Lakeside Section-Oregon Coast Highway</u>				
9446-Douglas County	Park	200 acres Approx.	GRATIS	McCluskey
<u>Camas Valley-Coos Junction Section-Camas Valley-Coos Junction Highway</u>				
4607-Nichols, Ada D.	Stock Pile	1.0	3 year lease, \$10 per year, plus fencing	Gardiner

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Milwaukee Section-Pacific Highway East</u>				
<u>9396-Crystal Lake Park Co.</u>				
(G. J. McPherson)	Gravel			
	Pit	1.03	LUMP SUM-\$850	
	Easement	0.15		DeSouza
The Government is to exchange this property with State for property acquired from Nathan B. Harvey and First State Bank of Milwaukee, containing 1.029 acres so that State will not be out any money				
<u>Toledo-Siletz Section-Siletz Highway</u>				
<u>8457-Bryant, Mary and Joseph</u>				
Estate	R/W	0.01	Land \$5, plus \$7.50 Parker	
<u>Monroe-Ferguson Section-Territorial Highway</u>				
<u>4407-Bowen, Harry</u>				
	R/W	0.403	\$150 per acre, plus \$77.75	Witt
<u>4406-(Hull, Sarah E. Estate)-</u>				
Louise Bowen	R/W	0.065	\$300 per acre, plus \$29	"
<u>4408-Taylor, Louis B.</u>				
	R/W	0.18	\$150 per acre, plus \$31.50	"
<u>4405-Black, E. O.</u>				
	R/W	2977 sq.ft.	7 1/2 sq.ft., plus \$27	"
<u>4404-Wilhelm, Addie</u>				
	R/W	1402 sq.ft.	7 1/2 sq.ft., plus \$49	"
<u>4402-East, Louise, and</u>				
Mathias Wilhelm	R/W	0.30	\$300 per acre, plus \$31.50	"
<u>4416-Williams, Wendell W.</u>				
	R/W	0.54	\$75 per acre, plus \$89.65	"
<u>4413-Zielinski, Alphonse</u>				
	R/W	2.01	\$75 per acre, plus \$189, plus \$7.50	"
<u>4412-Wilhelm, Mary</u>				
	R/W	0.10	\$100 per acre, plus \$26	"
<u>4410-Baker, Noel O.</u>				
	R/W	0.35	\$100 per acre, plus \$60	"
<u>4411-Wilhelm, Mathias</u>				
	R/W	0.21	\$100 per acre, plus \$52.25	"
<u>4403-Stewart, Russell C.</u>				
	R/W	7040 sq.ft.	10 1/2 sq.ft., plus \$272.38	"
<u>4417-Kirchoff, R. G. and</u>				
WNSA	R/W	0.23	\$75 per acre, plus \$40	"
<u>4415-Porter, Lester D.</u>				
	R/W	1.22	\$75 per acre, plus \$800.90	"
<u>4409-Pedersen, John P.</u>				
	R/W	0.15	\$300 per acre, plus \$461	"
<u>4400-Hewitt, Lucy M.</u>				
	R/W	1216 sq.ft.	10 1/2 sq.ft., plus \$39.50, plus low bid moving bldg.	"
(Continued on next page)				
			690	"

(Continued on next page)

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Section, Hwy., and Owner Purpose Acres Approximate Amounts Agent

Monroe-Ferguson Section-Territorial Highway (Cont.)

4401-Roman Catholic Arch-
bishop of Portland R/W 1320 sq.ft. 10 $\frac{1}{2}$ sq.ft., plus
\$17.50 Witt

Veneta Section-Eugene Veneta Highway

3679-A Nielsen, Kenneth R/W 0.27 \$100 per acre, plus
\$5 Gardiner

Eugene-Goshen Section-Willamette Highway

9322-Sunday, R. A. R/W 2140 sq.ft. 3 $\frac{1}{2}$ sq.ft., plus
\$5.30 Parker

Eugene-Springfield Junction Section-Pacific Highway (7th and 11th Streets)

9318-Schica, Grace and
Merle Ackerson R/W 8200 sq.ft. 2 $\frac{1}{2}$ sq.ft. Parker

9248-Gullion, Anne E. R/W 5.07 3 $\frac{1}{2}$ at \$1000 per acre
1 $\frac{1}{2}$ at \$650 per acre,
plus \$1525 "
9553-Blais, Clara Quarry 6.21 \$400 per acre "

Eugene Section-Pacific Highway (7th and 11th Streets)

3784-C Conger, Sarah E. R/W 1.005 \$500 per acre, plus
\$63.23 Parker

8793-Lattin, Ann R/W 5000 sq.ft. 4 $\frac{1}{2}$ sq.ft., plus
\$100 "

8784-Conger, Sarah E.
(Correction) R/W 0.715 \$500 per acre, plus
\$1095 "

Goshen-Lowell Section-Willamette Highway

8920-Holm, Carl E. R/W, Gravel 2.83 R/W \$125 per acre
Pit and Stock 1.82 G/P \$125 per acre
Pile Site 2.05 Gratis, plus fencing
6.70 \$65 Gardiner
8995-Hansen, Curtis L. R/W 2.71 \$125 per acre "
0.014 Gratis, plus \$366.50,
2.724 less consideration for
property to be conveyed
to Hansen consisting 0.34
acre at \$125 per acre

Fisher Road-Oak Hill Section-Eugene-Veneta Highway

8753-Jensen, Soren P. Gravel Pit 2.56 \$75 per acre, plus
fencing Gardiner

Roseburg-Myrtle Creek Section-Pacific Highway

3755-Booth, J. H. Stock Pile 0.37 5 year lease-\$20
per year Gardiner

Section, City., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Roseburg-Yoncola Section-Pacific Highway</u>				
9461-Weatherford, J. M.	R/W	7.4	\$67.56 per acre, plus \$208	Gardiner
<u>North Dillard Bridge Section-Pacific Highway</u>				
8776-Thiele, Edward	R/W	0.12	\$200 per acre, plus \$39	Gardiner
<u>Grave Creek-Jump Off Joe Creek Section-Pacific Highway</u>				
9333-Raymond, George J.	R/W	0.63	\$24 per acre	Collins
9340-Kolkov, E. R.	R/W	0.38	LUMP SUM - \$10	"
8705-Bullard, Lawrence C.	R/W	23.17	\$40 per acre, plus \$30	"
9342-Plumridge, Robert V.	R/W	0.158	LUMP SUM for land \$5, plus \$35	"
9347-Letitia January- Doughty	R/W	0.06	LUMP SUM for land \$5, plus \$1	Martin
<u>Jump Off Joe Creek-Louse Creek Section-Pacific Highway</u>				
9460-Josephine County	R/W	35.687	GRATIS	Collins
<u>Madras-Crooked River Section-The Dalles-California Highway</u>				
8595-Horney, Almeda (Estate)	R/W	6.32	\$25 per acre, plus \$340	Cozad
8596-Horney, James H.	R/W	0.07	\$25 per acre, plus fencing \$10	"
8597-Horney, J. H. and Santa Barbara Water Company	R/W	0.13	\$25 per acre, plus fencing \$10	"
8598-Horney, Mary (Estate)	R/W	6.20	\$25 per acre, plus fencing \$335	"
8600-Horney, Lallonte	R/W	2.55	\$25 per acre, plus \$140.50	"
8602-Corwin, Perry A. and Guy	R/W	18.89	\$25 per acre, plus \$1085.37	"
8601-Corwin, Perry A. and Guy	R/W	3.16	\$25 per acre, plus fencing \$170	"
8599-Corwin, Perry A.	R/W	3.78	\$25 per acre, plus fencing \$218	"
8582-Thielman, Ray	R/W	4.80 5000 sq.ft.	\$25 per acre, 14 sq.ft., plus fencing \$258	"
8592-Dizney, Gillis O.	R/W	2.93	\$25 per acre, plus fencing \$156	"
6605-Jefferson County	R/W	750 sq.ft.	14 sq.ft.	"

(Continued on next page)

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
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Madras-Crooked River Section-The Dalles-California Highway (Cont.)

6606-Jefferson County	R/W	1176 sq.ft.	1 1/2 sq.ft.	Cozad
8589-Williams, Mary B.	R/W	2.83	\$25 per acre, plus \$157	"
8593-Rodman, Geo. W., Estate	R/W	22.21	\$25 per acre, plus \$1,316	"
8594-Winters, Chas. and Edgar C. and A. H.	R/W	6.10	\$25 per acre, plus \$374	"
3588-Henske, Robt.	R/W	1.12	\$25 per acre, plus \$30	"
8576-Johnson, May B.	R/W	15 sq.ft.	GRATIS	"
8681-Johnson, May B.	R/W	780 sq.ft.	1 1/2 sq.ft.	"

Barclay Springs-Graham Marsh Section-The Dalles-California Highway

9463-Hamilton, Leonard	R/W	0.28	\$300 per acre, plus fencing	Cozad
9401-Watters, T. B. and Robert E. Graham	R/W	0.23	\$100 per acre	"

Bend Section-The Dalles California Highway

9221-Central Oregon Irrigation District	R/W and Easement	0.82	GRATIS	Cozad
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Prairie City-Dixie Summit Section-John Day Highway

8879-Deardorff, Nettie and Cora Buchanan (Correction)	R/W	0.08	\$100 per acre, plus \$147.33	London
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Brogan-Jamieson Section-John Day Highway

9168-John B. Jones, and F. W. Smith	R/W	0.54	\$5 per acre, plus fencing \$8	London
9162-Pritchard, T. Chas.	R/W	3973 sq.ft.	\$0.005 per sq.ft., plus \$22	"
9170-Roberts, Lizzie Turner	R/W	0.84	\$5.95 per acre	"
9554-Boston, Thomas S.	R/W	0.12	\$100 per acre, plus fencing \$11.50	"

West Unit, Burns-Lawen Section-Burns-Crane Highway

9286-Jones, T. Allen, and Pacific Livestock Co.	Gravel Pit	11.48	\$10 per acre, plus fencing	London
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McCallum Ranch-Vale Section-Vale-West Highway

9375-A Courtright, Leslie S.	R/W	0.16	\$62.50 per acre	London
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The Attorney also requested authority to condemn certain parcels of real property for which he has been unable to reach satisfactory settlements. He presented a list of such properties together with amounts that he

recommended be offered in condemnation, as follows:

<u>File No.</u>	<u>Name</u>	<u>Purpose Required</u>	<u>Recommended Offer</u>
8811	Ruby Petteys Estate	R/W	\$20.00
8919	Vern W. Matthews, et ux	R/W	1600.00
3809 & 8734	Edward O. Lessard	R/W and Maint. Site	2000.00

After careful consideration of each item, the Commission approved the several offers and authorized the Attorney to proceed with condemnation. The following resolution in regard thereto was adopted by the Commission by unanimous vote:

WHEREAS, the State Highway Commission is authorized to locate, relocate, construct, reconstruct, maintain, widen, straighten, and otherwise improve state highways, both primary and secondary, and said Commission is also authorized to construct shops, equipment sheds, office buildings, maintenance sites, patrolmen accommodations, and snow fences, and is authorized to acquire quarry sites, gravel pits, storage sites, stockpile sites, weighing stations, and broadcasting stations, and is further authorized to develop, construct, improve, operate, and maintain parks, parking places, auto camps, camp sites, roadside development, recreational grounds or resorts, and other places of attraction and scenic value; and

WHEREAS, said Highway Commission is authorized to acquire by purchase, agreement, donation, or by the exercise of the power of eminent domain real property, or any interest therein, necessary or deemed by the Highway Commission necessary for the accomplishment of any and all of the foregoing things; and

WHEREAS, in the judgment of the Highway Commission the several tracts or parcels of land hereinafter described are each and all necessary for the specific and particular purposes hereinafter specifically set forth;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the Commission does hereby find and declare that the several parcels of real property hereinafter described are each and all necessary for the accomplishment of the purposes hereinafter expressly and specifically set forth, which said real properties and the specific purposes for which the same are being acquired are described as follows, to wit:

Real property owned by Edward O. Lessard, which property is located in Government Lots 1 and 2 (NW $\frac{1}{4}$) of Section 4; in Lot 6, Block 4, Georgetown, situated in Section 4; in

Lot 5, Block 4, Georgetown; and in Lot 5, Block 5, Georgetown, all in Township 4 North, Range 1 West, W. M., in Columbia County, Oregon, and is more particularly described on the attached sheets and designated as Parcels Nos. 1, 2, 3, 4, 5, and 6 and is further identified in the records of the Highway Commission as file R 8734, Parcels Nos. 1 and 2 being acquired for right of way purposes and Parcels Nos. 3, 4, 5, and 6 being acquired for maintenance site purposes in connection with the Columbia River Highway;*

Real property owned by Vern W. Mathews and Rhoda Mae Mathews, which property is located in the southeast quarter (SE $\frac{1}{4}$) of Section 19 and in the southwest quarter (SW $\frac{1}{4}$) of Section 20 and in the northeast quarter (NE $\frac{1}{4}$) of Section 30 and in the northwest quarter (NW $\frac{1}{4}$) of Section 29, Township 18 South, Range 2 West, W. M., Lane County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 7 and is further identified in the records of the Highway Commission as file R 8919, and which property is being acquired for right of way purposes in connection with the Willamette Highway;*

Real property owned by the Ruby B. Petseys Estate, which property is located in the southwest quarter (SW $\frac{1}{4}$) of the northwest quarter (NW $\frac{1}{4}$) of Section 1, Township 4 South, Range 14 East, W. M., Sherman County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 8 and is further identified in the records of the Highway Commission as file R 8811, and which property is being acquired for right of way purposes in connection with the Sherars Bridge Highway No. 290.*

2. That the Commission does hereby find and declare that each of the said described parcels of real property is necessary and acquisition of the same by the State is required for the specific purposes hereinabove set forth, and the said properties are being acquired for the express and specific purposes in this resolution set forth.

3. That the State Highway Engineer be and he hereby is instructed and directed to make or cause to be made all surveys necessary in connection with the determination, description, and acquisition of said real properties, and said Engineer is further instructed to prepare and submit to the Legal Department necessary and adequate descriptions of the said real properties, which said descriptions shall be available for the preparation of any deed or deeds or other instrument or instruments necessary to complete the

acquisition of said property or properties, whether said properties be acquired by purchase, donation, agreement, or by the exercise of the power of eminent domain.

4. That J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and he is hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby further resolved that J. M. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and he hereby is requested to commence and prosecute to a final determination such suit or action, or suits or actions, as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

*(The detailed descriptions of the respective parcels of real property mentioned in this resolution are attached to the original resolution on file in the office of the State Highway Commission, Salem, being Resolution No. 14, under the heading "Real Property Condemnation Resolutions", and said descriptions by this reference are made a part of this minute entry to the same extent as if copied in full herein.)

The Attorney asked the Commission to adopt a resolution as a substitute for a resolution heretofore adopted on the 9th day of May, 1941, in which the Commission authorized him to condemn right of way across property owned by Mary E. Itach, et al. Since the adoption of said resolution, he said, a decree in partition has been made by the circuit court of the State of Oregon for Washington County by which title to a portion of the property described in said original resolution has been vested in certain persons and title to another portion of said property vested in other persons and it so happens that one Catherine Fowles is now the owner of a portion of this property that is needed for the Wolf Creek Highway Improvement and in order to condemn the property it will be necessary to institute new proceedings, requiring a new resolution by the Highway Commission. The Commission approved the request and thereupon by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, the State Highway Commission is authorized to locate, relocate, construct, reconstruct, maintain, widen, straighten, and otherwise improve state highways, both primary and secondary, and said Commission is also authorized to construct shops, equipment sheds, office buildings, maintenance sites, patrolmen accommodations, and snow fences, and is authorized to acquire quarry sites, gravel pits,

storage sites, stockpile sites, weighing stations, and broadcasting stations, and is further authorized to develop, construct, improve, operate, and maintain parks, parking places, auto camps, camp sites, roadside development, recreational grounds or resorts, and other places of attraction and scenic value; and

WHEREAS, said Highway Commission is authorized to acquire by purchase, agreement, donation, or by the exercise of the power of eminent domain real property, or any interest therein, necessary or deemed by the Highway Commission necessary for the accomplishment of any and all of the foregoing things; and

WHEREAS, that certain highway known and designated as State Highway No. 47, and otherwise known as the Wolf Creek Highway, is a duly designated and adopted state highway; and

WHEREAS, the Highway Commission has heretofore, by resolution duly adopted and entered in the minutes of the Commission, declared said highway to be a highway of major importance and did further find and declare that in connection with the acquisition of real properties for rights of way for said highway there should be acquired also all rights of access from the abutting property to said highway, to which said resolution reference is not made; and

WHEREAS, the Highway Commission duly and regularly adopted a resolution and made the same a part of its minutes of the meeting of May 9, 1941, in which resolution there was described certain real property claimed to be owned by Mary E. Ibach, et al; and

WHEREAS, since the adoption of said resolution a decree in partition has been made by the Circuit Court of the State of Oregon for Washington County, Partition Suit No. 11721, by which title to a portion of the property described in said original resolution has been vested in certain persons and title to another portion of said property vested in other persons; and

WHEREAS, to meet said new situation with respect to title it is necessary that this resolution be adopted; and

WHEREAS, Catherine Fowles, et al are the owners of the following described real property, to wit:

Beginning at the northwest corner (a stone) of the J. L. Northrup D. L. C. No. 44 in Section 33, Township 2 North, Range 3 West, W. M., in Washington County, Oregon, and running thence South $1^{\circ} 24'$ East along the west line of said D. L. C. 1314.0 feet to an iron pipe; thence South $87^{\circ} 47' 30''$ East parallel with the north line of said D. L. C. 1651.6 feet to a point on the east line of said Ibach

property in the center of the County Road, from which point an iron pipe bears North $87^{\circ} 47' 30''$ West 20.0 feet; thence along the east line of said Ibach property North $1^{\circ} 21'$ West in the center of said county road 1314.0 feet to an iron pipe and stone on the north line of said D. L. C.; thence North $87^{\circ} 47' 30''$ West along the north line of said D. L. C. 1652.7 feet to the place of beginning, containing 49.74 acres.

WHEREAS, it is the judgment of the Highway Commission that the real property hereinafter described, which is a part or portion of the above described real property, is necessary and needed for right of way and other highway purposes in connection with the construction and maintenance of the said Wolf Creek Highway;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. The Commission does hereby find and declare that the real property hereinafter described, and which real property is a part or portion of the above described real property, is necessary and is needed in connection with the construction and maintenance of the Wolf Creek Highway, which said real property is described as follows, to wit:

A parcel of land lying in the J. L. Northrup D. L. C. #44 in Section 33, Township 2 North, Range 3 West, T. N., Washington County, Oregon, the said parcel being all that portion of the foregoing described property included in a strip of land 140 feet in width, 70 feet on each side of the center line of the Wolf Creek Highway as said highway has been located over and across or adjacent to the said property; the location of the said strip of land (in so far as it encroaches upon said property) being determined by the said center line from Station 2344+98 to Station 2364+29.8 which portion of center line is described as follows:

Beginning at a point which is Engineer's center line Station 2344+98 opposite and 70 feet distant from which point the northerly line of the said strip of land intersects the west line of the J. L. Northrup D. L. C.; said point being 510 feet south and 20 feet west of the northwest corner of said Northrup D. L. C. #44, in Township 2 North, Range 3 West, T. N.; thence South $61^{\circ} 53'$ East a distance of 1931.8 feet to station 2364+29.8, at which station said highway center line intersects the center line of the county road, said road center line also being the easterly line of the owners' property.

The parcel of land to which this description applies contains 5.74 acres.

2. The Commission does hereby further find and declare that the last above described parcel of real property is needed and required and the appropriation and acquisition of the same is sought under these proceedings for right of way and other highway purposes in connection with the construction, improvement, and maintenance of the said Wolf Creek Highway.

3. The Commission does further find and declare that, in addition to the acquisition of the said last described tract of real property for the purposes herein stated, it is likewise necessary that there be acquired all right of access from the remaining property of the said Catherine Fowles, et al, except access at approximately state highway engineer's station 2352+00, and a seven-foot stockpass beneath the surface of the highway at engineer's station 2348+00, which said remaining real property abuts upon or joins the real property last above described and will, when said highway is constructed, abut upon said highway.

4. That the State Highway Engineer be and he hereby is instructed and directed to make or cause to be made all surveys necessary in connection with the determination, description, and acquisition of said real property, and said Engineer is further instructed to prepare and submit to the Legal Department necessary and adequate descriptions of the said real property, which said descriptions shall be available for the preparation of any deed or deeds or other instrument or instruments necessary to complete the acquisition of said property, whether said property be acquired by purchase, donation, agreement, or by the exercise of the power of eminent domain.

5. That I. H. Van Winkle, Attorney General of the State of Oregon, and J. H. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they are hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement can be reached, then it is hereby further resolved that the Attorney General of the State of Oregon and J. H. Devers, Assistant Attorney General and Attorney for the State Highway Commission, be and they hereby are requested to commence and prosecute to a final determination such suit or action as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated, together with all rights of access from adjoining or abutting property to said highway, except as provided herein.

6. That this resolution be entered in full in the minutes

and records of this Commission, and the resolution relative to property claimed to be owned by Mary E. Ibach et al heretofore adopted on the ninth day of May, 1941, be and the same hereby is rescinded.

Chairman Cabell brought up for discussion the matter of acquiring right of way for the Wolf Creek Highway WPA Project near a place known as Vadis. The Attorney advised that he is now working on this project and expects by July 25 to have all of the right of way acquired or under condemnation so that construction work can then proceed without delay. He requested authority from the Commission to condemn the properties involved, in the event that he is unable to negotiate satisfactory settlements. After discussion the Commission approved the filing of the condemnation proceedings, if necessary, on the following properties along the Davies-Gardner Section of the Wolf Creek Highway, it being left with Chairman Cabell to decide later the offers that are to be made for each in condemnation:

File 6531	Christian Anderson Estate
File 6532	Charles E. Davis
File 6533	Frank A. Denneman
File 3428	U. S. Government (Resettlement)
File 6534	Rose Utecht
File 6535	Patrick Davis
File 6536	Fred Cusick
File 6537	Wm. J. Staples
File 6538	H. G. McCarthy
File 6539	Martha Mast

The Assistant Attorney brought up for discussion the matter of acquiring right of way for the proposed highway improvement at Tongue Point near Astoria, particularly such right of way across property owned by Mrs. W. E. Blackstock. He advised that Mrs. Blackstock knows about the proposed highway improvement and is making arrangements to acquire other property in lieu thereof, in fact she has already secured an option to secure this other property but would like to know definitely about the proposed highway improvement before she closes the deal. He valued the Blackstock property at \$1,900 and requested instructions whether or not to purchase it at this time. The Commission decided not to purchase this property now on account of uncertainties that exist with respect to the funds that are to be used to finance the highway construction work and instructed the Attorney to so inform Mrs. Blackstock.

Dr. C. A. Howard, President, Oregon College of Education, Monmouth, and Mr. Charles D. Byrne, Secretary of the Board of Higher Education, were present in regard to the rerouting of the Pacific Highway West through the town of Monmouth so as to eliminate the necessity for highway traffic to pass directly in front of the campus. Dr. Howard advised that the present highway divides the campus, some of the school buildings being located on one side of the highway and others on the opposite side, which creates a very unsatisfactory and dangerous condition for students who are obliged to cross the highway. He gave figures to show the volume of highway traffic that passes the campus daily and predicted that it will greatly increase when the federal government

establishes it. Army cantonment between Monmouth and Corvallis, which cantonment, he understands, will extend to within three miles of Monmouth. He advised that he has received definite information that the government intends to construct the cantonment at such location. He suggested that it might be possible to reroute the highway along Knox Street although he said he is not attempting in any way to dictate to the Highway Commission where the highway should be placed.

Chairman Cabell gave as his understanding that there is still some question as to whether or not the army cantonment will be located south of Monmouth and even if it is located at such place, there is a question whether or not the highway will have to be changed to accommodate it. The Highway Commission, he said, intends to give this matter very careful study and promises that no definite action will be taken either one way or the other until further consulting Dr. Howard.

A delegation from Klamath County, headed by Mr. Earl Reynolds, Manager of the Klamath County Chamber of Commerce, and including the following: County Judge U. E. Reeder; County Commissioners E. E. Benner and John R. Reber; County Engineer Frank Z. Howard; B. G. Courtright, Superintendent of the Klamath Indian Reservation; H. J. Doolittle, District Road Engineer of the United States Indian Service, Spokane; Boyd Jackson, Klamath Tribal Council; and G. C. Lorenz, representing the Crater Lake Lumber Company, appeared before the Commission in the interest of the Sprague River County Road. Mr. Courtright advised that Congress has passed a bill appropriating certain funds for highway improvements within the boundaries of Indian Reservations and in this bill provision was made for expenditure of \$150,000 for the improvement of the Sprague River Road, provided such fund is matched by a like amount of state money. He inquired whether or not the State Highway Commission is willing to provide the match money and urged investigations as may be necessary. Mr. Doolittle advised that surveys for the road improvement have already been made and approved by the Public Roads Administration, particularly between the towns of Chiloquin and Sprague River. The federal government, he said, is willing to meet the Highway Commission on any reasonable proposition that may be presented to provide for construction along the adopted survey.

In the discussion the question arose whether or not the federal appropriation is absolutely contingent upon the state putting up the match money. This could not be answered because of lack of a copy of the bill providing for the appropriation. Chairman Cabell advised that the Commission must know definitely about this feature and how the money must be spent before it can make a decision. Engineer Howard suggested, if the Highway Commission will assume the responsibility to construct the 22-mile section between the towns of Chiloquin and Sprague River, Klamath County will improve the remaining section between Sprague River and the junction of the Klamath Falls-Lakeview Highway. After further discussion the Commission authorized and instructed the Engineer to make full investigation of this entire matter, including both engineering features and federal requirements as to the money-matching features.

Engineer Howard then asked the Commission to construct an oiled surface on two county market roads entering the town of Chiloquin. He said that all they are asking for is the oiling of short sections of each of these roads and advised that Klamath County will pay all of the costs involved. The Commission approved the request subject to the condition that there is sufficient oil rock available that can be spared for the purpose and that a highway oiling crew is available to do the work. The matter was referred to the Engineer to handle the details.

The County Court of Marion County, represented by County Judge Grant Murphy and County Commissioner Ralph Girod, was present in regard to the designation of the North Santiam Highway as a state secondary highway between Detroit and the South Santiam Highway Junction. The Court was assured by Chairman Cabell that the Commission is favorably inclined to so designate this road and will do so as soon as the right of way has been cleared of all encroachments and when all three Commissioners are present, which is a legal requirement.

Judge Murphy also brought up for discussion matters pertaining to the further improvement of the Salem-Silverton County Road. He said that for the most part the right of way needed for this improvement has been acquired; however, the county is having difficulty with several of the owners and indications are that it is going to be necessary to condemn some of the property, which the county will do as soon as the state is ready to proceed with construction. In other words, the county will clarify all right of way matters as soon as it is ordered to do so by the state. Commissioner Girod urged the Commission to contract additional work on this road some time this fall. It was explained to the court that the surveys are not yet completed, so the Commission is not in position today to make any definite commitment, but will again discuss the matter with the court when the surveys are done and the results thereof studied.

The Commission by unanimous vote adopted the following resolution abandoning a short section of the old right of way of the Oregon Coast Highway in the town of Brookings, which section is no longer of value from the state highway standpoint in view of the fact that the highway has been relocated on another alignment:

WHEREAS, in order to afford and make possible a better alignment and a more serviceable, safe and convenient highway for the traveling public, the Commission found it necessary to relocate and realign the section of the Oregon Coast Highway within the boundaries of the Town of Brookings in Curry County; and

WHEREAS, by reason of said relocation and realignment, and the reconstruction of said section of said highway, there was eliminated and made unnecessary as a part of the right of way of the reconstructed highway a section or area of the old right of way which said section or area is more specifically defined and described hereinafter in this resolution; and

THEREAS, it is the judgment and the opinion of the Commission that there should be reflected in the minutes and records of the Commission the Commission's purpose and plan to abandon, as a part of the right of way of the Oregon Coast Highway, the section or area hereinafter described and which was formerly incorporated as a part of the right of way of said highway in Brookings;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by this Commission, all members being present and affirmatively voting, as follows:

1. That the fragment or parcel of land confined within the area hereinafter described, which said fragment of land was formerly within the limits of the right of way of the Oregon Coast Highway in Brookings, but which is now without the limits of the right of way of said highway as relocated and reconstructed, be and said fragment or parcel of land hereby is abandoned as a part of the right of way of said Oregon Coast Highway. The parcel or fragment of land abandoned and dismissed as a part of the right of way of said highway is, so far as control and supervision of the same by this Commission is concerned, left to revert to the adjoining and abutting property owners or to the control and supervision of the County Court of Curry County. The fragment or parcel of land affected by this resolution is described as follows, to-wit:

That certain portion of Chetco Avenue, lying between Blocks 3 and 4 of Brookings, Oregon, being described as follows:

Beginning at a point on the south line of said Block 4; said point being 40 feet distant southwesterly from (when measured at right angles to) the relocated center line of the Oregon Coast Highway; said point also being 34 feet easterly from the southwest corner of said Block 4; thence northwesterly along the said south line a distance of 34 feet to the southwest corner of said Block 4; thence southwesterly along the easterly side line of Pacific Avenue, 63.6 feet to the northwest corner of said Block 3; thence southeasterly along the northerly line of said block 384 feet to the west line of the 10 foot alley through Block 3; thence northeasterly along the extension of said west line of the alley, a distance of 7.2 feet, to a point which is 40 feet distant southwesterly from (when measured at right angles to) the relocated center line of said highway; thence northwesterly parallel to and 40 feet distant from said relocated center line to the point of beginning.

Said parcel of land, which by this resolution is abandoned as a part of the right of way of said highway, is in addition to the above de-

scription more particularly ascertained and determined by reference to a map or blue print marked "Exhibit A", attached hereto and by this reference made a part hereof, which said exhibit for identification purposes bears the signatures of K. D. Lytle, Division Engineer, H. C. Smith, Construction Engineer, and C. B. McCullough, Assistant State Highway Engineer, and is dated July 9, 1942, upon which map or exhibit the said above described parcel of land is shown shaded in red.*

2. That this resolution be entered into the minutes and records of the Commission and a certified copy thereof delivered to the County Court of Curry County, together with a copy of said exhibit or map, for such action as said County Court may deem proper; a like certified copy with map attached delivered to the Public Roads Administration, and a like certified copy of resolution delivered to Collier H. Buffington, as attorney for the adjoining property owners.

The Secretary presented a resolution from the Port Orford Chamber of Commerce urging the Highway Commission to make prompt and immediate settlement of the controversy relating to the right of way that is needed for the improvement of the Oregon Coast Highway across the Orris Knapp property in Port Orford so that construction work can proceed this summer rather than in 1942. In this connection the Commission discussed its previous offer of \$10,000 to Mr. Knapp for his property and decided to renew said offer; however, indicated that it might pay \$10,500 if that is absolutely necessary. No action was taken by the Commission on the resolution.

The Attorney reported on his investigation of the controversy between the County Court of Klamath County and certain property owners with respect to ownership of a small parcel of land at the intersection of The Delles-California Highway and the Green Springs Highway, just out of Klamath Falls. He recalled that the Klamath County Court mentioned this controversy when it appeared before the Commission at a previous meeting at which time it was explained that the deed by which the county acquired the property contained a provision that the portion that was not utilized for highway purposes should revert to the original property owners, and the Commission was advised at that time that such property owners are now endeavoring to establish their rights to such portion. The Attorney advised that he has examined the county's deed and in his opinion the former owners do not have the rights under this provision that they think they have and are not entitled to any of this property unless the Highway Commission, which is now the title owner, wants to relinquish it. The Commission decided unanimously to retain title to the entire area.

The Attorney brought up for discussion the claim of Mr. J. W. Hughey for damages to his property at Nyssa, resulting from change in grade of the highway at this place. He advised that he has investigated this claim and those of others in the same vicinity and is of the opinion that the state is liable. He recommended settlement of the claims on the following basis: payment to J. W. Hughey for damage to Lots 19 and 20, Block 149, Wards Addition, \$700, Mr.

*Map filed Right of Way Abandonment and Retention File - No. 94.

Hughey to extend, at his own cost and expense, a certain cross drain at the corner of his property; Dwight Seward for damage to Lots 17 and 18, Block 149, Wards Addition, \$280.95; H. H. Kinross for damage to Lots 11, 12, 13, 14, 15, and 16, Block 149, Wards Addition, \$443.50. The Engineer concurred in the recommendation. The settlements recommended were approved by the Commission by unanimous vote.

The Engineer reported that, in conformance with previous instructions from the Commission, Division Engineer Lytle and C. T. Parker, Chief of Way Agent, interviewed a number of citizens of Gold Beach to ascertain the sentiment of the people of this community regarding the improvement of the Oregon Coast Highway on a 60-foot and on an 80-foot width right of way, and their report is to the effect that most of the people prefer an 80-foot right of way in preference to the 60-foot right of way because they feel that if the Commission decides on an 80-foot width right of way now, it will settle for all time to come the question of the permanent location for the highway. However, there was no definite opposition to the improvement on the 60-foot width right of way. In view of this report the Commission voted unanimously to reconstruct the highway on 60-foot right of way and authorized the Engineer to advertise the project for bids to be received some time this fall. The Commission also ordered that provision be made in the specifications for removal of utility poles.

The Engineer requested authority to acquire additional land to provide an 80-foot right of way for the Oregon Coast Highway between Camp Clatsop and West Lake in Clatsop County. He explained that the City of Warrenton is arranging for the installation of a large water main along the east side of the highway between these points, and, if the city is permitted the use of the existing right of way, it will place the main too close to the center of the traveled roadway because the right of way at this location is only 40 feet wide, being 20 feet on each side of the center line. He pointed out that the present right of way is now 80 feet wide north and south of this section, and eventually it will be necessary to widen the entire strip. He gave as his thought that it would be highly desirable to provide a uniform width of 80 feet throughout the entire length at this time, not only to accommodate the City of Warrenton pipe-line construction, but to accommodate the highway when it is rebuilt in the not distant future. The section involved, he said, is approximately 4,000 feet long. The Commission approved the request and authorized the right of way department to secure options for the property.

The Attorney requested instructions relative to accepting bids from house movers who either are not able to or will not furnish performance bonds in favor of the owners of the houses that are to be moved. He advised that the practice heretofore followed is to guarantee the property owners that such bond will be furnished; however, one of the house-moving contractors, whose headquarters are in Eugene, refused absolutely to furnish such bond. He recommended that in such cases the proposal of such house mover be not accepted or considered. The Commission approved the recommendation and ordered that such procedure be followed hereafter as the established policy.

The Attorney also brought up for discussion the question of making deductions from the amounts to be allowed property owners and the compensation to be made to house movers in instances where the property owner does not give the house-moving work to the low bidder for the same. He recommended the following plan for the handling of cases of this kind:

Scale of Deductions on Amounts to be Paid to Property Owners

10 per cent of the amount bid on the first \$2000.00.

On bids in excess of \$2000.00, \$200.00 plus 5 per cent of the amount in excess of \$2000.00.

Scale of Allowances to be Made to House Movers

\$0.00 to \$2000.00, five per cent of the amount bid, with a fixed minimum of \$15.00.

\$2000.00 to \$3000.00, \$100.00 plus 4 per cent of the amount of the bid in excess of \$2000.00.

\$3000.00 to \$5000.00, \$140.00 plus 3 per cent of the amount of the bid in excess of \$3000.00.

\$5000.00 and over, \$200.00 plus 2 per cent of the amount of the bid in excess of \$5000.00, with a fixed maximum of \$300.00.

After discussion the Commission approved the recommendation by unanimous vote.

The Attorney reported on the status of payments by contractors Edlefsen-Meygandt of rentals collected by them on the Front Avenue Project, Portland. He advised that investigation convinces him that the contractors acted in entire good faith in collecting these rentals inasmuch as they took this feature into consideration when making their bid for the job. However, the contractor has agreed to turn the amounts collected over to the City of Portland as a credit to the city's Front Avenue Project fund. The Commission approved the report; however, instructed the Attorney to secure a letter from the City of Portland, in order to clear the Commission's records, giving assurance that the contractors have turned over to the city all such rentals.

The Commission deferred for the time being consideration of right of way matters in Klamath Falls involving subdivision of property owned by Mrs. Hecker.

The Attorney reported on the damage claim of Mr. Paul Gilbaugh involving his property at Rhododendron. He advised that about twenty years ago the federal government, in connection with a forest highway project, installed a breakwater, consisting of concrete blocks and cables, along the shore line

of Zig Zag River just above the Mt. Hood Highway, as a protection to the highway. However, it appears that no authority was secured from Mr. Gilbaugh, who owns the property fronting on the river at this point, to install such break-water and Mr. Gilbaugh is now seeking damages although he is willing to sell his property to the state if the Commission prefers to handle the matter in that manner. Mr. Gilbaugh, he said, will sell his lot fronting on the river for \$150; otherwise, he wants the cables which connect the concrete blocks cut so as to allow him access to the river from his property. The Attorney also advised that this matter has been presented to the Public Road Administration and it is the wish of that department that the state reach a satisfactory settlement with Mr. Gilbaugh.

In the discussion the question arose whether or not Mr. Gilbaugh actually owns the property along the river front and whether or not the state would be liable for damages to other properties if it acknowledged damage to Mr. Gilbaugh's property. The Commission decided not to settle with Mr. Gilbaugh unless he can prove that he owns this frontage. The Attorney was instructed to discuss the matter again with Mr. Gilbaugh.

The Commission had under discussion the advisability of disposing of a portion of the land that was acquired from a Mr. Vaughn adjacent to the Tiller-Trail Secondary Highway, about one-half mile from Trail, for use in connection with a forest highway project at that place. The Attorney advised that Mr. Vaughn refused to sell only the land needed for the highway right of way and insisted upon the state acquiring his entire holdings; further, that the state purchased the entire farm from Mr. Vaughn notwithstanding that it was not all needed for the highway improvement, and the question of selling a portion of this property comes up at the present time because of an offer that has been received to purchase the same. The Engineer advised that the suggestion has been made by Division Engineer Lytle that the upland portion of this property be sold but that the lowland along Trail Creek be retained. The Commission deferred definite action on the matter pending investigation by the Engineer and the Attorney.

The Attorney requested instructions relative to the sale of certain state-owned property lying between the old highway right of way and the new highway right of way at Agate Beach. He said that, in connection with the acquisition of right of way for the new highway at this point, the Commission purchased at one place all of the land lying between the new highway location and the old highway and he has been informed that certain citizens or residents of Agate Beach wish to acquire this area or a portion of it on which to construct a community hall, although other citizens are opposing that proposed use and urge that the area be retained by the state for landscaping and other like purposes. He recommended that the Commission do not sell this property and that the Commission dedicate the entire area for highway and other public purposes, and if some of those purposes involve landscaping work, that the Landscape Engineer be authorized and instructed to develop the same. After discussion the Commission decided not to sell the property and so ordered.

The Commission by unanimous vote adopted the following resolution

abandoning a short section of the Oregon Coast Highway (old route) in the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 22, T. 7 S., R. 11 W., Lincoln County, fronting on the Charles P. Nelson property at Nelscott, the Engineer having recommended such abandonment because the property is not needed for general highway purposes:

WHEREAS, in order to afford a better alignment and a more satisfactory, safe and convenient highway for the traveling public the Commission found it necessary to relocate a portion of the Oregon Coast Highway in Lincoln County; and

THEREAS, by reason of said relocation and reconstruction of said section of highway there was eliminated and made unnecessary as a part of the permanent highway a certain section, which section is more specifically defined and described hereinafter in this resolution; and

THEREAS, it is the judgment and opinion of the Commission that there should be recorded in the minutes and records of the Commission its purpose and plan to abandon as a part of the said highway the fragment or portion of right of way heretofore designated and which was heretofore included within the area of the right of way of said highway as formerly located but which is now without the regular limits of said highway as relocated.

NOW, THEREFORE, the premises being in general as above stated, it hereby is resolved by this Commission, all members being present and affirmatively voting as follows:

1. That the fragment of land confined within the area hereinafter described, which fragment or parcel of real property was formerly within the limits of the right of way of the Oregon Coast Highway in the vicinity of Nelscott but is no longer a part of the right of way of said highway as the same has been relocated and constructed be and said parcel of real property is abandoned as a part of the right of way of said highway, and said parcel of land is, so far as control and supervision by this Commission is concerned, eliminated and left to revert to the adjoining and abutting property owners. The fragment or parcel of land affected by this resolution is defined and described as follows, to wit:

A parcel of land lying in the Southeast quarter (SE $\frac{1}{4}$) of the Northeast quarter (NE $\frac{1}{4}$) of Section 22, Township 7, South, Range 11 West, T. 7 S., R. 11 W., Lincoln County, Oregon; the said parcel being all that certain portion of the old abandoned sixty foot right of way lying westerly of a line 40 feet distant westerly from and parallel to the reconstructed center line of the Oregon Coast Highway, the beginning and ending points of said parcel of land, with reference to the Engineer's Stations of the said reconstructed center line being Station 979+57 on the northerly end and Station 988+35 on the southerly end, containing 0.80 acre, more or less.

The location of said abandoned right of way may be more definitely and particularly ascertained and determined by reference to a map or blueprint marked Exhibit A attached hereto and by this reference made a part hereof, which said exhibit for identification purposes bears the signatures of F. D. Eason, Division Engineer, H. G. Smith, Construction Engineer, and C. B. McCullough, Assistant State Highway Engineer, and is dated April 11, 1941, upon which map or exhibit is reflected the above described parcel of land by showing the same shaded in red.*

2. In the event there remains any physical connection between any portion of said abandoned right of way or highway and the present highway, and by reason of such physical connection traffic from the existing highway may enter or use the said abandoned right of way or highway to the possible damage or injury of such traffic by reason of any unsafe condition existing with respect to said old or abandoned road, then the State Highway Engineer is hereby authorized and directed to erect such barricade or other safeguards as may be necessary to protect and safeguard traffic using and employing said newly located, constructed and dedicated section of said highway.

3. That the resolution heretofore adopted by this Commission on the seventh day of January, 1936, which resolution preserved for public purposes the above described parcel of land along with other parcels, is by this resolution amended and modified in so far as said prior resolution affects the real property herein described.

4. That this resolution be entered in the minutes and records of the Commission and a certified copy thereof delivered to Charles P. Nelson of Nelscott, Oregon, for such use and purpose as it may serve.

The Assistant Attorney brought up for discussion the claim of Henry J. Henze, St. Helens, for compensation for the loss of business during the time that his store building was being moved to accommodate the highway improvement at this place. He gave as his opinion that Mr. Henze's claim is fully justified because he actually was unable to transact any business whatsoever during the four-day period in which the building was being moved, and Mr. Henze estimates that his loss is \$10.00 per day or a total of \$40.00. He recommended payment of such sum to Mr. Henze as settlement in full for the claim. The Commission approved the recommendation and authorized settlement with Mr. Henze on such basis.

The Commission adjourned at 12:30 p. m. and reconvened at 2:00 p. m. in the same room with the same persons present and participating.

*Map filed Right of Way Abandonment and Retention File - No. 95.

The Engineer presented the claim of the S.P.&S. Railroad Company for \$44.79 representing the cost of repairing a valve in an asphalt tank car which, it is alleged, was damaged by highway department employees in emptying the car. The Engineer advised that the valve was defective in the first instance and in order to empty the car it was necessary for the employees to make use of a blow torch to loosen the congealed asphalt around the valve, which is standard practice. He admitted an error in using the blow torch on a defective valve and advised that hereafter, if the valve on any tank car is found to be defective, such condition will be reported to the railroad company and the asphalt will not be unloaded from the car unless the railroad company will assume the responsibility for any damage that may occur to the car as a result of the unloading. He recommended payment of the claim in this particular instance in view of the fact that the railroad company was not notified of the defective valve. The Commission approved the recommendation and likewise the procedure to be followed hereafter as outlined by the Engineer. The Engineer was instructed to so inform the railroad company by letter.

A delegation from Columbia, Washington and Yanhill Counties was present in regard to the designation and construction of a state highway from the town of Rainier on the Lower Columbia River Highway to a connection with the Wolf Creek Highway north of Forest Grove, and also requesting the improvement of state highways from this point to Corvallis in order to facilitate the movement of troops from the proposed army cantonment near Corvallis to Fort Lewis in the State of Washington. Mr. J. W. Nichols, Vernonia, headed the group which included the following: T. M. Crawford, Vernonia; Wm. Pringle, Sr., and J. H. Miller, County Commissioners of Columbia County; W. E. Proctor, representing the Rainier Commercial Club; County Judge H. D. Kerkman of Washington County, and Jud Greenman, Vernonia. Chairman Cabell advised that this is a very costly undertaking and the Commission is not in position at the present time to make any definite statement in regard thereto. Mr. Proctor suggested that, if the Commission could not see its way clear to provide for the entire improvement, it take over and improve as a primary state highway, the section from Apiary to a connection with the Nehalem Secondary Highway near Vernonia. He said that this portion has already been built by WPA forces and is in very good condition although it needs a little widening at certain points. He estimated that it would cost about \$30,000 to bring it up to state highway standards. He added that Columbia County is now reconstructing the road between Apiary and the Columbia River Highway junction.

Chairman Cabell advised the status of the Highway Commission's funds and gave as his thought that it would be inadvisable to designate this road a state highway now while the Commission has no idea when it would have funds with which to improve it. The policy of the Commission for a long time, he said, has been not to add new highways to the highway system until the roads now on such system are improved.

The Engineer advised that the section between the Nehalem Highway and Apiary, which has been constructed in recent years, contains a crushed rock surface with fairly good alignment and grade. However, the 7.6 mile section from Apiary to the section already oiled on Rainier Hill is not in such

good condition, the alignment and grade being poor and there being a number of sharp vertical curves. He estimated the cost to oil the entire section, 21 miles in length, and to rebuild the Rainier Hill Section at approximately \$140,000.

Chairman Cabell gave as his understanding that there are two problems under consideration, first the designation and improvement as a primary state highway of the entire route between Rainier and Corvallis and the other the designation and improvement of a short section at the north end, particularly between Rainier and the junction with the Nehalem Highway near Vernonia. The first of these projects, he explained, would be very costly and is far distant because the Commission cannot finance it; however, the second or smaller project is more within the limits to which the Highway Commission could go and the Commission will give the matter careful study.

Mr. Nichols also asked the Commission to designate and approve as a state secondary highway the county road which extends from Sunset Camp on the Wolf Creek Highway to a place known as Treharne on the Nehalem Secondary Highway. The Commission took no action on the matter.

Mr. R. W. Williams, vice-president of the Werner Timber Company, Taft, Oregon, was present in regard to the further improvement of the Siletz Secondary State Highway, particularly the northerly section between milepost 6 and milepost 9. He said that if the Highway Commission will improve this section the Werner Timber Company will contribute toward the cost thereof the sum of \$5,000 which amount represents the estimated cost to construct a log boom in the Siletz River, which the company will have to build if the highway is not improved. He urged the improvement of the road even on a low standard basis so as to facilitate the marketing of timber and to obviate the necessity of an expenditure for the log boom which he said might be damaged during high water periods. The Engineer estimated the cost of constructing such section, which is 3.8 miles in length, at \$115,000. The Commission appeared favorably inclined toward the project but deferred a definite decision until its Eastern Oregon trip during the following week when all three Commissioners are present. Mr. Williams agreed to confirm his oral offer in writing.

Mr. Williams also asked that this road be posted for a 20-miles per hour speed limit as a safeguard for traffic. The Commission approved the request subject to the condition that it has legal authority to so post the road and referred the matter to the Engineer and the Attorney to handle. It was the order of the Commission that a standard form be prepared covering the matter of reducing the speed limits on state highways.

At 3:00 p. m. Chairman Cabell announced the following awards of contracts for which bids were received at the morning session, such awards having previously been approved by unanimous vote:

Monroe-Lane County Line Section of the Territorial Secondary Highway in Benton County. 2.09 miles grading, surfacing and oiling. E. L. Gates, Packwood, Washington, submitted the low bid for this work, in the amount of \$43,469.50, using asphalt, and in the amount

of \$43,727.50, using tar. Coos Bay Dredging Co., Marshfield, submitted the only other bid for this work, in the amount of \$55,813.05, using tar. They did not submit a bid based on the use of asphalt. The Commission awards this contract to E. L. Gates, at his low bid of \$43,469.50, using asphalt.

"Warrenton-Skipanon Section of the Fort Stevens County Road, in Clatsop County. 0.52 mile grading and paving. Porter W. Yett, Portland, submitted the only bid for this work, in the amount of \$34,496.50. The Commission awards this contract to Porter W. Yett, at his bid of \$34,496.50.

"Bridge over North Fork Necanicum River at milepost 7.12 on the Wolf Creek Highway, in Clatsop County. 101-ft. reinforced concrete viaduct. Frank Watt Construction Co., Portland, submitted the low bid for this work, in the amount of \$16,826.00. Bahler Bros., Portland, submitted the next-low bid, in the amount of \$17,151.00. There were three higher bidders. The Commission awards this bid to Frank Watt Construction Company at its low bid of \$16,826.00.

"Kimberly-Simas School Section of the Kimberly-Long Creek Secondary Highway, in Grant County. 5.39 miles grading and surfacing. E. L. Gates, Packwood, Washington, submitted the low bid for this work, in the amount of \$47,915.00. Leonard & Slate, Multnomah, submitted the next-low and only other bid for this project, in the amount of \$49,633.00. The Commission awards this contract to E. L. Gates, at his low bid of \$47,915.00.

"North Unit, Wrights Point-Narrows Section of the Frenchglen Secondary Highway, in Harney County. 5.40 miles grading and topping. Morris Bros., Seattle, Washington, submitted the only bid for this work, in the amount of \$31,492.00. The Commission rejects this bid, and orders the project readvertised.

"Warner Summit-Mud Creek Section of the Warner Secondary Highway, in Lake County. 2.84 miles grading and 6.91 miles surfacing. Rogers Construction Co., Dayton, Washington, submitted the only bid for this project, in the amount of \$52,961.00. The Commission awards this contract to Rogers Construction Co., at their bid of \$52,961.00.

"Fisher Road-Oak Hill Section of the Eugene-Swisshome Secondary Highway, in Lane County. 1.26 miles grading, surfacing and oiling. No bids were received for this project.

"Bridge over Millport Slough near Kernville on the Oregon Coast Highway, in Lincoln County. 210-ft. composite pile trestle. C. J. Eldon, Portland, Oregon, submitted the low bid for this work, in the amount of \$22,954.00. J. F. Johnston, Newberg, submitted the second-low bid, in the amount of \$23,454.00. There were four higher bidders.

The Commission awards this contract to C. J. Eldon at his low bid of \$22,954.00.

"Detroit-South Santiam Junction Rock Production Project on the North Santiam Secondary Highway, in Linn and Marion Counties. A. O. Ekstrom, Portland, submitted the low bid for this project, in the amount of \$35,500.00. There was only one other bid for this work, being that of the Salem Supply Company, Salem, in the amount of \$37,547.50. The Commission refers these bids to the Engineer with power to award the contract to the low bidder when certain conditions have been satisfied.

"Front Avenue, Portland (Clay St.-Sheridan St.) Section of the Pacific Highway West, in Multnomah County. 0.44 mile grading and paving and construct two subways. Edlefsen-Weygandt Co., Portland, submitted the low bid for this work, in the amount of \$244,940.00. Porter W. Yett, Portland, was second-low, with a bid of \$291,327.10. There was only one other bid received. The Commission awards this contract to Edlefsen-Weygandt Co., at its low bid of \$244,940.00.

"Independence (B Street-Monmouth Street) Section of the Independence Secondary Highway, in Polk County. 0.17 mile paving. The United Contracting Company, Portland, submitted the low bid for this project, in the amount of \$9,930.50. Warren Northwest, Inc., Portland, submitted the only other bid, in the amount of \$10,356.50. The Commission awards this contract to The United Contracting Company, at its low bid of \$9,930.50.

"Meadow Brook Section of the Starkey Secondary Highway, in Union County. 2.22 miles grading and topping. E. L. Gates, Packwood, Washington, submitted the low bid for this work, in the amount of \$30,920.50. Vernie Jarl, Gresham, submitted the next-low bid, in the amount of \$33,569.00. There were two higher bidders. The Commission awards this contract to E. L. Gates, at his low bid of \$30,920.50.

"Bridge over East Dairy Creek near North Plains on the Wolf Creek Highway, in Washington County. 100-ft. reinforced concrete viaduct. Frank Watt Construction Company, Portland, submitted the low bid for this work, in the amount of \$8,933.00. The second-low bid was submitted by Joelson & Amens, The Dalles, in the amount of \$9,200.00. There were four higher bidders. The Commission awards this contract to Frank Watt Construction Co., at its low bid of \$8,933.00.

A delegation from Lane County consisting of residents along the Territorial Secondary Highway and including Messrs. T. H. Johnson, Maurice Johnson, Paul E. Baker and Ash Bailey came before the Commission and asked for the oiling of the Territorial Secondary Highway between Elmira and a place known as Wiper Station, approximately eight miles north of Elmira. Mr. T. H. Johnson headed the group. They alleged that the roadbed is now in perfect condi-

tion to receive an oil treatment and submitted figures showing the results of a traffic count taken during the 12-hour period from 6:00 a. m. to 6:00 p. m. on June 28, June 30 and July 9 as 159 cars, 150 cars and 190 cars, respectively. They gave as their thought that the volume of traffic that uses the road justified the expense of the oiling work. Chairman Cabell advised that the Commission has it in mind to construct additional improvements on the Territorial Secondary Highway but has not decided as yet the particular section to do and would be glad to have their ideas on such; further, that the Commission will be pleased to consider their project along with two or three others for the moneys that the Commission has available for expenditure on this highway, but the Commission is not in position to make any further statements in regard thereto at this time.

Mayor J. A. Withers, Solo, came before the Commission and asked for repairs to the main street in this town, which he said is being broken up badly by log hauling traffic. He advised that the city is financially unable to do the work and if the State Highway Department will not assume the obligation, the street will simply have to stay in disrepair. He was informed by Chairman Cabell that the Commission recognizes that it has a responsibility to maintain certain city streets that are being broken up by log hauling traffic, and, accordingly, is endeavoring to work out a formula to apply to each individual case. The Engineer advised that the conditions in Solo have been investigated by Division Engineer Eason who estimates that it will cost about \$2,800 to repair the damage already done and about \$175 per year for maintenance. He suggested that the Commission authorize an expenditure to do such patching work as is necessary at this time and an additional expenditure to maintain the street until the first of next year. The Commission approved the suggestion and ordered that the matter be covered by written agreement between the city and the state.

Mayor Withers also asked the Commission to oil the shoulders full width between curbs along a two-block section of the Santiam Highway where the city is installing a storm sewer. The Commission took no definite action on this matter; however, instructed the Engineer to secure an estimate of cost to do this extra work, the idea being that the Commission might authorize the work done if the city will pay the costs involved.

A delegation from Wasco and Sherman Counties came before the Commission in regard to several secondary state highway improvements. County Judge George A. Potter, Sherman County, headed the group which included County Commissioner J. H. Wilson of Sherman County; County Judge J. B. Kirk and County Commissioner Mace Fulton of Wasco County; and County Engineer Christ Pauerso of Wasco County. Judge Potter asked for the improvement of the Sherars Bridge Secondary State Highway easterly from the Wasco County line, a distance of about two and one-quarter miles. The Engineer advised that this project was approved by the Commission at one time for federal aid secondary highway funds and the sum of \$15,000 was budgeted for the same; however, the project was not approved by the Public Roads Administration so the money was reallocated to another project, and the improvement is now scheduled to be done next year as a state-financed project. In view of the circumstances the Commission approved

the project for next year's construction, the work to be paid for with state funds. The Engineer was authorized to contract the work this winter.

Judge Kirk requested the improvement of the Wasco County portion of this road. He was informed by Chairman Cabell that this project has never been included in any state highway construction program so the Commission is not in position to state today definitely whether or not it will approve it; however, it will be given due consideration in the formulation of the next program.

The Wasco County Court then asked for the surfacing and oiling of the Chenoweth Creek County Road from the end of the section heretofore completed to the junction with the Brown Creek Road, a distance of about one-half mile. Request was also made for the oiling of the Fifteennmile Creek Road, beginning at the end of the section that was oiled last year and extending to a place known as Fairbanks, a distance of about four and one-quarter miles. A third project requested was the oiling of the Hill Creek County Road for a distance of about eight miles southwest of The Dalles when the county has completed certain grading and bridge-construction work.

The County Court was informed that the Hill Creek Road is not on the federal aid secondary highway system, but the Commission will consider the improvement of the same when the county grading and bridge work is finished. Judge Kirk stated that, while they would like to have the Fifteennmile Creek Road completed, he did not believe it advisable for the state to do any work on this road until investigation has been made of the Kuykendal Hill Road. He asked the Commission to make a traffic count of two or three weeks' duration on the Fifteennmile Creek Road and on the Kuykendal Hill Road which will help the county considerably in determining which road should be improved. He said the county would pay the cost of such count. The Commission approved the request and instructed the Engineer to provide the county with a man to perform this function. The Commission informed the county court that it would take under advisement for construction in next year's construction program its request for the Chenoweth Creek road and the Fifteennmile Creek Road improvement which, in the mind of the Commission, should be constructed under one contract.

The County Court then asked the Commission for authority to secure surfacing rock from the state's quarry located at a place known as Craigs Point, west of The Dalles, the material to be used in connection with certain county road construction. The Commission approved the request.

Mr. Paul Farrens, Associate Counsel for the Southern Pacific Company, conferred in regard to matters pertaining to construction of a railroad grade separation structure on the Eugene-Swisshome Secondary State Highway. He gave as his understanding that the Commission's plans for this structure provide for only one railroad track, whereas the railroad company has plans for double-tracking at this location, particularly if the United States Army Cantonment is located in this district, and would like to have provision made in the plans for the structure to take care of the additional track. He further stated that the railroad company is making no charge for the highway right of way

across its holdings, and in view thereof the company officials believe that their request that provision be made for the double track is reasonable and justified.

The Engineer advised that the double-track feature was considered in the design of the structure but was disregarded because indications were that the second track would not be built for a long time, and he wanted to avoid the extra expense as long as possible. He suggested that no change be made in the plans at the present time and pointed out that when necessary to make such provision it could be easily done by extending the original structure about 50 feet. After considerable discussion it was decided that the Highway Commission should enter into a written agreement with the railroad company providing that the Commission will recommend to the Public Roads Administration an expenditure of federal funds to finance the second track when that becomes necessary, and the Highway Commission will pay the cost of extending the original structure at that time if the federal funds are available with which to finance the work.

Mr. J. Driskell, Brookings, and his Attorney, Mr. Collier H. Buffington, Gold Beach, were present and discussed with the Commission Mr. Driskell's claim for damages arising out of the reconstruction of the Oregon Coast Highway in front of his hotel property in Brookings. Mr. Buffington presented the case. He alleged that before the highway was reconstructed Mr. Driskell's hotel was on a level with the highway; whereas, it is now about six feet below the highway grade, the highway being reconstructed on a fill at this point, and Mr. Driskell has been seriously damaged thereby. He further stated that Mr. Driskell has owned this property since 1915; that he had rights at that time to the center of the street and in his estimation still has such rights, notwithstanding that the town was replatted in 1920, because he did not concur in the replatting. He further advised that, because of the highway improvement, Mr. Driskell has been forced to abandon his store business and has taken other losses and has been put to considerable expense in revising his facilities. He asked the Commission to raise Mr. Driskell's hotel to a level with the highway and to reimburse him for expenses incurred to date, totaling \$2,255.40. If the Commission prefers, he added, Mr. Driskell will arrange for the raising of the hotel building himself if the Commission will pay for the work.

He also asked the Commission to reset a certain fire hydrant at the Mill Street intersection which is at the corner of Mr. Driskell's property. He exhibited pictures showing existing conditions.

The Commission's Attorney advised that the Commission is not legally liable in this case because no land was taken from Mr. Driskell for the highway improvement. Chairman Cabell advised that the money that the Highway Commission spends is public money and must be spent in conformance with legal requirements; also that it is his understanding of the law that where there is "no taking of land" the Highway Commission is under no obligation to pay damages. Mr. Buffington contended that there was a "taking of land", particularly in a certain alley. He suggested that the question of legality be decided either by an agreement of facts or by a declaratory judgment. Commissioner Clough stated his preference for a decision by the court, inasmuch as the Commission must have ample justification for payment of any claim. After further

discussion it was agreed that a strict court ruling in the matter should be obtained. The Commission referred the matter to its Attorney to secure such ruling.

Mr. Buffington also brought up for discussion the Orris Knapp right of way matter at Port Orford. He said that the people of Port Orford are quite concerned about a rumor to the effect that if a satisfactory settlement with Mr. Knapp cannot be reached, the highway will be rerouted to bypass the town of Port Orford, to which location the people are very much opposed. In view of the circumstances, he said, Mr. Knapp is now willing to reduce his price to \$10,500, which is only \$500 more than the Commission's original offer. He also said that this is Mr. Knapp's final figure and that he will not submit to any further compromise. The Commission took the offer under advisement for discussion when all three Commissioners are present on their trip to Eastern Oregon the following week.

A delegation from the Portlanoose Chamber of Commerce consisting of Messrs. A. E. Papineau, Chairman of the Highway Committee, Harry Pearce, Chairman of School District No. 3, and Harry Cosgrove, conferred with the Commission in regard to the following matters: (1) Investigation of traffic conditions at the intersection of Sandy Boulevard with 89th Avenue, N. E. Columbia Boulevard, and 105th Avenue. They requested the installation of stop and go signals at such points and recalled that the Commission at one time told them that the matter would be investigated. The Engineer advised that the traffic engineer's report on this project is not as yet ready to present to the Commission. (2) Widening of Sandy Boulevard for four lanes of traffic between the Portland city limits at 82nd Avenue and 122nd Avenue. The Engineer advised that his report on this subject has been prepared and that he expects to present it to the Commission on the following day. (See ahead for report on next day.) (3) Construction of concrete curbs and sidewalks along Sandy Boulevard. The delegation was informed that this matter has not been decided by the Commission but will be given consideration. (4) Oiling of the shoulders adjacent to the present pavement between 32nd Avenue and 122nd Avenue, if the Commission cannot see its way clear to do the widening work this year. The Commission took no action on this matter.

Messrs. W. H. Lynch, District Engineer, and H. D. Farmer, Senior Highway Engineer, of the Public Roads Administration, were present and discussed with the Commission the bids received by Mr. Lynch for the construction of the Cascade Lakes Forest Highway Project west of Bend. Mr. Lynch advised that the low bid received is about \$2,500 in excess of the amount budgeted for the work, so it would not be possible to award the contract unless the Highway Commission would agree to contribute the extra amount needed, which would make the state's contribution toward the project \$42,500. The Commission agreed to assume this extra expense and thereupon signed an agreement with Mr. Lynch covering the matter.

Mr. Lynch then brought up for discussion the matter of revising the 1941 forest highway program in view of the \$1,000,000 decrease in the federal appropriation. He pointed out that prices are increasing and that the cost

of projects are overrunning the estimates, and based on the new conditions, the Port Orford Project on the Oregon Coast Highway is now estimated to cost \$170,000 compared to an original estimated cost of \$139,000. He suggested that it might be advisable, in view of the desirability of this project and the fact that the right of way situation is nearly clarified, to reinstate this project in the program which would mean transferring \$70,000 of forest highway funds from some other project that could be postponed for the time being. After discussion the Commission approved the suggestion, and it was decided to secure the \$70,000, needed, from the proposed Wapinitia Highway improvement for which \$115,000 had previously been approved in the 1941 forest highway program. It was also decided to transfer \$35,000 from the amount remaining in the Wapinitia Highway Project to finance a 7-mile clearing project on the Warm Springs Highway in view of the fact that this highway is a part of the strategic highway system.

The Klamath Falls-Lakeview Forest Highway Project was also considered in the previous discussion. The members of the Commission expressed their preference to retain this project in the current program because of the poor condition of the existing road and the Commission's statement to the people of the local community to the effect that the work would be done at the earliest possible time. Mr. Lynch advised that the remaining section is 5.2 miles in length and to grade, surface and construct a bituminous macadam surface thereon would cost \$190,000, of which \$100,000 is available in the forest highway program. After discussion the Commission considered it advisable to complete this section and thereupon authorized an expenditure of state funds in the amount of \$90,000 to take up the deficiency. It was understood that the above arrangements would not be effective unless and until approved by Commissioner Oliver.

Mr. Lynch then asked the Commission to set a date for a conference among the Highway Commission, Public Roads Administration, and United States Forest Service to provide a program for the 1942 forest highway funds. The Commission decided to hold a special meeting for such purpose on Thursday, August 14, 1941, in Portland. It was also decided to receive bids at that time for such projects as could be prepared, in the meantime, for contracting, including the reconstruction of the Middle Unit of the Crabtree Corner-Lebanon Section of the Santiam Highway, in Linn County, consisting of 3.2 miles grade widening and paving.

The Commission adjourned at 5:45 p. m. to reconvene on the following morning in the same room.

Portland, Oregon, July 18, 1941

The State Highway Commission reconvened at 9:00 a. m. in the auditorium of the Public Service Building with the same persons present and participating.

Mr. Tom Gilchrist, Albany, and his attorney, Mr. Edward W. Sox, appeared before the Commission in regard to access to the highway from Mr. Gilchrist's property which is located on the east side of the Pacific Highway East

near the Santiam Highway junction in Albany. Mr. Sox was spokesman. He said that Mr. Gilchrist sold to the state a strip of land across the front of his property which land he understood was to be used as right of way for a connection between the Pacific Highway and the Santiam Highway and that the plan of the highway improvement that was shown to him at the time so indicated and he was led to believe that the connection would be constructed at the same time that the new Pacific Highway in Albany was built; however, the connection was not built, and he now understands that the Commission does not intend to build it for a number of years. Mr. Gilchrist, he said, is negotiating a lease for his property but will not be able to close the deal unless the Highway Commission will allow the use of a portion of the right of way for business purposes, the property line being about 30 feet distant from the Pacific Highway at this point. Mr. Gilchrist's property, he added, is business, income-bearing property and the use of the 30-foot strip is vital to the proper use of the same.

The Engineer advised that the plans for the highway improvement were not changed, that it was not intended to construct the connection referred to by Mr. Sox at the same time that the new Pacific Highway was built, and that the only reason the right of way for the connection was acquired was to have it available at such time as the Commission deemed it advisable to construct the connection. He pointed out that it is strictly contrary to the established policy of the Commission to allow the use of any portion of highway right of way for private purposes and recommended to the Commission that it adhere to such policy in the present instance. He suggested, however, that Mr. Gilchrist's problem could be solved by constructing a driveway with entrance and exit features permitting access to the highway from Mr. Gilchrist's premises and that such driveway be graveled and oiled and outlined with curbs and with appropriate landscaping between the driveway and the highway, such arrangement to be in effect until the Highway Commission needs the use of the property and to be covered by written agreement between the parties concerned. After considerable discussion the Commission tentatively approved the Engineer's suggestion and instructed him to prepare an appropriate plan in conformity therewith and submit the same to Mr. Gilchrist for his approval and to discuss with his prospective tenants.

The Honorable Carl Francis, Mayor of Dayton, Oregon, and Mr. Floyd Willert, Chairman of the Highway Committee of the Dayton Chamber of Commerce, appeared before the Commission in regard to the Amity-Dayton Secondary Highway. They asked for the general improvement of this road, including elimination of curves and widening and the elimination of the railroad grade crossing near Dayton where accidents frequently occur. They declared that this road carries an enormous volume of traffic and the people of the upper Willamette Valley toward Corvallis are particularly anxious to have the road rebuilt to modern standards, because it will not only provide for greater traffic safety, but will also reduce the driving time considerably between Corvallis and Portland. Chairman Cabell advised that the Commission appreciates that the Amity-Dayton Highway will afford a shorter route to Portland than is available via the present highway through McMinnville and ultimately will carry much more traffic than it does today; however the Commission has received many requests for similar highway improvements throughout the state and in order

to treat these requests fairly must take them up in the order of their priority. He expressed regrets that the Commission would not be able to lend any encouragement to the reconstruction of this road in the near future.

Messrs. Amedee Smith and Jay Bowerman, Portland, came before the Commission in regard to the Juanita Starr property situate between Horsetail Falls and Dodson, Multnomah County, a portion of which property is needed as right of way for the new Columbia Gorge Highway. Mr. Smith was spokesman. He asked the Commission to revise its plans for the highway so that it would not be necessary to take Mrs. Starr's Columbia River frontage. He gave as his thought that the change could be made very easily without adversely affecting the highway alignment or increasing the cost of construction. The Engineer advised that the adopted location has been given careful consideration and was selected because it appeared best from all standpoints, including the crossing of the railroad. Mr. Smith disputed the Engineer's judgment in the matter. A lengthy discussion followed which was concluded by a statement from Chairman Cabell in effect that the Highway Commission is being urged to alter its plans that have been given very careful study by the Engineer, and to insert an extra kink in the highway simply to preserve a prospective industrial site for individual gain. He also said that the Commission will consider the arguments presented although in his opinion it would be inadvisable to make any change in the approved plans.

The Engineer presented a request from Salem Lodge No. 4 A.F. & A.M. to place signs on certain state highways in the vicinity of Salem, directing members of the lodge to a special meeting which is to be held in the Eola Hills district, eleven miles west of Salem on August 9, 1941. He advised that according to the Attorney the Commission has legal authority to grant such request if it so desires. The Commission approved the request.

The Engineer reported the result of investigations by Division Engineer K. D. Lytle in regard to the request of the South Umpqua Telephone Company for the moving of some of its poles on the Tiller-Trail Highway to accommodate the improvement of the Deer Creek-Wrights Ranch Section. He read aloud Mr. Lytle's report on this subject (See letter dated June 30, 1941, directed to H. G. Smith, Construction Engineer) in which Mr. Lytle recommends payment to the company of \$3.00 per pole for moving 45 poles which are located 20 feet or more from the centerline of the old road and \$5.00 for each of 7 poles that are needed to suspend wires that are now fastened to trees. The Engineer advised that he concurs in the recommendation. After discussion the Commission approved the recommendation unanimously subject to the condition that the arrangement shall not extend beyond the limits of the present highway contract.

A supplemental report was rendered by the Engineer on the matter of maintaining that portion of the state highway in Milton that is occupied by the car tracks of the Talla Talla Traction Company. He recalled that the Commission, at a previous meeting ordered an investigation of the railroad company's franchise to ascertain whether or not the company is obligated to pay the cost of the paving work. He read aloud a report from Division Engineer Williams who advises that the company's franchise provides that the company shall maintain this pavement. However, in his opinion it is rather an unfair burden on the company because it operates trains over the track only at infrequent intervals and because most of the breakage

of the pavement is caused by heavy truck hauling. Mr. Williams recommends he said, that the Highway Commission cooperate with the company in the reconstruction of this street on the following basis: the railroad company to install new ties, ballast, and place a guardrail throughout the length of Main Street; the state to pave the area with three-inch plant mix pavement at an estimated total cost of \$4,900. The Commission approved the arrangement subject to the condition that the city of Milton will take necessary action to relieve the company from its franchise obligation. The Commission ordered the matter covered by written agreement with the city.

The Engineer presented a blueprint graph showing general maintenance expenditures on the primary highway system during 1941 to date. He called attention to the fact that the expenditures are slightly overrunning the amounts budgeted for this purpose and explained that this is accounted for by the general increase in traffic volume and log hauling. He also presented a graph showing maintenance expenditures on the secondary highway system, showing that expenditures this year to date are considerably less than the amounts budgeted for such purpose. The Commission approved the reports and ordered them filed.

The Engineer presented a report on the alternate routes available as a connection between the Wolf Creek Highway and the McHalem Secondary Highway, including the Elsie-Jewell route heretofore under consideration. The matter was discussed briefly but definite action was deferred until the Eastern Oregon trip when all Commissioners are present.

A delegation from McMinnville, headed by Honorable Eugene Marsh and including Mayor R. H. Windishar, County Judge Wm. O. Powell and County Commissioners Harry F. Williams and Thomas Grenfell, H. H. McGuire, Earl Shrock, H. H. Hammond, E. V. Blair, L. H. Langaman, C. B. Hansard, L. J. Crabtree, H. A. Cramer, Fred W. Hutchcroft, Gardner Carey, Chas. B. Odell, W. E. Weyth, Jack B. Bladine, Bob Gohlmer and Steve Shenck came before the Commission in regard to the designation of Third Street (Main Street) as a state secondary highway and designation as a state secondary highway of the old west side Pacific Highway route which extends along Lafayette Avenue to a connection with the present highway north of McMinnville. Mr. Marsh recalled that the Highway Commission abandoned these two sections as a part of the state highway system when it rebuilt the highway north of McMinnville along an extension of Baker Street and the city and the county at that time accepted responsibility for the maintenance of these sections. However, the Lafayette Avenue road is in bad state of repairs, and the county does not have funds with which to finance improvements, hence their request that this road be placed on the state secondary system and that the state assume the maintenance responsibility. Mr. Marsh also recalled that when the McMinnville delegation appeared before the Commission some time ago and requested that the McMinnville-Dayton Secondary Highway (Three Mile Lane) be extended and routed along Third Street, the Commission decided that it would be inadvisable to so designate this street until it is known definitely whether or not Third Street is the proper street route, as there was some thought that one of the streets south of Third Street might be more suitable. He asked the Commission to take action on the matter at this time because the street is in need of repair.

Judge Powell confirmed Mr. Marsh's statement with respect to the old highway along Lafayette Avenue. He said that the county does not have the equipment available to properly maintain the road which is in very bad condition and would appreciate the state assuming this responsibility. He urged the Commission to place the road on the state secondary highway system. He also asked the Commission to place Third Street on such system for state maintenance. Mayor Windishar also spoke in behalf of such designations.

Chairman Cabell gave as his thought that it is proper to route secondary state highways into business districts of cities and towns because they are primarily farm to market roads and are used mostly by people who live near by and who particularly want to reach the business district. He further stated that the Commission is in accord that the two designations requested by the delegation should be made; however, in order to meet the legal requirements the request should come from the county by formal resolutions and action must be taken by the Commission when all three members are present, so as to meet the legal requirements. He added that if Yamhill County Court will present such formal resolutions the Commission will be pleased to consider them on its trip into eastern Oregon next week, when it is expected that the three Commissioners will be together. Commissioner Clough approved Chairman Cabell's remarks. The Engineer was thereupon authorized and instructed to take over the maintenance of both sections immediately and to place them in good state of repair.

Mr. Marsh also asked the Commission to widen the Baker Street Section of the Pacific Highway West, south of Third Street, particularly at the bridge near the hospital and Linfield College, near the south city limits. Mayor Windishar suggested a possible rerouting back of the hospital. After discussion the Commission instructed the Engineer to make a complete survey of the project and report his findings to the Commission, including estimate of cost to do the work. He was instructed to contact Mayor Windishar relative to the possible line at the back of the hospital so that this feature might be included in the report.

Mr. E. H. Lindsey, County Commissioner of Tillamook County, came before the Commission in behalf of the Tillamook County Court with respect to the Wilson River Highway WPA Project. He said that the court is very much concerned about the progress that is being made on this highway and is fearful that the highway will not be available for general public use this fall as planned because, according to Superintendent McIntyre, there is a shortage of WPA labor. He asked the Highway Commission to do what it can to assist in securing more labor for this job. Chairman Cabell advised that he plans to inspect this highway on the following Monday, to secure first-hand information and assured Mr. Lindsey that the Commission will do what it can to expedite the work.

Mr. Lindsey then brought up for discussion the matter of constructing the connecting link between the Wilson River Highway and the Wolf Creek Highway, east of Glenwood. Chairman Cabell advised that the Commission has no statement to make concerning this project except that it wants to study the traffic conditions on the present constructed routes before it makes a commitment with respect to the connection between the two highways.

The Engineer reported on the cost to reconstruct Sandy Boulevard, Portland, between 82nd Avenue and 108th Avenue for four lanes of traffic as has been requested by the Parkrose Chamber of Commerce. He estimated the cost of paving between these points at \$40,000, and oiling work between 108th Avenue and 122nd Avenue at approximately \$3,500. He recommended the improvement for construction in 1942 and requested authority to make a detailed survey of the project at this time. The Commission tentatively approved the plans as outlined and definitely authorized the survey as requested.

Mrs. John Thomson, Nyssa, was present and registered a complaint for damages to her property at Nyssa which she says has been rendered valueless by reason of the new highway construction at such place. She explained that she conducts a service station and camp ground adjacent to the highway and previously enjoyed good business, but the new highway has been constructed several feet above the old road in front of her premises and as a result this business is lost to her and unless something is done to correct the situation she will lose some \$15,000 that she has invested in the property. She demanded the restoration of her property to its former condition or the payment of damages to cover her losses.

The Attorney advised that no land was taken from Mrs. Thomson for the highway improvement; furthermore, the improvement did not involve any change in the established grade line, so unless there are other extenuating circumstances that he is not aware of the Commission has no liability in the matter. The matter was referred by the Commission to the Attorney to make further investigation.

A delegation from Roseburg headed by Mr. M. L. Hallmark, attorney, and including the following men who are engaged in log hauling: Nobel Standley, R. A. Briggs, Charles Barrows, and R. A. Jeub, representative of the Smith Wood-Products Company of Coquille, was present and asked the Commission to modify its requirement with respect to log hauling on the Coos Bay-Roseburg Highway so as to permit such operations during hours of darkness, starting at midnight and ending at sundown. Mr. Collier H. Buffington, attorney, Gold Beach, was also present in behalf of the loggers of his district and entered into the discussion. Mr. Hallmark was spokesman. He said that Messrs. Briggs, Barrows and Standley deliver their logs to the Smith Wood-Products Company at Coquille, that the company has large orders to fill for defense purposes as well as for other purposes and in order to avoid closing down the mill they must utilize every hour of available time and even under the best conditions they have difficulty in supplying the mill with the logs that it requires. Further, that due to the fact that the hauling roads in the woods are practically impassable during the winter season it is necessary for them to extend their efforts during the summer season; otherwise the mill will have to discontinue operation during the winter months. He declared that an emergency exists due to unusual and adverse weather conditions which prevailed during the early part of the summer which prevented operations in the woods, and as a consequence the mill is having a hard time to keep in operation. If these men, he said, were allowed to haul logs over the state highway during certain hours of darkness it would help out tremendously and would assure the continued operation of the mill. He urged favorable consideration of the request.

Mr. Jeub confirmed Mr. Hallmark's remarks and added that unless the supply of logs to the mill is augmented somehow the mill will have to close down within sixty days. He pointed out that there is a serious shortage of logs and also of trucks, in fact it is absolutely impossible to obtain new trucks within a reasonable length of time. His company, he said, would be very glad to purchase the trucks if they were obtainable, but inquiry reveals that that is impossible. He also urged the Commission to authorize the hauling of logs between midnight and dusk. Mr. Jeub also offered objections to the weighing of all logging trucks at state scales. It was his thought that such procedure is unnecessary and only serves to delay delivery of logs. Mr. Standley asked the Commission to authorize Saturday afternoon hauling of logs as well as during the period of darkness.

Mr. Buffington stated that he represents the Port Orford Lumber Company which is experiencing the same difficulty as the Smith Wood-Products Company of Coquille, and it would like very much to have the privilege of night hauling of logs extended to their operations. He alleged that the safest time for traveling on the highway is between midnight and daybreak, and gave as his thought that the granting of this privilege would not endanger or inconvenience other highway traffic; however, the discontinuance of operations at dusk should be very strictly observed. He questioned the advisability of authorizing the hauling of logs on Saturday afternoons except in emergency cases.

Mr. Hallmark suggested that if the Commission could not see its way clear to grant this request as a continuous operation it might do so as a temporary proposition for the current season only. He assured the Commission that the loggers would obey the laws and rules in all respects.

Chairman Cabell concluded the discussion by stating that the Commission would give this matter very careful consideration and would make a decision as soon as possible, in fact would endeavor to reach a decision on its trip into eastern Oregon the following week when all Commissioners will be present.

Mr. Earl Reynolds, Manager of the Klamath County Chamber of Commerce, who was an interested spectator, urged similar privileges for the loggers of Klamath County. The Secretary was instructed to inform all interested parties when the Commission has made its decision.

Mr. A. W. Bryant, Portland, came before the Commission in regard to purchasing some state-owned land lying between the Pacific Highway East (Water Street Route) and the Willamette River in Oregon City, more particularly near the end of Fifth Street. He said that this is an ideal service station site and that that is the purpose for which he intends to use it. He was informed that the Commission is reluctant to sell any property that it has once purchased, and particularly property situate such as that desired by Mr. Bryant, which was acquired in order to preserve the unobstructed view of the Willamette River at this point. However, if the Commission, after studying the situation and inspecting the site, should change its opinion as to this particular tract, the probabilities are that the Commission would advertise it for sale and would accept the offer of the highest bidder, if the offer compares

favorably with the appraised value of the property. The Commission agreed to inspect the property the next time it is in that vicinity.

Messrs. Howard Merriam, President of the Pacific Highway Association, Fred Brenne, Secretary of the Eugene Chamber of Commerce, and Earl Reynolds, Manager of the Klamath County Chamber of Commerce, were present. Mr. Merriam presented a letter from the Cascade Lakes Protective Association, Klamath County Chamber of Commerce, and the Eugene Chamber of Commerce unanimously endorsing the strategic military highway bill now before Congress, and expressing confidence in the Oregon State Highway Commission and the Public Roads Administration in the allocation and expenditure of the funds therein provided. The Commission accepted the letter with thanks.

Paul B. Rynning, County Engineer of Jackson County, appeared before the Commission in behalf of the Jackson County Court and the Jackson County Chamber of Commerce in regard to the closing of a portion of the Sams Valley Secondary State Highway to public use as a temporary proposition in order to accommodate the proposed Medford army cantonment. The State Highway Engineer advised that according to information received from Captain Theron W. Bean, Instructing Quartermaster for the War Department, the training of the men at this cantonment includes target practice with long-range guns which will fire across a section of this road between milepost 9.41 and milepost 14.91; that the target practice and maneuvers will be carried on continuously for six days each week, and that 15,000 men will be constantly crossing the highway with war equipment. Furthermore, unless this section of the road is closed for travel, the plans for the establishment of a cantonment at this place would have to be abandoned. He recommended the temporary closing of the Sams Valley Road within the limits of the cantonment, provided local citizens affected do not object, and provided further that the United States Army will provide funds with which to finance the construction of an adequate bypass connecting the Pacific Highway with the Crater Lake Highway along the south boundary of the cantonment area, and provided further that when the cantonment is discontinued the army will pay for the reconditioning of the Sams Valley Road and will permit it to be restored to general public use. After discussion the Commission approved the closing of this road as a temporary, emergency proposition under the conditions recommended by the Engineer. The Engineer was thereupon instructed to contact the county courts of Jackson and Josephine Counties relative thereto and to write Captain Bean outlining the Commission's action, such letter, however, is not to be mailed to Captain Bean until it has been approved by the Commission.

The Commission adjourned at 12:30 p. m. and reconvened at 2:00 p.m. in the same room with the same persons present and participating.

Messrs. Paul Farrens and Alfred Hampson, counsels for the Southern Pacific Company, and Mr. George Fair, engineer for the company, came before the Commission in regard to controversial items in the agreement between the company and the state covering the reconstruction of the Pacific Highway East between Eugene and Springfield which involves relocation of the railroad. Mr. Farrens was principal spokesman for the company. The following matters were discussed: replacement of ties, right of way adjustment, and provision for

right of way for a proposed second track which matter is not covered in the agreement. Mr. Farrens contended that the state should pay for the replacement of all ties with new ones, alleging that ties once used and removed are of no further value for railroad purposes. He agreed, however, that in cases where untreated ties are now being used the state's obligation should be limited to replacement with similar ties and if the railroad company installed treated ties then it should pay the cost of treating them. Mr. Farrens also asked the Commission to eliminate from the agreement condition No. 12, which provides that the difference between the reasonable cash market value of the real property to be conveyed by the railroad company to the state and the reasonable cash market value of the property that the state is conveying to the railroad company shall be given consideration in the closing of the agreement and the settlement of accounts between the railroad and the state. He said that the Commission previously agreed to such elimination of this paragraph, but it is still in the agreement that has been submitted to him for acceptance. The Commission accepted the previous oral arrangement and authorized the elimination of this paragraph.

Mr. Hampsen brought up the question of right of way for double tracking 5,800 feet of railroad, stating that provision is made in the agreement for only 3,300 feet, so it will be necessary to reach an understanding with respect to the 2,500-foot balance because the company has plans to construct a double track soon, probably this year. Mr. Farrens explained that all that the company wants is sufficient land to accommodate a roadbed for the double track.

Chairman Cabell stated that the Highway Commission is willing to give the railroad company facilities equivalent to what it now possesses, but does not feel that it should do more. Mr. Farrens said that is all the railroad company is asking. However, the building of a double track in a new location will necessitate the construction of a 33,000 cubic yard fill which would not have been necessary were the railroad tracks not to be moved.

This matter was discussed at length and the following arrangement was tentatively approved by all parties concerned: the state shall reimburse the railroad company for the entire cost of new treated ties to take the place of treated and/or cedar ties now in place, and for the entire cost of new untreated ties to take the place of untreated fir ties now in place; paragraph No. 12 of the original agreement shall be eliminated; and the state shall furnish the company a right of way on the new railroad location of sufficient width, et cetera, to accommodate two railroad tracks. The Attorney was instructed by the Commission to rewrite the original agreement in conformance with this decision. Chairman Cabell stated that the arrangement would be final unless the railroad company was advised to the contrary after he has consulted further with Commissioner Clough and the Attorney; however, in any event, paragraph No. 12 shall be eliminated from the agreement form.

The Engineer reported a telephone conversation with Mr. E. J. Griffith, State Administrator, Work Projects Administration, to the effect that

the Works Projects Administration officials in Washington, D. C., have approved the reconstruction of the Columbia River Highway at Tongue Point on the basis of the original plan which requires a minimum expenditure by the state. In view of this report the Commission authorized the Attorney to close the options for the right of way needed for this improvement.

The Attorney brought up for discussion the Juanita Starr right of way controversy, having to do with the acquisition of right of way for the proposed new highway up the Columbia River Gorge. He asked the Commission to approve the amount of an offer to be used in condemnation. The Commission authorized an offer of \$11,000 for this purpose.

The Engineer reported that in conformance with authority previously granted him by the Commission he has awarded the following contracts, the conditions of the awards having been satisfied:

Grading and paving of Astoria (Astor Street-Bond Street) Section of the Oregon Coast Highway, in Clatsop County. Bids taken May 22; contract awarded June 16, 1941, to The United Contracting Company, low bidder.

Umatilla River Overcrossing and other structures near Stanfield on the Boardman-Stanfield Highway, in Umatilla County. Bids taken May 22; contract awarded June 18, 1941, to C. J. Montag & Sons, low bidders.

Grading, surfacing and oiling the Fulton Canyon-Locust Grove Section of the Fulton Canyon-Wasco County Road, in Sherman County. Bids taken June 13; contract awarded June 25, 1941, to O. C. Yocom, low bidder.

Grading of the Grave Creek-Jumpoff Joe Creek Section of the Pacific Highway, in Josephine County. Bids taken June 12; contract awarded July 2, 1941, to Frank Pensacker, low bidder.

The Commission confirmed the awards of the contracts as reported by the Engineer.

The Engineer requested authority to purchase the following equipment:

3 light-type Buick cars for use of Maintenance Engineer Bishop, Division Engineer Eason and Parks Superintendent Boardman. Three old cars to be traded in as part purchase price. Estimated total cash outlay \$2,800.

2 light-type automobiles for use of employees of Traffic Department. Estimated total cost \$1,800.

Laboratory equipment, as follows, same to be installed in the new laboratory building at Salem:

2 Sections of Schwartz cabinets - \$188
 1 Efectometer - \$265
 1 4½ kilo torsion balance - \$85
 1 Analytical balance - \$250
 1 Adjustable stool - \$10.50
 1 De Khotinsky oven - \$200
 1 Centrifuge No. 2 Comp. \$285
 1 Torsion balance - \$65
 1 Oven - \$85
 1 Hevi-duty electric hot plate, 12x12 - \$30
 1 Oven cup flash tester - \$30
 1 Torsion balance \$65
 1 Small electric oven for hot stuffs - \$100
 2 2-burner gas plates - \$10
 1 Concrete Mixer - \$750
 1 large dial scale - \$300

1 Model 92 mimeograph machine. Estimated cost \$630.00.

The Commission approved the request by unanimous vote.

The Engineer reported that the Weston-Elgin Secondary State Highway, on which there has been a reduced load limit for the past several months, is now in condition to carry legal weight loads. He recommended the lifting of the reduced load limit. The Commission approved the recommendation and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, on the 28th day of February, 1941, at a meeting of the Oregon State Highway Commission, all members being present and participating, the Commission passed and adopted a resolution reducing the maximum load limit on the

WESTON-ELGIN SECONDARY STATE HIGHWAY from Weston, in Umatilla County, to Elgin, in Union County,

and

WHEREAS, subsequent to the passage of said resolution, conditions have changed so that it is no longer necessary or desirable; and the Commission hereby finds that it is no longer necessary or desirable to maintain the reduced load limit set out in said resolution on the said above-named highway;

NOW, THEREFORE, BE IT RESOLVED that the action of the State Highway Commission, reducing the maximum permissible load limit on the

WESTON-ELGIN SECONDARY STATE HIGHWAY from Weston, in Umatilla County, to Elgin, in Union County,

be and the same hereby is rescinded and cancelled as of this date, and

the maximum load limit permissible on the said section of said highway hereafter shall be the maximum load limit provided by law.

IT IS HEREBY ORDERED that certified copies of this resolution be furnished the county clerks of Umatilla and Union Counties, in which counties said section of said highway is located, and the Superintendent of the Department of State Police for his information.

The Engineer brought up for discussion the matter of revamping the approaches to the Enagren Ferry on the Coos River Secondary Highway so as to accommodate loads weighing in excess of ten tons which is the present limit. He recalled that a Mr. Youst, who is the owner and operator of a saw mill on the Coos River Secondary Highway above this ferry, appeared before the Commission some time ago and asked the Commission to modify its ten-ton ruling so as to permit him to haul loads of lumber weighing in excess of such weight limit, inasmuch as under present conditions he is not able to haul a pay load. The Engineer stated that this matter has been investigated and it has been found that the ferry can accommodate fifteen-ton loads without over-stress, provided the approaches on each side of the river were extended about twelve feet, which would cost about \$600, such amount being in addition to the \$2,000 heretofore approved by the Commission to pay the cost of renewing stringers and the deck on both approaches. Mr. Andrew Stambuck, he said, who holds the present contract for operating the ferry, has stated his willingness to handle loads up to fifteen tons, twenty hours each day for the sum of \$250 per month, but he wants the highway department to furnish loadometers for him to check the weight of the loads. He pointed out that the present ferry contract expires on October 1, 1941, and suggested that it would be advisable, if the Commission decides to make the necessary improvements, to accommodate loads weighing fifteen tons, to readvertise the ferry operation for bids on that basis rather than to renew Mr. Stambuck's contract and enter into a supplemental agreement with him to provide this extra service. The Commission, after discussion, approved the Engineer's suggestion and authorized him to advertise the ferry operation for bids to be received at the September meeting. It also authorized him to make the necessary alterations of the ferry approaches to accommodate fifteen-ton loads, which are estimated to cost \$600.00

The Attorney brought up for discussion matters pertaining to the purchase of timber strips along the Pendleton-John Day Highway. He particularly requested authority to employ a cruiser to cruise the timber standing thereon in order to comply with the federal requirements, in view of the fact that it is proposed to use federal aid funds to purchase them. The Commission approved the request.

The Attorney also brought up for discussion the matter of acquiring a small parcel of land at the northwest corner of the intersection of Union Avenue and East Couch Street in Portland and a small parcel at the southwest corner of the intersection of Union Avenue and East Ankeny Street, which parcels are needed in order to ease off the corners in connection with the proposed plan for routing south-bound Union Avenue traffic along East Third Avenue

between East Couch and East Ankeny Streets. He said that the plan provides for taking 1200 square feet of private property at the Couch Street intersection for which the owners are asking \$1.25 per square foot; however, they are also asking an additional amount of \$2,000 for damages, making a total of \$3,500, but they expect the Highway Commission to recompense the tenant for damages that he may suffer by reason of the taking of this land. He gave as his thought that \$2,500 was a fair amount to pay for this parcel.

In regard to the property at the Ankeny Street intersection he pointed out that this property is now occupied by a brick building, and advised that the owner is asking \$10,000 for the entire property, which consists of a quarter of a block. He gave as his thought that this figure is fair and reasonable, particularly in view of the possibilities of selling or renting the area that is not needed for the highway improvement. Chairman Cabell stated that in his opinion the Commission should have assurance from the City of Portland that the proposed routing of traffic will be a permanent thing, in order to justify the expense involved. Commissioner Clough concurred and the Engineer was thereupon instructed to discuss the matter with City Commissioner Bowes and City Traffic Engineer Fowler, and City Engineer Ben Morrow and report to the Commission. The Attorney was instructed to negotiate further for both parcels and to have both parcels appraised by an expert appraiser. The Commission approved an offer of \$2,500 for the parcel at the Couch Street intersection, but set no definite amount as an offer for the other parcel.

The Secretary presented a "notice of public hearing" from the United States Army Engineers to the effect that a public hearing is to be held in Astoria on Wednesday, July 16, 1941, to consider plans for a proposed bridge across the Columbia River at this point. The Commission took no action.

A letter was presented from the Nyssa Chamber of Commerce inviting the members of the Commission and staff to a function in Nyssa on July 24 celebrating completion of the Nyssa underpass and the new Union Pacific Depot at that place. The Commission accepted the invitation with thanks.

The Secretary also presented a letter from the management of the Loggers Carnival, Seaside, inviting the Commission and staff to a carnival which is to be held in Seaside on August 9 and 10, 1941. The members of the Commission expressed regrets that they could not attend this function in view of other engagements.

The Commission discussed a letter from the City of Drain requesting state aid in the design of a bridge over Pass Creek in the city of Drain. The Engineer advised that the expense involved would be nominal. The Commission approved the request.

Consideration was given by the Commission to the request of Babler Bros., contractors, asking for relief from the provision in state highway contracts which requires acceptance of the terms of the Oregon Workmen's Compensation Act. Action on this matter was deferred by the Commission pending consultation with Governor Sprague. The matter was referred to Chairman Cabell to discuss with the Governor.

The Commission discussed a letter from Senator F. M. Franciscovich, Astoria, suggesting a modification in the Commission's rules and regulations covering log hauling on state highways so as to relieve logging trucks from coming to a dead stop before crossing railroad tracks. The Engineer was instructed to inform Senator Franciscovich that the Highway Commission does not agree with him in this matter but will be glad to discuss it with him at a convenient time.

The State Parks Superintendent, Mr. S. H. Boardman, was present and discussed with the Commission the matter of the purchase of timber strips along the Salmon River Highway from the Miami Corporation. He recalled that the Commission previously approved the purchase of these strips with federal aid funds and that the Miami Corporation consented to defer logging operations until it was known definitely whether or not federal funds would be available for this purpose. The Miami Corporation, he said, is quite anxious to close the deal if the Commission still wants the timber; otherwise they want to cut the timber, in fact the time limit set by the company for closing the transaction is about to expire. The Engineer advised that he has as yet received no definite information with respect to the federal funds, although it has been requested several times. After discussion and in view of the circumstances the Commission by unanimous vote authorized the use of state funds for this purpose.

The Commission considered the setting of a date for its next regular meeting for receiving bids and decided to hold such meeting on Thursday and Friday, September 4 and 5, 1941, in Portland. The Commission confirmed its previous action scheduling a special meeting in Portland on Thursday, August 14, 1941, to receive bids for such projects as might be ready at that time. The Secretary was instructed to make the usual arrangements for the use of the auditorium of the Public Service Building for such meetings.

The Commission considered and signed agreements, et cetera, as follows:

Agreement with the Gales Creek & Wilson River Railroad Company pertaining to the overcrossing of the Wilson River Highway near Glenwood.

Agreement with Charles S. and Rosa M. Bateman covering acquisition of property from the Batemans in Washington County, for right of way.

Agreement with Ernest D. and Zoa E. Wade covering lease of property in Elkton, Douglas County, for maintenance headquarters.

Agreement with Deschutes County setting forth the things to be done by the county and the Highway Commission in connection with construction of the Terrebonne-Lower Bridge Road.

Agreement with Deschutes County regarding the oiling of the Shevlin Park Road, out of Bend, in Deschutes County.

Agreement with Elmer C. Manning relating to exchange of lands under the Taylor Grazing Act, in Klamath County.

Petition from Portland Mortgage Company for vacation of portion of Southwest Government Street in Newport.

Rental Agreement covering lease of the Woshink Lake CCC camp site to the U. S. Government.

Agreement with Southern Pacific Company relative to Blodgett Overcrossing.

Agreement with Lexington Lodge No. 168, I.O.O.F., covering lease of maintenance headquarters site in Lexington, Morrow County.

Agreement with the City of Seaside granting the city an easement for a pipe line upon the revised location of the Wolf Creek Highway at Vollmer Creek.

Termination of lease agreement with the Southern Pacific Company covering a private road crossing to the company's tracks near Strassel, Washington County.

Bargain and sale deed conveying unto the Housing Authority of the County of Clackamas 1.029 acre of land together with a road easement containing 0.15 acre situate in Section 25, T. 1 S., R. 1 E., W. M., Clackamas County. Right of way files No. 2514 and No. 9396.

There being no further business to come before the Commission at this time the meeting was adjourned at 4:00 p. m.


State Highway Engineer


Secretary


Chairman


Commissioner

VOLUME 26

PART II

PART 2
OF
VOLUME XXVI
MINUTES OF OREGON STATE HIGHWAY COMMISSION
COVERING PERIOD
FROM
JULY 19, 1941
THROUGH
NOVEMBER 18, 1941

OREGON STATE HIGHWAY COMMISSION

Henry F. Cabell, Chairman
Huron W. Clough, Commissioner
Herman Oliver, Commissioner

R. H. Baldock, State Highway Engineer
H. B. Glaisyer, Secretary

HEADQUARTERS AND GENERAL OFFICE OF DEPARTMENT
LOCATED AT SALEM, OREGON

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10490	July 23 1941	<p>Resume of matters disposed of by Chairman, enroute from Portland to John Day.</p> <p>Clackamas County. Inspection of Gilbaugh property at Zig Zag Creek on Mt. Hood Highway near Rhododendron. Removal of cable to allow free access to creek approved.</p> <p>Warm Springs Highway. Inspection trip made. Delegations from Jefferson, Deschutes and Crook Counties urge completion.</p> <p>Crook County. Prineville. Inspection made of Glen W. Berry property. No action taken.</p>
10491		<p>Special evening session at home of Commissioner Herman Oliver. Minutes approved: January 21 and 22, February 14, February 27 and 28, March 24 and March 26, 27 and 28, 1941.</p> <p>Wage increase. Maintenance Department. Increase approved for hourly employees and foremen of maintenance crews.</p> <p>Lincoln County. Siletz Secondary Highway. Construction of 3.8-mile section authorized. Offer of Werner Timber Co. to contribute funds toward cost of road accepted.</p> <p>Linn and Marion Counties. Illahe-Albany Section, Pacific Highway East. Economic analysis of alternate routes presented.</p> <p>Survey. Illahe-Albany Section, Pacific Highway East. Location survey of A-C-M-E-X route authorized.</p>
10492		<p>Sherman and Gilliam Counties. Wasco-Condon Section of Wasco-Heppner Secondary Highway. Economic analysis presented.</p> <p>Clackamas County. Oregon City. Lease of moorage rights. Crown Zellerbach Corp. declines to increase offer for use of land.</p> <p>Wallowa County. Little Sheep Creek Secondary Highway. Improvement of Joseph-Imnaha Section requested.</p> <p>Clackamas County. Eagle Creek-Sandy Section. Oiling requested.</p> <p>County road connecting Eagle Creek-Sandy Road with main road from Sandy to Estacada. Oiling requested.</p> <p>Wasco County. West Unit, Shaniko-Cow Canyon Section. Increase in budget allowance approved.</p> <p>Maintenance materials. Bids to be received for furnishing materials for the Viento-Mosier Rock Production Project, and the Gilliam County Line-Umatilla Section.</p> <p>Hood River and Wasco Counties. Viento-Mosier Rock Production. Contracting authorized.</p> <p>Morrow and Umatilla Counties. Gilliam County Line-Umatilla Section. Contracting authorized.</p>
10493		<p>Jackson County. Medford. Request for extension of sidewalk project at Oak Grove School approved.</p> <p>Columbia County. South Scappoose. Request for connecting road between old and new Columbia River Highways at Kocarnicks Store denied.</p> <p>Hood River County. Cascade Locks. Request for oiling of shoulders between highway pavement and curbs approved.</p>

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10493	July 23	Curry County. Cape Blanco Secondary Highway. Request for improvement. Approved as federal aid secondary highway project.
		Lane County. Florence. Request for construction of footpath beneath Siuslaw River Bridge. Conditionally approved.
10494		Tillamook County. Garibaldi. Request for surfacing of highway full width through town. Action deferred.
		Curry County. Port Orford-Euchre Creek Section. Request for reconstruction on alignment that will not by-pass Port Orford.
		Port Orford. Request for purchase of right of way across Oris Knapp property. Increased offer for property approved.
		Lincoln County. Toledo. Corvallis-Newport Highway. Request for additional improvements denied.
		Umatilla County. Weston-Elgin Secondary Highway. Spout Springs Winter Sports Lodge. Forest Service requests cooperation in providing parking area.
10495		Multnomah County. Sandy Boulevard, Portland. Improvement between 82nd and 122nd Avenues approved.
		Umatilla County. Ammunition dump west of Hermiston. Request of U. S. War Dept. for access road, including underpass, considered.
		Survey. Access road from Boardman-Stanfield Highway to U. S Army ammunition dump at Hermiston. Survey authorized.
		Umatilla County. Hermiston. Request for construction of alternate route for highway to relieve traffic congestion.
		Survey. Hermiston. Survey, for relief of traffic congestion caused by ammunition dump, approved.
		Washington County. Hillsboro. Tualatin Valley Highway. Request for traffic signals. Action deferred.
10496		Yamhill County. Dayton. Grade crossing on secondary highway between Dayton and junction with Highway 99W. Request for more adequate signalization denied.
		Lincoln County. Waldport. State park. Permission granted to place monument in park honoring soldiers, sailors & marines. City to be offered title to park.
		Permit. Temporary overlength permit granted Oregon Nevada California Fast Freight, Inc., to transport defense materials over Pacific Highway, from California line to Medford.
10497		Log hauling. 90-day trial of night log hauling approved. Conditions listed.
10498		Weighing of logging trucks. Instructions to weighmasters.
		Clatsop County. Alternate routes for proposed secondary highway from Wolf Creek Highway, near Elsie, to Astoria discussed.
		Fishhawk Falls route approved, if requested by county.
10499		Linn and Marion Counties. North Santiam Highway, between Detroit and Santiam Highway junction, designated secondary hwy.
		North Santiam Highway. Detroit to Santiam Highway junction. Resolutions adopted designating as secondary highway.
10501		Yamhill County. Resolution adopted extending Three Mile Lane Secondary Highway No. 152 through McMinnville.
10502		McMinnville Secondary Highway No. 156. Resolution adopted designating as secondary state highway.

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10503	July 24	Primary Highway Program for 1942. Partial program approved.
10504		Secondary Highway Program for 1942. Partial program approved for contracting.
		Special maintenance budget. Funds approved for rock production projects.
		Rock production projects. Special maintenance budget approved.
		Columbia County. Gravel pit. Scappoose. H. E. Hein complains that pit is devaluating his property. No action taken.
10505		American Association of State Highway Officials. Commissioners, Engineer, Assistant Engineer, and Attorney authorized to attend annual convention at Detroit, Michigan.
		Oregon Road Laws. Attorney authorized to print compilation of laws affecting roads and highways.
		Projects. List approved for special August letting.
		Meeting date. Special meeting set for August 14.
		Penalty reduction. The United Contracting Company requests relief from penalty imposed on contract No. 2340, Corvallis-Lincoln School Section, Benton County.
		Claim. Damage to state equipment caused by car of Charles J. Rohkonen. Claim abandoned as not collectable.
10506		Gault Lumber Company claims damage to privately-owned bridge near Siuslaw Highway, during highway construction work.
		Old Oregon Trail Centennial Advisory Commission. Authority of Commission to administer funds set up by Legislature discussed.
		Advisory Commission to be invited to hold conference with Highway Commission at next regular meeting.
		Advertising signs. Attorney requested to report on cities and towns now having ordinances covering such signs.
		Culverts. Policy for construction under private road approaches to remain unchanged. Private persons must obtain permits from state for construction.
		Baker County. Anthony Lakes Recreational Area. Snow removal on roads leading to area discussed. Action deferred.
10507		Claim. Joseph H. Anderson's claim for damages under contract No. 1594. Engineer authorized to close books.
		Oren D. Lynch's claim for repairs to truck and trailer damaged by falling rock on Santiam Highway. Payment approved.
10508		Claims. Policy re collection of damage for injury to highways by farm equipment. Claims to be pressed.
		License fees. Press release in regard to proposal to reduce motor vehicle license fees approved for publication.
		Forest Highway Program. Joint letter with Public Roads Administration and U. S. Regional Forester, revising 1941 program, approved and signed.
		Grant County. Beech Creek-Forest Boundary Section, Pendleton-John Day Highway. Modified agreement with federal government, re construction and maintenance, approved.
		Malheur County. Letter from Carl H. Coad objecting to improvement of county road extending southeasterly from Vale.
		Improvement of feeder roads out of Nyssa suggested.

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10508	July 24	Klamath County. Crater Lake National Park. Letter from E. P. Leavitt to map company suggesting route numbers on state highways within park be eliminated from Oregon road map.
10509		Strategic military highways. Information requested as to which Oregon highways will be included in national network. Clatsop and Columbia Counties. Rainier-Astoria Section. Request for information as to plans for improvement. Jackson and Josephine Counties. Medford cantonment. Letter expressing approval of road program.
10510		Malheur County. Signs indicating junctions and access roads to Weiser, Payette, Nysse and Ontario favored by U.S. 95 Hwy. Assoc. Adrian Comm'l Club requests oiling of two county roads. Josephine County. Happy Camp-O'Brien Road. Request for reclassification as Number 3 Forest Service Road. Klamath County. Klamath Falls. South 6th Street. Editorial of Klamath Falls Basin Progress concerning improvement. Union County. Roadside improvement. Pomona Grange requests seeding of highway slopes with Oregon-grown grass seed. Surveys. Corvallis-Rickreall Section. Relocation to accommodate army cantonment. Survey approved if army will pay cost. Log hauling. Alsea Mountain. Police Department's report re hazard to general motoring public. Benton County. Alsea Mountain Section. Alsea Highway. Allocation of funds for improvement recommended. No action. Log hauling. Request of William Raymond to haul logs over Klamath Falls-Lakeview Highway, Saturday afternoons, denied. 10511 Permits. Log-hauling permits of Standley Brothers and Nick Marsh reinstated. Insurance. Log hauling. Reduction in amount of public liability and property damage insurance required in overlength log-hauling operations discussed. Log hauling. Engineer reports P.U.C. accepting declared weights ten per cent in excess of 54,000 pounds. Conference with Public Utilities Commission authorized. Supplemental rules and regulations recommended by Public Utilities Commissioner for log-hauling permits approved. 10512 Elliott Transfer Co. requests modification of rule requiring log haulers to report to state scales for weighing. 10513 Permits. Oversized equipment, other than log-hauling. Rules and regulations covering special movements approved. 10514 Extensions of time, as follows: Kern & Kibbe, Sunset Tunnel Section; Chester T. Lackey, Burns Section; G. L. Potts, culverts on Lower Columbia River Highway, Tualatin Valley Highway, and Beaverton-Aurora Secondary Highway; 10515 F. C. Dillard, Lincoln County Line-Alsea Mountain Section; J. F. Johnston, Eddyville-Blodgett Secondary State Highway; Birkemeier & Saremal, Interstate Bridge, Pacific Highway. 10516 Contracts completed and accepted, as follows: Mt. Hood Section, E. C. Hall Company;

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10516	July 24	Contracts completed and accepted, as follows: (cont.) East Unit, Shaniko-Cow Canyon Section, Leonard & Slate; Brookings Section, A. Milne; South Newport Section, A. Milne; Troy Ranch Section, McNutt Brothers; Bryant Hill-Trout Creek Section, Fisher Brothers; Seneca Maintenance Patrolmen's Headquarters, Fife & Co.;
10517		Burns Section, Chester T. Lackey; Culverts on Lower Columbia River, Tualatin Valley and Beaverton-Aurora Highways, G. L. Potts; Lincoln County Line-Alsea Mountain Section, F. C. Dillard; Boardman-Umatilla County Line Section, Frank Penepacker; Owyhee River-McDermitt Section, Norris Brothers; Hendricks Bridge-Silver Creek Section, M. L. O'Neil & Sons; Endicott Creek-Bear Creek Section, A. S. Wallace; Catherine Creek-Miles Bridge Section, E. C. Hall Company; Foster-Cascadia Section, O. C. Yocom; Mountain Rest-Mt. Vernon & Butte Creek-Service Creek Sec- tions, J. C. Compton;
10518		Meeting dates. September 4 and 5 confirmed for regular meet- ing dates. August 14 confirmed as date for interim meeting. Malheur County. Conference with local delegations: Rome-Jordan Valley Section, I.O.N. Secondary Highway. Oil- ing of 40-mile section requested; Jordan Valley-Idaho State Line Section, I.O.N. Secondary Highway. Construction of 13-mile section requested.
10519		Nyssa. Paving of Main Street. Delegation notified con- tract for work will be let this fall. City's installa- tion of water system discussed. Snake River Bridge, at Nyssa. Construction of new bridge requested. Nyssa Underpass and Union Pacific Depot. Commission attends celebration for completion of projects. Lytle Boulevard. (Vale to Adrian). Transfer of funds to Enterprise Avenue requested. Enterprise Avenue. Improvement instead of Lytle Boulevard Project requested. Inspection made.
10520		Ontario. Public hearing held re proposed rerouting of Old Oregon Trail along First Avenue West. Alternate routes considered. Width of improvement discussed. Removal of trees on right of way agreed to by property owners.
10521		Inspection of proposed route made.
10522	Aug. 14	Bids received on following projects, and sale of junk material: Banzer Bridge-Mist Section, grad., surf., and bit. macadam; N. Unit, Wrights Point-Narrows Section, grading and topping; Fisher Road-Oak Hill Section, grad., surf., and oiling; Forest Boundary-Reed Creek Section, grad., surf. & bit.mac.;

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10523	Aug. 14	<p>Bids received on following projects, and sale of junk material (cont.):</p> <p>Middle Unit, Crabtree Corner-Lebanon Section, grade-widening and paving;</p> <p>Morrison Street Bridge, furnishing steel;</p> <p>Vista House at Crown Point, repairs;</p> <p>South Milton Section, roadside improvement;</p> <p>W. Unit, Shaniko-Cow Canyon Section, grad., surf. and oiling;</p> <p>Scrap materials at Salem, Klamath Falls, Coquille & La Grande.</p> <p>Permit. Request of Blair T. Alderman for permit to use ocean beach as landing field for private airplane denied.</p>
10524		<p>Weighmasters. Letter to Maintenance Engineer with respect to activities of weighmasters approved.</p> <p>"Form of Notice", to be given traffic law violators by weighmasters, approved.</p> <p>Claim. Mrs. Anna Suran's claim for damages resulting from accident near Oneonta Tunnel, Columbia River Highway, discussed.</p> <p>Lincoln County. Forest Boundary-Reed Creek Section. Werner Timber Co. renews offer to contribute funds toward cost of improvement.</p>
10525		<p>Lane County. Fisher Road-Oak Hill Section. Delegation advised bids received are unsatisfactory. Project to be readvertised in October.</p> <p>Eugene-Swisshome Secondary Highway. Veneta-Noti Section. County Court offers to pay 25% of cost of construction.</p> <p>Multnomah County. Troutdale-Dodson Section, Columbia Gorge Highway. Engineer recommends WPA project for construction.</p> <p>Clatsop County. Seaside-Hug Point Section. WPA clearing project considered.</p> <p>Multnomah County. Front Avenue Project. Rentals on parking lots, collected by Edlefsen-Weygandt Co., reported refunded to City of Portland.</p> <p>Umatilla County. Hermiston. Realignment of Old Oregon Trail through town approved.</p>
10526		<p>Municipal program. List of projects authorized for improvement.</p> <p>Surveys. Municipal projects. Engineer authorized to make surveys as necessary.</p> <p>Funds. Engineer presents statement of funds available for contract lettings this fall.</p> <p>Marion County. Silverton. Delegation requests state aid in repair of streets damaged by log hauling. No action.</p>
10527		<p>Steel bridge. Delegation requests reconstruction. Approved.</p> <p>Permit. Request of Mitchell Freightways to operate oversized equipment between the California state line and Medford denied.</p> <p>Request of Oregon Nevada California Fast Freight for renewal of permit to operate oversized equipment between the California state line and Medford denied.</p> <p>Claim. Charles F. Peake, Jr., requests damages for injuries received in collision with traffic island at Albany.</p>

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10528	Aug. 14	Awards. Chairman announces awards of contracts and sale of junk material.
10530		Log hauling. Delegation representing Columbia Basin Loggers, Smith Wood-Products Company, and individual loggers, confers relative to several log-hauling matters.
		Railroad crossings. Skipanon. 10-mile per hour speed limit adopted for logging trucks. Other railroad crossings to be investigated re stopping of logging trucks.
10532		Traffic scales. Skipanon. Delegation requests that scales be moved to opposite side of highway.
10533		Douglas County. Reedsport. Request of Russell J. Hubbard to purchase state-owned property. Inspection to be made.
		Hood River County. Cascade Locks. Delegation requests reduction in speed limit through town. Signs approved.
10534		Curve near east city limits. Elimination requested.
		Oiling of shoulders through town requested.
		Troutdale-The Dalles Section. Delegation inquires re status of improvement.
		Tillamook County. Tillamook. Delegation requests widening of Oregon Coast and Wilson River Highways through town.
		Surveys. City of Tillamook. Widening of Oregon Coast and Wilson River Highways through town. Surveys authorized.
		Tillamook County. Tillamook. Delegation requests repair of city streets damaged by log hauling.
		Thayers Corner. Delegation requests improvement of curve.
10535		Curry County. Port Orford. Knapp Hotel property. Oregon Roadside Council requests preservation as historical site.
	Aug. 15	Minutes approved as follows: April 3 and 4, 1941.
		Right of way budget. Attorney's report.
		Real property. Resolution authorizing acquisition.
10543		Multnomah County. Portland. Delegation re proposed rerouting of south-bound Union Avenue traffic, under east approach to Burnside Bridge.
		Right of way at corner of Union Avenue and Couch Street, and Union Avenue and East Ankeny Street. Acquisition approved.
		Coos County. Marshfield-North Bend Section, Oregon Coast Highway. Construction of entire section authorized.
		Lane County. Eugene-Springfield Section. Settlement for right of way for new railroad location to be deferred.
		Condemnation offers for right of way needed in connection with Wolf Creek Highway:
		B. F. Friday. Offer of \$350 and access to highway approved.
10544		B. F. Friday and W. O. Galloway. Offer of \$1500 approved.
		Maller Estate. Decision deferred pending inspection.
		Wade Armentrout. Decision deferred pending inspection.
		Inez Naude Taylor. Offer of \$2,000 approved.
		May E. Ibach. Offer of \$1,500 approved.
		Condemnations. Recommended offers. Resolution adopted.

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10549	Aug. 15 1941	Multnomah County. Columbia Gorge Highway. Juanita Starr right of way controversy. Condemnation offer approved. Permits. Oversized equipment hauling defense materials. PRA requests regulations be waived as emergency measure. Denied. Rock Production Projects. Following authorized: Swishhome Rock Production Project; Gilliam County Line-Umatilla Rock Production Project; Pendleton-Meacham Rock Production Project; Belknap Springs-Fourmile Butte Rock Production Project.
10550		Polk County. Rogue River Bridge on Salmon River Highway. Replacement authorized. Columbia County. Deer Island. Request of J. D. Perry for elimination of curve in front of public school approved. Oregon Trail Association requests following improvements: Union County. Wallowa Lake Highway, extend improvement south of Boswell Ranch. Umatilla County. Milton-Tollgate Section. Improve county road. Union County. Union-North Powder, via Ladd Canyon route, construct revision of Old Oregon Trail. Starkey Secondary Highway. Make additional improvements. Hunter Lane. Extend improvement five miles.
10551		Josephine County. Kerby. Request for oiling through town denied. Request for construction of sidewalk authorized. Malheur County. County road which extends from Adrian-Nyssa Highway to Owyhee Dam. Request for improvement. Coos County. Cape Arago Secondary Highway. Request for extension of improvement denied. Lincoln County. Newport-Taft Section. Request for improvement. Marion County. Landscaping for new testing laboratory at Salem authorized. Harney County. Alkali Lake Maintenance Buildings. Reconstruction of buildings destroyed by fire authorized. City streets not on state highway routes. Funds authorized for repairs. Formula for distribution of funds presented. Form of agreement between cities and state approved.
10554		Equipment. Purchase of following authorized; Two light-type trucks to replace those destroyed by fire at Alkali Lake; three new paving plants.
10555		J. N. Bishop and Emil Malik. Authorized to travel to Spokane, Washington, to inspect Washington Highway Department's paving plant. Survey. Request of Budget Director for topographical survey of Cascade Locks. Action deferred. Highway Markers. WPA requests permanent identification markers for Wilson River and Wolf Creek Highways. Wolf Creek Highway. WPA requests permanent identification markers. Wilson River Highway. WPA requests identification markers.

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10555	Aug. 15	Penalty reduction. The United Contracting Co. requests relief from penalty imposed on contract No. 2340, Corvallis-Lincoln School Section.
10556		Awards. Commission confirms following awards: Algoma-Terminal City Sec., Frank Penepacker & Clifford A. Dunn; Detroit-South Santiam Junction Rock Production Project, A. O. Ekstrom. Marion County. Mill City. N. Santiam Highway. Request to maintain fence across uncompleted section approved. John Beakey. Authorized to attend traffic school at Berkeley, California, August 6 to 12, 1941. Wallowa County. Inspection trip tentatively set for October. Umatilla County. Pendleton Airport Road. Charles Reynolds inquires if construction will be charged to Eastern Oregon district.
10557		Log hauling. Elkton Tunnel, Umpqua Highway. Log haulers to be required to use communication system and furnish flagmen. Overweight one-log loads. Washington method of handling to be investigated. 30-day trial of system authorized. Traffic scales. Seneca. John Day-Burns Highway. Installation approved. Purchase of five additional scales authorized. Linn County. Albany. T. M. Gilchrist right of way controversy. Proposed method of settlement approved. Multnomah County. Columbia Gorge Highway. Proposed use of dredging equipment of Port of Portland discussed.
10558		Klamath County. Sprague River County Road. Improvement with federal match money discussed. State's share to be done by contract. Section from Sprague River to junction with Klamath Falls-Lakeview Highway, near Beatty, selected. Permits. Request of U. S. Farm Security Administration to transport 100 house trailers from California line to Umatilla Ammunition Dump approved, if test run proves satisfactory. Multnomah County. Union Avenue approach to Interstate Bridge. Request for improvement between Interstate Bridge and Oregon Slough Bridge approved. Project to be advertised for bids. Report of Parks Superintendent.
10559		Douglas County. Reedsport, Umpqua Highway. Request of Russell Hubbard to purchase state-owned property. Hood River County. Shell Rock Mountain. Acquisition of Mead property adjacent to Upper Columbia River Hwy. discussed. Umatilla County. Emigrant Park. Request of Bonneville Power Administration for permit to construct pole line approved. Jefferson County. The Cove Park. Lease of additional 1,980 acres from Dept. of Agriculture approved. Lincoln County. Following requests for acquisition of parks denied: Devils Lake, tract at mouth of lake; Fogarty Creek, tract adjacent to Oregon Coast Highway; Taft, tract adjoining Port of Newport docks.

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10560	Aug. 15	<p>Union County. Proposed park at Rock Wall, north of Elgin. Request of Union County Grange for park denied.</p> <p>Marion County. Silver Creek Falls Park. Request for archery concession denied.</p> <p>Wayside strips. Pendleton-John Day Highway. Application to be made for federal funds. Appraisals authorized.</p> <p>Curry County. Humbug Mountain Park. Agreements re sheep grazing considered.</p>
10561		<p>Clatsop County. Ecola State Park. Offer of John Yeon to sell 12 acres of land for addition to park. Action deferred.</p> <p>Curry County. Proposed park on Blacklock-Sandstone property. Offer of Commonwealth, Inc. to sell 1400 acres declined.</p> <p>Marion County. Silver Creek Falls Park. Parks Superintendent instructed to secure proposals for concession.</p> <p>Jackson County. Flounce Rock Park. Request of army authorities for use of park approved.</p> <p>Umatilla County. Pendleton. Proposed widening of Southwest Court Street discussed.</p>
10562		<p>Claim. Mrs. Violet Jones claims damages to apparel from fresh paint on scalehouse near Jantzen Beach.</p> <p>Multnomah County. Portland. Complaint of Lutz Marble Co. re inadequate drainage of highway in front of its premises at Guild's Lake. Action deferred.</p>
10563		<p>Clatsop County. Columbia River Highway at Tongue Point. Portion of highway to be condemned by government for development of airbase. Terms of settlement discussed.</p> <p>Curry County. Port Orford. Orris Knapp property. Acquisition of additional 11 acres of land for right of way authorized.</p> <p>Clatsop County. Tongue Point. Request of Grace Blackstock, to salvage certain items from building purchased from her, granted.</p> <p>Asphalt and road oil. Casmite Corporation to be given another opportunity to furnish materials according to specifications.</p> <p>Claim. Agreement with Babler Bros., disposing of claim for extra compensation, in connection with contract No. 2456, repairs to bridge at Corvallis, approved.</p>
10564		<p>Travel & Information Department. Report on activities. Retention of Botsford, Constantine & Gardner, as agents, discussed.</p> <p>Advisory Board to confer with advertising agencies Sept. 4.</p> <p>Extensions of time, as follows:</p>
10565		<p>Frank Penepacker, Butte Creek-Mayville Road Section;</p> <p>Angelo Doveri, Henley Flume and Diversion Canal, Klamath Falls-Malin Highway;</p> <p>L. B. James, Laboratory Building at Salem;</p> <p>Dimitre Electric Company, Interstate Bridge, electrical work;</p>
10566		<p>Contracts completed and accepted, as follows:</p> <p>Butte Creek-Mayville Road Section, Frank Penepacker;</p> <p>Henley Flume and Diversion Canal, Klamath Falls-Malin Highway, Angelo Doveri;</p> <p>Hoffman Bridge-Grants Creek Section, O. C. Yocom;</p> <p>Henley Section, C. A. Dunn;</p> <p>Meadowbrook Creek Section, Norris and Philpott.</p>

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10567	Aug. 15 1941	<p>Meeting dates. October 9 and 10 set for next meeting. (Later postponed to October 16 and 17, 1941.)</p> <p>Agreements, et cetera, signed as follows:</p> <ul style="list-style-type: none"> Eugene Power Co., re-establishment of power facilities after construction of Eugene-West Springfield Section; City of Portland, relative to Front Avenue Project; Jack Higgins, covering lease of maintenance headquarters site on Tiller-Trail Secondary Highway; Babler Bros., disposing of claim in connection with repairs to bridge over Willamette River, in Corvallis; Dee Davis, providing for use of land at La Grande for radio facilities; Bargain and sale deed conveying unto Bennett and Robt. Swanton three parcels of land in Marshfield; Bargain and sale deed conveying unto Morrison A. Conway one acre of land in Washington County; Bargain and sale deed conveying unto Sunset Fuel Company property in Southern Portland; Bargain and sale deed conveying unto Frank H. Seal 8922 sq. ft. in Lane County; U. S. Government, providing for lease of additional lands for Cove Park.
10568	Sept. 4	<p>Bids received on projects and operation of Enegren ferry, as follows:</p> <ul style="list-style-type: none"> Belknap Springs-Fourmile Butte Rock Production Project; Hood River Rock Production; Salt Creek-Hanley Ranch Section, surfacing and oiling; Madras-Juniper Butte Section, grading; Beatty-Paradise Creek Rock Production; Swishome Rock Production; Forest Boundary-Reed Creek Section, grad., surf., and bituminous macadam; Gilliam County Line-Umatilla Rock Production; Morrison Street Bridge, Portland, reconstruction; W. Unit, Sherars Grade Section, grading and topping; Pendleton-Meacham Rock Production; Warm Springs River-Mill Creek Section, grading; Enegren Crossing of Coos River, furnishing ferry service.
10569		<ul style="list-style-type: none"> Multnomah County. Troutdale. Proposed industrial site.
10570		<ul style="list-style-type: none"> Request for construction of Columbia Gorge Highway and bridge over Sandy River discussed. Survey. Civil Aeronautics Board re construction of emergency landing field at junction of North and South Santiam Highways. Survey approved. Lincoln County. Forest Boundary-Reed Creek Section. Werner Timber Co. deposits check to apply on construction.
10571		<ul style="list-style-type: none"> Bids. Policy of rejecting low bids which exceed estimated cost by 10% discussed. 15% limit suggested. (See P.10578)

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10572	Sept. 4 1941	Forest Highways. Partial program for 1942 approved as follows: Santiam Highway. 12.2 miles surfacing and bituminous macadam; John Day Highway. 8.9 mi. surfacing and bituminous macadam; Warm Springs Highway. 7 miles grading.
10574		Morrow County. Boardman-Stanfield Highway, particularly Boardman-Umatilla Co. Line Sec. Delegation requests improvement. Heppner-Spray Secondary Highway, particularly Hardman Hill Section. Delegation requests improvement.
10575		Sherman County. Sherman Highway. Delegation requests improvement at undercrossing of U.P. railroad south of Moro. Bridge over Columbia River at Biggs. Delegation inquires as to plans for improvement. Lane County. Fisher Road-Oak Hill Section, Eugene-Swisshome Secondary Hwy. Delegation. Readvertising of project approved. Umatilla County. Pendleton. Widening of Court St. discussed. Prohibiting of parking on Court St. to be recommended to city.
10576		Linn County. Albany-Lyons Secondary Highway. Request for completion of oiling. Approved for 1942 program. Umatilla County. Request for improvement of county road from Hermiston to army ordnance depot. WPA has contracted work. Klamath County. Midland Secondary Highway. Increased budget for improvement approved. Linn County. Santiam Junction maintenance patrol station. Construction of two-cabin units approved.
10577		Lane County. Eugene-West Springfield Section. Agreement with University of Oregon re proposed reconstruction signed. Multnomah County. Interstate Bridge, Portland. Harvey Wells suggests protecting approach from sabotage. Sectionman to be instructed to make frequent inspections. Lincoln County. Forest Boundary-Reed Creek Section. Delegation from Werner Timber Co. informed all bids to be rejected. Company's check returned. (See P. 10571) Request for temporary maintenance of section approved. Project to be readvertised for bids at November meeting. Werner Timber Co. to renew offer if project is let.
10578		Bids. Policy modified re bids advertised for second time. Low bid may exceed estimated cost by 15% if more than one bid is received; by 10% if only one bid received. Log hauling. Bethlehem Steel Co. requests permit to haul overlength piling from Lorane to Anlauf. Approved. Washington County. Sunset Camp-Davies Section. Opening of section to public set for September 6, 1941. Coos County. Enegren Ferry. Andrew Stambuck's bid for operation on 15-ton load basis rejected. Negotiations authorized for renewal of Mr. Stambuck's present contract.
10579		Lane County. Eugene-West Springfield Section. Agreement with University of Oregon and Eugene Power Co. tentatively signed. Log hauling. Delegation from Coos and Douglas Cos. re permits to haul Saturday afternoons and Sundays. (See P. 10602) Awards. Chairman announces award of contracts.

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10582	Sept. 4	Washington County. Beaverton. Oregon Electric Company requests railroad crossing signal. (See P. 10604)
		Lincoln County. Newport. Delegation re improvement of city streets damaged by log hauling. Repair authorized.
		Curry County. Gold Beach. Delegation requests improvement through town on 80-foot right of way. Action deferred.
10583		Cape Blanco Secondary Highway. Delegation requests improvement. Approved for next year's federal aid program.
		Jackson County. Plaza Corner, Ashland. Delegation urges immediate improvement. Contracting authorized as soon as right of way options acquired.
10584		Clatsop County. Proposed bridge over Columbia River near Tongue Point. Delegation re construction of approach roads.
		Travel & Information Department. Advisory Committee recommends following: Conditional appropriation of \$100,000 for activities;
		Retention for 1942 of Botsford, Constantine & Gardner;
		Allow advertising agencies to bid for work next year.
10585		Oregon Trail Centennial Advisory Commission. Delegation reports on plans for 1943 Old Oregon Trail Centennial.
10586		Employment of full-time man for promotional work discussed.
10587	Sept. 5	Clatsop County. Tongue Point. Conference with federal authorities set for Sept. 12, re compensation to be paid for portion of highway condemned for naval base project.
		Log hauling. One-log loads. 60-day trial permits for overweight loads authorized.
10588		Washington County. Wolf Creek Highway. Emil H. Duyck. Right of way settlement involving exchange of properties approved.
		Real property. Resolution authorizing acquisition.
10593		Lane County. Eugene-Springfield Section. Settlements approved in connection with acquisition of right of way for project.
		Condemnations. Recommended offers. Resolution adopted:
10594		Gravel Pits: Little Butte Highway.
		Right of Way: Sherars Bridge Highway; Warm Springs Highway; The Dalles-California Highway; Pacific Highway.
10597		Permits. Overlength truck and trailer units. Permits to be granted only if request comes from national agency.
		Requests of various organization for modification of ruling re overlength permits.
		Log hauling. Request of Crown Willamette Lumber Co. to transport logs over Netarts Secondary Highway granted conditionally.
10598		Claim. Damages claimed for injury to boy hurt by falling scaffolding at McLoughlin Bridge, Oregon City. (See P.10679)
		Warning Signs. Ordered placed on structures being painted.
		Lane County. Eugene-Springfield Project. Proposed connection at McKenzie Highway junction to be given further study.
		Permits. Request of Oregon Nevada California Fast Freight, Inc., to transport overlength loads denied.
10599		Lang Transportation Co. Request to transport overlength loads from California state line to Klamath Agency denied.

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10599	Sept. 5 1941	<p>Malheur County. I.O.N. Highway. W. H. Lynch inquires as to attitude of Commission re allocation of additional funds. Old Oregon Trail. Plan of State of Idaho to reroute highway, crossing Snake River at Nyssa, discussed.</p> <p>Lane County. Access road to rock quarry. Stipulation in case of U.S. of America vs. O. M. Jetson approved.</p>
10600		<p>Lincoln County. Nelscott. Previous action confirmed, denying Ben Hur Lampman's request for abandonment of old right of way.</p> <p>Douglas County. Gardiner. Dolan & Serfling request permission to maintain gas pump on highway right of way. No action.</p> <p>Reedsport. Sale of property to Russell Hubbard approved.</p> <p>Multnomah County. Front Avenue Project. Delegation re vacation of Dock Commission property needed for project. Extension of time granted for vacation.</p>
10601		<p>Floating dock. Dock Commission's offer to sell considered.</p> <p>Douglas County. Gardiner. Termination of lease of Jim Ford property, used as CCC Camp, approved.</p> <p>Columbia County. Holbrook. Mrs. Mabel Stevens to be ordered to remove residence encroaching on highway right of way.</p> <p>Claims. Settlement of following approved:</p> <p>Coos County. Eva Cade King, Marshfield. Claim for damages to property resulting from construction of highway.</p> <p>Josephine County. Charles R. Cooley, Grants Pass. Claim for damages to property resulting from construction work.</p>
10602		<p>Lane County. Eugene. Sale to city of property at intersection of Pacific Highway and Eugene airport road approved.</p> <p>Windshield stickers. Hood River Chamber of Commerce suggests furnishing of Oregon stickers to tourists. Denied.</p> <p>Attorney General's opinion, re maximum loads of motor vehicles.</p> <p>Permits. Attorney General's opinion, re maximum loads of motor vehicles, considered and filed.</p> <p>Mt. Hood Rock Production Project. E. C. Hall Co.'s contract No. 2242. Release of final warrant approved.</p> <p>Log hauling. Saturday afternoons and Sundays. Hauling during such periods authorized as trial proposition, for 30 days.</p>
10603		<p>P.U.C. Commissioner approves action. Permits to be amended.</p> <p>Permit. Oversized equipment. Coos Bay Dredging Co.'s request for permit to move tank across Oregon Coast Highway approved.</p> <p>Log hauling. H. A. Dowd's request for authority to transport logs over Corvallis-Eastside Secondary Highway approved.</p> <p>Request of C. E. Powell to resume log hauling on Wilson River Highway denied, until highway is opened to general public.</p>
10604		<p>Attorney General's opinion, re excess insurance required of log haulers in connection with overlength loads.</p> <p>Log hauling. Insurance. Practice of requiring excess public liability and property damage insurance, in connection with overlength loads, to be discontinued.</p> <p>Inspection trip into Baker, Union and Wallowa Counties set for October 29, 1941.</p>

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10604	Sept. 5 1941	<p>Yamhill County. Carlton-Tillamook Section. Invitation to make inspection of proposed road as guests of County Court and citizens of county declined.</p> <p>Bridges and ferries over Columbia River. Washington State Grange suggests joint operation by Oregon and Washington.</p> <p>Log hauling. Complaint of log haulers that weighmasters are causing unnecessary delays to be investigated.</p> <p>Washington County. Beaverton. Request of Oregon Electric Co. for railroad crossing signal approved.</p>
10605		<p>Park matters. Report of Parks Superintendent.</p> <p>Hood River County. Proposed park on Columbia River Highway between Mitchell Point Tunnel and Viento. Negotiation for purchase approved.</p> <p>Clatsop County. Cannon Beach-Wolf Creek Highway Junction Section. Acquisition of wayside strips approved.</p> <p>Hood River County. Park site on Upper Columbia River Highway. MP 55 to 56. Report on negotiations for acquisition.</p> <p>Multnomah County. Talbot State Park. Disfigurement of pioneer monument discussed. No action taken.</p> <p>Hood River County. Mt. Hood Highway. Tract for proposed wayside park has been sold for taxes.</p>
10606		<p>Coos County. Bandon Beach, proposed park site. Offer of E. G. Opperman to sell 3.83 acres for park. Action deferred.</p> <p>Clatsop County. Addition to Ecola State Park. Offer of John Yeon to sell property at Chapman Point declined.</p> <p>Umatilla County. Spout Springs winter sports area. Forest Service requests widening of highway for parking purposes.</p> <p>Office of Production Management. Ruling re priority preference rating for highway construction work discussed.</p> <p>Contractors to be notified to file applications for preference ratings promptly.</p>
10607		<p>Multnomah County. Morrison St. Bridge remodeling. Work to be deferred until steel actually on hand. Two shifts to be used for job.</p> <p>Bridge to be kept open during Christmas holiday season.</p> <p>Extensions of time, as follows:</p>
10608		<p>Colonial Construction Company, Minam Hill viaduct;</p> <p>Averill & Corbin, Goose Rock Bridge;</p> <p>M. C. Lininger & Sons, Kerby Rock Production Project;</p> <p>Birkemeier & Saremal, Interstate Bridge expansion plates.</p> <p>Contracts completed and accepted, as follows:</p>
10609		<p>Troutdale-Dodson Section, General Construction Company;</p> <p>Sunset Tunnel Section, Kern & Kibbe;</p> <p>Troutdale-Oneonta Section, K. L. Goulter;</p> <p>Nashville Bridge Section, J. F. Johnston;</p> <p>Minam Hill Viaduct, Colonial Construction Company;</p> <p>Davies Grade Separation Project, C. J. Eldon;</p> <p>Kerby Section, M. C. Lininger & Son;</p> <p>Interstate Bridge electrical work, Dimitre Electric Co.;</p> <p>Bear Creek-Coos Junction Section, A. S. Wallace;</p>

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10609	Sept. 5 1941	Contracts completed and accepted, as follows (cont.): Ramsay-Blalock Section, Leonard & Slate; Quinton-Ramsay Section, Leonard & Slate; Jones Hill-Lena Section, R. O. Dail and Warren Brothers; Interstate Bridge expansion plates, Birkemeier & Saremal; Corvallis Bridge pier protection, Babler Brothers.
10610		Agreements, etc., signed as follows: Foreword for Oregon Road Laws approved; University of Oregon and Eugene Power Co., re proposed Eugene-Springfield highway improvement; University of Oregon, re Eugene-Springfield Project; Ray Fromm, re grazing of sheep in Humbug Mountain Park; Ace Turner, re grazing of sheep in Humbug Mountain Park; U. S of America, stipulation re hauling road from Route "F" Highway to state quarry on Fisher Tract, in Lane County. Bargain and sale deed conveying unto Cecil Mestretti property in Pendleton.
10611	Oct. 16	Bids received on projects, removal of building from right of way in East Portland, sale of scrap steel rails and sale of service station, as follows: Necanicum Junction-Sunset Camp Rock Production; Belknap Springs-Fourmile Butte Rock Production; Condon-Morrow County Line Section, surfacing and oiling; Condon-Service Creek Rock Production; Fisher Road-Oak Hill Section, grading, surf. and oiling; Santiam Junction Patrol Station, construction of two cabins; Progan-Jameson Section, grading, surfacing and oiling; Illahee-Steiwer Hill Section, grading and paving; Interstate Bridge-Oregon Slough Bridge Section, roadbed widening;
10612		
10613		Rogue River Bridge, near Grand Ronde, construction; Removal of buildings in East Portland; Sale of scrap steel rails, Portland; Sale of Ox-Yoke Service Station, north of Grants Pass. Log hauling. PUC confers re hauling on Saturday afternoons, Sundays, and during hours of darkness. Privilege extended to June 1, 1942.
10615		Amended rules and regulations approved. Overlength loads. Permits for hauling during hours of darkness, approved subject to conditions. Lane County. Fisher Road-Oak Hill Project. Delegation from county court informed all bids to be rejected. Delegation requests repair of road with state forces. Tillamook County. Delegation from county court re following: New bridge at Camp One, on Wilson River Highway, requested. Mills Bridge-Tillamook Section, straightening requested. Trask River Bridge, reconstruction requested. (See P. 10677) Netarts Secondary Highway, non-skidding requested.
10616		Oregon Coast Highway, south of Tillamook. Reconstruction on revised location requested. "Libby" location survey approved.

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10616	Oct. 16 1941	<p>Tillamook County. Delegation from county court (cont.):</p> <p>Pleasant Valley-Tillamook Section. Attorney authorized to secure options for right of way.</p> <p>Cannon Beach-Wolf Creek Highway Junction. Reconstruction requested. WPA clearing project approved.</p> <p>Johnson Bridge over Trask River. Request for deferment of county's payment for work, until July 1942, approved.</p> <p>Little Nestucca Secondary Highway. Improvement requested.</p> <p>Sand Lake Road. Designation as secondary highway requested.</p>
10617		<p>Columbia County. Longview Bridge. Delegation confers re proposed toll-free operation of bridge by government.</p> <p>Log hauling. Reed Holding requests permit to transport overlength loads over Wolf Creek Highway. Approved.</p> <p>Clatsop County. Wolf Creek Highway. Reed Holding offers to grade access road to highway for use of log haulers. State to rock and oil.</p> <p>Log hauling. Wolf Creek Highway. Overlength loads to be permitted if flagmen are maintained at crossings.</p> <p>Douglas County. Glide Section, N. Umpqua county road. Delegation requests improvement. County to secure right of way.</p>
10618		<p>Log hauling. Delegation re penalty for overloading. Reduction in penalty approved.</p> <p>Personnel. Transfer of Vernon Thorp to Maupin deferred, to enable him to give apartment house owner 30-days notice.</p> <p>Betterment budget. Request for increase in 1942 budget for primary and secondary highways approved.</p> <p>Malheur County. Ontario. West First Street North. Improvement of four-block section south of Idaho Street approved.</p>
10619		<p>Umatilla County. Tollgate winter sports area. Request of Forest Service for construction of parking area discussed.</p> <p>Yamhill County. McMinnville. Sidewalk on Cozine Creek Bridge tentatively approved for construction.</p> <p>Columbia County. Warren. Request for construction of cinder footpath along Lower Columbia River Highway denied.</p> <p>Gilliam County. Olex. Request for construction of sidewalk on Rock Creek Bridge, John Day Highway. No action taken.</p> <p>Grant County. Long Creek. Request for improvement of Kimberly-Long Creek Secondary Highway denied.</p> <p>Douglas County. Controversy with A. E. Rice, re access road to Pacific Highway near S. Umpqua River Bridge, discussed.</p>
10620		<p>Claim. Mrs. Anna Suran claims damages for injuries sustained near Oneonta Gorge, due to faulty drainage inlet.</p> <p>Multnomah County. Oneonta Gorge. Columbia River Highway. Warning signs to be erected at faulty drainage inlet.</p> <p>Hood River County. Hood River. Delegation confers re reconstruction of Columbia River Highway through town.</p>
10621		<p>Maintenance headquarters site at Hood River. City offers to donate site. Referred to Engineer for investigation.</p> <p>Awards. Chairman announces awards of contracts, removal of building, sale of scrap steel, and sale of Ox-Yoke Service Station.</p>

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10623	Oct. 16	Tillamook County. Netarts Secondary Highway. Crown Zellerbach Corp. requests temporary use of loading dock. Approved.
		Multnomah County. Portland delegation re following:
10624		Proposed bridge over Columbia River, utilizing Govt. Island.
		Improvement of Sandy Boulevard, between 82nd and 122nd Aves.
		Clatsop County. Tongue Point. Revision of Columbia River Highway to accommodate Naval Base discussed.
		Klamath County. Sprague River County Road. Improvement with federal match money discussed. State will improve 10-mile section if allowed to do work on contract basis.
		Klamath Falls, South Sixth Street route. Improvement discussed.
		Wasco County. The Dalles ferry. Delegation requests maintenance of free ferry service by state.
10625		The Dalles Ferry Co. delegation presents opposing arguments.
		Oregon Roadside Council delegation confers re following matters:
10626		Curry County. Acquisition of myrtle grove from Elmer Bankus.
		Preservation of wayside strips near army cantonments.
		Columbia Gorge. Preservation of scenic beauties.
		Claim. Clark Irving, re damages to truck and trailer by state highway department truck. Referred to attorney for settlement.
10627		Curry County. Port Orford. Mrs. E. L. Philpott requests fill at tourist cabins, necessitated by grade change.
		Permit. Log hauling. Geo. H. Clausen requests permit be reinstated, claiming Molalla scales are faulty. Approved.
		Traffic Scales. Molalla. To be checked by State Sealer of Weights and Measures, for accuracy. (See P. 10724)
10628		Log hauling. Delegation requests following:
		Speeding up of weighing at state scales. Approved.
		Moving Seaside scales to more convenient site. Approved.
		Keeping of complete record of weighings. Considered.
		Revision of penalty for minor offenses. Approved.
		Conference with lumbering industry re feasibility of determining loads by board feet instead of weights. No action.
10629	Oct. 17	Bids received on following projects, building and land:
		Wren Rock Production Project;
		Cinder Butte-Juniper Ridge Section, grad., surf. and oiling;
		Diversion Canal-Midland Overcrossing Sec., grad., surf. & oil;
		Klamath Falls Rock Production Project;
10630		Alkali Lake Maintenance Station, construction of buildings;
		North Burgard Street Section, grading and paving;
		Gerking School-Athens Section, grad., surf. and oiling;
		South Hermiston Section, grad., surf., and oiling;
		Sylvan-West Slope Section, grading and paving.
		Clatsop County. Olney-Jewell Section, Nehalem Secondary Hwy.
		Furnishing maintenance materials. Contracting authorized.
		Multnomah County. North Burgard Street Section. Portland. Oral authority for construction, previously given, confirmed.
		Jurisdiction over road (city or county) to be ascertained.
		Agreement covering improvement of city streets to be prepared.

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10630	Oct. 17	Grant County. Granite. Request for improvement of certain streets being damaged by heavy trucks denied.
10631		Douglas County. Tiller-Trail Secondary Highway, between Days Creek and top of mountain. Request for improvement denied.
		Lincoln County. Toledo. Request for sidewalk along Corvallis-Newport Highway approved.
		Travel & Information Department. Recommendations of Advisory Committee on Publicity Matters approved.
		Paint. Traffic line lacquer for 1942. Purchase approved.
		Equipment. Purchases approved: 70 new trucks of Ford and Chevrolet type; 15 cars of Ford and Chevrolet type; one additional car for Assistant Maintenance Engineer; one portable churn drill; one rotary drill; six radio receiving sets.
10632		Permits. Oversized equipment. Consolidated Freightways requests permits for hauling of defense materials.
		Oregon Motor Transport Assn. urges granting of permits for oversized equipment.
		Old Oregon Trail Marker Committee. Walter Meacham urges marking of historical spots for benefit of Centennial in 1943.
10633		Bids. Purchase of scrap steel rails. Zidell-Steinberg Co. requests reconsideration of its bid. (Bid awarded to company later in session.)
		Malheur County. Ontario. Delegation informed improvement of four-block section of West First Street has been approved.
10634		Delegation requests state to oil S. First Ave. West, city to pay cost of work.
		Claim. Alfred Buchheit, Jr. Claim for injuries received at McLoughlin Bridge, Oregon City. Payment of claim approved in principle. (See P.10679)
		Dent Clark. Claim for damages resulting from collision with state car January 22, 1936, denied.
		Log hauling. Penalty for fourth offense for overloading. 12-day suspension of special carrier permit approved.
		Permit. Log hauling. Reinstatement of Haley & Haley permit, suspended for overloading, approved.
		Log hauling. Penalty for refusal to report to state traffic scales for weighing approved as follows: warning for first offense; operator's permit revoked for second offense.
10635		Complaint from S. P. Company, that log haulers are dumping loads on railroad property Molalla, discussed.
		Permit. Updegrave Trucking Company. Request for permit to haul logs near Agency Lake on Armistice Day approved.
		System Freight Service. Request for overheight permit, Pacific Hwy. between Portland and California, approved.
		Douglas County. South Umpqua River Bridge. Remodeling authorized, to provide more clearance.
10636		Permits. Request of Bordenave & Beckley to operate oversized equipment on state highways denied.

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10636	Oct. 17	<p>Permits. Request of Lang Transportation Co. to operate oversized equipment on state highways denied.</p> <p>Request of Sun Transportation Co. to transport, over state highways, overloads consisting of sanding equipment, denied.</p> <p>Wallowa County. Date of inspection trip changed to Nov. 11 and 12 (later deferred indefinitely due to illness of Commissioner Oliver.)</p> <p>Meeting dates. Next Commission meeting tentatively set for Nov. 13 and 14 (later changed to November 17 and 18.)</p> <p>Redwood Empire Association. Invitation to association's annual banquet.</p> <p>Montana Motor Transport Association. Invitation to annual banquet.</p> <p>Clackamas-Multnomah County Line. Pacific Highway East. Police report destruction of two Japanese cherry trees by Elvin Thomas Cully. Trees ordered replaced.</p> <p>Scrap steel, sale of. Bethlehem Steel Company suggests scrap steel be sold direct to consuming mills at government price. OPM to be consulted for information.</p>
10637		<p>Awards. Commission confirms following awards:</p> <p>West Unit, Sherars Grade Section, Norris Brothers;</p> <p>Madras-Juniper Butte Section, Leonard & Slate;</p> <p>Warm Springs River-Mill Creek Section, Max J. Kuney;</p> <p>Swishome Rock Production Project, A. S. Wallace;</p> <p>Salt Creek-Hanley Ranch Section, Norris Bros.;</p> <p>Pendleton-Meacham Rock Production Project, A. S. Wallace.</p> <p>Clackamas County. Oregon City. City requests permission to construct access to Pacific Highway, between 13th and 14th Street. Approved subject to conditions.</p>
10638		<p>Clatsop County. Tongue Point. Request of Bonneville Administration for authority to construct power line granted.</p> <p>Lane County. Eugene-Swishome Secondary Hwy. U. W. Ellmaker's request for cooperation in construction of fence denied.</p> <p>Washington County. Glenwood-Sunset Camp County Road. County will assume jurisdiction of detour road.</p> <p>Clatsop County. Bonneville Power Administration requests removal of telephone poles in front of Astoria substation. Telephone Co. to be asked to move poles.</p>
10639		<p>Washington County. Hillsboro. Traffic signals to be installed if city will pay half the cost.</p> <p>Tigard. Speed zones on Pacific Highway authorized.</p> <p>Tigard. Flashing beacon authorized at intersection of Pacific Highway and Beaverton-Aurora Secondary Highway.</p> <p>Lincoln County. Siletz Secondary Highway. Signs at dangerous curve points approved.</p> <p>Lane County. Route "F" Highway. William Tugman confers re matters pertaining to construction.</p> <p>Lincoln County. Method of settlement of county's indebtedness approved, subject to Commissioner Oliver's approval.</p>

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10640	Oct. 17	Clatsop & Tillamook Counties. Oregon Coast Highway. Cannon Beach-Manzanita Section. Speed zones to be established. Walter Meacham. Authorized to travel to Marysville, Kansas, in interests of Old Oregon Trail Centennial Celebration. Curry County. Gold Beach. Delegation urges improvement on 30-ft. right of way. Reappraisal of property authorized.
10641		Awards. Commission announces awards of contracts, removal of building, and sale of scrap steel.
10643		Umatilla County. Milton-Washington State Line Section. Delegation urges construction. Taking of options authorized. Survey. Milton-Washington State Line Section. Location survey authorized.
10644		Umatilla County. Milton. Delegation re improvement of Main Street. Conference to be held in Milton. Jackson County. Ashland. Delegation urges immediate construction of Plaza Corner improvement. Right of Way Budget. Assistant Attorney's report on status. Multnomah County. Portland. Purchase of right of way at Union and Denver Avenues approved. Standard Oil Co. to be allowed use of 9-foot strip of right of way at corner of Union and Denver Avenues, Portland. Harvey Wells offers to sell property near Interstate Bridge.
10645		Hood River County. Columbia River Highway. Proposed park. Purchase of Mead property considered. Douglas County. Gardiner. Settlement with Dolan & Serfling for purchase of right of way approved.
10652		Real property. Resolution authorizing acquisition. Condemnations. Settlements for acquisition of three parcels needed for right of way for Wolf Creek Highway approved.
10653		List of recommended offers. Resolutions adopted: Right of way for: Pacific Hwy.; Lakeview-Burns Hwy.; Old Oregon Trail; Tualatin Valley Highway. Park Site: Mt. Hood Highway.
10658		Lane County. Eugene-West Springfield Section. Agreement with S. P. Co. with respect to reconstruction of highway. Eugene-Judkins Point Section. Attorney authorized to close options for right of way. Klamath County. Klamath Irrigation District. Petition for exclusion of state-owned lands from taxes approved. Payment of assessment for irrigation construction approved. Columbia County. Scappoose. Controversy with H. A. Hein, re operation of quarry adjacent to his property, discussed.
10659		Submerged and tide lands. Commissioner of Public Docks requests contribution for use in contesting congressional legislation. Request denied. Parks Superintendent reports in person re park matters. Park Budget. Report approved. Curry County. Harris Beach Park. Purchase of additional land approved.

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10659	Oct. 17	Lane County. Purchase of wood lot for use of state parks on coast approved.
		Douglas County. Camas Mountain Park. Acquisition of O and C recreational tract, now being leased, approved.
10660		C.C.C.Camps. Maintenance of Short Sand Beach and Saddle Mountain Camp, which have been discontinued, approved.
		Polk County. Helmick State Park. Possibility that park will be required for army cantonment near Monmouth, discussed.
		Curry County. Port Orford Cedar Park. Request of mining company to purchase park for mining purposes denied.
		Extensions of time:
10661		McNutt Bros., bridge over Devils Lake Fork;
		W. D. Miller Construction Co., Lost River Section;
		Homer G. Johnson, Germantown Road-Barnes Section;
10662		E. L. Gates, Pacific Highway East at Albany;
		E. C. Hall, Sanderson Bridge-Crabtree Creek Section;
		Colonial Construction Co., Forest Boundary-Warm Springs River Section;
10663		J. F. Johnston, King Creek Culvert, Salem-Dayton Secon.Hwy.;
		E. L. Rigdon, Okerman Ranch-Sagehen Hill Section;
		Birkemeier & Saremal, Madras maintenance building;
10664		Fisher Bros., E. Unit, Dixie Summit-Austin Junction Section;
		C. A. Dunn, Deception Creek-Salt Creek Falls Section;
		United Contracting Company, St. Helens Section;
		J. C. Compton, Josephine County Line-Central Point Section;
10665		E. H. Itschner, Woodburn-Rock Creek Section;
		Jed Wilson, Gearhart-Seaside Section, oiled rock footpath;
		Jud Beardsley, Vista House at Crown Point, repairs.
		Contracts completed and accepted, as follows:
		Bridge over Devils Lake Fork, Mc Nutt Brothers;
10666		Lost River Section, W. D. Miller Construction Company;
		Germantown Road-Barnes Road Section, Homer G. Johnson;
		Albany Section, roadside improvement, E. L. Gates;
		Sanderson Bridge-Crabtree Creek Section, E. C. Hall Company;
		Nyssa Undercrossing Section, Henry L. Horn;
		Forest Boundary-Warm Springs Highway, Colonial Const. Co.;
		King Creek Culvert, Salem-Dayton Secondary Highway, J. F. Johnston;
		Okerman Ranch-Sagehen Hill Section, E. L. Rigdon;
		Madras maintenance building, Birkemeier & Saremal;
		Hug Point-Manzanita Section, Rogers Construction Co.;
		Deception Creek-Salt Creek Falls Section, Clifford A. Dunn;
		Forest Boundary-Cottonwood Creek Section, Fisher Brothers;
10667		Lytle Creek-Ochoco Creek Section, Berke Brothers;
		St. Helens Section, United Contracting Co.;
		Morrow County Line-Stanfield Section, concrete spans,
		A. Milne;
		Josephine County Line-Central Point Section, J. C. Compton;
		Bully Creek-Vale Section, Tony Marrazzo;
		Cow Hollow Creek-Adrian Junction Section, Tony Marrazzo;

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10667	Oct. 17 1941	<p>Contracts completed and accepted as follows (cont.):</p> <p>Condon maintenance building, Viesko & Hannaman;</p> <p>Gearhart-Seaside Section, oiled footpath, Jed Wilson.</p> <p>Meeting dates. November 13 and 14 set for next meeting.</p> <p>(Later changed to November 17 and 18.)</p> <p>December 18 and 19 set for December meeting;</p> <p>January 15 and 16 set for January, 1942, meeting;</p> <p>November 6, 1941, set for interim meeting.</p>
10668		<p>Agreements, etc., signed as follows:</p> <p>Malheur County, re maintenance of Vale-Adrian Federal Aid Secondary Highway, after construction by state;</p> <p>Scio, covering improvement of city streets;</p> <p>Bend, covering improvement of city streets;</p> <p>Myrtle Point, covering improvement of city streets;</p> <p>Coquille, covering improvement of city streets;</p> <p>North Bend, covering improvement of city streets;</p> <p>Bonneville Power Administration, covering crossing of Old Oregon Trail, Umatilla County;</p> <p>Bonneville Power Administration, covering encroachment on highway, near Astoria;</p> <p>Bonneville Power Administration, covering construction of power line across Old Oregon Trail, Umatilla County;</p> <p>O.W.R. & N. Co. and Union Pacific Railroad Co., covering construction of overhead crossing, near Troutdale;</p> <p>Anderson Bros., providing for log road crossing of state park property on Salmon River Highway;</p> <p>Postal Telegraph Co., covering pole line construction on Sexton Mountain Section of Pacific Highway;</p> <p>Dwight F. Seward, disposing of claim for damages arising out of improvement of Old Oregon Trail at Nyssa;</p> <p>P. B. Davis, providing for Sisters maintenance site;</p> <p>Port Orford, providing for improvement of city streets;</p> <p>Bandon, providing for improvement of city streets;</p> <p>Bay City, providing for improvement of city streets;</p> <p>Silverton, covering work performed on Main Street Bridge;</p> <p>Marshfield, providing for improvement of city streets;</p> <p>Stanfield Irrigation District, covering construction of siphon for Furnish Ditch at Boardman-Stanfield Hwy. crossing;</p> <p>John T. Foreman and David Petersen, covering gravel pit lease;</p> <p>Botsford, Constantine & Gardner, covering services for 1942, in connection with Travel & Information Department;</p> <p>S. P. Company, in connection with revision of Pacific Highway between Eugene and Springfield;</p> <p>Lincoln County, disposing of county's indebtedness to state for certain road construction;</p> <p>Klamath Irrigation Dist., petition for exclusion of certain state-owned lands from irrigation district;</p> <p>Bargain and sale deed, conveying unto City of Eugene 0.5 acres adjacent to Pacific Highway;</p> <p>Deed conveying unto Louis L. Jones, fractional lot in Portland, fronting on Southwest Macadam Street.</p>
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10670	Nov. 6	Lake County. Quarts Mountain-Smalley Ranch Forest Highway Project. Additional contribution of state funds approved.
		Columbia County. Longview Bridge. If acquired by federal government, state agrees to assume half cost of maintenance.
10671		Curry County. Gold Beach. Improvement on 80-ft right of way through town, tentatively approved.
		Oregon State Employees Association. Request of Wm. W. Currier for approval of proposed organization denied.
10672		Permits. Question of authorizing permits for overlength and overweight equipment discussed.
		Maintenance projects for 1942. Program approved.
10674		Federal and state projects for 1942. Program presented.
10677		Strategic network fund. Program presented.
		Projects to be advertised for bids at December meeting:
		Grant County. Soda Mountain-South Section;
		Beech Creek Rock Production Project;
		Seneca-South (Poison Creek) Section;
		Lincoln County. Spencer Creek Section. Need for right of way involving fish pond to be investigated.
		City streets. Engineer's report on cities and towns that have signed agreements for improvement of streets by state.
		Tillamook County. Bridge over Trask River, Netarts Secondary Highway. Construction of new bridge approved.
10678		Hearing to be requested of War Department re clearances.
		Crook County. Prineville Undercrossing, Warm Springs Secondary Highway. Construction approved.
		Multnomah County. Morrison Street Bridge, Portland. Construction of pedestrian trestle authorized.
10679		Permit. Overweight equipment. Arrow Transportation Company requests permit for overweight equipment, consisting of landing equipment, during winter months. Approved.
		Oregon Trail Historical Markers Committee. Request for additional markers along Old Oregon Trail approved.
		Washington County. Wolf Creek Hwy. Construction of overcrossing of county road near Davies discussed. (See P. 10713)
		Gilliam County. Olex. Rock Creek Bridge. Request for sidewalk on bridge approved.
		Claim. Alfred Buchheit, Jr. Settlement of claim for injuries from falling timber from McLoughlin Bridge approved.
		Lane County. Eugene-Springfield Section. Method of handling matter of salvaging of steel rails approved.
10680		Lake County. Drews Valley Section, Klamath Falls-Lakeview Highway. Abandonment resolution.
10683		Jackson County. Short section of Pacific Highway near Gold Hill. Abandonment resolution.
10684		Deschutes County. Shevlin Park County Road. Payment of county's indebtedness for oiling work deferred to Jan. 31, 1942.
10685		Claim. Zidell-Steinberg Co., purchaser of scrap steel, requests reimbursement for concrete adhering to steel rails.

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10685	Nov. 6	Douglas County. S. Umpqua Telephone Co. requests reconsideration of matter of re-establishing pole line. Request denied.
		Morrow County. Boardman and Castle Rock roadside oases. Opening to be deferred until trees are well established. Construction of drinking fountains and restrooms authorized.
		Multnomah County. Portland. Lambert Gardens requests permit to maintain signs on state highway routes. Denied.
10686		Moorman forgery case. Attorney asked to submit opinion as to liability of Ladd & Bush Bank for unrecovered balance. Question of personal liability of Engineer and former Engineer for unrecovered balance considered. (See P. 10714)
		Equipment. Purchase of following authorized: One power mower for landscape project at Newport; two gasoline-driven spray paint machines.
10687		Permit. Casper & Cutler request permit to transport over-height equipment, consisting of furnaces, from Portland to Salem, during Saturday afternoons, Sundays, etc. Granted.
		Award. Following award confirmed: Brogan-Jamieson Section of John Day Highway, Triangle Construction Company.
		Coos County. Old bridge over Coalbank Slough, South Marshfield. Request of county court for bridge approved.
		Ben Titus. Oral authority to attend meeting of Pacific Northwest Tourist Association, Spokane, Wash., confirmed.
		H. G. Smith, N. M. Finkbinder, and one of assistants, authorized to inspect Barber-Green Asphalt Plant, Wenatchee, Wash.
10688		Coos County. Enegren Ferry. Matter of supplemental agreement with Andrew Stambuck, for operation of ferry, discussed.
		Snow removal. McKenzie Highway, particularly to Hand Lake ski area. Request for snow removal denied.
		Coos County. Marshfield and vicinity. Request of BPOE for installation of signs, "Travel Safely-Defend America" denied.
		Douglas County. Reedsport. Request for improvement of Winchester Avenue instead of "H" Street considered.
		Log hauling. Penalty for overloading. Four-day suspension of permit approved.
10689		Request of Callow & Day to truck-haul logs on Armistice Day and Thanksgiving Day denied.
		Surveys. List of surveys ordered since last meeting.
10694		Extensions of time, as follows:
		Chester T. Lackey, Sage Hen Hill-Harney County Line Section;
10695		Colonial Construction Co., Follett Ranch-Cold Canyon Sec.;
		Tidepoint Company, Svensen-Goble Section;
		Babler Bros., Vance Creek-Soda Mountain Section;
10696		J. F. Johnston, Dayton Bridge over South Yamhill River;
		Babler Brothers, Sunset Camp-Davies Section;
		A. S. Wallace, Dean Creek-Parker Creek Section;
10697		E. L. Rigdon, Days Creek-Wright Ranch Section;
		C. J. Eldon, Trask River-Pelts Corner Section;
		C. W. Reeve, Oak Creek Bridge remodelling;
10698		The United Contracting Company, Independence Section;
		Frank Watt Construction Company, bridge over E. Dairy Creek;

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10698	Nov. 6	Contracts completed and accepted, as follows: Sagehen Hill-Harney Section, Chester T. Lackey; Follett Ranch-Cold Canyon Section, Colonial Construction Co.; Svensen-Goble Section, Tidepoint Company; Vance Creek-Soda Mountain Section, Babler Brothers; Sunset Camp-Davies Section, Babler Brothers; West Dairy Creek Bridge, J. F. Johnston; Oak Creek Bridge widening project, C. W. Reeve.
10699		Agreements, etc., signed as follows: O.W.R. & N. Co. and U. P. Railroad Co., providing for encroachment of Columbia River Highway near Bonneville; S. P. Co., terminating lease of gravel storage site at Derry, in Polk County; M. P. Fisher, covering construction of logging road across Silver Creek Falls Park, Marion County; Lugene Power Co., covering property to be conveyed to company in connection with Eugene-Springfield Highway improvement; Ward C. Barnes, disposing of claim for damages to property at Nyssa, Malheur County; F. R. Pendleton, disposing of claim for damages to property at Marshfield, Coos County; Agreements with the following cities and towns covering improvement of streets not on state highway routes: Albany, Astoria, Eastside, Empire, Gearhart, Harrisburg, Hillsboro, Newport, Warrenton, Weston, Woodburn. Zelda Ploeger, cancellation of lease agreement re property acquired for borrow purposes, Tigard project.
10700		Meeting dates. November 17 and 18 confirmed as next regular meeting date, having been postponed from November 12 and 13.
10701	Nov. 17	Bids received on following projects: Grants Creek-Powers Section, surfacing and oiling; Drews Valley Rock Production; Eugene-Judkins Point Section, railroad roadbed construction; Corbett Section, rock toe embankment; Front Ave. (Ankeny St.-Washington St.) Section, grad. & pav.; Willamina Rock Production; Tigard Section, roadside improvement.
10702		Oregon Trail Association. Delegation requests following: Union County. Union-North Powder Section. Modernization or construction of new road through Ladd Canyon. Umatilla County. Boardman-Stanfield Highway. Completion of highway during 1942. Boardman-Arlington Section. Modernization in near future. Gilliam County. Quinton-John Day River Section. Completion of 8.8-mile section in 1942. The Dalles-Portland Section. Completion at earliest possible date.
10703		Sale of bonds to finance entire improvement suggested.
10704		Hood River County. Offer of City of Hood River to deed maintenance site to state to be investigated.

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10704	Nov. 17	<p>Malheur County. Delegation requests following:</p> <p>Ontario-Huntington Section. Revision of highway.</p> <p>I.O.N. Secondary Highway. Designation and improvement as primary highway.</p> <p>Bridges over Snake River. Rebuild bridges.</p> <p>Graham Boulevard. Modernization.</p> <p>County roads in vicinity of Nyssa and Ontario. Improvement.</p> <p>Lytle Boulevard. Continue improvement.</p> <p>Baker County. Delegation requests construction of railroad underpass at Durkee.</p> <p>Union County. Malheur County delegation requests reconstruction of North Powder-Union Section, of Old Oregon Trail.</p> <p>Union County. Delegation requests following improvements:</p> <p>Hunters Lane County Road. Extension of improvement.</p> <p>Hillgard-Starkey Secondary Highway. Extension of improvement.</p> <p>Minam Hill Section. First choice of county for improvement.</p> <p>Enterprise-Flora Highway from Enterprise North. Improvement.</p> <p>Wallowa Lake Highway. Widening from La Grande to Island City.</p> <p>Bridge over North Powder River at North Powder.</p> <p>North Powder-Union Section. Second choice for improvement.</p> <p>Jackson County. Plaza Corner, Ashland. Delegation. Appraisal of property needed for improvement to be secured from outside appraisers. If favorable, project will be approved.</p>
10705		<p>Minutes approved for meetings held May 8 and 9, May 22, June 12 and 13, July 16, 17 and 18, and July 23 and 24, 1941.</p> <p>Benton County. Corvallis. Flood lights. Installation of three flood lights at state expense tentatively approved.</p> <p>Clatsop County. Fishhawk Falls Road. County court's request for designation as secondary highway No. 103 approved.</p> <p>Resolution adopted.</p>
10706		<p>Lincoln County. Eddyville-Toledo Section. Agreement signed re payment of county's indebtedness for cost of construction.</p> <p>Klamath County. Klamath Falls. Improvement of South Sixth Street discussed.</p> <p>Maintenance budgets for 1942, for primary and secondary highways approved.</p>
10707		<p>Multnomah County. Portland. Request of Parkrose C. of C. for name "Parkrose" on highway maps denied.</p> <p>Sandy Boulevard, from Parkrose to Troutdale. Securing of 100' right of way approved.</p> <p>Survey. Sandy Boulevard from Parkrose to Troutdale. Location survey authorized.</p> <p>Award. Contract for Eugene-Judkins Point Section of Pacific Highway, in Lane County. Award to Strong & MacDonald, Inc. authorized.</p> <p>Coos County. Enegren Ferry. Andrew Stambuck's contract for operation of ferry to be extended to October 1, 1943.</p>
10708		<p>Log hauling. W. H. Lichty, Jr. granted 30-day permit to haul piling over Alsea-Deadwood Secondary and Siuslaw Highways.</p>
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10709	Nov. 17	Claim. Zidell-Steinberg Co. re reimbursement for cement paid for in connection with purchase of steel rails. (See P.10742)
10710		Equipment. Paving plants. Bids submitted by Cramer Machinery Co. and Dallas Machine and Locomotive Works. (See P. 10754) Old Oregon Trail Centennial Advisory Commission. Chairman reports on activities.
10711		Part-time man, to act as coordinator, requested. Awards. Commission announces award of contracts.
10713		Marion County. Stayton, N. Santiam Highway. A. R. Meyers requests revision in alignment through town. To be investigated. Request for improvement of county road up Little North Fork of the North Santiam River denied. Warm Springs Highway. Delegation inquires as to plans for improvement. Washington County. Davies Overcrossing. Construction, using untreated timber, approved.
10714		Moorman forgery case. Resolution presented re matter pertaining to defalcation. No action taken. Traffic Scales. Secretary of State's request for use of scales, in connection with licensing of trucks, approved. Benton County. Alsea-Deadwood Secondary Highway. Removal from secondary highway system and exchange for county road discussed. Clackamas County. Exchange of county roads discussed. County approves exchange of Estacada-Sandy Section of Woodburn-Sandy Secondary Highway, for Molalla-North Fork County Road. No action.
10715		Personnel. Employment of safety engineer considered. Action deferred. Permit. Portland Traction Co. requests permit to operate trolley busses on certain highway routes in Portland. Approved. Claim. Harry Harkness claims damages for accident caused by traffic barrier on Interstate Bridge. Payment approved. Equipment. Purchase of two portable fire pumps, for use of state parks department, authorized. Maps. Policy adopted re distribution. No maps to be furnished public unless highway location has been permanently adopted.
10716		Speed zones. Standard form of resolution adopted, to be used in establishment of speed zones.
10717		Resolutions adopted establishing following speed zones: Pacific Hwy. West. Two sections between MP 9.477 and 10.780. Oregon Coast Hwy. Eight sections between MP 24.0 and 44.0. Wolf Creek Hwy. Short section between MP 46.63 and 47.29.
10721		Traffic safety legislation. Attorney instructed to prepare bill requiring truck owners to attach splash guards to trucks. Surveys. Complete location surveys authorized as follows: Troutdale-The Dalles Section of new Columbia River Highway; Roseburg-Grants Pass Section of the Pacific Highway; Washburn-North Plains Section of the Wilson River Highway.
10722		Survey records. Preservation of records from loss by fire, etc., discussed. Engineer to report findings at next meeting. Lake County. Lakeview. City requests oiling of strips along each side of Western Avenue, route of Klamath Falls-Lakeview Highway.

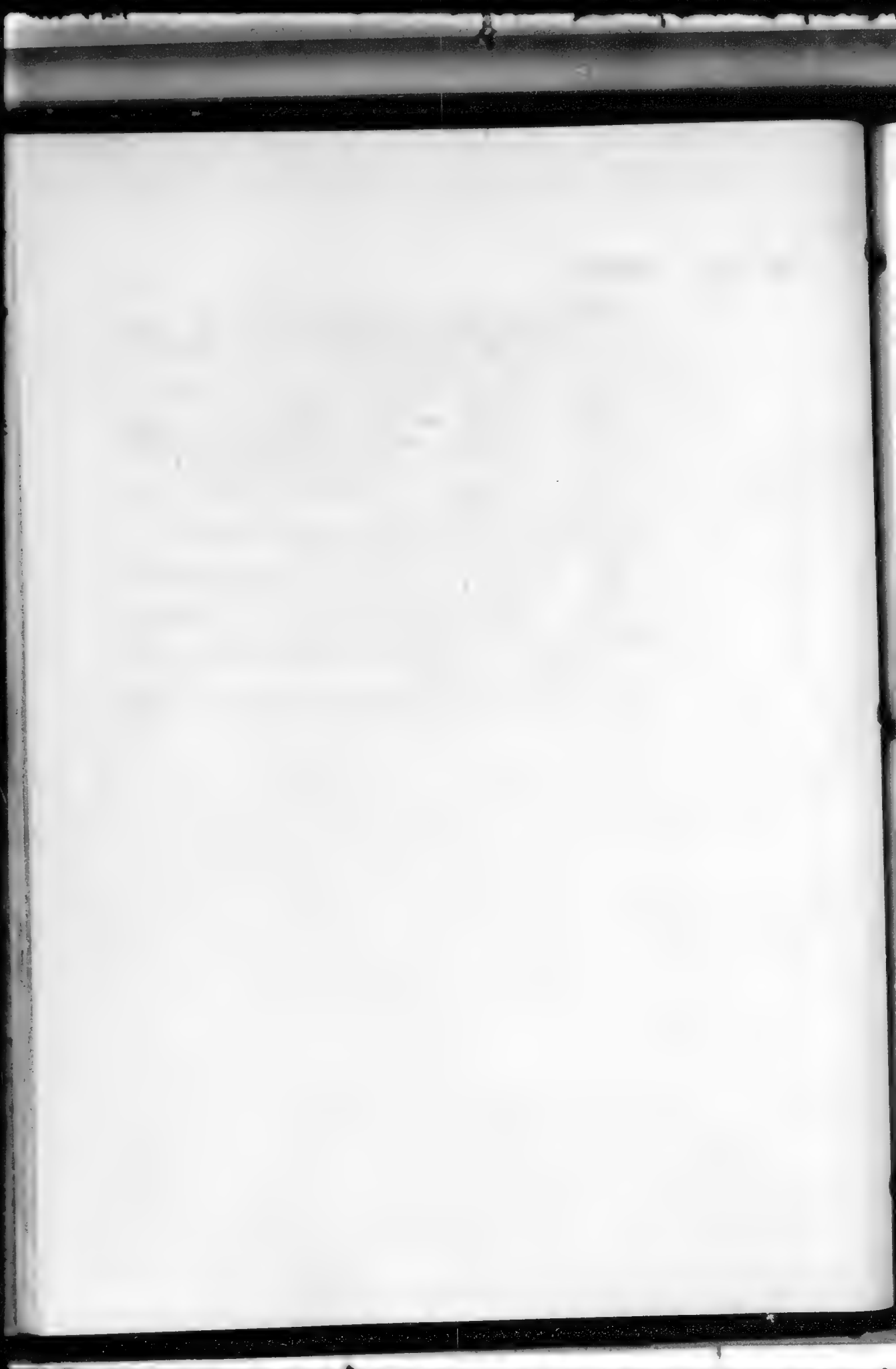
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10722	Nov. 17 1941	Jackson County. Trail Junction-McLeod Section, Crater Lake Highway. Request for improvement considered.
		Baker County. Traffic Lights. Request of City of Baker for installation denied.
		Lincoln County. Depoe Bay. Requests for construction of additional access roads to highway considered.
10723		Washington County. Scholls Ferry Road. Raleigh School Dist. requests "no parking" area in front of school.
		Wolf Creek Highway. Letter opposing naming of highway "George L. Baker" Highway.
		Wayside tables and benches suggested by Parkrose Chamber of Commerce for accommodation of touring public.
		Plaque honoring Samuel C. Lancaster. Portland Rotary Club suggests permanent plaque in the Vista House at Crown Point.
		Klamath County. Klamath Falls. Communications presented re improvement of South Sixth St. Reports ordered completed.
10724		Umatilla County. Weston. Invitation of C. of C. to attend turkey banquet. Division Engineer to represent Commission.
		Access Roads. Inland Empire Waterways Assn. requests access roads to shipping points along Columbia and Snake Rivers.
		Traffic scales. Molalla. State Sealer of Weights & Measures reports that scales are accurate. (See P. 10627)
		Log hauling matters considered as follows:
		Penalizing of Geo. H. Clausen for overloading and refusing to drive off scales. Next offense to be referred to Commission.
		Penalizing log haulers for failure to remove mud from trucks before entering main highways. No action.
		Mud racks. Installation considered.
10725		Binder chains. Complaint that log haulers in vicinity of Lebanon are not maintaining chains as required by law.
		Updegrave Trucking Co. Permit to transport logs on highways in vicinity of Agency Lake on Thanksgiving Day granted.
		Permit. Consolidated Timber Co. to be allowed to maintain gas pump on Wolf Creek Hwy. Revocable lease authorized.
10726		Extensions of time:
		Berke Brothers, Veneta-Fisher Road Section;
		A. Milne, Mud Hollow-Oak Creek Section;
		A. T. Dolan, Kernville-Forest Boundary Section;
10727		Edward F. Altree, South Newport Section;
		Roy L. Houck, Donaldson Creek-Mills Bridge and McNamars Camp-Washburn Sections;
10728		Frank Watt Construction Co., Clackamas Grade Separation;
		Berke Brothers, Miner Creek-Spencer Creek Section;
		E. L. Rigdon, Oak Creek-Marks Ranch Section;
10729		Norris Brothers, West Ranch-Island City Section.
		Contracts completed and accepted as follows:
		Veneta-Fisher Road Section, Berke Brothers;
		Mud Hollow-Oak Creek Section, A. Milne;
10730		Kernville-Forest Boundary Section, A. T. Dolan;

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10730	Nov. 17	<p>Contracts completed and accepted as follows: (cont.)</p> <p>South Newport Section, Edward F. Altree;</p> <p>Donaldson Creek-Mills Bridge Section, Roy L. Houck;</p> <p>Clackamas Grade Separation Project, Frank Watt Const. Co.;</p> <p>West Ranch-Island City Section, Norris Brothers;</p> <p>South Milton Section, Blair T. Alderman.</p> <p>Meeting dates. December 18 and 19, 1941, confirmed as regular meeting date in December. January 15 and 16, 1942, confirmed as regular meeting date in January.</p>
10731		<p>Condemnation. Daniel Gorman Estate. Short Sand Beach Park, Tillamook County. Resolution adopted.</p>
10732		<p>Multnomah County. Market Building, Portland. Conference with city officials set for November 18, re use of building.</p> <p>Right of way budget. Assistant Attorney's report.</p> <p>Real property. Resolution authorizing acquisition.</p>
10737		<p>Coos County. Marshfield. Special appraisal of greenhouse on property of J. D. Bergen, authorized.</p> <p>Condemnation. Recommended offers. Resolution adopted, as follows: Right of way for Oregon Coast Highway; Pacific Highway.</p>
10740		<p>Lane County. Eugene-Springfield Section. Hitchcock & Reagan property. Condemnation offer approved.</p> <p>Equipment. Bids for three paving plants reconsidered. Action deferred. (See P. 10754)</p> <p>Old Oregon Trail Centennial Advisory Commission. Employment of Carl Werner on half-time basis approved.</p>
10741	Nov. 18	<p>Bids received on the following projects:</p> <p>Flaskanine Summit-Jewell Rock Production;</p> <p>Halsey Rock Production;</p> <p>Illahee-Steiwier Hill Section, grading and paving;</p> <p>Interstate Bridge-Oregon Slough Section, roadbed widening;</p> <p>Rickreall Rock Production;</p>
10742		<p>Gerking School-Athena Section, grad., surf. and oiling;</p> <p>Sylvan-West Slope Section, grading and paving.</p> <p>Claim. Refund to Zidell-Steinberg Company, for cement inadvertently purchased with scrap steel rails, approved.</p> <p>Permits. Consolidated Freightways, Inc. requests permit to operate, over state highways, oversized equipment. No action.</p> <p>Request of "Tulane Farm" to transport oversized equipment over Pacific Hwy. near California state line. No action.</p>
10743		<p>Parks Superintendent reports on park matters.</p> <p>Park Budget. Status report approved.</p> <p>Hood River County. Shell Rock Mountain, Acquisition of Kvale property considered. Action deferred.</p> <p>Jefferson County. The Cove State Park, Renewal of lease covering government land approved.</p> <p>Juniper wayside strips. Agreement with U. S. Dept. of Interior for preservation of juniper strips considered.</p>
10744		<p>Multnomah County. Crown Point. J. H. Gilbaugh tract. Proposed purchase discussed.</p>

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10744	Nov. 18	Tillamook County. CCC Camp Site at Short Sand Beach. Purchase approved.
		Linn County. Cascadia Park. Request for monument honoring late Joseph Ralston referred to Lewis A. McArthur for recommendation.
		Lane County. Jessie M. Honeyman Park. Proposed soil conservation district. Request for state approval denied.
10745		Clackamas County. Proposed park at Wilhoit Springs. Senator Rufus Holman suggests establishment of state park.
		Linn County. Cascadia Park. Request of Rev. D. V. Poling and F. H. Pfeiffer for hearing re encroachments granted.
		Washington County. Wolf Creek Highway. Condemnation of B. F. Friday property, needed for right of way, approved.
		Claim. Phoenix Iron Works claims damages to property at north end of Union Ave. viaduct, by reason of highway construction.
10746		Permit. M. H. Lyons requests permit to transport turkeys from Portland to California in overlength equipment. Denied.
		Multnomah County. Portland. Conference with city officials relative to Market Building, on Front Avenue.
		Klamath County. Klamath Falls. Proposed improvement of South 6th St. to be given special consideration at January meeting.
		Umatilla County. Pendleton airport. Request of U.S. Army officials for use of property opposite airport approved.
		Malheur County. Nyssa underpass. Mrs. John Thomson claims damages to property due to construction. Construction of access road to adjoining lot approved.
10747		Linn County. Waverly Lake, Albany. Request of property owners adjacent to lake to improve state land along lake denied.
		Request of sponsors of log-rolling contest at Waverly Lake for permission to leave poles in present location denied.
		Jefferson County. Madras. Sale of certain property at overcrossing discussed. Action deferred.
		Wasco County. Celilo Indian Village, on Columbia River Highway. Removal of village to another site considered, in order to secure needed right of way. Attorney to secure option.
		Klamath County. Green Springs Hwy. Mrs. Hecker, Klamath Falls, requests adoption of permanent location of highway.
10748		Awards. Commission announces awards of contracts.
10749		Permit. Request of Messrs. Liskey and Hinsel to operate overweight equipment on Oregon highways denied.
		Klamath County. Gravel pit for Klamath Falls-Merrill Section. Acquisition from county considered.
		Klamath Falls. South 6th Street. Exchange of property with Klamath Falls School Dist. approved.
		Jefferson County. Madras. Sale to Judge W. R. Cook of small building on property acquired from Lester Pummil approved.
10750		Curry County. Port Orford. Disposal of Knapp Hotel building discussed. Engineer instructed to have windows boarded up.
		Jefferson County. Madras. Request of Emil Henskie for construction of fence on his property discussed.

Page	Date	Subject
10750	Nov. 18	Roadside strips. Oregon Roadside Council offers suggestions re acquisition.
10751		Douglas County. Camas Mountain Park, Coos Bay-Roseburg Highway. Purchase from federal government approved. Lane County. Cottage Grove. Vacation of dead-end street approved. Washington County. Middleton-Newberg Section of Pacific Highway. County will retain portions abandoned by state. Lincoln County. Waldport-Scott Creek Section of Alsea Highway. County will retain portion abandoned by state. Multnomah County. Portland. Harry Mercer offers to deed property at corner of Union and Denver Aves. to state, if Standard Oil Co. is granted use of 9-ft. strip. Arrangement approved. Union and Denver Avenues. Channelization of traffic at intersection approved. Douglas County. Dillard Section, Pacific Highway. Sale of portion of property acquired from Sadie Sheridan authorized.
10752		Hospital associations. Renewal of contracts discussed. Log hauling. PUC complains that log haulers are not stopping at Canby railroad crossing. Signs to be erected. Traffic scales. Installation at junction of Wolf Creek and Oregon Coast Highways, in Clatsop County, requested.
10753		Multnomah County. Portland. Battleship Oregon Marine Park. Request for installation of lighthouse lens discussed. Clackamas & Marion Counties. Pudding River Bridge, Aurora. Letter from Interstate Commerce Commission re condition. Washington County. Two small bridges on North Plains-Sylvan Sec., Wolf Creek Hwy. Approved for construction program. Malheur County. County court's request that following roads be placed on state secondary highway system denied: Quaker Corner County Road; Valley View and Clark Avenue County Road; Enterprise Avenue County Road. Federal Aid Secondary Highway Projects. PFA requests another partial program to increase total to 50% of that allowed. Permits. Oversized equipment. Rule for passing on requests for permits tentatively approved.
10754		Equipment. Paving plants. Acceptance of bid of Dallas Machine and Locomotive works to be recommended. Hospital association. Renewal of present contract of National Hospital Assn. for period of six months at present rate approved.
10755		Tillamook County. Oceanside. Request for warning signs re driving on beach. To be investigated. Request for historic markers on Tillamook Highways denied. Federal Highway Funds. Telegram to Oregon's delegation in Congress urging appropriation of federal road funds. Agreements, etc., signed as follows: City streets: Brownsville, McMinnville, Monmouth, Toledo, Waldport, Seaside, Sheridan, Ione, Stayton, Freewater, Vernonia, Tillamook;

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10755	Nov. 18	<p>Agreements, etc., signed as follows (cont.):</p> <p>Malheur County, providing for maintenance of Lytle Blvd.;</p> <p>Sherman County and City of Moro, providing for lease of maintenance site in town of Moro.</p> <p>Harold A. Green and H. H. Kingrey, disposing of claim for damage to property in town of Nyssa;</p> <p>Portland Traction Company, granting authority to operate trolley busses over certain state highways in Portland;</p> <p>Bargain and Sale Deed, conveying unto Pacific Power & Light Co. parcel of land in Jefferson County.</p>
10756		<p>Bargain and sale deed, conveying unto O. D. Rhoads property in Eugene, Lane County;</p> <p>Bargain and sale deed, conveying unto Emil Duyck 11.18 acres of land, in Washington County.</p> <p>Bargain and sale deed, conveying unto Curtis Hansen 0.34 acre of land, in Lane County;</p> <p>Bargain and sale deed conveying unto Geo. D. Saxton two parcels of land, in Washington County;</p> <p>Bargain and sale deed, conveying unto Rose Utecht and Chris Utecht two parcels of land adjacent to Wolf Creek Highway at North Plains;</p> <p>Bargain and sale deed, conveying unto Nathan Wise, trustee, 550 sq. ft. of land in Astoria.</p>



Enroute John Day, Oregon, July 23, 1941

The following is a brief resume of matters disposed of by Chairman Henry F. Cabell, enroute from Portland to John Day, where a special meeting of the Commission was held in the home of Commissioner Oliver on that evening. Accompanying Mr. Cabell on this trip were: R. H. Baldock, State Highway Engineer; J. M. Devers, Attorney; and H. B. Glaisyer, Secretary. It was previously arranged that all three Commissioners would meet at Commissioner Oliver's home in John Day to dispose of accumulated routine matters and to pass on decisions made by Chairman Cabell enroute.

1. Inspection of the Gilbaugh property at Zig Zag Creek on the Mount Hood Highway, near Rhododendron. Such inspection revealed several large, concrete blocks on the edge of the stream, the blocks being connected with large cables embedded in the concrete, and it was evident that the purpose of the blocks was to prevent the cutting away of the bank of the stream by high water. The Attorney advised that Mr. Gilbaugh is complaining because he does not have free access to the stream from his adjacent property, and indicated that he would be satisfied if the cables were cut. It was the opinion of Chairman Cabell and the Engineer that no harm would result from the cutting of the cables, in view of which it was decided to dispose of the matter in such manner. The Engineer stated that he would have the cables cut at once.

2. Inspection of Warm Springs Highway. The party joined a group from Jefferson and Deschutes Counties at Bear Springs Junction and an inspection of the Warm Springs Highway was made immediately thereafter. Luncheon was taken at the Madras Hotel, following which at 2:00 p. m. the local committee, consisting of about thirty members from Madras, Prineville, Bend and Redmond, made an urgent plea for the early completion of the Warm Springs Highway. County Judge Thomas A. Power, of Jefferson County, presided. Chief spokesman for the group was the Honorable Ralph Hamilton, Circuit Judge, Bend. Responding thereto Chairman Cabell recited the history of this road and explained the status of funds. He advised that the Highway Commission appreciates that the Warm Springs Highway is an important link in the state highway system, and that it is the desire of the Highway Commission to complete the construction of the same as soon as possible. He also said that the Commission would give the matter very careful consideration in the next allocation of funds, but is not in position at the present time to make any definite commitment.

The meeting adjourned at 2:45 p. m., following which the party motored to John Day, inspecting enroute the Glen W. Berry property at Prineville, concerning which there is a controversy. Mr. Berry was not present, having moved to Portland, so no action was taken on his claim.

John Day, Oregon, July 23, 1941

The State Highway Commission met in special session at 8:30 p. m. at the home of Commissioner Herman Oliver. Present were:

Henry F. Cabell, Chairman
Huron W. Clough, Commissioner
Herman Oliver, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

The Commission approved by unanimous vote the minutes of the meetings held on January 21 and 22, February 14, February 27 and 28, March 24 and March 26, 27, and 28, 1941.

The Engineer discussed with the Commission the matter of increasing the wages of employees in the Maintenance Department, particularly those who are paid on the hourly basis. He recommended a ten per cent increase for such employees and a corresponding increase for foremen of maintenance crews who are paid on a monthly basis, and submitted a tabulation showing the classification of the employees, present rate of pay, and the rate of pay for each class under the proposed schedule. After discussion, the Commission approved such increase, by unanimous vote, subject to confirmation by Governor Charles A. Sprague or the State Budget Director (see revised standard wage schedules "A" to "M" inclusive, effective August 1, 1941.)*

The Engineer reported the cost to construct 3.8 miles of the Silets Secondary Highway, in Lincoln County, beginning at the end of the present section 5.5 miles south of Kernville, and extending southerly therefrom. By limiting the improvement to widening of the present grade with minor line changes, resurfacing and construction of an O-11 oil mat, the project, he said, would cost about \$66,000, compared to a total cost of \$115,000 to reconstruct the section to higher standards. In this connection the Secretary presented a letter from the Werner Timber Company offering to contribute the sum of \$5,000 toward such expense, which would relieve the company from building an unloading dock in the Silets River, for logs. The Engineer recommended acceptance of this offer and construction of the project on the basis of a standard improvement costing \$115,000. After discussion the Commission approved the recommendation and authorized the Engineer to advertise the project for bids as soon as it can be prepared.

The Engineer presented an economic analysis of the Illahe-Albany Section of the Pacific Highway East, covering alternate routes for the permanent location of the Pacific Highway between these points. The matter was discussed at considerable length during which the Engineer recommended adoption of the A-C-M-E-X Route as disclosed on the map attached to the Reconnaissance

*Filed in Special Matters File - No. 4

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Engineer's report dated February, 1939. He requested authority to make a location survey along such route. The Commission approved the request unanimously.

The Engineer also presented an economic analysis of the Wasco-Condon Section of the Wasco-Heppner Secondary Highway, in Sherman and Gilliam Counties. The report was discussed briefly, but action was deferred for future consideration.

The Attorney reported receipt of a letter from the Crown-Zellerbach Corporation, with respect to the leasing of the shore lines along the Willamette River, at Oregon City, in which the corporation indicates refusal to increase the amount of its previous offer for the use of such land and considers the matter closed so far as the corporation is concerned unless it should decide at a later date to increase the amount of its offer. The Commission took no action on this matter.

The Secretary presented a resolution from Wallowa County Court and a petition signed by numerous taxpayers of Wallowa County, requesting action as may be necessary to eliminate the steep, icy, dangerous and difficult portion of the Little Sheep Creek Secondary State Highway, between Joseph and Innaha, particularly the unit thereof which extends from the top of Sheep Creek Hill to Little Sheep Creek. The Engineer advised that this section is 1.27 miles in length, and that it would cost about \$25,000 to regrade, surface and oil the section. The Commission deferred action on this matter pending a personal inspection of the project on its next trip into this district later in the year.

A letter was presented from Mr. Frank Rebberg, Sandy, Oregon, requesting the oiling of the Eagle Creek-Sandy Section of the Woodburn Secondary Highway, and also requesting the oiling of the county road which connects this highway with the main road from Sandy to Estacada. The Commission deferred action on this matter pending a personal inspection of the roads by Chairman Cabell and the Engineer.

The Engineer reported that, due to increase in contract prices, the amount budgeted by the Commission for construction of the West Unit of the Shaniko-Cow Canyon Section of the Sherman Highway is not sufficient to do the entire job. He recommended, in view thereof, an increase in the budget allowance from \$85,000 to \$120,000, inasmuch as this job is scheduled to be contracted this fall and it has been the intention of the Commission to complete the work in its entirety, rather than by piece-meal. The Commission approved the request and so ordered.

The Engineer also requested authority to advertise for bids for the furnishing of maintenance materials for the following projects:

Viento-Mosier Rock Production Project. Estimated cost \$20,000.
Gilliam County Line-Umatilla Section. Estimated cost \$17,000.

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He explained that both projects are included in the 1942 maintenance materials program. The Commission approved the request.

A request was presented from the Oak Grove Parent-Teachers Association, Medford, for an extension of the sidewalk project heretofore approved by the Commission at the Oak Grove School. The Engineer advised that the proposed extension is about one-half mile in length and will cost about \$615.00. He recommended approval of the request, in order to secure full benefit of the original project. The Commission approved the recommendation.

A petition was presented from the City of South Scappoose, Columbia County, requesting construction of a short road, about 760 feet long, connecting the old Columbia River Highway and the new Columbia River Highway at a place known as Kocarnicks Store. There was also presented a letter from County Judge Ray Tarbell, of Columbia County, advising that the County Court is of the opinion that this road should be built. The Engineer advised that this matter has previously been before the Commission and was denied, and he recommended similar action at this time. The Commission approved the recommendation, at least for the time being.

The Commission discussed a letter from W. J. Carlson, City Recorder, Cascade Locks, requesting the oiling of the graveled shoulders between the highway pavement and the concrete curbs on the Columbia River Highway through the town of Cascade Locks. The Engineer estimated the cost to pave such strips between stations 110+10 and 146+10 at \$6,770.00, compared to a cost of \$2,900.00 to oil the strips between stations 107+00 and 160+00, using O-9 specification. He recommended approval of an oiling project costing \$2,900.00 and that the project be included in next year's budget. The Commission approved the recommendation.

Consideration was given by the Commission to a request from F. C. Hingsburg, Commander, United States Coast Guard, Seattle, requesting the improvement of the Cape Blanco State Secondary Highway, in Curry County. The Engineer advised that this road is narrow and winding and generally in poor condition and, in his estimation, could not be improved by ordinary maintenance work. He estimated the cost to reconstruct the road in a proper manner at approximately \$20,000 and recommended approval of the work as a federal aid secondary highway project. After discussion the Commission approved the recommendation and instructed the Engineer to endeavor to include it in the 1942 program.

A letter was presented from the City of Florence, requesting the construction of an oiled footpath to replace an existing wooden sidewalk along the northerly side of Main Street in Florence, within the area covered by the state's right of way, under the Siuslaw River Bridge. The Engineer estimated that it would cost about \$65.00 to do this work, although, according to the Attorney, it is not the Commission's obligation. He also advised that there is an oiled street that passes under this bridge structure which the Highway Department does not maintain, inasmuch as it was considered a part of the original street, with the bridge being considered simply an overhead structure. If the footpath is constructed and maintained, it would indicate that the state should also assume

the obligation for the maintenance of that portion of the street which lies under the bridge. After considerable discussion the Commission approved the construction of the footpath, provided the City of Florence would assume the responsibility for maintaining it subsequent to construction, and would treat the state in the same manner that the private property owners are treated with respect to such matters. The Commission ordered that the matter be covered by appropriate agreement between the city and the state to the effect that the construction of this sidewalk would entail no responsibility on the part of the state in regard to the future maintenance of the sidewalk itself or to any maintenance or reconstruction of that portion of the street proper which passes under the bridge.

The Commission discussed a letter from the Garibaldi Businessmen's Club, requesting the surfacing of the Oregon Coast Highway, full width between curbs, through the town of Garibaldi. The Engineer advised that investigation reveals that there are no curbs in this town at the present time. He estimated the cost, on the basis of improving the street without installation of curbs, at \$2,000. The Commission deferred definite action on this matter pending further investigation by the Engineer.

A resolution was presented from the Port Orford Chamber of Commerce urgently requesting the reconstruction of the Port Orford-Euchre Creek Section of the Oregon Coast Highway on proposed alignment that will not by-pass the town of Port Orford, and further urging the Commission to immediately acquire right of way across the Orris Knapp Hotel property at Port Orford, notwithstanding that the amount demanded by Mr. Knapp is in excess of the valuation placed on the property by the Highway Department's appraisers. The Attorney advised that his latest offer to Mr. Knapp was \$10,000, however, he believes that he could get Mr. Knapp to settle for \$10,500, if the Commission will authorize the increase. After discussion and in order to close this matter the Commission authorized payment of \$10,500 as recommended by the Attorney.

A petition was presented from citizens of Toledo requesting the elimination of dangerous curves on the Corvallis-Newport Highway, immediately north of Toledo. A letter was also presented from the Toledo Chamber of Commerce, endorsing the request and also requesting additional improvements west of the town of Toledo. The Engineer estimated the cost of the widening work at \$75,000 and gave as his thought that the expenditure is not justified at this time, particularly in view of the work that the Commission is now doing on the Siletz Secondary Highway and the Oregon Coast Highway in this district. The Commission concurred in the Engineer's viewpoint and instructed the Secretary to so inform the petitioners.

The question of constructing a parking area for automobiles adjacent to the Weston-Elgin Secondary Highway, in Umatilla County, near Tollgate, had the attention of the Commission. The Engineer advised that the United States Forest Service is contemplating construction of a winter sports lodge at a place known as "Spout Springs", about three miles east of Tollgate, and has made inquiries as to whether or not the State Highway Commission would cooperate by widening the highway to facilitate the parking of cars off the

main-traveled roadway. He further advised that this matter has been investigated by Division Engineer W. C. Williams, who estimates that to provide parking places for 200 cars would cost about \$2,600, and who further advises that, if the Forest Service actually constructs the lodge as planned, the parking situation for cars will be acute unless such a parking area is provided. He recommended approval of the expenditure. The matter was discussed at considerable length, during which Chairman Cabell suggested that if the Forest Service would provide a parking area entirely off the highway right of way the state might maintain and keep it free of snow for use of winter sports enthusiasts, as is now being done adjacent to the Mount Hood Highway. The suggestion was approved by Commissioners Clough and Oliver, and the Engineer was instructed to present it to the Forest Service and ascertain its reaction thereto.

Reconsideration was given by the Commission to the matter of improving the Sandy Boulevard route of the Columbia River Highway, between 82nd Street and 122nd Street. The Engineer advised that it would cost about \$40,000 to improve the section between 82nd Street and 108th Street, and an additional \$3,500 to oil the shoulders between 108th Street and 122nd Street. He recommended the improvement as a very desirable project in the 1942 program. The Commission approved the recommendation and so ordered.

The Secretary presented a letter from Harry R. Schuppner, Major, Q.M.C., United States War Department, in which the State Highway Commission was requested to make studies as may be necessary for an access road extending from the Boardman-Stanfield Highway to the U. S. Army ammunition dump west of Hermiston, including an underpass under the Union Pacific railroad tracks. The Engineer recommended approval of the request to the end that preliminary plans and estimates may be available when funds are provided to construct the same. The Commission approved the recommendation and thereupon authorized the Engineer to make such surveys.

The Engineer reported a request from the city officials of Hermiston for assistance from the State Highway Commission in relieving a traffic congestion in their town, which has resulted from activities incident to the construction of the U. S. Army ammunition dump about 7 miles west of Hermiston. He said that Division Engineer Williams had made investigations of existing conditions and reports that the city is having a lot of difficulty in caring for the tremendous increase in traffic resulting from the government's operations, and the city officials have asked the construction of an alternate route for the highway, following approximately the railroad tracks from the easterly edge of Hermiston to the intersection of Main Street, and in his estimation the city's request is reasonable and the state should do something to relieve the situation. The Engineer gave as his thought that the matter should be given some study, and requested authority to make investigations and surveys as may be necessary. The Commission approved the request, and instructed the Engineer to render a full report of the matter at his earliest convenience.

The Commission discussed a request from the City of Hillsboro for the installation of traffic signals at street intersections along the route of the Tualatin Valley Highway through their city, as an aid in the handling

of traffic and the prevention of accidents. The Commission deferred a decision in this matter pending a detailed report from the Engineer.

The Commission also discussed a request from the City of Dayton, calling attention to the need for more adequate signalization of the Southern Pacific grade crossing on the secondary state highway between Dayton and its junction with Highway 99W. The Engineer advised that this signalization project is not contained in the present signalization program so if signals are installed now they will have to be paid for with state funds or with state and railroad funds. He also said that investigation of the crossing reveals that it is quite low in the priority list. In view of this report the Commission decided not to make the installation at the present time. The Secretary was instructed to so inform Mayor Carl H. Francis, Dayton, and to advise him further that the Commission will give this project consideration in the formulation of its next signalization program.

The Commission discussed a letter from William F. Keady, Secretary of the Waldport Chamber of Commerce, requesting permission for the Waldport Lions Club to erect a concrete monument honoring soldiers, sailors and marines, on the premises of the state park at Waldport. The Engineer advised that the monument is to be about three feet square and eight or ten feet high. He recommended that the request be granted inasmuch as this park is really a city park and is primarily for use by local people. The Commission approved the recommendation subject to the condition that the monument be placed in a location satisfactory to the Engineer.

In this connection the Engineer suggested that title to the park should rest in the city, inasmuch as it is primarily for local use and is of no value to the state for park purposes. The Commission concurred and instructed the Engineer to confer with the city authorities relative thereto.

A. L. Schneider, General Freight Agent for the Oregon Nevada California Fast Freight, Inc., was present and asked the Commission to authorize the transportation over the Pacific Highway from the California line to Medford, of truck and trailer combination equipment having an overall length of 60 feet and having a gross weight of 68,000 pounds. He alleged that, because of the national defense program, the freight which his company is now being asked to haul has more than doubled, and in some cases tripled, within the past sixty days, and as a result the company is obliged to use additional truck and trailer units from California to Medford daily, which equipment, while legal in the state of California is not legal in the state of Oregon. He further advised that a very large percentage of the increased traffic consists of army airplane supplies assigned by the War Department for use in defence contracts, and that these consignments must go through without delay, but the company is not able to make deliveries with its present equipment without exceeding the Oregon statutory requirements. He urged the Commission to grant this privilege as a temporary proposition only, until such time as deliveries have been made on new equipment meeting the Oregon requirements that the company has already ordered, which equipment they anticipate receiving within the next 30 or 60 days. He explained that under the present set-up

his company can operate its standard equipment only as far as the Oregon line where the truck and trailer units are broken up into units that meet the Oregon requirements as to length and are then taken to Medford, where the freight is transferred to other equipment. Such procedure, he said, is not only costly but prevents the quick delivery of the freight. Their primary purpose is to avoid the consequent delays in delivery of the material that the government is in a hurry for. In this connection the Secretary presented a letter from Mr. Wm. M. McAllister, Attorney, Medford, supporting Mr. Schneider's oral request (see letter dated July 22, 1941, in General File). Chairman Cabell explained the Commission's attitude with respect to such movements, and its policy in regard to the granting of permits. After a lengthy discussion, the Engineer recommended that the Oregon Nevada California Fast Freight, Inc., be granted a thirty-day permit, authorizing isolated movements only consisting of loads that are not less than 75 per cent government defense materials, and that this permit be absolutely cancelled after the thirty days expire. The Commission approved the recommendation with the understanding that a manifest shall be carried in each truck disclosing the commodities being transported, such information being for the benefit of the State Police officers in checking the loads.

The Commission discussed the matter of permitting log hauling on state highways, starting at 12:00 o'clock midnight and ending at dusk on the same day, as has been requested by log-hauling operators from the Coos Bay district. Chairman Cabell outlined for Commissioner Oliver's benefit the arguments presented to the Commission by this delegation at the previous meeting in support of their request. After discussion the Commission voted unanimously to grant such privilege for the next ninety days as a trial proposition, and instructed the Secretary to recommend to the Public Utilities Commissioner the granting of requests for such privilege, subject to the following conditions:

1. No part of the hauling equipment or load shall extend beyond or to the left of the highway center stripe or to the left of the center of the traveled roadway in case there be no center stripe.
2. The width of the load shall not exceed eight feet and the speed of the movement on sharp curves and narrow bridges shall not exceed fifteen miles per hour. Except as to such limitations, the statutory speed limit restrictions shall control.
3. Flagmen shall be maintained by permittee at points where the logging equipment, either loaded or empty, enters upon or leaves state highways, and each flagman shall be equipped with red lanterns or other approved signaling devices to warn approaching traffic. One flagman shall be stationed on the highway approximately 300 feet on each side of the point of entrance or exit as the case may be.
4. Log hauling on state highways is absolutely prohibited between 8:00 p. m. and midnight of the same day.

5. No log hauling whatsoever shall be carried on on state highways between noon on Saturday and 1:00 a. m. on the following Monday; nor on the following holidays: January 1, May 30, July 4, Labor Day, November 11, and December 25; any holiday designated by the President of the United States or the Governor of the State of Oregon; nor on any Monday immediately following any of said holidays when such holidays fall on Sunday; nor on any Saturday morning immediately following a holiday which occurs on Friday.
6. Night-hauling of logs on state highways is strictly prohibited unless the hauling equipment is properly lighted in accordance with the legal requirements.
7. The overall length of load and equipment shall not exceed the statutory limit.
8. Night-hauling of logs shall not be permitted unless the applicant for such privilege has complied with requirements of the Oregon Motor Vehicle Laws and the Oregon Motor Transportation Act. These rules and regulations are to be considered as supplemental to such laws and regulations.
9. The violation of any of the provisions of the permit shall be considered sufficient cause for the immediate suspension or cancellation of the permit under which the equipment involved is being operated.

The Engineer brought up for discussion a procedure to be followed by the State Highway Department weighmasters in weighing logging trucks to ascertain whether or not they are carrying on their activities in strict conformance with the provisions of the statutes. In this connection the question arose whether or not such operators should be penalized for axle overloads as well as for gross overloads. The Commission decided that if an axle weight exceeds the allowable weight more than 10 per cent, then the penalty shall be the same as is now imposed for gross overloads. It was decided that such penalty shall apply to tandem-axle log-hauling equipment as well as to single-axle equipment. The Engineer was instructed to insert a clause in his instructions to weighmasters to that effect. He was also instructed to have the weighmasters report other violations of the law and report such violations to the Commission at its regular meetings when the Commission will determine the penalty that should be imposed for such violations. In this connection the Engineer recommended the cancellation of permits of log haulers who refuse to consent to the weighing of their equipment if they are within two miles of the state highway department's scales. The Commission approved the recommendation and ordered that this feature also be included in the list of instructions to weighmasters.

The Commission discussed the Engineer's report on alternate routes

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for a proposed secondary state highway extending from the Wolf Creek Highway, near Elsie, to Astoria. The report reveals that route No. 1, known as the Fishhawk Falls Route, is 29 miles in length and will cost \$1,230,000 to construct, and that route No. 2, the West Humbug Route, is 30.5 miles in length and will cost about \$1,290,000. Route No. 3, the Saddle Mountain Route, is 31 miles in length and will cost \$1,240,000. The Engineer recommended adoption of route No. 1, which extends from Humbug Creek, on the Wolf Creek Highway, to Fishhawk Falls, on the Nehalem Secondary Highway. This matter was given very careful consideration by the Commission, and as a result, the Commission decided to adopt the route recommended by the Engineer, if and when the Clatsop County Court makes formal request for such designation.

The Engineer reported that all encroachments on the North Santiam Highway, between Detroit and the Santiam Highway junction, have been removed, and that all conditions precedent to the designation of this section as a state secondary highway have been satisfied, so that the Commission can place this highway on the secondary highway system if it so desires. The Commission decided, in view of the report, to so designate this road, which is in accordance with previous understanding and agreement with the County Courts of Marion and Linn Counties. The following resolutions in respect thereto were thereupon adopted by the Commission by unanimous vote:

WHEREAS, under the provisions of Chapter 248, Laws of 1931; Chapter 196, Laws of 1935; and Chapter 529, Laws of 1939; the State Highway Commission, by mutual agreement with the respective county courts of the several counties of the State, is authorized and empowered to select, locate, and designate a system of secondary state highways, which highways shall be selected from the market roads or other county roads, or available locations or routes of the several counties; and

WHEREAS, the State Highway Commission, by mutual agreement with the Marion County Court of the State of Oregon, has selected the road or highway hereinafter named, and it is the purpose of the Commission to officially and regularly designate and adopt said highway as a highway to constitute, together with other highways heretofore adopted and/or which may hereafter from time to time be added, the system of secondary state highways under the provisions of said acts;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission, all members being present and affirmatively voting and participating, as follows:

1. That the following described market road, county road, highway, route, or location of a highway in Marion County be and the said market road, county road, highway, location, or route, hereby is selected, and designated, established, adopted and approved as a secondary state highway and shall be and hereby is designated as a part of the secondary state highway system, to wit:

A Section of the North Santiam State Secondary Highway No. 162:

Beginning at Detroit and extending easterly and southeasterly along the north bank of the North Santiam River to the Linn-Marion County line, a distance of approximately 11.1 miles.

2. That the said highway shall be and hereby is qualified for improvement under the provisions of said Chapter 248, Oregon Laws of 1931; Chapter 196, Oregon Laws of 1935; and Chapter 529, Oregon Laws of 1939; and amendments thereof.

WHEREAS, under the provisions of Chapter 248, Laws of 1931; Chapter 196, Laws of 1935; and Chapter 529, Laws of 1939; the State Highway Commission, by mutual agreement with the respective county courts of the several counties of the State, is authorized and empowered to select, locate, and designate a system of secondary state highways, which highways shall be selected from the market roads or other county roads, or available locations or routes of the several counties; and

WHEREAS, the State Highway Commission, by mutual agreement with the Linn County Court of the State of Oregon, has selected the road or highway hereinafter named, and it is the purpose of the Commission to officially and regularly designate and adopt said highway as a highway to constitute, together with other highways heretofore adopted and/or which may hereafter from time to time be added, the system of secondary state highways under the provisions of said acts;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission, all members being present and affirmatively voting and participating, as follows:

1. That the following described market road, county road, highway, route, or location of a highway in Linn County be and the said market road, county road, highway, location, or route, hereby is selected, designated, established, adopted and approved as a secondary state highway and shall be and hereby is designated as a part of the secondary state highway system, to wit:

A Section of the North Santiam Secondary State Highway No. 162

Beginning at a point on the Linn-Marion County Line near Whitewater Creek; thence in a southerly and southeasterly direction to a junction with the Santiam Highway, a distance of approximately 20.2 miles.

2. That the said highway shall be and hereby is qualified

for improvement under the provisions of said Chapter 248, Oregon Laws of 1931; Chapter 196, Oregon Laws of 1935; and Chapter 529, Oregon Laws of 1939; and amendments thereof.

The Commission also, by unanimous vote, adopted the following resolutions extending the Three Mile Lane Secondary Highway No. 152, in Yamhill County, from its present terminus at the intersection of Third Street and Johnson Street, in McMinnville, westerly along Third Street to the intersection of Third Street and Baker Street (route of the Pacific Highway West); and designating as the McMinnville Secondary Highway No. 156 the old route of the Pacific Highway West which extends north from McMinnville along Lafayette Avenue, a distance of 1.8 miles.

WHEREAS, under the provisions of Chapter 248, Laws of 1931, Chapter 196, Laws of 1935, and Chapter 529, Laws of 1939, the State Highway Commission, by mutual agreement with the respective county courts of the several counties of the state, is authorized and empowered to select, locate and designate a system of secondary state highways, which highways shall be selected from the market roads or other county roads, or available locations or routes of the several counties; and

WHEREAS, the State Highway Commission, by mutual agreement with the Yamhill County Court of the State of Oregon, has selected the highway hereinafter named, and it is the purpose of the Commission to officially and regularly designate and adopt said highway as a highway to constitute, together with other highways heretofore adopted and/or which may hereafter from time to time be added, the system of secondary state highways under the provisions of said act;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission, all members being present and affirmatively voting and participating as follows:

1. That the following named highway, route, or location of a highway in Yamhill County be and the said highway, location or route hereby is selected, designated, established, adopted and approved as a secondary state highway and shall be and hereby is designated as a part of the secondary state highway system, to wit:

A Section of the Three Mile Lane Secondary Highway No. 152, described as follows:

Beginning at the intersection of 3rd Street and Baker Street in McMinnville; thence easterly on 3rd Street to the intersection of 3rd Street and Johnson Street; a distance of approximately 0.45 mile.

2. That the said highway shall be and hereby is qualified for improvement under the provisions of said Chapter 248, Oregon Laws 1931, and amendments thereof.

WHEREAS, under the provisions of Chapter 248, Laws of 1931, Chapter 196, Laws of 1935, and Chapter 529, Laws of 1939, the State Highway Commission, by mutual agreement with the respective county courts of the several counties of the state, is authorized and empowered to select, locate and designate a system of secondary state highways, which highways shall be selected from the market roads or other county roads, or available locations or routes of the several counties; and

WHEREAS, the State Highway Commission, by mutual agreement with the Yamhill County Court of the State of Oregon, has selected the highway hereinafter named and it is the purpose of the Commission to officially and regularly designate and adopt said highway as a highway to constitute, together with other highways heretofore adopted and/or which may hereafter from time to time be added, the system of secondary state highways under the provisions of said act;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission, all members being present and affirmatively voting and participating, as follows:

1. That the following named highway, route, or location of a highway in Yamhill County be and the said highway, location or route hereby is selected, designated, established, adopted and approved as a secondary state highway and shall be and hereby is designated as a part of the secondary state highway system, to wit:

McMinnville Secondary State Highway No. 156, described as follows:

Beginning at the intersection of the Pacific Highway (West) with the former route of the Pacific Highway (West) which is an extension of Lafayette Avenue northeast of McMinnville; thence in a southwesterly direction along the former route of the Pacific Highway (West), Lafayette Avenue and Johnson Street in McMinnville to the intersection of Johnson Street and Third Street in McMinnville; a distance of approximately 1.80 miles.

2. That the said highway shall be and hereby is qualified for improvement under the provisions of said Chapter 248, Oregon Laws 1931, and amendments thereof.

The Commission adjourned at 11:50 p. m. with the understanding that additional routine matters would be disposed of on the following morning, enroute to Nyssa and Ontario.

Enroute John Day to Nyssa, Oregon, July 24, 1941

The Commission left the town of John Day at 7:15 a. m., and enroute to Nyssa disposed of the following routine matters, all Commissioners, the State Highway Engineer, the Attorney and the Secretary being present:

The Engineer discussed with the Commission partial programs for construction work on primary and secondary state highways for 1942 performance, to be paid for with state funds. After discussion the following projects were approved for the two programs, and the Engineer was authorized to work up the plans for each project and to advertise them for bids as soon as the plans are ready:

1942 STATE PARTIAL PROGRAM ON PRIMARY HIGHWAYS

County	Highway	Section and Kind of Work	Estimated Cost
<u>Divisions 1 and 2</u>			
Lincoln	Alsea	Rock Creek-West, Grade, Surface and Oil	\$75,000
Multnomah	Tualatin Valley	Sylvan-West Slope, Grade & Pave	75,000
Linn	Santiam	Lebanon-East, Grade Stabilization	75,000
<u>Division 3</u>			
Coos	Oregon Coast	Gold Beach, Pave	\$60,000
Jackson	Crater Lake	Medford-Eagle Pt., Grade & Pave	100,000
<u>Division 5</u>			
Wallowa	Enterprise-Lewiston	Enterprise-Forest Bdry., Grade, Surface & Oil	\$75,000*
Grant	John Day-Burns	Soda Mt.-South, Surface & Oil	100,000
Harney	Lakeview-Burns	Wagontire-North, Grade, Surface & Oil	100,000

*Include with previous allocation of \$47,400.

1942 STATE PARTIAL PROGRAM ON SECONDARY HIGHWAYS

County	Highway	Section and Kind of Work	Estimated Cost
<u>Divisional and 2</u>			
Lincoln	Siletz	Forest Bdry.-East, Grade & Surface	\$75,000
Linn	Scio-Lyons	Surface & Oil	25,000*
Washington	Farmington Road	Hazeldale-Hillsboro Road, 4 Miles Grade, Surface & Oil	30,000
<u>Division 3</u>			
Lane	Territorial	Smithfield-Elmira, 7 Miles, Surface & Oil	\$30,000
"	"	Veneta-Crow, 4 Miles, Grade, Surface & Oil	30,000
Douglas	Tiller-Trail	Wright Ranch-East, Grade, Surface & Oil	75,000
Coos	Powers Road	Grants Creek-Powers, Surface & Oil	50,000
<u>Division 4</u>			
Hood River	Hood River	Woodworth Acres-Bailey Road, Grade, Surface & Oil	\$50,000
Sherman	Sherars Bridge	Buck Hollow, Grade & Top	15,000
*Brought forward from previous F.A.S. programs.			
<u>Division 5</u>			
Malheur	Vale-West	Bully Creek, Grade, Surface & Oil	\$50,000**
Gilliam	Wasco-Heppner	Condon-Morrow Co. Line, Surfacing	75,000
Harney	Frenchglen	Wrights Pt.-Narrows, Surfacing & Oil	25,000
Union	Starkey	Grade & Surface	50,000**
Umatilla	Athena-Cold Springs	Grade, Surface & Oil	25,000*

*Brought forward from 1941 F.A.S. program.

**Tentative approval only.

The Commission also approved a special maintenance budget of \$450,000 for rock production projects, it being understood that the individual projects would be presented for approval as they arise.

The Commission discussed briefly the complaint of Mr. H. E. Hein, Scappoose, regarding use of a state-owned gravel pit which adjoins Mr. Hein's land on which he maintains cottages for rent. Mr. Hein contends that the continued use of this gravel pit by the state is devaluating his property and

is creating a dangerous condition for his tenants. The Engineer advised that the gravel pit is not a new one, having been used for many years by Columbia County, and was acquired by the state from the county in 1940 for use in connection with reconstruction of the Lower Columbia River Highway. Since acquisition of the quarry, he said, the highway contractor has been removing materials for his work, but his operations are now practically complete; furthermore, the quarry has been fenced, so in his estimation Mr. Hein has no further cause for complaint. Action on this matter was deferred by the Commission pending personal inspection of the premises by Chairman Cabell.

The Commission discussed matters pertaining to the Annual Convention of the American Association of State Highway Officials, which is to be held in Detroit, Michigan, September 29 and 30, and October 1 and 2, 1941. It was decided that all three members of the Commission, the State Highway Engineer, the Assistant State Highway Engineer, and the Attorney should attend this meeting at state expense, if Governor Charles A. Sprague approves.

The Attorney requested authority to print a compilation of the laws of the State of Oregon affecting roads and highways, including those enacted by the 1941 Legislature. He estimated the cost of printing 1,000 copies of such compilation at approximately \$1,000. The Commission approved the request.

The Engineer requested authority to advertise the following projects for bids to be received by the Commission at the special meeting of the Commission to be held in Portland about the middle of August:

Project	Class Of Funds	Estimated Cost
Structural Steel, Morrison Street Bridge	40 FA	\$ 6,500
South Milton, Roadside Improvement	42 FA	2,200
Shaniko-Cow Canyon (W. Unit), G., S. & Oil	42 FA	121,000
Fisher Road-Oak Hill, Grad., Surf. & Oil	41 FAS	33,900
Banzer Bridge-Mist, Grad., Surf. & Bit. Mac.	42 FAS	82,000
Wrights Point-Narrows (N. Unit), Grad. & Top.	41 State	28,000
Middle Unit, Crabtree Corner-Lebanon, G. & P.	41 State	75,000
Forest Boundary-Reed Creek, Siletz Sec. Hwy.	41 State	115,000
Grading, Surfacing & Oiling		

The Commission approved the request and thereupon set the date for such meeting as Thursday, August 14.

The Commission discussed and referred to the Engineer for additional information a request from the United Contracting Company for relief from payment of the full amount of the penalty imposed on them by the Commission for failure to complete their contract No. 2340, for the construction of the Corvallis-Lincoln School Section, in Benton County, within the specified time limit.

The Commission reconsidered its claim against Charles J. Rohkonen for damages that occurred to state equipment as a result of Mr. Rohkonen driving his car into such equipment. The Attorney advised that he has had some

correspondence with Senator F. M. Franciscovich, Mr. Rohkonen's attorney, with respect to the claim, and learned that Mr. Rohkonen has no funds whatsoever and that it would be absolutely impossible for him to pay the claim. In view of this report the Commission decided that it would be useless to make any further effort to collect, and instructed the Attorney to let the matter drop.

The Commission discussed, and referred to the Attorney for advice, the claim of the Gault Lumber Company for damage to a bridge on a privately-owned road connecting with the Siuslaw Highway, which it is alleged was destroyed last year during the progress of highway construction work at this point.

The Commission discussed briefly matters pertaining to its authority under the provisions of Chapter 297, Oregon Laws of 1941, whereby there was created the Old Oregon Trail Centennial Advisory Commission, and there was appropriated from the State General Fund the sum of \$15,000 for disbursement under the direction of the State Highway Commission in commemorating the Old Oregon Trail. The Attorney pointed out that the bill provides for the appointment of a commission to be known as the "Old Oregon Trail Centennial Advisory Commission", and that it also places certain responsibility on the State Highway Commission. The Commission considered a conference between the two commissions desirable for discussion of matters of mutual concern, and accordingly ordered that the Old Oregon Trail Centennial Advisory Commission be invited to meet with the Highway Commission at its next regular meeting for such purpose.

The Commission discussed a letter from the Attorney with respect to its authority over advertising signs placed on state highway routes through incorporated cities and towns, but deferred action thereon pending a report from the Attorney as to what cities and towns in Oregon now have ordinances covering this feature. The Attorney was instructed to secure such information.

The Commission also discussed the advisability of modifying its present policy with respect to the construction of culverts under private road approaches to state highways, and decided to make no change in such policy; however, ordered that hereafter, in each instance, a party desiring to install such type of culvert shall first obtain a permit from the State Highway Commission before commencing construction of the culvert.

The matter of conducting snow-removal operations on roads leading to the Anthony Lakes Recreational Area, in Baker County, for the benefit of winter sports enthusiasts, was discussed by the Commission. The Engineer advised that for the most part such roads are not on the state highway system and that the forest section has not been constructed to standards that would permit operation of modern, snow-fighting equipment; further, that the road is a stub-end road simply extending into the forest and does not connect with any other road and, in his estimation, to conduct snow-removal operations thereon is not an economically sound undertaking. The Commission deferred a decision in the matter pending a conference with interested local citizens later in the summer.

The Commission had under consideration the closure of Contract No. 1594 entered into by the State Highway Commission with Mr. Joseph H. Anderson on January 30, 1934, for the construction of a certain bridge over Mill Creek in the town of Aurora.

It appears that Mr. Anderson has filed a claim for damages occasioned by the fact that he was not permitted to commence work at the time contemplated due to the failure of Marion County to procure the necessary rights of way. This claim is in the sum of \$3,975. Offsetting this, the state has a claim in the amount of \$1,519.37 against Mr. Anderson for certain surfacing which was performed on his contract by state forces.

This controversy with Mr. Anderson has dragged along from year to year, and the state has repeatedly and diligently attempted to make an equitable settlement.

The Engineer reported that he had very carefully examined the contractor's claim for damage, and could only find justification for \$1,350 as against the sum of \$3,975 claimed. The Attorney reported that he had checked the Engineer's report and was in substantial agreement with it but that on July 13, 1939, he had written Mr. Anderson, stating that he would be willing to recommend to the Commission that the claim be settled in the amount of \$1,519.37, which would close the books, this last sum being the exact amount of the state's claim against Mr. Anderson.

It appears that under date of July 14, 1939, Mr. Anderson's attorney (Mr. Howard P. Arnest) refused this offer but made a counter offer to settle in the amount of \$2,519.38, this proposed settlement being exactly \$1,000 greater than the state's offer.

Both the Engineer and the Attorney stated that they considered this last offer unreasonable and recommended, in view of the state's inability to settle this controversy, that authority be given to the Engineer to close the books on this project.

After some discussion the Commission unanimously approved the recommendation and considered the transaction closed unless it becomes necessary to reopen it in the event of litigation.

The Commission discussed the claim of Oren D. Lynch, for repairs to his truck and trailer which were damaged by a falling rock on the Santiam Highway, near Sheep Creek ridge on July 9, 1941. The Engineer advised that one of the highway department's maintenance crews was engaged in removing some slide material above the highway at this point with a bulldozer, and it so happened that part of this material contained a large rock which rolled down the bank and struck Mr. Lynch's truck, causing damage to the truck, and the trailer attached to it, necessitating repairs costing \$47.19. The Attorney advised that this class of accident is not protected by the insurance the state carries on its equipment, so if the Commission acknowledges the liability and approves

payment of the claim, it would have to be paid under authority of Subsection 15 of Section 100-115 O. C. L. A. The Engineer recommended payment of the claim. The Commission approved the recommendation.

The Commission had under discussion the adoption of a policy with respect to the collection of damages for injuries caused to highways by farm equipment. The Attorney advised that the law provides that people who damage highways by movement thereover of farm machinery are liable for the damage, although as far as he knows the statutory liability has never been enforced. After discussion the Commission ordered that such claims be collected and that suit be instituted to collect, if necessary, and that such procedure be followed hereafter in cases of this kind.

The Commission discussed and approved the State Highway Engineer's press release with respect to a proposal to reduce the license fees of passenger motor vehicles and light delivery trucks from \$5.00 to \$2.00 per year. (See statement in General Files for details.)

The Commission approved and signed a joint letter with the District Engineer of the Public Roads Administration and the United States Regional Forester, revising the fiscal year 1941 forest highway program as agreed upon at the conference held in Portland on July 17, 1941.

The Commission also approved and signed a second modification of the agreement with the federal government, covering construction and maintenance of the Beech Creek-Forest Boundary Section of the Pendleton-John Day Highway, in Grant County.

A letter was presented from Mr. Carl H. Coad, Nyssa, offering objections to the improvement of the county road which extends southeasterly from Vale to a junction with the Nyssa-Adrian Secondary Highway, and stating his preference for the improvement of feeder roads out of Nyssa. The Secretary was instructed to inform Mr. Coad that the Commission is obliged to consult with the county courts with respect to county road improvements, inasmuch as they are the official bodies that represent the people of the counties, and must respect the wishes of the county courts regarding such improvements, otherwise chaos would prevail; however, the Commission will be pleased to bear Mr. Coad's suggestions in mind in the formulation of a program for county road improvements in Malheur County.

The Commission discussed a copy of a letter from E. P. Leavitt, Superintendent, Crater Lake National Park, to the H. M. Gousha Company, map makers, Chicago, in which Mr. Leavitt suggests that the route numbers of certain state highways, viz., Nos. 62, 209, and 232, respectively, that are now shown on the copies of the road map of Oregon, be deleted therefrom insofar as they are within the park boundaries, and that there be substituted therefor a note to the effect that the state highways end at the park line and all highways within the boundaries of Crater Lake National Park are constructed and maintained by the National Park Service. The Commission appeared favorably inclined to the suggestion; however, deferred action in the matter pending a

report from the Engineer, who gave as his thought that the numbers should not be eliminated because they represent travel routes which are important to motorists who are not familiar with the roads in this state.

A letter was presented from the Lower Columbia Associated Chambers of Commerce asking information as to which highways of the state of Oregon are to be included in the proposed national strategic network of highways. The Secretary was instructed to reply that a number of consultations have been held with respect to the strategic highway system in Oregon, and a system has been tentatively selected, although not yet approved by the United States War Department, and until such approval has been given, the Commission does not feel at liberty to make the information public.

The Commission also discussed another letter from the Lower Columbia River Associated Chambers of Commerce requesting information as to the Commission's plans for the further improvement of the Lower Columbia River Highway, between Rainier and Astoria. The Secretary was instructed to reply that the Commission has not yet formulated plans for such improvement.

The Commission discussed and ordered filed for future consideration a letter from C. H. Demeray, Chairman of the Highway Committee of the Grants Pass and Josephine County Chamber of Commerce, advising that the Chamber of Commerce has discussed matters pertaining to the proposed Medford Army Cantonment and is of the opinion that the program as outlined with respect to roads will meet with the approval of both the army authorities and the citizens of Jackson and Josephine Counties.

The Secretary presented a letter from the U. S. No. 95 Highway Association advising that the association has gone on record as favoring the placing of signs on the highway on both sides of the Snake River to properly indicate junctions and access roads to Weiser, Payette, Nyssa and Ontario. The Commission referred this letter to the Engineer to discuss with the State Highway Engineer of Idaho.

A request was presented from the Adrian Commercial Club, Adrian, Oregon, for the oiling of two county roads in Malheur County, viz., one through the Big Bend district to connect with the Wilder oiled road, and the other through the south Owyhee district to connect with the Homedale oiled road. It was alleged that these roads are both used by high school busses, are in very bad condition, and are difficult to travel over, especially during the winter months; also, that the people living in these communities prefer to trade in Oregon, but on account of road conditions are obliged to give their business to Idaho merchants. The Engineer advised that both roads referred to are county roads under the jurisdiction of the county court of Malheur County. The Secretary was instructed to inform the Commercial Club that its request will be considered in the formulation of future county road programs in Malheur County, but the Commission is obliged, under its present policy, to discuss such matters with the county courts, which are the governing bodies of the counties and to whom the Commission must look for advice on county road matters.

A resolution was presented from the Board of Surveyors of Siskiyou County, California, in which the Highway Commission was asked to join with the Highway Department of the State of California in a request to the U. S. Forest Service for the designation as a Number 3 Forest Service Road of the Happy Camp-O'Brien Road, which extends from Happy Camp, in Siskiyou County, California, to Waldo, Oregon, and is now designated as a forest trail. It appears that the designation of this road as a Number 3 Forest Service Road will make it possible for the U. S. Forest Service to improve it. The Commission decided not to join in this request unless the Forest Service intends to undertake a major improvement of the road in California.

The Commission discussed and ordered filed an editorial from the Klamath Falls Basin Progress concerning the proposed improvement of South Sixth Street, particularly declaring that any plan for the improvement of this street which does not include improvement of the South 6th Street viaduct will be to a large extent a waste of money and effort.

A resolution was presented from the Union County Pomona Grange favoring the seeding of highway slopes with Oregon-grown grass seed adaptable to the locality in which the seed is to be planted. The Engineer advised that the suggestion is in conformity with the practice now being followed by the Highway Department. The Secretary was instructed to so inform the Grange.

The Commission discussed a letter from John W. Cunningham and Associates, Engineers who are making studies for a proposed U. S. Army cantonment between Corvallis and Monmouth, requesting that the Highway Department conduct surveys as may be necessary for the relocation of U.S. 99W (Pacific Highway West), from Rickreall to Corvallis, to accommodate the cantonment. The Commission expressed a desire to cooperate in this matter as much as possible, and thereupon authorized the Engineer to make the surveys if the U. S. Army will pay the costs involved.

A report was presented from the Department of State Police with respect to log-hauling operations over Alsea Mountain, on the Alsea Highway. According to the report a number of loads of logs were observed to determine whether or not such operations created a hazard to the general traveling public, and it was found that in no instance could the loads be hauled over this mountain without some part of the equipment or load extending over the center line of the highway at the numerous curves, and it was the opinion of the police officer who made the observations that such operations on this section of the highway are a hazard to other traffic and that a bad accident might occur to an unsuspecting motorist who was not aware of the log-hauling operations. The Engineer advised that this report was made at his request because of complaints that he had received of conditions, and he recommended an allocation of funds to improve the highway when such funds can be spared from other projects. The Commission concurred in the Engineer's viewpoint, but decided to wait until a future meeting before deciding which section should be improved.

The Commission discussed and denied a request from William Raymond, Klamath Falls, for permission to truck-haul logs over a one-mile section of the Klamath Falls-Lakeview Highway, near the town of Bly, on Saturday afternoons.

The Commission confirmed the Engineer's reinstatement of the log-hauling permits of Standley Brothers, Camas Valley, and Nick Marsh, Port Orford, which permits were heretofore cancelled because of violations of the rules and regulations of the Public Utilities Commissioner, particularly the rule which prohibits the transportation of loads weighing in excess of those permitted by the Oregon statutes.

The Commission discussed the question whether or not to continue the present practice of requiring log haulers to furnish excess insurance coverage for the protection of the general traveling public and the members of the State Highway Commission, in cases where the overall lengths of the loads exceed the statutory length limit. The Secretary advised that the present practice is to require insurance protection in the amount of \$50,000/\$100,000 public liability, and \$10,000 property damage. The Commission decided to reduce the amount of such insurance to \$20,000/\$40,000 public liability and \$5,000 property damage, and to require all log haulers to furnish such amount of insurance, regardless of the overall length of the load. This matter is to be discussed with the Public Utilities Commissioner, who is to be asked to secure such amount of insurance from all log haulers. In the event the Public Utilities Commissioner offers objections to such arrangement, then a conference is to be arranged with him for further discussion of the matter.

The Engineer brought up for discussion Motor Ruling No. 26, promulgated by the Public Utilities Commissioner, relative to the question, "May a special carrier, transporting logs, poles or piling, declare, at the time of obtaining his permit, in excess of 54,000 pounds and include in such declaration 10 per cent thereof, or up to 59,400 pounds?" He advised that the Public Utilities Commissioner has ruled that the Commissioner can accept such a declared weight, as it is a lawful weight under Section 115-390, O.C.L.A., and he considers it proper to do so because of the constant loading of logs, poles or piling in excess of 54,000 pounds by many special carriers who did not pay fees for the highway use in excess of 54,000 pounds. The Engineer advised that he does not concur in the ruling, and he does not believe that the Public Utilities Commissioner can legally accept declared weights in excess of 54,000 pounds, notwithstanding that the applicant may pay the required fee. He requested instructions from the Commission relative thereto. After discussion, the Commission instructed the Engineer to arrange for a conference with the Public Utilities Commissioner on this matter.

The Commission discussed and by unanimous vote adopted the following supplemental rules and regulations to be recommended to the Public Utilities Commissioner for use in connection with the issuance of log-hauling permits, and instructed the Secretary to forward a copy of the same to the Public Utilities Commissioner for his information. (These regulations are supplemental to those printed by the Public Utilities Commissioner as effective June 15, 1941.)

Unless special permission is obtained from the State Highway Commission, the hauling of logs, poles or piling is prohibited on Saturday afternoons, Sundays, during hours of darkness, except as provided

under Section 13a of this permit, and on the following holidays: January 1st, May 30th, July 4th, Labor Day, November 11th, December 25th, also any holidays designated by the President of the United States or the Governor of the State of Oregon; also the Monday immediately following any of the above-mentioned holidays that occur on Sunday, and Saturday morning immediately following any of such holidays that occur on Friday.

During that portion of the year when daylight occurs later than 6:00 a. m. and ceases prior to 8:00 p. m., logs may be transported over state highways during the period from 6:00 a. m. to 8:00 p. m. regardless of whether or not darkness prevails during all or any portion of such period, provided however that the hauling equipment and load shall be equipped with and shall display lighted lamps and illuminating devices conforming with the provisions of Sections 115-367, 115-370, 115-372, 115-373, 115-374, and 115-375, O.C.L.A.; and Section 115-368, O.C.L.A., as amended by Chapter 69, Oregon Laws, 1941; and Section 115-369, O.C.L.A., as amended by Chapter 129, Oregon Laws, 1941, and Section 115-371, O.C.L.A., as amended by Chapter 58, Oregon Laws, 1941.

Operators of all logging trucks shall consent to the inspection and weighing of their loads on state-owned scales whenever so requested by "weighmasters" in the employ of the State Highway Commission, if the scales are not more than 2 miles distant. Signs will be erected at the scale sites requesting all logging trucks to stop at the scales. The refusal of any operator to allow his truck to be inspected or weighed shall be cause for the immediate suspension or cancellation of the permit under which he is operating.

A truck loaded with logs shall not follow another similarly-loaded truck closer than 300 feet except when overtaking and passing another, and no truck carrying a load of logs shall pass another similarly-loaded truck on an ascending grade. A passing maneuver shall not be attempted at any point unless there is a clear vision of the road ahead for at least one-half mile.

The speed of any logging truck, either with or without load, shall not exceed 15 miles per hour on sharp curves and/or narrow bridges.

The violation of any of the regulations hereinabove set forth shall be considered sufficient cause for the immediate suspension or cancellation of the permit under which the equipment involved is being operated.

A letter was presented from the Elliott Transfer Company, Astoria, requesting modification of the Commission's rule which requires log haulers

to report to state scales upon request of weighmasters, when they are within a distance of two miles from the scales. Mr. Elliott advised that his unloading dump is located approximately 1,000 feet west of the scales at Grande Ronde, and under the present arrangement the trucks are required to travel about 2,000 feet more than is necessary, causing him extra expense as well as loss of several loads of logs daily. The Commission denied the request.

The Commission discussed and approved the following regulations covering special movements other than logs, poles or piling, over state highways involving length, width, and/or height in excess of the limits allowed by statute, and ordered that such regulations be included hereafter in permits issued to cover such movements.

1. Movements shall not extend beyond or to the left of the highway center-line stripe or to the left of the center of the traveled roadway if there be no such center stripe, unless the movement is an emergency and such feature is covered by a special provision in the permit.
2. Speed of movements shall not exceed fifteen miles per hour on sharp curves and bridges.
3. Flagmen must be maintained at the point where the load enters the state highway and where it leaves the state highway. Flagmen must also accompany the movement at sharp curves, across narrow bridges, and at other points where sight distance along the highway is impaired. Where the movement is across any highway bridge structure with impaired vertical or horizontal clearance, the movement shall occupy the center of the roadway and a flagman shall be stationed at each end of the bridge to prevent other traffic from using the structure until it is cleared.
4. Special movements are prohibited on Saturday afternoons, Sundays, during hours of darkness, and on the following holidays: January 1, May 30, July 4, Labor Day, November 11, and December 25; also on any holiday designated by the President of the United States or the Governor of the State of Oregon; and on any Monday immediately following said holidays when such holiday falls on Sunday and on any Saturday morning immediately following a holiday which occurs on a Friday.
5. Special liability insurance in the amount of \$50,000/\$100,000 and property damage insurance in the amount of \$10,000 shall be furnished by the permittee in connection with permits for overall lengths in excess of 50 feet and for overall widths in excess of 12 feet.
6. Permittee shall be held responsible and liable for injury or damage that occurs by reason of movements under his permit and he shall also be held responsible and liable for injury or damage that occurs to the highway or any bridge structure by reason of the movement.

7. The trailer used in connection with movements involving overall length in excess of 75 feet shall be equipped with hand-steering device. .

Consideration was given by the Commission to the following requests for extensions of time within which to complete highway construction projects:

Kern & Kibbe, contract No. 2327, for the construction of Sunset Tunnel Section on the Wolf Creek Highway, in Washington County, requested an extension of time of thirty-two days, from July 31 to September 1, 1941, within which to complete this job. They attributed their failure to complete the project within the specified time limit to orders received from the State Highway Engineer to defer painting of the tunnel until such time as weather conditions were favorable for such work. The Engineer advised that the project, except for the paint work, was completed in April, and the contractor was instructed to defer painting work until the driest condition prevailed during the summer months. He recommended, in view thereof, that the extension of time requested be granted without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

Chester T. Lackey, contract No. 2377, for grading and surfacing the Burns Section of the Central Oregon Highway, in Harney County, requested an extension of time of eight days, from June 15 to June 23, 1941, within which to complete this job. He attributed his failure to complete the project within the specified time limit to adverse weather conditions, stating that the roadbed was too spongy to roll and it was necessary for him to defer such operations until the roadbed had dried out. The Engineer advised that Mr. Lackey's operations were delayed because of rain which softened the subgrade to the extent that the surfacing could not be finished; however, such condition did not start until the time for the completion of the job had expired, and if Mr. Lackey had carried on his work expeditiously prior to that time, he could have completed the job within the specified time limit and avoided the rainy spell. He recommended, in view of the circumstances, that the extension of time requested be granted, but that Mr. Lackey be charged with the extra engineering expense incurred by the state subsequent to the specified date of completion of the project. The Commission approved the recommendation.

G. L. Potts, contract No. 2381, for construction of three culverts on the Lower Columbia River Highway, the Tualatin Valley Highway and the Beaverton-Aurora Secondary Highway, in Multnomah and Washington Counties, requested an extension of time from January 31 to June 18, 1941, within which to complete this job. Mr. Potts alleged that all work in connection with the job, with the exception of some shoulder work and cleaning up of the sites, was finished by May 25, and it was not possible for him to do the finishing work until the middle of June because of other pressing work. The Engineer advised

that the contract called for the completion of the work by January 31, 1941; however, weather conditions were such that the work could not go forward as planned without undue inconvenience to the traveling public, so the contractor was ordered to close down the work on December 20 for the remainder of the winter season. Work on the project, he said, was resumed on March 21; however, the cleaning up of the sites was not completed until June 18. The delay in completing the project, he added, was primarily for the accommodation of the state, and, in view thereof, he recommended that the extension of time requested be granted without penalty. The Commission approved the recommendation.

F. C. Dillard, contract No. 2383, for furnishing crushed materials in stock pile for the Lincoln County Line-Alsea Mountain Section of the Alsea Highway, in Benton County, requested an extension of time of 15 days from May 31 to June 15, 1941, within which to complete this job. He attributed his failure to complete the project within the specified time limit to adverse weather conditions in April and May and to an increase in the quantities of materials to be stock piled. The Engineer advised that the reasons given by the contractor for failure to complete the project within the specified time limit are correct. He recommended that the extension of time requested be granted without penalty. The Commission approved the recommendation.

J. F. Johnston, contract No. 2387, for construction of the Nashville Bridge on the Eddyville-Blodgett Secondary State Highway, in Lincoln County, requested an extension of time of thirty days from June 30 to July 30, 1941, within which to complete this job. He attributed his failure to complete the project within the specified time limit to adverse weather conditions, which were unfavorable for grading the approaches to the bridge. The Engineer advised that the bridge structure was completed well ahead of the contract completion date and in ample time for the contractor to have completed the grading and surfacing of the approaches; however, the latter work was carried on in a very dilatory manner, resulting in an overrun of the contract time. He recommended, in view of the circumstances, that the extension of time requested be granted, but that the contractor be required to reimburse the state for extra engineering expense incurred against the project subsequent to the specified date of completion. The Commission approved the recommendation.

Birkemeier & Saremal, contract No. 2452, for installation of new expansion plates on the Interstate Bridge on the Pacific Highway, between Portland and Vancouver, requested an extension of time of ten days, from June 30 to July 10, 1941, within which to complete this job. They alleged that their failure to complete the contract within the specified time limit was due to the fact that they were required to do considerable extra work. The Engineer advised that the reason given by the contractor for failure to complete the project within the specified time limit is correct. He recommended that

the extension of time requested be granted, without penalty. The Commission approved the recommendation.

The Engineer reported that contracts Nos. 2242, 2345, 2352, 2360, 2365, 2370, 2376, 2377, 2381, 2383, 2406, 2407, 2413, 2416, 2419, 2443, and 2461, for the construction of state highway projects, have been completed according to the requirements of the contracts or modifications thereof, and that said jobs are now ready for acceptance. The following resolution accepting the above projects was offered and adopted by the unanimous vote of the Commission:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts, and that said jobs are now ready for acceptance:

Contract No. 2242, with E. C. Hall, for furnishing 15,900 cubic yards of crushed rock in stock piles on the Mt. Hood Section of the Mt. Hood and Wapinitia Highways, in Clackamas and Wasco Counties. Completed June 25, 1941.

Contract No. 2345, with Leonard and Slate, for grading, surfacing and oiling the East Unit, Shaniko-Cow Canyon Section of the Sherman Highway in Wasco County. Completed June 14, 1941.

Contract No. 2352, with A. Milne, for grading and bituminous macadam surfacing on the Brookings Section of the Oregon Coast Highway, in Curry County. Completed July 12, 1941.

Contract No. 2360, with A. Milne, for grading, surfacing and oiling on the South Newport Section of the Oregon Coast Highway, in Lincoln County. Completed June 28, 1941.

Contract No. 2365, with Melhutt Bros., for grading and bituminous macadam surfacing on the Troy Ranch Section of the Old Oregon Trail Highway, in Baker County. Completed May 17, 1941.

Contract No. 2370, with Fisher Bros., for grading, surfacing and oiling the Bryant Hill-Trout Creek Section of the Santiam Highway, in Linn County. Completed July 3, 1941.

Contract No. 2376, with Fife & Company, for construction of maintenance patrolmen's headquarters on the John Day Highway at Seneca, in Grant County. Completed June 25, 1941.

Contract No. 2377, with Chester T. Lackey, for grade-widening and surfacing on the Burns Section of the Central Oregon Highway, in Harney County. Completed June 21, 1941.

Contract No. 2381, with G. L. Potts, for three culverts on the Lower Columbia River Highway, the Tualatin Valley Highway and the Beaverton-Aurora Secondary Highway, in Multnomah and Washington Counties. Completed June 17, 1941.

Contract No. 2383, with F. C. Dillard, for furnishing 8,000 cubic yards of crushed materials in stock piles on the Lincoln County Line-Alsea Mountain Section of the Alsea Highway, in Benton County. Completed June 12, 1941.

Contract No. 2406, with Frank Penepacker, for grading and topping on the Boardman-Umatilla County Line Section of the Old Oregon Trail Highway, in Morrow County. Completed June 25, 1941.

Contract No. 2407, with Norris. Bros., for surfacing and oiling the Owyhee River-McDermitt Section of the I.O.N. Highway, in Malheur County. Completed July 5, 1941.

Contract No. 2413, with M. L. O'Neil & Sons, for furnishing 8,000 cubic yards of crushed material in stock piles for the Hendricks Bridge-Silver Creek Section of the McKenzie Highway, in Lane County. Completed June 25, 1941.

Contract No. 2416, with A. S. Wallace, for furnishing 7,350 cubic yards of crushed rock in stock piles on the Endicott Creek-Bear Creek Section of the Coos Bay-Roseburg Highway, in Coos and Douglas Counties. Completed June 14, 1941.

Contract No. 2419, with E. C. Hall Co., for surfacing and oiling the Catherine Creek-Miles Bridge Section of the Medical Springs Secondary Highway, in Baker and Union Counties. Completed June 18, 1941.

Contract No. 2443, with O. C. Yocom, for surfacing the Foster-Cascadia Section of the Santiam Highway, in Linn County. Completed June 10, 1941.

Contract No. 2461, with J. C. Compton, for oil mat wearing surface on the Mountain Rest-Mt. Vernon and Butte Creek-Service Creek Sections of the Pendleton-John Day, Beech Creek Secondary and John Day Highways, in Grant and Wheeler Counties. Completed July 7, 1941.

THEREFORE, BE IT RESOLVED that the work covered by said state highway contracts for the construction of said state highway projects

be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

The Commission confirmed Thursday and Friday, September 4 and 5 as the date for its next regular meeting to receive bids, and Thursday, August 14, as the date for an interim meeting of the Commission, to receive bids for special projects. The Secretary was instructed to make arrangements to hold such meetings in the auditorium of the Public Service Building, Portland.

Nyssa, Oregon, July 24, 1941

The Commission arrived at Nyssa at 10:15 a. m., Pacific Standard Time (11:15 a. m. Mountain Time), and immediately conferred with the local delegations in the office of Mr. Frank Morgan, Secretary of the Nyssa Chamber of Commerce. Present at such meeting were: all three Commissioners, the State Highway Engineer, the Attorney, and the Secretary.

Mr. Morgan headed the local group, which included J. C. Olson, Mayor; J. E. Ostrom, Councilman; and Mr. Norcott, of Nyssa; Messrs. Lou Collins and Kay Johnson, Union Pacific Railroad Company; Sam R. Scott, Mayor, Jordan Valley; Geo. S. Parks, Councilman, Jordan Valley; and Marion Wroten, Jordan Valley; County Judge David F. Graham, Malheur County; Mr. Hartley, representing the Oregon State Grange; Ed Henderson; and others.

Mr. Morgan asked the Commission to complete the construction of the I.O.N. Secondary Highway (U.S. Highway No. 95), particularly the oiling of the forty-mile section between Rome and Jordan Valley which has already been graded and surfaced, and the construction of the thirteen-mile section between Jordan Valley and the Idaho state line. He called on members of the delegation to present arguments in behalf of this request. Mr. Wroten and Mayor Scott urged these improvements and especially the construction of the section north of Jordan Valley, in behalf of the Jordan Valley delegation. Chairman Cabell responded by stating reasons why the State Highway Commission is unable to make greater progress on this project. He advised that the I.O.N. Highway is on the tentative strategic system of military highways, for which the federal government is now considering an appropriation of federal moneys to finance needed improvements, and if the funds materialize the I.O.N. Highway, in his estimation, would be a good place to put some of them; however, the Commission is not in position at this time to make a definite commitment relative thereto, because the strategic highway system has not yet been approved by the government officials. He predicted that the federal moneys would be made available so that the work could go forward in 1942. Mayor Scott urged the Commission to construct the section between Jordan Valley and the Idaho state line as its first project. The first five miles north of Jordan Valley, he said, are now in fair condition, and if the Commission cannot see its way clear to finance the entire improvement, then it would help a lot if the Commission would build the section north of this five-mile unit. He was

informed that the Commission would bear his request in mind when the allocation of funds is made. This completed the discussion of the I.O.N. Highway.

Mr. Morgan then brought up for discussion the paving of Main Street, in Nyssa. (State highway route). He was informed by Chairman Cabell that the Commission has approved this project and will probably award the contract for the work some time this fall or winter. In any event the earliest the contract could be let is in October, on account of the time that it takes to prepare plans and specifications.

Mayor Olson advised that the City of Nyssa has voted \$15,000 to pay for a new water system and it is imperative that they have detailed information with respect to the highway paving work so they can arrange for the construction of their water system in conformity therewith. The State Highway Engineer stated that the construction work would not interfere with the highway work if it is entirely completed before the paving work is started. He suggested that the city proceed with the water system installation at once, and when the work is completed, send notification thereof to the State Highway Department, when the contracting of the paving work could go forward. He pointed out that such procedure would avoid delays to the paving contractor. After further discussion of this matter it was arranged that the city would forward to the Engineer a copy of the plans for its water system. These are to be checked by the Engineer to see if they fit in with the highway improvement, and it was understood that the State Highway Engineer would arrange for Division Engineer W. C. Williams to discuss the details with the City Engineer.

Mr. Morgan then brought up for discussion the matter of constructing a new bridge over the Snake River at Nyssa, to replace the existing structure which, he said, is an old, two-traffic-lane bridge in a very bad state of repair. He asked for a four-lane structure. In the discussion it was pointed out that the existing bridge cost \$30,000, was built in the fall of 1911, and was paid for with funds contributed by the state, Malheur County, and the City of Nyssa; further, that it was redecked in 1926 but has had nothing done to it since then. Chairman Cabell advised that this bridge is only one of several in the same category between the States of Oregon and Idaho, and before the Commission can make a definite statement with respect to any of them, a study of the entire situation must be made and the priority status of each bridge determined. He did not indicate when such study would be made.

At 12:15 p.m. (Mountain Time) a recess was taken to permit attendance at the festivities in connection with the completion of the Nyssa Underpass structure and the new Union Pacific depot in Nyssa. The meeting was resumed at 1:45 p. m. in the same room.

Mr. Hartley brought up for discussion the proposed improvement of the county road known as Lytle Boulevard, which extends from Vale to Adrian. He gave as his understanding that the Highway Commission has allocated certain funds for oiling this road and urged the Commission to reconsider the matter and reallocate the funds for the oiling of roads in the immediate vicinity of Nyssa. He pointed out that the Commission now has under contract the oiling of a six-mile section of Lytle Boulevard, starting at Owyhee and extending westerly and northerly therefrom to a point about one mile south of the junction with the road that leads to a place known as Enterprise. He suggested that, instead

of allocating further funds for the improvement of Lytle Boulevard, the Commission improve Enterprise Avenue, which is about three miles in length, and extends easterly from Lytle Boulevard to a connection with the Nysse-Adrian State Secondary Highway. He urged this project as a preference project on account of the heavy traffic that it carries, alleging that travel over this road is much heavier than on other roads in the vicinity; that it will serve many more people, and will be of much greater benefit and convenience to the local citizens than further improvement of Lytle Boulevard. The matter was discussed at considerable length, during which Chairman Cabell explained that it is the practice of the Commission to consult with the county courts of the respective counties relative to the improvement of county roads, because the county courts are the official public bodies and are in charge of the county roads in the respective counties. The Commission, he said, carefully considers the suggestions made by the county courts before it makes its allocation of funds. However, the Commission is always glad to have the point of view of individuals, as well. He also pointed out that Lytle Boulevard is on the federal aid secondary highway system, whereas, Enterprise Avenue is not on such system; that it is contemplated to use federal moneys to finance additional improvements to Lytle Boulevard; and that the Commission is not in position to make any change in the present plans until such change is approved by the federal authorities. There is also the question, he said, which improvement will provide the most good to the greatest number of people—the improvement of Enterprise Avenue or the further improvement of Lytle Boulevard, which is the main road leading from this district into Vale, the county seat. County Judge Graham suggested that the Commission inspect Enterprise Avenue in order to get first-hand information. The suggestion was approved by the Commission, and the meeting was thereupon adjourned at 2:00 p. m. with such inspection being made immediately thereafter, following which the Commission motored to Ontario.

Ontario, Oregon, July 24, 1941

At 3:00 p. m. the Commission conducted a public hearing in the Ontario City Hall, relative to the rerouting of the Old Oregon Trail along First Avenue West in that city, all Commissioners being present and participating. Fifteen local citizens were present, including Mayor Elmo V. Smith; George Aiken, Editor of the Ontario Argus; Fred W. Canfield; F. P. Ryan, City Recorder; Joe Lane, Attorney; Messrs. Boyer; W. J. Pinney; George Merritt, owner of the Moore Hotel; R. W. Jones; Jackson and Dr. Mann.

Chairman Cabell called the meeting to order and explained its purpose. The State Highway Engineer exhibited a map showing the proposed rerouting of the highway, and explained the engineering features involved. He pointed out that the Commission is faced with the problem of determining the extent of the change—should it be limited to the four blocks extending south from Idaho Street to Fourth Avenue or should it include the improvement of the section north of Idaho Street to a connection with the existing highway at the north city limits. Chairman Cabell then advised that the Commission is inclined to make the change requested, but considered it advisable first to secure an expression from the local people concerned. He then asked those present to express themselves relative thereto.

Mayor Smith advised that they were principally concerned with the rerouting of U.S.28 south of Idaho Street, that they would like this section

routed along First Avenue West from Fourth Avenue to the connection with U.S.30 on Idaho Street, and would like to have these four blocks improved, together with the one block on Idaho Street between West First Avenue and Oregon Street. He also stated that he believed that the change north of Idaho Street would be a project for the future.

Mr. Jones inquired as to the width of the proposed improvement and was informed by the Engineer that plans call for four traffic lanes for moving traffic and two parking lanes, which would require right of way at least 80 feet wide. He pointed out that this would mean the removal of trees in the parking strip on First Avenue West, north of Idaho Street, but would not effect the section south of Idaho Street which is now 60 feet wide between curbs and has two 10-foot sidewalk strips. Mr. Jones then stated that he would not object to the plan, notwithstanding it would take the trees in front of his residence, because he did not want to block the improvement which would be beneficial to him.

Mr. Jackson stated that he conducts a business at the intersection of Idaho Street and Oregon Street but would not object to the change because it will relieve congestion on Oregon Street and will be a benefit to all.

Dr. Mann stated that he has a decided preference for a good street. It was his thought that the trees should be sacrificed in order to obtain such a street. Mr. Pinney also spoke in behalf of the change, notwithstanding that it would necessitate the removal of trees in front of his residence. Mr. Merritt also approved the change.

There followed a general discussion in which the suggestion was made by one of the local citizens that it might be advisable to designate both streets as state highway routes and require traffic from the direction of Vale to use the First Avenue route and that from Idaho points to use the Oregon Street route. It was also brought out in the discussion that there are no objections to the improvement south of Idaho Street and practically none to the improvement north of Idaho Street, although there is a possibility that that section would necessitate revising the city's swimming pool. Mayor Smith declared that there is no objection whatsoever to improvement south of Idaho Street and that the city wants that four-block improvement undertaken; further, that the city will offer no objection to the improvement north of Idaho Street if the Commission is willing to include that in the project. The meeting was concluded at 4:45 p. m., following which the Commission inspected the proposed route on First Avenue West, particular attention being given to the proposed connection at the north end, where there is a possibility that the city swimming pool will interfere with the making of a proper connection with the present highway.

Robert W. Smith
State Highway Engineer

W. B. Seabury Jr.
Secretary

Henry F. Cabell
Chairman

John M. Clough
Commissioner

Thurman Oliver
Commissioner

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Portland, Oregon, August 14, 1941

The State Highway Commission met in regular session at 9:00 a. m. in the auditorium of the Public Service Building. Present were:

Henry F. Cabell, Chairman
Huron W. Clough, Commissioner
Herman Oliver, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

Bids, as follows, for highway construction work, and for the sale of junk material, were opened and read in conformance with previously published notice, following which Chairman Cabell announced that the award of contracts would be made at 3:00 p. m. in the same room, and that the successful bidders for the junk material would be announced from Salem later:

NEHALEM SECONDARY HIGHWAY

BANZER BRIDGE-MIST SECTION - GRADING, SURFACING AND BITUMINOUS MACADAM

	<u>Using Asphalt</u>	<u>Using Tar</u>
Porter W. Yett	\$108,120.00	- -
Tidepoint Co.	- -	\$123,489.75

FRENCHLEN SECONDARY HIGHWAY

NORTH UNIT, WRIGHTS POINT-NARROWS SECTION - GRADING AND TOPPING

M. L. O'Neil & Son	\$18,310.00
McNutt Bros.	21,580.00
Leonard & Slate	21,765.00
Norris Bros.	23,530.00

EUGENE-SWISSHOME SECONDARY HIGHWAY

FISHER ROAD-OAK HILL SECTION - GRADING, SURFACING AND OILING

	<u>Using Asphalt</u>	<u>Using Tar</u>
Jacobsen-Jensen Co.	\$35,974.00	- -
McNutt Bros.	41,023.50	- -

SILETZ SECONDARY HIGHWAY

FOREST BOUNDARY-REED CREEK SECTION
GRADING, SURFACING AND BITUMINOUS MACADAM

	<u>Using Asphalt</u>	<u>Using Tar</u>
C. J. Eldon	\$142,162.50	\$142,118.50

SANTIAM HIGHWAY
MIDDLE UNIT, CRABTREE CORNER-LEBANON SECTION
GRADE-WIDENING AND PAVING

Warren Northwest, Inc.	\$78,707.50
The United Contracting Co.	94,810.00

HARBOR DRIVE, CITY OF PORTLAND
FURNISHING STEEL FOR MORRISON STREET BRIDGE

Poole & McGonigle	\$9,555.00
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COLUMBIA RIVER HIGHWAY
REPAIRS TO VISTA HOUSE AT CROWN POINT

Jud Beardsley	\$4,190.00
G. E. Anderson Co.	5,431.00
E. E. Settergren	5,735.00
Cramer Construction Co.	7,483.50

OREGON-WASHINGTON HIGHWAY
SOUTH MILTON SECTION - ROADSIDE IMPROVEMENT

Blair T. Alderman	\$2,288.50
M. E. Meyers & Son	3,185.00

SHERMAN HIGHWAY
WEST UNIT, SHANIKO-COW CANYON SECTION
GRADING, SURFACING AND OILING

Porter W. Yett	\$112,498.00
Rogers Construction Co.	115,402.00
Babler Bros.	119,866.00
Fisher Bros.	123,410.00
C. J. Eldon	129,584.00
Max J. Kuney Co.	131,904.00
McNutt Bros.	134,778.00

SCRAP MATERIALS

Bids received for scrap materials stored at the highway department shops at Salem, Klamath Falls, Coquille and La Grande. (For details see blue-print tabulation of bids filed in general files.)

Mr. Blair T. Alderman, Eugene, came before the Commission and requested the privilege of using the ocean beach at different locations along the coast as landing fields for his privately-owned airplane, which, he said, he uses continuously in connection with construction work, on which he is engaged for the U. S. Coast Guard. Chairman Cabell explained to him that the

Commission has a very strict policy which prohibits the use of ocean beaches for such purposes, because of the hazard to other people that use the beaches; further, that in his opinion to grant Mr. Alderman's request would create a very bad precedent. Commissioners Clough and Oliver concurred. The request was thereupon denied.

The Commission discussed and approved a letter directed by the State Highway Engineer to Mr. J. N. Bishop, Maintenance Engineer, with respect to the activities of highway department "weighmasters." (See letter dated August 27, 1941, in general files) The Secretary was thereupon authorized and instructed to act for the Commission in the carrying out of the provisions contained in such letter, upon receipt of information from the Maintenance Engineer. The Commission also approved a "Form of Notice" to be given by the weighmasters to violators of the traffic law, and instructed the Secretary to arrange for the printing of the same.

Mrs. Anna Suran, and her attorney, Mr. W. H. Fitzgerald, Portland, were present in regard to Mrs. Suran's claim for damages arising out of an accident on the Upper Columbia River Highway, near Oneonta Tunnel, resulting in personal injuries to Mrs. Suran, causing her expense for doctor bills, etc., and loss of employment for over two weeks. It appears that Mrs. Suran was on a pleasure trip and parked her car in the parking area adjacent to the highway at Oneonta, and after viewing the Oneonta Gorge was returning to her car when she stepped on the grill of a highway drainage sump. The grill gave way, causing her to fall and injure her leg, and as a result she lost over two weeks' employment at the Jantzen Woolen Mills, where she is employed, amounting to \$50.00, and in addition has been put to the expense of doctor bills. This matter was discussed at some length, but action thereon was deferred by the Commission until the next meeting. Chairman Cabell stated that he would make a personal inspection of the premises in the meantime, if possible. The Engineer was instructed to investigate this matter fully and report his findings to the Commission at such meeting.

Mr. R. W. Williams, representing the Werner Timber Company, Taft, Oregon, was present in regard to the awarding of a contract for the construction of the Forest Boundary-Reed Creek Section of the Siletz Secondary Highway in Lincoln County, bids for which were taken at this meeting. He advised that he is prepared to deliver to the Commission a check for \$5,000, in accordance with previous understanding, and as confirmed in his letter dated July 17, 1941, if the Commission awards the contract for the work. The Engineer advised that the Commission received only one bid for this project, which is considerably in excess of the estimated cost thereof, and could not be accepted by the Commission without deviating from its established policy. Chairman Cabell advised that it is the intention of the Commission to reject the bid and to readvertise the project for bids to be received at the next meeting. He further stated that the Commission would not hold the Werner Timber Company to its offer if it wishes to withdraw the same. Furthermore, the Commission at this time is not in position to guarantee that it would award the contract as a result of bidding at the next meeting, because an unsatisfactory bid may be received at that time. Mr. Williams renewed the company's offer to pay \$5,000 toward the cost of this work, which offer is to remain in effect until September 6, 1941, the date mentioned in his letter of July 17, 1941.

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The County Court of Lane County, represented by County Commissioners W. J. Holland and Allan P. Wheeler, and County Engineer P. M. Morse, was present in regard to the bids received this day for the grading, surfacing and oiling of the Fisher Road-Oak Hill Section of the Eugene-Swisshome Secondary Highway. The State Highway Engineer advised that the Commission received only two bids for this work, both of which were unsatisfactory, and it is his intention to recommend rejection. He suggested that the county court might be able to do the work with county forces and if that is possible that the county submit a bid for consideration with those of other contractors when the project is readvertised either this fall or next spring. The county court agreed to give the matter consideration. The Commission decided to reject the bids received today and to readvertise the project for bids to be received in October. The Engineer was so instructed.

The county court also brought up for discussion the matter of improving the Eugene-Swisshome Secondary State Highway (Route "F"), between Veneta and Noti. They asked the Commission to give serious consideration to such project in the formulation of its program for construction next spring. Mr. Morse advised that the county is prepared to pay 25 per cent of the cost of such work. The Commission took the matter under advisement.

The Engineer brought up for discussion the matter of constructing another section of the new Columbia Gorge Highway between Troutdale and Dodson as a WPA project. He advised that there is approximately 1,200,000 cu. yds. of excavation in the Jordan Borrow Section and in the Island Section that could be done as a WPA project using state equipment, after the WPA work has been completed on the Wilson River Highway, in September. It was his thought that WPA forces could be kept busy on such a project for about one year, using equipment that is now being employed on the Wilson River job. The Commission appeared to be favorably inclined to such project, but deferred a definite decision in regard thereto, particularly a decision as to the section that should be improved in such a set-up.

The Commission also considered a proposed WPA project for clearing between Seaside and Hug Point. The Engineer advised that the construction of the Oregon Coast Highway on the proposed new alignment between these points involves about eleven miles of heavy clearing and grubbing, which is exceptionally well suited for WPA purposes. It was the thought of the Commission that this would be a good project for next year's program; however, a definite decision was deferred pending consultation with Mr. E. J. Griffith, State WPA Administrator.

The Commission approved and ordered filed a report from the Assistant Attorney advising that Edlefsen-Weygandt Company, contractors on the Front Avenue Project, have refunded to the City of Portland all of the rentals which the company collected on parking lots on such project.

The Engineer reported the cost to realign the Old Oregon Trail through the town of Hermiston, particularly from Main Street south a distance of 0.67 mile. He advised that the proposed route follows along the east side of the railroad track and avoids the congestion along Main Street which is very bad at the present time due to activities incident to the construction.

of the United States Army ammunition dump west of Hermiston. He estimated the cost to construct this section at \$25,000.00 and recommended the improvement and that it be paid for with state funds. The Commission approved the recommendation.

In this connection the Engineer requested approval of the following projects for the 1942 municipal program to be financed with state funds:

Oswego	\$25,000
Ocean Lake	25,000
Deer Island	15,000
Corvallis	30,000
Seaside	35,000
Taft	10,000
Parkrose	30,000
West Linn	10,000
Hermiston	<u>25,000</u>

Total \$205,000

After discussion the Commission approved the projects and the amounts allocated for each. The Engineer was authorized to make surveys as may be necessary and to prepare plans and specifications for advertising.

The Engineer presented a statement of funds available for contract lettings this fall, particularly disclosing the amounts of the several classifications of funds. This was discussed briefly by the Commission but no action was taken thereon.

The Commission adjourned at 12:10 p. m. and reconvened at 2:00 p. m. in the same room with the same persons present and participating.

Mr. E. K. Burton, City Manager of Silverton, was present and asked the Commission to provide state funds to repair certain city streets over which heavy logging trucks operate in the transportation of logs from Mehama to the Silver Falls Timber Company's mill in Silverton, and to reconstruct a certain steel truss bridge on the street that serves as a connecting link between state highways in Silverton. He advised that the city does not have funds available with which to do this work, particularly the bridge work, and urged the Commission to provide state funds therefor. He advised that the bridge is in bad state of repair and is now posted for ten-ton loading. The Engineer estimated the cost to repair the bridge to carry legal weight loads at \$3,500. Mr. Burton stated that they would be satisfied with such repair job.

Chairman Cabell explained briefly the proposed plan of the Commission to set aside a certain amount of money for repairs to city streets that are not state highway routes. He advised, however, that the Commission has not yet adopted a definite program for such projects but in several instances the Commission is proceeding with the work because of emergency conditions. According to the tentative plan, he said, the cost to repair the bridge in

Silverton will be considerably in excess of the amount that Silverton would be entitled to, so it would take the allocations of several years to make up the total. He inquired, in view of this condition, whether or not the City of Silverton would be satisfied with the bridge repair work at this time and would be willing to wait for the street repair work until such time as the annual allotments to the City of Silverton equal the cost of the bridge work. Mr. Burton replied that the bridge work is the more important project of the two and, in his estimation, such arrangement would be satisfactory to the city officials. The Engineer thereupon recommended approval of the bridge project. The Commission approved the recommendation subject to approval by the city officials, and ordered that the matter be covered by written agreement between the city and the state.

Mr. O. J. Mitchell, representing Mitchell Freightways, and his attorney, Mr. Thomas White, came before the Commission and requested authority to operate over the Pacific Highway, between the California state line and Medford, truck and trailer combinations sixty feet overall in length, having gross loads of 68,000 lbs. Mr. White was spokesman. He advised that under present rulings the company is obligated to break up its combinations at the state line, which is not only a costly procedure but also entails delays in the delivery of freight, most of which is defense materials for the United States Government. He explained that Mr. Mitchell is now negotiating for the sale of his rights to Consolidated Freightways, and is simply waiting for approval of the transaction by the Interstate Commerce Commission; further, that their plan is to operate the oversized equipment only as far as Medford, where the loads will be transferred to the equipment of the Consolidated Company. He asked for a permit similar to the one granted the Oregon Nevada California Fast Freight, Inc., and under which that company is now operating between the same points. He gave as his thought that the Highway Commission now has such discretionary power, and urged the Commission to exercise that power in view of the conditions of the times and the need to speed up deliveries of defense materials.

Chairman Cabell pointed out that the 1941 Legislature defeated legislation that would have provided for movements of this kind, notwithstanding that the Highway Commission approved the bill, in view of which the Highway Commission feels that it does not have the power or authority to grant the permit requested. He explained that the permit issued to the Oregon Nevada California Company was of an emergency nature, and for a 30-day period only, and absolutely will not be renewed. This matter was discussed at considerable length and was concluded by Chairman Cabell's statement to the effect that the Commission would give consideration to the arguments presented and would advise them as soon as possible of its decision. (The Commission discussed the matter later in the session and at that time voted unanimously not to grant the permit. The Secretary was instructed to so inform Mitchell Freightways and to deny a request for the renewal of the permit granted the Oregon Nevada California Fast Freight, Inc.)

Mr. Warde W. Erwin, attorney, Portland, came before the Commission in regard to the claim of Mr. Charles F. Peake, Jr., arising out of an accident that occurred on the Pacific Highway East in Albany, resulting in injuries

to Mr. Peake and damage to his car. Mr. Erwin explained that Mr. Peake was driving north on the old highway near the north city limits of Albany and accidentally drove his automobile into a concrete traffic island at the junction of the old and the new highways, that he was traveling at a moderate rate of speed, and had no knowledge that the island was there, it being after dark and the island being unlighted. Furthermore, there were no signs anywhere on the road indicating that a traffic island existed. Mr. Peake, he said, suffered severe stomach injuries as a result of being thrown against the steering wheel of the car and there is a question as to the permanency of the same. He further advised that Mr. Peake was required to hire a man to run his garage business in the town of Milwaukie because of his injuries, and finally lost his business because he was unable to give it his personal attention, so he is now out of a job. Furthermore, he is destitute and is unable to provide for his family and cannot pay his doctor bill. He quoted the law with reference to the Commission's liability in damage cases and asked the Commission to pay Mr. Peake the full amount allowed therein. The claim, he said, is against this fund rather than against the Highway Commission personally.

Chairman Cabell explained the theory of the channelization of traffic and advised that, if investigation of any accident reveals that the Commission has been negligent, then the state should pay accordingly; however, in this particular instance the Commission does not believe that negligence on its part was involved. The matter was discussed at considerable length and at the suggestion of Commissioner Clough a decision was deferred until the Commission has had an opportunity to study the records in the case.

At 3:00 p. m. Chairman Cabell announced the following awards of contracts, for which bids were taken at the morning session, such awards having been previously approved by the Commission by unanimous vote:

"Panzer Bridge-Mist Section of the Nehalem Secondary Highway, in Columbia County. 2.99 miles grading and surfacing, and 3.13 miles of bituminous macadam. Porter W. Yett, Portland, submitted the low bid for this work, in the amount of \$108,120.00, based on the use of asphalt. He did not submit a bid based on the use of tar. The Tidepoint Company, Astoria, submitted the only other bid. This bid, in the amount of \$123,489.75, was based on the use of tar. They did not submit a bid based on the use of asphalt. The Commission awards this contract to Porter W. Yett, at his low bid of \$108,120.00, based on the use of asphalt.

"North Unit, Wrights Point-Narrows Section of the Frenchglen Secondary Highway, in Harney County. 5.40 miles grading and topping. M. L. O'Neil & Son, Mitchell, submitted the low bid for this work, in the amount of \$18,310.00. McNutt Bros., Eugene, submitted the second-low bid, in the amount of \$21,530.00. There were two higher bids. The Commission awards this contract to the low bidders M. L. O'Neil & Son, at their bid of \$18,310.00.

"Fisher Road-Oak Hill Section of the Eugene-Swisshome Secondary Highway, in Lane County. 1.26 miles grading, surfacing and oiling. Jacobsen-Jensen Co., Portland, submitted the low bid for this work in the amount of \$35,974.00, based on the use of asphalt. They did not submit a bid based on the use of tar. McNutt Bros., Eugene, submitted the next-low and only other bid for this work in the amount of \$41,023.50, using asphalt. They did not submit a bid based on the use of tar. The Commission rejects the bids for this project and orders it readvertised.

"Forest Boundary-Reed Creek Section of the Siletz Secondary Highway, in Lincoln County. 3.5 miles grading, surfacing and bituminous macadam. C. J. Eldon, Portland, submitted the only bid for this project, in the amount of \$142,162.50, using asphalt, and \$142,118.50, using tar. The Commission rejects this bid and hereby orders the project readvertised.

"Middle Unit, Crabtree Corner-Lebanon Section of the Santiam Highway, in Linn County. 3.2 miles grade-widening and paving. Warren Northwest, Inc., Portland, submitted the low bid for this work, in the amount of \$78,707.50. The only other bid submitted for this work was made by The United Contracting Co., Portland, in the amount of \$94,810.00. The Commission awards this contract to Warren Northwest, Inc., at their low bid of \$78,707.50.

"Furnishing structural steel for the Morrison Street Bridge on Harbor Drive in the City of Portland, Multnomah County. Poole & McGonigle, Portland, submitted the only bid for this project, in the amount of \$9,555.00. The Commission awards this contract to Poole & McGonigle at their bid of \$9,555.00.

"Repairs to Vista House at Crown Point, on Columbia River Highway, in Multnomah County. Jud Beardsley, Salem, submitted the low bid for the work, in the amount of \$4,190.00. G. E. Anderson Co., Portland, was second-low, with a bid of \$5,431.00. There were two higher bidders. The Commission awards this contract to the low bidder, Jud Beardsley, at his bid of \$4,190.00.

"South Milton Section of the Oregon-Washington Highway, in Umatilla County. 0.51 mile roadside improvement. Blair T. Alderman, Eugene, submitted the low bid for this work in the amount of \$2,238.50. M. E. Meyers & Son, Echo, submitted the only other bid, in the amount of \$3,185.00. The Commission awards this contract to the low bidder, Blair T. Alderman, at his bid of \$2,238.50.

"West Unit, Shaniko-Cow Canyon Section of the Sherman Highway, in Wasco County. 5.06 miles grading, surfacing and oiling. Porter W. Yett, Portland, submitted the low bid, in the amount of \$112,498.00. Rogers Construction Company, Dayton, Washington, was next low with a bid of \$115,402.00. There were five higher bidders. The Commission awards this contract to Porter W. Yett at his low bid of \$112,498.00.

"Sale of scrap materials at Salem, Klamath Falls, Coquille, and La Grande. All bids received for the purchase of this material were referred to the Engineer with power to sell the material to the high bidder in each instance if the bids compare favorably with the appraised value of the items."

A delegation representing the Columbia Basin Loggers headed by Mr. Fred S. Packwood, attorney, Portland, came before the Commission relative to the truck hauling of logs over state highways. Others in the delegation were Senator F. M. Franciscovich, Astoria; H. C. Patton, representing the Hammond Lumber Company; W. G. Tilton, Pacific Northwest Loggers Association; W. W. Schaefer, McDowal Creech Loggers; E. B. Stamm, Crown-Zellerbach Corporation; G. S. Gray and Otto Achord, loggers, Seaside; Ford M. Converse, C & H Logging Company, Portland; Phil Chipman, Smith Wood-Products, Inc., Coquille; H. Standley, Camas Valley; Mr. Christensen, Crown-Zellerbach Corporation; and others. Senator Franciscovich was spokesman for the group. He mentioned first the extent of the penalty imposed on loggers for overloading, and expressed appreciation for the clarification of the ruling, which he understands hereafter is to be based on calendar days rather than on working days.

Senator Franciscovich asked the Commission to make it clear in its letter of instructions to weighmasters that the P.U.C. plates of an offending operator need not be surrendered immediately after being apprehended by a weighmaster but may be retained by such operator for 24 hours in order to give the operator an opportunity to deliver his load and to arrange for another truck to take his place during the suspension of his permit. He explained that the surrender of the P.U.C. plates by the operator immediately upon being apprehended by a weighmaster will affect every man working in the woods and will not only penalize the operator but will also penalize all of the others which in his estimation is unfair and not really what the Commission intends.

The ruling that requires all logging trucks to come to a dead stop before crossing railroad tracks was also mentioned by Mr. Franciscovich. It was his thought that such ruling creates a hazardous condition for other traffic, and that the matter could be satisfactorily handled by requiring the logging operator to slow down to five or ten miles per hour. He mentioned particularly the situation at the crossing of the Oregon Coast Highway with the railroad tracks at Skipanon near Astoria, where the highway department scales are located only 700 feet beyond the railroad crossing. In order to drive on to the scales, he said, it is necessary for the logging trucks to cross the highway, and while no accidents have occurred at this point they quite likely will occur unless the loggers are allowed to proceed across the railroad tracks without stopping.

Chairman Cabell explained that the Commission's ruling was adopted at the request of one of the railroad brotherhoods and the Commission thought at the time that it was a good ruling and in the interests of safety to the

general traveling public. He inquired whether or not Senator Franciscovich intends that his suggestion should apply to the Skipanon crossing only or to all crossings. Senator Franciscovich replied that in his estimation each individual case should be considered on its own merits.

Honorable Ormond R. Bean, Public Utilities Commissioner, was present and pointed out that there are 3,500 railroad crossings in Oregon, and that it would be very difficult to make a selection of those where logging trucks should be required to stop. He agreed, however, with Senator Franciscovich as to the conditions with respect to the Skipanon crossing and also to his suggestion that each case should be studied individually.

After further discussion the State Highway Engineer suggested the adoption of a 10-mile per hour speed limit for logging trucks at the railroad crossing at Skipanon, such speed limit to apply only to one side of the highway where the loaded trucks approach the highway scales after crossing the railroad tracks, (it would not affect traffic going in the opposite direction) and that the crossing be appropriately posted in accordance therewith. He also suggested that the railroad crossings at other points be considered as they arise. The Commission approved the suggestion.

Senator Franciscovich also brought up for discussion the matter of weighing all logging trucks. He gave as his thought that it is unnecessary to weigh every truck and that the weighmasters should be allowed to use their judgment as to which trucks should be weighed. He alleged that it takes about fifteen-minutes' time on the average to weigh one truck, and as a consequence trucks have to stop and line up, awaiting their turn at the scales and many times are delayed thirty minutes or more for one weighing. Such delay, he said, is costly to the operators, who lose one trip every other day or about two trips each week of five and one-half days. There are not many overloads, he added, and the hardship created on the operators by the present practice in his estimation is not warranted. He suggested that weighmasters could pass on the loads without actually weighing them, and if, in their judgment, the trucks are not overloaded, they could flag them through; otherwise they could direct them to the scales. The Commission agreed to give the suggestion consideration.

Senator Franciscovich then suggested the following solution for logging operators in the Seaside district--that the loggers install scales on the abandoned section of the Wolf Creek Highway near Vollmer Creek at which point they could also install facilities for adjustment of their loads. Loggers would then load their trucks in the woods in accordance with their best judgment and submit to weighing on their own scales at this point and make adjustments as may be necessary. The Commission agreed to give the matter consideration.

The matter of moving loads consisting of one extremely large log was also brought up by Senator Franciscovich. He said that occasionally logs are cut from extremely large trees and they cannot be transported over the highways without violating the weight limits, regardless of the fact that only one log is hauled at a time. In such cases, he said, the loggers know that they have

an overweight, but they do not want to let the log rot in the woods, particularly at times such as we are now experiencing, and they would like authority from the Commission to move these logs over state highways without fear of having their permits suspended although they are willing to pay any fine that may be imposed for the overload. If the Commission will grant such concession, he added, the loggers would be willing to cut such logs in 20-foot lengths. He was informed by Chairman Cabell that the Commission would discuss this matter among themselves later; however, if the Commission approved it, it would be temporary and on a trial basis only, and the Commission would restore the penalty in the event that many overloads occur.

Mr. Packwood stated for the record that his remarks were made in behalf of individual loggers and not in behalf of the Columbia Basin Loggers Association. He offered objections to the weighing of all logging trucks, and alleged that often as many as fifteen trucks are held up at the scales near Willamina for weighing purposes, necessitating the loss to each of one trip a day. He asked the Commission to modify its rule in that regard. Mr. Packwood spoke in behalf of the unintentional violator of the weight rule, particularly where the overweight is very small. It was his thought that the penalty should not apply in such cases because these men are not willful violators and they lose a gross revenue of from \$60 to \$70 each day that their operations are suspended. He asked the Commission for authority to confer with the Commission's Engineer and Attorney in order to agree on some formula or solution as to such violations.

Mr. Tilton presented figures showing the actual shipping weights of logs, and exhibited samples of lumber to show the variation in weights of lumber cut from the same class of logs. He declared that the present penalty for overloading is too harsh, because it is very difficult for logs to be loaded within the ten per-cent tolerance allowed by law.

Mr. Chipman stated that he was speaking in behalf of Smith Wood-Products Company and not for the loggers. He gave as his thought that the penalty which requires the suspension of permits and the taking up of P.U.C. plates for certain periods is too drastic and that the penalty should be limited to the payment of a fine only. He also said that present conditions deserve special consideration, particularly pointing out the difficulty in securing logging trucks.

Chairman Cabell at this time advised that the Highway Commission has for years struggled with this matter and has found that the only effective remedy or solution to the problem is suspension of permits for certain periods.

Mr. Stamm alleged that no one can guess the weight of logs within fifteen per cent. He also said that the existing scales at Skipanon are in the wrong place and should at least be moved to the opposite side of the highway. He also suggested that it would be advisable to install additional scales and gave as his thought that the functions now being carried on by the State Highway Department, State Police, and Secretary of State should be

consolidated under one authority. He confirmed Senator Franciscovich's arguments in behalf of the movements of one-log loads, and advised that unless the Commission grants some concession in that regard logs will have to be left in the woods to rot or they will have to be split up in the woods with dynamite which greatly reduces their value. In summing up he asked for more scales, that the existing scales be put in more practical locations, and that the present penalty for overloading be adjusted to eliminate the suspension and cancellation features.

Chairman Cabell replied that perhaps some of the scales have been installed in wrong locations, but as a general rule that has not been the case and the Commission believes that for the most part the scales have been installed in the best locations possible. With reference to delays to the loggers when being weighed, he stated that the Highway Commission is sympathetic with the difficulties of the loggers and it may be that it will require more men at the scales to expedite weighing operations, but that is a matter that the Commission will look into. As to the existing penalty, Chairman Cabell advised that the Commission is not prepared or inclined to make any change in its present policy, that the Commission has tried for years to stop overloading, and the present penalty is the only thing that the Commission has been able to think of to date that would stop the overloading.

Mr. Stamm, speaking again, said that no one is able to guess the weight of a log within five per cent, and he knows this to be a fact because he has been in the logging business for over ten years. Also speaking in behalf of the loggers were Messrs. Standley and Christensen.

Mr. Russell J. Hubbard, Reedsport, was present and asked the Commission to sell him certain property situate between the proposed new location of the Umpqua Highway and the Umpqua River at Reedsport, which property lies outside of the standard width highway right of way. He said that he is operating a mill at this point and needs this extra ground for storage of lumber, et cetera, and also that he is willing to pay a reasonable price for the property. The Engineer advised that this property was obtained in order to preserve the scenery and an unobstructed view of the Umpqua River at this section. After discussion the Commission decided to inspect the property before making its decision. The Engineer was instructed to have survey stakes set in the meantime so the property can be readily identified. The Secretary was instructed to notify Mr. Hubbard when the Commission sets a time for such inspection.

A delegation from Cascade Locks, consisting of Allen Stancell, Chief of Police; W. N. Keller; A. W. Foote; W. J. Carlson and S. P. Ness, was present and asked the Commission to order a 25-mile per hour speed limit on the Columbia River Highway through their town. Mr. Stancell headed the group. He said that the present speed limit through the town is 35 miles per hour, but that limit is not observed, and in his estimation a further reduction in the allowable rate of speed should be declared. The Attorney quoted the law which specifies a speed limit of 20 miles per hour through business districts of cities and towns and 25 miles per hour through residential districts. However, he said, the 1941 Legislature passed a law which authorizes the State

Speed Board to change such limits if that is considered advisable after study. In view of the Attorney's statement, the Commission voted unanimously to install signs at Cascade Locks to meet the legal requirements, notwithstanding the possibility that the State Speed Board will change the limits at some future time.

Mr. Carlson asked the Commission to eliminate the curve in the Columbia River Highway just east of the highway department maintenance shed, near the east city limits of Cascade Locks. He was informed by the Engineer that this curve is only a small portion of a major improvement and, in his estimation, if anything is done at all it should be the major project, approximately one mile in length or more. The Commission took no action on this matter.

Mr. Carlson also asked for the oiling of the shoulders between the highway pavement and the concrete curbs through the town. He was informed by the Engineer that the Commission has already approved such improvement and that the work will be done next year.

Mr. Keller inquired as to the plans for the construction of the new highway between Troutdale and The Dalles and was informed by Chairman Cabell that the Commission is not in position to prepare a program for the improvement because funds are not available to finance more than a short section at a time and there is a question as to the moneys that the federal government plans to provide to finance strategic highway improvements.

A delegation from Tillamook, consisting of D. E. Steinbach, Mayor; C. W. Barrick, City Attorney; and C. A. Ross, representing the Chamber of Commerce, conferred regarding improvements on the Oregon Coast Highway, and the Wilson River Highway routes, in the city of Tillamook. The Engineer explained that the city wants the Oregon Coast Highway widened through the town; also Third Street, present route of the Wilson River Highway. He gave as his thought that the widening work could be done by narrowing the sidewalk areas and estimated the cost of both improvements at about \$60,000. He further stated that both jobs are meritorious and should be constructed as soon as funds are available to finance them. He requested authority to conduct surveys as may be necessary in connection with each. The Commission approved the surveys.

Mayor Steinbach asked the Commission to maintain certain city streets that are not on state highway routes but which are being damaged by log hauling traffic. The Engineer estimated that it would cost about \$8,000 to repair these streets and advised that the work could not be done this summer. Chairman Cabell advised that the Commission is friendly to the idea but because of the money situation would not be able to do the work this year.

The matter of improving the curve at Thayers Corner was discussed briefly and it was mutually agreed that the city would acquire needed right of way at this point.

Mesdames A. E. Rockey and F. E. Smith, Portland, representing the Oregon Roadside Council, were present in regard to the disposition of the Knapp Hotel property at Port Orford. They urged the Commission to preserve this hotel on account of its historic background. Chairman Cabell advised that the Commission's only interest in this hotel is its removal from the present site to provide a permanent location for the Oregon Coast Highway. Further, that the Commission is now negotiating for the purchase of this property, but the conditions of the sale, if the Commission's offer is accepted, are not immediately available. After further discussion it was agreed that Mrs. Rockey and Mrs. Smith would be informed of future details in connection with this matter when the deal with Mr. Knapp has been consummated.

The Commission adjourned at 6:00 p. m. to reconvene the following morning in the Imperial Hotel to dispose of accumulated routine matters.

Portland, Oregon, August 15, 1941

The State Highway Commission reconvened at 9:00 a. m. in Room 415 (Imperial Room) Imperial Hotel, with all Commissioners present and participating. Also present were the State Highway Engineer, the Attorney and the Secretary.

The Commission by unanimous vote approved the minutes of the meeting held on April 3 and 4, 1941.

The Assistant Attorney reported the status of the right of way budget explaining that of the \$600,000 budgeted by the Commission for 1941 general real property purchases \$502,000 has been obligated, and that of the \$800,000 budgeted for the acquisition of right of way for the Front Avenue Project, Portland, \$490,500 has been obligated. The Commission approved the report.

The Attorney requested authority to acquire certain parcels of real property that are needed for various improvements throughout the state. He submitted a list of such properties with offers that he recommended for each parcel. After due consideration the Commission approved the request and by unanimous vote adopted the following resolution pertaining thereto:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth, and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon, and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be

declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Front Avenue Project-Columbia Street (South), Portland, Pacific Highway West</u>				
8201-Kahn, A. A., Estate	R/W	4367 sq.ft.	\$873	McCallister
8169-Multnomah County	"	18,063 sq.ft.	5000	"
8194-Viceri, Carmela	"	2500 sq.ft.	1000	"
8677-Multnomah County	"	10,000 sq.ft.	2205	"
9663-Sullivan, Harry	"	3735 sq.ft.	3350	"
8171-Oregon Electric RR Co.	"	34,070 sq.ft.	10,721	"
9083-Milam, Louise	"	2200 sq.ft.	2030	"
9667-Vaughan, Geo. C.	"	107.5 sq.ft.	Land \$75, + fencing, cutting off corner garage, moving flowers, etc. (Estd. \$75)	"
<u>Banzer Bridge-Mist Section, Nehalem Highway</u>				
8967-Henry and Aldon H. Ashley (Supplemental)	R/W	An additional allowance of \$200 to DeSouza be added to low bid for moving barn, on account of having been filled with hay		
6566-Sundland, Chas. (Supplemental)	R/W	\$160 which is payment for 8 cu.yd. concrete at \$20 cu.yd. to be paid to Baumbach and Perkins, house-movers		"
<u>Davies-Vadis Section, Wolf Creek Highway</u>				
9567-Behrman, Ernest	R/W	0.29	\$125 per acre, + \$20 fencing	Collins
<u>Vadis-Gardiner Ranch Section, Wolf Creek Highway</u>				
6532-Davis, Charles E.	R/W	20.07	\$150 per acre, plus \$2552	Collins
6537-Bush, O. B.	R/W	0.31	\$200 per acre, plus \$163	"
6535-Davis, Patrick	R/W	2.0	LUMP SUM - \$1,000	"
6536-Gusick, Fred E.	R/W	0.16	\$200 per acre + \$12	"
6534-Utech, Rose and Chris	R/W	1.72	\$200 per acre, plus \$1691-deduction of \$210 for 0.80 of an acre to be conveyed	"

(Continued on next page)

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Vadis-Gardiner Ranch Section, Wolf Creek Highway (Cont.)</u>				
9577-Nitchman, Charles	Easement	90 day easement to prospect for rock and gravel-GRATIS		Collins
6538-Carthy, H. G.	R/W	1.09	\$200 per acre, + \$50	"
9406-Wilken, William M.	R/W	0.163	\$200 per acre, + \$167.40	"
6555-Zurcher, Ernest and Fred	Easement		Culvert easement-\$150	"
<u>Gearhart-Seaside Section, Oregon Coast Highway</u>				
9092-Schoenborn, Richard C. (Supplemental)	R/W	3 lots	Original settlement \$366.70, plus \$30	DeSouza
<u>Arch Cape-Manzanita Section, Oregon Coast Highway</u>				
8814-Gorman, D., Estate	Park	38.67	\$51.72 per acre	Benson
<u>Camp Clatsop-West Lake Section, Oregon Coast Highway</u>				
9549-Hurlbutt, Frank L., Estate	R/W	0.147	\$200 per acre, + \$17	Gardiner
9550-Hurlbutt, Fred N.	R/W	0.225	\$200 per acre, + \$60	"
9651-Tagg, Harold W.	R/W	0.84	GRATIS	"
9551-Cunningham, Herbert G.	R/W	0.143	\$200 per acre, + \$19	"
9548-Poole, Fred B.	R/W	0.367	\$200 per acre, + \$48	"
9664-Chadwick, Wm., Estate	R/W	0.459	\$300 per acre	"
<u>North Bend-Marshfield Section, Oregon Coast Highway</u>				
9524-A Butcher, Clyde E.	R/W	4800 sq.ft.	15¢ sq.ft., + \$476	Benson
9520-Harris, Harold Doc	R/W	7156 sq.ft.	17¢ sq.ft., + \$2283.48	"
9519-McDonald, J. H.	R/W	9123 sq.ft.	17¢ sq.ft., + \$5917.55	"
8042-Gorst, Julia L.	R/W	288 sq.ft.	15¢ sq.ft., + \$10	"
9493-Culver, W. T. (Co)	R/W	35,693 sq.ft.	15¢ sq.ft.,	"
		7,700 sq.ft.	20¢ sq.ft.	
		43,393 sq.ft.		
9505-Choat, Sam	R/W	97,987 sq.ft.	15¢ sq.ft.	"
		56,850 sq.ft.	10¢ sq.ft.	
		31,600 sq.ft.	5¢ sq.ft., plus	
		186,437 sq.ft.	\$3036.95	
9646-Haley, A. M.	R/W	2400 sq.ft.	15¢ sq.ft., plus \$750	"
9524-Butcher, Iva B.	R/W	7200 sq.ft.	15¢ sq.ft., plus \$920	"
8043-Gorst, Vern C.	R/W	645 sq.ft.	15¢ sq.ft., + \$112.50	"
9486-A Coos County	R/W	17,466 sq.ft.	1½¢ sq.ft.,	"
		11,834 sq.ft.	3 1/6¢ sq.ft., plus	
		29,300	\$2600	
8046-Ford, Stella and M. Jones	R/W	8996 sq.ft.	12¢ sq.ft.	"
8045-First National Bank of Coos Bay, Ben R. Chandler and John S. Coke	R/W	29,182 sq.ft.	12¢ sq.ft.	"

(Continued on next page)

Section, Hwy., and Owner Purpose Acres Approximate Amounts Agent

North Bend-Marshfield Section, Oregon Coast Highway (Cont.)

9486-Coos County	R/W	12,000 sq.ft. 6 $\frac{1}{2}$ ¢ sq.ft., 3,000 sq.ft. 8 1/3¢ sq.ft. 6,000 sq.ft. 5 $\frac{1}{2}$ ¢ sq.ft., (minus) 30,200 sq.ft. $\frac{1}{2}$ ¢ sq.ft., 2,500 sq.ft. 1 1/3¢ sq.ft., 2,500 sq.ft. 3¢ sq.ft., 2,800 sq.ft. 3¢ sq.ft., 7,600 sq.ft. 3 1/3¢(minus) sq.ft., 4,000 sq.ft. 5¢ sq.ft., plus \$466 70,600 sq.ft.	Benson
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Coos County Line Section, Coos Bay-Roseburg Highway

4480-A Coos County	Stock Pile	0.74	GRATIS	Benson
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Union Avenue and Ankeny Streets By-Pass, Pacific Highway East

9394-Harrington, Frances C.	R/W	8000 sq.ft. \$1 sq.ft., + \$2000	McCallister
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South Salem-Pringle Creek Section, Pacific Highway

9289-Heasley, A. E.	R/W	Permanent easement over 15x150.75 feet for roadway-LUMP SUM \$150	McCallister
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Kernville-Siletz Section, Siletz Highway

9641-Werner, Joseph L.	R/W	0.91	LUMP SUM - \$1	McChesney
9637-Scott, William	R/W	1.5	\$100 per acre	
		0.58	\$10 per acre, plus	
		2.08	\$244.20, plus moving buildings (Estd. \$450)	
8755-Hawley, Elizabeth and Ben Center	R/W	0.12	\$10 per acre, plus \$8.80	"
9640-Hack, Wallace B.	R/W	0.18	\$100 per acre, plus \$432, " plus moving buildings (Estd. \$1200), plus filling (Estd. \$600)	"
9634-Grand Ronde-Siletz Agency	R/W	0.7	0.3 acre at \$100 per, 0.4 acre at \$10 per, plus \$66	"
8756-Siletz Land and Dairy Company	R/W	6.52	\$10 per acre, + \$473	"

Oak Creek Bridge Section, Newport-Corvallis Highway

9453-Wyatt, H. C.	R/W	0.32	\$1000 per acre, + \$80	Witt
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Illaha School-Albany Section, Pacific Highway

9481-Wood, J. W. C.	R/W	0.13	\$100 per acre, + \$565	Witt
9477-Frohman, Louis	R/W	2.91	\$75 per acre, + \$172.50	"
9476-Marion County	R/W	0.37	GRATIS	"

(Continued on next page)

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Illahe School-Albany Section, Pacific Highway (Cont.)</u>				
9479-Poissal, Henry and Fannie K. Wain	R/W	0.75	\$50 per acre, + \$47	Witt
9478-Eoff, Asa I.	R/W	0.55	\$150 per acre	"
		<u>1.00</u>	\$50 per acre, + \$142	
		1.55		
<u>Kernville-Forest Boundary Section, Siletz Highway</u>				
9563-Sijota, John	Stock Pile	0.14	LUMP SUM - \$75	Witt
<u>Plunkett Creek-Wren Section, Kings Valley Highway</u>				
8724-Bell, Curtis (Supplemental)	R/W		Cash allowance in lieu of moving barn and barnyard fence - \$1,000	Collins
<u>Eugene Section, Pacific Highway</u>				
9317-Lane County	R/W	162,041 sq.ft.	GRATIS	Parker
<u>Judkins Point Section, Pacific Highway</u>				
9323-Rhoads, O. D.	R/W	18,000 sq.ft.	In exchange for lands lying outside R/W, in Lots 1 and 12, Block 7, Kincaid Park Addition, Eugene (18,000 sq.ft.) + \$400 + moving buildings (Estd.\$1200)	Parker
<u>Eugene-Mapleton Section, Route "F" Highway</u>				
8155-Fisher, Benj., Estate	Quarry Site and haul road	5.05	\$75 per acre, + \$25, Devers plus fencing	
<u>Eugene-Springfield Junction Section, Pacific Highway</u>				
9232-M & R Properties Co.	R/W	17.24	\$750 per acre	Parker
		<u>1.5</u>	\$300 per acre, plus	
		18.74	\$24,820	
9250-Eugene Power Co.	R/W	2.3	No charge	"
<u>Goshen-Lowell Section, Willamette Highway</u>				
8922-Brabham, Arthur W.	R/W	12.10	\$125 per acre, + \$761.50	Gardiner
	Stock Pile			
9662-Hyde, C. F.	R/W	18,000 sq.ft.	LUMP SUM - \$500	Parker
		<u>18,000 sq.ft.</u>	LUMP SUM - \$450	
		36,000 sq.ft.		

(Continued on next page)

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Goshen-Lowell Section, Willamette Highway (Cont.)</u>				
9310-Gibbins, Irvin A.	R/W	0.44	In exchange for 18,000 sq.ft. to be conveyed by State, in Lots 3 and 10, Block 7, Kincaid Park Addition, Eugene, + \$50, plus moving bldgs. (Estd.\$700)	Parker
8921-Doughty, Rosa Lee	R/W & Borrow Pit	2.74	\$125 per acre, + \$434.63, plus moving barn(Estd. \$250) in addition State to convey lands comprising 1.19 acres acquired from Bratham and 600 sq.ft. acquired from Hansen (value \$148.75)	Gardiner
<u>Rainrock-Triangle Lake Section, Siuslaw Highway</u>				
9649-Clark, S. D.	Maintenance			
	Stock Pile	0.46	LUMP SUM - \$75	Lytle
9659-Ingram, Chlois B.	Stock Pile	1.0	LUMP SUM - \$100	"
<u>Siuslaw Highway - Alpha Section, Alsea-Deadwood Highway</u>				
9661-Taylor, Mary J.	Stock Pile	1.12	LUMP SUM - \$100	Lytle
<u>McCallum-Vale Section, Vale West Highway</u>				
9374-Anderson, John G.	R/W	0.08	\$50 per acre	Landon
		0.40	\$7.50 per acre, +	
		0.48	fencing \$55.50	
<u>Dillard Section, Pacific Highway</u>				
9643-Sheridan, Sadie	Stock Pile	2.92	\$165 per acre, + \$70	Lytle
<u>Grave Creek-Jump Off Joe Creek Section, Pacific Highway</u>				
8872-Smith, Amos	R/W	8.267	LUMP SUM - \$575	Collins
8868-Waller, T. B.	R/W	0.18	\$100 per acre, + \$40	"
<u>Brothers and Harney County Line Section, Central Oregon Highway</u>				
9571-Klamath County	Quarry	40.0	GRATIS	Cozad
6144-Deschutes County	Gravel Pit	40.0	GRATIS	Martin
<u>Barclay Springs-Graham Marsh Section, The Dalles-California Highway</u>				
8643-Southern Pacific Co.	R/W	11.5	LUMP SUM - \$200	DeSouza

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Madras Section, The Dalles-California Highway</u>				
8630-Disney, T. H.	Slope		Permanent easement over land	Cosad
	Easement		10x50 ft. Gratis, plus \$36.25	
8629-Disney, T. M.	Slope		Permanent easement over land	"
	Easement		10x50 ft. Gratis, plus \$26.25	
8620-Priddy, John H.	Slope		1,125 sq.ft. at 18¢ sq.ft., plus	"
	Easement		fencing	
8626-Gray, Viola M.	Slope		Permanent easement over land	"
	Easement		150x20 ft. Gratis	
8621-Hannon, Wm. H.	Slope		Permanent easement over land	"
	Easement		5x50 ft. Gratis	
8622-Gray, Viola M.	Slope		Permanent easement over land	"
	Easement		5x250 ft. Gratis	
8618-Ellis, W. A.	Slope		Permanent easement over land	"
	Easement		10x150 ft. Gratis, + fencing	
8623-Watts, Lillian	R/W		Permanent easement over land	"
	Slope Easement		5x50 ft., Gratis	
8610-Irving, Lewis H. and Howard W. Turner	Easement		15 foot easement - Gratis	"
8604-Howard, V. S.	R/W		5 foot easement - Gratis	"
	Easement			
<u>Madras-Crooked River Section, The Dalles-California Highway</u>				
8590-Williams, Mary B.	R/W	7.55	\$25 per acre, + \$4.17	Cosad
8579-Thompson, Mary C.	R/W	3740 sq.ft.	1¢ sq.ft.	"
8578-Donlon, Lillian Mae	R/W	2080 sq.ft.	1¢ sq.ft.	"
8570-Springer, C. G.	R/W	3000 sq.ft.	2¢ sq.ft.	"
8591-A Vesperman, Clara	Gravel	7.75	\$25 per acre	"
	Pit			
8591-Vesperman, Clara	R/W	3.45	\$25 per acre, plus	"
			fencing \$100	
8587-Snook, Wm. H.	R/W	5.81	\$25 per acre, + \$305	"
8586-Snook, Martha E.	R/W	19.08	\$25 per acre, plus	"
			fencing \$348	
8585-Hemquist, Mary N., Estate	R/W	1.63	\$25 per acre, + \$186	"
8574-Snook Wm. H.	R/W	1150 sq.ft.	1¢ sq.ft.	"
6608-Henske, Robert	R/W	0.68	\$25, + \$9 fencing	"
8577-Carter, Doris	R/W	0.253	\$25 per acre, + fencing	"
8628-Wilson, Etta Manila	R/W		Permanent easement over land	"
	Easement		10x50 feet, Gratis, plus fencing	
			and stairway from yard to side-walk	
8572-Marshall, Myra M. and M. E. Snook	R/W	10,148 sq.ft.	\$0.01 sq.ft.	"
8569-Burns, Joe	R/W	3000 sq.ft.	2¢ sq.ft.	"
8625-Irving, Louise R.	Easement		over 15 x Gratis, plus \$165	"
(Continued on next page)			110 feet	

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Madras-Crooked River Section, The Dalles-California Highway</u>				
6119-Conroy B. N.	Easement	10 foot	Across front of property-Gratis, + building stairway from walk to level of yard	Cozad
8624-Irving, Lewis H.	Easement	10 foot	GRATIS, + \$37.50	"
8613-Howard, V. S.	Easement	5 foot	GRATIS	"
<u>Powell Butte Section, Powell Butte Highway</u>				
9030-Weigand, Rolla	R/W	0.60	LUMP SUM - \$80	Chandler
<u>Prairie City-Dixie Summit Section, John Day Highway</u>				
8881-Forrest, Clyde	R/W	2.0	\$125 per acre	Landon
		0.78	\$100 per acre, plus \$533.40, + moving garage, shed, cutting trees, replacement retaining wall, replacing ornamental fence (Estd. \$561), plus moving barn (Estd. \$1065)	
<u>Brogan-Jamieson Section, John Day Highway</u>				
9171-Brown, C. J. and L. E. Hammack	R/W	0.64	\$100 per acre, + \$63 (Approx.)	Landon
9397-OWPR & N Co. and E. J. Vilsmeier	R/W		Allowance for construction of concrete gutter - LUMP SUM - \$50	"
9167-Pearson, Jack	R/W	3.03	\$5 per acre	"
		6.44	\$50 per acre, + \$352	"
9159-Nichols, Orville	R/W	465 sq.ft.	1 1/2 sq.ft., + \$25 for moving gas pump, if found necessary	"
9163-Edwards, Willard B., Estate and Orville Presley	R/W	2356 sq.ft.	\$0.005 sq.ft., + \$32	"
9160-Kennedy, John A., Estate	R/W	13,920 sq.ft.	\$0.0025 sq.ft., plus fencing \$12.50	"
9161-Kendall, Robt. R.	R/W	10,383 sq.ft.	\$0.0025 sq.ft., plus fencing \$9.50	"
9164-Reed, Axtel and George Baker	R/W	0.09	\$100 per acre	"
<u>Northeast Union Avenue and Northeast Couch Section, Pacific Highway East</u>				
9395-First National Bank of Portland	R/W	1240 sq.ft.	Land \$1500, plus \$1500	McCallister

Mr. F. T. Fowler, Traffic Engineer of the City of Portland, was present and discussed with the Commission the proposed rerouting of south-bound Pacific Highway East traffic (Union Avenue) under the east approach to the Burnside Bridge, Portland, as follows: along Couch Street to East Third Avenue, thence south along East Third Avenue to East Ankeny Street, thence east along East Ankeny Street to a connection with Union Avenue. He said that the Portland city officials as well as the traffic safety committee of the city have approved such rerouting as a permanent proposition, at least until the east approach to the Burnside Street Bridge is rebuilt over Union Avenue, which improvement is not scheduled for the near future. In view of this improvement the Commission decided to proceed with the acquisition of right of way at the northwest corner of Union Avenue and Couch Street and at the southwest corner of Union Avenue and East Ankeny Street and instructed the Attorney to negotiate for the same on the basis of previous discussion.

The Engineer discussed with the Commission matters pertaining to the improvement of the Oregon Coast Highway between Marshfield and North Bend. He recalled that the Commission has already approved the construction of the middle unit of this section, 0.97 mile in length, at a cost of \$170,000 and gave as his thought that it would be advisable to include in this contract the construction of a north-bound traffic lane on the south unit which is estimated to cost \$66,000. Furthermore, the north unit, 0.51 mile in length, should also be included in the contract, such project being estimated to cost \$140,000, making the total estimated cost to complete the entire improvement \$376,000. After discussion the Commission approved the additional expenditure to be paid out of state highway funds and thereupon authorized the Attorney to negotiate for needed right of way.

The Engineer also brought up for discussion matters pertaining to the reconstruction of the Pacific Highway between Eugene and Springfield. He estimated the cost to relocate the railroad between these points at \$248,000 and to rebuild the highway at \$585,000, or a total of \$833,000, exclusive of right of way which is estimated to cost about \$250,000. After considerable discussion, which consisted principally of right of way features, the Commission instructed the Attorney that all settlements for right of way needed for this new railroad location except those in connection with which commitments have already been made be held up until he has received further instructions from the Commission.

The Attorney discussed with the Commission matters as follows pertaining to condemnation cases for right of way needed for the Wolf Creek Highway in Washington County:

B. F. Friday property, 2.89 acres:-The Attorney advised that this property is now under condemnation and Mr. Friday is demanding \$500 for this land and that he offered to pay Mr. Friday \$350 for the same but it was refused. Furthermore, Mr. Friday wants access to the highway from his property. The Commission approved the offer of \$350 for the land and access privileges and instructed the Attorney to proceed with the condemnation in the event the offer is refused.

B. F. Friday and W. O. Galloway property:-The Attorney advised that these men own 20 acres of land of which the state needs 7.2 acres for right of way; further that Messrs. Friday and Galloway paid only \$750 for the entire 20 acres and are demanding \$1500 for the entire acreage or \$1000 for the right of way only. He said he offered \$1000 for the 20 acres but this was refused. After discussion the Commission approved an offer of \$1500 for the entire acreage.

Maller Estate:-The Attorney advised that the state is taking 4.58 acres of land belonging to this estate; further, that the owners are asking \$3000 for the same and are demanding access to the highway in addition, whereas he has had the property appraised by different appraisers, two of whom place a value of \$1600 on the property, although the third valued the property at \$3,300. The Commission deferred a decision on this matter pending inspection of the property by Chairman Cabell.

Wade Armentrout property:-The Attorney advised that the state is taking 2.86 acres from Mr. Armentrout and that Mr. Armentrout is demanding \$875 for the land and wants the privilege of moving cordwood from the same, whereas four different appraisers valued the property at \$576, \$532, \$675 and \$791, respectively. The decision in this case was likewise deferred by the Commission pending personal inspection of the property by Chairman Cabell.

Inez Maude Taylor property, consisting of 5.61 acres:-The Attorney reported that he has had this property appraised by four appraisers who value the property at \$1,211, \$1,552, \$1,687 and \$1,921, respectively, whereas the owner is demanding \$2,250 for the same. He recommended an offer of \$2,000 for land and access privileges. The Commission approved the recommendation.

Mary E. Ibach property:-The Attorney advised that he had this property appraised by four different appraisers who value the property at \$1,480, \$1,250, \$1,275 and \$1,608, respectively, exclusive of moving barn and construction of a cattle pass in each instance. He also said that he has already made an offer of \$1,500 for the land. The Commission approved such offer.

The Attorney then asked the Commission to authorize condemnation proceedings to acquire other parcels of land that are needed for right of way or other highway purposes. He presented a list of such properties together with the following offers that he recommended in condemnation:

<u>File No.</u>	<u>Name</u>	<u>Purpose Required</u>	<u>Recommended Offer</u>
8752	Southern Pacific Company	Filler Pit	\$518
9638	Ellen E. Wood	R/W	20

10544 1041

<u>File</u>	<u>Name</u>	<u>Purpose Required</u>	<u>Recommended Offer</u>
9633	D. M. Morley	R/W	\$15
*9636	Donald W. Johnson, et al	R/W	200
4415	J. H. Cartwright, et al	R/W	892.50
		Road Approach Easement	
9552	First National Bank of Sheridan	R/W	231 + moving
9544	C. A. Fertig	R/W	100
9545	Mrs. David Tagg	R/W	85
9546	R. B. Poole	R/W	70
9547	Helen A. Hurlbutt	R/W	45
9252	Webster L. Kincaid	R/W	3000
9321	Webster L. Kincaid	R/W	550
9251	George P. Hitchcock, et al	R/W	10,000
4869	Juanita Starr	R/W	10,000

After careful consideration of each item the Commission approved the offers and thereupon by unanimous vote adopted the following resolution authorizing the Attorney to proceed with condemnation:

WHEREAS, the State Highway Commission is authorized to locate, relocate, construct, reconstruct, maintain, widen, straighten, and otherwise improve state highways, both primary and secondary, and said Commission is also authorized to construct shops, equipment sheds, office buildings, maintenance sites, patrolmen accommodations, and snow fences, and is authorized to acquire quarry sites, gravel pits, storage sites, stockpile sites, weighing stations, and broadcasting stations, and is further authorized to develop, construct, improve, operate, and maintain parks, parking places, auto camps, camp sites, roadside development, recreational grounds, or resorts, and other places of attraction and scenic value; and

WHEREAS, said Highway Commission is authorized to acquire by purchase, agreement, donation, or by the exercise of the power of eminent domain real property, or any interest therein, necessary or deemed by the Highway Commission necessary for the accomplishment of any and all of the foregoing things; and

WHEREAS, in the judgment of the Highway Commission the several tracts or parcels of land hereinafter described are each and all necessary for the specific and particular purposes hereinafter specifically set forth;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the Commission does hereby find and declare that

*The amount of the offer is indeterminate but is to be taken up with Mr. Cabell if it is more than about \$200.

the several parcels of real property hereinafter described are each and all necessary for the accomplishment of the purposes hereinafter expressly and specifically set forth, which said real properties and the specific purposes for which the same are being acquired are described as follows, to wit:

Real property owned by Juanita A. Starr, which property is located in Government Lots 1, 2, 3, and 4, and in the southeast quarter (SE $\frac{1}{4}$) of the northeast quarter (NE $\frac{1}{4}$) and in the northeast quarter (NE $\frac{1}{4}$) of the southwest quarter (SW $\frac{1}{4}$) of Section 3, and in Government Lot 1 of Section 4, Township 1 North, Range 6 East, and in Government Lot 1, and the southeast quarter (SE $\frac{1}{4}$) of the northeast quarter (NE $\frac{1}{4}$) of Section 3, and in the northwest quarter (NW $\frac{1}{4}$) of the northwest quarter (NW $\frac{1}{4}$) of Section 2, Township 1 North, Range 6 East, and in Lots 3 and 4 of Section 35, Township 2 North, Range 6 East, W. M., Multnomah County, Oregon, and is more particularly described on the attached sheets and designated as Parcels Nos. 1 and 2 and is further identified in the records of the Highway Commission as file R 4869, and which property is being acquired for right of way purposes in connection with the Columbia River Highway.*

Real property owned by Southern Pacific Company, which property is located in the north half of the northwest quarter of Section 31 and in the northwest quarter of Section 31, Township 17 South, Range 4 West, W. M., in Lane County, Oregon, and is more particularly described on the attached sheets and designated as Parcels Nos. 3 and 4 and is further identified in the records of the Highway Commission as file R 8752, and which property is being acquired for right of way purposes in connection with the Eugene-Swisshome Highway;*

Real property owned by Ellen E. Wood, which property is located in Government Lot 7 of Section 20 and in Government Lot 8, Section 19, Township 8 South, Range 10 West, W. M., in Lincoln County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 5 and is further identified in the records of the Highway Commission as file R 9638, and which property is being acquired for right of way purposes in connection with the Siletz Highway;*

Real property owned by D. M. Morley, which property is located in Government Lot 1 (NW $\frac{1}{4}$ of NE $\frac{1}{4}$) of Section 20, Township 8 South, Range 10 West, W. M., in Lincoln County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 6 and is further identified in the records of the Highway Commission as file

R 9633, and which property is being acquired for right of way purposes in connection with the Siletz Highway;*

Real property owned by J. H. Cartwright, et al., which property is located in the southeast quarter (SE $\frac{1}{4}$) of Section 4 and in the northeast quarter (NE $\frac{1}{4}$) of the northeast quarter (NE $\frac{1}{4}$) of Section 9, Township 15 South, Range 5 West, W. M., in Benton County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 7 and is further identified in the records of the Highway Commission as file R 4415, and which property is being acquired for highway purposes in connection with the Territorial Highway;*

Real property owned by First National Bank of Sheridan, which property is located in the James Taylor D. L. C. No. 43 of Section 10, Township 7 North, Range 10 West, W. M., in Clatsop County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 8 and is further identified in the records of the Highway Commission as file R 9552, and which property is being acquired for right of way purposes in connection with the Oregon Coast Highway;*

Real property owned by Emily M. Fertig and Charles A. Fertig, wife and husband, located in the Lewis Thompson D. L. C. No. 45 in Section 4, Township 7 North, Range 10 West, W. M., in Clatsop County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 9 and is further identified in the records of the Highway Commission as file R 9544, and which property is being acquired for right of way purposes in connection with the Oregon Coast Highway;*

Real property owned by Emma M. Tagg, et al., which property is located in the Lewis Thompson D. L. C. No. 45 in Sections 4 and 9, Township 7 North, Range 10 West, W. M., in Clatsop County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 10 and is further identified in the records of the Highway Commission as file R 9545, and which property is being acquired for right of way purposes in connection with the Oregon Coast Highway;*

Real property owned by Robert B. Poole, et ux., which property is located in the John Hobson D. L. C. No. 44 in Section 9, Township 7 North, Range 10 West, W. M., Clatsop County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 11 and is further identified in the records of the Highway Commission

as file R 9546, and which property is being acquired for right of way purposes in connection with the Oregon Coast Highway;*

Real property owned by Webster L. Kincaid, which property is located in the Zara Sweet D. L. C. No. 68 in Section 33, Township 17 South, Range 3 West, W. M., and in Block 1, Kincaid Park, Eugene, all in Lane County, Oregon, and is more particularly described on the attached sheets and designated as Parcels Nos. 12, 13, and 14 and is further identified in the records of the Highway Commission as files R 9252 and 9321, Parcels Nos. 12 and 13 being acquired for right of way purposes in connection with the Pacific Highway and Parcel No. 14 being acquired for right of way purposes in connection with the Willamette Highway;*

Real property owned by George P. Hitchcock, et ux., which property is located in Section 33, Township 17 South, Range 3 West, W. M., in Lane County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 15 and is further identified in the records of the Highway Commission as file R 9251, and which property is being acquired for right of way purposes in connection with the Pacific Highway.*

2. That the Commission does hereby find and declare that each of the said described parcels of real property is necessary and acquisition of the same by the State is required for the specific purposes hereinabove set forth, and the said properties are being acquired for the express and specific purposes in this resolution set forth.

3. That the State Highway Engineer be and he hereby is instructed and directed to make or cause to be made all surveys necessary in connection with the determination, description, and acquisition of said real properties, and said Engineer is further instructed to prepare and submit to the Legal Department necessary and adequate descriptions of the said real properties, which said descriptions shall be available for the preparation of any deed or deeds or other instrument or instruments necessary to complete the acquisition of said property or properties, whether said properties be acquired by purchase, donation, agreement, or by the exercise of the power of eminent domain.

4. That J. M. Devers, Attorney for the State Highway Commission, be and he is hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby

further resolved that J. M. Devers, Attorney for the State Highway Commission, be and he hereby is requested to commence and prosecute to a final determination such suit or action, or suits or actions, as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

*(The detailed descriptions of the respective parcels of real property mentioned in this resolution are attached to the original resolution on file in the office of the State Highway Commission, Salem, being Resolution No. 15, under the heading "Real Property Condemnation Resolutions", and said descriptions by this reference are made a part of this minute entry to the same extent as if copied in full herein.)

The Attorney discussed with the Commission the acquisition of right of way for the new Columbia Gorge Highway across property owned by Mrs. Juanita Starr. He said that Mrs. Starr is demanding \$22,500 for such right of way, but, in his estimation, it is not worth more than \$10,000. He recommended an offer of \$10,000 in connection with this condemnation case. The Commission approved the recommendation.

The Engineer discussed with the Commission two letters from W. H. Lynch, District Engineer, Public Roads Administration, in which the Highway Commission is asked to waive restrictive regulations and permit the transportation over certain state highways of loads with overall lengths up to 60 feet and with gross weights of 68,000 pounds as an emergency measure, associated directly with national defense. (See letters dated August 2 and August 14, 1941) Both letters were read aloud and discussed. The Engineer was instructed to reply that the Commission feels strongly that the increased weight should not be placed on Oregon highway bridge structures and that general highway traffic should not be subjected to the hazard of loads that cannot keep on their own side of the road; furthermore, that the Commission would be glad to comply with the request but in its opinion it has no authority to grant permits for movements of vehicles which exceed the weights and dimensions prescribed by law and ignore the express will of the recent legislature notwithstanding that it is a recognized fact that the present statute serves as a barrier to the free movement of interstate commerce.

The Commission adjourned at 12:15 p. m. and reconvened at 1:00 p. m. in the same room with the same persons present and participating.

The Engineer requested authority to advertise for bids for the following rock production projects:

Swisshome Rock Production Project on the Siuslaw Highway, Lane County. Estimated cost \$20,200.

Pendleton-Meacham Rock Production Project on the Old Oregon Trail, Umatilla County. Estimated cost \$19,000.

Gilliam County Line-Umatilla Rock Production Project on the Columbia River Highway, in Morrow and Umatilla Counties. Estimated cost \$17,000.

Bellnap Springs-Fourmile Butte Rock Production Project on the McKenzie Highway, in Deschutes and Lane Counties. Estimated cost \$26,000.

The Commission approved the request by unanimous vote.

The Engineer also requested authority to replace the Rogue River Bridge on the Salmon River Highway, in Polk County, at an estimated cost of \$7,500. The Commission approved the expenditure.

A letter was presented from Honorable J. D. Perry, Deer Island, requesting the elimination of a curve in front of the Deer Island public school ground. The Engineer advised that this work is estimated to cost \$15,000 and the Commission previously in this session approved the project. He was instructed to so inform Mr. Perry.

The Engineer advised that on his return from the Commission's Eastern Oregon trip on July 25, he stopped at LaGrande and discussed certain road matters with Mr. Charles Reynolds, President of the Oregon Trail Association, and Mr. Reynolds particularly asked that the Commission give consideration to the following projects:

- (1) Extend the improvement of the Wallowa Lake Highway a distance of about two miles south of the completed section at Boswell Ranch.
- (2) Improve the county road between Tollgate and Milton, about ten miles in length, as a federal aid secondary highway project.
- (3) Construct the proposed revision of the Old Oregon Trail between Union and North Powder on the Ladd Canyon route.
- (4) Authorize additional improvements for the Starkey Secondary Highway.
- (5) Extend the federal aid secondary highway improvement on Hunter Lane a distance of about five miles to the end of the farming district.

Action on these requests was deferred by the Commission pending inspection of the several projects on its next trip into this district.

The Commission discussed a letter from J. H. Wittrock, Kerby, Oregon, requesting the oiling of the Redwood Highway full width through the business district and construction of a sidewalk for the benefit of school children and other pedestrians. The Engineer estimated the cost of the oiling at \$1,500 and the cost of an oiled footpath, 0.04 mile in length, at \$300. He recommended construction of the sidewalk and that the request for the other oiling work be denied. The Commission approved the recommendation.

The Commission considered and referred to the Engineer for investigation and cost report a resolution from Malheur Pomona Grange No. 33 requesting the improvement of the County road which extends from the Adrian-Nyssa Highway to Owyhee Dam, in Malheur County.

The Commission also discussed a letter from Mr. L. J. Simpson, Empire, Oregon, urging further improvement of the Cape Arago Secondary Highway between the end of the present improvement and Cape Arago State Park. The Commission denied the request on account of lack of funds with which to finance the work and for the further reason that the Commission is now spending considerable money in the Coos Bay district for highway improvements and feels that this district is getting its full share of the highway funds. The Secretary was instructed to so inform Mr. Simpson.

A letter was presented from Mr. H. W. Gauntlett, President of the Bank of Newport, requesting the improvement of the Oregon Coast Highway between Newport and Taft. The Secretary was instructed to inform Mr. Gauntlett that the Commission plans to give this project due consideration in the formulation of its next construction program.

The Engineer requested authority to spend about \$14,000 for landscaping and yard work at the highway department's new testing laboratory in Salem, so as to provide an improvement comparable to the adjoining highway department premises and those of the forestry department and the state penitentiary. The Commission approved the request.

The Engineer reported the destruction by fire of the maintenance buildings at Alkali Lake adjacent to the Lakeview-Burns Highway, in Harney County. He requested authority to replace the buildings, which consist of two patrolmen's houses and one maintenance shed, at an estimated total cost of \$15,500. This matter was discussed at considerable length during which the question arose whether or not it is absolutely necessary to build both patrolmen's houses at this time. The Commission's final decision was to construct all three buildings at this time, thus avoiding probable extra expense if one of the patrolmen's houses was built later on.

The Commission discussed the matter of maintaining city streets that are not on state highway routes, particularly those which are being damaged by log hauling operations and general commercial trucking. After careful consideration of this matter the Commission authorized an expenditure of \$250,000 for such purpose, \$150,000 of which is to be spent next year in cities and towns having a population of not less than 250 and not more than 50,000 in conformity

with the following formula: one-third population, one-third mileage of streets on U-2S (general use streets - see Technical Report #38-1), and one-third on the ton-miles of travel on the U-2S; the balance of the money is to be used now, if necessary, to finance emergency improvements on city streets. The improvements in each instance are to be covered by written agreement between the city and the state. The Engineer was instructed to prepare a program for such improvements. The Attorney presented and read aloud the following cooperative form of agreement between the cities and the state covering the matter, which form the Commission approved by unanimous vote:

THIS AGREEMENT made and entered into this ____ day of _____, 1941, by and between the STATE OF OREGON, by and through its State Highway Commission, hereinafter called the "State", party of the first part, and the CITY OF _____, a municipal corporation of the State of Oregon, by and through its municipal authorities, hereinafter called the "City", party of the second part;

W I T N E S S E T H :

RECITALS:

1. The city streets hereinafter named have been and are now being subjected to a kind and volume of motor traffic which is destructive of said streets beyond the financial ability of the City to repair and maintain the same.

2. One of the major uses of said streets at this time is by commercial motor traffic including logging traffic.

3. It is the judgment and opinion of the Highway Commission that, because of the kind and volume of traffic using said streets, the State should in equity cooperate with the City in the improvement or maintenance of said streets or sections thereof which are hereinafter named.

4. Subsection 32 of Section 100-115 O. C. L. A., authorizes the Highway Commission among other things to "enter into an agreement or agreements with any county, city, town or road district for the construction, reconstruction, improvement or repair of any road, highway or street upon such terms and conditions as the contracting parties may mutually agree upon".

NOW, THEREFORE, the premises being as stated in general and in part in the foregoing recitals, it hereby is agreed as follows:

1. The State shall, without cost to the City except with respect to rights of way, improve and maintain, in the manner and to the extent set out in the maps, plans and specifications which are

hereto attached, certain streets or sections thereof, as indicated on the maps, plans and specifications.

2. The State shall be under no obligation to do any work on said streets other than as is specified and set out in the maps, plans and specifications which are marked Exhibit A and which exhibit is hereto attached and made a part hereof.

3. Nothing in this agreement shall, nor shall any work done on said streets pursuant to this agreement, impose on the State, its State Highway Commission or employees any liability or obligation of any kind or character other than the duty and obligation to do the work specified in said plans and specifications.

THINGS TO BE DONE BY THE CITY:

1. The City shall retain in full its jurisdiction and control over and duties with respect to said streets.

2. The City shall provide, when necessary, any and all rights of way needed for the carrying out of the provisions of this agreement.

3. The City shall police said streets to the same extent and for like purposes as the City should and would do if this agreement had never been executed.

4. The City shall keep the Highway Commission advised of any and all apparent defects in said streets so that the same may be with all reasonable dispatch and good workmanship remedied.

5. If any defect occurs in any of said streets which is in the nature of an emergency and requires immediate attention, the City shall take proper and appropriate measures to safeguard the public, and shall immediately notify the Highway Commission of such condition.

GENERAL PROVISIONS:

1. It is recognized that this agreement is intended to represent a cooperative effort on the part of the City and the State to meet special and unusual conditions, and, therefore, each party to this agreement pledges complete cooperation with the other.

2. This agreement shall be in full force and effect until December 31, 1942, and no longer, unless a writing executed by these parties extending the life of the agreement is attached hereto.

IN WITNESS WHEREOF, the parties hereto have subscribed their names and affixed their seals the day and year first above written:

ATTEST:

STATE OF OREGON, by and through its
State Highway Commission

Secretary

By _____
Chairman

APPROVED:

By _____
Commissioner

State Highway Engineer

By _____
Commissioner
Party of the First Part

ATTEST:

CITY OF _____, by
and through its municipal authorities,

By _____
Mayor

By _____
Recorder
Party of the Second Part

The Engineer requested authority to purchase the following equipment:

- 2 light-type trucks to replace two trucks destroyed by fire at Alkali Lake section headquarters. Estimated total cost \$2,000;
- 3 new paving plants each of which consists of the following equipment:

1 - Paving Plant	\$12,000.00	\$12,000.00
6 - Hauling Trucks	1,200.00	7,200.00
2 - Pick-up Cars	600.00	1,200.00
1 - 6-Ton Roller	4,000.00	4,000.00
1 - Roller Trailer	2,000.00	2,000.00
1 - Office Trailer	1,000.00	1,000.00
1 - 550 Gallon Asphalt Kettle	1,500.00	1,500.00
1 - 200 Gallon Asphalt Kettle	500.00	500.00
1 - 100 Gallon Asphalt Kettle	360.00	360.00
1 - Flush Coat Cart	60.00	60.00
4 - Rubber Tired Wheelbarrows	15.00	60.00
Miscellaneous		120.00
(Miscellaneous equipment consists of shovels, rakes, pouring pots, etc.) Total		\$30,000.00

Estimated total cost of the three units \$90,000.

He explained that the Commission's new policy of spending a certain amount of money each year for the improvement of city streets that are not on state highway routes, together with the extra expense that is now being incurred for repairing damage done to the state highways by logging traffic, necessitates the additional equipment and in order to have the equipment available for use next year, it is necessary to place the order for the same now because deliveries are very slow on account of defense orders which have priority. After careful consideration of this matter the Commission authorized the purchase of all of this equipment, the purchases to be made through the State Purchasing Agent in accordance with the usual practice.

The Engineer then requested authority for Maintenance Engineer J. N. Bishop and Master Mechanic Emil Halik to go to Spokane, Washington, at state expense to inspect a small paving plant that is owned by the Washington Highway Department, it being a new type of equipment that might be used to good advantage in this state. The Commission approved the request subject to further approval by Governor Sprague.

The Commission deferred action on a letter from Mr. David Eccles, State Budget Director, inquiring whether or not it would be possible for the State Highway Department to make a topographical survey of Cascade Locks and vicinity in view of the possible development of this area for industrial purposes.

A letter was presented from Mr. J. D. Shirley, District Director, Division of Operations, Work Projects Administration, advising that it is the desire of the Work Projects Administration that the more important projects carried out under its program be properly marked for permanent identification, particularly referring to the Wolf Creek Highway project and the Wilson River Highway project. He suggested three separate schemes for such marking, one being a combination sponsor-federal marker; the second consisting of two markers, one for the sponsor and one for the federal agency; and the third consisting of one marker for the federal agency only. The Engineer recommended the third scheme, consisting of one marker for the federal agency. The Commission approved the recommendation.

Reconsideration was given by the Commission to the request of the United Contracting Company for relief from payment of the full penalty imposed for failure to complete its contract, No. 2340, for the construction of the Corvallis-Lincoln School Project on the Pacific Highway West, in Benton County, within the specified time limit. The company alleged the following facts in support of its request: that bids were first taken for this project on June 13, 1940, with the completion date set at September 30, 1940; that the Highway Commission rejected such bids and readvertised the project for bids to be received on July 18, 1940, although the time limit was not extended accordingly; that the contract forms were expressed to the company on July 20 and were signed and returned by the company on July 22 but a fully executed copy of the contract was not delivered to it until August 9, 1940; and that construction work was started on August 26, 1940, which gave them only a few days over one month within which to complete the contract on time, which was humanly

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impossible. The company further alleged that because of inclement weather it could not successfully operate during the winter season and work was ordered shut down during such period, and in view of these conditions, it feels that it is entitled to relief from payment of the penalty. The Engineer advised that he believes that the contractor's statements are substantially correct and in view thereof recommended a 50 per cent reduction in the penalty. The Commission approved the recommendation and thereupon signed the voucher covering final payment for the work.

The Engineer reported that in conformance with authority previously granted him by the Commission he has awarded the following contracts, the conditions of the awards having been satisfied:

Grading, surfacing and bituminous macadam construction on the Algoma-Terminal City Section of The Dalles-California Highway, in Klamath County. Bids taken June 13, contract awarded August 5, 1941, to Frank Penepacker and Clifford A. Dunn, low bidders:

Detroit-South Santiam Junction Rock Production Project on the North Santiam Secondary Highway, in Linn and Marion Counties. Bids taken July 17, contract awarded July 30, 1941, to A. O. Ekstrom, low bidder.

The Commission confirmed such awards as reported.

A letter was presented from Mr. Frank Rada, Mill City, requesting permission to construct and maintain a fence across the uncompleted section of the North Santiam Highway in Mill City as a temporary proposition until the highway improvement is extended along the north side of the Santiam River toward Mehama. The Engineer advised that this section of road is not used at the present time by anyone except Mr. Rada and that the closing of the same as a temporary proposition would not inconvenience the public. He recommended approval of Mr. Rada's request. The Commission approved the recommendation subject to the condition that Mr. Rada will remove the barricade when requested to do so and that the matter is covered by written agreement between Mr. Rada and the state.

The Engineer asked authority for Traffic Engineer John Beakey to attend at state expense a traffic school in Berkeley, California, August 6 to 12, 1941. He estimated Mr. Beakey's expense at \$80.00. The Commission approved the request subject to concurrence by Governor Sprague.

The Commission discussed its proposed inspection trip into Wallowa County and tentatively decided to make such trip some time during the month of October.

The Commission discussed an inquiry from Mr. Charles Reynolds, President of the Oregon Trail Association, LaGrande, as to whether or not the funds that the Commission has authorized for the construction of the new Pendleton Airport Road is to be charged against the Eastern Oregon district. The

Commission deferred a decision in this matter pending receipt of definite information with respect to the federal appropriation for access roads.

The Engineer reported that the communication system for the benefit of log haulers has been installed in the Elkton Tunnel on the Umpqua Highway, in Douglas County, and is ready for operation by flagmen who are to stop other traffic in the tunnel while it is being occupied by logging trucks. He recommended that the Commission order the use of these facilities by all loggers desiring to truck-haul logs through this tunnel and suggested that such operators should furnish flagmen at their own expense. The Commission approved the suggestion as to the flagmen and instructed the Secretary to recommend to the Public Utilities Commissioner the granting of PUC permits for logging operations in this tunnel only in the event that the operators will utilize the communication facilities.

Reconsideration was given by the Commission to the matter of allowing one-log loads weighing in excess of the statutory weight limits to be transported over state highways, which matter was discussed on the previous day with a delegation of persons interested in the logging industry. The Engineer advised that the Washington Highway Department has a rule with respect to such operations which might work satisfactorily in the state of Oregon. He was instructed by the Commission to secure full information with respect to the Washington ruling and to put it into effect in Oregon for a period of 30 days as a trial if he considers the ruling reasonable and there are possibilities that it will prove a satisfactory solution of the problem in this state.

Commissioner Oliver brought up for discussion the need for traffic scales on the John Day-Burns Highway at Seneca to weigh logging trucks. After discussion the Commission approved the installation which was estimated to cost about \$2,500. The Engineer pointed out the need for scales in other locations. The Commission approved the purchase of five additional scales at this time and indicated that it would purchase more later on.

The Engineer submitted a report from Landscape Engineer George Otten with respect to construction of an entrance roadway into the property of Mr. T. M. Gilchrist near the intersection of the Pacific Highway and the Santiam Highway in Albany, involving certain landscaping work. He submitted a plan for the proposed improvement and recommended adoption of the same. After discussion the Commission approved the recommendation by unanimous vote and instructed the Engineer to submit the plan to Mr. Gilchrist. In the event that Mr. Gilchrist will not accept the plan then an attempt is to be made to settle with Mr. Gilchrist on a cash basis. If Mr. Gilchrist approves the plan, a written agreement shall be executed setting forth clearly that permission to place his gasoline pumps directly on the property line is of limited duration and will cease and terminate when the Highway Commission constructs the proposed wye connection at which time he will be required to set his curb pumps back in such manner as to obviate the necessity of serving traffic on any portion of the highway right of way.

The Engineer reported that Mr. R. W. Nelson, who represents the Port

of Portland, has expressed a desire to discuss with him the proposed cooperative arrangement relative to the use of the Port of Portland's dredge in connection with additional construction on the Columbia Gorge Highway. He said that he has not had an opportunity as yet to contact Mr. Nelson but will do so as soon as possible and hopes to have a report for the Commission at the next meeting. The Commission approved.

The Engineer brought up for discussion the improvement of the Sprague River County Road, in Klamath County, for which the federal government has appropriated \$150,000 contingent upon such sum being matched by state funds. He gave as his opinion that greater efficiency could be obtained and more road actually constructed if the state's share of the work were done by contract, provided, of course, the Commission approved an expenditure of \$150,000 of state money for this purpose or, in lieu thereof, furnished material, equipment and services equivalent in value. If such an arrangement can be made, he said, it will necessitate taking over a section of the road as a state secondary highway and thereafter maintaining it as such. He suggested the section between the town of Sprague River and the junction with the Klamath Falls-Lakeview Highway near Beatty, a distance of about ten miles. After discussion the Commission expressed a preference for the contract method of doing the work and thereupon approved Chairman Cabell's letter of August 13, 1941, directed to Mr. B. G. Courtright, Superintendent, Klamath Indian Agency, outlining the plan in more detail.

A letter was presented from the United States Farm Security Administration, Los Angeles, requesting permission to transport one hundred house trailers over state highways from the California state line to the army munitions dump near Umatilla, particularly requesting authority to tow two such trailers behind one pickup truck so as to expedite the entire movement. The Commission deferred a decision in the matter pending a test run to determine whether or not the movement would be hazardous to other traffic. The Secretary was instructed to arrange for such test run over United State Highway No. 395. If the results are satisfactory, then he is authorized to grant a permit for the movement of the remaining trailers.

The Engineer brought up for discussion the matter of improving the Union Avenue approach to the Interstate Bridge on the Pacific Highway in Portland and particularly a letter from Mr. Harvey Wells, President of the Hayden Island Amusement, who requests such improvement between the Interstate Bridge and Oregon Slough Bridge in accordance with previous understanding. The Engineer advised that Mr. Wells is anxious to proceed with certain development work in Jantzen Beach Park which necessitates certain improvements to the highway that is estimated to cost about \$12,000. He exhibited a map showing the proposed improvement and recommended that he be authorized to advertise the project for bids to be received as soon as it can be prepared for letting. After discussion the Commission approved the plan and authorized the Engineer to advertise the project for bids notwithstanding that circumstances may arise that the award of the contract cannot be made.

The State Parks Superintendent reported on the following park matters:

Request of Mr. Russell Hubbard to purchase certain state-owned property adjacent to the Umpqua Highway at Reedsport:-The Parks Superintendent advised that he has no objection to the sale to Mr. Hubbard of certain city lots situate opposite Mr. Hubbard's mill and near the point where the highway turns onto Main Street, Reedsport, but in his estimation the Commission should not dispose of the other tract desired by Mr. Hubbard but should retain the same so as to preserve the unobstructed view of the Umpqua River. The Commission deferred a decision pending inspection of the property in question.

Acquisition of Mead property adjacent to the Upper Columbia River Highway at Shell Rock Mountain:-The Parks Superintendent advised that Mrs. Mead wants \$5000 for her land which consists of 112 acres. He gave as his thoughts, however, that if the Commission purchased this property it should also acquire certain adjoining property some of which no doubt could be obtained without charge and across which a proposed revision of the Columbia River Highway has been projected. He further advised that these properties will fit in very nicely with the program for the Upper Columbia River parks. The Attorney advised that the owners of this property have another buyer for the same so if the Commission wants the property it probably will have to act soon. After discussion the Commission ordered further investigation and that the owners of the adjoining property be contacted relative to the sale of their holdings.

Proposed crossing of Bonneville Power transmission line over Emigrant Park:-The Parks Superintendent advised that the Bonneville Power Administration has requested a permit to build its pole line over Emigrant Park in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 9, Township 1 North, Range 35 East, W. M., Umatilla County; further that he investigated the proposed crossing and found the location to be the least harmful in this particular section. He recommended approval of the request. The Commission approved the recommendation.

Addition to state park at The Cove, in Jefferson County:-The Parks Superintendent presented an amendment to the cooperative and license agreement with the Department of Agriculture covering recreational lands located at The Cove in Jefferson County and providing for the lease of an additional 1,980 acres for a period of 50 years, subject to three 15-year renewals without cost. The Commission approved the lease.

Proposed parks in Lincoln County:-The Parks Superintendent reported receipt of a petition from the North Lincoln County Chamber of Commerce urging the Highway Commission to establish three state parks as follows: (1) tract at the mouth of Devils Lake between the Oregon Coast Highway and the Pacific Ocean; (2) a three-acre tract located adjacent to the Oregon Coast Highway at Fogarty Creek; and (3) tract adjoining the Port of Newport Docks at Taft. The Parks Superintendent advised that he has investigated all of

these sites and cannot recommend any of them. The tract at the mouth of Devils Lake, he said, would require an expenditure of approximately \$30,000 to make the area serviceable and in his estimation the expenditure is not justified. Furthermore, the Commission has previously refused to purchase this property. The area at Fogarty Creek, he said, comes within the right of way of the proposed highway line change, and the tract at Taft consists of bay frontage about 200 feet long and 50 feet deep. The Commission decided not to acquire any of these tracts.

Proposed park north of Elgin, Union County:-The Parks Superintendent presented a resolution from Union County Pomona Grange No. 6 requesting the establishment of a state park at a place known as Rock Wall about five miles north of Elgin. He said that this area has been investigated and in his estimation does not meet the state parks' qualifications. Furthermore, it would be necessary to construct five miles of road to provide access to the area. He recommended that the tract be not acquired. The Commission approved the recommendation.

Archery concession at Silver Creek Falls State Park:-Upon recommendation of the State Parks Superintendent the Commission denied the request of E. J. Callahan and R. L. Russell to maintain an archery concession at Silver Creek Falls State Park.

Wayside strips along the Pendleton-John Day Highway:-The Parks Superintendent recommended an expenditure of federal aid funds in the amount of \$15,000 to purchase wayside timber strips along the Pendleton-John Day Highway between Dale Ranger Station and the junction of Camas Creek and the John Day River; further, that he be authorized to employ three appraisers to check the purchase price of the property as established by the right of way department and as required under the federal aid act. He advised that options have been secured from the several owners and that such options expire on December 1, 1941. He further advised that this project is in his estimation a first priority project for federal moneys. After discussion the Commission instructed the Parks Superintendent to secure an extension of time, if possible, on the options because it will take some time to secure the government funds. The Commission approved the purchase with government funds and also authorized the appraisals as requested. The Engineer was instructed to file an application for the federal funds as soon as the appraisals are completed.

Sheep grazing in Humberg Mountain State Park, Curry County:-The Parks Superintendent presented forms of agreements with Mr. Ray Fromm and Mr. Ace Turner covering the grazing of sheep in this park at a price of 20¢ per sheep per year. The Commission considers the price too low; however, agreed to grant such grazing privileges if the owners of the sheep are willing to pay 50¢ per head yearly for this privilege.

Proposed addition to Ecola State Park, in Clatsop County:-The Parks Superintendent advised that Mr. John Yeon, Portland, owns approximately 12 acres of land at the westerly end of Chapman Point in this park and has offered to sell this property to the state for the sum of \$8,175.37, which he states represents the actual cost of the property to him. He also stated that there are several other small tracts at this location which should be acquired in order to fill out the park. The Commission indicated that the price demanded by Mr. Yeon is satisfactory; however, deferred a definite decision pending further investigation as to the desirability of acquiring the property. The Parks Superintendent was instructed to make a survey of the entire proposal and present the same to the Commission at a future meeting.

Proposed park on Blacklock-Sandstone property, Curry County:-The Parks Superintendent reported an offer of W. Robert McMurray of Commonwealth, Inc., to sell to the state for park purposes 1400 acres of land with a three-mile frontage on the Pacific Ocean, said property being situate in northern Curry County three miles west of the Oregon Coast Highway. The Commission decided not to purchase this property at the present time.

Concession at Silver Creek Falls State Park:-The Parks Superintendent brought up for discussion the matter of the sale of a concession in Silver Creek Falls State Park and reported on the procedure followed by other governmental agencies with respect to such matters. After discussion he was instructed by the Commission to secure proposals from prospective concessionaires who are qualified to operate this concession and to submit the same for the consideration of the Commission.

Proposed use of Flounce Rock State Park by the United States Army:-The Parks Superintendent advised that a request has been made by the United States Army authorities for permission to conduct a recreational retreat in this park for the benefit of army pilots. He recommended approval of the request if it is presented in formal manner. The Commission approved the recommendation.

The Engineer reported receipt of two petitions from residents of Pendleton, one of which endorses the proposed widening of Southwest Court Avenue and the other opposes such widening because of the necessity to remove shade trees now growing in the parking areas. He advised that the traffic conditions along this street, which is the route of the Old Oregon Trail, are serious and that some means should be taken to alleviate the traffic congestion; further, that the most feasible and economical way would be to widen Southwest Court Street to a width of from 46 to 48 feet between curbs which would permit parallel parking and would provide for three moving lanes of traffic. The only feasible alternative, he said, would be to make Court Street a one-way street for north-bound traffic and to route south-bound traffic along Dorian Avenue, although during the time of the Pendleton Round-Up such routing would no doubt

cause considerable confusion. After discussion the Commission decided that this is a problem for the City of Pendleton to work out. The Engineer was instructed to inform the city council that the Commission is of the opinion that the widening of Court Street is the proper solution but the Commission cannot do this without taking away the trees. He was also instructed to ascertain the attitude of the city council with respect thereto.

The Commission discussed the claim of Mrs. Violet Jones for damage to her wearing apparel by wet paint. The Attorney explained that Mrs. Jones's claim is in the amount of \$6.10 and represents expense for cleaning her wearing apparel which was damaged by paint when she inadvertently leaned against the highway department scalehouse on the Pacific Highway near Jantzen Beach Park. He questioned the state's liability in the case. The Engineer advised that people have formed the habit of waiting at this point for busses, and it is quite evident that that is what Mrs. Jones was doing when she came in contact with the scalehouse which was freshly painted. It was his thought that Mrs. Jones should have known the condition notwithstanding that there were no warning signs in evidence. After discussion the Commission denied the claim; however, instructed the Engineer to hereafter maintain warning signs at locations where painting operations are underway.

The Commission discussed the complaint of the Lutz Marble Company, Portland, concerning the drainage of the Lower Columbia River Highway in front of their premises at Guild's Lake, Portland. The company alleges that the Highway Commission installed a culvert across the highway at this point to care for highway drainage and as a result water from the highway flows over their property, seriously damaging the same. Further, that the culvert was installed at a location where there has been no natural drainage channel for over twenty years and they demand that the culvert be permanently closed, otherwise they will take steps as may be necessary to remove the hazard.

The Engineer advised that the culvert referred to is in a natural drainage channel, that it was installed in August of 1940 to replace an old wooden culvert that was placed there by Multnomah County years ago, but was inadequate to take care of the drainage water, in fact has not been in use for a long time and as a consequence, during the rainy season, water overflowed the pavement creating a hazard to the traveling public. He further advised that when Guild's Lake was filled in by the Port of Portland, a wooden flume was constructed to convey surface water across the privately owned land; however, the flume has long since rotted and there seemed to be no community drainage system to take care of the surface water as was formerly provided by the lake. By installing the new culvert, he added, the State Highway Commission is simply following the standard policy of conveying water from one side of the highway to the other side in natural drainage channels.

This matter was discussed at considerable length and it appeared to the Commission to be a responsibility not of the State Highway Department but of the party that sold the land to the Lutz Marble Company. The Engineer and the Attorney were instructed to discuss the matter further with Mr. Lutz from that standpoint some time during the following week.

The Attorney reported that the federal government is now taking action to condemn a portion of the Columbia River Highway at Tongue Point, which portion is needed in connection with the development of Tongue Point Naval Base. He inquired as to the wishes of the Commission with respect to the formulation of defense in such action. He was instructed by the Commission to point out that the road in question is the only available road for general public use through this particular district and must be replaced, otherwise the people of Astoria will be isolated; further, that the Highway Commission will expect the government to furnish a substitute road equally as good as the present one and pay damages that the state may incur by reason of the taking of the present road.

The Attorney brought up for discussion the matter of acquiring additional land as right of way for the proposed improvement of the Oregon Coast Highway across the Orris Knapp property at Port Orford. He advised that approximately eleven acres of land are involved in this transaction and that Mr. Knapp originally demanded \$100 an acre for the same; however, his attorney, Mr. Collier H. Buffington, Gold Beach, now advises that Mr. Knapp will accept \$80 per acre. He gave as his opinion that the land is not worth more than \$75 per acre and recommended settlement with Mr. Knapp on such basis. He was authorized by the Commission to pay \$75 per acre and to raise this offer to \$80 per acre if absolutely necessary.

The Assistant Attorney presented the question of allowing Grace Blackstock to take certain plumbing and other items of salvage from the building purchased from her on the Tongue Point Project in Clatsop County, in order to close the right of way settlement with her. He stated that in his opinion the salvable items in the building would not justify the expense of receiving bids and recommended that the owner be allowed to take the items. The Commission approved the recommendation.

The Engineer brought up for discussion the matter of further purchases of asphalt and road oil from the Casmite Corporation. He explained that on July 2, 1941, he directed a letter to the State Purchasing Agent recommending the discontinuance of the purchase of asphalt and road oil from this company because they contain so much dirt and foreign material which materially delays unloading of the cars, causes extra expense due to repair of equipment, and creates a hazard to employees by reason of danger of explosion. The officials of the Casmite Corporation, he said, are very much concerned about this recommendation and have agreed, if given another trial, to furnish asphalt products that will absolutely meet the specifications and have further agreed to reimburse the state for costs due to delays and repairs to damaged equipment. Furthermore, they have agreed to indemnify the State of Oregon for any losses sustained or injuries to persons. He recommended in view of the company's offer that it be given another opportunity to deliver materials under specification, particularly in view of the fact that this company was the low bidder in the recent taking of bids for the furnishing of such products. After discussion the Commission approved the recommendation.

The Commission had under discussion the proposed agreement with

Babler Brothers disposing of their claim for extra compensation arising out of their contract, No. 2456, with the state, covering repairs to the drawspan pier on the bridge over the Willamette River on the Corvallis-East Side Secondary Highway, in Corvallis. The Engineer explained that the specifications indicated a net quantity of 140 cubic yards of concrete to be placed whereas actually there were only 99 cubic yards placed or an underrun of 41 cubic yards. He further advised that a considerable part of the cost of the project was in the falsework around the piers which cost the contractor distributed to the concrete yardage in making up his unit bid, and in view thereof he has experienced a loss in this item. He estimated such loss at \$124.47 and recommended payment of such amount to the contractor. The Commission approved this settlement and thereupon signed an agreement with Babler Brothers disposing of the claim.

Ben Titus, Acting Director of the Travel and Information Department, was present and reported as follows with respect to the activities of his department during 1942. He advised that he discussed with Mr. Merle Chessman, Chairman of the Advisory Committee on Publicity Matters, whether or not any change should be made in the agency through which the Highway Commission has carried on its travel activities in the past, and it was Mr. Chessman's thought that the services of the present agency, Botsford, Constantine and Gardner, should be retained, and with that thought in mind he communicated with the other members of the committee all of whom, with the exception of Mr. Ball of Hood River who could not be reached, agreed that that was the proper thing to do. He read aloud several of the letters. The Commission discussed the matter at some length but deferred a definite decision in regard thereto pending consultation with Governor Sprague. It was decided that Chairman Cabell and Mr. Chessman should talk the matter over with the Governor.

Mr. Titus also mentioned that the Advisory Board has a meeting scheduled for Thursday, September 4, and at that time will listen to any agencies who wish to be heard on this subject. The Commission approved the plan.

Consideration was given by the Commission to the following requests for extensions of time within which to complete highway construction projects:

Frank Penepacker, contract No. 2346, for grading and surfacing the Butte Creek-Mayville Road Section of the Kinzua County Road, in Wheeler County, requested an extension of time from November 30, 1940, to July 10, 1941, within which to complete this job. He attributed his failure to complete the project within the specified time limit to adverse weather conditions. The Engineer advised that Mr. Penepacker encountered very bad weather during the late fall and early spring which very materially retarded progress of the work. However, he might have avoided this delay had he started operations within a reasonable length of time after the award of the contract. He attributed the overrun in time to Mr. Penepacker's negligence in not commencing the work at the proper time. In view thereof he recommended that the extension of time requested be granted but that the contractor be required to reimburse the state for all extra engineering

expense incurred in connection with the job subsequent to the specified date of completion. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

Angelo Doveri, contract No. 2354, for construction of a diversion canal and the Henley Flume on the Klamath Falls Section of the Klamath Falls-Malin Highway, in Klamath County, requested an extension of time from March 15 to June 7, 1941, within which to complete this job. He attributed his failure to complete the project within the specified time limit to the fact that he was required to wait for the completion of the diversion canal in order to remove drainage waters. The Engineer advised that the Henley Flume was completed during the winter months while there was no water in the flume and that part of the job, except for minor finishing work, was done by the time the Irrigation District turned the water back into the flume. However, the diversion canal carried water all winter, making it impracticable to do any work on that structure during the winter season. Water was turned out of the canal, he said, on April 16 and the contractor started work on the diversion canal bridge the next day; however, he was not well organized and did not finish the job until June 7, although one month would have been ample time to have completed the work. He recommended in view of the circumstances that an extension of time up to May 15, 1941, be granted without penalty but that an additional extension of time to and including June 7, 1941, be granted with the understanding that Mr. Doveri will reimburse the state for the extra engineering expense incurred subsequent to May 15, 1941. The Commission approved the recommendation.

L. B. James, contract No. 2405, for construction of a testing laboratory building at the state highway shops in Salem, requested an extension of time of 31 days, from July 31 to August 31, 1941, within which to complete the project. He attributed his failure to complete the project within the specified time limit to difficulties encountered in securing materials for the work due to the government's priority defense orders. The Engineer advised the reason given by the contractor for failure to complete the project within the specified time limit is correct, that in several instances it was necessary to make a substitution of materials and progress on the work was materially delayed thereby. He recommended granting the extension of time now requested without penalty. The Commission approved the recommendation.

Dimitre Electric Company, contract No. 2418, for electrical work on the Interstate Bridge on the Pacific Highway between Portland, Oregon, and Vancouver, Washington, requested an additional extension of time from June 30 to August 31, 1941, within which to complete this project. They attributed their failure to complete the project within the specified time limit to nondelivery of some of the electrical equipment which was to be furnished by the state. The Engineer advised

that the contract called for the completion of the job by May 15, 1941, but it was originally extended by the Commission to June 30, 1941, without penalty, because difficulties were encountered in securing certain electrical equipment; further, that the additional extension of time is necessary solely on account of nondelivery of the electrical equipment which is being furnished by the state. He recommended in view thereof that the extension of time requested be granted without penalty. The Commission approved the recommendation.

The Engineer reported that Contracts Nos. 2346, 2354, 2410, 2431, and 2445, for the construction of state highway projects, have been completed according to the requirements of the contracts or modifications thereof, and that said jobs are now ready for acceptance. The following resolution accepting the above projects was offered and adopted by the unanimous vote of the Commission:

WHEREAS, The Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts and that said jobs are now ready for acceptance:

Contract No. 2346, with Frank Penepacker, for grading and surfacing the Butte Creek-Mayville Road Section of the Kinzua County Road in Wheeler County. Completed July 2, 1941.

Contract No. 2354, with Angelo Doveri, for construction of the Henley Flume and U.S.R.S. Diversion Canal on the Klamath Falls-Malin Highway in Klamath County. Completed June 7, 1941.

Contract No. 2410, with O. C. Yocom, for surfacing and oiling the Hoffman Bridge-Grants Creek Section of the Powers Secondary Highway in Coos County. Completed July 28, 1941.

Contract No. 2431, with C. A. Dunn, for grading, surfacing and oiling the Henley Section of the Klamath Falls-Malin Highway in Klamath County. Completed July 22, 1941.

Contract No. 2445, with Norris and Philpott, for construction of a bridge over Meadowbrook Creek on the Starkey Secondary Highway in Union County. Completed July 31, 1941.

THEREFORE, BE IT RESOLVED, that the work covered by said state highway contracts for the construction of said state highway projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

The Commission set Thursday and Friday, October 9 and 10, 1941 as the date for its October meeting to receive bids for highway construction work. (Later postponed to October 16 and 17, 1941) The Secretary was instructed to make the usual arrangements to hold this meeting in the auditorium of the Public Service Building, Portland.

The Commission considered and signed agreements, et cetera, as follows:

Agreement with the Eugene Power Company covering re-establishment of its power facilities on account of the proposed reconstruction of the Pacific Highway between Eugene and West Springfield.

Agreement with the City of Portland relative to the Front Avenue Project in Portland.

Agreement with Jack Higgins and wife covering the lease of a maintenance headquarters site adjacent to the Tiller-Trail Secondary Highway, in Douglas County. Real property file No. 9642-A.

Agreement with Bahler Brothers disposing of their claim for extra compensation arising out of their contract for repairs to the bridge over the Willamette River on the Corvallis-East Side Secondary Highway, in Corvallis. Contract No. 2456.

Agreement with Dee Davis and wife providing for the use of a strip of land belonging to the Davises at LaGrande to improve the radio facilities at the LaGrande division headquarters. Real property file No. 9584.

Bargain and sale deed conveying unto Bennett Swanton and wife and Robert Swanton three parcels of property lying outside of the standard width highway right of way limits in Nasburg Addition to Marshfield. Real property files No. R 8061 and R 8087.

Bargain and sale deed conveying unto Morrison A. Conway one acre of land in Washington County. Real property files R 9348 and R 9349.

Bargain and sale deed conveying unto Sunset Fuel Company property lying outside of the standard width highway right of way in Lots 1, 2, 3 and 4, Block 8, Southern Portland. Real property files R 9388 and R 9389.

Bargain and sale deed conveying unto Frank H. Seal and wife 8922 square feet of land in Lane County. Real property files R 8799 and R 8800.

Amendment to cooperative and license agreement between the United States of America and the State of Oregon providing for

additional lands for the state park known as The Cove, in Jefferson County.

There being no further business to come before the Commission at this time the meeting was adjourned at 5:15 p. m.

Ross
State Highway Engineer

W. B. Glaisyer
Secretary

Henry F. Cabell
Chairman

Herman Oliver
Commissioner

Thomas Oliver
Commissioner

Portland, Oregon, September 4, 1941

The State Highway Commission met in regular session at 9:00 a.m. in the auditorium of the Public Service Building. Present were:

Henry F. Cabell, Chairman
Herman Oliver, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

Commissioner Clough was excused from attending this meeting.

Bids as follows for highway construction projects and operation of the Enegren Ferry were opened and read in conformance with previously published notice:

MCKENZIE HIGHWAY
BELKNAP SPRINGS-FOURMILE BUTTE ROCK PRODUCTION

A. S. Wallace

\$28,450.00

COLUMBIA RIVER AND MT. HOOD HIGHWAYS
HOOD RIVER ROCK PRODUCTION

A. S. Wallace	\$16,300.00
Lofts & Son	16,677.50
A. H. Saxton & Sons	20,175.00
R. E. Rush	21,400.00
E. C. Hall Co.	23,475.00
Rogers Construction Co.	25,880.00

LITTLE BUTTE SECONDARY HIGHWAY
SALT CREEK-HANLEY RANCH SECTION - SURFACING AND OILING

Norris Bros.	\$48,660.00
J. C. Compton	51,638.00

THE DALLES-CALIFORNIA HIGHWAY
MADRAS-JUNIPER BUTTE SECTION - GRADING

Leonard & Slate	\$82,423.00
G. D. Lyon & Co.	83,507.00
McNutt Bros.	87,388.50
M. L. O'Neil & Son	91,979.50
E. L. Rigdon	98,634.50
Jacobsen-Jensen Co.	105,196.50

KLAMATH FALLS-LAKEVIEW HIGHWAY
BEATTY-PARADISE CREEK ROCK PRODUCTION

A. S. Wallace	\$23,372.50
Rogers Construction Co.	25,847.50

SIUSLAW AND ALSEA-DEADWOOD HIGHWAYS
SWISSHOME ROCK PRODUCTION

A. S. Wallace	\$18,358.00
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SILETZ SECONDARY HIGHWAY
FOREST BOUNDARY-REED CREEK SECTION - GRADING, SURFACING, BITUMINOUS
MACADAM

	Using Asphalt	Using Tar
C. J. Eldon	\$135,381.00	\$135,337.00
E. C. Hall Co.	136,571.00	-

COLUMBIA RIVER HIGHWAY
GILLIAM COUNTY LINE-UMATILLA ROCK PRODUCTION

A. S. Wallace	\$16,783.50
A. H. Saxton & Sons	16,800.00

(Continued on next page)

(Gilliam County Line-Umatilla Rock Production - Cont.)

Rogers Construction Co.	\$17,450.00
R. E. Rush	18,400.00
R. O. Dail & Warren Bros.	18,650.00
Babler Bros.	23,000.00

PACIFIC HIGHWAY WEST
MORRISON STREET BRIDGE, PORTLAND - RECONSTRUCTION

Birkemeier & Sarnal	\$106,582.00
Gilpin Construction Co.	108,425.35
L. H. Hoffman	108,695.00

SHERARS BRIDGE SECONDARY HIGHWAY
WEST UNIT OF SHERARS GRADE SECTION - GRADING AND TOPPING

Norris Bros.	\$16,245.50
Leonard & Slate	16,270.00
Vernie Jarl	18,844.00
S. S. Montague	26,221.00

OLD OREGON TRAIL HIGHWAY
PENDLETON-MEACHAM ROCK PRODUCTION

A. S. Wallace	\$17,990.00
River Bend Sand & Gravel Co.	18,430.00
R. E. Rush	18,820.00
Rogers Construction Co.	21,341.00

WARM SPRINGS HIGHWAY
WARM SPRINGS RIVER-MILL CREEK SECTION - GRADING

Max J. Kuney	\$117,746.00
G. D. Lyon	138,802.00
Leonard & Slate	139,148.00
Sam Orino	144,132.50
C. J. Eldon	154,697.00
McNutt Bros.	156,759.00
A. C. Greenwood Co., Inc	189,722.00
M. L. O'Neil & Son	226,256.50
Nat McDougall Co.	294,376.50

COOS RIVER SECONDARY HIGHWAY
FURNISH FERRY SERVICE AT ENEGREN CROSSING OF COOS RIVER

Andrew Stambuck	\$1,369.60 per month
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Chairman Cabell brought up for discussion matters pertaining to a proposed industrial site adjacent to the Columbia River Highway at Troutdale. He advised that he has received information to the effect that the government is to select this site for a large aluminum plant rather than the site at Cascade Locks, and the people concerned have requested the construction of the new Columbia Gorge Highway, including a bridge over the Sandy River, at this time before the aluminum plant is built. The Engineer gave as his thought that in view of the circumstances, it would be advisable to do at least a portion of the highway work at this time if money can be found to finance it. He pointed out that there are no funds immediately available unless the Commission would consider the transfer of funds that have already been set up for some other work. The Commission deferred action on the matter pending investigation by the Engineer to determine the costs involved.

Mr. L. G. Devaney, Director of Aeronautics and representative of the Civil Aeronautics Board, came before the Commission relative to the construction of an emergency aircraft landing field near the junction of the North and South Santiam Highways. He asked the Commission to cooperate with the Civil Aeronautics Board in this undertaking, in accordance with authority granted by the 1941 Legislature. The Engineer read aloud the provisions of Chapter 54, Oregon Laws 1941, covering the matter, and particularly pointed out the provisions thereof which authorize the State Highway Commission to make surveys of proposed sites and to otherwise cooperate in such projects, the cost and expense thereof to be an obligation of the Aeronautics Board. He also pointed out that the land for the proposed site is under the control of the United States Forest Service, and it will be necessary first for the Board of Aeronautics to secure permission from that department to use the land for the purpose intended. Mr. Devaney agreed to do that. Mr. Devaney asked the Commission to authorize preliminary surveys as may be necessary for the project, and offered in behalf of the Board of Aeronautics to pay one half of the cost of such surveys. He stated also that the Board of Aeronautics would pay the entire cost of engineering work and supervision as may be required during the course of construction. In the discussion of this matter, the question arose whether or not an expenditure of state funds involved would be considered by the Public Roads Administration as a diversion of funds; also, whether or not the Highway Commission has legal authority to expend state funds for the purpose. Mr. W. H. Lynch, District Engineer, Public Roads Administration, who was present, advised that his department would not consider such expenditure a diversion of funds. The Commission's Attorney advised that the Commission has legal authority to cooperate in the project if it so desires. After discussion the Commission approved the making of surveys and other engineering work on the basis of Mr. Devaney's offer.

Mr. R. W. Williams, Vice-president of the Werner Timber Company, came before the Commission in regard to the award of the contract for the Forest Boundary-Reed Creek Section of the Siletz Secondary, in Lincoln County, bids for which were received at this letting. He inquired whether or not the Commission received a satisfactory bid, and deposited with the Commission the company's check for \$5,000, in accordance with previous understanding. The Engineer advised that the amount of the low bid received for this work is more than ten per cent in excess of the estimated cost of the job. He explained

that it is the Commission's policy to reject all bids for any particular project, if they exceed such ten per cent allowance, so unless the Commission should modify its present policy at this time, it would have no alternative but to reject the bids. He suggested that it might be advisable to raise the limit to fifteen per cent, in view of the fact that costs are rising, and under present conditions it is difficult to correctly estimate the cost of a job. The Commission deferred a decision in the matter until its afternoon session. (See ahead for final decision.)

The Commission conferred with W. H. Lynch, District Engineer, Public Roads Administration, and R. F. Griefe, Assistant Regional Engineer of the United States Forest Service, relative to the programming of the fiscal year 1942 forest highway funds. Also present and entering into the discussion were Messrs. H. D. Farmer, T. M. Davis, and F. E. Andrews, Senior Highway Engineers of the Public Roads Administration. Mr. Lynch advised that the fiscal year 1942 federal authorization for forest road construction totals \$947,711, of which amount \$60,711 is the estimated requirement for administration and equipment, leaving available for construction projects the sum of \$887,000. After full discussion of this matter, and careful consideration of the eligible projects submitted by Mr. Lynch and the State Highway Engineer, it was mutually agreed to provide a program at this time for only \$510,000 of the amount available. Such action was taken in order to reserve freedom of action with respect to the programming of the balance in the event that conditions should change which might make alterations in the program desirable, when the appropriations are made available. The following projects were selected for the present partial program by unanimous consent: Santiam Highway, 12.2 miles surfacing and bituminous macadam, estimated cost \$160,000; John Day Highway, 8.9 miles surfacing and bituminous macadam, estimated cost \$190,000; Warm Springs Highway, 7 miles grading, estimated cost \$160,000. The following letter, recommending such partial program to the Chief of the Forest Service and the Commissioner of Public Roads Administration, Washington, D. C., was approved and signed on the following day:

At a conference attended by representatives of the Oregon State Highway Commission, the Forest Service, and the Public Roads Administration, it has been agreed to recommend the following partial Forest Highway Program for the State of Oregon for the fiscal year 1942:

Funds available (fiscal year 1942 authorization)	\$947,711
Less Administration and Equipment	<u>60,711 *</u>
Available for Program	\$887,000

*Administrative set-ups already made from F. Y. 1941 funds for F. Y. 1942 expenditure bring the total to the usual 10%.

RECOMMENDED PROGRAM, MAJOR PROJECTS

<u>Project No.</u>	<u>Project</u>	<u>Approx. Length</u>	<u>Funds Programmed Forest Highway</u>	<u>Remarks</u>
SN 23-G5,H3,I3	Santiam Hwy. Surf. & Bit. Surf.	12.2 mi.	\$160,000	Surf.& Bit. Surf.planned on sections H & I, bit. surf.only on section G.
36-A2	John Day Hwy. Surf.& Bit.Surf.	8.9 mi.	190,000	
SN 42-A1	Warm Springs Hwy. Grading	7.0 mi.	160,000	
	Unprogrammed		<u>377,000</u>	
			\$887,000	

Santiam Hwy., Surf. & Bit. Surf., Proj. SN 23-G5, H3, I3, 12.2 miles

Funds recommended for this project contemplate the surfacing with crushed rock or crushed gravel over a 7.8 mile section between the junction with the North Santiam Highway and the end of the surfacing improvement financed with fiscal year 1941 funds. There will also be included the bituminous surfacing of the above-mentioned section as well as a 4.4 mile section of previously surfaced road extending from the junction to Hogg Rock, making a total length of 12.2 miles.

John Day Hwy., Surf. & Bit. Surf., Project 36-A2, 8.9 miles

It is planned under the funds herein recommended to place a crushed rock or crushed gravel surfacing and a bituminous surfacing on the section of road graded with fiscal year 1941 funds as well as on a short adjacent section which has been graded with Federal Aid funds. The recommended improvement will complete the surfacing of the Forest Highway Route as other portions have been resurfaced under earlier programs financed from Federal Aid and other funds, and will make usable the section graded this season.

Warna Springs Hwy., Grading, Project SN 42-A1, 7.0 miles

Funds proposed for this project will finance the grading of the section which was cleared with fiscal year 1941 funds and will make usable a very considerable investment already made in the route east of the national forest boundary which has been financed from Federal Aid and Public lands funds.

Unprogrammed Funds

No program is recommended at this time for the balance of the funds as all parties at the conference, but particularly the State Highway

Commission, wished to reserve freedom of action in respect thereto in the event that conditions should change which might make shifts in the program desirable by the time the appropriations are made available. A supplemental program allocating the balance of the funds will be recommended later when the factors affecting the situation are more definitely known.

The County Court of Morrow County, represented by County Judge Bert Johnson and County Commissioners George W. Peck and L. D. Neill, and County Engineer Harry Tamblin, was present and asked for the surfacing of the Boardman-Stanfield Highway, particularly the oiling this year of the section between Boardman and the Umatilla County line so that this section can be used the coming winter. Judge Johnson explained that the army ammunitions dump, now under construction, is located at the county line, and the most convenient entrance to the site is from the Boardman-Stanfield Highway, at the county line between Morrow and Umatilla Counties, and if this section is oiled it will be of great benefit to the government's operations at the dump, in that it will expedite the hauling of materials needed therefor, and will also be of great benefit to the people of Boardman and vicinity who are employed at the dump and travel this road daily. The Engineer estimated the cost of the project at \$250,000 and advised that in order to do a good job, it will be necessary to provide a leveling course of gravel upon which to construct the finished surface of penetration type macadam. The oiling work, he explained, should be done at the same time that the graveling is done in order to secure a good job, but the Highway Commission is without funds at the present time to finance the work, in view of the fact that Congress failed to pass over the President's veto the appropriation bill which would have provided the moneys that the Commission wanted to use for this work. Chairman Cabell advised that the Commission is ready to proceed with the surfacing work as soon as it knows where the money is coming from to finance it and the Commission concurs in the opinion of the Engineer that the surfacing and oiling work should be done at the same time. This concluded the discussion of this project.

Judge Johnson then asked the Commission for improvements to the Heppner-Spray Secondary Highway, particularly the Hardman Hill Section and the section between Hardman and Rock Creek. County Engineer Tamblin advised that the Hardman grade improvement is four miles in length and involves re-alignment. As to the Hardman-Rock Creek Section, he said that the first six miles to the mouth of Chapman Creek has already been graded and surfaced to proper standards but is in very poor condition. He said that the county would like to have this section oiled and the four-mile section between Chapman Creek and Rock Creek graded, surfaced and oiled, but beyond Rock Creek it is not so important. The State Highway Engineer estimated the cost of the entire improvement at \$130,000. The county court was informed by Chairman Cabell that the Commission is not in position to make any definite commitment at this time but their project will be kept in mind. He explained the difficulties in

securing bids for projects in this class due to the uncertainties of the time. He questioned that the Commission would secure any bids for the work even if the project were advertised. He inquired whether or not this project is the county's first choice of projects for moneys that the Commission may have available for expenditure in Morrow County, and was informed by the county court that this project should have priority over others.

The County Court of Sherman County, represented by County Judge George A. Potter and County Commissioner David Reid, was present and requested the improvement of the Sherman Highway at the undercrossing of the Union Pacific railroad, about two and one-half miles south of Moro. They asked for the straightening of the highway at this point and the remodeling of the underpass as a safety measure, in view of the many accidents that occur at this place. Judge Potter gave as his understanding that it is the plan of the United States Army to move troops over this highway, and if such is the case this improvement would be especially desirable. The Engineer advised that this project has been considered in the formulation of programs for some time, but has not been approved because it is quite low in the priority setup.

Judge Potter also inquired as to the Commission's plans for the construction of a bridge across the Columbia River at Biggs. He was informed by Chairman Cabell that the Commission has no plans as yet for such work, that it is a big problem, and the Commission is now making investigations with respect to this site along with others between the Washington state line and the mouth of the Columbia River.

The County Court of Lane County, represented by County Commissioner W. J. Holland, and County Engineer P. M. Morse, discussed with the Commission the matter of improvement of the Eugene-Swisshome Secondary State Highway (Route F Highway) between Eugene and Veneta, particularly a $1\frac{1}{2}$ -mile section thereof at the railroad crossing near Veneta. Mr. Morse recalled that the Commission received bids for this project at its meeting on August 14, but rejected them as being too high. He urged the Commission to readvertise the project for bids to be received at its November meeting because they want to make certain that the project is done during the 1942 construction season. The State Highway Engineer was instructed by the Commission to readvertise this project as soon as possible.

The Commission discussed the matter of widening Court Street in Pendleton, particularly a petition from residents and property owners of Pendleton urging that immediate steps be taken to widen this street westerly from Main Street as far as is necessary to eliminate the cause of traffic congestion and hazards incident thereto. The Engineer advised that investigation has been made, and it has been found that the street could be widened to provide three lanes for moving traffic and two lanes for parking purposes, at reasonable cost; however, this would involve the removing of trees along this thoroughfare, to which some of the property owners object. He suggested that there are two ways in which this project can go forward, one is under the original plan involving the removal of the trees and the other is to provide two one-way streets, one for north-bound traffic and the other for south-bound traffic. He also said the suggestion has come from the Pendleton City Council

that the parking of cars be prohibited on Court Street, which, in his opinion, would not solve the problem. After discussion, and in view of the conflicting opinion of the local residents, the Commission decided not to program this improvement at the present time, but to let the city try out the nonparking arrangement if it wants to.

A letter was presented from E. D. Myers, Scio, in which the Commission was urged to complete the oiling of the Albany-Lyons Secondary State Highway, from South Scio to what is known as the Elliott Place, a distance of about 2½ miles, which would provide an oiled road throughout its entire length between Scio and Lebanon and points east of Scio. The Engineer advised that this is a meritorious project, and suggested that it be given consideration in the formulation of the 1942 program. The Commission approved the suggestion and instructed the Secretary to so inform Mr. Myers.

A letter was presented from Labor Union Representatives of Hermiston requesting improvement of the county road which extends from Hermiston to the Army Ordnance Depot about seven miles westerly thereof. They explained that this road was programmed for improvement as a W.P.A. project, that bids were received for construction of the same, but were rejected as being too high, and that it is expected that new bids will be taken on September 1. They would like the Highway Commission to assume the responsibility for the improvement in the event that unsatisfactory bids are received at that time. The Engineer advised that this project is not an obligation of the state, inasmuch as the road referred to is a county road. The Commission deferred a decision in the matter, pending information from the W.P.A. whether or not a satisfactory bid was received as a result of the bidding on September 1. (The Engineer reported later in the session that he contacted the W.P.A. office and ascertained that a satisfactory bid was received, and that it is the intention of the W.P.A. to award the contract. In view of this report, the Commission considered the matter satisfactorily disposed of.)

The Engineer reported that the construction budget contains an item of \$20,000 for the improvement of the Midland Secondary State Highway, in Klamath County. However, recent investigations reveal that such amount is insufficient to do a worth-while job. He recommended increasing the budgeted amount to \$45,000, which is the smallest project that it would be economically feasible to construct. The Commission approved such increase.

The matter of providing cabins for the use of employees at the Santiam Junction maintenance patrol station had the attention of the Commission. The Engineer advised that, according to the original plan for this maintenance station, it was intended to employ only unmarried men, and provision was made in the design of the main building to house these men. However, due to the selective draft, it is practically impossible to find men who do not have families, so it is necessary to provide extra housing facilities. He recommended the construction of two-cabin units at an estimated cost of \$3,700 each, including sewer and water lines. The Commission approved the recommendation,

in view of the circumstances, and authorized the Engineer to advertise the project for bids to be received as soon as plans can be prepared.

The Commission discussed the proposed agreement with the University of Oregon, concerning the proposed reconstruction of the Pacific Highway between Eugene and West Springfield. The matter was discussed at considerable length, and the detailed provisions were explained thoroughly by the Engineer and the Attorney from the engineering and legal standpoints. The Commission approved the arrangements provided therein. The agreement was thereupon signed. (See copy of agreement for details.)

Mr. Harvey Wells, Portland, was present and discussed briefly with the Commission the matter of protecting the Oregon approach to the Interstate Bridge from sabotage. He said that while the Jantzen Beach Resort was in operation there was not much chance of sabotage, because so many people were around at all times during the day and night; however, the resort is closing down soon, and such protection will not be afforded, and anyone desiring to destroy the bridge approach would have no difficulty in doing so. He suggested the employment of a watchman at this place as a protective measure. The Commission thanked Mr. Wells for his suggestion and instructed the Engineer to have the sectionman inspect the premises frequently.

The Commission adjourned at 12:00 noon and reconvened at 2:00 p. m. in the same room with the same persons present and participating.

Mr. R. W. Williams of the Werner Timber Company reappeared before the Commission in regard to the award of the contract for grading, surfacing and bituminous macadam on the Forest Boundary-Reed Creek Section of the Siletz Secondary Highway, in Lincoln County. It was again pointed out by the Engineer that the low bid received for this work at the morning session is more than ten per cent in excess of the estimated cost of the project. The Commission discussed the advisability of awarding the contract to the low bidder, notwithstanding the excessive bid, and decided to reject the bids and to readvertise the project. Mr. Williams's check for \$5,000 was thereupon returned to him.

Mr. Williams inquired if the state will furnish 3,500 cubic yards of maintenance rock, if his company will agree to place this rock on the highway and maintain the highway. The Commission considered it the responsibility of the State Highway Department to maintain roads that belong to the state. Chairman Cabell inquired whether or not the Werner Timber Company is willing to renew its offer to pay \$5,000 toward the cost of the work, if the project is readvertised and a satisfactory bid is received. Mr. Williams replied that the company would renew this offer until the November meeting of the Commission, but would expect to receive credit for any amount that the company might spend by way of maintenance of the road in the meantime, and that he would write the Commission to that effect. After further discussion the Commission authorized and instructed the Engineer to provide maintenance rock as may be necessary to keep the road in good condition until such time as the contract for the improvement of the road has been awarded. He was also instructed to

maintain the road in a passable condition, and to readvertise the project for bids to be received at the November meeting of the Commission.

The Commission then discussed the advisability of modifying its policy with respect to the award of contracts, when the low bid exceeds the estimated cost of the work by more than ten per cent. The Commission decided to adhere strictly to its present policy in this regard the first time a project is advertised. If more than one bid is received on a project as a result of advertising the same a second time, the Commission will either reject all bids or award the contract to the low bidder, if the amount of such low bid does not exceed the estimated cost of the project by more than fifteen per cent. In the event only one bid is received as a result of advertising the project the second time, the Commission will either reject the bid or award the contract to the bidder, if his bid does not exceed the estimated cost of the project by more than ten per cent. The Commission ordered that such policy be followed hereafter until changed by order of the Commission.

Mr. C. A. Beattie, representative of the Bethlehem Steel Company, Portland, came before the Commission in regard to the hauling of piling, involving overall lengths of 135 feet, over the Territorial Secondary State Highway and the Pacific Highway, from Lorane to Anlauf. He explained that J. H. Baxter and Company have a contract with the Bethlehem Shipbuilding Corporation to furnish a quantity of piling, which is to be used in connection with the construction of destroyers and cruisers for the United States Navy at its San Francisco shipbuilding plant, and that the timbers for this piling were purchased from the Puget Timber Company of Oregon and are to be delivered to the railroad line for shipment by E. G. Whipple, Drain, Oregon. These timbers, he said, are being secured in the Lorane district west of Eugene, and the railroad loading point is at Anlauf, requiring them to be transported over the highways above mentioned. He further advised that Mr. Whipple's request for a permit to haul the piling over said highways has been denied because it is not possible to transport them without crossing over the center line of the highway. He urged the Commission to authorize the movements in order to facilitate the federal government's defense program. After discussion the Commission approved the request subject to conditions and requirements to be designated by the Engineer. The Engineer was instructed to arrange for a test run of one load of piling, which shall be accompanied by a state police officer as well as a representative of the state highway department. The purpose of this test run is to ascertain just what must be done in order to properly protect and safeguard general highway traffic.

The Engineer reported that construction work on the new section of the Wolf Creek Highway between Sunset Camp and Davies has progressed so far that it will be possible to open this section for general public use on Saturday, September 6, 1941. He recommended the opening of the highway for such use at noon, Saturday, September 6, and that announcement be made to that effect to the press and to the Oregon Motor Association. The Commission approved the recommendation.

The Commission discussed the bid received from Mr. Andrew Stambuck at the morning session, for the operation of the Enegren Ferry across Coos River on the Coos River Secondary Highway, Coos County. The Engineer advised

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that loading on the ferry, under the present contract, is limited to ten tons, but that provision was made in the new specification for fifteen-ton loads, and on that basis Mr. Stambuck is asking \$500 per month more than the state is paying him under the old contract for the same service. He advised that the present contract contains provision for renewal on the same basis if the Commission so desires. He also pointed out that the only request received for the increased loading is from the operator of a small sawmill on Upper Coos River, who hauls lumber into Coquille, and who alleges that he cannot do this with profit unless the load limit is raised to fifteen tons. The Commission considered that an additional \$500 per month is an excessive amount to pay for the operation of the ferry for the benefit of one small operator, and accordingly rejected the bid. However, the Engineer was instructed to negotiate with Mr. Stambuck for the renewal of the present contract on both ten- and fifteen-ton load basis.

The Commission discussed the proposed agreement with the University of Oregon and the Eugene Power Company, relative to the reconstruction of the Pacific Highway between Eugene and West Springfield. In this connection the Attorney pointed out that the land that the state is purchasing as right of way for the relocated Southern Pacific railway tracks is being deeded to the railroad company by warranty deed, and it is his understanding that the railroad company is arranging to convey to the state the old railroad right of way by similar deed, although he has not as yet received definite information as to whether or not that could be accomplished, but he expects to receive such information on the following day. After discussion the Commission signed the agreements, but ordered that all copies thereof be retained until the right of way with the Southern Pacific Company has been satisfactorily disposed of and until the Commission releases them.

Mr. M. L. Hallmark, attorney, Roseburg, came before the Commission and requested in behalf of certain Douglas and Coos County log-hauling operators the privilege of truck-hauling logs over state highways during Saturday afternoons and Sundays for the next sixty days. He explained that these log haulers have contracts to supply logs to the Smith Wood-Products Company at Coquille, but have not been able to deliver them up to expectations due to adverse weather conditions, and the mill now has in its pond a supply for only three-weeks' operation. He further advised that one of the log haulers has 5,500,000 feet of timber cold decked in the woods, and two others each have 4,000,000 feet cold decked in the woods which must be moved as rapidly as possible when weather will permit. He declared this to be an emergency situation, and urged the Commission to give favorable consideration to the request. The matter was discussed at some length, but a definite decision thereon by the Commission was deferred until later in the session. (See record of action on following day.)

At 3:00 p. m. Chairman Cabell announced the awards of contracts as follows for which bids were opened and read at the morning session, such awards having previously been approved by the Commission by unanimous vote:

"Belknap Springs-Fourmile Butte Rock Production Project on the the McKenzie Highway, in Deschutes and Lane Counties. A. S. Wallace,

Roseburg, submitted the only bid for this project, in the amount of \$28,450.00. The Commission rejects this bid.

"Hood River Rock Production Project on the Columbia River and Mt. Hood Highways, in Hood River and Wasco Counties. A. S. Wallace, Roseburg, submitted the low bid for this work, in the amount of \$16,300.00. Lofts & Son, Hood River, submitted the second-low bid, in the amount of \$16,677.50. There were four higher bids. The Commission awards this contract to A. S. Wallace, at his low bid of \$16,300.00.

"Salt Creek-Hanley Ranch Section of the Little Butte Secondary Highway, in Jackson County. 4.07 miles surfacing and oiling. Norris Bros., Seattle, Washington, submitted the low bid for this project, in the amount of \$48,660.00. J. C. Compton, McMinnville, submitted the next-low bid, in the amount of \$51,638.00. There were no other bidders. The Commission refers both bids received for this project to the Engineer with power to award the contract to the low bidder when certain conditions have been satisfied.

"Madras-Juniper Butte Section of The Dalles-California Highway, in Jefferson County. 10.40 miles grading. Leonard & Slate, Multnomah, submitted the low bid for this work, in the amount of \$82,423.00. G. D. Lyon & Co., Spokane, Washington, submitted the second-low bid, in the amount of \$83,507.00. There were four higher bidders. The Commission refers all bids received for this project to the Engineer with power to award the contract to the low bidder when certain conditions have been satisfied.

"Beatty-Paradise Creek Rock Production Project on the Klamath Falls-Lakeview Highway, in Klamath County. A. S. Wallace, Roseburg, submitted the low bid for this work, in the amount of \$23,372.50. Rogers Construction Co., Dayton, Washington, submitted the only other bid for the project, in the amount of \$25,847.50. The Commission awards this contract to A. S. Wallace, at his low bid of \$23,372.50.

"Swishome Rock Production Project on the Siuslaw and Alsea-Deadwood Highways, in Lane County. A. S. Wallace, Roseburg, submitted the only bid for this project, in the amount of \$18,358.00. The Commission refers this bid to the Engineer with power to award the contract to A. S. Wallace when certain conditions have been fulfilled.

"Forest Boundary-Reed Creek Section of the Siletz Secondary Highway, in Lincoln County. 3.5 miles grading, surfacing and bituminous macadam. C. J. Eldon, Portland, submitted the low bid for this work, in the amount of \$135,337.00, based on the use of tar. He also submitted a bid of \$135,381.00, based on the use of asphalt. E. C. Hall Co., Eugene, submitted the only other bid for this project, in the amount of \$136,571.00, based on the use of asphalt. He

did not submit a bid based on the use of tar. The Commission rejects the bids received for this project.

"Gilliam County Line-Umatilla Rock Production Project on the Columbia River Highway, in Morrow and Umatilla Counties. A. S. Wallace, Roseburg, submitted the low bid for this project, in the amount of \$16,783.50. A. H. Saxton & Sons, Corvallis, submitted the next-low bid, in the amount of \$16,800.00. There were four higher bidders. The Commission awards this contract to A. S. Wallace at his low bid of \$16,783.50.

"Morrison Street Bridge on the Pacific Highway West, in Multnomah County. Reconstruct westerly steel truss of existing Morrison Street Bridge, construct two reinforced concrete approach spans, pedestrian subway, and miscellaneous retaining walls. Birkemeier & Saremal, Portland, submitted the low bid for this work in the amount of \$106,582.00. Gilpin Construction Co., Portland, submitted the second-low bid, in the amount of \$108,425.35. There was one higher bidder. The Commission awards this contract to Birkemeier & Saremal at their low bid of \$106,582.00.

"West Unit of Sherars Grade Section of Sherars Bridge Secondary Highway, in Sherman County. 1.61 miles grading and topping. Norris Bros., Seattle, Washington, submitted the low bid for this work, in the amount of \$16,245.50. Leonard & Slate, Multnomah, were next low, with their bid of \$16,270.00. There were two higher bidders. The Commission refers all bids received for this project to the Engineer with power to award the contract to the low bidder when certain conditions have been satisfied.

"Pendleton-Meacham Rock Production Project on the Old Oregon Trail Highway, in Umatilla County. A. S. Wallace, Roseburg, submitted the low bid for this project, in the amount of \$17,990.00. River Bend Sand & Gravel Co., Pendleton, submitted the next-low bid, in the amount of \$18,430.00. There were two higher bidders. The Commission refers all bids received for this work to the Engineer with power to award the contract to the low bidder when certain conditions have been satisfied.

"Warm Springs River-Mill Creek Section of the Warm Springs Highway, in Wasco County. 6.91 miles grading. Max. J. Kuney, Spokane, Washington, submitted the low bid for this project, in the amount of \$117,746.00. G. D. Lyon, Spokane, Washington, submitted the next-low bid, in the amount of \$138,802.00. There were seven higher bidders. The Commission refers all bids received for the project to the Engineer with power to award the contract to the low bidder when certain conditions have been fulfilled.

"Furnish ferry service at Enegren Crossing of the Coos River on the Coos River Secondary Highway, in Coos County. Andrew Stambuck, Marshfield, submitted the only bid, in the amount of \$1,369.60 per month. The Commission rejects this bid.

Mr. C. A. Hart, of the firm of Carey, Hart, Spencer & McCulloch, legal counsels for the Oregon Electric Company, and Mr. A. J. Witchell, chief engineer of such company, came before the Commission in regard to the installation of a railroad crossing signal on the Tualatin Valley Highway at Beaverton. Mr. Hart was spokesman. He said that he appreciates the fact that the federal funds that were provided for projects of this kind have been programmed; however, a very serious condition exists at this crossing which, in his estimation, amply justifies an expenditure of state money to pay for a signal installation. He said that until railroad service along Front Avenue in Portland was discontinued the situation at the Beaverton crossing was not so bad; however, railroad traffic at this crossing has been doubled since then, due solely to the Front Avenue Project, creating a very hazardous condition, which will increase with the increase in volume of highway beach travel. He declared that the expense of the installation should be paid with public funds, because the railroad company was in no way responsible for the condition. The State Highway Engineer estimated the cost of the installation at approximately \$2,500 or \$3,000. The Commission agreed to consider the railroad company's request, and to let Mr. Hart know its decision on the following day. (See record of Commission's action on following day.)

Mr. Dow Walker, representing the C. D. Johnson Lumber Company, Toledo, and Mr. G. K. Litchfield, Newport City Attorney, came before the Commission and asked for the improvement of the city street which extends from the Oregon Coast Highway, in Newport, to the Newport docks, and for the improvement of the Bay Front road to a certain log dump. Mr. Walker advised that considerable log hauling is being carried on over this city street, which was not constructed to carry such heavy traffic, and as a consequence the street has gone to pieces; in fact the city council recently adopted an ordinance prohibiting log hauling on this street. He further advised that logs are being dumped into the bay at this point, and are then moved to the C. D. Johnson Lumber Company's mill at Toledo. He pointed out that this street is the only one available over which to transport logs to the bay, and urged the Commission to repair it and maintain it in good condition. Mr. Litchfield declared that a real emergency exists; that the street is in very bad condition; and the City of Newport has neither money nor facilities to effect its repair. He said that the city council was reluctant to prohibit the use of the street by log haulers, but was forced to do so in order to preserve the street for the use of other traffic and to avoid the occurrence of accidents. The State Highway Engineer suggested that the Commission should do something in Newport to correct this situation, and recommended an expenditure of state funds for the purpose on the same basis that the Highway Department is maintaining city streets in Albany and Canby. After discussion, the Commission instructed the Engineer to make an investigation of the conditions, and authorized him to proceed with repair work as may be necessary in the event he considers that a real emergency exists.

A delegation from Gold Beach, consisting of County Judge A. H. Boice, Representative Roy E. Carter, and Jay Moltzner, Attorney, representing the Chamber of Commerce was present. Judge Boice stated that when the Gold Beach delegation appeared before the Commission some time ago, and urged the

retention of the present route for the highway through this town, they were not particular about the width of the improvement; and, while they preferred a right of way 80 feet wide, they did not object to an improvement on a 60-foot right of way. However, since then conditions have changed, because some of the business establishments affected by the highway improvement have been destroyed by fire, and the people of Gold Beach now insist on an improvement on an 80-foot right of way, as they feel they are entitled to an 80-foot street. Mr. Carter said that one of the buildings that burned belonged to him, and he has plans to rebuild, but doesn't want to do so until he has definite information about the highway, particularly as to which location the Commission intends to adopt, how wide the right of way is to be, and when the job is to be done. He also said that there are other proposed developments in Gold Beach that are hanging fire until the Commission makes its decision. As to the extra right of way needed, he said that there are quite a number of property owners on his side of the street who will donate property for this purpose. He also urged an 80-foot right of way from the north end of town to the highway fill at Dean Street. He gave as his thought that the economical thing to do is to provide an 80-foot street through this place. Mr. Moltner also spoke for an 80-foot right of way in behalf of the Chamber of Commerce. He said that their purpose in coming before the Commission at this time is primarily to find out where the highway is to be located.

Chairman Cabell advised that the Commission, at a previous meeting, decided to reconstruct the highway on the present route, and on a 60-foot width right of way, and instructions to that effect were given to the Engineer, who is now preparing plans on such basis; further, that it was the intention of the Commission to go ahead with the project just as soon as moneys could be found with which to finance it; however, if the Commission should now change to an 80-foot right of way, the work will have to be deferred. In any event, the Commission will have to have more time to study the situation. He added that so far as he personally is concerned he is still favorable to a 60-foot street, although he doesn't want to decide definitely until he has had an opportunity to discuss the matter with Commissioner Clough. The matter cannot be decided today, he said, but, if possible, a decision will be reached at the next meeting of the Commission. He agreed, in the meantime, to make a personal inspection of the premises if he can find time to do it.

Judge Boice then asked the Commission for the improvement of Cape Blanco Secondary State Highway. He was informed by the Engineer that so far as the Highway Commission is concerned this project has been approved for federal aid secondary moneys, and that the work would go forward next year, if moneys of such class become available.

Mr. Frank J. Van Dyke, City Attorney, Ashland, and Ralph E. Koozer, President of the Pacific Highway Association, and member of the Ashland City Council, came before the Commission in regard to the improvement of the Pacific Highway at the Plaza Corner, in Ashland. They inquired as to the status of this project, and urged the Commission to expedite construction, because they have received reasonable assurance that the proposed army cantonment at Medford will be authorized within the next thirty days and, in their estimation,

the highway improvement should be definitely settled before work is commenced on the cantonment project. They were informed by Chairman Cabell that the Commission plans to advertise this project for bids about the first of the coming year, if federal funds are available to finance it; however, Congress failed to pass the bill that would have provided funds for projects of this kind, and the Commission has been in somewhat of a quandary as to what to do. He gave as his thought that the work should go forward, notwithstanding that it might be necessary to finance it with state funds. Commissioner Oliver concurred. The Attorney was thereupon instructed to rush the acquisition of right of way, and to secure options for the same as soon as possible. The Engineer was authorized and instructed to advertise this project for bids as soon as the options have been secured and the purchase prices approved.

Mr. L. B. Sandblast, Attorney, Portland, representing the Oregon-Washington Bridge Board of Trustees, was present and discussed briefly with the Commission matters pertaining to the proposed bridge across the Columbia River near Tongue Point. He advised that the army engineers disapproved the original site for this project because a bridge at such location would interfere with the operations of the Tongue Point Naval Base, but have indicated they would not object to a bridge located above the Naval Base. The site preferred by the bridge committee, he said, is situate about five miles east of Svensen, and involves a physical cost of approximately \$3,100,000. He pointed out that a bridge in such location would necessitate the construction of certain approach roads, and his purpose in coming before the Commission at this time is to ask the Commission to cooperate in building the same. He filed with the Commission a map of the proposed location and a copy of a letter from Robinson and Steinman, Consulting Engineers, directed to Guy Boyington, County Judge of Clatsop County, and Secretary of the Oregon-Washington Bridge Board of Trustees, with respect to the project, and advised that he was simply bringing this entire matter to the Commission's attention at this time for its information, so it can have the data available in its study of the situation.

The Commission adjourned at 5:00 p. m. and reconvened at 9:00 p. m. in Room 415, (Imperial Room), Imperial Hotel, with the same persons present and participating.

Mr. Merle Chessman, Chairman of the Advisory Committee on Publicity Matters, was present and reported the decisions reached by the Advisory Board, at a meeting this day, with respect to the activities of the Travel and Information Department for the year 1942. Mr. Ben Titus, Acting Director of the Travel and Information Department, was also present. It was the recommendation of the Board, Mr. Chessman said, that the State Highway Commission appropriate for such activities in 1942, the sum of \$100,000, which is the same amount that was appropriated for this purpose in 1941. Such recommendation, he said, is conditioned, and if it develops that there is a decrease in the revenues derived by the State Highway Commission from the gasoline tax fund, then the Advisory Board is inclined to the belief that expenditure for publicity should be likewise curtailed.

The Advisory Board also recommends, he said, that the State Highway Commission retain the services of Botsford, Constantine and Gardner as its

advertising agency to handle the Commission's Travel and Information Department publicity matters for another year on the same basis as heretofore. However, the Board believes that, starting with next year, all advertising agencies interested should be given an opportunity to secure this business, and that such agencies should be given 90-days' notice in which to formally present a program of activity, with the understanding that the agency submitting the program that the committee considers best for the state and the State Highway Department shall be selected as the official agency to handle such publicity matters for the state during 1943. He thanked the Commission for its indulgence, and for the opportunity of serving on this committee, and advised that formal presentation of his recommendation would be made by Mr. Titus, Acting Manager of the Travel and Information Department, on the following day.

Mr. Cabell thanked Mr. Chessman for his personal service, and for the services of the other members of the Board in connection with this matter, and assured Mr. Chessman that the Commission will accept and assume full responsibility for the carrying out of the recommendations. Commissioner Oliver concurred.

The Commission also conferred with the following members of the Oregon Trail Centennial Advisory Commission: Philip H. Parrish, Chairman, Portland; J. Roy Raley, Pendleton; and Kenneth L. Hicks, The Dalles. Plans for the 1943 Oregon Trail Centennial, and the expenditure of \$15,000 of state funds appropriated by the 1941 Legislature therefor, were discussed. Mr. Parrish outlined briefly a general plan that the committee has in mind, which includes the appointment of a special committee in each city and town that it is anticipated will take an active part in the Centennial activities, to arouse enthusiasm for the Centennial and to provide entertainment for prospective visitors. This matter has aroused considerable interest in the City of Portland, he said, and Mayor R. E. Riley has appointed such a committee to handle it at this place, which committee is represented at this meeting by Mr. Walter May.

He also reported briefly on his recent trip to Denver in attendance at a meeting of the National Pioneer Trail Association, advising that considerable interest was shown at such meeting in the Oregon Trail Centennial, and, in view thereof, it is quite likely that the association will hold its 1943 meeting in Portland. Chairman Cabell advised that the State Highway Commission is in accord with the objectives of the Centennial Committee as outlined; however, is of the belief that a program for the expenditure of the state's \$15,000 should be arranged as soon as possible. He gave as his understanding that the committee does not intend to budget the expenditure of \$15,000 until the program has been arranged. Mr. Parrish replied that that was correct, and that they expect to work up at least a tentative program within the next couple of months. There will be no rapid disbursement of this money, he said, and the committee considers it a promotional fund, to be used for promotional purposes, and not to pay the cost of any particular celebration or entertainment. The idea, he added, would be to first determine the interest of the various communities, correlate the ideas of the several communities, and then decide where and how to spend the money. He declared that perfect coordination of the several communities must be had, otherwise there will be conflict.

Expressions were asked of the other members of the committee. Mr. Raley gave as his thought that each community would be interested and would have enough civic pride to put on some sort of a program. However, in his estimation, Portland should be the center of activities, and should provide the biggest attraction as an objective to tourists. The Portland entertainment, he said, should be conducted throughout the summer months. He also gave as his thought that the \$15,000 of state funds should not be expended for the benefit of any particular community, but should be general, letting each community finance its own contribution.

Mr. Hicks reported considerable enthusiasm in The Dalles. The County Court of Wasco County, he said, is particularly interested, and now has under consideration a place to hold the celebration at this place. He brought up the question of time of holding the local celebrations.

It was the consensus of opinion that the celebration in the city of Baker should be first, the others to follow; and that definite dates for each celebration should be decided, so they can be used in connection with publicity matters.

Mr. May stated that he represents Mr. Paul McKee, who is Chairman of the Portland Committee. He endorsed the plans as so far outlined at this meeting. He suggested, however, that it would be a good idea to erect markers along the highway pointing out historic locations, for the information and guidance of tourists who are interested in such matters.

Mr. Parish suggested the employment of someone to work on this project, giving at least part of his time at the start, and full time later on; this person, of course, to work under the general direction of Mr. Titus, Acting Director of the Highway Department's Travel and Information Department.

Mr. Merle Chessman, who was present, endorsed the employment of a full-time man of high-class caliber. He gave as his thought that the committee should have more than \$15,000 to work with, and suggested that the 1943 Legislature be asked to appropriate additional funds.

After further discussion, it was agreed by all that the first thing to be done is for the Portland Committee to work up a program for the City of Portland. A meeting of the members of the Centennial Commission will then be called, including committee members from the local communities, to arrange a state-wide plan. The question of employment of a full-time man to handle the project was deferred until the Portland Committee has had an opportunity to discuss and formulate plans for the Portland celebration.

This concluded the conference, following which at 10:20 p. m. the Highway Commission adjourned, to reconvene on the following morning in the same room.

Portland, Oregon, September 5, 1941

The State Highway Commission reconvened at 9:00 a. m. in Room 415 (Imperial Room) Imperial Hotel. Present were:

Henry F. Cabell, Chairman
Herman Oliver, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

Commissioner Clough was absent.

The Attorney brought up for discussion matters pertaining to the federal government's condemnation case to acquire a portion of the Lower Columbia River Highway which is needed in connection with the development of the Tongue Point Naval Base near Astoria. He advised in this connection that the government has authority to condemn such right of way and other state-owned property if it can show a superior use for the property, and gave as his opinion in this particular instance that the government would have no difficulty in making such showing. Title to the property, he said, is now vested in the federal government because of the filing of the complaint and a declaration of taking and the only question remaining is the amount of consideration that the government should pay for it, and in order to decide this feature the government authorities have asked for another conference with the Commission to be held as soon as possible. He also advised that the Clatsop County Court has refused to join with the state in the filing of a joint answer in the condemnation complaint, because the court is of the belief that the compensation to be paid for the property should be limited to the amount of the contribution to be made by the Work Projects Administration toward the cost of building the new highway, and has elected to file a separate answer. It was the Commission's decision that the amount of the consideration to be paid by the government should be the total estimated cost of the highway revision as set forth in the Attorney's answer. The Commission thereupon approved a conference with the government authorities on Thursday, September 12, for further discussion of the matter and authorized Chairman Cabell to act for the Commission at such conference.

The Engineer brought up for discussion the matter of permitting log haulers to transport loads consisting of one extremely large log as was requested by a delegation that appeared before the Commission at a previous meeting. He said that computations reveal that it would be possible to permit loads of this type without overstressing bridges provided the average diameter of the log does not exceed $7\frac{1}{2}$ feet and the length of the log does not exceed 25 feet. He recommended in view thereof that the Commission permit such loads as a trial proposition for the next 60 days provided the average diameter of the log is not greater than 7 feet and 6 inches and the maximum diameter of the log does not exceed 8 feet and provided further that the gross weight of load and hauling equipment does not exceed 59,400 pounds. The Commission approved the recommendation.

The Attorney reported that the state had already acquired from Mr. Louis Roeygens and wife right of way for the Wolf Creek Highway and in the transaction the state acquired the entire 50 acres, and is now acquiring from Mr. Emil H. Duyck and wife right of way for the same highway through property which joins the Roeygens' property. He further advised that there is a 10-acre tract of the Roeygen property on which is located the farm buildings which Mr. Duyck will take in exchange at a consideration of \$4,000 as part settlement for right of way through his property. The Attorney recommended a settlement with Mr. Duyck for 10 acres at a consideration of \$4,000. The Commission approved the exchange.

The Attorney requested authority to acquire certain parcels of real property that are needed for various highway improvements. He submitted a list of such properties, together with amounts that he recommended be paid for each. After careful consideration of each item the Commission approved the request and by unanimous vote adopted the following resolution in regard thereto: (See note following the resolution with respect to several of the listed items.)

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth, and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon, and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Camp Clatsop-West Lake Section, Oregon Coast Highway</u>				
9544-Fertig, Emily M.	R/W	0.286	\$200 per a. + \$58.50	Gardiner
9545-Tagg, Emma M.	"	0.265	\$200 per a. + \$46.50 plus moving tool shed (Estd. \$50.00)	"
9547-Hurlbutt, Helen A.	"	0.11	\$200 per a. + \$19.00	"

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>West Lake-Gearhart Section, Oregon Coast Highway</u>				
9466-Bates, Verna M.	R/W	1.25	\$200 per a. + \$343.75	Gardiner
<u>Front Avenue Project-Columbia Street (South), Portland, Pacific Highway West</u>				
8945-Multnomah County	R/W	10,600 sq.ft.	\$625.00	McCallister
8947-Multnomah County	"	3,975 "	250.00	"
8950-Etlinger, Adele and Harry Etlinger	"	2,443 "	2,500.00	"
9064-Lowitz, Dora	"	7,520 "	4,800.00	"
9038-LaGrande, Domenic Estate	"	2,300 "	3,350.00	"
9082-Schnitzer, B.	"	2,250 "	500.00	"
9081-Weinstein, Fannie	"	2,250 "	500.00	"
8949-Horenstein, A. and Anna Estate, and H. Goldstein	"	5,300 "	1,500.00	"
9719-Bank of California, N.A.	"	2,060 "	200.00	"
<u>Reedsport-Lakeside Section, Oregon Coast Highway</u>				
9446-Schuttpels, Paul	Park & Hwy. Waysides	43.62 a.	\$18.34 per acre	McChesney
<u>Gardiner Section, Oregon Coast Highway</u>				
9147-Gardiner Mill Co.	R/W & Borrow pit	8.14	\$25 per a. + \$814	Witt
9155-Peters, S. A.	Slope easement	900 sq.ft.	Slope easemt. Gratis, plus \$20	"
9669-Jones, A. V.	Slope Easmt.	730 "	Easemt.-Gratis + \$22.10	"
9148-Ford, James W.	R/W	0.12 0.08 0.20	\$1000 per a. \$500 per a. + \$20	"
9151-Janelle, Mary R.	R/W	132 sq.ft.	50¢ sq.ft.	"
9157-Fisk, Wm. L.	Slope Easement	520 "	Slope easemt. Gratis + \$10.00	"
9158-Martin, Aubrey S.	Slope Easement	400 "	Slope easemt. Gratis + \$20.00	"
9150-Gardiner Lumber Co.	R/W & Slope Easement	2.01	\$500 per a., plus \$3,015., + small triangular parcel of land lying outside R/W	"
9149-Hinsdale, O. H. and S. A. Peters	R/W & Easement	0.48 900 sq.ft.	\$1,000 per a. 50¢ sq.ft.	"
		0.67	\$1,500 per a.	
		1.94	\$500 per a. + \$4,350	
9156-Jones, Wayne	Slope Easement	371 sq.ft.	Gratis, + \$16	"

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
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North Bend-Marshfield Section, Oregon Coast Highway

9529-Bucher, Luella	R/W	4800 sq.ft.	15¢ sq.ft. + \$1030	Benson
9536-Zerrenner, Fred W.	"	581 "	15¢ " + \$112.85	"
9517-Johnson, Nancy and Peter Jordan	"	2500 "	6¢ " + \$500	"
9535-Ness, Kittle	"	3079 "	15¢ " + \$40	"
9516-Andrews, A. T.	"	5000)	6¢ " "	"
		7500)	5¢ " + \$1000	"
		12,500		
8040-Ness, Blanche, and Guy Payne	"	759 "	15¢ " + \$75	"
9523-Clark, Harry W.	"	4,800 "	15¢ " + \$530	"
9510-Flock, C. B.	"	3,500 "	10¢ " + \$150	"
8054-Coos County	"	3,749 "	4 1/6¢ plus sq. ft.	"
8047-Coos County	"	26,425 "	2 5/6¢ plus sq. ft. plus \$75	"
9514-Brigham, Sarah E.	"	2,500 "	10¢ sq. ft.	"
9496-Gebhardt, R. F.	"	6,000 "	15¢ " "	"

Port Orford-Brush Creek Section, Oregon Coast Highway

2561-Knapp, Orris and Lloyd	R/W	11.54	\$75 per acre	Devers
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Tycer Creek Section, Oregon Coast Highway

8528-Smith, Agnes M.	Stock Pile	1.0	LUMP SUM - \$75	Gardiner
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Berger Ranch-Barnes Road Section, Wolf Creek Highway

5216-Westhoff, Max	R/W	5.27	\$300 per a. + \$1419	Collins
5197-Sandstrom, Jennie	"	9.68	\$250 per a. + \$2117.50	"

Vadis-Gardner Ranch Section, Wolf Creek Highway

6533-Danneman, Frank A.	R/W	0.93	\$150 per a. + \$1360.50	Collins
6539-Mast, Martha	"	4.0	\$500 per acre	"
6543-Kelly, C. H.	"	7.25	\$227.58 plus per a.	"

Illahe School-Albany Section, Pacific Highway East

9482-Ramseyer, Christian	R/W	7.84	\$150 per a. plus \$5473.35	Witt
9482-Ramseyer, Christian	"	100.0 +	LUMP SUM - \$10,000	"
9483-Tuv, K. T. and Heltzel Estate, Inc.	"	5.37	\$75 per a. + \$362.50	"
9480-Miller, K. G.	"	0.39	LUMP SUM land - \$65 plus \$42.50	"

Crabtree Section-Albany-Lyons Secondary Highway

9576-Barclay, Carl	Gravel Pit	0.70	\$200 per acre	Witt
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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Kernville-Siletz Section, Siletz Highway</u>				
9640-Mack, Wallace B.	R/W	0.21	\$100 per a. + \$479, McChesney in addition low bid for moving cabins, gas pumps, tanks, garage, dig cesspools (Estd \$700) + filling 3000 yds. material (Estd. \$900)	
9635-Johnson, Donald W.	R/W	0.40	\$100 per a.	McChesney
9636-		0.11	\$10 per a. + \$208.90	
		0.51	plus moving fence	
9633-Morley, David M. Estate	R/W	1.40	\$10 per a.	"
9653-Ketola, Gustaf Ivar	"	0.75)	\$100 per a.	"
		0.41)	\$10 per a. + \$246.25 +	
		1.16	cost of moving and reestab. barn, garage, 2 sheds, chicken house and making fill (Estd. \$1,000)	
<u>Eugene-Springfield Section, Pacific Highway</u>				
9233-University of Oregon	R/W	0.29	In exchange for approx. Parker 1.5 a. acquired by state from M & R Properties Co.	
9235-Larson, N. P.	"	63,700 sq.ft.	2¢ sq.ft. + \$637	"
9236-Hill, D. R.	"	19,200 "	2¢ " + \$192	"
9237-Ruth, Charles B.	"	22,800 "	2¢ " + \$228	"
9239-Whitelock, Frank	"	13,148 "	2¢ " + \$131.48	"
9240-Taylor, Howard R.	"	12,966 "	2¢ " + \$129.66	"
9242-McClintic, Esther J.	"	23,434 "	2¢ " + \$234.34	"
9139-Martin, David J. Estate	"	21,140 "	25¢ "	"
9138-Strome, Erma E.	"	17,660 "	20¢ " plus \$2,000	"
9140-Kidder, Jennie M.	"	14,200 "	20¢ " " \$1,660	"
9141-Page, Miriam and Paul Hamilton	"	8,096 "	30¢ " " \$5,071.20	"
9143-Schroff, A. H.	"	3,860 "	30¢ " plus \$5,342	"
9142-Roylance, Martha	"	7,150 "	30¢ " " \$5,355	"
9136-Gilbert, W. A.	"	10,740 "	30¢ " " \$6,778.00	"
9137-Bristow, Mary A.	"	744 "	LUMP SUM - \$200	"
<u>Springfield-Blue River Section, McKenzie Highway</u>				
8684-Frazier Real Estate Holding and Loan Co.	Gravel Bar	11.12	LUMP SUM - \$1,000	Devers
<u>Madras Section, The Dalles-California Highway</u>				
8617-Moore, W. C. and Leif Nelson	R/W Easement	1,495 sq.ft.	25¢ sq.ft. + \$120 + fencing and stairway	Cosad

(Continued on next page)

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Madras Section, The Dalles-California Highway (Continued)</u>				
8607-Doty, R. M.	Easement	Over 250 sq. ft.	GRATIS	Cozad
7132-Van Wert, Ralph	"	Over 1000 sq. ft.	GRATIS	"
7133-Lytle, Purl	"	Land 500 sq.ft.	25¢ sq. ft. + \$239.50 + stairway	"
8619-Van Wert, Ralph	"	Land 750 sq.ft.	25¢ sq. ft. + \$165 plus stairway	"
6604-Carroll, Ivan	R/W	1500 sq. ft.	5¢ sq. ft.	"
7134-Cook, W. R.	Easement	Over 500 sq. ft.	GRATIS, + \$125 + stairway	"
8627-Cunningham, Ray	"	Land 500 sq. ft.	25¢ sq. ft. + \$218 + stairway	"
8616-Lytle, Purl	"	Land 350 sq. ft.	25¢ sq.ft. + \$30	"
8611-Madras Main Street Garage, Inc.	"	Land 250 sq. ft.	GRATIS	"
8608-Harding, Hazel and Iva May Dee	"	Land 750 sq. ft.	GRATIS	"
8583-Wood, Floyd A.	"	Land 500 sq. ft.	GRATIS	"
8584A-Pacific Power & Light	"	Land 500 sq. ft.	GRATIS	"
8581-Pumill, Lester	"	5000 sq. ft.	1¢ sq. ft. plus \$250	"
8571-Cunrinningham, Ray and Floyd Wood	"	1500 sq. ft.	5¢ sq. ft.	"
<u>Prairie City-Austin Junction Section, John Day Highway</u>				
8726-Forrest, Clyde	Borrow Pit & haul road	4.77	\$125.79 per a. + \$100 - 5 yr. lease and + 1 cattle-guard	Cozad Landon
<u>Brogan-Jamieson Section, John Day Highway</u>				
9169-Freiermuth, L. J. and J.R. Robinson, and WTVSA	R/W	0.43	0.16 a. at \$100 per a. 0.27 a. at \$5 per a. + fencing \$14.40	Landon
9172-Eastern Oregon Land Co.	"	14.53	6.61 a. at \$100 per a., 7.92 a. at \$5.00 per a. + \$650.80	"
"	"	"	\$22.35 per a. plus fencing and gate, plus moving bunk-house if required by state before grantor elects to move same	"
"	Gravel Pit Easement	6.71		"

File No. 9446, Paul Schuttpelz:-This settlement was approved as to price, if an exchange of properties can be effected. The Attorney was instructed to ascertain whether or not it would be possible for the state to secure a one-half acre tract of land from the United States Forest Service to trade to Mr. Schuttpelz, it appearing that Mr. Schuttpelz is unable to secure the one-half acre

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from the Forest Service direct. Mr. Schuttpelz offers to donate his property to the state if the state can secure for him without cost the one-half acre of national forest land. (See Mr. Schuttpelz letter dated August 22, 1941, for details.)

File No. 9150, Gardiner Lumber Company:- This settlement was approved by the Commission as to price; however, the Commission desired a different breakdown of the items making up the total, so as to show the true facts of the land value and damages. (The amount shown in the resolution is the breakdown furnished by the Assistant Attorney for the record.)

File No. 9576, Carl Barclay:- The Commission approved this settlement and authorized the purchase of an additional area, if it can be purchased at the same rate of \$200 per acre, it being understood that the additional acquisition will satisfy all claims which Mr. Barclay may have by reason of past trespass on his property, et cetera.

The Commission also discussed the matter of acquiring additional properties needed in connection with the proposed improvement of the Pacific Highway between Eugene and Springfield, particularly land needed to affect a change in the millrace. Details concerning each of these settlements were explained by Mr. C. W. Parker, Right-of-Way Buyer. After full discussion of the matter, the Commission approved the payments as follows:

<u>File No.</u>	<u>Owner</u>	<u>Purpose</u>	<u>Area</u>	<u>Payment Approved</u>
9243	Eyler & Gerda Brown	R/W	8,200 sq.ft.	\$450.00
9244	C. Irena Williams	"	3,000 " "	600.00
9245	Howard A. and Marjorie W. Hall	"	4,000 " "	700.00
9246	Ida V. Stam	"	6,700 " "	350.00

The Attorney also requested authority to condemn certain parcels of real property that are needed for highway purposes, and concerning which he has been unable to reach satisfactory settlements. He presented a list of such properties and recommended the following offers in condemnation:

<u>File No.</u>	<u>Name</u>	<u>Purpose Required</u>	<u>Recommended Offer</u>
9647	Frank Nygren, et al.	Gravel Pit	\$ 500.00
9648	Reed Charley, et ux.	" "	1,150.00
*9660	Louis Hogstrom	Stockpile Site	75.00
*9569	Catherine C. Simmons	" " "	25.00
8810	H. S. James	R/W	125.00
8868A	T. B. Waller, et ux	"	400.00
9565	Ada Kautz Estate	"	5.00
8631	William Brownhill	"	200.00
8573	Louise Olson	"	15.00
8584	Pacific Power & Light Co.	"	20.00
8632	J. H. Peterson, et ux.	"	5.00

*Inasmuch as this is a stockpile site, condemnation will not be brought, but the amount of the offer for the property was approved,

After careful consideration of each item the Commission approved the request and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, the State Highway Commission is authorized to locate, relocate, construct, reconstruct, maintain, widen, straighten, and otherwise improve state highways, both primary and secondary, and said Commission is also authorized to construct shops, equipment sheds, office buildings, maintenance sites, patrolmen accommodations, and snow fences, and is authorized to acquire quarry sites, gravel pits, storage sites, stockpile sites, weighing stations, and broadcasting stations, and is further authorized to develop, construct, improve, operate, and maintain parks, parking places, auto camps, camp sites, roadside development, recreational grounds or resorts, and other places of attraction and scenic value; and

WHEREAS, said Highway Commission is authorized to acquire by purchase, agreement, donation, or by the exercise of the power of eminent domain real property, or any interest therein, necessary or deemed by the Highway Commission necessary for the accomplishment of any and all of the foregoing things; and

WHEREAS, in the judgment of the Highway Commission the several tracts or parcels of land hereinafter described are each and all necessary for the specific and particular purposes hereinafter specifically set forth;

NOW, THEREFORE, BE IT AND IT WHEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the Commission does hereby find and declare that the several parcels of real property hereinafter described are each and all necessary for the accomplishment of the purposes hereinafter expressly and specifically set forth, which said real properties and the specific purposes for which the same are being acquired are described as follows, to wit:

Real property owned by Frank Nygren, which property is located in the southwest quarter (SW $\frac{1}{4}$) of the northwest quarter (NW $\frac{1}{4}$) of Section 13, Township 36 South, Range 1 East, W. M., in Jackson County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 1 and is further identified in the records of the Highway Commission as file R 9647, and which property is being acquired for the purpose of securing roadbuilding materials therefrom for use in connection with the improvement of the Little Butte Highway;*

Real property owned by Reed Charley and Myrtle Charley, husband and wife, which property is located in the south half (S $\frac{1}{2}$) of the northeast quarter (NE $\frac{1}{4}$) of Section 14, Township 36 South, Range 1 East, W. M., in Jackson County,

Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 2 and is further identified in the records of the Highway Commission as file R 9648, and which property is being acquired for the purpose of securing roadbuilding materials therefrom for use in connection with the improvement of the Little Butte Highway;*

Real property owned by H. S. James, which property is located in the west half ($W\frac{1}{2}$) of the southeast quarter ($SE\frac{1}{4}$) of Section 35, Township 3 South, Range 14 East; in the west half ($W\frac{1}{2}$) of the northeast quarter ($NE\frac{1}{4}$) of Section 2, Township 4 South, Range 14 East; and in the south half ($S\frac{1}{2}$) of Section 36, Township 3 South, Range 14 East and in the northeast quarter ($NE\frac{1}{4}$) of Section 1, Township 4 South, Range 14 East, W. M., in Sherman County, Oregon, and is more particularly described on the attached sheets and designated as Parcels Nos. 3, 4, and 5 and is further identified in the records of the Highway Commission as file R 8810, and which property is being acquired for right of way purposes in connection with the Sherar's Bridge Highway;*

Real property owned by the Ada Kautz Estate, which property is located in the northwest quarter ($NW\frac{1}{4}$) of Section 7, Township 9 South, Range 12 East, W. M., in Jefferson County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 6 and is further identified in the records of the Highway Commission as file R 9565, and which property is being acquired for right of way purposes in connection with the Warm Springs Highway;*

Real property owned by Snowden A. White, et ux., and William Brownhill, which property is located in Lot 5 of Block 6, Depot Addition to Madras, in Jefferson County, Oregon, and is more particularly described on the attached sheets and designated as parcel No. 7 and is further identified in the records of the Highway Commission as file R 8631, and which property is being acquired for right of way purposes in connection with The Dalles-California Highway;*

Real property owned by J. H. Peterson, et ux., which property is located in Lots 2 and 3 of Block 7, Depot Addition to Madras, in Jefferson County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 8 and is further identified in the records of the Highway Commission as file R 8632, and which property is being acquired for right of way purposes in connection with The Dalles-California Highway;*

Real property owned by Louise Olson, which property is located in the southwest quarter (SW $\frac{1}{4}$) of the northwest quarter (NW $\frac{1}{4}$) of Section 12, Township 11 South, Range 13 East, W. M., in Jefferson County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 9 and is further identified in the records of the Highway Commission as file R 8573, and which property is being acquired for right of way purposes in connection with The Dalles-California Highway;*

Real property owned by the Pacific Power and Light Company, which property is located in Lot 1, Block 1, Northwest Townsite Company's First Addition to Madras, situated in Section 11, Township 11 South, Range 13 East, W. M., Jefferson County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 10 and is further identified in the records of the Highway Commission as file R 8584, and which property is being acquired for right of way purposes in connection with The Dalles-California Highway;*

Real property owned by T. B. Waller, et ux., which property is located in Government Lots 4 and 5 and in part of the Jas. H. Twogood D.L.C. No. 37 in Section 11, Township 34 South, Range 6 West, W.M., in Josephine County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 11 and is further identified in the records of the Highway Commission as file R 8868A, and which property is being acquired for right of way purposes in connection with the Pacific Highway.*

2. That the Commission does hereby find and declare that each of the said described parcels of real property is necessary and acquisition of the same by the State is required for the specific purposes hereinabove set forth, and the said properties are being acquired for the express and specific purposes in this resolution set forth.

3. That the State Highway Engineer be and he hereby is instructed and directed to make or cause to be made all surveys necessary in connection with the determination, description, and

*(The detailed descriptions of the respective parcels of real property mentioned in this resolution are attached to the original resolution on file in the office of the State Highway Commission, Salem, being Resolution No. 16, under the heading "Real Property Condemnation Resolutions", and said descriptions by this reference are made a part of this minute entry to the same extent as if copied in full herein.)

acquisition of said real properties, and said Engineer is further instructed to prepare and submit to the Legal Department necessary and adequate descriptions of the said real properties, which said descriptions shall be available for the preparation of any deed or deeds or other instrument or instruments necessary to complete the acquisition of said property or properties, whether said properties be acquired by purchase, donation, agreement, or by the exercise of the power of eminent domain.

4. That J. M. Devers, Attorney for the State Highway Commission, be and he is hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby further resolved that J. M. Devers, Attorney for the State Highway Commission, be and he hereby is requested to commence and prosecute to a final determination such suit or action, or suits or actions, as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

Chairman Cabell brought up for discussion the matter of granting permits for movements over state highways of combination truck and trailer units, having an overall length in excess of the Oregon statutory length limits. He gave as his understanding that the "Office of Production Management" is going to ask that overlength loads be permitted in order to facilitate the government's defense program. During the discussion he expressed his thought that it might be satisfactory to grant such permits if the request comes from a national agency, but not otherwise. Commissioner Oliver concurred.

In this connection the Secretary presented resolutions from the Oregon State Grange and the Northwest Trailer Manufacturing Association, and a letter from the Portland Draymen and Warehousemen's Association, requesting that the State Highway Commission grant permits of this character and permit operation through Oregon of equipment having the size and weight limits that are legal in adjoining states. The Commission took no action on these communications.

Mr. O. W. Bentley, Portland, representing the Crown Willamette Lumber Company, was present and asked the Commission to authorize log hauling over the Netarts Secondary Highway, at least in an amount sufficient to demonstrate to government officials the value of certain spruce timber taken from their holdings in this vicinity. The Engineer advised that this road was not constructed to bear up under log hauling traffic; furthermore, the bridge located a short distance out of Tillamook is in very bad condition,

and is now posted for ten-ton loads. He further advised that he has explained this situation to Mr. Bentley, who has agreed to dump the logs into the river at the west end of the bridge, so as to avoid the use of the bridge entirely. Mr. Bentley estimated that they would have about thirty loads of logs to haul at this time, and agreed to limit the loads to one log each, and to not more than two logs if the logs are small. He urged the Commission to grant this request as a trial proposition. The Engineer recommended approval of the request on such basis, provided a maximum of not more than forty loads are hauled, that the company will use light-type trucks to do the hauling, and will confine the loads to one log and not more than two logs if they are small. The Commission approved the recommendation.

The Commission adjourned at 12:15 p. m. and reconvened at 1:30 p.m. in the same room with the same persons present and participating.

Chairman Cabell brought up for discussion an accident that occurred at the McLoughlin Bridge on the Pacific Highway East near Oregon City. It appears that during the time that this bridge was being repainted one of the workmen who was employed on the job slipped and, in an endeavor to keep from falling, accidentally dislodged a short timber, a part of the scaffolding, which timber fell to the ground and unfortunately struck a small boy who was playing under the bridge, causing injuries for which the boy's father is now seeking compensation through his attorney. The Commission's attorney read aloud several reports on the subject which were discussed. The Commission assumed no responsibility or liability in the case; however, instructed the Engineer hereafter to maintain warning signs at appropriate places around structures that are being painted, as a warning to people of danger, particularly at such locations where a pathway leads down to the stream from the highway.

The Commission discussed briefly matters pertaining to the Eugene-Springfield Project, and particularly the proposed connection at the McKenzie Highway junction. The Engineer was instructed to give the matter further study, and to explain fully to Chairman Cabell the following Thursday on the trip to Tongue Point.

Mr. Guy Cordon, Attorney, Roseburg, and Mr. A. L. Schneider, general freight agent for the Oregon Nevada California Fast Freight, Inc., Medford, came before the Commission relative to the transportation of government defense materials over state highways through the state of Oregon, from California points to Washington points, on equipment the overall length of which exceeds the Oregon statutory length limits. Mr. Cordon was spokesman. He said that the Oregon Nevada California Fast Freight, Inc., has a contract with the federal government to move federal equipment and supplies, much of which is assigned to points in Washington, necessitating travel through the state of Oregon; that at least twenty-five per cent of each load is material of this class; and that the company is obliged to deliver the material regardless of conditions, but is handicapped in doing so because the overall length of this equipment is 60 feet, being 10 feet in excess of the Oregon length limit, and it is unable to secure a permit to move across the state of Oregon. He declared that the situation is an emergency, and, in his estimation, it is not

only within the province of the State Highway Commission to authorize the movements, but also the duty of the Commission to grant the necessary permit for the general welfare of the public. He made an urgent plea for this privilege in behalf of the company.

Chairman Cabell explained the position and the attitude of the Commission with respect to such movements, and advised that the Commission feels that it is without authority to grant the request because of the action taken by the 1941 Legislature, which voted down a bill that would have authorized overall lengths of 60 feet and gross weights of 68,000 pounds on Oregon highways, and in view thereof the Commission must refuse to grant such permits which are requested by the general trucking interests; however, the Commission will give careful consideration to such requests if they are presented by some recognized governmental agency. Commissioner Oliver concurred. Mr. Cordon recognized the fairness of Chairman Cabell's statement; however, again urged the Commission to do what it can to help out in this difficulty.

The Commission discussed and denied a request from the Lang Transportation Company, San Francisco, for permission to operate over Oregon state highways between the California state line and Klamath Agency, one combination truck and trailer unit, having an overall length of 60 feet, it being contrary to the established policy of the Commission to issue continuous permits for such movements.

W. H. Lynch, District Engineer, Public Roads Administration, was present and inquired as to the attitude of the State Highway Commission with respect to allocating additional funds for the improvement of the I.O.N. Secondary Highway, in Malheur County. Chairman Cabell explained that the Commission has it in mind to apply federal strategic highway funds for this road, but is not in position at this time to state definitely just what it can do, in view of the fact that Congress failed to pass the appropriation bill over the President's veto. However, should the federal government provide additional federal funds, other than those now available to the Commission, the Commission would be disposed to allocate such funds to this road. Commissioner Oliver concurred.

Mr. Lynch also mentioned that the State of Idaho has, at least temporarily, abandoned the idea of rerouting the Old Oregon Trail by way of Weiser and is now seeking to route it along another route which crosses the Snake River at Nyssa. He inquired as to the attitude of the Oregon State Highway Commission relative thereto. The matter was discussed briefly, but no action was taken. Mr. Lynch agreed to forward the State Highway Engineer all available information for study.

The Attorney presented for the Commission's acceptance a stipulation in the case of the United States of America versus O. M. Jetson, et al, with respect to a 40-foot hauling road across property known as the Fisher Tract, which road extends from the Eugene-Swisshome Secondary Highway (Route F Highway) to a state-owned rock quarry in Lane County. He explained that this stipulation would preserve the state's rights to maintain such hauling road across property that is now owned by the federal government, and that the road

is needed to provide access to the quarry. The Commission approved the stipulation, and thereupon signed the same.

The Attorney also presented a letter from Mr. Ben Hur Lampman, Portland, with respect to the Commission's action in refusing to abandon a short section of the old right of way of the Oregon Coast Highway in front of his premises at Nelscott. This matter was discussed at some length, during which the history of the entire case was recalled. The Commission confirmed its previous action, it appearing to the Commission that Mr. Lampman has no definite right to the property, and that the old roadway is needed for public purposes. The Attorney was instructed to inform Mr. Lampman of the action taken and to assure him that the Commission will allow him reasonable access to the highway from his property.

A letter was presented from Dolan & Serfling, general merchants, Gardiner, Oregon, requesting permission to maintain a certain gasoline pump in its present location in front of their store building at Gardiner, notwithstanding that the state is acquiring the property on which the pump is located for widening the highway at this point. They alleged that if they are required to move the pump to another location, they will be forced to abandon the pump, and will suffer a direct loss in excess of \$5,000. The Assistant Attorney read the letter aloud. The Engineer advised that no harm would be done if the pump were left in the present location; however, that would be strictly contrary to the Commission's established policy, which prohibits the servicing of automobiles at the curb line, and would set a very undesirable precedent. Several suggestions were made for disposing of this matter. The Assistant Attorney was instructed to discuss these with Messrs. Dolan and Serfling.

Reconsideration was given by the Commission to the request of Mr. Russell Hubbard, Reedsport, to purchase certain state-owned property lying between the Umpqua Highway and the Umpqua River, near the north city limits of Reedsport. The Engineer recommended the sale to Mr. Hubbard of several lots in the platted portion of Reedsport and the retention by the state of the other property in order to preserve an unobstructed view of the Umpqua River from the highway. The Commission approved the recommendation, and instructed the Attorney to convey the Commission's action to Mr. Hubbard. He was also instructed to inform Mr. Hubbard that, if he is not satisfied with the Commission's decision, the Commission will be pleased to discuss the matter with him further, and inspect the property with him if he so desires. The question arose as to how much Mr. Hubbard is to be asked to pay for this property, and it was decided to charge him one cent per square foot, or a total of approximately \$165 for the land involved.

Messrs. Philip H. Carroll, Executive Secretary, and Albert Merrill, Chief Engineer, Commission of Public Docks, Portland, came before the Commission in regard to the vacation of certain Dock Commission property, which is needed in connection with the construction of the Front Avenue Project, Portland. Mr. Carroll advised that they have received notice to vacate the premises by October 1, but they are unable to comply therewith without considerable inconvenience, and the Dock Commission would appreciate it if the Highway

Commission will grant them an extension of time to November 15 in which to vacate. The Engineer recommended approval of the request. The Commission approved the recommendation.

Mr. Merrill then inquired as to what provision the Highway Commission has made for rebuilding the approach to the floating dock. He offered to sell the float to the Commission for the sum of \$10,000. He pointed out that, if the Commission purchased the float, it would eliminate construction of the tunnel approach to the same. The Commission took the matter under advisement, and instructed the Engineer to contact Mr. Merrill some time during the following week with regard thereto.

Consideration was given by the Commission to the matter of terminating its lease of the Jim Ford property near Gardiner, which has been used as a C. C. C. camp site. The Parks Superintendent, who was present, explained that the lease expires on October 31, but he has been leaving the matter of the cancellation of the lease until the camp is abandoned. He further stated that the camp is no longer in operation, and recommended termination of the lease. The Commission approved the termination of the lease as soon as it is definitely determined that the property is no longer needed.

The question whether or not to permit a Mrs. Mabel Stevens to maintain a residence building on the right of way of the Lower Columbia River Highway, at a place known as Holbrook, had the attention of the Commission. The Attorney explained that in November, 1934, at the request of the Board of County Commissioners of Multnomah County, the Commission granted Mrs. Stevens the privilege of occupying the right of way with her building, because she was in destitute circumstances. However, the permit provided that she should vacate the premises within 30 days from the date of receiving notice so to do from the State Highway Commission. He further advised that Mrs. Stevens no longer lives in the house, but leased it to other people, from whom she collects rent, and it appears to him that necessity for maintaining the house on the highway right of way no longer exists. He recommended that Mrs. Stevens be given notice to move the building off the state's property. After discussion the Commission approved the recommendation, and instructed the Attorney to serve such notice, and to give Mrs. Stevens 90 days within which to vacate the premises.

The claim of Mrs. Eva Cade King of Marshfield for damage to her property, which resulted in connection with a highway improvement, was considered by the Commission. The Attorney reported that Mrs. King's property was damaged by reason of faulty drainage in connection with the highway improvement, and that she has indicated a willingness to settle her claim for \$600. He recommended settlement on that basis. The Commission approved the settlement, and ordered that, as a part of the settlement, Mrs. King be required to sign a complete release.

The Assistant Attorney brought up for discussion the claim of Mr. Charles R. Cooley for damages to his property adjacent to the Pacific Highway south of Grants Pass, which he alleged resulted from the reconstruction of the

highway at this point. He recited the history of this case and advised that Mr. Cooley originally demanded settlement in the amount of \$1,000 although he now will settle for \$500. He estimated the amount of the damage at \$300, but recommended payment of \$500 as a compromise in order to avoid a law suit. The Commission approved the recommendation.

The Attorney reported a request from the City of Eugene to acquire a parcel of land at the intersection of the Pacific Highway with the road which extends to the new Eugene airport. He said that the city wants to purchase about one-half acre of land, which is to be used in providing a good approach to the highway. He recommended sale of the property for the sum of \$50, which is at the rate that the Commission paid for it. The Commission approved the recommendation.

The Secretary presented a letter from the Hood River Chamber of Commerce suggesting that the State Highway Commission furnish "Oregon windshield stickers" to all chambers of commerce and tourist information organizations in the state, for distribution to tourists desiring the same. The Commission considered this matter under the jurisdiction of the Secretary of State; furthermore, Section 115-379, O.C.L.A., prohibits the carrying of stickers on windshields and/or windows of automobiles that are operated over the highways of this state. The Secretary was instructed to so inform the chamber of commerce.

The Commission discussed briefly and ordered filed an opinion from the Attorney General dated August 25, 1941, concerning the meaning of several statutes, and the conduct of the Public Utilities Commissioner and the State Highway Commission with respect to the administration and enforcement of certain statutes relating to the maximum load of motor vehicles. (See opinion in general files.)

The Commission had under consideration approval of the payment of the final estimate to E. C. Hall Company, arising out of its contract No. 2242 with the Commission, for the Mt. Hood Rock Production Project on the Mt. Hood and Wapinitia Highways, in Clackamas and Wasco Counties. The Secretary explained that Mr. Hall subcontracted part of the work to Mr. H. L. Rice, who failed and left outstanding claims in excess of \$3,000, and that Mr. Hall has arranged to take care of these claims. However, it has been the practice, for a long time, not to release the final payment in connection with any job, if the outstanding claims amount to a considerable sum, as in this instance. He further advised that he has received a letter from the surety on the bond furnished by E. C. Hall Company in connection with this job, consenting to the release of the final payment without prejudice to the bond. The Attorney advised that the surety's letter is satisfactory, and that the Commission could approve payment of the final estimate if it so desires without incurring obligation. The Commission thereupon approved release of the final warrant.

Reconsideration was given by the Commission to the matter of permitting log hauling on state highways during Saturday afternoons and Sundays, heretofore prohibited. The Engineer recommended, in view of the apparent emergency that exists, that hauling during such periods be authorized as a

trial proposition for 30 days on all highways except the Oregon Coast Highway between the Wolf Creek Highway junction and Cannon Beach. The Commission approved the recommendation, subject to the condition that the privilege will be cancelled in the event there is strong opposition from the general public to log hauling during such periods. In the event public opinion is not adverse to such arrangement, the Commission will consider extending the privilege after the 30-day period expires. It was also understood that each application for the privilege should be considered individually and that the 30-day trial period in each instance will start when the applicant's request is received and approved.

This action of the Commission was conveyed to Mr. Ormond R. Bean, Public Utilities Commissioner, by telephone, and received his approval. The Secretary was instructed to forward to Mr. Bean all applications received for such privilege with recommendation that the P.U.C. permits be amended accordingly.

A request was presented from the Coos Bay Dredging Company for a permit authorizing the moving of a large tank, 14 feet high and 44 feet in diameter, directly across the Oregon Coast Highway between Marshfield and North Bend. They advised that the movement would take about one hour's time, and that the tank will have to be moved some time, in order to accommodate the proposed highway improvement at this place, the tank being now located on property that will be needed as right of way for such highway improvement. The Commission approved the request, subject to the condition that the highway travel is not completely stopped during the time that the highway is occupied by the tank; that a suitable detour is provided; and that the company will furnish the customary insurance and will take all necessary precautions to safeguard the traffic.

The Commission also discussed an application of Mr. H. A. Dowd, Albany, for authority to transport logs over a one-mile section of the Corvallis-East Side Secondary Highway, just out of Albany, which operations are now prohibited on this highway. The Engineer recommended the granting of the request subject to the condition that a flagman is maintained at the railroad crossing at all times when log hauling activities are under way. He explained that such requirement is necessary, because the railroad is several feet higher than the highway, and the view of traffic along the highway is obscured at the point where Mr. Dowd proposes to construct his approach road to the mill. It was his thought that the flagman at the railroad crossing should be maintained in order to safeguard other traffic and to avoid the occurrence of accidents. The Commission approved the granting of the permit, subject to the conditions as recommended by the Engineer.

The Commission considered an inquiry from a Mr. C. E. Powell as to when he will be permitted to resume log hauling operations on the Wilson River Highway. The Secretary was instructed to inform Mr. Powell that he will be permitted to haul logs over this highway when the highway has been opened for general public use.

The Commission discussed an opinion from the Attorney relative to the necessity for log haulers to furnish excess public liability and property damage insurance as a prerequisite to the securing of permits for the transportation over state highways of loads of logs, poles or piling, the overall length of which exceeds the statutory length limits. According to such opinion the members of the Highway Commission are amply protected by law without such excess insurance. In view thereof the Secretary was authorized and instructed by the Commission to discontinue the practice of requiring such excess insurance, provided the log hauler has already furnished insurance in the amounts required by the Public Utilities Commissioner.

The Commission discussed a date for its inspection trip into Baker, Union and Wallowa Counties, and decided to make such trip during the last week in October, starting on Wednesday, October 29, 1941.

A letter was presented from County Judge Wm. O. Powell, Yamhill County, inviting the members of the Commission to be the guests of the Yamhill County Court and representatives of several city chambers of commerce, on a joint inspection of a proposed road extending from Carlton to Tillamook, which inspection is tentatively set for September 8, 1941. The members of the Commission expressed regrets that it will not be possible for them to join the county court on this trip, and instructed the Secretary to convey the information to Judge Powell.

The Commission considered and ordered filed a resolution from Washington State Grange, favoring operation of bridges and ferries across the Columbia River by a joint commission representing the highway departments of the States of Oregon and Washington.

Chairman Cabell reported numerous complaints from log haulers that the operations of the state highway department weighmasters are causing much unnecessary delay in log hauling operations. It was the Commission's decision that no change be made in the instructions to weighmasters heretofore approved until such time as the Commission knows definitely that the instructions are too stringent. The Engineer was instructed to investigate conditions and report his findings.

The Engineer reported that subsequent to the appearance of Mr. Hart before the Commission on the previous day, he consulted with Mr. Witchel, Chief Engineer of the Oregon Electric Railway Company, relative to the installation of the traffic signal at the railroad crossing in Beaverton, and among other things he inquired of Mr. Witchel whether or not the railroad company would agree, in the preparation of the next program for railroad crossing funds, to charging the Oregon Electric Railway Company's share of such funds an amount equal to the cost of the signal installation at Beaverton and Mr. Witchel agreed to such charge. He recommended, in view thereof, that the Commission install the signal at this time, advancing state funds to pay the costs involved. The Commission approved the recommendation. The Engineer was instructed to inform Mr. Hart of the Commission's decision.

The State Parks Superintendent was present and reported on the following park matters:

Proposed park property along the Columbia River Highway between Mitchell Point Tunnel and Viento:- The Parks Superintendent advised that this property consists of 155 acres situate in Section 35, Township 3 North, Range 9 East, W. M., Hood River County, and that his only interest is in securing wayside strips through the same. He pointed out, however, that the Commission will need some of the property for right of way for a proposed revision of the highway. It was his thought that the entire holding should be acquired if it can be purchased at a reasonable cost. The Commission authorized the Attorney to negotiate with the owners for the property.

Right of way for proposed highway between Cannon Beach and Wolf Creek Highway junction:- The Parks Superintendent suggested that, when new right of way for the Oregon Coast Highway between these points is acquired, it would be advisable for the right of way agents to negotiate for the acquisition of wayside strips as well as for the right of way, so as to protect the standing timber on such strips. The Commission approved the suggestion and so ordered.

Proposed park site adjacent to Upper Columbia River Highway between milepost 55 and milepost 56:- The Parks Superintendent advised that this property has several owners, part of it being owned by Mrs. Ruby Wells Mead, and part by Russell, Carter and Mrs. Anna Kvavle and the Berkenfeld Lumber Company. The Kvavles, he said, are asking \$75 per acre for their property, consisting of 23 acres, or a total of \$1,725, and he has already secured options from them on that basis. He further advised that he has not yet heard from the Berkenfeld Lumber Company, although he believes there is a possibility that the company will present their property to the state as a gift. As to the Mead property, he said he has been unable to secure a satisfactory quotation, but he is still negotiating and hopes to be able to render a full report on all properties at the next meeting.

Disfigurement of pioneer monument at Talbot State Park:- The Parks Superintendent advised that several women of Portland, whose names are known to him, have scratched their names on this monument, disfiguring the same. He inquired whether or not he should take legal action against these women. The Commission decided not to take such action at this time.

Proposed wayside park area adjacent to Mt. Hood Highway, in Hood River County:- The Parks Superintendent advised that the Commission some time ago authorized him to purchase from the county a certain parcel of land adjacent to this highway, particularly on the Booth Hill Section; however, when he contacted the county court, he ascertained that the tract had been sold at a tax sale, and this report is simply to inform the Commission of the status of the matter. The Commission took no action.

Proposed park site at Bandon Beach, Coos County:- The Parks Superintendent reported an offer from E. G. Opperman, Coquille, to deed to the state 3.83 acres overlooking the ocean at Bandon. The Commission deferred action on this matter, in view of the fact that the purchase of another tract at Bradley Lake, about three miles south of the Opperman property, is being considered.

Addition to Ecola State Park, Clatsop County:- The Parks Superintendent inquired as to the wishes of the Commission with respect to the purchase of certain property from Mr. John Yeon, Portland, at Chapman Point, which property contains twelve acres, and for which Mr. Yeon is asking the sum of \$8,175.37. He pointed out that if the Commission purchased this property, it would also have to purchase additional properties, in order to round out the park. He also pointed out that the "Point" is slowly being washed away by ocean-wave action. The Commission gave careful consideration to this purchase, and decided that it would be unwise to acquire the property at this time.

The Commission discussed a letter from Mr. Carl Ewing, Forest Supervisor, Umatilla National Forest, relative to the widening of the Weston-Elgin Secondary State Highway at a place known as Spout Springs, so as to provide parking space for automobiles during the winter skiing season. Mr. Ewing advised that it would be impossible for the Forest Service to construct a parking area anywhere off the highway right of way near the lodge, because it would rob the gentle ski slope near the highway of considerable of its value for the use of people who are just learning how to ski, and who are in the majority. Furthermore, it is doubtful that there is sufficient room to develop a parking area large enough to accommodate future needs within a reasonable distance of the ski lodge. He gave as his opinion that the only feasible solution of the problem is the widening of the highway itself. He urged the Commission to reconsider its previous decision relative to the widening of the highway right of way and removal of snow therefrom, for the benefit of winter sports enthusiasts. The matter was referred to the Engineer for further investigation and report.

Chairman Cabell brought up for discussion the matter of securing priority preference rating for highway construction work in accordance with the rulings of the "O.P.M." (Office of Production Management). It was pointed out in the discussion that procedure has been established whereby priority preference ratings may be obtained for certain classes of highway construction projects, and that the ratings are not of the "blanket" type and must be applied for and assigned separately for each project; further, that applications for preference ratings must be made by the State Highway Department, and must be submitted to the O.P. M. through the Public Roads Administration; otherwise they will not be accepted; furthermore highway contractors must make their applications through the State Highway Department for each individual purchase of materials that cannot be obtained without a preference rating. In view of this information, the Commission authorized and instructed the Engineer to notify all contractors on state highway work of the facts, and to file applications for preference ratings expeditiously, so as to avoid unnecessary delays in the performance of work.

Chairman Cabell also brought up for discussion matters pertaining to the Morrison Street Bridge remodeling work necessitated by the construction of the Front Avenue Project, Portland, and particularly the question whether or not to allow the contractor to proceed with the work until the materials are on hand. It was the Commission's decision that the contractor should do no work whatsoever until the steel required for the project has been assembled and is either on the bridge premises or has at least been delivered to Portland. It was also decided that this project should be a "two-shift" job.

The question then arose whether or not to permit the closing of the bridge to traffic during the Christmas holiday season. The Commission considered it important that the bridge be not closed during such period, because of the extremely heavy volume of traffic that would use the bridge at such time. The Engineer was instructed by the Commission to try to work out a solution for the problem.

Consideration was given by the Commission to the following requests for extensions of time within which to complete highway construction projects:

Colonial Construction Company, contract No. 2392, for construction of a viaduct and masonry walls on the Minam Hill Section of the Wallowa Lake Highway, in Union County, requested an extension of time of fifteen days, from July 31 to August 15, 1941, within which to complete this job. It attributed its failure to complete the project within the specified time limit to adverse weather conditions, and difficulty in securing skilled labor, particularly carpenters and stone masons. The Engineer advised that this contract was awarded on November 13, 1940, but work on the structure was not commenced until February 18, 1941; further, that, in his estimation, the contract could have been completed within the specified time limit had the work been started sooner. He recommended, in view thereof, that the extension of time requested be granted, but that the contractor be required to reimburse the state for extra engineering expense incurred subsequent to the specified completion date. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

Averill & Corbin, contract No. 2403, for construction of the Goose Rock Bridge over the John Day River, on the John Day Highway, Grant County, requested an extension of time of 60 days, from August 31 to October 31, 1941, within which to complete this job. They attributed their failure to complete the project within the specified time limit to adverse weather conditions and high water in the John Day River, which prevented excavations at pier #3, in the middle of the channel. The situation was further aggravated by a cloudburst, which washed out a coffer dam and cribbing. The Engineer advised that the reasons given by the contractor for failure to complete the project within the specified time limit are correct. He recommended the granting of the extension of time requested without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

M. C. Lininger & Sons, contract No. 2411, for the Kerby Rock Production Project on the Oregon Caves and Redwood Highways, in Josephine County, requested an extension of time of 60 days, from May 31 to July 30, 1941, within which to complete this project. They gave no reason for failure to complete the project within the specified time limit. The Engineer advised that there was some delay in the awarding of the contract, and the contractor lost some time by reason of high water. Also, that the public was not inconvenienced by failure of the contractor to complete the contract within the specified time, and the state has not incurred any expense for extra engineering supervision. He recommended that the extension of time requested be granted without penalty. The Commission approved the recommendation.

Birkemeier & Saremal, contract No. 2452, for installing new expansion plates on the Interstate Bridge, between Portland and Vancouver, Washington, on the Pacific Highway, Multnomah County, requested an extension of time of 31 days, from June 30 to July 31, 1941, within which to complete this job. They attributed their failure to complete the project within the specified time limit, to extra work which they were required to perform. The Engineer advised that the reason given by the contractor for failure to complete the project within the specified time limit is correct. He recommended that the extension of time requested be granted without penalty. The Commission approved the recommendation.

The Engineer reported that contracts Nos. 2320, 2327, 2379, 2387, 2392, 2402, 2411, 2418, 2423, 2429, 2430, 2439, 2452, and 2456, for construction of state highway projects, have been completed according to the terms of the contracts or modifications thereof, and that said jobs are now ready for acceptance. The following resolution accepting the above projects was offered and was adopted by the unanimous vote of the Commission:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts, and said jobs are now ready for acceptance:

Contract No. 2320, with General Construction Company, for embankment construction and culvert pipe installation on the Troutdale-Dodson Section of the Columbia River Highway in Multnomah County, completed on August 6, 1941.

Contract No. 2327, with Kern & Kibbe, for grading, tunnel excavation, lining and paving on the Sunset Tunnel Section of the Wolf Creek Highway in Washington County, completed on August 19, 1941.

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Contract No. 2379, with K. L. Coulter, for embankment topping and slope protection on the Troutdale-Oneonta Section of the Columbia River Highway, in Multnomah County, completed on August 30, 1941.

Contract No. 2387, with J. F. Johnston, for work on the Nashville Bridge Section of the Eddyville-Blodgett Secondary Highway in Lincoln County, completed on July 23, 1941.

Contract No. 2392, with Colonial Construction Company, for construction of the Minam Hill Viaduct on the Wallowa Lake Highway, in Union County, completed on August 14, 1941.

Contract No. 2402, with C. J. Eldon, for work on the Davies Grade Separation Project, in Washington County, completed on August 27, 1941.

Contract No. 2411, with M. C. Lininger & Son, for furnishing 11,700 cubic yards of crushed gravel in stockpile on the Kerby Section of the Redwood and Oregon Caves Highways, in Josephine County, completed on July 15, 1941.

Contract No. 2418, with Dimitre Electric Company, for furnishing electrical work on the Interstate Bridge at Portland, in Multnomah County, completed on August 16, 1941.

Contract No. 2423, with A. S. Wallace, for furnishing 10,000 cubic yards of crushed materials in stockpile on the Bear Creek-Coos Junction Section of the Coos Bay-Roseburg Highway, in Douglas County, completed on July 22, 1941.

Contract No. 2429, with Leonard & Slate, for grading, bituminous macadam surfacing and bridge construction on the Ramsay-Blalock Section of the Columbia River Highway in Gilliam County, completed on August 18, 1941.

Contract No. 2430, with Leonard & Slate, for grading, bituminous macadam surfacing and widening bridge on the Quinton-Ramsay Section of the Columbia River Highway, in Gilliam County, completed on August 18, 1941.

Contract No. 2439, with R. O. Dail and Warren Bros., for grading, surfacing and oiling the Jones Hill-Lena Section of the Heppner Highway, in Morrow County, completed on August 12, 1941.

Contract No. 2452, with Birkemeier & Saremal, for replacing expansion plates on the Interstate Bridge, in Multnomah County, completed July 31, 1941.

Contract No. 2456, with Babler Brothers, for placing pier protection for swing span pier for the bridge over the Willamette River at Corvallis, in Benton County, completed July 26, 1941.

THEREFORE, BE IT RESOLVED that the work covered by said state highway contracts for the construction of said state highway projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

The Commission considered and signed agreements, et cetera, as follows:

Foreword for use by Attorney in connection with his compilation of the Oregon Road Laws.

Agreement with University of Oregon and the Eugene Power Company pertaining to the proposed highway improvement between Eugene and Springfield.

Agreement with University of Oregon re Eugene-Springfield Project.

Agreement with Ray Fromm covering grazing of sheep in Humbug Mountain State Park.

Agreement with Ace Turner covering grazing of sheep in Humbug Mountain State Park.

Stipulation with the United States of America with respect to a hauling road from "Route F" Highway to the state quarry located on lands known as the Fisher Tract, in Lane County.

Bargain and sale deed conveying unto Cecil Mestretti 7,992 square feet of land in Lots 10 and 11, Block "M" Reservation Addition to Pendleton. (Right of way file 3866)

There being no further business to come before the Commission at this time the meeting was adjourned at 4:45 p. m.

Robert J. ...
State Highway Engineer

Harold ...
Secretary

Henry F. Cabell
Chairman

Thomas C. ...
Commissioner

Portland, Oregon, October 16, 1941

The State Highway Commission met in regular session at 9:00 a. m. in the auditorium of the Public Service Building. Present were:

Henry F. Cabell, Chairman
Huron W. Clough, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

Commissioner Herman Oliver was excused from attending this meeting.

Bids as follows for highway construction projects, removal of buildings from right of way in East Portland, sale of scrap steel rails at Portland, and sale of Ox-Yoke Service Station north of Grants Pass, were opened and read in conformance with previously published notices, following which Chairman Cabell announced that the award of contracts, et cetera, would be made at 3:00 p. m. in the same room:

WOLF CREEK HIGHWAY
NECANICUM JUNCTION-SUNSET CAMP ROCK PRODUCTION

A. S. Wallace	\$31,770.00
E. C. Hall Company	33,830.00
Babler Bros.	34,985.00
A. T. Dolan	35,240.00
Rogers Construction Company	38,350.00

MCKENZIE HIGHWAY
BELKNAP SPRINGS-FOURMILE BUTTE ROCK PRODUCTION

No bids received on this project

WASCO-HEPPNER SECONDARY HIGHWAY
CONDON-MORROW COUNTY LINE SECTION - SURFACING AND OILING

F. R. Hewett	\$63,855.00
R. O. Dail and Warren Bros.	72,256.00
J. C. Compton	73,976.00
Rogers Construction Company	74,230.00
Babler Bros.	74,415.00
C. J. Eldon	76,515.00
Western Construction Company	85,012.00
McNutt Bros.	100,030.00

JOHN DAY HIGHWAY
CONDON-SERVICE CREEK ROCK PRODUCTION

F. R. Hewett	\$19,750.00
Rogers Construction Company	25,200.00
A. H. Saxton & Son	26,040.00
C. J. Eldon	35,590.00
McNutt Bros.	38,770.00
Western Construction Company	40,384.00

EUGENE-SWISSHOME SECONDARY HIGHWAY
FISHER ROAD-OAK HILL SECTION - GRADING, SURFACING AND OILING

	<u>Using Asphalt</u>	<u>Using Tar</u>
Rogers Construction Company	\$40,739.00	- -
A. T. Dolan	- -	\$43,002.00
McNutt Bros.	43,321.50	43,325.50

SANTIAM JUNCTION PATROL STATION
CONSTRUCTION OF TWO EMPLOYEE CABINS

Blair T. Alderman	\$7,934.00
Tri-State Construction Company	10,367.08
Edwin E. Batterman	12,426.50

JOHN DAY HIGHWAY
BROGAN-JAMIESON SECTION - GRADING, SURFACING AND OILING

Triangle Construction Company	\$69,600.00
Henry L. Horn	73,625.00
Jacobsen-Jensen Company	78,146.50
Leonard & Slate	79,575.00
McNutt Bros.	85,773.00

PACIFIC HIGHWAY EAST
ILLAHÉE-STEIWER HILL SECTION - GRADING AND PAVING

	<u>Using Asphalt</u>	<u>Using Tar</u>
E. C. Hall Company	\$158,923.50	- -
Jacobsen-Jensen Company	161,323.50	- -
Porter W. Yett	- -	\$172,340.00

PACIFIC HIGHWAY EAST
INTERSTATE BRIDGE-ORUGON SLOUGH BRIDGE SECTION - ROADBED WIDENING

Logan & Taylor, Inc.	\$3,997.00
Jacobsen-Jensen Company	4,385.00
Porter W. Yett	4,400.50

SALMON RIVER HIGHWAY
ROGUE RIVER BRIDGE NEAR GRAND RONDE

J. F. Johnston	\$8,517.00
C. W. Reeve	8,729.00
Harry I. Hamilton	8,933.00
Joelson & Amens	9,938.50
Babler Bros.	10,004.00
C. J. Eldon	10,883.20
Frank Watt Construction Company	11,907.00
McNutt Bros.	12,965.00

BUILDING REMOVAL

Wreck and remove one frame building and one concrete building at 101 S.E. Union Avenue, East Portland.

Shipyard Wood Company	\$400.00
Sullivan Wrecking & Salvage Company	832.00

SCRAP STEEL RAILS, AT PORTLAND

Zidell-Steinberg Company	\$1,632.40
Alaska Junk Company	1,292.20
Crawford & Doherty Foundry Company	1,213.80

OX-YOKE SERVICE STATION, NORTH OF GRANTS PASS

Kenneth Dodd	\$526.00
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Mr. Ormond R. Bean, Public Utilities Commissioner of Oregon, and Mr. A. F. Harvey, Superintendent of Motor Transportation, came before the Commission in regard to continuation of the temporary privilege heretofore granted log haulers, to truck-haul logs over state highways on Saturday afternoons, Sundays, and during hours of darkness. After full discussion of this matter the Highway Commission decided to extend the privilege to June 1, 1942, except as to the Oregon Coast Highway between Arch Cape Tunnel and the junction of the Oregon Coast Highway with the Wolf Creek Highway, it appearing that only one complaint had been received objecting to the hauling of logs during such restricted periods. The Secretary was instructed to forward a formal recommendation to the Public Utilities Commissioner covering this matter, such recommendation to include the following rules and regulations, as an amendment to the rules adopted on July 24, 1941:

1. The speed of the movement shall not exceed fifteen (15) miles per hour on all sharp curves and narrow bridges. Except as herein limited the statutory speed restrictions shall control.

2. Flagmen shall be furnished by permittee to stop and warn other traffic at all points where logging equipment, either loaded or empty, enters upon and/or turns off the said highways. Said flagmen shall be equipped with red lanterns or other approved signaling devices properly and effectively to stop and warn approaching traffic of danger. Said flagmen shall be stationed on the highway at points approximately 300 feet on each side of the said point of entrance or exit, as the case may be, and shall be maintained at such locations at all times while log hauling operations are under way.

3. The truck hauling of logs on state highways, during periods of darkness, is limited to the hours between 12:01 a. m. (midnight) and 8:00 p. m. of the same day. No log hauling whatsoever shall be carried on between 8:00 p. m. on any Saturday and 6:00 a. m. on the following Sunday, nor between 8:00 p. m. on any Sunday and 6:00 a. m. on the following Monday; furthermore, no log hauling shall be permitted on any of the holidays hereinafter mentioned, nor between 12:01 a. m. and 6:00 a. m. on the day following the holiday. When the holiday falls on Sunday the following Monday shall be considered an additional holiday, and the prohibited period shall extend from 8:00 p. m. on the previous Saturday to 6:00 a. m. on the following Tuesday. The holidays to be observed are: January 1st, May 30th, July 4th, Labor Day, November 11th, December 25th, and any holiday designated by the President of the United States of America or by the Governor of the State of Oregon.

4. Permittee shall be held responsible and liable for any and all injury or damage to any highway or to any highway structure, occasioned by the transportation of logs over said roads, and he hereby agrees to reimburse the State Highway Commission for the cost or expense of repairing any such injury or damage, such reimbursement to be made within ten days after being billed for the same by the State Highway Commission.

5. The violation of any one of the provisions of this permit as hereinabove set forth shall be considered sufficient cause for the immediate suspension or cancellation of the permit under which the equipment involved is being operated.

6. The actual transportation of logs over the highways mentioned herein shall be construed as acceptance by permittee of the provisions of this permit.

7. The special privileges herein authorized do not apply to the section of the Oregon Coast Highway between Arch Cape Tunnel and Wolf Creek Highway junction.

The authority above granted shall expire without limitation or further notice on Monday, June 1, 1942.

The Public Utilities Commissioner advised that upon receipt of such rules and regulations he would mail a copy of the same to each special carrier as an amendment to the special carrier's permit.

The question whether or not to permit loads in excess of 50 feet overall in length to be transported over state highways during hours of darkness was also discussed. The Engineer gave as his thought that the geometric design of the highway should control this feature. The matter was referred by the Commission to the Engineer and the Secretary for a decision. (The Engineer advised later that it would be satisfactory to allow overlength loads to be transported over state highways during hours of darkness provided the operations are covered by the same rules and regulations that cover such movements during daylight hours, and provided the vehicles are legally lighted.)

County Commissioners W. J. Holland and Allen P. Wheeler of Lane County were present and inquired whether or not the Commission expects to award the contract for the Fisher Road-Oak Hill Project on the Eugene-Swisshome Secondary Highway, bids for which were taken at this meeting. They were informed that the low bid received for this project is considerably in excess of the estimated cost of the job so it will be necessary to reject it unless the Commission changes its policy with respect to such matters, which it is not inclined to do at this time; further, possibilities are that the work could not be done until next year. Mr. Holland then pointed out that the road is in bad condition where it crosses the Southern Pacific railroad tracks. It was his thought that the necessary improvements could be made by a state maintenance crew at small cost. The Engineer was instructed to investigate the condition and have it remedied as a minor betterment project if it is not too costly.

The Tillamook County Court, consisting of County Judge Harland M. Woods and County Commissioners E. H. Lindsey and E. G. Anderson, was present and presented several projects. They were accompanied by Mr. John Aschim, Secretary of the Tillamook Chamber of Commerce. Judge Woods was spokesman. He asked for a new bridge on the Wilson River Highway to replace an existing, narrow, temporary structure at a place known as Camp One. The Engineer advised that this bridge should be replaced at the earliest possible time, and recommended approval of the project as soon as funds can be spared to finance it. The Commission indicated approval of the recommendation, but took no definite action.

Judge Woods also asked for the straightening of the Wilson River Highway between Mills Bridge and Tillamook. No action was taken by the Commission on this request.

He also asked for a new bridge over the Trask River on the Netarts Secondary Highway just out of Tillamook, to replace the existing covered bridge which is in very bad condition and is posted for ten-ton loads. In the discussion of this matter it was pointed out that one of the serious objections is the narrowness of the bridge, and the short sight distance that obtains for one passing over it. Mr. Lindsey suggested, if the Commission could not see its way clear to construct a new bridge, that it would help if the

cover over the existing structure were removed. The Engineer advised that this could be done at small cost. The Commission thereupon authorized such remodeling work.

Judge Woods also asked for the non-skidding of the Netarts Secondary Highway throughout its entire length. He urged that the work be done next summer when conditions are satisfactory. The Commission took the matter under advisement.

He also brought up for discussion the matter of revising the Oregon Coast Highway south of Tillamook, which involves a change to avoid the proposed Tillamook airport. The Engineer advised that a location survey of the section south of Tillamook was made some time ago by Chief Locating Engineer H. W. Libby. He exhibited a map showing the proposed alignment and recommended its adoption. He pointed out that it could be constructed in increments as funds are available. The Commission approved the "Libby" line as recommended by the Engineer. The Engineer then requested authority to set survey stakes along the proposed line. Such request was granted. He also requested authority for the right-of-way department to secure options for needed right of way between Tillamook city limits and a place known as Pleasant Valley. The Commission also approved such request.

The County Court also inquired as to the plans of the Highway Commission to rebuild a section of the Oregon Coast Highway between the town of Cannon Beach and the Wolf Creek Highway Junction. The Engineer explained that the Commission now has under advisement a W.P.A. project for clearing and grubbing on the proposed alignment and for the installation of drainage facilities. The Commission thereupon reviewed the details of the project, which is estimated to cost \$456,364, of which amount 25 per cent, or approximately \$114,280, represents the state's contribution as sponsor. The Commission approved the project and authorized the Engineer to sign the application for the same and forward it to the Work Projects Administrator of Oregon.

Judge Woods also brought up for discussion the matter of payment of Tillamook County's share of reconstructing the Johnson Bridge over the Trask River on the Fairview-Clements Corner County Road. He recalled that Tillamook County is obligated to contribute \$7,000 toward the cost of such work, such amount to be paid by the Secretary of State out of the county's share of the 1942 gasoline tax funds. He asked the Commission to defer the payment of such amount until after July, 1942, which would be an accommodation to the county. The Commission approved the request. The Secretary was instructed to notify the Secretary of State of the action taken after it is known definitely the actual amount that Tillamook County is to contribute.

Mr. Anderson requested improvements to the Little Nestucca Secondary Highway. He also asked the Commission to designate as a secondary state highway the county road known as the Sand Lake Road. The Engineer was instructed to have Maintenance Engineer Bishop and Assistant Office Engineer Cutler investigate the Little Nestucca Road and ascertain just what has to be done to put it in passable condition. No action was taken by the Commission on the request for the designation of the Sand Lake Road as a state secondary highway.

The Honorable J. D. Perry, Deer Island, headed a delegation which consisted of the following: C. J. Miller, V. L. Shepard, E. A. Brett, Charles T. Bross, Tom Morris, Wm. Reice, G. O. Clement, C. R. Hallberg, Wilbur J. Smith, Fred McKinley, A. S. May and Fred N. Mallom. He advised that there is now pending in Congress a bill which would authorize the federal government to acquire the Longview Bridge over the Columbia River and operate the same as a toll-free bridge, and that their purpose in coming before the Commission at this time is simply to ask the Commission to assist them in securing the passage of such legislation. Chairman Cabell advised that the engineers of the Oregon State Highway Department are now making a joint survey of prospective bridge sites along the Columbia River in conjunction with engineers of the Washington Highway Department and will be pleased to give due consideration to the Longview Bridge in such study; further, that it was his hope that it would not be necessary for the Commission to take a definite stand with respect to any particular bridge or bridge site until this survey was completed. Mr. Perry stated that haste in the matter is urgent. Chairman Cabell replied that, while the Commission is not in position to make a definite statement at this time, it will give the matter serious consideration and will discuss it at the November meeting of the Commission when all Commissioners are present, following which Mr. Perry will be advised of the action taken.

The Honorable F. M. Franciscovich, Astoria, came before the Commission in regard to the application of a Mr. Reed Holding to transport truck loads of logs 62 feet overall in length over a five-mile section of the Wolf Creek Highway, immediately west of the Nehalem River crossing, involving a crossing of the highway at the east end of the bridge where a connection is made to the county road leading to Jewell. He said that Mr. Holding wants to eliminate every possible hazard to Wolf Creek Highway traffic and to that end is willing to grade a suitable approach from the county road to the highway at his own cost and expense if the Commission will allow him to do it, which would avoid a turnaround near the east end of the bridge requiring two crossings of the highway, and in the meantime he is asking the privilege to haul logs in the best possible manner under existing conditions, but will maintain two flagmen at the east end of the bridge where he is obliged to cross the highway twice in making the turn. The Engineer recommended approval of Mr. Holding's proposition, and that the rocking and oiling of the approach between the two roads be accomplished at state expense when Mr. Holding has completed the grading work. The Commission approved the recommendation.

The Commission also approved the truck-hauling of overlength loads of logs over the Wolf Creek Highway, subject to the condition that two flagmen are maintained on the highway at points where crossings are made at the east end of the Nehalem River Bridge, until such time as Mr. Holding's road connection is completed.

Mr. H. B. Roadman, County Commissioner, Douglas County, and Mr. W. C. Harding, former secretary of the Roseburg Chamber of Commerce, were present and urged the Commission to continue the improvement of the North Umpqua county road from the end of the present improved section to a place known as Glide, particularly the grading of the section, which they estimate would cost approximately \$60,000. Mr. Roadman presented a copy of a resolution adopted by the

county court in which notification is given to the public that the county court, on November 10, 1941, intends to make an order relative to right of way for such proposed improvement. He assured the Commission that all of the right of way would be acquired by the time that the Commission is ready to construct. The Commission took the matter under advisement.

Senator F. M. Franciscovich reappeared before the Commission relative to the penalty that is imposed on log haulers for overloading their trucks. He said that the present penalty of five days for the first offense, ten days for the second offense, and fifteen days for the third offense, in his estimation, is too severe in view of the fact that when a truck is suspended there is absolutely no way to replace it on the job. He suggested a reduction in the penalty to three days for the first offense, six days for the second offense, and nine days for the third offense, and gave as his thought that such reduced penalty, during present times, is just as severe as was the five-day penalty a few years ago. The Commission concurred, and thereupon adopted the suggestion. The Secretary was instructed to put the change into effect immediately.

The Commission discussed a letter from Resident Engineer A. G. Johnson relative to the transfer of Vernon R. Thorp from his engineering party to that of Locating Engineer J. F. Waller at Maupin. It appears that Mr. Thorp lives in an apartment in Portland and, upon receipt of notice of his transfer, endeavored to vacate the apartment but was not allowed to leave the premises until he had paid the manager of the apartment the sum of \$32.50 for one month's rent and \$3.50 for cleaning up the apartment after he had left. The question arose whether or not the state would take care of this item. The Engineer recommended against the payment of the amount. He suggested, however, that the matter might be taken care of satisfactorily by deferring the transfer of Mr. Thorp a sufficient length of time to enable him to give the manager of the apartment thirty-days' notice of his moving. The Commission approved the suggestion.

The Commission adjourned at 12:00 noon and reconvened at 1:30 p. m. in the same room with the same persons present and participating.

The Engineer brought up for discussion the matter of increasing the 1942 betterment budgets for primary and secondary highways. He advised that, since the budgets were approved by the Commission last fall, additional minor betterments for construction work have been authorized totaling \$149,403, of which amount \$103,347 is for primary minor betterments and \$46,056 is for secondary minor betterments. He asked the Commission to approve budget increases in such amounts and submitted a list of the projects making up the totals. (See list attached to letter dated September 20, 1941, from Maintenance Engineer J. N. Bishop to R. H. Baldock, Chief Engineer.) After discussion and careful consideration of the various items, the Commission approved the request by unanimous vote.

The Engineer brought up for discussion the proposed improvement of West First Street North in Ontario. He advised that the cost to improve the entire section from Fourth Avenue to a connection with the present highway at the north city limits, including a one-block section on Idaho Avenue connecting

with Oregon Street, would cost about \$32,000 using B-2 type surfacing, whereas to construct a concrete pavement on the four blocks south of Idaho Street, including the one block connecting with Oregon Street, would cost about \$19,600. He recommended improvement of the shorter project using concrete pavement, and advised that such an improvement would satisfy the people of Ontario. As to the balance of the proposed improvement, he said that that can be deferred until some future time. The Commission approved the recommendation.

The Engineer reported briefly on investigations that have been made of the request of the United States Forest Service that provision be made for the parking of cars adjacent to the Weston-Elgin Secondary State Highway near Tollgate for the benefit of winter sports enthusiasts. The Commission decided to let this matter rest until next year when it will be reconsidered.

The Engineer reported on the cost to construct a sidewalk on Cozine Creek Bridge on the Pacific Highway West at McMinnville. He estimated the cost of such sidewalk at \$2,200 and recommended approval of the project, which has been requested by people of McMinnville, in view of the large amount of pedestrian traffic that uses the bridge. The Commission approved the recommendation subject to the condition that the proposed revision of the highway at this location is not undertaken within the next two or three years.

The Engineer also reported on the cost to construct a cinder footpath along the Lower Columbia River Highway at Warren, in Columbia County, as has been requested by School District No. 58, Columbia County. Investigation of this project, he said, reveals that the walk would cost about \$700. The Commission decided not to construct this footpath at the present time; however, instructed the Engineer to include it in the list of sidewalk projects for consideration in the formulation of next year's priority budget for such projects.

The Commission discussed the Engineer's report on the request of Mikkalo Grange for the construction of a sidewalk on Rock Creek Bridge on the John Day Highway at Olex, in Gilliam County. The Engineer estimated the cost of such sidewalk at \$360. The question arose whether or not there is justification for this expenditure. The matter was re-referred to the Engineer for further investigation and report.

A letter was presented from the town of Long Creek, Grant County, requesting the graveling and oiling of the main street of this town, route of the Kimberly-Long Creek Secondary State Highway. The Engineer estimated that it would cost about \$11,000 to do this work. The Commission considered that there are other places throughout the state which are of more importance from the general public standpoint, and from which much more benefit could be received by the expenditure of such sum of money, and accordingly denied the request subject to confirmation by Commissioner Oliver.

The Commission also discussed a report from the Engineer on the controversy with Mr. A. E. Rice relative to the construction of a private road approach to the Pacific Highway near the South Umpqua River Bridge in Douglas County. The Engineer advised that the highway was realigned when the new

bridge was constructed across the South Umpqua River and there now exists a strip of land between the old highway and the new highway, but no roadway was constructed between the old and the new location of the highway so under present conditions Mr. Rice is obliged to take a round-about course from his premises to the new highway to which he objects strenuously. The Attorney advised that the Highway Commission has an obligation to Mr. Rice because he had a satisfactory outlet from his premises before the highway was rebuilt. However, there is a question as to ownership of this roadway, because it seems that it is on land owned by a Mr. Coon. The Engineer gave as his thought that it would be unwise to build an approach to the new highway at the location desired by Mr. Rice because it would introduce an unnecessary hazard to the traveling public, the roadway being too near the bridge. After discussion the Commission referred the matter back to the Attorney for a review of the facts of the case and to determine definitely whether or not the Highway Commission has an obligation to Mr. Rice and, if the Commission has such obligation, then to ascertain the ownership of the lands across which the roadway must be constructed and whether or not it would be possible to secure right of access to the highway across such lands.

Mr. W. H. Fitzgerald, attorney, Portland, came before the Commission in regard to the claim of Mrs. Anna Suran, who was injured when she stepped through the grate of a drainage inlet adjacent to the Columbia River Highway near Oneonta Gorge. Mr. Fitzgerald inquired whether or not the Commission had approved this claim which amounts to \$67.50. He was informed by Chairman Cabell that the Commission's liability is questionable because it was not intended, in the first place, for pedestrians to use the area on which the inlet is located. However, the inlet belongs to the state and was in bad state of repair, so the Commission has decided to pay the claim if it has legal authority to do so. Commissioner Clough concurred. The matter was referred to the Attorney to handle.

The Commission instructed the Engineer to erect and maintain appropriate warning signs at this location in an endeavor to avoid further accidents.

Mr. R. E. Steele, Secretary of the Hood River Chamber of Commerce, conferred with the Commission in regard to the reconstruction of the Columbia River Highway on permanent alignment through the town of Hood River. He alleged that the present highway is a virtual bottleneck for traffic, and urged the Commission to take early action to eliminate the same. He also said that, until the highway is rebuilt, the people of Hood River are not in position to develop their properties which they want to do as soon as possible. Chairman Cabell pointed out that this was a large undertaking and that the Hood River improvement necessarily must tie into a major highway improvement several miles long, so the Commission is not in position to say just when it can do the work. He pointed out, however, that the Commission is now concentrating its efforts on the construction of a new highway up the Columbia Gorge between Troutdale and Bonneville and gave as his thought that monies available to the Commission for expenditure in this vicinity should be allocated to finance additional improvements from the Troutdale end, rather than in the vicinity of Hood River, which would hasten the time when benefits can be

secured from the Commission's present investments. It was his thought that such procedure is the logical one to follow. Commissioner Clough concurred.

Mr. Steele then reported that he understood that the Highway Commission is looking for a maintenance headquarters site at Hood River. He advised that the City of Hood River owns a two and one-quarter acre tract near the west city limits of the town, which it will be pleased to donate for such purpose if the Commission wants it. The Commission thanked him for the offer and referred the matter to the Engineer for investigation.

At 3:00 p. m. Chairman Cabell announced the following awards of contracts, removal of building in Portland, sale of scrap steel, and sale of Oxyke Service Station, for which bids were received at the morning session, such awards having previously been approved by the Commission by unanimous vote:

"Mechanicum Junction-Sunset Camp Rock Production Project on the Wolf Creek Highway, in Clatsop, Tillamook, Columbia and Washington Counties. A. S. Wallace, Roseburg, submitted the low bid for this project, in the amount of \$31,770.00. E. C. Hall Company, Eugene, was second-low, with a bid of \$33,830.00. There were three higher bidders. The Commission awards this contract to A. S. Wallace, at his low bid of \$31,770.00.

"Belknap Springs-Fourmile Butte Rock Production Project on the McKenzie Highway, in Deschutes and Lane Counties. No bids were received for this project.

"Condon-Morrow County Line Section of the Wasco-Heppner Secondary Highway, in Gilliam County. 14.10 miles surfacing and oiling. F. R. Hewett, Spokane, Washington, submitted the low bid for this work, in the amount of \$63,855.00. R. O. Dail and Warren Bros., Portland, submitted the next-low bid, in the amount of \$72,256.00. There were six higher bidders. The Commission awards this contract to F. R. Hewett, at his low bid of \$63,855.00.

"Condon-Servicecreek Rock Production Project on the John Day Highway, in Gilliam and Wheeler Counties. F. R. Hewett, Spokane, Washington, submitted the low bid for this project, in the amount of \$19,750.00. Rogers Construction Company, Dayton, Washington, was second-low, with a bid of \$25,200.00. There were four higher bidders. The Commission awards this contract to F. R. Hewett, at his low bid of \$19,750.00.

"Fisher Road-Oak Hill Section of the Eugene-Swisshome Secondary Highway, in Lane County. 1.26 miles grading, surfacing and oiling. Rogers Construction Company, Dayton, Washington, submitted the low bid for this work in the amount of \$40,739.00, using asphalt. They did not submit a bid using tar. A. T. Dolan, Tillamook, was second-low, with a bid of \$43,002.00, using tar. He did not submit a bid using asphalt. There was only one other bid received. The Commission rejects these bids.

"Employee cabins at Santiam Junction Patrol Station, in Linn County. Construct two frame cabins. Blair T. Alderman, Eugene, submitted the low bid for this project, in the amount of \$7,934.00. The second-low bid was submitted by Tri-State Construction Company, Portland, in the amount of \$10,367.08. There was one other bid received. The Commission awards this contract to Blair T. Alderman at his low bid of \$7,934.00.

"Brogan-Jamieson Section of the John Day Highway, in Malheur County. 5.3 miles grading, surfacing and oiling. Triangle Construction Company, Boise, Idaho, submitted the low bid for this work, in the amount of \$69,600.00. The next-low bid was submitted by Henry L. Horn, Caldwell, Idaho, in the amount of \$73,625.00. There were three higher bidders. The Commission refers these bids to the Engineer with power to award the contract to the low bidder when certain conditions have been satisfied.

"Illahee-Steiwer Hill Section of the Pacific Highway East, in Marion County. 2.22 miles grading and paving. E. C. Hall Company, Eugene, submitted the low bid on this project in the amount of \$158,923.50, using asphalt. It did not submit a bid based on the use of tar. The second-low bid was submitted by Jacobsen-Jensen Company, Portland, in the amount of \$161,323.50, using asphalt. It did not submit a bid using tar. There was only one other bid received. The Commission rejects these bids.

"Interstate Bridge-Oregon Slough Bridge Section of the Pacific Highway East, in Multnomah County. 0.27 mile roadbed widening. Logan & Taylor, Inc., Portland, submitted the low bid on this project, in the amount of \$3,997.00. The second-low bid was submitted by Jacobsen-Jensen Company, Portland, in the amount of \$4,385.00. There was one other bid received. The Commission rejects these bids.

"Rogue River Bridge on the Salmon River Highway near Grand Ronde, in Polk County. 76-foot reinforced concrete viaduct. J. F. Johnston, Newberg, submitted the low bid, in the amount of \$3,517.00. C. W. Reeve, Salem, submitted the next-low bid for this project in the amount of \$8,729.00. There were six higher bidders. The Commission awards this contract to J. F. Johnston at his low bid of \$3,517.00.

Removal of Buildings in Portland

"Wreck and remove one frame building and one concrete building at 101 S. E. Union Avenue, East Portland. Shipyard Wood Company, Portland, submitted the low bid for this work, in the amount of \$400.00. The only other bid received was that of the Sullivan Wrecking & Salvage Company, Portland, in the amount of \$832.00. The Commission refers the bids to the Engineer for further information.

Sale of Scrap Steel at Portland

"Zidell-Steinberg Company, Portland, submitted the low bid on this project, in the amount of \$1,632.40. The next-low bid was that of the Alaska Junk Company, Portland, in the amount of \$1,292.20. There was one other bid received. The Commission rejects these bids. (Reconsidered the following day.)"

Sale of Ox-Yoke Service Station, North of Grants Pass

"The only bid received for the purchase of this service station was that of Kenneth Dodd, Eugene, in the amount of \$526.00. The Commission rejects this bid."

Mr. O. W. Bentley of the Crown Zellerbach Corporation, Portland, came before the Commission relative to the use of an unloading dock for logs which the company inadvertently installed on the right of way of the Metarts Secondary Highway, about two miles west of the Trask River Bridge, Tillamook County. Mr. Bentley recalled that the Commission, at a previous meeting, authorized the corporation to transport several loads of spruce logs over this highway with the understanding that the loads would be limited to one large log or two small logs, and that the logs would be dumped in the Trask River west of the bridge because the bridge is in a weakened condition and is posted for ten-ton loads. The company, he said, was not aware of the ruling of the Highway Commission which prohibits private encroachments on highway rights of way and was not informed with respect to the Commission's policy until the log dump had been constructed. He asked the Commission to permit the use of this log dump for a short period of time so as to enable the company to get out a few specimen logs for inspection by federal government authorities who are in the market for timber of this kind. The Engineer recommended approval of the request subject to the condition that the unloading dock is removed and the premises cleaned up to his satisfaction by November 1, 1941. The Commission approved the recommendation.

Mr. L. M. Lepper, Director of Highways and District Improvements, East Side Commercial Club, Portland, headed a delegation which came before the Commission relative to the construction of a new bridge across the Columbia River between Portland and a place known as Fisher in the state of Washington, utilizing Government Island. Others in the delegation were: W. P. Yaw, M. D. Wills, James P. Bates and W. W. Tyler, Secretary, representing the East Side Commercial Club; and Will C. Minea, Harry H. Pearce, and J. C. Strudgeon, representing the Parkrose Chamber of Commerce. Mr. Lepper urged the Commission to "formally" study this project and bring it to the attention of the United States army officials, so that needed information may be available if and when a new bridge across the Columbia River is required. His remarks were endorsed by the other members of the delegation. The Commission thanked the delegation for its presentation but took no action with respect thereto.

The Parkrose group then inquired as to the plans of the Commission for improvement of Sandy Boulevard (Columbia River Highway) through the Parkrose district, particularly between 82nd Avenue and 122nd Avenue. They were informed that the Commission has budgeted a certain sum for this improvement and that it is planned to do the work next year. Whether or not a sufficient sum has been provided, in view of present conditions, to improve the entire section is questionable; however, the Commission will stretch the improvement as far as possible.

The Commission discussed briefly matters pertaining to the proposed revision of the Columbia River Highway to accommodate the Tongue Point Naval Base near Astoria. The Commission approved the Engineer's letter dated September 16, 1941, directed to Mr. E. J. Griffith, State Administrator, Work Projects Administration, relative thereto, and a later letter supplementing the same. The Engineer advised that he has not yet received a reply from Mr. Griffith and there is a question whether or not it would be possible to do the highway work as a W.P.A. project. He suggested that the work be done as a federal aid project in the event the federal authorities do not approve it for W.P.A. funds. A general discussion of the matter followed, but action was deferred until the November meeting of the Commission. The Engineer was instructed to discuss the matter with Mr. Griffith in the meantime.

The Commission also discussed the matter of contributing state highway funds to match certain federal funds which have been appropriated by Congress to finance improvements to the Sprague River county road, in Klamath County. The Commission approved Chairman Cabell's letter of August 13, 1941, directed to Mr. B. G. Courtright, Superintendent of the Klamath Indian Agency, relative thereto, in which letter Chairman Cabell indicates that the Highway Commission will be willing to spend \$150,000 of state funds for the improvement of the section between the town of Sprague River and the junction with the Klamath Falls-Lakeview Highway near Beatty, a distance of about ten miles, if the Commission were permitted to do the work on contract basis. Furthermore, the Commission would then designate such section as a state secondary highway and maintain it thereafter. (See letter in general files for details.)

The Commission discussed briefly matters pertaining to the proposed improvement of South Sixth Street, Klamath Falls, route of the Klamath Falls-Lakeview Highway. The Engineer gave as his thought that traffic conditions along this section may necessitate the widening of South Sixth Street notwithstanding that the Commission may reroute the highway to avoid this congested district. The Commission took no action on the matter.

Two delegations from The Dalles came before the Commission in regard to the operation of The Dalles ferry across the Columbia River. One of the delegations was headed by County Judge J. B. Kirk of Wasco County and included Mace Fulton, County Commissioner; W. S. Nelson, Secretary, The Dalles Chamber of Commerce; F. V. Galloway, Attorney, Port of The Dalles; Homer Wall, City Engineer; F. M. Sexton, representing the Chamber of Commerce; H. A. Dent, Jr., representing Inland Navigation Company, Vancouver, Washington; Captain A. Leppalour, representing the Upper Columbia River Towing Company; and J. S. Robinson of Lytle, Washington. The other delegation consisted of C. I. Smith,

owner of The Dalles ferry; Esson Smith; and Leland Brown, attorney for The Dalles Ferry Company. The first above-mentioned delegation complained about the service that is being rendered by The Dalles Ferry Company. The speakers were Judge Kirk and Messrs. Nelson, Dent, Wall, Leppalour and Galloway. They urged the Commission to take action as may be necessary to provide and maintain satisfactory ferry service and suggested that the state take over this ferry operation which, in their estimation, is of general public concern. Mr. Galloway particularly gave as his thought that the Highway Commission now has the legal authority to take over this ferry operation; in fact, it is the Commission's implied duty to do so according to action of the Legislature at its sessions in 1925 and 1935.

Mr. Brown, speaking in behalf of Mr. Smith, owner of the ferry, disputed the statements made by members of the other delegation. He gave as his thought that this is a matter which concerns only the contending parties and one that such parties must work out among themselves. Mr. Smith asserted his willingness to do everything possible to eliminate the differences.

Chairman Cabell stated the position of the Highway Commission with respect to this controversy by stating that the Commission realizes that it is a serious and important matter, but feels that it is a problem over which it has no control in any way, there being a question whether or not the Highway Commission has authority to operate a ferry at The Dalles, and, if it does have such authority, should the Commission exercise it. He inquired just what the delegation wants the Commission to do, and was informed by Mr. Nelson that they believe the Commission has legal authority to establish ferry service at this point and to operate it without charge, and that is just what they want the Commission to do. Chairman Cabell then advised that the Commission feels, from information at hand, that it can only act if the State of Washington, which is concerned, will cooperate, inasmuch as the ferry operates between the two states, but the Commission does not now have information as to the attitude of the Washington authorities with respect thereto. He pointed out that the installation of a new ferry service calls for new approaches on each side of the river which, indications are, will cost a considerable sum of money. He also pointed out that many people are asking for a bridge across the river at this point so, if the Commission should go to a lot of expense in connection with the ferry operation and later on build the bridge, it seemed to him that ferry expenditure would be a waste of public funds. He advised that the Commission is not in position today to make a decision, but will have to consult with the authorities in the State of Washington first, and even if such officials approve the project, there is still the question just what the Oregon Highway Commission will do about it; however, the Commission will then go into the merits of the case. This concluded the conference.

Mrs. Jessie M. Honeyman, President of the Oregon Roadside Council, was present. Mrs. Honeyman brought up for discussion the matter of acquiring a certain myrtle grove in Curry County, same being owned by Mr. Elmer Bankus, Brookings, who is asking the sum of \$10,000 for the same. She said that the Oregon Roadside Council is very enthusiastic in securing this property for the state as a state park, and that they have the endorsement of the Garden Club. Furthermore, efforts are now being made to raise the purchase price by private

subscription so the state will not be called upon to pay any of such expense, although later on the Highway Commission will probably be asked to improve the road which extends to the grove from the Oregon Coast Highway. The object of the Roadside Council, she said, is simply to preserve the myrtle grove for the benefit of posterity and, if action is not now taken to that end, the probabilities are that the grove will be sold for commercial purposes. She asked the Highway Commission to state whether or not it is willing to endorse the project, because the Oregon Roadside Council cares not to do anything that does not have the approval of the Commission.

Chairman Cabell advised that the Highway Commission some time ago had under consideration the purchase of this area but decided not to buy it because it meant the assumption of a big obligation with respect to the improvement of the road to the area which the Commission felt it could not very well afford to take on at the time, in view of the indefiniteness of highway funds. He requested time for the Commission to give the matter further thought, and assured Mrs. Honeyman that she would be given an answer on or before October 28, the date of the next annual meeting of the Oregon Roadside Council.

Mrs. Honeyman also asked the Commission to cooperate with the Oregon Roadside Council in preserving satisfactory conditions along the roadsides adjacent to United States Army cantonments, especially as to morals, housing, and sanitation. The Commission took no action.

Mrs. Honeyman also brought up for discussion the matter of beautification of the Columbia Gorge. She said that the Oregon Roadside Council has plans for a survey to determine just what is needed to preserve the scenic beauties of this Gorge, and is asking the Highway Commission to guide them in their efforts because they want to work with the Highway Commission in every way possible and to do everything that they can, and, as may be necessary, to perfect their object as well as to please the Highway Commission. The Commission took no action.

Mr. Clark Irving, Independence, was present and presented a claim, in the amount of \$541.10, for damage to his truck and trailer and for loss of time resulting from an accident, involving his equipment and a state highway department truck, on the North Santiam Highway. Mr. Irving stated that he was engaged in hauling logs on the North Santiam Highway and in rounding one of the curves, suddenly came upon a state highway department truck that was being driven on the wrong side of the road, and in order to avoid a collision drove his truck into the ditch, damaging the same and causing expense for repairs, etc., in the amount stated. He alleged that the highway department employee admitted at the time that he was at fault and was not paying proper attention to his driving and, in view thereof, asked the Commission to reimburse him for his losses.

The Engineer stated that reports on this accident indicate that the highway department employee was not entirely to blame, and that Mr. Irving was exceeding a safe rate of speed and could have avoided the accident if he had had his truck under full control. The matter was discussed at some length

during which the Attorney gave as his opinion that the Commission could not avoid liability in the case because the state truck was being operated on the wrong side of the road by a state employee. He suggested that the claim be submitted to the state's insurance company for settlement. The Commission approved the suggestion and referred the matter to the Attorney to handle.

Mrs. E. L. Philpott, Port Orford, was present and discussed with the Commission the matter of re-establishing her tourist cottages at Port Orford to accommodate the improvement of the Oregon Coast Highway at that place, which matter was discussed with the Commission at a previous meeting. The Attorney recalled the facts in the case and advised that the main issue is whether or not the state will raise the cottages to a level of the new highway when it is built. He advised that, according to the plans for the highway improvement, waste materials from the highway excavation are to be filled in around the cottages to approximately the level of the new highway grade, but no provision has been made for raising the cottages to this level. Chairman Cabell advised that there is a question whether or not the Highway Commission is liable for such expense, and there is also the question whether or not the Commission has legal authority to spend state money for the purpose, so the Commission is not in position to make a definite statement at this time. The Attorney suggested that a decision in the matter be deferred until the highway has been constructed. Mrs. Philpott expressed her willingness to wait until that time. This concluded the conference.

Mr. George H. Clausen, log hauler, Molalla, and his attorney, Mr. J. Dean Butler, Oregon City, came before the Commission in regard to the suspension of Mr. Clausen's log hauling permit, for violation of the traffic laws and the rules governing truck hauling of logs over state highways. It appears that Mr. Clausen's equipment has been weighed on three different occasions by weighmasters in the employ of the state highway department, and in each instance was found to be carrying loads weighing in excess of the statutory limits; further, that the penalty imposed on Mr. Clausen for the third offense was a fifteen-day suspension of the operation of the equipment involved in the overload. Mr. Butler offered objections to the penalty, stating that he did not believe that Mr. Clausen's equipment was overloaded, because it previously had been weighed on scales installed by Ostrander Brothers, logging operators, in the timber at the loading point, and was there found to be within the legal weight limits. It was his thought that the state's scales at Molalla do not weigh accurately, and, in view thereof, he urged the Commission to cancel the penalty, and allow Mr. Clausen to continue operating at once. Mr. Butler pointed out that Ostrander Brothers have installed two sets of scales in the woods, so placed that the entire load can be weighed at one time, whereas the state's scales will permit the weighing of only one axle at a time. He declared it an impossibility to get an accurate weighing on a single set of scales and alleged that Mr. Clausen's losses will amount to \$1,000 if he is required to discontinue the operation of his truck for the fifteen-day period. The Engineer advised that the state's scales are inspected frequently by the State Sealer of Weights and Measures, and there is absolutely no question as to the accuracy of the weighings; furthermore, by the well-known principle of mechanics, the gross weight of the combination would be the same, whether weighed in one operation on two sets of scales, or in increments on a single

set of scales. He suggested another check of both sets of scales by the State Sealer of Weights and Measures, the state to pay the fee for checking the state's scales and the company to pay that for checking its scales.

Chairman Cabell advised that, while the Highway Commission appreciates the value of the scales installed by logging companies, it cannot accept weighings on such scales, but must base its actions on the results of the weighings on the state scales. He concurred in the suggestion of the Engineer that both scales be again checked. After further discussion, and in view of the differences of opinion with respect to the correctness of the state scales, the Commission decided to let Mr. Clausen go back to work immediately. The Engineer was thereupon instructed to have the state scales checked. The Secretary was instructed to release Mr. Clausen's P.U.C. plates. (The state's scales were later rechecked and found to be correct by the State Sealer of Weights and Measures, who verified the Engineer's statement that the total weight obtained by weighing the axles separately gives a correct measurement.)

Mr. Fred Packwood, attorney for certain logging interests, came before the Commission and requested the following in behalf of his clients: (1) Speeding up of weighing by state weighmasters at state scales. (2) Moving of scales near Seaside, which, he declared, are now in the wrong location. (3) Keeping of a complete record of all weighings, including such items as species of logs, number of logs in the load, and others. (4) Revision of the penalty for minor offenses. He questioned the legality of the procedure which requires the surrender of P.U.C. plates of the operator; however, stated that the principle is satisfactory as far as the operators are concerned, although they feel that the penalty is too severe, particularly on the occasional violator whose loads weigh only slightly in excess of the legal limit. He held no brief for the willful violator. (5) Mr. Packwood requested a conference among representatives of the State Highway Commission and representatives of the lumbering industry to ascertain whether or not a solution of the problem can be arranged whereby the loads can be determined by board feet rather than by weights.

Chairman Cabell advised that the Commission has already ordered the scales at Seaside removed to another location, and the work will be done as soon as possible; further, that the speeding up of weighing at state scales has also been ordered, so as to avoid as much loss of time as possible on that account. As to the reduction in penalty for overloading, he stated that the Commission has approved a reduction in such penalty from five, ten, and fifteen days suspension of a permit for the first, second, and third offenses, to three, six, and nine days suspension for the same offenses, subject to the condition that Commissioner Oliver concurs. He also said that the Commission will take under consideration Mr. Packwood's request with respect to the keeping of a complete record of all weighings, regardless of whether or not an overload is involved.

The Commission adjourned at 6:00 p. m. to reconvene the following morning in the same room.

Portland, Oregon, October 17, 1941

The State Highway Commission reconvened at 9:00 a. m. in the auditorium of the Public Service Building. Present were:

Henry F. Cabell, Chairman
Huron W. Clough, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Claisyer, Secretary

Commissioner Oliver was absent.

Bids as follows for highway construction work were opened and read in conformance with previously published notice, following which Chairman Cabell announced that the awards of contracts would be made at 3:00 p. m. in the same room:

CORVALLIS-NEWPORT AND KINGS VALLEY SECONDARY HIGHWAYS
WHEN ROCK PRODUCTION

A. T. Dolan	\$25,200.00
R. O. Dail & Warren Bros.	25,320.00
Rogers Construction Company	28,920.00
A. H. Saxton & Son	29,720.00

LAKEVIEW-BURNS HIGHWAY
CINDER BUTTE-JUNIPER RIDGE SECTION
GRADING, SURFACING AND OILING

Rogers Construction Company	\$118,252.60
Babler Bros.	139,999.50
McKutt Bros.	156,446.00

MIDLAND SECONDARY HIGHWAY
DIVERSION CANAL-MIDLAND OVERCROSSING SECTION
GRADING, SURFACING AND OILING

Rogers Construction Company	\$47,451.00
Clifford A. Dunn	54,523.00
Jones & King	60,364.45

FOUR STATE HIGHWAYS NEAR KLAMATH FALLS
KLAMATH FALLS ROCK PRODUCTION

Rogers Construction Company	\$17,500.00
Clifford A. Dunn	19,225.00
Jones & King	24,000.00
W. D. Miller Construction Company	25,300.00

MAINTENANCE STATION AT ALKALI LAKE
TWO FRAME DWELLINGS AND ONE EQUIPMENT BUILDING

Tri-State Construction Company

\$21,092.56

CITY STREETS IN PORTLAND
NORTH BURGARD STREET SECTION - GRADING AND PAVING

Porter W. Yett
Parker-Schram Company
Jacobsen-Jensen Company

\$32,703.50
33,500.20
35,569.00

ATHEA-HOLDMAN SECONDARY HIGHWAY
GERKING SCHOOL-ATHENA SECTION - GRADING, SURFACING & OILING

Rogers Construction Company

\$26,229.00

OLD OREGON TRAIL HIGHWAY
SOUTH HERMISTON SECTION - GRADING, SURFACING & OILING

Jacobsen-Jensen Company
Rogers Construction Company

\$24,460.20
\$25,037.50

TUALATIN VALLEY HIGHWAY
SYLVAN-WEST SLOPE SECTION - GRADING AND PAVING

Jacobsen-Jensen Company
Porter W. Yett

\$106,528.00
114,061.00

The Engineer requested authority to advertise for bids for the furnishing of maintenance materials for the Olney-Jewell Section of the Nehalem Secondary Highway, in Clatsop County. He estimated the cost of the project at \$19,200. The Commission approved the request.

The Commission discussed the proposed improvement of North Burgard Street, Portland, which extends from the St. Johns district to the Oregon Shipbuilding Corporation's plant, which improvement is estimated to cost approximately \$35,000, and is needed in order to relieve the congestion caused by the shipbuilding plant in this locality. The Commission confirmed its oral decision previously rendered, authorizing this improvement as a state financed project, subject to the City of Portland's securing the extra right of way that may be required. The Commission also confirmed the oral authority previously granted the Engineer to advertise this project for bids. The Attorney was instructed to ascertain who has jurisdiction over the road, the City of Portland or Multnomah County. The standard form of agreement covering improvement of city streets not on the state highway system is to be entered into with the proper authorities.

The Commission discussed a letter from the Town of Granite, Grant County, requesting improvement and maintenance of certain streets in this

town that are being damaged by heavy trucking. The Commission considered that the Town of Granite does not qualify for state funds under the Commission's program for city street improvements, and accordingly denied the request.

The Commission also denied a petition from residents of Douglas County requesting additional improvements to the Tiller-Trail Secondary Highway between Days Creek and the "top of the mountain."

The Secretary presented several communications from organizations and citizens of Toledo, Oregon, requesting sidewalk construction along the Corvallis-Newport Highway within the city limits of Toledo. The Engineer estimated that such construction would cost about \$5,050. He recommended approval of the expenditure and that the project be included in the Commission's sidewalk program for 1942. The Commission approved the recommendation.

The Commission discussed and adopted recommendations contained in the resolutions of the Advisory Committee on Publicity Matters, covering activities of the Travel and Information Department during the year 1942.

The Commission approved purchases of the following equipment and supplies, and ordered that the purchases be made through the State Purchasing Agent:

Traffic line lacquer required for 1942. Estimated total cost \$112,050.

70 new trucks of Ford and Chevrolet type; 70 old trucks to be traded in as part purchase price. Total cash outlay \$77,000.

15 cars of Ford and Chevrolet type to replace a like number which have traveled more than 100,000 miles, and one additional car for Assistant Maintenance Engineer; 15 old cars to be traded in as part purchase price. Total cash outlay \$13,700.

1 portable churn drill. Estimated cost \$2,500.

1 rotary drill. Estimated cost \$450.

6 radio receiving sets; 6 old sets to be traded in as part purchase price. Estimated total cost \$300.

Mr. James Morrell, representing Consolidated Freightways, and Mr. Tom J. White, attorney for the company, came before the Commission in behalf of the company's request for permission to operate over Oregon state highways truck and trailer units having an overall length of 60 feet, and a gross weight of 68,000 pounds. Mr. White was principal spokesman. He urged the Commission to authorize such movements and gave as his opinion that the Commission has legal authority to do so if it so desires, particularly because of the present emergency requiring the swift movement of defense materials. He exhibited communications from numerous organizations, including the Oregon

State Grange, Oregon Wool Growers Association, Portland Draymen and Warehousemen's Association, Northwest Trailer Manufacturers' Association, Oregon State Federation of Labor, and the Eastern Oregon Wheat League, all of whom are in sympathy with the request, and urged favorable consideration thereof by the Highway Commission. He declared that this is a problem that affects all industries and is not simply for the benefit of any particular trucking line.

Chairman Cabell advised that the Highway Commission has given this matter considerable thought, and would like to approve the request if it could, but considers that it does not have authority to do so, in view of the action taken by the 1941 Oregon Legislature. Furthermore, there is a question in the minds of the Commission, in view of such legislative action, whether or not it should exercise any authority that it may now have with respect thereto.

Mr. White stated that he already has secured numerous statements from recognized lawyers who are of the opinion that the Commission would not be violating its authority by granting such permits, and can secure many more such opinions if necessary.

The Commission's Attorney stated that the Commission cannot liberalize the legislative action and, in his mind, if the Commission approved the granting of the permits, it would be doing so "in spite" of the act rather than in conformity with it. He suggested that it might be possible to clarify this situation by securing a declaratory judgment from the courts. Chairman Cabell then advised that the Commission is now considering the securing of such a declaratory judgment, and is also considering the advisability of meeting with members of the Legislature and with the officials of the railroads, but has not reached a definite decision as yet thereto.

Mr. Guy Cordon, attorney, Roseburg, and Mr. Tom Shea, Manager of the Oregon Motor Transport Association, were also present and entered into the discussion. Mr. Cordon advised that he is convinced that the Highway Commission now has the authority needed to grant the permits requested, and gave as his thought that the law now provides an authority to take care of emergency situations in the public interest, in fact the law, in his estimation, cannot carry any other meaning.

Chairman Cabell concluded the discussion, stating that the Commission appreciates the seriousness of the situation and the necessity for an early decision, and that it is the intention of the Commission to make such decision as soon as it possibly can; however, the matter cannot be decided until all three members of the Commission are present. He promised to let the delegation know as soon as possible just what to expect.

Mr. Walter Meacham, member of the Commission's Old Oregon Trail Marker Committee, was present and asked the Commission to continue the marking of historical spots along this highway, so that all such locations will be properly marked in 1943, during the Old Oregon Trail Centennial of that year. He also suggested that the marking of such historical spots should be done on other state highways throughout the state. The Commission took no definite action in the matter; however, instructed the Engineer to report at

the next meeting the progress that has been made to date on the Old Oregon Trail markers, and how much it has cost the state to install the markers now in place. Mr. Meacham was informed that the Commission will give him an answer when the Engineer's report has been considered.

Messrs. Zidell and Steinberg of the Zidell-Steinberg Company, Portland, came before the Commission at this time relative to the bid submitted by them on the previous day for the purchase of steel rails, et cetera, salvaged from the Front Avenue improvement in Portland. Mr. Zidell gave as his understanding that the Commission has rejected their bid, which was the highest offer presented, and he asked the Commission to reconsider the matter. He stated that the price submitted by them was based on delivery of the material to the Bethlehem Steel Company, F.O.B. Portland, whereas it is their understanding that the Commission was of the opinion that the price was for delivery F.O.B. Seattle, which would explain the difference between the amount of their offer and the price approved by the O.P.M. for delivery in Seattle. He further stated that, at the offer which his company made, they are realizing a profit of only 50 cents per ton which would barely pay the cost of trucking the material from its present location to their warehouses and loading of the same on the cars for shipment. The Engineer stated that, at the time he recommended rejection of the bids, he was under the impression that the basic point for calculating steel prices was in Portland; however, if Seattle is the basic point as stated by Mr. Zidell, he would be inclined to reconsider his recommendation, inasmuch as his estimate was made on the basis of Portland being the basic point. After considerable discussion the Commission referred the matter to the Engineer to verify the statements made by Messrs. Zidell and Steinberg, it being the understanding that, if the facts are as stated, the Commission would revise its previous decision in the matter. Accordingly, final action was deferred until later in the session. (The Engineer reported during the afternoon session that the statements made by Messrs. Zidell and Steinberg are correct and, in view thereof, the Commission sold the material to this company.)

The Honorable Elmo E. Smith, Mayor of Ontario, was present and discussed with the Commission the proposed improvement of West First Street North, Ontario, as the new route for the Old Oregon Trail. Mr. Smith stated that the City of Ontario will be satisfied with the improvement of the four blocks south from Idaho Street and the one-block connection with Oregon Street, and inquired as to the plans of the Commission in regard thereto.

The Engineer reported on the cost involved as follows: to construct a B-2 type surfacing the full length of West First Street, from Fourth Avenue South to a connection with the present highway at the north city limits, including a one block connection with Oregon Street on Idaho Avenue, will cost \$32,000; to construct a B-2 type surface on the four-block section south of Idaho Avenue and the one-block connection with Oregon Street will cost about \$9,200; whereas, to construct such section using cement concrete type of pavement will cost approximately \$19,600, the improvement to consist of pavement 50 feet wide for three lanes forming traffic with two parking lanes 3 feet wide. He recommended the Portland cement concrete improvement costing \$19,600

on the four-block section, including the connecting block on Idaho Avenue; and that the improvement of West First Street, north of Idaho Avenue, be deferred until some future date. Mayor Smith expressed satisfaction for such an improvement. He also said that the city council intends to adopt an ordinance providing for parallel parking of cars. After discussion the Commission, by unanimous vote, approved the West First Street improvement on the basis recommended by the Engineer, the work to be done as a city project and to be covered by written agreement. The matter of rerouting the highway on West First Street was deferred by the Commission until some future time.

Mayor Smith then asked the Commission to construct an oil surface on South First Avenue West between West First Street and Oregon Street. He said that the city would like to have this work done by one of the state's oiling crews when operating in that vicinity, and that the city would reimburse the state for full cost thereof. The Engineer suggested that it would be better to let one of the state's contractors do the work and advised that, if the city would approve such arrangement, he would include the work in one of the state's contracts when bids are taken; and, if the low bid received is not satisfactory, the city could again ask the Commission to have the work done by a state crew. Mayor Smith approved the suggestion.

Reconsideration was given by the Commission to the claim of Alfred Buchheit, Jr., for injuries received while playing under the McLoughlin Bridge near Oregon City. (See previous record for details of accident.) The matter was discussed at some length, during which the details of the accident were recalled. The Commission decided that it has certain liability in the case and thereupon approved payment of the claim in principle. Final action in the matter was deferred by the Commission until it knows definitely the exact amount of the claim. The matter was referred to the Attorney for report.

The Commission considered and denied the claim of one Dent Clark for reimbursement for the cost of repairing his automobile which was damaged in a collision with a state-owned car on January 22, 1936. The Attorney was instructed to so inform Mr. Clark.

The question of penalty to be imposed on log haulers for a fourth offense in overloading their trucks was discussed. The Commission decided that such penalty should consist of suspension of the special carrier permit for an extra three days over and above that provided for the third offense, making a total of twelve-days' suspension for the fourth offense.

The Commission confirmed the Engineer's action in reinstating the logging truck belonging to Haley and Haley which was previously suspended for overloading. (See letter dated September 20, 1941, from Haley and Haley to Oregon State Highway Commission, for conditions of reinstatement.)

The question of penalty to be imposed on log haulers for refusal to report to state traffic scales for weighing when requested to do so by state weighmasters was also discussed. The Commission decided that for a first offense of this kind the operator shall be given fair warning; and for a second offense the penalty shall be the revocation of the operator's permit.

The Commission discussed a complaint from the Southern Pacific Company that log haulers have formed the habit of dumping logs on railroad property at Molalla in order to avoid being caught with an overload and to evade the customary penalty for overloading. The Commission assumed no jurisdiction in the matter, it being considered a matter for the State Police to handle.

The Secretary presented a letter from the Updegrave Trucking Company, Chiloquin, requesting permission to truck haul logs over state highways in the vicinity of Agency Lake, Klamath County, during Armistice Day, which is prohibited under present rulings. It gave as its reason for such request that Agency Lake may freeze over in the near future and, when it does, it will not be possible for them to deliver logs to the Algoma Lumber Company's mill, and the company is particularly anxious to secure all of the logs that it can in the meantime. The Commission approved the request as an emergency proposition.

Consideration was given by the Commission to the request of System Freight Service for a continuous permit to transport loads having an overall height of 12' 6" over the Pacific Highway from the California state line to Portland. It was pointed out in the discussion that there are three points on the Pacific Highway where impaired clearances exist, viz., South Umpqua River Bridge near Myrtle Creek, in Douglas County, where the clearance on each side of the bridge is 11' 8"; Goshen Undercrossing, with a clearance of 12' 11"; and Springfield Undercrossing, with a clearance of 13' 00". The Secretary recalled that the Commission previously ordered that no permits involving over-height be issued unless there is a clearance of at least 12 inches between the top of the load and the lowest point of the overhead structure, which ruling prohibits the granting of permits for more than 10' 8" on this highway.

The Engineer advised that the center portion of the South Umpqua River Bridge has a clearance of 15' 00", and that the impaired clearances are at the portals, which could be remedied at small expense so as to allow movements 12' 6" high overall to pass through without difficulty. At the other two points, he said, movements having an overall height of 12' 5" could pass with safety if the Commission would modify its present ruling for clearances from 12 inches to 6 inches. He recommended such modification. He also recommended the remodeling of the portals of the South Umpqua River Bridge, and advised that if these recommendations are adopted, it would then be possible for movements having an overall height of not more than 12' 5" to traverse the Pacific Highway throughout its entire length in Oregon without difficulty, and without undue hazard to other traffic.

The Commission approved the recommendations and thereupon authorized the Engineer to proceed with the remodeling work on the South Umpqua River Bridge. The Secretary was authorized to grant a continuous permit to the System Freight Service for movements of 12' 5" overall in height subject to the condition that, until the South Umpqua Bridge remodeling work is done, movements across this structure shall be under the direction of flagmen (stationed one at each end of the bridge) to stop other traffic from using the bridge while it is occupied by the company's equipment, it being necessary for the company's equipment to use the center of the roadway at this particular location.

The Commission denied a request of Bordenave & Beckley, Stockton, California, to operate over Oregon state highways between the California state line and Fort Klamath, Lakeview, and other points in southern Oregon, truck and trailer units having an overall length of 60 feet, and weighing up to 68,000 pounds gross. The Commission considers that it has no legal authority to grant permits of this kind.

For similar reasons the Commission denied a request from the Lang Transportation Company, San Pablo, California, to operate similar sized equipment in the transportation of petroleum products from California to Klamath Falls, Ashland, Medford, and Grants Pass.

The Secretary presented a request from the Sun Transportation Company, Hermiston, Oregon, for permission to transport an overload of 750 pounds on its trucks that operate over the highways of this state, such overloads consisting of special sanding equipment attached to the company's trucks during the winter season. The Commission denied the request, there being a question as to whether or not the Commission has authority to grant such permit. The Secretary was instructed to so inform the company.

The Commission discussed a date for its proposed inspection of highways in Wallowa County, heretofore tentatively set for October 29, 30 and 31. The Commission decided to postpone this trip until November 11 and 12, immediately preceding the Commission's regular meeting in Portland which was tentatively scheduled for Thursday and Friday, November 13 and 14. (The regular meeting date was later changed to November 12 and 13, and again to November 17 and 18. The Eastern Oregon trip was deferred indefinitely on account of the illness of Commissioner Oliver.)

The Secretary presented a letter from the Redwood Empire Association inviting the members of the Commission and its staff to be present at its twenty-first annual banquet in Eureka, California, on Saturday, October 18, 1941. The Secretary was instructed to acknowledge the invitation with thanks, and express regrets that none of the Commissioners or staff members can be present.

Similar action was taken by the Commission on an invitation received from the Montana Motor Transport Association for the Commission and its staff to attend the third annual state convention of the association in Missoula, Montana, on November 21 and 22, 1941.

The Commission discussed a report from the State Police Department advising that one Elvin Thomas Cully, Portland, maliciously cut down and destroyed two Japanese cherry trees that were planted by the state highway department forces on the right of way of the Pacific Highway East (McLoughlin Boulevard) near the Multnomah County line. The report indicates that Mr. Cully was arrested and fined \$45 and costs, and was given a 30-day suspended jail sentence. The Commission ordered the trees replaced at once.

A letter was presented from the Bethlehem Steel Company suggesting, on account of the serious shortage of scrap steel, et cetera, and in order to

avoid an accumulation of large quantities of scrap materials by scrap dealers to the detriment of the consuming mills and the national defense program generally, that, whenever the State Highway Commission has scrap materials for sale, it turn over such scrap material to the consuming mills at the maximum prices established by the government for the respective grades of scrap, rather than take competitive bids for the purchase of the same. The Commission deferred a decision in the matter, pending receipt of information from the O P M. The matter was referred to the Engineer to secure such information.

The Engineer reported the award of contracts for highway construction work, as follows, under authority previously granted him by the Commission, the conditions of the awards having been satisfied:

Grading and topping the West Unit of Sherars Grade Section of the Sherars Bridge Secondary Highway, in Sherman County. Bids taken September 4; contract awarded September 16, 1941, to Morris Bros., the low bidders.

Grading the Madras-Juniper Butte Section of The Dalles-California Highway, in Jefferson County. Bids taken September 4; contract awarded September 22, 1941, to Leonard & Slate, the low bidders.

Grading the Warm Springs River-Mill Creek Section of the Warm Springs Highway, in Wasco County. Bids taken September 4; contract awarded September 23, 1941, to Max J. Kuney, the low bidder.

Swisshome Rock Production Project on the Siuslaw and Alsea-Deadwood Highways, in Lane County. Bids taken September 4; contract awarded September 24, 1941, to A. S. Wallace, the low bidder.

Surfacing and oiling the Salt Creek-Manley Ranch Section of the Little Butte Secondary Highway, in Jackson County. Bids taken September 4, 1941; contract awarded October 1, 1941, to Norris Bros., the low bidders.

Pendleton-Meacham Rock Production Project on the Old Oregon Trail Highway, in Umatilla County. Bids taken September 4; contract awarded October 3, 1941, to A. S. Wallace, the low bidder.

The Commission confirmed such awards as reported.

The Engineer reported a request from the City of Oregon City for permission to construct a driveway, permitting access to the Pacific Highway from Block 12, between 13th Street and 14th Street, in Oregon City. He said that the city will pay the costs involved and will do the work in conformance with state requirements. He recommended a proval of the request subject to the condition that a traffic divider is installed on the highway pavement in front of this block to separate the traffic, such divider to be constructed and paid for by the state. The Commission approved the recommendation under the condition that the city will not allow traffic to turn to the left when entering the highway over this driveway.

The Commission discussed and approved the Attorney's letter of September 26, 1941, directed to Mr. Edward C. Kelley, Assistant General Counsel for the Bonneville Power Administration, relative to the installation and maintenance of a power pole line along the Lower Columbia River Highway in front of the Tongue Point Naval Base near Astoria, which section of highway is now under condemnation by the United States of America and is to be used in connection with the development of the naval base. Briefly, the Attorney's letter grants authority for the installation and maintenance of the power line on the highway, subject to the control, ownership, and authority of the United States Government over the property as defined and declared in the condemnation proceedings.

A letter was presented from U. W. Ellmaker, Eugene, requesting state cooperation in the construction of a stock fence along the right of way of the Eugene-Swisshome Secondary State Highway westerly from the "Porter Place" across the E. M. Warren land, a distance of about one mile. Mr. Ellmaker offers to furnish woven-wire fencing and barbed wire as may be necessary, and is asking the Highway Commission to furnish fence posts and to erect the fences. The Commission denied the request as a matter of policy, it being considered that the construction of the fences on such basis would establish an undesirable precedent and very likely would involve the state in considerable expense in the future.

The Commission discussed the matter of future maintenance of the county road between Glenwood and Sunset Camp, in Washington County, which road has been used for a number of years as a detour pending completion of the Wilson River and Wolf Creek Highways. The Engineer advised that this detour is no longer required in view of the fact that both state highways have been opened for general public use at this location and accordingly he directed a letter to the Washington County Court on September 21, 1941, stating that the Highway Commission desires to relinquish all jurisdiction over the road and responsibility for the maintenance of the same, and received a reply signed by all three members of the county court in which the county agrees hereafter to assume full responsibility with respect to the road. The Commission approved the arrangement.

A letter was presented from the Bonneville Power Administration requesting the removal of certain telephone poles now existing on the highway right of way in front of the Bonneville substation near Youngs Bay Bridge in Astoria. The Engineer advised that originally the right of way was 60 feet wide at this point but was later widened to 80 feet by acquisition of a strip of land 20 feet wide on the side of the Bonneville Power Administration's plant; also, that the telephone poles that occupied this strip are not now in the proper location with respect to the right-of-way line. He gave as his thought the Commission is strictly within its rights in asking the telephone company to remove them. The Attorney confirmed the Engineer's statement. The Commission indicated a desire to accommodate the Bonneville Power Administration and accordingly instructed the Engineer to ask the telephone company to move the poles.

The Engineer brought up for discussion the matter of installing traffic signals on the Tualatin Valley Highway at certain street intersections in Hillsboro. The Engineer advised that a traffic survey made at this place some time ago indicated that traffic lights were not justified; however, the opening of the Wilson River Highway to public use has changed the situation and it is now apparent that traffic lights should be installed. He recommended the installation of fixed-time signals at the intersection of First, Second, and Third Streets with the state highway, provided the City of Hillsboro will pay one-half of the cost of the installations which he estimated would amount to about \$4,500. The Commission approved the recommendation.

The Engineer also brought up for discussion the matter of establishing speed zones on the Pacific Highway West in the town of Tigard. He advised that the town of Tigard is not incorporated, hence the Highway Commission has authority to control the speed of traffic if it so desires. He recommended the following speed limits: 35 miles per hour between mile post 9.477 (station 55+00) and mile post 9.875 (station 76+00), and 35 miles per hour between mile post 10.170 (station 91+60) and mile post 10.780 (station 123+80). He also recommended installation of a flashing beacon at the intersection of this highway with the Beaverton-Aurora Secondary State Highway. The Commission approved both recommendations. The Attorney was instructed to prepare an appropriate form of resolution relative to the establishment of the speed zone for adoption by the Commission at its next meeting.

The matter of adopting speed zones for the Siletz Secondary Highway was also discussed. The Engineer advised that investigations made as to the necessity of establishing speed zones on this highway reveal that they are not justified and he accordingly recommended against such procedure. However, in view of the number of accidents that have occurred on this highway, he suggested that appropriate signs be installed at curve points warning the traveling public to drive carefully and to beware of other traffic. The Commission approved the suggestion.

The Commission adjourned at 12:15 p. m. and reconvened at 1:30 p. m. in the same room with the same persons present and participating.

Mr. William Tugman, Eugene, was present and discussed briefly with the Commission matters pertaining to the "Route F" Highway. He questioned the advisability of spending any state funds for the improvement of this road, and gave as his opinion that the project never should have been started. The Commission took no action.

The Commission discussed Lincoln County's indebtedness to the state for highway purposes, which account amounts to \$15,500. The Attorney advised that the county is willing to settle this account on a 50-50 basis, in other words is willing to pay the state \$7,750 if the Highway Commission will consider such amount as settlement in full and will approve payment out of the county's share of the state gasoline tax fund as follows: \$1,500 to be paid from the December 15, 1942, allotment of motor vehicle funds and a like sum each December thereafter until the full amount is paid. The Commission approved such settlement subject to the condition that it meets with the approval

of Commissioner Oliver. An agreement with the county court was thereupon signed; however, the Secretary was instructed to retain all copies of the agreement until Commissioner Oliver's reaction thereto has been secured.

The matter of adopting speed zones for the Oregon Coast Highway between Cannon Beach and Manzanita was brought up for discussion by the Engineer. He recommended that speed zones be established as follows:

40 miles per hour between mile post 24 and mile post 25									
30	"	"	"	"	"	"	25	"	"
20	"	"	"	"	"	"	26.5	"	"
15	"	"	"	"	"	"	27	"	"
25	"	"	"	"	"	"	28	"	"
35	"	"	"	"	"	"	29	"	"
45	"	"	"	"	"	"	32.5	"	"
55	"	"	"	"	"	"	36	"	"

After discussion the Commission approved the recommendation as a trial proposition. The Attorney was instructed to prepare an appropriate form of resolution with respect thereto for consideration at the next meeting.

The Commission by unanimous vote confirmed, subject to approval by Governor Sprague, oral action heretofore taken authorizing Mr. Walter Meacham, member of the Old Oregon Trail Centennial Committee, to go from Portland to Marysville, Kansas, at state expense, in the interests of the Centennial.

County Judge A. H. Boice, of Curry County, and Mr. Jay Moltzner, attorney at Gold Beach, representing the Gold Beach Chamber of Commerce, came before the Commission in regard to the proposed improvement of the Oregon Coast Highway through Gold Beach. They gave as their understanding that the Highway Commission has decided to construct this improvement on a 60' right of way, whereas the people of Gold Beach with few exceptions are most decidedly in favor of an 80' right of way improvement, and feel that they are entitled to it. They urged the Commission to modify its decision and provide a standard improvement on an 80' right of way basis.

Chairman Cabell advised that the Commission had given this matter considerable thought, and did not make its decision until the attitude of the people of Gold Beach had been ascertained by representatives of the Highway Department, who found that while the people were inclined favorably to an 80' right of way improvement, they did not object to the improvement on a 60' right of way. Another reason that the Commission decided on a 60' right of way was because of the extra right of way expense, investigations having revealed that to provide an 80' right of way would cost over \$40,000 more than a 60' right of way. The Commission, he said, would not particularly object to paying the extra cost to construct on an 80' right of way, but could not see its way clear to pay the extra right of way costs and, so far as he personally is concerned, he has not changed his mind, although he favored an 80' right of way improvement at reasonable extra expense.

Mr. Moltzner advised that the recent fire in Gold Beach has altered property values, and the probabilities are that an 80' right of way can now be acquired at much less expense than before the fire occurred. The matter was discussed at considerable length and as a result the Commission agreed to construct the project on an 80' right of way basis, if the cost to acquire an 80' right of way does not exceed the cost to acquire a 60' right of way by more than \$20,000. The Attorney was instructed to make a reappraisal of the property in company with Mr. Moltzner, within the next week or ten days.

At 3:00 p. m. Chairman Cabell announced two contract awards as follows, bids for which were taken on the previous day:

"Sale of scrap steel:- The bids for this project were rejected on the previous day. However, at that time the Commission was of the belief that the government limitation of prices was based on a figure F.O.B. Portland, whereas it really is F.O.B. Seattle. Had the Commission known this, he said, it would have accepted the bid of the high bidder, Zidell-Steinberg Company. The Commission has, therefore, reconsidered the matter and is today awarding the sale to Zidell-Steinberg Company at its high bid of \$11.66 per ton.

"Wreck and remove one frame building and one concrete building at 101 S. E. Union Avenue, East Portland:-The bids for this project were referred to the Engineer on the previous day. The Commission has reconsidered them and has awarded the contract to Shipyard Wood Company, Portland, at its bid of \$400.00."

Chairman Cabell also announced the award of contracts as follows, bids for which were taken at the morning session, such awards having been previously approved by the Commission by unanimous vote:

"Wren Rock Production Project on the Corvallis-Newport and Kings Valley Secondary Highways, in Benton County. A. T. Dolan, Tillamook, submitted the low bid for this work, in the amount of \$25,200.00. R. O. Dail & Warren Bros., Portland, were second-low, with a bid of \$25,320.00. There were two higher bidders. The Commission awards this contract to A. T. Dolan, at his low bid of \$25,200.00.

"Cinder Butte-Juniper Ridge Section of the Lakeview-Burns Highway, in Harney County. 4.8 miles grading and 13.1 miles surfacing and oiling. Rogers Construction Company, Dayton, Washington, submitted the low bid for this project, in the amount of \$118,252.60. The next-low bidder was Babler Bros., Portland, with a bid of \$139,999.50. There was only one other bid received. The Commission awards this contract to Rogers Construction Company, at its low bid of \$118,252.60.

"Diversion Canal-Midland Overcrossing Section of the Midland Secondary Highway, in Klamath County. 2.07 miles grading, surfacing and oiling. Rogers Construction Company, Dayton, Washington, submitted the low bid for this work, in the amount of \$47,451.00. The

second-low bidder was Clifford A. Dunn, Klamath Falls, with a bid of \$54,523.00. There was only one other bid received. The Commission awards this contract to Rogers Construction Company at its low bid of \$47,451.00.

"Klamath Falls Rock Production Project on four state highways near Klamath Falls, in Klamath County. Rogers Construction Company, Dayton, Washington, submitted the low bid for this work, in the amount of \$17,500.00. Clifford A. Dunn, Klamath Falls, submitted the next-low bid, in the amount of \$19,225.00. There were two higher bids received. The Commission awards this contract to Rogers Construction Company at its low bid of \$17,500.00.

"Maintenance Station at Alkali Lake, in Lake County. Two frame dwellings and one frame equipment building; also drill well, furnish and install pumping plant, lighting plant, and other miscellaneous work. Tri-State Construction Company, Portland, submitted the only bid on this project, in the amount of \$21,092.56. The Commission awards this contract to Tri-State Construction Company, at its bid of \$21,092.56.

"North Burgard Street Section of city streets in Portland, Multnomah County. 0.72 mile grading and paving. Porter W. Yett, Portland, submitted the low bid for this work, in the amount of \$32,703.50. The next-low bidder was Parker-Schram Company, Portland, with a bid of \$33,500.20. There was only one other bid received. The Commission awards this contract to Porter W. Yett, at his low bid of \$32,703.50.

"Gerking School-Athena Section of the Athena-Holdman Secondary Highway, in Umatilla County. 2.97 miles grading, surfacing and oiling. The only bid received for this work was from Rogers Construction Company, Dayton, Washington, in the amount of \$26,229.00. The Commission rejects this bid and orders the project readvertised.

"South Hermiston Section of the Old Oregon Trail Highway, in Umatilla County. 0.70 mile grading, surfacing and oiling. Jacobsen-Jensen Company, Portland, submitted the low bid for this project, in the amount of \$24,460.20. There was only one other bid received for this work, being that of the Rogers Construction Company, Dayton, Washington, in the amount of \$25,037.50. The Commission awards this contract to Jacobsen-Jensen Company, at its low bid of \$24,460.20.

"Sylvan-West Slope Section of the Tualatin Valley Highway, in Washington County. 1.44 miles grading and paving. Jacobsen-Jensen Company, Portland, submitted the low bid for this project, in the amount of \$106,528.00. The second-low, and only other bid submitted, was that of Porter W. Yett, Portland, in the amount of \$114,061.00. The Commission rejects these bids.

Mr. Howard H. Kramer, City Manager, Milton, Oregon, and County Judge Carl W. Chambers of Umatilla County, were present. They inquired as to the Commission's plans for a proposed revision in the Oregon-Washington Highway between the town of Milton and the Washington state line. They were informed by Chairman Cabell that the Commission had this project in mind at one time for fairly early construction; however, due to the failure of Congress to pass the bill that would have provided federal funds to finance it, the project had to be postponed and the Commission has no idea at the present time just when the job will go forward. Mr. Kramer urged the Commission to reconsider the matter and construct the project at the earliest possible time. He advised that the State of Washington has already purchased right of way for the Washington Section; furthermore, the State of Washington at one time had the money appropriated to pay for its section, but couldn't spend it because Oregon couldn't build its section, it appearing that both sections had to be constructed simultaneously. He stated that the project is a very important one, and the people are very anxious to have it constructed without delay. Judge Chambers also spoke in behalf of the project. The Engineer advised that, while the alignment of the new highway has been approved, no definite survey has yet been made. He gave as his thought that it would be a good idea to make a location survey now and secure right of way options so that everything will be in readiness when the Commission sees its way clear to proceed with the improvement. After some discussion the Commission authorized the survey and the taking of options for needed right of way. Chairman Cabell advised that it is doubtful that the Commission can do this job next year on account of uncertainties of funds; however, the Commission will do the best that it can.

Mr. Kramer then brought up for discussion the improvement of Main Street in Milton, which street is occupied by the railroad tracks of the Walla Walla Traction Company, under franchise from the city. He said that the street is in bad condition and needs repair at once, and that the present condition is not caused by railroad traffic but is principally the result of heavy trucking. Chairman Cabell stated that the Highway Commission is willing to cooperate in the improvement, but, in his estimation, the railroad company should carry out its contractual obligation as set forth in its franchise, or the equivalent thereto. The Engineer suggested that the railroad company should be required to at least install new ties and ballast and bring the rails up to the proper elevation of the street and, if the company would do that, the state might do the paving work between the rails in connection with the paving of the rest of the street. The matter was discussed at some length, but the Commission deferred a definite decision pending receipt of additional information.

Mr. Kramer agreed to furnish the Engineer with a copy of the railroad company's franchise, and it was agreed that a meeting on the ground should be held among the engineers of the state highway department, representatives of the railroad company, and representatives of the City of Milton to arrive at some arrangement which it is understood would be confirmed by the principals. It was also understood that the final arrangement would be covered by written agreement between the parties concerned. The meeting is to be held within the next couple of months, if possible.

A delegation from Ashland, consisting of Franklin J. Van Dyke, City Attorney, Mr. T. S. Wiley, Mayor, Mr. Green of the Ashland Tidings, and Mr. Homer Billings, was present in regard to the improvement of the Pacific Highway at the Plaza Corner in Ashland. They renewed their request for this improvement at the earliest possible time. They were informed by Chairman Cabell that the project will require considerable extra right of way and that, according to options taken from the property owners, such right of way will cost about \$82,000 which, in the minds of the Commission, is excessive as compared with the cost of construction, which is estimated at \$20,000. The delegation strongly urged the improvement as an extreme necessity notwithstanding the difference in cost of right of way and construction. Chairman Cabell expressed regrets that the right of way costs are excessive, which prevents the Commission from proceeding with the work. He said, however, that the Commission would give the matter further consideration and would make a final decision after consulting Commissioner Oliver. In the event such final decision is adverse, then the delegation will be given an opportunity to discuss the project with the Commission again.

The Assistant Attorney reported the status of the right of way budget. He advised that the amount of \$600,000 was budgeted for this purpose in 1941; however, obligations up to the present time exceed this amount by about \$45,000 although actual expenditures during this calendar year, in his estimation, will not exceed the amount of the budget. He also advised that of the \$800,000 budgeted for purchase of right of way for the Front Avenue Project in Portland \$501,800 has been obligated, and, in his estimation, actual expenditures this year will not exceed \$650,000. The Commission approved the report.

The Attorney brought up for discussion the matter of acquiring a small, triangular tract of land, containing 352 square feet, within the wye intersection of Union Avenue and Denver Avenue, Portland. He advised that this property is owned by Swift & Company which has agreed to sell it to the state for the sum of \$50 under the condition that the Standard Oil Company, which has the property under lease, is allowed the use of a 9-foot strip of right of way extending southerly from the triangular tract a distance of approximately 85 feet and is also granted a revocable permit, allowing the oil company the use of another strip of land 37 feet wide and approximately 160 feet long, immediately joining the 9-foot strip on the south. It was explained that the two strips are to be used by the oil company for driveway and parking purposes in front of its service station at this location and that no buildings will be constructed thereon. After considerable discussion the Commission approved the purchase of the triangular area at \$50 and the granting of a revocable permit for the use of the 9-foot strip, without charge; however, denied the request for the use of the 37-foot strip. (See map attached to right of way file No. 5671.)

The Attorney also reported a conversation with Mr. Harvey Wells, owner of certain property on the east side of the Pacific Highway near the Interstate Bridge, a portion of which property is needed for widening the highway at this point. He stated that, in the discussion of this matter, Mr. Wells suggested that it would be advisable for the state to acquire additional land at this location, which he thought would be needed in connection

with the traffic grade separation structure that is proposed for this location, and he indicated at the time that he would be willing to sell the property to the state if the Commission wants it. The question arose whether or not the additional area is absolutely needed for future developments at this point. The Engineer was instructed by the Commission to investigate and report on the situation.

The Attorney also rendered a brief report on the acquisition of the Mead property adjacent to the Upper Columbia River Highway which it is contemplated to acquire for park purposes. He advised that there are more than 100 acres of land in the Mead tract and that the owners are asking \$4,000 for the same. The Parks Superintendent, who was present, stated that he is interested only in securing enough of the property to protect the roadsides and is not particularly concerned with acquiring the entire area for park purposes. He pointed out that the right of way is quite crooked at this point, and some of the Mead property will be needed for right of way when the highway is realigned. The Commission appeared disinclined to purchase the entire area; however, ordered further negotiations with the owners with respect to acquiring right of way for the proposed highway revision with sufficient area on each side to protect the waysides.

The Assistant Attorney reported results of further negotiations with Serfling and Dolan, Gardiner, with respect to the acquisition of extra right of way needed for the improvement of the Oregon Coast Highway in front of the Serfling and Dolan store in Gardiner. He submitted two alternates as a solution of this problem which concerns the location for the gasoline pump which is now maintained by Serfling and Dolan in front of their store building, one of which alternates provides for the purchase of 3,180 square feet of land at 20 cents per square foot plus damages in the amount of \$5,550, and involves total destruction of the gasoline pumps. The other provides for the purchase of a smaller area at 15 cents per square foot plus \$50, subject to the understanding that the right of way width will be reduced from standard 40-foot width to approximately 31-foot width, and the curb will be built out on the adjoining private property so that vehicles may be serviced outside of the right of way limits. This settlement also involves the securing of an easement for the construction of the sidewalk upon the adjoining private property. After consideration the Commission approved settlement upon the basis of the latter alternate. (See details in right of way file 9665.)

The Attorney requested authority to acquire certain parcels of real property that are needed for various highway improvements throughout the state. He submitted a list of such properties together with offers that he recommended be made in connection with each. After careful consideration of the various items the Commission approved the request, and by unanimous vote adopted the following resolution with respect thereto:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth, and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon, and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Camp Clatsop-West Lake Section, Oregon Coast Highway</u>				
9545-Tagg, David, Estate (Correction)	R/W	0.265	\$200 per acre, plus \$171.50	Witt
<u>Commercial Street-Astor Street Section, Oregon Coast Highway</u>				
5870-Endicott, J. C. (Correction)	R/W Slope Easement	105 sq.ft. 20 ft.	In exchange for parcel of land lying in Lot 5, Blk. 10, McClures' Add. to Astoria, outside R/W, plus \$202.00	Witt
5861-Wise, Nathan, Trustee (Correction)	R/W	414 sq.ft.	204 sq.ft., plus \$515.20, + conveyance from state of 500 sq. ft., in Lot 1, Blk. 11, Astoria, (outside R/W)	"
<u>Gearhart-Seaside Section, Oregon Coast Highway</u>				
9468-Johanns, A. J.	R/W	0.36	\$600 per a., + \$220.50 plus low bid \$1350, moving houses, garage, etc.	Witt
<u>Marshfield-Coquille Section, Oregon Coast Highway</u>				
9019-Russ, Joseph, Estate	Slide Material Site	4.51	\$50.00 LUMP SUM	Benson

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>North Bend-Marshfield Section, Oregon Coast Highway</u>				
9500-Wirth, W. L.	R/W	6,000 sq.ft.	13 1/3 sq.ft.	Benson
9512-Banks, Robert	"	6,000 "	7 1/2 sq.ft.	"
8049-Sisters of Mercy of Oregon	"	5,320 "	7 1/2 "	"
9490-Donnelly, Madge	"	6,000 "	15 sq.ft.	"
		3,000 "	31 2/3 sq.ft.	"
		9,000		
9492-Sisters of Mercy of Oregon	R/W	66 "	30 sq.ft.	"
	Slope Esmt.	30-ft.	Slope Easmt. \$80.20	
9498-Coyle, Cora Swanson	R/W	3,000 sq.ft.	15 sq.ft., + \$1,300	"
9499-Sandine, John	"	3,000 "	13 1/3 sq. ft. + \$500	"
9501-Goodlin, Ira L.	"	6,000 "	15 sq.ft. + \$5,100	"
9503-School Dist. #13	"	872 "	15 sq.ft.	"
	Slope Esmt.	10-ft. slope easement		
9513-Lee, Ada Hartley and Angie E. Wilcox	R/W	5,000 sq.ft.	10 sq.ft. + \$850	"
9530-Hoselton, M. G	"	2,400 "	15 sq.ft. + \$1,640	"
9531-Segelken, B. M.	"	1,176 "	15 sq.ft.	"
9558-Doane, C. C.	"	3,000 "	31 2/3 sq.ft.	"
9559-Cavanaugh, R. L.	"	3,000 "	25 sq.ft., + \$1,050	"
9560-Tewsley, J. H.	"	3,000 "	15 sq.ft. + \$750	"
9670-Culver, W. T. (Company)	"	3,038 "	15 sq.ft.	"
<u>Gardiner Section, Oregon Coast Highway</u>				
9152-McMindes, E. W.	R/W	4.36 a.	\$150 per a. + \$560	Witt
9154-Brown, Ophir H.	Slope Esmt.	810 sq.ft.	GRATIS, + \$41.20 for moving fence & shrubbery & reseeding lawn	"
9665-Serfling, B. A. and Ellis J. Dolan	R/W	3,180 sq.ft.	15 plus cents sq.ft. plus \$50	"
9153-Perkins, Carl M. and Henry Helgersen	"	Approx. 18,136 sq.ft.	Land \$1500 + \$2300	"
<u>Nyssa Underpass-Snake River Section, Old Oregon Trail Highway</u>				
9723-Barnes, W. C.	Damages by reason of change in grade in Nyssa -			Landon
			\$312.50	
<u>Front Street Project - Columbia Avenue South (Portland), Pacific Highway West</u>				
8651-Breall, J. and Sophia	R/W	5,000 sq.ft.	\$4,250.00	McCallister
8946-Miller, Wesley	"	8,789 "	\$3,250.00	"
8788-Wiederhold, Paul G., Jr.	Temporary slope easement during construction of highway - \$5.00 per month			"
9789-Philan, Rachel	Permanent slope easmt. over 360 sq.ft. GRATIS; however, state will reconstruct concrete entrances and steps to house. Estimated cost \$50			"
9789A-Philan, Rachel	R/W	2,520 sq.ft.	\$1427 Lump Sum	"
9800-Beck, William F.	"	10,389 "	\$6000	"

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Davies-Vadis Section, Wolf Creek Highway</u>				
9781-Luck, Katie	Quarry	10.01	\$75 per acre + \$7.50	Collins
9780-Hartramph, O. B.	"	9.96	4.5 acres at \$150 per acre	"
			5.46 acres at \$75 per acre + \$15.50	
<u>Kernville-Siletz Section, Siletz Highway</u>				
9654-Grange, Reed Creek	R/W	0.07	\$100 per a. plus \$18	McChesney
9655-Lincoln County Logging Co.	"	0.04	\$50 per acre	"
9637A-Scott, William	"	0.68	\$147 per acre (plus)	"
9656-O'Shea, M.J.F.	"	0.62	\$100 per a.+ \$100	"
9638-Wood, Ellen E.	"	1.30	\$23 per acre	"
9637-Scott, William (Correction)	"	2.08	1.5 acres at \$100 per acre	"
			0.58 acre at \$10 per acre, plus \$244.20, plus low bid of \$600 moving buildings	
9653-Ketola, Gustaf Ivar (Correction)	"	1.16	0.75 a. at \$100 per a. "	
			0.41 a. at \$10 per a., + \$246.25, + moving bldgs., low bid \$984.50, + filling estimated \$50	
9640-Mack, Wallace B. (Correction)	"	0.21	\$100 per a.+ \$479, + moving bldgs. - low bid \$1157, + filling est.	
			\$900	McChesney
<u>Sylvan-West Slope Section, Tualatin Valley Highway</u>				
9698-Grim, L. V.	Slope Easmt.	1623 sq.ft.	GRATIS	Benson
9758-U.S. National Bk.	"	735 "	GRATIS	Witt
9696-Gestrung, Carl F.	"	980 "	Land GRATIS, plus \$50	"
9699-Cooke, James Daniel	"	10,889 "	GRATIS	"
9697-Hartshorn, H. A.	"	2,466 "	Land GRATIS, + \$25	"
9702-Farrell, Robert Danley	"	2,911 "	GRATIS	"
9695-Miller, F. A. et ux	"	1,500 "	GRATIS	"
<u>Foster-Cascadia Section, Santiam Highway</u>				
9779-Short, John F.	Quarry and Stock Pile	7.43	(at \$67.30 per acre) Lump Sum \$500	Chapman

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Illahe School-Albany Section, Pacific Highway</u>				
9434-Steiner, Karl	R/W	1.42	\$150 per a. + \$32	Witt
9475-The Union Central Life Insurance Co.	"	0.12	\$25 Lump Sum	"
<u>Rainrock-Triangle Lake Section, Siuslaw Highway</u>				
9787-Swenson, Roy	Stock Pile	1.03	\$100.00 + fencing	Lytle
	0.32 acres		Lump sum	
	haul road			
	easement			
<u>Eugene Section, Pacific Highway</u>				
9532-Foreman & Petersen	Borrow Pit	3.08	\$512.50, + filling	Parker
	Easement		hole south of pit	
			Estimated \$50	
<u>Eugene-Springfield Section, Pacific Highway</u>				
9313-Shelley, R. S.	R/W	2,964 sq.ft.	5¢ sq.ft.	Parker
9327-Brownell, Howard M.	"	6,000 "	2¢ sq.ft.	"
9238-McArthur, Joseph W.	"	25,620 "	2¢ sq.ft. + \$256.20	"
9241-Broders, Lillie L.	"	31,356 "	2¢ sq.ft. + \$313.56	"
9312-City of Eugene	"	13,600 "	4¢ sq.ft.	"
9231-City of Eugene	"	426 "	GRATIS	"
<u>Eugene-Coshen Section, Willamette Highway</u>				
9320-Korn, George W.	R/W	8,598 sq.ft.	5¢ sq.ft.	Parker
<u>Fisher Road-Oak Hill Section, Eugene-Swisshome Highway</u>				
*9562-Nielsen, Hans	Gravel Pit	1.0	\$375 Lump Sum	Gardiner
<u>Wilson Ranch-Scottsburg Section, Umpqua Highway</u>				
4520-Murphy, Kenneth J.	Gravel Bar	0.63	Short term lease -	Witt
	Site		5,000 cu.yd. at 3¢	
			cu.yd.; 5,000 cu.yd. at 2¢	
			1¢ per c.y. in excess	
			of 10,000 cu.yd.	
<u>Texum Highway Section, Midland Highway</u>				
9791-McCall, John A.	R/W	1.9	\$350 per a. + removing Cozad and rebuilding fence	
<u>Terminal City-Klamath Falls Section, The Dalles-California Highway</u>				
9745-Baker, James M.	Stock pile	1.0	\$250 Lump Sum, + fencing	Weaver
<u>Madras-Crooked River Section, The Dalles-California Highway</u>				
8584-Pacific Power and Light Company	R/W	1765 sq.ft.	1¢ sq.ft., - in addition state is to convey 3855 sq.ft. at 1¢ sq.ft. or for sum of \$38.55	DeSouza

*Commission approved the price with the understanding that the property is not to be purchased unless the contractor intends to use the pit.

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Madras Section, The Dalles-California Highway</u>				
8612-Nelson, Leif M.	Slope Easement		Permanent easement over 250 sq.ft. GRATIS	Cozad
6606A-Jefferson County	R/W	3,855 sq.ft.	1¢ sq.ft.	"
<u>Helix Junction-Athena Section, Athena-Holdman Highway</u>				
9756-School Dist. #17 Umatilla County	R/W	600 sq.ft.	\$0.0083 sq.ft. + moving fence and gate	Landon
9754-Keen, Louis M.	Quarry	3.57	\$140.00 per a. + \$7.50, + fencing	"
9755-Sanders, Claude	Stock Pile	1.03	\$100 per a. + fencing	"
<u>Hermiston East, Old Oregon Trail Highway</u>				
2330-Hanby, Henry E.	R/W	1.44	\$400 per a. + \$112.50	Landon
2333-Rohrman, A. F.	"	0.04	\$400 per a. + fencing	"
2335-Bensel, August F., Estate	"	286 sq.ft.	1¢ sq.ft. + \$6.00	"
2345-Hermiston, City of	"	0.29	GRATIS	
2337-Claud Wilcox, E. M. Barrett, J.O. French	"	0.164 (Approx.)	\$400 per a. + \$8.10	"
2338-O'Grady, Julia E.	"	0.159	\$400 per a. + \$582.10, + \$1650.90	"
2336-Best, Daisy I. and Delbert Emert	"	0.60	\$400 per a. + \$1183 + fencing	"
<u>Deadman's Pass-Meacham Section, Old Oregon Trail</u>				
9644A-Parr, Arthur	Quarry & haul road	10.31	Lease - cr. rock, not to exceed 10,000 cu. yd. at 2¢ cu.yd., + \$2.50, + fencing	Landon
<u>9644-Umatilla Indian Reservation</u>				
	Stock Pile	0.99	5 yr. lease, \$5 per yr., + \$1, + fencing	"
9644B-Luton, Samuel	" "	0.83	5 yr. lease, \$5 per yr., + \$1	"
9644C-Greer, Arthur	" "	1.17	\$50 per acre	"
<u>Reedsport Section, Umpqua Highway</u>				
4700-McCabe, H. M. and Pacific Sav. & Loan Assn.	R/W	869 sq.ft.	4¢ sq.ft. + \$125	Benson
<u>Wolf Creek-Grave Creek Section, Pacific Highway</u>				
8868A-Waller, T. B.	R/W	1.55 3.14 4.69	\$100 per acre \$50 per a. plus \$256.25	Gardiner
<u>Madras Section, The Dalles-California Highway</u>				
8606-LaForge, Eva and Edward G. Weber	R/W		Slope Esmt. over 1 lot GRATIS, + \$2.50	Cozad

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>(Madras Section, The Dalles-California Highway - Continued)</u>				
8580-Hysom, Cornelius, Estate	R/W	21,563 sq.ft.	1¢ sq.ft.	Cozad
8568-Kerr, James D.	"	975 "	4¢ sq. ft.	"
8605-Pier, Evalena E.	R/W slope esmt. over 2 lots	GRATIS		"
8625-Irving, Louise R. (Correction)	" " "	15' x 110'	GRATIS + \$300	"
8609-Doty, R. M. and Louise R. Irving	" " "	over 3 lots	GRATIS	"
8624-Irving, Lewis H. (Correction)	" " "	over 2 lots	GRATIS + \$75	DeSouza
6111-U.S. Government	R/W	62.24	Land Gratis + fencing	Cozad
<u>Madras-He He Butte Section, Warm Springs Highway</u>				
9566-Miller, Harry, Estate	R/W	2.77 1.40 4.17	\$25 per acre \$5 per acre	Cozad
<u>Gilliam County Line-Umatilla Section, Columbia River Highway</u>				
9570-Morrow County	Stock Pile	14.03	GRATIS	Landon
<u>Condon-Service Creek Section, John Day Highway</u>				
9747-Gilliam County	Stock Pile	24,200 sq.ft.	\$1.00	McCallister
<u>Fossil-Service Creek Section, John Day Highway</u>				
9752-Johnson, I. A.	Quarry	2.10	\$25 per a. + fencing	"
<u>Condon-Fossil Section, John Day Highway</u>				
9750-Edwards Company	Stock Pile	1.0	\$15 per acre	McCallister
9749-Putnam, John F.	" "	1.0	\$25 per a. + \$5 + fencing	"
9748-Stinchfield, Fred A.	Quarry	6.31	\$25 per a. + fencing	"
<u>Rock Creek-Gilliam County Line Section, Wasco-Happner Highway</u>				
9744-Whyte, George	Stock Pile	1.0	\$25 per a. + \$5	McCallister
<u>Brogan-Jamieson Section, John Day Highway</u>				
9176-Brogan, City of and Malheur County	R/W	470 sq.ft.	GRATIS	Landon
9166-Davis, Geo. A. Estate Robt. D. Lytle, et al.	"	0.01	\$500 per a. + fencing	"
9172-Eastern Oregon Land Co.	R/W and	14.53	6.61 a. at \$100 per a. "	
	Gravel Pit		7.92 a. at \$5 per a.	
	Road Easement	6.71	\$22.35 per a. + \$813.50 + construction diversion dam and fencing of gravel pit	

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>(Brogan-Jamieson Section, John Day Highway - Continued)</u>				
9171-U.S. Government (Reclamation)	R/W	0.74	GRATIS, + fencing	Landon
<u>Denver Avenue-Union Avenue Intersection, Pacific Highway</u>				
5671-Mercer, Harry (Swift & Co.)	R/W	352 sq.ft.	\$50 Lump Sum. State to give revocable permit to use strip 9' wide immediately west of proposed Standard Oil Station	McCallister
<u>Lone Rock Junction-Rock Creek Section, Wasco-Happner Highway</u>				
9743-Thompson, Austin S. (Estate) and Moyer, Lydia G. (Estate)	Quarry	6.57	\$150 Lump Sum	McCallister
<u>Pistol River-California Line Section, Oregon Coast Highway</u>				
9809-Baurers, Carl	Park	129.6	75 a. at \$75.13 per a. 54.6 a. at \$25 per acre	McChesney
<u>Cape Creek-Florence Section, Oregon Coast Highway</u>				
9810-Lane County	Park	40.0	\$30 Lump Sum	Boardman

The Attorney reported the results of further negotiations for the acquisition of three parcels of property, as follows, needed as right of way for the improvement of the Wolf Creek Highway, in Washington County, which properties, he said, are now under condemnation:

B. W. Armentrout, et al.	2.86 acres
Charles Ellis Taylor, et al.	5.61 "
B. F. Friday	2.98 "

He said that the following settlements have been reached with the owners in order to avoid condemnation:

B. W. Armentrout, et al.	\$875.00
Charles Ellis Taylor, et al.	\$2,250.00
B. F. Friday	\$175.00

He recommended acceptance of the offers. After discussion the Commission, by unanimous vote, approved the settlements as recommended.

The Attorney also requested authority to institute condemnation proceedings to acquire certain parcels of real property that are needed for various highway improvements and concerning which he has been unable to reach

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satisfactory settlements. He presented a list of such properties together with offers that he recommended be made in condemnation, as follows:

<u>File No.</u>	<u>Name</u>	<u>Purpose Required</u>	<u>Recommended Offer</u>
9230	Northwest Cities Gas Co.	Right of Way	\$336.25
9316	Mabel J. Reagan et vir	" " "	\$11,000.00
9796	Peter Peterson Estate	Drainage Ditch Easement	\$10.00
9228	Frances G. Horn	Park Site	\$175.00
2334	M. S. Kern, Roy C. Hale, et al.	Right of Way	\$1,500.00
9700	Luella L. Minor Howell	Slope Easement	\$150.00
9701	Elsie M. Christensen	" "	\$150.00 to \$200
9703	Charles H. Rogers	" "	\$50.00

After careful consideration of each of the items the Commission approved the offers recommended, and thereupon adopted the following resolutions authorizing the Attorney to proceed with condemnation:

WHEREAS, the State Highway Commission is authorized to locate, relocate, construct, reconstruct, maintain, widen, straighten, and otherwise improve state highways, both primary and secondary, and said Commission is also authorized to construct shops, equipment sheds, office buildings, maintenance sites, patrolmen accommodations, and snow fences, and is authorized to acquire quarry sites, gravel pits, storage sites, stockpile sites, weighing stations, and broadcasting stations, and is further authorized to develop, construct, improve, operate, and maintain parks, parking places, auto camps, camp sites, roadside development, recreational grounds or resorts, and other places of attraction and scenic value; and

WHEREAS, said Highway Commission is authorized to acquire by purchase, agreement, donation, or by the exercise of the power of eminent domain real property, or any interest therein, necessary or deemed by the Highway Commission necessary for the accomplishment of any and all of the foregoing things; and

WHEREAS, in the judgment of the Highway Commission the several tracts or parcels of land hereinafter described are each and all necessary for the specific and particular purposes hereinafter specifically set forth;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the Commission does hereby find and declare that the several parcels of real property hereinafter described are each and all necessary for the accomplishment of the purposes hereinafter

expressly and specifically set forth, which said real properties and the specific purposes for which the same are being acquired are described as follows, to wit:

Real property owned by Northwest Cities Gas Company, which property is located in the north half ($N\frac{1}{2}$) of Section 32, Township 17 South, Range 3 West, W. M., in Lane County, Oregon, and is more particularly described on the attached sheets and designated as Parcels Nos. 1 and 2 and is further identified in the records of the Highway Commission as file R 9230, and which property is being acquired for right of way purposes in connection with the Pacific Highway;*

Real property owned by Mabel J. Reagan, et vir., which property is located in Lots 1, 2, 3, 4 and 5 of Block 3, Kincaid Park, City of Eugene, in Lane County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 3 and is further identified in the records of the Highway Commission as file R 9316, and which property is being acquired for right of way purposes in connection with the Pacific Highway;*

Real property owned by the heirs of Peter Peterson, which property is located in the southwest quarter ($SW\frac{1}{4}$) of Section 2, Township 26 South, Range 25 East, W. M., in Harney County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 4 and is further identified in the records of the Highway Commission as file R 9796, and which property is being acquired for right of way purposes in connection with the Lakeview-Burns Highway;*

Real property owned by M. S. Kern, et ux., sold on contract to Roy C. Hale, et ux., which property is located in the east half ($E\frac{1}{2}$) of the northeast quarter ($NE\frac{1}{4}$) of the northwest quarter ($NW\frac{1}{4}$) of the northwest quarter ($NW\frac{1}{4}$) of Section 14, Township 4 North, Range 28 East, W. M., in Umatilla County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 5 and is further identified in the records of the Highway Commission as file R 2334, and which property is being acquired for right of way purposes in connection with the Old Oregon Trail;*

Real property owned by Elsie M. Christensen, which property is located in the southwest quarter ($SW\frac{1}{4}$) of Section 12, Township 1 South, Range 1 West, W. M., in Washington County, Oregon, and is more particularly described on the attached sheets and designated as Parcel

No. 6 and is further identified in the records of the Highway Commission as file R 9701, and which property is being acquired for right of way purposes in connection with the Tualatin Valley Highway;*

Real property owned by Charles H. Rogers, which property is located in the east half (E $\frac{1}{2}$) of Section 11, Township 1 South, Range 1 West, W. M., in Washington County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 7 and is further identified in the records of the Highway Commission as file R 9703, and which property is being acquired for right of way purposes in connection with the Tualatin Valley Highway.*

2. That the Commission does hereby find and declare that each of the said described parcels of real property is necessary and acquisition of the same by the State is required for the specific purposes hereinabove set forth, and the said properties are being acquired for the express and specific purposes in this resolution set forth.

3. That the State Highway Engineer be and he hereby is instructed and directed to make or cause to be made all surveys necessary in connection with the determination, description, and acquisition of said real properties, and said Engineer is further instructed to prepare and submit to the Legal Department necessary and adequate descriptions of the said real properties, which said descriptions shall be available for the preparation of any deed or deeds or other instrument or instruments necessary to complete the acquisition of said property or properties, whether said properties be acquired by purchase, donation, agreement, or by the exercise of the power of eminent domain.

4. That J. M. Devers, Attorney for the State Highway Commission, be and he is hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby further resolved that J. M. Devers, Attorney for the State Highway Commission, be and he hereby is requested to commence and

*(The detailed descriptions of the respective parcels of real property mentioned in this resolution are attached to the original resolution on file in the office of the State Highway Commission, Salem, being Resolution No. 17, under the heading "Real Property Condemnation Resolutions" and said descriptions by this reference are made a part of this minute entry to the same extent as if copied in full herein.)

prosecute to a final determination such suit or action, or suits or actions, as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

WHEREAS, by virtue of the laws of the State of Oregon, the State Highway Commission is authorized and empowered to acquire land or ground necessary for the development, maintenance, and operation of parks, parking places, automobile camps, camp sites, public square, recreational grounds or resorts, and land for the preservation of trees or timber growing thereon; and

WHEREAS, said Highway Commission is authorized to acquire by purchase, agreement, donation, or by the exercise of the power of eminent domain real property, or any interest therein, necessary or deemed by the Highway Commission necessary for said purposes; and

WHEREAS, in the judgment and opinion of the State Highway Commission it will be for the convenience and is for the best interests of the general public that there be acquired for public purpose, to wit: for the purpose of developing and maintaining a park, recreational ground and/or resort, and for the purpose of preserving the timber growing thereon, the following described parcel of land, to wit:

Property of Frances G. Horn

A parcel of land lying in the north half ($N\frac{1}{2}$) of Lot 16 ($SE\frac{1}{4}$ of $SE\frac{1}{4}$) and in the south half ($S\frac{1}{2}$) of the south half ($S\frac{1}{2}$) of Lot 9 ($NE\frac{1}{4}$ of $SE\frac{1}{4}$) of Section 3, Township 1 North, Range 10 East, W. M., Hood River County, Oregon, and being a portion of the following described property: that tract of land which was conveyed by that certain deed to Frances G. Horn recorded in Book 26, Page 143, of Hood River County Record of Deeds; the said parcel being all that portion of the foregoing described property included in a strip of land 110 feet in width, 80 feet on the west-erly side and 30 feet on the easterly side of the center line of the Mt. Hood Highway, as said highway has been surveyed over and across or adjacent to the said property; the location of the said strip of land (in so far as it encroaches upon said property) being determined by the said center line from Station 623+69.7 to Station 633+13.1, which portion of center line is described as follows:

Beginning at a point which is Engineer's center line Station 623+69.7, opposite and 30 feet distant from which point the easterly line of the said strip of land intersects the south line of said property; said point being 836 feet north and 820 feet west of the southeast corner of Section 3, Township 1 North, Range 10 East, W. M.; thence North 9° 14' West a distance of 271.5 feet; thence on a 204.62 foot radius curve right (the long chord of which bears North 20° 54' East 205.44 feet) a distance of 215.2 feet; thence North 51° 02' East a distance of 16.3 feet; thence on a 238.73 foot radius curve left (the long chord of which bears North 31° 14' 30" East 161.67 feet) a distance of 164.9 feet; thence North 11° 27' East a distance of 44.4 feet; thence on a 286.47 foot radius curve right (the long chord of which bears North 28° 39' 30" East 169.50 feet) a distance of 172.1 feet; thence North 45° 52' East a distance of 59.0 feet to Engineer's Station 633+13.1, opposite and 30 feet distant from which station the easterly line of said strip of land intersects the north line of said property.

The parcel of land to which this description applies contains 2.21 acres, of which 1.25 acres lie within the existing right of way, title to which hereby is acknowledged to be in the public, and 0.96 acre lies outside of the existing right of way.

NOW, THEREFORE, BE IT RESOLVED that the said parcel or tract of land be and the same hereby is declared by this resolution to be necessary for the purpose herein stated; and

BE IT FURTHER RESOLVED that title to the said parcel or tract of land be acquired by the State of Oregon, by and through its State Highway Commission, for the above specified public use and purpose.

BE IT FURTHER RESOLVED that the best interests and convenience of the general public require that title to the said tract or parcel of real property be acquired for the purpose of developing and maintaining the same for a park, recreational ground or public resort and for the purpose of preserving the timber growing thereon, and for the further purpose of making said parcel of land available for the use and enjoyment of the general public.

BE IT FURTHER RESOLVED that J. M. Devers, Attorney for the State Highway Commission, be and he hereby is requested to negotiate further with the owner of said property and endeavor to acquire said property by agreement, and in the event that said property cannot be acquired by agreement, then the said J. M. Devers, Attorney for the State Highway Commission, is hereby

requested to institute and prosecute such condemnation proceeding or other suit or action as may be necessary to acquire the said real property.

BE IT FURTHER RESOLVED that in such suit, action, or procedure as may be prosecuted for the acquisition of said real property provision be made whereby title in fee simple shall be acquired in the name of the State of Oregon, by and through its State Highway Commission.

The Engineer brought up for discussion the proposed agreement with the Southern Pacific Company with respect to the reconstruction of the Pacific Highway between Eugene and West Springfield, in Lane County. He presented a copy of the proposed agreement which he said, had been revised in accordance with previous understanding had with the railroad company officials. He recommended approval of the agreement as prepared. After discussion the Commission approved the recommendation and thereupon signed the agreement.

In this connection the Attorney requested instructions relative to the closing of options for right of way needed for this improvement, and was authorized by the Commission to complete those taken for the property needed for the first project between Eugene and Judkins Point.

The Commission discussed the signing of a petition for the exclusion of certain state-owned lands from the Klamath Irrigation District near Klamath Falls, in order to avoid the payment of annual taxes and other charges. It was explained by the Attorney that this petition is a substitute for one previously signed by the Commission which contained several additional parcels, widely separated, and for that reason the petition was denied. The petition now under consideration simply provides for the exclusion of the highway maintenance headquarters site at Klamath Falls, consisting of 6.8 acres, and he has been given to understand that the petition on such basis would be approved. He recommended acceptance of the petition as revised, notwithstanding that it does not exclude all of the state land that was mentioned in the original petition. The Commission approved the recommendation and thereupon signed the petition.

The Commission also authorized the payment of \$191.40 which has been assessed against this property for irrigation construction costs, it being understood that the Secretary of Interior will not approve the petition until such charges have been paid.

The Commission discussed briefly the H. A. Hein controversy at Scappoose, which has to do with the operation of a state-owned quarry adjacent to Mr. Hein's property at this place. A decision in the matter was deferred pending inspection of the premises by Chairman Cabell.

A letter was presented from the Commissioner of Public Docks, Portland, requesting a contribution in the amount of \$50 from the State Highway Commission to help defray the expense of preparing maps for use in connection with the contesting of certain congressional legislation relative to the ownership of submerged and tide lands. The Commission expressed appreciation of the importance of this matter and the seriousness of the proposed legislation, but questioned its legal authority to contribute state funds in connection therewith. The Attorney was instructed to convey such information to the Commissioner of Public Docks.

The State Parks Superintendent, Mr. S. H. Boardman, was present and reported on the following state park matters:

Status of 1941 budget:- He reported that the Commission authorized a budget of \$100,000 for park acquisition in 1941, of which amount there has been expended up to October 1, 1941, the sum of \$92,863.95; and of the \$30,000 authorized for betterment in 1941 there has been expended up to October 1, 1941, \$14,131.99. The cost of operation and maintenance of parks, for which the sum of \$38,600 has been budgeted, he said, has cost to date the sum of \$29,917.16, leaving a balance of \$13,100.00 estimated expenditure during the last quarter, which amount includes \$5,600.00 for repairs to the Vista House at Crown Point. The Commission approved the report.

Proposed addition to Harris Beach Park, Curry County:- The Parks Superintendent proposed the purchase of 129.6 acres of land adjacent to the Oregon Coast Highway, about three miles north of Brookings, said property being owned by a Mr. Carl Bauers and being described as Lots 3, 4 and 5 and the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 36, Township 40 South, Range 14 West, W. M. He said that this property joins a present state park and is one of the most scenic of the coastal areas, fronting on the Pacific Ocean opposite what is known as Goat Island. He advised that it can be purchased for \$7,000, and recommended approval of the acquisition. The Commission approved the recommendation and authorized inclusion of the item in the real property resolution heretofore adopted at this meeting.

Purchase of wood lot in Lane County:- The Parks Superintendent advised that Lane County owns a 40-acre tract described as the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 10, Township 18 South, Range 12 West, W. M., Lane County, which he would like to purchase as a source of supply for wood to be used in state parks located along the coast between Heceta Head and the Umpqua Lighthouse. Lane County, he said, has offered to sell this to the state for the amount of delinquent taxes against the same, which is \$30.00. He recommended purchase at such price. The Commission approved the recommendation and ordered that the item be included in the real property resolution.

Purchase of O and C recreational tract:- The Parks Superintendent advised that the State Highway Commission for the past eleven years has made annual payments to the federal government for

the lease of 160 acres of O and C lands situate adjacent to the Coos Bay-Roseburg Highway at the top of Camas Mountain between Roseburg and Camas Valley; also that, according to the terms of the lease, the Highway Commission can purchase such tract within a certain period if it so desires; however, there is a question in the minds of the personnel of the O and C Administration in Portland whether or not the lease agreement actually does provide for the purchase of the area under lease. In order to ascertain definitely the state's rights in the matter, he suggested that an attempt be made to acquire outright the Camas Mountain tract. The Commission approved the suggestion.

Maintenance of two C.C.C. Camps:- The Parks Superintendent advised that two C.C.C. Camps that he has been operating in the past, viz., one at Short Sand Beach Park and the other at Saddle Mountain State Park, have been discontinued and the camps vacated. He also said that the camps are now being maintained temporarily by his department, but there is a question whether or not he should continue to maintain them. He requested instructions. The Commission considered it advisable to continue the maintenance of these two camps for a year or so and so ordered.

Status of Helmick State Park with respect to the United States Army cantonment:- The Parks Superintendent advised that Helmick State Park is located within the area considered for the United States Army cantonment south of Monmouth, and the probabilities are that the government will want to acquire this tract. He recalled that the park was presented to the state as a gift by the Helmick family to be used exclusively for park purposes, and requested instructions relative thereto in the event he is approached with respect to acquisition by the government. The Commission deferred a decision pending further contact by the government relative to the acquisition of the area.

Sale of Port Orford Cedar Park near Port Orford:- The Parks Superintendent reported a request from Mr. W. G. Hellier, Bandon, to purchase this park which is situate adjacent to the Oregon Coast Highway about six miles north of Port Orford. Mr. Hellier, he said, desires the property for mining purposes, believing that the property contains valuable chrome ore. He recommended against the sale of the property. The Commission approved the recommendation.

The Commission considered the following requests for extensions of time within which to complete highway construction projects:

McNutt Bros., contract No. 2252, for construction of a bridge over Devils Lake Fork on the Wilson River Highway, in Tillamook

County, requested an extension of time, from November 30, 1940, to August 3, 1941, within which to complete this job. They attributed their failure to complete the project within the specified time limit to adverse weather conditions which would not permit painting of the structure. The Engineer advised that adverse weather conditions prevailed during the fall of 1940, which would not permit a good painting job, and on October 23, 1940, he ordered the contractors to discontinue such work until suitable weather in the spring of 1941, so they are entitled to an automatic extension of time during this intervening period. The painting work was actually completed on July 11, 1941. He recommended that the extension of time up to July 11, 1941, be granted, subject to the condition that the contractor be required to reimburse the state for extra engineering costs incurred between July 1 and July 11, 1941. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

W. D. Miller Construction Company, contract No. 2319, for grading, surfacing and oiling the Lost River Section of the Klamath Falls-Malin Highway, in Klamath County, requested an extension of time, from June 30 to August 1, 1941, within which to complete this job. They gave no reason for failure to complete the project within the specified time limit. The Engineer advised that he knows of no reason why the construction should not have been completed within the time limit specified in the contract. He recommended the granting of the extension of time requested, subject to the condition that the contractor be required to reimburse the state for extra engineering expense incurred against the job subsequent to the specified completion date. The Commission approved the recommendation.

Homer G. Johnson, contract No. 2325, for surfacing and bituminous macadam construction on the Germantown Road-Barnes Section of the Skyline Boulevard, in Multnomah County, requested an extension of time of eight days, from July 31 to August 8, 1941, within which to complete this job. He gave no reason for failure to complete the project within the specified time limit. The Engineer advised that this contract was awarded by the Commission on June 13, 1940, and specified that the work should be completed by July 31, 1941. Further, that Mr. Johnson did not start clearing operations until March 11, 1941, and that he knows of no valid reason why the construction should not have been completed within the specified time limit. He recommended the granting of the request, subject to the condition that Mr. Johnson be required to reimburse the state for extra engineering expense incurred subsequent to the specified date of completion. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

E. L. Gates, contract No. 2342, for construction of a roadside improvement along the Pacific Highway East at Albany, in Linn County, requested an extension of time, from June 30 to August 11, 1941,

within which to complete this job. He alleged that his failure to complete the project within the specified time limit was due to adverse weather conditions which prevented the planting of grass seed for the lawn. The Engineer advised that the reason given by the contractor for failure to complete the project within the specified time limit is correct. He recommended, in view thereof, that the extension of time requested be granted without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

E. C. Hall, contract No. 2343, for surfacing, oiling and construction of bridges on the Sanderson Bridge-Crabtree Creek Section of the Albany-Lyons Secondary Highway, in Linn County, requested an extension of time, from June 30 to July 5, 1941, within which to complete this project. They attributed their failure to complete the project within the specified time limit to adverse weather conditions. The Engineer advised that the oiling of the main mat was completed during the latter part of May, that the second seal coat was completed on July 2; however, it was impossible for the contractor who was to do the oiling work, to start operations before this time, due to the press of other oiling work which he had under way. He gave as his opinion that the road benefited by the delay and use of the road by traffic between the applications of the first and second seal coats. He recommended that the extension of time requested be granted without penalty. The Commission approved the recommendation.

Colonial Construction Company, contract No. 2357, for grading the Forest Boundary-Warm Springs River Section of the Warm Springs Highway, in Wasco County, requested an extension of time, from July 31 to August 18, 1941, within which to complete this job. They attributed their failure to complete the project within the specified time limit to adverse weather conditions during the winter months, which prevented grading work, and to the increase in the quantities of material moved and additional clearing work required. The Engineer advised that the reasons given by the contractor for failure to complete the project within the specified time limit are correct. He recommended, in view thereof, that the extension of time requested be granted without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

J. F. Johnston, contract No. 2362, for construction of the King Creek Culvert on the Salem-Dayton Secondary Highway near West Salem, in Polk County, requested an extension of time, from December 31, 1940, to October 3, 1941, within which to complete this job. Mr. Johnston alleged that actual work on the contract was completed well within the specified time limit and that the work which remained to be done simply consisted of cleaning up the adjacent private property on which he piled surplus excavation material, with the consent of the owner, subject to the understanding that he would remove this material during the summer of 1941. The Engineer advised that while the contract called for completion of the work by December 31, 1940, the contractor was granted permission to delay the cleaning of the inlet and outlet

channels until this year. This work, he said, has now been completed satisfactorily, and it is his recommendation that the extension of time requested be granted without penalty. The Commission approved the recommendation.

E. L. Rigdon, contract No. 2367, for grading, surfacing and oiling the Okerman Ranch-Sagehen Hill Section of the Central Oregon Highway, in Harney County, requested an extension of time, from June 30 to September 3, 1941, within which to complete this job. He gave no reason for his failure to complete the project within the specified time limit. The Engineer advised that he knows of no reason why the contractor should not have completed the work within the specified time. He recommended, in view thereof, that the extension of time be granted but that the contractor be required to reimburse the state for extra engineering expense incurred subsequent to the date of completion specified in the contract. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

Birkemeier & Saremal, contract No. 2368, for construction of a maintenance building adjacent to the state highway at Madras, in Jefferson County, requested an extension of time from May 31 to September 19, 1941, within which to complete this job. They attributed their failure to complete the project within the specified time limit to orders received from the Engineer to defer the painting of the building until favorable weather conditions obtained and until the grading work on the premises was completed. The Engineer advised that the contract specified that all work with the exception of the exterior painting should be completed by December 31, 1940, and that the entire contract should be completed on or before May 31, 1941. Dust storms during the spring of 1941, he said, made it advisable to postpone the painting work until after the specified date of completion. It was finished on September 19, 1941. He recommended, in view of the fact that the delay was due entirely to his orders to defer the painting work, that the extension of time requested be granted without penalty. The Commission approved the recommendation.

Fisher Bros., contract No. 2398, for grading, surfacing and oiling the East Unit, Dixie Summit-Austin Junction Section of the John Day Highway, in Grant County, requested an extension of time, from August 31, 1941, to June 30, 1942, within which to complete this job. They stated that the only work remaining to be done is oiling work which cannot be done during the winter months. They attributed their failure to complete the project within the specified time limit to exceptionally rainy weather during the spring and summer of 1941, also to difficulty encountered in connection with excavation work, which resulted in frequent breakdowns of their equipment. The Engineer advised that the contractor was seriously handicapped in the progress of the work by unusually wet weather. Furthermore, they had a lot of trouble in securing repair parts for their equipment which frequently broke down because the excavation material was very hard to handle. He recommended, in view of the circumstances, that the extension of time requested be granted without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

C. A. Dunn, contract No. 2399, for furnishing maintenance rock for the Deception Creek-Salt Creek Falls Section of the Willamette Highway, in Lane County, requested an extension of time, from June 30 to August 7, 1941, within which to complete this project. He attributed his failure to complete the project within the specified time limit to adverse weather conditions and to difficulties in securing a suitable quarry. The Engineer advised that the reasons given by Mr. Dunn for his failure to complete the work within the specified time limit are substantially correct. He recommended, in view thereof, that the extension of time requested be granted without penalty. The Commission approved the recommendation.

United Contracting Company, contract 2441, for grading and paving the St. Helens Section of the Columbia River Highway, in Columbia County, requested an extension of time, from July 31 to September 6, 1941, within which to complete this job. They alleged that they were delayed in completing the project within the specified time limit by bad weather conditions and by increased quantities of rock work to be performed. The Engineer advised that the weather during the progress of the work was normal and that there was no material increase in excavation quantities; however, there was an increase of 388 tons in the paving work, being approximately 20 per cent, which would entitle the contractor to a four-day extension of time. He pointed out that the Commission took bids for this work on February 27 and did not award the contract until March 27, 1941, thirty days later, so, in his estimation, the contractor should be entitled to an additional fifteen-day extension of time on this account. He recommended that the extension of time requested be granted subject to the condition that the contractor be required to reimburse the state for additional engineering expense incurred on the job subsequent to August 19, 1941. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

J. C. Compton, contract No. 2458, for pavement widening and non-skid oiling on the Josephine County Line-Central Point Section of the Pacific Highway, in Jackson County, requested an extension of time of ten days, from September 15 to September 25, 1941, within which to complete this job. They alleged that the overrun of time limit was occasioned by an increase in the quantities of aggregate, hauling aggregate and furnishing and placing asphalt. The Engineer advised that it was necessary to change the specifications during the progress of the work, which change increased contract quantities for several items. He recommended, in view of the circumstances, that the extension of time requested be granted without penalty. The Commission approved the recommendation.

E. H. Itschner, contract No. 2477, for surfacing and oiling the Woodburn-Rock Creek Section of the Woodburn-Sandy Secondary Highway, in Clackamas and Multnomah Counties, requested an extension of time, from September 30, 1941, to June 30, 1942, within which to complete this job. He attributed his failure to complete the project within the specified time limit to inability to secure experienced workmen and to the resulting slowness in getting the work done, giving due regard to their safety.

The Engineer advised that the reasons given by the contractor for failure to complete the contract within the specified time limit were due to emergency conditions over which he had no control, particularly the war emergency which makes contract work uncertain with respect to men and materials. He recommended, in view of the circumstances, that the extension of time requested be granted without penalty. The Commission approved the recommendation.

Jed Wilson, contract No. 2485, for construction of an oiled rock footpath on the Oregon Coast Highway between Gearhart and Seaside, in Clatsop County, requested an extension of time of two days, from August 31 to September 2, 1941, within which to complete this project. He gave no reason for failure to complete the project within the specified time limit. The Engineer advised that the overrun in time limit was due to adverse weather conditions which delayed oiling work. He recommended that the extension of time requested be granted without penalty. The Commission approved the recommendation.

Jud Beardsley, contract No. 2508, for repairs to the Vista House at Crown Point on the Columbia River Highway, in Multnomah County, requested an extension of time of one month, from September 30 to October 31, 1941, within which to complete this job. He gave the following reasons for failure to complete the project within the specified time limit: intermittent rains which, at times, completely halted operations and prevented an orderly sequence of work; increase in the volume of work required in the moving of mortar joints, et cetera; also, additional work required in order to finish the project in a workman-like manner. The Engineer advised that continued bad weather during the month of September made it impracticable to attempt the water-proofing of the structure and accordingly he ordered the contractor to defer such work until later. He recommended that the extension of time requested be granted without penalty. The Commission approved the recommendation.

The Engineer reported that contracts Nos. 2252, 2319, 2325, 2342, 2343, 2349, 2357, 2362, 2367, 2368, 2384, 2399, 2404, 2436, 2441, 2444, 2458, 2469, 2470, 2478 and 2485, for the construction of state highway projects, have been completed according to the requirements of the contracts or modifications thereof, and that said jobs are now ready for acceptance. The following resolution accepting the above projects was offered and adopted by the unanimous vote of the Commission:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts, and that said jobs are now ready for acceptance:

Contract No. 2252, with McKutt Brothers, for construction of a bridge over Devils Lake Fork on the Wilson River Highway, in Tillamook County. Completed July 11, 1941.

Contract No. 2319, with W. D. Miller Construction Company, for grading, surfacing and oiling on the Lost River Section

of the Klamath Falls-Malin Highway, in Klamath County. Completed July 26, 1941.

Contract No. 2325, with Homer G. Johnson, for bituminous macadam surfacing on the Germantown Road-Barnes Road Section of the Skyline Boulevard, in Multnomah County. Completed August 8, 1941.

Contract No. 2342, with E. L. Gates, for roadside improvement on the Albany Section of the Pacific Highway East, in Linn County. Completed August 11, 1941.

Contract No. 2343, with E. C. Hall Company, for grading, surfacing and oiling, and construction of three bridges on the Sanderson Bridge-Crabtree Creek Section of the Albany-Lyons Secondary Highway, in Linn County. Completed July 5, 1941.

Contract No. 2349, with Henry L. Horn, for grade separation with the Union Pacific Railway and grading, oiling and paving on the Nyssa Undercrossing Section of the Old Oregon Trail, in Malheur County. Completed September 16, 1941.

Contract No. 2357, with Colonial Construction Company, for grading on the Forest Boundary-Warm Springs River Section of the Warm Springs Highway, in Wasco County. Completed August 18, 1941.

Contract No. 2362, with J. F. Johnston, for reconstruction of the King Creek Culvert on the Salem-Dayton Secondary Highway, in Polk County. Completed October 1, 1941.

Contract No. 2367, with E. L. Rigdon, for grading, surfacing and oiling on the Okerman Ranch-Sagehen Hill Section of the Central Oregon Highway, in Harney County. Completed September 3, 1941.

Contract No. 2368, with Birkemeier & Saremal, for construction of a maintenance building at Madras on The Dalles-California Highway, in Jefferson County. Completed September 19, 1941.

Contract No. 2384, with Rogers Construction Company, for bituminous macadam surfacing on the Hug Point-Manzanita Section of the Oregon Coast Highway, in Clatsop and Tillamook Counties. Completed August 15, 1941.

Contract No. 2399, with Clifford A. Dunn, for furnishing 8,900 cubic yards of crushed material in stock pile, on the Deception Creek-Salt Creek Falls Section of the Willamette Highway, in Lane County. Completed August 7, 1941.

Contract No. 2404, with Fisher Brothers, for grading, surfacing and oiling and construction of two bridges and three culverts on the Forest Boundary-Cottonwood Creek Section of the Klamath Falls-Lakeview Highway, in Lake County. Completed September 11, 1941.

Contract No. 2436, with Berle Brothers, for grading and topping on the Lytle Creek-Ochoco Creek Section of the Madras-Prineville Secondary Highway, in Crook County. Completed September 20, 1941.

Contract No. 2441, with the United Contracting Company, for grading and paving on the St. Helens Section of the Columbia River Highway, in Columbia County. Completed September 6, 1941.

Contract No. 2444, with A. Milne, for construction of a reinforced concrete span over Butter Creek and one concrete span over the irrigation canal at Station 989 on the Morrow County Line-Stanfield Section of the Boardman-Stanfield Highway, in Umatilla County. Completed September 25, 1941.

Contract No. 2458, with J. C. Compton, for pavement widening and nonskid oiling on the Josephine County Line-Central Point Section of the Pacific Highway, in Jackson County. Completed September 16, 1941.

Contract No. 2469, with Tony Marrazzo, for grading, surfacing and oiling on the Bully Creek-Vale Section of the Vale-West Secondary Highway, in Malheur County. Completed September 13, 1941.

Contract No. 2470, with Tony Marrazzo, for grading, surfacing and oiling, also construction of a concrete bridge on the Cow Hollow Creek-Adrian Junction Section of the Vale-Adrian County Road, in Malheur County. Completed September 18, 1941.

Contract No. 2478, with Viesko & Hannaman, for construction of a maintenance building at Condon, in Gilliam County. Completed September 17, 1941.

Contract No. 2485, with Jed Wilson, for oiled rock footpath on the Gearhart-Seaside Section of the Oregon Coast Highway, in Clatsop County. Completed September 2, 1941.

THEREFORE, BE IT RESOLVED that the work covered by said state highway contracts for the construction of said state highway projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

Reconsideration was given by the Commission to the matter of dates for its next regular meetings, and it was decided to hold the November meeting on Wednesday and Thursday, November 13 and 14, (later changed to Monday and Tuesday, November 17 and 18); the December meeting on Thursday and Friday, December 18 and 19; and the January 1942 meeting on Thursday and Friday, January 15 and 16. The Secretary was instructed to make the usual arrangements to hold these meetings in the auditorium of the Public Service Building, Portland. The Commission also set Thursday, November 6, 1941, as the date for an interim meeting to be held in Salem.

The Commission considered and signed agreements, et cetera, as follows:

Agreement with Malheur County providing for the maintenance of the Vale-Adrian Federal Aid Secondary Highway, between the junction with the Nyssa-Adrian Secondary Highway and Cow Hollow Creek, after construction by the state, being Project No. FAS-21 A(2), B(1).

Agreement with City of Scio covering improvement of certain city streets.

Agreement with City of Bend covering improvement of certain city streets.

Agreement with City of Myrtle Point covering improvement of certain city streets.

Agreement with City of Coquille covering improvement of certain city streets.

Agreement with City of North Bend covering improvement of certain city streets.

Agreement with Bonneville Power Administration covering crossing of Old Oregon Trail near the top of Emigrant Hill.

Agreement with Bonneville Power Administration covering an encroachment on highway near Astoria.

Agreement with Bonneville Power Administration covering construction of a power pole line over and across the Old Oregon Trail at Station 931+41.7, in Umatilla County, between Pendleton and the Union County Line.

Agreement with O.W.R.N. Company and Union Pacific Railroad Company covering construction of overhead crossing near Troutdale.

Agreement with Anderson Bros. providing for log road crossing of the state park property adjacent to the Salmon River Highway.

Agreement with Postal Telegraph Company in reference to pole line reconstruction on Sexton Mountain Section of the Pacific Highway.

Agreement with Dwight F. Seward and wife disposing of their claim for damages arising out of the improvement of the Old Oregon Trail at Nyssa.

Agreement with P. B. Davis providing for maintenance headquarters site at the Town of Sisters.

Agreement with City of Port Orford providing for the improvement of certain city streets in Port Orford.

Agreement with City of Bandon providing for improvement of certain city streets.

Agreement with Bay City providing for improvement of certain city streets.

Agreement with City of Silverton covering work performed on Main Street Bridge.

Agreement with City of Marshfield providing for improvement of certain city streets in Marshfield.

Agreement with Stanfield Irrigation District covering construction of a syphon for the Furnish ditch at the Boardman-Stanfield Highway crossing.

Agreement with John T. Foreman and David Petersen covering lease of gravel pit.

Extension agreement with Botsford, Constantine and Gardner covering their services during 1942 in connection with the State Highway Department's Travel and Information Department.

Agreement with Southern Pacific Company covering proposed revision of Pacific Highway between Eugene and Springfield.

Agreement with Lincoln County disposing of the county's indebtedness to the state for certain road construction.


Petition for exclusion of certain lands from the Klamath Irrigation District, in Klamath County.

Bargain and Sale Deed conveying unto the City of Eugene 0.5 acre of land situate adjacent to the Pacific Highway in the W $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 8, Township 17 South, Range 4 West, W. M., in Linn County. Consideration \$50.00. Right of Way file No. 5937-B.

Deed conveying unto Louis L. Jones and wife fractional lot in Portland fronting on Southwest Macadam Street. Right of way file No. 9393.

There being no further business to come before the Commission at this time the meeting was adjourned at 5:45 p. m..


State Highway Engineer


Secretary


Chairman


Commissioner

Salem, Oregon, November 6, 1941

The State Highway Commission met in regular session at 10:00 a. m. in the office of the State Highway Engineer, Room 325, State Office Building. Present were:

Henry F. Cabell, Chairman
Huron W. Clough, Commissioner
R. W. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

Commissioner Oliver was unable to attend this meeting on account of illness. Messrs. W. H. Lynch, District Engineer, and T. M. Davis, Senior Highway Engineer, for the Public Roads Administration, were also present.

Mr. Lynch brought up for discussion the bids received by him on November 5, 1941, for the construction of the Quartz Mountain-Smalley Ranch Section of the Klamath Falls-Lakeview Highway, which work is to be done as a forest highway project. He advised that the low bid received for this work is entirely satisfactory; however, the funds allocated to the project are not sufficient to pay the cost of the work and it will require about \$10,000.00 additional funds. He stated that forest highway funds are not available to make up this deficit, and inquired whether or not the Commission would be willing to contribute such amount of state funds so the work can go forward as planned. The Commission approved the additional contribution, in view of the desirability of the project and its previous understanding with the local people. The Commission thereupon signed a second modification of the project agreement covering the matter.

The Commission discussed the request of the Honorable J. D. Perry, St. Helens, and the delegation which appeared before the Commission at the previous meeting, for the Commission's assistance in securing congressional legislation authorizing the purchase by the federal government of the Longview-Rainier Bridge over the Columbia River, and decided that, if the federal government should purchase this bridge and turn it over to the state, the State Highway Commission would assume future responsibility for maintenance and upkeep of the same, provided the State of Washington would agree to pay one half of the costs involved.

Chairman Cabell was thereupon authorized to send the following telegram to Mr. Perry, it being understood that the same answer would be given to the owners of other Columbia River bridges who make the same request:

J. D. Perry
Deer Island, Oregon

Response your inquiry. If federal government acquires Longview Bridge pursuant to bill now before Congress State of Oregon through its Highway Commission will agree

to assume one half cost of its future maintenance and operation provided State of Washington will agree to pay remaining half.

Henry F. Cabell, Chairman
Oregon State Highway Commission

The Attorney reported the results of a reappraisal of the property needed to provide a right of way 80 feet wide for the Oregon Coast Highway through the town of Gold Beach, Curry County. He stated that it would cost about \$34,485.00 to provide a right of way 80 feet wide, as compared with about \$4,785.00 to provide a right of way 60 feet wide, both figures being exclusive of land values, it being understood that the people of Gold Beach would furnish the extra land needed for the 80-foot right of way. After discussion the Commission approved the improvement on an 80-foot right of way basis, subject to the securing of releases from the property owners against future damage claims and subject further to concurrence by Commissioner Oliver. The Attorney was thereupon authorized to proceed with the taking of options for the properties involved. The Commission will make its final decision in the matter when the options have been secured and reported.

The Engineer brought up for discussion a proposal sponsored by Mr. William W. Currier, state highway department maintenance section foreman, Grants Pass, for the formation of an organization to be known as the "Oregon State Employees Association," and Mr. Currier's request for the State Highway Commission's approval of such an organization. He presented a copy of the proposed constitution and by-laws of the organization, and recommended that the request be denied, because it is contrary to the "Code of Relations" heretofore adopted by the Commission with respect to such matters. (See Engineer's letter of November 6, 1941, directed to the Oregon State Highway Commission, for details of recommendation.) After discussion the Commission approved the recommendation. The Engineer was thereupon authorized and instructed to forward the following letter to Mr. Currier, outlining the Commission's attitude with respect to his request:

Mr. William W. Currier
Maintenance Section Foreman
State Highway Department
Grants Pass, Oregon

Dear Sir:

In response to your request for consideration in the formation of an organization employees' association, advise that the Oregon State Highway Commission has requested me to inform you that it will not sponsor or endorse any particular plan such as yours or that of any particular group. It feels that this is a matter for the employees directly concerned. It does, however, wish to call attention again to the previously promulgated "Code of Relations" enclosed

herewith and particularly to paragraphs 2 and 5 thereof, since all employee activities, either individual or in groups, must conform to that code.

Very truly yours,

R. H. Baldock
Chief Engineer

The Commission discussed briefly the question whether or not to issue permits authorizing movements over Oregon state highways of truck and trailer combinations having an overall length of sixty feet, which is legal in the adjoining states but not in Oregon, and having a gross weight of 68,000 pounds. Action on this matter was deferred by the Commission pending Chairman Cabell's return from Washington, D. C., where he expects to attend an important committee meeting on November 10 with respect to highway legislation in Congress.

The Engineer asked the Commission to approve a program for special maintenance projects for 1942 performance, involving an expenditure of \$619,215.00. He submitted a list of projects together with the estimated cost of each, as follows:

1942 SPECIAL MAINTENANCE PROJECTS

DIVISION 1

Nothing

DIVISION 2

<u>Project</u>	<u>Estimate</u>
*Necanicum Jct.-Sunset Camp Section of Wolf Creek Hwy.(Div. 1 & 2)	\$36,000
*Wren Section of Kings Valley & Corvallis-Newport Highways	26,000
*Klaskanine Summit-Jewell Section of Nehalem Secondary Highway	19,200
*Halsey Section of Pacific Highway East	27,000
*Willamina Section on state highways in vicinity of Willamina	16,000
*McMinnville Section on state highways in vicinity of McMinnville	13,000
*Rickreall Section on state highways in vicinity of Rickreall	13,000
Hebo-Dolph Section of Three Rivers Highway & surf. on Little Nestucca Secondary	26,000
Newport-North Section of Oregon Coast Highway	20,000
Lebanon-Sweet Home Section of South Santiam Highway	20,000
	\$216,200

*Contracted or authorized by Commission

(1942 Special Maintenance Projects - Continued)

DIVISION 3

<u>Highway</u>	<u>Section</u>	<u>Yardage</u>	<u>Cost</u>
Oregon Coast	Bear Creek-Port Orford	16,000	\$36,000
Oregon Coast	Port Orford-Euchre Creek	9,000	20,000
Willamette	Tunnel-Forest Boundary	15,000	36,000
*Eugene-Swisshome	Eugene-Vaneta	4,000	9,000
*Territorial	Smithfield-Crow	6,000	16,000
*Eugene-Swisshome	Swisshome	8,600	20,000
*McKenzie	Belknap Springs-Four Mile Butte		<u>31,000</u>
			\$168,000

To be let in connection with surfacing work to be done between Smithfield and Crow.

DIVISION 4

<u>Highway</u>	<u>Section</u>	<u>Yardage</u>	<u>Cost</u>
*Columbia River & Mt. Hood	Hood River	11,200	\$18,450.
Mt. Hood	Parkdale	9,550	16,715
McKenzie, Santiam & McKenzie-Bend	Sisters-Redmond	16,200	28,350
McKenzie-Bend & The Dalles-Calif.	Bend-Redmond	5,565	9,750
Ochoco	Prineville-Marks Cr.	8,100	14,200
*The Dalles-Calif. & Midland Secon.	Klamath Falls	9,000	18,000
Klamath Falls-Lakeview, Klamath	Olene-Malin		
Falls-Malin & Hatfield Secon.		19,800	34,650
*Klamath Falls-Lakeview	Drews Valley	6,450	<u>12,900</u>
			\$153,015

DIVISION 5

<u>Highway</u>	<u>Section</u>	<u>Yardage</u>	<u>Cost</u>
*John Day	Condon-Service Creek	12,000	\$24,000
*Old Oregon Trail	Pendleton-Meacham	10,000	20,000
*Columbia River	Gilliam County Line-Umatilla	10,000	18,000
Central Oregon	Harney Jct.-Drewsey	10,000	<u>20,000</u>
			\$82,000

*Contracted or authorized by Commission

After due consideration the Commission approved all the projects and there-upon authorized the Engineer to advertise them for bids as soon as they can be prepared for contracting.

The Engineer discussed with the Commission a tentative program for federal and state funds (see mimeographed copy of tentative program, dated November 17, 1941, for details). Final action on such matter was deferred until a future meeting; however, the Engineer was authorized to work up the plans and specifications for the following projects:

1943 PROGRAM - REGULAR FEDERAL AID PROJECTS

County	Highway	Section and Kind of Work	Estimated Cost
<u>DIVISIONS 1 & 2</u>			
Multnomah	Columbia River	Troutdale-Dodson, Grade & Top	\$ 350,000T
Multnomah	Pacific West	Front Street, Grade, Pave & Bridge	300,000T
Yamhill	Salmon River	McMinnville-West	100,000T
Linn	Pacific East	Halsey-Muddy Creek, Pave	195,000T
<u>DIVISION NO. 3</u>			
Lane	Willamette	Goshen-Pleasant Hill, Grad. & Surf.	150,000T
Josephine	Pacific	Grave Creek-Jumpoff Joe Creek, Surf.	140,000T
Josephine	Pacific	Wolf Creek-Grave Creek, Gr. & Top.	150,000T
<u>DIVISION NO. 4</u>			
Gilliam	Columbia River	Quinton, 3.6 mi. Grad. & Surf.	150,000T
Deschutes	Dalles-California	Madras-Terrebonne, Surf. & Oil.	120,000T
<u>DIVISION NO. 5</u>			
Umatilla	Old Oregon Trail	Boardman-Stanfield, Surf. & Oil.	225,000T
Harney	Central Oregon	Buchanan-Malheur River, Bit. Mac.	150,000T

1943 PROGRAM-FEDERAL SECONDARY PROJECTS ON STATE HIGHWAYS

County	Highway	Section and Kind of Work	Estimated Cost
<u>DIVISIONS 1 & 2</u>			
Clackamas	Woodburn-Sandy	Deep Creek, Surf. & Oil	\$ 50,000T

T - Tentatively approved by Commission

(1943 Program - Federal Secondary Projects on State Highways - Continued)

County	Highway	Section and Kind of Work	Estimated Cost
<u>DIVISION NO. 3</u>			
Curry	Cape Blanco	Hughes Ranch-Lighthouse, Grad. & Surf.	\$20,000T
<u>DIVISION NO. 4</u>			
Crook	Warm Springs	Jefferson County Line-Lytle Creek, Grad. & Surf.	\$50,000T
<u>DIVISION NO. 5</u>			
Malheur	I. O. N.	Malloy Ranch-Hooker Creek, Grad., Surf. & Oil.	\$150,000T
Baker	Baker-Homestead	Ruckles Creek-Middle Bridge, Grad., Surf. & Oil.	40,000a

1943 PROGRAM - FEDERAL SECONDARY PROJECTS ON COUNTY ROADS

County	Highway	Section and Kind of Work	Estimated Cost
<u>DIVISIONS 1 & 2</u>			
Multnomah	Skyline Blvd.	Newberry Road-Logie Trail Road, Grad., Surf. & Oil.	\$50,000T
Marion	Salem-Silverton	Central Howell-Brush Creek, Grad. & Paving	50,000T
<u>DIVISION NO. 3</u>			
Douglas	North Umpqua	Marks Ranch-Glide, Grad., Surf. & Oil	\$50,000T

1943 PROGRAM - FEDERAL LANDS PROJECTS

County	Highway	Section and Kind of Work	Estimated Cost
<u>DIVISION NO. 5</u>			
Malheur	I. O. N.	Rome-Jordan Valley, Surf. & Oil	\$150,000T

T - Tentatively approved by Commission

a - Approved by Commission

1942 PROGRAM - STATE PROJECTS ON PRIMARY HIGHWAYS

County	Highway	Section and Kind of Work	Estimated Cost
<u>DIVISIONS 1 & 2</u>			
Multnomah	West Portland-Hubbard	Barbur Blvd.-Boones Ferry Road, Grad. & Pav.	\$150,000T
<u>DIVISION NO. 3</u>			
Curry	Oregon Coast	Gold Beach, Paving	60,000T
Lane	Pacific	Eugene, Grad. & Pav.	310,000T
<u>DIVISION NO. 4</u>			
Nothing			
<u>DIVISION NO. 5</u>			
Grant	John Day-Burns	Soda Mt.-South, Surf. & Oil	100,000a
Grant	John Day-Burns	Seneca-South, Surf. & Oil.	125,000T
Grant	Pendleton-John Day	Beech Creek, Surf. & Oil	25,000T
Malheur	Old Oregon Trail	Ontario, Grad. & Pav.	30,000T
Malheur	Old Oregon Trail	Nyssa, Grad. & Pav.	45,000T

1942 PROGRAM - STATE PROJECTS ON SECONDARY HIGHWAYS

County	Highway	Section and Kind of Work	Estimated Cost
<u>DIVISIONS 1 & 2</u>			
Nothing			
<u>DIVISION NO. 3</u>			
Douglas	Tiller-Trail	Wright Ranch-East, Grad., Surf. and Oil.	\$75,000T
<u>DIVISION NO. 4</u>			
Nothing			
<u>DIVISION NO. 5</u>			
Union	Starkey	Grading and Surfacing	50,000T
Umatilla	Weston-Elgin	Project to be selected	25,000T

T - Tentatively approved by Commission
a - Approved by Commission

1941

The Commission tentatively approved the following projects for the special strategic network of highways:

TELTATIVE PROGRAM - SPECIAL STRATEGIC NETWORK FUNDS

I. Assured Funds

Projects on Troutdale-Dodson Section - - - - -	\$250,000
Projects on Roseburg-Grants Pass Section - - - - -	250,000
	\$500,000

II. Fund Subject to Allocation By Federal Works Administrator

Harrisburg Bridge Approach - - - - -	\$125,000
Pudding River Bridge at Aurora - - - - -	90,000
Coast Fork Bridge east of Goshen - - - - -	150,000
Umpqua River Bridge north of Dillard - - - - -	100,000
Projects on Troutdale-Dodson Section - - - - -	250,000
Projects on Roseburg-Grants Pass Section - - - - -	285,000
	\$1,000,000

The Engineer was authorized by the Commission to advertise the following projects for bids to be received at the December meeting of the Commission, provided that meets with the approval of Commissioner Oliver:

Surfacing and oiling Soda Mountain-South Section of the John Day-Burns Highway in Grant County, estimated cost \$100,000.

Beech Creek Rock Production project on the Pendleton-John Day Highway in Grant County, estimated cost \$25,000.

Surfacing and oiling Seneca-South (Poison Creek) Section of the John Day-Burns Highway in Grant County, estimated cost \$125,000.

The Commission instructed the Attorney to investigate the matter of acquiring right of way needed for the improvement of the Oregon Coast Highway at Spencer Creek, in Lincoln County, which involves a fish pond.

The Commission adjourned at 12:00 noon and reconvened at 1:00 p. m. in the same room with the same persons present and participating.

The Engineer reported briefly on the cities and towns of the state that have signed agreements with the Commission for the improvement of certain city streets not on state highway routes. The Commission took no action on the matter.

The Engineer brought up for reconsideration the matter of constructing a new bridge over the Trask River on the Netarts State Secondary Highway

just west of Tillamook, to replace an existing, covered structure which is in a bad state of repair and is now posted for maximum loads of ten tons. He recalled that the Commission, at the previous meeting, authorized an expenditure to remove the cover over the existing structure in order to improve the sight distance, which it was thought would satisfactorily dispose of the problem until the Commission was in position to finance a new structure. However, since then, he has given the matter further study, and is now convinced that the proper thing to do is to entirely replace the structure, because, in its present condition, it is liable to fail under traffic at almost any time and, in his estimation, the Commission cannot very well afford to take a chance against such failure. He estimated the cost of a new structure at \$46,800.00, and recommended approval of the project and that he be authorized to advertise it for bids as soon as the plans can be prepared. After discussion the Commission approved the recommendation and so ordered.

The Engineer then requested authority from the Commission to prepare the plans for the structure and to present the same to the United States War Department, with a request for a hearing on the subject at an early date, so as to secure approval of the clearances of the structure before the contract is awarded. The Commission approved the request.

The Engineer also requested authority for an expenditure of approximately \$15,550 to finance the construction of the Warm Springs Secondary Highway under the tracks of the City of Prineville Railway, in Crook County. He advised that the Public Roads Administration, which is concerned, is anxious for the structure to be built, because the sight distance at the present crossing is very seriously impaired by embankments that have been constructed for a new grade line of the railroad. He recommended approval of the project so as to eliminate this hazard. The Commission approved the recommendation and authorized the advertising of the project for bids to be received as soon as the plans can be prepared.

Reconsideration was given by the Commission to the matter of constructing a pedestrian trestle on the Morrison Street Bridge, Portland, for the benefit and use of pedestrians during the time when the west end of the bridge is being remodeled to fit and harmonize with the Front Avenue improvement. The Engineer estimated the cost of such trestle as \$2,706. In this connection he presented letters from Mr. Franklin T. Griffith, Chairman of the Portland Traction Company, and Mr. Earl F. Campbell, Director of the Portland Traffic Safety Commission, urging the Commission to construct such trestle as an aid in the handling of pedestrian traffic across the Morrison Street Bridge, and explaining that such trestle would eliminate the necessity for rerouting the Montevilla and Mt. Tabor streetcar lines over the Steel Bridge and the Burnside Bridge during the time that the bridge construction work is under way, which rerouting of streetcars would not only be a great inconvenience to streetcar patrons but would also increase greatly the traffic congestion at the Steel and Burnside Bridges. The Commission considered that the pedestrian trestle would provide a satisfactory solution for the problem and thereupon authorized the Engineer to build the same at state expense.

A letter was presented from the Arrow Transportation Company, Portland, requesting permission to overload their trucks, in the transportation of petroleum products, in the amount of 700 pounds, which overweight consists of certain sanding equipment which is used to provide traction for the wheels of their trucks during the winter period when the pavement is slippery. The Engineer recommended approval of the request as a safety measure. The Commission approved the recommendation.

The Commission discussed the matter of erecting additional historical markers along the Old Oregon Trail as was requested by Mr. Walter Meacham, member of the Oregon Trail Historical Markers Committee, at the previous meeting. The Engineer advised that Mr. Meacham has asked for eleven additional markers, which would cost about \$2,937, based on the cost of markers previously installed. He recommended approval for ten additional markers costing approximately \$2,670. The Commission approved the recommendation.

The Engineer discussed briefly with the Commission the advisability of constructing an overhead crossing of the county road with the Wolf Creek Highway, near Davies in Washington County. He advised that the county road is used quite extensively at the present time by logging trucks, and there is a possibility that the road will be abandoned by the county when such traffic subsides. He also pointed out that there are possibilities that the road could be rerouted, which would eliminate the necessity of the overhead structure which is estimated to cost about \$14,000. The Commission deferred a decision in the matter until its meeting on November 17, and instructed the Engineer to investigate other prospective solutions of this problem in the meantime.

The Engineer reported the results of further investigations conducted since the last meeting of the Commission to determine the need for a sidewalk on the Rock Creek Bridge on the John Day Highway, near Olex, in Gilliam County. He advised that Division Engineer W. C. Williams, who made the investigation, is of the belief that the sidewalk is needed, because the bridge is narrow with sharp curves at each end and is a considerable hazard to school children who are obliged to cross the bridge in going to and from school. Mr. Williams, he said, recommends the construction of the sidewalk, which is estimated to cost about \$360.00. The Commission approved the project.

The Attorney reported that in conformance with instructions given him by the Commission at its previous meeting he has contacted the attorney for Mr. Alfred Buchheit, Jr., who was injured by a falling timber, while playing under the McLoughlin Bridge near Oregon City, and has ascertained that Mr. Buchheit's claim for injuries amounts to \$250.00, and that he is willing to release the state from further liability if such amount is paid to him. The Attorney recommended settlement of the claim on such basis. The Commission approved the recommendation.

The Commission discussed the agreement with the Southern Pacific Company pertaining to the reconstruction of the Pacific Highway between Eugene and Springfield, particularly the section of such agreement which concerns the disposal of the steel salvaged from the Southern Pacific Company's tracks

which have to be moved. The question arose: "Does the state or does the railroad company take possession of the rails?" The Engineer advised that it would cost about \$2,200 to remove the existing tracks, and there would be about 500 tons of steel rails salvaged, which could be sold at about \$10 per ton, realizing thereupon the sum of \$5,000. The net value of the steel, therefore, would be \$2,800. He suggested that it would be advisable to let the railroad company have the rails at an agreed price, because the company is in better position to remove them and can do the job much cheaper than the state can do it. After discussion, it was the Commission's decision that, if the railroad company does not want the rails, then the state will take them and have them removed by the state's contractor in connection with his contract for the road work. The contractor is to be required to include this item in his bid for clearing operations and the salvage value of the steel is to be given consideration by the contractor in his bid on such item. The Engineer was instructed to work out the details.

The Commission adopted the following resolution relative to the abandonment and retention of certain parcels of the old right of way of the Drews Valley Section of the Klamath Falls-Lakeview Highway upon recommendation of the Engineer, who advised that these parcels are no longer of value from a state highway standpoint inasmuch as the highway has been reconstructed on other alignment:

WHEREAS, in order to afford a better alignment and a more satisfactory, safe and convenient highway for the traveling public the Highway Commission found it necessary to relocate portions of the Klamath Falls-Lakeview Highway near Drews Valley in Lake County; and

WHEREAS, by reason of said relocation and reconstruction of said section of said highway there have been eliminated from the main travelled portion of said highway certain sections or fragments of land, which said sections or fragments of land are more specifically defined and described hereinafter in this resolution and are reflected on a print or map, marked "Exhibit A", a copy of which is attached hereto and made a part hereof; and

WHEREAS, while those sections hereinafter described as the parcels to be retained and shown in yellow on the attached print, are not required for use as a part of the main or travelled section of the highway, nevertheless the same are required, can be used, and are essential for other public purposes, to wit: storage purposes, parking area and other public uses in connection with said highway; and

WHEREAS, it is the judgment and opinion of the Commission that there should be recorded in the minutes and records of the Commission its purpose and plan to preserve for public use in connection with said highway the fragments or parcels of land hereinafter described as the parcels to be retained and shown in yellow on the attached print; and

WHEREAS, it is the judgment and opinion of the Commission that there should be recorded in the minutes and records of this Commission the purpose and plan of the Commission to abandon as parts of the state highway system certain portions of the highway eliminated from the main travelled portion of said highway, which sections are made unnecessary as a part of the completed highway and are shown shaded in red on the attached print or map;

NOW, THEREFORE, the premises being in general as above stated, it hereby is resolved by this Commission, all members being present and affirmatively participating, as follows:

1. That the fragments or parcels of land which heretofore were within the right of way property of the Klamath Falls-Lakeview Highway near Drews Valley, but which by reason of a relocation or realignment of said highway are now without the area improved and used by the traveling public but are adjacent to and abut upon the said right of way, which parcels are shown shaded in yellow on the attached print, shall be preserved by the Highway Commission for such other public use as said land may serve in connection with the construction, improvement, and maintenance of said highway or the use of the same, which said parcels or fragments of land are described as follows, to wit:

(Parcels to be retained shown in yellow on attached print)

All those certain parts of the old right of way of the Drews Valley Section of the Klamath Falls-Lakeview Highway lying on each side of the right of way required for the reconstructed Klamath Falls-Lakeview Highway over and across Sections 7, 8 and 9, Township 39 South, Range 18 East, W.M., Lake County, Oregon. The beginning and ending points with reference to the engineer's stations of the said reconstructed highway are as follows: Between engineer's stations 754+50 and 756+70 on the northerly side of the right of way; between engineer's stations 757+65 and 762+30 on the southerly side of the right of way; and between engineer's stations 764+85 and 770+25 on the northerly side of the right of way.

2. That the fragments of land confined within the area hereinafter described and designated as the parcels of land to be abandoned, which fragments were formerly within the limits of the right of way of the Klamath Falls-Lakeview Highway, be and said fragments of land are abandoned as a part of the right of way of said highway, and said fragments of right of way are, so far as control and supervision of this Commission are concerned, left to revert to the adjoining and abutting property owners or to the control and supervision of the County Court of Lake County. The fragments of land to be abandoned are described as follows:

(Parcels to be abandoned shown in red on attached print)

All those certain parts of the old right of way of the Drews Valley Section of the Klamath Falls-Lakeview Highway lying on the southerly side of the right of way required for the reconstructed Klamath Falls-Lakeview Highway, over and across Sections 7, 8 and 9, Township 39 South, Range 18 East, W. M., Lake County, Oregon. The beginning and ending points with reference to the engineer's stations of the said reconstructed highway are as follows: Between engineer's stations 706+20 and 752+40 on the southerly side of the right of way and between engineer's stations 770+85 and 818+45 on the southerly side of the right of way.

In addition to the foregoing descriptions of said fragments or parcels of land there is attached hereto a print or map, marked "Exhibit A", which by this reference is made a part hereof, and upon which map there are shown shaded in yellow the parcels of land formerly within the old right of way, but which are now by this official act preserved for public purposes, and upon which map there are shown shaded in red the abandoned sections of said right of way. Said exhibit or map for identification purposes bears the signatures of W. E. Chandler, Division Engineer, H. G. Smith, Construction Engineer, and C. B. McCullough, Assistant State Highway Engineer, and bears date of July 8, 1941.*

4. The Engineer hereby is instructed to properly and completely mark on the ground the boundaries of the fragments of land to be retained by the Highway Commission by erecting and maintaining thereon proper monuments or posts upon which shall be inscribed the words "State Property".

5. In the event there remains any physical connection between any portions of said abandoned right of way or highway and the present highway, and by reason of such physical connection traffic from the existing highway may enter or use the said abandoned portions of the old road to the possible damage or injury of such traffic by reason of any unsafe condition existing with respect to the said old or abandoned road, then the State Highway Engineer is hereby authorized and directed to erect such barricade or other safeguards as may be necessary to protect and safeguard traffic using and employing said newly located, constructed, and dedicated section of said state highway.

6. That this resolution be entered in the minutes and records of the Commission and a certified copy thereof promptly delivered to the County Court of Lake County, together with a copy of said exhibit or map, for such action as said County Court may desire to take with respect to the fragments of land to be abandoned, and should said abandoned portions of the right of way of

*Map filed Right of Way Abandonment and Retention File. - No. 96.

said Klamath Falls-Lakeview Highway be further employed for public or private highway purposes such use shall be entirely under the control and supervision of the County Court of Lake County and beyond any responsibility or supervision by the State Highway Commission.

For similar reasons the Commission adopted the following resolution abandoning a short section of the Pacific Highway (old route) near Gold Hill, in Jackson County:

WHEREAS, in order to afford a better alignment and a more satisfactory, safe and convenient highway for the traveling public the Commission found it necessary to relocate a portion of the Pacific Highway in Jackson County; and

WHEREAS, by reason of said relocation and reconstruction of said section of highway there was eliminated and made unnecessary as a part of the permanent highway a certain section, which section is more specifically defined and described hereinafter in this resolution; and

WHEREAS, it is the judgment and opinion of the Commission that there should be recorded in the minutes and records of the Commission its purpose and plan to abandon as a part of the said highway the fragment or portion of right of way heretofore designated and which was heretofore included within the area of the right of way of said highway as formerly located but which is now without the regular limits of said highway as relocated.

NOW, THEREFORE, the premises being in general as above stated, it hereby is resolved by this Commission, all members being present and affirmatively voting as follows:

1. That the fragment of land confined within the area hereinafter described, which fragment or parcel of real property was formerly within the limits of the right of way of the Pacific Highway but is no longer a part of the right of way of said highway as the same has been relocated and constructed be and said parcel of real property is abandoned as a part of the right of way of said highway, and said parcel of land is, so far as control and supervision by this Commission is concerned, eliminated and left to revert to the adjoining and abutting property owners. The fragment or parcel of land affected by this resolution is defined and described as follows, to wit:

All that certain section of the old right of way of the Pacific Highway lying on the southerly side of the right of way required for the reconstructed Pacific Highway and between Mile Post 297 and 298 of said highway, situated in Section 22, Township 36 South, Range 3 West,

W. M., Jackson County, Oregon, the beginning and ending points with reference to the engineer's stations of the reconstructed highway being Station 485+50 on the easterly end and Station 493+85 on the westerly end.

The location of said abandoned right of way may be more definitely and particularly ascertained and determined by reference to a map or blueprint marked Exhibit A attached hereto and by this reference made a part hereof, which said exhibit for identification purposes bears the signatures of K. D. Lytle, Division Engineer, H. G. Smith, Construction Engineer, and C. B. McCullough, Assistant State Highway Engineer, and is dated October 4, 1941, upon which map or exhibit is reflected the above described parcel of land by showing the same shaded in red.*

2. In the event there remains any physical connection between any portion of said abandoned right of way or highway and the present highway, and by reason of such physical connection traffic from the existing highway may enter or use the said abandoned right of way or highway to the possible damage or injury of such traffic by reason of any unsafe condition existing with respect to said old or abandoned road, then the State Highway Engineer is hereby authorized and directed to erect such barricade or other safeguards as may be necessary to protect and safeguard traffic using and employing said newly located, constructed and dedicated section of said highway.

3. That this resolution be entered in the minutes and records of the Commission and a certified copy thereof promptly delivered to the County Court of Jackson County, together with a copy of said exhibit or map, for such action as said County Court may desire to take with respect to the fragments of land to be abandoned, and should said abandoned portions of the right of way of said Pacific Highway be further employed for public or private highway purposes such use shall be entirely under the control and supervision of the County Court of Jackson County and beyond any responsibility or supervision by the State Highway Commission.

The Secretary presented a letter from the Deschutes County Court, in which the Commission was requested to approve the postponement of the payment of the balance due the state from the county, amounting to \$1,991.49, for oiling the Shevlin Park County Road, which payment, according to the previous agreement, is to be made by the Secretary of State from Deschutes County's share of the December 15, 1941, apportionment of motor vehicle and gas tax funds under his supervision. The county court asked that the payment be made from the January 31, 1942, apportionment of such funds, so as to permit the

*Map filed Right of Way Abandonment and Retention File. - No. 97.

county to meet certain pay roll obligations in the meantime. The Commission approved the request and instructed the Secretary to communicate such information to the Secretary of State.

The Commission discussed a letter from Zidell-Steinberg Company, to whom the Commission at its meeting on October 17, 1941, sold the old steel rails salvaged from the Front Avenue Project in Portland. The company alleges that the rails were covered with considerable concrete, and when this was removed it was found that the actual net weight of the steel was only 119.43 tons, whereas they paid the state for 148.315 tons, which indicates that the concrete adhering to the rails weighed 28.885 tons, for which they are asking reimbursement at the rate of \$11.66 per ton, the amount of their unit bid price for the steel, or a total of \$336.80. The matter was discussed at considerable length and it was the Commission's decision that, if the company can furnish a reasonable basis for determining the weight of the concrete, then the state will reimburse the company for the excess payment, but not otherwise. Furthermore, the state will not reimburse the company for the cost of removing the concrete from the rails. The Engineer was instructed to convey such information to the company.

The Secretary presented a letter from the South Umpqua Telephone Company, in Douglas County, requesting reconsideration by the Commission of the action taken on July 18, 1941, with respect to the re-establishment of its pole line on the Days Creek-Wright Ranch Section of the Tiller-Trail Highway. The Commission reviewed its previous action in the matter and concluded that the position taken therein is legally and ethically sound. The Commission thereupon decided not to make any change in its previous offer of settlement with the company.

The Commission discussed a letter from the Public Roads Administration inquiring as to when the Commission expects to make available for public use roadside oases constructed as federal aid projects adjacent to the Columbia River Highway at Boardman and Castle Rock, in Morrow County. The Engineer advised that the trees that were planted in these oases are of the variety that could not withstand the severe climate that obtains in this district, and, as a consequence, some of them died and had to be replaced. He recommended, in view thereof, that the oases be not opened for public use until the smaller trees have become more definitely established. He also recommended that there be constructed in the oases, in the meantime, drinking fountains and rest rooms, because, in his opinion, the oases would not be of much value to the traveling public unless such facilities are provided. After discussion the Commission approved both recommendations and authorized the Engineer to proceed with the construction of the drinking fountains and the rest room facilities, so that they will be ready when the oases are opened for general public use. The Engineer was instructed to so inform the Public Roads Administration.

The Commission also discussed a letter from Commissioner William A. Bowes, City of Portland, with respect to the request of Mr. Lambert, owner of Lambert Gardens in Portland, for permission to maintain signs on certain city streets, including those designated as state highway routes, directing traffic to his gardens. Mr. Bowes pointed out that the matter of maintaining signs

on state highway routes in Portland is covered by an agreement between the City of Portland and the State Highway Commission, wherein the responsibility for the erection and maintenance of all directional and informational signs is placed with the state. The Commission decided, after discussion, not to permit Mr. Lambert to maintain his signs on state highway routes, because of the undesirable precedent that would be established. The Engineer was instructed to so inform Mr. Bowes.

The Attorney brought up for discussion the question whether or not an attempt should be made to recover from the Ladd and Bush Bank of Salem approximately \$2,000, representing the unrecovered balance from the defalcation of one W. L. Moorman, former employee of the state highway department. He recalled that the amount taken by Mr. Moorman totaled approximately \$8,000, of which amount approximately \$6,000 was recovered under the Commission's forgery bond, leaving a balance of approximately \$2,000 unaccounted for, and the Secretary of State is asking that some action be taken by the Commission to clear the records, inasmuch as this item appears unsatisfied in each annual audit of the Highway Commission's books. He further advised that an opinion was obtained from the Attorney General as to the Highway Commission's responsibility, which opinion, briefly, is to the effect that the bank is liable for the loss. However, the bonding company does not take the same attitude and has abandoned its plan to recover the amount of its losses from the bank. The Attorney gave as his personal opinion that the Commission could not recover from the bank, because it appears to him that the Commission's liability in the case is simply a technical one, not a legal one. After discussion the Commission re-referred the matter to the Attorney for further study. He was instructed to submit an opinion and a recommendation to the Commission at its meeting on November 17.

The question whether or not either Mr. R. H. Baldock, present State Highway Engineer, or Mr. Roy Klein, former State Highway Engineer, could be held personally liable for the amount of the state's loss was discussed. It appeared to the Commission that neither Mr. Baldock nor Mr. Klein could be held liable. Furthermore, the Commission was of the opinion that under the circumstances neither Mr. Baldock nor Mr. Klein should be held liable for any part of the loss sustained by the state through the forgeries committed by Moorman.

The Engineer requested authority to purchase the following equipment:

- 1 power mower for use on landscape project at Newport.
Estimated cost \$390.
- 2 gasoline-driven spray paint machines. Estimated
total cost \$350.

The Commission approved the request, and ordered that the purchases be made through the State Purchasing Agent in the customary manner.

The Secretary presented a request from Casper and Cutler, furnace manufacturers, Salem, for permission to transport loads 12'6" overall in height over the Pacific Highway East, from Salem to Portland, during Saturday afternoons, Sundays, and during hours of darkness, as occasion arises. He explained that Casper and Cutler have a contract to furnish furnaces to the United States Army, and are obliged to make deliveries on short notice; particularly in cases where the furnaces are for shipment to the army bases in Alaska, requiring immediate delivery to Seattle, where they are loaded on boats for Alaskan points, and it appears that the furnaces are so constructed that the height cannot be reduced. The Commission authorized the granting of the permit as an emergency proposition.

The Engineer reported that, in conformance with previous authority granted him by the Commission, he awarded to the Triangle Construction Company on October 24, 1941, the contract for grading, surfacing and oiling the Brogan-Jamieson Section of the John Day Highway, bids for which were taken by the Commission on October 16, 1941, the bid of the Triangle Construction Company being the low one received at that time, and the conditions of the award having been satisfied. The Commission confirmed the award of this contract as reported.

The Commission discussed a letter from the County Court of Coos County requesting that the old bridge over Coal Bank Slough, in South Marshfield, be given to Coos County for use on its county road system, inasmuch as it has been replaced by a new structure. The Engineer advised that the structural steel in this bridge would weigh about 50,000 pounds, which, at a scrap price of approximately \$10 per ton, would be worth about \$250. He further advised that it could not be used on the state highway system, although it probably could be used to good advantage by the county on one of the county's minor roads. He recommended that the bridge be turned over to Coos County without charge. The Commission approved the recommendation.

The Commission confirmed the oral authority previously granted authorizing Mr. Ben Titus, Acting Director, Travel and Information Department, to attend at state expense the meeting of the Pacific Northwest Tourist Association, which was held in Spokane, Washington, on October 30 and 31, 1941.

The Engineer requested authority for Construction Engineer H. G. Smith, Engineer of Materials W. M. Finkbiner, and one of his assistants, to go to Wenatchee, Washington, at state expense, in the near future to inspect a Barber-Green Asphalt Plant which is in operation at this place, with a view to determining whether or not a similar plant could be used to advantage by the State of Oregon. He said that Messrs. Smith and Finkbiner would be away only a couple of days, but quite likely Mr. Finkbiner's assistant would have to remain there a week or so in order to secure detailed information on the product turned out by the plant. He estimated the total expense involved at approximately \$75. The Commission approved the request, subject to confirmation by Governor Charles A. Sprague.

The Commission discussed briefly the matter of entering into a supplemental agreement with Andrew Stambuck for the operation of the state-owned ferry across the Coos River, at a place known as Enegren Ferry, in Coos County, but deferred action thereon pending a full report from the Engineer at the meeting on November 17.

The Secretary presented letters from the Eugene Daily News and Mr. Sterling Behnke, Eugene, in regard to snow removal operations this winter on the McKenzie Highway, particularly inquiring whether or not the Commission intends to keep the McKenzie Pass open for travel this winter and if not what plans the Commission has to maintain travel up to the Hand Lake ski area. The Secretary was instructed to reply that the Commission has no intention of keeping the McKenzie Pass open during the winter season, because of the expense involved and for the further reason that it must conserve its equipment as much as possible, in view of the fact that it is becoming more and more difficult, on account of the war situation, to secure equipment needed for general highway purposes, and for similar reasons the Commission does not feel justified in even keeping the highway open up to the ski grounds.

The Commission discussed a letter from Marshfield Lodge No. 1160, B.P.O.E., requesting permission to erect and maintain on state highways in Marshfield and other towns in that vicinity certain signs bearing the wording: "Travel Safely-Defend America." The Commission denied the request as a matter of policy.

Commissioner Clough brought up for discussion the matter of improving certain city streets in the town of Reedsport, which streets are not on state highway routes. It appears that, according to original plans, it was intended to improve several blocks on "H" Street, whereas the city officials are now asking for improvement of Winchester Avenue, former route of the Oregon Coast Highway, because it carries so much state highway traffic. The matter was referred to the Engineer for investigation.

Reconsideration was given by the Commission to the penalty to be imposed on log haulers for overloading their trucks. It was recalled that the Commission, at the previous meeting, changed the penalty from five, ten and fifteen days' suspension of the P.U.C. plates, for the first, second and third offenses, to three, six and nine days' suspension for such offenses. The Secretary pointed out that the three-day suspension is not workable, because in most instances the time limit has expired before notification can be given to the weighmasters and the state police as to how long the plates are to be held. He suggested a further modification establishing a straight four-day penalty for each of the first three violations, which would eliminate the confusion that now obtains, in that the weighmasters and the state police would know exactly how long to keep the plates when they were picked up, and would provide a much more workable arrangement. He said that he discussed such arrangement with Captain Lee Bowen, Deputy Superintendent of State Police, and with Senator Franciscovich, of Astoria, who represents most of the loggers in that district, and both expressed their approval and gave as their opinion that the arrangement is much better than that now in effect. However, Senator Franciscovich made a further suggestion that the day the P.U.C. plates

are picked up be considered the first day of penalty, and that the procedure of submitting to the Commission, for instructions as to the penalty to be imposed for violations in excess of the first three, be continued. After some discussion the Commission modified its present ruling, as follows:

1. The penalty for each of the first three violations for overloading shall be four days suspension of the equipment involved in the overload. The P.U.C. plates of such equipment must be voluntarily surrendered, either at the time that the equipment is weighed or within twenty-four hours thereafter. If they are not surrendered within such twenty-four-hour period, the P.U.C. permits shall be cancelled as in the past.

2. The day that the P.U.C. plates are surrendered, if within the twenty-four-hour period, shall be considered the first day of the penalty, regardless of the time of day that the plates are surrendered, and the P.U.C. plates are not to be released to the operator before 4:30 p. m. on the fourth day.

3. As in the past, all violations in excess of three for any one operator shall be reported to the State Highway Commission for special instructions as to the penalty to be invoked. However, the operator must voluntarily surrender his P.U.C. plates for at least four days, as in the case of the first, second and third offense.

4. Except as above noted, the penalty now provided is to be continued.

The Secretary was instructed to see to it that such modifications are brought to the attention of highway department weighmasters, the state police department, and the Public Utilities Commissioner.

The Commission discussed and denied a request from Callow and Day, log haulers, for permission to truck-haul logs over the Mecanicum, Wolf Creek, and Oregon Coast Highways, on Armistice Day, November 11, and on Thanksgiving Day, November 20.

The Engineer presented a list of surveys that he has ordered since the last meeting of the Commission, and asked the Commission to confirm them and the amounts allocated for each. After due consideration the Commission authorized and instructed the Engineer to make such location surveys on various sections of the highways of this state, which said sections of highways, together with their identifying survey numbers and the amounts authorized and allocated for such survey expenditures, are as follows:

Right of Way - 102-1427 -	Benton County Line-Plunkett Creek Section, Kings Valley Hwy., Benton Co.	1st authorization -	\$150
Right of Way - 102-1428 -	Monroe-Ferguson Section, Territorial Highway, Benton County.	1st authorization -	\$150
Plans - - - - - 2-1429 -	South Third St. (Corvallis) Section, Pacific Highway West, Benton County.	1st authorization -	\$200

Plans	----	204-1451	- Furtado Creek Section, Elsie-Jewell County Road, Clatsop County.	1st authorization	\$180
Plans	----	204-1448	- Humbug-Fishhawk Falls Section, Wolf Creek-Nehalem Highway, Clatsop County.	2nd authorization	\$600
			Total to date \$4,200.		
Plans	----	4-1452	- North Fork Necanicum River Section, Wolf Creek Highway, Clatsop County.	1st authorization	\$125
Bench Mark	---	4-1453	- Necanicum Junction-Nehalem River Section, Wolf Creek Highway, Clatsop County.	1st authorization	\$65
Bench Mark	---	204-1454	- Elsie-Jewell Section, Elsie-Jewell Highway, Clatsop County.	1st authorization	\$60
Bench Mark	---	204-1456	- Astoria-Mist Section, Nehalem Highway, Clatsop County.	1st authorization	\$100
Right of Way	---	4-1457	- Quartz Creek-Tillamook County Line Section, Wolf Creek Highway, Clatsop Co.	1st authorization	\$2,825
Plans	----	4-1441	- Necanicum River-Hug Point Section, Oregon Coast Highway, Clatsop County	2nd authorization	\$2,575
			Total to date \$10,725		
Bench Mark	---	4-1453	- Necanicum Junction-Nehalem River Section, Wolf Creek Highway, Clatsop County.	2nd authorization	\$10
			Total to date \$75.		
Bench Mark	---	204-1454	- Elsie-Jewell Section, Elsie-Jewell Highway, Clatsop County.	2nd authorization	\$10
			Total to date \$70.		
Plans	----	5-1424	- Deer Island Section, Columbia River Highway, Columbia County.	1st authorization	\$300
Location	---	5-1425	- Rainier-Coble Section, Columbia River Highway, Columbia County.	1st authorization	\$3,300
Plans	----	5-1426	- Scappoose-Multnomah County Line Section, Columbia River Highway, Columbia Co.	1st authorization	\$350
Plans	----	107-1416	- Deschutes County Line-O'Neil Section, O'Neil Highway, Crook County.	1st authorization	\$250
Plans	----	9-1441	- Redmond-Crook County Line Section, Ochoco Highway, Deschutes County.	1st authorization	\$250
Location	---	10-1428	- Glendale Junction-Wolf Creek Section, Pacific Highway, Douglas County.	2nd authorization	\$4,000
			Total to date \$12,500.		
Quarries	----	11-1413	- Condon-Service Creek Section, John Day Highway, Gilliam County.	1st authorization	\$200
Plans	----	13-1417	- Harney County Line Section, Central Oregon Highway, Harney County.	1st authorization	\$150
Plans	----	15-1429	- Four Corners-Antelope Creek Section, Crater Lake Highway, Jackson County.	1st authorization	\$800
Slide	----	15-1430	- Siskiyou Mountain Section, Pacific Highway, Jackson County.	1st authorization	\$1,400
Location	---	15-1431	- Agate-Medford Section, Crater Lake Highway, Jackson County.	1st authorization	\$3,500
Prospecting	---	15-1432	- Medford-Antelope Creek Section, Crater Lake Highway, Jackson County.	1st authorization	\$200
Prospecting	---	18-1451	- Klamath Falls Vicinity Section, The Dalles-Calif. Highway and others, Klamath County.		
			Total to date	\$1200.	2nd authorization \$600

Prospecting - - 118-1456 - Texum-Highway 97 Section, Midland Highway, Klamath County. 1st authorization \$750
 Plans - - - - 118-1457 - Modoc Point grade crossing, Klamath Agency-Modoc Point Highway, Klamath County. 1st authorization \$300
 Location - - - - 18-1443 - Klamath Falls-Merrill Junction Section, Klamath Falls-Lakeview Highway, Klamath County. Total to date \$5,000. 2nd authorization \$1,800
 Location - - - 219-1501 - Cottonwood Hill-West Side & Maddocks Service Station-Idaho Grange Section, County Roads, Lake County. 1st authorization \$2,000
 Plans - - - - - 21-1445 - Otter Rock-Agate Beach Section, Oregon Coast Highway, Lincoln County. 2nd authorization \$600
 Total to date \$900.
 Right of Way - - 21-1450 - Newport-Waldport Section, Oregon Coast Highway, Lincoln County. 1st authorization \$125
 Plans - - - - - 21-1451 - Nelscott Section, Oregon Coast Highway, Lincoln Co. 1st authorization \$50
 Plans - - - - - 122-1435 - Detroit-South Santiam Junction Section, North Santiam Highway, Linn Co. 1st authorization \$300
 Right of Way - - 24-1441 - Salem-Hayes School Section, Pacific Highway East, Marion County. 1st authorization \$850
 Plans - - - - - 26-1444 - Steel Bridge-Barbur Boulevard Section, Pacific Hwy. West, Multnomah County. 6th authorization \$3,000
 Total to date \$16,000.
 Prospecting - - 30-1435 - Pendleton-Meacham Section, Old Oregon Trail Highway, Umatilla County. 1st authorization \$250
 Plans - - - - - 30-1436 - South Milton Section, Oregon-Washington Highway, Umatilla County. 1st authorization \$200
 Plans - - - - - 30-1437 - Gilliam County Line-Umatilla Section, Columbia River Highway, Umatilla County. 1st authorization \$150
 Reconnaissance - 31-1424 - La Grande-North Powder Section, Old Oregon Trail Highway, Union County. 2nd authorization \$100
 Total to date \$1,100.

Location - - - 204-1458 - Skipanon Connection Section, Ft. Stevens-Camp Clatsop County Road, Clatsop County. 1st authorization \$1,000
 Right of Way - - 4-1459 - Camp Clatsop-West Lake Section, Oregon Coast Highway. Clatsop County. 1st authorization \$80
 Bridge - - - - - 4-1460 - Nehalem River Crossing-East Section, Wolf Creek Highway, Clatsop Co. 1st authorization \$200
 Plans - - - - - 6-1421 - North Bend-Marshfield Section, Oregon Coast Highway, Coos County. 5th authorization \$1,000
 Total to date \$5,000.
 Maint. Site - - 107-1417 - Crooked River Highway-Paulina Section, Crooked River-Paulina Hwy., Crook Co. 1st authorization \$75

Pits - - - - 107-1418 - Crooked River-School Section, Crooked River-Paulina Highway. Crook Co. 1st authorization \$150
 Prospect - - - 7-1419 - Prineville-Marks Creek Section, Ochoco Highway, in Crook County. 1st authorization \$300
 Plans - - - - 8-1416 - Brookings Section, Oregon Coast Highway, Curry County. 1st authorization \$550
 Plans - - - - 8-1415 - Gold Beach Section, Oregon Coast Highway, Curry County. 2nd authorization \$600
 Total to date \$1,200.
 Plans - - - - 8-1415 - Gold Beach Section, Oregon Coast Highway. Curry County. 3rd authorization \$700
 Total to date \$1,900.
 Plans - - - 108-1417 - Hughes Ranch-Lighthouse Section, Cape Blanco Highway, Curry County. 1st authorization \$100
 Prospect - - 109-1435 - Lava Lake-East Forest Boundry Section, Century Drive Highway, Deschutes Co. 1st authorization \$200
 Right of Way 9-1438 - Sisters Scale Site, McKenzie Highway, Deschutes County. 1st authorization \$75
 Plans - - - 109-1436 - Lava Lake-East Forest Boundary Section, Century Drive Hwy., Deschutes Co. 1st authorization \$430
 Plans - - - 209-1443 - Powell Butte Highway-Alfalfa Section, Alfalfa Market Road, Deschutes County. 1st authorization \$1,000
 Plans - - - - 9-1442 - Squaw Creek Section, McKenzie Highway, Deschutes County. 1st authorization \$500
 Prospect - - - 9-1444 - Sisters-Redmond Section, McKenzie Highway, Deschutes County. 1st authorization \$300
 Plans - - - -10-1422 - North Dillard Bridge, Pacific Highway, Douglas County. Total to date \$1,300 4th authorization \$250
 Plans - - - 210-1432 - Oak Creek-Marks Ranch Section, North Umpqua County Road, Douglas County 2nd authorization \$75
 Total to date \$200.
 Plans - - - 110-1433 - Milo-Tiller Section, Tiller-Trail Secondary Highway, Douglas County. 1st authorization \$3,300
 Right of Way -15-1433 - South Medford Section, Pacific Highway, Jackson Co. 1st authorization \$210
 Plans - - - 15-1428 - Ashland Plaza Section, Pacific Highway, Jackson County. 2nd authorization \$550
 Total to date \$900
 Plans - - - 215-1435 - North Boundary Section, Medford Cantonment Access Road, Jackson County. 1st authorization \$450
 Plans - - - 215-1436 - South Boundary Section, Medford Cantonment Access Road, Jackson County. 1st authorization \$2,450
 Plans - - - 215-1438 - Dodge Ranch-Hoos Ranch, Medford Cantonment Access Road, Jackson County. 1st authorization \$1,050
 Plans - - - 15-1431 - Eagle Point-Medford Section, Crater Lake Highway, Jackson County. 2nd authorization \$2,000
 Total to date \$5,500.
 Plans - - - 116-1410 - Madras-Warm Springs Section, Warm Springs Highway, Jefferson County. 1st authorization \$650
 Prospect - - 17-1415 - Wolf Creek-Grave Creek Section, Pacific Highway. Josephine County. 1st authorization \$1,020

Prospect - - - 17-1416 - Wolf Creek-Jump Off Joe Creek, Pacific Highway, Josephine County. 1st authorization \$500

Prospect - - - 18-1451 - Klamath Falls Vicinity, Various Highways, Klamath County. 3rd authorization \$800
Total to date \$2,000.

Plans - - - 118-1456 - U. S. 99 to ORE. 66 Section, Midland Secondary Highway, Klamath County. 2nd authorization \$1,312.50
Total to date \$2,062.50.

Location - - - 18-1441 - Barclay Springs-Terminal City Section, The Dalles-California Highway, Klamath County. 4th authorization \$900
Total to date \$8,550.

Location - - - 18-1443 - Klamath Falls-Merrill Jct., Klamath Falls-Lakeview Hwy., Klamath County. 3rd authorization \$1,000
Total to date \$7,000.

Location - - - 18-1452 - Modoc Point-Barclay Springs Section, The Dalles-Calif. Hwy., Klamath County. 3rd authorization \$1,825
Total to date \$6,625.

Location - - - 218-1458 - Sprague River-East Section, Sprague River County Rd., Klamath County. 1st authorization \$3,000

Plans - - - 19-1426 - Drews Valley-E. Forest Boundary Sec., Klamath Falls-Lakeview Hwy., Lake Co. 1st authorization \$200

Plans - - - 20-1437 - Goshen-Lowell Section, Willamette Highway. Lane County. 7th authorization \$841.25
Total to date \$13,458.75.

Plans - - - 120-1447 - Veneta-Crow Section, Territorial Secondary Highway, Lane County. 1st authorization \$900

Plans - - - 120-1448 - Siuslaw Highway-Elmira Section, Territorial Secondary Highway, Lane County. 1st authorization \$750

Prospect - - - 120-1449 - Siuslaw Highway-Elmira Section, Territorial Secondary Highway, Lane County. 1st authorization \$175

Plans - - - 21-1452 - Taft Section, Oregon Coast Highway, Lincoln County. 1st authorization \$100

Plans - - - 21-1454 - Oceanlake Section, Oregon Coast Highway, Lincoln County. 1st authorization \$400

Stock Pile - - 21-1455 - Kernville-Seal Rocks Section, Oregon Coast Highway, Lincoln County. 1st authorization \$800

Right of Way - 22-1437 - Canyon Creek-Bryant Hill Section, Santiam Highway, Linn County. 1st authorization \$450

Quarry - - - 22-1436 - Foster-Cascadia Section, Santiam Highway, Linn County. 1st authorization \$200

Right of Way - 22-1438 - Cascadia State Park Section, Santiam Highway, Linn County. 1st authorization \$500

Plans - - - 22-1439 - Airplane Landing Field, Santiam Highway, Linn County. 1st authorization \$500

Prospect - - - 22-1440 - Lebanon-Sweethome Section, Santiam Highway, Linn County. 1st authorization \$400

Plans - - - 22-1441 - Lebanon-Sweethome Section, Santiam Highway, Linn County. 1st authorization \$1,500

Stock Pile - - 22-1442 - Tangent-Harrisburg Section, Pacific Highway East, Linn County. 1st authorization \$50

Plans	- - - -	23-1427	- Ontario Section, Old Oregon Trail Highway, Malheur County.	1st authorization	\$700
Plans	- - - -	26-1450	- Parkrose Section, Columbia River Highway, Multnomah County.	1st authorization	\$1,000
Plans	- - - -	26-1451	- Jantzen Beach Section, Pacific Highway, Multnomah County.	1st authorization	\$500
Plans	- - - -	226-1452	- North Burgard Street Section, Portland City Street, Multnomah County.	1st authorization	\$490
Right of Way	-	27-1417	- West Approach Willamette River, Salem-Dallas Highway, Polk County.	1st authorization	\$100
Bridge	- - - -	27-1418	- Rogue River Section, Salmon River Highway, Polk County.	1st authorization	\$50
Reconnaissance	28-1413	-	Madras-Columbia River Section, The Dalles-California and Sherman Highways, Sherman County.	1st authorization	\$3,000
Plans	- - -	129-1434	- Trask River Crossing Section, Netarts Secondary Highway, Tillamook County.	1st authorization	\$100
Plans	- - - -	29-1435	- City of Tillamook Section, Oregon Coast and Wilson River Highways, Tillamook Co.	1st authorization	\$2,000
Plans	- - - -	30-1438	- Southwest Court Street, Pendleton, Old Oregon Trail, Umatilla County.	1st authorization	\$500
Plans	- - -	130-1439	- Union Pacific Undercrossing Section, Hermiston Secondary Hwy., Umatilla Co.	1st authorization	\$300
Plans	- - -	130-1440	- Helix Jct.-Oregon-Washington Hwy., Havana-Helix Secondary Hwy., Umatilla Co.	1st authorization	\$500
Plans	- - -	130-1441	- Weston Mt.-McDougal Camp Section, Weston-Elgin Secondary Hwy., Umatilla Co.	1st authorization	\$910
Location	- - -	32-1407	- Enterprise-Forest Boundary Section, Enterprise-Lewis-ton Hwy., Wallowa County.	2nd authorization	\$900
			Total to date	\$2,300.	
Plans	- - - -	34-1429	- Sylvan-West Slope Section, Tualatin Valley Highway, Washington County.	1st authorization	\$700
Plans	- - -	134-1430	- #140 - Hazeldale Section, Farmington Secondary Highway, Washington Co.	1st authorization	\$1,900
Plans	- - - -	34-1431	- Tigard Section, Pacific Highway West, Washington County.	1st authorization	\$400
Plans	- - - -	36-1428	- East Sheridan Section, Salmon River Highway, Yamhill County.	1st authorization	\$500

The Commission considered the following requests for extensions of time within which to complete highway construction projects:

Chester T. Lackey, contract No. 2359, for furnishing crushed rock in stock piles for the Sage Hen Hill-Harney County Line Section of the Central Oregon Highway in Harney County, requested an extension of time from June 15 to September 20, 1941, within which to complete this job. He alleged that all the work in connection with

the job was completed April 5, 1941, with the exception of construction of fences around the stock piles, and that he was delayed in completing this particular item because of difficulties in securing materials. The Engineer advised that the reasons given by Mr. Lackey for failure to complete the project within the specified time limit are correct; also, that Mr. Lackey made an honest effort to do the job within the specified time limit, but could not do so for the reasons stated. He recommended, in view of the circumstances, that the extension of time requested be granted without penalty. The Commission approved the recommendation.

Colonial Construction Company, contract No. 2372, for grading, surfacing and oiling the Follett Ranch-Cold Canyon Section of the Wallowa Lake Highway, in Union County, requested an extension of time from August 31 to October 10, 1941, within which to complete this job. They attributed their failure to complete the project within the specified time limit to adverse weather conditions, which prevented oiling operations. The Engineer advised that all mineral aggregate for this job had been manufactured, and the oiling crew was on the job early enough to have completed the work within the specified time limit, but they were not allowed to proceed with the oiling work because of unfavorable weather conditions. He recommended, in view of the circumstances, that the extension requested be granted without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

Tidepoint Company, contract No. 2408, for furnishing crushed material in stock piles for the Svenson-Goble Section of the Columbia River Highway, in Clatsop and Columbia Counties, requested an extension of time from June 30 to October 14, 1941, within which to complete this job. They attributed their failure to complete the project within the specified time limit to difficulty in securing skilled labor. The Engineer advised that the contractor produced sufficient of the rock under the contract to satisfy all of the highway department's needs for spring and summer use of this year, so his failure to complete the project within the specified time limit did not inconvenience the state in any way. Defense work in the vicinity of Astoria, he said, made it difficult for the contractor to secure labor. He recommended, in view of the circumstances, that the extension of time requested be granted without penalty. The Commission approved the recommendation.

Babler Bros., contract No. 2447, for grading, surfacing and oiling the Vance Creek-Soda Mountain Section of the John Day-Burns Highway, in Grant County, requested an extension of time from August 31 to October 4, 1941, within which to complete this job. They alleged that their failure to complete the project within the specified time limit was due to unforeseen delay encountered in connection with their subcontract with Leonard & Slate, for the construction of the Quinton-Ramsey and Blalock-Ramsey Section of the Columbia

River Highway, they being unable to move their crushing plant and equipment to their own contract in time to complete the job within the specified time limit. The Engineer advised that the grading, surfacing and oiling work was all completed by September 18, and work remaining to be done after that time consisted of production of maintenance rock and shoulder work, which did not inconvenience the traveling public or increase the state's expense for engineering supervision to any extent. He recommended, in view of the circumstances, that the extension of time be granted without penalty. The Commission approved the recommendation.

J. F. Johnston, contract No. 2453, for construction of approaches to the Dayton Bridge on the South Yamhill River Bridge Section of Three Mile Lane Secondary Highway, at Dayton, in Yamhill County, requested an extension of time from September 30 to December 31, 1941, within which to complete this job. He alleged that his failure to complete the project within the specified time limit was due to his inability to obtain delivery of lumber. The Engineer advised that the reason given by Mr. Johnston is correct; that he used every reasonable effort to get prompt delivery of this material, but has been delayed because of the federal government's requirements and because of labor trouble at the mills supplying the lumber. He recommended that the extension of time requested be granted without penalty. The Commission approved the recommendation.

Babler Bros., contract No. 2459, for surfacing, oiling and construction of bituminous macadam on the Sunset Camp-Davies Section of the Wolf Creek and Nehalem Secondary Highways, in Washington County, requested an extension of time from September 30 to October 17, 1941, within which to complete this job. The Engineer advised that all work in connection with this job, with the exception of shoulder work, was completed within the specified time limit, and the road was opened to traffic early in September, so the delay in completing the contract did not inconvenience the traveling public; neither has it increased the state's expense for engineering supervision. He recommended, in view of the circumstances, that the extension of time requested be granted without penalty. The Commission approved the recommendation.

A. S. Wallace, contract No. 2460, for furnishing crushed materials in stock piles for the Dean Creek-Parker Creek Section of the Umpqua Highway, in Douglas County, requested an extension of time of thirty days from October 31 to November 30, 1941, within which to complete this job. He gave no reason for his failure to complete the project within the specified time limit. The Engineer advised that failure of the contractor to complete the job within the specified time limit will not inconvenience the traveling public; neither will it increase the state's expense for engineering supervision. He recommended the granting of the request for the extension of time without penalty. The Commission approved the recommendation.

E. L. Rigdon, contract No. 2473, for grading, surfacing and oiling the Days Creek-Wright Ranch Section of the Tiller-Trail Secondary Highway, in Douglas County, requested an extension of time from September 30, 1941, to June 30, 1942, within which to complete this job. They attributed their failure to complete the project within the specified time limit to their inability to secure rock-crushing equipment either by lease or purchase, and their inability to subcontract the rock-crushing work. The Engineer advised that the contract was awarded May 22, 1941, but the contractor did not start operations until July 21, 1941, which accounts for his failure to complete the job on time. His delay in completing the job, he said, has considerably inconvenienced the people who use the road, and has also increased the state's expense for engineering supervision. He recommended, in view of the circumstances that the extension of time requested be granted, but that the contractor be required to reimburse the state for extra engineering expense incurred in connection therewith subsequent to the specified date of completion. The Commission approved the recommendation.

C. J. Eldon, contract No. 2481, for grading, surfacing and construction of bituminous macadam on the Trask River-Pelts Corner Section of the Fairview-Clements Corner Road, and the Long Prairie County Road, in Tillamook County, requested an extension of time from September 30, 1941, to June 30, 1942, within which to complete this project. He attributed his failure to complete the project within the specified time limit to conditions existent at the time of the award of the contract and continuing thereafter for a period of approximately two months, which precluded the performance of the work of clearing, grubbing, draining and grading in sufficient time to permit construction of the oiled surface this season. Rainy weather during the month of September was also given as a contributing feature. The Engineer advised that the contractor was somewhat delayed at the beginning of his operations by the failure of Tillamook County to set back fences and utility pole lines and pipe lines. Such delay, he said, and subsequent rains, prevented the oiling work this year, so that part of the job will have to be carried over until 1942. He recommended, in view of the circumstances, that the extension of time requested be granted without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

C. W. Reeve, contract No. 2484, for remodeling the Oak Creek Bridge on the Corvallis-Newport Highway in Benton County, requested an extension of time from September 30 to October 28, 1941, within which to complete this job. He alleged that his failure to complete the project within the specified time limit was due to a request from the state highway bridge department to defer the construction of sidewalks and sewer drains until the paving work was completed. The Engineer advised that the reason given by Mr. Reeve for his failure to complete the job within the specified time is correct. He

recommended, in view of the circumstances, that the extension of time requested be granted without penalty. The Commission approved the recommendation.

United Contracting Company, contract No. 2499, for paving the Independence Section of the Independence Secondary Highway, in Polk County, requested an extension of time from September 15, 1941, to June 1, 1942, within which to complete this job. They attributed their failure to complete the project within the specified time limit to adverse weather conditions during August and September and to a letter from the Division Engineer dated October 25, 1941, ordering that the work be not started until suitable weather next spring. The Engineer advised that due to the press of other highway paving jobs it was impossible for the United Contracting Company to secure a plant setup in Independence until late in October, which was too late to insure a good job this year. He further stated that the United Contracting Company also had the contract for paving work in Sheridan and that he insisted that such work be completed before commencing the Independence job. Due to the fact that the Sheridan job was not completed early enough to complete the Independence job before bad weather set in, he ordered them not to commence it until next spring. He recommended, in view of the circumstances, that the extension of time be granted without penalty. The Commission approved the recommendation.

Frank Watt Construction Company, contract No. 2501, for construction of a bridge over East Dairy Creek on the Wolf Creek Highway, in Washington County, requested an extension of time of thirty days, from October 31 to November 30, 1941, within which to complete this job. He attributed his failure to complete the project within the specified time limit to extra work in changing the channel of East Dairy Creek and to difficulties encountered in securing metal hand rail that was specified for the job. The Engineer advised that the reasons given by the contractor for failure to complete the project within the specified time limit are correct, and that the delay was not primarily the contractor's fault. He recommended, in view of the circumstances, that the extension of time requested be granted without penalty. The Commission approved the recommendation.

The Engineer reported that Contracts Nos. 2359, 2372, 2408, 2447, 2459, 2464, and 2484, for the construction of state highway projects, have been completed according to the requirements of the contracts or modifications thereof, and that said jobs are now ready for acceptance. The following resolution accepting the above projects was offered and was adopted by the unanimous vote of the Commission:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts and said jobs are now ready for acceptance:

Contract No. 2359, with Chester T. Lackey, for furnishing approximately 9,700 cubic yards of crushed rock in stockpiles on the Sagehen Hill-Harney Section of the Central Oregon Highway, in Harney County. Completed September 20, 1941.

Contract No. 2372, with Colonial Construction Company, for 1.67 miles grading, surfacing and oiling on the Follett Ranch-Cold Canyon Section of the Wallowa Lake Highway, in Union County. Completed October 10, 1941.

Contract No. 2403, with Tidepoint Company, for furnishing 8,000 cubic yards of crushed material in stockpiles on the Svensen-Gobel Section of the Columbia River Highway, in Clatsop and Columbia Counties. Completed October 14, 1941.

Contract No. 2447, with Babler Bros., for 4.02 miles grading and 18.02 miles surfacing and oiling on the Vance Creek-Soda Mountain Section of the John Day-Burns Highway, in Grant County. Completed October 4, 1941.

Contract No. 2459, with Babler Bros., for 9.53 miles surfacing and bituminous macadam, and 3.15 miles oiling on the Sunset Camp-Davies Section of the Wolf Creek and Nehalem Secondary Highways in Washington County. Completed October 17, 1941.

Contract No. 2464, with J. F. Johnston, for construction of the West Dairy Creek Bridge on the Wolf Creek Highway, in Washington County. Completed October 31, 1941.

Contract No. 2484, with C. W. Reeve, for the Oak Creek Bridge widening project, on the Corvallis-Newport Highway, in Benton County. Completed October 28, 1941.

THEREFORE, BE IT RESOLVED that the work covered by said state highway contracts for the construction of said state highway projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

The Commission considered and signed agreements, et cetera, as follows:

Agreement with the Oregon-Washington Railroad & Navigation Company, the Union Pacific Railroad Company and Multnomah County, providing for an easement for the encroachment of the Columbia River Highway on railroad property near Bonneville.

Agreement with the Southern Pacific Company terminating a lease of a gravel storage site on railroad property at Derry, in Polk County.

Agreement with H. P. Fischer covering construction and use of a logging road across Silver Creek Falls State Park, Marion County.

Agreement with the Eugene Power Company covering purchase of real property which is to be conveyed to the Power Company in connection with the Eugene-Springfield Highway railroad improvement.

Agreement with Ward C. Barnes and wife disposing of their claim for damages to their property at Nyssa, on account of construction of the Nyssa railroad grade separation project. Right of way file No. 9723.

Agreement with F. R. Pendleton, et al., disposing of a claim for damages to property at Marshfield. Right of way file No. 4763.

Separate agreements with the following cities and towns, covering improvements to certain city streets that are not on state highway routes: Albany, Hillsboro, Astoria, Empire, Gearhart, Woodburn, Eastside, Weston, Warrenton, Newport, Corvallis, Umatilla, Beaverton, and Harrisburg.

Cancellation of lease agreement with Zelda Ploeger, affecting certain property acquired for borrow purposes in connection with the Tigard project.

The Commission confirmed Monday and Tuesday, November 17 and 18, as the dates for its next regular meeting for receiving bids for construction projects, this being a postponed meeting originally set for Wednesday and Thursday, November 12 and 13.

There being no further business to come before the Commission at this time, the meeting was adjourned at 5:15 p. m.

Spencer
State Highway Engineer

Henry F. Cabell
Chairman

Arbuckle
Secretary

Harmon M. Day
Commissioner

Portland, Oregon, November 17, 1941

The State Highway Commission met in regular session at 9:00 a. m. in the auditorium of the Public Service Building. Present were:

Henry F. Cabell, Chairman
Huron W. Clough, Commissioner
Herman Oliver, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

Bids as follows for highway construction work were opened and read in conformance with previously published notice, following which Chairman Cabell announced that the award of contracts would be made at 3:00 p. m. in the same room.

POWERS SECONDARY HIGHWAY
GRANTS CREEK-POWERS SECTION - SURFACING AND OILING

Coos Bay Dredging Company	\$49,246.50
Babler Bros.	54,812.00
O. C. Yocom	56,938.00
McNutt Bros.	58,541.00

KLAMATH FALLS-LAKEVIEW HIGHWAY
DREWS VALLEY ROCK PRODUCTION

Rogers Construction Co.	\$13,842.00
True Mix Concrete Company	17,300.00

PACIFIC HIGHWAY
EUGENE-JUDKINS POINT SECTION - RAILROAD ROADBED CONSTRUCTION

Strong & Macdonald, Inc.	\$205,515.50
Colonial Construction Co.	208,738.00
McNutt Bros.	230,549.50

COLUMBIA RIVER HIGHWAY
CORBETT SECTION - ROCK TOE EMBANKMENT

Colonial Construction Co.	\$87,340.00
White's Trucking Co.	95,224.00
Berke Bros.	96,940.00
Max J. Kuney	99,630.00
Leonard & Slate	100,690.00
K. L. Goulter	108,556.00
Gilpin Construction Co.	111,970.00
Natt McDougall Company	112,840.00

(Continued on next page)

(Corbett Section continued)

Babler Bros.	\$113,374.00
A. C. Greenwood Co., Inc.	113,490.00
Hauser Construction Co.	116,118.00
Sam Orino	118,574.00
Strong & Macdonald, Inc.	136,990.00
Alex Besoloff Co.	139,100.00
Porter W. Yett	142,490.00
McNutt Bros.	149,840.00

PACIFIC HIGHWAY WEST
FRONT AVENUE (ANKENY ST.-WASHINGTON ST.) SECTION - GRADING AND
PAVING

Edlefsen-Weygandt Company	\$181,871.50
Porter W. Yett	188,118.50
Natt McDougall Company	298,855.90

STATE HIGHWAYS NEAR WILLAMINA
WILLAMINA ROCK PRODUCTION

Independence Sand & Gravel Co.	\$18,170.00
O. C. Yocom	18,407.00
Babler Bros.	18,960.00

STATE HIGHWAYS NEAR MCMINNVILLE
MCMINNVILLE ROCK PRODUCTION

Independence Sand & Gravel Co.	\$12,350.00
A. H. Saxton & Son	13,864.00

PACIFIC HIGHWAY WEST
TIGARD SECTION - ROADSIDE IMPROVEMENT

Blair T. Alderman	\$4,342.00
Leonard & Slate	6,220.00

A delegation representing the Oregon Trail Association headed by Mr. Charles Reynolds, President, La Grande, and including County Judge C. D. Nickelsen, Hood River County; R. E. Steele, Secretary of the Hood River Chamber of Commerce; County Judge David F. Graham, Malheur County; and Frank M. Warren, Jr., Portland, representing Mr. J. H. Polhemus, Chairman of the Portland Committee, came before the Commission and urged haste in the construction of the new Columbia Gorge Highway between Troutdale and The Dalles, and additional improvements on the Old Oregon Trail between The Dalles and Ontario. Mr. Reynolds mentioned the following specific projects:

- (1) Either the modernization of the present highway between Union and North Powder or the construction of a new highway

on proposed alignment through Ladd Canyon. He advised that they are not advocating any particular route but would like to see something done soon.

(2) Boardman-Stanfield Highway:- Mr. Reynolds gave as his understanding that the Commission intends to complete this project during the 1942 season.

(3) Boardman-Arlington Section, 26 miles in length:- Mr. Reynolds urged a start in the near future on the modernization of this section which, he said, is badly needed. He suggested that the work be started at the Arlington end, working easterly.

(4) Quinton-John Day River Section:- Mr. Reynolds urged the construction of the remaining 8.8-mile section in the 1942 program.

(5) The Dalles-Portland Section:- Mr. Reynolds urged completion of this project at the earliest possible time. It was his thought that the Commission should spend millions immediately on this section in order to expedite completion of the work which would take a long time if expenditures were limited to \$500,000 or thereabouts annually.

Judge Nickelsen alleged that the noncompletion of the new highway up the Columbia Gorge is handicapping industry in the State of Oregon and that the existing poor road in Oregon is forcing industry into the State of Washington. He advocated the borrowing of money to finance the modernization of the Old Oregon Trail throughout its entire length from Portland to Ontario, the refunding of outstanding bonds and sale of additional bonds, and expenditure of two or three million dollars annually until the work is done.

Mr. Warren advised that the people in Portland are very much interested in the improvement of the Columbia River Highway from the safety standpoint as well as from the industrial standpoint.

Mr. Reynolds then advised the Commission that a special Columbia River Highway Committee, consisting of himself as President of the Oregon Trail Association, Judge Nickelsen, of Hood River County, and Russell M. Colwell, Portland, has been appointed to arrange, if possible, a plan for financing the Highway under discussion. He asked the Commission to authorize at least one member of the Commission to sit in with their committee in their discussions of this matter. Chairman Cabell suggested that the committee formulate some plan and present it to the Commission. The suggestion was approved and it was thereupon decided that the plan should be submitted to Chairman Cabell who was authorized by Commissioners Clough and Oliver to act for the Commission in the matter.

Chairman Cabell advised of the Commission's attitude with respect to the sale of bonds as was suggested by Judge Nickelsen. He pointed out that this is a broad, state-wide question and in the minds of the Commission it is a matter for the people of the state as a whole to decide through their representatives in the Legislature. The Commission now is of the opinion, he said, that legislative feeling is against the sale of additional bonds and unless

there is a broad, state-wide change in public opinion with respect thereto the Commission feels that it should not increase the state's bonded indebtedness. However, if the people have changed their attitude with respect thereto and will so express themselves, the Commission will be glad to respond accordingly. This concluded the conference.

Mr. Steele inquired as to whether or not the Commission has acted on the offer of the City of Hood River to deed to the state, free of charge, certain city property situated adjacent to the Columbia River Highway near the west city limits of Hood River, for use as a maintenance site. He said that, if the Commission wants this tract, the city is ready and willing to sign the deed as soon as advised. The Engineer was instructed to investigate the property and report to the Commission at its December meeting.

Judge Graham asked for the following Malheur County projects:

- (1) Construction of the proposed revision of the Old Oregon Trail between Ontario and Huntington.
- (2) Construction of a railroad underpass at Durkee.
- (3) Additional improvements on the 10N State Secondary Highway. He particularly asked the Commission to redesignate this highway as a primary state highway.
- (4) Rebuild bridges across the Snake River.
- (5) Reconstruct the North Powder-Union Section of the Old Oregon Trail.
- (6) Modernize Graham Boulevard (state secondary highway) at the earliest possible time.
- (7) Improve county roads in the vicinity of Nyssa and Ontario.
- (8) Continue the improvement to modernize Lytle Boulevard.

The Commission took no action on these requests.

Mr. Reynolds reappeared before the Commission in behalf of the Union County Court and the La Grande Chamber of Commerce and requested the following Union County improvements:

- (1) Extend improvement on Hunters Lane county road to a place known as Summerville or to a connection with the Tollgate Road west of Elgin.
- (2) Additional improvements on the Hillgard-Starkey Secondary State Highway. He urged the Commission to extend this

secondary highway from Starkey to the United States forest boundary and to spend about \$50,000 for additional improvement of the road, extending from the end of the improvement completed this year, or, if the Commission cannot see its way clear to do that, then to spend a like amount for the improvement at the Hillgard end.

(3) Continue improvement of the Minam Hill Section of the Wallowa Lake Highway between Minam and Elgin. Mr. Reynolds asked that the work be extended westerly from the end of the present improvement to Elgin and then on to La Grande.

(4) Improve the Enterprise-Flora Highway from Enterprise north. Mr. Reynolds urged the improvement of this section, alleging that it is now in very bad condition and that it carries a large volume of traffic. The Engineer estimated that the necessary improvement between Enterprise and Trout Creek, a distance of about seven miles, would cost about \$100,000.

(5) Widen the Wallowa Lake Highway between La Grande and Island City. Mr. Reynolds stated that the present road is only 18 feet wide and is rough and dangerous to travel. He urged the widening to 24-foot width.

(6) Construction of a bridge over North Powder River at North Powder.

Commissioner Oliver inquired as to which of the projects mentioned is of foremost importance from the county's standpoint. Mr. Reynolds replied that the county's first choice would be the continuation of the improvement on the Wallowa Lake Highway westerly from Minam Hill to La Grande and they are in hopes that the Commission will spend about \$50,000 there next year. Their second choice of projects, he said, is the improvement of the Old Oregon Trail between North Powder and Union. This concluded the presentation.

The Commission discussed the proposed improvement of the Pacific Highway at the Plaza Corner in Ashland and decided that it would be proper to improve the present route rather than to reroute the highway so as to bypass this town, as has been proposed, so as not to disrupt the present town facilities. The question whether or not to proceed with this improvement, in view of the high cost of right of way as compared with the cost of construction, was also discussed. The Commission decided to defer its final decision in the matter pending appraisals of all of the properties involved by appraisers not connected with the state highway department. The Commission indicated that, if such appraisals compare favorably with those made by employees of the state highway department, it would approve the project. The Attorney was instructed to have such appraisals made at once and report the results thereof at the December meeting of the Commission.

A delegation from Ashland, headed by Mr. F. D. Van Dyke, city attorney, and including Mayor T. S. Wiley and Mr. E. R. Green, came before the Commission in regard to the Plaza Corner improvement in Ashland. Chairman

Cabell advised the delegation of the action just taken by the Commission in regard to this matter. He explained that unless something unusual arises as a result of the new appraisals the Commission will proceed with the construction of the project as expeditiously as possible; further, that the Commission would give them a definite answer following its December meeting.

The Commission, by unanimous vote, approved the minutes of the meetings held on May 8 and 9, May 22, June 12 and 13, July 16, 17 and 18, and July 23 and 24, 1941.

The Engineer brought up for discussion the matter of installing flood lights at certain street intersections in Corvallis. He recalled that the Commission, at its meeting in May of this year, approved the installation of flood lights at two intersections, viz., Sixth and Van Buren Streets and Sixth and A Streets where the Southern Pacific railroad crosses the highway route, such approval being contingent upon the railroad company paying one-half of the cost involved and the city agreeing to pay the cost of the electrical current which is used to operate the lights. He advised that up to the present time he has been unable to get a declaration from the railroad company as to whether or not it would pay its share of the cost although the city has agreed to pay the cost of operation. He recommended in view of the desirability of the lights that they be installed entirely at state expense if the railroad company refuses to cooperate. He estimated the cost of installing the two lights at \$300. He also recommended approval of a third installation at the intersection of Seventh and A Streets on the same basis, making a total cost of \$450. After discussion the Commission approved the installation of the three flood lights at state expense if the railroad company will not assume a portion of the expense.

The Secretary presented a resolution from the County Court of Clatsop County requesting the designation, as a state secondary highway, of the route or location to be known as the Fishhawk Falls Secondary State Highway No. 103, connecting the Wolf Creek Highway with the Nehalem Secondary Highway and described as follows: beginning at a point on the Nehalem Secondary State Highway No. 102 near Fishhawk Falls and extending thence in a southerly direction to a connection with the Wolf Creek Highway at a point near Humbug Creek west of Ranger Station, a distance of about six miles. The Commission considered the request is in conformity with previous understanding with the county court and thereupon approved the same. The following resolution with respect thereto was adopted by the Commission by unanimous vote:

WHEREAS, under the provisions of Chapter 248, Laws of 1931; Chapter 196, Laws of 1935; and Chapter 529, Laws of 1939; the State Highway Commission, by mutual agreement with the respective county courts of the several counties of the State, is authorized and empowered to select, locate, and designate a system of secondary state highways, which highways shall be selected from the market roads or other county roads, or available locations or routes of the several counties; and

WHEREAS, the State Highway Commission, by mutual agreement with the Clatsop County Court of the State of Oregon, has selected the road or highway hereinafter named, and it is the purpose of the Commission to officially and regularly designate and adopt said highway as a highway to constitute, together with other highways heretofore adopted and/or which may hereafter from time to time be added, the system of secondary state highways under the provisions of said acts;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission, all members being present and affirmatively voting and participating, as follows:

1. That the following described market road, county road, highway, route, or location of a highway in Clatsop County be and the said market road, county road, highway, location, or route, hereby is selected, designated, established, adopted and approved as a secondary state highway and shall be and hereby is designated as a part of the secondary state highway system, to wit:

Fishhawk Falls Secondary State Highway No. 103:

Beginning at a point on the Nehalem Secondary State Highway No. 102 near Fishhawk Falls; thence in a southerly direction to the Wolf Creek Highway west of Ranger Station and near Humbug Creek; a distance of approximately 6.0 miles.

2. That the said highway shall be and hereby is qualified for improvement under the provisions of said Chapter 248, Oregon Laws of 1931; Chapter 196, Oregon Laws of 1935; and Chapter 529, Oregon Laws of 1939; and amendments thereof.

The Commission confirmed action taken at its meeting on October 16, 1941, for the disposal of the state's claim against Lincoln County for advancing the county's share of the cost of constructing the Eddyville-Toledo Section of the Corvallis-Newport Highway, and thereupon signed an agreement with the county court with respect thereto. (See agreement for details.)

The Commission discussed briefly the matter of improving South Sixth Street, Klamath Falls. It was decided to give this matter special consideration at the January meeting of the Commission.

The Engineer submitted primary and secondary highway maintenance budgets for 1942 performance, containing the following amounts: total general maintenance primary highways \$3,000,000; total primary minor betterments \$220,000; total general maintenance secondary highways \$850,000; total minor betterments on secondary highways \$100,000; maintenance and betterment of park roads, parking areas, and minor parks \$25,035. After discussion the Commission approved such budgets by unanimous vote. (See budget details attached to letter dated November 14, 1941, from J. N. Bishop, Maintenance Engineer, to R. H. Baldock, Chief Engineer.)

A letter was presented from the Parkrose Chamber of Commerce requesting that the name "Parkrose" be printed on state highway maps hereafter published. The Commission denied the request insofar as it pertains to the face of the map; however, authorized the Engineer to place the name of "Parkrose" on the large-scale map of Portland and vicinity which appears on the back of the state map.

The Engineer reported results of investigations as to the width of right of way of the Columbia River Highway (Sandy Boulevard) from Parkrose to Troutdale. It appears that the present right of way through the community of Parkrose is 80 feet wide but narrows down to 50 feet at the Powell Cemetery, about 200 feet east of 122nd Avenue. The Engineer suggested the acquisition of a 100-foot right of way throughout, in view of the aluminum plant that is to be established at Troutdale, which undoubtedly will increase the volume of traffic along this section, and will necessitate the widening of the highway for four lanes of traffic. The Commission concurred in the Engineer's viewpoint, and thereupon authorized him to make a location survey and prepare descriptions for right of way of such width. The Attorney was authorized and instructed to proceed with the securing of options for such right of way, commencing with that needed from the cemetery association, which involves the taking of trees, shrubs, et cetera, as well as land.

The Engineer discussed with the Commission bids received at this letting for the construction of the Eugene-Judkins Point Section of the Pacific Highway, in Lane County. He advised that the low bid submitted was that of Strong & MacDonald, Inc., in the amount of \$205,515.50, which amount is about \$600 in excess of the Engineer's estimate, plus 10 per cent. The present policy of the Commission, he said, is to reject the low bid if it is more than 10 per cent in excess of the Engineer's estimate. He suggested three alternate methods of disposing of the bids, viz., reject all of them in strict conformance with the Commission's policy; negotiate with the contractor to secure a reduction of \$600, which would bring his estimate within the ten per cent limit; or award the contract to the low bidder notwithstanding the excessive amount. After discussion the Commission decided to award the contract to the low bidder on the basis of the bid submitted, notwithstanding the slight deviation from the established policy.

The Engineer brought up for discussion the proposed extension of the Andrew Stambuck contract for operation of the state-owned ferry across Coos River on the Coos River Secondary Highway, at a place known as Enegren Ferry. He recalled that the Commission took bids for such ferry operations on September 4, 1941, on the basis of providing 20-hour service each day, and for a maximum loading of 15 tons, and that Mr. Stambuck submitted the only bid, which provided for the payment of \$1,369.60 monthly. He also recalled that the Commission rejected the bid and ordered negotiations with Mr. Stambuck to determine whether or not he would reduce the amount thereof. Such negotiations, he said, have been conducted and Mr. Stambuck has agreed to reduce his charge to \$1,050 per month for the same service which is approximately \$3,000 more per year than he is now receiving under his present contract, wherein he provides service for 20 hours daily for maximum loads of 10 tons. He questioned the justification of changing the present contract

in view of the fact that only one complaint has been received about the service that is now being rendered. After discussion the Commission decided not to change the conditions of the present contract. The Engineer was instructed to arrange for an extension of the present contract for a two-year period as provided therein, or until 6:00 a. m. on October 1, 1943.

The Commission adjourned at 12:00 noon and reconvened at 2:00 p. m. in the same room with all Commissioners, the State Highway Engineer, the Attorney, and the Secretary present.

Mr. W. H. Lichty, Jr., Eugene, dealer in long piling, was present and requested the privilege of truck-hauling piling 85 feet long over the Alsea-Deadwood Secondary Highway and the Siuslaw Highway from a place known as Paris to Swisshome, in Lane County. Mr. Lichty advised that he has rush orders from the government for a considerable amount of piling to be used in defense operations and, anticipating no difficulty in securing a permit to haul these piling over the highways mentioned above, arranged for the falling of 400 pieces in the Alsea-Deadwood district; however, his application for a permit for such privilege has been denied, the reason given being that they could not be moved over these highways without taking up more than half the roadway and endangering other traffic. He urged the Commission to permit him to take out the piling already cut, there being about 400 pieces, which he estimated would take about 30 days. He agreed to furnish flagmen and abide by all the rules and regulations which the Commission might promulgate to cover the movements.

After discussion the Commission authorized the granting of a 30-day permit to move the piling already cut, under the condition that Mr. Lichty will furnish flagmen to accompany each load, one flagman to proceed in advance of the load and the other to follow in the rear as protection to other traffic. Mr. Lichty is also to maintain two flagmen where the loads enter the Siuslaw Highway and where they leave the Siuslaw Highway at Swisshome, such flagmen to be stationed a sufficient distance at each side of these intersections to properly and effectively warn approaching traffic of the movement. The authority hereby granted by the Commission is an emergency expedient and is not to be considered as a precedent in the issuance of future permits of similar nature. The Engineer was instructed to arrange for another test run of piling over the route used by Mr. Lichty in connection with this hauling, the results thereof to be used as a guide in the issuance of future permits in this locality.

Messrs. Zidell and I. Pelz, representing the firm of Zidell-Steinberg Company, Portland, to whom the Commission, on October 16, 1941, sold the rails salvaged from the Front Avenue Project, Portland, came before the Commission in regard to their request for reimbursement for cement that they paid for in connection with this purchase. They alleged that the rails were covered with a considerable quantity of cement which was removed in their plant, where it was weighed, revealing that the net weight of the steel was 119.43 tons, rather than 148.315 tons, and that they actually paid the state for 28.885 tons of cement. It was their thought that they should not be required

to pay for the cement and asked the Commission to reimburse them for the excess payment, amounting to a total of \$336.80. The matter was discussed at some length, but a decision was deferred by the Commission until later in the session. (See ahead for final action of the Commission.)

The Engineer brought up for discussion the bids received by the State Board of Control for the furnishing of three paving plants for use of the state highway department. He said that only two bids were received, one being that of the Dallas Machine & Locomotive Works, of Dallas, Oregon, in the amount of \$12,500 each, and the other being that of the Cramer Machinery Company, Portland, representatives of the Madsen Iron Works, in the amount of \$11,500 each. One of the provisions of the specifications, he said, required the submission of detailed drawings with the bid, which drawings were furnished by the Dallas Machine & Locomotive Works but were not furnished by the other bidder, although in other respects both bids were in conformity with the specifications. He pointed out that it has been the policy of the Commission for a long time to recommend to the Board of Control acceptance of the low bid that meets the specifications in every respect and, in view thereof, he questioned the advisability of considering the bid of the Cramer Machinery Company. This matter was discussed at considerable length, during which the following alternative methods in disposing of the matter were suggested: (1) accept the offer of the Cramer Machinery Company, the low bidder, notwithstanding that the bid is not in strict conformance with the specifications; (2) accept the offer of the Dallas Machine & Locomotive Works, which is the low bid submitted that meets the specifications in all respects; (3) reject both bids and readvertise for new ones.

Mr. C. P. Cramer and his Attorney, Mr. Irving Rand, Portland, were present in regard to this matter. Mr. Rand was spokesman. He alleged that the Cramer Machinery Company had only ten-days' notice of the taking of bids, which did not give them time to prepare the required drawings; however, the drawings were submitted later. He suggested that the Commission either recommend the acceptance of the offer of the Cramer Machinery Company or call for new bids. He also said that in the event new bids are called for, Cramer Machinery Company will not submit a bid that is any higher than the present one.

Mr. John Waters, representing the Dallas Machine & Locomotive Works, was also present. He suggested the disqualification of the bid of the Cramer Machinery Company, because it did not fully comply with the specifications; also, that his company be given this business. He pointed out that the Dallas Machine & Locomotive Works builds the equipment in its plant at Dallas, Oregon, and is in a much better position to service the equipment than the other bidder; furthermore, it can provide such service in the best possible manner.

The matter was discussed at considerable length, but the Commission deferred a final decision until later in the session. (See ahead for final action.)

Mr. Phil Parrish, Chairman of the Old Oregon Trail Centennial Advisory Commission, was present and rendered a report on the activities of his

committee. He advised that considerable progress is being made, and there appears to be a lot of enthusiasm among the various cities and towns that are concerned, many of which are now seriously considering plans for the entertainment of visitors, but are waiting to ascertain just what kind of a program the City of Portland is going to provide before taking definite action. The Portland committee, he said, is also working conscientiously on the project, but has not as yet arrived at anything definite, because there are so many things involved.

He also advised that the work of the Advisory Commission is now such that it needs the services of a part-time man to act as a coordinator. He asked the Commission to approve employment of someone on half-time basis, it being understood that it may be necessary to put this man on full-time basis later on and that he would work directly under Mr. Ben Titus, Acting Director of the Highway Department's Travel & Information Department. The Commission, after discussion, approved employment of such coordinator on half-time basis provided that it is in conformity and meets with the ideas of Mr. Titus. The Commission agreed to give Mr. Parrish a definite answer after consulting Mr. Titus.

Chairman Cabell retired from the meeting at this time and returned later.

At 3:00 p. m. Commissioner Clough announced the following awards of contracts, bids for which were taken at the morning session, such awards having previously been approved by the Commission by unanimous vote:

"Grants Creek-Powers Section of the Powers Secondary Highway, in Coos County. 10.42 miles surfacing and oiling, also furnish 4,100 cu. yds. crushed gravel in stock piles. Coos Bay Dredging Company, Marshfield, submitted the low bid in the amount of \$49,246.50. Babler Bros., Portland, submitted the second-low bid in the amount of \$54,812.00. There were two higher bidders. The Commission refers all bids to the Engineer with power to award the contract to the low bidder, Coos Bay Dredging Company, when certain conditions have been fulfilled.

"Drews Valley Rock Production Project on the Klamath Falls-Lakeview Highway, in Lake County. Requires approximately 7,100 cu. yds. crushed rock in stock piles. The low bid for this project was submitted by Rogers Construction Company, Dayton, Washington, in the amount of \$13,842.00. The only other bid received was that of True Mix Concrete Company, Medford, in the amount of \$17,300.00. The Commission awards the contract to Rogers Construction Company, the low bidder, at its bid of \$13,842.00.

"Eugene-Judkins Point Section of the Pacific Highway, in Lane County. 1.87 miles railroad roadbed construction. Three bids were received for this project, the low one being that submitted by Strong & Macdonald, Inc., Tacoma, Washington, in the amount of \$205,515.50,

and the second-low being that of Colonial Construction Company, Spokane, Washington, in the amount of \$208,738.00. The Commission refers all bids received to the Engineer with power to award the contract to the low bidder, Strong & Macdonald, Inc., when certain conditions have been fulfilled.

"Corbett Section of the Columbia River Highway, in Multnomah County. 0.57 mile of rock toe embankment. Sixteen bids were received for this project, the low one being submitted by Colonial Construction Company, Spokane, Washington, in the amount of \$87,340.00, and the second-low being submitted by White's Trucking Company, Walla Walla, Washington, in the amount of \$95,224.00. The Commission awards this contract to the Colonial Construction Company at its low bid of \$87,340.00.

"Front Avenue (Ankeny Street-Washington Street) Section of the Pacific Highway West, in Multnomah County. 0.24 mile grading and paving. Edlefsen-Weygandt Company, Portland, were the low bidders on this project with a bid of \$181,871.50. Porter W. Yett, Portland, was the second-low bidder with a bid of \$188,118.50. There was one higher bid. The Commission awards this contract to the low bidder, Edlefsen-Weygandt Company, at its low bid of \$181,871.50.

"Willamina Rock Production Project on state highways near Willamina, in Polk, Tillamook and Yamhill Counties. Requires approximately 7,900 cu. yds. crushed rock or crushed gravel in stock piles. Three bids were received for this project, the low one being that of Independence Sand & Gravel Company, Independence, in the amount of \$18,170.00 and the second-low being that of O. C. Yocom, Willamina, in the amount of \$18,407.00. The Commission awards the contract to the low bidder, Independence Sand & Gravel Company, at its bid of \$18,170.00.

"McMinnville Rock Production Project on state highways near McMinnville, in Polk and Yamhill Counties. Requires approximately 6,500 cu. yds. crushed rock or crushed gravel in stock piles. Independence Sand & Gravel Company, Independence, submitted the low bid in the amount of \$12,350.00, and A. H. Saxton & Son, Corvallis, submitted the only other bid received in the amount of \$13,864.00. The Commission awards the contract to the Independence Sand & Gravel Company, the low bidder, at its bid of \$12,350.00.

"Tigard Section of the Pacific Highway West, in Washington County. 1.58 miles roadside improvement. Only two bids were received for this project, the low one being that of Blair T. Alderman, Eugene, in the amount of \$4,342.00, and the other bid being that of Leonard & Slate, Multnomah, in the amount of \$6,220.00. The Commission awards the contract to Blair T. Alderman at his low bid of \$4,342.00."

Mr. A. R. Meyers, Stayton, was present and asked the Commission to revise the alignment of the North Santiam Highway through the town of Stayton so as to eliminate several right angle turns and to facilitate log-hauling operations. He suggested the following change: beginning at the easterly city limits of Stayton, extending thence in a northwesterly direction a distance of about 1.6 miles to a connection with an oiled county road which runs in a northerly direction and connects with the present highway at a point $1\frac{1}{2}$ miles west of the town of Sublimity. The Engineer advised that this would be a good change, but it is quite costly and the Commission does not have funds available at the present time to finance it. He suggested, as an alternate proposition, a short revision in the town of Stayton, beginning at the easterly boundary of the town and connecting with the present highway in the city limits, thence following the present highway to and through Sublimity and westerly to Aumsville with a slight improvement at the two right-angle turns in the present highway about $1\frac{1}{2}$ miles west of Sublimity.

Commissioner Clough advised that the Commission is not in position at this time to make a decision with respect to the major change requested by Mr. Meyers; however, there are possibilities in the revision suggested by the Engineer and he would be inclined to favor investigation of such possibilities. Commissioner Oliver concurred. The Engineer was thereupon authorized to investigate the changes suggested by himself and report the cost to do the work involved, the idea being that the Commission might authorize the project as one in its program of improvement of city streets not now on state highway routes if it is not too costly. It was understood that the application for the improvement should come from the Marion County Court as well as from the City of Stayton.

Mr. Meyers also requested state aid in improving the county road which extends up the Little North Fork of the North Santiam River from Mehama. He was informed by Commissioner Clough that it is contrary to the policy of the Commission to spend state funds for the improvement of county roads, so it is necessary to deny the request. Commissioner Oliver concurred; however, suggested that, inasmuch as the road is not within the jurisdiction of the Highway Commission, Mr. Meyers present his request to the Marion County Court.

Messrs. Don Peoples, Secretary, Bend Chamber of Commerce, and Myrl Hoover, representing Mt. Hood Stages, were present and inquired as to the plans of the Commission for the further improvement of the Warm Springs Highway. They were informed that this project is in the Commission's program for construction when funds are available to finance it, but there is a question as to the government funds at the present time, both as to the amount that will be available and when it will be available, so the Commission is not in position to make any definite statement at this time.

The Engineer reported on the necessity and cost to build a structure to carry a county road over the Wolf Creek Highway near a place known as Davies, in Washington County, as instructed by the Commission at a previous meeting. He said that the county road is now carrying considerable traffic, consisting principally of logging trucks, and while it is possible to reroute traffic at some future time without causing local people too much inconvenience,

that could not very well be done at the present time because of the logging operations. He estimated that it would cost about \$13,400 to construct an overpass of concrete and about \$4,500 to build it of untreated timber. The Commission approved the project on the basis of using untreated timber.

The Attorney brought up for consideration matters pertaining to the "Moorman" defalcation. He presented a resolution relative thereto for adoption by the Commission. The matter was discussed briefly but action thereon was deferred until the next meeting of the Commission.

The Commission had under discussion a letter from the Honorable Earl Snell, Secretary of State, suggesting that the Commission authorize the use of state scales for weighing motor trucks, truck tractors, et cetera, in connection with the initial registration of such vehicles. Mr. Snell pointed out that the law requires the applicant for such registration to furnish the Secretary of State a certificate of weight of the vehicle being registered, which information is used in computing the fee to be paid by the applicant, and he advised that in some localities there are no private scales available to the applicant who is required to travel a great distance to reach an approved, privately-owned scale, whereas, if the Commission would authorize the use of the state scales in such localities, it would alleviate this hardship and inconvenience. The Engineer recalled that the Commission passed on a similar request at its meeting on March 24, 1941, at which time the use of the state scales for such purpose was denied. After discussion the Commission approved the use of the state scales in the weighing of private equipment for initial registration with the Secretary of State, provided the equipment has to be driven more than 15 miles to a privately-owned commercial scale. It was understood, however, that neither the state's weighmasters nor the officers of the state police department need make special trips to the scales to weigh the privately-owned vehicle but they can do such weighing if they are at the scale at the time the request is made. The Engineer was instructed to convey such information to Mr. Snell and to the department of state police for their information.

The Commission had under discussion a report from the Engineer on the matter of removing the Alsea-Deadwood Secondary State Highway, in Lane County, from the state highway system, and designating in lieu thereof certain county roads that may be approved by the county court. He advised that Lane County Court has been contacted by Mr. Oscar Cutler, Assistant Office Engineer, relative to such exchange of roads but it appears that the county court is not yet ready to make a decision as to any of the county roads that meet the state's requirements although the county is now improving two roads of approximately equal length with the Alsea-Deadwood Secondary Highway and it is possible that within the next year or two these roads will be in satisfactory condition as to right of way, et cetera, to enable the change to be made. The Commission approved the report and ordered it filed.

The Engineer also reported on the exchange of the Clackamas-Boring County Road for a section of the Woodburn-Sandy Secondary Highway, in Clackamas County. He advised that this matter was discussed with the county court which was not particularly interested in such an exchange because the county

road between Clackamas and the Mt. Hood Highway is in good condition and maintenance costs are light; however, the court agreed to the removal of a section of the Woodburn-Sandy Secondary Highway, from Estacada to the town of Sandy, from the state secondary highway system if the Commission would designate as a state secondary highway, in lieu thereof, the county road east of Molalla and extending up the Molalla River to North Fork, a distance of 7.6 miles. He estimated that it would cost \$258,000 to reconstruct the Molalla-North Fork Road to modern standards and that necessary repairs that are needed at once would cost about \$58,000. The Commission decided not to make the change at the present time.

The matter of employing a safety engineer in connection with state highway work had the attention of the Commission. Action on this matter was deferred to give the Engineer an opportunity to render a full report on the subject.

The Commission had under discussion an application from the Portland Traction Company for permission to operate trolley busses on certain state highway routes in the city of Portland. The Attorney presented a form of permit covering the matter and advised that it was prepared in conformity with authority granted the Commission under provisions of Chapter 329, Oregon Laws 1941. The Commission discussed and approved the provisions of the permit and thereupon signed the permit.

The Engineer requested instructions relative to the payment of the claim of Harry Harkness whose automobile was damaged in an accident that occurred on the Interstate Bridge. It appears that Mr. Harkness had stopped his car near the traffic barrier on the Washington side of the bridge, the barrier being up at the time, and that the gate tender inadvertently pressed the wrong control button which lowered the barrier, causing damage to Mr. Harkness's car. The Engineer gave as his thought that the state is liable, and recommended payment of the claim. The Commission approved the recommendation.

The Engineer requested authority to purchase two portable fire pumps for use by the state parks department. He estimated the cost of each at \$350, or a total of \$700. The Commission approved the purchase through the State Board of Control.

The Engineer requested instructions relative to furnishing maps of highway locations to individuals requesting the same. He particularly referred to such a request from a Mr. S. F. Walsh, Portland, for a map showing certain sections of the Oregon Coast Highway, in Lincoln County. He advised that in this particular instance the alignment along the sections requested is not definitely determined, and there is a question whether or not we should give Mr. Walsh any map, because it might confuse him and cause the Commission embarrassment. The Commission decided, as a matter of policy, not to furnish maps of highway alignment unless the highway location has been permanently adopted.

Mr. Cabell returned to the meeting at this juncture.

The Commission had under discussion a form of resolution to be used in connection with the establishment of speed zones on state highways. The Engineer presented a form of resolution, as follows, which the Commission, by unanimous vote, adopted as the standard form to be used hereafter in the establishment of such speed zones:

WHEREAS, the Highway Commission, pursuant to the provisions of Section 115-320, O.C.L.A., as amended by Chapter 458, Oregon Laws, 1941, has caused an engineering and traffic investigation to be made with respect to certain state highways and/or certain sections of state highways more particularly and completely described and set forth hereinafter; and

WHEREAS, the data, facts and information obtained in connection with said investigation are all on file in the office of the State Highway Commission at Salem, Oregon; and

WHEREAS, based upon said engineering and traffic investigation the Commission has determined that the fixed and designated speeds prescribed by the provisions of subsection (b) of said Section 115-320, O.C.L.A., as amended, are in certain specified instances greater than is reasonable and safe, and in other specified instances are less than is reasonable under the conditions found to exist on or with respect to the state highways or sections of state highways hereinafter set forth and more particularly described and defined hereinafter, and the State Highway Commission has therefore determined to designate a different speed thereupon than the speed fixed in said statute, which said different speed or speeds shall be as specifically set forth hereinafter.

NOW, THEREFORE, based upon said engineering and traffic investigation and upon the finding and determination made by the Commission with respect thereto, the Commission does hereby determine and does hereby order that within the meaning and purpose of said Section 115-320, O.C.L.A., as amended, the speed at which a vehicle may be driven upon said state highway and/or upon said sections of said state highway shall not exceed the rate of speed set forth immediately following.

Name of Highway: _____

Highway No. _____

Route No. _____

Location of Termini		Established Speed
From Mile Point	: to Mile Point	:
_____	: _____	:
_____	: _____	:

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BE IT FURTHER ORDERED that the State Highway Engineer be and he hereby is ordered and directed to erect at appropriate places in sufficient number adequate signs giving notice of the particular applicable speed on said state highway.

BE IT FURTHER ORDERED that any previous order heretofore made by the Commission with respect to speed or speeds applicable to any of the highways or sections of highways specified herein which is in conflict with the provisions of this order hereby is vacated and annulled.

The Commission thereupon considered the establishment of speed zones along the following highways:

Two sections of the Pacific Highway West between milepost 9.477 and milepost 10.780.

Eight sections of the Oregon Coast Highway between milepost 24.0 and milepost 44.0.

A short section of the Wolf Creek Highway between milepost 46.63 and milepost 47.29.

After careful consideration the Commission by unanimous vote adopted the following resolutions with respect thereto:

WHEREAS, the Highway Commission, pursuant to the provisions of Section 115-320, O.C.L.A., as amended by Chapter 458, Oregon Laws, 1941, has caused an engineering and traffic investigation to be made with respect to certain state highways and/or certain sections of state highways more particularly and complete described and set forth hereinafter; and

WHEREAS, the data, facts and information obtained in connection with said investigation are all on file in the office of the State Highway Commission at Salem, Oregon; and

WHEREAS, based upon said engineering and traffic investigation the Commission has determined that the fixed and designated speeds prescribed by the provisions of subsection (b) of said Section 115-320, O.C.L.A., as amended, are in certain specified instances greater than is reasonable and safe and in other specified instances are less than is reasonable under the conditions found to exist on or with respect to the state Highways or sections of state highways hereinafter set forth and more particularly described and defined hereinafter, and the State Highway Commission has therefore determined to designate a different speed thereupon than the speed fixed in said statute, which said different speed or speeds shall be as specifically set forth hereinafter.

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NOW, THEREFORE, based upon said engineering and traffic investigation and upon the finding and determination made by the Commission with respect thereto, the Commission does hereby determine and does hereby order that within the meaning and purpose of said Section 115-320, O.C.L.A., as amended, the speed at which a vehicle may be driven upon said state highway and/or upon said sections of said state highway shall not exceed the rate of speed set forth immediately following.

Name of Highway: Pacific Highway West

Highway No. 1W

Route No. U. S. 99W

Location of Termini		Established Speed
From Mile Point	: to Mile Point	:
9.477	: 9.875	: 35 mi. per hr.
(station 55+00)	: (Station 76+00):	:
10.170	: 10.780	: 35 mi. per hr.
(Station 91+60)	: (station 123+80):	:

BE IT FURTHER ORDERED that the State Highway Engineer be and he hereby is ordered and directed to erect at appropriate places in sufficient number adequate signs giving notice of the particular applicable speed on said state highway.

BE IT FURTHER ORDERED that any previous order heretofore made by the Commission with respect to speed or speeds applicable to any of the highways or sections of highways specified therein which is in conflict with the provisions of this order hereby is vacated and annulled.

WHEREAS, the Highway Commission, pursuant to the provisions of Section 115-320, O.C.L.A., as amended by Chapter 458, Oregon Laws, 1941, has caused an engineering and traffic investigation to be made with respect to certain state highways and/or certain sections of state highways more particularly and completely described and set forth hereinafter; and

WHEREAS, the data, facts and information obtained in connection with said investigation are all on file in the office of the State Highway Commission at Salem, Oregon; and

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WHEREAS, based upon said engineering and traffic investigation the Commission has determined that the fixed and designated speeds prescribed by the provisions of subsection (b) of said Section 115-320, O.C.L.A., as amended, are in certain specified instances greater than is reasonable and safe and in other specified instances are less than is reasonable under the conditions found to exist on or with respect to the state highways or sections of state highways hereinafter set forth and more particularly described and defined hereinafter, and the State Highway Commission has therefore determined to designate a different speed thereupon than the speed fixed in said statute, which said different speed or speeds shall be as specifically set forth hereinafter.

NOW, THEREFORE, based upon said engineering and traffic investigation and upon the finding and determination made by the Commission with respect thereto, the Commission does hereby determine and does hereby order that within the meaning and purpose of said Section 115-320, O.C.L.A., as amended, the speed at which a vehicle may be driven upon said state highway and/or upon said sections of said state highway shall not exceed the rate of speed set forth immediately following.

Name of Highway: Oregon Coast Highway

Highway No. 9

Route No. U. S. 101

Location of Termini		Established Speed		
From Mile Point	to Mile Point			
24	25	40	mi.	per hour
25	26.5	30	"	"
26.5	27	20	"	"
27	28	15	"	"
28	29	25	"	"
29	32.5	35	"	"
32.5	36.0	45	"	"
36	44	55	"	"

BE IT FURTHER ORDERED that the State Highway Engineer be and he hereby is ordered and directed to erect at appropriate places in sufficient number adequate signs giving notice of the particular applicable speed on said state highway.

BE IT FURTHER ORDERED that any previous order heretofore made by the Commission with respect to speed or speeds applicable

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to any of the highways or sections of highways specified herein which is in conflict with the provisions of this order hereby is vacated and annulled.

WHEREAS, the Highway Commission, pursuant to the provisions of Section 115-320, O.C.L.A., as amended by Chapter 458, Oregon Laws, 1941, has caused an engineering and traffic investigation to be made with respect to certain state highways and/or certain sections of state highways more particularly and completely described and set forth hereinafter; and

WHEREAS, the data, facts and information obtained in connection with said investigation are all on file in the office of the State Highway Commission at Salem, Oregon; and

WHEREAS, based upon said engineering and traffic investigation the Commission has determined that the fixed and designated speeds prescribed by the provisions of subsection (b) of said Section 115-320, O.C.L.A., as amended, are in certain specified instances greater than is reasonable and safe and in other specified instances are less than is reasonable under the conditions found to exist on or with respect to the state highways or sections of state highways hereinafter set forth and more particularly described and defined hereinafter, and the State Highway Commission has therefore determined to designate a different speed thereupon than the speed fixed in said statute, which said different speed or speeds shall be as specifically set forth hereinafter.

NOW, THEREFORE, based upon said engineering and traffic investigation and upon the finding and determination made by the Commission with respect thereto, the Commission does hereby determine and does hereby order that within the meaning and purpose of said Section 115-320, O.C.L.A., as amended, the speed at which a vehicle may be driven upon said state highway and/or upon said sections of said state highway shall not exceed the rate of speed set forth immediately following.

Name of Highway: Wolf Creek

Highway No. 47

Route No. Oregon 2

Location of Termini		Established Speed
From Mile Point	to Mile Point	
46.63	47.29	35 miles per hour

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BE IT FURTHER ORDERED that the State Highway Engineer be and he hereby is ordered and directed to erect at appropriate places in sufficient number adequate signs giving notice of the particular applicable speed on said state highway.

BE IT FURTHER ORDERED that any previous order heretofore made by the Commission with respect to speed or speeds applicable to any of the highways or sections of highways specified herein which is in conflict with the provisions of this order hereby is vacated and annulled.

Commissioner Oliver brought up for discussion the matter of securing legislation requiring truck owners to attach splash guards to their trucks so as to prevent mud, water, et cetera, being thrown onto cars approaching from the rear. It was his thought that such legislation and the enforcement thereof would provide for greater safety of travel on the highway. The suggestion was approved by the Commission, and the Attorney was instructed to prepare a form of bill covering the matter for presentation to the next legislative assembly.

The Engineer requested authority to make location surveys, as follows:

Complete surveys of the new Columbia River Highway between Troutdale and The Dalles.

Complete surveys for reconstruction of the Pacific Highway between Roseburg and Grants Pass.

Complete the survey of the Wilson River Highway between Washburn and North Plains.

He advised that these surveys will run into a considerable sum of money, but gave as his thought that the expenditure is justified at the present time so that projects can be prepared for contracting on short notice if the war situation should change, requiring quick action on the matter of road building. Furthermore, these projects will be needed to take up the slack in employment as soon as the war is over. After discussion the Commission approved the request by unanimous vote.

The question arose as to what facilities the state highway department has to properly preserve the records of the surveys in the event that the accumulated data is not used for two or three years, it being the thought of the Commission that precautions should be taken to safeguard them from loss by fire, et cetera, inasmuch as the investment in the surveys will be a considerable sum. The Engineer was instructed by the Commission to investigate the matter of preserving the records and report his findings at the next Commission meeting.

A communication was presented from Mr. Theodore R. Conn, Lakeview, requesting in behalf of the Lakeview city council the oiling of the unoled strips along each side of Western Avenue, route of the Klamath Falls-Lakeview Highway, from the present oiled section to the end of the section along which sidewalks have recently been constructed by the city. The Commission referred this matter to the Engineer for investigation and report at its next meeting.

The Commission discussed a letter from Mr. Frank Hull, Manager, Jackson County Chamber of Commerce, Medford, renewing his request for certain improvements to the Crater Lake Highway at three or four points between Trail Junction and McLeod where, it is alleged, a dangerous condition obtains because of the narrowness of the highway and shortness of sight distance along the highway. The Engineer recalled that the Commission some time ago authorized an expenditure of \$30,000 for the improvement of this section, but later deleted the item from the program but authorized certain improvements, such as pavement patching, which were done by maintenance forces at a cost of some \$60,000. The widening work and the cutting off of the points, he said, was not done because it was contemplated doing considerable widening and general improvement on the highway to accommodate the proposed army cantonment at Medford and the Commission did not care to take a chance on losing the investment. After discussion the Commission instructed the Engineer to work up the project in detail and present it to the Commission for discussion again at its next meeting.

The Commission discussed a request from the City of Baker for the installation of traffic lights at the following places: one light at the intersection of 10th Street and Broadway; one at the intersection of Main and Campbell Streets; and one at the intersection of Auburn, Main, Dewey and Bridge Streets. The Engineer advised that this matter was investigated some time ago by Traffic Engineer John Beakey, who recommended that the request be denied and who suggested the following: (1) that the manner of stopping traffic at the three intersections be changed so as to require three-way stops at each, but permitting right turns at all of them for certain movements; and (2) adoption of an ordinance requiring the parallel parking of cars along state highway routes. After discussion the Commission approved the suggestions and ordered that the city council be informed that, if the city will make the changes suggested by Mr. Beakey and will give them a fair trial, the Commission will reconsider the matter of installing traffic signals if the other arrangement does not prove satisfactory.

The Secretary presented communications from the Lincoln County Court, Miss Annie Brownlie, Depoe Bay, and Mr. L. V. Mix, Depoe Bay, requesting the construction of additional street approaches to the highway at Depoe Bay. The Engineer advised that during the preparation of the plans for the Depoe Bay project considerable study was made of the layout of connecting streets, so as to provide adequate approaches to the highway without introducing undue hazards to highway traffic, and, in his estimation, the approaches that were constructed are adequate for the needs of this community. The opening up of other street approaches, he said, would increase the traffic hazard and undoubtedly would result in accidents. It was his thought that the request should be denied. The Commission appeared favorably inclined to accept

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the Engineer's recommendation; however, deferred a definite decision pending inspection of the premises the next time it is in that vicinity.

A letter was presented from L. W. Hobbs, Chairman of the Board of Raleigh School District No. 95, requesting the establishment of a "no parking" area in front of the Raleigh schoolhouse, which is located on the Scholls Ferry Road, about one-half mile south of the Bertha-Beaverton Highway, in Washington County. The Commission referred this matter to the Engineer with authority to maintain appropriate signs in front of the schoolhouse if he considers that advisable.

The Commission discussed a letter from Mrs. Mary Agnes Kelly, Portland, opposing the naming of the Wolf Creek Highway the "George L. Baker" Highway as has been proposed by certain residents of Portland. The Commission instructed the Secretary to inform Mrs. Kelly that the Commission does not feel that it should advocate the use of any name for any highway in view of the fact that the tendency of the times is to designate highways by route number rather than by name, and for the further reason that the system of numbering highways has been adopted by the American Association of State Highway Officials and is national in scope.

The Commission discussed a letter from the Parkrose Chamber of Commerce suggesting that tables and benches be provided at convenient places along state highways, for the accommodation of the touring public. The Engineer advised that an experiment is now being conducted on the Mt. Hood Highway along the lines suggested by the chamber of commerce. In view thereof the Commission deferred action on the request until the results of the experiment are known.

The Secretary presented a letter from the Rotary Club of Portland recommending the establishment of a permanent plaque in the Vista House at Crown Point in recognition of the achievements of the late Samuel C. Lancaster. The Commission denied the request as a matter of policy, which policy will not permit the installation of plaques unless they are furnished and paid for by sponsors of the same, except in the case of plaques that are installed on bridge structures. The Secretary was instructed to inform the Rotary Club that, while the Commission feels that the idea is a good one and appropriate, it cannot approve the installation unless the plaque is furnished by the sponsors and the wording thereon is approved by competent authority.

Communications were presented from Alva Lewis, Chairman, Legislative Committee, Shasta View Grange, Klamath Falls, and from Myron E. Shannon, Klamath Falls, with respect to the need for improvement of the state highway on South Sixth Street, Klamath Falls. In the discussion of this matter it was brought out that the final reports of the Engineer and the Attorney on construction and right of way features are not ready for submission to the Commission. The Commission ordered completion of such reports so they can be discussed by the Commission at its January meeting. The Secretary was instructed to convey such information to Messrs. Lewis and Shannon.

A letter was presented from the Weston Chamber of Commerce inviting the members of the Commission to be its guests at a "Get-Together Turkey Banquet" on Wednesday evening, November 26, 1941. The Secretary was instructed to acknowledge the invitation with thanks and express regrets that the Commission members would not be able to accept the invitation. The Engineer was thereupon instructed to have Division Engineer W. C. Williams represent the Commission on such occasion.

The Commission discussed a resolution from the Inland Empire Waterways Association, suggesting "that the Columbia and Snake Rivers should be considered a part of the highway systems of Idaho, Washington and Oregon as regards highway connections, and the principal roads and routes best suited for roads leading to the river shipping points be made parts of the highway systems of the states, to the end that suitable roads for the transportation of freight to the rivers may be available when the river improvements are completed, and that roads not so made parts of the state highway systems shall have the first consideration of the county commissioners of the various counties in the three states." The Secretary was instructed to inform the Association that the Highway Commission of Oregon now has under consideration matters recommended in this resolution.

The Engineer reported briefly on the condition of the traffic scales at Molalla. He advised that, as instructed by the Commission at the previous meeting, he had the scales checked by the State Sealer of Weights and Measures who found them to be absolutely correct, which is in contradiction to statements made by Mr. George Clausen and his attorney, Mr. J. Dean Butler, Oregon City, at such previous meeting. The Commission took no action.

The Engineer then asked the Commission to reconsider the matter of penalizing Mr. Clausen for transporting loads weighing in excess of the statutory limits. He advised that since the last meeting additional information has been secured, and it now appears that Mr. Clausen not only violated the law by overloading, but also inconvenienced the weighmaster by refusing to drive his truck off the scales after being weighed, thus making it impossible to weigh other trucks, which had to be flagged by. The Commission decided not to impose any additional penalty on Mr. Clausen for the present offense; however, ordered, in the event he again refuses to drive his truck off the scales after being weighed, that the matter be called to the Commission's attention for instructions as to the penalty to be imposed. Mr. Clausen is to be given the same treatment as other log haulers for other violations.

The question of the penalty to be imposed on log haulers who refuse to remove mud and debris from their trucks before entering state highways was discussed. The Engineer advised that in certain localities, particularly along the Salmon River Highway, a very dangerous condition exists because of mud that is dropped on the surface of the road by logging trucks, and motorists who are not aware of the slippery condition of the road surface are very likely to become involved in serious accidents. He suggested several ways to alleviate this condition, if the logging operators will cooperate, such as the rocking of the logging roads a sufficient distance back from the highway, and the installation of mud racks and/or corrugations off the highway. Either

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of these methods, he said, would reduce the present hazard to a minimum, but in order to be effective must have full cooperation of the loggers. He further advised that the permits issued by the Public Utilities Commissioner contain provision for the cleaning of the logging equipment before entering the highway, so it might be that all that is required is strict enforcement by the state police. After considerable discussion the Commission decided to discuss the matter with Mr. Ormond R. Bean, Public Utilities Commissioner, and Mr. Charles P. Pray, Superintendent of the Department of State Police, in an endeavor to provide a satisfactory solution.

The Commission discussed briefly a report from the State Police Department on the complaint of Mrs. Walter K. Powell, Lebanon, that log haulers in the vicinity of Lebanon do not maintain binder chains around their logs, as is required by the rules and regulations, and as a consequence frequently lose their loads on the highway. The report indicates that the state police are watching this condition as well as they possibly can, and that the McDowell Creek Logging Company, which is the chief offender, has been notified hereafter to comply with the rules. The report was ordered filed, as the Commission considers that this is a matter of enforcement of the rules, rather than the making of new rules.

The Secretary presented a request from the Updegrave Trucking Company, Chiloquin, for permission to transport logs over state highways in the vicinity of Agency Lake on Thanksgiving Day. They advised that they are furnishing logs to the mill of the Algoma Lumber Company, and are required to dump them in Agency Lake, from which place they are towed to the mill; further, that this operation will have to be discontinued when the lake freezes over, which they anticipate will be in the not distant future, and in the meantime the lumber company is very anxious to get all of the logs it possibly can. The Commission approved the request.

The Commission discussed a request from the Consolidated Timber Company for permission to maintain gasoline tanks and pumps on a wide section of the Wolf Creek Highway, just east of McNamars Camp, for use in connection with the servicing of its logging trucks which are operating in this vicinity. It appears that this is the most convenient place for the company to maintain such facilities. The Engineer pointed out that it is contrary to the Commission's established policy to permit encroachments on state property; however, in this particular instance it is a case of the company requesting the use of property that it deeded to the state as a gift for park purposes, and it could have retained possession of this area in the first instance if it so desired. He suggested, in view of the fact that the company donated the property, that it might be advisable to grant the company a revocable lease for five years for a nominal consideration or, if the Commission preferred, it could deed back to the company the area which it wants to use with the understanding that, when the company was through with it, it would deed it back to the state, which method would preserve the Commission's policy. The Commission indicated a preference for the granting of a revocable lease, and instructed the Attorney to prepare an appropriate lease form covering the matter for consideration by the Commission at its next meeting. He was also instructed to ascertain definitely whether or not the Commission has received a deed for the area in

question in view of the thought that the company may have deeded it to the county in the first instance, the county making the transfer to the state.

The Commission had under consideration the following requests for extensions of time within which to complete highway construction projects:

Berke Bros., contract No. 2348, for grading, surfacing and oiling and construction of bridges on the Veneta-Fisher Road Section of the Eugene-Veneta County Road, in Lane County, requested an extension of time from June 30 to August 20, 1941, within which to complete this job. They gave the following reasons for failure to complete the project within the specified time limit: (1) inability to complete the placing of riprap in the fall of 1940, on account of early rains which inundated the ground between the quarry and the new highway, shutting off access to the riprap material; (2) inability of the subcontractor, O. C. Yocom, to do the oiling work until the riprap was placed, instructions having been given by the Resident Engineer not to do the oiling work until the riprap work was done, in order to avoid the possibility of damage to the oiled surface by heavy rock trucks; (3) inability to install sight posts until the oiling work was completed, so as to avoid the spraying of oil on the posts, necessitating repainting. The Engineer advised that the reasons given by Berke Bros. for failure to complete the project within the specified time limit are correct. He recommended, in view thereof, that the extension of time requested be granted without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

A. Milne, contract No. 2374, for grading, surfacing and oiling the Mud Hollow-Oak Creek Section of the North Umpqua County Road, in Douglas County, requested an extension of time, from July 31 to September 30, 1941, within which to complete this job. He attributed his failure to complete the project within the specified time limit to adverse weather conditions which prevented grading operations until materials to be excavated were thoroughly dried. The Engineer advised that this contract was awarded on October 12, 1940, and that the contractor commenced construction operations five days later; however, was forced to suspend operations during the following week because of heavy rains, and it was impossible for him to resume construction until July, 1941. The delay, he said, was no fault of the contractor, and, in view thereof, he recommended that the extension of time requested be granted without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

A. T. Dolan, contract No. 2420, for grading and construction of bituminous macadam surfacing on the Kernville-Forest Boundary Section of the Siletz Secondary Highway, Lincoln County, requested an extension of time from July 31 to October 14, 1941, within which to complete this job. He gave no reason for failure to complete

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the project within the specified time limit. The Engineer advised that the contract provided that the job should be completed by July 31, 1941, and that the rocking and oiling work was completed by that time; however, the contractor was required to produce certain maintenance materials in stock piles under a price agreement, which work was not done until August 30. The actual completion of the contract, he said, was not accomplished until October 14; however, the work remaining to be done after August 30 consisted simply of cleaning up the premises and removing equipment from the highway property, which work involved no pay quantities under the contract. He recommended, in view of the circumstances, that the extension of time requested be granted without penalty. The Commission approved the recommendation.

Edward F. Altree, contract No. 2432, for the construction of roadside improvement along the South Newport Section of the Oregon Coast Highway, in Lincoln County, requested an extension of time, from April 30 to July 21, 1941, in which to complete this job. He gave no particular reason for his failure to complete the project within the specified time limit. The Engineer advised that the contractor was prevented from completing the project within the specified time by inclement weather, it being impossible, because of weather conditions, to do certain planting work as planned. All work in connection with the job, he said, except for furnishing of additional top soil, was completed on June 15, 1941, but top-soil material could not be placed until certain oiling work was completed under another contract. It was at his request, he said, that the contractor deferred placing the top soil until the other work was done. He recommended, in view of the circumstances, that the extension of time requested be granted without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

Roy L. Houck, contract No. 2437, for surfacing and construction of bituminous macadam on the Donaldson Creek-Mills Bridge and McNamars Camp-Washburn Sections of the Wilson River Highway, in Tillamook and Washington Counties, requested an extension of time of fifteen days, from September 30 to October 15, 1941, within which to complete this project. He attributed his failure to complete the job within the specified time limit to delays caused by W.P.A. forces in completing certain grading and topping work, and to extra crushing and hauling which was required under special price agreements. The Engineer advised that the reasons given by the contractor for failure to complete the project within the specified time limit are correct; that the grading and rock work which was being done by W.P.A. forces was not completed in time to permit the contractor to finish his work within the specified time. He recommended, in view of the circumstances, that the extension of time requested be granted without penalty. The Commission approved the recommendation.

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Frank Watt Construction Company, contract No. 2450, for construction of a grade separation structure at the Southern Pacific Railroad crossing of the Cascade Secondary Highway near Clackamas, in Clackamas County, requested an extension of time from August 31 to October 13, 1941, within which to complete this job. They attributed their failure to complete the project within the specified time limit to difficulties encountered in securing materials, delays caused by the Southern Pacific Company, and adverse weather conditions which interfered with painting work; also extra work required by the Engineer. The Engineer advised that the work covered by the original contract was completed on September 19, and that the time between September 19 and October 13 was consumed by the contractor in constructing a retaining wall, which was not a part of the original contract. During the progress of the job, he said, the contractor experienced considerable difficulty in obtaining a sufficient number of competent steel workers, due to the national defense work that was under way at the time, and on this account he estimated that the contractor was delayed one week. It was also his thought that the contractor is entitled to three days extra time due to certain work under two price agreements, which work was not included in the original contract. He recommended for the above reasons that an extension of time from August 31 to September 10 be granted without penalty, and that a further extension of time from September 10 to September 19 be granted subject to the condition that the contractor be required to reimburse the state for extra engineering expense incurred during that period. He further recommended that an additional extension of time be granted from September 19 to October 13, without penalty, in view of the fact that the contractor was engaged in constructing a retaining wall during that period which work was not included in the original contract. A letter was presented from the Public Roads Administration concurring in such recommendation. The Commission approved the recommendation.

Berke Bros., contract No. 2466, for grading the Miner Creek-Spencer Creek Section of the Oregon Coast Highway, in Lincoln County, requested an extension of time from October 31, 1941, to July 31, 1942, within which to complete this job, giving as their reason for such request that they were ordered by the Resident Engineer in charge to suspend grading operations until next summer, so as to avoid interruption of traffic on the highway. The Engineer advised that he ordered the contractor to suspend operations on October 27, because the work could not be done properly during the winter season and it was quite evident that the work could not be finished before bad weather set in this fall. He recommended the granting of the extension of time requested without penalty. The Commission approved the recommendation.

E. L. Rigdon, contract No. 2474, for grading, surfacing, oiling and bridge construction on the Oak Creek-Marks Ranch Section of the North Umpqua County Road, in Douglas County, requested an extension

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of time from September 30, 1941, to June 30, 1942, within which to complete this job. They attributed their failure to complete the project within the specified time limit to difficulties in securing rock crushing equipment, either by purchase or lease; also difficulties in securing a subcontractor to do the rocking work for them. The Engineer advised that the reasons given by the contractor for failure to complete the project within the specified time limit are correct—that he was unable to obtain equipment because of national defense activities under way at the same time. He recommended, in view of the circumstances, that the extension of time requested be granted without penalty; however, that the contractor be required to maintain the road at his own cost and expense until oiling work has been completed next year. The Commission approved the recommendation.

Norris Brothers, contract No. 2487, for surfacing and oiling the West Ranch-Island City Section of the Summerville-Island City County Road in Union County, requested an extension of time of ten days, from September 30 to October 10, 1941, within which to complete this job. They attributed failure to complete the project within the specified time limit to adverse weather conditions which prevented completion of the oiling work. The Engineer advised that the reasons given by the contractors for failure to complete the job within the specified time limit are correct; that all of the mineral aggregate necessary for the job had been produced and the oiling crew was on hand to do the oiling work, but was unable to finish such work because of rainy weather. He recommended, in view of the circumstances, that the extension of time requested be granted without penalty. The Commission approved the recommendation.

The Engineer reported that Contracts Nos. 2348, 2374, 2420, 2432, 2437, 2450, 2487, and 2509, for the construction of state highway projects, have been completed according to the requirements of the contracts or modifications thereof, and that said jobs are now ready for acceptance. The following resolution accepting the above projects was offered and was adopted by unanimous vote of the Commission:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts and that said jobs are now ready for acceptance:

Contract No. 2348, with Berke Bros., for grading, surfacing, oiling and construction of bridges on the Veneta-Fisher Road Section of the Eugene-Veneta County Road, in Lane County. Completed August 20, 1941.

Contract No. 2374, with A. Milne, for grading, surfacing and oiling on the Mud Hollow-Oak Creek Section of

the North Umpqua County Road, in Douglas County. Completed October 1, 1941.

Contract No. 2420, with A. T. Dolan, for grading and bituminous macadam surfacing on the Kernville-Forest Boundary Section of the Siletz Secondary Highway, in Lincoln County. Completed October 14, 1941.

Contract No. 2432, with Edward F. Altree, for roadside improvement on the South Newport Section of the Oregon Coast Highway, in Lincoln County. Completed July 21, 1941.

Contract No. 2437, with Roy L. Huck, for surfacing and oiling on the Donaldson Creek-Mills Bridge and McNamars Camp-Washburn Sections of the Wilson River Highway, in Tillamook and Washington Counties. Completed October 15, 1941.

Contract No. 2450, with Frank Watt Construction Company, for construction of the Clackamas Grade Separation Project, on the Cascade Secondary Highway, in Clackamas County. Completed October 13, 1941.

Contract No. 2487, with Norris Bros., for surfacing and oiling on the West Ranch-Island City Section of the Summer-ville-Island City County Road, in Union County. Completed October 7, 1941.

Contract No. 2509, with Blair T. Alderman, for roadside improvement on the South Milton Section of the Oregon-Washington Highway, in Umatilla County. Completed November 8, 1941.

THEREFORE, BE IT RESOLVED, that the work covered by said state highway contracts for the construction of said state highway projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

The Commission confirmed Thursday and Friday, December 18 and 19, 1941, for its regular meeting in December, 1941, and also confirmed Thursday and Friday, January 15 and 16, 1942, as the date for its regular meeting in January, 1942. The Secretary was instructed to make the usual arrangements to hold these meetings in the auditorium of the Public Service Building in Portland.

The Commission adjourned at 6:00 p. m. to reconvene at 8:00 p. m. in the Imperial Hotel, to dispose of real property matters.

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The State Highway Commission reconvened at 8:00 p. m. in Room 234, Imperial Hotel, with all Commissioners, the State Highway Engineer, the Attorney and the Secretary present.

The Attorney brought up for discussion the settlement with the estate of one Daniel Gorman, deceased, for property needed as an addition to Short Sand Beach State Park, Tillamook County, real property file No. 8114. He advised that Mr. Gorman died in 1916, and a question has arisen as to his marital status, some of the evidence indicating that he was unmarried, while other indicates that he was a married man. He also advised that there are three living heirs whose interests in the property are not questioned. The agreed purchase price, he said, is \$2,000 for the 40 acres involved, and the deed has been signed and delivered. He requested instructions whether to pay over the full amount of the purchase price at this time, or to wait until he has had an opportunity to clear the title under condemnation proceedings. He suggested, however, that the entire \$2,000 be delivered to the attorney for the heirs, inasmuch as the heirs are entitled to it, with instructions to pay over \$1,000 to the three heirs whose interest are not contested, the balance to be paid over after the title is clear. After discussion the Commission approved such disposition of the matter and authorized the Attorney to proceed with the condemnation of the property. An offer of \$2,000 was approved by the Commission for use in connection with the condemnation. The following resolution authorizing the Attorney to condemn the property was adopted by the unanimous vote of the Commission:

WHEREAS, by virtue of the laws of the State of Oregon, the State Highway Commission is authorized and empowered to acquire land or ground necessary for the development, maintenance, and operation of parks, parking places, automobile camps, camp sites, public squares, recreational grounds or resorts, and land for the preservation of trees or timber growing thereon; and

WHEREAS, said Highway Commission is authorized to acquire by purchase, agreement, donation, or by the exercise of the power of eminent domain real property, or any interest therein, necessary or deemed by the Highway Commission necessary for said purposes; and

WHEREAS, in the judgment and opinion of the State Highway Commission it will be for the convenience and is for the best interests of the general public that there be acquired for public purposes, to wit: for the purpose of developing and maintaining a park, recreational ground and/or resort, and for the purpose of preserving the timber growing thereon, the following described parcel of land, to wit:

Property of the Unknown Heirs of Daniel Gorman, Deceased

All of the northwest quarter (NW $\frac{1}{4}$) of the northwest quarter (NW $\frac{1}{4}$) or Lot 1 of Section 7, Township 3 North, Range 10 West, W. M., Tillamook County, Oregon; containing 38.67 acres.

NOW, THEREFORE, BE IT RESOLVED that the said parcel or tract of land be and the same hereby is declared by this resolution to be necessary for the purpose herein stated; and

BE IT FURTHER RESOLVED that title to the said parcel or tract of land be acquired by the State of Oregon, by and through its State Highway Commission, for the above specified public use and purpose.

BE IT FURTHER RESOLVED that the best interests and convenience of the general public require that title to the said tract or parcel of real property be acquired for the purpose of developing and maintaining the same for a park, recreational ground or public resort and for the purpose of preserving the timber growing thereon, and for the further purpose of making said parcel of land available for the use and enjoyment of the general public.

BE IT FURTHER RESOLVED that J. M. Devers, Attorney for the State Highway Commission, be and he hereby is requested to negotiate further with the owner, or owners, of said property and endeavor to acquire said property by agreement, and, in the event that said property cannot be acquired by agreement, then the said J. M. Devers, Attorney for the State Highway Commission, is hereby requested to institute and prosecute such condemnation proceeding or other suit or action as may be necessary to acquire the said real property.

BE IT FURTHER RESOLVED that in such suit, action, or procedure as may be prosecuted for the acquisition of said real property provision be made whereby title in fee simple shall be acquired in the name of the State of Oregon, by and through its State Highway Commission.

The Attorney also brought up for discussion the controversy with respect to the use of the Market Building, Portland, during the progress of construction of the Front Avenue Project. He was instructed to arrange a conference with the city officials for a discussion of this matter at 1:30 p. m. on the following day.

The Assistant Attorney rendered a status report on the right of way budget which was approved by the Commission, particular attention being given to the report concerning the Front Avenue Project, Portland.

The Attorney requested authority to acquire certain parcels of real property that are needed for various highway improvements throughout the state. He submitted a list of such properties, together with offers that he recommended be made in connection with each. After careful study of each item the Commission approved the request and by unanimous vote adopted the following resolution in regard thereto:

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WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth, and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon, and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>West Lake-Gearhart Section, Oregon Coast Highway</u>				
9467-Breyman, Harriet L.	R/W	0.06	\$15 Lump Sum	Witt
<u>Skipanon-Camp Clatsop Section, Oregon Coast Highway</u>				
9572-Lee, Robert E.	R/W	0.04	\$500 per a. + \$121.50, + moving building (Estd. \$650)	
<u>North Bend-Marshfield Section, Oregon Coast Highway</u>				
9532-Bustrin, Clara (Bert Rush Estate)	R/W	2,800 sq. ft.	15¢ sq.ft., + \$980	Benson
3045-First Natl. Bank of Coos Bay, Trustee (Correction)	R/W	33,420 "	12¢ sq.ft.	"
9537-Columbia River Fisheries, Inc.	R/W	427 sq. ft.	12¢ sq.ft. plus	"
9557-Coos Bay Longshoremens Beneficial Assoc.	R/W	1,560 sq. ft.	30¢ sq.ft. + \$482, + moving bldg. (Estd. \$2500)	"
9491-Coos Bay Longshoremens Beneficial Assoc.	R/W	3,000 sq. ft.	25¢ sq.ft. + \$750	"

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>(North Bend-Marshfield Section, Oregon Coast Highway - Continued)</u>				
8046-Ford, Stella, M. Jones and E. Richardson (Correction)	R/W	9,829	sq.ft. 12¢ sq.ft.	Benson
9497-Armstrong, Phebe S.	"	3,000	" 15¢ sq.ft.	"
8041-Newton, Guy	"	1,175	" 15¢ sq.ft. + \$73.75	"
9511-Southern Pacific Co.	"	21,265	" 15,747 sq.ft. at 10¢ sq. ft. 5,518 sq. ft. at 15¢ sq.ft.	"
9493-W. T. Calver Company (Correction)	"	9,830 32,693 42,523	" 20¢ sq.ft. 15¢ sq.ft.	Benson
9526-Sengstacken Co., Henry	"	5,210	" 10¢ sq.ft.	"
9509-Hollister, Fred B.	"	1,356.5	" 10¢ sq.ft. + \$39.35	"
9508-Foster & Kleiser In- vestment Company	"	3,097	" 15¢ sq.ft.	"
9556-Johnson, J. B.	"	1,713	" in exchange for prop- erty in Lots 2,3,4, Block 32, North Bend	"
9574-McDonald, J. H.	"	248	" 15¢ sq.ft., + \$62.80, + moving cabins (Est'd. \$400)	"
9534-Moss, Elma, et al.	"	12,400	" 17¢ sq.ft. + \$5392	"
9522-Gildersheim, J.	"	7,200	" 15¢ sq.ft. + \$4420	"
9506-McNabb, John F.	"	4,427	" 10¢ sq.ft. + \$1607.30	"
9489-Warren, Eleanor Eliza- beth Doane	"	13,518	" 3,000 sq.ft. at 31 3/4¢ per sq.ft., 3,000 sq.ft. at 15¢ sq.ft. 7,518 sq.ft. at 10¢ " "	"
9488-North Bend, City of	"	35,058	" 19,000 sq.ft. at 26 2/3¢ sq.ft. 4,888 sq.ft. at 3¢ appr. sq.ft. 7,166 sq.ft. at 4 3/4¢ sq.ft. 4,004 sq.ft. at 15¢ sq.ft.	"
Benson				

Port Orford-Euchre Creek Section, Oregon Coast Highway

3256-A-Buffington, Collier H. R/W	71.8	\$20 per a. - One-half interest	Devers
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Vadis-Gardiner Ranch Section Wolf Creek Highway

6543-A-Kelly, C. H. and V. L. Waddell	R/W	4.0	\$150 per a. + \$100	Collins
6545-Thieleman, Carl	"	11.0	\$200 per a. + \$400	"
9417-Washington County	"	1.09	\$200 per a. + \$118, in exchange for 1.68 a. at \$200 to be deeded by the state	"
9407-Kerkman, H. D.	"	4.0	\$200 per acre	"

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>(Vadis-Gardiner Ranch Section, Wolf Creek Highway - Continued)</u>				
6550-Jackson, John Ray	R/W	1.94	\$150 per a. + \$59	Collins
6546-Blake, Mark H. and Dayton Mays	"	1.59	\$200 per a. + \$101	"
6540-Stolte, John J.	"	4.0	\$200 per a. + \$500	"
6551-Beach, Henry T.	"	20.82	\$150 per a. + \$228	"
<u>Volmer Creek Section, Wolf Creek Highway</u>				
9839-Berg, Herbert V.	Drainage Ditch Esm't. 1000 sq.ft.		\$10 Lump Sum	Witt
<u>Sylvan-West Slope Section, Tualatin Valley Highway</u>				
9703-Rogers, Charles H.	Slope Easement	0.048	\$50 Lump Sum	"
<u>Barbur Boulevard-Boones Ferry Road Section, West Portland-Hubbard</u>				
9804-Johannessen, A. C.	R/W	8,280 sq.ft.	GRATIS	Collier
<u>Columbia Street South-Front Street Project, Portland, Pacific Highway West</u>				
8228-Vincent, Chas. E.	R/W	5,325 sq.ft.	\$3,250	McCallister
8233-Jackson, Jackson & Jackson	"	10,000 "	\$21,750	"
9087-Arditi, Vincent	"	2,965 "	\$3,350	"
9086-Kruger, Frances M.	"	3,404 "	\$3,500	"
<u>Shedd Section, Pacific Highway</u>				
9875-Farwell, E. D.	Stock pile	2.48	\$100 per acre	Gardiner
<u>Monroe-Lane County Line Section, Pacific Highway West</u>				
4523-Benton County and City of Monroe	Gravel Pit	Undivided 1/2 interest in 4.91 acres, in exchange for 2.0 acres in Kiger Island, owned by state		Witt
<u>Monroe-Ferguson Section, Territorial Highway</u>				
4413-A-Zielinski, Alphonse	R/W	0.23	\$75 per acre	Witt
<u>Lane County Line-Wilbur Section, Pacific Highway</u>				
9801-Sabala, Domingo	R/W	2,942 sq.ft.	1 3/4 less, or \$50 Lump Sum	Benson
<u>Eugene-Springfield Section, Pacific Highway</u>				
9319-Lockwood, C. Adair	R/W	94,200 sq.ft.	4 1/2 sq.ft.	Parker
9423-Christofferson, L. S.	"	0.40 a.	\$500 per acre	"
9426-Hayes, James.	"	0.85 "	\$500 per acre	"
<u>Drewe Valley-East Forest Boundary Line Section, Klamath Falls-Lakeview Highway</u>				
9806-Smith, Clarence M.	Haul Road	0.22	\$22.75 per acre	Cozad

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Days Creek-Milo Section, Tiller-Trail Highway</u>				
9212-A-Ulam, P. E.	R/W	0.67	\$75 per a. + moving fence	Lytle
<u>Buck Hollow Section, Shearer's Bridge #290 Highway</u>				
8811-Petty, Ruby B. Estate	R/W	2.12	\$50 Lump Sum	Devers
<u>Hood River Forest Boundary Section, Mt. Hood Loop Highway</u>				
9543-Hood River County	Stock Pile	1.21	GRATIS	Chandler
<u>Brogan-Jamieson Section, John Day Highway</u>				
9163-Edwards, Willard R. Estate and Orville Presley (Supplemental)	R/W	2,356 sq.ft.	1 1/2 sq. ft. + \$32	Landon
<u>Madras Section-The Dalles-California Highway</u>				
8603-Bone, Gladys	Easement over 2 lots		GRATIS	Cozad
6119-Conroy, B. N.	"	500 sq.ft.	1 1/2 sq.ft. + stairway	"
<u>Madras-Juniper Butte Section, The Dalles-California Highway</u>				
8573-Olson, Louise	R/W	1,150 sq.ft.	1 1/2 sq.ft. + \$63.50	DeSouza
<u>Junction Crooked River-Paulina Section, Paulina Highway</u>				
9785-Wichman, Fred W.	Maintenance			
	Site	4.55	\$10 per acre	Cozad
<u>Post Maintenance Building Site Section, Paulina Highway</u>				
9784-Norton, Homer	Maintenance			
	Site	1.63	\$10 per acre	Cozad
<u>Moro-Grass Valley Section, Sherman Highway</u>				
9799-Douma, Thomas	Maintenance			
	Site	6.58	\$60 per acre	Cozad
<u>He He Butte-Jefferson County Line Section, Warm Springs Highway</u>				
9538-Warm Springs Agency	Gravel Pit	2.76	\$5 per acre	Cozad
	Haul Road	1.45	\$5 per a. + \$423.50	
		4.21		
9540-Warm Springs Agency	Gravel Pit	16.07	\$25 per acre	"
	Haul Road	1.06	\$25 per acre	
		17.13		
9539-Warm Springs Agency	Gravel Pit	8.55	\$5 per acre + \$504	"
<u>Lone Rock Junction-Rock Creek Section, Wasco-Heppner Highway</u>				
9743-Thompson, Austin S. (Estate) and Lydia G. Moyer Estate	Quarry	6.57	\$150 Lump Sum	McCallister

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Cinder Butte-Wagontire Section, Lakeview-Burns Highway</u>				
9797-State Land Board	R/W	24.39	\$5 per acre	DeSousa
<u>Drews Valley Section, Klamath Falls-Lakeview Highway</u>				
9880-Lyford, Lauren	Stock Pile			
	Site	2.32	\$10 per acre	Cozad

The Attorney requested instructions relative to the acquisition of certain property in Marshfield that is needed for the improvement of the highway between Marshfield and North Bend, particularly property owned by a Mr. J. D. Bergen on which Mr. Bergen maintains a battery of five greenhouses. The Attorney advised that Mr. Bergen will give the Commission title to the entire property, which consists of 17,200 square feet, for the sum of \$16,000 cash, provided he can keep accessories and is not required to vacate the premises until August 1, 1942. The offer made Mr. Bergen by the highway department's agent, he said, was \$16,000 with the state to keep all of the accessories, which offer was refused. The Attorney valued the property at \$12,500, and estimated the cost of belongings, including shrubs, et cetera, at \$2,500, or a total of \$15,000. The matter was discussed at considerable length, but the Commission deferred action thereon pending appraisal of the property by a specialist in greenhouse construction. The Attorney was authorized and instructed to secure the services of a competent man to make such appraisal and report the results thereof.

The Attorney also requested authority to institute condemnation proceedings to acquire certain parcels of real property that are needed for highway improvements and concerning which he has been unable to reach satisfactory settlements. He presented a list of such properties, together with offers that he recommended be made in condemnation, as follows:

File No.	Name	Purpose Required	Recommended Offer
9495	Jesse Kotovsky	Right of Way	\$ 1,500.00
9521	K. Horn	" " "	4,000.00
*8114	Unknown heirs of Daniel Gorman, deceased	Park	2,000.00
9249	A. D. Jones	Right of Way	11,000.00

After discussion the Commission approved the offers and thereupon, by unanimous vote, adopted the following resolution authorizing the Attorney to institute condemnation proceedings:

WHEREAS, the State Highway Commission is authorized to locate, relocate, construct, reconstruct, maintain, widen, straighten, and otherwise improve state highways, both primary and secondary,

*See separate resolution

and said Commission is also authorized to construct shops, equipment sheds, office buildings, maintenance sites, patrolmen accommodations, and snow fences, and is authorized to acquire quarry sites, gravel pits, storage sites, stockpile sites, weighing stations, and broadcasting stations, and is further authorized to develop, construct, improve, operate, and maintain parks, parking places, auto camps, camp sites, roadside development, recreational grounds or resorts, and other places of attraction and scenic value; and

WHEREAS, said Highway Commission is authorized to acquire by purchase, agreement, donation, or by the exercise of the power of eminent domain real property, or any interest therein, necessary or deemed by the Highway Commission necessary for the accomplishment of any and all of the foregoing things; and

WHEREAS, in the judgment of the Highway Commission the several tracts or parcels of land hereinafter described are each and all necessary for the specific and particular purposes hereinafter specifically set forth;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the Commission does hereby find and declare that the several parcels of real property hereinafter described are each and all necessary for the accomplishment of the purposes hereinafter expressly and specifically set forth, which said real properties and the specific purposes for which the same are being acquired are described as follows, to wit:

Real property owned by Jesse Kotovsky, which property is located in Lots 12, 13, 14, and 15, Block 51, Townsite of North Bend, Coos County, Oregon, and is more particularly described on the attached sheet and designated as Parcel No. 1 and is further identified in the records of the Highway Commission as file R 9495, and which property is being acquired for right of way purposes in connection with the Oregon Coast Highway;*

Real property owned by Kitchman Horn, which property is located in Lots 8 and 9, Block 33, Coos Bay Plat "B" Addition to North Bend, Coos County, Oregon, and is more particularly described on the attached sheet and designated as Parcel No. 2 and is further identified in the records of the Highway Commission as file R 9521, and which property is being acquired for right of way purposes in connection with the Oregon Coast Highway;*

Real property owned by Katherine Helen Jones, et al., which property is located in Lots 7, 8, and 9 in Block 32 and in Lot 25, Lot 26, and Lot or Tract 27X in Block 34, and vacated portion of street or streets abutting said lots, all in Fairmount, according to the amended plat thereof, in Lane County, Oregon, and is more particularly described on the attached sheet and designated as Parcel No. 3 and is further identified in the records of the Highway Commission as file R 9249, and which property is being acquired for right of way purposes in connection with the Pacific Highway.*

2. That the Commission does hereby find and declare that each of the said described parcels of real property is necessary and acquisition of the same by the State is required for the specific purposes hereinabove set forth, and the said properties are being acquired for the express and specific purposes in this resolution set forth.

3. That the State Highway Engineer be and he hereby is instructed and directed to make or cause to be made all surveys necessary in connection with the determination, description, and acquisition of said real properties, and said Engineer is further instructed to prepare and submit to the Legal Department necessary and adequate descriptions of the said real properties, which said descriptions shall be available for the preparation of any deed or deeds or other instrument or instruments necessary to complete the acquisition of said property or properties, whether said properties be acquired by purchase, donation, agreement, or by the exercise of the power of eminent domain.

4. That J. M. Devers, Attorney for the State Highway Commission, be and he is hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby further resolved that J. M. Devers, Attorney for the State Highway Commission, be and he hereby is requested to commence and prosecute to a final determination such suit or action, or suits or actions, as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

*(The detailed descriptions of the respective parcels of real property mentioned in this resolution are attached to the original resolution on file in the office of the State Highway Commission, Salem, being Resolution No. 18, under the heading "Real Property Condemnation Resolutions," and said descriptions by this reference are made a part of this minute entry to the same extent as if copied in full herein.)

5. That this resolution be entered in full in the minutes and records of this Commission.

The Attorney brought up for discussion the acquisition of the Hitchcock & Reagan properties which are needed in connection with the reconstruction of the Pacific Highway between Eugene and Springfield. He advised that he has been unable to reach satisfactory settlements in either of these cases and requested approval of proceeding with condemnation of the properties if necessary. The matter was discussed at considerable length with the result that the Commission approved such procedure. An offer of \$12,000 in condemnation for the Hitchcock property, and \$12,500 in condemnation for the Reagan property, was approved by the Commission.

The Commission reconsidered the bids received by the State Board of Control for furnishing of three paving plants, being those submitted by the Cramer Machinery Company and the Dallas Machine and Locomotive Works. After a lengthy discussion of this matter, during which the Engineer recommended the acceptance of the low bid that strictly meets the specifications, being that of the Dallas Machine and Locomotive Works, in order to maintain the Commission's policy with respect to the acceptance of the low bid, the Commission decided to defer final action until the following day.

Mr. Ben Titus, Acting Director of the Travel and Information Department, was present and discussed with the Commission matters pertaining to the 1943 Old Oregon Trail Centennial celebration. He reported the need at this time of the services of someone on half-time basis to take care of details, and suggested a Mr. Carl Werner as being the best man available. The person selected, he said, would work directly under Mr. Phil Parrish, Chairman of the Old Oregon Trail Centennial Advisory Commission, as well as himself, but it will be necessary for Mr. Parrish or the committee to see to it that he actually spends one-half of his time on this work. He suggested a salary of \$100 per month for such service; however, pointed out that expenses would have to be paid while engaged in this work outside of the city of Portland. After discussion the Commission approved employment of Mr. Werner, if that is satisfactory with the committee, and the payment of his expenses outside of Portland. Mr. Titus was instructed to inform Mr. Parrish that the employment of Mr. Werner is satisfactory if his services can be secured on a reasonable basis.

The Commission adjourned at 11:00 p. m. to reconvene the following morning in the Public Service Building.

Portland, Oregon, November 18, 1941

The State Highway Commission reconvened at 9:00 a. m. in the auditorium of the Public Service Building. Present were:

Henry F. Cabell, Chairman
Huron W. Clough, Commissioner
Herman Oliver, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

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Bids as follows for highway construction projects were opened and read in conformance with previously published notice, following which Chairman Cabell announced that the award of contracts would be made at 3:00 p. m. in the same room:

NEHALEM SECONDARY HIGHWAY
KLASKANINE SUMMIT-JEWELL ROCK PRODUCTION

A. H. Saxton & Son	\$16,160.00
Fisher Bros.	16,800.00
R. O. Dail & Warren Bros.	17,440.00
Babler Bros.	19,730.00
S. S. Montague	19,840.00

PACIFIC HIGHWAY EAST AND HALSEY-SWEETHOME SECONDARY HIGHWAY
HALSEY ROCK PRODUCTION

A. H. Saxton & Son	\$22,840.00
R. O. Dail & Warren Bros.	23,330.00
E. C. Hall Company	25,365.00
Babler Bros.	26,100.00
Chas. H. Hoyt	27,300.00
A. T. Dolan	27,420.00
Roy L. Houck	29,115.00
S. S. Montague	31,485.00
Rogers Construction Company	36,525.00
P. B. Doherty	40,200.00

PACIFIC HIGHWAY EAST
ILLAHEE-STEINER HILL SECTION - GRADING AND PAVING

	<u>Using Asphalt</u>	<u>Using Tar</u>
C. J. Montag & Sons	\$148,028.50	- -
E. C. Hall Company	151,997.50	- -
Porter W. Yett	- -	\$155,640.00
Roy L. Houck	\$156,499.00	156,499.00

PACIFIC HIGHWAY EAST
INTERSTATE BRIDGE-OREGON SLOUGH SECTION - ROADBED WIDENING

Porter W. Yett	\$3,820.00
S. S. Montague	4,097.00

STATE HIGHWAYS NEAR RICKREALL
RICKREALL ROCK PRODUCTION

Independence Sand & Gravel Company	\$10,500.00
W. C. Hill	10,986.00
C. W. Reeve	11,830.00
J. F. Ulrich	14,667.50

ATHENA-HOLDMAN SECONDARY HIGHWAY
GERKING SCHOOL-ATHENA SECTION
GRADING, SURFACING AND OILING

R. O. Dail & Warren Bros.	\$26,288.50
Rogers Construction Company	29,014.00

TUALATIN VALLEY HIGHWAY
SYLVAN-WEST SLOPE SECTION
GRADING AND PAVING

Porter W. Yett	\$100,664.50
Jacobsen-Jensen Company	101,862.00
C. J. Montag & Sons	102,270.00

Reconsideration was given by the Commission to the matter of reimbursing the Zidell-Steinberg Company for cement that adhered to the steel rails purchased from the Commission at the previous meeting. The Engineer advised that, since this matter was discussed on the previous day, he has studied carefully the resident engineer's report on the subject, and is satisfied that the company is entitled to a refund based on the following facts: total weight of the rails, based on pounds per cubic yard, 107.663 tons; net weight of two loads of clean switches and plates 13.085 tons; total weight of steel 120.748 tons; total weight bid for by Zidell-Steinberg Company, at \$11.66 per ton, 148.315 tons. According to these facts, he said, the weight of the concrete is 27.567 tons. He recommended that the company be allowed a credit for 27.567 tons of concrete at the rate of its unit bid price of \$11.66, or a total of \$321.43. The Commission approved the recommendation.

Messrs. James Morrell, Secretary, and Thomas White, Attorney, representing the Consolidated Freightways, Inc., came before the Commission in regard to the company's previous request for permission to operate over Oregon highways, in interstate traffic, truck and trailer combinations having an overall length of 60 feet, and having a gross weight of 68,000 pounds. They were informed that the Commission has not as yet made its decision with respect to such matter but will do so as soon as possible although the probabilities that the Commission will approve such movements do not appear to be very good at the present time for reasons previously stated.

Mr. Chester McCarty, Portland, attorney for a California concern known as "Tulane Farm", owned by Messrs. Ben Liskey, Dan Liskey, and Richard Hinsel, came before the Commission and requested authority to operate over a 20-mile section of the Pacific Highway, north of the California state line, certain truck and trailer equipment having a gross weight of 68,000 pounds loaded, but which meets the Oregon requirements in other respects. He advised that the people he represents are farmers engaged in the stock business, and they are obliged to transport cattle frequently between their farms in Oregon and California; that the equipment they intend to use is a special type capable of carrying 68,000 pounds, which is legal in California, and that they would like the privilege of operating in the state of Oregon to full capacity so as to avoid the expense of adjusting their loads at the state line.

Chairman Cabell explained the Commission's attitude with respect thereto, and the reasons why the Commission cannot grant the request, particularly pointing out that the 1941 Oregon Legislature voted down a bill that would have authorized movements of this kind. He further advised that the Commission is now giving this matter serious study, the results of which will determine whether or not permits for such movements will be granted. He agreed to notify Mr. McCarty when final action is taken.

The State Parks Superintendent, Mr. S. H. Boardman, was present and reported on the following state park matters:

Park budget matters:- The Parks Superintendent presented a status report on the park budget which was approved by the Commission by unanimous vote. (See report dated November 1, 1941, in general file.)

Purchase of Kvaile property adjacent to the Upper Columbia River Highway at Shell Mountain:- The Parks Superintendent reported the taking of an option for the purchase of this property, a portion of which is at the rate of \$75 per acre, the balance at \$45 per acre, total \$1,775. The Assistant Attorney, who was present, questioned the unit price as being considerably in excess of the prices heretofore paid for other property in that vicinity. After discussion the Commission decided not to close the option at this time. It was agreed, however, to reconsider the matter after the survey for a revision of the highway has been made, such reconsideration to be from the standpoint of right of way acquisition and acquisition of additional land for wayside protection.

The Cove State Park:- The Parks Superintendent asked the Commission to approve the renewal of the lease obtained from the federal government covering government-owned lands in this park. The consideration is \$10 per year for the 2,800 acres involved. The Commission approved the request.

Acquisition of juniper wayside strips:- The Parks Superintendent presented a form of agreement between the United States Department of Interior and the State of Oregon providing for cooperation between these bodies in the protection and preservation of juniper waysides in Eastern Oregon, particularly along Oregon Highway No. 20, between Bend and Horse Ridge, along Oregon Highway No. 28, between Redmond and Powell Butte, and between Redmond and Sisters. He explained that Mr. Nic Monte, Regional Director of the United States Grazing Service, is anxious to preserve the juniper trees and has suggested such form of agreement covering the matter, in which agreement the state is simply asked to assist the Department of Interior in the control of this class of timber. He explained that the state's obligation, under the agreement, is simply to supervise and that no expense will be involved so far as the state is concerned. After discussion the Commission approved the provisions of the agreement but deferred signing the same until they have been approved by the federal authorities.

Proposed purchase of Gilbaugh tract:- The Parks Superintendent advised that a Mr. J. H. Gilbaugh is the owner of a tract of land situate between the Columbia River Highway and the O.W.R. & N. railroad at Crown Point, and that Mr. Gilbaugh is of the opinion that this property is valuable to the state not only from the scenic standpoint, but also from the road-building standpoint, because it consists largely of solid rock formation, which he believes can be used to good advantage in such work. The Parks Superintendent advised that so far as he is concerned the property is valuable only from the scenic standpoint, and if it could be purchased at reasonable cost he would recommend that it be acquired. He further advised that the removal of rock from the property would have a very damaging effect from the scenic standpoint. After discussion the Commission ordered further investigation of the property by the Engineer, the Attorney and the Parks Superintendent, which investigation shall include a joint inspection of the property.

Purchase of Short Sand Beach C.C.C. Camp Site:- The Parks Superintendent advised that this camp site, which contains 11 acres, is situate adjacent to the Oregon Coast Highway about three miles west of the town of Nehalem and that the property is owned by a Mr. E. B. Gresham who leased it to the state for a five-year period at an annual rental of \$120 with provision that the property might be purchased by the state, upon proper notice, for the sum of \$1200, and with the understanding that the rentals previously paid by the state would be applied as part of this purchase price. He further explained that up to the present time there has been paid to Mr. Gresham the sum of \$270, so if the Commission considers it advisable to purchase the property outright it would have to pay Mr. Gresham only \$930 at the present time. He recommended purchase of the property for use in connection with the further development of Short Sand Beach by C.C.C. forces and, in this connection, advised that he has a five-year program arranged for C.C.C. forces operating from this camp. The Commission approved the purchase of the property.

Proposed monument in Cascadia Park:- The Parks Superintendent presented a request from Mr. W. L. Jackson, owner of the Albany Democrat-Herald, for permission to erect a monument in Cascadia Park honoring the late Joseph Ralston, of Albany, who pioneered in this district and was one of the main leaders in the interests of the Santiam Highway construction. The Commission ordered that the matter be referred to Mr. Lewis A. McArthur, Chairman of the Historical Marker Committee, for recommendation, it being understood that the Commission would approve the project if Mr. McArthur so recommends.

Proposed soil conservation district, in Lane County:- The Parks Superintendent advised that the Port of Siuslaw is endeavoring to form a soil conservation district to control the shifting sands along the coast line in the vicinity of Florence, and is desirous of including in this district Jessie M. Honeyman State Park,

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consisting of 522 acres, as it was thought that this would assist greatly in the formulation of the district which requires the affirmative vote of 60 per cent of the acreage included in its boundaries. The Port of Siuslaw, he said, wants the Highway Commission to sign a petition creating the district. The Commission decided not to join the district unless it is absolutely necessary that it do so.

Proposed state park at Wilhoit Springs:- The Parks Superintendent delivered to Chairman Cabell a personally-written report on the adaptability of Wilhoit Springs for state park purposes, for his use in replying to United States Senator Rufus Holman, who has requested the establishment of a state park at this place. (See files of State Parks Superintendent for contents of report.)

The State Parks Superintendent requested instructions whether or not to allow Reverend D. V. Poling and Mr. F. H. Pfeiffer, of Albany, to continue to maintain private residences in Cascadia Park. It appears that they have been notified to vacate the premises, but they do not want to do so until they have had an opportunity to discuss the matter with the Commission. The Attorney advised that these gentlemen are represented by Mr. Willard Marks, of Albany, who expected to be present at this meeting of the Commission, but was unable to attend. Action on this matter was accordingly deferred by the Commission until Mr. Marks is present.

The Attorney brought up for reconsideration the controversy concerning the purchase of land needed as right of way for the Wolf Creek Highway across the property of Mr. B. F. Friday, in Washington County. He stated that he offered Mr. Friday \$175 for the land, including right of access to the highway, but his offer was refused, and he is informed by Mr. Friday's attorney, Mr. Tongue, of Millsboro, that Mr. Friday would not accept less than \$475. He recommended condemnation of the property. The Commission approved the recommendation.

The Commission discussed the claim of the Phoenix Iron Works, Portland, for damages to its property at the north end of the Union Avenue viaduct. The company alleges that its property was damaged by reason of the construction of the highway improvement in front of its premises, which improvement was completed July 30, 1937, and is now requesting payment from the state for such damage. Chairman Cabell recited the history of the case. In the discussion that followed, the question arose whether or not the Phoenix Iron Works has been damaged sufficiently to justify the opening of the case and the payment of the claim. Mr. Cabell stated his inclination to refuse to pay the claim. He suggested, in any event, an investigation to determine the actual amount of the damage which might have had some effect on a rearrangement of the company's plant facilities. The matter was considered at some length and the following action taken: the Engineer was instructed to have an investigation made of the premises to determine whether or not the company had an outlet on the street on the opposite side of the company's plant from the highway before the highway improvement was made, and to look into the records to determine definitely whether or not the state paid for the paving of such street at the time that the Union Avenue project was constructed. Such report is to be rendered to the Commission at its December meeting.

Mr. M. H. Lyons, Portland, was present and requested authority to transport turkeys from Portland to California points in special truck equipment which is legal in the state of California but is not in the state of Oregon, being 60 feet overall in length. He alleged that the cost to ship the turkeys to California by methods that he is now using costs about four times as much as it will cost to transport them by this special equipment. Furthermore, the time consumed in moving these turkeys under the present method is considerably more than by the proposed method. He particularly requested authority to move three loads of turkeys during the Thanksgiving holiday period as a trial proposition, explaining that he has arranged with a turkey grower in California to move them in special equipment of the type he has in mind. He indicated that it was his intention to purchase similar equipment if the test run proves satisfactory, and the Commission will grant him the necessary permit to operate it on Oregon highways. Chairman Cabell expressed regrets that the Commission cannot grant the permit, in view of the action taken by the 1941 Oregon Legislature, when it voted down a bill which would have permitted operation of equipment of this size over the highways of this state. He also advised that the Commission is now studying this problem seriously in an endeavor to find a solution whereby it could legally authorize such movements. Mr. Lyons then urged the Commission to grant his permit for one experimental load. The Commission took the matter under advisement. (The matter was reconsidered later in the session, at which time the Secretary was instructed to inform Mr. Lyons that the Commission could not see its way clear to grant the request.)

The Commission adjourned at 12:00 noon and reconvened at 2:30 p.m. in the same room with all Commissioners, the Engineer, the Attorney and the Secretary present, after having conferred with certain Portland city officials in the city hall relative to the Market Building on Front Avenue. (See memorandum, prepared by the Attorney, in files, for details of this conference.)

The Commission discussed a letter from Mr. Earl Reynolds, Secretary of the Klamath County Chamber of Commerce, with respect to the proposed improvement of South Sixth Street, Klamath Falls. The Commission decided to discuss this project thoroughly at its meeting in January, 1942, and instructed the Engineer to so inform Mr. Reynolds.

The Engineer reported a request from the United States Army officials for the use of certain state-owned property adjacent to the Old Oregon Trail, opposite the Pendleton airport, for recreational purposes. He recommended approval of the request. The Commission approved the recommendation subject to the condition that the matter be covered by written agreement, which will provide for the return of the property to the state when the army no longer requires it for the purpose intended.

The Attorney reported the results of his investigation of the claim of Mrs. John Thomson for damages to her property arising out of the construction of the Nyssa underpass. He advised that he inspected the property and it is his opinion that very little, if any, damage was done to the property by reason of the highway improvement; furthermore, it is his understanding

that the sidewalk elevation in front of her property is now the same as it was before the street was rebuilt. He gave as his opinion that the state is not liable in the case. He recommended, however, construction of an approach to an adjoining lot owned by Mrs. Thomson on which she proposes to build a service station, so as to permit ingress and egress from the highway. The Commission approved the recommendation.

The Commission discussed a communication from Mr. Edward E. Sox, attorney, Albany, who has requested, in behalf of certain people who own property adjacent to Waverly Lake at Albany, permission to enter upon and improve the state land lying between their properties and the edge of Waverly Lake, so as to provide a continuous plan of beautification. The Commission denied the request as a matter of policy.

In this connection the Engineer reported that the Albany Chamber of Commerce, which conducted a log-rolling contest in Waverly Lake on July 4, 1941, cleaned up the park premises satisfactorily after the celebration with the exception of removal of two high poles which were used in connection with the log-rolling event. The sponsors, he said, have asked permission to leave the poles in their present location, so they can be used again next year for similar purposes, inasmuch as they plan to make this log-rolling contest an annual event. The Commission considered that the poles detract greatly from the beauties of the park, and accordingly denied the request and ordered the poles removed.

The Commission discussed the advisability of selling certain state-owned property situate adjacent to the Warm Springs Highway at the Madras overcrossing of the Union Pacific railroad. The Attorney advised that two offers have been received, one from a Mr. Howard W. Turner, of Madras, and the other from the Deschutes Grain and Feed Company of Redmond. The matter was discussed at some length but action thereon was deferred by the Commission pending further investigation and recommendation from the Attorney and the Engineer, in accordance with the Commission's established policy covering matters of this kind. Such report is to be rendered at the next meeting of the Commission.

The Attorney reported briefly on matters pertaining to the acquisition of right of way needed for the proposed improvement of the Columbia River Highway, past the Celilo Indian village, in Wasco County. He suggested that it would be advisable to move this Indian village to some other location satisfactory to the Indians, the state to purchase the new site and deed it to the Indians in exchange for the property desired from the Indians. Construction Engineer H. G. Smith advised that a satisfactory site, containing 40 or 50 acres of land, is available nearby. After discussion the Commission referred the matter to the Attorney, with instructions to secure an option for such site, if possible, the intention being to exchange this land for the Indian property, if such an arrangement can be effected.

The Commission discussed briefly the matter of adopting a permanent location for the Green Springs Highway, near the city limits of Klamath Falls, as an accommodation to a Mrs. Hecker, Klamath Falls, whose property will be

affected by the change. The Commission deferred action on the matter until some future time, in view of the fact that the highway improvement is not scheduled for early construction.

At 3:00 p. m. Chairman Cabell announced the following awards of contracts for which bids were received at the morning session, such awards having previously been approved by the Commission by unanimous vote:

"Klaskanine Summit-Jewell Rock Production Project on the Nehalem Secondary Highway, in Clatsop County. Requires approximately 8,000 cu. yds. crushed rock in stock piles. Five bids were received for this project, the low one being that of A. H. Saxton & Son, Corvallis, in the amount of \$16,160.00, and the second-low being that of Fisher Bros., Oregon City, in the amount of \$16,800.00. The Commission awards the contract to the low bidder, A. H. Saxton & Son, at their bid of \$16,160.00.

"Halsey Rock Production Project on the Pacific Highway East and Halsey-Sweethome Secondary Highway, in Linn County. Requires approximately 15,000 cu. yds. crushed rock in stock piles. Ten bids were received for this project, the low one being that of A. H. Saxton & Son, Corvallis, in the amount of \$22,840.00, and the second-low being that of R. O. Dail & Warren Bros., Portland, in the amount of \$23,330. The Commission refers all bids received to the Engineer with power to award the contract to the low bidder, A. H. Saxton & Son, when certain conditions have been fulfilled.

"Tillamook-Steiwer Hill Section of the Pacific Highway East, in Marion County. 2.22 miles grading and paving. C. J. Montag & Sons, Portland, submitted the low bid for this project in the amount of \$148,028.50, using asphalt. They did not submit a bid based on the use of tar. E. C. Hall Company, Eugene, submitted the second-low bid in the amount of \$151,997.50, using asphalt. No bid was received from this company for the use of tar. There were two higher bidders. The Commission awards the contract to the low bidder, C. J. Montag & Sons, at their low bid of \$148,028.50, based on the use of asphalt.

"Interstate Bridge-Oregon Slough Section of the Pacific Highway East, in Multnomah County. 0.27 mile roadbed widening. Only two bids were received for this project, the low one being that of Porter W. Yett, Portland, in the amount of \$3,820.00, and the other being that of S. S. Montague, Portland, in the amount of \$4,097.00. The Commission refers all bids received for this project to the Engineer with power to award the contract to the low bidder, Porter W. Yett, when certain conditions have been fulfilled.

"Rickreall Rock Production Project on state highways near Rickreall, in Polk County. Requires approximately 6,000 cu. yds. crushed rock or crushed gravel in stock piles. The low bid for this project was submitted by the Independence Sand & Gravel Company, Independence, in the amount of \$10,500.00. The second-low bid was submitted by

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W. C. Hill, Independence, in the amount of \$10,986.00. There were two higher bidders. The Commission awards the contract to the low bidder, Independence Sand & Gravel Company, at its bid of \$10,500.00.

"Gerking School-Athena Section of the Athena-Holdman Secondary Highway, in Umatilla County. 2.97 miles grading, surfacing and oiling. R. O. Dail & Warren Bros., Portland, submitted the low bid in the amount of \$26,288.50, and Rogers Construction Company, Dayton, Washington, submitted the only other bid, in the amount of \$29,014.00. The Commission awards the contract to the low bidders, R. O. Dail & Warren Bros., at \$26,288.50.

"Sylvan-West Slope Section of the Tualatin Valley Highway, in Washington County. 1.44 miles grading and paving. Porter W. Yett, Portland, submitted the low bid, in the amount of \$100,664.50. Jacobson-Jensen Company, Portland, submitted the second-low bid, in the amount of \$101,862.00. There was one higher bidder. The Commission awards this contract to the low bidder, Porter W. Yett, at his bid of \$100,664.50."

Mr. Chester McCarty, attorney, Portland, reappeared before the Commission at this time relative to the request of Messrs. Ben Liskey, Dan Liskey and Richard Hinsel, for permission to operate over Oregon highways certain special motor equipment, involving gross loads of 68,000 pounds. He was again informed that the Commission cannot authorize a permit today for reasons previously stated, but hopes to be able to make its decision relative to this problem within a month or so.

The Attorney brought up for discussion the matter of acquiring from Klamath County a gravel pit situate in Section 10, Township 41 South, Range 10 East, W. M., for use in connection with the improvement of the Klamath Falls-Merrill Section of the Klamath Falls-Malin Highway. He was instructed by the Commission to discuss this matter with the county court and report the results thereof.

The Commission discussed an arrangement with the Klamath Falls School District for an exchange of lands so as to secure certain right of way needed for the proposed South Sixth Street improvement, Klamath Falls. The arrangement provides for the deeding to the school district of a portion of a state-owned stock-pile site situate adjacent to the Ashland-Klamath Falls Highway, in Section 13, Township 39 South, Range 8 East, W. M., and for the deeding to the state by the school district of certain school land adjacent to South Sixth Street, Klamath Falls. Such exchange of properties was approved by the Commission by unanimous vote.

The Attorney requested instructions relative to the disposal of a small building on property acquired from Lester Pummill, Madras, as right of way for the improvement of the Warm Springs Secondary Highway. He advised that Ex-County Judge W. R. Cook has offered \$10 for this building; also, that in his estimation it would cost the state more than such amount to wreck the building. He recommended acceptance of the offer, because it is now too late

to advertise the building for sale, in view of the fact that the state's contractor is ready to enter upon the property on which the building is located. The Engineer gave as his thought that the wrecking of this building was included as one of the items in the contract for the road work. The Commission offered no objection to the sale of the building to Judge Cook but considered it advisable for him to obtain it through the state's contractor.

The Commission discussed the matter of disposal of the Knapp Hotel building in Port Orford, which was purchased in connection with the acquisition of right of way for the improvement of the Oregon Coast Highway at this place. It was brought out in the discussion that an offer has been received for the purchase of this building; also that the Oregon Roadside Council wants the building preserved on account of its historic background. The Commission deferred a definite decision on the matter; however, ordered that the prospective purchaser and the Oregon Roadside Council be informed if the Commission later on decides to sell the building. The Engineer was instructed to board up the windows of the building securely, so as to prevent vandalism so far as is possible.

The Attorney brought up for discussion a request from a Mr. Emil Henskie for fence construction along the right of way of The Dalles-California Highway in front of his property, situate a short distance south of the town of Madras. He advised that Mr. Henskie's property was formerly owned by Jefferson County, from whom the right of way for the highway was acquired, the consideration being \$1.00. Mr. Henskie, he said, is asking for a fence inasmuch as the state constructed fences along the adjoining property as a right of way consideration. He further advised that he consulted Ex-County Judge W. R. Cook, who was a member of the County Court when the state acquired the right of way, and it is Judge Cook's remembrance that the Commission agreed to build the fence; however, that was not done, and there is nothing in writing to indicate that it is a state obligation. In the discussion the question arose whether or not Mr. Henskie paid the county less for his property than he would have had to pay if the fence had been built. The Commission appeared inclined to accept Judge Cook's statement, but deferred final action on the matter pending further investigation by the Attorney as to the price paid by Mr. Henskie. The Commission indicated that it would authorize the fence construction if the present county court will support Judge Cook's contention, and provided Mr. Henskie did not pay the county less for the property on account of the lack of the fence. There is also a question whether or not the obligation to build the fence, if such obligation exists, is in favor of the county rather than Mr. Henskie. The Attorney was instructed to ascertain the additional facts and report back to the Commission.

The Secretary presented a letter from the Oregon Roadside Council offering suggestions relative to the acquisition of roadside strips along state highways. Chairman Cabell read the letter aloud. After discussion the Secretary was instructed to acknowledge the letter, and to advise the Roadside Council that the Highway Commission heartily appreciates the suggestions contained therein, and will carry them out to the best of its ability, insofar as funds are available, because the suggestions are in conformity with the Commission's ideas with respect to such matters.

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The matter of purchasing outright Camas Mountain State Park on the Coos Bay-Roseburg Highway, in Douglas County, which property is now under lease from the federal government, had the attention of the Commission. The Commission confirmed the decision reached at the previous meeting, approving the purchase of this park, and thereupon signed a petition directed to The Honorable Secretary of the Interior, Washington, D. C., with respect thereto.

The Commission discussed and approved the vacation of a certain dead-end street in the city of Cottage Grove, which street fronts on state-owned property in this town, described as Lots 3 and 4, of Block 22. A petition affecting such vacation was thereupon signed by the Commission. The Secretary was authorized to sign the certificate of acceptance in connection therewith in behalf of the Commission.

The Commission approved and ordered filed county resolutions, as follows, disposing of abandoned parcels of old state highway right of way:

Resolution from Washington County retaining for public road purposes certain portions of the old right of way of the Middleton-Newberg Section of the Pacific Highway West, heretofore abandoned by the Highway Commission as a state highway.

Resolution from Lincoln County retaining for county road purposes a small portion of the Waldport-Scott Creek Section of the Alsea Highway, heretofore abandoned by the Highway Commission as a state highway.

The Attorney reported results of further negotiations with a Mr. Harry Mercer with respect to the purchase of a triangular tract of land at the intersection of Union Avenue and Denver Avenue, Portland. He advised that Mr. Mercer originally agreed to accept \$50 for this area, if the Commission would allow the Standard Oil Company, which is leasing adjacent property, the use of a nine-foot strip of highway right of way. However, Mr. Mercer is now willing to deed the triangular tract to the state without charge, although he still wants permission for the Standard Oil Company to use the nine-foot strip for the parking of cars, et cetera. After discussion the Commission approved the arrangement, and authorized the Attorney to inform the Standard Oil Company that the Commission has no objections to the company rearranging its facilities at once notwithstanding that some little time may elapse before the exchange of deeds is effected.

In this connection the Engineer requested authority to channelize traffic at this intersection. He explained that it is a very dangerous intersection and the control of traffic by channelization is essential to traffic safety. He estimated the cost of the work at \$7,000. The Commission approved the project by unanimous vote.

The Attorney reported an offer from Mary Eastman and R. A. Eastman, Jr. to purchase a portion of the property that was acquired from Mrs. Sadie Sheridan in connection with the improvement of the Dillard Section of the Pacific Highway, in Douglas County. He said that in order to acquire right

of way for this improvement it was necessary to buy Mrs. Sheridan's entire tract and that was done with the understanding that the portion that was not needed by the state would be sold to adjoining property owners. He recommended the acceptance of the offer which, he said, would be cash, in the amount of \$239.25. The Commission approved the sale on such basis.

The Attorney requested instructions relative to the renewal of the several hospital contracts covering state highway department employees. He presented a letter from Mr. C. C. Bechtold, Manager of the National Hospital Association, advising that on account of the increasing cost of medical supplies and hospitalization, it may be necessary to raise the rate for providing this service, and requesting a modification of the present agreement to provide that such increase in rate can be put into effect on 30-days' notice. After considerable discussion, the Attorney was instructed to ask Mr. Bechtold to submit a definite rate at this time for 1942, so as to give employees an opportunity to decide whether or not they wish to continue receiving such service in the company. It was the thought of the Commission that the form of contract with the several companies should continue to be uniform in every respect, except as to rates, and that each company should decide for itself a definite price that it would ask for such service for a definite term. (Mr. Bechtold and Mr. Walter J. Page, his assistant, appeared before the Commission later in the session in regard to this matter. See ahead.)

The Attorney reported a complaint from Mr. Ormond R. Bean, Public Utilities Commissioner, that log-hauling operators, who transport logs across the Pacific Highway in Canby, do not respect the rules that require them to stop before crossing the Southern Pacific Company's railroad tracks at this place. Mr. Bean, he said, is of the opinion that stop signs should be placed at the railroad crossing. The Engineer advised that the road between the highway and the railroad tracks is either a county road or a city street; hence is without the jurisdiction of the State Highway Commission. The Commission authorized the erection of the signs if the request comes from the county court.

The Attorney reported briefly on the proposal of Senator F. M. Franciscovich of Astoria, for the installation of special traffic scales near the Wolf Creek Highway junction with the Oregon Coast Highway, in Clatsop County, for the use and benefit of log haulers. The Commission discussed the matter at considerable length but deferred action until some time next year.

A letter was presented from Mr. Marshall M. Dana, Portland, Chairman of the Battleship Oregon Commission, with respect to the installation of a light in Battleship Oregon Marine Park, which is now being developed and beautified in conjunction with the Front Avenue Project, Portland. Mr. Dana advised that he has been in communication with the Commander of the United States Coast Guard, Seattle, with respect to securing a lighthouse lens for such purpose and it appears that such a lens is available at North Head Light Station at the entrance to the Columbia River. Mr. Dana suggested that the lens be inspected by the Commission's Landscape Engineer, and if

found suitable that it be installed in the park. The Engineer was instructed to have such inspection made.

The Commission discussed briefly and ordered filed a letter from the District Director of the Interstate Commerce Commission, Portland, with respect to the condition of the Pudding River Bridge on the Pacific Highway East, at Aurora.

The Engineer reported the need to construct in the not distant future two small bridges on the North Plains-Sylvan Section of the Wolf Creek Highway, in Washington County, being bridges over McKay Creek and Rock Creek. He estimated the cost of each of these structures at \$12,000 and advised that the bridges should be constructed so they will be available for traffic when the grading work on this highway west of North Plains is finished, which he estimated would be about August 31, 1942. The Commission authorized the inclusion of both bridges in the construction program for state funds, but deferred until later a definite allocation of funds for the same.

The Commission discussed the Engineer's report on investigations that have been made of three county roads in Malheur County, which the county court wants placed on the state secondary highway system, being the Quaker Corner county road, Valley View and Clark Avenue county road, and the Enterprise Avenue county road. The Engineer advised that inspection of these roads reveals that they do not qualify as state secondary highways, although they are eligible for the federal aid secondary highway system. The Commission decided not to place these roads on the state secondary system; however, agreed to give them consideration in the formulation of the next partial program for federal aid secondary highway funds.

In this connection the Engineer reported receipt of a request from the Public Roads Administration for another partial program of federal aid secondary highway projects, in order to increase the total program to at least 50 per cent of that allowed. The Commission took the matter under advisement.

Reconsideration was given by the Commission to the matter of granting permits for movements over state highways of loads 60 feet long and having a gross weight of 68,000 pounds. The Engineer suggested the adoption of the following rule for use hereafter in passing on requests for permits for oversized and overweight movements:

"No permits will be issued for movements of overdimension or overweight vehicles save and except for isolated movement of such loads which cannot be feasibly reduced to legal dimensions and/or weights. This does not apply to the movement of logs which movements are covered by special statute."

The Commission tentatively approved the suggestion, but deferred a definite decision relative thereto pending consultation with Governor Sprague. Chairman Cabell was authorized to act for the Commission in the matter.

The Commission also reconsidered the bids received by the Board of Control, heretofore discussed at this meeting, for furnishing three new paving plants, and decided unanimously that it must not deviate from its long-established policy with respect to acceptance of the lowest qualified bid, and, in conformity therewith, decided to recommend to the State Board of Control acceptance of the bid submitted by the Dallas Machine and Locomotive Works, provided no objections thereto are offered by Governor Sprague, who is to be consulted before notification is sent to the Board of Control. Chairman Cabell was authorized to discuss the matter with the Governor.

Messrs. C. C. Bechtold and Walter J. Page, representing the National Hospital Association, came before the Commission relative to the renewal of its contract with the Commission, for furnishing medical service to state highway department employees. Chairman Cabell explained that the Commission previously had under discussion at this meeting Mr. Bechtold's letter requesting modification of the present form of contract, so as to permit the company to increase its rate at any time on short notice. The Commission is of the belief, he said, that the contracts with the several hospital associations should be uniform in every respect except as to the price to be paid for the service rendered; also, that the Commission believes that a definite rate should be specified for such service and, if necessary to increase the rate, that sufficient time should be given the employees to make up their minds whether or not they wish to continue with the company. Mr. Bechtold declared that it is improbable that the National Hospital Association can continue giving service at the present rate, because the prices of medical supplies, doctors' fees, and hospitalization costs are rising and indications are that they will continue to rise; further, that the costs for such items during the past year increased thirty-three and a third per cent over those of the previous year. He said that, in view of the circumstances, the company could not very well set a definite rate that would be in effect for all of 1942 without taking a chance on loss. After considerable discussion Chairman Cabell suggested renewal of the present contract at the present rate for a period of six months, or until June 30, 1942, with provision for automatic renewal of the contract at that time for the balance of 1942, unless an increase in rates is requested at least thirty days prior to that date; also, that, if an increase in rates is requested, department employees shall have ample opportunity to make a decision as to whether or not they wish to continue membership at the increased rate, and that no increase in rates will be permitted prior to July 1, 1942. The suggestion was approved by all parties, and the Attorney was instructed to prepare new contract forms in conformity therewith.

A letter was presented from the Oceanside Community Club requesting the installation of signs along the roadway leading to the beach at Oceanside, warning autoists of the dangers of driving their cars on the ocean beach. The letter was referred to the Engineer for investigation and erection of the signs if he considers that advisable.

The Commission also discussed a letter from the Tillamook Junior Chamber of Commerce, suggesting the erection of historical signs and markers on the Wilson River Highway and other highways in Tillamook County, pointing out historical locations. The Secretary was instructed to reply that the

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highway department is now erecting historical markers along the Old Oregon Trail as an experiment on which it hopes to be able to adopt a permanent policy with respect to such matters, and, until the results of this experiment have been studied, the Commission considers it inadvisable to spend state funds for markers in other localities.

The Commission sent the following telegram to each member of Oregon's delegation in Congress:

Press reports indicate that Morgenthau has recommended to Congress cancellation of road funds to be made available next year. The Oregon State Highway Commission in session today most earnestly requests that you do all in your power to retain congressional authorization of federal road funds for next fiscal year, and that you endeavor to secure prompt appropriation of sufficient funds to carry on the work.

The Commission considered and signed agreements, et cetera, as follows:

Agreement with each of the following cities and towns providing for improvement of certain city streets that are not on state highway routes:

Brownsville
McMinnville
Hornmouth
Toledo

Waldport
Seaside
Sheridan
Ione

Stayton
Freewater
Vernonia
Tillamook

Agreement with Malheur County providing for state maintenance of the Owyhee-Vale County Road (Lytle Blvd.) from its junction with the Nyssa-Adrian Secondary Highway, at Owyhee, to a place known as Cow Hollow, a distance of 6.01 miles. The state is to advance the funds to pay for the work, the county to reimburse the state later for the full amount of the costs.

Agreement with Sherman County and the City of Moro providing for the lease of a maintenance headquarters site in the town of Moro.

Agreement with Harold A. Green and H. H. Kingrey and wife, disposing of their claim for damage to their property in the town of Nyssa, arising out of construction of the Nyssa underpass. Real property file No. 9387.

Permit granting the Portland Traction Company authority to operate its trolley busses over certain state highway routes in Portland.

Bargain and sale deed conveying unto the Pacific Power & Light Company, for the sum of \$38.55, 3,855 square feet of land situate

in Section 11, Township 11 South, Range 13 East, Jefferson County.
Right of way file No. 6606-A.

Bargain and sale deed conveying unto O. D. Rhoads and wife
Lots 1 and 2, Block 7, Kincaid Park Addition to Eugene, Lane County.
Right of way file No. 9662.

Bargain and sale deed conveying unto Emil Duyck and wife 11.18
acres of land, less roadway, situate in the East $\frac{1}{2}$ of Section 33,
Township 2 North, Range 3 West, W. M., Washington County. Right of
way file No. 6527-A.

Bargain and sale deed conveying unto Curtis Hansen and wife
0.34 acre of land situate in the NW $\frac{1}{4}$ of Section 29, Township 18
South, Range 2 West, W. M., Lane County. Right of way file No. 8922.

Bargain and sale deed conveying unto George D. Saxton and wife
two parcels of land containing 0.06 and 0.09 acre of land, respec-
tively, in the NE $\frac{1}{4}$ of Section 9, Township 2 North, Range 4 West,
W. M., Washington County. Right of way file No. 6260-A.

Bargain and sale deed conveying unto Rose Utecht and Chris
Utecht two parcels of land containing 0.79 and 0.04 acre, respec-
tively, adjacent to the Wolf Creek Highway, in Lots 17 and 18,
Block 45, North Plains. Right of way file No. 6535.

Bargain and sale deed conveying unto Nathan Wise, trustee,
550 sq. ft. of land situate in Lot 1, Block 11, McClure's Addi-
tion to Astoria. Right of way file No. 9303.

There being no further business to come before the Commission at
this time, the meeting was adjourned at 5:45 p. m.

Frederick M. ...
State Highway Engineer

Arbuckle ...
Secretary

Henry F. Cabell
Chairman

John M. Chyle
Commissioner

Therman ...
Commissioner

VOLUME 26

PART III

PART 3
OF
VOLUME XXVI
MINUTES OF OREGON STATE HIGHWAY COMMISSION
COVERING PERIOD
FROM
NOVEMBER 19, 1941
THROUGH
MARCH 31, 1942

OREGON STATE HIGHWAY COMMISSION

Henry F. Cabell, Chairman
Huron W. Clough, Commissioner
Herman Oliver, Commissioner

R. H. Baldock, State Highway Engineer
H. B. Glaisyer, Secretary

HEADQUARTERS AND GENERAL OFFICE OF DEPARTMENT
LOCATED AT SALEM, OREGON

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10757	Dec. 18	Bids received on following projects and sale of buildings: Sisters Rock Production Project; Wright Ranch-Milo Section, grad., surf., and oiling; Soda Mountain-Silvies Section, grad., surf., and oiling; Polallie Creek-Hood River Rock Production Project;
10758		Sun Dial Highway Section, paving; S. Unit, Enterprise-Forest Boundary Section, grad., surf., and oiling; Campbell Bridge-Hazeldale Section, grad., surf., and oiling; Porcupine Butte-Chichester Gulch Section, grad. and topping; Sale of residence building in North Salem; Sale of residence building in South Salem. Baker County. Dooley Mountain Section, Baker-Unity Highway. Construction of guardrail considered.
10759		Harney County. Judge Nelson B. Higgs confers relative to plans for various highway improvements. Deschutes County. Terrebonne-Lower Bridge Road. Commissioner E. E. Varco confers relative to improvement. State agrees to proceed with improvement.
10760		Multnomah County. Portland. Request of Lambert Gardens to maintain signboards on state highway routes denied. Umatilla County. Delegation requests following: Directional sign at junction of Pendleton-John Day Highway and Old Oregon Trail, Pendleton. Pendleton-John Day Highway. Improvement requested, especially Battle Mountain Section;
10761		Battle Mountain Section. Engineer instructed to stockpile sand at slippery points for use of log haulers. Intersection of Pendleton-John Day Highway and road leading to Albee. Request for investigation approved. Log hauling. Delegation requests following: Measurement of loads of logs by scale instead of by weight; Modification of penalty for transporting overweight loads. American Assn. of State Highway Officials. Commission not to be represented at meeting of Executive Committee at Chicago. Washington County. Hillsboro-Cornelius Pass Road. County requests improvement of 3.8-mile section. Request denied. Civil defense guard. Cooperation with state police to organize and maintain approved. Increased budget approved.
10762		Jackson County. Plaza Corner, Ashland. Report on result of reappraisal of right of way. No action taken. Delegation confers re project. (See P.10773) Lane County. Eugene-Springfield Project. Delegation confers relative to financial setup. No action taken. Log hauling. Request of W. F. Bingham for extension of permit to haul piling, Deadwood and Siuslaw Highways, approved.
10763		Policy re permits for overlength piling discussed. Cases involving more than 10 loads per month to be given individual attention.

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10763	Dec. 18	Log hauling. Procedure for issuance of special carrier permits approved, as agreed upon at conference, Dec. 11, 1941.
10764		Wand steering devices for trailers. Ruling requiring such devices to be modified. Tandem axle truck and trailer equipment. Policy modified re taking up of PUC plates for overweight loads. Malheur County. Nyssa-Adrian Secondary Highway. Request of Oregon Trail Grange, for improvement, denied. Klamath County. Klamath Falls. South Sixth Street. Engineer's report on cost to improve. (See P. 10770)
10765		Bids. Policy re award of contracts approved as follows: Single bid. Contract to be awarded to bidder, if the bid does not exceed estimated cost by more than 10%. Two or more bids. Contract to be awarded to low bidder, if bid does not exceed estimated cost by more than 15%. Multnomah County. Sun Dial Secondary State Highway 124. Resolution designating as secondary highway adopted.
10766		Travel & Information Department. Advisory Committee on Publicity Matters recommends suspension of advertising program, funds to be held intact for later expenditure. Approved. Yamhill County. Newberg-McMinnville Section, Pacific Highway West. Delegation requests widening of three sections, also widening of bridge at Newberg.
10767		Tillamook County. Proposed Boyer-Dolph Road. Yamhill County delegation requests construction. Little Nestucca Secondary Highway, from Dolph to coast. Delegation requests completion. Awards. Chairman announces awards of contracts and sale of buildings.
10769		Klamath County. The Dalles-California Highway. Stipulation re crossing government-owned lands at Algoma discussed.
10770		Multnomah County. Troutdale-Airport Road. Delegation requests construction. Project approved if eligible for federal funds. Klamath County. Klamath Falls. South Sixth Street. Construction on 80-foot right of way approved. Right of way. Closing of option on B. Frank Owens property authorized.
10771		Radio Program, "Oregon on Parade." Report of Burton K. Hutton, KOAC, discussed and ordered filed. Union County. Oregon Trail Association requests consideration of certain highway projects in Union County. Umatilla County. Request for construction of road paralleling Weston-Elgin Hwy., for use of tractors, combines, etc., denied. Lane County. Territorial Secondary Highway. Request for improvement of Lane-Benton Co. Line-Cheshire Section denied. Douglas County. Tiller-Trail Secondary Highway. Request for improvement from Tiller to Jackson County line denied. Tillamook County. Short Sand Beach Park. Improvement of parking area adjacent to Oregon Coast Highway approved.

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10771	Dec. 13	Equipment. Purchases authorized as follows:
10772		One refrigeration plant for Silver Creek Falls Park; 14 pick-up trucks; one lighting plant for Pistol River Maintenance Station; 4 $\frac{1}{2}$ -yard power shovels.
		Awards. Commission confirms following awards:
		Malsey Rock Production Project, A. H. Saxton & Son;
		Interstate Bridge-Oregon Slough Section, Porter W. Yett;
		Grant Creek-Powers Section, Coos Bay Dredging Company;
		Eugene-Judkins Point Section, Strong & Macdonald, Inc.;
		Lake County. Lakeview. City requests oiling of strips along Western Avenue. Action deferred.
10773		Jackson County. Plaza Corner, Ashland. Delegation guarantees to secure reduction in cost of right of way. Project approved for construction.
		Clackamas County. Mrs. W. H. Tucker opposes construction of new road extending up DuBois Canyon.
		Lincoln County. Alsea Highway. Waldport Chamber of Commerce urges modernization of remaining section. No action.
10774		Multnomah County. Portland. Request for installation of "stop and go" lights, on Sandy Boulevard, denied.
		Klamath County. Klamath Falls. City's request for lighting system along South Sixth Street denied.
		Tillamook County. Tillamook. Agreement with city disposing of state's claim for construction of Oregon Coast Highway.
		Submerged and tide lands. Request for contribution, for purpose of contesting congressional legislation, denied.
		Coos County. Viaduct, Coal Bank Slough. State to demand payment from F. A. Greer and James Saint, for damage to handrail
		Multnomah County. Interstate Bridge, Portland. Request of Pacific Telephone & Telegraph Company for permit to place cable between towers of bridge denied.
10775		Claims. Payment of following claims approved:
		Gasoline obtained by W. B. Gaskins, Jr., with credit cards secured from stolen state car;
		Privately-owned bridge, Lane County. A. E. Gault Lumber Company claims damages for destruction.
		Permits. Resolution adopted, authorizing movements of oversized equipment during present war emergency.
10778		Form of permit, for movements of defense goods, approved.
10779		Hospital association. Supplemental agreement with National Hospital Association, for 1942, approved and signed.
		Klamath County. Crescent Lake County Road. Request of county court for snow removal approved. County to pay cost.
		FUC permits. Commission to pay 50% of salary of man employed by FUC to handle permits.
10780		Permits. Oregon Coast Highway Assoc. protests authorizing increase in weights and lengths of commercial trucks.
		Josephine County. Intersection of Redwood & Pacific Highways, Grants Pass. Further study of traffic hazard requested.
		Fences. C. A. Brown, Pleasant Valley, suggests fencing main highways in range counties to prevent livestock accidents.

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10780	Dec. 18	Jackson County. Pacific Highway. Letter from county court abandoning portion of old right of way, previously abandoned by state.
		Coos County. Coquille. Letter from city concerning disposal of portion of Burns Acres, previously abandoned by state.
10781		Lane County. Oregon Coast Highway. Resolution from county court retaining portion north of Florence, abandoned by state.
		Wallowa County Court. Wallowa Lake Highway. Resolution of county court abandoning portion of old right of way, heretofore abandoned by state.
		Union County. Union-Medical Springs Secondary Highway. Request that highway be named "The Dunham Wright Trail" denied.
		Marion County. Salem School Board requests survey for rerouting of Pacific Highway, on account of Parrish Junior High School.
		Scrap steel. OPM advises that present method of disposing of steel is satisfactory, if prices fixed by OPM are observed.
		Surveys. List of surveys ordered since last meeting.
10783		Surveys. List of surveys completed. Resolution adopted.
10785		Extensions of time, as follows:
		Coos Bay Dredging Company, Bandon Section;
		Porter W. Yett, Lombard Street-Killingsworth Street Section;
10786		McNutt Brothers, Sexton Mountain Section;
		D. C. & A. L. Williams, Wallowa Lake & Old Oregon Trail Hwys.;
		Chester T. Lackey, Cairo Junction-Adrian Section;
10787		Norris Brothers, Ochoco Creek Section;
		M. L. O'Neil & Son, Gilliam County Line-Zinter Ranch Section;
		Gales Creek Sand & Gravel Co., Vandehey & Van Dyke Sections;
10788		Porter W. Yett, Vollmer Creek & Necanicum Junction Sections;
		Warren Northwest, Inc., Crabtree Corner-Lebanon Section;
		The United Contracting Co., Astoria (Astor St.-Bond St.) Sec.;
10789		O. C. Yocom, Fulton Canyon-Locust Grove Section;
		E. L. Gates, Kimberly-Simas School Section;
		Warren Northwest, Inc., Middle Unit, Crabtree Corner-Lebanon Section.
10790		Contracts completed and accepted, as follows:
		Bandon Section, Coos Bay Dredging Company;
		Lombard St.-Killingsworth St. Section, Porter W. Yett;
		Tillamook Rock Production Project, F. C. Feldschau;
		Sexton Mountain Section, McNutt Brothers;
		La Grande Rock Production Project, D. C. & A. L. Williams;
		Cairo Jct.-Adrian Rock Production Project, Chester T. Lackey;
		Gooserock Bridge, Averill & Corbin;
		Ochoco Creek Section, Norris Brothers;
		Gilliam County Line-Zinter Ranch Sec., M. L. O'Neil & Son;
10791		Vandehey & Van Dyke Sections, Gales Creek Sand & Gravel Co.;
		Dean Creek-Parker Creek Section, A. S. Wallace;
		Vollmer Creek & Necanicum Junction Sections, Porter W. Yett;
		Pendleton-Adams Section, M. E. Myers & Son;
		Astoria (Astor St.-Bond St.) Sec., The United Contracting Co.;

<u>Page</u>	<u>Date</u>	<u>Subject</u>
10791	Dec. 18 1941	<p>Contracts completed and accepted, as follows: (cont.)</p> <p>Fulton Canyon-Locust Grove Section, O. C. Yocom;</p> <p>Gilliam County Line-Umatilla Rock Production Project, A. S. Wallace.</p> <p>Meeting dates. January 15 and 16, 1942, confirmed as next regular meeting date. (Later postponed to January 21, 1942.)</p>
10792		<p>Agreements, etc., signed as follows:</p> <p>Linn County, providing for use by state of quarry site;</p> <p>University of Oregon, relative to construction of Eugene-Springfield Section;</p> <p>University of Oregon & Eugene Power Company, relative to reconstruction of Pacific Highway in Eugene;</p> <p>Carl Barclay, covering release of damage to property adjacent to state's gravel pit in Linn County;</p> <p>U. S. of America, Indian Service, cooperative agreement re construction of Sprague River Road, Klamath County;</p> <p>Carl M. Stevens and Arline Stevens, providing for lease of maintenance headquarters site at Newberg;</p> <p>Bonneville Power Administration, covering cutting of trees on highway property between Pendleton and La Grande;</p> <p>Clatsop County, covering repairs to Warrenton-Ft. Stevens Road;</p> <p>City of Tillamook, disposing of state's claim against city for construction of highway between First St. and north city limits, in 1931.</p> <p>City street improvements, as follows: Baker, Dufur, Eugene, Milton, Mt. Angel, Pendleton, Salem, Sandy;</p> <p>National Hospital Association, supplemental agreement covering medical service to department employees in 1942;</p> <p>Consuelo Oregon Mines, covering dredging and mining operations on right of way of Sumpter Valley Highway;</p> <p>Harry Mercer & Standard Oil Co., covering permit to use state-owned land at Union & Denver Aves., Portland;</p>
10793		<p>Carl Bauers, easement to construct private roadway at Harris Beach State Park, Curry County;</p> <p>The Booth Land Co., covering renewal of stock-pile site lease on Roseburg-Myrtle Creek Section, Douglas County;</p> <p>Bargain and sale deed, conveying unto Irvin A. Gibbins two lots in Eugene, Lane County;</p> <p>Bargain and sale deed conveying unto Washington County 1.68 acres at North Plains;</p> <p>Bargain and sale deed, conveying unto R. A. Eastman, Jr. 1.45 acres of land, in Douglas County;</p> <p>Bargain and sale deed, conveying unto Benton County, two acres of land.</p>
10794		<p>Multnomah County. Portland, Front Avenue Project. Status report on acquisition of right of way.</p>
10798		<p>Real property. Resolution authorizing acquisition.</p> <p>Condemnation. Recommended offers. Resolution adopted:</p> <p>Right of way for: John Day-Burns Highway, Wasco-Heppner Highway, Oregon Coast Highway, Tiller-Trail Highway.</p>

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10801	Dec. 16	Lane County. Eugene-Springfield Section. Settlement with Arthur D. Jones, for right of way, approved.
		Washington County. Wolf Creek Highway. Right of way controversy with B. F. Friday discussed. Action deferred.
10802		Klamath County. Sprague River County Road. Agreement with U.S. Indian Service, re construction, approved.
		Washington County. Davies-Vadis Section, Wolf Creek Highway. Sale of 34 acres on south side of highway to be advertised for bids.
		Linn County. Topsoil pit southwest of Albany. Request of J. W. Goin for lease approved.
		Umatilla County. Pendleton airport. Request of U. S. Army officials for use of property opposite airport approved.
		Tillamook County. McNamers Camp, Wilson River Highway. Request of Consolidated Timber Co. for permit to maintain service station on right of way approved. Agreement authorized.
10803		Resolution adopted re disposal of right of way.
10804		Douglas County. Pacific Highway, Watts Acres, Green Station. Coos Bay Lumber Co.'s request for vacation of certain streets approved.
		Umatilla County. Timber strips along Pendleton-John Day Hwy. between Desolation and Camas Creeks. Options to be secured.
10805		Washington County. Nehalem Secondary Highway. Resolution abandoning portion of the highway adopted.
10806		Park matters. Parks Superintendent reports on following: Polk County. Helmeck Park. Relinquishment to army for use in connection with cantonment discussed.
10807		Umatilla & Union Counties. Emigrant Park. Request of Pacific Telephone & Telegraph Co. to cut danger trees denied. Curry County. Port Orford State Park. Request of mining company to purchase park for chromite deposit. No action.
		Tillamook County. Short Sand Beach Park. Purchase of 42-acre tract from T. M. Collins considered. Action deferred.
		Clatsop-Tillamook County Line, Oregon Coast Highway. E. W. Kruschke requests roadway easement. Denied.
		Damage claim. Attorney instructed to institute suit against E. W. Kruschke for damages caused by construction of unauthorized roadway through state park.
10808		Curry County. Harris Beach Park. Request of Mrs. Anna Barclay to continue operation of restaurant in park denied. Mrs. Barclay granted six months in which to vacate premises.
		Jackson County. Casey State Park. Parks Superintendent reports that Mrs. Inez Van Dyke refuses to vacate state's property. Attorney instructed to evict Mrs. Van Dyke.
10809	1942 Jan. 5	Funds.. Engineer makes recommendations for conservation of state highway funds. during present emergency. State projects. Contracting of additional state-financed projects to be deferred for the present. Travel & Information Department. Expenditures for publicity purposes to be reduced.

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10809	Jan. 5	<p>Wayside strips. Commission to defer purchase of additional roadside strips.</p> <p>Parks Department. Reduction in expenditures. Discussion deferred until Parks Superintendent present.</p>
10810		<p>Personnel. To be reduced to minimum in departments affected by program of conservation.</p> <p>Federal funds. Distribution to various districts discussed. Engineer to report status of expenditures.</p> <p>Minor betterment work. To be deferred temporarily.</p> <p>Jackson County. Plaza Corner, Ashland. Considered vital project. Construction approved.</p> <p>Multnomah County. Columbia River Highway, through Parkrose District. Construction approved as vital project.</p> <p>Klamath County. South Sixth Street Project, Klamath Falls. Construction deferred. Right of way to be secured.</p> <p>Curry County. Gold Beach Project. Construction deferred pending consultation with local citizens.</p> <p>Right of way budget. Attorney to report at next meeting on status of budget for unfinished work.</p>
10811		<p>Clatsop County. DeLaura Road. To be constructed as WPA project. State to purchase right of way.</p> <p>Tongue Point. Project to proceed on contract basis, as previously planned.</p> <p>Old Oregon Trail Centennial. Curtailing of expenses discussed.</p> <p>Claim. Accident involving state car operated by John Smith Jackson. Damage suits by estate of deceased and by widow.</p>
10812		<p>Deschutes County. State to secure right of way on behalf of county for road across government lands.</p> <p>Permits. Oversized equipment. Resolution adopted at December 18 meeting discussed. Previous action confirmed.</p> <p>Log hauling. Request of C. H. Walter to transport overlength loads over Santiam Hwy., without providing flagmen, denied.</p> <p>Equipment. Paving plants. Engineer reports difficulties in securing priority rating from OPM.</p>
10813		<p>Umatilla County. Pendleton Airport Road. Telegram to Colonel Frank W. Wright, re use by army of property adjacent to road approved. Resolution adopted.</p>
10814		<p>Awards. Commission confirms following awards:</p> <p>Sun Dial Highway Section, Parker-Schram Company;</p> <p>South Unit, Enterprise-Forest Boundary Section, Rogers Construction Company;</p> <p>Multnomah County. Burgard Street Project, Portland. State to assume portion of city's share of cost.</p> <p>Project to be advertised for bids at next meeting.</p>
10815		<p>Washington County. Multnomah County Line-Forest Grove Section, Tualatin Valley Highway. Request for improvement denied.</p> <p>Malheur County. Nyasa. Chamber of Commerce inquires re paving of Main St. and construction of storm sewers. City's water system plans to be studied by Mr. Van Scoy.</p>

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10815	Jan. 5	Polk County. West Salem. Request for lighting system along state highway route denied.
10817		Military Roads. Program of projects approved. List to be transmitted to Public Roads Administration for approval.
		Parks Department. Curtailment of expenses discussed.
		Linn County. Cascadia Park. Purchase of property from Geo. Geisendorfer approved.
		Douglas County. Umpqua Lighthouse tract. Purchase of 140 acres from K. R. Richards approved.
		Linn County. Cascadia. Purchase of wayside strips from Rova E. Conn approved.
		Salmon River Highway. Purchase of 40 acres from Miami Corporation approved.
		Purchase of James Churchill property deferred.
		Tillamook County. Purchase of fir timber land deferred.
		Purchase of Collins property, Short Sand Beach, deferred.
		Pendleton-John Day Highway. Timber strips. Purchase deferred.
		Deferment of tree cutting to be secured if possible.
10818		Park betterment orders. List approved, for 1942 performance.
10819		Park maintenance budget for 1942. Tentatively approved.
		Curry County. Port Orford Cedar Park. Sale of park to mining company considered.
		Mining company to confer with Commission on January 21.
		American Association of State Highway Officials. Payment of dues approved for 1942.
		Legislation. Congressional bill, giving Interstate Commerce Commission control over motor transportation, discussed.
10820		Contracts. Request of contractors to be allowed to defer state work in order to work on army airports denied.
		Agreements, etc., signed as follows:
		City streets. Agreements for improvement of streets in following cities: Burns, Cornucopia, Gresham, Jacksonville, Jefferson, Oakridge, Rainier, Canyon City, Enterprise, Gold Hill, Joseph, La Grande;
		Southern Pacific Company, covering Oak Hill Overcrossing, in Lane County;
		Bonneville Power Administration, covering pole line crossing of Old Oregon Trail at Orodell, Union County;
		Bargain and sale deed, conveying unto George D. Saxton, two parcels of land in Washington County;
		Permits authorizing taking of sand and gravel from certain Indian lands in Wasco County;
		Meeting dates. Regular meeting, scheduled for January 16 and 16, 1942, postponed until January 21, 1942.
10821	Jan. 21	Bids received on following projects, and sale of buildings:
		Maintenance equipment shed at Alsea;
		Lewis and Clark Bridge, remodel traffic barrier;
		Tongue Point Section, grading and paving;
		Boardman-Stanfield Section, surf., bit. macadam and cr. rock;

<u>Page</u>	<u>Date</u>	<u>Subject</u>
10822	Jan. 21 1942	<p>Bids received on following projects, and sale of buildings: (Cont.) North Burgard Street, Portland, paving; Maintenance equipment shed at Tillamook; Umatilla Ordnance Depot, undercrossing structure and approach road; Sale of building at North Plains; Sale of buildings at Eugene; Log hauling. Delegation from Clackamas County confers re log hauling on county roads.</p>
10823		<p>Overlength equipment. Transportation of overlength loads, between Cascadia and Lebanon, authorized, if flagmen used. Radio program: "Oregon on Parade." Delegation confers relative to continuance of KOAC program in 1942. Permits. Oregon Motor Transport Assn. and Arrow Transportation Co. request permits for overlength equipment, between Washington state line and town of Umatilla. Action deferred.</p>
10824		<p>Multnomah County. Front Avenue, Portland. Delegation from Helen Kelley Manley Community Center inquires re plans for construction of additional unit at south end of project. Penalty reduction. E. L. Rigdon granted relief from penalty imposed on contract No. 2367, Okerman Ranch-Sagehen Hill Sec. Linn County. Albany. T. M. Gilchrist property. Edw. E. Sox, attorney, confers re right of way controversy.</p>
10825		<p>Lane County. Eugene-Springfield Section. Request of George P. Hitchcock for additional compensation for right of way refused. Deschutes County. Terrebonne-Lower Bridge County Road. County to do surfacing; state to oil. Credit to be given in future allocations to county.</p>
10826		<p>Baker County. Dooley Mountain Section, Baker-Unity Highway. Proposed construction of guard rail deferred. Lane County. West Springfield. Channelization of traffic at intersection of Pacific & McKenzie Highways approved. Claim. Clark Irving confers re settlement for damages to truck and trailer caused by highway department truck.</p>
10827		<p>Travel & Information Department. Advisory Committee's recommendation, re 1942 budget, approved. Curry County. Port Orford Cedar Park. Mining company confers re purchase of park for chrome ore. Action deferred.</p>
10828		<p>Awards. Chairman announces award of contracts and sale of buildings.</p>
10830		<p>Clatsop County. Lewis and Clark Bridge. Remodeling traffic barrier. Work to be done with state forces. Building at North Plains, Washington County. Ordered wrecked. Buildings at Eugene, Lane County. Private sale authorized. Marion County. Niagara-Detroit Section, N. Santiam Highway. Delegation. State agrees to assume 50% of cost of maintenance.</p>

<u>Page</u>	<u>Date</u>	<u>Subject</u>
10831	Jan. 21	Jackson County. Trail Junction-McLeod Section, Crater Lake Highway. Request for improvement. Project deferred.
		Coos County. Coquille, Coos Bay-Roseburg Highway. Request of Wayne Watson for remedy of slide condition denied.
		Personnel. Salary check due Edgar V. Jones to be delivered to E. W. Dick, as per Mr. Jones's request.
10832		Awards. Commission confirms following awards: John Day-Burns Highway, M. L. O'Neil & Son; Wright Ranch-Milo Section, C. J. Eldon.
		Multnomah County. Steel Bridge, Portland. Furnishing of insurance bond to railroad companies deferred.
		Personnel. Advisability of employing Safety Engineer discussed. No action taken.
		Equipment. Purchase of three power hoists for use of bridge maintenance crews approved.
		Umatilla County. Pendleton Airport Road. Resolution re use of property adjacent to road, by U. S. Army, approved for insertion in January 5 minutes.
		Tillamook County. Wilson River Highway. Resolution, designating width of right of way opposite land of Consolidated Timber Co., approved for insertion in Dec. 18, 1941, minutes.
10833		Permits. Request of Consolidated Freightways, Inc. for permit for movement of oversized equipment denied.
		Klamath County. Crater Lake Park. Letter to E. P. Leavitt, re state highway route numbers within park, approved.
		Lincoln County. Corvallis-Newport Highway. County court accepts jurisdiction over section abandoned by state.
		Hood River County. Hood River Chamber of Commerce urges continuation of state's publicity program.
		Electric power purchases. Effort to be made to secure relief from payment of federal taxes in connection with power purchases.
		Clatsop County. Tongue Point Project approved by FRA. Contract awarded to Erickson Paving Company at its low bid.
10834		Log hauling. Elimination of PUC number of trailers from log hauling permits authorized.
		Washington County. Beaverton. Complaint re traffic hazard caused by power pole, on right of way. City to be asked to move pole.
10835		Clatsop County. Fishhawk Falls Secondary Highway. Wright Blodgett & Tidewater Timber Co. request certain reservations in connection with deeds conveying right of way.
		Park matters. Report of Parks Superintendent.
		Pendleton-John Day Highway. Timbered strips. Pilot Rock Lbr. Co. to defer cutting of timber as requested.
		Curry County. Port Orford Cedar Tract. Sale to mining company considered. (See P. 10873)
10836		Parks Department. Financial report for 1941 approved.
10837		Real property. Resolution authorizing acquisition adopted.

<u>Page</u>	<u>Date</u>	<u>Subject</u>
10842	Jan. 21	Condemnation. Recommended offers. Resolution adopted: Right of way for Hood River Second. & John Day Highways.
10844		Right of way expenditures in 1941. Asst. Attorney reports. Right of way budget for 1942. Estimated budget approved.
10845		Jefferson County. Warm Springs Secondary Hwy. near Madras. Request of Emil Henskie for fence construction denied. Hood River County. Dee-Parkdale Section. Right of way settlement with C. F. Allegre approved. Lincoln County. Siletz Bay-Newport Section, Oregon Coast Highway. Purchase of H. L. Kuhl property approved. Douglas County. Winchester Bay. Timbered strips, Oregon Coast Highway. Frank J. Anlauf suggests preservation.
10846		Washington County. Pacific Highway West through Tigard. Resolution adopted abandoning portion of old route.
10848		Umatilla County. Pendleton Airport Secondary Highway. Resolution adopted abandoning portion of old right of way.
10849		Penalty reduction. The United Contracting Co. granted re- lief from payment of penalty imposed on contract No. 2441, St. Helens Section.
10851		Surveys. List of surveys ordered since last meeting. Extensions of time, as follows: Frank Penepacker, S. Unit, Algoma-Terminal City Section; W. D. Miller Construction Company, Lost River Section;
10852		R. I. Stuart & Sons, Little Butte Creek-Cascade Gorge Sec.; Jacobsen-Jensen Company, Barbur Blvd.-Boones Ferry Road Section;
10853		Berke Brothers, Deer Creek-Bellevue Section; Berke Brothers, West Sheridan Section;
10854		Leonard and Slate, Dixie Summit Section; A. Milne, Long Creek-Fox Section.
10855		Contracts completed and accepted, as follows: Little Butte Creek-Cascade Gorge Sec., R. I. Stuart & Sons; Tunnel Point-Rooster Rock Section, General Construction Co.; Deer Creek-Bellevue Section, Berke Brothers; East Dairy Creek Bridge, Frank Watt Construction Company.
		Meeting dates. February 19 and 20, 1942, tentatively set for next regular meeting.
		Agreements, etc., signed as follows: City streets: Oregon City, Glendale, Fairview, Fossil, Haines, Rogue River, Florence, Reedsport, Prairie City, Huntington, Heppner, Myrtle Creek, Echo. Southern Pacific Co., covering installation of automatic grade crossing signals at Grants Pass, Reedsport & Sheridan. Sunnyhill School Dist., Coos County, authorizing construction of entrance gate to school grounds, near Hauser.
10856		Bargain and sale deed, conveying unto Eugene Power Company, 1546 sq. ft. in Eugene.

<u>Page</u>	<u>Date</u>	<u>Subject</u>
10856	Feb. 13	Jackson County. Medford. Delegation confers relative to rerouting of Pacific Highway, through town.
10858		Resolution adopted.
10859		Front Avenue, Medford, to be studied as alternate route.
		Jackson County. Delegation confers re plan to control traffic along Crater Lake Highway and on county road.
10860		Resolution adopted re maintenance of county road and one-way traffic on Crater Lake Highway.
10861		Clatsop County. Delegation re county's indebtedness to state. County to be given credit for donations of right of way.
10862		Gearhart. Approach road to beach. Feasibility of construction by county discussed.
		Claims. Collection of claims against following cities discussed: Beaverton. City refuses to pay, constitutional time limit having expired;
		Vale. City refuses to pay, alleging counterclaim for water and gravel.
		Real property. Resolution authorizing acquisition.
10870		Condemnation. Recommended offers. Resolution adopted: Right of way for: DeLaura Beach Road connection; Klamath Falls-Lakeview Highway; and Hood River Secondary Highway.
10873		Coos County. North Bend, Oregon Coast Highway. P. M. Ross right of way controversy discussed. Condemnation authorized.
		Marion County. Pacific Highway. Request of A. Schweinfurth to lease 70-acre tract, south of Salem, denied.
		Curry County. Port Orford Cedar Park. Form of agreement covering sale of park to mining corporation approved.
		Clackamas County. Oregon City. Lease of moorage right to Crown-Zellerbach Corporation approved.
10874		Jefferson County. Sale of state-owned property adjacent to Madras Overcrossing, Warm Springs Highway, approved.
		Clatsop County. Tongue Point, Columbia River Highway. U. S. Navy to be granted easement across portion of right of way.
		Claim. Phoenix Iron Works claims damages to property, arising out of construction of Union Avenue Viaduct, Portland.
		Park matters. Parks Superintendent reports in person.
		Scrap steel. Sale of two steel pipe lines at John Yeon State Park at Warrendale, approved.
10875		Scrap iron. Sale of accumulated junk at Cascadia State Park approved.
		Clatsop County. Bradley Park. Caretaker not to be reinstated. Restroom facilities not to be maintained.
		Permits. Traffic law violation of Oregon Nevada California Fast Freight, Inc., involving overweight loads, discussed.
		Equipment. Tire purchases. Letter to U.S. Price Administrator re plan for rationing tires, approved.
		Claim. Damage to The Dalles-California Hwy. by failure of dike at Algoma. Suit to be instituted against S.P. Co., Central Pacific Railway Co., and California-Oregon Power Co.

<u>Page</u>	<u>Date</u>	<u>Subject</u>
10876	Feb. 13	<p>Josephine County. Delegation requests designation of Merlin Market Road and Merlin Cut-off, as state secondary highway; also oiling of Merlin Road Section. Request denied.</p> <p>State highway system. No additional roads to be added to system, unless of emergency nature.</p> <p>Tillamook County. Garibaldi. Request of civic club for oiling of shoulders through town denied.</p> <p>Minor betterment work. Deferment of minor betterment work during present war emergency discussed. Action deferred.</p> <p>Surveys. List of federal aid survey projects presented. Commission decides not to approve additional projects.</p>
10877		<p>Curry County. Gold Beach, Oregon Coast Highway. Acquisition of right of way for project discussed. No action taken.</p> <p>Multnomah County. Swift Secondary Highway. Request of Swift & Co. for widening of section of highway denied.</p> <p>Lake County. Lakeview. Request for footpaths along Fremont and Klamath Falls-Lakeview Highways denied.</p> <p>Sidewalk construction. All such projects to be deferred for duration of war emergency.</p> <p>Deschutes County. Terrebonne-Lower Bridge County Road. Agreement with county re improvement discussed. (See P.</p>
10878		<p>Multnomah County. Portland. Lombard Street Secondary Highway No. 121. Abandonment resolution adopted, re portion.</p>
10879		<p>Cascade Secondary Highway. No. 160. Extension of highway from Sandy to Killingsworth Street. Resolution adopted.</p>
10880		<p>Umatilla County. Umatilla Ordnance Depot. Undercrossing structure. Commission confirms award of contract to F. R. Hewett.</p> <p>Yamhill County. Willamina. City markers. Request for permission to install at entrances to city denied.</p> <p>Washington County. Tigard, Pacific Highway West. Portion of right of way abandoned by state to be retained by county.</p>
10881		<p>Umatilla County. Old Pendleton Airport Highway. County court to assume jurisdiction over portion abandoned by state.</p> <p>Wheeler County. Hoppner-Spray Secondary Highway. Agreement with Kinsua Pine Mills Co. re construction of logging road.</p> <p>Claim. Theft of culvert pipe. Report on state's claim against Tom Bailey, Diamond, for theft of pipe.</p> <p>Claim. Mrs. Swan Bokvist claims damages for personal property destroyed by fire caused by maintenance crew's burning operations.</p> <p>Radio program. "Oregon on Parade." Question of contributing funds for KOAC radio program during 1942 discussed.</p>
10882		<p>Klamath County. Klamath Falls. South Sixth Street. A. M. Collier requests construction of parking strip 16' wide.</p> <p>Moorman forgery case. Resolution adopted, exonerating Engineer from liability. Suit not to be brought against Ladd & Bush Bank.</p>
10883		<p>R. H. Baldock, State Highway Engineer, reappointed for four-year term.</p>

<u>Page</u>	<u>Date</u>	<u>Subject</u>
10883	Feb. 13	C. B. McCullough, Assistant State Highway Engineer, reappointed for four-year term. J. M. Devers, Attorney, reappointed for four-year term. H. B. Glaisyer, Secretary, reappointed for four-year term.
10884		Airplane flight strips. PRA requests Engineer's attendance at special meeting at San Francisco re construction of strips. R. H. Baldock, authorized to attend meeting of PRA and 4th Air Force, Feb. 16 and 17, in San Francisco, re flight strips. Multnomah County. Front Avenue, Portland. Purchase of additional right of way between Clay and Montgomery Sts. approved. Plan for crossing of certain streets approved. City streets not on state highway routes. Projects on which agreements have been signed authorized for contracting. Permit. Log hauling. Permit of Wesley Ober to be reinstated if he presents evidence that trucks are properly licensed.
10885		Beach fires. Tillamook Air-raid Precaution Committee requests signs prohibiting beach fires at night. Signs authorized. Post-war highway projects. Oregon Coast Hwy. Assn. suggests plans, surveys, etc., be prepared for use in post-war period. Permit. Balsiger Motor Company requests permit to operate overweight equipment in Klamath Falls area. Denied. Military access roads. Arrangement as to plans and financing of construction of access roads for Medford and Corvallis cantonment approved.
10886		Contracts. Statement from Office of Emergency Management relative to dissemination of information. Extensions of time, as follows: Cochran and Gatton, Warm Springs River Section; Sam Orino, Depoe Bay Section;
10387		C. E. Oneal, Pendleton Airport Section; Averill & Corbin, Rock Creek Bridge;
10888		Rogers Construction Co., Dee-Woodworth Acres Section. Contracts completed and accepted, as follows: Warm Springs River Section, Cochran & Gatton; Depoe Bay Section, Sam Orino; West Sheridan Section, Berke Bros.;
10889		Pendleton-Airport Highway Section, C. E. Oneal; Viaduct, Rock Creek Section, Averill & Corbin; Dee-Woodworth Acres Section, Rogers Construction Company; Swishome Rock Production Project, A. S. Wallace; Condon-Servicecreek Rock Production Project, F. R. Hewett; Removing buildings, East Portland, Shipyard Wood Company; Agreements, et cetera, signed as follows: Southern Pacific Co., covering easement to state over two parcels of land near Monroe; Coos Electric Cooperative, Inc., covering purchase of electricity for use of Remote maintenance station; Katherine Helen Jones, et al., covering purchase of property at Eugene;

<u>Page</u>	<u>Date</u>	<u>Subject</u>
	1942	
10889	Feb. 13	<p>Agreements, et cetera, signed as follows (cont.):</p> <p>Kinsua Pine Mills Co., covering construction of logging road across Heppner-Spray Secondary Highway, Wheeler Co.;</p> <p>Hoke Smith, covering lease of state-owned property on Eugene-Springfield Section of the Pacific Highway;</p> <p>Fisher Brothers, covering use of state-owned quarry, known as Hjorteland quarry, near Astoria, Clatsop County;</p> <p>Crown-Zellerbach Corp., covering lease of riparian rights on east bank of Willamette River, Oregon City;</p> <p>City street agreements, as follows: John Day, Hubbard, Lafayette, Lebanon, Richland, Roseburg, Wallowa;</p> <p>U. S. Navy, granting use of portion of right of way of Columbia River Highway, for Tongue Point Naval Base, Astoria;</p> <p>Quitclaim deed, conveying unto Wallowa Sheep & Land Co. property in Wallowa County, deeded to state by mistake;</p> <p>Bargain and sale deed, conveying unto Mary Palandri a 0.4 interest in a lot in Portland.</p> <p>Permits. Oversized equipment. Resolution adopted authorizing movements 60' long, maximum weight 68,000 lbs.</p>
10890		
10895	Mar. 19	<p>Bids received on following projects, and sale of land:</p> <p>Baker Rock Production Project;</p> <p>Wells-Granger Section, grad., surf., and bit. macadam;</p> <p>Redmond Rock Production Project;</p> <p>North Unit, Antelope Creek-Medford Section, grad. and pav.;</p> <p>South Unit, Antelope Creek-Medford Section, grad. & paving;</p> <p>Combination North and South Units, Antelope Creek-Medford Section;</p> <p>Grave Creek-Jumpoff Joe Creek Section, grad. & paving;</p> <p>Harrisburg Bridge Section, replace pile trestle approach;</p> <p>Airbase-Columbia Bottom Road Section, grad. and paving;</p> <p>Sale of tract of land near Banks.</p> <p>Curry County. Port Orford Cedar Park. Senator Walsh confers re agreement with mining company for purchase of property.</p> <p>Forest highway funds. Freezing of funds by federal government on account of war conditions discussed.</p> <p>Grant County. John Day Highway east from Prairie City. Surfacing and light oiling of 4-mile section approved. Taking of bids authorized for next meeting.</p> <p>Harney County. Judge Higgs confers re following improvements:</p> <p>Stinkingwater Mountain Section, Central Oregon Highway, re-surfacing requested;</p> <p>Burns Airport Road, construction requested;</p> <p>Diamond Secondary State Highway, improvement requested.</p>
10896		
10897		<p>Lane County. Eugene. Delegation requests construction of roadway to Eugene Fruitgrowers Cannery. Reconstruction of High Street-Sixth Avenue intersection authorized.</p> <p>Route F Highway. Delegation requests repair of road; also, improvement east of Fisher crossing to eliminate right-angle turn.</p>
10898		

<u>Page</u>	<u>Date</u>	<u>Subject</u>
10898	Mar. 19 1942	Union County. Union. State Game Supervisor confers re sale of Game Commission property needed for maintenance site. Survey. Game Commission property at Union. Survey of boundaries approved in connection with purchase of maintenance site.
10899		Polk County. Pacific Highway West. Reconstruction to accommodate army cantonment discussed. Independence-Granger County Road. Award of contract to low bidder on project approved. Action deferred on request for designation as secondary state highway. Monmouth. Delegation confers re improvement of Pacific Highway West through town. Surveys. Corvallis-Rickreall Section, Pacific Highway West. Surveys authorized for new location. Benton and Polk Counties. Corvallis-Monmouth Section, Pacific Highway West. To be advertised for bids at early date.
10900		Crook County. Crooked River Highway. Delegation requests surfacing of 11-mile section. Marks Creek-Mill Creek Section, Ochoco Highway. Delegation requests maintenance of abandoned section for stock driveway. Lincoln County. Toledo. Attorney for V. L. Moore confers re deedling 8' strip to Mr. Moore, and suggests abandoning old right of way of Corvallis-Newport Highway adjacent to Moore property.
10901		Jackson County. Combination bid for North and South Units of Antelope Creek-Medford Section. Jacobsen-Jensen Co. & Leonard & Slate, low bidders, urge award of contract to them. Multnomah County. Portland. Sandy Boulevard. Parkrose Chamber of Commerce confers re following improvements: Traffic signals at 89th, 99th, and 105th Avenues. Change from amber lights to red lights requested.
10902		Pedestrian traffic stripes at 89th, 99th, and 105th Avenues. Repainting requested. Widening of Sandy between 82nd and 122nd Avenue requested. Improvement beyond 102nd Avenue. Parkrose Chamber of Commerce offers assistance in securing right of way. Awards. Chairman announces awards of contracts and sale of tract of land.
10904		Polk and Benton Counties. Independence-Granger County Road. Delegation urges designation as state secondary highway and improvement to state highway standards.
10905		Marion County. Woodburn. Delegation confers re improvement of Young St., between business district and Pacific Highway. Penalty reduction. Contract No. 2472, with Porter W. Yett, for work on the Vollmer Creek and Necanicum Junction Sections. Cancellation of penalty approved. Contract No. 2331, with City Motor Trucking Company (Porter W. Yett), for work on the Rainier Section of the Columbia River Highway. 50% reduction in penalty approved.

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10906	Mar. 19 1942	Log hauling. Wolf Creek Jct.-Cannon Beach Section. Delegation requests extension of log-hauling privilege to July 1, 1942. Approved. Benton County. Alsea-Deadwood Secondary State Highway. Delegation requests improvement of 1 1/2-mile section between Batdorf's place and foot of mountain. Denied.
10907		D. F. Moehnke requests authority to improve portion of highway at own expense. Investigation to be made. Permits. System Freight Service requests permit for oversized equipment transporting airplane parts. Action deferred. Log hauling. Delegation from Albany and Sweet Home requests relief from penalty for overloading.
10908		Deschutes County. Terrebonne-Lower Bridge County Road. Delegation confers re improvement. Agreement to be prepared.
10909		Cline Falls Secondary Hwy. Delegation's request for oiling of 4-mile section north of Tumalo denied. Tumalo-Deschutes Secondary State Hwy. Request for oiling of 3-mile section east of Tumalo denied.
	Mar. 20	Traffic fines. Matters pertaining to collection of fines discussed. No action taken.
10910		Log hauling. Request of Albany and Sweet Home delegation for relief from penalty for overloading again considered. Action deferred.
		Real property. Resolution authorizing acquisition.
10916		Jackson County. Medford cantonment access roads. T. A. Davis, Sr. Highway Engineer, FRA, approves right of way settlements. Medford. Attorney reports on negotiations with C. M. Parker for acquisition of right of way. Offer of \$12,000 authorized. Award of contract. Contract for N. Unit, Antelope Creek-Medford Section awarded to Berke Bros., the low bidders. Jackson County. South Unit, Antelope Creek-Medford Section. To be readvertised for bids at next regular meeting. Meeting dates. Next regular meeting set for April 2, 1942.
10917		Jackson County. Crater Lake Highway. Construction of temporary side road between McAndrews Road and trailer camp, Medford, considered. Midway County Road. Request of army engineers for extension of one-way traffic for north-bound travel approved.
10918		Condemnation. Recommended offers. Resolution adopted: Gravel pits: McKenzie Highway, Pacific Highway. Right of way: Pacific Highway East, Santiam Highway, Pacific Highway, Willamette Highway and Oregon Coast Highway.
10921		Awards. Chairman announces award of contract for the North Unit, Antelope Creek-Medford Section, to Berke Bros., and rejection of bids for South Unit of same section. Meeting date. April 2, 1942, confirmed as next meeting date.
10922		Gas tax legislation. Telegram sent Oregon congressional delegation opposing resolution exempting defense contractors, etc., from payment of gas taxes and motor transportation fees.

<u>Page</u>	<u>Date</u>	<u>Subject</u>
10923	Mar. 20 1942	Salaries and wages. Increase in pay for employees, including weighmasters, discussed. Action deferred until next meeting. Engineering crews in vicinity of cantonments granted \$20.00 additional allowance for expenses.
		Airplane flight strips. Wolf Creek Highway, near North Plains. Construction authorized if approved by government.
		Speed limits. Establishment of 40-mile-per-hour speed limit as requested by President considered. Approved for state cars.
10924		Speed zones. Resolutions adopted setting 35-mile-per-hour speed limit through Medford and Corvallis cantonments.
10926		Marion County. State Fairgrounds, Salem. Agreement with State Fair Board, for improvement of roadways, to be prepared.
		Log hauling. Saturday afternoons, Sundays and during hours of darkness. PUC inquires whether privilege is to be extended after June 1, 1942. Action deferred.
10927		Jackson County. Ashland. Plate glass windows. Sale to H. L. Claycomb and a Mr. Butler approved.
		Equipment. Cash register acquired in connection with right of way at Eugene. Sale to A. D. Jones approved.
		Sherman County. John Day River-Quinton Section, Columbia River Highway. Attorney authorized to negotiate for right of way.
		Jackson County. Park property leased from federal government. Request of a Mr. Murphy to construct irrigation ditch across property. State will offer no objection.
10928		Government stipulations. Requirements in connection with obtaining right of way easements across reclamation canals, especially Boardman-Stanfield Highway, discussed.
		Malheur County. Nyssa. Small building used as engineer's office during construction of project to be given to city.
		Sale of buildings. City of Nyssa offers to purchase building acquired from Fletcher Oil Company, Nyssa. To be advertised for bids unless City of Nyssa makes fair offer.
		Grant County. John Day. Request of Catholic Church for portion of right of way in front of church for sidewalk construction. Commissioner Oliver to report.
		Lane County. Glenada. Offer of A. M. Myer to purchase portion lying outside of right of way of Oregon Coast Highway refused.
		Jefferson County. Madras. Sale of property adjacent to right of way of Warm Springs Hwy. considered. Attorney to report.
10929		Klamath County. Klamath Falls. South 6th St. State to pay for moving buildings from Swan Lake Moulding Co. property.
		Claim. Clatsop County requests credit on indebtedness, in consideration of properties deeded to state gratis.
		Clatsop County. Resolution adopted accepting conveyance of certain real property in payment of county's debt to state.
10930		Deschutes County. Redmond. "Petition" and "Consent to vacate" portion of 10th Street and alley approved.
10931		Jackson County. Casey State Park. Action, to force Mrs. Ines Van Dyke to vacate premises, authorized for about June 1.

Page	Date	Subject
10931	Mar. 20	<p>Columbia County. St. Helens. Enyart condemnation case. Attorney instructed re conduct of case.</p> <p>Equipment. Oil storage tanks. Construction of five tanks for storage of reserve road oil authorized.</p> <p>Permits. Oversized equipment. Request of Governor and various government agencies for modification of restrictions. Resolution adopted at previous meeting confirmed. (P. 10291)</p>
10932		<p>Labor. Contractors inquire whether they will be permitted to operate under 48-hour week, in view of Federal Labor Act.</p> <p>Equipment. Purchase of following authorized: 8 auxiliary gasoline motor generator sets for radio stations at Salem, Milwaukie, Medford, Roseburg, Coquille, Astoria, Klamath Falls and La Grande; 4 Monroe calculating machines; 2 loadometers for use of weighmasters; 3 electric motor-driven compressors.</p>
10933		<p>Compressor acquired with right of way for Eugene-Springfield Project. Engineer to ascertain if compressor being used.</p> <p>Permits. Green Springs Highway. Emergency permits for oversized movements between Klamath Falls and Ashland approved.</p> <p>Log hauling. W. J. Lichty, granted 30-day permit to move overlength piling over Deadwood Secondary & Siuslaw Highways.</p> <p>Permits. Hauling of overweight loads of chrome ore over Oregon Coast Highway. Decision deferred.</p> <p>Hood River County. Hood River Bridge. Request of bridge company that guards be maintained by state denied.</p> <p>Western Assn. of State Highway Officials. Chairman Cabell and State Highway Engineer authorized to attend meeting at Salt Lake City, Utah, April 17 and 18, 1942.</p>
10934		<p>Payment of dues for 1942 membership approved.</p> <p>Multnomah County. Portland. Multnomah Civic Club suggests renaming Front Avenue "Douglas MacArthur Boulevard."</p> <p>Yamhill County. County requests assistance in securing federal funds for construction of McMinnville airport road. Chairman Cabell and Commissioner Clough to meet with McMinnville people on April 1, 1942.</p> <p>Multnomah County. Portland. Resolution re construction of Front Ave. project past Public Market Building approved.</p>
10937		<p>Electric power purchases. Payment of power bills to be deferred pending investigation of payment of federal tax.</p> <p>Klamath County. Klamath Falls-Modoc Point Section, The Dalles-California Highway. Request for early improvement.</p>
10938		<p>Jackson County. Medford. Routing of Pacific Highway traffic along Central Avenue, as originally planned, approved.</p> <p>McKensie Pass. Report on cost to conduct snow removal operations. Opening of road by April 15, 1942, approved.</p> <p>Coos County. Cape Arago Secondary Highway. Engineer authorized to advertise for bids when government approves project.</p> <p>Park matters. State Parks Superintendent makes report.</p> <p>Juniper wayside tracts. Bend-Burns Section, Central Oregon Highway. Agreement with U. S. Grazing Service covering joint preservation approved.</p>

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10938	Mar. 20	Juniper wayside strips. (cont.) Redmond-Bend Section, The Dalles-California Highway. Outright purchase from federal government, rather than lease, approved.
10939		Marion County. Silver Creek Falls CCC Camp. Renewal of CCC camp for period of one year approved. Progress report for February, re operation of camp, approved. Umatilla and Union Counties. Emigrant Park. Pacific Tel. & Tel. Co.'s request for permit to fall trees approved. Parks Department. Financial report approved.
10940		Douglas County. Paul Schuttpels lease for roadway across park property. Resolution adopted re cancellation of lease.
10941		Surveys. List of surveys ordered since last meeting approved.
10943		Extensions of time, as follows: Roy L. Houck, Scappoose-Multnomah County Line Section; M. L. O'Neil & Son, Plunkett Creek-Read Creek Section; Chester T. Lackey, Lapine Rock Production Project;
10944		M. L. O'Neil & Son, Taylor Creek Section; E. L. Gates, Kimberly-Simas School Section; A. O. Ekstrom, Detroit-South Santiam Junction Section;
10945		Porter W. Yett, Interstate Bridge-Oregon Slough Section. Contracts completed and accepted, as follows: Lost River-Malin Bridge Section, W. D. Miller Const. Co.; Plunkett Creek-Read Creek Section, M. L. O'Neil & Son; Lapine Rock Production Project, Chester T. Lackey;
10946		Taylor Creek Section, M. L. O'Neil & Son; Detroit-South Santiam Junction Rock Prod., A. O. Ekstrom; Interstate Bridge-Oregon Slough Section, Porter W. Yett. Agreements, et cetera, signed as follows: Board of County Commissioners of Multnomah Co., re construction and maintenance of Portland Air Base East Access Road; City street improvements as follows: Dayton, Forest Grove, St. Helens, Medford, Gaston, West Linn, Chiloquin, Sherwood; Jackson County, providing for maintenance of one-way traffic on Crater Lake Highway and Bybee County Road; Coos Bay Dredging Co., disposing of claim for extra compensation arising out of contract No. 2339, Bandon Section; Marion County, covering maintenance of North Santiam County Road, between Niagara and Detroit. Benton County, providing for improvement of 4.5 mile section of the Independence County Road;
10947		Clatsop County, covering improvement of DeLaura Access Road; Bargain and sale deed conveying lot in Ashland to G. H. Billings; Bargain and sale deed conveying property in Albany to Chris A. Vandran; Bargain and sale deed conveying 10.75 acres of land in Washington County to Henry Duyck; Bargain and sale deed conveying three parcels of land in City of Ashland to H. L. Claycomb; Bargain and sale deed conveying approximately four acres of land in Curry County to W. G. Hellier.

Portland, Oregon, December 18, 1941

The State Highway Commission met in regular session at 9:00 a. m. in the auditorium of the Public Service Building. Present were:

Henry F. Cabell, Chairman
Huron W. Clough, Commissioner
Herman Oliver, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

Bids as follows for highway construction work and sale of buildings were opened and read in conformance with previously-published notice, following which Chairman Cabell announced that the awards would be made at 2:30 p. m. in the same room:

STATE HIGHWAYS NEAR SISTERS
SISTERS ROCK PRODUCTION

E. C. Hall Company	\$24,475.00
R. O. Dail & Warren Bros.	24,755.00
S. S. Montague	25,767.50
Rogers Construction Company	27,000.00
Babler Brothers	27,450.00
Max J. Kuney Company	29,700.00
A. O. Ekstrom	43,085.00

TILLER-TRAIL SECONDARY HIGHWAY
WRIGHT RANCH-MILO SECTION
GRADING, SURFACING AND OILING

C. J. Eldon	\$75,787.50
E. C. Hall Company	77,928.75
E. L. Rigdon	79,658.25
Babler Brothers	89,984.00

JOHN DAY-BURNS HIGHWAY
SODA MOUNTAIN-SILVIES SECTION
GRADING, SURFACING AND OILING

M. L. O'Neil & Son	\$110,090.75
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MT. HOOD HIGHWAY
POLALLIE CREEK-HOOD RIVER ROCK PRODUCTION

C. J. Eldon	\$26,400.00
E. C. Hall Company	27,955.00
Babler Brothers	28,495.00
S. S. Montague	29,690.50

SUN DIAL SECONDARY HIGHWAY
SUN DIAL HIGHWAY SECTION - PAVING

Parker-Schram Company	\$19,939.50
Porter W. Yett	21,122.00
Warren Northwest, Inc.	25,106.00
The United Contracting Company	26,221.00

ENTERPRISE-LEWISTON HIGHWAY
SOUTH UNIT OF ENTERPRISE-FOREST BOUNDARY SECTION
GRADING, SURFACING AND OILING

Rogers Construction Company	\$123,299.40
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FARMINGTON SECONDARY HIGHWAY
CAMPBELL BRIDGE-HAZELDALE SECTION
GRADING, SURFACING AND OILING

	<u>Using Asphalt</u>	<u>Using Tar</u>
A. H. Saxton & Son	-	\$55,872.50
Babler Brothers	-	61,768.00

SHANIKO-FOSSIL SECONDARY HIGHWAY
PORCUPINE BUTTE-CHICHESTER GULCH SECTION
GRADING AND TOPPING

Norris Brothers	\$32,881.00
C. J. Eldon	35,172.20
Leonard & Slate	38,150.00
Vernie Jarl	40,617.40
M. L. O'Neil & Son	48,604.50

SALE OF RESIDENCE BUILDING IN NORTH SALEM

Building No. 2754 (Former owner Carl Vogl)

Burt Picha	\$51.50
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SALE OF RESIDENCE BUILDING IN SOUTH SALEM

Building No. 9482 (Former owner Christian Ramseyer)

C. Ramseyer	\$100.00
Burt Picha	66.50

Commissioner Oliver mentioned the necessity for guardrail construction along certain portions of the Dooley Mountain Section of the Baker-Unity Highway, about twelve miles in length, where, he said, accidents frequently occur. The matter was referred to the Engineer for investigation and to construct guard fence as may be necessary, using the log type of fence if that appears satisfactory.

County Judge Nelson B. Higgs of Harney County was present and inquired as to the Commission's plans for highway improvements in Harney County. Chairman Cabell explained the status of funds available to the Commission, particularly pointing out that so far as federal funds are concerned the outlook at the present time is not very good and indications are that it is going to be rather difficult to secure approval of the federal moneys unless a showing can be made that the expenditures are in the interests of national defense. He also pointed out the difficulties in securing priority on materials and equipment used in highway construction. He inquired as to the improvements most needed in Harney County. Judge Higgs asked for the improvement of the Burns-Crane Highway and U.S. Highway No. 395. He recalled that the Commission, last year, started reconstruction of this road. He suggested that the moneys budgeted for continuation of this work be reallocated for the improvement of Highway No. 395, which is their most important project. Judge Higgs also asked for the improvement of the Frenchglen Secondary Highway and the East Side Road and for construction of the secondary highway between Princeton and a connection with the ION Highway, near Rome. Chairman Cabell reiterated the difficulties that are facing the Commission with respect to funds and advised that the Commission is not in position to make any commitments at this time as to what it can do or how soon anything can be done, inasmuch as it now appears that improvements will have to be limited to state-financed jobs, if it is possible to secure materials for the same. Judge Higgs asked the Commission to give all consideration possible to these projects.

County Commissioner E. E. Varco, Deschutes County, was present in regard to the improvement of the Terrebonne-Lower Bridge Road. He advised that the county grading work on this road will be completed in two or three months and the county would like to do the rock surfacing, which, under the present arrangement, is an obligation of the state along with the oiling work, if the Commission is agreeable and will spend an equal amount of state money for oiling on some other county road. He was informed that this is a federal aid secondary highway, involving federal funds, and there is a question whether or not the government officials will approve the project in view of the war situation. It was also pointed out that the government may require the federal funds to be spent on projects that are most needed for national defense and that there is a question whether or not the Terrebonne-Lower Bridge Road is eligible from that standpoint.

Mr. T. M. Davis, Senior Highway Engineer of the Public Roads Administration, who was present, advised that federal funds cannot be used to pay the county for surfacing work performed on force-account basis; however, if the county will submit a bid for the work along with other contractors and is awarded the contract as the low bidder, then the federal funds could be used to pay the costs.

Chairman Cabell pointed out that the county court was led to believe that the state would do this job and, accordingly, in his estimation, the work should go forward in conformance with the original arrangement if at all possible. The Engineer suggested that it might be advisable to place this road on the state secondary highway system and pay for the improvement with state

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money under the original arrangement. The county, he said, could submit a bid for the rock work if it so desired. After further discussion the Commission acknowledged the obligation to rock and oil the road and agreed to proceed with the improvement just as soon as a way can be found to finance it.

Mr. A. B. Lambert, owner of Lambert Gardens, Portland, came before the Commission and requested authority to maintain fingerboard signs on state highway routes in Portland, directing tourists to his gardens. The Commission denied the request as a matter of policy.

A delegation from Umatilla County, consisting of County Judge Carl W. Chambers; County Commissioner Wm. R. Meiners; and J. H. Patty and Cecil Erving of the Pilot Rock Chamber of Commerce, was present. Judge Chambers asked for the installation of a directional sign at the junction of the Pendleton-John Day Highway and the Old Oregon Trail near the Pendleton Round-Up grandstand to properly direct traffic. He said that there is confusion under the present sign arrangement and traffic bound for Spokane frequently takes the Pilot Rock road and travels a considerable distance before the mistake is realized. The matter was referred to the Engineer to correct.

Judge Chambers also asked for the improvement of the Pendleton-John Day Highway, advising that certain sections are in bad state of repair on account of heavy log-hauling traffic which, he stated, is bound to increase in view of the new lumber mills that are being constructed in this vicinity. Mr. Erving presented statistics relative to the amounts that users of this road are now paying into the state highway fund by reason of gasoline-tax payments, license fees and transportation fees. He urged the Commission to improve this section, at least to repair the worst spots if the Commission cannot finance a first-class improvement over the entire distance. He mentioned a particularly bad condition at Battle Mountain.

Chairman Cabell advised that the Commission had no idea when the road was first built that it would carry so much travel and, consequently, did not build as high a type of road as is required by present traffic; further, that the outlook for reconstructing the entire section is not very good on account of government control of funds; however, the Commission will do the best that it can in the way of maintenance. He explained that it will be necessary to use federal funds to rebuild the road and indications are that the government will not approve the expenditure of such funds for the construction of roads other than those termed access roads and those that will facilitate the movement of troops. He also advised that the federal government has control over road-building machinery and that it is becoming more and more difficult on account of the war situation for contractors to acquire new equipment, replacements and repair parts, so about the only thing that the Commission can do in the next two or three years is maintain the present road in the best possible manner that circumstances will permit, and oil the uncoiled gap. Judge Chambers urged the Commission to keep the project in mind and to place it in the program within the next three or four years.

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Mr. Patty asked for the improvement of two particularly bad places on Battle Mountain where a slippery condition obtains in the winter season on account of excess superelevation on curves. The Engineer was instructed by the Commission to stock-pile sand at these points for the use of log haulers during such periods.

Mr. Erving asked the Commission to investigate a bad condition at the intersection of the Pendleton-John Day Highway with the road leading to the town of Albee. The matter was referred to the Engineer for such investigation.

Mr. Patty also asked the Commission to support the movement to secure a change in the Oregon laws to provide for measurement of loads of logs by scale rather than by weight and to modify its ruling with respect to the surrender of PUC plates by loggers who are found to be transporting loads weighing in excess of the legal limitations. The Commission denied both requests.

A telegram was presented calling a meeting of the Executive Committee of the American Association of State Highway Officials to be held in Chicago on December 20, 1941. The Commission decided not to be represented at such meeting.

The Commission discussed the matter of continuing the improvement of the Hillsboro-Cornelius Pass Road, in Washington County, as a federal aid secondary highway project. The Engineer advised that a 2.17-mile section of this road, beginning at Hillsboro and extending easterly, has already been improved with federal aid secondary highway funds and state funds; also that the county has resurfaced and oiled a section 3.6 miles in length, beginning at the Multnomah County line and extending southwesterly, and is now asking for improvement of the intervening section 3.8 miles in length. He estimated the cost of the work at approximately \$60,000 and advised that the county has offered to reshape the grade, construct ditches and drainage facilities with county forces and to manufacture materials from a county quarry up to a value of about \$8,000, as cooperation. The Commission decided not to approve the project at the present time.

The Engineer brought up for discussion the matter of cooperating with the State Police Department in organizing and maintaining a state police civil defense guard for patrolling and guarding selected structures on the state highway system during the present war emergency. He advised that a careful study of the matter reveals that it will be necessary to employ 54 stationary guards and 21 patrol guards with automobiles; further, that it will be necessary to pay the stationary guards a salary of \$125 per month and patrol guards salaries ranging from \$100 to \$140 per month, making a total monthly outlay of approximately \$9,480 for salaries. In addition, it will be necessary to furnish seven automobiles for use of the patrol guards. These, he said, will be purchased by the State Police Department but the State Highway

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Department will have to pay the cost of maintenance, operation and depreciation of the same which is estimated at \$2,625 per month. He estimated that miscellaneous and incidental expenses would amount to about \$395 per month, or a grand total of approximately \$150,000 annually. He asked the Commission to approve the arrangement and increase the budget setup a sufficient amount to take care of this item. The Commission approved the request by unanimous vote.

The Assistant Attorney reported the results of reappraisals of the property in Ashland needed as right of way for the improvement of the Pacific Highway in this town. He advised that two new appraisals were made by qualified citizens of Ashland, one of whom estimated the value of the properties at \$38,000 and the other at \$48,700, whereas the total of the options taken by the right of way agent was \$54,000. The average of the options and the two appraisals, he said, is \$47,000. The matter was discussed at some length during which the question was raised whether or not the property should be condemned. Action on the matter was deferred until later in the session.

A delegation from Ashland, consisting of Mayor T. S. Wiley, F. J. Van Dyke, City Attorney, and G. M. Green, Editor of the Daily Tidings, was present in regard to the Ashland project. Chairman Cabell explained the results of reappraisals and advised that the Commission is ready to proceed with the project if right of way can be obtained at a reasonable figure. He inquired as to whether or not the delegation considers it possible to secure a reduction in the total cost, to the average of the new appraisals and the option prices, or a reduction of approximately \$7,000. He explained that, unless such reduction can be secured, it will be necessary to condemn the various parcels, which would be a long process, and that it is contrary to the policy of the Commission to enter into any property under condemnation until the case has been tried and the jury has had an opportunity to view the property before it is disturbed. The matter was discussed at considerable length but action was deferred until later in the session, it being understood that the delegation in the meantime would confer with local citizens with respect thereto. (See ahead for final action.)

Messrs. Wm. Tugman and Ed Turnbull, Eugene, were present and discussed with the Commission matters pertaining to the Eugene-Springfield Project and the general status of funds. The matter was discussed in general during which the present financial setup was explained in full by Chairman Cabell. No particular action was taken.

The Commission considered the application of W. F. Bingham, Eugene, for an extension of his permit, authorizing hauling of piling 100 feet overall in length over the Deadwood and Siuslaw Highways to a log dump at a place known as Siuslaw, in Lane County. The Secretary recalled that the Commission, at a previous meeting, approved the granting of a 30-day permit covering such hauling with the understanding that the privilege would not be extended and was simply to cover the movement of 400 piling that had already been felled. However, it seems that, on account of bad weather conditions, all of the piling was not moved and the operator is now asking for an extension in order to move the balance. The Commission approved a 30-day extension of this permit.

The Engineer brought up for discussion the proposed modification of the present ruling which limits the transportation over state highways of loads of piling 75 feet overall in length to ten loads per month if more than half of the traveled roadway is taken up in the movement. The Commission decided not to change the present rule. Cases involving more than ten loads per month are to be brought to the attention of the individual Commissioners, by telephone, and instructions will be given at that time.

The Commission discussed a proposed modification of the procedure to be followed in connection with the issuance of special carrier permits by the Public Utilities Commissioner. The following procedure was approved by the Commission by unanimous vote, which arrangement was agreed upon at a conference held in the office of the State Highway Engineer on December 11, 1941, attended by the Honorable Ormond R. Bean, Public Utilities Commissioner, and his assistants Messrs. A. F. Harvey and Perry O. DeLap; Lieutenant Max Alford, representing the Department of State Police; and Messrs. R. H. Baldock, Loren Spaulding, W. C. Crews, and H. B. Glaisyer, representing the State Highway Department:

(1) The State Highway Department will transmit to the Public Utilities Commissioner, in writing, blanket recommendation authorizing him to grant permits for the truck hauling of logs over any state highway excepting those which contain physical features that will not permit such operations without creating too great a hazard to the general traveling public. The Public Utilities Commissioner is to be given a list of the highways not covered by the blanket recommendation. The hauling of logs over such highways is not absolutely prohibited although each individual request for such privilege is to be considered on its own merits and, if approved, a separate recommendation will be issued in each instance, which recommendation will contain conditions under which the permit may be granted.

(2) The Public Utilities Commissioner will continue to issue special-carrier permits as in the past but instead of limiting the operations to certain sections of highways the permit will authorize log hauling over any state highway except those specifically eliminated. The names of the highways eliminated are to be printed in the permit. Only one permit is to be issued to an operator regardless of how many trucks are to be covered, eliminating the necessity for the permit to be carried on each truck. There is to be carried on each individual truck, however, a declared weight slip as required by law, on the back of which is to be printed, for the benefit of state police officers and highway department weighmasters, a list of the highways over which log hauling is not permitted under the blanket recommendation. In the event of approval of truck hauling of logs over any of such highways then such information is to be typed on the back of the weight slip for the information of the state police and the weighmasters.

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The Engineer recommended a modification in the present ruling, requiring hand-steering devices on trailers used in connection with the hauling of overlength loads of logs and piling. He gave as his opinion that a hand-steering device is not required because the wheels of a trailer properly connected with a truck will follow the wheels of the truck just as closely without hand-steering device as with it. The Commission approved such modifications by unanimous vote; however, ordered that the following clause be inserted in such permits:

"The coupling device connecting truck and trailer shall be of such design that the wheels of the trailer will follow approximately the tracks made by the rear wheels of the truck furnishing the motive power, without allowing any portion of the hauling equipment or load carried thereon to extend over or across the center line of the highway."

The Engineer also requested a modification of the present ruling with respect to the taking up of FUC plates of logging operators who are using tandem axle truck and trailer equipment. He advised that under the present ruling FUC plates are not requested unless the gross weight of the combination load and equipment exceeds 71,400 pounds which is 68,000 pounds plus the five per cent tolerance authorized by the Commission; whereas, in some cases, the allowable gross weight determined by formula is less than 68,000 pounds. It was his thought that the rule should be amended to cover such cases and suggested the following: The surrender of FUC plates shall be requested if the actual gross weight, as determined on the scales, exceeds an allowable gross weight of 68,000 pounds, as determined by formula, plus a five per cent tolerance; and also shall be requested if the actual gross weight, as determined on the scales, exceeds the allowable gross weight, as determined by formula, plus a ten per cent tolerance provided that such tolerance shall not apply if the resultant gross weight is in excess of 71,400 pounds. The Commission approved the suggestion and ordered that such procedure be followed hereafter.

The Engineer reported on the cost to improve the Nyssa-Adrian Secondary Highway as has been requested by the Oregon Trail Grange, to eliminate existing hazards. He advised that this matter was investigated by Division Engineer W. C. Williams who estimates the cost of grading, surfacing and oiling work to eliminate five right angle turns in a section 6,500 feet in length at \$17,000 but who does not believe that the expenditure is justified. He gave as his thought that, if the improvement suggested by Mr. Williams is undertaken, it would be advisable to extend it to eliminate two railroad crossings which undoubtedly would add another mile to the improvement and increase the estimate to at least \$30,000. The Commission decided not to approve the project at the present time on account of the existing financial stringency.

The Commission discussed the Engineer's report on the cost to improve South Sixth Street, Klamath Falls, on a 60-foot right of way basis as compared to an 80-foot right of way, and the report on the cost to construct a bypass line from Main Street to South Sixth Street via the reclamation canal. According to the report, to reconstruct Sixth Street on a 60-foot right of way basis would cost \$283,027.92 with an additional expense of \$11,165 for right of way, making a total of \$294,192.92, and to construct on an 80-foot right of way will cost \$621,193.33 with an additional cost of \$149,330.00 for right of way, making

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a total estimated cost of \$770,523.33. The cost to construct the bypass route, from Main Street to South Sixth Street via the United States Reclamation Service canal, is \$660,915.20 and right of way costs are estimated at \$48,952.00 additional, making a total estimated cost of \$709,867.20. He recommended improvement of South Sixth Street on an 80-foot right of way basis. The Commission discussed the matter at considerable length but deferred a decision relative thereto until later in the session. (See additional record ahead.)

The Commission adjourned at 12:15 p. m. and reconvened at 2:00 p. m. in the same room with the same persons present and participating.

The Commission discussed the question whether or not to change its policy with respect to the award of contracts to low bidders in view of the uncertainty of the times and probable increases in labor and material costs. After considerable discussion the Commission decided unanimously, in the case of a single bid being received for a job, to award the contract to the bidder if the amount of the bid does not exceed the estimated cost of the project more than ten per cent. If two or more bids are received for any project, the award of the contract shall be made to the low bidder if the total amount of such bid does not exceed the estimated cost of the project more than fifteen per cent. This modification of policy is to remain in full force and effect during the present emergency or until changed by the Commission.

The Secretary presented a resolution from the Board of County Commissioners of Multnomah County requesting the designation, as a state secondary highway, of the following described county road or route:

Beginning at a point on the Columbia River Highway approximately one mile west of Troutdale where said highway is intersected by a county road known as the Sun Dial Road and extending thence northerly to the dike, a distance of approximately 1.3 miles.

The Commission considered such request in conformity with previous understanding with the Board of County Commissioners and accordingly approved the resolution. The following resolution designating the road a state secondary highway was thereupon adopted by the Commission by unanimous vote:

WHEREAS, under the provisions of Chapter 248, Laws of 1931; Chapter 196, Laws of 1935; and Chapter 529, Laws of 1939; the State Highway Commission, by mutual agreement with the respective county courts and boards of county commissioners of the several counties of the State, is authorized and empowered to select, locate, and designate a system of secondary state highways, which highways shall be selected from the market roads or other county roads, or available locations or routes of the several counties; and

WHEREAS, the State Highway Commission, by mutual agreement with the Multnomah County Board of County Commissioners of the State of Oregon, has selected the road or highway hereinafter named, and it is the purpose of the Commission to officially and regularly designate and adopt said highway as a highway to constitute, together with

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other highways heretofore adopted and/or which may hereafter from time to time be added, the system of secondary state highways under the provisions of said acts;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission, all members being present and affirmatively voting and participating, as follows:

1. That the following described market road, county road, highway route, or location of a highway in Multnomah County be and the said market road, county road, highway, location, or route, hereby is selected, designated, established, adopted and approved as a secondary state highway and shall be and hereby is designated as a part of the secondary state highway system, to wit:

Sun Dial Secondary State Highway No. 124:

Beginning at a point on the Columbia River Highway approximately one mile west of Troutdale where the Columbia River Highway is intersected by the Sun Dial County Road; thence northerly to the Dike; a distance of approximately 1.3 miles.

2. That the said highway shall be and hereby is qualified for improvement under the provisions of said Chapter 248, Oregon Laws of 1931; Chapter 196, Oregon Laws of 1935; and Chapter 529, Oregon Laws of 1939; and amendments thereof.

Mr. Merle Chessman, Chairman of the Advisory Committee on Publicity Matters, appeared before the Commission and presented the following resolution which, he said, was adopted by his committee on the previous day, recommending the suspension of magazine and newspaper advertising during the present war emergency:

"Because of the state of war and because Oregon is a defense area, the Advisory Committee of the Travel and Information Department recommends to the Commission that it suspend its magazine and newspaper advertising program for the time being. The committee also urges that the advertising fund be kept intact and available for use at the earliest possible moment when advantageous to the public interest. The committee also recommends that no change be made in the status of the Travel and Information Department at the present time because of the necessity for performing essential work of permanent value to the state regardless of the temporary suspension of space advertising."

The Commission approved the resolution, it being understood, however, that the funds involved will be held intact for expenditure at some future date for the purpose intended, if the Commission so elects.

A delegation from Yamhill County, consisting of about fifteen members

and including County Judge William O. Powell; Eugene Marsh, attorney McMinnville; Senator W. E. Burke; S. L. Parrot, Chairman of the Highway Committee, Newberg Chamber of Commerce; Mr. Toney, McMinnville, and former County Commissioner W. S. Allan, Dundee, came before the Commission in regard to the improvement of the Pacific Highway West between Newberg and McMinnville. Mr. Marsh headed the group. He alleged that this road is the second heaviest-traveled road in the state and that there are three sections between Newberg and McMinnville that are entirely too narrow to carry this traffic and where accidents frequently occur. He strongly urged the improvement of these three sections in the interest of safety to the general public and from the military standpoint to facilitate the movement of troops. The three places particularly mentioned for improvement are between Newberg and Dundee, between Dundee and the Unity School or Dayton Junction, and at the St. Joseph Underpass. He also asked for the widening of the bridge at Newberg.

Mr. Parrott endorsed the remarks of Mr. Marsh and particularly pointed out the large volume of log-hauling traffic that uses this road. Senator Burke also endorsed Mr. Marsh's remarks. He alleged that the highway between Portland, McMinnville and the Coast is second only to the Upper Columbia River Highway. Judge Powell and Mr. Allan also spoke for the improvement. Mr. Allan also asked consideration for the construction of the proposed road between Boyer on the Salmon River Highway and Dolph on the Three Rivers Highway, and completion of the Little Nestucca Secondary Highway from Dolph to the Coast. Mr. Marsh presented numerous newspaper clippings pertaining to accidents that have occurred on the section of highway under discussion.

Chairman Cabell advised that the Commission is cognizant of the condition of the Newberg-McMinnville Section and appreciates that it is in need of improvement; however, in his estimation, the condition of the road is only partially responsible for accidents. The Commission, he said, must be very careful about expending funds under its jurisdiction on the basis of accident reports because there may be other places in the state where similar conditions exist but where the accidents have not been brought to the attention of the Commission. Present plans of the Commission, he said, are to complete the reconstruction of the highway between Portland and McMinnville before doing very much improvement west of McMinnville and, under this program, the Commission has already completed a number of projects between Portland and Newberg. The Commission hopes, he said, to be able to spend additional funds on the project in the future but is not in position to make any definite commitments at this time because of the federal requirements which necessitate approval of the projects by the army and navy officials before federal funds can be expended thereon, and the Commission does not yet know just what highways are to be emphasized as defense roads. It is the intention of the Commission, he said, to provide a balanced program for the entire state but until that is done the Commission will not be in position to make any definite statements or commitments with respect to projects such as under discussion. This concluded the conference.

At 2:30 p. m. Chairman Cabell announced the following awards of contracts and sale of buildings, bids for which were received at the morning session, such awards having previously been approved by the Commission by unanimous vote:

"Sisters Rock Production Project on state highways near Sisters, in Deschutes County. Requires approximately 17,000 cu. yds. crushed gravel in stock piles. Seven bids were received for this project, the low one being that of E. C. Hall Company, Eugene, at \$24,475, and the second-low being that of R. O. Dail & Warren Bros., Portland, in the amount of \$24,755. The Commission awards this contract to E. C. Hall Company at its low bid of \$24,475.

"Wright Ranch-Milo Section of the Tiller-Trail Secondary Highway, in Douglas County. 6.17 miles grading, surfacing and oiling; also furnish 2,600 cu. yds. crushed gravel in stock piles. C. J. Eldon, Portland, submitted the low bid for this project in the amount of \$75,787.50. E. C. Hall Company, Eugene, submitted the second-low bid in the amount of \$77,928.75. There were two higher bidders. The Commission refers all bids received for this project to the Engineer with power to award the contract to the low bidder when certain conditions have been satisfied.

"Soda Mountain-Silvies Section of the John Day-Burns Highway, in Grant County. 7.19 miles grading, surfacing and oiling; also furnish 2,000 cu. yds. crushed rock in stock piles. Only one bid was submitted for this project being that of M. L. O'Neil & Son, Stanfield, in the amount of \$110,090.75. The Commission refers the bid received for this project to the Engineer with power to award the contract to the bidder when certain conditions have been satisfied.

"Polallie Creek-Hood River Rock Production Project on the Mt. Hood Highway, in Hood River County. Requires approximately 12,400 cu. yds. crushed rock or crushed gravel in stock piles. Four bids were received for this project, the low bid being that of C. J. Eldon, Portland, in the amount of \$26,400, and the second-low being that of E. C. Hall Company, Eugene, in the amount of \$27,955. The Commission awards this contract to C. J. Eldon at his low bid of \$26,400.

"Sun Dial Highway Section of the Sun Dial Secondary Highway, in Multnomah County. 1.25 miles paving. The low bid for this project was submitted by Parker-Schram Company, Portland, in the amount of \$19,939.50, and the second-low bid was submitted by Porter W. Yett, Portland, in the amount of \$21,122. There were two higher bidders. The Commission refers all bids received for this project to the Engineer with power to award the contract to the low bidder when certain conditions have been satisfied.

"South Unit of Enterprise-Forest Boundary Section of the Enterprise-Lewiston Highway, in Wallowa County. 7.75 miles grading, surfacing and oiling; also furnish 2,500 cu. yds. crushed rock in stock piles. The only bid for this project was submitted by Rogers Construction Company, Dayton, Washington, in the amount of \$123,299.40.

The Commission refers this bid to the Engineer with power to award the contract when certain conditions have been satisfied.

"Campbell Bridge-Hazeldale Section of the Farmington Secondary Highway, in Washington County. 4.56 miles grading, surfacing and oiling. Two bids were received for this project, the low one being that of A. H. Saxton & Son, Corvallis, in the amount of \$55,872.50 based on the use of tar, and the other being that of Babler Brothers, Portland, in the amount of \$61,768.00 also based on the use of tar. Neither of the contractors submitted a bid based on the use of asphalt. The Commission awards this contract to A. H. Saxton & Son at their low bid of \$55,872.50 based on the use of tar.

"Porcupine Butte-Chichester Gulch Section of the Shaniko-Fossil Secondary Highway, in Wheeler County. 3.37 miles grading and topping. Norris Brothers, Seattle, Washington, submitted the low bid in the amount of \$32,881.00 and C. J. Eldon, Portland, submitted the second-low bid in the amount of \$35,172.20. There were three higher bidders. The Commission awards the contract to Norris Brothers at their low bid of \$32,881.00."

Sale of Buildings:

"Sale of residence building in North Salem, No. 2754, formerly owned by Carl Vogl. Only one bid was received for the purchase of this building, being that of Burt Picha, Salem, at \$51.50. The Commission considers this bid satisfactory and accordingly the building is sold to Mr. Picha at his bid price of \$51.50.

"Sale of residence building in South Salem, No. 9482, formerly owned by Christian Ramseyer. Two bids were received for this building, the high one being that of C. Ramseyer, Salem, at \$100.00 and the other bid being that of Burt Picha, Salem, at \$66.50. The Commission considers the bid of C. Ramseyer satisfactory and accordingly sells the building to him at his high bid of \$100.00."

The Attorney brought up for discussion a stipulation prepared by the United States Department of Interior relative to the Commission's application for right of way needed for the improvement of The Dalles-California Highway across government-owned lands near Algoma, Klamath County. He read aloud the provisions of the stipulation and advised that the federal authorities require acceptance of the same by the State Highway Commission, and that the state consent that they be made a part of the right of way easement before the right of way will be granted. The Commission considered the provisions of the stipulation too severe, and thereupon refused to approve or sign the stipulation. In view of the fact that only a very small parcel of government-owned land was required in this particular instance and for the further reason that the highway work has been completed, the Commission decided not to make an issue of this particular case, but to wait until a more important project arises in the future. The Attorney was instructed to write the Registrar of the U. S. Land Office, Lakeview, Oregon, and request a modification of the proposed requirements.

A delegation from Troutdale, consisting of A. R. Frey, Secretary of the Troutdale Commercial Club; A. D. Kendall, President of the Troutdale Commercial Club; Erick Enquist; and Dr. H. C. Tomlinsen, was present in regard to the construction of a road extending northerly from the Columbia River Highway at Troutdale to the new airport that is being constructed at this location. Mr. Frey headed the group. He advised that two routes are under discussion, one of which extends along the westerly bank of the Sandy River, and the other intersects the Columbia River Highway a short distance west of the Troutdale depot. He stated a preference for the first-mentioned road and advised that right of way for the same has already been secured although the road has not yet been designated a county road but will be so designated later. This road, he said, will pass under the new Columbia River Highway when constructed and will connect with the old highway. The other route, he said, will also pass under the new highway when constructed and will connect with Second Street in Troutdale. Construction of either of these roads, he said, will relieve considerably traffic over the Sun Dial Road leading to the proposed aluminum plant at Troutdale. He advised that quick action is necessary because the airport is now being constructed and indications are that construction of an aluminum plant will proceed in the very near future. He urged the Commission to designate either of the routes as a secondary state highway and to construct the same. Chairman Cabell advised that the Commission will assist in the undertaking as much as possible but must know where the aluminum plant is to be located before it can make the necessary investigations and surveys to determine whether or not the road is eligible for federal access road moneys. The Engineer was thereupon authorized to make the necessary studies when definite decision has been reached with respect to the location of the aluminum plant and to submit the project to the government authorities for approval if the investigations indicate that the project is eligible for the government funds.

Reconsideration was given by the Commission to the matter of improving South Sixth Street, Klamath Falls. After considerable discussion the Commission voted unanimously to improve this street on an 80-foot right of way basis. The Engineer was thereupon authorized and instructed to work up the plans for the project and submit the same to the federal authorities for approval.

The Assistant Attorney requested authority, in view of the Commission's action, to close an option for the acquisition of right of way needed from B. Frank Owens. He explained that this property is to be acquired for moving the Piggly Wiggly Store now located on the H. G. Beardsley property, and also for moving the store on the adjoining Mary F. Park property; further, that the option for this property expires on January 1, 1942, that it is a very good deal, and, if the Commission intends to proceed with the improvement, the option should be completed immediately. He further explained that the land is being donated but the state's obligation is to move the store buildings. After discussion the Commission authorized the taking up of this option at the option price of \$6,000, it being understood, however, that this is the only one authorized at this time. It was also understood that the Piggly Wiggly people would be allowed to continue occupancy of the building in its present location until the property is needed for the highway improvement.

The Commission discussed briefly and ordered filed a report from Burton Hutton, Director of the "Oregon on Parade" program conducted by Oregon State College radio station KOAC during the period June 10 to September 10, 1941, toward which program the State Highway Department contributed \$1,800 to defray a portion of the expense involved.

The Commission also discussed briefly and ordered filed a communication from Charles H. Reynolds, LaGrande, President, Oregon Trail Association, requesting consideration of certain highway projects, in Union County, which were presented by him orally at the previous meeting.

The Commission discussed a petition from Umatilla County residents requesting the construction of a dirt road paralleling the Weston-Elgin Highway between Basket Road Junction and a point five miles westerly thereof so that tractors, combines, et cetera, may be moved over this highway without damaging the oiled roadway. The Commission denied the request.

A resolution was presented from Long Tom Grange No. 866, Junction City, Oregon, in which the Commission is requested to continue improvement of the Territorial Secondary Highway from the Lane-Benton County line to Cheshire, in Lane County. The Engineer pointed out that the Commission's budget provides for the improvement of this highway between Veneta and Crow and that it is proposed to award a contract for grading, surfacing and oiling this section, involving an expenditure of \$60,000, at the January meeting of the Commission. It was his thought that it is now too late to change the program. It was the opinion of the Commission that the Veneta-Crow Section is the more important of the two projects and should go forward as planned. In any event it is now too late to change the allocation. The Secretary was instructed to so inform the petitioners.

A resolution was presented from the Douglas County Taxpayers League requesting improvement of the Tiller-Trail Secondary Highway from Tiller to the Jackson County line, a distance of 4.5 miles. The Engineer estimated the cost to complete this section on a primary-highway basis at \$965,000 and on a secondary-highway basis at about \$500,000. The Commission denied the request because of lack of funds with which to finance the work.

The Commission discussed a request from the State Parks Superintendent for authority to improve an automobile parking area adjacent to the Oregon Coast Highway at Short Sand Beach State Park, involving an expenditure of approximately \$5,800 of state funds. It was explained that the Parks Superintendent has a large quantity of government-owned materials on hand for use in connection with this job, the value of the same being estimated at \$2,400, and unless this material is used now the probabilities are that the government will recall it and the state will lose the benefit of the same. The Commission considered that the construction of such parking area is highly desirable and thereupon authorized the expenditure.

The Commission discussed a request from the State Parks Superintendent for authority to purchase the following equipment for use in Silver Creek Falls State Park:

- 1 refrigeration plant. Estimated cost \$350.00
- 1 hot food table. Estimated cost \$385.00

The Commission approved the purchase of the refrigeration plant but not the hot food table.

The Engineer also requested authority to purchase the following equipment:

- 14 pick-up trucks, 11 old trucks to be traded in as part purchase price. Estimated total cash outlay \$9,450.00
- 1 lighting plant for use at Pistol River Maintenance Station to replace a worn-out plant at this location. Estimated cost \$750.00
- 4 $\frac{1}{2}$ -yard power shovels, 3 old shovels and 1 old steam hoist to be traded in as part purchase price. Estimated total cash outlay \$26,000.00.

After discussion the Commission approved the purchase of such equipment by unanimous vote.

The Engineer reported the following awards of contracts in accordance with authority previously given him by the Commission, the conditions of the awards having been satisfied:

"Halsey Rock Production Project on the Pacific Highway East and Halsey-Sweethome Secondary Highway, in Linn County. Bids taken November 18; contract awarded November 25, 1941, to A. H. Saxton & Son, the low bidders.

"Roadbed widening on the Interstate Bridge-Oregon Slough Section of the Pacific Highway East, in Multnomah County. Bids taken November 18; contract awarded December 4, 1941, to Porter W. Yett, the low bidder.

"Surfacing and oiling the Grants Creek-Powers Section of the Powers Secondary Highway, in Coos County. Bids taken November 17; contract awarded December 15, 1941, to Coos Bay Dredging Company, the low bidder.

"Railroad roadbed construction on the Eugene-Judkins Point Section of the Pacific Highway, in Lane County. Bids taken November 17; contract awarded December 16, 1941, to Strong and Macdonald, Inc., the low bidders."

The Commission confirmed the awards as reported.

A letter was presented from the City of Lakeview, requesting the oiling

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of the unrolled strips along Western Avenue (route of the Klamath Falls-Lakeview Highway), where new sidewalks were recently constructed by the city. The Engineer advised that this project is about 2,440 feet in length and extends from the westerly city limits to Dewey Street, which is the Fremont Highway intersection. He estimated the cost of the project at \$15,000. He gave as his opinion that this is a meritorious project and should be constructed if possible. The Commission indicated a favorable attitude toward the project but deferred a definite decision until next spring when it decides its 1942 oiling program. The Secretary was instructed to so inform the city.

The Ashland delegation reappeared before the Commission in regard to the proposed Plaza Corner improvement on the Pacific Highway in Ashland. Mr. Van Dyke, City Attorney, stated that they have conferred by telephone with the local appraisers of the property needed by the state and are convinced that they can secure a \$5,000 reduction in the total cost based on a 7½ per cent reduction of the option prices. He urged the Commission to approve such reduction and to definitely authorize the project at this meeting so that work can go forward at the earliest possible time. After considerable discussion the Commission by unanimous vote approved the project on the basis of a \$5,000 reduction, such reduction to be secured from all of the property owners involved, if possible, rather than from only one or two. This will reduce the total cost of the project from \$82,000 to \$77,000. The Engineer was authorized to advertise this project for bids when right of way matters have been satisfactorily disposed of and the reduction in the total cost of right of way secured. The delegation members guaranteed to secure the \$5,000 reduction and an additional reduction of \$1,000 if possible.

A letter was presented from Mrs. W. H. Tucker, Estacada, opposing the construction of a new road extending up DuBois Canyon, Clackamas County, as a substitute for the present road. The Engineer advised that the road referred to is a part of the Woodburn-Sandy Secondary State Highway No. 161, south of Estacada; also that several years ago a survey was made for a new alignment from Estacada to Springwater, a distance of about four miles. An estimate made at the time, he said, indicated that the reconstruction of this section would cost about \$200,000. In view of the expense involved the Commission decided not to construct the new section; however, instructed the Engineer to maintain the present road in the best possible condition.

A letter was presented from the Waldport Chamber of Commerce urging modernization of the remaining section of the Alsea Highway. The Engineer read the letter aloud and advised that the Commission's budget contains an item of \$75,000 for improvement of the Tidewater-Alsea Section; also that, for an additional expenditure of about \$50,000, a light oil treatment could be placed on the remaining section. He was instructed to inform the chamber of commerce that the Commission had plans to spend \$75,000 of state funds on this road and to approve additional forest highway funds for the improvement of another section; however, the present war emergency has made it necessary to change the plans so, under the circumstances, it doubts if the work can be done at all, at least not until the present emergency is over.

A letter was presented from A. E. Papineau, Chairman, Roads and Highway Committee, Parkrose Chamber of Commerce, relative to the installation of "stop and go" lights on Sandy Boulevard at its intersection with N. E. 89th Avenue, N. E. 99th Avenue, and N. E. 105th Avenue. The Engineer advised that flashing beacons are now being maintained at these intersections and there is a doubt in his mind whether or not "stop and go" lights will prevent accidents occurring; also, there is a question whether "stop and go" lights can be purchased in view of the present emergency. After discussion the Commission ordered that the chamber of commerce be informed of the facts and that the Commission does not consider the time propitious for the installation of such type of signals.

The Commission discussed and denied a request from the City of Klamath Falls for the installation of a lighting system along South Sixth Street, route of the Klamath Falls-Lakeview Highway, between Main Street and the Klamath Falls southerly city limits.

The Commission considered and signed an agreement with the City of Tillamook providing for the disposition of the state's claim against the city arising out of the construction of the Oregon Coast Highway between First Street and the northerly city limits of Tillamook, as per agreement dated January 8, 1931. (See agreement for details of settlement)

A letter was presented from the Commission of Public Docks, Portland, renewing its request for a contribution of \$25 of state highway funds to assist in the cost of preparing maps for use in opposing proposed congressional legislation with respect to submerged and tide lands. The Commission considered it inadvisable to spend state funds for such purpose and instructed the Attorney to so inform the Commission of Public Docks.

The Attorney requested instructions whether or not to take legal action against Messrs. F. A. Greer and James Saint, Marshfield, for damaging the railing on the state highway viaduct at the south end of Broadway Street, in Marshfield. It appears that these men had an erroneous idea that the old viaduct at the Coal Bank Slough Bridge location was to be wrecked upon completion of a new highway improvement and accordingly removed the hand-rail therefrom without first obtaining permission so to do from the State Highway Department. It also appears that it was not intended that this entire viaduct would be wrecked and that Messrs. Greer and Saint have refused to restore the railing, notwithstanding that they have been requested on several occasions so to do. The Engineer estimated that it would cost about \$225 to restore the handrail. After discussion the Commission instructed the Attorney to point out to Messrs. Greer and Saint that they are criminally liable for this damage and are subject to prosecution on such basis. However, the Commission does not feel inclined to take criminal action unless absolutely necessary and will not do so if they will pay the account without delay.

The Commission had under discussion a request from the Pacific Telephone and Telegraph Company for permission to place an aerial telephone cable between the towers of the Interstate Bridge at Portland. The Engineer

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recommended denial of the request for the reason that the granting of such permit would establish a general policy which would react adversely in disposing of similar requests in the future, and for the further reason that the cable would be unsightly and might cause an accident if an aviator should have occasion to fly between the bridge towers. The Commission approved the recommendation.

The Commission had under discussion the matter of paying certain claims for gasoline incurred by a Mr. W. B. Gaskins, Jr., which gasoline was used in a State Highway Department truck that was stolen and used by Mr. Gaskins. It appears that the truck in question was assigned to the State Parks Department and that it was stolen by Mr. Gaskins on October 13, 1941; further, that he used the truck to travel up and down the Oregon Coast Highway between Newport and Marshfield, and used the credit cards that were in the truck to purchase gasoline for the most part, although in one instance he obtained gasoline from a Texas Oil Company service station without a credit card, the attendant having extended credit because he was driving state equipment and had credit cards from other companies. It also appears that Mr. Gaskins purchased groceries, et cetera, charging the same to the State Highway Department. The question arose whether or not the State Highway Commission is responsible and liable for the payment of such claims. The Attorney gave as his opinion that the state is not legally obligated to pay for the groceries, et cetera, and the gasoline that was purchased without credit card, but the state is liable for the payment of gasoline that was purchased with the credit cards that were in the truck. After discussion the Commission approved payment of the claims covering gasoline purchased on the credit cards but assumed no obligation as to the remaining claims.

Reconsideration was given by the Commission to the claim of the A. E. Gault Lumber Company, Gresham, Oregon, for the destruction of a bridge on a private road approach to the Siuslaw Highway, in Lane County, said claim being in the amount of \$80.00. It appears that the bridge in question was being maintained on property owned by a Mr. Charles Pope who had granted the Gault Lumber Company permission to maintain and use the same for a roadway across his property in connection with the transportation of equipment and timber products from the lumber company's mill to the highway, and that such agreement will not expire for some five years. It also appears that, during the improvement of the Siuslaw Highway at this location, instructions were given the contractor by the Engineer to wreck the bridge which was done without consent of the Gault Lumber Company. The Engineer recommended payment of the claim in view of the fact that the old bridge was destroyed under orders of the resident engineer, notwithstanding that there is some question whether or not the state is liable. The Commission approved the recommendation.

The Commission had under discussion the matter of authorizing movements of equipment 60 feet overall in length and having a gross weight of 68,000 pounds over state highways during the present war emergency. It was brought out in the discussion of this matter that it is absolutely necessary to move defense materials and supplies quickly and without delay from points in California to points in Oregon and in Washington, necessitating the use of

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Oregon highways; further, that, in connection with such movements, it is frequently necessary to use equipment that exceeds the Oregon limitations as to length and weight. It was the thought of the Commission that everything possible should be done to expedite such movements in the present emergency. The following resolution pertaining thereto was adopted by the Commission by unanimous vote:

WHEREAS, under and by virtue of the provisions of section 115-385 O. C. L. A., it is provided with respect to the movement of motor vehicles over the public highways of the State that no vehicle with or without load shall exceed a length of thirty-five (35) feet extreme overall dimension, inclusive of front and rear bumpers, and that no train of vehicles coupled together with or without load shall exceed a total length of 50 feet; and

WHEREAS, likewise with respect to the movement of vehicles over the public highways of the State, it is provided by section 115-387 O. C. L. A. that no motor vehicle shall be driven upon any highway of the State having a combined weight of both vehicle and load, or a combined weight of any combination of vehicle and load, in excess of 54,000 pounds; and

WHEREAS, it is provided by section 115-393 O. C. L. A. that the State Highway Commission may, upon application and upon a finding by the Commission that the interests of the public will be served by the proposed movement, grant written permission for the movement of any vehicle, article, property, or thing having a combined weight in excess of that permitted by law or being of a size or description not permitted under the provision of the law; and

WHEREAS, because of the emergency which now exists it appears that transport facilities by motor vehicle are inadequate for the proper and efficient movement of defense materials if motor transports are required to conform to the law of the State with respect to maximum length of vehicle or combination of vehicle and load, and with respect to maximum weight of vehicle or combination of vehicle and load; and

WHEREAS, after and as a result of investigation caused to be made by the State Highway Commission with respect to the needs of the Federal Government and the transportation facilities available for the movement of defense materials, and with respect also to the particular highways over which it is proposed to move said materials, it is deemed by and is the judgment of the Highway Commission that the best interests of the State of Oregon and of the country as a whole require that some special and temporary arrangement be made to facilitate movement by motor transport of defense materials over the public highways of the State of Oregon; and

WHEREAS, under the laws of the State of California to the south, and the laws of the State of Washington to the north, and the

laws of the State of Idaho to the east, the maximum length of vehicle or combination of vehicle and load is fixed by law at 60 feet, and the maximum or combined weight of vehicle or combination of vehicle and load at 68,000 pounds; and

WHEREAS, it appears that because of the restrictions and inhibitions imposed by Oregon laws by which the maximum length of vehicle and load or combination of vehicle and load is fixed at 50 feet, and the maximum combined weight of vehicle and load or combination of vehicle and load is fixed at 54,000 pounds, the efficient and necessary movement of defense materials through Oregon is materially handicapped and impaired.

NOW, THEREFORE, because of and based upon the foregoing recitals and findings the Oregon State Highway Commission, all members being present and voting affirmatively, does hereby resolve and declare as follows:

1. That during the present emergency a permit or permits may be granted for the movement over public highways of the State of Oregon of a vehicle or combination of vehicles having an overall length of load and vehicle up to but not exceeding 60 feet in length.
2. That likewise during the present emergency a permit or permits may be granted for the movement over public highways of the State of Oregon of a vehicle or combination of vehicles having a combined weight of load and vehicle or combination of vehicle and load up to but not exceeding 68,000 pounds.
3. No permit shall be issued for any movement until the applicant shall disclose in a manner satisfactory to the Highway Commission the type and character of vehicle, its size or dimensions, and whether single vehicle or combination of vehicles, the maximum load or loads to be carried thereon, with a sufficient and satisfactory description of the commodities or materials to be hauled; and shall also disclose to the satisfaction of the Commission, the point of origin, the point of destination, the name of the consignor, the name of the consignee, and a description of the property being moved together with the road or highway over which the same is to move and such other information or data as the Highway Commission may require.
4. Each applicant for a permit shall establish to the satisfaction of the Commission that the applicant carries adequate public liability and property damage insurance for the protection not only of the members of the Highway Commission and members of its staff but for the protection of the members of the general public who may sustain injuries or loss by reason of or caused by the movement of a vehicle or vehicles under and pursuant to any

permit issued by virtue of this resolution.

5. Any permit issued shall contain a definite provision that the gross weight of any vehicle or combination of vehicles shall not exceed 68,000 pounds and that the axle weight shall in no instance be in excess of 18,000 pounds. Said permit shall contain a further provision that the allowable gross weight shall be controlled by the formula $W-750x(L+40)$, wherein W equals total gross weight, L equals length between first and last axles. The total gross weight applied to any group of axles spaced closer than 18 feet apart shall not exceed that determined by the formula W equals $650x(L+40)$, wherein W equals gross weight and L equals distance between first and last axles of the group in question.

6. This resolution shall be entered in the minutes and records of the Commission and a certified copy thereof given to each applicant for a permit under this emergency procedure and provision, and thereafter, for the purpose of expediency, further matters with respect to any particular application or permit may be handled by telegram between the applicant or permittee and the Highway Commission through its Secretary at Salem, Oregon, with such follow-up data as may be required by the Commission.

7. The disclosures made by the applicant with respect to any particular movement, the kind and character of commodity to be moved, the point of origin and point of destination, the name of consignor and the name of consignee shall be verified under oath by someone qualified to make such disclosures for the applicant or permittee.

8. Any permit issued under the provisions of this resolution shall be for a single movement only and for the return of the vehicle with or without load. If the vehicle is to return loaded, permission for such movement will, upon telegraphic application, be granted without the requirement of certificate concerning defense commodities or supplies. The return load may consist of defense and civilian commodities and supplies, but the gross weight of vehicle, or combination of vehicle and load, shall not exceed 68,000 pounds.

9. This procedure and policy on the part of the State Highway Commission is influenced and controlled by existing war emergencies and may by the Commission and within its sole discretion be discontinued and rescinded at any time.

The Commission also approved the following form of permit covering such movements of defense goods and authorized the Secretary to issue permits in conformity therewith:

Gentlemen:

Pursuant to your request for the movement of defense goods, advise that until further notified, due to this period of war emergency,

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permits will be issued for the individual movements of truck trains of maximum dimensions and weights as hereinafter described, in the carrying of defense goods destined to or from a government army or navy depot and required to move into and through this state. At least one-half of the goods hauled, either in bulk or in weight, must be what is termed defense goods.

The truck train shall not exceed 60 feet in length, shall not have a gross weight of more than 68,000 pounds, nor an axle weight in excess of 18,000 pounds. The allowable gross weight shall be controlled by the formula $W=750x(L+40)$, wherein W =total gross weight, L =length between first and last axles. The total gross weight applied to any group of axles spaced closer than 18 feet apart shall not exceed that determined by the formula $W=650x(L+40)$, wherein W =gross weight and L =distance between first and last axles of the group in question.

A collect telegraphic permit will be given for the movement of the truck train at the point of origin, which telegram will serve as notification to the state police of the authority to make the movement under the conditions of this letter over the highway routes stated. Please state in your telegram to us route desired and identification numbers of your truck and trailer. A copy of the telegram for each and every movement will be sent on the same day to your office.

Please return one copy of the telegram, with an affidavit similar to the one attached which certifies that the movement was in the interests of national defense and that the truck train was carrying defense goods as enumerated.

It is to be expected that the necessity for transportation of defense goods may arise for a movement in one direction only and that the return movement may be made without the carrying of defense goods. In such case a permit will be necessary for the return movement and the affidavit shall state that the truck on its former trip carried defense goods pursuant to permit No. ____.

The Commission approved and signed a supplemental agreement with the National Hospital Association covering the furnishing of medical service to state highway department employees during the calendar year 1942.

A letter was presented from the County Court of Klamath County requesting snow removal operations on the Crescent Lake county road during the winter of 1941 and 1942, on the same basis as such work was performed during the past winter, viz., the state agrees to remove snow from this road and the county agrees to reimburse the state for such undertaking. The Commission approved the request.

The Engineer reported an inquiry from the Public Utilities

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Commissioner as to whether or not the State Highway Commission will pay 50 per cent of the salary of a man employed in his office to handle permits in which the Highway Commission is particularly concerned. It appears that most of the permit work that is handled by the Public Utilities Commissioner originates in or concerns the State Highway Department and, under the present budget arrangement, the Public Utilities Commissioner is unable to handle the details and still keep his costs within the budget allowance, which necessitates other financial arrangements. It was the thought of the Public Utilities Commissioner that, inasmuch as most of such permits concern the State Highway Department, the State Highway Commission might be willing to pay 50 per cent of the salary of the man who handles them. After discussion the Commission by unanimous vote approved such arrangement.

The Commission discussed briefly and ordered filed a letter from the Oregon Coast Highway Association opposing the increasing of weights and lengths of commercial trucks, that use Oregon highways, on the grounds of public safety and convenience because it is not believed that thoroughfares built at the expense of Oregon motorists should be converted to the use of private enterprise and profit until such enterprise shall assume or agrees to assume a fair share of the expense of reconstruction and maintenance of such highways.

A petition, signed by 36 businessmen and citizens of Grants Pass and vicinity, was presented in which the Commission was urged to make further studies of conditions at the intersection of the Redwood Highway and the Pacific Highway at Grants Pass and to do what may be necessary to reduce the traffic hazard at this point. The Engineer advised that this matter has been given very careful study and in his estimation all possible has been done to safeguard traffic at this point. The Commission took no action on the matter.

The Secretary presented a letter from Mr. C. A. Brown, Pleasant Valley, Oregon, directed to the Honorable Earl Snell, Secretary of State, in which Mr. Brown suggests approval of a plan to fence all main highways in the range counties of the state so as to prevent livestock from having access to the highways and the occurrence of accidents involving livestock. The Commission considered that the adoption of a fence-construction program at this time is too costly an undertaking and accordingly denied the request.

The Commission considered and approved the following communications relative to the abandonment of certain portions of right of way of state highways that have been rendered valueless from the state highway standpoint on account of reconstruction of the highway on new alignment:

Letter from the County Court of Jackson County abandoning to the use and benefit of adjoining and abutting property owners a portion of the old right of way of the Pacific Highway in Section 22, Township 36 South, Range 3 West, W.M., Jackson County.

Letter from the City of Coquille stating that the county has deeded to Mary A. Burns that portion of Burns Acres known as Block 1, originally a county road, inasmuch as this property is not needed for

county road purposes and has been abandoned as a state highway by the State Highway Commission.

Resolution from Lane County Court retaining for county road purposes a portion of the old right of way of the Oregon Coast Highway just north of the city of Florence heretofore abandoned by the State Highway Commission as a state highway on account of the reconstruction of the highway on another alignment.

Resolution from Wallowa County Court abandoning to the use and benefit of the abutting property owner a portion of the old right of way of the Wallowa Lake Highway heretofore abandoned by the State Highway Commission when the highway was reconstructed on another alignment.

A letter was presented from the LaGrande Rotary Club endorsing the movement to name the highway between Union and Medical Springs "The Dunham Wright Trail" inasmuch as this movement is to commemorate the one-hundredth anniversary of the birth of Dunham Wright, one of Oregon's oldest pioneers. The Commission denied the request for such designation as a matter of policy.

A letter was presented from the Salem School Board in which request was made for a survey to determine the possibilities of rerouting Pacific Highway traffic so that it will not pass in front of the Parrish Junior High School on North Capitol Street, Salem, endangering the lives of school children. The Engineer pointed out that the school was built after the highway was routed on Capitol Street and that, when the site for the school was being discussed, this feature was brought to the attention of the school board notwithstanding which the board approved the site and constructed the school building. After discussion the Commission ordered that the school board be advised that the present routing of traffic on Capitol Street was made at the request of the Salem City Council and that the Commission does not feel inclined to make any change although it will concur in any change that the city may propose; also, that, if a change is made, the city will have to assume the responsibility for maintenance of the street over which the traffic is rerouted. The Engineer was instructed to discuss the matter with the city officials before such reply is made to the school board. He was also instructed to bring the matter to the Commission's attention again after consulting with the city officials.

A letter was presented from Alex Miller, Industrial Specialist, Iron and Steel Branch, Office of Production Management, in reply to the Engineer's letter of November 6, 1941, with respect to the sale of scrap steel, in which Mr. Miller advises that it will be satisfactory for the Commission to continue to dispose of its scrap materials as in the past but suggests that the material be not sold above the ceiling prices fixed by the Office of Price Administration. The Commission took no action.

The Engineer presented a list of surveys that he has ordered since the last meeting of the Commission, and asked the Commission to confirm them and the amounts allocated for each. After due consideration the Commission

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authorized and instructed the Engineer to make such location surveys on various sections of the highways of this state, which said sections of highways, together with their identifying survey numbers and the amounts authorized and allocated for such survey expenditures, are as follows:

Plans - - - - -	1-1428 - Durkee Undercrossing, Old Oregon Trail Highway, Baker County	1st authorization	\$500
Stock Pile - - -	1-1429 - Baker Rock Production, Old Oregon Trail, Baker-Homestead, Baker-Unity Highways, Baker County	1st authorization	\$200
Plans - - - - -	3-1431 - West Linn Section, Oswego Highway, Clackamas County	1st authorization	\$400
Plans - - - - -	4-1461 - Astoria (Bond St.-Com'l. St.) Section, Oregon Coast Highway, Clatsop County	1st authorization	\$600
Plans - - - - -	204-1458 - Skipanon Connection, Military Access Road, Clatsop County	2nd authorization	\$700
	Total to date \$1,700		
Right of Way - -	-4-3003 - Volmer Creek-Necanicum Junction Section, Wolf Creek Highway, Clatsop Co.	1st authorization	\$110
Plans - - - - -	6-1425 - Marshfield-Bunker Hill Section, Oregon Coast Hwy., Coos County	1st authorization	\$450
Right of Way -	-106-1426 - Grants Creek-Powers Section, Powers Highway, Coos County	1st authorization	\$300
Plans - - - - -	-10-1434 - Rice Hill-Chenoweth Park Section, Pacific Highway, Douglas County	1st authorization	\$850
Location - - -	110-1433 - Wright Ranch-Tiller Section, Tiller-Trail Highway, Douglas County	2nd authorization	\$1,700
	Total to date \$5,000		
Plans - - - - -	13-1407 - Cinder Butte-Wagontire Section, Lakeview-Burns Hwy., Harney County	3rd authorization	\$850
	Total to date \$3,350		
Plans - - - - -	13-1418 - Poison Creek Section, John Day-Burns Highway, Harney County	1st authorization	\$3,000
Relocation - - -	21-1456 - South Delake Section, Oregon Coast Highway, Lincoln County	1st authorization	\$300
Plans - - - - -	21-1457 - Toledo Footpath Section, Corvallis-Newport Highway, Lincoln County	1st authorization	\$475
Prospect - - - -	22-1440 - Lebanon-Sweethome Section, Santiam Highway, Linn County	2nd authorization	\$400
	Total to date \$800		
Plans - - - - -	122-1443 - Schindler Bridge-Lyons Section, Albany-Lyons Hwy., Linn County	1st authorization	\$200
Location - - - -	22-1444 - Foster-Cascadia Section, Santiam Highway, Linn County	1st authorization	\$3,600
Slide - - - - -	22-1445 - Slide MP 56.9, Santiam Highway, Linn County	1st authorization	\$250
Plans - - - - -	224-1442 - Hood Street (Broadway St.-Church St.), City of Salem, Marion County	1st authorization	\$150
Plans - - - - -	224-1443 - 12th Street (State St.-City Limits), City of Salem, Marion County	1st authorization	\$750

Plans - - - -	-26-1449 - Front Street (Portland), Pacific Highway West, Multnomah County	2nd authorization	\$600
	Total to date \$1,100		
Location - - -	26-1453 - Dodson-Bonneville Section, Columbia River Highway, Multnomah County	1st authorization	\$3,000
Plans - - - -	226-1454 - Germantown Road-Logie Trail Section, County Road, Multnomah County	1st authorization	\$2,000
Plans - - - -	-26-1455 - Parkrose-Troutdale Section, Columbia River Highway, Multnomah County	1st authorization	\$3,000
Plans - - - -	226-1456 - Sundial Ranch Section, Sundial Highway, Multnomah County	1st authorization	\$200
Location - - -	127-1419 - Gooseneck Creek-Mill Creek Section, Dallas-Coast Hwy., Polk County	1st authorization	\$300
Location - - -	29-1435 - Tillamook-Pleasant Valley Section, Oregon Coast Hwy., Tillamook County	2nd authorization	\$6,000
	Total to date \$8,000		
Location - - -	29-1436 - Tillamook-Donaldson Creek Section, Wilson River Hwy., Tillamook County	1st authorization	\$3,488
Location - - -	30-1442 - Milton-Washington State Line, Oregon-Washington Hwy., Umatilla County	1st authorization	\$4,000
Plans - - - -	-36-1429 - Sheridan-McMinnville Section, Salmon River Highway, Yamhill County	1st authorization	\$2,700
Plans - - - -	4-1455 - Neawana Creek-Seaside Golf Course Section, Oregon Coast Hwy., Clatsop Co.,	1st authorization	\$3,000

The Engineer reported that a number of surveys heretofore authorized by the Commission have been completed. He presented a list of such surveys and reported briefly on each survey listed thereon. After due consideration the Commission approved the respective surveys, as reported, and adopted the following resolution in regard thereto:

WHEREAS, the State Highway Commission heretofore has authorized and instructed the State Highway Engineer to make surveys on certain sections or portions of the highways of the State of Oregon; and

WHEREAS, pursuant to said authorization the State Highway Engineer has made and completed the said surveys and has filed the maps and plans of the said surveys in the files of the State Highway Commission, in Salem, Oregon; and

WHEREAS, the maps and plans of the said surveys have been examined by the State Highway Commission and have been found suitable in all respects for approval and adoption by the State Highway Commission;

NOW, THEREFORE, BE IT RESOLVED that the surveys hereinafter designated and described, together with their identifying location map file numbers, as shown in the map-filing records of the State Highway Commission in its Salem office, be and they are hereby

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adopted and approved as the location surveys of the various portions or sections of highways involved:

<u>File No.</u>	<u>Prefix</u>	<u>County</u>	<u>Type of Survey</u>	<u>Section</u>	<u>Highway</u>
5 B 33-13	4-1441	Clatsop	Location	Necanicum River-Hug Point	Ore. Coast
1 A 8-37&38	204-1446	Clatsop	Location	Camp Clatsop-Fort Stevens	Military
5 B 31-9&11					Access Rd.
5 B 31-20	4-1449	Clatsop	Location	Astoria-Tongue Point	Col. River
5 B 32-21	204-1448	Clatsop	Location	Humbag-Fishhawk Falls	Fishhawk-Falls
5 B 33-7	6-1422	Coos	Reconn.	Noble Creek-Bear Creek	Ore. Coast
5 B 24-20&21	107-2806	Crook	Location	Jefferson Co. Line-Prineville	Warm Springs
5 B 33-6	8-2814	Curry	Reconn.	Gold Beach-Brookings	Ore. Coast
5 B 19-6	8-1415	Curry	Location	Gold Beach	Ore. Coast
5 B 31-5	10-2825	Douglas	Location	Gardiner	Ore. Coast
4 B 13-11					
4 B 12-5	11-2807	Gilliam	Location	Blalock-Arlington	Columbia
5 B 31-15					
5 B 33-14	114-1416	Hood River	Location	Dec-Parkdale	Hood River
5 B 30-3	115-1425	Jackson	Location	W. Lake Cr.-Little Butte Creek	Little Butte Creek
5 B 25-8	116-2808	Jefferson	Location	Lamonta-Crook Co. Line	Warm Springs
5 B 32-7					
5 B 28-11					
5 B 30-9	17-2810	Josephine	Location	Wolf Cr.-Jump Off Joe Cr.	Pacific
5 B 29-14	18-1441	Klamath	Location	Barclay Springs-Terminal City	The Dalles-California
5 B 32-1	119-1425	Lake	Location	Warner Summit-Mud Cr.	Warner
5 B 33-16	219-1501	Lake	Location	Cottonwood Hill-W.Side	Lake Co. Rd.
5 B 33-17	219-1501	Lake	Location	Maddocks Sta.-Idaho Grange	Lake Co. Rd.
5 B 31-1	20-2837	Lane	Location	Goshen-Pleasant Valley	Willamette
5 B 20-22	223-1424	Malheur	Location	Cow Hollow-Adrian	Vale-Adrian (Co. Rd.)
5 B 23-15	224-2821	Marion	Location	McNary Jct.-Keiser School	Wheatland Ferry-Riv.Rd.
5 B 19-18&19	125-2807	Morrow	Location	Rhea Creek-Heppner	Wasco-Heppner
5 B 30-18	128-2809	Sherman	Location & Plans	Shearar's Bridge	Shearar's Bridge
5 B 11-3&4	30-2817	Umatilla	Location	Adams-Pendleton	Ore.-Wash.
5 B 32-8	230-1433	Umatilla	Location	Pendleton-Air Port	Air Port
5 B 29-2&3	31-2818	Union	Location	Cricket Flat-Minam	Wallowa Lake
5 B 13-19	131-1422	Union	Location & Plans	Meadowbrook	Starkey
6 B 1-9	31-1424	Union	Reconn.	LaGrande-North Powder	Old Ore. Trail
9 C 12-8	233-2824	Wasco	Reconn.	Wamic-Bear Paw Springs	County Rd.
5 B 32-4&5	22-2818	Linn	Location	Foster-Bryant Hill	Santiam

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BE IT FURTHER RESOLVED that the State Highway Engineer be and he hereby is authorized to make such minor changes in the said locations as may improve the standards of alignment and grades not inconsistent with the general location of the section of highway involved.

The Commission had under discussion the following requests for extensions of time within which to complete highway construction projects:

Coos Bay Dredging Company, contract No. 2339, for grading and construction of bituminous macadam surfacing on the Bandon Section of the Oregon Coast Highway, in Coos County, requested an additional extension of time, from July 31 to September 5, 1941, within which to complete this project. It gave no reason for failure to complete the project within the specified time limit. The Engineer advised that the Commission took bids for this project on June 14, 1940; however, the contract was not awarded until July 12, 1940, and the contractor started operations on July 15, 1940. He further advised that the date of completion specified in the contract was October 31, 1940, but on account of the delay in the award of the contract this was extended by the Commission to July 31, 1941, without penalty. Practically all of the work in connection with this job, he said, was done before the first of this year, the unfinished portion consisting of construction of the pavement which work was sublet to Warren Northwest, Inc., which was prevented from starting the work early in the summer due to contracts that it had for pavement work at airports and was greatly hindered in the progress of construction by scarcity of skilled workmen. He recommended, in view of the circumstances and the fact that there is heavy demand by the government for paving plants, that the extension of time requested be granted without penalty notwithstanding that the Public Roads Administration concurs in the granting of the extension only to August 23, 1941, without penalty. The Commission approved the recommendation.

Porter W. Yett, contract No. 2344, for grading and paving Lombard Street-Killingsworth Street Section of Lombard Street and Northeast Portland Secondary Highway, in Multnomah County, requested an extension of time from July 31 to September 25, 1941, within which to complete this project. He gave the following reasons for failure to complete the project within the specified time limit: (1) additions to the contract ordered after completion date, consisting of three additional culvert pipes under driveways; one set of concrete steps; additional grading work at 60th Avenue Northeast as requested by the county roadmaster; also increase in the oiling of street intersections; (2) orders from the Division Engineer to delay grading operations between 72nd and 82nd Avenues to facilitate the movement of United States Army troops during the summer months; also loss of time on account of movement of said troops; (3) excessive wet weather

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conditions between the middle of August and the actual date of completion of the project. The Engineer advised that this contract was awarded on July 18, 1940, but work was not started until October 18, 1940, three months after the award; further, that, during the progress of the work, the contractor's operations were delayed for reasons stated in his request for an extension of time. He recommended, in view of the circumstances, that the request for the extension of time be granted without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation unanimously.

McNutt Brothers, contract No. 2385, for grading the Sexton Mountain Section of the Pacific Highway, in Josephine County, requested an extension of time, from August 31 to October 25, 1941, within which to complete this job. They attributed their failure to complete the project within the specified time limit to extra work required in removal of slides and installation of drainage ditches and temporary culverts to take care of substrata water flow, and to adverse weather conditions. The Engineer advised that the reasons given by the contractor for failure to complete the project within the specified time limit are substantially correct; further, that the general traveling public has not been inconvenienced by the delay, neither has the state incurred a great amount of extra engineering expense by reason thereof. He recommended, in view of the circumstances, that the extension of time requested be granted without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

D. C. and A. L. Williams, contract No. 2388, for furnishing crushed rock in stock piles for the Wallowa Lake and Old Oregon Trail Highways, in Union County, requested an extension of time, from June 30 to November 12, 1941, within which to complete this job. They attributed their failure to complete the project within the specified time limit to bad weather conditions. The Engineer advised that the reason given by the contractor for overrun of time limit is substantially correct, that the overrun in time did not in any manner inconvenience the state, neither did it increase the engineering expense on the job. He recommended that the extension of time requested be granted without penalty. The Commission approved the recommendation.

Chester T. Lackey, contract No. 2400, for production of rock for the Cairo Junction-Adrian Section of the Old Oregon Trail, Nyssa-Adrian and Adrian-Parma Highways, in Malheur County, requested an extension of time, from June 30 to September 18, 1941, within which to complete this job. He alleged that he failed to complete the job within the specified time limit because he was unable to secure capable labor. The Engineer advised that Mr. Lackey experienced considerable trouble in securing competent labor as well as necessary parts for his crushing plant. Under ordinary circumstances, he said, he would not consider this sufficient reason for granting the extension of time without

penalty; however, in this particular instance, the circumstances are unusual and the state was not inconvenienced by the delay, neither were the engineering costs on the job increased. He recommended the granting of the extension of time requested without penalty. The Commission approved the recommendation.

Norris Brothers, contract No. 2424, for grading and construction of bridges on the Ochoco Creek Section of the Madras-Prineville Secondary Highway, in Crook County, requested an extension of time, from July 31 to October 10, 1941, within which to complete this job. They attributed their failure to complete the project within the specified time limit to additional work ordered by the Engineer and difficulties in securing materials necessary to perform the same. The Engineer advised that the contractor experienced difficulty in securing delivery of treated lumber and lost 27 days thereby, and also lost three days' time because of delays in securing short piling. Additional delays, he said, were occasioned by the lining of the irrigation canals and additional work ordered by the Engineer. He gave as his thought that the circumstances surrounding this case are sufficient reason for granting the extension of time requested without penalty, and he so recommended. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

M. L. O'Neil & Son, contract No. 2438, for grading, topping and construction of bridges on the Gilliam County Line-Zinter Ranch Section of the Wasco-Heppner Secondary Highway, in Morrow County, requested an extension of time from August 31 to October 28, 1941, within which to complete this job. They attributed their failure to complete the project within the specified time limit to delays in securing bridge material and culvert pipe. The Engineer advised that the reasons given by the contractor for overrunning the time limit are correct. He recommended in view thereof that the extension of time requested be granted without penalty. The Commission approved the recommendation.

Gales Creek Sand and Gravel Company, contract No. 2448, for grading, surfacing and oiling the Vandehey and Van Dyke Sections of the Nehalem Secondary Highway, in Washington County, requested an extension of time, from September 30 to October 25, 1941, within which to complete this job. It gave unfavorable weather conditions as the reason for failure to complete the project within the specified time limit. The Engineer advised that this contract was awarded on April 4, 1941, but the contractor did not start operations until July 16, 1941, and continued until August 4, 1941, when the work was shut down for eight days. Placing of gravel on the base course was started on August 18, 1941, and oiling was started on September 26, 1941. The entire project, he said, was completed on October 25, 1941. The contractor experienced some delay, he said, during the month of September because of rainy weather although prior to that time general

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weather conditions were favorable. The main reason for failure of the contractor to complete the project within the specified time limit, he said, was delay in starting the project and lack of equipment for handling the work. He recommended that the extension of time requested be granted but that the contractor be charged for the extra engineering expense incurred by the state subsequent to October 10, 1941. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

Porter W. Yett, contract No. 2472, for grading, surfacing and bituminous macadam on the Vollmer Creek and Necanicum Junction Sections of the Wolf Creek Highway, in Clatsop County, requested an extension of time, from September 1 to November 1, 1941, within which to complete this job. He attributed his failure to complete the project within the specified time limit to bad weather conditions which prevented oiling work. The Engineer advised that this contract was not handled satisfactorily as regards expediting the work and convenience to the traveling public. Finishing work, he said, was particularly delayed unnecessarily and traffic was considerably discommoded during the fall weekends. He recommended that the extension of time requested be granted but that the contractor be charged with all the extra engineering expense incurred by the state subsequent to the specified date of completion. The Commission approved the recommendation.

Warren Northwest, Inc., contract No. 2475, for paving the Crabtree Corner-Lebanon Section of the Santiam Highway, in Linn County, requested an extension of time, from October 31, 1941, to May 31, 1942, within which to complete this job. They attributed their failure to complete the project within the specified time limit to abnormal weather conditions. The Engineer advised that the reason given by the contractor for failure to complete the project within the specified time limit is correct, that the contractor experienced inclement weather conditions during the fall of 1941, making it necessary to defer the construction of the cutback wearing surface. He recommended, in view of the circumstances, that the extension of time requested be granted without penalty. The Commission approved the recommendation.

The United Contracting Company, contract No. 2488, for grading and paving the Astoria (Astor Street-Bond Street) Section of the Oregon Coast Highway, in Clatsop County, requested an extension of time, from August 31 to October 18, 1941, within which to complete this job. It alleged that its failure to complete the project within the specified time limit was due to compliance with the provisions of the specifications which would not permit it to commence work prior to July 15, 1941, in order to give the State Highway Commission time to effect the removal of certain buildings located within the right of way. The Engineer confirmed the reasons given by the contractor for failure to complete the project within the specified time limit. He recommended, in view of the circumstances, that the extension of time requested be granted

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without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

O. C. Yocom, contract No. 2490, for grading, surfacing and oiling the Fulton Canyon-Locust Grove Section of the Fulton Canyon-Wasco County Road, in Sherman County, requested an extension of time, from September 30 to October 6, 1941, within which to complete this job. He attributed his failure to complete the project within the specified time limit to inclement weather conditions and difficulties in obtaining guard fence material. The Engineer advised that this contract was complete, with the exception of construction of guard fence, on September 27 and that the contractor's delay was due entirely to his being unable to obtain steel brackets for use in connection with the guard fence construction. He recommended that the extension of time requested be granted without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

E. L. Gates, contract No. 2495, for grading and surfacing the Kimberly-Simas School Section of the Kimberly-Long Creek Secondary Highway, in Grant County, requested an extension of time of 120 days, from October 31, 1941, to February 28, 1942, within which to complete this job. He attributed his failure to complete the project within the specified time limit to unfavorable weather conditions and inability to either purchase or rent necessary equipment. The Engineer advised that the reasons given by Mr. Gates for overrun of time limit are correct. He also said that the engineering costs in the project will not be increased because it was not necessary to maintain an engineering party on the job until the work was started. It appeared to him that the reasons for the delay are justification for granting the extension of time requested without penalty, and he so recommended. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

Warren Northwest, Inc., contract No. 2506, for paving the Middle Unit, Crabtree Corner-Lebanon Section of the Santiam Highway, in Linn County, requested an extension of time, from November 30, 1941, to May 31, 1942, within which to complete this job. They alleged that abnormal weather conditions prevented completion of the project within the specified time limit. The Engineer advised that the contractor worked diligently to complete this project within the specified time with minimum inconvenience to traffic and did complete all of the work except the construction of the final cutback top course, which work he ordered deferred until next year when weather conditions are favorable. He recommended that the extension of time requested be granted without penalty. The Commission approved the recommendation.

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The Engineer reported that contracts Nos. 2339, 2344, 2371, 2385, 2388, 2400, 2403, 2424, 2438, 2448, 2460, 2472, 2482, 2488, 2490 and 2513, for construction of state highway projects, have been completed according to the terms of the contracts or modifications thereof, and that said jobs are now ready for acceptance. The following resolution accepting the above projects was offered and was adopted by the unanimous vote of the Commission:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts and said jobs are now ready for acceptance:

Contract No. 2339, with Coos Bay Dredging Company, for grading and plant-mix bituminous macadam surfacing construction on the Bandon Section of the Oregon Coast Highway, in Coos County. Completed August 23, 1941.

Contract No. 2344, with Porter W. Yett, for grading and paving the Lombard Street-Killingsworth Street Section of the Lombard Street and Northeast Portland Secondary Highway, in Multnomah County. Completed September 25, 1941.

Contract No. 2371, with F. C. Feldschau, for the Tillamook Rock Production Project on the Oregon Coast and Wilson River Highways, in Tillamook County. Completed April 4, 1941.

Contract No. 2385, with McNutt Brothers, for grading the Sexton Mountain Section of the Pacific Highway, in Josephine County. Completed October 25, 1941.

Contract No. 2388, with D. C. and A. L. Williams, for the LaGrande Rock Production Project on the Wallowa Lake and Old Oregon Trail Highways, in Union County. Completed November 12, 1941.

Contract No. 2400, with Chester T. Lackey, for the Cairo Junction-Adrian Rock Production Project on the Old Oregon Trail, Nyssa-Adrian and Adrian-Parma Highways, in Malheur County. Completed September 18, 1941.

Contract No. 2403, with Averill & Corbin, for construction of the Gooserock Bridge over the John Day River on the John Day Highway, in Grant County. Completed October 31, 1941.

Contract No. 2424, with Norris Brothers, for grading and construction of two composite type pile trestle bridges on the Ochoco Creek Section of the Madras-Prineville Secondary Highway, in Crook County. Completed October 10, 1941.

Contract No. 2438, with M. L. O'Neil & Son, for grading, topping and construction of two untreated timber bridges on

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the Gilliam County Line-Zinter Ranch Section of the Wasco-Heppner Secondary Highway, in Morrow County. Completed October 28, 1941.

Contract No. 2448, with Gales Creek Sand & Gravel Company, for grading, surfacing and oiling on the Vandehey and Van Dyke Sections of the Nehalem Secondary Highway, in Washington County. Completed October 25, 1941.

Contract No. 2460, with A. S. Wallace, for furnishing crushed gravel in stock piles for the Dean Creek-Parker Creek Section of the Umpqua Highway, in Douglas County. Completed November 13, 1941.

Contract No. 2472, with Porter W. Yett, for grading, surfacing and bituminous macadam on the Vollmer Creek and Necanicum Junction Sections of the Wolf Creek Highway, in Clatsop County. Completed November 1, 1941.

Contract No. 2482, with M. E. Myers & Son, for roadside improvement on the Pendleton-Adams Section of the Oregon-Washington Highway, in Umatilla County. Completed November 14, 1941.

Contract No. 2488, with The United Contracting Company, for grading and paving the Astoria (Astor Street-Bond Street) Section of the Oregon Coast Highway, in Clatsop County. Completed October 18, 1941.

Contract No. 2490, with O. C. Yocom, for grading, surfacing and oiling the Fulton Canyon-Locust Grove Section of the Fulton Canyon-Wasco County Road, in Sherman County. Completed October 6, 1941.

Contract No. 2513, with A. S. Wallace, for the Gilliam County Line-Umatilla Rock Production Project on the Columbia River Highway, in Morrow and Umatilla Counties. Completed November 29, 1941.

THEREFORE, BE IT RESOLVED that the work covered by said state highway contracts for the construction of said state highway projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

The Commission confirmed Thursday and Friday, January 15 and 16, 1942, the date heretofore set for its next regular meeting. (This meeting was later postponed to Wednesday, January 21, 1942.)

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The Commission considered and signed agreements, et cetera, as follows:

Agreement with Linn County providing for use by the state of a county-owned quarry site situate in the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 9, Township 13 South, Range 3 West, W. M.

Agreement with the University of Oregon relative to reconstruction of the Pacific Highway between Eugene and Springfield.

Agreement with the University of Oregon and the Eugene Power Company relative to reconstruction of the Pacific Highway in Eugene.

Agreement with Carl Barclay and wife covering release of damage to property adjacent to the state's gravel pit, in Linn County.

Agreement with the United States of America, Department of Indian Service, covering cooperation between the state and the government with respect to the construction of the Sprague River Road, in Klamath County.

Agreement with Carl M. Stevens and Claude and Arline Stevens providing for lease of a maintenance headquarters site at Newberg.

Agreement with Bonneville Power Administration covering the cutting of trees on highway property between Pendleton and LaGrande.

Agreement with Clatsop County covering repairs to the Warrenton-Fort Stevens Road.

Agreement with the City of Tillamook disposing of the state's claim against the city arising out of construction of the Oregon Coast Highway, between First Street and the north city limits, in 1931.

Agreement covering city street improvements, as follows:

Mt. Angel	Salem
Pendleton	Dufur
Baker	Eugene
Sandy	Milton

Supplemental agreement with the National Hospital Association covering the furnishing of medical service to highway department employees in 1942.

Agreement with Consuelo Oregon Mines covering dredging and mining operations on right of way of the Sumpter Valley Highway.

Permit authorizing Harry Mercer and the Standard Oil Company of

California the right to use a strip of state-owned land at the intersection of Union and Denver Avenues, Portland.

Easement granting Carl Bauers permission to construct and maintain a private roadway on state highway property at Harris Beach State Park, Curry County.

Ground lease with The Booth Land Company covering renewal of a stock-pile site lease on the Roseburg-Myrtle Creek Section of the Pacific Highway, in Douglas County.

Bargain and sale deed conveying unto Irvin A. Gibbins and wife all of Lots 3 and 10, Block 7, Kincaid Park First Addition to Eugene, Lane County. Right of way files No. 9310 and No. 9662.

Bargain and sale deed conveying unto Washington County 1.68 acres of land situate in Lot 16, Block 51 of North Plains in Section 12, Township 1 North, Range 3 West, W. M., Washington County. Right of way files No. 9407 and No. 9417.

Bargain and sale deed conveying unto R. A. Eastman, Jr., and wife 1.45 acres of land situate in the NE $\frac{1}{4}$ of Section 32, Township 28 South, Range 6 West, W. M., Douglas County. Right of way file No. 9643.

Bargain and sale deed conveying unto Benton County 2 acres of land situate in the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 13, Township 12 South, Range 5 West, W. M., Benton County. Right of way files No. 8125 and No. 4523.

The Commission adjourned at 5:45 p. m. and reconvened at 8:00 p. m. in Room 415, Imperial Hotel, with all Commissioners present and participating. Also present were the State Highway Engineer, the Attorney and the Secretary.

The Assistant Attorney rendered the following status report on the acquisition of right of way for the Front Avenue Project, Portland: original estimate of cost for such right of way, between the Steel Bridge and Southwest Columbia Street, was \$1,279,000. Practically all settlements have been made and it now is estimated that the total cost will be approximately \$30,000 over the original appraisal although this sum may be affected by any change which is made in the original estimated cost at the Public Market. Between Southwest Columbia Street and Southwest Barbur Boulevard the original appraisal was approximately \$300,000. Present estimates indicate that the cost will overrun about \$15,000. However, new and additional properties have been added, the estimated cost of which is approximately \$75,000, making the present revised estimate \$360,000 between Southwest Columbia and Southwest Barbur Boulevard. In addition to the above there will be some claims for damages which cannot be estimated with any degree of accuracy at this time owing to the uncertainty of the final grade line. However, indications are that they will not exceed the sum of \$15,000. The Commission approved the report.

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The Attorney requested authority to acquire certain parcels of real property that are needed for various highway improvements throughout the state. He submitted a list of such properties, together with offers that he recommended be made in each instance. After careful consideration the Commission approved the request and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth, and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon, and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>St. Helens Section, Columbia River Highway</u>				
9922-Johnston, Davis & Co.	Maint. Hqts.		1 year lease, \$12 per month	Collier
<u>North Bend-Marshfield Section, Oregon Coast Highway</u>				
9488-North Bend, City of	R/W	17,000 sq.ft.	Lump Sum \$5,000	
(Correction)		4,888 sq.ft.	Lump Sum 150	
		7,166 sq.ft.	Lump Sum 350	
		4,004 sq.ft.	Lump Sum 500	
		33,058		Benson
9502-Kern, H. G.	R/W	29,276 sq.ft.	15¢ sq.ft.	"
9840-Mill "B", Inc.	R/W	10,650 sq.ft.	In exchange for 11,225 sq.ft., to be conveyed by State, + exchange building on Lots 1 & 2, Bl. 51, & moving & placing on foundation (Moving est'd. \$350)	"

(to be continued)

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
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North Bend-Marshfield Section, Oregon Coast Highway (Con'td.)

9493-A Independent Stevedoring Bldgs.			Bldg., house, garages,	
Company	on R/W		\$1650, + \$350	Benson
9802-Rohl, W. H.	R/W	1,628 sq.ft.	15¢ sq.ft., + \$150	"

Grants Creek-Powers Section, Powers Highway

9891-McLeod, Dorothy, & State Land Board	Stock Pile	1.0	Land \$100, + \$37.50	Benson
9889-Gant, Benjamin	Stock Pile	1.0	Lump Sum - \$75	"
9888-Powers, Albert H.	Gravel bar, haul road	3.35	Permanent easement, 3¢ cu. yd.	"
9889-Gant, Benjamin	Gravel bar, plant site	0.85	\$100 per acre	
	haul road	4.92	\$75 per acre	
		5.77	Permanent easement \$25 + \$47	"
9892-Mullen, Irene, & James Kermit Hayes	Gravel pit, haul road	1.44	3¢ cu.yd. Permanent haul road	"

Pistol River-California Line Section, Oregon Coast Highway

9809-Bauers, Carl	Park	75.0	\$75.13 1/3 per acre	
(Correction)		48.4	\$28.20 1/3 per acre	McChesney
		123.4		

Jordan Creek-Mills Bridge Section, Wilson River Highway

8900-Roda, Arthur	Permit to cut danger trees		GRATIS	Eason
8907-Turner, F. F.	Permit to cut danger trees		GRATIS	"
8899-Rosenberg Bros.	Permit to cut danger trees		GRATIS	"
8902-Riechers, W. J.	Permit to cut danger trees		GRATIS	"
8906-Botts, H. T.	Permit to cut danger trees		GRATIS	"
8905-Schlader, Archibald W.	Permit to cut danger trees		GRATIS	"

Vadis-Gardner Ranch Section, Wolf Creek Highway

6541-Klum, Estate Jane Churchman	R/W	2.0	\$200 per acre	Collins
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Front Avenue Project-Columbia Street South, Portland, Pacific Hwy. West

8732-Peters, Martin A.	R/W	5,325 sq.ft.	\$1,350	McCallister
9063-Fracasso, Joseph F.	R/W	5,000 sq.ft.	2,500	"
8222-Bader, Harry N. et al	R/W	3,200 sq.ft.	3,500	"
9981-Mosler Bakeries, Inc.	R/W	Grade change damage & cost of remodeling building \$1723		"

West Portland-Tualatin Section, West Portland-Hubbard Highway

6712-County of Clackamas	R/W	0.09	Lump Sum - \$10	Martin
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Tillamook County Line-Valley Junction Section, Salmon River Highway

9132-Miami Corporation	Park	38.0	\$5 per acre	McChesney
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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Cascadia-Bryant Hill Section, South Santiam Highway</u>				
9254-A Conn, Rova E.	Park	7.50	\$66.66 per acre	McChesney
<u>Eugene-Springfield Section, Pacific Highway</u>				
9429-Arnold, Leona M.	R/W	0.102	\$1,000 per acre, + \$370, + moving bldgs., (Estd. \$1350), + \$150 if moving is done during months of May, June, July or August for loss business	Parker
9426-Hayes, James	R/W	2.63	\$1,000 per acre, + \$4,870	"
<u>Wright Ranch-Fate Grade Section, Tiller-Trail Highway</u>				
9913-Higgins, Jack	R/W	1.0	\$125 per acre	Gardiner
		0.72	\$25 per acre	
		1.72	plus \$477.50	
9905-Matthews, Roy V.	R/W	0.11	\$125 per acre	"
		0.95	\$20 per acre, + \$146.25	
		1.06		
9906-Wright, J. D.	R/W	0.81	\$125 per acre, + \$518.75	"
9912-Wright, Ray R.	R/W	0.01	GRATIS	"
9918-Wright, W. T.	R/W	0.96	\$125 per acre, + \$953.75	"
9907-Poole, Walter V.	R/W and Stock Pile	1.75 0.47	\$125 per acre	"
		0.47	\$20 per acre + \$378.75	
9910-Poole, Annie	R/W	0.083	\$125 per acre, + \$89.62	"
<u>Days Creek-Milo Section, Trail Highway</u>				
9305-Rowe, Albert M.	R/W	0.08	\$50 per acre, + \$48	DeSouza
<u>Dillard Bridge Section, Pacific Highway</u>				
8775-Carpenter, Mollie	R/W and Borrow Pit	3.02 4.50 7.52	\$50 per acre + fencing	Gardiner
<u>Dee-Parkdale Section, Hood River Highway</u>				
9870-Fioretti, Antonio	R/W	0.09	Lump Sum - \$10	Witt
9854-Kenyon, Jas. O. & Henry V. Gilbert	R/W	0.37	\$75 per acre, + \$18.75 fencing	"
9871-Sato, Ray	R/W	0.23	\$50 per acre, + \$66 fencing	"
9869-Benedict, Rachel W.	R/W	0.29	\$100 per acre, + \$7.50	"
9867-Uyeno, Satoru	R/W	0.23	\$100 per acre	"
9856-Abbott, D. N.	R/W	1.32	\$75 per acre, + \$255.50	"
9864-Montag, C. J. & Sons	R/W	0.04	Lump Sum - \$5	"
9863-Sato, M. K.	R/W	0.03	Lump Sum - \$5, + \$7.50	"
9865-Katayama, Yukiko	R/W	0.09	Lump Sum - \$10	"
9872-Mt. Hood RR Co.	R/W	1.20	\$125 per acre	"

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Condon-Fossil Section, John Day Highway</u>				
9748-Stinchfield, Fred A. (Correction)	Quarry	6.31	\$25 per acre, + \$25	McCallister
<u>Town of John Day Section, John Day Highway</u>				
9894-Trowbridge, Charles A.	R/W	0.43	\$300 per acre, + \$19.75	Cozad
<u>Baker Section, Baker-Unity Highway</u>				
9848-Baker County & Carl Colson	R/W	5,000 sq.ft.	2¢ sq.ft.	Landon
9849-Peter Olson Estate	R/W	438 sq.ft.	8¢ sq.ft. + \$10	"
9849A-Peter Olson Estate & Frank E. Larsen	R/W	1,037 sq.ft.	8¢ sq.ft.	"
<u>Enterprise-Forest Boundary Unit #1, Enterprise-Lewiston Highway</u>				
9940-Oregon Mortgage Co. & C. A. Riley	R/W	2.0 <u>4.97</u> 6.97	\$25 per acre \$7.50 per acre, + \$265	Landon
9938-Blow, John T. & Chloe Blow & Birdie Blow	R/W	0.35	\$10 per acre, + fencing to be moved & reconstructed	"
9939-A Lindley, J. H.	R/W	2.34	\$10.68 per acre, + \$7.50, + moving & re- constructing fences	"
9939-Craig, W. F.	R/W	2.34	\$7.50 per acre, + mov- ing & reconstructing fence	"
9941-State of Oregon, & H. C. Lindley	Stock Pile	1.0	\$50 per acre, + fencing	"
<u>Brogan-Jamieson Section, John Day Highway</u>				
9397-OWRR&N Co., & Union Pacific Co.	R/W	1.46	\$102.74 per acre	DeSouza
<u>Chichester Gulch West Section, Shaniko-Fossil Highway</u>				
9881-Burgess, Chas. E. et al	R/W and Talus Pit	0.89) 0.19) 2.23) 1.93) <u>7.00</u> 12.24	\$5.00 per acre \$100 per acre, + \$900	Witt
9882-Burgess, Chas. E. et al	R/W	2.62 <u>1.14</u> 3.76	\$5.00 per acre	"
9883-Burgess, Chas. E. et al	R/W	1.83 <u>1.0</u> 2.83	\$100 per acre \$5.00 per acre, + \$400	"
<u>Owens Street-Midland Road Section, Klamath Falls-Lakeview Highway</u>				
9597-Owens, B. Frank	R/W	7,660 sq.ft.	Lump Sum - \$6,000	Cozad

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The Attorney also requested authority to institute condemnation proceedings to acquire certain parcels of real property that are needed for highway improvements and in connection with which he has been unable to reach satisfactory settlements. He presented a list of such properties with offers that he recommended in condemnation, as follows:

<u>File No.</u>	<u>Name</u>	<u>Purpose Required</u>	<u>Recommended Offer</u>
9942	Ralph Hankins	R/W	\$ 10.00
9943	Chester Craddock	R/W	10.00
9944	Murray Brothers	R/W	5.00
9946	Dave Craddock Estate	R/W	20.00
9947	Reinalt Salle	R/W	10.00
9948	Frances Ogilvie	R/W	60.00
9949	Jack Craddock	R/W	5.00
9950	Merle Hankins	R/W	2.50
9951	Ben Craddock	R/W	50.00
9952	E. I. Southworth	R/W	25.00
9743	Austin S. Thompson Estate	Quarry	
		(Authorization to clear title only)	150.00
9908	Bruce Baker	R/W	635.00
9909	Julius L. Poole & Annie Poole	R/W	40.00
9914	Fred W. Bigham	R/W	110.00
9915	Merlin K. Dean & Maud Alice Dean	R/W	650.00
9916	Ivan Welch & Douglas Building & Loan Association	R/W	15.00
9917	Elbert Blackmun	R/W	22.50
9920	J. W. Wright & Minnie I. Wright	R/W	1500.00
9921	Clay Ulan	R/W	55.00
9518	P. M. Ross, et ux.	R/W	7000.00
9945	George Craddock	R/W	10.00

After discussion the Commission approved the request and the offers presented. The following resolution with respect thereto was adopted by the Commission by unanimous vote:

WHEREAS, the State Highway Commission is authorized to locate, relocate, construct, reconstruct, maintain, widen, straighten, and otherwise improve state highways, both primary and secondary, and said Commission is also authorized to construct shops, equipment sheds, office buildings, maintenance sites, patrolmen accommodations, and snow fences, and is authorized to acquire quarry sites, gravel pits, storage sites, stockpile sites, weighing stations, and broadcasting stations, and is further authorized to develop, construct, improve, operate, and maintain parks, parking places, auto camps, camp sites, roadside development, recreational grounds or resorts, and other places of attraction and scenic value; and

WHEREAS, said Highway Commission is authorized to acquire by purchase, agreement, donation, or by the exercise of the power of eminent domain real property, or any interest therein, necessary or deemed by the Highway Commission necessary for the accomplishment of any and all of the foregoing things; and

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WHEREAS, in the judgment of the Highway Commission the several tracts or parcels of land hereinafter described are each and all necessary for the specific and particular purposes hereinafter specifically set forth;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the Commission does hereby find and declare that the several parcels of real property hereinafter described are each and all necessary for the accomplishment of the purposes hereinafter expressly and specifically set forth, which said real properties and the specific purposes for which the same are being acquired are described as follows, to wit:

Real property owned by Reinault Selle, et al., which property is located in the south half ($S\frac{1}{2}$) of the northwest quarter ($NW\frac{1}{4}$) of Section 26, Township 17 South, Range 31 East, W. M., Grant County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 1 and is further identified in the records of the Highway Commission as file R 9947, and which property is being acquired for right of way purposes in connection with the John Day-Burns Highway;*

Real property owned by the heirs of Austin S. Thompson deceased, and by the heirs of Lydia G. Moyer, which property is located in the northwest quarter ($NW\frac{1}{4}$) of the northwest quarter ($NW\frac{1}{4}$) of Section 16, Township 4 South, Range 22 East, W. M., Gilliam County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 2 and is further identified in the records of the Highway Commission as file R 9743, and which property is being acquired for the purpose of securing roadbuilding materials therefrom for use in connection with the Wasco-Heppner Highway;*

Real property owned by P. M. Ross and Elizabeth H. Ross, which property is located in Lots 6, 7, 8, 9, 10, and 11, Block 34, Coos Bay Plat "B", North Bend, Coos County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 3 and is further identified in the records of the Highway Commission as file R 9518, and which property is being acquired for right of way purposes in connection with the Oregon Coast Highway;*

Real property owned by Julius L. Poole, et al., which property is located in the northeast quarter ($NE\frac{1}{4}$) of Section 30, Township 30 South, Range 3 West, W. M. Douglas County, Oregon, and is more particularly described on the

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attached sheets and designated as Parcel No. 4 and is further identified in the records of the Highway Commission as file R 9909, and which property is being acquired for right of way purposes in connection with the Tiller-Trail Highway;*

Real property owned by Frederick W. Bigham, which property is located in the northwest quarter (NW $\frac{1}{4}$) and in the northeast quarter (NE $\frac{1}{4}$) of Section 29, Township 30 South, Range 3 West, W. M., Douglas County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 5 and is further identified in the records of the Highway Commission as file R 9914, and which property is being acquired for right of way purposes in connection with the Tiller-Trail Highway.*

2. That the Commission does hereby find and declare that each of the said described parcels of real property is necessary and acquisition of the same by the State is required for the specific purposes hereinabove set forth, and the said properties are being acquired for the express and specific purposes in this resolution set forth.

3. That the State Highway Engineer be and he hereby is instructed and directed to make or cause to be made all surveys necessary in connection with the determination, description, and acquisition of said real properties, and said Engineer is further instructed to prepare and submit to the Legal Department necessary and adequate descriptions of the said real properties, which said descriptions shall be available for the preparation of any deed or deeds or other instrument or instruments necessary to complete the acquisition of said property or properties, whether said properties be acquired by purchase, donation, agreement, or by the exercise of the power of eminent domain.

4. That J. M. Devers, Attorney for the State Highway Commission, be and he is hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby further resolved that J. M. Devers, Attorney for the State Highway Commission, be and he hereby is requested to commence and prosecute to a final determination such suit or action, or suits or actions, as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

*(The detailed descriptions of the respective parcels of real property mentioned in this resolution are attached to the original resolution on file in the office of the State Highway Commission, Salem, being Resolution No. 19, under the heading "Real Property Condemnation Resolutions", and said descriptions by this reference are made a part of this minute entry to the same extent as if copied in full herein.)

NOTE: The remaining parcels for which offers were approved by the Commission were settled without resorting to condemnation.

The Attorney brought up for discussion a settlement with Mr. Arthur D. Jones, Eugene, for right of way needed in connection with the reconstruction of the Pacific Highway between Eugene and Springfield. He advised that Mr. Jones is demanding \$12,000 for this property and agrees, if he is paid such sum, to take care of his tenants. He further advised that five separate appraisals have been made of the property as follows: C. W. Parker, right of way agent, \$10,000; C. L. Payne \$9,500; Mrs. Mary R. Miles \$10,000; F. L. Chambers \$10,000; and C. F. Hyde \$12,930. He also said that Mr. Jones refuses to accept the Commission's offer of \$11,000 as settlement in full, including settlement with the tenants. After discussion, the Commission authorized the Attorney to offer Mr. Jones \$11,500, Mr. Jones to assume the expense of taking care of the tenants and to be allowed to have the benefits accruing from rentals of the property until the property is needed by the state, or until about July 1, 1942. It was understood that Mr. Jones's dealings with the tenants must be satisfactorily disposed of before the \$11,500 is paid to him by the state.

The Attorney also brought up for discussion a controversy with Mr. B. F. Friday for right of way needed for the Wolf Creek Highway construction across Mr. Friday's property, in Washington County. He explained that the property desired consists of a strip on each side of the highway and is additional to right of way heretofore secured from Mr. Friday; further that the property is now under condemnation because Mr. Friday has refused to accept the state's offer of \$250 and is demanding the sum of \$500 for his land. He further advised that he has received information from Mr. Friday's attorney, Mr. Thomas Tongue of Hillsboro, that Mr. Friday will now accept the sum of \$350 for his land but he wants the privilege of removing the timber therefrom and wants the timber heretofore cut by WPA forces, and also wants the state to construct for him three approaches from the highway to his property. He recommended payment of the \$350 for the three acres involved and letting Mr. Friday have the timber. The matter was discussed at some length during which a question arose as to the roadway approaches to the highway. Final action in the matter was deferred by the Commission until a future meeting, pending securing of additional information relative to the approaches.

The Attorney presented a form of agreement between the State Highway Commission and the United States Indian Service, covering cooperation between the state and the government with respect to the construction of the Sprague River county road, in Klamath County, particularly covering the matter of the state's contribution toward such project. The Attorney read aloud the provisions of the agreement. The Commission approved and signed the agreement subject to the condition that there shall be added thereto a clause to the effect that the state is relieved of its obligation if restrained from acting by conditions of the national emergency.

The Attorney reported an offer received from Emil H. Duyck to purchase a parcel of state-owned property adjacent to the Davies-Vadis Section of the Wolf Creek Highway, in Washington County, consisting of approximately 34 acres, situate on the south side of the highway. He advised that Mr. Duyck's offer is \$50 per acre. However, since receiving the same an offer has been received from a Mr. W. G. Ide, in the amount of \$2,000. He inquired whether or not he should accept the high offer of Mr. Ide or advertise the property for sale. The Commission decided that it would be best to take bids for the purchase of the property and so ordered.

The Commission considered a request from Mr. J. W. Goin, Albany, to lease a state-owned topsoil pit southwest of Albany. The Engineer advised that Mr. Goin is willing to pay \$5.00 per year rental for the use of the entire area except the portion that has been excavated by the state in its topsoil borrow work. He recommended acceptance of the offer provided Mr. Goin will agree to let the state secure any topsoil which might be required from that portion of the pit which has already been opened and used. The Commission approved the recommendation and ordered that the matter be covered by letter rather than by formal agreement.

Reconsideration was given by the Commission to the request of Colonel Frank W. Wright, who has charge of the Pendleton airport, for use of certain state-owned land adjacent to such airport and the Old Oregon Trail, for recreational purposes. The Engineer advised that there is no sale for the property and the Highway Department has no immediate use for the same. He recommended that the army be allowed to use the property for the purpose intended, without charge, provided it will relinquish the same on reasonable notice when the state needs it. The Commission approved the recommendation.

The Commission also reconsidered a request of the Consolidated Timber Company for permission to maintain a private service station for its logging trucks on the Wilson River Highway right of way about 1,000 feet east of McNamers Camp. The question arose whether or not the Commission could grant this privilege in view of its policy which prohibits encroachments upon state highway rights of way. The Attorney pointed out that the right of way at this location is extra wide and includes a timber strip which really could not be considered right of way, and that it is on this extra-width parcel that the company wishes to maintain its service station. He suggested, if the Commission desires to grant the privilege, it could do so and still maintain its policy if it would, by appropriate resolution, declare and set off the right of way

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from the balance of the land and then allow the company the use of the land that is beyond the right of way limit as determined by such resolution. The Commission appeared favorably inclined toward such arrangement, in view of the fact that the Consolidated Timber Company donated the right of way and the timber strips and could have reserved a sufficient area for its service station in the first instance had it so desired. After discussion the Commission approved such solution of the problem and thereupon by unanimous vote adopted the following resolution relative thereto:

WHEREAS, when the right of way for the Wilson River Highway between engineer's station 1447+50.71 at or near the Wilson River and engineer's station 1467+10 was procured an unusually wide area was procured so that there might be ample ground for right of way and for other highway purposes; and

WHEREAS, said highway has now been constructed and it is now possible to determine what width of right of way between said termini will be ample for highway purposes, leaving the area outside the right of way proper available for other purposes;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the Oregon State Highway Commission as follows:

1. That the right of way of said highway between the place where said highway crosses the Wilson River at engineer's station 1447+50 and engineer's station 1467+10 shall be described as follows, to wit:

A parcel of land lying in the Northeast quarter (NE $\frac{1}{4}$) of Section 6 and in the Northwest quarter (NW $\frac{1}{4}$) of Section 6, Township 1 North, Range 6 West, W. M., Tillamook County, Oregon; the said parcel being a strip of land 120 feet in width, 60 feet on each side, parallel to and adjoining the center line of the Wilson River Highway as said highway has been constructed over and across said property; the location of the said strip of land being determined by the said center line from engineer's station 1447+50.7 to engineer's station 1467+10; beginning at said station 1447+50.7, said station being 75 feet south and 595 feet west of the northeast corner of said Section 6; thence North 80° 48' 30" East 109 feet; thence on a spiral curve right (the long chord of which bears North 83° 58' 30" East) 380 feet; thence on a 1145.9 foot radius curve right (the long chord of which bears South 88° 18' 30" East) 55.3 feet; thence on a spiral curve right, (the long chord of which bears South 80° 35' 45" East) 380 feet; thence South 77° 25' 45" East 47.7 feet; thence on a spiral curve left, (the long chord of which bears South 78° 55' 45" East) 360 feet; thence on a 2291.8 foot radius curve left) 60.7 feet; thence on a spiral curve left (the long chord of which bears South 86° 26' 45" East) 360 feet; thence South 87° 56' 45" East 166.2 feet to the westerly line of the State Park.

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2. That the above described area shall be and the same hereby is declared to be the right of way of said highway between said termini.

3. That all of the remainder of the real property owned by the State between said termini and outside the limits of said right of way shall be retained so that the same may be available for storage sites, maintenance quarters or such other uses as the Highway Commission may deem proper.

4. That there is attached hereto, marked Exhibit A and by this reference made a part hereof, a blueprint on which there is shown in parallel lines shaded in red the area above described.

5. That this resolution shall be entered in the minutes and records of the Commission.

The Attorney was instructed to prepare an appropriate form of agreement between the company and the state, covering the use of the state's property for a period of five years.

A letter was presented from J. B. Beddingfield, Attorney for the Coos Bay Lumber Company, in which the Commission was requested to join with the Company in securing the vacation of certain streets that have been dedicated for public use in a subdivision known as Watts Acres and Plat Two Watts Acres, Douglas County. The Engineer advised that Watts Acres is situate adjacent to the Pacific Highway at Green Station, about seven miles south of Roseburg, and that the matter of vacation of streets has been investigated, such investigation revealing that the streets have never been constructed and are of no benefit whatsoever from the state highway standpoint, in fact it would be advantageous if the streets were vacated because they intersect an important highway. He recommended approval of the request. The Commission approved the recommendation and thereupon authorized the Secretary to sign the "Consent to Vacation" in behalf of the Commission.

The Commission discussed the advisability of purchasing timbered wayside strips along the Pendleton-John Day Highway between Desolation Creek and Camas Creek, particularly some twenty-one 40-acre tracts fronting on both sides of the highway just north of the Umatilla-Grant County line. Mr. T. M. Davis, Senior Highway Engineer of the Public Roads Administration, who was present, advised that it would not be possible to secure federal aid funds with which to finance this purchase on account of the war situation and the need to use the funds for other purposes. The Commission decided, after discussion, to continue negotiations with the owners for options. The Attorney was instructed to secure such options at the lowest possible figure. It was also decided that this purchase shall be placed at the top of the list of purchases of this nature for financing with federal aid funds as soon as such funds are again made available.

The following resolution abandoning a portion of the Nehalem Secondary Highway, Washington County, was adopted by the Commission by unanimous vote

upon recommendation of the Engineer who stated that the land described therein is part of the old right of way and has been rendered valueless for highway purposes by reason of realignment of the highway:

WHEREAS, in order to afford a better alignment and a more satisfactory, safe and convenient highway for the traveling public the Commission found it necessary to relocate a portion of the Nehalem Highway in Washington County; and

WHEREAS, by reason of said relocation and reconstruction of said section of highway there were eliminated and made unnecessary as parts of the permanent highway certain sections, which sections are more particularly defined and described hereinafter in this resolution; and

WHEREAS, it is the judgment and opinion of the Commission that there should be recorded in the minutes and records of the Commission its purpose and plan to abandon as a part of the said highway the fragments or portions of right of way heretofore designated and which were heretofore included within the area of the right of way of said highway as formerly located, but which are now without the regular limits of said highway as relocated.

NOW, THEREFORE, the premises being in general as above stated, it hereby is resolved by this Commission, all members being present and affirmatively voting, as follows:

1. That the fragments of land confined within the area hereinafter described, which fragments or parcels of real property were formerly within the limits of the right of way of the Nehalem Highway but are no longer parts of the right of way of said highway as the same has been relocated and constructed be and said parcels of real property are abandoned as parts of the right of way of said highway, and said parcels of land are, so far as control and supervision by this Commission is concerned, eliminated and left to revert to the adjoining and abutting property owners. The fragments or parcels of land affected by this resolution are defined and described as follows, to wit:

All those certain sections of the old right of way of the Nehalem Highway in Sections 7 and 18, Township 1 North, Range 3 West, W. M., Washington County, lying on the easterly and westerly side of the right of way required for the reconstructed Nehalem Highway, the beginning and ending points with reference to the engineer's stations of the said reconstructed highway being engineer's station 5+90 on the southerly end and engineer's station 33+00 on the northerly end.

The location of said abandoned right of way may be more definitely and particularly ascertained and determined by reference to a

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map or blueprint marked Exhibit A attached hereto and by this reference made a part hereof, which said exhibit for identification purposes bears the signatures of E. A. Collier, Division Engineer, H. G. Smith, Construction Engineer, and C. B. McCullough, Assistant State Highway Engineer, and is dated December 15, 1941, upon which map or exhibit are reflected the above described parcels of land by showing the same shaded in red.*

2. In the event there remains any physical connection between any portion of said abandoned right of way or highway and the present highway, and by reason of such physical connection traffic from the existing highway may enter or use the said abandoned right of way or highway to the possible damage or injury of such traffic by reason of any unsafe condition existing with respect to said old or abandoned road, then the State Highway Engineer is hereby authorized and directed to erect such barricade or other safeguards as may be necessary to protect said safeguard traffic using and employing said newly located, constructed and dedicated section of said highway.

3. That this resolution be entered in the minutes and records of the Commission and a certified copy thereof promptly delivered to the County Court of Washington County, together with a copy of said exhibit or map, for such action as said County Court may desire to take with respect to the fragments of land to be abandoned, and should said abandoned sections of the right of way of said Nehalem Highway be further employed for public or private highway purposes such use shall be entirely under the control and supervision of the County Court of Washington County and beyond any responsibility or supervision by the State Highway Commission.

The State Parks Superintendent, Mr. S. H. Boardman, was present and reported on the following park matters:

Relinquishment of Helmick Park for use in connection with United States Army cantonment:-The Parks Superintendent advised that he has been approached by army officials relative to the acquisition of Helmick Park, which has been included within the boundaries of the proposed army cantonment north of Corvallis, and inquiry has been made as to how much the state wants for the property. He further advised that this park was conveyed to the state by James and Amanda Helmick and that the deed specifically states that it shall be held for state park purposes for all time. The Commission considered that it would have to relinquish the park if the army demanded it and in view thereof instructed the Attorney to contact the donors or their heirs and secure, if possible, a waiver of the provision that the state cannot dispose of it but must

*Map filed Right of Way Abandonment and Retention File - No. 98

keep it for park purposes. The Parks Superintendent was instructed to inform the army officials of the facts in the case and to set a price on the property, including land and improvements, of such amount that the proceeds of the sale will be sufficient to acquire a similar area outside of the boundaries of the proposed cantonment.

Cutting of trees in Emigrant Park:-The Parks Superintendent reported a request from the Pacific Telephone and Telegraph Company to cut 128 trees which the company lists as danger trees to its telephone line on Emigrant Hill Section of the Old Oregon Trail between milepost 258 and milepost 259. He said that the telephone company has acquired a 120-foot right of way strip for its facilities, bordering the highway timbered right of way and has erected its pole line along the center of this strip. Investigation on the ground, he said, reveals that if the company had constructed its pole line 15 feet west of the center line 59 per cent of the trees, which it desires to cut, could have been saved, and if the company had constructed its pole line 50 feet distant from the center line of its strip 97 per cent of the trees could have been saved. He recommended that the request of the company for the cutting of the trees on the state's property be denied and that the company be required to move its pole line farther away from the state's timbered strip so as to avoid the cutting of the trees inasmuch as the state's purchase of the property was for the specific purpose of preserving the tree growth. The Commission approved the recommendation.

Use of state park property in Curry County for mining purposes:-The Parks Superintendent reported receipt of a letter from the State Department of Geology and Mineral Industries relative to the desire of a certain private mining group to obtain state park property north of Port Orford which contains valuable chromite deposits and suggesting that it would be to the state's interests if the Highway Commission would approve the conveying of such property to this mining group, perhaps on the condition that the company would pay the state cash, in the amount that the state paid for the property, and five per cent of the value of the minerals produced from the land up to an amount of \$10,000. The Commission discussed the matter briefly but deferred action until its next meeting.

Addition to Short Sand Beach State Park:-The Parks Superintendent presented an offer from T. M. Collins, Portland, to sell to the state as an addition to Short Sand Beach State Park a 42-acre tract of land for the sum of \$12,000 or to sell 36 acres to the state for the sum of \$6,000 if he is allowed to retain a certain 6-acre tract for his own use and enjoyment. The Commission considered it inadvisable to acquire only the 36 acres and that the price asked for the entire 42 acres is exorbitant, and thereupon deferred the purchase for the time being. The Attorney was instructed to investigate Mr. Collin's income tax report to ascertain just how much the property is valued therein.

Roadway easement across state park property near the Clatsop-Tillamook County line:-The Commission considered a request from a

Mr. E. W. Kruschke for permission to construct and maintain a roadway across state-owned property situate in Section 6, Township 3 North, Range 10 West, W. M. adjacent to the Oregon Coast Highway a short distance south of the Clatsop-Tillamook County Line. The Parks Superintendent advised that Mr. Kruschke is simply asking for a privilege that he has already taken without the consent of the State Highway Commission or any other state official and that Mr. Kruschke has already constructed a roadway in connection with which he cut a strip of timber 40 feet wide and deposited the debris by the wayside. He recommended denial of the request and that Mr. Kruschke be prosecuted for falling the timber. The Commission approved the recommendation and instructed the Attorney to institute suit against Mr. Kruschke to collect triple damages for destroying the state's property.

Use of Harris Beach Park by Mrs. Anna Barclay:-The Parks Superintendent presented the application of Mrs. Anna Barclay, Brookings, for permission to continue operation of a restaurant business on state-owned park property recently acquired from Carl Bauers, in Curry County, at least during the year 1942. The Parks Superintendent advised that, according to the arrangement effected at the time of the purchase of the property by the state, Mrs. Barclay was to be given until December 15, 1941, within which to vacate the premises. After discussion the Commission denied Mrs. Barclay's request; however, granted her a period of six months within which to secure a new location and move her building thereto.

Mrs. Inez Van Dyke encroachment in Casey State Park, Jackson County:-The Parks Superintendent advised that Mrs. Inez Van Dyke has been trespassing on the state's property for a long time and refuses to vacate the premises although she has been ordered to do so on numerous occasions. The Attorney was instructed by the Commission to take necessary steps to evict her.

There being no further business to come before the Commission at this time, the meeting was adjourned at 11:10 p. m.

R. W. Kruschke
State Highway Engineer

W. S. Kearsley
Secretary

Henry F. Cabell
Chairman

John M. Clough
Commissioner

Herman Clough
Commissioner

DEC 18 1941

Portland, Oregon, January 5, 1942

The State Highway Commission met in special session at 9:30 a. m. in Room 234, Imperial Hotel. Present were:

Henry F. Cabell, Chairman
Huron W. Clough, Commissioner
Herman Oliver, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

The Engineer brought up for discussion matters pertaining to the highway department's finances. He predicted the falling off of the revenues in view of recent government orders with respect to the rationing of automobile tires and the cessation of manufacture of passenger automobiles, and recommended the following in order to conserve state highway funds for use in connection with the matching of federal aid funds which may be allocated to the State of Oregon:

1. Discontinue the contracting of all state construction projects;
2. Reduce minor betterment expenditures to a bare minimum;
3. Reduce expenditures for publicity purposes;
4. Discontinue purchase of additional parks and curtail activities of the Parks Department to a bare minimum.

He read aloud a letter directed to the Commission, dated January 3, 1942, with respect thereto. (See letter for details.) The Commission discussed this matter very carefully and decided in view of the existing emergency not to contract additional state-financed projects unless there are exceptional cases that must go ahead. This procedure is to be followed for the next three or four months and then will be changed as conditions warrant.

As to expenditures of the Travel and Information Department, the Commission approved the reduction as recommended by the Advisory Committee in its resolution presented at the previous meeting of the Commission. It was decided to call the members of the committee together to pass on future reductions in this department as may be deemed necessary.

As to the purchase of additional roadside strips, the Commission decided to defer such purchases on the representation of Mr. T. M. Davis, Senior Highway Engineer of the Public Roads Administration, who was present, that the use of federal aid funds for such purposes will not be approved unless the purchase is approved by the United States Army authorities.

Discussion of the proposed reduction in the expenditures of the Parks Department was deferred until the afternoon session when the State Parks Superintendent will be present.

It was decided that the personnel of the several departments affected should be reduced to a minimum and that only the key personnel in such departments should be retained. The personnel to be relieved in such departments is to be absorbed in other departments in so far as is possible.

Chairman Cabell brought up for discussion the matter of distributing federal funds to the various divisions of the state. It was his thought that the present method of distribution cannot be followed during the present emergency in view of the fact that the moneys cannot be expended for projects other than those approved by the army and navy authorities. The Commission decided to keep a record of the expenditures, from this time until the emergency is passed, and to consider the expenditures made in the interim in the distribution of funds from then on. The Engineer was instructed to report to the Commission at the next meeting the present status of expenditures in the several divisions.

The matter of curtailing minor betterment work on primary and secondary highways was also discussed and it was decided to defer all such work that is not immediately necessary, and to effect all economies possible in maintenance work, keeping in mind, however, that road facilities must not be allowed to depreciate to such an extent that they will interfere with the furnishing of adequate service for the transportation of goods and movement of troops.

The question which projects are to be considered exceptional and which should proceed was discussed. Several were mentioned, such as the Plaza improvement in Ashland, improvement of the Columbia River Highway through the Parkrose District east of Portland, South Sixth Street Project in Klamath Falls, and the proposed improvement of the Oregon Coast Highway through the town of Gold Beach. The Commission decided to proceed with the Plaza improvement in Ashland as soon as right of way matters have been clarified. Similar action was taken on the proposed Parkrose improvement. The Engineer was instructed to include these two projects in the list to be presented to the Public Roads Administration for approval by the army authorities. The Attorney was instructed to complete the right of way negotiations on such projects.

The Commission decided not to construct the South Sixth Street Project, Klamath Falls, at this time; however, authorized and instructed the Attorney to obtain the right of way so that it will be ready when the Commission is able to proceed with construction.

The Commission tentatively decided not to construct the Gold Beach improvement; however, deferred a definite decision with respect thereto pending consultation with local citizens. The Secretary was instructed to invite the Gold Beach delegation to the next regular meeting of the Commission for a discussion of the matter if they so desire.

The Attorney was instructed by the Commission to report at the next meeting the status of the right of way budget on unfinished work so as to give the Commission an idea how much money will be necessary to purchase right of way during 1942. The Engineer remarked that he would like to have as much right of way as possible acquired in advance so there will be no delays on

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that account when projects are approved, particularly projects that must be expedited. The Commission decided to discuss this matter at the next meeting.

Consideration was given by the Commission to the matter of constructing the DeLaura Road, 0.7 mile in length, which extends from the Oregon Coast Highway at Skipanon Junction to the Crest Road between Fort Stevens and Camp Clatsop. The Engineer reported receipt of a letter from Mr. W. H. Lynch, District Engineer, Public Roads Administration, stating that the United States War Department, has approved this project as important to national defense under the provisions of the Defense Highway Act of 1941; also, that the Work Projects Administration has \$20,000 of nonlabor funds which can be applied to the project. The Engineer estimated the cost of construction at \$66,000, exclusive of right of way which he estimated would cost about \$1,000. In connection with this matter the Commission also discussed the proposed realignment of the Oregon Coast Highway to accommodate the U. S. Naval Base at Tongue Point, it being pointed out that this particular project has been approved for federal access money and for performance by contract by all authorities except the final authority in Washington, D. C. It was the thought of the Commission that the Tongue Point project should proceed on contract basis as planned, using federal access money to finance the same, the state to contribute approximately \$60,000 of state funds as heretofore authorized; also, that the DeLaura project should be constructed as a WPA project. The Commission also decided to acquire the right of way for the DeLaura project using state funds to finance the same.

The matter of curtailing expenditures in connection with the Oregon Trail Centennial was brought up for discussion by Chairman Cabell and it was decided not to authorize additional expenditures if that meets with the approval of the Centennial Commission and Governor Sprague. The matter is to be discussed with the Centennial Commission by Mr. Titus, Acting Director of the Travel and Information Department, and Chairman Cabell was delegated to discuss the matter with the Governor.

The Commission adjourned at 11:30 a. m. and reconvened at 2:00 p.m. in the same room with all members present and participating. Also present were the State Highway Engineer, the Attorney and the Secretary.

The Attorney brought up for discussion an accident which involved a state car or truck operated by John Smith Jackson. The accident resulted in the death of one man and the severe injury of his wife. Two damage actions have been commenced, one by the estate of the deceased and the other by the widow for personal injuries. The state's insurance company, through its attorneys, has notified the state that, under its policy, it is not liable in connection with the personal injury case for any sum in excess of \$10,000; also, that the insurance company will appear and defend, but, since it is liable only in the maximum sum of \$10,000, it has given the Highway Commission or its employee an opportunity to employ private counsel to help in the defense. The Commission instructed its Attorney to discuss the situation with the insurance company's attorneys and with the defendant, Mr. Jackson, but to take no action or make no arguments until the Commission has again considered the matter.

The Attorney reported a request from the County Court of Deschutes County that the state intercede in behalf of the county court to secure right of way for a county road across certain government lands in Deschutes County, and that the state take title to the right of way if necessary. It appears that the county court filed its application for such right of way but has been informed by government officials that the law is so written that the counties do not secure right of way benefits and that such benefits are obtainable only by the state. The Commission appeared favorably inclined to assist the county in the matter even to the taking of title to the right of way in the name of the state if it would not obligate the state to construct the road. In conformity therewith the Commission voted unanimously to obtain the right of way in the name of the state if the county will agree in writing not to hold the state responsible for the road construction, and provided further that right of way 200 feet wide, which the county wants, is considered by the Engineer to be satisfactory.

The Commission discussed and confirmed the resolution adopted at its meeting held on December 18, 1941, with respect to the transportation of defense goods and materials over Oregon highways on truck and trailer equipment having an overall length of 60 feet and a combined gross weight of load and vehicle of 68,000 pounds.

Mr. C. W. Walter of the Lebanon Lumber Company, Lebanon, came before the Commission and requested authority to transport over the Santiam Highway, between Cascadia and Lebanon, loads of logs having an overall length of 55 feet, without the necessity to provide flagmen for each movement. The Engineer advised that a recent test run of logs 55 feet overall in length was made over this section and it was found that it would not be possible for loads of such length to negotiate the turns on one section about two miles long without taking up more than half the width of the roadway. At this particular point, he said, the roadway is quite narrow and any operation thereover which takes up more than half the roadway will endanger other traffic. He explained the policy of the Commission which requires each load in such cases to be accompanied by two flagmen, one to proceed in advance of the movement and the other to follow in the rear, as a traffic safeguard. Mr. Walter asked for a modification of this ruling so as to eliminate the requirement that flagmen shall accompany the movement and suggested, in lieu thereof, the maintenance of one flagman at each end of the two-mile section to warn other traffic of the logging operations. After considerable discussion the Commission decided to adhere to the present policy and accordingly denied the request.

The Engineer reported briefly on his attempt to purchase three new paving plants as authorized by the Commission at a previous meeting. It appears that difficulties have been encountered in securing a priority rating from the OPM for the purchase, although the Commission's order for the purchase of trucks, which was authorized at the same time, was approved. He was instructed to continue his efforts to obtain the paving plants, and to point out that the paving plants are needed in order to properly maintain the highways of this state.

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The Commission approved the following telegram sent by the Engineer to Colonel Frank W. Wright, who is in charge of the Pendleton army airbase, same having to do with the use by the army of certain state-owned property which lies adjacent to the airport road near its intersection with the Old Oregon Trail at Pendleton:

THIS IS YOUR AUTHORITY TO CONTROL AND USE FOR SUCH PURPOSES AS YOU DESIRE DURING THE PERIOD OF PRESENT WAR EMERGENCY PROPERTY OWNED BY THE STATE OF OREGON AND CONTROLLED BY THE OREGON STATE HIGHWAY COMMISSION APPROXIMATELY TEN ACRES IN EXTENT LYING ADJACENT TO STATE HIGHWAY LEADING TO AIR BASE.

The following resolution relative to this matter was adopted by the Commission by unanimous vote:

WHEREAS, the State of Oregon, by and through its State Highway Commission, is the owner of the following described real property situated in Umatilla County, State of Oregon, to wit:

A parcel of land lying in the Southwest quarter of Section 5, Township 2 North, Range 32 East, W. M., Umatilla County, Oregon, the said parcel being described as follows:

Beginning at a point on the north and south center line of said Section 5, said point being 783.05 feet north of the south quarter corner of said Section 5; thence North 80° 19' West a distance of 414.5 feet to a point which is 60 feet distant northeasterly from (when measured at right angles to) the located center line of the Pendleton Air Base Road; thence parallel to and 60 feet distant easterly from said center line on a 656.25 foot radius curve right a distance of 524.92 feet to a point opposite and 60 feet from engineer's station 11+42.3 P. C. S.; thence parallel to said center line on a spiral curve right, a distance of 383.25 feet to a point opposite and 60 feet from engineer's station 15+42.3 P. T.; thence North 27° 04' East parallel to said center line a distance of 68.4 feet to a point opposite and 60 feet from engineer's station 16+10.7; thence North 89° 11' East a distance of 326.14 to the said north and south center line of said Section 5; thence South 0° 49' East along said north and south center line a distance of 990 feet to the point of beginning, containing 10 acres;

AND, WHEREAS, said real property is adjacent to the area or reservation known as the Pendleton Air Base, which air base is now occupied by the Federal Government as a defense area; and

WHEREAS, Colonel Frank W. Wright has requested that the Federal Government be given exclusive control over and use of the

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real property hereinabove described so that said real property will be available to the Government in connection with the operation of said air base area; and

WHEREAS, the State Highway Commission desires, consistent with its lawful authority, to cooperate to the fullest extent with the Federal Government in the conduct of any defense activity;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by this Commission, all members being present and voting affirmatively, as follows:

1. That the above described real property shall be and the same hereby is placed under the exclusive jurisdiction and control of the United States Army for the duration of the war.

2. That said real property may be used by the United States Army to such extent and for such purpose as may best serve the United States of America and that such use and occupancy shall be exclusive.

3. That on the termination of the war the Federal Government shall surrender to the Oregon State Highway Commission all of the control and jurisdiction vested in the Government by this resolution.

4. That this resolution be entered in the minutes and records of the Commission and a duly certified copy thereof delivered by the Commission's Secretary to Colonel Frank W. Wright.

The Engineer reported the award of the following contracts as previously authorized by the Commission:

Paving the Sun Dial Highway Section of the Sun Dial Secondary Highway, in Multnomah County. Bids taken December 18, contract awarded December 19, 1941, to Parker-Schram Company, the low bidder.

Grading, surfacing and oiling the South Unit, Enterprise-Forest Boundary Section of the Enterprise-Lewiston Highway, in Wallowa County. Bids taken December 18, contract awarded December 27, 1941, to Rogers Construction Company, the low bidder.

The Commission confirmed the awards of these contracts as reported.

Chairman Cabell brought up for discussion the Burgard Street Project, in Portland. He explained that, according to the original arrangement with the City of Portland, the city was to do certain work, consisting of bringing the subgrade up to the proper elevation, and when this was done the state was to pave the entire area. However, it now develops that the city is

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without funds to pay its entire share of the costs and is asking the state to assume a portion of such expense although the city will contribute as much as it can. He further explained that the project is about three-quarters of a mile in length and is an essential project in order to relieve traffic congestion at the shipyards in the St. Johns District. After discussion, and in view of the apparent emergency, the Commission voted unanimously to assume that portion of the city's share of the cost that the city cannot pay. The Engineer was authorized and instructed to advertise this project for bids to be received at the next regular meeting.

The Secretary presented a resolution from the City Council of Beaverton and a petition signed by numerous residents of Washington County who are users of the Tualatin Valley Highway, requesting the further widening and reconstruction of such highway between the Multnomah County line and Forest Grove. The Commission denied the request because of lack of funds with which to finance the work.

A letter was presented from Mr. Frank T. Morgan, Secretary, Nyssa Chamber of Commerce, inquiring as to the Commission's plans for paving Main Street (state highway route) in Nyssa and for the construction of certain storm sewers heretofore requested by the city. The Commission approved the Engineer's reply to such letter. (See letter dated December 31, 1941.) The Engineer was instructed to have Division Engineer Paul Van Scoy contact Mr. Morgan in the near future relative to the city's plans for a new water system along this street, and to ascertain just how this will affect the pavement work, et cetera.

The Commission had under discussion a letter from the City of West Salem requesting state aid in financing a lighting system along state highway routes in West Salem. The Commission denied the request on account of lack of funds with which to finance the work.

The Commission discussed a program of projects for performance on military roads selected by the United States War Department. The Engineer submitted a list of projects eligible for the same. After careful consideration the following projects were approved by the Commission by unanimous vote:

County	Section and Kind of Work	Estimated Cost
<u>US #99</u> <u>PACIFIC HIGHWAY</u>		
Douglas	Umpqua River Bridge at Dillard	\$150,000
Multnomah	Interstate Bridge-Oregon Slough, Pave	7,800
Linn	Harrisburg Bridge Approach	150,000
Clackamas & Marion	Pudding River Bridge	90,000
Josephine	Grave Creek-Jump Off Joe Creek, Surfacing	170,000

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County	Section and Kind of Work	Estimated Cost
(US #99 - Pacific Highway - Continued)		
Lane	Eugene, Overcrossing & Approach, Grade, Pave & Relay Track	\$500,000
Jackson	Ashland Plaza, Grade & Pave	35,000
Josephine	Grave Creek-Smith Hill, Grade	<u>157,200</u>
		\$1,260,000
<u>US #101</u> <u>OREGON COAST HIGHWAY</u>		
Tillamook	Salmon River Bridge	\$50,000
"	Three Rivers Bridge	30,000
Coos	Marshfield-North Bend, Grade & Pave	<u>310,000</u>
		\$390,000
<u>CORVALLIS-NEWPORT HIGHWAY</u>		
Benton	Blodgett Overcrossing	\$60,000
<u>WILLAMETTE HIGHWAY</u>		
Lane	Coast Fork Willamette River Bridge	\$300,000
<u>US #30</u> <u>COLUMBIA RIVER HIGHWAY AND OLD OREGON TRAIL</u>		
Umatilla	Boardman-Stanfield, Surface & Oil	\$250,000
Multnomah	Troutdale-Bridal Veil, Grade	640,000
"	Parkrose, Widening	<u>43,500</u>
		\$933,500
<u>WARM SPRINGS HIGHWAY</u>		
Jefferson & Wasco	Mill Creek-Miller Flat Section, Grade	\$220,000
Wasco	Mill Creek Bridge	<u>125,000</u>
		\$345,000

The Engineer was authorized and instructed to transmit a list of such projects to the Public Roads Administration for governmental approval.

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The State Parks Superintendent, Mr. S. H. Boardman, discussed with the Commission matters pertaining to the curtailment of the state parks' program, including park purchases and park betterments, because of the existing war emergency necessitating conservation of funds. He reported the following projects as approved by the Commission and carried over from the 1941 season:

Purchase of Cascadia Park from George Geisendorfer as per agreement, \$50 per month for 12 months during 1942 -	\$600.00
Purchase of Umpqua Lighthouse cut-over tract from K. R. Richards, 140.08 acres at \$5.00 an acre - - - - -	700.40
Purchase of wayside strips at Cascadia from Rova E. Conn, 7.5 acres at \$66.66 per acre - - - - -	500.00
Purchase of wayside strips along Salmon River Highway from Miami Corporation, 40 acres at \$4.75 per acre - - -	<u>190.00</u>
Total	\$1,990.40

The Commission approved the payments involved in these transactions.

The following projects were reported by the Parks Superintendent as approved by the Commission but negotiations incomplete:

Purchase of cutover lands along the Salmon River Highway from James Churchill, 80 acres at \$5.00 per acre - -	\$400.00
Purchase of yellow fir timber land in Tillamook County, 40 acres at \$50 per acre - - - - -	<u>2,000.00</u>
Purchase of beach frontage from E. S. Collins, near Short Sand Beach, 42.22 acres at \$284.20 per acre - -	12,000.00
Timber wayside strips along the Pendleton-John Day Highway, 835 acres at \$15.20 per acre - - - - -	<u>12,700.00</u>
Total	\$27,100.00

The Parks Superintendent was instructed by the Commission to discontinue negotiations for the first three of these tracts. As to the Pendleton-John Day Highway timbered strips the Parks Superintendent was instructed to contact the owners in an endeavor to secure, if possible, the deferment of tree cutting until such time as the Commission's finances will permit the purchase of the property.

The Parks Superintendent submitted a list of park betterment orders from which the following were selected and approved by the Commission for 1942 performance:

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Purchase of refrigeration plant for Silver Creek Falls	
State Park - - - - -	\$ 350.00
Expense of disbanding park crews, one-half month of	
January only - - - - -	150.00
Legal expense - - - - -	1,000.00
Signing parks - - - - -	250.00
Cruising of timber tracts - - - - -	200.00
Photographic expense, fees for water filings, etc. - - -	100.00
Improvements at Azalea Park, Brookings - - - - -	100.00
Improvements at Boiler Bay State Park - - - - -	50.00
*Incasing fountain in Cascadia State Park - - - - -	448.00
Improvements in The Cove Park - - - - -	123.34
Improvements at Ponsler State Park - - - - -	50.00
Improvements at Short Sand Beach State Park - - - - -	621.58
Total	\$3,442.92

*(This project approved only in the event State Board of Health demands same.)

The Parks Superintendent requested approval of a maintenance budget for the year 1942 in the amount of approximately \$42,000, including the following projects:

<u>PARK</u>	<u>AMOUNT</u>
Alderwood	\$ 225.00
Azalea and Harris Beach	1,530.00
Bald Peak	150.00
Booth	200.00
Bradley	1,730.00
Cape Arago (includes Golden and Silver Falls, Simpson, Barview and Wayside strips)	2,212.00
Cape Lookout	460.00
Cascadia	2,190.00
Casey	1,445.00
Chandler	200.00
Columbia River Highway Parks	2,467.00
The Cove Palisades	1,785.00
Curry County Parks	2,442.00
Ecola	2,362.00
Helmick	210.00
Holman	340.00
Honeyman	3,667.00
Lava Caves	525.00
Lincoln County Parks	2,642.00
Neptune	950.00
Peter Skene Ogden	150.00
Pilot Butte	100.00
Ponsler	25.00
Saddle Mountain - rental on CCC camp site	125.00
Saddle Mountain - Watchman for CCC camp	550.00
Saddle Mountain Park	619.00
Salmon River	2,162.00
Shelton	200.00
Short Sand Beach	1,860.00

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(Maintenance budget for State Parks - continued)

<u>PARK</u>	<u>AMOUNT</u>
Silver Creek Falls	\$3,791.00
Umpqua Lighthouse	225.00
Viento	270.00
O & C Leases	900.85
Fire Protection Tax (State Forestry Dept.)	720.00
Additional Projects to be selected	<u>2,570.15</u>
Total	\$42,000.00

After careful consideration of each item the Commission tentatively approved such budget with the understanding that the Parks Superintendent would review the amount set up for each item and cut out all unnecessary expense.

The Parks Superintendent brought up for discussion an offer from a mining company, represented by Mr. W. C. Hellier, to acquire a Port Orford Cedar State Park, in Curry County, that contains chrome ore which the company wishes to mine. He advised that this park contains 160 acres of land situate adjacent to the Oregon Coast Highway, about seven miles north of the Town of Port Orford, and that it was acquired by the state in 1929 for the sum of \$2,400.00. Also, its present value is only about \$1,600, in view of the fact that a considerable portion of the timber standing thereon has been destroyed by fire. The company's original proposal, he said, was to exchange other suitable park land for this park on an acre-to-acre basis; however, it has been suggested by Mr. Earl K. Nixon, Director of the State Board of Geology and Mining, that it would be fair and reasonable to ask the company to pay the state cash in the amount of \$10,000, in addition to deeding the state an equal area of land, because of the value of the ore that the state park contains. The mining company, he said, selected three prospective sites to exchange for the state's property, all of which he inspected, and the one that he prefers is a 1400-acre tract situate just south of Floras Lake with a $3\frac{1}{2}$ -mile frontage on the Pacific Ocean, which tract can be acquired, he believed, on the basis of settlement suggested by Mr. Nixon. The Commission indicated a desire to cooperate with the mining company in this venture because of the value of the chrome ore in the national defense program, but considered it inadvisable to deal with the company on the property-exchange basis. After considerable discussion the Commission decided to ask the company to pay the state \$2,400 in cash, representing the purchase price of the state park, and in addition there-to the sum of \$10,000, such amount to be paid five per cent annually from the company's earnings on the property. Such arrangement is to be used as a basis for further discussion of the matter with representatives of the mining company when they appear before the Commission at its meeting on January 21. It was understood that the amount received for the park is to be placed at the disposal of the Parks Department for acquisition of another park area comparable with the one being sold.

The Commission discussed and approved payment of an invoice from the American Association of State Highway Officials, in the amount of \$350 covering dues of the State of Oregon in such association for the year 1942.

The Commission also discussed briefly a bill that is now before Congress, the purpose of which is to vest in the Interstate Commerce Commission almost exclusive control over motor transportation throughout the several states. No action was taken by the Commission in this matter.

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The Engineer reported a request from the Contractors Association that the Commission allow contractors on state highway work to defer performance of going contracts so as to permit them to engage in the grading and paving of airports. He gave as his thought that the granting of such request would work to the state's disadvantage, and suggested that the request be denied unless the request comes from the proper army officials. The Commission approved the suggestion and instructed the Engineer to discuss the matter with Mr. Theodore Arenz of the Contractors Association on such basis, advising him that, if the army officials will request such concession along with the contractor, then the Commission will consider the granting of an extension of time to the contractor on the state job until the contractor's defense project is completed.

The Commission considered and signed agreements, etc., as follows:

Agreements with the following cities for work to be performed on city streets that are not state highway routes:

Burns	Jefferson	Enterprise
Cornucopia	Oakridge	Gold Hill
Gresham	Rainier	Joseph
Jacksonville	Canyon City	La Grande

Agreement with the Southern Pacific Company covering the Oak Hill Overcrossing of the company's Coos Bay Branch, in Lane County.

Agreement with the Bonneville Power Administration covering pole line crossing of the Old Oregon Trail at Orodell, in Union County.

Bargain and sale deed conveying unto George D. Saxton and wife two parcels of land containing 0.06 and 0.09 acre of land, respectively, in Washington County. Right of way file No. 6260-A.

Permits authorizing the taking of sand and gravel from allotted Indian lands in Wasco County, for road building purposes. Real property files Nos. 9528, 9539 and 9540.

The Commission discussed the date for its next regular meeting for the receiving of bids and decided to postpone the meeting heretofore scheduled for Thursday and Friday, January 15 and 16, to Wednesday, January 21, 1942. The Secretary was instructed to make the usual arrangements to hold the meeting in the auditorium of the Public Service Building, Portland.

The meeting was adjourned at 5:00 p. m.

Angus Smith
State Highway Engineer

Harold Seasinger
Secretary

Henry F. Cabell
Chairman

John W. E. Long
Commissioner

Norman Olson
Commissioner

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Portland, Oregon, January 21, 1942

The State Highway Commission met in regular session at 9:00 a. m. in the auditorium of the Public Service Building. Present were:

Huron W. Clough, Acting Chairman
Herman Oliver, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

Chairman Cabell was absent, attending a meeting in Washington, D. C., relative to highway legislation.

Bids as follows for highway construction projects and sale of buildings were opened and read in conformance with previously published notice following which Commissioner Clough announced that the award of contracts would be made at 3:00 p. m. in the same room:

MAINTENANCE EQUIPMENT SHED AT ALSEA

A. T. Fox	\$2,580.75
G. E. Anderson Company	2,937.61
Erwin E. Batterman	3,261.00

**LEWIS AND CLARK BRIDGE
REMODEL TRAFFIC BARRIER AT SOUTHERLY END**

No bids received on this project

**COLUMBIA RIVER HIGHWAY
TONGUE POINT SECTION - GRADING AND PAVING**

	<u>Using Asphalt</u>	<u>Using Tar</u>
Erickson Paving Co.	\$202,314.00	\$202,290.00
Berke Brothers	206,437.50	-
McNutt Brothers	208,457.00	208,457.00
Leonard & Slate	- - -	215,902.00
Roy L. Houck	225,996.00	226,116.00
K. L. Goulter	237,485.00	237,629.00
Hauser Construction Co.	293,941.00	294,151.00

**BOARDMAN-STANFIELD HIGHWAY
BOARDMAN-STANFIELD SECTION
SURFACING, BITUMINOUS MACADAM AND CRUSHED ROCK**

P. R. Hewett	\$247,173.00
Babler Brothers	270,363.00
E. C. Hall Company	308,289.00
McNutt Brothers	351,216.00

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CITY STREETS IN PORTLAND
NORTH BURGARD STREET SECTION - PAVING

Porter W. Yett	\$18,392.00
The United Contracting Co.	18,876.00

MAINTENANCE EQUIPMENT SHED AT TILLAMOOK

A. T. Fox	\$ 2,741.00
G. E. Anderson Company	3,065.38
Erwin E. Batterman	3,654.00

UMATILLA ORDNANCE DEPOT
CONSTRUCT UNDERCROSSING STRUCTURE AND APPROACH ROAD

F. R. Hewett	\$38,392.50
Harry I. Hamilton	38,802.50
C. J. Montag and Son	39,300.50

SALE OF BUILDING IN NORTH PLAINS

Building No. 6545 (Former owner Carl Thielemann)

No bids received on this building

SALE OF BUILDINGS AT EUGENE

Building No. 9316 (Former owner Mabel J. Reagan)

Kenneth Dodd	\$312.00
Burt Picha	262.00
B. F. Pound	120.00
Sullivan Wrecking Company	101.89

Building No. 9252 (Former owner Webster L. Kincaid)

Hoxe Smith	\$100.00
Burt Picha	66.00
Sullivan Wrecking Company	31.79

County Judge E. L. Pope and District Attorney Fred A. Miller of Clackamas County were present and discussed with the Commission matters pertaining to log hauling. They particularly asked the Commission to make provision in its permits for the transportation of loads in excess of the legal length limits, for the elimination of overhang of unsupported load, and for the safeguarding of other traffic at curves where such loads take up most of the traveled roadway. They explained that it is difficult to prosecute in cases involving these features when the Highway Commission's permits do not contain regulatory provisions. The matter was discussed at considerable length during which the Engineer advised that the Commission's permits have already been modified to cover both situations.

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Judge Pope complained that log haulers, who secure permits from the State Highway Commission to operate over state highways, consider that such permits also cover hauling on county roads. It was pointed out to him that the Highway Commission's jurisdiction extends only to state highways and that the permits issued by the Commission simply cover log hauling on state highways, and it is the responsibility of the county to issue the permits where the operations are over county roads and to prosecute in the event that the county's rules and regulations are violated.

The policy with respect to the granting of permits was also explained, particularly the feature that prohibits the granting of permits, except in unusual cases, if the geometric design of the road will not permit log hauling to be carried on without a portion of the load or equipment extending beyond the center line of the highway. Commissioner Clough advised that the Commission appreciates that the county is confronted with a more serious problem than the state because county roads are usually constructed to much lower standards as to curvature than state highways; however, it appears to him that the solution is strictly up to the county court, in so far as county roads are concerned, and up to the State Highway Commission, with respect to state highways. The Secretary was instructed to send Judge Pope a set of the rules and regulations that have been adopted by the Commission covering log hauling traffic.

Following this discussion, the Commission confirmed telephonic authority given the Engineer a few days previous authorizing the transportation of logs over the Santiam Highway, between Cascadia and Lebanon, having an overall length of 55 feet, it being understood that one flagman shall be maintained at each end of the two-mile section, between milepost 32.90 and milepost 35.68, where there are numerous sharp curves, and that the flagmen will stop traffic approaching such two-mile section and issue an appropriate warning, orally as well as printed, to watch out for logging trucks.

Dr. V. V. Caldwell, Dean-Director, General Extension Division, Oregon State System of Higher Education, and Mr. Burton Hutton, Director of the "Oregon on Parade" program, came before the Commission with respect to continuing, during the summer of 1942, the arrangement heretofore in effect in 1940 and 1941 for the financing of KOAC's "Oregon on Parade" radio program. Mr. Hutton pointed out that there remains unexpended from the 1940 appropriation a balance of \$300 and a like amount from the 1941 appropriation, and suggested that this be applied toward a similar arrangement in 1942 if that meets with the approval of the Commission. He said that he is not asking the Commission to make a definite decision at this meeting but would like to have an answer so they can prepare a definite program at least a couple of months in advance. The Commission expressed satisfaction with the programs previously broadcast and expressed a desire to cooperate in the future as much as possible but deferred, until the return of Chairman Cabell, a decision whether or not to contribute toward such program in 1942. Commissioner Clough stated that the Commission would pass on the matter at the earliest possible time.

Messrs. Thomas Shea, Manager, Oregon Motor Transport Association, and H. R. Williams, Traffic Manager, Arrow Transportation Company, were present.

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Mr. Williams made an urgent plea for a modification of the Commission's present ruling which will not permit his company to operate over the Columbia River Highway, between the Washington state line and the town of Umatilla, truck and trailer gasoline-tank combinations having an overall length of 60 feet which is in excess of the legal length limit in the state of Oregon. He urged this special concession in the interests of national defense and to make it possible to supply customers from the Umatilla base which is extremely difficult to do under present conditions. He pointed out that, under the Commission's present ruling, they are obliged to break up their 60-foot overall combinations at the state line and to tow the trailer to Umatilla with an auxiliary truck which can be released for other uses if the Commission will approve their request. Commissioner Clough pointed out that the Commission already has a ruling which will permit the use of equipment 60 feet overall in length in the transportation of defense goods but the Commission could not see its way clear to grant any further concession on account of the law which prohibits movements of such character and also on account of the action taken by the 1941 legislature. He also stated that so far as he personally is concerned he would not care to pass on the matter until the return of Chairman Cabell. Commissioner Oliver concurred. Mr. Williams then asked that he be advised by letter just what the Commission will do in the matter. The Commission agreed to let him know as soon as possible after conferring with Chairman Cabell.

Miss Ethel R. Decker, Superintendent, Helen Kelley Manley Community Center, Portland, was present and inquired as to the Commission's plans for the construction of an additional unit at the south end of the Front Avenue Project, Portland. She said that this project has a bearing on the program of her organization and they are anxious to know the Highway Commission's plans for this project so they can adjust their plans accordingly. She was informed that the Commission had hopes to advertise for bids for construction of an additional unit in the vicinity of Sheridan Street in March of this year but the war has changed the situation and the plans may have to be altered. It was suggested that Miss Decker contact the State Highway Engineer about the middle of February when it may be possible to give her definite information.

Mr. E. L. Rigdon, contractor for the construction of grading, surfacing and oiling the Okerman Ranch-Sagehen Hill Section of the Central Oregon Highway, in Harney County, contract No. 2367, was present and asked the Commission to relieve him from payment of the penalty heretofore assessed against him for failure to complete this project within the specified time limit. He said that he underbid this job in the first place but accepted the contract because he thought he could at least break even; however, he lost considerable money on the job. He also said that he made an honest effort to do a good job and feels, under the circumstances, that he should not be required to pay the penalty which amounts to \$2,200.00. The Engineer verified Mr. Rigdon's allegations as being substantially correct, stating that Mr. Rigdon encountered unforeseen difficulties that were beyond his control. He recommended, in view of the circumstances, that Mr. Rigdon be relieved from payment of the entire penalty. Commissioner Oliver remarked that he inspected this job a number of times during progress of construction and can also verify the statements made by Mr. Rigdon. He favored granting the request. Commissioner Clough concurred. The Engineer's

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recommendation was thereupon approved. The Engineer was instructed to secure approval of the action by the Public Roads Administration, if possible.

Mr. Edward E. Sox, attorney, Albany, came before the Commission in behalf of his client, Mr. T. M. Gilchrist, who owns property at the intersection of the Pacific Highway East and the Santiam Highway, which property is desired by one of the oil companies on which to conduct a service-station business. Mr. Sox stated that Mr. Gilchrist is unable to consummate the deal with the oil company because the connection between the Pacific Highway and the Santiam Highway, for which right of way was purchased from Mr. Gilchrist, has not been constructed. To erect the service station on the property, as it is, he said, would place it too far from Pacific Highway traffic and it cannot be placed on the highway right of way because of the ruling of the Highway Commission. He further stated that, when Mr. Gilchrist sold the right of way to the state, he took into consideration the increase in value that would accrue to the rest of his property and accordingly did not ask the state to pay as much for his property as did others in this vicinity. He urged the Commission to approve one of the three following solutions to the problem: (1) deed back to Mr. Gilchrist the land that he sold the state for the Santiam Highway connection; (2) construct the connecting road in the immediate future; (3) pay Mr. Gilchrist a just compensation for his property which he feels he has not obtained under the circumstances. Mr. Sox admitted that Mr. Gilchrist's property has been increased in value by reason of the highway improvement as now constructed; however, declared that it was for such reason that Mr. Gilchrist did not ask as much for his property as others asked for theirs.

Commissioner Clough stated that, if it can be determined to the Commission's satisfaction just how much less the Commission paid for the Gilchrist property than it was actually worth before the highway was constructed, then the Commission will pay Mr. Gilchrist the difference. However, a final decision in the matter will have to await the return of Chairman Cabell. Mr. Sox agreed to furnish such information.

The Attorney discussed with the Commission the controversy with Mr. George P. Hitchcock of Eugene with respect to the acquisition of right of way needed for the Eugene-Springfield improvement of the Pacific Highway across Mr. Hitchcock's lands. He advised that this matter is now in court under condemnation proceedings in connection with which he offered Mr. Hitchcock \$12,000 for his property as previously authorized by the Commission. Mr. Hitchcock, he said, now wishes to settle out of court, and will deed the property to the state if paid the sum of \$13,500. He recommended against the payment of the extra amount because Mr. Hitchcock in the meantime has removed from the premises certain shrubbery valued at \$2,500. After due consideration the Commission refused to increase the amount of its previous offer, and instructed the Attorney to proceed with condemnation if Mr. Hitchcock will not accept \$12,000.

Mr. Ole Grubb, County Commissioner of Deschutes County, was present in regard to the improvement of the Terrebonne-Lower Bridge county road. He stated that the county has completed the grading work on all but a $1\frac{1}{2}$ -mile

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section and inquired as to the Commission's plans for the surfacing and oiling of the road. The Engineer recalled that the Commission promised the county court that it would surface and oil the road as a federal aid secondary highway project if it was approved by the Public Roads Administration, and if the county would construct the grade; further, that such approval was obtained but before the state could do any work the war started and the federal funds were "frozen", except those needed to finance defense projects for which this road does not qualify. He doubted that it would be possible to do this work now with state money because of difficulties in securing equipment and materials and a satisfactory priority rating. He suggested that, if the county would complete the grading and surface the road, which would put it in usable condition, then the Highway Commission could spend the federal moneys on some other county road in Deschutes County when they are released. Mr. Grubb stated that the county is equipped to do grading work and some surfacing work, and the county court might approve such an arrangement if the state would give the county credit later. He approved the Engineer's suggestion; however, stated that the county is not in position to furnish all of the oil rock. Commissioner Clough stated that the Commission wants to keep faith with the county and will cooperate with the county to the best of its ability. The Engineer was instructed to work up a set of specifications for oiling, that the county can furnish the materials for, for the consideration of the Commission at its meeting in February.

The Engineer reported on the cost to construct guard fence along the Dooley Mountain Section of the Baker-Unity Highway as ordered at the previous meeting. He estimated such cost at \$15,000.00. The Commission considered the project too costly to undertake at this time and accordingly deferred it until a future date.

The Engineer presented a plan for the channelization of traffic at the intersection of the Pacific Highway and the McKenzie Highway at West Springfield. He explained that this is a deviation from the original plan, right of way for which would have cost about \$100,000, and he recommended adoption of the proposed plan as a temporary expedient in view of the fact that at some future time the Pacific Highway will undoubtedly be rerouted on another location west of Eugene. The Commission approved the plan as submitted.

The Commission adjourned at 12:00 noon and reconvened at 2:00 p. m. in the same room with the same persons present and participating.

Mr. Clark Irving, Independence, came before the Commission in regard to his claim for damages arising out of an accident on the North Santiam Highway near Idanha and involving a state highway truck. (See minutes of October 16, 1941, for details of accident.) Mr. Irving claimed damages in the amount of \$561, representing the cost of repairs to his truck and loss of time. The Attorney advised that the state's insurance company does not accept liability because the state's truck was not touched. The Commission considered that the state is obligated to a certain extent because the state's truck was being driven on the wrong side of the road. After a lengthy discussion, Mr. Irving offered to accept the sum of \$400 as settlement in full of his claim. The

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Commission refused to settle on such basis but voted unanimously to reimburse him for the cost of repairs to his truck plus \$25, representing personal expense in bringing the matter to the Commission. Mr. Irving was informed that this offer is final and that if it is not acceptable to him then it would be necessary for him to bring suit against the driver of the state's truck, Mr. Luther R. Melton, and the company that wrote the state's insurance. Mr. Irving requested time to think the matter over.

Mr. Merle Chessman, Chairman of the Advisory Committee on Publicity Matters, was present and discussed with the Commission the Commission's budget for 1942 with respect to the Travel and Information Department. Mr. Ben Titus, Acting Director of the Travel and Information Department, was also present and entered into the discussion. He advised that it would require at least \$20,000 to carry on the functions of his department this season, made up of the following items: salary \$4,800, distribution of motion pictures \$5,000, booklets \$5,200, maps \$3,000, miscellaneous items such as office rent, postage and incidental expense, \$2,000.00. He explained that the contract has already been entered into for the distribution of the motion pictures and could not be cancelled without costing the state at least \$3,000; also that the booklets are not dated and can be used in future years if they are not all distributed this year.

Mr. Chessman advised that, at a meeting of some of the members of the Advisory Committee on the previous day, the decision was reached, in view of the present war emergency, that expenditures in connection with the Travel and Information Department should be limited to essential items with possibly some spot advertising in the states of California and Washington notwithstanding that some of the resort people in the state are getting jittery and feel that they will lose considerable business unless the state will continue its advertising as in the past. He also said that the previous action of the committee recommending elimination of all magazine advertising was confirmed. It was also agreed, he added, to approve the \$20,000 budget; however, the committee will meet again in about April and will decide then whether or not to recommend any changes. The Commission thanked Mr. Chessman for his appearance and thereupon approved the \$20,000 budget as recommended.

Senator Wm. E. Walsh, Marshfield, and Mr. W. J. Hellier, mining engineer, were present in regard to the purchase of state park property in Curry County. Senator Walsh stated that the state's property, as well as adjacent property, contains deposits of chrome ore which are particularly valuable at this time on account of the war situation, and that the company which they represent has already acquired considerable private property in this locality but needs the state property because it occupies a key position in their setup. He gave as his understanding that the state paid \$2400 for this park, which contains 160 acres, and offered to pay the state such amount for the same notwithstanding a considerable portion of the Port Orford cedar standing thereon has been burned and that the price is about 50 per cent more than the company is paying for other land in this vicinity. The company, he said, contemplates spending a large sum of money in connection with its operations; that it is a privately-financed concern, and that no stock will be sold; further, that unless they can secure the state's land the project may not

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materialize. He also said that the company prefers not to deal on any royalty basis and that it is imperative that they know at once whether or not they can obtain the state's property as they have government contracts for chromium which must be filled as quickly as possible. He explained that the chromium deposits in this locality are low grade and that it would not be economical to mine it if it were not for the present war situation.

Commissioner Clough advised that the Highway Commission does not want to hold up the mining venture in any way, on the other hand wishes to encourage it as much as possible. However, the Commission feels that, if the property contains certain underground values, the state should secure benefits therefrom and, accordingly, is of the opinion that the company should pay a small royalty for the ore taken from the property in addition to securing reimbursement for the purchase price. Commissioner Oliver concurred and added that this is a public matter, involving public funds and, accordingly, the Commission must protect the public interests, otherwise it will be severely criticized. The Engineer recited the settlement suggested by Mr. Earl K. Nixon, Director of the State Board of the Department of Geology and Mineral Industries, that the company should pay the state \$2400 cash plus a royalty of \$10,000 payable five per cent annually from its earnings. After further discussion the Commission deferred final action on the matter pending the return of Chairman Cabell from Washington, D. C. The Engineer was instructed to secure Mr. Cabell's reaction thereto and to bring the same to the attention of Commissioners Clough and Oliver by telephone when final instructions will be given.

At 3:00 p. m. Commissioner Clough announced the following awards of contracts and sale of buildings, bids for which were taken at the morning session, such awards having previously been approved by the unanimous action of the Commissioners present:

"Construction of a 32' x 50' shed with concrete foundation for storage of highway maintenance equipment at Alsea, in Benton County. A. T. Fox, Salem, submitted the low bid for this project in the amount of \$2,580.75, and G. E. Anderson Company, Portland, submitted the second-low bid in the amount of \$2,937.61. There was one other bidder. The Commission awards this contract to A. T. Fox, at his low bid of \$2,580.75.

"Remodel traffic barrier at southerly end of Lewis and Clark Bridge, in Clatsop County, by installation of electrically operated lifting device in place of existing hydraulic installation. No bids were received on this project. (The Commission decided later to do this work with state forces.)

"Tongue Point Section of the Columbia River Highway, in Clatsop County. 0.98 mile grading and paving. There were seven bids received for this project, the low one being that of Erickson Paving Company, Seattle, Washington, at \$202,314, based on the use of asphalt, and \$202,290, based on the use of tar. The second-low bid was that of Berke Brothers, Portland, at \$206,437.50, based on the use of asphalt,

but no bid was submitted using tar. All bids received for this project are referred to the Engineer with power to award the contract to the low bidder when certain conditions have been satisfied. (This contract was awarded later in the session to Erickson Paving Company at its low bid of \$202,290, using tar)

"Boardman-Stanfield Section of the Boardman-Stanfield Highway, in Morrow and Umatilla Counties. 25.88 miles surfacing and bituminous macadam; also furnish 13,000 cu. yds. crushed material in stock piles. F. R. Hewett, Spokane, Washington, submitted the low bid on this project in the amount of \$247,173.00. Babler Brothers, Portland, were second low, in the amount of \$270,363.00. There were two higher bidders. The Commission awards this contract to the low bidder, F. R. Hewett, at his bid of \$247,173.00.

"North Burgard Street Section of city streets in Portland, Multnomah County. 0.72 mile paving. Porter W. Yett, Portland, submitted the low bid on this project in the amount of \$18,392.00. There was one other bid received, being that of The United Contracting Company, Portland, in the amount of \$18,876.00. The Commission awards this contract to Porter W. Yett, at his low bid of \$18,392.00.

"Construction of a 32' x 50' shed with concrete foundation at Tillamook, in Tillamook County, for storage of highway maintenance equipment. A. T. Fox, Salem, submitted the low bid for this work in the amount of \$2,741, and the second-low bid was received from the G. E. Anderson Company, Portland, in the amount of \$3,065.38. There was one other bidder. The Commission awards this contract to A. T. Fox, at his low bid of \$2,741.00.

"Construct undercrossing structure with 0.44 mile approach road at the south end of the Umatilla Ordnance Depot, in Umatilla County. F. R. Hewett, Spokane, Washington, submitted the low bid for this project, in the amount of \$38,392.50. Harry I. Hamilton, Eugene, submitted the second-low bid in the amount of \$38,802.50. There was one other bidder. The Commission refers all bids for this project to the Engineer with power to award the contract to the low bidder, when certain conditions have been satisfied."

Sale of Residence Building in North Plains:

"Building No. 6545 (formerly owned by Carl Thielemann). No bids were received for this building.

Sale of Residence and Business Buildings at Eugene:

"Building No. 9316 (formerly owned by Mabel J. Reagan). Kenneth Dodd, Eugene, submitted the high bid for this building in the amount of \$312, and second-high bid was submitted by Burt Picha, Salem, in the amount of \$262.00. There were two lower bidders. The Commission rejects all bids.

"Building No. 9252 (formerly owned by Webster L. Kincaid). Three bids were received for the purchase of this building, the high one being that of Hoxe Smith, Eugene, in the amount of \$100.00, and second-high being that of Burt Picha, Salem, at \$66.00. The Commission rejects all bids."

Reconsideration was given by the Commission to the matter of remodeling the traffic barrier at the southerly end of the Lewis and Clark Bridge which project was advertised for bids to be received at this meeting, but no bids were submitted. The Commission decided to have this work done with state forces.

The Commission also discussed the disposition of the building on the highway right of way at North Plains for which no bids were submitted at this meeting. The Assistant Attorney advised that the building is of no value and suggested that it would be advisable to have it wrecked either by WPA forces or state forces. The Commission approved the suggestion.

The matter of the sale of the buildings at Eugene was also discussed. The Attorney requested authority, in view of the fact that the Commission rejected all of the bids received at the morning session for the purchase of these buildings, to negotiate private sales for the same. The Commission approved the request and authorized sale of the buildings if the offers received in such private negotiations are higher than the bids submitted at this letting.

The County Court of Marion County, represented by County Judge Grant Murphy and County Commissioners Jim Smith and Ralph Girod, and County Engineer N. C. Hubbs was present in regard to the maintenance of the North Santiam Highway between Niagara and Detroit, a distance of 12 miles. They pointed out that this section is still a county road under the jurisdiction of the county court although they understand that the Highway Commission intends to designate it a state highway when it has been constructed to state highway standards. They advised that the road is not in good state of repair and they are particularly concerned with the bridges which soon will have to be replaced. They asked the Commission to take over and maintain the road at this time because the county is not financially able to assume the expense of such work. They alleged that the traffic that uses the road is mostly state highway traffic and that it is isolated as far as county maintenance is concerned.

Commissioner Clough advised that regardless of how the Commission felt about taking over the road it could not be done at this meeting because it takes action by all three Commissioners and Mr. Cabell is absent. The Engineer advised that there is merit in the county court's request and in his estimation the state is more or less obligated because, as the court stated, most of the traffic that uses the road is state highway traffic. He suggested that the state assume the payment of 50 per cent of the cost of the maintenance work, until such time as the road is placed on the state secondary highway system and the new road is constructed. The Attorney advised that the Commission has legal authority to enter into such an arrangement if it so desires. The Commission, after discussion, approved the arrangement. The County court

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also approved, Judge Murphy stating that they are accepting the proposition as outlined if that is the best offer that the Commission can make. However, in doing so the court wants the Commission to know that it is not deviating from its position that the Commission should take over this road as a secondary state highway, and the agreement covering the arrangement in his estimation should so state. The Attorney was thereupon instructed to prepare an appropriate form of agreement covering the matter.

Reconsideration was given by the Commission to a letter from the Jackson County Chamber of Commerce requesting the removal of three or four points on the Crater Lake Highway, between Trail Junction and McLeod, where sight distance is short and where, they alleged, it is dangerous for cars to pass. The Engineer estimated the cost to improve this section as it should be done at \$180,000, and to widen at the points requested at \$30,000.00. He recommended deferment of the project until the present war emergency is over because of the urgent need of the funds elsewhere. The Commission adopted the recommendation.

A letter was presented from Mr. Harry A. Slack, Attorney, Coquille, in behalf of Mr. and Mrs. Wayne Watson of that city in which the Commission was requested to remedy a slide condition which exists along the Coos Bay-Roseburg Highway in front of the Watson property about one-half mile south of Coquille. Mr. Slack referred to an agreement entered into between the Commission and the Watsons on November 18, 1938, and asked the Commission to extend the bulkhead heretofore constructed so as to alleviate the present condition. He advised that unless something is done soon the Watsons' house very likely will slide onto the highway right of way. The Secretary presented a copy of the agreement referred to by Mr. Slack which provides that the state shall, without cost to the owner, construct a bulkhead in front of the owners' property and on the right of way of said highway between certain highway points and shall likewise place a new sill under the house and porch of the owners for the purpose of bringing the house and the porch up to its proper level and elevation; also, in which the Watsons agree that they will not hold or expect the state, its State Highway Commission, officers, agents, or employees to guarantee the permanency of said corrective measures or construe said failure, if they should fail, as an admission and acceptance of liability on the part of the state, its State Highway Commission, officers, agents or employees. The Engineer advised that the things required of the state, as mentioned in the agreement, have been done and in his estimation the Commission's obligation has been fulfilled in its entirety. The Commission concurred in the Engineer's viewpoint and thereupon denied the request. The Secretary was instructed to convey such information to Mr. Slack and to send him a copy of the agreement for his ready reference.

The Commission discussed an affidavit and bond submitted by Mr. E. W. Dick, McMinnville, Oregon, for the purpose of securing the salary check, in the sum of \$31.13, of one Edgar V. Jones, former employee of the State Highway Department. The Attorney explained that Mr. Jones left the employ of the State Highway Department owing Mr. Dick a certain sum of money, and that he wrote Mr. Dick some time later authorizing him, Mr. Dick, to collect and

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apply on this account the moneys that he, Mr. Jones, had coming from the state. However, he did not sign his name in full, using only his nickname "Buck". This letter, he said, was forwarded to the State Highway Department with a request for Mr. Jones's check but the check was not released because the letter did not bear Mr. Jones's full signature. The Attorney gave as his thought that the affidavit and the bond would clarify the situation and that the Commission, with this evidence and security, could deliver the check to Mr. Dick without assuming any liability. He recommended that the check be sent to Mr. Dick. The Commission approved the recommendation.

The Engineer reported that in accordance with authority previously granted him by the Commission he has awarded contracts, as follows, bids for which were received by the Commission at its meeting on December 18, 1941, the conditions of the awards having been fulfilled:

Grading, surfacing and oiling the Soda Mountain-Silvies Section of the John Day-Burns Highway, in Grant County. Contract awarded January 6, 1942, to M. L. O'Neil & Son, the low bidders.

Grading, surfacing and oiling the Wright Ranch-Milo Section of the Tiller-Trail Secondary Highway, in Douglas County. Contract awarded January 16, 1942, to C. J. Eldon, low bidder.

The Commission confirmed the awards.

The Commission had under consideration the selection of a date upon which the insurance policy that the state is to give the railroad companies, in connection with the lease of the Steel Bridge in Portland for use by state highway traffic, shall become effective. The Attorney advised that the railroad companies require that they be furnished a bond to protect the companies from anything that might happen to their tracks beneath the bridge when the proposed ramp, et cetera, is under construction. The Engineer advised that it is not proposed to construct the ramp this year so it is unnecessary as yet for the Commission to set an effective date for the bond. The Attorney was instructed to so inform the railroad companies.

The Engineer reported briefly on the advisability of employing a Safety Engineer on construction work. Action on this matter was deferred until some future time.

The Engineer requested authority to purchase three power hoists for use by bridge maintenance crews, at an estimated total cost of \$1,200.00. The Commission approved the request, the purchase to be made through the State Purchasing Agent in the usual manner.

The Secretary presented two resolutions prepared by the Attorney, one of which authorizes the use of certain state property adjacent to the Old Oregon Trail opposite the Pendleton Airport, by the United States Army, and the other designates the width of the Wilson River Highway right of way opposite land owned by the Consolidated Timber Company. The Commission approved both

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resolutions and authorized the Secretary to insert each in the proper place in the minutes of the meetings held on December 18, 1941, and January 5, 1942, when such matters were discussed and approved.

A letter was presented from the Consolidated Freightways, Inc., requesting increased carrying capacity on their truck and trailer equipment for all movements through the state of Oregon, involving interstate shipments, which privilege is now limited to the transportation of defense goods only. The Commission considered that it does not have legal authority to grant this request and accordingly took no action thereon. It was the thought of the Commission that this is a matter that should be passed on by the Governor.

The Commission discussed briefly and approved the Engineer's letter of December 29, 1941, directed to Mr. E. P. Leavitt, Superintendent, Crater Lake National Park, concerning route-number signs on state highways within the park.

The Secretary presented a resolution from Lincoln County Court accepting jurisdiction over a short section of the old Corvallis-Newport Highway right of way heretofore abandoned by the state upon reconstruction of the highway on other alignment. The Commission approved the resolution and ordered it filed.

A letter was presented from the Hood River Chamber of Commerce suggesting the continuation of the Commission's program publicizing the State of Oregon notwithstanding the present war emergency. The Secretary was instructed to inform the Chamber of Commerce of the Commission's plans to curtail expenditures for this purpose.

The Attorney brought up for discussion the question whether or not an effort should be made to secure relief from the payment of the taxes required by the federal government in connection with electric-power purchases. He advised that such purchases during the past twelve-month period totaled \$28,333.28 and that the state was required to pay a three per cent tax amounting to approximately \$850.00. This tax, he said, was paid to the power companies along with the payment for service rendered, but was not turned over to the government; furthermore, the power companies allege that they cannot relieve the state from the payment of the tax because of the fact that the tax is woven into the companies' rate or charge and that the Public Utilities Commissioner will not permit the application of one rate to the state and another rate to a private industry. It was his thought that an attempt should be made to secure relief from the payment of additional taxes and reimbursement from the power companies of the tax heretofore paid. After discussion the Commission approved the suggestion and instructed the Attorney to see what could be done about the matter.

The Engineer reported telephonic information just received from W. H. Lynch, District Engineer, Public Roads Administration, to the effect that the Tongue Point project on the Columbia River Highway, in Clatsop County, for which bids were taken by the Commission at the morning session, has been

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cleared by the Public Roads Administration and the Commission now is at liberty to award the contract to the low bidder, Erickson Paving Company, Seattle, Washington, if it so desires. He recommended the award of the contract at this time in view of such information. The Commission approved the recommendation and thereupon by unanimous vote awarded the contract to the Erickson Paving Company on the basis of its low bid of \$202,290, using tar.

The Secretary requested authority to eliminate hereafter from log hauling permits the PUC number of trailers used in connection with such movements. He explained that the trailer number is of no particular value and simply leads to confusion not only among operators of the equipment but also in his office where the permits are prepared, particularly in cases where a fleet of trucks is being operated under one PUC permit and trailers are frequently switched from one truck to another. He further explained that there is no way of identifying any particular trailer because most of them are built exactly alike. The Commission considered that the mention of the PUC trailer number is of no particular value in such permits and thereupon approved the request.

The Engineer brought up for discussion a complaint from Robert M. Stuart, Beaverton, with respect to a traffic hazard which he alleges exists at the intersection of Allen Street with the Beaverton-Aurora Secondary Highway in Beaverton. Mr. Stuart advises that a power pole is being maintained at the northwest corner of this intersection, same being used jointly by the Portland General Electric Company and the West Coast Telephone Company, and that the pole is so placed that anyone traveling south on the state highway and turning into Allen Street is obliged to swing over onto the left-hand side of Allen Street, into the lane of traffic approaching the highway from Allen Street, and, if such lane is occupied, has to stop until the lane is cleared thus violating the traffic law by stopping on the highway. Furthermore, the situation is conducive of traffic accidents. The Engineer advised that this matter has been investigated and that the allegations of Mr. Stuart have been confirmed; further, that the corner is so sharp that a lot of the traffic prefers to pass behind the pole, on private property, rather than take a chance of occupying the wrong lane on Allen Street. The intersection would be much safer, he said, if the pole were moved back. However, it does not appear to be a responsibility of the state because it is back of the area that is under state jurisdiction. He also said that the matter has been brought to the attention of the Public Utilities Commissioner who has offered to do everything within his power to assist in the removal of the pole to a safer location, provided the Highway Commission will agree to pave the area back of the pole as it is presently located.

As a result of the discussion of this matter it was decided that the removal of the pole is the city's responsibility and that the city is also liable for accidents that may occur under present conditions. It was agreed that the pole in its present location is a traffic hazard and should be removed. The Commission authorized the construction of new concrete curb and the paving of the area between this curb and the present highway pavement if the city will cause the pole to be moved to a location back of this curb, thus

providing a longer-radius turn and a safer intersection. The Engineer was instructed to convey such information to the city authorities and ascertain their attitude with respect thereto.

The Attorney brought up for discussion certain reservations desired by the Wright-Blodgett and Tidewater Timber Co. in the deeds conveying to the state right of way for the Fishhawk Falls Secondary State Highway across their holdings in Clatsop County. He advised that the companies are donating the right of way but want to insert in the deed of conveyance a reservation allowing them the use of their private logging roads on the right of way in connection with the removal of their timber, and also want the state to build satisfactory approaches from the logging roads to the highway at points where they intersect. They also ask the privilege of operating their logging equipment upon and along the highway within the boundaries of the property that they are deeding, regardless of the fact that the weights and dimensions of their loads may exceed the statutory limits in those respects. Furthermore, they wish to have the privilege of removing rock from any quarry that the state may open up on the lands that they are conveying to the state. The Commission decided that it does not have legal authority to approve a reservation that would allow the companies to transport loads having dimensions and weights in excess of the limits specified by statute and accordingly refused to approve such reservation; however, upon recommendation of the Engineer approved the other reservations requested.

The State Parks Superintendent, Mr. S. H. Boardman, was present and reported on the following state park matters:

Pendleton-John Day Highway timbered wayside strips:-Mr. Boardman advised that, in accordance with instructions given him by the Commission at the previous meeting, he conferred with Mr. E. C. Kerns, President of the Pilot Rock Lumber Company, which owns a considerable portion of this timber, with respect to deferring the cutting of the timber until such time as the State Highway Commission is financially able to purchase the property heretofore negotiated for, same being located between Dale Ranger Station and the junction of Camas Creek with the North Fork of the John Day River. He said that he explained the reasons that the Highway Commission is unable to complete the purchase of the tract at this time, and in view of the situation Mr. Kerns agreed to hold the timber until such time as the Commission has funds available to purchase it. The Commission approved the report.

Sale of Port Orford cedar tract in Curry County:-The Commission reviewed the matters brought out in the conference earlier in the session with Senator Walsh and Mr. W. J. Hellier, representatives of the mining interests which wish to obtain this state park. The Parks Superintendent suggested that the Commission discuss this matter with Mr. Earl K. Nixon, Director of the State Board of the Department of Geology and Mineral Industries, before making its final decision in the matter because, according to Mr. Nixon, the

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state's property contains chrome ore valued in excess of \$200,000 and other minerals such as gold, platinum, et cetera. Commissioner Oliver gave as his thought that the company should be required to pay \$2400 cash and \$10,000 as royalty, payable five per cent annually from the earnings of the company. The Engineer suggested such settlement or the payment of \$12,400 cash by the company, in order to avoid public criticism, such payment to be earmarked and set aside for expenditure in connection with the acquisition of some other desirable park property. Final action on this matter was deferred pending consultation with Chairman Cabell.

Parks Department financial report for 1941:-The State Parks Superintendent presented a statement of income and expenditures for the year 1941, as follows:

STATE PARKS DEPARTMENT
INCOME FROM STATE PARKS FOR YEAR OF 1941

<u>Name of Park</u>	<u>Source of Income</u>	<u>Amount Received</u>
The Cove	Sale of Cherries	\$11.48
	Sale of Pears 2,731 lbs.)
	Sale of Peaches 12,979 ")
	Sale of Prunes 960 " 16,670 lb.)	424.97
	Sale of Apples small amounts)
		<u>436.45</u>
Honeyman	Bathhouse Receipts	231.79
Humbag	Sheep Grazing	<u>75.00</u>
	Total	\$743.24

EXPENDITURES BY STATE PARKS DEPARTMENT
FOR YEAR 1941

	<u>1941 Budget</u>	<u>1941 Expenditures</u>	<u>Balance</u>
Acquisition	\$100,000.00	\$104,419.29	\$ 4,419.29-
Betterment	30,000.00	15,432.53	14,567.47
Maintenance & Operation	<u>38,600.00</u>	<u>35,427.62</u>	<u>3,172.38</u>
	\$168,600.00	\$155,279.44	\$17,739.85
	<u>155,279.44</u>		<u>4,419.29-</u>
Unexpended Balance (returned to General Fund)	\$ 13,320.56		\$13,320.56

The Commission approved the report and ordered it filed.

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The Attorney requested authority to acquire certain parcels of real property that are needed for various highway improvements throughout the state. He submitted a list of such properties together with offers that he recommended be made for each. After careful consideration of each item the Commission approved the request and by unanimous vote adopted the following resolution with respect thereto:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth, and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon, and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Troutdale-Corbett Section, Columbia River Highway</u>				
6784-Columbia Contract Co.	R/W	16.84	\$250 per acre	Parker
<u>Camp Clatsop-West Lake Section, Oregon Coast Highway</u>				
9841-Clatsop County	Scale Site	0.30	Gratis	Witt
<u>Sandy River Section, Columbia River Highway</u>				
8758-State Land Board	R/W	1.56	\$60 per acre	Parker
<u>Scott Creek-Benton County Line Section, Alsea Highway</u>				
9271-Fox, Julia, and Dan Gardner	R/W	0.86	\$15 per acre, + \$582.50	Gardiner
<u>Depoe Bay Section, Oregon Coast Highway</u>				
7232-Lincoln County	Park	625 sq.ft.	Lump Sum - \$1.00	McChesney

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>North Bend-Marshfield Section, Oregon Coast Highway</u>				
9494-Bahler, A. A.	R/W	9,000 sq.ft.	10¢ sq.ft., + \$1200, credit by deduction \$100 for moving house	Benson
<u>Davies-Vadis Section, Wolf Creek Highway</u>				
6519-Maller, Harry J. et al (Supplemental)	R/W	Construction of access road	\$15.00	DeSouza
<u>Jordan Creek-Mills Bridge Section, Wilson River Highway</u>				
8904-Condit, E. M., M. D. Ackley, A. J. Sweet	Permit to fell danger trees		Gratis	J. H. Scott
<u>Vadis-Gardner Ranch Section, Wolf Creek Highway</u>				
6556-Jossi, Jacob	R/W	4.62	\$150 per acre, + \$507	Collins
6549-Nathan, Emma Jane Blake	R/W	1.88	\$200 per acre, + \$35	"
<u>Sylvan-West Slope Section, Tualatin Valley Highway</u>				
9701-Christensen, Elsie M.	Slope Easement	0.06	\$1500 per acre, + \$35	Witt
<u>Front Avenue Project, Columbia Street South, Portland, Pacific Highway West</u>				
8162-Aveline, Paul	R/W	3,000 sq.ft.	\$2,500	McCallister
8861A-Shank, Lip, E.A. and Roland M.	Grade chg. damages		\$1,350	"
<u>Otis-Valley Junction Section, Salmon River Highway</u>				
9999-Palanuk, N. R. and E. J. Stewart	Easement	0.08	6 months' easement \$50	Benson
<u>Boyer-Otis Section, Salmon River Highway</u>				
8426-Dodd, Rubert	R/W	0.03	\$10 Lump Sum	Benson
3168-Johnson, Lewis C.	"	0.017	\$10 " "	"
<u>Corvallis Section, Pacific Highway West</u>				
7080-Taylor, Herbert M.	R/W	2,417 sq.ft.	5¢ per sq.ft.	McCallister
7085-McLaughlin, A. M.	"	4,543 " "	5¢ per sq.ft.	"
7086-Taylor, Roy W., Estate	"	6,582 " "	5¢ per sq.ft.	"
9873-Taylor, Clara	"	7,138 " "	5¢ per sq.ft. + \$25	"
9874-Medley, Elbert B.	"	(573 " "	5¢ per sq.ft. + \$71.35	"
	"	(572 " "	2¢ per sq.ft.	"
7087-Taylor, Christine W.	"	9,680 " "	5¢ per sq.ft. + \$1016	"
<u>Monroe-Ferguson Section, Territorial Highway</u>				
4416-A-Williams, Wendell W.	Drainage			
	Ditch Esmt.	0.043	GRATIS	Witt
4415-A-Porter, Lester D.	Drainage			
	Ditch Esmt.	0.06	GRATIS	"

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Judkins Point-Springfield Junction Section, Pacific Highway</u>				
9431-Brooks, Thomas	R/W	0.129	\$1000 per acre plus \$262.50, + moving bldgs. (Est. \$1300)	Parker
9428-Pryor, Cal A.	"	0.113	\$1000 per acre, + \$283, + moving bldgs. (Est. \$1400)	"
9425-Jenkins, Roy	R/W and Easement	0.081	\$1000 per acre, + \$450.32, + moving Bldg. (Estd. \$1350)	"
9427-McFarland, Mary H.	R/W	0.208	\$1000 per a. + \$740, + moving house, garage, service station (Estd. \$1900), + making fill for service station site (Estd. \$340)	"
<u>Wright Ranch-Fate Grade Section, Tiller-Trail Highway</u>				
9919-House, Frank B.	R/W	0.14	\$125 per a., + fencing \$77.50; additional land to be paid for at \$125 per a. (between R/W line and fence)	Gardiner
9921-Ulam, Clay	"	0.76	\$65.65 per a., + fencing \$50	"
9915-Dean, Merlin K.	"	2.25	\$125 per a., + \$606.25	"
9908-Baker, Bruce	R/W and Gravel Bar	(0.16 11.8 11.96)	\$125 per a. gravel bar at \$40 per a., + \$202.50; additional land to be paid for at rate of \$125 per a. (between R/W, fence)	"
9917-Blackmun, Elbert P.	R/W	0.008	Land \$1, + \$20	"
9916-Douglas County Bldg. & Loan Assn. and Ivan Welch	"	0.007	Land \$1, + \$13.75	"
9920-Wright, Jay W.	"	10.45	\$10 per a., + \$740, + moving bldgs., etc. \$425; additional land to be paid for at rate of \$125 per a. (between R/W line and fence)	"
<u>Ashland Section, Pacific Highway</u>				
9682-Claycomb, H. L.	R/W	5,969 sq.ft.	75% sq.ft., deduction for property to be conveyed to Claycomb (2578 sq.ft. at 75% sq.ft.) + \$2865, less deduction of \$332.61, + 93.85% low bid mov. Bldgs. (Estd. \$19,500) + \$500 Gardiner	

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>(Ashland Section, Pacific Highway - cont.)</u>				
9684-Engle, Clara	R/W	5,246 sq.ft.	60¢ sq.ft. + \$7692.40 less \$666.66	Gardiner
9689-Owen, Camila E.	"	996 " "	85¢ sq.ft. + \$5653.40 less \$399.75	"
9686-Green, Irma Virginia	"	2,382 " "	60¢ sq.ft. + \$7070.80 less \$522.75, + moving bldgs. (Est. \$500)	"
9687-Jackson County	"	3,821 " "	\$1.00 Lump Sum	"
9685-Butler, G. S.	"	(2,746 " " (2,045 " " 4,791	60¢ sq.ft. 70¢ " " + \$12,820.90 less salvage plate glass \$87.50, less \$972.47	"
9683-Harrison, H. S.	"	1,597 " "	70¢ sq.ft. + \$6,882.10 Less \$492	"
9688-Billings, G. H.	"	514 " "	75¢ sq.ft., + \$3,995.10, less \$380.60, + \$350, less \$267.52	"
<u>Redmond-Sisters Section, McKenzie Highway</u>				
9985-Oregon & Western Col- onization Company	Gravel Pit	9.6	\$20 per acre	Cozad
<u>Redmond-Bend Section, The Dalles-California Highway</u>				
2124A-Grant, Lee C.	Haul Road	2.34	\$42.50 plus per acre	Cozad
2123-Deschutes County	" "	0.96	GRATIS	"
<u>Dee-Parkdale Section, Hood River Highway</u>				
9857-Benedetti, Marie L.	R/W	0.99	\$75 per a. + \$96.75	Witt
9866-Bailey, O. M.	"	0.04	\$5.00 Lump Sum	"
9858-Spanziana, Colombo	"	1.62	\$35 per acre, + \$135	"
9859-Johnson, Howard C.	"	3.83	\$30 per acre, + \$61.50	"
9855-Porterfield, Mart	"	0.87	\$100 per acre, + \$1163, + allowance of \$57.50 to low bidder for submitting bid for moving bldgs., etc.	"
9860-Early, R. B.	"	(1.03 (0.80 (1.83	\$25 per acre \$14.25 Lump Sum	Witt
9129-Hood River Co. and Helen Allegre	"	1.85	\$40 per acre, + \$476	DeSouza
<u>Wyath Section, Columbia River Highway</u>				
7951-Dunn, Mildred	Haul Road Easement	0.33	1 year lease \$10	Witt
<u>Hood River Section, Columbia River Highway</u>				
9957-Hood River, City of	Maintenance Site	2.77	GRATIS	McCullough

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Shearer's Bridge Section, Sherman Highway</u>				
8810-Dick, Frank G., Trustee	R/W	19.73	\$5.00 per acre	Cozad
<u>Umatilla Ordnance Depot Section, Main Entrance Road</u>				
9899-Northern Pacific Co.	R/W	5.93	\$5.00 per acre	DeSouza
<u>Chichester Gulch West Section, Shaniko-Fossil Highway</u>				
9884-Matteer, Vera N.	R/W	1.22	\$5.00 per a. + fencing \$75	Witt
<u>Boardman-Stanfield Section, Old Oregon Trail</u>				
8841-Attebury, Roy G.	R/W	3.35	\$80 per acre	Landon
(Correction)		3.82	\$4.37 per acre, +	
		7.17	\$603.25	
<u>Enterprise-Forest Boundary Section, Enterprise-Lewiston Highway</u>				
9937-Federal Land Bank, and William Bauer	R/W	0.75	\$10 per acre, + fencing	Landon
<u>John Day Section, John Day Highway</u>				
9895-A-Officer, Gladys	R/W	5,203 sq.ft.	521 sq. ft.	Cozad
<u>Soda Mountain-Silvies Section, John Day-Burns Highway</u>				
9943-Craddock, Chester W.	R/W	0.39	\$10 per a. + fencing	Landon
9945-Craddock, Geo.	"	0.79	\$10 per a. + fencing	"
9946-Craddock, Dave, Estate	"	1.63	\$10 per a. + fencing	"
9949-Craddock, Jack and Geo.	"	0.32	\$10 per a. + fencing	"
9951-Craddock, Ben, Estate, and C. W. Craddock	"	4.57	\$10 per a. + fencing	"
9942-Hankins, Ralph	"	0.02	\$125 per a. + \$7.50	"
9950-Hankins, Merle	"	0.10	\$10 per a. + fencing	"
9952-Southworth, E. I.	"	0.28	\$10 per acre	"
9944-Murray, John, Jr. et al (Murray Bros.)	"	0.28	\$10 per a. + moving fence	"
9948-Ogilvie, Frances and J. V. Ivy	"	2.63	\$10 per a. + moving fence	"
9947-Selle, Rainalt and Chas. H. Selle	"	0.73	\$10 per acre	"
<u>Baker-Pleasant Valley Section, Old Oregon Trail</u>				
9901-Federal Farm Mortgage Co. and Bruno DeRoest	Stock Pile	1.67	\$44.91 per acre	Landon
<u>Wrights Point-The Narrows Section, Frenchglen Highway</u>				
9975-Hahn, Arthur D.	R/W	3.08	\$2.50 per a. + \$12.50	Landon
9973-Reed, Metta	"	6.20	\$2.50 per a. + \$97.50	"
9977-Griffin, Gerald, Heirs and Harney County	"	4.38	GRATIS	"

Section, Hwy., and Owner	Purpose	Acres	Approximate Amount	Agent
<u>(Wrights Point-The Narrows Section - continued)</u>				
9970-Harney County	R/W	(15.14 (21 sq.ft.)	GRATIS	Landon
9979-State Land Board	"	0.02	\$2.50 Lump Sum	"
9971-Beery, Charles E.	"	3.09	\$2.50 per acre	"
<u>Kimberly-Monument Section, Monument Highway</u>				
7925-Murphy, Elizabeth C. (Supplemental)	R/W	18 rods	Fencing at \$1.25 per rod \$22.50	Landon
<u>Boardman-Stanfield Section, Boardman-Stanfield Highway</u>				
10043-McClintock, L. A.	Quarry Site	8.68	Perpetual lease to be given state in exchange for grazing right on land south of high- way in SE $\frac{1}{4}$ of Sec. 34, Twp. 8 N, R 28 E.W.M., owned by state, + fencing quarry site. State to abandon stock pile site at Station 1125. Landon	
	& haul road	2.07		
	Easement	10.75		

The Attorney also requested authority to institute condemnation proceedings to acquire certain properties that are needed for highway improvements. He submitted a list of such properties, together with offers that he recommended in condemnation, as follows:

<u>File No.</u>	<u>Name</u>	<u>Purpose Required</u>	<u>Recommended Offer</u>
9895	Lucinda F. Stratton	Right of Way	\$100.00
9861	Evelyn Farrelly	" " "	700.00

After discussion the Commission approved the request and the offers and by unanimous vote adopted the following resolution with respect thereto:

WHEREAS, the State Highway Commission is authorized to locate, relocate, construct, reconstruct, maintain, widen, straight-end, and otherwise improve state highways, both primary and secondary, and said Commission is also authorized to construct shops, equipment sheds, office buildings, maintenance sites, patrolmen accommodations, and snow fences, and is authorized to acquire quarry sites, gravel pits, storage sites, stock pile sites, weighing stations, and broadcasting stations, and is further authorized to develop, construct, improve, operate, and maintain parks, parking places, auto camps, camp sites, roadside development, recreational grounds or resorts, and other places of attraction and scenic value; and

WHEREAS, said Highway Commission is authorized to acquire by purchase, agreement, donation, or by the exercise of the power of

eminent domain real property, or any interest therein, necessary or deemed by the Highway Commission necessary for the accomplishment of any and all of the foregoing things; and

WHEREAS, in the judgment of the Highway Commission the several tracts or parcels of land hereinafter described are each and all necessary for the specific and particular purposes hereinafter specifically set forth;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the Commission does hereby find and declare that the parcels of real property hereinafter described are each necessary for the accomplishment of the purposes hereinafter expressly and specifically set forth, which said real properties and the specific purposes for which the same are being acquired are described as follows, to wit:

Real property owned by Evelyn Farrelly, which property is located in the southeast quarter (SE $\frac{1}{4}$) of the southwest quarter (SW $\frac{1}{4}$) of Section 29, Township 1 North, Range 10 East, W. M., Hood River County, Oregon, and is more particularly described on the attached sheet and designated as Parcel No. 1 and is further identified in the records of the Highway Commission as file R 9861, and which property is being acquired for right of way purposes in connection with the Hood River Highway;*

Real property owned by Lucinda F. Stratton, which property is located in Block A of the City of John Day, situated in Section 26, Township 13 South, Range 31 East, W. M., Grant County, Oregon, and is more particularly described on the attached sheet and designated as Parcel No. 2 and is further identified in the records of the Highway Commission as file R 9895, and which property is being acquired for right of way purposes in connection with the John Day Highway;*

2. That the Commission does hereby find and declare that each of the said described parcels of real property is necessary and acquisition of the same by the State is required for the specific purposes hereinabove set forth, and the said properties are being acquired for the express and specific purposes in this resolution set forth.

3. That the State Highway Engineer be and he hereby is instructed and directed to make or cause to be made all surveys necessary in connection with the determination, description, and acquisition of said real properties, and said Engineer is further instructed to prepare and submit to the Legal Department necessary

and adequate descriptions of the said real properties, which said descriptions shall be available for the preparation of any deed or deeds or other instrument or instruments necessary to complete the acquisition of said property or properties, whether said properties be acquired by purchase, donation, agreement, or by the exercise of the power of eminent domain.

4. That J. M. Devers, Attorney for the State Highway Commission, be and he is hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby further resolved that J. M. Devers, Attorney for the State Highway Commission, be and he hereby is requested to commence and prosecute to a final determination such suit or action, or suits or actions, as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

*(The detailed descriptions of the respective parcels of real property mentioned in this resolution are attached to the original resolution on file in the office of the State Highway Commission, Salem, being Resolution No. 20, under the heading "Real Property Condemnation Resolutions" and said descriptions by this reference are made a part of this minute entry to the same extent as if copied in full herein.)

The Assistant Attorney reported, as follows, on right of way expenditures in 1941:- Amount budgeted for Front Avenue Project, Portland, \$800,000; amount expended on such project \$500,000, leaving a balance of \$300,000 to be carried over to 1942. Amount of budget for 1941 for general right of way purposes \$600,000; amount expended in 1941 for such purpose \$650,000, being an overrun of \$50,000.

The Assistant Attorney advised that he is unable at this time to submit an estimate of the budget requirements for 1942 because of uncertainties as to which projects the Commission intends to construct. The Engineer advised that, according to the best information available, taking into consideration the present schedule of contract lettings and estimated receipts and expenditures for 1942, a right-of-way budget of about \$550,000 will be required for state-wide right-of-way purchases, and a budget of about \$290,000 will be required for purchase of right of way along Front Avenue, in Portland, such amounts being exclusive of the amounts needed for purchase of quarries, gravel pits, stock-pile sites, parks, and miscellaneous sites. The Commission indicated approval of such budget amounts.

Reconsideration was given by the Commission to the matter of constructing a fence along the Warm Springs Secondary Highway south of Madras, in Jefferson County, in front of property owned by a Mr. Emil Henskie. The Assistant Attorney reviewed the facts in the case, advising that Mr. Henskie purchased the property from Jefferson County, but he has been unable to ascertain whether or not he actually paid the county less for the property without the fence than he would have paid had the right-of-way fence been built. He pointed out that it is the practice of the Commission to pay for fencing only in cases where such fencing is a consideration in the right-of-way purchase, and in this particular instance the land was acquired from the county with nothing said about the fence. It was his thought that it would be establishing a dangerous precedent if the Commission would now authorize the construction of a fence at such a long time after the right of way was acquired, and he recommended that Mr. Henskie's request be denied. The Commission approved the recommendation.

The Attorney brought up for discussion a settlement with C. F. Allegre for right of way needed for the improvement of the Dee-Parkdale Section of the Hood River Secondary Highway across Mr. Allegre's land. He advised that this property is now under condemnation; and that the Commission's original offer to Mr. Allegre was \$350 for the two acres involved, but such offer was raised later to \$500 upon statements by Mr. Allegre that his land on the east side of the highway was cut off from water on the west side of the highway, although subsequent investigations reveal that to be erroneous. Mr. Allegre, he said, originally demanded \$1,200 for the two acres, but is now willing to settle if the Commission will pay him \$550. He recommended payment of \$550 for the tract in order to avoid additional litigation. The Commission approved the recommendation and so ordered.

The Attorney requested instructions relative to the purchase of property from H. L. Kuhl adjacent to the Siletz Bay-Newport Section of the Oregon Coast Highway. He advised that the highway has been reconstructed at this point and Mr. Kuhl owns two and one-half acres situate between the old and the new highway locations, which area is low ground and is being damaged as a result of the new highway-fill construction. He gave as his thought that it would be advisable for the state to purchase this tract in order to avoid the payment of excess damages, and advised that Mr. Kuhl is willing to sell the entire two and one-half acres for the sum of \$3,000 if he is allowed to keep a building located thereon, which building he will remove from the premises at his own cost and expense, or he will sell to the Commission two acres for the sum of \$2,000 if he is permitted to retain the one-half acre on which the building is located. The Commission considered it advisable to purchase the entire tract for \$3,000 and let Mr. Kuhl keep the building, provided he will remove it from the premises. The Attorney was authorized to negotiate with Mr. Kuhl on such basis.

The Secretary presented a letter from Frank J. Anlauf, Cottage Grove, directed to the Honorable Charles A. Sprague, Governor, in which the suggestion was made that the state purchase a spruce-timbered area adjacent to the Oregon Coast Highway south of Winchester Bay which he understands is to be logged off in the near future. According to Mr. Anlauf, the tract

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contains a fine stand of timber which should be preserved. The Commission decided not to purchase the tract at this time due to the stringency of the times which necessitates the curtailment of expenditures for such purposes. The matter is to be reconsidered by the Commission along with other similar projects when the present emergency is over.

The Commission had under consideration the abandonment of a portion of the Pacific Highway West (old route) through the town of Tigard, in Washington County, and the abandonment of the old Pendleton Airport Secondary Highway, in Umatilla County, on account of the reconstruction of these highways on other alignment. The Engineer advised that the sections of highways referred to are no longer of value from the state highway standpoint, and recommended that they be turned back to the respective counties in which they are situated for further maintenance as county roads or for other disposal. The Commission approved the recommendation and thereupon by unanimous vote adopted the following resolutions with respect thereto:

WHEREAS, in order to afford and make possible a better alignment and a more serviceable, safe and convenient highway for the traveling public, the Commission found it necessary to relocate and realign the section of the Pacific Highway West in the town of Tigard in Washington County; and

WHEREAS, by reason of said relocation and reconstruction of said section of highway there was eliminated and made unnecessary as a part of the permanent highway a certain section, which section is more specifically defined and described hereinafter in this resolution; and

WHEREAS, it is the judgment and opinion of the Commission that there should be recorded in the minutes and records of the Commission its purpose and plan to abandon as a part of the said highway the fragment or portion of right of way heretofore designated and which was heretofore included within the area of the right of way of said highway as formerly located, but which is now without the regular limits of said highway as relocated.

NOW, THEREFORE, the premises being in general as above stated, it hereby is resolved by this Commission, all members being present and affirmatively voting, as follows:

1. That the fragment of land confined within the area hereinafter described, which fragment or parcel of real property was formerly within the limits of the right of way of the Pacific Highway West but is no longer a part of the right of way of said highway as the same has been relocated and constructed, be and said parcel of real property is abandoned as a part of the right of way of said highway, and said parcel of land is, so far as control and supervision of this Commission is concerned, eliminated and left to revert to Washington County for such public use as the County Court may deem proper, and in the event the County Court should determine by order or otherwise that the same

can serve no public purpose, then said abandoned area may revert to the adjoining property owners as provided by law. The fragment or parcel of land affected by this resolution is defined and described as follows, to wit:

All of that certain section of the old right of way of the Pacific Highway West through the town of Tigard and situated in Section 2, Township 2 South, Range 1 West, W. M., Washington County, Oregon, lying on the southeasterly side of the right of way required for the reconstructed Pacific Highway West, the beginning and ending points with reference to engineer's stations of the said reconstructed highway being engineer's station 72+00 on the northerly end and engineer's station 97+30 on the southerly end.

The location of said abandoned right of way may be more definitely and particularly ascertained and determined by reference to a map or blueprint marked Exhibit A attached hereto and by this reference made a part hereof, which said exhibit for identification purposes bears the signatures of E. A. Collier, Division Engineer, H. G. Smith, Construction Engineer, and C. B. McCullough, Assistant State Highway Engineer, and is dated December 15, 1941, upon which map or exhibit is reflected the above described parcel of land by showing the same shaded in red.*

2. In the event there remains any physical connection between any portion of said abandoned right of way or highway and the present highway, and by reason of such physical connection traffic from the existing highway may enter or use the said abandoned right of way or highway to the possible damage or injury of such traffic by reason of any unsafe condition existing with respect to said old or abandoned road, then the State Highway Engineer is hereby authorized and directed to erect such barricade or other safeguards as may be necessary to protect and safeguard traffic using and employing said newly located, constructed and dedicated section of said highway.

3. That this resolution be entered in the minutes and records of the Commission and a certified copy thereof promptly delivered to the County Court of Washington County, together with a copy of said exhibit or map, for such action as said County Court may desire to take with respect to the fragment of land to be abandoned, and should said abandoned section of the right of way of said Pacific Highway West be further employed for public or private highway purposes such use shall be entirely under the control and supervision of the County Court of Washington County and beyond any responsibility or supervision of the State Highway Commission.

*Map filed Right of Way Abandonment and Retention File - No. 99.

WHEREAS, that section of the Pendleton Airport Highway lying between engineer's station 1282+50 on the Old Oregon Trail Highway and engineer's station 51+50 on the southeasterly right of way line of the reconstructed Pendleton Airport Highway has been relocated and reconstructed over a different route, thereby making unnecessary the further maintenance and use of the following described section as a part of the state highway system:

All that certain section of the old right of way of the Pendleton Airport Road lying in the East half of Section 5, Township 2 North, Range 32 East, W. N., Umatilla County; the beginning point being on the center line of the Old Oregon Trail Highway at engineer's station 1282+50, and the ending point being on the southeasterly right of way line of the reconstructed Pendleton Airport Highway opposite engineer's station 51+50.

The above described section of said highway, while not needed as a part of the state highway system can serve a useful purpose as a county road and the County Court of Umatilla County has requested that the said abandoned section of the Pendleton Airport Highway be turned over to the County Court to be maintained as a county road.

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the Oregon State Highway Commission, all members being present and affirmatively voting as follows:

1. That the section of the Pendleton Airport Highway above described be and the same hereby is abandoned as a part of the Pendleton Airport Highway as the same has been relocated, reestablished and improved by the State Highway Commission.

2. That said abandoned section of the former route of the Pendleton Airport Highway be surrendered to Umatilla County to be maintained by the said County as a county road, and that the County Court of Umatilla County be hereby requested to adopt a formal and appropriate resolution by which the County will accept the said highway and designate and adopt the same as a county road and assume full responsibility thereover.

3. That there is attached to this resolution and made a part hereof a blueprint marked Exhibit "A" and on which there is shown shaded in red the road affected by this resolution, which blueprint for identification purposes is signed by Paul Van Scoy, Division Engineer, H. G. Smith, Construction Engineer, and C. B.

McCullough, Assistant Highway Engineer, and bears date of December 17, 1941.*

4. That this resolution be entered in the minutes and records of the Highway Commission and a duly certified copy thereof be delivered to the County Court of Umatilla County and a like copy to the Public Roads Administration.

*Map filed Right of Way Abandonment and Retention File - No. 100.

The Engineer brought up for discussion a request from the United Contracting Company for relief from payment of penalty charged it for failure to complete its contract No. 2441, grading and paving the St. Helens Section of the Columbia River Highway, in Columbia County, within the specified time limit, which penalty is in the amount of \$254.22 and represents extra engineering costs incurred by the state in connection with this job subsequent to the date of completion specified in the contract. The contractor, he said, alleges the following: that bids were taken by the Commission for this job on February 27, 1941, that the date of completion specified was July 3, 1941, that it was the second-low bidder but the Commission awarded the contract to it during the latter part of March, upon the refusal of the low bidder to accept the award. Further, that it did not receive a signed copy of the contract until April 7, 1941; also that this company attributes its failure to complete the project within the specified time limit to delays incident to the award of the contract and delivery of the signed copy to it, totaling 40 days, and points out that if the Commission would allow it an extension of time equal to the 40 days lost, the contract could be considered completed without overrunning the time limit, because the work was actually finished on September 6, 1941. The Engineer advised that the reasons given by the contractor for failure to complete the project within the specified time limit are substantially correct, and, in addition thereto, the contractor was handicapped because of uncertainties of labor and equipment. He recommended, in view of the circumstances, and for the reason that the contractor carried on the work to the best of its ability, that it be relieved of the payment of the penalty heretofore imposed. The Commission approved the recommendation.

The Engineer presented a list of surveys that he has ordered since the last meeting of the Commission and asked the Commission to confirm them and the amounts allocated for each. After due consideration the Commission authorized and instructed the Engineer to make such location surveys on various sections of the highways of this state, which said sections of highways, together with their identifying location survey numbers and the amounts authorized and allocated for such survey expenditures are as follows:

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- Loc. & Plans - - 3-1432 - Pudding River Bridge Approaches, Pacific Highway East, Clackamas County. 1st authorization - \$500
- Bridge Crossing 4-1462 - Columbia River, near Knappa, Columbia River Highway, Clatsop County. 1st authorization - \$2,000
- Bridge Crossing 4-1463 - Columbia River at Puget Island, Columbia River Highway, Clatsop County. 1st authorization - \$1,000
- Plans- - - - 106-1423 - Enegren Ferry Approach, Coos River Secondary Highway, Coos County. 2nd authorization - \$450
Total to date \$850.
- Plans- - - - 12-1427 - Beech Creek Section, Pendleton-John Day Highway, Grant County. 1st authorization - \$2,000
- Plans- - - - 13-1419 - Buchanan-Drewsey Section, Central Oregon Highway, Harney County. 1st authorization - \$200
- Location - - - 218-1458 - Sprague River-Klamath Falls Jct. Section, Sprague River Hwy., Klamath Co. 2nd authorization - \$700
Total to date \$3,700.
- Quarry - - - - 218-1459 - Sprague River-Klamath Falls Jct. Section, Sprague River Hwy., Klamath Co. 1st authorization - \$300
- Plans - - - - 121-1458 - Lytle Creek Section, Eddyville-Blodgett Highway, Lincoln County. 1st authorization - \$250
- Location - - - 21-1459 - Otis-Kernville Section, Oregon Coast Highway, Lincoln County. 1st authorization - \$350
- Plans - - - - 21-1460 - Spencer Creek Section, Oregon Coast Highway, Lincoln County. 1st authorization - \$1,500
- Plans - - - - 22-1446 - Tombstone Summit Section, Santiam Highway, Linn County. 1st authorization - \$400
- Bridge Crossing 25-1410 - Columbia River, near Paterson, Columbia River Highway, Morrow County. 1st authorization - \$750
- Plans - - - - 26-1457 - Oregon Slough-City Limits Section, Pacific Highway East, Multnomah County. 1st authorization - \$1,000
- Reconnaissance 28-1413 - Columbia River-Madras Section, The Dalles-California Hwy., Sherman County. 2nd authorization - \$1,500
Total to date \$4,500
- Plans - - - - 29-1437 - Hebo Section, Oregon Coast Highway, Tillamook County. 1st authorization - \$150

Plans - - - - 33-1430 - The Dalles-Seufert Section, Columbia River Highway,
Wasco County. 1st authorization - \$250

Location - - - 36-1429 - Sheridan-McMinnville Section, Salmon River Highway,
Yamhill County. 1st authorization - \$ 2,700

Consideration was given by the Commission to the following requests for extensions of time within which to complete highway construction projects:

Frank Penepacker, contract No. 2412, for grading the South Unit of the Algoma-Terminal City Section of The Dalles-California Highway, in Klamath County, requested an extension of time from July 31 to September 27, 1941, within which to complete this project. He attributed his failure to complete the project within the specified time limit to unavoidable delays caused by frequent movements of army trucks and the fact that he was not permitted to construct this year the connection between the new highway and the old highway at the south end of the job. The Engineer advised that the troop movements interfered considerably with the progress of the work, and had it not been for such interference, the job could have been done within the specified time, with the exception of about 2,000 cu. yds. of excavation work on the south end of the project to connect the new road with the old road. This connection, he said, cannot be made until the work on the adjoining unit, under contract to Mr. Penepacker and Mr. Clifford Dunn, is finished, which work was delayed on account of negotiations with the Southern Pacific Company for right of way. He further advised that Mr. Penepacker was willing to defer the grading work involved in the completion of the connection on the condition that the Commission would allow the work to be done under the contract for the North Unit and would make a final payment in connection with the South Unit contract. He gave as his thought that such arrangement is satisfactory; however, advised that the Public Roads Administration will not consent thereto because they will not consider that a contract is completed until all the work covered by the specifications has been accomplished. He recommended in view of the circumstances that Mr. Penepacker be granted an extension of time without penalty of sufficient length to complete contract No. 2412 at the earliest possible time next spring, and that the Commission release to Mr. Penepacker as much of the money now due him as is possible without deviating from established practice or policy. The Commission approved the recommendation.

W. D. Miller Construction Company, contract No. 2318, for bridge construction on the Lost River Section of the Klamath Falls-Malin Highway, in Klamath County, requested an extension of time from December 31, 1940, to June 25, 1941, within which to complete this job, attributing its failure to complete the project within the specified time limit to bad weather conditions which would not permit the painting of the structure. The Engineer advised that bids for this project were taken by the Commission on January 11, 1940,

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but due to negotiations with the Reclamation Service the contract was not awarded until May 10, 1940. Further, that the time limit for the completion of the job was extended automatically on account of this delay to December 31, 1940. Such delay in the award of the contract, he said, made it necessary to carry on construction during the irrigation season, and delays on that account exceeded the delays incident to the award of the contract. He estimated such delays on this account at approximately two months. He recommended, in view of the circumstances, that the extension of time requested be granted without penalty up to February 28, 1941, but that the contractor be charged with engineering costs incurred by the state between March 1 and May 31, 1941, which he said, is the date the job was actually completed. The Commission approved the recommendation.

R. I. Stuart & Sons, contract No. 2353, for furnishing crushed gravel in stock piles for the Little Butte Creek-Cascade Gorge Section of the Crater Lake Highway and Sams Valley Secondary Highway, in Jackson County, requested an indefinite extension of time within which to complete this project. They attributed their failure to complete the project within the specified time limit to an increase in the quantity of materials to be furnished, as ordered by the Engineer. The Engineer stated that this contract was awarded by the Commission on August 22, 1940, and that the date of completion specified was April 30, 1941. The contractor started operations, he said, October 1, 1940, and completed the same October 16, 1941. He added that the reasons given by the contractor for overrun of time limit are correct, the facts being that they were required to produce 25 per cent more material than was originally contemplated. He recommended, in view of the circumstances, that the extension of time requested be granted without penalty. The Commission approved the recommendation.

Jacobsen-Jensen Company, contract No. 2393, for grading and surfacing the Barbur Boulevard-Boones Ferry Road Section of the West Portland-Hubbard Highway, in Multnomah, Washington and Clackamas Counties, requested an extension of time from August 31, 1941, to July 1, 1942, within which to complete this job. It attributed its failure to complete the contract within the specified time limit to the fact that it was engaged in grading runways for the Pendleton Airbase under a government defense contract, which delayed construction of the state's contract until the last week in June, 1941. Weather conditions were satisfactory when the state job was started, but from August on the work was interrupted by rain to such an extent that it was impossible to complete the job this year. The Engineer advised that he has investigated the reasons given by the contractor for failure to complete the project within the specified time limit and has found them to be correct. He also stated that it was impossible for the contractor to secure other equipment due to defense priorities. He recommended, in view of the circumstances,

that the extension of time requested be granted without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

Berke Brothers, contract No. 2435, for grading, paving and construction of a bridge on the Deer Creek-Bellevue Section of the Salmon River Highway, in Yamhill County, requested an extension of time from September 30 to December 3, 1941, within which to complete this job. They gave the following reasons for failure to complete the project within the specified time limit: bad weather conditions in the spring of 1941 and during the summer months, which delayed paving work; failure of a detour road; time required to salvage old pavement which is to be used for riprap work at Sheridan; necessity to stock pile cement aggregate for rewashing; and necessity to perform extra work as ordered by the Engineer. The Engineer advised that the contractor experienced considerable difficulty in securing suitable materials and in repairing the detour road which was damaged by log-hauling traffic. He further stated that rains did interfere somewhat with the progress of the work, but the time lost on that account was not great. The contractor, he said, also suffered delays on account of labor and priorities on equipment due to the fact that all of his labor and equipment were being used at the time on his contract at Sheridan. He recommended in view of the circumstances that the extension of time requested be granted without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

Berke Brothers, contract No. 2440, for grading and paving the West Sheridan Section of the Salmon River Highway, in Yamhill County, requested an extension of time from July 31 to December 11, 1941, within which to complete this job. They attributed their failure to complete the project within the specified time limit to the following: unusually heavy rains during the spring and summer months; failure of property owners adjacent to the project to prepare their properties in conformity with the highway improvement; delay on account of reconstruction of the city's water pipe lines; delay of approximately five weeks on account of change in specifications which necessitated the use of the old pavement from their Bellevue contract as riprap on the Sheridan project, rather than the use of rock from a borrow pit as specified in the contract, and other reasons. The Engineer advised that the contractor carried on this work without undue delay so far as the grading work and concrete paving work was concerned, considering the difficulties experienced in securing labor and materials. The main reason for failure to complete the project within the specified time limit, he said, was difficulties encountered in securing a blacktop paving plant to complete the blacktop paving work, all available paving plants being tied up on government defense contracts for paving airbases and other government projects. He recommended, in view of the circumstances, that the extension of time requested be granted without

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penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

Leonard and Slate, contract No. 2446, for grading and surfacing the Dixie Summit Section of the John Day Highway, in Grant County, requested an extension of time from November 30, 1941, to July 15, 1942, within which to complete this job. They alleged that their failure to complete the contract within the specified time limit was due to difficulties encountered in securing repair parts for their tractors, which could not be obtained without priority rating. The Engineer advised that the reason given by the contractor for failure to complete the project within the specified time limit is correct. He recommended that the extension of time requested be granted without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

A. Milne, contract No. 2451, for grading, surfacing and oiling the Long Creek-Fox Section of the Pendleton-John Day Highway, in Grant County, requested an extension of time from August 31, 1941, to June 30, 1942, within which to complete this job. He attributed his failure to complete the project within the specified time limit to unusually heavy rainfall during the summer months, difficulties in securing priority preference rating for repair parts and other supplies, and scarcity of suitable skilled labor. The Engineer advised that the reasons given by the contractor for failure to complete the project on time are correct. He further advised that, with the exception of the oiling work, the project is now practically complete and that all of the rock has been stock piled for the oiling operations which, he said, cannot be performed until next spring when weather conditions will be favorable for such work. He recommended, in view of the circumstances, that the extension of time requested be granted without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

The Engineer reported that contracts Nos. 2353, 2433, 2435, and 2501, for the construction of state highway projects, have been completed according to the requirements of the contracts or modifications thereof, and that said jobs are now ready for acceptance. The following resolution accepting the above projects was offered and was adopted by the unanimous vote of the Commission:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts and said jobs are now ready for acceptance:

Contract No. 2353, with R. I. Stuart & Sons, for furnishing 16,300 cubic yards of crushed gravel in stock

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piles on the Little Butte Creek-Cascade Gorge Section of the Crater Lake Highway and Sams Valley Secondary Highway, in Jackson County. Completed October 16, 1941.

Contract No. 2433, with General Construction Company, for grading and roadbed topping on the Tunnel Point-Rooster Rock Section of the Columbia River Highway, in Multnomah County. Completed December 20, 1941.

Contract No. 2435, with Berke Brothers, for grading, paving and construction of a bridge on the Deer Creek-Bellevue Section of the Salmon River Highway, in Yamhill County. Completed December 3, 1941.

Contract No. 2501, with Frank Watt Construction Company, for construction of a bridge over East Dairy Creek near North Plains on the Wolf Creek Highway, in Washington County. Completed November 30, 1941.

THEREFORE, BE IT RESOLVED that the work covered by said state highway contracts for the construction of said state highway projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

The Commission had under discussion the setting of the date for its next regular meeting for receiving of bids, and tentatively decided to hold such meeting on Thursday and Friday, February 19 and 20, 1942. The Secretary was instructed to make the usual arrangements to hold this meeting in the auditorium of the Public Service Building, Portland.

The Commission considered and signed agreements, et cetera, as follows:

Cooperative agreements with the following cities and towns covering the improvement of certain city streets that are not on state highway routes:

Oregon City	Haines	Prairie City	Echo
Glendale	Rogue River	Huntington	
Fairview	Florence	Heppner	
Fossil	Reedsport	Myrtle Creek	

Agreement with Southern Pacific Company covering installation of automatic grade crossing signals at Grants Pass, Reedsport, and Sheridan.

Agreement with Sunnyhill School District, Coos County, authorizing construction and maintenance on the right of way of the Oregon Coast Highway near Hauser of an entrance gate to the school grounds.

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Bargain and sale deed conveying unto the Eugene Power Company 1546 sq. ft. of land situate in Lot 2, Block 34, Amended Plat of Fairmont Addition to Eugene. Right of way file 9242.

Bargain and sale deed conveying unto Evan Lum 3479 sq. ft. of land situate in Lot 3, Block 10, McClures Astoria. Right of way files No. 5867 and No. 9393.

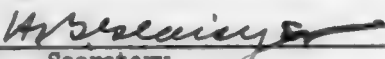
Bargain and sale deed conveying unto the State Board of Higher Education 2.11 acres of land situate in the North half (N $\frac{1}{2}$) of Section 32, Township 17 South, Range 3 West, W. M., Lane County. Right of way file No. 9232.

Stipulation in the case of the United States of America versus O. M. Jetson, et al., by the terms of which the plaintiffs shall pay the sum of \$7,000 for certain lands being acquired from the defendants, which said lands are subject to easements for county roads, and a roadway easement in favor of the Oregon State Highway Commission.

There being no further business to come before the Commission at this time, the meeting was adjourned at 6:00 p. m.


State Highway Engineer


Acting Chairman


Secretary


Commissioner

Portland, Oregon, February 13, 1942

The State Highway Commission met in regular session at 9:00 a. m. in Room 415, Imperial Hotel. Present were:

Henry F. Cabell, Chairman
Huron W. Clough, Commissioner
Herman Oliver, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

A delegation from Medford, consisting of the following, appeared before the Commission in regard to the routing of Pacific Highway travel through this city: W. A. Gates who was spokesman, John P. Moffatt, G. W. Field, L. M. Weisenbruger, Glen L. Fabrick, C. C. Furnas, and Frank H. Rogers. Mr. Gates

gave as his understanding that the Highway Commission plans to make the present highway a one-way route for north-bound travel only and to route south-bound travel along Court Street and Central Avenue. Medford business interests, he said, object to the routing of travel along Central Avenue between Second Street and Eleventh Street because it is a narrow street and leads through their most congested district. He suggested that south-bound travel be directed along Central Avenue to Second Street, thence westerly one block to Front Avenue, thence south along Front Avenue to Eleventh Street, thence along Eleventh Street to the junction with the Pacific Highway. Such manner of routing, he said, will help to relieve the congestion between Second Street and Eleventh Street and will permit two-way travel along Central Avenue between these points. He suggested, as an alternate routing for south-bound traffic, the use of Front Street and extensions thereof to a connection with Central Avenue. Open discussion of the matter followed during which the delegation exhibited a map showing results of traffic counts taken over a considerable period of time and disclosing that the point of greatest congestion is on Central Avenue at its intersection with Main Street.

The Engineer advised that the Commission is simply endeavoring to avoid congestion along the Pacific Highway that is bound to occur when the proposed army cantonment is built at Medford. He pointed out that all that is necessary to effect such objective is the construction of the short connecting link at the north end of Court Street which project is to be financed with federal funds. The Public Roads Administration, he added, has already approved the plans for the project and all that is lacking is approval by the army authorities which is a prerequisite for the expenditure of the federal funds. The Highway Commission, he said, is ready to construct the improvement as soon as such army approval has been obtained. He doubted that the Public Roads Administration would approve the project if traffic is routed as suggested by Mr. Gates. He suggested adoption of the proposed plan with the understanding that additional studies would be made of the Front Avenue route and changes made if deemed advisable.

Chairman Cabell confirmed the Engineer's remarks. In reply to a statement from the delegation that the proposed routing will seriously damage certain local business interests, he advised that the Commission sometimes finds it necessary to hurt local interests if the Commission considers the interests of the general public are paramount, although that is avoided if possible. It was his thought that the Central Avenue route is the most logical and would be the cheapest to construct, and advised that the Commission is ready to award a contract for the construction of the connecting link on Court Street at the north city limits as soon as governmental approval has been obtained.

The Commission conferred privately with respect to this matter and, upon return to the conference room, informed the delegation, through Chairman Cabell, that the Commission has decided to adopt the present plan, routing south-bound travel along Court Street and Central Avenue and north-bound travel along Riverside Avenue, the present highway route, each of which streets is to be designated a one-way street; however, has instructed the Engineer to

make further studies of the Front Avenue route, including connections with Central Avenue at Second Street and at Eleventh Street and the plan to extend Front Avenue north and south to connections with Central Avenue. He promised the delegation that the matter would be investigated in good faith and advised that, if one of the alternate plans appears to the Commission to be a better solution of the problem, the Commission will adopt it. He asked the delegation's support in securing the passage of an ordinance by the Medford City Council approving the plan, it being understood, if the Commission later adopts the Front Avenue plan, that the city could feel free to modify its ordinance in conformance therewith. The following resolution pertaining thereto was thereupon adopted by the Commission by unanimous vote:

WHEREAS, Riverside Avenue in the City of Medford has heretofore been selected and designated by the Highway Commission as one of the streets of said City over which to route Pacific Highway traffic; and

WHEREAS, because of increased volume of traffic into and through said City over the Pacific Highway it has become necessary to provide an additional traffic artery; and

WHEREAS, it is the judgment of the Commission that Court Street from the north city boundary of Medford to a connection with Central Avenue and Central Avenue from its junction with Court Street to its junction with Riverside Avenue should be selected and designated as streets of the City of Medford over which to route a portion of the Pacific Highway traffic; and

WHEREAS, it is the opinion of the Commission that the traffic needs of the general public using the Pacific Highway into and through the City of Medford will be best served if each of said streets is made a one-way-traffic street;

THEREFORE, BE IT RESOLVED by the Highway Commission, all members being present and affirmatively voting, as follows:

1. That Court Street from the north city limits to a junction with Central Avenue and Central Avenue from its junction with Court Street to Riverside Avenue be and the said sections of said streets hereby are designated as streets of the City of Medford over which shall be routed Pacific Highway traffic.

2. That Riverside Avenue from the north city limits of Medford to the junction of Riverside Avenue and Central Avenue be designated as a one-way-traffic street and that only north-bound traffic be directed over said highway or street.

3. That Court Street from the north city limits to a junction with Central Avenue and Central Avenue from said junction to the

junction with Riverside Avenue be and said sections of said streets are designated as one-way streets and only south-bound traffic shall be directed thereover.

4. That the municipal authorities of the City of Medford be and said authorities hereby, are respectfully requested to provide by ordinance for the designation of said streets as one-way streets and that traffic over said streets by said ordinance be controlled in harmony with the provisions of this resolution.

5. That Court Street from the north city limits be improved to a connection with the Pacific Highway and that said improvement be put under way at the earliest possible moment so that if possible traffic may be directed thereover during the coming summer.

6. That when this resolution becomes effective and said streets are converted into one-way-traffic streets the Engineer is hereby directed to erect and maintain appropriate and needed traffic-control signals and signs.

7. That until the said connection is made between Court Street and the Pacific Highway, the provisions of this resolution with respect to one-way-traffic movement shall not be in effect, and that if and when the municipal authorities of the City of Medford provide by ordinance for the making of said streets one-way-traffic streets the provisions of said ordinance with respect to one-way traffic movement shall likewise not be in effect until said street extension is completed and made available for traffic.

8. That the Engineer be and he hereby is instructed to immediately make a study and survey in respect to the request of citizens of Medford to determine what, if any, change in routing of traffic can be made on Central Avenue between Second Street and Eleventh Street and report his findings and studies to this Commission.

9. That this resolution be entered in the minutes and records of the Commission as of February thirteenth and a duly certified copy thereof delivered to the Mayor of Medford and a copy to the United States Public Roads Administration.

The Engineer was instructed to make immediate studies of the alternate Front Avenue routing and the Attorney was instructed to forward pertinent information to the City council that would be helpful in preparing an appropriate ordinance approving the present plan.

The Commission also discussed with the delegation the proposed plan to control traffic along the Crater Lake Highway between Medford and the Army

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cantonment so as to relieve traffic congestion during the period when construction of the cantonment is underway. The Engineer explained that it is planned to designate the Crater Lake Highway a one-way highway for south-bound traffic only from a point about two miles northeast of Agate Station to an intersection with the McAndrews Road in Medford. From that point to a connection with the Pacific Highway, the road is to be continued as a two-way highway; further, that north-bound traffic will be routed over the old Pacific Highway and Midway County Road from Medford to a connection with the Sams Valley State Secondary Highway. This plan, he said, calls for the designation of the section from Medford to the Wellen Road junction a one-way route for north-bound traffic, but from that point to the Sams Valley Secondary Highway junction, the road will be open for two-way travel. It is contemplated, he said, to put such plan of routing into effect on Sunday, March 1, 1942. The delegation approved such routing of traffic as a temporary expedient during the construction of the cantonment which, it was thought, would be for about four months. The State Highway Commission also approved the plan and ordered the matter covered by an appropriate agreement between Jackson County and the state. The Commission voted unanimously to maintain at state expense the north-bound traffic route during the life of this arrangement. The following resolution covering the entire matter was adopted by the Commission by unanimous vote:

WHEREAS, because of the cantonment under construction in Jackson County, Oregon, and because of other defense activities in said area, vehicular traffic has increased beyond the capacity of the Crater Lake Highway serving said section of the State, and

WHEREAS, because of traffic conditions, additional traffic arteries must be made available in order to relieve at least in a measure the congestion which now exists and will become more acute in the near future; and

WHEREAS, the State by agreement with Jackson County has taken over for a specified period a certain described county road and contemplates maintaining said road for the use of traffic originating in or destined to the said cantonment area, and contemplates likewise the conversion of a section of said county road into a one-way traffic highway, and

WHEREAS, the county road covered by the agreement between the State and Jackson County is described as follows, to-wit: the county road beginning at a junction of the old Pacific Highway Route with the present Pacific Highway near the north city limits of Medford; thence along the old Pacific Highway route to a junction with Bybee County Road, sometimes known as Midway Road; thence northerly along said Bybee Road to the Bybee Bridge over Rogue River; thence westerly and northerly to a connection with the Sams Valley Secondary State Highway No. 271, and

WHEREAS, in the judgment and opinion of the Commission, traffic conditions suggest and warrant the establishment of one-way

traffic over a portion of the Crater Lake Highway to supplement one-way traffic over a part of said county road,

NOW, THEREFORE, be it and it hereby is resolved by the Highway Commission, all members being present and voting affirmatively, as follows:

1. That the section or unit of the Crater Lake Highway which extends from a point approximately two miles northeast of Agate Station to the McAndrews County Road near the North City Limits of Medford, be and said section of said state highway hereby is declared to be a one-way highway and shall be available for southbound traffic only.

2. That the section of said county road which begins at the junction of the old Pacific Highway and the Bybee County Road and terminates at a junction with the Wellen County Road hereby is declared a one-way traffic road and hereby is made available to northbound traffic only.

3. That the State Highway Engineer be and he hereby is directed to place and maintain on said highway necessary and appropriate traffic signs and signals signifying and indicating that said highway is open only to northbound traffic.

4. That this resolution shall be in full force and effect until rescinded or modified by the Commission.

5. That this resolution be entered in the minutes and records of the Highway Commission, and the Secretary be and he hereby is instructed to furnish a certified copy of said resolution to the proper officer in charge of said cantonment, to the Superintendent of State Police, to the County Court of Jackson County, and to the Public Roads Administration.

County Judge Guy Boyington of Clatsop County was present and conferred with the Commission relative to the county's indebtedness to the state for highway purposes. The Engineer advised that the county owes the state a balance of \$5,500 under previous agreements. Judge Boyington stated that the county would like to be relieved from this payment but is not particularly anxious that the records show that it is an outright gift by the state. He suggested that such amount be considered as payment for land that the county has heretofore deeded the state for purposes other than right of way or, if the Commission prefers, that the county pay the state's claim in cash and the state in turn pay it back to the county as payment for the land. Chairman Cabell advised that the Commission would look into the matter and do what it could. It was thereupon referred to the Engineer for investigation and report.

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Judge Boyington also brought up for discussion the matter of constructing a new approach road to the beach at Gearhart. He advised that at present there is only one vehicular approach to the beach at this place, that being along Sixth Street, and the city wants this closed to vehicular traffic in the interest of safety to pedestrians, and has asked the county to construct a substitute road near the north city limits but the county hesitates to do so in view of the present war situation and the possibilities that vehicular traffic will be denied the use of the beach. He inquired as to the Commission's attitude with respect thereto. The Commission deferred a decision in the matter pending investigation. Judge Boyington is to be advised as soon as a decision has been reached.

The question whether or not to press the state's claim, in the amount of \$4,024.58, against the City of Beaverton and its claim, in the amount of \$2,522.32, against the City of Vale was also discussed by the Commission. The Engineer advised that the City of Beaverton refuses to pay its claim upon advice from its city attorney that the constitutional limitation has expired and the claim is no longer legal; also, that the City of Vale refuses to pay its claim alleging that the city has a counterclaim against the state for water and gravel. After discussion the Commission referred the matter to the Attorney for advice as to the legal procedure which will have to be followed in order to clean up these accounts.

The Attorney requested authority to purchase certain parcels of real property that are needed for various highway improvements throughout the state. He submitted a list of such properties, together with amounts that he recommended be paid in connection with each. After careful consideration the Commission approved the request and by unanimous vote adopted the following resolution with respect thereto:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitively set forth, and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon, and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED, that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of

the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Delaura Beach Road Connection, Military Access Highway</u>				
9998-Haire, Gilbert C.	R/W	1.26	\$100 per acre	Benson
		0.30	\$ 25 per acre, +	
		1.56	\$366.50	
9991-Hesse, F. C., and Jon V. Straumfjord	R/W	0.20	Land Gratis, + \$115	"
10042-Martin, Lloyd F.	R/W	2.22	\$50 per acre	"
9997-Astoria, City of	R/W	2.35	\$50 per acre, + \$170	"
9996-Clement, A. R.	R/W	0.15	\$100 per acre, + \$145	"
9994-Killion, D. W.	R/W	596 sq.ft.	Lump Sum \$5.00	"
9993-Mentzer, Alvin	R/W	0.20	\$100 per acre + \$105	"
9990-Clatsop County	R/W	45,243 sq.ft.	GRATIS	"
9992-Straumfjord, Jon W.	R/W	1.85	Land Gratis + \$292.50	"
<u>Scappoose Section, Columbia River Highway</u>				
10014- Attig, Albert G.	Gravel	0.07	\$600 per acre	Gardiner
	Pit			"
10013-Warden, Henry	Gravel	0.05	\$600 per acre	"
	Pit			"
10012-Novak, Joe	Gravel	0.16	\$625 per acre	"
	Pit			"
<u>North Bend-Marshfield Section, Oregon Coast Highway</u>				
9521-Horn, K.	R/W	5200 sq.ft.	17¢ sq.ft. + \$4116	Benson
<u>Fishhawk Falls-Ranger Station Section, Wolf Creek-Nehalem Hwy.</u>				
9965-Clatsop County	R/W	18.25	Lump Sum - \$1.00	McChesney
10070-Shields, Emmett J.	R/W	7.04	Lump Sum - \$1.00	"
<u>Vadis-Gardner Ranch Section, Wolf Creek Highway</u>				
6554-Stauss, Minnie	R/W	7.0	\$200 per acre	Collins
6553-Sandstrom, Frances I.	R/W	1.5	\$500 per acre	
		4.79	\$200 per acre	
		15.00	\$150 per acre	
		12.00	\$79.33 per acre + \$90	"
		33.29		
9413-Schmidt, Lizzie	R/W	0.21	\$200 per acre + \$13.75	"
6552-Connell, Mary Allen	R/W	18.22	\$150 per acre + \$137.50	"
			+ \$7.50	"
9412-Miller, Raymond B.	R/W	2.5	\$200 per acre	
		1.93	\$150 per acre + \$497	"
		4.43		

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Front Avenue Project - Columbia Street South (Portland), Pacific Hwy. West</u>				
9853-Northwest Real Estate & Investment Company	R/W	100 sq.ft.	\$150	McCallister
9065-Goodman, Ben	R/W	3,440 sq.ft.	\$2500	"
8164-Hornstein, S. F. & Home Owners Loan Corp.	R/W	2,651 sq.ft.	\$3750	"
8165-Hasson, Isaac	R/W	2,929 sq.ft.	\$4750	"
10133-Creitz, Albert	R/W	4,200 sq.ft.	\$11,500	"
<u>Valley Junction Section, Salmon River Highway</u>				
10101-Yocom, Emma	Stock Pile	3.0	\$83.33 per acre	Eason
<u>Pudding River Section, Pacific Highway East</u>				
690-Julian, Ethel A.	R/W	0.08	\$200 per acre	Gardiner
10075-Loveall, Missouri	R/W	0.23	\$200 per acre	"
10084-Irvin, Lydia B.	R/W	0.16	\$200 per acre + fencing \$53.75	"
690-Julian, Ethel A.	Easement	0.09	Land-lump sum \$15 + \$60	"
<u>Scott Creek-Benton County Line Section, Alsea Highway</u>				
9269-Phillips, Nellie G.	R/W	1.82	\$150 per acre + \$1627	Gardiner
9267-Phillips, Barbara A.	R/W	1.12	\$150 per acre + \$494. \$100 to be deducted if bulbs are removed prior to construction work.	"
<u>Halsey-Harrisburg Section, Pacific Highway</u>				
9709-Hill, Effie E.	R/W and Stock Pile	0.6 0.97 1.57	\$200 per acre, + \$186	Gardiner
<u>Judkins Point-Springfield Junction Section, Pacific Highway</u>				
9444-Eugene Power Company	Slope Easement	1.486	Lump Sum - \$1.00	Parker
9426-C-Smith, Hoke	R/W		Building on property Three Trees Inn 80x36 feet traded to Hoke Smith for cancellation of his lease	"
9423-B-Christofferson, L. S.	R/W		490 sq.ft. Lump Sum \$10	"
10071-Moe, Sig	R/W	1,434 sq.ft. or 0.033 acre at \$1,000 per acre		"
9431-Brooks, Thomas (Correction)	R/W	0.129	\$1,000 per acre + \$262.50, plus moving building \$1570.00	"
9428-Pryor, Cal. A. (Correction)	R/W	0.113	\$1,000 per acre + \$283.00, plus moving buildings \$2025.00	"

(Continued on next page)

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Judkins Point-Springfield Junction Section, Pacific Hwy. (Con't.)</u>				
9425-Jenkins, Roy (Correction)	R/W and Easement	0.081	\$1,000 per acre + \$450.32 + moving build- ings \$1485	Parker
9427-McFarland, Mary H. (Correction)	R/W	0.208	\$1,000 per acre + \$740 + moving house, garage, service station \$2150, + making fill for ser- vice station site (Estd. \$340)	"
9429-Arnold, Leona M. (Correction)	R/W	0.102	\$1,000 per acre + \$370 + moving buildings \$1690 + \$150 if moving is done during May, June, July or August, for loss of business	"
9430-Cluster, Frank	R/W	0.018	\$1,000 per acre	"
10085-Alderman, Blair T.	R/W	0.087	\$1,000 per acre + \$500 + moving service station (Estd. \$1750)	"
10087-Eberwein, Robert	R/W	0.028	\$1,000 per acre	"
10088-James, William E.	R/W	0.036	\$1,000 per acre	"
10091-Frost, Thomas H.	R/W	0.014	\$1,000 per acre	"
10086-Alderman, Blair T.	R/W	0.022	\$1,000 per acre	"
10094-Shafer, Louis F.	R/W	0.029	\$1,000 per acre + \$150	"
9249-Jones, Arthur D., et al	R/W	3.18	1.735 acres at \$500 per acre 62,935 sq.ft. at 10 $\frac{1}{2}$ sq.ft., + \$3600	Devers
<u>Goshen-Lowell Section, Willamette Highway</u>				
9002-Laird, Lawrence	R/W	1.65	\$75 per acre + \$189	Benson
8985-Lowery, C. R. and	R/W and	3.94	\$125 per acre + \$842	"
8985-A H. L. Edmunsen	Gravel Pit	3.85	\$100 per acre + \$80.50	"
		7.79	+ moving buildings (Estd. \$2500)	"
9008-Dilley, A. C.	Gravel Pit & hauling road	4.56	\$50 per acre	"
		1.13	\$125 per acre + \$61.50	"
		5.69	+ easement over 3.32 acres \$100 (hauling road)	"
9000-Doane, Bert L. & Prudential Life Insur- ance Company	R/W	1.20	\$100 per acre + \$116	"
8918-Augenstein, Irene Hollis	R/W and Easement	0.056	\$125 per acre + \$34.25	"
8992-DeVos, G. J.	R/W	2.49	\$125 per acre + \$217.25	"
8993-Patton, Roy J.	R/W	2.93	\$125 per acre + \$371.50	"
10104-Doane, Bert L. and Lutheran Brotherhood	R/W	0.67	\$100 per acre + \$100.75	"

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>North Dillard Bridge Section, Pacific Highway</u>				
8777-Miller, S. C.	R/W and	3.76	\$350 per acre	Gardiner
	Borrow Pit	14.0	\$50 per acre + \$334	
		17.76		
<u>Wright Ranch-Fate Grade Section, Tiller Trail Highway</u>				
9918-Wright, W. T.	R/W	2.452	1.638 acres at \$125	Gardiner
(Correction)			per acre, 0.814 acre at	
			\$15 per acre + \$961.25	
9905-Matthews, Roy V.	R/W	0.404	\$125 per acre	"
(Correction)		0.89	\$15 per acre + \$146.25	
9906-Wright, J. D.	R/W	1.388	\$125 per acre	"
(Correction)		0.15	\$15 per acre + \$518.75	
9913-Higgins, Jack	R/W	0.51	\$25 per acre	"
(Correction)		0.74	\$125 per acre	
		0.767	\$15 per acre	
		0.654	\$125 per acre +	
			\$477.50	
<u>Grave Creek-Jump Off Joe Creek Section, Pacific Highway</u>				
8706-State Land Board-Bessie Greenmyer (Correction)	R/W	105.1	\$5 per acre	Collins
<u>Eagle Point-Medford Section, Crater Lake Highway</u>				
10066-Lydiard, J. S.	R/W	160 sq.ft.	2¢ sq.ft. + \$5.00	Landon
10034-Beebe, A. W.	Gravel Pit	3.68	\$250 per acre	Witt
10035-Norcross, Warren H.	Gravel Pit	9.55	\$250 per acre	"
10036-Burns, Ray	Gravel Pit	0.37	\$250 per acre	"
10037-Freeman, W. J.	Gravel Pit	0.93	\$250 per acre	"
10038-Skelton, Frank	Gravel Pit	13.67	\$250 per acre	"
10064-Bechtel, Maybelle	R/W	1.21	\$250 per acre + fencing	Landon
10049-Gregory, W. W.	R/W	10.23	\$100 per acre + \$296.90	Witt
<u>Agate-Medford Section, Crater Lake Highway</u>				
10028-Eller, Joseph I.	Gravel Site	1.17	\$150 per acre	Witt
<u>Ashland Section, Pacific Highway</u>				
9688-Billings, G. H.	R/W	514 sq.ft.	75¢ sq.ft. + \$3995.10;	Gardiner
(Correction)			deduction of \$116.25 for salvaged vault doors and glass; State to convey 311 sq.ft. outside R/W to grantor at rate of 85¢ sq.ft. (\$264.35) + \$350 less deduction of \$246, being 6.15% of \$4,000	
<u>Klamath Falls Section, Klamath Lake Highway</u>				
4355-Board City Park Commissioners	Lease Stock Pile	1.02	Gratis - 5 year lease	Coad

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Altamont Drive-USRS Canal Section, Klamath Falls-Lakeview Hwy.</u>				
9765-Froman, Minnie A.	R/W	1,662 sq.ft.	10¢ sq.ft.	Cozad
9769-Klamath County Schools	R/W	1,967 sq.ft.	GRATIS	"
9763-Moeller, Oscar R.	R/W	3,414 sq.ft.	Land Gratis + \$534	"
9764-Wheeler, Herrick A.	R/W	1,144 sq.ft.	GRATIS	"
9768-Campbell, Duncan B.				
Estate and Stephen Sabo	R/W	5,389 sq.ft.	10¢ sq.ft. + \$140 + moving & remodeling bldgs., (Estd. \$1,225)	"
<u>Owens Street-Midland Road Section, Klamath Falls-Lakeview Hwy.</u>				
9618-Marchese, Attilio	R/W	916 sq.ft.	GRATIS	Cozad
9616-Cleve, William H.	R/W	288 sq.ft.	Gratis for the land, + moving building & reconstruction (Estd. \$750)	"
9614-Stewart, Myra Gain	R/W	554 sq.ft.	GRATIS	"
9613-Nelson, Aml C.	R/W	946 sq.ft.	Land Gratis, + moving & reestablishing build- ing (Estd. \$5,000)	"
9611-Orr, John S.	R/W	1,030 sq.ft.	Land Gratis, cutting off and reestablishing build- ing (Estd. \$3,000)	Cozad
9610-Day, Dr. F. H.	R/W and Easement	1,006 sq.ft.	GRATIS	"
9609-McCabe, Annetta	R/W	494 sq.ft.	Land Gratis, + moving & reestablishing build- ing (Estd. \$150)	"
9608-Swan Lake Moulding Company	R/W	1,433 sq.ft.	Land Gratis + moving service station (Estd. \$1,500)	"
9605-Hansen, Hans	R/W	825 sq.ft.	Land Gratis + cutting off buildings (Estd. \$3,965)	"
9603-Stearns, S. Marie	R/W	999 sq.ft.	Land Gratis, + cutting down marquee, if neces- sary	"
9599-Ferrari, Arthur M. et al	R/W	175 sq.ft.	Land Gratis	
9600-Cornett, Marshall E.	R/W	1,762 sq.ft.	GRATIS	
9595-Beck, Michael	R/W	350 sq.ft.	GRATIS	
9593-Grove, Nellie, Clara Rissberger, Trustee	R/W	1,060 sq.ft.	30¢ sq.ft. + \$50	"
9590-McCollum, Geo. W.	R/W	697 sq.ft.	Land Gratis + \$325	"
9591-Hall, Oralee	R/W	543 sq.ft.	GRATIS	"
9592-O'Loughlin, Mary E.	R/W	807 sq.ft.	Land Gratis + dis- mantling service sta- tion (Estd. \$1,600)	"
9589-Mills, Delos Lisle & Geo. McCollum	R/W	169 sq.ft.	GRATIS	"

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Owens Street-Midland Road Section, Klamath Falls-Lakeview Hwy. (Cont.)</u>				
9588-Pruitt, Ben H.	R/W	2,268 sq.ft.	Land Gratis + moving sign	Cozad
9587-Bonotto, Diomira	R/W	726 sq.ft.	Land Gratis + \$115	"
9624-Martin, Ira E.	R/W	520 sq.ft.	GRATIS	"
9621-Jarrett, Ida	R/W	463 sq.ft.	GRATIS	"
9620-McClurg, D. E.	R/W	461 sq.ft.	GRATIS	"
9632-O'Neill, Alfred D. et al	R/W	2,098 sq.ft.	GRATIS	"
9741-Enloe, C. V.	R/W	204 sq.ft.	Land Gratis + moving building (Estd. \$750)	"
9739-Borgialli, Bert	R/W	390 sq.ft.	Land Gratis + \$100 + fencing	"
9808-Miller, W. D.	R/W	2,946 sq.ft.	GRATIS	"
9738-Montelius, Irene D., et al	R/W	574 sq.ft.	30¢ sq.ft.	"
9736-Wilson Abstract & Title Co. & J. M. Seutter	R/W	2,400 sq.ft.	25¢ sq.ft.	"
9737-Martin, S. E.	R/W	1,037 sq.ft.	GRATIS	"
9630-Badorek, W.	R/W	522 sq.ft.	GRATIS	"
9629-Haight, Drury V.	R/W	783 sq.ft.	GRATIS	"
9627-Habib, David	R/W	325 sq.ft.	GRATIS	"
9740-Brownell, Roy E.	R/W	604 sq.ft.	GRATIS	"
9626-A Western Cities Co.	R/W	4,256.70 sq. ft.	\$0.047 per sq.ft.	"
9606-Kenyon, David A.	R/W	640 sq.ft.	Land Gratis + cutting off bldg. (Estd. \$900) If business closed during construction, rate \$7.50 per day be paid owner	"
9604-Bunnell, R. H.	R/W	5,366 sq.ft.	Land Gratis + cutting off marquee and moving station, (Estd. \$1700)	"
9602-Fales, J. A.	R/W	1,215 sq.ft.	Land Gratis + cutting down marquee & reestablishing neon sign (Estd. \$350)	"
9598-Beardsley, H. J.	R/W	1,032 sq.ft.	Land Gratis + cutting off bldg. (Estd. \$7,500), & State to convey portion Frank Owens lot (\$3,000)"	"
9596-Parks, Mary F.	R/W	667 sq.ft.	Land Gratis, moving bldg. (Estd. \$1,265) + deed from State for portion Frank Owens lot \$3,000)	Cozad
9742-Mann, W. E.	R/W	365 sq.ft.	Land gratis + \$740	"
9619-Frazer, Domenico	R/W	920 sq.ft.	Land gratis + \$445	"
9594-Ferrari, Frank	R/W	2,453 sq.ft.	Land Gratis + moving bldg. (Estd. \$500)+ \$500	"

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Owens Street-Midland Section, Klamath Falls-Lakeview Hwy. (Cont.)</u>				
9631-Badorek, W.	R/W	572 sq.ft.	Land Gratis + cutting off bldg. (Estd. \$1,000)	Cozad
9586-Meeker, Joe & Augustine Feller Clark	R/W	1,471 sq.ft.	Land Gratis + \$25 + moving bldg. (Estd. \$750)"	
9626-Hunt, William	R/W	650 sq.ft.	Land Gratis + moving bldg. (Estd. \$550; in addition State to convey land in Lot 10, Blk. 22, Klamath Falls (\$200) "	
9625-DeYoung, Walter	R/W	520 sq.ft.	Land Gratis + moving bldg. (Estd. \$500) + \$60 in addition State to convey portion Lots 2,3, Blk. 2, Klamath Falls (\$200) "	
9623-Anderson, Mae, Elizabeth Ramsby, Maud A. Hosley	R/W	519 sq.ft.	Land Gratis, + cutting marquee and market sign (Estd. \$250) "	
9612-Morosin, G.	R/W	645 sq.ft.	Land Gratis + moving bldg. (Estd. \$250); in addition State to convey portion Lot 15, Bl. 209, Klamath Falls (\$500) "	
9766-Klamath County	R/W	29,168 sq.ft.	Land Gratis, + fencing "	
9793-Hanaker, Chester & Frank Ferrari	R/W	2,201 sq.ft.	50¢ sq.ft. + removing & rebuilding stone tire & repair shop (Estd. \$3899.50) "	
9885-Safeways Stores, Inc.	R/W	1,724 sq.ft.	Lump Sum - \$1.00 "	
9601-Home Lumber & Supply Co.	R/W	4,739 sq.ft.	Land Gratis + cost of remodelling neon sign cafe (Estd. \$300); + remodelling neon sign-Home Lbr. (Estd. \$400); + cutting width marquee cafe (Estd. \$200) "	
<u>Barclay Springs-Graham Marsh Section, The Dalles-California Hwy.</u>				
8643-Southern Pacific Company	R/W	0.491	Lump Sum - \$20	DeSouza
<u>Madras-Hell Butte Section, Warm Springs Highway</u>				
9565-Kirby, Heirs Frank & Kenneth	R/W	0.74	Lump Sum - \$15, plus taxes	Martin

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Dee-Parkdale Section, Hood River Highway</u>				
9868-Davies, Ralph	R/W	0.40	\$100 per acre + \$5	Witt
9861-Farrelly, Evelyn	R/W	2.97	\$25 per acre + \$725.75 "	
<u>Wright's Point-Narrows Section, Frenchglen Highway</u>				
7813-Harney County	Quarry	40.0	Lump Sum - \$1.00	Martin
9972-Johnson, Max B. & Louis	R/W	6.00	\$2.50 per acre + \$5.63	Landon
Markwart				
9974-Wilson, Heirs of Lee	R/W	6.12	\$2.50 per acre + \$24.75 "	
<u>Lebanon-Sweet Home Section, Santiam Highway</u>				
10119-Evans Products Co.	R/W	1.50 Ap- prox.	\$200 per acre	Cozad

The Attorney also requested authority to institute condemnation proceedings to acquire certain parcels of real property that he has been unable to obtain through negotiations. He submitted a list of such properties together with offers that he recommended in condemnation as follows:

<u>File No.</u>	<u>Name</u>	<u>Purpose Required</u>	<u>Recommended Offer</u>
9995	Norval M. Strite, et ux	R/W	\$200.00
9615	Pietro Carnini	R/W	\$2500.00
9622	M. R. Scotti	R/W	\$325.00
9767	R. H. Bunnell	R/W	\$2400.00
9862	Karie Chiako Hirata and Fusako Hirata, minors	R/W	\$80.00

After discussion the Commission approved the request and the offers and by unanimous vote adopted the following resolution with respect thereto:

WHEREAS, the State Highway Commission is authorized to locate, relocate, construct, reconstruct, maintain, widen, straighten, and otherwise improve state highways, both primary and secondary, and said Commission is also authorized to construct shops, equipment sheds, office buildings, maintenance sites, patrolmen accommodations, and snow fences, and is authorized to acquire quarry sites, gravel pits, storage sites, stockpile sites, weighing stations, and broadcasting stations, and is further authorized to develop, construct, improve, operate and maintain parks, parking places, auto camps, camp sites, roadside development, recreational grounds or resorts, and other places of attraction and scenic value; and

WHEREAS, said Highway Commission is authorized to acquire by purchase, agreement, donation, or by the exercise of the power of eminent domain real property, or any interest therein, necessary or deemed by the Highway Commission necessary for the accomplishment of any and all of the foregoing things; and

WHEREAS, in the judgment of the Highway Commission the several tracts or parcels of land hereinafter described are each and all necessary for the specific and particular purposes hereinafter specifically set forth;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the Commission does hereby find and declare that the parcels of real property hereinafter described are each necessary for the accomplishment of the purposes hereinafter expressly and specifically set forth, which said real properties and the specific purposes for which the same are being acquired are described as follows, to wit:

Real property owned by Norval M. Strite and Inez T. Strite, which property is located in the W. H. Gray D. L. C. No. 41, situated in the southwest quarter (SW $\frac{1}{4}$) of Section 28, Township 8 North, Range 10 West, W. M., Clatsop County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 1 and is further identified in the records of the Highway Commission as file R 9995, and which property is being acquired for right of way purposes in connection with the Delaura Beach Road Connection;*

Real property owned by Pietro Carnini and Teresa Carnini, which property is located in Lots 9, 10, and 11, Re-Subdivision of Lot 803 of Enterprise Tracts in the City of Klamath Falls, in Lot 5 of the Re-Subdivision of Lot 803, Enterprise Tracts in the City of Klamath Falls, and in Lots 11 and 12, Block 218, Mills Second Addition to the City of Klamath Falls, Klamath County, Oregon, and is more particularly described on the attached sheets and designated as Parcels Nos. 2, 3, and 4 and is further identified in the records of the Highway Commission as file R 9615, and which property is being acquired for right of way purposes in connection with the Klamath Falls-Lakeview Highway;*

Real property owned by M. R. Scotti, which property is located in Lots 49 and 50, Block 4, Sixth Street Addition to Klamath Falls, Klamath County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 5 and is further identified in the records of the Highway Commission as file R 9622, and which property is being acquired for right of way purposes in connection with the Klamath Falls-Lakeview Highway;*

Real property owned by R. H. Bunnell, which property is located in the southeast quarter (SE $\frac{1}{4}$) of the northeast

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quarter (NE $\frac{1}{4}$) of Section 3, Township 39 South, Range 9 East, W. M., Klamath County, Oregon, and in the southwest quarter (SW $\frac{1}{4}$) of the northwest quarter (NW $\frac{1}{4}$) of Section 2, Township 39 South, Range 9 East, W. M., Klamath County, Oregon, and is more particularly described on the attached sheets and designated as Parcels Nos. 6 and 7 and is further identified in the records of the Highway Commission as file R 9767, and which property is being acquired for right of way purposes in connection with the Klamath Falls-Lakeview Highway;*

Real property owned by Marie Chiako Hirata and Fusako Hirata, minors, which property is located in the east half (E $\frac{1}{2}$) of the northeast quarter (NE $\frac{1}{4}$) of the northwest quarter (NW $\frac{1}{4}$) of Section 32, Township 1 North, Range 10 East, W. M., Hood River County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 8 and is further identified in the records of the Highway Commission as file R 9862, and which property is being acquired for right of way purposes in connection with the Hood River Highway.*

2. That the Commission does hereby find and declare that each of the said described parcels of real property is necessary and acquisition of the same by the State is required for the specific purposes hereinabove set forth, and the said properties are being acquired for the express and specific purposes in this resolution set forth.

3. That the State Highway Engineer be and he hereby is instructed and directed to make or cause to be made all surveys necessary in connection with the determination, description, and acquisition of said real properties, and said Engineer is further instructed to prepare and submit to the Legal Department necessary and adequate descriptions of the said real properties, which said descriptions shall be available for the preparation of any deed or deeds or other instrument or instruments necessary to complete the acquisition of said property or properties, whether said properties be acquired by purchase, donation, agreement, or by the exercise of the power of eminent domain.

4. That J. M. Devers, Attorney for the State Highway Commission, be and he is hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby further resolved that J. M. Devers, Attorney for the State Highway Commission, be and he hereby is requested to commence and prosecute to a final determination such suit or action, or suits or actions,

as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

*(The detailed descriptions of the respective parcels of real property mentioned in this resolution are attached to the original resolution on file in the office of the State Highway Commission, Salem, being Resolution No. 21, under the heading "Real Property Condemnation Resolutions", and said descriptions by this reference are made a part of this minute entry to the same extent as if copied in full herein.)

In this connection the Attorney requested instructions relative to the purchase of the P. M. Ross property at North Bend, right of way file No. 9518. He recalled that this is apartment-house property that is needed in connection with the improvement of the Oregon Coast Highway between North Bend and Marshfield, and that the Commission previously authorized condemnation of the property and an offer of \$7,000 in connection therewith which offer was refused. The owner of the property, he said, has now stated a willingness to settle for \$9,000. The Commission considered such amount exorbitant and thereupon instructed the Attorney to proceed with condemnation.

The Attorney reported an offer received from Mr. A. Schweinfurth, Jefferson, Oregon, to lease a 70-acre tract of state-owned property adjacent to the Pacific Highway south of Salem. Mr. Schweinfurth, he said, will pay \$150 annually for this privilege and will construct a fence along the highway at his own cost and expense in order to keep stock off the traveled roadway. The Commission decided not to lease the property because of complications that might arise.

The Commission adjourned at 12:45 p. m. and reconvened at 2:00 p. m. in the same room with the same persons present and participating.

Reconsideration was given by the Commission to the sale of Port Orford Cedar Park, in Curry County, to a chrome mining corporation. The Attorney read aloud the provisions of an agreement between the Commission and the corporation, covering such matter, in which it is agreed that the corporation will pay the state \$2400 for surface rights, and \$10,000 for subsurface or mining rights, the \$10,000 to be paid out of production and to be computed at the rate of thirty-five (35) cents per cubic yard for every yard mined exclusive of overburden or stripping. Payments are to be made at thirty-day intervals until the full amount of the \$10,000 has been paid. The Commission approved such settlement and the form of agreement. (See agreement for details.)

The Attorney presented a letter from the Crown-Zellerbach Corporation, Portland, offering to pay the sum of \$500 annually for lease of moorage rights

along the Willamette River at Oregon City. The Attorney read aloud the provisions of a proposed agreement covering the matter in the event the Commission accepts the offer. The Commission, after discussion, considered the offer acceptable and thereupon approved the form of agreement covering the matter. (See agreement for details.)

Reconsideration was given by the Commission to the sale of certain state-owned property adjacent to the Warm Springs Highway at the Madras overcrossing. The Engineer recalled that two offers were previously received to purchase this land, one from Mr. Howard W. Turner of Madras and the other from the Deschutes Grain and Feed Company of Redmond. He advised that this property is of no special benefit to the state and recommended sale of the same with the understanding that right of access to the highway would be withheld and that provision to that effect would be inserted in the deeds. The Attorney concurred in the recommendation. The Commission approved the recommendation subject to the condition that the property is not desired by any other state department. The Engineer was instructed to circularize such other state departments and report his findings. If the property is not wanted by any state department then the Commission will set a price for sale to the above-mentioned parties.

The Commission discussed and approved the granting of an easement to the United States Navy over and across a portion of the right of way of the Columbia River Highway near Tongue Point Naval Base, in Clatsop County, which property is now being acquired by the government under condemnation proceedings. The easement was thereupon signed.

Chairman Cabell reported briefly on the state's controversy with the Phoenix Iron Works, Portland, with respect to a claim for damages arising out of construction of the Union Avenue viaduct on the Pacific Highway East in front of the Phoenix Iron Works plant. He advised that, at the request of Governor Charles A. Sprague, he intends to give this matter further study and as soon as that is done he will present the matter to the other Commissioners for final action.

The Parks Superintendent, Mr. S. H. Boardman, was present and reported on the following matters:

Sale of two pipe lines in John Yeon State Park at Warrendale:—The Parks Superintendent advised that, when this park was purchased by the state, the state also acquired title to two metal pipe lines, one 14 inches in diameter and the other 20 inches in diameter, which were formerly used for conveyance of water in connection with activities of the previous owner. These pipe lines, he said, are about 2200 feet in length and contain approximately 36 tons of steel which is of no value in so far as the parks department is concerned. It was his thought that it would be advisable to sell the pipe in view of the present high price of steel and the need of such material during the present war emergency. After discussion the Commission approved the sale of the material subject to the condition that the pipe cannot be used to advantage by either the road or bridge departments. The parks department is to be credited with the value of the pipe.

Disposal of accumulated junk at Cascadia State Park:-The Parks Superintendent reported an accumulation of scrap iron in the clean up of this park and requested instructions relative to the disposal of the same. He was told to move this material to the state highway shops in Salem for sale along with other scrap materials that have accumulated at that place.

Bradley Park Maintenance:-The Parks Superintendent advised that, as a result of the Commission's recent order to reduce maintenance costs in state parks, the services of the caretaker at Bradley Park have been dispensed with so there no longer is any state activity at this place. He inquired whether or not some provision should be made for maintenance of the restroom facilities which are now closed. He estimated the total saving to the state to be \$1,780 annually by dispensing with the services of the caretaker. The Commission decided not to reinstate the caretaker at this park nor to maintain the restroom facilities unless complaints are received.

The Secretary presented a report from the Department of State Police with respect to a traffic law violation committed by the Oregon Nevada California Fast Freight, Inc., involving the transportation of a gross load of 73,230 pounds on a truck and trailer, being 19,230 pounds in excess of that permitted by the Oregon statutes. It appears that the company was engaged in hauling general freight from California to Klamath Falls, when observed by the arresting officer, and, instead of breaking up the hauling units at the state line to comply with the Oregon statutory weight provisions, continued on into the State of Oregon with the overload on the chance that it would not be observed by the state police, it being apparent that the violation was intentional. It also appears that this company is an habitual violator of the laws in this respect. The Secretary was instructed to write the company to the effect that, if the company is desirous of having the assistance of the Oregon State Highway Commission in securing a modification of the present law so as to permit transportation over Oregon highways of loads 60 feet long and weighing 68,000 pounds, the company must cooperate by complying with the rules and regulations, otherwise the Highway Commission will not permit the granting of any special concession to the company and will order them off the Oregon highways with loads that do not strictly meet the Oregon requirements.

The Engineer brought up for discussion the matter of tire purchases for highway department equipment, particularly a letter from Mr. Ben W. Lewis, Price Executive of the Rubber and Rubber Products Section of the Office of the Price Administrator, Washington, D. C., outlining a plan for rationing tires and tubes to prevent delays in essential service. He explained the details of the plan outlined in Mr. Lewis's letter and read aloud the questions contained therein and his proposed answers thereto. The matter was discussed at considerable length during which the Commission approved the Engineer's letter of reply. (See letter of February 13, 1942, for details.)

The Attorney presented a status report with respect to his investigations concerning damage that occurred to The Dalles-California Highway by reason of failure of a dike situate adjacent thereto in the vicinity of Algoma,

Klamath County. He recited the history of this case and pointed out that it cost the state \$50,000 to repair the damage caused by the flood. The dike, he said, was constructed and owned by the Southern Pacific Company, the Central Pacific Railway Company, and the California-Oregon Power Company, and in his estimation the state is not liable for any of the damage that occurred to the adjacent private property and has good cause for suit of action against the owners of the dike to recover the cost of the highway repairs. He requested instructions. After discussion the Commission decided to start suit to recover the cost of the highway repairs and so ordered. This suit is to be separate and distinct from the suits of the private property owners which are now under way. The Commission considered it inadvisable to join in the other action.

A letter was presented from the County Court of Josephine County requesting the designation as a state secondary highway of the county road known as the Merlin Market Road, and the Merlin Cut-off, so as to form a loop with the Lower River Road out of Grants Pass; also requesting the oiling of the Merlin Road Section thereof. The Engineer recommended, in view of the stringency of the times, that the request be denied and that, as a matter of policy during the present war emergency, no additional roads be added to the state highway system unless they are of an emergency nature. The Commission approved the recommendation.

The Engineer reported the cost to oil the shoulders adjacent to the highway pavement through the town of Garibaldi, Tillamook County, which work was heretofore requested by the Garibaldi Civic Club. He estimated such cost at \$2,000 and recommended that the work be not done at the present time so as to conserve the funds for other uses of more importance. The Commission approved the recommendation, subject to review later in the year. In this connection the Engineer also recommended that the Commission do not approve minor betterment projects of this nature during the present war emergency unless they are of an exceptional or unusual nature. The Commission deferred a definite decision in this matter until next summer.

The Engineer requested approval of the following federal aid survey projects for 1942 in order to take up the federal funds which have been provided specifically for financing of surveys:

	<u>Mileage</u>	<u>Estimated Cost</u>
Cascade Locks-Viento	12	\$12,500
Viento-Hood River	8	8,000
Mosier-The Dalles	17	17,000
Washburn-North Plains	11	11,000
Chemult-Chiloquin	52	51,200
Walker-Rice Hill	28	28,000
McMinnville-Valley Junction	18	18,000
Tillamook-Pleasant Valley	10	8,000
Green Station-Canyonville	25	25,000
Arlington-Boardman	26	15,500
Monmouth-Corvallis	22	20,000
Total -		\$194,200

He explained that the Commission previously authorized surveys for the improvement of the Upper Columbia River Highway between Cascade Locks and The Dalles; Wilson River Highway between Washburn and North Plains; the Pacific Highway West between Monmouth and Corvallis; and for the Pacific Highway between Walker and Rice Hill and between Green Station and Canyonville; and, under such authority, requests have already been presented to the Public Roads Administration for approval of these surveys as federal aid projects although such approval has not as yet been obtained. The Commission decided not to authorize the additional projects at this time, it being considered advisable to wait until the governmental authorities have passed on the projects previously presented.

The Attorney reported briefly on the matter of acquisition of right of way needed for the improvement of the Oregon Coast Highway through the town of Gold Beach, Curry County, but no action thereon was taken by the Commission.

A letter was presented from Swift and Company, Portland, in which the Commission was asked to give consideration to the widening of the Swift Secondary Highway between the livestock exposition building and the railroad bridge west of the Swift and Company plant so as to provide four lanes for the increasing amount of traffic that this road carries. The Engineer estimated that it would cost about \$25,000 to improve this road as requested. The Commission acknowledged that this is a meritorious project but decided in view of the war emergency and scarcity of funds not to do the work at this time unless the army authorities request it.

A letter was presented from Mr. Theodore R. Conn, attorney, Lakeview, in behalf of Lake County School District No. 7, in which the Commission was asked to construct sidewalks or footpaths along the Fremont and Klamath Falls-Lakeview Highways for a distance of one mile south and west of the city limits of Lakeview for the benefit of school children who live outside of the city limits and are obliged to walk to the schools in Lakeview. The Engineer estimated that it would cost about \$1,000 to build two miles of sidewalk four feet wide adjacent to the shoulders of the highway and that it would cost about \$1,200 to build such a sidewalk at the right of way line. In this connection the Commission discussed the establishment of a policy with respect to sidewalk construction during the present war emergency and decided to defer all such projects, notwithstanding that they may have previously been approved, for the duration of the war. The request of Lake County School District No. 7 was thereupon denied. The Secretary was instructed to reply to all requests received for such projects that the Commission has found it necessary on account of the war situation to defer expenditures for projects of this nature, and is concentrating its efforts on projects desired by the army and also on the maintenance of the highway system in the interests of national defense and the general traveling public.

The Engineer brought up for discussion the matter of oiling the Terrebonne-Lower Bridge County Road, in Deschutes County. He explained for the benefit of Chairman Cabell the action taken by the Commission at the previous meeting whereby the Commission agreed to oil this road, spending state funds for the same, if the county would complete the grading and surface the

road; and the Commission also agreed to spend on some other county road in Deschutes County an amount equal to that budgeted for surfacing the Terrebonne-Lower Bridge Road. Chairman Cabell approved the action taken by Commissioners Clough and Oliver on this matter.

The Commission had under discussion the matter of revising the secondary highways in Northeast Portland, particularly Lombard Street Secondary Highway east of Union Avenue, Northeast Portland Secondary Highway, and Northeast 82nd Street Section of the Cascade Secondary Highway. The Engineer pointed out that Lombard Street west of Union Avenue is now being maintained by the state as a state highway route although it has not been designated a state secondary highway; also that Lombard Street has been designated as a state secondary highway east from Union Avenue to a connection with Columbia Boulevard; and that Northeast Portland Secondary Highway now extends along the southerly side of the Union Pacific railway from a junction with the Lombard Street Secondary Highway to a connection with Sandy Boulevard (Columbia River Hwy); and that 82nd Street Secondary Highway now terminates at Sandy Boulevard. It was his thought that that portion of Lombard Secondary Highway which lies east of the junction with Northeast Portland Secondary Highway should be removed from the state secondary system, and that Cascade (82nd Street) Secondary Highway should be extended northerly from its terminus at Sandy Boulevard to Killingsworth Avenue and he so recommended. The Commission considered that such changes are to the state's advantage and are in conformity with previous understanding with the Board of County Commissioners of Multnomah County and thereupon approved the same. The following resolutions with respect thereto were adopted by the Commission by unanimous vote:

WHEREAS, under the provisions of Chapter 248, Laws of 1931; Chapter 196, Laws of 1935; and Chapter 529, Laws of 1939; the State Highway Commission, by mutual agreement with the respective county courts or boards of county commissioners of the several counties of the State, is authorized and empowered to select, locate and designate a system of secondary State highways, which highways shall be selected from the market roads or other county roads, city streets, or available locations or routes of the several counties; and

WHEREAS, the State Highway Commission, by mutual agreement with the Board of County Commissioners of Multnomah County of the State of Oregon, has heretofore selected and regularly adopted, as provided by law, the Lombard Street Secondary Highway No. 121, and

WHEREAS, it is now the intention of the State Highway Commission, by mutual agreement with the Board of County Commissioners of Multnomah County of the State of Oregon, to eliminate and remove from the system of secondary State highways, under the provisions of Chapter 248, Oregon Laws of 1931; Chapter 196, Oregon Laws of 1935; and Chapter 529, Laws of 1939; the hereinafter described section of the Lombard Street Secondary Highway No. 121, and

WHEREAS, it is mutually understood and agreed by the State Highway Commission and the Board of County Commissioners of Multnomah

County of the State of Oregon, that from and after the adoption of this resolution by the State Highway Commission the hereinafter described section of the Lombard Street Secondary Highway No. 121 shall, under the provisions of the laws of Oregon, become a county road or city street, and the construction, repair, maintenance or improvement, and the jurisdiction thereof, shall be exclusively under the Board of County Commissioners of Multnomah County or the city authorities of Portland;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission, all members being present and affirmatively voting and participating as follows:

1. That the following described section of the Lombard Street Secondary State Highway No. 121 is hereby eliminated and removed from the secondary State highway system, to wit:

A Section of the Lombard Street Secondary Highway No. 121:

Beginning at the intersection of Northeast Lombard Street with Northeast 10th Avenue; thence east to the intersection of Northeast Lombard Street with Columbia Boulevard; a distance of 0.397 miles.

2. That the said above described section is hereby declared to be eliminated and removed from the secondary system of highways and from and after the adoption of this resolution shall become a county road or city street, and the construction, repair, maintenance or improvement, and the jurisdiction thereof, shall be exclusively under the Board of County Commissioners of Multnomah County or the city authorities of Portland, as provided by law.

3. That this resolution be entered in the minutes of the Commission and a duly certified copy thereof mailed to the Board of County Commissioners of Multnomah County.

WHEREAS, under the provisions of Chapter 248, Laws of 1931; Chapter 196, Laws of 1935; and Chapter 529, Laws of 1939; the State Highway Commission, by mutual agreement with the respective county courts or board of county commissioners of the several counties of the State, is authorized and empowered to select, locate, and designate a system of secondary State highways, which highways shall be selected from the market roads or other county roads, or city streets, or available locations or routes of the several counties; and

WHEREAS, the State Highway Commission, by mutual agreement with the Board of County Commissioners of Multnomah County of the State of Oregon, has selected the road, highway or city street hereinafter named, and it is the purpose of the Commission to officially

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and regularly designate and adopt said road, highway or city street as a highway to constitute, together with other highways heretofore adopted and/or which may hereafter from time to time be added, the system of secondary state highways under the provisions of said acts;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission, all members being present and affirmatively voting and participating, as follows:

1. That the following described market road, county road, highway, city street, route, or location of a highway in Multnomah County be and the said market road, county road, highway, city street, location, or route, hereby is selected, designated, established, adopted and approved as a secondary State highway and shall be and hereby is designated as a part of the secondary State highway system, to wit:

An Extension of the Cascade Secondary Highway No. 160:

Beginning at the intersection of Northeast Sandy Boulevard with Northeast 82nd Avenue; thence north to the intersection of Northeast 82nd Avenue with Northeast Killingsworth Street; a distance of 0.706 miles.

2. That the said highway shall be and hereby is qualified for improvement under the provisions of said Chapter 248, Oregon Laws 1931; Chapter 196, Oregon Laws of 1935; and Chapter 529, Oregon Laws of 1939; and amendments thereof.

3. That this resolution be entered in the minutes of the Commission and a duly certified copy thereof mailed to the Board of County Commissioners of Multnomah County.

The Engineer reported that on January 24, 1942, in conformance with authority previously granted him by the Commission, he awarded the contract for the construction of an undercrossing structure at the south end of the Umatilla Ordnance Depot, Umatilla County, to F. R. Hewett who submitted the low bid therefor on January 21, 1942, the conditions of the award having been satisfied. The Commission confirmed the award of this contract.

The Commission discussed and denied as a matter of policy a request from the Willamina Commercial Club for permission to install city markers on the right of way of the Salmon River Highway, a short distance outside of the city boundary lines, at the east and west entrances into Willamina.

The Secretary presented resolutions, as follows, from the County Courts of Washington County and Umatilla County, with respect to portions of state highways that have been abandoned by the State Highway Commission as a result of reconstruction of the highways on other alignment:

Resolution from Washington County retaining portions of the Pacific Highway West through the town of Tigard as a county road;

Resolution from Umatilla County assuming jurisdiction over the old Pendleton Airport Highway.

The Commission approved the resolutions and ordered them filed.

The Commission discussed a proposed agreement with the Kinzua Pine Mills Company covering construction by the company of a logging road across the Heppner-Spray Secondary Highway, in Wheeler County. The Engineer recalled that the Commission some time ago approved such crossing and that the agreement is simply to cover the arrangements in writing. The Commission confirmed the previous action and thereupon signed the agreement.

The Attorney reported briefly on the state's claim against a Mr. Tom Bailey, Diamond, Oregon, for the theft of highway culvert pipe, but action thereon was deferred pending information from the District Attorney of Harney County.

Consideration was given by the Commission to the claim of Mrs. Swan Bokvist for reimbursement for the value of certain personal property that was destroyed by fire started by highway department employees. It appears that Mr. and Mrs. Bokvist were traveling along the Klamath Falls-Lakeview Highway enroute from Sprague River to Klamath Falls and were obliged to pass a point where a highway maintenance crew was burning an accumulation of brush on the highway right of way and that, after driving several miles past this point, their attention was called to a fire in their trailer which could not be put out until it had burned a considerable portion of the load carried thereon, consisting principally of personal belongings. Mr. and Mrs. Bokvist allege that the fire was started by sparks from the highway crew's operations and in view thereof feel that they should be reimbursed by the state for their loss, amounting to \$300.00. The Engineer stated that there is some question whether or not the trailer fire was caused by sparks from the highway crew's burning operations in view of the fact that it was not discovered until the Bokvists had traveled some ten miles or so beyond the point where the highway crew was working, and because the fire could have been started by a carelessly-thrown cigarette stub. However, there is no way that it can be definitely proven that the fire started from any particular source. It appeared to the Commission from the evidence at hand that the state's burning operations very likely caused the fire and in view thereof the Commission authorized settlement with Mrs. Bokvist for \$150, being 50 per cent of the amount of the claim. The Commission refused to pay the full amount of the claim because of the impossibility of checking the damage.

The Commission discussed briefly the question whether or not to contribute funds toward the cost of conducting the KOAC "Oregon on Parade" radio program during 1942 but deferred its decision until the next meeting when the accomplishments of the program conducted in 1941 are to be reviewed.

The Engineer reported briefly the results of an investigation that was made of the suggestion offered by Mr. A. M. Collier, Klamath Falls, that a parting strip 14 feet wide be provided down the center of South Sixth Street, Klamath Falls, when the improvement of the street is undertaken. He recalled that he reported to the Commission at the previous meeting that a parting strip of such width could not be provided without acquiring additional right of way and without introducing two bad reverse turns at each end of the project. However, subsequent investigation reveals that it would be possible to provide a parting strip ten feet wide with a five-foot sidewalk on each side of the highway without additional right of way, and that it would be possible to ease off the curves at each end of the project so they would not be objectionable. Such information, he said, has been conveyed to Mr. Collier who has approved the same. The Commission approved the report.

The Commission by unanimous vote adopted the following resolution with respect to the defalcations of a former employee by the name of W. L. Moorman, exonerating liability of State Highway Engineer R. H. Baldock:

WHEREAS, one Wilbur L. Moorman while in the employ of the State Highway Department committed a series of forgeries and irregularities which extended over a period of ten and one-half years, commencing in April 1927, and ending in October, 1937, the date of the discovery by the department of said defalcation; and

WHEREAS, the total amount of funds involved in the said forgeries was the sum of \$8,017.76, of which amount the State recovered from companies with which the State carried protection by way of forgery bonds the sum of \$6,001.29, leaving unrecovered the sum of \$2,016.47, which represents the State's loss by reason of said forgeries; and

WHEREAS, said irregularities and forgeries were committed in connection with funds disbursed by the Engineer out of an account established and maintained in Ladd & Bush Bank pursuant to law, which account was known as the pay roll account; and

WHEREAS, said forgeries were accomplished by said employe by carrying on the pay roll for indefinite periods fictitious or dummy persons and then forging on time statements the name of an employe whose signature was required by Mr. Baldock and on the genuineness of whose signature Mr. Baldock would draw a check against the pay roll account payable to the person whose name appeared in the time statement and which check would be mailed to the payee at the address designated in the time statement or check; and

WHEREAS, the pay roll account or deposit maintained by the Engineer as by law required was maintained in Ladd & Bush Bank, Salem, against which account all pay roll checks were drawn; and

WHEREAS, by means of the plan and scheme of said defaulting employe all checks drawn payable to said fictitious or dummy persons

in due course came into the possession of said guilty employe and were cashed by him some times at Ladd & Bush Bank, but quite often they were cashed at places of business outside of the City of Salem; and

WHEREAS, said forgeries were all forgeries of an endorser and none were forgeries of the name of the drawer or depositor and all were committed by an employe working under the depositor; and

WHEREAS, the Commission has been advised that all losses sustained during the tenure in office of R. H. Baldock have been paid by bonding companies with which the State carried protection and said counsel has advised further that R. H. Baldock is not liable for losses sustained prior to his appointment as State Highway Engineer;

THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the Commission, all members being present and voting affirmatively as follows:

1. That, based upon the record and upon all material facts and circumstances connected with the forgeries and irregularities of Wilbur L. Moorman and upon the advice of the Commission's Chief Counsel, it is the considered judgment of the Commission that the outcome or result of litigation against Ladd & Bush Bank for the recovery of losses sustained by the State through the irregularities and forgeries of said guilty employe, which recovery would be confined to losses occurring between the years 1927 and 1930, but not discovered until October, 1937, is so uncertain and so doubtful as to make the prosecution of any such litigation quite unwise and, therefore, it is the decision of this Commission that no litigation against Ladd & Bush Bank shall be instituted;

2. That R. H. Baldock be exonerated of any liability for losses occurring prior to his appointment as State Highway Engineer, the date of which appointment was February, 1932; and

3. That this resolution be spread upon the minute records of the Commission and H. B. Glaisyer, the Commission's Secretary, be and he is directed to deliver to the State Auditor, the Honorable Earl Snell, Secretary of State, a duly certified copy thereof.

The Commission discussed the appointment of a State Highway Engineer, Assistant State Highway Engineer, Attorney, and Secretary in view of the fact that the terms of the present incumbents of those positions expire on March 1, 1942. Motion was made by Commissioner Oliver that R. H. Baldock be reappointed as State Highway Engineer, that C. B. McCullough be reappointed as Assistant State Highway Engineer, that J. M. Devers be reappointed as Attorney, and that H. B. Glaisyer be reappointed as Secretary for four-year terms, commencing

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March 1, 1942, unless terminated sooner by the Commission. The motion was duly seconded by Commissioner Clough and was declared by Chairman Cabell to have carried by the unanimous vote of the Commission.

The Engineer reported an urgent request from the Public Roads Administration for his attendance at a meeting in San Francisco, California, on Monday and Tuesday, February 16 and 17, 1942, with representatives of the Fourth Air Force and the Public Roads Administration for a discussion of construction and operation of airplane flight strips along state highways. The Commission authorized him to attend such meeting at state expense if that meets with the approval of Governor Charles A. Sprague.

The Engineer reported the need to acquire additional right of way 50 feet wide along the east side of Front Avenue, Portland, between Clay Street and Montgomery Street, so as to provide access to certain South Portland industries which are now served by traffic over the private roadway facilities of the Southern Pacific Company. The Southern Pacific Company, he said, objects to such use of its private roadway inasmuch as it interferes with the railroad company's use of its property, so it is necessary to provide another way for this traffic. This matter, he said, has been investigated and a plan has been devised that appears to be satisfactory to the railroad company and to the City of Portland, which plan provides for the closing of the Harrison Street, Mills Street and Market Street connections on both sides of Front Avenue, and for the closing of the Montgomery Street connection on the west side of Front Avenue, and necessitates the acquisition of a 50-foot strip of extra right of way for a distance of three blocks on the east side of Front Avenue. He estimated the cost of such extra right of way at \$7,800 and recommended approval of the plan and the purchase of the property at such figure. After discussion the Commission approved the arrangement and by unanimous vote authorized the purchase of the extra right of way.

The Engineer requested authority to advertise for bids for improvement of certain city streets that are not on state highway routes. He recalled that the Commission previously authorized an expenditure of state funds for such purpose in cities and towns of 250 population or more provided that such cities and towns would enter into written agreements with the state covering the work. He further stated that agreements with most of the cities and towns have been executed and the projects are ready to go forward as soon as the Commission gives its approval. The Commission authorized the contracting of such projects on condition that the agreements have been signed.

Consideration was given by the Commission to a request from a Mr. Wesley Ober for reinstatement of his log-hauling permit heretofore cancelled for failure on his part to voluntarily surrender his PUC plates on two trucks which were weighed and found to be overloaded. The Secretary explained that two of Mr. Ober's trucks were weighed on February 2, 1942, and were found to be carrying loads weighing in excess of the statutory limits, that the drivers were notified of the overloads and were given an opportunity to voluntarily surrender their plates within 24 hours; also that the plates were not delivered within the specified time and the Public Utilities Commissioner was requested

to cancel the permits in conformity with the established policy of the Highway Commission. He said that had Mr. Ober surrendered the plates within the 24-hour period his penalty would simply have consisted of temporary suspension of the plates for four days. It was also explained that the case is further involved in that when Mr. Ober's PUC plates were actually taken up by the State Police it was found that his trucks were not properly licensed and that he was operating them under temporary license stickers issued for private automobiles. After discussion, during which it was pointed out that Mr. Ober's trucks have been out of operation for ten days which is really a week longer than would have been necessary had he complied with the regulations, the Commission decided unanimously to reinstate the permit under the condition that Mr. Ober will submit evidence that his trucks are properly licensed. The Secretary was instructed to convey such information to Mr. Ober and to warn him that the Commission may take more drastic measures in the event that reports are received of further violations by him.

A letter was presented from the Tillamook Air-Raid Precaution Committee, Rockaway, Oregon, in which the Commission was requested to take action as may be necessary to prohibit open beach fires on beach areas during the present war situation and suggesting the erection of signs on the beaches prohibiting such fires. The Commission approved the suggestion and authorized the placing of the signs after the matter has been discussed with Mr. Jerrold Owen, Coordinator, Oregon State Defense Council. The Engineer was instructed to discuss the matter with Mr. Owen.

The Commission discussed briefly and ordered filed a letter from Mr. A. B. Sanders, Executive Secretary, Oregon Coast Highway Association, quoting in part a resolution adopted by the Board of Directors of such association in which suggestion is made that the Highway Commission authorize surveys, preparation of plans, et cetera, as may be necessary for a major program of highway construction that will assist in taking up some of the slack in employment that it is anticipated will occur during the post-war period.

The Secretary presented a letter from the Balsiger Motor Company, Klamath Falls, requesting authority to operate over Oregon highways, from the California state line to Klamath Falls, truck and trailer equipment having a gross weight of 68,000 pounds, in the transportation of motor-vehicle fuels and domestic-burning fuel for use in the Klamath Falls area. It asked this authority so as to avoid the necessity to break up its truck and trailer units in order to comply with the dimensions and weights that are specified in the Oregon statutes. The Commission denied the request for the reason that it is not prepared to make a decision in this controversial question at the present time.

The Commission discussed a letter from C. R. Moore, Colonel, Corps of Engineers, and District Engineer for the Portland District of the United States War Department, with respect to the construction of access roads to the proposed Medford and Corvallis cantonments. Colonel Moore outlined his understanding of the arrangement agreed upon among the State Highway Engineer and other representatives of the State Highway Department and representatives of

the Public Roads Administration at a previous conference in his office when it was decided that the access road to the Medford cantonment should be constructed with concrete pavement, two lanes wide, at an estimated cost of \$672,000 of which amount \$100,000 would be contributed by the State Highway Commission; and that the access road for the Corvallis cantonment should consist of widening and re-locating a portion of U. S. Route 99W, between Corvallis and Monmouth, at a cost of \$715,000 of which amount the State Highway Commission would contribute \$100,000. He further stated that he has recommended these improvements to his superiors on the above basis. The State Highway Engineer advised that Colonel Moore's understanding of the matter coincides with his exactly. The Commission thereupon approved the arrangement as to plans and financing, thus confirming telegraphic approval heretofore given.

The Commission discussed briefly and ordered filed a statement from the Office of Emergency Management, Seattle, Washington, transmitted through W. H. Lynch, District Engineer, Public Roads Administration, with respect to the dissemination of information relative to the letting of procurement contracts and similar matters.

The Commission discussed the following requests for extensions of time within which to complete highway construction projects:

Cochran and Gatton, contract No. 2311, for grading the Warm Springs River Section of the Warm Springs Highway, in Wasco County, requested an extension of time, from October 31, 1940, to September 19, 1941, within which to complete this job. They gave no reasons for failure to complete the project within the specified time limit. The Engineer advised that the contractors worked continuously on the project except between December 14, 1940, and March 10, 1941, when extremely bad weather was encountered, and made an honest effort to complete the project within the shortest possible time, however, were handicapped by conditions beyond their control. He further stated that the materials moved overran the estimated quantity by three per cent; also, that the delay in completing the project has not interfered with any use of the road nor has it caused any loss to the state other than a small extra engineering expense totaling \$139.15. He recommended in view of the circumstances that the extension of time requested be granted without penalty, notwithstanding that the Public Roads Administration is of the opinion that the penalty should be assessed except during the period, December 14, 1940, to March 10, 1941, when the work was held up on account of bad weather conditions. The Commission approved the recommendation.

Sam Orino, contract No. 2409, for grading, surfacing and construction of retaining wall on the Depoe Bay Section of the Oregon Coast Highway, in Lincoln County, requested an extension of time, from August 31 to December 23, 1941, within which to complete this job. He attributed his failure to complete the project within the specified time limit to difficulties encountered in surfacing the entrance road to the Depoe Bay schoolhouse. The Engineer advised that the contract was

awarded on January 10, 1941, and work was started on January 15, 1941, but was not completed until December 23, 1941, due mainly to the fact that the contractor did not have sufficient equipment and men employed to complete the clearing and grading work until late in the summer. The surfacing work, he said, was delayed because the contractor was unable to secure a sufficient supply of surfacing materials from a small commercial plant located several miles south of the job with which he had arranged to secure such materials. It was his thought that the facts contributing to the delay are sufficient reason for the granting of the extension of time without penalty and he so recommended. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

C. E. Oneal, contract No. 2463, for grading, surfacing and construction of bituminous macadam on the Pendleton Airport Section of the Airport Secondary Highway, in Umatilla County, requested an extension of time of 60 days, from August 15 to October 15, 1941, within which to complete this job. He alleged that his failure to complete the contract within the specified time limit was due to the following reasons: delays occasioned by construction of water mains by the City of Pendleton; extra work in hauling materials for the United States Army Cantonment parking area not included in the original contract; use of rock materials from excavations to construct topping course requiring excessive amount of overhaul and backhaul; and difficulties in securing necessary materials, supplies and repair parts for equipment. He also alleged that the oiling work was delayed because of adverse weather conditions. The Engineer advised that the reasons given by the contractor for failure to complete the project within the specified time limit are substantially correct. He recommended that the extension of time requested be granted without penalty. The Commission approved the recommendation.

Averill & Corbin, contract No. 2479, for construction of a bridge over Rock Creek on the John Day Highway, in Grant County, requested an extension of time, from November 30 to December 24, 1941, within which to complete this job. They attributed their failure to complete the project within the specified time limit to their inability to secure necessary labor when needed. The Engineer advised that the work done by the contractors subsequent to December 17 consisted of riprapping a roadway embankment and covering the lining of an irrigation canal which items were not included in the original contract. It was his thought that the contractor should have completed the remaining work within the specified time limit. He recommended in view thereof that the extension of time requested be granted subject to the condition that the contractor be required to reimburse the state for extra engineering expense incurred between November 30 and December 17, with no penalty being assessed for the period December 17 to December 24, 1941, when they were performing the extra work. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

Rogers Construction Company, contract No. 2480, for grading, surfacing and oiling the Dee-Woodworth Acres Section of the Hood River Secondary Highway, in Hood River County, requested an extension of time, from October 15 to December 27, 1941, within which to complete this job. It attributed its failure to complete the project within the specified time limit to difficulties experienced in securing spring bracket guardrail for guard fence construction which is the only part of the work that was not completed within the specified time limit. The Engineer advised that the reason given by the contractor for failure to complete the project on time is correct, that the contractor was unable to purchase the guardrail through the regular channels and was eventually supplied from the highway department's stock. He recommended in view of the circumstances that the extension of time requested be granted without penalty. The Commission approved the recommendation.

The Engineer reported that Contracts Nos. 2311, 2409, 2440, 2463, 2479, 2480, 2518, 2523 and 2533, for the construction of state highway projects, have been completed according to the requirements of the contracts or modifications thereof, and that said jobs are now ready for acceptance. The following resolution accepting the above projects was offered and was adopted by the unanimous vote of the Commission:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts and said jobs are now ready for acceptance:

Contract No. 2311, with Cochran & Gatton, for grading on the Warm Springs River Section of the Warm Springs Secondary Highway in Wasco County. Completed September 19, 1941.

Contract No. 2409, with Sam Orino, for grading and bituminous macadam surfacing and construction of a retaining wall on the Depoe Bay Section of the Oregon Coast Highway in Lincoln County. Completed December 23, 1941.

Contract No. 2440, with Berke Bros., for grading and paving on the West Sheridan Section of the Salmon River Highway in Yamhill County. Completed December 11, 1941.

Contract No. 2463, with C. E. Oneal, for grading, surfacing and bituminous macadam on the Pendleton-Airport Highway Section of the Airport Secondary Highway in Umatilla County. Completed October 11, 1941.

Contract No. 2479, with Averill and Corbin, for construction of an 80-foot reinforced concrete viaduct and 0.046 mile of highway roadbed, on the Rock Creek Section of the John Day Highway in Grant County. Completed December 24, 1941.

Contract No. 2480, with Rogers Construction Company, for grading, surfacing and oiling the Dee-Woodworth Acres Section of the Hood River Secondary Highway in Hood River County. Completed December 27, 1941.

Contract No. 2518, with A. S. Wallace, for the Swisshome Rock Production Project on the Siuslaw and Alsea-Deadwood Highways in Lane County. Completed February 7, 1942.

Contract No. 2523, with F. R. Hewett, for the Condon-Servicecreek Rock Production Project on the John Day Highway in Gilliam and Wheeler Counties. Completed January 2, 1942.

Contract No. 2533, with the Shipyard Wood Company, for wrecking and removing two buildings located at 101 S. E. Union Avenue, East Portland, in Multnomah County. Completed January 24, 1942.

THEREFORE, BE IT RESOLVED, that the work covered by said state highway contracts for the construction of said state highway projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

The Commission considered and signed agreements, et cetera, as follows:

Agreement with the Southern Pacific Company covering grant of easement to the state for highway purposes over two parcels of land along the right of way of the Southern Pacific Company's tracks near Monroe, Oregon.

Agreement with Coos Electric Cooperative, Inc., being an application for the purchase of electrical energy for use in connection with lighting a maintenance station near Remote, Oregon.

Agreement with Katherine Helen Jones, et al, covering the purchase of certain real property at Eugene for which the state is paying the sum of \$11,075.00.

Agreement with Kinzua Pine Mills Company covering the construction of the company's logging road across the Heppner-Spray Secondary Highway, in Section 35, Township 6 South, Range 25 East, W. M. Wheeler County.

Agreement with Hoke Smith covering the lease of certain state-owned property which was purchased for use as right of way for the reconstruction of the Pacific Highway between Eugene and Springfield. Right of way file No. 92460.

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Agreement with Fisher Brothers, contractors, for use of the state-owned quarry, known as Hjorteland quarry, in connection with their contract with the federal government in the construction of the Camp Clatsop-Fort Stevens Highway, near Astoria.

Agreement with Crown-Zellerbach Corporation covering lease to the corporation of certain riparian rights on the east bank of the Willamette River, in Oregon City, Oregon.

Agreements with the following cities and towns covering improvement of certain city streets that are not on state highway routes:

John Day	Lebanon
Hubbard	Richland
Lafayette	Roseburg
Walla	Walla

Easement granting to the United States Navy the use of a portion of the right of way of the Columbia River Highway (old route) in connection with the development of the Tongue Point Naval Base near Astoria.

Quitclaim deed conveying unto the Wallowa Sheep and Land Company the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 26, Township 2 North, Range 41 East, W. M., Wallowa County, which property was deeded to the state by mistake along with other property in this vicinity. Right of way file No. P35.

Bargain and sale deed conveying unto Mary Palandri an undivided four-tenths interest in and to Lot 5, Block 1, Caruthers Addition to the City of Portland. Right of way files No. R8650 and No. R9089.

The Commission adjourned at 5:30 p. m. and reconvened at 8:00 p. m. in the home of Chairman Cabell, with all Commissioners, the Engineer and the Attorney present.

The Commission discussed the matter of granting permits for the operation over Oregon highways of freight-hauling equipment having an overall length of 60 feet and a gross weight of 68,000 pounds, which movements are legal in the bordering states but are illegal in Oregon. The Engineer advised that investigation reveals that a real transportation emergency exists due to war-time conditions, which have necessitated the curtailment of ocean shipping, and a corresponding increase in shipping by rail and trucks. The railroads, he said, are handicapped by a shortage of locomotives and cars, and the trucking industry is handicapped by a shortage of trucks, which seriously affects the transportation problem in this state. The situation could be relieved, he said, if the trucking industry were permitted to operate in Oregon, during this war emergency, equipment that meets the legal requirements of the adjoining states. This matter was discussed at considerable length and it was the Commission's decision that relief should be granted if that meets with the approval

of Governor Charles A. Sprague. The following resolution with respect thereto was adopted by the Commission by unanimous vote with the understanding that it shall not become effective unless and until the Governor's approval has been obtained: (See letter from Governor Sprague, dated February 25, 1942)

WHEREAS, because of the movement of large quantities of defense materials and because of other conditions and imposed inhibitions made necessary by and for national defense there exists a real emergency in the transportation systems of the State of Oregon, both with respect to transportation by rail and transportation by motor vehicle; and

WHEREAS, such emergency is increased by reason of the fact that under the laws of the State of Oregon the normal and usual movement of property by motor vehicle over the public highways of the State is limited to a combined weight of vehicle and load or vehicles and load of not to exceed 54,000 pounds and to an overall length of not to exceed fifty feet; and

WHEREAS, most of the defense materials moved by motor vehicle through or into the State of Oregon move in interstate commerce between the states of Oregon, California, Washington, Nevada and Idaho; and

WHEREAS, in each of said states except Oregon motor vehicles are permitted by law to operate over the public highways carrying a combined weight of vehicle and load or vehicles and load of not to exceed 68,000 pounds and having an overall length of not to exceed sixty feet; and

WHEREAS, if the laws of the State of Oregon with respect to the normal movement of commodities under normal conditions are rigidly applied to motor vehicles entering the State of Oregon from the State of Washington, the State of Idaho, the State of Nevada or the State of California a bottleneck will be created and the transportation of defense materials by motor vehicle will be seriously impaired; and

WHEREAS, His Excellency Governor Sprague has been very urgently requested by carriers of property by motor vehicle, by shippers, by representatives of the United States Army and the United States Navy and by representatives of the Division of Motor Transport, Office of Defense Transportation, to work out some method or procedure by which motor vehicles operating in the transportation of property over the public highways of the State of Oregon and those motor carriers which may enter the State from adjoining states may travel within Oregon over certain public highways of the state with an overall length of vehicle not in excess of sixty feet and with respect to which vehicle the combined weight of vehicle and load or vehicles and load shall not exceed 68,000 pounds; and

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WHEREAS, the Governor has transmitted to the Highway Commission and to the Public Utilities Commissioner the said requirements and requests and has recommended that a study be made by the said two state agencies for the purpose of determining what, if anything, can be done to facilitate the movement of defense materials; and

WHEREAS, after consultation, it is the opinion of the Public Utilities Commissioner and of the State Highway Commission that by cooperative effort the laws of the State can be properly and efficiently administered and enforced, and at the same time the interests of national defense be given appropriate consideration and the congestion which prevails with respect to the movement of civilian goods relieved to a considerable extent; and

WHEREAS, Section 115-393, O. C. L. A., vests in the Highway Commission authority to issue a permit or permits for the movement over the public highways of the State of any vehicle, article or property having a combined weight in excess of that permitted under the provisions and the laws of the State or having a size not permitted by law if after investigation and examination the Commission shall find that the movement of such vehicle or property is in the interest of the public or that the public will be served thereby; and

WHEREAS, the Commission has caused an examination and inspection to be made of the highways hereinafter enumerated and as a result of such investigation and inspection the Commission has found that the geometric design of said highways is such that a vehicle having an overall length of not to exceed sixty feet and a width of not in excess of eight feet can be operated and its movement at all times be kept on the right-hand side of the center line of the traveled way and need not at any time or at any place on any of said highways be operated in the opposite traffic lane or any part thereof, and the Commission has found further from said investigation and examination that the structure of said highways is such that they can, without serious impairment, carry a vehicle and load and vehicles and load having a combined weight of not in excess of 68,000 pounds; and

WHEREAS, for the purpose of affording a measure of relief and thereby aiding in the transportation of defense and other materials, it is the judgment and opinion of the Commission that the interests of the general public will be served by the adoption of a policy which will permit the movement over the public highways hereinafter enumerated of motor vehicles the overall length of any one of which shall not exceed sixty feet and the combined weight of vehicle and load or vehicles and load shall not exceed 68,000 pounds, such policy to be in effect for the duration and while the emergency continues, unless otherwise modified by the action of this Commission.

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by this Commission as follows:

1. The Commission does hereby find and declare that an emergency exists in the State of Oregon with respect to the transportation of defense materials, both with respect to rail transportation and motor transportation, and that such emergency is increased by reason of the statutory limits with respect to weight of vehicle and length of vehicle and load.

2. The Commission does further find and declare that in its opinion the national emergency justifies the Commission in the adoption of a policy authorizing the issuance of permits under the provisions of Section 115-393, O. C. L. A., which permits may authorize the movement of vehicles within, into and through the State of Oregon over the highways hereinafter designated with a combined weight of vehicle and load or vehicles and load of not to exceed 68,000 pounds and an overall length of not to exceed sixty feet; provided, however, that the operation of any motor vehicle under a permit issued pursuant to the policy and scope of this resolution shall, with respect to the combined weight of vehicle and load or vehicles and load or wheel weight or axle weight, be specifically controlled by the following formula: The allowable gross weight shall be controlled by the formula $W = 750(L+40)$, wherein W equals the total gross weight, L equals length in feet between first and last axles. The total gross weight applied to any group of axles spaced closer than 18 feet apart shall not exceed that determined by the formula $W = 650(L+40)$, wherein W equals gross weight and L equals distance in feet between first and last axles of the group in question. In addition to the control provided for in said formula no vehicle shall be permitted to operate under any permit issued pursuant to this resolution with an axle weight in excess of 18,000 pounds, nor shall any truck train, consisting of a truck tractor and semi-trailer, have a total length in excess of fifty feet.

3. Any permit issued pursuant to this resolution may be cancelled by the Commission at any time for cause or when in the opinion of the Commission the cancellation of such permit is required in the interests of the general public.

4. The particular highways over which such movement or transportation may take place are the highways listed on the attached sheets.**

5. From time to time, as conditions and circumstances disclose and warrant, other and additional highways may be designated by the Highway Commission and thereby brought within the scope and reach of this resolution. Any additional highways so designated shall automatically be available to carriers holding permits for the operation of vehicles over the highways selected and designated by the Commission and listed on the attached sheets.**

** (See list of highways on back of Emergency Transportation Permit, form No. E-235-1CM-3-42)

6. The form of permit which is hereto attached hereby is approved as the form of permit to be issued for the operation of vehicles over the highways listed on the attached sheets, subject, however, to such modifications or additions as may be necessary to conform to particular circumstances and conditions.**

7. The Secretary of the Commission, upon application by any qualified operator, hereby is authorized and directed to issue a permit to such applicant. All permits issued shall conform substantially to the form approved by the Commission.

8. Such permits shall contain proper and appropriate instructions and conditions and must at all times be carried in the cab of the motor vehicle while in operation on the highways of the State of Oregon.

9. Any permit issued may be for the duration, but in any event shall expire one year from date thereof but may be renewed in the discretion of the Commission. Each permit shall contain not only the date of issuance but its expiration date.

10. Any permit issued pursuant to the policy and authority of this resolution shall be subject in all respects to the regulatory powers of the Federal Government and of the Public Utilities Commissioner of the State of Oregon.

11. The sole purpose and object of this resolution is to provide for the existing emergency and for the duration, and therefore all persons are expressly warned against the purchase of equipment or the making of investments on the theory or assumption that the policy which by this resolution is established will in any sense become permanent or be extended beyond the duration or that the privileges provided will be continued beyond the period of the emergency.

12. In addition to issuance of permits for the transportation of property over the highways listed on the attached sheets, it is recognized that there are other highways in the State over which it may become necessary in national defense to transport defense materials. With respect to such highways a permit or permits may be issued for a single or isolated movement under the conditions and requirements which now prevail for similar movements in connection with which permits are now, under the existing policy of the Commission, issued.**

** (See Emergency Transportation Permit, form No. E-235-10M-3-42)

The meeting was adjourned sine die at 10:00 p. m.

Robert M. Stearns
State Highway Engineer
W. B. Stearns
Secretary

Henry F. Cabell
Chairman
Wm. M. Elmy
Commissioner
Norman D. ...
Commissioner

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Portland, Oregon, March 19, 1942

The State Highway Commission met in regular session at 9:00 a. m. in the auditorium of the Public Service Building. Present were:

Henry F. Cabell, Chairman
Huron W. Clough, Commissioner
Herman Oliver, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

Bids as follows for highway construction work and sale of land were opened and read in conformance with previously published notice, following which Chairman Cabell announced that the awards would be made at 3:00 p. m. in the same room:

THREE STATE HIGHWAYS
BAKER ROCK PRODUCTION PROJECT

No bids received on this project

INDEPENDENCE-GRANGER COUNTY ROAD
WELLS-GRANGER SECTION - GRADING, SURFACING & BITUMINOUS MACADAM

	<u>Using Asphalt</u>	<u>Using Tar</u>
McNutt Brothers	\$99,915.50	\$ 99,915.50
Leonard & Slate	- -	105,465.00

FOUR STATE HIGHWAYS
REDMOND ROCK PRODUCTION PROJECT

A. C. Suhre dba Bend Sand & Gravel Co.	\$18,936.49
E.C. Hall Co.	22,260.00
Babler Brothers	23,075.00

CRATER LAKE HIGHWAY
NORTH UNIT, ANTELOPE CREEK-MEDFORD SECTION
GRADING AND PAVING

Berke Brothers	\$312,887.50
*McNutt Brothers	345,539.00
*Leonard & Slate & Jacobsen-Jensen Co.	362,275.00
*Bidder will not accept this project alone	

CRATER LAKE AND PACIFIC HIGHWAYS
SOUTH UNIT, ANTELOPE CREEK-MEDFORD SECTION - GRADING & PAVING

** Leonard & Slate & Jacobsen-Jensen Co.	\$421,337.00
*McNutt Brothers	443,433.00
*Bidder will not accept this project alone	
**Lump sum reduction of \$15,000 for award of both units	

**COMBINATION BIDS ON THE NORTH AND SOUTH UNITS
ANTELOPE CREEK-MEDFORD SECTION**

	<u>North Unit</u>	<u>South Unit</u>	<u>Lump Sum Reduction</u>	<u>Total Combined Bid</u>
Leonard & Slate and Jacobsen- Jensen Company	\$362,275.00	\$421,337.00	\$15,000	\$768,612.00
McNutt Brothers	345,539.00	443,433.00	- -	788,972.00

**PACIFIC HIGHWAY
GRAVE CREEK-JUMPOFF JOE CREEK SECTION
SURFACING AND BITUMINOUS MACADAM**

McNutt Brothers	\$147,818.00
E. C. Hall Company	149,091.00
Babler Brothers	165,100.00

**PACIFIC HIGHWAY EAST
HARRISBURG BRIDGE SECTION
REPLACE PILE TRESTLE APPROACH**

Tom Lillebo	\$102,544.00
S. S. Montague	120,508.40
Lindstrom Brothers	136,480.00
C. J. Eldon	144,810.00

**PORTLAND AIR BASE EAST ACCESS ROAD
AIR BASE-COLUMBIA BOTTOM ROAD SECTION
GRADING AND PAVING**

Parker-Schram Company	\$6,963.00
Porter W. Yett	7,261.00

SALE OF TRACT OF LAND NEAR BANKS

Emil H. Duyck	\$1,670.00
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Senator Wm. E. Walsh, Marshfield, attorney for certain chrome mining interests, came before the Commission in regard to an agreement heretofore reached between such interests and the Commission with respect to a Port Orford Cedar Park tract in Curry County, title to which the Commission is transferring to the mining company. (See previous record for terms of original agreement) Senator Walsh asked the Commission for the privilege of paying the agreed sum of \$10,000 sooner than the time specified in the agreement if the company so desires. He explained that the company may wish to settle for the property in full prior to the time called for in the agreement and in such event would want the deed to the property and the mineral rights at that time. The Commission agreed to such modification.

Senator Walsh asked the Commission for clarification of the provisions with respect to the \$10,000 payment if such sum is paid in increments out of proceeds of production. He gave as his thought that the company should not be required to pay the full amount of the \$10,000 if it should abandon the project

before completing the payments; and that provision should be made that the company would not lose its rights in the event it ceased operations for short periods of time. Under the present arrangement, he explained, the company would lose its rights if its operations were carried on intermittently. It was the thought of the Commission that the mining company should be given a reasonable length of time within which to complete this transaction regardless of whether or not its operations are continuous or intermittent and, accordingly, the Commission set five years as such time limit, it being understood that if the company has not paid its obligation within such five-year period then its use of the property shall cease and the state shall retain ownership to the minerals situate thereon. The Attorney was instructed to incorporate the above decisions in the form of agreement with the company.

The Engineer brought up for discussion matters pertaining to forest highway funds which, according to the latest advice, have been "frozen" by the federal government on account of the war situation. He particularly pointed out the need to surface a four-mile section of the John Day Highway east from Prairie City, which section, he said, now has only a rough rock surface that is difficult to travel. He suggested that it would be advisable to smooth-surface this section and provide a light oil treatment which would be satisfactory until the return to normal times. He estimated the cost of such work at \$25,000. The Commission approved the project and authorized the taking of bids for same at the next meeting.

County Judge Nelson B. Higgs of Harney County was present and asked for the following improvements: (1) Resurfacing of the Stinkingwater Mountain Section of the Central Oregon Highway which, he said, is in bad condition. He was informed by Chairman Cabell that the Commission does not have funds to finance the work at the present time due to war conditions. (2) Construction of the Burns Airport Road which begins at a point on the Burns-Crane Highway five miles east of Burns and extends northerly a distance of about two miles. The Engineer explained that this road is not on the state highway system but could be constructed as an access road, using federal funds, if it were certified by army authorities; otherwise there are no funds available. (3) Improvement of the Diamond State Secondary Highway. Judge Higgs advised that certain sections of this road are badly in need of improvement, being practically impassable during certain times of the year. The matter was referred to the Engineer for investigation.

The County Court of Lane County, represented by County Judge Clinton Hurd and County Commissioners W. J. Holland and Allen P. Wheeler, and County Engineer P. M. Morse came before the Commission in regard to the construction of a roadway leading to the Eugene Fruitgrowers Cannery, in Eugene. They advised that, under the present arrangement for one-way travel on High Street, the only access to the cannery is via a roundabout course, which is very inconvenient and unsatisfactory. They asked the Commission to modify its present plan and provide for two-way traffic on High Street or to construct an entirely new road on a diagonal from the High Street-Sixth Avenue intersection. The Engineer advised that he has investigated three alternate solutions for this problem, all of which include a revision of the High Street-Sixth Avenue

intersection. One of these plans, he said, is the one mentioned by the county court; the second is the use of the alley which parallels the Southern Pacific Company's tracks about one block east of High Street, with a crossing of Mill Creek on an extension of Seventh Avenue; and the third requires the use of this alley clear through to Eighth Avenue with an entrance to the cannery from Eighth Avenue. He favored alternate No. 1 which, he said, is the cheapest of the three and is estimated to cost about \$13,000. He pointed out that the Highway Commission does not have authority to spend state funds for either right of way or construction of any of the alternates except for the revision of the High Street-Sixth Avenue intersection, so whatever plan is adopted it would be up to the city or the county to finance the work, except that involved at this intersection.

Chairman Cabell explained that the Commission adopted one-way traffic on High Street as a control for Pacific Highway travel through Eugene, and that any alteration in the traffic routing, as adopted, would disrupt the entire plan so the Commission is not inclined to make such alteration. He favored the revision of the High Street-Sixth Avenue intersection as suggested by the Engineer, provided arrangements are made by the city or the county to finance the balance of the improvement. Commissioners Clough and Oliver concurred and the Engineer was thereupon authorized to reconstruct the intersection in conformity therewith, when arrangements have been made for financing the balance of the work. Judge Hurd advised that the court would consult with the city officials in an endeavor to work out an arrangement for financing the roadway construction.

The County Court also brought up for discussion matters pertaining to the "Route F" Highway (Richardson-Eugene Secondary State Highway No. 220). They advised that the oiled surface constructed last year on a portion of this road is in bad state of repair, and as a result traffic has to use the Elmira Road. The Engineer advised that he is aware of this condition and that it is his intention to make necessary repairs this spring.

The County Court also asked that the present improvement on this highway be extended about 4,100 feet east from Fisher crossing so as to eliminate the right angle turn at the present crossing where numerous accidents occur. A new crossing of the railroad at such point, they said, would eliminate the present hazard, and they urged the improvement from the safety standpoint. The Commission denied the request on account of lack of funds with which to finance the work.

Mr. F. B. Wire, State Game Supervisor, was present and conferred with the Commission relative to the proposed purchase by the Highway Department of certain Game Commission property at Union, Oregon. The Engineer advised that inspection of this property reveals that it could be used to good advantage for state highway purposes. He suggested purchase of the same for \$5,500, notwithstanding that about one acre is to be reserved for the use of the Union County Sportsmen's Club for its clubhouse and trapshooting grounds, provided that the southerly boundary of such reserved area shall not extend more than 50 feet south of the clubhouse. He presented a map showing the reserved area and approximate location of the buildings. The Commission appeared favorably inclined to purchase this property but deferred a definite decision relative thereto.

pending the making of a definite survey of the boundaries. The Engineer was authorized and instructed to make such survey as soon as possible and to prepare descriptions as may be necessary for use of the Attorney in negotiating the purchase.

The Engineer reported on investigations relative to the rerouting of the Pacific Highway West (Highway No. 99W) to accommodate the United States Army cantonment north of Corvallis. He exhibited a map showing the proposed routing which commences at a point approximately two miles north of the Polk-Benton County line and extends northerly approximately parallel to the present highway to a connection with the present highway about one and one-half miles south of Rickreall. He explained that there are several alternate routes that could be used but from the standpoint of constructing a permanent highway the proposed line is best notwithstanding that it will cost somewhat more than the others. He pointed out that the money budgeted to finance the present improvement is insufficient to construct the project throughout its entire length and suggested, until such time as additional funds become available, that the construction now to be undertaken be limited to the section south of cemetery hill, south of Monmouth, where a feasible connection with the present highway could be effected. This matter was discussed at considerable length during which the Commission indicated a favorable attitude toward the adoption of the plan recommended by the Engineer. It was decided to discuss the matter with Dr. C. A. Howard, President, Oregon College of Education, Monmouth, from that standpoint when he appears at this session.

The Engineer also brought up for discussion the bids received at this meeting for the construction of the Independence-Granger County Road. He pointed out that the low bid for the work is slightly more than ten per cent above the Engineer's estimate. He recommended in view of the urgency of the improvement that the contract be awarded to the low bidder, notwithstanding this slight difference and that it is not in strict conformance with the Commission's established policy. The Commission approved the recommendation.

The Engineer also advised that the people of Independence and vicinity are extremely anxious that this road be designated a state secondary highway, from Granger to Independence, and that it be improved throughout to state standards because the highway is vital to the proper functioning of the army cantonment and in their estimation the improvement is a state obligation. The Commission deferred action on the matter.

Dr. C. A. Howard, President, Oregon College of Education, Monmouth, and Dr. R. E. Kleinsorge, Silverton, member of the State Board of Higher Education, appeared before the Commission in regard to the proposed improvement of the Pacific Highway West through Monmouth. Dr. Howard explained that the present road passes through the college campus and they are particularly interested from the standpoint of providing greater safety to college students. He particularly urged the rerouting of the highway on some other location when the permanent improvement is undertaken. The Engineer explained that alternate routes are being considered by the Commission. He advised that, regardless of which route the Commission selects, it would not be possible to build the entire section now because there are insufficient funds available to pay

the costs involved, so the Commission has tentatively decided to limit construction to the section south of the cemetery hill, with a temporary connection with the existing highway at the north side of this hill. This plan, he said, provides for the use of the existing highway through Monmouth until such time as additional funds are made available that would make it possible to extend the improvement. Dr. Howard approved such plan but requested the opportunity to discuss with the Commission the improvement north of the cemetery hill before the Commission makes a definite selection as to the route, particularly if the plans provide for the retention of the existing route through the town of Monmouth as a permanent proposition. The Commission approved Dr. Howard's request and thereupon by unanimous vote authorized the Engineer to make surveys as may be necessary to establish a new location for this highway between Corvallis and Rickreall. He was also authorized and instructed to prepare plans and specifications for the immediate construction of the section along such new route, between Corvallis and the cemetery hill south of Monmouth, and to advertise such project for bids to be received at the earliest possible time.

County Judge A.R. Bowman, Crook County, was present and asked the Commission to surface an 11-mile section of the Crooked River Primary Highway south from its junction with the Crooked River-Paulina Secondary Highway. He advised that it is extremely difficult to drive a car over this section during the winter season on account of its slippery condition and similar difficulties are encountered in the summer months just after rains; in fact, the road was closed for a time during the past winter. He estimated that it would cost about \$4,500 to place a light coating of rock on the grade which would serve as a temporary expedient until the Commission could provide a permanent improvement. He was informed that the Commission cannot provide a standard improvement because of lack of funds but will have an investigation made by the Engineer to ascertain just what is needed to place the road in passable condition, it being understood that if the Commission can spare the funds it will authorize the work to be done.

Judge Bowman also asked the Commission to retain jurisdiction over a section of the old Ochoco Highway between Marks Creek and Mill Creek which the Commission abandoned some time ago when the highway was reconstructed on other alignment. It was his thought that the old road could be used to good advantage as a stock driveway and that it is the state's obligation to maintain it as such. The Commission instructed the Engineer to investigate the matter and report his findings.

The Commission adjourned at 12:15 p. m. and reconvened at 2:00 p. m. in the same room with all Commissioners present and participating. Also present were the State Highway Engineer, the Attorney and the Secretary.

Mr. L. L. Krause, attorney, Toledo, came before the Commission in regard to a right of way matter affecting property owned by Mr. V. L. Moore at Toledo. He advised that when the Corvallis-Newport Highway was realigned at Toledo the Commission purchased right of way from a Mr. Prewett and one of the conditions of the purchase was that the state would move Mr. Prewett's residence and re-establish it on another location. This was done, he said, but it so

happened that the building was placed so that it encroached a short distance on the old highway right of way and, in view of the fact that Mr. Prewett was not responsible for the error, the state agreed to deed to Mr. Prewett a small area involved in the encroachment rather than go to the expense of moving the building back. The deed of conveyance, he said, was never given to Mr. Prewett who has since sold the property to a Mr. Vincent L. Moore, who is desirous of having the matter consummated. Mr. Krause asked the Commission to quitclaim to Mr. Moore sufficient area that would allow him full use of his property without trespassing on the state's property. The Attorney verified Mr. Krause's allegations whereupon the Commission approved deeding to Mr. Moore by quitclaim deed the property heretofore agreed upon. The property thus to be conveyed shall be eight feet wide so as to permit Mr. Moore to pass around his building without trespassing on the old right of way.

Mr. Krause then suggested that the Commission might prefer to abandon the old road between its junction with the present highway and the stock pile that is being maintained by the state a short distance back of Mr. Moore's house. Access to the stock pile, he said, is available to highway department employees over another roadway. He particularly requested such abandonment so as to eliminate noise and confusion caused by people who "party" on the old roadway near Mr. Moore's residence. He suggested, if the Commission could not see fit to abandon this roadway, that it be closed so that people could not enter. The Commission took under advisement the matter of abandoning the roadway and instructed the Engineer to ascertain whether or not it would be advisable to do so. Mr. Krause was given to understand that whatever its decision, the Commission would execute a deed in favor of Mr. Moore conveying an eight-foot strip of land past Mr. Moore's house. Mr. Krause is to be given a reply within 15 or 20 days.

Mr. Carl Jacobsen, contractor, of the firm of Jacobsen-Jensen Company who, with Leonard & Slate, submitted the low combination bid at the morning session for the construction of the North and South Units of the Antelope Creek-Medford Section of the Crater Lake and Pacific Highways, in Jackson County, came before the Commission and urged acceptance of this bid. He gave as his understanding that the bid is considerably in excess of the Engineer's estimate and there is a question whether or not the Commission will award the contract. He gave reasons for the excessive amount of their bid. The Commission took the matter under advisement. (The Commission on the following day decided to reject the combination bid.)

Messrs. H. H. Pearce and J. M. McLoughlin, president and secretary, respectively, of the Parkrose Chamber of Commerce, were present regarding traffic signals on Sandy Boulevard at its intersection with 89th Avenue, 99th Avenue and 105th Avenue. They advised that some time ago they wrote the Commission requesting that the existing lights at these intersections be changed from the flashing-type signals to the red and green stop-and-go signals but the request was denied, the reason given being that the expense of such change did not appear to be justified. They gave as their thought that something should be done to insure greater safety to traffic at these points and suggested, if the Commission could not see its way clear to install the stop-and-go

signals, that it might change the amber lights to red lights in the existing flashing signals, which would require east and west traffic on Sandy Boulevard to come to a stop before proceeding through these intersections. Traffic on Sandy Boulevard, they added, is steadily increasing and they are fearful that, if something is not done to increase traffic safety, serious accidents will result. The Commission agreed to have the matter investigated.

Mr. Pearce also asked the Commission to repaint the pedestrian traffic stripes across the highway at these intersections, the existing stripes being practically obliterated by traffic. The matter was referred to the Engineer.

Mr. Pearce inquired as to the Commission's plans for widening Sandy Boulevard between 82nd Avenue and 122nd Avenue, which project he understood has previously been approved by the Commission. Chairman Cabell replied that it is true the Commission promised this project but since the commitment was made conditions have changed and the country is now at war; also, that federal funds with which the Commission expected to finance the improvement have been tied up and cannot be used unless the expenditure has first been approved by the army authorities and there is a question whether or not this particular project meets the army requirements. Furthermore, there is a question of priorities for materials and supplies; however, the Commission intends to secure army approval of the project if possible and, if attempts are successful, will proceed with the work. Commissioners Clough and Oliver confirmed Chairman Cabell's statement.

Mr. Pearce then brought up the question of securing extra right of way for this improvement beyond 102nd Avenue, particularly in front of the cemetery. He suggested that the Parkrose Chamber of Commerce could assist in securing such right of way if the Commission cared to have its help. Chairman Cabell expressed appreciation for the offer and referred the matter to the Attorney.

At 3:00 p. m. Chairman Cabell announced the following awards of contracts and sale of tract of land, bids for which were received by the Commission at the morning session, such awards having been previously approved by the Commission by unanimous vote:

"Baker Rock Production Project on three state highways, in Baker County. Requires approximately 5,000 cu. yds. crushed gravel in stock piles. No bids were received on this project.

"Wells-Granger Section of the Independence-Granger County Road, in Benton County. 4.5 miles grading, surfacing and bituminous macadam. McNutt Brothers, Eugene, submitted the low bid for this project, in the amount of \$99,915.50, based on the use of tar, and the same amount, based on the use of asphalt. Leonard & Slate, Multnomah, submitted the next-low, and only other bid, in the amount of \$105,465.00, using tar. They did not submit a bid based on the use of asphalt. The Commission awards this contract to the low bidder, McNutt Brothers, at their low bid of \$99,915.50, based on the use of tar.

"Redmond Rock Production Project on four state highways, in Crook and Deschutes Counties. Requires approximately 12,500 cu. yds. crushed gravel in stock piles. A. C. Suhre dba Bend Sand & Gravel Company, Bend, submitted the low bid for this project, in the amount of \$18,936.49. E. C. Hall Company, Eugene, submitted the next-low bid, in the amount of \$22,260.00. There was only one other bidder. The Commission awards this contract to A. C. Suhre dba Bend Sand & Gravel Company, at his low bid of \$18,936.49.

"North and South Units of the Antelope Creek-Medford Section of the Crater Lake and Pacific Highways, in Jackson County. The bids for these units were submitted separately and also in combination. The Commission has deferred a decision with respect to both of these jobs but will announce its decision at 2:00 p. m. tomorrow at a special meeting in the Imperial Hotel. The results of the bids on both jobs are as follows:

"North Unit, Antelope Creek-Medford Section of the Crater Lake Highway, in Jackson County. 4.91 miles grading and paving. Berke Bros., Portland, submitted the low bid for the construction of this unit at \$312,887.50. McNutt Bros., Eugene, submitted the second-low bid at \$345,539.00. They qualified their bid by stating that they would not accept this project unless also awarded the contract for the construction of the South Unit. Leonard & Slate and Jacobsen-Jensen Company, Portland, submitted the third and only other bid for this work at \$362,275.00. They likewise stated that they would not accept this contract unless also awarded the contract for construction of the South Unit. However, they agreed to accept a \$15,000 reduction if awarded both jobs.

"South Unit, Antelope Creek-Medford Section of the Crater Lake and Pacific Highways, in Jackson County. 4.0 miles grading and paving. Leonard & Slate and Jacobsen-Jensen Company, Portland, submitted the low joint bid for this project in the amount of \$421,337.00. They qualified their bid by stating that they would not accept this project unless also awarded the contract for the North Unit, and further stated that they would reduce the amount of their bid in the sum of \$15,000 if awarded both units. McNutt Bros., Eugene, submitted the only other bid for this job, being in the amount of \$443,433. They likewise stated that they would not accept this project unless also awarded the contract for the construction of the North Unit.

"Combination bid for both North and South Units, Antelope Creek-Medford Section of the Crater Lake and Pacific Highways, in Jackson County. Leonard & Slate and Jacobsen-Jensen Company, Portland, were low with a joint bid of \$768,612.00. McNutt Bros., Eugene, submitted the only other combination bid at \$788,972.00.

"Grave Creek-Jumpoff Joe Creek Section of the Pacific Highway, in Josephine County. 6.01 miles surfacing and bituminous macadam; also

furnishing 3,400 cu. yds. crushed gravel in stock pile. McNutt Brothers, Eugene, submitted the low bid for this work, in the amount of \$147,818.00. E.C. Hall Company, Eugene, submitted the second-low bid, in the amount of \$149,091.00. There was one higher bidder. The Commission refers all bids received for this project to the Engineer with power to award the contract to the low bidder when certain conditions have been satisfied.

"Harrisburg Bridge Section of the Pacific Highway East, in Lane County. Remove approach at southerly end of bridge over Willamette River at Harrisburg and construct new approach. Tom Lillebo, Reed-sport, submitted the low bid for this project, in the amount of \$102,544.00. S. S. Montague, Portland, submitted the next-low bid in the amount of \$120,508.40. There were two higher bidders. The Commission refers all bids received on this project to the Engineer with power to award the contract to the low bidder when certain conditions have been satisfied.

"Air Base-Columbia Bottom Road Section of the Portland Air Base East Access Road, Multnomah County. 0.16 mile grading and paving. Parker-Schram Company, Portland, submitted the low bid for this work in the amount of \$6,963.00. Porter W. Yett, Portland, submitted the next-low, and only other bid, in the amount of \$7,261.00. The Commission refers these bids to the Engineer with power to award the contract to the low bidder when certain conditions have been fulfilled.

Sale of Tract of Land Near Banks

"Emil H. Duyck, Banks, submitted the only bid for this tract, in the amount of \$1,670.00. The Commission refers this bid to the Attorney with power to sell the property to Emil H. Duyck at his bid of \$1,670.00 when certain conditions have been fulfilled."

A delegation from Polk and Benton Counties, consisting of County Commissioner W. H. Malone, representing the Benton County Court; County Judge Herman Van Well and Commissioners Fred Gibson and H. H. Brant, representing the Polk County Court; Senator Dean H. Walker, E. L. Gray, Glen C. Smith, R. M. Walker, and Melford Nelson all of Independence, came before the Commission in regard to the Independence-Granger County Road. Senator Walker was spokesman. He urged the Commission to designate this road a state secondary highway and to improve it to state highway standards, including surfacing and oiling, throughout its entire length and later to extend the improvement into Salem via the South River Road. He urged the improvement from the standpoint of traffic safety and relieving Highway No. 99W of traffic through the United States Army Cantonment north of Corvallis, and advised that, according to Colonel Des Islet, the improvement is a real need from a military necessity. Mr. Malone endorsed Senator Walker's remarks and advised that, so far as Benton County is concerned, it does not have funds available to pay increased maintenance cost on county roads that is bound to result from the establishment of the cantonment in this vicinity. Judge Van Well advised that Polk County likewise is unable financially to assume such expense in Polk County.

The Engineer advised that it would cost about \$250,000 to construct a minimum type road that would bear the traffic that this road will carry, including cost of bridges. Chairman Cabell summed up the situation from the Commission's standpoint by stating that the Commission does not have money available to pay such expense but will be glad to consider it if the governmental authorities consider that the road is of sufficient importance to qualify as a military road and will so certify to the end that federal access road moneys may be obtained to finance the cost. As to designating the road a state secondary highway, he said the Commission is not in position today to make a decision but will take the matter under advisement. This concluded the conference.

Chairman Cabell was excused from the meeting at this time.

Mayor H. M. Austin and Councilmen L. H. Shorey, Fred Hecker, Elmer Mattson, and K. Smith, Woodburn, were present in regard to the improvement of Young Street, Woodburn, between the business district and the Pacific Highway. Mayor Austin was spokesman. He asked the Commission to widen this street, which is a state secondary highway route, construct curbs and improve drainage facilities so as to provide a full paved or oiled street between curbs with suitable facilities for carrying off water. He advised that the city would contribute toward such work a sufficient amount to pay for all of it except the grading work, surfacing, oiling and the removal of the old concrete curb. The Engineer estimated the total cost of the project at \$21,000 of which amount, he said, the city's share would be approximately \$10,893.00. He gave as his opinion that this is a meritorious project and advised that he would recommend it if the status of the Commission's finances would permit the expenditure which it does not at the present time. Commissioner Clough explained the status of the Commission's funds and advised that, because of shortage of funds, it is very doubtful that the Commission could authorize the improvement. However, the matter will be given due consideration. Mr. Austin advised that they are not asking for immediate relief but simply want the Commission to bear the matter in mind inasmuch as the property owners want to improve their holdings by constructing sidewalks, curbs and storm sewers.

Mr. Porter W. Yett, contractor, came before the Commission and requested relief from payment of the penalty that has been imposed on him for failure to complete his contract No. 2472, for grading, surfacing and construction of bituminous macadam on the Vollmer Creek and Necanicum Junction Sections of the Wolf Creek Highway, in Clatsop County, within the specified time limit. He alleged that he could not complete this project within the specified time because of difficulties in securing labor, material and supplies. Construction Engineer Smith advised that the reason given by Mr. Yett for failure to complete the project on time is substantially correct. He recommended cancellation of the penalty which amounts to \$501.88. The State Highway Engineer concurred. The Commission approved the recommendation.

The matter of relieving the City Motor Trucking Company (Porter W. Yett) from payment of the penalty heretofore imposed on it for failure to complete its contract, No. 2331, for grading and paving the Rainier Section of the

Columbia River Highway, in Columbia County, was also considered. The Engineer advised that he has investigated this matter and it is his opinion that the full amount of the penalty should not be charged against the City Motor Trucking Company. He recommended that the penalty be reduced 50 per cent. The Commission approved the recommendation.

A delegation from Cannon Beach, headed by Mr. Carl E. Davidson, attorney, and including Norman N. Rupp, R. J. Greer, G. R. Van Vleet, and Duncan Shields, came before the Commission relative to the hauling of logs over the Wolf Creek Junction-Cannon Beach Section of the Oregon Coast Highway. Mr. Davidson advised that Mr. Van Vleet owns a tract of spruce timber south of Cannon Beach and it is necessary for him to move his logs over the Oregon Coast Highway to a dumping point near Astoria, there being no other route available; also that there will be 15 or 20 loads to be hauled daily and that the material is for defense purposes. He asked the Commission to authorize log hauling over this section during the summer months, which is now prohibited, as is now being done during the winter season. Mr. Shields stated that he is in business at Cannon Beach and in his estimation log hauling on this road will not endanger beach traffic. Furthermore, logging operations will not be detrimental to his business. Mr. Greer endorsed the remarks of Mr. Shields. Mr. Rupp, owner of the timber, stated that he has wanted for a long time to sell this timber but could not do so because of regulations imposed by the Highway Commission relative to the hauling of logs over state highways. He also said that the spruce timber is needed badly as airplane stock.

Commissioner Clough advised that the Commission's first concern is to provide the best possible safety to the traveling public and there is a question whether or not the Commission will be doing the right thing by permitting log hauling on this road during the summer months when beach travel is heavy. Commissioner Oliver concurred; however, suggested that inasmuch as the Commission wants to help the logging industry as much as possible that log hauling be permitted on this section until July 1, 1942, as a trial proposition, which would be a 30-day extension of the present time limit. After further discussion, the Commission approved Commissioner Oliver's suggestion. The Engineer was instructed to watch traffic conditions during this time, the results thereof to be given to the individual members of the Commission on July 1 by telephone when a decision will be made whether or not to extend the privilege.

Mr. D. F. Moehnke, manager of the 3-M Logging Company, Alsea, Oregon, headed a delegation, including Norman Rupp, C. E. Bowen, Geo. W. Hendrix, Norman Sapp and County Commissioner W. H. Malone of Benton County, which appeared before the Commission and requested the improvement of a $1\frac{1}{2}$ -mile section of the Alsea-Deadwood Secondary State Highway between "Batdorf's place" and the "foot of the mountain". They explained that the highway has been constructed, and is in fine condition up to Batdorf's place, and that it has been graded for a considerable distance beyond the foot of the mountain, leaving only this $1\frac{1}{2}$ -mile intervening section to be graded and surfaced, the clearing work and grubbing already having been completed along the adopted alignment. The present road, he said, is very narrow and crooked and it is difficult to operate logging trucks over the same. The Engineer advised that it will cost

about \$30,000 to grade and surface this $1\frac{1}{2}$ -mile section. He doubted it would be possible to secure governmental priorities for the project. Commissioner Clough advised that the Commission has no funds available at the present time except those needed to finance highways of military importance, and in view thereof the Commission has no alternative but to deny the request. However, when times return to normal the Commission will be pleased to reconsider it. Commissioner Oliver concurred.

Mr. Moehnke then asked the Commission if it would authorize him to fix up the present road with his own equipment and at his own expense. The Commission appeared favorably inclined but deferred a decision pending investigation and report by the Engineer. The Engineer was thereupon instructed to inspect the premises and, if he considers it advisable, to work up some sort of a proposition for Mr. Moehnke to fix the road, using his own equipment. A report on the matter is to be presented to the Commission when the investigations have been made.

Mr. Jay Gould, representing System Freight Service which operates between Washington, Oregon and California points, was present and inquired as to the possibility of securing a permit to transport prefabricated airplane tails over state highways from Portland to California, involving an overall width of approximately 8 feet 10 inches and an overall height of approximately 13 feet, if two of the tails are loaded on a truck. He asked for a blanket permit covering the excess dimensions. Commissioner Clough stated that it is contrary to the Commission's established policy to grant blanket permits covering overwidth features; however, in this particular instance, in view of the fact that the commodity to be hauled is for national defense purposes, the Commission will give special consideration to the request but is not in position to make its decision today. Furthermore, it cannot make a decision until the exact overall dimensions have been furnished the Commission. After further discussion it was agreed that Mr. Gould shall furnish the State Highway Engineer with the exact dimensions of the loads when they have been definitely determined. The question whether or not the permit will be issued will then be decided.

A delegation from Albany and Sweet Home, consisting of Archie Hessman and C. H. Wheeler, representing the McDowell Creek Logging Company; Fred Lemery and J. L. Ray, representing the Evans Products Company; H. C. Patton, representing the Hammond Lumber Company; L. V. Manthe, representing the Albany Plylock Company; and John Powers, representing the Vancouver Plywood Company, came before the Commission and asked for the lifting of the penalty now imposed on log haulers for overloading, which penalty consists of a fine and the loss of FUC plates for a period of four days for each offense. Mr. Hessman was spokesman. He urged the Commission to waive the four-day suspension of operation of equipment involved in the overloads and to increase the amount of the fines for such violations. In support of his request he advised that logs that they are hauling are all for filling defense orders and it is urgently demanded that the orders be filled at the earliest possible time. The suspension of the hauling equipment, he said, interferes greatly with the filling of these orders and they cannot afford to lose the services of any truck

in view of the emergency. It was his thought that the increasing of the fine would solve the problem satisfactorily, and there would be an advantage in that the trucks would not have to be taken out of service which is particularly important at this time in view of the fact that it is practically impossible to buy new equipment and that so many of the trucks are being taken off the log hauling service for other purposes. Mr. Powers advised that they would have no objections to the present rules and regulations if times were normal but times are not normal and the logs must be gotten to the mills so defense orders can be filled; the loss of any truck from log-hauling service, he declared, is a serious handicap. He suggested that the measuring of loads by log scale rather than by weight would be advisable. Mr. Patton advised that his company is operating shorthanded so far as trucks are concerned, having lost nine recently, the owners having secured other employment for them. He suggested the imposition of fines, only, for the first two offenses and the tying up of the trucks for a certain period for each offense thereafter. It was his thought that such solution would remedy the difficulty.

Commissioner Clough advised that the gross load allowed by law is about all that the highways and bridges can carry with safety and, if greater loads are allowed, the roads would go to pieces and the logging operators then would be much worse off than they are under present conditions. He explained that the State Highway Commission has nothing whatsoever to say about the imposition of fines and the only way in which the Commission can act to curb overloading is to require the penalty of suspension of the trucks involved for a period of time. As to changing the method of determining the size of the load, he advised that the law specifies weight measure rather than scale measure and such weight must be governed by density rather than by log scale. Commissioner Oliver concurred in the remarks of Commissioner Clough. He added that the logging problem is a very difficult one and the Commission is giving it a lot of study; also that the Commission sympathizes with the logging operators but it must protect the roads for general public use. It appeared to him to be as much to the interest of the loggers as it is to the state to keep the roads in good condition and that the solution of the problem is something that must be worked out by both sides to the controversy. The Commission is not in position at this time, he added, to make a decision in this matter but will give it serious consideration. (Reconsideration was given to this matter on the following day when Commissioner Cabell was present and it was decided at that time not to make any change in the present rules and regulations until the Commission receives a more general appeal for the change; however, the Commission indicated that it would try out the "fine-only" suggestion some time next summer when the highways have dried out.)

The County Court of Deschutes County, represented by County Judge C. L. Allen and County Commissioners E. E. Varco and Ole Grubb, appeared before the Commission in the interests of the Terrebonne-Lower Bridge county road. The county court was accompanied by Messrs. M. A. Lynch, P. M. Houk, and a Mr. Stockton, all of Redmond. Judge Allen headed the group. He advised that the county has nearly completed the grading work on the six-mile section west from Terrebonne and that there will be remaining, when this work is done, only the grading of the one-mile section adjacent to the Oromite Company's plant.

This one-mile section, he said, will cost about \$8,000 to grade and the county does not have the money to pay for the work. He inquired whether or not the Highway Commission will proceed with the surfacing and oiling of the six miles notwithstanding that the county is unable to fulfill its obligation in its entirety.

Mr. Oscar Cutler, Assistant Staff Engineer, advised that he made a personal inspection of the road and is satisfied that it is not absolutely necessary to regrade the one-mile section mentioned by Judge Allen. He gave as his opinion that a light oil treatment on the present roadway would suffice although the six miles west from Terrebonne must be surfaced before it can be oiled. In reply to an inquiry from the State Highway Engineer, Judge Allen advised that the county would rock surface the entire section, which was to be a state obligation under the original agreement, if the state will do the oiling work and will spend on some other county road an amount equivalent to the county's expenditure for such surfacing. After further discussion the following arrangement was finally agreed upon: Deschutes County will finish the grading work on the six-mile section west of Terrebonne and will place a rock surface on the same. This eliminates further grading or surfacing work on the one-mile section adjacent to the Oromite Plant. The state will furnish oil rock and construct an oil surface on said six-mile section and will place a light oil treatment on the additional one-mile section. Deschutes County will be given credit for the rock surfacing work and the state will spend a like sum of money at some future date for the improvement of some other county road. The arrangement is to be covered by written agreement between the state and the county.

Judge Allen renewed the county's request for the oiling of a four-mile section of the Cline Falls Secondary Highway No. 373 north from the town of Tumalo; and for the oiling of a three-mile section of the Tumalo-Deschutes Secondary State Highway No. 374 east from Tumalo. The Commission expressed regrets that it cannot do such work because funds are not available to finance it.

The meeting was adjourned at 6:15 p. m. to reconvene the following morning in the Imperial Hotel.

Portland, Oregon, March 20, 1942

The State Highway Commission reconvened at 9:00 a. m. in Room 415, Imperial Room, Imperial Hotel, with all Commissioners, the State Highway Engineer, the Attorney and the Secretary present.

The Attorney brought up for discussion matters pertaining to the collection of fines and penalties for violation of the traffic laws, particularly those arising out of activities of state police officers. It appears that in numerous instances Justices of the Peace, who try these cases, impose no fines but do require the defendant to pay court costs which are applied toward the payment of the salaries and expenses of the Justices, and in such

cases the state receives no financial benefit whatsoever, which, in his estimation, is not fair and should be corrected if possible. The matter was discussed at considerable length but no action was taken thereon, the Commission considering it has no authority with respect to the imposition of fines.

In this connection reconsideration was given by the Commission to the request presented by the delegation from Sweet Home on the previous day for relief from penalty now in effect for overloading logging trucks, and the increasing of fines in such cases. The Commission decided not to make any change in the present regulations until it receives a more general appeal for such change; however, indicated that it might try out the "fine-only" arrangement sometime during the summer, when the roadways are dry, to determine whether or not such procedure would prove a satisfactory solution of this problem.

The Attorney requested authority to acquire certain parcels of real property that are needed for various highway improvements throughout the state. He submitted a list of such properties, together with the price that he recommended be paid for each parcel. After careful consideration the Commission approved the Attorney's request and thereupon adopted the following resolution in regard thereto:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth, and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon, and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Camp Clatsop-West Lake Section, Oregon Coast Highway</u>				
9842-Clatsop County	R/W & Scale Site	1.24	GRATIS	Witt

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Miner Creek-Spencer Creek Section, Oregon Coast Highway</u>				
4250A-Kuhl, H. A.	R/W	2.65	\$754.71+ per acre + \$500	Collins
<u>Depoe Bay Section, Oregon Coast Highway</u>				
7191-Archer, P. H. (Correction)	R/W	1,521 sq.ft.	25¢ sq.ft., + \$260	Collins
<u>North Bend-Marshfield Section, Oregon Coast Highway</u>				
9518-Ross, P. M.	R/W	10,660 sq.ft.	17¢ sq.ft. + \$6187.80	Benson
<u>Berger Ranch-Barnes Road Section, Wolf Creek Highway</u>				
10152-Williamson, C. F.	R/W	2.61	Lump Sum - \$3,500, plus moving bldgs. Est. \$1000	Collins
5211-Stalder, Paul	R/W	18.95	\$225 per acre + \$115	Collins
<u>Fishhawk Falls-Ranger Station Section, Wolf Creek-Nehalem Highway</u>				
9960-Wage, Arnel	R/W	1.0	\$100 per acre	
		3.60	\$10 per acre + \$14	McChesney
		4.60		
9964-Clatsop County	R/W	2.97	Lump Sum \$1.00	"
9958-Tidewater Timber Co.	R/W & Rock Quarry	10.0	\$50 per acre	"
		12.10	GRATIS	"
		22.10		
9961-Wright-Blodgett Co., Limited	R/W	112.29	Lump Sum - \$1.00	"
9964A-Smith, John H. Estate	R/W	12.66	\$50 per acre	"
9966-Smith, John H. Estate, & David T. Waterhouse	R/W	6.22	\$50 per acre	"
<u>Vadis-Gardner Ranch Section, Wolf Creek Highway</u>				
9409-Rucker, Dale	R/W	0.28	\$200 per acre + \$15	Collins
9408-Meyer, Ernest	R/W	0.56	\$500 per acre	"
9414-Schmidt, Lizzie & Edward Krug	R/W	0.27	\$200 per acre, + \$13.50	"
9226-United States of America	R/W	0.82	\$150 per acre	"
<u>Glenwood-Washburn Section, Wilson River Highway</u>				
8673-Lyda, William H.	R/W	4.6	\$200 per acre + \$550	Devers
<u>Banser Bridge-Mist Section, Nehalem Highway</u>				
8962A-Berg, Norman L. et al	Stock Pile Site	1.00	\$100 per acre, + \$73.50; less credit - State to convey 1.03 acres (old stock pile site) at \$50 per acre	McChesney

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Front Avenue Project-Columbia Street South (Portland), Pacific Hwy. West</u>				
8944-Goldberg, Sam	R/W	1,500 sq.ft.	\$2,500.00	McCallister
<u>Clackamas County Section, Cascade Highway</u>				
8240-Erickson, James T. & Robert Gifford	R/W	3.3	\$350 per acre + \$1,213.25	Devers
<u>Pudding River Section, Pacific Highway</u>				
10084-Irvin, Lydia B.	Easement (Detour)	0.32	Lump Sum - \$50	Gardiner
<u>Mill City Section, North Santiam Highway</u>				
6448-Marion County	Gravel Pit	28.0	Lump Sum - \$100	Devers
<u>Rickreall-Corvallis Section, Pacific Highway West</u>				
10168-Weigel, Palmer E.	Gravel Pit	5.0	\$150 per acre + \$300	Parker
<u>Philomath Section, Corvallis-Newport Highway</u>				
10112-Shriber, Albert	Stock Pile Site	1.45	\$200 per acre, + fencing	R. M. Smith
<u>Lebanon-Sweet Home Section, Santiam Highway</u>				
9757-Brown, W. M.	Rock Quarry	10.0 27.0 37.0	\$100 per acre \$65.74 per acre	McChesney
<u>Main Street-North Limits Albany Section, Pacific Hwy. East</u>				
5841-Gilchrist, T. M. & Berenice	Damages due to change in hwy. location and construction plans		\$500	Devers
<u>Halsey-Harrisburg Section, Pacific Highway East</u>				
9708-Tussing, Amor A.	R/W	19,053 sq.ft.	3 1/2 sq.ft. + \$125	Gardiner
9713-Stevenson, Dorothy	R/W	1.19	\$100 per acre, + \$101.25	"
9714-Marks, Neva M.	R/W	5.1	\$100 per acre, + \$407.50	"
9712-Kropf, O. D.	R/W	2.42	\$100 per acre, + \$249.65- if crop is harvested be- fore construction starts, \$48.50 to be deducted	"
9705-Morrow, deLora	R/W	5 sq.ft.	Lump Sum - \$5.00	"
9715-Thomson, Clifford P.	R/W	1.16	\$100 per acre, + \$116.25. If crop harvested before construction starts, \$20 to be deducted	"
<u>Eugene Section, Pacific Highway</u>				
8783-Petersen, Alex	R/W	3,930 sq.ft.	1 1/2 sq.ft.	Parker

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Halsey-Junction City Section, Pacific Highway</u>				
9707-Koontz, M. V. & Co.	R/W	8,360 sq.ft.	3/4 sq.ft. + \$166.25	Gardiner
10109-Dempsey, Frank	Bridge	0.18	\$200 per acre, + \$63.75	"
	R/W			
<u>Springfield Junction-Judkins Point Section, Pacific Hwy.</u>				
10072-Baird, Jessie F. & N. E. Glass	R/W	0.093	\$1,000 per acre, + \$95.60, + \$140	Parker
10097-Cochran, Willard & Geo. M. Plummer	R/W	0.011	\$1,000 per acre	"
9445-Johnson, Louis	R/W	0.147	\$1,000 per acre, + \$50	"
10098-Cochran, Willard	R/W	0.014	\$1,000 per acre, + \$50	"
10095-Palmer, Gertrude E.	R/W	0.014	\$1,000 per acre, + \$50	"
10090-Richey, Oscar T.	R/W	0.014	\$1,000 per acre, + \$29.75	"
10089-Robinson, May B.	R/W	0.046	\$1,000 per acre, + \$225	"
10096-Willis, Dan	R/W	0.010	\$1,000 per acre	"
<u>Goshen-Pleasant Hill Section, Willamette Highway</u>				
8984-Peebles, Jennie	R/W	0.12	Lump Sum - \$50	Benson
8990-Mathews, Ernest & Leta Goff	R/W	5.25	\$125 per acre, + \$167	"
8986-Waske, George	R/W	3.34	\$125 per acre, + \$1558.75	"
8994-Edmunson, M. W.	R/W, Gravel Pit, Haul Road	9.45 4.00 0.60 14.05	\$125 per acre \$100 per acre \$100 per acre, + \$1774.25	
8988-Givens, John E. & G. J. DeVos	R/W	0.68	\$125 per acre, + \$69.25	"
8987-Merriam, Howard S.	R/W	0.11	\$125 per acre, + \$10	"
9003-Winfrey, Carrie C.	R/W	0.11	\$100 per acre, + \$9.75	"
9001-Hammond, Leslie M. & Lutheran Brotherhood Easement	R/W &	0.78	\$100 per acre, + \$133.50, + \$25	"
9007-Tellefson, Betty Heirs	R/W	0.16	\$100 per acre, + \$37.50, + moving building (Estd. \$250)	"
9005-McLeod, Charles	R/W	0.73	\$100 per acre, + \$140	"
8996-Cary, Polly Dodge	R/W	(1840 sq.ft.) 0.042	\$125 per acre	"
8999-Coy, Blanche	R/W	1.28	\$100 per acre, + \$158.50	"
8983-Trinka, Joseph F.	R/W	2.73 (3.0)	Lump Sum - \$5,500	"
9006-Giustina, Mazie O.	R/W	0.69	\$100 per acre	"
9004-Brown, Robt. P.	R/W	0.33	\$100 per acre, + \$817, + low bid for moving buildings (Estd. \$2000)	"
8991-Stafford, Lloyd E.	R/W	2.415	\$125 per acre, + \$1346, + moving bldgs. (Estd. \$2000)	"

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Redwood Hwy. Junction-Siskiyou National Forest Boundary Section, Oregon Caves Hwy.</u>				
10169-Braha, W. W.	Stock Pile	1.0	Lump Sum - \$100	Lytle
<u>Eagle Point-Medford Section, Crater Lake Highway</u>				
10027-Phipps, Clara E.	Gravel Pit	0.44	\$200 per acre	Witt
10056-City National Bank of Clinton, Iowa	R/W	6.42	\$312 per acre less (Lump Sum \$2,000)	"
10151-Hoover, Charles C.	R/W	5.83	\$62.50, + \$247.30	"
10063-Wahl, Fred E.	R/W	0.98	\$250 per acre, + \$19.50	Landon
10054-Redpath, Burrell F.	R/W	5.69	\$350 per acre, + \$173.75, + \$5.00 + moving bldgs. (Estd. \$800)	Witt
10050-Mudd, Harvey	R/W	7.62	\$75 per acre, + \$200	"
10052-Matternick, Jos. G.	R/W	1.14	\$75 per acre, + \$139.50 + moving bldgs. (Estd. \$900)	"
10065-Lester, J. E.	R/W	2.83	\$300 per acre, + \$448.50	Landon
10061-Gore, W. H.	R/W	0.15	\$66.67 per acre, + fencing	"
10060-Ashpole, C. W.	R/W	5.11	\$50 per acre, + fencing	"
10058-Southern Oregon Sales, Inc.	R/W	0.58	\$50 per acre, + fencing	"
10055-Newbury, Gus	R/W	3.34	\$75 per acre, + \$100	Witt
10132-Bigham, Donna P.	R/W	3.97	\$75 per acre, + \$100	"
10053-Bishop, Georgia E. P.	R/W	3.81	\$50 per acre, + \$100	"
10026-Powell, Blanche A.	Gravel Site	1.77	\$200 per acre	"
10057-Bank, Jackson County, & C. C. Clemens	R/W	1.62	\$50 per acre	"
10051-Jackson County	R/W	1.90	GRATIS	"
10032-Mack, Otis A.	Gravel Pit	0.93	\$250 per acre, + fencing	"
10135-Padgham, Henry F., Jr.	R/W	8,179 sq.ft.	Lump Sum - \$300	"
10134-Kellogg, J. Boyce	R/W	0.05	\$500 per acre	Landon
10083-Begley, Spencer D.	R/W	432 sq.ft.	54 sq.ft.	"
10080-Miller, W. D., Jackson County, Roy P. Jones Channel Change	R/W & Change	1.32 1.93 3.25	\$300 per acre \$25 per acre, + \$383.75; in addition State to con- vey 1.85 acres J. E. Soliss land to grantor (\$300 per acre)	"
10081-Bengtson, O. H. & Roy P. Jones	R/W	0.09	\$300 per acre	"
10062A-Schmidt, W. C.	Cattle-pass Connection	0.15	\$250 per acre, + fencing	"
10082-Soliss, J. E.	R/W	3.25 2.21 5.46	\$300 per acre \$750 per acre, + \$3,867.50	"

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Eagle Point-Medford Section, Crater Lake Highway (Con't.)</u>				
10031-Baumgardner, Lee R.	Gravel Pit	4.39	\$250 per acre, + \$25	Witt
10024-Dougherty, A. L.	R/W	7.82	\$30 per acre, + \$412.50	"
10062-Caul, Vera, & J. M. Sutherlin	R/W	2.88	\$250 per acre, + \$300, + \$5; in addition State to convey 0.15 acre ac- quired from W. C. Schmidt, rate of \$250 per acre, + easement for cattle lane or pass, + fencing	Landon
10078-Taylor, T. L.	R/W	0.53 <u>0.04</u> 0.57	\$300 per acre \$25 per acre, + \$27 in addition State to con- vey 2.0 acre at \$93.50 per acre to grantor, + easement for cattle lane "	
10137-Esch, Carl	R/W	13.66	\$60 per acre, + \$5	Witt
10136-Dugan, Mary & hauling road	Gravel Pit	6.43	\$60 per acre, + \$50	"
10030-Baumgardner, W. H.	Gravel Site	1.88	\$200 per acre	"
10145-Medford Corporation	R/W	7.15 + 3,940 sq.ft.	1.73 acres at \$1,250 per acre, 5.42 acres at \$200 per acre - Lump Sum \$300, + low bid for moving buildings (Estd. \$800)	Witt
10113-Jackson County Land Co.	R/W	14.29	12.54 acres at \$125 per acre, 1.75 acres at \$20 per acre	"
<u>Ashland Section, Pacific Highway</u>				
9682-Claycomb, H. L. (Correction)	R/W	5,969 sq.ft.	75¢ per sq.ft., less 2,122 sq.ft. at 75¢ sq.ft., to be con- veyed to grantor, + \$2,865, less deduction of \$353.64, + 93.58% low bid for moving & remodel- ing buildings (Estd. \$19,500), + \$500	Gardiner
9685-Postal Telegraph Co. (G. S. Butler)	R/W		Moving outside pole & facilities \$1,000	"
<u>Redmond Sisters Section, McKensie Highway</u>				
10149-Central Oregon Irriga- tion District	Gravel Pit	12.18	\$2.05 per acre	Coxad
<u>Boardman-Stanfield Section, Boardman-Stanfield Highway</u>				
10044-Morrow County	Stock Pile Site	8.44	GRATIS	Landon

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>LaGrande-Elgin Section, Wallows Lake Highway</u>				
8498A-Green, R. J.	Stock Pile	0.97	\$100 per acre, + \$20, DeSousa + fencing	
<u>Kimberly-Simas School Section, Kimberly-Long Creek Highway</u>				
8461A-Amis, Clarence W.	R/W	0.29	\$5.00 per acre	Cosad
7921B-Simas, Joe M.	R/W	0.65	\$5.00 per acre, + \$7.50	"
8397A-Batty, J. N. et al	R/W	0.54	\$5.00 per acre, + \$79.80	"
7923A-Vinson, Emma A.	R/W	1.73	\$5.00 per acre	"
<u>Long Creek-Fox Section, Pendleton-John Day Highway</u>				
9109B-Girr, Frank B.	Stock Pile	1.41	\$25 per acre	Cosad
<u>Madras-Crooked River Section, The Dalles-California Highway</u>				
8578-Donlon, Lillian Mae (Correction)	R/W	2,080 sq.ft.	Lump Sum - \$40	Cosad
<u>Harrisburg Bridge Section, Pacific Highway East</u>				
10110-Hall, Odette M. (Morris Estate)	R/W & Easement	1.10	\$200 per acre; in addition the State is to convey to the Estate 0.42 acre, at \$200 per acre, - net payment \$136.00	Gardiner

Mr. Tom M. Davis, Senior Highway Engineer, Public Roads Administration, was present and approved settlements with respect to acquisition of right of way needed for access roads to the Medford cantonment. Also in connection with this matter, the Attorney reported on negotiations with a Mr. C. M. Parker, Medford, for right of way needed for improvement of the Pacific Highway in Medford, in connection with the Medford cantonment access road. He explained that acquisition of this property involves the termination of a two-year lease owned by a Mr. A. W. Denney and that it would cost about \$15,000 to acquire the property and terminate the lease. The Commission considered such settlement exorbitant and instructed the Attorney to negotiate further in an endeavor to secure a reduction in the price. He was authorized to offer \$12,000 as a basis for negotiation.

The Engineer brought up for discussion the matter of award of contracts for the construction of the North Unit and the South Unit of the Antelope Creek-Medford Section of the Crater Lake Highway, bids for which projects were received by the Commission on the previous day. After careful consideration of this matter, the Commission voted unanimously to award the contract for the North Unit to Berke Bros., Portland, the low bidders, at their bid price of \$312,887.50. It was also decided unanimously to readvertise for bids for the construction of the South Unit, such bids to be received at the next regular

meeting of the Commission, which was thereupon scheduled to be held on Thursday, April 2, 1942, in Portland. The Secretary was instructed to make the usual arrangements to hold this meeting in the auditorium of the Public Service Building.

The Engineer reported receipt of a communication from Frank J. Van Dyke, Executive Secretary, Jackson County Civic Coordinating Board, requesting approval of a change in the Commission's plans for limiting travel on the Crater Lake Highway to south-bound travel only, particularly along the section which extends northerly from the junction with McAndrews Road to the old Airport Road, a distance of about one-half mile, as an accommodation to people who wish to use the facilities of the Jackson County trailer camp. Mr. Van Dyke states that under the present arrangement tourists are confused and experience difficulty in getting to the trailer camp, and suggests that the Commission allow two-way traffic between McAndrews Road, the present terminus for one-way traffic, and the old Airport Road, as a solution for the problem. He also states that the army engineers and the county court are in favor of such change. The Engineer advised that the old Airport Road is not a natural place to change from one-way traffic to two-way traffic and, if north-bound traffic were permitted along this section, it would create a dangerous condition and traffic accidents would undoubtedly occur. He suggested, as a solution, the construction of a third traffic lane on the east side of the Crater Lake Highway from McAndrews Road to the entrance to the trailer camp, for the exclusive use of north-bound travel. Such lane, he said, would serve not only the trailer camp but also people who live along the Buckshot Hill County Road, which extends easterly from the Crater Lake Highway south of the trailer camp. This would not have to be a high-class roadway, he said, because its use could be limited to the time that the cantonment is under construction. Also, there are possibilities that local people will contribute a portion of the cost to build the road.

He also said that the army engineers have agreed, if the Highway Commission will terminate one-way traffic at the old Airport Road, to maintain guards that may be necessary to protect traffic at this intersection. He suggested, however, that the construction of a temporary side road would prove a more satisfactory solution of the problem. After discussion the Commission instructed the Engineer to contact the local people with respect to the construction of the third traffic lane. In the event these people do not approve the plan, then the Engineer is authorized to terminate the one-way traffic at the old Airport Road and to erect barricades and appropriate signs at such location for the guidance of traffic, and to arrange with the army engineers to provide guards at this point, at least during rush hours when travel is heavy.

The Engineer also brought up for discussion a request from the army engineers for the extension of one-way traffic for north-bound Crater Lake Highway traffic on the Midway County Road. He pointed out that one-way travel on this road now terminates at the old Pacific Highway junction with the Midway Road just north of Medford; whereas, the army engineers prefer its termination at the junction of the old Pacific Highway with the new Pacific Highway. He

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recommended approval of this request as a trial proposition. The Commission approved the recommendation and ordered appropriate signs erected in accordance therewith.

The Commission adjourned at 12:20 p. m. and reconvened at 1:30 p. m. in the same room with the same persons present and participating.

The Attorney requested authority to institute condemnation proceedings for the acquisition of certain parcels of real property that he had been unable to secure by negotiation. He presented a list of such parcels, together with the offer that he recommended for each in condemnation as follows:

<u>File No.</u>	<u>Name</u>	<u>Purpose Required</u>	<u>Recommended Offer</u>
10029	W. G. Drummond, et ux.	Gravel Pit	\$ 175.00
10033	Anna B. Lindley	Gravel Pit	1,800.00
10146	M. O. Bessonette	Right of Way	150.00
10153	Jim Foster Chevrolet Company	Stock Pile	100.00
10150	M. H. Brown	Gravel Pit	100.00
10102	C. J. Moser	Gravel Pit	525.00
10103	C. J. Moser & Federal Land Bank of Spokane	Hauling Road	75.00
10110	C. L. Morris Estate, deceased	Right of Way	175.00
10156	Kenneth H. Nelson	Right of Way	200.00
10155	Herman Nelson, et ux.	Right of Way	200.00
10157	G. P. Shafer, et ux.	Right of Way	2,000.00
9257A	Leora R. Miller	Right of Way	\$50.00 - \$60.00
10092	Clarence A. Blackburn, et ux.	Right of Way	40.00
8998	Frank A. Moore, et ux.	Right of Way	900.00
8989	Floy Liles Thompson	Right of Way	900.00
9497	Fhebe S. Armstrong	Right of Way	450.00

After careful consideration of each item the Commission approved the request and the recommended offers. The following resolution with respect thereto was adopted by the Commission by unanimous vote:

WHEREAS, the State Highway Commission is authorized to locate, relocate, construct, reconstruct, maintain, widen, straighten, and otherwise improve state highways, both primary and secondary, and said Commission is also authorized to construct shops, equipment sheds, office buildings, maintenance sites, patrolmen accommodations, and snow fences, and is authorized to acquire quarry sites, gravel pits, storage sites, stockpile sites, weighing stations, and broadcasting stations, and is further authorized to develop, construct, improve, operate, and maintain parks, parking places, auto camps, camp sites, roadside development, recreational grounds or resorts, and other places of attraction and scenic value; and

WHEREAS, said Highway Commission is authorized to acquire by purchase, agreement, donation, or by the exercise of the power of

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eminent domain real property, or any interest therein, necessary or deemed by the Highway Commission necessary for the accomplishment of any and all of the foregoing things; and

WHEREAS, in the judgment of the Highway Commission the several tracts or parcels of land hereinafter described are each and all necessary for the specific and particular purposes hereinafter specifically set forth;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the Commission does hereby find and declare that the parcels of real property hereinafter described are each and all necessary for the accomplishment of the purposes hereinafter expressly and specifically set forth, which said real properties and the specific purposes for which the same are being acquired are described as follows, to wit:

Real property owned by J. A. Struss, et al., which property is located in the west half ($W\frac{1}{2}$) of the southwest quarter ($SW\frac{1}{4}$) of the southeast quarter ($SE\frac{1}{4}$) of the southeast quarter ($SE\frac{1}{4}$) of Section 11, Township 15 South, Range 12 East, W. M., Deschutes County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 1 and is further identified in the records of the Highway Commission as file R 10150, and which property is being acquired for the purpose of securing roadbuilding materials therefrom for use in connection with the McKensie Highway;*

Real property owned by C. J. Moser and Margaret Moser, which property is located in the northeast quarter ($NE\frac{1}{4}$) of Section 9, Township 34 South, Range 6 West, W. M., Josephine County, Oregon, and is more particularly described on the attached sheets and designated as Parcels Nos. 2 and 3 and is further identified in the records of the Highway Commission as file R 10102, Parcel No. 2 being acquired for the purpose of securing roadbuilding materials therefrom for use in connection with the Pacific Highway, and Parcel No. 3 being acquired for the construction thereover of a hauling road to be used in connection with the acquisition and appropriation of roadbuilding materials from Parcel No. 2;*

Real property owned by C. J. Moser, et ux., and The Federal Land Bank of Spokane, which property is located in Lot 1 ($SE\frac{1}{4}$ of $SE\frac{1}{4}$) of Section 4, Township 34 South, Range 6 West, W. M., Josephine County, Oregon, and is more particularly described on the attached sheets and designated as

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Parcel No. 4 and is further identified in the records of the Highway Commission as file R 10103, which property is being acquired for the construction thereof of a hauling road to be used in connection with the acquisition and appropriation of roadbuilding materials from Parcel No. 2 for use in the improvement of the Pacific Highway;*

Real property owned by the Estate of C. L. Morris, deceased, et al., which property is located in the north half (N $\frac{1}{2}$) of Section 16, Township 15 South, Range 4 West, W. M., Lane County, Oregon, and is more particularly described on the attached sheets and designated as Parcels Nos. 5 and 6 and is further identified in the records of the Highway Commission as file R 10110, and which property is being acquired for right of way purposes in connection with the Pacific Highway East;*

Real property owned by Leora R. Miller, which property is located in the northeast quarter (NE $\frac{1}{4}$) of the northwest quarter (NW $\frac{1}{4}$) of Section 34, Township 13 South, Range 3 East, W. M., Linn County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 7 and is further identified in the records of the Highway Commission as file R 9257A, and which property is being acquired for right of way purposes in connection with the Santiam Highway;*

Real property owned by Clarence A. Blackburn and Edna V. Blackburn, which property is located in the Charles B. Sweet D. L. C. No. 61 and situated in Section 34, Township 17 South, Range 3 West, W. M., Lane County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 8 and is further identified in the records of the Highway Commission as file R 10092, and which property is being acquired for right of way purposes in connection with the Pacific Highway;*

Real property owned by George W. Thompson and Floy Liles Thompson, which property is located in the northeast quarter of Section 24, Township 18 South, Range 3 West, W. M., Lane County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 9 and is further identified in the records of the Highway Commission as file R 8989, and which property is being acquired for right of way purposes in connection with the Willamette Highway;*

Real property owned by Phebe S. Armstrong, which property is located in Lot 27, Block 52, in the Town of North Bend, Coos County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 10 and is further identified in the records of the Highway Commission

as file R 9497, and which property is being acquired for right of way purposes in connection with the Oregon Coast Highway.*

2. That the Commission does hereby find and declare that each of the said described parcels of real property is necessary and acquisition of the same by the State is required for the specific purposes hereinabove set forth, and the said properties are being acquired for the express and specific purposes in this resolution set forth.

3. That the State Highway Engineer be and he hereby is instructed and directed to make or cause to be made all surveys necessary in connection with the determination, description, and acquisition of said real properties, and said Engineer is further instructed to prepare and submit to the Legal Department necessary and adequate descriptions of the said real properties, which said descriptions shall be available for the preparation of any deed or deeds or other instrument or instruments necessary to complete the acquisition of said property or properties, whether said properties be acquired by purchase, donation, agreement, or by the exercise of the power of eminent domain.

4. That J. M. Devers, Attorney for the State Highway Commission, be and he is hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby further resolved that J. M. Devers, Attorney for the State Highway Commission, be and he hereby is requested to commence and prosecute to a final determination such suit or action, or suits or actions, as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

*(The detailed descriptions of the respective parcels of real property mentioned in this resolution are attached to the original resolution on file in the office of the State Highway Commission, Salem, being Resolution No. 22, under the heading "Real Property Condemnation Resolutions", and said descriptions by this reference are made a part of this minute entry to the same extent as if copied in full herein.)

At 2:00 p. m. Chairman Cabell made the following announcement with respect to the bids received on the previous day for the construction of the

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North and South Units of the Antelope Creek-Medford Section of the Crater Lake Highway, in Jackson County:

"With respect to the bids received for the North Unit of the Antelope Creek-Medford Section of the Crater Lake Highway, the Commission considers the low bid, which was submitted by Berke Bros., Portland, in the amount of \$312,887.50, to be a satisfactory bid and has awarded this contract to Berke Bros. at their bid price.

"The Commission has rejected all bids received for the construction of the South Unit of the Antelope Creek-Medford Section of the Crater Lake Highway and has ordered the Engineer to readvertise this project for new bids at the earliest possible time."

The Commission thereupon confirmed Thursday, April 2, 1942, as the date for its regular meeting in Portland, and instructed the Secretary not to schedule any delegations for such meeting unless the matters to be discussed are urgent.

The Commission discussed House Resolution No. 6750 now before Congress which resolution exempts from state, territorial and local taxes the sale, purchase, storage, use or consumption of tangible personal property and services for use in performing defense contracts. The Engineer pointed out that, if this resolution is enacted into law, it will exempt contractors and defense workers from payment of gasoline taxes and motor transportation fees, and the state's annual income from such sources will be reduced between \$1,000,000 and \$2,000,000, which the state cannot afford to lose, particularly in view of the reduction in state highway income which is anticipated by reason of tire rationing and the falling off of tourist traffic. It was his thought that everything possible should be done to prevent the adoption of this resolution or, at least, to eliminate therefrom the provisions that relate to the state taxes on gasoline, motor transportation fees and motor vehicular taxes. The Commission concurred in the viewpoint of the Engineer and thereupon authorized the sending of the following telegram relative thereto to each member of the Oregon delegation in Congress:

"Rationing of motor vehicles and tires is expected to reduce state highway income at least two million dollars below income of 1941. By curtailment of expenditures and construction programs wherever possible state will be able to carry on its maintenance operations, to meet its bond obligations and to meet its commitments in connection with federal projects on access roads and on strategic network in 1942. If, however, House Resolution 6750 exempting defense contractors from payment of gasoline tax and motor transportation fees should be passed, state income will be reduced an additional amount between one million and two million dollars forcing the state to borrow a like amount or to repudiate commitments on cooperative projects involving that amount of state participation. In 1943 the reductions in income mentioned will be double what they are in 1942 and will aggregate approximately six million dollars leaving the state without any funds for construction and with barely sufficient income to meet bond obligations and maintenance.

We urge you to exert every effort to prevent adoption of House Resolution 6750 or at least to delete from Bill provisions relating to state taxes on gasoline, motor transportation fees and motor vehicular taxes."

The Engineer brought up for discussion the matter of increasing the salaries of highway department employees who now receive less than \$200.00 per month, including both hourly-paid employees and employees who are receiving a monthly salary. He recommended increasing the rates \$10.00 per month for each employee of this class provided a \$200.00 per month maximum is not exceeded. He also recommended an increase of \$15.00 per month, from \$135.00 to \$150.00, for weighmasters who are obliged to be away from headquarters a considerable part of the time. He explained that the increases are recommended due to increased living costs, which especially affect the employees in the lower brackets. The matter was discussed at some length, but the Commission deferred its decision until the next meeting.

The Engineer also brought up for discussion the matter of increasing the salaries of men employed on engineering crews in the vicinity of the Corvallis and Medford cantonments. He said that, due to construction activities at these cantonments, it is impossible for such engineering employees to secure living accommodations at reasonable cost, inasmuch as available facilities have been taken up by cantonment workers. He gave as his thought that special consideration should be given to the men on these engineering crews and that they should be allowed an additional amount to take care of this expense. He suggested an allowance of \$20.00 per month for such purpose, during the time that they are engaged in work that is affected by the cantonment conditions which, he thought, would be about eight months. After due consideration the Commission approved the recommendation subject to the condition that it shall apply only to the engineering crews that are engaged on highway work at each of these cantonments and are residing either in Albany, Corvallis, Monmouth, or Medford.

The matter of constructing an airplane flight strip along the Wolf Creek Highway in the vicinity of North Plains had the attention of the Commission. The Engineer advised that a site has been selected which meets with approval of the army authorities, which site is situate along a section of the Wolf Creek Highway that will not be constructed until after the war is over. The plan, he said, is to construct the flight strip on the highway alignment so that it can be used as a section of highway when the present emergency is over and when it is not needed as a landing place for airplanes. The Commission indicated approval of such an arrangement and authorized the Engineer to proceed with construction of the flight strip when proper governmental approval has been obtained.

The Commission discussed the establishment of a 40-mile-per-hour speed limit for all traffic operating over state highways as has been requested by President Franklin D. Roosevelt in a letter directed to the Governor of each

state, in order to conserve gasoline and to avoid unnecessary wear on automobile tires. The Attorney advised that, according to the Attorney General, the State Highway Commission does not have authority to make a blanket order reducing the speed limit, although it does have authority to reduce or increase the speed limit on certain sections of the highway if the Commission considers such modifications justified by the physical features of the highway. The Commission's authority, he said, extends only to state highways outside of incorporated cities and towns. The Commission decided, after discussion, to convey such information to Governor Charles A. Sprague, should he direct an inquiry to the Commission with respect thereto. It was the thought of the Commission, however, that it should cooperate with the President and the Governor in so far as possible in this regard, and, accordingly, the Commission instructed the Engineer to issue an order limiting the speed of all highway department equipment to 40 miles per hour when the request for such reduction has been received from the Governor.

In this connection the Engineer recommended the adoption of a 35-mile-per-hour speed limit along the Pacific Highway West through the Corvallis cantonment and along the Crater Lake Highway through the Medford cantonment. The Commission considered the adoption of such speed limit through these areas justifiable and advisable and accordingly approved the recommendation. The following resolutions relative thereto were thereupon adopted by the Commission by unanimous vote:

WHEREAS, the State Highway Commission, pursuant to the provisions of Section 115-320, O. C. L. A., as amended by Chapter 458, Oregon Laws, 1941, has caused an engineering and traffic investigation to be made with respect to certain state highways and/or certain sections of state highways more particularly and completely described and set forth hereinafter; and

WHEREAS, the data, facts and information obtained in connection with said investigation are all on file in the office of the State Highway Commission at Salem, Oregon; and

WHEREAS, based upon said engineering and traffic investigation the Commission has determined that the fixed and designated speeds prescribed by the provisions of subsection (b) of said Section 115-320, O. C. L. A., as amended, are in certain specified instances greater than is reasonable and safe and in other specified instances are less than is reasonable under the conditions found to exist upon or with respect to the state highways or sections of state highways hereinafter set forth and more particularly described and defined hereinafter, and the State Highway Commission has therefore determined to designate a different speed thereupon than the speed fixed in said statute, which said different speed or speeds shall be as specifically set forth hereinafter.

NOW, THEREFORE, based upon said engineering and traffic investigation and upon the finding and determination made by the Commission with respect thereto, the Commission does hereby determine and

does hereby order that within the meaning and purpose of said Section 115-320, O. C. L. A., as amended, the speed at which a vehicle may be driven upon said state highway and/or upon said section of said state highway shall not exceed the rate of speed set forth immediately following.

Name of highway:..... Pacific Highway West

Highway number:..... 1W Route number:..... 99W

	Location of Termini	Established Speed
M. P.	74.17.....to M. P.	78.50.....; ..35..miles per hour

BE IT FURTHER ORDERED that the State Highway Engineer be and he hereby is ordered and directed to erect at appropriate places in sufficient number adequate signs giving notice of the particular applicable speed on said state highway.

BE IT FURTHER ORDERED that any previous order heretofore made by the Commission with respect to speed or speeds applicable to any of the highways or sections of highways specified herein which is in conflict with the provisions of this order hereby is vacated and annulled.

WHEREAS, the State Highway Commission, pursuant to the provisions of Section 115-320, O. C. L. A., as amended by Chapter 458, Oregon Laws, 1941, has caused an engineering and traffic investigation to be made with respect to certain state highways and/or certain sections of state highways more particularly and completely described and set forth hereinafter; and

WHEREAS, the data, facts and information obtained in connection with said investigation are all on file in the office of the State Highway Commission at Salem, Oregon; and

WHEREAS, based upon said engineering and traffic investigation the Commission has determined that the fixed and designated speeds prescribed by the provisions of subsection (b) of said Section 115-320, O. C. L. A., as amended, are in certain specified instances greater than is reasonable and safe and in other specified instances are less than is reasonable under the conditions found to exist upon or with respect to the state highways or sections of state highways hereinafter set forth and more particularly described and defined hereinafter, and the State Highway Commission has therefore determined to designate a different speed thereupon than the speed fixed in said statute, which said different speed or speeds shall be as specifically set forth hereinafter.

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NOW, THEREFORE, based upon said engineering and traffic investigation and upon the finding and determination made by the Commission with respect thereto, the Commission does hereby determine and does hereby order that within the meaning and purpose of said Section 115-320, O. C. L. A., as amended, the speed at which a vehicle may be driven upon said state highway and/or upon said sections of said state highway shall not exceed the rate of speed set forth immediately following.

Name of highway:.....Crater Lake Highway.....

Highway number:.....22.....Route number:.....62.....

	Location of Termini	Established Speed
M. P.	6.70.....to M. P.	9.75.....}...35.....miles per hour

BE IT FURTHER ORDERED that the State Highway Engineer be and he hereby is ordered and directed to erect at appropriate places in sufficient number adequate signs giving notice of the particular applicable speed on said state highway.

BE IT FURTHER ORDERED that any previous order heretofore made by the Commission with respect to speed or speeds applicable to any of the highways or sections of highways specified herein which is in conflict with the provisions of this order hereby is vacated and annulled.

The Engineer requested instructions relative to improvement of the roadways within the State Fairgrounds property in Salem. He explained that an army cavalry unit is headquartered at the Fairgrounds and that Colonel Hazeltine, who is in charge, has asked the state to repair the roads which are in very bad condition, so that the army equipment may be moved over them rapidly, if occasion necessitates, which cannot be done under present conditions. He estimated the cost to gravel the roads at \$7,500 and to provide an oiled surface improvement at \$10,000, and suggested approval of the project with state forces if arrangements can be made with the State Fair Board to pay the costs involved. The Attorney advised that the Commission has legal authority to make this improvement, if it so desires, but in his estimation, if the work is undertaken an agreement should be reached with the State Fair Board for reimbursement. The Commission approved the project and the advancement of state funds to pay the costs involved, it being understood, however, that before the work is commenced a written request for the improvement should be received from the army officials, and a written agreement should be entered into with the State Fair Board relative to costs. The Attorney was instructed to prepare an appropriate form of agreement with the State Fair Board covering the matter and to include therein provision for reimbursement of the cost within five years.

The Secretary presented a letter from the Public Utilities Commissioner inquiring whether or not the Commission expects to extend the privilege

heretofore granted log haulers to operate trucks over state highways on Saturday afternoons, Sundays, and during certain hours of darkness, which privilege automatically expires on June 1, 1942, unless extended. The Commission deferred decision in the matter until a future meeting.

The Attorney presented an offer from Mr. H. L. Claycomb, Ashland, to purchase, at the rate of fifty cents per square foot, plate glass windows in two buildings that were acquired in connection with the proposed improvement of the Pacific Highway in Ashland. Said buildings were formerly owned by H. S. Harrison and Clara Engle. He recommended acceptance of this offer. The Commission approved the sale at the price quoted.

The Attorney also presented an offer from Briggs and Briggs, attorneys for a Mr. Butler, Ashland, to purchase the plate glass windows in a building acquired from Mr. Butler in connection with the Ashland improvement. He advised that the offer is \$350 for the windows, less a credit of \$100 for the performance of a certain amount of demolition work in order to recover the glass, which work the state would have to pay for later on in any event. He gave as his thought that the offer is fair and reasonable and recommended acceptance of the same. The Commission approved the recommendation.

The Attorney reported that in connection with the acquisition of right of way from Mr. A. D. Jones, at Eugene, the Commission came into possession of a cash register which is of no particular value from the state's standpoint. An offer of \$45 for the purchase of the register, he said, has been received from a Mr. Hoke Smith of Eugene. He recommended acceptance of Mr. Smith's offer. The Commission approved the recommendation.

The Engineer requested authority for the Right of Way Department to proceed with the acquisition of right of way that is needed for the proposed improvement of the John Day-River Quinton Section of the Columbia River Highway, in Sherman County, so that this project can go forward without delay from the right of way standpoint when funds become available to finance construction. He explained that this improvement is the next one to be undertaken on this highway when it is cleared by the Public Roads Administration and the army engineers. The Commission considered it advisable to acquire the right of way and thereupon authorized the Attorney to negotiate options for the same.

The Commission discussed a request from a Mr. Elmer Herried, in behalf of an actor named Murphy, for permission to construct an irrigation ditch on certain park property situate in the northeast quarter of the southeast quarter of Section 27, Township 33 S., Range 1 East, W. M., in Jackson County, which property the Commission has under lease from the federal government as a recreational site. The Attorney advised that the state does not own this land but is simply occupying it under lease from the federal government; also, that the State Parks Superintendent advises that an irrigation ditch on the property would not interfere with the use of the property for park purposes. After discussion the Commission instructed the Attorney to inform Mr. Herried that the state does not own the land but will offer no objections to the construction of the irrigation ditch over the same. (See Park File No. 194 - description of park area)

The Commission discussed a stipulation prepared by the federal government for use in obtaining right of way easements for highway crossings over reclamation canals. The Attorney advised that this is a standard governmental requirement and in so far as it pertains to the case at hand, which is the securing of lease rights on the Boardman-Stanfield Highway near Stanfield, in his estimation is not too drastic. The Commission indicated approval of the stipulation in so far as it pertains to this case but deferred signing the same upon suggestion of the Engineer that the matter should first be discussed with Senator Charles A. McNary and at the next meeting of the Western Association of State Highway Officials.

The Engineer requested instructions as to the disposition of a small building that was used as an engineer's office in connection with the construction of the railroad grade separation structure in Nyssa. He advised that this is a small building of not much value, and that it was erected on property owned by the City of Nyssa. He suggested that the building be given to the city without charge. The Commission approved the suggestion.

The Attorney requested instructions whether or not to advertise for sale certain property, consisting of land and a building, that was acquired from the Fletcher Oil Company in connection with the highway improvement in Nyssa. The City of Nyssa, he said, would like to have the building for use as a library and has asked the Commission to set a price for which the same can be purchased. He was instructed by the Commission to ascertain what the city is willing to pay for the property. If the city offers a fair amount for the same, the Commission will accept it; otherwise, the property is to be advertised for sale in the regular manner.

The Commission discussed a request from the John Day Catholic Church to acquire a portion of the highway right of way in front of their church building in John Day, so as to permit sidewalk and curb construction, et cetera. The Engineer advised that the right of way in front of the church building is somewhat wider than the adjoining section so, if the sidewalk were constructed along the right of way line as established, it would introduce a jog in the sidewalk alignment. He questioned the advisability of giving up any of the right of way that the state now owns because very likely at some future date the Commission will want to widen the adjoining sections in order to make an uniform right of way at this place. The Commission deferred a decision in the matter pending inspection of the premises by Commissioner Oliver and receipt of his recommendation.

The Commission considered and refused an offer received from Mr. A. M. Myer to pay \$50 for that portion of Lot 5, Block 2, Townsite of Glenada, Lane County, which lies outside of the standard width highway right of way that was acquired for the Oregon Coast Highway at this point.

The Commission reconsidered the matter of the sale of certain state-owned property adjacent to the right of way of the Warm Springs Highway at the Madras overcrossing, but deferred action until the next meeting. The Assistant Attorney was instructed to make a complete report on the matter at that time.

A letter was presented from the Swan Lake Moulding Company in regard to the moving of the Associated Oil Company's buildings from property acquired by the state from the Swan Lake Moulding Company for the widening of the state highway on South Sixth Street, Klamath Falls. It appears that the Associated Oil Company is leasing the ground from the Swan Lake Moulding Company and wishes to know if the state will move the buildings off the newly-acquired right of way or will pay for having them moved now if the Associated Oil Company will assume the obligation of surfacing the area in front of the buildings and will maintain the same until such time as the proposed South Sixth Street improvement is completed. The Attorney advised that the Commission previously authorized the moving of the buildings at state expense with the understanding that the state would not be obligated to surface the area in front of the buildings until the highway improvement is completed and that the company has been so informed. He was instructed by the Commission to reconvey such information to the company and to assure it that the state will pay the cost of moving the buildings but will not do anything further until the highway improvement is undertaken.

Reconsideration was given by the Commission to its claim against Clatsop County, amounting to \$5,500, and the request of Clatsop County that the Commission give the county credit for at least a portion of this claim on properties recently deeded to the state for which no charge was made by the county. The Engineer submitted a list of properties that have been acquired from the county without cost and advised that a reasonable cash market value of such properties will at least offset the state's claim. In view of the presentation the Commission considered that the county has fulfilled its obligation. The following resolution accepting the conveyance of such real properties from the county as complete and final payment of the county's obligation and debt to the state was thereupon adopted by the Commission by unanimous vote:

WHEREAS, because of certain contractual obligations and arrangements between Clatsop County and the State Highway Commission Clatsop County became and is indebted to the State in the sum of \$5,500; and

WHEREAS, Clatsop County has by deed conveyed to the State of Oregon, by and through its State Highway Commission, certain real properties, which real properties have a reasonable cash market value of \$5,500; and

WHEREAS, said real properties are identified in the Highway Commission records as follows:

File 2487, which covers property located in Astoria which is being used for maintenance buildings by the State and consists of 1.21 acres.

File 4522, which covers property located near West Lake, which is 13 miles south of Astoria, which property is being used for stockpile purposes and consists of 1.54 acres.

File 3870, which covers property near Cannon Beach Junction being used for stockpile purposes and which consists of 1.00 acre.

File 4663, which covers a tract of land located in Seaside, and which property is being used for stockpile purposes and consists of 1.83 acres.

File 6004, which covers land located in Astoria on the Nehalem Secondary Highway, which is used for stockpile purposes and consists of 1.27 acres.

File 9841, which covers a tract of land consisting of 1.54 acres located near Camp Clatsop and which is being used for a scale site.

File 2492, which covers 0.02 acre of land near Ecola Park and is being used for park purposes.

File 4898, which covers 0.39 acre of land in Seaside and is being used for park purposes.

Also, tract of land at North Fork of the Necanicum River on the Necanicum Highway, title to which has not yet been conveyed by the County to the State, but which property is being used for park and stockpile purposes.

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the Oregon State Highway Commission, all members being present and voting affirmatively, as follows:

1. That title to the real properties described in the above identified files, which properties heretofore have been conveyed by Clatsop County to the State of Oregon, by and through its State Highway Commission, be accepted, including the tract at the North Fork of the Necanicum River on the Necanicum Highway when title is conveyed by the County to the State.
2. That said properties and title thereto be accepted at the total appraised value of \$5,500.
3. That the conveyance of said real properties by the County to the State be accepted as complete and final payment of the County's obligation and debt to the State in the said sum of \$5,500.
4. That the Commission by this resolution expresses its appreciation of the cooperation which Clatsop County, by and through its County Court, has given the State Highway Commission, and pledges a like cooperation with the County in all matters of public interest calling for joint activity on the part of Clatsop County and the State Highway Commission.

The Secretary was instructed to forward a certified copy of the same to Clatsop County Court.

The Commission approved and signed a "petition" and "consent to vacate" a part of Tenth Street and the alley which runs through the center of Block 72

in the original townsite of Redmond, such procedure being necessary in order to provide an enlargement of the state highway department's maintenance headquarters in that town. The Secretary was authorized to sign and acknowledge the "consent to vacate" in behalf of the Commission.

The Attorney requested instructions relative to commencing action to evict Mrs. Ines Van Dyke from Casey State Park, in Jackson County. He explained that Mrs. Van Dyke consistently ignores orders to vacate the premises and it appears necessary to take legal action against her. The Commission authorized the Attorney to start such legal action about the first of June.

The Attorney also requested instructions relative to the Enyart condemnation case at St. Helens. He explained that this case has been up for trial for a long time but for one reason or another the Attorneys for the owners have been able to have the case postponed and in each instance he has approved of the postponement as an accommodation; however, he is anxious to have the case closed, hence his request for instructions in the event the owners' attorneys again ask for postponement. He was instructed by the Commission to let the case come up in court in the regular manner.

The Engineer reported on the need to store road oil to serve as a reserve during the present tank car shortage. He gave as his thought that storage tanks should be constructed at strategic points so as to insure availability of road oil to carry on the coming season's oiling operations by state forces. He estimated the cost of the tanks at \$2,450 each, and requested authority to erect five tanks at the following locations: Philomath in Benton County, Eola in Polk County, Redmond in Deschutes County, Pendleton in Umatilla County, and Baker in Baker County. The tanks, he said, will be of wooden construction and will be built by state crews. After discussion the Commission by unanimous vote authorized construction of five tanks at an estimated total cost of approximately \$12,000; however, instructed the Engineer to first ascertain whether or not any of the oil companies have empty storage tanks available which the state might use in lieu of the construction of its own tanks.

The Secretary presented a letter from Governor Charles A. Sprague advising that he is in receipt of letters from Rear Admiral C. J. Freeman, Commandant of the Thirteenth Naval District, from Lieut. Gen. J. L. DeWitt, Commanding the Fourth Army and the Western Defense Command, and a telegram from John L. Rogers, Director of the Division of Motor Transport, Office of Defense Transportation, requesting that for the period of the present war emergency there be a relaxing of Oregon restrictions so that vehicles of the size tolerated in adjacent states may be allowed to operate upon Oregon highways; also advising that he has had investigations made by competent individual authorities which thoroughly convince him of the absolute necessity of going just as far as the Oregon laws will allow along the lines requested; and further advising that this, in his judgment, is indispensable in support of the war effort, for the providing of the population of this state and for the maintenance of industries operating in Oregon. It was the Governor's recommendation that the Commission go as far as it can under the law in issuing permits to allow trucks, of dimensions and weights corresponding to those in adjoining

states, to operate over the Oregon highways, due regard being given to public safety and with the understanding that permits issued are based definitely upon military necessity and for the duration of the present emergency only. The Commission considered that such communication is ample authority for the issuance of permits authorizing movements of vehicles measuring 60 feet overall in length and having a gross weight of not to exceed 68,000 pounds, which is legal in the adjoining states. Accordingly, the resolution relative thereto, which was adopted by the Commission at the previous meeting, was thereupon confirmed by unanimous vote as was also telephonic authority previously given the Engineer authorizing the issuance of permits in conformity therewith.

The Attorney brought up for discussion matters pertaining to the Federal Labor Act as applied to state highway contracts. He advised that he has received inquiries from a number of contractors whether or not they must adhere to a 40-hour week or will be permitted to operate under a 48-hour week. The Engineer advised that this matter is fully covered by the specifications and in his estimation this is a matter that the contractors' attorneys should decide. The Commission took no action in the matter.

The Engineer requested authority to purchase the following equipment:

8 auxiliary gasoline motor generator sets to produce current for emergency operation of radio stations at Salem, Milwaukie, Medford, Roseburg, Coquille, Astoria, Klamath Falls and LaGrande. He advised that a request has been received from Lieutenant Colonel Raymond F. Edwards, Commander of Infantry, Vancouver Barracks, Washington, recommending that steps be taken to insure the operation of key radio stations in the event of commercial power failures, especially the stations serving the coastal areas, so that the operations of the same may be assured during emergencies. He also said that the auxiliary generator sets could be used to good advantage in normal times in the event of failure of regular power supplies on account of storms, fire, et cetera. He estimated the cost involved at \$7,700 for the six first-mentioned stations which are an immediate necessity and \$3,400 for the Klamath Falls and LaGrande stations which possibly could be installed later, making a total of \$11,100.

4 Monroe calculating machines. Total estimated cost \$880, less 15 per cent.

2 loadometers for use of weighmasters. Estimated total cost \$1,150.

3 electric-motor-driven compressors of five cubic-foot capacity. Estimated total cost \$360.

The Commission by unanimous vote approved the purchase of such equipment.

The Attorney advised that, in connection with the acquisition of right of way for the Eugene-Springfield Project, a certain service station was purchased including a compressor which he thought might be used to good advantage. The Commission instructed the Engineer to ascertain whether or not this compressor is now in use.

The Secretary requested instructions relative to the granting of special emergency transportation permits for movements 60 feet overall in length and having a gross weight of 68,000 pounds over the Green Springs Highway between Klamath Falls and Ashland. He explained that there are numerous sharp curves at the westerly end of this highway which will not permit movements 60 feet overall in length without crossing the highway center line, which is the reason that this highway was not included in the previously-approved list, although it is possible for legal length loads to negotiate these curves without difficulty. He also explained that certain haulers have contracts to deliver lumber from Klamath Falls to the army cantonment at Medford necessitating the use of this highway and, because of the urgency of the delivery of the lumber, they would like to haul loads weighing in excess of the legal statutory limit. The Commission authorized the granting of such permits on this highway provided the overall length of the vehicle and load does not exceed 50 feet and provided further that the gross weight of vehicle and load or vehicles and load does not exceed the limit provided in the emergency permit.

The Secretary also reported the application of W. J. Lichty, Eugene, for a permit to haul piling 79 feet long over the Deadwood Secondary Highway and the Siuslaw Highway from the Deadwood district to Swisshome, there being 160 such piling which he was unable to deliver under special authority heretofore given him by the Commission. The Commission authorized the granting of a 30-day permit to move these piling, subject to the conditions of the previous permit.

The Commission discussed and deferred a decision with respect to permitting trucks loaded with chromium ore and having a gross overload of 45,000 pounds to operate over the Oregon Coast Highway between Port Orford and Coquille. The matter is to be reconsidered at the next meeting of the Commission at which time more detailed information is to be presented.

A letter was presented from the Oregon-Washington Bridge Company requesting that the state maintain guards at the southerly end of the Hood River Bridge over the Columbia River so as to prevent destruction of the bridge by saboteurs. The Commission considered this a private matter in view of the fact that the bridge is privately-owned and thereupon denied the request.

The Commission discussed the advisability of attending a meeting of the Western Association of State Highway Officials which is to be held in Salt Lake City, Utah, on April 17 and 18, 1942. It was decided that Chairman Cabell and the State Highway Engineer should attend such meeting at state expense provided Governor Sprague approved the out-of-state expenditure.

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In this connection the Secretary presented a bill from the Western Association of State Highway Officials for payment of Oregon's 1942 membership in this association, amounting to \$25.00. The Commission approved the payment of this fee.

The Commission discussed a letter from the Multnomah Civic Club suggesting that Front Avenue, Portland, be renamed Douglas MacArthur Boulevard in honor of General Douglas MacArthur. The Commission indicated a sympathetic attitude toward the matter but declined to take action, it being the Commission's thought that this is a matter without its jurisdiction and that the naming of streets in the City of Portland is a function of the city council.

A letter was presented from the Honorable Wm. O. Powell, County Judge of Yamhill County, requesting the assistance of the Commission in securing federal access moneys with which to finance construction of the road which extends easterly from McMinnville to the city's airport. The Engineer was instructed to discuss the matter with Colonel C. R. Moore and to then advise Judge Powell of the necessary procedure to obtain such moneys.

In this connection Commissioner Clough advised that, during a recent visit to McMinnville, he discussed this matter with Mr. E. C. Apperson who expressed a desire for the members of the Commission to attend one of their civic meetings in the near future so as to give local people an opportunity to be heard with respect to this and other projects. It was decided that Chairman Cabell and Commissioner Clough would meet with the McMinnville people on April 1, immediately preceding the Commission's meeting on April 2, if that is satisfactory with the local group. The Engineer was instructed to ascertain the pleasure of Mr. Apperson relative thereto.

The Attorney brought up matters pertaining to construction of the Front Avenue project past the Public Market Building, Portland. The matter was discussed at considerable length following which the Commission by unanimous vote adopted the following resolution with respect thereto:

WHEREAS, the State of Oregon and the City of Portland are cooperating in the acquisition of rights of way necessary for the promotion and completion of the Front Avenue Project in the City of Portland; and

WHEREAS, one of the properties involved in said right of way acquisitions is the property generally known as the Public Market, fee title to which is in the Public Market Company of Portland; and

WHEREAS, there exists between the owners of said property and the City of Portland a controversy with respect to whether title to said property shall remain in the Public Market Company of Portland or be taken over by the City, which said controversy is now the subject of litigation pending in the Supreme Court of the State of Oregon; and;

WHEREAS, until the issue involving title to said property is finally determined, the compensation to be paid by the City and the State for the portion of said Public Market property needed for right of way in connection with the said Front Avenue Project cannot be measured or paid; and

WHEREAS, the City, pursuant to charter authority, instituted condemnation proceedings for the purpose of acquiring along with other properties needed for said project a portion of the Public Market property, and in connection with said proceedings the compensation to be paid for and the damage imposed on said property was determined by the City in connection with said proceedings, and an award in keeping with such appraisal was made by the City, but the owners of said property refused to accept the award and appealed therefrom, which appeal is now pending in the Circuit Court of the State of Oregon for Multnomah County; and

WHEREAS, said Front Avenue project cannot be completed without encroachment upon the said Public Market property, and the accomplishment of certain changes in the heating facilities now a part of said Public Market Building and the making of certain other alterations; and

WHEREAS, the owners of said property desire to cooperate with the public authorities in the promotion and accomplishment of the Front Avenue Project, but because of issues involved in the said pending litigation the owners are of the opinion that they should not surrender any of their rights or in any way jeopardize their interests; and

WHEREAS, it is imperative that the State Highway Commission and its contractor be permitted immediately to go upon the said Public Market property and make certain changes or alterations in the heating facilities and make other changes, all of which are disclosed on the exhibits attached hereto.

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the Oregon State Highway Commission, all members being present and voting affirmatively, as follows:

1. That the City of Portland be and it hereby respectfully is requested to, by appropriate ordinance or other official act, authorize and empower the Highway Commission with its own forces and/or by its contractor or contractors to go upon the property known as the Public Market property in Portland, Oregon, and change, alter and reconstruct the heating facilities now a part of said Public Market Building and make other changes, all of which are disclosed and shown on the blueprint and in the specifications hereto attached, or are expressly set forth herein.*

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2. That the Public Market Company of Portland, in which company is vested legal title to said Market property be likewise and it hereby is requested, subject to conditions hereinafter set forth, to consent to and permit the State to go upon said property and make the changes, alterations and improvements herein proposed.

3. That the changes, modifications and alterations for which authority and approval hereby is requested shall consist of the removal of the existing concrete platform along the east side of the Public Market Building, including the footings of the platform, and the surfacing or paving of the area between said building and the harbor wall, and shall consist also of the changes and modifications disclosed and shown on the blueprint marked Exhibit A and in the specifications entitled "New Sawdust Conveyor for the Public Market Building in Portland, Oregon", marked Exhibit B, and the specifications entitled "Relocation of Fuel Oil Tank in Public Market Building, Portland, Oregon", marked Exhibit C, each of which said exhibits is attached hereto and made a part hereof.*

4. That nothing in this resolution and no action taken by the City of Portland and/or by the Public Market Company of Portland in response to and with respect to this resolution shall be deemed or construed in any way to restrict, impair or control either the City of Portland or the owners of said Public Market Building in any litigation now pending either in the Supreme Court of the State of Oregon or in the Circuit Court of the State of Oregon for Multnomah County, but said matters and issues involved therein, and all of the rights and interests of the parties concerned in said pending lawsuits, shall remain unaffected by anything which the Highway Commission may do or any encroachment which may be made upon said property by the State in the furtherance of said Front Avenue Project. In other words, the rights of all parties involved, including the State, shall be in all particulars preserved.

5. It is recognized that when the platform on the east side of the Market Building has been removed some other arrangement and some special privileges will have to be provided for the delivery of produce and other commodities at the Front Street entrance, and, therefore, and for such purpose the City is requested to provide by ordinance or otherwise for such temporary or substitute arrangements and privileges.

6. That the Chief Engineer of the Oregon State Highway Commission be instructed, if and when said alterations and changes are made, to employ every practical and feasible method and observe every precaution so that there may be reduced to the minimum any and all interference to or with the occupants of said Public Market Building and the patrons of the same.

7. That no consent given or other action taken by the Public Market Company of Portland shall be deemed or considered as an

approval or acceptance of any alteration or installation contemplated hereby as satisfactory, nor as relinquishing any right to damages or compensation based on the fact that the new installations may be less satisfactory, less convenient or less economical to operate than the present facilities, and that the Market Company does not waive, relinquish or release any rights of any kind or character for damages or compensation of any kind based on, arising out of or connected with any changes or alterations, installations or other work carried on by the Highway Commission and/or the City of Portland, as contemplated by this resolution, and any consent given by the Market Company shall be entirely without prejudice to any right of any kind or character and without being deemed to have waived any right to any damages of any kind or character or in any amount.

8. That a duly certified copy of this resolution be delivered to the Honorable R. E. Riley, as Mayor of the City of Portland, and a duly certified copy delivered to Mr. P. W. Cookingham, as Attorney for the owners of said Public Market.

9. That this resolution be entered in the minutes and records of the Commission as of the date of March 20, 1942.

*Resolution and map filed in General Files (Administration, Commission, Resolutions - Right of Way file)

The Attorney reported on the matter of paying federal tax in connection with purchases of electrical energy. He advised that, as instructed by the Commission at the previous meeting, he wrote the Portland General Electric Company relative to the payment of this tax and received a reply from the company's attorney, Mr. Peck, that the company is required by law to make the charge and that the law does not exempt the state from payment of the tax nor is there any provision made in the law for rebate in behalf of the state so there appears to be nothing that the company can do about it regardless of the fact that the company does not pay over to the government the moneys it receives by reason of the tax. The Attorney advised that he does not concur in the opinion of Mr. Peck and read aloud a provision of the law which states that no tax shall be imposed in certain instances. The Engineer advised that there are several vouchers in process of payment in favor of the Portland General Electric Company and suggested that such vouchers be not paid until this controversial matter has been decided. The Commission approved the suggestion and instructed the Attorney to continue his investigations of the matter.

The Commission discussed a letter from Earl C. Reynolds, Executive Secretary, Klamath County Chamber of Commerce, urging the Commission to contract additional improvements on The Dalles-California Highway, between Klamath Falls and Modoc Point, so as to complete the reconstruction of this section to modern standards at the earliest possible time. The Engineer

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advised that he advised Mr. Reynolds of the status of highway funds and the necessity to secure army approval on all projects before federal funds could be obtained to finance construction work. The Commission approved the reply.

The Engineer reported results of investigations relative to the routing of south-bound Pacific Highway traffic along Front Street in Medford, rather than on Central Avenue, as was suggested by a delegation which appeared before the Commission at the previous meeting. (See detailed report in letter dated March 13, 1942, from K. D. Lytle, Division Engineer, to H. G. Smith, Construction Engineer.) After full discussion of the facts presented the Commission decided unanimously to adhere to the original plan which provides for the routing of such traffic along Central Avenue.

The Engineer also reported on the cost to conduct snow removal operations on the McKenzie Highway over McKenzie Pass so as to open up this highway for general public travel on April 15. He estimated such expense at \$1,000 if the work were started at once, and at \$500 if the work were started about April 15. However, he said, in the latter case the highway would not be available for public use until May 1. He recommended the opening of the road by April 15 notwithstanding the extra expense involved. The Commission approved the recommendation.

The Engineer reported receipt of a request from Admiral Freeman of the United States Navy for the further improvement of the Cape Arago Secondary State Highway, as a national defense project. The Commission approved the project and authorized the Engineer to advertise it for bids to be received if and when formal governmental approval has been obtained.

The State Parks Superintendent was present and reported on the following matters:

Acquisition of juniper wayside tracts along the Central Oregon Highway between Bend and Burns:-The Parks Superintendent presented a form of "field" agreement between the State Highway Commission and the United States Department of Interior, Grazing Service, covering the joint preservation of juniper tracts situate along this section, particularly between Bend and Horse Ridge. He explained that there are a number of 40 acre tracts that will be withdrawn from public entry by this agreement, which has been prepared on an annual basis and is to be renewed from year to year; also, that by this agreement the State Highway Department will act in a patrol capacity over the area set aside, but will not be required to assume any expense. The Commission approved the agreement and thereupon signed the same.

Juniper wayside strips between Redmond and Bend:-The Parks Superintendent also brought up for discussion the acquisition of juniper timbered tracts adjacent to The Dalles-California Highway between Bend and Redmond. He stated that these lands are owned by the federal government and the original plan was to effect an exchange of state-owned lands in Harney County for the same, which state lands are owned by the State Land Board but can be purchased by the Highway

Department at the rate of \$2.50 per acre. The United States Grazing Service, he said, has changed its attitude with respect to exchange of the properties and now wants the state to lease the government lands on a yearly basis, as is being done with respect to the preservation of juniper tracts between Bend and Horse Ridge. He condemned such plan in this instance and recommended that the government property be acquired outright in accordance with the original arrangement. The Commission approved the recommendation and instructed the Parks Superintendent to notify the State Land Board and the United States Grazing Service accordingly.

Silver Creek Falls CCC Camp:-The Parks Superintendent reported necessity to renew the Silver Creek Falls CCC Camp for a period of one year, beginning on the first of April, 1942. He explained that this is the only state park camp under CCC Camp jurisdiction in the entire west and that he would like particularly to retain this camp for fire-protection purposes, and recommended approval of the camp. The Commission approved the recommendation.

In this connection the Parks Superintendent presented a progress report for the month of February on operations in this camp, which report the Commission approved by unanimous vote.

Tree cutting in Emigrant Park:-The matter of permitting the Pacific Telephone and Telegraph Company to fall certain trees in Emigrant Park to facilitate construction of a new telephone pole line was brought up for discussion by the Parks Superintendent. He advised that the company has already built its pole line and advises that there are some 56 trees located on the Emigrant Hill timber reserve, between mileposts 258 and 259, which are a menace thereto. The company, he said, has asked the privilege of cutting these trees and has agreed to pay for them. He recommended approval of the request. The Commission approved the recommendation.

Addition to state park west of Eugene:-The Parks Superintendent advised that the Commission is now leasing from the federal government certain O & C lands situate at the summit of the Siuslaw Highway, west of Eugene. As a protection for this park, he recommended the leasing of additional land from the government at this point which, he said, can be obtained upon the payment of a yearly rental charge of \$5.00, such lands being described as the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 1, Township 16 South, Range 7 West, W. M., Lane County. The Commission approved the lease of such additional lands.

Parks Department financial report: The Parks Superintendent reported the following report on activities of his department:

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STATE PARKS DEPARTMENT

	<u>1942 Budget</u>	<u>Expenditures to 2/28/42</u>	<u>Balance</u>
Acquisition (see detail below)*	\$ 1,990.40	\$1,468.41*	\$ 521.99
Betterment	2,921.69	3,031.60	109.91-
Operation & Maintenance	42,334.85	6,400.66	35,934.19
	<u>\$47,246.94</u>	<u>\$10,900.67</u>	<u>\$36,346.27</u>

Acquisition Detail*

Lane County:	Wood Lot	\$ 30.00
Linn County:	Rova E. Conn	500.00
Hood River County:	Frances G. Horn	175.00
Douglas County:	K. R. Richards	700.40
Legal Costs		<u>63.01</u>
	Total Acquisition Costs -	<u>\$1,468.41</u>

The Commission approved the report by unanimous vote.

Cancellation of lease given to Paul Schuttpels:-The Parks Superintendent recalled that on March 5, 1938, the Commission entered into an agreement with Mr. Paul Schuttpels by which Mr. Schuttpelz was given a temporary easement for a roadway over and across certain state park property in Douglas County, and that it was provided that such roadway should be constructed not more than 100 feet southerly from the north boundary line of the park. Mr. Schuttpels, he said, has not constructed the roadway at the location agreed upon although he did build the road in another location. He further stated that certain logging interests now desire to construct and use a logging road in the location specified in the agreement for Mr. Schuttpelz's road. He recommended approval of this request and the cancellation of the Schuttpelz easement in view of the fact that Mr. Schuttpels has not exercised his rights therein. The Commission approved the recommendation and thereupon by unanimous vote adopted the following resolution in regard thereto:

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WHEREAS, the OREGON STATE HIGHWAY COMMISSION and PAUL SCHUTTPELZ made and entered into an agreement on the 5th day of March, 1938; and

WHEREAS, by the terms of the said agreement the Highway Commission granted to Paul Schuttpels a temporary easement for a roadway over and across the East half of the Southeast quarter (E $\frac{1}{2}$ SE $\frac{1}{4}$) of Section 25, Township 22 South, Range 13 West, W. M., Douglas County, Oregon, which said roadway was to be located not more than 100 feet southerly from the north boundary line of the State's property, and the center line of the said roadway was to commence at approximately highway engineer's station 90+30 on the Oregon Coast Highway and extend thence easterly approximately 250 feet to the property of the said Paul Schuttpels; and

WHEREAS, the said Paul Schuttpels has not availed himself of the said easement and has not constructed the roadway at the location agreed upon; and

WHEREAS, the terms of the said agreement provided that the said easement was terminable by the Highway Commission without liability to the said Paul Schuttpels, if and when, in the judgment of the State Highway Commission, the interests of the general public will be best served by so doing; and

WHEREAS, it is now the opinion and judgment of the State Highway Commission that the interests of the general public will be best served by terminating and canceling the said easement;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the Commission does hereby terminate and cancel that certain easement for roadway purposes granted to Paul Schuttpels by that certain agreement made and entered into the 5th day of March, 1938, by and between the State Highway Commission and the said Paul Schuttpels.
2. That the Secretary of the State Highway Commission be and he hereby is instructed to mail, by registered post, a copy of this resolution to the said Paul Schuttpels.
3. That this resolution be entered in full in the minutes and records of this Commission.

The Engineer presented a list of surveys that he has ordered since the last meeting of the Commission, and asked the Commission to confirm them

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and the amounts allocated for each. After due consideration the Commission authorized and instructed the Engineer to make such location surveys on various sections of the highways of this state, which said sections of highways, together with their identifying survey numbers and the amounts authorized and allocated for such survey expenditures are as follows:

- Prospect - - - - 1-1429 - Baker Rock Production Project, Old Oregon Trail,
Baker County. 2nd authorization - \$500
Total to date \$700.
- Right of Way - - 4-1464 - Astoria-Seaside Section, Oregon Coast Highway,
Clatsop County. 1st authorization - \$700
- Plans- - - - - 4-1455 - Neawanna Creek-Mecanicum River Sec., Oregon Coast
Hwy., Clatsop County. 2nd authorization - \$570
Total to date \$3,570.
- Plans- - - - - 12-1427 - Beech Creek Section, Pendleton-John Day Highway,
Grant County. 2nd authorization - \$500
Total to date \$2,500.
- Location - - - - 18-1452 - Modoc Point-Parkley Springs Section, The Dalles-
Calif. Hwy., Klamath Co. 4th authorization- \$1,855
Total to date \$8,480.
- Plans- - - - - 22-1447 - Sheep Ridge Section, Santiam Highway, Linn County.
1st authorization - \$500
- Plans- - - - - 23-1425 - Baker County Line-Ontario Section, Old Oregon Trail,
Malheur County. 2nd authorization - \$800
Total to date \$13,800.
- Loc. & Plans - 226-1458 - Portland-Columbia Airport Section, Portland-Columbia
Airport Hwy., Multnomah County.
1st authorization - \$400
- Plans- - - - - 130-1441 - Weston Mt.-McDougall Camp Section, Weston-Elgin Hwy.,
Umatilla County. 2nd authorization - \$124
Total to date \$1,034.
- Location - - - - 2-1430 - Rickreall-Corvallis Section, Pacific Highway West,
Benton County. 1st authorization - \$14,000
- Plans- - - - - 3-1433 - Wilsonville Flight Strip, West Portland-Hubbard Hwy.,
Clackamas County. 1st authorization - \$500
- Test Pit - - - - 17-1417 - Sexton Mountain Section, Pacific Highway, Josephine
County. 1st authorization - \$900
- Test Pit - - - - 29-1438 - Honey Ranch-Three River Quarry Section, Three Rivers
Hwy., Tillamook County. 1st authorization - \$40

Plans - - - - 130-1440 - Helix Jct.-Oregon-Washington Hwy. Section, Havana-Helix Hwy., Umatilla Co. 2nd authorization - \$400
Total to date \$900.

Consideration was given by the Commission to the following requests for extensions of time within which to complete highway construction projects:

Roy L. Houck, contract No. 2396, for grading and surfacing the Scappoose-Multnomah County Line Section of the Columbia River Highway, in Columbia County, requested an extension of time, from September 30, 1941, to July 1, 1942, within which to complete this job. He attributed his failure to complete the project within the specified time limit to bad weather conditions and shortage of skilled labor and material. The Engineer advised that the reasons given by the contractor for overrun of time limit are substantially correct. Mr. Houck, he said, had numerous jobs under way during the past season and under normal conditions it would have been possible for him to secure extra equipment to speed up the progress of the work; however, due to the war emergency with its restricted priorities such equipment was not available and it was difficult for Mr. Houck to obtain satisfactory skilled labor. He further advised that the state will incur considerable extra expense for engineering and the general traveling public will be somewhat inconvenienced due to non-completion of the work until 1942; nevertheless, for reasons stated, he recommended that the extension of time requested be granted without penalty notwithstanding that the Public Roads Administration does not concur therein, which means that the state will have to bear the extra engineering costs. A letter was presented from the Public Roads Administration stating its position. After discussion the Commission voted unanimously to grant the extension of time requested without penalty as recommended by the Engineer.

M. L. O'Neil & Son, contract No. 2422, for grading, surfacing and oiling the Plunkett Creek-Read Creek Section of the Kings Valley Secondary Highway, in Benton County, requested an extension of time, from August 31 to October 18, 1941, within which to complete this job. They attributed their failure to complete the project within the specified time limit to bad weather conditions and their inability to obtain oiling equipment. The Engineer advised that all work on this job, except the oiling work, was completed within the specified time limit and that it was not possible for the contractor to do the oiling work because of difficulties in securing oiling equipment. Furthermore, it would not have been possible for the contractor to have completed the job on time if he had had the equipment available because of bad weather conditions during the latter part of August and throughout the month of September. He recommended, in view of the circumstances, that the extension of time requested be granted without penalty. The Commission approved the recommendation.

Chester T. Lackey, contract No. 2434, for the Lapine Rock Production Project on The Dalles-California and Fremont Highways, in

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Deschutes and Klamath Counties, requested an extension of time, from September 30, 1941, to January 3, 1942, within which to complete this job. He attributed his failure to complete the project within the specified time limit to bad weather conditions, delays encountered in securing repair parts and satisfactory labor. The Engineer advised that this contract was a maintenance material job and that Mr. Lackey was unable to start the work for a considerable time after the award of the contract because of other work that he had under way on the Central Oregon Highway. He further stated that no inconvenience has been suffered by the general traveling public by reason of the delay and there will be no increase in the cost of engineering supervision. He recommended in view thereof that the extension of time requested be granted without penalty. The Commission approved the recommendation.

M. L. O'Neil & Son, contract No. 2449, for grading the Taylor Creek Section of the Ochoco Highway, in Wheeler County, requested an extension of time, from October 31, 1941, to January 2, 1942, within which to complete this job. They attributed their failure to complete the project within the specified time limit to difficulties in securing satisfactory labor and the fact that there was more solid rock to be excavated than was anticipated. The Engineer advised that the contractor's failure to complete this project within the specified time limit did not inconvenience the general traveling public in any way, neither did it increase the state's expense for engineering supervision. He further stated that the contractor experienced considerable difficulty in securing men and materials for the job. He recommended, in view of the circumstances, that the extension of time requested be granted without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

E. L. Gates, contract No. 2495, for grading and surfacing the Kimberly-Simas School Section of the Kimberly-Long Creek Secondary Highway, in Grant County, requested an additional extension of time, from February 28 to June 1, 1942, within which to complete this job. He attributed his failure to complete the project on time to adverse weather conditions which made it necessary to close down the work. The Engineer advised that it was necessary to increase the excavation quantities on this job in order to raise the grade line above possible high water; also that, due to unusual conditions prevailing last summer, it was impossible for the contractor to obtain additional equipment to operate his several jobs simultaneously. He recommended, in view of the circumstances, that the extension of time requested be granted without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

A. O. Ekstrom, contract No. 2502, for furnishing crushed rock in stock piles for the Detroit-South Santiam Junction Section of the North Santiam Secondary Highway, in Linn and Marion Counties, requested an extension of time, from October 31, 1941, to February 7, 1942, within which to complete this job. He attributed his failure to complete the project within the specified time limit to the muddy condition of his quarry

which caused considerable trouble in his plant operation; also to bad weather conditions and delays in securing machinery and repair parts. The Engineer advised that this contract was awarded two weeks after bids were taken for the same, which would automatically extend the time for completion. He also advised that the contractor experienced considerable trouble in securing suitable repair parts, as stated. The delay, he said, has not inconvenienced the general traveling public and the state has not incurred any extra expense for engineering supervision. He recommended, in view of the circumstances, that the extension of time requested be granted without penalty. The Commission approved the recommendation.

Porter W. Yett, contract No. 2547, for grade widening on the Interstate Bridge-Oregon Slough Section of the Pacific Highway East, Multnomah County, requested an extension of time, from January 15 to January 31, 1942, within which to complete this job. He attributed his failure to complete the project within the specified time limit to adverse weather conditions and to changes ordered by the Engineer with respect to the borrow pit, involving negotiations with the adjacent property owners. The Engineer advised that the reasons given by the contractor for overrun of time limit are correct. He recommended, in view of the circumstances, that the extension of time requested be granted without penalty. The Commission approved the recommendation.

The Engineer reported that contracts Nos. 2318, 2422, 2434, 2449, 2502 and 2547, for the construction of state highway projects, have been completed according to the requirements of the contracts or modifications thereof, and that said jobs are now ready for acceptance. The following resolution accepting the above projects was offered and adopted by the unanimous vote of the Commission:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts, and that said jobs are now ready for acceptance:

Contract No. 2318, with W. D. Miller Construction Company, for construction of a bridge and a concrete siphon on the Lost River-Malin Section of the Klamath Falls-Malin Highway, in Klamath County. Completed June 25, 1941.

Contract No. 2422, with M. L. O'Neil and Son, for grading, surfacing and oiling the Plunkett Creek-Read Creek Section of the Kings Valley Secondary Highway, in Benton County. Completed October 15, 1941.

Contract No. 2434, with Chester T. Lackey, for the Lapine Rock Production Project on The Dalles-California

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and Fremont Highways, in Deschutes and Klamath Counties. Completed January 3, 1942.

Contract No. 2449, with M. L. O'Neill and Son, for grading the Taylor Creek Section of the Ochoco Highway, in Wheeler County. Completed January 1, 1942.

Contract No. 2502, with A. O. Ekstrom, for the Detroit-South Santiam Junction Rock Production Project on the North Santiam Secondary Highway, in Linn and Marion Counties. Completed February 7, 1942.

Contract No. 2547, with Porter W. Yett, for roadbed widening on the Interstate Bridge-Oregon Slough Section of the Pacific Highway East, in Multnomah County. Completed January 31, 1942.

THEREFORE, BE IT RESOLVED that the work covered by said state highway contracts for the construction of said state highway projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

The Commission considered and signed agreements, et cetera, as follows:

Agreement with the Board of County Commissioners of Multnomah County, relative to the construction and maintenance of the Portland Air Base East Access Road.

Agreements with the following cities and towns, covering improvement of certain city streets that are not on state highway routes:

Dayton	St. Helens	Gaston	Chiloquin
Forest Grove	Medford	West Linn	Sherwood

Agreement with Jackson County providing for the maintenance of one-way traffic on the Crater Lake Highway and on Bybee County Road during construction of the Medford cantonment.

Agreement with the Coos Bay Dredging Company, disposing of its claim for extra compensation arising out of contract No. 2339, for the construction of the Bandon Section of the Oregon Coast Highway.

Agreement with Marion County, covering maintenance of the North Santiam County Road between Niagara and Detroit.

Agreement with Benton County, providing for the reconstruction and improvement of the Independence County Road northerly from its

junction with the Albany-Corvallis Highway near Richmond School, a distance of about 4.5 miles, to a junction with the Wells County Road.

Agreement with Clatsop County covering the improvement of the DeLaura Access Road in Warrenton.

Bargain and sale deed conveying unto G. H. Billings and wife a portion of Lot 10, Block 3, City of Ashland. Right of way file No. 9689.

Bargain and sale deed conveying unto Chris A. Vandran property situate in Lots 5 and 6, Block 73, Monteiths Southern Addition to Albany. Right of way file No. 5507.

Bargain and sale deed conveying unto Henry Duyck and wife 10.75 acres of land situate in the east half of Section 33, Township 2 North, Range 3 West, W. M., Washington County. Right of way file No. 6528.

Bargain and sale deed conveying unto H. L. Claycomb and wife three parcels of land situate in Lots 7, 8 and 9, Block 3, City of Ashland. Right of way file No. 9682.

Bargain and sale deed conveying unto W. G. Hellier approximately four acres of land situate in the Northwest quarter (NW $\frac{1}{4}$) of Section 34, Township 31 South, Range 15 West, W. M.; and in the Southeast quarter (SE $\frac{1}{4}$) of the Northeast quarter (NE $\frac{1}{4}$) of Section 33, Township 31 South, Range 15 West, W. M., Curry County. Right of way file No. 10107.

There being no further business to come before the Commission at this time the meeting was declared adjourned at 5:45 p. m.

W. G. Hellier
State Highway Engineer

W. G. Hellier
Secretary

Henry F. Cabell
Chairman

Harold M. Clark
Commissioner

Herbert Oliver
Commissioner

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VOLUME 27

PART I

PART 1
OF
VOLUME XXVII
MINUTES OF OREGON STATE HIGHWAY COMMISSION
COVERING PERIOD
FROM
APRIL 1, 1942
THROUGH
JULY 23, 1942

OREGON STATE HIGHWAY COMMISSION

Henry F. Cabell, Chairman
Huron W. Clough, Commissioner
Herman Oliver, Commissioner

R. H. Baldock, State Highway Engineer
H. B. Glaisyer, Secretary

HEADQUARTERS AND GENERAL OFFICE OF DEPARTMENT
LOCATED AT SALEM, OREGON

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<u>Page</u>	<u>Date</u>	<u>Subject</u>
10948	Apr. 1	Travel & Information Dept. Expenditure of \$15,000 for newspaper advertising recommended by Advisory Committee. Mr. Ben Titus requests authority to attend meeting of advertising agencies in Seattle, April 3. (See P. 10963)
10951		Real property. Resolution authorizing acquisition. Condemnation. Recommended offer for C. M. Parker property, Medford. Resolution adopted.
10953		Lake County. Drews Gap-Cottonwood Creek Section, Klamath Falls-Lakeview Highway. Abandonment resolution adopted.
10955		Deschutes County. Bend. 40 acres under lease from government for borrow pit relinquished to city for airport site.
10956		Government stipulations. Forms required for securing right of way easements across The Dalles-California and Boardman-Stanfield Highways approved. Lincoln County. Toledo. Request of V. L. Moore for abandonment of roadway to stock pile site refused. Gate to be constructed. 3' strip of roadway to be deeded to Mr. Moore.
10957		Log hauling. Regulations modified re tolerance for axle loading of tandem axle trucks and semitrailers. One-log loads. Regulations adopted re hauling. Loads to be weighed in woods. (See P. 10966)
10958		Political activities. Letter to all employees prohibiting political activities approved.
10959		Steel rails. Purchase of old steel at Klamath Falls, for use in bridge construction, discussed. (See P. 10964)
		Claim. Action against F. A. Greer and James Saint, for removal of guardrail from old Coalbank Slough Bridge, to be dropped.
		Crook County. Mill Creek-Marks Creek Section, Ochoco Highway. Request for maintenance of abandoned road as stock driveway denied.
		Equipment. Engineer reports air compressor, acquired with Eugene right of way, being used at Odell Lake Maintenance Site.
		Electric power purchases. Payment of tax on electric bills to be withheld. Engineer to report on names of companies concerned.
10960		Columbia County. Deer Island. Elimination of curve in front of school grounds reconsidered.
		Projects. Engineer to submit list of projects promised for 1942 construction.
		Hood River County. Cascade Locks. Oiling of shoulders through town, promised for 1942 construction, deferred.
		Wallowa County. Lostine. City's request, for improvement of streets not on state highway routes, denied.
		Curry County. Gold Beach, Oregon Coast Highway. Securing of options for right of way discussed. Action deferred.

<u>Page</u>	<u>Date</u>	<u>Subject</u>
10961	Apr. 2	<p>Bids received on following projects:</p> <p>Baker Rock Production Project;</p> <p>Section "A", S. Unit, Antelope Creek-Medford Sec., grad. & pav.;</p> <p>Section "B", S. Unit, Antelope Creek-Medford Sec., grad. & pav.;</p> <p>South Unit, Antelope Creek-Medford Section, structures;</p> <p>Lebanon-Sweet Home Rock Production.</p> <p>Group insurance. Delegation from California Western States Life Insurance Co. confers re furnishing insurance. Engineer to report on other companies.</p>
10962		<p>Jackson County. Plaza Corner, Ashland. Project approved for construction, if priority rating can be secured.</p> <p>Remodeling of buildings in connection with project discussed, particularly remodeling of Claycomb garage.</p> <p>Engineer instructed to obtain definite decision from government re approval or disapproval of project.</p>
10963		<p>Polk County. Independence-Granger County Road. 4-County Cantonment Council urges adoption as secondary state highway.</p> <p>Wasco County. Warm Springs River-Mill Creek Section of Warm Springs Highway. Request of contractor, Max Kuney, for termination of contract No. 2517 denied.</p> <p>Travel & Information Department. Increase in 1942 budget for newspaper advertising approved.</p> <p>Ben Titus authorized to attend meeting of Northwest Advertising Agency in Seattle, April 3, 1942.</p>
10964		<p>Steel rails. Purchase for use in bridge construction approved by Federal Price Administrator. Purchase authorized.</p> <p>Claim. Chas. F. Peake claim for damages resulting from collision with traffic island at Albany denied.</p> <p>Jackson County. Medford cantonment projects. Bids referred to Engineer with power to award when federal funds have been assured.</p> <p>Awards. Chairman announces awards of contracts.</p>
10965		<p>Log hauling. Request of E. G. Whipple for permit to haul over-length piling over Elkton-Sutherlin Secondary Hwy. approved.</p> <p>Hauling of any length piling authorized for duration of war emergency, provided loads are flagged, etc.</p> <p>Umatilla County. Hermiston-Umatilla Ordnance Depot access road. Alternate routes discussed. Inspection to be made.</p>
10966		<p>Log hauling. One-log loads. Delegation re permits for movements of large, single logs. Permits for loads up to 24' in length, not exceeding 65,000 lbs. approved.</p>
10967		<p>Log hauling. Delegation requests waiving of penalty for over-loading, for duration of emergency. No action.</p>
10963		<p>Saturday afternoon and Sunday hauling. Delegation inquires re extension of privilege after June 1. Action deferred.</p> <p>Night-hauling of logs. Delegation suggests hauling be permitted up to 9:00 p. m. Approved, effective May 1, 1942.</p> <p>Coos County. Cape Blanco Secondary Highway, Hughes Ranch-Lighthouse Section. Project approved for advertising.</p>

Page	Date	Subject
10968	Apr. 2 1942	Clatsop County. Short Sand Beach Park. Purchase of 360-acre timber tract approved. Sale of timber under selective cutting plan approved.
10969		Salaries & wages. Increases approved, effective April 1, 1942. Increase for higher paid employees to be considered later.
10970		Financial report. Engineer presents report on status of department's finances. No action.
		Jefferson County. The Dalles-California Highway. Request of H. L. Priday, Gateway, for cattle pass at MP 77.78, denied.
		Klanath County. Sprague River Road. Matter of construction discussed. Action deferred.
		Tillamook County. Wilson River bridge, second crossing of Wilson River. Widening authorized.
		Lincoln County. Steel bridge on county road in Toledo. County requests aid in repair and painting.
		Toledo. Construction of sidewalk to be deferred.
		Coos County. Eastside. Construction of sidewalk to be deferred.
10971		Permits. Pacific Truck Express Co.'s request for permit to operate train of vehicles denied.
		Awards. Commission confirms following awards: Air Base-Columbia Bottom Road Sec., Parker-Schran Company; Willamette River Bridge, Harrisburg, Tom Lillebo.
		Claim. Benjamin F. McConnell requests reimbursement for damages resulting from fistic encounter with Elmer Stokes. Denied.
		Radio program, "Oregon on Parade." Ben Titus to report on plans for 1942 program.
10972		Douglas County. Tiller-Trail Secondary Hwy. Agreement with South Umpqua Telephone Co. re moving of poles approved.
		Claim. Joseph W. Boyer claims damages for accident on Dooley Mountain section involving state truck.
		Yamhill County. County court accepts jurisdiction over certain sections of highways abandoned by state, as follows: Rex Hill Section of State Highway No. 99W Muddy Creek-Pringle Corner Section of McMinnville-Tillamook Highway. (Three Rivers Highway.) Old Spaulding Ranch Section, Salem-Dayton Secondary Highway.
10973		Lake County. Resolutions from county court re disposal of certain portions of old Klanath Falls-Lakeview Highway, abandoned by state.
		Benton County. County court accepts jurisdiction over portion of Kings Valley Secondary Highway, abandoned by state.
		Clatsop County. Elsie-Jewell County Road. Agreement with county to be prepared, covering maintenance and jurisdiction.
		Detour roads. Maintenance of county roads used as detours during highway construction discussed. Agreements with counties to be prepared covering state maintenance.
		Log hauling. Forest Grove. Hazard caused by hauling of long piling through town discussed. City requests "no parking" areas near intersections to eliminate hazard.

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10974	Apr. 2	Log hauling. City streets. Secretary instructed to prepare list of cities affected by hazard of overlength log hauling. Permit. Log hauling. Request of Phil Willis for reinstatement of permit granted. Gordon T. Pickel requests reinstatement of permit. Approved.
		Log hauling. Coos Bay Logging Co.'s request to haul, over Cape Arago Secondary Hwy., overheight loads of lumber. Approved.
10975		Log hauling. General policy adopted authorizing overall heights up to 12½ feet. Oregon Coast Highway, north of Coquille. Hauling of loads up to 60' in length authorized, subject to results of test run. Permit. Request of Frank J. Fish for permit to haul 60' loads approved, subject to test run.
		Log hauling. North Santiam Highway Junction-Albany Section. Transportation of long-length piling approved if flagged.
		Tillamook County. Tillamook Rock Production Project. Final payment to contractor F. C. Feldschau and Son, on contract No. 2371, tentatively approved.
10976		Claim. Colonial Construction Co. requests compensation for extra work performed in connection with contract No. 2357.
		Oregon Trail Centennial Celebration in 1943. Matter of continuing endeavors in connection with celebration discussed.
		Klamath County. Klamath Falls-Modoc Point Section, The Dalles-California Hwy. Letters from T. B. Watters re reconstruction.
		Permits. Request of L. O. Nelson for permit to use wooden tires to be referred to Secretary of State.
		Gasoline tax legislation. HR 6750, exempting defense contractors from payment of gas tax. Sen. McNary wires he will oppose.
		Ashland Chamber of Commerce urges Hon. Walter M. Pierce to oppose bill.
		Beach usage. Newport Agate Society urges Commission to prohibit taking of agate-bearing sand and gravel from Oregon beaches.
		Yamhill County. Newberg. City requests permit to detour traffic during Army Day parade. Approved.
		Jackson County. Medford cantonment. Attorney advises that routing for one-way traffic, adopted Feb. 13, 1942, has been changed. Corrected resolution adopted.
10977		
10978		Extensions of time, as follows: J. W. and J. R. Hillstrom, bridge over Coalbank Slough; Roy L. Houck, Tigard Section;
10979		L. B. James, laboratory building at Salem; Roy L. Houck, Onion Flat Section;
		Trowbridge & Flynn Electric Co., Klamath Falls traffic signals; Porter W. Yett, North Burgard Street, grading and paving.
10980		Contracts completed and accepted as follows: Coalbank Slough Bridge, J. W. & J. R. Hillstrom; Tigard Section, Roy L. Houck;
		Testing Laboratory Building at Salem, L. B. James; Onion Flat Section, Roy L. Houck;
10981		Klamath Falls traffic signal system, Trowbridge & Flynn;

Page	Date	Subject
10981	Apr. 2	<p>Contracts completed and accepted as follows: (Cont.) North Burgard Street Section, Portland, Porter W. Yett; North Burgard Street Section, Portland, Porter W. Yett.</p> <p>Agreements, etc., signed as follows: City street improvements, following cities: West Salem, Newberg, Yamhill, Athena, Arlington; Colonial Construction Co., disposing of claim for extra compensation in connection with contract No. 2357; South Umpqua Telephone Co., covering re-establishment of telephone poles on Tiller-Trail Secondary Highway; U. S. government, stipulations re acquisition of right of way for Boardman-Stanfield and The Dalles-Calif. Hwys.</p>
10982	Apr. 30	<p>Meeting dates. Regular meeting date set for April 23, 1942. (Later changed to April 30, 1942.)</p> <p>Bids received on following projects and sale of buildings: Baker Rock Production; Lewisburg-Corvallis Section, grading and paving; Blodgett Overcrossing, reconstruction; North Willard Bridge over South Umpqua River; Buchanan Rock Production; Lebanon-Sweet Home Rock Production; Sale of building at Eugene; Sale of buildings in North Bend:</p>
10984		<p>Malheur County. Rome-Princeton Secondary Highway No. 442. Delegation requests closing of portion for U. S. aerial gunnery range. Resolution adopted closing portion of highway, from May 1 to October 1, 1942.</p>
10986		<p>Army to be notified that Commission is willing to extend closed period to subsequent years upon request.</p> <p>Harney County. Burns airport road. Delegation requesting improvement informed that no funds are available.</p> <p>Burns-Mines Mill Section of Central Oregon Highway. Delegation requests oiling of footpath. Pine rock coating tentatively authorized.</p>
10987		<p>Contracts. Cancellation of five contracts affected by War Production Board's Order L-41 discussed. Decision deferred.</p> <p>Sherman County. Fulton Canyon Secondary Highway. Construction of new connection with Columbia River Highway requested by county. (See P. 10988)</p>
10988		<p>Polk and Benton Counties. Monmouth-Corvallis Section, Pacific Highway West. Report on survey. Engineer recommends adoption of "green" route. Decision deferred. (See P. 11015)</p> <p>Polk County. Monmouth. Request for widening and improvement of East Main Street denied.</p> <p>Delegation requests adoption of certain route through town.</p> <p>Sherman County. Fulton Canyon Secondary Highway. Delegation requests construction of new connection with Columbia River Highway. Improvement of present connection approved.</p>

<u>Page</u>	<u>Date</u>	<u>Subject</u>
10989	Apr. 30 1942	Coos County. Buildings at North Bend. Assistant Attorney requests instructions re disposal. (See P. 11008) Klamath County. The Dalles-California Highway north of Klamath Falls. Delegation requests further improvement. Awards. Chairman announces awards of contracts and sale of buildings.
10991		Contracts. Following approved for cancellation as result of War Production Board's Order L-41: No. 2556, with M. L. O'Neil, Soda Mtn.-Silvies Section; No. 2552, with A. H. Saxton & Son, Campbell Bridge-Hazeldale Section; No. 2528, with Rogers Construction Company, Diversion Canal-Midland Overcrossing Section, Klamath County; No. 2555, with Rogers Construction Company, South Unit, Enterprise-Forest Boundary Section, Wallowa County; No. 2553, with Morris Brothers. Porcupine Butte-Chichester Gulch Section. (Subject to approval of contractor.)
10992		Clackamas County. Milwaukie. Request of delegation for traffic signal south of Milwaukie denied. Construction of footbridge suspended from railroad trestle considered, to eliminate traffic hazard to children. Group insurance. Delegation from California Western States Life Insurance Company confers re furnishing life insurance to state employees. Action deferred.
10993		Minutes approved as follows: Minutes of meetings held on August 14 and 15, September 4 and 5, October 16 and 17, November 6, and November 17 and 18, 1941.
10999		Real property. Resolution authorizing acquisition. Condemnations. Recommended offers. Resolution adopted: Right of way for: Willamette and Pacific Highways.
11001		Lane County. Florence. Request of Western Lane County C. of C. for permit to construct road to tourist park denied. Curry County. Port Orford Cedar Park. Earl K. Nixon inquires re state's agreement with Krome Mining Corporation. Claim. Lester Wilkins' claim for damages for destruction of well in Gilliam County discussed.
11002		Personnel. Right-of-way buyers. Attorney reports some men must be laid off unless new assignments are provided. Surveys. List of projects authorized in order to provide work for right-of-way men. Projects on coast deferred. Attorney to report on cost to purchase right of way for each project. Right of way. Attorney authorized to acquire right of way for projects as soon as surveys are completed. (See list.) Curry County. Gold Beach. Acquisition of right of way authorized. Citizens to be notified no money will be expended for moving buildings, or for construction.
11003		Marion County. North Santiam Highway. Gravel pit near Mill City. Geo. Asper's request to lease gravel pit denied. Gravel pit to be fenced if necessary to prevent encroachment by public.

Page	Date	Subject
11003	Apr. 30 1942	<p>Multnomah County. Public Market Bldg., Portland. Agreement with City of Portland and Public Market Company approved.</p> <p>Washington County. Wolf Creek Highway. Negotiations with Jurgen La Frentz, for right of way, to be discontinued.</p> <p>Wolf Creek Highway. WPA work to be discontinued. Construction Engineer H. G. Smith and Mr. Devereaux to inspect work with a view to closing down project smoothly.</p> <p>Equipment. Road construction equipment left from WPA project on Wolf Creek Highway to be advertised for sale. (Later decided to rent equipment.)</p>
11004		<p>Marion County. Christian Ramseyer property south of Salem. Sale of lumber salvaged from property, to H. E. Weir, approved.</p> <p>Lease of property to A. Schweinfurth considered.</p> <p>Jackson County. Plaza Corner, Ashland. Reconstruction of H. L. Claycomb property deferred.</p> <p>Disposal of buildings discussed. Commission to inspect.</p>
11005		<p>Government stipulations. Klamath Falls-Lakeview Hwy. Attorney reports on form of permit required by government for right of way across irrigation canals.</p> <p>Jefferson County. Madras Overcrossing, Warm Springs Highway. Sale of tract of land to Howard F. Turner discussed.</p> <p>Sale of tract to Deschutes Grain & Feed Co. approved.</p> <p>Jefferson County. Warm Springs Highway. Request of Emil Henskie for fence construction denied.</p> <p>Multnomah County. Portland. Request of War Industries Co. to lease state property at Lincoln & First Sts. approved.</p>
11006		<p>Deschutes County. County court's resolution approved re abandoned portion of Century Drive Secondary Highway.</p> <p>Polk County. County resolutions, concerning sections of old highways abandoned by state, approved as follows:</p> <p>Abandonment of three parcels on Dallas-Coast Secondary Hwy. between Buell and old Wallace Bridge;</p> <p>Abandonment and retention of certain sections of Dallas-Coast Secondary Hwy. between Buell and Salt Creek School;</p> <p>Abandonment of a section of Dallas-Coast Secondary Highway near Mill Creek;</p> <p>Abandonment of a portion of Independence Secondary Highway between Brunks Corner and Oak Point;</p> <p>Retention on county road system of following sections:</p> <p>Portion of Dallas-Coast Secondary Hwy. between engineer's station 437+0 and foot of Butler Mill;</p> <p>Portion of Dallas-Coast Second. Hwy. from intersection with McMinnville-Tillamook Hwy. to engineer's sta. 66+00;</p> <p>Section of Dallas-Coast Secondary Highway, between engineer's stations 132+00 and 169+00;</p> <p>Portion of Brunks Corner-Independence Second. Hwy. between intersection with Salem-Dallas Hwy. and Richreall Creek;</p> <p>Abandonment of section of Dallas-Coast Secondary Highway between engineer's stations 314+18 and 335+83.</p>

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11006	Apr. 30	Klamath County. Lost River Section, Klamath Falls-Malin Highway. Resolution adopted re abandonment of portion.
11008		Meeting dates. Special meeting set for May 7 to receive bids in connection with sale of buildings. Chairman Cabell authorized to act in behalf of Commissioners Clough and Oliver in disposal of building matters. Jackson County. Medford. Formal bids to be received May 7 to dispose of buildings at Medford. Coos County. North Bend. Question of rental of buildings to be disposed of at special meeting May 7. Multnomah County. Multnomah Station. Purchase of Ross Motor Building for maintenance site to be investigated.
11009		Josephine County. Grave Creek. Moser gravel pit controversy discussed. Polk and Benton Counties. Independence-Wells-Granger County Road. State maintenance approved. Agreement signed. Jackson County. Sams Valley Secondary Highway. Resolution adopted closing section as accommodation to Camp White.
11011		Electric power purchases. Release of warrants for electric service authorized. Power companies to be informed federal tax is being paid under protest. Radio program: "Oregon on Parade." Contribution to KOAC program approved. (See P. 11065) Federal aid funds. Letter from Thos. H. MacDonald, advising that availability of 1941 funds has been extended to June 30, 1943, considered and filed. Financial report. Matters pertaining to highway department's finances discussed.
11012		Programs and projects. Statement presented, showing status of projects tentatively approved for construction this year.
11013		No projects to be deleted unless army refuses approval. Program to be rearranged to effect greatest possible savings.
11014		Forest Highway Program. Program for federal funds for year ending June 30, 1943, approved. Santiam Highway. Funds, for drainage and correction of slides, approved. Strategic military highways. Following projects disapproved by War Department: Columbia River Highway, Troutdale-Corbett Project; Pacific Highway, Grants Pass-Roseburg Project.
11015		Insurance. Columbia Gorge snow removal operations. Renewal of insurance with Lloyd's London approved, in connection with agreement with O.W.R. & N. Company and U. P. Company. Bond. Method of renewal of State Highway Engineer's official bond discussed. Secretary instructed to secure suggestions from Insurance Commissioner. Marion County. Salem. Request of city council for widening of South 12th Street between Ferry and Mill Sts. to eliminate jog, denied.

Page	Date	Subject
11015	Apr. 30 1942	Polk and Benton Counties. Monmouth-Corvallis Section. Resolution adopted establishing permanent route.
11017		Linn County. Sweet Home. Request for widening of two cuts on Santiam Highway, one mile east of Sweet Home, denied. Klamath County. Sprague River County Road. Construction to be deferred. Midland-Worden Section, The Dalles-California Highway. Request for construction of guard fence denied. Umatilla County. Weston-Elgin Second. Hwy. Request for improvement of 5-mile section of McDougall-Weston Sec. denied. Improvement requests. Requests for highway improvements costing in excess of \$5,000 to be denied as matter of policy. Linn County. Albany-Lyons Secondary Highway. Roaring River Logging Co. requests improvement of three-mile section, or substitution of Richardson Gap County Road as temporary secondary highway. Maintenance of present route approved. Inspection to be made.
11018		Traffic paint. Experiment approved re painting center stripe in dashes instead of continuous line, to save paint. Award of contracts. Commission confirms following awards: Section "A" of South Unit, Antelope Creek-Medford Section, Berke Brothers; Section "B" of South Unit, Antelope Creek-Medford Section, Jacobsen-Jensen Company; Structure on South Unit, Antelope Creek-Medford Section, Tru-Mix Concrete Company; Grave Creek-Jumpoff Joe Creek Section, McNutt Brothers.
11019		Beach usage. Resolution adopted prohibiting bonfires and fireworks on ocean beaches during hours of darkness.
11020		Log hauling. J. Arthur Berg, Coquille, requests modification of weight regulations re log hauling. Denied. Traffic scales. Sweet Home scales. Removal to new location west of Foster Bridge approved. Skipanon scales. Chief Weighmaster reports that complaint of log haulers re delay by weighmasters unfounded. Log hauling. Logging operators to be required to furnish public liability and property damage insurance if operations cross highways. No deposit required. Logging operators to be billed for any damage to highways.
11021		Violations not to be cited to Justices of Peace unless loads exceed allowable weight, plus tolerance, or weight determined by formula, plus 10%. Penalty for 4th offense for overloading to be same as that for first three offenses, 4-day suspension of permit. Washington County. Gales Creek Road. State to maintain road pending completion of Wilson River Highway between Washburn and North Plains.

Page	Date	Subject
11021	Apr. 30 1942	<p>Interstate Commerce Commission. Senate resolution covering emergency powers over motor carriers discussed.</p> <p>Priority ratings. Article from Engineering News-Record re machinery purchases to be placed on A-1 priority basis by WPB.</p> <p>Pacific Highway. Oakland City Council, California, suggests highway be renamed MacArthur Boulevard.</p>
11022		<p>Photographs. Prof. Alfred Jensen, U. of W. asks permission to take pictures of Oregon bridges, etc.</p> <p>Lane County. Eugene. City advises that alley east of High St. between 6th and 8th Sts. has been designated one-way alley.</p> <p>6th Avenue-High St. intersection. Engineer authorized to proceed with improvement.</p> <p>Extensions of time:</p> <p>F. C. Feldschau & Son, Tillamook Rock Production;</p> <p>Frank Watt Construction Co., North Fork Necanicum River bridge;</p> <p>J. F. Johnston, bridge over Rogus River, near Grand Ronde.</p>
11023		<p>Contracts completed and accepted as follows:</p> <p>North Fork Necanicum River bridge, Frank Watt Const. Co.;</p> <p>Roadside improvement on Tigard Section, Blair T. Alderman;</p> <p>Halsey Rock Production, A. H. Saxton & Son;</p> <p>Maintenance equipment shed at Alsea, A. T. Fox;</p> <p>Maintenance equipment shed at Tillamook, A. T. Fox.</p>
11024		<p>Agreements, etc., signed as follows:</p> <p>Washington County, re maintenance of Gales Creek Road;</p> <p>City of Portland, re construction and maintenance of portion of North Burgard Street;</p> <p>W. W. Harris, covering hauling of logs across Van Duser Corridor adjacent to Salmon River Highway;</p> <p>City of Portland and Public Market Bldg. Co., re construction of Front Avenue Project in front of Public Market Building;</p> <p>City of Hermiston, re maintenance of city street;</p> <p>J. L. Woodson, renewing lease of maintenance site at Clatskanie;</p> <p>Eugene F. Hug, Sr., renewing lease of Elgin maintenance headquarters site;</p> <p>Hunt Livestock Co., re lease of Maupin maintenance site;</p> <p>W. G. Hellier, covering sale of mineral deposits, Port Orford Cedar State Park;</p> <p>Benton County, Polk County and City of Independence, re maintenance of Independence-Wells-Granger County Road;</p> <p>Emil Duyck, granting easement to enter on state property adjacent to Wolf Creek Hwy. to maintain drainage ditches;</p> <p>Bargain and sale deed conveying unto Norman F. Berg, et al., 1.03 acres of land in Columbia County;</p> <p>Bargain and sale deed conveying unto J. B. Johnson property in North Bend, Coos County;</p> <p>Quitclaim deed conveying unto Vincent L. Moore 0.047 acre of land in Lincoln County.</p>
11025		<p>Meeting date. Next regular meeting date set for June 4, 1942.</p> <p>Date of interim meeting to be decided later.</p>

<u>Page</u>	<u>Date</u>	<u>Subject</u>
11025	May 7	Bids received on the following: Four buildings and tract of land at Medford.
11026		Awards. Chairman Cabell announces sale of buildings and tract of land at Medford. Buildings. Eugene and North Bend. Chairman Cabell announces sale of buildings, bids for which were received April 30.
11027		Equipment. Construction equipment used on Wolf Creek Hwy. WPA project to be advertised for rental at next meeting. Log hauling. Cannon Beach-Wheeler Section, Oregon Coast Highway. Log hauling to be permitted on section. Permits. Shell Oil Company granted permit to haul overweight loads of gasoline over certain highways as emergency measure.
11028		Jackson County. Plaza Corner, Ashland. Project to be inspected by Commission May 19, 1942. Coos County. Marshfield. Conference with Chamber of Commerce to be held May 18, 1942.
11029	May 19	Contracts. Report on status of construction jobs. Information to be secured from each contractor as to plans for completion of projects. Benton County. Alsea-Deadwood Secondary Highway. Request of D. F. Moehnke for improvement of 1½-mile section denied. Mr. Moehnke authorized to make improvement at own expense. Gilliam County. Cottonwood Grade Section, Wasco-Hepner Secondary Hwy. Request of A. Z. Barnard for improvement denied.
11030		Jefferson County. The Dalles-Calif. Hwy., south of Madras. Request for surfacing of new section. Investigation of cost authorized. Malheur County. Ontario. Oiling of one block, on South First Avenue West, authorized. City to pay cost of work. Klamath County. Sprague River County Road. Press clipping re improvement of Sprague River-Chiloquin Section by Indian Service. Load limit. Umatilla River Bridge on Hermiston Secondary Highway. Resolution adopted placing load limit.
11031		Umatilla County. Hermiston-Ordinance Depot County Road. To be maintained by state.
11032		Improvement requests. Performing work for cities and counties deferred for duration. War Production Board's Order L-41. Gen. Robt. Lee Bobbitt suggests adoption of policy of cooperation by state highway departments. Statement of policy approved for press release.
11033		Formal resolution to be prepared. (See P.11068) Contracts. Cancellation of five contracts affected by War Production Board's Order L-41 considered. Contractors to be consulted before cancellation.
11034		Clackamas & Marion Counties. Pudding River Bridge. 35-mile-per-hour speed limit approved. Resolution adopted.
11035		Insurance. Columbia Gorge snow removal operations. Renewal of insurance with Lloyd's London approved.
11036		Klamath County. Lost River Section, Klamath Falls-Malin Hwy. Portion abandoned by state to be maintained by county.

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11036	May 19 1942	Clatsop County. Elsie-Jewell County Road. Proposed agreement with county, re state maintenance, discussed. Log hauling. Resolution adopted re Saturday afternoon and Sunday log hauling.
11037		War emergency transportation permit. Log hauling to be prohibited under such permit. Insurance companies to be consulted re action taken when assured is found to be violating provisions of permit.
11038		Traffic scales. Coquille. Request of E. A. Borel, for moving of scales to facilitate weighing of chrome ore, denied. Permits. Request of Bekins Moving & Storage Co. and Pacific Express Co., for permits to operate trains of vehicles, approved. Permits to be granted other companies for trains of vehicles, if air brakes satisfactory. Permits to be of temporary nature. Hood River County. Columbia Gorge Highway. Judge C. D. Mickelsen urges additional construction. Judge Mickelsen invited to attend next meeting to discuss matter.
11039		Jackson County. Camp White Cantonment. Army requests deed to stock pile site. Method of settlement approved. Sams Valley Secondary Highway. Right of way within Camp White not to be deeded to government. Defense transportation. Commission protests government orders relative to loading of trucks. Traffic scales. Newport. Truck owners to be allowed to use state scales in connection with securing licenses.
11040		Morrow County. Ione-Beckner Section, Ione-Gooseberry County Road. Oiling with state forces approved at county's expense. Deschutes County. Cline Falls Secondary Highway. Request for oiling of 3.9-mile section denied. Tumalo-Deschutes Secondary Highway. Request for oiling of 3.6-mile section denied.
11041		Clatsop County. Fort Stevens Road. Colonel Irwin requests improvement. Investigation ordered. Lane County. Eugene. Request of city, for revision of stop-signing on Broadway and Pearl Streets, approved. Jackson County. Plaza Corner, Ashland. Project inspected with city officials. Plan for temporary improvement approved. Demolition of buildings to be done by city. Buildings next to alley to be rented to present tenants until needed for highway improvement.
11042		Jackson County. Medford. Buildings sold, for which bids were received on May 7. Jackson County. Crater Lake Highway. Purchase of right of way from A. L. Daugherty. Resolution adopted re deed, as requested by Farm Security Administration.
11043		Jefferson County. The Cove State Park. Request of the Bureau of Reclamation for road easement, for construction of power plant unit, approved.

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11043	May 19 1942	Jackson County. Plaza Corner, Ashland. H. L. Claycomb property. Service station revision to be covered by supplemental agreement. Group insurance. California Western States Life Insurance Company's plan for group life insurance approved. Agreement to be prepared.
11044		Lane County. Goshen-Pleasant Hill Section. Willamette Hwy. Condemnation resolution adopted re Frank A. Moore property.
11046		Meeting dates. Next two regular meeting dates set for June 4 and June 25, 1942.
11047		Agreements, etc., signed as follows: City of Forest Grove, re maintenance of streets being temporarily used for Wilson River Highway traffic; City of Lakeview, providing for maintenance of certain city streets not on state highways; Sweethome Warehouse Company, providing for renewal of lease for Sweethome maintenance headquarters; A. T. Dolan, providing for lease of Seaside maintenance headquarters site; Syneva Lindberg, modification of lease agreement re Port Orford maintenance headquarters site; Great Northern Railway Co., covering reconstruction of overpass, Klamath Falls-Malin Highway east of Merrill; KOAC radio station, re contribution of state highway funds for "Oregon on Parade" radio program for 1942; Crook County, re oiling of Hardin County Road; Deschutes County, re construction of portion of Terrebonne-Lower Bridge Federal Aid Secondary Highway; Rogue River Valley Irrigation District, petitioning district for relief from payment of annual fees and assessments.
11048	June 3	Real property. Resolution adopted authorizing acquisition.
11054		Access roads. Settlements for properties needed for right of way approved by W. H. Lynch, Public Roads Administration. Douglas County. Camas Mountain State Park. Parks Superintendent confers re acquisition of property now under lease from government.
11055		State parks leased from federal government. Arrangements to be made with counties to assist in acquisition of parks by exchange of properties. Government leases. Payment approved for another year. Purchase from government of additional areas deferred.
		Multnomah County. Swan Island and North Portland Access Roads. Acquisition of right of way from city and county discussed.
		Lane County. Eugene. Intersection of Sixth and High Streets. Revised plans for improvement approved.
		Condemnation. Recommended offers. Resolution adopted: Right of way: Pacific Highway West, North Portland Shipyard Access Road, Pacific Highway, Oregon Coast Highway.
11060		Polk County. Benton County Line-Monmouth Section. A. F. Elkins property. Condemnation authorized.

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11060	June 3	Coos County. North Bend. J. D. Bergen greenhouse property. Settlement approved. Condemnation authorized, if necessary. Washington County. Wolf Creek Highway. Ernest and Fred Zurcher property. Negotiations for right of way to be resumed. Jackson County. Medford. Controversy with Postal Telegraph Co. re removal of poles from right of way discussed. Multnomah County. Portland. Swan Island Access Road Project. Removal of poles of Portland Traction Co. discussed. Coos County. Request of Krome Mining Corp. for construction of road to chrome ore deposit. Bids to be received at next meeting, if project is approved for federal access road funds. Survey. Chrome mine access road, north of Bandon, in Coos Co. Survey authorized.
11062	June 4	Bids received on following projects, sale of timber, rent of construction equipment and sale of obsolete equipment and scrap materials: Lewisburg-Corvallis Section, grading and paving; Lewisburg-Corvallis Section, widening three bridges; Port Orford Rock Production Project; Belknap Springs-Fourmile Butte Rock Production Project; Buchanan Rock Production Project; Goshen-Pleasant Hill Section, grad., surf. and bit. mac.; Goshen-Pleasant Hill Section, bridges; Twelfth Street Section, Salem, pavement resurfacing; North Portland Shipyard Access Road Project, grad. and pav.; North Burgard Street, Portland, widening bridge; Swan Island Shipyard Access Road, grading and paving; Northeast Going Street, Portland, overcrossing structure; North Unit, Monmouth-Benton County Line Section, grading; Monmouth-Benton County Line Section, grading and paving; Monmouth-Suver Section, bridges; Suver-Lewisburg Section, widening bridges; Monmouth-Suver Section, undercrossing near Helmick Park; Sale of timber on tract north of Nehalem; Rent of state-owned heavy construction equipment; Sale of obsolete equipment and scrap materials at Salem, Klamath Falls, Coquille and La Grande.
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11065		Radio program, "Oregon on Parade." Burton Hutton confers re KOAC program. Cancellation of program approved. Travel and Information Department. Advertising expense ordered curtailed. Polk County. Delegation requests following surveys: Independence Bridge, to establish permanent location; Monmouth-Independence Highway, to establish permanent location. Surveys: Preliminary surveys authorized, as follows: Independence Bridge, over Willamette River, Polk County; Monmouth-Independence Highway, Polk County. Coos and Curry Counties. Professor Gleason confers re chrome mining on Oregon beaches. Conference to be held with State Land Board.
11066		

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11066	June 4 1942	Malheur County. Jordan Valley-Idaho State Line Section of ION Highway. Delegation from Arrow Transportation Co. requests improvement. Investigation to be made.
11067		Linn County. Delegation re improvement of county road near Scio, as temporary detour for Albany-Lyons Second. Highway.
11068		Lane County. McKenzie Highway. Lane Co. Electric Assn.'s request for permit to construct pole line granted.
		Multnomah County. Parkrose. Delegation requests oiling of shoulders on Sandy Boulevard through Parkrose district. Minutes approved as follows: December 18, 1941; January 5, January 21, and February 13, 1942.
11071		War Production Board's Order L-41, re construction work. Press release approved. Resolution adopted re order.
11074		Awards. Chairman announces awards of contracts, and issues statement re sale of timber, rent of equipment, and sale of obsolete equipment and scrap materials.
		Coos County. Marshfield-North Bend Section. Tenants to be asked to vacate buildings. Rents to be refunded. Project to be advertised for bids as soon as possible.
11075		Josephine County. Ox-Yoke Service Station. Sale of property to Mrs. Mary Andes approved.
		Multnomah County. Troutdale. Request of R. T. Johnson to maintain barbecue stand on state highway property granted.
		Linn County. Santiam Highway. Options for right of way only, through property of L. W. Hill, to be secured.
		Wayside strips. Matter of purchase deferred.
		Curry County. Knapp Hotel Bldg., Port Orford. Request of Leslie O. Tichenor for salvaged lumber denied. Building not to be wrecked.
11076		Washington County. Vadis-Gardner Ranch Section, Wolf Creek Hwy. Negotiations for purchase of Jurgen La Frentz property to be continued.
		Jackson County. Plaza Corner, Ashland. Advancement of funds to H. L. Claycomb in connection with revision of property approved.
		Marion County. Champoege State Park. Attorney General's opinion to be secured re Commission's authority to assume maintenance.
11077		Hospital Associations. Request of National Hospital Association for permission to increase rates approved.
		Traffic scales. Pendleton-John Day Highway near Seneca. Installation considered. Suitable site for scales to be selected.
		Harney County. Footpath, Burns-Hines Mill Section. Fine rock surfacing authorized.
		Wallowa County. Little Sheep Creek Secondary Highway. Repair of damage caused by cloudburst approved.
		Equipment. Engineer reports on reduction of travel mileage of highway department automobiles.
		Jefferson County. Madras-Juniper Butte Section, The Dalles-Calif. Hwy. Report on cost to surface 10.4 mile section.

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11077	June 4 1942	Josephine County. Smith Hill Section, Pacific Highway. Report on cost of surfacing. Action deferred. R. H. Baldock authorized to attend meeting of representatives of Office of Defense Transportation in Seattle, June 5, 1942. John Beakey authorized to attend meeting of representatives of Office of Defense Transportation, in Seattle, June 5, 1942. John Beakey authorized to attend meeting of Joint Committee on Uniform Traffic Control Devices, in Chicago, June 24-27, 1942. Equipment. Following purchase authorized: 3 small shop air compressors. Bond. Renewal of State Highway Engineer's bond with same companies approved.
11078		Gas rationing. Commission disapproves endorsement of Colorado Advertiser and Publicity Committee's suggestion re issuance of vacation priority cards. Multnomah County. North Portland and Swan Island Shipyard Access Road Projects. Representatives of Oregon Shipbuilding Corporation urge immediate award of contracts. Lane County. Elmira-Wyper's Corner Section of Territorial Secondary Highway. Request for oiling denied. Yamath County. Request of Lower Klamath Lake Grazing Assn. for widening of dike for two lanes of traffic denied. Deschutes County. Grange requests removal of restriction re farm trucking. Load limit. Yaquina River Bridge on Eddyville-Blodgett Second Highway. Resolution adopted lifting load limit.
11079		Old Oregon Trail Historical Markers. Installation of additional markers to be deferred until after war.
11080		Insurance. Oregon Coast Highway bridges. Coos County Court suggests insurance of bridges against loss by sabotage. Action deferred pending investigation. Umatilla County. Hermiston-Umatilla Ordnance Depot County Rd. Request of county court for state maintenance approved. Parks Department. Superintendent's report on expenditures. Multnomah County. Latourell Falls. Purchase approved of a 40-acre tract owned by Geo. W. Joseph, Jr. Jefferson County. Peter Skene Ogden State Park. Sale of water right approved.
11081		Marion County. Silver Creek Falls State Park. Application of Harry C. Corn for park concession considered. Curry County. Harris Beach State Park. Matter of occupancy of park by Mrs. Anna Barclay discussed. Clatsop County. Short Sand Beach State Park. Sale of timber ordered readvertised at next meeting. Extension of time, as follows: Lindstrom Brothers, reconstruction of approach to Hawthorne Street Bridge.
11082		Contracts completed and accepted, as follows: Reconstruction of Hawthorne Street Bridge approaches, Lindstrom Brothers; Crabtree Corner-Lebanon Section, Warren Northwest, Inc.;

Page	Date	Subject
11082	June 4 1942	<p>Contracts completed and accepted, as follows: (Cont.)</p> <p>Kimberly-Simas School Section, E. I. Gates;</p> <p>Independence (B Street-Monmouth Street) Section, The United Contracting Company;</p> <p>Middle Unit, Crabtree Corner-Lebanon Section, Warren Northwest, Inc.;</p> <p>Salt Creek-Hanley Ranch Section, Morris Brothers;</p> <p>Rogue River Bridge, J. F. Johnston;</p> <p>Corbett Section, Colonial Construction Company;</p> <p>Sisters Rock Production Project, E. C. Hall Company.</p> <p>Agreements, etc., signed as follows:</p> <p>H. L. Claycomb, re revision of service station site, Ashland;</p> <p>California Western States Life Insurance Co., re furnishing group life insurance to state highway employees;</p> <p>Rogers Construction Company, re cancellation of contract No. 2528, Diversion Canal-Midland Overcrossing;</p> <p>A. H. Saxton & Son, re cancellation of contract No. 2552, Campbell Bridge-Hazeldale Section;</p> <p>Norris Brothers, re cancellation of contract No. 2553, Porcupine Butte-Chichester Gulch Section;</p> <p>Rogers Construction Company, cancellation of contract No. 2555, S. Unit, Enterprise-Forest Boundary Section;</p> <p>M. L. O'Neil & Son, cancellation of contract No. 2556, Soda Mountain-Silvies Section;</p> <p>Umatilla County, providing for state maintenance of Hermiston-Umatilla Ordnance Depot county road;</p> <p>City of Oakland, providing for improvement of Locust Street;</p> <p>U. P. Co. and O.W.R. & N. Co., re lease of railroad property at Burns for installation of radio wires;</p> <p>Nehalem Valley Cooperative Electric Association, re furnishing of electrical service for Olney truck scales;</p> <p>U. P. Co. and O.W.R. & N. Co., "Certificate of Termination" in connection with snow removal agreement. New insurance being furnished;</p> <p>Southern Pacific Company, providing for use of railroad property in North Bend, for storage purposes;</p> <p>Bargain and sale deed conveying unto Deschutes Grain & Feed Co. certain property at Madras Overcrossing, Jefferson Co.;</p> <p>Bargain and sale deed conveying unto City of Albany five parcels of land in Albany;</p> <p>Bargain and sale deed conveying unto H. L. Beardsley, 3308 sq. ft. of land situate in Klamath Falls;</p> <p>Bargain and sale deed conveying unto Mabelle de Young and Walter C. de Young property in the City of Klamath Falls;</p> <p>Bargain and sale deed conveying unto Mary F. Parks property in Klamath Falls.</p> <p>Meeting dates. Next two regular meetings set for June 25 and July 16, 1942.</p>
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11085	June 24	Emergency permits. Conference with Washington State Highway Officials re special emergency permits for oversized vehicles. Highways classified into three groups according to ability to withstand heavy hauling.
11086		Log hauling. Request of War Production Board for liberalization of restrictions on log hauling considered. Log haulers to be given benefit of increase in weights granted other truckers.
11087		Hauling to be permitted day and night, and on holidays, except between 9:00 p. m. and midnight.
		Insurance. War damage insurance to be secured for bridges, structures, equipment, etc.
		Interstate bridge. State of Washington agrees to participate in cost of war insurance.
		Real property. Resolution authorizing acquisition.
11090		Scrap tires, sale of. Sale to federal government approved.
11091		Rubber salvage. Canvass of highway department's premises and right of way for scrap rubber authorized.
		Josephine County. Gravel pit. Dr. C. J. Moser property. Resolution, re compromise offer, adopted. (See P. 11119)
		Polk County. Pacific Highway West, south of Monmouth. A. F. Elkins property. Offer of \$10,000 for property approved.
11092		Washington County. Wolf Creek Highway. Zurchers' offer to sell whole property rejected. Negotiations to be continued for purchase of right of way only.
	June 25	Bids received on following projects, sale of timber, sale of buildings in North Bend, and rental of equipment:
11093		North Dillard Bridge Section, wooden bridge and approaches; Prairie City-Dads Creek Section, surf., oiling, etc.
		Buchanan Rock Production Project;
		Judkins Point Section, grading and paving;
		Judkins Point Overcrossing, near Eugene;
		Northeast Going St., Portland, overcrossing construction;
		Section "A", Monmouth-Benton Co. Line Section, paving;
		Section "B", Monmouth-Benton Co. Line Section, grad. & pav.;
		Monmouth-Lewisburg Section, Luckiamute River Bridge;
11094		Rental of state-owned heavy construction equipment;
		Sale of timber tract north of Nehalem, Tillamook County;
		Sale of residence buildings in North Bend.
11096		Grant County. Prairie City-Dads Creek Section, John Day Hwy. No bids received. Surfacing and oiling with state forces approved.
		Douglas County. North Dillard Bridge, Pacific Hwy. No bids received. Repairs to be made with state forces.
11097		Lane County. Power pole line, McKenzie Highway. Request of Forest Service that power company be permitted to build line along south side of highway denied.
		Insurance. Delegation from California Western States Life Insurance Co. requests permission to include maintenance and shop men in group insurance. No action.

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11097	June 25	Gas tax revenues. Report on estimated motor vehicle use and estimated revenues. Coos County. North Bend, Offer of A. T. Andrews to purchase state-owned property approved.
11098		Klamath County. Klamath Falls. Acceptance of offer of Chester H. Hamaker to rent South 6th Street property approved. Jackson County. Plaza Corner, Ashland. Buildings not to be wrecked at present. Rental on 50-50 basis with G. S. Butler, present owner, approved. Marion County. Champoege State Park. Maintenance by state forces approved if Provisional Government Park Commission will pay for the work. Clatsop County. Wolf Creek Highway, near Humbug Creek. John H. Shively, et al., to be requested to vacate state premises. Permission to harvest garden truck to be granted.
11099		Union County. Union. Purchase of maintenance site from State Game Commission approved. Portion of property to be leased to Union County Gun Club. Deschutes County. Redmond. Deed of easement, covering exchange of property with city, approved. Lincoln County. Offer of client of Frank Branch Riley to purchase portion of old railroad right of way denied. Wheeler County. Ochoco Highway. Request of Mrs. Kate MacDonald for repair of irrigation ditch. Investigation authorized.
11100		Jackson County. Eagle Point-McAllister Springs Section, Little Butte Secondary Highway. Abandonment resolution adopted.
11102		Hood River County. Dee-Parkdale Section, Hood River Secondary Highway. Abandonment resolution adopted.
11103		Marion County. Pacific Highway East, south of Salem. Request of H. E. Penrod to harvest hay on Ramsayer property approved. Multnomah County. Front Avenue Project, Portland. Collection of rental from Dant and Russell, for use of property, discussed.
11104		City ordinance granting Oregon Shipbuilding Corporation use of water-front areas for ferry terminal approved. Log hauling. Representatives of Pope & Talbot Logging Co. request relief from provision of permit requiring flagmen. Elimination of flagmen as general rule denied. Trial permits, eliminating flagmen on certain sections, approved. Park budget. Parks Superintendent reports on expenditures.
11105		Curry County. Humbug Mountain State Park. Renewal of permit of Robert Fromm, to graze sheep in park, approved. Linn County. Cascadia Park. Request of Wm. Munkers for permission to cut grass in park approved. Lane County. Neptune Park. Request of Bert Stonefield, to cut grass in park, approved. Juniper wayside strips. Form of agreement with Grazing Service, for preservation of juniper strips between Bend and Burns, approved for Sisters-Redmond and Redmond-Prineville strips. also.

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11105	June 25 1942	Tillamook County. Wolf Creek Highway. Offer of Elmer Bergerson to purchase abandoned railroad trestle near Vernonia. Investigation ordered.
		Marion County. Silver Creek Falls CCC Camp. Project closed down by government. Parks Superintendent's final report approved.
		Clatsop County. Collins Estate property, Short Sand Beach. Engineer advises that income tax report on estate is probably not available for public review.
		Short Sand Beach. Sale of timber. Readvertising of timber for sale deferred.
		Permits. Trains of vehicles. Report on operation of trains of vehicles being operated under temporary permits.
11106		Contracts. Report on cost of highway construction work performed by contractors in 1941, and percentage of profit made by contractors.
		Polk County. Independence bridge. Delegation confers re survey for location of bridge.
		Independence-Monmouth Section. Delegation's request for immediate adoption of permanent alignment denied.
		Equipment. Paving plants. Status report on purchase of three paving plants. Proper priority rating lacking for purchase.
		Linn County. Albany-Lyons Secondary Highway near Scio. Roaring River Logging Co. offers to pay for maintenance, if road is exchanged for Richardson Gap County Road. Arrangement approved, if county agrees.
11107		Douglas County. Elkton-Sutherlin Secondary Highway. Request for widening at junction with county road approved, if interested party will pay cost of work.
		Log hauling. Elkton-Sutherlin Secondary Highway. Junction with county road. Necessity for maintaining flagman at junction to be investigated.
		Emergency transportation permits. Resolution adopted liberalizing rules and regulations for movements of commodities over public highways.
		Press release re action approved.
11112		Herman Sites, Regional Director, Office of Defense Transportation, to be notified of action taken.
11113		Insurance. Action taken by Commission re securing war damage insurance approved by Commissioner Oliver.
11114		Log hauling. Conference re log-hauling matters. Delegation requests modification of penalty for overloading. Chairman explains action taken by Commission, granting extra tolerance. Delegation's request for modification of ruling re suspension of permits for overloading denied.
		Marion County. N. Santiam Secondary Highway, vicinity of Sublimity and Stayton. Delegation's request for rerouting over county road approved, if 60-ft. right of way furnished.
		Awards. Chairman announces awards of contracts, rental of state-owned construction equipment, sale of buildings in North Bend, and sale of timber.

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11118	June 25	Klamath County. Algoma dike. Request for state participation in repair of dike denied. Efforts to secure reimbursement for damage caused highway to be continued.
11119		Polk County. Stock-pile site. Camp Adair. Request of army authorities for site approved, if state is furnished with suitable tract in exchange.
		Lane County. Mapleton, Siuslaw Highway. Siuslaw Forest Products, Inc.'s request to construct grade crossing and widen highway approved subject to conditions.
		Josephine County. Grave Creek gravel pit. Controversy with Dr. C. J. Moser. Resolution adopted directing contractor to go upon property.
11120		Jefferson County. Madras. Request for oiling of highway and construction of footpaths denied.
		Columbia County. Deer Island. Improvement of Lower Columbia River Highway in front of school grounds deferred.
		Linn County. Lebanon. City's request for additional improvements not included in agreement, denied.
11121		Surveys. List of location surveys authorized to provide post-war employment for engineering personnel. Projects to be submitted to Public Roads Administration for approval.
		Clackamas and Marion Counties. Pudding River Bridge Project, Aurora. Withdrawal from federal aid program approved.
		Malheur County. Action deferred on county's request for designation of following county roads as secondary highways: Enterprise County Road; Quaker Corner County Road; Valley View County Road.
11122		Award of contracts. Commission confirms following awards: Swan Island Shipyard Access Road, Porter W. Yett; North Portland Shipyard Access Road, Parker-Schram Co.
		Planning survey. Agreement with Public Roads Administration approved and signed.
		Multnomah County. Front Ave., Portland. Agreement with U.P. Co., re railroad warning sign on freight house, approved.
		Wolf Creek Highway. Sale of down timber to William Dye considered. Investigation ordered.
11123		"Keep Oregon Green" signs. Request for permission to maintain signs along state highways approved.
		Umatilla County. Pendleton. Request for 10-mile-per-hour speed limit. Action deferred until meeting of Speed Board.
		Equipment. Traffic signals. Purchase of parts for signals approved.
		Klamath County. Merrill gravel pit. Payment to county of 4¢ per cubic yard for gravel approved.
		Benton County. Pacific Highway West, north of Corvallis. Request of Mountain View Cooperative Telephone Assn. for assistance in re-establishing pole line approved.
11124		Bond. State Highway Engineer's official bond. Secretary authorized to sign termination statements for old bonds. Entirely new bonds to be written.

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11124	June 25	Permits. Request of Shell Oil Co., for extension of permit covering transportation of overloads of gasoline, granted. Request of A. L. Vincze, for permit to truck overloads of gasoline over certain state highways, granted. Request of Shell Oil Co., to transport overloads of gasoline over Elgin-Enterprise Sec. of Wallowa Lake Hwy., denied.
11125		Crook County. Hardin County Road. County's request for deferment of payment for oiling work to be done by state approved. Surveys. List of surveys ordered since last meeting presented.
11127		List of surveys completed and accepted. Resolution adopted.
11128		Agreements, etc., signed as follows: Robert Fromm, covering grazing of sheep in Humbug Mountain State Park, Curry County; Public Roads Administration, covering state-wide planning project; City of Salem, covering installation of traffic signal at North Capitol and Center Streets, in Salem; Mountain States Power Co., blanket permit for use of poles for installation of traffic signals, etc.;
11129		Pacific Power & Light Co., blanket permit for use of poles for installation of traffic signals, etc.;
		Deed of easement conveying unto the City of Redmond a strip of land 20 feet wide; Bargain and sale deed, conveying unto John H. Andes, et ux, and C. V. Howard, 1.60 acres of land in Josephine County; Bargain and sale deed conveying unto the S. P. Company various parcels of property at Eugene, Lane County; Bargain and sale deed conveying unto Vera Caul 0.15 acre of land in Jackson County; Bargain and sale deed conveying unto J. C. Endicott 285 sq. ft. in Astoria, Clatsop County; Quitclaim deed conveying unto S. P. Co. 38,175 sq. ft. of property in City of Eugene, and 576 sq. ft. and slope easement containing 0.10 acre, in Lane County.
		Meeting dates. July 16, 1942, confirmed as date for next regular meeting. (Later postponed to July 23, 1942.)
11130	July 23	Bids received on following projects and sale of buildings: Seven Devils Chrome Mine Access Road, grad. and paving; Lower Bridge-Terrebonne Section, oiling; South Mountain Mine Access Road, surfacing; Sunderland Avenue Access Road, grading and paving; Sunderland Avenue, Portland, construct two bridges; Section "A", Monmouth-Benton County Line Section, surfacing; Section "B", Monmouth-Benton County Line Section, grad. & surf.;
11131		Sale of buildings at North Bend.
11132		Polk County. Unit "A", Monmouth-Benton County Line Section. Type of construction discussed. Bid of Edlefsen-Weygandt, submitted June 25, reconsidered. (See P. 11154)
11133		Equipment. Delegation confers re furnishing of bond by Norris Bros. for rental of two tractors.

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11133	July 23	Harney County. Burns Airport Road. Delegation advised that project must be initiated by federal authorities.
11134		Hanley Lane Project. Delegation inquires re status of oiling work. (See P. 11178) Buchanan Rock Production Project. Delegation confers. Project to be readvertised for bids at next meeting.
		Union County. Boswell Ranch-Follett Ranch Section, Wallowa Lake Hwy. O. C. Yocom, subcontractor, requests cancellation of contract. Request for advance of funds for moving equipment denied. Allowance to be made for materials placed in stock piles. (See P. 11162)
11135		Tillamook County. Oregon Coast Highway. Delegation requests reconstruction of highway from Tillamook to Blimp Base. Negotiations for right of way authorized. Survey. Tillamook-Blimp Base Section, Oregon Coast Highway. Location survey authorized. Right-of-way expenditures. Report approved. Real property. Resolution authorizing acquisition.
11138		Condemnation. Recommended offers. Resolution adopted.
11140		Right of way: Wolf Creek Highway, and Seven Devils Chrome Mine Access Road. Gravel pit: ION Highway and South Mountain Chrome Mine Access Road.
11142		Coos County. Buildings at North Bend. Matter of disposal of building formerly owned by Alma Moss, et al., discussed. Attorney instructed to have buildings which cannot be sold wrecked and removed by state's contractor.
11143		Multnomah County. Portland-Troutdale Section, Columbia River Highway. Taking of options for right of way authorized. Coos County. Gravel pit for Seven Devils Chrome Mine Access Road. Contract to be held up until satisfactory arrangements have been made with county for use of gravel pit. Railroad grade crossings. Oregon Railroad Assn. requests adoption of Order requiring all traffic to stop at main-line crossings. (See P. 11157)
11144		Multnomah County. Portland. Union & Denver Avenue intersection. Location survey for separation of traffic authorized. Survey. Intersection of Union & Denver Aves., Portland. Detailed location survey authorized for separation of traffic. Umatilla County. Duck Lake, Boardman-Stanfield Highway. Lease to Sam R. Thompson, for one year, authorized. Lane County. Goshen-Pleasant Hill Section, Willamette Highway. Request of L. E. Stafford for payment for barn. No action.
		Coos County. Coos Bay Bridge. Request of Louis Elmer Abrams to perform landscaping work on state property granted.
11145		Polk County. Stock-pile site, Camp Adair. Government advises condemnation proceedings will be instituted. Jackson County. Stock-pile site, Camp White. War Department requests lease of site. Action deferred. Klamath County. Algoma Dike, The Dalles-California Hwy. Resolution adopted re suit to be instituted for damage to highway caused by breaking of the dike.

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11146	July 23	Columbia County. Scappoose-Multnomah County Line Section, Columbia River Highway. Abandonment resolution adopted.
11148		Baker County. Flagstaff Hill-Ruckles Creek Section, Baker-Homestead Highway. Abandonment resolution adopted.
11150		Clackamas County. Clackamas Overcrossing Section, Cascade Highway. Abandonment resolution adopted.
11151		Umatilla County. Milton-Washington State Line Section, Oregon-Washington Highway. Securing of options for right of way authorized, WPA Camps. Abandoned buildings at Camp Manning, Camp Wolf Creek and Camp McNamers on Wolf Creek and Wilson River Highways. WPA to be requested to turn buildings over to state.
11152		Multnomah County. Sunderland Avenue Access Road Project, Portland. Right of way reported clear except small parcel under lease to army airbase. Contract to be awarded as soon as financing is effected. Marion County. Champoege Park. Mowing of grass and weeds by state forces approved. Park board to pay cost. General maintenance work approved if expense nominal.
11153		Curry County. Timber land north of Brookings. Purchase from Elmer Sankus considered. Inspection to be made. Multnomah County. Upper Columbia River, Crown Point. Paul Gilbaugh requests building of underpass to property, or purchase of his holdings. Award of contracts. Chairman announces awards of contracts and sale of buildings.
11157		Railroad grade crossings. Delegation from Oregon Railroad Assn requests Order requiring all traffic to stop at main-line crossings. Order, covering 35 crossings, adopted.
11158		Union County. Boswell Ranch-Follett Ranch Section, Wallowa Lake Highway. Delegation requests cancellation of O. C. Yocom's subcontract, under Leonard. Slate. Denied.
11162		Allowance to be made for materials placed in stock piles. Park matters. Parks Superintendent presents report. Juniper wayside strips. Agreement with U. S. Dept. of Interior, for preservation of waysides along Sisters-Redmond and Redmond-Prineville Sections, approved.
		Coos County. Sutton Lake. Purchase of 60 acres for park, as proposed by Hon. Earl Hill, not approved.
		Linn County. Cascadia Park. Proposed purchase of land owned by Jacob Stocker, deferred.
11163		Douglas County. Purchase of O & C lands from government through county's cooperation approved. Jackson County. Purchase of O & C lands from government, by means of county's cooperation approved.
		Clatsop County. Eccla State Park. Temporary closing recommended by Parks Superintendent as protection against fire and sabotage not approved unless requested by army.
		Clatsop County. Wolf Creek Highway, near Humbug Creek. Attorney reports buildings of John H. Shively, et al., have been removed.

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Projects for post-war construction. List approved for preparation of plans and designs. Projects to be presented to PRA for approval, with request for federal funds.

11166

Tillamook County. Fishers Point-Brighton Section, Oregon Coast Highway. Permit granted Nehalem Telephone & Telegraph Co. to maintain pole line along westerly side of highway.
Tillamook County. Railroad pile trestle on Wolf Creek Highway. Material to be advertised for bids at next meeting.

Linn County. Richardson Gap County Road. Roaring River Logging Co. offers to pay portion of expense, if state will maintain road. Project to be advertised for bids at next meeting.

County approves arrangement if state will continue to maintain Albany-Lyons Secondary Highway.

Curry County. Gold Beach, Oregon Coast Highway. Request for widening of curve at MP 357.36 denied.

11167

Jackson County. Sidewalk on Rogue River Bridge at Gold Hill. Engineer reports that application to WPB for material to build sidewalk has been denied. Project deferred.

Jackson County. Central Point. Request for major improvement of Pine Street denied. Repairs authorized.

Tillamook County. Little Nestucca Secondary Hwy. Request for improvement between Nufer's Corner and Hurliman's place denied

Umatilla County. Pendleton-Meacham Rock Production Project. Engineer authorized to increase yardage of rock to be furnished by contractor, A. S. Wallace.

11168

Union County. Elgin-Minam Section, Wallowa Lake Highway. Oregon Trail Assn. urges completion of contract.

Dim-out zones. Defense Council's request for establishment of signs for dim-out zones along coast highways considered.

Highway bonds. Increase in budget to take care of charges of National City Bank of New York for handling bonds, approved.

Multnomah County. Troutdale Overcrossing Project. Elimination from federal aid grade-crossing program approved.

Lane County. Eugene grade separation project. To be substituted for Troutdale Overcrossing Project on program.

11169

Awards. Commission confirms following awards:

Helmick Undercrossing, Monmouth-Suver Section, Averill & Corbin;

Widen three bridges, Suver-Lewisburg Sec., J. F. Johnston;

Two bridges, Monmouth-Suver Section, J. F. Johnston;

North Unit, Monmouth-Benton County Line Section, E. C. Hall and J. C. Compton;

Goshen-Pleasant Hill Section, C. J. Eldon;

Bridge over Coast Fork Willamette River and three bridges on Goshen-Pleasant Hill Section, Tom Lillebo;

Sale of buildings in North Bend. Engineer's action re disposition of buildings, for which bids were received June 25, 1942, confirmed.

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11170	July 23 1942	Equipment. Purchase of two truck loaders, from Willamette Hyster Company, authorized. Negotiations with government for purchase of 30 dump trucks authorized, if such equipment is made available. Umatilla County. Pendleton. Request of H. J. Williams, for reduction in rental of residence building denied. Columbia County. St. Helens Section, Lower Columbia River Hwy. United Railway Co.'s request for permanent easement denied. Temporary easement granted, for duration of war. Wayside maintenance. U. S. Grazing Service requests state to burn dry grass adjacent to Eastern Oregon highways.
11171		Group insurance. Method of handling deductions of premiums for hourly-paid employees approved. Monthly-salaried employees in lower brackets to have privilege of securing group life insurance. Equipment. 1 1/2-yard No. 75 Lorain gas shovel. Request of Peterman Manufacturing Co. to purchase shovel refused. Privilege of renting shovel offered company.
11172		Traffic scales. Request of Office of Price Administration for weighing of gravel trucks by state weighmasters considered. Log hauling. Request of E. K. Wood Lumber Company for modification of overloading penalty denied. "Stock" letter to be prepared for use in replying to requests for modification of penalty for overloading. Champoeg Park. Request of Mrs. Elizabeth Ryan for designation of Portland-Champoeg Park Section as "Champoeg Highway" denied. Washington County. Wolf Creek Highway west of Sunset Camp. Request for permit to maintain beehives on right of way denied. Umatilla County. Hermiston. City's request for advance of funds set up for oiling work denied. State to do oiling. Personnel. Selective Service Board to be asked to defer drafting of key men of state highway organization.
11173		Defense plans. Cooperation with U. S. Army for plan of defense of coast area, involving bridges and structures, approved. Dim-out zones. Oregon coast highways. Establishment and signing of zones approved. Resolution adopted.
11175		Benton County. Pacific Highway West, through Camp Adair. Completion of survey for permanent location authorized. Survey. Pacific Highway West, through Camp Adair. Completion of survey for permanent location authorized. Benton County. Pacific Highway West, through Camp Adair. Road not to be closed unless army forces closure.
11176		Surveys. List of location surveys ordered since last meeting. Extensions of time, as follows: Porter W. Yett, Warrenton-Skipanon Section; Rogers Construction Company, Warner Summit-Mud Creek Section; C. J. Eldon, Millport Slough Bridge, near Kernville; Morris Brothers, West Unit, Sherars Grade Section; A. H. Saxton & Son, Klaskanine Summit-Jewell Section.
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Contracts completed and accepted, as follows:

Hanley Lane Section, Norris Brothers;
Days Creek-Wright Ranch Section, E. L. Rigdon;
Woodburn-Rock Creek Section, E. W. Itschner;
Monroe-Lane County Line Section, E. L. Gates;
Warrenton-Skipanon Section, Porter W. Yett;
Millport Slough Bridge, near Kernville, C. J. Eldon;
W. Unit, Sherars Grade Section, Norris Brothers;
Madras-Juniper Butte Section, Leonard & Slate;
Cinder Butte-Juniper Ridge Section, Rogers Construct.Co.;
Klaskanine Summit-Jewell Section, A. H. Saxton & Son;
Gerking School-Athens Section, R. O. Dail & Warren Bros., Inc.;
Sylvan-West Slope Section, Porter W. Yett.

11178

Harney County. Hanley Lane Section, Frenchglen Secondary Hwy.
Oil surfacing eliminated from Norris Bros. contract.

11179

Harney County. Highways in vicinity of Burns. Engineer's
action in hiring Norris Bros. to do resealing work on various
projects, in place of state crews, confirmed.

Agreements, et cetera, signed as follows:

O.W.R. & N. Co. and Union Pacific Co., covering maintenance
of railroad-crossing sign on Portland freight house;
Southern Pacific Company, covering reconstruction of Blodgett
Overcrossing;

Peter A. Nelson Co., covering work in connection with widening
of High St., between 5th and 6th, Eugene;

Grant County Bank, John Day, providing for lease of road-
materials site for Prairie City Section, John Day Highway;

Lewis Pointer, et al., covering elimination of road approach
to Tualatin Valley Highway, near S. W. Canyon Road;

Peter J. Lyski and wife, covering acquisition of property
in Block 32, E. St. John Addition to Portland;

R. R. Clarke, relative to gravel bar being used in connection
with Rice Hill-Turkey Hill Section, Pacific Highway;

11180

Mountain States Power Company, providing for use of company's
poles for traffic-signal installations;

Pacific Telephone and Telegraph Company, providing for use
of company's poles for traffic-signal installations;

Linn County, re improvement and maintenance of Richardson
Gap county road;

U. S. Grazing Service, providing for protection of juniper
wayside strips along McKenzie and Ochoco Highways;

McNutt Bros., disposing of claim for extra compensation on
contract for Dundee-West Dayton Sec., Pacific Hwy. West;

Multnomah County, providing for maintenance of Sunderland
Avenue Access Road;

Clatsop County, City of Warrenton, and City of Hammond, covering
improvement and maintenance of Ft. Stevens county road

Bargain and sale deed conveying unto Atwell T. Andrews and
wife property in North Bend;

Bargain and sale deed conveying unto G. Morasin one lot in
Klamath Falls;

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Agreements, et cetera, signed as follows: (Cont.)

Bargain and sale deed conveying unto Roy P. Jones 2.27 acres of land adjacent to Crater Lake Highway;

Bargain and sale deed conveying unto Berke Brothers, 1.034 acres of land adjacent to Crater Lake Highway, Medford;

Bargain and sale deed conveying unto Medford Corporation 0.076 acre of land in Jackson County;

11181

Quitclaim deed conveying unto Medford Corporation 0.081 acre of land situated in Jackson County.

Projects. Bids to be received on following projects at next regular meeting:

Harney County, Buchanan Rock Production Project;

Linn County, Richardson Gap County Road;

Rock production projects to be decided later;

Airplane flight strips.

Tillamook County. Railroad trestle, adjacent to Wolf Creek

Highway. Bids for purchase to be received at next meeting.

Meeting date. August 27, 1942, set for next regular meeting.

Portland, Oregon, April 1, 1942

The State Highway Commission met in regular session at 8:30 p. m. in Room 515 (Imperial Room), Imperial Hotel. Present were:

Henry F. Cabell, Chairman
Huron W. Clough, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

Commissioner Oliver was excused from attending this meeting.

Dr. E. B. McDaniels, member of the Advisory Committee on Publicity Matters, was present in regard to increasing the Commission's 1942 budget for advertising purposes. He advised that, at a meeting of the committee members on the previous day, it was decided unanimously to recommend to the Commission an expenditure of \$15,000 for space advertising in newspapers printed in California, Washington, and other nearby states, and that he was delegated by the committee to present the matter to the State Highway Commission. It is not the intention of the committee, he said, to recommend any major change in the operation of the Commission's Travel and Information Department. Chairman Cabell thanked Dr. McDaniels for his presentation and advised that the Commission would act on the matter the following day. (Increase approved on following day.)

Mr. Ben Titus, Acting Director of the Travel and Information Department, who was present, advised that a meeting of public advertising agencies from the states of Washington and Idaho and the Dominion of British Columbia is to be held in Seattle on Friday, April 3. He requested authority from the Commission to attend such meeting in order to help arrange a program for funds available so as to avoid a duplication of advertising. The Commission deferred a decision on this matter until the following day. (Approved on following day.)

The Attorney requested authority to acquire certain parcels of real property that are needed for various highway improvements throughout the state. He presented a list of such properties, together with offers that he recommended be made in connection with each. Mr. W. H. Lynch, District Engineer, Public Roads Administration, also sat in on the discussion of the various parcels that are needed for access road improvements, particularly those needed for the revision of the Pacific Highway West through the Corvallis cantonment area. After careful consideration of each item, the Commission approved the offers, Mr. Lynch concurring. The following resolution relative thereto was adopted by the Commission by unanimous vote:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth, and

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WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon, and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Fishhawk Falls-Ranger Station Section, Wolf Creek-Nehalem Highway</u>				
9961A-Wright Blodgett Co., Limited	Quarry & Haul Road Easement	20.0	\$50 per acre	McChesney
<u>Gearhart-Seaside Section, Oregon Coast Highway</u>				
9194-Union High School District #1, Clatsop County	Foot path	20,505 sq.ft.	\$32.95 Lump Sum	Witt
<u>Roads End Section-Oregon Coast Highway</u>				
9066-U.S. Department of the Interior (Siletz Indian Agency)	Stock Pile Site	0.74	4 year lease, \$25 per year	McChesney
<u>Marshfield Section, Oregon Coast Highway</u>				
6567-Mullen, Mary F. Estate	R/W	5,800 sq.ft.	4/5 sq. ft.	Benson
<u>Sylvan-West Slope Section, Tualatin Valley Highway</u>				
9698-Grimm, Louis V.	R/W and Fill	1,623 sq.ft.	\$100 Lump Sum	Witt
<u>Linn County Section, Santiam Highway</u>				
10258-McTimmonds, F. T.	Gravel Pit & Stock Pile Site	15.4	\$100 per acre	Eason
<u>Kernville-Siletz Section, Siletz Highway</u>				
9634-Smith, Seth V.	R/W	2.5 1.3 3.8	\$175 per acre \$25 per acre, + \$80	McChesney

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Silets-Toledo Section, Siletz Highway</u>				
10147-Gray, Frank C.	Stock Pile	1.08	\$150 per a. + \$54	McChesney
<u>Grand Ronde-Boyer Section, Salmon River Highway</u>				
10138-Polk Operating Co.	Stock Pile	0.51	\$100 per acre	Gardiner
<u>Lewisburg-Corvallis Section, Pacific Highway West</u>				
10212-Sanders, Floye	R/W	871 sq.ft.	1¢ sq.ft. + \$10	Benson
10211-Smith, Zeta E.	"	1,307 " "	1¢ " + \$97	"
10210-Ewald, Fred	"	2,613 " "	1¢ " + \$67.75	"
10209-Thompson, T. K.	"	871 " "	1¢ " + \$44	"
10205-Matthews, J. P.	"	0.02 a.	\$300 per acre, plus \$244	"
10195-Miller, Myrna	"	0.22 a.	\$100 per acre, plus \$149.75	"
10206-Metsger, A. J.	"	0.08	\$100 per a. + \$40	Parker
10204-Bryant, Cassius M. and Joe M. Cook	"	0.02	\$300 per a. + \$8	"
10202-Bryant, Cassius M.	"	0.02	\$300 per a. + \$8	"
10201-Bryant, Cassius M. and W. L. Chipman	"	0.04	\$300 per a. + \$10	"
10200-Bryant, Cassius M. and Safford Chipman	"	0.04	\$300 per a. + \$12	"
10199-Bryant, Cassius M. and Marvin E. Morrison	"	0.04	\$300 per a. + \$12	"
10197-Bryant, Cassius M. and John Weder	"	0.08	\$300 per a. + \$15	"
10196-Bryant, Dewey Virgil	"	0.06)	\$300 per a.	"
		0.15)	\$100 per a. + \$36	"
		0.21)		"
10194-Morris, Walter	"	0.05	\$300 per acre	"
10191-Pointer, Fred	"	0.04	\$300 per acre	"
10190-Larsen, Peter A.	"	0.08	\$300 per acre, plus \$12.25	"
10189-Larsen, Peter A. and Arnold Prothe	"	0.05	\$300 per a. + \$4	"
10221-Ransom, Charles E.	"	0.03	\$435 per a. + \$57	"
10217-Arnett, John W.	"	0.10	\$300 per acre	"
10216-Hayes, Lucy G. and Jay L. Lewis	"	0.37	\$300 per acre + \$89	"
10222-Ransom, E. D.	"	0.04	\$435 per acre + \$170.50	"
<u>Halsey-Harrisburg Section, Pacific Highway West</u>				
9711-Neal, O. F.	R/W	2.82	\$100 per a. + \$625.50	Gardiner
9706-Holloway, W. E.	"	8,071 sq.ft.	3¢ sq.ft.	"

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Harrishburg-Junction City Section, Pacific Highway East</u>				
10108-Davenport, B. C.	R/W and Easemt.	0.52	\$200 per a. + \$396, + moving bldgs. (est. \$500)	Gardiner
<u>Goshen-Pleasant Hill Section, Willamette Highway</u>				
8997-Telcher, Laura M. and Elias Kilen	R/W	1.23	\$100 per a. + \$48.75	Benson
<u>Wolf Creek-Grave Creek Section, Pacific Highway</u>				
10129-Porter, Geo. Estate	R/W	3.5	\$50 per acre, + \$200	Landon
<u>Medford Section, Pacific Highway</u>				
10170-Jackson County	Drainage Easement		Along Lot 6, Blocks 1 & 2, Palm's Second Add. to Medford - GRATIS	Witt
10172-Medford, City of	Drainage Easement		Along Lot 6, Blocks 1 & 2, Palm's Second Add., Medford - GRATIS	"
<u>Eagle Point-Medford Section, Crater Lake Highway</u>				
10056-City Natl. Bank of Clinton, Iowa	R/W	8.95	\$500 LUMP SUM	Witt
10067-Parker, C. M.	"	0.91	\$500 per acre	"
		36,154 sq.ft.	8¢ sq.ft. + \$6630	
10106-Lemmon, W. M.	"	0.72	\$75 per a. + \$276.25, + low bid for moving buildings, \$1215	"
<u>Algoma-Terminal City Section, The Dalles-California Highway</u>				
8530-Pierce, Albert Hopkins & Frank Cunningham, et al	R/W	82,335 sq.ft.	\$0.007 per sq.ft.	Martin
8530A-Cunningham, Frank, et al	"	17,172 "	\$0.007 per sq.ft.	"
<u>The Dalles-Deschutes River Section, Columbia River Highway</u>				
4499-Seufert Brothers Co.	Stock Pile	0.32	1 year lease - \$10	Chandler
<u>Hood River County Section, Mt. Hood Highway</u>				
6321A-Smullin, Jos. D.	Quarry	0.99	\$100 LUMP SUM	"
<u>Baker Section, Baker-Homestead Highway</u>				
10153-Jim Foster Chevrolet Company	Stock Pile Site	54,000 sq.ft.	\$75 LUMP SUM	Miller

The Attorney reported the results of further negotiations for the acquisition of the C. M. Parker property at Medford, which property is needed as

right of way for the improvement of the Crater Lake Highway at Medford, being right of way file R 10067. He advised that he has reached a satisfactory settlement with the owner of the land, Mr. Parker, who has agreed to accept \$500 per acre for 0.91 acre and 84¢ per square foot for some 36,154 square feet of land, plus \$6,630, which settlement the Commission has already approved; however, Mr. A. W. Denney, who is leasing the property and who is conducting a store business thereon, and whose lease has two years yet to run, will not dispose of the lease for less than \$5,000, which, in his estimation, is an exorbitant price to pay for the same. He recommended an offer of \$2,000 for the lease, and that the lease be acquired by condemnation in the event that Mr. Denney will not accept it. The Commission approved the recommendation and thereupon by unanimous vote adopted the following resolution authorizing condemnation of the property in the event that Mr. Denney will not accept \$2,000:

WHEREAS, the State Highway Commission is authorized to locate, relocate, construct, reconstruct, maintain, widen, straighten, and otherwise improve state highways, both primary and secondary, and said Commission is also authorized to construct shops, equipment sheds, office building, maintenance sites, patrolmen accommodations, and snow fences, and is authorized to acquire quarry sites, gravel pits, storage sites, stockpile sites, weighing stations, and broadcasting stations, and is further authorized to develop, construct, improve, operate, and maintain parks, parking places, auto camps, camp sites, roadside development, recreational grounds or resorts, and other places of attraction and scenic value; and

WHEREAS, said Highway Commission is authorized to acquire by purchase, agreement, donation, or by the exercise of the power of eminent domain real property, or any interest therein, necessary or deemed by the Highway Commission necessary for the accomplishment of any and all of the foregoing things; and

WHEREAS, the State Highway Commission is acquiring from C. M. Parker and Della Parker a parcel of land described as follows, to wit:

A parcel of land lying in the southeast quarter (SE $\frac{1}{4}$) of Section 13 and in the northeast quarter (NE $\frac{1}{4}$) of Section 24, Township 37 South, Range 2 West, W. M., Jackson County, Oregon; the said parcel being described as follows:

Beginning at the northeast corner of said property; said corner also being the southeast corner of D. L. C. No. 60; thence west along the south line of said D. L. C. No. 60 a distance of 137.06 feet to the northwest corner of said property; thence South 19° 19' West along the west line of said property a distance of 154.1 feet to the southwest corner of said property; thence South 54° 35' East along the southerly line of said property a distance of 230.6 feet to the southeast corner of said property; thence North 0° 02' East along the east line of

said property a distance of 279 feet to the point of beginning; containing 0.83 acre, including all right, title and interest to a strip of land 60 feet in width lying immediately east of and parallel to the west boundary line of D. L. C. No. 61, said strip of land now being used for roadway purposes.

and

WHEREAS, A. W. Denney has a leasehold interest in a portion of said property by virtue of that certain indenture of lease entered into by C. M. Parker and A. W. Denney dated March 28, 1941, which lease by its terms expires on the 28th day of March, 1944; and

WHEREAS, in the judgment of the State Highway Commission the acquisition of the unexpired term of the said lease is necessary for the specific and particular purposes hereinafter specifically set forth;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the Commission does hereby find and declare that the acquisition of the unexpired term of the said lease is necessary for right of way purposes in connection with the improvement of the Antelope Creek-Medford Section of the Crater Lake Highway.

2. That J. M. Devers, Attorney for the State Highway Commission, be and he is hereby requested, authorized, and directed to attempt to agree with the lessee of said parcel or tract of land with regard to the compensation to be paid therefor, and in the event that no satisfactory agreement can be reached then it is hereby further resolved that J. M. Devers, Attorney for the State Highway Commission, be and he is hereby requested and authorized to commence and prosecute to a final determination such suit or action as may be necessary and appropriate to acquire title to the unexpired term of the said lease and all rights therein for the purposes herein stated.

3. That this resolution be entered in full in the minutes and records of this Commission.

The Commission discussed the matter of abandoning portions of the Drews Gap-Cottonwood Creek Section of the Klamath Falls-Lakeview Highway, in Lake County, which property is no longer of value from the state's standpoint since the highway has been reconstructed on other alignment. The Engineer recommended abandonment of the parcels in favor of Lake County. The Commission approved the recommendation and thereupon by unanimous vote adopted the following resolution relative thereto:

WHEREAS, in order to afford a better alignment and a more satisfactory, safe and convenient highway for the traveling public the Commission found it necessary to relocate a portion of the Klamath Falls-Lakeview Highway in Lake County; and

WHEREAS, by reason of said relocation and reconstruction of said section of highway there were eliminated and made unnecessary as parts of the permanent highway certain sections, which sections are more particularly defined and described hereinafter in this resolution; and

WHEREAS, it is the judgment and opinion of the Commission that there should be recorded in the minutes and records of the Commission its purpose and plan to abandon as a part of the said highway the fragments or portions of right of way heretofore designated and which were heretofore included within the area of the right of way of said highway as formerly located, but which are now without the regular limits of said highway as relocated.

NOW, THEREFORE, the premises being in general as above stated, it hereby is resolved by this Commission, all members being present and affirmatively voting, as follows:

1. That the fragments of land confined within the area hereinafter described, which fragments or parcels of real property were formerly within the limits of the right of way of the Drews Gap-Cottonwood Creek Section of the Klamath Falls-Lakeview Highway in Lake County, but are no longer parts of the right of way of said highway as the same has been relocated and constructed be and said parcels of real property are abandoned as parts of the right of way of said highway, and said parcels of land are, so far as control and supervision by this Commission is concerned, eliminated and left to revert to the adjoining and abutting property owners or to the control and supervision of the County Court of Lake County for highway or other public purposes as the Court may determine. The fragments or parcels of land affected by this resolution are defined and described as follows, to wit:

All those certain parts of the old right of way of the Drews Gap-Cottonwood Creek Section of the Klamath Falls-Lakeview Highway in Sections 13 and 14, Township 39 South, Range 18 East, and in Sections 15, 16, 17 and 18, Township 39 South, Range 19 East, W. M., Lake County, Oregon, lying on each side of the right of way required for the reconstructed Klamath Falls-Lakeview Highway, said section also lies between Mile Post 79.5 and 90.5 of said highway, the beginning and ending points with reference to the engineer's stations of the new highway being station 905+45 to station 1139+80 on the northerly side of the reconstructed highway and between station 1149+20 to station 1229+05 on the southerly side of the reconstructed highway.

The location of said abandoned right of way may be more definitely and particularly ascertained and determined by reference to a map or blueprint marked Exhibit A attached hereto and by this

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reference made a part hereof, which said exhibit for identification purposes bears the signatures of W. E. Chandler, Division Engineer, H. G. Smith, Construction Engineer, and R. H. Baldock, State Highway Engineer, and is dated March 17, 1942, upon which map or exhibit are reflected the above described parcels of land by showing the same shaded in red.*

2. In the event there remains any physical connection between any portion of said abandoned right of way or highway and the present highway, and by reason of such physical connection traffic from the existing highway may enter or use the said abandoned right of way or highway to the possible damage or injury of such traffic by reason of any unsafe condition existing with respect to said old or abandoned road, then the State Highway Engineer is hereby authorized and directed to erect such barricade or other safeguards as may be necessary to protect and safeguard traffic using and employing said newly located, constructed and dedicated section of said highway.

3. That this resolution be entered in the minutes and records of the Commission and a certified copy thereof promptly delivered to the County Court of Lake County, together with a copy of said exhibit or map, for such action as said County Court may desire to take with respect to the fragments of land to be abandoned, and should said abandoned sections of the right of way of said Klamath Falls-Lakeview Highway be further employed for public or private highway purposes such use shall be entirely under the control and supervision of the County Court of Lake County and beyond any responsibility or supervision by the State Highway Commission.

The Commission discussed a letter from the City of Bend inquiring whether or not the State Highway Commission has use for the Southwest quarter (SW $\frac{1}{4}$) of the Southwest quarter (SW $\frac{1}{4}$) of Section 17, Township 17 South, Range 13 East, W. M., Deschutes County, which the Commission has under lease from the federal government as a source of borrow materials for use in connection with the construction of the Butler Market Road. Mr. Reiter, City Manager, advises that the city has already made arrangements to obtain 160 acres of land in Section 20 on which to construct an airport, but needs the 40 acres in Section 17 in connection therewith if the state will relinquish the same. The Engineer advised that this property is of no further value to the State Highway Department inasmuch as the purposes for which it was acquired have been satisfied. He recommended relinquishment of the state's interest to the property. The Commission approved the recommendation and thereupon signed a letter directed to the Commissioner, General Land Office, Washington, D. C., dated March 26, 1942, relinquishing all of its interest in said property to the United States of America.

*Map filed Right of Way Abandonment and Retention File - No. 102.

The Attorney brought up for discussion a form of stipulation that is required by the federal government in connection with applications of the state for right of way for highway improvements across government land with particular reference to the securing of right of way for The Dalles-California Highway near Klamath Lake, in Klamath County, and for the Boardman-Stanfield Highway, near Stanfield. He read the provisions of the stipulation aloud and called particular attention to the clause relating to the state's obligation in the event of future construction by the government of government facilities. The Engineer offered objections to such provision as a matter of general policy; however, recommended approval of the stipulation in this particular instance because there is no possible chance of its involving the state in a large expenditure. After discussion the Commission approved the recommendation so far as these particular stipulations are concerned but decided to take a stand in opposition to future stipulations in the event that a considerable amount of state funds is involved.

The Engineer reported the results of an inspection of the stock pile site roadway at Toledo, concerning which Mr. H. H. Krause, attorney, Toledo, appeared before the Commission at a previous meeting. He advised that such inspection reveals that the roadway is needed as an access road to the stock pile, and recommended that it be not abandoned in favor of the adjoining property owner. The Commission approved the recommendation; however, instructed the Engineer to maintain a gate across the road at its junction with the state highway so as to keep out trespassers.

The Commission also ordered the preparation of a deed conveying to Mr. Moore, the adjacent property owner, an 8-foot strip of the roadway so as to give him room to pass around his house without trespassing on the state's property.

The Engineer brought up for discussion a proposed modification of the rules and regulations covering transportation of logs over state highways, particularly the rule that requires that violations of axle loadings be cited to the justices of the peace. This is in connection with movements involving the use of tandem axle truck and tandem axle semitrailer. He gave as his thought that a 10 per cent tolerance should be allowed for axle loadings and that violations with respect to this feature should not be cited unless such tolerance is exceeded. He pointed out that the Commission now allows a 5 per cent tolerance on gross loads of 68,000 pounds and a 10 per cent tolerance on the total load on any group of axles provided the gross weight does not exceed 71,400 pounds. After discussion the Commission approved the recommendation subject to the following: PUC plates are to be picked up if the 5 per cent tolerance on an allowable gross weight of 68,000 pounds is exceeded and such violations are to be cited to the justices of the peace. PUC plates are also to be picked up if the actual gross weight on any group of axles exceeds the gross weight as determined by formula by more than 10 per cent and such cases are to be cited to the justices of the peace. PUC plates shall not be picked up for axle overloads and violations of this nature shall be cited to the justices of the peace only if the actual total weight on the axle exceeds by more than 10 per cent that allowed by formula.

In this connection the Engineer brought up for discussion the matter of transporting loads consisting of one large log involving a gross weight considerably in excess of the gross weight allowed by law, including tolerances. He advised that, in the Clatsop County district, operators are endeavoring to market large spruce trees which are cut up into logs of from 20 to 24 feet in length, but these logs are very heavy and cannot be transported over state highways without endangering bridges and breaking down the roadway, and indications are that it will be necessary to let the logs deteriorate in the woods unless the Commission will permit loads weighing in excess of the legal weights. He suggested the granting of permits for single log movements up to 24 feet in length, provided the combined weight of load and equipment does not exceed 65,000 pounds, and provided that the equipment used in connection with such movements consists of tandem axle truck and tandem axle semitrailer, and provided further that the gross weight on any set of tandem axles shall not exceed 34,000 pounds. It was his thought that such concession would make it possible to move most of the big logs.

As to the method of weighing, he suggested that the loads be weighed in the woods so logs can be removed from the hauling equipment in the event that the approved gross weights are exceeded, the weighing to be done on portable scales and under the supervision of a weighman in the employ of the State Highway Department. After considerable discussion of this matter the Commission approved the Engineer's suggestion and decided to discuss the matter from that standpoint with a delegation which is to appear before the Commission on the following day. (The plan as outlined was approved by the delegation. See ahead for details.)

The Commission discussed and approved the following letter prepared by the Engineer, prohibiting state highway department employees from taking part in political activities:

TO ALL HIGHWAY DEPARTMENT EMPLOYEES:

(Circular Letter #283)

Circular letters Nos. 31, 83 and 143, under dates of December 27, 1937, October 20, 1938, and September 19, 1939, signed by the Oregon State Highway Commission, prohibit political activities of any kind by members of the Oregon State Highway Department. Quoting from these letters:

"The Highway Department is a nonpolitical agency of the State of Oregon. No inquiry has ever been made nor is any record kept concerning an employee's political affiliations any more than his religious or fraternal affiliations."

"The holding of office in political parties, the personal solicitation of political funds, and all active participation in political affairs, by employees of the department, are not permitted."

"No one is or will be authorized by the Oregon State Highway Commission to solicit contributions from state highway employees for the campaign fund of any candidate. No employee will be permitted to engage in such solicitation."

Reference is also made to Section 36-2420 and Section 36-2419 of the Corrupt Practices Act, Oregon Code 1930, as follows:

"Section 36-2420. Holders of non-elective positions not to contribute. No holder of a public position or office other than an office filled by the voters, shall pay or contribute to aid or promote the nomination or election of any other person to public office. No person shall invite, demand or accept payment or contribution from such holder of a public position or office for campaign purposes."

In addition to these mandates by the State Highway Commission against political activity, your attention is called to the federal law known as the Hatch Act. Following is a summary of the provisions of this federal law. All employees of the Highway Department are included within the purview of the Act. Under the provisions of this Act, such employees may be members of political groups, but it is improper for them to be active in organizing such groups or to be an officer of the groups or members or officers of any of its committees or to act as such or to address a political group. An employee may attend, as a spectator, any meeting of a political committee to which the general public is admitted, but must refrain from activity. No employee may serve as an election officer in any capacity. He must refrain from soliciting votes or campaign funds, from transporting voters (other than the members of his own family) to and from the polls, from taking part in political parades, from distributing campaign literature, badges, or buttons.

In short, under both the Highway Commission regulations and the federal law, you may vote as you please, but must refrain from all political activity.

The Engineer brought up for discussion the matter of purchase of old steel for use in bridge construction, particularly in connection with bridges that are to be constructed in connection with state highway improvements necessitated by the establishment of army cantonments at Medford and Corvallis. He advised that some old steel rails are for sale at Klamath Falls, but the owner is asking a price in excess of the price ceiling set by the federal government, and there is a question in his mind whether or not he should complete the purchase in view of the governmental rulings. He also advised that he has already directed an inquiry to the Federal Price Coordinator with respect thereto and he is expecting a reply at any time. It was the thought of the Commission that this steel should not be purchased until a reply to the Engineer's letter has been received, and it was so

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ordered. (Such reply was received by telegram on the following day, at which time the Commission authorized the purchase of the steel rails. It also authorized the Engineer to purchase steel as may be necessary for other purposes. See ahead for details.)

The Attorney reported the results of investigations with respect to the Commission's claim against F. A. Greer and James Saint, Marshfield, who removed some of the guardrail from the old Coalbank Slough Bridge just south of Marshfield without permission from the State Highway Commission. He read aloud the report of his Office Attorney, W. A. Martin, dated February 14, 1942, who made the investigation. It appears from the report there is a bare possibility that the state could recover damages, in any event it would be difficult to secure a favorable judgment in the courts. It was the thought of the Commission that Messrs. Greer and Saint should be prosecuted if there were any possible chance to recover damages, which is very doubtful from the facts disclosed in the report. In view of such question and the fact that the claim is in a small amount, the Commission decided not to take any further action against these men.

Consideration was given by the Commission to the request of County Judge A. R. Bowman, Crook County, at a previous meeting, that the State Highway Commission continue its jurisdiction over a section of the old Ochoco Highway between Mill Creek and Marks Creek which has been abandoned by the Commission in view of the reconstruction of the highway on other alignment. The Engineer recalled that the Commission adopted a resolution on December 18, 1940, abandoning the old highway section, which is seven miles in length, because it was of no further value for state highway purposes. However, the county court has not accepted it as yet as a county road because the court believes that it is valuable as a stock driveway and as such should be maintained by the state. He estimated the cost to maintain the section at approximately \$300 annually; however, pointed out that there are two 40-foot A-frame timber bridges on the section which probably will have to be replaced within a few years at a cost of approximately \$2,500. He gave as his thought that the county court's idea in maintaining the old road as a stock driveway is reasonable but that the maintenance of the same should be a county obligation and he so recommended. The Commission approved the recommendation and instructed the Secretary to so inform Judge Bowman. (Commissioner Oliver approved the action on the following day.)

The Engineer reported, as requested by the Commission at the previous meeting, the disposal of an air compressor that was acquired in connection with a right of way purchase at Eugene, and advised that this air compressor has been installed and is being used at the Odell Lake Maintenance Headquarters. The Commission approved such disposition.

Reconsideration was given by the Commission to the matter of securing reimbursement of federal taxes paid a number of electrical companies in connection with purchases of electrical energy. A decision in the matter was deferred until the next meeting. The Engineer was instructed in the meantime to release to the several companies a portion of the amounts due them for such purchases, retaining, however, enough to cover the amount of the federal taxes

until the Commission arrives at a decision with respect thereto. He was also instructed to ascertain and report back to the Commission the names of the companies concerned.

The Commission discussed the matter of eliminating a curve on the Columbia River Highway in front of the schoolgrounds at Deer Island, which was requested by the Honorable J. D. Perry of Deer Island and a delegation which appeared before the Commission at its meeting on August 15, 1941. It was recalled that the Commission at that time approved the work for 1942 construction, the estimated cost of the same being \$15,000. The Engineer gave as his thought that this project should be deferred, in view of the present war conditions, so as to conserve the funds for other projects that are of more importance. The Commission deferred a decision on the matter until the next meeting. The Engineer was instructed to present to the Commission at that time a list of projects that the Commission has promised for 1942 construction so that all may be considered at the same time.

In this connection the Commission reconsidered a minor betterment project, consisting of oiling of the shoulders adjacent to the pavement on the Columbia River Highway through the town of Cascade Locks, which work is estimated to cost about \$2,900 and was tentatively promised for 1942 construction. The Engineer gave as his thought that this work is not absolutely necessary, and recommended deferment of the project for the duration of the war, in order to conserve funds for more important work. The Commission approved the recommendation and instructed the Secretary to so inform the city.

A letter was presented from the City of Lostine, by Sadie B. Hall, City Recorder, requesting the improvement of certain of its city streets, that are not state highway routes, notwithstanding that the population of Lostine is less than the 250 population which the Commission has set as a minimum population of cities and towns in which it will expend state funds for projects of this kind. The Commission decided, in view of the stringency of the times, that it would be inadvisable to alter the formula that has been adopted as a guide in connection with such improvements and thereupon denied the request, although agreed to bear the project in mind for future consideration. The Secretary was instructed to so inform the City of Lostine.

The Attorney requested instructions relative to the securing of options for the proposed improvement of the Oregon Coast Highway through the town of Gold Beach. He explained that the option forms are now in the hands of local citizens, who have inquired whether or not they should get them signed by the property owners. The Commission deferred action on the matter.

The meeting was adjourned at 11:30 p. m. to reconvene the following morning in the Public Service Building.

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Portland, Oregon, April 2, 1942

The State Highway Commission reconvened at 9:00 a. m. in the auditorium of the Public Service Building. Present were:

Henry F. Cabell, Chairman
 Huron W. Clough, Commissioner
 Herman Oliver, Commissioner
 R. H. Baldock, State Highway Engineer
 J. M. Devers, Attorney
 H. B. Glaisyer, Secretary

Bids as follows for highway construction work were opened and read in conformance with previously published notice, following which Chairman Cabell announced that the award of contracts would be made at 2:30 p. m. in the same room:

THREE STATE HIGHWAYS
 BAKER ROCK PRODUCTION

D. C. & A. L. Williams \$12,090.50

CRATER LAKE HIGHWAY
 SECTION "A" OF SOUTH UNIT, ANTELOPE CREEK-MEDFORD SECTION
 GRADING AND PAVING

Berke Brothers \$252,908.50

CRATER LAKE AND PACIFIC HIGHWAYS
 SECTION "B" OF THE SOUTH UNIT, ANTELOPE CREEK-MEDFORD SEC.
 GRADING AND PAVING

Jacobsen-Jensen Company \$123,278.00

CRATER LAKE AND PACIFIC HIGHWAYS
 SOUTH UNIT, ANTELOPE CREEK-MEDFORD SECTION - STRUCTURES

Tru-Mix Concrete Company	\$19,930.00
J. F. Johnston	20,398.00
Averill & Corbin	24,126.00
A. T. Fox Company	27,466.50

SANTIAM HIGHWAY
 LEBANON-SWEET HOME ROCK PRODUCTION

No bids received on this project

Mr. Phil Berthiaume, representative of the California Western States Life Insurance Company, came before the Commission in regard to furnishing group life insurance to state highway department employees. This matter was discussed at considerable length, but a decision whether or not the company

shall be authorized to write such group insurance, necessitating deductions from the monthly pay rolls of the State Highway Department, was deferred until the next meeting of the Commission. The Engineer was instructed to report at that time the number of insurance companies that could write such insurance and the effect that it would have on the State Highway Department if salaried employees, as well as hourly-paid employees, were allowed to participate.

The Commission discussed matters pertaining to the Plaza Corner project on the Pacific Highway, in Ashland. It was recalled that the Commission previously approved this project for construction with state funds if federal funds could not be obtained to finance it, and that the city was given to understand that the project would go forward; however, on account of the war situation it is becoming more difficult to secure governmental approval and the proper priority rating. The Commission indicated that it is ready to go ahead with the job, either with federal or state funds, if federal approval can be secured for expenditure of either class of funds, and the proper priority rating obtained.

In this connection, the Assistant Attorney advised that some of the buildings that have to be remodeled in connection with this improvement have been vacated and remodeling is now under way. He particularly referred to the remodeling of a garage building owned by a Mr. Claycomb. He advised that he is now taking bids, in behalf of Mr. Claycomb, for such remodeling work, and requested instructions relative thereto. In the discussion which followed it was pointed out that the new ruling of the federal authorities places a limit of \$500 on building reconstruction projects, so there is a question whether or not it will be possible to secure approval for the remodeling of this garage. It was also brought out that the City of Ashland has been placed in an undesirable position by reason of the fact that so many of the buildings fronting on the proposed improvement have been vacated and partially demolished, and if the project does not go forward the situation will detract greatly from the appearance of the street and will have an undesirable effect on the city. After further discussion the Engineer was instructed to obtain from the federal government before the next meeting of the Commission either definite approval or disapproval of the project so the Commission can make a final decision with respect thereto.

Mr. H. C. Johnson, Coordinator for the Four-County Cantonment Council, Albany, and Mr. E. L. Gray, Independence, came before the Commission relative to the improvement of the county road which extends southerly from the town of Independence to a connection with the Albany-Corvallis Highway near Granger, which road forms the eastern boundary of the Corvallis cantonment. Mr. Johnson was the principal spokesman. He urged the Commission to designate this road a state secondary highway and to improve the same as such because of its value in serving the cantonment. He advised that the road carries a large volume of traffic and is badly in need of maintenance and neither Polk County nor Benton County is financially able to assume such obligation. It was his thought that the maintenance of the road is a state obligation, in view of the fact that it will relieve greatly the traffic congestion on the Pacific Highway West (99W). He pointed out that construction operations at

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the cantonment will be such, within the next two weeks, that general public use of Highway 99W will not be available; in fact, according to Colonel Des Islet, general traffic on Highway 99W cannot be tolerated, at least during the time that construction activities are under way in the cantonment area. He also said that, because of the large volume of traffic on Highway 99W on the previous Sunday, it was necessary for army trucks to discontinue operations entirely, in order to avoid the occurrence of accidents, which is an undesirable situation because it slows down work in the cantonment where speed is essential. The matter was discussed at considerable length and was concluded by a statement from Chairman Cabell to the effect that, while the Commission is not in position to make a decision today, it will discuss the question of maintenance of the road during the cantonment construction with Colonel Des Islet at once. Mr. Johnson filed with the Commission a letter from each of the counties forming the Four-County Cantonment Council urging the Commission to adopt the Independence-Granger Road as a state secondary highway, and to maintain the same.

Mr. Max Kuney, contractor for grading the Warm Springs River-Mill Creek Section of the Warm Springs Highway, in Wasco County, contract No. 2517, came before the Commission relative to the termination of his contract. He advised that his contract calls for seven miles of grading work on an isolated section of the highway which cannot be used by the general public until adjoining sections are constructed, and information that he has received is to the effect that such adjoining sections will not be built for some time, in view of the war situation. He pointed out difficulties in securing a convenient priority rating that would permit him to obtain equipment, repair parts, and supplies. He suggested, if the Commission approves, the termination of this contract and payment to him for work performed, thus releasing a considerable sum for allocation to other projects which may be considered more desirable from the Commission's standpoint and from the standpoint of national defense. The Commission took the matter under advisement. The matter was reconsidered by the Commission after Mr. Kuney's departure when it was decided not to terminate the contract and to require Mr. Kuney to proceed with the same in accordance with his contractual obligation. Mr. Kuney was so informed during the afternoon session of the Commission and he at that time agreed to go ahead with the work.

The matter of increasing the 1942 budget covering the activities of the Travel and Information Department was reconsidered. Chairman Cabell and Mr. Ben Titus, Acting Director of the Travel and Information Department outlined for the benefit of Commissioner Oliver, the presentation made on the previous evening by Dr. E. B. McDaniels, member of the Advisory Committee, which committee recommends an increase in such budget, in the amount of \$15,000, for newspaper advertising in the northwestern states. After some discussion the Commission approved such budget increase.

The Commission also approved the attendance of Mr. Titus at a meeting of the Northwest Advertising Agency in Seattle on the following day at state expense, it being estimated that such expense would not exceed \$35.00, subject to the condition that the out-of-state travel is approved by Governor Sprague.

The question of purchase of steel rails for use in connection with bridge construction was again brought up for discussion by the Engineer, who reported receipt of a telegram from the Federal Price Administrator to the effect that the Commission has authority to purchase such steel rails. In view of this telegram the Commission authorized the Engineer to purchase such material for use in bridge construction at the Medford and Corvallis cantonments and for other projects in approved programs.

The Engineer reported results of a personal inspection of conditions existing at the intersection of the old Pacific Highway and the new Pacific Highway in the northern part of Albany, where an accident occurred on June 7, 1941, resulting in injuries to Mr. Charles F. Peake, Jr., and damage to his car. According to Mr. Peake's claim for damages, he drove his car into a traffic island that was installed by the state as a traffic guide. The Engineer advised that he inspected the premises carefully, and in his estimation it is simply a case of Mr. Peake driving his car too fast, and if he had had his car completely under control the accident could easily have been avoided because the island was well outlined with reflector buttons and traffic was well protected by a reflectorized stop sign which Mr. Peake knocked down and which should have been clearly visible to him if he had been at all observant. He added that the island was located at this place in order to control the type of erratic driving that Mr. Peake evidenced. He recommended, in view of the situation, that Mr. Peake's claim be denied. The Commission approved the recommendation.

The Commission adjourned at 12:00 noon and reconvened at 2:00 p. m. in the same room with the same persons present and participating.

The Commission discussed with Mr. W. H. Lynch, District Engineer, Public Roads Administration, the award of contracts for the Medford projects, bids for which were taken at this meeting, particularly the question whether or not to announce the contract awards in view of uncertainties with respect to federal funds which are to be used to finance the work. It was decided not to announce the awards at this time but to refer the bids to the Engineer with power to award the contract to the low bidder in each instance, when satisfactory arrangements have been effected with the federal government with respect to the financing feature.

At 3:00 p. m. Chairman Cabell announced the following awards of contracts, bids for which were taken at the morning session, such awards having previously been approved by the unanimous action of the Commission:

"Baker Rock Production Project on three state highways, in Baker County. D. C. & A. L. Williams, La Grande, submitted the only bid for this project, in the amount of \$12,090.50. The Commission rejects this bid.

"Section "A" of the South Unit, Antelope Creek-Medford Section of the Crater Lake Highway, in Jackson County. 3.4 miles grading and paving. Berke Brothers, Portland, submitted the only bid on this project, in the amount of \$252,908.50. The

Commission refers this to the Engineer with power to award to such bidder, when satisfactory financial arrangements have been made with the federal government.

"Section "B" of the South Unit, Antelope Creek-Medford Section of the Crater Lake and Pacific Highways, in Jackson County. 1.4 miles grading and paving. Jacobsen-Jensen Company, Portland, submitted the only bid on this project, in the amount of \$123,278.00. The Commission refers this to the Engineer with power to award to such bidder, when satisfactory financial arrangements have been made with the federal government.

"Structures on the South Unit, Antelope Creek-Medford Section of the Crater Lake and Pacific Highways, in Jackson County. Tru-Mix Concrete Company, Medford, submitted the low bid for this project, in the amount of \$19,930.00, and J. F. Johnston, Newberg, submitted the second-low bid, in the amount of \$20,398.00. There were two higher bidders. The Commission refers this to the Engineer with power to award the contract to the low bidder, when satisfactory financial arrangements have been made with the federal government.

"Lebanon-Sweet Home Rock Production Project on the Santiam Highway, in Linn County. No bids were received on this project."

Mr. E. G. Whipple, Drain, Oregon, was present in regard to the hauling of long piling over the Elkton-Sutherlin State Secondary Highway. He advised that he has defense orders for piling 140 feet in length and that his application for a permit to transport these over said highway has been denied because the movement will take up the entire roadway and will probably result in destruction of privately-owned fences on the right of way line. He stated that he appreciates the reason that the permit was refused but asked the Commission to reconsider the matter in view of the urgency for delivery of the piling, which are to be used in connection with defense construction work. He agreed to provide flagmen and to pay the cost of repairing fences as may be necessary. After discussion and in view of the fact that the Commission is desirous of doing everything possible to assist in national defense, the Commission, by unanimous vote, authorized the granting of permits for the transportation of piling over state highways, without restriction, during the present emergency, provided each load is properly flagged to protect other traffic. If necessary, a clause is to be inserted in the permit providing that the permittee shall repair fences and/or other private property that may be damaged by his operations.

The Engineer reported on the cost to construct an access road from Hermiston to the Umatilla Ordnance Depot, particularly a substitute for a section of the present roadway which lies within the boundary of the Ordnance Depot and which will be closed to general public travel shortly when the new underpass and roadway leading to the depot from the Boardman-Stanfield Highway is finished. It appears from information received from the Hermiston Commercial Club that there is to be considerable new activity at the Ordnance Depot, and that workmen employed on this construction and who reside in Hermiston

will have to take a circuitous route to gain entrance to the depot grounds at the underpass, a considerable portion of which distance is over and through sagebrush territory where no road exists. The Hermiston Commercial Club has asked for the construction of a new highway, about two miles in length, on the south side of the O.W.R. & N. railroad and paralleling the railroad from the end of the present paved road to Hermiston, which is at the eastern boundary line of the Ordnance Depot, to the main entrance to the depot grounds; or as an alternate proposition, the improvement of the Westland School county road which connects the present Hermiston Road with the Boardman-Stanfield Highway. The Engineer estimated that a new roadway paralleling the railroad would cost about \$10,000, and that to improve the county road would cost about \$5,500. He suggested, as an alternate proposition, a roadway extending from the present Hermiston Road at the southeast corner of the Ordnance Depot grounds southerly to a connection with the Boardman-Stanfield Highway, which he estimated could be built for about \$4,000. The matter was discussed at some length but a decision was deferred by the Commission pending inspection on the ground by Commissioner Oliver and the State Highway Engineer. It was arranged that such inspection would be made on Friday of the following week.

Mr. L. A. Christensen, Seaside, headed a delegation which came before the Commission and urged the granting of permits authorizing transportation over state highways of loads consisting of one big log, from 20 to 24 feet in length, involving a gross load considerably in excess of the statutory weight limit. Others in the delegation were Messrs. O. R. Miller, E. P. Stamm and Truman Collins, all of whom represented the logging and lumber industries. Mr. Christensen advised that they have some 200 or more big spruce logs in the woods that cannot be moved to market under existing weight restrictions; that they are exceptionally fine pieces of timber and are needed badly for defense purposes, particularly for airplane stock, and that the value of the same for such purpose would be greatly enhanced; in fact, the logs would be rendered practically valueless if split in order to reduce the weight. He urged the Commission to grant a special concession for the movement of the same over state highways, regardless of the weight, and advised that they will purchase and use special equipment for the purpose, consisting of tandem axle truck tractors and tandem axle semitrailers.

The Engineer pointed out that the roadways and bridges over which the logs would have to be transported were not designed to carry such heavy loads and overstressing the bridges to such an extent would result in failure and possibly serious accidents. He further advised that he has given this matter serious study and has previously advised the Commission that a gross load of 65,000 pounds is absolutely the maximum that could be moved over the bridges with safety, and even then the bridges would be overstressed from 40 to 45 per cent. The maximum load that could be carried on any set of tandem axles, with safety, he added, could not exceed 34,000 pounds. He recommended the granting of permits on such basis for logs not less than 24 feet in length, and the waiving of the overall width and height requirements with respect to such movements; also, that the loads be weighed in the woods on loadometers furnished by the state, the weighing to be done by an employee of the logging company under the supervision of a weighman in the employ of the state, the idea being that if such weighing discloses that the allowable

weights are exceeded then the logs are not to be moved onto the highway. After considerable discussion of this matter, during which the members of the delegation asked for further concessions which were denied by the Commission, the Commission approved the Engineer's recommendation by unanimous vote, Chairman Cabell explaining that the Commission is waiving the height and width requirements, subject to proper clearances and is granting the concession, for the present emergency only, in so far as the Commission can legally do so with due regard to safety. The delegation accepted the Commission's decision.

Mr. Christensen then asked the Commission to waive for the duration of the war the penalty for overloading in regular log hauling operations, in view of the urgency to deliver logs to the mills and the scarcity of log-hauling equipment. Chairman Cabell advised that the Commission has given this matter considerable thought and study and has tried different ways to solve the problem, but it appears that the present penalty is the only reasonable way that the Commission can get results. The Commission doesn't like the idea of suspending the permits, he added, but there seems to be no other way to handle the situation. However, the Commission is susceptible to any new ideas.

Mr. Stamm stated that overloading is not a willful violation on the part of the log haulers but is simply the result of not being able to estimate the weight of logs. He suggested elimination of the "suspension-of-permit" penalty and the increasing of the fine. Chairman Cabell advised that the State Highway Commission has no control over the amount of the fines; furthermore, past experience reveals the "fine method" of curbing the overloading of trucks to be unsatisfactory.

Mr. Stamm then stated that it would help considerably if weighmasters did not weigh every load, but would limit such weighing to loads which, in their judgment, from inspection, are in excess of the allowable weight limits, to which Chairman Cabell responded that the Commission must have a general rule to fit everyone and the Commission cannot discriminate among operators.

Mr. Miller suggested that perhaps the logging industry could help out in the matter of policing. Chairman Cabell replied that if the industry were composed of only one organization it might be possible to work out some kind of a proposition along that line, but unfortunately there are numerous organizations throughout the state and he is not as yet satisfied that such a solution would work satisfactorily, although it is his intention to give the matter further thought.

The discussion of this matter was concluded by a statement from Commissioner Oliver to the effect that the Highway Commission must maintain its highways in the best possible condition as its contribution to the winning of the war; that road money is scarce and must be conserved in the best possible manner so that the Commission will not be placed in the position of being derelict in its duty to maintain the highways properly. The Highway Commission feels, he said, that it has just as grave a responsibility to protect its highways for national defense use as the logging industry has for the

furnishing of logs for defense purposes; and, while the Commission wants to assist the logging industry in every way possible, in his estimation there is a limit to what it should do because when such limit is exceeded it would simply mean interference with the war efforts rather than aiding them, inasmuch as the highways must be kept in good condition for troop movements, as well as for the movement of defense commodities.

Mr. Stamm inquired whether or not it is the intention of the Commission to extend the privilege of hauling logs over state highways on Saturday afternoons and Sundays, which privilege now expires on June 1, 1942. Chairman Cabell replied that the Commission wants to withhold a decision in such matter until it can get a fair idea as to how much tourist travel there is to be this summer and how great a necessity there will be for logs. He indicated that, if tourist travel is light and the demand for logs is great, the Commission would probably extend the privilege.

The matter of night-hauling of logs over state highways was also discussed. Mr. Miller suggested that, since the country is now on war-time basis, night hauling should be permitted up to 9:00 p. m. rather than 8:00 p. m., which is the present limit. The Commission approved the suggestion and ordered that it be made effective on May 1, 1942.

The Commission discussed the matter of constructing the Cape Blanco Federal Aid Secondary Highway, particularly the Hughes Ranch-Lighthouse Section thereof, which has been requested by Rear Admiral C. J. Freeman. In this connection a letter was presented from District Engineer W. H. Lynch, Public Roads Administration, advising that there is no objection to the use of federal aid secondary highway funds in the construction of this section, including the necessary connection with the lighthouse reservation boundary, provided the work is done on regular federal aid basis, requiring 38 per cent of the cost to be paid with state funds. In view of this the Commission authorized the Engineer to proceed with the project and to advertise the work for bids to be received as soon as the plans are prepared.

Mr. S. H. Boardman, State Parks Superintendent, was present and reported on the proposed purchase of 360 acres of timber land as an addition to Short Sand Beach State Park. He advised that this tract contains a fine stand of spruce and hemlock timber and that the owner is asking the sum of \$18,000 for the property, including the timber. He valued the timber at \$32,000 on the present market and advised that he had suggested to the owner that he sell the timber and then deed the cut-over land to the state for state park purposes, but the owner preferred that the state secure the benefits from the sale of the timber, which is his reason for bringing the matter to the Commission's attention at this time. He further advised that this is an outstanding scenic setting and would make a fine addition to the present park; further, that the proposition is a very good one and could be worked out to the state's advantage if the timber were fallen under the selective-cutting method, and under his direct supervision. The Engineer recommended purchase of the property at the price quoted, and that the method of sale of the timber be worked out later. The Attorney gave as his opinion that the proposition is a very good one, because the value of the timber standing on the tract

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is far in excess of the amount that the Commission would have to pay for the property. The Commission voted unanimously to purchase the tract for \$18,000 under the condition that selective cutting of the timber be carried on under the direct supervision of the Parks Superintendent, who was thereupon instructed to arrange a plan for such selective cutting and sale of the timber.

The Engineer reported to the Commission that the department's loss of men to the defense industries and to the federal government is continuing at an increasing rate, and that he fears that with the advent of spring there will be a more or less general exodus from the department, leaving the department in a position where it cannot effectively carry on its vital maintenance operations and other necessary functions. He pointed out that the maintaining of the highways, the construction of access roads and other functions of the department are essential to the war effort and must be carried on during the emergency; that although the department can release a part of its organization to shipbuilding, cantonment construction and other defense industries, it must hold a force sufficient to prevent deterioration of the state's transportation facilities. He expressed the thought that a comparatively small general increase in wage rates and salaries might hold a force sufficiently large to carry on essential operations, and he recommended that the Commission give consideration to the granting of an increase of that kind.

It was the opinion of the Engineer that the department could not, and probably should not, meet the wage scales offered by the defense industries, but that there was justification for an increase in wages and salaries to offset increased living cost and to serve in limited degree as an inducement to employees to remain in the state's service. He suggested that an increase of \$10 to \$15 per month might prove satisfactory, and appeared to be as much as the department could obligate itself for at this time, in view of depleted finances.

Following a discussion, the Commission approved, unanimously, the granting of wage rate and salary increases, effective as of April 1, 1942, as follows:

1. An increase of eight cents (8¢) per hour for all hourly-rate classifications.
2. An increase of ten dollars (\$10) per month for all monthly-rate classifications for which the present rate does not exceed \$250 per month. Border line cases are to be adjusted by the Engineer.

The Engineer estimated that this adjustment in rates of pay would increase the pay roll approximately nine and one-half per cent, or approximately \$330,000 per 12-month period.

The question whether or not to grant increases to employees who now receive salaries in excess of \$250.00 per month is to be considered later in the year.

The Engineer presented a written report on the status of the state highway department's finances. The Commission deferred action on the matter pending study of the report.

A letter was presented from Mr. H. L. Friday, Gateway, Oregon, requesting the construction of a cattle pass across The Dalles-California Highway at milepost 77.78 so as to avoid accidents when cattle are being driven from one side of the highway to the other. The Engineer recommended denial of the request because every dollar of state money that is available to the Commission is needed for more important projects. The Commission approved the recommendation; however, agreed to reconsider the matter when times return to normal.

The Commission discussed briefly matters pertaining to the construction of the Sprague River Road, in Klamath County, but deferred action until its next meeting.

The Engineer reported the condition of the existing bridge over the Wilson River on the Wilson River Highway, being the second crossing of such river, in Tillamook County. He advised that the present structure was built a number of years ago by Tillamook County for use as a detour bridge during construction of a permanent structure and, accordingly, is not on proper alignment; further, that it is a 120-foot timber deck truss with 172 feet of frame trestle approach. The roadway width, he said, is only 17 feet 1 inch. He estimated that it would cost about \$3,500 to widen the structure for a 24-foot roadway, whereas it would cost approximately \$50,000 to construct a concrete bridge on permanent alignment and \$29,000 to build a new timber structure on permanent alignment. He recommended the widening of the present structure at a cost of \$3,500 as a safety measure. The Commission authorized the improvement.

A letter was presented from County Judge F. E. Gilkey of Lincoln County requesting state aid in connection with the repair of a steel bridge over the Yaquina River on a county road in Toledo, such aid to consist of erection of the necessary steel which the county has already purchased and has on hand and the painting of the structure, at the county's expense. The Engineer recommended approval of the request in so far as the erection of the steel is concerned, because the county is not equipped to do such work, but suggested that the county be requested to make other arrangements for the painting of the structure because the highway department's painting crews cannot very well be spared. After discussion the Commission authorized the loan of a state bridge crew to erect the steel under the condition that the county would pay the cost involved, but decided not to do the painting work if it can be avoided. The Engineer was instructed to discuss the matter with the county court.

Reconsideration was given by the Commission to the matter of constructing sidewalks in the town of Toledo, Lincoln County, and in the town of Eastside, Coos County, which projects the Commission heretofore approved for 1942 construction but on which no work has as yet been undertaken. The

Commission decided in view of the stringency of the times to defer both projects and all similar projects during the present war emergency.

A letter was presented from the Pacific Truck Express Company requesting permission to operate, over Oregon highways between California and Oregon points, a train of vehicles 60 feet overall in length and consisting of three units—truck tractor, semitrailer and trailer. The Engineer gave as his thought that this is an undesirable combination of equipment which could not be operated over highways of this state without endangering other traffic and accordingly recommended denial of the request. The Commission approved the recommendation.

The Engineer reported that, in conformance with authority previously granted him by the Commission, he has awarded contracts, as follows, bids for which were taken by the Commission at its meeting on March 19, 1942, the conditions of the awards having been satisfied:

Construction of Air Base—Columbia Bottom Road Section of the Portland Air Base East Access Road, in Multnomah County. Awarded March 28, 1942, to the low bidder, Parker-Schram Company.

Construction of new pile trestle at Willamette River Bridge crossing at Harrisburg. Awarded March 31, 1942, to Tom Lillebo, low bidder.

The Commission confirmed the awards by unanimous vote.

The Engineer brought up for discussion the claim of Mr. Benjamin F. McConnell, Coquille, for loss of time and doctor's expense which he incurred as the result of a fistic encounter with one Elmer Stokes, both men being former employees of the State Highway Department engaged in work on a paving crew. It appears that Messrs. McConnell and Stokes had not been on friendly terms for some time. On the day that the crew was disbanded they happened to meet on the street and became involved in a street fight which resulted disastrously to Mr. McConnell who suffered a broken leg and was obliged to go to the hospital. Mr. McConnell feels that he is entitled to pay from the state for the time lost as a result of the injuries and to reimbursement for his hospital expense. The Engineer advised that neither Mr. McConnell nor Mr. Stokes was on the state's pay roll at the time the fight occurred, they having been previously time checked and the crew disbanded, so in his estimation Mr. McConnell lost no time in so far as the state is concerned. Furthermore, in his opinion the state is in no way responsible for the feud, and the fight occurred off state property. He recommended that the claim be denied. The Commission approved the recommendation.

The Commission discussed briefly but deferred action on the question whether or not to contribute state funds toward the cost of conducting KOAC "Oregon on Parade" program in 1942, as was done in 1940 and 1941. The Engineer was instructed to have Mr. Ben Titus, Acting Director of the Travel and Information Department, secure information from the college authorities as to

their plans for the 1942 program and to submit such information along with his recommendation to the Commission at its next meeting, when the question will be decided.

The Secretary brought up for discussion a proposed agreement with the South Umpqua Telephone Company covering the moving of certain telephone poles on the Tiller-Trail Secondary State Highway, in Douglas County. The Engineer recalled that the Commission some time ago approved the payment of \$3.00 each for the moving of 45 poles, and the sum of \$5.00 each for the moving of seven additional poles along the Days Creek-Wright Ranch Section so as to accommodate the highway improvement. Since that time, he said, it has been necessary to move 74 additional poles along the adjoining Wright Ranch-Milo Section to accommodate another highway improvement. He recommended payment to the company of the cost of moving such poles on the same basis that the original 52 poles were paid for. (See original agreement for details.) The Commission approved the recommendation and thereupon signed an agreement with the telephone company with respect thereto.

The Commission discussed the claim of Joseph W. Boyer arising out of an accident that occurred on the Dooley Mountain Section of the Baker-Unity Highway, in Baker County, which involved a state highway department truck. Mr. Boyer based his claim on the following: (1) that the driver of the highway truck failed to permit his car to pass in an accessible place; and (2) that the truck driver drove his truck to the extreme right of the highway as if to let his car pass but, when his car was directly opposite, the truck swerved over to the left side of the highway center line, forcing the passenger car to stop off the traveled roadway which resulted in a collision between the passenger car and the trailer that was being towed by the truck. Mr. Boyer feels that he is entitled to reimbursement in the amount of \$18.17 which he paid for his car repairs. The Engineer advised that investigation reveals this to be another case of too much speed on the part of the driver of Mr. Boyer's car, and that if it should be determined that the state is liable, then it is a matter for the state's insurance company to settle. The Commission concurred and thereupon referred the matter to the Attorney to handle.

The Commission considered, approved and ordered filed county court resolutions, as follows, relative to the disposal of certain sections of state highways that have been abandoned by the state because of reconstruction of such highways on other alignment:

Resolution from the Yamhill County Court accepting jurisdiction over portion of the Rex Hill Section of U. S. Highway No. 99W.

Resolution from Yamhill County Court accepting jurisdiction over portion of the Muddy Creek-Pringle Corner Section of the McMinnville-Tillamook Highway. (Three Rivers Highway)

Resolution from the Yamhill County Court accepting jurisdiction over portion of the old Spaulding Ranch Section of the Salem-Dayton Secondary Highway.

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Resolution from the Lake County Court turning over to adjacent property owners an abandoned section of the old Klamath Falls-Lakeview Highway, in Sections 14, 15 and 22, Township 39 South, Range 19 East, W. M.

Resolution from the Lake County Court accepting jurisdiction over a portion of the old Klamath Falls-Lakeview Highway in Sections 8 and 9, Township 39 South, Range 18 East, W. M., and abandoning certain other sections of the highway in this vicinity.

Resolution from the Benton County Court accepting jurisdiction over portion of the old Kings Valley Secondary Highway, Benton County.

The question of jurisdiction of the Elsie-Jewell county road which is being used and maintained as a state highway detour, pending construction of the proposed Fishhawk Falls State Secondary Highway, had the attention of the Commission. This matter arises in view of the Commission's previous ruling that recommendations with respect to log hauling on this road should be filed with the Public Utilities Commissioner by Clatsop County, in view of the fact that the road is a county road, and to clarify the operations of highway department weighmasters. The Attorney gave as his thought that, if the State Highway Commission continues to maintain the road as a substitute road for state highway traffic pending construction of the new highway, then the Commission should enter into a written agreement with the county court with respect to the maintenance of the road and control of traffic. The matter was discussed at some length during which it was pointed out that there are other county roads throughout the state in the same category, such as the Gales Creek Road, in Washington County, which is being used by state highway traffic pending completion of the Wilson River Highway, and the county road between Mehama and Mill City on the south side of the North Santiam River, in Linn County, which is being used by state highway traffic pending construction of the North Santiam State Secondary Highway between these points on the north side of the North Santiam River. As a result thereof the Commission approved the Attorney's suggestion, and thereupon instructed the Attorney to prepare an appropriate agreement with Clatsop County covering maintenance and jurisdiction over the Elsie-Jewell Road for consideration by the Commission at its next meeting. The Commission also ordered similar agreements covering other county roads in the same category.

The Secretary presented a letter from Division Engineer W. C. Williams with respect to the hauling of piling 74 feet long through the town of Forest Grove. Mr. Williams advises that the piling originate in the Gales Creek vicinity and are transported to Forest Grove over the Gales Creek county road; and that they are routed along Main Street and Pacific Avenue, in Forest Grove, necessitating a right angle turn at the intersection of these two streets, which is the center of the town's business district where accidents frequently occur because the loads take up the entire intersection. In an endeavor to eliminate this hazard the city officials, he said, want the state to prohibit the parking of automobiles near this intersection and to erect signs and paint "no parking" areas at such point. It was Mr. Williams's opinion that piling of such length should not be routed on city streets that involve right angle

turns. The Secretary advised that all permits for hauling logs, poles, and/or piling are prepared to terminate at the city limits of cities and towns, in conformity with advice from the Attorney that the Commission does not have legal control over such traffic within the city limits; also, that if the Commission should assume jurisdiction over such traffic within the city limits, it would mean the assumption of a serious responsibility because there are so many cities and towns through which such operations are being carried on. The Attorney advised that, under the new law that was enacted by the 1941 Legislature, the State Highway Commission has full control of traffic over city streets that have been designated as state highway routes and, under such authority, has the power to regulate traffic over such streets. The Commission desired more time to decide the question and, accordingly, deferred further consideration until its next meeting. The Secretary was instructed to present at that time a list of cities and towns affected by such movements.

The Commission had under discussion a request from Mr. Phil Willis for reinstatement of his log-hauling permit which was cancelled because of his refusal to remove a load of logs that he lost on the highway right of way near Grand Ronde. The Secretary advised that Mr. Willis dropped the logs on the highway at 3:00 p. m. on March 2, and that he was warned several times by the District Maintenance Superintendent to remove them, but neglected to do so, notwithstanding that it was pointed out to him that he would probably lose his permit if he did not comply with the provisions thereof. He further stated that the Public Utilities Commissioner was requested to cancel the permit on March 13 and did so on the following day. Subsequently, Mr. Willis asked for reinstatement, and was informed of the necessity to present the matter to the State Highway Commission for instructions. The Commission considered that Mr. Willis has been sufficiently penalized for this offense and authorized reinstatement of the permit.

The Commission also considered the reinstatement of the log-hauling permit of Gordon T. Pickell, of Ashland, which was cancelled for his refusal to voluntarily surrender his PUC plates to the state weighmaster when apprehended for transporting a combined load of logs weighing in excess of the gross weight limits, including tolerances, permitted by statute. The Secretary advised that Mr. Pickell's truck was weighed on March 18 and was found to have a gross weight of 64,650 pounds, which is considerably in excess of the permissible weight; further, that Mr. Pickell was given 24 hours within which to voluntarily surrender his PUC plates but did not surrender them until March 26. In the meantime, the Public Utilities Commissioner had been requested to cancel Mr. Pickell's permit in accordance with the usual practice. He further stated that, while Mr. Pickell owned the truck involved in this violation, he was not the driver of the truck and states that he was unaware that the truck driver had refused to turn in the plates when requested, and in view of such misunderstanding he is asking the reinstatement of his permit. After due consideration the Commission approved the request.

A letter was presented from the Coos Bay Logging Company, North Bend, requesting permission to transport, over the Cape Arago State Secondary Highway between Empire and North Bend, loads of lumber having an overall height of 12½ feet. The Engineer recommended approval of this request. The

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Commission approved the recommendation and thereupon authorized such movements as a general policy, including overall heights up to 12½ feet in connection with log hauling operations if the loads are properly tied with binder chains and the authorized weight limits are not exceeded.

The question whether or not to permit log hauling on the Oregon Coast Highway from Coquille northerly a distance of about eleven miles toward Marshfield, involving overall lengths of 60 feet, had the attention of the Commission, particularly the request of Frank J. Fish for such privilege. The Commission indicated that it would have no objections to such hauling if no portion of the hauling equipment or load extended over the center line of the highway. On account of the curvature of this section of the highway, the Commission considered it advisable to have a test run of loads of logs to determine the feasibility of the movements under such conditions. The Secretary was authorized to approve permits for such movements if the test loads reveal that such loads can be transported without using more than one half the traveled roadway.

Consideration was given by the Commission to the establishment of a policy with respect to permitting transportation of piling of long length over the South Santiam Highway between the North Santiam Highway junction and Albany. The Commission authorized such movements if the loads are properly flagged as protection to other traffic. Due to the present war emergency the Commission adopted such procedure as a general policy to be followed hereafter throughout the state in connection with the hauling of piling. It was left with the Engineer and the Secretary to determine the proper method of flagging.

The Commission discussed the releasing of the final payment to contractor F. C. Feldschau and Son in connection with state highway contract No. 2371, Tillamook Rock Production Project on the Oregon Coast and Wilson River Highways, in Tillamook County. The Secretary explained that all of the work contemplated under the original contract was completed on April 4, 1941, prior to the expiration of the time limit specified in the contract, and that the Commission approved payment of the final estimate; however, before the final payment was made, additional materials were ordered by the Engineer and such materials were not furnished until the specified time limit had expired which necessitates an extension of time and supplemental approval of the Commission before payment of the final amount, if the Commission's established policy is followed. He inquired, in view of the fact that the contractor has waited several months for the final payment, which amounts to less than \$700, whether or not the Commission would waive the usual requirement in this particular instance. The Commission authorized final payment as soon as the contractor's request for an extension of time and written consent thereto by the surety on his bond have been received.

The Engineer brought up for discussion the claim of the Colonial Construction Company for extra compensation arising out of its contract No. 2357 with the Commission for grading the Forest Boundary-Warm Springs River Section of the Warm Springs Highway, in Wasco County. He advised that the contractor has filed a claim for \$4,498.79, representing extra credit for excavation on account of change in plans, and that he has gone over this

claim thoroughly and is convinced that the contractor is entitled to payment in the amount of \$2,155.35 which amount the contractor has agreed to accept as payment in full of the claim. He recommended payment of such sum. After due consideration the Commission approved the recommendation and thereupon signed an agreement with the Colonial Construction Company covering the matter.

Consideration was given by the Commission to the matter of continuing its endeavors with respect to the proposed 1943 Oregon Trail Centennial Celebration. A decision in regard thereto was deferred by the Commission until later so as to give Chairman Cabell an opportunity to discuss it with Mr. Ben Titus, Acting Director of the Travel and Information Department.

Communications were presented from Mr. T. B. Watters, Klamath Falls, with respect to the reconstruction of The Dalles-California Highway between Klamath Falls and Modoc Point, but action thereon was deferred until the next meeting.

The Secretary presented a letter from Mr. L. O. Nelson, Newberg, regarding the use of prefabricated wooden tires on his automobile. It was pointed out in the discussion that such tires are not prohibited under the Oregon statute unless the combined weight of load and vehicle, on which the tires are used, exceeds 7,000 pounds or the combined weight on any one axle exceeds 3,500 pounds. The Commission considered, in view thereof, that this is a licensing feature, coming under the control of the Secretary of State, and instructed the Secretary to so inform Mr. Nelson.

The Secretary also presented a telegram from Senator Charles L. McNary, advising that it is his intention to oppose the adoption of HR 6750 and particularly the provision thereof that exempts contractors and others from payment of the state gasoline tax in the event that they are engaged in defense work; and a letter from the Ashland Chamber of Commerce, directed to the Honorable Walter M. Pierce, urging similar action on his part with respect to this bill. The Commission ordered these communications filed.

The Commission discussed a letter from the Newport Agate Society urging the Highway Commission to take action in furtherance of its previous orders prohibiting the taking of agate-bearing sand and gravel from the Oregon beaches. The Commission took no action on this matter.

The Commission approved a request from Herbert Swift, Chairman of the Parade Committee of the City of Newberg, for permission to detour traffic on the Pacific Highway West in their town, between Main Street and Center Street, during the progress of their "Total War Day" parade, which is to be held on Monday afternoon or evening, April 6, in response to a proclamation of the President and the Governor. The Engineer was instructed to have Maintenance Engineer E. A. Collier take charge of the signing of the detour during such period.

The Engineer brought up for discussion the necessity to revise the resolution adopted by the Commission on February 13, 1942, establishing one-way traffic routes at Medford to accommodate the Medford cantonment. He

advised that, since the adoption of such resolution, the routing has been revised, as follows: the southern terminus for one-way traffic on the Crater Lake Highway has been changed from "McAndrews County Road" to "the entrance to the Jackson County Trailer Camp near the north city limits of Medford", and that the southern terminus for north-bound traffic on the Midway or Bybee County Road has been extended southerly to the junction of the Pacific Highway with the old Pacific Highway near the north city limits of Medford. It was his thought that the record should be corrected in this regard. The Commission concurred and thereupon adopted the following resolution with respect thereto:

WHEREAS, as of February 13, 1942, the Highway Commission adopted and made a part of its records and minutes a resolution by which a portion of the Crater Lake Highway was designated as a one-way traffic highway and a portion of the Bybee County Road was, with the approval of the County Court made a one-way-traffic road; and

WHEREAS, since the adoption of said resolution it has been found necessary to modify said resolution in the manner and to the extent in this resolution set forth;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the Highway Commission, as follows:

1. That section 1 of said resolution shall be and the same hereby is amended so as to read as follows:

"1. That the section or unit of the Crater Lake Highway which extends from a point approximately two miles north-east of Agate Station to the entrance to the Jackson County trailer camp near the north city limits of Medford, be and said section of said state highway hereby is declared to be a one-way highway and shall be available for southbound traffic only."

2. That section 2 of said resolution shall be and the same hereby is amended so as to read as follows:

"2. That the section of said county road which begins at the junction of the Pacific Highway and the old Pacific Highway near the north city limits of Medford and extends northerly over said old Pacific Highway to an intersection with the Bybee County Road, sometimes known as the Midway Road, thence over said Bybee County Road, terminating at a junction with the Wellen County Road hereby is declared a one-way-traffic road and hereby is made available to northbound traffic only."

3. That except as hereby and herein amended the said resolution shall remain in full force and effect.

4. That this resolution shall be entered in the minutes and records of the Commission as of the date of April 2, 1942.

The Commission had under discussion the following requests for extensions of time within which to complete highway construction projects:

J. W. & J. R. Hillstrom, contract No. 2221, for construction of a bridge over Coalbank Slough on the Oregon Coast Highway at Marshfield, in Coos County, requested an additional extension of time, from August 31, 1940, to January 20, 1942, within which to complete this job. They advised that their contract called for the razing of the old Coalbank Slough Bridge and such work was delayed upon written instructions from the Division Engineer on August 14, 1940. The new bridge, they said, was open to traffic on September 11, 1941, but their bridge crew and their equipment were engaged in constructing the North Bend Airport as a national defense project, and it was not until November 10, 1941, that they were able to resume operations on the state's contract. The Engineer advised that the reasons given by the contractor for failure to complete the project within the specified time limit are substantially correct. He recommended, in view of the circumstances, that the extension of time requested be granted without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

Roy L. Houck, contract No. 2300, for grading and paving the Tigard Section of the Pacific Highway West, in Washington County, requested an extension of time, from July 31, 1941, to November 6, 1941, within which to complete this job. He attributed his failure to complete the project within the specified time limit to shortage of skilled labor and material and to adverse weather conditions during the spring of 1941. The Engineer advised that this contract was awarded on March 21, 1940, and that when the completion date was fixed therefor it was anticipated that operations could be carried on successfully during the month of May, 1940; however, continued rain made it impossible for Mr. Houck to make any material progress during either May or June, as he could not haul material from his stock piles. The contractor also experienced considerable delay in securing delivery of aggregate, and the shortage of skilled concrete workers prevented him from operating additional shifts. He recommended, in view of the circumstances, that the extension of time requested be granted without penalty, notwithstanding that the Public Roads Administration has not as yet agreed to waive the penalty. The Commission voted unanimously to extend the time limit on this contract without penalty regardless of the action that may be taken by the Public Roads Administration. (See letter from W. H. Lynch, District Engineer, Public Roads Administration, dated April 8, 1942, recommending an extension of time to November 6, 1941, with penalty from July 31 to September 15, 1941.)

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L. B. James, through his attorney F. E. Wagner, requested an additional extension of time, from August 31, 1941, to March 13, 1942, in connection with his contract No. 2405, for the construction of a laboratory building on state highway property in Salem. The reasons given for failure to complete the contract within the specified time limit were the contractor's inability to obtain certain material necessary for the completion of the work, due to the National Emergency Defense Program, the priorities and preference ratings created by the federal government, and the orders and decrees made by the same. The Engineer advised that practically all of the work was completed by Mr. James by August 31, 1941, and that the work remaining to be done then consisted of placing certain Transite lining, which material, due to priority regulations, the contractor was unable to obtain until about the first of March, 1942. The building, he said, has been occupied by highway department employees since since October 10, 1941. He recommended, in view of the circumstances, that the extension of time requested be granted without penalty. The Commission approved the recommendation.

Roy L. Houck, contract No. 2454, for grading and paving the Union Flat Section of the Pacific Highway West, in Washington County, requested an extension of time, from September 30, 1941, to November 5, 1941, within which to complete this job. He attributed his failure to complete the project within the specified time limit to shortage of skilled labor, materials, and to inclement weather during the months of August and September. The Engineer advised that this job was delayed by inability of the material contractors to furnish concrete aggregate as soon as was anticipated because of defense paving contracts at the Portland Airport and at Tongue Point Naval Base. He also said that there was a shortage of skilled concrete workers which prevented the carrying on of the work under additional shifts. He verified the contractor's statement as to encountering bad weather. He recommended, in view of the circumstances, that the extension of time requested be granted without penalty notwithstanding that he has not as yet received a letter from the Public Roads Administration expressing its attitude with respect thereto. The Commission approved the recommendation. (A letter was received from W. H. Lynch, District Engineer, Public Roads Administration, subsequent to this meeting, concurring in the recommendation.)

Trowbridge and Flynn Electric Company, contract No. 2465, for the installation of a traffic signal system in the city of Klamath Falls, requested an extension of time, from October 31, 1941, to February 2, 1942, within which to complete this job. They attributed their failure to complete the project within the specified time limit to delays in securing priorities for steel poles and laytex wire. The Engineer advised that the reason given by the contractor for overrun of the time limit is correct. The installation, he said, was completed and put into operation on December 16, 1941, but at that time there were two minor items which remained to be taken care of, consisting of the waterproofing of the base of one pole to stop leakage into an under-sidewalk basement and the

replacement of one bracket arm signal head which had been broken by a truck. These items, he said, were satisfactorily completed by February 2, 1942, and the entire project has been approved by the city officials as well as by the owner of the under-sidewalk basement whose property was being damaged by the leak at the pole. He recommended, in view of the circumstances, that the extension of time requested be granted without penalty. The Commission approved the recommendation.

Porter W. Yett, contract No. 2531, for grading and paving of North Burgard Street in the city of Portland, Multnomah County, requested an extension of time, from January 31 to February 20, 1942, within which to complete this job. He attributed his failure to complete the project within the specified time limit to orders from the Engineer who would not permit paving work to be carried on except when weather conditions were favorable and who directed that certain paving work be deferred until it could be done in connection with paving work that was to be done on the same street by the City of Portland. The Engineer advised that the reasons given by the contractor for failure to complete the project within the specified time are correct. He recommended, in view of the circumstances, that the extension of time requested be granted without penalty. The Commission approved the recommendation.

The Engineer reported that Contracts Nos. 2221, 2300, 2405, 2454, 2465, 2531, and 2561, for the construction of state highway projects, have been completed, according to the requirements of the contracts or modifications thereof, and that said jobs are now ready for acceptance. The following resolution accepting the above projects was offered and was adopted by the unanimous vote of the Commission:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts and said jobs are now ready for acceptance:

Contract No. 2221, with J. W. and J. R. Hillstrom, for construction of the Coalbank Slough Bridge near Marshfield, on the Oregon Coast Highway, in Coos County. Completed January 20, 1942.

Contract No. 2300, with Roy L. Houck, for 1.74 miles grading and paving on the Tigard Section of the Pacific Highway West, in Washington County. Completed November 6, 1941.

Contract No. 2405, with L. B. James, for construction of the Testing Laboratory Building, in Salem, Marion County. Completed March 13, 1942.

Contract No. 2454, with Roy L. Houck, for 0.76 mile grading and paving on the Onion Flat Section of the Pacific Highway West, in Washington County. Completed November 5, 1941.

Contract No. 2465, with Trowbridge & Flynn Electric Company, for installing traffic signal system in the city of Klamath Falls, Klamath County. Completed February 2, 1942.

Contract No. 2531, with Porter W. Yett, for 0.72 mile grading and paving on the North Burgard Street Section, City of Portland, in Multnomah County. Completed February 20, 1942.

Contract No. 2561, with Porter W. Yett, for 0.72 mile paving, on the North Burgard Street Section, City of Portland, Multnomah County. Completed February 20, 1942.

THEREFORE, BE IT RESOLVED that the work covered by said state highway contracts for the construction of said state highway projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

The Commission considered and signed agreements, et cetera, as follows:

Agreements with the following cities and towns, covering improvements of city streets that are not on state highway routes:

West Salem	Yamhill	Arlington
Newberg	Athens	

Agreement with the Colonial Construction Company disposing of its claim for extra compensation arising out of state highway contract No. 2357, for grading the Forest Boundary-Warm Springs River Section of the Warm Springs Highway, in Wasco County.

Agreement with the South Umpqua Telephone Company covering re-establishment of certain telephone poles on the Tiller-Trail Secondary Highway, in Douglas County, necessitated by the reconstruction of the Wright Ranch-Milo Section of said highway.

Stipulations relative to the acquisition of right of way that will be needed for the Boardman-Stanfield Highway across government-owned lands near Stanfield, and for The Dalles-California Highway in the vicinity of Algona, Klamath County.

The Commission discussed the setting of a date for its next meeting for the receiving of bids for construction work, and decided to hold such meeting on Thursday, April 23, 1942, in Portland. (This was later changed to Thursday, April 30.) The Secretary was instructed to make the usual arrangements for the use of the auditorium in the Public Service Building for this meeting.

There being no further business to come before the Commission at this time the meeting was adjourned at 5:45 p. m.

D. Baldock
State Highway Engineer

Henry F. Cabell
Chairman

H. B. Glaisyer
Secretary

Huron W. Clough
Commissioner

Harmon Oliver
Commissioner

Portland, Oregon, April 30, 1942

The State Highway Commission met in regular session at 9:00 a. m. in the auditorium of the Public Service Building. Present were:

Henry F. Cabell, Chairman
Huron W. Clough, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

Commissioner Oliver was excused from attending this meeting.

Bids, as follows, for highway construction work and for the sale of buildings were opened and read in conformance with previously published notice, following which Chairman Cabell announced that the awards would be made at 2:15 p. m. in the same room:

THREE STATE HIGHWAYS
BAKER ROCK PRODUCTION

D. C. & A. L. Williams

\$15,550.00

PACIFIC HIGHWAY WEST
LEWISBURG-CORVALLIS SECTION - GRADING & PAVING

No bids received on this project

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CORVALLIS-NEWPORT HIGHWAY
BLODGETT OVERCROSSING - RECONSTRUCTION

J. F. Johnston	\$13,010.00
Averill & Corbin	14,044.00
Tom Lillebo	22,060.00
A. T. Fox Company	22,347.00

PACIFIC HIGHWAY
NORTH DILLARD BRIDGE OVER SOUTH UMPQUA RIVER

C. J. Eldon	\$190,235.00
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CENTRAL OREGON HIGHWAY
BUCHANAN ROCK PRODUCTION

No bids received on this project

SANTIAM HIGHWAY
LEBANON-SWEET HOME ROCK PRODUCTION

A. H. Saxton & Son	\$32,100.00
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SALE OF BUILDING AT EUGENE

Building No. 8787 (Former owner Albert Larsen)

Kenneth Dodd	\$25.00
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SALE OF BUILDINGS IN NORTH BEND

Building No. 9532 (Former owner Clara Bustrin)

Harold Potts	\$101.00
Kenneth Dodd	63.00
George Gierke	41.00
Mrs. A. T. Lee	41.00
W. L. Lorsung and M. A. Noah	36.50

Building No. 9517 (Former owner Nancy Jane Johnson)

Atwell T. Andrews	\$40.00
Kenneth Dodd	15.00

Building No. 9559 (Former owner R. L. Cavanaugh)

Harold Potts	\$101.00
Kenneth Dodd	55.00
Wm. E. Rencsehausen	20.50
W. L. Lorsung & M. A. Noah	18.00

SALE OF BUILDINGS IN NORTH BEND (Cont.)

Building No. 9491 (Former owner Coos Bay Longshoremen
Benefit Association)

Kenneth Dodd

\$21.00

Building No. 9501 (Former owners Ira L. and Grace E. Goodlin)

Kenneth Dodd

\$178.00

Harold Potts

176.00

W. L. Loring & M. A. Noah,

106.00

Building No. 9498 (Former owner Cora Swanson Coyle)

Harold Potts

\$65.00

Kenneth Dodd

56.00

Mrs. A. T. Lee

41.00

W. L. Loring & M. A. Noah

36.50

Wm. E. Rencehausen

20.50

Building No. 9499 (Former owner John Sandine)

Kenneth Dodd

\$15.00

Building No. 9560 (Former owner John H. Tewsley)

Kenneth Dodd

\$15.00

County Judge Nelson B. Higgs, Harney County, was present in regard to the closing of a portion of the Rome-Princeton Secondary State Highway No. 442, particularly between milepost 29.5, near Follyfarm, and its junction with the I.O.N. Secondary State Highway No. 456 at milepost 62.4, near Rome, which section is in Malheur County, in order to accommodate the United States Army which is establishing an aerial gunnery range, to be known as the South-eastern Oregon Aerial Gunnery Range, in this vicinity.

In this connection the Secretary presented a letter from Lieut. Philip H. Pitman of the Army Engineers in which the Commission was asked to take steps as may be necessary to close this section of highway each year during the period commencing March 15 and ending October 1, which would allow the area to be used as a stock range for the rest of the year. Judge Higgs asked the Commission to approve such request and advised there would be no objections from the county's standpoint. The Commission, after discussion, approved the closing of this highway between May 1 and October 1, 1942, and thereupon by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, the United States War Department has established for the purpose of National Defense an area to be known as the South-eastern Oregon Aerial Gunnery Range; and

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WHEREAS, a section of the Rome-Princeton Secondary Highway, which is Secondary Highway No. 442, is within or passes through the said gunnery range, and the War Department for the protection and safety of members of the general public has requested that said section of said secondary highway be closed to public traffic; and

WHEREAS, it appears that the use of said range by the War Department for the purposes for which the same has been established will create a hazard to members of the public traveling said highway, and therefore it appears to the Highway Commission to be in the best interests of the general public to close said section of said highway during the period specified in this resolution;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the Oregon State Highway Commission as follows:

1. The Commission does hereby declare its purpose to cooperate with the United States Government in every plan for and in every effort made toward National Defense in so far as the Commission may do consistent with the best interests of the State and the Commission's fixed authority.
2. That the section of the Rome-Princeton Secondary Highway, which is Secondary Highway No. 442 and which section begins at mile point 29.50, which is near Follyfarm in Malheur County, and terminates at the junction of the Rome-Princeton Secondary Highway with the I. O. N. Secondary Highway, which is Secondary Highway No. 456, at a point designated as mile point 62.40 near Rome in said County shall be and said section of said highway hereby is closed to traffic from the date of this resolution to the first day of October, 1942.
3. That the War Department representatives in charge of said gunnery range are hereby authorized and required to erect and maintain proper and appropriate barricades at the termini of said section of said road and such signs as may be necessary to adequately and effectively warn and inform the traveling public.
4. That other than the adoption of this resolution the Highway Commission shall be under no obligation to barricade the said section of said highway at either of the points of entrance to said range, and the delivery of a certified copy of this resolution to Philip H. Pitman, First Lieutenant, Corps of Engineer, shall constitute the Commission's full responsibility with respect to the closing of said road as between this Commission and the United States War Department.
5. It is urgently recommended that entrance to said gunnery range over any other road, county or otherwise, be adequately barricaded against traffic during the period beginning May 1, 1942, and ending October 1, 1942.

6. That the Secretary of the Commission be and he hereby is instructed to deliver by mail to Philip H. Pitman, First Lieutenant, Corps of Engineers, c/o Office of the Division Engineer, Federal Building, Burns, Oregon, a certified copy of this resolution, and request from him an acknowledgment of its receipt and acceptance.

The Secretary was instructed to forward a copy of this resolution to Lieut. Pitman and to ask him to acknowledge the same and to state whether or not it is acceptable. He was further instructed to point out to Lieut. Pitman that, whereas the period of closing specified in the resolution expires on October 1, 1942, the Commission would be pleased to extend the privilege from March 15 to October 1, 1943, and between such dates in subsequent years, upon request of the army authorities.

Judge Higgs also inquired whether or not the Commission has taken any action with respect to the county's request for the improvement of the road leading to the airport east of Burns. He was informed that there are no state funds available for such project and the Commission cannot undertake the improvement unless it is financed with federal access funds of which there are none available at the present time. Furthermore, the federal authorities have not, to the knowledge of the Commission, approved the project for such class of funds.

Judge Higgs also asked the Commission to oil the footpath that was constructed last year along the Central Oregon Highway, between Burns and Hines Mill, for the benefit of bicyclists as well as pedestrians. He advised that oiling work is quite important from the safety standpoint because the path, in its present condition, is not suitable for bicyclists who are obliged, under the circumstances, to ride on the pavement. He gave as his understanding that the oiling work was included in the original project but was not done last year on account of the lateness of the season and for the further reason that the amount budgeted for the project was insufficient to pay for this item. The Engineer pointed out the difficulties the Commission is experiencing with oiling work and suggested that it might be satisfactory if a coating of fine rock were placed on the present surfacing which would at least take care of the situation for the duration. Judge Higgs advised that that might be a satisfactory solution, whereupon he was asked to consult District Maintenance Superintendent J. D. Walker in regard thereto. The Engineer was instructed to advise Mr. Walker of the circumstances for his guidance, and to proceed with the work if it can be accomplished at nominal expense.

The Commission discussed the cancellation of several contracts that are affected by the War Production Board's recent ruling, being Conservation Order L-41, issued by the Division of Industry Operations, deferring for the duration of the emergency all construction which is not essential, directly or indirectly, to the successful prosecution of the war. The Engineer advised that there are five contracts affected by this ruling, viz., Contract No. 2528, with Rogers Construction Company, for grading, surfacing and oiling the Diversion Canal-Midland Overcrossing Section of the Midland Secondary Highway, in

Klamath County; No. 2552, with A. H. Saxton & Son, for grading, surfacing and oiling the Campbell Bridge-Hazeldale Section of the Farmington Secondary Highway, in Washington County; No. 2553, with Norris Brothers, for grading and topping the Porcupine Butte-Chichester Gulch Section of the Shaniko-Fossil Secondary Highway, in Wheeler County; No. 2555, with Rogers Construction Company, for grading, surfacing and oiling the South Unit, Enterprise-Forest Boundary Section of the Enterprise-Lewiston Highway, in Walla Walla County; and No. 2556, with M. L. O'Neil & Son, for regrading, surfacing and oiling the Soda Mountain-Silvies Section of the John Day-Burns Highway, in Grant County.

The Commission decided that it has no alternative but to cancel these contracts and to reimburse the contractors for expense that they have already incurred in connection therewith, other than for materials, which the Commission thought the contractors could dispose of without loss, such termination of contracts to be covered by appropriate written agreements between the Commission and the contractors. The final decision in the matter, however, was deferred until the afternoon session. The Engineer was instructed in the meantime to contact Commissioner Oliver at his home and secure his reaction to the same inasmuch as it will affect several projects in his district. (See ahead for final decision.)

The Commission discussed a request from the County Court of Sherman County for the improvement of the Fulton Canyon Secondary State Highway where it connects with the Columbia River Highway near Miller Station. The Engineer advised that the present connection is not on permanent alignment and that to provide a permanent connection would cost about \$6,000. To construct a temporary new approach east of the present connection, utilizing the old railroad grade, he said, would cost about \$4,000; whereas, it would cost only about \$400 to improve the present connection so as to eliminate the conditions that are causing complaint. If times were normal, he said, he would recommend construction on permanent basis; however, on account of the present war emergency he believed the expenditure should be kept at a minimum and, accordingly, recommended the improvement of the present connection. The Commission approved the recommendation; however, authorized an expenditure of \$2,000 as cooperation with the county in constructing the temporary connection, using the old railroad grade, if the county insists and will contribute county funds to make up the difference. (See final decision when County Judge George A. Potter appeared later in this session.)

The Engineer reported the result of a survey conducted for the improvement of the Pacific Highway West, U. S. Highway 99W, between Corvallis and Monmouth. (See report dated April 29, 1942, in general files.) This report covers surveys on several alternate routes preliminary to the preparation of plans for an access road to the military cantonment, known as Camp Adair, north of Corvallis and describes each alternate route from various standpoints, including cost of construction, benefits to traffic, et cetera. The Engineer recommended the adoption of the so-called "green" route which is the most direct route from a point near the Polk-Benton County line to Monmouth and connects with the Monmouth-Independence Highway near the intersection of East and Main Streets. The matter was discussed at some length but a definite decision thereon was deferred until the evening session.

In this connection the Engineer reported receipt of a petition from property owners on East Main Street (Monmouth-Independence Highway), Monmouth, requesting the widening and improvement of East Main Street between Broad Street and the east city limits, and that such work be included in the major highway construction south of Monmouth. Mr. W. H. Lynch, District Engineer, Public Roads Administration, who was present, advised that this project could not be included in the contract for the Monmouth-Corvallis improvement. The Commission thereupon denied the request; however, agreed to give the matter further consideration at a later date.

A delegation from Monmouth appeared before the Commission at this time relative to the proposed Monmouth-Corvallis improvement of the Pacific Highway West. Dr. F. R. Bowersox, Mayor, headed the group which included Messrs. F. E. Chambers, Howard Moreland, George Cooper, and Guy Demming. The Engineer explained the alternate routes under consideration for this improvement. Mayor Bowersox explained that it would be to the city's best interests if the Commission would adopt the route which intersects the present highway a short distance south of the city limits and connects with the present highway on Monmouth Avenue. He explained that such routing would be a convenience to people residing in the Monmouth trade area south of their town. He pointed out that the town's business houses are centered around the intersection of Main Street and the present highway and that all of the businessmen are in favor of the adoption of the route that he has suggested. He presented a resolution adopted by the Monmouth City Council in support of his oral arguments. He also presented a statement signed by numerous businessmen of Monmouth endorsing the resolution. After considerable discussion Chairman Cabell thanked the delegation for its appearance and stated that the Commission is not ready as yet to make a definite decision but expects to do so in the near future. (See ahead for resolution adopting permanent route.)

County Judge George A. Potter, Sherman County, came before the Commission in regard to the improvement of the present intersection of the Fulton Canyon Secondary State Highway with the Columbia River Highway near Miller Station. He advised that a new grain elevator has been constructed next to the Columbia River Highway at Biggs and wheat farmers, who patronize this elevator, are obliged to use the Fulton Canyon Road which has a very bad connection with the Columbia River Highway. He suggested the construction of a new connection, using the old railroad grade which intersects the highway about a quarter of a mile east of the present connection, which would not only provide a better entrance to the highway but would also reduce haul mileage and conserve truck tires and gasoline. Chairman Cabell advised that the Commission has already discussed this matter and decided, inasmuch as the estimated cost to construct a permanent connection is more than the Commission can spend for construction on any one project under the new rule of the War Production Board, that it would be best to improve the present connection which could be done at considerably less expense and would serve the purpose until the Commission can see its way clear to build the permanent connection. He added that if such solution will satisfy the county court, the Commission will authorize the Engineer to proceed with the work. Commissioner Clough concurred. Judge Potter expressed satisfaction of such an arrangement; however, requested a letter setting forth the reasons for the same. The

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Commission thereupon instructed the Engineer to proceed with the improvement of the present connection and to write the letter requested by Judge Potter.

The Assistant Attorney requested instructions relative to the disposal of buildings situate on the right of way acquired for the Oregon Coast Highway between Marshfield and North Bend. He said that there is a dearth of residence buildings in Marshfield and that the buildings owned by the state could be used to very good advantage for such purposes. He recommended in view of the fact that the contemplated highway improvement may not go forward for some time, that the buildings be rented until such time as the right of way is needed for construction and that the handling of the rentals be placed in the hands of a local realtor. The Commission indicated approval of the suggestion; however, deferred a definite decision until its next meeting which was tentatively set for Thursday, May 7, in Portland.

The Commission adjourned at 12:15 p. m. and reconvened at 2:00 p. m. in the same room with the same persons present and participating.

Mr. T. B. Watters, Chairman of the Roads and Highways Committee of the Klamath County Chamber of Commerce, was present in regard to the further improvement of The Dalles-California Highway north of Klamath Falls. Chairman Cabell explained the status of the Commission's funds and the difficulties that the Commission is facing with respect to highway improvements, particularly as to the securing of governmental approval of projects and necessary priorities for equipment, materials and supplies, all of which lead the Commission to believe that The Dalles-California Highway project cannot go forward as originally planned. He pointed out that the Commission is now endeavoring to secure approval of several projects, including a new bridge over the Coast Fork of the Willamette River on the Willamette Highway a short distance east of Goshen, which is a very badly-needed structure from a military standpoint, it being the only bottleneck on the Willamette Highway, and advised that if the Commission receives any encouragement in connection with this project, it will then give further consideration to additional improvements on The Dalles-California Highway north of Algoma, although there is a question whether or not the Commission's efforts in that regard will produce the desired results. Mr. Watters expressed his approval of the explanation, in view of the circumstances, and requested that he be kept advised as to the status of the Algoma project. The Engineer was instructed to keep Mr. Watters informed.

At 2:30 p. m. Chairman Cabell announced the following awards of contracts and sale of buildings, bids for which were received at the morning session, such disposition having been previously approved by the Commission:

"Baker Rock Production Project on three state highways, in Baker County. D. C. and A. L. Williams, La Grande, submitted the only bid for this project, in the amount of \$15,550.00. The Commission awards the contract to D. C. and A. L. Williams at their bid of \$15,550.00.

"Lewisburg-Corvallis Section of the Pacific highway West, in Benton County. 5.56 miles grading and paving. No bids were received for this project.

"Reconstruct Blodgett Overcrossing on the Corvallis-Newport Highway, in Benton County. Four bids were received for this project, the low one being that of J. F. Johnston, Newberg, at \$13,010.00. and the second-low bid being that of Averill & Corbin, Portland, at \$14,044.00. The Commission awards the contract to J. F. Johnston at his low bid of \$13,010.00.

"Construct North Dillard Bridge over the South Umpqua River on the Pacific Highway, in Douglas County. C. J. Eldon, Portland, submitted the only bid for this project, in the amount of \$190,235.00. The Commission has rejected this bid.

"Buchanan Rock Production Project on the Central Oregon Highway, in Harney County. No bids were received on this project.

"Lebanon-Sweet Home Rock Production Project on the Santiam Highway, in Linn County. A. H. Saxton & Son, Corvallis, submitted the only bid for this project in the amount of \$32,100.00. The Commission awards this contract to A. H. Saxton & Son at their bid of \$32,100.00.

Building at Eugene

"Building No. 8787, formerly owned by Albert Larsen. Kenneth Dodd, Eugene, submitted the only bid received for this building, in the amount of \$25.00. Action on the sale of this building has been deferred until May 7, 1942.

Buildings at North Bend

"Building No. 9532, formerly owned by Clara Bustrin. Five bids were received for this building, the high one being that of Harold Potts, Eastside, at \$101.00, and the second-high bid being that of Kenneth Dodd, Eugene, at \$63.00. The Commission deferred action on the sale of this building until May 7, 1942.

"Building No. 9517, formerly owned by Nancy Jane Johnson. Atwell T. Andrews, North Bend, submitted the high bid for this building, in the amount of \$40.00. The only other bid received was submitted by Kenneth Dodd, Eugene, at \$15.00. The Commission deferred action on the sale of this building until May 7, 1942.

"Building No. 9559, formerly owned by R. L. Cavanaugh. Four bids were received for this building, the high one being that of Harold Potts, Eastside, at \$101.00, and the second-high bid being that of Kenneth Dodd, Eugene, at \$55.00. The Commission has deferred action on the sale of this building until May 7, 1942.

"Building No. 9491, formerly owned by Coos Bay Longshoremen Benefit Association. Kenneth Dodd, Eugene, submitted the only bid

received for this building, in the amount of \$21.00. The Commission has deferred action on the sale of this building until May 7, 1942.

"Building No. 9501, formerly owned by Ira L. and Grace E. Goodlin. Three bids were received for this building, the high one being that of Kenneth Dodd, Eugene, at \$178.00, and the second-high being that of Harold Potts, Eastside, at \$176.00. The Commission has deferred action on the sale of this building until May 7, 1942.

"Building No. 9498, formerly owned by Cora Swanson Coyle. Harold Potts, Eastside, submitted the high bid for this building, in the amount of \$65.00. Kenneth Dodd, Eugene, submitted the second-high bid in the amount of \$56.00. There were three lower bidders. The Commission has deferred action on the sale of this building until May 7, 1942.

"Building No. 9499, formerly owned by John Sandine. Kenneth Dodd, Eugene, submitted the only bid for this building in the amount of \$15.00. The Commission has deferred action on the sale of this building until May 7, 1942.

"Building No. 9560, formerly owned by John H. Tewsley. Kenneth Dodd, Eugene, submitted the only bid for this building, in the amount of \$15.00. The Commission has deferred action on the sale of this building until May 7, 1942."

Mr. M. L. O'Neil, contractor for regrading, surfacing and oiling the Soda Mountain-Silvies Section of the John Day-Burns Highway, in Grant County, Contract No. 2556, appeared before the Commission in regard to the cancellation of his contract as is contemplated under the War Production Board's Order L-41. The Engineer explained the situation and advised that, if Mr. O'Neil wants to take a chance in securing priorities so he can proceed with the job, that would be satisfactory with the Commission; however, the Commission prefers cancellation of the project outright, and will reimburse Mr. O'Neil for expense already incurred including materials and supplies, if Mr. O'Neil is unable to dispose of them. Mr. O'Neil expressed his approval of such arrangement whereupon the Commission authorized the cancellation of the contract, which matter is to be covered by appropriate agreement among the parties concerned.

Mr. A. H. Saxton of the firm of Saxton and Son, contractors for grading, surfacing and oiling the Campbell Bridge-Hazeldale Section of the Farmington Secondary Highway, in Washington County, Contract No. 2552, was present in regard to cancellation of this contract in view of the recent ruling of the War Production Board, Order L-41. The Engineer explained the War Production Board's ruling and advised that the Commission prefers to cancel the contract, if that is agreeable to Mr. Saxton, with the understanding that Mr. Saxton would be reimbursed for expense that he has incurred in connection therewith to date. Mr. Saxton agreed to the cancellation of the contract under such condition. The Commission thereupon ordered that the matter be covered by appropriate written agreement.

The same understanding was reached with Mr. Rogers of the Rogers Construction Company with respect to two contracts that are in the same category, being contract No. 2528, for grading, surfacing and oiling the Diversion Canal-Midland Overcrossing Section of the Midland Secondary Highway, in Klamath County; and Contract No. 2555, for grading, surfacing and oiling the South Unit, Enterprise-Forest Boundary Section of the Enterprise-Lewiston Highway, in Wallowa County. The Commission ordered that these arrangements also be covered by appropriate written agreement.

The Engineer was also instructed to discuss the matter with Morris Brothers, contractors for grading and topping the Porcupine Butte-Chichester Gulch Section of the Shaniko-Fossil Secondary Highway, in Wheeler County, Contract No. 2553, and, if they approve cancellation of the contract, to have the matter covered by appropriate written agreement on the same basis.

A delegation from Milwaukie, consisting of Mesdames Marie Harlow, George H. Cooper, E. Kleinhaus, and C. B. Bussey, representing the Parent-Teachers Association, came before the Commission and requested the installation of a traffic signal over the Pacific Highway East at its intersection with the Island Station Road, just south of Milwaukie. Mrs. Harlow headed the group. She advised that many children who reside in the Island Station district attend the schools in Milwaukie and are obliged to cross the highway at least twice daily, and while the schoolboy patrol is maintained at this intersection for the benefit of such children that is not sufficient and they are asking for the installation of a traffic signal that is operated by a push button so as to require traffic on the highway to come to a stop when children or other pedestrians are crossing the highway. This situation, she said, is particularly hazardous at the present time in view of daylight saving. Chairman Cabell explained the difficulties in securing traffic lights during the present emergency, also the policy of the Commission with respect to such installations. The Engineer suggested perhaps the matter could be solved by hanging a footbridge on the railroad trestle which is situate nearby and the use of the same by school children. The suggestion was approved by the delegation, whereupon the Commission instructed the Engineer to take the matter up with the railroad company officials. The Secretary was instructed to inform Mrs. Harlow when the Commission has reached a final decision.

Messrs. E. K. Knutson and Phil Berthiaume, representing the California Western States Life Insurance Company, appeared before the Commission in regard to furnishing group life insurance for state highway department employees. Mr. Knutson advised that they have already signed up some 462 employees who are paid on an hourly-basis, such signatures being acquired by their agent during the progress of the canvass of employees who are now receiving benefits under the group accident and health insurance contract, which canvass they make at regular intervals as a matter of service and to bolster up the company's account. He said they had no idea that the Highway Commission would object to the soliciting of its employees for life insurance at the same time. He asked the Commission to approve the solicitation and to authorize deductions of the life insurance premiums from its monthly pay rolls.

Chairman Cabell advised that the Commission has no criticism to offer with respect to the accident and health insurance that is now being written by the California Western States Life Insurance Company covering certain highway department employees, but the furnishing of group life insurance is a new matter which the Commission wants to investigate thoroughly before making a decision. The Commission wants to make definitely certain, he said, that it is doing the right thing by the employees in authorizing the writing of group life insurance and, if its decision in that regard is favorable, then the Commission wishes to know definitely whether or not other insurance companies have any better proposition to offer. Inquiries have already been directed to other companies, he added, and when answers are received the Commission's decision will be based on a scrutiny of the same. In the event the Commission receives no better proposition than its offer from the California Western States Life Insurance Company, then it will accept the plan of this company if, in the meantime, it is decided to approve the deductions from the department's pay rolls. Commissioner Clough concurred. Chairman Cabell then stated that he would give this matter his personal attention and expedite the Commission's decision as much as possible.

The Commission approved the minutes of the meetings held on August 14 and 15, September 4 and 5, October 16 and 17, November 6, and November 17 and 18, 1941. (All of the above minutes were later approved and signed by Commissioner Oliver, signifying unanimous approval.)

The Attorney requested authority to acquire certain parcels of real property that are needed for various highway improvements throughout the state. He submitted a list of such properties, together with offers that he recommended be made in connection with each. After careful consideration of each item the Commission approved the request and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth, and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon, and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed;

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway

Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Honey Ranch-Three Rivers Section, Three Rivers Highway</u>				
10158-Aufdermauer, Ernestine Quarry		6.70	\$50 per a. + \$165	McChesney
<u>Gardner Ranch-Berger Ranch Section, Wolf Creek Highway</u>				
6502-Voges, Carl	R/W	10.06	Land \$3,000 Lump Sum + \$7.50, + mov. bldg. (Estd. \$750)	Collins
<u>Vadis-Gardner Ranch Section, Wolf Creek Highway</u>				
9410-Jacobs, John C.	R/W	0.10	\$200 per a. + \$11.25	Collins
6558-Gardner, Fred D.	"	11.4	\$250 per a. + \$1400	"
<u>Fishhawk Falls-Ranger Station Section, Wolf Creek-Nehalem Highway</u>				
9963-Crown Zellerbach Co.	Rock Quarry	20.0	\$5 per acre	McChesney
<u>Deadman Creek-Brooks Section, Wilson River Highway</u>				
10282-Rosenberg, J. H. et al	Rock Quarry	1.0	\$100 per acre	McChesney
<u>Ritner Creek-Benton County Line Section, Kings Valley Highway</u>				
10185-Siddall, Emma H.	Stock Pile	2.95	\$97 per acre	Parker
<u>Siletz Bay-Newport Section, Oregon Coast Highway</u>				
4372-A-Echols, Charlott M.	Quarry Site	17.34) 14.00) 31.34)	\$317.19 per acre GRATIS	Landon
10176-Krause, L. L., Trustee	Stock Pile	1.76	\$300 per acre	"
	Haul Road	1.59 (3.35)	\$83.02 per acre	"
10177-Lincoln County	Quarry Site & Haul Road	18.0	GRATIS	"
<u>Russell Point-North Section, Oregon Coast Highway</u>				
10039-Loritan Investment Co.	R/W	0.67	\$1.00, for land, + taxes	McChesney
<u>North Bend-Marshfield Section, Oregon Coast Highway</u>				
9495-Kotovskiy, Jessie	R/W	12,000 sq.ft.	10¢ sq. ft. + \$400	Benson
<u>Sylvan-West Slope Section, Tualatin Valley Highway</u>				
9702-Farrell, Robert Danley (Correction)	Slope Easement	2,911 sq.ft.	Land Gratis, + \$20	Witt

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Front Avenue Project, Columbia Street South (Portland), Pacific Highway West</u>				
10305-Boody, Nathan A.	R/W	2,374 sq.ft.	\$325	McCallister
10304-Young, Genevieve But- terfield	"	6,554 "	\$750	"
10314-Heuschkel, Ferdinand	"	3,675 "	\$3,350	"
8225-Mozes, Samuel	"	5,325 "	\$3,500	"
8861-Shank, Lip, Edw. A., and Roland	"	4,935) " 3,603) "	40¢ sq. ft. permanent slope easement at 20¢ sq.ft. + \$3550 Total \$6,000.	"
<u>Pudding River Section, Pacific Highway</u>				
10076-Rooklidge, Helen A.	R/W	0.55	\$200 per a. + \$3890	Gardiner
<u>Polk County Approach-Willamette Bridge Section, Salem-Dallas Highway</u>				
8749-Wallace, Paul B.	R/W	0.54	\$500 per acre	Gardiner
<u>Illahe School-Albany Section, Pacific Highway</u>				
3772A-Lynch, Henry, and Anna Tarr	R/W	2.07	\$100 per acre	Witt
3770A-Feller, Louise	"	2.02	\$100 per acre, + \$18 less sum of \$26 overpay- ment in 1936, due to error in title report and county records	"
9476A-Marion County	"	0.64	GRATIS	"
9478A-Eoff, Asa I.	"	0.98	\$150 per acre	"
<u>Marion County Section, North Santiam Highway</u>				
2744-Marion County	R/W	0.67	GRATIS	Schannep
<u>Scio-Lyons Section, Albany-Lyons Highway</u>				
9986-Endres, Frank, Estate	Rock Quarry	2.05	\$200 LUMP SUM	McChesney
<u>Lewisburg-Corvallis Section, Pacific Highway West</u>				
10208-Wilson, E. E.	R/W	0.23	\$300 per a. + \$20.25	Benson
10218-Johnston, J. E.	"	7,405 sq.ft.	1¢ sq. ft. + \$34.50	"
10215-Graham, J. R. and E. E. Wilson	"	1,742 "	1¢ sq. ft. + \$182.58	"
10219-Whiteman, U. E.	"	2,168 "	1¢ sq. ft. + \$8.32	"
10236-Wanberg, L. A.	"	1,307 "	5¢ sq.ft. + \$84, + moving bldgs. (Estd. \$1500)	"
10237-Pratt, Ruth L.	"	650 "	5¢ sq. ft.	"
10193-Thornton, A. W.	"	0.22 a.	\$100 per a. + \$67	"
10234-Iiams, A. H.	"	3,049 sq.ft.	4¢ sq. ft. + \$22	"
10230-Thomas, Andrew W.	"	3,484 "	1¢ sq. ft.	"

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Lewisburg-Corvallis Section, Pacific Highway West (Cont.)</u>				
10223-Buchanan, Claude & John Beach	R/W	3,920 sq.ft.	1 $\frac{1}{2}$ sq. ft. + \$18	Benson
10214-Smith, Clarence M.	"	891 "	1 $\frac{1}{2}$ sq. ft. + \$141.29	"
10213-Appling, J. B.	"	871 "	1 $\frac{1}{2}$ sq. ft. + \$7.50	"
10187-Fisher, Edith M.	"	0.19 a.	\$100 per a. + \$81	"
10188-Schmidt, Hugo S. M.	"	0.05 a.	\$300 per a. + \$5	Parker
10224-Cate, H. Woodrow	"	0.04 a.	\$435 per a. + \$43	"
10233-Weston, Florence M.	"	1,000 sq. ft.	5 $\frac{1}{2}$ sq. ft. + \$38.50	"
10229-Brien, Parmelia	"	0.05	\$1306.80 per a. + \$43.25	"
10207-Carrato, Joe	"	0.03	\$300 per a. + \$41	"
10308-Robinson, R. O.	Gravel Pit	7.20	\$100 per a. + \$287.50, fencing pit	"
10220-Law, Ted	R/W	0.05	\$300 per a. + \$5	"
10235-Stinson, Walter C.	"	6,098 sq.ft.	5 $\frac{1}{2}$ sq. ft. + \$27.50, plus fencing	"
10226-Conder, May Z. E. Dunn	"	0.11	\$435 per a. + fencing	"
10228-McKnight, Mattie	"	7,841 sq.ft.	1 $\frac{1}{2}$ sq. ft. + \$29 for fencing	"
10231-Rondeau, Carlton S.	"	0.03	3 $\frac{1}{2}$ sq. ft., + \$90	"
10238-Schmidt, Walter	"	871 sq. ft.	5 $\frac{1}{2}$ sq. ft. + \$96.50	Benson
10240-Sims, Kenneth P.	"	700 "	5 $\frac{1}{2}$ sq. ft. + \$32	"
10288-Thompson, T. K.	"	1,307 sq.ft.	1 $\frac{1}{2}$ sq.ft. + \$7	"
10227-Martin, Luther B.	"	2,614 "	1 $\frac{1}{2}$ sq. ft. + \$160.79	"
10244-Bosworth, R. L.	"	3,100 "	5 $\frac{1}{2}$ sq.ft. + \$2345	"
10242-Neighbors, James	"	1,742 "	5 $\frac{1}{2}$ sq.ft. + \$447.50	"
10289-Laschinger, Mary	"	1,480 "	1 $\frac{1}{2}$ sq.ft. + \$177.80	"
10291-Pyle, Keith B.	"	1,690 "	1 $\frac{1}{2}$ sq.ft. + \$74.65	"
10249-Kenagy, Addie Taylor	"	1,000 "	5 $\frac{1}{2}$ sq.ft. + \$51	"
10290-Hansell, W. H.	"	960 "	1 $\frac{1}{2}$ sq.ft. + \$80.60	"
10225-Porter, Harry B.	"	2,614 "	1 $\frac{1}{2}$ sq.ft. + \$385.79	"
10203-Harper, Elisa Ann, Estate	"	0.23	\$100 per a. + \$91.50	"
10298-Churchill, Scott	"	0.53	\$100 per a. + \$114	Parker
10297-Johnson, Carl A.	"	0.329	\$100 per a.	"
10296-Russell, Jos. L.	"	2.08	\$100 per a. + \$141.25	"
10243-White, H. H.	"	810 sq.ft.	5 $\frac{1}{2}$ sq.ft. + \$159.50	"
10245-Blakely, Edwin T.	"	1,000 "	5 $\frac{1}{2}$ sq.ft. + \$20	"
10260-Swain, Emily W.	"	750 "	5 $\frac{1}{2}$ sq.ft. + \$165.80	"
10248-Kessey, D. N.	"	800 "	5 $\frac{1}{2}$ sq.ft. + \$40	"
10247-Richards, Frank B.	"	750 "	5 $\frac{1}{2}$ sq.ft. + \$118	"
10239-Stuart, Emma D.	"	1,743 "	5 $\frac{1}{2}$ sq.ft. + \$34.25	"
10241-Crockett, Geo. C.	"	940 "	5 $\frac{1}{2}$ sq.ft. + \$42.80	"
10303-Wylie, Adeline M.	"	0.03	\$150 per acre	Benson
10302-Wylie, Robert	"	0.04	\$150 per acre + \$77.50 + mov. bldgs. (Estd. \$1250)	"
10301-Wylie, Robert	"	0.50	\$150 per a. + \$122.50	"

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Lewisburg-Corvallis Section, Pacific Highway West (Cont.)</u>				
10300-Flint, Agnes	R/W	0.19	\$150 per acre, + \$80	Benson
10299-Armstrong, George	"	385 sq.ft.	Land Gratis + fencing	"
			\$10	
10246-Clark, J. G.	"	750 "	5 $\frac{1}{2}$ sq.ft. + \$141.25	"
<u>Corvallis-Junction City Section, Pacific Highway West</u>				
8128A-Strome, Lizzie	Stock Pile	3.08	5 year lease at \$10 per year	Gardiner
<u>Halsey-Harrisburg Section, Pacific Highway</u>				
9704-Smith, Roy H.	R/W	1,330 sq.ft.	3 $\frac{1}{2}$ sq.ft. + \$83.75	Gardiner
10267-Oregon-Washington Joint Stock Land Bank	"	3.72	\$100 per acre, + \$353.80, if crop is harvested before con- struction is started, \$48.80 to be deducted	"
10271-Sprick, John D. and S. W. McPherson	"	0.75	\$175 per a. + \$65 + mov- ing bldgs. (Estd. \$500)	"
10264-Thos. Alford Cemetery Association	"	6 lots	\$30 each, + \$142.50	"
<u>Eugene-Junction City Section, Pacific Highway</u>				
9328-Demison, F. A.	R/W	6,000 sq.ft.	3 $\frac{1}{2}$ sq. ft.	Gardiner
<u>Eugene-Springfield Junction Section, Pacific Highway</u>				
9329-Mercer, Clifford	R/W	6,000 sq.ft.	3 $\frac{1}{2}$ sq.ft.	Gardiner
<u>Eugene-Goshen Section, Pacific Highway</u>				
9326-Young, Juanita T.	R/W	1,050 sq.ft.	3 $\frac{1}{2}$ sq.ft. + \$237.25	Gardiner
9325-Montgomery, Fred C.	"	3,150 "	3 $\frac{1}{2}$ " + \$102.38	"
9324-Hoppe, Max	"	1,640 "	3 $\frac{1}{2}$ " + \$442.60	"
10326-Heats, Alice	"	7.08	\$141.10 per acre	"
<u>Goshen-Pleasant Hill Section, Willamette Highway</u>				
8996-Cary, Polly Dodge (Correction)	R/W (1840 sq.ft.)	0.042	\$125 per a. + \$10	Benson
<u>Wright Ranch-Milo Section, Tiller-Trail Highway</u>				
9914-Bigham, Fred W.	R/W	1.276	\$35 per a. + \$130	Gardiner
<u>Medford Section, Pacific Highway</u>				
10171-Hockenyoos, Maud M.	Drain Easement		Easement for laying drainage tile across owner's property \$37.50	Witt

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Eagle Point-Medford Section, Crater Lake Highway</u>				
10083A-Begley, Spencer D.	Access	481 sq.ft.	GRATIS	Witt
	Rdway. Easmt.			
10067-Denney, A. W.	R/W		Assignment & cancellation of lease on C. M. Parker property - \$3000	"
<u>Wolf Creek-Grave Creek Section, Pacific Highway</u>				
10131-Waller, T. B. and Frank E. Price	Gravel Pit	0.5 3.4 3.9	\$75 per acre \$25 per acre	Landon
10126-Caraway, Edna Mildred	R/W	26.13 8.59 46.8 81.52	\$10 per acre \$10 per acre \$3.26 per acre	"
10130-Price, Genevieve	"	3.23	\$25 per acre, + \$44	"
10128-Porter, Geo. W. and W. A. Moser	"	22.98 5.69 28.67	\$10 per acre \$47.48 per acre + fencing	"
10125-Wilson, M. A.	"	12.96	\$10 per acre	"
10127-Shugart, Lloyd E. and Ermond H. Parks	"	1.59	\$10 per a. + \$7.50	"
<u>Owens Street-Midland Section, Klamath Falls-Lakeview Highway</u>				
9617-Zambonin, Agostino	R/W	1017 sq.ft.	10¢ sq.ft.	Cosad
9626A-Klamath Falls, City of	"	5000 "	4¢ sq.ft.	"
9612A-Klamath Falls, City of	"	6000 "	8¢ + per sq. ft.	"
<u>Agate-Medford Section, Crater Lake Highway</u>				
10028-Eller, Joseph I.	Easement		Permanent road easement \$100	Witt
<u>Crooked River Section, Paulina Highway</u>				
10320-Klaus, M. A.	Talus Pit	7.85	\$40 per acre	Chandler
<u>Rainbow Section, McKenzie Highway</u>				
10100-Deschutes County	Maintenance Site	8870 sq.ft.	4¢ sq. ft.	Cosad
<u>Zinter Ranch-Morrow County Section, Wasco-Heppner Highway</u>				
8934-Ayers, Ada M. and D. J. Conway	R/W	6.59	\$25 per a. + \$679	Gardiner
<u>Lick Creek-Salt Creek Section, Little Butte Highway</u>				
9647-Nygren, Frank, et al	Gravel Pit	7.943	\$110.16 per a. + fencing	Landon
9648-Charley, Reed	"	16.798	\$120 per acre	"

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Prairie City Section, John Day Highway</u>				
10286-Riley, Hayden W.	Stock	25,000 sq.ft.	\$0.004 per sq. ft.	Van Scoy
	Pile			

The Attorney also requested authority to institute condemnation proceedings to acquire other properties that are needed for highway improvements. He submitted the following list of such properties with offers that he recommended in condemnation:

<u>File No.</u>	<u>Name</u>	<u>Purpose Required</u>	<u>Recommended Offer</u>
9311	E. F. Judkins	Right of way	\$8,000.00
9424	Vernon R. Olsen, et ux.	" " "	3,000.00

After due consideration the Commission approved the offers and authorized condemnation in each instance. The following resolution in regard thereto was adopted by the Commission by unanimous vote:

WHEREAS, the State Highway Commission is authorized to locate, relocate, construct, reconstruct, maintain, widen, straighten, and otherwise improve state highways, both primary and secondary, and said Commission is also authorized to construct shops, equipment sheds, office buildings, maintenance sites, patrolmen accommodations, and snow fences, and is authorized to acquire quarry sites, gravel pits, storage sites, stockpile sites, weighing stations, and broadcasting stations, and is further authorized to develop, construct, improve, operate, and maintain parks, parking places, auto camps, camp sites, roadside development, recreational grounds or resorts, and other places of attraction and scenic value; and

WHEREAS, said Highway Commission is authorized to acquire by purchase, agreement, donation, or by the exercise of the power of eminent domain real property, or any interest therein, necessary or deemed by the Highway Commission necessary for the accomplishment of any and all of the foregoing things; and

WHEREAS, in the judgment of the Highway Commission the tracts or parcels of land hereinafter described are each and all necessary for the specific and particular purposes hereinafter specifically set forth;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the Commission does hereby find and declare that the several parcels of real property hereinafter described are each and all necessary for the accomplishment of the purposes hereinafter

expressly and specifically set forth, which said real properties and the specific purposes for which the same are being acquired are described as follows, to wit:

Real property owned by Edward F. Judkins, which property is located in the Zara Sweet D.L.C.No.68, situated in Section 33, Township 17 South, Range 3 West, and in Sections 3 and 4, Township 18 South, Range 3 West, and in the Daniel McVey D.L.C.No.63 in Section 3, Township 18 South, Range 3 West, W. M., Lane County, Oregon, and is more particularly described on the attached sheets and designated as Parcels Nos. 1 and 2 and is further identified in the records of the Highway Commission as file R 9311, and which property is being acquired for right of way purposes in connection with the Willamette Highway;*

Real property owned by Vernon R. Olsen, et al., which property is located in the Zara Sweet D.L.C.No. 68 in Section 33, Township 17 South, Range 3 West, W. M., Lane County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 3 and is further identified in the records of the Highway Commission as file R 9424, and which property is being acquired for right of way purposes in connection with the Pacific Highway.*

2. That the Commission does hereby find and declare that each of the said described parcels of real property is necessary and acquisition of the same by the State is required for the specific purposes hereinabove set forth, and the said properties are being acquired for the express and specific purposes in this resolution set forth.

3. That the State Highway Engineer be and he hereby is instructed and directed to make or cause to be made all surveys necessary in connection with the determination, description, and acquisition of said real properties, and said Engineer is further instructed to prepare and submit to the Legal Department necessary and adequate descriptions of the said real properties, which said descriptions shall be available for the preparation of any deed or deeds or other instrument or instruments necessary to complete the acquisition of said real property or properties, whether said properties be acquired by purchase, donation, agreement, or by the exercise of the power of eminent domain.

4. That J. M. Devers, Attorney for the State Highway Commission, be and he is hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement or agreements can be reached, then it is

hereby further resolved that J. M. Devers, Attorney for the State Highway Commission, be and he hereby is requested to commence and prosecute to a final determination such suit or action, or suits or actions, as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

*(The detailed descriptions of the respective parcels of real property mentioned in this resolution are attached to the original resolution on file in the office of the State Highway Commission, Salem, being Resolution No. 24, under the heading "Real Property Condemnation Resolutions," and said descriptions by this reference are made a part of this minute entry to the same extent as if copied in full herein.)

The Commission considered and denied, as a matter of policy, a request from the Western Lane County Chamber of Commerce for authority to use certain state property situate adjacent to the Oregon Coast Highway at Florence, over which to construct a roadway leading from the highway to a tourist park in this town.

A letter was presented from Mr. Earl K. Nixon, Director of the State Department of Geology and Mineral Industries, inquiring as to the status of the agreement between the Highway Commission and the Krome Mining Corporation relative to a Port Orford Cedar State Park, in Curry County, in which the corporation desires to conduct mining operations. The Secretary was instructed to inform Mr. Nixon that this agreement has been consummated and that the corporation has paid into the state highway fund its initial payment of \$2,400; further, that the Commission has received no information whatsoever as to abandonment of the mining venture by the corporation.

The Attorney brought up for discussion a pending suit, being the case of ~~Lester~~ Wilkins versus the Highway Commission, involving real property in Gilliam County. He advised that this suit is of long standing and particularly concerns the destruction of a well. He also advised that the land on which the well is located was acquired by condemnation for use as right of way for a highway improvement and during the course of construction of the highway the well was filled in, there having been no agreement or understanding with Mr. Wilkins with respect to his continued use of the well. He gave as his opinion that the state is not liable to Mr. Wilkins in any way and recommended that the Commission stand suit notwithstanding that Mr. Wilkins is willing to accept \$150 as payment in full for his claim. The Commission decided to let the courts pass judgment in the matter.

The Commission adjourned at 4:30 p. m. and reconvened at 8:00 p. m. in Room 515, Imperial Room, Imperial Hotel, with the same persons present and participating.

The Attorney reported that, due to the closing down of construction work by reason of the War Production Board's order freezing funds, there is a dearth of projects to which to assign his right-of-way men and unless new assignments are provided in the near future it may be necessary to dispense with the services of some of these men which he is very reluctant to do, inasmuch as they are all well trained in the purchase of real properties and could not conveniently be replaced upon resumption of right-of-way buying activities. He inquired if it would be possible to select new projects at this time so as to keep the men busy. The Engineer pointed out that undoubtedly there will be a big demand for highway work as soon as the war is over, and suggested the making of surveys and the acquisition of right of way at this time for preference projects which would make it possible to retain the nucleus of the engineering and right-of-way organizations and to have the jobs ready for construction within the shortest possible time, when needed. He presented a list of projects, as follows, in this category and recommended that he be authorized to make surveys as may be necessary in connection with each, and that the right-of-way department be authorized to conduct negotiations for needed right of way:

<u>Section</u>	<u>Highway</u>
Parkrose-Troutdale-Bonneville	Columbia River
John Day River-Quinton	" "
Wolf Creek-Grave Creek	Pacific
Halsey-Harrisburg	Pacific Highway East
Kernville-Newport	Oregon Coast
Seaside-Arch Cape	" "
Milton-Washington State Line	Oregon-Washington
Malloy Ranch-Hooker Creek	I.O.N.
Judkins Point-Goshen	Willamette
Juniper Butte-Terrebonne	The Dalles-California
Crescent	The Dalles-California
Madras-Prineville	Warm Springs Secondary
Burns North	John Day-Burns
Taylor Creek West	Ochoco

After considerable discussion the Commission authorized the Engineer to conduct surveys of these projects and the Attorney to conduct right-of-way negotiations for the same. Responsibility for the selection of the projects in the order of their importance was delegated by the Commission to the Engineer personally, it being understood that the projects along the Coast would be deferred until later in the year. The Attorney was instructed to report the estimated cost to purchase the right of way needed for each project.

In this connection the Attorney requested instructions relative to the securing of options for right of way needed for the improvement of the Oregon Coast Highway through the town of Gold Beach, Curry County. The Commission, after discussion, authorized the securing of such right of way provided the state by so doing would not be obligated to spend any money at the present time for the moving of buildings or for construction, it being the

thought of the Commission that the prospects for early construction of the project are not good. The Attorney was instructed to so inform the local citizens.

The Attorney reported receipt of an offer from Mr. George Asper, Lyons, Oregon, to pay \$10 annually for a five-year lease of certain property that the Commission acquired from Marion County as a gravel pit and stock-pile site, being situate adjacent to the North Santiam Highway near Mill City and referred to as file R-6448. He advised that Mr. Asper owns the adjacent property and wishes to use the state's property for pasture purposes and has agreed to fence the same to keep out trespassers who are now using the property as a garbage dump. The Commission decided, as a matter of policy, not to lease the property to Mr. Asper. The Engineer was instructed to inspect the premises and to construct a fence around the property if, in his opinion, that is necessary in order to properly protect the same.

The Commission approved and signed an agreement with the City of Portland and the Public Market Company of Portland with respect to highway construction along Front Avenue, Portland, past the Public Market building.

The Attorney requested instructions relative to the settlement with Jurgen La Frenz for right of way needed for the Wolf Creek Highway, in Washington County. He advised that he has been unable to reach a satisfactory arrangement with Mr. La Frenz and recommended, in view of the federal government's orders closing down construction work, that further negotiations be discontinued until the property is actually needed. The Commission approved the recommendation.

A letter was presented from Harrison E. Devereaux, State Administrator, Works Projects Administration, advising that, due to inability to obtain skilled workmen, it will be necessary in the near future to close down all WPA work on the Wolf Creek Highway unless the Highway Commission is able to provide such skilled and key personnel and desires that this work be continued. The Engineer advised that the Highway Department does not have extra personnel available for this work, so many men having been inducted into the army and others having quit to obtain better-paid employment elsewhere. In view thereof, the Commission decided to discontinue this WPA work. The Engineer was instructed to convey such information to Mr. Devereaux by letter and to express the Commission's thanks for the cooperation that it has received from the WPA in the construction of the Wolf Creek and Wilson River Highways. The Engineer was also instructed to have Construction Engineer H. G. Smith inspect the Wolf Creek Highway project in company with Mr. Devereaux with a view in mind of closing down all work in connection therewith as gracefully as possible.

In this connection the Engineer advised that, as a result of closing down this project, there will be available for disposal several pieces of road-construction equipment which are of no particular value to the state. He recommended the sale of this equipment to the highest bidder for the same. The Commission approved the recommendation and authorized the Engineer to advertise the equipment for sale at the next meeting. (It was later decided to rent the equipment rather than sell it.)

The Attorney presented an offer from H. E. Weir to purchase lumber salvaged from property acquired by the Commission from Christian Ramseyer for right of way for the improvement of the Pacific Highway East south of Salem. He advised that there are about 1.33 M-FBM of lumber for which Mr. Weir has offered to pay \$10. He also stated that, since receipt of this offer, he has received another in the same amount. He recommended acceptance of the offer of Mr. Weir, the first one received, because the lumber is of no value to the state and it would cost more than \$10 to clean up the premises. The Commission approved the recommendation.

In this connection the Attorney also reported receipt of an offer from Mr. A. Schweinfurth to lease this property, which contains about 70 acres, on a yearly basis for pasture. Mr. Schweinfurth, he said, is willing to pay \$1.00 per head of stock that he runs on the property and will do the necessary spraying of the orchard on the property provided that he is allowed to have the fruit. He recalled that the Commission some time ago received an offer from Mr. Schweinfurth to lease a portion of this property at \$150 a year and agreed to construct a fence between the leased property and the right of way provided he would be allowed to remove the fence at the termination of the lease, which offer the Commission refused as a matter of policy. After discussion the Commission indicated a favorable attitude thereto and instructed the Attorney to contact Mr. Schweinfurth and ascertain whether or not his first offer is still good.

The Commission had under discussion the question of reconstructing the H. L. Claycomb property in Ashland which is necessary in order to accommodate the proposed highway improvement at the Plaza Corner in this town. The Attorney advised that the original estimated cost to remodel the structure was \$19,500; however, since this estimate was made, it has been necessary to revise it in view of rising prices so the work is now estimated to cost \$23,384 although Mr. Claycomb is ready and willing to settle on the basis of the original estimate. He suggested, in view of the fact that the highway work cannot proceed as planned because of inability to secure governmental approval of the same, that it would be best to defer such remodeling work and to let Mr. Claycomb continue to operate his business in the present building until the property is actually needed by the state. The Engineer concurred in the recommendation. After discussion the Commission approved the recommendation.

The Commission also discussed the matter of disposal of other buildings in Ashland which have to be removed to accommodate the Plaza improvement. The Attorney advised that all of the buildings affected have been purchased by the state and the question now arises whether or not the Commission wants to dispose of them at this time and clear the properties or let them remain as is until the highway improvement is undertaken. He suggested that the Commission do nothing whatsoever to the buildings until the properties are needed in connection with the highway improvement and that in the meantime the buildings be rented. The Engineer suggested that the Commission inspect the properties before taking definite action. Such suggestion was approved by the Commission, it being understood, however, that the Attorney would go to Ashland prior to the Commission's visit and make the best possible tentative arrangements for the disposal of the buildings.

The Attorney reported briefly on the form of permit required by the federal government in order to secure right of way over and across certain irrigation canals for the improvement of the Klamath Falls-Lakeview Highway near the fair grounds in Klamath County. He advised that he wrote Counsel for the Bureau of Reclamation for an interpretation of the clause which has to do with labor restrictions and hours of labor and received a reply to the effect that this particular clause simply follows the wording of the federal law and it appears to cover laborers and mechanics of the state or any contractor or subcontractor doing work for the state; further, that the work contemplated by the contract is the work to be accomplished by the state at the crossing in question and applies only to work performed within the area of the government right of way. The meaning of this interpretation, he said, is that the permit applies only to work that is done by the state in the area described in the permit, which was the point that the Commission questioned when the matter was first brought up for discussion. The Commission approved the report.

The Attorney reported on the sale of two small tracts of land on the Warm Springs Highway at the Madras Overcrossing, Jefferson County. He advised that he contacted the parties that made both offers and has received a reply from one of them, The Deschutes Grain & Feed Company, to the effect that they are still willing to pay \$50 for one of the tracts. He also said he has not as yet heard from Howard F. Turner relative to the other tract. He recommended acceptance of the offer of The Deschutes Grain & Feed Company. The Commission approved the recommendation.

The Attorney also reported on recent investigations relative to the request of Emil Henskie for fence construction along the Warm Springs Secondary Highway in front of his premises. He recalled that the Highway Commission acquired right of way at this point from Jefferson County, free of cost, and so far as the records show nothing was said at the time about constructing the fence. However, Ex-County Judge W. R. Cook, who was in office at the time, advises that the county expected the state to construct the fence in front of this property as it did along the adjoining properties and the county sold certain land to Mr. Henskie under that assumption, although there is nothing in the record as evidence to that effect. The Engineer recommended, in view of the circumstances, that the state do not build the fence. The Commission approved the recommendation.

The Commission had under discussion a request from the War Industries Company, Portland, for permission to use certain state-owned property at the intersection of Lincoln and First Streets, Portland, as a storage site in connection with its contract with the federal government for the construction of engines. The Engineer advised that the company wants to lease a 40-foot strip on the west side of the highway right of way across Block A, during the period of the present war emergency to facilitate the operations of its foundry which is located on property immediately adjacent thereto. He recommended approval of the request provided the company will pay a reasonable rental for the same inasmuch as the area cannot be used for state purposes until the war is over. The Commission approved the recommendation and ordered that the matter be discussed with the Portland city officials and a reasonable rental

figure arranged. It was decided that moneys received from the company as rentals shall be credited to the city and state on the same basis that the city and the state are paying for acquisition of right of way for the Front Avenue project; viz., 60 per cent city and 40 per cent state.

The Commission considered and approved the following county resolutions with respect to sections of old state highways that have been abandoned by the Highway Commission:

Resolution from Deschutes County with respect to the abandonment of a portion of the Century Drive Secondary Highway

Resolution from Polk County relative to the abandonment of three parcels of land within the old right of way of the Dallas-Coast Secondary State Highway, between Buell and the old Wallace Bridge, in Polk County

Resolution from Polk County with respect to the abandonment and retention of certain sections of the Dallas-Coast Secondary State Highway between engineer's stations 403+00 and 444+50, particularly between Buell and Salt Creek School

Resolution from Polk County with respect to the abandonment of a section of the old right of way of the Dallas-Coast Secondary State Highway between engineer's stations 248+60 and 253+20, near Mill Creek

Resolution from Polk County relative to the abandonment of a portion of the old right of way of the Independence Secondary State Highway between Brunks Corner and Oak Point

Resolution from Polk County retaining on the county road system the following sections of old right of way of certain secondary state highways which have been abandoned by the state: portion of the Dallas-Coast Secondary State Highway between engineer's station 437+00 and the foot of Butler Hill opposite engineer's station 403+00; portion of Dallas-Coast Secondary State Highway from its intersection with the McMinnville-Tillamook Highway to engineer's station 66+00; section of the Dallas-Coast Secondary Highway between engineer's stations 132+00 and 169+00; portion of the Brunks Corner-Independence Secondary State Highway between its intersection with the Salem-Dallas Highway and Rickreall Creek

Resolution from Polk County relative to the abandonment of a section of the Dallas-Coast Secondary Highway between engineer's stations 314+18 and 335+83

The Commission discussed and upon recommendation of the Engineer adopted the following resolution with respect to the abandonment of a portion of the Lost River Section of the Klamath Falls-Malin Highway, in Klamath County, such section being no longer of value from the state highway standpoint:

WHEREAS, in order to afford a better alignment and a more satisfactory, safe and convenient highway for the traveling public the Commission found it necessary to relocate a portion of the Klamath Falls-Malin Highway in Klamath County; and

WHEREAS, by reason of said relocation and reconstruction of said section of highway there was eliminated and made unnecessary as a part of the permanent highway a certain section, which section is more particularly defined and described hereinafter in this resolution; and

WHEREAS, it is the judgment and opinion of the Commission that there should be recorded in the minutes and records of the Commission its purpose and plan to abandon as a part of the said highway the fragment or portion of right of way heretofore designated and which was heretofore included within the area of the right of way of said highway as formerly located, but which is now without the regular limits of said highway as relocated.

NOW, THEREFORE, the premises being in general as above stated, it hereby is resolved by this Commission, all members being present and affirmatively voting, as follows:

1. That the fragment of land confined within the area hereinafter described, which fragment or parcel of real property was formerly within the limits of the right of way of the Lost River Section of the Klamath Falls-Malin Highway in Klamath County, but is no longer a part of the right of way of said highway as the same has been relocated and constructed, be and said parcel of real property is abandoned as a part of the right of way of said highway, and said parcel of land is, so far as control and supervision by this Commission is concerned, eliminated and left to revert to the adjoining and abutting property owners or to the control and supervision of the County Court of Klamath County for highway or other public purposes as the Court may determine. The fragment or parcel of land affected by this resolution is defined and described as follows, to wit:

All that certain section of the old right of way of the Lost River Section of the Klamath Falls-Malin Highway in Section 34, Township 40 South, Range 10 East and in Section 3, Township 41 South, Range 10 East, W. M., Klamath County, and lying on the westerly side of the right of way required for the reconstructed Klamath Falls-Malin Highway, the beginning and ending points with reference to the engineer's stations of the reconstructed highway being Station 818+15 on the northerly end and Station 42+20 on the southerly end.

The location of said abandoned right of way may be more definitely and particularly ascertained and determined by reference

to a map or blueprint marked Exhibit A attached hereto and by this reference made a part hereof, which said exhibit for identification purposes bears the signatures of W. E. Chandler, Division Engineer, H. G. Smith, Construction Engineer, and R. H. Baldock, State Highway Engineer, and is dated April 21, 1942, upon which map or exhibit is reflected the above described parcel of land by showing the same shaded in red.*

2. In the event there remains any physical connection between any portion of said abandoned right of way or highway and the present highway, and by reason of such physical connection traffic from the existing highway may enter or use the said abandoned right of way or highway to the possible damage or injury of such traffic by reason of any unsafe condition existing with respect to said old or abandoned road, then the State Highway Engineer is hereby authorized and directed to erect such barricade or other safeguards as may be necessary to protect and safeguard traffic using and employing said newly located, constructed and dedicated section of said highway.

3. That this resolution be entered in the minutes and records of the Commission and a certified copy thereof promptly delivered to the County Court of Klamath County, together with a copy of said exhibit or map, for such action as said County Court may desire to take with respect to the fragment of land to be abandoned, and should said abandoned section of the right of way of said Klamath Falls-Malin Highway be further employed for public or private highway purposes such use shall be entirely under the control and supervision of the County Court of Klamath County and beyond any responsibility or supervision by the State Highway Commission.

The Commission had under discussion the setting of a date for a special meeting of the Commission to receive bids for the sale of buildings that are to be removed from new right of way acquired at Medford. It was decided definitely to hold such meeting in Portland on Thursday, May 7, commencing at 10:00 a. m. The Secretary was instructed to arrange to hold this meeting in the Imperial Hotel, if possible. Commissioner Clough expressed doubt that he could attend this meeting, whereupon Chairman Cabell was authorized to conduct the meeting and to act for the Commission in the disposal of the building matters that would come up at that time, including the question of rental of buildings in North Bend.

Chairman Cabell reported receipt of information to the effect that the Ross Motor Building, which is located near the highway department's maintenance site at Multnomah Station, is for sale and the suggestion has been

*Map filed Right of Way Abandonment and Retention File - No. 103.

offered that it would make a good building for highway maintenance forces operating in that vicinity, if additional building facilities are needed. The Engineer was instructed to investigate the matter.

Chairman Cabell also brought up for discussion the matter of purchase of the Moser gravel pit on Grave Creek, in Josephine County, concerning which a controversy exists as to the amount that the state should pay for this property. It appears that Mr. Moser is demanding an exorbitant sum. The Commission indicated that it would condemn the property, if necessary, but deferred a definite decision in regard thereto, pending further consultation with Neil Allen who is Mr. Moser's attorney. The Attorney was instructed to discuss the matter personally with Mr. Allen.

The Engineer reported on the cost to maintain the Independence-Wells-Granger County Road, in Polk and Benton Counties, particularly between Independence and Camp Adair. He estimated that it would cost about \$20,500 to repair the road, including reinforcement of two bridges, and to maintain it for the remainder of the year. He recommended that the Commission assume this responsibility in view of the large volume of traffic the road carries. After discussion the Commission approved the recommendation and thereupon signed an agreement with the Polk and Benton County Courts relative thereto.

Consideration was given by the Commission to a request from the United States War Department for the closing of a section of the Sams Valley Secondary Highway, in Jackson County, as an accommodation to the Medford Army Cantonment known as Camp White. The Engineer advised that, in his estimation, the Commission has no alternative but to approve the Army's request; further, that arrangements have been made for the detouring of traffic during the time that the road is closed. The Commission approved the request and thereupon adopted the following resolution relative thereto on the condition that the same meets with the approval of Jackson County Court:

WHEREAS, the United States War Department has established for the purpose of national defense an area to be known as Camp White Military Cantonment; and

WHEREAS, a section of the Sams Valley Secondary State Highway in Jackson County is within or passes through the said military cantonment, and the War Department for the protection and safety of the general public and for convenience and the efficient use of said army cantonment has requested that a certain section of said secondary highway be closed to public traffic; and

WHEREAS, it appears that the use by the War Department of the area within the army cantonment for the purpose for which the same has been established will create a hazard to members of the public traveling said section of said highway and that the use of said highway by the traveling public will interfere with the efficient and proper use of the cantonment area; and

WHEREAS, it appears to the Highway Commission to be in the best interests of the general public to grant the request of the United States War Department and close for the duration said section of said secondary highway.

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the Oregon State Highway Commission as follows:

1. That the Commission does hereby declare its purpose to cooperate with the United States Government in every plan for and in every effort made toward national defense in so far as the Commission may do consistent with the best interests of the State and the Commission's fixed authority.

2. That the section of the Sams Valley Secondary Highway in Jackson County defined as:

"Beginning at a road intersection at mile point 8.98 easterly from Gold Hill, and extending easterly and north-easterly to mile point 15.35 approximately one-half mile west of Dodge Bridge over the Rogue River, which point is also approximately 1.9 miles westerly from the Crater Lake Highway, being a distance of 6.37 miles,"

shall be and said section of said secondary highway hereby is closed to public traffic from the date of June 30, 1942, for the duration; provided, however, that upon advice in writing by the proper officer in charge of said cantonment that the closing of said section of said highway to public traffic is no longer in the interests of the United States War Department, then said section of said secondary highway shall be by resolution of this Commission declared open again for public traffic.

3. That the War Department representatives in charge of said army cantonment are hereby authorized and required to erect and maintain proper and appropriate barricades at the termini of said section of said road and in addition thereto such signs as may be necessary to adequately and effectively warn and inform the traveling public.

4. That other than the adoption of this resolution the Highway Commission shall be under no obligation to barricade the said section of said highway at either of the points of entrance to said cantonment, and the delivery of a certified copy of this resolution to Major Theron W. Bean, Quartermaster Corps, Construction Division, United States Army, Camp White Military Cantonment, Medford, Oregon, shall constitute the Commission's full responsibility with respect to the closing of said road as between this Commission and the United States War Department.

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5. It is urgently recommended that entrance to said army cantonment over any other road, county or otherwise, be adequately barricaded against traffic for the duration.

6. That the Secretary of the Commission be and he hereby is instructed to deliver by mail to Major Theron W. Bean a certified copy of this resolution, and request from him an acknowledgement of its receipt and acceptance.

Reconsideration was given by the Commission to the question whether or not to pay the federal tax that is being charged by power companies in connection with payments to them for service rendered. A tabulation was presented showing the amounts that have been paid during the year 1941 to the several power companies throughout the state, aggregating \$28,333.28. The Commission considered it inadvisable to withhold payments of accounts as they become due for such service, and accordingly authorized the release of the warrants, subject to the condition, however, that each company be informed that the Commission is paying the federal tax in connection therewith under protest.

Reconsideration was also given by the Commission to the matter of contributing funds this year in connection with the KOAC "Oregon on Parade" program as has been done the past two years. In this connection a report was presented from Ben E. Titus, Acting Director of the Travel and Information Department, giving as his thought, in view of the present war emergency, that the college's radio program would be of greater value to the state this year than in the past, and recommending an appropriation for this purpose. The Engineer concurred in the recommendation, whereupon the Commission, by unanimous vote, approved an expenditure of \$1,500 to assist in this undertaking.

The Commission considered and ordered filed a letter from Thomas H. MacDonald, Commissioner, Public Roads Administration, Washington, D. C., relative to the availability of 1941 federal aid funds, in which Mr. MacDonald advises that such funds would normally remain available for expenditure until June 30, 1942, but under the provisions of Section 5 of the Defense Act of 1941 such period of availability has been extended to June 30, 1943, in view of which any 1941 funds remaining unobligated on June 30, 1942, will not lapse.

The Engineer brought up for discussion matters pertaining to the highway department's finances (see Engineer's letter directed to Oregon State Highway Commission, dated March 31, 1942, in general files) and in connection therewith presented a statement, as follows, showing the status of projects that have been tentatively approved for construction this year:

<u>Project</u>	<u>Federal Funds</u>	<u>Total Estimate</u>	<u>Status</u>
1943 F. A. Projects (Fed. funds available \$810,000)*			
Boardman-Umatilla County Line	\$ 115,000	\$ 143,000	Contracted
Horrow County Line-Stanfield	103,000	128,900	"
Harrisburg Bridge	90,000	112,800	"
Blodgett Overcrossing	11,400	14,300	"
Goshen-Pleasant Hill, Bridges	42,400	53,000	Advertised
" " " Grad. & Pav.	204,600	263,000	"
Eugene-Judkins Pt., Grad. & Pav.	176,000	220,000	Approved
North Dillard Bridge	136,000	170,000	"
Pudding River Bridge	92,000	115,000	No Action
Troutdale-Bridal Veil, Dredging	352,000	440,000	"
Troutdale-Corbett, Grading	152,000	190,000	Rejected
Ashland Project	28,000	35,000	"
	<u>\$1,502,400</u>	<u>\$1,885,000</u>	

Strategic Network Projects (Fed. funds available \$412,000)

Grave Creek-Jumpoff Joe Crk., Surf.	\$ 130,000	\$ 162,600	Contracted
North Bend-Marshfield	248,000	310,000	No Action
Parkrose Project	36,000	9,000	Rejected
Grave Creek-Smith Hill	132,000	165,000	"
	<u>\$ 546,000</u>	<u>\$ 646,600</u>	

1943 Grade Crossing Projects (Fed. funds available \$230,000)

Eugene Project	<u>\$ 230,000</u>	<u>\$ 230,000</u>	Approved
	<u>\$ 230,000</u>	<u>\$ 230,000</u>	

1941 Grade Crossing Projects (Fed. funds available \$61,000)

Eugene Project	\$ 50,000	\$ 50,000	Approved
Grants Pass, Ry. Signals	6,000	6,000	"
Reedsport, " "	2,500	2,500	"
Sheridan, " "	2,500	2,500	No Action
Troutdale Overcrossing	150,000	150,000	Rejected
	<u>\$ 211,000</u>	<u>\$ 211,000</u>	

* Total of 1943 federal funds is \$1,650,000, but of this amount, \$840,000 can be taken up by increased federal participation on previously contracted projects.

<u>Project</u>	<u>Federal Funds</u>	<u>Total Estimate</u>	<u>Status</u>
<u>1941 F.A.S. Projects</u>			
Cape Blanco Project	\$ 12,600	\$ 21,000	No Action
	\$ 12,600	\$ 21,000	
<u>Access Road Projects</u>			
Tongue Point Project	\$ 162,500	\$ 222,500	Contracted
Umatilla Ordnance Depot Project	45,300	45,300	"
Hermiston Bridge	2,300	2,300	"
Portland Air Base	7,800	7,800	"
Antelope Crk.-Medford, N. Unit	309,000	344,000	"
" " " , Sect. A, S. Unit	278,000	278,000	"
" " " , Sect. B, S. Unit	37,000	137,000	"
" " " , Structures	22,500	22,500	"
Corvallis-Monmouth, 6 Contracts	915,000	1,015,000	Advertised
Luckiamute River Bridge	20,000	20,000	Approved
North Portland Shipyard Project	203,000	203,000	Advertised
Swan Island Shipyard Project	150,000	150,000	Approved
	\$2,152,400	\$2,447,400	
<u>1942 State Projects</u>			
Burgard Street Paving (2nd Contract)	\$ - -	\$ 20,200	Contracted
Wells Road-Granger	- -	109,900	"
12th Street, Salem (Repair Job)	- -	25,000	Advertised
	\$ - -	\$ 155,100	

It appeared to the Commission that some of the federal aid projects listed may have to be withdrawn from the program because of inability to secure army approval or to make a saving of funds. The Commission decided not to delete any of the projects unless army approval cannot be obtained or unless it becomes necessary to do so in order to make a definite saving of funds. The Engineer was instructed to discuss the matter further with T. M. Davis, Senior Highway Engineer, Public Roads Administration, with a view in mind of rearranging the program, if necessary, in order to effect the greatest possible savings.

The Commission had under consideration the approval of a program for federal forest highway funds for the fiscal year ending June 30, 1943, amounting to \$109,800, of which amount \$45,000 is recommended for improvement of drainage and correction of slide conditions on the Santiam Highway, the balance for administration, surveys, and plans. The following program letter relative thereto was approved and signed by the Commission:

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Chief, Forest Service
Commissioner, Public Roads Administration
Washington, D. C.

April 22, 1942

Gentlemen:

In accordance with the regulations for carrying out the provisions of Sec. 23 of the Federal Highway Act, it is recommended that the following estimated expenditures for the Fiscal Year ending June 30, 1943, be authorized out of available Forest Highway funds for the State of Oregon.

Administration	\$49,800
Surveys & Plans	15,000
Emergency Post Const. (Slide Correction)	
SN 23-K4, L3, Santiam Hwy. .7 mi.	<u>45,000</u>
TOTAL	\$109,800

These expenditures are for necessary administration of incomplected major construction projects, emergency post construction, preparation of P.S. & E. on approved routes and discharging the maintenance obligations of the Federal Government on completed projects.

Proj. SN 23-K4, L3, Santiam Highway, Slide Correction, involves the drainage and correction of several serious slides on Sections K and L which have occurred within the last year. There is approximately 0.7 of a mile of the highway affected by the slides, and an estimated amount of \$45,000 will be required to drain and correct the conditions. Repair and reconstruction of the roadway are contemplated under future projects.

A letter was presented from W. H. Lynch, District Engineer, Public Roads Administration, advising receipt of advice that the War Department has recommended disapproval of the Grants Pass-Roseburg Project on the Pacific Highway and two sections of the Columbia River Highway Project, between Troutdale and Corbett, as they are not considered by the Army authorities indispensable to the war effort. The Engineer was instructed to bring this information to the attention of R. E. Koozer, President of the Oregon Pacific Highway Association, and Charles H. Reynolds, President of the Oregon Trail Association, which groups are particularly interested in these projects.

The Attorney requested instructions relative to the renewal of the insurance in connection with the Commission's agreement with the O.W.R. & N.

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Company and the Union Pacific Railroad Company covering snow removal operations in the Columbia Gorge. He advised that the present policy expires on October 1, 1942, and that the matter comes up at this time because Underwriters at Lloyd's London, the only company which is in position to write a satisfactory policy covering such operations, has offered to rewrite the insurance at this time on a three-year basis at a reduced premium, in view of the Commission's experience rating, and will allow a credit for the unused portion of the premium paid for the old policy. In order to secure such concession, he said, it is necessary to file a certificate with the State Insurance Commissioner. The Commission considered it advisable to take advantage of this offer, and thereupon approved the securing of the new policy.

The Commission also discussed the matter of placing the State Highway Engineer's bond for the fiscal year commencing June 15, 1942, in the amount of \$200,000. The question arose whether to give this business to the several companies that enjoyed it the past year or to conduct a drawing to determine to whom the business should be given. A decision in the matter was deferred by the Commission until the next meeting. The Secretary was instructed in the meantime to secure suggestions from the State Insurance Commissioner.

A resolution was presented from the Salem City Council requesting the widening of South Twelfth Street between the first alley south of Ferry Street and Mill Street in connection with the resurfacing work on Twelfth Street which the Commission proposes to do this year, such widening work being necessary in order to eliminate a jog in the street alignment. The Commission denied the request.

Reconsideration was given by the Commission to the adoption of a permanent route for the Pacific Highway West between Monmouth and Corvallis. Chairman Cabell stated that he favored the adoption of the plan previously recommended by the Engineer at this meeting. Commissioner Clough also stated his preference for such line. The following resolution relative thereto was thereupon adopted by the Commission by unanimous vote:

WHEREAS, the United States has selected a site upon which to construct an army cantonment to be known as Camp Adair and is now engaged in the construction and development of the same; and

WHEREAS, the development of said camp and thereafter the use of the same by the United States War Department will impose on the Pacific Highway West between Monmouth and Corvallis a volume and kind of motor traffic which because of the width of surface and the numerous curves which characterize said highway render the same inadequate for Army transport purposes and civilian uses; and

WHEREAS, said highway between said termini cannot be properly improved on the present alignment and location, and therefore the Highway Commission has found it necessary and advisable after careful surveys and studies to relocate said highway in places between said termini; and

WHEREAS, the Commission's Chief Engineer, pursuant to instructions given by the Commission, has made necessary surveys to determine the best and most feasible route between said termini and has filed with the Commission the field notes and other engineering data with respect to each of said surveys; and

WHEREAS, the Commission's Chief Engineer has recommended the adoption of the route referred to among the several surveys as the most easterly route.

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the Commission, all members being present and affirmatively voting, as follows:

1. That the location and route of the Pacific Highway West between Monmouth and Corvallis shall be relocated and constructed along the alignment hereinafter expressly defined.

2. That the route, location and alignment described as

Beginning at the intersection of North Ninth Street with Harrison Street in the City of Corvallis, which intersection is also a point on the Pacific Highway West; thence northerly along North Ninth Street to the north city limits of Corvallis, and continuing northerly following approximately the present constructed route of the Pacific Highway West to a point approximately two miles north of the Benton-Polk County Line in the north half of Section 31, Township 9 South, Range 4 West, W. M.; thence continuing in a northerly direction, on the easterly side of and approximately one-half mile distant from the present highway, to the junction with the Monmouth-Independence Highway near the intersection of East Street with Main Street in the Town of Monmouth, said intersection being in the Southeast quarter of the Northwest quarter of Section 30, Township 8 South, Range 4 West, W. M.,

shall be and the same hereby is designated and adopted as the route, location and alignment of the Pacific Highway West between Monmouth and Corvallis.

3. That the field notes, records and other engineering data developed and assembled by the Chief Engineer in connection with the survey made for the purpose of determining said route and location be and the same hereby are adopted as the field notes, data and survey of the said newly established route and location, and said data, field notes and other information shall be filed in the office of the Highway Commission at Salem, Oregon.

4. That if and when the said highway is reconstructed between Monmouth and Corvallis such construction shall follow the said route and location hereby adopted.

5. That until a highway along said newly adopted alignment, route and location is constructed and made available to the general public, the existing section of the Pacific Highway West between Monmouth and Corvallis shall continue to be the route of the Pacific Highway West between said termini.

The Secretary presented a petition signed by numerous residents of Sweet Home requesting the widening of two cuts on the Santiam Highway about one mile east of Sweet Home so as to provide greater safety to school children who are obliged to walk on the highway in attending the schools in Sweet Home. The Engineer estimated that it would cost about \$2,300 to do such widening work. The Commission denied the request on account of the expense involved.

The Commission discussed briefly matters pertaining to the construction of the Sprague River County Road in Klamath County and decided not to undertake this project at the present time in view of the war emergency.

Consideration was given by the Commission to a request from Earl C. Reynolds, Secretary of the Klamath County Chamber of Commerce, and Brady Marey, Klamath Falls, for the construction of guard fence along The Dalles-California Highway between Midland and Worden where the highway follows along an irrigation ditch for about five miles and where it is alleged numerous accidents occur. The Engineer advised that it would cost about \$26,000 to construct such guard fence and that he has informed Mr. Reynolds that he could not recommend this expenditure in view of the shortage of highway funds, and for the further reason that this condition has existed for many years during which the number of accidents that have occurred as compared to the total volume of traffic that uses the road is not excessive. The Commission approved the Engineer's report.

The Commission discussed and denied a request from the Weston Chamber of Commerce for the improvement of a five-mile section of the Weston-Elgin Secondary State Highway between McDougall and Weston because of lack of funds with which to finance the work and the freezing of funds by the War Production Board. The Commission ordered that hereafter requests for highway improvements costing in excess of \$5,000 be given a stock answer; viz., that the war situation has stopped all new construction work costing in excess of \$5,000 except those that are approved by the Army or Navy authorities as essential to the war efforts.

A letter was presented from C. H. Watsek, President of the Roaring River Logging Company, requesting the improvement of a three-mile section of the Albany-Lyons Secondary Highway south from the town of Scio to facilitate logging operations and suggesting, if the State Highway Commission cannot see its way clear to make such improvement, that it might take over as a temporary secondary highway route, the Richardson Gap county road, most of which, he said, is in pretty fair condition. This road extends southerly from the Albany-Lyons Secondary Highway for about three miles, commencing at a point about two miles east of Scio and then turns west to a connection with the

Albany-Lyons Secondary Highway about three miles south of Scio. The Engineer advised that to improve the secondary highway south of Scio is quite an expensive proposition and in his estimation the work could not be undertaken at this time in view of the Army regulations. He questioned the advisability of rerouting the highway through Richardson Gap because the highway is now properly routed through the town of Scio which is the trading center of this district. The Commission decided not to place the Richardson Gap route on the state secondary system; however, instructed the Engineer to arrange with Mr. Watsek for a joint inspection of the present route, and to maintain this route in the best possible condition under existing circumstances.

The matter of renewing the center stripe on state highways was discussed by the Commission. It was pointed out that the purchase of traffic paint is becoming increasingly difficult on account of war conditions and a considerable saving in paint might be effected if the stripe were painted in dashes rather than in a continuous line as is now being done. The Commission decided to try out such method on one of the secondary highways to see how it works. The Engineer was thereupon instructed to make over one of the paint-stripping machines for such experiment.

The Engineer reported the award of the following contracts as previously authorized by the Commission, the conditions of the awards having been satisfied:

Grading and paving Section "A" of the South Unit, Antelope Creek-Medford Section of the Crater Lake Highway, in Jackson County. Bids taken April 2; contract awarded April 3, 1942, to Berke Brothers, low bidders;

Grading and paving Section "B" of the South Unit, Antelope Creek-Medford Section of the Crater Lake and Pacific Highways, in Jackson County. Bids taken April 2; contract awarded April 3, 1942, to Jacobsen-Jensen Company, low bidder;

Structures on the South Unit, Antelope Creek-Medford Section of the Crater Lake and Pacific Highways, in Jackson County. Bids taken April 2; contract awarded April 3, 1942, to Tru-Mix Concrete Company, low bidder;

Surfacing and bituminous macadam construction on the Grave Creek-Jumpoff Joe Creek Section of the Pacific Highway, in Josephine County. Bids taken March 19; contract awarded April 14, 1942, to McNutt Brothers, low bidders.

The Commission confirmed such awards as reported.

The matter of prohibiting bonfires and fireworks on the ocean beaches during hours of darkness was discussed by the Commission. It was decided that such activities should not be permitted during the present war emergency. The following resolution in regard thereto was adopted by the Commission by unanimous vote:

WHEREAS, the shore of the Pacific Ocean between ordinary high tide and extreme low tide and from the Columbia River on the north to the Oregon and California State Line on the south, excepting such portion or portions of such shore as may have heretofore been disposed of by the State, has been declared by the provisions of Section 100-1001, O.C.L.A., to be a public highway and by said law it is provided that said highway shall forever remain open as such to the public; and

WHEREAS, by the provisions of Section 100-1005, O.C.L.A., the rules of the road and regulations governing motor vehicles have been extended to and made applicable to that part of the shore of the ocean which has been by law declared to be a public highway; and

WHEREAS, the promiscuous building of bonfires on the shore of the ocean interferes with defense measures and regulations, thereby necessitating some regulatory measures, to the end that the value of necessary safeguards imposed by the Federal Government may not be dissipated.

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED BY THE COMMISSION as follows:

1. That no bonfire shall be started on the shore of the ocean after the hours of darkness nor shall any bonfire started during daylight hours be left burning after the hours of darkness.
2. Any and all persons who may start or keep burning a bonfire on the shore of the ocean shall be responsible for and shall be required to extinguish same before the hours of darkness.
3. The use on the shore of the ocean of fireworks and any other article or thing likely to produce a flare, fire or light hereby is prohibited during the hours of darkness.
4. Copies of this resolution and regulation shall be posted at conspicuous places along the various parts of the shore of the ocean where people are accustomed to congregate and the State Highway Engineer hereby is instructed to take the necessary steps and do the necessary things to carry this provision into effect, and the newspapers throughout the State shall be requested to give due publicity to this rule and regulation of the Commission.
5. Any persons knowing of a violation of this rule or regulation are earnestly requested to report the same to the nearest state highway employe or to the nearest member of the State Police force, or if there be no such employe or officer available, then by letter to the State Highway Commission.

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6. This rule and regulation is promoted by the Highway Commission for the protection not only of individuals along the coast but in an effort to cooperate with the Government officials as a part of defense measures and activities.

7. The Commission is confident that complete and wholehearted cooperation as a patriotic duty will be given by all in this effort to help the Federal Government.

8. This resolution shall be entered in the minutes and records of the Commission and the Secretary is instructed to deliver a duly certified copy thereof to Lieutenant General J. L. DeWitt, Commanding General, Western Defense Command and Fourth Army.

9. This ruling and regulation shall be in full force and effect for the duration of the present war emergency.

The Commission discussed a letter from Mr. J. Arthur Berg, Attorney, Coquille, directed to Governor Charles A. Sprague, suggesting the relaxation of the weight regulations which now control logging operations over state highways so as to facilitate moving of logs to the mills and the filling of defense orders for lumber. The Commission decided not to change the regulations as that could not be done without overstressing highways and bridges.

In this connection the Engineer recommended the moving of the truck scales which have been installed on the Santiam Highway just east of Sweet Home. The scales as previously located, he said, appear to be on the wrong place and many of the log haulers are required to drive their trucks a considerable distance out of their way in order to be weighed, whereas, if the scales were relocated at the top of the hill about four-tenths of a mile west of Foster Bridge such condition would not obtain. The Commission authorized the moving of the scales and ordered that, until the scales are moved, weighmasters discontinue weighing trucks that are obliged to travel the extra distance to the present scale site. The weights of such loads are to be determined by inspection.

The Engineer reported on the complaint that log haulers are being unnecessarily delayed by weighmasters at the scales located at Skipanon, Clatsop County. He advised that Chief Weighmaster Loran L. Spaulding recently spent three days at these scales and observed that when trucks are running normally they are held up only a very short time by the weighing process; furthermore, even when the loads bunch up, there is no appreciable delay in the weighing and everything possible is being done to expedite the logging movements, all of which indicates that the allegations are untrue. The Commission approved the report.

The question whether or not to require logging operators to deposit with the Commission a surety bond or certified check when their operations are

simply across a state highway and not along the highway was discussed by the Commission. The Commission decided not to demand such deposit although the operators shall be required to furnish public liability and property damage insurance in the amounts required by the Public Utilities Commission, as a public protection. The Engineer was instructed to carefully watch the highway at such points and, if he finds that the highway is being excessively damaged, to bill the logging operator for the cost of the repairs.

The Engineer brought up for discussion the penalty to be imposed on log haulers who are operating under the new law which allows 68,000 pounds gross load and who, upon having loads weighed, are found to be transporting loads in excess of 68,000 pounds but under 71,400 pounds, which is the five per cent tolerance allowed by the Commission. He advised that, under present ruling, PUC plates are not requested if the gross load does not exceed 71,400 pounds; however, citations are made to the Justices of the Peace for all gross loads in excess of 68,000 pounds. He recommended that these cases be not cited to the Justices if the overload is within the five per cent tolerance allowed by the Commission or unless the gross load exceeds by more than ten per cent the allowable gross load as determined by formula. The Commission approved the recommendation.

The Secretary requested instructions as to the penalty to be imposed on log haulers for a fourth offense for overloading. The Commission decided that the penalty for the fourth offense shall be the same as for the first three offenses, which is four days' suspension of the permit under which they are operating. However, upon commitment of the fourth offense the operator is to be notified by letter that his permit will be cancelled in the event of a further violation.

Reconsideration was given by the Commission to the matter of maintaining the Gales Creek Road, in Washington County, as a temporary state highway pending completion of the Wilson River Highway between Washburn and North Plains. The Commission voted unanimously to assume jurisdiction over this road during such period and thereupon signed an agreement with the Washington County Court pertaining thereto. (See agreement for details)

The Commission considered and ordered filed the following communications:

Circular from W. C. Markham, Secretary, American Association of State Highway Officials, re Senate Resolution 2208 covering emergency powers of Interstate Commerce Commission over motor and water carriers.

Article from Engineering News-Record re "Construction Machinery Purchases to be Placed on A-1 Priority Basis by WPB."

Resolution from City Council, Oakland, California, suggesting that the Pacific Highway be renamed MacArthur Boulevard in honor of General Douglas A. MacArthur.

Request of Professor Alfred Jensen, Engineering Department, University of Washington, for permission to take pictures of bridges, dams and other structures along Oregon highways.

A letter was presented from Honorable Clinton Hurd, County Judge, Lane County, transmitting a letter from Elisha Large, Mayor of Eugene, in which Mayor Large advises that the Eugene City Council has designated the alley east of High Street, between Sixth and Eighth Streets, as a one-way alley for the purpose of relieving traffic congestion on High Street when the canning season opens at the Eugene Fruit Growers Association. In view of this information the Commission decided to proceed with the reconstruction of the Sixth Avenue-High Street intersection in conformity with plans previously approved. The Engineer was thereupon authorized to spend an amount not to exceed \$5,000 for such purpose.

The Commission considered the following requests for extensions of time within which to complete highway construction contracts:

F. C. Feldschau and Son, contract No. 2371, for the Tillamook Rock Production Project on the Oregon Coast and Wilson River Highways, in Tillamook County, requested an extension of time, from June 1, 1941, to January 10, 1942, within which to complete this job. They alleged that the original contract was completed within the specified time limit but they were required to furnish additional materials from time to time which work was paid for as a contract item. The Engineer advised that the reason given by the contractor for overrun of the time limit in connection with this contract is correct and recommended in view thereof that the extension of time requested be granted without penalty. The Commission approved the recommendation.

Frank Watt Construction Company, contract No. 2494, for construction of a bridge over the North Fork of the Necanicum River on the Wolf Creek Highway, in Clatsop County, requested an extension of time, from January 31 to April 7, 1942, within which to complete this job. It alleged that its failure to complete the project within the specified time limit was due to difficulties in securing steel and in obtaining trucks to haul away the old bridge and clean up the site. The Engineer advised that the reasons given by the contractor for failure to complete the project within the specified time limit are correct, further, that highway traffic has not been interfered with nor inconvenienced on account of the delay in completion of the job, neither has the state incurred any extra expense for engineering supervision. In view thereof, he recommended that the extension of time requested be granted without penalty. The Commission approved the recommendation.

J. F. Johnston, contract No. 2525, for construction of a bridge over the Rogue River on the Salmon River Highway near Grand Ronde, Polk County, requested an extension of time, from January 31 to April 30, 1942, within which to complete this job. He attributed

his failure to complete the project within the specified time limit to inability to secure delivery of steel. The Engineer advised that the reason given by the contractor for failure to complete the project within the specified time limit is correct. He recommended that the extension of time requested be granted without penalty. The Commission approved the recommendation.

The Engineer reported that contracts Nos. 2494, 2540, 2546, 2558, and 2562, for the construction of state highway projects, have been completed according to the requirements of the contracts or modifications thereof, and that said jobs are now ready for acceptance. The following resolution accepting the above projects was offered and was adopted by the unanimous vote of the Commission:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts and said jobs are now ready for acceptance:

Contract No. 2494, with Frank Watt Construction Company, for construction of a bridge over the North Fork Necanicum River on the Wolf Creek Highway, in Clatsop County. Completed April 6, 1942.

Contract No. 2540, with Blair T. Alderman, for roadside improvement on the Tigard Section of the Pacific Highway West, in Washington County. Completed April 1, 1942.

Contract No. 2546, with A. H. Saxton & Son, for the Halsey Rock Production Project on the Pacific Highway East and Halsey-Sweet Home Secondary State Highway, in Linn County. Completed April 1, 1942.

Contract No. 2558, with A. T. Fox, for construction of a shed for storage of highway maintenance equipment at Alsea, in Benton County. Completed April 6, 1942.

Contract No. 2562, with A. T. Fox, for construction of a shed for storage of highway maintenance equipment at Tillamook, in Tillamook County. Completed April 20, 1942.

THEREFORE, BE IT RESOLVED that the work covered by said state highway contracts for the construction of said state highway projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

The Commission considered and signed agreements, et cetera, as follows:

Agreement with Washington County relative to maintenance of the Gales Creek Road.

Agreement with the City of Portland relative to the construction and maintenance of a portion of North Burgard Street.

Agreement with W. W. Harris covering hauling of logs across Van Duser Corridor adjacent to the Salmon River Highway.

Agreement with the City of Portland and the Public Market Building Company relative to the construction of the Front Avenue Project in front of the Public Market Building.

Agreement with the City of Hermiston relative to the maintenance of a city street that is not on a state highway route.

Agreement with J. L. Wooden renewing the lease of property used as a highway maintenance headquarters in the town of Clatskanie.

Agreement with Eugene F. Hug, Sr., renewing the lease of property used as a maintenance headquarters site in the city of Elgin.

Agreement with Hunt Livestock Company relative to the lease of a maintenance headquarters site at Maupin.

Agreement with W. G. Hellier covering the sale of mineral deposits on Port Orford Cedar State Park, in Curry County.

Agreement with Benton County, Polk County, and the City of Independence relative to the maintenance of the Independence-Wells-Granger County Road.

Easement granting to one Emil Duyck right and permission to enter upon certain state property adjacent to the Wolf Creek Highway in order to repair and maintain two drainage ditches located thereon.

Bargain and sale deed conveying unto Norman F. Berg, et al, 1.03 acres of land in Columbia County. Real property files 8963 and 9862-A.

Bargain and sale deed conveying unto J. B. Johnson property situate in Lots 2, 3 and 4, Block 32, Coos Bay Plat "B" Addition to North Bend, Coos County, being real property files 9522 and 9556.

Quitclaim deed conveying unto Vincent L. Moore 0.047 acre of land situate in the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 8, Township 11 South, Range 10, West, W. M., near Toledo, in Lincoln County.

The Commission discussed the setting of a date for its next regular meeting and decided to hold such meeting in Portland on Thursday, June 4, 1942, and to hold an interim meeting at a convenient date to be set later. (Special meeting held on May 7 in Portland. Interim meeting held on May 19 enroute Marshfield to Ashland.)

There being no further business to come before the Commission at this time the meeting adjourned at 10:30 p. m.

Proctor
State Highway Engineer

Henry F. Cabell
Chairman

H. B. Claisyer
Secretary

Huron W. Clough
Commissioner

Portland, Oregon, May 7, 1942

The State Highway Commission met in special session at 10:00 a. m. in Room 515, Imperial Room, of the Imperial Hotel. Present were:

Henry F. Cabell, Chairman
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Claisyer, Secretary

Commissioners Huron W. Clough and Herman Oliver were excused from attending this meeting, having previously authorized Chairman Cabell to act for them in the disposal of building matters at Eugene, North Bend, and Medford.

Bids, as follows, for the purchase of buildings and a tract of land at Medford were opened and read in conformance with previously published notice:

Building No. 10145 (Former owner Medford Corporation)

No Bids Received

Building No. 10082 (Former owner J. E. Sollis)

F. A. Spitsmiller	\$150.00
Kenneth Dodd	102.00
Allen M. Clark, Medford	80.00
Tru-Mix Concrete Company	25.00

Building No. 10067-A (Former owner C. M. Parker)

J. S. Lydiard	\$75.00
Herbert Hartle	50.00
Kenneth Dodd	31.00
Tru-Mix Concrete Company	25.00

Building No. 10067-B (Former owner C. M. Parker)

Tru-Mix Concrete Company	\$25.00
Kenneth Dodd	21.00

Tract of Land (Former owner J. E. Sollis)

Herbert Hartle	\$200.00
Tru-Mix Concrete Company	125.00
J. S. Lydiard	75.00

The bids received were given very careful consideration. All were rejected except that submitted for Building No. 10067-A, formerly owned by C. M. Parker, which building was sold to J. S. Lydiard, Medford, the high bidder, at his offer of \$75.00.

Mr. Kenneth Dodd of Eugene, one of the bidders, was present and discussed matters pertaining to his bids, particularly that in connection with Building No. 10067-B, formerly owned by C. M. Parker. Mr. Dodd's offer was \$21.00 for this building but he qualified it by stating that he would not accept it alone. Mr. Dodd requested a few days time within which to discuss the bid with his partner as there is a possibility that they will make a higher offer. The request was granted.

The Attorney advised that Berke Brothers, contractors, are interested in the purchase of Building No. 10082, formerly owned by J. E. Sollis, and the tract of land on which the house is situate, in fact have offered, orally, to pay \$1,500 for this property. He was instructed by Chairman Cabell to contact Berke Brothers and ascertain if they still want this property. He was authorized to sell it to them for \$1,500 if they want it.

In regard to Building No. 10145, formerly owned by the Medford Corporation, on which no bids were received, Chairman Cabell decided that this building should be wrecked by the state's contractor as part of the highway project in Medford.

Consideration, as follows, was next given to the bids received by the Commission on April 30 for the purchase of buildings at Eugene and North Bend, action on which was deferred by the Commission at that time:

The matter of sale of Building No. 8787, in Eugene, formerly owned by Albert Larsen, was discussed with Mr. Dodd who submitted the only bid therefor at \$25.00. The Commission rejected this bid,

whereupon Mr. Dodd made an oral offer of \$40.00 for the same. The Attorney reported receipt of an oral offer of \$75.00 from Mr. Larsen, the former owner of the building, and recommended acceptance of such offer in the event that Mr. Larson is still willing to pay that much for it. Chairman Cabell approved the recommendation; however, authorized the sale of the building to Mr. Dodd at \$40.00 in the event that Mr. Larsen does not want it.

The following action was taken on the bids received for the purchase of the buildings in North Bend:

All bids received for the purchase of Building No. 9532, formerly owned by Clara Bustrin; for Building No. 9559, formerly owned by R. L. Cavanaugh; for Building No. 9501, formerly owned by Ira L. and Grace E. Goodlin; for Building No. 9498, formerly owned by Cora Swanson Coyle; for Building No. 9499, formerly owned by John Sandine; and for Building No. 9560, formerly owned by John H. Tewsley, were rejected and the Attorney was instructed to rent these buildings. He was authorized to make arrangements with a local realtor to handle the rentals.

Building No. 9517, formerly owned by Nancy Jane Johnson:- This building was sold to Atwell T. Andrews, North Bend, at his offer of \$40.00.

Building No. 9491, formerly owned by Coos Bay Longshoremen Benefit Association:- The bid of Kenneth Dodd, Eugene, at \$21.00, which was the only bid received for this building, was accepted. However, Mr. Dodd was allowed the privilege of either taking the building or withdrawing his bid, in view of the fact that this is the only building on which he was the successful bidder and he undoubtedly would lose money on the transaction if the Commission held him to his offer.

The Engineer brought up for discussion the matter of sale of construction equipment that has been used on the Wolf Creek Highway WPA project. He advised that he has given this matter further study since the Commission authorized the sale of this equipment at the previous meeting and is now of the belief that it would be better to rent the equipment, and he so recommended. Chairman Cabell approved the recommendation and authorized the advertising of the equipment for rental at the next meeting.

The question whether or not to allow log hauling on the Oregon Coast Highway between Cannon Beach and Wheeler was discussed and it was decided to permit such hauling under the standard rules and regulations notwithstanding that some of the loads may have to be transported through Arch Cape Tunnel.


Messrs. C. A. Hancock and C. H. Radloff, representing the Shell Oil Company, were present and requested permission to transport tank trucks, containing gasoline and weighing in excess of the legal limits, over certain state highways enroute from California to Junction City, particularly over the Pacific Highway, and over The Dalles-California Highway and the Willamette

Highway. Mr. Radloff stated that their equipment is 50 feet overall in length but the tanks were constructed extra large so as to provide for the carrying of legal-weight loads in California which are greater than those allowed in the state of Oregon, and the company wants authority to bring a few full capacity loads into this state, notwithstanding the excess weight, so as to help out in relieving the present gasoline shortage. He particularly asked for the privilege of increasing the gross load of such equipment from 61,000 pounds to 64,400 pounds, which is represented by 380 gallons of gasoline. The Engineer pointed out that the existing Dillard Bridge over the Umpqua River is in bad state of repair and would not stand up under the excess load, although between that point and the California state line there would be no objections to allowing the extra weight. He further stated that there are no objections to authorizing the extra weight on The Dalles-California Highway between the California state line and Bend, and over the Willamette Highway to Eugene, were it not for the fact that there is a very weak bridge on the Willamette Highway a short distance east of Goshen.

Mr. Radloff stated that it would help a lot if they were permitted to transport such loads over the Pacific Highway as far as Dillard Bridge, and over The Dalles-California Highway, and the Willamette Highway as far as the bridge east of Goshen; and, if granted such privilege, they would arrange some other route into Eugene and Junction City. The Engineer recommended the granting of a permit on such basis, provided the loads do not exceed those allowed by the formula $W = 800 (L + 40)$, wherein W represents the total gross weight in pounds, and L represents the distance in feet between the first and last axles of the vehicle or combination of vehicles; and by the formula $W = 675 (L + 40)$ in case of group-axle spacing of 18 feet or less. Chairman Cabell approved the recommendation and authorized the Secretary to issue permits in conformance therewith.

Following this conference, the matter of inspection of the Plaza project in Ashland was discussed and it was decided to make such inspection on Tuesday, May 19, 1942. It was also decided to motor to Marshfield on May 18 for a conference with the Chamber of Commerce that evening, driving to Ashland on the following day.

The meeting was adjourned at 12:30 p. m.


State Highway Engineer


Chairman


Secretary

Marshfield, Oregon, May 19, 1942

The State Highway Commission disposed of the following matters en-route from Marshfield to Ashland. Present and participating in the discussions were:

Henry F. Cabell, Chairman
Huron W. Clough, Commissioner
R. H. Baldock, State Highway Engineer
H. B. Glaisyer, Secretary

The Engineer reported the status of all construction jobs as of May 2, 1942, giving information as to the type of work involved, the percentage of work completed, and the estimated date of completion. A typewritten list of the projects was given to each Commissioner. After discussion of the same, during which the question arose as to the plans of the contractors to complete their work, the Engineer was instructed to write each contractor and secure such information.

The Engineer also reported on the matter of allowing Mr. D. F. Moehnke to make certain improvements to the Alsea-Deadwood Secondary State Highway beyond the limits of the improved section, in order to facilitate his logging operations. He recalled that Mr. Moehnke appeared before the Commission at its meeting on March 19 and asked the Commission to construct a $1\frac{1}{4}$ -mile section of this road between Batdorf's place and the foot of Alsea Mountain, but the Commission denied the request because of the expense involved, whereupon Mr. Moehnke asked the privilege of improving this section with his own forces and equipment and at his own expense. He further stated that Mr. Moehnke was contacted by Division Engineer F. D. Eason who advises that Mr. Moehnke has evidently changed his mind with respect to paying for the work, and, whereas he is willing to furnish the equipment to carry on the work, he expects the state to pay the other costs which he estimated would amount to \$1,000. The Commission refused to assume such expense; however, authorized the granting of a permit to Mr. Moehnke to do the work, provided he furnishes satisfactory public liability and property damage insurance as a protection to the public while the work is under way.

A letter was presented from A. Z. Barnard, Condon, requesting the improvement of the Cottonwood Grade Section of the Wasco-Heppner Secondary State Highway in Gilliam County, so as to facilitate the truck hauling of wheat from Gilliam County to the Port of The Dalles by cutting down the mileage of such hauling. Mr. Barnard alleges that the improvement of the Cottonwood Grade would reduce the mileage of the haul some 50 to 65 miles. The Engineer estimated that it would cost about \$772,000 to construct this road to proper standards between Condon and Wasco, approximately 45 miles. He pointed out that this highway is not on the strategic network and that under the ruling of the War Production Board the Commission is limited to an expenditure of \$5,000 for work of this kind. In view of the circumstances, the Commission denied the request.

A letter was also presented from the Jefferson County Chamber of Commerce, urging the surfacing of the newly constructed section of The Dalles-California Highway south of Madras, which improvement, in their estimation, is of vital importance in the defense effort. The Engineer was instructed to make such investigations as are necessary and to render a report at the next meeting on the cost involved.

A request was presented from the City of Ontario for the oiling of one block on South First Avenue West between Oregon Street and West First Street, such work to be done this year when the state's oiling crew is improving other city streets that are not on state highway routes. The city agrees to pay the costs involved which is estimated at about \$715.00. The Engineer recommended approval of this project in view of the fact that the Commission previously approved it for state forces, in the event that the city could not arrange to have it done by one of the highway contractors working in that vicinity and it being unlikely that the Commission will undertake any convenient contract work here this year on account of war restrictions. The Commission approved the recommendation subject to the condition that the city will deposit in advance its certified check in the amount of the estimated cost of the work.

The Commission discussed briefly and ordered filed a newspaper item from the Daily Journal of Commerce, Portland, indicating that the United States Indian Service intends to proceed immediately with the improvement of the Sprague River County Road in Klamath County between the towns of Sprague River and Chiloquin, notwithstanding the inability of the State Highway Commission to cooperate in the improvement.

The Engineer reported the necessity to place a 10-ton load limit on the Umatilla River Bridge at milepost 11.84 on the Hermiston Secondary Highway, in Umatilla County, which has been rendered unsafe for legal weight loads by heavy hauling to the army ammunition depot during the last few months. The Commission approved such reduction of load limit and thereupon by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, the road or highway hereinafter named has been designated and declared to be and is a state highway and has been improved and is being maintained by the State Highway Commission, pursuant to the laws of the State of Oregon, as a state highway;

AND WHEREAS, on the said state highway there is located a certain bridge structure, known as the "Umatilla River Bridge", which, in the judgment of the State Highway Commission, is incapable of safely carrying the traffic to which it is being subjected, and, in order to protect said bridge structure against damage and injury and in order to safeguard traffic over said bridge structure, it is deemed and is the judgment of the State Highway Commission and said Commission finds that it will be for the best interest of the said bridge structure and of the traffic which uses the said bridge structure that the maximum weights now permitted and authorized by law be reduced;

AND WHEREAS, the State Highway Commission has, after due investigation, determined and found and it is the judgment of the Commission that the maximum gross loads which shall be permitted upon any single span of the said structure at any time shall be reduced and fixed as in this order provided;

NOW, THEREFORE, the premises being in part as above stated and the State Highway Commission having, as a result of due investigation, found that the bridge structure above referred to and hereinafter designated is incapable of safely sustaining or supporting a total gross load in excess of that specified hereinbelow:

IT IS HEREBY ORDERED, that the total gross weight of combined load and vehicle which at any one time shall be permitted upon any single or individual span of the said bridge structure shall not exceed the limits given and set forth hereinbelow. In computing the total weight of any single vehicle, the total gross weight of any trailer or trailers attached to said vehicle shall be considered as a component part of the total gross load and shall not be considered as a separate vehicle. This combined gross weight shall not exceed the limits given hereinbelow, to wit:

HERMISTON SECONDARY STATE HIGHWAY, No. 333, Umatilla County

Milepost 11.84	Umatilla River Bridge	10 tons
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IT IS FURTHER ORDERED, that these rules and regulations as made and found by the State Highway Commission under the provisions of Section 115-394, O.C.L.A., shall be in full force and effect until rescinded, modified or revoked by order of the State Highway Commission.

AND IT IS FURTHER ORDERED, that a notice be posted in a conspicuous manner and place at each end of the above-named bridge structure, so that said notice can be readily seen and read, which notice shall state plainly the limitations and prohibitions of the traffic hereby in this order determined and fixed.

AND IT IS FURTHER ORDERED, that a certified copy of this resolution be furnished the County Clerk of Umatilla County, in which county the said bridge structure is located, and to the Superintendent of the Department of State Police for his information.

In this connection the Engineer also reported that the county road leading from Hermiston to the ammunition dump and which was oiled by the state last year as a federal aid secondary highway project is in need of repair. He recommended, in view of the fact that Umatilla County is not in position to maintain the road and for the further reason that the road is carrying a large volume of state highway traffic, that it be maintained by the state at state expense for the duration of the war emergency. The Commission approved the

recommendation and ordered that the matter be covered by appropriate agreement between the state and the county.

The Engineer brought up for discussion the matter of performing jobs for counties and cities and particularly questioned the advisability of performing such work, notwithstanding that the work would be paid for by the counties and cities, in view of the difficulties in obtaining necessary materials and supplies. He recommended that all of such work, other than the small city jobs that already have been approved by the Commission for construction this year, be deferred until the return of normal times. The Commission approved the recommendation.

The Commission discussed a letter from General Robert Lee Bobbitt, member of the Texas State Highway Department, and President of the Western Association of State Highway Officials, suggesting that the highway authorities in each state adopt a policy with respect to cooperating with the War Production Board in its recent L-41 Order, which halted various construction activities; also advising that the Texas Highway Department has adopted such a resolution. The Engineer advised that he has given this matter serious thought and the policy adopted by the Texas Highway Department coincides exactly with his views. He read aloud a suggested press release for approval by the Commission, as follows:

On April 9 the War Production Board issued order L-41 prohibiting starting any highway and street construction unless specifically approved by it as essential to the war effort. A few days ago a new order was sent out by the War Production Board permitting highway and street construction jobs to start provided the construction does not require the use of steel and provided no priority rating for repair parts to equipment and for materials and tires is required to perform the work. The order further provides that the War Production Board may order suspension of the work at any time if in the judgment of the War Production Board the prosecution of the war requires more urgently the use elsewhere of the labor, materials or construction machinery needed to complete the road or street project previously authorized.

In case priorities are required to secure materials, parts for equipment, or tires, the priorities may be granted if, in the opinion of the War Production Board, the proposed work is considered by the War Production Board to be essential to the war effort.

Provision is made for the State Highway Department to serve as an agency of the War Production Board in the transmission of required monthly estimates of materials needed to complete all projects under way and carried on pursuant to this order not only for state highway work but also for road and street projects carried on by the several counties and the municipalities of Oregon.

At first glance it would appear that the bars are let down and any road or street work may proceed as in peacetime, but careful review of the order discloses the following features:

1. The agency sponsoring the road or street project, be it federal, state, county or city, is given the responsibility for the selection of such work as is actually needed and such work as will actually aid the war effort in the phase of transportation. Failure to act with discretion and good judgment will in all probability result in the loss of this authority.

2. Very little work can actually be performed without the constructor having the necessary priority to secure repair parts for equipment, certain critical materials other than steel, and tires. To assume otherwise evidences "wistful thinking." In order to secure the necessary priorities and actually obtain the required materials, it is necessary to have the specific approval of the War Production Board and its certification that the work is essential to the war effort. This actually places the status of the work in practically the same category as the original order No. L-41 of April 9.

Unquestionably this more recent order will cause a great deal of confusion and misunderstanding. The Commission firmly believes, however, that it has a definite responsibility to conduct its work in such manner as to aid and to assist and not to detract from the very essential war effort of this country. Accordingly the Commission proposes, in the expenditure of its own funds, to confine such expenditures to administration, to surveys and preparation of plans for post-war work, and to essential maintenance and restoration in order that the movement of goods and services for the war effort and civilian life may proceed with the minimum of delay and the maximum of economy in the use of equipment and tires. The Commission feels that there is a definite shortage of labor, materials and construction machinery and that road construction that is not essential to the war effort should be suspended for the duration and that only road projects which are essential to the war effort should be carried on at this time. The curtailment of the use of motor vehicular equipment, due to the tire and gasoline restrictions, will materially and drastically reduce the revenues accruing to the state highway fund and there will be little, if any, surplus for state construction, regardless of the above features. Therefore, the Highway Commission believes that it should promote only such road construction projects as are considered to be essential to the war effort by the War Production Board, the Army or the Navy. Such construction funds will in the main be federal funds and, of course, subject to the control of the federal authorities, including the War Production Board.

After discussion of the same the Commission approved it by unanimous vote and instructed the Engineer to forward a copy of the same to each county court. He was also instructed to rearrange the statement in a few words for release to the press. A formal resolution outlining the Commission's policy is to be prepared and adopted by the Commission at its next regular meeting.

In this connection the Engineer brought up for discussion the matter of cancellation of five contracts which are affected by the War Production

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Board Order L-41, being contract No. 2528, with Rogers Construction Company, for grading, surfacing and oiling the Diversion Canal-Midland Overcrossing Section on the Midland Secondary Highway, in Klamath County; contract No. 2552, with A. H. Saxton & Son, for grading, surfacing and oiling the Campbell Bridge-Hazeldale Section of the Farmington Secondary Highway, in Washington County; contract No. 2553, with Norris Brothers, for grading and topping the Porcupine Butte-Chichester Gulch Section of the Shaniko-Fossil Secondary Highway, in Wheeler County; contract No. 2555, with Rogers Construction Company, for grading, surfacing and oiling the South Unit, Enterprise-Forest Boundary Section of the Enterprise-Lewiston Highway, in Wallowa County; and contract No. 2556, with M. L. O'Neil and Son, for regrading, surfacing and oiling the Soda Mountain-Silvies Section of the John Day-Burns Highway, in Grant County. He particularly pointed out that the War Production Board's order has been amended so that it is now possible under certain conditions to proceed with the construction of such projects (Reference WPB Order L-41-600), although such authorization assigns no preference rating to delivery of materials and provides that the inability of the highway department to procure materials without priority assistance will not of itself be considered adequate grounds for the issuance of a preference rating. Furthermore, the War Production Board may, at any time, order cessation of the work if in its opinion the prosecution of the war requires more urgent use elsewhere of the labor, materials and construction machinery that are being employed on the project.

The Commission decided, in view of this ruling, to leave it up to the contractors whether or not to proceed with their work. It was the thought of the Commission that the contractors would not wish to take a chance on securing a satisfactory preference rating and would prefer cancellation of the contract in each instance. The Engineer was instructed to contact the several contractors relative thereto and to secure Commissioner Oliver's reaction to the plan. (The Engineer telephoned to Commissioner Oliver upon arrival in Ashland and secured his approval of the action taken by Chairman Cabell and Commissioner Clough.)

A letter was presented from W. H. Lynch, District Engineer, Public Roads Administration, in which, among other things, Mr. Lynch requested the adoption of a 35-mile-per-hour speed limit on the Pacific Highway East at the Pudding River Bridge just north of Aurora. The Engineer recommended adoption of such speed limit. The Commission approved the recommendation and thereupon adopted the following resolution in regard thereto:

WHEREAS, the State Highway Commission, pursuant to the provisions of Section 115-320, O.C.L.A., as amended by Chapter 458, Oregon Laws, 1941, has caused an engineering and traffic investigation to be made with respect to certain state highways and/or certain sections of state highways more particularly and completely described and set forth hereinafter; and

WHEREAS, the data, facts and information obtained in connection with said investigation are all on file in the office of the State Highway Commission at Salem, Oregon; and

WHEREAS, based upon said engineering and traffic investigation the Commission has determined that the fixed and designated speeds prescribed by the provisions of subsection (b) of said Section 115-320, O.C.L.A., as amended, are in certain specified instances greater than is reasonable and safe and in other specified instances are less than is reasonable under the conditions found to exist upon or with respect to the state highways or sections of state highways hereinafter set forth and more particularly described and defined hereinafter, and the State Highway Commission has therefore determined to designate a different speed thereupon than the speed fixed in said statute, which said different speed or speeds shall be as specifically set forth hereinafter.

NOW, THEREFORE, based upon said engineering and traffic investigation and upon the finding and determination made by the Commission with respect thereto, the Commission does hereby determine and does hereby order that within the meaning and purpose of said Section 115-320, O.C.L.A., as amended, the speed at which a vehicle may be driven upon said state highway and/or upon said sections of said state highway shall not exceed the rate of speed set forth immediately following.

Name of highway: Pacific Highway East

Highway number: 1E Route number: 99E

	Location of Termini	Established Speed
M. P. <u>25.73</u>	to M. P. <u>26.54</u>	: <u>35</u> miles per hour

BE IT FURTHER ORDERED that the State Highway Engineer be and he hereby is ordered and directed to erect at appropriate places in sufficient number adequate signs giving notice of the particular applicable speed on said state highway.

BE IT FURTHER ORDERED that any previous order heretofore made by the Commission with respect to speed or speeds applicable to any of the highways or sections of highways specified herein which is in conflict with the provisions of this order hereby is vacated and annulled.

The Commission discussed a letter from the Attorney, Mr. Devers, with respect to the insurance to be furnished in connection with the agreement with the O.W.R. & N. Company, covering snow removal operations on the Upper Columbia River Highway adjacent to the railroad tracks. Mr. Devers pointed out that the present insurance expires in October of this year and that there has been considerable difficulty in getting any company to write the policy because of the severe burdens in the contract; however, Lloyd's London, which is represented by Hansen & Rowland Insurance Agency, has agreed to take the risk, in fact Mr. Rowland of this company has offered to

rewrite the present policy with a 10 per cent reduction in the premium. Furthermore, he has agreed to revise the language so as to clarify an ambiguity in the present policy with respect to protection for which the state is paying. He suggests that the Commission renew the policy with Lloyd's, rather than to advertise the business for bids, in order to realize the 10 per cent reduction in premium and to secure the clarification of the uncertainties. He also suggested, in view of the fact that it requires about 90 days to effect the change, that the procedure be started at once to obtain a new policy, notwithstanding that the present policy will not expire until October. The company, he said, will give the state credit for the unearned portion of the premium paid for the old policy. The Commission approved the Attorney's recommendation and authorized the rewriting of the policy at once in Lloyd's London.

The Secretary presented a resolution from the County Court of Klamath County in which the county elects to maintain as a county road a portion of the Lost River Section of the Klamath Falls-Malin Highway, in Klamath County, which has been abandoned by the State Highway Commission in view of the fact that the highway has been reconstructed on other alignment. The Commission approved the resolution and ordered it filed.

The Commission discussed a proposed agreement with Clatsop County relative to the maintenance of the Elsie-Jewell County Road. This agreement was prepared to clarify jurisdiction over the road, which is now being used as a state highway detour, and provides that the road will be turned back to the county for maintenance when the Fishhawk Falls Secondary State Highway is constructed and open to public use. The Engineer advised that the county court objects to the clause which provides for the return of the road to the county upon completion of the secondary highway and wants this particular clause rewritten to read that "the road shall be maintained by the state until such time as the county court and the State Highway Commission jointly approve such disposition of the road." The Commission considered that such change is inadvisable because it appears that the state would have to maintain the road indefinitely regardless of whether or not the Fishhawk Falls Secondary State Highway was available for public use, if the county refused to consent to assume such maintenance. The Engineer was instructed to rewrite the paragraph but to retain the privilege of the State Highway Commission to turn the road back to the county when the Fishhawk Falls Secondary State Highway has been constructed.

The Commission adopted the following resolution confirming oral authority heretofore given, authorizing the hauling of logs over state highways during Saturday afternoons and Sundays:

WHEREAS, because of the large volume of motor vehicle traffic which uses the public highways of the state on Saturdays and Sundays it has been the adopted rule and policy of the Highway Commission that all state highways shall on Saturday afternoon and Sunday be kept free from log hauling; and

WHEREAS, because of the national emergency which exists and the inadequacy of existing motor transportation to move logs

from forest to mill in sufficient quantity or volume to satisfy emergency needs, it is deemed in the interests of the State and Nation that the Commission modify its rule and policy with respect to log hauling on Saturday afternoons and Sundays.

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the Highway Commission as follows:

1. That for the duration of the present emergency trucks engaged in the transportation of logs will be permitted to use the state highways for such purpose on Saturday afternoons and Sundays; provided, however, that this rule of the Commission may be rescinded or modified with respect to any particular state highway or highways if and when conditions develop which warrant such change or modification.

The matter of permitting log hauling to be carried on under the Commission's special war emergency transportation permit had the attention of the Commission. The Commission decided not to grant such privilege inasmuch as the emergency transportation permit was prepared particularly to cover the movement of out-of-state equipment over Oregon highways, involving loads 60 feet overall in length and gross weights of 68,000 pounds, if provided with proper axle spacing, and was not intended to cover the truck hauling of logs, inasmuch as there is a special Oregon statute covering such movements. The Secretary was instructed to prepare an appropriate stamp to be affixed on each emergency permit, prohibiting the hauling of logs under the provisions thereof.

The matter of penalizing log haulers for violation of the rules and regulations of their permits, other than for violations of the gross weight provisions, was discussed by the Commission. Action on the matter was deferred until the next meeting. The Secretary was instructed in the meantime to ascertain from the several companies that write insurance covering such movements whether or not they check up on their assured and what, if any, action they take against the assured if they find that the provisions of the permits under which the assured is operating are being violated.

The Commission discussed a request from Mr. E. A. Borel, Purchasing Agent, R.F.C., Coquille, that the highway traffic scales now installed on the Coos Bay-Roseburg Highway, about three-fourths of a mile east of Coquille, be moved to a point near the north city limits of Coquille so as to facilitate the weighing of chrome ore which is to be stock-piled adjacent to the highway at this point. The Engineer recommended denial of the request because only very few loads of logs that have not already been weighed pass this point, and in his estimation if the scales are to be moved at all they should be moved to some other locality where there is a large volume of log hauling with no scales available to weigh the loads. He suggested that it would be advisable for the chrome interests to purchase their own portable scales which could be moved from one locality to another as occasion arose, inasmuch as the ore is being

secured and stock-piled at several different places in this district. The Commission approved the Engineer's recommendation and discussed the matter with Mr. Borel from that standpoint at Coquille while inspecting the site.

The Commission had under discussion the applications of the Bekins Moving & Storage Company and the Pacific Express Company for permission to operate over state highways trains of vehicles, consisting of truck tractor, semitrailer, and full trailer, 60 feet overall in length. The Engineer advised that he knows of no reason why the request should not be granted if the several units track properly and if the brake equipment on the rear unit functions satisfactorily, so as to avoid the "jackknifing" of the combination. The trucks of the Pacific Express Company, he said, are equipped with air brakes throughout and he recommended the granting of a permit for the operation of the equipment of this company on the highways of this state if the braking apparatus meets with the approval of the Highway Department's Master Mechanic. The Commission approved the recommendation and also authorized the granting of permits to other companies for like privilege if the equipment to be used is supplied with satisfactory air brakes. (Braking device was approved by Master Mechanic later and permit granted.)

In this connection the Secretary was instructed to notify permittees that the privilege granted is of a temporary nature only, and may be cancelled at any time, so large investments in new equipment should not be made with the idea in mind that the privilege would be extended indefinitely.

A letter was presented from County Judge C. D. Nickelsen, Hood River County, requesting additional construction work on the new Columbia Gorge Highway and urging the Commission to make strenuous attempts to secure federal access road moneys to finance the work. The Secretary was instructed to invite Judge Nickelsen to the next meeting of the Commission for a full discussion of this matter, inasmuch as an explanation as to the Commission's finances can be explained to him much better personally than by letter.

A letter was presented from Norman G. Fuller, Real-Estate Project Manager for the United States War Department Army Engineers, Medford, transmitting deed forms for the purpose of conveying to the United States of America title to a section of the Sams Valley Secondary State Highway, in Jackson County, which is contained within the boundaries of Camp White Army Cantonment, and for conveying unto the United States of America title to a certain stock-pile site situate within the same area. Mr. Fuller explained that the property is needed in connection with the proper functioning of the cantonment and to avoid accidents that might occur in the event that the road is left open for general public use. The Secretary recalled that the Commission, at a previous meeting, adopted a resolution authorizing the closing of the Sams Valley Secondary Highway through the cantonment area and that by such resolution the War Department is given full charge of the highway and is authorized and required to erect and maintain proper and appropriate barricades at the termini of the section that is to be closed to public use. A certified copy of this resolution, he said, was sent to Major Bean who is in charge of the cantonment, which copy has been acknowledged by Major Bean, who advises that it suits their purposes satisfactorily. The Engineer advised that Mr. Fuller

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has offered \$45 for the stock pile site which, in his estimation, is not enough considering that the state paid \$100 for it and also expended \$75 in fencing the site; furthermore, it will be put to considerable expense in removing the materials that have been placed on the area. He suggested, if the War Department is willing to accept an easement on the site for artillery range purposes during the present emergency, that the Commission grant the easement without cost, provided the Army will pay for moving the stock-piled materials to another site to be designated by the Highway Department outside of the cantonment area. On the other hand, if it is necessary that fee title be given, that the Commission convey the same to the Army for \$175 under the same condition with respect to the moving of the stock-piled materials.

The Commission considered, in view of Major Bean's letter accepting the resolution with respect to the closing of the highway, that it would not be necessary to deed the right of way to the government.

As to the stock-pile site, the Commission approved the Engineer's suggestion by unanimous vote and ordered that such information be transmitted to Mr. Fuller.

The Engineer brought up for discussion General Orders Nos. 3, 4 and 5 recently adopted by the Office of Defense Transportation, relative to the loading of trucks in order to conserve tires during the present war emergency. He pointed out that, if truckers are required to load their equipment in conformity with such orders, it would not be possible for them to conform with the Oregon statutory requirements; furthermore, such loads would overstress highways and bridges and would probably cause failure so that eventually the trucking industry would be much worse off than it is at the present time. He suggested that the governmental authorities be urgently requested to revise these orders so as to conform with the legal weight requirements of this state which would not only preserve the highways for general public use and for the movement of army troops but would also conserve the equipment of the trucking industry. He read aloud a copy of a letter that he directed to Mr. John L. Rogers, Director, Division of Motor Transportation, Washington, D. C., and telegrams to Mr. Rogers and Mr. MacDonald, Commissioner of Public Roads, Washington, D. C., requesting such changes. (See letter dated May 16 and telegrams dated May 14, 1942, in general files) The Commission approved the same by unanimous vote and authorized the Engineer to follow up the matter in an endeavor to secure the desired results.

The Commission discussed a letter from County Judge F. E. Gilkey, Lincoln County, requesting that truck owners be allowed the use of the Highway Department's scales near Newport for the weighing of trucks in connection with the securing of licenses. Judge Gilkey advised that the nearest commercial scale is located in Corvallis and truck owners at Newport and Toledo now have to drive their equipment some 60 miles or more to have it weighed for licensing purposes, whereas, if the Highway Commission would allow the use of the state's scales at Newport, this could be avoided and considerable saving in tires and gasoline would be realized, which is an important item during the present emergency. The Commission approved the request and referred the matter to the Engineer to work out the details for handling the scales for this purpose.

A letter was presented from Morrow County Court in which the Commission was requested to authorize one of the state's oiling crews to patch and otherwise repair the Ione-Beckner Section of the Ione-Gooseberry County Road, which was oiled by the state in the summer of 1941 and is now in need of attention. The request is made because Morrow County has no oiling or patching equipment and is unable to purchase same, and the county agrees to pay for the work upon being billed for the same by the state. The Engineer advised that Morrow County made provision in its budget last fall to purchase equipment needed for patching of oiled surfaces but has been unable to obtain the equipment due to priorities. He recommended approval of the county's request provided the county will deposit with the Commission its certified check in the amount of the estimated cost of the work before the work is done. The Commission approved the recommendation.

The Commission discussed a request from the County Court of Deschutes County for the oiling of a 3.9-mile section of the Cline Falls Secondary State Highway and a 3.6-mile section of the Tumalo-Deschutes Secondary State Highway. The Commission expressed regrets that it cannot approve this request. The Secretary was instructed to convey such information to the county court and to advise the court further that the outlook for doing this work before the end of the war emergency is not very promising.

Consideration was given to a request from Colonel Clifton M. Irwin, C.A.C., Commanding, Office of the Harbor Defense, Fort Stevens, for the improvement of the Fort Stevens Road between Warrenton and Fort Stevens Post, particularly two sections which are narrow and dangerous to travel, the first of which is just north of the Oregon Coast Highway where it skirts the city limits of Warrenton and the other begins at Alder Creek Bridge and ends at the entrance to Fort Stevens. The matter was referred to the Engineer for investigation, it being the intention of the Commission to authorize the improvement for federal aid secondary highway funds if not too costly an undertaking.

The Commission discussed and approved a request from City Engineer W. C. Clubb, Eugene, for a revision in the "stop-signing" on Broadway Street, route of U. S. Highway 99, in Eugene. Mr. Clubb suggests that a stop sign be installed on Broadway at Pearl Street to stop both eastbound and westbound traffic on Broadway and that the stop sign be removed from Pearl Street permitting traffic to flow on Pearl Street without stopping. The Engineer was instructed to make changes in conformity therewith.

The Commission arrived in Ashland at 5:00 p. m. and immediately conferred with the following city officials relative to the proposed improvement of the Pacific Highway at the Plaza Corner in Ashland: Mayor T. S. Wiley, R. E. Koozer, councilman, and G. M. Green. Joint inspection of the project was made, during which the Engineer presented a plan for a temporary improvement that would take care of the local situation until such time as the Commission is able to do a permanent job. Such plan consists of demolition of all of the buildings involved except the Claycomb Garage near the north end of the project and three small buildings next to the alley at the south end of the project, the filling in of the area vacated so it can be used for parking cars, construction of temporary wooden sidewalks and curbs and a traffic

island to guide traffic, and the oiling of the area between the present pavement and the new timber curb lines. The Engineer estimated that the street work could be done at a cost not to exceed \$5,000. The delegation expressed its entire satisfaction with such an improvement whereupon the Commission authorized the Engineer to proceed with the same.

The matter of demolition of the buildings was then discussed. Mayor Wiley advised that the city is in position to raze the buildings, in fact has already made tentative arrangements to proceed with the work upon approval of the State Highway Commission, and that the work will be done at no cost to the state except that the city would like to have the benefit of any salvage that might accrue. In this connection the Secretary presented a letter from R. E. Koozer, Acting Mayor, outlining the city's proposition in detail. (See letter dated May 6, directed to the State Highway Commission, in general files). The Engineer and the Assistant Attorney, who was present, both recommended acceptance of the city's offer. The Commission approved the arrangement unanimously.

The matter of disposal of the buildings next to the alley which are now occupied by the Postal Telegraph Company, G. H. Billings, and J. D. Mars, was next discussed and it was decided to let the present occupants continue tenancy of the buildings at an agreed rental rate, which is to be decided later, until the property is needed for the highway improvement.

The following matters were disposed of by the Commission in the city council chambers:

Reconsideration was given to the sale of buildings in Medford for which bids were taken by the Commission at its meeting on May 7:- Building No. 10145, formerly owned by the Medford Corporation:- no bids were received by the Commission at the May 7 meeting for the purchase of this building and the Commission at that time ordered that it be turned over to the contractor on the highway improvement at Medford. The Assistant Attorney advised that the contractor doesn't want the building; however, an offer has been received from a Mr. Johnson of Medford who has agreed to wreck the building and remove the debris without cost to the state if he can have the benefit of the salvage. The Commission approved the arrangement.

Building No. 10082, formerly owned by J. E. Sollis:- It was recalled that the Commission rejected all bids received for this building and ordered that the contractor, Berke Brothers, be contacted relative to their previous oral offer to pay \$1,500 for the building with the tract of land that was offered for sale at the same time. The Assistant Attorney advised that the contractor was approached relative thereto and has agreed to pay \$1,500 for the building and the tract of land provided the Commission also gives them Building No. 10067-A, formerly owned by C. M. Parker. He pointed out that the Commission sold Building No. 10067-A to J. S. Lydiard for \$75, which was the high bid received on May 7; however, Mr. Lydiard has since changed his mind and is willing to relinquish his interest in favor of the contractor if the Commission will return his bid deposit. He recommended

acceptance of the offer of Berke Brothers and the return of Mr. Lydiard's check. The Commission approved the recommendation.

Building No. 10067-B, formerly owned by C. M. Parker:- The Assistant Attorney recalled that the Commission received two bids for this building on May 7, that of the Tru-Mix Concrete Company, Medford, being high at \$25 and the other being that of Kenneth Dodd, Eugene, at \$21, but the Commission rejected both of them; however, gave Mr. Dodd an opportunity to submit a special bid after consulting with his partner. He further stated that Mr. Dodd has failed to submit a new proposal but an offer has been received from Mr. E. J. McPhee to pay \$50 for the same. He recommended acceptance of this bid. The Commission approved the recommendation and instructed the Secretary to return Mr. Dodd's deposits.

The Commission discussed a request from the Farm Security Administration for approval of a resolution with respect to certain lands that the Commission is purchasing from A. L. Daugherty and wife as right of way for the improvement of the revised location of the Crater Lake Highway, in Jackson County. The Assistant Attorney advised that this apparently is a legal requirement in connection with federal farm loans. The Commission thereupon by unanimous vote adopted the following resolution with respect thereto:

WHEREAS, A. L. Daugherty and Lucille Daugherty, husband and wife, have executed a certain right-of-way deed covering lands in Jackson County, Oregon, in favor of the State of Oregon acting by and through its State Highway Commission; and,

WHEREAS, the United States of America has executed a certain subordination agreement subordinating its lien by virtue of a real estate mortgage upon the premises described in said deed to the interest of the State of Oregon by virtue of said right-of-way deed; and,

WHEREAS, delivery of said deed and subordination agreement has been tendered to the State of Oregon and copies thereof were presented at the meeting of the State Highway Commission.

NOW, THEREFORE, BE IT RESOLVED by the State Highway Commission of the State of Oregon that the said right-of-way deed be and hereby is in all respects accepted by the State Highway Commission for and on behalf of the State of Oregon; and,

BE IT FURTHER RESOLVED, that in consideration of the delivery of said instruments, the said State of Oregon, acting by and through its State Highway Commission, does hereby agree to be, and hereby is, bound by all of the conditions and covenants set forth therein.

The Commission discussed a request from the United States Bureau of Reclamation for a roadway easement in the Cove State Park, Jefferson County, which road is to be used in connection with the construction of a new unit to the power plant of the Pacific Power and Light Company situate at this place. A letter was presented from the State Parks Superintendent advising that the roadway will not injure the park, and recommending approval of the request. The Commission approved the recommendation and thereupon signed a "termination easement" conveying unto the United States of America the privilege requested.

Mr. H. L. Claycomb was present and discussed with the Commission the matter of revising his service station which is located just north of his garage in conformity with the plans for the permanent improvement at the Plaza Corner. He stated that the service station will have to be moved back to fit the highway improvement and, while it is not absolutely necessary that this be done at the present time in view of the Commission's decision to defer the permanent improvement of the highway at this place, he would like to make considerable alterations in his property at this time in order to take advantage of special opportunities which have developed. He pointed out that the Commission has agreed to pay him \$2,500 to move the service station, and that the Commission now has the deed to the land, and asked the Commission to pay the consideration at this time so he can proceed with his plans. The Assistant Attorney advised that such arrangement would be satisfactory except that the canopy on the service station would still project over the highway. He estimated that it would cost not to exceed \$200 to remove the canopy. Mr. Claycomb agreed to remove it any time when the right of way is necessary for construction. After discussion the Commission approved payment to Mr. Claycomb, except approximately \$200 which is to be withheld until the canopy has been removed and the right of way cleared. It was understood that, if Mr. Claycomb does not completely clear the right of way upon notice from the State Highway Commission, the Commission should have the right to do so without liability to Mr. Claycomb and should charge the cost thereof to Mr. Claycomb to be paid either direct or as a deduction of any future payments which might become due him under the total right-of-way settlement. The matter is to be covered by supplemental agreement between the Commission and Mr. Claycomb.

The matter of authorizing the California Western States Life Insurance Company to furnish group life insurance to state highway department employees was discussed. The Commission authorized acceptance of the plan proposed by the company for the furnishing of group insurance of the term type to hourly-rate employees only, subject to the following conditions: (1) that the terms of the agreement to be entered into with the Commission be as stated in the sample agreement previously furnished by the company; (2) that the agreement be made effective as of June 1, 1942, and that none of the insurance furnished thereunder be made effective prior to that date; (3) that the premium payments for coverage of a given month be deducted from the employee earnings of the same month, the deductions to be made at the regular pay-roll payment dates for the earnings of that month; (4) that the certificate to be furnished the insured employee be the same as the sample certificate heretofore submitted by the company except that it have incorporated in it the schedule of premium rates and the agreement provision reserving to the company the right to increase the premium rates under certain conditions. The Engineer

was instructed to discuss the matter with Office Engineer S. H. Probert and have the agreement ready for execution by the Commission at its meeting on June 4, 1942.

The Assistant Attorney requested authority to institute condemnation proceedings to acquire right of way needed for the construction of the Willamette Highway across lands owned by Frank A. Moore between Goshen and Pleasant Hill in Lane County. He recommended an offer of \$4,250 in connection therewith. After due consideration the Commission approved the offer and authorized such condemnation. The following resolution with respect thereto was adopted by the Commission unanimously:

WHEREAS, the State Highway Commission is authorized to locate, relocate, construct, reconstruct, maintain, widen, straighten, and otherwise improve state highways, both primary and secondary, and said Commission is also authorized to construct shops, equipment sheds, office buildings, maintenance sites, patrolmen accommodations, and snow fences, and is authorized to acquire quarry sites, gravel pits, storage sites, stockpile sites, weighing stations, and broadcasting stations, and is further authorized to develop, construct, improve, operate, and maintain parks, parking places, auto camps, camp sites, roadside development, recreational grounds or resorts, and other places of attraction and scenic value; and

WHEREAS, said Highway Commission is authorized to acquire by purchase, agreement, donation, or by the exercise of the power of eminent domain real property, or any interest therein, necessary or deemed by the Highway Commission necessary for the accomplishment of any and all of the foregoing things; and

WHEREAS, in the judgment of the Highway Commission the parcels of land hereinafter described are necessary for the specific and particular purposes hereinafter specifically set forth;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the Commission does hereby find and declare that the parcels of real property hereinafter described, owned by Frank A. Moore and Opal F. Moore, are necessary for the accomplishment of the purposes hereinafter expressly and specifically set forth, which said real properties are described as follows, to wit:

Parcel No. 1

A parcel of land lying in the northeast quarter and the southeast quarter of Section 29 and in the southwest quarter of Section 28, Township 18 South, Range 2 West, W. M., Lane County, Oregon, and being a portion of the following described property: that tract of land which was conveyed by that certain deed to Frank A. Moore and

Opal F. Moore recorded in Book 131, Page 485, of Lane County Record of Deeds; the said parcel being all that portion of the foregoing described property included in a strip of land 70 feet in width, on the northerly side of the center line of the Willamette Highway as said highway has been relocated over and across or adjacent to the said property; the location of the said strip of land (in so far as it encroaches upon said property) being determined by the said center line from Station 235+58.1 to Station 259+27.9, which portion of center line is described as follows:

Beginning at a point which is Engineer's center line Station 235+58.1, opposite and 70 feet distant from which point the northerly line of the said strip of land intersects the west line of the M. Shelly D.L.C. No. 76, said point being 627 feet north and 22 feet west of the northwest corner of the Wm. Bristow D.L.C. No. 77, Township 18 South, Range 2 West, W. M.; thence South 59° 59' East a distance of 1060.5 feet; thence on a spiral curve left (the long chord of which spiral bears South 60° 11' 30" East 250.0 feet) a distance of 250 feet; thence along the arc of an 11,459.2 foot radius curve left (the long chord of which curve bears South 61° 10' 30" East 226.66 feet) a distance of 226.67 feet; thence along the arc of a spiral curve left (the long chord of which curve bears South 62° 09' 30" East 250.0 feet) a distance of 250.0 feet; thence South 62° 22' East a distance of 582.60 feet to center line station 259+27.9, at which station the said highway center line intersects the east line of said property.

The parcel of land to which this description applies contains 3.75 acres, of which 1.86 acres lie within the existing right of way, title to which hereby is acknowledged to be in the public, and 1.89 acres lie outside of the existing right of way.

Parcel No. 2

A parcel of land lying in Sections 28 and 29, Township 18 South, Range 2 West, W. M., Lane County, Oregon, the said parcel being a strip of land 20 feet in width for detour road and lying northerly of and parallel to the northerly line of the proposed right of way of the Willamette Highway, the northerly line of which strip is 90 feet north of and parallel to the following described center line of said highway:

Beginning at Engineer's Station 239+65; said station being 425 feet north and 325 feet east of the southwest corner of D.L.C. No. 76; thence South 59° 59' East 653.6 feet to Station 246+18.6 P. S.; thence on a spiral curve left 250 feet to Station 248+68.6 P.S.C.; thence on an 11,459.2 foot radius curve left 226.7 feet to Station 250+95.3 P.C.S.; thence on a spiral curve left 250

feet to Station 253+45.3 P. T.; thence South 62° 22' East 254.7 feet to Station 256+00 and the easterly end of said strip of land.

2. The Commission does hereby further find and declare that the above described Parcel No. 1 is necessary and is required for right of way purposes in connection with the construction of said highway, and that the above described Parcel No. 2 is needed and is required for an easement for the construction of a temporary detour road for the accommodation of traffic while the new highway is under construction and until the same is made available for public highway travel. After said new highway has been completed and is thrown open to public traffic the said easement shall terminate and the road constructed over the land covered by said easement may and shall remain as a service road for the use and benefit of the owner of the property.

3. That the State Highway Engineer be and he hereby is instructed and directed to make or cause to be made all surveys necessary in connection with the determination, description, and acquisition of said real properties, and said Engineer is further instructed to prepare and submit to the Legal Department necessary and adequate descriptions of the said real properties, which said descriptions shall be available for the preparation of any deed or other instrument necessary to complete the acquisition of said properties, whether said properties be acquired by purchase, donation, agreement, or by the exercise of the power of eminent domain.

4. That J. M. Devers, Attorney for the State Highway Commission, be and he is hereby requested, authorized, and directed to attempt to agree with the owners and/or with the tenants or persons in possession, if there be any, of said parcels of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement can be reached, then it is hereby further resolved that J. M. Devers, Attorney for the State Highway Commission, be and he hereby is requested to commence and prosecute to a final determination such suit or action as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

The Commission set Thursday, June 4, and Thursday, June 25, as dates for its next two regular meetings for the receiving of bids; and instructed the Secretary to make the usual arrangements to hold such meetings in the auditorium of the Public Service Building, Portland.

The Commission considered and signed agreements, et cetera, as follows:

Agreement with the City of Forest Grove relative to the maintenance of certain city streets over which is temporarily being routed Wilson River Highway traffic.

Agreement with the City of Lakeview providing for the maintenance of certain city streets that are not on state highway routes.

Agreement with Sweet Home Warehouse Company providing for the renewal of a lease for the Sweet Home maintenance headquarters.

Agreement with A. T. Dolan and wife providing for the lease of a maintenance headquarters site at Seaside.

Modification of lease agreement with Syneva Lindberg relative to the Port Orford maintenance headquarters site.

Agreement with the Great Northern Railway Company covering the reconstruction of the railway company's overpass on the Klamath Falls-Malin Highway east of Merrill.

Agreement with radio station KOAC providing for contribution of \$1500 of state highway funds to assist in financing of the "Oregon on Parade" program during the summer of 1942.

Agreement with Crook County relative to the oiling of 0.7-mile section of the county road known as Hardin County Road from its junction with the Ochoco Highway, about one-half mile east of Prineville, southerly about 0.7 mile.


Agreement with Deschutes County relative to the construction of a portion of the Terrebonne-Lower Bridge Federal Aid Secondary Highway.


Petition for the exclusion of state property from the Rogue River Valley Irrigation District so as to avoid payment of annual fees and assessments.

There being no further business to come before the Commission at this time the meeting was declared adjourned at 6:15 p. m.


State Highway Engineer


Chairman


Secretary


Commissioner

Portland, Oregon, June 3, 1942

The State Highway Commission met in regular session at 8:00 p. m. in room 234, Imperial Hotel. Present were:

Henry F. Cabell, Chairman
Herman Oliver, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

Also present were W. H. Lynch, District Engineer, and T. M. Davis, Senior Highway Engineer, of the Public Roads Administration. Commissioner Clough was excused from attending this meeting.

The Attorney requested authority to purchase certain parcels of real property that are needed for various highway improvements. He submitted a list of such properties, together with offers that he recommended be made in connection with each. After careful consideration the Commission approved the request and thereupon by unanimous vote adopted the following resolution relative thereto:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth, and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon, and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Clackamas County-Mt. Hood Highway</u>				
U. S. Government	Park	120.0	Annual rental \$75.60 as required by lease from government	Boardman

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Josephine County, Redwood Highway</u> U. S. Government	Park	70.0	Annual Rental \$6.88 as required by lease from government	Boardman
<u>Lane County, Siuslaw Highway</u> U. S. Government	Park	206.0	Annual rental \$220.20 as required by lease from government	Boardman
<u>Douglas County, Umpqua Highway</u> U. S. Government	Park	200.0	Annual rental \$187.25 as required by lease from government	Boardman
<u>Marion County, Silver Creek Falls Park</u> U. S. Government	Park	200.0	Annual rental \$35 as required by lease from government	Boardman
<u>Jackson County, Crater Lake Highway</u> U. S. Government	Park	320.0	Annual rental \$166.98 as required by lease from government	Boardman
<u>Triangle Lake Section, Siuslaw Highway</u> P-190-U. S. Government	Park	120.0	\$55 per year - 1 yr. lease	Boardman
<u>Loon Lake Park Section, Umpqua Highway</u> P-191-U. S. Government	Park	51.51	\$6.44 per yr. - 1 yr. lease	Boardman
<u>Camas Mt. Section, Coos Bay-Roseburg Highway</u> P-60-U. S. Government	Park	160.0	\$127.50 per year - 1 year lease	Boardman
<u>Klamath County Section, Klamath Falls-Lakeview Highway</u> P-188-U. S. Government	Park	80.0	\$10 per year - 1 year lease	Boardman
<u>Fishhawk Falls-Ranger Station Section, Wolf Creek-Nehalem Highway</u> 10046-Nehalem Investment Co.	R/W	6.70	\$1.00 LUMP SUM	McChesney
<u>Sunset Tunnel-Buxton Section, Wolf Creek Highway</u> 5225A-Boos, E. J.	R/W	0.87	\$25 LUMP SUM	Collins
<u>Vadis-Gardner Ranch Section, Wolf Creek Highway</u> 6557-Emrick, Charles Estate	R/W	3.65	\$100 per a. + \$135	Collins
<u>Benner Ranch-Barnes Road Section, Wolf Creek Highway</u> 5207-Lundgren, John, et al., (Estate)	R/W	1.12	\$250 per a. + \$37.50	Landon

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Berger Ranch-Barnes Road Section, Wolf Creek Highway (Cont.)</u>				
10253-Maranis, Thomas and Tom Marikis	R/W	0.03	\$450 per a. + \$11.50	Landon
9650-Townsend, Frances M.	"	1.0) 4.07) 5.07	\$500 per a.) plus \$300 per a.) \$90 plus moving building (Est. \$350)	"
5195-Rasmussen, Caroline	"	2.58	\$150 per a. + \$11	"
<u>Oregon Shipyard-Columbia Boulevard Section, Oregon Ship Bldg. Corp. Access Hwy.</u>				
10399-Oregon-Washington Pythian Home	R/W	1,000	sq. ft. 1 $\frac{1}{2}$ sq. ft.	McCallister
10394-Johnson, Felix	"	5,000	" 2 $\frac{1}{2}$ sq. ft.	"
10396-Hogg, James	"	249	" 2 $\frac{1}{2}$ sq. ft. + \$20	"
10401-Dawson, Dora A.	"	1,250	" 2 $\frac{1}{2}$ sq. ft. + \$225	"
10404-Gathright, Bessie M.	"	500	" 2 $\frac{1}{2}$ sq. ft. + \$20	"
10405-Carpenter, C. C. (St. Johns Investment Co.)	"	1,000	" 2 $\frac{1}{2}$ sq. ft. + \$380	"
10391-Lindow, Albert	"	47	" 2 $\frac{1}{2}$ + per foot or \$1	"
10402-Trembath, Richard H.	"	1,000	" 2 $\frac{1}{2}$ sq. ft. + \$130	"
10400-Jacobson, Amelia G.	"	750	" 2 $\frac{1}{2}$ sq. ft. + \$35	"
10412-Wm. Gatton Estate Company	R/W and Easement	1,100	" 2 $\frac{1}{2}$ sq. ft. + \$28	"
10406-Pinkston, Harvey R.	R/W	788	" 4 $\frac{1}{2}$ sq. ft. + \$68.48	"
10403-Rogers, Ellen Barry and Chas. Pinkston	"	1,236	" 4 $\frac{1}{2}$ sq. ft. + \$50	"
10397-Strom, John, Estate	"	7,500	" 2 $\frac{1}{2}$ sq. ft.	"
10395-Stringer, Otis	"	1,388	" 2 $\frac{1}{2}$ + sq. ft. + \$472	"
10389-Mason, Merta J.	"	0.22	\$600 per acre, + \$368, + mov. bldgs. (Estd. \$600)	"
10388-First Natl. Bank of Portland (Portland Savings & Trust Co.)	"	1.25	\$600 per a. + \$100	"
10387-Bonneville Substation	"	0.08	Permit to use GRATIS + \$25	"
<u>Newport-Waldport Section, Oregon Coast Highway</u>				
10384-Davis, Harold B.	Park	2.87	\$275 LUMP SUM	Witt
<u>Lincoln County Line-Ten Mile Section, Oregon Coast Highway</u>				
298-Stonefield, Geo. P.	Stock Pile	0.55	2 yr. lease at \$35 per year	Lytle
<u>North Bend Section, Oregon Coast Highway</u>				
10275-Southern Pacific Co.	Storage Lease		1 yr. lease at \$3 per month	DeSouza

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>City of Independence Section, Independence Highway</u>				
9903-Independence, City of	Stock Pile	0.42	5 year lease, at \$10 per year	Benson
<u>Suver-Benton County Line Section, Pacific Highway West</u>				
10284-Conger, Martin I.	R/W	0.46	at \$100 per acre, + \$102.60	Parker
10283-Flickinger, Alfred & G.	R/W	0.05	at \$600 per acre, + \$39	"
10330-Conkey, Earl E.	R/W	0.05	at \$500 per acre, + \$5.00	"
10366-Falk, F. W. & Travelers Insurance Company	R/W	8.23	at \$75 per acre, + \$685	Benson
10363-Sparks, C. W.	R/W	0.48	at \$100 per acre, + \$33.00	"
10362-Wiest, Mary H.	R/W	12.16	at \$100 per acre	"
		<u>8.37</u>	at \$40 per acre, +	
		20.53	\$589.70	
10350-Keeney, E. N.	R/W	0.234	at \$550 per acre, + \$136.50, + moving buildings (Estd. \$2,000)	Parker
10359-Smith, Sarah H.	R/W	6.67	at \$100 per acre, + \$908.40	Benson
10360-Fuller, William S.	R/W	0.08	at \$100 per acre, + \$24.75, + \$7.50	"
10361-Hill, Verda F.	R/W	5.96	at \$100 per acre, + \$308.20	"
10353-Van Loon, J. L.	R/W	6.74	at \$100 per acre, + \$1015.50	Parker
10356-Nelson, Harry A.	R/W	2.9	at \$100 per acre, + \$1157.50	"
10358-Sullivan, Henry	R/W	6.04	at \$100 per acre, + \$1,300.80	"
10352-Smith, Mary	R/W	17.34	at \$100 per acre	"
		<u>1.44</u>	at \$500 per acre, +	
		18.78	\$1,302	
<u>Illahee School-Albany Section, Pacific Highway</u>				
9475-A Union Central Life Insurance Company	R/W	0.15	Lump Sum - \$25.00	Witt
9483-A K. T. Tuv and Heltzel Estate Inc.	R/W	2.0	at \$100 per acre, + \$300	"
<u>Cascadia-Bryant Hill Section, South Santiam Highway</u>				
10328-Munkers, G. R.	Park	0.51	at \$250 per acre	Witt

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Halsey-Harrisburg Section, Pacific Highway</u>				
9718-Morehouse, Dorothea Cogswell	R/W	3.69	at \$100 per acre, + \$297.55; \$73.80 to be deducted if crop harvested before construction starts	Gardiner
10268-Bennett, Beulah, & Nita E. Scott	R/W	1.59	at \$100 per acre, + \$64.75; \$11 to be deducted if crop harvested before construction starts	"
10269-Lister, Charles R.	R/W	0.78	at \$100 per acre, + \$84.35; \$15.60 to be deducted if crop harvested before construction starts	Gardiner
10266-Reed, Dame Lyons	R/W	1.38	at \$100 per acre, + \$138.85; \$27.60 to be deducted if crop harvested before construction starts	"
10265-Smith, Albert M. (Est.)	R/W	0.25	at \$100 per acre, + \$20	"
10270-Widener, Wm. H.	R/W	2.13	at \$100 per acre, + \$222.60; \$42.60 to be deducted if crop harvested before construction starts	"
10272-Balkovic, Michael & A. Balkovic	R/W	0.96	at \$100 per acre, + \$101.70; \$19.20 to be deducted if crop harvested before construction starts	"
9706-Holloway, Wesley E. (Correction)	R/W	8,470 sq.ft.	at 3¢ sq.ft.	"
<u>Harrisburg-Junction City Section, Pacific Highway</u>				
10108-Davenport, B. C. (Correction)	R/W	0.52	at \$200 per acre, + \$1,086	Gardiner
<u>Smithfield-Elmira Section, Territorial Highway</u>				
10349-Henzler, H. M.	Stock Pile	1.01	Lump Sum - \$125	Gardiner
<u>Eugene Section, Pacific Highway</u>				
10381-Brodgers, Fred	R/W	41 sq.ft.	at \$1.22 per sq.ft.	Gardiner
<u>Judkins Point-Springfield Junction Section, Pacific Highway</u>				
10093-Taylor, Elsie	R/W	0.027	at \$1,000 per acre, + \$300, + moving service station (Estd. \$1450)	Parker

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Goshen-Pleasant Hill Section, Willamette Highway</u>				
8985-8985-A Lowery, C. R.	R/W	3.94	at \$125 per acre	
and H. L. Edmunson	Gravel Pit	3.85	at \$100 per acre, +	
(Correction)		7.79	\$3,602.50, + drill-	
			ing well (Estd. \$200)	Benson
9004-Brown, Robert P.	R/W	0.33	at \$100 per acre, +	
(Correction)			\$3,017	"
8991-Stafford, Lloyd E.	R/W	2.415	at \$125 per acre, +	
			\$3,296, + drilling	
			well. (Estd. \$200)	"
<u>Scottsburg Section, Umpqua Highway</u>				
4521-A Douglas County	Gravel	2.98	GRATIS	Cutler
	Bar			
<u>Central Point Section, Pacific Highway</u>				
10186-Southern Pacific Co.	Storage	35,420 sq.ft.	\$0.031+ per sq.ft.	DeSouza
<u>Medford Section, Pacific Highway</u>				
10414-Baker, Clarence A.	R/W	500 sq.ft.	at 2¢ sq.ft.	Witt
10415-Haas, Dan F.	R/W	1000 sq.ft.	at 2¢ sq.ft.	"
10418-Albertz, Laura L.	R/W	500 sq.ft.	at 2¢ sq.ft., + \$5	"
10170-Medford, City of	R/W	Easement through one lot	-Gratis	
10417-Dynum, Jesse B.	R/W	500 sq.ft.	at 2¢ sq.ft.	"
<u>Owens Street-Midland Road Section, Klamath Falls-Lakeview Highway</u>				
9594-Ferrari, Frank	R/W	Land 2453 sq.ft.	Gratis, + \$1500	Cozad
(Correction)				
9626-Hunt, William	R/W	Land 650 sq.ft.	Gratis, + \$725,	
(Correction)			+ lands to be deeded	
			by State (Consideration,	
			or price of lot \$200)	"
9625-DeYoung, Walter and	R/W	Land 520	Gratis, + \$765, + lands	
Nabel (Correction)		sq.ft.	to be deeded by the	
			State (price of land	
			\$200)	"
9631-Badorek, W.	R/W	Land 572	Gratis, + \$1,075	"
(Correction)		sq.ft.		
9612-Morosin, G.	R/W	Land 645	Gratis, + \$660, +	
(Correction)		sq.ft.	lands to be deeded	
			by the State (Value \$500)	"
<u>Keno-Klamath Falls Section, Green Springs Highway</u>				
10329-Holliday, C. L., Jr.	Quarry	1.20	at \$83.33 per acre	Chandler
	Site			

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Quartz Mountain-Drews Valley Section, Klamath Falls-Lakeview Hwy.</u>				
7889-A Oregon Land & Livestock Company	R/W	20.0	at \$3.00 per acre	
		0.85	at \$10.00 per acre, +	
		20.85	fencing	Cozad
<u>John Day River-Quinton Section, Columbia River Highway</u>				
10306-McClaskey, J. E.	R/W and Quarry	30.01	at \$3.00 per acre	
		31.83	at \$5.00 per acre, +	
		61.84	\$50, + fencing	Cozad
<u>Baker Section, Old Oregon Trail Highway</u>				
10321-Union Pacific RR Co. Storage Site		5 yr. lease	\$5.00 per year	DeSousa
<u>Prairie City Section, John Day Highway</u>				
10327-Grant County Bank of Gravel John Day Pit		5 year lease at 2 1/2 cu.yd.		Van Scoy
<u>Swan Island Section, Oregon Shipbuilding Corporation Access Highway</u>				
10420-Peterson, Louis G.	R/W	3600 sq.ft.	at 21¢ minus sq.ft.	McCallister
10421-Grace, Charles T.	R/W	7700 sq.ft.	at 21¢ sq.ft., + \$1083	"

In connection with the above Mr. Lynch approved the settlements for properties needed for access road improvements, it being understood that the properties would not be purchased unless the contracts for the road improvements, for which bids are to be taken on the following day, are awarded.

Also, in connection with such list of properties, the State Parks Superintendent, Mr. S. H. Boardman, who was present, advised that, as previously instructed by the Commission, he has made an endeavor to purchase outright Camas Mountain State Park adjacent to the Coos Bay-Roseburg Highway, in Douglas County, which property is now under lease from the Federal Government. According to the lease, he said, the state has the prerogative to purchase the property if it so desires, before the expiration of the lease; however, the federal authorities now rule that the state cannot purchase it outright. He suggested, as an alternative, that an arrangement be made with Douglas County to acquire the property by exchange for comparable county property, then the state can negotiate with the county for acquisition of the area. The Commission

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approved such arrangement and instructed the Parks Superintendent to follow the matter through, not only with respect to this parcel but also with respect to other park properties that are in the same category. The Commission approved the payment of the lease amounts for another year but decided not to purchase outright any of the park areas from the government until the war is over.

The Attorney brought up for discussion the matter of acquiring right of way needed for the Swan Island and North Portland Access Roads across properties owned by the City of Portland and Multnomah County. He advised that the city has stated its willingness to donate right of way across the city-owned property but the county has indicated a reluctance to do so and it may be necessary to pay the county about \$1,000 for its land. The Attorney was instructed to contact the Board of County Commissioners again relative to the matter and, if possible, secure this right of way free of cost. (The Attorney reported later in the session that the county will donate the right of way)

The Engineer requested approval of a change in the plans for the improvement of the intersection at Sixth and High Streets, Eugene, which improvement is needed to facilitate the movement of traffic to the Eugene Fruitgrowers Cannery. He advised that the original plan included acquisition of additional right of way which would have cost the state approximately \$3500 but such expense can be avoided under the new plan which reduces the area required for right of way although it involves the cutting back of the curbs on both sides of High Street for one block north of Sixth Street and for a distance of one block on the north side of Sixth Street west of High Street. The estimated cost of the entire project, he said, will still be within the \$5000 heretofore approved by the Commission for this work. The Commission approved the revised plan subject to the condition that it is satisfactory with the city officials.

The Attorney requested authority to institute condemnation proceedings to acquire certain parcels of real property that are needed for various highway improvements throughout the state. He submitted a list of such properties together with offers that he recommended be made for each in condemnation, as follows:

<u>File No.</u>	<u>Name</u>	<u>Purpose Required</u>	<u>Recommended Offer</u>
10354	Prudential Insurance Company of America	R/W	\$ 650.00
10355	George L. Fullington	R/W	1500.00
10357	Prudential Insurance Company of America	R/W	650.00
10365	A. F. Elkins	R/W	(Amount of offer to be fixed by Mr. Devers and Mr. Cabell after further investigation)
10386	Electro Metallurgical Company	R/W	650.00

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<u>File No.</u>	<u>Name</u>	<u>Purpose Required</u>	<u>Recommended Offer</u>
10390	Fritz Bikjan	R/W	\$ 500.00
10392	Peter J. Lyski	R/W	3000.00
10393	Marie Mullen, et al	R/W	200.00
10398	Jessie I. Gentzkow	R/W	1450.00
10407	Leland Field Maybach, et al	R/W	625.00
10419	Clifford L. Dye	R/W	10.00
9527	J. D. Bergen	R/W	15,000.00

After careful consideration the Commission approved the offers and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, the State Highway Commission is authorized to locate, relocate, construct, reconstruct, maintain, widen, straighten, and otherwise improve state highways, both primary and secondary, and said Commission is also authorized to construct shops, equipment sheds, office buildings, maintenance sites, patrolmen accommodations, and snow fences, and is authorized to acquire quarry sites, gravel pits, storage sites, stockpile sites, weighing stations, and broadcasting stations, and is further authorized to develop, construct, improve, operate, and maintain parks, parking places, auto camps, camp sites, roadside development, recreational grounds or resorts, and other places of attraction and scenic value; and

WHEREAS, said Highway Commission is authorized to acquire by purchase, agreement, donation, or by the exercise of the power of eminent domain real property, or any interest therein, necessary or deemed by the Highway Commission necessary for the accomplishment of any and all of the foregoing things; and

WHEREAS, in the judgment of the Highway Commission the several tracts or parcels of land hereinafter described are each and all necessary for the specific and particular purposes hereinafter specifically set forth;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the Commission does hereby find and declare that the several parcels of real property hereinafter described are each and all necessary for the accomplishment of the purposes hereinafter expressly and specifically set forth, which said real properties and the specific purposes for which the same are being acquired are described as follows, to wit:

Real property owned by The Prudential Insurance Company of America, a corporation, which property is located in the southwest quarter (SW $\frac{1}{4}$) of Section 31, Township 8 South, Range 4 West, W. M., in Polk County, Oregon, and is more

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particularly described on the attached sheets and designated as Parcel No. 1 and is further identified in the records of the Highway Commission as file R 10354, and which property is being acquired for right of way purposes in connection with the Pacific Highway West;*

Real property owned by George L. Fullington, et ux., which property is located in the northwest quarter (NW $\frac{1}{4}$) of Section 6, Township 9 South, Range 4 West, W. M., in Polk County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 2 and is further identified in the records of the Highway Commission as file R 10355, and which property is being acquired for right of way purposes in connection with the Pacific Highway West;*

Real property owned by The Prudential Insurance Company of America, a corporation, which property is located in the southwest quarter of Section 6, Township 9 South, Range 4 West, W. M., in Polk County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 3 and is further identified in the records of the Highway Commission as file R 10357, and which property is being acquired for right of way purposes in connection with the Pacific Highway West;*

Real property owned by A. F. Elkins, et al., which property is located in the east half of the northwest quarter of Section 19, Township 9 South, Range 4 West, in the Joseph W. Suver D. L. C. No. 44, situated in Section 19, Township 9 South, Range 4 West, and in the J. W. Suver D. L. C. No. 44 in Sections 29 and 30, Township 9 South, Range 4 West, W. M., in Polk County, Oregon, and is more particularly described on the attached sheets and designated as Parcels Nos. 4, 5, and 6 and is further identified in the records of the Highway Commission as file R 10365, and which property is being acquired for right of way purposes in connection with the Pacific Highway West;*

Real property owned by Electro Metallurgical Company, a corporation of West Virginia, which property is located in the Wm. Gatton D. L. C. and the James Loomis D. L. C. in Sections 35 and 36, Township 2 North, Range 1 West, W. M., in Multnomah County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 7 and is further identified in the records of the Highway Commission as file R 10386, and which property is being acquired for right of way purposes in connection with the North Portland Shipyard Access Road;*

Real property owned by Fritz Birkjan, which property is located in Lots 1, 2, 3, and 4, Block 30, and Lots 22 to

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28, inclusive, Block 30, East St. Johns Addition to Portland, in Multnomah County, Oregon, and is more particularly described on the attached sheets and designated as Parcels Nos. 8 and 9 and is further identified in the records of the Highway Commission as file R 10390, and which property is being acquired for right of way purposes in connection with the North Portland Shipyard Access Road;*

Real property owned by Peter J. Lyski, which property is located in Lots 18, 19, 20, and 21, Block 32, East St. Johns Addition to Portland, in Multnomah County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 10 and is further identified in the records of the Highway Commission as file R 10392, and which property is being acquired for right of way purposes in connection with the North Portland Shipyard Access Road;*

Real property owned by Marie Mullin, et al, which property is located in Lots 1, 2, and 3 of Block 34, East St. Johns Addition to Portland, in Multnomah County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 11 and is further identified in the records of the Highway Commission as file R 10393, and which property is being acquired for right of way purposes in connection with the North Portland Shipyard Access Road;*

Real property owned by Jessie I. Gentzkow, which property is located in Lots 38 to 44, inclusive, Block 34, East St. Johns Addition to Portland, in Multnomah County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 12 and is further identified in the records of the Highway Commission as file R 10398, and which property is being acquired for right of way purposes in connection with the North Portland Shipyard Access Road;*

Real property owned by Leland Field Maybach and Mary Christina Maybach Summers, et vir., which property is located in the southeast quarter (SE $\frac{1}{4}$) of Section 6, Township 1 North, Range 1 East, W. M., in Multnomah County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 13 and is further identified in the records of the Highway Commission as file R 10407, and which property is being acquired for right of way purposes in connection with the North Portland Shipyard Access Road;*

Real property owned by Clifford L. Dye, which property is located in Lot 11 of Block 1 of Palm's 2nd Addition to

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the City of Medford in Jackson County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 14 and is further identified in the records of the Highway Commission as file R 10419, and which property is being acquired for right of way purposes in connection with the Pacific Highway;*

Real property owned by John D. Bergen, which property is located in Lots 3, 4, 5, 6, 7, 8, and 9, Block 31, Plat "B" Coos Bay Addition to North Bend, in Coos County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 15 and is further identified in the records of the Highway Commission as file R 9527, and which property is being acquired for right of way purposes in connection with the Oregon Coast Highway.*

2. That the Commission does hereby find and declare that each of the said described parcels of real property is necessary and acquisition of the same by the State is required for the specific purposes hereinabove set forth, and the said properties are being acquired for the express and specific purposes in this resolution set forth.

3. That the State Highway Engineer be and he hereby is instructed and directed to make or cause to be made all surveys necessary in connection with the determination, description, and acquisition of said real properties, and said Engineer is further instructed to prepare and submit to the Legal Department necessary and adequate descriptions of the said real properties, which said descriptions shall be available for the preparation of any deed or deeds or other instrument or instruments necessary to complete the acquisition of said property or properties, whether said properties be acquired by purchase, donation, agreement, or by the exercise of the power of eminent domain.

4. That J. M. Devers, Attorney for the State Highway Commission, be and he is hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby further resolved that J. M. Devers, Attorney for the State Highway Commission, be and he hereby is requested to commence and prosecute to a final determination such suit or action, or suits or actions, as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

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*(The detailed descriptions of the respective parcels of real property mentioned in this resolution are attached to the original resolution on file in the office of the State Highway Commission, Salem, being Resolution No. 26, under the heading "Real Property Condemnation Resolutions", and said descriptions by this reference are made a part of this minute entry to the same extent as if copied in full herein.)

In this connection the Attorney brought up for discussion acquisition of right of way needed for the improvement of the Benton County Line-Monmouth Section of the Pacific Highway West across lands owned by Mr. A. F. Elkins. He advised that the property has been appraised by three different appraisers who value the property at \$5,000, \$6,000 and \$5,800, respectively, and gave as his thought that Mr. Elkins would not settle for less than \$10,000 or \$12,000 because he has a very nice piece of property which will be severely damaged by the highway improvement. He requested authority to condemn this property, if necessary. The Commission approved the request but left it with Chairman Cabell to specify the amount of the offer that is to be used in condemnation.

The matter of purchase of the greenhouse property in North Bend, which is needed in connection with the improvement of the Marshfield-North Bend Section of the Oregon Coast Highway was also discussed by the Commission. The Attorney advised that this property has been appraised by four different appraisers at \$14,320, \$13,190, \$12,500 and \$16,000, respectively; also that Mr. J. D. Bergen, the owner of the property, is demanding \$15,000 for the same and that he be allowed to keep the greenhouses, which he wants the state to move to a new location at state expense. He gave as his thought that Mr. Bergen is asking an excessive amount for the property. He recommended payment of \$15,000 for the property, including the greenhouses, and that the greenhouses be advertised for sale later when Mr. Bergen can submit a bid for them if he so desires. The Commission approved the recommendation. The Attorney was authorized to condemn the property, if necessary.

The Attorney brought up for discussion the acquisition of right of way needed for the Wolf Creek Highway through property owned by Ernest and Fred Zurcher, in Washington County. He advised that the right of way on both sides of the Zurcher property has already been acquired but negotiations with Zurcher Brothers were discontinued on orders from the Commission when it was decided to defer construction of this section for the duration of the war. Zurcher Brothers, he said, are quite anxious to consummate the sale because they are about to construct a new barn and it appears that the right-of-way matter must be decided before they can proceed. It also appears that the price they are asking for the property is considerably in excess of the appraised value. The Commission decided, in view of the fact that the right of way on both sides of the Zurcher property has already been acquired, to resume negotiations with Zurcher Brothers, it being understood that the property will be purchased if it can be acquired at a reasonable cost, otherwise acquisition will be deferred until the property is actually needed for construction.

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The Commission discussed the controversy with the Postal Telegraph Company with respect to the removal of some of its poles from right of way recently acquired for the Medford improvement of the Pacific Highway. The Attorney advised that the company is willing to move its poles but wants the state to pay the costs involved, and alleges that it is occupying the right of way under authority of a federal statute so the state cannot make the company move its poles at its own expense. The Attorney read aloud the federal statute referred to and pointed out particularly that it refers to poles that are used solely for telegraph purposes, whereas the poles under discussion carry power wires of the Mountain States Power Company in addition to the telegraph company's wires, and there is a question as to the ownership of the poles. After considerable discussion the Attorney was instructed to study the contract between the Postal Telegraph Company and the Mountain States Power Company with respect to the joint use of the poles. He was also authorized and instructed to try the case out in court in the event that a satisfactory agreement cannot be reached with the Postal Telegraph Company.

The Engineer brought up for discussion the matter of moving the poles of the Portland Traction Company from Greeley Street, Portland, to facilitate the construction of the Swan Island Access Road Project. He advised that the Traction Company wants the state to pay for moving the poles, which is estimated to cost in excess of \$5,000, whereas in his estimation it is not the state's obligation. Furthermore, the Public Roads Administration will not approve federal funds to pay this expense. He pointed out that the company is operating under franchise from the city and that the provisions of the franchise call for the company to remove its poles when requested to do so by the city. It was his thought that the Traction Company should be required by the city to move the poles under the provisions of the franchise and that the city should adopt an ordinance to that effect. The Commission indicated concurrence in the Engineer's viewpoint and thereupon referred the matter to the Attorney to discuss with City Commissioner Bowes.

The Engineer reported a request from the Krome Mining Corporation for the construction of a roadway leading to a chrome ore deposit, in Coos County. He advised that the deposit is located on Three Mile Creek north of Bandon, and it is proposed to construct an inexpensive roadway with bulldozer equipment from the mine to a connection with the North Bank County Road on Coos River near a place called Randolph, a distance of about seven miles, and to finance the work, if possible, with Federal Access Road Funds. He requested authority to make a survey for the roadway, which is estimated to cost about \$300, and to advertise the construction project for bids to be received at the next meeting of the Commission, if the project is approved for access moneys. The Commission approved the request.

The Commission adjourned at 11:00 p. m. to reconvene on the following morning in the Public Service Building.

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Portland, Oregon, June 4, 1942

The State Highway Commission reconvened at 9:00 a. m. in the auditorium of the Public Service Building. Present were:

Henry F. Cabell, Chairman
Herman Oliver, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

Commissioner Clough was absent.

Bids, as follows, for highway construction projects, sale of timber, rent of state-owned heavy construction equipment, and sale of obsolete equipment and scrap materials located at the four highway department equipment plants, were opened and read in conformance with previously published notices, following which Chairman Cabell announced that the awards would be made at 3:30 p. m. in the same room:

PACIFIC HIGHWAY WEST
LEWISBURG-CORVALLIS SECTION - GRADING AND PAVING

E. C. Hall Co. & J. C. Compton \$236,925.00

PACIFIC HIGHWAY WEST
LEWISBURG-CORVALLIS SECTION - WIDEN THREE BRIDGES

J. F. Johnston \$16,373.00

OREGON COAST HIGHWAY
PORT ORFORD ROCK PRODUCTION PROJECT

A. H. Saxton & Son \$53,455.00

MCKENZIE HIGHWAY
BELKNAP SPRINGS-FOURMILE BUTTE ROCK PRODUCTION PROJECT

No bids received on this project

CENTRAL OREGON HIGHWAY
BUCHANAN ROCK PRODUCTION PROJECT

No bids received on this project

WILLAMETTE HIGHWAY
GOSHEN-PLEASANT HILL SECTION
GRADING, SURFACING AND BITUMINOUS MACADAM

C. J. Eldon
McNutt Brothers

Using Asphalt
\$273,015.50
279,629.00

Using Tar
\$272,845.50
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WILLAMETTE HIGHWAY
GOSHEN-PLEASANT HILL SECTION - BRIDGES

Tom Lillebo	\$53,774.00
*C. J. Eldon	67,097.50
McNutt Brothers	79,960.00

*Lump sum reduction of \$6,700.00, if also awarded the
Goshen-Pleasant Hill Project

CITY OF SALEM
TWELFTH STREET SECTION - PAVEMENT RESURFACING

Warren Northwest, Inc.	\$20,600.00
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THREE ACCESS ROADS
NORTH PORTLAND SHIPYARD ACCESS ROAD PROJECT
GRADING AND PAVING

Parker-Schram Company	\$168,746.00
Porter W. Yett	172,168.00

NORTH BURGARD STREET IN PORTLAND
WIDEN BRIDGE OVER O.W.R.R.&N. TRACKS

O. N. Pierce	\$10,890.00
Lindstrom Brothers	12,055.00

FOUR ACCESS ROADS
SWAN ISLAND SHIPYARD ACCESS ROAD PROJECT - GRADING AND PAVING

Porter W. Yett	\$170,742.50
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NORTHEAST GOING STREET IN PORTLAND
OVERCROSSING STRUCTURE OVER UNION PACIFIC TRACKS

Tower Sales & Erecting Company	\$23,080.00
Lindstrom Brothers	25,226.00

PACIFIC HIGHWAY WEST
NORTH UNIT, MONMOUTH-BENTON COUNTY LINE SECTION - GRADING

E. C. Hall Co. & J. C. Compton	\$264,935.00
McNutt Brothers	274,491.50
Hauser Construction Company	280,886.00

PACIFIC HIGHWAY WEST
MONMOUTH-BENTON COUNTY LINE SECTION
GRADING AND PAVING

McNutt Brothers	\$522,918.50
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PACIFIC HIGHWAY WEST
MONMOUTH-SUVER SECTION - BRIDGES

J. F. Johnston	\$14,051.00
O. N. Pierce	15,935.00
Averill & Corbin	16,692.00
Tom Lillebo	17,540.00
McNutt Brothers	28,280.00

PACIFIC HIGHWAY WEST
SUVER-LEWISBURG SECTION - WIDEN BRIDGES

J. F. Johnston	\$22,140.00
Averill & Corbin	22,850.00

PACIFIC HIGHWAY WEST
MONMOUTH-SUVER SECTION - UNDERCROSSING NEAR HELMICK PARK

Averill & Corbin	\$ 9,642.00
McNutt Brothers	24,354.00

SALE OF TIMBER

Timber On Tract Near Oregon Coast Highway, North Of Nehalem, Tillamook County

No bids received

RENT OF STATE-OWNED HEAVY CONSTRUCTION EQUIPMENT

Lorain 1 1/2-Yard Gas Shovel

R. E. Rush,

Monthly Rate
\$ 400.00

P & H 1 1/2-Yard Diesel Shovel

Walter Butler Co.
R. E. Rush

\$ 950.00
750.00

Bay City 1 1/2-Yard Diesel Shovel

R. E. Rush
Walter Butler Co.

\$ 1,001.00
950.00

RD-7 Diesel Tractor With Logging Drum

R. E. Rush

\$ 300.00

Allis-Chalmers Tractor With Drum and Bulldozer

R. E. Rush

\$ 300.00

OBSOLETE EQUIPMENT AND SCRAP MATERIALS

Bids received for obsolete equipment and scrap materials at the highway department shops at Salem, Klamath Falls, Coquille and LaGrande. (For details see blueprint tabulation of bids filed in general files.)

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Mr. Burton Hutton, Director "Oregon on Parade", KOAC, appeared before the Commission in regard to the Commission's offer to cooperate with the State Board of Higher Education during the summer of 1942 in its KOAC "Oregon on Parade" radio program. Chairman Cabell explained that the Commission's previous offer was made in good faith but the Commission now questions whether the promotion of travel by automobile is the proper thing to do because it seems to the Commission to be in contradiction to the efforts that are being made by the federal authorities to curtail travel as much as possible in order to preserve automobile tires. He pointed out that the rationing of tires and gasoline is bound to reduce travel which in turn will reduce the highway department's revenues, and there is a question whether or not the Commission has legal authority to spend state money for a program of this kind if it does not provide revenues for the state highway fund. He also pointed out that there is a question of diversion of funds and the loss of federal aid funds as a result thereof. It was his thought that it would be proper to cancel the Commission's previous arrangement in view of the circumstances. Commissioner Oliver concurred. Mr. Hutton expressed his appreciation of the Commission's attitude and stated his approval of the Commission's action. The Secretary was thereupon instructed to notify Dr. V. V. Caldwell and secure the return of the agreements heretofore executed.

In this connection the Commission ordered the curtailment of advertising expense by the Travel and Information Department in so far as is possible.

Mr. E. L. Gray, President, Salem, Monmouth, Independence, and Kings Valley Highway Association, was present and presented a petition signed by the City of Independence, City of Monmouth, Independence Chamber of Commerce, Monmouth Chamber of Commerce, Independence City Planning Board, and the Salem, Independence, Monmouth, Kings Valley Highway Association, in which the Highway Commission is requested to authorize surveys as may be necessary to establish a permanent site for a proposed bridge across the Willamette River at Independence and a permanent location for the Monmouth-Independence State Highway. After discussion the Commission authorized the Engineer to make a preliminary reconnaissance survey of the situation, the results of which are to be reported to the Commission at its next regular meeting when the Commission will decide whether or not to authorize definite surveys.

Mr. George W. Gleeson, Professor of Chemical Engineering, Oregon State College, discussed with the Commission the matter of conducting chrome mining operations on the Oregon beaches in Coos and Curry Counties. Professor Gleeson advised that the beach sands contain chrome ore which is of great value at the present time in the manufacture of war equipment and is easily recoverable with new machinery that has been developed for this particular purpose. He requested exclusive authority to operate this equipment on the beach areas in the recovery of chrome so that mining interests will be justified in going to the expense of erecting a chrome concentration plant. He pointed out that the beach sands contain from one to six per cent chromite, and advised that the removal of the sand from the beach areas will not permanently destroy the beaches because practically 90 per cent of the sands removed would be returned. The Attorney pointed out that there is a question which state department has

jurisdiction over such beach activities, the State Highway Commission or the State Land Board, and it was his thought that any arrangement that is made authorizing the removal of sands from such areas should be approved jointly by both departments.

Professor Gleeson advised that, in his estimation, the mining people should pay a royalty for the privilege of operating on the beach area and suggested a five per cent royalty where the operations are on the fore beach and ten per cent on other locations. He mentioned a number of locations where operations would probably take place, as follows: (1) between Cape Arago and the mouth of the Coquille River at Bandon; (2) between Floras Lake and Cape Blanco; (3) between Cape Blanco and the Rocks at Port Orford; and (4) on the beach at Euchre Creek; also on the beaches north and south of the Rogue River, Pistol River and at Brookings. The sands at these locations, he said, contain approximately six per cent chromite. He said that his sole interest in the matter is from the standpoint of the State College and the recovery of chrome for use in connection with war efforts. The Commission indicated a favorable attitude toward granting private capital limited use of the beaches at a fair royalty but deferred a definite decision in regard thereto pending a conference with the State Land Board. The Engineer was thereupon instructed to secure an appointment for the Commission with the State Land Board for a discussion of the matter prior to the next regular meeting of the Commission.

Mr. H. R. Williams, representing the Arrow Transportation Company, was present and asked the Commission to improve the ION Highway between Jordan Valley and the Idaho state line. He advised that a recent ruling of the Office of Defense Transportation requires them to route their trucks over the shortest route between points which means the use of the ION Highway between California and points in Idaho, in order to conserve tires and gasoline, but they cannot very well comply with the rule in view of the bad condition of the highway north of Jordan Valley. It was his thought that the Highway Commission would be willing to cooperate in view of the government's order and the fact that the road is a state highway. The matter was referred to Commissioner Oliver and the Engineer to investigate, the results thereof to be reported to the Commission at its next meeting.

The Commission adjourned at 11:30 a. m. and reconvened at 2:00 p. m. in the same room with the same persons present and participating.

A delegation consisting of the following members appeared before the Commission in regard to the improvement of a county road in Linn County as a temporary detour for the Albany-Lyons Secondary State Highway in the vicinity of Scio: C. H. Watzek and F. L. Thompson, representing the Roaring River Logging Company; Neil Malarkey and Henry Sauve, representing the Albany Plylock Corporation; Bruce Hoffman, representing the Avery, Richardson and Green Timber Company; Judge J. J. Barrett and Commissioners H. A. Renninger and Claude G. Smith, representing the Linn County Court, and County Engineer Walter E. Larsen. Mr. Watzek advised that the Roaring River Logging Company has acquired a large timber tract about ten miles southeast of the town of Scio and that it is necessary to truck-haul the logs over a portion of the Albany-Lyons Secondary State

Highway, three miles of which highway south of Scio is in bad condition. He gave as his understanding that the Commission is not in position to improve this three-mile section at the present time and suggested in view thereof that the Commission temporarily reroute state highway traffic over a county road which begins at a point on the present highway about two miles east of Scio and extends southerly about three miles, thence westerly two miles to a connection with the present highway. This route, he said, contains fewer hills than the state highway and is much better suited for truck-hauling of logs than the other. Furthermore, the north and south portion has a good oiled surface and all that is needed is to improve the two-mile section at the south end which, in his estimation, would not be a costly undertaking. He suggested an arrangement with the county court to maintain the five miles of state highway adjacent to and through Scio if the state would improve and maintain the county road. Judge Barrett stated that the county would appreciate the Commission's doing what it can to help out in the situation but is not in favor of changing the status of the present highway. The State Highway Engineer suggested that the trade in highways could be made for the duration of the war only. The Attorney advised that the Commission has legal authority to make such a trade if it so desires.

County Engineer Larsen pointed out that Linn County now has arrangements with other logging companies to maintain certain county roads and if the county would consent to Mr. Watzek's suggestion it would mean that these arrangements would have to be revised. Judge Barrett then advised that the county has no objections to the state taking over and maintaining the county road but not on the premise that the county would have to assume the maintenance of the state highway south of Scio. If the logging company would maintain the state highway south of Scio relieving the county of such expense, then that would be agreeable to the county court. The matter was discussed further but definite action was deferred until a future meeting of the Commission.

A delegation from Eugene, consisting of R. W. Buford, Secretary of the Lane County Electric Association, and A. R. Hamilton and Clarence Belknap, members of the Association, and F. F. Northrop, representing the Eugene Water Board, conferred with the Commission in regard to the construction of a power pole line on the McKenzie Highway in the vicinity of Leaburg Dam. Mr. Buford was spokesman. He advised that the Electric Association has maintained a low-voltage power line along the north side of the highway at this location for some time but it has become necessary to increase the voltage which requires the reconstruction of the pole line and the installation of new poles; further, that they wanted to place the new pole line on the north side of the highway but were denied a permit for this privilege in view of the fact that this side of the highway was occupied by a telephone pole line and it being contrary to the established policy of the Highway Commission to allow two pole lines on either side of the highway, in view of which they asked the privilege of establishing their line on the south side of the highway which was also denied because it was alleged that the pole line would detract from the scenic view of the McKenzie River. He further stated that he has been in consultation with the Highway Department Engineer for some time in an endeavor to arrive at a satisfactory solution of the problem but has been unable to meet any satisfactory agreement although the last suggestion made was that they overbuild the

telephone line and allow the telephone company the joint use of the poles, which arrangement was satisfactory to the Electric Association but did not meet with the approval of the Telephone Company.

The matter was discussed at some length during which the Commission's policy with respect to pole-line construction on state highways was explained by Chairman Cabell. Chairman Cabell suggested, in view of the fact that the power company has maintained its pole line on the north side of the highway for many years, that it would be satisfactory to allow the company to rebuild its line on that side of the highway notwithstanding the telephone company's objections. It appeared to him that this is the only solution to the problem in order to maintain the scenery on the south side of the highway in an unmarred condition, and it was his thought that the Commission is justified in deviating from its established policy in this instance because of the unusual conditions obtaining. Commissioner Oliver concurred and the Secretary was thereupon authorized to issue a permit in conformity therewith.

A delegation from Parkrose, including J. C. Strudgeon, R. A. Freeman and Harry Pearce, was present and asked the Commission to oil the shoulders adjacent to the pavement on Sandy Boulevard (Columbia River Highway) through the Parkrose District. They were informed that the Commission has already approved such project and that the oiling work will be done as soon as possible.

The Commission approved the minutes of the meetings held on December 18, 1941, January 5, January 21, and February 13, 1942. (Commissioner Clough approved and signed the minutes later.)

The Commission discussed a proposed press release prepared by the Engineer concerning the War Production Board's Order L-41 and Amendment thereto, having to do with highway construction work. The Commission approved the release and thereupon by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, because of the national emergency the United States Government has deemed it essential to national defense that all industrial and commercial activities, including state, county and municipal activities, be brought within the reach and control of the Federal sovereignty and its created agencies; and

WHEREAS, on April 9, 1942, the War Production Board made and issued Order No. L-41, by which the commencement of any highway and/or street construction is prohibited unless such work has been specially approved by the War Production Board as essential to the war effort; and

WHEREAS, subsequent to the action of the War Production Board as disclosed in its said order L-41, dated April 9, 1942, the War Production Board made and issued an order designated as Serial No. L-41-600, dated May 8, 1942, which last order, among other things, contains these provisions:

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"(B) Pursuant to paragraph (b) (7) (ii) of Conservation Order No. L-41, you are hereby authorized to Begin Construction on Road Projects under your jurisdiction, provided, however, that you:

- "(1) Prepare and file by the 10th day of each month, with the District Engineer of the U. S. Public Roads Administration through the State Highway Department of the State in which the Road Department is located, a report showing 'Estimate of Materials' required in order to complete all projects to which this Authority, No. L-41-600, applies and for which work orders were issued during the preceding calendar month. (Use Public Roads Administration Form PR-46.)
- "(2) Shall not under this Authority No. L-41-600 Begin Construction on a Road Project which requires the incorporation of any steel reinforcing bars, steel culverts or structural steel, unless such steel is owned, or has been ordered, on or before the date of this Authority, by the Road Department or the contractor engaged to construct the Road Project.

"(C) This authorization assigns no preference rating to deliveries of materials to be used in the construction of any Road Project. Inability of the Road Department to procure without priority assistance material to complete any Road Project will not of itself be considered adequate grounds for issuance of a rating.

"(D) The Director of Industry Operations of the War Production Board may at any time order the Road Department to cease work upon any Road Project, construction of which has been begun pursuant to this Authority, if he determines that the prosecution of the war requires more urgently the use elsewhere of the labor, materials and construction machinery needed to complete the road construction previously authorized."

AND, WHEREAS, nearly all public highway and/or street construction, improvement and/or maintenance involves the use of materials, supplies and/or equipment needed for the war effort, and therefore it is practically impossible to carry on any highway or street work free of priority requirements and War Production Board restrictions; and

WHEREAS, in all instances where such work falls within the reach of War Production Board orders priority ratings with respect to

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materials, equipment, parts, tires or other things may be obtained only if the proposed work is deemed by the Board to be essential to the war effort; and

WHEREAS, in order to secure the necessary priorities and thus obtain the required materials, equipment or supplies the specific approval of the War Production Board and its certification that the work is essential to war effort must first be obtained; and

WHEREAS, because of the confusion which is shared by the general public with respect to the projects which may or may not be promoted and with respect to Federal approval which may or may not be granted for any particular project, it is deemed by the Highway Commission prudent that its policy and purpose concerning future highway projects be made known; and

WHEREAS, it is also the belief of the Commission that it should declare its policy with respect to full cooperation with the war effort, its purpose to promote and conduct every feasible highway project within the reach and control of the priority ruling consistent with sound business judgment and the best interests of the state at large;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED BY the Oregon State Highway Commission, all members being present and voting affirmatively;

1. That the Commission hereby offers, to the extent of available funds, resources, equipment and personnel, full cooperation with the Federal Government for the construction, improvement, and/or maintenance of highways--strategic, access or civilian--which in the judgment of the War Production Board are essential to or will aid the war effort.

2. That to the end that civilian life and activities may go forward without unnecessary interruption or inconvenience, the Commission will, with respect to disbursements of state funds on state projects which are beyond the zone or reach of priority requirements or War Production Board orders, confine such disbursements to administration costs, surveys, and the preparation of plans for post-war projects, including the acquisition of necessary rights of way, and to essential maintenance, restoration or emergency requirements;

3. That the Commission recognizes a severe and definite shortage of labor, materials, supplies, machinery, equipment and repair parts and therefore all road work not actually important in the all-out war effort shall be and is suspended for the duration; and

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4. That the Commission recognizes that curtailment of motor equipment, restrictions on the sale of gasoline and other enforced inhibitions will result in a material reduction in highway revenues and therefore it is the declared purpose and policy of the Commission to use and employ highway revenues for cooperation with the Federal Government in the building of road or street projects deemed by the Army, Navy or War Production Board to be essential to the war effort, for emergency purposes, for the maintenance and restoration of the present highway system, for the preparation of detail, plans and surveys for post-war projects, including where feasible the acquisition of rights of way, and for administration costs in the maintenance of a necessary departmental organization.

At 3:30 p. m. Chairman Cabell announced the awards of contracts, and made statements relative to sale of timber, rent of state-owned heavy construction equipment, and sale of obsolete equipment and scrap materials, as follows:

"Lewisburg-Corvallis Section of the Pacific Highway West, in Benton County. 5.56 miles grading and paving. E. C. Hall Company and J. C. Compton, McMinnville, submitted the only bid for this project, in the amount of \$236,925.00. The Commission awards this contract to E. C. Hall Company and J. C. Compton at their bid of \$236,925.00.

"Widen three bridges on the Lewisburg-Corvallis Section of the Pacific Highway West, in Benton County. The only bid received was that of J. F. Johnston, Newberg, at \$16,373.00. The Commission awards this contract to J. F. Johnston at his bid of \$16,373.00.

"Port Orford Rock Production Project on the Oregon Coast Highway, in Curry County. Requires approximately 23,100 cu. yds. crushed gravel in stock piles. Only one bid was received, being that of A. H. Saxton & Son, Corvallis, at \$53,455.00. The Commission refers the bid to the Engineer with power to award the contract when certain conditions have been fulfilled.

"Belknap Springs-Fourmile Butte Rock Production Project on the McKenzie Highway, in Deschutes and Lane Counties. Requires approximately 11,400 cu. yds. crushed rock in stock piles. No bids were received for this project.

"Buchanan Rock Production Project on the Central Oregon Highway, in Harney County. Requires approximately 7,000 cu. yds. crushed rock in stock piles. No bids were received for this project.

"Goshen-Pleasant Hill Section of the Willamette Highway, in Lane County. 3.98 miles grading, surfacing and bituminous macadam, also furnish 6,100 cu. yds. crushed gravel in stock piles. C. J. Eldon, Portland, submitted the low bid at \$273,015.50, based on the use of

asphalt, and \$272,845.50, based on the use of tar. The only other bid received was that of McNutt Brothers, Eugene, at \$279,629.00, based on the use of asphalt. They did not submit a bid based on the use of tar. The Commission refers the bids received to the Engineer with power to award the contract to C. J. Eldon at his low bid of \$272,845.50, using tar, when certain conditions have been fulfilled.

"Construction of a bridge over the Coast Fork Willamette River and three pile trestle bridges on the Goshen-Pleasant Hill Section of the Willamette Highway, in Lane County. Three bids received for this project, that of Tom Lillebo, Reedsport, at \$53,774.00 being the low bid, and the second-low bid being that of C. J. Eldon, Portland, at \$67,097.50. The Commission has referred the bids to the Engineer with power to award the contract to the low bidder, Tom Lillebo, when certain conditions have been fulfilled.

"Twelfth Street Section, in the city of Salem, Marion County. 1.26 miles pavement resurfacing. The only bid received for this project was that of Warren Northwest, Inc., Portland, at \$20,600.00. The Commission awards the contract to Warren Northwest, Inc., at their bid of \$20,600.00.

"North Portland Shipyard Access Road Project on three access roads, in Multnomah County. 2.6 miles grading and paving. Two bids were received for this project, the low one being that of Parker-Schram Company, Portland, at \$168,746.00, and the other bid being that of Porter W. Yett, Portland, at \$172,168.00. The Commission has referred the bids to the Engineer with power to award the contract to Parker-Schram Company, the low bidder, when certain conditions have been fulfilled.

"Widen existing bridge over O.W.R.&N. Company tracks on North Burgard Street in Portland, Multnomah County. O. N. Pierce, Portland, submitted the low bid for this project at \$10,890.00. Lindstrom Brothers, Portland, submitted the only other bid in the amount of \$12,055.00. The Commission awards this contract to O. N. Pierce at his low bid of \$10,890.00.

"Swan Island Shipyard Access Road Project on four access roads, in Multnomah County. 1.9 miles grading and 2.0 miles paving. Porter W. Yett, Portland, submitted the only bid for this project in the amount of \$170,742.50. The Commission has referred this bid to the Engineer with power to award the contract to Mr. Yett, the low bidder, when certain conditions have been fulfilled.

"Construct timber overcrossing structure over Union Pacific Company tracks on Northeast Going Street in Portland, Multnomah County. Tower Sales & Erecting Company, Portland, submitted the

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low bid in the amount of \$23,080.00, and the only other bid received was that of Lindstrom Brothers, Portland, at \$25,226.00. The Commission has rejected both of the bids received for this project.

"North Unit, Monmouth-Benton County Line Section of the Pacific Highway West, in Polk County. 6.56 miles grading. Three bids were received for this project, the low one being that of E. C. Hall Company & J. C. Compton, McMinnville, at \$264,935.00. The second-low bid was submitted by McNutt Brothers, Eugene, at \$274,491.50. The Commission has referred the bids received for this project to the Engineer with power to award the contract to E. C. Hall Company & J. C. Compton, the low bidders, when certain conditions have been fulfilled.

"Monmouth-Benton County Line Section of the Pacific Highway West, in Polk County. 2.52 miles grading and 9.08 miles paving. The only bid received for this project was that submitted by McNutt Brothers, Eugene, at \$522,918.50. The Commission has rejected this bid.

"Construct two pile trestle bridges on the Monmouth-Suver Section of the Pacific Highway West, in Polk County. Five bids were received for this project, the low one being that of J. F. Johnston, Newberg, at \$14,051.00, and the second-low being that of O. N. Pierce, Portland, at \$15,935.00. The Commission has referred the bids received for this project to the Engineer with power to award the contract to J. F. Johnston, the low bidder, when certain conditions have been satisfied.

"Widen three bridges on the Suver-Lewisburg Section of the Pacific Highway West, in Polk County. J. F. Johnston, Newberg, submitted the low bid in the amount of \$22,140.00, and the only other bid received was submitted by Averill & Corbin, Portland, at \$22,850.00. The Commission has referred both bids to the Engineer with power to award the contract to J. F. Johnston, the low bidder, when certain conditions have been fulfilled.

"Construct undercrossing near Helmick Park on the Monmouth-Suver Section of the Pacific Highway West, in Polk County. Two bids were received for this project, the low one being that of Averill & Corbin, Portland, at \$9,642.00, and the other bid was that of McNutt Brothers, Eugene, at \$24,354.00. The Commission has referred both bids to the Engineer with power to award the contract to Averill & Corbin, the low bidder, when certain conditions have been fulfilled.

Sale of Timber

"Timber on tract near Oregon Coast Highway, north of Nehalem, in Tillamook County. No bids were received for the purchase of this timber. The Commission has ordered the timber readvertised for sale.

Rent of State-Owned Heavy Construction Equipment

"Lorain 1½-yard gas shovel. R. E. Rush, Seattle, Washington, submitted the only bid at a monthly rate of \$400.00.

"P & H 1½-yard Diesel shovel. Two bids were received, the low one being that of Walter Butler Company, Bayview, Idaho, at \$950.00, based on a monthly rate, and the other bid being that of R. E. Rush, Seattle, Washington, at \$750.00 per month.

"Bay City 1½-yard Diesel shovel. R. E. Rush, Seattle, Washington, submitted the low bid at \$1,001.00, monthly rate, and the only other bid received was that of Walter Butler Company, Bayview, Idaho, at \$950.00 per month.

"RD-7 Diesel tractor with logging drum. The only bid received was that of R. E. Rush, Seattle, Washington, at \$300 per month.

"Allis-Chalmers tractor with drum and bulldozer. R. E. Rush, Seattle, Washington, submitted the only bid at \$300 per month.

The Commission has referred all bids received for the rent of this equipment to the Engineer with power to award to the high bidder after investigation.

Obsolete Equipment and Scrap Materials

"Sale of obsolete equipment and scrap materials at Salem, Klamath Falls, Coquille and LaGrande. All bids received for the purchase of this material has been referred to the Engineer with power to sell the material to the high bidder in each instance if the bids compare favorably with the appraised value of the items."

The Assistant Attorney requested instructions relative to the rental of buildings acquired with right of way for the Marshfield-North Bend Project, in Coos County. He advised that, as previously authorized by the Commission, arrangements were made with a local realtor to handle the rentals and two of the buildings have been rented; however, the arrangement was terminated when information was received that governmental approval had been secured for the highway construction work which indicated that a clear right of way would be needed much sooner than was anticipated. The question now arises, he said, how to dispose of the tenants, both of whom have paid their first month's rent. After considerable discussion the Commission ordered that the tenants be given formal notification at once to vacate the premises within thirty days and that the rent moneys paid by them be returned in full. The Commission thereupon authorized the Engineer to advertise the Marshfield-North Bend Project for bids to be received as soon as possible.

The Attorney presented an offer from Mrs. Mary Andes to purchase for the sum of \$650 certain property adjacent to the Pacific Highway at the

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Ox-Yoke Service Station, Josephine County. He advised that this is part of a service station property for which the Commission paid the former owner, Mr. Henry C. Webb, the sum of \$4,000, and that the portion desired by Mrs. Andes was originally appraised at \$1,500; however, the state has recovered therefrom equipment valued at \$465 which, taken together with Mrs. Andes' offer of \$650 for the remaining property, makes a total recovery of \$1,115 from property appraised at \$1,500. He recommended acceptance of the offer. The Commission approved the recommendation.

The Attorney also brought up for discussion the question whether or not to permit a Mr. R. T. Johnson, Troutdale, to maintain a barbecue stand on certain state highway property near the Sandy River Bridge at Troutdale, which property was acquired by the state for use in connection with the construction of a new highway up the Columbia Gorge. He advised that Mr. Johnson paid the previous owner of the property \$10.00 per month for the privilege of occupying this land and would like to continue to operate there on the same basis if the Highway Commission will let him. The Commission decided to let Mr. Johnson use the property at the same rate until it is needed for state highway purposes.

The matter of purchase of right of way for the permanent location of the Santiam Highway through property owned by L. W. Hill, in Linn County, and wayside strips adjacent thereto, was discussed by the Commission. The State Parks Superintendent, who was present, advised that Mr. Hill is asking \$20.00 per acre for the land less the timber which he wants to keep. The Commission considered such price exorbitant and refused to consider purchase of wayside strips unless the purchase price is reduced. The Engineer was instructed to prepare descriptions for the right of way only for use by the Attorney in securing options from Mr. Hill for the same. The matter of the purchase of the wayside strips was deferred for future consideration.

The Attorney reported receipt of a letter from Leslie O. Tichenor, Port Orford, inquiring what disposition the Commission expects to make of the old Knapp Hotel building in Port Orford because he would like to secure the lumber salvaged therefrom, if possible. He was instructed by the Commission to inform Mr. Tichenor that the Commission intends to keep this building, at least for the time being.

The Commission discussed a controversy with Jurgen La Frenz with respect to right of way needed in connection with the Vadis-Gardiner Ranch Section of the Wolf Creek Highway, Washington County. The Attorney advised that Mr. La Frenz owns a service station on property that the Highway Commission needs for highway purposes and that some time ago he commenced negotiations for the acquisition of the right of way, which negotiations were discontinued, upon instructions of the Commission, when it was decided not to undertake any future construction on this highway for the duration of the war. It now appears that, with the prospects of the sale of a portion of his property in mind, Mr. La Frenz paid \$250 for an option on other land and that the woman from whom he secured the option has also incurred expense amounting to \$300. It also appears that each of these parties is now seeking payment from the state for such expense, claiming that an injustice has been committed by the State

Highway Department. The matter was discussed at some length during which the Attorney recommended the resumption of negotiations for the purchase of the La Frenz property to ascertain if a satisfactory settlement can be reached in view of the present and probable future service station conditions. The Commission approved the recommendation.

The Commission considered and approved an arrangement with H. L. Claycomb, Ashland, relative to the advancement of funds in connection with the revision of his property, a portion of which is needed in connection with the proposed Plaza Corner improvement of the Pacific Highway in Ashland. (See agreement signed later in session for details.)

The Commission discussed a letter from the Attorney concerning the Commission's authority to assume maintenance of Champoeg State Park, in which letter the Attorney points out that jurisdiction over this park has been placed, by special statute, with the Provisional Government Park Board whereas the statute which gives the State Highway Commission certain authority in dealing with state parks is general in character. He gave as his opinion, in view of the conflict in jurisdiction, that the Park Board, the Governor and the Highway Commission should join in asking the Attorney General of the State to construe the statute so that the authority of the Highway Commission may be determined. The matter was discussed at some length and as a result thereof the Commission instructed the Attorney to secure such opinion from the Attorney General if such method of procedure meets with the approval of Mr. Oscar C. Spencer, Chairman of the Provisional Government Park Commission.

The Attorney reported receipt of a request from the National Hospital Association for permission to increase the rate that it is now charging state highway department employees, in connection with its hospitalization contract with the Commission, from \$2.00 to \$2.50 per month commencing on the first of July. He advised that such change in rates is provided for in the agreement between the Commission and the company and recommended approval of the request. The Commission approved such change subject to the condition that the employees affected shall be given the opportunity to withdraw from the company if they so desire.

The Engineer reported results of investigations to determine the necessity for installation of truck scales on the Pendleton-John Day Highway near Seneca. He advised that this matter was investigated by Mr. W. W. Stiffler, Assistant Maintenance Engineer, who found that there has been no log hauling over this highway for several months and inquiry of the Hines Lumber Company, which has been conducting logging operations in this vicinity, indicates that the company will not need to use the highway in the future because it plans to extend its spur railroad into this district so, from the logging standpoint, the scales are not needed. Commissioner Oliver advised that plans are now being formulated to develop the chrome ore deposits in Grant County and when the operations get under way it will be necessary to weigh this material as it is taken to the stock piles, one of which is to be located near Seneca. It was his thought that there is justification for the scale installation in view of this activity and the fact that log-hauling operations undoubtedly will be resumed at some future date. In view of

Commissioner Oliver's statements the Commission instructed the Engineer to select a suitable scale site so that the installation of scales may be expedited in the event that chrome mining and logging operations justify the same.

The Engineer also reported that, in accordance with authority previously granted him by the Commission, he has arranged to place a fine rock surfacing on the pedestrian pathway that was constructed last year along the Central Oregon Highway between Burns and Hines Mill, as a substitute for oiling that was requested by Judge Nelson B. Higgs of Harney County at a previous meeting. It was his thought that such surfacing would prove satisfactory, at least until the present war emergency is over when no doubt it will be much easier to obtain asphalt than it is at the present time. The Commission approved the report.

The Engineer reported briefly on the damage that was caused by a cloudburst on the Little Sheep Creek Secondary Highway, in Wallowa County. He exhibited pictures showing the extent of the damage and advised that repairs would cost about \$20,000. The Commission approved the expenditure, it being necessary in order to maintain travel over this road.

The Commission approved a report from the Engineer showing the reduced travel mileage of highway department automobiles as the result of curtailment of the use of such equipment during the present emergency. The report indicates that there has been a reduction of 36 per cent in travel mileage.

The Engineer reported the cost to surface the Madras-Juniper Butte Section of The Dalles-California Highway, 10.4 miles in length. He estimated the work would cost about \$230,000. Action on this matter was deferred by the Commission until the next meeting.

Similar action was taken with respect to the surfacing of the Smith Hill Section of the Pacific Highway, in Josephine County.

The Engineer requested authority for the Traffic Engineer and himself to attend at state expense the national meeting of representatives of the Office of Defense Transportation which is to be held in Seattle on June 5, 1942. The Commission approved the request subject to concurrence by Governor Sprague.

The Engineer also requested authority for the Traffic Engineer to attend a meeting of the Joint Committee on Uniform Traffic Control Devices which is to be held in Chicago on June 24 to 27, 1942, inclusive. He estimated the expense would not exceed \$200.00. The Commission approved the request provided Governor Sprague authorizes the out-of-state travel expense.

The Commission approved the purchase of three small shop air compressors at \$140 each which the Engineer advised are needed and can be purchased without a priority rating.

Reconsideration was given by the Commission to the renewal of the State Highway Engineer's bond, amounting to \$200,000. The Engineer recommended

that the bond be renewed with the same companies that participated therein during the past year. The Commission approved the recommendation and so ordered.

A communication was presented from Robert E. Warren, Director, Colorado Advertiser and Publicity Committee, suggesting the issuance of vacation priority cards as a solution for the vacation-travel problem. The Commission considered that such procedure is not in conformity with the desires of the Federal Government to curtail highway travel in order to conserve automobile tires and, accordingly, refused to endorse the suggestion.

Messrs. De Martini and Ralph Collett of the Oregon Shipbuilding Corporation came before the Commission in regard to the award of contracts for grading and paving the North Portland Shipyard Access Road Project and for grading and paving the Swan Island Shipyard Access Road Project, bids for which were received by the Commission at the morning session. They urged the Commission to award the contracts at the earliest possible time in the interests of relieving traffic congestion on the streets leading to the shipyards. They were informed that bids submitted are considerably higher than the estimated cost of the projects and the moneys available to finance them, although efforts are now being made by Mr. Lynch, District Engineer, Public Roads Administration, to obtain additional funds; further, that the Commission will probably award the contracts if satisfactory arrangements can be made for financing the work, otherwise, it may be necessary to reject the present bids and readvertise the projects. (Federal approval was obtained and contracts awarded on June 9, 1942.)

A petition was presented from the Franklin Road Committee of Franklin Grange, Lane County, requesting the oiling of the Territorial Secondary Highway between Elmira and Wyper's Corner. The Engineer advised that the section commences at the end of the completed work north of Elmira and extends north-erly about 7.4 miles to a junction with the Siuslaw Highway, and that it would cost about \$45,000 to strengthen the roadway and construct an oiled surface thereon for light traffic. The Commission denied the request in view of the War Production Board's order limiting construction on roads of this kind to a maximum of \$5,000 and instructed the Secretary to so inform the Grange.

The Commission also considered and denied a request from the Lower Klamath Lake Grazing Association for the widening of a dike, that is being constructed by the Federal Fish and Wild Life Service across Lower Klamath Lake, to accommodate a two-lane highway.

A resolution was presented from Deschutes County Pomona Grange No. 25 in which the Commission was requested to take action as may be necessary to remove restrictions which place a limit on trucking that a farmer may do for other farmers. The Attorney advised that the Commission does not have legal authority to act in the matter which, in his opinion, comes under the jurisdiction of the Public Utilities Commissioner. The Secretary was instructed to so inform the Grange.

The Commission considered and adopted by unanimous vote the following resolution lifting the reduced load limit heretofore in effect on the

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Yaquina River Bridge on the Eddyville-Blodgett Secondary State Highway, Lincoln County, upon advise from the Engineer to the effect that a new bridge has been constructed at this location:

WHEREAS, on the 27th day of September, 1932, at a meeting of the State Highway Commission, a majority of the members being present and participating, the Commission passed and adopted a resolution ordering a reduction of the maximum permissible load limit on certain state highway bridges, including the following, to-wit:

EDDYVILLE-BLODGETT SECONDARY STATE HIGHWAY No. 180

180-12.3 Covered wooden truss over Yaquina River, 7 tons
Lincoln County

and

WHEREAS, subsequent to the passage of said resolution, the said above-named bridge has been repaired so that it is no longer necessary or desirable to maintain the reduced load limit set out in said resolution;

NOW, THEREFORE, BE IT RESOLVED that the action of the State Highway Commission, reducing the maximum permissible load limit on the following bridge, to-wit:

EDDYVILLE-BLODGETT SECONDARY STATE HIGHWAY No. 180

180-12.3 Yaquina River Bridge, Lincoln County,

be and the same hereby is rescinded and vacated as of this date, and the maximum load limit permissible on the said bridge shall hereafter be the maximum load limit provided by law.

IT IS FURTHER ORDERED that a certified copy of this resolution be furnished the County Clerk of Lincoln County, in which county said bridge is located, and the Superintendent of the Department of State Police for his information.

The Engineer requested instructions with reference to the installation of additional markers along the Old Oregon Trail. He advised that ten markers have already been installed and recalled that the Commission some time ago authorized the installation of ten additional markers when the locations had been selected and approved by the marker committee. He also recalled the Commission's recently-established policy with respect to curtailment of expenditures which are not absolutely necessary to the war effort. He estimated the cost of the ten additional markers at approximately \$3,000.00. The Commission decided to wait until the war is over before making additional expenditures for this purpose.

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The matter of purchasing insurance covering the major bridges on the Oregon Coast Highway had the attention of the Commission. In this connection the Attorney reported receipt of a suggestion offered by Coos County Court that such insurance should be provided so as to minimize the state's loss in the event of destruction of any of the bridges by sabotage. The Commission appeared favorably inclined to the purchase of such insurance if it is not too costly but deferred definite action on the matter pending further investigation and report by the Attorney.

A resolution was presented from Umatilla County Court in which the Commission was requested to assume jurisdiction over and maintain the county road that extends from Hermiston to the Umatilla Ordnance Depot, for the duration of the war or until December 31, 1943, unless the period is extended by mutual agreement between the county and the state. The Commission approved the resolution and instructed the Engineer to maintain the road during the period stated. The Commission thereupon signed an agreement with the county covering the matter.

The Parks Superintendent, Mr. S. H. Boardman, was present and reported on the following park matters:

Report on expenditures:-The Parks Superintendent advised that of the amount of \$52,400 budgeted by the Commission for 1942 expenditures, disbursements to April 30 amount to \$16,571.57, of which amount \$1,941.71 was for acquisition, \$3,535 was for betterment, and \$11,094.86 was for operation and maintenance. The Commission approved the report.

Purchase of tract owned by George W. Joseph, Jr.:--The Parks Superintendent advised that Mr. Joseph owns a 40-acre tract of land situate in the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 32, Township 1 North, Range 5 East, W. M., and being adjacent to the Upper Columbia River Highway near Latourell Falls. The tract, he said, is valuable from the park standpoint as it controls a portion of the watershed which supplies the Falls. He further advised that there is an accumulation of \$70.17 delinquent taxes against the property which Mr. Joseph does not intend to pay, in fact he is going to let the property revert to the county for the unpaid taxes. The Parks Superintendent recommended purchase of the property for recreational purposes. The Commission approved the recommendation.

Water rights in Peter Skene Ogden State Park:-The Parks Superintendent advised that the Highway Commission is the owner of a water right in this park, covering 19 acres, for which the Commission has been paying from \$32 to \$40 annually for a number of years. He gave as his thought that the Commission does not need this entire water right because the park is naturally a desert type and any greenery that might be brought therein through irrigation would be out of place. He recommended the sale of the rights covering 14 acres, for which he has received an offer of \$30 per acre or \$420, and that the Commission retain the rights on the remaining five acres for future development of the park. The Commission approved the recommendation.

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Concession at Silver Creek Falls State Park:-The Parks Superintendent reported receipt of an application from Harry C. Corn for the privilege of operating a concession in this park during the ensuing year. The Commission discussed the advisability of opening the concession house in view of the restrictions on travel during the present war emergency and decided to do so if a satisfactory caterer can be found so as to accommodate the large population contiguous to the park.

Occupancy of Harris Beach State Park by Mrs. Anna Barclay:-The Parks Superintendent advised that Mrs. Barclay has been conducting a restaurant business in this park for a number of years under oral approval of the former park owner, Mr. Carl Bauers, and that, when the state acquired the property from Mr. Bauers, Mrs. Barclay agreed to vacate the premises by December 25, 1941; however, on December 12, 1941, she asked the state for a year's lease of the property on which her building is located so as to give her time in which to dispose of her holdings. Her request was denied by the Commission but she was given an extension of time of six months or until June 18, 1942, to vacate, which time is almost up and there is no evidence that she intends to move, in fact she has asked for the privilege of remaining until December 15 of this year. Furthermore, she wants the state to buy her restaurant building for \$1,500 which the Parks Superintendent considers is far more than the place is worth. He recommended payment of \$250 for the building, if the Commission feels so inclined, although in his estimation the Commission is not obligated in any way and could evict her from the premises if it so desires. This matter was discussed at some length during which the Commission expressed the thought that if there is any moral obligation to Mrs. Barclay because of her investment it is an obligation of Mr. Bauer's rather than of the state. The Commission took no definite action on the matter.

Sale of timber in Short Sand Beach State Park:-The Commission ordered the sale of this timber readvertised for bids to be received at the next meeting of the Commission in view of the fact that no bids for the same were received at this meeting.

The Commission had under consideration the following request for an extension of time within which to complete highway construction work:

Lindstrom Brothers, contract No. 2455, for reconstruction of an approach to the Hawthorne Street Bridge over the Willemette River on the Pacific Highway West, in Portland, Multnomah County, requested an extension of time, from September 30, 1941, to April 7, 1942, within which to complete this job. They alleged their failure to complete the project within the specified time limit was due to extra work ordered by the Engineer. The Engineer advised that, during the construction of the bridge, settlement of two of the piers took place and corrective measures were undertaken by the contractor under force account order; further that it was necessary that the equipment used in raising the structure be left in place for a considerable length

of time as a guard against further settlement. He also advised that the project was completed on April 7, 1942, and that careful inspection of the structure since then reveals that there has been no further settlement. He recommended in view of the circumstances that the extension of time requested be granted without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

The Engineer reported that contracts Nos. 2455, 2475, 2495, 2499, 2506, 2519, 2525, 2536, and 2550, for construction of state highway projects, have been completed according to the terms of the contracts or modifications thereof, and that said jobs are now ready for acceptance. The following resolution accepting the above projects was offered and was adopted by the unanimous vote of the Commission:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts and said jobs are now ready for acceptance:

Contract No. 2455, with Lindstrom Brothers, for reconstruction of the Hawthorne Bridge approaches on the Pacific Highway West, in Portland, Multnomah County. Completed April 7, 1942.

Contract No. 2475, with Warren Northwest, Inc., for grade widening and paving the Crabtree Corner-Lebanon Section of the Santiam Highway, in Linn County. Completed May 8, 1942.

Contract No. 2495, with E. L. Gates, for grading and surfacing the Kimberly-Simas School Section of the Kimberly-Long Creek Secondary State Highway, in Grant County. Completed April 24, 1942.

Contract No. 2499, with The United Contracting Company, for paving the Independence (B Street-Monmouth Street) Section of the Independence Secondary State Highway, in Polk County. April 17, 1942.

Contract No. 2506, with Warren Northwest, Inc., for grade widening and paving the Middle Unit, Crabtree Corner-Lebanon Section of the Santiam Highway, in Linn County. Completed May 8, 1942.

Contract No. 2519, with Norris Brothers, for surfacing and oiling the Salt Creek-Hanley Ranch Section of the Little Butte Secondary State Highway, in Jackson County. Completed May 7, 1942.

Contract No. 2525, with J. F. Johnston, for construction of the Rogue River Bridge near Grand Ronde on the Salmon River Highway, in Polk County. Completed April 28, 1942.

Contract No. 2536, with Colonial Construction Company, for construction of rock toe embankment on the Corbett Section of the Columbia River Highway, in Multnomah County. Completed May 21, 1942.

Contract No. 2550, with E. C. Hall Company, for the Sisters Rock Production Project on state highways near Sisters, in Deschutes County. Completed April 3, 1942.

THEREFORE, BE IT RESOLVED, that the work covered by said state highway contracts for the construction of said state highway projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

The Commission considered and signed agreements, et cetera, as follows:

Agreement with H. L. Claycomb, Ashland, with respect to a revision of his service station site necessitated by the improvement of the Pacific Highway, in Ashland.

Agreement with the California Western States Life Insurance Company with respect to the furnishing of group life insurance to state highway department employees.

Agreements with the following contractors canceling certain state highway contracts in view of the War Production Board's ruling, Order L-41: Rogers Construction Company, contract No. 2528, Diversion Canal-Midland Overcrossing on the Midland Secondary Highway, in Klamath County; A. H. Saxton & Son, contract No. 2552, Campbell Bridge-Hazeldale Section of the Farmington Secondary Highway, in Washington County; Norris Brothers, contract No. 2553, Porcupine Butte-Chichester Gulch Section of the Shaniko-Fossil Secondary Highway, in Wheeler County; Rogers Construction Company, contract No. 2555, South Unit, Enterprise-Forest Boundary Section of the Enterprise-Lewiston Highway, in Wallowa County; and M. L. O'Neil & Son, contract No. 2556, Soda Mountain-Silvies Section of the John Day-Burns Highway, in Grant County.

Agreement with Umatilla County providing for state maintenance of the county road which extends from Hermiston to the Umatilla Ordnance Depot, for the duration of the war.

Agreement with the City of Oakland, Oregon, providing for the improvement of Locust Street between First Street and Second Avenue, which street is not a state highway route.

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Agreement with the Union Pacific Company and the O.W.R.&N. Company relative to the lease of certain railroad property at Burns for installation of radio wires under ground.

Application directed to Nehalem Valley Cooperative Electric Association for the furnishing of electrical service for the state truck scales near Olney.

"Certificate of Termination" of insurance policy furnished in connection with the snow removal agreement with the Union Pacific Company and the O.W.R.&N. Company, being policy CA 66355 of Underwriters at Lloyd's London and Certificate No. 1528 issued by Hansen and Rowland, Inc., of Oregon. New insurance has been furnished in lieu thereof.

Lease agreement with Southern Pacific Company providing for use of railroad property in North Bend for storage purposes.

Bargain and sale deed conveying unto the Deschutes Grain and Feed Company certain property at the Madras Overcrossing on the Warm Springs Highway, Jefferson County. Real property file No. 3189.

Bargain and sale deed conveying unto the City of Albany five parcels of land in Albany. Real property file No. 7389.

Bargain and sale deed conveying unto H. L. Beardsley 3308 square feet of land situate in Block 242, Mills Second Addition to Klamath Falls. Real property file No. 9598.

Bargain and sale deed conveying unto Mabelle de Young and Walter C. de Young property situate in Lots 2 and 3 of Block 2, Sixth Street Addition to the City of Klamath Falls. Real property files No. 9625 and No. 9625-A.

Bargain and sale deed conveying unto Mary F. Parks property situate in Block 242, Mills Second Addition to Klamath Falls. Real property file No. 9596.

The Commission discussed dates for its next two regular meetings for the receiving of bids and decided to hold such meetings in Portland on Thursday, June 25, and on Thursday, July 16, 1942. The Secretary was instructed to make the usual arrangements to hold these meetings in the auditorium of the Public Service Building.

There being no further business to come before the Commission at this time the meeting was adjourned at 5:45 p. m.

William H. Sealey
State Highway Engineer

William H. Sealey
Secretary

Henry F. Cabell
Chairman

Herman Oliver
Commissioner

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Portland, Oregon, June 24, 1942

The State Highway Commission met in regular session at 8:00 p. m. in Room 515, Imperial Room, Imperial Hotel. Present were:

Henry F. Cabell, Chairman
Huron W. Clough, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

Commissioner Oliver was excused. However, he attended the meeting on the following day at which time he approved the action taken by Chairman Cabell and Commissioner Clough at this session.

The Commission conferred with Burwell Bantz, Director of Highways, and O. R. Dinsmore, Construction Engineer, of the State of Washington, who were present, with respect to the granting of permits authorizing the transportation of commodities over state highways involving gross weights in excess of the Oregon statutory weight limits, particular reference being given to Orders 3, 4 and 5, recently issued by the Office of Defense Transportation relative thereto. The Engineer pointed out that the laws of Oregon limit the overall length of combination of vehicles to 50 feet and the gross weight to 54,000 pounds, whereas, the adjoining states permit combinations of vehicles 60 feet long and gross weights of 68,000 pounds and, as a consequence, a bottleneck situation exists in Oregon, which is working adversely to the best interests of the country in the war effort. He explained the order made by the Office of Defense Transportation which, he said, was amended to limit gross weights of motor carriers to those which may be moved over public highways without overstressing highway surfaces and bridges, and suggested that the Commission take action permitting the longest and heaviest vehicles to operate over Oregon highways with reasonable protection to the traveling public and consistent with the carrying capacity of road surfaces and bridge structures as evidence of full cooperation with the aims and objectives of the Office of Defense Transportation.

He further suggested the classification of the roads in Oregon into three groups: Group No. 1 to include those roads, having strong bridges, that are wide and straight enough to accommodate 60-foot length vehicles without any portion of the same encroaching on the opposite traffic lane. Group No. 2 to include those roads which are not wide and straight enough to accommodate 60-foot length vehicles but whose road surface and bridges are strong enough to withstand loads weighing more than the limits provided by the Oregon statutes. Group No. 3 to include those roads which are neither wide enough nor straight enough to accommodate vehicles having an over-all length in excess of 50 feet and whose pavements and bridges are not capable of standing up under gross loads in excess of those authorized by statute.

He further suggested that the maximum load permitted on Group No. 1 highways be limited to that determined by the formula $W = 750(L+40)$, wherein W equals the gross weight in pounds and L equals the distance in feet between

the first and last axles of the combination of vehicles with provision that the maximum weight on any group of axles spaced 18 feet or less apart shall not exceed that determined by the formula $W = 650 (L+40)$, wherein L equals the distance between the first and last axles of the group in question. This would permit a maximum load of 71,250 pounds for large trucks equipped with sufficient axles and adequately sized tires; and would provide a maximum load of 63,750 pounds on a combination of vehicles 50 feet long operating over Group 2 highways. The maximum weight of load that could be transported over Group 3 highways, he said, would be 54,000 pounds, which is the gross weight permitted by statutory provision under the formula $W = 700 (L+40)$.

He further suggested the adoption of a rule permitting over-all heights of 12 feet 6 inches for movements over Group 1 highways and over-all heights of 12 feet over Group No. 2 highways, and permitting a gross weight of 32,000 pounds on any set of tandem axles spaced more than 3 feet 4 inches apart, notwithstanding that the allowable weight on tandem axles so spaced, as determined by formula, might be less than 32,000 pounds.

The matter was discussed at considerable length and as a result thereof the Engineer's recommendations were approved by Mr. Bantz and by the Commission subject to concurrence by Commissioner Oliver, and it was agreed that the highway departments of both states would confine the issuance of permits in accordance therewith. The Commission's action was confirmed by Commissioner Oliver on the following day at which time the Commission adopted a resolution covering the matter.

A letter from Donald M. Nelson, Chairman of the War Production Board, directed to Governor Sprague, in which request was made for liberalization of the restrictions on log hauling, was also discussed.

The Engineer suggested that it would be proper to give log haulers the benefit of the increase in weights granted other truckers so as to provide a uniform rule covering all classes of truck hauling. He pointed out that the law now allows a 68,000-pound gross load on logging equipment, consisting of a tandem-axle truck and tandem-axle semitrailer, subject to the application of the formula $W = 750 (L+40)$, and of the formula $W = 650 (L+40)$ for groups of axles spaced 18 feet or less apart; but gross loads on a combination of vehicles, consisting of a single-axle truck and tandem-axle semitrailer, are limited to 54,000 pounds, plus a 10 per cent tolerance or 59,400 pounds, based on the formula $W = 700 (L+40)$. He recommended increasing the tolerance allowed on the last-mentioned combination of vehicles from 5,400 pounds to 7,000 pounds, if the over-all axle spacing is 40 feet or more, which would permit a gross load of 61,000 pounds; and a tolerance of 5 per cent on the gross load permitted on the first above-mentioned combination of vehicles which would permit a gross load of 71,400 pounds. Such increases, he said, would provide for uniformity of loadings and would be in compliance with the order of the Office of Defense Transportation. He further recommended that weighmasters be instructed not to request the surrender of the PUC plates carried on single-axle logging equipment with axle spacing of 40 feet or more, unless the gross weight exceeds 61,000

pounds and, unless the gross weight exceeds 71,400 pounds in the case of tandem-axle truck combinations. The Commission approved the recommendation subject to concurrence by Commissioner Oliver. (Mr. Oliver stated his approval on the following day)

The Commission also considered the matter of permitting log haulers to truck haul logs on state highways during holidays. It was the Commission's decision that such movements should be authorized in view of the present war emergency and it was thereupon ordered that the present rules and regulations be modified to permit log hauling on state highways at all times, both day and night, except during the three-hour period between 9:00 p. m. and midnight.

The matter of insuring highway department properties against damage which might result from enemy attack had the consideration of the Commission. The Commission decided, subject to Commissioner Oliver's approval, to accept the offer of the Federal Government through its War Damage Corporation with respect thereto, and thereupon authorized and instructed the Engineer to make provision at once for such insurance coverage on the following properties: Interstate Bridge over the Columbia River between Portland and Vancouver, Washington; numerous other important bridges throughout the state; automobiles in dead storage; and certain buildings, storehouses, and the highway department laboratory building in Salem. Such insurance is estimated to cost approximately \$22,000.00. Mr. Bantz stated that the Washington Highway Department had not intended to take out insurance on the Interstate Bridge between Portland and Vancouver; however, inasmuch as the Oregon Highway Commission wants to insure this structure, he will discuss the matter again with Governor Langlie of Washington and advise whether or not the State of Washington would participate in the cost thereof. (He later advised that the State of Washington would participate in the cost of insuring this structure. Commissioner Oliver approved the Commission's action on the following day)

The Attorney requested authority to acquire certain parcels of real property that are needed for various highway improvements throughout the state. He submitted a list of such properties together with offers that he recommended be made in connection with each. After careful consideration the Commission approved the request and thereupon by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth, and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon, and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be

declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Vadis-Gardner Ranch Section, Wolf Creek Highway</u>				
6547-LaFrents, Jurgen	R/W	7.0	\$200 per acre, plus \$5100	Collins
(Correction)				
6548-Stein, Carl & W. M.	R/W	0.21	\$200 per acre, plus \$108	"
Forbis				
9411-Meek, Robt. M.	R/W	0.25	\$200 per acre, plus \$450	"
<u>Berger Ranch-Barnes Road Section, Wolf Creek Highway</u>				
10252-Moshofsky, Edw. G.	R/W	0.20	\$200 per acre, plus \$21.25	Landon
5200-Moshofsky, Geo. E.	R/W	1.80	\$200 per acre, plus \$36.25	"
5218-Baker, Samuel W.	R/W	1.91	\$314.14 per acre, plus moving bldg. (Estd.) \$300; in addition the State is to convey to grantor 2.06 acres, consideration \$600	"
5199-Westhoff, Wm.	R/W	3.45	\$300 per acre	
(Correction)		0.23	\$250 per acre	
		0.77	\$259.74 per acre	
		0.19	\$197.37 per acre	
		0.33	Gratis - plus \$58.75	"
		4.97		
5198-Losli, Susanna	R/W	9.04	\$220 per acre, plus \$910	"
<u>Southwest Canyon Lane Junction Section, Tualatin Valley Highway</u>				
10466-Pointer, Lewis and Genevieve Castles Clark	Easement Agreement		Road Easement Agreement - and the State is to construct driveway and guardrail, (Estd. \$100)	Landon

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Marshfield-North Bend Section, Oregon Coast Highway</u>				
9840-Mill B., Inc.	R/W	9,000 sq.ft.	15¢ sq.ft.	Benson
(Irwin & Lyons)		1,650 sq.ft.	5¢ sq.ft.	
(Correction)		10,650	plus \$1067.50	
9486-Coos County (Correction)	R/W	9,000 sq.ft.	8 3/4¢ sq.ft.	"
		3,000 sq.ft.	8 1/3¢ sq.ft.	
		6,000 sq.ft.	5.46¢ sq.ft.	
		15,000 sq.ft.	0.583¢ sq.ft.	
		2,500 sq.ft.	1 1/3¢ sq.ft.	
		2,400 sq.ft.	3.125¢ sq.ft.	
		2,800 sq.ft.	3¢ sq.ft.	
		7,625 sq.ft.	3 1/3¢ sq.ft., +	
		48,325	\$466	
<u>Oregon Shipyard-Columbia Boulevard Section, Oregon Shipbuilding Corp. Access Hwy.</u>				
19393-Mullin, Marie, et al	R/W	2,500 sq.ft.	4¢ sq.ft.	McCallister
		5,000 sq.ft.	2¢ sq.ft.	
		7,500		
10407-Summers, Mary Christiana, and Leland Field	R/W	0.56	\$803 plus per acre, + \$225	"
Maybach (Correction)				
10398-Gentskow, Jessie L.	R/W	3,772 sq.ft.	2¢ sq.ft., + \$425, + moving building (low	"
(Correction)			bid \$1460)	
10389-Mason, Merta J.	R/W	0.22	\$600 per acre, + \$368,	"
(Correction)			+ \$1100 for moving bldg.	
10486-Portland, City of	R/W	5,000 sq.ft.	4¢ sq.ft.	"
<u>Monmouth-Suyer Section, Pacific Highway West</u>				
10355-Fullington, Geo. L.	R/W	6.32	\$100 per acre, + \$968	Parker
10357-Prudential Insurance Company	R/W	3.31	\$100 per acre, + \$313.70	"
10354-Prudential Insurance Company	R/W	3.35	\$100 per acre, + \$307	"
<u>Halsey-Harrisburg Section, Pacific Highway</u>				
10261-Clark, Edgar N.	R/W	1.07	\$100 per acre, + \$80.15; if crop is harvested be- fore construction starts \$21.40 to be deducted	Gardiner
<u>Goshen-Pleasant Hill Section, Willamette Highway</u>				
8991-Stafford, Lloyd E.	R/W	2.415	\$125 per acre, plus \$3321, plus (\$400 estimated) drilling well	Benson
(Correction)				

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Eugene Oak Hill Section, Eugene-Richardson Highway</u>				
10367-Crabtree, Duane	R/W	1.36	\$73.53 per acre, + fencing	McChesney
<u>Days Creek-Milo Section, Tiller Trail Highway</u>				
9984-Poole, Delbert N.	R/W	0.72	\$20 per acre	McChesney
		0.96	\$10 per acre, + \$76	
		1.68		
<u>Medford Wye Section, Pacific Highway</u>				
10413-Medford, City of	R/W	1,370 sq.ft.	GRATIS	Witt
10419-Dye, Clifford L.	R/W	500 sq.ft.	2¢ sq.ft.	"
10416-Spiegel, Chas.	R/W	1,000 sq.ft.	2¢ sq.ft.	"
<u>Redmond Section, The Dalles-California Highway</u>				
10285-Spokane, Portland & Seattle Railway Co.	Storage Oil storage Site lease		\$10 per year	DeSouza
<u>Madras-Crook County Line Section, Madras-Prinsville Highway</u>				
10433-Snook, William H.	R/W	1.4	\$25 per acre, plus \$40	McChesney
10471-U. S. Government	R/W	151.72	Gratis - The State is to build fences	"
<u>John Day River-Quinton Section, Columbia River Highway</u>				
10277-Deyo, Helen et al	R/W	0.50	\$20 per acre	Conad
10281-Gilliam County	R/W	5.45	Gratis	"
<u>Front Street Project - Portland - Pacific Highway West</u>				
10485-Commission of Public Docks	Buildings		\$25,000	McCallister
<u>Union Section-Medical Springs Highway</u>				
7050-Oregon State Game Commission	Maintenance Site	8.99	Lump Sum - \$5500	Devers

The Engineer brought up for discussion the sale of scrap tires for which bids were received by the Commission at the previous meeting. He recalled that the bids were referred to him to sell to the high bidder after investigating the prices; however, the Federal Government's call for scrap rubber was received before he was ready to make the awards and, upon telephonic authority received from the Commission, he sold the tires to the Federal Government at one cent a pound which is one-half cent higher than the highest bid received by the Commission, thus realizing approximately \$500 more than would have been received if the material had been sold to the junk dealers. The Commission approved such arrangement.

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In this connection the Engineer suggested that it would be helpful to the government, during the present rubber shortage, if a thorough canvass were made of highway premises for worn out rubber casings which could be sold to the government at one cent a pound, also if maintenance men were authorized to pick up rubber accumulations deposited on the highway right of way by private parties, or otherwise, and to deliver the same to the nearest service station, provided it is to be donated to the government. This could be done, he said, by the maintenance men in the performance of their regular duties. The Commission approved the suggestion and so ordered.

The Commission had under consideration the controversy pending between the Commission and Dr. C. J. Moser of Grants Pass concerning real property which the state seeks to acquire for highway purposes, and which controversy is now the subject of a condemnation action instituted in the Circuit Court of the State of Oregon for Josephine County. The property had been previously viewed by Chairman Cabell and Commissioner Clough as members of the Highway Commission, and later, at the request of Dr. Moser, was viewed again by Commissioner Clough in company with Dr. Moser. After a report made by Commissioner Clough with respect to his view of the property and his conference with Dr. Moser on the ground, and after thorough discussion and deliberation, the Commission adopted the following resolution with regard thereto:

RESOLVED that as a compromise offer only, and for the purpose of avoiding the trial of the pending case, the Commission's Attorney be and he hereby is instructed to make the following alternate offers to Dr. Moser or his attorney, Mr. Niel Allen: that the state accept a ten-year lease covering the property and the roadway described in the condemnation complaint and the consideration be based on a royalty of two cents per cubic yard, truck measure, for all materials placed on the road, or that the state pay as a cash consideration \$2,250 for title to the property described in the complaint, and that if neither of said offers is accepted the Attorney be instructed to proceed with the trial of the condemnation action; the foregoing offers to include necessary fencing of either roadway or property.

(See following day for Attorney's report and additional resolution)

The Attorney brought up for discussion the controversy with Mr. A. F. Elkins with respect to the acquisition of right of way needed for the revision of the Pacific Highway West, south of Monmouth. It appears that Mr. Elkins is asking \$15,000 as settlement, alleging special damage to his property by reason of severance and the cutting up of his property in an undesirable way. It also appears that three different appraisals have been made of the property, ranging from \$4,900 to \$6,200.00. Chairman Cabell advised that he has inspected the property and is convinced that Mr. Elkins has just cause for special complaint. He gave as his thought, however, that the Commission is not justified in paying

Mr. Elkins more than \$10,000 and he recommended an offer in such amount. Commissioner Clough concurred. The Attorney was thereupon authorized to negotiate further with Mr. Elkins on such basis.

The Attorney also brought up for discussion the acquisition of the Zurcher property, in Washington County, a portion of which is needed as right of way for the Wolf Creek Highway. He reported a conference with Mr. Patterson, attorney for the Zurchers, at which Mr. Patterson made two alternate offers of settlement, one of which involves purchase of 25.36 acres needed for right of way and 136.8 acres, situate on the north side of the highway, at \$185 per acre or a total of \$30,314.60; and the other involves the purchase of all of the Fred Zurcher holdings, in addition to the right of way, approximately 222 acres, at \$175 per acre or a total of \$38,878.00. Should the Commission elect to settle on the basis of the second offer, he said, land not needed could be sold at approximately \$150 per acre so that the state's final investment in the right of way, including 5 per cent commission to the real estate agent, would actually amount to \$10,334, compared with \$11,174 for right of way alone with damages and fencing. The Commission declared that it is not interested in any transaction that involves the acquisition of land other than right of way. The Attorney was instructed to so inform Mr. Patterson and to advise him further that the Commission is ready and willing to purchase the right of way only, if it can be obtained at reasonable cost.

The Commission adjourned at 11:00 p. m. to reconvene on the following morning in the auditorium of the Public Service Building.

Portland, Oregon, June 25, 1942

The State Highway Commission reconvened in regular session at 9:00 a. m. in the auditorium of the Public Service Building. Present were:

Henry F. Cabell, Chairman
Huron W. Clough, Commissioner
Herman Oliver, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

Bids, as follows, for highway construction, sale of timber, sale of buildings in North Bend, and rental of state-owned heavy construction equipment were opened and read in accordance with previously published notices, following which Chairman Cabell announced that the awards would be made at 2:30 p. m. in the same room:

PACIFIC HIGHWAY
NORTH DILLARD BRIDGE SECTION
WOODEN BRIDGE AND APPROACHES

No bids received on this project

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JOHN DAY HIGHWAY
PRAIRIE CITY-DADS CREEK SECTION
SURFACING, OILING AND CRUSHED GRAVEL

No bids received on this project

CENTRAL OREGON HIGHWAY
BUCHANAN ROCK PRODUCTION PROJECT

No bids received on this project

PACIFIC HIGHWAY
JUDKINS POINT SECTION - GRADING AND PAVING

	<u>Using Asphalt</u>	<u>Using Tar</u>
McNutt Brothers	\$360,708.50	\$360,708.50

PACIFIC HIGHWAY
JUDKINS POINT OVERCROSSING, NEAR EUGENE

Barham Brothers	\$78,192.50
McNutt Brothers	84,080.00

NORTHEAST GOING STREET IN PORTLAND
CONSTRUCT OVERCROSSING OVER UNION PACIFIC TRACKS

Tower Sales and Erecting Company	\$23,980.00
Lindstrom Brothers	27,855.00

PACIFIC HIGHWAY WEST
SECTION "A" OF THE MONMOUTH-BENTON COUNTY LINE SECTION - PAVING

Edlefsen-Weygandt Company	\$219,510.00
McNutt Brothers	237,053.00

PACIFIC HIGHWAY WEST
SECTION "B" OF THE MONMOUTH-BENTON COUNTY LINE SECTION
GRADING AND PAVING

McNutt Brothers	\$278,603.50
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PACIFIC HIGHWAY WEST
MONMOUTH-LEWISBURG SECTION - CONSTRUCT LUCKIAMUTE RIVER BRIDGE

Averill and Corbin	\$15,313.00
J. F. Johnston	16,535.00
O. H. Pierce	16,850.00
McNutt Brothers	27,170.00

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RENT OF STATE-OWNED HEAVY CONSTRUCTION EQUIPMENT

No formal bids received

SALE OF TIMBER ON TRACT, NORTH OF NEHALEM, TILLAMOOK COUNTY

No bids received

SALE OF RESIDENCE BUILDINGS IN NORTH BENDBuilding No. 9559 (Former owner R. L. Cavanaugh)

Hillar & Eickworth

\$30.00

Building No. 9491 (Former owner Coos Bay Longshoremen Beneficial Assn.)

No bids received

Building No. 9486-A (Former owner Coos County)

J. J. Borchert

\$50.00

A. H. Pressnall

20.00

Hillar & Eichworth

16.00

Building No. 9498 (Former owner Cora Swanson Coyle)

No bids received

Building No. 9501 (Former owner Ira L. Goodlin)

Hillar & Eichworth

\$58.00

Building No. 9560 (Former owner J. H. Tewsley)

No bids received

Building No. 9499 (Former owner John Sandine)

No bids received

Building No. 9493-A (Former owner Independent Stevedoring Company)

No bids received

Building No. 9486-B (Former owner Coos County)

No bids received

Building No. 9506 (Former owner John McNabb)

No bids received

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Building No. 9486-C (Former owner Coos County)

No bids received

Building No. 9510 (Former owner C. B. and M. Flock)

Margaret Flock \$25.00

Building No. 9513 (Former owner Ada Hartley Lee)

Mrs. Ada Hartley Lee \$135.00

Building No. 9516 (Former owner A. T. Andrews)

Atwell T. Andrews \$20.00

Building No. 9518 (Former owner P. M. Ross)

No bids received

Building No. 9519 (Former owner J. H. McDonald)

Frame house, auto court cabins, and garage

Hillar & Eickworth \$15.00

Auto court cabins

Jack McDonald \$176.50

Garage

W. H. Kennedy \$44.00

Building No. 9520 (Former owner H. D. Harris)

H. D. Harris \$100.00

Building No. 9521 (Former owner K. Horn)

No bids received

Building No. 9522 (Former owner J. Gildersheim)

No bids received

Building No. 9524 (Former owner Iva B. Butcher)

Hillar & Eickworth \$31.50

Building No. 9486-D (Former owner Coos County)

No bids received

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Building No. 9528 (Former owner H. W. and Jessie Lee Clark)

No bids received

Building No. 9524-A (Former owner Clyde and Iva Butcher)

No bids received

Building No. 9529 (Former owner Luella Butcher)

Kittel Ness	\$65.00
Hillar & Eickworth	45.50
A. H. Pressnall	30.00
Roy T. Douglas	25.00

Building No. 9530 (Former owner R. M. Hazelton)

No bids received

Building No. 9532 (Former owner Clara Bastrin)

Kittel Ness	\$160.00
Hillar & Eickworth	34.50

Building No. 9646 (Former owner A. M. Haley)

No bids received

Building No. 9534 (Former owner Elma Moss, et al.)

Roy T. Douglas

\$100.00

The Engineer brought up for discussion the following projects which were advertised for bids to be received at this meeting but in connection with which no bids were submitted: surfacing and oiling the Prairie City-Dads Creek Section of the John Day Highway, in Grant County, and the North Dillard Bridge Section of the Pacific Highway, in Douglas County. He advised that the Prairie City-Dads Creek Section is in extremely bad condition and must be improved. He recommended that the work be done with state forces because it is apparent that contractors are not interested in the job as they have submitted no bids, so if the work is done this year it will have to be as a state force project. The Commission approved the recommendation.

As to the North Dillard Bridge, the Engineer pointed out that this project has been advertised for bids on two occasions, the first time was on the basis of concrete construction when only one bid was received, which bid was rejected as being too high. The project was readvertised on the basis of

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construction of a wooden bridge but no bids were received. He pointed out that the bridge is in very bad condition and must either be replaced by a new structure or undergo extensive repairs. He recommended, in view of the seriousness of the situation and the necessity to provide a suitable structure within the shortest possible time, that the Commission authorize repairs to the existing structure with state forces as a minor betterment project. The Commission approved the recommendation.

Mr. James Frankland, Regional Engineer, United States Forest Service, was present and asked the Commission to reconsider the action recently taken permitting the construction of a power pole line over the Forest Service telephone line on the McKenzie Highway near Leaburg Dam. He advised that for many years the Forest Service has maintained a telephone line along the north side of the highway at this point and, in their estimation, the overbuilding of the same with a high voltage power line will create a very undesirable hazard which they wish to avoid, if possible. He suggested that the power company be permitted to build its pole line along the south side of the highway, notwithstanding that the McKenzie River is in close proximity to the highway at such point. It was pointed out to Mr. Frankland that this location is one of the fine beauty spots along the McKenzie Highway which the Commission wants to preserve and that in the Commission's estimation a pole line along the south or river side of the highway would detract greatly from the aesthetic features; also, that it has been the policy of the Highway Commission for many years to deny requests for pole line construction on highways under such circumstances, which policy, according to the Commission's understanding, coincides with that of the United States Forest Service, hence the Commission cannot grant the request. Mr. Frankland accepted the Commission's decision in the matter.

Mr. Phil Berthiaume of the California Western States Life Insurance Company was present in regard to the furnishing of group life insurance to highway department employees. Mr. Berthiaume recalled that the Commission recently authorized his company to secure applications for such insurance from the hourly-paid men only, and advised that they have run up against difficulties with respect to including certain employees who work part time on an hourly basis and part time on monthly-salary basis. He asked the Commission for instructions as to how to handle such employees and suggested that it might be satisfactory to include in the arrangement all maintenance and shop men, regardless of whether or not they are employed on the hourly or salaried basis, which would make it a clean-cut proposition. The Commission took the matter under advisement.

The Engineer presented a report on estimated motor vehicle use for the next several years, together with a statement of estimated revenues from such source, which discloses a possible serious shrinking of income and the need to conserve every dollar possible. The Commission approved the report and ordered it filed.

The Attorney presented an offer from Mr. A. T. Andrews, North Bend, to purchase, for the sum of \$123, certain state-owned property in North Bend,

particularly described as being a portion of Lots 29 and 30 of Block 34, Plat "B" Coos Bay Addition to North Bend. He advised that this property is of no value from the state highway standpoint and recommended acceptance of Mr. Andrew's offer. The Commission approved the recommendation.

The Attorney also presented the offer of Mr. Chester H. Hamaker to pay \$30 per month rental for certain state-owned property adjacent to South Sixth Street, Klamath Falls. He advised that Mr. Hamaker is the original owner of this property and is now maintaining certain buildings thereon; further, that he has agreed to vacate the premises immediately upon 30-days' notice. He recommended acceptance of the offer. The Commission approved the recommendation.

The Attorney requested instructions relative to the collection of rentals on buildings that were acquired by the Commission in connection with the proposed improvement of the Pacific Highway at the Plaza Corner in Ashland. He recalled that, at the request of the people of Ashland and because war conditions have postponed construction of the Plaza project, the Commission decided not to wreck the buildings now occupied by the Postal Telegraph Company, G. H. Billings and J. D. Mars, who are paying rental for the same. However, the question arose, in view of the fact that the buildings have been sold and the state now simply owns the land on which the buildings stand, how much the state should benefit in the rental payments. He recommended the splitting of such payments on a 50-50 basis with G. S. Butler, the present owner of the buildings, to whom they were sold for wrecking. After discussion the Commission approved the recommendation.

Reconsideration was given by the Commission to the matter of participating in the maintenance of Champoege State Park. The Attorney questioned the legal authority of the Highway Commission to spend state highway funds for such purpose. The Commission indicated a desire to cooperate with the Provisional Government Park Commission in this undertaking and authorized an advancement of state highway funds to pay for the work if done by state highway forces, provided the Provisional Government Park Commission will agree to reimburse the State Highway Commission in full later. The Attorney was instructed to discuss the matter with Mr. Omar C. Spencer, Chairman of the Provisional Government Park Commission, from that standpoint.

The Commission had under discussion the matter of permitting Mr. John H. Shively, Elsie, and several other parties to continue to maintain their residence buildings on state highway property adjacent to the Wolf Creek Highway near Humbug Creek. The Engineer advised that these parties are all employed on logging operations in the nearby vicinity and for some time past have been maintaining their residences in small shacks located on the state's property, notwithstanding that they had no authority to do so; further, that they have been ordered on several occasions to vacate the premises but are reluctant to do so, stating that they have no convenient place to move to and would like to stay where they are, at least until their garden truck has been harvested. He pointed out that it is strictly contrary to the policy of the Commission to permit such encroachments and recommended that they be required to move off the

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state's property at once. The matter was discussed at some length during which the Attorney suggested that these people be forced to vacate the state's property but that they be allowed to harvest their garden truck when it is ready. The Commission approved the suggestion and so ordered.

The Attorney brought up for discussion matters pertaining to the acquisition of the State Game Commission property at Union, in Union County. He recalled that, at a recent meeting of the Commission, he was instructed to investigate title to the property and to suggest a way that the Highway Commission could acquire it, if it wants the property, without evicting the Union County Gun Club, which for a number of years has been making use of a portion of the property under special arrangement with the State Game Commission. He gave as his opinion that the proper way to conclude this matter would be to secure a deed from the Game Commission and to lease to the Gun Club, for a specified length of time, the area that it is now using under its arrangement with the Game Commission. The Engineer advised that the property can be used to very good advantage in connection with highway maintenance work and recommended purchase of the property at \$5,500 and that the Gun Club be given a lease on the portion that it is now using until such time as the property is needed for state highway purposes. The Commission approved the recommendation and thereupon authorized the inclusion of this item in the real property resolution adopted on the previous evening.

The Commission approved and signed a deed of easement conveying unto the City of Redmond a strip of land 20 feet wide off the west side of Block 71, original townsite of Redmond, which property is being conveyed unto the City of Redmond in exchange for city property needed by the state.

A letter was presented from Frank Branch Riley in behalf of a client who wishes to purchase a portion of the old United States Spruce Production Railroad right of way, in Lincoln County, that was acquired by the Highway Commission some time ago from the Southern Pacific Company, so as to fill out her present holdings at this location. The Engineer advised that the old railroad right of way was acquired by the Commission as a part of its general plan for the acquisition of an ocean-side freeway and could not be disposed of without defeating the purpose for which it was obtained; further, that it was intended at some future time to purchase, if possible, private property situate between the old railroad and the highway which would include certain land owned by Mr. Riley's client. The Commission decided in view of the circumstances not to dispose of the property at this time and instructed the Engineer to so inform Mr. Riley.

The Commission discussed a letter from Mrs. Kate MacDonald, Dayville, Oregon, requesting the repair of an irrigation ditch on her property located adjacent to the Ochoco Highway near milepost 101.2, Wheeler County, which she alleges was damaged by the state's contractor during construction of the highway. The Engineer advised that the highway was built in 1930 on right of way purchased by the county and that the alteration of irrigation ditches, removal of buildings, construction of cattle passes, et cetera, were considered at that time a part of the right-of-way purchase, and ordinarily arrangements for

such changes were provided for in the right-of-way settlements. He further advised that no complaint was filed as to the functioning of Mrs. MacDonald's ditch until July of 1941, at which time investigation was made and it was ascertained that it would cost between \$1,500 and \$2,000 to alleviate the damage. It appeared to the Commission that the state assumed responsibility for the damages at the time that it took over this highway as a state highway in which case it probably is the state's obligation to make the repairs. However, a definite decision in the matter was deferred pending a report as to what actually has to be done to satisfy Mrs. MacDonald and how much it will cost to do the work. The matter was referred to the Engineer for investigation and report.

The Commission discussed the advisability of abandoning a portion of the Eagle Point-McAllister Springs Section of the Little Butte Secondary Highway, in Jackson County, and of abandoning a portion of the Dee-Parkdale Section of the Hood River Secondary Highway, in Hood River County. The Engineer recommended abandonment of both sections because the highway alignment has been revised in both instances and the old right of way is no longer of value from the state's standpoint. The Commission approved the recommendation and by unanimous vote adopted the following resolutions relative thereto:

WHEREAS, in order to afford a better alignment and a more satisfactory, safe and convenient highway for the traveling public, the Commission found it necessary to relocate a portion of the Eagle Point-McAllister Springs Section of the Little Butte Highway in Jackson County; and

WHEREAS, by reason of said relocation and reconstruction of the said section of said highway there were eliminated and made unnecessary as parts of the permanent highway certain sections or parts thereof, which sections are more specifically defined and designated hereinafter in this resolution; and

WHEREAS, it is the judgment and opinion of the Commission that there should be recorded in the minutes and records of the Commission its purpose and plan to abandon as a part of the said state highway the fragments or portions of right of way hereinafter designated and heretofore included within the area of the right of way of the said highway as formerly located, improved and used;

NOW, THEREFORE, the premises being in general as above stated, it hereby is resolved by this Commission, all members being present and affirmatively participating, as follows:

1. That the fragments of land confined within the areas of land hereinafter designated, which fragments or parcels of land were formerly within the limits of the right of way of the Eagle Point-McAllister Springs Section of the Little Butte Highway in Jackson County but are now without the limits of the right of way of said highway as said highway has been relocated and constructed, be and said fragments or parcels of land or portions of the old right of way are

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abandoned as parts of the right of way of said highway, and said fragments or parcels of land or old right of way are, so far as control and supervision by this Commission is concerned, eliminated and left to revert to the adjoining and abutting property owners or to the control and supervision of the County Court of Jackson County for highway or other public purposes as the Court may determine. The fragments or parcels of land affected by this resolution are defined and described as follows, to wit:

All those certain parts of the old right of way of the Eagle Point-McAllister Springs Section of Little Butte Highway in Sections 19, 20, 21 and 22, Township 35 South, Range 2 East, W. M., Jackson County, lying on the southerly and northerly side of the right of way required for the reconstructed Little Butte Highway, the beginning and ending points with reference to the engineer's stations of the said reconstructed highway being station 548+40 on the westerly end and station 691+30 on the southerly end.

The location of said abandoned right of way may be more definitely and particularly ascertained and determined by reference to a map or blueprint, marked "Exhibit A", attached hereto and by this reference made a part hereof, which said exhibit for identification purposes bears the signatures of K. D. Lytle, Division Engineer, H. G. Smith, Construction Engineer, and C. B. McCullough, Assistant State Highway Engineer, and is dated May 29, 1942, upon which map or exhibit there are reflected the above described parcels of land by showing the same shaded in red. *

2. In the event there remains any physical connection between any portion of said abandoned right of way or highway and the present highway, and by reason of such physical connection traffic from the existing highway may enter or use the said abandoned portions of the said old road to the possible damage or injury of such traffic by reason of any unsafe condition existing with respect to said old or abandoned road, then the State Highway Engineer is hereby authorized and directed to erect such barricade or other safeguards as may be necessary to protect and safeguard traffic using and employing said newly located, constructed and dedicated section of said highway.

3. That this resolution be entered in the minutes and records of the Commission and a certified copy thereof promptly delivered to the County Court of Jackson County, together with a copy of said map or exhibit, for such action as said County Court may desire to take with respect to said fragments of land, and should said abandoned sections of the right of way of said highway be further employed for public or private highway purposes such use shall be entirely under the control and supervision of the County Court of Jackson County and beyond any responsibility or supervision by the State Highway Commission.

*Map Filed Right of Way Abandonment and Retention File - No. 104

WHEREAS, in order to afford a better alignment and a more satisfactory, safe and convenient highway for the traveling public the Commission found it necessary to relocate a portion of the Hood River Highway in Hood River County; and

WHEREAS, by reason of said relocation and reconstruction of said section of highway there were eliminated and made unnecessary as parts of the permanent highway certain sections, which sections are more particularly defined and described hereinafter in this resolution; and

WHEREAS, it is the judgment and opinion of the Commission that there should be recorded in the minutes and records of the Commission its purpose and plan to abandon as a part of the said highway the fragments or portions of right of way hereinafter designated and which were heretofore included within the area of the right of way of said highway as formerly located, but which are now without the regular limits of said highway as relocated.

NOW, THEREFORE, the premises being in general as above stated, it hereby is resolved by this Commission, all members being present and affirmatively voting, as follows:

1. That the fragments of land confined within the area hereinafter described, which fragments or parcels of real property were formerly within the limits of the right of way of the Dee-Parkdale Section of the Hood River Highway, but are no longer parts of the right of way of said highway as the same has been relocated and constructed be and said parcels of real property are abandoned as parts of the right of way of said highway, and said parcels of land are, so far as control and supervision by this Commission is concerned, eliminated and left to revert to the adjoining and abutting property owners, or to the control and supervision of the County Court of Hood River County for highway or other public purposes as the Court may determine. The fragments or parcels of land affected by this resolution are defined and described as follows, to wit:

All those certain parts of the old right of way of the Dee-Parkdale Section of the Hood River Highway, in Section 19, Township 1 North, Range 10 East, W. M., Hood River County, lying on the easterly and westerly side of the right of way required for the reconstructed Hood River Highway.

The location of said abandoned right of way may be more definitely and particularly ascertained and determined by reference to a map or blueprint marked Exhibit A attached hereto and by this reference made a part hereof, which said exhibit for identification purposes bears the signatures of W. E. Chandler, Division Engineer,

H. G. Smith, Construction Engineer, and C. B. McCullough, Assistant State Highway Engineer, and is dated May 29, 1942, upon which map or exhibit are reflected the above described parcels of land by showing the same shaded in red.*

2. In the event there remains any physical connection between any portion of said abandoned right of way or highway and the present highway, and by reason of such physical connection traffic from the existing highway may enter or use the said abandoned right of way or highway to the possible damage or injury of such traffic by reason of any unsafe condition existing with respect to said old or abandoned road, then the State Highway Engineer is hereby authorized and directed to erect such barricade or other safeguards as may be necessary to protect and safeguard traffic using and employing said newly located, constructed and dedicated section of said highway.

3. That this resolution be entered in the minutes and records of the Commission and a certified copy thereof promptly delivered to the County Court of Hood River County, together with a copy of said exhibit or map, for such action as said County Court may desire to take with respect to the fragments of land to be abandoned, and should said abandoned sections of the right of way of said Hood River Highway be further employed for public or private highway purposes such use shall be entirely under the control and supervision of the County Court of Hood River County and beyond any responsibility or supervision by the State Highway Commission.

The Attorney presented a request from Mr. H. E. Penrod, Salem, to harvest wild hay growing on a 25-acre tract of land acquired by the Commission from a Mr. Ramseyer in connection with a settlement for right of way for a revision of the Pacific Highway East, a short distance south of Salem. He advised that Mr. Penrod has offered to pay the state \$1.00 per acre for this privilege, or a total of \$25, and recommended acceptance of the offer in order to get rid of the grass and weeds. The Commission approved the recommendation.

The Attorney brought up for consideration the question of occupancy by Dant and Russell of property owned by the State of Oregon and the City of Portland, in Blocks 4 and 21, on the Front Avenue Project, it appearing that public property has been occupied by Dant and Russell since April 1, 1941, without payment of any rentals thereon. The Commission expressed itself favorable to the collection of payment for use of the property by legal action, if necessary. The matter was referred to Chairman Cabell for discussion with the City of Portland before any further action is taken.

The Engineer reported that the Oregon Shipbuilding Corporation has filed its application with the Portland City Council for permission to use certain water-front areas extending from the Steel Bridge southerly to a point about two blocks south of the Burnside Bridge, Portland, in connection

Map Filed Right of Way Abandonment and Retention File - No. 105

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with its proposed ferry terminal, to facilitate the transportation of shipyard workers to the shipbuilding plants at Swan Island, St. Johns, and Vancouver, and that the city has adopted an ordinance, being Ordinance No. 77372, granting such privilege until such time as the property is needed in connection with the construction of the Front Avenue project (U. S. Highway 99W), provided the corporation will vacate the premises on 90-days' notice and will restore the area to substantially its present condition when the Oregon Shipbuilding Corporation's use of the property is terminated. The Engineer recommended approval of the city's action as an emergency war measure inasmuch as the highway improvement at this location has been indefinitely postponed and that no charge be made for the use of the property. The Commission approved the recommendation.

Messrs. Clifford Wilson and Charles Kingsley, representing Pope and Talbot Logging Company, came before the Commission and requested relief from the furnishing of two flagmen in connection with the transportation of long poles and piling over state highways. They particularly requested authority to eliminate the rear flagman or pilot car in view of the fact that it is extremely difficult under present war conditions to secure men to perform this duty. They also asked the Commission to modify the requirements of its present log-hauling permits so as to do away with any flagman whatsoever along sections of highways where sight distance is good for a considerable distance in front of and behind the loads, such request being made in the interest of conservation of tires. The Commission denied the request for the elimination of flagmen as a general rule; however, instructed the Secretary, as a trial proposition, to prepare permits so as to eliminate flagmen except along those sections where sight distance is not good and an extreme hazard would be created for other traffic if flagmen did not accompany the movements.

The State Parks Superintendent, Mr. S. H. Boardman, was present and reported on the following park matters:

Monthly report on park expenditures:-The Parks Superintendent reported an expenditure of \$37,790.17 from the 1942 budget of \$52,400, up to May 31, leaving an unexpended balance of \$14,609.83. The Commission approved the report.

Sheep grazing in Humboldt Mountain State Park, Curry County:-The Parks Superintendent reported a request from Robert Fromm for a one-year's renewal of the permit granted him last year to graze one hundred sheep in this park at 50¢ per head per year. He recommended approval of the request. The Commission approved the recommendation and thereupon signed an agreement covering the matter.

Hay cutting in Cascadia Park and Neptune Park:-The Parks Superintendent recommended approval of the request of Wm. Munkers to cut the natural grass growing in Cascadia State Park, as fire protection. He also recommended approval of the request of Mr. Bert Stonefield to cut grass in Neptune Park, as a similar precaution. Further, that no charge be made for the grass in either instance. The Commission approved the recommendation.

Acquisition of juniper wayside strips between Bend and Burns:- Upon recommendation of the State Parks Superintendent the Commission approved the form of agreement with the Department of the Interior, Grazing Service, dated March 20, 1942, providing for the protection of juniper wayside strips between Bend and Burns, as the form of agreement to be used in connection with the protection of similar juniper waysides owned by the federal government between Sisters and Redmond and between Redmond and Prineville.

Sale of logging railroad trestle near Vernonia:-The Parks Superintendent reported an offer from a Mr. Elmer Bergerson, Vernonia, to purchase an abandoned logging railroad trestle adjacent to the Wolf Creek Highway, in Tillamook County, particularly in the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 1, Township 3 North, Range 6 West, W. M., which trestle was acquired by the state in connection with acquisition of right of way and wayside strips from the Sunset Logging Company. He advised that Mr. Bergerson wants to salvage the lumber from this trestle and would like two years' time in which to pay for it if the Commission will sell it to him. Action on the matter was deferred by the Commission pending investigation and report by the Engineer as to whether or not the timber in this trestle can be used to advantage by the State Highway Department.

Final report on Silver Creek Falls CCC Camp:-The Parks Superintendent submitted a final report on this project which he advised has been closed down under government orders. (See report in general files for details) The Commission approved the report and ordered it filed.

Report on Collins Estate property at Short Sand Beach:-The Engineer advised there is a question in his mind whether or not the income tax report on the Collins Estate property, which the Commission previously asked him to inspect, is available for public review. The matter was referred by the Commission to the Attorney to investigate the tax report, if possible.

Sale of timber at Short Sand Beach:-The Parks Superintendent requested instructions relative to readvertising this timber for sale inasmuch as it has been advertised on two different occasions but no bids were received. The Commission decided to take no further action at this time.

The Engineer submitted a brief report on the operation on state highways of a train of vehicles consisting of a truck tractor and two semi-trailers. He advised that, under previous authority granted by the Commission, a temporary permit was issued to the Bekins Moving and Storage Company and to the Pacific Motor Trucking Company to operate such combinations over all highways authorized under the emergency permit approved by the Commission on February 13, 1942, subject to the condition that all three units of each combination are equipped with satisfactory air brakes in good working condition.

The movements, he said, are being observed by the Traffic Engineer in company with a representative of the Washington Highway Department, and a complete report in regard thereto will be rendered at a future date.

The Engineer also submitted a report on the cost of highway construction work performed by contractors during the year 1941. The report indicates that the contractors observed made a profit of \$196,216, which is approximately 4 per cent on the gross income of \$4,911,469. The percentage of profit, he said, over the nine-year period, from 1933 to 1941, is approximately 2.86 per cent. The Commission ordered the report filed.

Mr. E. L. Gray, Independence, President of the Kings Valley Highway Association, came before the Commission relative to the survey to determine a definite location for the proposed bridge across the Willamette River at Independence and a permanent location for the state highway between Monmouth and Independence. The Engineer advised that investigations reveal that the logical site for the bridge at Independence is on an extension of Monmouth Street, and that the logical location for the permanent highway between Independence and Monmouth is approximately on the present route with certain revisions to eliminate two right angle turns. Mr. Gray asked the Commission to adopt such alignment in order to facilitate the development of properties in Independence and between Independence and Monmouth. The Commission declined to establish a definite location at this time in view of prevailing conditions.

The Engineer rendered a status report on the proposed purchase of three new paving plants, such report indicating that the plants are almost completed by the Dallas Locomotive and Iron Works but delivery of the same cannot be made because of difficulties in securing the proper governmental priority rating. He further stated that he has made every effort to secure the plants but up to the present time has been unable to secure any satisfaction. He was instructed by the Commission to keep on trying because the paving plants are needed badly in order to efficiently maintain the state highway system.

Reconsideration was given by the Commission to the matter of exchange of roads in Linn County, particularly the exchange of a five-mile section of the Albany-Lyons Secondary Highway adjacent to Scio for a five-mile section of the Richardson Gap County Road which by-passes Scio. The Engineer advised receipt of a letter from the Roaring River Logging Company, which has requested such exchange of roads to facilitate the truck hauling of logs, advising that the company is willing to contribute \$1,000 annually, in advance, for two or three years to pay for maintaining the present secondary highway if the Highway Commission will improve and maintain the Richardson Gap Road.

The Engineer recalled that this matter was the subject of discussion at the previous meeting when the Linn County Court and representatives of the Roaring River Logging Company were present at which time the county court refused to approve such exchange of roads, because of its agreements with other logging companies for the maintenance of other county roads, although the county court at that time offered no objections to the state maintaining the Richardson Gap Road if it did not necessitate the rerouting of the secondary

highway. After some discussion the Commission by unanimous vote approved the offer of the Rouring River Logging Company subject to the condition that the arrangement is satisfactory to the Linn County Court. The Engineer was instructed to consult the county court relative thereto.

A letter was presented from County Judge D. N. Busenbark, Douglas County, requesting the widening of the Elkton-Sutherlin Secondary State Highway at its junction with the county road about midway between Elkton and Sutherlin so as to facilitate the transportation of long poles and piling from the county road onto the secondary highway. Judge Busenbark stated that there is insufficient room at the present time for poles and piling to enter the secondary highway from the county road because of the close proximity of the county bridge over the Umpqua River and the narrowness of the approach to the bridge. He suggested widening on the east side of the secondary highway from 12 feet to 16 feet and the wasting of the excavated materials along the shoulders on the westerly side of the highway. Division Engineer Lytle, who was present, advised that this improvement would benefit only one man. The State Highway Engineer suggested an investigation to determine how much it will cost to do what Judge Busenbark requests and, if the work is not too costly, that it be done with state forces if the man who is to be benefited will assume the expense and will maintain flagmen on the secondary highway at all times when log and piling operations are underway at this point. The Commission approved the suggestion and ordered that Judge Busenbark be advised of the action taken, it being understood that if the offer is accepted the party benefiting thereby will deposit a certified check with the Commission, in the amount of the estimated cost of the work, before any work is done. The Engineer was also instructed to check into the necessity for maintaining flagmen at the junction point.

Reconsideration was given by the Commission to the matters discussed with Mr. Burwell Bantz, Director of Highways of the State of Washington, on the previous evening. Chairman Cabell explained for the benefit of Commissioner Oliver, who was absent from such meeting, the action taken at that time. Commissioner Oliver stated his approval of the same whereupon the Commission by unanimous vote approved the following statement and adopted the following resolution with respect thereto:

In response to an order made by the Office of Defense Transportation, this Commission on the 13th day of February, 1942, adopted a resolution liberalizing the rules and regulations with respect to the movement of both war and civilian materials and commodities over the public highways of the State of Oregon. Subsequent to the date of the order by the said Office of Defense Transportation, and subsequent to the adoption of said resolution by the Oregon State Highway Commission the Office of Defense Transportation issued other orders disclosing the need for increased privilege and more severe requirements with respect to transportation by motor carrier over the public highways of the State. The adoption of this resolution shall, therefore, constitute a repeated and further declaration of the purpose and policy of the Oregon State Highway Commission to cooperate with the Federal Government in general and the

War Department in particular to the fullest extent possible consistent with highway preservation and public interests.

WHEREAS, because of the movement of large quantities of war materials and because of other conditions and imposed inhibitions made necessary by and for the war effort, there exists a real emergency in the transportation systems of the State of Oregon, both with respect to transportation by rail and by motor vehicle; and

WHEREAS, such emergency is increased by reason of the fact that under the laws of the State of Oregon the normal and usual movement of property by motor vehicle over the public highways of the State is limited to a combined weight of vehicle and load or vehicles and load of not to exceed 54,000 pounds and to an over-all length of not to exceed fifty feet; and

WHEREAS, a great volume of the war materials moved by motor vehicle through or into the State of Oregon moves in interstate commerce between the states of Oregon, California, Washington, Nevada and Idaho; and

WHEREAS, in each of said states except Oregon motor vehicles of longer length and greater weight are permitted by law to operate over the public highways; and

WHEREAS, if the laws of the State of Oregon with respect to the normal movement of commodities under normal conditions are rigidly applied to motor vehicles entering the State of Oregon from the State of Washington, the State of Idaho, the State of Nevada or the State of California, a bottleneck will be created and the transportation of war materials by motor vehicle will be seriously impaired; and

WHEREAS, the Office of Defense Transportation has recently issued Orders Nos. 3, 4 and 5 relating to maximum and minimum weights to be carried by motor trucks engaged in both intrastate and interstate commerce, which orders limit both the maximum and minimum loads to the tire capacities given in the appendix to the orders except when, in the opinion of the authority in charge of the state or local highways, such weights are in excess of the carrying capacity of the bridges and/or pavements; and

WHEREAS, it is the opinion of the Oregon State Highway Commission that during this present emergency means should be found, if possible, to permit the maximum dimensions and weights of motor vehicles consistent with reasonable safety to the public and with the ability of the pavements and bridges to withstand the loads; and

WHEREAS, after consultation, it is the opinion of the Public Utilities Commissioner and of the State Highway Commission that by

cooperative effort the laws of the State can be properly and efficiently administered and enforced, and at the same time the interests of the war effort be given the necessary consideration and the delays which prevail with respect to the movement of civilian goods relieved to a considerable extent; and

WHEREAS, Section 115-393, O. C. L. A., vests in the Highway Commission authority to issue a permit or permits for the movement over the public highways of the State of any vehicle, article or property having a combined weight in excess of that permitted under the provisions and the laws of the State or having a size not permitted by law if after investigation and examination the Commission shall find that the movement of such vehicle or property is in the interest of the public or that the public will be served thereby; and

WHEREAS, the Commission has caused an examination and inspection to be made of the highways under its jurisdiction and, as a result of such investigation and inspection, the Commission has classified the state highways into three groups: Group 1, those highways whose geometric design is such that a vehicle having an over-all length not to exceed sixty feet and a width not in excess of eight feet can be operated in such manner that at all times both vehicle and load can be kept on the right-hand side of the center line of the traveled way, and the Commission has found from investigation and examination that the structures on the highways in Group 1 may, without serious impairment, carry a gross load not in excess of the amount in pounds as determined by the formula $W = 750 (L+40)$, wherein W equals the gross weight in pounds and L equals the distance, in feet, between the first and last axles of the combination of vehicles; with the further provision that the gross weight, in pounds, on any group of axles spaced 18 feet or less apart shall not exceed that determined by the formula $W = 650 (L+40)$, wherein W equals the gross weight in pounds and L equals the distance in feet between the first and last axles of such group, except, however, that when L is less than sufficient to provide a gross weight of 32,000 pounds, the gross weight may equal but shall not exceed 32,000 pounds. In all cases the weight on any single axle is limited to 18,000 pounds. Group 2 includes the highways whose geometric design will not permit vehicles of more than fifty feet in length but whose structures will withstand the same gross loads as are permissible on the highways listed in Group 1. The same formulas as given under Group 1 shall apply to total gross loads and axle concentrations. The reduction in vehicle length from sixty to fifty feet will reduce the gross load proportionately. Group 3 includes all the other highways not listed in Group 1 or Group 2 and whose examination discloses that the statute dimensions and weights as given in the present Oregon laws must control in the interest of safety; and

WHEREAS, for the purpose of affording a measure of relief to the transportation of both materials for war and civilian goods, it is the considered judgment and opinion of the Highway Commission

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that the interests of the general public will be served by the adoption of a policy which will permit the movement over public highways listed in Group 1 of vehicles of a longer dimension and transporting a greater gross load than is now permitted under the statute and the movement of vehicles traversing highways in Group 2 to exceed the present statute weights to the amounts as herein given, such policy to be in effect for the duration of the war and while this emergency continues, unless otherwise modified by the action of this Commission;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by this Commission as follows:

1. The Commission does hereby find and declare that an emergency exists in the State of Oregon with respect to the transportation of war materials, both with respect to rail transportation and motor transportation, and that such emergency is increased by reason of the statutory limits with respect to weight of vehicle and length of vehicle and load.
2. The Commission does further find and declare that in its opinion the national emergency justifies the Commission in the adoption of a policy authorizing the issuance of permits under the provisions of Section 115-393, O.C.L.A., which permits may authorize the movement of a combination of vehicles within, into and through the State of Oregon over the Group 1 highways hereinafter designated with a maximum over-all length of sixty feet and with a gross weight of not to exceed that determined by the formulas as hereinbefore given; vehicles operating over Group 2 highways are limited to fifty feet in over-all length and are controlled with respect to maximum gross weights by the formulas as hereinbefore given; vehicles operating over all other state highways are controlled with respect to gross weights by the present Oregon statutes; namely, 54,000 pounds. In addition to the control provided for in said formula, no vehicle shall be permitted to operate under any permit issued pursuant to this resolution with an axle weight in excess of 18,000 pounds, nor shall any truck train, consisting of a truck-tractor and semitrailer, have a total length in excess of fifty feet. Axles spaced closer than three feet four inches shall be considered a single axle.
3. In all cases the maximum weight on any one tire should not exceed the amount specified in Orders 3, 4 and 5 issued by the Office of Defense Transportation.
4. Any permit issued pursuant to this resolution may be cancelled by the Commission at any time for cause or when in the opinion of the Commission the cancellation of such permit is required in the interests of the general public.
5. For the purpose of this resolution state highways are classified as Group 1, Group 2 and other highways not included in

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Group 1 or Group 2 highways constitute Group 3. The list of highways in Group 1 and in Group 2 are shown on attached sheets. (See list of highways on back of Emergency Transportation Permit forms for Group 1 and Group 2 highways, in General Files)

6. From time to time, as conditions and circumstances disclose and warrant, other and additional highways may be designated by the Highway Commission and thereby brought within the scope and reach of this resolution. Any additional highways so designated shall automatically be available to carriers holding permits for the operation of vehicles over the highways selected and designated by the Commission and listed on the attached sheets. (See lists on back of printed permit forms)

7. The forms of permit which are hereto attached hereby are approved as the forms of permit to be issued for the operation of vehicles over the highways listed on the attached sheets, subject, however, to such modifications or additions as may be necessary to conform to particular circumstances and conditions. (See printed Emergency Transportation Permit forms, in General Files, Nos. E-242 and E-243)

8. The Secretary of the Commission, upon application by any qualified operator, hereby is authorized and directed to issue a permit to such applicant. All permits issued shall conform substantially to the form approved by the Commission.

9. Such permits shall contain proper and appropriate instructions and conditions and must at all times be carried in the cab of the motor vehicle while in operation on the highways of the State of Oregon.

10. Permits are issued for the remainder of the calendar year and will be renewable in the discretion of the Commission. Each permit shall contain not only the date of issuance but its expiration date.

11. Any permit issued pursuant to the policy and authority of this resolution shall be subject in all respects to all regulatory powers vested by federal law in the Interstate Commerce Commission and Office of Defense Transportation, and shall be subject also to the regulatory powers vested by the laws of the State of Oregon in the Public Utilities Commissioner, but any such regulatory power or any order of any federal or state office, board or commission having regulatory power over transportation shall not be construed as permitting the operation of vehicles exceeding in any respect the provisions of this permit in regard to weight and/or dimensions.

12. The sole purpose and object of this resolution is to provide for the existing emergency and for the duration of the war,

and therefore all persons are expressly warned against the purchase of equipment or the making of investments on the theory or assumption that the policy which by this resolution is established will in any sense become permanent or be extended beyond the duration or that the privileges provided will be continued beyond the period of the emergency.

13. In addition to issuance of permits for the transportation of property over the highways listed on the attached sheets, it is recognized that there are other highways in the State over which it may become necessary in national defense to transport defense materials. With respect to such highways a permit or permits may be issued for a single or isolated movement under the conditions and requirements which now prevail for similar movements in connection with which permits are now, under the existing policy of the Commission, issued. (See Transportation Permit, Form E-250).

In this connection the Commission also approved the following press release prepared by Chairman Cabell:

Henry F. Cabell, Chairman of the Oregon State Highway Commission, announces the recent State Highway Commission action with relation to its cooperation with the Office of Defense Transportation in regard to the present war emergency. Acting jointly with the Director of Highways of Washington, the Oregon State Highway Commission plans to cooperate fully with the aims and objectives of the Office of Defense Transportation. The maximum weights permitted on trucks will be the same in both Oregon and Washington.

The Office of Defense Transportation recently issued directives to the truck industry requiring the hauling of maximum loads based upon tire capacities and further conditioned upon the ability of the bridges and pavements to withstand the loads. This order will tend to increase the weights carried by the larger trucks having larger tires and to decrease the weights carried by the smaller trucks having smaller tires. The larger tires would permit weights beyond the safe carrying capacity of bridges and would cause material destruction to light pavements. In consequence, the Office of Defense Transportation will accept the judgment of the State Highway Commission, in the case of state roads, and the county courts, in the case of county roads, with respect to the maximum loads carried by the larger trucks.

The Oregon State Highway Commission has classified the roads of Oregon in three groups. Group No. 1 includes those roads, having strong bridges, that are wide and straight enough so that 60-foot vehicles may at all times stay on the right-hand side of the center line. The maximum loads are controlled by formulas for both total gross loads and axle concentrations. The heaviest load permitted on

large trucks equipped with sufficient axles and adequately sized tires is about 71,250 pounds. Group No. 2 includes those roads which are not wide and straight enough to operate 60-foot vehicles but whose pavements and bridges are strong enough to withstand greater than the present statute loads. The maximum load permitted upon a 50-foot vehicle, properly tired and with sufficient axles, is 63,750 pounds. Group No. 3 includes those roads which are neither wide nor straight enough for the longer vehicles and whose pavements and bridges will not withstand greater than the present statute loads. Special blanket permits will be issued for vehicles traveling on highways in Groups No. 1 and No. 2. Full information on this subject can be secured from the office of the State Highway Commissioner at Salem, from the offices of the Public Utilities Commissioner at Salem and the Oregon Building in Portland, from the office of Defense Transportation, Herman Sites, Director, Bedell Building, Portland, and from the office of Tom Shea of the Oregon Motor Transport Association, Weatherly Building, Portland.

The present laws permit greater axle weights on logging trucks than other equipment. The State Highway Commission, announces Mr. Cabell, is very anxious to cooperate in every way with the lumber industry in this state and with the War Production Board, but cannot permit loads in excess of the safe carrying capacity of the bridges.

Careful computations disclose that slight increases can be made in loads carried by certain types of logging trucks. Present state laws limit the loads carried by single-axle truck-tractor units to 54,000 pounds, with a tolerance of ten per cent, which permits a total gross load of 59,400 pounds. When the distance between the first and the last axles is 40 feet or more, the Highway Commission will increase this tolerance to 7,000 pounds, permitting a total gross load on such equipment of 61,000 pounds before lifting the PUC plates. The larger trucks, having two driving axles, are permitted to carry 68,000 pounds, plus a five per cent tolerance, or a total of 71,400 pounds, when the distance between the first and the last axles of the combination of vehicles is 55 feet or more. These weights permitted by the Highway Commission on small trucks are in excess of the tire capacities and may be required to be further reduced through the action of the Office of Defense Transportation.

The Engineer was instructed to inform Mr. Herman Sites, Regional Director, Office of Defense Transportation, of the action taken by the Commission on this matter. (See letter dated June 26, 1942)

Chairman Cabell also explained to Commissioner Oliver the action taken by the Commission on the previous evening with respect to the insuring of properties, including bridges, buildings, cars in storage, et cetera, against damage caused by enemy attack. Commissioner Oliver approved the Commission's action.

The Commission adjourned at 12:00 noon and reconvened at 1:30 p. m. in the office of Chairman Henry F. Cabell, 1107 Failing Building, for a conference with Senator F. M. Franciscovich, Astoria, and Mr. James Elliott, County Commissioner of Clatsop County, with respect to log-hauling matters. All members of the Commission were present at such meeting as were also the State Highway Engineer, the Attorney and the Secretary. Log hauling matters in general were discussed during which Senator Franciscovich asked the Commission to modify its ruling with respect to the penalty for overloading. Chairman Cabell explained the action taken by the Commission with respect to overloads and advised that the Commission is granting log haulers an extra tolerance of 1600 pounds under certain conditions which should relieve the situation considerably if the log haulers will make an honest effort to cooperate. The Commission refused to modify the present ruling with respect to four-days' suspension of PUC permits for violations of the weight restrictions.

This meeting was concluded at 2:30 p. m. following which the Commission continued its session in the auditorium of the Public Service Building with all Commissioners, the State Highway Engineer, the Attorney and the Secretary present and participating.

The County Court of Marion County, represented by County Judge Grant Murphy and County Commissioners Jim Smith and Ralph Girod, and County Engineer N. C. Hubbs were present. Judge Murphy presented the oral request of the county court for the rerouting of the North Santiam Secondary State Highway in the vicinity of Sublimity and Stayton. He pointed out that the secondary highway is now routed through Sublimity which is hilly and circuitous, whereas the county road which extends northwesterly from Stayton to a connection with the secondary highway about 1½ miles west of Sublimity is nearly level throughout its entire length and is much straighter than the other road. He advised that this county road now has a good oiled surface and carries nearly all of the North Santiam Highway traffic because it is shorter and more direct. The Engineer advised that the county road has been investigated by Assistant Staff Engineer Oscar Cutler who reports that it has a good oiled surface and that all bridges on the same are in first class condition although the right of way for the most part is only 50 feet wide which is 10 feet narrower than the width required by the Commission for new secondary highways. After discussion the Commission approved the exchange of roads subject to investigation of the right-of-way width and on the condition that the county will furnish 60-foot right of way throughout.

At 3:45 p. m. Chairman Cabell announced the following awards of contracts, rental of state-owned heavy construction equipment, sale of buildings in North Bend, and sale of timber, bids for which were received by the Commission at the morning session, such awards and sales having previously been approved by the Commission by unanimous vote:

"North Dillard Bridge Section of the Pacific Highway, in Douglas County. Construction of untreated wood bridge over the South Umpqua River, and grading and surfacing road approaches thereto. There were no bids received for this project.

"Prairie City-Dads Creek Section of the John Day Highway, in Grant County. 3.79 miles surfacing and oiling; also furnishing 2,000 cu. yds. crushed gravel in stock piles. There were no bids received on this project.

"Buchanan Rock Production Project on the Central Oregon Highway, in Harney County. There were no bids received on this project.

"Judkins Point Section of the Pacific Highway, in Lane County. 1.08 miles grading and paving. McNutt Brothers, Eugene, submitted the only bid for this project, in the amount of \$360,708.50, using tar, and a bid in the same amount using asphalt. The Commission awards this contract to McNutt Brothers, at their bid of \$360,708.50, based on the use of tar.

"Judkins Point Overcrossing, near Eugene, on the Pacific Highway, in Lane County. Construction of untreated frame trestle overcrossing with 52-foot roadway and two 5-foot walks, and 70 feet of concrete retaining wall. Barham Brothers, Salem, submitted the low bid for this work, in the amount of \$78,192.50. The second-low and only other bid was that of McNutt Brothers, Eugene, in the amount of \$84,080.00. The Commission awards this contract to Barham Brothers at their low bid of \$78,192.50.

"Construction of timber overcrossing structure over Union Pacific tracks on Northeast Going Street, Portland, in Multnomah County. Tower Sales & Erecting Company, Portland, submitted the low bid for this work, in the amount of \$23,980.00. The second-low and only other bid was submitted by Lindstrom Brothers, Portland, in the amount of \$27,855.00. The Commission awards this contract to the Tower Sales & Erecting Company on the basis of its bid submitted June 4, 1942, in the amount of \$23,080.00, in accordance with an agreement reached with the Tower Sales & Erecting Company.

"Section 'A' of the Monmouth-Benton County Line Section of the Pacific Highway West, in Polk County. 4.15 miles paving. Edlefsen-Weygandt Company, Portland, submitted the low bid for this project, in the amount of \$219,510.00. McNutt Brothers, Eugene, submitted the second-low and only other bid, in the amount of \$237,053.00. The Commission refers this bid to the Engineer with power to award the contract to Edlefsen-Weygandt Company, when certain conditions have been fulfilled.

"Section 'B' of the Monmouth-Benton County Line Section of the Pacific Highway West, in Polk County. 2.52 miles grading and 4.94 miles paving. McNutt Brothers, Eugene, submitted the only bid for this project, in the amount of \$278,603.50. The Commission rejects this bid.

"Construct Luckiamute River Bridge on the Monmouth-Lewisburg Section of the Pacific Highway West, in Polk County. Untreated timber bridge with 24-foot roadway. Averill and Corbin, Portland, submitted the low bid for this work, in the amount of \$15,313.00, and J. F. Johnston, Newberg, submitted the second-low bid, in the amount of \$16,535.00. There were two higher bidders. The Commission awards this contract to Averill and Corbin, at their low bid of \$15,313.00.

Rent of State-Owned Heavy Construction Equipment

"Lorain 1½-yard gas shovel. No formal bids were received for this shovel.

"RD-7 diesel tractor with logging drum. No formal bids were received for this tractor.

"Allis-Chalmers diesel tractor with logging drum and bulldozer attachments. No formal bids were received for this tractor.

Sale of Residence Buildings in North Bend

"Building No. 9559. Former owner R. L. Cavanaugh. Hillar & Eickworth, Empire, submitted the only bid for this building, their bid being in the amount of \$30.00. The Commission rejects this bid. (Building later disposed of by private sale to Edwin E. Sprague, North Bend, for \$100.00.)

"Building No. 9491. Former owner Coos Bay Longshoremen Beneficial Association. No bids were received for the purchase of this building.

"Building No. 9486-A. Former owner Coos County. J. J. Borchert, Marshfield, submitted the high bid for this building, in the amount of \$50.00. A. H. Pressnall, Marshfield, submitted the second-high bid, in the amount of \$20.00. There was one other bid. The Commission refers these bids to the Engineer. (Building sold on June 30, 1942, to J. J. Borchert, at his high bid of \$50.00.)

"Building No. 9498. Former owner Cora Swanson Coyle. No bids were received for this building.

"Building No. 9501. Former owner Ira L. Goodlin. Hillar & Eickworth, Empire, submitted the only bid for this building, in the amount of \$58.00. The Commission rejects this bid.

"Building No. 9560. Former owner J. H. Tewsley. No bids were received for this building.

"Building No. 9499. Former owner John Sandine. No bids were received for purchase of this building.

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"Building No. 9493-A. Former owner Independent Stevedoring Company. No bids were received for purchase of this building.

"Building No. 9486-B. Former owner Coos County. No bids were received for this building.

"Building No. 9506. Former owner John McNabb. No bids were received for this building.

"Building No. 9486-C. Former owner Coos County. No bids received for this building.

"Building No. 9510. Former owners C. B. and M. Flock. Margaret Flock, Marshfield, submitted the only bid for this building, in the amount of \$25.00. The Commission refers this bid to the Engineer. (Building sold on June 30, 1942, to Margaret Flock, at her bid of \$25.00.)

"Building No. 9513. Former owner Ada Hartley Lee. The only bid received for the purchase of this building was that of Mrs. Ada Hartley Lee, North Bend, in the amount of \$135.00. The Commission refers this bid to the Engineer. (Building sold to Mrs. Ada Hartley Lee, North Bend, on June 30, 1942, at her bid of \$135.00.)

"Building No. 9516. Former owner A. T. Andrews. Atwell T. Andrews, North Bend, submitted the only bid for this building, in the amount of \$20.00. The Commission refers this bid to the Engineer. (Building sold on June 30, 1942, to Atwell T. Andrews, at his bid of \$20.00.)

"Building No. 9518. Former owner P. M. Ross. No bids were received for the purchase of this building.

"Building No. 9519. Former owner J. H. McDonald. Hillar & Eickworth, Empire, submitted the only bid for the group of buildings, consisting of a frame house, auto court cabins and garage, in the amount of \$15.00. Jack McDonald, North Bend, submitted a bid of \$176.50 for the auto court cabins only; and W. H. Kennedy, Marshfield, submitted a bid in the amount of \$44.00 for the garage only. These bids were referred to the Engineer. (The auto court cabins were sold to Jack McDonald on June 30, 1942, at his bid of \$176.50; the garage was sold to W. H. Kennedy on June 30, 1942, at his bid of \$44.00; and the bid on the frame house was rejected and the building ordered re-advertised.)

"Building No. 9520. Former owner H. D. Harris. H. D. Harris, North Bend, submitted the only bid for this building, in the amount of \$100.00. The Commission refers this bid to the Engineer. (Building sold to H. D. Harris on June 30, 1942, at his bid of \$100.00.)

"Building No. 9521. Former owner K. Horn. No bids were received for this building.

"Building No. 9522. Former owner J. Gildersheim. No bids were received for purchase of this building.

"Building No. 9524. Former owner Iva B. Butcher. Hillar & Eickworth, Empire, submitted the only bid for this building, in the amount of \$31.50. The Commission rejects this bid.

"Building No. 9486-D. Former owner Coos County. No bids were received for this building.

"Building No. 9528. Former owner H. W. and Jessie Lee Clark. No bids were received for this building.

"Building No. 9524-A. Former owner Clyde and Iva Butcher. No bids were received for this building.

"Building No. 9529. Former owner Luella Butcher. Kittel Ness, North Bend, submitted the high bid for this building, in the amount of \$65.00. Hillar & Eickworth, Empire, submitted the second-high bid, in the amount of \$45.50. There were two lower bids. The Commission refers these bids to the Engineer. (Building sold to Kittel Ness, for \$65.00, on June 30, 1942.)

"Building No. 9530. Former owner R. M. Hazelton. No bids were received for this building.

"Building No. 9532. Former owner Clara Bustrin. Kittel Ness, North Bend, submitted the high bid for this building, in the amount of \$160.00. Hillar & Eickworth, Empire, submitted the only other bid for this building, in the amount of \$34.50. The Commission refers these bids to the Engineer. (Building sold to Kittel Ness, on June 30, 1942, at \$160.00.)

"Building No. 9646. Former owner A. M. Haley. No bids received for this building.

"Building No. 9534. Former owner Elma Moss, et al. Roy T. Douglas, Marshfield, submitted the only bid for the purchase of this building, in the amount of \$100.00. The Commission rejects this bid.

Sale of Timber

"Timber on tract near Oregon Coast Highway, north of Nehalem, in Tillamook County. No bids were received for the purchase of this timber."

The Attorney brought up for discussion matters pertaining to the rebuilding of the Algoma dike and reclamation of lands adjacent to The Dalles-

California Highway at Algoma which were flooded when the dike broke some two years ago. He advised that this matter is now coming up for discussion and the Highway Commission has been requested to participate in the repair of the dike and the reclamation of the flooded lands. The question has arisen whether or not the Commission should be represented in the discussion by either the Attorney or the Engineer. The Engineer recommended that the Commission have nothing whatsoever to do with the restoration of the dike or the land in question because in his estimation the Commission is not obligated in any way inasmuch as the dike is privately-owned and is situated a considerable distance from the highway; also that the Commission concern itself only with the securing of reimbursement for the cost of repairing the damage caused the highway by reason of the breaking of the dike. The Commission approved the recommendation.

The matter of deeding to the federal government a stock-pile site recently acquired adjacent to the Pacific Highway West, south of Monmouth, had the attention of the Commission. It appears that the stock-pile site is located within the borders of Camp Adair Army Cantonment and is needed in connection with the stock-piling of road material for construction and maintenance of this highway; also that the army authorities wish to acquire this tract for use in connection with the development of the cantonment and have indicated that they will condemn the property if the state will not or cannot deed it. The Engineer suggested that it would be satisfactory to deed the property to the government if the government will furnish the state with a comparable tract. The Attorney pointed out that the Commission does not have legal authority to sell property that is needed for highway purposes. He was instructed by the Commission to so inform the army authorities.

The Commission had under discussion a request from the Siuslaw Forest Products, Inc., for permission to construct a spur railroad track at grade across the Siuslaw Highway near Mapleton and extending from the Southern Pacific railroad to the company's mill; also to widen the highway grade for a short distance at this point to facilitate the truck hauling of logs to the mill site. The Engineer recommended approval of the request subject to the condition that the company will secure an order from the Public Utilities Commissioner authorizing construction of the spur railroad track, and subject also to the condition that the company will maintain flagmen and install traffic signals and short-arm barriers properly to protect highway travel during the time that logs are being transported across the highway either by train or truck, and will furnish public liability and property damage insurance indemnifying the State Highway Commission or any officer or agent of the State Highway Commission from liability in the event of occurrence of accidents from the company's operations. He presented a form of permit covering the matter. After discussion the Commission approved the request and authorized the company to proceed with its construction operations when it has signed the permits and has furnished the required insurance. (See permit for detailed conditions)

The Attorney reported that a telegraphic reply has been received from Mr. Niel R. Allen, as attorney for Dr. C. J. Moser, to the telegraphic offer made by the Commission with respect to the pending controversy between the Commission and Dr. Moser involving property now covered by condemnation action.

After careful consideration of the said reply and all matters connected therewith, the following resolution was adopted by the Commission:

RESOLVED that in the judgment and opinion of the Commission the counter or amended offers of settlement made by Attorney Allen for Dr. Moser by telegram are not in the interests of the state and are not adequate to meet the needs and requirements of the state, and such counter or amended offers are therefore rejected.

RESOLVED, further, that for the purpose of avoiding further delay in the accomplishment of the said highway project and for the purpose, also, of avoiding possible damage to the state occasioned by delay, the Commission does hereby direct that possession of the real property described in the complaint be now taken and the Engineer be and he hereby is instructed to order and direct the contractor to go upon the premises and commence and thereafter prosecute to completion the work specified in the contract between the contractor and the state.

A letter was presented from M. G. Pillette, City Recorder of Madras, requesting, in behalf of the City Council, additional improvements on the recently constructed section of The Dalles-California Highway in the southern part of Madras, particularly requesting construction of footpaths and oiling full width between curbs for a distance of some four blocks just north of the south city limits. The Commission approved the Engineer's reply to this communication in which he advises that the Commission is without authority to undertake any highway construction work unless it is approved by the Army, the Navy, or the War Production Board, and that the present forecast indicates a major reduction in highway revenues which may prevent the state from matching federal funds and the carrying on of projects even if such governmental approval is obtainable.

Reconsideration was given by the Commission to the matter of improving the Lower Columbia River Highway in front of the school grounds in Deer Island by the elimination of a curve which it is alleged creates a considerable traffic hazard. It was recalled that the Commission last fall approved this project for 1942 construction, the estimated cost of the same being \$15,000, and that such information was conveyed to Honorable J. D. Perry, Deer Island, who presented the request for the improvement in behalf of local citizens. The question arose whether or not it would be advisable to undertake this project in view of existing governmental restrictions and the falling off of highway revenues because of war conditions. The Commission decided to defer the project until the present war emergency is over and instructed the Secretary to so inform Mr. Perry, giving the reasons for such action.

A request was presented from the City of Lebanon for additional improvements to certain city streets that are not on state highway routes. The Engineer advised that the Commission authorized an expenditure of \$1,096.00 in this town and that a standard form of agreement was presented to the city

council providing for work to be done this year. However, this was returned by the city with a request for an additional expenditure of \$4,400, which is far more than the city is entitled to under the formula adopted by the Commission with respect to such matters. He inquired whether or not the Commission wishes to perform the additional work. The Commission decided to limit its expenditure in this town to the original budgeted amount and instructed the Engineer to so inform the city, giving reasons for such action which may necessitate the postponement of a number of the city projects this year.

The Engineer requested authority to make location surveys for a number of projects, which are of major importance and will be needed immediately after the present war emergency is over, so as to provide steady employment for the engineering personnel. He submitted a list of surveys in this category from which the Commission selected and approved surveys, as follows, provided federal funds can be obtained to finance the same:

<u>Highway</u>	<u>Section</u>
Columbia River Highway	Cascade Locks to Hood River
" " "	Mosier to Rowena
" " "	Rowena to The Dalles
" " "	Arlington to Boardman
Pacific Highway	Walker to Rice Hill
" "	Green Station to Canyonville
Wilson River Highway	Washburn to North Plains

The Engineer was authorized to submit such survey projects to the Public Roads Administration for approval in the event that has not already been done by previous authorization.

The Engineer requested authority to transfer federal aid funds heretofore programmed for financing a new bridge over the Pudding River, on the Pacific Highway East at Aurora, from such project to other federal aid projects, in view of the fact that it is now practically certain that the War Department will not approve an expenditure of funds for a standard type of bridge structure at this place, and there seems to be no reason for continuing this project as a part of the present federal aid program inasmuch as it ties up federal funds which could be allocated to other projects. The Commission approved the withdrawal of this project from the federal aid program and authorized the Engineer to file an appropriate request with the Public Roads Administration to that end.

The Commission considered and deferred until some future date resolutions from the County Court of Malheur County requesting the designation of certain county roads as secondary state highways, same being described as follows:

Enterprise County Road, beginning at the junction of the Nyssa-Adrian Secondary State Highway No. 450 with Enterprise Avenue at the northeast corner of Section 12, Township 20 South, Range 46 East, W. M., thence westerly to the junction of Enterprise Avenue and the Vale-Owyhee Road, in Cow Hollow, a distance of approximately four miles;

Quaker Corner County Road, beginning at a point on the Old Oregon Trail, approximately 0.6 mile north of the Malheur River Bridge, thence westerly and northwesterly to a place known as Quaker Corner, a distance of approximately three and one-half miles;

Valley View County Road, beginning at the junction of Alameda Drive with the Old Oregon Trail near the west city limits of Ontario, thence southerly via Alameda Drive and Valley View Road to the south line of Section 29, Township 18 South, Range 47 East, W. M., thence west to the southwest corner of Section 25, Township 18 South, Range 46 East, W. M., thence north to the John Day Highway at a point approximately one mile west of Cairo Junction, a distance of about eight miles.

The Engineer reported that, in conformity with authority previously granted him by the Commission, he has awarded contracts, as follows, bids for which were taken by the Commission at its meeting on June 4, 1942, the conditions of the awards having been satisfied:

Grading and paving Swan Island Shipyard Access Road. Bids taken June 4; contract awarded June 9, 1942, to Porter W. Yett, low bidder.

Grading and paving North Portland Shipyard Access Road. Bids taken June 4; contract awarded June 9, 1942, to Parker-Schram Company, low bidders.

The Commission confirmed the awards as reported.

The Commission discussed, approved, and signed a proposed agreement with the Public Roads Administration covering the Oregon state-wide planning project, which agreement is based on the estimate of May 12, 1942, and provides for the obligation of one and one-half per cent of Oregon's share of the 1943 apportionment of federal aid, federal aid secondary, and federal aid grade crossing funds, totaling \$32,491, for such purpose.

The Commission approved a revised agreement with the Union Pacific Railroad Company with respect to a railroad warning sign which has been attached to the company's freight house on Front Avenue, Portland. This agreement is to be signed by the Commission later when the approved revision has been made by the Attorney.

The Engineer reported an offer from a Mr. William Dye, Hillsboro, to purchase trees that have fallen on the right of way of the Wolf Creek Highway at the Clatsop-Washington County line west of the Wolf Creek WPA Camp. He stated that Mr. Dye wishes to cut these trees into cordwood and has offered to pay the state 65¢ for each cord salvaged. The Commission approved the offer provided the trees are not saw logs, and referred the matter to the Engineer for investigation.

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A letter was presented from R. C. Kuehner, Executive Secretary of the "Keep Oregon Green Association", in which request was made for permission to erect and maintain "Keep Oregon Green" signs along state highways. The Engineer recommended approval of the request subject to the condition that the signs are furnished by the organization and are erected by employees of the State Highway Department, and provided further that the design of the sign is satisfactory. The Commission approved the recommendation and referred to the Engineer the matter of passing on the type of signs.

A request was presented from the City of Pendleton for the establishment of a 10-mile-per-hour speed limit along a portion of S. W. Twentieth Street, Pendleton. The Commission considered that jurisdiction in this matter rests with the Speed Control Board established by the 1941 Legislature, consisting of the Secretary of State, the Superintendent of the Department of State Police, and the Chairman of the State Highway Commission, or their duly designated representatives. It was decided, therefore, to defer action on the request pending a meeting of such Speed Control Board. The Engineer was instructed to ask the Secretary of State to call a meeting of such Board at a convenient time in the near future.

The Engineer requested authority to purchase the following parts for traffic signals which, he said, are obtainable from the Graybar Electric Company, Portland, without the necessity of securing a priority rating:

4 TRP223D WG comb. lens HL6254 glass refl. KL 2413 slip fitter at \$97.75 each, total \$391.00

2 TSO 111D less lens with HL6254 refl. HL6788 recept. at \$14.45, total \$28.90. Grand total cost \$419.90.

The Commission approved the purchase of this material.

The Engineer brought up for discussion the controversy with the County Court of Klamath County with respect to the taking of materials from a county-owned gravel pit known as the "Merrill Pit". He advised that the gravel taken by the state was used in connection with the construction of the state highway between Klamath Falls and Merrill, and when this job first came up for construction in 1939, it was originally proposed to purchase a one-half interest in this gravel pit. However, the county court preferred not to sell but agreed to let the state use the pit at an agreed price per cubic yard for the material taken therefrom. It now so happens that the county has submitted its bill for this material, in the amount of \$542.65 which is at the rate of 4¢ per cubic yard, whereas, the standard price that the Commission has always paid is 3¢ per cubic yard, there being some misunderstanding as to the rate. He suggested approval of the 4¢-rate in this particular instance in order to maintain friendly relations with the county court. The Commission approved the recommendation in view of the misunderstanding.

The matter of re-establishing the telephone pole line of the Mountain View Cooperative Telephone Association on the right of way of the Pacific Highway

West, north of Corvallis, which is necessary in connection with the rebuilding of the highway at this location, was discussed by the Commission. The Engineer reported receipt of a letter from the telephone company to the effect that "the association does not have equipment, funds or men to re-establish the pole line at this time, hence is not in position to comply with the Commission's request in that regard". The Engineer advised that, upon receipt of such information, he made arrangements with the Pacific Telephone and Telegraph Company to reset the poles at state expense, it being his intention to secure reimbursement from the Mountain View Telephone Company for the cost thereof, if possible, when the work is completed. The Commission approved the action taken by the Engineer.

The Secretary reported that the Secretary of State has refused to accept continuation certificates renewing the \$200,000 bond heretofore furnished by the State Highway Engineer and has requested an entirely new bond, in view of the fact that the Engineer is now serving under reappointment and the Attorney General has ruled that the Engineer must furnish a new bond each time he is reappointed and that the bond must run concurrently with the appointment. He further stated that ten new bonds, in the amount of \$20,000 each, have been furnished by companies that wrote the previous bond but each company has asked for a statement terminating its obligation under the old bond, as of the date of cancellation of the same, and that they be relieved from the obligation subsequent to such date. The Commission authorized the Secretary to sign such termination statements in behalf of the Commission.

The Commission considered a request from the Shell Oil Company for an extension of its permit authorizing the transportation of full loads of gasoline over certain Oregon highways involving gross weights as determined by the formula $W = 800 (L+40)$. The Engineer advised that the excess load would not be particularly harmful to the highways mentioned in the permit, and that he would have no objections to the granting of the request were it not for the fact that the Commission, on the previous evening, agreed with Mr. Bantz, Director of Highways of the State of Washington, not to permit gross weights in excess of those determined by the formula $W = 750 (L+40)$. The Commission instructed the Engineer to discuss the matter with Mr. Bantz. In the event Mr. Bantz has no objections, then the permit, as requested, is to be granted for 90 days. (Mr. Bantz approved the granting of the permit by telephone on July 6, 1942.)

Similar action was taken by the Commission on the request of A. L. Vincze, common carrier of petroleum products, Klamath Falls, who has requested permission to truck overloads of gasoline over the Pacific Highway from the California state line to Medford, over The Dalles-California Highway from the California state line to Klamath Falls, over the Fremont Highway from the California state line to Lakeview, and occasionally over the Klamath Falls-Lakeview Highway between Klamath Falls and Lakeview.

The Commission considered and denied a request from the Shell Oil Company for an emergency transportation permit to transport overloads of gasoline over the Wallowa Lake Highway between Elgin and Enterprise, there being

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a bridge on this section of the highway which, according to the Engineer, will not bear up under the excess load.

The Secretary presented a letter from the County Court of Crook County requesting that payment by the county, for oiling of an 0.7-mile section of the Hardin County Road by state forces, be deferred from the July apportionment of motor vehicle funds by the Secretary of State to the December apportionment of such funds because bad weather conditions indicate that the oiling work will not be completed before August 15 and the county in the meantime can use its money to good advantage for other purposes. The Commission approved deferment of the payment and instructed the Secretary to so inform the Secretary of State.

The Engineer presented a list of surveys that he has ordered since the last meeting of the Commission and asked the Commission to confirm them and the amounts allocated for each. After due consideration the Commission authorized and instructed the Engineer to make such location surveys on various sections of the highways of this state, which said sections of highways, together with their identifying location survey numbers and the amounts authorized and allocated for such survey expenditures, are as follows:

Plans - - - -	202-1431	- Albany-Corvallis North Section, County Road, Benton County	1st authorization -	\$1,350
Quarry- - - -	2-1432	- Various Sections, Various Highways, Benton County	1st authorization -	\$300
Engineering -	209-1501	- Terrebonne-Lower Bridge Section, County Market Road, Deschutes County	1st authorization -	\$750
Park - - - -	16-1411	- Peter Skeens Ogden Park, The Dalles-California Highway, Jefferson County	1st authorization -	\$75
Plans - - - -	19-1427	- Alkali Lake Section, Lakeview-Burns Highway, Lake County	1st authorization -	\$100
Quarry - - - -	21-1461	- Various Sections, Various Highways, Lincoln County	1st authorization -	\$300
Plans - - - -	22-1448	- Lebanon-Sweet Home Section, Santiam Highway, Linn County	1st authorization -	\$150
Quarry - - - -	22-1449	- Various Sections, Various Highways, Linn County	1st authorization -	\$300
Location - - -	25-1410	- Columbia River Crossing Section, Columbia River Highway, Morrow County	2nd authorization -	\$500
		Total to date		\$1,250
Plans - - - -	-26-1444	- Front Avenue-West End Steel Bridge Section, Pacific Highway West, Multnomah County	7th authorization -	\$2,000
		Total to date		\$18,000
Location - - -	-130-1439	- Union Pacific Undercrossing Section, Hermiston Highway, Umatilla County	2nd authorization -	\$300
		Total to date		\$600
Plans - - - -	-34-1432	- North Plains Flight Strip Section, Wolf Creek Highway, Washington County	1st authorization -	\$400
Plans - - - -	218-1458	- Sprague River-Klamath Falls Junction Section, County Road, Klamath County	3rd authorization -	\$600
		Total to date		\$4,300

Quarry - - - - 2-1433 - Monmouth-Corvallis Section, Pacific Highway West,
 Benton County 1st authorization - \$50
 Flight Strip - 6-1427 - Bandon Section, Oregon Coast Highway, Coos County
 1st authorization - \$100
 Flight Strip -108-1418 - Cape Blanco Section, Cape Blanco Highway, Curry
 County 1st authorization - \$100
 Gravel Pit - - 12-1428 - Grant County Rock Production Project, Pendleton-
 John Day, John Day-Burns, and Beach Creek Hwys.
 Grant County 1st authorization - \$200
 Slide - - - - 15-1440 - N. Unit, Bear Creek-State Line Section, Pacific
 Highway, Jackson County 1st authorization - \$600
 Flight Strip - 17-1418 - Rough and Ready Section, Redwood Highway, Josephine
 County 1st authorization - \$100
 Flight Strip - 18-1460 - Odell Butte Section, Willamette Highway, Klamath
 County 1st authorization - \$100
 Flight Strip - 20-1451 - Lane County Section, Various Highways, Lane County
 1st authorization - \$200
 Plans - - - - 226-1459 - Oregon Shipyard-Columbia Blvd. Section, Portland City
 Street, Multnomah County 1st authorization - \$2,000
 Plans - - - - 226-1460 - Interstate Avenue-Swan Island Section, Portland City
 Street, Multnomah County 1st authorization - \$1,000
 Reconnaissance 28-1413 - Madras-Columbia River Section, The Dalles-California
 and Sherman Highways, Sherman County
 3rd authorization - \$1,000
 Total to date \$5,500
 Quarry - - - - 30-1443 - Nye Junction-Long Creek Section, Pendleton-John Day
 Highway, Umatilla County 1st authorization - \$300
 Flight Strip - 30-1444 - Boardman-Stanfield Section, Boardman-Stanfield
 Highway, Umatilla Co. 1st authorization - \$300
 Stock Pile & - 32-1408 - Rock Creek-Joseph Section, Wallowa Lake Highway,
 Quarry Wallowa County 1st authorization - \$300
 Prospect - - - 9-1445 - Vicinity of Brothers, Central Oregon Highway, Des-
 chutes County 1st authorization - \$200
 Prospect - - - 18-1461 - Crescent-Chemult Section, The Dalles-California
 Highway, Klamath Co. 1st authorization - \$300
 Prospect - - - 21-1462 - Toledo-Blodgett Section, Corvallis-Newport Highway,
 Lincoln County 1st authorization - \$50
 Scales - - - - 22-1450 - Foster Section, Santiam Highway, Linn County
 1st authorization - \$150
 Plans - - - - 230-1445 - Umatilla Ordnance Access Road #2, Umatilla County
 1st authorization - \$350
 Prospect - - - 1-1430 - Richland-Halfway Section, Baker-Homestead & Halfway
 Hwys., Baker County 1st authorization - \$400
 Plans - - - - 101-1422 - Consuelo Oregon Mines Sec., Sumpter Valley Highway,
 Baker County 2nd authorization - \$400
 Total to date \$650
 Quarry - - - 104-1465 - Fishhawk Falls Section, Fishhawk Falls Highway,
 Clatsop County 1st authorization - \$300
 Plans - - - - 9-1446 - North Canal Section, The Dalles-California Highway,
 Deschutes County 1st authorization - \$200

Location - - - 10-1431 - Canyonville-Glendale Jct. Section, Pacific Highway,
Douglas County 2nd authorization - \$5000
Total to date \$22,000

Location - - - 10-1431 - Canyonville-Glendale Jct. Section, Pacific Highway,
Douglas County 2nd authorization - \$2500
Total to date \$24,500

Test Pits - - - 17-1417 - Sexton Mountain Section, Pacific Highway, Josephine
County 2nd authorization - \$750
Total to date \$1650

Quarry - - - - 27-1421 - Various Sections, Various Highways, Polk County
1st authorization - \$300

Right of Way - 2-1434 - Alsea Mountain Section, Alsea Highway, Benton County
1st authorization - \$100

Location - - - 206-1428 - Chrome Mine-North Bank Section, County Road, Coos
County 1st authorization - \$700

Location - - - 14-1420 - Cascade Locks-Viento Section, Columbia River Highway,
Hood River Co. 1st authorization - \$11,500

Plans - - - - 18-1428 - Crescent Section, The Dalles-California Highway,
Klamath County 2nd authorization - \$200
Total to date \$600

The Engineer reported that a number of surveys heretofore authorized by the Commission have been completed. He presented a list of such surveys and reported briefly on each survey listed thereon. After due consideration the Commission approved the respective surveys, as reported, and adopted the following resolution in regard thereto:

WHEREAS, the State Highway Commission heretofore has authorized and instructed the State Highway Engineer to make surveys on certain sections or portions of the highways of the State of Oregon; and

WHEREAS, pursuant to said authorization the State Highway Engineer has made and completed the said surveys and has filed the maps and plans of the said surveys in the files of the State Highway Commission, in Salem, Oregon; and

WHEREAS, the maps and plans of the said surveys have been examined by the State Highway Commission and have been found suitable in all respects for approval and adoption by the State Highway Commission;

NOW, THEREFORE, BE IT RESOLVED that the surveys hereinafter designated and described, together with their identifying location map file numbers, as shown in the map-filing records of the State Highway Commission in its Salem office, be and they are hereby adopted and approved as the location surveys of the various portions or sections of highways involved:

<u>File No.</u>	<u>Prefix</u>	<u>County</u>	<u>Type of Survey</u>	<u>Section</u>	<u>Highway</u>
6 B 3-10)				Antelope Creek-Medford	Crater Lake
6 B 3-11)	15-1431	Jackson	Location	Sprague River-Lakeview	
6 B 4-4	218-1458	Klamath	Location	Junction	County Road
5 B 32-22	24-1436	Marion	Location	Illahee School-Steiwer Hill	Pacific East Access Road
6 B 3-19	226-1458	Multnomah	Location	Columbia Airport	
6 B 3-4)					
6 B 3-5)	32-1407	Wallowa	Location	Enterprise-Forest Boundary (S. Unit)	Enterprise-Lewiston
5 B 21-22	233-1413	Wasco	Location	Forest Boundary-He He Butte	Warm Springs
6 B 3-6	12-1426	Grant	Location	Soda Mountain-Silvies	John Day-Duns
1 A 2-39	3-1432	Clackamas	Location	Pudding River Bridge Approaches	Pacific Hwy. East
6 B 4-4)	218-1458	Klamath	Location	Sprague River-Ely Mt.	Sprague River County Road
6 B 4-6)					
6 B 4-8 & 9	123-1428	Malheur	Location	Malloy Ranch-Hooker Creek	I.O.N.
6 B 4-11	226-1459	Multnomah	Plans	Oregon Shipyards	Portland City Streets
6 B 4-10	2-1430	Polk	Location	Monmouth-Suver	Pacific West

BE IT FURTHER RESOLVED that the State Highway Engineer be and he hereby is authorized to make such minor changes in the said locations as may improve the standards of alignment and grades not inconsistent with the general location of the section of highway involved.

The Commission considered and signed agreements, et cetera, as follows:

Agreement with Robert Fromm covering grazing of sheep in Humbug Mountain State Park, Curry County.

Agreement with Public Roads Administration covering the Oregon state-wide planning project, obligating $1\frac{1}{2}$ per cent of Oregon's share of the 1943 apportionment of federal aid, federal aid secondary, and federal aid grade crossing funds.

Agreement with the City of Salem covering installation of a traffic signal at the intersection of North Capitol Street and Center Street, in Salem.

Blanket permit issued by Mountain States Power Company granting State Highway Commission the use of the company's poles in connection with installation of traffic signals, flood lights, et cetera.

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Blanket permit issued by Pacific Power and Light Company granting State Highway Commission the use of the company's poles in connection with installation of traffic signals, et cetera.

Deed of Easement conveying unto the City of Redmond a strip of land 20 feet wide off of the west side of Block 71 of the Original Townsite of Redmond, Deschutes County. Right of way file Nos. 10100A and 10180.

Bargain and sale deed conveying unto John H. Andes and wife and G. V. Howard 1.60 acres of land situate in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 2, Township 35 South, Range 6 West, W. M., Josephine County. Right of way file No. 9344.

Bargain and sale deed conveying unto the Southern Pacific Company various parcels of real property at Eugene, Lane County. Right of way file No. 9775.

Bargain and sale deed conveying unto Vera Caul 0.15 acre of land situate in the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 18, Township 37 South, Range 1 West, W. M., Jackson County. Right of way files Nos. 10062 and 10062-A.

Bargain and sale deed conveying unto J. C. Endicott 285 sq.ft. of land situate in Lot 5, Block 10, McClures Astoria, in the City of Astoria, Clatsop County. Right of way files No. 5870 and 5871.

Quitclaim deed conveying unto the Southern Pacific Company 38,175 sq.ft. of property in the City of Eugene, and 576 sq.ft. and a slope easement containing 0.10 acre situate in Section 33, Township 17 South, Range 3 West, W. M., Lane County. Right of way file No. 9775.

The Commission confirmed Thursday, July 16, 1942, as the date for its next regular meeting for the receiving of bids. This meeting is to be held in Portland, and the Secretary was instructed to make the usual arrangements for the use of the auditorium of the Public Service Building. (The meeting was later postponed one week, to Thursday, July 23, 1942.)

There being no further business to come before the Commission at this time the meeting was adjourned at 6:00 p. m.

James H. ...
State Highway Engineer

W. B. ...
Secretary

Henry F. Cabell
Chairman

John M. ...
Commissioner

James Oliver
Commissioner

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Portland, Oregon, July 23, 1942

The State Highway Commission met in regular session at 9:00 a. m. in the auditorium of the Public Service Building. Present were:

Henry F. Cabell, Chairman
Huron W. Clough, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

Commissioner Oliver was excused from attending this meeting.

Bids, as follows, for highway construction projects and sale of buildings in North Bend were opened and read in conformance with previously published notice, following which Chairman Cabell announced that the award of contracts and sale of buildings would be made at 3:00 p. m. in the same room:

SEVEN DEVILS CHROME MINE ACCESS ROAD PROJECT
WEST OF COQUILLE - GRADING AND PAVING

Tru-Mix Concrete Company
Coos Bay Dredging Company

\$34,034.60
54,887.75

LOWER BRIDGE-TERREBONNE COUNTY ROAD
LOWER BRIDGE-TERREBONNE SECTION - OILING

Babler Brothers

\$13,856.00

I.O.N. SECONDARY STATE HIGHWAY
SOUTH MOUNTAIN MINE ACCESS ROAD PROJECT - SURFACING

O. C. Yocom
A. H. Saxton & Son
M. L. O'Neil & Son

\$38,730.00
51,270.00
51,720.00

N. E. SUNDERLAND AVENUE & N. E. ELROD ROAD NEAR PORTLAND
SUNDERLAND AVENUE ACCESS ROAD PROJECT - GRADING AND PAVING

Porter W. Yett

\$98,853.00

SUNDERLAND AVENUE AT PORTLAND
CONSTRUCT TWO PILE TRESTLE BRIDGES

Lindstrom Brothers
Tower Sales & Erecting Company

\$11,645.00
11,960.00

PACIFIC HIGHWAY WEST
SECTION "A" OF THE MONMOUTH-BENTON COUNTY LINE SECTION - SURFACING

E. C. Hall Company & J. C. Compton

\$172,647.50

- 23 1142

PACIFIC HIGHWAY WEST
SECTION "B" OF THE MONMOUTH-BENTON COUNTY LINE SECTION
GRADING AND SURFACING

E. C. Hall Company, J. C. Compton & McNutt Bros. \$229,153.00

SALE OF RESIDENCE BUILDINGS IN NORTH BEND

Building No. 9491 (Former owner Coos Bay Longshoremen Beneficial Association)

No bids received

Building No. 9498 (Former owner Cora Swanson Coyle)

School District #26-C	\$56.00
W. H. Eickworth	51.00
Thomas A. Anderson	51.00
Guy A. Cutlip	42.50

Building No. 9501 (Former owner Ira L. Goodlin)

W. H. Eickworth	\$152.00
M. Jorgenson (2nd choice)	100.00

Building No. 9560 (Former owner J. H. Tewsley)

No bids received

Building No. 9499 (Former owner John Sandine)

No bids received

Building No. 9493-A (Former owner Independent Stevedoring Company)

Mrs. A. T. Lee (1st choice)	\$32.00
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Building No. 9486-B (Former owner Coos County)

No bids received

Building No. 9506 (Former owner John McNabb)

Raymond Clair	\$41.00
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Building No. 9486-C (Former owner Coos County)

M. Jorgenson (1st choice)	\$100.00
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Building No. 9518 (Former owner P. M. Ross)

No bids received

Building No. 9519 (Former owner J. H. McDonald)

Mrs. Leo LaBranch (1st choice)	\$45.00
Guy A. Cutlip (2nd choice)	42.50
George H. Bessey (1st choice)	41.00

Building No. 9522 (Former owner J. Gildersheim)

M. Jorgenson	\$22.00
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Building No. 9524 (Former owner Iva B. Butcher)

Mrs. Leo LaBranch (2nd choice)	\$45.00
George H. Bessey (2nd choice)	41.00

Building No. 9486-D (Former owner Coos County)

No bids received

Building No. 9527 (Former owner J. E. Bergen)

John D. Bergen	\$1,275.00
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Building No. 9528 (Former owner H. W. and Jessie Lee Clark)

W. H. Eickworth	\$24.00
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Building No. 9524-A (Former owner Clyde and Iva Butcher)

George H. Bessey (3rd choice)	\$21.00
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Building No. 9530 (Former owner R. M. Hazelton)

No bids received

Building No. 9646 (Former owner A. M. Haley)

No bids received

Prior to the opening of bids the Engineer discussed with the Commission the merits of the use of bituminous type pavement, as compared with Portland cement concrete pavement in connection with the construction of Unit "A" of the Monmouth-Benton County Line Section of the Pacific Highway West. He recalled that the only bid received by the Commission at the previous meeting for concrete pavement on Unit "B" was so high that it was rejected, but the bids on Unit "A" were held for further consideration. He advised that the Portland cement concrete pavement will provide a more permanent wearing surface and in his estimation the Commission could well afford to accept the offer of Edlefsen-Weygandt Company, submitted at the meeting on June 25, 1942, for such type of pavement on Unit "A", if the cost per mile does not exceed that for the

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bituminous type pavement, for which bids are to be received at this meeting, by more than \$12,000 per mile, and he so recommended.

The Engineer further stated that bids recently received on both types of pavement were approximately twice the amount prevalent two years ago and it was his opinion that, while the costs had unquestionably advanced due to the increase in the costs of labor, materials, and supplies, and the difficulty of securing competent skilled labor, there did not appear to be this difference in cost and that he believed highway construction work should be confined to the necessary jobs required by the war effort, on account of the lack of competitive bidding.

After considerable discussion, the Commission decided to award the contract for Unit "A" on the basis of concrete pavement, if the cost per mile for this type of pavement does not exceed the amount to be bid for bituminous macadam pavement by more than \$10,000 per mile. (Later bids were opened and it was found that the cost of the concrete type pavement actually exceeded the cost of the bituminous macadam type pavement by \$11,300 per mile and, in view of the Commission's predetermined decision, the award was made on the basis of bituminous macadam pavement because the cost of the concrete pavement exceeded the cost of the bituminous macadam pavement by more than \$10,000 per mile.)

Mr. Jessup, representing the Contractors Equipment Corporation, came before the Commission in regard to his offer to rent two tractors which were advertised by the Commission for bids to be received at the meeting held on June 25, 1942. Mr. Jessup stated that his offer was submitted in behalf of Norris Brothers, road contractors, and that he has no particular interest in the same only as an accommodation to his client; further, that as protection for himself, he has asked Norris Brothers to furnish a bond which they have been unable to do up to the present time. He asked the Commission to relieve the Contractors Equipment Corporation of its obligation in the event that Norris Brothers cannot purchase the bond. After some discussion the Commission approved the request and authorized the Secretary to return the certified check deposited by the Contractors Equipment Corporation in connection with its offer in the event that Norris Brothers cannot meet the requirements. Mr. Jessup stated that he would advise the Commission definitely later in the day. (The Attorney reported during the afternoon session receipt of information from Mr. Jessup that Norris Brothers have been successful in securing a bond and that he, Mr. Jessup, would execute the rental agreement shortly.)

County Judge Nelson B. Higgs of Harney County was present and inquired as to what plans, if any, the Highway Commission has for construction of the Burns airport road. He was informed that the Commission has no plans for such road and, if any work is done, the project must be initiated by federal authorities; further, that, if such federal authorities approve the project as essential in connection with the war effort and will authorize federal access moneys to pay the costs involved, the Highway Commission will be pleased to arrange for a contractor to do the work.

Judge Higgs also inquired as to the status of the oiling of the Hanley Lane Project. The Engineer advised that the road was not in shape to receive the light oil treatment proposed, so it was necessary to cancel that part of the contract; however, the road will be maintained in the best possible condition until such time as the Commission can see its way clear to do a first-class job. (See ahead for Engineer's detailed report to the Commission)

Judge Higgs also brought up for discussion the matter of providing surfacing materials for strengthening the Buchanan Section of the Central Oregon Highway. He advised that the contractor for the construction of the Burns airport has indicated a desire to submit a bid for this project if the Commission will readvertise it. In view of Judge Higgs's statement, the Commission authorized readvertising the job, which is known as the Buchanan Rock Production Project, for bids to be received at the next meeting.

The following persons were present in regard to the O. C. Yocom subcontract under Leonard & Slate for the oiling of the Boswell Ranch-Follett Ranch Section of the Wallowa Lake Highway, in Union County, contract No. 2483: Eugene Marsh, attorney for Mr. Yocom, O. C. Yocom, Fred Slate, and Fred Reed, representing the surety on Leonard & Slate's bond. Mr. Marsh was spokesman. He advised that Mr. Yocom is ready and willing to proceed with the work under his subcontract but is unable to do so on account of difficulties in securing needed repair parts, accessories, et cetera, for his equipment, it being impossible for him to secure a priority rating which would enable him to purchase such materials. In view thereof, he is asking the Highway Commission to approve the termination of the project. The Engineer advised that this is a very important project and must be completed in order to maintain travel in a satisfactory manner between Enterprise and LaGrande. He recommended to the Commission that the contractor be required to complete the job and if he cannot do it that the contractor's surety be called upon to do the work or that the work be done with state forces, the cost thereof to be charged against the contractor. Chairman Cabell pointed out that there are a number of projects throughout the state that are in the same category and that the Commission is requiring the contractors to do everything possible to complete their jobs; further, that most of the contractors are going ahead with their work notwithstanding the difficulties and worries with respect to priorities. He said that, in his estimation, the Highway Commission could not relieve Mr. Yocom or Leonard and Slate from their responsibility in connection with the job under discussion unless and until they have made an honest effort to do the work in accordance with the contractual obligations. The matter was discussed at considerable length but definite action thereon was deferred until the afternoon session.

Following the departure of this group and the disposal of other matters, the Attorney reported the following offer from Mr. Yocom: Mr. Yocom will ship his crushing equipment to the job and will install the same for operation if the state will advance the cost involved which is estimated at \$5,000; but he will not guarantee to finish the job unless he can secure necessary repair parts for his equipment. The Commission agreed to pay Mr. Yocom for the materials placed in stock pile but not to advance any funds for the

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setting up of his plant. It was also decided to require the contractor to complete the project in accordance with the specifications. (See ahead for additional paragraph)

Mr. E. H. Lindsey, County Commissioner of Tillamook County, was present and asked the Commission to reconstruct the Oregon Coast Highway on permanent alignment southerly from Tillamook, a distance of about three miles, to the new Army and Navy blimp base that is being constructed at such location. He suggested the application of federal access road moneys to finance the improvement. The Engineer advised that permanent alignment for the highway has been agreed upon with the Army and Navy authorities but so far as securing the access road moneys to pay for the work is concerned that is a matter that must be initiated either by the Army or the Navy through the Public Roads Administration. Mr. Lindsey asked the Commission to take the initiative. Chairman Cabell replied that the Highway Commission is interested in any project that is wanted by the Army, the Navy, or the War Production Board but not to the extent of selecting the projects that are to be financed with the access road moneys; further, that the Commission will do anything that the Army or the Navy wants done but cannot undertake work other than the projects approved by the Army and the Navy because of lack of funds and governmental restrictions. He suggested that the county court contact the Army and Navy authorities. Mr. Lindsey then suggested that it would be advisable for the Commission to at least acquire right of way on the new alignment so as to avoid delay on that account, if the project is approved for construction. The Commission took the matter under advisement.

Following Mr. Lindsey's departure the matter was reconsidered and the Engineer at that time was authorized to make a definite location survey of the three-mile section between Tillamook and the blimp base, and the Attorney was authorized to negotiate options for the right of way.

The Assistant Attorney was present and reported orally on expenditures made this year for right of way and other real property purchases. The Commission approved the report.

The Attorney requested authority to acquire certain parcels of real property that are needed for various highway improvements throughout the state. He submitted a list of such properties, together with offers that he recommended be made in connection with each. The Commission, after careful consideration of each item, approved the request and thereupon by unanimous vote adopted the following resolution with respect thereto:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth, and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which

options have been considered by the Commission, outlining the bases of settlement which have been agreed upon, and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Nehalem Bay Park Section, Oregon Coast Highway</u>				
7368-Reed, Blanche	Park	2 1/2 lots	Lump Sum - \$25	McChesney
<u>Bandon-Port Orford Section, Oregon Coast Highway</u>				
6033-Cadman, H. S. (Correction)	Stock Pile Site	1.0	Lump Sum - \$80 for land, + \$5 for taxes, + \$5	Federal Land Bank Lytle
<u>Berger Ranch-Barnes Road Section, Wolf Creek Highway</u>				
5208-Hirsch, Helen	R/W	0.05	\$250 per acre, + \$7.50	Landon
5206-Plimpton, Alice J. et al	R/W	4.47	\$250 per acre, + \$67.50	"
5214-O'Day, Thomas J.	R/W	0.9	\$100 per acre	
		1.0	\$165 per acre	
		6.0	\$250 per acre, +	
		7.9	\$425	"
<u>Gardner Ranch-Berger Ranch Section, Wolf Creek Highway</u>				
6501-Mizner, Geo. E. and Warren C. Baugh	R/W	5.92	\$200 per acre, + \$116	Collins
6505-Zaniker, Jos.	R/W	0.57	\$200 per acre, + \$26.25	"
6504-Berger, Carl	R/W	2.88	\$225 per acre, + \$216	"
<u>Front Street Project-Columbia Street South - Portland, Pacific Highway West</u>				
10305-Boody, Nathan A.	R/W	4,625 sq.ft.	\$700	McCallister
10316-Kraemer, Otto J.	R/W	360 sq.ft.	\$43	"
10310-Dixon, Lenord H.	R/W	4,937 sq.ft.	\$4,000	"
<u>Oregon Shipyards-Columbia Boulevard Section, Oregon Shipbuilding Corp. Acc. Hwy.</u>				
10410-A Portland, City of	R/W	1.03	GRATIS	McCallister
10479-Housing Authority of Portland, Oregon	R/W	3.15	GRATIS	"

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>North Burgard Street Section, Oregon Shipbuilding Corp. Access Highway</u>				
10410-B Portland Dock Comm.	R/W	4,710 sq.ft.	GRATIS	McCallister
<u>Canyon Creek-Bryant Hill Section, Santiam Highway</u>				
9257-A Miller, Leora R.	R/W	2.07	Lump Sum - \$200	Benson Parker
<u>Halsey-Harrisburg Section, Pacific Highway East</u>				
9716-Thompson, Ellen M.	R/W	2.62	\$100 per acre, + \$202.25	Gardiner
10273-Petersen, Gust H.	R/W	0.4	\$200 per acre, + \$287.50, + moving bldgs., (Estd. \$1,000 "	
<u>Judkins Point-Springfield Junction Section, Pacific Highway</u>				
9424-Olsen, Vernon R.	R/W	1.0	Land - \$1,500, + \$1,700	Devers
<u>Lane County Section, County Road #107 (Territorial Highway)</u>				
10368-Bailey, Mary Alice	Gravel Pit	10.0	\$75 per acre, + \$30	McChesney
<u>Turkey Hill-Rice Hill Section, Pacific Highway</u>				
10480-Hawley, Alsea	Slide Area, Ditch Easement, Road Approach	1.90 .48 2.38	\$92 per acre \$92 per acre, + \$850	Gardiner
<u>Wolf Creek-Grave Creek Section, Pacific Highway</u>				
10425-Steward, Harry S. & Josephine County	R/W	1.28	\$75 per acre, + \$53	Witt
10429-Grimes, James F.	R/W	2.0 2.65 4.65	\$75 per acre \$25 per acre, + \$200, + construction well (Estd. \$100)	"
10430-Marquardt, Fred	R/W	5.0 7.4 12.4	\$100 per acre \$10 per acre, + \$582.50	"
10436-Quinn, William B.	R/W	2.30	\$75 per acre, + \$83, + maximum cost bridge to owner's property (Estd. \$150)	"
<u>Medford Section, Crater Lake Highway</u>				
10495-Walden, Jennie	Easement		Sidewalk and curb easement- Gratis	Witt
10496-Walden, Jennie	Easement		Sidewalk and curb easement- Gratis	"

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Bear Canyon-California State Line Section, Pacific Highway</u>				
10477-Long, James	R/W	26.52	\$10 per acre	Witt
<u>Madras-Crook County Line Section, Madras-Prineville Highway</u>				
10438-Messinger, Charles E. & R/W		21.35	\$25 per acre, + \$801.25	McChesney
Virgil E. Messinger				
10437-Williams, Mary B. & R/W		3.1	\$25 per acre, + \$248.75	"
Jefferson County				
10436-State Land Board	R/W	4.74	\$25 per acre, + \$92.21, + fencing	"
10435-McConnell, L. S. & Mary R/W		5.74	\$25 per acre, + \$383.47	"
E. - Estate				
10434-Williams, Mary B. & R/W		6.41	\$25 per acre, + \$420.50	"
Jefferson County				
<u>Zinter Ranch-Morrow County Section, Wasco-Hepner Highway</u>				
8934-Neal, Irene Zinter	R/W	4.95	\$25 per acre, + \$332.50	Gardiner
<u>Dead Ox Flat-Cairo Junction Section, Old Oregon Trail</u>				
10369-Thayer, M. H.	Stock Pile Site	1.0	\$25 per acre, + fencing	Cozad
<u>Hooker Creek-Molloy Ranch Section, I.O.M. Highway</u>				
10377-Haylett, Maude	R/W	15.70	\$20 per acre, + \$1,056.50	Cozad
10373-Salove, Agustin, & Fred				"
J. Palmer	R/W	0.76	GRATIS	
10380-Molloy, Richard	R/W	2.00	\$100 per acre	
		4.25	\$10 per acre	
		0.82	\$50 per acre, + \$1572.50,	
		7.07	+ \$194.50	"
<u>Swift Boulevard Section, North Portland Shipyard Access Highway</u>				
10408-Northwestern Electric Company	R/W	0.12	\$500 per acre, + \$296.58	McCallister
<u>Illashe School-Albany Section, Pacific Highway East</u>				
9479-Poisal, Henry, and Fannie R/W			Allowance for 30 cords of cord- wood at \$1.50 per cord, or \$45	Witt
K. Wain (Supplemental)				
<u>Lake Creek-Hanley Ranch Section, Little Butte Highway</u>				
8713-Damon, Lloyd L.	R/W		Allowance of \$500 for construc- tion of ditch	DeSouza

The Attorney also requested authority to institute condemnation proceedings to acquire certain other properties which he has been unable to

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acquire by negotiation. He submitted a list of such properties, together with offers that he recommended in connection with each in condemnation, as follows:

<u>File No.</u>	<u>Name</u>	<u>Purpose Required</u>	<u>Recommended Offer</u>
10500	Fahy and Muir	Right of Way	\$500.00
10498	W. M. Muchow (contract purchaser, Geo. K. Taggart)	Right of Way	15.00
10498A	Griffin and Jorgensen (contract purchaser, W. M. Muchow)	Right of Way	10.00
10499	Coos Bay Lumber and Coal Company (Frank Boutin)	Right of Way	\$55.00 to \$60.00
9690	Nelse Johnson	Right of Way	30.00
10378	Western Loan and Investment Co. (Dr. S. A. Swayne, contract purchaser)	Right of Way And Gravel Pit	1400.00 600.00

After discussion the Commission approved the offers and the Attorney's request. The following resolution in regard thereto was adopted by the Commission by unanimous vote:

WHEREAS, the State Highway Commission is authorized to locate, relocate, construct, reconstruct, maintain, widen, straighten, and otherwise improve state highways, both primary and secondary, and also access roads or other roads in which the Federal Government is interested, and said Commission is also authorized to construct shops, equipment sheds, office buildings, maintenance sites, patrolmen accommodations, and snow fences, and is authorized to acquire quarry sites, gravel pits, storage sites, stockpile sites, weighing stations, and broadcasting stations, and is further authorized to develop, construct, improve, operate, and maintain parks, parking places, auto camps, camp sites, roadside development, recreational grounds or resorts, and other places of attraction and scenic value; and

WHEREAS, said Highway Commission is authorized to acquire by purchase, agreement donation, or by the exercise of the power of eminent domain real property, or any interest therein, necessary or deemed by the Highway Commission necessary for the accomplishment of any and all of the foregoing things; and

WHEREAS, in the judgment of the Highway Commission the several tracts or parcels of land hereinafter described are each and all necessary for the specific and particular purposes hereinafter specifically set forth;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the Commission does hereby find and declare that the several parcels of real property hereinafter described are each

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and all necessary for the accomplishment of the purposes hereinafter expressly and specifically set forth, which said real properties and the specific purposes for which the same are being acquired are described as follows, to wit:

Real property owned by Nelse Johnson and Inez Johnson, husband and wife, which property is located in the northeast quarter (NE $\frac{1}{4}$) of the southeast quarter (SE $\frac{1}{4}$) of Section 25, Township 1 North, Range 2 West, W. M., Washington County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 1 and is further identified in the records of the Highway Commission as file R 9690, and which property is being acquired for right of way purposes in connection with the Wolf Creek Highway;*

Real property owned by Western Loan and Investment Company (S. A. Swayne, contract purchaser), which property is located in the west half (W $\frac{1}{2}$) of the northeast quarter (NE $\frac{1}{4}$) of Section 36, Township 27 South, Range 46 East, W. M.; in the west half (W $\frac{1}{2}$) of the southeast quarter (SE $\frac{1}{4}$) and in the northeast quarter (NE $\frac{1}{4}$) of the southwest quarter (SW $\frac{1}{4}$) and in the southwest quarter (SW $\frac{1}{4}$) of the northeast quarter (NE $\frac{1}{4}$) of Section 25, Township 27 South, Range 46 East, W. M., and in the northeast quarter (NE $\frac{1}{4}$) of Section 36, Township 27 South, Range 46 East, W. M., all in Malheur County, Oregon, and is more particularly described on the attached sheets and designated as Parcels Nos. 2, 3, and 4 and is further identified in the records of the Highway Commission as file R 10378, Parcels Nos. 2 and 3 being acquired for right of way purposes and Parcel No. 4 being acquired for the purpose of securing roadbuilding materials therefrom for use in connection with the I.O.N. Highway and the South Mountain Chrome Mine Access Road.*

Real property owned by William M. Muchow (George K. Taggart, contract purchaser), which property is located in the south half (S $\frac{1}{2}$) of Section 10, Township 27 South, Range 14 West, W. M., Coos County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 5 and is further identified in the records of the Highway Commission as file R 10498, and which property is being acquired for right of way purposes in connection with the Seven Devils Chrome Mine Access Road;*

Real property owned by H. L. Griffin and J. Jorgensen (William M. Muchow, contract purchaser), which property is located in the northeast quarter (NE $\frac{1}{4}$) of Section 15, Township 27 South, Range 14 West, W. M., Coos County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 6 and is further identified in the records of the Highway Commission as file R 10498A, and

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which property is being acquired for right of way purposes in connection with the Seven Devils Chrome Mine Access Road;*

Real property owned by Coos Bay Lumber and Coal Company (Frank Boutin) which property is located in the west half ($W\frac{1}{2}$) of Section 14, and in Sections 23, 24, and 25, Township 27 South, Range 14 West, W. M., Coos County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 7 and is further identified in the records of the Highway Commission as file R 10499, and which property is being acquired for right of way purposes in connection with the Seven Devils Chrome Mine Access Road;*

Real property owned by Beulah Fahy and Ruby E. Muir and Andrew Muir, which property is located in the south half ($S\frac{1}{2}$) of Section 30, Township 27 South, Range 13 West, W. M., Coos County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 8 and is further identified in the records of the Highway Commission as file R 10500, and which property is being acquired for right of way purposes in connection with the Seven Devils Chrome Mine Access Road;*

2. That the Commission does hereby find and declare that each of the said described parcels of real property is necessary and acquisition of the same by the State is required for the specific purposes hereinabove set forth, and the said properties are being acquired for the express and specific purposes in this resolution set forth.

3. That the State Highway Engineer be and he hereby is instructed and directed to make or cause to be made all surveys necessary in connection with the determination, description, and acquisition of said real properties, and said Engineer is further instructed to prepare and submit to the Legal Department necessary and adequate descriptions of the said real properties, which said descriptions shall be available for the preparation of any deed or deeds or other instrument or instruments necessary to complete the acquisition of said property or properties, whether said properties be acquired by purchase, donation, agreement, or by the exercise of the power of eminent domain.

4. That J. M. Devers, Attorney for the State Highway Commission, be and he is hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby further resolved that J. M. Devers, Attorney for the State Highway Commission,

be and he hereby is requested to commence and prosecute to a final determination such suit or action, or suits or actions, as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

*(The detailed descriptions of the respective parcels of real property mentioned in this resolution are attached to the original resolution on file in the office of the State Highway Commission, Salem, being Resolution No. 27, under the heading "Real Property Condemnation Resolutions", and said descriptions by this reference are made a part of this minute entry to the same extent as if copied in full herein.)

The Attorney reported on the contemplated sale of Building No. 9534, in North Bend, situate on property formerly owned by Alma Moss, et al. He advised that, following the previous meeting of the Commission, he received a telephone call from Captain M. G. Albey of the Coast Guard, Marshfield, who agreed to pay \$250 for the building and who advised that the Coast Guard wanted the building at once and would move it by July 15, if the purchase was approved by his superior officer. He further advised that he brought the facts to the Attention of Chairman Cabell who agreed to the sale of the building to the Coast Guard for the sum of \$250, which was the value placed on the building at the time it was advertised for sale at the previous meeting. Such offer, he said, was made to Captain Albey who indicated that it was entirely reasonable and advised that he would make a definite commitment to purchase the same after contacting his superior officer. It now appears, he said, that Captain Albey was unable to secure approval of the purchase; however, such information was received too late to include this building in the Commission's call for bids to be received at this meeting so the Commission is still the owner of the building and has no sale to confirm. He requested instructions. The Commission ordered that this building and others remaining unsold as a result of the taking of bids at this meeting be turned over to the state's contractor for wrecking and removal from the highway right of way in the event that they cannot be sold privately before the highway project is advertised for bids.

The Attorney requested instructions whether or not to proceed with the taking of options for right of way on the revised location of the Columbia River Highway between Portland and the Sandy River at Troutdale. He recalled that the Commission gave him such authority at one time but stopped negotiations later because of war conditions. The Engineer advised that this is one of the projects that is planned for post-war construction and in his estimation the right of way should be obtained so there will be no delays from that standpoint when construction is ready to go forward. He explained that the right of way as laid out provides for four lanes of traffic throughout the entire

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distance. After some discussion the Commission decided that the right of way should be obtained and thereupon authorized the Attorney to proceed with the taking of options for the same.

The Attorney brought up for discussion the matter of acquiring a gravel pit that is needed as a source of materials for the surfacing of the Seven Devils Chrome Mine Access Road, for which bids were taken at this meeting. He advised that the owner of the gravel pit resides in California and that Coos County Court, which is interested in the project, has arranged for the use of the pit on certain conditions and has stated its willingness to let the state have the benefit of the same under the same conditions which include, among other things, the building of cattle guards for the owner, graveling of private roadways, and disposal of overburden so that it will not interfere with the use of adjacent private land. The county's arrangement, he said, also provides for the use of the gravel pit for five years with right of renewal for an additional three years; further, that the county must pay five cents per cubic yard for the material taken from the pit and must remove at least 7,000 cubic yards of material annually. Furthermore, the county must pay the owner the sum of \$300 if for any reason the arrangement is terminated before the expiration date. The Commission considered such conditions altogether too drastic and that its obligation with respect to the use of the pit should be limited to the county, particularly in view of the fact that the county is securing considerable benefit by reason of the improvement of the county road, including the repair of the bridges on the same. After considerable discussion of this matter, the Attorney was instructed to point out to the county court that this road improvement is being undertaken at the request of the Army authorities who want it in connection with the war effort, and that the Commission is willing to pay not to exceed five cents per cubic yard for the material taken from the pit, but does not wish to assume the county's obligation to the owner of the pit. He was further instructed to prepare a written agreement between the county and the state covering the best arrangement that can be effected and to submit the same to Chairman Cabell for his approval. It was decided to hold up the award of the contract for the Seven Devils Chrome Mine Access Road until this matter has been satisfactorily adjusted.

The Commission discussed briefly a letter from the Oregon Railroad Association requesting the adoption of an order requiring all traffic to come to a complete stop before crossing main-line railroad tracks at grade in Oregon. The Engineer advised that there are approximately 32 grade crossings on state highways that will be affected by such an order. In the discussion of this matter it was brought out that so far as can be learned people of the state are in favor of such an order, such information having been obtained by oral contact, newspaper reports, and letters. In this connection Chairman Cabell reported receipt of numerous letters from members of the State Legislature and a letter from the Attorney General, all of whom recommend the adoption of such an order by the Highway Commission. He indicated his approval of the same, as did also Commissioner Clough, and it was decided to convey such information to a delegation representing the Oregon Railroad Association which is to appear before the Commission during the afternoon session. (See final action and resolution ahead.)

The Commission adjourned at 12:20 p. m. and reconvened at 1:30 p. m. in the same room with the same persons present and participating.

The Engineer reported the need to provide a separation of vehicular traffic at the intersection of Union Avenue and Denver Avenue, Portland, just south of the Interstate Bridge where traffic congestion is very severe at certain times of the day due to changing of shifts at the shipbuilding plants. He submitted a drawing showing a proposed layout and requested authority to make a detailed location survey to ascertain how much it will cost to construct the same. After discussion the Commission approved the request; however, instructed the Engineer not to submit the project to the Public Roads Administration until the Commission has had an opportunity to inspect the final plans, or at least until he has been authorized so to do by each member of the Commission over the telephone.

The Attorney requested instructions relative to the leasing of a duck lake in Umatilla County that the Commission acquired from Mr. W. P. Smith in connection with the acquisition of right of way needed for the construction of the Boardman-Stanfield Highway. He advised that the former owner previously rented this lake to sportsmen from Pendleton who paid him approximately \$300 annually for the use of the same, and that Mr. Sam R. Thompson of Pendleton, who was one of the former lessees, is now inquiring whether or not the Commission will lease the lake to him. Mr. Thompson, he said, will pay \$100 for a one-year lease of the lake which will give him sufficient time to ascertain whether or not the lake is still good for hunting purposes in view of its proximity to the new highway. The Commission authorized the Attorney to accept Mr. Thompson's offer as an experiment for one year only, the idea being that the Commission may wish to charge more for this privilege if the lake is still good for duck-hunting purposes.

The Attorney requested instructions relative to paying Mr. L. E. Stafford the sum of \$650 for the moving of a barn from right of way acquired from him in connection with the revision of the Goshen-Pleasant Hill Section of the Willamette Highway, it appearing that the barn was destroyed by fire before the moving operations were commenced. He advised that Mr. Stafford is demanding payment for the moving of the barn notwithstanding that the barn was burned and could not be moved. The Commission took the attitude that it has no ethical or moral obligation to pay Mr. Stafford; however, deferred a decision until the next meeting. The Attorney was instructed in the meantime to look into the legal features involved.

Consideration was given by the Commission to a request from Mr. Louis Enard Abrams for permission to perform certain landscaping work on property that the Commission is acquiring from him for slide protection purposes at the north end of the Coos Bay Bridge. The Attorney advised that Mr. Abrams plans to landscape his own private property and wants the privilege of extending the work onto the state's land so as to eliminate any possible eye sore. He was instructed to inform Mr. Abrams that the Commission has no objection to his landscaping the state's property provided he does so at his own risk

and with the understanding that the state retains the privilege, without obligation to him, of doing its own landscaping work at any time in the future when the Commission feels so inclined.

The Attorney reported receipt of a communication from Mr. E. M. Peck, Division Real Estate Project Manager of the United States War Department, with respect to a state-owned stock pile site located within the borders of Camp Adair Cantonment near Corvallis, which site is needed by the Army in connection with the development of this cantonment. He advised that he tried to satisfy the War Department's requirements with respect to this site by preparing a resolution for adoption by the Commission, giving to the Government complete control over the tract of land for the duration of the present emergency but, according to Mr. Peck, this method is not satisfactory because the rules and regulations by which those in charge are governed make absolute acquisitions of the property imperative, in view of which he is submitting the tract for condemnation. The Commission took no action on the matter.

The matter of leasing to the United States War Department a certain stock pile site situate within the borders of Camp White Cantonment near Medford was also discussed by the Commission. The Attorney advised that the War Department is willing, in this instance, to accept a lease of the stock pile site and has submitted a standard form of lease covering the matter for execution by the Commission; however, has asked that the Commission adopt a resolution authorizing the members of the Commission to sign the same. He pointed out that no mention is made whatsoever in the lease for the moving of the materials that have been stock-piled on the area in question and gave as his thought that the Commission should not execute the lease or adopt a resolution until that particular feature has been disposed of. The Commission concurred and thereupon deferred action on the matter until the next meeting.

The Commission had under consideration the matter of damage to The Dalles-California Highway in Klamath County caused by the breaking of a dike and the consequent flooding of the highway to the damage of the state in a sum in excess of \$50,000. The Attorney reported that he, in response to instructions from the Commission, had submitted to the power companies, and to the railroad companies involved, statements of the state's claim, and requests that the claim be paid, but it appears that both the power companies and the railroad companies have rejected the claims. After due consideration, the following resolution was unanimously adopted:

WHEREAS, upon information made available to the Commission by members of its engineering staff and by its Chief Counsel, the Commission is of the opinion that the California-Oregon Power Company, The California Oregon Power Company, and/or the Southern Pacific Company and the Central Pacific Railway Company are responsible, jointly or otherwise, for the damage done to The Dalles-California Highway as a result of the flood which occurred in May, 1940: and

WHEREAS, since the said power companies and railroad companies have each and all refused to reimburse the State Highway

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Commission for expenditures made in connection with the reconstruction and restoration of said highway;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED, that I. H. Van Winkle, Attorney General of Oregon, and J. M. Devers, Chief Counsel for the Highway Commission, be and they hereby are requested to institute and prosecute such action or actions as they may deem necessary and advisable to recover from the said parties the loss sustained by the state by reason of said flood.

The Engineer reported that the following sections of old state highway routes are no longer of value from the state highway standpoint in view of the fact that the sections have been reconstructed on revised alignment, and recommended that the Commission abandon these sections in favor of the counties in which they are situate: portion of Scappoose-Multnomah County Line Section of the Columbia River Highway; portion of the Flagstaff Hill-Ruckles Creek Section of the Baker-Homestead Highway; and a portion of the Clackamas Overcrossing Section of the Cascade Secondary Highway. The Commission approved the recommendation and thereupon by unanimous vote adopted the following resolutions:

WHEREAS, in order to afford a better alignment and a more satisfactory, safe and convenient highway for the traveling public, the Commission found it necessary to relocate a portion of the Scappoose-Multnomah County Line Section of the Columbia River Highway in Columbia County; and

WHEREAS, by reason of said relocation and reconstruction of said section of said highway there was eliminated and made unnecessary as a part of the permanent highway a certain section or part thereof, which section is more specifically defined and designated hereinafter in this resolution; and

WHEREAS, it is the judgment and opinion of the Commission that there should be recorded in the minutes and records of the Commission its purpose and plan to abandon as a part of the said state highway the fragment or portion of right of way hereinafter designated and heretofore included within the area of the right of way of the said highway as formerly located, improved and used;

NOW, THEREFORE, the premises being in general as above stated, it hereby is resolved by this Commission, all members being present and affirmatively participating, as follows:

1. That the fragment of land confined within the area of land hereinafter designated, which fragment or parcel of land was formerly within the limits of the right of way of the Scappoose-Multnomah County Line Section of the Columbia River Highway in

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Columbia County but is now without the limits of the right of way of said highway, as said highway has been relocated and constructed, be and said fragment or parcel of land or portion of the old right of way is abandoned as a part of the right of way of said highway, and said fragment or parcel of land or old right of way is, so far as control and supervision by this Commission is concerned, eliminated and left to revert to the adjoining and abutting property owners or to the control and supervision of the County Court of Columbia County for highway or other public purposes as the Court may determine. The fragment or parcel of land affected by this resolution is defined and described as follows, to wit:

All that certain section of the old right of way of the Scappoose-Multnomah County Line Section of the Columbia River Highway, in Sections 13 and 24, Township 3 North, Range 2 West, W. M., Columbia County, lying on the westerly side of the right of way required for the reconstructed Columbia River Highway, the beginning and ending points with reference to the engineers' stations of the said reconstructed highway being Station 35+50 on the southerly end and Station 101+25 on the northerly end.

The location of said abandoned right of way may be more definitely and particularly ascertained and determined by reference to a map or blueprint, marked "Exhibit A", attached hereto and by this reference made a part hereof, which said exhibit for identification purposes bears the signatures of W. C. Williams, Division Engineer, H. G. Smith, Construction Engineer, and C. B. McCullough, Assistant State Highway Engineer, and is dated July 10, 1942, upon which map or exhibit there is reflected the above described parcel of land by showing the same shaded in red.*

2. In the event there remains any physical connection between any portion of said abandoned right of way or highway and the present highway, and by reason of such physical connection traffic from the existing highway may enter or use the said abandoned portion of the said old road to the possible damage or injury of such traffic by reason of any unsafe condition existing with respect to said old or abandoned road, then the State Highway Engineer is hereby authorized and directed to erect such barricade or other safeguards as may be necessary to protect and safeguard traffic using and employing said newly located, constructed and dedicated section of said highway.

3. That this resolution be entered in the minutes and records of the Commission and a certified copy thereof promptly delivered to the County Court of Columbia County, together with a copy of said map or exhibit, for such action as said County Court may desire to

*Map filed Right of Way Abandonment and Retention File - 106.

take with respect to said fragment of land, and should said abandoned section of the right of way of said highway be further employed for public or private highway purposes such use shall be entirely under the control and supervision of the County Court of Columbia County and beyond any responsibility or supervision by the State Highway Commission.

WHEREAS, in order to afford a better alignment and a more satisfactory, safe and convenient highway for the traveling public the Commission found it necessary to relocate a portion of the Flagstaff Hill-Ruckles Creek Section of the Baker-Homestead Highway in Baker County; and

WHEREAS, by reason of said relocation and reconstruction of said section of highway there was eliminated and made unnecessary as a part of the permanent highway a certain section which is more particularly defined and described hereinafter in this resolution; and

WHEREAS, it is the judgment and opinion of the Commission that there should be recorded in the minutes and records of the Commission its purpose and plan to abandon as a part of the said highway the fragment or portion of right of way hereinafter designated and which was heretofore included within the area of the right of way of said highway as formerly located, but which is now without the regular limits of said highway as relocated.

NOW, THEREFORE, the premises being in general as above stated, it hereby is resolved by this Commission, all members being present and affirmatively voting, as follows:

1. That the fragment of land confined within the area hereinafter described, which fragment or parcel of real property was formerly within the limits of the right of way of the Flagstaff Hill-Ruckles Creek Section of the Baker-Homestead Highway, but is no longer a part of the right of way of said highway as the same has been relocated and constructed be and said parcel of real property is abandoned as a part of the right of way of said highway, and said parcel of land is, so far as control and supervision by this Commission is concerned, eliminated and left to revert to the adjoining and abutting property owners, or to the control and supervision of the County Court of Baker County for highway or other public purposes as the Court may determine. The fragment or parcel of land affected by this resolution is defined and described as follows, to wit:

All that certain section of the old right of way of the Flagstaff Hill-Ruckles Creek Section of the Baker Homestead Highway in Sections 4, 5, 9, 10, 11, 13 and 14,

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Township 9 South, Range 41 East and in Sections 5, 7, 8 and 18, Township 9 South, Range 42 East, and in Sections 29 and 32, Township 8 South, Range 42 East, W. M., Baker County, lying on the southerly side of the right of way required for the reconstructed Baker-Homestead Highway, said section also lying between Mile Post 6.91 and Mile Post 17.37 of said highway, the beginning and ending points with reference to the engineer's stations of the said old highway being Station 278+00 on the westerly end and Station 833+00 on the easterly end.

The location of said abandoned right of way may be more definitely and particularly ascertained and determined by reference to a map or blueprint marked Exhibit A attached hereto and by this reference made a part hereof, which said exhibit for identification purposes bears the signatures of Paul Van Scoy, Division Engineer, H. G. Smith, Construction Engineer, and C. B. McCullough, Assistant Highway Engineer, and is dated July 3, 1942, upon which map or exhibit is reflected the above described parcel of land by showing the same shaded in red.*

2. In the event there remains any physical connection between any portion of said abandoned right of way or highway and the present highway, and by reason of such physical connection traffic from the existing highway may enter or use the said abandoned right of way or highway to the possible damage or injury of such traffic by reason of any unsafe condition existing with respect to said old or abandoned road, then the State Highway Engineer is hereby authorized and directed to erect such barricade or other safeguards as may be necessary to protect and safeguard traffic using and employing said newly located, constructed and dedicated section of said highway.

3. That this resolution be entered in the minutes and records of the Commission and a certified copy thereof promptly delivered to the County Court of Baker County, together with a copy of said exhibit or map, for such action as said County Court may desire to take with respect to the fragment of land to be abandoned, and should said abandoned section of the right of way of said Baker-Homestead Highway be further employed for public or private highway purposes such use shall be entirely under the control and supervision of the County Court of Baker County and beyond any responsibility or supervision by the State Highway Commission.

WHEREAS, in order to afford a better alignment and a more satisfactory, safe and convenient highway for the traveling public the Commission found it necessary to relocate a portion of the Clackamas Overcrossing Section of the Cascade Highway in Clackamas County; and

*Map filed Right of Way Abandonment and Retention File - 107.

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WHEREAS, by reason of said relocation and reconstruction of said section of highway there was eliminated and made unnecessary as a part of the permanent highway a certain section, which section is more particularly defined and described hereinafter in this resolution; and

WHEREAS, it is the judgment and opinion of the Commission that there should be recorded in the minutes and records of the Commission its purpose and plan to abandon as a part of the said highway the fragment or portion of right of way hereinafter designated and which was heretofore included within the area of the right of way of said highway as formerly located, but which is now without the regular limits of said highway as relocated.

NOW, THEREFORE, the premises being in general as above stated, it hereby is resolved by this Commission, all members being present and affirmatively voting, as follows:

1. That the fragment of land confined within the area hereinafter described, which fragment or parcel of real property was formerly within the limits of the right of way of the Clackamas Overcrossing Section of the Cascade Highway, but is no longer a part of the right of way of said highway as the same has been relocated and constructed be and said parcel of real property is abandoned as a part of the right of way of said highway, and said parcel of land is, so far as control and supervision by this Commission is concerned, eliminated and left to revert to the adjoining and abutting property owners, or to the control and supervision of the County Court of Clackamas County for highway or other public purposes as the Court may determine. The fragment or parcel of land affected by this resolution is defined and described as follows, to wit:

All that certain section of the old right of way of the Clackamas Overcrossing Section of the Cascade Highway in Section 4, Township 2 South, Range 2 East, W. M., Clackamas County, lying on the easterly side of the right of way required for the reconstructed Cascade Highway; the beginning and ending points with reference to the engineers' stations of the said reconstructed highway being Station 456+05 on the northerly end and Station 482+07 on the southerly end.

The location of said abandoned right of way may be more definitely and particularly ascertained and determined by reference to a map or blueprint marked Exhibit A attached hereto and by this reference made a part hereof, which said exhibit for identification purposes bears the signatures of W. C. Williams, Division Engineer, H. G. Smith, Construction Engineer, and C. B. McCullough, Assistant State

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Highway Engineer, and is dated July 17, 1942, upon which map or exhibit is reflected the above described parcel of land by showing the same shaded in red.*

2. In the event there remains any physical connection between any portion of said abandoned right of way or highway and the present highway, and by reason of such physical connection traffic from the existing highway may enter or use the said abandoned right of way or highway to the possible damage or injury of such traffic by reason of any unsafe condition existing with respect to said old or abandoned road, then the State Highway Engineer is hereby authorized and directed to erect such barricade or other safeguards as may be necessary to protect and safeguard traffic using and employing said newly located, constructed and dedicated section of said highway.

3. That this resolution be entered in the minutes and records of the Commission and a certified copy thereof promptly delivered to the County Court of Clackamas County, together with a copy of said exhibit or map, for such action as said County Court may desire to take with respect to the fragment of land to be abandoned, and should said abandoned section of the right of way of said Cascade Highway be further employed for public or private highway purposes such use shall be entirely under the control and supervision of the County Court of Clackamas County and beyond any responsibility or supervision by the State Highway Commission.

The Commission discussed the advisability of acquiring right of way needed for the revised location of the Oregon-Washington Highway between Milton and the Washington state line, in Umatilla County. The Engineer estimated that such right of way would cost about \$20,000 and advised that the project is high on the Commission's priority list, having been promised at one time, and the probabilities are that it will be one of the first projects constructed when the war is over. He recommended approval of negotiations to provide the right of way now. The Commission approved the recommendation and authorized the Attorney to proceed with the securing of options, it being understood that the Commission would order the negotiations discontinued if future circumstances deem that advisable.

The Engineer reported an inquiry from the Work Projects Administration whether or not the State Highway Commission has use for the buildings that were erected at Camp Manning, Camp Wolf Creek and Camp McNamars on the Wolf Creek and Wilson River Highway WPA projects, such camps having been abandoned by the Work Projects Administration. He advised that the Work Projects Administration has authority to transfer materials in these camps to other public agencies for use by such agencies or for wrecking and salvaging of materials.

*Map filed Right of Way Abandonment and Retention File - 108.

The State Highway Department, he said, could make good use of these buildings and he recommended that the Work Projects Administration be requested to turn them over to this department without cost which is in conformity with his understanding of the original arrangement when the buildings were constructed. The Commission approved the recommendation and instructed the Engineer to do what may be necessary to secure control of the buildings.

The Attorney reported the status of acquisition of right of way needed for the Sunderland Access Road, Portland, for which bids were taken at this meeting. He advised that all of the right of way is clear, except one parcel between stations 4+65 and 7+65 with respect to which possession cannot be given to the contractor prior to August 5, 1942, and a parcel between stations 78+56 and 101+27.5 on which the United States Government has a lease and which is being used in connection with the Army airbase at this location. With respect to such property, he advised that the Army engineers are endeavoring to secure the release of the portion that is needed for right of way although it appears that it is necessary to secure a special order from the Secretary of War in order to make the same available. This matter, he said, has been discussed with Lt. Colonel Kelly, who is in charge of the airbase, who advised that the taking of this small area will not interfere in any way with the airbase operations and, in his opinion, the highway work should proceed as planned. In view of this report, the Commission decided to award the contract for the improvement as soon as the financing of the same can be effected.

The matter of performing certain maintenance work in Champoe Park was reconsidered by the Commission. The Engineer advised that he contacted Mr. Omar Spencer, Chairman of the Provisional Park Board which has jurisdiction over this park, and ascertained that what they really want at this time is the mowing of grass and weeds so as to reduce as much as possible the fire hazard in the park, and that he told Mr. Spencer that the Highway Department would perform such service, which is estimated to cost \$30 or \$40, if the Provisional Park Board would reimburse the state for the cost involved. The Commission approved such arrangement. The State Parks Superintendent, who was present, expressed a reluctance to perform general maintenance operations in the park unless the Provisional Park Board would pay the expense, it being his understanding that the Board's budget contains no amount for this purpose but is limited to the expense of a caretaker. He was instructed by the Commission to ascertain from Mr. Spencer just what the Provisional Park Board desires in the way of general maintenance. He was authorized by the Commission to perform such work if a nominal expense is involved.

Mr. Elmer Bankus, Brookings, was present in regard to the sale to the state of some 8,000 acres of timbered land situate adjacent to the Oregon Coast Highway north of Brookings. He advised that this property has been placed with him for liquidation and that he wants the state to have first refusal of the property before advertising it for general sale inasmuch as the property contains about twenty million feet of timber and in his estimation would make a valuable addition to the state park system. The property, he said, is situate on both sides of the Oregon Coast Highway, between Colgrove Butte and Brookings, a distance of about twelve miles; further, that he is in position to sell this

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property, including both land and timber, to the state at the rate of \$0.50 per M-FBM if the state wants it. Furthermore, if the state doesn't want all of the property, he is authorized to sell as much of it as the state wants at the same price.

The Engineer pointed out that the highway is not presently located on permanent alignment and suggested a reconnaissance survey along the proposed new location to ascertain just what portion of the timbered area offered by Mr. Bankus it would be desirable to acquire. It was his thought that a strip one-half mile wide on each side of the new highway location should be acquired if the Commission decides to accept Mr. Bankus's offer, and that the purchase should be made now as undoubtedly it would cost considerably more later on. In reply to an inquiry from Chairman Cabell, the Attorney advised that the price quoted by Mr. Bankus, in his estimation, is fair and reasonable and, if the Commission wants to buy the property, it would make no mistake in paying such amount. The matter was discussed at considerable length during which the Commission tentatively approved the purchase in principle but deferred a definite action until the next regular meeting. The Engineer was instructed in the meantime to have an inspection of the property made by the State Parks Superintendent, Mr. S. H. Boardman, and Locating Engineer J. F. Waller to ascertain just how much of the property it would be desirable to acquire from the state parks' standpoint.

Mr. Frank J. Lonergan, Attorney, Portland, appeared before the Commission in behalf of his client, Mr. Paul Gilbaugh, with respect to Mr. Gilbaugh's property adjacent to the Upper Columbia River Highway near Crown Point. Mr. Lonergan recalled that Mr. Gilbaugh sold to the state a portion of his property which was needed for right of way for the new highway location, but still owns 65 acres on the north side of the railroad which is isolated and is of practically no value because he has no outlet for the timber and the rock located thereon. Mr. Gilbaugh, he said, wants to market the timber and the only way for him to do this is to dump the logs into the river which he is unable to do under present circumstances. He presented two propositions; first, allow the construction of an underpass under the highway which would give Mr. Gilbaugh access to the river, and, second, that the state purchase the balance of Mr. Gilbaugh's holdings. He recited other features of the state's transaction with Mr. Gilbaugh and urgently requested favorable action by the Commission on one of these propositions. Chairman Cabell remarked that the Commission was of the opinion that the controversy with Mr. Gilbaugh was consummated by the suit for right of way and there is a question in his mind whether the case should be reopened. Notwithstanding the situation, he said, the Commission would give the matter further thought and will advise Mr. Lonergan definitely as soon as possible.

At 3:00 p. m. Chairman Cabell announced the awards of contracts and sale of buildings, as follows, bids for which were taken by the Commission at the morning session, such awards and sales having previously been approved by the Commission by unanimous vote:

"Seven Devils Chrome Mine Access Road Project west of Coquille, in Coos County. 5.99 miles grading and topping. Tru-Mix Concrete Company, Medford, submitted the low bid on this project, in the amount of \$34,034.60. The only other bid submitted was that of the Coos Bay Dredging Company, Marshfield, in the amount of \$54,887.75. The Commission refers all bids for this project to the Engineer with power to award the contract to the low bidder, when certain conditions have been satisfied.

"Lower Bridge-Terrebonne Section of the Lower Bridge-Terrebonne County Road, in Deschutes County. 6.5 miles oiling. The only bid received on this project was that of Babler Brothers, Portland, in the amount of \$13,856.00. The Commission awards this contract to Babler Brothers, at their bid of \$13,856.00.

"South Mountain Mine Access Road Project on the I.O.N. Secondary State Highway, in Malheur County. 18 miles surfacing. O. C. Yocom, McMinnville, submitted the low bid on this project, in the amount of \$38,730.00, and the second-low bid was that of A. H. Saxton & Son, Lebanon, in the amount of \$51,270.00. There was one other bidder. The Commission refers all bids for this project to the Engineer with power to award the contract to the low bidder, when certain conditions have been satisfied.

"Sunderland Avenue Access Road Project on N. E. Sunderland Avenue and N. E. Elrod Road near Portland, Multnomah County. 1.88 miles grading and paving. The only bid submitted on this project was that of Porter W. Yett, Portland, in the amount of \$98,853.00. The Commission refers this bid to the Engineer with power to award the contract to Porter W. Yett, when certain conditions have been satisfied.

"Construct two pile trestle bridges on Sunderland Avenue at Portland, in Multnomah County. Lindstrom Brothers, Portland, submitted the low bid on this project, in the amount of \$11,645.00. The only other bid submitted was that of the Tower Sales & Erecting Company, Portland, in the amount of \$11,960.00. The Commission refers all bids for this project to the Engineer with power to award the contract to the low bidder, when certain conditions have been satisfied.

"Section "A" of the Monmouth-Benton County Line Section of the Pacific Highway West, in Polk County. 4.15 miles bituminous macadam surfacing. The only bid received for this project is that of E. C. Hall Company & J. C. Compton, Eugene and McMinnville, in the amount of \$172,647.50. In considering bids received for this project, the Commission also considered the bid submitted on June 25, 1942, by Edlefsen-Weygandt Company, for the construction of this project, on the basis of concrete pavement. The Commission has decided to award the contract to E. C. Hall Company and J. C. Compton at their bid of \$172,647.50. The bid of Edlefsen-Weygandt Company has accordingly been rejected.

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"Section "B" of the Monmouth-Benton County Line Section of the Pacific Highway West, in Polk County. 2.52 miles grading and 4.93 miles bituminous macadam surfacing. E. C. Hall Company, J. C. Compton and McNutt Brothers, Eugene and McMinnville, submitted the only bid for this project, in the amount of \$229,153.00. The Commission refers this bid to the Engineer with power to award the contract when certain conditions have been satisfied.

Sale of Residence Buildings in North Bend:

"Building No. 9491. Formerly owned by Coos Bay Longshoremen Beneficial Association. No bids were received for this building.

"Building No. 9498. Formerly owned by Cora Swanson Coyle. School District #26-C, North Bend, submitted the high bid for this building, in the amount of \$56.00. W. H. Eickworth, Empire, submitted the second-high bid, in the amount of \$51.00. There were two lower bidders. The Commission considers the bid of School District #26-C satisfactory, and accordingly sells the building to it at its high bid of \$56.00.

"Building No. 9501. Formerly owned by Ira L. Goodlin. W. H. Eickworth, Empire, submitted the high bid for this building, in the amount of \$152.00. M. Jorgenson, Marshfield, submitted the only other bid, in the amount of \$100.00. The Commission considers the bid of W. H. Eickworth satisfactory and accordingly sells the building to him at his high bid of \$152.00.

"Building No. 9560. Formerly owned by J. H. Tewsley. No bids were received for this building.

"Building No. 9499. Formerly owned by John Sandine. No bids were received for this building.

"Building No. 9493-A. Formerly owned by Independent Stevedoring Company. Mrs. A. T. Lee, North Bend, submitted the only bid for this building, in the amount of \$32.00. The Commission considers the bid of Mrs. A. T. Lee satisfactory and accordingly sells the building to her at her bid of \$32.00.

"Building No. 9486-B. Formerly owned by Coos County. No bids were received for this building.

"Building No. 9506. Formerly owned by John McNabb. Raymond Clair, Dellwood, submitted the only bid on this building, in the amount of \$41.00. The Commission considers the bid of Raymond Clair satisfactory and accordingly sells the building to him at his bid of \$41.00.

"Building No. 9486-C. Formerly owned by Coos County. M. Jorgenson, Marshfield, submitted the only bid for this building, in the amount of

\$100. The Commission considers the bid of M. Jorgenson satisfactory and accordingly sells the building to him at his bid of \$100.00.

"Building No. 9518. Formerly owned by P. M. Ross. No bids were received for this building.

"Building No. 9519. Formerly owned by J. H. McDonald. Mrs. Leo LaBranch, North Bend, submitted the high bid for this building, in the amount of \$45.00, being her first choice. Guy A. Cutlip, Marshfield, submitted the second-high bid, in the amount of \$42.50, being his second choice. There was one other bidder. The Commission sells this building to Guy A. Cutlip, the second-high bidder, at his bid of \$42.50, as Building No. 9524 was sold to Mrs. LaBranch.

"Building No. 9522. Formerly owned by J. Gildersheim. M. Jorgenson, Marshfield, submitted the only bid for this building, in the amount of \$22.00. The Commission considers the bid of M. Jorgenson satisfactory and accordingly sells the building to him at his bid of \$22.00.

"Building No. 9524. Formerly owned by Iva B. Butcher. Mrs. Leo LaBranch, North Bend, submitted the high bid for this building, in the amount of \$45.00. George H. Bessey, North Bend, submitted the only other bid, in the amount of \$41.00. The Commission considers the bid of Mrs. Leo LaBranch satisfactory and accordingly sells the building to her at her high bid of \$45.00.

"Building No. 9486-D. Formerly owned by Coos County. No bids were received for this building.

"Building No. 9527. Formerly owned by J. E. Bergen. John D. Bergen, Marshfield, submitted the only bid for this building, in the amount of \$1,275.00. The Commission considers the bid of John D. Bergen satisfactory and accordingly sells the building to him at his bid of \$1,275.00.

"Building No. 9528. Formerly owned by H. W. and Jessie Lee Clark. W. H. Eickworth, Empire, submitted the only bid for this building, in the amount of \$24.00. The Commission considers the bid of W. H. Eickworth satisfactory and accordingly sells the building to him at his bid of \$24.00.

"Building No. 9524-A. Formerly owned by Clyde and Iva Butcher. George H. Bessey, North Bend, submitted the only bid for this building, in the amount of \$21.00. The Commission considers the bid of George H. Bessey satisfactory and accordingly sells the building to him at his bid of \$21.00.

"Building No. 9530. Formerly owned by R. M. Hazelton. No bids were received for this building.

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"Building No. 9646. Formerly owned by A. M. Haley. No bids were received for this building.

A delegation representing the Oregon Railroad Association and consisting of the following members was present and asked the Commission to adopt an order requiring all vehicles traveling on state highways to come to a full stop before crossing any main-line railroad track at grade: Roy Shields, Chairman, and Harold J. Turner, Secretary, of the Oregon Railroad Association; Paul Farrons, E. L. King and George Fair, representing the Southern Pacific Company; Charles A. Hart, representing the Northern Pacific Railway Company, Great Northern Railway Company and Spokane, Portland and Seattle Railway Company; F. N. Finch, H. M. Turner and S. S. Murray, representing the Union Pacific Railway Company; and Messrs. Crawley and McKenna, representing the Employees Brotherhood. Mr. Shields was spokesman. He presented arguments in favor of this request, particularly pointing out that train movements have increased tremendously since war was declared, that these movements are intermittent, and that the railroad companies are now doing more than twice as much business as they did in 1929 which was the year in which train movements reached its peak. He pointed out that the railroads are carrying vast quantities of war equipment that must be moved without delay; furthermore, they are required to transport army personnel in large numbers and anything that can be done to expedite and to safeguard such movements would be particularly helpful in the carrying out of the war program. He referred to the Association's letter of July 3, 1942, (see letter in general files) directed to the members of the Highway Commission, in which the Commission was asked to take appropriate action, in conformity with their oral request, and declared that sentiment of the general public, as expressed by newspapers and by communications that have been received, is favorable to such action by the Commission. In support thereof, he presented photostatic prints of articles that have appeared in the press throughout the state, all of which endorse the proposal of the Railroad Association. He urged favorable consideration by the Commission in this matter.

Chairman Cabell replied that the Commission has given this matter serious study and is favorably inclined toward the adoption of such an order which it has legal authority to do. He pointed out that there are two arguments which might be presented against the proposition, first is the argument of logging interests that, if heavy loads of logs are required to come to a complete stop before crossing a railroad track at grade, a more serious hazard than now exists would be created. These interests, he said, feel that the slowing down of the logging equipment to approximately 10 miles per hour would satisfactorily meet the situation. Mr. Shields stated that the argument appeared to him to be sound.

Chairman Cabell then stated that the question has arisen whether or not the stop order should apply to crossings that are now protected by wigwag signals. Mr. Shields stated that they prefer that the order apply to all crossings regardless of whether or not they are protected by such signals, and in this connection referred to the 1941 report of the Public Utilities Commissioner in which it is stated that 23 per cent of the accidents that have occurred at railroad crossings were at the crossings where wigwag signals had been installed.

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Mr. Crawley, speaking in behalf of the railroad employees, urged the adoption of the order for all crossings. Senator F. M. Franciscovich, Astoria, who was present, questioned the advisability of adopting a blanket order covering all main-line crossings. He suggested that the order specify definite crossings and strict enforcement of the order by state police. In reply thereto, Chairman Cabell advised that the Commission is now considering some thirty-five crossings, and, if the Commission adopts this ruling, each of these crossings will be definitely specified in the order. He further stated that, while the Highway Commission has legal authority to make such a stop order, it does not have the authority to enforce it, that being the function of the Department of State Police.

Mr. Farrens presented a list of main-line railroad tracks which, he said, the association deems should be covered by the order. The list was referred to the Engineer to compare with his list and to iron out any differences with the railroad company, if such exist.

Chairman Cabell concluded the conference by stating that the Commission is not in position at this time to definitely pass on the matter but hopes to do so at this meeting.

Following the departure of the group, the matter was reconsidered by the Commission at which time the Engineer recommended the adoption of stop orders for thirty-five crossings on the following main-line railroad tracks: Southern Pacific between Eugene and the California state line via Medford; Southern Pacific between Eugene and the California state line via the Natron Cutoff; Union Pacific between Portland and the Idaho state line via Messner, Hermiston, Pendleton and Nyssa; Union Pacific between Messner and Wallula, and between Umatilla and Hermiston; Great Northern and Oregon Trunk between Fall Bridge and Klamath Falls. He presented a list of crossings which, he said, is subject to change after consultation with the railroad officials and inspection on the ground. The Commission approved the list of main-line railroads and thirty-five crossings thereon, subject to the ironing out of any difficulties with the railroad company officials. The crossings include twelve which are now protected by wigwag signals. The following order with respect thereto was adopted and signed by the Commission:

BEFORE THE OREGON STATE HIGHWAY COMMISSION

In the Matter of the Petition of the Oregon
Railroad Association for an order designating
particularly dangerous highway-railroad grade
crossings.

ORDER

This matter came on to be heard on the twenty-third day of July, 1942, on the petition of the Oregon Railroad Association for an order requiring all drivers of vehicles to come to a complete stop before crossing

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a railroad at grade; whereupon, the Commission heard oral argument by Roy F. Shields on behalf of the petitioner and also heard oral argument by other persons present and interested, and upon due and careful consideration of said petition and all matters pertaining thereto finds:

1. That because of the war and the emergency created by the war the movement of persons and property by rail has, with respect to all of the railroads operating in the State of Oregon, been greatly increased, not only with respect to volume of tonnage and passengers, but likewise increased in number and length of trains operated.

2. That a very large part of the tonnage moved and the passengers carried consists of military troops and war materials, including explosives.

3. That because of troop movements and the large volume of war materials transported by rail and because of the fact that all transportation by rail is confined to single-track operation there are made necessary train schedules which must, so far as possible, be kept free from every possible hazard and interruption.

4. That crossings of highway and railroad at grade, which under the most favorable conditions possess potential hazards to both highway and railroad traffic, become and are far greater and more serious hazards when there is involved the movement of military forces and war materials, including explosives.

5. That Section 115-349, O.C.L.A., vests in the Commission authority with respect to state highways to designate railroad grade crossings which in the opinion of the Commission are particularly dangerous, and said section also vests in the Commission authority to erect and thereafter maintain at said crossings signs notifying drivers of vehicles to come to a complete stop before crossing any such railroad.

6. That it is the judgment of this Commission that public interests will be served and public welfare promoted by the granting of said petition.

NOW, THEREFORE, BE IT AND IT HEREBY IS ORDERED by this Commission as follows:

1. That the petition of the Oregon Railroad Association be and the same hereby is granted, subject, however, to further action by this Commission when in the judgment of the Commission such further action is appropriate and proper.

2. That the following highway crossings at grade of the tracks of the Southern Pacific Company hereby are designated as particularly dangerous crossings, to wit:

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Railroad Crossing Number	Road Number	Mile Post	Highway Route Number	Highway	Location
C-635.49	1	135.9	US99	Pacific	Oregon Ave., Creswell
C-585.2	1	187.3	US99	Pacific	West of Sutherlin
C-580.2	1	192.3	US99	Pacific	Near Wilbur, Douglas County
C-473.9	1	278.5	US99	Pacific	Sixth St., Grants Pass
C-678.1	26	1.9	ORE50	Mount Hood	17th & Powell, Portland
C-735.14	140	38.97	ORE242	Hillsboro-Silverton	Young St., Woodburn
C-743.16	141	20.6	ORE217	Beaverton-Aurora	Main St., Aurora
C-756.7	160	13.3	ORE213	Cascade	North of Oregon City
C-718.52	163	0.2	ORE222	Silver Creek Falls	12th & State, Salem
C-674.1	212	0.1	ORE228	Halsey-Sweet Home	Halsey
CF-616.6	222	0.5	--	Springfield-Creswell	East of Springfield
C-648.2	223	13.2	--	Junction City-Eugene	Van Buren St., Eugene
C-660.6	223	0.2	--	Junction City-Eugene	Sixth St., Junction City
C-457.1	271	0.0	ORE234	Sams Valley	Fourth St., Gold Hill
C-441.70	272	25.2	ORE238	Medford-Prowolt	Main St., Medford
CF-446.8	427	12.0	--	Old Dalles-California	At Modoc Point, Klamath County
C-646.6	1	124.27	US99	Pacific	Broadway, Eugene
C-718.60	163	0.1	ORE222	Silver Creek Falls	12th & Court, Salem

3. That the following highway crossings at grade of the tracks of the Union Pacific Railroad Company are hereby designated as particularly dangerous crossings, to wit:

Railroad Crossing Number	Road Number	Mile Post	Highway Route Number	Highway	Location
2AC-189.7	6	197.6	US30	The Old Oregon Trail	Gladys St., Hermiston
2H-12.49	8	11.67	ORE11	Oregon-Washington	Adams
2H-16.4	8	15.66	ORE11	Oregon-Washington	South of Athena
2H-28.5	8	26.63	ORE11	Oregon-Washington	At Blue Mountain, Umatilla County
2H-36.23	8	31.34	ORE11	Oregon-Washington	Ward St., Milton
2A-342.71	13	45.55	ORE7	Baker-Unity	Dewey Ave., Baker
2A-215.23	28	1.06	US395	Pendleton-John Day	Emigrant St., Pendleton
2AB-194.5	36	0.45	--	Pendleton-Cold Springs	Cold Springs Landing
2AE-21.0	124	0.02	--	Sundial	Multnomah County
2A-192.0	320	35.9	--	Lexington-Echo	Main St., Echo
2H-17.2	334	17.4	--	Athena-Holdman	Main St., Athena
2A-330.9	411	0.02	--	Haines-Anthony	Near Haines

4. That the following highway crossings at grade of the tracks of the Great Northern Railroad Company are hereby designated as particularly dangerous, to wit:

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Railroad Crossing Number	Road Number	Mile Post	Highway Route Number	Highway	Location
10A-28.3	4	168.6	US97	The Dalles-California	North of Lapine, Deschutes County
10A-35.1	19	2.95	ORE31	Fremont	Near Lapine, Klamath County
10B-0.3	420	2.00	--	Midland	Near Klamath Falls

5. That the following highway crossings at grade of the tracks of the Oregon Trunk Railroad Company hereby are designated as particularly dangerous, to wit:

Railroad Crossing Number	Road Number	Mile Post	Highway Route Number	Highway	Location
28T-134.6	41	0.25	US28	Ochoco	E St., Redmond
28T-131.8	370	0.33	--	O'Neil	Prineville Junction, near Terrebonne

6. That the Chief Engineer of the Oregon State Highway Commission hereby is directed to procure, place and thereafter maintain suitable and appropriate signs notifying drivers of vehicles on any of the above named highways to come to a complete stop before crossing any of the above named railroad tracks at any of the above named railroad crossings.

7. That said signs shall be constructed of suitable materials and shall be the usual conventional type of "stop" sign now in use on other highways for like purpose.

8. This order shall be in full force and effect for the duration of the war unless sooner revoked by order of this Commission, and said order may from time to time be modified or amended as in the judgment of the Commission may seem appropriate and proper.

9. This order shall be entered in the records of the Commission and a duly certified copy thereof delivered by the Secretary of the Commission to the following named persons and/or officials: Earl Snell, Secretary of State; Ormond R. Bean, Public Utilities Commissioner; Charles P. Pray, Superintendent of State Police; William H. Lynch, District Engineer, Public Roads Administration; Roy F. Shields, Chairman, Oregon Railroad Association; and Harold F. Turner, Secretary, Oregon Railroad Association; and the original shall be filed in the records of the Commission at Salem, Oregon.

Dated this twenty-third day of July, 1942.

ATTEST:

(Sgd.) H. B. Glaisyer
Secretary

(SEAL)

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OREGON STATE HIGHWAY COMMISSION

By (Sgd.) Henry F. Cabell
Chairman

By (Sgd.) Huron W. Clough
Commissioner

By (Sgd.) Herman Oliver
Commissioner

Messrs. Eugene Marsh, O. C. Yocom and Fred Slate reappeared before the Commission in regard to the cancellation of Mr. Yocom's subcontract under Leonard & Slate for oiling the Boswell Ranch-Follett Ranch Section of the Wallows Lake Highway, in Union County, contract No. 2483. Mr. Marsh advised that they have discussed this matter at considerable length since their appearance before the Commission at the morning session and that Mr. Yocom is inclined to set up his plant on the job, which will cost him about \$5,000, if the Highway Commission will reimburse him for the expense thereof if it is found that he cannot proceed with the work on account of the priority situation. He was informed by Chairman Cabell that the Commission must keep its expenditures within the legal limitations and so far as advancing funds or paying out moneys, as now requested by Mr. Yocom, is concerned, that is something that the Commission does not feel inclined to do at the present time. However, an allowance will be made to Mr. Yocom for materials furnished and placed in stock piles. Mr. Marsh stated that, in view of the Commission's action, they would give the matter further study, and would let the Commission know their decision within the next few days.

The State Parks Superintendent, Mr. S. H. Boardman, was present and reported on the following park matters:

Juniper wayside strips:-The Parks Superintendent presented a form of agreement with the United States Department of Interior, providing for the preservation, on a yearly basis, of juniper waysides along the McKenzie Highway between the towns of Sisters and Redmond and along the Ochoco Highway between Redmond and Prineville. The agreement was approved and signed by the Commission.

Proposed park at Sutton Lake, Coos County:-The Parks Superintendent advised that the Dowell Estate owns a 60-acre tract situate just north of Sutton Lake, which parcel is about to be sold by the county court for delinquent taxes, and it has been suggested to him by the Honorable Earl Hill, Cushman, that this area might fit in nicely with the state parks' program. He advised that the tract adjoins national forest property that has been developed by the U. S. Forest Service for recreational purposes and in his estimation there is no need for further recreational acquisitions by the state in this vicinity. In view of this report the Commission decided not to purchase the 60 acres.

Proposed purchase of additional land at Cascadia:-The Parks Superintendent advised that the right-of-way department has for some time past endeavored to acquire 1.27 acres on the south side of the Santiam Highway at Cascadia so as to secure complete control of the south border of Cascadia Park where it fronts on the highway, but the owner of the property, a Mr. Jacob Stocker, will not sell unless the state will purchase all of his holdings which consists of seven acres of land for which he is asking the sum of \$1,200, so if the Commission wishes to obtain this land now it will have to resort to condemnation. The Commission decided to defer this acquisition for the duration of the present war emergency.

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Acquisition of O & C lands, in Douglas and Jackson Counties:- The Parks Superintendent recalled his report at the previous meeting of the Commission to the effect that, because of adverse rulings by the United States General Land Office, the Highway Commission is unable to purchase outright certain O & C lands that are now being leased from the Federal Government for recreational purposes, and that the Commission at that time instructed him to contact the several county courts and ascertain whether or not the counties would be willing to acquire the O & C lands for exchange of county lands, which is an approved procedure, and to then sell the O & C lands to the state. In conformity with such instructions, he said that he has contacted the County Courts of Douglas and Jackson Counties, and both courts have signified a willingness to cooperate with the Commission in that regard and have agreed to commence negotiations with the O & C Administration at once on the proposed exchange. The Commission approved the report; however, instructed the Parks Superintendent to ascertain from both courts just how much they will expect the state to pay for the properties before they consummate their negotiations with the O & C Administration.

Temporary closing of Ecola State Park:- The Parks Superintendent suggested that it might be advisable to temporarily prohibit the use of Ecola Park by the general public as a protection against fire, particularly as a precaution against sabotage. The Commission took the attitude that all state parks have been purchased for general public use and enjoyment and that such use of these areas should not be prohibited unless the Army authorities request such action as a defense measure, and it was so ordered.

The Attorney reported briefly that, in conformity with instructions received from the Commission at the previous meeting, he again ordered Mr. John H. Shively and several other parties to remove their residence buildings from state property adjacent to the Wolf Creek Highway near Humbug Creek, and that recent inspection of the premises reveals that all of the buildings either have been removed or are now in the process of being removed, which indicates full compliance with the Commission's ruling. The Commission approved the report.

The Engineer brought up for discussion the matter of preparation of designs for projects that are contemplated for post-war construction. He recalled that the Commission, at the previous meeting, authorized certain location surveys but did not authorize him to prepare plans. It was his thought that the preparation of the plans for the road and bridge projects should be gotten underway in the near future so as to avoid unnecessary delays on that account when the Commission is ready to contract the work, and in order to keep the engineering force busy. He submitted a list of projects, including city projects, projects on interregional highways and on the strategic highway network, (see list in letter dated July 10, 1942, from G. S. Paxson, Bridge Engineer, to C. B. McCullough, Assistant Chief Engineer) and asked the Commission to approve preparation of designs for the same and submission of the projects to the Public Roads Administration for approval in the securing of federal

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funds to finance them. The matter was discussed by the Commission at considerable length and as a result thereof the Commission approved the preparation of plans for the following city projects and projects that are on the inter-regional highway system:

BRIDGE PROJECTS

City Projects

Front Avenue, Portland

	<u>Estimated Cost</u>
1. Barbur Boulevard Traffic Interchange	\$ 1,500
2. Duniway Park Traffic Interchange	2,000
3. West Approach to Steel Bridge	12,000
4. East Approach to Steel Bridge	8,000
5. Broadway Traffic Interchange	1,000
6. Tacoma Street Traffic Interchange	2,000

Inter-Regional Highways

Columbia River Highway

1. Portland-Cascade Locks	
(a) Union Pacific Undercrossing	\$ 1,000
(b) Sandy River	1,500
(c) Troutdale Overcrossing	2,000
(d) Bridal Veil Overcrossing	2,500
(e) Moffat Creek, McCord Creek, Tanner Creek and minor structures	2,500 500
2. Cascade Locks-Viento	
(a) Minor structures	\$ 500
3. Viento-Hood River	
(a) Mitchell Point Tunnel	\$ 500
(b) Minor structures	500
4. Hood River-Mosier	
(a) Hood River Bridge and Overcrossing	\$ 2,000
(b) Mosier Overcrossing	1,000
(c) Mosier Creek	800
(d) Minor structures	500
5. Mosier-The Dalles	
(a) Minor structures	\$ 1,000

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BRIDGE PROJECTS (Cont.)Inter-Regional Highways (Cont.)Pacific Highway

1. Jefferson Line Change

- (a) Santiam River
- (b) Southern Pacific Overcrossing

Estimated
Cost\$ 3,000
800

2. Walker-Rice Hill

- (a) North bridge over Coast Fork
- (b) South bridge over Coast Fork

\$ 1,000
1,000

3. Green Station-Canyonville

- (a) Umpqua River

\$ 1,000

HIGHWAY PROJECTSCity Projects

<u>Project</u>	<u>Mileage</u>	<u>Estimated Cost</u>
West Portland-West Slope	5	\$ 7,000
Jefferson Street Tunnel	1	3,000
Front St., Steel Bridge-Fremont Bridge	2	20,000
Tacoma Avenue Traffic Interchange	2	3,000

Inter-Regional HighwaysColumbia River Highway

Cascade Locks-Viento	12	\$12,500
Viento-Hood River	8	12,000
Mosier-The Dalles	17	17,000
Arlington-Boardman	26	13,000

Pacific Highway

Walker-Rice Hill	28	\$28,000
Green Station-Canyonville	25	25,000

The Engineer was thereupon authorized to present such projects to the Public Roads Administration for approval with request for federal funds with which to finance them.

Reconsideration was given by the Commission to the matter of permitting the Nehalem Telephone and Telegraph Company to maintain its existing

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pole line along the westerly side of the Oregon Coast Highway between Fishers Point and Brighton, a portion of which was installed beyond the limits specified in its permit from the State Highway Commission. The Engineer recalled that, in conformity with the Commission's instructions, the company was ordered to remove the unauthorized poles and to arrange for the joint use of the Mountain States Power Company's poles on the easterly side of the highway, or to re-establish its pole line in some other location that would not interfere with the scenic views on the westerly side of the highway. However, the order has not been complied with, and it now appears from information recently obtained that the company cannot comply with the order at the present time because the War Production Board's regulation will not permit the company to secure the required materials and the company couldn't pay for the materials even if it could get them. The company, he said, is now serving one or two airplane observation posts in the Brighton District which requires continuous service so it appears necessary to let the company operate on the westerly side of the highway until the present war emergency is over. The Commission approved such arrangement and instructed the Secretary to so inform the company.

The matter of salvaging of materials from an abandoned railroad pile trestle adjacent to the Wolf Creek Highway was discussed by the Commission. The Engineer advised that, as instructed by the Commission at the previous meeting, he had an investigation made of this material with the idea that it might be used to good advantage in connection with highway maintenance work and, according to reports from the Bridge Engineer and the Maintenance Engineer, the material is of no value to the state for such purpose; in fact, the cost of dismantling the structure would be considerably more than its value as salvage. He recommended, in view of the circumstances, that the material be sold. The Commission approved the recommendation and ordered that the sale of the material be advertised for bids to be received at the next meeting of the Commission.

The Engineer reported that the County Court of Linn County has been contacted relative to the improvement of the Richardson Gap county road near Scio to facilitate log-hauling traffic, and that it is agreeable with the county court that the state assume responsibility for such improvement provided the secondary highway is not rerouted so as to bypass the town of Scio, and provided further that the state will continue the maintenance of the present highway through Scio. He further advised that the Roaring River Logging Company, which is interested in this improvement, has agreed to assume a portion of the expense of maintaining the present highway route if the Commission will improve the Richardson Gap Road, and as evidence thereof has submitted its certified check in the amount of \$3,000 to cover such expense. He recommended approval of the arrangement with the county court and with the Roaring River Logging Company. The Commission approved the recommendation and thereupon authorized the Engineer to advertise the Richardson Gap Road project for bids to be received at the next meeting. The Commission also signed an agreement with Linn County Court covering the matter.

The Commission discussed the Engineer's report on the proposed widening of a curve on the Oregon Coast Highway south of Gold Beach,

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particularly a 72° curve at milepost 357.36, which improvement has been requested by Mr. Collier H. Buffington of Gold Beach, as a traffic safety measure. The report indicates that it will cost about \$3,600 to construct a roadbed 28 feet wide. The Commission decided not to undertake this improvement at the present time in view of the need of the funds for other purposes.

The matter of constructing a sidewalk on the Rogue River Bridge on the Pacific Highway at Gold Hill was discussed by the Commission. The Engineer reported that application was filed with the Lumber Branch of the War Production Board for permission to purchase material needed to build this sidewalk but the application was denied, so it appears necessary to defer the work until the present emergency is over. The Commission approved the report; however, instructed the Engineer to build this sidewalk just as soon as he is able to obtain the materials.

A letter was presented from the City of Central Point requesting an additional expenditure for the improvement of Pine Street in Central Point between its junction with the Pacific Highway and the city limits. The city alleges that this street is being badly damaged by heavy hauling in connection with Camp White Cantonment construction, and advises that the city is financially unable to assume the cost of repairs, hence its request for state aid. The Engineer advised that investigations reveal that it will cost about \$17,000 to put the street in first-class condition, although for a comparatively nominal sum it could be restored to as good condition as it was before construction of the cantonment was commenced. The Commission denied the request for a major improvement; however, authorized a nominal expenditure for repairs.

The Commission discussed a complaint from Lois M. Muzzy, Acting Postmaster, Cloverdale, relative to the condition of the Little Nestucca Secondary Highway between what is known as Nufer's Corner and Mrs. Clem Hurliman's place. Mrs. Muzzy alleges that the road is being severely damaged by logging trucks, and requests repairs and certain widening work to provide longer sight distance at curve points as a traffic safety measure. The Engineer advised that to improve the road as requested, would require the reconstruction of a two-mile section extending easterly from the Little Nestucca River Bridge, such being estimated to cost about \$200,000. He recommended indefinite deferment of the project unless the improvement is needed in connection with the war effort and request for the same is made by the Army authorities. The Commission approved the recommendation.

The Engineer requested authority to increase the yardage of rock to be furnished by contractor A. S. Wallace, under contract No. 2520 for the Pendleton-Meacham Rock Production Project, from 9,300 cubic yards to 13,000 cubic yards. He explained that the additional materials are needed at the Meacham end of the project and, unless an arrangement can be made with Mr. Wallace to furnish the materials at this time, it probably will be difficult to secure them at some future date, because contractors are not particularly interested in such small jobs. He advised that the extra material would be paid for at the unit prices contained in Mr. Wallace's original contract. The Commission approved the request.

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A letter was presented from Charles H. Reynolds, President of the Oregon Trail Association, in which the Commission is urged not to relieve contractors Leonard & Slate from their contract to complete, this year, the reconstruction of the Wallowa Lake Highway between Elgin and Minam, as they have requested, because the additional work is needed in order to provide a passable road this coming winter. Mr. Reynolds also inquired as to the status of location surveys that have been authorized for various contemplated improvements along the Columbia River Highway and the Old Oregon Trail through-out eastern Oregon. The Commission approved the Engineer's reply to this communication in which he advised that he is recommending to the Commission that Leonard & Slate be not relieved of their obligation; also, in which he states that efforts are being made to secure federal funds to finance surveys for post-war projects, that the survey between Hood River and Mosier is finished and that a start has been made on the survey between Cascade Locks and Hood River.

The Engineer brought up for discussion a letter from Mr. Jerrold Owen, Coordinator of the Oregon State Defense Council, relative to the establishment of dim-out zones along the Oregon Coast line, and particularly requesting the erection of appropriate signs along the highways in this vicinity where headlights of vehicles traveling at night are visible from off-shore. The Engineer advised that the Oregon Coast Highway and the principal side roads have been logged by Mr. W. O. Widdows, Assistant Maintenance Engineer, in company with Army officers, and an agreement has been reached with respect to the sections where the dimming of automobile lights should be made effective. He exhibited a map showing the proposed dim-out sections and a blue-print drawing of the types of signs that it is proposed to use. He requested instructions from the Commission whether or not to proceed with the erection of the signs. The question arose under whose authority the dim-out zones were ordered, it being the thought of the Commission that a request for the establishment of such zones should come from either the Army or the Navy authorities before definite action is taken with respect thereto. Accordingly, the Commission's decision was deferred pending consultation with Mr. Owen, who was thereupon requested to appear before the Commission later in the session. (See ahead for further action.)

A letter was presented from the Honorable Leslie M. Scott, State Treasurer, advising receipt of information from the National City Bank of New York, fiscal agency of the State of Oregon, that on and after July 1, 1943, it will act as the state's agent in the handling of bonds and bond interest coupons only if compensated at the rate of four cents for each coupon paid and one-twentieth of one per cent of the par value of each bond paid. Mr. Scott suggests that the Commission include in its budget for the biennium beginning July 1, 1943, an amount to take care of these contemplated charges. The Commission approved the suggestion and so ordered.

The Engineer requested authority to revise the 1941 federal aid grade crossing program by eliminating therefrom an item of \$150,000 originally provided for the proposed overcrossing structure at Troutdale, and reallocating such funds to the Eugene grade separation project, which would release a like amount of state funds now allocated to that project. It was his thought

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that such transfer of funds is advisable in view of the fact that it appears improbable that the Troutdale overcrossing project can be constructed until the present war emergency is over. The Commission approved the request and authorized the submission of such change to the Public Roads Administration for confirmation.

The Engineer reported the award of the following contracts and sale of buildings, as previously authorized by the Commission, the conditions of the awards having been satisfied:

Helnick Undercrossing on the Monmouth-Suver Section of the Pacific Highway West, Polk County. Bids taken June 4, contract awarded June 26, 1942, to Averill & Corbin, low bidders.

Widen three bridges on Suver-Lewisburg Section of Pacific Highway West, Polk County. Bids taken June 4, contract awarded June 26, 1942, to J. F. Johnston, low bidder.

Construct two pile trestle bridges on Monmouth-Suver Section of the Pacific Highway West, Polk County. Bids taken June 4, contract awarded June 26, 1942, to J. F. Johnston, low bidder.

Grading of North Unit, Monmouth-Benton County Line Section of the Pacific Highway West, Polk County. Bids taken June 4, contract awarded June 26, 1942, to E. C. Hall Company and J. C. Compton, low bidders.

Grading, surfacing and bituminous macadam on the Goshen-Pleasant Hill Section of the Willamette Highway, Lane County. Bids taken June 4, contract awarded July 1, 1942, to C. J. Eldon, low bidder.

Construction of a bridge over the Coast Fork Willamette River and three pile trestle bridges on the Goshen-Pleasant Hill Section of the Willamette Highway, Lane County. Bids taken June 4, contract awarded July 1, 1942, to Tom Lillebo, low bidder.

Sale of buildings in North Bend:-The following disposition, upon recommendation of the Engineer, was made of the buildings for which bids were received June 25, 1942:

Building No. 9559, sold at private sale to Edwin E. Sprague for \$100.00

Building No. 9486-A, sold to J. J. Borchers for \$50.00.

Building No. 9510, sold to Margaret Flock for \$25.00.

Building No. 9513, sold to Mrs. Ada Hartley Lee for \$135.00.

Building No. 9516, sold to Atwell T. Andrews for \$20.00.

Building No. 9519 (auto court cabins only) sold to Jack McDonald for \$176.50.

Building No. 9519 (garage only) sold to W. H. Kennedy for \$44.00.

Building No. 9520, sold to H. D. Harris for \$100.00.

Building No. 9529, sold to Kittel Ness for \$65.00.

Building No. 9532, sold to Kittel Ness for \$160.00

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Buildings Nos. 9491, 9498, 9501, 9560, 9499, 9493-A, 9486-B, 9506, 9486-C, 9518, 9519 (frame house only), 9522, 9524, 9486-D, 9528, 9524-A, 9530, 9646, and 9534, were ordered readvertised.

The Commission confirmed the awards and sales, as presented.

The Engineer requested authority to purchase two truck loaders from the Willamette Hyster Company at an estimated cost of \$760, and authority to investigate the possibility of purchasing from the Federal Government thirty two-ton dump trucks at approximately \$1,100 each, it appearing from information received from the American Road Builders Association that such equipment may be made available for distribution to state, county and municipal agencies. The Commission approved the purchase of the loaders and also authorized the Engineer to file an application for the trucks after first consulting the State Purchasing Agent.

The Attorney brought up for discussion the question of rental to be charged Mr. H. J. Williams, a highway department employee, for use of one of the residence buildings owned by the Highway Department in Pendleton. He advised that up to now Mr. Williams has been charged \$20.00 per month; however, upon recommendation of the Commission's agent in Pendleton, the rental was recently raised to \$25.00 per month; also, that Mr. Williams objects to the increased rate because he alleges it does not comply with the new Federal Rent-Freezing Act which freezes rentals as of the amounts charged on March 1, 1942. The Attorney recommended that Mr. Williams be required to pay \$25.00 per month if he desires to continue occupancy of the building, which amount, in his estimation, is at least \$10.00 under what the building should really rent for. The Commission approved the recommendation.

The Commission discussed the application of the United Railway Company for a permanent easement to maintain its railroad tracks on the right of way of the Lower Columbia River Highway (St. Helens Road). The company alleges that the existing tracks were installed originally as a part of the main line of the United Railway Company pursuant to a franchise granted by Multnomah County when this road was outside of the Portland city limits, and explains that the instant request is made because its franchise expired on August 20, 1940, and the company has need for the continuance of the track in its present location. The Engineer advised that the section of highway covered by this request is between the Montgomery Ward plant and the oil tank farm which section was a county road at the time the company secured its franchise. He gave as his opinion that this district, at some future time, will become Portland's great industrial area, in which event the entire highway right of way will be needed to handle the traffic that the industries will generate. He recommended, in view thereof, that the company be not granted a permanent easement to occupy the right of way but that it be allowed to maintain and use its facilities along this road for the duration of the war, after which time the tracks are to be removed. The Commission approved the recommendation.

A letter was presented from Mr. Mic W. Monte, Regional Grazier of the United States Department of Interior, Grazing Service, in which the Commission was requested to authorize highway department forces to burn dry

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grass adjacent to certain state highways in Eastern Oregon as an accommodation to the Grazing Service so as to minimize the possibility of fire being started by cigarette stubs carelessly thrown by motorists. The Engineer advised that it is becoming more and more difficult to secure men to work on maintenance crews and in many instances the crews are working short-handed, so it does not seem advisable or possible to comply with Mr. Monte's request in its entirety. He gave as his thought, however, that the highway department should cooperate with the Grazing Service in so far as is possible under the circumstances, so long as it does not interfere with the regular duties of the crews and if the Grazing Service will relieve the state from any liability for damage that might occur to adjacent private property. He recommended cooperation with the Grazing Service on such basis. The Commission approved the recommendation.

Reconsideration was given by the Commission to the suggestion offered at the previous meeting by Mr. Phil Berthiaume, of the California Western States Life Insurance Company, that the Commission authorize the company to extend its coverage to include highway department employees who work part time on the hourly basis and part time on the monthly-salaried basis, so as to avoid confusion in the auditing office. It was Mr. Berthiaume's suggestion that the confusion could be remedied by extending the coverage to include all maintenance and shop men. The Engineer advised that the matter has already been corrected by authorizing the auditing department to make deductions from the pay rolls during the period that the hourly-paid men are working on the monthly-salaried basis. The Commission approved such procedure.

In this connection the question arose whether or not to extend the group life insurance privileges to all employees who are paid on the monthly-salaried basis. Commissioner Clough gave as his opinion that monthly-salaried employees in the lower brackets should have the benefit of such insurance if they so desire. Chairman Cabell concurred and it was thereupon decided that all employees who receive salaries not in excess of \$200 per month should be given the benefits of such insurance if they want it.

The Commission discussed an offer from Mr. P. A. Peterman of the Peterman Manufacturing Company, Portland, to purchase a $1\frac{1}{2}$ -yard No. 75 Lorain gas shovel which the highway department has stored at Garibaldi. The Commission decided that it was to the state's advantage not to sell the shovel. The Secretary was instructed to convey such information to Mr. Peterman and to inform him that the Commission would be pleased to consider his offer to rent the shovel if he wishes to use it on such basis.

A letter from Mr. Richard G. Montgomery, State Director, Office of Price Administration, was presented, in which the suggestion was made that it would be helpful to the Office of Price Administration in the carrying on of its activities if the Highway Commission would authorize its weighmasters to weigh gravel trucks that are being operated in connection with army cantonment work. It appears from the information given that the operators of such trucks are taking undue advantage of operating leniencies and are overloading their equipment, and as a result there is an unnecessary waste of truck tires. The Commission indicated a desire to cooperate with the Office of Price Administration in the matter, provided the gravel trucks pass highway department

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scales, but questioned whether or not the adoption of an order would secure the desired results, inasmuch as neither the Commission nor the weighmasters have any legal way to force the truck drivers to come to the scales. The Engineer was instructed to bring such information to the attention of Mr. Montgomery.

The Commission discussed a letter from the E. K. Wood Lumber Company, Reedsport, directed to Mr. Earl Snell, Secretary of State, in which the company requests modification of the penalty imposed on log haulers for overloading their trucks. The Commission refused to modify its present rulings because it felt that the limit has been reached in the granting of concessions to operators in this service. The Engineer was instructed to prepare a "stock" letter for use in replying to such communications, for Chairman Cabell's approval.

A letter was presented from Mrs. Elizabeth Salway Ryan, Oswego, requesting the designation of a highway route leading from Portland to Champoege Park, and the naming and signing of such route as the "Champoege Highway", in order to facilitate travel to the park by motorists who are unfamiliar with roadway connections. In the discussion of this matter it was brought out that the highways leading to Champoege Park are not all state highways; hence the Highway Commission does not have full jurisdiction; also, that the present policy of the State Highway Commission is to follow the recommendations of the Public Roads Administration and the American Association of State Highway Officials with respect to highway designations, which is to designate highways by number rather than by name. The Secretary was instructed to convey such information to Mrs. Ryan.

The Commission discussed a request from Mr. W. L. Arant, Forest Greve, for permission to maintain a number of beehives on state-owned land adjacent to the Wolf Creek Highway about four miles west of Sunset Camp. The request was denied by the Commission as a matter of policy.

The Commission also discussed a letter from the Honorable F. C. McKenzie, Mayor, Hermiston, relative to the oiling of certain city streets in Hermiston that are not on state highway routes, for which work the Commission has budgeted the sum of \$554 for this year's expenditure. Mr. McKenzie points out that the city is now constructing a new water system which necessitates the opening up of the streets which the state intends to improve and asks the Commission to pay over to the city the \$554 that the state contemplated spending in this town so they can arrange for the oiling work to be done by the city's contractor when the water system has been completed. The Commission denied the request, it being contrary to the Commission's policy to advance funds in such manner and there being a question whether or not the Commission has legal authority to do so. The Secretary was instructed to convey such information to Mayor McKenzie and to assure him that the state would do the oiling work this year after the city's water system has been completed if it is not then too late in the season.

The Engineer brought up for discussion the matter of filing with the Selective Service Board requests for the deferment from the draft of certain State Highway Department employees whose loss would seriously cripple or

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impede the activities of the organization. He reported the result of a conference with Colonel Elmer V. Wooten, State Director of Selective Service, stating that during such conference Colonel Wooten suggested that the Highway Commission file requests for exemption in the case of each or any employee whose loss would seriously cripple or impede the activities of the Department. After considerable discussion the Commission approved this policy and instructed its Chairman to request deferment in the case of those employees certified by the Chief Engineer to be necessary or indispensable.

The Engineer reported that the United States Army had requested the Department to cooperate in the plans which were being made against a possible invasion by installing at certain bridges and at other points on certain highways located in the coastal area suitable receptacles for the placement of explosives and suitable ladders and runways leading thereto. He reported that in addition to the points selected on the state highway system it would also be necessary to perform similar work on certain railway structures designated by the United States Army. He recommended that the cooperation requested by the army officials be granted in view of the fact that an efficient and effective defense of this area might well operate to avoid millions of dollars' worth of destruction to the highway system of the state. After due consideration the Commission unanimously approved the recommendation of the Engineer and instructed him to proceed with such work as had been ordered by the United States Army officials and to do and perform all other acts and things necessary in connection with this phase of the defense effort. In reference to the work contemplated on railway structures he was authorized to proceed with this work provided permission to do the same was secured from the railway officials.

Mr. Jerrold Owen, Coordinator, Oregon State Defense Council, was present and discussed with the Commission the matter of establishing dim-out zones along the Oregon coast line. Chairman Cabell explained that the Commission has previously discussed this matter at this meeting and tentatively approved the establishment of such zones and the signing of the same but decided, before taking definite action, that it should have some evidence to show the Commission's authority to make the dim-out order so as to obviate any questioning by the general public. Mr. Owen advised that requests for the establishment of dim-out zones were made by Vice Admiral C. S. Freeman, Commander of the Northwest Sea Frontier, in a wire to Governor Sprague, in which wire Admiral Freeman states that conditions along the coast line are such as to deem it advisable to establish such zones and asked the Governor to provide them through the office of the Oregon State Defense Council. The Office of Civilian Defense, he said, contemplates adopting regulations with respect thereto in conformity with the desires of the Army and Navy authorities. Chairmah Cabell thanked Mr. Owen for the information and the Commission thereupon approved the locations submitted by the Engineer and authorized the Engineer to post the zones in conformity therewith. The following resolution in regard thereto was adopted by the Commission by unanimous vote:

WHEREAS, in response to and in compliance with Public Proclamation No. 10, issued August 5, 1942, by Lieutenant General John L. DeWitt, Commanding General of the Western Defense Command and Fourth Army, the Oregon State Defense Council has established regulations governing vehicular lights on those portions of the Oregon Coast Highway

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WHEREAS, the State Highway Commission has been requested by said State Defense Council to place and maintain along approximately 150 miles of the Oregon Coast Highway, being Federal Highway No. 101, certain warning or directional signs, which signs are to be placed at or in areas where lights are restricted and otherwise regulated. The purpose of said signs is to caution and advise motorists to dim their lights and reduce their speed when entering and while passing through dim-out zones; and

WHEREAS, in further effort to cooperate with and aid the United States military forces and the State Defense Council in all war and defense activities, it is the judgment of this Commission that the furnishing, placing and maintaining of necessary and appropriate warning and informational signs should be done by the State Highway Commission.

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the Oregon State Highway Commission, as follows:

1. That the Chief Engineer be and he hereby is instructed to provide, place and/or erect and thereafter maintain at appropriate places in all light restriction zones along the Oregon Coast Highway such warning, informational and directional signs as may be ordered by the United States War Department, and such additional signs as may be deemed necessary by the State Highway Commission.
2. That such signs shall be constructed of wood or other suitable material as may be ordered by the United States War Department and shall disclose to motorists the location on the highway where the restricted zone begins and ends, and such other information as may be necessary to the efficient carrying out of the purposes of the above-mentioned regulations in reference to automobile lights.
3. Such signs shall be maintained for the duration of the war or until their discontinuance is recommended or ordered by proper authorities, including the Oregon State Highway Commission.
4. That the Commission is without authority to specify the manner or method to be employed in effecting a proper and adequate dim-out of motor vehicle lights and is likewise without authority to compel compliance with the orders of the United States military forces or of the State Defense Council, and, therefore, all of said matters are left, so far as the Highway Commission is concerned, with the United States military forces and the State Defense Council.
5. This resolution shall be entered in the minutes and records of the Commission as of July 23, 1942, and the Secretary is instructed to deliver by mail a duly certified copy thereof to Mr. Jerrold Owen, Coordinator of the Oregon State Defense Council, a like copy to Lieutenant General John L. DeWitt, Commanding General of the Western Defense Command and Fourth Army, and a like copy to the Secretary of State.

The Engineer requested authority to complete the survey for the permanent location of the Pacific Highway West, U.S.99W, through Camp Adair Cantonment, in Benton County, about five miles in length, and to finance the same with state funds. The Commission approved the request.

In this connection the Engineer advised receipt of information to the effect that the Army authorities want this highway closed through the cantonment for the duration of the war, although no formal request for such procedure has as yet been filed. It was the opinion of the Commission that the road should not be closed to general public use unless the army authorities force the closure of the same and will provide the necessary funds to finance the construction of a substitute route.

The Engineer presented a list of surveys that he has ordered since the last meeting of the Commission and asked the Commission to confirm them and the amounts allocated for each. After due consideration the Commission authorized and instructed the Engineer to make such location surveys on various sections of the highways of this state, which said sections of highways, together with their identifying location survey numbers and the amounts authorized and allocated for such survey expenditures, are as follows:

Plans - - - - -	6-1429 - Reedsport-North Bend Section, Oregon Coast Highway, Coos County.	1st authorization - \$170
Flight Strip -	19-1428 - Alkali Lake Flight Strip Section, Lakeview-Burns Highway, Lake County.	1st authorization - \$1500
Flight Strip -	123-1429 - Rome Flight Strip Section, I.O.N. Highway, Malheur County.	1st authorization - \$1500
Flight Strip -	24-1444 - Aurora Flight Strip Section, West Portland-Hubbard Highway, Marion County.	1st authorization - \$1500
Flight Strip -	25-1411 - Boardman Flight Strip Section, Boardman-Stanfield Highway, Morrow County.	1st authorization - \$1500
Plans - - - - -	226-1461 - Sunderland Road Section, Vancouver Access Road, Multnomah County.	1st authorization - \$600
Location - - -	30-1442 - Milton-Washington State Line Section, Oregon-Washington Highway, Umatilla Co.	2nd authorization - \$1500 Total to date \$5500
Location - - -	4-1462 - Columbia River Crossing near Knappa, Columbia River Highway, Clatsop County.	2nd authorization - \$1500 Total to date \$3500
Plans - - - - -	123-1430 - Malloy Ranch-Jordan Valley Section, I.O.N. Highway, Malheur County.	1st authorization - \$300
Plans - - - - -	223-1431 - Jordan Valley East Section, County Road, Malheur County.	1st authorization - \$100

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The Commission had under discussion the following request for extensions of time within which to complete highway construction projects:

Porter W. Yett, contract No. 2493, for grading and paving the Warrenton-Skipanon Section of the Fort Stevens County Road, in Clatsop County, requested an extension of time, from September 30 to November 15, 1941, within which to complete this project. He attributed his failure to complete the work within the specified time limit to excessive wet weather conditions and difficulties in securing sand, gravel and crushed rock materials. The Engineer advised that the reasons given by the contractor for failure to complete the contract within the specified time are correct. He recommended, in view thereof, that the extension of time requested be granted without penalty. He pointed out, however, that the Public Roads Administration has not as yet concurred in the recommendation. The Commission approved the recommendation unanimously, subject to the condition that the Public Roads Administration concurs. (Letter of approval received from Public Roads Administration on July 30, 1942.)

Rogers Construction Company, contract No. 2496, for grading and surfacing the Warner Summit-Mud Creek Section of the Warner Secondary Highway, in Lake County, requested an extension of time, from November 15, 1941, to July 31, 1942, within which to complete this project. It attributed its failure to complete the project within the specified time limit to adverse weather conditions and difficulties in performing excavation work during heavy rains. The Engineer advised that the reasons given by the contractor for overrun of time limit are correct. He added that the contractor also experienced considerable difficulty in obtaining labor and equipment repairs. He recommended, in view of the circumstances, that the extension of time requested be granted without penalty. The Commission approved the recommendation.

C. J. Eldon, contract No. 2497, for construction of a bridge over Millport Slough near Kernville on the Oregon Coast Highway, in Lincoln County, requested an extension of time, from February 28 to July 8, 1942, within which to complete this job. He stated that it was not possible to complete the project within the specified time because of inclement weather which necessitated postponement of the final painting of the handrail. The Engineer advised that the reason given by the contractor for failure to complete the project within the specified time is correct and that it was on his order that the painting work was postponed until suitable weather obtained this spring. He recommended, in view of the circumstances, that the extension of time requested be granted without penalty. The Commission approved the recommendation.

Norris Brothers, contract No. 2515, for grading and topping the West Unit of the Sherars Grade Section of the Sherars Bridge Secondary Highway, in Sherman County, requested an extension of time, from April 30 to June 5, 1942, within which to complete this

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job. They alleged that difficulty in securing labor and supplies, particularly repair parts for their equipment, was the principal reason for overrunning the specified time limit. The Engineer advised that the reason given by the contractor for failure to complete the job on time is correct. He recommended, in view of the circumstances, that the extension of time requested be granted without penalty. The Commission approved the recommendation.

A. H. Saxton & Son, contract No. 2541, for furnishing crushed rock for the Klaskanine Summit-Jawell Section of the Nehalem Secondary Highway, in Clatsop County, requested an extension of time of 17 days, from May 31 to June 17, 1942, within which to complete this job. They attributed their failure to complete the project within the specified time to acute labor shortage. The Engineer advised that the reason given by the contractor for overrun of the time limit is correct. He recommended the granting of the extension of time requested without penalty. The Commission approved the recommendation.

The Engineer reported that contracts Nos. 2462, 2473, 2477, 2492, 2493, 2497, 2515, 2516, 2527, 2541, 2544, and 2545, for the construction of state highway projects, have been completed according to the requirements of the contracts or modifications thereof, and that said jobs are now ready for acceptance. The following resolution accepting the above projects was offered and adopted by the unanimous vote of the Commission:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts, and that said jobs are now ready for acceptance:

Contract No. 2462, with Norris Bros., for grading, surfacing and oiling on the Hanley Lane Section of the Frenchglen Secondary Highway, in Harney County. Completed June 30, 1942. (See paragraph following this resolution.)

Contract No. 2473, with E. L. Rigdon, for grading, surfacing and oiling on the Days Creek-Wright Ranch Section of the Tiller-Trail Secondary Highway, in Douglas County. Completed June 30, 1942.

Contract No. 2477, with E. H. Itschner, for surfacing and oiling on the Woodburn-Rock Creek Section of the Woodburn-Sandy Secondary Highway, in Clackamas and Marion Counties. Completed June 27, 1942.

Contract No. 2492, with E. L. Gates, for grading, surfacing and oiling on the Monroe-Lane County Line Section of the Territorial Secondary Highway, in Benton County. Completed May 23, 1942.

Contract No. 2493, with Porter W. Yett, for grading and paving on the Warrenton-Skipanon Section of the Fort Stevens County Road, in Clatsop County. Completed November 15, 1941.

Contract No. 2497, with C. J. Eldon, for construction of a bridge over Millport Slough near Kernville, on the Oregon Coast Highway, in Lincoln County. Completed July 8, 1942.

Contract No. 2515, with Norris Bros., for grading and topping on the West Unit, Sherars Grade Section of the Sherars Bridge Secondary Highway, in Sherman County. Completed June 5, 1942.

Contract No. 2516, with Leonard & Slate, for grading on the Madras-Juniper Butte Section of The Dalles-California Highway, in Jefferson County. Completed June 19, 1942.

Contract No. 2527, with Rogers Construction Company, for grading, surfacing and oiling on the Cinder Butte-Juniper Ridge Section of the Lakeview-Burns Highway, in Harney County. Completed July 1, 1942.

Contract No. 2541, with A. H. Saxton & Son, for furnishing 8,000 cubic yards crushed rock in stockpiles on the Klaskanine Summit-Jewell Section of the Nehalem Secondary Highway, in Clatsop County. Completed on June 17, 1942.

Contract No. 2544, with R. O. Dail and Warren Bros., Inc., for grading, surfacing and oiling on the Gerking School-Athens Section of the Athens-Holdman Secondary Highway, in Umatilla County. Completed on June 24, 1942.

Contract No. 2545, with Porter W. Yett, for grading and paving on the Sylvan-West Slope Section of the Tualatin Valley Highway, in Washington County. Completed June 26, 1942.

THEREFORE, BE IT RESOLVED that the work covered by said state highway contracts for the construction of said state highway projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

The Engineer advised that, in connection with the Norris Brothers contract No. 2462 for grading, surfacing and oiling the Hanley Lane Section of the Frenchglen Secondary Highway in Harney County, it was necessary to

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eliminate the proposed oil surfacing because the subgrade was too unstable for the construction of a thin oil surfacing due to the unusual and continued rains in the Harney Valley throughout the fall, winter and spring. Moreover, difficulty was encountered in securing an adequate supply of stabilizing materials and the requisite funds for such work were not available. Furthermore, time did not permit a change in plan to add additional rock to stabilize the grade because five cars for the oiling job had been delivered and were standing on the siding. On account of the shortage of cars, the department had been warned repeatedly by the Federal Government and the railroad companies to release the cars promptly. An immediate decision therefore became necessary and the engineer approved the use of the oil in resealing various projects in the vicinity of Burns on the state primary and secondary systems, which maintenance work had been programmed to be performed by state crews. It was impossible to move a state crew to do the work in the time available and this plan permitted the utilization of the contractor's equipment and crew on the job. Accordingly, arrangements were made with the contractor to perform the work in conformity with the unit prices in the contract. The Engineer acknowledged that he should have consulted with the Commission before issuing such an order but explained that quick action was necessary and the securing of the Commission's consent was inadvertently overlooked. He expressed regrets at the circumstances and asked the Commission to confirm his action. The Commission approved the disposition of the case as reported.

The Commission considered and signed agreements, et cetera, as follows:

Agreement with the O.W.R. & N. Company and Union Pacific Company covering maintenance of a railroad crossing sign on a Portland freight house.

Agreement with the Southern Pacific Company covering reconstruction of the Blodgett Overcrossing, in Benton County.

Agreement with Peter A. Nelson Company covering performance of certain work in connection with the widening of High Street between 5th and 6th Streets, in Eugene.

Agreement with Grant County Bank, John Day, Oregon, providing for lease of a road-materials site for use in connection with construction of the Prairie City Section of the John Day Highway.

Easement agreement with Lewis Pointer, et al, covering elimination of a road approach to the Tualatin Valley Highway near S. W. Canyon Road.

Agreement with Peter J. Lyski and wife, covering acquisition of property situate in Block 32, East St. Johns Addition to Portland.

Agreement with R. R. Clarke relative to a gravel bar which is being used in connection with the construction of the Rice Hill-Turkey Hill Section of the Pacific Highway, in Douglas County.

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Blanket agreement with the Mountain States Power Company providing for use of the company's poles in connection with traffic signal installations, et cetera.

Blanket agreement with Pacific Telephone and Telegraph Company providing for use of the company's poles in connection with traffic signal installations, et cetera.

Agreement with Linn County regarding the improvement and maintenance of the Richardson Gap county road.

Agreement with the United States Department of Interior, Grazing Service, providing for protection of juniper wayside strips along the McKenzie Highway between Sisters and Redmond and along the Ochoco Highway between Redmond and Prineville.

Agreement with McNutt Brothers disposing of their claim for extra compensation in connection with their contract No. 2219 for grading and paving the Dundee-West Dayton Section of the Pacific Highway West, in Yamhill County.

Agreement with Multnomah County providing for the maintenance of the Sunderland Avenue Access Road.

Agreement with Clatsop County, the City of Warrenton, and the City of Hammond providing for the improvement and maintenance of the Fort Stevens county road.

Bargain and sale deeds conveying the following properties:

Portions of Lots 29 and 30, Block 34, Coos Bay Plat "B" Addition to North Bend, to Atwell T. Andrews and wife, for \$123.00. Right of way file No. 9517.

Lot 15, Block 209, Mills Second Addition to Klamath Falls, to G. Morosin. Right of way files No. 9612 and No. 9612-A.

2.27 acres of land adjacent to Crater Lake Highway, in Section 13, T. 37 S., R. 2 W., W. M., Jackson County, to Roy P. Jones, for \$555.00. Right of way files No. 10080 and No. 10082.

1.034 acres of land situate adjacent to Crater Lake Highway, in Medford, includes building, to Derke Brothers. Consideration \$1500.00. Right of way file No. 10082.

0.076 acre of land situate in Section 13, T. 37 S., R. 2 W., W. M., Jackson County, to Medford Corporation. Right of way file No. 10145.


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Quitclaim deed conveying unto the Medford Corporation 0.081 acre of land situate in Section 13, T. 37 S., R. 2 W., W. M., Jackson County. Right of way files No. 10082 and No. 10145.

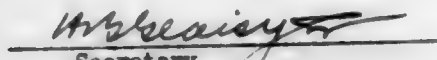
The selection of projects for which bids are to be received by the Commission at its next regular meeting had the attention of the Commission. The Commission approved the following, subject to revision later: Buchanan Rock Production Project in Harney County; Richardson Gap county road, in Linn County; additional rock production projects to be decided later; and construction of one or more airplane flight strips, if possible. The Commission also approved the taking of bids for the purchase of a trestle adjacent to the Wolf Creek Highway.

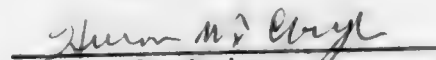
The Commission thereupon set Thursday, August 27, 1942, as the date for such meeting and instructed the Secretary to make the usual arrangements to hold this meeting in the auditorium of the Public Service Building, Portland.

There being no further business to come before the Commission at this time the meeting was adjourned at 6:10 p. m.


State Highway Engineer


Chairman


Secretary


Commissioner

JUL 23 1942

VOLUME 27

PART II

PART 2

OF

VOLUME XXVII

MINUTES OF OREGON STATE HIGHWAY COMMISSION

COVERING PERIOD

F R O M

AUGUST 14, 1942

THROUGH

MARCH 17, 1943

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OREGON STATE HIGHWAY COMMISSION

Henry F. Cabell, Chairman until February 28, 1943

T. H. Banfield, Chairman from February 28, 1943

Huron W. Clough, Commissioner

Herman Oliver, Commissioner

- - - - -

R. H. Baldock, State Highway Engineer

H. B. Glaisyer, Secretary

- - - - -

HEADQUARTERS AND GENERAL OFFICE OF DEPARTMENT
LOCATED AT SALEM, OREGON

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	1942	
11182	Aug. 14	Bid received on following project: Shaniko Section, Sherman Highway, oiling. Wasco County. Shaniko Section, Sherman Highway. Bid of Babler Brothers opened and read.
11186		Log hauling. Conference with Governor and representatives of lumber industry. Lifting of PUC plates to be discontinued.
11187		Weighing of loads to be continued, except in cases of group- ing of trucks at scales. Matter of discontinuing weighing to be investigated.
		Award of contract, as follows: Babler Brothers, Shaniko Section.
		Minutes approved as follows: March 19 and 20, April 1 and 2, and April 30, 1942.
		Personnel. Matter of requesting occupational deferment of "key men" of maintenance department approved.
		Wheeler County. Ochoco Highway, Dayville. Request of Mrs. Kate MacDonald, for repairs to irrigation ditch, approved.
		Lane County. Willamette Highway, near Oshen. Request of Lloyd E. Stafford for payment for moving barn denied.
11188		Union County. Boswell Ranch-Follett Ranch Section, Wallowa Lake Highway. Arrangements with O. C. Yocom, subcontractor for Leonard & Slate, for continuance of project, approved. Oiling work to be cancelled.
		Jackson County. Camp White. Request of army authorities for fencing of right of way approved.
11189		Clackamas County. Coal mine near Molalla. Request of Mrs. Joan C. Woovalas, for access road to mine, discussed.
		Railroad grade crossings. Order requiring all traffic to stop at mainline crossings approved. (See P. 11157)
		Airplane landing fields. Agreement with War Department, for maintenance with state forces at army expense, approved.
		Umatilla County. Resolution adopted designating Ordnance Depot Secondary Highway No. 338.
11190		Baker County. Flagstaff Hill-Ruckles Creek Section, Baker- Homestead Highway. County to assume jurisdiction over por- tion abandoned by state.
		Jackson County. Eagle Point-McAllister Springs Section, Little Butte Secondary Highway. County elects to abandon portion and retain portion of section abandoned by state.
		Award of contracts confirmed as follows:
11191		Sunderland Avenue Access Road, Porter W. Yett; Bridges on Sunderland Avenue, Portland, Lindstrom Bros.; Section "A", Monmouth-Benton County Line Section, E. C. Hall Company and J. C. Compton; Section "B", Monmouth-Benton County Line Section, E. C. Hall Company, J. C. Compton, and McNutt Brothers; Soda Mountain Mine Access Road, O. C. Yocom; Seven Devils Chrome Mine Access Road, Tru-mix Concrete Co.
		Load limit. Stillwell Bridge, Trask River, Netarts Secondary Highway. Resolution adopted lifting load limit.

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11192	Aug. 14	<p>Permit. Request of Ernest E. Schrenk to transport overwidth loads of flax, over Creswell-Springfield Section, denied. Emergency transportation permits. Letter from Joseph Keller, Consultant on State Barriers, OEM, approves position taken by Commission re transportation of gross loads.</p> <p>Log hauling. Hauling approved, from 9:00 to 12:00 at night, provided movements are properly lighted.</p> <p>Crater Lake Park Roads. E. P. Leavitt inquires re maintenance of roads through park, if park is closed during winter.</p>
11193		<p>Snow removal. Crater Lake Highway. Road to Crater Lake Park not to be kept open if park is closed for winter.</p> <p>Wayside maintenance. Request of Columbia County Pomona Grange, for mowing of weeds and grass along rights of way, approved.</p> <p>Labor. Question of whether or not contractors should pay double time for overtime considered. Action deferred.</p>
11194		<p>Klamath County. Algoma Dike lawsuit. Employment of two expert witnesses, to work up case and testify at trial, approved.</p> <p>Wheeler County. Shaniko-Fossil Secondary Highway. Request of C. H. Burgess to farm right of way approved.</p> <p>Surveys. List of surveys ordered since last meeting.</p>
11195		<p>List of surveys completed. Resolution adopted.</p> <p>Extensions of time, as follows, approved;</p>
11196		<p>R. G. Barnes, Scappoose-St. Helens Section;</p> <p>E. L. Rigdon, Oak Creek-Marks Ranch Section.</p> <p>Contracts completed and accepted, as follows:</p>
11197		<p>Bridges, Scappoose-St. Helens Section, R. G. Barnes;</p> <p>Oak Creek-Marks Ranch Section, E. L. Rigdon;</p> <p>Warner Summit-Hud Creek Section, Rogers Construction Co.;</p> <p>Alkali Lake Maintenance Station, Tri-State Construction Co.</p> <p>Agreements, et cetera, signed as follows:</p> <p>Coos County, covering removal of rock from county quarry, for use on Seven Devils Chrome Mine Access Road;</p> <p>City of Jordan Valley, covering maintenance of South Mountain Mine Access Road, within the city limits;</p> <p>F. R. Hewett, covering rental of state-owned equipment;</p> <p>Axman and Miller, covering rental of state-owned equipment;</p> <p>O. C. Yocom, covering rental of state-owned equipment;</p>
11198		<p>Hauser, Malcom and Tiesleu, covering rental of state-owned equipment;</p> <p>U. S. War Dept., covering maintenance of small airplane landing fields;</p> <p>Order designating dangerous railroad crossings and requiring vehicles to stop before crossing railroad tracks at grade;</p> <p>Oregon-Washington RR & Navigation Co. and Union Pacific Co., extending lease of storage sites at Speece, in Gilliam Co.;</p> <p>Pacific Power & Light Company, providing for installation of power pole adjacent to state's scales, Pilot Rock.</p>
	Aug. 27	<p>Bids received on following projects, sale of building, and sale of materials in railroad trestle:</p>
11199		<p>Richland-Halfway Rock Production Project;</p> <p>Buchanan Rock Production Project;</p>

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	Aug. 27	Bids received on following projects, etc. (Cont.)
11199		Walker Mountain Rock Production Project; Salt Creek Falls-Odell Butte Rock Production Project; Alkali Lake Flight Strip Project; Dead Ox Flat-Cairo Junction Rock Production Project; Rome Flight Strip Project; Nye Junction-Grant County Line Rock Production Project; Rock Creek-Joseph Rock Production Project; Sale of residence building in Eugene;
11200		Sale of materials in railroad trestle near Sunset Camp, Tillamook County. Clackamas County. Wilsonville Ferry. Leonard & Slate confer re contract for operation of ferry. Multnomah County. Traffic separation project, Denver and Union Aves., Portland. Report on estimated cost. Attorney authorized to secure right-of-way options. Westerlund Boat Co. property. Chairman to pass on property. Coos County. Delegation confers re construction of revetment for flood control of Coquille River. (See P. 11207)
11201		Coos County. Oregon Coast Highway. Intersection with Lampa Creek county road. Delegation requests widening. Linn County. Brewster-Lacomb county road. Request of delega- tion for designation as Secondary State Highway and for maintenance by state denied.
11202		Deschutes County. McKenzie Highway, through Sisters. C. T. Leedy requests filling in along curbs.
11203		Real property. Resolution authorizing acquisition.
11206		Umatilla County. Boardman-Stanfield Highway. Request of delegation, for construction of connecting road to Hermiston- Ammunition Depot county road, denied. Engineer to confer with army re solution to problem.
11207		Coos County. Coquille River revetment. State to furnish engineering supervision and assume one-fifth of expense. Condemnation. Gravel pit. Matt Endres property, Albany- Lyons Secondary Highway. Resolution adopted.
11209		Jefferson County. Madras, The Dalles-Calif. Hwy. Mrs. Viola Gray claims damages due to grade change. Camouflage. D. L. Callicrate of Foster-Kleiser Co. presents samples of company's camouflage work. Multnomah County. Gilbaugh property, Crown Point. Request for access road, or state purchase of property, denied. Coos County. Marshfield-North Bend Section. Rental of green- house property to former owner, J. D. Bergen, approved.
11210		Excess right of way on bay side of highway to be retained. Wheeler County. Fossil-Antelope Secondary Hwy. Request of Messrs. Helton and Burgess, to farm right of way, approved. Lane County. Eugene. Sale of A. D. Jones property, to Law- rence Osterhoff, authorized. Eugene buildings. Asst. Attorney requests instructions re disposal. Action deferred.

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11210	Aug. 27	Lane County. Goshen, Willamette Highway. L. E. Stafford controversy re moving barn. Request for payment denied.
11211		Union County. State Game Commission property, Union. Portion to be leased to Union County Sportsmen's Club for nominal sum. Awards. Chairman announces awards of contracts, sale of building in Eugene, and sale of railroad trestle material.
11212		Curry County. Port Orford Rock Production Project. Contract awarded to A. H. Saxton & Son on revised specifications.
		Tillamook County. McNamers Camp, Wilson River Highway. Letter to WPA, requesting use of buildings, approved.
		Curry County. Oregon Coast Highway. Timber strips. Report on proposed purchase of Elmer Bankus property. Action deferred.
11213		Fences. Matter of obligations for fence construction along highway projects discussed.
		Clatsop County. Wolf Creek Highway, near Necanicum. Resolution adopted abandoning portion of highway.
11214		Marion County. North Santiam Secondary Hwy., Stayton-Sublimity Section. County's request for rerouting withdrawn.
11215		Highway bonds. Purchase of unmatured highway bonds from State Treasurer considered. Not approved.
		Coos County. Marshfield-North Bend Project to be deferred until satisfactory arrangements can be made with railroad company, and for re-establishing Standard Oil Company's plant.
		Multnomah County. Front Avenue, Portland. Engineer instructed to try to secure release from shipyard work of subcontractor on Edlefsen-Weygandt job, so that paving may be completed before rainy season sets in.
11216		Coos County. Sunset Beach. Request for construction of parking area denied.
		Coos County. Myrtle Point, Coos Bay-Roseburg Highway. Request for improvement at south entrance to city denied.
		Benton County. Corvallis. Pacific Highway West. Request for sidewalk construction denied.
11217		Umatilla County. Pendleton-Meacham Rock Production Project. Agreement with A. S. Wallace for stock-piling of additional crushed rock, in connection with contract, approved.
		Benton County. Wells-Granger Access Road to Camp Adair. Expenditure for widening of two bridges approved.
		Benton County. Camp Adair, Pacific Highway West. Agreement with E. C. Hall Co. & J. C. Compton, for reconstruction of section fronting on cantonment, approved.
		Labor. Question of payment of overtime to workmen employed on state highway contracts discussed. State law to govern.
11218		Coos County. North Marshfield & Marshfield-Bunker Hill Project. Roy L. Houck requests relief from certain provisions of contract. Approved. Work to be done with state forces.
		Lincoln County. Spencer Creek Bridge, Oregon Coast Highway. Cancellation of Harry I. Hamilton's contract No. 2486 approved.
11219		Multnomah County. Front Avenue, Portland. Iron Fireman requests permission to construct driveway to highway.
		Log hauling. Little Nestucca Secondary Highway. Signs to be posted prohibiting hauling of logs on portion of road.

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11219	Aug. 27	Tillamook County. Oceanside. Complaint re removal of sand and gravel for construction of Tillamook Blimp Base. Matter to be taken up with Lt. Commander W. J. Stribling. Signs. Directional signs on state highways within cities. State to assume cost of maintenance. Emergency permits. Attorney General's opinion confirms authority of state to issue such permits.
11220		Permits. Request of Army Air Corps to operate oversized equipment on highways in salvaging wrecked planes approved. Log hauling. Copy of instructions issued to truck drivers by Roaring River Logging Co., re regulations, presented. Log hauling. State police report that James E. Carlin, arrested near Seaside for overheight load, was not fined by Justice of Peace.
11221		Klamath County. South 6th St., Klamath Falls. Hans Hanson requests filling in of depression in front of building. Maps. Portland Public Schools request supply of Oregon Highway maps. 1000 maps to be supplied. Highway Traffic Advisory Committee. Program and operating budget presented. Floyd Cook appointed Executive Secretary. Dim-out zones. Signs along Oregon Coast Highway reported erected in accordance with army orders.
11222		Klamath County. Algoma Dike damage suit. Request of defendants, for state cooperation in repair of dike, not approved. Bids. Problem of securing bids for highway construction work, particularly rock production projects, discussed. Priorities. War Production Board to be urged to modify rules re priority on construction equipment.
		Multnomah County. Corbett O'Rourke requests closing of grade crossing on county road, and use instead of passageway built under tracks for benefit of contractors. Request denied. Park matters. Report of Parks Superintendent.
11223		Harney County. Wayside strips. Poison Creek Section, John Day-Burns Hwy. State's application for recreational lands to be withdrawn if county renews application.
		Tillamook County. Burned timber on Wilson River Highway west of McNamers Camp. Sale to James McCrea tentatively approved.
		Josephine County. Old garage on Coyote-Grave Creek Section, Pacific Highway. James F. Grimes' request for building granted.
		Park attendance. Parks Superintendent reports on falling off in attendance due to wartime conditions.
11224		Park financial report. Monthly financial statement approved. Extensions of time, as follows, approved: 1. L. O'Neil & Son, Wrights Point-Narrows Section; C. J. Eldon, Polallis Creek-Hood River Rock Production; Contracts completed and accepted, as follows: Drews Valley Rock Production Project, Rogers Const. Co.; Lower Bridge-Terrebonne Section, Babler Bros.;

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11225 Aug. 27

Agreements, et cetera, signed as follows:

City of Central Point, covering improvement of Pine Street;
Lutheran Brotherhood of Minnesota and Leslie H. Hammond,
covering easement for detour road, Goshen-Lowell Section;
Ruben W. Smith and wife, providing for elimination of road
approach to property on Sexton Mountain;

F. W. Falk, for securing of borrow materials needed for
Corvallis-Monmouth Project;

Matt Erickson, authorizing truck-hauling of logs across
state property adjacent to Salmon River Hwy.;

Leonard & Slate, re contract No. 2433, for the Boswell
Ranch-Follett Ranch Section, Union County;

Alsea Hawley, bargain and sale deed conveying small parcel
of land adjacent to Pacific Highway, Douglas County;

Klamath County School District, conveying 1.69 acres of
land adjacent to Green Springs Highway, Klamath County.

Meeting dates. Next regular meeting date set for October 1,
1942.

11226 Sept. 30

Minutes approved as follows: May 7, May 19, June 3 and 4,
and June 24 and 25, 1942.

Right of way budget. Assistant Attorney's report on status
approved.

Real property. Resolution adopted authorizing acquisition.
Multnomah County. Denver Ave.-Union Ave. Section, Portland.

11228

Peninsula Drainage Dist. #2. Price settlement approved if
necessary to acquire property in connection with Gault
property.

Gault property. Method of settlement approved.

11229

Marion County. Aurora Flight Strip Project. Julius C. Lewis
property settlement approved as to price. Property not to
be acquired until after method of handling project has been
worked out with government.

Lane County. Eugene-Goshen Section, Pacific Highway. Purchase
of land, only, from Edward F. Judkins, approved. Settlement
for damage items to be deferred until work is begun.

Umatilla County. Quarry site, Nye Junction Project. Purchase
of Fayette Mettles property approved.

Condemnations. Recommended offers. Resolution adopted:

Right of way: Pacific Highway;

Gravel pit: Wallowa Lake Highway.

11232

Gas tax diversion. Oregon State Motor Assn. requests support
of proposed constitutional amendment prohibiting diversion
of revenues.

Oct. 1

Bids received on following projects and sale of property:

Richland-Halfway Rock Production Project;

Buchanan Rock Production Project;

Walker Mountain Rock Production Project;

11235

Salt Creek Falls-Odell Butte Rock Production Project;

Crabtree Creek-Jordan Section, grad., surf., and mainten-
ance materials;

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	Oct. 1	Bids received on following projects, sale of property, (cont.):
11233		Aurora Flight Strip Project; Mills Bridge-McNamers Camp Rock Production Project; Nye Junction-Grant County Line Rock Production Project; Rock Creek-Joseph Rock Production Project; Sale of property near Goshen, Lane County.
11234		Marion County. Aurora Flight Strip Project. Acquisition of right of way discussed. U. S. Dist. Attorney to be consulted as to condemnation of property by government. Polk County. Benton County Line-Jonmouth Section. Elkins property. Offer of \$12,000 for property approved. Washington County. Wolf Creek Highway near North Plains. Offer of W. C. Baugh to purchase 12.73 acres to be investigated. Columbia County. St. Helens. United Railways Company granted easement for duration of war and six months thereafter.
11235		Baker County. Troy Ranch Section, Old Oregon Trail. Frances Troy confers re right-of-way settlement and damage claim. Commission to inspect property. Scrap-metal drive. State trucks to assist in collection of scrap materials for federal government.
11236		Multnomah County. Barbur-Blvd.-Boones Ferry Road. Jacobsen-Jensen Co.'s contract No. 2393 suspended until spring of 1943. Columbia County. Banzer Bridge-Mist Section. Porter W. Yett's contract No. 2504. Completion date extended to June, 1943. Old Oregon Trail Centennial Advisory Commission conference. Matter of continuing activities to be presented to Legislature. Expenses in interim to be covered by official communications. Awards. Chairman announces awards of contracts and sale of property.
11238		Lane County. Goshen property. All bids rejected. Property to be placed with real estate agent for private sale. Personnel. Organizer from American Federation of Employees confers re affiliation of highway department employees with federation. Standard Code of Relations, adopted by Commission in 1936, reaffirmed, with certain modifications.
11239		Speed limits. Signs to be erected in accordance with order of Governor reducing speed limit to 35 miles per hour. Speed zone. Camp Adair. Army's request for 25-mile-per-hour speed limit along Pacific Highway West, in front of camp, approved. Resolution adopted.
11240		Columbia County. Gravel pit at Scappoose. H. A. Wein refuses offer of settlement. Matter to be dropped. Rock production projects for 1943 construction. List approved.
11241		Engineer instructed to advertise for bids. Priorities. Resolution adopted urging War Production Board to modify rules re priority on construction equipment.
11243		Snow removal. Timberline Lodge. Request of Navy Dept. that road be kept open during winter approved, if state is reimbursed for expense involved.

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11243	Oct. 1 1942	Equipment. Snow plows. Army requests all surplus snow equipment be made available to keep open Alaska Highway. Snow removal. Certain highways not to be kept open for travel during winter, in order to release equipment to army.
11244		Equipment. Two rotary snow plows to be sold to government. Two old snow plows stored at La Grande also to be offered to army. Snow removal. Airport runways. Release to army of equipment for snow removal on airport runways not approved. To recommend to army that such work be done by highway departments. City streets, not on state highways. 1943 budget, for work on city streets, approved. Work to be covered by written agreements with cities. Multnomah County. Kaiser Shipbuilding Co. requests additional parking space along water front near Burnside Bridge, Portland. Approved. Multnomah County. Front Avenue, Portland. City officials to be contacted re charging Dant & Russel rental for use of property on which they are now encroaching. Clackamas County. Wilsonville Ferry. Request of Leonard & Slate, for modification of present contract, denied. Contract to be renewed for full period.
11245		Labor. Report showing yearly summary of labor employed by contractors on highway construction work presented. Wasco County. Request for footpath construction along Columbia River Highway, from Rowena Loops to Tindalls Service Station, denied. Benton County. North Albany Road. Request of Mrs. H. G. Rumbaugh for repair of road denied. Umatilla County. Pendleton. Request of Mayor for repair of Main and DeSpain Streets approved if not too expensive. Klamath County. Algoma Dike suit. Stipulation relative to contribution of funds for repair of dike approved. Jackson County. Rogue River Bridge, Gold Hill. Damage to bridge by soldiers from Camp White discussed. Matter to be directed to attention of Camp Commander.
11246		Multnomah County. Interstate Bridge. Matter of collection of damages from Ray Redman, Jr., for damage to barrier, referred to Attorney. Coos County. Big Creek Bridge, Coos Bay-Roseburg Highway. Damage to bridge by logging truck of Goodwin & Briggs discussed. Matter referred to Engineer for report. Claim. Portland Gravel Company claims damages for cost to repair dredge damaged in collision with drawspan of Interstate Bridge, Portland. Award of contracts. Commission confirms following awards: Alkali Lake Flight Strip Project, Clifford A. Dunn; Rome Flight Strip Project, Clifford A. Dunn. Log hauling. Attorney instructed to contact Justices of Peace re matter of fines for overloads, as recommended by Public Utilities Commissioner Bean.

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11247	Oct. 1	Emergency permits. Question of penalty for overloads discussed. Violators to be warned.
		Linn County. Sanderson Bridge, Albany-Lyons Secondary Highway. Resolution adopted regulating truck traffic on bridge.
		Yamhill County. Bridge at Newberg, Hillsboro-Silverton Secon. Hwy. Resolution adopted regulating truck traffic on bridge.
11248		Permits. Overlength passenger-carrying vehicles, to facilitate transportation to and from army camps, etc. Operation over state highways approved. Resolution adopted.
11250		Permits. Request of Union Pacific Railroad Company, to transport a fuel-oil tank, from Pleasant Valley to Durkee, approved. Request of Portland Gas & Coke Company to transport two large steel tanks over state highways approved.
		Equipment. 1 $\frac{1}{2}$ -yard Lorain gas shovel, stored at Garibaldi, to be advertised for sale.
		Scrap materials. Engineer authorized to dispose of scrap materials at private sale as may be necessary.
11251		Umatilla County. Pendleton-Adams Section, Oregon-Washington Highway. County elects to retain portion of old right of way abandoned by state.
		Coos County. Charleston Section, Cape Arago Secondary Highway. County elects to preserve portion of old right of way abandoned by state.
		American Assn. State Highway Officials. Matter of attending annual meeting at St. Louis, Mo., Dec. 7 to 9, discussed.
		Coos County. North Bend-Marshfield Section. County's request for permission to develop spring on right of way approved.
		Gas tax. Letter from Governor Clark of Idaho to Gov. Sprague, suggesting that farm-produce trucks be relieved of vehicle taxes and fees, discussed and filed.
11252		Log hauling. West Coast Lumbermen's Assn. advises that association is taking action to try to curb practice of overloading of logging trucks.
		Tillamook County. Fairview Grange expresses appreciation for guard-fence construction near Jordan Creek on Wilson River Highway, and requests authority to plant shade tree near drinking fountain located in this vicinity. Request approved.
		Labor. Question of payment of overtime to be left up to contractors. Clause in contract forms, referring to overtime payments, to be deleted if not legally required.
		Park matters. State Parks Superintendent reports.
		Deschutes County. Juniper wayside strips between Bend and Redmond. Request of Grazing Service, for exchange of lands to accommodate fence construction, approved.
		Curry County. Sheep grazing in Humbug Mountain Park. Request of Ray Fromm for renewal of sheep-grazing lease approved.
11253		Curry County. Port Orford Cedar Park. Report on forest fire in wayside tract. No action.

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11253	Oct. 1 1942	Coos County. Purchase of Simpson property at Shore Acres, adjacent to Cape Arago Park, considered. Decision deferred pending search of title.
		Tillamook County. Sale of timber at Short Sand Beach Park. Matter to be turned over to timber broker to sell timber on selective-cutting basis.
		Parks financial report. Report for period January 1 to August 31, 1942, approved.
		Surveys. List of surveys ordered since last meeting.
		List of surveys completed. Resolution adopted.
11254		Extensions of time, as follows:
11255		Homer G. Johnson, Siletz-Toledo Section;
11256		R. O. Dail & Warren Bros., Inc., North Powder-Davis Ranch Section;
		R. O. Dail & Warren Bros., Inc., Flagstaff Hill-Ruckles Creek Section;
11257		E. L. Gates, Rock Creek-Benton County Line Section;
		C. J. Eldon, Trask River-Peltz Corner Section;
		A. S. Wallace, Hood River Rock Production Project;
		A. S. Wallace, Beatty-Paradise Creek Rock Production Project;
11258		Blair T. Alderman, Santiam Junction Patrol Station cabins;
		Independence Sand & Gravel Company, Willamina Rock Production Project;
		Independence Sand & Gravel Company, McMinnville Rock Production Project;
		Independence Sand & Gravel Company, Rickreall Rock Production Project;
11259		A. H. Saxton & Son, Lebanon-Sweet Home Rock Production Project.
		Contracts completed and accepted, as follows:
		Siletz-Toledo Section, Homer G. Johnson;
		North Powder-Davis Ranch Sec., R. O. Dail & Warren Bros., Inc.;
		Flagstaff Hill-Ruckles Creek Section, R. O. Dail & Warren Bros., Inc.;
		Rock Creek-Benton County Line Section, E. L. Gates;
11260		Trask River-Peltz Corner Bridge Section, C. J. Eldon;
		Morrison Street Bridge, Portland, Poole & McGonigle;
		Hood River Rock Production Project, A. S. Wallace;
		Beatty-Paradise Creek Rock Production Project, A. S. Wallace;
		Santiam Junction Patrol Station Cabins, Blair T. Alderman;
		Willamina Rock Production Project, Independence Sand & Gravel Company;
		McMinnville Rock Production Project, Independence Sand & Gravel Company;
		Rickreall Rock Production Project, Independence Sand & Gravel Company;
		Lebanon-Sweet Home Rock Production Project, A. H. Saxton & Son;
		South 12th Street, Salem, Warren Northwest, Inc.;
		Shaniko Section, Babler Bros.;

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11261	Oct. 1	<p>Agreements, et cetera, signed as follows:</p> <p>City of Albany, re improvement of Pacific Highway East through Albany;</p> <p>Bonneville Power Authority, providing for construction of Wolf Creek Hwy. across certain government-owned land;</p> <p>L. E. Pierce, covering use of a logging road across Van Duzer Corridor;</p> <p>Application for Withdrawal from Registry System of a parcel of land in Multnomah County;</p> <p>Peter Skene Ogden State Park, application for transfer of water right in connection with park.</p>
11262	Nov. 5	<p>Meeting date. November 5, 1942, set for next regular meeting.</p> <p>Bids received on following projects, sale of timber, and sale of power shovel:</p> <p>Richland-Halfway Rock Production;</p> <p>Banzer Bridge-Washington County Line Rock Production;</p> <p>Buchanan Rock Production;</p> <p>Walker Mountain Rock Production;</p> <p>Trent-Salt Creek Falls Rock Production;</p> <p>Newport Rock Production and hauling road;</p> <p>Nye Junction-Grant County Line Rock Production;</p> <p>Rock Creek-Joseph Rock Production;</p> <p>Sale of timber at Short Sand Beach State Park;</p> <p>Sale of Lorain Gas Shovel.</p>
11263		<p>Minutes approved as follows: July 23, 1942.</p> <p>Snow removal. Weston-Elgin Secondary Highway. Requested by Walla Walla Air Base. Telegram directed to General Olds re confirmation of request.</p> <p>Tollgate postmaster urges snow removal for benefit of mail carrier. Request denied.</p>
11264		<p>Snow removal. Timberline Lodge Road. Request of Navy for snow removal approved, if federal funds can be secured.</p> <p>Motor vehicle fees. Senator Fisher suggests action to refute proposal of highway carriers to reduce carrier fees.</p> <p>Clatsop County. DeLaura Beach and Ridge Roads. Joint maintenance by state and county, for duration of war, approved.</p> <p>Award of contract confirmed as follows:</p> <p>Warren Northwest, Inc., Aurora Flight Strip.</p> <p>Multnomah County. Bridges on Sunderland Avenue Access Road. Request of Lindstrom Bros., for termination of contract, denied. Problem of securing lumber referred to Engineer.</p>
11265		<p>Douglas County. Days Creek-Wright Ranch Section. E. L. Rigdon relieved of penalty for failure to complete contract on time.</p> <p>Snow removal. Counties and cities to be requested to cooperate with state in snow removal operations, as suggested by WPB.</p>
11266		<p>Scrap metal drive. State salvage committee requests old steel bridge stored at Seaside. Useless portions to be donated.</p>
11267		<p>Load limit. Little Luckiamute River Bridge, Kings Valley Secondary Highway. Resolution adopted reducing load limit.</p>

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11268	Nov. 5	Forgery bond. Bond to be renewed with American Bonding Company, if premium reduced. (Premium later reduced.)
11269		Old Oregon Trail Marker Committee. Walter Meacham requests erection of ten additional markers. Tentatively approved. White enamel paint approved for reading matter on signs. Old Oregon Trail Centennial. Expenditure of Walter Meacham for trip to Tacoma Wash., October 30, 1942, in interests of program approved.
		Lake County. Drews Gap-Cottonwood Creek Sec., Klamath Falls-Lakeview Hwy. County court's action re abandoned portion approved.
		Claim. Mrs. J. W. Thomas requests reimbursement for expense incurred in extinguishing fire on right of way south of Salem. Approved.
11270		Claim. Woolach Bros. to be billed for expense of testing lubricating oil, shipped without proper identification. Travel & Information Dept. Old black-and-white films to be sold. Colored pictures to be loaned to hotels. Multnomah County. Portland. Resolution adopted covering use by Oregon Shipbuilding Corp. of certain area for parking.
11272		Speed zone. Oregon Coast Hwy. Resolution establishing 35-mile-per-hour speed limit between MP 24 and 25, and MP 32.5 and 44.
11273		Log hauling. Failure of Judge Kirk, Lakeview, to fine log haulers arrested for overloads, discussed. Restoration of old penalty of suspension or cancellation of permits considered. Action deferred.
		Permits. Sanding equipment. Overweight permits to be granted only to carriers not operating under emergency permits. Emergency permits. Overweight violations discussed. Action deferred.
		Permits. F. W. Falk requests permit to move buildings across Pacific Hwy. West, near Camp Adair. Army authorities to be asked to defer moving until spring, if possible.
11274		American Assn. of State Hwy. Officials. Annual meeting at St. Louis, Dec. 7, 8 and 9, 1942. Delegates selected. Gilliam and Morrow Counties. Wasco-Heppner Secondary Hwy. Improvement of four-mile section with state forces approved.
		Railroad grade crossings. Requests for erection of stop signs at Oswego, Harrisburg, Hillsboro and Condon denied. Stop signs to be limited to crossings listed in July 23, 1942, "Order."
11275		Railroad grade crossings. Condon. Request for stop sign at crossing at north city limits approved if on city street. City to pay cost. Freewater. Request for removal of four stop signs at crossings. Action deferred.
		Coos County. Oregon Coast Hwy. south of Marshfield. Request of Loritan Investment Co., to use right of way for loading coal onto railroad cars, tentatively approved.
11276		Award of contracts. Chairman announces awards of contracts, sale of timber and sale of gas shovel.

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11277	Nov. 5	Log hauling. Cannon Beach Section. Geo. R. Van Vleet requests permit to transport overlength loads on section.
11278		Clatsop County. Cannon Beach Section. F. H. Brundage, WPB, urges improvement to permit hauling of longer length logs. Widening of bad turns approved, if WPB makes formal request. Travel & Information Dept. Colored post cards to be furnished free to service men to advertise state. Budget for 1943 approved.
11279		U. S. Highway No. 20 Assn. Delegation urges action to secure designation of highway from Albany to Newport as US20.
11280		Curry County. Timber land, Oregon Coast Highway. Purchase of 61.4 acres from Elmer Bankus approved. (See P. 11334) Park matters. State Parks Superintendent reports. Douglas County. County offers to deed three parcels of land to state, as follows: 80-acre tract on old Coos Bay Wagon Road. Offer declined. Wayside strip on Elkton-Sutherlin Secondary Highway. Referred to Parks Superintendent for investigation. Land bordering Pacific Highway, between Divide and Comstock. Offer accepted.
11281		Clatsop County. Ecola State Park. Deeds for two tracts on Tillamook Head received from government. Acquisition of property approved. Coos County. Golden and Silver Falls State Park. Reconnaissance survey, for roadway around park, authorized. Curry County. Humbug Mountain State Park. Ace Turner granted renewal of sheep-grazing lease. Grant and Wheeler Counties. Proposed Fossil Park adjacent to John Day Highway considered. Commissioner Oliver to inspect. Coos County. Simpson property at Shore Acres. Status report on acquisition of property approved.
11282		Clackamas County. O & C lands near Brightwood. Parks Superintendent to make further investigation as to acquisition. Curry County. Floras Lake, proposed park. Acquisition of 1400 acres considered. Access roads to be investigated.
11283		Claim. Commission requested to withhold payment due Guy K. Johnson for moving house on right of way of N. Portland Shipyard Access Road until Burt F. Davis claim paid. Denied. Multnomah County. N. Portland Shipyard Access Road Project. Request of Burt F. Davis, that payment due Guy K. Johnson be withheld until claim is paid, denied. Road oil. PRA advises that government will not approve purchase of road oil for storage after January 1, 1943. Engineer reports that storage facilities of Snell Oil Co. at Portland will no longer be available to Highway Department. Priority ratings. PRA advises priority ratings to be withdrawn from highway projects not essential to war effort. Real property. Resolution adopted authorizing acquisition.

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11286	Nov. 5	Condemnations. Recommended offers. Resolutions adopted. Gravel pit: Willamette Highway; Right of way: North Portland Access Road; Pacific Hwy. East; Quarry site: Seven Devils Chrome Mine Access Road.
11289		
11290		Roadside strips. Portland Chamber of Commerce urges state to acquire additional strips. Personnel. Right-of-way agents for Oregon-Washington Highway authorized to maintain headquarters at Walla Walla, Wash.
11291		Lake County. Wm. H. Hotchkiss requests permit to construct stock fence on right-of-way line of Fremont Highway. Approved if grazing privilege is paid for. Clackamas County. Oregon City. Request of Wm. M. Smith for mooring privilege at public dock denied. Union County. Union. Property acquired from Game Commission to be leased to Union County Road & Gun Club for 15 years. Lane County. Goshen Section, Willamette Highway. Claim of Lloyd E. Stafford re moving barn. Securing of declaratory judgment approved. Payment of attorney's fees denied.
11292		Lane County. Goshen Section, Willamette Highway. Agreement with Robt. P. Brown, re matter of moving residence, approved. Polk County. Elkins property south of Monmouth. Stipulation re acquisition approved. October 1 minutes to be changed to show payment of \$12,000 authorized for land. Lane County. Eugene F. Judkins property. Pacific Hwy. south of Eugene. To be condemned if Mr. Judkins refuses to accept partial payment for property.
11293		Taxes on real property. Attorney General's opinion to be requested re state's liability for certain property taxes. Washington County. Wolf Creek Highway. Request of W. C. Baugh to purchase property at Vadis Road intersection denied. Clatsop County. Scappoose rock quarry. H. A. Hein controversy. Letter to be directed to Hein, summarizing state's offer. Copy to be sent to Governor. Umatilla County. Boardman-Stanfield Highway. Offer of Henry G. Peck to purchase old buildings on right of way approved. Equipment. Sale of following to U. S. War Dept. approved: 2 Sno-Go Rotary Snow Plows.
11294		H. B. Glaisyer. Increase in salary approved as of Nov. 1, 1942. Surveys. List of surveys ordered since last meeting approved.
11295		Extensions of time, as follows: J. F. Johnston, Yamhill River bridge approaches, Dayton; F. R. Hewett, Condon-Morrow County Line Section; Coos Bay Dredging Company, Grants Creek-Powers Section; McNutt Brothers, Wells-Granger Section.
11296		Contracts completed and accepted, as follows: Yamhill River Bridge, Dayton, J. F. Johnston; Grants Creek-Powers Section, Coos Bay Dredging Co., Inc.; Polallie Creek-Hood River Section, C. J. Eldon; Wells-Granger Section, McNutt Brothers.
11297		

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11297	Nov. 5	<p>Agreements, et cetera, signed as follows:</p> <p>Coos County covering repair of bridges on Seven Devils Chrome Mine Access Road;</p> <p>Union County, whereby county agrees to furnish 5,500 cu.yds. crushed rock to state;</p> <p>Southern Pacific Co., covering easement to state for overhead crossing at Judkins Point, Lane County;</p> <p>"Consent to Vacate" Plat of Haydenton, on west side of Pacific Hwy., between Oregon Slough and Columbia River;</p> <p>Federal Public Housing Authority, authorizing construction of underpass beneath Denver Avenue, Portland;</p> <p>Federal Public Housing Authority, granting permit to construct sewer pipe, water main and power line across Pacific Highway, between Portland and Milwaukie;</p> <p>Maud Moon, lease agreement for maintenance headquarters in North Portland;</p> <p>Bargain and sale deed, conveying unto Samuel W. Baker 2.06 acres of land adjacent to Wolf Creek Hwy., Washington Co..</p>
11298	Dec. 17	<p>Meeting dates. December 21, 1942, set for next regular meeting of Commission. (Later changed to December 18, 1942.)</p> <p>Minutes approved for meetings held August 14, August 27, and September 30 and October 1, 1942.</p> <p>U. S. Highway No. 20. Requests for extension of highway from Albany to Newport considered. Matter of designation to be discussed with AASHO Committee at its next meeting.</p> <p>Multnomah County. Traffic interchange at Denver and Union Avenues, Portland. Expenditure of state funds up to 25% of cost approved for project, balance to be federal funds.</p>
11299		<p>Multnomah County. Portland. State funds approved for preparation of design of underpass at Vanport Housing Project.</p> <p>Clatsop County. Airport, Astoria. Plan of naval authorities to realign highway in order to lengthen runway opposed.</p> <p>Umatilla County. Umatilla Ordnance Depot. Proposed plan to provide access to Ordnance Depot discussed. No action.</p> <p>Polk County. Pedee District. Construction of roads to replace those through Camp Adair closed by Army considered.</p>
11300		<p>Asphalt and road oil storage. Oil companies to be contacted re leasing of idle storage facilities.</p> <p>Construction of four oil sumps considered. Action deferred.</p> <p>Victory Tax. Pay checks for December to be issued to employees December 31, 1942, to avoid payment of tax for December.</p> <p>Real property. Resolution authorizing acquisition.</p>
11306		<p>Condemnation. Recommended offers. Resolution adopted:</p> <p>Right of way for: Evans Creek-Sams Valley Access Road, and West Portland-Hubbard Highway.</p> <p>Right of way and maintenance site: Columbia River Highway.</p> <p>Drainage ditch: Pacific Highway West.</p>
11309		<p>Washington County. Completion of acquisition of right of way for Wolf Creek Highway deferred. Commission to inspect all properties in April or May, 1943.</p>

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11309	Dec. 17 1942	Multnomah County. Front Avenue Project, Portland. Standard practice to be followed in acquiring east side properties. Lane County. Judkins property, Eugene South Section. Final settlement to be made within one year after war is over.
11310		Douglas County. Roseburg-Shady Point Section. Resolution adopted abandoning sections of old right of way.
11311		Douglas County. Pacific Highway south of Rice Hill. Resolution adopted abandoning section of old right of way.
11313		Klamath County. Algoma-Terminal City Section. Resolution adopted abandoning section of old right of way.
11315		Crook County. Mills Creek-Marks Creek Section. Barricades to be erected at each end of abandoned section. County Court to be notified that state denies responsibility for upkeep.
		Curry County. Proposed park, Floras Lake. Matter of access road to park discussed. Decision deferred.
11316		Decision re acquisition of park site deferred until inspection of park by Commissioner Clough.
		Matter of securing 40-acre tract owned by W. J. Sweet to be investigated.
		Clackamas County. Sale of 0.34 acre, to Clackamas County Cemetery Assn., approved. Right of access to highway to be denied.
		Fences. Payment in full for fences involved in right of way transactions approved.
		Right of way encroachments. Abutting farm owners to be allowed free use of right of way pending construction of highways.
11317		Washington County. Wolf Creek Hwy. Jurgen LaFrentz to be allowed use of land being acquired from him for right of way.
		Jefferson County. Madras. Mrs. Viola M. Gray to be offered \$200 for settlement in full of claim for damages.
		Lincoln County. Lease to T. C. Simmons of camp-ground property near Spencer Creek, Oregon Coast Highway, approved.
		Jefferson County. Warm Springs Highway. Sale to War Dept. of approx. 21.0 acres near Madras Overcrossing, approved.
		Polk County. Monmouth. Request of E. W. Kenney, for sidewalk construction in front of property, denied.
11318		Bids. Procedure for receiving of bids to be expedited. Resolution to be prepared. (See Resolution P.
	Dec. 18	Bids received on following projects and sale of buildings:
		Richland-Halfway Rock Production Project;
		Ochoco Summit Rock Production Project;
11319		Buchanan Rock Production Project;
		Evans Creek-Sams Valley Access Road, grading and surfacing;
		Tolo-Camp White Access Road, grad., surf., oiling and trestling;
		Crescent Rock Production Project;
		Chemult Rock Production Project;
		Trent-Salt Creek Falls Rock Production Project;
		Southwest Boardman Flight Strip Project;
		Nye Junction-Grant County Line Rock Production Project;
		Rock Creek-Joseph Rock Production Project;
		Sale of residence buildings in North Bend.

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11320	Dec. 18	Marion County. North Santiam County Road. Delegation from County Court requests state to take over maintenance. Clatsop County. Columbia River Highway, Tongue Point. Government suit to acquire right of way. Attorney authorized to enter stipulation providing for use of old road.
11321		Multnomah County. Traffic lights, Sylvan. Mrs. Wm. Swindell requests installation. Rearrangement of signal lights approved. Clackamas County. Wilsonville Ferry. Leonard & Slate's request for termination or modification of contract denied. Wasco County. Warm Springs River-Mill Creek Section. Max J. Kuney's request for termination of contract approved. Contractor to reimburse state for additional cost of work.
11322		Lane County. Judkins Point. Installation of stop signs at S. P. railroad tracks on highway detour approved. Lane County. Eugene. Agreement with U. of O. re oil service line to campus to be modified. University to be reimbursed for cost of transporting fuel oil until service line is built. Equipment. Navy requests permission to purchase any equipment not being used. Sale of wooden tanks from Union Fish Hatchery to be investigated. Hospital Associations. National Hospital Assn. agreement to be renewed without change. Physicians & Surgeons Hospital Assn. and Multnomah Hospital Assn. merged under name of "Oregon Physicians' Service." Agreement signed.
11323		Old Oregon Trail Centennial Committee. Walter Beacham, Executive Secretary, requests use of state car. Denied. Forgery bond. Renewal with American Bonding Company confirmed. Clackamas County. Gravel pit, Clackamas Station. Mrs. A. E. Clark complains re condition of pit. Signs, prohibiting dumping of rubbish, to be erected. Curry County. Gravel pit on Elk River. County requests permission for J. F. Kronenberg to use gravel from pit. County granted permission to purchase gravel for use on county roads only. A. H. Saxton & Son agree to pay state for gravel already taken by Kronenberg.
11324		Claim against John Franklin Reading for damage to traffic signal pole, Oregon City. Amount of claim reduced. Baker County. Halfway-Cornucopia Mines Road. Request for snow removal, to permit salvaging of scrap metal, denied.
11325		Benton County. Independence Road. County's request for state maintenance of Benton County portion of road approved. Multnomah County. Portland. Request of Peninsula Drainage Dist. No. 2 for construction of a road from Denver to Vancouver Avenue denied. Multnomah County. Portland. Request of Peninsula Drainage Dist. No. 2 for rerouting of Gertz County Road to eliminate dangerous intersection at Union Avenue discussed. Project to be considered after war.

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11326	Dec. 18 1942	Benton County. Pacific Hwy. West, Camp Adair. State's claim for damages to highway caused by war emergency hauling denied by government. Effort to secure damages to be continued. Permits. Arrangement made with Army and Navy authorities to require overweight equipment used on government projects to secure state permit and furnish bond to cover damage to highway. Umatilla County. Freewater. Professor Gooding requests removal of stop signs at railroad crossings in Freewater. Oregon Railroad Association to be consulted.
11327		Grant County. Grant Union High School's request to store school bus in maintenance building at Seneca refused. Multnomah County. Canyon Road, West Portland. Request of Mrs. E.J. Armbruster, et al. to erect waiting room, denied. Clatsop County. Seaside. Request of Kiwanis Club for permission to erect "lift stations" for soldiers, denied. If shelters are constructed off right of way state will construct turn-outs for them. Directional signs to "lifts" approved.
11328		Permits. Permit granted Eugene Plywood Co. to operate two cables across McKenzie Highway near Nimrod. Emergency transportation permits. Report on violations of carriers. Practice of warning violators to be continued. Log hauling. List of overweight violations to be forwarded to West Coast Lumbermen's Assn. Violators to be warned that penalty of suspending equipment may be reinstated. Sign removal. Natl. Roadside Council recommends salvaging of metal billboards. State agrees to remove signs if Roadside Council will secure permission of owners.
11329		Benton County. Corvallis City Engineer requests snow removal on Mary's Peak Road. Request denied. Bids. Three proposals of McNutt Brothers, received too late for consideration, to be returned to contractor, unopened. Awards. Chairman announces awards of contracts and sale of buildings at North Bend.
11331		Multnomah County. Swan Island Access Road Project. State funds approved for construction of traffic dividers. Klamath County. Quarry near Klamath Falls. Southern Pacific Co. granted permission to obtain rock from quarry.
11332		Baker County. Troy Ranch Section, Old Oregon Trail. Troys to be offered \$2500 in full settlement of claim. Columbia County. Scappoose. Ernest M. Dyson claims damages as result of driving car into concrete curb. Claim denied.
11333		Equipment. Purchase of four three-quarter horse power air compressors for inflation of tires approved. Lake County. Alkali Lake Flight Strip Project. Agreement with C. A. Dunn for extra rock production authorized. Rock production. Agreement with C. A. Dunn for production of extra maintenance materials, in connection with his contract for the Alkali Flight Strip, authorized. Multnomah County. Front Ave. Project, Portland. Right of way purchases to be continued as long as city's funds hold out.

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11333	Dec. 18	Multnomah County. Buildings. Front Avenue Project, Portland. Fire insurance to be renewed. State to pay 40% of premium.
11334		Park matters. Park Superintendent reports. Tillamook County. Neahkahnie Mountain State Park. Easement for construction of logging road granted Koppisch & Donelson. Mrs. Reed offers to donate right of way if state will supervise construction of logging road. Koppisch & Donelson's request to purchase park timber denied. Curry County. Timber strips, Oregon Coast Highway. Purchase from Elmer Bankus of 550 acres, instead of 614 acres previously authorized, approved.
11335		Timber strips. Pendleton-John Day Highway. Right-of-way Department directed to ascertain cost of securing strips.
11336		Marion County. Silver Creek Falls CCC Camp. Acceptance of gift of 32 buildings from federal government approved. Tillamook County. Wilson River Highway, between Fall Creek and Jordan Creek. County to be reminded of agreement to deed property to state in 1943. Linn County. Cascadia State Park. Joseph Ralston Memorial. Permission granted to erect monument on Santiam Highway. Grant County. Fossil Area near Picture Gorge. Inspection to be made by Commissioner Oliver and Parks Superintendent with view to establishing state park.
11337		Surveys. List of surveys ordered since last meeting. Extensions of time, as follows:
11338		Roy L. Houck, Rice Hill-Turkey Hill Section; Roy L. Houck, Scappoose-Multnomah County Line Section; Frank Penepacker, Algoma-Terminal City Section; Leonard & Slate, Dixie Summit Section;
11339		A. Milne, Long Creek-Fox Section; Roy L. Houck, Clackamas Overcrossing Section; Leonard & Slate, Canyon Creek-Bryant Hill Section;
11340		Frank Penepacker, Grave Creek-Jumpoff Joe Creek Section; E. L. Gates, Meadow Brook Section; Jud Beardsley, repairs to Vista House;
11341		Porter W. Yett, Shaniko-Cow Canyon Section; A. S. Wallace, Pendleton-Meacham Section; C. J. Montag & Sons, Illahee-Steiwer Hill Section; Strong & Macdonald, Inc., Eugene-Judkins Point Section;
11342		Parker-Schram Company, Sun Dial Secondary Highway; Parker-Schram Company, Airbase-Columbia Bottom Road Section;
11343		Contracts completed and accepted, as follows: Rice Hill-Turkey Hill Section, Roy L. Houck; Scappoose-Multnomah County Line Section, Roy L. Houck; S. Unit, Algoma-Terminal City Section, Frank Penepacker; Dixie Summit Section, Leonard & Slate; Long Creek-Fox Section, A. Milne; Canyon Creek-Bryant Hill Section, Leonard & Slate; Grave Creek-Jumpoff Joe Creek Section, Frank Penepacker; Meadow Brook Section, E. L. Gates;

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11343	Dec. 18	Contracts completed and accepted: (Cont.) Vista House repairs, Jud Beardsley; West Unit, Shaniko-Cow Canyon Section, Porter W. Yett; Pendleton-Meacham Rock Production, A. S. Wallace;
11344		Condon-Morrow County Line Section, F. R. Hewett; Wren Rock Production Project, A. T. Dolan; Illahee-Steiner Hill Section, C. J. Montag & Son; Eugene-Judkins Point Section, Strong and Macdonald, Inc.; Sun Dial Highway Section, Parker-Schram Co.; Air Base-Columbia Bottom Road Section, Parker-Schram Co. Meeting dates. January 14, 1943, set for next meeting date. Agreements, et cetera, signed as follows: U. of O., re construction of oil service line to campus; Max J. Kuney, terminating contract for construction of the Warm Springs River-Mill Creek Section;
11345		Loritan Investment Company, re use by company of portion of Oregon Coast Highway right of way south of Marshfield; Bennett Trust Co. and L. J. Simpson, re acquisition of Shore Acres property south of Empire; John V. O'Mara, covering maintenance of drainage facilities on Roseburg-Shady Point Section, Pacific Highway; Union County Sportsman's Club, covering use by club of por- tion of property acquired from State Game Commission; Oregon Physicians' Service, covering furnishing of medical and hospital services to state highway department employees. Jackson County, re maintenance of Evans Creek-Sams Valley Access Road; Jackson County, re maintenance of Tolo-Camp White Access Rd.; Standard Oil Company of California, covering remodeling of company's facilities on Marshfield-North Bend Section; City of Cornelius, providing for improvement of city streets not on state highway routes; U. S. of America, covering easement for construction of sewer and power lines across government property, Pacific High- way East, between Portland and Milwaukie.
11346	1943 Jan. 13	Clatsop County. Slide east of Astoria. Attorney instructed to secure options for purchase of damaged property; also esti- mate of cost to settle by payment of damages. Linn County. Waverly Lake, Albany. Request of Hon. Charles Childs for construction of service road considered. (See P. 11352.)
11347		Polk County. Request of E. L. Gray and Polk County Court for improvement of Independence-Wells County Road and Suver Road considered. (See P. 11350.) Tillamook County. Request of logging companies to obtain rock from right of way of Oregon Coast Highway, along Short Sand Beach Creek considered. (See P. 11370.)
11348		Real property. Resolution authorizing acquisition. Washington County. Timber on Wolf Creek Highway, near Sunset Camp. Oregon Piling Co.'s offer to purchase timber denied.

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	1943	
11350	Jan. 13	Umatilla County. Morrow Co. Line-Stanfield Section. Payment of damages to John Denney for trespass of contractor approved. Legislative matters discussed, as follows: Bill re issuance of duplicate check in event of loss of original check. Attorney instructed to prepare bill. Bill to increase amount of Highway Department's revolving fund. Decision deferred pending further study of matter. Freeway bill. Not to be introduced at this session. Bill re dead-ending of city streets crossed by new highway improvements. Decision deferred pending further study.
11351		Bill establishing minimum fine to be imposed on log haulers for overloading. Taken under advisement. Bill to increase overall length and width of vehicles. Commission not to sponsor legislation. Bill providing for disposition of salary or wages of deceased highway employees. Approved. Amendment to Eminent Domain Law re moving of buildings on property acquired by state. Approved. Bill permitting Highway Commission to charge property owner with benefits in condemnation actions. Disapproved. House Bill No. 4, re salary increase for employees of State Police Dept. Commission not to interfere with legislation.
11352	Jan. 14	Bids received on following projects and sale of building: Richland-Halfway Rock Production Project; Ochoco Summit Rock Production Project; Crescent Rock Production Project; Chemult Rock Production Project; Trent-Salt Creek Falls Rock Production Project; Rock Creek-Joseph Rock Production Project; Sale of residence building near Coquille. Linn County. Waverley Lake, Albany. Hon. Charles Childs confers re service road and two approaches to Pacific Hwy. East.
11353		Multnomah County. Bonneville Section, Columbia River Highway. Acquisition of right of way for permanent location approved. Equipment. Old rock crusher to be sold to Fred Domogalla unless State Mining Board has use for it.
11354		Equipment. Six-ton Buffalo Springfield tandem roller. Request of E. W. Elliott to purchase roller denied. Multnomah County. Old Taylor's Ferry Rd. Portland. Request for construction of stairway to Mrs. Martha Redmond's property denied. Lincoln County. Siletz-Toledo Section. Homer G. Johnson's request for additional compensation on contract No. 2390 considered. (See P. 11355.) Permits. Overload violations, Seaside-Astoria Airport Section. Arrest reports re gravel haulers discussed. Permits. Emergency wartime permits. Practice of warning violators to be continued.
11355		Motor vehicle legislation. Bill increasing length and weight of motor vehicles opposed by Assn. of Oregon Counties. Engineer instructed to watch progress of bill.

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11355	Jan. 14	<p>Award of contracts confirmed, as follows:</p> <p>Tolo-Camp White Access Road, Tru-Mix Concrete Company;</p> <p>Southwest Boardman Flight Strip, E. C. Hall Co. & J. C. Compton;</p> <p>Evans Creek-Sams Valley Access Road, Tru-Mix Concrete Co.</p> <p>American Assn. of State Highway Officials. Payment of 1943 dues approved.</p> <p>Road condition report. Weekly report to be discontinued.</p> <p>Daily radio report to be continued.</p> <p>Coos County. Marshfield-North Bend Section. Conference to be held with S. P. Co. re settlement for right of way.</p>
11356		<p>Bids. Defense projects. Resolution adopted re taking of bids.</p> <p>Commission's approval to be secured before bids taken.</p>
11357		<p>Multnomah County. Glencullen. A. C. Barlo's request to construct bus-stop shelter on Hillsdale-Beaverton Hwy. denied.</p> <p>Curry County. Gold Beach. Approval of 80-ft. width right of way for highway confirmed.</p> <p>Marion County. N. Santiam Highway. State to reimburse county, if county will maintain Niagara-Detroit Section.</p> <p>Coos County. Marshfield. McAuley Hospital requests oiling of driveway to hospital. Denied.</p>
11358		<p>Jefferson County. Warm Springs Hwy. Warm Springs Lbr. Co. requests surfacing of 4-mile section. Permission granted company to improve at own expense.</p> <p>Polk County. Independence-Granger County Road. Delegation requests elimination of sharp curves. Denied.</p> <p>Suver-Airlie Co. Road. Delegation requests improvement. Army to be consulted re cooperation in maintenance of road.</p> <p>Independence Bridge. Delegation requests construction.</p>
11359		<p>Tillamook County. Tillamook. City requests authority to perform maintenance work on city streets at state expense.</p> <p>City streets not on state highway routes. Cities to be allowed to perform own maintenance work; state to pay cost.</p> <p>Malheur County. Gravel pit. Judge Graham requests state to deed back gravel pit to county. Denied.</p> <p>Stock pile site. Judge Graham requests state to deed back site to county. Denied.</p> <p>Jackson County. Central Point property. Payment of rental to S. P. Co. to be continued until deed is delivered to state.</p>
11360		<p>Klamath County. Terminal City-Algoma Section. Action of County Court re portion abandoned by state approved.</p> <p>Jackson County. Stock pile site, Camp White. Report on negotiations with government re disposition of site.</p> <p>Curry County. Proposed park at Floras Lake. Condemnation of property authorized. Resolution adopted.</p>
11362		<p>Lane County. Eugene. Settlement with Frank A. Moore, for right of way needed for Pacific Highway.</p> <p>Lane County. Smithfield-Franklin controversy, re road signs on Territorial Secondary Highway, discussed.</p>

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11362	Jan. 14 1943	Multnomah County. Parking area, Portland. Maritime Commission to be substituted for Oregon Shipbuilding Co. as permittee under city ordinance if city approves.
11363		Equipment rental. Walter Butler Co. requests reduction in rental, and suggests sale of equipment to Navy. Denied.
11364		List of surveys ordered since last meeting.
11365		Extensions of time, as follows: Roy L. Houck, N. Marshfield and Marshfield-Bunker Hill Secs.; M. L. O'Neil & Son, Morrow County Line-Stanfield Section; E. C. Hall Company, Eugene Overcrossing-Seventh Ave. Section;
11366		C. J. Montag & Sons, Umatilla River Overcrossing; Jacobsen-Jensen Company, South Hermiston Section; F. R. Hewett, Boardman-Stanfield Section;
11367		F. R. Hewett, Umatilla Ordnance Depot Undercrossing; J. F. Johnston, bridges, Lewisburg-Corvallis Section;
11368		Tower Sales & Erecting Co., Going Street Overcrossing. Contracts completed and accepted as follows: N. Marshfield and Marshfield-Bunker Hill Secs., Roy L. Houck; Morrow County Line-Stanfield Section, M. L. O'Neil & Son; Eugene Overcrossing-Seventh Ave. Section, E. C. Hall Co.; Umatilla River Overcrossing, C. J. Montag and Sons; South Hermiston Section, Jacobsen-Jensen Company;
11369		Boardman-Stanfield Section, F. R. Hewett; Umatilla Ordnance Depot Undercrossing, F. R. Hewett; Lewisburg-Corvallis Section, J. F. Johnston; Going Street Overcrossing, Tower Sales & Erecting Co. Meeting date. February 18, 1943, set for next meeting date.
11370		Awards. Chairman announces awards of contracts and sale of residence property.
11371		Tillamook County. Short Sand Beach Creek Section. D. & K. Logging Co. and J. O. Mulligan request permission to secure rock from right of way. Joint agreement to be prepared.
11372		Polk County. McTimmonds County Road. Spaulding Logging Company requests improvement. Denied.
11373		Airlie-Pedee Road. Effort to be made to secure federal funds for construction.
11374		Log hauling. Herman Sites, ODT, requests additional data re overweight violations. Request denied due to expense.
11375		Clatsop County. Astoria Airport. Navy requests state funds to realign highway to accommodate extension of airport runway.
11376		Hood River County. Traffic signs, Hood River. State approves installation of traffic signs. Resolution adopted.
11377		Grant County. Seneca. Request of Hines Lumber Co. for erection of stop signs on Pendleton-John Day Hwy. approved.
11378		Pendleton-John Day Highway. Designated through, stop highway by resolution.
11380		Through highways. List of highways not formally designated as through highways to be prepared. Attorney instructed to prepare appropriate resolutions designating through highways.

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11380	Jan. 14	Tillamook County. Tillamook. City's request for installation of traffic signals at 2nd Ave. East and Third St. approved. Agreements, et cetera, signed as follows: Clatsop County and Cities of Warrenton and Hammond, re maintenance of Ft. Stevens-Camp Clatsop and DeLaura Beach Roads; I. J. and Nora M. Rossman, covering lease of maintenance headquarters site at Florence; City streets not on state highway routes. Agreements with Beaverton, McMinnville, Gaston, Gresham, Newberg, Independence and Stayton; E. C. Hall Co. and J. C. Compton, re contract for construction of Morrow County Flight Strip; Frank A. Moore and wife, re acquisition of right of way for Pacific Highway south of Eugene; Quitclaim deed conveying unto U. S. of America 8.64 acres situate within the borders of Camp White, Jackson County.
11381	Feb. 17	Real property. T. M. Davis, PRA, approves prices to be paid for parcels in which federal government is interested.
11385		Real property. Resolution authorizing acquisition. Personnel. Women to be trained in operation of motorized equipment. Apprentice wage to be paid while learning; standard wage when assigned to crew. Personnel. Convict labor. Legality of employing on seasonal crews to be investigated. Conference to be held with Governor, Warden and Parole Board. Log-hauling legislation. Engineer advises highways cannot be maintained under terms of Bill which would determine weight of loads by log-scale measure.
11386		Cottage Grove legislation. Bill re closure of certain streets in Cottage Grove. City requests compromise on streets to be closed. Denied.
	Feb. 18	Bids received on following projects: Ochoco Summit Rock Production; Crescent Rock Production;
11387		Chemult Rock Production; S. W. Grover St. Access Road, Portland, grading and paving. Maintenance projects. 1943 program of special maintenance projects approved. Advertising for bids authorized.
11388		Benton County. Albany-Corvallis Hwy. Building of Mrs. Florence Staley, destroyed by crew in removing from right of way, to be replaced by state-owned building.
11389		Baker County. Troy Ranch. Troys agree to damage settlement if certain work is performed. Work authorized subject to approval of Division Engineer. Umatilla County. Pendleton Airport. Lease of tract to government approved for five-year period. Multnomah County. Interstate Bridge. Claim against Carl Meyers, whose car was forced into traffic barrier by another car, to be transferred to second car.

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11390	Feb. 18 1943	Postwar program. Oregon Grazing Dist. No. 6, Baker, urges adoption of program of public works for postwar period. Benton County. Pacific Highway West, Camp Adair. Claim against government for damages to highway. Letter to PRA urges reconsideration of claim. War Man Power Commission. Letter to Commission declares highway maintenance and repair to be essential activity. Log-hauling legislation. Bill penalizing log haulers for overweight violations. Substitution of more effective bill approved.
11391		Condemnation. Recommended offers. Resolution adopted: Right of way and detour road: Pacific Highway East. Right of way: Pacific Highway East. Hauling road: Boardman-Stanfield Highway.
11393		Multnomah County. Denver Avenue-Union Avenue Traffic Separation Project, Portland. Arrangements with Tower Sales & Erecting Co. for securing borrow materials approved.
11394		Douglas County. Umpqua Highway, Reedsport. Russell Hubbard confers re request for exchange of properties. Multnomah Co. Interstate Bridge. Portland Gravel Co.'s claim for damage to dredge through failure to open drawspan denied.
11395		Multnomah County. Portland. Conference with city officials. Navy's request for closing of Harbor Drive to traffic denied. Navy's request to park cars back of Market Building denied.
11396		Lincoln County. Siletz-Toledo Section. Homer G. Johnson's claim for additional compensation on contract denied. Clatsop County. H. A. Hein, Scappoose, complains that well has been contaminated by activities in state quarry. Emergency transportation permits. Report on violations. Secretary instructed to continue to warn overweight violators. Coos County. Seven Devils Chrome Mine Access Road. Contractor to be required to pay county for roadbuilding materials before final payment is made.
11397		Multnomah County. Traffic signals, Portland. Budget to be increased to take care of city's claim for work performed. Equipment. Purchase of one tractor loader to replace wheelbarrow men approved. Klamath County. Sprague River Road. Office of Indian Affairs requests state to design bridges. Approved.
11398		Delinquent accounts. Cancellation of list of accounts approved with exception of claim against PUC. Public Utilities Commissioner. Claim against PUC for survey for steam-heating plant not to be cancelled. Multnomah County. Bus-stop shelter, Glencullen. A. C. Barlo granted permission to erect shelter, if suitable location off right of way can be found. Multnomah County. Old Taylor's Ferry Road, S. W. Portland. Mrs. Martha Redmond's request to construct stairway denied.

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11398	Feb. 18	"The New Oregon Trail" film to be loaned to U. S. Division of Cultural Relations, Department of State, Washington, D. C. Linn and Marion Counties. Mehama-Mill City Section of North Santiam Highway designated secondary highway. Resolution adopted.
11399		
11400		Marion County. Gates-Detroit Section, North Santiam Highway. County to do maintenance work. State to pay expense.
11401		Klamath County. Chemult-Chiloquin Section. Relocation survey approved if federal funds can be secured.
		Lane County. Goshen-Pleasant Hill Section of Willamette Highway. Sale of Trinka property to Robert T. Reed approved.
		Snow slide, Hogg Pass. Closure of Marion Creek-Suttle Lake Section of North Santiam Highway approved.
		Jefferson County. Form of option approved in connection with sale of 21.43 acres of land to government. Resolution adopted.
11402		Awards. Chairman announces awards of contracts.
11403		Log hauling. Cannon Beach Section. Request of Geo. R. Van Vleet and A. F. Koppisch for permission to haul overlength loads approved under special arrangement for one-way traffic.
		Clatsop County. Curve near Haystack Rock, Oregon Coast Highway. Geo. R. Van Vleet requests widening of curve.
		Multnomah County. Vanport traffic entering Swift Secondary Hwy. Widening of highway and construction of approach roads approved.
11404		Snow removal. Mt. Hood Highway. Jaymar Wholesale Lbr. Co.'s request for opening of road approved, if company will agree not to haul logs or equipment over road until authorized.
		Umatilla County. Freewater. Professor Gooding's request for removal of stop signs at railroad crossing approved. Signs to be replaced during prune season.
11405		Sign removal, metal salvage. Oregon Roadside Council advises inability to secure removal of signs.
		Curry County. Gold Beach C. of C. urges support of legislation to keep Rogue River closed to net fishing.
		Multnomah County. Battleship Oregon Marine Park, Portland. Request for redesigning of park to make room for battleship's foremast approved. City to be consulted re financing.
		Multnomah County. Portland. Application of Ben M. Hecht for use of parcel of land for victory garden approved.
		Lane County. Thompson Creek, Siuslaw Highway. Request of Wm. G. Folsom for extension of lease approved.
11406		Klamath County. Payment of Klamath County Abstract Co.'s claim for furnishing preliminary title reports approved.
		Tillamook County. Property south of Neskowin. County Court's request for return of property deeded to state denied.
11407		Linn County. Crawfordville-Holley Section, Halsey-Sweet Home Secondary Hwy. Resolution adopted abandoning portion.
11409		Jackson County. City of Talent accepts jurisdiction over abandoned section of Pacific Highway within city limits.
		Josephine County. Williams Secondary Highway. County Court accepts jurisdiction over abandoned portion.

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11409	Feb. 18 1943	<p>Linn County. Brownsville Section, Halsey-Sweet Home Secon. Hwy. County accepts jurisdiction of abandoned portion.</p> <p>Douglas County. City of Reedsport accepts jurisdiction over abandoned portions of Oregon Coast and Umpqua Highways.</p> <p>Lincoln County. Olalla Creek-Toledo Section, Corvallis-Newport Hwy. County accepts jurisdiction over abandoned sections.</p> <p>Jackson County. Pacific Highway, Bear Creek-Talent Section. County accepts jurisdiction over abandoned section.</p> <p>Josephine County. Rogue River Loop Secon. Hwy. Request of Senator Wipperman for postwar project approved.</p> <p>Postwar projects. Engineer instructed to prepare program of projects for state secondary highways.</p> <p>Secondary highways. Program of postwar projects to be prepared.</p>
11410		<p>Morrow County. Lexington-Jarman, Eightmile, and Hardman Secon. Hwys. Henry Baker requests repair, and posting of load limits.</p> <p>Sherman County. Cottonwood Grade Section, Wasco-Heppner Secondary Hwy. G. S. Burris requests improvement work.</p> <p>Park matters. State Parks Superintendent reports.</p> <p>Champoeg Park. Legislature transfers jurisdiction to Highway Commission. Jurisdiction accepted.</p> <p>Douglas County. Sparrow holdings. Timber strips, Oregon Coast Highway. Commission decides not to purchase.</p> <p>Elbow Lake tract. Commission decides not to purchase.</p>
11411		<p>Curry County. Floras Lake. Purchase of 1400 acres from Blacklock Sandstone Company approved. Negotiations for Sweet property to be continued.</p> <p>Jefferson County. The Cove State Park. James Grino's request for sheep-grazing privilege denied.</p> <p>Curry County. Cape Sebastian Park. Arthur G. Walker's request for sheep-grazing privilege approved.</p> <p>Multnomah County. Vista House, Crown Point. Salary of \$75 approved for Edw. L. Dimmitt, concessionaire, for duration of war.</p>
11412		<p>Umatilla County. Pendleton-John Day Highway, in vicinity of Camas Creek. Options to be taken on timber strips.</p> <p>Park budget for 1943. Budget approved. To be added to maintenance budget previously approved.</p>
11413		<p>Surveys. List of surveys ordered since last meeting.</p>
11414		<p>Surveys. List of completed surveys. Resolution adopted.</p>
11415		<p>Extensions of time, as follows:</p> <p>Edlefsen-Weygandt Co., Clay St.-Sheridan St. Sec., Portland;</p> <p>Birkemeier & Saremal, west approach to Morrison St. Bridge;</p> <p>Edlefsen-Weygandt Co., Ankeny St.-Washington St. Sec., Portland;</p>
11416		<p>Berke Brothers, S. Unit, Antelope Creek-Medford Section;</p> <p>E. C. Hall Co. & J. C. Compton, Lewisburg-Corvallis Section;</p> <p>J. F. Johnston, widening bridges on Suver-Lewisburg Section.</p>

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11417	Feb. 18 1943	<p>Contracts completed and accepted, as follows:</p> <p>Clay St.-Sheridan St. Sec., Portland, Edlefsen-Weygandt Co.;</p> <p>Morrison St. Bridge approaches, Birkensier & Saremal;</p> <p>Klamath Falls Rock Production Project, Rogers Construction Co.;</p> <p>Ankeny St.-Washington St. Section, Portland, Edlefsen-Weygandt Company;</p> <p>Section "A", South Unit, Antelope Creek-Medford Section, Berke Bros.;</p> <p>Lewisburg-Corvallis Section, E. C. Hall Co. & J. C. Compton;</p> <p>Suwer-Lewisburg Section, widening bridges, J. F. Johnston.</p>
11418		<p>Agreements, et cetera, signed as follows:</p> <p>D & Y Logging Company covering construction of logging road across Short Sand Beach State Park, Tillamook County;</p> <p>Porter W. Yett providing for stock-piling of crushed rock by-products on property owned by Gladys Schmidt Estate;</p> <p>Shaniko-Cow Canyon Section, Sherman Highway, Wasco County; Marion County, providing for maintenance of North Santiam Road between Gates and Detroit;</p> <p>Robert T. Reed, providing for sale to Mr. Reed of property near Goshen, acquired from Joseph Trinka;</p> <p>City agreements with following towns covering work to be performed on city streets: John Day, Jefferson, Vernonia, Canyon City and Central Point;</p> <p>Klamath Indian Agency, permit for state to use tribal lands as quarry, stock-pile site and hauling road;</p> <p>U. S. Government, form of option covering sale to government of 21.43 acres of land in Jefferson County;</p> <p>Bargain and sale deed conveying unto Southern Pacific Company property in Block 2, Villa Heights Addition to Portland.</p> <p>Meeting date. March 18, 1943, set for next regular meeting date. (Later changed to March 16 and 17, 1943.)</p> <p>Multnomah County. Denver Avenue-Union Avenue Traffic Separation project, Portland, to be advertised for bids to be received at next meeting.</p>
11419	Mar. 16	<p>Special meeting in Imperial Hotel.</p> <p>T. H. Banfield, appointed by Governor Snell to complete term of Henry F. Cabell, resigned, elected Chairman of Commission.</p>
11420	Mar. 17	<p>Bids received on following projects:</p> <p>Lewis and Clark Bridge, near Astoria, replacing pier fenders;</p> <p>John Day Rock Production Project;</p> <p>Drinkwater Pass-Juntura Rock Production Project;</p> <p>Crescent Rock Production Project;</p> <p>Aurora Flight Strip, clearing approach & side clearance zones;</p> <p>Denver Avenue Junction Section.</p>
11421		<p>Umatilla County. City of Milton requests aid in drainage problem, Oregon-Washington Hwy. State to assume 50% of expense. City streets not on state highway routes. Commission decides to perform such work as is planned for current year.</p> <p>Emergency transportation. Order of ODT discussed.</p> <p>Speeds exceeding 35 miles per hour approved for war shipments. Weights exceeding emergency permits opposed.</p>

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11421	Mar. 17 1943	Office of Defense Transportation. Governor to be advised of Commission's attitude toward Order of ODT re speed & weight of vehicles carrying war shipments.
11422		Jackson County. Medford. Improvement of Edwards Street approved subject to WPS's approval of project for materials. Linn County. Santiam Highway, Wiley Creek Bridge. Foster Booming Co.'s request to flood right of way under bridge and construct logging railroad under highway approved.
11423		Baker County. Troy Ranch Property settlement. Troys agree to settle for \$2500 if state will agree to maintain ditch. Personnel. Draft deferments. Policy of requesting deferment of key men to be continued. Convict labor. Matter of employment on state highway work discussed.
11424		Curry County. Naval landing field, Floras Lake Park. Lease to federal government under state sponsorship approved. Curry County. Floras Lake Park Landing Field. Delegation urges county sponsorship of project. Purchase from state requested. State's legal authority to sponsor airbase to be investigated.
11425		Curry County. Oregon Coast Highway. Elmer Bankus offer to sell timber strips. Matter to be investigated.
11426		Coos County. Shore Acres, Cape Arago Secondary Hwy. Lease to U. S. Army approved. Curry County. Cape Sebastian State Park. U. S. Army to lease property now being occupied by army personnel. Lincoln County. Troop shelter near Waldport. Permission granted army to use portion of right of way of Oregon Coast Hwy. Parks. Encroachment of army and coast guard on state park property discussed. Agreements covering use of property by government to be prepared.
11427		Harney County. Judge Higgs requests assistance in maintenance of market roads. Also better maintenance of secondaries. Bond, R. H. Baldock. Selection of insurance companies to participate in increased bond discussed. List of eligible companies to be furnished Commissioners. Load limit. Removal of load limit on Central Oregon Highway between Bend and its junction with Lakeview-Burns Highway reported. Load limit. I.O.N. and Jordan Valley Secondary Highways. Resolution adopted reducing load limit.
11429		Claim. Ralph R. Gibbs, Broadbent, claims damage to property from blocking of highway culvert. Payment of claim approved. Permit. Wedderburn Water Co. requests permit to install water pipe on sidewalk of bridge over Rogue River. Tillamook County. City of Tillamook requests repair of city streets damaged by heavy hauling. Increase in budgeted amount for Tillamook approved.
11430		Linn County. Lebanon. Increased amount for repair of city streets damaged by heavy hauling approved.

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11430	Mar. 17	<p>Wallowa County. Request of Grazing Service for improvement of Robinette-Homestead Highway denied.</p> <p>Red Ledge Mine Access Road. Grazing Service to be advised to apply to federal government for access road funds.</p> <p>Traffic scales, Medford. Request of Pierce Auto Freight Lines to use state scales denied.</p>
11431		<p>Malheur County. Ontario. City requests approval of accumulation of funds for several years to finance oiling of streets.</p> <p>Lane County. Judkins Point-Springfield Sec. J. F. Oldham warns highway work may result in damage to his property.</p> <p>Log hauling. Pope & Talbot, Inc. request modification of rules re furnishing flagmen in connection with hauling long piling.</p> <p>Real property. Resolution authorizing acquisition approved subject to following conditions:</p> <p>Borrow pits. Denver Avenue-Union Ave. Project. Following tracts to be purchased only if required by contractor:</p> <p>Joseph L. Hastings;</p> <p>Jessie H. Harrington.</p> <p>Timber strips. Pendleton-John Day Hwy. To be purchased from Pilot Rock Lbr. Co. only if exchange of properties with Forest service cannot be effected.</p>
11433		<p>Condemnations. Recommended offers. Resolutions adopted:</p> <p>Right of way and easements: Pacific Highway East;</p> <p>Right of way: Pacific Highway East;</p> <p>Glide easements; Aurora Flight Strip. Resolution adopted.</p>
11436		
11438		<p>Umatilla County. Pendleton-John Day Highway. Purchase of timber strip from Pilot Rock Lumber Co. approved if exchange of properties cannot be arranged with Forest Service.</p> <p>Multnomah County. Francis Northrup requests state to join in vacation of portion of East 26th Street, Portland.</p>
11439		
11441		<p>Jackson Co. Crater Lake Hwy., Medford. Abandonment Resolution.</p> <p>Douglas County. Rice Hill Sec. of Pacific Highway. County elects to abandon section which was abandoned by state.</p> <p>Coos County. Charleston. Mrs. Bertha M. Prelwitz makes offer for small building on state property.</p> <p>Marion County. Pacific Highway south of Salem. Christian Ramseyer property to be put up for sale.</p> <p>Real property. Sale of various parcels of property acquired in purchasing right of way approved.</p> <p>Multnomah County. Front Avenue Project, Portland. Sale of parcel of land to Huntington Rubber Mills approved subject to certain reservations.</p>
11442		<p>Lane County. Tennille Creek, Oregon Coast Highway. Exchange of properties with Geo. Stonefield approved.</p> <p>Permits. Victory gardens. Form of permit for use of state-owned property for garden purposes approved.</p>
11443		<p>Douglas County. Reedsport. Request of Russell Hubbard for exchange of properties adjacent to Umpqua Hwy. considered.</p> <p>Awards. Chairman announces award of contracts.</p> <p>Gilliam County. Cottonwood Grade Sec., Wasco-Heppner Secon. Hwy. J. S. Burres requests widening and improvement.</p>

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11444	Mar. 17	<p>Park matters. State Parks Superintendent reports as follows: Park financial report. Monthly statement approved. Juniper wayside strips. Renewal of Agreement with Grazing service re preservation of following juniper strips approved: Bend-Horse Ridge Sec., of Central Oregon Highway; Sisters-Redmond Section of McKenzie Highway; Redmond-Prineville Section of Ochoco Highway.</p>
11445		<p>Permit. Tree Cutting. Mountain States Power Co.'s request to fall danger trees that interfere with power line approved. Tillamook County. Short Sand Beach State Park. Request of A. F. Koppisch to purchase 20-acre timber tract. Curry County. Azalea State Park at Brookings. Sale of cordwood at park to local residents approved.</p>
11446		<p>Salary and wage schedule. Changes effective April 1, 1943, approved. Personnel. Change to 48-hour week approved for shop crews, employees in district maintenance office, survey and construction engineering personnel.</p>
11447		<p>Personnel. Plan to change work week for traffic and engineering personnel to 48 hours and give 9% salary increase discussed.</p>
11448		<p>Surveys. List of surveys ordered since last meeting.</p>
11449		<p>Surveys. Resolution adopted approving surveys completed. Extensions of time as follows:</p>
11450		<p>Fisher Bros., E. Unit, Dixie Summit-Austin Section; Edlefsen-Weygandt Co., Washington St.-Clay St. Section; Max J. Kuney Co., Warm Springs River-Mill Creek Section;</p>
11451		<p>O. N. Pierce, widening of N. Burgard St. Overcrossing. Contracts completed and accepted, as follows: E. Unit, Dixie Summit-Austin Section, Fisher Bros.; Washington St.-Clay St. Section, Edlefsen-Weygandt Co.; N. Unit, Wrights Point-Narrows Sec., M. L. O'Neil & Son; Warm Springs River-Mill Creek Section, Max J. Kuney Co.; N. Burgard Street Overcrossing widening, O. N. Pierce.</p>
11452		<p>Agreements, et cetera, signed as follows: California-Oregon Power Co. covering relocation of electric line along Tiller-Trail Hwy., in Douglas County; U. S. Government lease covering property on Sexton Mountain being occupied by Aeronautics Administration; U. S. Government. License granting government right to use and maintain a trail Sexton Mtn., Josephine Co. War Department, Camp Adair, covering rental of state-owned equipment; Application for change of water right on property at Union recently acquired from Game Commission; Slide Irrigation District, covering petition to exclude lands from district to eliminate payment of irrigation taxes; W. W. Jones, covering lease of gravel pit on Hooker Creek-Jordan Valley Sec. of the Jordan Valley Secondary Highway;</p>

<u>Page</u>	<u>Date</u>	<u>Subject</u>
11452	Mar. 17	<p>Agreements, et cetera, signed as follows: (Continued)</p> <p>Suhr's Flower Farm, covering lease of maintenance headquarters site at Troutdale;</p> <p>A. E. Troutman, covering renewal of stock-pile site lease on Maupin Section of The Dalles-California Highway;</p> <p>Department of Interior, covering application for lease of maintenance site in Deschutes County;</p> <p>U. S. Army, lease of property located near Pendleton as headquarters for WAACS.</p>
11453		<p>City streets not on state highways. Agreements for 1943 work in following cities or towns: Amity, Condon, Hillsboro, Silverton, Union, Cove, Elgin, Jordan Valley, Seaside, Prairie City, Rainier, Lakeview, Chiloquin, Coquille, Empire, Port Orford and Joseph;</p> <p>U. S. Department of Interior, Grazing Service, providing for protection of juniper waysides along McKenzie and Ochoco Highways;</p> <p>U. S. Dept. of Interior, Grazing Service, providing for protection of juniper waysides along Central Oregon Hwy.;</p> <p>Bargain and sale deed conveying to U. S. Government 21.43 acres of land situate in Jefferson County;</p> <p>Bargain and sale deed conveying to Jackson County 1.7 acre of land, in Jackson County;</p> <p>Bargain and sale deed conveying to Clackamas Cemetery Association 0.34 acre of land, in Clackamas County.</p> <p>Meeting date. April 8, 1943, set for next meeting date. (Later advanced to April 6 and 7.)</p>

Salem, Oregon, August 14, 1942

The State Highway Commission met in special session at 2:00 o'clock p. m. in the office of the State Highway Engineer, Room 325, State Office Building. Present were:

Henry F. Cabell, Chairman
Herman Oliver, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

Commissioner Huron W. Clough arrived later.

The bid of Babler Brothers, contractors, Portland, in the amount of \$4,500, for 1.14 miles of oiling on the Shaniko Section of the Sherman Highway, in Wasco County, was opened and read in conformity with previously published notice. Action on this bid, which was the only bid received on this work, was deferred by the Commission until later in the session, pending investigation by the Engineer with respect to the unit prices bid on certain items. (Contract was awarded to Babler Brothers later in the day).

Following the disposal of this matter the Commission immediately conferred with Governor Charles A. Sprague and members of the lumber industry in the Board of Control Room, State Capitol, regarding matters pertaining to the transportation of logs over state highways. Representing the State Highway Department at such meeting were all three members of the Commission, the State Highway Engineer, the Attorney, and the Secretary. Present in behalf of the lumber industry were the following: Fred W. Packwood, Attorney, and T. H. Mills, representing the Columbia basin loggers; Truman Collins, representing the Ostrander Railway and Timber Company; Faye Abrams, representing the Booth-Kelly Lumber Company; H. C. Patton, representing the Hammond Lumber Company; R. A. Jeub, representing the Smith-Wood Products, Inc.; and H. J. Cox, A. W. Priaulx, and C. O. Marsten, representing the Willamette Valley Lumber Association; Senator F. M. Franciscovich, Attorney, Astoria, representing the Clatsop County Loggers; and Mr. J. R. Frum, representing the Crown Zellerbach Corporation. Mr. Packwood headed the group and introduced the individual members whom, he said, represent the lumbering industry throughout nearly all of the state.

Governor Sprague opened the meeting by explaining that it was called for the purpose of considering the question, "how can the greatest number of logs be furnished the mills without unduly breaking up highway bridges and road surfaces." He stated his realization of the problems that the logging industry is facing and acknowledged receipt of numerous appeals and complaints with respect to the enforcement of the requirements as set forth in statutes and as promulgated by the State Highway Commission in so far as they have to do with the operation of logging trucks on state highways. He pointed out that his interests and those of the State Highway Commission are the providing and the maintaining of the transportation system of the state, and explained that it

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is the object and purpose of the Highway Commission, in which he concurs, to maintain highways in a usable condition for all classes of traffic. The maintenance problem, he said, is acute because of present war-time conditions, and the Highway Department has a difficult problem of maintenance due to shortage of labor and inability to secure necessary equipment and supplies on account of the priorities. Further, that the Highway Department is functioning under a serious handicap and is maintaining the highway system under very adverse and trying conditions.

Governor Sprague also mentioned the penalty that is imposed on violators of the rules and regulations set forth for log haulers and referred particularly to the rule that requires the surrender of the PUC plates and the tying up of a truck for a period of four days for a gross overload. Such penalty in the past, he said, has not caused a severe hardship on the lumber industry as a whole; however, the situation has now changed on account of the war emergency, and it is alleged by certain groups that the enforcement of the penalty is seriously affecting delivery of the logs to the mills and the filling of emergency war orders; in fact, that the industry is now facing a shortage of logs this winter which situation could be improved if the penalty were dispensed with. He reiterated that the purpose of this meeting is to consider, from the standpoint of national defense, how a steady flow of logs to the mills can be maintained, providing for the continuous operation of logging trucks, while still preserving the road surfaces and highway structures without damage for the use of the general public. Governor Sprague stated his feeling that the Highway Commission would be responsive to any suggestions that will be helpful in the solving of this problem in the interests of the logging industry and the lumber business, which will not result in the too-rapid exhaustion of the capital that has been invested in the highway system.

The meeting was then turned over to the State Highway Commission. Chairman Cabell presided. He stated that members of the Highway Commission are in agreement with the remarks made by Governor Sprague and that it is the desire of this Commission to cooperate to the fullest extent so as to allow the maximum use of log-hauling equipment in the transportation of logs to the mills, and that the Commission wants to permit the maximum use of such equipment that is consistent with the preservation of road surfaces. The question, he said, is to so balance the use of the equipment with the maintenance of the highways for the maximum good of everyone concerned. This, he added, involves two questions: first, are the presently established maximum load limits as great as is possible to permit them; secondly, are the logging trucks being unnecessarily delayed in connection with the enforcement of the rules and regulations, particularly at the weighing scales.

In answer to the first question, he stated that the Commission is now permitting gross loads up to the limit to which it is possible with due regard to preservation of road surfaces and bridge structures. Gross loads in excess of the presently established maximum, he said, could be transported over state highways for a short time, but the added stress on the road facilities would soon destroy them and, as a result, the predicament of the logging and lumbering industries then would be much worse than it is at the present time. He

also said that the Commission would be glad to spend more money to maintain the road surfaces in good condition for transportation of loads of greater gross weight, if it were possible to do so. However, the Commission is confronted with a shortage of labor and equipment and with governmental control of materials and supplies, which are a major handicap to the proper functioning of the maintenance organization. He added that the Commission is now allowing an overstress as high as 50 per cent on roads and structures and cannot increase this limit without increasing the dangers of road-surface failures and the collapse of bridges. The bridge matter, he said, is particularly serious. He also mentioned that the Highway Commission feels that it must cooperate with the federal agencies, particularly with the Office of Defense Transportation, in their efforts to preserve rubber, and pointed out that the gross loads now authorized by the Commission are, in some instances, in excess of those allowed by the Office of Defense Transportation.

As to problem number two, which has to do with the enforcement of the rules and regulations, he gave as his thought that the allegation, that the four-day suspension of log-hauling equipment for overloading is working a hardship on the lumbering industry, is an exaggeration. In support thereof, he quoted the following from a report of the operations of state weighmasters covering seven days of actual weighing of logging trucks between August 1 and 10, 1942, during which period 3,952 loads were weighed at ten weighing stations:

Total number of loads weighed - - - - -	3,952
Number of trucks involved - - - - -	2,200
Total violations - - - - -	52 or 1.31%
Violations requiring surrender of PUC plates - - -	11 or 0.28%
Average number of trucks hauling logs daily - - - -	3,741
Average number of trucks weighed daily - - - - -	314 or 8.4%
Average number violations daily requiring surrender of PUC plates - - - - -	1.57 or 0.04%

He pointed out that, according to this report, an average of only six trucks are suspended from operating in every four-day period which, in his estimation, is a very low percentage considering the total number of trucks that are engaged in this business.

The Commission, he said, would like to modify the present penalty if some means of enforcing the load limits other than the suspension of the equipment could be provided. He suggested that it would be helpful if the logging and lumbering industry would ask their employees to be particularly careful so as to avoid overloading, and that it would also help if Justices of the Peace would impose fines large enough to hurt the violator but not to the detriment of the lumber industry. However, in the past, the Commission has found it difficult to secure sufficient penalties from the Justices of the Peace to make a violation a hardship on the operator. He repeated that the Highway Commission would be very happy if the problem can be solved in some manner that would not require the suspension of the hauling equipment, and added, that if the present practice of taking equipment out of service for four days should be discontinued now would be the time to try it when the roads are in good condition, it being understood that the present penalty would be restored in the event the arrangement did not prove satisfactory.

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Mr. Mills quoted statistics to show that the inventory of logs taken out this year by the Northwest logging industry in the Columbia River district is only 50 per cent of that taken out a year ago, and advised that the same condition obtains in the Puget Sound area. This is positive evidence, he said, that the lumber industry is in a serious predicament, particularly considering that the demand for lumber is greater this year than it was last year. The Highway Commission, he said, is not in a position to assist the lumbering industry in their problems of securing repair parts and equipment; however, it is felt that the Commission could render considerable help by modifying the rules and regulations that govern the transportation of logs to the mills, so as to permit a continuous flow of logs to the mills, which then could keep running without interruption. He suggested the discontinuance of the penalty which takes a truck out of service for four days on account of a gross-weight violation, and the substitution therefor of a penalty based on fine only. He held no brief for the willful violator of the requirements; however, gave as his opinion that the penalty now imposed on the violator whose gross loads do not exceed the allowable load more than two or three hundred pounds is too severe. He also suggested modification of the regulations which provide for the weighing of each load of logs by highway department weighmasters so as to avoid delays on that account.

Responding thereto Chairman Cabell advised that the Highway Commission is favorable to discontinuance of the suspension penalty, if some other way can be found to secure reasonable compliance with the regulations. He again suggested the doing away with the four-day penalty as a trial proposition to ascertain the reaction thereto by the operators; however, advised that it would be necessary to continue the present practice of weighing all loads inasmuch as that is the only way in which a fair comparison can be made. Under this method, he said, all violations would be cited to the Justices of the Peace, who would impose a fine as a penalty in each instance.

Senator Franciscovich gave as his opinion that the State Highway Commission has gone as far as it possibly can in the matter and, in his estimation, should not be asked to increase the present allowable gross weights. The paramount need at the present time, he said, is modification of the penalty for gross-load violations so as to expedite the delivery of logs to the mills. He suggested the cancellation of the four-day penalty and the order that requires weighmasters to weigh every load of logs that passes the scales. He gave as his thought that weighmasters, with a little experience, would be able to judge the approximate weight of a load of logs by inspection rather than by actual weighing, which would necessitate the weighing of only such loads which, in their judgment, appear to be in excess of the approved weight. Such arrangement, he said, would eliminate the grouping up of trucks at the scales and the losing of time for weighing operations, and would enable each operator to deliver two or three more loads of logs to the mills each day.

Chairman Cabell doubted such a saving of time and gave as his thought that the practice of weighing all trucks should be continued at least for the time being, although there is some justification for a modification of the present rules to provide for the waving on of trucks in the event of congestion of traffic.

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At the request of Governor Sprague, Mr. Jeub advised of the conditions prevailing in the Coos Bay district. He said that their main complaint is that PUC plates are taken away from the loggers whose loads weigh less than five per cent in excess of the allowable weights. He further stated that there is a big shortage of logs in his district, the present supply being 50 per cent below normal, and something must be done to increase the flow of logs to the mills; otherwise the mills will have to close down during the winter, it being necessary because of weather conditions to store logs during the summer for winter operations of the mills. He concurred in the suggestions of the other speakers with respect to the cancellation of the four-day suspension penalty and the penalizing of the violators by fine only.

Further suggestion was offered by Senator Franciscovich as follows: that the Highway Commission do not take out of service the logging trucks that are involved in overweights, but resort to the fine penalty only and, if the Justice of the Peace who imposes the fine does not cooperate by requiring a fine in sufficient amount, then that the plates be taken away from the logging operator for the regular period.

Mr. Frum stated that a check of logging trucks that work for his company reveals that the time lost by these trucks at the highway department scales aggregated between thirteen and fourteen hours per truck per month, which would account for a great many loads of logs during that period. The lost time, he said, is not all accounted for by the actual weighing of the trucks, but includes the time lost in slowing down at the truck scales and getting under way again after the weighing. He gave as his thought that about 75 per cent of the lost time could be recovered if the weighmasters were not required to weigh all loads.

Chairman Cabell concluded the meeting by stating that the Commission would give this matter serious consideration and hoped to be able to arrive at a solution in the very near future.

The meeting was adjourned at 3:15 p. m., following which the Commission reconvened in Room 325, State Office Building, for disposal of routine matters, all Commissioners being present and participating.

Reconsideration was given by the Commission to the matters brought out in conference in the office of the Board of Control, with respect to truck-hauling of logs over state highways. After considerable discussion the Commission decided unanimously to discontinue the practice of taking up the plates of logging operators that are found to be transporting loads weighing in excess of the allowable limits. Such modification is to be put into effect on Monday, August 17, 1942.

The Commission also decided to continue the weighing of all loads of logs except in cases where such weighing causes a grouping of logging trucks at the scales and creates a hazard to other traffic. On such occasions, the Commission authorized the "waving by" of those trucks which, in the judgment of the weighmasters, are not carrying loads in excess of the allowable weight.

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The Commission deferred a decision whether or not it will discontinue the weighing of all logging trucks pending a report from the Engineer at the next meeting. The Engineer was thereupon instructed to conduct an experiment in the meantime so as to determine whether or not such method of handling the situation will prove satisfactory.

Reconsideration was also given by the Commission to the bid received from Babler Brothers at the beginning of the session, for the oiling of the Shaniko Section of the Sherman Highway, in Wasco County. The Commission by unanimous vote awarded the contract to Babler Brothers at their bid of \$4,500 upon recommendation of the Engineer, who advised that a study of the bid reveals that it is in conformity with the Commission's requirements with respect to this job and is within the estimated cost of the project.

The Commission by unanimous vote approved minutes of the meetings held on March 19 and 20, April 1 and 2, and April 30, 1942.

The Engineer brought up for discussion the matter of requesting occupational deferment for "key men" who are employed in the maintenance department. He advised that the Highway Department is losing many of its maintenance men by reason of enlistments and the draft and, if something is not done to maintain the organization, it will not be long before a serious condition develops. He requested authority to ask deferment of 466 maintenance men who are under 45 years of age. The Commission approved the request by unanimous vote.

The Engineer reported on investigations that have been made of the request of Mrs. Kate MacDonald, Dayville, for the improvement of her irrigation ditch, which she alleges was severely damaged during the construction of the Ochoco Highway across her property. He recited the history of this case and advised that repairs would cost about \$1500.00. The Commission questioned if the state is liable for this expense in view of the fact that the right of way for the project was originally acquired by Wheeler County at the time that the highway was constructed in 1930. Assistant Maintenance Engineer, W. W. Stiffler, who was present, advised that he personally has investigated this matter and is convinced that the state is liable. The damage, he said, was done by the state's contractor when the highway was built and was never properly repaired, notwithstanding that Mrs. MacDonald has called the matter to the attention of the local highway department employees annually since then. He suggested approval of the repair work, which consists principally of reconstructing the diversion dam and the intake to the irrigation ditch, not only because he considers the state liable, but in order to avoid a law suit in the event that Mrs. MacDonald loses her crop by failure of her water supply. In view of this information the Commission approved the project by unanimous vote and thereupon authorized the Engineer to proceed with the work, providing Mrs. MacDonald will sign a waiver releasing the state from further obligations.

The Attorney brought up for discussion the settlement with Mr. Lloyd E. Stafford for the moving of a barn from land purchased from him as right of way in connection with the construction of the Willamette Highway, near Goshen. He recalled that the original deal with Mr. Stafford provided, among other

things, for the moving of the barn, for which he was to be paid the sum of \$600.00. However, before the moving operations were commenced the barn was destroyed by fire, notwithstanding which Mr. Stafford demands payment of the \$600.00. Subsequent investigation reveals, he said, that the barn was insured in the amount of \$700.00, and that Mr. Stafford has collected such sum from the insurance company, and has also collected the sum of \$400.00 insurance that he carried on the contents of the building. He requested instructions in view of the circumstances and recommended that the payment be not allowed. The Commission approved the recommendation subject to the condition that it has no legal obligation to pay Mr. Stafford, or unless the Commission is required to pay him by court order.

The Engineer also reported on his inspection of the Leonard and Slate contract No. 2483 for the construction of the Boswell Ranch-Follett Ranch Section of the Wallowa Lake Highway, in Union County, in company with Commissioner Oliver. As a result of this inspection and subsequent conference with the contractor, he said tentative arrangements were made with the contractor to proceed with the work on the following basis: the state is to rent to the contractor one crushing plant, complete or in part as needed. The plant is to be transported, set up and operated by Mr. O. C. Yocom, subcontractor. The state is to charge a reasonable rental for the equipment and is to furnish all necessary replacement parts for which the contractor will pay. No rental is to be charged while the plant is shut down for want of repair parts or supplies. The plant is to be set up at the east end of the project in a new quarry to be acquired by the state, and the state is to pay the contractor an additional ten cents per ton for crushed rock furnished from this source, because of the extra hauling involved. The contractor is not to be required to start operations on this project until he has completed the contract on the Santiam Highway, and no penalties are to be imposed for overrun of the specified time limit. The state is to accept the project as completed when the surfacing is finished and the necessary mineral aggregate is placed in stock piles. The oiling work is to be cancelled from the contract because of difficulties in securing oil for the job. The price to be paid for mineral aggregate in stock piles is to be one-half of the unit price contained in the bid by the contractors for mineral aggregate in place. He recommended approval of this arrangement in view of the fact that this is not a project needed in connection with national defense and therefore is not entitled to a high priority rating, making it difficult to secure equipment, repair parts, materials and supplies that are needed for the job. The Commission considered the arrangement outlined by the Engineer to be the best possible to obtain under the circumstances, and thereupon by unanimous vote approved the recommendation.

A request was presented from Major Theron W. Bean, officer in charge of the Camp White Army Cantonment at Medford, for the construction of right of way fences along state highways throughout the cantonment area. The Engineer advised that to do what Major Bean requests will take about 1600 rods of fence, which, at \$2.00 per rod, will cost about \$3,200, exclusive of the fence wire which Major Bean states will be furnished by the government. He recommended approval of the request. The Commission approved the recommendation.

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The Commission discussed briefly and ordered filed correspondence received from the Public Roads Administration pertaining to the request of Mrs. Joan C. Woovallas, Portland, for the construction of an access road to a prospective coal mine on property situate near Molalla, Oregon.

The Attorney presented a form of Order providing for the stopping of all vehicular traffic at certain dangerous main-line railroad grade crossings throughout the state, which matter was discussed and approved by the Commission at the previous meeting. The provisions of the Order were approved by the Commission and the Secretary was thereupon instructed to enter the same in the minutes of the meeting held on July 23, 1942, as evidence of the action taken by the Commission at that time. The Commission thereupon signed a copy of the Order for the records and files.

The Commission had under consideration approval of the proposed agreement with the United States Army with respect to the maintenance of small airplane landing fields in Oregon. The Engineer advised that the Army is building numerous small auxiliary airfields throughout the state but has made no provision for maintaining the same; further, that the Army authorities feel that the maintenance could best be handled by state forces, which are already organized and functioning along similar lines and, accordingly, have requested approval of such arrangement. All of the work, he said, will be accomplished in strict accordance with state specifications and methods as used in similar work on state highways, and the government has agreed to reimburse the state for the actual expense involved, including salaries, rental of equipment, et cetera. He recommended approval of the request. The Commission approved the recommendation and thereupon signed an agreement with the United States War Department covering the matter.

A resolution was presented from the County Court of Umatilla County requesting the selection and designation as a state secondary highway, of a road 0.41 mile in length extending from the Boardman-Stanfield Highway to the Umatilla Ordnance Depot, in Section 27, Township 4 N., R. 27 E., W. M., Umatilla County. The Engineer recommended approval of this request in view of the fact that the road was constructed by the state and is being maintained by the state. The Commission approved the recommendation and thereupon adopted the following resolution covering the matter:

WHEREAS, under the provisions of Chapter 248, Laws of 1931; Chapter 196, Laws of 1935; and Chapter 529, Laws of 1939; the State Highway Commission, by mutual agreement with the respective county courts of the several counties of the State, is authorized and empowered to select, locate, and designate a system of secondary state highways, which highways shall be selected from the market roads or other county roads, or available locations or routes of the several counties; and

WHEREAS, the State Highway Commission, by mutual agreement with the Umatilla County Court of the State of Oregon, has selected the road or highway hereinafter named, and it is the purpose of the

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Commission to officially and regularly designate and adopt said highway as a highway to constitute, together with other highways heretofore adopted and/or which may hereafter from time to time be added, the system of secondary state highways under the provisions of said acts;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission, all members being present and affirmatively voting and participating, as follows:

1. That the following described market road, county road, highway, route, or location of a highway in Umatilla County be and the said market road, county road, highway, location, or route, hereby is selected, designated, established, adopted and approved as a secondary state highway and shall be and hereby is designated as a part of the secondary state highway system, to wit:

Ordinance Depot Secondary Highway No. 338

Beginning at a point on the Boardman-Stanfield Highway at Engineer's Station 803+76.6 in the NE $\frac{1}{4}$ of Section 27, T. 4 N., R. 27 E., W. M.; thence northerly to the Umatilla Ordinance Depot, a distance of approximately 0.41 mile.

2. That the said highway shall be and hereby is qualified for improvement under the provisions of said Chapter 248, Oregon Laws of 1931; Chapter 196, Oregon Laws of 1935; and Chapter 529, Oregon Laws of 1939; and amendments thereof.

The Secretary presented the following county resolutions with respect to sections of state highways that have been abandoned by the Commission because of reconstruction of such sections on revised alignment:

Resolution from Baker County Court with respect to the abandoned portion of the Flagstaff Hill-Ruckles Creek Section of the Baker-Homestead Highway, in which the county assumed jurisdiction over this section.

Resolution from Jackson County Court in which the county elects to abandon a portion of the Eagle Point-McAllister Springs Section of the Little Butte Secondary Highway and to retain for county road purposes another portion of said section of highway.

The Commission approved the resolutions and ordered them filed.

The Engineer reported that in conformity with authority previously given him by the Commission, he has awarded the following contracts, the conditions of the awards having been satisfied:

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Grading and paving Sunderland Avenue Access Road Project on N. E. Elrod Road near Portland, Multnomah County. Bids taken July 23; contract awarded July 25, 1942, to Porter W. Yett, low bidder.

Construction of two bridges on Sunderland Avenue at Portland, Multnomah County. Bids taken July 23; contract awarded July 25, 1942, to Lindstrom Brothers, low bidders.

Surfacing on Section "A" of the Monmouth-Benton County Line Section of the Pacific Highway West, in Polk County. Bids taken July 23; contract awarded July 27, 1942, to E. C. Hall Company and J. C. Compton, low bidders.

Grading and surfacing Section "B" of the Monmouth-Benton County Line Section of the Pacific Highway West, in Polk County. Bids taken July 23; contract awarded July 27, 1942, to E. C. Hall Company, J. C. Compton and McNutt Bros., low bidders.

Surfacing Soda Mountain Mine Access Road Project on the I.O.N. Secondary Highway, in Malheur County. Bids taken July 23; contract awarded August 11, 1942, to O. C. Yocom, low bidder.

Grading and topping Seven Devils Chrome Mine Access Road Project, west of Coquille, in Coos County. Bids taken July 23; contract awarded August 12, 1942, to Tru-Mix Concrete Company, low bidder.

The Commission confirmed the awards as reported.

The Engineer reported that repairs have been completed on the Stillwell Bridge over the Trask River on the Netarts Secondary Highway, in Tillamook County, and that there no longer is need to maintain the ten-ton load limit for which this bridge has been posted the past several months. He recommended the adoption of an order lifting the reduced load limit. The Commission approved the recommendation and thereupon by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, on the 10th day of January, 1941, at a meeting of the State Highway Commission, all of the members being present and participating, the Commission passed and adopted a resolution ordering a reduction of the maximum permissible load limit on certain State highway bridges, including the following, to-wit:

NETARTS SECONDARY STATE HIGHWAY No. 131

131-0.77 Stillwell Bridge, 10 tons, Tillamook County

and

WHEREAS, subsequent to the passage of said resolution, the said above-named bridge has been repaired so that it is not longer necessary or desirable to maintain the reduced load limit set out in said resolution;

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NOW, THEREFORE, BE IT RESOLVED that the action of the State Highway Commission, reducing the maximum permissible load limit on the following bridge, to-wit:

NETARTS SECONDARY STATE HIGHWAY No. 131

131-0.77 Stillwell Bridge, Tillamook County

be and the same hereby is rescinded and vacated as of this date, and the maximum load limit permissible on the said bridge shall hereafter be the maximum load limit provided by law.

IT IS FURTHER ORDERED that a certified copy of this resolution be furnished the County Clerk of Tillamook County, in which county said bridge is located, and the Superintendent of the Department of State Police for his information.

The Secretary presented a communication from Mr. Ernest E. Schrenk, Creswell, Oregon, requesting permission to transport loads of flax over state highways from his ranch near Creswell to Springfield, which involves continuous movements of loads in excess of the legal width limits. The Commission considered that continuous movements of such width over this highway will create too great a hazard for other traffic and thereupon denied the request.

The Commission discussed briefly a communication from Joseph E. Keller, Consultant on State Barriers for the Office of Emergency Management, in which Mr. Keller states that the position taken by the State Highway Commission with respect to the transportation of gross loads over state highways is, in his estimation, entirely sound. The Commission expressed pleasure at receiving such information and ordered the communication filed.

The matter of permitting log haulers to truck-haul logs during the three-hour period between 9:00 p. m. and midnight, which privilege is now prohibited, had the attention of the Commission. It was the thought of the Commission that the need for lumber for defense purposes justifies the giving of extra concessions to log haulers and, in view thereof, the Commission voted unanimously to allow log haulers to operate at any time during the day or night, provided the movements during the hours of darkness are properly lighted in conformity with statutory requirements.

A letter was presented from Mr. E. P. Leavitt, Superintendent of Crater Lake National Park, relative to maintaining travel this coming winter over highways in the park and adjacent thereto. Mr. Leavitt advises that there are possibilities that Crater Lake National Park will not be kept open during the coming winter because of shortage of man power, restrictions on fuel oil, tires and gasoline, and inability to secure repair parts for snow fighting equipment and other equipment. He inquired, if Crater Lake National Park were to close up entirely this winter and if the National Park Service

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decided not to maintain travel on the highways within the park, including the park section of the Crater Lake Highway, would the State Highway Commission discontinue snow removal operations on the Crater Lake Highway up to the park boundaries, or would the Commission keep the Crater Lake Highway open throughout the park as a possible public service. He also inquired if the Highway Commission would maintain travel over the Union Creek Road leading to Diamond Lake and its connection with The Dalles-California Highway, near Chemult, if it was decided not to maintain travel on the Crater Lake Highway through the park area. The Commission decided in view of the fact that there has been considerable falling off of highway travel because of war conditions and because undoubtedly there will be a further decrease in travel as time goes on, that it would make no effort to maintain travel over the Crater Lake Highway through Crater Lake Park area or even up to the boundaries of the park, in the event the National Park Service elects to close up the park during the winter season. The Engineer was instructed to convey such information to Mr. Leavitt and to advise him further that the Highway Commission will offer no objections either to the closing of the park or the park roads this winter, if the National Park Service considers that to be the proper thing to do.

A resolution was presented from Columbia County Pomona Grange No. 18, Rainier, Oregon, in which the Commission was requested to "cut all weeds growing in the rights of way of the various roads and highways" so as to prevent the spread of noxious weeds and plants over adjacent farm lands. The Engineer recalled that the Commission sometime ago authorized the discontinuance of mowing operations along highway rights of way, because of the shortage of labor to carry on this class of work and in order to conserve funds for other purposes, and that that order is now being carried out. He gave as his thought, however, that there is some justification in the Grange's request in order to prevent the spread of noxious weeds to the adjacent farm lands, particularly to the lands of farmers who are making efforts to eradicate the weeds from their holdings. The Commission concurred in the Engineer's viewpoint and thereupon authorized him to conduct mowing operations in such locations as evidence of cooperation with the farmers in that respect.

The Engineer brought up for discussion the question whether or not contractors on state highway work shall be required to comply strictly with the contract requirements relating to minimum wages and other employment matters, particularly should contractors be required to pay double time for overtime for services rendered, as provided by state law, or should they be allowed to pay their employees on the time and one-half basis of payment for such overtime, which is the rate specified in the federal law. He particularly referred to the contractors engaged in highway work on the Pacific Highway West, between Monmouth and Corvallis, in which instance the contractors have refused to pay double time as required by the state law and as required by the provisions of the contract, because they have received information to the effect that they need pay only time and one-half for overtime. (See Engineer's letter of August 14, 1942, directed to the State Highway Commission for details). He requested instructions. The matter was discussed at some length but a decision with regard thereto was deferred by the Commission until the next meeting.

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The Attorney requested authority to employ expert witnesses in connection with the Commission's pending lawsuit against the California-Oregon Power Company and the Southern Pacific Company to recover the cost of repairing The Dalles-California Highway near Algoma, Klamath County, which was severely damaged as a result of a break in a dike along Upper Klamath Lake. He stated that the case is now being prepared for trial and it would be desirable and advantageous to the state's case if the testimony of expert witnesses were secured. He recommended employment of two such witnesses to assist in working up the case and to testify at the trial, and suggested two prominent engineers; viz., Mr. J. C. Stevens, Portland, whose services are available at the rate of \$50.00 per day while working up the case and at \$100.00 per day while giving testimony, and the other, Mr. S. T. Harding from the University of California, Berkeley, who is asking a straight \$50.00 per day for his services. In view of the importance of this case and the amount of the damages involved, the Commission considered it advisable to secure such expert testimony and thereupon authorized the Attorney to arrange for the services of these two engineers at the rates mentioned.

Chairman Cabell reported receipt of a request from a Mr. C. H. Burgess, rancher at Fossil, Oregon, requesting permission to conduct farming operations on the right of way acquired for the Shaniko-Fossil Secondary Highway. It was brought out in the discussion that the construction of this proposed highway improvement was not contemplated in the near future on account of the war situation, and there will be no objections since the state will not be discommoded by the use of the right of way for the purpose intended by Mr. Burgess. In view thereof the Commission tentatively approved the request subject to the condition that the state is not held liable for loss of crop in the event the state takes the land sooner than is now anticipated.

The Engineer presented a list of surveys that he has ordered since the last meeting of the Commission and asked the Commission to confirm them and the amounts allocated for each. After due consideration the Commission authorized and instructed the Engineer to make such location surveys on various sections of the highways of this state, which said sections of highways, together with their identifying location survey numbers and the amount authorized and allocated for such survey expenditures, are as follows:

Quarry - - - -	9-1447	- Horse Ridge-Brothers Section, Central Oregon Highway, Deschutes County	1st authorization - \$100
Reconnaissance	215-1441	- Sams Valley-Evans Creek Road, Ramsey Canyon Access Road, Jackson County	1st authorization - \$450
Plans - - - -	26-1462	- Union-Denver Avenue Junction, Pacific Highway East and West, Multnomah County	1st authorization - \$1500
Location - - -	10-1435	- Myrtle Creek-Canyonville Section, Pacific Highway, Douglas County	1st authorization - \$10,000

The Engineer reported that a number of surveys heretofore authorized by the Commission have been completed. He presented a list of such surveys and reported briefly on each survey listed thereon. After due consideration the Commission approved the respective surveys, as reported, and adopted the following resolution in regard thereto:

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WHEREAS, the State Highway Commission heretofore has authorized and instructed the State Highway Engineer to make surveys on certain sections or portions of the highways of the State of Oregon; and

WHEREAS, pursuant to said authorization the State Highway Engineer has made and completed the said surveys and has filed the maps and plans of the said surveys in the files of the State Highway Commission, in Salem, Oregon; and

WHEREAS, the maps and plans of the said surveys have been examined by the State Highway Commission and have been found suitable in all respects for approval and adoption by the State Highway Commission;

NOW, THEREFORE, BE IT RESOLVED that the surveys hereinafter designated and described, together with their identifying location map file numbers, as shown in the map-filing records of the State Highway Commission in its Salem office, be and they are hereby adopted and approved as the location surveys of the various portions or sections of highways involved:

<u>File No.</u>	<u>Prefix</u>	<u>County</u>	<u>Type of Survey</u>	<u>Section</u>	<u>Highway</u>
6 B 5-14	206-1428	Coos	Location	Seven Devils Chrome Mine	Chrome Access Road
6 B 5-20	215-1434	Jackson	Location	Bybee Springs - Sams Valley	Medford Cantonment Access Road
6 B 5-20	215-1435	Jackson	Location	North Boundary	" "
6 B 5-20	215-1436	Jackson	Location	South Boundary	" "
6 B 5-20	215-1437	Jackson	Location	Bybee Bridge	" "
6 B 5-20	215-1438	Jackson	Location	Dodge Bridge-Haas Ranch	" "
1 A 1-39	28-1413	(Sherman (Wasco (Jefferson	Reconnaissance	Columbia River-Madras	Sherman & The Dalles-California
6 B 5-17	30-1442	Umatilla	Location	Milton-Washington State Line	Oregon-Washington

BE IT FURTHER RESOLVED that the State Highway Engineer be and he hereby is authorized to make such minor changes in the said locations as may improve the standards of alignment and grades not inconsistent with the general location of the section of highway involved.

The Commission had under consideration the following requests for extensions of time within which to complete highway construction projects:

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R. G. Barnes, contract No. 2415, for the construction of bridges on the Scappoose-St. Helens Section of the Columbia River Highway, in Columbia County, requested an extension of time from August 31, 1941, to July 13, 1942, within which to complete this job. He alleged that his failure to complete the project within the specified time limit was due to the fact that the fills at the ends of the several structures were not completed, and it was impossible to properly route traffic. Further, that this interruption delayed the rest of the work until the period of wet weather and labor shortage. The Engineer advised that it was necessary to coordinate the bridge work with the work of the grading contractor on the adjoining section and, because of failure of the grading contractors to complete the approach embankments to the bridges, Mr. Barnes was unable to complete his work on time. The approach embankments, he said, were completed on October 20, 1941, following which Mr. Barnes resumed his work and by December 23, 1941, did everything that was required under his contract except the painting of the handrails which had to be deferred until suitable weather in the spring. Such painting work, he said, was accomplished between May 5, 1942, and July 13, 1942. Considering the cause of Mr. Barnes' delay, he said, indicates that he lost only nine days within his contract time limit. He recommended in view of the circumstances that the extension of time requested be granted, but that Mr. Barnes be charged with the excess engineering charges incurred between October 29 and December 23, 1941, and between May 5 and July 13, 1942. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

E. L. Rigdon, contract No. 2474, for grading, surfacing, oiling and bridge construction on the Oak Creek-Marks Ranch Section of the North Umpqua County Road, in Douglas County, requested an additional three days extension of time from June 30, 1942, to July 3, 1942, within which to complete this job. He gave no reason for failure to complete the project within the specified time limit. The Engineer advised that this contract was awarded on May 22, 1941, and according to the provisions thereof should have been completed by September 30, 1941; however, that was not possible because the subcontractor on the oiling work could not perform his part of the work due to a previous contract with the federal government for the paving of an airplane landing field. He recommended in view of the circumstances that the extension of time requested be granted without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

The Engineer reported that contracts Nos. 2415, 2474, 2496 and 2530, for construction of state highway projects, have been completed according to the terms of the contracts or modifications thereof, and that said jobs are now ready for acceptance. The following resolution accepting the above projects was offered and was adopted by the unanimous vote of the Commission:

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WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts and said jobs are now ready for acceptance:

Contract No. 2415, with R. G. Barnes, for remodeling and widening bridges on the Scappoose-St. Helens Section of the Columbia River Highway, in Columbia County. Completed July 13, 1942.

Contract No. 2474, with E. L. Rigdon, for grading, surfacing, oiling and bridge construction on the Oak Creek-Marks Ranch Section of the North Umpqua County Road, in Douglas County. Completed July 3, 1942.

Contract No. 2496, with Rogers Construction Company, for grading and surfacing the Warner Summit-Mud Creek Section of the Warner Secondary State Highway, in Lake County. Completed July 13, 1942.

Contract No. 2530, with Tri-State Construction Company, for the construction of two dwellings and one equipment building at the Alkali Lake Maintenance Station on the Lakeview-Burns Highway, in Lake County. Completed May 6, 1942.

THEREFORE, BE IT RESOLVED, that the work covered by said state highway contracts for the construction of said state highway projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

The Commission considered and signed agreements et cetera as follows:

Agreement with Coos County covering removal of rock from county-owned quarry for use on Seven Devils Chrome Mine Access Road.

Agreement with the City of Jordan Valley covering maintenance of the South Mountain Mine Access road within the city limits.

Agreement with F. R. Hewett covering rental of state-owned equipment.

Two agreements with Axman and Miller covering rental of state-owned equipment.

Three agreements with O. C. Yocom covering rental of state-owned equipment.

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Agreement with Hauser, Malcom and Tiesleu covering rental of state-owned equipment.

Agreement with United States War Department covering maintenance of small airplane landing fields.

Order designating dangerous railroad crossings and requiring vehicles to come to a stop before crossing railroad tracks at grade.

Extension rider agreement with the Oregon-Washington Railroad and Navigation Company and the Union Pacific Railway Company extending lease of storage sites at Speece, Gilliam County, to December 31, 1942. Right of way file No. 5539.

Agreement with Pacific Power and Light Company providing for installation of one power pole adjacent to the highway department truck scales southwest of Pilot Rock.

There being no further business to come before the Commission at this time, the meeting was adjourned at 5:10 p. m.

R. H. Baldock
State Highway Engineer

H. B. Glaisyer
Secretary

Henry F. Cabell
Chairman

Herman Oliver
Commissioner

Herman Oliver
Commissioner

Portland, Oregon, August 27, 1942

The State Highway Commission met in regular session at 9:00 a. m. in the auditorium of the Public Service Building. Present were:

Henry F. Cabell, Chairman
Herman Oliver, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

Commissioner Clough was excused from attending this meeting.

Bids, as follows, for highway construction projects, sale of building in Eugene, and sale of materials in railroad trestle, were opened and read in conformance with previously published notices, following which Chairman Cabell announced that the awards would be made at 2:15 p. m. in the same room:

11199

BAKER-HOMESTEAD AND HALFWAY HIGHWAYS
RICHLAND-HALFWAY ROCK PRODUCTION PROJECT

No bids received on this project

CENTRAL OREGON HIGHWAY
BUCHANAN ROCK PRODUCTION PROJECT

No bids received on this project

THE DALLES-CALIFORNIA AND WILLAMETTE HIGHWAYS
WALKER MOUNTAIN ROCK PRODUCTION PROJECT

No bids received on this project

WILLAMETTE HIGHWAY
SALT CREEK FALLS-ODELL BUTTE ROCK PRODUCTION PROJECT

No bids received on this project

LAKEVIEW-BURNS HIGHWAY
ALKALI LAKE FLIGHT STRIP PROJECT

C. A. Dunn

\$204,368.00

OLD OREGON TRAIL AND CENTRAL OREGON HIGHWAYS
DEAD OX FLAT-CAIRO JUNCTION ROCK PRODUCTION PROJECT

Chester T. Lackey

\$25,000.00

I.O.N. SECONDARY HIGHWAY
ROME FLIGHT STRIP PROJECT

Clifford A. Dunn

\$201,645.00

PENDLETON-JOHN DAY HIGHWAY
NYE JUNCTION-GRANT COUNTY LINE ROCK PRODUCTION PROJECT

No bids received on this project

WALLOWA LAKE HIGHWAY
ROCK CREEK-JOSEPH ROCK PRODUCTION PROJECT

No bids received on this project

SALE OF RESIDENCE BUILDING IN EUGENE

Building No. 8948 (Former owner Katherine Stewart)

Arnold Lindeland

\$360.00

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SALE OF MATERIALS IN RAILROAD TRESTLE
NEAR SUNSET CAMP, TILLAMOOK COUNTY

No bids received

Messrs. Charles Leonard and Fred Slate, contractors for the operation of the Willamette River Ferry at Wilsonville, were present and discussed with the Commission matters pertaining to their contract. They pointed out that their present contract expires on January 1, 1943; however, it contains a provision for extending the contract for a two-year period at the same rate. They asked the Commission to waive the option under such provision in view of the condition of the times, alleging that they are operating at a loss because of shortage of labor and prevailing high labor costs. They stated their willingness to continue operating at the rate specified in the contract until it expires but gave as their thought that it would be only fair if the Commission would readvertise the furnishing of this service at such time so as to obviate further losses to them. Chairman Cabell advised that in normal times the Commission's answer would be no; however, in view of existing conditions the Commission is willing to give the matter consideration but is not ready to make a definite decision today. He suggested that the contractors present their arguments for the change in writing. The contractors agreed to do this. These are to be given to the Engineer for study and report back to the Commission as soon as possible. Commissioner Oliver concurred.

The Engineer brought up for discussion a plan for the separation of vehicular traffic at the intersection of Denver and Union Avenues, Portland. He exhibited a map showing the proposed layout which, he said, is the result of some two years' study of various schemes to control the traffic at this point and is the best plan that can be devised. The separation of traffic at this intersection, he said, is badly needed in normal times and is particularly needed now because of the confusion caused by traffic to and from the shipyards. He suggested that it would be advisable to proceed with the acquisition of needed right of way now so the project can go forward without delay as soon as federal funds can be obtained to finance construction. He particularly pointed out the need to purchase right of way from Westerlund Boat Company inasmuch as this company has plans to enlarge its present building facilities and must know in the immediate future just what the Highway Commission intends to do. He estimated the cost of construction using timber at \$250,000, and the cost of extra right of way needed at between \$40,000 and \$60,000. After considerable discussion the Commission authorized the Attorney to proceed with the securing of options for the right of way. Chairman Cabell was authorized to pass on the Westerlund property so this particular deal can be closed as soon as possible. It was understood that the balance of the right of way is to be presented to the Commission for approval in the regular manner.

A delegation from Coos County, consisting of County Judge E. L. Peterson, W. E. Cross and Wallace B. Dement, representing the Fat Elk Drainage District, and E. L. Detlefsen, representing the Port of Bandon, came before the Commission and asked for state aid in the construction of a short revetment to control flood waters in the Coquille River at a point opposite the town of Norway, about five miles south of Coquille. Judge Peterson headed the group

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He advised that, as a result of the raising of the highway grade across the low lands west of Coquille, waters of the Coquille River back up and, during the period of freshets, the river breaks over its bank at the point above mentioned, inundating privately owned land in the Fat Elk Drainage District, seriously impairing the use of the land and endangering the highway. He gave as his thought that, unless something is done soon to control the water, it will not be long before a new channel is formed and the water is entirely diverted from the present channel. It was his opinion that the protection of the highway is ample justification for an expenditure of state highway funds for constructing the revetment and urged favorable consideration by the Commission from that standpoint. He advised that others who will participate in such costs are Coos County, the Port of Coquille, Fat Elk Drainage District and Smith Wood-Products, Inc.; and it is planned that each will pay one-fifth of such expense.

The Engineer advised that investigation reveals that approximately 200 feet of revetment is required, which would cost about \$7,500, including engineering and contingencies. Judge Peterson advised that Coos County is in position to perform the construction work but would like the state to furnish the engineering. The Engineer suggested that, if the state participates in the project and furnishes the engineering, the engineering expense should be included in the total costs for equal distribution among all parties; also, that the state should be relieved of any obligation with respect to maintenance of the revetment. The Attorney advised that the Commission has legal authority to contribute state highway funds for this purpose if it is necessary in order to protect the state highway. The matter was discussed at some length but a decision thereon was deferred until the afternoon session. (Approved by Commission later. See ahead for final action.)

Judge Peterson also asked the Commission to widen the Oregon Coast Highway about six feet at its intersection with the Lampa Creek county road, where considerable traffic enters the highway. He explained that the county road carries a large volume of traffic, which cannot safely enter the highway under present conditions because of the short sight distance. In his estimation, the widening of the highway would to a large extent alleviate this condition. The Engineer was instructed to investigate the condition and to report his findings, together with an estimate of the cost, at the next meeting.

A delegation from Linn County, including County Judge J. J. Barrett; County Commissioners H. A. Renninger and Claude G. Smith; County Engineer W. W. Larsen; and W. G. Phelps and Leo Howard, log haulers, Lebanon, was present and asked the Commission to assume jurisdiction over the county road between Brewster and Lacombe. Mr. Phelps headed the group. He advised that he represents operators who truck-haul logs for the Hammond Lumber Company from the Lacombe district into Lebanon; and, because of a ruling of the Linn County Court which prohibits the hauling of logs over the Brewster-Lacombe Road, they are required to use another county road which is some six miles longer. The county court, he said, is willing for them to use the Brewster-Lacombe Road, which is oiled throughout, if the State Highway Commission will agree to maintain the same at state expense. He urged the Commission to designate the Brewster-Lacombe Road a state secondary highway so as to reduce their haul mileage and save unnecessary wear and tear on their equipment, particularly their tires.

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The engineer advised that investigations reveal that the Brewster-Lacomb Road was constructed for use by light traffic only and will not stand up under log hauling traffic. To put it in condition to withstand such traffic, he said, would cost about \$208,000 and in addition thereto it would cost about \$2,680 annually for maintenance and about \$4,000 annually for extra gang patching; further, that to strengthen the present surfacing to accommodate empty logging trucks would cost about \$20,000 and to maintain the road would cost \$3,350 annually with an additional expenditure of about \$4,000 annually for extra gang patching work. He pointed out that under the present governmental rules and regulations it would be almost impossible to secure approval for such an expenditure even if the Commission were able to secure a priority rating high enough to allow the work to proceed. Furthermore, there is a question whether or not it would be possible to secure a contractor to undertake the work. Chairman Cabell advised that the Highway Commission is having a hard time meeting its present obligations, and in view of the circumstances he could not see how the Commission could justify the assumption of additional ones.

Mr. Phelps then suggested that the state maintain the present road and let the loggers use it. Chairman Cabell replied that it is becoming more and more difficult for the Commission to secure rock for road repairs and as evidence thereof pointed out that the Commission at this meeting advertised seven rock production projects for bids but received only one bid for one of them, which indicates that the contractors are not interested in this kind of work. He suggested that it might be possible to secure federal access road moneys to finance the project in view of the commodity which is to be transported over the road. Mr. W. H. Lynch, District Engineer, Public Roads Administration, was present and advised that logging roads are eligible to a certain extent for federal access road moneys but he is not in position at this time to state definitely whether or not this road would qualify. The suggestion was made that the loggers arrange with the Snow Peak Logging Company for the use of its private road which approximately parallels the county road between the same points. Mr. Phelps advised that the charge for the use of this road is prohibitive and could not be met.

Judge Barrett also urged the Commission to take over the Brewster-Lacomb Road, advising that Linn County is not financially able to assume the cost of maintaining county roads that are used by log haulers. He particularly urged state maintenance of the road so that the loggers could use it at least in returning empty to the woods. Chairman Cabell concluded the discussion by stating that the Highway Commission is not in position today to assume this obligation in view of decreasing state highway revenues so necessarily must deny the request. Commissioner Oliver concurred.

Mr. C. T. Leedy, Sisters, was present and urged, in behalf of the people of his town, the filling in of the gutters along the McKenzie Highway for three or four blocks in Sisters so that cars will not be damaged in parking next to the curb line. He explained that curbs and sidewalks were constructed last year under a W.P.A. arrangement, but no provision was made for the filling in of the area between the pavement and the curbs, and as a result the curbs were left too high and cars cannot park satisfactorily unless they stop several feet away from the curb. It appeared to the Commission that this is an obligation of the Work Projects Administration, however, in view of the fact that the

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state furnished the engineering on the job, the matter was referred to the Engineer for investigation and report. Mr. Leedy was informed that, if the project is not too costly and the Commission is able to finance it, the work will be done, although the present outlook is not very encouraging. Mr. Leedy left with the Commission a petition signed by numerous citizens of Sisters requesting the improvement.

The Assistant Attorney, in charge of real property purchases, was present and requested authority to acquire certain parcels of land that are needed for right of way and for other purposes in connection with state highway improvements throughout the state. He submitted a list of such properties, together with offers that he recommended be made in connection with each. After careful study of each item the Commission approved the request and thereupon by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth, and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon, and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Tillamook-Pleasant Valley Section, Oregon Coast Highway</u>				
10522-Werner, Edward	R/W	0.65	\$300 per acre	Witt
<u>North Bend-Marshfield Section, Oregon Coast Highway</u>				
9574-McDonald, J. H. (Correction)	R/W	248 sq. ft.	15¢ sq. ft., plus \$525.80	Benson
<u>Van Dyke Section, Nehalem Highway</u>				
9058-Heesacker, A. H. (Correction)	R/W	0.19	\$150 per acre, + \$82.57	McChesney

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Berger Ranch-Barnes Road Section, Wolf Creek Highway</u>				
5217-Johnson, Knute	R/W	3.13	\$275 per acre, plus \$56.25	Landon
5213-Smith, Heirs, John C. (Estate)	R/W	3.63	\$225 per acre	"
5213-Beamish, Richard, Mary and Jennie	R/W	3.36	\$250 per acre, plus \$62.50	"
5212-Jenne, Herman, and Heirs of Jacob Jenne	R/W	1.60	\$200 per acre	"
10254-Smith, William E. and Luther L. Adcox	R/W	1.27	\$300 per acre	"
<u>Oregon Shipyard-Columbia Boulevard Section, Oregon Shipbuilding Corp. Access Hwy.</u>				
10386-Electro Metallurgical Company	R/W	0.44	\$600 per acre	McCallister
10409-Multnomah County	R/W	0.426	GRATIS	"
		28,596 sq.ft.		
10410-Portland, City of	R/W	16,022 sq.ft.	GRATIS	"
<u>Portland Section, Swan Island Access Highway</u>				
10420-A Multnomah County	R/W	3,000 sq.ft.	GRATIS	McCallister
		0.716 acre		
<u>Monmouth-Suver Section, Pacific Highway West</u>				
10366-B Falk, F. W. and Webster A. Falk	Borrow Pit	2.5	1 year lease-\$200	Eason
<u>Florence-Rainrock Section, Suislaw Highway</u>				
1670-A Blachly, Frank E.	Stock Pile	0.46	In exchange for 0.56 acre, in Lot 9, Sec. 34, Tp. 17 S.R.10 W., Lane Co.	Lytle
<u>Odell Lake-Walker Mountain Section, Willamette Highway</u>				
10510-Zimmerman, Hans	R/W	0.47	Land \$10 + \$45	Benson
<u>Goshen-Lowell Section, Willamette Highway</u>				
8982-Edmunson, H. L.	R/W	19.04	\$125 per acre, plus \$3,159	Benson
<u>Eugene-Judkins Point Section, Pacific Highway</u>				
9426-D Hayes, James	R/W	0.28	\$500 per acre	Parker
<u>Halsey-Harrisburg Section, Pacific Highway</u>				
10271-Sprick, John D. and S. W. McPherson (Correction)	R/W	0.75	\$175 per acre, plus \$690	Benson
<u>Grave Creek-Jump-Off Joe Section, Pacific Highway</u>				
10608-Smith, Amos et al	Stock Pile	1.0	\$100 per acre, plus \$7.50	Lytle

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Days Creek-Milo Section, Tiller-Trail Highway</u>				
9918-A Wright, W. T.	R/W		Area for power transmission tower - \$200, plus \$5	Witt
9915-A Dean, Merlin K.	Easement			
	R/W		Area for power transmission tower - \$100	"
9908-A Baker, Bruce	Easement			
	R/W		Area for power distribution pole and guy wire - \$50	"
9920-A Wright, Jay W.	Easement			
	R/W		Area for power transmission tower - \$60	"
9913-A Higgins, Jack	Easement			
	R/W		Area for power transmission tower - \$100	"
9208-A Williams, Gladys	Easement			
	R/W		Area for power transmission tower - GRATIS	"
	Easement			
<u>Wolf Creek-Grave Creek Section, Pacific Highway</u>				
10431-Wiederkehr, August (Correction)	R/W	18.0 69.0 87.0	\$75 per acre \$5 per acre, plus \$14.75	Witt
10427-Linnton, Sam and Margaret Shelley	R/W	5.38	\$100 per acre, plus \$5325, less 10% depreciation on buildings, plus \$1000	"
10432-Hers, James I. and Hubert R. Kent	R/W	3.0	\$50 per acre, plus \$86.50	"
<u>Altamont Drive-U. S. R. R. Canal Section, Klamath Falls-Lakeview Highway</u>				
9764-Wheeler, Herrick A. (Correction)	R/W	1,573 sq.ft.	LUMP SUM - \$25	DeSouza
<u>Chrome Mine-North Bank Road Section, Seven Devils Chrome Mine Access Road</u>				
10500-Fahy, Beulah and Roby E. Muir	R/W	8.52	\$5 per acre, plus \$436	Benson
<u>Madras Section, The Dalles-California Highway</u>				
8618-Ellis, W. A. (Correction)	Slope Easement for R/W		10-foot slope easement, 150 ft. long, and grade change damage - \$100	DeSouza
<u>Fossil-Service Creek Section, John Day Highway</u>				
9751-A Butte Creek Land, Livestock & Lumber Company	R/W and Stock Pile	1.39 1.0 2.39	\$25 per acre \$25 per acre, plus fencing	McCallister
<u>Rock Creek-Joseph Section, Wallowa Lake Highway</u>				
10487-Craig, W. F.	Stock Pile	0.97	GRATIS	Cozad
10490-Willett, Thos. J. and Winifred Landess	Stock Pile and Gravel Pit	8.85	\$50 per acre, plus \$5, plus fencing	"
10489-Litch, Estate Ella	Gravel Pit	9.81	\$100 per acre	"

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Nye Junction-Grant County Line Section, Pendleton-John Day Highway</u>				
10492-Pilot Rock Lumber Company	Stock Pile	7.6	8 year lease - \$50	Cozad
<u>Prairie City-Dads Creek Section, John Day Highway</u>				
10521-Galbraith, J. W.	Gravel Pit Bar Lease		Gravel removed to be paid for at rate of 5¢ cu.yd.	Cozad
<u>Mitchell Maintenance Quarters Section, Ochoco Highway</u>				
10423-Monroe, D. V.	Maintenance Headquarters	2.542	LUMP SUM - \$700 (Approx. \$275.34 per acre)	Chandler
<u>Malheur County Section, Jordan Valley Highway</u>				
10513-Maher, W. S.	Gravel Pit Lease	37.64	1 year lease - \$50	Van Scoy
<u>Front Avenue Project-Columbia Street South (Portland)-Pacific Highway West</u>				
8171-A Oregon Electric Railway Company	R/W	24,000 sq.ft.	\$9,909	McCallister
<u>Sexton Mountain Section, Pacific Highway</u>				
8370-Smith, Ruben W.	R/W		\$300 - compensation in lieu of building approach road	DeSouza

The Commission adjourned at 12:00 noon and reconvened at 1:30 p. m. in the same room, with the same persons present and participating.

The Honorable F. C. McKenzie, Mayor of Hermiston, was present in regard to the construction of a connecting road between the Boardman-Stanfield Highway and the county road which extends from Hermiston to the army ammunition depot, west of Hermiston. He advised that the county road is used extensively by people who travel back and forth between Hermiston and the ammunition depot and that up to the present time they have been allowed entrance to the depot grounds through a gate on the east side of the reservation. However, the army now proposes to close this gate to public use, and people will have to travel several miles on a circuitous route to enter the reservation through the main gate on the south side of the area, which causes unnecessary wear and tear on automobiles and tires. The connecting road, he said, would correct the situation, and he suggested that it might be possible to secure federal access road moneys to finance the work. The Commission considered that it is not justified in spending state money to build such a road and that the proper way to handle the situation would be the continued use of the east gate. Accordingly, the Engineer was instructed to write Lt. Colonel Ralph Cook Scott, who is in charge of the ammunition depot, setting forth the facts and suggesting that traffic be allowed to enter the reservation via the east gate as a proper solution for this difficulty; and, if it cannot be handled in that manner, that he (Lt. Colonel Scott) certify the proposed road as an access road

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and secure federal access moneys to finance construction of the same, including a railroad grade separation structure, so the road can be built without delay.

Reconsideration was given by the Commission to the request presented by the Coquille delegation at the morning session, for state aid in the construction of a revetment in the Coquille River opposite the town of Norway. Assistant State Highway Engineer, Mr. C. B. McCullough, advised that he personally inspected the site and found that the river is actually cutting a new channel. It was his opinion that the main river eventually will break through and cause considerable damage to private property and to the Oregon Coast Highway unless corrective measures are taken. The State Highway Engineer recommended, in view thereof, approval of the state's participation in the project by furnishing the engineering supervision and assuming a one-fifth share of the expense involved which shall include the engineering expense. He also recommended that the matter be covered by written agreement among all parties concerned. The Commission approved the recommendation.

The Assistant Attorney requested authority to institute condemnation proceedings to clear title to a quarry site that is being acquired from Matt Endres, et al., for use in connection with the improvement of the Albany-Lyons Secondary Highway, in Linn County. He advised that the Commission has already approved payment of \$200 for the property and that the owners have agreed to accept such sum, but there is an ambiguity in the title which cannot be clarified without going to court. The Commission confirmed the offer of \$200 for this property and by unanimous vote adopted the following resolution authorizing condemnation of the same:

WHEREAS, the State Highway Commission is authorized to locate, relocate, construct, reconstruct, maintain, widen, straighten, and otherwise improve state highways, both primary and secondary, and said Commission is also authorized to construct shops, equipment sheds, office buildings, maintenance sites, patrolmen accommodations, and snow fences, and is authorized to acquire quarry sites, gravel pits, storage sites, stockpile sites, weighing stations, and broadcasting stations, and is further authorized to develop, construct, improve, operate, and maintain parks, parking places, auto camps, camp sites, roadside development, recreational grounds or resorts, and other places of attraction and scenic value; and

WHEREAS, said Highway Commission is authorized to acquire by purchase, agreement, donation, or by the exercise of the power of eminent domain real property, or any interest therein, necessary or deemed by the Highway Commission necessary for the accomplishment of any and all of the foregoing things; and

WHEREAS, in the judgment of the Highway Commission the tract or parcel of land hereinafter described is necessary for the specific and particular purpose hereinafter specifically set forth;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

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1. That the Commission does hereby find and declare that the parcel of real property hereinafter described is necessary for the purpose of securing roadbuilding materials therefrom for use in connection with the Albany-Lyons Secondary Highway No. 211, which said real property is described as follows, to wit:

A parcel of land lying in the William Gilchrist D. L. C. No. 43 in Section 4, Township 10 South, Range 1 East, W. M., Linn County, Oregon; the said parcel being described as follows:

Beginning at a point on the south line of the county road; said point being North 89° East 1760.2 feet and north 386.1 feet from the southwest corner of the said William Gilchrist D. L. C. No. 43; thence South $78^{\circ} 15'$ East along said road line 400 feet; thence South 25° East 66 feet to the northerly right of way line of the Albany-Lyons Highway; thence along said right of way line in a westerly direction to its intersection with the northwesterly boundary of the owners' property; thence North 80° East to the northwest re-entrant corner of the owners' property; thence north to the place of beginning, containing 2.05 acres.

(It is the purpose of the State to acquire all that portion of the owners' property lying north of the Albany-Lyons Highway and south of the county road leading to Stayton.)

2. That the Commission does hereby find and declare that the said described parcel of real property is necessary and acquisition of the same by the State is required for the specific purpose hereinabove set forth, and the said property is being acquired for the express and specific purpose in this resolution set forth.

3. That the State Highway Engineer be and he hereby is instructed and directed to make or cause to be made all surveys necessary in connection with the determination, description, and acquisition of said real property, and said Engineer is further instructed to prepare and submit to the Legal Department necessary and adequate description of the said real property, which said description shall be available for the preparation of any deed or deeds or other instrument or instruments necessary to complete the acquisition of said property, whether said property be acquired by purchase, donation, agreement, or by the exercise of the power of eminent domain.

4. That J. M. Devers, Attorney for the State Highway Commission, be and he is hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory

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agreement or agreements can be reached, then it is hereby further resolved that J. M. Devers, Attorney for the State Highway Commission, be and he hereby is requested to commence and prosecute to a final determination such suit or action as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

The Assistant Attorney also brought up for discussion a claim presented by Mrs. Viola M. Gray for damages which she alleges occurred to her property by reason of a grade change on The Dalles-California Highway, at Madras. He explained that this property is situate across the street from property owned by Mr. W. A. Ellis to whom the Commission at this meeting authorized payment of \$100 for the same reason that Mrs. Gray claims damages, and in his estimation Mrs. Gray is entitled to consideration because the change in grade was not clearly understood when the settlement had been made with her. He recommended the reopening of this case and that he be authorized to negotiate a settlement with Mrs. Gray. The Commission approved the recommendation.

Mr. D. L. Callicrate, Portland, representative of the Foster-Kleiser Company, was present and left with the Commission a folio containing examples of camouflage work which his company performs. The folio was referred to the Engineer.

The Attorney rendered a brief report on a conference with Mr. Frank Lonergan, attorney for Mr. J. H. Gilbaugh, who wants to sell to the state for park purposes certain property that he owns adjacent to the Columbia River Highway near Crown Point, or, if the state does not want the property, that it provide access to the Columbia River from the property so Mr. Gilbaugh can market the timber and rock deposits that exist thereon. He stated that Mr. Lonergan indicated at the conference that Mr. Gilbaugh wants about \$10,000 for the property. The State Parks Superintendent, who was present, advised that the property is of no special value from the state parks' standpoint. The engineer suggested refusal of the offer and denial of any responsibility in connection with construction of a roadway from the property to the river. The Commission approved the recommendation and instructed the Attorney to inform Mr. Lonergan that the Commission is not interested.

The Assistant Attorney presented an offer from Mr. J. D. Bergen, North Bend, to either purchase or lease a portion of the property recently acquired from him as right of way in connection with the improvement of the Oregon Coast Highway between Marshfield and North Bend, more particularly identified as the greenhouse property. He advised that one of the conditions of the purchase was that Mr. Bergen would be allowed the use of the area outside of the standard width right of way until such time as the state needed the property, provided he paid a reasonable rental for the same. Mr. Bergen, he said, prefers to purchase the property if the state will sell; but if he can't buy it, he is willing

to pay \$20 per month rental for the use of the same until some time this fall when he will vacate the premises. He gave as his thought that the offer is reasonable and recommended acceptance of the same in the event the Commission does not elect to sell the property. The Commission decided not to sell the excess land; however, approved rental of the same at the price offered.

In this connection the Assistant Attorney requested instructions relative to the sale of excess right of way acquired on the bay side of the highway in connection with this project. He suggested retention of all of this land by the state in order to prevent "ribbon" development along the highway. The Commission approved the suggestion although reserved the right to make exceptions in the event they are considered advisable.

Reconsideration was given by the Commission to the application of Messrs. Hilton and Burgess to rent a portion of the right of way that was recently acquired for a revision of the Fossil-Antelope Secondary Highway, in Wheeler County. The Assistant Attorney suggested, because of the likelihood that this right of way will not be utilized for state highway purposes until the war is over, that these men be permitted to use the area for farm purposes without charge until the state needs it. He pointed out that by so doing the Highway Department would avoid the expense of keeping down noxious weeds, which feature could be regarded as consideration for the use of the land. The Commission approved the suggestion as a temporary proposition, there being a possibility that the Commission may wish to make a charge for the use of the land at some future time. This privilege is to be granted with the understanding that the state will not be held liable for crop loss in the event a crop is destroyed when the land is repossessed by the state.

The Assistant Attorney reported receipt of an offer from Mr. Lawrence Osterhoff, Eugene, to purchase a building located on property acquired from Mr. A. D. Jones, in connection with the acquisition of right of way for the improvement of the Pacific Highway, through Eugene. Mr. Osterhoff, he said, has offered to pay \$50 for the building, although he believes that he might be induced to pay \$75 for the same. He recommended acceptance of the offer if he can't get more. The Commission approved the recommendation.

In this connection the Assistant Attorney requested instructions relative to the disposal of additional buildings in Eugene. He advised that normally these would be either rented or advertised for sale and recommended selling them because there is no shortage of houses in Eugene at the present time and he is having a hard time to secure renters. Action on the matter was deferred by the Commission until the next meeting.

The Attorney submitted a supplemental report on the controversy with Mr. L. E. Stafford, concerning payment for the moving of a barn, in connection with a right-of-way purchase near Goshen, in Lane County, the barn having been destroyed by fire before the moving operations were started. He read aloud a letter from Mr. Stafford's attorney to the effect that Mr. Stafford will not deal with the state on the basis of the option he gave the state unless he is allowed \$600, the amount originally allowed for moving the barn, and unless the deal is consummated in the near future. He recommended that Mr. Stafford be

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not paid such sum unless the payment be ordered by the Court. The Commission approved the recommendation.

The Attorney also brought up for discussion the matter of rental to be charged the Union County Sportmen's Club for the use of a portion of the property recently acquired by the Commission from the State Game Commission, at Union, Oregon, on which area the club has maintained a clubhouse for a number of years under agreement with the State Game Commission. He advised receipt of a letter from F. B. Wire, State Game Supervisor, suggesting the lease of the property to Union County Sportmen's Club for a period of fifteen years at the rate of \$1.00 per year. The Commission considered that fifteen years is too long a time to tie up this property; however, approved the leasing of the property to the Sportsmen's Club for a period of five years at the rate of \$1.00 per year. The Attorney was instructed to convey such information to Mr. Wire.

At 2:15 p. m. Chairman Cabell announced the following awards of contracts, sale of building in Eugene, and sale of material in railroad trestle, bids for which were taken at the morning session, the awards having been previously approved by the Commission by unanimous vote:

"Richland-Halfway Rock Production Project, on the Baker-Homestead and Halfway Highways, in Baker County. Requires approximately 8,000 cu. yds. crushed rock in stock piles. No bids were received on this project.

"Buchanan Rock Production Project, on the Central Oregon Highway, in Harney County. Requires approximately 7,000 cu. yds. crushed rock in stock piles. There were no bids received on this project.

"Walker Mountain Rock Production Project, on The Dalles-California and Willamette Highways, in Klamath County. Requires approximately 19,500 cu. yds. crushed rock in stock piles. No bids were received on this project.

"Salt Creek Falls-Odell Butte Rock Production Project, on the Willamette Highway, in Klamath and Lane Counties. Requires approximately 14,100 cu. yds. crushed rock or crushed gravel in stock piles. No bids were received on this project.

"Alkali Lake Flight Strip Project, on the Lakeview-Burns Highway, in Lake County. The only bid received for this project was that of C. A. Dunn, Klamath Falls, in the amount of \$204,368.00. The Commission refers the bid to the Engineer with power to award the contract when certain conditions have been fulfilled.

"Dead Ox Flat-Cairo Junction Rock Production Project, on the Old Oregon Trail and Central Oregon Highways, in Malheur County. Requires approximately 9,500 cu. yds. crushed gravel in stock piles. The only bid received for this project was that of Chester T. Lackey, Ontario, in the amount of \$25,000.00. The Commission awards this contract to Chester T. Lackey at his bid of \$25,000.00.

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"Rome Flight Strip Project, on the I.O.N. Secondary Highway, in Malheur County. Clifford A. Dunn, Klamath Falls, submitted the only bid for this work, in the amount of \$201,645.00. The Commission refers the bid to the Engineer with power to award the contract when certain conditions have been fulfilled.

"Nye Junction-Grant County Line Rock Production Project, on the Pendleton-John Day Highway, in Umatilla County. Requires approximately 19,000 cu. yds. crushed rock in stock piles. No bids were received on this project.

"Rock Creek-Joseph Rock Production Project, on the Wallowa Lake Highway, in Wallowa County. Requires approximately 12,000 cu. yds. crushed rock or crushed gravel in stock piles. No bids were received on this project.

Sale of Residence Building in Eugene:

"Building No. 3948, formerly owned by Katherine Stewart. The only bid received for this building was that of Arnold Lindeland, Eugene, in the amount of \$360.00. The Commission sells this building to Arnold Lindeland at his bid of \$360.00.

Sale of Material in Railroad Trestle:

"Railroad trestle located west of Sunset Camp, in Tillamook County. No bids were received for this material."

The Commission also considered the award of the contract for the Port Orford Rock Production Project on the Oregon Coast Highway, in Curry County, bids for which were received on June 4, 1942. The Engineer advised that performance of this contract cannot be accomplished under the original specifications because of wartime regulations ordered by the army authorities. However, the low bidder for the project, A. H. Saxton & Son, Corvallis, is agreeable to certain changes in the specifications to permit the project to go forward. He recommended award of the contract to A. H. Saxton & Son on the basis of the revised specifications and said that the only alternative is to readvertise the project, which raises the question whether or not a satisfactory bid, if any, can be secured. The Commission approved the recommendation and thereupon awarded the contract to A. H. Saxton & Son.

The Commission signed a letter directed to the Work Projects Administration relative to the use of buildings erected by the WPA at Camp McNamers, in connection with the Wilson River WPA project. Such letter advises the Work Projects Administration that the buildings are to be used for state purposes only.

The Commission discussed briefly a report with respect to the proposed purchase from Mr. Elmer Bankus of certain timber land adjacent to the Oregon Coast Highway, in Curry County, but deferred action thereon until the next meeting, when Mr. Bankus will be present.

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The Commission also discussed briefly the question how to dispose of obligations for fence construction along highway projects which cannot be constructed until the present war emergency is over. Action thereon was deferred until the next meeting.

The Engineer reported that a short revision in the Wolf Creek Highway near Necanicum, in Clatsop County, has been completed and that the old road is no longer of value from the state's standpoint. He recommended that it be turned back to Clatsop County for future maintenance or other disposal. The Commission approved the recommendation and thereupon adopted the following resolution in regard thereto:

WHEREAS, in order to afford a better alignment and a more satisfactory, safe and convenient highway for the traveling public the Commission found it necessary to relocate a portion of the Wolf Creek Highway in Clatsop County; and

WHEREAS, by reason of said relocation and reconstruction of said section of highway there was eliminated and made unnecessary as a part of the permanent highway a certain section which is more particularly defined and described hereinafter in this resolution; and

WHEREAS, it is the judgment and opinion of the Commission that there should be recorded in the minutes and records of the Commission its purpose and plan to abandon as a part of the said highway the fragment or portion of right of way hereinafter designated and which was heretofore included within the area of the right of way of said highway as formerly located, but which is now without the regular limits of said highway as relocated.

NOW, THEREFORE, the premises being in general as above stated, it hereby is resolved by this Commission, all members being present and affirmatively voting, as follows:

1. That the fragment of land confined within the area hereinafter described, which fragment or parcel of real property was formerly within the limits of the right of way of the Wolf Creek Highway, but is no longer a part of the right of way of said highway as the same has been relocated and constructed be and said parcel of real property is abandoned as a part of the right of way of said highway, and said parcel of land is, so far as control and supervision by this Commission is concerned, eliminated and left to revert to the adjoining and abutting property owners, or to the control and supervision of the County Court of Clatsop County for highway or other public purposes as the Court may determine. The fragment or parcel of land affected by this resolution is defined and described as follows, to wit:

All that certain section of the old right of way of the Wolf Creek Highway, lying on the northerly side of the right of way required for the reconstructed Wolf Creek Highway over

and across Section 23, Township 5 North, Range 9 West, W. M., Clatsop County, the beginning and ending points with reference to the engineer's stations of said reconstructed line being Station 2+45 on the westerly end and Station 11+05 on the easterly end.

The location of said abandoned right of way may be more definitely and particularly ascertained and determined by reference to a map or blueprint marked Exhibit A attached hereto and by this reference made a part hereof, which said exhibit for identification purposes bears the signatures of F. D. Eason, Division Engineer, H. G. Smith, Construction Engineer, and C. B. McCullough, Assistant Highway Engineer, and is dated August 17, 1942, upon which map or exhibit is reflected the above described parcel of land by showing the same shaded in red.*

2. In the event there remains any physical connection between any portion of said abandoned right of way or highway and the present highway, and by reason of such physical connection traffic from the existing highway may enter or use the said abandoned right of way or highway to the possible damage or injury of such traffic by reason of any unsafe condition existing with respect to said old or abandoned road, then the State Highway Engineer is hereby authorized and directed to erect such barricade or other safeguards as may be necessary to protect and safeguard traffic using and employing said newly located, constructed and dedicated section of said highway.

3. That this resolution be entered in the minutes and records of the Commission and a certified copy thereof promptly delivered to the County Court of Clatsop County, together with a copy of said exhibit or map, for such action as said County Court may desire to take with respect to the fragment of land to be abandoned, and should said abandoned section of the right of way of said Wolf Creek Highway be further employed for public or private highway purposes such use shall be entirely under the control and supervision of the County Court of Clatsop County and beyond any responsibility or supervision by the State Highway Commission.

The Engineer reported on the request of the County Court of Marion County for the substitution of a county road for a section of the secondary state highway in the vicinity of Sublimity. He recalled that the Commission, at its meeting on June 25, 1942, authorized such exchange of roads subject to the condition that the county would provide a right of way 60 feet wide throughout. Investigations have been made by the county court, he said, which reveal

*Map filed Right of Way Abandonment and Retention File - No. 109

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that the cost of securing such width right of way will be considerable and the court does not feel justified in going to this expense at the present time so has asked that the matter be dropped for the time being. The Commission approved the report.

The Commission discussed the advisability of purchasing from the State Treasurer certain state highway bonds which he has acquired in connection with the investment of state funds under his control. The Engineer advised that the State Treasurer has on hand state highway bonds totaling \$262,500 which mature \$37,500 on each April and October, commencing with April 1943 and ending April 1946; that the State Treasurer purchased them at the rate of \$113 for each \$100 par value of the bonds and that the value of the coupons attached thereto is \$37,734.55. He suggested, in view of the present and anticipated financial status of state highway funds, that the Commission do not take up these bonds in advance of maturity because the saving will amount to very little and the highway funds will be needed for other purposes. The Attorney advised that the only legislative instruction to the Commission that he can find pertaining to the matter is an instruction to pay interest and principal on highway bonds as and when due, and that he cannot find any authority for the Commission to use current state highway funds for the purpose of purchasing outstanding, unmatured state highway bonds. In view of this opinion the Commission decided not to purchase the bonds; however, instructed the Engineer to inform the State Treasurer that the Commission is open-minded in the matter and will reconsider its decision if it is ascertained later that the Commission has legal authority to use state highway funds for such purpose.

Matters pertaining to the construction of the Marshfield-North Bend Section of the Oregon Coast Highway had the attention of the Commission, particularly the rearrangement of the Standard Oil Company's plant in connection therewith. The Engineer advised that in the proposed rearrangement of the company's plant a considerable quantity of metal will be needed consisting principally of pipe but including some structural steel, and that under the arrangement the company is to furnish such metal. He pointed out that the project has a low priority rating, and it is doubtful that the company will be able to secure the metal. He suggested, in view of the fact that the highway work cannot proceed until the company's plant has been re-established, that the advertising of the highway project for bids be deferred until assurance is received that the company is able to secure the material for the rearrangement of its plant. It was the thought of the Commission that the project should not go forward until all physical things in connection therewith have been taken care of, including a satisfactory conclusion of arrangements with the railroad company as well as with the Standard Oil Company; and it was so ordered. The Engineer was instructed to bring the matter to the attention of the Commission again before advertising the project.

The Engineer reported an unsatisfactory condition which exists in connection with the construction of asphalt pavement on the Front Avenue Project, Portland. It appears that Edlefsen-Meygandt Company, the original contractor for this project, subcontracted the paving work to another contractor who is engaged in work at one of the Portland shipyards and feels that he is obligated to complete such work before constructing the paving work on Front Avenue, and it also appears that the Front Avenue paving work will not be completed before the

rainy season sets in unless it is done in the very near future. The Engineer advised that the excuse that no asphalt can be obtained is not well founded because he has made arrangements for the delivery of one car of asphalt per day. He suggested that the contractor be notified that he must proceed with the paving work at once in accordance with the specifications or the Commission will take action as is provided in the contractual provisions in order to expedite such work. He estimated that it would take about one month to do the Front Avenue paving work and gave as his thought that it would not cause a great amount of inconvenience if the shipyard work were delayed that length of time. After discussion the Engineer was instructed to contact the naval officer in charge of the shipyard work and secure, if possible, the release of the subcontractor on that work a sufficient length of time to complete the Front Avenue paving.

Reconsideration was given by the Commission to the request of the Coos County Court for the construction of a parking space for automobiles at Sunset Beach. The Engineer estimated the cost of the project at about \$350. He advised, however, that the Sunset Beach Park is owned by Coos County and that the parking area is entirely off the state highway right of way. It appeared to him that the construction of the parking area is strictly a county obligation in which the state is not particularly concerned. In this connection a report was presented from the State Parks Superintendent giving as his thought that the expenditure of funds for the parking area is inappropriate under present wartime conditions. In view of the reports the Commission denied the request.

The Commission also discussed a request from the Myrtle Point Chamber of Commerce for the alleviation of a dangerous condition which it is alleged exists along the Coos Bay-Roseburg Highway at the south entrance to Myrtle Point. The Engineer advised that to correct this situation would require the elimination of three curves and the realignment of a quarter-mile section of the highway, at an estimated cost of \$11,000. He recommended, in view of the expense involved and prevailing conditions, that the request be denied but that the project be kept in mind for future consideration inasmuch as it would be a desirable improvement when it can be financed. The Commission approved the recommendation.

The Secretary presented a petition from citizens of Corvallis for the construction of an additional 2,000 feet of sidewalk along the Pacific Highway West, north of Corvallis, beyond the limits of that proposed in the present contract, for the benefit of pedestrian traffic that has increased greatly by reason of activities at Camp Adair. The Engineer estimated that such improvement would cost about \$5,800. He advised that, when the plans for the Lewisburg-Corvallis Project were made, the matter of footpath and sidewalk construction was given very careful consideration, and the limit of such construction was fixed only after careful study and with full knowledge of anticipated future pedestrian traffic. Existing conditions, he said, are no worse than were anticipated and are not such as to make him want to change his decision. He recommended that the request be denied. The Commission approved the recommendation. Mr. W. H. Lynch, District Engineer, Public Roads Administration, was present and concurred therein.

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The Engineer requested authority to enter into a price agreement with contractor A. S. Wallace for the stock-piling of an additional 3,700 cubic yards of crushed rock in connection with his contract No. 2520, for the Pendleton-Meacham Rock Production Project, in Umatilla County. He estimated the cost of such material at \$6,845. The Commission approved the request.

The Engineer also requested authority to spend approximately \$1,700 for the widening of two small bridges on the Wells-Granger Access Road to Camp Adair, in Benton County. He explained that the existing bridges are narrow and constitute bottlenecks on this road but, if widened for a full width roadway, will take care of traffic satisfactorily for the time being. The Commission approved the expenditure.

The Engineer brought up for discussion the matter of improving the Pacific Highway West in the vicinity of Camp Adair where heavy construction-hauling operations along and across the highway have done considerable damage to the highway pavement. He advised that the Corvallis-Lewisburg contract provided for the furnishing of 1,650 cubic yards of plant-mix material for anticipated repairs between the north end of the project and the Polk-Benton County line but such tonnage is not sufficient to maintain the entire section; and as a result there is a 3,000-foot section immediately fronting the cantonment, where most of the heavy traffic is concentrated, that is going to pieces. He requested authority to enter into a price agreement with the contractors, E. C. Hall Company and J. C. Compton, for the reconstruction of this 3,000-foot section. He estimated that the work would cost about \$32,380, and advised that it is proposed to use federal funds to finance the work, if possible. The Commission approved the project; however, instructed the Engineer to present a claim to the Public Roads Administration for reimbursement for the expense involved.

Reconsideration was given by the Commission to the matter of payment of overtime to workmen employed on state highway contracts, particularly in connection with the contracts with E. C. Hall Company, J. C. Compton, and McNutt Brothers for the construction of Units "A" and "B" of the Monmouth-Benton County Line Section of the Pacific Highway West, in Polk County. The question involved is,—does the federal law, which requires contractors to pay time and one-half for overtime worked over 40 hours per week, control; or does the state law, which requires the payment of double time for work performed in excess of 48 hours in any one week, apply. The Attorney advised that, according to his interpretation of the law, the federal act does not apply to highway construction inasmuch as the "Fair Labor Standards Act of 1938," which is the federal act, is by its terms made applicable to "commerce" and to the production of "goods" for commerce; whereas the construction of the highway involved in the contracts under consideration is neither interstate commerce nor the production of goods for commerce. Further, if his interpretation of the federal act is correct, then it follows that the Oregon statute and not the federal statute prevails with respect to the labor provisions of these contracts. In other words, the contractors should be required to pay double time for all time worked in excess of 48 hours per week, notwithstanding that they allege that they are working under the federal act and are not required to pay more than time and one-half for all overtime worked in excess of 40 hours per week. The matter was discussed at considerable length; and it was the Commission's decision, in view of the Attorney's opinion, that the

contractor should be required to pay for overtime in accordance with the state law and the contract agreement. The Attorney was instructed to convey such information to the contractor. The Commission considered that it is not particularly concerned with the application of the federal law with respect to payment of overtime worked in excess of 40 hours but less than 48 hours per week, and that it is up to the workman to recover from the contractor if he is not satisfied with the amount given him.

A letter was presented from contractor Roy L. Houck requesting relief from the performance of certain work under his contract, No. 2382, for grading and paving the North Marshfield and Marshfield-Bunker Hill Sections of the Oregon Coast Highway, in Coos County, particularly Item No. 51 for furnishing and placing aggregates and Item No. 52 for furnishing and placing 151-200 asphalt, which items are involved in the construction of shoulders and sidewalk-oiling work. The Engineer advised that this contractor does not have equipment or experienced men to handle this kind of work and the subcontractor with whom he had arranged to do the work cannot do it because of press of war contracts. He recommended in view thereof that the contractor's request be approved and that the work be done with state forces. The Commission approved the recommendation. Mr. W. H. Lynch, District Engineer, Public Roads Administration, who was present, advised that he would recommend to his superiors that the state's claim for reimbursement for such force account work be allowed.

The Engineer brought up for discussion the matter of cancelling contract No. 2486, Harry I. Hamilton, contractor, for construction of a bridge over Spencer Creek on the Oregon Coast Highway in Lincoln County. He advised that the Commission awarded this contract on June 13, 1941, and that the contractual provisions called for completion of the project on or before January 31, 1942; further, that, after the excavation and certain other work in connection with the project were completed, unanticipated foundation conditions for the roadway embankment at each end of the bridge were encountered, resulting in subsidence of the embankments and ground movements near the bridge footings. He also stated that, because of such movements, he ordered the contractor to cease work until the embankments had fully settled and the ground around the bridge footings stabilized. It would not be good engineering or construction, he said, to complete the bridge work for at least six months after final settlement of the embankments has taken place. He gave as his thought, in view of the circumstances, that it would be only fair to terminate the present contract at this time and to pay the contractor for the work accomplished and for the materials that he has delivered to the job. He added that the project is not vital to the use of the highway and could be postponed until after the war without greatly inconveniencing the general traveling public. He recommended cancellation of the contract and payment to the contractor of the sum of \$4,806.49, the value of the material that the contractor has assembled at the bridge site, which amount, he said, the contractor has agreed to accept as payment in full. The matter was discussed at considerable length, during which discussion it was brought out that the state's loss by reason of the cancellation of the contract would not exceed \$2,400, and that the state very likely would have had to pay the contractor such amount anyway, to cover increased labor and material costs, if he had been required to complete the job as it was not his fault that the delay occurred. In view of the circumstances, the

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Commission decided to cancel the contract and ordered that the matter be covered by written agreement between the contractor and the state.

Mr. T. H. Banfield, President of the Iron Fireman, Portland, came before the Commission and requested permission to construct an entrance to the Front Avenue Highway, Portland, from property recently acquired by them, between Montgomery Street and Hall Street. He advised that the approach would be used as an exit only, so the crossing of the highway would not be involved. He was informed by Chairman Cabell that the Commission has an established policy which will not permit use of entrance driveways along this thoroughfare because of the hazard to highway traffic that would be created. However, if the one requested by the Iron Fireman is to be used as an exit only, and traffic from the plant will not have to cross the highway, that is a different matter and could be given special consideration. The matter was thereupon referred to the Engineer for investigation.

The Engineer requested authority to post signs on the Little Nestucca Secondary Highway prohibiting the truck hauling of logs between milepost 5.2 at the Nestucca River Bridge and milepost 8.7 near Dolph. He explained that this is a narrow, one-way road and that the bridges thereon are suitable for light traffic only. The Commission approved the request.

The Commission discussed a complaint relative to the taking of sand and gravel from the ocean beach at Oceanside, Tillamook County. It appears that materials are being taken from this beach for the construction of a navy blimp base south of Tillamook and that the beach and adjacent private property are being damaged thereby. The question arose whether or not the Commission should prohibit the taking of material from this source. The matter was referred to the Engineer with instructions to inform Lieutenant Commander W. J. Stribling, who has charge of the blimp base construction, that the Highway Commission has jurisdiction over the area and to ascertain from him just what the government's plans are with respect to securing of additional materials at this location.

The Engineer brought up for discussion a proposed change in policy with respect to the cost of installing, maintaining and operating directional signs on state highways within municipalities. He advised that under the present policy the state furnishes and installs such fixtures, but requires the cities to pay the operating costs, which is not a satisfactory arrangement. He recommended that, in order to avoid complications, the state assume all expense in connection with such installations, including the operating expense; also, that arrangements be made with the cities, if possible, to pay for electrical operating current in the first instance, reimbursement to be made by the state later, in order to secure advantage of the lower rates which are usually extended to the cities by the power companies. The Commission approved the recommendation and so ordered.

The Secretary presented an opinion from the Attorney General with respect to the Commission's authority to issue emergency transportation permits

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in accordance with the provisions of the resolution that was adopted by the Commission at its meeting on February 13, 1942. According to this opinion the State Highway Commission has legal authority to issue such permits which will operate as a modification of the law and will constitute authority to the Public Utilities Commissioner to require carriers to declare the maximum load that they will carry under such permits and to compute the fees to be paid by such carriers on the basis of the length and weight therein provided. (See opinion dated August 25, 1942, in general files.) The Commission expressed approval of the opinion and ordered it filed.

A letter was presented from Lt. Wm. J. Bennett, Assistant Engineer Officer, United States Army Air Corps, Spokane, Washington, requesting permission to operate over Oregon highways, as occasion may require in the salvaging of wrecked airplanes, certain tractor-type truck and trailer equipment larger in size than is permitted under the Oregon statutes. The Engineer recommended approval of the request, in view of the fact that the law, as now written, exempts governmental equipment from the provisions of the statute. The Commission approved the recommendation. The Secretary was instructed to bring to the attention of Lieutenant Bennett the exemption feature of the law and to inform him that, notwithstanding the same, the Commission will appreciate compliance with its rulings which require such movements to be accompanied by flagmen as protection to other traffic.

The Commission discussed briefly and ordered filed a copy of the instructions that have been issued by the Roaring River Logging Company to its truck drivers with respect to the truck hauling of logs over state highways, which instructions are in conformity with the intent of the Commission as expressed in permits that are issued covering such operations. (See copy of instructions dated July 22, 1942, in general files.)

The Commission also discussed briefly and ordered filed a report from the State Police Department with respect to a violation committed by one James Ervin Carlin who was arrested for transporting over the Oregon Coast Highway, near Seaside, a load of logs having an overall height in excess of the legal limits. According to the report Mr. Carlin was cited to the Justice of the Peace at Warrenton who dismissed the case and remitted the bail furnished by the accused, and who tendered his apologies for the arrest and inconvenience caused Mr. Carlin and the Converse & Hickman Logging Company, for whom he was working.

The Attorney reported receipt of a request from Mr. Hans Hanson, wholesale distributor, Klamath Falls, for the filling in of a depression in front of his building which was re-established to accommodate the improvement of South Sixth Street, Klamath Falls. It appears that when the buildings of this company and others were set back to accommodate the highway improvement, the vacated area was not brought to the proper level and the property owners concerned are desirous of having the holes filled in. The Engineer advised that the filling in of the holes is a right-of-way obligation and recommended approval of the project which he estimated would cost approximately \$500. The Commission approved the recommendation.

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A letter was presented from Mr. J. W. Edwards, Assistant Superintendent of the Portland Public Schools, advising that their eighth grade curriculum has been revised to include a study of Oregon history as a basis for the year's work, and inquiring as to the possibilities of securing 3,500 copies of the Oregon highway map for use in connection therewith. The Engineer advised that the supply of maps is rather low, fewer having been printed this year than heretofore because of the anticipated decrease in travel, so it will not be possible to furnish the number desired without seriously depleting the stock. He suggested, if the Commission desires to cooperate, the furnishing of 1,000 maps free of cost. The Commission approved the suggestion.

The Engineer brought up for discussion the functioning of the Highway Traffic Advisory Committee, which it is proposed to finance with federal strategic highway network funds that are available to the State of Oregon for planning survey work. He presented a program, which has been adopted by the Committee, and an operating budget for the twelve-month period commencing September 1, 1942, and ending August 31, 1943. He pointed out that the total cost of operating this department during such period is estimated at \$7,600, of which amount the state will be required to pay \$1,416. He recommended that the program and budget be approved and that both be presented to the Public Roads Administration in order to secure the federal moneys. The Commission approved the recommendation. (See budget in general files.)

The Commission also approved the appointment of Mr. Floyd Cook as Executive Secretary of the Traffic Advisory Committee at a salary of \$250 per month for the first two months and \$300 per month thereafter.

Chairman Cabell inquired as to the status of erection of the dim-out signs along the Oregon Coast Highway and was informed that the signs have all been erected in accordance with army orders and requirements.

Chairman Cabell also inquired as to the status of the state's claim against the Southern Pacific Company and the California-Oregon Power Company for damage that occurred to The Dalles-California Highway as a result of the breaking of a dike at Algoma, Klamath County. The Attorney advised that the suggestion has been made by the defendants that the State Highway Commission and the other parties concerned engage in a joint effort to reconstruct the canal which broke, the purpose of such reconstruction at this time being twofold; namely, to prevent the breaking of the south wall of the canal and to reclaim the flooded area so as to eliminate conditions which are injurious to the health and welfare of the community. He also advised that the estimated cost of doing such work is \$10,000 and that it is proposed to divide this expense equally among the four participants. Furthermore, the state is being asked to assume a share of the maintenance expense for the next three years. The only grounds upon which he could base justification for an expenditure of state highway funds in connection with this proposed undertaking is that by so

doing the Commission could avoid damage to the highway, which damage, according to the Engineer, could be avoided by an expenditure at this time of an amount not in excess of \$200. The Commission decided that it is not justified in joining in the proposed arrangement and instructed the Attorney to convey such information to the attorneys for the Southern Pacific Company. He presented the proposal.

The Commission discussed the question what can be done to encourage contractors to submit bids for highway construction work, particularly rock production projects, it being apparent from the number of bids received at this meeting that contractors are not particularly interested; and unless something is done to revive their interest, the state will be hard put to properly maintain highways when the present supply of stock-piled materials is exhausted. The matter was discussed at some length and it was decided to direct a letter to the War Production Board, advising the seriousness of the situation and urging modification of the priority rulings, requirements and regulations, so as to make it possible for contractors to secure needed equipment and repair parts for the same. The Attorney was thereupon instructed to prepare an appropriate resolution covering the matter for adoption by the Commission at its next meeting. A certified copy of the resolution is then to be sent to the War Production Board by letter over the signature of Chairman Cabell.

The Engineer reported a request from the Oregon Washington Railroad & Navigation Company for the closing of the railroad grade crossing on the county road at Corbett, and an inquiry whether or not the Highway Commission would object to use by the general public of the passageway that was built under the railroad tracks near this point, to facilitate the operations of highway contractors in this vicinity. He advised that the underpass was constructed as a temporary proposition and will be closed as soon as the new highway has been completed. He questioned the advisability of allowing its use by the general public and the closing of the grade crossing because, in his estimation, it would be difficult later on to prohibit its permanent use and the state then probably would be called upon to build a permanent structure and to maintain the roadway leading to the same. The Commission concurred in the viewpoint of the Engineer and thereupon voted not to allow the use of the underpass except as a temporary expedient.

The Parks Superintendent, Mr. S. H. Boardman, was present and reported on the following state park matters:

Wayside strips along Poison Creek Section of the John Day-Burns Highway:-The Parks Superintendent reported on the telegraphic request of County Judge Nelson B. Higgs, of Harney County, for the withdrawal of the Commission's application for recreational lands situate adjacent to the John Day-Burns Highway in Poison Creek Canyon. He advised that the Harney County Court some time ago filed an application with the Department of the Interior for the use of these lands for recreational purposes but the application was never completed; so, after first ascertaining that the county court had decided to abandon the project, he

filed the Commission's application in order to protect the timbered waysides which are an attraction and should be preserved in their natural state. It was the attitude of the Commission that the lands should be preserved and that either the county or the state should control them. The Parks Superintendent was instructed to ascertain the plans of the county court with respect to the use of the property and to arrange for the withdrawal of the Commission's request in the event the county court intends to complete its application for recreational purposes and desires jurisdiction.

Sale of burned timber along the Wilson River Highway:-The Parks Superintendent reported receipt of a proposal from Mr. James McCrea, Tillamook, to purchase at the rate of \$1.00 per M FBM the burned timber along the Wilson River Highway west of McNamers Camp. The Commission approved the sale of the timber at such rate if more cannot be secured; however, instructed the Parks Superintendent to endeavor to interest other parties therein before consummating the sale to Mr. McCrea.

Sale of old garage building:-The Parks Superintendent reported a request from Mr. James F. Grimes, Wolf Creek, Oregon, for an old garage building located on state-owned property opposite highway engineer's station 257+00 of the relocated Pacific Highway between Coyote and Grave Creek, in Josephine County. He advised that the building has no value and recommended that it be given to Mr. Grimes if he will remove it at his own expense and will thoroughly clean up the premises. The Commission approved the recommendation.

Attendance in state parks:-The Parks Superintendent reported briefly on the use of state parks this year by the general public. He advised that attendance has fallen off considerably due to wartime conditions, the average decrease in all parks for the seven-month period ending July 31, 1942, being 70 per cent. The attendance in Silver Creek Falls State Park during the month of June, he said, was 59 per cent under that for June 1941; and in the Lincoln County group of state parks the attendance in June of this year was only 83 per cent of that for June 1941.

Monthly financial parks statement:-The Parks Superintendent submitted and the Commission approved the following financial report concerning the operations of his department during the first seven months of 1942:

	<u>1942 Budget</u>	<u>Expenditures to July 31</u>	<u>Balance</u>
Acquisition	\$ 7,160.27	\$20,496.48	\$13,336.21-
Betterment	3,833.30	5,017.06	1,183.76-
Operation & Maintenance	<u>42,134.85</u>	<u>20,238.77</u>	<u>21,896.08</u>
	\$53,128.42	\$45,752.31	\$ 7,376.11

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The Commission had under discussion the following requests for extensions of time within which to complete highway construction projects:

M. L. O'Neil & Son, contract No. 2505, for grading and topping the Wrights Point-Narrows Section of the Frenchglen Secondary Highway, in Harney County, requested an extension of time from November 30, 1941, to July 15, 1942, within which to complete this job. They attributed their failure to complete the project within the specified time limit to difficulties in securing labor and adverse weather conditions which would not permit the starting of the job as soon as they anticipated. The Engineer advised that the reasons given by the contractor for failure to complete the project within the specified time are correct. He further stated that the public was not inconvenienced by the delay, neither did the state incur any extra expense for engineering supervision. He recommended in view of the circumstances that the extension of time requested be granted without penalty. The Commission approved the recommendation.

C. J. Eldon, contract No. 2551, for the furnishing of surfacing materials in stock piles for the Polallis Creek-Hood River Rock Production Project on the Mt. Hood Highway, in Hood River County, requested an extension of time of one month, from July 31 to August 31, 1942, within which to complete this job. He gave the following reasons for failure to complete the project within the specified time limit: snow conditions along the highway which prevented commencement of the work until late in March, inability to secure sufficient labor to keep the crushing plant and hauling plant in operation for a single shift consistently; and difficulties in securing repair parts for his equipment. The Engineer advised that the reasons given by the contractor for overrun of time limit are correct. He recommended, in view of the circumstances, that the extension of time requested be granted without penalty. The Commission approved the recommendation.

The Engineer reported that contracts Nos. 2535 and 2592, for construction of state highway projects, have been completed according to the terms of the contracts or modifications thereof, and that said jobs are now ready for acceptance. The following resolution accepting the above projects was offered and was adopted by the unanimous vote of the Commission:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts and said jobs are now ready for acceptance:

Contract No. 2535, with Rogers Construction Company, for furnishing crushed rock in stock piles for the Drews Valley Rock Production Project on the Klamath Falls-Lakeview Highway, in Lake County. Completed July 1, 1942.

Contract No. 2592, with Babler Bros., for oiling the Lower Bridge-Terrebonne Section of the Lower Bridge-Terrebonne County Road, in Deschutes County. Completed August 13, 1942.

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THEREFORE, BE IT RESOLVED that the work covered by said state highway contracts for the construction of said state highway projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized

The Commission considered and signed agreements, etcetera, as follows:

Agreement with City of Central Point covering improvement of Pine Street, from Front Street to the east city limits.

Agreement with the Lutheran Brotherhood of Minnesota and Leslie M. Hammond, being an easement for a detour road to be used in connection with the construction of the Willamette Highway, between Goshen and Lowell.

Agreement with Ruben W. Smith and wife providing for the elimination of a road approach to their property on Sexton Mountain.

Agreement with F. W. Falk for securing of borrow materials needed for the Corvallis-Monmouth Project.

Agreement with Matt Erickson authorizing truck hauling of logs across state property adjacent to the Salmon River Highway, in Tillamook County.

Agreement with Leonard & Slate with reference to their contract No. 2483 for grading, surfacing and oiling the Boswell Ranch-Follett Ranch Section of the Wallowa Lake Highway, in Union County.

Bargain and sale deed conveying unto Alsea Hawley a small parcel of land adjacent to the Pacific Highway, in Douglas County. Real property file No. 8407.

Bargain and sale deed conveying unto Klamath County School District 1.69 acres of land adjacent to the Green Springs Highway, in Klamath County. Real property files No. 9657 and No. 9769.

The Commission discussed a date for its next regular meeting for the receiving of bids and decided to hold such meeting in Portland on Thursday, October 1, 1942. The Secretary was instructed to make the usual arrangements to hold this meeting in the auditorium of the Public Service Building.

There being no further business to come before the Commission at this time, the meeting was adjourned at 5:15 p. m.

[Signature]
State Highway Engineer

Henry F. Cabell
Chairman

W. E. Sealing Sr.
Secretary

Lincoln Oliver
Commissioner

Portland, Oregon, September 30, 1942

The State Highway Commission met in regular session at 9:40 p. m. in Room 515, Imperial Hotel. Present were:

Henry F. Cabell, Chairman
Huron W. Clough, Commissioner
Herman Oliver, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

The Commission by unanimous vote approved the minutes of the meetings held on May 7, May 19, June 3 and 4, and June 24 and 25, 1942.

The Assistant Attorney reported briefly on the status of the right of way budget, which report the Commission approved unanimously.

The Assistant Attorney requested authority to acquire certain parcels of real property that are needed for various highway improvements throughout the state. He submitted a list of such properties, together with offers that he recommended be made in connection with each parcel. After careful consideration of the individual items the Commission approved the request and thereupon by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth, and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon, and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Cannon Beach Junction-Tillamook County Line Section, Necanicum Highway</u>				
5023-A Clatsop County	Stock Pile	2.8	LUMP SUM - \$1.00	Eason
<u>Deadman Creek-Brooks Section, Wilson River Highway</u>				
10610-Coates, W. Stanley	Easement	1.09	LUMP SUM - \$1.00	McChesney
<u>Barnes Road-Multnomah County Line Section, Wolf Creek Highway</u>				
10505-Daniels, W. N. and Vera L. Nicholson	R/W	0.34	\$1,000 per acre	Collins
10617-Johnson, J. L. and Ethel T.	"	0.56	\$1,000 per acre	"
10504-Lavorate, Joseph L. and Rita M.	"	0.36	\$1,000 per acre	"
<u>Berger Ranch-Barnes Road Section, Wolf Creek Highway</u>				
(5194-Meier, Albert and Emma 5196-	R/W	12.64	\$225 per acre + \$1156	Landon
10502-Nelson, Edward E.	"	2.41	\$1000 per acre + \$500	"
5209-Bauer, Herbert	"	9.08	\$250 per acre + \$4137.50	"
<u>Denver Avenue-Union Avenue Section, Pacific Highway West</u>				
*10624-Peninsula Drainage District #2	R/W	0.844	250-foot frontage at \$5 per front foot - \$1250	Parker
<u>Front Avenue Project, Columbia Street South, (Portland) Pacific Highway West</u>				
8221-Matis, Pauline	R/W	1800 sq.ft.	\$800,+moving bldg.,estimated \$2500	McCallister
<u>Butteville Road-Hubbard Section, West Portland-Hubbard Highway</u>				
*3214-A Lewis, Julius C.	R/W Flight Strip	23.92	\$100 per acre + \$2608	Witt Benson
<u>Halsey-Harrisburg Section, Pacific Highway</u>				
10274-Brickheimer, Henry and A. J. Jacobs and Kenna Hughes	R/W	0.51	\$200 per acre + \$917.50	Benson
<u>Goshen Junction Section, Willamette-Pacific Highway</u>				
10519-Richards, Retta M.	R/W	2178 sq.ft.	1/2 sq. ft. + mov- ing fence and advertising sign	Benson

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Eugene-Goshen Section, Willamette Highway</u>				
*9311-Judkins, Edward F.	R/W	14.79	\$300 per acre	Witt
		6.08	\$1000 LUMP SUM plus	
		20.87	\$6579.15	
<u>Sexton Mountain-Wolf Creek-Grants Pass Section, Pacific Highway</u>				
8249A-Smith, Charles Frederick	R/W	160.0	\$1.56½ per acre	Witt
<u>Medford Section, Pacific Highway</u>				
10494-Boggs, Olive C., Jr.	Easement		Sidewalk and curb easement. \$150 LUMP SUM	Witt
<u>North Medford Section, Crater Lake Highway</u>				
10145-Kellogg, J. Boyce	Water Line Permit		Permit to connect with Riverside water pipe line GRATIS	Witt
<u>Follett Ranch-Gold Canyon Section, Wallowa Lake Highway</u>				
10611-Hallgarth, Arthur	Quarry	1.43	GRATIS	Cozad
<u>Gardner Ranch-Barger Ranch Section, Wolf Creek Highway</u>				
6500-Leppin, Adolph and George Holman	R/W	9.15	\$200 per acre plus \$1777.50	Collins

*The Attorney was instructed as follows relative to certain items contained in this resolution:

Item No. 10624, Peninsula Drainage District #2, Denver Avenue-Union Avenue Section of the Pacific Highway West:-The Commission approved this settlement as to price provided it is necessary to acquire the property to effect a settlement on the adjoining Gault property which is needed in connection with the construction of a traffic grade separation structure at this point.

In this connection the matter of acquiring the Gault property was discussed. The Assistant Attorney placed a value of \$12,412.78 on the property and advised that Mr. Gault is demanding the sum of \$34,750.00. The matter was discussed at considerable length and as a result thereof the Commission authorized payment of \$15,000 for the property if it can be purchased out of court. In the event it is necessary to condemn the property then the Attorney is to offer Mr. Gault the sum of \$12,500 in connection therewith.

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Item No. 3214-A, Julius C. Lewis, Aurora Flight Strip Project:- This settlement was approved as to price, based upon the taking of the entire property, but notification of the same is not to be given to the owner until the method of handling the project has been worked out further with the Federal Government.

Item No. 9311, Edward F. Judkins, Eugene-Goshen Section of the Willamette Highway:- This settlement was approved as to total price but the Attorney was instructed to arrange for the purchase of land, only, at this time, if possible, and for the payment of the damage items when actual construction of the highway is undertaken.

The Assistant Attorney also discussed with the Commission the purchase of a quarry site from Fayette Mettie for use in connection with the Nye Junction project, in Umatilla County, right-of-way file No. 10609. He advised that Mr. Mettie owns 46 acres of land which he is willing to sell to the state for the sum of \$1,000 provided he is allowed to retain the timber standing thereon and is granted the right to remove the timber from the property, and is also granted the right to use the property in connection with the logging of timber on adjacent land that he owns, and is allowed to continue the use of a certain cattle pass now constructed under the highway. He recommended acceptance of the arrangement. The Commission approved the recommendation.

The Assistant Attorney also requested authority to institute condemnation suits to acquire the following properties:

Dewey D. Gault property at intersection of Union and Denver Avenues, Portland. Recommended offer in condemnation \$12,500;

Harry S. Steward property needed for the Wolf Creek-Grave Creek Section of the Pacific Highway. Recommended offer in condemnation to clear title, only, \$149.00;

Cora Follett property on the Boswell Ranch-Follett Ranch Section of the Wallowa Lake Highway, in Union County. Recommended offer in condemnation \$1,628.45.

After discussion the Commission approved the request and the offers recommended. The following resolution with respect thereto was adopted by the Commission by unanimous vote:

WHEREAS, the State Highway Commission is authorized to locate, relocate, construct, reconstruct, maintain, widen, straighten, and otherwise improve state highways, both primary and secondary, and said Commission is also authorized to construct shops, equipment sheds, office buildings, maintenance sites, patrolmen accommodations, and snow fences, and is authorized to acquire quarry sites, gravel pits, storage sites, stockpile sites, weighing stations, and broadcasting stations, and is further authorized to develop, construct, improve, operate, and maintain

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parks, parking places, auto camps, camp sites, roadside development, recreational grounds or resorts, and other places of attraction and scenic value; and

WHEREAS, said Highway Commission is authorized to acquire by purchase, agreement, donation, or by the exercise of the power of eminent domain real property, or any interest therein, necessary or deemed by the Highway Commission necessary for the accomplishment of any and all of the foregoing things; and

WHEREAS, in the judgment of the Highway Commission the several tracts or parcels of land hereinafter described are each and all necessary for the specific and particular purposes hereinafter specifically set forth;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the Commission does hereby find and declare that the several parcels of real property hereinafter described are each and all necessary for the accomplishment of the purposes hereinafter expressly and specifically set forth, which said real properties and the specific purposes for which the same are being acquired are described as follows, to wit:

Real property owned by Dewey D. Gault, which property is located in Sections 33 and 34, Township 2 North, Range 1 East, and in Sections 3 and 4, Township 1 North, Range 1 East, W. M., Multnomah County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 1 and is further identified in the records of the Highway Commission as file R 5670, and which property is being acquired for right of way purposes in connection with the Pacific Highway;*

Real property owned by Harry S. Steward, et al., which property is located in the northwest quarter (NW $\frac{1}{4}$) of the southeast quarter (SE $\frac{1}{4}$) and in the southwest quarter (SW $\frac{1}{4}$) of the northeast quarter (NE $\frac{1}{4}$) of Section 22, Township 33 South, Range 6 West, W. M., Josephine County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 2 and is further identified in the records of the Highway Commission as file R 10425, and which property is being acquired for right of way purposes in connection with the Pacific Highway;*

Real property owned by Cora Follett, et al., which property is located in Section 1, Township 1 North, Range 40 East, W. M. in Government Lot 2 (NW $\frac{1}{4}$ of NE $\frac{1}{4}$) of Section 1, Township 1 North, Range 40 East, W. M., and in the southwest quarter (SW $\frac{1}{4}$) of Section 6, Township 1 North, Range 41 East, W. M., all in

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Union County, Oregon, and is more particularly described on the attached sheets and designated as Parcels Nos. 3, 4, and 5, and is further identified in the records of the Highway Commission as files 9356 and 9356A, Parcels Nos. 3 and 4 being acquired for right of way purposes and Parcel No. 5 being acquired for the purpose of securing roadbuilding materials therefrom in connection with the Wallowa Lake Highway.*

2. That the Commission does hereby find and declare that each of the said described parcels of real property is necessary and acquisition of the same by the State is required for the specific purposes hereinabove set forth, and the said properties are being acquired for the express and specific purposes in this resolution set forth.

3. That the State Highway Engineer be and he hereby is instructed and directed to make or cause to be made all surveys necessary in connection with the determination, description, and acquisition of said real properties, and said Engineer is further instructed to prepare and submit to the Legal Department necessary and adequate descriptions of the said real properties, which said descriptions shall be available for the preparation of any deed or deeds or other instrument or instruments necessary to complete the acquisition of said property or properties, whether said properties be acquired by purchase, donation, agreement, or by the exercise of the power of eminent domain.

4. That J. M. Devers, Attorney for the State Highway Commission, be and he is hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby further resolved that J. M. Devers, Attorney for the State Highway Commission, be and he hereby is requested to commence and prosecute to a final determination such suit or action, or suits or actions, as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

*(The detailed descriptions of the respective parcels of real property mentioned in this resolution are attached to the original resolution on file in the office of the State Highway Commission, Salem, being Resolution No. 29, under the heading "Real Property Condemnation Resolutions," and said descriptions by this reference are made a part of this minute entry to the same extent as if copied in full herein.)

The Commission discussed a letter from the Good Roads Amendment Committee of the Oregon State Motor Association in which request was made for a statement from each member of the Commission and from the State Highway Engineer in support of Constitutional Amendment No. 304 which pertains to the diversion of gasoline tax revenues to other than road purposes. The object of the bill is to freeze gasoline tax revenues for road purposes by constitutional amendment, and the statements desired by the committee are to be used for publicity purposes in support of the proposal. In a discussion of this matter the Commission took the position that, while it is against the diversion of road moneys for purposes other than road construction, such moneys have been provided by the people and the matter of how the money should be spent should be determined by the people rather than by the Highway Commission which is simply the spending agency of the people. In view of this policy the Commission decided not to furnish the statements requested.

The Commission adjourned at 11:50 p. m. to reconvene the following morning in the Public Service Building.

Portland, Oregon, October 1, 1942

The State Highway Commission reconvened in regular session at 9:00 a. m. in the auditorium of the Public Service Building. Present were:

Henry F. Cabell, Chairman
Huron W. Clough, Commissioner
Herman Oliver, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

Bids as follows for highway construction work and for the sale of real property near Goshen, in Lane County, were opened and read in conformance with previously published notices, following which Chairman Cabell announced that the awards would be made at 2:00 p. m. in the same room:

BAKER-HOMESTEAD AND HALFWAY HIGHWAYS
RICHLAND-HALFWAY ROCK PRODUCTION PROJECT

No bids received on this project

CENTRAL OREGON HIGHWAY
BUCHANAN ROCK PRODUCTION PROJECT

No bids received on this project

THE DALLES-CALIFORNIA AND WILLAMETTE HIGHWAYS
WALKER MOUNTAIN ROCK PRODUCTION PROJECT

No bids received on this project

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WILLAMETTE HIGHWAY
SALT CREEK FALLS-ODELL BUTTE ROCK PRODUCTION PROJECT

Eugene Sand & Gravel Company \$44,304.00

ALBANY-LYONS SECONDARY HIGHWAY
CRABTREE CREEK-JORDAN SECTION - GRADING, SURFACING, MAINTENANCE MATERIALS

H. C. Walling dba Salem Supply Company \$31,563.00

AURORA FLIGHT STRIP PROJECT

	<u>Using Asphalt</u>	<u>Using Tar</u>
Warren Northwest, Inc.	\$309,990.00	\$309,990.00
Porter W. Yett	- -	368,505.00

WILSON RIVER HIGHWAY
MILLS BRIDGE-MCNAMERS CAMP ROCK PRODUCTION PROJECT

F. C. Feldschau & Son \$70,344.00
Rogers Construction Company 76,687.50

PENDLETON-JOHN DAY HIGHWAY
NYE JUNCTION-GRANT COUNTY LINE ROCK PRODUCTION PROJECT

No bids received on this project

WALLOWA LAKE HIGHWAY
ROCK CREEK-JOSEPH ROCK PRODUCTION PROJECT

No bids received on this project

SALE OF PROPERTY NEAR GOSHEN

	<u>Proposal No. 1</u> (Cash Price)	<u>Proposal No. 2</u> (Terms)
L. J. McLaughlin	\$2,050.00	- -
Carl H. Wagner	- -	\$2,000.00
Homer I. Toedtmeier	- -	1,600.00
Cecil P. & Retta M. Richards	- -	1,510.40
Geo. A. Halton	1,250.00	- -

The Assistant Attorney brought up for discussion matters pertaining to the acquisition of right of way needed for the Aurora Flight Strip Project, bids for which were received at this meeting. Also present and entering into the discussion was Mr. Tom Davis, Senior Highway Engineer of the Public Roads Administration. The Assistant Attorney advised that the owners of the property in question are demanding \$200 per acre for cleared land and \$100 per acre for land covered with timber and brush, which demands he considers exorbitant. He questioned the authority of the Highway Commission to condemn the property and suggested, in the event that the Commission decides not to pay the amount demanded, that it ask the Federal Government to acquire the property. The

matter was discussed at considerable length but definite action thereon was deferred pending consultation with the United States District Attorney, Mr. Carl Donagh. The Commission's attorney was instructed to contact Mr. Donagh at once and ascertain whether or not he would be willing to assume the responsibility for condemning the property.

The Attorney brought up for discussion the controversy with regard to the purchase of the Elkins property south of Monmouth which is needed in connection with the reconstruction of the Pacific Highway West at this location. This property was inspected by Commissioners Clough and Oliver on the previous day and by Chairman Cabell previously. The discussion brought out that Mr. Elkins originally agreed to sell the property for \$15,000, less the value of the crops growing thereon in the event the land was not taken before the crops were harvested; and, inasmuch as the crops have been salvaged, he is now willing to settle for \$14,000. Also entering into the transaction is the matter of damage to the property by reason of the highway construction, including that resulting from erosion; and the matter of providing for irrigation. The Commission authorized the rearrangement of the irrigation system but refused to make an allowance for damage caused by erosion unless Mr. Elkins can prove such damage and establish a definite amount of loss to him by reason thereof. The Commission authorized the Attorney to pay Mr. Elkins, in full settlement for his property, the sum of \$12,000. If such offer is refused then the property is to be condemned and he is to offer Mr. Elkins the sum of \$10,000 in connection with the condemnation proceedings. (The Attorney later settled with Mr. Elkins for the sum of \$12,000.)

Mr. W. C. Baugh came before the Commission in regard to the purchase of 12.73 acres of land which was purchased by the state in connection with the acquisition of right of way for the Wolf Creek Highway, said property being situate at the intersection of the Wolf Creek Highway and the county road about one mile west of North Plains. Mr. Baugh advised that he has recently purchased property immediately back of the state's property and would like to acquire the state's property so as to control the entire area between his property and the highway. He offered \$900 for the tract which is at the rate of approximately \$75 per acre, and agreed to relinquish right of access to the highway inasmuch as there is available to him another road to North Plains. The question arose whether or not a portion of this area is needed in connection with a prospective traffic separation structure at the intersection of the highway and the county road. In view thereof the Commission deferred its decision until the next meeting. The Engineer was instructed to investigate the road crossing matter in the meantime and report his findings at such meeting.

Messrs. Chas. A. Hart, Chief Counsel, and A. J. Wittchell, Chief Engineer, of the United Railways Company, were present and discussed with the Commission the matter of renewing the company's franchise for the maintenance of its railroad tracks on the St. Helens Road (Lower Columbia River Highway) where it passes through the Guilds Lake industrial district of Portland. Mr. Hart was spokesman. He advised that the company appreciates the reasons that prompted the Commission to refuse the company's request for the renewal of the franchise for an indefinite period but would like the Commission to reconsider

in view of the fact that the industries need the railroad badly during the present emergency. The Engineer pointed out that the Guilds Lake district some day will be a very important industrial center for the Portland area and every foot of the highway will be needed to take care of vehicular traffic that is bound to be created by the activities of these industries. It was his thought that the Commission should not grant the company's request in its entirety; however, recommended that the company be allowed to maintain and use its railroad facilities as now constructed on the highway right of way for the duration of the present war emergency and for a period of six months thereafter, at which time the entire matter could be reconsidered. Mr. Hart and Mr. Witchell both agreed to such proposal. The Commission thereupon approved the recommendation and ordered that the arrangement be covered by appropriate written agreement among the parties concerned.

Miss Frances Troy and her attorney, Mr. G. S. Grant, both of Baker, Oregon, came before the Commission relative to Miss Troy's claim for damages that occurred to her property near Baker by reason of highway construction operations conducted by McNutt Bros., contractors, in connection with the grading and surfacing of the Troy Ranch Section of the Old Oregon Trail, in Baker County, contract No. 2365. Mr. Grant advised that originally the Troys demanded \$5,000 for right of way needed from them for this improvement; but finally agreed, subject to confirmation by the Highway Commission, to sell it for the sum of \$3,000. The Commission, he said, refused to pay more than \$1,500 for the property, which amount was not acceptable to the Troys so the matter has gone to condemnation. He further stated that during the construction of the highway the contractor was required to use a large quantity of powder, and the blasting of the same caused damage to the Troy residence, amounting to \$1,000. He alleged that the highway has severed the Troys' property so it is now necessary for them to drive their stock across the highway for grazing and water; and, whereas cattle passes constructed by the state can be used for movement of cattle, it is impossible to get the horses to use them. He also claimed additional damage to the Troy property by reason of stream erosion where the state constructed a new channel for Alder Creek. He advised that the state's condemnation case for the acquisition of the right of way is still pending but Miss Troy is willing to deed the right of way and release the state from all liability for damages if paid the sum of \$3,000. The Commission discussed the matter at some length but deferred definite action pending additional information. The Engineer and the Attorney were instructed to make further investigations relative to the claim for damages and to report their findings as soon as possible. It was also agreed that at least one member of the Commission will inspect the premises before a definite decision is rendered.

The matter of furnishing state trucks to assist in the accumulation of scrap materials in connection with the Federal Government's scrap-metal drive during the week commencing October 5, 1942, was discussed by the Commission. The Commission authorized the Engineer to collect such scrap material and to deliver the same to the nearest salvage depot, provided the material is to be donated to the cause and is deposited on state highway rights of way. The Commission also ordered that the matter be given wide publicity for the information and benefit of the general public.

The Commission discussed a letter from Jacobsen-Jensen Company, contractors for the grading and surfacing of the Barbur Boulevard-Boones Ferry Road on the West Portland-Hubbard Highway, contract No. 2393, in which the Commission was requested to authorize the suspension of work on this contract until the spring of 1943 when weather conditions are favorable to the carrying on of the work involved. They alleged that their failure to complete the project within the specified time limit was due to additional work that they were required to do in connection with their contract with the Federal Government at the Umatilla Ordnance Depot, such project having been increased over 50 per cent in size. Their letter was accompanied by a statement from the surety on their bond, consenting to such suspension without prejudice to the bond. The Engineer advised that he investigated the contractors' allegations and found them to be correct. He recommended approval of the request. The Commission approved the recommendation.

For similar reasons the Commission authorized the suspension of the grading and surfacing work on Porter W. Yett's contract for the construction of the Banzer Bridge-Mist Section of the Nehalem Secondary Highway, in Columbia County, contract No. 2504. In this instance, however, the Commission limited the time for the completion of the project to June, 1943.

The Commission recessed at 11:45 a. m. and reconvened at 2:00 p. m. in the same room with the same persons present and participating.

During the luncheon period the Commission conferred in the Congress Hotel with the following members of the Old Oregon Trail Centennial Advisory Commission: Phil Parrish, chairman, Leo Adler and Roy Meyers. The matter of financing the activities of the Advisory Commission was discussed. The question arose as to the advisability of continuing such activities in view of the present war emergency and the probabilities that existing conditions will not permit a great number of visitors to this state. The suggestion was made that the matter should be decided by the Legislature which convenes in January of 1943, and that in the meantime the Advisory Commission continue functioning. Mr. Parrish estimated that expenses would amount to about \$1,500 between now and February 1, 1943, such amount being made up of the salary of the secretary at \$200 per month and general expenses aggregating \$700. The Commission deferred its decision until later in the day.

This matter was reconsidered by the Commission upon its return to the meeting in the Public Service Building at which time the Commission unanimously approved the suggestion. The Commission ordered that the matter be covered by official communications between the State Highway Commission and the Centennial Commission.

At 2:00 p. m. Chairman Cabell made the following announcement with respect to the award of contracts and sale of property, bids for which were taken at the morning session, action thereon having previously been approved by the Commission by unanimous vote:

"Richland-Halfway Rock Production Project, on the Baker-Homestead and Halfway Highways, in Baker County. There were no bids received on this project.

"Buchanan Rock Production Project on the Central Oregon Highway, in Harney County. There were no bids received on this project.

"Walker Mountain Rock Production Project on The Dalles-California and Willamette Highways, in Klamath County. No bids were received on this project.

"Salt Creek Falls-Odell Butte Rock Production Project on the Willamette Highway, in Klamath and Lane Counties. Eugene Sand & Gravel Company, Eugene, submitted the only bid for this project, in the amount of \$44,304.00. The Commission awards this contract to the Eugene Sand & Gravel Company at its bid of \$44,304.00.

"Crabtree Creek-Jordan Section of the Albany-Lyons Secondary Highway, in Linn County. 0.25 mile grading and 2.12 miles surfacing; also furnishing 5,000 cu. yds. crushed gravel maintenance materials. H. C. Walling dba Salem Supply Company, Salem, submitted the only bid for this work, in the amount of \$31,563.00. The Commission awards this contract to H. C. Walling dba Salem Supply Company, at his bid of \$31,563.00.

"Flight Strip Project at Aurora, in Marion County. Warren Northwest, Inc., Portland, submitted the low bid for this work, in the amount of \$309,990.00, using asphalt, and in the same amount using tar. Porter W. Yett, Portland, submitted the next-low and only other bid, in the amount of \$368,505.00, using tar. He did not submit a bid based on the use of asphalt. The Commission refers these bids to the Engineer with power to award the contract to the low bidder, using tar, when certain conditions have been fulfilled.

"Mills Bridge-McNamers Camp Rock Production Project on the Wilson River Highway, in Tillamook County. F. C. Feldschau & Son, Tillamook, submitted the low bid for this project, in the amount of \$70,344.00. Rogers Construction Company, Dayton, Washington, submitted the second-low and only other bid for this work, in the amount of \$76,687.50. The Commission awards this contract to the low bidder, F. C. Feldschau & Son, at \$70,344.00.

"Nye Junction-Grant County Line Rock Production Project on the Pendleton-John Day Highway, in Umatilla County. There were no bids received on this project.

"Rock Creek-Joseph Rock Production Project on the Wallowa Lake Highway, in Wallowa County. There were no bids received on this project.

Sale of Property near Goshen:

"One acre of land with modern five-room house and other buildings on the Willamette Highway about one-quarter mile east of Goshen, in Lane County. Former owners Joseph and Agness Trinka. L. J. McLaughlin, Cottage Grove, submitted the high bid for this property

in the amount of \$2,050.00, cash price. Carl H. Wagner, Eugene, submitted the second-high bid, in the amount of \$2,000.00, on terms. There were three other bidders. The Commission rejects all bids for this property."

The Assistant Attorney requested instructions relative to the sale of the Goshen property in view of the rejection by the Commission of the bids received at this letting. He suggested that the property be placed in the hands of a local real estate agent for private sale. The suggestion was approved by the Commission and it was so ordered.

Mr. Charles M. Knowlton, general organizer of the American Federation of State, County and Municipal Employees, conferred with the Commission relative to the affiliation of state highway department employees in his organization. He asked the Commission to authorize its employees to join his organization if they so desire. He explained that the American Federation of State, County and Municipal Employees is chartered independently of the American Federation of Labor organization, which has nothing whatsoever to say about its activities; that it does not countenance the striking of its members; that it is not concerned whatsoever with any system of spoils; and it has no discrimination for picket lines. The initiation fee, he said, is \$2.00 and the dues are \$1.00 monthly; further, that the main purpose of the organization is to help the employees, particularly in view of the fact that state employees do not function under civil service. The matter was discussed at considerable length, during which discussion Chairman Cabell read aloud the Code of Relations that was adopted by the Commission in 1936 with respect to the affiliation of highway department employees with labor unions, political parties, and similar organizations. He stated that the Highway Commission has not changed its attitude with respect thereto and suggested that the matter of affiliation be left entirely with the employees. The suggestion was approved by Commissioners Clough and Oliver and by Mr. Knowlton, who was informed that he would be given a definite answer after the Commission has had an opportunity to discuss the matter with Governor Sprague. The Commission thereupon reaffirmed, with slight modifications, the Standard Code of Relations, which was adopted by the Commission in 1936, as follows:

The Oregon State Highway Commission does not give consideration in the employment, retention, or dismissal of its employees to their membership in political parties, fraternal orders, religious organizations, or labor unions.

The Oregon State Highway Commission will not discriminate among its employees because of their membership or nonmembership in labor unions. The Commission as in the past, will employ and discharge on the basis of merit and without dictation from any group.

Membership in union labor organizations must not involve participation in any activity deemed by the Oregon State Highway Commission to be inimical to the interest of the State of Oregon.

The Commission discussed the order made by Governor Charles A. Sprague reducing the vehicular speed limit to 35 miles per hour. In the spirit of cooperation, the Engineer was instructed to erect appropriate signs on state highways throughout the state calling attention to such speed limit, and to order such speed limit for all state highway department motor vehicles.

The Engineer reported a request from the Army authorities for the establishment of a 25-mile-per-hour speed limit along the Pacific Highway West for a distance of 1,000 feet on each side of the main entrance to Camp Adair. The Commission approved the request and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, the State Highway Commission, pursuant to the provisions of Section 115-320, O. C. L. A., as amended by Chapter 458, Oregon Laws, 1941, has caused an engineering and traffic investigation to be made with respect to certain state highways and/or certain sections of state highways more particularly and completely described and set forth hereinafter; and

WHEREAS, the data, facts and information obtained in connection with said investigation are all on file in the office of the State Highway Commission at Salem, Oregon; and

WHEREAS, based upon said engineering and traffic investigation the Commission has determined that the fixed and designated speeds prescribed by the provisions of subsection (b) of said Section 115-320, O. C. L. A., as amended, are in certain specified instances greater than is reasonable and safe and in other specified instances are less than is reasonable under the conditions found to exist upon or with respect to the state highway or sections of state highways hereinafter set forth and more particularly described and defined hereinafter, and the State Highway Commission has therefore determined to designate a different speed thereupon than the speed fixed in said statute, which said different speed or speeds shall be as specifically set forth hereinafter.

NOW, THEREFORE, based upon said engineering and traffic investigation and upon the finding and determination made by the Commission with respect thereto, the Commission does hereby determine and does hereby order that within the meaning and purpose of said Section 115-320, O. C. L. A., as amended, the speed at which a vehicle may be driven upon said state highway and/or upon said sections of said state highway shall not exceed the rate of speed set forth immediately following.

Name of Highway: Pacific Highway West
 Highway Number: 1W
 Route Number: 99W
 Location of Terminals: Highway Engineer's Station 1577+00 to
 1597+00, opposite Camp Adair
 Miles per Hour: 25

BE IT FURTHER ORDERED that the State Highway Engineer be and he hereby is ordered and directed to erect at appropriate places in sufficient number adequate signs giving notice of the particular applicable speed on said state highway.

BE IT FURTHER ORDERED that any previous order heretofore made by the Commission with respect to speed or speeds applicable to any of the highways or sections of highways specified herein which is in conflict with the provisions of this order hereby is vacated and annulled.

Reconsideration was given by the Commission to the complaint of H. A. Hein relative to the use by the state of a gravel pit at Scappoose. Chairman Cabell recited the history of this case and advised that Mr. Hein is seeking payment for damages in the amount of \$2,500 which in his estimation is exorbitant. He further advised that he suggested to Mr. Hein an alternate settlement whereby the state would purchase from him a small area adjacent to the gravel pit and would deed to him in return a parcel of state-owned land equal in size on which one of Mr. Hein's buildings encroaches, and would also do certain landscaping work around the gravel pit so as to improve the sightliness of his property. However, Mr. Hein absolutely refuses to settle on such basis. The Commission decided, in view of Mr. Hein's attitude to let the matter drop unless Mr. Hein expresses a willingness to settle on the basis of Chairman Cabell's offer.

The Engineer brought up for discussion a tentative program of rock production projects for 1943 construction, as follows:

County	Section	Quantity Cu. Yds.	Estimated Cost
<u>Contracts Awarded</u>			
Malheur	Dead Ox Flat-Cairo Junction	9,500	\$27,800
	Sub-total	9,500	\$27,800
<u>Bids Called For But No Bids Received</u>			
Baker	Richland-Halfway	8,000	\$24,500
Harney	Buchanan Section	7,000	21,700
Klamath	Walker Mountain Section	19,500	54,500
Lane	Salt Creek Falls-Odell Butte	14,100	47,700
Umatilla	Nye Junction-Grant County Line	23,900	64,800
Wallowa	Rock Creek-Joseph	12,000	37,500
	Sub-total	84,500	\$250,700

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Program of Rock Production Projects (Cont.)

County	Section	Quantity Cu. Yds.	Estimated Cost
<u>Additional Required Projects</u>			
Tillamook	Mills Bridge-McNamers Camp	27,000	\$ 90,000
Lincoln	Kernville-Newport	20,000	60,000
Benton	Alsea Mountain Section	25,000	65,000
Columbia	Nehalem Highway Section	25,000	65,000
Tillamook	Hebo Section	6,300	13,000
Jackson	Siskiyou Summit Section	8,400	25,000
Curry	Rhinehart Creek-Cape Sebastian	13,800	40,000
Lane	Belknap Springs-Fourmile Butte	11,400	35,000
Lane	Trent-Oakridge	17,000	50,000
Lane	Oakridge-Salt Creek Falls	17,000	50,000
Jackson	Trail-Prospect	16,200	45,000
Jackson	Summit-Trail (Tiller-Trail Hwy.)	6,600	20,000
Grant	Dayville-John Day	17,000	45,000
Malheur	Stinkingwater Creek-Juntura	10,000	30,000
Sub-total		220,700	\$638,000
Total		314,700	\$916,500

We advised that of the total projects listed seven previously have been advertised for bids and that of these seven only one has been contracted, no bids having been received for the others. He also advised that contractors, generally, are not interested in this class of project because it carries such a low priority rating, which handicaps them in the purchase of equipment repair parts. He pointed out the seriousness of the situation and advised that unless the government's priority regulations are modified or changed, permitting contractors to keep their equipment in a good state of repair, it will be impossible to contract any projects of this kind and poor road conditions will be the result. The Commission approved the projects listed in the tentative program and instructed the Engineer to continue to advertise them for bids in the hope that satisfactory results will be obtained.

In this connection the Commission considered that it might be helpful to appeal to the War Production Board for a change in the priority rulings. The following resolution in regard thereto was adopted by the Commission by unanimous vote:

WHEREAS, the present emergency has made necessary the movement of a large volume of traffic, both civilian and defense, over the public highways of the State; and

WHEREAS, the increased use of public highways for the transportation of United States Army materials and troops has greatly increased maintenance requirements on highways; and

WHEREAS, because of priority requirements, rules and regulations the Highway Commission has found it practically impossible to manufacture or accomplish the production of crushed rock and other roadbuilding materials with which to maintain highways for civilian and defense uses; and

WHEREAS, if public highways, and particularly strategic highways, are permitted to disintegrate, the movement of defense materials by motor vehicle will be greatly impaired; and

WHEREAS, the seriousness of the situation has been emphasized by the fact that when bids for the crushing and production of rock and other highway construction materials were called for by the Commission at its August meeting, which call for bids involved twelve highway jobs, there were received, as a result of said call, only three bids for only three jobs, and only one bid for each job; and

WHEREAS, it is the considered judgment of this Commission that serious conditions which now prevail, as disclosed by the facts set forth above, should be brought to the attention of the federal authorities responsible for priority rulings, requirements and regulations; and

WHEREAS, it appears that with the approval of the federal authorities and within the reach and protection of priority rulings trucks are permitted to transport from the forests over the highways logs of such dimensions and weights as to cause extra and unusual damage to highways comprising the state highway system, all of which highway impairment and damage demands major repairs and improvements if the highways are to be maintained for the movement thereover of war and civilian goods; and

WHEREAS, the State Highway Commission heretofore in response to urgent requests by federal authorities asserted every effort to afford freedom of movement over the public highways of the State by motor vehicle of loads exceeding in length and exceeding in gross weight the limitations fixed by law, and by reason thereof the problem of highway maintenance has become unquestionably serious.

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED:

1. That the public highways in Oregon under the control of the State Highway Commission, and particularly the strategic highways, are being seriously damaged by reason of the increased traffic burden imposed upon said highways in connection with the movement thereover of defense and civilian goods, and experience has demonstrated that when public highways are not constantly maintained adequately for the traffic which moves thereover they soon deteriorate, resulting in expensive betterments as opposed to

reasonable repair and resulting too in added transportation costs by reason of unnecessary wear and tear on rubber and equipment as well.

2. Be it further resolved that these conditions and circumstances which prevail in Oregon with respect to maintenance of highways be brought to the attention of the proper federal officials in Washington, and that by this resolution the Commission impress upon official record the necessity for prompt modification and relaxation of priority rulings, requirements and regulations so that highway officials and highway contractors may be assured that degree of safety, assurance and liberty which must exist and prevail if orderly and adequate highway improvement and maintenance is to be afforded for national defense and state needs.

3. That this resolution be entered in the minutes and records of the Commission, and that Mr. Henry F. Cabell, the Chairman, be empowered to transmit to the War Production Board a duly certified copy thereof.

The Commission discussed a letter from Vice Admiral C. S. Freeman, United States Navy Commandant, 13th Naval District, Seattle, advising that the Navy Department has tentatively selected Timberline Lodge as a recuperation center and inquiring, if the selection is made definite, to what extent the State Highway Department might cooperate with the Navy Department in the removal of snow from the road leading to the Lodge from the Mt. Hood Highway, during the winter months. The Commission, after discussion, expressed a willingness to keep this road open for travel during the winter season if the Government will reimburse the state for the expense involved. The Engineer was instructed to so inform Admiral Freeman.

In this connection the Engineer advised that the United States Army has requested that there be made available to the Army, for keeping open the Alaska Highway this winter, all surplus snow equipment that can possibly be spared; and a request has also been made for snow equipment to keep airport runways open during the winter season. He advised that the Highway Department owns eighteen rotary plows, including one at Salem which is used for replacement purposes only, and one at Klamath Falls and another at Burns, neither of which is used to any great extent. He suggested that the Commission could spare two of these rotaries if they are to be used on the Alaska Highway or in some other foreign country, and if the Commission would not require that the following highways be kept open for travel during the winter months: McKenzie Highway between Belknap Springs and Sisters; Crater Lake Highway between Prospect and Fort Klamath; Mt. Hood Highway between Wapinitia Junction and milepost 81.5; Weston-Elgin Secondary Highway; Halfway-Cornucopia Secondary Highway between Carson and Cornucopia; Sumpter Valley Secondary Highway west of Sumpter.

The Commission decided as follows with respect to such roads: McKenzie Highway is to be kept open so far as is possible with push plows;

Crater Lake Highway is not to be kept open for travel between Prospect and Fort Klamath; no snow removal operations are to be conducted on the Mt. Hood Highway between Wapinitia Highway Junction and milepost 81.5; Weston-Elgin Highway is to be kept open only so far as is necessary to accommodate local people; Halfway-Cornucopia Highway is to remain closed between Carson and Cornucopia; Sumpter Valley Secondary State Highway west of the town of Sumpter is to be kept open for travel only in the event that is necessary to accommodate mining operations near Granite.

The Commission also decided to sell two "Snowgo" rotary snow plows to the Government, provided they are to be used in out-of-way places such as on the Alaska Highway. The Engineer advised that the State Highway Department also has two old V-type "Snow King" rotary snow plows stored at La Grande that have not been used for a long time. He was instructed to let the Army have these plows if it wants them.

Relative to the release of additional snow equipment for the removal of snow from airport runways, it was the Commission's opinion that such work should be performed by state highway departments which have charge of the highways in the states in which the runways are situated. By so doing it would eliminate any possibility of snow removal equipment remaining idle in one locality when it is badly needed in another locality.

The question whether or not to continue the arrangement in effect this year for the improvement of city streets that are not on state highway routes had the attention of the Commission. It was the Commission's opinion that such work should be continued as in the past. The Commission thereupon authorized a budget of \$150,000, together with an emergency fund of \$100,000, for such purpose in 1943, and ordered that the work involved be covered by appropriate written agreements between the Commission and the cities concerned.

The Engineer reported a request from the Kaiser Shipbuilding Company for additional space along the water front in Portland near the Burnside Bridge for use as an automobile parking area for shipyard workers who assemble at this point and are transported by other means to their places of work. He recommended approval of the request inasmuch as the area will not be needed by the state until the war is over. The Commission approved the recommendation.

Chairman Cabell brought up for discussion the matter of obtaining rental from Dant & Russell, lumbermen, Portland, for the storing of lumber and ties on land that was acquired by the City of Portland and the state from the Portland Gas & Coke Company in connection with the Front Avenue Project. It appears that Dant & Russell have been using this area for some time without permission or charge and indications are that they intend to continue the use of the same. It was the Commission's opinion that the company should pay for the use of this property. Chairman Cabell was thereupon authorized to contact the city officials of Portland and arrange for a reasonable rental charge.

Reconsideration was given by the Commission to the request of Leonard and Slate, contractors for the furnishing of ferry service across the

Willamette River at Wilsonville, for a modification of the present contract agreement so as to relieve them from losses that they allege they are sustaining by reason of rising operating costs. The Commission decided not to alter the contract in any way and instructed the Secretary to so inform Leonard and Slate. It was further decided to renew the contract for the full period provided in the contract.

The Commission discussed briefly and ordered filed a report from the Engineer showing a yearly summary of labor employed by contractors on highway construction as compiled from the contractors' pay rolls.

A letter was presented from Mrs. A. V. Means, The Dalles, requesting construction of a footpath along the Columbia River Highway for a distance of about one mile from the foot of Rowena Loops to Tindalls Service Station, for the benefit of school children and other pedestrians. The Commission denied the request because of lack of funds to finance the work and the urgent need of available funds for other purposes.

The Commission also discussed a letter from Mrs. H. G. Rumbaugh, Albany, requesting improvement of the North Albany Road, which she alleges was damaged by Camp Adair traffic during improvement of the Granger-Independence Road, the North Albany Road having been used as a detour during that period. It was pointed out in the discussion that the North Albany Road is not on the state highway system but is under the jurisdiction and control of the Benton County Court, in view of which the Commission considered that the improvement of the road is an obligation of the county. The Commission ordered that Mrs. Rumbaugh be so informed.

A request was also presented from the Honorable C. L. Lieuellen, Mayor, Pendleton, for the repair of Main Street and DeSpain Street in his city and suggesting that the work be done by the state's repair crew which is now operating in that vicinity. The matter was referred to the Engineer with authority to do the work in the event that investigation reveals that it is not an expensive project.

The Attorney reported receipt of a request from the attorneys of the defendants in the Algoma flood case that the state join with them in a stipulation in connection therewith, which stipulation provides that any one of the contending parties may contribute funds toward the cost of rebuilding the dike that was damaged and toward the cost of removing the flood waters, and provides further that all parties will refrain from mentioning this feature during the progress of the trial and will not raise any question during the trial as to who is responsible for the repair so as not to prejudice anyone's case. He recommended approval of the request. The Commission approved the recommendation.

The matter of collecting the cost of repairing the Rogue River Bridge near Gold Hill which was damaged by soldiers from Camp White was discussed by the Commission. Investigation reveals that the bridge was damaged by a group of soldiers from Camp White who were on a spree in a stolen bus and that it is impossible to obtain the names of the soldiers involved. The question arose whether or not an attempt should be made to collect the cost of repairing the

bridge which is estimated at approximately \$350.00. The Commission decided, in view of the fact that the guilty parties cannot be ascertained, that it would be useless to try to secure reimbursement, and accordingly ordered that the matter be dropped. However, the Engineer was instructed to bring the matter to the attention of the Camp Commander.

Consideration was also given by the Commission to its claim against Mr. Ray Redman, Jr., for damaging the barrier on the Interstate Bridge between Portland and Vancouver. It appears that Mr. Redman drove his car into the barrier while the bridge drawspan was open to allow the passage of a steamer, and that he was given ample warning of the existing condition by the gate man who sounded the bridge siren for Mr. Redman's special attention, notwithstanding which Mr. Redman failed to stop in sufficient time to avoid striking the barrier. The Engineer estimated the cost of repairs at \$21.65. The Commission referred the matter to the Attorney for collection.

The Commission discussed briefly and referred to the Engineer for further information a report on damage that was caused the Big Creek Bridge at milepost 19.90 on the Coos Bay-Roseburg Highway when it was wrecked by a logging truck belonging to Goodwin and Briggs, Myrtle Creek.

Consideration was given by the Commission to the claim of the Portland Gravel Company, in the amount of \$226.25, for the cost of repairing its dredge "Sandy" which the Company alleges was damaged when it struck the drawspan of the Interstate Bridge at Portland, which the bridge operator failed to open for passage of the dredge. The Attorney advised that he has investigated this claim thoroughly and is of the opinion that the state is not liable for the damage, because the tug that was towing the dredge did not signal for the draw to be opened and it was assumed by the bridge tender that the dredge was to be docked before reaching the bridge. He reviewed the facts in the case and recommended denial of the claim. The Commission approved the recommendation and ordered that the matter be dropped unless the company starts suit.

The Engineer reported the award of the following contracts in conformity with authority previously granted him by the Commission, bids for which contracts were taken by the Commission at its meeting on August 27, 1942:

Alkali Lake Flight Strip Project on the Lakeview-Burns Highway, in Lake County. Awarded to Clifford A. Dunn, the low and only bidder, on August 31, 1942;

Rome Flight Strip Project on the I.O.N. Secondary State Highway, in Malheur County. Awarded to Clifford A. Dunn, the low and only bidder, on August 31, 1942.

The Commission confirmed the awards as reported.

The Attorney reported a suggestion offered by Mr. Ormond R. Bean, Public Utilities Commissioner, that it would be helpful in stopping the overloading of logging trucks if Justices of the Peace were contacted and were

prevailed upon to impose fines against violators in excess of actual court costs. It appears that in numerous instances the Justices of the Peace fine these violators court cost only, which is a small amount and is readily paid by the violators who generally recover the same by increasing the size of their next loads. The Commission approved the suggestion and referred the matter to the Attorney with instructions to have someone contact the Justices of the Peace relative thereto.

The question whether or not truckers who operate under either Group 1 or Group 2 emergency permits should be penalized for overloading their equipment was discussed by the Commission. It was the opinion of the Commission that such violators should be penalized, inasmuch as the violations are apparently willful deviations from prescribed regulations and do not evidence the spirit of cooperation that was intended when the Commission granted the concession. The Commission deferred the establishment of a definite penalty; however, instructed the Secretary to inform the violators that noncompliance with the provisions of the permits will be considered sufficient cause for cancellation of the same.

The Engineer requested authority to place signs to control heavy traffic on the Sanderson Bridge at milepost 01.49 on the Albany-Lyons Secondary State Highway, and on the Willamette River Bridge at milepost 21.91 on the Hillsboro-Silverton Secondary State Highway at Newberg. He explained that there has been quite an increase in heavy traffic over these bridges, particularly log-hauling traffic, and in his estimation, in order to avoid overstressing the structures, only one truck should be allowed on any single span of either of these bridges at one time; furthermore, the speed of the trucks should be limited to 15 miles per hour. The Commission approved the Engineer's request and thereupon adopted the following resolution in regard thereto:

WHEREAS, the present war emergency has brought about a material increase in the number and weight of motor vehicles using the public highways for the transportation thereover of both war and civilian goods; and

WHEREAS, priority rulings and regulations have made difficult the acquisition of materials needed for the repair and maintenance of highway structures and by reason of such difficulties it is not always possible for the Highway Department to sustain its usual and established standard of maintenance of highway structures; and

WHEREAS, as a result of an investigation made by the State Highway Engineer and his staff it has been disclosed that the bridge over the South Santiam River at Mile post 211-01.49 on the Albany-Lyons Secondary Highway and the bridge crossing the Willamette River at Mile post 140-21.91 on the Hillsboro-Silverton Secondary Highway at Newberg should be protected by the imposition of traffic regulation and control as in this resolution provided; and

WHEREAS, it is the judgment of the Commission that in order to avoid serious damage to each of said structures heavy truck

traffic should be restricted and regulated in its use of said structures.

NOW, THEREFORE, be it and it is hereby ordered by the Commission as follows:

1. That with respect to the said bridge over the Santiam River on the Albany-Lyons Secondary Highway and with respect to the bridge over the Willamette River on the Hillsboro-Silverton Secondary Highway at Newberg not more than one loaded motor truck shall occupy any one span of either of said bridges at one and the same time, nor shall any motor vehicle operate over said bridges at a speed in excess of fifteen miles per hour.

2. The State Highway Engineer hereby is directed to erect, or cause to be erected, and maintain at each of the approaches to each of said bridges in a conspicuous place so that the same can be readily seen and read by traffic using said bridge or either of said bridges a notice or notices advising traffic of this rule and regulation.

3. This resolution shall be entered in the minutes and records of the Commission and a duly certified copy thereof delivered to the Superintendent of State Police.

The matter of permitting continuous operation of passenger-carrying vehicles, consisting of a truck-tractor and semitrailer having an over-all length of 55 feet 3 inches, over state highways to facilitate the transportation of persons to and from army camps, cantonments or other defense locations had the attention of the Commission. It appears that the government officials have recommended the construction of passenger-carrying vehicles of such size and capacity in order to afford a measure of relief from the present transportation congestion, and it further appears that Wentworth and Irwin, Inc., a manufacturing concern of Portland, has offered to construct vehicles of this type provided they are assured that the State Highway Commission will authorize the operation of the same over state highways. The Engineer recommended that such authority be granted provided the geometric design of the highways will permit the movement of the same without taking up more than one-half of the traveled roadway. The Commission approved the recommendation and thereupon by unanimous vote adopted the following resolution with regard thereto:

WHEREAS, by a resolution adopted by this Commission on June 25, 1942, the Commission declared that an emergency exists with respect to the transportation of persons and property by motor vehicle over the public highways of the State; and

WHEREAS, by said resolution the Commission declared and established a policy for the duration with respect to the issuance of permits for the use of motor vehicles on state highways having

a combined weight or having an over-all length in excess of the limits fixed in the statute; and

WHEREAS, since the adoption of said resolution the transportation of persons to and from Army camps, cantonments or other defense locations or activities has become more acute and for the purpose of affording a measure of relief government officials have recommended the construction of a passenger-carrying vehicle having an over-all length of 55 feet 3 inches; and

WHEREAS, in response to said request and recommendation Wentworth & Irwin, Inc. of Portland, Oregon, have offered to construct such vehicle and make the same available for the transportation of persons to and from Army camps, cantonments and other defense locations and activities, provided a permit will be issued by the Highway Commission authorizing the use of such vehicle on state highways; and

WHEREAS, it is the judgment of the Commission that both state and national interests will be served and public welfare promoted by the proper and appropriate use of such proposed type of vehicle for the purposes hereinabove stated.

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the Commission, all members being present and affirmatively voting, as follows:

1. That in the opinion and judgment of the Commission the present emergency and the interest of national defense require that judicious use of every means of transportation during the emergency be encouraged and utilized.

2. That it shall be and hereby is declared the policy of the Commission to issue permits for the use of motor vehicles having an over-all length in excess of the statutory length when such vehicles are used for the transportation of persons to and from Army camps, Army cantonments or other places of defense or defense industries.

3. That the Secretary of the Commission be and he hereby is instructed, upon receipt of appropriate and satisfactory application, to issue a permit to such applicant, which permit shall embody the conditions, provisions and restrictions set out in said resolution of June 25, 1942, except where any of such conditions, provisions or requirements are not applicable or are not appropriate.

4. No such permit or permits shall be issued with respect to any highway or section of highway unless and until the Chief Engineer shall have certified that the geometric design of the highway is such that the vehicle in connection with which a permit is requested can negotiate the highway with complete safety to other members of the traveling public.

5. Such permit may be issued for one year and may be renewed thereafter by the Commission or may be revoked at the option of the Commission, but in no event shall any such permit be issued for a period beyond the present emergency.

6. That this resolution be entered in the minutes and records of the Commission and a duly certified copy thereof delivered to Ormond R. Bean, Public Utilities Commissioner, and Charles P. Pray, Superintendent of State Police.

The Commission discussed and approved the application of the Union Pacific Railroad Company to transport a fuel-oil tank over the Old Oregon Trail from Pleasant Valley to Durkee, the overall dimensions of the same being width 15½ feet, height 22 feet, and length 53 feet. Such approval was granted subject to the condition that the load is properly flagged, that turn-outs will be provided at frequent intervals so as to permit other traffic to pass the movement without undue inconvenience and delay, and provided further that the state is furnished satisfactory insurance as protection in the event of an accident occurring during progress of the movement.

The Commission also approved the application of the Portland Gas and Coke Company to transport two large steel tanks over state highways, one from Bend and the other from La Grande, to convenient points on the Columbia River where they will be barged to Portland. The conditions applying to the movement of the railroad company's tank, mentioned above, are to apply to each of these movements.

The Engineer requested instructions relative to the disposal of a 1¼-yard Lorain gas shovel belonging to the highway department and stored at Garibaldi. He advised that this shovel was obtained several years ago from Tillamook County along with other equipment and was valued at that time at \$2,500; that it has been in use on the Wilson River Highway WPA construction work but its most recent use has been by Tillamook County at Garibaldi. He further advised that the shovel is beginning to rust quite badly and should be moved to Salem for proper storage; however, it will cost about \$800 to move it. He recalled that the Commission some time ago rejected two offers received for the purchase of this shovel, one of which was in the amount of \$5,000, because it was thought advisable to rent it. However, no satisfactory bid has been received for the use of the shovel on that basis. He recommended in view of the circumstances that the shovel be sold and that bids for the purchase of the same be received by the Commission at the earliest possible time. The Commission approved the recommendation and ordered that the shovel be advertised for sale at the next meeting.

The Engineer brought up for discussion the matter of sale of scrap materials consisting of worn-out equipment, parts, et cetera, which are accumulated at the highway department shops. He advised that, according to governmental rulings, when new replacement parts for equipment are purchased, the old parts that are being replaced must be sold within 30 days of receipt

of the new parts. The policy in the past, he said, has been to collect such scrap materials at the various shops until a sufficient amount has been accumulated to justify the taking of bids for the same, but this policy cannot be followed now because of the governmental regulations. In view thereof he requested authority from the Commission to dispose of this material by private sale as may be necessary in order to comply with the regulations, provided he is able to secure ceiling prices established by the government. The Commission approved the request with the understanding that if the Engineer is not able to secure the ceiling prices then the material is to be advertised for sale in conformity with past practice.

The Commission approved and ordered filed the following resolutions relative to certain sections of old state highway rights of way that have been abandoned by the Commission because of revisions in highway alignment:

Resolution from Umatilla County whereby the county elects to retain for public purposes a portion of the old right of way of the Pendleton-Adams Section of the Oregon-Washington Highway, particularly the section between Engineer's Stations 37+00 and 640+00, being a portion of what is commonly known as the Wild Horse Section.

Resolution from Coos County in which the county elects to preserve for public purposes that portion of the old right of way of the Cape Arago Secondary Highway within the town of Charleston which lies between Engineer's Station 264+80 and the east shore of South Slough.

The Commission had under discussion the matter of attending the annual meeting of the American Association of State Highway Officials which is to be held in St. Louis, Missouri, on December 7, 8 and 9, 1942. A decision as to who shall attend this meeting was deferred until later.

A letter was presented from Mr. Ben C. Flaxel, District Attorney, Coos County, relative to the development of a certain spring situate on the state highway right of way between North Bend and Marshfield. Mr. Flaxel advised that the spring is now being used by many people in the Bay area for drinking water and that the Coos County Court is desirous that the spring be maintained for such purpose and that steps be taken to insure that it does not come into the control of any one person; further, that the County Court would like to develop this spring if the Highway Commission will grant it authority to do so. The Commission approved the request subject to the condition that the development work be performed so as to fit the highway improvement and be done under the supervision of the State Highway Engineer or his authorized representative.

The Commission discussed briefly and ordered filed a letter from Governor Chase A. Clark of Idaho to Governor Charles A. Sprague of Oregon, suggesting that operators of equipment used in the transportation of produce of the farm be relieved of the payment of Oregon's regulatory taxes and fees. Governor Sprague's reply was also noted in which he stated his unwillingness to take action to that end because he did not believe that it was a sound public policy.

The Commission also noted and ordered filed a letter from Mr. Orville R. Miller, President of the West Coast Lumbermen's Association, expressing regrets that the practice of overloading logging trucks seems to be on the increase, and advising that his association is taking action which they hope will impress on the logging operators the necessity for compliance with the weight requirements.

A letter was presented from Fairview Grange, Tillamook County, expressing appreciation for the guard fence recently constructed by state highway forces along the Wilson River Highway near Jordan Creek; also requesting authority to plant a shade tree on the highway right of way near one of the drinking fountains that have been constructed on the highway right of way in this vicinity. The Commission approved the planting of the shade tree provided it is placed in a location satisfactory to the engineering department.

Reconsideration was given by the Commission to the matter of payment of overtime by contractors on highway construction work. In view of conflicting opinions as to the application of the state laws, federal acts, and presidential orders, the Commission decided that it would be unwise to continue any attempt to advise or control contractors in such matter. The Engineer was instructed to inform all contractors of this decision and to caution them that the Commission's action does not relieve them of their legal responsibilities under the several laws, acts and presidential orders that are involved; also, that any noncompliance with such laws, acts and orders will be at the responsibility of the contractor. (See circular letter No. 314, dated October 17, 1942) He was also instructed to delete the clause in the contract forms that refers to overtime payments, if not legally required, the next time the forms are reprinted.

The State Parks Superintendent, Mr. S. H. Boardman, was present and reported on the following park matters:

Fence construction along juniper waysides:-The Parks Superintendent reported a request from Chas. C. Parsell, District Grazier, Department of the Interior, Prineville, for permission to construct a fence across certain portions of the juniper tracts that the Commission is acquiring between Bend and Redmond. He said that the outline of the tracts that the state is acquiring is irregular and that it would not be practicable to construct a fence along the boundaries; whereas, Mr. Parsell wished to construct his fence in a straight line which would cut off a portion of the property that the state is negotiating for. To offset this, he said Mr. Parsell has stated a willingness to grant to the state similar land of equal value from the state's standpoint. He recommended approval of the request. The Commission approved the recommendation.

Sheep grazing in Humbug Mountain State Park:-The Parks Superintendent reported a request from Mr. Ray Fromm for renewal of the sheep-grazing lease that he had in this park last year which provides for the grazing of 50 head of sheep at \$0.50 per head. The Commission approved such extension for a period of one year at the same rate.

Forest fire in Port Orford Cedar Park:-The Parks Superintendent reported the recent burning of 34 acres in a Port Orford cedar way-side tract about seven miles north of Port Orford on the Oregon Coast Highway. This tract, he said, was burned several years ago but the damage done at that time was cleaned up and the timber salvaged. The damage from the present fire was to volunteer cedar. The fire, he said, was of incendiary origin and one party has already been arrested and placed in jail for committing the offense. The Commission took no action.

Proposed purchase of Simpson property at Shore Acres, Coos County:-The Parks Superintendent reported an offer from Mr. Louis Simpson to sell to the state for the sum of \$30,000 all of his holdings at Shore Acres adjacent to the Cape Arago Secondary Highway south of Empire, including buildings. He said that Mr. Simpson originally wanted \$75,000 for this property but will now accept \$30,000, of which amount \$7,500 is to be paid in cash and the balance at the rate of \$3,750 a year for six years, without interest. The tract, he said, contains about 200 acres of land, all situate between the highway and the ocean, and has about three miles of ocean frontage; furthermore, it joins Cape Arago State Park. The matter was discussed at considerable length during which the Commission indicated a favorable attitude toward the purchase of this property; however, deferred a definite decision pending search of the title so as to make certain that it is not encumbered in any way. The matter was referred to the Attorney to make such investigation.

Sale of timber on Neahkahnie Mountain, at Short Sand Beach State Park:-The Parks Superintendent requested instructions relative to disposal of this timber in view of the fact that it has been advertised for sale on two different occasions and no bids have been received. The State Highway Engineer suggested that the matter be placed in the hands of a timber broker to sell on a selective-cutting basis, inasmuch as a lot of the timber is ripe and should be cut. The Commission approved the suggestion and so ordered.

Financial report:-The Parks Superintendent submitted a financial report as follows, for the period January 1 to August 31, 1942:

	<u>1942 Budget</u>	<u>Expenditures to August 31</u>	<u>Balance</u>
Acquisition	\$ 7,160.27	\$ 20,571.48	\$ 13,411.21-
Betterment	3,833.30	5,124.55	1,291.25-
Operation & Maintenance	<u>42,134.85</u>	<u>22,884.05</u>	<u>19,250.80</u>
	\$53,128.42	\$48,580.08	\$ 4,548.34

The Commission approved the report by unanimous vote.

The Engineer presented a list of surveys that he has ordered since the last meeting of the Commission and asked the Commission to confirm them and the amounts allocated for each. After due consideration the Commission

authorized and instructed the Engineer to make such location surveys on various sections of the highways of this state, which said sections of highways, together with their identifying survey numbers and the amounts authorized and allocated for such survey expenditures, are as follows:

Bridge - - - 4-1436 - Puget Island Crossing, Columbia River Section, Columbia River Highway, Clatsop Co. 2nd authorization - \$500
Total to date \$2000

Location - 18-1455 - Pelican City-Menley Section, Klamath Falls-Malin Highway, Klamath County. 2nd authorization - \$4000
Total to date \$13000

Reconn.- - 22-1452 - Lebanon-Foster Section, Santiam Highway, Linn County.
1st authorization - \$1500

Plans - - 20-1452 - Oakridge-Salt Creek Section, Willamette Highway, Lane County. 1st authorization - \$100

Location - 14-1421 - Viento-Hood River Section, Columbia River Highway, Hood River County. 1st authorization - \$8000

Location - 33-1431 - Mosier-The Dalles Section, Columbia River Highway, Wasco County. 1st authorization - \$17000

Location - 109-1448 - Bend-Airport Section, Powell Butte Highway, Deschutes County. 1st authorization - \$330

Plans - - 18-1463 - Klamath Falls Oil Storage Sump Section, Various Highways, Klamath County. 1st authorization - \$150

Plans - - 18-1462 - Chemult Oil Storage Sump Section, Various Highways, Klamath County. 1st authorization - \$200

Plans - - 19-1429 - Lakeview Oil Storage Sump Section, Various Highways, Lake County. 1st authorization - \$200

Reconn.- - 34-1433 - Tigard-Cornelius Pass Section, West Portland-Hubbard Extension Highway, Washington County.
1st authorization - \$3200

Revetment - 6-1430 - Coquille River Revetment Section, Oregon Coast Highway, Coos County. 1st authorization - \$200

The Engineer reported that a number of surveys heretofore authorized by the Commission have been completed. He presented a list of such surveys and reported briefly on each survey listed thereon. After due consideration the Commission approved the respective surveys, as reported, and adopted the following resolution in regard thereto:

WHEREAS, the State Highway Commission heretofore has authorized and instructed the State Highway Engineer to make

surveys on certain sections or portions of the highways of the State of Oregon; and

WHEREAS, pursuant to said authorization the State Highway Engineer has made and completed the said surveys and has filed the maps and plans of the said surveys in the files of the State Highway Commission, in Salem, Oregon; and

WHEREAS, the maps and plans of the said surveys have been examined by the State Highway Commission and have been found suitable in all respects for approval and adoption by the State Highway Commission;

NOW, THEREFORE, BE IT RESOLVED that the surveys hereinafter designated and described, together with their identifying location map-file numbers, as shown in the map-filing records of the State Highway Commission in its Salem office, be and they are hereby adopted and approved as the location surveys of the various portions or sections of highways involved:

<u>File No.</u>	<u>Prefix</u>	<u>County</u>	<u>Type of Survey</u>	<u>Section</u>	<u>Highway</u>
6B6-2	4-1462	Columbia	Bridge	Columbia River Xing near Knappa	Columbia River
5B31-21)110-1433 5B33-23)		Douglas	Location	Days Creek-Milo	Tiller-Trail
6B6-1	215-1441	Jackson	Reconn.	Sams Valley-Evans Creek	Ramsey Canyon Access Road
7770 (Br. Dept.)	25-1410	Morrow	Bridge	Columbia River Xing near Paterson	Columbia River

BE IT FURTHER RESOLVED that the State Highway Engineer be and he hereby is authorized to make such minor changes in the said locations as may improve the standards of alignment and grades not inconsistent with the general location of the section of highway involved.

The Commission considered the following requests for extensions of time within which to complete highway construction projects:

Homer G. Johnson, contract No. 2390, for grading, surfacing and oiling the Siletz-Toledo Section of the Siletz Secondary Highway, in Lincoln County, requested an extension of time, from August 31, 1941, to August 21, 1942, within which to complete this job. He alleged that his failure to complete the project within the specified time limit was due to the following reasons: adverse weather conditions, shortage of skilled labor, difficulties in securing repair parts, supplies and equipment, increase in quantities, and insufficient

quantities of surfacing materials obtainable from sources specified in the contract. The Engineer advised that to a minor degree Mr. Johnson was handicapped throughout the job by shortage of skilled labor and difficulties encountered in obtaining repair parts and supplies, but in the main the delay was caused by his superficial examination of the proposed gravel pits prior to his bidding and to his total inability to secure the satisfactory material which he anticipated using. He gave as his thought, in view of the circumstances prevailing during the past year under which the contractor had little opportunity to conduct the job efficiently, that the extension of time requested should be granted without penalty and he so recommended, notwithstanding that this is a federal aid job and the Public Roads Administration does not concur. The Commission approved the recommendation.

R. O. Dail & Warren Bros., Inc., contract No. 2401, for surfacing and oiling the North Powder-Davis Ranch Section of the North Powder River County Road, in Union County, requested an extension of time, from July 15, 1941, to August 11, 1942, within which to complete this job. They attributed their failure to complete the project within the specified time limit to the following reasons: excessive rains during April, May, June and July 1942, shortage of skilled and common labor, excessive breakdown of equipment because of inexperienced labor, and difficulties in securing delivery of asphalt. The Engineer recommended that the extension of time requested be granted without penalty because general conditions of labor and material prevailing since the award of this contract were adverse. The Public Roads Administration, he said, will not concur in the recommendation, nevertheless he believes that the contractor should not be penalized for the delay. The Commission approved the recommendation.

R. O. Dail & Warren Bros., Inc., contract No. 2414, for grading, topping, surfacing and oiling the Flagstaff Hill-Ruckles Creek Section of the Baker-Homestead Highway, in Baker County, requested an extension of time, from August 31, 1941, to August 11, 1942, within which to complete this job. The contractor gave the following reasons for failure to complete the project within the specified time limit: too many contracts under way in the early part of 1941; excessive rains during the months of April, May, June and July 1942, difficulties encountered in the quarrying of the rock, increased quantities to be furnished, and the surfacing of an additional three miles not included in the original contract, shortage of skilled and common labor, difficulties in securing deliveries of asphalt, and time lost in repair of equipment damaged by inexperienced help. The Engineer recommended that the extension of time requested be granted without penalty in view of the adverse conditions under which the contractor has been working the past year and over which he had no control. The Commission approved the recommendation.

E. L. Gates, contract No. 2468, for grading, surfacing and bituminous macadam on the Rock Creek-Benton County Line Section of the Alsea Highway, in Lincoln County, requested an extension of time from July 31 to August 27, 1942, within which to complete this project. He attributed his failure to complete the project within the specified time limit to inability to find a suitable rock quarry, making it necessary to negotiate a price agreement. The Engineer advised that the grading work was completed and some surfacing work done before the rainy season set in last fall but the contractor could not complete the project because of difficulties experienced in securing needed materials. The work, he said, has now all been completed in a satisfactory manner under a revised agreement whereby gravel was substituted for crushed rock and the oiled surface was eliminated. He recommended that the extension of time requested be granted without penalty. The Commission approved the recommendation.

C. J. Eldon, contract No. 2481, for grading, surfacing, bituminous macadam and bridge construction on the Trask River-Peltz Corner Section of the Fairview-Clements Corner and Long Prairie County Roads, in Tillamook County, requested an additional extension of time, from June 30 to August 28, 1942, within which to complete this job. He attributed his failure to complete the project within the specified time limit to adverse weather conditions, making it impracticable to construct the oiled treatment within the specified time. The Engineer advised that the reason given by the contractor for overrun of time limit is correct. He recommended, in view of the circumstances, that the extension of time requested be granted without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

A. S. Wallace, contract No. 2511, for furnishing crushed materials in stock piles for the Hood River Rock Production Project on the Columbia River and Mt. Hood Highways, in Hood River and Wasco Counties, requested an extension of time, from March 31 to August 14, 1942, within which to complete this job. He gave no reasons for failure to complete the project within the specified time limit. The Engineer advised that the contractor's delay was due to difficulties encountered in securing repair parts for his equipment and in the securing of competent labor. He further advised that the state has not incurred any extra expense for engineering supervision and recommended that the extension of time requested be granted without penalty. The Commission approved the recommendation.

A. S. Wallace, contract No. 2512, for furnishing crushed materials in stock piles for the Beatty-Paradise Creek Rock Production Project on the Klamath Falls-Lakeview Highway, in Klamath County, requested an extension of time, from April 30 to July 29, 1942, within which to complete this job. He gave no reasons for failure to complete the project within the specified time limit. The Engineer recommended that the extension of time requested be granted without

penalty due to the fact that Mr. Wallace's operations were delayed by trouble in securing repair parts for his equipment and by labor conditions beyond his control. The Commission approved the recommendation.

Blair T. Alderman, contract No. 2524, for construction of two frame cabins at the Santiam Junction Patrol Station on the Santiam Highway, in Linn County, requested an extension of time, from December 31, 1941, to August 25, 1942, within which to complete the job. He alleged that his failure to complete the contract within the specified time limit was due to war conditions which made it difficult for him to secure men and materials. Furthermore, he encountered unusually severe weather conditions. The Engineer advised that work on this contract, except for the outside painting, was completed on February 20, 1942, and that the weather was not suitable for the painting work so the contractor was directed to postpone such work until suitable weather obtained during the summer. The reasons given by the contractor for the delay, he said, are correct. He recommended, in view of the circumstances, that the extension of time requested be granted without penalty. The Commission approved the recommendation.

Independence Sand & Gravel Company, contract No. 2538, for furnishing crushed materials in stock piles for the Willamina Rock Production Project on state highways near Willamina, in Polk, Tillamook and Yamhill Counties, requested an extension of time, from May 31 to July 31, 1942, within which to complete this job. The company gave no reasons for failure to complete the project within the specified time limit. The Engineer advised that the overrun of time limit on this job was due to an increase in the quantity of material that was required to be furnished. It was his thought that the extension of time requested should be granted without penalty and so recommended. The Commission approved the recommendation.

Independence Sand & Gravel Company, contract No. 2539, for furnishing of crushed materials in stock piles for the McMinnville Rock Production Project on state highways near McMinnville, in Polk and Yamhill Counties, requested an extension of time from May 31 to August 20, 1942, within which to complete this job. It gave no reason for failure to complete the project within the specified time limit. The Engineer advised that the overrun of time limit on this job was due primarily to increased quantities of material that the contractor was required to produce. He recommended in view of the circumstances that the extension of time requested be granted without penalty. The Commission approved the recommendation.

Independence Sand & Gravel Company, contract No. 2543, for furnishing crushed materials in stock piles for the Rickreall Rock Production Project on state highways near Rickreall, in Polk County, requested an extension of time, from May 31 to July 23, 1942, within which to complete this job. It gave no reason for failure to complete the project within the specified time limit. The Engineer

advised that the contract quantities on this job were increased materially which accounts for the fact that the work was not completed within the specified time limit and recommended, in view thereof, that the extension of time requested be granted without penalty. The Commission approved the recommendation.

A. H. Saxton & Son, contract No. 2575, for furnishing crushed materials in stock piles for the Lebanon-Sweet Home Rock Production Project on the Santiam Highway, in Linn County, requested an extension of time, from July 31 to September 2, 1942, within which to complete this job. They gave no particular reason for their failure to complete the job within the specified time limit but stated that they were delayed because of conditions beyond their control. The Engineer advised that the delay in completion of this contract has not caused the general public any inconvenience, neither has it caused deferment of the work for which the material was to be provided. He recommended, in view of the circumstances, that the extension of time requested be granted without penalty. The Commission approved the recommendation.

The Engineer reported that contracts Nos. 2390, 2401, 2414, 2468, 2481, 2507, 2511, 2512, 2524, 2538, 2539, 2543, 2575, 2578, and 2599, for construction of state highway projects, have been completed according to the terms of the contracts or modifications thereof, and that said jobs are now ready for acceptance. The following resolution accepting the above projects was offered and was adopted by the unanimous vote of the Commission:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts and said jobs are now ready for acceptance:

Contract No. 2390, with Homer G. Johnson, for grading, surfacing and oiling on the Siletz-Toledo Section of the Siletz Secondary Highway, in Lincoln County. Completed August 21, 1942.

Contract No. 2401, with R. O. Dail & Warren Bros., Inc., for surfacing and oiling on the North Powder-Davis Ranch Section of the North Powder River County Road, in Union County. Completed August 11, 1942.

Contract No. 2414, with R. O. Dail & Warren Bros., Inc., for grading, topping, surfacing and oiling on the Flagstaff Hill-Ruckles Creek Section of the Baker-Homestead Highway, in Baker County. Completed August 11, 1942.

Contract No. 2468, with E. L. Gates, for grading, surfacing and bituminous macadam on the Rock Creek-Benton County Line Section of the Alsea Highway, in Lincoln County. Completed August 27, 1942.

Contract No. 2481, with C. J. Eldon, for grading, surfacing and bituminous macadam, and construction of two bridges on the Trask River-Peltz Corner Section of the Fairview-Clements Corner and Long Prairie County Roads, in Tillamook County. Completed August 28, 1942.

Contract No. 2507, with Poole & McGonigle, for furnishing structural steel for the Morrison Street Bridge, Portland, in Multnomah County. Completed August 29, 1942.

Contract No. 2511, with A. S. Wallace, for the Hood River Rock Production Project, on the Columbia River and Mt. Hood Highways, in Hood River and Wasco Counties. Completed August 14, 1942.

Contract No. 2512, with A. S. Wallace, for the Beatty-Paradise Creek Rock Production Project, on the Klamath Falls-Lakeview Highway, in Klamath County. Completed July 29, 1942.

Contract No. 2524, with Blair T. Alderman, for construction of employee's cabins at the Santiam Junction Patrol Station, at the junction of the North and South Santiam Highways, in Linn County. Completed August 25, 1942.

Contract No. 2538, with the Independence Sand & Gravel Company, for the Willamina Rock Production Project, on state highways near Willamina in Polk, Tillamook and Yamhill Counties. Completed July 31, 1942.

Contract No. 2539, with the Independence Sand & Gravel Company, for the McMinnville Rock Production Project, on state highways near McMinnville, in Polk and Yamhill Counties. Completed August 20, 1942.

Contract No. 2543, with Independence Sand & Gravel Company, for the Rickreall Rock Production Project on state highways near Rickreall, in Polk County. Completed July 23, 1942.

Contract No. 2575, with A. H. Saxton & Son, for the Lebanon-Sweet Home Rock Production Project on the Santiam Highway, in Linn County. Completed September 2, 1942.

Contract No. 2578, with Warren Northwest, Inc., for pavement resurfacing on South Twelfth Street, Salem, in Marion County. Completed September 3, 1942.

Contract No. 2599, with Babler Bros., for oiling on the Shaniko Section of the Sherman Highway, in Wasco County. Completed September 8, 1942.

THEREFORE, BE IT RESOLVED that the work covered by said state highway contracts for the construction of said state highway projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

The Commission considered and signed agreements, et cetera, as follows:

Agreement with the City of Albany relative to the improvement of the Pacific Highway East through Albany.

Agreement with Bonneville Power Authority providing for the construction of the Wolf Creek Highway across certain government-owned lands.

Agreement with L. E. Bierce covering the use of a logging road across Van Duzer Corridor.

Application for Withdrawal from the Registry System of a parcel of land situate in Multnomah County.

Application for transfer of the water right in connection with Peter Skene Ogden State Park.

The Commission set Thursday, November 5, 1942, as the date for its next regular meeting for the receiving of bids. The Secretary was instructed to make the usual arrangements to hold this meeting in the auditorium of the Public Service Building, Portland.

There being no further business to come before the Commission at this time the meeting was adjourned at 5:00 p. m.

W. S. Stearns
State Highway Engineer

W. S. Stearns
Secretary

Henry F. Cabell
Chairman

Spencer McClary
Commissioner

Norman Oliver
Commissioner

Portland, Oregon, November 5, 1942

The State Highway Commission met in regular session at 9:00 a. m. in the auditorium of the Public Service Building. Present were:

Henry F. Cabell, Chairman
Huron W. Clough, Commissioner
Herman Oliver, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

Bids, as follows, for highway construction work, sale of power shovel, and sale of timber were opened and read in conformity with previously published rotices, following which Chairman Cabell announced that the awards would be made at 2:00 p. m. in the same room:

BAKER-HOMESTEAD AND HALFWAY HIGHWAYS
RICHLAND-HALFWAY ROCK PRODUCTION

No bids received on this project

NEHALEM SECONDARY HIGHWAY
BANZER BRIDGE-WASHINGTON COUNTY LINE ROCK PRODUCTION

Jed Wilson
Porter W. Yett

\$37,847.00
39,610.00

CENTRAL OREGON HIGHWAY
BUCHANAN ROCK PRODUCTION

No bids received on this project

THE DALLES-CALIFORNIA AND WILLAMETTE HIGHWAYS
WALKER MOUNTAIN ROCK PRODUCTION

No bids received on this project

WILLAMETTE HIGHWAY
TRENT-SALT CREEK FALLS ROCK PRODUCTION

No bids received on this project

OREGON COAST AND CORVALLIS-NEWPORT HIGHWAYS
NEWPORT ROCK PRODUCTION - HAULING ROAD AND CRUSHED ROCK

E. F. Altree

\$29,000.00

PENDLETON-JOHN DAY HIGHWAY
NYE JUNCTION-GRANT COUNTY LINE ROCK PRODUCTION

No bids received on this project

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WALLOWA LAKE HIGHWAY
ROCK CREEK-JOSEPH ROCK PRODUCTION

No bids received on this project

SALE OF TIMBER AT SHORT SAND BEACH STATE PARK

Hanson Brothers	\$4,000.00
Gray Logging Company	2,750.00

SALE OF LORAIN GAS SHOVEL

Grimstad and Vanderveldt	\$4,250.00
Jed Wilson	3,500.00
Salem Iron Works	3,350.00
Babler Bros.	3,260.00
C. J. Eldon	2,400.00
The United Contracting Company	2,000.00
E. M. Tesdahl	1,755.00
Brookfield Company	1,260.00

The Commission by unanimous vote approved the minutes of the meeting held on July 23, 1942.

The Engineer brought up for discussion a request from Colonel Barton of the Walla Walla Army Air Base for snow removal on the Weston-Elgin Secondary Highway, between Weston and Tollgate, for the benefit of army forces who are to train in this vicinity. The Engineer estimated that it would cost about \$6,000 to do what Colonel Barton asks. He questioned the advisability of performing this service, unless it is absolutely necessary, because of shortage of equipment and man power. The suggestion was made that the request should be confirmed by General Olds of the Second Air Force Command, Fort Wright, Washington; also, that complete facts with regard to the equipment and labor situation should be brought to the attention of Colonel Barton before a decision is reached. The Engineer was thereupon instructed to contact Colonel Barton by telephone. Such contact was made by the Engineer during the afternoon session and as a result thereof the following telegram was sent to General Olds:

GENERAL OLDS
2nd AIR FORCE COMMAND
SPOKANE, WASH.

HAVE REQUEST FROM BARTON, COMMANDING OFFICER, WALLA WALLA AIR BASE, FOR SNOW REMOVAL ON TOLLGATE ROAD SO THAT TROOPS MAY BE TRAINED IN WINTER CAMP AT TOLLGATE. YOU HAVE REQUESTED OUR SNOW PLOWS FOR SNOW REMOVAL ON RUNWAYS. WE REPLIED SUGGESTING THAT WE PERFORM WORK AT COST WHICH WOULD MAKE POSSIBLE THE MORE COMPLETE USE OF EQUIPMENT, WHICH IS QUITE SCARCE, AND THEREBY INSURE SNOW REMOVAL FROM BOTH RUNWAYS AND HIGHWAYS. SO MANY REQUESTS ARRIVE THAT IT SEEMS NECESSARY TO SET UP A PRIORITY IN PROJECTS. IF YOU CONSIDER THAT, UNDER CONDITIONS OF LIMITED EQUIPMENT AND MANPOWER, TOLLGATE PROJECT IS NECESSARY WE WILL PERFORM THE WORK AT A COST ESTIMATED TO BE \$6,000 WHICH WE WILL ASSUME.

HENRY F. CABELL, CHAIRMAN, STATE HIGHWAY COMMISSION

In this connection the Secretary presented a letter from the Tollgate postmaster urging the Commission to keep this highway open during the winter months for the benefit of the Tollgate mail carrier. It was the Commission's decision that the expense is not justified for this reason alone and thereupon denied the request.

The Engineer also brought up for discussion the matter of snow removal on the road which extends from the Mt. Hood Highway to Timberline Lodge. He recalled that the United States Navy has in mind using the lodge as a recuperation center for naval personnel, provided the road to the lodge is kept open. He advised that the road in question is not a state highway, hence state funds could not be used to finance the snow removal operations, although there is a possibility that the project is eligible for federal access moneys. In view thereof he recommended approval of the operations provided the federal moneys can be secured to pay the cost. The Commission approved the recommendation.

A letter was presented from Senator Earl E. Fisher, Beaverton, suggesting action on the part of the Highway Commission to refute a proposal that is being made by highway carriers for a reduction in carrier fees. The Commission indicated approval of Senator Fisher's suggestion; however, deferred definite action thereon. The Attorney was instructed to advise Senator Fisher that his letter has had the attention of the Commission.

The question of maintenance of the DeLaura Beach Road and the Ridge Road, in Clatsop County, had the attention of the Commission. In the discussion it was pointed out that these roads are not state highways, although they are of general public interest because they are used principally by military traffic. It appeared to the Commission, in view thereof, that it would be justified in expending state funds in conjunction with Clatsop County funds to maintain them for the duration of the war, if the county will maintain them thereafter. The Commission by unanimous vote approved such an arrangement provided it is agreeable with Clatsop County Court. The Engineer was instructed to contact the county court relative thereto. (The Engineer reported later that the county court approved the arrangement.)

The Engineer reported that, on October 29, 1942, he awarded to Warren Northwest, Inc., the contract for the construction of the Aurora Flight Strip, bids for which were taken on October 1, 1942, the conditions of the award having been satisfied. The Commission approved the award as reported.

The Commission had under consideration a request from Lindstrom Brothers for the termination of their contract, No. 2594, for construction of bridges on Sunderland Avenue Access Road, in Portland, due to difficulties in obtaining lumber required for these structures. They declared that they have done everything in their power to secure the necessary lumber but without success, and asked to be relieved of their obligation. The Engineer stated that he could not agree with the contractor that it is impossible to secure lumber for these structures and recommended that the request be denied. The Commission approved the recommendation. The matter was discussed further later in the session at which time the Engineer advised that the lumber for

these structures has been manufactured by the Clark-Wilson Lumber Company and is ready for delivery, although, because of union difficulties, delivery cannot be made. He suggested that the Commission authorize the use of state trucks for the purpose if the contractor will pay the transportation costs. The Commission approved the suggestion. It later developed that delivery of the lumber could not be made even in state trucks because of union difficulties. The matter was thereupon referred to the Engineer to work out a solution.

The question whether or not to penalize contractor E. L. Rigdon for failure to complete his contract, No. 2473, for construction of the Days Creek-Wright Ranch Section of the Tiller-Trail Secondary Highway, in Douglas County, within the specified time limit, had the attention of the Commission. The Engineer advised that the contract provided for the work to be done by September 30, 1941; however, it was not completed until June 30, 1942. The delay, he said, was due largely to the fact that Mr. Rigdon was awarded two contracts at the same meeting, the other being for the construction of the Oak Creek-Marks Ranch Section of the North Umpqua County Road, in Douglas County, and that he did not have sufficient equipment to do both jobs at the same time. He further advised that Mr. Rigdon sublet the crushing and oiling work on the job to the Rogers Construction Company and J. C. Compton, who could not start this work as early as was anticipated because Rogers Construction Company had several other small jobs under way which were not finished until December, so, even if Mr. Rigdon had finished the grading work, it would not have been possible to complete the job within the specified time limit. He read aloud a letter from Division Engineer K. D. Lytle on the subject (see letter of October 29 from K. D. Lytle to H. G. Smith) and recommended in view of the findings contained therein that Mr. Rigdon be relieved of the penalty for failure to complete the job within the specified time, which penalty amounts to \$2,021.71. The Commission approved the recommendation.

The Commission discussed a letter from Mr. Maury Maverick, Chief, Bureau of Governmental Requirements, War Production Board, Washington, D. C., suggesting a cooperative plan between states, counties and municipalities for snow removal on important roads and streets during the winter months, in view of the fact that necessities of the war effort have greatly curtailed the supply of all new snow removal equipment. Mr. Maverick's plan involves a cooperative arrangement between the states, counties and towns whereby one could assist the other in this undertaking by renting equipment or performing the actual work. The Engineer advised that a similar communication has been received from the Public Roads Administration. He recommended approval of the arrangement and that a letter be directed to the county and municipal officials of the State of Oregon requesting their cooperation in order to reach the desired objectives which would work to the mutual benefit of all parties concerned. After consideration the Commission approved the recommendation and authorized the Engineer to direct the following letter to such county and municipal officials:

The State Highway Commission has received a communication from Louis Levenson, Chief of the Maintenance Machinery Section, Bureau of Governmental Requirements of the War Production Board, also a communication from the Public Roads Administration requesting

that the State Highway Department, the counties, and the cities work out a cooperative agreement or plan whereby all essential highways, roads, and streets may be kept open this winter in the event of heavy snowfall.

In conformance with the request contained in these letters, the State Highway Commission suggests that the counties and cities send in a statement of the snow removal equipment owned and operated by the counties and cities in order that it may be known what equipment is available for use for snow removal during the coming winter.

This information is requested due to the fact that, in case of severe snow conditions occurring in any certain locality or in case of a general storm the equipment can be assigned to take care of those roads which must be kept open for the movement of essential war materials or army movements.

It is the desire of the Commission to make available to the counties and cities the State equipment to assist in snow removal on those roads and streets which may become blocked and which it is necessary to open as soon as the major arteries have been opened for traffic.

It is the desire of the Commission to furnish this service to the counties and cities on a cost basis of a certain sum per hour, which will include operators and operative expense, and it is the suggestion of the Commission that counties and cities fix a price per hour for the use of their equipment which will include the operators and operating expense for each type of snow removal equipment which is owned by the county or city.

The State will prepare a statement of rental charges for the various types of equipment and place this statement in the hands of the county and city officials, so that they will know when they call on the State for assistance what the rates for the equipment will be, and the Commission desires to have a letter or statement from the county and city officials advising what the rate will be if the State calls upon the counties and cities for assistance.

It is the desire of the Commission to carry out the request of the Maintenance Machinery Section of the War Production Board, and the Commission hopes that the counties and cities will feel free to cooperate for the mutual benefit of the State, county, city and nation.

The Commission had under discussion a letter from Mr. Ralph H. Mitchell, Executive Secretary of the State Salvage Committee for Oregon, in which the Commission was asked to turn over to the Salvage Committee an old steel bridge which has been dismantled and is stored at the highway maintenance yard at Seaside. Mr. Mitchell would like to have this material in

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connection with a state-wide scrap drive. The Engineer advised that the trusses of this old bridge are of very little value although the floor beams and stringers could be used to advantage in the construction or maintenance of short-span bridges. He recommended approval of Mr. Mitchell's request in so far as it pertains to the bridge members that cannot be used by the highway department. The Commission approved the recommendation.

The Engineer requested authority to post reduced load limit signs on the Little Luckiamute River Bridge on the Kings Valley Secondary Highway, in Polk County, limiting loads to 15 tons. He explained that the hauling of logs across this structure was started a few days ago and that the condition of the bridge is such that the continued movement of log trucks is unsafe; further, that the bridge is located within the boundaries of Camp Adair and probably will be closed by the Army in the not distant future, in view of which an expenditure to strengthen the bridge to withstand legal weight loads would be a waste of money. The Commission approved the Engineer's request and thereupon by unanimous vote adopted the following resolution with regard thereto:

WHEREAS, the road or highway hereinafter named has been designated and declared to be and is a state highway and has been improved and is being maintained by the State Highway Commission, pursuant to the laws of the State of Oregon, as a state highway:

AND WHEREAS, on the said state highway there is located a certain bridge structure, known as the "Little Luckiamute River Bridge", which, in the judgment of the State Highway Commission, is incapable of safely carrying the traffic to which it is being subjected, and, in order to protect said bridge structure against damage and injury and in order to safeguard traffic over said bridge structure, it is deemed and is the judgment of the State Highway Commission and said Commission finds that it will be for the best interests of the said bridge structure and of the traffic which uses the said bridge structure that the maximum weights now permitted and authorized by law be reduced;

AND WHEREAS, the State Highway Commission has, after due investigation, determined and found and it is the judgment of the Commission that the maximum gross loads which shall be permitted upon any single span of the said structure at any time shall be reduced and fixed as in this order provided;

NOW, THEREFORE, the premises being in part as above stated and the State Highway Commission having, as a result of due investigation, found that the bridge structure above referred to and hereinafter designated is incapable of safely sustaining or supporting a total gross load in excess of that specified hereinbelow;

IT IS HEREBY ORDERED, that the total gross weight of combined load and vehicle which at any one time shall be permitted upon any single or individual span of the said bridge structure shall not

exceed the limits given and set forth hereinbelow. In computing the total weight of any single vehicle, the total gross weight of any trailer or trailers attached to said vehicle shall be considered as a component part of the total gross load and shall not be considered as a separate vehicle. This combined gross weight shall not exceed the limits given hereinbelow, to wit:

KINGS VALLEY SECONDARY STATE HIGHWAY, No. 190, Polk County

Milepost 190-03.32 Little Luckiamute River Bridge 15 tons

IT IS FURTHER ORDERED, that these rules and regulations as made and found by the State Highway Commission under the provisions of Section 115-394, O. C. L. A., shall be in full force and effect until rescinded, modified or revoked by order of the State Highway Commission.

AND IT IS FURTHER ORDERED, that a notice be posted in a conspicuous manner and placed at each end of the above-named bridge structure, so that said notice can be readily seen and read, which notice shall state plainly the limitations and prohibitions of the traffic hereby in this order determined and fixed.

AND IT IS FURTHER ORDERED, that a certified copy of this resolution be furnished the County Clerk of Polk County, in which county the said bridge structure is located, and the Superintendent of the Department of State Police for his information.

The Secretary requested instructions relative to the renewal of the Commission's forgery bond. He advised that the bond provides for \$100,000 coverage for the members of the Commission and the Engineer, and that the present policy, which was written by the American Bonding Company, Jack Godfrey and Company, general agents, expired on November 2, 1942. He further stated that Mr. Godfrey has furnished a new bond, expiring on November 2, 1945, for which the premium is \$477.75, a reduction of approximately \$128.00 from the premium previously paid. The Secretary also stated that the Ohio Casualty Insurance Company has submitted a quotation for this business and has offered to furnish a policy, with provisions identical to those contained in the American Bonding Company's policy, for a premium of \$381.87 for three years. It was the Commission's thought that the business should be given to the company charging the lesser premium, other conditions being equal, inasmuch as the premium is being paid with public funds; however, considered it advisable and a matter of courtesy to offer an explanation to Mr. Godfrey in view of the fact that he has enjoyed this business for twenty years or more and has given excellent service. The Secretary was instructed to bring the matter to Mr. Godfrey's attention.

Mr. Godfrey appeared before the Commission later in the morning when the matter was explained to him in detail by Chairman Cabell. Mr. Godfrey

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spoke highly of the Ohio Casualty Company and expressed disappointment that he would not receive this business. He inquired whether or not the Commission would continue the policy with his company if the amount of the premium were reduced to that quoted by the Ohio Casualty Company and stated that, while he did not believe that his company would approve the reduction, he would like to have a few days within which to ascertain definitely in regard thereto. The Commission authorized the placing of this business with the American Bonding Company if it will reduce the premium in such amount and gave Mr. Godfrey ten days' time within which to obtain a definite answer from the home office of his company. In the event Mr. Godfrey is unable to secure a reduction in the premium rate, then the business is to be given to the Ohio Casualty Company provided the company furnishes a policy equally as good as that offered by the American Bonding Company. The matter was referred to the Attorney and the Secretary for a decision in this regard. (Mr. Godfrey notified Chairman Cabell on November 7, 1942, that the American Bonding Company had reduced the amount of the premium to \$381.87. Mr. Cabell thereupon authorized the placing of the business with Mr. Godfrey's company.)

Mr. Walter Meacham, Executive Secretary of the Old Oregon Trail Marker Committee, came before the Commission at this time and asked the Commission to authorize the erection of ten additional markers along the Old Oregon Trail. He recalled that the Commission some months ago approved an expenditure of approximately \$2,500 for this purpose but "froze" the funds later on account of war conditions. It was his thought that the project should be revived in view of the Oregon Trail Centennial Celebration which is to be held next year. Mr. Meacham also suggested that the reading matter on the markers would be more legible if done with white enamel paint rather than with gold paint. The Commission approved the latter suggestion but took under advisement the matter of authorizing the additional markers. The matter was reconsidered after Mr. Meacham's departure at which time the Commission approved his request on the condition that there are materials on hand with which to construct the markers and that the erection of the signs be deferred until men can be conveniently spared for the purpose.

In this connection the Engineer advised that Mr. Meacham made a trip to Tacoma, Washington, on October 30, 1942, with Dr. Driggs, in the interests of the Old Oregon Trail Centennial program, his expense in connection therewith amounting to \$5.95 for which he is asking reimbursement. He recommended approval of this out-of-state expenditure. The Commission approved the recommendation.

The Commission approved and ordered filed a resolution from the County Court of Lake County with respect to the abandonment of a portion of the Drews Gap-Cottonwood Creek Section of the Klamath Falls-Lakeview Highway which has been realigned.

The Commission discussed the claim of Mrs. J. W. Thomas for reimbursement of expense incurred by her in connection with the extinguishing of a fire which occurred on the right of way of the Pacific Highway in front of her premises south of Salem. It appears that a load of flax overturned on the highway at this point and before the flax could be picked up some small boys

in the vicinity set it afire, endangering Mrs. Thomas's home; further, that in order to protect her home, Mrs. Thomas took it upon herself to extinguish the fire using water which passes through her water meter. It also appears that her water bill for the month is \$2.69 more than her average water bill for the previous nine months which indicates that the excess water was used to put out the fire, thereby saving Mrs. Thomas's residence and also preventing the burning of some highway signs. Mrs. Thomas is asking for reimbursement in the amount of \$2.69. The Commission considered that the saving of the highway signs is more than sufficient justification for paying the claim and thereupon authorized payment of the same.

The Attorney requested instructions whether or not to press the claim against Woolach Brothers for testing lubricating oil. It appears that certain lubricating oil was purchased from Woolach Brothers and when delivery of the same was made the contents were not clearly marked for identification so it was necessary to make an extra test of the oil in each container. This work was done by the highway department's testing laboratory at a cost of \$41.00 and, due to the fact that the extra work was the result of negligence on the part of the shipper, Woolach Brothers were billed for this expense and, whereas they originally acknowledged the obligation, apparently they now do not recognize it and ignore the bills that have been presented to them. After discussion the Commission instructed the Attorney to personally contact Woolach Brothers relative thereto and report the results thereof when the Commission will give him further instructions.

The Commission discussed the advisability of selling a number of the "black and white" films of the "Old Oregon Trail." The Engineer advised that the Travel and Information Department has on hand some forty-five or fifty of these films which it has been the practice to loan to various organizations; that they have outlived their usefulness from the state's standpoint, having been replaced by colored films, and a number of requests have been received to purchase outright from the excess stock. It was his thought that it would be possible to secure from \$10 to \$15 for each film and recommended the sale of the same inasmuch as they now are of little value. The Commission approved the sale of the excess films at \$15 each with the understanding that they are not to be used for commercial purposes.

In this connection the Engineer brought up for discussion the matter of loaning colored pictures of Oregon scenes to hotels and similar institutions in California. He advised that the Travel and Information Department has a number of these pictures on hand and gave as his thought that the loaning of the same to such agencies would give the state considerable cheap advertising which is particularly desirable at this time in view of the fact that the generalized advertising of the state by this department has been greatly curtailed. The Commission after discussion authorized the loaning of the pictures provided no favoritism is shown in the dispensing of the same.

The Commission by unanimous vote adopted the following resolution covering use by the Oregon Shipbuilding Corporation of a portion of the area that was acquired in connection with the Front Avenue Project in Portland, which area is to be used by the corporation as a parking place for automobiles

belonging to shipyard workers who are to be transported from this central location to the several shipbuilding plants in the Portland area. The resolution confirms the action taken by the Commission at the previous meeting:

WHEREAS, pursuant to written agreement between the State of Oregon, by and through its State Highway Commission, and the City of Portland, by and through its municipal authorities, there is under construction a major improvement in the City of Portland known as the Front Avenue highway and street project; and

WHEREAS, in connection with said project there were acquired by the joint action of the City and the State certain real properties, some of which are needed for the immediate promotion of said project and some of which will be employed in the future when said project in its entirety is carried to completion; and

WHEREAS, for the purpose of contributing relief to the traffic problem involved in the transportation of persons to and from the shipyards of the Oregon Shipbuilding Corporation, the City and the State have been asked to make available for parking privileges certain lands acquired by the City and the State for use in connection with the said Front Avenue project; and

WHEREAS, in response to said request made by the Oregon Shipbuilding Corporation, the City has passed and regularly adopted Ordinance No. 77921, which was passed by the Council October 1, 1942; and

WHEREAS, it is the purpose of the State to join with the City in making said area available for the purpose disclosed in the petition and likewise covered in said ordinance;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the Oregon State Highway Commission, all members being present and voting affirmatively, as follows:

1. That Ordinance No. 77921, as passed and adopted by the City Council of the City of Portland on October 1, 1942, be and the same hereby is approved for the State by this Commission, and the Highway Commission does hereby consent to the use of the streets and areas specified in said ordinance for the purposes therein set forth. A copy of said ordinance, marked "Exhibit A", is hereto attached and by this reference made a part hereof.*

2. That this resolution be entered in the minutes and records of the Highway Commission and the Secretary be and he hereby is instructed to deliver to the Oregon Shipbuilding Corporation a duly certified copy thereof, and that he be and hereby is directed to deliver to the City of Portland and to William Lynch, District Engineer of the Public Roads Administration, like certified copies.

*Ordinance filed in General Files. See Resolutions General file, 1942.

The Commission by unanimous vote also adopted the following resolution establishing a 35-mile-per-hour speed limit for traffic along the Oregon Coast Highway between mileposts 24 and 25, and between mileposts 32.5 and 44:

WHEREAS, the State Highway Commission, pursuant to the provisions of Section 115-320, O. C. L. A., as amended by Chapter 458, Oregon Laws, 1941, has caused an engineering and traffic investigation to be made with respect to certain state highways and/or certain sections of state highways more particularly and completely described and set forth hereinafter; and

WHEREAS, the data, facts and information obtained in connection with said investigation are all on file in the office of the State Highway Commission at Salem, Oregon; and

WHEREAS, based upon said engineering and traffic investigation the Commission has determined that the fixed and designated speeds prescribed by the provisions of subsection (b) of said Section 115-320, O. C. L. A., as amended, are in certain specified instances greater than is reasonable and safe and in other specified instances are less than is reasonable under the conditions found to exist upon or with respect to the state highways or sections of state highways hereinafter set forth and more particularly described and defined hereinafter, and the State Highway Commission has therefore determined to designate a different speed thereupon than the speed fixed in said statute, which said different speed or speeds shall be as specifically set forth hereinafter.

NOW, THEREFORE, based upon said engineering and traffic investigation and upon the finding and determination made by the Commission with respect thereto, the Commission does hereby determine and does hereby order that within the meaning and purpose of said Section 115-320, O. C. L. A., as amended, the speed at which a vehicle may be driven upon said state highway and/or upon said sections of said state highway shall not exceed the rate of speed set forth immediately following.

Name of Highway: Oregon Coast Highway

Highway No. 9

Route No. US 101

Location of Termini				Established Speed
From Mile Point 24	to Mile Point 25			35 miles per hour
" " " 32.5	" " " 44			35 " " "

BE IT FURTHER ORDERED that the State Highway Engineer be and he hereby is ordered and directed to erect at appropriate places in sufficient number adequate signs giving notice of the particular applicable speed on said state highway.

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BE IT FURTHER ORDERED that any previous order heretofore made by the Commission with respect to speed or speeds applicable to any of the highways or sections of highways specified herein which is in conflict with the provisions of this order hereby is vacated and annulled.*

*Note: The purpose of this resolution is to amend the resolution adopted November 17, 1941, with respect to established speeds between mileposts 24 and 25, 32.5 and 44 on said Highway US101 but in all other respects the said Resolution shall be in full force and effect.

The Commission discussed a report from the chief weighmaster with respect to the attitude of H. L. Kirk, Justice of the Peace, Lakeview, in the assessment of fines against log haulers for overloading. It appears that of some twenty-four cases that have been cited to Judge Kirk's court no fine whatsoever has been assessed except that imposed to pay court costs, and that it is Judge Kirk's impression, gained from his personal inspection of the highways involved, that the overloads do not hurt the highways. The question arose what to do in order to gain Judge Kirk's cooperation. The Engineer suggested that action on this matter be deferred until the log haulers have had an opportunity to reflect on the letter that is to be sent to them shortly over the signatures of the Office of Price Administration, Office of Defense Transportation, Oregon State Police, Public Utilities Commissioner, and the Oregon State Highway Commission; and, if the desired results are not obtained as a result of such letter, that the old penalty of suspension and/or cancellation of permits be restored. The Commission approved the suggestion.

The question whether or not to grant permits authorizing the use of special sanding equipment on trucks during the winter season, involving overloads of 700 pounds, as has been done in the past two years, had the attention of the Commission. The Engineer recommended the granting of such permits to carriers who are not operating under emergency transportation permits, but that such permit be not granted to carriers who are operating under an emergency transportation permit which already allows a gross load of 71,250 pounds, it being his thought that the 700-pound weight should be considered as included in the 71,250-pound limit. The Commission approved the recommendation.

The Commission discussed briefly a report from the Secretary disclosing a number of overweight violations committed by several carriers who are operating under emergency defense transportation permits. Action thereon was deferred by the Commission until a future meeting.

The application of F. W. Falk for permission to move a number of farm buildings across the Pacific Highway West, a short distance north of the Suver intersection, was discussed. A report on this subject indicates that there are some five or six buildings to be moved, including a large residence

building and a large barn; that the buildings are situate on the west side of the highway within the boundaries of Camp Adair; and that the Army officials have ordered Mr. Falk to vacate the premises immediately. The Engineer advised that the moving of the buildings at this time of the year is a difficult undertaking in view of the unstable condition of the new highway grade and the detour that highway traffic is using. However, it could be accomplished if Mr. Falk is willing to pay the cost of doing certain graveling work to facilitate the movement. It appeared to him that the circumstances surrounding this case justify the granting of a permit, provided the movement is undertaken during the time of the year when it will inconvenience highway travel the least amount. He suggested that an effort be made to secure approval by the Army authorities for deferment of the moving operations until next spring and, if such approval cannot be obtained, that a plan be effected whereby the buildings can be moved now. It appeared to the Commission, after discussion, that Mr. Falk must be accommodated in some manner. Accordingly, the Engineer was instructed to take up the matter with the Army authorities in an endeavor to have the moving postponed until spring when conditions will be much better than they are now. In the event the Army will not consent to the deferment, then he is to outline a plan for moving the buildings at once.

The Commission reconsidered the matter of selecting delegates to the annual meeting of the American Association of State Highway Officials which is to be held in St. Louis, Missouri, on December 7, 8 and 9, 1942. It was decided that the highway department should be represented by Chairman Cabell and Commissioners Clough and Oliver if possible for them to attend, the State Highway Engineer, the Attorney, and the Bridge Engineer, provided out-of-state travel for each is authorized by Governor Sprague.

The Engineer requested authority to spend about \$3,000 to place a pit run gravel surface on a four-mile section of the Wasco-Heppner Secondary Highway at the Gilliam-Morrow County line. He explained that the present surfacing becomes very slippery when wet and many cars have been stuck during unexpected rains, and, in some instances, cars have slid off the grade. A light surfacing of rock, he said, would correct this situation and would enable continued use of the road. The Commission approved the expenditure, the work to be done with state forces if and when men and equipment for the purpose can be spared.

Consideration was given by the Commission to the following requests for the placement of stop signs where highways cross over railroad tracks at grade:

Oregon Railroad Association:- stop signs at the crossing of the Oswego Highway with the Southern Pacific Company's tracks at Oswego; and at the crossing of the Pacific Highway with the Oregon Electric Railroad at Harrisburg.

City of Hillsboro:- crossing of the Tualatin Valley Highway and the Pacific Railroad and Navigation tracks at Baseline and Range Streets; and crossing of the secondary state highway and the railroad tracks at First and Cedar Streets.

City of Condon:- stop signs at the crossing of the John Day Highway and the Wasco-Heppner Secondary Highway with the Oregon-Washington Railroad and Navigation Company's tracks near the north city limits. The city also requests the state to erect stop signs at a point where the road which connects the Wasco-Heppner Secondary Highway and the John Day Highway, at the north city limits, crosses the Oregon Washington Railroad and Navigation Company's tracks.

This matter was discussed at considerable length during which reference was made to the order heretofore made by the Commission requiring highway traffic to stop before crossing certain main line railroad tracks. It was recalled that such order was made at the request of the Oregon Railroad Association and that it was intended to cover highway crossings of main line railroads only, and that the crossings mentioned therein were selected only after very careful study and joint approval by the highway and the railroad engineers. The Commission considered that it is not justified at the present time in extending the order to cover other crossings and, accordingly, voted unanimously to limit the stop order to the crossings mentioned in said order. Such action is to be considered as a policy to be followed hereafter in passing on requests of this nature. The Commission thereupon denied the above-mentioned requests inasmuch as they do not come within the approved category, and ordered that the respective applicants be so informed.

With respect to the crossing of the connecting road at the north city limits of Condon, there was a question whether or not this is a city street or a county road. In the event investigation reveals it to be a city street, the Commission authorized the furnishing and placing of appropriate signs on the condition that the City of Condon will deposit with the Commission, in advance, its certified check in the estimated cost of the installation.

In this connection a letter was presented from Mr. L. L. Gooding, Principal of the Milton-Freewater Public School System, requesting the removal of four stop signs at the crossing of the state secondary highway with the railroad tracks in Freewater. Mr. Gooding alleges that there are now only one or two logging freight trains that operate over this crossing daily and that there is no justification for the signs. The Commission deferred action on this matter until the next meeting.

Mr. Paul F. Murphy, Vice-President of the Loritan Investment Company, Oswego, was present and requested permission to utilize a portion of the right of way of the Oregon Coast Highway about six miles south of Marshfield in connection with the loading of coal onto railroad cars adjacent thereto. Mr. Murphy advised that his company is mining coal in this vicinity and the designated location is the most convenient one that they can find for the loading of the coal onto the cars; however, the distance between the railroad and the right of way at this point is too narrow for the use to which they propose to put it, so it will be necessary for them to encroach somewhat on the highway right of way, although not sufficient to interfere with or cause a hazard to highway traffic. He further stated that the use of this area is temporary,

only, and that it is not proposed to store any materials thereon, although the plan is to construct a bulkhead on each side of the area so it can be filled in to the level that will accommodate the loading of cars. After considerable discussion the Commission tentatively approved the request, it being understood that the use of the state's property is of a temporary nature and that the privilege is not exclusive. The Engineer was instructed to investigate the premises in the near future and to report his findings. In the event his recommendation is favorable and is approved by the Commission, the matter is to be covered by appropriate written agreement between the parties concerned.

The Commission adjourned at 12:00 noon and reconvened at 1:30 p. m. in the same room with the same persons present and participating.

At 2:00 p. m. Chairman Cabell announced the following awards of contracts, sale of timber, and sale of gas shovel, bids for which were taken at the morning session, such awards having previously been approved by the Commission by unanimous vote:

"Richland-Halfway Rock Production Project on the Baker-Homestead and Halfway Highways, in Baker County. There were no bids received on this project.

"Banzer Bridge-Washington County Line Rock Production Project on the Nehalem Secondary Highway, in Columbia County. Jed Wilson, Seaside, submitted the low bid for this project, in the amount of \$37,847.00. Porter W. Yett, Portland, submitted the next-low and only other bid, in the amount of \$39,610.00. The Commission awards this contract to Jed Wilson at his low bid of \$37,847.00.

"Buchanan Rock Production Project on the Central Oregon Highway, in Harney County. There were no bids received on this project.

"Walker Mountain Rock Production Project on The Dalles-California and Willamette Highways, in Klamath County. No bids were received for this project.

"Trent-Salt Creek Falls Rock Production Project on the Willamette Highway, in Lane County. No bids were received on this project.

"Newport Rock Production Project on the Oregon Coast and Corvallis-Newport Highways, in Lincoln County. Construction of 0.66-mile hauling road and furnishing of 10,000 cubic yards crushed rock in stock pile. E. F. Altree, Agate Beach, submitted the only bid for this project, in the amount of \$29,000.00. The Commission awards this contract to E. F. Altree at his bid of \$29,000.00

"Nye Junction-Grant County Line Rock Production Project on the Pendleton-John Day Highway, in Umatilla County. No bids were received on this project.

"Rock Creek-Joseph Rock Production Project on the Wallowa Lake Highway, in Wallowa County. There were no bids received on this project.

Sale of Timber

"Timber at Short Sand Beach State Park, in Tillamook County. Hanson Brothers, Astoria, submitted the high bid for this timber, in the amount of \$4,000.00. Gray Logging Company, Seaside, submitted the only other bid, in the amount of \$2,750.00. The Commission rejects these bids.

Sale of Lorain Gas Shovel

"1 1/2-yard Lorain Gas Shovel, located at Garibaldi, in Tillamook County. Grimstad and Vanderveldt, Astoria, submitted the high bid for this shovel, in the amount of \$4,250.00. Jed Wilson, Seaside, submitted the next-high bid, in the amount of \$3,500. There were six lower bidders. The Commission sells this Lorain Gas Shovel to Grimstad and Vanderveldt at their high bid of \$4,250.00."

Mr. Carl E. Davidson, attorney, Portland, came before the Commission in behalf of George R. Van Vleet, logging contractor, whose operations involve the truck hauling of logs over the Cannon Beach Section of the Oregon Coast Highway. Also present was Mr. F. H. Brundage, Western Log and Lumber Administrator, War Production Board. Mr. Davidson asked the Commission to modify its present ruling with respect to the overall length of loads that may be transported over this highway so as to permit the moving of logs 40 feet long. The present overall length restriction of 42 feet, he said, limits the length of logs to less than 30 feet, which is an undesirable length in view of the fact that the logs are mostly spruce which are used as airplane stock and the longer length logs are much better adapted to such purpose. He also requested this privilege from the standpoint of increasing the output of logs as the Government is urging, and as a measure to conserve labor and equipment. He advised that Mr. Van Vleet has some 300,000,000 board feet of timber to market and plans, for the next two years at least, to move about 30,000,000 feet annually. Chairman Cabell advised that the Commission placed a length restriction on this section of highway because it is very crooked and the longer length logs cannot be moved over it without taking up more than one-half the roadway and endangering other traffic. Logs 40 feet long, he said, cannot be transported over this section unless a number of curves are widened which the Engineer estimates would cost approximately \$10,000 if done during the winter season. The Engineer advised that the existing highway is not on permanent alignment and that any expenditure made now to improve the alignment would be lost when the new highway is built. He gave as his understanding that the War Production Board is anxious to secure Mr. Van Vleet's logs and suggested in view thereof that the request for the improvement should come from the War Production

Board, by letter, so the Commission could have the benefit of the same as justification for any work that the Commission might authorize.

Chairman Cabell inquired whether or not the War Production Board would approve the project and the expenditure necessary to obtain the desired end. Mr. Brundage replied that he was certain that the War Production Board would approve it and that he, himself, would help to secure such approval. He advised that the problem of log supply is getting to be very bad and the outlook for a winter supply is not very promising, in fact the log ponds at the present time contain only about one-third of the normal supply. Especially is this true, he said, of spruce logs where the condition is critical. It was his thought, inasmuch as the logging contractor would receive considerable cash advantage by being permitted to haul the longer logs, that he would be willing to cooperate with the Commission in the expense involved. Mr. Davidson stated that, while he is not in position to commit Mr. Van Vleet, he believed that he would be willing to cooperate and would ascertain definitely to what extent. After further discussion Chairman Cabell concluded the conference by stating that the Commission will be pleased to give the matter further consideration if Mr. Brundage will direct a letter to the Commission confirming his oral statements with respect to the necessity for the improvement and the need for the longer length logs. Mr. Brundage agreed to furnish such letter, whereupon the Engineer was instructed to contact the members of the Commission upon receipt of the same for further instructions, it being understood that the work, if approved, would be done with state forces and that it would consist of a minimum amount of widening at bad turns so as to permit 40-foot logs to be transported without taking up more than one-half the roadway.

Messrs. Merle Chessman, Chairman, and John Laing, member, of the Advisory Committee on travel and information matters, were present in regard to the furnishing of colored post cards free of cost to soldiers in army cantonments, USO headquarters and similar places, in the state of Oregon. They explained that some of the adjoining states now furnish post cards for such purpose which is not only an accommodation to soldiers but also a form of state advertising from which it is anticipated the state will receive much benefit after the war is over. It is planned, they said, to place the cards for free distribution at the above-mentioned places. They estimated that the initial outlay for 500,000 cards would be approximately \$1,750. After discussion the Commission approved the project by unanimous vote.

The Travel and Information Department budget requirements for the calendar year 1943 was then discussed. After careful consideration the following budget was approved by the Commission subject to confirmation by members of the Advisory Board, each of whom are to be contacted relative thereto by letter by Mr. Chessman through Mr. Oscar Cutler, Acting Director of the Travel and Information Department:

601	Supervision and General Expense	
	Salaries.....	\$5250.00
	Travel, Stationery, Supplies & Miscel.....	1250.00
610	Magazine Advertising.....	00

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611	Newspaper Advertising.....	\$	00
612	Radio Advertising.....	150.00*	
613	Motion Picture Advertising.....		00
614	Specialty Advertising.....	2500.00	
616	Literature Distribution.....	150.00	
617	Maps.....		00
618	Booklets.....	1000.00	
619	Cuts and Mats.....	250.00	
620	Photographs.....	200.00	
621	Postage and Express.....	750.00	
622	Photographic Laboratory Charges.....	1250.00	

Total \$12,750.00

*1942 expense estimated; bill will probably not be received until January 1943.

A delegation representing the U. S. Highway No. 20 Association and consisting of Messrs. Don Peoples, Oregon Chairman, Bend; County Judge W. H. Malone of Benton County; County Judge J. J. Barrett and Commissioner H. A. Renninger of Linn County; C. R. Ashton, City Recorder of Albany; Sam Dolan of the Oregon State College Faculty; Jess Thompson of Nyssa; and Ernest Kagee and Matt Spellman of Newport, came before the Commission and asked the Commission to take action as may be necessary to secure the designation of the highway, which extends from Albany to Newport, an extension of U. S. Highway No. 20, so as to provide a U. S. numbered route clear across the United States, from the Atlantic seaboard to the Pacific Ocean. Mr. Peoples headed the group and was principal spokesman. He alleged that such designation would be of great advantage to the state in advertising from an ocean to ocean standpoint. Chairman Cabell doubted that the state would receive much advantage from such designation. He pointed out that the designations are made by a special committee of the American Association of State Highway Officials whose decisions are based on the benefits that the general traveling public as a whole will receive and not on the benefits that might accrue to any particular community or locality. It was his thought that the association should file its application with the Secretary of the American Association of State Highway Officials and that such application should set forth arguments in detail, clearly defining the benefits and advantages that such designation would be to the general traveling public.

There followed a general discussion in which several members of the delegation joined. Mr. Peoples inquired whether or not the Highway Commission would endorse the association's application. He was informed by Chairman Cabell that the Commission would discuss the matter further with its engineers, and if it appeared that such endorsement is appropriate then the Commission would act accordingly and if it was not approved the association would be informed. Mr. Peoples filed with the Commission, in support of the oral arguments, a copy of each of three resolutions that were adopted by the U. S. Highway No. 20 Association at its meeting which was held in Bend on October 26, 1942. This concluded the conference.

Mr. Elmer Bankus, Brookings, was present in regard to his previous offer to sell to the state a large acreage of timber land situate adjacent to the Oregon Coast Highway in Curry County. He recalled his previous offer to sell this land to the state at the rate of 50¢ per thousand board feet for the timber standing thereon. However, he advised that since he made the original offer he has given the matter further study and has discussed it with the State Parks Superintendent and is convinced that the state is not interested in all of this land, wherefore he is willing to give the state first refusal on some 894 acres which contain about 26,410,000 feet of timber. Mr. Bankus exhibited a map showing the areas in question and their proximity to the highway. After considerable discussion the Commission deleted 240 acres from the total, leaving 654 acres of which the acquisition of a 40-acre tract near the Pistol River was questioned. Mr. Bankus offered to sell the 654 acres to the Commission for \$9,500, and agreed to accept the sum of \$9,000 if the Commission decides not to take the 40-acre tract near Pistol River. The Commission indicated approval of the offer but deferred a definite decision until later in the day.

The matter was reconsidered after Mr. Bankus's departure, at which time the Commission decided to accept Mr. Bankus's offer of \$9,000 for the 614 acres, it being considered that the 40-acre tract near Pistol River is not worth the extra \$500.

Mr. Bankus reappeared before the Commission later in the session, at which time he was informed by Chairman Cabell of the Commission's action. As to the 40-acre tract eliminated, Mr. Bankus was informed that the Commission wishes to give this particular area further consideration. Mr. Bankus agreed to hold the property for such final decision. The property approved by the Commission is described as follows:

SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 33, T. 38 S., R. 14 W., W. M.
 Lots 5, 11, 12 and 14 of Section 19, T. 40 S., R. 13 W., W. M.
 N $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 1, T. 40 S., R. 14 W., W. M.
 E $\frac{1}{2}$ of the SW $\frac{1}{4}$ and the W $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 12, T. 40 S., R. 14 W., W. M.
 SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 24, T. 40 S., R. 14 W., W. M.
 N $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Section 25, T. 40 S., R. 14 W., W. M., except the
 SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said section.
 All that portion of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 25, T. 40 S.,
 R. 14 W., W. M., which lies northerly of the northerly right
 of way line of the Oregon Coast Highway.
 SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 25, T. 40 S., R. 14 W., W. M.
 Containing 614 acres of land more or less.

The Parks Superintendent also reported on the following park matters:

Proposed parks in Douglas County:-The Parks Superintendent advised that Douglas County Court has offered to deed to the state, without cost, three parcels of land which they consider valuable from the recreational standpoint. One of these is an 80-acre tract situate adjacent to the old Coos Bay Wagon Road near the summit of the Coast Range. He said that this is a beautiful place but does not fit into the state parks' picture and recommended in view thereof that the offer be declined. The Commission approved the recommendation. The second area is a narrow wayside strip adjacent to the Elkton-Sutherlin Secondary Highway about two miles south of a

place known as Kellogg. It appears that the area contains a fine spring and that it might be advisable to acquire the area. The matter was referred to the Parks Superintendent for further information in regard thereto. The third tract consists of land bordering the Pacific Highway between Divide and Comstock, being approximately $1\frac{1}{2}$ miles south of the Lane-Douglas County Line. There are two strips, one on each side of the highway. They are owned by the county which has a buyer for the same but the county court wishes to give the state first refusal. The Parks Superintendent recommended acceptance of this gift, particularly in view of its possible benefit when the highway alignment is revised at this point. The Commission approved the recommendation.

Addition to Ecola State Park, Clatsop County:- The Parks Superintendent reported receipt of two deeds from the federal government conveying unto the State of Oregon two tracts of land situate on Tillamook Head, overlooking the ocean. He advised that he has been endeavoring for some time to acquire these areas in order to round out the present park and has now succeeded. The Commission approved the acquisition of this property.

Survey for proposed roadway at Golden and Silver Falls State Park, Coos County:- The Parks Superintendent advised that Coos County Court contemplates the construction of a county road through this park for the benefit of logging operators and if the plans materialize it will have a disastrous effect on the park proper. He gave as his belief that the purpose for which the county road is desired could be satisfied by the construction of a roadway around the park and accordingly requested authority for the Engineer to conduct a reconnaissance survey to ascertain whether or not such a road is feasible and approximately how much it will cost to build it. The Commission approved the request.

Lease of grazing privileges in Humbug Mountain State Park, Curry County:- The Parks Superintendent reported the application of Mr. Ace Turner for a renewal of his sheep-grazing lease in Humbug Park during the coming year, it being an extension of the privilege that he has enjoyed in the past for which he has paid the sum of 50¢ per head, annually. He recommended approval of Mr. Turner's request. The Commission approved the recommendation.

Fossil Park adjacent to the John Day Highway:- The Parks Superintendent presented to the individual Commissioners a written report, with maps, concerning the establishment of a park in the fossil area of the John Day Valley, which has the approval of Mr. J. C. Merriam, former president of Carnegie Institute. The matter was discussed briefly but no definite action was taken thereon except that it was arranged for Commissioner Oliver to inspect the area in the near future in company with the Parks Superintendent.

Purchase of Simpson property at Shore Acres, Coos County:- The Parks Superintendent rendered a status report on this acquisition,

advising that a survey of the property is now being made and that the title is being examined. He further stated that, in discussing the matter with Mr. Simpson, he pointed out the desirability of the state securing 200 additional acres of land on the easterly side of the highway in order to control the water supply and to obtain a 100-foot right of way for the highway. Mr. Simpson, he said, agreed to include such additional property in his offer. The Commission approved the report.

Proposed acquisition of O & C land near Brightwood:- The Parks Superintendent advised that it has been called to his attention by federal authorities that there is some vacant O & C land available for entry, adjacent to the Mt. Hood Highway between Brightwood and Wemme, and that it would be possible for the state to acquire this property through Clackamas County by exchange of county lands. The Salmon River, he said, runs through the property and in his estimation it would be desirable to acquire the tract or at least a part of it in order to protect the timber fringe along the Mt. Hood Highway. He recommended acquisition of a portion of the property anyway, in order to protect this timber fringe. The property is located in the S $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Section 31, Township 2 South, Range 7 East, W. M. He was instructed by the Commission to make further investigations when the Commission will decide whether or not to acquire all or just a part of the property.

Proposed park at Floras Lake, Curry County:- The Parks Superintendent discussed with the Commission the advisability of acquiring 1400 acres of land with 2 $\frac{1}{2}$ miles of ocean frontage, extending from Floras Lake south to the Sixes River. He advised that the property is owned by a California concern which has stated its willingness to sell it to the state for the sum of \$2,700 which is at the rate of \$1.93 per acre. \$2,000 of the purchase price, he said, would be paid to Curry County for back taxes so the company by this deal is getting only \$700 for its interests. He pointed out that the company, a number of years ago, purchased a one-mile section of beach and that under the provisions of this deal the beach area would revert to the state, which in his estimation is a very desirable feature. Entrance to the property, he said, is gained by a road down the Sixes River and there is also available a roadway from Port Orford to Floras Lake; however, neither of these roads is in very good condition, but he believed them passable. He further advised that he has taken an option to purchase this property, which expires on January 1, 1943, and, if the Commission exercises this option, he plans to develop the area with CCC forces, including the roadways leading to the same. He suggested that the money that the Commission received from the Chrome Mining Company for the purchase of one of the Port Orford Cedar State Parks, in Curry County, be applied to the purchase price of the tract. The matter was discussed at considerable length during which the Commission indicated that the most serious objection to acquiring the tract is the difficulty of getting to it over existing roads. Action on the

acquisition was deferred until the next meeting of the Commission. The Engineer was instructed in the meantime to investigate the road matter.

The Attorney reported to the Commission that a claim had been filed against Guy K. Johnson by A. M. Esson, attorney for Burt F. Davis, and that the Commission was notified by Mr. Esson to withhold payment of money due Mr. Johnson for moving a house for the Commission, located on right of way involved in the construction of the North Portland Shipyard Access Road, until the Davis claim had been paid. The Commission's Attorney recommended that Mr. Johnson be paid, notwithstanding the claim of Mr. Davis, and the Commission approved the recommendation.

Mr. W. H. Lynch, District Engineer, Public Roads Administration, was present and discussed with the Commission matters pertaining to the storage of road oils. He advised that under the most recent governmental orders he cannot approve the purchase of road oils for storage purposes after January 1, 1943. However, he is authorized to approve purchases to fill storage sumps that the Commission now owns, and it is on that basis that it is necessary for him to deny the Commission's request for road oils that could not be stored until after the first of the year. He gave as his thought that the purpose of the government's order is primarily to halt the building of new storage sumps, in an endeavor to conserve lumber for other defense uses. In the discussion, the Commission took the attitude that it is useless to make additional purchases of road oil unless it can obtain authority to construct the sumps in which to store it. The Engineer advised that the Commission last year had the use of storage facilities of the Shell Oil Company, Portland; however, such facilities are no longer available, although he is trying hard to find comparable facilities to take the place of those of the Shell Company. No definite action was taken.

Mr. Lynch also brought up for discussion the governmental order to withdraw priority ratings heretofore assigned to highway projects that are not considered especially essential in connection with the defense effort and for the prosecution of the war. He advised that there are a number of projects in Oregon that will be affected by this order, such as signing and signaling projects and perhaps some construction projects such as the one proposed between Marshfield and Coquille which has not as yet been started, and it may include some projects that are now under way, although Oregon will not be affected to a great extent. He advised that he is now preparing the list of the jobs that are to be deleted from the program and will send a copy of the same to the Commission as soon as it is ready. The Commission will then have thirty days within which to act.

The Assistant Attorney requested authority to purchase certain parcels of real property that are needed for various improvements throughout the state. He submitted a list of such properties together with offers that he recommended be made in connection with each. After careful consideration of each item the Commission approved the request and thereupon by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as herein-after more definitely set forth, and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon, and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Port Orford Section, Oregon Coast Highway</u>				
10653-Gillings, Mabel, Estate	Stock Pile	30,000 sq.ft.	\$350 Lump Sum	Witt
<u>West Lake-Seaside Section, Oregon Coast Highway</u>				
9465- Adair, Grace Dawson & Kenneth F. S. Dawson	R/W	0.35 0.91 1.26	\$200 per acre \$50 per acre + \$110 (if trees destroyed or removed \$100 additional to be paid grantors)	McChesney
<u>Lamprey Creek Section, Oregon Coast Highway</u>				
4290- Morris, A. E.	R/W	1.89	\$300 Lump Sum for land + \$1200	Parker
<u>Chrome Mine-North Bank Road Section, Seven Devils Chrome Mine Access Road</u>				
10524-First Natl. Bank of Portland	R/W	4.52	GRATIS	Benson
<u>Berger Ranch-Barnes Road Section, Wolf Creek Highway</u>				
10501-Croeni, Ben and Lily	R/W	0.02	\$300 per a. + \$20	Landon
5210- Bauer, Richard and Arthur Bauer	R/W	5.9	\$225 per acre plus \$700.12	"

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Barnes Road-Multnomah County Line Section, Wolf Creek Highway</u>				
3258-A-Durig, Wm. F.	R/W	0.11	\$500 per a. + \$20	Collins
3289-A-Peterkort, Jos.	R/W	1.19	\$1000 per acre	"
<u>North Portland Shipyard Access Road Section, Oregon Shipbuilders Corp. Highway</u>				
10387-Bonneville Power Admin.	R/W	0.1	\$500 per acre	McCallister
(Correction)				
<u>Front Street Project, City of Portland, Pacific Highway East</u>				
10662-Hrestu, Louis and John B. Payton	R/W	10,000 sq.ft.	\$16,750	McCallister
10663-Hrestu, Jennie and Andrew	"	4,750 "	\$10,500	"
10661-R.- D. Co.	"	5,900 "	\$11,000	"
10660-Faturos, James	"	3,600 "	\$10,100	"
<u>Butteville Road-Hubbard Section, West Portland-Hubbard Highway</u>				
10620-Stratford, Donald	R/W for flight strip	2.70	\$125 per acre	Benson
3213-A-Ehlen, Aurora	R/W for flight strip	3.22	\$62.50 per acre	"
3219-A-Keil, David A.	R/W for flight strip	1.93) 7.73) 9.66)	\$125 per acre \$100 " "	"
3220-A-Keil, H. J.	R/W and flight strip	9.98	\$100 per acre	"
3218-A-Keil, Wm. F.	R/W and flight strip	10.30	\$100 per acre	"
<u>Crabtree Creek-Jordan Section, Albany-Lyons Secondary Highway</u>				
10652-Neal, S. P.	Lease Stock Pile	0.96	\$10 per year for 5-year lease, plus fencing	McCheerney
<u>Trent-Salt Creek Falls Section, Willamette Highway</u>				
10664-Smith, Glen D. & W.W.V.S.A.C.	Haul Road	0.30	\$25 Lump Sum plus fencing	Benson
<u>Wright Ranch-Fate Grade Section, Tiller-Trail Highway</u>				
9406-A-Wright, J. D.	R/W	Area to cover new transmission pole - GRATIS		Witt
<u>Grants Pass Section, Redwood Highway</u>				
9658- Parkhurst, Wilhelmina M. and E. E. Smith & E. M. Stanton	R/W	1,776 sq. ft.	5¢ sq. ft. + moving building (Estd. \$750)	Witt
<u>Medford Section, Pacific Highway</u>				
10493-Mann, E. H.	Sidewalk Easmt.	530 sq.ft.	GRATIS	Witt

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Nye Junction-Grant County Line Section, Pendleton-John Day Highway</u>				
10609-Mettin, Fayette	Quarry & Stock Pile	48.0 approx.	\$20.83 per acre \$1000 Lump Sum	Cozad
<u>Fremont Junction-Warner Summit Section, Warner Secondary</u>				
10526-Warner Mountains Lumber Company	Gravel Pit	3.48	\$14.37 per acre	Chandler
<u>John Day River-Quinton Section, Columbia River Highway</u>				
10277-Deyo, Helen, et al. (Correction)	R/W	0.50	\$20 per acre, plus X	Cozad
<u>Flagstaff Hill-Middle Bridge Section, Baker-Homestead Highway</u>				
8208-King, E. A., Estate	Gravel Pit	617.70	\$1 per acre	Landon
<u>Jordan Valley-Mooker Creek Section, I.O.N. Highway</u>				
10632-Malley, Richard	Gravel Pit		8 months' lease \$50	Van Scoy
10631-Jones, W. W.	" "		7 months' lease \$50	" "
<u>Trent-Salt Creek Falls Section, Willamette Highway</u>				
10666-Penn Timber Company	Gravel Pit	2.68	\$250 Lump Sum	Benson
<u>Klamath Falls Section, The Dalles-California Highway</u>				
10680-Baker, James M.	Road Oil Storage	0.18	\$1000 per acre	Chandler

The Assistant Attorney also requested authority to institute condemnation proceedings to acquire certain properties. He submitted a list of such properties, as follows, together with offers that he recommended be paid in condemnation:

File No.	Name	Purpose Required	Recommended Offer
10665	Donald L. Brown	Gravel Pit	\$ 216.00
10401	Dora A. Dawson	Right of Way	250.00
9717	John P. Headings	" " "	1000.00
10692	W. P. and Minnie E. Kausen and Edith Hammond Williams	Quarry Site	\$150.00 or \$200.00

After discussion the Commission approved the request and thereupon by unanimous vote adopted the following resolutions in regard thereto:

WHEREAS, the State Highway Commission is authorized to locate, relocate, construct, reconstruct, maintain, widen, straighten, and otherwise improve state highways, both primary and secondary, and also access roads or other roads in which the Federal Government is interested, and said Commission is also authorized to

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construct shops, equipment sheds, office buildings, maintenance sites, patrolmen accommodations, and snow fences, and is authorized to acquire quarry sites, gravel pits, storage sites, stockpile sites, weighing stations, and broadcasting stations, and is further authorized to develop, construct, improve, operate, and maintain parks, parking places, auto camps, camp sites, roadside development, recreational grounds or resorts, and other places of attraction and scenic value; and

WHEREAS, said Highway Commission is authorized to acquire by purchase, agreement, donation, or by the exercise of the power of eminent domain real property, or any interest therein, necessary or deemed by the Highway Commission necessary for the accomplishment of any and all of the foregoing things; and

WHEREAS, in the judgment of the Highway Commission the several tracts or parcels of land hereinafter described are each and all necessary for the specific and particular purposes hereinafter expressly set forth;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the Commission does hereby find and declare that the several parcels of real property hereinafter described are each and all necessary for the accomplishment of the purposes hereinafter expressly and specifically set forth, which said real properties and the specific purposes for which the same are being acquired are described as follows, to wit:

Real property owned by Donald L. Brown, which property is located in Government Lot 4 (NW $\frac{1}{4}$ of the SW $\frac{1}{4}$) of Section 17, Township 21 South, Range 3 East, W. M., Lane County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 1 and is further identified in the records of the Highway Commission as file R 10665, and which property is being acquired for the purpose of securing roadbuilding materials therefrom for use in connection with the Willamette Highway;*

Real property owned by Dora A. Dawson, which property is located in Lots 11, 12, and 13, Block 4, of East St. Johns Addition to Portland, Multnomah County, Oregon, and is more particularly described on the attached sheets and designated as Parcels Nos. 2, 3, and 4 and is further identified in the records of the Highway Commission as file R 10401, and which property is being acquired for right of way purposes in connection with the North Portland Shipyard Access Road;*

Real property owned by John P. Headings, et ux., which property is located in the east half (E $\frac{1}{2}$) of the northeast quarter (NE $\frac{1}{4}$) and in the northeast quarter (NE $\frac{1}{4}$) of the

southeast quarter (SE¹/₄) of Section 25, Township 14 South, Range 4 West, W. M., Linn County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 5 and is further identified in the records of the Highway Commission as file R 9717, and which property is being acquired for right of way purposes in connection with the Pacific Highway East*

2. That the Commission does hereby find and declare that each of the said described parcels of real property is necessary and acquisition of the same by the State is required for the specific purposes hereinabove set forth, and the said properties are being acquired for the express and specific purposes in this resolution set forth.

3. That the State Highway Engineer be and he hereby is instructed and directed to make or cause to be made all surveys necessary in connection with the determination, description, and acquisition of said real properties, and said Engineer is further instructed to prepare and submit to the Legal Department necessary and adequate descriptions of the said real properties, which said descriptions shall be available for the preparation of any deed or deeds or other instrument or instruments necessary to complete the acquisition of said property or properties, whether said properties be acquired by purchase, donation, agreement, or by the exercise of the power of eminent domain.

4. That J. M. Devers, Attorney for the State Highway Commission, be and he is hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby further resolved that J. M. Devers, Attorney for the State Highway Commission, be and he hereby is requested to commence and prosecute to a final determination such suit or action, or suits or actions, as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

*(The detailed descriptions of the respective parcels of real property mentioned in this resolution are attached to the original resolution on file in the office of the State Highway Commission, Salem, being Resolution No. 30, under the heading "Real Property Condemnation Resolutions" and said descriptions by this reference are made a part of this minute entry to the same extent as if copied in full herein.)

WHEREAS, the State Highway Commission is authorized to locate, relocate, construct, reconstruct, maintain, widen, straighten, and otherwise improve state highways, both primary and secondary, and said Commission is also authorized to construct shops, equipment sheds, office buildings, maintenance sites, patrolman accommodations, and snow fences, and is authorized to acquire quarry sites, gravel pits, storage sites, stockpile sites, weighing stations, and broadcasting stations, and is further authorized to develop, construct, improve, operate, and maintain parks, parking places, auto camps, camp sites, roadside development, recreational grounds or resorts, and other places of attraction and scenic value; and

WHEREAS, said Highway Commission is authorized to acquire by purchase, agreement, donation, or by the exercise of the power of eminent domain real property, or any interest therein, necessary or deemed by the Highway Commission necessary for the accomplishment of any and all of the foregoing things; and

WHEREAS, in the judgment of the Highway Commission the tract or parcel of land hereinafter described is necessary for the specific and particular purpose hereinafter specifically set forth;

NOW, THEREFORE, BE IT AID IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the Commission does hereby find and declare that the parcel of real property hereinafter described is necessary for the purpose of securing roadbuilding materials therefrom for use in connection with the Seven Devils Chrome Mine Access Road, which said real property is described as follows, to wit:

A parcel of land lying in the northeast quarter (NE $\frac{1}{4}$) of the northwest quarter (NW $\frac{1}{4}$) of Section 30, Township 28 South, Range 12 West, W. M., Coos County, Oregon; the said parcel being described as follows:

Beginning at a point which is the intersection of the easterly right of way line of the Coos Bay-Roseburg Highway and the south line of the northeast quarter (NE $\frac{1}{4}$) of the northwest quarter (NW $\frac{1}{4}$) of said Section 30; thence east along said south line a distance of 250 feet; thence north a distance of 225 feet; thence west a distance of 275 feet, more or less, to the said easterly right of way line of said highway; thence southerly along said easterly highway right of way line a distance of 226 feet, more or less, to the point of beginning; containing 1.36 acres, more or less.

2. That the Commission does hereby find and declare that the said described parcel of real property is necessary and acquisition of the same by the State is required for the specific purpose hereinabove set forth, and the said property is being acquired for the express and specific purpose in this resolution set forth.

3. That the State Highway Engineer be and he hereby is instructed and directed to make or cause to be made all surveys necessary in connection with the determination, description, and acquisition of said real property, and said Engineer is further instructed to prepare and submit to the Legal Department necessary and adequate description of the said real property, which said description shall be available for the preparation of any deed or deeds or other instrument or instruments necessary to complete the acquisition of said property, whether said property be acquired by purchase, donation, agreement, or by the exercise of the power of eminent domain.

4. That J. M. Devers, Attorney for the State Highway Commission, be and he is hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby further resolved that J. M. Devers, Attorney for the State Highway Commission, be and he hereby is requested to commence and prosecute to a final determination such suit or action as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

5. That the owners of the property herein described are W. P. Kausen and Minnie E. Kausen, husband and wife, and Edith Hammond Williams, a widow, and that certain interests in said property appear to be claimed by the following named persons: W. E. Marrior and Rose Marrior, husband and wife, and Marrior Rock Company.

6. That this resolution be entered in full in the minutes and records of this Commission.

Chairman Cabell reported a recent conference with a group representing the Portland Chamber of Commerce who appeared to be in favor of the state acquiring additional roadside strips. He gave as his thought that the idea is all right but now is not the time to start in on an extensive program of this kind. Commissioners Clough and Oliver concurred.

The Assistant Attorney brought up for discussion the matter of establishing a headquarters for right-of-way agents who have been assigned to negotiate for right of way for the revised location of the Oregon-Washington Highway between Milton and the Washington state line. He advised that the distance from Pendleton to the south end of the project is about 30 miles and that the distance from Walla Walla, Washington, to the north end of the project, is about six miles; further, that there are no satisfactory living accommodations in either Milton or Freewater so the project will have to be worked

either from Walla Walla or Pendleton. He recommended in view of the circumstances and in order to conserve transportation expense that these agents be authorized to maintain their headquarters in Walla Walla. After discussion the Commission approved the recommendation subject to confirmation by Governor Sprague. The Engineer was instructed to discuss the matter with the Governor and to arrange for blanket out-of-state authorization during the time that the right-of-way agents are engaged on this project.

The Engineer reported on the request of Mr. Wm. H. Hotchkiss, stockman, Lakeview, for permission to construct a stock fence along the right-of-way line of the Fremont Highway between Lakeview and Valley Falls, where the state owns an adjoining 40-acre quarry site, so as to avoid the expense of building the fence around the quarry. The Engineer advised that there are no objections from the engineering standpoint, inasmuch as the fence would not interfere with the state's use of the quarry. In view thereof the Commission approved the request by unanimous vote, subject to the condition that Mr. Hotchkiss will pay for the grazing privileges at the same rate that is charged by the State Land Board for such privileges, and provided that Mr. Hotchkiss will vacate the premises when the land is needed by the state for highway purposes. The Engineer was instructed to convey such information to Mr. Hotchkiss. The matter is to be covered by a revocable permit between the parties concerned.

The Commission discussed a request from Mr. Wm. M. Smith, Oregon City, to moor his houseboat to the public dock located in the Willamette River at the foot of Eighth Street, Oregon City. The request was denied as a matter of policy.

Reconsideration was given by the Commission to the matter of rental to the Union County Rod and Gun Club of a portion of the land that the Commission recently acquired from the State Game Commission in the town of Union. It was recalled that the Commission previously authorized the lease of this property to the club for a period of five years at the rate of \$1.00 per year but now it appears that a five-year lease is not satisfactory to the club which, however, would be satisfied with a fifteen year lease, particularly, in view of the fact that the club has had the use of the property for a number of years under agreement with the State Game Commission and is maintaining on the property a clubhouse and other facilities. After discussion, and in view of the circumstances, the Commission decided to grant the lease on a fifteen year basis.

The Attorney brought up for reconsideration the right-of-way controversy with Mr. Lloyd E. Stafford, from whom the Commission is acquiring right of way near Goshen, Lane County. He recalled that the original settlement with Mr. Stafford provided for the state to move Mr. Stafford's barn and a certain sum of money was set aside for such purpose. However, the barn burned before moving operations were commenced, notwithstanding which Mr. Stafford demands payment of the moving costs which the Commission previously denied. The Attorney advised that Mr. Stafford now wants the state to pay him for all of the items involved in the transaction except the amount agreed upon for the moving of the barn and to let the courts decide whether or not he is entitled to that item; further, that he is willing to accept a declaratory

judgment with respect to such item provided the state will relieve him from payment of any expense in connection therewith, including his attorney's fees. After discussion the Commission approved the securing of the declaratory judgment but refused to assume any of the expense that Mr. Stafford incurs in securing the same.

The Assistant Attorney brought up for discussion the transaction pending between the Highway Commission and Robert P. Brown, involving the purchase of some right of way on the Goshen Section of the Willamette Highway. It appears that in the option price there was included the cost of moving the residence; however, according to present plans, the residence will not be moved at this time. The property owner, Mr. Brown, is willing to incorporate in the deed a condition which will protect the state so that, in the event at some subsequent time the state should need additional land, it will not have to pay the second time for the moving of the residence. The Commission approved such disposition of the matter.

The Commission discussed and approved a stipulation prepared by the Attorney with respect to the acquisition of land that is needed for a revision of the Pacific Highway West across property owned by Mr. A. F. Elkins south of Monmouth. (See copy of stipulation in general files for details.) In this connection the Attorney recalled that the Commission, at its meeting on October 1, 1942, authorized the payment of \$12,500 to Mr. Elkins for this property provided settlement could not be reached for a lesser amount and that the records will show such amount unless the Commission authorizes the changing of the figure. He recommended that the records of such meeting show that the Commission authorized payment of \$12,000 rather than \$12,500, inasmuch as he effected settlement for such amount. The Commission approved the change and instructed the Secretary accordingly.

Reconsideration was given by the Commission to its settlement with Edward F. Judkins for right of way that is needed for a revision of the Pacific Highway across Mr. Judkins' land south of Eugene. The Attorney recalled that at the previous meeting the Commission instructed him to endeavor to secure a partial settlement for this property in view of the fact that it will not be possible to construct the project until the war is over, which would give Mr. Judkins full use of the property in the meantime. Mr. Judkins, he said, refuses to deal on such basis and wants the return of his option unless the Commission will settle in full as provided therein. He further advised that a portion of Mr. Judkins' property is now being used by the state in connection with the performance of the contract on the adjoining section, right of entry having been granted by Mr. Judkins to allow the contractor to deposit excavation materials from a fill, but other than for this purpose Mr. Judkins' property will not be used until the war is over and a new contract awarded. The Commission decided in view of the circumstances that it would be inadvisable and unwise to purchase more of Mr. Judkins' property than is actually needed in connection with the present contract, inasmuch as it would tie up several thousand dollars of state funds that could be used to good advantage in other ways and in addition thereto Mr. Judkins would still have the use of his entire acreage. Accordingly, the Attorney was instructed to again contact Mr. Judkins and endeavor to secure his approval of a partial

payment and to proceed with condemnation of the entire acreage in the event that Mr. Judkins still refuses to deal on such basis.

The Attorney reported that a question has arisen whether or not the state is liable for the payment of 1942-43 taxes levied upon property acquired by the Commission prior to July 1, 1942. It appears that in one instance certain real property in Washington County was conveyed to the state through the Highway Commission by warranty deed dated March 14, 1941, which deed was recorded on March 26, 1941, and that the state paid the taxes levied upon the assessment of March 1, 1941, but now has received from the tax collector a tax statement for the fiscal year 1942-43 based upon the assessment as of January 1, 1942. It was the Attorney's contention that the state is not liable for the 1942-43 tax and requested authority from the Commission to ask the Attorney General for an opinion with respect thereto in view of the fact that the same question will arise in connection with other purchases which will probably involve considerable expenditure. The Commission approved the request and ordered that the letter go to the Attorney General over the signature of the Secretary.

The Engineer reported the results of an investigation of certain state-owned property on the north side of the Wolf Creek Highway at the Vadis Road intersection in Washington County, which property a Mr. W. C. Baugh seeks to acquire to fill out his holdings. He advised that the Highway Department has constructed two powder houses on this property and that it is planned also to use the property as a site for stockpiling surfacing materials for use in connection with the construction of the highway. He recommended in view of the circumstances that the property be not sold until the construction of the highway is completed. The Commission approved the recommendation and so ordered.

The Assistant Attorney reported results of further negotiations with Mr. H. A. Hein, Scappoose, for the disposal of Mr. Hein's claim for damages arising out of the state's use of a rock quarry situate adjacent to his property at Scappoose. He advised that Mr. Hein refuses to dispose of this matter on any basis that has been suggested by the Commission's agents unless a cash payment of \$250 is included in the settlement. It was his thought that Mr. Hein's demands are unreasonable and suggested that all negotiations be discontinued and that the matter be allowed to rest until Mr. Hein again brings it up. The Commission approved the recommendation. The Assistant Attorney was instructed to write Mr. Hein summarizing the state's offer in detail and to send a carbon copy of such letter to Governor Sprague.

The Assistant Attorney presented an offer from a Mr. Henry G. Peck to pay the sum of \$20 for some old buildings situate adjacent to the Boardman-Stanfield Highway on property that was acquired from the Westland Irrigation District in connection with a right-of-way settlement. He recommended acceptance of this offer because the buildings are absolutely of no value to the state and the attractiveness of the highway would be greatly improved if they were removed. The Commission approved the recommendation.

The Engineer reported the sale of the following equipment to the United States War Department, in conformity with authority granted him by the Commission at the meeting held on October 1, 1942:

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Sold to U. S. Army

Sno-Go Rotary Snow plow truck unit, used, State of Oregon No. 27-735, Mfg. by Klauer Mfg. Co., 1927 Model, Serial No. RU-6, complete with Climax 165 H.P. engine (1939 Model), #5562 mounted on special Klauer 4-wheel drive truck.....Sale Price..... \$5,000

Snow-Go Rotary Snow Plow truck unit, used, State of Oregon No. 28-735. Mfg. by Klauer Mfg. Co., 1928 Model, Serial No. 38, complete with 165 H.P. Climax engine (1939 Model #15011), mounted on special Klauer 4-wheel drive truck.....Sale Price.....\$5,000

The Commission, by unanimous vote, approved the sale as reported.

The Commission discussed and approved an increase in salary of \$25 per month for the Commission's Secretary, same to become effective on November 1, 1942.

The Engineer presented a list of surveys that he has ordered since the last meeting of the Commission and asked the Commission to confirm them and the amounts allocated for each. After due consideration the Commission authorized and instructed the Engineer to make such location surveys on various sections of the highways of this state, which said sections of highways, together with their identifying survey numbers and the amounts authorized and allocated for such survey expenditures, are as follows:

Type of Survey	Prefix No.	County	Section and Highway	Authorization
Plans	26-1462	Multnomah	Union Avenue-Denver Avenue Intersection, Pacific Highways East and West	2nd - \$1,000 Total to date \$2,500
Quarry	5-1428	Columbia	Various Sections, Various Highways	1st - \$ 300
Quarry	29-1439	Tillamook	Various Sections, Various Highways	1st - \$ 300
Plans	215-1442	Jackson	Kirkland Access Road Section, Jackson County Road	1st - \$ 900
Reconn.	28-1413	Sherman	Madras-Columbia River Section, The Dalles-California and Sherman Highways	4th - \$ 750 Total to date \$6,250
R/W	4-1457	Clatsop	Quartz Creek-Tillamook County Line Section, Wolf Creek Highway	2nd - \$1,450 Total to date \$4,275

(Continued on next page)

List of surveys for authorization (cont.):

Type of Survey	Prefix No.	County	Section and Highway	Authorization
Reconr.	127-1422	Polk	Dallas-Fings Valley and Kings Valley-Suver Sections, Dallas-Kings Valley & Kings Valley Secondary Highways	1st - \$2,500
Plans	26-1463	Multnomah	Denver Avenue Underpasses Section, Pacific Highway West	1st - \$1,500

The Commission had under discussion the following requests for extensions of time within which to complete highway construction projects:

J. F. Johnston, contract No. 2453, for construction of approaches to the bridge over the Yamhill River on the Three Mile Lane Secondary Highway, at Dayton, in Yamhill County, requested an additional extension of time, from December 31, 1941, to September 16, 1942, within which to complete this job. He alleged that his failure to complete the project within the previously extended time limit was due to bad weather conditions which would not permit painting of the structure, and orders from the Engineer to postpone such work until suitable weather obtained. The Engineer advised that the reasons given by the contractor for failure to complete the project within the specified time limit are correct; that due to shortage of lumber it was not possible to complete the timber work until January 10, 1942, when weather conditions were not favorable for painting work. He recommended in view of the circumstances that the extension of time requested be granted without penalty. The Commission approved the recommendation.

F. R. Hewett, contract No. 2522, for surfacing and oiling the Condon-Morrow County Line Section of the Wasco-Heppner Secondary Highway, in Gilliam County, requested an extension of time, from July 15 to September 10, 1942, within which to complete this job. He attributed his failure to complete the project within the specified time limit to unsuitable weather conditions, to defense contracts which he had under way at the same time, and to difficulties in securing competent labor. The Engineer advised that the reasons given by the contractor for overrun of the time limit are correct. He recommended that the extension of time requested be granted without penalty. The Commission approved the recommendation.

Coos Bay Dredging Company, contract No. 2548, for surfacing and oiling the Grants Greek-Powers Section of the Powers Secondary Highway, in Coos County, requested an extension of time, from July 31 to September 22, 1942, within which to complete this job. It gave no reasons for failure to complete the project within the specified time limit. The Engineer advised that the delay of the contractor

in finishing this job within the specified time was due to inability to secure repair parts for the crushing plant and to the necessity of furnishing rock for airport construction at North Bend. It was his thought that the cause of the overrun of time is sufficient justification for the extension of the time limit, as requested, without penalty and he so recommended. The Commission approved the recommendation.

McNutt Brothers, contract No. 2564, for grading, surfacing and construction of bituminous macadam on the Wells-Granger Section of the Independence-Granger County Road, in Benton County, requested an extension of time, from June 15 to September 20, 1942, within which to complete this job. They attributed their failure to complete the project within the specified time limit to adverse weather conditions and extra work orders. The Engineer advised that the reasons given by the contractor for failure to complete the job within the specified time limit are correct. He recommended in view of the circumstances that the extension of time requested be granted without penalty. The Commission approved the recommendation.

The Engineer reported that contracts Nos. 2453, 2548, 2551, and 2564, for construction of state highway projects, have been completed according to the terms of the contracts or modifications thereof, and that said jobs are now ready for acceptance. The following resolution accepting the above projects was offered and was adopted by the unanimous vote of the Commission:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts and said jobs are now ready for acceptance:

Contract No. 2453, with J. F. Johnston, for reconstruction of the timber approaches and timber deck to the steel span over the Yamhill River at Dayton, on the Three Mile Lane Secondary Highway, in Yamhill County. Completed September 16, 1942.

Contract No. 2548, with Coos Bay Dredging Company, Inc., for surfacing and oiling on the Grants Creek-Powers Section of the Powers Secondary Highway, in Coos County. Completed September 22, 1942.

Contract No. 2551, with C. J. Eldon, for furnishing 12,400 cubic yards of crushed materials in stock piles on the Polallis Creek-Hood River Section of the Mt. Hood Highway, in Hood River County. Completed August 12, 1942.

Contract No. 2564, with McNutt Bros., for grading, surfacing and bituminous macadam on the Wells-Granger Section of the Independence-Granger County Road, in Benton County. Completed September 19, 1942.

THEREFORE, BE IT RESOLVED that the work covered by said state highway contracts for the construction of said highway projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

The Commission considered and signed agreements, et cetera, as follows:

Amended agreement with Coos County relative to the repair of bridges on the Seven Devils Chrome Mine Access Road.

Agreement with Union County whereby Union County agrees to furnish 5,500 cu. yds. of crushed rock for state highway maintenance.

Agreement with the Southern Pacific Company covering grant of easement to the state for the overhead crossing at Judkins Point, south of Eugene, in Lane County.

"Consent to Vacate" Plat of Haydenton on the westerly side of the Pacific Highway, between Oregon Slough and the Columbia River.

Permit authorizing the Federal Public Housing Authority to construct an underpass beneath Denver Avenue, Portland.

Easement granting to the United States of America, Federal Public Housing Authority, permission to construct a sewer pipe, water main and power line across the Pacific Highway between Portland and Milwaukie.

Lease agreement with Maud Moon for a maintenance headquarters in North Portland.

Bargain and sale deed conveying unto Samuel W. Baker 2.06 acres of land adjacent to the Wolf Creek Highway, in Washington County. Right of way file No. 5218.

The Commission set Monday, December 21, 1942, as the date for its next regular meeting for the receiving of bids and instructed the Secretary to make the usual arrangements to hold the meeting in the auditorium of the Public Service Building, Portland. (This meeting later advanced to Friday, December 18.)

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There being no further business to come before the Commission at this time the meeting was adjourned at 6:15 p. m.

[Signature]
State Highway Engineer

[Signature]
Secretary

Chairman

[Signature]
Commissioner

[Signature]
Commissioner

Portland, Oregon, December 17, 1942

The State Highway Commission met in regular session at 8:00 p. m. in room 515 (Imperial Room), Imperial Hotel. Present were:

Henry F. Cabell, Chairman
Huron W. Clough, Commissioner
Herman Oliver, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

The Commission by unanimous vote approved the minutes of the meetings held on August 14, August 27, and September 30 and October 1, 1942.

The Secretary presented communications from numerous organizations situate along U. S. Highway No. 20 throughout the west and middle west in which the Highway Commission was urged to extend this highway westerly from its present terminus at Albany, Oregon, to the Pacific Ocean at Newport, Oregon, so as to provide a continuous U. S. numbered route across the continent, from the Atlantic Ocean to the Pacific Ocean. The matter was discussed at some length during which the Commission indicated that it is mildly in favor of such designation but not to the extent that it will take the initiative in securing its approval by the Committee of the American Association of State Highway Officials, which has been designated to pass on such matters. However, it was decided to discuss the matter with the American Association of State Highway Officials' Committee at its next meeting and it was understood that the Highway Commission would not oppose the designation.

The Engineer brought up-for discussion the question of financing a proposed traffic interchange project at the intersection of Denver and Union Avenues, Portland, which he estimated would cost approximately \$350,000. He recommended payment by the state of 25 per cent of the cost of construction and right of way, the balance to be paid with federal access road moneys, which, he said, the federal government will probably authorize. In view of

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the fact that the project will have to be constructed some time in the not distant future, it was his thought that the project should go forward now while the federal moneys are available, particularly because there is serious traffic congestion at this point due to activities in the nearby shipyards. After considerable discussion the Commission approved an expenditure of state funds up to 25 per cent of the cost of construction and right of way.

W. H. Lynch, District Engineer, Public Roads Administration, who was present on the following day, confirmed the Engineer's statement that federal funds would be available to finance a portion of the cost. He pointed out, however, that the only federal funds that could be used are those that have been appropriated for access road projects.

The Engineer brought up for discussion matters pertaining to the handling of traffic at the Federal Housing Project known as Vanport, between Portland and the Interstate Bridge. He advised that in order to handle the traffic properly it is going to be necessary to construct an underpass under two railroad tracks, and a connection with Swift Boulevard. The underpass, he said, is estimated to cost about \$200,000 which will be paid for by the federal government. It was his thought that the state should have something to say about the design of the structure because of its proximity to the state highway, and requested authority from the Commission to spend state highway funds in the preparation of the design so as to make certain that the structure and the approach to the highway will properly care for the traffic from the state's standpoint. The Commission approved the request.

The Engineer reported briefly on the proposal of the United States Naval authorities to lengthen the runway of the airport which is located near the Lewis and Clark Bridge, Astoria. He advised that, if the runway is constructed in accordance with present plans, it would mean the rebuilding of a section of the highway and the introduction of very undesirable curvature, whereas, in his estimation, a runway of the length desired could be obtained if the extension were made from the other end of the existing runway, provided arrangements were made for the realigning of the railroad. The Commission went on record as being opposed to the present plan which involves revising the highway alignment and thereupon authorized and instructed the Engineer to discuss the matter with the naval authorities.

A brief report was made by the Engineer on the proposed plan to provide access to the Umatilla Ordnance Depot. He said that, according to information at hand, the gate on the east side of the depot is to remain closed; also, that it is planned to build up a town on the south side of the railroad opposite the south gate, in connection with which there is to be constructed what is known as a service street, adjacent to and paralleling the railroad, with connections to the depot at two points, involving passageways under the railroad for pedestrian use. The Commission took no action on the matter.

A brief report was made by the Engineer on the matter of providing road facilities for farmers residing in the Pedee District, Polk County, to replace certain roads that lie within the borders of Camp Adair Cantonment and which are to be closed by the Army authorities. The Commission took no action.

The question of providing storage space for asphalt and road oil was brought up for discussion by the Engineer. The Engineer advised that the oiling program could be greatly expedited and the cost of oiling construction work could be reduced considerably if the Highway Department possessed facilities for the storing of about one million gallons of oil at strategic points. In fact, advance storage of oil at strategic points would make it possible to do certain oiling work during the summer construction season which could not be done if it were necessary to depend on tank-car delivery to the various jobs when the oil is needed. He requested authority from the Commission to contact the various oil companies with respect to the leasing, for the duration, of idle facilities which they own; and suggested the construction of at least four oil sumps at critical places in addition thereto. He estimated the cost of constructing the sumps at \$5,000 each and advised that in his estimation they would fully pay for themselves, basing his statement on experience gained during the past working season. The Commission authorized the Engineer to contact the oil companies, as requested; however, deferred its decision with respect to the construction of the additional sumps, pending a report from the Engineer as to his success in leasing oil storage facilities from the oil companies.

The Commission discussed the Order of the Commissioner of Internal Revenue, Washington, D. C., with respect to withholding from employees the 5 per cent Victory Tax levied under Public Law 753, Seventy-seventh Congress, approved on October 21, 1942. The Engineer pointed out that, according to this Order, the tax must be withheld from all employees' checks that are issued on January 1, 1943, which means that the tax must be withheld from the December payrolls; however, according to the opinion of the Commission's Attorney, if the salary and wage checks for December are paid on December 31, 1942, no withholding of the tax is required, which is born out by subsequent information received from the Portland office of the Department of Internal Revenue. He suggested, in order to avoid the withholding of the Victory Tax from December salaries and wages, that the payroll checks be delivered to all highway department employees on December 31, 1942. To effect such an arrangement, he said, would necessitate the circularizing of all department heads and those in charge of the preparation of the pay rolls requesting that pay rolls be submitted several days before the end of December, corrections as may be necessary to be made by telephone early enough on December 31, 1942, so that the checks can be revised accordingly. This would make it possible, he added, to date all checks December 31, 1942, and place them in the mail for delivery to the respective employees before January 1, 1943. The Commission approved the arrangement as outlined by the Engineer.

The Assistant Attorney requested authority to acquire certain parcels of real property that are needed for various highway improvements throughout the state. He submitted a list of such properties together with offers that he recommended be made in connection with each. After careful consideration of each item, the Commission approved the recommended offers subject to confirmation by the Public Roads Administration with respect to properties needed for projects to be financed with federal moneys, and by unanimous vote adopted the following resolution with regard thereto:

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WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth, and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon, and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Nehalem Bay Park Section, Oregon Coast Highway</u>				
7366-Peterson, Anita McIntyre	Park	1 lot	\$12.50 Lump Sum	DeSouza
<u>Myrtle Point-Coquille Section, Seven Devils Chrome Mine Access Road</u>				
10717-Mack, Carl M.	Rock Pit	5.0	Easement - \$150	Parker
<u>North Bend-Marshfield Section, Oregon Coast Highway</u>				
8047-A-Coos County	R/W	700 sq.ft.	\$0.0217 sq.ft.	Benson
<u>Gardner Ranch-Berger Ranch Section, Wolf Creek Highway</u>				
6508-Hare, John D.	R/W	6.26	\$225 per acre, plus \$191.50	Collins
<u>Barnes Road-Multnomah County Line, Wolf Creek Highway</u>				
10687-Worth, J. B. and Richard W. Girt	R/W	0.016	\$1000 per acre, plus \$84	Collins
10636-Stanley, Robert L.	R/W	0.12	\$1000 per acre, plus \$280	"
<u>Butteville Road-Hubbard Section, West Portland-Hubbard Highway</u>				
10620-A-Stratford, Donald R.	Easement Flight Strip		Damage to property - \$100	Benson

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Butteville Road-Hubbard Section, West Portland-Hubbard Highway (cont.)</u>				
10735-Keil, Walter E. C.	Easement	10.5	Damage to property -	Benson
	Flight Strip		\$65.60	
10734-Keil, Robert H.	Easement	10.5	Damage to property -	"
	Flight Strip		\$65.60	
3213B-Ehlen, Aurora	Easement		Damage to property -	"
	Flight Strip		\$200	
10644-Fry, Elmer H. et al.	Easement		Damage to property, \$50	"
	Flight Strip		plus \$222.50	
3221B-Keil, Lewis F.	Easement	6.0	Damage to property, \$30	"
	Flight Strip			
3217B-Knorr, Otto	Easement		Damage to property, \$455	"
	Flight Strip			
10619A-Brown, Kenneth J.	Easement		Damage to property, \$100	"
	Flight Strip			
3218B- Keil, William F.	Easement		Damage to property, \$30	"
	Flight Strip			
3219B- Keil, David A.	Easement		Damage to property, \$30	"
	Flight Strip			
3220B- Keil, Henry J.	Easement		Damage to property, \$30	"
	Flight Strip			
3216B- Steinhoff, Mildred	Easement		Damage to property, -	"
	Flight Strip		\$225	
3221A- Keil, Lewis P.	R/W	4.0)	\$125 per acre	"
		4.38)	\$100 per acre	
		8.38)		
10619- Brown, Kenneth J.	R/W	2.66	\$400 Lump Sum	"
3217A- Knorr, Otto	R/W	17.71)	\$125 per acre	"
		11.78)	\$100 per acre, plus	"
		19.49)	\$1608.25	
3212A- Kraus, Wm.	Easement		Damage to property, -	"
	Flight Strip		\$200	
<u>Judkins Point Section, Pacific Highway</u>				
10656-Schiska, Grace	R/W	0.52	\$871.20 per acre	Parker
Stearns, et al.				
<u>Pacific Highway Cantonment Section, Tolo Access Road</u>				
10674-Owens, Deane	R/W	0.68	\$10 per acre plus	Collins
			\$57.75 fencing allow-	
			ance	
10672-Hamstreet, Valaria I.	R/W	0.50	\$50 per acre, plus	"
and Oliver Martin			\$94.50	
10671-Gebhard, H. L. and	R/W	0.23	\$100 per acre, plus	"
E. W. Gebhard			\$75 and \$7.50	
10675-Sparrow, Ruth W.	R/W	3.07	\$10 per acre, plus	"
			fencing	

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Pacific Highway-Cantonment Section, Tolo Access Road (cont.)</u>				
10676-Hansecom, Lloyd	R/W	3.45	\$15 per acre, plus fence (0.83 acre to be conveyed by state to Carl Pearson)	Collins
10677-Pearson, Carl	R/W	1.37	\$15 per acre, plus \$60, less \$12.45 (consideration for 0.83 acre to be deeded to Carl Pearson)	"
10670-Price, Sterling	R/W	0.23	\$50 per acre, plus \$44.25	"
10670B-Price, Sterling	Gravel Bar	18.72	1 yr. lease, 3¢ cu.yd.	"
10670A-Price, Sterling	R/W	0.33	\$50 per acre, plus \$18	"
<u>Ramsey Canyon Section, Evans Creek-Sams Valley Access Road</u>				
10695-Payne, John M.	R/W	60 foot right of way	- Gratis	Witt
10696-Bishop, G. W. and J. L. Wyland Estate	R/W	60 foot right of way	- Gratis plus fencing if necessary	"
10697-Burreson, Peter	R/W	60 foot right of way	- Gratis plus \$7.50	"
10698-Cox, Alva O.	R/W	60 foot right of way	- Gratis plus replacing fence	"
10694-Messenger, Mabel Scott	R/W	60 foot right of way	- Gratis plus fencing	"
10699-Messenger, Nathan H.	R/W	60 foot right of way	- Gratis plus fencing	"
10721-Akins, C. N.	R/W	3.0	\$75 per acre	"
		3.35	\$10 per acre, + \$425	
		6.35	plus fencing	
10720-Jackson County	R/W	60 feet	GRATIS	"
10719-Peffley, John L.	R/W	10 feet	GRATIS	"
10718-Silver, George K.	R/W	10 feet	GRATIS, plus fencing	"
10700-Drake, J. E	R/W	60 feet	GRATIS, plus \$750, plus fencing and pipe	"
10722-Gall, Cecil	R/W	60 feet	(Approx. 10 acres) GRATIS, plus fencing \$601.70	"
10723-Coulter, Byron G.	R/W	60 feet	(Approx. 10.7 acre) GRATIS, plus \$500	"
10695-Payne, John M.	R/W	2.8	\$50 per acre	
		3.0 (Approx.)	GRATIS, plus fencing	"
10727-State Land Board	R/W	2.04 (Approx.)	\$13.50 per acre, acreage price taking control over area.	"

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
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Ramsey Canyon Section, Evans Creek-Sams Valley Access Road (Cont.)

10698-Cox, Alva O. and Frank Bowers	R/W	3.00	(Approx) \$75 per acre, acreage price taking control over area; plus \$100, plus fencing	Witt
10730-Bay, Chas. H. and J. W. Mays	R/W	60 foot	right of way - GRATIS	"

Cascade Gorge Section, Crater Lake Highway

10739-Dobbyn, Jos. B.	Stock Pile	1.0	more or less at \$150 per acre	Witt
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Crescent Section, The Dalles-California Highway

7499-Steevens, Max and Hazel M.	R/W	500 sq. ft.	2¢ sq. ft.	McChesney
7491-Reed, Thomas	R/W	4500 sq. ft.	2¢ sq. ft. + \$100 plus moving bldgs.	"
7503-Bracken, Thomas	R/W	1981 sq. ft.	2¢ sq. ft. + \$50, plus moving bldgs.	"
10636-Guddat, A. W.	R/W	3205 sq. ft.	2¢ sq. ft. + moving bldg. + \$50	"
7481-Steevens, Byron G.	R/W	65,869 sq. ft. 1.91 acres	2¢ sq. ft. \$1 Lump Sum + mov. bldgs.	"
10704-Bradford, A. H.	R/W	2,000 sq. ft.	1¢ sq. ft.	"
10710-Guddat, A. W.	R/W	1,000 sq. ft.	1¢ sq. ft.	"
10708-Hedden, Boyd	R/W	1,525 sq. ft.	1¢ sq. ft.	"
10705-Meacham, Hugh A.	R/W	1,000 sq. ft.	1¢ sq. ft.	"
10709-Owen, Jack	R/W	1,000 sq. ft.	1¢ sq. ft. + \$5	"
10740-Neece, Wallace L.	R/W	1,000 sq. ft.	1¢ sq. ft. + \$5	"
10712-Gore, Walter E.	R/W	1,000 sq. ft.	1¢ sq. ft.	"
10707-Dunn, Earl W. and Ernest Dunn	R/W	6,000 sq. ft.	1¢ sq. ft. + moving building	"
10714-Ed. Carlson, and Allen Jones	R/W	1,000 sq. ft.	1¢ sq. ft.	"
10714A-Ed. Carlson, and Fred Slusher	R/W	1,000 sq. ft.	1¢ sq. ft. + \$10	"
10714B-Ed. Carlson, and Layton Daugherty	R/W	1,000 sq. ft.	1¢ sq. ft.	"
10711-Lowe, Robert L.	R/W	1,000 sq. ft.	1¢ sq. ft. + \$15	"

Milton-Washington State Line Section, Oregon-Washington Highway

10599-Weber, Albert	R/W	0.23	\$50 per acre + \$21	Landon
10535-Gibson, Charlotte E.	R/W	2,085 sq. ft.	GRATIS - any fencing to be done by state	Cozad
10541-Fox, F. S.	Easement	3,000 sq. ft.	GRATIS - any fencing to be done by state	"
10536-Bridgewater, Ray E.	Easement	4,346 sq. ft.	GRATIS - any fencing to be done by state	"

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Milton-Washington State Line Section, Ore. on-Washington Hwy (Cont.)</u>				
10548-Flaughner, Jasper W.	R/W	10,000 sq.ft.	\$0.03 per sq.ft., plus \$700	Cozad
10600-Garrett, Charles R.	R/W	0.56	\$100 per acre	Landon
10591-Caverhill, W. S.	R/W	1.073	\$200 per acre, plus \$45	"
10598-Federal Land Bank of Spokane and D. J. Fisher	R/W	0.22) 0.62) 0.84)	\$50 per acre \$100 per acre, plus \$15.50	"
10693-Fox, F. S.	R/W	1,885 sq.ft.	GRATIS, plus fencing if necessary	Cozad
10545-Swanson, John	Easement R/W	1,005 sq.ft.	GRATIS, plus fencing if necessary	"
10560-Brunback, Vernon and Earl	R/W	0.21	\$50 per acre	"
10543-James, Luther and Scott Estate	R/W	1,500 sq.ft.	GRATIS	"
10597-Kennedy, A. T. and Violet M. Van Hoosen	Easement R/W	0.45	\$125 per acre, plus \$42.30	"
10534-Williams, Vernon K. and Morgan A. Stafford	R/W Easement	10,000 sq.ft.	Land Gratis, plus \$55	"
10564-Blackler, Russell	R/W	0.94	\$50 per acre, plus moving electric fence	"
10544-Swanson, Mary J. M.	R/W Easement	500 sq.ft.	Gratis, plus fence moving if necessary	"
10547-Harbour, Clara	R/W	10,000 sq.ft.	3¢ sq.ft., plus \$600	"
10532-Carney, Anna G.	R/W	13,752 sq.ft.	4¢ sq.ft., plus \$462.50	"
10540-Anderson, Inez	R/W Easement	1,434 sq.ft.	GRATIS, plus fencing	"
10530-Troyer, Irene	R/W	10,527 sq.ft.	10¢ sq.ft. plus \$1447.30	"
10539-Anderson, Herman Estate	R/W Easement	900 sq.ft.	GRATIS, plus fencing	"
10592-Cary, Geo. L. Estate	R/W	0.78 0.94 1.72	\$125 per acre \$200 per acre, plus \$102.50	Landon
<u>Sumpter Forest Boundary Section, Sumpter Valley Highway</u>				
10641-Hewett Land Company	R/W	7.25	GRATIS	Cozad
<u>Berger Ranch-Barnes Road Section, Wolf Creek Highway</u>				
10502-Nelson, Edward E. (Correction)	R/W	2.46	\$1,000 per acre, plus \$525	Landon

Note: All offers were approved by the Public Roads Administration on the following day.

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The Assistant Attorney also requested authority to acquire certain properties by condemnation. He submitted a list of such properties together with offers that he recommended be made in connection with each, as follows:

<u>File No.</u>	<u>Name</u>	<u>Purpose Required</u>	<u>Recommended Offer</u>
10724	Leon M. McConnell	Right of Way	\$ 10.00
10725	Frederick A. Roe	Right of Way	115.00
10728	Florence E. Edmiston	Right of Way	\$50.00 per acre for cleared land, \$10 per acre for un- cleared land.
10673	Jackson County Land Co.	Right of Way	100.00
*7908	August W. Fischer, et al.	Drainage Ditch	251.65
*5529-A	Harley P. Easley, et ux.	R/W & Maint. Site	850.00
10630	Anna B. Wurster	Right of Way	1600.00
10738	T. E. Hendrick	Right of Way	\$30 per acre
4715	C. H. Walter, et ux.	Right of Way	1000.00

*To clear title only.

The Commission approved the request and the offers. The following resolution with regard thereto was thereupon adopted by the Commission by unanimous vote:

WHEREAS, the State Highway Commission is authorized to locate, relocate, construct, reconstruct, maintain, widen, straighten, and otherwise improve state highways, both primary and secondary, and also access roads or other roads in which the Federal Government is interested, and said Commission is also authorized to construct shops, equipment sheds, office buildings, maintenance sites, patrolmen accommodations, and snow fences, and is authorized to acquire quarry sites, gravel pits, storage sites, stockpile sites, weighing stations, and broadcasting stations, and is further authorized to develop, construct, improve, operate, and maintain parks, parking places, auto camps, camp sites, roadside development, recreational grounds or resorts, and other places of attraction and scenic value; and

WHEREAS, said Highway Commission is authorized to acquire by purchase, agreement, donation, or by the exercise of the power of eminent domain real property, or any interest therein, necessary or deemed by the Highway Commission necessary for the accomplishment of any and all of the foregoing things; and

WHEREAS, in the judgment of the Highway Commission the several tracts or parcels of land hereinafter described are each and all necessary for the specific and particular purposes hereinafter expressly set forth;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

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1. That the Commission does hereby find and declare that the several parcels of real property hereinafter described are each and all necessary for the accomplishment of the purposes hereinafter expressly and specifically set forth, which said real properties and the specific purposes for which the same are being acquired are described as follows, to wit:

Real property owned by Frederick A. Ros, et al., which property is located in the southwest quarter (SW $\frac{1}{4}$) of the southwest quarter (SW $\frac{1}{4}$) of Section 29 and in the northwest quarter (NW $\frac{1}{4}$) of the northwest quarter (NW $\frac{1}{4}$) of Section 32, and in the northeast quarter (NE $\frac{1}{4}$) of the northeast quarter (NE $\frac{1}{4}$) of Section 31, Township 34 South, Range 2 West, W. M.; and in the southwest quarter (SW $\frac{1}{4}$) of the northwest quarter (NW $\frac{1}{4}$) and in the northwest quarter (NW $\frac{1}{4}$) of the southwest quarter (SW $\frac{1}{4}$) of Section 32, Township 34 South, Range 2 West, W. M., Jackson County, Oregon, and is more particularly described on the attached sheets and designated as Parcels Nos. 1 and 2 and is further identified in the records of the Highway Commission as file R 10725, and which property is being acquired for right of way purposes in connection with the Evans Creek-Sams Valley Access Road;*

Real property owned by August W. Fischer, et al., which property is located in the southeast quarter (SE $\frac{1}{4}$) of the southwest quarter (SW $\frac{1}{4}$) of Section 2, Township 12 South, Range 5 West, W. M., Benton County, Oregon, and is more particularly described on the attached sheets and designated as Parcels Nos. 3 and 4 and is further identified in the records of the Highway Commission as file R 7908, Parcel No. 3 being acquired for right of way purposes in connection with the Pacific Highway West and Parcel No. 4 being acquired for right of way for drainage ditch purposes in connection with said highway;*

Real property owned by Harley P. Easley, et al., which property is located in Lots 1, 2, 3, 4, 7, and 8 of Block 4, Lots 1, 2, 3, and 4 of Block 5, and Lots 7 and 8 of Block 3 of Georgetown Addition to St. Helens, Columbia County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 5 and is further identified in the records of the Highway Commission as file R 5529A, and which property is being acquired for right of way and maintenance site purposes in connection with the Columbia River Highway;*

Real property owned by Lila M. Walter, et al., which property is located in the southeast quarter (SE $\frac{1}{4}$) of Section 35, Township 3 South, Range 1 West, W. M., Clackamas County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 6 and is further identified in the records of the Highway Commission as file R 4715, and which

property is being acquired for right of way purposes in connection with the West Portland-Hubbard Highway;*

Real property owned by Anna B. Wurster, which property is located in the southeast quarter (SE $\frac{1}{4}$) of Section 35, Township 3 South, Range 1 West, W. M., Clackamas County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 7 and is further identified in the records of the Highway Commission as file R 10630, and which property is being acquired for right of way purposes in connection with the West Portland-Hubbard Highway.*

2. That the Commission does hereby find and declare that each of the said described parcels of real property is necessary and acquisition of the same by the State is required for the specific purposes hereinabove set forth, and the said properties are being acquired for the express and specific purposes in this resolution set forth.

3. That the State Highway Engineer be and he hereby is instructed and directed to make or cause to be made all surveys necessary in connection with the determination, description, and acquisition of said real properties, and said Engineer is further instructed to prepare and submit to the Legal Department necessary and adequate descriptions of the said real properties, which said descriptions shall be available for the preparation of any deed or deeds or other instrument or instruments necessary to complete the acquisition of said property or properties, whether said properties be acquired by purchase, donation, agreement, or by the exercise of the power of eminent domain.

4. That J. M. Devers, Attorney for the State Highway Commission, be and he is hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby further resolved that J. M. Devers, Attorney for the State Highway Commission, be and he hereby is requested to commence and prosecute to a final determination such suit or action, or suits or actions, as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

*(The detailed descriptions of the respective parcels of real property mentioned in this resolution are attached to the original resolution on file in the office of the State Highway Commission, Salem, being

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Resolution No. 31, under the heading "Real Property Condemnation Resolutions" and said descriptions by this reference are made a part of this minute entry to the same extent as if copied in full herein.)

The Assistant Attorney requested instructions whether or not to complete the acquisition of right of way needed for the Wolf Creek Highway, in Washington County. It appears that a number of condemnation cases will have to be tried and that considerable amounts are involved. Action on this matter was deferred by the Commission until April or May, 1943, when all of the properties concerned are to be inspected by the members of the Commission.

For the benefit of Commissioners Clough and Oliver, Chairman Cabell explained the method of valuing properties acquired in connection with the Front Avenue improvement, Portland, on the west side of the Willamette River. He recalled that the method that was finally approved as a result of conferences with the city officials of Portland, was to pay 125 per cent of the appraised value in so far as land was concerned and to pay 150 per cent of the appraised value for the buildings. Such procedure, he said, has worked out fine for properties acquired south of the Steel Bridge; however, cannot be used in connection with the acquisition of properties needed for the proposed improvement on the east side of the Willamette River, because values are not stabilized and, in view thereof, it will be necessary to negotiate for these properties individually and to follow standard practice. Commissioners Clough and Oliver approved such procedure.

Reconsideration was given by the Commission to its settlement with Edward F. Judkins for right of way needed for the revision of the Pacific Highway south of Eugene. The Attorney advised that Mr. Judkins has changed his attitude with respect to this settlement and now is willing to accept partial payment for the property, provided a definite time is set for the payment of the final amount after the war is over. He asked the Commission to set such time. After discussion, and it appearing to the Commission that the Eugene South Project is one of the first ones that will be undertaken when times return to normal, the Commission decided to make final settlement with Mr. Judkins within one year after the war is over. The matter is to be covered by appropriate written agreement between the Commission and Mr. Judkins.

The Commission discussed and approved the abandonment of certain portions of old state highway rights of way, as follows, such areas having been rendered valueless for state highway purposes by reason of alignment revisions:

Pacific Highway between Roseburg and Shady Point;
Pacific Highway south of Rice Hill;
The Dalles-California Highway between Terminal City and Algoma.

The following resolutions in regard thereto were adopted by the Commission by unanimous vote:

WHEREAS, in order to afford a better alignment and a more satisfactory, safe and convenient highway for the traveling public the Highway Commission found it necessary to relocate portions of the Pacific Highway in Douglas County, particularly the section known as the Roseburg-Shady Point Section; and

WHEREAS, by reason of said relocation and reconstruction of said section of said highway there have been eliminated from the main-travelled portion of said highway as now located certain parcels or areas of land, which said parcels or areas of land are more specifically defined and described hereinafter in this resolution and are reflected and disclosed on a print or map marked Exhibit A, a copy of which is attached hereto and made a part hereof; and

WHEREAS, while said sections or old areas of right of way are not required for right of way proper, the same are required for drainage facilities in connection with the maintenance of the highway proper; and

WHEREAS, it is the judgment and opinion of the Commission that there should be recorded in its minutes and records the purpose and plan of the Commission to abandon as a part of the right of way of said highway the areas described hereinafter and shown in red on said attached print or exhibit, except for drainage purposes.

NOW, THEREFORE, the premises being in general as above stated, it hereby is resolved by this Commission, all members being present and affirmatively participating as follows:

1. That the areas or parcels of land which heretofore were within the right of way proper of said section of the Pacific Highway but which by reason of the relocation and realignment of the highway are now without the area improved and used by the travelling public but are parallel and in close proximity to the right of way of said highway as now established shall be and are abandoned by the Highway Commission as a part of the right of way of said section of said highway, except, and provided, however, that the right to use said area for drainage in connection with the maintenance of said highway is reserved. The parcels of land affected by this resolution are described as follows, to wit:

All those certain parts of the old right of way of the Roseburg-Shady Point Section of the Pacific Highway in Sections 25 and 36, Township 27 South, Range 6 West, W. M., Douglas County, lying on the easterly and westerly side of the right of way required for the reconstructed Pacific Highway, the beginning and ending points with reference to the engineer's stations of the said reconstructed highway being Station 1450+00 on the southerly end and Station 1507+80 on the northerly end.

2. In addition to the foregoing description of said parcels of land there is attached hereto a print or map marked Exhibit A, which by this reference is made a part hereof, and upon which map there are shown shaded in red the parcels of land formerly within the right of way proper of said section of said highway, but which are now by reason of the relocation and realignment of said highway not required for right of way proper. Said exhibit or map for identification purposes bears the signatures of K. D. Lytle, Division Engineer, H. G. Smith, Construction Engineer, and C. B. McCullough, Assistant Highway Engineer, and bears date of May 26, 1942.*

3. In the event there remains any physical connection between any portions of said abandoned right of way and the present highway, and by reason of such physical connection public traffic from the existing highway may enter or use the said abandoned portion of the old road to the possible damage or injury of such traffic by reason of any unsafe condition existing with respect to the said old or abandoned road, then the State Highway Engineer is hereby authorized and directed to erect such barricade or other safeguards as may be necessary to protect and safeguard traffic using and employing said newly located, constructed and dedicated section of said state highway.

4. That this resolution be entered in the minutes and records of the Commission and a certified copy thereof promptly delivered to the County Court of Douglas County, together with a copy of said exhibit or map, for such action as said County Court may desire to take with respect to the fragments of land to be abandoned, and should said abandoned sections of the right of way of said Pacific Highway be further employed for public or private highway purposes such use shall be entirely under the control and supervision of the County Court of Douglas County and beyond any responsibility or supervision by the State Highway Commission.

WHEREAS, in order to afford a better alignment and a more satisfactory, safe, and convenient highway for the traveling public the Commission found it necessary to relocate a portion of the Pacific Highway in Douglas County; and

WHEREAS, by reason of said relocation and reconstruction of said section of highway there was eliminated and made unnecessary as a part of the permanent highway a certain section which is more particularly defined and described hereinafter in this resolution; and

WHEREAS, it is the judgment and opinion of the Commission that there should be recorded in the minutes and records of the

*Map filed Right of Way Abandonment and Retention File - No. 110

Commission its purpose and plan to abandon as a part of the said highway the fragment or portion of right of way hereinafter designated and which was heretofore included within the area of the right of way of said highway as formerly located, but which is now without the regular limits of said highway as relocated;

NOW, THEREFORE, the premises being in general as above stated, it hereby is resolved by this Commission, all members being present and affirmatively voting, as follows:

1. That the fragment of land confined within the area hereinafter described, which fragment or parcel of real property was formerly within the limits of the right of way of the Pacific Highway but is no longer a part of the right of way of said highway as the same has been relocated and constructed, be and said parcel of real property is abandoned as a part of the right of way of said highway, and said parcel of land is, so far as control and supervision by this Commission is concerned, eliminated and left to revert to the adjoining and abutting property owners, or to the control and supervision of the County Court of Douglas County for highway or other public purposes, as the Court may determine. The fragment or parcel of land affected by this resolution is defined and described as follows, to wit:

All that certain section of the old right of way of the Pacific Highway in Section 32, Township 23 South, Range 5 West, and in Sections 5 and 8, Township 24 South, Range 5 West, W. M., Douglas County, Oregon, lying on the westerly side of the right of way required for the reconstructed Pacific Highway and being between Mile Post 174 and Mile Post 177 of said highway; the beginning and ending points with reference to the engineers stations of the reconstructed highway being Station 1235+40 on the northerly end and Station 1341+80 on the southerly end.

The location of said abandoned right of way may be more definitely and particularly ascertained and determined by reference to a map or blueprint marked Exhibit A attached hereto and by this reference made a part hereof, which said exhibit for identification purposes bears the signatures of K. D. Lytle, Division Engineer, H. G. Smith, Construction Engineer, and C. B. McCullough, Assistant State Highway Engineer, and is dated November 7, 1942, upon which map or exhibit is reflected the above described parcel of land by showing the same shaded in red.*

2. In the event there remains any physical connection between any portion of said abandoned right of way or highway and the present highway, and by reason of such physical connection traffic

*Map filed Right of Way Abandonment and Retention File - No. 111

from the existing highway may enter or use the said abandoned right of way or highway to the possible damage or injury of such traffic by reason of any unsafe condition existing with respect to said old or abandoned road, then the State Highway Engineer is hereby authorized and directed to erect such barricade or other safeguards as may be necessary to protect and safeguard traffic using and employing said newly located, constructed, and dedicated section of said highway.

3. That this resolution be entered in the minutes and records of the Commission and a certified copy thereof promptly delivered to the County Court of Douglas County, together with a copy of said exhibit or map, for such action as said County Court may desire to take with respect to the fragment of land to be abandoned, and should said abandoned section of the right of way of said Pacific Highway be further employed for public or private highway purposes such use shall be entirely under the control and supervision of the County Court of Douglas County and beyond any responsibility or supervision by the State Highway Commission.

WHEREAS, in order to afford a better alignment and a more satisfactory, safe, and convenient highway for the traveling public the Commission found it necessary to relocate a portion of the Terminal City-Algoma Section of The Dalles-California Highway in Klamath County; and

WHEREAS, by reason of said relocation and reconstruction of said section of highway there was eliminated and made unnecessary as a part of the permanent highway a certain section which is more particularly defined and described hereinafter in this resolution; and

WHEREAS, it is the judgment and opinion of the Commission that there should be recorded in the minutes and records of the Commission its purpose and plan to abandon as a part of the said highway the fragment or portion of right of way hereinafter designated and which was heretofore included within the area of the right of way of said highway as formerly located, but which is now without the regular limits of said highway as relocated;

NOW, THEREFORE, the premises being in general as above stated, it hereby is resolved by this Commission, all members being present and affirmatively voting, as follows:

1. That the fragment of land confined within the area hereinafter described, which fragment or parcel of real property was formerly within the limits of the right of way of the Terminal City-Algoma Section of The Dalles-California Highway but is no longer a part of the right of way of said highway as the same has been

relocated and constructed, be and said parcel of real property is abandoned as a part of the right of way of said highway, and said parcel of land is, so far as control and supervision by this Commission is concerned, eliminated and left to revert to the adjoining and abutting property owners, or to the control and supervision of the County Court of Klamath County for highway or other public purposes, as the Court may determine. The fragment or parcel of land affected by this resolution is defined and described as follows, to wit:

All those certain sections of the old right of way of the Terminal City-Algoma Section of The Dalles-California Highway in Sections 25 and 36, Township 37 South, Range 8 East, and in Sections 30 and 31, Township 37 South, Range 9 East, and in Section 1, Township 38 South, Range 8 East; and in Sections 6, 7 and 18, Township 38 South, Range 9 East, W. M., all in Klamath County, Oregon, lying on the easterly side of the right of way required for the reconstructed The Dalles-California Highway, said sections also lying between Mile Post 276 and Mile Post 282 of said highway, the beginning and ending points with reference to the engineer's stations of the said new constructed center line being Station 113+20 on the southerly end and Station 334+50 on the northerly end.

The location of said abandoned right of way may be more definitely and particularly ascertained and determined by reference to a map or blueprint marked Exhibit A attached hereto and by this reference made a part hereof, which said Exhibit for identification purposes bears the signatures of W. E. Chandler, Division Engineer, H. G. Smith, Construction Engineer, and C. B. McCullough, Assistant State Highway Engineer, and is dated December 15, 1942, upon which map or exhibit is reflected the above described parcel of land by showing the same shaded in red.*

2. In the event there remains any physical connection between any portion of said abandoned right of way or highway and the present highway, and by reason of such physical connection traffic from the existing highway may enter or use the said abandoned right of way or highway to the possible damage or injury of such traffic by reason of any unsafe condition existing with respect to said old or abandoned road, then the State Highway Engineer is hereby authorized and directed to erect such barricade or other safeguards as may be necessary to protect and safeguard traffic using and employing said newly located, constructed, and dedicated section of said highway.

3. That this resolution be entered in the minutes and records of the Commission and a certified copy thereof promptly

*Map filed Right of Way Abandonment and Retention File - No. 112

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delivered to the County Court of Klamath County, together with a copy of said exhibit or map, for such action as said County Court may desire to take with respect to the fragment of land to be abandoned, and should said abandoned section of the right of way of said The Dalles-California Highway be further employed for public or private highway purposes such use shall be entirely under the control and supervision of the County Court of Klamath County and beyond any responsibility or supervision by the State Highway Commission.

Reconsideration was given by the Commission to the abandonment of a section of the old right of way of the Ochoco Highway east of Prineville. It was recalled that the Commission on December 18, 1940, adopted a resolution abandoning certain portions of the old right of way because the highway had been rebuilt on other alignment, rendering these parcels valueless from the state's standpoint; also that a certified copy of the resolution was forwarded to the county court of Crook County with a request that the court enter an order in its records, either retaining such parcels for county use in connection with its county road system, or allowing them to revert to the abutting property owners. The Commission was advised that to date the county court has not acted on this resolution although the court has asked the Commission to continue the maintenance of the abandoned section between Mill Creek and Marks Creek, seven miles in length, as a stock driveway for the benefit of stockmen in this vicinity, which request the Commission denied at its meeting on April 1, 1942, because it involved the repair and maintenance of several bridges that are in an unsafe condition, and it was the thought of the Commission, if the old road is valuable for stock-driveway purposes, the responsibility to maintain it belongs to the county. Such information was transmitted to the county court by the Commission's Secretary but up to the present time no information has been received as to the county court's attitude with respect thereto. After considerable discussion the Commission decided that the general public should not be allowed the use of the old road because of the condition of the bridges. The Engineer was thereupon instructed to erect a barricade at each end of the old road between Mills Creek and Marks Creek. The Secretary was instructed to inform the county court by letter of the Commission's action and to advise the court that the Commission denies any responsibility with respect to future maintenance of this road, and, if it is to be left open for use as a stock driveway or for any other public use, the responsibility for maintaining the road and for accidents that might occur thereon rests with the county.

The Engineer reported the results of investigations of roadways leading to the proposed state park south of Floras Lake, in Curry County. He advised that there are a number of logging roads leading into this area some of which are in fair condition but are not satisfactory for a permanent park roadway; however, a satisfactory location for a permanent road was found about $3\frac{1}{2}$ miles south of the town of Denmark, which will require the construction of about $2\frac{1}{2}$ miles of roadway extending from the highway to the south end of the proposed park. He estimated the cost to construct such roadway at approximately \$16,000, exclusive of right of way and fencing. He suggested, in

the event the Commission decides to purchase the park, that construction of the roadway leading to it be deferred and that for the time being people be required to use existing roads to reach the same. The matter was discussed at some length but a decision thereon was deferred pending consultation with the State Parks Superintendent.

The matter was reconsidered on the following day when the Parks Superintendent was present. He advised at that time that the owners of the property, Blacklock Sanstone Company, of San Francisco, are no longer willing to sell the 1,400 acres for \$2,700, in view of the fact that taxes that have accumulated against the property are more than they anticipated, in view of which they are now asking \$3,600 for the property. He urged the Commission to acquire the property notwithstanding the increase in price. Action again was deferred by the Commission pending inspection of the park by Commissioner Clough.

The Parks Superintendent was instructed in the meantime to ascertain whether or not it would be possible to acquire the 40-acre tract owned by W. J. Sweet, which is surrounded by the proposed state park, inasmuch as the Commission dislikes to have privately-owned property within state park boundaries.

A request was presented from the Clackamas County Cemetery Association for the privilege of purchasing certain state-owned property adjacent to and beyond the limits of the standard width right of way at the Clackamas Overcrossing, in Clackamas County. The Assistant Attorney advised that the area desired by the Association contains 0.34 acre which was purchased in connection with a right-of-way transaction at the rate of \$500 per acre. The Engineer advised that this property is of no particular value to the state. He recommended that it be sold to the Association at \$500 per acre provided access to the highway from the property is denied. The Commission approved the sale of the property subject to such condition.

The Assistant Attorney requested instructions with regard to requiring property owners to construct fences along right of way that has been acquired for highway improvements that are to be deferred until the war is over. He advised that many of these settlements contain provision for such right-of-way fences and that in each case a certain amount is allowed the grantor to pay for the fences. In some instances, he said, the purchase price has been paid to the owners but the fences have not been built, and in other instances the payment for the right of way has not been completed. It was his thought that the Commission might wish to withhold the amounts authorized for the fence construction until it is ready to proceed with the construction of the highway. On account of the fact that it is extremely difficult for farmers to purchase fencing materials at the present time due to war conditions, the Commission decided to complete such purchases in full, regardless of whether or not they build the fences now.

In this connection the question arose whether or not the adjacent property owners should be allowed the use of the right of way pending construction of the highway. It was the opinion of the Commission that the state would benefit if the right of way were cultivated, inasmuch as it would eliminate the expense of cutting weeds and brush. Accordingly, the Assistant

Attorney was instructed to let the abutting farm owners use the property free of charge.

In accordance with this decision the Commission approved a request from Mr. Jurgen LaFrents to use a portion of the land that was acquired from him for right of way for the Wolf Creek Highway near the town of North Plains, in Washington County.

The Commission discussed the request of Mrs. Viola M. Gray for an additional payment for land which she sold to the state for right of way for the improvement of The Dalles-California Highway at Madras. The Commission was advised by the Assistant Attorney that Mrs. Gray charged only a very small amount for the right of way, being under the impression at the time that the finished highway would be about level with the rest of her property. However, it appears that the highway was constructed on a high fill at this point, and Mrs. Gray alleges damages in the amount of \$500.00. Inspection of Mrs. Gray's property, he said, reveals that it has been damaged to some extent but not enough to justify an additional payment in excess of \$250.00. After discussion the Commission authorized the Assistant Attorney to offer Mrs. Gray the sum of \$200.00 in full satisfaction of her claim.

A request was presented from Mr. T. C. Simmons to rent certain state-owned property adjacent to the Oregon Coast Highway near Spencer Creek, north of Newport. The Assistant Attorney advised that this is camp-ground property which the Commission was obliged to purchase in connection with the acquisition of right of way for a revision of the Oregon Coast Highway at this place, and that Mr. Simmons wants to lease the property for a six-months period commencing May 1, 1943, for which he is willing to pay the sum of \$25.00 per month. He recommended acceptance of the offer in view of indications that the highway improvement will not be undertaken until the war is over and that the property will not be needed by the state for any other purpose. The Commission approved the recommendation.

The Assistant Attorney reported an application received from the United States War Department to purchase a parcel of state-owned land near the Madras Overcrossing, in Jefferson County, for use in connection with the construction of the Madras airport. The parcel desired by the Army is situated on the northerly side of the Oregon Trunk Railway and is on the westerly side of the Warm Springs Highway, and contains approximately 21.0 acres. He advised that the state paid \$25.00 per acre for this property and recommended that it be sold to the Federal Government at the same rate. The Commission approved the recommendation.

The Engineer brought up for discussion a request from Mr. E. W. Kenney, Monmouth, for sidewalk construction in front of his premises on the east side of East Street just north of its intersection with South Street in Monmouth. He advised that plans for the original improvement of the Pacific Highway West at Monmouth included the widening of East Street and the replacing of existing sidewalks, but in the case of Mr. Kenney no sidewalk existed so there was none to be replaced. However, later it was agreed that the state would construct two approaches from the highway to his premises and would

extend the sidewalk to the first of these approaches. Mr. Kenney, he said, now wants the state to build the remaining section of sidewalk, about 40 feet in length, so that it will extend clear across the front of his property. He gave as his thought that such improvement is not an obligation of the state and recommended that Mr. Kenney's request be denied. The Commission approved the recommendation.

Consideration was given by the Commission to the matter of expediting the procedure for receiving of bids for construction work, particularly in connection with projects that are of an emergency nature and which should be gotten underway much sooner than is possible by following the present practice of advertising the projects for two weeks. The Attorney advised that the Commission has legal authority to take bids on two or three days notice, if it so desires and will follow a certain procedure. It was the thought of the Commission that advantage should be taken of this feature of the law in order to hurry up certain projects. The Attorney was thereupon instructed to prepare a form of resolution covering the matter for adoption at the next meeting of the Commission.

The Commission adjourned at 11:00 p.m. to reconvene the following morning in the auditorium of the Public Service Building.

Portland, Oregon, December 18, 1942

The State Highway Commission reconvened at 9:00 a. m. in the auditorium of the Public Service Building. Present were:

Henry F. Cabell, Chairman
Huron W. Clough, Commissioner
Herman Oliver, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

Bids, as follows, for highway construction projects and for the sale of buildings in North Bend were opened and read in conformity with previously published notices, following which Chairman Cabell announced that the awards of contracts and sale of buildings would be made at 2:30 p. m. in the same room:

BAKER-HOMESTEAD AND HALFWAY HIGHWAYS
RICHLAND-HALFWAY ROCK PRODUCTION

No bids received on this project

OCHOCO HIGHWAY
OCHOCO SUMMIT ROCK PRODUCTION

No bids received on this project

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CENTRAL OREGON HIGHWAY
BUCHANAN ROCK PRODUCTION

Oscar E. Joelson \$23,500.00

EVANS CREEK-SAMS VALLEY ACCESS ROAD
GRADING AND SURFACING

Tru-Mix Concrete Company \$133,416.20

TOLO-CAMP WHITE ACCESS ROAD
GRADING, SURFACING AND OILING, AND TIMBER TRESTLE

Tru-Mix Concrete Company \$49,025.60

THE DALLES-CALIFORNIA HIGHWAY
CRESCENT ROCK PRODUCTION PROJECT

No bids received on this project

THE DALLES-CALIFORNIA AND WILLAMETTE HIGHWAYS
CHEMULT ROCK PRODUCTION

No bids received on this project

WILLAMETTE HIGHWAY
TRENT-SALT CREEK FALLS ROCK PRODUCTION

No bids received on this project

FLIGHT STRIP PROJECT (SOUTHWEST BOARDMAN)

E. C. Hall Co. & J. C. Compton	\$290,785.00
Porter W. Yett	330,055.00
Babler Bros.	454,245.00
M. L. O'Neill & Son	473,099.50

PENDLETON-JOHN DAY HIGHWAY
NYE JUNCTION-GRANT COUNTY LINE ROCK PRODUCTION

O. C. Yocom \$71,115.00

WALLOWA LAKE HIGHWAY
ROCK CREEK-JOSEPH ROCK PRODUCTION

No bids received on this project

SALE OF RESIDENCE BUILDINGS IN NORTH BEND

Building No. 9560 (Former owner J. H. Tewsley)

No bids received on this building

Building No. 9499 (Former owner John Sandine)

G. Gilbertson

\$20.00

Building No. 9518 (Former owner P. M. Ross)
andBuilding No. 9521 (Former owner K. Horn)

M. Jorgenson (Combination bid)

\$50.00

Building No. 9486-D (Former owner Coos County)

Clarence S. Wilson

\$ 5.00

Building No. 9646 (Former owner A. M. Haley)

No bids received on this building

The County Court of Marion County, represented by County Judge Grant Murphy and County Commissioner Ralph Girod, and County Engineer N. C. Hubbs, came before the Commission in regard to the maintenance of the Niagara-Detroit Section of the North Santiam County Road which is a link in the North Santiam Secondary Highway. Judge Murphy headed the group. He asked the Commission to take over the maintenance of this section as a state obligation in view of the expenditures heretofore made by the county in the construction of the North Santiam Highway and because it is an isolated section of county road which is costly for the county to maintain. It was his thought that the state could perform the maintenance work much cheaper than the county because the state is now maintaining adjoining sections. Commissioner Girod and Engineer Hubbs made similar statements. Chairman Cabell advised that the Commission had plans at one time to rebuild the North Santiam Secondary Highway between Gates and Detroit to fit in with the Federal Government's proposed flood control dam across the North Santiam River, but there now appears to be no possibility of undertaking this improvement until the war is over. It was his thought that, from a public standpoint, it would be much better if the existing road were maintained in its present condition as a county road, and would draw less public criticism if the county would continue the maintenance of the same. The matter was discussed at considerable length and as a result thereof the Commission agreed to give the matter further thought and to notify the county court as soon as a definite decision is reached.

The Attorney brought up for discussion matters pertaining to the Federal Government's condemnation suit to acquire the state highway right of way at Tongue Point. He advised that the suit is now under way and he would like permission from the Commission to enter a stipulation providing for public use of the old road, pending completion of the new section of highway that is to replace that taken by the government. The Commission approved such stipulation; however, instructed the Attorney to include therein provision for the use of the old road after the new road is built and open for traffic, in the event of the blocking of the new road by slides, or in case the old road is needed for other emergency purposes. It was the thought of

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the Commission that such provision should be made notwithstanding the fact that it probably will not be necessary to use the old road after the new one is finished.

The Commission had under discussion requests from Mrs. Wm. Swindell and other residents in the vicinity of Sylvan, Multnomah County, for something to be done for the protection of school children who are required to cross the Tualatin Valley Highway (Canyon Road) where it connects with Skyline Boulevard, S. W. Hewitt Boulevard, Scholls Ferry Road, and S. W. 58th Avenue, in Sylvan, and particularly suggesting that the installation of some type of traffic signal would serve the purpose. The Engineer advised that the intersection referred to is a particularly hazardous one, in view of the fact that so many roads enter the highway at this point; also, that a couple of years ago some minor channelization work was done at this point and several overhead flashing beacons were installed; but at that time the main issue was the control of vehicular traffic upon entering and leaving the highway. Recent investigations, he said, reveal that something should be done to protect pedestrians. He recommended that the most satisfactory and cheapest arrangement to effect such protection would be to install a four-way stop signal as described by Traffic Engineer John Beakey in his report dated December 15, 1942, from which he quoted. He explained that the plan provides for the installation of additional sections in the existing overhead signals, containing both red and yellow lights. Under normal conditions, he said, the yellow signal would flash but during hours when school children cross the highway in going either to or from school the red signal would show for highway traffic and for traffic on the cross roads. The advantage of this system over that which requires the stopping of all traffic at the intersection at all times would be that vehicular traffic would not have to come to a full stop except when the signal flashes red. The Commission after discussion agreed with the Engineer and accordingly authorized him to proceed with the rearrangement of the lights in accordance with his recommendation.

Reconsideration was given by the Commission to the termination or modification of its contract with Leonard & Slate for the operation of the Wilsonville Ferry and particularly a letter from Leonard & Slate dated November 30, 1942, in which the Commission was advised that "under the present condition of the ferryboat and the inability to secure certain materials, we do not feel that we can sign the extension of the contract as there are certain clauses that we could not fulfill. Therefore, we intend to file a new request after the first of the year." The Commission confirmed its previous decision to neither terminate nor modify the present contract and ordered that Leonard & Slate be advised that the Commission expects them to continue the operation of this ferry for another two-year period in accordance with the provisions of the contract, and to furnish new insurance for the protection of the public under any operation of the ferry subsequent to 6:00 a. m. January 1, 1943.

A letter was presented from contractor Max J. Kuney requesting the termination of his contract No. 2517 for the construction of the Warm Springs River-Mill Creek Section of the Warm Springs Highway, in Wasco County. The Engineer advised that the Federal Government also has requested that the completion of this job be postponed for the duration of the war. He estimated

the value of the work remaining to be done by the contractor at \$1,625.00 if paid for at the unit prices mentioned in the contract, as compared to a cost of \$3,300.00, if the work were completed by the state. Mr. Kuney, he said, wants to be relieved of this obligation and has agreed to compensate the state for the additional cost that the state will assume in completing the work at a subsequent date. He recommended approval of this arrangement. The Commission approved the recommendation and thereupon signed an agreement with Mr. Kuney covering the matter.

The matter of requiring highway traffic to come to a complete stop before crossing the Southern Pacific railroad tracks on the highway detour, at Judkins Point south of Eugene, had the attention of the Commission. The Engineer advised that this is a dangerous grade crossing and in his estimation all traffic should be required to stop before crossing the tracks, notwithstanding that the crossing is of a temporary nature and will be discontinued when the Judkins Point grade separation structure is completed and opened for use. He requested authority to maintain "stop" signs on each side of the crossing during the time that it is being used by the general public. The Commission approved the request.

The Commission discussed, approved and signed a letter form of agreement with the University of Oregon providing for a modification of the agreement dated December 18, 1941, which provides that "the state shall construct an oil service line, together with all necessary pumping facilities, which oil service line shall extend from the University power plant to the said siding. Said service line shall be adequate for the transmission of fuel oil between said points." In the discussion it was pointed out that, because of the scarcity of materials brought about by war emergencies and because of priority regulations which have been imposed by the Federal Government, the state cannot at this time procure materials with which to conform to and carry out the provisions of the agreement as quoted above, hence it is necessary to modify this provision so as to relieve the state of its obligation during the emergency on the condition that, until materials are available for the construction of the oil service line, the state will reimburse the University for the cost of transporting fuel oil by truck or other means from the railroad siding to the University power plant.

A letter was presented from Vice Admiral C. S. Freeman, U. S. Navy, advising that the Navy Department is in urgent need of tools and construction equipment in first class condition with spare parts for use in connection with naval activities, and inquiring whether or not the Highway Commission has any such articles that it might be willing to sell to his department. The Engineer advised that the Highway Commission acquired a number of wooden tanks with the Union Fish Hatchery property at Union, and suggested that these might be turned over to the Government. The Commission deferred a decision in the matter pending further check by the Engineer to ascertain whether or not the tanks can be used to good advantage in connection with highway department activities.

The Commission had under discussion the matter of renewing its agreements with the several hospital associations covering the furnishing of medical

and hospital service to state highway department employees. The Commission authorized the extension of the existing agreement with the National Hospital Association without change. With respect to the Physicians and Surgeons Hospital Association of Salem, the Engineer advised that this company has effected a merger with the Multnomah Hospital Association, which also serves some of the state highway department employees, and hereafter the merged companies will be known as the Oregon Physicians' Service. The new company, he said, desires to continue to render service to highway employees, as in the past, except that the rate has been raised from \$2.00 to \$2.50 per month per person. He recommended approval of the change-over because of advantages to be gained thereby, and particularly called attention to the fact that the Oregon Physicians' Service is approved and sponsored by the Oregon State Medical Society. The Commission approved the recommendation and thereupon signed an agreement with the Oregon Physicians' Service covering the entire matter.

A letter was presented from Mr. Walter Meacham, Executive Secretary of the Old Oregon Trail Centennial Committee, requesting that a state highway department automobile be placed at his disposal for use in connection with his official duties. The Commission denied the request in view of the critical shortage of rubber and the necessity to conserve tires as much as possible, it being the thought of the Commission that there are other means of transportation available that would serve the purpose.

The Commission confirmed its oral approval of the renewal of its forgery bond with the American Bonding Company, such company having agreed to reduce the amount of its premium to that quoted by competing companies. This action of the Commission was taken in view of the fact that Mr. Jack Godfrey, who represents the American Bonding Company, has furnished valuable service to the state for many years in connection with forgery bond matters.

The Commission discussed a complaint from Mrs. A. E. Clark, Milwaukie, Oregon, that the gravel pit which was acquired by the Commission from her, located in the vicinity of Clackamas Station, is being used by people as a dumping ground for rubbish, and that top soil from adjacent property belonging to her is washing into the gravel pit because of faulty slope protection. The Engineer advised that the premises were inspected by Division Engineer W. C. Williams, who reports that someone has dumped a few empty cans into the pit but they are near the edge and can be covered readily by excavation from the bank so as to eliminate the unsightliness, and that it is his intention to see that they are covered up at once; further, that such inspection does not reveal soil washing of any consequence. Damage from water erosion is negligible, he said, and is not of sufficient importance to require special remedial work. The fact of the matter is the banks of the gravel pit are rapidly becoming covered with vegetation and within a short time will be stable so that no additional washing should occur. The Commission instructed the Engineer to erect appropriate signs at this pit prohibiting the dumping of rubbish therein and also ordered that Mrs. Clark be informed that efforts will be made to maintain the pit in a sightly condition.

The Commission considered a letter from the Curry County Court, requesting permission to obtain gravel from a state-owned gravel pit on Elk River,

in Curry County, for use by Mr. J. F. Kronenberg of Bandon in the surfacing of an access road that Mr. Kronenberg is constructing from the Oregon Coast Highway to certain county-owned timber lands. The County Court advised that the road being improved by Mr. Kronenberg is partially on the county road system and that the surfacing of the entire road will benefit the county, inasmuch as it will provide access to county-owned property. In this connection a letter was presented from Mr. Kronenberg submitting a statement of the amount of gravel already furnished him from this pit by the state's contractor, A. H. Saxton & Son, such material having been delivered to him in violation of the provisions of Mr. Saxton's contract with the state for the production of materials for maintenance of the Oregon Coast Highway. The Engineer advised that, according to state highway specifications, a highway contractor is prohibited from selling materials taken from any state-owned source unless it is by some special advance arrangement in order to accommodate a county or a municipality, but in no case is he allowed to furnish materials to private parties. He also said that, when it was first brought to his attention that Mr. Saxton was selling materials to Mr. Kronenberg, he immediately notified the contractor to desist therefrom, in response to which notification Mr. Saxton replied that he understood the state's ruling in the matter, nevertheless delivered the material to Mr. Kronenberg as an emergency proposition, because there was urgent need for the surfacing of the road at the time, in order to make it passable for the transportation of vital war materials. Mr. Saxton also agreed to pay the state for 623 cubic yards of pit-run gravel already delivered to Mr. Kronenberg at the rate of \$0.03 per cubic yard. He requested instructions from the Commission whether or not to let Mr. Saxton deliver additional materials to Mr. Kronenberg for this project.

After discussion the Commission decided not to deviate from its present established policy which will not permit a contractor to deliver materials to a private individual; however, stated its willingness to let the county have materials as may be needed for the improvement of the county road provided the county will pay the state \$0.03 per cubic yard for the materials taken. The Commission is not particularly concerned as to who does the hauling of the materials but insists that any arrangement that is made for the taking of materials must be with the County Court and the materials must be used on a county project.

The Commission discussed a letter from Mr. John Franklin Reading with respect to the state's claim against him for damaging a traffic signal pole situate at the intersection of Fourteenth and Water Streets, in Oregon City. It appears that Mr. Reading fell asleep while driving his car and crashed into the pole, causing damage costing \$72.00 to repair. Mr. Reading admitted the liability and stated his willingness to pay the full amount of the claim provided the Commission will allow him to make small payments monthly rather than all at one time. The Engineer suggested, in view of the attitude taken by Mr. Reading, that the state's claim be reduced 50 per cent and that he be allowed to pay the amount in twelve equal installments. The Commission approved the suggestion.

A letter was presented from Mr. V. A. McNeil, District Chief of the Industrial Salvage Section, War Production Board, Portland, urging in behalf

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of Mr. Virgil Morris, La Grande, that the Highway Commission conduct snow removal operations on the road which extends from Halfway to the Cornucopia Mines so as to permit the salvaging of 400 tons of scrap iron and steel located at the mine. The Engineer advised that it would cost considerably more to keep the road open for travel than the value of the materials that will be salvaged. Furthermore, the Highway Department could not spare equipment and men to do this work without neglecting work on other highways which are of considerable more importance. It was his thought that the salvaging of the materials at the Cornucopia Mines could be deferred until next spring after the road has been opened by nature. The Commission concurred in the viewpoint of the Engineer and instructed the Secretary to so inform Mr. McNeil.

Consideration was given by the Commission to a request from the County Court of Benton County that the State Highway Department assume, for the duration, the maintenance of the Benton County portion of the Independence Road from its junction with the Albany-Corvallis Highway at Granger to Camp Adair, in view of the fact that this road was improved by the state and that a similar arrangement is now in effect with Polk County for the maintenance of the Polk County Section of this road. The Commission approved the request and ordered that the matter be covered by appropriate written agreement between the county and the state.

The Commission discussed a letter from Peninsula Drainage District No. Two, Portland, pointing out the need for a road extending from Denver Avenue to Vancouver Avenue in order to take care of the large volume of traffic from the new town of Kaiserville (Vanport) and to relieve traffic congestion on Denver Avenue. The Engineer advised that the proper way to relieve traffic congestion on Denver Avenue is to widen this thoroughfare to six lanes of traffic rather than to divert traffic; however, investigations that have been conducted do not reveal a justification for such improvement at the present time. It was his thought that the construction of the road proposed by the Drainage District is properly the obligation and responsibility of Multnomah County, in view of which he recommended that the request be denied. The Commission approved the recommendation and instructed the Secretary to so inform the Peninsula Drainage District.

The Commission also discussed a letter from the Peninsula Drainage District No. Two suggesting that the Gertz County Road, which is now routed to connect with Union Avenue north of Columbia Boulevard, be rerouted to a connection with East Thirteenth Street, Portland, so as to do away with the present dangerous intersection at Union Avenue. The Engineer advised that there is no question that the present intersection is dangerous; however, in his estimation, the rerouting of travel to eliminate the same is a problem for the local authorities. He suggested that the District be advised to contact the Board of County Commissioners of Multnomah County relative thereto. The matter was discussed at some length during which the Commission expressed its opinion that the elimination of this intersection might be of sufficient benefit to the state to justify a state contribution toward the expense involved. The Secretary was instructed to inform the District of the Commission's attitude and to advise further that, because of the prospective benefits to the state, the Commission is willing to give consideration to the construction of

the proposed road as a federal aid secondary highway after the war is over, but is precluded from making a definite commitment to the project at this time, because the Commission's road construction activities are now limited to access roads or roads that are essential in the conduct of war activities.

A letter was presented from W. H. Lynch, District Engineer, Public Roads Administration, with respect to the request of the State Highway Commission for reimbursement, under the provisions of Section 10 of the Defense Highway Act of 1941, for damages caused to the Pacific Highway West by reason of war emergency hauling at Camp Adair. Mr. Lynch advised that he has received information from authorities in Washington, D. C., that the state's claim is not eligible for reimbursement under the provisions of the above-mentioned law, since the only substantial damage was apparently caused by private contractors' equipment hauling material for the construction of the army cantonment, and not by the Army directly. The Engineer advised that the repairs cost approximately \$40,000, and that the state will have to assume the entire expense if it is not possible to secure the Federal funds. He was instructed to look into the law again and ascertain if there is some way in which the state can recover from the government, notwithstanding the information received from Mr. Lynch.

A letter was presented from Mr. L. L. Gooding, Principal of the Freewater Schools, Freewater, Oregon, requesting the removal of certain stop signs that have been erected by the State Highway Department at the railroad crossings on the Oregon-Washington Highway, in Freewater. Mr. Gooding pointed out that all passenger trains along the railroads have been discontinued, and at the present time there are only one or two local freight trains daily on each railroad, so there is no apparent reason for traffic stopping before crossing the tracks as is now required. He urged the Commission to order the removal of the signs, as they are a great inconvenience to local people. The matter was discussed at considerable length, during which the Commission indicated a favorable attitude toward Mr. Gooding's request, but considered it inadvisable to remove the signs, because they were installed along with others pursuant to an official order which was made upon the petition of the Oregon Railroad Association. The Commission was reluctant to modify this order unless the Oregon Railroad Association would consent thereto. The Engineer was thereupon instructed to discuss the matter with Mr. Harold Turner, Secretary of the Oregon Railroad Association, and to secure, if possible, the consent of the Association to the removal of the signs. The Commission also ordered that Mr. Gooding be advised of the Commission's action and the reasons therefor. The suggestion is also to be made to him to take the matter up with Mr. Turner.

A letter was presented from Grant Union High School, John Day, requesting permission to store a school bus in the highway department's maintenance building at Seneca at nighttime during the school year. It appears that heretofore storage space for the bus has been furnished by the Hines Lumber Company which is not now able to provide storage facilities in view of the expansion of its business, and under present conditions it is impossible for the school district to obtain materials with which to construct a garage of its own. The Engineer advised that the maintenance foreman, who is in charge of the highway buildings at this place, has assumed in writing the responsibility for tools, materials and supplies that are stored in the building and in his estimation he could not be held responsible for loss if outside parties were permitted access to the building. He also pointed out the possibilities of fire that might be caused by the shorting of electrical connections in the bus, and in this connection advised that the wiring in the highway department equipment is constantly checked as a precaution against the creation of fires by faulty wiring. It was his thought that the granting of the request in this instance would establish an undesirable precedent which might prove costly as well as very embarrassing to the Commission in the disposal of similar requests in the future. He recommended in view of these reasons that the request be denied. After discussion the Commission approved the recommendation and instructed the Engineer to explain fully to the School District the reasons that motivated its action.

The Commission discussed and denied as a matter of policy a request from Mrs. E. J. Ambruster, Portland, and others, for permission to erect and maintain a waiting room on the Canyon Road (Wolf Creek Highway) in West Portland, where Bentz Park Drive and Crest Dale Drive intersect, for the benefit of some fifty families who patronize the busses that operate on Canyon Road. It was the thought of the Commission that the granting of this request would establish a very undesirable precedent.

Consideration was given by the Commission to the request of the Seaside Kiwanis Club for permission to erect and maintain "lift stations" on the right of way of the Oregon Coast Highway in the vicinity of Seaside as an accommodation to men in the armed service; also to maintain appropriate signs at selected points along the highway calling public attention to such stations. They propose to construct a type of shelter for the men as a protection from the weather, with three or four signs on each side of each station. It was the opinion of the Commission that the maintenance of such shelters on the highway right of way would be a deviation from its long established policy which does not permit encroachments of any kind upon highway rights of way. Furthermore, it would establish an undesirable precedent. In view thereof the Commission denied the request; however, agreed, if the Kiwanis Club would build the shelters off the highway right of way under permit or easement from the property owners, to construct approaches to them so traffic could turn off the highway to pick up the servicemen without incurring a traffic hazard. The Commission approved the temporary maintenance of the signs on the highway directing

the public to such points. The Engineer was instructed to convey such information to Mr. Irving C. Allen, City Attorney of Seaside, who presented the request in behalf of the Kiwanis Club.

The Commission had under discussion the application of the Eugene Plywood Company for permission to operate two high-line cables over the McKenzie Highway near Nimrod, in Lane County, as a temporary proposition in connection with the reconstruction of its bridge over this river, which was recently damaged by high water. The Engineer advised that investigations reveal that one of the cables is to be used for conveying men and supplies and the other is to be used in connection with bridge repair work; that the company wants to use these as a temporary proposition and has agreed to remove them immediately upon completion of the bridge work, which they state will not take longer than a couple of months. He recommended approval of the request subject to the condition that the cables be installed to his satisfaction from an engineering standpoint, that the company maintain a flagman on each side of each cable while the cables are in use, and furnishes public liability and property damage insurance for the protection of the Commission and the general public in the event an accident should occur. The Commission approved the recommendation.

The Secretary presented a report on violations committed by carriers who are operating under emergency transportation permits. He was instructed by the Commission to continue the present practice of warning such violators that if they persist in loading their equipment in excess of the gross weights allowed by their permits the Commission may find it necessary to cancel the permits.

The Secretary also presented a list of overweight violations committed by log haulers. He was instructed to send a complete list of the same to Mr. Orville R. Miller, President of the West Coast Lumbermen's Association, and to notify violators that the Commission may find it necessary to reinstate the penalty which provides for the suspension of their equipment in the event they continue to load their equipment in excess of the prescribed weight limits.

The Commission discussed a news release from the National Roadside Council with respect to the salvaging of metal in billboards for use in connection with the national defense program. The National Roadside Council offers the suggestion that the owners of the metal signs be contacted relative to the scrapping of the signs in view of the fact that the metal is sorely needed in the government's scrap pile, and because in its estimation the signs are of very little value since highway travel has been greatly curtailed because of wartime regulations. The Commission approved the suggestion and authorized the Engineer to remove the signs if written permission so to do can be obtained from the owners of the signs. It was the thought of the Commission that the owners' consent should be obtained by the Oregon Roadside Council, and accordingly ordered that the matter be brought to the attention of such organization, with information to the effect that the Highway Commission will authorize its forces to perform the work of demolishing the signs and billboards at state expense and will transport the salvaged materials to the

nearest county salvage depot if the Oregon Roadside Council will secure written releases from the owners of the signs and from the owners of the property on which the signs are located.

Consideration was given by the Commission to a letter from the Corvallis City Engineer, Mr. V. L. Goodnight, requesting help from the State Highway Department in the removal of snow from Mary's Peak Road, which extends northerly from the Alsea Highway to Mary's Peak, a distance of some ten miles. Mr. Goodnight advises that travel over this road must be maintained during the winter months for the benefit of airplane spotters who operate from a lookout tower located at the top of the mountain, and for the benefit of telephone linemen in the maintenance of telephone circuits to the lookout station, and for the watchmen engaged to protect the Corvallis watershed; also that the City of Corvallis is not equipped to do the work but has funds available with which to reimburse the state for expense incurred if the state will keep the road open. The Engineer advised that the State Highway Department does not have personnel and equipment that could be assigned to this project; furthermore, in his estimation it is a matter that Benton County should handle if the City is unable to take care of it itself. He recommended that the request be denied. The Commission approved the recommendation.

The Commission recessed at 12:00 noon and reconvened at 2:00 p. m. in the same room with the same persons present and participating.

The Secretary presented three proposals from McNutt Brothers on jobs for which bids were opened at the morning session, having been received several hours after the scheduled time for the receiving of such bids. It was the decision of the Commission that these bids could not be considered because they were not submitted at the proper time. The Secretary was thereupon instructed to return them to McNutt Brothers unopened.

At 2:30 p. m. Chairman Cabell announced the awards of contracts and sale of buildings in North Bend, as follows, bids for which were received by the Commission at the morning session, the awards and sales having previously been approved by the Commission by unanimous vote:

"Richland-Halfway Rock Production Project on the Baker-Homestead and Halfway Highways, in Baker County. No bids were received for this project.

"Ochoco Summit Rock Production Project on the Ochoco Highway, in Crook and Wheeler Counties. No bids were received for this project.

"Buchanan Rock Production Project on the Central Oregon Highway, in Harney County. Oscar E. Joelson, Eugene, submitted the only bid for this project, in the amount of \$23,500.00. The Commission awards this contract to Mr. Joelson at his bid of \$23,500.00.

"Evans Creek-Sans Valley Access Road Project, in Jackson County. 8.3 miles grading and surfacing. The only bid received for this

project was that submitted by the Tru-Mix Concrete Company, Medford, in the amount of \$133,416.20. The Commission refers this bid to the Engineer with power to award the contract to the Tru-Mix Concrete Company when certain conditions have been fulfilled.

"Solo-Camp White Access Road Project, in Jackson County. 2.65 miles grading, surfacing and oiling; also construction of 57 feet of timber trestle. Tru-Mix Concrete Company, Medford, submitted the only bid for this project in the amount of \$49,025.60. The Commission refers the bid to the Engineer with power to award the contract to the Tru-Mix Concrete Company when certain conditions have been fulfilled.

"Crescent Rock Production Project on The Dalles-California Highway, in Klamath County. No bids were received on this project.

"Chemult Rock Production Project on The Dalles-California and Willamette Highways, in Klamath County. No bids were received on this project.

"Trent-Salt Creek Falls Rock Production Project on the Willamette Highway, in Lane County. No bids were received on this project.

"Flight Strip Project (Southwest Boardman), in Morrow County. Four bids were received for this project, the low one being that of E. C. Hall Company & J. C. Compton, Eugene and McMinnville, in the amount of \$290,785.00. The second-low bid was submitted by Porter W. Yett, Portland, in the amount of \$330,055.00. The Commission refers all bids to the Engineer with power to award the contract to E. C. Hall Company & J. C. Compton when certain conditions have been fulfilled.

"Nye Junction-Grant County Line Rock Production Project on the Pendleton-John Day Highway, in Umatilla County. The only bid received for this project was that submitted by O. C. Yocom, McMinnville, in the amount of \$71,115.00. The Commission awards this contract to Mr. Yocom at his bid of \$71,115.00.

"Rock Creek-Joseph Rock Production Project on the Wallowa Lake Highway, in Wallowa County. No bids were received for this project.

Sale of residence buildings in North Bend:

"Building No. 9560. Formerly owned by J. H. Tewsley. No bids were received for this building.

"Building No. 9499. Formerly owned by John Sandin. The only bid for this building was submitted by G. Gilbertson, Marshfield, in the amount of \$20.00. The Commission considers this bid satisfactory and accordingly sells the building to Mr. Gilbertson at his bid of \$20.00.

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"Building No. 9518, formerly owned by P. M. Ross, and Building No. 9521, formerly owned by K. Horn. M. Jorgenson, Marshfield, submitted a combination bid for both of these buildings at \$50.00 lump sum. The Commission rejects this offer.

"Building No. 9486-D. Formerly owned by Coos County. Clarence S. Wilson, North Bend, submitted the only bid for this building in the amount of \$5.00. The Commission considers this bid satisfactory and accordingly sells the building to Mr. Wilson at his bid of \$5.00.

"Building No. 9646. Formerly owned by A. M. Haley. No bids were received for this building."

The Engineer requested authority to spend state funds in connection with certain extra work to be performed by the contractor in connection with the Swan Island Access Road Project, which work consists of the construction of traffic dividers that were not included in the original plans for this project. He estimated the cost involved at between \$1,000 and \$2,000, and advised that the contractor has stated his willingness to do this work under a special price agreement provided he is permitted to do it at once. He explained that there is an apparent shortage of federal funds with which to pay for this work, so if the traffic dividers are to be constructed now the work will have to be paid for with state funds because it would take too long to secure approval for additional federal funds. He recommended approval of the expenditure in order to expedite completion of the project, notwithstanding that the road in question is not on the state highway system. After discussion the Commission authorized an expenditure of not to exceed \$2,000 for this purpose.

The Commission discussed a request from the Southern Pacific Company for permission to obtain rock from a state-owned quarry near Klamath Falls for use in connection with the construction of a dike in Upper Klamath Lake adjacent to the company's property at Algoma. The Engineer recommended approval of the request provided the company will pay \$0.03 per cubic yard for material taken and provided further that the company will furnish the state with public liability insurance as protection in the event someone were injured during the progress of the company's operations on the state's property. The Commission approved the recommendation subject to the conditions mentioned by the Engineer and ordered that the matter be covered by written agreement between the company and the state.

Reconsideration was given by the Commission to the Troy controversy in Baker County, being a claim for damages arising out of the reconstruction of the Troy Ranch Section of the Old Oregon Trail. Commissioner Oliver advised that he personally inspected the Troy property and found conditions to be substantially as previously reported by Miss Troy and her attorney, Mr. Grant, of Baker; in fact, the house shows evidence of having been severely jarred, the plaster being badly cracked and the cellar has caved in. The Troys, he said, allege that all of this damage occurred by reason of blasting operations by the state's contractor. He said that he also inspected the approach from the Troy property to the highway and in his estimation the approach

was constructed in the wrong place. Furthermore, some of the Troy fences were covered up by highway embankment construction and have never been rebuilt, and the Troys are also complaining because of the blocking of certain culverts and the changing of drainage ditches so that water no longer flows in its natural channel. Miss Troy, he said, will not suggest any manner of settlement other than on the basis of the price of \$3,000 which was contained in the original option given the state when the state purchased the right of way for the highway improvement, which right of way has not been paid for up to the present time.

The Attorney advised that he could not reach an agreement with the Troys for the right of way, so it was necessary to acquire it by condemnation and that his offer for the same in condemnation was \$1,500. He quoted from a letter directed to Commissioner Oliver by Division Engineer Paul Van Scoy in which Mr. Van Scoy estimates that it will cost about \$800 to repair the damage to the Troy property exclusive of the damage that occurred to the residence building, and a few other little items that he did not believe concerned the state. The Engineer gave as his thought that the state is not responsible for all of the damage that occurred. He suggested, in order to bring this matter to a final conclusion, that the Commission offer to settle in full for \$2,500, and let the Troys assume the responsibility for repairing their property.

Division Engineer W. C. Williams, who had charge of highway work in Baker County at the time the highway was rebuilt across the Troy property, was called into the conference. He advised that the approach road from the Troy property to the highway was constructed in a location specified by the Troys, notwithstanding that he pointed out to them at the time that the location was wrong, and the Troys offered no objections whatsoever until the road was built. As to the damage caused by blasting, he stated that he inspected the Troy property after the blasting and observed that very little damage was done; in fact there couldn't have been much damage because the contractor did very little blasting; furthermore, the contractor did everything that he was asked to do in repairing this damage.

After further discussion the Commission decided unanimously, in order to terminate this controversy, to offer the Troys the sum of \$2,500 as payment in full for their claim, both right of way and damages, provided they will sign a statement releasing the state from further obligation in connection therewith. This offer was telephoned to Miss Troy's attorney, Mr. Grant, by Commissioner Oliver who advised that Mr. Grant appeared to be satisfied with such settlement and would endeavor to secure approval by the Troys. The Commission instructed the Attorney to make further presentation of the offer in writing.

The Attorney presented a damage claim submitted by Mr. Ernest M. Dyson, Scappoose. He explained that Mr. Dyson is asking reimbursement for expense incurred as a result of driving his car into the concrete curb along the west side of the Lower Columbia River Highway, in Scappoose, and that he alleges that the state is liable because the curb was not properly lighted so as to be clearly visible by traffic at nighttime. The Engineer advised that investigation reveals that this accident occurred at a point where the highway

changes from two traffic lanes to four traffic lanes, but there is no curvature in the highway alignment and there is absolutely no reason for an accident to occur at this point if the car were driven at a moderate rate of speed and were under control, particularly if all wheels of the car were on the pavement. It appeared to him that Mr. Dyson's accident occurred as a result of carelessness and accordingly recommended that his claim be denied. The Attorney concurred therein. The Commission approved the recommendation.

The Engineer reported the need to purchase four additional, three-quarter horse power, air compressors in order to keep truck tires properly inflated. These compressors, he said, are for use at Ochoco Summit, Lapine, Seneca, and Snake River Slides maintenance stations and will cost approximately \$125 each. The Commission approved the purchase.

The Engineer also requested authority to purchase from contractor C. A. Dunn 4,930 cubic yards of maintenance materials in order to fill up the stock piles that are located in the vicinity of the gravel pit which Mr. Dunn is now using in connection with the construction of a flight strip in Lake County. He estimated the cost of this material at \$12,000 and recommended approval of his request, because Mr. Dunn is able and willing to furnish this material under his present setup, whereas, if the Commission advertised the project for bids, it very likely would go begging because contractors, under the present wartime conditions, are not particularly interested in projects of this kind. After discussion the Commission approved the purchase of these materials from Mr. Dunn as an extra nonparticipating item in connection with his contract with the Commission for construction of the Alkali Lake Flight Strip.

The Commission discussed matters pertaining to the Front Avenue Project, Portland, particularly the question whether or not to continue negotiations for purchase of right of way in view of the fact that the City of Portland is running short of funds with which to contribute its share of the costs involved. The Commission went on record as favoring the continuance of the purchase of right of way on both sides of the Willamette River to the extent of the City's ability to pay its agreed cooperative share. When the City's funds are exhausted then the matter of financing the purchase of the remaining parcels is to be discussed with the city officials. Chairman Cabell was authorized to confer with the city officials in regard thereto. Pending further notice, the Right of Way Department was instructed to continue with right of way negotiations.

The Assistant Attorney requested instructions relative to the purchase of fire insurance covering certain buildings that have been acquired in connection with the Front Avenue improvement on the east side of the Willamette River, in Portland. He advised that the buildings were covered by insurance when they were acquired by the state and the Portland city officials feel that the insurance should be renewed. The Commission authorized the renewal of this insurance, if that is in accordance with the desires of the City; and the payment of 40 per cent of the premium with state funds, which is the percentage the state is paying in connection with the purchase of the property.

The Parks Superintendent, Mr. S. H. Boardman, was present and reported personally on the following park matters:

Logging road easement across Neahkahnie Mountain State Park:- The Parks Superintendent advised that Koppisch and Donelson, loggers of Astoria, have submitted a petition for a roadway easement across state property located in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 17, Township 3 North, Range 10 West, W. M., Tillamook County, in order to reach certain timber holdings which they own east of the state's property; and that they have also declared a desire to purchase the timber growing on the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 17, which tract is a unit of Short Sand Beach State Park. He explained that on account of the terrain it will be necessary for the loggers to construct their roadway across property belonging to Mrs. S. G. Reed before they enter the state's property, and that they petitioned Mrs. Reed for a roadway lease which was denied because Mrs. Reed was fearful that they would not build the road in the proper location and that they would severely damage her property. Mrs. Reed, he said, has offered to give the state a 60-foot right of way for a park roadway across her property if the state wants it and will survey the road and supervise construction of the same by the loggers in order to eliminate any possibility of dispoilation. He recommended that the Commission secure the right of way from Mrs. Reed at this time, so as to control the location of the logging road, if the Commission authorizes the construction of the same. The Commission approved the recommendation and also approved the granting of an easement to Koppisch and Donelson to construct its roadway along the same and across the existing state park, provided it is built in a location that meets the approval of the Commission and that the approaches to the highway are so constructed that loads of logs may be driven onto the highway without causing an undue hazard to the highway traffic. The Engineer was authorized and instructed to pass on this feature.

The company's request to purchase the timber on the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 17 was denied by the Commission because this property was deeded to the state as a gift by Mr. and Mrs. Reed for recreational purposes, and the Commission considered if it sold the timber it would be violating the motive of the gift.

Timbered wayside strips in Curry County:-The Parks Superintendent recalled that the Commission at the previous meeting authorized the purchase of 614 acres of land adjacent to the Oregon Coast Highway, in Curry County, from Mr. Elmer Bankus for the sum of \$9,000. He advised that since then the descriptions of the properties have been checked and it has been found that they contain only 610 acres, and include 60 acres that are of no particular value from the state parks' standpoint. Mr. Bankus, he said, has agreed to the elimination of such acreage from the transaction and to allow the Commission a credit of \$300 for one 40-acre tract and \$150 for the other tract which contains 20 acres; in other words, it is agreeable with Mr. Bankus to sell the balance, 550 acres, to the state for the sum

of \$8,550. The Commission approved such deduction and authorized the closing of the transaction on such basis. The lands being purchased are described as follows:

SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 33, T. 38 S., R. 14 W., W. M.
 Lots 5, 11, 12 and 14 of Sec. 19, T. 40 S., R. 13 W., W. M.
 NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec. 1, T. 40 S., R. 14 W., W. M.
 E $\frac{1}{2}$ of the SW $\frac{1}{4}$ and the W $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Sec. 12, T. 40 S.,
 R. 14 W., W. M.
 NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Sec. 25, T. 40 S., R. 14 W., W. M., ex-
 cept the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said section.
 S $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Sec. 25, T. 40 S., R. 14 W., W. M.
 All that portion of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 25, T. 40 S.,
 R. 14 W., W. M., that lies north and west of the northerly
 right of way line of the Oregon Coast Highway.
 SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Sec. 25, T. 40 S., R. 14 W., W. M.
 Containing 550 acres of land, more or less.

Proposed purchase of timbered wayside strips along Pendleton-John Day Highway:-The Parks Superintendent brought up for reconsideration the matter of acquiring timber wayside strips along the Pendleton-John Day Highway, between Dale Ranger Station and the junction of Camas Creek with the John Day River. He explained that there are four different ownerships involved, being lands owned by the Pilot Rock Lumber Company, George E. Carnes, H. B. Longley and Dora Tomes; also, that the matter has been under consideration for some three years, options at one time having been secured, but, due to depletion of funds that were set up for purchase of recreational areas and because of the war situation, the Commission decided not to purchase the property at that time, but agreed to reconsider the matter in 1942. He further recalled that he again brought the matter to the attention of the Commission on January 21, 1942, when the Commission decided to defer purchase because of the uncertainty of funds and it then being the thought of the Commission that funds should not be spent for purchase of park areas due to wartime conditions. He stated that he is bringing the matter up at this time with the thought in mind that the Highway Department's financial situation might be in better shape and that there might be sufficient funds on hand at the close of the year that could be applied to this purchase. He said that if the Commission cannot see its way clear to purchase all of the strips it should give very careful consideration to the purchase of the tract owned by the Pilot Rock Lumber Company, in view of the fact that this company consented to hold off the marketing of the timber on its tracts until such time as the Commission had funds to purchase them. Commissioner Oliver gave as his thought that the purchase of the property would be most desirable from a wayside timber recreational standpoint, also that to his knowledge timber on properties surrounding the area is now being cut, and if the proposed wayside strips are not acquired by the state soon, the probabilities are that the timber will be cut on them also. Commissioner Clough stated that he would not oppose the purchase of

these areas if the other members of the Commission want them. The matter was discussed at considerable length and as a result thereof the Right-of-Way Department was instructed to again contact the owners of each tract and obtain a definite figure as to how much they now want for each. The Commission will make its decision when the report is rendered and will then decide whether or not to purchase the areas, considering what the Highway Department's income will be during the next three or four months.

Silver Creek Falls CCC Camp:-The Parks Superintendent reported that the Federal Government has conveyed to the State of Oregon as a direct gift the Silver Creek Falls CCC Camp and facilities, comprising 32 buildings. He recommended acceptance of this gift in view of its desirability to house future CCC personnel, and because, in any event, the buildings can be used to good advantage for recreational purposes. The Commission approved the recommendation.

Wayside strips along the Wilson River Highway:-The Parks Superintendent requested instructions with regard to the acquisition of wayside strips along the Wilson River Highway between Fall Creek and Jordan Creek. He particularly pointed out that, when the right of way for this highway was acquired from the Weyerhaeuser Timber Company, the company on its own account deeded to Tillamook County about 1,000 acres of wayside land, it being understood at the time that, at the expiration of a period of five years, Tillamook County would deed this property to the State of Oregon, and a written agreement covering the matter was made between the county and the state. This agreement, he said, was dated February 19, 1938; hence the five-year period terminates on February 19, 1943. It was his thought that the matter should be called to the attention of the Tillamook County Court and a deed requested. The Commission concurred and thereupon instructed the Attorney to handle the details with respect thereto.

Joseph Ralston Memorial at Cascadia State Park:-The Parks Superintendent presented a request from W. L. Jackson of the Albany Democrat-Herald, Albany, for permission to erect a monument on the Santiam Highway in the vicinity of Cascadia State Park, in memory of the late Joseph Ralston of Albany, who was prominently identified and who took an outstanding part in the promotion of this highway. He said that the monument has been prepared and is ready for erection and all that is needed is the approval of the Highway Commission to erect it on the highway right of way. He recommended approval of the request. The Commission approved the recommendation.

John Day Highway fossil area:-The Commission discussed briefly with the Parks Superintendent matters pertaining to the establishment of a state recreational area in the John Day Valley near Picture Gorge where prehistoric fossils abound. The Commission indicated a favorable attitude toward the acquisition of this property

for scientific as well as recreational purposes, but deferred a definite decision in regard thereto pending personal inspection of the property by Commissioner Oliver and the Parks Superintendent to determine the limits of the area that should be acquired and to ascertain generally just what is wanted.

The Engineer presented a list of surveys that he has ordered since the last meeting of the Commission and asked the Commission to confirm them and the amounts allocated for each. After due consideration the Commission authorized and instructed the Engineer to make such surveys on various sections of the highways of this state, which said sections of highways, together with their identifying survey numbers and the amounts authorized and allocated for such survey expenditures, are as follows:

Type of Survey	Prefix No.	County	Section and Highway	Authorization
Location	215-1443	Jackson	Evans Creek-Sams Valley Section, Evans Valley Road	1st - \$3,720
Plans	122-1453	Linn	Cottonwood Corner-Sanderson Bridge Section, Albany-Lyons Secondary Highway	1st - \$ 100
Plans	13-1464	Klamath	Barclay Springs-Algoma Section, The Dalles-California Highway	1st - \$ 500
Plans	22-1454	Linn	Approach Road to State Park, Santiam Highway	1st - \$ 750
Boundary	6-1431	Coos	Simpson Park Section, Cape Arago Secondary Highway	1st - \$ 700
Plans	22-1455	Linn	Albany Airport Section, Pacific Highway East	1st - \$ 75
R/W	27-1417	Polk	West Approach-Willamette Riv. Bridge, Salem-Dallas Highway	2nd - \$ 100 Total to date \$200
Prospect	7-1420	Crook	Ochoco Forest Section, Ochoco Highway	1st - \$ 200

The Commission considered the following requests for extensions of time within which to complete highway construction projects:

Roy L. Houck, contract No. 2366, for grading and paving the Rice Hill-Turkey Hill Section of the Pacific Highway in Douglas County, requested an extension of time from July 31, 1941, to September 9, 1942, within which to complete this job. He alleged that his failure to complete the project within the specified time limit

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was due to adverse weather conditions, shortage of skilled labor and materials, and to war conditions which made it difficult to secure shipment of materials to the job and to obtain necessary equipment and repair parts for the same. The Engineer advised that the reasons given by the contractor for overrunning the specified time limit are correct; further, that the most serious trouble that the contractor experienced was his controversy with the Labor Union on other jobs, which prevented completion of such projects in time to get started on this one. The general traveling public, he said, has not been greatly inconvenienced by the delay, because it has had the use of the old highway at all times. He recommended, in view of the circumstances, that the extension of time requested be granted without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

Roy L. Houck, contract No. 2396, for grading and paving the Scappoose-Multnomah County Line Section of the Columbia River Highway, in Columbia County, requested an additional extension of time, from July 1, 1942, to September 26, 1942, within which to complete this job. He attributed his failure to complete the project within the extended time limit to war-time conditions which made it difficult to secure labor, transportation of materials, and the securing of equipment and repair parts. The Engineer advised that the reasons given by the contractor for the overrun of time limit are substantially correct. He recommended, in view of the circumstances, that the extension of time requested be granted without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

Frank Penepacker, contract No. 2412, for grading the South Unit of the Algoma-Terminal City Section of The Dalles-California Highway, in Klamath County, requested an additional extension of time, from the spring of 1942 to September 14, 1942, within which to complete this job. He attributed his failure to complete the project within the specified time limit to traffic conditions at the south end of the project, it being considered by all concerned that it would be to the best public interests if the connection with the old highway at this point were delayed until the surfacing and oiling was completed on the entire realignment project between Algoma and Terminal City. The Engineer advised that the reasons given by the contractor for overrun of time limit are correct; further, that highway traffic has not been held up by the delay, neither has the state incurred extra expense in connection therewith. He recommended, in view of the circumstances, that the extension of time requested be granted without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

Leonard & Slate, contract No. 2446, for grading and surfacing the Dixie Summit Section of the John Day Highway in Grant County,

requested an additional extension of time from July 15 to September 12, 1942, within which to complete this job. They alleged that their failure to complete the project within the specified time limit was due to war-time conditions, and particularly to difficulties in securing a priority rating which would allow them to secure necessary repair parts for their machinery, and materials required in the construction work. The Engineer advised that the reasons given by the contractor for failure to complete the job within the specified time limit are correct and recommended, in view of the circumstances, that the extension of time requested be granted without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

A. Milne, contract No. 2451, for grading, surfacing and oiling the Long Creek-Fox Section of the Pendleton-John Day Highway, in Grant County, requested an additional extension of time from June 30 to August 19, 1942, within which to complete this job. He gave the following reasons for failure to complete the project within the previously extended time limit: inability to secure repair parts when needed and difficulties in securing labor. The Engineer advised that the reasons given by the contractor for failure to complete the job within the specified time limit are correct. He recommended, in view of the circumstances, that the extension of time requested be granted without penalty, particularly because the delays were caused largely by war-time conditions. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

Roy L. Houck, contract No. 2457, for grading and paving the Clackamas Overcrossing Section of the Cascade Secondary Highway in Clackamas County, requested an extension of time from October 15, 1941, to November 14, 1942, within which to complete this job. He attributed his failure to complete the project within the specified time limit to war-time conditions which made it difficult to secure labor, materials and supplies; also, to adverse weather conditions during 1941. The Engineer advised that the reasons given by the contractor for overrunning the time limit are substantially correct, and that the delay without question was the result of conditions which he could not anticipate or control. He recommended, in view of the circumstances, that the extension of time requested be granted without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

Leonard and Slate, contract No. 2467, for grading, surfacing and construction of bituminous macadam on the Canyon Creek-Bryant Hill Section of the Santiam Highway, in Linn County, requested an extension of time from July 31, to October 15, 1942, within which to complete this job. They attributed their failure to complete the project within the specified time limit to adverse weather conditions

and difficulties incident to war-time priorities. The Engineer advised that the reasons given by the contractor for overrunning the time limit are correct. He recommended that the extension of time requested be granted without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

Frank Penepacker, contract No. 2491, for grading the Grave Creek-Jumpoff Joe Creek Section of the Pacific Highway, in Josephine County, requested an extension of time from May 31 to September 12, 1942, within which to complete this job. He gave the following reasons for failure to complete the project within the specified time limit: adverse weather conditions, difficulty in securing repair parts for equipment and steel materials for construction work because of a low priority rating, difficulties in securing labor because of labor requirements in connection with the construction of the Medford and Corvallis cantonments. The Engineer advised that the reasons given by Mr. Penepacker for failure to complete the project within the specified time limit are correct. He recommended, in view of the circumstances, that the extension of time requested be granted without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

E. L. Gates, contract No. 2500, for grading and topping the Meador Brook Section of the Starkey Secondary Highway, in Union County, requested an extension of time from October 15, 1941, to October 3, 1942, within which to complete this job. He alleged that the delay in completing the project was due to unfavorable weather conditions and to inability to obtain necessary equipment. The Engineer advised that the reasons given by the contractor for overrun of the time limit are correct. He recommended that the extension of time requested be granted without penalty. The Commission approved the recommendation.

Jud Beardsley, contract No. 2508, for making repairs to the Vista House, on the Columbia River Highway, in Multnomah County, requested an additional extension of time from October 31, 1941, to October 16, 1942, within which to complete this job. He alleged that he was unable to complete the project within the specified time limit because of adverse weather conditions and because the amount of work performed was more than double that called for in the contract. The Engineer advised that unexpected difficulties were encountered by Mr. Beardsley in connection with the work, which made it necessary to increase by a considerable amount the repair work contemplated. Such work consisted of waterproofing the roof and walls, which could not be done during the winter season, and accordingly he was instructed to close down the work until suitable weather obtained during the past summer. He recommended, in view of the circumstances, that the extension of time requested be granted without penalty. The Commission approved the recommendation.

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Porter W. Yett, contract No. 2510, for grading, surfacing and oiling the West Unit of the Shaniko-Cow Canyon Section of the Sherman Highway in Wasco County, requested an extension of time from June 30 to September 26, 1942, within which to complete this job. He offered war-time conditions and scarcity of competent labor and equipment as reasons for failure to complete the project within the specified time limit. The Engineer advised that the reasons given by the contractor for overrunning the time limit are correct. He recommended that the extension of time requested be granted without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

A. S. Wallace, contract No. 2520, for furnishing crushed rock in stock piles on the Pendleton-Meacham Section of the Old Oregon Trail in Umatilla County, requested an extension of time, from June 30 to October 14, 1942, within which to complete this job. He gave no reason for failure to complete the project within the specified time limit. The Engineer advised that Mr. Wallace had several contracts under way at the same time, in connection with two of which he was required to furnish considerable more material than was called for in the original contract, which undoubtedly was the reason why he failed to complete the project within the specified time limit. He recommended that the extension of time requested be granted without penalty. The Commission approved the recommendation.

C. J. Montag and Sons, contract No. 2542, for grading and paving the Illahee-Steiwer Hill Section of the Pacific Highway East, in Marion County, requested an extension of time from September 30 to October 31, 1942, within which to complete this job. He alleged that the delay in completing the project within the specified time limit was due to difficulties in securing shoulder materials because the federal government was taking all available materials for use in the construction of the Salem Airport, which was under way at the same time. The Engineer advised that the reason given by the contractor for failure to complete the project within the specified time limit is correct. He recommended that the extension of time requested be granted without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

Strong & Macdonald, Inc., contract No. 2549, for construction of 1.87 miles of railroad roadbed along the Pacific Highway between Eugene and Judkins Point, in Lane County, requested an extension of time from May 31 to September 10, 1942, within which to complete this job. They attributed their failure to complete the project within the specified time limit to unfavorable weather conditions which necessitated many shut-downs and prohibited double-shift operations. The Engineer advised that in addition to adverse weather conditions the contractors encountered difficulties in securing repair parts for their equipment and efficient labor, and that these were the principal causes for failure to complete the project on

time. Due to the fact that war-time conditions had much to do with the delay, he recommended that the extension of time requested be granted without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

Parker-Schram Company, contract No. 2554, for paving the Sun Dial Secondary Highway, in Multnomah County, requested an extension of time from February 24 to October 25, 1942, within which to complete this job. They attributed their failure to complete the project within the specified time limit to adverse weather conditions and to war-time conditions which made it difficult to secure necessary emulsified asphalt. The Engineer advised that the reasons given by the contractor for failure to complete this job on time are correct, and that he personally asked the contractor to defer the placing of the final seal coat until later in the year, so as to allow time to repair certain broken sections that were rushed through to completion under adverse conditions. He further stated that the traveling public was not inconvenienced to any great extent by the delay; neither has the state incurred any extra expense for engineering supervision. He recommended that the extension of time requested be granted without penalty. The Commission approved the recommendation.

Parker-Schram Company, contract No. 2567, for grading and paving the Airbase-Columbia Bottom Road Section of the Portland Airbase East Access Road, in Multnomah County, requested an extension of time from May 15, 1942, to October 25, 1942, within which to complete this job. They attributed their failure to complete the project within the specified time limit to unfavorable weather conditions and to difficulties in securing emulsified asphalt, because of war-time conditions. The Engineer advised that the reasons given by the contractor for failure to complete the project within the specified time limit are correct, and that the delay was not caused by any reason of negligence on the part of the contractor. He recommended, in view of the circumstances, that the extension of time requested be granted without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

The Engineer reported that contracts Nos. 2366, 2396, 2412, 2446, 2451, 2467, 2491, 2500, 2508, 2510, 2520, 2522, 2526, 2542, 2549, 2554, and 2567, for construction of state highway projects, have been completed according to the terms of the contracts or modifications thereof, and that said jobs are now ready for acceptance. The following resolution accepting the above projects was offered and was adopted by the unanimous vote of the Commission:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and

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provisions of the contracts and said jobs are now ready for acceptance:

Contract No. 2366, with Roy L. Houck, for grading and paving on the Rice Hill-Turkey Hill Section of the Pacific Highway, in Douglas County. Completed September 9, 1942.

Contract No. 2396, with Roy L. Houck, for grading and paving on the Scappoose-Multnomah County Line Section of the Columbia River Highway, in Columbia County. Completed September 26, 1942.

Contract No. 2412, with Frank Penepacker, for grading on the South Unit, Algoma-Terminal City Section of The Dalles-California Highway, in Klamath County. Completed September 14, 1942.

Contract No. 2446, with Leonard & Slate, for grading and bituminous macadam surfacing on the Dixie Summit Section of the John Day Highway, in Grant County. Completed September 12, 1942.

Contract No. 2451, with A. Milne, for grading, surfacing and oiling and construction of two bridges on the Long Creek-Fox Section of the Pendleton-John Day Highway, in Grant County. Completed August 19, 1942.

Contract No. 2467, with Leonard & Slate, for grading, surfacing and bituminous macadam on the Canyon Creek-Bryant Hill Section of the Santiam Highway, in Linn County. Completed October 15, 1942.

Contract No. 2491, with Frank Penepacker, for grading the Grave Creek-Jumpoff Joe Creek Section of the Pacific Highway, in Josephine County. Completed September 12, 1942.

Contract No. 2500, with E. L. Gates, for grading and topping the Meadow Brook Section of the Starkey Secondary Highway, in Union County. Completed October 3, 1942.

Contract No. 2508, with Jud Beardsley, for repairs to the Vista House, on the Columbia River Highway, in Multnomah County. Completed October 26, 1942.

Contract No. 2510, with Porter W. Yett, for grading, surfacing and oiling on the West Unit, Shaniko-Cow Canyon Section of the Sherman Highway, in Wasco County. Completed September 26, 1942.

Contract No. 2520, with A. S. Wallace, for the Pendleton-Meacham Rock Production Project on the Old Oregon Trail Highway, in Umatilla County. Completed October 14, 1942.

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Contract No. 2522, with F. R. Hewett, for surfacing and oiling on the Condon-Morrow County Line Section of the Wasco-Heppner Secondary Highway, in Gilliam County. Completed September 10, 1942.

Contract No. 2526, with A. T. Dolan, for the Wren Rock Production Project, on the Corvallis-Newport Highway and Kings Valley Secondary Highway, in Benton County. Completed June 22, 1942.

Contract No. 2542, with C. J. Montag & Sons, for grading and paving on the Illahee-Steiner Hill Section of the Pacific Highway East, in Marion County. Completed October 31, 1942.

Contract No. 2549, with Strong and Macdonald, Inc., for railroad roadbed construction on the Eugene-Judkins Point Section of the Pacific Highway, in Lane County. Completed September 10, 1942.

Contract No. 2554, with Parker-Schram Co., for paving on the Sun Dial Highway Section of the Sun Dial Secondary Highway, in Multnomah County. Completed October 25, 1942.

Contract No. 2567, with Parker-Schram Co., for grading and paving on the Air Base-Columbia Bottom Road Section of the Portland Air Base East Access Road, in Multnomah County. Completed October 25, 1942.

THEREFORE, BE IT RESOLVED that the work covered by said state highway contracts for the construction of said state highway projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

The Commission set Thursday, January 14, 1943, as the date for its next regular meeting for the receiving of bids. Such meeting is to be held in Portland, and the Secretary was instructed to make the usual arrangements to hold this meeting in the auditorium of the Public Service Building.

The Commission considered and signed agreements, et cetera, as follows:

Agreement with the University of Oregon with respect to the construction of an oil service line to the campus.

Agreement with Max J. Kuney terminating his contract for construction of the Warm Springs River-Mill Creek Section of the Warm Springs Highway, in Wasco County.

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Agreement with the Loritan Investment Company relative to the use by the company of a portion of the Oregon Coast Highway right of way south of Marshfield.

Agreement with the Bennett Trust Company and L. J. Simpson relative to the acquisition of Shore Acres property south of Empire.

Agreement with John V. O'Mara covering the maintenance of drainage facilities in connection with the Roseburg-Shady Point Section of the Pacific Highway, in Douglas County.

Agreement with the Union County Sportsman's Club covering the use by the club of a portion of the property recently acquired from the State Game Commission.

Agreement with the Oregon Physicians' Service covering the furnishing of medical and hospital services to state highway department employees.

Agreement with Jackson County relative to the maintenance of the Evans Creek-Sams Valley Access Road.

Agreement with Jackson County relative to the maintenance of the Tolo-Camp White Access Road.

Agreement with The Standard Oil Company of California with respect to the remodeling of its facilities due to highway construction between Marshfield and North Bend.

Agreement with the City of Cornelius providing for the improvement of certain city streets that are not on state highway routes.

Acceptance of easement from the United States of America pertaining to the construction of a sewer line and a power line across government property adjacent to the Pacific Highway East between Portland and Milwaukie.

There being no further business to come before the Commission at this time the meeting was adjourned at 5:00 p. m.

State Highway Engineer

Chairman

Secretary

Commissioner

Commissioner

Portland, Oregon, January 13, 1943

The State Highway Commission met in regular session at 8:00 p. m. in Room 515 (Imperial Room), Imperial Hotel. Present were:

Henry F. Cabell, Chairman
Herman Oliver, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

Commissioner Huron W. Clough was excused from attending this meeting.

The Engineer brought up for discussion matters pertaining to a slide condition that exists along the Oregon Coast Highway near its junction with the road approach to Tongue Point Naval Base, a short distance east of Astoria. It appears that the highway embankment was constructed on an unstable foundation, and that ground movements resulting therefrom have seriously endangered several residence buildings situate in Block 21 of Alderbrook Addition to Astoria, said buildings being owned by the following parties: Mr. Labiske, Mr. Beckner, Mary Kiiski, Eino O. Jarvinen, and Mr. McGraw. The Engineer advised that investigations reveal that the highway fill is responsible for existing conditions which indicates that the state is liable for damage that has occurred. He suggested that further liability could be avoided if the state either purchased the properties affected or paid for the damage that has already occurred. He recommended the former, in view of the probabilities that additional damage will occur before final correction can be made of the slide condition, which would eventually cost the state considerably more than if the properties were purchased. The matter was discussed at considerable length and as a result thereof the Commission authorized the Attorney to secure options for the purchase of the properties involved and to report the same to the Commission along with an estimate of cost to settle with the owners by the payment of damages.

The Commission discussed briefly the following matters which are to be presented by delegations on the following day:

Request of Hon. Charles Childs, Albany, for construction by the state of a service roadway along the Pacific Highway East, opposite Waverley Lake, Albany:- The Engineer explained that Mr. Childs wants a service roadway along the full length of his holdings, which front on the highway for about a quarter of a mile, to take the place of numerous private driveways. He exhibited a map showing the proposed improvement and gave as his thought that such roadway would be of considerable advantage to the state if Mr. Childs would relinquish his right of access to the highway, except at the north and south ends of his property. He estimated that the improvement would cost about \$3,500, and that it would cost the state approximately \$1,750 to construct its portion of the separate driveways, if the service roadway were not built. After discussion the Commission decided to construct this roadway provided Mr. Childs will pay one-half of the cost involved and will relinquish his right of access to

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the highway, except at points approved by the Engineer. Such information is to be conveyed to Mr. Childs when he appears.

Improvements requested by E. L. Gray and the Polk County Court on the Independence-Wells County Road and on the Suver Road:-The Engineer advised that the improvement requested on the Independence-Wells County Road consists of flattening a couple of sharp turns and realignment of about three-quarters of a mile near the Benton-Polk County line, and that the county court is asking that this work be done in connection with the state's maintenance of the road. He further stated that this is a desirable improvement but the possibilities of undertaking it are very remote, due to governmental regulations; in fact he has tried on several occasions to secure approval of the governmental authorities, but to date has been unsuccessful therein. As to the Suver Road improvement, he advised that this matter raises a question of providing an outlet for the people and timber products in the Pedee District of Polk County, several solutions for which have been offered, including the improvement of the present McTimmonds Valley Road which extends northerly from Pedee, improvement of the Suver Road and construction of an extension thereof from Airlie to Pedee, and the use of the existing logging railroad for the transportation of logs. He estimated the cost to temporarily repair the McTimmonds Road at \$50,000, and recommended against the expenditure because it would not provide a standard improvement and would in effect be a waste of public funds. He suggested the extension of the railroad by private investment as a means of transporting logs from this district, and the extension of the Suver Road from Airlie to Pedee. The matter was discussed at some length, but no definite action was taken. The Engineer was instructed to invite Mr. C. L. Starr, General Manager of the Valley and Siletz Railroad Company which owns the existing railroad, to be present at the meeting on the following day when this matter is discussed with the delegation.

Request of F. W. Brundage, Western Log and Lumber Administrator, that certain logging interests of Seaside be permitted to obtain rock from the right of way of the Oregon Coast Highway along Short Sand Beach Creek near the Tillamook-Clatsop County line:-The Engineer advised that Mr. Brundage's interest in this matter is simply to help the loggers in the marketing of spruce timber from their holdings adjacent to the highway, the timber being badly needed by the Government for defense purposes and the rock being needed to surface the logging road over which the logs are to be hauled. He recommended the granting of the request, in view of the emergency, provided the state is paid \$0.03 per cubic yard for the material that is taken; and provided further that the loggers will furnish public liability and property damage insurance to cover their operations on the highway and will maintain flagmen to protect highway travel. The Commission approved the recommendation.

The Attorney requested authority to purchase certain parcels of real property that are needed for various highway improvements throughout the state. He submitted a list of such properties, together with offers that he recommended

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be made in connection with each. After careful consideration of each item the Commission approved the request and by unanimous vote adopted the following resolution with respect thereto:

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as herein-after more definitely set forth, and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon, and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed;

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Clackamas County Section, Clackamas-Boring County Road</u>				
10742-Telford, Myrtle I.	Oil Storage Site	1.0	Five-year lease at \$30 per year	Parker
<u>Evans Creek-Sams Valley Access Road</u>				
10724-McConnell, Leon M.	R/W	60-foot right of way-distance of 200 feet, more or less.	Gratis	Witt
10728-Edmiston, Florence E.	"	30-foot right of way -	Gratis	"
10725-Roe, Frederick A. and Wm. R. Wilson	"	60-foot R/W	Gratis, + fencing	"
10721-Atkins, C. N.	"	(3.0 a.	\$75 per acre	"
(Correction)	"	(3.58 a.	\$10 per acre, + \$425	
	"	(6.58	plus fencing	
10723-Coulter, Byron G.	"	13.94	Gratis, plus \$525	"
(Correction)	"		plus fencing	
10694-Messenger, Mabel Scott	"	4.15	Gratis, plus \$100,	"
(Correction)	"		plus fencing	

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Crescent Section, The Dalles-California Highway</u>				
7494-Mann, Willard T. and Howard and Maybelle E. Barnhisel	R/W	1,000 sq.ft.	2¢ sq. ft. (Land Gratis if pavement and sidewalk constructed)	McChesney
10635-Berni, R. E.	"	4,477 "	3.4¢ sq.ft., plus \$50 plus mov. bldgs.	"
7486-Klamath County	"	5,000 "	1¢ sq. ft.	"
7492-Klamath County	"	2,500 "	2¢ sq. ft.	"
10473-Gilbride, Patrick D.	"	1,969 "	2¢ sq. ft. + moving buildings	"
7501-Klamath County	"	2,500 "	2¢ sq. ft.	"
10472-Campbell, Roy C.	"	500 "	Lot 24, Blk. 30, exchanged for Lot 23, Blk. 30, + mov. bldgs. + \$100	"
7483-Bray, Wm. W.	"	11,665 "	Lump Sum - \$200	"
7502-Sandborn, Bertha	"	2,500 "	2¢ sq. ft. + \$150 + moving buildings	"
10746-Holt, George A.	"	4,552 "	1¢ sq. ft.	"
10633-Dahlquist, Lawrence and Anna	"	1,500 "	2¢ sq. ft. - \$30	"
<u>Milton-Washington State Line Section, Oregon-Washington Highway</u>				
10563-Olson, Louis, and WTVSAC	R/W	0.13	\$50 per acre	Cosad
10529-Milton, City of	"	1,980 sq. ft.	Gratis	"
10551-Homan, Edward J.	"	0.51	\$500 per acre + \$226	"
10531-Small, Margaret	"	2,776 sq. ft.	10¢ sq. ft., plus \$150. Also state to convey to grantor 4,368 sq.ft. more or less	"
10542-Reichert, Luella	Slope Easement	1,000 sq.ft.	Gratis	"
10587-Higgins, W. W. and E. A. Waltz	R/W	2.78	\$200 per acre + \$639	Landon
10601-Bitterman, Harry H. and Loretta Jestes	"	0.44	\$100 per acre + \$444.80	"
10604-Fritzler, Philip	"	0.52	\$125 per acre + \$500	"
10581-Mason, Mary E.	"	0.20	\$200 per acre	"
10549-Cheever, Orpha M.	"	8,320 sq.ft.	3¢ sq.ft., + \$455	Cosad
<u>John Day Section, John Day Highway</u>				
9895-Officer, Robert B.	R/W	0.32	\$300 per acre + \$104	Cosad

The Commission discussed and denied an offer from the Oregon Piling Company to purchase timber from state-owned property situate adjacent to the Wolf Creek Highway near Sunset Camp, it being considered by the Commission to

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be advisable to retain this property in its natural state for purposes for which it was originally acquired.

The Attorney requested instructions relative to the payment of damages to a Mr. John Denney for trespass on his property by the state's contractor, M. L. O'Neil & Son, in connection with the construction of the Morrow County Line-Stanfield Section of the Boardman-Stanfield Highway. The Engineer advised that when this project was started Mr. Denney was approached with respect to the purchase of a small parcel of his land which was to be used as a source of surfacing materials, but he refused to make any offer of settlement until he knew how much gravel was to be taken therefrom; further, that during the process of taking gravel from the bed of the Umatilla River the contractor inadvertently encroached on Mr. Denney's property and Mr. Denney now feels that he is entitled to compensation, in view of the fact that the contractor entered upon his property without his permission. He recommended payment of \$50 to Mr. Denney as payment in full of his claim. The Commission approved the recommendation and so ordered.

The Attorney brought up for consideration a number of legislative matters which were discussed by the Commission. The following action was taken thereon:

Bill authorizing issuance of a duplicate check, in the event of loss of an original check:- The Attorney was instructed to prepare the bill and present it to the Legislature which is now in session.

Bill to increase the amount of the Highway Department's revolving fund from \$200,000 to \$350,000:- While the Commission appeared favorably inclined toward such increase, the final decision in the matter was deferred pending further study of the matter. The Attorney was instructed to write the individual members of the Commission explaining in full the necessity for the same.

Freeway bill:- The Commission decided not to introduce this bill at this session of the Legislature; however, instructed the Attorney to watch closely for any legislation with respect to freeway matters that might be presented by other parties.

Proposed bill relative to the dead-ending of city streets which are crossed by new highway improvements:- Action on this matter was deferred pending further study, particularly in view of the apparent difference of opinion between the Commission's Attorney and members of the Supreme Court with respect to the authority that the Highway Commission now has relative to such matters. The Attorney was instructed to discuss the matter personally with Justices Rossman and Brand of the Supreme Court and to advise the Commission the results thereof. He was also instructed to furnish each member of the Commission a copy of the proposed bill.

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Proposed bill establishing a minimum fine to be imposed on log haulers for overloading:- The Commission took this matter under advisement.

Bill to increase the overall length and overall width of vehicles that may be transported over Oregon roads:- The Commission decided not to sponsor any legislation in this regard, but to stand on the statements that were made at the 1941 session of the Legislature. The Attorney was instructed to watch for any bill that might be presented to the Legislature with respect to such matter, with a view to having the same amended to include special provisions that the Commission feels are necessary for the best interests of the state.

Proposed bill with respect to the disposition of the salary or wages of a highway department employee who has died:- The Attorney explained that this bill simply authorizes the payment of such salary or wage check to the next of kin of the deceased employee, which authority does not exist under the present law. The Commission approved the bill and instructed the Attorney to place it before the Legislature.

Proposed amendment to the Eminent Domain Law, with respect to the moving of buildings on property acquired by the state:- The Attorney advised that under the present law the state is obligated to purchase buildings that are affected but not taken by the state in condemnation actions, and that this bill will make the owners responsible for the buildings if the state doesn't want them. The Commission approved the submission of the bill to the Legislature.

Proposed bill permitting the Highway Commission to charge the property owner with benefits, in condemnation actions:- The Commission disapproved such bill.

House Bill No. 4, relating to increase in the salaries to be paid employees of the State Police Department:- The Commission decided not to interfere with this legislation, regardless of the fact that it involves an additional expenditure of state highway funds for policing purposes.

The Commission adjourned at 9:45 p.m. to reconvene the following morning in the Public Service Building.

Portland, Oregon, January 14, 1943

The State Highway Commission reconvened at 9:00 a. m. in the auditorium of the Public Service Building. Present were:

Henry F. Cabell, Chairman
Herman Oliver, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

Commissioner Clough was absent.

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Bids as follows, for highway construction work and for the sale of a residence building at Lampa Creek Landing, near Coquille, in Coos County, were opened and read in conformity with previously published notices, following which Chairman Cabell announced that the awards would be made at 2:00 p.m. in the same room:

BAKER-HOMESTEAD AND HALFWAY HIGHWAYS
RICHLAND-HALFWAY ROCK PRODUCTION

M. C. Lininger & Sons \$26,000.00

OCHOCO HIGHWAY
OCHOCO SUMMIT ROCK PRODUCTION

M. C. Lininger & Sons \$24,750.00

THE DALLES-CALIFORNIA HIGHWAY
CRESCENT ROCK PRODUCTION

No bids received on this project

THE DALLES-CALIFORNIA AND WILLAMETTE HIGHWAYS
CHEMULT ROCK PRODUCTION

M. C. Lininger & Sons \$34,450.00

WILLAMETTE HIGHWAY
TRENT-SALT CREEK FALLS ROCK PRODUCTION

A. H. Saxton & Son \$52,480.00

WALLOWA LAKE HIGHWAY
ROCK CREEK-JOSEPH ROCK PRODUCTION

M. C. Lininger & Sons \$39,400.00

SALE OF RESIDENCE BUILDING NEAR COQUILLE

Gene L. Robison	\$125.00
T. W. Panter	50.00
W. E. Foote	37.50

Honorable Charles Childs, Albany, came before the Commission with regard to the construction of a service road along the right of way of the Pacific Highway East, opposite Waverley Lake at Albany. Mr. Childs stated that he and his associates own considerable property fronting on the highway at this location which they plan to divide into lots and sell for residential purposes. Under ordinary circumstances, he said, the owner of each lot would have right of access to the highway and could construct a driveway approach to the highway, which would mean numerous connections along a quarter-mile frontage. It was his thought that a much better arrangement would be to serve

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all of the lots with a single roadway paralleling the highway and connecting with it at each end, thus eliminating the need for individual driveways and the dangers incident to the use of the same. He further stated that the immediate construction of such service road is not a necessity, although it is necessary that he have a definite understanding with the Commission with respect thereto to pass on to prospective purchasers of his property. He offered to relinquish his right of access to the highway along the full length of his property, except at each end of the service road, and to donate the land that may be required to provide a service roadway of proper width, if the Commission will approve his proposition.

The Engineer advised that the highway right of way at this point is extra wide and could easily accommodate the service road. It was his thought that the road would be of benefit to the state in that it would eliminate the use of numerous private driveway connections to the highway and would provide a freeway past Mr. Childs' property. He estimated the cost of constructing the service road at approximately \$3,500, and the state's share of the cost of constructing the driveways at approximately \$1,750. Chairman Cabell gave as his thought that Mr. Childs' plan is sound. He pointed out, however, that it involves the policy of the Commission and would have considerable bearing on the disposition of similar requests that are received in the future. He pointed out that it has been the practice of the Commission for some time in the acquisition of right of way, to purchase the property owners' right of access to the highway, and gave as his thought that the state should compensate Mr. Childs for such right in this instance, but not to the extent of paying the entire cost of the service road, because it would establish a precedent that undoubtedly would prove very costly to the state. He suggested that the Commission would be willing to construct the road if Mr. Childs would agree to pay 50 per cent of the costs involved. Commissioner Oliver concurred. Mr. Childs reiterated that he would waive right of access to the highway at all points except two, and that he would discuss with his associates the offer made by Chairman Cabell. He repeated that they are not asking for the construction of the service road until the war is over, and in any event not until the War Production Board allows the work to proceed. However, they do want two approaches to the highway constructed this summer. The Commission took such request under advisement.

The matter of maintenance of the service road was also discussed briefly, but no decision was reached relative thereto.

The Engineer brought up for discussion the matter of realigning the Upper Columbia River Highway at the entrance to Bonneville. He advised that within the last few days the Bonneville Hotel, which is located at the entrance to the Bonneville reservation, burned to the ground and in his estimation it would be advisable to acquire the right of way for the permanent location of the highway now before the hotel is rebuilt. He requested authority for the Right of Way Department to negotiate options for the same. The Commission approved the request.

The Secretary presented an offer from Mr. Fred Domogalla to pay \$30.00 for an old rock crusher that has been used in the highway department

laboratory for many years. The Engineer advised that this crusher is not of much value and is now in storage, having been replaced with a new one; in fact is carried on the Highway Department's records at a valuation of only \$5.00. He recommended acceptance of Mr. Domogalla's offer, in the event that inquiry reveals that the crusher cannot be used to advantage by the State Mining Board. He was instructed to contact Mr. Nixon of such Board relative thereto, and to turn the crusher over to him if he wants it. In the event the State Mining Board doesn't want the crusher, then the Engineer is authorized to accept Mr. Domogalla's offer, if he is unable to secure a better one.

A letter was presented from Mr. E. W. Elliott, general contractor, Seattle, inquiring whether or not the Highway Commission would be willing to sell to him the six-ton Buffalo Springfield tandem roller which he is now renting from the state. The Engineer advised that the roller can be used to good advantage by the Highway Department and recommended against the sale of the same. The Commission approved the recommendation.

The Commission discussed a petition from Mrs. Martha Redmond and others requesting the construction of a stairway leading from the Pacific Highway West to the top of the highway cut in front of Mrs. Redmond's tavern, near the Taylors Ferry Road intersection, in Southwest Portland. The Engineer advised that inspection of the premises reveals that Mrs. Redmond's tavern fronts on a short section of the old Taylors Ferry Road that was cut off by the new highway, and that it is now excellently served by roadway facilities which provide ingress to and egress from her property in both directions. He further stated that if the stairway were constructed for the convenience of Mrs. Redmond's patrons it would encourage the parking of cars on the highway at the foot of the steps, and would create a traffic hazard; also, that, if automobiles were not parked on the highway at the foot of the steps, the probabilities are that they would park across the highway, which consists of four traffic lanes at this point, and people would then have to walk across this heavily-traveled thoroughfare in order to gain access to the stairway. He recommended, in view of the circumstances, that the petition be denied. The Commission approved the recommendation.

The Commission discussed briefly the Engineer's report on the request of contractor Homer G. Johnson for additional compensation, in connection with his contract No. 2390 for construction of the Siletz-Toledo Section of the Siletz Secondary Highway, in Lincoln County, but deferred a decision thereon until the next meeting.

The Commission also discussed briefly, and ordered filed, a number of arrest reports furnished by the Department of State Police, with respect to overload violations committed by truck haulers in the transportation of gravel over the Oregon Coast Highway from Seaside to the Astoria Airport.

The Secretary presented a report on the violations that have been committed by carriers who are operating under emergency wartime permits. He

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was instructed by the Commission to continue the present practice of bringing these violations to the attention of the owners of the equipment.

The Commission had under discussion a resolution adopted by the Association of Oregon Counties, with respect to proposed legislation to increase the length and weight of motor vehicles which operate on public roads of this state. The association goes on record as being opposed to such increase. The Engineer was instructed to watch for this bill, and to see that it is properly amended, if necessary, to meet state highway requirements.

The Engineer reported the award of the following contracts, bids for which were received by the Commission at its meeting on December 18, 1942, the conditions of the awards having been satisfied:

Tolo-Camp White Access Road Project, in Jackson County. Awarded on December 28, 1942, to Tru-Mix Concrete Company, Medford, the only bidder.

Southwest Boardman Flight Strip Project, in Morrow County. Awarded on December 31, 1942, to E. C. Hall Company and J. C. Compton, Eugene and McMinnville, the low bidders.

Evans Creek-Sams Valley Access Road Project, in Jackson County. Awarded on January 4, 1943, to Tru-Mix Concrete Company, Medford, the only bidder.

The Commission confirmed the awards.

The Secretary presented an invoice from the American Association of State Highway Officials, for payment of 1943 dues of the State of Oregon in such Association, amounting to \$450. The Commission approved the payment.

The Commission discussed a mimeographed communication from the Headquarters, Western Defense Command and Fourth Army, containing rules to be followed by newspapers in the dissemination of information concerning weather conditions and condition of highways. In view of this communication and the fact that very little tourist travel is anticipated for the duration, the Commission decided to discontinue the publication of its weekly road condition report, and so ordered. Due to the fact that this communication was not an official order from General John L. DeWitt, Commanding General, Western Defense Command and Fourth Army, the Commission decided not to discontinue its daily radio reports on road conditions or the typewritten transcript of such reports which is prepared for limited use.

Consideration was given by the Commission to the purchase from the Southern Pacific Company of property that is needed in connection with the

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improvement of the Oregon Coast Highway between Marshfield and North Bend. It appears that when negotiations were started with the Southern Pacific Company with respect to this improvement it was not known that the company owned certain lots that were needed by the state and as a result no mention was made of such property in the agreement between the state and the company with respect to re-establishing the company's facilities. The Engineer presented a map showing the parcels of land in question. He recommended, in view of the fact that the right-of-way negotiations were supposedly complete a long time ago, that the acquisition of the additional property be made a matter of an entirely separate agreement and that the company be paid for this property as a separate transaction. The Attorney advised that the company is asking \$2,400 for its property. He gave as his thought that the company should deed the lots to the state without charge, in view of the fact that the Highway Commission is deeding to the company without charge property which cost the state \$6,000. The matter was discussed at some length and as a result it was decided to discuss it with the railroad officials. The Engineer was thereupon instructed to arrange for a conference at which Chairman Cabell and the other members of the Commission are to be present, if possible.

The Commission adopted the following resolution with respect to the contracting of access roads and other defense projects in accordance with the decision reached by the Commission at the previous meeting; however, the Engineer was instructed not to take bids as authorized therein without first securing telephonic approval from the individual members of the Commission:

WHEREAS, with respect to advertising for bids for highway construction projects the Commission's established policy and procedure requires that it call for competitive bids by publishing in a newspaper or newspapers having an established general circulation; and

WHEREAS, as a part of national defense the Commission is frequently called upon by the Federal Government or by agencies of the United States of America to assume responsibility for the letting of contracts for the construction of access roads and other defense projects; and

WHEREAS, in such matters time is a controlling element or factor, thereby making conformance with the Commission's established policy with respect to advertising for bids quite difficult; and

WHEREAS, it is the judgment of the Commission that during the emergency and for the purpose of making possible more efficient and effective cooperation between the State and the Federal Government a policy should be adopted and applied to United States defense emergency jobs whether they be promoted for the United States alone or by the State as a State contribution to national defense;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by this Commission, all members being present and participating as follows:

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1. The Commission does hereby declare that an emergency exists necessitating the adoption of a policy and practice with respect to the construction of defense projects which will permit a more expeditious award of contracts in connection therewith.

2. That with respect to defense projects in connection with which time is a controlling factor the Commission's established policy and practice of advertising for bids shall be dispensed with and instead the call or invitation for competitive bids shall be made by sending all necessary information through the United States mails to such of the Commission's list of qualified bidders as in the opinion of the Commission might be interested in and qualified to bid on such project.

3. That in such invitation or call for bids the Commission shall fix the date when and the place where such bids will be received and in fixing the time the Commission shall be influenced by the necessities and request of the Federal Government.

4. That this policy, practice and procedure shall be in effect for the duration of the war and for six months thereafter unless rescinded or amended by the Commission.

5. This resolution shall be entered in the minutes and records of the Commission and a duly certified copy thereof delivered to William H. Lynch, District Engineer, Public Roads Administration.

The Commission considered and denied as a matter of policy a request from A. C. Barlo, Portland, to construct and maintain a wooden bus-stop shelter on the right of way of the Hillsdale-Beaverton Highway at Glencullen.

The Commission confirmed its action taken on November 6, 1941, with respect to the width of right of way that is to be acquired for the proposed improvement of the Oregon Coast Highway through the town of Gold Beach, Curry County, which action specifies an 80-foot width right of way under certain conditions. (See minutes of November 6, 1941)

Reconsideration was given by the Commission to a request of the County Court of Marion County that the state assume the maintenance of the North Santiam Highway between Niagara and Detroit, which section is now classified as a county road. The Commission decided not to place this section on the secondary highway system or to perform the maintenance work on the same; however, agreed to reimburse the county for the full cost of such maintenance work if the county will furnish the equipment and do the work with county forces. Such arrangement is to be in effect for the duration of the war and for a period of six months thereafter.

A letter was presented from Sister M. Genevieve, Superintendent of McAuley Hospital, Marshfield, in which the Commission was asked to authorize

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the highway department maintenance crew to oil certain driveways on the hospital grounds because local contractors are not equipped to do the work. The Engineer read aloud his letter of January 8, 1943, in reply thereto, in which he stated reasons why the Commission could not perform this work. The Commission approved the letter and thereupon denied the request. (See details in letter in general files.)

The Commission discussed a letter from Roy L. Wilson of the Warm Springs Lumber Company, Warm Springs, Oregon, requesting the surfacing of a four-mile section of the Warm Springs Highway north of Warm Springs Agency to facilitate the transportation of logs to their mill at Warm Springs. The Engineer advised that the section of highway referred to has been graded to state standards but has not been surfaced. He recommended that the request be denied in view of the cost involved and the fact that the Commission does not have funds to spare for this purpose. The Commission approved the recommendation; however, instructed the Engineer to inform Mr. Wilson that the Commission will offer no objections to the company placing a temporary surface on the road at its own expense.

A delegation from Polk County, consisting of County Commissioners Fred Gibson and H. H. Brant, County Engineer Edward Himes, and Mr. E. L. Gray, came before the Commission in the interests of the Independence-Granger County Road and of the Suver-Airlie County Road. They asked for the elimination of several sharp turns on the Independence-Granger Road, two of which are about one and one-half miles south of Independence and the others about three miles north of the Polk-Benton County line, on what is known as Davidson Hill. The Engineer advised that army officials at Camp Adair also have requested these improvements and in response thereto he has twice recommended the project to the Public Roads Administration for federal access moneys but in each instance approval was denied, so under the circumstances it does not appear that the project can go forward because governmental priority regulations preclude the construction work as a state-financed project. The state, he said, is limited in its expenditure to maintenance work. Chairman Cabell confirmed the Engineer's statements and advised that in view of the situation the State Highway Department can do nothing more than maintain the present road.

As to the delegation's request for the improvement of the Suver Road, the Engineer advised that, while the project has merit and the road is needed, it does not appear to be an obligation of the state; but, on the other hand, is rather an obligation of the Army in view of the fact that the road is within the borders of Camp Adair and is used principally by military equipment. Mr. Gray advised that he has been given to understand that the Army would cooperate in the maintenance work. He also suggested that the road be extended from Airlie to Pedee in order to secure full value of the road. There followed a general discussion which was concluded by a statement by the Engineer that he would consult with Colonel McCoy, who has charge of Camp Adair, with respect to the securing of Army cooperation to maintain the road.

Mr. Gray also asked the Commission to reconsider the matter of constructing a new bridge over the Willamette River at Independence, so as to

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make available for public use in emergencies an alternate route between Independence and Salem. The Commission took no action on this matter.

The Engineer reported a request from the City of Tillamook that it be authorized by the Commission to perform certain maintenance work on city streets, at state expense. He recalled that the Commission has budgeted for 1943 the sum of \$150,000 to pay the cost of maintaining certain heavy-traffic city streets that are not on state highway routes, and advised that there is a question whether or not it will be possible to perform all of the work that has been programmed for this year's construction due to lack of equipment and shortage of manpower caused by wartime conditions. He gave as his thought that it would be advisable to let the cities perform the work with city forces, if they are equipped to do it, with the understanding that the state will reimburse them later for the expense involved, such arrangement to be effective for the duration only. The Commission approved the suggestion and ordered that the arrangements with the cities be covered by written agreement.

A letter was presented from County Judge David F. Graham, Malheur County, in which the Commission was asked to deed back to Malheur County a 10-acre tract that the state acquired as a gravel pit, being situate in the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 25, T. 17 S., R. 44 E., W. M., so that the county can fulfill an agreement with another party who purchased the balance of this subdivision. The Engineer advised that the tract is valuable to the Highway Department for use in connection with the surfacing of highways in this vicinity and recommended that the tract be retained by the state for this purpose. The Commission approved the recommendation, and accordingly denied the request.

The Commission also considered a letter from Judge Graham, requesting that the state deed back to Malheur County a two-acre tract situate in the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 7, T. 18 S., R. 47 E., W. M., to enable the county to complete the sale of the remaining portion of this subdivision to another party. The Engineer advised that this two-acre tract was acquired as a site upon which to stock pile maintenance materials, in fact a contract has been awarded for the stock-piling of maintenance materials in that vicinity and it is planned to utilize this site in connection therewith. He recommended that the request be denied. The Commission approved the recommendation.

The Attorney requested instructions relative to the payment of rental on certain property that the Commission is acquiring from the Southern Pacific Company at Central Point. (See right-of-way file No. 10136.) He explained that the Commission leased this property from the company for a certain period of time, but later decided to purchase it outright and, notwithstanding the purchase agreement, the company demands the full amount of the rentals until the deed has been signed and delivered to the state, which in effect is a duplicate charge. The amount involved, he said, is small, and his only reason for bringing it to the attention of the Commission is because it involves a matter of principle. The Commission decided, in view of the small amount involved, to continue the payment of the monthly rentals until such time as the deed is delivered to the state.

The Commission approved a resolution from the County Court of Klamath County with respect to the abandonment by the state of a section of The Dalles-California Highway between Terminal City and Algoma, which section is no longer of value for state purposes, in view of the fact that the highway has been reconstructed on other alignment.

The Attorney reported briefly the status of negotiations with the Army authorities and the United States Department of Justice, relative to the disposition of a state-owned stock-pile site which is located within the borders of Camp White Army Cantonment, in Jackson County. The Commission took no action on this matter.

The Attorney brought up for discussion matters pertaining to the acquisition of the proposed 1400-acre state park at Floras Lake, in Curry County. He advised that examination of the abstract of title covering this property reveals some discrepancies which, while minor in character, should be clarified if the state buys the property. This could be accomplished easily, he said, by a suit of equity to quiet the title. He pointed out that the property is to be sold by the county sheriff on February 26, 1943, for delinquent taxes, and suggested the filing of condemnation proceedings in the meantime in order to protect the state's interest, pending final decision by the Commission whether or not to purchase the property, it being his understanding that there are other parties who are desirous of acquiring this land and who would not hesitate to purchase it if given the opportunity. The commencement of condemnation proceedings, he said, would protect the state's interests until such time as the Commission makes its final decision with respect to the purchase of the property. In view of this report the Commission authorized condemnation of the property. The following resolution in regard thereto was thereupon adopted:

WHEREAS, by virtue of the laws of the State of Oregon, the State Highway Commission is authorized and empowered to acquire land or ground necessary for the development, maintenance, and operation of parks, parking places, automobile camps, camp sites, public squares, recreational grounds or resorts, and land for the preservation of trees or timber growing thereon; and

WHEREAS, said Highway Commission is authorized to acquire by purchase, agreement, donation, or by the exercise of the power of eminent domain real property, or any interest therein, necessary or deemed by the Highway Commission necessary for said purposes; and

WHEREAS, in the judgment and opinion of the State Highway Commission it will be for the convenience and is for the best interests of the general public that there be acquired for public purposes, to wit: for the purpose of developing and maintaining a park, recreational ground and/or resort, and for the purpose of

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preserving the timber growing thereon, the following described parcels of land, to wit:

Property of the Blacklock Sandstone Company,
a California corporation

All of Lot 10 and Lot 9 of Section 17 except the north 5 acres of Lot 9 described as follows: Commencing at a stake near Floras Lake at the northeast corner of Lot 9, Section 17, Township 31 South, Range 15 West; thence West 7.43 chains; thence South 7 chains; thence East 7 chains; thence North $3^{\circ} 45'$ East 7.01 chains to beginning, containing 5 acres; also excepting all minerals and right of way.

All of Lots 1, 2, and 3 and the east half of the southeast quarter of Section 18, Township 31 South, Range 15 West, W. M.; all of the west half of the northeast quarter and the southeast quarter of the northwest quarter; and all of Lots 1, 2, and 3, and the east half of the southwest quarter, and the southeast quarter of Section 19, Township 31 South, Range 15 West, W. M.

All of the west half of the east half and the east half of the west half, and all of Lots 1, 2, and 3 of Section 30, except 3 acres described as follows: A portion of the northwest quarter of the northwest quarter of said Section 30 and described in deed recorded in Book 4, Page 539, of Curry County Deed Records; all in Township 31 South, Range 15 West, W. M.

Also, all of the northwest quarter of the northeast quarter and the northeast quarter of the northwest quarter and Lot 1 of Section 31, Township 31 South, Range 15 West, W. M.

Also, all of Lots 1 and 2 of Section 24, Township 31 South, Range 16 West, W. M.

Also, all of Lots 3, 4, and 2 of Section 25 except as follows: Beginning 20 chains north of the southeast corner of Section 25, Township 31 South, Range 16 West, being the southeast corner of Lot 2; thence North 11.95 chains; thence West 25.40 chains; thence South 28° West 13.58 chains; thence East 31 chains, to beginning, containing 33.75 acres of land, all in Section 25, Township 31 South, Range 16 West, W. M.

Also, tide lands fronting Lots 1 and 2 of Section 19, Township 31 South, Range 15 West, and Lots 1 and 2 of Section 24, Township 31 South, Range 16 West, W. M., in Curry County, Oregon, containing 18.46 acres of land, more or less.

The above described parcels contain a total of 1397.91 acres, more or less.

NOW, THEREFORE, BE IT RESOLVED that the said parcels or tracts of land be and the same hereby are declared by this resolution to be necessary for the purposes herein stated; and

BE IT FURTHER RESOLVED that title to the said parcels or tracts of land be acquired by the State of Oregon, by and through its State Highway Commission, for the above specified public use and purpose.

BE IT FURTHER RESOLVED that the best interests and convenience of the general public require that title to the said tracts or parcels of real property be acquired for the purpose of developing and maintaining the same for a park, recreational ground or public resort and for the purpose of preserving the timber growing thereon, and for the further purpose of making said parcels of land available for the use and enjoyment of the general public.

BE IT FURTHER RESOLVED that J. M. Devers, Attorney for the State Highway Commission, be and he hereby is requested to negotiate further with the owner, or owners, of said property and endeavor to acquire said property by agreement, and, in the event that said property cannot be acquired by agreement, then the said J. M. Devers, Attorney for the State Highway Commission, is hereby requested to institute and prosecute such condemnation proceeding or other suit or action as may be necessary to acquire the said real property.

BE IT FURTHER RESOLVED that in such suit, action, or procedure as may be prosecuted for the acquisition of said real property provision be made whereby title in fee simple shall be acquired in the name of the State of Oregon, by and through its State Highway Commission.

The Attorney discussed with the Commission a settlement with Frank A. Moore for right of way needed for the Pacific Highway, in Eugene. After discussion the Commission approved the settlement and thereupon signed an agreement with Mr. Moore covering the transaction.

The Commission discussed briefly and ordered filed a letter, dated December 22, 1942, from B. F. Howard to Mr. George K. Aiken, Executive Secretary to Governor Sprague, with respect to the Smithfield-Franklin controversy, concerning the maintenance of road signs along the Territorial Secondary Highway south of Cheshire, in Lane County.

The Secretary presented a letter from the Russell Towboat and Moorage Company, agent for the United States Maritime Commission, requesting approval of the substitution of United States Maritime Commission for Oregon

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Shipbuilding Corporation, as permittee, under Ordinance No. 77921 of the City of Portland. The Commission offered no objections to such substitution of names provided the change is approved by the Portland City Council. The Secretary was instructed to so inform the Russell Towboat and Moorage Company and the City Council.

The Commission discussed a letter from the Walter Butler Company, contractors for the construction of the Naval Training Station at Lake Pend Oreille, Idaho, requesting renegotiation for the readjustment of rentals that the company is paying for equipment leased from the Oregon State Highway Commission; also requesting transfer of title of the equipment to the United States Government and the application of a portion of the rentals already paid for the use of the equipment toward the purchase price thereof. The company advises that the Navy Department has placed this matter upon a patriotic plane and considers that it is the duty of the Highway Commission to let the Government have this equipment or to refund a fair portion of the rentals already paid for the same, because it feels that the state has received full value of the equipment. After considerable discussion the Commission denied the request and instructed the Engineer to inform the company that the Highway Department needs this equipment and that it should be returned to this department in the event the company no longer needs it; further, that the Commission made this equipment available to the company simply as an accommodation, in order to cooperate in the war effort, and that it did not set the rental rate but simply charged the rate that was set by the Office of Price Administration, to which the company agreed in writing. However, if the rate now being charged is incorrect, the Commission is willing to adjust it to the proper amount, but is unwilling to make any further concession.

The Engineer presented a list of surveys that he has ordered since the last meeting of the Commission and asked the Commission to confirm them and the amounts allocated for each. After due consideration the Commission authorized and instructed the Engineer to make such surveys on various sections of the highways of this state, which said sections of highways, together with their identifying survey numbers and the amounts authorized and allocated for such survey expenditures, are as follows:

Type of Survey	Prefix No.	County	Section and Highway	Authorization
Reconn.	4-1466	Clatsop	Lewis & Clark Bridge-Camp Clatsop Sec., Oregon Coast Hwy.	1st - \$ 900
Reconn.	4-1422	Crook	Prineville-Sage Hollow Sec., Crooked River Highway	1st - \$1,250
Reconn.	107-1421	Crook	Prineville-Post Section, Paulina Highway	1st - \$1,250
Cinder Pit	118-1465	Klamath	Rocky Point-Wocus Marsh Sec., Klamath Lake Highway	1st - \$ 50

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Type of Survey	Prefix No.	County	Section and Highway	Authorization
Plans	26-1464	Multnomah	West End Steel Bridge-Ankeny Street Sec., Pacific Hwy. West	1st - \$1,000
Plans	26-1455	Multnomah	Parkrose-Troutdale Section, Columbia River Highway	2nd - \$1,500 Total to date \$4,500
Slide	29-1440	Tillamook	Wheeler-Brighton Section, Oregon Coast Highway	1st - \$ 195
R/W	29-1441	Tillamook	State Park-Neahkahnie Mountain Section, Oregon Coast Highway	1st - \$ 115
R/W	22-1456	Linn	Albany-Millersburg Section, Pacific Highway East	1st - \$ 150
Plans	127-1423	Polk	Camp Adair Access Roads, Dallas-Kings Valley and Kings Valley Secondary Highways	1st - \$9,800

The Commission considered the following requests for extensions of time within which to complete highway construction projects:

Roy L. Houck, contract No. 2382, for grading and paving the North Marshfield and Marshfield-Bunker Hill Sections of the Oregon Coast Highway, in Coos County, requested an extension of time, from August 31, 1941, to October 5, 1942, within which to complete this job. He gave the following reasons for failure to complete the project within the specified time limit: a portion of the right of way was not cleared for construction until October 20, 1941, which delayed oiling work until the season of 1942; failure of Warren Northwest, Inc., to undertake their subcontract for the oiling work because of defense contracts that they had under way which necessitated completion of the work by the state's oiling crew; also adverse weather and wartime conditions further delayed construction, it being difficult to secure delivery of the necessary materials and to hire competent labor. The Engineer advised that bids were received for this project on October 11, 1940, and that Mr. Houck commenced operations on January 13, 1941. He further stated that the contract stipulated that all of the buildings would be removed from the right of way by July 1, 1941; however, the right of way was not entirely cleared of such obstructions until October 20, 1941, when the Union Oil Company moved the last of its oil pipe lines. This delay, he said, made it necessary for the contractor to shift his forces from one part of the job to another, slowing down the progress of the work. The principal reason for Mr. Houck's failure to complete the job within the specified time limit, he said, was Mr. Houck's difficulties with

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labor, the Labor Unions maintaining a picket on the job all of the time that work was under way because Mr. Houck refused to enter into an agreement with the Unions with respect to labor matters. On account of this trouble, he added, the United States Employment Service refused to assign men to the job and Mr. Houck was unable to find many good men to carry on the work. As a further result of Union troubles, he said, the gravel producers in the Coos Bay area refused to furnish Mr. Houck with concrete aggregates, which forced him to ship them from Eugene. Mr. Houck's statements as to difficulties in securing deliveries of material, he said, are correct. He recommended, in view of the circumstances, that the extension of time requested by Mr. Houck be granted without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

M. L. O'Neil & Son, contract No. 2442, for grading and topping the Morrow County Line-Stanfield Section of the Boardman-Stanfield Highway, in Umatilla County, requested an extension of time, from April 30 to September 16, 1942, within which to complete this job. They attributed their failure to complete the project within the specified time to adverse weather conditions and to the noncompletion of the bridge over the Umatilla River, which was being built under separate contract, it being necessary for them to haul certain excavation material over this bridge, as provided for in the contract. The Engineer advised that the contract was awarded on March 27, 1941, and that the contractor commenced operations soon thereafter but could not carry them to conclusion because the Umatilla River Bridge, which was being built under another contract, was in an uncompleted state, there having been delays in connection with that project because of material priorities. M. L. O'Neil & Son, he said, were allowed to suspend their operations and move their equipment from the job, pending completion of the bridge structure. They resumed operation in 1942, but could not complete the job within the specified time limit because of wartime conditions which made it difficult for them to secure competent help and repair parts for their equipment. He recommended in view of the circumstances that the extension of time requested be granted without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

E. C. Hall Company, contract No. 2471, for grading and paving the Eugene Overcrossing-Seventh Avenue Section of the Pacific Highway, in Lane County, requested an extension of time, from October 31, 1941, to November 10, 1942, within which to complete this job. No reason was given for failure to complete the project within the specified time limit. The Engineer advised that this contract was awarded on May 21, 1941, and that the contractor started operations on May 26 of the same year, but the work was not carried to a conclusion in the specified time limit because the contractor had in progress at the same time construction of the Eugene and Corvallis Airports, and he was unable to secure sufficient grading equipment

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to carry on all of the jobs simultaneously. The airport projects, he said, are defense projects; hence had priority over the highway work. He recommended in view of the reasons for the contractor's delay, that the extension of time requested be granted without penalty. The Commission approved the recommendation.

C. J. Montag & Sons, contract No. 2489, for construction of the Umatilla River Overcrossing on the Boardman-Stanfield Highway, in Umatilla County, requested an extension of time, from April 15, to December 17, 1942, within which to complete this job. They attributed their failure to complete the project within the specified time limit to shortage of steel which made it necessary for them to close down their operations from January to August of 1942. The Engineer advised that the reason given by the contractor for failure to complete the project within the specified time limit is correct. He recommended in view thereof that the extension of time requested be granted without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

Jacobsen-Jensen Company, contract No. 2532, for grading, surfacing and oiling the South Hermiston Section of the Old Oregon Trail Highway, in Umatilla County, requested an extension of time, from June 30 to November 14, 1942, within which to complete this job. It alleged that the principal reason for failure to complete the project within the specified time limit was its inability to release equipment and personnel from another contract that it had under way at the Umatilla Ordnance Depot, and difficulties in securing road oil. The Engineer advised that the reasons given by the contractor for overrunning the specified time limit are substantially correct. He recommended in view of the circumstances and the fact that the contractor's work at the Ordnance Depot was a war emergency project that the extension of time requested be granted without penalty. The Commission approved the recommendation.

F. R. Hewett, contract No. 2560, for surfacing and construction of bituminous macadam on the Boardman-Stanfield Section of the Boardman-Stanfield Highway, in Morrow and Umatilla Counties, requested an extension of time, from September 30 to December 12, 1942, within which to complete this job. He attributed his failure to complete the project within the specified time limit to the following: unseasonable late rains which held up oiling operations for three weeks on a contract that he held in the state of Washington, so it was not possible for him to send his equipment to the Oregon job until late in June; necessity to complete the construction of the Condon-Morrow County Line Project on the Wasco-Heppner Secondary Highway; difficulties in securing competent labor; accidents which occurred to two oiling superintendents on the job; and adverse weather conditions after October 27, 1942. The Engineer advised that the principal causes that contributed to the delay in completing this project within the specified time limit were lateness

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in starting the oiling work; poorly organized oiling crews; delays incident to grading operations; and alterations of design. The contractor, he said, commenced the production of rock for this project early in the spring and had he been able to start oiling operations in May he could have completed the job within the specified time limit; however, for reasons given by him, he was not able to start the oiling work as early as was anticipated. The contractor's statements with respect to the completion of state projects near Condon and Hermiston, he said, are correct as are also his statements with respect to difficulties in securing labor, the fact being that he was unable to obtain and keep competent men on the job because of the government work at the Umatilla Ordnance Depot. He recommended in view of the circumstances that the extension of time requested be granted without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

F. R. Hewett, contract No. 2563, for construction of the Umatilla Ordnance Depot Undercrossing structure and approach road, in Umatilla County, requested an extension of time, from June 30 to December 12, 1942, within which to complete this job. He gave the following reasons for failure to complete the project within the specified time limit: suspension of work on the undercrossing by order of the Engineer until structural steel had been shipped from the rolling mill; instructions from the Resident Engineer to finish the oiling on the Boardman-Stanfield Project before oiling the approaches to the undercrossing structure; bad weather conditions; difficulties in securing experienced carpenters and other labor; and increased quantities of work to be done. The Engineer advised that he ordered the contractor to stop the excavation for the abutments of the undercrossing because the operation required the detouring of the Union Pacific Railroad Company's main line over a shoofly track, and it did not seem advisable to do the abutment excavation work until it was definitely certain that the structural steel needed for the job would be delivered. This delay, he said, interfered with oiling operations, so that such work was not done until adverse weather was encountered. He recommended in view of the circumstances that the extension of time requested be granted without penalty. A letter from the Public Roads Administration concurring therein was presented. The Commission approved the recommendation.

J. F. Johnston, contract No. 2577, for widening of bridges on the Lewisburg-Corvallis Section of the Pacific Highway West, in Benton County, requested an extension of time, from August 15 to October 9, 1942, within which to complete this job. He attributed his failure to complete the project within the specified time limit to shortage of labor and inability to obtain necessary materials when needed. The Engineer advised that the reasons given by the contractor for failure to complete the job within the specified time limit are correct. He recommended in view thereof that the

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extension of time requested be granted without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

Tower Sales & Erecting Company, contract No. 2584, for construction of the Going Street Overcrossing on the Swan Island Access Road, in Multnomah County, requested an extension of time, from September 15 to December 17, 1942, within which to complete this job. It alleged that the overrun of time limit was due to delays in receiving necessary materials and to a change in the plans which required additional excavation and concrete. The Engineer advised that the reasons given by the contractor for failure to complete the project within the specified time limit are correct. He recommended that the extension of time requested be granted without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

The Engineer reported that contracts Nos. 2332, 2442, 2471, 2489, 2532, 2560, 2563, 2577 and 2584, for construction of state highway projects, have been completed according to the terms of the contracts or modifications thereof, and that said jobs are now ready for acceptance. The following resolution accepting the above contracts was offered and was adopted by the unanimous vote of the Commission:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts and said jobs are now ready for acceptance:

Contract No. 2382, with Roy L. Houck, for grading and paving the North Marshfield and Marshfield-Bunker Hill Sections of the Oregon Coast Highway, in Coos County. Completed October 5, 1942.

Contract No. 2442, with M. L. O'Neil & Son, for grading and tapping the Morrow County Line-Stanfield Section of the Boardman-Stanfield Highway, in Umatilla County. Completed September 16, 1942.

Contract No. 2471, with E. C. Hall Company, for grading and paving the Eugene Overcrossing-Seventh Avenue Section of the Pacific Highway, in Lane County. Completed November 10, 1942.

Contract No. 2489, with C. J. Montag & Sons, for construction of the Umatilla River Overcrossing and other structures near Stanfield, on the Boardman-Stanfield Highway, in Umatilla County. Completed December 17, 1942.

Contract No. 2532, with Jacobsen-Jensen Company, for grading, surfacing and oiling on the South Hermiston Section

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of the Old Oregon Trail Highway, in Umatilla County. Completed November 14, 1942.

Contract No. 2560, with F. R. Hewett, for surfacing and bituminous macadam surfacing on the Boardman-Stanfield Section of the Boardman-Stanfield Highway, in Morrow and Umatilla Counties. Completed December 12, 1942.

Contract No. 2563, with F. R. Hewett, for construction of the Umatilla Ordnance Depot Undercrossing, in Umatilla County. Completed December 12, 1942.

Contract No. 2577, with J. F. Johnston, for widening three bridges on the Lewisburg-Corvallis Section of the Pacific Highway West, in Benton County. Completed October 9, 1942.

Contract No. 2584, with Tower Sales & Erecting Company, for construction of the Going Street Overcrossing on Northeast Going Street in Portland, Multnomah County. Completed December 17, 1942.

THEREFORE, BE IT RESOLVED that the work covered by said state highway contracts for the construction of said state highway projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

The Commission discussed the date for its next meeting for the receiving of bids for highway construction work and decided to hold such meeting in Portland on Thursday, February 18, 1943. The Secretary was instructed to make the usual arrangements to hold such meeting in the auditorium of the Public Service Building.

The Commission adjourned at 12:00 noon and reconvened at 2:00 p. m. in the same room with the same persons present and participating.

Chairman Cabell announced the following awards of contracts and sale of residence property, bids for which were taken at the morning session, such awards having previously been approved by the Commission by unanimous vote:

"Richland-Halfway Rock Production Project on the Baker-Homestead and Halfway Highways, in Baker County. M. C. Lininger & Sons, Medford, submitted the only bid for this project in the amount of \$26,000.00. The Commission awards this contract to M. C. Lininger & Sons at their bid of \$26,000.00.

"Ochoco Summit Rock Production Project on the Ochoco Highway, in Crook and Wheeler Counties. The only bid received for this project

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at of M. C. Lininger & Sons, Medford, at \$24,750.00. The Commission rejects this bid.

"Crescent Rock Production Project on The Dalles-California Highway, in Klamath County. No bids were received for this project.

"Chemult Rock Production Project on The Dalles-California and Willamette Highways, in Klamath County. M. C. Lininger & Sons, Medford, submitted the only bid for this project in the amount of \$34,450.00. The Commission rejects this bid.

"Trent-Salt Creek Falls Rock Production Project on the Willamette Highway, in Lane County. A. H. Saxton & Son, Corvallis, submitted the only bid for this project in the amount of \$52,480.00. The Commission awards this contract to A. H. Saxton & Son at their bid of \$52,480.00.

"Rock Creek-Joseph Rock Production Project on the Wallowa Lake Highway, in Wallowa County. M. C. Lininger & Sons, Medford, submitted the only bid for this project in the amount of \$39,400.00. The Commission awards this contract to M. C. Lininger & Sons at their bid of \$39,400.00.

Sale of residence building at Lampa Creek Landing, Coos County:

"Three bids were received for this building, the high one being that of Gene F. Robison, Coquille, at \$125.00. The second high bid was submitted by T. W. Panter, Bandon, at \$50.00. The Commission considers the offer of Mr. Robison satisfactory and accordingly sells the building to him for \$125.00."

Messrs. F. D. Macpherson, representing the Western Log and Lumber Administrator, and A. F. Koppisch of the D. & K. Logging Company, Astoria, came before the Commission in regard to the securing of rock from the right of way of the Oregon Coast Highway along Short Sand Beach Creek, near the Clatsop-Tillamook County line, for use in connection with the surfacing of a logging road extending from the highway to the company's timber. Mr. Macpherson was spokesman. He advised that the War Production Board is particularly interested in this matter because the Government is extremely anxious to secure the spruce timber that the company is cutting. He gave as his understanding that the company needs about 4,000 cubic yards of rock to surface its road, and urged the Commission to take favorable action on the request as a war emergency measure, because it is absolutely necessary that the timber be gotten out and this is the only available source of supply of rock. The Engineer inquired whether or not the company would be willing to protect the general public and the state by maintenance of flagmen on the highway during the quarrying operations, furnishing of public liability and property damage insurance, and by furnishing of a bond to guarantee the cost of repairing damage that may occur to the highway by reason of the operations; also, whether or not the company would be willing to pay \$0.03 per cubic yard for the material taken.

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Mr. Koppisch stated his willingness to pay for the material at the rate mentioned and to comply with the Commission's requirements in every other respect, if granted this privilege. After further discussion the Commission approved the request subject to the conditions mentioned by the Engineer, Chairman Cabell having explained in the meantime that the granting of such privilege by the Commission is contrary to its established policy, but the Commission is willing to stretch a point in this particular instance because of the emergency. The Attorney was instructed to prepare an appropriate form of agreement covering the matter.

At the conclusion of this discussion Mr. J. O. Mulligan, logging contractor, Seaside, and his attorney, Mr. J. F. Hadler, Portland, conferred with the Commission relative to obtaining a similar yardage of rock from the same source for the surfacing of Mr. Mulligan's logging road. Messrs. Macpherson and Koppisch were asked to sit in on the discussion. Mr. Mulligan stated that he would comply with all of the requirements of the State Highway Commission, if granted this privilege, and that he would cooperate fully with Mr. Koppisch in the quarrying of the rock so as to eliminate any possibility of friction between the two operators. Mr. Koppisch offered no objections to Mr. Mulligan's use of the quarry, and agreed to cooperate with him. Mr. Macpherson urged the granting of the request and agreed to send the Commission a confirming letter. As a result of further discussion the Commission unanimously approved the taking of the additional yardage from this location by Mr. Mulligan, and it was mutually agreed among all parties that the matter should be covered by a joint agreement between both parties and the Commission.

The Engineer suggested, due to the fact that there is a question as to the exact amount of yardage that is to be taken from this site, and in order to eliminate expense of checking the rock as it is removed, that it would be advisable to set a maximum of 10,000 cubic yards, and that the operators pay a flat sum of \$300 for such privilege, with the understanding that if more than 10,000 cubic yards are taken, then a check will be made to determine the exact quantity and the additional amount to be paid. Mr. Koppisch and Mr. Mulligan both agreed to such arrangement and it was so ordered by the Commission.

Messrs. George Barnes and Sam Lockwood, of the Spaulding Logging Company, came before the Commission in regard to the improvement of the McTimmonds county road, in Polk County, to facilitate the truck hauling of logs, from timber holdings near the town of Pedee, to Independence. Other interested parties present were: Messrs. C. L. Starr, representing the Valley and Siletz Railroad Company; Fred Gibson and H. H. Brant, County Commissioners of Polk County; E. L. Gray of Independence; and Floyd J. Cook, Executive Secretary of the Highway Traffic Advisory Committee. Mr. Barnes pointed out that the road over which their logs are now being transported lies partially within the boundaries of Camp Adair and that the Army authorities will not allow their trucks to pass through the cantonment, except between 12:00 noon and 1:00 p. m., and after 5:00 p. m., and at those times only loaded trucks are passed through, it being necessary for the empty trucks to return to Pedee by way of the McTimmonds road, which is in very poor condition and entirely

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unsatisfactory for their use. He asked the Commission to improve the McTimmonds Road so that it would be suitable for loaded trucks as well as for empty trucks, thus avoiding use of the road through the cantonment.

The Engineer estimated that it would cost about \$50,000 annually to provide a temporary improvement and to maintain the road for log hauling. It was his thought that the expenditure is unwarranted in view of the temporary nature of the work. He gave as his opinion that the expenditure would be a waste of funds and that the road would still be a dangerous one for general public use because it still would be narrow and would contain numerous sharp pitches where sight distance would be extremely short. He suggested that the proper solution of this problem would be for the company to arrange for the transportation of its logs over the Valley and Siletz railroad which extends into that district, and recommended that the Commission do not improve the McTimmonds Road as requested. Chairman Cabell advised that the Commission's finances will not permit an expenditure of such large sum of money for such improvement. Furthermore, the Highway Department does not have the men and equipment to spare in view of wartime conditions. He pointed out that the Federal Government controls the construction activities of the State Highway Department to a very large extent and that it is practically impossible to undertake a project without governmental approval. He concurred with the Engineer that the proper solution would probably be the use of the railroad, advising, however, that the Highway Commission has no control over the railroad, although the availability of the railroad would have some influence on the Commission's decision with respect to the road improvement. He confirmed the Engineer's statement that there appears to be no justification for the improvement of the McTimmonds Road.

Mr. Barnes replied that it is not only a matter of providing transportation for the logs, because they might be able to arrange for the use of the railroad, but it also involves the transportation of their men, as the company is obliged to pick up the men at their homes and furnish them transportation to and from the woods. Mr. Lockwood also pointed out that the company has no facilities for the dumping of logs at Independence, and that it would cost the company about \$10,000 to provide such facilities; furthermore, it would take about three months' time to furnish them. The Engineer pointed out that the Commission is now endeavoring to secure federal funds with which to finance the construction of a new road between Airlie and Pedee, surveys for which are now under way. If the Government approves such project, he said the Commission would immediately advertise the project for bids, but in any event the road would not be available for use until fall, and in addition thereto the Commission still has the problem of improving the present road from Suver to Airlie.

After further discussion the conference was concluded by a statement from Chairman Cabell to the effect that the Highway Commission can see no justification for an expenditure to improve the McTimmonds Road for temporary use but will do all that it possibly can to secure governmental approval for the construction of the Airlie-Pedee Road, although its efforts in that regard may be handicapped by the fact that the railroad is available for the transportation of logs from that district.

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The Commission discussed a letter from Mr. Herman O. Sites, District Manager, Office of Defense Transportation, inquiring as to the possibilities of obtaining additional information from the Highway Department with respect to overweight violations committed by log haulers. The Engineer advised that a report is now being sent to Mr. Sites each month, giving certain information regarding such violations but it appears that the report does not contain all of the information that Mr. Sites desires and he is asking that the Highway Department's weighmasters show in their daily reports the total number of wheels on the equipment, tire sizes, and the gross loads involved. To furnish such additional information, he said, would require the employment of five additional weighmasters which would cost the state approximately \$10,000 annually. He pointed out that under present conditions it is extremely difficult to hire men who are competent to do this work and anyway, he said, such information should be available to Mr. Sites from the Office of Price Administration, inasmuch as it is his understanding that such agency has perfected an organization to obtain such information. He recommended that the request be denied for reasons stated. After discussion the Commission approved the recommendation and instructed the Engineer to explain to Mr. Sites the reasons that motivated the Commission's action.

The Engineer reported receipt of an inquiry from the Public Roads Administration whether or not the state would contribute funds toward the cost of realigning a short section of the Oregon Coast Highway near Astoria to accommodate a proposed extension of a runway at the Astoria Airport. He advised that the survey for the project is estimated to cost \$5,000, right of way \$20,000, and construction \$300,000, or a total of \$325,000, and that the state is being asked to pay 25 per cent of this expense. Mr. W. H. Lynch, District Engineer, Public Roads Administration, who was present, advised that the request is being made in behalf of the United States Navy Department. The Commission took no definite action on the matter, although it indicated that it would not approve such expenditure in view of the fact that the highway improvement is of no benefit to the state, but on the other hand would introduce extremely bad curvature in the highway alignment.

The Commission had under discussion a resolution from the Hood River City Council in which the Commission is asked to approve the installation of traffic signs at numerous city street intersections. The Attorney advised that undoubtedly this resolution is presented to the Commission for approval under the provisions of Section 115-310, O.C.L.A., which law provides that the State Highway Commission shall have general supervision with respect to the erection by local authorities of official traffic signs and signals for the purpose of obtaining uniformity as to type and location of such facilities throughout the state. The Engineer advised that investigation reveals that there is justification for most of the signs. He recommended approval of the city's request provided the city will furnish a type of sign which meets the approval of the Commission and will erect them in satisfactory locations. The Commission approved the recommendation and instructed the Engineer to notify the city of the action taken, and to point out to the city the locations concerning which there is doubt whether or not the signs are justified. The following resolution with respect to this matter was adopted by the Commission:

WHEREAS, the City of Hood River has by resolution duly and regularly adopted authorized the installation and maintenance of certain traffic control signals on certain specified streets in said city; and

WHEREAS, the City has, pursuant to the provisions of Section 115-310 and the provisions of Section 115-351, O. C. L. A., requested the Highway Commission to approve said locations and provide the specific type and design of the particular traffic signals to be erected and maintained; and

WHEREAS, the streets and street intersections where it is proposed by the City to erect and maintain traffic signals as disclosed in said resolution are as follows:

One on the south side of Columbia Street, near its intersection with Industrial Street.

One on the east side of Fourth Street, near the south side of Columbia Street.

One on the east side of Sixth Street, near the south side of Industrial Street.

Two on Sixth Street, one on the east side of Sixth Street, near the south line of Columbia Street, and one on the west side of Sixth Street near the north line of Columbia Street.

Two on Sixth Street, one on the east side of Sixth Street, near the south line of Cascade Avenue, and one on the west side of Sixth Street near the north line of Cascade Avenue.

Two on Sixth Street, one on the east side of Sixth Street near the south line of State Street, and one on the west side of Sixth Street near the north line of State Street.

Two on Sherman Avenue, one on the south side of Sherman Avenue, near the west line of Sixth Street, and one on the north side of Sherman Avenue, near the east line of Sixth Street.

One on the north side of Hazel Avenue near the east side of Serpentine Street.

Two on Eugene Street, one on the north side of Eugene Street near the east side of Serpentine, one on the south side of Eugene Street near the west side of Fourth Street.

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Two on Montello Avenue, one on the south side of Montello Avenue, near the west side of Fourth Street, and one on the north side of Montello Avenue, near the east line of Fourth Street.

Two on Prospect Avenue, one on the south side of Prospect Avenue, near the west line of Fourth Street, and one on the north line of Prospect Avenue, near the east line of Fourth Street.

Two on June Street, one on the south side of June Street near the west line of Fourth Street, and one on the north line of June Street near the east line of Fourth Street.

Two on May Street, one on the south side of May Street near the west line of Fourth Street, and one on the north side of May Street near the east line of Fourth Street.

One on the north side of Pine Street near the east side of Fourth Street.

One on the south side of Sherman Avenue near the west side of Seventeenth Street.

One on the east side of Eighteenth Street near the south side of May Street.

Two on First Street, one on the east side of First Street, near the Union Pacific Railroad right of way crossing, and one on the west side of First Street near the north line of the Union Pacific Railroad right of way crossing.

One on the east side of the road leading to Jaymar Mill near the south side of the Union Pacific right of way crossing.

AND WHEREAS, it is the judgment of the Highway Commission that there should be authorized by the Commission, in so far as it has authority so to do, the erection and maintenance of traffic control signals of the type, design and specifications and at the locations hereinafter in this resolution particularly set out.

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the Highway Commission, as follows:

1. That the City of Hood River may cause to be erected and thereafter maintained by the City, without expense to the State, traffic control signals at the following points, places or street intersections:

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1. One at the intersection of Columbia and Industrial Streets designating Columbia Street on the west as a stop street.
2. One at the intersection of Fourth and Columbia Streets designating Fourth Street on the south as a stop street.
3. One at the intersection of Sixth and Railroad Streets designating Sixth Street on the south as a stop street.
4. Two at the intersection of Sixth and Columbia Streets designating Sixth Street on the north and south as a stop street.
5. Two at the intersection of Sixth and Cascade Streets designating Sixth Street on the north and south as a stop street.
6. Two at the intersection of Sixth and State Streets designating Sixth Street on the north and south as a stop street.
7. Two at the intersection of Sixth and Sherman Streets designating Sherman Street on the east and west as a stop street.
8. One at the intersection of Hazel and Serpentine Streets designating Hazel Street on the east as a stop street.
9. One at the intersection of Eugene and Serpentine Streets designating Eugene Street on the east as a stop street.
- 9a. One at the intersection of Fourth and Eugene Streets designating Eugene Street on the west as a stop street.
10. Two at the intersection of Fourth and Montello Streets designating Montello Street on the east and west as a stop street.
11. Two at the intersection of Fourth and Prospect Streets designating Prospect Street on the east and west as a stop street.
12. Two at the intersection of Fourth and June Streets designating June Street on the east and west as a stop street.

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13. Two at the intersection of Fourth and May Streets designating May Street on the east and west as a stop street.

14. One at the intersection of Fourth and Pine Streets designating Pine Street on the east as a stop street.

15. One at the intersection of Seventeenth and Sherman Streets designating Sherman Street on the west as a stop street.

16. One at the intersection of Eighteenth Street and County Road designating Eighteenth Street on the south as a stop street.

17. Two at the intersection of First Street and the Union Pacific right of way designating First Street on the north and south as a stop street.

18. One at the intersection of the road leading to Jaymar Mill and the Union Pacific right of way designating the road leading to Jaymar Mill on the south as a stop street.

2. That there is attached hereto, marked Exhibit A and by this reference made a part hereof, a table showing the type and design of traffic control signal which shall be used and employed by the City and which shall be erected and maintained at the respective locations shown on said Exhibit A.

3. That there is attached hereto a set of white prints, consisting of four sheets, marked Exhibits B, C, D, and E, which exhibits are by this reference made a part of this resolution and which said exhibits are to supplement Exhibit A and together with Exhibit A are intended to disclose the type and location of the particular traffic signals authorized and provided for by this resolution.*

4. That such traffic signals as may be erected and thereafter maintained by the City within the meaning and purpose of this resolution shall be at the expense of the City and without cost to the State.

5. That this resolution be entered in the minutes and records of the Commission and a duly certified copy thereof delivered to the municipal authorities of the City of Hood River.

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EXHIBIT ATABLE SHOWING DESIGN TYPES APPROVED
FOR CITY STREETS IN HOOD RIVER

<u>Location No.</u>	<u>Location</u>	<u>No. Units Req'd.</u>	<u>Design Type No.</u>
1.	South side Columbia St., near Industrial	1 -	Standard Sign OW-2A-18"
2.	East side Fourth St., near Columbia	1 -	"
3.	East side Sixth St., near Industrial	1 -	"
4.	East and West sides Sixth St., near Columbia	2 -	"
5.	East and West sides Sixth St., near Cascade Ave.	2 -	"
6.	East and West sides Sixth St., near State Street	2 -	"
7.	North and South sides Sherman Ave., near Sixth St.	2 -	Standard Sign OW-3A-18"
8.	North side Hazel Ave., near Serpentine St.	1 -	"
9.	North side Eugene St., near Serpentine St.	1 -	"
9a.	South side Eugene St., near Fourth St.	1 -	"
10.	North and South sides Montello St., near Fourth St.	2 -	"
11.	North and South sides Prospect St., near Fourth St.	2 -	"
12.	North and South sides June St., near Fourth St.	2 -	"
13.	North and South sides May St., near Fourth St.	2 -	"
14.	North side of Pine near Fourth St.	1 -	"
15.	South side Sherman Ave., near Seventeenth	1 -	Standard Sign OW-2A-18"
16.	East side 18th St., near May	1 -	"
17.	East and West sides First St., near Union Pacific crossing	2 -	Standard OW-8AR-30"
		2 -	Standard OC-46A-30" ^{1/}
18.	East side of road leading to Jay-mar Mill near Union Pacific crossing	1 -	Standard Sign OW-8AR-30"
		1 -	Standard Sign OC-46A-30" ^{1/}

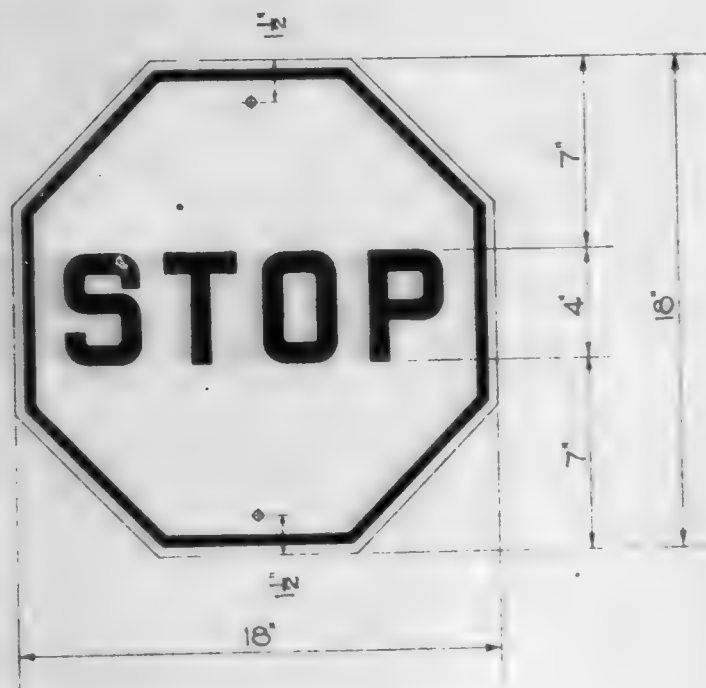
^{1/} Number of tracks indicated on sign to conform to field conditions.
(See Exhibit E, Standard Sign OC-46A-30").

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OREGON STATE HIGHWAY DEPARTMENT
STANDARD SIGN NO. OW-2A-18"

(4'-D)



Federal yellow field, black letters.
 3" Black border, 3" from edge.
 8" Holes as shown.
 Sign No. OW-2AR reflectorized with
 42 No. 5 Crystal buttons in "STOP"

Scale: 2"=1'-0"

TRAFFIC ENG. DEPT.
Mar. 1938



Paint: Federal yellow field, black letters.

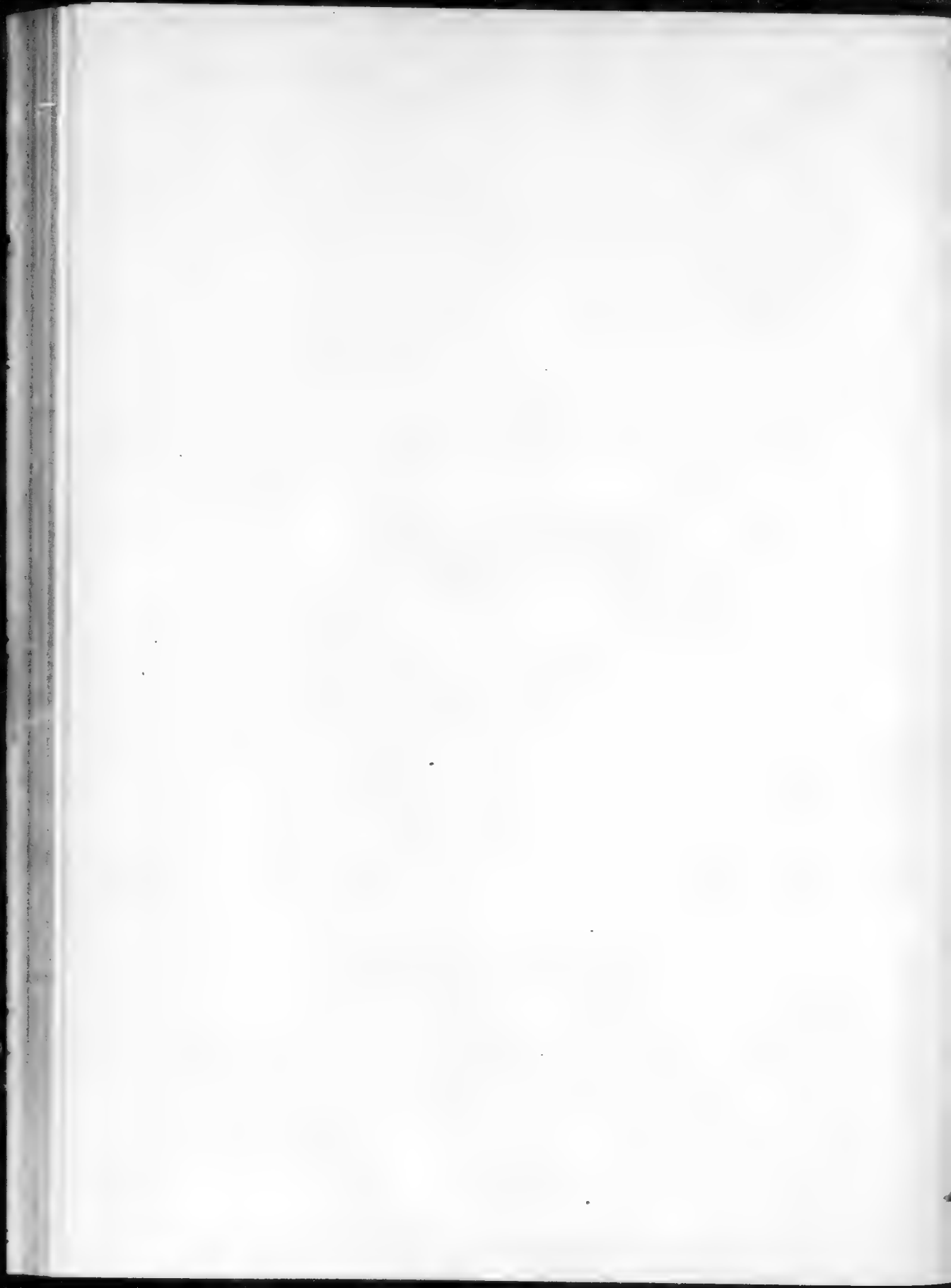
$\frac{3}{8}$ " Black border $\frac{3}{8}$ " from edge

Holes as shown.

Sign No. OW-2BR reflectorized with
42 No. 5 Crystal buttons in 'STOP' only.

TRAFFIC ENG. DEPT.
Feb. 1938

Scale : 2"=1'-0"



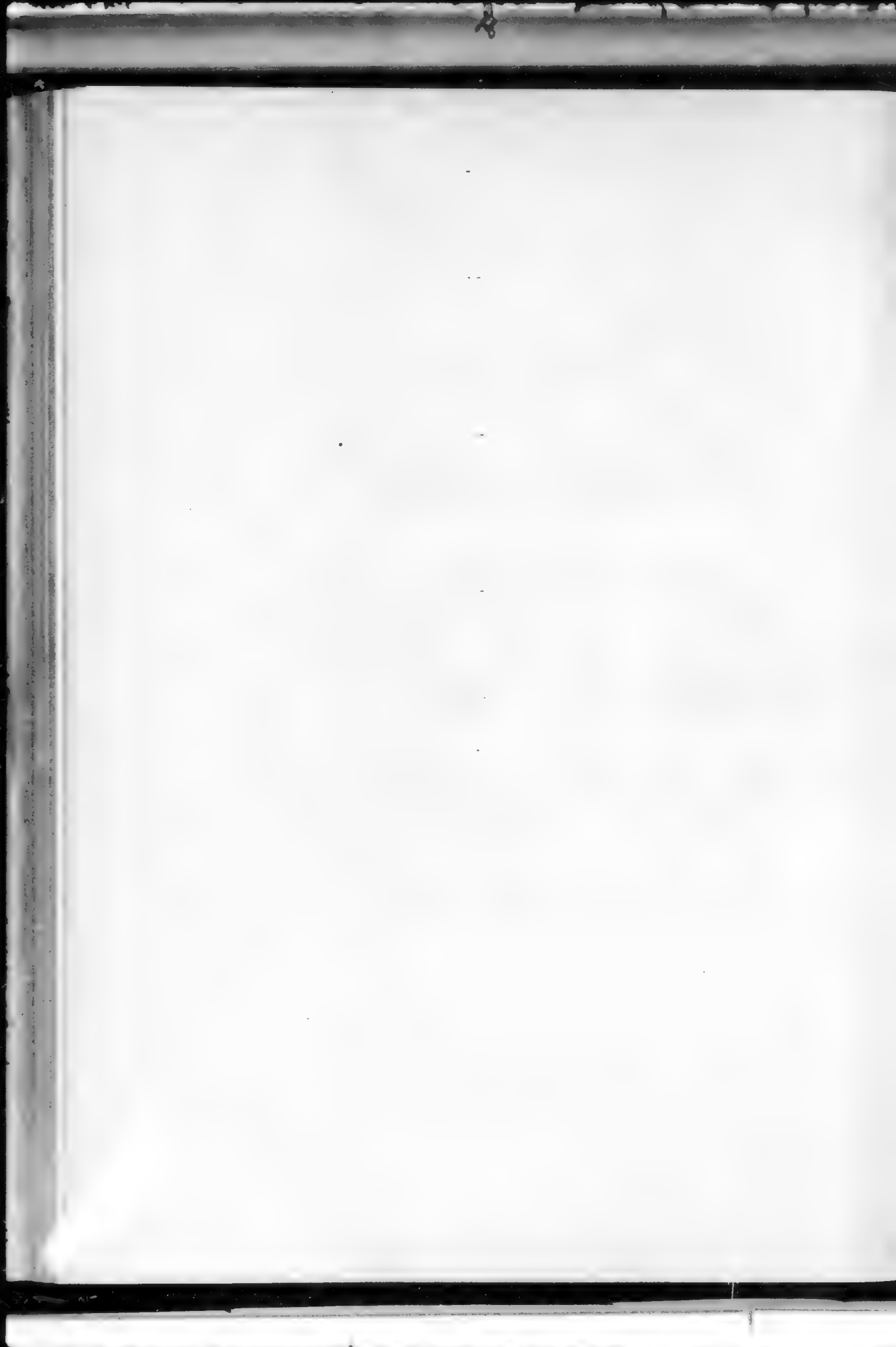
OREGON STATE HIGHWAY DEPARTMENT
STANDARD SIGN NO. OW-8AR-30"



Federal yellow field, black letters
 5/8" Black border, 3/8" from edge
 3/8" Holes drilled as shown
 Sign No. OW-8AR-30" reflectorized with
 50 No. 1 crystal buttons in "STOP" only

Scale: 2"=1'-0"

TRAFFIC ENG. DIV.
Aug. 1942



OREGON STATE HIGHWAY DEPARTMENT
STANDARD SIGN NO. OC-46A-30"



White field, black letters
 $\frac{3}{8}$ " Black border $\frac{3}{8}$ " from edge
 $\frac{3}{8}$ " Holes drilled as shown.

TRAFFIC ENG. DIV.
 Apr. 1940

Scale: 2" = 1'-0"

The Commission discussed a request from the Hines Lumber Company, Hines, Oregon, for the erection of stop signs at five street intersections on the Pendleton-John Day Highway, in the town of Seneca. Commissioner Oliver advised that there is justification in this request, because the business houses in Seneca are located on the opposite side of the highway from the residential district. He recommended approval of the request, at least in so far as it pertains to the highway within the city limits of this town. Chairman Cabell concurred, and the Engineer was thereupon instructed to erect the signs. The following resolution designating the Pendleton-John Day Highway a stop highway through the town of Seneca was thereupon adopted by the Commission by unanimous vote:

WHEREAS, the John Day-Burns Highway through the unincorporated town of Seneca is a state highway and therefore a part of the state highway system; and

WHEREAS, said highway through said town carries a large volume of traffic, both local traffic and through traffic; and

WHEREAS, in the judgment of the Commission said section of said John Day-Burns Highway should be designated as a main-travelled or through highway;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the Commission, a majority of the members being present and voting affirmatively as follows:

1. That the section or portion of the John Day-Burns Highway through the town of Seneca be and the same hereby is designated as and declared to be a main-travelled or through highway.

2. That the Highway Engineer be and he hereby is instructed to place or cause to be placed along said highway at all points where streets or roads intersect or enter said highway between mile post 24.10 and mile post 24.60 signs or markers notifying drivers of vehicles to stop before entering or crossing said highway.

3. That the Engineer is further instructed to place such signs or markers as nearly as practicable at the place or places where said cross or intersecting roads or streets meet a prolongation of the nearest property line of such through highway, and such signs so placed and installed shall indicate and designate to drivers of motor vehicles entering said through highway from any of said cross or intersecting roads the place where the stop shall be made.

4. This resolution shall be entered in the minutes and records of the Commission as of the fourteenth day of January, 1943, and a duly certified copy thereof delivered to the Public Roads Administration and a copy to the County Court of Grant County.

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In this connection the Attorney pointed out that a search of the records discloses that there are a number of highways that the Commission has not formally designated "through highways," requiring traffic from side roads to stop before entering the same. He said that such information is valuable in connection with law suits arising out of highway accidents, and suggested, in view thereof, that the Commission take official action with respect to such roads by adopting appropriate resolutions making them "through highways." The Commission approved the suggestion and instructed the Engineer to furnish the Attorney with a list of the highways to be so covered.

The Commission discussed a request from the City of Tillamook for the installation of traffic signals at the intersection of Second Avenue East and Third Street, in Tillamook. The Engineer advised that this matter has been investigated and the report indicates that the installation is justified. He estimated the cost of the installation at approximately \$200 and recommended approval of the request. The Commission approved the recommendation.

The Commission considered and signed agreements, et cetera, as follows:

Agreement with Clatsop County and the Cities of Warrenton and Hammond with respect to the maintenance of the Fort Stevens-Camp Clatsop Road and the Delaura Beach Road, for the duration.

Agreement with I. J. and Nora M. Rossman covering lease of a maintenance headquarters site at Florence.

Agreements with the following cities covering improvement of city streets not on state highway routes: Beaverton, McMinnville, Gaston, Gresham, Newberg, Independence, and Stayton.

Agreement with E. C. Hall Company and J. C. Compton with respect to their contract for construction of the Morrow County Flight Strip Project.

Agreement with Frank A. Moore and wife relative to the acquisition of right of way which is needed for the improvement of the Pacific Highway south of Eugene.

Quitclaim deed conveying unto the United States of America 8.64 acres of land situate in Sections 19 and 20, T. 36 S., R. 1 W., W.M., Jackson County, and being within the borders of Camp White Army Cantonment.

There being no further business to come before the Commission at this time the meeting was adjourned at 3:30 p. m.


State Highway Engineer


Secretary

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Chairman


Commissioner

Portland, Oregon, February 17, 1943

The State Highway Commission met in regular session at 8:30 p. m. in room 515 (Imperial Room) Imperial Hotel. Present were:

Henry F. Cabell, Chairman
Huron W. Clough, Commissioner
Herman Oliver, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

The Commission discussed real property matters and in connection therewith the Assistant Attorney presented a list of properties that are needed in connection with various highway improvements throughout the state. After careful consideration of each item the Commission authorized acquisition of the several parcels at the prices recommended by the Assistant Attorney. Mr. T. M. Davis, Senior Highway Engineer, Public Roads Administration, who was present, approved the prices to be paid for the parcels in which the Federal Government is particularly interested. The following resolution with respect to such purchases was thereupon adopted by the Commission by unanimous vote.

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth, and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon, and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Tongue Point Section, Columbia River Highway</u>				
9136A-Astoria, City of	R/W	20,000 sq.ft.	GRATIS	Benson

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>South Beach-Beaver Creek Section, Oregon Coast Highway</u>				
6796-Rice, Thomas	R/W	0.05	GRATIS	Witt
6792-Lincoln County	"	2,430 sq.ft.	GRATIS	"
6793-Lincoln County	"	3,848 "	GRATIS	"
<u>Neah-Linnic Road</u>				
7937A-Reed, Beulah K.	Park R/W	2.22	GRATIS	Boardman
<u>Fishers Point-Manzanita Junction Section, Oregon Coast Highway</u>				
9025-Beard, Henry C. and Marguerite Ballheim	R/W	6,059 sq.ft.	4¢ sq. ft.	Benson
9026-Beard, Henry C.	"	5,000 "	4¢ sq. ft. + \$400	"
9024-Brauti, Erling	"	10,128 "	(Approx. 3¢ sq.ft.)	"
			LUMP SUM - \$350	
9027-Flexner, Aimee	"	11,890 "	LUMP SUM - \$175	"
<u>Union-Denver Avenue Intersection, Pacific Highway</u>				
10615-Molinavi, Tony	R/W	0.096	(Approx. \$1,000 per acre) LUMP SUM \$100	Parker
<u>Interstate Avenue-Steel Bridge Section, Front Ave. Proj., Portland, Pacific Hwy.</u>				
10142-Senn, Percie E.	R/W	2,552 sq.ft.	\$3,000	McCallister
10160-Anderson, Per August	"	5,000 "	\$3,000	"
10141-Law, Fred N.	"	2,561 "	\$3,000	"
<u>Brooks-Hubbard Section, Pacific Highway</u>				
979-Harper, John S.	Stock Pile Site		Extension of lease for six months - \$6.25	Benson
<u>Santiam River-Albany Section, Pacific Highway</u>				
10646-Fisher, R. W.	R/W	2.42	\$100 per acre, + \$193.20	Collins
10645-Geisendorfer, Sarah Margaret	"	3.02	\$100 per acre, + \$69	"
10648-Truax, Howard B.	"	4.25	\$150 per acres, + \$365	"
10651-Seipp, Cora Lee	"	6,534 sq.ft.	2¢ sq.ft., + \$275	"
<u>Nye Junction-Butter Creek Summit Section, Pendleton-John Day Highway</u>				
10767-Piquet, Emma Wachter Quarry & Stock Pile		4.0 3.0 7.0	\$30 per acre \$10 per acre, + \$24	Cozad
<u>East Pendleton Section, Old Oregon Trail Highway</u>				
3853A-McComas, Sophia Byers, Estate	R/W	2.74	\$25 LUMP SUM	DeSousa
<u>Roseburg Section, Pacific Highway</u>				
10765-Douglas County Oil Storage		0.35	\$400 LUMP SUM	Lytle

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Fly Mountain-Beatty Section, Klamath Falls-Lakeview Highway</u>				
5942-Klamath Indian Tribe	Quarry	3.79	5 year lease at \$5 per year, plus \$1	McChesney
	Stock Pile Site and Hauling Road			
<u>Klamath County Rock Production Project Section, Green Springs Highway</u>				
4503-Weyerhaeuser Timber Co.	Stock Pile Lease	1.29	5 year lease \$1	McChesney
<u>Maupin Section, The Dalles-California Highway</u>				
5171-Troutman, A. E.	Stock Pile Site	0.50	1 year lease at \$3 per year	DeSouza
<u>Crescent Section, The Dalles-California Highway</u>				
10607-Bedard, Edward J.	Gravel Pit & Stock Pile	19.71	\$10 per acre	McChesney
7500-Dixon, C. L.	R/W	1,000 sq.ft.	2¢ sq.ft.	"
7484-Schenck, Earl	"	4,009 sq.ft.	2¢ sq.ft.	"
7498-Reed, Thomas	"	1,000 sq.ft.	\$170 LUM ² SUM	"
<u>Milton-Washington State Line Section, Oregon-Washington Highway</u>				
10530-Troyer, Irene (Correction)	R/W	10,527 sq.ft.	10¢ sq.ft. + \$1597.30	Cozad
10528-Olinger, Gilbert	"	1,013 "	10¢ sq.ft. + \$400.65	"
10583-Garrett, Frank L.	"	0.80	\$200 per acre + \$140	Landon
10573-Brower, Patsey J.	"	0.87	\$200 per acre + \$50, + fencing	"
10589-March, Herbert, and Jennie E. Shelton	"	3.03	\$200 per acre, plus \$902.90	"
10585-Town, Grace	"	0.23	\$500 per acre	"
		0.45	\$250 per acre	
		0.87	\$150 per acre, plus	
		1.55	\$257.50	
10533-Shields, Carrie M.	"	8,845 sq.ft.	2¢ sq.ft., + \$105	Cozad
10594-Church, Bertha B.	"	0.83	\$100 per acre plus fencing	"
<u>Milton-Washington State Line Section, Oregon-Washington Highway</u>				
10603-Metz, F. G.	R/W	0.38	\$125 per a. + \$470.50	Landon
10580-Toll, Elizabeth M.	"	0.61	\$200 per a. + \$7.50	"
10602-Umatilla Co., E. F. Seils & H. G. Derring	"	0.68	\$100 per a. + \$12	"
10588-Wolfe, May	"	0.25	\$200 per a. + fencing	"
10596-Hunter, Gertie Lewis, Wayne E. Brinker and F. G. Metz	"	0.50) 0.38) 0.88)	\$100 per acre \$125 per acre, plus \$80.10	"
10550-Gregory, Francis	"	5,626 sq.ft.	2¢ sq. ft.	Cozad
10546-Barnes, Benj. and Emma	"	5,000 "	3¢ sq. ft., + \$1350	"

(Cont. on next page)

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Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Milton-Washington State Line Section, Oregon-Washington Highway (Cont.)</u>				
10595-Brown, Florence B.	R/W	0.57	\$100 per acre, plus fencing	Landon
10579-Blakler, Russel and Vurn Stephens	"	0.26	\$200 per acre, plus fencing, + \$7.50	"
<u>W. Boardman Section, Columbia River Highway</u>				
10747-Monahan, Marie	Material Source	10.0	\$5 per acre	Cozad
<u>Gilliam County Line-Boardman Section, Columbia River Highway</u>				
10744-Northern Pacific Ry. Co.	Quarry	90.0	\$4 per acre	Landon
<u>Boardman-Stanfield Section, Boardman-Stanfield Highway</u>				
10140-Northern Pacific Railway Co.	Stock Pile Site	8.47	\$5 per acre	DeSouza
<u>Denver-Union Ave. Intersection, Pacific Highway</u>				
5671-Harry Mercer	R/W	5,336 sq.ft.	\$5000 + conveyance	Parker
	Slope Easemt.	400 sq.ft.	4,762 sq.ft. by state + graveling & oiling *(See note below)	
10766-Pacific Internat'l. Association	R/W	0.14	Gratis, plus replacing approach apron to parking lot.	"
10682-Tower Sales & Erecting Co.	Borrow Pit	Proposal #1 Proposal #2	8¢ per cu. yd. 5¢ per cu. yds. providing P.B.P. Co. property can be acquired for sum of \$5000 **(See note below)	"
<u>Whale Cove Section, Oregon Coast Highway</u>				
4196-Maling, Myrtle	R/W and Stockpile Site	6.56 1.00 1.333 2.23 2.00	\$2,442 \$350 per acre \$150 per acre \$400 per acre \$500 per acre	Witt

*5671 - This settlement was approved by the Commission subject to inspection of the properties by Chairman Cabell. Due to Mr. Cabell's absence from the state the following week, such inspection could not be arranged until Monday, March 1, at which time Mr. C. W. Parker, Right of Way Agent, telephoned Mr. Cabell's office and ascertained that Mr. Cabell had previously resigned as a member of the State Highway Commission to join the Army and had already reported for Army duty, so no longer was available to pass on highway matters. The Commission's Attorney, Mr. J. M. Devers, thereupon discussed this acquisition with Commissioners Huron W. Clough and Herman Oliver, over the telephone, both of whom approved the settlement as set forth in the above resolution.

**10682 - This settlement was later approved on the basis of Proposal #1. (See minute entry ahead for details.)

The Engineer brought up for discussion the training and employment of women in the operation of motorized equipment. He advised that, due to wartime conditions, it is becoming more and more difficult to hire and retain men in these positions and suggested, in view of the success of the experiment that was conducted by the Highway Department last year, the training of women to perform such functions, particularly in connection with extra-gang seasonal work such as oiling and pavement patching. He requested authority to conduct a school at each of the divisional highway shops and to pay the women attending the same an apprentice wage of twenty-five cents per hour during the time that they are receiving instructions. He also requested authority to pay the women the same wages that men receive for this class of employment if the women are placed on regular crews after the period of instruction terminates. After discussion the Commission approved the establishment of such schools and the wage payment of twenty-five cents per hour while the women are receiving instructions. The Commission also authorized the payment of the standard wage rate if and when the women are assigned to highway crews.

The Engineer also brought up for discussion the matter of employment of convicts to perform heavy labor on highway seasonal crews. He requested authority to discuss the matter with Governor Snell, the State Parole Board and the Penitentiary Warden, in order to secure their attitude with respect thereto and to enable him to arrange a definite plan for the utilization of these men, payment for their services, et cetera, if the plan is finally approved. Chairman Cabell stated that in normal times he would not favor such an arrangement but due to the present wartime emergency he is willing to give the matter consideration, provided the Commission has legal authority to employ convicts on its work. After considerable discussion the Attorney was instructed to look into the legal features involved and to advise the Commission at its next meeting. Chairman Cabell was authorized to discuss the matter with Governor Snell and the members of the Parole Board, and the Engineer was instructed to discuss it with Mr. George Alexander, Warden of the Penitentiary. The Commission made no definite commitment at this time, deferring the same until its next regular meeting, when reports are to be rendered on the results of the above-mentioned contacts.

The Commission discussed at considerable length matters incident to Senate Bill 118, now before the Legislature, which provides for the determination of the weight of a load of logs by log-scale measure rather than by actual weighing. The Engineer advised that if this bill should become a law it will be impossible to properly design highway facilities based upon the uncertain weights that such facilities would be permitted to carry under the terms of this bill. The average log scale which is to be set up under the provisions of the bill, he said, would give an indefinite weight, the maximum of which may overstress the bridges to failure, jeopardize the lives of the people that use them, and may ruin highway surfaces. He also said that neither he nor any other engineer could in truth and justice accept the responsibility for the proper maintenance of the highway facilities or for the design of the same if this bill becomes a law. The Commission gave careful consideration to the Engineer's statements but took no definite action thereon except to confirm Chairman Cabell's statement to the Highway Committee in opposition to the passage of the bill.

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The Attorney brought up for discussion matters pertaining to Senate Bill 86 that is now before the Legislature, which bill authorizes the Highway Commission to close or dead-end certain streets in the city of Cottage Grove, where they connect with the new state highway in this town. He advised that the City of Cottage Grove is strenuously opposing the passage of this bill; also, that a compromise arrangement has been presented to him for disposal of the controversy between the Commission and the City. By this proposition, he said, the city will offer no objections to the closing of the Seventh Street connection with the highway, but it wants the Eighth Street connection left open for public use. The Commission considered that such compromise is not in accordance with the provisions of its original agreement with the City, which was the basis of the approval of the project by the Commission, and was one of the things required by the Public Roads Administration before it would obligate federal funds for the payment of a share of the costs involved. The Attorney was thereupon instructed to inform the City that the Commission entered into its agreement with the City in good faith and because the Commission thought it was for the best interests of everyone that the streets in question be dead-ended at the highway right-of-way line, and in view thereof the Commission cannot compromise.

The Commission adjourned at 10:45 p. m. to reconvene at 9:00 a. m. on the following day in the auditorium of the Public Service Building.

Portland, Oregon, February 18, 1943

The State Highway Commission reconvened in regular session at 9:00 a. m. in the auditorium of the Public Service Building. Present were:

Henry F. Cabell, Chairman
Huron W. Clough, Commissioner
Herman Oliver, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

Bids, as follows, for highway construction projects were opened and read in conformance with previously published notice, following which Chairman Cabell announced that the awards of contracts would be made at 2:30 p. m. in the same room:

OCHOCO HIGHWAY
OCHOCO SUMMIT ROCK PRODUCTION

A. C. Lininger & Sons
D. C. & A. L. Williams

\$23,500.00
27,500.00

THE DALLAS-CALIFORNIA HIGHWAY
CRESCENT ROCK PRODUCTION

No bids received on this project

FEB 19 1943

THE DALLES-CALIFORNIA AND WILLAMETTE HIGHWAYS
CHEMULF ROCK PRODUCTION

M. C. Lininger & Sons

\$33,300.00

S. W. GROVER STREET ACCESS ROAD IN PORTLAND
GRADING AND PAVING

Cascade Construction Co.
Parker-Schram Co.

\$4,931.00
5,052.80

The Engineer requested approval of the 1943 program of special maintenance projects, involving a total expenditure of \$950,000, made up as follows:

To complete projects in 1942 program	\$ 31,000
To complete eleven 1943 projects now under contract . . .	494,000
Fifteen 1943 projects remaining to be contracted	403,000
Projects to be contracted in 1943 for 1944 performance . .	22,000

He submitted a detailed list of the projects, as follows, which the Commission approved by unanimous vote:

1943 PROGRAM - SPECIAL MAINTENANCE

<u>Highway</u>	<u>Section</u>	<u>Cu. Yd.</u>	<u>Estimated Cost</u>
<u>Division No. 2</u>			
Oregon Coast	Newport-Kernville	10,000	\$ 32,000c
Alsea	Alsea Mountain	10,000	30,000
Wilson River	Mills Bridge-McNamers	25,000	81,000c
Nehalem	Banzer Bridge-Washington Co. Line	10,000	<u>42,000c</u>
Total, Division No. 2			\$185,000
<u>Division No. 3</u>			
Oregon Coast	Port Orford	23,100	\$ 60,000c
Willamette	Salt Creek Falls-Odell Butte	14,200	50,000c
"	Trent-Salt Creek Falls	16,400	58,000c
Crater Lake	Trail-Prospect	8,000	24,000
Tiller-Trail	Summit-Trail	6,600	20,000
McKenzie	Belknap Springs-Four Mile Butte	11,400	<u>35,000</u>
Total, Division No. 3			\$247,000

c - Projects under contract

FEB 13 1943

(1943 Program - Special Maintenance - Cont.)

<u>Highway</u>	<u>Section</u>	<u>Cu. Yd.</u>	<u>Estimated Cost</u>
<u>Division No. 4</u>			
The Dalles-Calif.) & Willamette)	Chemult	11,500	\$ 34,000
The Dalles-Calif.	Crescent	8,000	30,000
Ochoco	Prineville-Marks Creek	6,000	20,000
"	Ochoco Summit (Surfacing)	10,000	25,000
Warner Valley	(Surfacing)	4,000	10,000
The Dalles-Calif.	Madras	10,000	30,000
Central Oregon	Horse Ridge-M. P. 50	8,000	20,000
Total, Division No. 4			\$169,000
<u>Division No. 5</u>			
Oregon Trail	Dead Ox Flat-Cairo Jct.	9,500	\$ 28,000c
Pendleton-John Day	Nye Jct.-Grant Co. Line	24,000	78,000c
Richland-Halfway	Richland-Halfway Jct.	7,000	29,000c
Halfway	Halfway Jct.-Halfway		
Central Oregon	Buchanan Section	7,000	26,000c
Wallowa Lake	Rock Creek-Joseph	12,000	44,000c
Central Oregon	Stinkingwater Creek-Juntura	10,000	30,000
John Day	Flat Creek-Prairie City	20,000	60,000
Central Oregon	Burns Section	7,000	20,000
Oregon-Washington	Washington Line-Pendleton	5,000	15,000
Total, Division No. 5			\$330,000
Materials to be contracted in 1943 for use in connection with 1944 projects			\$ 22,000

c - Projects under contract

(Additional budget for state parks approved later in session.)

The Engineer was authorized to advertise these projects for bids as soon as they can be prepared.

The Attorney reported on the claim of Mrs. Florence Staley for the destruction of a building that was deposited on the right of way of the Albany-Corvallis Highway by flood waters from the Willamette River. He advised that Mrs. Staley was notified to remove her building from the highway right of way but did not do so for a matter of some ten days, so the highway maintenance crew was ordered to remove it and in the process thereof the building was demolished. Mrs. Staley, he said, is now demanding payment in the sum of \$300. He further stated that the building was an old one of very little value and

and in his estimation the state is not liable for payment of the claim. However, in order to appease Mrs. Staley, he has offered to give her a small building, 12' x 26' in dimension, which was acquired in connection with a right-of-way purchase and for which the Highway Department has no use. The Commission approved such settlement of this matter, it being understood that Mrs. Staley is to pay the cost of moving the building.

The Attorney reported the status of the Commission's offer of settlement of the Troy claim arising out of the reconstruction of the Troy Ranch Section of the Old Oregon Trail, in Baker County. He advised that he submitted to Mr. A. S. Grant, Baker, attorney for the Troy heirs, the Commission's offer to settle this claim for \$2,500, and received a reply to the effect that the Troys are willing to accept such sum as settlement in full if the Highway Commission will agree to reconstruct a certain cattle pass so cattle can use it, will agree to maintain in workable condition a certain siphon through which water is conveyed to the Troy ranch, and will maintain the free flow of water through a certain drainage ditch approximately paralleling the highway along the Troy frontage. The Engineer advised that from his understanding of the matter it quite likely is the obligation of the Highway Commission to perform these functions, at least in so far as these facilities are situated on the highway right of way, although he is not in position to definitely pass on the matter until he has consulted with Division Engineer Paul Van Scoy who has charge of the highways in this district. He recommended approval of the things requested unless objections are offered by Mr. Van Scoy. The Commission approved the recommendation; however, instructed the Engineer to consult the individual Commissioners by telephone if, in Mr. Van Scoy's estimation, the state is not liable. The final arrangement is to be covered by written agreement between the Troys and the Commission.

The Attorney reported receipt of a form letter from the Federal Government providing for the use of a state-owned tract of land situated near the Pendleton Airport, in Umatilla County. He said that this is a standard government form and is satisfactory in every way except that it provides for ten year's use of the property by the government. He questioned whether or not the Commission should lease the property on such time basis, in view of the fact that the property is valuable and very likely can be used to good advantage by the Highway Department when times return to normal. After discussion the Commission approved the leasing of the property to the government for a period of five years or for the duration of the war.

The Attorney requested instructions whether or not to press the state's claim against Mr. Carl Meyers who was involved in an accident that resulted in the damaging of a traffic barrier on the Interstate Bridge. It appears that Mr. Meyers' car was stopped at the barrier which was down for the opening of the bridge draw span, and that it was rammed by another car which evidently was traveling too fast, and, as a result, Mr. Meyers' car was forced into the barrier causing damage amounting to \$40.80. The Attorney advised that Mr. Meyers' insurance company will not accept liability under the circumstances and refuses to pay the state's claim. It appeared to the Commission that the claim is really against the owner of the other car. Accordingly, the Attorney was instructed to collect the amount of the damages from such party, if possible.

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The Commission discussed briefly and ordered filed a resolution from Mr. Fred A. Phillips, Chairman, Advisory Board, Oregon Grazing District No. 6, Baker, Oregon, wherein the Board goes on record "urging the various federal and state agencies, counties and cities in the state of Oregon to adopt a unified plan of public works for the postwar period, for immediate use if such a program becomes necessary, such program to be coordinated on a state wide basis through the state coordinator."

The Commission also discussed the Engineer's letter dated January 29, 1943, directed to Mr. W. H. Lynch, District Engineer, Public Roads Administration, urging reconsideration of the Highway Commission's request for reimbursement for expenditures made in the repair of the Pacific Highway West through Camp Adair, which section of highway was severely damaged by reason of the trucking operations of contractors in connection with Camp Adair construction. (See letter in general files.) Mr. T. M. Davis, who was present, advised that this letter has been approved by Mr. Lynch and by the Regional Office of the Public Roads Administration, San Francisco, which has forwarded it to the main office of the Public Roads Administration, Washington, D. C., for final decision. The Commission decided to do nothing further in the matter until Mr. Lynch's reply has been received.

The Commission also discussed and ordered filed a letter from Mr. L. C. Stoll, Area Director, War Man Power Commission, Portland, advising that "the maintenance and repair of highways is declared by this office to be an essential activity."

The Attorney reported briefly on certain legislative matters, particularly on Senate Bill 89 which provides for the penalizing of log haulers who are apprehended for transporting loads that weigh in excess of the weight limits specified in their permits. He advised that as originally introduced in the Legislature the bill limits the penalties to log haulers who are engaged in the hauling of logs, poles or piling, involving overall lengths in excess of the statutory limits; whereas, to be most effective, it should also apply to log haulers whose loads do not exceed the statutory limit of 50 feet, and he has asked the Highway Committee to permit the substitution of another bill which would produce the desired objective. The Commission approved such substitution of bills.

The Assistant Attorney requested authority to institute condemnation proceedings to acquire certain parcels of real property that are needed for various highway improvements. He presented a list of such properties together with offers that he recommended be made in connection with each, as follows:

<u>File No.</u>	<u>Name</u>	<u>Purpose Required</u>	<u>Recommended Offer</u>
5669	Peninsula Golf Course	Right of Way	\$10,000.00
3 52A	Jess Correa, Jr.	Hauling Road	25.00
10650	S. G. Talia	Right of Way	3,000.00
*5670	Dewey D. Gault, et al.	R/W & Detour Road	12,500.00

*The Commission previously authorized condemnation for right of way only. Present request is for authority to include the detour road in the proceedings with no increase in the amount offered.

After careful consideration the Commission approved the offers and by unanimous vote adopted the following resolution authorizing condemnation of the properties:

WHEREAS, the State Highway Commission is authorized to locate, relocate, construct, reconstruct, maintain, widen, straighten, and otherwise improve state highways, both primary and secondary, and said Commission is also authorized to construct shops, equipment sheds, office buildings, maintenance sites, patrolmen accommodations, and snow fences, and is authorized to acquire quarry sites, gravel pits, storage sites, stockpile sites, weighing stations, and broadcasting stations, and is further authorized to develop, construct, improve, operate, and maintain parks, parking places, auto camps, camp sites, roadside development, recreational grounds or resorts, and other places of attraction and scenic value; and

WHEREAS, said Highway Commission is authorized to acquire by purchase, agreement, donation, or by the exercise of the power of eminent domain real property, or any interest therein, necessary or deemed by the Highway Commission necessary for the accomplishment of any and all of the foregoing things; and

WHEREAS, in the judgment of the Highway Commission the several tracts or parcels of land hereinafter described are each and all necessary for the specific and particular purposes herein-after expressly set forth;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the Commission does hereby find and declare that the several parcels of real property hereinafter described are each and all necessary for the accomplishment of the purposes hereinafter expressly and specifically set forth, which said real properties and the specific purposes for which the same are being acquired are described as follows, to wit:

Real property owned by Dewey D. Gault, et al., which property is located in Sections 33 and 34, Township 2 North, Range 1 East, and in Sections 3 and 4, Township 1 North, Range 1 East, W. M., Multnomah County, Oregon, and in the southeast quarter (SE $\frac{1}{4}$) of Section 33 and in the southwest quarter (SW $\frac{1}{4}$) of Section 34, Township 2 North, Range 1 East, W. M., Multnomah County, Oregon, and is more particularly described on the attached sheets and designated as Parcels Nos. 1 and 2 and is further identified in the records of the Highway Commission as file R 5670, Parcel 1 of which property is being acquired for right of way purposes and an easement on Parcel 2 of which property is being acquired for detour road purposes during construction in connection with the Pacific Highway East;*

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Real property owned by Peninsula Public Golf Course, Inc., which property is located in the east one-half ($E\frac{1}{2}$) of Section 4 and in the west one-half ($W\frac{1}{2}$) of Section 3, Township 1 North, Range 1 East, W. M., Multnomah County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 3 and is further identified in the records of the Highway Commission as file R 5669, and which property is being acquired for right of way purposes in connection with the Pacific Highway East;*

Real property owned by S. G. Talia, which property is located in the south one-half ($S\frac{1}{2}$) of Section 33, Township 10 South, Range 3 West, and in the northeast quarter ($NE\frac{1}{4}$) of the northwest quarter ($NW\frac{1}{4}$) of Section 4, Township 11 South, Range 3 West, W. M., and in the southwest quarter ($SW\frac{1}{4}$) of Section 33, Township 10 South, Range 3 West, W. M., Linn County, Oregon, and is more particularly described on the attached sheets and designated as Parcels Nos. 4 and 5 and is further identified in the records of the Highway Commission as file R 10650, and which property is being acquired for right of way purposes in connection with the Pacific Highway East;*

Real property owned by Jess Correa, Jr., which property is located in the southeast quarter ($SE\frac{1}{4}$) of the southwest quarter ($SW\frac{1}{4}$) of Section 5, Township 3 North, Range 29 East, W. M., Umatilla County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 6 and is further identified in the records of the Highway Commission as file R 8852A, and which property is being acquired for right of way for a hauling road in connection with the Boardman-Stanfield Highway.*

2. That the Commission does hereby find and declare that each of the said described parcels of real property is necessary and acquisition of the same by the State is required for the specific purposes hereinabove set forth, and the said properties are being acquired for the express and specific purposes in this resolution set forth.

3. That the State Highway Engineer be and he hereby is instructed and directed to make or cause to be made all surveys necessary in connection with the determination, description, and acquisition of said real properties, and said Engineer is further instructed to prepare and submit to the Legal Department necessary and adequate descriptions of the said real properties, which said descriptions shall be available for the preparation of any deed or deeds or other instrument or instruments necessary to complete the acquisition of said property or properties, whether said properties be acquired by purchase, donation, agreement, or by the exercise of the power of eminent domain.

4. That J. M. Devers, Attorney for the State Highway Commission, be and he is hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby further resolved that J. M. Devers, Attorney for the State Highway Commission, be and he hereby is requested to commence and prosecute to a final determination such suit or action, or suits or actions, as may be necessary and appropriate to acquire title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

*(The detailed descriptions of the respective parcels of real property mentioned in this resolution are attached to the original resolution on file in the office of the State Highway Commission, Salem, being Resolution No. 33, under the heading "Real Property Condemnation Resolutions" and said descriptions by this reference are made a part of this minute entry to the same extent as if copied in full herein.)

The Commission had under discussion the matter of securing borrow materials that will be needed for embankments in connection with the construction of the Denver Avenue-Union Avenue traffic separation project, in North Portland. The Engineer advised that several sources of material have been investigated and in his estimation the most satisfactory source is property owned by the Tower Sales and Erecting Company on Lotus Island. The embankments, he said, will require approximately 150,000 cubic yards of such material and the company has tendered two proposals with respect thereto, as follows:- Under Proposal No. 1 the company will let the state have this material at the rate of \$0.08 per cubic yard. Under Proposal No. 2 the state can have the material at the rate of \$0.05 per cubic yard, provided the state will purchase and deed to the company adjoining land on Lotus Island that is owned by the Portland Electric Power Company. Under such arrangement the company allows the state a credit of \$5,000, by reducing the unit price to be paid by the state for the material taken from its land. Under either proposal the State of Oregon and/or the successful bidder for the highway work will have free use of the company's bridge which connects the Island with the mainland. However, the contractor will be required to maintain the bridge while he is using it and to turn the bridge back to the company in as good condition as it now is, regular wear and tear excepted; and the State of Oregon must provide in its specifications that the contractor shall not use, in connection with the transportation of the material over the bridge, trucks of more than seven cubic-yard capacity. The company also agrees, under both proposals, to insure the bridge structure against collapse or any other vital injury and to

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carry public liability and property damage insurance during the year 1943 at no charge to the state or the state's contractor.

This matter was discussed at considerable length and as a result thereof the Commission approved and accepted Proposal No. 2. The Attorney was thereupon authorized and instructed to negotiate with the Portland Electric Power Company for the purchase of its property at not to exceed \$5,000. He was authorized to close the deal with the Tower Sales and Erecting Company on the basis of Proposal No. 1, if he is unable to reach a satisfactory settlement with the Portland Electric Power Company. The Engineer was instructed to include in the contract for the highway construction provision for the exemption of responsibility by the state in connection with the use of the bridge structure and to provide therein that the highway contractor shall not transport more than seven cubic yards of material in his trucks while operating across the bridge. (The Attorney reported later in the session that he was unable to reach any agreement whatsoever with the Portland Electric Power Company with respect to the acquisition of its land. The Commission thereupon confirmed its acceptance of Proposal No. 1 and instructed the Attorney to prepare an appropriate agreement with the Tower Sales and Erecting Company covering the matter.)

Mr. Russell Hubbard, Reedsport, came before the Commission in regard to an exchange of properties fronting on the new location of the Umpqua Highway just north of Reedsport. He advised that he needs the lowland property that lies between the highway right of way and the Umpqua River in connection with his log-booming operations in the river, and asked the Commission to deed this property to him in exchange for which he offered to deed to the state certain property on the opposite side of the new highway location, which he understands the state may need for a prospective revision in the highway alignment. He also asked the Commission to deed to him some fractional city lots in the town of Reedsport which lie between the new highway location and certain dedicated city streets. Chairman Cabell advised that the Commission acquired all of the land between the highway and the river in order to control the area and to preserve the scenic view without obstruction, and that the Commission is reluctant to sell property that has been acquired for such purposes.

Mr. Hubbard stated that he needs the land only to facilitate his log-booming operations and that it is not his intention to erect any buildings or any other facilities thereon, so the view from the highway would not be obstructed in the least. He further explained that he owns the booming rights along the river front and would offer no objection to the state wasting road materials over the river bank in the event the Commission had materials to dispose of in such manner. After further discussion the Commission agreed to inspect the property at the earliest opportunity. The Engineer was instructed to give his immediate attention to the matter of acquiring extra width right of way on the south side of the new highway location and to the advisability of deeding to Mr. Hubbard the fractional lots in the city of Reedsport. A report of his findings is to be presented to the Commission at the next regular meeting.

Mr. Howard F. Puarica, President of the Portland Gravel Company, Inc., was present in regard to his company's claim against the Commission for the

cost of repairing its dredge which was damaged as a result of the collision with the drawspan of the Interstate Bridge, said claim being in the amount of \$836.00. Mr. Puariea read aloud a report from the operator of the dredge in which it was stated that the bridge tender failed to open the drawspan to allow passage of the dredge, notwithstanding repeated signals from the dredge. Chairman Cabell pointed out that there is a conflict of testimony, because reports received by the Highway Commission indicate that the dredge did not signal for the opening of the bridge, and in view thereof the bridge tender assumed that the dredge was to be docked before reaching the bridge. The matter was discussed at considerable length, during which Mr. Puariea suggested that each party assume 50 per cent of the expense. The Commission took the matter under advisement. The Commission discussed the matter further following Mr. Puariea's departure and, after reviewing the facts in the case, confirmed its previous decision denying any responsibility or liability in the matter.

The following persons, Honorable Earl Riley, Mayor, City Commissioner Wm. A. Bowes, and Ben Morrow, City Engineer, representing the City of Portland, were present and discussed with the Commission the matter of closing Harbor Drive to vehicular traffic opposite the Public Market Building, as has been requested by the United States Navy Department. It appears that the Navy Department has arranged for the use of the Market Building as a warehouse for the storage of shipbuilding materials, et cetera, which are to be used in the outfitting of vessels built in the Portland area; that the vessels are to be moored in the river opposite the building and there will be considerable movement of both personnel and equipment from the building to the ships, necessitating the use of the doors on the river side of the building and uninterrupted use of the highway between the hours of 8:30 a. m. and 4:30 p. m., daily, except Sunday. Commissioner Bowes advised that at a conference with Commander L. D. Whitgrove, United States Navy, Supervisor of Shipbuilding, the disadvantages and impracticability of closing Harbor Drive were pointed out in detail and as a result thereof Commander Whitgrove has agreed to withdraw his request, although he still wants permission to load and unload a limited number of trucks, at any hour of the day, from the east wall of the Market Building, which would involve parallel parking. He gave as his thought that such use of the highway would seriously interfere with highway traffic, and that if any concession is granted at all in that regard it should be limited to certain hours specified by the State Highway Commission.

Chairman Cabell gave as his thought that if this privilege is granted it will eventually mean the unlimited use of the highway by the Navy Department. He gave as his opinion that a very undesirable situation would result and suggested that the request be denied. Mayor Riley advised that any use of the highway that would interfere with the free flow of traffic would be resisted by the City, and that the City would join with the State Highway Commission in preventing such use of this facility, either by the Navy or by anyone else. The State Highway Engineer suggested that at small cost the Navy could provide doorways on the west or front side of the Market Building which would serve the purpose. After further discussion it was mutually agreed that Commander Whitgrove's request for the closing of Harbor Drive, between the Market Building and the seawall, should be denied; and it was also mutually agreed that his request for the intermittent parking of trucks or automobiles

on the highway back of the Market Building should be denied. Such information is to be conveyed to Commander Whitgrove by letters from the City of Portland and the State Highway Department.

The Commission discussed thoroughly and denied the claim of contractor Homer G. Johnson for additional compensation in connection with his contract, No. 2390, for construction of the Siletz-Toledo Section of the Siletz Secondary Highway, in Lincoln County, it being the opinion of the Commission that the state is not liable for the extra expense incurred by Mr. Johnson. (For details, see Engineer's written report to members of the State Highway Commission dated December 22, 1942, in general files.)

The Commission discussed a complaint from Mr. H. A. Hein, Scappoose, that his well has become contaminated as a result of the installation of a drainage pipe in the state-owned quarry which joins his property at Scappoose. Mr. Hein alleges that the water from the well has been rendered unusable and wants it corrected. The Engineer advised that investigation reveals that the floor of the quarry was changed very little by the contractor's activities, and it does not seem reasonable that the slight deepening of the pit could have had any effect on Mr. Hein's well, particularly in view of the fact that the well is some 75 feet deep; further, that District Maintenance Superintendent A. J. Ford obtained a sample of the water which he had tested by the State Board of Health, from whom a report has been received indicating that the water conforms with accepted bacteriological standards of purity for drinking water. In view of the report the Commission concluded that Mr. Hein's complaint is unjustified and accordingly decided to let the matter rest.

The Secretary reported on overweight violations that have been committed by commercial freight haulers who are operating under the privileges of the Commission's emergency transportation permits. He was instructed to continue bringing these violations to the attention of the offenders and to warn them that the Commission will take drastic action with respect to their permits in the event they continue to overload.

The Commission had under consideration the transaction by which, with the approval of the Highway Commission, the Tru-Mix Concrete Company, in connection with its contract on the Seven Devils Chrome Mine Access Road, made arrangements with Coos County for the purchase of some roadbuilding materials. In connection with this transaction the Highway Commission has been requested to assure the county that its claim against the said contractor for materials furnished pursuant to said arrangement will be protected in the final settlement between the state and the said contractor. After consideration, the Commission ordered that, before final payment is made to the contractor, Honorable E. L. Peterson, County Judge of Coos County, be advised and given an opportunity to file with the state the amount of the county's claim for materials so furnished by the county and acquired by the contractor, and that before final payment is made the contractor be required to furnish to the state satisfactory proof of the payment of such claim.

The Commission discussed an invoice from the City of Portland in the amount of \$9,115.92 covering the state's share of the cost of traffic signal

installation work performed by the City under agreement with the Commission during the year 1942. The Engineer advised that this expense is chargeable against minor betterments on primary highways, but investigation reveals that the total amount, \$75,000, budgeted for such purposes has already been allotted to other work, so if the claim is to be paid the budget will have to be increased in the amount of the invoice. In view of the situation, the Commission approved increasing the budget to take care of this item.

The Engineer requested authority to purchase three tractor loaders at a cost of \$3,600 each, for use by paving crews to replace wheelbarrow men. It was his thought that the use of such equipment would facilitate paving operations, in view of the fact that it is difficult to hire and to retain men to perform such service, due to wartime conditions. The Commission approved the purchase of one of the loaders for experimental purposes.

A letter was presented from Mr. H. J. Doolittle, District Engineer, Office of Indian Affairs, in which the Highway Commission is requested to assume responsibility for the design of several concrete bridges that are to be constructed on the Sprague River Road, within the borders of the Klamath Indian Agency, in Klamath County. It was Mr. Doolittle's thought that the design of the bridges should harmonize with the Indian surroundings, and that the State Highway Department is in much better position to effect appropriate designs than is the Department of Indian Affairs. The Commission approved the request.

The Engineer requested instructions whether or not to make any further attempts to collect a number of delinquent accounts that range in amounts of 25¢ against Hood River County to \$183.97 against the Public Utilities Commissioner. He presented a list of such accounts and advised that in each instance, except as to the claim against the Public Utilities Commissioner, there is some question as to the liability of the party owing the state. As to the claim against the Public Utilities Commissioner, he said that this represents expense by the State Highway Department during the month of December 1935 for a field survey of a proposed steam-heating plant and transmission pipe line to serve state buildings in Salem. This survey, he said, was made at the request of the Public Utilities Commissioner, who agreed to reimburse the Highway Department for the expense involved and would have paid the account a long time ago but for the fact that the claim was not allowed by the State Board of Control, on account of lack of an appropriation for such purpose. He recommended the cancellation of all of the accounts except that against the Public Utilities Commissioner. The Commission approved the recommendation and instructed the Attorney to make further attempts to secure satisfaction of the claim against the Public Utilities Commissioner. A complete list of the accounts follows:

<u>Name</u>	<u>Date</u>	<u>Amount</u>
W. A. Jones	April 26, 1938	\$ 7.75
Hood River County	April 8, 1939	.25
The Motor Club	May 19, 1937	12.00
Dick Dove	July 26, 1938	3.53

(Cont. on next page)

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(List of delinquent accounts - Cont.)

<u>Name</u>	<u>Date</u>	<u>Amount</u>
Charles W. Swan	May 15, 1941	\$ 1.75
Vick Withrow	December 14, 1940	2.60
Clifford Bowen	August 2, 1941	10.30
Spady Towing Service	June 27, 1939	24.50
E. W. Rogers	June 17, 1941	53.77
Mrs. Martin Hensley	March 8, 1940	37.66
G. W. Xavier	July, 1939	24.50
Geo. Lingel	August 25, 1940	50.00
Public Utilities	October 31, 1936	183.97
State of Washington	December 28, 1939	44.29

Reconsideration was given by the Commission to a request from Mr. A. C. Barlo, Portland, for permission to construct and maintain a wooden bus-stop shelter on the right of way of the Hillsdale-Beaverton Highway at Glencullen, Multnomah County. Chairman Cabell advised that he has discussed this matter with Mr. Barlo and it appears that there is some justification for a facility of this kind in this vicinity although there is not sufficient justification for a deviation from the standard policy of the Commission with respect to encroachments on highway rights of way. It was his thought that, if a suitable place could be found where the Commission owns land beyond the limits of the standard width right of way, it would be satisfactory to let Mr. Barlo maintain a bus-stop shelter on such area. Commissioners Clough and Oliver concurred. The Engineer was thereupon instructed to investigate the matter and, if he is able to find such a location, to allow Mr. Barlo to erect the shelter thereon.

Reconsideration was also given by the Commission to the request of Mrs. Martha Redmond, Portland, for permission to construct a stairway up the highway excavation slope on the Pacific Highway West at her place of business near the old Taylors Ferry Road junction. The request was again denied, for reasons previously stated.

A letter was presented from Mr. John M. Begg, Assistant Chief, Division of Cultural Relations, Department of State, Washington, D. C., requesting the use of the Highway Department's film, "The New Oregon Trail," in the dissemination to foreign countries of American information of an educational nature. The Commission approved the request.

Reconsideration was given by the Commission to resolutions from the County Courts of Marion and Linn Counties requesting that the county road, which extends from the junction with the North Santiam Secondary Highway at Mehama via the town of Lyons to the junction with said highway at Mill City, be designated a state secondary highway. The Engineer recalled that the Commission previously gave the County Courts to understand that it would designate this road a state secondary highway when the counties had complied with the Commission's requirements with respect to rights of way, encroachments, et cetera. He advised that a standard width right of way has been acquired, and that buildings and fence encroachments have been removed, so if the

Commission is still inclined to assume jurisdiction over this road there is nothing to prevent appropriate action at this time. After some discussion the Commission approved the county resolutions and thereupon, by unanimous vote, adopted the following resolutions designating the road a state secondary highway:

WHEREAS, under the provisions of Chapter 248, Laws of 1931; Chapter 196, Laws of 1935; and Chapter 529, Laws of 1939; the State Highway Commission, by mutual agreement with the respective county courts of the several counties of the State, is authorized and empowered to select, locate, and designate a system of secondary state highways, which highways shall be selected from the market roads or other county roads, or available locations or routes of the several counties; and

WHEREAS, the State Highway Commission, by mutual agreement with the Marion County Court of the State of Oregon, has selected the road or highway hereinafter named, and it is the purpose of the Commission to officially and regularly designate and adopt said highway as a highway to constitute, together with other highways heretofore adopted and/or which may hereafter from time to time be added, the system of secondary state highways under the provisions of said acts;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission, all members being present and affirmatively voting and participating, as follows:

1. That the following described market road, county road, highway, route, or location of a highway in Marion County be and the said market road, county road, highway, location, or route, hereby is selected, designated, established, adopted and approved as a secondary state highway and shall be and hereby is designated as a part of the secondary state highway system, to wit:

Mehama-Mill City Secondary Highway No. 213

Beginning at the junction of the North Santiam Secondary Highway No. 162 with the Mehama-Lyons Road; thence southerly to the Linn-Marion County line at the North Santiam River, a distance of approximately 0.17 miles. Also beginning at the junction of the North Santiam Secondary Highway No. 162 at Mill City; thence southerly to the Linn-Marion County line at the North Santiam River, a distance of approximately 0.09 miles; the total length of the two sections described herein being approximately 0.26 miles.

2. That the said highway shall be and hereby is qualified for improvement under the provisions of said Chapter 248, Oregon Laws of 1931; Chapter 196, Oregon Laws of 1935; and Chapter 529, Oregon Laws of 1939; and amendments thereof.

WHEREAS, under the provisions of Chapter 248, Laws of 1931; Chapter 196, Laws of 1935; and Chapter 529, Laws of 1939; the State Highway Commission, by mutual agreement with the respective county courts of the several counties of the State, is authorized and empowered to select, locate, and designate a system of secondary state highways, which highways shall be selected from the market roads or other county roads, or available locations or routes of the several counties; and

WHEREAS, the State Highway Commission, by mutual agreement with the Linn County Court of the State of Oregon, has selected the road or highway hereinafter named, and it is the purpose of the Commission to officially and regularly designate and adopt said highway as a highway to constitute, together with other highways heretofore adopted and/or which may hereafter from time to time be added, the system of secondary state highways under the provisions of said acts;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission, all members being present and affirmatively voting and participating, as follows:

1. That the following described market road, county road, highway, route, or location of a highway in Linn County be and the said market road, county road, highway, location, or route, hereby is selected, designated, established, adopted and approved as a secondary state highway and shall be and hereby is designated as a part of the secondary state highway system, to wit:

Mehama-Mill City Secondary Highway No. 213

Beginning at the Linn-Marion County line at the North Santiam River near Mehama; thence easterly via Lyons and Fox Valley to the Linn-Marion County line at the North Santiam River at Mill City; a distance of approximately 8.6 miles.

2. That the said highway shall be and hereby is qualified for improvement under the provisions of said Chapter 248, Oregon Laws of 1931; Chapter 196, Oregon Laws of 1935; and Chapter 529, Oregon Laws of 1939; and amendments thereof.

The Engineer reported that the County Court of Marion County has accepted the Commission's proposition with respect to the maintenance of the Gates-Detroit Section of the North Santiam Secondary Highway, and has executed a form of agreement which provides that the county will perform all of such maintenance work with county crews and equipment with the understanding that the state will reimburse the county for the cost thereof. The Commission approved the arrangement and thereupon signed the agreement.

The Engineer requested authority to conduct a survey for the proposed relocation of the Chemult-Chiloquin Section of The Dalles-California Highway, 33 1/3 miles in length. He estimated the cost of the survey at \$20,000, and advised that it is planned to finance it with moneys appropriated by the Federal Government for preliminary engineering for postwar construction. The realignment of this section, he said, is a desirable project to take up postwar slack. The Commission approved the request subject to the condition that it be possible to obtain federal funds to finance the survey.

The Commission adjourned at 12:00 noon and reconvened at 2:00 p. m. in the same room with the same persons present and participating.

The Assistant Attorney reported receipt of an offer from a Mr. Robert T. Reed to pay \$3,500 for a portion of the property that the Commission purchased from Mr. Trinka in connection with the acquisition of right of way for the Coshen-Pleasant Hill Section of the Willamette Highway, in Lane County. He advised that Mr. Reed's offer provides for a down payment of \$1,000 and the payment of \$35.00 monthly thereafter, plus six per cent interest on the unpaid principal, until the full amount of the purchase price has been paid. He recalled that the Commission previously advertised this property for sale but did not receive a satisfactory bid, and recommended acceptance of Mr. Reed's offer. The Commission approved the recommendation and thereupon signed an agreement with Mr. Reed relative thereto.

The Engineer reported that, due to extremely serious snow-slide conditions existing on the Santiam Highway at Hogg Pass, he has ordered the closure of the highway between Marion Creek and Suttle Lake for public travel until the danger is past, which he anticipated would be not later than April 1, 1943. It was his thought that the closing of the highway is the only way to properly protect the public because the snowfall has been very heavy and slides may occur at any time. He asked the Commission to confirm his action on the matter. The Commission approved closing of this highway as reported.

The Commission considered, approved, and signed a form of option submitted by the Federal Government in connection with the sale by the Commission to the United States of America of 21.43 acres of state-owned land situated in Jefferson County. The following resolution with respect thereto was adopted by the Commission by unanimous vote:

WHEREAS, the Highway Commission heretofore acquired a tract of land in Jefferson County then needed for highway purposes; and

WHEREAS, approximately 21.43 acres of said tract are no longer needed by the State Highway Commission for highway or other public uses and the United States has applied to the Highway Commission for the purchase of said 21.43 acres; and

WHEREAS, it is the judgment of the Highway Commission that the reasonable cash market value of said 21.43 acres is \$535.75; and

WHEREAS, the United States has agreed to pay said sum of \$535.75 for a deed conveying said tract to the United States free and clear of all encumbrances;

NOW, THEREFORE, BE IT AID IT HEREBY IS RESOLVED by the Highway Commission as follows:

1. That the Commission execute and deliver to the United States an option to purchase the said tract consisting of approximately 21.43 acres, which tract is particularly described in the option, a copy of which is attached to this resolution.
2. That upon the acceptance of the said offer to purchase and upon payment of the said purchase price the Commission shall execute and deliver to the United States a bargain and sale deed conveying to the United States the real property described in said option.
3. That this resolution be entered in the minutes and records of the Commission and the Secretary of the Commission is instructed to deliver said executed copies to the United States by delivering the same to Mr. Don E. Meldrum, Chief of Portland Sub-Office, Real Estate Division, Army Engineers, Portland, Oregon.

At 2:30 p. m. Chairman Cabell announced the following awards of contracts, bids for which were taken by the Commission at the morning session, such awards having previously been approved by the Commission by unanimous vote:

"Ochoco Summit Rock Production Project on the Ochoco Highway, in Crook and Wheeler Counties. M. C. Lininger & Sons, Medford, submitted the low bid in the amount of \$23,500.00. The only other bid submitted was that of D. C. & A. L. Williams, Portland, at \$27,500.00. The Commission awards this contract to M. C. Lininger & Sons at their low bid of \$23,500.00.

"Crescent Rock Production Project on The Dalles-California Highway, in Klamath County. No bids were received for this project.

"Chemult Rock Production Project on The Dalles-California and Willamette Highways, in Klamath County. The only bid received for this project was that of M. C. Lininger & Sons, Medford, at \$33,300.00. The Commission awards this contract to M. C. Lininger & Sons at their bid of \$33,300.00.

"S. W. Grover Street Access Road Project in Portland, Multnomah County. 260 linear feet of grading and paving. Cascade Construction Company, Portland, submitted the low bid for this project, in the amount of \$4,931.00. The only other bid was that of Parker-Schram Company, Portland, in the amount of \$5,052.80. The Commission awards this contract to Cascade Construction Company at its low bid of \$4,931.00."

Messrs. George R. Van Vleet and A. F. Koppisch, logging contractors, Seaside, came before the Commission at this time in regard to the transportation of logs over the Cannon Beach-Cannon Beach Junction Section of the Oregon Coast Highway, in Clatsop County. They advised that they are hauling 32-foot logs over this section, but cannot keep the overall length of load and equipment within the 42-foot length limit specified by the Highway Commission, and urgently requested permission to continue the hauling of such length logs, notwithstanding that they cannot guarantee that the movements will be kept in the right-hand traffic lane at all points due to sharp curvature in the highway alignment. It was their thought that the urgent need for the logs in connection with war activities is ample justification for approval of their request. Chairman Cabell advised that the Commission established the 42-foot overall length limit for this section of highway only after test runs had been made and it was found that loads of greater length cannot be moved thereover without taking up more than half the roadway, and the Commission is not inclined to grant any concession that will create an avoidable hazard to other traffic. He pointed out that Mr. Van Vleet is now widening some of the worst curves on this section under an arrangement with the Highway Commission so as to make it possible to transport loads of longer length; however, the Commission cannot permit such longer-length loads until the widening work is completed.

After considerable discussion, in which Messrs. Van Vleet and Koppisch presented arguments in behalf of an extended privilege for the use of the road because of the need of the logs for wartime purposes, the Engineer suggested that the Commission might order one-way traffic over a one-mile section that contains the worst curves. Under such system, he said, a flagman would be maintained at each end of the restricted section to prevent traffic moving in opposite directions from occupying the section at the same time. He added that the flagmen would maintain contact among themselves, either by telephone or some other approved arrangement, and that the plan would be effective only until Mr. Van Vleet completes the widening work that he is now performing. Messrs. Van Vleet and Koppisch both agreed to such an arrangement, and Mr. Van Vleet offered to furnish the telephones for use in connection therewith. He also agreed to pay the cost of maintaining flagmen and other expense incident thereto; however, asked the Commission to employ the flagmen because, in his estimation, instructions issued by them would be more effective if they were in the employ of the state. In this connection he agreed to deposit with the Commission \$1,000 as a guarantee for the payment of the expense of the flagmen. Such arrangement was approved by the Commission by unanimous vote, and it was arranged that Mr. Van Vleet would confer with the Engineer on the following day in Salem, concerning details.

In this connection Mr. Van Vleet called attention to another curve on the Oregon Coast Highway near a point known as Haystack Rock around which, he said, it is impossible to transport a 40-foot log without taking up more than one-half of the traveled portion of the roadway. He asked the Commission to approve the widening of this curve. The Commission referred the matter to the Engineer for investigation.

The Engineer brought up for discussion the matter of providing adequate facilities to care for traffic entering Swift Secondary Highway from the

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new townsite of Vanport, Multnomah County. He advised that, according to present plans, traffic from Vanport destined to Vancouver would enter the highway on a new roadway paralleling the highway, and that traffic destined from Vanport to Portland, would cross under the highway at the Columbia Slough Bridge opening, and follow a roadway parallel with the highway for a short distance in the direction of Vancouver, before entering the highway on a sharp curve. It was his thought that such an arrangement is unsatisfactory and creates an undue hazard due to the large volume of traffic that the road will have to accommodate. He suggested, in order to avoid serious accidents, the widening of the highway for four lanes of traffic at this point, and the construction of the approach roads in such a manner that traffic would flow onto the highway gradually rather than abruptly as it would have to do under the present plan. He exhibited drawings to disclose what he had in mind and estimated the cost of such widening work at approximately \$20,000. Such amount, he said, would have to be paid out of state funds; however, the money would not be lost to the state because eventually the highway will have to be widened anyway and the work now planned would fit in very nicely with the eventual improvement. It was the thought of the Commission that the situation is serious enough to justify such expenditure and accordingly the Engineer was instructed to proceed with the improvement at state expense.

A letter was presented from the Jaymar Wholesale Lumber Company, Hood River, in which the Commission was requested to authorize removal of snow from the Mt. Hood Highway, from the end of the present open section to the company's new logging operations about 0.6 mile south of Coopers Spur. The Engineer advised that the section referred to extends from a point about 1.1 miles north of the Coopers Spur Road to a point about 0.6 mile south of Coopers Spur, or a total of 1.7 miles. He estimated that it would cost about \$200 to open this section, and advised that, if the Commission approved the request, the work could be done with a snogo that is now stationed at Parkdale. He questioned the advisability of doing this work, however, in view of the fact that the road is subject to frost boils, and the operation of logging trucks thereover at present undoubtedly would cause serious damage to the highway surface. He suggested, however, that if the company would agree not to haul logs over the road or to move heavy logging equipment over it until the Highway Commission approved of such movements, then it would be alright to open the road up at this time so that timber-fallers could drive their automobiles to the job. After considerable discussion, and in view of the need of logs in connection with the war effort, the Commission approved the opening of the road as an emergency proposition, subject to the condition that neither logs nor logging equipment be moved over the road until the company has been advised that the road is in satisfactory condition.

Reconsideration was given by the Commission to the request from Mr. L. L. Gooding, Principal of the schools at Freewater, Oregon, for the removal of the stop signs that have been erected by the state at the Union Pacific railroad-track crossings on State Highway No. 11 at Milton-Freewater. The Engineer advised that, in conformity with the Commission's instructions, he contacted the Oregon Railroad Association relative thereto and received a reply from Mr. Roy F. Shields, General Solicitor for the Union Pacific Company, which is concerned, to the effect that they have confidence in the judgment

of the Highway Commission relative to the removal of the signs and, if the Commission feels that the element of danger which would result if the signs were removed is inconsequential in comparison with the inconvenience to the public in stopping at the crossings, the railroad company would not be disposed to question the Commission's judgment, except that the stop signs should be replaced during the prune season when there are considerable train movements. In view of this letter the Commission ordered the removal of the signs; however, instructed the Engineer to see that they are replaced during the prune season, as an aid in the prevention of accidents.

The Commission discussed a resolution from the Oregon Roadside Council stating its inability to assume the responsibility of securing the required authority to remove advertising signs that are being maintained on privately owned property adjacent to highway rights of way. The Commission took no action in the matter, in view of the fact that the State Highway Department likewise is not in position to assume such responsibility on account of labor shortage.

The Commission also considered and ordered filed a letter from the Gold Beach Chamber of Commerce soliciting the support of the Commission in the securing of legislation to keep the Rogue River closed to net fishing.

The Commission discussed a letter from Mr. Marshall M. Dana, Chairman of the Battleship Oregon Commission, in which the Highway Commission is asked to assume the responsibility for redesigning Battleship Oregon Marine Park, in Portland, and in connection therewith to make provision for the placement of the foremast that was salvaged from the Battleship Oregon, and for other architectural features. The Commission considered that this really is a city responsibility, in view of the fact that the park is a city park, but agreed to cooperate. The Engineer was thereupon instructed to consult the city officials relative to their desires with respect to the placement of the foremast. He was also instructed to discuss with the city the matter of paying the expense involved with funds received from the rental of properties that were acquired jointly by the state and the city in connection with the Front Avenue improvement.

The Assistant Attorney presented the application of Mr. Ben M. Hecht for the use of a parcel of land that was acquired by the Commission from the City Motor Trucking Company in connection with the construction of the Lombard-Killingsworth Project in Portland. He advised that the property is located at the intersection of Northeast Myrtle Street and Northeast 65th Avenue, and that Mr. Hecht plans to utilize it for Victory garden purposes. The Commission approved the request subject to the condition that Mr. Hecht will clean up the premises when he is through with the property. The matter is to be covered by written agreement.

Consideration was given by the Commission to a request from Mr. Wm. G. Folsom for an extension of his lease of certain state-owned property at Thompson Creek along the Siuslaw Highway, in Lane County. The Assistant Attorney advised that this property is located between the highway and the Siuslaw River and is improved by a store building and gasoline pumps which

originally were placed on the property by a Mr. K. N. Lucas. Further, that on March 30, 1933, the Commission leased the property to Mr. Lucas for a five-year period, or until March 30, 1938, for the sum of \$125; which lease, on July 8, 1937, was extended for another five-year period or until March 30, 1943, upon an additional payment of \$125.00. On March 19, 1938, he said, the lease was assigned by Mr. Lucas to Mr. Folsom with the approval of the Highway Commission and subject to the condition that the lease be not renewed after its expiration and that the lessee return the property to the state in satisfactory condition. Mr. Folsom, he added, has applied for an extension of this lease on a year-to-year basis at an annual rental of \$100, and in support of his request alleges, as follows: (1) impossibility of securing anyone to move the buildings and inability to rebuild on some other location because of difficulties in securing critical building materials; (2) the property is located at the junction with the Indian Creek Road which serves twenty-two families who cannot secure delivery of feed and other items nearer than this junction point because of the stopping of commercial truck deliveries by the Federal Government; and (3) his store serves as a post office for the people in this vicinity. After discussion, and in view of the arguments presented by Mr. Folsom, the Commission authorized the renewal of the lease on a yearly basis at the rate of \$100 per year.

The Assistant Attorney requested instructions relative to compensating the Klamath County Abstract Company for furnishing preliminary title reports for title insurance covering certain properties along South Sixth Street, Klamath Falls. He explained that, when negotiations were under way for the acquisition of the property for the widening of the highway at this point, he ordered thirteen preliminary reports for title insurance, ten of which were not used because negotiations were discontinued. The company, he said, is billing the Commission for service rendered at the rate of \$12.50 for each preliminary report, or a total of \$162.50, but has agreed to credit such payment on the purchase price of title insurance if such insurance is purchased within a reasonable length of time. He requested instructions. The Commission took the attitude that the company furnished the reports in good faith, therefore should be paid for services rendered, and accordingly authorized payment of the full amount of the bill.

The Commission discussed a letter from the County Court of Tillamook County, in which the Commission was asked to deed back to the county certain property that the Commission acquired from the county as right of way for a proposed relocation of the Oregon Coast Highway just south of Neskowin, so as to enable the county to dispose of the balance of its property at this location. The Engineer advised that this particular tract consists of right of way for a permanent location of U. S. Highway 101 and, if it is now returned to the county and the county in turn deeds it to private interests, undoubtedly the state will be forced to pay a considerable amount to again secure it when it is needed for the highway improvement. He recommended denial of the county's request. The Commission concurred in the viewpoint of the Engineer and ordered that the County Court be informed that the Commission desires to retain this property for use in connection with the future improvement of the highway at this location.

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The Engineer reported that the realignment of the Halsey-Sweet Home Secondary Highway, between Crawfordsville and Holley, in Linn County, has rendered valueless certain sections of the old road. He recommended that the Commission abandon such sections and leave them to revert to the adjoining or abutting property owners or to the control and supervision of the county. The Commission approved the recommendation, and thereupon by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, in order to afford a better alignment and a more satisfactory, safe, and convenient highway for the traveling public the Commission found it necessary to relocate a portion of the Crawfordsville-Holley Section of the Halsey-Sweet Home Highway in Linn County; and

WHEREAS, by reason of said relocation and reconstruction of said section of highway there were eliminated and made unnecessary as parts of the permanent highway certain sections which are more particularly defined and described hereinafter in this resolution; and

WHEREAS, it is the judgment and opinion of the Commission that there should be recorded in the minutes and records of the Commission its purpose and plan to abandon as a part of the said highway the fragments or portions of right of way hereinafter designated and which were heretofore included within the area of the right of way of said highway as formerly located, but which are now without the regular limits of said highway as relocated;

NOW, THEREFORE, the premises being in general as above stated, it hereby is resolved by this Commission, all members being present and affirmatively voting, as follows:

1. That the fragments of land confined within the area hereinafter described, which fragments or parcels of real property were formerly within the limits of the right of way of the Crawfordsville-Holley Section of the Halsey-Sweet Home Highway but are no longer parts of the right of way of said highway as the same has been relocated and constructed, be and said parcels of real property are abandoned as parts of the right of way of said highway, and said parcels of land are, so far as control and supervision by this Commission is concerned, eliminated and left to revert to the adjoining and abutting property owners, or to the control and supervision of the County Court of Linn County for highway or other public purposes, as the Court may determine. The fragments or parcels of land affected by this resolution are defined and described as follows, to wit:

All those certain parts of the old right of way of the Crawfordsville-Holley Section of the Halsey-Sweet Home Highway lying on each side of the right of way required for the reconstructed highway over and across Sections 16 and 17, Township 14 South, Range 1 West, W.M..

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Linn County, Oregon, the beginning and ending points with reference to the engineer's stations of the said reconstructed highway being Station 310+20 on the easterly end and Station 415+00 on the westerly end.

Also:

All those certain parts of the old right of way of the said Crawfordsville-Holley Section of the Halsey-Sweet Home Highway lying on each side of the right of way required for the reconstructed highway over and across Section 15, Township 14 South, Range 1 West, W. M., the beginning and ending points with reference to the engineer's stations of the said reconstructed highway being Station 241+40 on the easterly end and Station 278+50 on the westerly end.

The location of said abandoned right of way may be more definitely and particularly ascertained and determined by reference to maps or blueprints marked respectively Exhibit A and Exhibit B attached hereto and by this reference made a part hereof, which said exhibits for identification purposes bear the signatures of F. D. Eason, Division Engineer, H. G. Smith, Construction Engineer, and C. B. McCullough, Assistant State Highway Engineer, and is dated February 17, 1943, upon which maps or exhibits are reflected the above described parcels of land by showing the same shaded in red.*

2. In the event there remains any physical connection between any portion of said abandoned right of way or highway and the present highway, and by reason of such physical connection traffic from the existing highway may enter or use the said abandoned right of way or highway to the possible damage or injury of such traffic by reason of any unsafe condition existing with respect to said old or abandoned road, then the State Highway Engineer is hereby authorized and directed to erect such barricade or other safeguards as may be necessary to protect and safeguard traffic using and employing said newly located, constructed, and dedicated section of said highway.

3. That this resolution be entered in the minutes and records of the Commission and a certified copy thereof promptly delivered to the County Court of Linn County, together with a copy of Exhibit A and Exhibit B, for such action as said County Court may desire to take with respect to the fragments of land to be abandoned, and should said abandoned sections of the right of way of said Halsey-Sweet Home Highway be further employed for public or private highway purposes such use shall be entirely under the control and supervision of the County Court of Linn County and beyond any responsibility or supervision by the State Highway Commission.

*Map files Right of Way Abandonment and Retention File - No. 113.

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The Secretary presented communications, as follows, relative to resolutions previously adopted by the Commission abandoning portions of the right of way of old state highways which have been rendered valueless for state highway purposes by reason of alignment revisions:

Letter from the Town of Talent, Jackson County, in which the town accepts jurisdiction over that portion of the abandoned section of the old Pacific Highway within the city limits.

Resolution from Josephine County Court accepting jurisdiction and control over portions of the abandoned right of way of the Williams Secondary Highway between engineer's station 35+16 and engineer's station 46+43 of the relocated center line of said highway, in Section 19, T. 37 S., R 5 W., W. M.

Letter from the County Court of Linn County accepting jurisdiction over the abandoned portion of the Brownsville Section of the Halsey-Sweet Home Secondary Highway at Brownsville, in so far as it pertains to the portion lying outside of the city limits of Brownsville.

Letter from the City of Reedsport accepting jurisdiction over the former routes of the Oregon Coast Highway and the Umpqua Highway within the city limits, which have been abandoned by the state.

Resolution from the County Court of Lincoln County accepting control and jurisdiction over certain sections of the old right of way of the Olalla Creek-Toledo Section of the Corvallis-Newport Highway.

Order from the County Court of Jackson County accepting control and jurisdiction over that portion of the right of way of the old Pacific Highway between Bear Creek and Talent, which lies outside of the corporate limits of the town of Talent.

The Commission accepted the communications and ordered them filed.

Chairman Cabell presented a request from Senator Louis W. Wipperman, Grants Pass, for the improvement of the Lower River Road (Rogue River Loop Secondary Highway) in Josephine County, from the end of the present improved section near Gunnell Road junction to the crossing of the Rogue River at a place known as Robertson Bridge, as a postwar project. After discussion the Commission tentatively approved the request and instructed the Engineer to include this project in the list of projects that are to be considered for construction in the postwar program. The Secretary was instructed to inform Senator Wipperman of the action taken.

In this connection the suggestion was made by Chairman Cabell that it would be advisable to arrange a postwar program for state secondary highways as well as for primary highway construction. The suggestion was adopted by the Commission and the Engineer was thereupon instructed to prepare a program of such projects for consideration by the Commission.

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A letter was presented from Mr. Henry Baker, Chairman, Morrow County United States Department of Agriculture War Board, requesting the immediate improvement of the Lexington-Jarman Secondary Highway and the Eightmile and Hardman Secondary Highways (Secondary Highways No. 300, 320 and 321), sections of which, he declared, have been severely damaged during the past month by reason of heavy traffic. Mr. Baker further states that the condition of the Morrow County highways at the present time is such that, unless immediate steps are taken to repair them, transportation in this county will be seriously handicapped during the balance of the year. He suggests the posting of the highways in question for reduced load limits to prevent their use by heavy traffic until the repair work is completed. The Engineer was instructed to inform Mr. Baker that the Commission is doing its best to maintain the highways under its control in good travelable condition, and expects to continue to do so, although that is becoming increasingly difficult because of wartime conditions.

Chairman Cabell reported a request from Mr. G. S. Burris, Moro, Oregon, for a small amount of improvement work on the Cottonwood Grade Section of the Vasco-Heppner Secondary State Highway, in Sherman County. The Commission referred this matter to the Engineer for investigation to ascertain just what Mr. Burris has in mind.

The State Parks Superintendent, Mr. S. H. Boardman, was present and reported on the following state park matters:

Jurisdiction of the provisional government park at Champoe:- The Parks Superintendent called attention to Senate Bill 154 now before the Legislature, which transfers jurisdiction over this park to the State Highway Commission. He advised that the bill has passed both Houses and will become a law as soon as it has been signed by the Governor. The Commission voted unanimously to accept jurisdiction over this park.

Timbered wayside strips along the Oregon Coast Highway through the Sparrow holdings, in Douglas County:- The Parks Superintendent requested instructions relative to the purchase of wayside strips consisting of 40-acre tracts along the Oregon Coast Highway between Elbow Lake and Gardiner. He advised that the Sparrow Realty Corporation, which owns this property, has plans to cut the timber on a portion of the property in the not distant future and if the Commission wants to preserve this timber it would have to act soon. He also said that there are approximately 650 acres of land concerned, on which there is a stand of approximately 35 million feet of fir and spruce timber which, at the present market price of \$5.00 per thousand, would cost the state about \$175,000. The Commission decided not to purchase this property in view of the expense involved.

In this connection the Parks Superintendent advised that the Sparrow Realty Company owns another 40-acre tract bordering on the highway at the southern tip of Elbow Lake and that the company has offered to sell this tract to the state for \$8,020. In order to

properly protect the value of the lake scenery he said it would be necessary to purchase an additional 80-acre tract; in other words, the expenditure necessary to properly protect the state's interests would be approximately \$25,000. The Commission decided that it could not spare the funds at the present time and accordingly refused the offer.

Proposed state park at Floras Lake, in Curry County:- The Parks Superintendent brought up for reconsideration the matter of purchasing the Blacklock Sandstone Company property, consisting of 1,400 acres, in Curry County. He recalled that the company offered to sell this property to the state for \$3,600 and advised that, if the Commission purchases it, he would develop it with CCC forces when the government CCC program is revived. Commissioner Clough advised that he inspected this property in company with the Parks Superintendent on February 15 and in his estimation the property is much more valuable from the park standpoint than the state park that the Commission sold to the Chrome Mining Company. It was his thought that if the Commission purchases any park properties this year it would make no mistake in purchasing the 1,400 acres under discussion. In view of this report the Commission voted unanimously to purchase the property. The Parks Superintendent was instructed to conduct further negotiations for the purchase of the "Sweet" acreage which is surrounded by the Blacklock Company property.

Sheep grazing in The Cove State Park, Jefferson County:- The Parks Superintendent reported receipt of an application from Mr. James Grino, Bend, for the use of two sections of land in this park as a sheep range and for lambing purposes. It appears that Mr. Grino wants to range 600 sheep on this land for a period of about one month. The Parks Superintendent advised that he has no objections, provided Mr. Grino pays for the privilege at the prevailing rates. The Commission approved the request subject to payment by Mr. Grino of \$0.25 per acre for the use of the property. (Investigation by the Parks Superintendent following the meeting revealed that the property desired by Mr. Grino is not owned by the state, but is simply under lease from the Federal Government for park and recreational purposes, and that the lease contains a clause which will not permit the re-leasing of the property to a third party; hence it was necessary to refuse Mr. Grino's request and he has been so informed.)

Sheep grazing in Cape Sebastian State Park, Curry County:- The Commission considered and upon recommendation of the Parks Superintendent approved the application of Mr. Arthur G. Walker, Gold Beach, to pasture 100 sheep in this park at the rate of \$0.50 per head per year. The matter is to be covered by written agreement.

Maintenance of Vista House at Crown Point, Multnomah County:- The Parks Superintendent presented a petition from Mr. Edward L. Dimmitt, Concessionaire at Crown Point Vista House, for help from

the Commission in view of the falling off of his business on account of wartime conditions. He advised that Mr. Dimmitt, for a number of years, has had charge of this place under special contract which provides that he shall maintain the Vista House for the privilege of catering to the traveling public. Due to the gasoline and rubber rationing, he said, tourist travel has about stopped, and Mr. Dimmitt's sales have fallen off in proportion. He recommended, in view of the fact that it is necessary to maintain a caretaker on the premises for the protection of the state's property, that Mr. Dimmitt be hired to perform this service and that he be paid a salary of \$75 per month for the duration of the war. Such arrangement, he said, would not relieve Mr. Dimmitt from paying all maintenance costs, cost of electricity, water, rest-room supplies, et cetera, but he would be required to assume such expense as in the past. The Commission approved the recommendation.

Purchase of timber strips along the Pendleton-John Day Highway in the vicinity of Camas Creek:- This matter was discussed briefly by the Commission but no action was taken in view of the fact that options have not as yet been secured from the property owners. The Attorney was instructed to negotiate the options and report results thereof at the next meeting of the Commission.

Parks budget for 1943:- The Parks Superintendent submitted the following budget for his department for the calendar year 1943:

Acquisition of new parks and expense to satisfy existing obligations:

1. Geo. Geisendorfer, Cascadia Park, 12 monthly payments of \$50.00	\$ 600.00
2. Shore Acres, Coos County, 1st annual payment	3,750.00
3. Purchase of Blacklock property, in Curry County	3,600.00
4. O & C recreational leases subject to exchange with counties:	
a. Clackamas Co., Wildcat lease, Mt. Hood Hwy.	600.00
b. " " Wemms " , " " "	200.00
c. Douglas County, Loon Lake lease	260.00
d. " " , Camas Mt. lease	600.00
e. " " , Elkton tunnel lease	1,000.00
f. Jackson County, Crater Lake Hwy. lease	<u>1,600.00</u>
	\$12,210.00
Betterment of Parks	0.00
Operation and Maintenance of Parks	<u>*40,077.25</u>
Estimated Total	*\$52,287.25

*This amount does not include anticipated expense to operate and maintain prospective parks at Champoege and Sodaville.

After discussion the Commission approved the budget by unanimous vote, and instructed the Engineer to add this item to the maintenance budget that was previously approved by the Commission at this meeting.

The Engineer presented a list of surveys that he has ordered since the last meeting of the Commission and asked the Commission to confirm them and the amounts allocated for each. After due consideration the Commission authorized and instructed the Engineer to make such surveys on various sections of the highways of this state, which said sections of highways, together with their identifying survey numbers and the amounts authorized and allocated for such survey expenditures, are as follows:

Type of Survey	Prefix No.	County	Section and Highway	Authorization
Road Approach	210-1436	Douglas	Sparrow Road, near Gardiner, County Road	1st - \$ 200
Plans	12-1427	Grant	Beach Creek Sec., Pendleton-John Day Highway	3rd - \$1,500 Total to date \$4,000
Storage Tank	20-1453	Lane	Springfield Oil Storage, McKenzie Highway	1st - \$ 100
Plans	26-1463	Multnomah	Denver Avenue Underpass, Pacific Highway West	2nd - \$1,500 Total to date \$3,000
Plans	26-1462	Multnomah	Union Ave.-Denver Ave. Sec., Pacific Highways East and West	3rd - \$1,500 Total to date \$4,000
Slide	29-1440	Tillamook	Wheeler-Brighton Section, Oregon Coast Highway	2nd - \$ 475 Total to date \$670
Location	10-1437	Douglas	Lane County Line-Rice Hill Section, Pacific Highway	1st - \$18,955
Location	20-1454	Lane	Walker-Douglas County Line Section, Pacific Highway	1st - \$8,670
Plans	26-1465	Multnomah	Barbur Blvd.-Interstate Ave. Section, Pacific Hwy. West	1st - \$5,000
Right of Way	29-1442	Tillamook	Nehalem-Arch Cape Section, Oregon Coast Highway	1st - \$ 250
Plans	1-1431	Baker	Lime-Huntington Section, Old Oregon Trail Highway	1st - \$ 150

The Engineer reported that a number of surveys heretofore authorized by the Commission have been completed. He presented a list of such surveys and reported briefly on each survey listed thereon. After due consideration the Commission approved the respective surveys, as reported, and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, the State Highway Commission heretofore has authorized and instructed the State Highway Engineer to make surveys on certain sections or portions of the highways of the State of Oregon; and

WHEREAS, pursuant to said authorization the State Highway Engineer has made and completed the said surveys and has filed the maps and plans of the said surveys in the files of the State Highway Commission, in Salem, Oregon; and

WHEREAS, the maps and plans of the said surveys have been examined by the State Highway Commission and have been found suitable in all respects for approval and adoption by the State Highway Commission;

NOW, THEREFORE, BE IT RESOLVED that the surveys hereinafter designated and described, together with their identifying location map-file numbers, as shown in the map-filing records of the State Highway Commission in its Salem office, be and they are hereby adopted and approved as the location surveys of the various portions or sections of highways involved:

<u>File No.</u>	<u>Prefix</u>	<u>County</u>	<u>Type of Survey</u>	<u>Section</u>	<u>Highway</u>
9C24-11	210-1436	Douglas	Reconn.	Sparrow Road near Gardiner	
6B6-14	215-1443	Jackson	Location	Evans Creek-Sams Valley	Ramsey Canyon County Road
5B24-3	18-1428	Klamath	Reloc.	Crescent	The Dalles- California
9C24-12	127-1422	Polk	Reconn.	Kings Valley-Dallas Kings Valley-Suver	Dallas-Kings Valley & Kings Valley
6B6-9	215-1442	Jackson	Location	Tolo-Camp White	Tolo Access Co. Rd.
1A1-37	26-1463	Mult.	Loc. & Plans	Union & Denver Aves. Grade Separation	Pacific Highways East and West

BE IT FURTHER RESOLVED that the State Highway Engineer be and he hereby is authorized to make such minor changes in the said locations as may improve the standards of alignment and grades not inconsistent with the general location of the section of highway involved.

Consideration was given by the Commission to the following requests for extensions of time within which to complete highway construction projects:

Edlefsen-Weygandt Company, contract No. 2498, for construction of the Front Avenue Project between Clay Street and Sheridan Street on the Pacific Highway West, Portland, Multnomah County, requested an extension of time of two months, from October 31 to December 31, 1942, within which to complete this job. It alleged that the delay in the performance of the work was due to serious wartime conditions, shortage of labor and certain demands of the Federal Government with respect to black-top pavement operations. The Engineer advised that the reasons given by the contractor for overrunning the specified time limit are substantially correct. He recommended, in view of the circumstances, that the extension of time requested be granted without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

Birkemeier & Saremal, contract No. 2514, for reconstruction of the west approach to the Morrison Street Bridge on the Pacific Highway West, in Portland, Multnomah County, requested an extension of time from August 8 to September 19, 1942, within which to complete this job. They attributed their failure to complete the project within the specified time limit to extra work that was ordered by the Engineer, and to delays in receiving materials due to a low priority rating. The Engineer advised that the completion date specified was rather indefinite, being set as five months after material for the project was available, and he was assured that the material would be delivered on March 8, 1942, which would establish the completion date as August 3, 1942. Skilled labor for the job was very hard to obtain in the Portland area, due to competition of shipyards and other harbor work and, whereas the contractors made every reasonable effort to expedite the project, they were not able to obtain sufficient men for full crews at all times. He recommended, in view of the circumstances, that the extension of time requested be granted without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

Edlefsen-Weygandt Company, contract No. 2537, for grading and paving the Front Avenue Project, between Ankeny Street and Washington Street, on the Pacific Highway West, in Portland, Multnomah County, requested an extension of time of two months, from October 31 to December 31, 1942, within which to complete this job. It attributed its failure to complete the project within the specified time limit to serious wartime conditions, shortage of labor, and certain demands of the Federal Government with reference to black-top pavement operations. The Engineer advised that the reasons given by the contractor for overrunning the specified time limit are substantially correct. He recommended, in view of the circumstances, that the extension of time requested be granted without penalty. A

letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

Berke Brothers, contract No. 2569, for grading and paving Section A, of the South Unit, Antelope Creek-Medford Section of the Crater Lake Highway, in Jackson County, requested an extension of time, from August 31 to December 21, 1942, within which to complete this job. They attributed their failure to complete the project within the specified time limit to shortage of labor caused by war-time conditions, and extremely adverse weather conditions. The Engineer advised that the reasons given by the contractor for failure to complete the project within the specified time limit are substantially correct. However, in addition thereto, some delay was caused by inability of the contractor to obtain certain paving equipment. The traveling public, he said, was not caused much inconvenience by the delay as the old road was available for use at all times. He recommended that the extension of time requested be granted without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

E. C. Hall Company and J. C. Compton, contract No. 2576, for grading and paving the Lewisburg-Corvallis Section of the Pacific Highway West, in Benton County, requested an extension of time, from October 31 to December 19, 1942, within which to complete this job. They alleged that adverse weather conditions and other features beyond their control were the principal reasons that they were not able to complete the project within the specified time limit. The Engineer advised that the paving work was completed on October 28, and that the shoulder work was completed on November 10, and that the finishing work, consisting of clean-up of the premises, adjustment of ditches for drainage, et cetera, was completed on December 19, 1942. He confirmed the reasons given by the contractor for failure to complete the project within the specified time, and recommended in view of the circumstances that the extension of time requested be granted without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

J. F. Johnston, contract No. 2588, for the widening of bridges on the Suver-Lewisburg Section of the Pacific Highway West, in Polk County, requested an extension of time from August 15 to December 22, 1942, within which to complete this job. He attributed his failure to complete the project within the specified time limit to shortage of labor and difficulties in obtaining necessary materials due to wartime conditions. The Engineer advised that the reasons given by the contractor for failure to complete the project within the specified time limit are substantially correct. He recommended that the extension of time requested be granted without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

The Engineer reported that contracts Nos. 2498, 2514, 2529, 2537, 2569, 2576, and 2588, for the construction of state highway projects, have been completed according to the requirements of the contracts or modifications thereof, and that said jobs are now ready for acceptance. The following resolution accepting the above projects was offered and adopted by the unanimous vote of the Commission:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts, and that said jobs are now ready for acceptance:

Contract No. 2498, with Edlefsen-Weygandt Company, for grading, paving and construction of subway structures on the Front Avenue (Clay Street-Sheridan Street) Section of the Pacific Highway West, in the city of Portland, Multnomah County. Completed December 31, 1942.

Contract No. 2514, with Birkemeier & Saremal, for construction of approaches to the Morrison Street Bridge on the Pacific Highway West, in the city of Portland, Multnomah County. Completed September 19, 1942.

Contract No. 2529, with Rogers Construction Company, for the Klamath Falls Rock Production Project on four state highways, in Klamath County. Completed July 3, 1942.

Contract No. 2537, with Edlefsen-Weygandt Company, for grading and paving the Front Avenue (Ankeny Street-Washington Street) Section of the Pacific Highway West, in the city of Portland, Multnomah County. Completed December 31, 1942.

Contract No. 2569, with Berke Brothers, for grading and paving Section A of the South Unit, Antelope Creek-Medford Section of the Crater Lake Highway, in Jackson County. Completed December 21, 1942.

Contract No. 2576, with E. C. Hall Company and J. C. Compton, for grading and paving the Lewisburg-Corvallis Section of the Pacific Highway West, in Benton County. Completed December 19, 1942.

Contract No. 2588, with J. F. Johnston, for widening three bridges on the Suver-Lewisburg Section of the Pacific Highway West, in Polk County. Completed December 22, 1942.

THEREFORE, BE IT RESOLVED that the work covered by said state highway contracts for the construction of said state highway

projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

The Commission considered and signed agreements, et cetera, as follows:

Agreement with the D & K Logging Company covering construction of a logging roadway across Short Sand Beach State Park, in Tillamook County.

Agreement with contractor Porter W. Yett providing for the stockpiling of crushed rock by-products on property owned by the Estate of Gladys Schmidt, adjacent to the Shaniko-Cow Canyon Section of the Sherman Highway, in Wasco County.

Agreement with Marion County providing for the maintenance of the North Santiam Road between Gates and Detroit.

Agreement with Robert T. Reed relative to the sale to Mr. Reed of property purchased by the State Highway Commission from Joseph Trinka, near Goshen.

Agreements with the towns of John Day, Jefferson, Vernonia, Canyon City and Central Point covering work to be performed by the state during 1943 upon city streets that are not on state highway routes.

Permit from the Klamath Indian Agency for the use of tribal lands as quarry, stock-pile site and hauling road, in the SE $\frac{1}{4}$ of Section 2, T 37 S., R. 11 E., W. M. Right of way file 5942.

Form of option covering the sale to the Federal Government of 21.43 acres of land situate in Jefferson County.

Bargain and sale deed conveying unto the Southern Pacific Company certain property situate in Block 2, Villa Heights Addition to Portland. Right of way file 3722.

The Commission set Thursday, March 18, 1943, as the date for its next regular meeting for the receiving of bids. This meeting is to be held in Portland and the Secretary was instructed to make the usual arrangements for the use of the Auditorium of the Public Service Building for this purpose. (This meeting date was later advanced to March 16 and 17, 1943.)

The Engineer was authorized to include in the call for bids the Denver Avenue-Union Avenue traffic separation project, in the city of Portland, in accordance with previously approved plans.

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There being no further business to come before the Commission at this time, the meeting was adjourned at 4:00 p. m.

[Signature]
State Highway Engineer

[Signature]
Secretary

Chairman

[Signature]
Commissioner

[Signature]
Commissioner

Portland, Oregon, March 16, 1943

The members of the State Highway Commission met in special session at 4:00 p. m. in Room 234, Imperial Hotel. Present were: Mr. Huron W. Clough, Commissioner, Canyonville; Mr. Herman Oliver, Commissioner, John Day; and Mr. T. H. Banfield, Portland, who was appointed a member of the Highway Commission on February 28, 1943, by the Honorable Earl Snell, Governor of Oregon, to complete the term of former Chairman of the Commission, Mr. Henry F. Cabell, resigned.

This being the first meeting attended by Mr. Banfield, following his appointment, and there being a vacancy in the Chairmanship of the Commission, the election of a new Chairman was considered to be in order. After discussion, motion was made by Commissioner Oliver that Mr. Banfield be elected Chairman of the Highway Commission. The motion was duly seconded by Commissioner Clough and, having received the majority vote of the members of the Commission, was declared approved.

There followed a general discussion of highway matters, after which adjournment was taken at 5:30 p. m.

[Signature]
Chairman

[Signature]
Commissioner

[Signature]
Commissioner

Portland, Oregon, March 17, 1943

The State Highway Commission met in regular session at 9:00 a. m. in the auditorium of the Public Service Building. Present were:

T. H. Banfield, Chairman
Huron W. Clough, Commissioner
Herman Oliver, Commissioner
R. H. Baldock, State Highway Engineer
J. M. Devers, Attorney
H. B. Glaisyer, Secretary

Bids as follows for highway construction work were opened and read in conformity with previously published notice, following which Chairman Banfield announced that the awards of contracts would be made at 3:00 p. m. in the same room:

OREGON COAST HIGHWAY
LEWIS AND CLARK BRIDGE NEAR ASTORIA
REMOVAL AND REPLACEMENT OF PIER FENDERS

The Gilpin Construction Co.
Makela Construction Co.

\$5,855.00
6,259.60

THREE STATE HIGHWAYS
JOHN DAY ROCK PRODUCTION

Chester T. Lackey
R. O. Dail & Warren Bros.
D. C. & A. L. Williams

\$45,350.00
57,970.00
58,500.00

CENTRAL OREGON HIGHWAY
DRINKWATER PASS-JUNTURA ROCK PRODUCTION

No bids received on this project

THE DALLES-CALIFORNIA HIGHWAY
CRESCENT ROCK PRODUCTION

No bids received on this project

AURORA FLIGHT STRIP
CLEARING OF APPROACH AND SIDE CLEARANCE ZONES

Vernie Jarl
C. W. Reeve

\$5,350.00
7,160.00

PACIFIC HIGHWAY EAST
DENVER AVENUE JUNCTION SECTION
GRADING, SURFACING, PAVING AND BRIDGE CONSTRUCTION

Henry L. Horn	\$318,116.50
Edlefsen-Weygandt Co.	339,224.40
E. C. Hall Co.	347,294.00
Berke Bros.	349,165.50
C. J. Montag & Son	355,068.00

The Engineer reported on the request of the City of Milton for state aid in correcting a drainage condition which exists along the Oregon-Washington Highway near the southern limits of Milton. It appears that, during periods of heavy rainfall and melting snow, water heavily laden with silt flows from adjacent canyons onto certain city streets, including Main Street, the route of the Oregon-Washington Highway, due to the inability of the irrigation ditch of the Milton Ditch Company to take care of it. As a result, silt and debris are deposited on the city streets, including the highway throughout most of its length within the city limits. It also appears that the Milton Ditch Company objects to the use of its ditch as an outflow for this water. The Engineer advised that the city has started negotiations to secure approval for a project which would divert water from Nichols Gulch, and is asking the state to cooperate because of the benefits that the highway will receive thereby. It was his opinion that the state will receive considerable benefit by reason of such improvement and recommended, in view thereof, that the Commission assume fifty per cent of the expense involved, which is estimated at \$5,000, provided the state's share shall not exceed \$2,500, and that the city will do the work in the first instance, either by contract or with city forces, under state supervision. The state's share of the cost, he said, would be paid to the city after the work is completed. After discussion, the Commission approved the recommendation, and ordered that the arrangement be covered by appropriate agreement between the city and the state.

In this connection the Engineer brought up for discussion the matter of improving city streets that are not on state highway routes. He recalled that the Commission some time ago approved a budget for this purpose, and inquired, in view of the fact that the Legislature acted favorably on the bill which allocates a portion of the highway fund to the cities and towns, whether or not it is the desire of the Commission to proceed with such city street improvements as planned. The Commission decided unanimously to perform such work as is planned for this year. Whether or not the work shall be continued in the future will be decided later when next year's budget is adopted.

The Engineer also brought up for discussion a recent order made by the Director of the Office of Defense Transportation, which modifies the 35-mile-per-hour speed limit and certain other governmental motor-carrier regulations, in order to expedite emergency war shipments. He explained that, as the order was first issued, it apparently ignored local authorities, and inference from the order was that truckers might proceed at any speed, with any weight, under protection of the Office of Defense Transportation's certificates of exemption and "V" emergency pennants provided for by the order. However,

when the matter was called to the attention of representatives of the Director of Defense Transportation, and it was explained that the order as written would set aside state laws and regulations that control such features, the order was modified to prohibit speeds in excess of the applicable speed limit duly prescribed by competent public authority, and to provide that the gross and axle weights should not exceed the applicable state laws or the weights allowed by permits issued by competent state authorities. (See copy of rules and regulations for details.) He recommended action by the Commission, approving speeds in excess of 35 miles per hour for such vehicles, provided the speed limits prescribed by law are not exceeded; also, that the Commission go on record as opposing movements that weigh in excess of the legal-weight requirements and/or the weights specified in the emergency transportation permits that have been issued to such carriers. The Commission, by unanimous vote, approved the Engineer's recommendation. The Engineer was thereupon instructed to inform Governor Snell of the Commission's attitude with respect to the application of this Order. (See letter dated March 18, 1943.)

The Engineer reported on the cost to improve Edwards Street, Medford, between the Pacific Highway and Central Avenue, which improvement has been requested by the City Council and certain local industries. He advised that investigation reveals that, since the Pacific Highway has been declared a one-way street for northbound traffic, and southbound traffic has been routed along Court Street and Central Avenue, Edwards Street has become an important connection for industries along Central Avenue. Formerly, he said, access to these industries was had by driving north on Central Avenue, but such routing is no longer available because of the designation of this street a one-way street for southbound traffic only; and, when entering the city from the south, trucks now are obliged to go several blocks out of the way in order to reach their headquarters. Edwards Street, he said, is the logical route, but traffic is reluctant to use this street because its poor condition is hard on tires and equipment; hence the request for the improvement of this street at state expense. He gave as his thought that the state is largely responsible for existing conditions, because the one-way street designations were adopted at the instance of the Highway Commission. He recommended, in view thereof, that the Commission authorize the improvement of Edwards Street, which will cost about \$4,500, provided the War Production Board will certify the project for needed materials. After discussion, Commissioner Clough stated his approval of the Engineer's recommendation. Commissioner Oliver concurred, whereupon Chairman Banfield declared the action unanimous. The Engineer was thereupon authorized to proceed with the project.

The Commission had under discussion two applications from the Foster Booming Company, in one of which the company requests authority to flood the right of way of the Santiam Highway under Wiley Creek Bridge, and in the other requests authority from the Commission to construct a logging railroad under the highway at the westerly end of this bridge. The Engineer explained that the company proposes, in connection with its logging operations in this vicinity, to construct a dam across Wiley Creek to create a pond for storing logs, and that the backwater will submerge the state's property under the bridge. The company, he said, is asking authority from the Commission to flood this land. He gave as his opinion that such flooding would not be harmful to the

highway and will not create a traffic hazard. He further explained that the company plans to construct a logging railroad from their timber to their mill at Lebanon and wants to construct such logging road under the west approach to Wiley Creek Bridge. He offered no objection to such construction provided the company will do the work in conformity with plans and specifications approved by the State Highway Department and will pay all of the costs involved. He recommended approval of the company's request on such basis. After considerable discussion, the Commission by unanimous vote approved both applications in principle and ordered that the entire matter be covered by appropriate written agreement between the company and the Commission, when satisfactory disposition has been made of all the details involved.

The Attorney rendered a status report on the settlement of the Troy damage claim, arising out of the reconstruction of the Old Oregon Trail across the Troy property, in Baker County. He advised that the Troys have agreed to settle on the basis of the Commission's latest offer of \$2,500, if provision is made in the agreement covering the matter of state maintenance of a certain ditch that occupies the highway right of way. Commissioner Oliver suggested that the state should maintain the ditch if it is on the highway right of way. Commissioner Clough concurred. The Attorney was thereupon instructed by Chairman Banfield to revise the agreement in conformity therewith.

The Engineer brought up for discussion the matter of securing deferment from the draft of certain highway department employees whose loss to the department would seriously impede the department's work. He advised that the Highway Commission, at a meeting on July 23, 1942, authorized Chairman Cabell to direct a letter to the Draft Boards of the state, requesting deferment of certain key men, individually, as need arose, and inquired if it is the wish of the Commission to continue such practice. After discussion, the Commission by unanimous vote confirmed the action taken on July 23, 1942, and thereupon authorized Chairman Banfield to sign similar letters in behalf of the Commission.

The Commission discussed briefly matters pertaining to the employment of convict labor on state highway work, but took no definite action thereon.

The Engineer reported receipt of a request for the use of a portion of Floras Lake State Park, in Curry County, as an aircraft landing field. It appears that the Federal Government has appropriated approximately \$365,000 for the construction of a navy aircraft landing field in this district, and that the most suitable site for the same happens to be located in the state park which was recently acquired by the Highway Commission from the Blacklock Sandstone Company of California. The Engineer advised that the plans provide for the construction of runways in the back end of the park, which would leave the area fronting on the ocean available to the state for the purposes for which it was acquired. It was his thought that the existence of the landing field in the park would not be objectionable, and might work to the advantage of the state after the war is over, inasmuch as the Government no doubt will build roadways leading to the area which would be available for park use when times return to normal. The State Parks Superintendent, Mr. S. H. Boardman, was present and concurred in the remarks of the Engineer. After discussion,

the Commission decided unanimously to lease the area to the Federal Government for landing-field purposes, provided the Government will allow the state to sponsor the project, and will return the property to the state for maintenance after the war is over.

This matter was discussed further with a delegation which appeared before the Commission at this time, consisting of the following members: Elmer Bankus, Brookings, representing Curry County interests; Leo G. Devaney, Director of the State Board of Aeronautics, Portland; L. W. Wilcox and J. H. Reavey, representing the Civil Aeronautics Administration, Seattle, as District Engineer and Supervisor of Development of Airports, respectively. Mr. Bankus presented a resolution from the County Court of Curry County, in which the Court resolves, in behalf of the people of Curry County, to act as sponsor for the proposed airport project, and to cooperate with the Civil Aeronautics Administration and the United States Navy in all measures designed to bring the airport project to materialization; also, in which the State Highway Commission is requested to convey unto Curry County such portion of the state park as may be required for said airport.

In response to an invitation from Chairman Banfield, Mr. Wilcox stated that the Federal Government has appropriated \$865,000 for this airport project, the money to be spent under the direction of the Civil Aeronautics Administration; also, that the project needs a sponsor and that Curry County has offered to, and particularly wants to, assume such sponsorship. The only way that it would be possible for the county to assume such responsibility, he said, is for the county to obtain title to the land upon which the airport is to be constructed. The Civil Aeronautics Administration, he added, has received its orders to proceed with the making of surveys and plans for construction as soon as possible, and the only thing that is holding up the proposition is the fact that the county does not own the land. Mr. Wilcox also said that the county, as sponsor, would be required to adopt a resolution prepared by the Civil Aeronautics Administration, known as the AP-4 Resolution, which provides briefly that the county will agree to operate and maintain the airport as a public facility to the best interests of the public. The Navy Department, he said, would probably lease the airport from the county for the duration of the war and for a period of six months thereafter and, in that event, the county would be relieved of its immediate obligation and responsibility with respect to the maintenance feature, which would be assumed by the Navy during the time that the lease is in effect.

The Attorney advised that the State Highway Commission has gone on record as favoring state sponsorship of this project and inquired why the state could not act as sponsor in view of the authority given the Highway Commission by the 1943 Oregon Legislature to cooperate with the United States in the construction and maintenance of airports, et cetera. Mr. Wilcox replied that the Government's AP-4 ruling is not very flexible, and that he could not state definitely whether or not the state could qualify as sponsor until he has received a ruling from Washington.

The State Highway Engineer pointed out that the state is in much better position to carry on the maintenance work than is the county, to which

Mr. Wilcox replied that the Federal Government is of the opinion that maintenance by local authorities is best, because the local community would receive the most benefit and would take a greater interest in the project. Personal service, he said, such as can be provided by local authorities, will provide for a better and more successful operation of the field. Mr. Devaney admitted that the state is better fixed to perform certain features of the maintenance work but, in his estimation, local interests are in better position to perform certain features such as lighting the premises, surfacing, and operation.

Chairman Banfield pointed out that the State Highway Commission in the past has assumed certain obligations with respect to the operation and maintenance of flight strips, and that the project under discussion is only a forerunner of similar projects that no doubt will arise in the future. The establishment of a precedent in the present instance, he said, may or may not work to the advantage of the state, and, in view thereof, it was his thought that the state should act as either sponsor or cosponsor for the project. Should future investigations reveal, he added, that the state cannot act as sponsor or cosponsor, then the Commission will be pleased to reconsider the question, but in the meantime the Commission believes that its duty is to act as either the sponsor or cosponsor and to retain title to the land.

There followed a general discussion, in which Mr. Heavey pointed out the urgency of a decision so as to expedite the construction of the airport. The conference was concluded by Chairman Banfield, who stated that the Commission wishes to cooperate fully in this undertaking, but the main question is who is to maintain the project after the war is over. He reiterated that the adoption by the Commission of an undesirable precedent now would act to the state's disadvantage in the disposition of similar projects that arise in the future. The Highway Commission, he said, will consider all of the facts, and will reach a decision in the matter in a few days.

The Commission reconsidered the matter later in the session, at which time the Attorney advised that there are two solutions to the problem, if investigation reveals that the state cannot legally act as sponsor; viz., the state could lease the property to the county, which does not appear favorable because the lease would have to be for a period of twenty-five years; or the state could act as cosponsor, and in that event the county would be able to perform certain things that the state could not do, and the state could perform certain things that the county could not do. He also pointed out that, if the Navy were determined to take the property, it could do so by condemnation, and the Commission would have very little to say about it, and in that event title could be transferred to the county, which then could act as sole sponsor. The Attorney was instructed to advise the Commission with respect to its legal authority to sponsor construction, maintenance and operation of this proposed airbase.

Mr. Bankus appeared before the Commission as an individual and offered to deed to the state certain land which fronts on the Oregon Coast Highway, in Curry County, for a distance of $1\frac{1}{2}$ miles. He said that the land contains 13,000,000 feet of timber, and that he would deed the land and the timber to the state at the rate of \$0.50 per M-FEM. He asked for a decision by

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the Commission before its next meeting because he said he has another offer for the timber. The matter was referred to the Engineer and the Parks Superintendent for investigation and report. The State Parks Superintendent reported later in the session that he is familiar with the property offered by Mr. Bankus and in his estimation the property is of no value for park or recreational purposes. He recommended that the offer be declined from the park's standpoint. The Commission approved the recommendation; however, instructed the Engineer to investigate the property from the standpoint of its being of value to the state as right of way for a proposed revision of the Oregon Coast Highway at this location.

Mr. John M. Colon, Attorney, representing the United States War Department, came before the Commission with regard to the leasing, for military purposes, of property recently acquired by the Commission from Mr. L. J. Simpson at Shore Acres, adjacent to the Cape Arago Secondary Highway in Coos County. He advised that the Army is ready and willing to enter into a lease agreement with the Commission for the use of this property, in accordance with the conditions outlined in the letter of the State Highway Engineer directed to the United States Army Engineers, Portland, dated March 10, 1943. (See letter in general files for details.) He stated, however, that it would be necessary for the Army to construct one roadway across the property, in addition to the improvement of the existing road. After discussion the Commission by unanimous vote approved the leasing of this property to the United States Army on the basis of the Engineer's letter of March 10. The matter is to be covered by formal lease agreement.

Mr. Colon also brought up for discussion the following matters:

(1) Occupation of Cape Sebastian State Park in Curry County:-Mr. Colon agreed to look into the matter of preparing a lease of this property which is now being occupied by Army personnel and which park is closed to civilians.

(2) Use of a portion of the right of way of the Oregon Coast Highway near Waldport, in connection with the operation of a troop shelter:-Mr. Colon advised that in order to provide access to the troop shelter, it would be necessary to construct a service road for a short distance on the highway right of way. This roadway, he said, would be constructed at the top of the excavation slope and in his estimation would not interfere with the use of the highway. The matter was referred by the Commission to the Engineer for investigation, with authority to grant the permission if there are no objections. The matter is to be covered by appropriate lease agreement, and there is to be no charge for the use of the area by the Army.

The State Highway Engineer advised that he has received information to the effect that the Army and the Coast Guard are conducting certain activities in other state parks, which operations are being carried on without authority from the State Highway Commission. He particularly mentioned activities at Ecola State Park near Cannon Beach, Short Sand Beach State Park in northern Tillamook County, Cape Lookout State Park south of Tillamook, Yaquina Bay State Park at Newport, Patterson Ocean Wayside Park south of Waldport, and others. It was his thought that the use of these parks by the armed forces should be covered by appropriate written agreements. Mr. Colon suggested that, if the

Commission would direct a letter to the Commanding Officer in charge of these operations, giving full information with respect to the encroachments, the probabilities are that appropriate action would be taken to effect the cessation of such activities, unless they are absolutely required; in any event, something would be done to respect the state's property. Should it develop that such use of the state's property could not be discontinued, then the use of the property will be covered by appropriate written agreement. The Engineer was instructed by the Commission to make investigations as may be necessary and to prepare agreements to cover the use of the properties that are absolutely needed by the Armed forces.

County Judge Nelson B. Higgs of Harney County was present and asked the Commission to assist the county in the maintenance of its market roads. He also asked for better maintenance of state secondary highways in Harney County some of which, he alleged, are in very poor condition and are difficult to travel. The matter was referred to the Engineer for investigation.

The matter of selecting companies, who shall participate in furnishing the bond required of the State Highway Engineer in connection with the administering of the \$150,000 increase in the highway department's revolving fund that was authorized by the 1943 Legislature, had the attention of the Commission. Action on this matter was deferred until the next meeting. The Secretary was instructed in the meantime to furnish each member of the Commission a list of companies that now participate in the Engineer's \$200,000 bond and a list of the companies that are eligible to participate in the new bond.

The Engineer reported that, in conformity with authority previously granted him by the Commission, he posted the Central Oregon Highway, between Bend and its junction with the Lakeview-Burns Highway, for a 50 per cent reduced load limit in order to preserve the surface of the road during the time that the frost was leaving the ground, and that the signs were erected on February 23, 1943. The signs, he said, were taken down on March 15, 1943, due to improved conditions and he is simply reporting the circumstances at this time for the Commission's information and in conformity with previous instructions. The Commission approved the action taken by the Engineer on this matter.

The Engineer reported further that on February 23, 1943, he also ordered that the I.O.N. and Jordan Valley Secondary State Highways, between the Oregon-Nevada state line at McDermitt, Nevada, and the town of Jordan Valley, be posted for 50 per cent reduced load limit because the roads were being seriously damaged by heavy traffic and were becoming almost impassable. He asked the Commission to confirm such action. The Commission approved such posting and by unanimous vote adopted the following resolution in regard thereto.

WHEREAS, the following roads or highways have been designated and declared to be and are state highways, and have been improved and are being maintained by the State Highway Commission pursuant to the laws of the State of Oregon as state highways, to wit:

I.O.N. and JORDAN VALLEY SECONDARY HIGHWAYS

AND WHEREAS, the said above-named state highways are, in the judgment of the State Highway Commission, being subjected to a

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kind and character of traffic which is damaging and injuring the said highways, and, in order to protect said highways against such damage and injury, it is deemed and is the judgment of the Highway Commission and said Commission finds that it will be for the best interests of the said highways that the maximum weights permitted and authorized by law be reduced;

NOW, THEREFORE, the premises being in part as above stated, and the State Highway Commission having, as a result of due investigation, found that the roads above mentioned and hereinafter designated are being damaged and injured on account of the kind and character of traffic now being hauled over and upon said roads; and, by reason of the fact that vehicles carrying maximum loads moved at the maximum speeds specified by the provisions of the laws of the State of Oregon are breaking up, damaging and deteriorating the said roads,

IT IS HEREBY ORDERED, that the maximum weight of combined load and vehicle which shall be permitted upon the within-named roads shall not exceed the weight herein fixed.

The maximum weights which shall apply to the following highways, to-wit:

I.O.N. and JORDAN VALLEY SECONDARY HIGHWAYS from the Oregon-Nevada state line near McDermitt, Nevada, to the town of Jordan Valley, in Malheur County,

shall be as follows: the combined weight in pounds bearing on the surface of the highway at contact with the tread of the wheels of the front axle of a truck or truck-tractor shall not exceed the product of four hundred (400) multiplied by the sum in inches of the tire width of the wheels of such axle; and, the combined weight in pounds bearing on the surface of the highway at contact with the tread of the wheels of any one axle of a vehicle or combination of vehicles, other than the front axle of a truck or truck-tractor, shall not exceed the product of three hundred (300) multiplied by the sum in inches of the tire width of the wheels of such axle; but, in no event shall the combined weight in pounds bearing on the surface of the highway at contact with the tread of the wheels of any one axle of a vehicle exceed the maximum limit set by law for any one axle.

IT IS FURTHER ORDERED, that these rules and regulations as made and found by the State Highway Commission under the provisions of Section 115-394, O.C.L.A., shall be in full force and effect until modified, annulled or voided by the order of the State Highway Commission.

AND IT IS FURTHER ORDERED, that a notice be posted in a conspicuous manner and place at each end of the above-named sections of said highways and at important crossroads on said highways so that said notices can be readily seen and read, which said notices shall state plainly the limitations and prohibitions of traffic hereby in this order determined and fixed.

AND BE IT FURTHER ORDERED, that certified copies of this order be furnished the county clerk of Malheur County, in which county said highways are located, and the Superintendent of the Department of State Police for his information.

The Commission had under discussion the claim of Mr. and Mrs. Ralph R. Gibbs, Broadbent, Oregon, for damages which they allege occurred to their property adjacent to the Powers Secondary Highway, in Coos County, by reason of the blocking of a highway culvert which diverted flood water onto their premises. The Engineer advised that, in the fall of 1941, certain improvements were made in the highway in the vicinity of the Gibbs' property and that in connection therewith the old bridge across Rhoda Creek was removed and a 72-inch corrugated culvert installed in lieu thereof, and, during the process of back filling, the culvert pipe was struttred to prevent collapse. It so happens, he said, that exceptionally heavy rainfall occurred before the struts could be removed and as a result the pipe was unable to carry the water which backed up on the Gibbs' property, causing considerable damage. Mr. Gibbs, he said, is asking damages in the amount of \$100 to cover the following items: overhauling three cars and a tractor \$74.15, repairs to fences and damage to grounds \$25.00. He recommended that the Gibbs be paid the sum of \$100 in full satisfaction of their claim, if they will sign a statement releasing the Commission from further obligation in connection therewith. After discussion the Commission approved the recommendation by unanimous vote.

The Commission discussed a letter from the Wedderburn Water Company requesting permission to install a four-inch water pipe line on the sidewalk of the bridge over the Rogue River between Wedderburn and Gold Beach. The Engineer recommended that the request be denied because the sidewalk is narrow and the pipe line located thereon would interfere with the use of the walk and would detract greatly from the appearance of the structure. Furthermore, when this bridge was constructed, openings were left in the forebeams and brackets for the specific purpose of accommodating such water lines and other facilities, and these openings are now available to the company if it cares to use them. The Commission approved the recommendation; however, ordered that the company be informed that the Commission is willing to issue a permit authorizing the company to install its pipe line through the existing openings if it wishes to use them.

A request was presented from the City of Tillamook for assistance from the State Highway Commission in the repair of certain city streets that are being damaged by heavy log-hauling traffic and by trucks that are engaged in hauling rock to the nearby Navy Blimp Base. The Engineer advised that he personally inspected these streets in company with the Tillamook Street Commissioner on February 25 and confirmed the city's statement that the streets are being damaged. He estimated the cost to repair them at \$5,200 which is \$4,072 more than the amount that the Commission has budgeted this year for the improvement of city streets in Tillamook. He recommended, notwithstanding the budgeted amount, that the full amount of \$5,200 be expended in this city because the Commission's program for city street improvements was designed

primarily to cover repairs that are the result of heavy hauling such as is being carried on in Tillamook. He said that, if the Commission approved such expenditure, the City of Tillamook would cooperate to the extent of providing its small paving plant and other street equipment in order to speed up the completion of the work. After discussion the Commission by unanimous vote approved the expenditure of \$5,200 in this city, as recommended by the Engineer.

For similar reasons, the Commission by unanimous vote authorized an expenditure of \$3,750 for the repair of streets in the city of Lebanon which are being damaged by heavy log-hauling traffic, such amount being \$2,654 over and above the original allotment for this town.

A letter was presented from the Department of Interior, Grazing Service, Boise, Idaho, in which the Highway Commission was asked to improve the Oxbow Tunnel Hill Section and the Homestead-Ballards Bridge Section of the Robinette-Homestead Highway, in Wallowa County, to facilitate the transportation of strategic materials that are being taken from the Red Ledge Mine for national defense purposes. The Engineer advised that the work is quite costly and probably could not be financed with the funds that the Commission would be able to spare for the purpose; further, that the work could not be undertaken without approval of the War Production Board which insists upon a certification by the Army or the Navy as to its necessity with relation to the war effort. He also pointed out that the Federal Government has made funds available to finance access roads to mines, and recommended in view thereof that the request be denied and that the suggestion be made to the Grazing Service that it file its application with the Public Roads Administration for an allotment of the mine access road funds. The Commission approved the recommendation.

The Commission considered and denied as a matter of policy the application of the Pierce Auto Freight Lines, Medford, for permission to use a state highway department scales at Medford in connection with the weighing of its trucks and trailers, and that it be furnished a key to the scales so as to avoid inconveniencing state highway department employees and state police officers when they have occasion to use the scales.

A communication was presented from the Honorable Elmo E. Smith, Mayor of Ontario, inquiring whether or not the State Highway Commission would approve the accumulation of funds that may be allotted to the City of Ontario over a period of years until the aggregate amount accumulated is sufficient to finance the oiling of city streets. Mr. Smith explained that simple repair work, that is contemplated under the Highway Commission's program for improvement of city streets that are not on state highway routes, does not meet the problem of the City of Ontario, and what they really need is a more extensive improvement which could not be financed unless the Highway Commission would permit the accumulation of funds allotted to Ontario over a period of years. After discussion the Commission instructed the Engineer to inform Mr. Smith that the Commission appreciates the value of the plan that he suggests, but is not in position at the present time to give him a definite answer, in view of the fact that the Legislature, which has just adjourned, enacted a law which allocates to the cities and towns a certain amount of state highway

funds, and there is a question whether or not the Commission will continue its present program for the improvement of city streets that are not on state highway routes; however, the Commission intends to proceed with the program of construction that has been outlined for this year.

The Commission discussed and ordered filed a letter from Mr. J. F. Oldham, Eugene, in which Mr. Oldham calls attention to possible damage that may occur to his property at Eugene by reason of the reconstruction of the Pacific Highway between Judkins Point and Springfield; also, in which he informs the Commission that he intends to hold the state accountable for such damage should there be any. The Engineer was instructed to watch developments and to keep the Commission posted with regard thereto.

Mr. C. O. Wilson, Eugene, Superintendent of the Piling Department of Pope and Talbot, Inc., came before the Commission and asked for a modification of the Commission's requirements with respect to the furnishing of flagmen in connection with the transportation of long piling over state highways. He pointed out that, according to the provisions of permits that the Commission is now issuing, two flagmen are required to accompany each movement—one of whom is required to precede the movement and the other to follow. It was his thought that the general traveling public would be amply protected if the rear flagmen were eliminated, and asked the Commission to authorize the revision of its permits accordingly, particularly in view of the fact that it is becoming very difficult to secure the services of flagmen under present wartime conditions. He also suggested the zoning of highways where the loads are of such length that they cannot be transported without taking up more than half the width of the roadway, which arrangement, he said, would eliminate the necessity for flagmen to accompany the movement throughout and would conserve tires and gasoline. The Commission referred the matter to the Engineer for investigation and report.

The Commission recessed at 12:00 noon and reconvened at 1:30 p. m. in the same room with the same persons present and participating.

The Assistant Attorney requested authority to purchase certain parcels of real property that are needed for various highway improvements throughout the state. He submitted a list of such properties, together with offers that he recommended be made in connection with each. After careful consideration of each item, the Commission approved the request and the recommended offers. The following resolution in regard thereto was adopted by the Commission by unanimous vote, subject to the condition that neither the Joseph L. Hastings tract, file No. 10780, nor the Jessie H. Harrington tract, file No. 10778, which it is contemplated may be used by the state's contractor as a borrow pit to secure materials for the Denver Avenue-Union Avenue Project, be purchased until it is known definitely that the contractor will use these pits; and that the 457.6-acre tract that the Commission contemplates purchasing from the Pilot Rock Lumber Company, adjacent to the Pendleton-John Day Highway, in Umatilla County, for park purposes, file No. 9473, be not purchased unless it develops that an exchange of properties cannot be effected with the United States Forest Service, (see special paragraph ahead concerning this item):

WHEREAS, in connection with the further improvement of the highways hereinafter designated, it is and has been necessary to acquire property for right of way, quarry sites, gravel or other material sites, or sites for the storage of materials, as hereinafter more definitely set forth, and

WHEREAS, as a result of negotiations carried on with the owners of the property required, options have been obtained, which options have been considered by the Commission, outlining the bases of settlement which have been agreed upon, and

WHEREAS, it is the judgment of the Commission that the said options should be approved and accepted, and/or the said reports be declared acceptable to the State Highway Commission as bases of settlement for the properties involved, and that the acquisition of the properties should be completed:

NOW, THEREFORE, BE IT RESOLVED that the several offers, or bases of settlement hereinafter enumerated be, and the same hereby are, approved and accepted, and that the Attorney for the State Highway Commission be, and he hereby is instructed to complete the acquisition of the said properties and to take title thereto in the name of the State of Oregon. The said properties hereby ordered and authorized to be acquired are as follows:

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Columbia Boulevard Section, Pacific Highway</u>				
10780-Hastings, Jos. L.	Borrow Pit	Lots 18, 19, Blk. 2, Natl. Add. to Portland -	\$135, + taxes (Estd. \$25)	Parker
10778-Harrington, Jessie H.	Borrow Pit	Lot 16, Blk. 2, Natl. Add. to Portland, -	\$50, plus taxes (Estd. \$10)	"
<u>Denver-Union Intersection, Pacific Highway</u>				
10787-Multnomah County	Borrow Pit	Removal of dirt from Lots 4 to 15, incl., Blk. 2, and from Lots 18, 19, 20, 24, 25, 26, 27, Blk. 1, Natl. Add. to Portland -	GRATIS	Parker
5673-Westerlund, Joel F.	R/W	1.09	\$6500 per acre, plus \$7915	"
<u>Oak Hill-Eugene Section, Eugene-Venita Highway</u>				
10754-Shaw, F. P. Jr.	Scale Site	0.70	\$75 per acre, plus \$100	Witt
<u>Springfield Section, McKenzie Highway</u>				
10755-Southern Pacific Company	Storage Tank Site	3,709 sq.ft.	\$250 LUMP SUM	Witt

Section, Hwy., and Owner	Purpose	Acres	Approximate Amounts	Agent
<u>Springfield Section, McKenzie Highway</u>				
10763-Both-Kelly Lumber Company	Storage Tank Site	20,325 sq.ft.	\$750 LUMP SUM	Witt
<u>John Day-Prairie City Section, John Day Highway</u>				
4882-A-Oliver, Herman	Stock Pile Site		5 year lease GRATIS	Cozad
<u>Flat Creek-Prairie City Section, John Day Highway</u>				
10786-Holland, Josephine	Gravel Pit and Stock Pile	2.89	\$50 per acre	Cozad
10783-Herburger, Harold and Federal Land Bank of Spokane	Stock Pile Site	1.67	\$30 per acre, plus \$5, plus fencing	"
10784-Younger, Ira and J. M. Norton	Gravel Pit	4.69	\$60 per acre	"
<u>Boardman-Stanfield Section, Boardman-Stanfield Highway</u>				
8852-A-Correa, Jess Jr.	Hauling Road	0.11	\$125 per acre, plus \$36.25	DeSouza
<u>Nye-Grant County Line Section, Pendleton-John Day Highway</u>				
9473-Pilot Rock Lumber Company	Park Timber Land	457.6 acres on which stand 3,360 M. feet merchantable pine timber, worth \$3 per M., in addition to fir and tamarack timber thereon.	LUMP SUM \$10,000	Parker
<u>Umatilla Ordnance Depot Section, Boardman-Stanfield Highway</u>				
8773-A-Northern Pacific Railway Co.	R/W	9.12	\$5 per acre	Devers

The Assistant Attorney also asked the Commission for authority to condemn certain parcels of real property that are needed for various highway purposes. He submitted a list of such properties together with offers that he recommended in condemnation, as follows:

File No.	Name	Purpose Required	Recommended Offer
5672	Leonard F. Wilmot, et ux.	Right of Way	\$ 9,000.00
6338	Ivan F. Phipps and/or A. A. Marclanelli	" " "	900.00
5674	Kernan Live Stock Farm, Inc.	R/W & Easements	1,500.00
3222-B	William Jeskey	Glide Easement	247.50
4715-A	C. H. Walter	Glide Easement	125.00
10630-A	Anna B. Wurster	Glide Easement	295.00

After careful consideration of each item the Commission approved the request and the offers, and thereupon by unanimous vote adopted the following resolutions with regard thereto:

WHEREAS, the State Highway Commission is authorized to locate, relocate, construct, reconstruct, maintain, widen, straighten, and otherwise improve state highways, both primary and secondary, and also access roads or other roads in which the Federal Government is interested, and said Commission is also authorized to construct shops, equipment sheds, office buildings, maintenance sites, patrolmen accommodations, and snow fences, and is authorized to acquire quarry sites, gravel pits, storage sites, stockpile sites, weighing stations, and broadcasting stations, and is further authorized to develop, construct, improve, operate, and maintain parks, parking places, auto camps, camp sites, roadside development, recreational grounds or resorts, and other places of attraction and scenic value; and

WHEREAS, said Highway Commission is authorized to acquire by purchase, agreement, donation, or by the exercise of the power of eminent domain real property, or any interest therein, necessary or deemed by the Highway Commission necessary for the accomplishment of any and all of the foregoing things; and

WHEREAS, in the judgment of the Highway Commission the several tracts or parcels of land hereinafter described are each and all necessary for the specific and particular purposes hereinafter expressly set forth;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the State Highway Commission as follows:

1. That the Commission does hereby find and declare that the several parcels of real property hereinafter described are each and all necessary for the accomplishment of the purposes hereinafter expressly and specifically set forth, which said real properties and the specific purposes for which the same are being acquired are described as follows, to wit:

Real property owned by Kernan Live Stock Farm, Inc., which property is located in the southeast quarter (SE $\frac{1}{4}$) of the southeast quarter (SE $\frac{1}{4}$) of Section 33, Township 2 North, Range 1 East, W. M.; in the northeast quarter (NE $\frac{1}{4}$) of the northeast quarter (NE $\frac{1}{4}$) of Section 4, Township 1 North, Range 1 East, W. M.; and in the southeast quarter (SE $\frac{1}{4}$) of Section 33, Township 2 North, Range 1 East, and in the northeast quarter (NE $\frac{1}{4}$) of Section 4, Township 1 North, Range 1 East, W. M., Multnomah County, Oregon. Said real property consists of three parcels necessary for right of way purposes in connection with the Pacific Highway East, designated on the attached sheets as Parcels Nos. 1, 2, and 3, and consists also of properties described on the attached sheets which are necessary for slope easement, detour road easement, and dike easement purposes in connection with said highway, all of which properties are identified in the records of the Highway Commission as file R 5674;*

Real property owned by Ivan F. Phipps, et al., which property is located in the northwest quarter (NW $\frac{1}{4}$) of the northwest quarter (NW $\frac{1}{4}$) of Section 3, Township 1 North, Range 1 East, W. M., Multnomah County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 4 and is further identified in the records of the Highway Commission as file R 6338, and which property is being acquired for right of way purposes in connection with the Pacific Highway East;*

Real property owned by Leonard F. Wilmot, et ux., which property is located in the northwest quarter (NW $\frac{1}{4}$) of the northwest quarter (NW $\frac{1}{4}$) of Section 3, and in the northeast quarter (NE $\frac{1}{4}$) of the northeast quarter (NE $\frac{1}{4}$) of Section 4, Township 1 North, Range 1 East, W. M., Multnomah County, Oregon, and is more particularly described on the attached sheets and designated as Parcel No. 5 and is further identified in the records of the Highway Commission as file R 5672, and which property is being acquired for right of way purposes in connection with the Pacific Highway East.*

2. That the Commission does hereby find and declare that each of the said described parcels of real property is necessary and acquisition of the same by the State is required for the specific purposes hereinabove set forth, and the said properties are being acquired for the express and specific purposes in this resolution set forth.

3. That the State Highway Engineer be and he hereby is instructed and directed to make or cause to be made all surveys necessary in connection with the determination, description, and acquisition of said real properties, and said Engineer is further instructed to prepare and submit to the Legal Department necessary and adequate descriptions of the said real properties, which said descriptions shall be available for the preparation of any deed or deeds or other instrument or instruments necessary to complete the acquisition of said property or properties, whether said properties be acquired by purchase, donation, agreement, or by the exercise of the power of eminent domain.

4. That J. M. Devers, Attorney for the State Highway Commission, be and he is hereby requested, authorized, and directed to attempt to agree with the owner or owners and/or with the tenants or persons in possession, if there be any, of said parcel or parcels of land with respect to the compensation to be paid for the taking of the same and the damage, if there be any, and in the event that no satisfactory agreement or agreements can be reached, then it is hereby further resolved that J. M. Devers, Attorney for the State Highway Commission, be and he hereby is requested to commence and prosecute to a final determination such suit or action, or suits or actions, as may be necessary and appropriate to acquire

title to the said premises and all rights therein for the purposes herein stated.

5. That this resolution be entered in full in the minutes and records of this Commission.

*(The detailed descriptions of the respective parcels of real property mentioned in this resolution are attached to the original resolution on file in the office of the State Highway Commission, Salem, being Resolution No. 34, under the heading "Real Property Condemnation Resolutions," and said descriptions by this reference are made a part of this minute entry to the same extent as if copied in full herein.)

WHEREAS, the United States of America has selected, designated, and established in Marion and Clackamas Counties, Oregon, a flight strip for the uses and purposes of aircraft; and

WHEREAS, the United States of America has determined and designated the real properties and the boundaries thereof which are needed for use in connection with the construction, maintenance, and operation of said flight strip; and

WHEREAS, the Public Roads Administration, for and on behalf of the United States of America, has requested the Oregon State Highway Commission to procure by purchase, agreement, or by the exercise of the power of eminent domain real properties needed in connection with said project; and

WHEREAS, under and pursuant to the provisions of Chapter 198, Oregon Laws, 1943, the Oregon State Highway Commission is authorized to cooperate with the United States of America and/or with any of its agencies or representatives in the making of surveys, plans, specifications and estimates and in the construction and maintenance of flight strips and airfields, and in the construction, reconstruction or maintenance of roads or bridges necessary in connection therewith, and is authorized to procure necessary real properties needed in connection with the development, construction, or maintenance of flight strips or airfields; and

WHEREAS, the Oregon State Highway Commission, after due consideration, has found and determined that the real property hereinafter described is necessary and its acquisition will be advantageous to the State of Oregon and to the United States of America in connection with said project;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the Oregon State Highway Commission, all members being present and affirmatively voting:

1. That this Commission does hereby find and declare that the real property hereinafter described is necessary for the construction, maintenance, and operation of a flight strip heretofore selected and designated by the United States of America and referred to as the Aurora Flight Strip, and does hereby find and declare that the acquisition of said real property is advantageous to the United States of America and to the State of Oregon in connection with said project.

2. That the real property required and hereby found and declared to be necessary for the construction of said Aurora Flight Strip is described as follows, to wit:

A parcel of land lying in the southeast quarter (SE $\frac{1}{4}$) of Section 35, Township 3 South, Range 1 West, W. M., Clackamas County, Oregon, the said parcel being described as follows:

Beginning at the southeast corner of said Section 35; thence north along the east line of said section 1848 feet to the north line of the owner's property; thence west along said north line 1650 feet; thence south, parallel to the east line of said section, 1848 feet to the south line of Section 35; thence east along said south line 1650 feet to the point of beginning.

3. That the inclined plane or area over the above described real property which the United States of America and the State of Oregon propose to use as a glide area has the following elevations, which are related to the U. S. Coast and Geodetic Survey (1929 Adjustment):

Elevation 260 feet at the northeast corner of said tract;
 Elevation 260 feet 1450 feet west of the northeast corner of said tract;
 Elevation 287 feet at the northwest corner of said tract;
 Elevation 275 feet at the southeast corner of said tract;
 Elevation 218 feet 420 feet west of the southeast corner of said tract;
 Elevation 218 feet 1390 feet west of the southeast corner of said tract;
 Elevation 253 feet at the southwest corner of said tract.

4. That said real property is being acquired for the purpose of using the same as a glide area in connection with the development and use of said flight strip.

5. That J. M. Devers be and he is hereby authorized to negotiate with the owners of said real property for the purpose of acquiring the same by agreement, and if said property cannot be acquired by mutual agreement then the said J. M. Devers is hereby

instructed to institute and prosecute to final determination a condemnation action for the purpose of acquiring title to the said property or an easement therein and for the further purpose of having the compensation to be paid therefor determined by a jury.

6. That this resolution be entered in full in the minutes and records of this Commission.

The Attorney brought up for discussion the matter of purchase of timber strips along the Pendleton-John Day Highway, in Umatilla County. He advised that he contacted the Pilot Rock Lumber Company, which is the owner of a considerable portion of the property desired by the state, and ascertained that the company is willing to sell it to the state for the sum of \$10,000, which is at the rate of \$3.00 per board foot for the timber standing thereon. He further advised that, due to the large sum involved, he contacted officials of the United States Forest Service relative to the possibilities of securing this tract by an exchange for other forest timber land, and ascertained that such officials are interested in the matter. Moreover, the Pilot Rock Lumber Company appears to be agreeable to such exchange, and has stated a willingness to defer the cutting of the timber on the tract until it is known definitely whether or not the exchange can be made. He requested authority to discuss the matter further with the Forest Service officials and recommended, if such an exchange cannot be worked out, that the Commission authorize the purchase of the property at the figure quoted by the owner. After considerable discussion the Commission instructed the Attorney to investigate the possibilities of effecting an exchange of properties through the United States Forest Service. Commissioner Oliver expressed himself as being in favor of purchasing the property at \$10,000, if such exchange cannot be arranged. Commissioner Clough concurred. Chairman Banfield declared the action of the Commission to be unanimous. (This item is included in the real property resolution above.)

The Commission discussed a letter from Alden E. Miller, Oregon City, attorney in behalf of Francis Northrup, Portland, in which the Commission is requested to join with Mr. Northrup in the vacation of a short section of East 26th Street, Portland, where it is bounded on the north by railroad company right of way and on the south by Clackamas Avenue; also, in which the Commission is asked to sell to Mr. Northrup a small triangular area which would come into possession of the state in the event the vacation proceedings were approved. It appears that East 26th Street, south of Clackamas Avenue, has already been vacated and that Mr. Northrup desires the vacation of the short section north of Clackamas Avenue to enhance his present holdings which abut on the street at this location. The matter was discussed briefly but action thereon was deferred until the next meeting, when another report is to be rendered by the Attorney with respect thereto.

The Commission had under consideration the abandonment of a portion of the Crater Lake Highway (old route) which has been rendered valueless from the state's standpoint in view of the fact that the highway has been reconstructed on revised alignment. The Engineer recommended that this section of

highway be turned over to the county and city authorities for future maintenance. The Commission approved the recommendation and thereupon by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, in order to afford a better alignment and a more satisfactory, safe and convenient highway for the traveling public, the Commission found it necessary to relocate a portion of the Crater Lake Highway in Jackson County; and

WHEREAS, by reason of said relocation and the reconstruction of said portion of said highway there was eliminated and made unnecessary as a part of the completed highway a section or part, which section or part is more specifically defined and described hereinafter in this resolution; and

WHEREAS, said change of alignment and route affects a portion of the Crater Lake Highway as routed into and through the City of Medford as well as a portion of the route of the highway outside the corporate limits of the City of Medford; and

WHEREAS, it is the judgment and opinion of the Commission that there should be reflected in the minutes and records of this Commission the purpose and plan of the Commission to abandon as a part of the Crater Lake Highway, and therefore as a part of the state highway system, the portion of right of way of the old alignment hereinafter defined and heretofore included within the area of the right of way of the Crater Lake Highway as formerly located between the said termini and as heretofore improved and used; and

WHEREAS, in connection with the relocation of said highway there was accomplished a change in the point of entrance of the highway into the City of Medford from the north and there was likewise accomplished a rerouting of highway traffic in said City;

NOW, THEREFORE, the premises being in general as above stated, it hereby is resolved by this Commission, a majority of members being present and affirmatively participating, as follows:

1. That the fragment of land confined within the area hereinafter described and which was formerly within the limits of the right of way of the Crater Lake Highway north of the City of Medford but which is now without the limits of said right of way as said highway has been relocated and constructed be and said fragment of land is abandoned as a part of the right of way of said highway, and the part of said right of way so abandoned and which is outside of the corporate limits of the City of Medford is left to revert to the adjoining or abutting property owners or to the control or supervision of the County Court of Jackson County for highway and/or other public purposes.

2. That the fragment of land or right of way hereby abandoned and eliminated from the state highway system is described as follows:

All that certain section of the old right of way of the Crater Lake Highway in Sections 7, 8, 17, 18 and 19, Township 37 South, Range 1 West, W. M., from the north city limits of Medford at East Jackson Street and then northerly extending along the former route of the Crater Lake Highway to a point which is 1250 feet north of the section corner common to sections 7, 8, 17 and 18, said point being on the right of way required for the reconstructed Crater Lake Highway.

3. That Crater Lake Avenue from its junction with Saling Avenue to its junction with Main Street, and Main Street from said junction to its junction with the Pacific Highway (Riverside Avenue) are abandoned as streets of said City over which to route Crater Lake Highway traffic, and said streets or sections of said streets shall again be under the exclusive jurisdiction of the City of Medford.

4. There is attached hereto and by this reference made a part hereof a white print marked Exhibit A, upon which map there is shown shaded in red the abandoned section of said highway without the city limits, and upon which map there is shown shaded in yellow the streets which by this resolution are abandoned as streets of said City over which to route said Crater Lake Highway traffic, which exhibit for identification purposes bears the signatures of K. D. Lytle, Division Engineer; H. G. Smith, Construction Engineer; and C. B. McCullough, Assistant State Highway Engineer, and bears date of February 24, 1943.*

5. In the event there remains any physical connection between any portion of said abandoned right of way or highway and the present highway and by reason of such physical connection traffic from the existing highway may enter or use the said abandoned portion of the old road to the possible damage or injury of such traffic by reason of any unsafe condition existing with respect to said old or abandoned section, then the State Highway Engineer is hereby authorized and directed to erect such barricade or other safeguards as may be necessary to protect and safeguard traffic using and employing said newly located, constructed and dedicated section of said state highway.

6. This resolution shall be entered in the minutes and records of the Commission and a certified copy thereof promptly delivered to the County Court of Jackson County, together with a copy of said exhibit, for such action as said County Court may desire to take with respect to said abandoned portion of said Crater Lake Highway outside of the city limits of the City of Medford; and a copy of said resolution, together with said exhibit, shall be delivered to the Mayor of the City of Medford for such action as said City may

*Map filed Right of Way Abandonment and Retention File - No. 114.

desire to take with respect to said city streets. Should said abandoned portion of the highway be further employed for public or private highway purposes such use shall be entirely under the control and supervision of the County Court of Jackson County, and said streets or sections of said streets shall as to supervision and control revert to and be under the jurisdiction of the City of Medford, and the same shall be beyond any responsibility or supervision by the State Highway Commission.

The Secretary presented a resolution from the County Court of Douglas County with reference to the abandonment by the Highway Commission of a portion of the Rice Hill Section of the old Pacific Highway. According to the resolution, the abandoned section is of no value to Douglas County for county-road purposes, and in view thereof the County Court has elected to let the area revert to the abutting property owners. The Commission approved the resolution and ordered it filed.

The Commission discussed an offer from Mrs. Bertha M. Prelwitz, Charleston, to pay the state \$25 for an old building which is located on state property in Charleston. The Engineer advised that the building is of no value to the Highway Department and suggested that Mrs. Prelwitz's offer be accepted. In the discussion of the matter, the Assistant Attorney mentioned that there is a question as to the ownership of this building, advising that it was placed on the state's property by mistake and there is a possibility that Coos County is the rightful owner. In view of this question, the Commission deferred a decision in the matter until the next meeting. The Assistant Attorney was instructed in the meantime to look further into the matter of ownership of the building.

The Assistant Attorney brought up for discussion the matter of the sale of real property that has been acquired by the Commission in connection with right-of-way settlements and which properties are of no value for state highway purposes. He particularly referred to property acquired from Christian Ramseyer in connection with the revision of the Pacific Highway south of Salem, in which instance the state was obliged to purchase about 50 acres of land in order to secure right of way for this revision. It was the Assistant Attorney's thought that now is the opportune time to sell some of these properties, and accordingly requested authority to list them for sale with established real estate agents. The Commission approved the suggestion and so ordered.

The Commission discussed an offer from the Huntington Rubber Mills, Portland, to purchase certain state-owned property that was acquired in connection with the Front Avenue improvement in Portland, same being situate on the east side of Macadam Street between Southwest Miles Street and Southwest Nevada Street. The Assistant Attorney advised that the company has offered to pay \$2,750 for this property, which is more than the state paid for it, and recommended acceptance of the company's offer, subject to a 30-foot right-of-way reservation for a city street connecting Southwest Macadam Street with

an unnamed street easterly thereof, and subject also to franchise rights of the Southern Pacific Company along such cross-over street. After discussion the Commission by unanimous vote approved the sale of this property to the Huntington Rubber Mills at its offer of \$2,750.

The Assistant Attorney brought up for discussion the question of exchange of properties with Mr. George Stonefield, adjacent to the Oregon Coast Highway at Tennile Creek, in Lane County. It appears that the land which the state owns was purchased as a source of materials for road construction, but the supply of material is exhausted and the property is of no further value from that standpoint; also, that Mr. Stonefield wishes to acquire this property, which will fit in nicely with property that he already owns, and has offered to deed to the state 1.4 acres of land that joins the state's stock-pile site nearby. The Engineer recommended acceptance of Mr. Stonefield's offer, provided no cash consideration is involved. The Commission approved the recommendation by unanimous vote.

Consideration was given by the Commission to the granting of free use of state-owned property for garden purposes. The Assistant Attorney advised that numerous requests have been received for such use of state-owned property, and suggested that it might be advisable to allow the properties to be used for such purposes, without charge, if the user will agree to maintain the premises in slightly condition and will return the properties to the state in good condition. He pointed out that the state would benefit by such use by having the property cleared of noxious weeds and shrubs, which feature would be reflected somewhat in highway maintenance costs. The Commission concurred in the Attorney's suggestion and thereupon authorized him to permit such use of the state's property without cost. The following form of permit was thereupon approved by the Commission by unanimous vote:

Reference is made to your request to use property under the jurisdiction of the State Highway Commission consisting of _____
_____ for the following purposes: _____

This permission is granted during the balance of the calendar year 194__ upon the following conditions:

- (1) Only annual crops shall be planted;
- (2) No buildings or other structures shall be placed on the property, nor shall any commercial or unlawful use be made thereof;
- (3) The Commission shall have the right to retake possession, sell or otherwise dispose of said property at any time such action may appear to the Commission to be in the public interest without liability for loss, injury or damage of any nature whatsoever;
- (4) No noxious weeds or shrubs shall be permitted to grow on the property;
- (5) The rental to be paid shall be: _____

Reconsideration was given by the Commission to a request of Mr. Russell Hubbard, Reedsport, for an exchange of properties adjacent to the Umpqua Highway near the north city limits of Reedsport. Action on this matter was deferred by the Commission until its next meeting. The Assistant Attorney was instructed to render a full report at that time.

At 3:00 p. m. Chairman Banfield announced the following awards of contracts, bids for which were received at the morning session, such awards having previously been approved by the Commission by unanimous vote:

"Removal and replacement of pier fenders on the Lewis and Clark Bridge on the Oregon Coast Highway, near Astoria, in Clatsop County. Two bids were received, that of The Gilpin Construction Company, Portland, being low at \$5,855.00, and the other being that of Makela Construction Company, Astoria, at \$6,259.60. The Commission awards this contract to The Gilpin Construction Company at its low bid of \$5,855.00.

"John Day Rock Production Project on three state highways, in Grant County. Chester T. Lackey, Ontario, submitted the low bid at \$45,350.00. R. O. Dail & Warren Bros., Portland, submitted the second-low bid at \$57,970.00. There was one higher bidder. The Commission awards this contract to Chester T. Lackey at his low bid of \$45,350.00.

"Drinkwater Pass-Juntura Rock Production Project on the Central Oregon Highway, in Harney and Malheur Counties. No bids were received on this project.

"Crescent Rock Production Project on The Dalles-California Highway, in Klamath County. No bids were received on this project.

"Aurora Flight Strip Project, in Marion and Clackamas Counties. Clearing of approach and side clearance zones. Vernie Jarl, Gresham, submitted the low bid for this project at \$5,850.00. The only other bid received was that of C. W. Reeve, Salem, at \$7,160.00. The Commission refers both bids to the Engineer with power to award the contract to the low bidder, Mr. Jarl, when certain conditions have been fulfilled.

"Denver Avenue Junction Section of the Pacific Highway East, in Multnomah County. Grading, surfacing, paving and bridge construction. Henry L. Horn, Caldwell, Idaho, submitted the low bid in the amount of \$318,116.50. Edlefsen-Weygandt Company, Portland, submitted the second-low bid in the amount of \$339,224.40. There were three higher bidders. The Commission refers all bids received for this project to the Engineer with power to award the contract to the low bidder when certain conditions have been satisfied."

The Engineer reported on the request of J. S. Burres, Moro, Oregon, for improvements to the Cottonwood Grade Section of the Wasco-Heppner Secondary

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State Highway. He advised that District Maintenance Superintendent G. C. Seeley has called on Mr. Burres several times to find out just what he has in mind, but each time found no one at home. He believed, however, that Mr. Burres is asking for the widening of a number of narrow places on this grade and the placing of additional surfacing material, which matter was investigated last year and was estimated to cost about \$5,000. He gave as his thought that, because of the decline in revenues resulting from wartime conditions, the Commission could not spare such amount now, and pointed out that even if the Commission did approve the project, it is doubtful that the federal authorities would approve the expenditure, because the road is not particularly essential from the national defense standpoint. In view of the Engineer's report, the Commission decided not to approve the project. The Secretary was instructed to advise Mr. Burres of the action taken, and to inform him further that the project will be kept in mind for future consideration and will be inspected by the Commission when it is in that vicinity.

The State Parks Superintendent, Mr. S. H. Boardman, was present and reported on state park matters, as follows:

Financial statement for month of February 1943:-The Parks Superintendent rendered the following statement concerning the expenses of his department, which was approved by the Commission by unanimous vote:

	1943 Budget	Expenditures to 2/28/43	Balance
*Acquisition (See detailed list below)	\$12,210.00	\$ 282.50	\$11,927.50
Betterment	- - -	- - -	- - -
Operation and Maintenance	45,977.25	4,449.01	41,528.24
	\$58,187.25	\$ 4,731.51	\$53,455.74
*Linn County: Cascadia - Geisendorfer payments		\$100.00	
Tillamook County Nehalem Sandspit - Peterson		12.50	
		\$112.50	
Legal cost of acquisition		170.00	
		\$282.50	

Renewal of juniper wayside agreements:-The Parks Superintendent presented agreements between the State Highway Commission and the United States Department of Interior, Grazing Service, renewing previous agreements which provide for the preservation and protection of juniper waysides along the Central Oregon Highway between Bend and Horse Ridge, along the McKenzie Highway between Sisters and Redmond, and along the Ochoco Highway between Redmond and Prineville. He advised that no cash consideration is involved in these agreements, which are on a yearly basis; and that arrangements have been made for future renewals of the agreements by an exchange of letters between participating parties. The Commission approved the arrangement and thereupon signed the agreements.

Tree cutting in Van Duzer Corridor:-The Parks Superintendent presented a request from the Mountain States Power Company for

permission to fall a number of dangerous trees that interfere with the company's power line that borders the Salmon River Highway and traverses the Van Duser Corridor between engineer's stations 227+00 and 404+00. He explained that there are some fifty trees which the company wants to remove, and that the company has agreed to pay the state \$3.00 per tree. He advised that the trees are not of much value and recommended approval of the request. The Commission approved the recommendation.

Sale of 20-acre timber tract in Short Sand Beach State Park:- The Parks Superintendent presented an offer from Mr. A. F. Koppisch, logging contractor, Astoria, to purchase certain timber in Short Sand Beach State Park which is entirely surrounded by property that is now being logged by Mr. Koppisch and his associates. He recalled that the Commission discussed this matter at the previous meeting and decided not to sell the timber because it is on property that was presented to the state as a gift, for park purposes, by Mr. and Mrs. Sam Reed, and the Commission did not feel it would be doing the right thing by the Reeds to sell the timber; and, furthermore, the Commission considered that the standing timber would be beneficial in the seeding over of the adjacent logged-off land. Mrs. Reed, he said, has sold all of the timber on her property that surrounds this tract, and has stated in writing that she has no objections to the sale of the timber in question if the state considers that the advisable thing to do. He read aloud Mrs. Reed's letter to that effect. After full discussion of this matter the Commission again decided by unanimous vote not to sell the timber.

Sale of cordwood in Azalea State Park at Brookings:- The Parks Superintendent advised that, in the development of Azalea Park, he has accumulated some fourteen cords of wood which he would like to dispose of. He recommended that it be sold to local residents at the government ceiling price for such commodity. The Commission approved the recommendation.

The Engineer discussed with the Commission proposed changes in the salary and wage schedules for certain state highway department employees. He advised that it is becoming more and more difficult to retain the personnel of the present organization, due to Army draft and greater remuneration that is offered in other occupations, and in his estimation, if these employees were offered more pay, it would go a long way toward the retention of their services. The highways, he said, cannot be kept up in satisfactory condition unless there are men available to do the work, and men will not work for the state unless they are paid a wage or salary comparable to that which they can receive in other employment. He recommended approval of the following changes, effective as of April 1, 1943, and explained that, insofar as it concerns shop crews, employees in district maintenance offices, and survey and construction engineering personnel, it would also mean a change-over from a 44-hour week to a 48-hour week;

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PROPOSED WAGE SCHEDULE CHANGES

Classification	Number of Employees	Increase	Present Monthly Pay Roll	Cost of Increase	
				Per Month	Per Year
PROPOSED FROM 1942					
<u>Group I. Changes Effective April 1, 1943</u>					
Oiling and paving crews:					
Hourly rate men	192	\$20 per mo. (10¢ per hr.)		\$ 3,840	\$ 46,080
Monthly rate men	40	\$10 per mo.		400	4,800
Extra gang crews:					
Hourly rate men	106	\$20 per mo. (10¢ per hr.)		2,120	25,440
Monthly rate men	14	\$10 per mo.		140	1,680
Bridge repair crews:					
Hourly rate men	100	\$20 per mo. (10¢ per hr.)		2,000	24,000
Monthly rate men	22	\$10 per mo.		220	2,640
Traffic line crews:					
Hourly rate men	18	\$10 per mo. (5¢ per hr.)		180	2,160
Monthly rate men	3	\$10 per mo.		30	360
Section maint. crews	860	\$10 per mo. (5¢ per hr.)		8,600	103,200
Shop crews:					
Hourly rate men	95	\$10 per mo. (5¢ per hr.)		950	11,400
" " "		9% (Change to 48 hr. wk.)	\$ 15,375	1,469	17,628
Monthly rate men	44	" " " "	6,456	581	6,972
District maint. offices	45	" " " "	9,000	810	9,720
Surveys & constr. engr.	161	9% (" " " ")	30,203	2,718	32,616
	2,000			\$24,058	\$288,696
<u>Group II. Changes To Be Made Later</u>					
Administration and R/W	193	9% (Change to 48 hr. wk.)	\$38,498	\$ 3,465	\$ 41,580
Traffic engineering	23	9% (" " " ")	3,173	286	3,432
				\$3,751	\$ 45,012
<u>Group III. No Changes Proposed</u>					
Bridge operation crews	26	(Continue 48 hr. wk.)	-	-	-
Sign crews	20	" " " "	-	-	-
Road magnet crews	2	" " " "	-	-	-
Gas pump repair	2	" " 44 " " "	-	-	-
Weighmaster	20	" " " "	-	-	-
Park caretakers	14	" " " "	-	-	-
Grand Total	-	-	-	\$27,809	\$333,708

The Engineer also explained that it is planned later on to change the work week for traffic engineering personnel and the personnel of the administration and right-of-way departments from 44 hours to 48 hours, at which time it is contemplated to give such employees a nine per cent increase in salary. However, no change whatsoever is proposed for bridge-operation crews, signing crews, road-magnet crews, gasoline pump repair crews, weighmaster crews, and state park caretakers. The above changes, he said, will require an annual increase for salaries and wages of approximately \$350,000. He asked the Commission to approve the salary and wage schedule as reported. The matter was discussed at considerable length, and as a result thereof such schedule was approved by the Commission by unanimous vote, subject to final approval by Governor Snell. The matter was referred to Chairman Banfield and the Engineer to discuss with the Governor.

The Engineer presented a list of surveys that he has ordered since the last meeting of the Commission, and asked the Commission to confirm them and the amounts allocated for each. After due consideration the Commission by unanimous vote authorized and instructed the Engineer to make such surveys on various sections of the highways of this state, which said sections of highways, together with their identifying survey numbers and the amounts authorized and allocated for such survey expenditures, are as follows:

Type of Survey	Prefix No.	County	Section and Highway	Authorization
Plans	5-1425	Columbia	Rainier-Goble Section, Columbia River Highway	2nd - \$1,740 Total to date \$5,040
Stock Pile	105-1427	Columbia	Vernonia Section, Nehalem Highway	1st - \$ 150
(Gravel Pits (Stock Piles	12-1429	Grant	Flat Creek-Prairie City Sec., John Day Highway	1st - \$ 200
Location	13-1418	Harney	Poison Creek Section, John Day-Burns Highway	2nd - \$1,800 Total to date \$4,800
Stock Pile	13-1420	Harney	Middle Fork-Juntura Section, Central Oregon Highway	1st - \$ 150
Location	20-1450	Lane	Eugene-Spencer Butte Section, Pacific Highway	1st - \$5,865
Plans	34-1434	Wash.	Davies-Sylvan Section, Wolf Creek Highway	1st - \$6,000
Plans	107-1406	Crook	Jefferson Co. Line-Prineville Sec., Madras-Prineville Hwy.	3rd - \$1,000 Total to date \$3,500
Location	10-1438	Douglas	Green Station-Myrtle Creek Section, Pacific Highway	1st - \$9,600

<u>Type of Survey</u>	<u>Prefix No.</u>	<u>County</u>	<u>Section and Highway</u>	<u>Authorization</u>
Plans	16-1406	Jefferson	Madras-Terrebonne Section, The Dalles-California Highway	2nd - \$ 525 Total to date \$13,125
Plans	16-1412	Jefferson	Forest Boundary-Warm Springs Agency Sec., Warm Springs Hwy.	1st - \$ 250
Plans	35-1413	Wheeler	Forest Boundary-Mitchell Sec., Ochoco Highway	3rd - \$ 600 Total to date \$14,350
Plans	206-1432	Coos	Empire Naval Access Road	1st - \$ 200
Test Pits	17-1419	Josephine	Sexton Mountain Section, Pacific Highway	1st - \$1,250
Plans	26-1467	Multnomah	N. W. Front Ave. (Doane to 20th Avenue), Portland	1st - \$1,000
Plans	26-1466	Multnomah	Fairview-Bonneville Section, Columbia River Highway	1st - \$4,000
Plans	26-1455	Multnomah	Parkrose-Fairview Section, Columbia River Highway	3rd - \$1,000 Total to date \$5,500
Plans	26-1462	Multnomah	Union Ave.-Denver Ave. Inter-section, Pacific Hwy. E. & W.	4th - \$1,000 Total to date \$5,000
Location	4-1467	Clatsop	Lewis & Clark Bridge-Skipanon Section, Oregon Coast Highway	1st - \$6,000
Prospect	22-1456	Linn	Jefferson-Albany Section, Pacific Highway East	2nd - \$ 100 Total to date \$250

The Engineer reported that a number of surveys heretofore authorized by the Commission have been completed. He presented a list of such surveys and reported briefly on each survey listed thereon. After due consideration the Commission approved the respective surveys, as reported, and by unanimous vote adopted the following resolution in regard thereto:

WHEREAS, the State Highway Commission heretofore has authorized and instructed the State Highway Engineer to make surveys on certain sections or portions of the highways of the State of Oregon; and

WHEREAS, pursuant to said authorization the State Highway Engineer has made and completed the said surveys and has filed the

maps and plans of the said surveys in the files of the State Highway Commission, in Salem, Oregon; and

WHEREAS, the maps and plans of the said surveys have been examined by the State Highway Commission and have been found suitable in all respects for approval and adoption by the State Highway Commission;

NOW, THEREFORE, BE IT RESOLVED that the surveys hereinafter designated and described, together with their identifying location map-file numbers, as shown in the map-filing records of the State Highway Commission in its Salem office, be and they are hereby adopted and approved as the location surveys of the various portions or sections of highways involved:

<u>File No.</u>	<u>Prefix</u>	<u>County</u>	<u>Type of Survey</u>	<u>Section</u>	<u>Highway</u>
6B7-6	4-1463	Clatsop	Bridge	Columbia River Xing at Puget Island	Columbia River
6B7-3	4-1466	"	Reconn.	Lewis & Clark Br.- Camp Clatsop	Oregon Coast
6B7-4	5-1425	Columbia	Location	Rainier-Goble	Columbia River
5B7-18	130-1439	Umatilla	Location	U. P. Railroad Undercrossing	Hermiston

BE IT FURTHER RESOLVED that the State Highway Engineer be and he hereby is authorized to make such minor changes in the said locations as may improve the standards of alignment and grades not inconsistent with the general location of the section of highway involved.

The Commission had under consideration the following requests for extensions of time within which to complete highway construction projects:

Fisher Bros., contract No. 2398, for grading, surfacing and oiling the East Unit, Dixie Summit-Austin Section of the John Day Highway, in Grant County, requested an additional extension of time, from June 30 to September 19, 1942, within which to complete this job. They attributed their failure to complete the project within the specified time limit to adverse weather conditions and shortage of labor. The Engineer advised that the reasons given by the contractor for failure to complete the project within the time

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limit specified in the contract are correct. He recommended, in view thereof, that the extension of time requested be granted without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

Edlefsen-Weygandt Company, contract No. 2476, for grading and paving the Washington Street-Clay Street Section of Front Avenue (Pacific Highway West), in Portland, Multnomah County, requested an extension of time, from June 30, 1942, to February 13, 1943, within which to complete this job. It attributed its failure to complete the project within the specified time limit to noncompletion of the Morrison Street Bridge Project, under another contract. It pointed out that, according to the provisions of the contract, the Morrison Street Bridge Project was to have been completed by December 15, 1941, whereas the bridge work was not completed and traffic allowed the use of the bridge until early in July, 1942. The Engineer advised that the special provisions of this contract stipulated the estimated date of completion of the work on the Morrison Street Bridge approaches as December 15, 1941, with the proviso that an extension of time would be granted for any delay of completion beyond that date. The bridge approach work, he said, was not advanced far enough to permit Edlefsen-Weygandt Company to commence its work until June 18, 1942, an overrun of 185 days, so in his estimation the company is entitled to an extension of time of such length, without penalty. He also pointed out that the Edlefsen-Weygandt Company was handicapped by delays incident to the securing of materials under wartime conditions, and by its inability to work more than one shift, due to scarcity of labor. The job was practically completed by January 1, 1943, he added, and the only work remaining to be done at that time was the adjustment of a few manholes, which could not be accomplished until suitable weather obtained. He recommended, in view of the circumstances, that the extension of time requested be granted without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

Max J. Kuney Company, contract No. 2517, for grading and construction of box culverts on the Warm Springs River-Mill Creek Section of the Warm Springs Highway, in Wasco County, requested an extension of time, from July 31 to November 20, 1942, within which to complete this job. It alleged that its failure to complete the project within the specified time limit was due to instructions from the Engineer to suspend operations during the winter of 1941-42, until suitable weather obtained the next spring. The Engineer advised that the reason given by the contractor for failure to complete the project within the specified time limit is correct. He recommended, in view thereof, that the extension of time requested be granted without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation by unanimous vote.

O. N. Pierce, contract No. 2579, for the widening of North Burgard Street Overcrossing on the North Portland Shipyard Access Road, Multnomah County, requested an extension of time, from September 30 to December 16, 1942, within which to complete this job. He alleged that his failure to complete the project within the specified time limit was due to wartime conditions which made it difficult to obtain material and labor. The Engineer advised that the reason given by the contractor for overrunning the specified time limit is correct. He recommended in view thereof that the extension of time requested be granted without penalty. A letter was presented from the Public Roads Administration concurring therein. The Commission approved the recommendation.

The Engineer reported that contracts Nos. 2398, 2476, 2505, 2517, and 2579, for the construction of state highway projects, have been completed according to the requirements of the contracts or modifications thereof, and that said jobs are now ready for acceptance. The following resolution accepting the above projects was offered and adopted by the unanimous vote of the Commission:

WHEREAS, the Engineer has reported that the following State Highway Commission contracts for the construction of state highway projects have been completed according to the terms and provisions of the contracts, and that said jobs are now ready for acceptance:

Contract No. 2398, with Fisher Bros., for grading, surfacing and oiling the East Unit, Dixie Summit-Austin Section of the John Day Highway, in Grant County. Completed September 19, 1942.

Contract No. 2476, with Edlefsen-Weygandt Company, for grading and paving Front Avenue (Washington Street-Clay Street) on the Pacific Highway West, Multnomah County. Completed February 13, 1943.

Contract No. 2505, with M. L. O'Neil & Son, for grading and topping the North Unit, Wrights Point-Narrows Section of the Frenchglen Secondary Highway, in Harney County. Completed July 11, 1942.

Contract No. 2517, with Max J. Kuney Company, for grading and construction of box culverts on the Warm Springs River-Hill Creek Section of the Warm Springs Highway, in Wasco County. Completed November 14, 1942.

Contract No. 2579, with O. N. Pierce, for widening North Burgard Street Overcrossing, in the city of Portland, Multnomah County. Completed December 16, 1942.

THEREFORE, BE IT RESOLVED that the work covered by said state highway contracts for the construction of said state highway projects be declared completed according to the terms of the respective contracts, and said jobs are hereby accepted and final payment in connection with each is hereby authorized.

The Commission considered and signed agreements, et cetera, as follows:

Agreement with the California-Oregon Power Company covering relocation of the company's electric line along the Tiller-Trail Highway, in Douglas County.

Form of lease with the United States Government covering property on the Pacific Highway, lying outside of the right of way on Sexton Mountain. Property now occupied by buildings of the Aeronautics Administration.

License granting to the United States Government right to use and maintain a trail through the southwest quarter (SW $\frac{1}{4}$) of the southeast quarter (SE $\frac{1}{4}$) of the northwest quarter (NW $\frac{1}{4}$) of Section 23, Township 34 South, Range 6 West, W. M., Josephine County.

Agreement covering rental of state-owned equipment to the War Department, Camp Adair.

Application for change of water right on property at Union, recently acquired from the State Game Commission.

Petition to exclude lands from the Slide Irrigation District to eliminate payment of irrigation taxes.

Lease of gravel pit on the Hooker Creek-Jordan Valley Section of the Jordan Valley Secondary Highway, in Malheur County, from W. W. Jones.

Lease of a maintenance headquarters site at Troutdale, from Suhr's Flower Farm.

Renewal of a stock-pile site lease from A. E. Troutman, on the Maupin Section of The Dalles-California Highway, in Wasco County.

Application to the Department of Interior for lease of a maintenance site in the northeast quarter (NE $\frac{1}{4}$) of the northwest quarter (NW $\frac{1}{4}$) of the northwest quarter (NW $\frac{1}{4}$) of Section 14, Township 22 South, Range 10 East, W. M., Deschutes County.

Lease of property located near Pendleton to the United States Army as a headquarters for WAACS.

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Agreements with the following cities covering work to be performed in 1943 on city streets not on the highway systems: Amity, Condon, Hillsboro, Silverton, Union, Cove, Elgin, Jordan Valley, Seaside, Prairie City, Rainier, Lakeview, Chiloquin, Coquille, Empire, Port Orford, and Joseph.

Field agreement with the United States Department of Interior, Grazing Service, providing for the protection of juniper waysides along the McKenzie Highway, between Sisters and Redmond, and along the Ochoco Highway, between Redmond and Prineville.

Field agreement with the United States Department of Interior, Grazing Service, providing for the protection of juniper waysides along the Central Oregon Highway between Bend and Horse Ridge.

Bargain and sale deed conveying unto the United States of America 21.43 acres of land situate in Jefferson County. Consideration \$535.75. Right-of-way file No. 3189A.

Bargain and sale deed conveying unto Jackson County 1.7 acre of land in Jackson County, being portion of old right of way of the Pacific and Eastern Railroad.

Bargain and sale deed conveying unto Clackamas Cemetery Association 0.34 acre of land, in Clackamas County.

The Commission discussed the date for its next regular meeting for the receiving of bids, and decided to hold such meeting in Portland on Thursday, April 8, 1943. (This meeting date was later advanced to Tuesday afternoon and Wednesday, April 6 and 7, at which time the Secretary was instructed to make the usual arrangements to hold the Wednesday meeting in the auditorium of the Public Service Building, and to arrange for the use of a room in the Imperial Hotel for the meeting on the afternoon of April 6.)

There being no further business to come before the Commission at this time, the meeting was adjourned at 4:30 p. m.

[Signature]
State Highway Engineer

[Signature]
Secretary

[Signature]
Chairman

[Signature]
Commissioner

[Signature]
Commissioner

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STATE OF OREGON

MICROFILMED PUBLIC RECORD

(In accordance with the provisions of ORS 192.040 through 192.070)

Name of Agency: OREGON DEPARTMENT OF TRANSPORTATION

Title of Record Series: HIGHWAY COMMISSION MINUTES

Arrangement of Records: BY VOLUME NUMBER AND DATE. INCLUDES PAGE NUMBERS

Index:

INDEXING: Begins with: VOLUME 22 PART II
JULY 9, 1937 Ends with: VOLUME 27 PART II
MARCH 17, 1943

FLASH CARDS:

PAGE 7495
BEGINS EVERY NEW VOLUME

Remarks:

Reel No. 3 Reduction Ratio 29:1 Project No. _____
Camera: Name BELLE HOWELL Model FILE MASTER Film MD-5, 16 mm

CAMERA OPERATOR'S CERTIFICATE

Certification: I hereby certify that I have on this 19 day of NOVEMBER, 19 49 photographed the documents appearing on this roll of film, that they are true copies of documents, found in the record file described above, and that the integrity of the above described record file has been maintained on the film by microfilming each document in the exact order in which it was found in the file - with the exception, if any, of documents omitted because of technical difficulties and/or by error, as indicated on the film in the cross-reference notes or retake certificate.

I hereby further certify that the microfilm on which these documents are recorded was procured as permanent film of the slow burning cellulose ester or polyester type known as safety photographic film, conforming to applicable standards of the American National Standards Institute; and that the processing conforms to the standards for permanent film; and that samples of film processed by this service are periodically tested.

Signature

Valerie Niemi

3M MICROFILM

**END OF
ROLL**

ROLL NO. 3

HIGHWAY COMMISSION MINUTES
VOLUME 27 PART II PAGE 11453
MARCH 17, 1943